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PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, FIRST SESSION

SENATE—*Tuesday, April 22, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, who hast made and preserved us a nation, bless all the people of this land, the young and the old, the rich and the poor, the well and the sick, those who lead and those who follow, that we may be fused into one mighty body striving for that righteousness which exalteth a nation and that brotherhood which belongs to Thy kingdom.

Accept, O Lord, the dedication of Thy servants in this body, granting unto each one the illumination of Thy spirit, the will to know and to speak the truth in love, and to see beyond the work of the day the values that abide eternally.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, April 18, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REFORM OF FEDERAL INCOME TAX SYSTEM—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, received on April 21, 1969, under the authority of the order of the Senate of April 18, 1969, which was referred to the Committee on Finance, as follows:

To the Congress of the United States:

Reform of our Federal income tax system is long overdue. Special preferences in the law permit far too many Americans to pay less than their fair share of taxes. Too many other Americans bear too much of the tax burden.

This Administration, working with the Congress, is determined to bring equity to the Federal tax system. Our goal is to take important first steps in tax reform legislation during this session of the Congress.

The economic overheating which has brought inflation into its fourth year keeps us from moving immediately to reduce Federal tax revenues at this time. Inflation is itself a tax—a cruel and unjust tax that hits hardest those who can least afford it. In order to "repeal" the tax of inflation, we are cutting budget spending and have requested an extension of the income tax surcharge.

Although we must maintain total Federal revenues, there is no reason why we cannot lighten the burden on those who pay too much, and increase the taxes of those who pay too little. Treasury officials will present the Administration's initial group of tax reform proposals to the Congress this week. Additional recommendations will be made later in this session. The overall program will be equitable and essentially neutral in its revenue impact. There will be no substantial gain or loss in Federal revenue, but the American taxpayer who carries more than his share of the burden will gain some relief.

Much concern has been expressed because some citizens with incomes of more than $200,000 pay no Federal income taxes. These people are neither tax dodgers nor tax cheats. Many of them pay no taxes because they make large donations to worthy causes, donations which every taxpayer is authorized by existing law to deduct from his income in figuring his tax bill.

But where we can prevent it by law, we must not permit our wealthiest citizens to be 100% successful at tax avoidance. Nor should the Government limit its tax reform only to apply to these relatively few extreme cases. Preferences built into the law in the past—some of which have either outlived their usefulness or were never appropriate—permit many thousands of individuals and corporate taxpayers to avoid their fair share of Federal taxation.

A number of present tax preferences will be scaled down in the Administration's proposals to be submitted this week. Utilizing the revenue gained from our present proposals, we suggest tax reductions for lower-income taxpayers. Further study will be necessary before we can propose changes in other preferences; and as these are developed we will recommend them to the Congress.

Specifically, the Administration will recommend:

—*Enactment of what is in effect a "minimum income tax" for citizens with substantial incomes by setting a 50% limitation on the use of the principal tax preferences which are subject to change by law.*

This limit on tax preferences would be a major step toward assuring that all Americans bear their fair share of the Federal tax burden.

—*Enactment of a "low income allowance," which will remove more than 2,000,000 of our low income families from the Federal tax rolls and assure that persons or families in poverty pay no Federal income taxes.*

This provision will also benefit students and other young people. For example, the person who works in the summer or throughout the year and earns $1,700 in taxable income—and now pays $117 in Federal income taxes—would pay nothing.

The married couple—college students or otherwise—with an income of $2,300 and current taxes of $100 would pay nothing.

A family of four would pay no tax on income below $3,500—the cut-off now is $3,000.

The "low income allowance," if enacted by the Congress, will offer genuine tax relief to the young, the elderly, the disadvantaged and the handicapped.

Our tax reform proposals would also help workers who change jobs by liberalizing deductions for moving expenses and would reduce specific preferences in a number of areas:

—taxpayers who have certain nontaxable income or other preferences would have their non-business deductions reduced proportionately.

—certain mineral transactions (so-called "carved out" mineral production payments and "ABC" transactions) would be treated in a way that would stop artificial creation of net operating losses in these industries.

—exempt organizations, including private foundations, would come under much stricter surveillance.

—the rules affecting charitable deductions would be tightened—but only to screen out the unreasonable and not stop those which help legitimate charities and therefore the nation.

—the practice of using multiple subsidiaries and affiliated corporations to take undue advantage of the lower tax rate on the first $25,000 of corporate income would be curbed.

—farm losses, to be included in the "limitation on tax preferences," would be subject to certain other restrictions in order to curb abuses in this area.

I also recommend that the Congress repeal the 7% investment tax credit, effective today.

This subsidy to business investment no longer has priority over other pressing national needs.

In the early 60's, America's productive capacity needed prompt modernization to enable it to compete with industry abroad. Accordingly, Government gave high priority to providing tax incentives for this modernization.

Since that time, American business has invested close to $400 billion in new plant and equipment, bringing the American economy to new levels of productivity and efficiency. While a vigorous pace of capital formation will certainly continue to be needed, national priorities now require that we give attention to the need for general tax relief.

Repeal of the investment tax credit will permit relief to every taxpayer through relaxation of the surcharge earlier than I had contemplated.

The revenue effect of the repeal of the investment tax credit will begin to be significant during calendar year 1970. *Therefore, I recommend that investment tax credit repeal be accompanied by extension of the full surcharge only to January 1, 1970, with a reduction to 5% on January 1.* This is a reappraisal of my earlier recommendation for continuance of the surcharge until June 30, 1970 at a 10% rate. If economic and fiscal conditions permit, we can look forward to elimination of the remaining surtax on June 30, 1970.

I am convinced, however, that reduction of the surtax without repeal of the investment tax credit would be imprudent.

The gradual increase in Federal revenues resulting from repeal of the investment tax credit and the growth of the economy will also facilitate a start during fiscal 1971 in funding two high-priority programs to which this Administration is committed:

—Revenue sharing with State and local governments.

—Tax credits to encourage investment in poverty areas and hiring and training of the hard-core unemployed.

These proposals, now in preparation, will be transmitted to the Congress in the near future.

The tax reform measures outlined earlier in this message will be recommended to the House Ways and Means Committee by Treasury officials this week. This is a broad and necessary program for tax reform. I urge its prompt enactment.

But these measures, sweeping as they are, will not by themselves transform the U.S. tax system into one adequate to the long-range future. Much of the current tax system was devised in depression and shaped further in war. Fairness calls for tax reform now; beyond that, the American people need and deserve a simplified Federal tax system, and one that is attuned to the 1970's.

We must reform our tax structure to make it more equitable and efficient; we must redirect our tax policy to make it more conducive to stable economic growth and responsive to urgent social needs.

That is a large order. Therefore, I am directing the Secretary of the Treasury to thoroughly review the entire Federal tax system and present to me recommendations for basic changes, along with a full analysis of the impact of those changes, no later than November 30, 1969.

Since taxation affects so many wallets and pocketbooks, reform proposals are bound to be controversial. In the debate to come on reform, and in the even greater debate on redirection, the nation would best be served by an avoidance of stereotyped reactions. One man's "loophole" is another man's "incentive." Tax policy should not seek to "soak" any group or give a "break" to any other—it should aim to serve the nation as a whole.

Tax dollars the Government deliberately waives should be be viewed as a form of expenditure, and weighed against the priority of other expenditures. When the preference device provides more social benefit than Government collection and spending, that "incentive" should be expanded; when the preference is inefficient or subject to abuse, it should be ended.

Taxes, often bewailed as inevitable as death, actually give life to the people's purpose in having a Government: to provide protection, service and stimulus to progress.

We shall never make taxation popular, but we can make taxation fair.

RICHARD NIXON.

THE WHITE HOUSE, *April 21, 1969*.

REPORT OF THE NATIONAL CAPITAL HOUSING AUTHORITY—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States received on April 21, 1969, under authority of the order of the Senate of April 18, 1969, which with the accompanying report, was referred to the Committee on the District of Columbia:

To the Congress of the United States:

I herewith transmit the Annual Report for 1968 of the National Capital Housing Authority. During the past year, the jurisdiction of the Authority has grown to include over 10,000 public low-rent housing units. But the housing needs of low-income families in the Nation's Capital still exceed the supply.

I am pleased to report that the Authority is beginning to place greater emphasis than it has in the past on working with the private sector in building and acquiring decent housing for the people of the District. It is pioneering in the use of the "Turnkey" method, in which a private developer builds or acquires a project and later turns it over to the Authority. It is also placing new emphasis on offering social services to the residents of these dwellings—often in cooperation with groups of volunteer citizens—and on managing and maintaining the properties in an enlightened manner, sometimes through private management firms.

These and other initiatives—many of them still in their trial stages—will help the Authority make important progress toward its goal of providing safe, clean, and economical housing for the low-income families of this city.

RICHARD NIXON.

THE WHITE HOUSE, *April 21, 1969*.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of April 18, 1969, the Secretary of the Senate, on April 21, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the Committee on Foreign Relations.

(For nominations received on April 21, 1969, see the end of the proceedings of today, April 22, 1969.)

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT ON FOOD-FOR-PEACE PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-104)

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States, which, without being read, will be referred to the appropriate committee, and will be printed in the RECORD.

The message from the President, was referred to the Committee on Agriculture and Forestry, as follows:

To the Congress of the United States:

I am pleased to transmit the report for 1968 on the Food for Peace Program under Public Law 480—a program which over the years has helped provide better diets for millions of people in more than 100 nations. In addition to its primary humanitarian aspects, Food for Peace contributes significantly to the maintenance of export markets for U.S. agricultural commodities and to the U.S. balance of payments position.

While this is my first official report on the program as President, I have been closely associated with it since its beginning. This great humanitarian effort began in 1954 during the Presidency of Dwight D. Eisenhower. As Vice President at the time, I was keenly interested in the program and have followed its development and accomplishments ever since.

It is evident that the battle against hunger must continue, both in the United States and in the world at large, through programs such as Food for Peace. The present Administration eagerly accepts this challenge and dedicates itself to dealing effectively with the problems of hunger and malnutrition at home and abroad.

RICHARD NIXON.

THE WHITE HOUSE, *April 22, 1969*.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Alfred E. France, of Minnesota, to be Federal Cochairman of the Upper Great Lakes Regional Commission, which was referred to the Committee on Public Works.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 3213. An act conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Solomon S. Levadi;

H.R. 8434. An act to amend title 39, United States Code, to provide additional free letter mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; and

H.R. 8794. An act to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 165) designating the year 1969 as the "Diamond Jubilee Year of the American Motion Picture," in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 458. An act for the relief of Yuka Awamura;

S. 672. An act for the relief of Charles Richard Scott; and

H.R. 10158. An act to provide mail service for Mamie Doud Eisenhower, widow of former President Dwight David Eisenhower.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 3213. An act of conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Solomon S. Levadi; to the Committee on the Judiciary.

H.R. 8434. An act to amend title 39, United States Code, to provide additional free letter mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8794. An act to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes; to the Committee on Commerce.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 165) designating the year 1969 as the "Diamond Jubilee Year of the American Motion Picture," was referred to the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider two nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF DEFENSE

The bill clerk read the nomination of Curtis W. Tarr, of California, to be an Assistant Secretary of the Air Force.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

CENTRAL INTELLIGENCE AGENCY

The bill clerk read the nomination of Lt. Gen. Robert E. Cushman, Jr., U.S. Marine Corps, to be Deputy Director, Central Intelligence Agency.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROPOSED LEGISLATION AUTHORIZING THE PRESIDENT TO REAPPOINT AS CHAIRMAN OF THE JOINT CHIEFS OF STAFF THE OFFICER SERVING IN THAT POSITION

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969 (with an accompanying paper); to the Committee on Armed Services.

FPC REPORTS ON ELECTRIC POWER

A letter from the Chairman of the Federal Power Commission transmitting a report on world power data, capacity of electric generating plants and production of electric energy, 1966; and a report entitled "Typical Electric Bills, Residential: Cities of 2,500 Population and More; Commercial: Cities of 50,000 Population and More; Industrial: Cities of 50,000 Population and More, 1968" (with accompanying reports); to the Committee on Commerce.

THIRD AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third- and sixth-preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A Senate concurrent resolution of the Legislature of the State of New York; to the Committee on Labor and Public Welfare:

"RESOLUTION 58

"Concurrent resolution of the Legislature of the State of New York memorializing Congress to enact legislation to create a minimum standard for public assistance in all states which provide an adequate level for the maintenance of health and decency and which cannot be altered or reduced by the introduction or application of minimum payment levels, or other percentage devices which impose a limit below the national standard amount of assistance which eligible families may receive; to provide that assistance to the aged, disabled, and the blind be fully funded and administered by the Social Security Administration of the Department of Health, Education and Welfare; to establish a comprehensive, nationwide program of public assistance based upon the simple criterion of need, replacing arbitrary, inequitable and inefficient categories of assistance presently in effect; creating a simple and uniform formula to determine federal reimbursement for public assistance, other than aid to the aged, disabled, and blind, which will provide for equitable and reasonable fiscal efforts among the states and will not penalize those states which maintain and provide more adequate and comprehensive assistance level; to provide block grants to states for the purpose of establishing research projects to increase effectiveness, efficiency and economy in the administration of public welfare, commensurate in size and scope with the national investment in the assistance program and to establish demonstration projects in each of the states for restructuring the public welfare system through meaningful and effective separation of income maintenance and responsibilities from the delivery of social services.

"Whereas, It has been recognized that the foremost domestic crisis facing the people of this nation is poverty; and

"Whereas, Public welfare is the only governmental vehicle primarily designated to assure the provision of guarantee against poverty and social deprivation, and to insure the basic essentials of living to individuals and families who are in need; and

"Whereas, Rapid urbanization and advancing technology have markedly affected the dimensions of public welfare in this country to the point that individual states are no longer in a position to control or ameliorate the causes of rising welfare rolls nor are they fiscally able to support an adequate system of income maintenance for those who require assistance; and

"Whereas, The present Federal system of administering public welfare, based on the restrictive categorical programs and inequitable reimbursement rates to the states, tends to ignore our national commitment or provide an adequate standard of living for all citizens irrespective of their place of residence; and

"Whereas, It is the judgment of this Legislature that efforts should be made to correct the injustices imposed upon the people and the inequities imposed upon the states referred to herein; now, therefore, be it

"Resolved (if the Assembly concur), That the Congress of the United States be and it hereby is memorialized to enact legislation creating a minimum standard of public assistance in all states which provides an adequate level for the maintenance of health and decency, and which cannot be altered or reduced by the introduction or application of maximum payment levels, percentage reductions, or other devices which impose a limit below that national standard amount of assistance which eligible families may receive; and be it further

"Resolved (if the Assembly concur), That the Congress of the Untied States be and it hereby is, memorialized to enact legislation providing that assistance to the aged, blind and disabled be fully funded and administered by the Social Security Administration of the Department of Health, Education and Welfare; and be it further

"Resolved (if the Assembly concur), That the Congress of the United States be, and it hereby is, memorialized to enact legislation to establish a comprehensive, nationwide program of public assistance based upon the simple criterion of need, replacing arbitrary, inequitable and inefficient categories of assistance presently in effect; and be it further

"Resolved (if the Assembly concur), That the Congress of the United States be memorialized to enact legislation creating a simple and universal formula to determine Federal reimbursement for public assistance, other than aid to the aged, blind and disabled, which will promote equitable and reasonable fiscal efforts among the states and will not penalize those states which maintain and provide more adequate and comprehensive assistance levels; and be it further

"Resolved (if the Assembly concur), That the Congress of the United States be memorialized to enact legislation to provide block grants in aid to states for the purpose of establishing research projects to increase effectiveness, efficiency and economy in the administration of public welfare, commensurate in size and scope with the national investment in the assistance programs; and be it further

"Resolved (if the Assembly concur), That the Congress of the United States be memorialized to enact legislation for the establishment of demonstration projects in each of the states for restructuring the public welfare system through meaningful and effective separation of income maintenance responsibilities from the delivery of social services."

A resolution adopted by the North Carolina Jaycees, praying for the adoption of House Joint Resolution 365, proposing as an amendment to the Constitution of the United States of America a provision allowing participation in nondenominational prayer in public buildings, etc.; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, April 22, 1969, he presented to the President of the United States the following enrolled bills:

S. 458. An act for the relief of Yuka Awamura; and

S. 672. An act for the relief of Charles Richard Scott.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COOK (by request):

S. 1907. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. COOK when he introduced the above bill, which appear under a separate heading.)

By Mr. STEVENS:

S. 1908. A bill to amend the Internal Revenue Code of 1954 to provide that the basic amount of each personal exemption shall be $1,000 and to provide for annual adjustments in such amounts to compensate for differentials in the cost of living in the various Internal Revenue Districts; to the Committee on Finance.

(See the remarks of Mr. STEVENS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 1909. A bill for the relief of Mr. Ramendra S. Roy; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 1910. A bill for the relief of Chun Ho; to the Committee on the Judiciary.

By Mr. GOLDWATER:

S. 1911. A bill to expand the time for voting in Presidential elections to a 24-hour period and to provide that such period shall be uniform throughout the United States; to the Committee on Rules and Administration.

(See the remarks of Mr. GOLDWATER when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 1912. A bill for the relief of Mrs. Nancy Tampoe; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 1913. A bill for the relief of Maksimus Polihronidis; to the Committee on the Judiciary.

By Mr. BAYH:

S. 1914. A bill for the relief of Robert Weisz; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 1915. A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1916. A bill to amend the Federal Power Act to further promote the provision of reliable, abundant, and economical electric power supply by intergovernmental cooperation and strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the preservation and enhancement of the environment and conservation of scenic, historic, recreational, and other natural resources; and for other purposes;

S. 1917. A bill to amend the Communications Act of 1934, as amended, to establish a Federal-State Joint Board to prescribe uniform procedures for determining what part of the property and expenses of communication common carriers shall be considered as used in interstate or foreign communication toll service, and what part of such property and expenses shall be considered as used in intrastate and exchange service; and for other purposes;

S. 1918. A bill to amend the Communications Act of 1934, as amended, to redefine State and local governmental authority over communications primarily of local concern;

S. 1919. A bill to amend the Natural Gas Pipeline Safety Act of 1968 to establish a formula for the division of Federal grants among State agencies, and for other purposes;

S. 1920. A bill to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier safety programs to insure the safe operation of commercial motor vehicles, and for other purposes;

S. 1921. A bill to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier programs to enforce the economic laws and regulations of the States and the United States concerning highway transportation, and for other purposes;

S. 1922. A bill to amend section 410 of the Communications Act of 1934 to permit the Federal Communications Commission to pay the expenses of certain State officials serving in joint hearings with the Commission;

S. 1923. A bill to amend the Interstate Commerce Act to strengthen and improve the enforcement of Federal and State economic laws and regulations concerning highway transportation; and

S. 1924. A bill to eliminate requirements for disclosure of construction details on passenger vessels meeting prescribed safety standards; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. MAGNUSON (for himself, Mr. CANNON, Mr. COTTON, Mr. FONG, Mr. GOODELL, Mr. GRIFFIN, Mr. HANSEN, Mr. HART, Mr. HARTKE, Mr. HOLLINGS, Mr. INOUYE, Mr. JACKSON, Mr. LONG, Mr. MOSS, Mr. PASTORE, Mr. PELL, Mr. PROUTY, Mr. SCOTT, Mr. SPONG, and Mr. TYDINGS):

S. 1925. A bill to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 1926. A bill to amend the Tucker Act to increase from $10,000 to $50,000 the limitation on the jurisdiction of the U.S. district courts in suits against the United States for breach of contract or for compensation; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 1927. A bill for the relief of Stylianos Contaxis; and

S. 1928. A bill for the relief of Joao Pereira; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia:

S. 1929. A bill to amend title 18, United States Code, to prohibit the disruption of the administration or operations of federally assisted educational institutions, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. BYRD of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. BAKER:

S. 1930. A bill for the relief of Dr. Antonio Matias Rubio; to the Committee on the Judiciary.

By Mr. MURPHY:

S. 1931. A bill to provide full Federal financing of payments made under the public assistance provisions of the Social Security Act to recipients who do not meet the duration-of-residence requirements of the applicable State plan, where such payments must nonetheless be made because of court determinations that such requirements are unconstitutional; to the Committee on Finance.

(See the remarks of Mr. Murphy when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S. 1932. A bill for the relief of Arthur Rike; to the Committee on the Judiciary.

By Mr. HARTKE (for himself, Mrs. Smith, Mr. Burdick, Mr. Dodd, Mr. Harris, Mr. Hart, Mr. Hughes, Mr. Kennedy, Mr. Magnuson, Mr. McGee, Mr. Metcalf, Mr. Muskie, Mr. Moss, Mr. Mondale, Mr. Tydings, Mr. Yarborough, and Mr. Williams of New Jersey):

S. 1933. A bill providing for Federal railroad safety; to the Committee on Commerce.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. SCHWEIKER:

S. 1934. A bill for the relief of Michel M. Goutmann;

S. 1935. A bill for the relief of Marcjanna Rydzy; to the Committee on the Judiciary; and

S. 1936. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. HATFIELD (for himself, Mr. Mathias, Mr. Percy, and Mr. Saxbe):

S. 1937. A bill to supplement and strengthen voluntary youth service and learning opportunities supported or offered by the Federal Government by establishing a National Youth Service Council and a National Youth Service Foundation, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Hatfield when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE (for himself, Mr. Burdich, Mr. Harris, Mr. Magnuson, Mr. McGee, Mr. Yarborough, and Mr. Williams of New Jersey):

S. 1938. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Commerce.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

My Mr. MAGNUSON (by request):

S. 1939. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide that the procurement of certain transportation and public utility services shall be in accordance with all applicable Federal and State laws and regulations governing carriers and public utilities, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE (for himself, Mr. Packwood, Mr. Mondale, and Mr. Williams of New Jersey):

S. 1940. A bill to provide for continuation of authority for the expansion and regulation of exports, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

My Mr. DIRKSEN:

S.J. Res. 96. A joint resolution authorizing the posthumous promotion of the late General of the Army Dwight David Eisenhower to the grade of General of the Armies; to the Committee on Armed Services.

(See the remarks of Mr. Dirksen when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MATHIAS (for himself, Mr. Allott, Mr. Dirksen, Mr. Dominick, Mr. Hartke, Mr. Percy, Mr. Saxbe, and Mr. Scott):

S.J. Res. 97. A joint resolution to designate Route 70 of the National System of Interstate and Defense Highways as the Dwight D. Eisenhower Interstate Highway; to the Committee on Public Works.

By Mr. MONDALE (for himself, Mr. McGovern, Mr. Burdick, Mr. Hughes, Mr. McCarthy, and Mr. Church):

S.J. Res. 98. A joint resolution to authorize the temporary funding of the Emergency Credit Revolving Fund; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Mondale when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Randolph, Mr. Sparkman, and Mr. Allen):

S.J. Res. 99. A joint resolution to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week"; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above joint resolution, which appear under a separate heading.)

S. 1907—INTRODUCTION OF COAL MINE SAFETY BILL

Mr. COOK. Mr. President, I rise today to introduce, on request, a bill about which many of my constituents are quite anxious. One of the Nixon administration's first messages to Congress concerned itself with the matter of coal mine safety. A bill, S. 1300, embodying this position was introduced by my able colleague, the Senator from New York (Mr. Javits). Numerous hearings have been held both in the Senate and the House and many interests have been represented.

Nevertheless, a great segment of the industry—the small operators—feel their recommendations have not been made a part of any of the legislation before the Congress at this time. Small coal operators in Kentucky and in other States, while genuinely concerned with mine safety, feel S. 1300 and the other measures which have been introduced have provisions which would cause serious economic difficulties for the small coal operator while at the same time not making any real contribution to the improvement of unsafe conditions.

Among the differences between the bill favored by the small operators and that of the administration are first, this proposal writes into statutory law precise coal mine safety standards, where the administration's bill authorizes the Secretary of the Interior to adopt, through the administrative rulemaking procedure, such standards as he deems necessary; second, both bills provide for an interim permissible coal dust level of 4.5 milligrams per cubic meter of air, but the administration bill establishes a subsequent permanent safety level of 3 milligrams. This bill would not adopt a permanent safety level until such time as the appropriate level could be established by research; and, third, this bill would preserve the current statutory distinction between gassy and nongassy mines. It is felt by small operators that the requirement of the administration bill that all mine operators purchase permissible equipment, that is, equipment which is covered so that sparks will not ignite escaping gas, is unfair. They argue that to place this added cost of production upon the small operator, regardless of whether his mine is indeed gassy, would place an undue and unjustifiable burden upon the owner of the small nongassy mine.

As a Senator from a State which has both a great many small operators and a great many miners, I want an effective coal mine safety bill which will protect the workers but at the same time not unduly penalize these small entrepreneurs who are providing one of the few continuing sources of employment in eastern Kentucky. While I do not endorse this bill, I do feel this measure should be before the committee so I am introducing it upon request. I support the efforts of the administration and all interested parties to draft and enact a truly meaningful mine safety bill, and I expect to be able to support the final version.

Mr. President, I ask unanimous consent, that the bill be appropriately referred.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1907) to improve the health and safety conditions of persons working in the coal mining industry of the United States introduced by Mr. Cook, by request, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 1908—INTRODUCTION OF A BILL TO PROVIDE INCREASED TAX EXEMPTIONS WITH ADDED SLIDING SCALE COST OF LIVING ADJUSTMENTS

Mr. STEVENS. Mr. President, from the inception of the modern income tax in 1913 until 1940, Americans were allowed $1,000 or more in personal exemption on their individual income tax. In 1913, when the dollar was worth far more than it is now, the personal exemption was $3,000. Today, when the dollar is worth far less, the exemption is only $600. Mr. President, I ask unanimous consent that a table of Federal personal exemption and dependent allowances from 1913 to the present be printed in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

FEDERAL INDIVIDUAL INCOME TAX—PERSONAL EXEMPTION AND DEPENDENT ALLOWANCE

	1913–16	1917–20	1921–23	1924	1925–31	1932–39	1940	1941	1942	1943 [1]	1944–45 [2]	1946–47	1948–68 [3]
Single person	$3,000	$1,000	$1,000	$1,000	$1,500	$1,000	$800	$750	$500	$500	$500	$500	$600
Married couple	4,000	2,000	[4] 2,500	2,500	3,500	2,500	2,000	1,500	1,200	1,200	1,000	1,000	1,200
Dependents		200	400	400	400	400	400	400	350	350	500	500	600

[1] For 1943 the victory-tax exemption was $624 for the taxpayer (no credit for dependents) and an exemption for the spouse of the taxpayer equal to the spouse's income or $624 whichever was the smaller.

[2] For 1944 and 1945 the normal tax exemption was $500 for the taxpayer (no credit for dependents) and an exemption for the spouse of the taxpayer equal to the spouse's income of $500 whichever was the smaller.

[3] For 1948–68 an additional exemption of $600 is allowed taxpayers 65 years of age or over and an additional exemption of $600 for blind taxpayers.

[4] For net incomes in excess of $5,000, personal exemption was $2,000.

Mr. STEVENS. Mr. President, the $600 figure was set in 1948, 21 years ago. Since then, inflation has reduced the value of the exemption by almost 50 percent.

Personal exemptions benefit the poor and middle income tax paying families. I believe these are the same families who are most heavily burdened by the present tax structure.

Both the House and the Senate at the request of President Nixon, are planning a full review of our Internal Revenue tax laws. I urge the committees, as they undertake their review, to give particular attention to the proposal I now make.

The bill I present today would provide that the basic amount of each personal exemption allowable under the tax structure shall be raised to $1,000. This is an increase from the present allowable $600. My bill also provides that in areas of the country where the cost of living exceeds the national index, the exemption will be adjusted upward—by the percentage which the local cost of living exceeds the national.

The burden of taxation is uneven, often unfair. By an ironic twist, as the national cost of living increases each year in its inflationary spiral, the poor, the retired, the citizens with stable incomes have found their taxes increasingly burdensome. That is why I propose an increase in the personal exemption.

There is another inequity wrought by inflation. It is regional. Because of regional inflation, it costs more for a family to live in one part of the country than in another. It costs more to live in San Francisco than it does in the average urban community in the United States. It costs more to live in Milwaukee, in Boston, Hartford, New York. To illustrate this point, I ask unanimous consent that a table prepared by the Bureau of Labor Statistics of the Department of Labor be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—INDEXES OF COMPARATIVE LIVING COSTS BASED ON THE CITY WORKER'S FAMILY BUDGET,[1] AUTUMN 1966

[U.S. urban average cost equals 100]

Area	Total budget	Cost of family consumption									
				Housing (shelter, housefurnishing, household operations)							
					Shelter						
		Total	Food	Total	Combined [2]	Renter costs [3]	Homeowner costs [4]	Transportation [5]	Clothing and personal care	Medical care [6]	Other family consumption
Urban United States	100	100	100	100	100	100	100	100	100	100	100
Metropolitan areas [7]	102	102	101	103	104	103	104	100	102	103	102
Nonmetropolitan areas [8]	91	91	94	86	81	85	80	100	93	88	91
Northeast:											
Boston, Mass	110	110	108	123	130	111	134	100	100	101	104
Buffalo, N.Y	106	104	103	107	109	102	111	108	104	99	100
Hartford, Conn	109	110	111	115	120	119	120	112	104	103	108
Lancaster, Pa	97	97	107	88	87	96	85	95	99	88	102
New York, northeastern New Jersey	111	110	111	120	126	104	131	90	104	106	106
Philadelphia, Pa., New Jersey	100	100	107	96	96	84	98	91	101	96	102
Pittsburgh, Pa	97	97	104	89	87	88	87	97	100	93	102
Portland, Maine	101	102	106	99	98	93	100	101	105	100	101
Nonmetropolitan areas [8]	98	98	102	96	95	83	98	101	95	94	93
North Central:											
Cedar Rapids, Iowa	103	102	97	106	105	114	103	103	104	93	104
Champaign, Urbana, Ill	102	103	99	112	116	139	110	97	101	103	101
Chicago, Ill., northwestern Indiana	103	105	100	115	120	119	120	95	103	103	102
Cincinnati, Ohio, Kentucky, Indiana	98	98	98	98	98	91	100	102	98	86	100
Cleveland, Ohio	101	103	98	111	115	100	118	101	103	92	100
Dayton, Ohio	95	96	96	92	92	107	88	101	99	86	101
Detroit, Mich	98	99	100	94	93	89	93	100	103	99	102
Green Bay, Wis	99	96	93	95	94	86	96	101	99	91	103
Indianapolis, Ind	102	102	93	106	106	106	107	109	103	92	104
Kansas City, Mo., Kansas	100	99	100	94	91	99	90	107	103	94	103
Milwaukee, Wis	106	103	96	113	118	105	120	102	100	95	102
Minneapolis, St. Paul, Minn	103	100	96	103	105	108	105	102	102	95	100
St. Louis, Mo., Illinois	101	101	103	99	99	98	99	103	101	95	99
Wichita, Kans	98	98	99	94	92	100	90	104	98	95	104
Nonmetropolitan areas [8]	93	93	93	76	90	97	89	97	96	85	89
South:											
Atlanta, Ga	92	92	94	82	76	88	73	101	97	93	104
Austin, Tex	87	89	93	76	70	79	68	99	93	90	99
Baltimore, Md	96	94	95	90	86	108	81	99	96	96	98
Baton Rouge, La	93	94	95	85	83	83	83	110	94	91	101
Dallas, Tex	92	94	94	85	82	99	78	101	94	102	102
Durham, N.C	95	93	92	91	89	93	89	99	95	95	96
Houston, Tex	91	93	95	81	76	84	74	106	93	100	102
Nashville, Tenn	93	95	92	91	88	89	88	102	98	91	102
Orlando, Fla	92	93	93	89	85	97	83	102	92	93	100
Washington, D.C., Maryland, Virginia	102	101	100	105	106	108	105	101	98	99	100
Nonmetropolitan areas [8]	85	86	90	76	69	77	67	99	88	84	90

See footnotes at end of table.

TABLE 2.—INDEXES OF COMPARATIVE LIVING COSTS BASED ON THE CITY WORKER'S FAMILY BUDGET,[1] AUTUMN 1966 —Continued

[U.S. urban average costs equals 100]

Area	Total budget	Cost of family consumption										
		Total	Food	Housing (shelter, housefurnishing, household operations)				Transportation[5]	Clothing and personal care	Medical care[6]	Other family consumption
				Total	Shelter						
					Combined[2]	Renter costs[3]	Homeowner costs[4]				
Urban United States—Continued											
West:											
Bakersfield, Calif	97	97	97	87	83	83	82	110	102	116	96
Denver, Colo	100	100	99	100	99	102	98	106	104	102	97
Honolulu, Hawaii	122	118	119	129	130	142	128	122	99	100	112
Los Angeles, Long Beach, Calif	103	103	98	98	98	111	95	107	106	134	101
San Diego, Calif	101	101	95	100	100	99	101	110	101	124	98
San Francisco, Oakland, Calif	108	107	102	109	111	128	107	110	111	118	104
Seattle, Everett, Wash	105	107	106	104	105	119	101	113	110	106	105
Nonmetropolitan areas[8]	97	96	95	91	87	94	85	104	102	94	93

[1] The family consists of an employed husband, aged 38, a wife not employed outside the home, an 8-year-old girl, and a 13-year-old boy.

[2] The average costs of shelter were weighted by the following proportions: 25 percent for families living in rented dwellings, 75 percent for families living in owned homes.

[3] Average contract rent plus the cost of required amounts of heating fuel, gas, electricity, water, specified equipment, and insurance on household contents.

[4] Interest and principal payments plus taxes; insurance on house and contents; water, refuse disposal, heating fuel, gas, electricity, and specified equipment; and home repair and maintenance costs.

[5] The average costs of automobile owners and nonowners were weighted by the following proportions of families: Boston, Chicago, New York, and Philadelphia, 80 percent for automobile owners-20 percent for nonowners; Baltimore, Cleveland, Detroit, Los Angeles, Pittsburgh, San Francisco, St. Louis, and Washington, D.C., with 1.4 million of population or more in 1960, 95 percent for automobile owners and 5 percent nonowners; all other areas, 100 percent for automobile owners.

[6] The average costs of hospitalization and surgical insurance (as a part of total medical care) were weighted by the following proportions: 30 percent for families paying full cost of insurance; 26 percent for families paying half cost; 44 percent for families covered by noncontributory insurance plans (paid for by employer).

[7] For a detailed description, see the 1967 edition of the "Standard Metropolitan Statistical Areas," prepared by the Bureau of the Budget.

[8] Places with population of 2,500 to 50,000.

Note: See appendix A for items and quantities included in each component, and appendix B for the population weights for each city. Because of rounding, sums of individual items may not equal totals.

Mr. STEVENS. Mr. President, as Senators will see from the table, there are urban areas in the United States where the cost of living is 25 percent higher than the national norm. I believe that the citizen who lives in these areas should be allowed a proportionately greater exemption than that required of others living more cheaply in other locations.

Mr. President, the cost of living is 22 percent greater in Honolulu than it is nationally.

It is 11 percent greater in New York City.

It is 10 percent greater in Boston.

It is 9 percent greater in Hartford.

It is 8 percent greater in San Francisco, 6 percent greater in Milwaukee, 5 percent greater in Seattle.

The cost of living is well above 25 percent greater in Anchorage, Fairbanks, Juneau, and Ketchikan, Alaska, and even higher in more remote areas of our State.

My bill would provide some relief for citizens living in these areas of high inflation. It would work in the following manner:

Each American would be allowed a tax exemption of $1,000. Each Internal Revenue District would calculate, during the last 3 months of each year, the percentage over the year by which the cost of living in the three largest cities within the district had exceeded the national norm. This, taken as a percentage of $1,000, shall be added to the exemption allowed each resident within the Internal Revenue District. The amount allowable would be published by January 1 of each year. For example, if a district calculates that the cost of living in its cities exceeds the national average by 10 percent, then the taxpayers of that district would be allowed an exemption of $1,000 plus 10 percent of $1,000 or $1,100.

The argument that the inroads of inflation have made it necessary to raise the exemption allowance are good and sound arguments. It is my firm hope the Congress will accept them. My bill would raise this exemption.

I believe that the argument for making regional adjustments based on cost of living inflation hardships is equally just and sound. It is also my firm hope that the Congress shall also accept them. This is why I propose the bill I do.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1908) to amend the Internal Revenue Code of 1954 to provide that the basic amount of each personal exemption shall be $1,000 and to provide for annual adjustments in such amounts to compensate for differentials in the cost of living in the various Internal Revenue Districts, introduced by Mr. STEVENS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1908

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 151 of the Internal Revenue Code of 1954 (relating to deductions for personal exemptions) is amended by striking out "$600" each place it appears therein (except in subsection (e)(1)(A)) and inserting in lieu thereof "$1,000 (or the amount applicable under section 154)".

(b) The following provisions of the Internal Revenue Code of 1954 are amended by striking out "$600" each place it appears therein and inserting in lieu thereof "$1,000":

(1) Section 151(e)(1)(A) (relating to gross income of certain dependents);

(2) Section 642(b) (relating to allowance of deductions for estates);

(3) Section 6012(a) (relating to persons required to make returns of income); and

(4) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

(c) The following provisions of such Code are amended by striking out "$1,200" wherever appearing therein and inserting in lieu thereof "$2,000":

(1) Section 6012 (a)(1) (relating to persons required to make returns of income); and

(2) Section 6013 (b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

SEC. 2. (a) Part V of a subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to deductions for personal exemptions) is amended by renumbering section 154 as 155, and by inserting after section 153 the following new section:

"SEC. 154. ADJUSTMENTS FOR DIFFERENTIALS IN COST OF LIVING

"(a) DETERMINATIONS BY SECRETARY.—On or before December 1 of each year, beginning with 1969, the Secretary or his delegate shall determine, with respect to each Internal Revenue District, whether the cost of living in such District is greater than the cost of living in the United States. Such determination shall be made for each year on the basis of indices and other information available from all departments and agencies of the Government covering the first nine months of such year, and the determination of the cost of living in each Internal Revenue District shall be made on the basis of the largest cities or metropolitan areas (not exceeding 3 in number) located in such District.

"(b) INCREASE IN AMOUNT OF PERSONAL EXEMPTIONS.—If the Secretary or his delegate determines, for any year, that the cost of living in an Internal Revenue District is greater than the cost of living in the United States—

"(1) the amount of each personal exemption under section 151 allowable to taxpayers residing within such District for taxable years ending on or after December 1 of such year and before December 1 of the following year shall be an amount obtained by multiplying $1,000 by the percentage which the cost of living in such District is of the cost of living in the United States; and

"(2) the Secretary or his delegate shall determine and publish before December 31 of such year the amount of each personal exemption allowable to taxpayers residing within such District for such taxable years.

In making the determination under paragraph (2), the Secretary or his delegate shall round the amount of a personal exemption to the nearest multiple of $10.

"(c) FINALITY OF DETERMINATIONS.—Determinations by the Secretary or his delegate under subsections (a) and (b) shall be final and shall not be subject to review by any other officer of the United States or by any court.

"(d) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

(b) The table of sections for such part V is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 154. Adjustments for differentials in cost of living.

"Sec. 155. Cross references."

SEC. 3. (a) Section 3 of the Internal Revenue Code of 1954 (relating to optional tax if adjusted gross income is less than $5,000) is amended by adding at the end thereof the following new subsection:

"(c) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1968.—In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1968, on the taxable income of every individual whose adjusted gross income for such year is less than $5,000 and who has elected for such year to pay the tax imposed by this section a tax determined under tables prescribed by the Secretary or his delegate. To the extent necessary because of the application of section 154, the Secretary or his delegate shall, for each taxable year, prescribe separate tables under this subsection for taxpayers residing within each Internal Revenue District the residents of which are allowed personal exemptions in an amount of more than $1,000. The tables prescribed under this subsection shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking either the 10-percent standard deduction or the minimum standard deduction."

(b) Section 3(b) of such Code is amended by inserting after "December 31, 1964" each place it appears ", and before January 1, 1969".

(c) Section 4(a) of such Code is amended by striking out "the tables in section 3" and inserting in lieu thereof "the tables prescribed under section 3".

(d) Paragraphs (2) and (3) of section 4(c) of such Code are amended to read as follows:

"(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be the lesser of the tax shown in the table prescribed under such section which uses the 10-percent standard deduction or in the table which uses the minimum standard deduction.

"(3) The table prescribed under section 3 which uses the minimum standard deduction shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 10-percent standard deduction, except that an individual described in section 141 (d)(2) may elect (under regulations prescribed by the Secretary or his delegate) to pay the tax shown in such table in lieu of the tax shown in the table which uses the 10-percent standard deduction. For purposes of this title, an election made under the preceding sentence shall be treated as an election made under section 141(d)(2)."

(e) Section 4(f)(4) of such Code is amended to read as follows:

"(4) For nonapplicability of the table prescribed under section 3 which uses the minimum standard deduction in the case of a married individual filing a separate return who does not compute the tax, see section 6014(a)."

(f) The last sentence of section 6014(a) of such Code is amended to read as follows: "In the case of a married individual filing a separate return and electing the benefits of this subsection, the table prescribed under section 3 which uses the minimum standard deduction shall not apply."

SEC. 4. (a) Section 3402(b)(1) of the Internal Revenue Code of 1954 (relating to percentage method of withholding income tax at source) is amended by striking out the table therein and inserting in lieu thereof the following:

"Percentage method withholding table

Payroll period:	*Amount of one withholding exemption*
Weekly	$21.20
Biweekly	42.30
Semimonthly	45.80
Monthly	91.70
Quarterly	275.00
Semiannual	550.00
Annual	1,100.00
Daily or miscellaneous (per day of such period)	3.00."

(b) So much of paragraph (1) of section 3402(c) of such Code (relating to wage bracket withholding) as precedes the first table in such paragraph is amended to read as follows:

"(1)(A) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee on or after the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the deductions were made under subsection (a).

"(B) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee before the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):".

SEC. 5. The amendments made by the first three sections of this Act shall apply to taxable years beginning after December 31, 1968. The amendments made by section 4 of this Act shall apply with respect to remuneration paid on or after the 30th day after the date of the enactment of this Act.

S. 1915—INTRODUCTION OF A BILL TO PROVIDE A NEW MARITIME PROGRAM

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program.

This bill is identical to S. 2650 of the 90th Congress which was authored by the late Senator Bartlett, Senator Brewster, and myself, in conjunction with maritime leaders of the House of Representatives following several months of intense study, hearings, and negotiations with administration and industry officials.

As those familiar with recent history of our maritime situation will recall, this measure was previously introduced and pursued in the belief that a genuine accord existed with the prior administration to support its enactment. Last May we learned in no uncertain terms that the accord was illusory and that the administration had withdrawn its support. But it is a new year, with a new administration and renewed hope for the merchant marine.

President Nixon indicated during the course of his campaign some concern about the state of the merchant marine and pledged his best efforts to enhance our maritime strength. I look forward to reviewing any specific proposals of the new administration that might be offered, but we cannot begin too soon to work upon a new program for the merchant marine. Thus, I reintroduce this measure which I believe to be a sound and meaningful program to strengthen our fourth arm of national defense.

Mr. President, this program would authorize appropriations for each of the fiscal years 1970 through 1974, in the amount of $300 million per year for construction differential subsidy, cost of national defense features, and acquisition of used ships, and $25 million per year for research and development. It would also authorize appropriations for fiscal year 1970 of $30 million for reconstruction of the reserve fleet.

It is my feeling that any effective revitalization program must involve at least a minimum 5-year effort, and that is the reason for the 5-year authorization of funds. Ship construction must be greatly increased—more than doubled from the present situation. We should be able to build 35 to 40 ships a year, with subsidy, depending upon the mix or type of vessels constructed.

There will be a broadening of eligibility for construction subsidy. Our construction subsidy system has worked well. The subsidized liner trade, as you know, carries approximately 30 percent of our water-borne exports and imports now carried by liner service. We are going to expand and increase the application of construction subsidy beyond the liner field. It is the tramp operators that so desperately need help. This is a segment of the industry that has grown fantastically since enactment of the 1936 Merchant Marine Act, but without help it may disappear within the next 10 years. This program would provide construction subsidy for tramp operators in the oceangoing trade, as well as to additional liner operators.

Operating subsidy funds will be increased, and this bill proposes to expand as well the eligibility for this type of subsidy. This bill would authorize 5-year experimental operating subsidy contracts with presently unsubsidized operators of liner vessels and new dry bulk vessels, which should greatly enhance our ability to compete upon the high seas.

Among the provisions of this bill is a section which would authorize aid in the development and construction of nuclear powered ships. It is vital that we build nuclear-powered merchant vessels. Under the bill subsidy could be given in an amount that would give the operator a nuclear ship at the price of constructing a comparable conventional ship.

We have as well in this bill made substantial changes in the procedures whereby applications are made for construction differential subsidy. Privately owned shipyards, as well as proposed shipowners, would be eligible applicants for construction differential subsidy. Further, construction differential subsidy would no longer be computed on an individual ship basis, but be determined at least once a year for each type of vessel with a ceiling of 55-percent differential in effect for 3 years.

There are also provisions for an extension of the tax deferred capital reserve fund program presently in effect for the subsidized operators to all U.S.-flag operators in the foreign and domestic trades, and operators of fishing vessels as well.

If tax deferred funds may be accumulated but spent only for the purpose of building new vessels, there is an increased incentive to invest capital in new vessels. The availability of such reserve funds will as well tend to decrease the requirements for construction subsidy funds. The Government will not lose money as the depreciation basis of the new vessel is decreased by the amount of tax deferred funds used. There is merely a deferment of tax payment rather than a loss of tax payment.

I wish to make one factor, however, absolutely clear. There is no question but that in the vast demands upon the budget dollar there is a keen competition for funds. We are engaged in a conflict in Vietnam which has great repercussions upon Federal expenditures. It is my firm conviction that allocation of funds for the revitalization of the U.S. merchant marine should be of great priority.

It is essential that we solve the problems of our merchant marine. It is vital to the security of the United States, to the economic health of the industry involved, and to the many millions of people throughout the world whose futures, hopes and aspirations are so closely tied to ours—for it is the merchant marine that carries America to them. If we wish to enhance our ability to communicate to the rest of the world the wondrous productivity and superiority of democratic processes, and assure our sovereignty upon the seas, then we must assure this Nation an adequate and efficient merchant marine.

The bill just introduced is, in my opinion, essential legislation. We must fight the battle for necessary appropriations after we have passed this legislation, but surely we cannot at this time neglect to enact these necessary substantive changes which are essential to the future of our merchant fleet.

This bill says not a word about the location of the Maritime Administration. I am sponsoring, as well, separate legislation to establish the Maritime Administration as an independent agency. I believe, however, that regardless of where the Maritime Administration is located, be it in the Department of Commerce, in the Department of Transportation, or established as an independent agency, the most important thing to the merchant marine and this Nation is a realistic and workable program that will enable more ships to be built and operated under the U.S. flag.

As we move forward in another attempt to enact a meaningful revitalization program for the U.S. merchant marine I am hopeful that the maritime industry—management and labor alike—can move forward together in support of a program. Continued division and bitterness between the various factions of the industry serve only to lessen its image before the American people and increase the difficulties of enacting a meaningful maritime program. Surely there must be a realization that the desperate necessity for revitalizing our fleet provides sufficient common ground upon which industry and the Government can unite in an effort to regain our rightful place upon the seas. The condition of our fleet leaves no alternative.

Mr. President, I have not fully discussed all the provisions of this proposed new maritime program, but I ask unanimous consent to insert in the Record following my remarks a section-by-section analysis of the bill and a comparative text showing the changes in existing law that would be made by this proposed legislation. The bill is lengthy and deals with a variety of matters essential to the health of our merchant marine.

The **PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis and comparative text will be printed in the Record.

The bill (S. 1915) to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program, introduced by Mr. Magnuson, was received, read twice by its title, and referred to the Committee on Commerce.

The material, presented by Mr. Magnuson, follows:

Section-by-Section Analysis of the Bill "To Amend the Merchant Marine Act, 1936, and Other Statutes To Provide a New Maritime Program"

Section 1 would amend section 209(b) of the Merchant Marine Act, 1936, to authorize appropriations for each of the fiscal years 1969 through 1973 in the amount of $300,000,000 per year for construction-differential subsidy, cost of national defense features and acquisition of used ships, and $25,000,000 per year for research and development. It would also authorize appropriations for the fiscal year 1969 in the amount of $30,000,000 to reconstruct the reserve fleet.

Section 2 would amend section 211 to add contract vessels to the category of vessels for which the Secretary is to determine requirements, and to add contract operations to the category of operations for which the Secretary is to determine the relative costs of operating U.S. vessels and vessels of foreign countries operating in competition with them.

Section 3 would amend section 501(a) of the Act to include privately-owned shipyards as eligible applicants for construction-differential subsidy, while retaining the proposed shipowners as eligible applicants.

Section 4 would substitute the words "proposed shipowner" for applicant in section 502(a). This is necessary because the provisions of this section are not intended to be applicable to a shipyard applicant. Where the shipyard is the applicant the procedures of section 504, as amended by the draft bill, would be utilized.

Section 5 would amend section 502(a) by providing a new method for determining construction-differential subsidy. Under present law, the subsidy paid is the excess of the lowest responsible bid for a particular vessel over the estimate of the foreign cost of building that vessel, up to a ceiling of 55 percent. The amendment would discontinue computing subsidy on an individual ship basis. Instead, subsidy rates for each type of vessel would be developed by estimating for each type the domestic and foreign construction costs. The rate for each type of vessel would be periodically redetermined but not more frequently than once each year. The ceiling of 55 percent would remain in effect for three years. Under present law this rate would revert to 50 percent on July 1, 1968.

Section 6 would amend section 504 by designating the present text as subsection (a), by limiting its applicability to the situation where the proposed shipowner is the applicant for construction-differential subsidy, and by authorizing the shipowner to negotiate a price with the shipyard as an alternative to competitive bidding. The section is also amended by adding a new subsection under which the shipyard could be the applicant for subsidy based either on competitive bidding or negotiated pricing.

Section 7 would amend the definition of "obsolete vessel" in section 510 so as to eliminate the requirement for a finding that the vessel, in the judgment of the Secretary, is obsolete or inadequate for successful operation in foreign or domestic trade, and to substitute a requirement for a finding that the vessel should be replaced in the public interest. This would conform the required finding under this section to that required under section 605(b) to permit payment of operating subsidy for operation of a vessel that is beyond its statutory age. This amendment avoids the situation of finding under one section that a vessel of a given type and age is obsolete or inadequate for successful operation and finding under another section that it is to the public interest to subsidize another vessel of that type and age.

Section 8 would make applicable to the new title XIII (Experimental Operating Subsidy) the provisions of section 801 which permit the Secretary to prescribe the method to be used by the operator in keeping books and records.

Section 9 would make applicable to the new title XIII of the provisions of section 804 which prohibit operators who receive operating subsidy, and their affiliates, from owning, chartering, acting as broker or agent for, or operating any foreign flag ship which competes with an American flag ship on an essential trade route, without the permission of the Secretary.

Section 10 would apply to title XIII the provisions of 805(a) which prohibit payment of operating subsidy to any contractor if such contractor or an affiliate owns or operates any vessel engaged in the coastwise or intercoastal trade without the consent of the Secretary. Section 12 would also amend section 805 by repealing subsection (c) which limits to $25,000 the amount of any one person's salary which will be taken into account for subsidy accounting purposes.

Section 11 would release existing operators from the provisions of their contracts inserted pursuant to section 805(c).

Section 12 would make applicable to title XIII the provisions of section 810 which prohibit any operator receiving operating subsidy from being a party to any agreement with other carriers which unjustly discriminate against any American flag carrier on an essential trade route.

Section 13 would amend section 905 to apply that section's definition of "citizen of the United States" to title XIII.

Section 14 would provide a new title X which would authorize aid in the development and construction of nuclear powered ships. The most subsidy that could be granted under the title for a ship to be operated in the foreign trade or the non-contiguous domestic trade would be an amount that would give the operator the nuclear ship at the price of constructing a comparable conventional ship. If the ship is to be operated in any other part of the domestic trade, the most subsidy allowable would be an amount that would give the operator the ship at the price of building a comparable conventional ship in the United States.

Section 15 would amend the Atomic Energy Act of 1954 to vest in the Atomic Energy Commission any invention or discovery useful in the production or utilization of atomic energy which is conceived under any contract entered into under the new title X of the Merchant Marine Act, 1936.

Section 16 would amend the Atomic Energy Act of 1954 to authorize the Atomic Energy Commission to grant the same indemnity with respect to nuclear vessels constructed under the new title X of the 1936 Act as it can grant with respect to the SAVANNAH.

Section 17 would amend section 607(b) of the Merchant Marine Act to permit capital reserve funds to be used in the purchase of new nuclear fuel cores.

Section 18 would amend section 1104(a) (5) of the Act to remove the six percent limit on loans that can be insured under title XI and to substitute therefor a limit on interest at a rate determined by the Secretary of Commerce to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Department.

Section 19 would amend section 1106(2) of the Act to allow refinancing of insured mortgages so as to include new nuclear fuel cores.

Section 20 would create a new title XIII in the Act which would authorize five-year experimental operating subsidy contracts with operators of liner vessels and with owners of dry bulk vessels built after enactment of the title. The purpose is to explore new subsidy concepts which contain incentives sufficient to reduce unit costs of subsidy in the future.

Section 21 would provide for the establishment of a Commission on American Shipbuilding to study the private shipbuilding industry and to report to the President and Congress within three years as to the extent to which Federal assistance is necessary to preserve the competitive position of the shipbuilding industry and to preserve a national shipbuilding capability.

Section 22 would allow merchant vessel and fishing vessel owners to contract with the Secretary of Commerce and Secretary of the Interior respectively for the establishment of vessel replacement funds. Monies deposited into such funds would be treated as tax deferred but only if used for the purpose of replacing and modernizing vessels.

Comparative Text Showing the Changes in Existing Law That Would Be Made by the Bill "To Amend the Merchant Marine Act, 1936, and Other Statutes To Provide a New Maritime Program"

[Deletions are enclosed in black brackets; new material is shown in italic.]

Sec. 20. (a) Except as provided in subsection (b) of this section, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

(b) Nothwithstanding any other provisions of this Act or any other law, there are authorized to be appropriated after December 31, 1967, for the use of the Maritime Administration for—

(1) acquisition, construction, or reconstruction of vessels;

(2) construction-differential subsidy and cost of national defense features incident to the construction, reconstruction or reconditioning of ships;

(3) payment of obligations incurred for operating-differential subsidy;

(4) expenses necessary for research and development activities (including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental ship operations);

(5) reserve fleet expenses;

(6) maritime training at the Merchant Marine Academy at Kings Point, New York;

(7) financial assistance to State Marine Schools; and

(8) the Vessel Operations Revolving Fund; only such sums as the Congress may specifically authorize by law: *Provided, however, That for each of the fiscal years 1969 through 1973, there is authorized to be appropriated (1) for construction-differential subsidy and the cost of national defense features incident to construction, reconstruction, or reconditioning of ships for operation in foreign or non-contiguous domestic commerce, and for the acquisition of used ships pursuant to section 510 of this Act, $300,000,000, to remain available until expended; and (2) for research and development, $25,000,000, to remain available until expended. For fiscal year 1969, there is also authorized to be appropriated for reconstruction of the reserve fleet, $30,000,000, to remain available until expended.*

Sec. 211. The Commission is authorized and directed to investigate, determine, and keep current records of—

(a) The ocean services, routes, and lines from ports in the United States, or in a territory, district, or possession thereof, to foreign markets, which are, or may be determined by the Commission to be essential for the promotion, development, expansion, and maintenance of the foreign commerce of the United States, and in reaching its determination the Commission shall consider and give due weight to the cost of maintaining each of such steamship lines, the probability that any such line cannot be maintained except at a heavy loss disproportionate to the benefit accruing to foreign trade, the number of sailings and types of vessels that should be employed in such lines, and any other facts and conditions that a prudent business man would consider when dealing with his own business, with the added consideration, however, of the intangible benefit the maintenance of any such line may afford to the foreign commerce of the United States and to the national defense;

(b) The type, size, speed, and other requirements of the vessels, including express-liner or super-liner vessels, which should be employed in such services or on such routes or lines, and the frequency and regularity of the sailings of such vessels, with a view to furnishing adequate, regular, certain, and permanent service, *or which should be employed as contract carriers;*

(c) The relative cost of construction of comparable vessels in the United States and in foreign countries:

(d) The relative cost of marine insurance, maintenance, repairs, wages and subsistence of officers and crews, and all other items of expense, in the operation of comparable vessels in particular service routes, and lines, *or as contract carriers,* under the laws, rules, and regulations of the United States and under those of the foreign countries whose vessels are substantial competitors of any such American service, route, or line, *or contract carrier;*

Sec. 501. (a) [Any citizen of the United States may make application to the Commission for a construction-differential subsidy to aid in the construction of a new vessel to be used in the foreign commerce of the United States.] *Any privately-owned shipyard or proposed shipowner who is a citizen of the United States may make application to the Secretary of Commerce for a construction-differential subsidy to aid in the construction of a new vessel to be documented under the laws of the United States and to be used in the foreign commerce of the United States.* No such application shall be approved by the Commission unless it determines that (1) the plans and specifications call for a new vessel which will meet the requirements of the foreign commerce of the United States, will aid in the promotion and development of such commerce, and be suitable for use by the United States for national defense or military purposes in time of war or national emergency; (2) [the applicant] *the proposed owner of the vessel is a citizen of the United States* and possesses the ability, experience, financial resources, and other qualifications necessary to enable it to operate and maintain the proposed new vessel, and (3) the granting of the aid applied for is reasonably calculated to replace worn out or obsolete tonnage with new and modern ships, or otherwise to carry out effectively the purposes and policy of this Act. The contract of sale, and the mortgage given to secure the payment of the unpaid balance of the purchase price shall not restrict the lawful or proper use or operation of the vessel except to the extent expressly required by law.

* * * * *

Sec. 502. (a) If the Secretary of the Navy certifies his approval under section 501(b) of this Act, and the Commission approves the application, it may secure, on behalf of the [applicant] *proposed shipowner,* bids for the construction of the proposed vessel according to the approved plans and specifications. If the bid of the shipbuilder who is the lowest responsible bidder is determined by the Commission to be fair and reasonable, the Commission may approve such bid, and if such approved bid is accepted by the [applicant] *proposed shipowner,* the Commission is authorized to enter into a contract with the successful bidder for the construction, outfitting, and equipment of the proposed vessel, and for the payment by the Commission to the shipbuilder, on terms to be agreed upon in the contract, of the contract price of the vessel, out of the construction fund herein before referred to, or out of other available funds. Concurrently with entering into such contract with the shipbuilder, the Commission is authorized to enter into a contract with the [applicant] *proposed shipowner* for the purchase by him of such vessels upon its completion, at a price corresponding to the estimated cost, as determined by the Commission pursuant to the provisions of this Act, of building such vessel in a foreign shipyard.

(b) [The amount of the reduction in selling price which is herein termed "construction differential subsidy" may equal, but not exceed, the excess of the bid of the shipbuilder constructing the proposed vessel (excluding the cost of any features incorporated in the vessel for national defense uses, which shall be paid by the Secretary in addition to the subsidy), over the fair and reasonable estimate of cost, as determined by the Secretary, of the construction of the proposed vessel if it were constructed under similar plans and specification (excluding national defense features as above provided) in a foreign shipbuilding center which is deemed by the Secretary to furnish a fair and representative example of the determination of the estimated foreign cost of construction of vessels of the type proposed to be constructed.] *The amount of the reduction in selling price which is herein termed "construction-differential subsidy" shall be computed by taking the excess of the fair and reasonable estimate, as determined by the Secretary, of the cost of constructing a type of vessel in United States shipyards (excluding the cost of any features incorporated in the vessel for national defense uses, which shall be paid by the Secretary in addition to the subsidy), over the fair and reasonable estimate of cost, as determined by the Secretary, of the construction of that type vessel (excluding national defense features as above provided) in a foreign shipbuilding center which is deemed by the Secretary to furnish a fair and representative example of the determination of the estimated foreign cost of construction of vessels of the type proposed to be constructed, and expressing the result as a percentage of the fair and reasonable estimate, as determined by* *the Secretary, of the cost of construction of that type vessel in United States shipyards, and applying such percentage to the lowest responsible bid. Subsidy rates shall be computed separately for different types of vessels and shall be periodically recomputed but not more frequently than once each year. In making his foreign cost estimate, the Secretary shall review and consider any foreign cost estimates and substantiating information submitted by operators, shipyards, or his staff.* The construction differential approved and paid by the Secretary shall not exceed 55 per centum of the construction cost of the vessel, except that in the case of reconstruction or reconditioning of a passenger vessel having the tonnage, speed, passenger accommodations and other characteristics set forth in section 503 of this Act, the construction differential approved and paid shall not exceed 60 per centum of the reconstruction or reconditioning cost (excluding the cost of national defense features as above provided): *Provided, however,* That after [June 30, 1968] *the expiration of three years from the date of enactment of this amendment* the construction differential approved by the Secretary shall not exceed in the case of the construction, reconstruction or reconditioning of any vessel, 50 per centum of such cost. When the Secretary finds that the construction differential in any case exceeds the foregoing applicable percentage of such cost, the Secretary may negotiate and contract on behalf of the applicant to construct, reconstruct, or recondition such vessel in a domestic shipyard at a cost which will reduce the construction differential to such applicable percentages or less. In the event that the Secretary has reason to believe that the bidding in any instance is collusive, he shall report all the evidence on which he acted (1) to the Attorney General of the United States, and (2) to the President of the Senate and to the Speaker of the House of Representatives if the Congress shall be in session or if the Congress shall not be in session, then to the Secretary of the Senate and Clerk of the House, respectively.

* * * * *

Sec. 504. (*a*) Where an eligible [applicant] *proposed shipowner* under the terms of this title desires to finance the construction of a proposed vessel according to approved plans and specifications rather than purchase the same vessel from the Commission as hereinabove authorized, the Commission may permit the [applicant] *proposed shipowner* to obtain and submit to it competitive bids from domestic shipyards for such work. *Alternatively, the Secretary may, in accordance with terms and conditions to be prescribed by him, permit the proposed shipowner to submit a negotiated price together with backup cost details and evidence that the price is fair and reasonable.* If the Commission considers the [bid] *bid or negotiated price* of the shipyard in which the [applicant] *proposed shipowner* desires to have the vessel built fair and reasonable, it may approve such [bid] *bid or negotiated price* and become a party to the contract or contracts or other arrangements for the construction of such proposed vessel and may agree to pay a construction-differential subsidy in an amount determined by the Commission in accordance with section 502 of this title, and for the cost of national-defense features. The construction-differential subsidy and payments for national-defense features shall be based on the lowest responsible domestic bid, *or the negotiated price.* No construction-differential subsidy, as provided in this section, shall be paid unless the said contract or contracts or other arrangements contain such provisions as are provided in this title to protect the interests of the United States as the Commission deems necessary. Such vessel shall be documented under the laws of the United States as provided in section 503 of this title. The contract of sale, and the mortgage given to secure the payment of the unpaid balance of the purchase price, shall not restrict the lawful or proper use or operation of the vessel, except to the extent expressly required by law.

(*b*) *Where a shipyard is the applicant, it may in accordance with terms and conditions prescribed by the Secretary, request construction-differential subsidy based upon a price which has been negotiated with the proposed shipowner. If the Secretary considers the negotiated price to be fair and reasonable, he may become a party to a contract between the shipyard and the shipowner and agree to pay the cost of national defense features and construction-differential subsidy computed under section 502(b) of this Act. If the Secretary determines that the negotiated price is not fair and reasonable, he may request renegotiation in an effort to arrive at a fair and reasonable price. As an alternative to accepting a negotiated price, the Secretary may, with the consent of the shipyard applicant, request competitive bids on the proposal, in which case, the applicant shipyard may be the bidder. In this event, the Secretary may become a party to a contract between the lowest competitive bidder and the proposed shipowner.*

* * * * *

Sec. 506. Every owner of a vessel for which a construction-differential subsidy has been paid shall agree that the vessel shall be operated exclusively in foreign trade, or on a round-the-world voyage, or on a round voyage from the west coast of the United States to a European port or ports which includes intercoastal ports of the United States, or a round voyage from the Atlantic coast of the United States to the Orient which includes intercoastal ports of the United States, or on a voyage in foreign trade on which the vessel may stop at the State of Hawaii, or an island possession or island territory of the United States, and that if the vessel is operated in the domestic trade on any of the above-enumerated services, he will pay annually to the Commission that proportion of one twenty-fifth of the construction-differential subsidy paid for such vessel as the gross revenue derived from the domestic trade bears to the gross revenue derived from the entire voyages completed during the preceding year. The Commission may consent in writing to the temporary transfer of such vessel to service other than the service covered by such agreement for periods not exceeding six months in any year, whenever the Commission may determine that such transfer is necessary or appropriate to carry out the purposes of this Act. Such consent shall be conditioned upon the agreement by the owner to pay to the Commission, upon such terms and conditions as it may prescribe, an amount which bears the same proportion to the construction-differential subsidy paid by the Commission as such temporary period bears to the entire economic life of the vessel. No operating-differential subsidy shall be paid for the operation of such vessel for such temporary period.

* * * * *

Sec. 509. Any citizen of the United States may make application to the Commission for aid in the construction of a new vessel to be operated in the foreign or domestic trade (excepting vessels engaged solely in the transportation of property on inland rivers and canals exclusively. If such application is approved by the Commission, the vessel may be constructed under the terms and conditions of this title, but no construction-differential subsidy shall be allowed. The Commission shall pay for the cost of national-defense features incorporated in such vessel. In case the vessel is designed to be of not less than three thousand five hundred gross tons and to be capable of sustained speed of not less than fourteen knots, the applicant shall be required to pay the Commission not less than 12½ per centum of the cost of such vessel, and in the case of any other vessel the applicant shall be required to pay the Commission not less than 25 per centum of the cost of such vessel (excluding from such cost, in either case, the cost of national defense features); and the balance of such purchase price shall be paid by the applicant within twenty-five years in not to exceed twenty-five equal annual installments, with interest at 3½ per centum per annum, secured by a preferred mortgage on the vessel sold and otherwise secured as the Commission may determine: *Provided*, That, notwithstanding any other provisions of law, the balance of the purchase price of a passenger vessel constructed under this section which is delivered subsequent to March 8, 1946, and which has the tonnage, speed, passenger accommodations, and other characteristics set forth in section 503 of this Act, may, with the approval of the Commission, be secured as provided in such section, and the obligation of the purchaser of such a vessel shall be satisfied and discharged as provided in such section.

Sec. 510. (a) When used in this section—

[(1) The term "obsolete vessel" means a vessel or vessels, each of which (A) is of not less than one thousand three hundred and fifty gross tons, (B) is not less than seventeen years old and, in the judgment of the Commission, is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States, and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition hereunder: *Provided,* That until June 30, 1964, the term "obsolete vessel" shall mean a vessel or vessels, each of which (A) is of not less than one thousand three hundred and fifty gross tons, (B) is not less than twelve years old, and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition hereunder.]

(1) *The term "obsolete vessel" means a vessel or vessels each of which is of not less than one thousand three hundred and fifty gross tons; which has been owned by a citizen or citizens of the United States for at least three years immediately prior to the date of acquisition hereunder; and which in the judgment of the Secretary should be replaced in the public interest.*

* * * * *

(j) Any vessel heretofore or hereafter acquired under this section, or otherwise acquired by the Secretary of Commerce under any other authority shall be placed in the national defense reserve fleet established under authority of section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and shall not be traded out or sold from such reserve fleet, except as provided for in [subsections (g) and (i)] *section (g)* of this section. This limitation shall not affect the rights of the Secretary of Commerce to dispose of a vessel as provided in other sections of this title or in titles VII or XI of this Act.

* * * * *

Sec. 801. Every contract executed by the Commission under the provisions of [titles VI or VIII] *titles VI, VII, or XIII* of this Act shall contain provisions requiring (1) that the contractor and every affiliate, domestic agent, subsidiary, or holding company connected with, or directly or indirectly controlling or controlled by, the contractor, to keep its books, records, and accounts, relating to the maintenance, operation, and servicing of the vessels, services, routes, and lines covered by the contract, in such form and under such regulations as may be prescribed by the Commission: *Provided,* That the provisions of this paragraph shall not require the duplication of books, records, and accounts required to be kept in some other form by the Interstate Commerce Commission; (2) that the contractor and every affiliate, domestic agent, subsidiary, or holding company connected with, or directly or indirectly controlling or controlled by the contractor, to file, upon notice from the Commission, balance sheets profit and loss statements, and such other statements of financial operations, special report, memoranda of any facts and transactions, which in the opinion of the Commission affect the financial results in, the performance of, or transactions or operations under, such contract; (3) that the Commission shall be authorized to examine and audit the books, records, and accounts of all persons referred to in this section whenever it may deem it necessary or desirable; and (4) that upon the willful failure or refusal of any person described in this section to comply with the contract provisions required by this section, the Commission shall have the right to rescind the contract, and upon such rescission the United States shall be relieved of all further liability on such contract.

* * * * *

SEC. 804. It shall be unlawful for any contractor receiving an operating-differential subsidy under title VII *operating subsidy under titles VI or XIII* or for any charter of vessels under title VII of this Act, or any holding company, subsidiary, affiliate, or associate of such contractor or such charterer, or any officer, director, agent, or executive thereof, directly or indirectly to own, charter, act as agent or broker for, or operate any foreign-flag vessel which competes with any American-flag service determined by the Commission to be essential as provided in section 211 of this Act: *Provided, however,* That under special circumstances and for good cause shown the Commission may, in its discretion, waive the provisions of this section as to any contractor, for a specific period of time, by affirmative vote of four of its members, except as otherwise provided in section 201(a).

SEC. 805. (a) It shall be unlawful to award or pay any subsidy to any contractor under authority of title VI *or title XIII* of this Act, or to charter any vessel to any person under title VII of this Act, if said contractor or charterer, or any holding company, subsidiary, affiliate, or associate of such contractor or charterer, or any officer, director, agent, or executive thereof, directly or indirectly, shall own, operate, or charter any vessel or vessels engaged in the domestic intercoastal or coastwise service or own any pecuniary interest, directly or indirectly, in any person or concern that owns, charters, or operates any vessel or vessels in the domestic intercoastal or coastwise service without the written permission of the Commission. Every person, firm, or corporation having any interest in such application shall be permitted to intervene and the Commission shall give a hearing to the applicant and the intervenors. The Commission shall not grant any such application if the Commission finds it will result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service or that it would be prejudicial to the objects and policy of this Act: *Provided,* That if such contractor or other person above-described or a predecessor in interest was in bona fide operation as a common carrier by water in the domestic, intercoastal, or coastwise trade in 1935 over the route or routes or in the trade or trades for which application is made and has so operated since that time or if engaged in furnishing seasonal service only, was in bona fide operation in 1935 during the season ordinarily covered by its operation, except in either event, as to interruptions of service over which the applicant or its predecessor in interest had no control, the Commission shall grant such permission without requiring further proof that public interest and convenience will be served by such operation, and without further proceedings as to the competition in such route or trade.

If such application be allowed, it shall be unlawful for any of the persons mentioned in this section to divert, directly or indirectly, any moneys, property, or other thing of value, used in foreign-trade operations, for which a subsidy is paid by the United States, into any such coastwise or intercoastal operations; and whosoever shall violate this provision shall be guilty of a misdemeanor.

* * * * *

[(c) In determining the rights and obligations of any contractor under a contract authorized by title VI or title VII of this Act, no salary for personal services in excess of $25,000 per annum paid to a director, officer, or employee by said contractor, its affiliates, subsidiary, or associates, shall be taken into account. The terms "director", "officer", or "employee" shall be construed in the broadest sense. The term "salary" shall include wages and allowances of compensation in any form for personal services which will result in a director, officer, or employee receiving total compensation for his personal services from such sources exceeding in amount or value $25,000 per annum.]

(d) It shall be unlawful, without express written consent of the Commission, for any contractor holding a contract authorized under title VI or VII of this Act to employ any other person or concern as the managing or operating agent of such operator, or to charter any vessel, on which an operating-differential subsidy is to be paid, for operation by another person or concern, and if such charter is made, the person or concern operating the chartered vessel or vessels shall be subject to all the terms and provisions of this Act, including limitations of profits and salaries. No contractor *under titles VI or XIII of this Act* shall receive an operating-differential subsidy for the operation of any chartered vessel save and except during a period of actual emergency determined by the Commission, or except as provided in section 708.

* * * * *

SEC. 810. It shall be unlawful for any contractor receiving an [operating-differential] *operating* subsidy under [title VI] *titles VI or XIII* or for any charterer of vessels under title VII of this Act, to continue as a party to or to conform, to any agreement with another carrier or carriers by water, or to engage in any practice in concert with another carrier or carriers by water, which is unjustly discriminatory or unfair to any other citizen of the United States who operates a common carrier by water exclusively employing vessels registered under the laws of the United States on any established trade route from and to a United States port or ports.

No payment or subsidy of any kind shall be paid directly or indirectly out of funds of the United States or any agency of the United States to any contractor or charterer who shall violate this section. Any person who shall be injured in his business or property by reason of anything forbidden by this section may sue therefor in any district court of the United States in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

* * * * *

SEC. 905. * * *

(c) The words "citizen of the United States" include a corporation, partnership, or association only if it is a citizen of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended (U.S.C. title 46, sec. 802), and with respect to a corporation [under title VI] *under titles VI or XIII* of this Act, all directors of the corporation are citizens of the United States, and, in the case of a corporation, partnership, or association operating a vessel on the Great Lakes, or on bays, sounds, rivers, harbors, or inland lakes of the United States the amount of interest required to be owned by a citizen of the United States shall not be less than 75 per centum.

* * * * *

Title X—Aid in developing, constructing, and operating privately owned nuclear-powered merchant ships

Sec. 1001. The purpose of this title is to further implement the policy declared in section 101 of this Act, by fostering at the least cost to the United States the development, construction, and operation of privately owned nuclear-powered merchant ships whose designs embody significant departures from the designs of existing nuclear-powered merchant ships which may lead to reduction of the cost of constructing and operating future nuclear-powered merchant ships.

Sec. 1002. The Secretary of Commerce is authorized to invite from citizens of the United States proposals for the development and construction of nuclear-powered merchant ships for operation in the domestic or foreign commerce of the United States, including trade on the Great Lakes. Proposals shall be invited only for the development and construction of nuclear-powered merchant ships (1) of types and general specifications (whether dry-cargo, liquid bulk carrier, or other) determined by the Secretary of Commerce, and (2) with nuclear propulsion systems of general types and conceptual designs which the Atomic Energy Commission has determined could reasonably be expected to accomplish nuclear power base development program objectives more quickly, more effectively, or at lower cost than other nuclear propulsion systems (these would include, without limitation, objectives of dependability, reliability, operability, and the acquisition of data that would be of value to the future development of merchant marine nuclear propulsion systems). Each proposal shall include a detailed description of the proposed ship or ships; their contemplated use in commerce; the proposed development, construction, and operating programs; the technical justification and detailed estimate of development, construction and operating costs; the amount of aid applied for itemized separately for the development, construction, and operating programs; and such other information as the Secretary directs.

Sec. 1003. The Secretary, in cooperation with the Atomic Energy Commission, shall evaluate all proposals determined to be responsive to the invitation and shall select from them the proposal or proposals which will most closely carry out the purposes of this title. If the Secretary determines that the person who submitted a selected proposal, although such person may have had no experience in the operation of nuclear-powered ships, possesses the ability, experience, financial resources, and other qualifications necessary to enable him to operate and maintain ships in that area of the domestic or foreign commerce of the United States (including trade on the Great Lakes) in which he proposes to operate the proposed ship or ships, the Secretary may negotiate the award of a contract with such person (hereafter called the applicant) for the development and construction of the proposed ship or ships. The Secretary may require such modifications in the proposed ship or ships as he deems desirable, taking into account the views of the Atomic Energy Commission with respect to modifications of the nuclear propulsion system, and the views of the Secretary of Defense with respect to national defense features. The Secretary may agree to provide so much of the aid authorized by section 1004 of this title as he determines is necessary to carry out the purposes of this *title, taking into consideration the financial risk to the applicant, and the contribution which the development, construction and operation of the proposed ship or ships may make toward carrying out the purposes of this title.*

Sec. 1004. (a)(1) In connection with the development and construction of vessels proposed and selected pursuant to section 1003, the Secretary may offer the following assistance:

(A) With the scientific and engineering advice of the Atomic Energy Commission, he may assist in negotiating the award of and become a party to contracts between the applicant and the developer for the development of the proposed nuclear-powered merchant ship or ships, including the first fuel cores. He may agree in such contracts to pay the developer all of, or part of, the excess of the cost of developing the proposed ship or ships, including national defense features and the first fuel cores, over the estimated fair and reasonable cost of developing a comparable conventional ship or ships without national defense features.

(B) He may become a party to contracts between the applicant and the builder for the construction of the proposed nuclear-powered merchant ship or ships, and may agree in such contracts to pay the builder all of, or part of, the excess of the cost of constructing in the United States the proposed ship or ships, including national defense features and the first fuel cores, over the estimated average weighted fair and reasonable foreign cost of constructing a comparable conventional ship or ships without national defense features: Provided, however, That if the ship or ships are to be operated in the domestic trade (except the non-contiguous domestic trade) aid under this paragraph is limited to the excess of the cost of constructing in the United States the proposed ship or ships, including national defense features and the first fuel cores, over the estimated fair and reasonable cost of constructing a comparable conventional ship without national defense features in the United States.

(2) The Secretary may also assist in training crews for the ships; plan and design or assist in planning and designing appropriate shore facilities to service the ships; make available to the applicant, with the consent of the Atomic Energy Commission, appropriate classified information; provide research and development in Government laboratories which have facilities, personnel, or equipment not available in private laboratories, with the consent of the department or agency which operates the laboratory, and with or without charge to the applicant; and provide, without charge, design review services, ship construction inspection services and ship operation advisory services.

(3) If, under section 184 of the Atomic Energy Act of 1954 (42 U.S.C. 2234), the Atomic Energy Commission consents to the creation of a mortgage or lien on the nuclear-powered merchant ship, and if the loan and mortgage are eligible for insurance under title XI of this Act, the Secretary may insure under that title the interest on and the unpaid balance of the principal amount of the loan and mortgage. In determining the applicant's eligibility, the Secretary is not required to make the finding required by subsection (c) of section 1004 of this Act. The Secretary may make the findings required by subsection (a)(1) and (b)(1) of section 1104 even though the applicant has had no experience in the operation of nuclear-powered merchant ships. The applicability of section 184 of the Atomic Energy Act of 1954 to the ship shall not prevent a mortgage on the ship from being a preferred mortgage under the Ship Mortgage Act, 1920.

(b) In providing the aid specified in subsection (a) of this section, the Secretary may, upon payment of the costs, and with the consent of the department or agency concerned, avail himself of the use of licenses, information, services, facilities, offices, and employees of any executive department, independent establishment, or other agency of the Government, including any field service thereof.

(c) Section 505(a) of this Act shall apply to all ships whose construction is aided under this title.

Sec. 1005. Each applicant for aid under this title shall agree that if the ship, after its construction is completed, cannot at any time be operated for a period of more than 30 days because of an inter-union dispute in which the fact that the ship is nuclear-powered is an important element, the owner will, if so directed by the Secretary of Commerce, place the vessel up for sale at competitive bidding, with a minimum price in the amount that would be paid if the vessel were requisitioned for title, and on such other terms and conditions as the Secretary of Commerce determines will be conducive to the continued operation of the ship. This obligation shall run with the title to the vessel.

Sec. 1006. Any ship developed and constructed with aid under this title shall be documented under the laws of the United States and shall remain so documented for 25 years or so long as it is propelled by nuclear propulsion, whichever is longer.

Sec. 1007. Ships whose construction is aided under this title are eligible to receive operating-differential subsidy under whatever system is in force when the ships go into operation if the applicant qualifies under the statute.

Sec. 1008. There are authorized to be appropriated to the Secretary such sums as may be necessary, to remain available until expended, to carry out the provisions of this title.

Sec. 1009. Authority to contract for the development or construction of ships under this title expires at midnight on the last day of the sixtieth month following the month in which this title is enacted.

THE ATOMIC ENERGY ACT OF 1954

* * * * *

SEC. 152. INVENTIONS MADE OR CONCEIVED DURING COMMISSION CONTRACTS—Any inventions or discovery, useful in the production or utilization of special nuclear material or atomic energy, made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Commission, *or with the Secretary of Commerce under the authority of title X of the Merchant Marine Act, 1936, as amended*, regardless of whether the contract, subcontract, or arrangement involved the expenditure of funds [by the Commission] *by the Commission or the Secretary*, shall be vested in, and be the property of, the Commission, except that the Commission may waive its claim to any such invention or discovery under such circumstances as the Commission may deem appropriate, consistent with the policy of this section. No patent for any invention or discovery, useful in the production or utilization of special nuclear material or atomic energy, shall be issued unless the applicant files with the application, or within thirty days after request therefor by the Commissioner of Patents (unless the Commission advises the Commissioner of Patents that its rights have been determined and that accordingly no statement is necessary) a statement under oath setting forth the full facts surrounding the making or conception of the invention or discovery described in the application and whether the invention or discovery was made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Commission, regardless of whether the contract, subcontract, or arrangement involved the expenditure of funds by the Commission. The Commissioner of Patents shall as soon as the application is otherwise in condition for allowance forward copies of the application and the statement to the Commission.

The Commissioner of Patents may proceed with the application and issue the patent to the applicant (if the invention or discovery is otherwise patentable) unless the Commission, within ninety days after receipt of copies of the application and statement, directs the Commissioner of Patents to issue the patent to the Commission (if the invention or discovery is otherwise patentable) to be held by the Commission as the agent of and on behalf of the United States.

If the Commission files such a direction with the Commissioner of Patents, and if the applicant's statement claims, and the applicant still believes, that the invention or discovery was not made or conceived in the course of or under any contract, subcontract or arrangement entered into with or for the benefit of the Commission entitling the Commission to the title to the application or the patent the applicant may, within thirty days after notification of the filing of such a direction, request a hearing before a Board of Patent Interferences. The Board shall have the power to hear and determine whether the Commission was entitled to the direction filed with the Commissioner of Patents. The Board shall follow the rules and procedures established for interference cases and an appeal may be taken by either the applicant or the Commission from the final order of the Board to the Court of Customs and Patent Appeals in accordance with the procedures governing the appeals from the Board of Patent Interferences.

If the statement filed by the applicant should thereafter be found to contain false material statements any notification by the Commission that it has no objections to the issuance of a patent to the applicant shall not be deemed in any respect to constitute a waiver of the provisions of this section or of any applicable civil or criminal statute, and the Commission may have the title to the patent transferred to the Commission on the records of the Commissioner of Patents in accordance with the provisions of this section. A determination of rights by the Commission pursuant to a contractual provision or other arrangement prior to the request of the Commissioner of Patents for the statement, shall be final in the absence of false material statements or nondisclosure of material facts by the applicant.

* * * * *

SEC. 170. INDEMNIFICATION AND LIMITATION OF LIABILITY.—

* * * * *

1. The Commission is authorized until August 1, 1977, to enter into an agreement of indemnification with any person engaged in the design, development, construction, operation, repair, and maintenance or use of the nuclear-powered ship authorized by section 716 of the Merchant Marine Act, 1936, and designated the 'nuclear-ship *Savannah*', *or any ship whose development or construction is aided under title X of the Merchant Marine Act, 1936, as amended*. In any such agreement of indemnification the Commission may require such person to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising from a nuclear incident in connection with such design, development, construction, operation, repair, maintenance or use and shall indemnify the person indemnified against such claims above the amount of the financial protection required, in the amount of $500,000,000 including the reasonable costs of investigating and settling claims and defending suits for damage in the aggregate for all persons indem-

nified in connection with each nuclear incident: *Provided,* That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000.

The contractor shall also deposit in the capital reserve fund, from time to time, such percentage of the annual net profits of the contractor's business covered by the contract as the Commission shall determine is necessary to further build up a fund for replacement of contractor's subsidized ships, but the Commission shall not require the contractor to make such deposit of the contractor's net profits in the capital reserve fund unless the cumulative net profits of the contractor, at the time such deposit is to be made, shall be in excess of 10 per centum per annum from the date the contract was executed. From the capital reserve fund so created, the contractor may pay the principal, when due, on all notes secured by mortgage on the subsidized vessels and may make disbursements for the purchase of replacement vessels or reconstruction of vessels or additional vessels to be employed by the contractor on an essential foreign-trade line, route, or service approved by the Commission, and on cruises, if any, authorized under section 613 of this title, *or new nuclear fuel cores for vessels,* but payments from the capital reserve fund shall not be made for any other purpose.

* * * * *

Sec. 1104(a) * * *

(5) shall secure bonds, notes or other obligations bearing interest (exclusive of premium charges for insurance, *and service charges, if any*) at [a rate] *rates* not to exceed [5] *such* per centum per annum on the [amount of the unpaid principal at any time, or not to exceed 6 per centum per annum if the Secretary of Commerce finds that in certain areas or under special circumstances the mortgage or lending market demands it] *principal obligation outstanding as the Secretary of Commerce determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Department of Commerce;*

Sec. 1106. No provision of this title shall be construed to authorize the Secretary of Commerce to insure a mortgage securing any loan or advance made prior to the enactment of this title, and no mortgage shall be insured for refinancing in whole or in part any existing mortgage indebtedness except as provided in section 1107, or

(1) where a substantial portion of the total amount to be secured by the new mortgage, not to extend beyond twenty-five years from the date of the original mortgage, shall be applied to new construction, reconditioning, or reconstruction of one or more of the mortgaged vessels: *Provided, however,* That the aggregate amount of all mortgages insured under this paragraph and outstanding at any one time shall not exceed $20,000,000, and provided that all of the eligibility requirements of section 1104 (46 U.S.C. 1274) not inconsistent with this paragraph are complied with;

(2) where the Secretary of Commerce has insured a mortgage under the provisions of this title, and the mortgagor thereafter makes application to the mortgagee or another lender for an additional loan or advance for reconditioning or reconstructing the mortgaged property *or to provide a new nuclear fuel core for the mortgaged property,* the Secretary of Commerce may insure a new mortgage, not to extend beyond twenty-five years from the date of the original mortgage, in the amount of the principal outstanding balance of the original mortgage plus the amount of the additional loan, provided the amount of the additional loan is within the limits of paragraph (2) of subsection (a) of section 1104 (46 U.S.C. 1274) and the new mortgage conforms to the eligibility requirements of all the other paragraphs of said subsection (a);

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Title XIII—Experimental operating subsidy

Sec. 1301. The Secretary of Commerce is authorized to enter into five-year experimental contracts with liner operators for the payment of operating subsidy for the operation of liner vessels in the foreign commerce of the United States and with owners of dry bulk vessels built after the enactment of this title for operation as contract carriers in the foreign commerce of the United States, subject to such terms and conditions as the Secretary may determine.

Sec, 1032. A subsidy contract may be awarded on any service which the Secretary, in his discretion, without public hearing, determines is not adequately served. Applicants for such contracts must meet the eligibility requirements of section 601 of this Act. The Secretary, in his discretion, may apply the provisions of sections 605(a) and (b), 606 (5)(6)(7), 607(a)(b)(c)(d)(e)(f)(g), 608, 609, 610, and 611 of this Act, or any of them, to contracts entered into under this title. He may also, in his discretion, apply the provisions of section 607(h) to contracts entered into under this title with liner operators.

Sec. 1303. The amount payable during the first year of the subsidy contract shall not exceed the difference between the costs incurred in operating the ship for insurance, wages, maintenance and repair, and the cost of such items incurred in the operation of a comparable ship under the flag of a foreign country whose ships are substantial competitors of the subsidized ship. During the subsequent years of the contract, the amount of subsidy shall be computed in such manner as the Secretary in his discretion may determine. In developing any new system the Secretary shall be guided by the overriding principal that the system must contain incentives which can be reasonably expected to reduce unit costs of subsidy in the future. Such incentives may include the use of an objective index or indices to govern the annual change in costs eligible for subsidy, the use of a formula or formulae reasonably relating the amount of subsidy payable to the performance or production of subsidized service, or the use of such other reasonable approaches to the determination of the amount of subsidy as the Secretary may in his discretion establish.

Sec. 1304. Such contracts shall provide that upon their termination the operator shall have the option of receiving a contract for the operation of his vessels under whatever subsidy system is in force at that time, or of selling his ships to the Government for a price not to exceed their depreciated book value.

Shipbuilding Commission

(a) There is hereby established a Commission to be known as the Commission on American Shipbuilding (hereinafter referred to as the "Commission"). The Commission shall be composed of six members, appointed by the President. At least one member shall be from the United States shipbulding industry. Members of the Commission shall be appointed for the life of the Commission. The President shall designate one of the members of the Commission as Chairman. Four members of the Commission shall constitute a quorum.

(b) Members of the Commission shall each be entitled to receive $100 per diem when engaged in the actual performance of duties vested in the Commission, including travel-time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by title 5 of the United States Code for persons in the Government service employed intermittently.

(c) The Commission shall meet at the call of the Chairman or at the call of a majority of the members thereof.

(d) The Commission shall have the power to appoint and fix the compensation of such personnel, as it deems advisable, subject to the civil service laws and the Classification Act of 1949, as amended.

(e) The Commission may procure, in accordance with the provisions of title 5 of the United States Code, the temporary or intermittent services of experts or consultants; individuals so employed shall receive compensation at a rate to be fixed by the Commission, but not in excess of $100 per diem, including travel time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by title 5 of the United States Code for persons in the Government service employed intermittently.

(f) The Commission shall conduct a study of the extent to which Federal assistance to the private shipbuilding industry in the United States is necessary to preserve the competitive position of such industry and to preserve a national capability for the building and repair of United States merchant and United States naval ships.

(g) The Commission shall not later than three years after the date of enactment of this Act submit a comprehensive report of its findings and recommendations to the President and to the Congress, and thereafter shall cease to exist.

Title XIV—Replacement and expansion of United States nonsubsidized merchant and fishing fleets.

Sec. 1401. Authority To Negotiate Contracts.—(a) For the purpose of promoting the construction or acquisition of new merchant vessels or the substantial reconstruction of existing merchant vessels and for other purposes authorized by this Act, the Secretary of Commerce may enter into contracts not to exceed twenty years with any person who is a citizen of the United States if the Secretary determines the person possesses the ability, experience, financial resources, and other qualifications necessary to enable him to conduct the proposed operations of the merchant vessels as to meet competitive conditions and promote United States domestic or foreign commerce.

(b) For the purpose of promoting the construction of new fishing vessels, the Secretary of the Interior may enter into contracts not to exceed twenty years with any person who is a citizen of the United States if the Secretary determines the person possesses the ability, experience, financial resources, and other qualifications necessary to enable him to conduct the proposed operations of the fishing vessel to meet competitive conditions and promote the utilization of fishery resources.

Sec. 1402. Terms and Conditions of Contract.—The Secretary shall include in each contract a provision—

(a) that any new vessel constructed under a contract will be built in a shipyard in the United States under a contract with a shipbuilder entered into after the effective date of this Act;

(b) that any new vessel acquired under a contract will be one that was built in a shipyard in the United States for the United States Government under a contract with a shipbuilder entered into after the effective date of this Act;

(c) that any vessel substantially reconstructed under a contract will be one that was built in a shipyard in the United States and will be substantially reconstructed in a shipyard in the United States under a contract with a shipbuilder entered into after the effective date of this Act;

(d) that any vessel constructed, acquired, or substantially reconstructed under a contract will be of a type, size, and speed that the

Secretary determines to be suitable for use on the high seas or Great Lakes;

(e) that any vessel constructed, acquired, or substantially reconstructed under a contract negotiated under section 1(a) will be of a type which the Secretary of the Navy certifies is suitable for economical and speedy conversion into a naval auxiliary or otherwise suitable for use by the United States in the event of war or national emergency;

(f) for the creation and maintenance of a capital reserve fund;

(g) for the approximate number and type of vessels which the contractor will construct, acquire, or substantially reconstruct subject to modifications and extensions upon a showing to the satisfaction of the Secretary of acceptable reasons for modifications or extensions;

(h) for additional terms and conditions consistent with this Act, that the Secretary determines to be necessary to protect the interest of the United States;

(i) for the early replacement of any war-built vessel used in the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended;

(j) that each contractor agrees not to incur any purchase money indebtedness with respect to any vessel constructed, acquired, or substantially reconstructed under a contract without the prior consent of the Secretary;

(k) that upon failure of the contractor to construct, acquire, or substantially reconstruct any vessel as provided in the contract as modified or extended, all deposits of the contractor will be withdrawn from the fund with the same tax consequences as result from withdrawals from the funds created by section 607, Merchant Marine Act, 1936, as amended, and no further deposits may be made by the contractor until a new contract is negotiated; and

(l) that the contractor agrees that any vessel constructed or acquired under a contract will remain documented under the laws of the United States for twenty-five years from the date of its delivery by the shipbuilder and any vessel reconstructed under a contract will remain documented under the laws of the United States for the remainder of its economic life as determined by the Secretary.

Sec. 1403. Creation and Maintenance of Capital Reserve Fund.—(a) Each contractor shall create and maintain for the duration of the contract, in depositories approved by the Secretary, a capital reserve fund under the joint control of the operator and the Secretary.

(b) Each contractor shall deposit in the capital reserve fund as is required to be deposited by subsidized operators under section 607, Merchant Marine Act, 1936, as amended, the proceeds of sales of vessels, the proceeds of insurance and indemnities, the depreciation charges, as earned, and the earnings made on deposits in the capital reserve fund, and shall annually deposit any percentage of differential payments received on the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended, that the Secretary determines is from profits and is necessary to fulfill the contractor's obligation under the contract.

(c) The contractor may deposit in the fund other earnings from his vessel operations.

Sec. 1404. Tax Department of Deposits in the Fund.—(a) Deposits of capital gains into the fund are taxed in the same manner as deposits of capital gains by subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

(b) Deposits of earnings and differential payments into the fund are taxed in the same manner as deposits of earnings of subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

Sec. 1404. Withdrawals From the Fund.—Contractors may withdraw deposits from the fund with the same restriction and limitation, under the same conditions and with the same tax consequences as deposits may be withdrawn from the capital reserve fund by subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

Sec. 1405. Investment of the Fund.—Contractors may invest deposits in the fund under the conditions and with the same restriction as deposits of subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

Sec. 1406. Discontinuance of Differential Payments.—No operator of a nonsubsidized vessel may receive any differential payments for cargo moved by such vessel under section 901(b), Merchant Marine Act, 1936, as amended, unless the operator has concluded a contract with the Secretary under this Act before January 1, 1968.

Sec. 1407. Definitions.—In this Act—

(a) "Contract" means a vessel construction, acquisition, or reconstruction contract authorized by this Act.

(b) "Differential payments" means the payments made by the United States Government to operators of the United States-flag merchant vessels for the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended, at rates in excess of world market rates.

(c) "Documented" includes enrolled.

(d) "Earnings from the operation of vessels" includes hire from bareboat charters.

(e) "Earnings made on deposits" means earnings on funds deposited as well as earnings on accumulated earnings and gains made on sale of securities.

(f) "Fund" means the capital reserve fund authorized by this Act.

(g) "Nonsubsidized vessel" means any vessel not included in an operating differential subsidy contract under the Merchant Marine Act, 1936, as amended.

(h) "Person" includes corporation.

(i) "Reconstruction" means the substantial reconstruction and major modernization of a vessel if the Secretary determines that the objectives of this Act will be promoted by such reconstruction.

(j) "Secretary" means the Secretary of Commerce in reference to powers and duties relating to contracts for the construction, acquisition, or substantial reconstruction of merchant vessels and means the Secretary of the Interior in reference to powers and duties relating to contracts for the construction of fishing vessels.

(k) "Subsidized operators" means persons who have an operating differential subsidy contract under the Merchant Marine Act, 1936, as amended.

(l) "Vessel" includes non-self-propelled vessels, cargo containers, cargo vans, and other related equipment.

(m) "War-built vessel" means a vessel as defined in section 3, Merchant Ship Sales Act, 1946.

S. 1916, S. 1917, S. 1918, S. 1919, S. 1920, S. 1921, S. 1922, AND S. 1923—INTRODUCTION OF BILLS DEALING WITH COMMUNICATIONS, ELECTRIC POWER, GAS PIPELINE SAFETY, HIGHWAY SAFETY, AND PROCUREMENT OF TRANSPORTATION IN PUBLIC UTILITY SERVICES

Mr. MAGNUSON. Mr. President, at the request of the National Association of Regulatory Utility Commissioners, I introduce, for appropriate reference, a series of bills dealing with communications, electric power, gas pipeline safety, highway safety, motor carrier safety, and procurement of transportation in public utility services.

The NARUC is to be commended for its diligence in preparing these legislative responses to a number of regulatory problems. I am hopeful that the Congress will be able to give these proposals very serious consideration during this session.

Mr. President, I ask unanimous consent that the text of the various bills, together with the justification, be printed in the Record at this point.

The PRESIDENT pro tempore. The bills will be received, and appropriately referred, and; without objection, the bills and justifications will be printed in the Record.

The bills (S. 1916) to amend the Federal Power Act to further promote the provision of reliable, abundant, and economical electric power supply by intergovernmental cooperation and strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the preservation and enhancement of the environment and conservation of scenic, historic, recreational and other natural resources; and for other purposes; (S. 1917) to amend the Communications Act of 1934, as amended, to establish a Federal-State Joint Board to prescribe uniform procedures for determining what part of the property and expenses of communication common carriers shall be considered as used in interstate or foreign communication toll service, and what part of such property and expenses shall be considered as used in intrastate and exchange service; and for other purposes; (S. 1918) to amend the Communications Act of 1934, as amended, to redefine State and local governmental authority over communications primarily of local concern; (S. 1919) to amend the Natural Gas Pipeline Safety Act of 1968 to establish a formula for the division of Federal grants among State agencies, and for other purposes; (S. 1920) to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier safety programs to insure the safe operation of commercial motor vehicles, and for other purposes; (S. 1921) to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier programs to enforce the economic laws and regulations of the States and the United States concerning highway transportation, and for other purposes; (S. 1922) to amend section 410 of the Communications Act of 1934 to permit the Federal Communications Commission to pay the expenses of certain State officials serving in joint hearings with the Commission; and (S. 1923) to amend the Interstate Commerce Act to strengthen and improve the enforcement of Federal and State economic laws and regulations concerning highway transportation; introduced by Mr. Magnuson, by request, were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1916

A bill to amend the Federal Power Act to further promote the provision of reliable, abundant, and economical electric power supply by intergovernmental cooperation and strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the preservation and enhancement of the environment and conservation of scenic, historic, recreational, and other natural resources; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal-State Electric Power Reliability and Scenic Conservation Act of 1969."

Sec. 2. (a) The Congress finds that reliability in the generation and transmission of electrical energy is important to the national defense, the commercial life of the country, and the general welfare of the people of the United States; that the rapidly growing demand for power, the increase in the size and complexity of generating and transmission facilities and the rapidly advancing technology in the generation and transmission of power requires a high degree of coordination in the generation and transmission of electric power within and between regions of the country; that the people of the United States are entitled to receive the benefits of such coordination notwithstanding he continuing diversity of utility ownership and while preserving the pluralism of the electric utility industry; and that a new part IV of the Federal Power Act, as added by this Act, will aid in assuring such coordination and reliability.

(b) The Congress finds that the relatively reliable electric service enjoyed by the people of the United States should be continued and improved upon, consistent with abundant, economical and efficient bulk power supplies; that the public interest in accelerated progress will be best served through the intergovernmental efforts of Federal, State and local governments in a national program designed to enlist the cooperation and stimulate the creative energies of all segments of the electric industry and all other interested persons; that the public interest requires the strengthening and expansion of the mechanisms for coordination in the electric utility industry, and the mechanisms for intergovernmental cooperation; and that actions taken under the authority of this Act should be consistent with these goals.

(c) The Congress finds that the preservation and enhancement of the environment, the conservation of natural resourecs, including scenic, historic, and recreation assets, and the strengthening of long-range land-use planning is vital to the health and welfare of the people of the United States and that actions taken under the authority of this Act should be consistent with these goals.

Sec. 3. A new part IV is added to the Federal Power Act, as amended (16 U.S.C. 791–825r), to read as follows:

"Part IV—Expanded Regional Coordination

"APPLICATION AND OBJECTIVES OF PART; DEFINITIONS

"Sec. 401. (a) This part shall apply to all bulk power supply systems engaged in interstate or foreign commerce.

"(b) This part is intended to further the national policy declared by subsection 202(a) of the Federal Power Act, by assuring an abundant supply of electric energy throughout the United States with the greatest practicable economy and with due regard for the preservation and enhancement of the environment, the conservation of natural resources, including scenic, historic, and recreation assets, and the strengthening of long-range, land-use planning; by enhancing the reliability of bulk power supply; by strengthening existing, and establishing new, mechanisms for coordination in the electric utility industry; by encouraging the comprehensive development of the power resources of each area and region of the United States to take advantage of advancing technology; by seeking to strengthen State regulation of the electric utilities; and by drawing upon the cooperation of State and local governments and all segments of the electric utility industry.

"(c) As used in this part, 'person' means a 'person', 'municipality', or a 'State', as defined in section 3 of the Federal Power Act, and any department, agency, or instrumentality of the United States, and shall include privately, cooperatively, federally, and other publicly owned persons: *Provided,* That the term 'person' as used in section 407 shall not include any department, agency, or instrumentality of the United States or a federally owned person.

"(d) As used in this part, 'bulk power supply facilities' means facilities for generation or transmission of electric power and energy in interstate or foreign commerce which are of sufficient size to have a significant effect upon the reliability of electric service; *Provided,* That the term 'bulk power supply facilities' shall not include facilities for the distribution of electric power and energy.

"(e) As used in this part, 'bulk power supply' means the furnishing of electric power and energy by means of bulk power supply facilities.

"(f) As used in this part, 'extra-high-voltage facilities' or 'EHV facilities' means transmission lines and associated facilities designed to be capable of being operated at a nominal voltage higher than three hundred kilovolts between phase conductors for alternating current or between poles for direct current, the construction, extension, or modification of which is commenced two years or more after the enactment of this part.

"(g) As used in this part, 'national organization of the State commissions' means the national organization of the State commissions referred to in sections 202(b) and 205 (f) of the Interstate Commerce Act, as amended.

"(h) As used in this part, 'State commission' means the regulatory body of the State having jurisdiction to regulate rates and charges for the sale of electric energy to consumers within the State, or if no such regulatory body exists, the Governor of the State.

"(i) As used in this part, 'State commissioner' means a member of the regulatory body of the State having jurisdiction to regulate rates and charges for the sale of electric energy to consumers within the State, or if no such regulatory body exists, the Governor of the State or his designee.

"RELATION TO OTHER PARTS

"Sec. 402. This part supplements parts I, II, and III in order further to promote the reliability, abundance, and efficiency of bulk power supply in the United States and to assure that actions taken pursuant to all parts shall have due regard for the enhancement and preservation of the environment, the conservation of natural resources, including scenic, historic, and recreation assets and the strengthening of long-range land-use planning.

"COOPERATION OF GOVERNMENTS AND BULK POWER SUPPLY SYSTEMS

"Sec. 403. The purposes of this part should be achieved as far as possible by intergovernmental cooperation and cooperation among all persons engaged in bulk power supply, or affected thereby, whatever their nature.

"REGIONAL POWER COORDINATION ORGANIZATIONS

"Sec. 404. (a) After appropriate consultation, held under procedures to be prescribed by the Commission, with persons engaged in bulk power supply, appropriate Federal agencies and State commissions, the national organization of the State Commissions, State and local regulatory officials, the Commission shall secure the establishment of appropriate regional organizations to carry out regional and interregional coordination. Each regional coordination organization (hereafter 'regional council') shall be open to membership by each electric system in the region, whatever the nature of its ownership or of its facilities. Some electric systems may in appropriate cases be admitted to more than one regional council. The Commission, and the State commissions within the region, may designate appropriate staff representatives, who shall participate in the work of the regional councils, except for the ultimate adoption of coordination plans or any other council actions.

"(b) Under such rules as the Commission shall prescribe, each regional council shall file a statement of its organization, and any amendments thereto, with the Commission, the appropriate State Joint Board (hereafter defined), and each State commission represented on such State Joint Board. Such statements and amendments shall be available for public inspection. Within thirty days after adoption by the council, any regional, or interregional coordination plan, including reliability standards, or amendment thereto developed by such regional council shall be filed with the Commission, the appropriate State Joint Board, and each State commission represented on such State Joint Board, under such rules as the Commission shall prescribe. Such coordination plans, including reliability standards, and amendments shall be available for public inspection. The Commission shall consider such coordination plans, including reliability standards, and amendments in exercising its responsibilities under this Act, including parts I, II, III, and IV; *Provided,* That such coordination plans and amendments shall in no manner be construed or considered as comprehensive plans pursuant to section 10(a) of part I of this Act (16 U.S.C. 803d).

"(c) After notice and opportunity for hearing and after consultation with the State Joint Board, the Commission may by order determine whether any statement of organization filed under subsection (b) of this section is consistent with the objectives of this part. If the Commission determines that the statement is not consistent with the objectives of this part it shall modify it or set it aside.

"(d) After public notice and opportunity for hearing, to be held insofar as practicable in the region affected, the Commission and State Joint Board may determine whether any coordination plan, including reliability standards, submitted under this section is consistent with the objectives of this part. If the Commission or the State Joint Board determines that the coordination plan, including reliability standards, is not consistent with the objectives of this part it shall have no authority under this part to modify it or set it aside, but shall request reconsideration and revision of the plan by the regional council. The Commission or the State Joint Board shall accompany its request with a specific statement of its reasons as to why it believes revision is required in the public interest. If upon reconsideration, the regional council fails to comply with the request of the Commission or the State Joint Board, the Commission or the Board shall report such failure to the Congress.

"(e) The Commission and the State Joint Board shall require annual reports from the regional council and such additional reports as they may deem necessary or appropriate to carry out the objectives of this part. The Commission shall, and each State Joint Board may, annually report to the Congress on the effectiveness of the regional and interregional coordination efforts.

"(f) If the Commission, after notice and after opportunity for hearings, determines that any person engaged in generation or transmission unreasonably refuses to participate in the creation of a regional council, to contribute toward its expenses, or to participate in effective regional or interregional coordination, it may require such person by order to participate in the creation and work of such regional council, and to contribute a reasonable share of the expenses thereof, to the extent the Commission finds necessary to carry out the objectives of this part.

"(g) A State Joint Board, under the provisions of this part, shall be composed solely of one State commissioner from each State, within all or part of the region of a regional council, nominated by the State commission and appointed by the Commission. There shall be a separate State Joint Board for each regional council. Each State commission shall certify to the Commission the name, title and address of its nominee. A substitution of membership upon a Board from any State may be made at any time by the nomination by the State commission of a successor and his appointment by the Commission. If a State commission shall fail to nominate a member, in the original constitution of the Board or to fill a vacancy therein, the Board shall be constituted, or shall continue to function, without a member from such State until such time, if ever, as such a member shall be nominated and appointed as provided above. Each member of the Board shall have one vote. The Chairman of the Board shall be elected by the members of the Board and shall serve at their pleasure. All decisions of the Board shall be by majority vote. The Commission shall designate an examiner to advise with and assist the Board in the handling of any proceedings before it. The Commission shall provide each Board from among the personnel and facilities of the Commission such staff and facilities as are necessary to carry out the functions of the Board. In conducting hearings, each Board shall be vested with the same rights, duties, powers and jurisdiction as are vested in a hearing examiner when designated by the Commission to hold a hearing. An order of the State Joint Board shall be deemed an order of the Commission for purposes of judicial review. The members of the Joint Board when administering the provisions of this Act shall be reimbursed by the Commission for their reasonable travel and subsistence expenses. A Board shall direct by the giving of reasonable advance notice. A majority of the members of a Board shall constitute a quorum.

"NATIONAL ELECTRIC STUDIES COMMITTEE

"Sec. 405. The Commission, after consultation with the State Joint Boards and the regional councils, shall establish a national committee representative of all elements of the electric industry as well as representative of consumer interests, conservation organizations and land-use planning experts to facilitate interregional exchange of views and experience and to consolidate electric industry efforts to investigate major present and future problems in planning and operating of bulk power supply facilities. The Committee shall seek to stimulate vigorous scientific and engineering interest in the challenges to achieving reliable and efficient bulk power supply for the United States and protecting and enhancing the general environment of the United States.

"COORDINATION AGREEMENTS

"Sec. 406. Subject to such rules and regulations as the Commission may prescribe, a copy of all written agreements and a written statement of all oral agreements for coordinated planning or operation of bulk power supply facilities (including but not limited to agreements for joint ownership of such facilities) shall be lodged with the Commission and the State Joint Board of the region affected by or on behalf of the persons participating in such agreement. Each such statement or copy of agreement shall be readily available for inspection by the public within the region affected and with the Commission.

"CONSTRUCTION OF EXTRA-HIGH-VOLTAGE FACILITIES

"Sec. 407. (a) Any person proposing the construction of extra-high-voltage facilities in a State whose State commission does not at that time possess the authority to regulate the routing or location of such facilities based upon due consideration being given to (1) the requirements for present and future demands for service, (2) the reliability of electric service, (3) the conservation, to the extend practicable, of scenic, historic and recreation assets, and (4) long-range land-use planning (the existence or non-existence of such authority being evidenced by an opinion of the chief legal officer representing the State commission), shall file with the State Joint Board of each region directly affected by the proposed routing or location of such facilities, where not subject to such State regulation, its proposal which shall include a map and specific information as to the routing of the proposed line or location of proposed plant and such other information as the State Joint Board may require to enable it to determine whether the proposed construction of such facilities is consistent with the objectives of this section identified as (1), (2), (3) and (4) above. The State Joint Board shall require the person filing the proposal to cause notice of same to be promptly published in local newspapers of general circulation in the region affected and to be served upon interested Federal, State, and local agencies, parties whose interests may be affected and such other interested persons as the State Joint Board may require. The State Joint Board shall afford to any interested person a reasonable time in which to comment upon such filing.

"(b) No such person may commence construction of extra-high-voltage facilities under this section unless and until the State Joint Board issues an order determing that such proposed construction is consistent with the objectives of subsection (a) of this section identified as (1), (2), (3) and (4). The State Joint Board shall issue a prohibitory order when it concludes that the proposed construction of such facilities is inconsistent with such objectives. Any order issued shall summarize the State Joint Board's reasons for its actions.

"(c) In reviewing extra-high-voltage facilities proposals, the State Joint Board shall use informal procedures, including joint or separate conferences, to the fullest extent feasible. However, the State Joint Board shall not finally disapprove a proposal under this section except after timely notice served upon all interested parties and opportunity for public hearing held in the region affected. Any such public hearing shall be instituted and concluded as promptly as practicable after the date the proposal for construction of EHV facilities is filed with the Board.

"(d) If a State Joint Board fails to issue an order permitting or prohibiting such proposed construction of extra-high-voltage facilities within one hundred and twenty days from the date such proposal is filed with the Board, or, in the event of a public hearing, within one hundred and twenty days from the date the record is closed in such hearing, the Commission may assert jurisdiction over such proposed construction and permit or prohibit it in accordance with the objectives of subsection (a) of this section identified as (1), (2), (3) and (4).

"Sec. 408. Subject to such rules and regulations as the Commission shall prescribe after consultation with the State Joint Boards and the national organization of the State commissions, any department, agency, or instrumentality of the United States or a federally owned person proposing the construction of extra-high-voltage facilities shall file with the State Joint Board of each region directly affected by the proposed routing or location of such facilities, its proposal which shall include a map and specific information as to the routing of the proposed line or location of proposed plant and such other information as the State Joint Board or Boards may require to determine whether the proposed construction of such facilities is consistent with the objectives of this part. The State Joint Board or Boards shall, after consultation with the person proposing construction of such EHV facilities and other interested parties and within ninety days after the date such proposal is filed, approve such proposal if found to be consistent with the objectives of this part or recommend appropriate modification of the proposal if found inconsistent with the objectives of this part. If a modification is recommended, such person, within thirty days, shall modify the proposal as recommended or state its reasons for declining to abide by the recommendation. No such person may commence construction of EHV facilities under this section until: (a) such State Joint Board or Boards issue an order determining that such proposed construction is consistent with the objectives of this part; or (b) the expiration of one hundred and twenty days after the date such proposal is filed; whichever event occurs first. The periods of time prescribed in this section may be enlarged by such State Joint Board or Boards upon approval of the Commission."

S. 1917

A bill to amend the Communications Act of 1934, as amended, to establish a Federal-State Joint Board to prescribe uniform procedures for determining what part of the property and expenses of communication common carriers shall be considered as used in interstate or foreign communication toll service, and what part of such property and expenses shall be considered as used in intrastate and exchange services; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal-State Communications Joint Board Act of 1969."

Sec. 2. The Communications Act of 1954, as amended, is further amended by striking subsection (c) and (d) of Section 221 and inserting in lieu thereof the following:

"(c) There is hereby established a Federal-State Joint Board (hereinafter defined) vested with sole administrative authority under this Act to adopt and amend from time to time by order uniform procedures for determining what part of the property and expenses of common carriers engaged in wire or radio communication shall be considered as used in interstate or foreign communication toll service subject to the jurisdiction of the Commission, and what part of such property and expenses shall be considered as used in intrastate, exchange or other communication service not subject to the jurisdiction of the Commission. Such uniform procedures shall be determined after opportunity for hearing, upon notice to each affected carrier, the State commission (or the Governor, if the State has no State commission) of any State in which the property of such carrier is located, and such other persons as the Federal-State Joint Board may prescribe. The establishment of the Federal-State Joint Board shall not impair in any way the right of any State commission, the national organization of the State commissions, hereinafter referred to, or any other interested party to advocate its position on issues before such Board, to submit evidence and oral argument concerning same, and to seek reconsideration and judicial review of the Board's decisions.

"(d) The Federal-State Joint Board shall be composed of four Commissioners of the Commission designated by the Commission, and three commissioners of State commissions, nominated by the national organization of the State commissions, as referred to in Sections 202(b) and 205(f) of the Interstate Commerce Act, as amended, and appointed by the Commission. The Commission shall designate one of the members of the Board as Chairman.

"(e) Each State commissioner member of the Federal-State Joint Board shall be selected in the following manner. The national organization of the State commissions or a committee designated by it shall nominate one, two, or three State commissioners, as requested by the Commission, and certify the name, title, and address of each nominee to the Commission within ninety days after the date this Act becomes law, or at least ninety days prior to the expiration of the term of an incumbent State commissioner, or within thirty days after a vacancy occurs in the office, as the case may be. Within thirty days after receipt of such certification, the Commission shall appoint the nominee or one of the nominees as a member of the Federal-State Joint Board. In any case where the national organization of the State commissions fails to so nominate and certify State commissioners within the prescribed time, the Commission shall appoint a State commissioner as a member of the Board to serve in lieu of the nominee it would have otherwise appointed.

"(f) Each State commissioner member of the Federal-State Joint Board shall hold office for a term of three years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of members first taking office after the date this Act becomes law shall expire as follows: one at the end of one year after such date, one at the end of two years after such date, and one at the end of three years after such date, as designated by the Commission at the time of appointment, and (3) the term of any member shall be extended until the date on which the successor's appointment is effective. The office of a State commissioner member of the Board shall become vacant upon the incumbent ceasing to be a State commissioner.

"(g) A State commissioner member of the Federal-State Joint Board shall, while attending meetings or hearings of such Board or otherwise engaged in the business of such Board, be entitled to receive compensation at a rate fixed by the Commission, but not exceeding $100 per diem, including traveltime, and while away from his home or regular place of business he may be allowed travel expenses, including per diem in lieu of subsistence, as authorized in Section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently. Payments under this section shall not render a State commissioner member of the Board an employee or official of the United States for any purpose.

"(h) The Federal-State Joint Board shall meet from time to time upon the call of the Chairman of the Board or of three members of the Board. A majority of the members of the Board shall constitute a quorum. Each member of the Board shall have one vote. All decisions of the Board shall be by majority vote. The Commission shall designate an examiner to advise with and assist the Board in the handling of any proceedings before it. The Commission shall provide the Board from among the personnel and facilities of the Commission such staff and facilities as are necessary to carry out the functions of the Board. In conducting hearings, the Board, within the scope of its authority, shall be vested with the same rights, duties and powers as are vested in the Commission in holding a hearing. An order of the Board shall be deemed an order of the Commission for purposes of judicial review.

"(i) In making a valuation of the property of any telephone carrier, the Commission, after the adoption of the uniform procedures authorized in subsection (c) of this section, may in its discretion value only that part of the property of such carrier determined to be used in interstate or foreign communication toll service."

S. 1918

A bill to amend the Communications Act of 1934, as amended, to redefine State and local governmental authority over communications primarily of local concern

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Local Communication Service Act of 1969."

SEC. 2. The Communications Act of 1934, as amended, is further amended by striking subsections (r) and (s) of section 3 and inserting in lieu thereof two new subsections to read as follows:

"(r) 'Exchange service' means communication service between two or more points within an exchange area. An exchange area is that area within which communication service is provided for under exchange service charges subject to regulation by a State commission or by local governmental authority.

"(s) 'Toll service' means communication service between stations in different areas for which there is made a separate charge not included in contracts with subscribers for exchange service."

SEC. 3. The Communications Act of 1934, as amended, is further amended by striking the word "telephone" from subsection (b) of section 221.

S. 1919

A bill to amend the Natural Gas Pipeline Safety Act of 1968 to establish a formula for the division of Federal grants among State agencies, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Natural Gas Pipeline Safety Act Amendment of 1969."

SEC. 2. The Natural Gas Pipeline Safety Act of 1968, 82 Stat. 720, is amended by striking the first sentence of paragraph (1) of subsection (c) of section 5 and inserting in lieu thereof a new sentence to read as follows: "Upon application, the Secretary is authorized to pay out of funds appropriated or otherwise made available up to 50 per centum of the cost of the personnel, equipment and activities of a State agency reasonably required, during the ensuing fiscal year: to carry out a safety program under a certification under subsection (a) or an agreement under subsection (b) of this section; or to act as agent of the Secretary in enforcing Federal safety standards for pipeline facilities or the transportation of gas subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act."

SEC. 3. The Natural Gas Pipeline Safety Act of 1968 is further amended by adding at the end of subsection (c) of section 5 the following:

"(4) Federal funds authorized to be appropriated or otherwise made available for each fiscal year for the purposes of this subsection shall be apportioned, on or before January 1 next preceding the commencement of each fiscal year, by the Secretary among the several States, whose State agencies are eligible for funds under this section, in the following manner: one-half in the ratio which the mileage of pipelines engaged in transportation of gas and subject to safety standards enforced by State agency within the State bears to the total mileage of such pipelines in all of the States whose State agencies are eligible for funds under this section; and one-half in the ratio which the number of retail customers directly served by pipelines engaged in the transportation of gas and subject to safety standards enforced by State agency within the State bears to the total number of such retail customers in all of the States whose State agencies are eligible for funds under his section; *Provided,* That no State, to the extent it is able to satisfy the 50 per centum requirement of paragraph (1) of this subsection, shall receive less than one-fourth of 1 per centum of each year's apportionment or $50,000, whichever is the greater.

"(5) On or before January 1 next preceding the commencement of each fiscal year, the Secretary shall certify to each such State agency the funds which he has apportioned hereunder to each State for such fiscal year. As soon as practicable after the apportionment has been made for each fiscal year, the State agency of any State desiring to obtain financial assistance shall submit to the Secretary for his approval the State's safety program for the use of the funds apportioned for such fiscal year. The Secretary shall act on each State program as soon as practicable after it has been submitted. The Secretary may approve any program in whole or in part. His approval of any program shall be deemed a contractual obligation of the Federal Government for the payment of its apportioned contribution thereto. If a State agency elects not to accept the funds apportioned to it, such funds shall be reapportioned, in accordance with the above formula, among the other States whose State agencies are eligible to receive Federal funds under this subsection.

"(6) The Secretary may, in his discretion, from time to time as work progresses make payment to a State agency for the annual program costs incurred by it. These payments shall at no time exceed the Federal share of the program costs incurred to the date of the voucher covering such payment. After completion of an annual program and approval of the final voucher by the Secretary, the State agency shall be entitled to payment out of the appropriate funds apportioned to it of the unpaid balance of the Federal share on account of such program. Such payments shall be made to such official or officials or depository as may be designated by the State agency and authorized under the laws of the State to receive public funds of the State.

"(7) Upon application by the national organization of the State commissions submitted on or before September 30th of any calendar year, the Secretary shall pay out of the funds appropriated pursuant to this Act, or other available funds, the sum of $20,000, plus such additional sums as he deems justified, to such national organization, to pay, during the ensuing calendar year, the reasonable cost of (i) conducting training of State enforcement personnel, (ii) furnishing technical assistance, or (iii) other activities appropriate for the advancement of the safety programs of State agencies carried on under this Act.

SEC. 4. Section 15 of the Natural Gas Pipeline Safety Act of 1968 is amended by inserting "(a)" immediately after "Sec. 15." and by adding at the end thereof the following:

"(b) For the purpose of further aiding the Secretary in providing financial assistance to State agencies pursuant to section 5(c) of this Act, there is hereby authorized to be appropriated the additional sum of $——— for the fiscal year ending June 30, 1970; the additional sum of $——— for the fiscal year ending June 30, 1971; and the additional sum of $——— for the fiscal year ending June 30, 1972."

S. 1920

A bill to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier safety programs to insure the safe operation of commercial motor vehicles, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Motor Carrier Safety Act of 1969."

SEC. 2. Part II of the Interstate Commerce Act, as amended, is amended by inserting after section 205 thereof a new section 205a as follows:

"MOTOR CARRIER SAFETY

"SEC. 205a(1). Policy, purpose and assistance to the States.

"(A) The Congress declares that public policy requires measures to reduce the causes of death, injury and damage resulting from the operation of commercial motor vehicles in interstate or foreign commerce on the Nation's highways, and finds that a program of joint Federal-State cooperation in the enforcement of safety regulations pertaining to such vehicles is needed to achieve this end.

"(B) In furtherance of this policy the Secretary is authorized to cooperate with appropriate State commissions in establishing, developing and administering a State motor carrier safety program designed to insure the safe operation of commercial motor vehicles on the highways by regulating the safety of operation and equipment, and the qualifications and maximum hours of service of employees, and in providing for the effective enforcement of such programs.

"SEC. 205a(2). Definitions.

"As used in this section—

"(A) The term 'Secretary' means the Secretary of Transportation.

"(B) The term 'motor carrier' means any person operating in commercial service in interstate or foreign commerce on the public highways a motor vehicle with six or more wheels and (i) a gross weight in excess of 10,000 pounds or (ii) designed to transport more than one ton of cargo or more than six passengers including the driver.

(C) The term 'motor carrier safety program' means a range of activities specifically designed to insure the safe operation of motor carriers on the public highways, including qualification and maximum hours of service of employees, and safety of operation and equipment.

"(D) The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands.

"(E) The term 'State commission' means the State department, commission, agency, officer, or official authorized by State law to adopt or enforce regulations governing the safety of operation of motor carriers.

"(F) The term 'national organization of the State commissions' means the national organization of the State commissions referred to in sections 202(b) and 205(f) of the Act.

"SEC. 205a(3). Federal Assistant for Motor Carrier Safety Programs.

"The Secretary is authorized to make grants for the purpose of establishing, increasing and maintaining motor carrier safety programs administered by State commissions to reduce the causes of death, injury and property damage on the highways, and to develop Federal-State cooperation in the conduct of these programs.

"SEC. 205a(4). Minimum Program.

"The Secretary shall establish by order a minmum motor carrier safety program to be used in determining the eligibility of a State to receive grants under this section. The safety aspect of such motor carrier programs may be based, to the extent the Secretary finds appropriate, on existing motor carrier safety regulations and hazardous material regulations.

"SEC. 205a(5). Minimum Motor Carrier Regulations and Enforcement.

"(A) The Secretary shall formulate minimum motor carrier safety regulations, minimum hazardous material regulations and minimum standards for the enforcement of such regulations, after consultation and cooperation with the State commissions, the national organization of the State commissions, and the National Motor Carrier Safety Advisory Committee provided for in subsection 205a(8)(A), which he shall promulgate within two years after this Act takes effect. Five years after this Act takes effect, the State commissions which have adopted regulations at least equal to those minimum motor carrier safety regulations and minimum hazardous material regulations and have established enforcement procedures at least equal to those minimum enforcement standards, may receive grants under this section unless the Secretary finds for good cause shown, and publishes his reasons for such finding, that a later effective date is in the public interest. The Secretary may, for good cause and after consultation and cooperation with the above parties, by order amend or revoke any such minimum motor carrier safety regulation, hazardous material regulations or enforcement standard established by him under this section.

"(B) A State commission may adopt such additional or more stringent safety regulations applicable to motor carriers as are not incompatible with the minimum motor carrier safety regulations and minimum hazardous material regulations promulgated and adopted by the Secretary pursuant to subsection 205a(5)(A), if such regulations adopted by the State commission are reasonable, do not constitute an undue burden on interstate commerce, and are required to better protect the public safety.

"SEC. 205a(6). Grant Authorization.

"(A) The Secretary is authorized to make grants to State commissions for a period of two years after this Act takes effect in an amount up to 100 per centum of the cost of planning, developing, and establishing minimum motor carrier safety programs in States requiring such assistance, and thereafter, grants in an amount not to exceed 50 per centum of the cost of maintaining and further developing effective and continuing motor carrier safety programs. The Secretary shall make the grants authorized by this subsection only upon application by the State commission. Whenever a State shall have two or more State commissions, as determined by the chief legal officer of the State, the States shall organize a 'Governor's Council' composed of the Governor, or his representative, and one representative of each State commission, each of whom shall have one vote, and decisions of the Council shall be by majority vote. Each grant application shall describe the long range program proposed by the applicant State to carry out the basic purposes set forth in this section and shall be in such form and contain such additional information as the Secretary may require. The Secretary may approve an application for a grant only to State commissions which:

"(1) have a State commission or commissions, and in the event of two or more State commissions, the motor carrier safety program for such State shall be coordinated by and through the Governor's Council;

"(2) have on file with the Secretary an approved motor carrier safety program with regulations, including enforcement procedures, conforming to the purposes and requirements of this section ;

"(3) submit an annual work plan satisfactory to the Secretary which shall disclose the total estimated cost of the annual program;

"(4) have regulations which, in the Secretary's determination, do not constitute an unreasonable burden on motor carriers;

"(5) provide assurance satisfactory to the Secretary that Federal funds made available under this section will be so used as to supplement and, to the extent practical; increase the amount of funds that the applicant would make available for motor carrier safety in the absence of such Federal funds; and

"(6) provide assurance satisfactory to the Secretary that its expenditure of State funds not derived from Federal sources, for its motor carrier safety program, will be maintained at a level which does not fall below the average level of such expenditures for its last two full fiscal years preceding the date of enactment of this section.

"(B) The Secretary shall not disapprove any State's application under this subsection without first providing the State commission concerned reasonable notice and opportunity in a hearing to present its views. Each State commission receiving a grant under this section shall submit an annual report on its program containing such information as the Secretary requires.

"(C) Upon application by the national organization of the State commissions submitted on or before September 30th of any calendar year, the Secretary shall pay out of the funds appropriated pursuant to this Act, or other available funds, the sum of $20,000, plus such additional sums as he deems justified, to such national organization, to pay, during the ensuing calendar year, the reasonable cost of coordinating the activities of the State commissions, to assist them in the maintenance and improvement of motor carrier safety programs, and to render assistance to such commissions in other regulatory matters.

"(D) Funds authorized to be appropriated for each fiscal year to carry out this section shall be used to aid the State commissions to conduct the motor carrier safety programs approved in accordance with such section and shall be apportioned by the Secretary among the several States on or before January 1 next preceding the commencement of each fiscal year. Such funds for each fiscal year shall be apportioned among the several States in the following manner:

"One-half in the ratio which the population of each State bears to the total population of all the States as shown by the latest available Federal census; and

"One-half in the ratio which motor carriers use the public highways within the State, based on the reportable miles operated by them in the State for motor fuel tax purposes or on other appropriate criteria, bears to the total motor carrier use of the public highways within all the States;

"*Provided*, That no State shall receive less than one-fourth of 1 per centum of each year's apportionment or $50,000, whichever is the greater.

"(E) On or before January 1 next preceding the commencement of each fiscal year, the Secretary shall certify to each State commission the funds which he has apportioned hereunder to each State for such fiscal year. As soon as practicable after the apportionment has been made for each fiscal year, the State commission of any State desiring to obtain financial assistance shall submit to the Secretary for his approval the State's motor carrier safety program for the use of the funds apportioned for such fiscal year. The Secretary shall act on each State program as soon as practicable after it has been submitted. The Secretary may approve any program in whole or in part. His approval of any program shall be deemed a contractual obligation of the Federal Government for the payment of its apportioned contribution thereto. If a State commission elects not to accept the funds apportioned to it, such funds shall be reapportioned in accordance with the above formula, among the other

States whose State commissions are eligible to receive Federal funds under this section.

"(F) The Secretary may, in his discretion, from time to time as work progresses make payments to a State commission for the annual program costs incurred by it. These payments shall at no time exceed the Federal share of the program costs incurred to the date of the voucher covering such payment. After completion of an annual program and approval of the final voucher by the Secretary, the State commission shall be entitled to payment out of the appropriate funds apportioned to it of the unpaid balance of the Federal share on account of such program. Such payments shall be made to such official or officials or depository as may be designated by the State commission and authorized under the laws of the State to receive public funds of the State.

"(G) State personnel, compensated in whole or in part from Federal funds received under this section, shall be authorized, while engaged in the conduct of the motor carrier safety program, to enforce the safety and economic laws of the State concerning highway transportation.

"Sec. 205a(7). Research, Training and Development.

"In order to encourage training, research and development in the motor carrier safety field, the Secretary is authorized to conduct research and development and in addition is authorized—

"(A) to make continuing studies and undertake approaches, techniques, systems, equipment, and devices to improve motor carrier safety;

"(B) to enter into contracts with public agencies, institutions of higher education, private organizations and individuals to conduct research, demonstration, or special projects pertaining to the purposes described in this section, including the development of new or improved approaches, techniques, systems, equipment and devices to improve motor carrier safety;

"(C) to provide instructional assistance to the States for the programs authorized under this section, and special workshops for the presentation and dissemination of information resulting from research, demonstrations, and special projects authorized by this section;

"(D) to carry out a program of collection and dissemination of information obtained by the Department or other Federal agencies, State and public agencies, institutions of higher education, or private organizations engaged in projects under this subsection, including information relating to new or improved approaches, techniques, systems, equipment, and devices to improve motor carrier safety; and

"(E) to make grants to the national organization of the State commissions, or other national organizations representing State governments or State officials, to pay up to 50 per centum of the costs of providing training to officials or employees of State commissions relative to the conduct of their motor carrier safety programs.

"Sec. 205a(8). National Motor Carrier Safety Advisory Committee; Cooperation.

"(A) There is established in the Department of Transportation a National Motor Carrier Safety Advisory Committee, composed of the Secretary or an officer of the Department appointed by him, who shall be Chairman, the Federal Highway Administrator, and 20 members appointed by the Secretary, five of whom shall be State commissioners nominated by the national organization of the State commissions. The remainder of the appointed members, having due regard for the purposes of this subsection, shall be selected from among representatives of public and private interests, contributing to, affected by, or concerned with the conduct of motor carrier safety programs, including national organizations of motor carrier vehicle manufacturers, owners, and operators, as well as research scientists and other individuals who are expert in this field. Members of the Committee who are not officers or employees of the United States shall, while attending meetings or conferences of such Committee or otherwise engaged in the business of such Committee, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Payments under this section shall not render members of the Committee employees or officials of the United States for any purpose.

"The National Motor Carrier Safety Advisory Committee shall advise, consult with, and make recommendations to, the Secretary on matters relating to the activities and functions of the Department relative to the conduct of motor carrier safety programs. The Committee is authorized (1) to review training, research or development projects or programs submitted to or recommended by it relative to the conduct of motor carrier safety programs and recommend to the Secretary any such projects which it believes show promise of making valuable contributions to the strengthening of such motor carrier safety programs in the public interest; and (2) review, prior to issuance, regulations and standards proposed to be issued by order of the Secretary under the provisions of subsections 205a (4) and 205a (5) of this section and to make recommendations thereon. Such recommendations shall be published in connection with the Secretary's determination or order.

"The National Motor Carrier Safety Advisory Committee shall meet from time to time as the Secretary shall direct, but at least once each year.

"(B) The Secretary shall provide such staff and facilities to the National Motor Carrier Safety Advisory Committee from among the personnel and facilities of the Department of Transportation as are necessary to carry out the functions of such Committee.

"(C) The Secretary is authorized and directed to assist, cooperate and consult with other Federal departments and agencies, State and local governments, private industry, the national organization of the State commissions, and other interested parties, in order to carry out the provisions of this section.

"Sec. 205a(9). Administration and Reporting.

"(A) The Secretary shall carry out the provisions of this section through the Federal Highway Administration.

"(B) Nothing in this section shall prohibit the Secretary from enforcing any other provisions of the Interstate Commerce Act relating to motor carriers in those States which have not adopted the minimum motor carrier safety regulations and the minimum hazardous materials regulations.

"(C) The Secretary shall submit to the President for transmission to the Congress on or before January 1 of each year a report on the activities carried on pursuant to the provisions of this section during the preceding full fiscal year and recommendations for future legislation, if any.

"Sec. 3. Authorization of Appropriations.

"(A) For the purpose of carrying out section 205a (6) of the Interstate Commerce Act, there is hereby authorized to be appropriated the sums of $——— for the fiscal year ending June 30, 1970, $——— for the fiscal year ending June 30, 1971, and for the succeeding fiscal years such sums as the Congress may hereafter authorize. The unexpended balance of sums appropriated under this section for any fiscal year shall remain available for expenditure during the next succeeding fiscal year in addition to amounts otherwise available to carry out this section in such year.

"(B) For the purpose of carrying out section 205a (7) of the Interstate Commerce Act, there is hereby authorized to be appropriated to remain available until expended the sums of $——— for the fiscal year ending June 30, 1970; and $——— for the fiscal year ending June 30, 1971.

S. 1921

A bill to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier programs to enforce the economic laws and regulations of the States and the United States concerning highway transportation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Motor Carrier Economic Law Enforcement Act of 1969."

Sec. 2. Part II of the Interstate Commerce Act, as amended, is amended by inserting after section 205 thereof a new section 205b as follows:

"MOTOR CARRIER ECONOMIC LAW ENFORCEMENT

"Sec. 205b(1). Policy, purpose and assistance to the States.

"(A) The Congress declares that public policy requires additional measures to enforce the economic laws and regulations of the States and the United States concerning highway transportation so as to enhance the strength and vitality of lawful motor carrier operations which are essential not only to meeting the growing transportation needs of the people of the United States, but also to the national economy and defense, and further finds that a program of joint Federal-State cooperation in the enforcement of such economic laws and regulations is needed to achieve this end.

"(B) In furtherance of this policy the Interstate Commerce Commission is authorized to cooperate with appropriate State commissions in establishing, developing and administering a State motor carrier economic law enforcement program to combat the conduct of illegal motor carrier operations, and in providing for the effective enforcement of such program.

"Sec. 205b(2). Definitions.

"As used in this section—

"(A) The term 'Commission' means the Interstate Commerce Commission.

"(B) The term 'motor carrier' means any person operating in commercial service in interstate or foreign commerce on the public highways a motor vehicle with six or more wheels and (i) a gross weight in excess of 10,000 pounds or (ii) designed to transport more than one ton of cargo or more than six passengers including the driver.

"(C) The term 'motor carrier program' means a range of activities specifically designed to insure the enforcement of the economic laws and regulations of the United States concerning motor carriers.

"(D) The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands.

"(E) The term 'State commission' means the State department, commission, agency, officer, or official authorized by State law to fix rates for transportation by motor carriers or to certificate or permit their operations.

"(F) The term 'national organization of the State commissions' means the national organization of the State commissions referred to in sections 202(b) and 205(f) of the Act.

"SEC. 205b(3). Federal Assistance for Motor Carrier Programs.

"The Commission is authorized to make grants for the purpose of establishing, increasing and maintaining motor carrier programs administered by State commissions to combat illegal motor carrier operations by enforcing the economic laws and regulations of the States and United States concerning highway transportation, and to develop Federal-State cooperation in the conduct of these programs.

"SEC. 205b(4). Minimum Program.

The Commission shall establish by order a minimum motor carrier program to be used in determining the eligibility of a State to receive grants under this section.

"SEC. 205b(5). Minimum Motor Carrier Regulations and Enforcement.

"The Commission shall formulate minimum standards for the enforcement of the economic laws and regulations of the United States concerning motor carriers, after consultation and cooperation with the State commissions, the national organization of the State commissions, the National Motor Carrier Enforcement Advisory Committee provided for in subsection 205b(8)(A), which it shall promulgate within two years after this Act takes effect. Five years after this Act takes effect, the State commissions which have established enforcement procedures at least equal to those minimum enforcement standards, may receive grants under this section unless the Commission finds for good cause shown, and publishes its reasons for such finding, that a later effective date is in the public interest. The Commission may, for good cause and after consultation and cooperation with the above parties, by order amend or revoke any such enforcement standard established by it under this section.

"SEC. 205b(6). Grant Authorization.

"(A) The Commission is authorized to make grants to State commissions for a period of two years after this Act takes effect in an amount up to 100 per centum of the cost of planning, developing, and establishing minimum motor carrier programs in States requiring such assistance, and thereafter, grants in an amount not to exceed 50 per centum of the cost of maintaining and further developing effective and continuing motor carrier programs. The Commission shall make the grants authorized by this subsection only upon application by the State commission. Whenever a State shall have two or more State commissions, as determined by the chief legal officer of the State, the States shall organize a 'Governor's Council' composed of the Governor, or his representative, and one representative of each State commission, each of whom shall have one vote, and decisions of the Council shall be by majority vote. Each grant application shall describe the long range program proposed by the applicant State to carry out the basic purposes set forth in this section and shall be in such form and contain such additional information as the Commission may require. The Commission may approve an application for a grant only to State commissions which:

"(1) have a State commission or commissions, and in the event of two or more State commissions, the motor carrier program for such State shall be coordinated by and through the Governor's Council;

"(2) have on file with the Commission an approved motor carrier program with regulations, including enforcement procedures, conforming to the purposes and requirements of this section;

"(3) submit an annual work plan satisfactory to the Commission which shall disclose the total estimated cost of the annual program;

"(4) provide assurance satisfactory to the Commission that Federal funds made available under this section will be so used as to supplement and, to the extent practical, increase the amount of funds that the applicant would make available for motor carrier enforcement in the absence of such Federal funds; and

"(5) provide assurance satisfactory to the Commission that its expenditure of State funds not derived from Federal sources, for its motor carrier program, will be maintained at a level which does not fall below the average level of such expenditures for its last two full fiscal years preceding the date of enactment of this section.

"(B) The Commission shall not disapprove any State's application under this subsection without first providing the State commission concerned reasonable notice and opportunity in a hearing to present its views. Each State commission receiving a grant under this section shall submit an annual report on its program containing such information as the Commission requires.

"(C) Upon application by the national organization of the State commissions submitted on or before September 30th of any calendar year, the Commission shall pay out of the funds appropriated pursuant to this Act, or other available funds, the sum of $20,000, plus such additional sums as it deems justified, to such national organization, to pay, during the ensuing calendar year, the reasonable cost of coordinating the activities of the State commissions, to assist them in the maintenance and improvement of motor carrier programs, and to render assistance to such commissions in other regulatory matters.

"(D) Funds authorized to be appropriated for each fiscal year to carry out this section shall be used to aid the State commissions to conduct the motor carrier programs approved in accordance with such section and shall be apportioned by the Commission among the several States on or before January 1 next preceding the commencement of each fiscal year. Such funds for each fiscal year shall be apportioned among the several States in the following manner:

"One-half in the ratio which the population of each State bears to the total population of all the States as shown by the latest available Federal census; and

"One-half in the ratio which motor carriers use the public highways within the State, based on the reportable miles operated by them in the State for motor fuel tax purposes or on other appropriate criteria, bears to the total motor carrier use of the public highways within all the States;

"*Provided*, That no State shall receive less than one-fourth of 1 per centum of each year's apportionment or $500,000, whichever is the greater.

"(E) On or before January 1 next preceding the commencement of each fiscal year, the Commission shall certify to each State commission the funds which it has apportioned hereunder to each State for such fiscal year. As soon as practicable after the apportionment has been made for each fiscal year, the State commission of any State desiring to obtain financial assistance shall submit to the Commission for its approval the State's motor carrier program for the use of the funds apportioned for such fiscal year. The Commission shall act on each State program as soon as practicable after it has been submitted. The Commission may approve any program in whole or in part. Its approval of any program shall be deemed a contractual obligation of the Federal Government for the payment of its apportioned contribution thereto. If a State commission elects not to accept the funds apportioned to it, such funds shall be reapportioned in accordance with the above formula, among the other States whose State commissions are eligible to receive Federal funds under this section.

"(F) The Commission may, in its discretion, from time to time as work progresses make payments to a State commission for the annual program costs incurred by it. These payments shall at no time exceed the Federal share of the program costs incurred to the date of the voucher covering such payment. After completion of an annual program and approval of the final voucher by the Commission, the State commission shall be entitled to payment out of the appropriate funds apportioned to it of the unpaid balance of the Federal share on account of such program. Such payments shall be made to such official or officials or depository as may be designated by the State commission and authorized under the laws of the State to receive public funds of the State.

"(G) State personnel, compensated in whole or in part from Federal funds received under this section, shall be authorized, while engaged in the conduct of the motor carrier program, to enforce the economic and safety laws of the State concerning highway transportation.

"SEC. 205b(7). Training.

"In order to encourage training in the motor carrier enforcement field, the Commission is authorized to conduct training and in addition is authorized—

"(A) to make continuing studies and undertake approaches, techniques, systems, and devices to improve motor carrier enforcement;

"(B) to provide instructional assistance to the States for the programs authorized under this section, and special workshops for the presentation and dissemination of information resulting from special projects authorized by this subsection;

"(C) to carry out a program of collection and dissemination of information obtained by the Commission or other Federal agencies, State and public agencies, institutions of higher education, or private organizations engaged in projects under this subsection, including information relating to new or improved means to enforce economic laws and regulations concerning highway transportation; and

"(D) to make grants to the national organization of the State commissions, or other national organizations representing State governments or State officials, to pay up to 50 per centum of the costs of providing training to officials or employees of State commissions relative to the conduct of their motor carrier programs.

"SEC. 205b(8). National Motor Carrier Enforcement Advisory Committee; Cooperation.

"(A) There is established in the Commission a National Motor Carrier Enforcement Advisory Committee, composed of a Commissioner of the Commission appointed by the Commission, who shall be Chairman, and 20 members appointed by the Commission, five of whom shall be State commissioners nominated by the national organization of the State commissions. The remainder of the appointed members, having due regard for the purposes of this subsection, shall be selected from among representatives of public and private interests, contributing to, affected by, or concerned with the conduct of motor carrier programs. Members of the Committee who are not officers or employees of the United States shall, while attending meetings or conferences of such Committee or otherwise engaged in the business of such Committee, be entitled to receive compensation at a rate fixed by the Commission, but not exceeding $100 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Payments under this section shall not render members of the Committee employees or officials of the United States for any purpose.

"The National Motor Carrier Enforcement Advisory Committee shall advise, consult with, and make recommendations to, the Commission on matters relating to the activities and functions of the Commission relative to the conduct of motor carrier programs. The Committee is authorized (1) to review training projects or programs submitted to or recommended by it relative to the conduct of motor carrier programs and recommend to the Commission any such projects which it believes show promise of making valuable contributions to the strengthening of such motor carrier programs in the public interest; and (2) review, prior to issuance, regulations and standards proposed to be issued by order of the Commission under the provisions of subsection 205b(4) and 205b(5) of this section and to make recommendations thereon. Such recommendations shall be published in connection with the Commission's determination or order.

"The National Motor Carrier Enforcement Advisory Committee shall meet from time to time as the Commission shall direct, but at least once each year.

"(B) The Commission shall provide such staff and facilities to the National Motor Carrier Enforcement Advisory Committee from among the personnel and facilities of the Commission as are necessary to carry out the functions of the Committee.

"(C) The Commission is authorized and directed to assist, cooperate and consult with other Federal departments and agencies, State and local governments, private industry, the national organization of the State commissions, and other interested parties, in order to carry out the provisions of this section.

"SEC. 205b(9). Administration and Reporting.

"(A) Nothing in this section shall prohibit the Commission from enforcing any other provisions of the Interstate Commerce Act relating to motor carriers in those States which have not adopted motor carrier programs.

"(B) The Commission shall submit to the President for transmission to the Congress on or before January 1 of each year a report on the activities carried on pursuant to the provisions of this section during the preceding full fiscal year and recommendations for future legislation, if any.

"SEC. 3. Authorization of Appropriations.

"(A) For the purpose of carrying out section 205a(6) of the Interstate Commerce Act, there is hereby authorized to be appropriated the sums of $——— for the fiscal year ending June 30, 1970, $——— for the fiscal year ending June 30, 1971, and for the succeeding fiscal years such sums as the Congress may hereafter authorize. The unexpended balance of sums appropriated under this section for any fiscal year shall remain available for expenditure during the next succeeding fiscal year in addition to amounts otherwise available to carry out this section in such year.

"(B) For the purpose of carrying out section 205a(7) of the Interstate Commerce Act, there is hereby authorized to be appropriated to remain available until expended the sums of $——— for the fiscal year ending June 30, 1970; and $——— for the fiscal year ending June 30, 1971.

S. 1922

A bill to amend section 410 of the Communications Act of 1934 to permit the Federal Communications Commission to pay the expenses of certain State officials serving in joint hearings with the Commission

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal-State Communications Regulatory Cooperation Act of 1969."

SEC. 2. Section 410 of the Communications Act of 1934, as amended (47 U.S.C., Sec. 410), is hereby further amended by adding at the end thereof a new subsection to read as follows:

"(c) State officials and representatives of the national organization of the State commissions, as referred to in sections 202(b) and 205(f) of the Interstate Commerce Act, as amended (49 U.S.C., Secs., 302(b), 305(f)), serving in joint hearings or in other regulatory cooperative efforts with the Commission shall receive such allowances for travel and subsistence expenses as the Commission shall provide."

S. 1923

A bill to amend the Interstate Commerce Act to strengthen and improve the enforcement of Federal and State economic laws and regulations concerning highway transportation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal-State Highway Transportation Law Enforcement Act of 1969."

SEC. 2. Paragraph (2) of subsection (b) of section 202 of the Interstate Commerce Act, as amended (49 U.S.C., Sec. 302(b)(2)), is hereby further amended by striking the period at the end of the second sentence and inserting in lieu thereof the following: "; *Provided,* That after the standards become effective any amendments thereof subsequently determined by the national organization of the State commissions shall become effective at the time of promulgation or at such other time as may be determined by such organization."

SEC. 3. Paragraph (2) of subsection (b) of section 202 of the Interstate Commerce Act, as amended, is hereby further amended by inserting between the third and fourth sentences a new sentence to read as follows: "Any form established hereunder may be so devised as to be appropriate for use relative to operations by motor carriers or other persons subject to Federal or State laws and regulations concerning highway transportation, whether or not such persons are subject to regulation by the Commission."

The material, presented by Mr. MAGNUSON, follows:

JUSTIFICATION, FEDERAL-STATE ELECTRIC POWER RELIABILITY AND SCENIC CONSERVATION ACT OF 1969

In the Ninetieth Congress, there were introduced so-called electric power reliability bills prepared by the Federal Power Commission and others which, if enacted, would have concentrated enormous regulatory authority in the FPC over the electric utility industry. None of these bills provided any meaningful role for the State commissions irrespective of their long-standing and intimate regulatory involvement with electric utilities.

The same and similar bills have been introduced in the Ninety-first Congress. While their enactment now appears unlikely, this outlook could change radically if the Nation suffers a massive power failure.

It is unfortunate, and possibly dangerous, for the Congress to have before it only such extreme proposals and none of a moderate nature.

The bill would provide a moderate approach to the matter of electric reliability. It would have basically two purposes.

First, the FPC would be empowered to identify the power pools within the Nation and to establish a regional council for each pool. A council would be composed of representatives of utilities operating within the power pool area, whether publicly or privately owned. The FPC would have no authority to define voting rights for the council members.

A State Joint Board would be established for each council which would be composed of a State commissioner from each State wholly or partially within the power pool area.

The members of the regional council would meet from time to time to discuss mutual problems and to cooperatively plan for improved pool and inter-regional reliability.

The council would report from time to time to the FPC and the State Joint Board. The FPC and the Board would have the right to comment upon the plans and to suggest modifications. However, neither the FPC or the Board, as such, would have the authority to compel the adoption of any plan.

The individual State commissions would of course continue to have the authority they now have with regard to regulating the reliability of service.

The continuous planning and free interchange of ideas among the council members, and among the council, the FPC and the Board, and between regions, would undoubtedly benefit the individual State commissions and improve their ability to cooperate with each other in seeking to strengthen pool reliability.

The *second* feature of the proposed bill would empower the State Joint Board to determine the routing of transmission lines, based upon consideration being given to the reliability of service and the protection of historical, recreational and scenic values, within the power pool area and where a State commission does not have jurisdiction over such routing. Whenever a State commission acquired such authority from its legislature, the State Joint Board would lose the jurisdiction to make routing determinations in that State.

The adoption of this proposal would afford immediate protection to the public in the preservation of historic, recreational and scenic values with the decisions being made by officials close to the problems. The joint board concept would not override State authority, but would stimulate the exercise of that authority, by inducing the legislatures, which have not yet done so, to enact appropriate enabling legislation.

The joint board concept proposed here is similar to the joint boards now provided for in Part II of the Interstate Commerce Act concerning the regulation of motor carriers. 49 U.S.C., Sec. 305. The joint board procedure has worked successfully in motor carrier regulation since 1935 and has significantly strengthened Federal-State relations. Accordingly, the joint board concept should be applied to the regulation of the electric industry under the terms of the bill.

JUSTIFICATION, FEDERAL-STATE COMMUNICATIONS JOINT BOARD ACT OF 1969

The "Statistics of Communications Common Carriers" issued by the Federal Communications Commission (FCC) for the year ended December 31, 1966, page 33, reveals that the total net communications plant of the Bell System is $30,765,568,524.00. The FCC in an Interim Decision and Order issued on July 5, 1967, in re *American Telephone and Telegraph Company et al,* 70 PUR 3d 129, at page 145, par. 21, stated that "In terms of plant investment and revenues, the interstate and foreign service of the Bell System respondents account for about 25 per cent of their total operations." In paragraph 22, page 146, of the same case, the FCC states that the net plant investment of Bell devoted to interstate and foreign services is $8,606,209,000.00.

Comparing these figures together, we see that approximately 22 billion dollars of the Bell plant is subject to State and local regulation and approximately 8½ billion dollars is subject to FCC regulation.

Prior to the institution of the AT&T rate proceeding on October 27, 1965 (FCC Docket No. 16258), the FCC had traditionally cooperated with the State Commissions in determining procedures for separating and allocating the property and expenses of telephone companies between their intrastate and interstate operations. Even under these circumstances a significant rate disparity developed between intrastate and interstate toll calls because the intrastate operations of telephone companies were forced to support an excessive revenue requirement as a result of separation procedures not permitting an adequate allocation of revenue requirements to interstate operations.

The FCC, by orders released in the AT&T rate proceeding (Docket No. 16258) on July 5, 1967, and January 24, 1968, and in a related rule making proceeding (Docket No. 17975) on January 30, 1969, has unilaterally prescribed changes in separations procedures which have produced an insufficient allocation of revenue requirements from intrastate to interstate operations.

This action, which apparently signals the abandonment of the long-established Federal-State cooperative approach, is contrary to the public interest because not only is the toll rate disparity aggravated, but telephone operating companies are now seeking increases in many States to raise their intrastate earnings. An adequate allocation of revenue requirements from intrastate to interstate operations would have ameliorated both of these unfortunate consequences.

Furthermore, the average user of telephone service is benefited more by fixing his flat monthly charge for service at the lowest practicable level rather than by reductions in toll rates. The lower the flat monthly charge the more accessible telephone service is to economically depressed members of the public. The value of telephone service increases proportionately with the number of telephone users, and the more users the lower the cost of service per user.

Aside from these public interest considerations, it is patently unfair for an agency, which has jurisdiction over only 25% of the property, to in effect claim *sole* authority to determine how 100% of the property shall be separated between the Federal and State authorities for rate making purposes. The State Commissions should have at least a minority voice in the making of such a determination.

Adoption of the Federal-State Communications Joint Board Act of 1969 would create a seven member Board composed of four FCC Commissioners designated by the FCC and three State Commissioners nominated by the NARUC and appointed by the FCC. The Board would have sole administrative authority under the Communications Act of 1934 to adopt and amend separations procedures. An order of the Board prescribing separations procedures would be deemed an order of the FCC for purposes of judicial review.

Justification, Local Communication Service Act of 1969

The major exemption contained in the Communications Act of 1934, as amended, is Section 221(b) which reads as follows:

"Subject to the provisions of Section 301, nothing in this Act shall be construed to apply, or to give the Commission jurisdiction, with respect to charges, classifications, practices, services, facilities, or regulations for or in connection with wire, mobile, or point-to-point radio *telephone* exchange service, or any combination thereof, even though a portion of such exchange service constitutes interstate or foreign communication, in any case where such mattters are subject to regulation by a State commission or by local governmental authority." (Emphasis supplied.)

Section 3 of the Act defines two terms which relate to the Section 221(b) exemption. These definitions read as follows:

"(r) '*Telephone* exchange service' means service within a *telephone* exchange, or within the same exchange area operated to furnish to subscribers intercommunicating service of the character ordinarily furnished by a single exchange and which is covered by the exchange service charge.

"(s) '*Telephone* toll service' means *telephone* service between stations in different exchange areas for which there is made a separate charge not included in contracts with subscribers for exchange service." (Emphasis supplied.)

Since the Section 221(b) exemption and these definitions are tied to the telephone device, it might be determined that TWX and other present or future means of communication not using the telephone device, but primarily of local concern, are not subject to State and local regulation.

Accordingly, it is important that these provisions of the Act be modernized by orienting them on "communication service" instead of "telephone service." This would be accomplished by the adoption of the Local Communication Service Act of 1969.

Justification, the Natural Gas Pipeline Safety Act Amendment of 1969

The Natural Gas Pipeline Safety Act of 1968, in establishing a 50–50 matching grant-in-aid program to assist the State commissions, failed to prescribe a formula for the apportionment of funds among the several States. Accordingly, the apportionment of any available funds is now left to the discretion of the Secretary of Transportation.

Also, as a result of the timing of the State commission's application for funds and the calendar year basis of the existing grant-in-aid program, most State commissions will not know the amount of Federal funds they are entitled to receive in any year until after their State legislatures have made appropriations for that year. Under these circumstances, a State legislature could easily fail to appropriate sufficient State funds to fully match the Federal funds apportioned to the State and hence the unmatched part of the apportionment would lapse.

Adoption of the National Gas Pipeline Safety Act Amendment of 1969 would permit Congressional authorization of a specific amount of funds for a given fiscal year to be apportioned among the several States well in advance of such fiscal year in accordance with a precise statutory formula. Under this concept, the Federal authorizing legislation would be enacted during an even-numbered year, and the apportionment of funds to the States would be made before the close of that even-numbered year, so that the State legislatures (the vast majority of which meet during the odd-numbered years) would know the amount of State funds needed to match the apportioned Federal funds. The Federal-aid highway program is an outstanding example of the application of this concept.

The proposed Amendment also contains a "contract authority" provision which means that when the Secretary of Transportation approves the gas safety program of a State commission, such approval "shall be deemed a contractual obligation of the Federal Government for the payment of its apportioned contribution thereto."

Justification, Motor Carrier Safety Act of 1969

The Highway Safety Act of 1966 (23 U.S.C., Secs. 401 *et seq.;* 80 Stat. 731) provides for grants-in-aid to assist a State in conducting a highway safety program which meets Federal minimum standards. The Governor of the State is responsible for administering the program, including the determination as to which State agencies are to participate therein and receive Federal funds.

The Act is drawn in broad terms and applies to all vehicles that travel the highways.

However, the history of motor carrier safety regulation generally recognizes that motor carrier safety warrants special regulatory attention at both the Federal and State levels to be distinct from general highway safety regulations such as traffic and speed laws and periodic inspection appropriate for automobiles and small commercial vehicles.

The adoption of the Motor Carrier Safety Act of 1969 would provide Federal grants-in-aid directly to the State commissions in administering their motor carrier safety programs and in enforcing Federal and State safety laws concerning highway transportation. The grants-in-aid would be paid by the Department of Transportation to the State commissions whose safety and enforcement programs meet minimum Federal standards.

Furthermore, the adoption of the proposed Act would provide financial assistance to further implement Public Law 89–170 (79 Stat. 648) which, as amended by the law creating the Department of Transportation, authorized the Department to make cooperative agreements with the various States to enforce the safety laws and regulations of the Federal and State governments concerning highway transportaton. Pursuant to Public Law 89–170, the agencies of 34 States have executed cooperative agreements with DOT to enforce such safety laws.

Justification, Motor Carrier Economic Law Enforcement Act of 1969

The adoption of the Motor Carrier Economic Law Enforcement Act of 1969 would provide Federal grants-in-aid directly to the State commissions in enforcing Federal and State economic laws concerning highway transportation. The grants-in-aid would be paid by the Interstate Commerce Commission to the State commissions whose enforcement programs meet minimum Federal standards.

Furthermore, the proposed Act would provide financial assistance to further implement Public Law 89–170 (79 Stat. 648) which authorized the ICC to make cooperative agreements with the various States to enforce the economic laws and regulations of the Federal and State governments concerning highway transportation. Pursuant to Public Law 89–170, the agencies of 46 States have executed cooperative agreements with the ICC.

Justification, Federal-State Communications Regulatory Cooperation Act of 1969

Section 410(a) of the Federal Communications Act of 1934, as amended, presently authorizes the FCC to refer administrative matters to joint boards composed of State commissioners and further provides that they "shall receive such allowances for expenses as the Commission shall provide."

However, these provisions for defraying the out-of-pocket expenses of joint boards composed wholly of State officials, do not cover the cooperative arrangement where State commissioners sit with FCC presiding officers. The bill is designed to rectify this omission.

It provides that when State commissioners sit with FCC presiding officers pursuant to invitation by the FCC, the reasonable expenses incurred by the State commissioners may be defrayed by the FCC.

For example, the FCC on October 27, 1965, released an order instituting an investigation of the charges of the American Telephone and Telegraph Company and the Associated Bell System Companies for interstate and foreign communication service, Docket No. 16258.

In accordance with paragraph 5 of the order, the FCC extended an invitation to the NARUC to designate Cooperating State commissioners to sit with the presiding officers of the FCC for the hearing of the proceeding in accordance with the Plan of Cooperative Procedure set forth in Appendix A of Part 1 of the FCC's Rules.

The NARUC on November 9, 1965, accepted the FCC's invitation, and on December 10, 1965, designated Cooperating State commissioners to sit with the presiding officers of the FCC in the AT&T rate proceeding.

AT&T and the Bell System companies operate in forty-eight States and the District of Columbia. The Cooperating State commissioners, like the FCC presiding officers, render a national service when presiding in the proceeding.

Consequently, it would appear inappropriate for a few State commissions to bear the travel, food and lodging expenses of the Cooperating commissioners furnished by them when the service rendered by the commissioners is of national benefit.

Traditionally, when State commissioners are invited to participate in cooperative arrangements with Federal regulatory commissioners, the travel, food and lodging expenses of the State commissioners are defrayed by the Federal Commission issuing the invitation.[1]

The Federal Government benefits from this arrangement by acquiring the use of State expertise and by conserving the use of Federal officials.

Enactment of this bill should strengthen cooperative efforts between the Federal and State governments in the regulation of the communications industry.

Justification of Federal-State Highway Transportation Law Enforcement Act of 1969

Public Law 89-170 was signed into law by the President on September 6, 1965. Among other things, it amended Section 202(b) of the Interstate Commerce Act (49 U.S.C., Sec. 302(b)(2)) to authorize the NARUC to determine standards, and amendments thereto, evidencing the lawfulness of interstate operations of motor carriers, and to require the Interstate Commerce Commission to promulgate same into law to become effective five years from the date of promulgation. When the standards become effective any State laws not in accord therewith are deemed to be an undue burden on interstate commerce.

The NARUC, assembled in annual convention on November 17, 1966, unanimously adopted a resolution determining such standards,[2] and the ICC promulgated them into law on December 14, 1966. 49 C.F.R., Secs. 1023.1 *et seq*. Accordingly, the standards will become effective on December 15, 1971.

The success of the national regulatory program which will be established by these standards, and the ability of the NARUC to discharge its responsibilities thereunder, will be directly affected by the capacity to expeditiously adopt necessary amendments. Under present law, five years would have to elapse after the NARUC determined an amendment before it could become effective. As an example, it would take a minimum of five years for the NARUC to make a minor change in the language of the cab card form. Accordingly, it is very important that Public Law 89-170 be amended to provide that after the standards become effective, any amendments thereof subsequently determined by the NARUC may become effective at the time of promulgation or at such other time as it may determine.

Another amendment to Public Law 89-170 is also required. The Law and the standards adopted thereunder only apply to motor carrier operations certificated or permitted by the ICC. Therefore, the cab card form prescribed thereunder cannot be altered so as to be appropriate for use in identifying vehicles engaged in interstate or intrastate motor carrier operations exempt from ICC economic regulation.

In order to bring about uniformity in evidencing the lawfulness of "for hire" interstate motor carrier operations exempt from ICC economic regulation, the NARUC on November 14, 1968, determined model standards for such operations for consideration and adoption by the State commissions. NARUC Bulletin No. 49-1968, pp. 11-21. These model standards parallel the 89-170 standards, and accordingly the cab card forms are similar. To achieve greater uniformity the NARUC may decide to later amend the model standards to make them appropriate for State commission use in identifying vehicles engaged in all interstate and intrastate motor carrier operations exempt from ICC economic regulation.

Nevertheless, a comprehensive State regulatory program would still require the use of *two* cab card forms—one for the 89-170 vehicles and one for the remainder. Obviously, the State program could be greatly simplified by devising a single cab card appropriate for use in identifying all motor carrier vehicles encompassed in the program. Therefore, Public Law 89-170 should be amended to provide that any cab card form established thereunder may be so devised as to be appropriate for use by a State commission in identifying vehicles operated by motor carriers, whether or not they are engaged in interstate or intrastate operations, and whether or not subject to ICC economic regulation.

The adoption of the Federal-State Highway Transportation Law Enforcement Act of 1969 will amend Public Law 89-170 in these two respects.

S. 1924—INTRODUCTION OF A BILL ON THE ELIMINATION OF REQUIREMENTS FOR DISCLOSURE OF CONSTRUCTION DETAILS ON PASSENGER VESSELS MEETING PRESCRIBED SAFETY STANDARDS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to eliminate requirements for disclosure of construction details on passenger vessels meeting prescribed safety standards. I ask unanimous consent that a letter from the president of the American Institute of Merchant Shipping, requesting the legislation, be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1924) to eliminate requirements for disclosure of construction details on passenger vessels meeting prescribed safety standards, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. MAGNUSON, follows:

MARCH 21, 1969.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Commerce Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: During the latter part of the session of the 90th Congress, at the behest of the Committee of American Steamship Lines, you introduced S. 3761, a bill to amend Public Law 89-777 to eliminate requirements for the disclosure of construction details on passenger vessels meeting prescribed safety standards. Shortage of time and other events precluded the passage of this legislation during the 90th Congress.

Accordingly, on behalf of the Liner Council, American Institute of Merchant Shipping, (representing substantially the same interests as the former Committee of American Steamship Lines), it is again respectfully requested that you introduce the proposed amendment to Public Law 89-777. Suggested language is attached for convenience.

As you are aware the date is now past when vessels departing U.S. ports must meet those requirements of Public Law 89-777 which became effective on 2 November, 1968. Therefore, certain provisions of this worthwhile legislation already have served their purpose i.e., the requirement for disclosure of safety standards in advertising. I assure you that no citizens are more desirous of assuring the safety of the public during passage at sea than are those who operate passenger services. If there were any possibility that the proposed amendment would in any way lessen that safety, such amendment would not be proposed.

As a matter of information I am providing Senator Russell B. Long with a copy of this letter.

Very sincerely,
JAMES J. REYNOLDS, *President*.

S. 1925—INTRODUCTION OF A BILL TO AMEND THE MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1966

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Marine Resources and Engineering Development Act of 1966.

Two amendments are proposed, one to continue to June 30, 1970, the National Council on Marine Resources and Engineering Development, established by the act, the other to change the statutory authorization of funds for any 1 fiscal year from $1,500,000 to $1,200,000.

This is a companion bill to H.R. 8794, introduced in the House of Representatives on March 12, and cosponsored by Chairman LENNON and all members of the Subcommittee on Oceanography of the House Merchant Marine and Fisheries Committee.

Enactment of this proposed bipartisan legislation is necessary if the coordinating mechanism of our national program in marine science is to be retained during the interim period between June 30, 1969, and the development by the Congress and administration of a new overall plan for a national oceanographic program.

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[1] Section 209(a) of the Federal Power Act (16 U.S.C., Sec. 824h) and Section 17(a) of the Natural Gas Act (15 U.S.C., Sec. 717p), each authorize the Federal Power Commission to refer administrative matters to joint boards composed of State commissioners and further provide that they "shall receive such allowances for expenses as the Commission shall provide."

The Interstate Commerce Commission is also authorized to refer administrative matters to joint boards composed of State officials and the law provides that they "shall receive such allowances for travel and subsistence expenses as the Commission shall provide." Interstate Commerce Act, Part II, Sec. 205(b), 49 Stat. 548, 49 U.S.C., Sec. 305(b), as amended.

[2] 78th NARUC Annual Convention Proceedings (1966) p. 371. The text of the standards appear in the Proceedings at pp. 203-230. The NARUC, assembled in annual convention on November 14, 1968, determined amendments to these standards which were promulgated into law by the ICC on December 19, 1968. 33 Fed. Reg. 19250. The text of the amendments is reported in NARUC Bulletin No. 49-1968, pp. 9-10.

As we know, the Marine Resources and Engineering Development Act established for limited periods of time both the Council and a Commission on Marine Science, Engineering and Resources—the latter composed of distinguished representatives, appointed by the President, from industry, educational institutions, and State and Federal government.

The Chairman of the Commission was Dr. Julius A. Stratton, chairman of the board of the Ford Foundation and a former president of the Massachusetts Institute of Technology, and the vice chairman, Dr. Richard A. Geyer, is head of the Department of Oceanography at Texas A. & M. University.

The Commission, for a period of 2 years, conducted a comprehensive study of marine science activities, applied research programs, ocean engineering and marine resource needs, and completed, on January 9 of this year, a voluminous report titled "Our Nation and the Sea" which included more than 120 recommendations.

One of the statutory responsibilities of the Commission was to recommend "an overall plan for an adequate national oceanographic program that will meet the present and future national needs." This, with the other recommendations, was submitted by the Commission to the President, via the Council, but it was received too late for analysis and evaluation by the Council during the previous administration.

The Commission, in its report, recommended that the National Council on Marine Resources and Engineering Development be continued until decisions are reached on the Commission's proposed new organization plan, which would entail merging a number of civilian marine activities into an independent agency to be designated the National Oceanic and Atmospheric Agency.

Mr. President, there is great merit to most of the Commission recommendations. Many of the advances, programs, and activities recommended by the Commission would be of benefit to the Nation and its people, and many would do so whether carried out under the existing organizational structure, under the proposed NOAA, or under some other integrated organizational arrangement.

A major value of the Commission report, as I see it, is that it looks ahead in discussing the great potential in man's use of the seas and the marine environment. What agency or agencies actually develops this potential is of secondary importance provided it is explored. Commission members have advised me that approximately one-half of the recommendations could be implemented without new legislation.

This brings me to the National Council on Marine Resources and Engineering Development. With the change in administration we have an entirely new Council and one with a statutory new Chairman, the Vice President of the United States.

The Council, under the Marine Resources and Engineering Development Act, consists of the Vice President, the Secretary of State, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Secretary of Transportation, the Chairman of the Atomic Energy Commission, and the Director of the National Science Foundation.

All of these high level officials head departments or agencies with distinct oceanographic missions or responsibilities, or both. The new Council is alert to its responsibilities under the Marine Resources and Engineering Development Act. It already has held its first meeting with the Vice President presiding as Council Chairman.

The Vice President, who comes from a coastal State with wide and varied interests in the oceans and marine environment, has indicated in a recent address before the American Management Association in New York City, that he welcomes the opportunity to serve as Council Chairman "at this moment when we stand on the threshold of penetrating present mysteries of the deep and tapping the ocean's rich potential."

The Council advises and assists the President in carrying out the policy and objectives of the Marine Resources and Engineering Development Act which includes encouragement and maintenance of a coordinated, comprehensive and long-range national program in marine science that will contribute to certain specific objectives. The bill I am introducing today will extend the life of the Council for another year, and it will also authorize adequate funding for the Council to carry out its responsibilities.

As the Vice President and Chairman of the Council have stated:

> All reports from both Republicans and Democrats give the Council high marks in mobilizing our resources, focusing attention on major policy issues, and stimulating ideas and action in all sectors of the marine community.

The Marine Resources and Engineering Development Act provides that the President shall transmit to the Congress each year a comprehensive report of the activities and accomplishments of all agencies and departments of the United States in the field of marine science during the preceding fiscal year.

This is an excellent provision, one for which colleagues in the House and Senate who participated in drafting the final statute are to be commended. The National Council on Marine Resources and Engineering Development has prepared three annual reports to the President during the slightly less than 3 years of its existence, reports that the President has promptly transmitted to the Congress.

These reports detail the activities and accomplishments of the Federal Government in marine science, describes progress and budget and, what is perhaps most important, outlines the Government goals for achievement in the near future and the progress that is being made toward reaching them.

The Council has issued numerous staff reports of value to my colleagues in Congress, to industry, academic institutions and the general public.

The Council, in keeping with the act, has solicited the views of non-Federal organizations and individuals with capabilities in marine science, and has reaped great benefit from these expressions.

On technical and highly specialized subjects the Council has awarded contracts to industries, research organizations and institutes of experts who have made detailed studies of distinctive oceanographic problems.

These contracts have not been in large amounts; in fact, the largest, to a major industrial concern, has been in the amount of $89,373 for a systems analysis of specified trawler operations. Contracts in lesser amounts have been made to industry for studies of the potential of spacecraft oceanography, management of marine data systems, nonmilitary needs for underwater technology, and multiple use of Chesapeake Bay.

Six contracts have been for sums under $7,500; the median has approximated $30,000.

Twenty-four contracts have been awarded by the Council since its creation in June 1966. Fifteen have been completed and published and are available from the Clearinghouse for Federal Scientific and Technical Information at nominal cost.

Two, "Gulf of Mexico Research and Environmental Programs" and "Legal Aspects of Great Lakes Resources," are expected to be available during the coming month, and another, "Multiple Use of Lakes Erie and Superior," is nearing completion.

Any of my colleagues who may be interested in these contracts and publications will find them listed on page 195 of the third Council report to the President and the Congress. On the preceding page are listed the Council's own reports.

As the President stated not long before his inauguration, and I quote:

> While much still needs to be done, the Council has, I feel, made a giant first step in pulling together existing information on marine sciences.

The bill I am introducing today will enable this important work to be continued until at least June 30, 1970, without interruption.

Mr. President, some question has been raised about the ability of a Council composed of Cabinet members and department heads and a small and limited staff to accomplish all the duties assigned to them in the Marine Resources and Engineering Development Act of 1966.

To assist it the Council has appointed five committees with the general responsibility of undertaking studies and submitting recommendations, either as assigned or on their own initiative, concerning the activities, fields of marine science and technology, which come under their jurisdiction.

These are:

Committee on Marine Research, Education and Facilities, headed by the Assistant Secretary of the Navy for Research and Development.

Committee on Ocean Exploration and Environmental Sciences, headed by the Administrator of the Environmental Science Services Administration.

Committee on Food From the Sea, headed by the Deputy Administrator for the Agency for International Development.

Committee on Multiple Use of the Coastal Zone, on which the Council is placing greatly increased emphasis, headed by the Assistant Secretary of the Interior for Fish and Wildlife.

Committee on International Policy in the Marine Environment, headed by the Deputy Under Secretary of State.

It would be a misfortune, Mr. President, if the Council and its committees were to terminate their constructive endeavors before a new governmental organizational plan for an adequate national oceanographic program that will meet present and future national needs is approved.

I therefore urge, Mr. President, that the bill I am introducing today, be referred to an appropriate committee for early consideration.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1925) to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes, introduced by Mr. MAGNUSON, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Commerce.

S. 1931—INTRODUCTION OF A BILL TO PROVIDE FULL FEDERAL FINANCING OF PAYMENTS MADE UNDER THE PUBLIC ASSISTANCE PROVISIONS OF THE SOCIAL SECURITY ACT

Mr. MURPHY. Mr. President, in outlawing minimum residency requirements for potential welfare recipients, the Supreme Court has once again blatantly exercised its self-induced disposition to meddle and muddle, and in so doing has prepared a new financial load for California's already overburdened taxpayers.

We Californians are tired of having our State used as a test laboratory for sociological experiments.

We are fed up with being treated as guinea pigs.

I say this because we have borne the burden of many of the Court's far-out decisions and today I feel that my sentiments might well be shared by representatives of some of the other States and the District of Columbia which also have a deep interest in the maintenance of residency restrictions.

For the moment, however, I shall confine my remarks to the possible effects of this recent ruling on my State.

Mr. President, to anticipate what is to come, we have only to look at the record since last April, when my State was enjoined by a Federal court order from enforcing residency requirements which had been in effect for 30 years and which had received congressional approval.

During this period, 3,000 to 4,000 additional persons have been added to California's welfare rolls every month.

The estimated cost for this fiscal year is $26 million. For next year the estimated cost is $35 million. It is not that we are inhospitable—we just cannot afford it. Remember the once challenging exhortation, "Go West, Young Man"?

Well, Mr. President, now that advice seems to be the guiding rule of many welfare seekers, but the opportunities they envision are not in our farmlands, ranches, mines, businesses, and industrial plants, but rather in an instant welfare program which has helped make Californians the second highest taxed citizens on a per capita basis in the United States.

Sure—go west, young man.

The Supreme Court might as well hang that sign on the front of the welfare offices of every State with benefits lower than the ones in mine. This was pointed out most effectively by Spencer Williams, the secretary of California's Human Relations Agency, when he said:

> By its decision, the Court encourages welfare recipients to shop for the best deal. Already there are indications that persons are moving to California solely to obtain higher welfare payments.

For this reason, Mr. President, I am offering legislation to amend the Social Security Act, so as not to financially penalize those States which have utilized reasonable residence requirements as a determinant of eligibility for welfare assistance.

As of May 24, 1968, 42 States had durational residence restrictions on old-age assistance payments. Thirty-eight had them with regard to aid to the blind. Forty-one did not permit payments to the permanently and totally disabled without regard to residence and 39 had a requirement of this kind for aid to families with dependent children.

Mr. President, I ask unanimous consent that a chart illustrating the provisions of the various States for the inclusion of residency as an eligibility factor in payments be inserted in the RECORD at this point in my remarks.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

RESIDENCE AS AN ELIGIBILITY FACTOR IN OLD-AGE ASSISTANCE

Federal requirement: The State plan may not include any residence requirement more restrictive than the maximums in the act for Old-Age Assistance: 5 years in the last 9 years and 1 year immediately preceding application.

No durational residence requirement, 8 States: Connecticut,[1,2] Hawaii,[1] Kentucky,[1] Maine,[1,2] New York,[1] Delaware,[1] Rhode Island,[1] Vermont.[1]

One-year immediately preceding application, 27 States: Alaska,[2] Alabama, Georgia, Idaho,[2] Illinois, Maryland, New Hampshire,[3] Massachusetts, Michigan, Minnesota,[3] Mississippi, New Jersey,[1,2] New Mexico,[7] Oregon, Nebraska,[7] North Carolina, Pennsylvania,[1,2] South Carolina, North Dakota,[3] South Dakota,[3] Tennessee, Texas, Utah,[2] West Virginia, Wisconsin,[3] Wyoming, Virginia.

More than 1 year but different from wording of Federal act, 3 States: Indiana (3 of 9), Ohio (3 of 9), Louisiana (3 of 9).[4]

Identical or similar to wording of Federal act, 13 States: Arizona, Arkansas,[8] California, Colorado,[7] District of Columbia, Florida, Kansas,[7] Iowa,[7] Missouri, Montana, Nevada, Oklahoma, Washington.

RESIDENCE AS AN ELIGIBILITY FACTOR IN AID TO THE BLIND

Federal requirement: (Same as above.)

No durational residence requirement, 12 States: California,[1] Connecticut,[1,2] Delaware, Hawaii,[1] Kentucky,[1] Maine,[1,2] Massachusetts,[1] Mississippi,[1] New York,[1] Rhode Island,[1] Vermont,[1] Washington.[1]

Six months immediately preceding application, 0 States.

One year immediately preceding application, 28 States: Alaska,[5,2] Alabama, District of Columbia, Georgia, Idaho,[2] Illinois,[6] Indiana,[5] Maryland,[5] Michigan,[6] Minnesota,[4,6] Nebraska,[7] New Hampshire,[2] New Jersey,[1,2] Ohio, Oregon,[5] North Dakota,[4] North Carolina, Pennsylvania,[1,2] South Dakota,[4,6] South Carolina,[5] New Mexico,[5,7] Tennessee, Utah,[2] Texas, Virginia, West Virginia, Wisconsin,[2,5,7] Wyoming.

More than 1 year but different from wording in Federal act, 2 States: Louisiana[6,9] (3 of 9), Nevada[5] (2 of 9).

Identical or similar wording of Federal act, 9 States: Arizona,[5] Arkansas,[5,8] Oklahoma,[6] Colorado,[5] Florida,[3] Iowa,[5,7] Kansas,[7] Missouri, Montana.[3]

RESIDENCE AS AN ELIGIBILITY FACTOR IN AID TO THE PERMANENTLY AND TOTALLY DISABLED

Federal requirement: (Same as above.)

No durational residence requirement, 9 States: Connecticut,[1,2] Hawaii,[1] Delaware, Kentucky,[1] Maine,[1,2] New York,[1] Rhode Island,[1] Vermont,[1] South Carolina.

One year immediately preceding application, 33 States: Alaska,[2] Alabama, Colorado, District of Columbia, Georgia, Idaho, Illinois,[5] Iowa,[5,7] Maryland, Massachusetts, Michigan,[6] Minnesota, Mississippi, Missouri, Montana Nebraska,[7] New Hampshire,[2] New Jersey,[1,2] North Carolina, North Dakota,[3] Ohio, New Mexico,[7] Oregon, Pennsylvania,[1,2] South Dakota,[3,6] Tennessee, Texas, Virginia, Utah,[3] Washington, West Virginia, Wisconsin, Wyoming.

More than 1 year but different from wording in Federal act, *3 States:* California[5] (3 of 9), Indiana (3 of 9), Louisiana[1,9] (3 of 9).

Identical or similar to wording of Federal act, *5 States:* Arizona, Arkansas,[8] Florida, Kansas,[7] Oklahoma.

RESIDENCE AS AN ELIGIBILITY FACTOR IN AID TO FAMILIES WITH DEPENDENT CHILDREN

Federal requirement: The State plan may not include any residence requirement more restrictive than the maximums in the act for Aid to Families with Dependent Children: 1 year immediately preceding the application or born within 1 year immediately preceding the application if parent or other relative with whom the child is living has resided in the State for 1 year immediately preceding the *birth* of the child.

No durational residence requirement, *11 States:* Alaska, Connecticut,[1,3] Georgia, Hawaii,[1,5] Kentucky,[1] Maine,[1,2] New Jersey,[1] New York,[1] Delaware, Rhode Island,[1,5] Vermont.[1,7]

Identical or similar to wording of Federal act, *40 States:* Alabama,[5] Arizona, Arkansas, California,[5,6] Colorado, District of Columbia,[5] Florida,[7] Idaho,[2,5,6] Illinois,[6] Indiana,[8] Iowa, Kansas,[5,7,8] Louisiana,[5] Maryland,[5] Massachusetts,[8] Michigan,[8] Minnesota,[2] Mississippi, Missouri, Montana,[5] Nebraska, Nevada,[5] New Hampshire,[2] North Carolina, North Dakota,[5,7] New Mexico,[5,7] Ohio, Oklahoma,[5] Oregon,[8] Pennsylvania,[1,3,5] South Carolina, South Dakota,[2,8] Tennessee, Texas, Virginia, Washington,[5,8] West Virginia, Wisconsin,[5] Wyoming,[2] Utah.[3]

FOOTNOTES

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[1] Must be living in State at time of application. Washington—"Must be resident of State."

[2] Reciprocal agreements may be made with other States to waive or alter requirement for non-resident applicant who is otherwise eligible.

[3] Special provisions reducing requirement for blind children.

[4] For non-resident applicant who is otherwise eligible, residence requirement is based upon the corresponding provision of the State in which applicant has residence.

[5] Special provision to reduce or waive residence requirement when blindness developed while applicant was a resident of the State (21 States).

[6] Or has been previously domiciled in State for 5 years or more.

[7] These States have special modifications; refer to published document.

[8] 3 years during the 5 years immediately preceding application and last 1 year continuously may be substituted.

[9] In severe hardship cases, 2 of the 3 required years may be waived for former long-time residents of the State.

Mr. MURPHY. Mr. President, the Supreme Court's decision yesterday, however, declared unconstitutional various State statutes requiring a period of residence within the State before a person becomes eligible for public assistance under titles I, IV, X, XIV, and XVI of the Social Security Act. The enforcement of these decisions and their application to all States will impose an unreasonable financial burden on State and local governments at a time when they can ill afford such an additional responsibility.

Mr. President, I strongly feel that if the Federal Government wants to impose its will on the States in this fashion, it is incumbent on the Federal Government to bear the cost of the additional payments which will have to be made.

Mr. President, consequently, I am introducing legislation at this time to insure that the Federal Govrnment pays the entire cost of assistance to those who would be ineligible solely by reason of a residency requirement if it were permitted to stand as a criterion.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1931) to provide full Federal financing of payments made under the public assistance provisions of the Social Security Act to recipients who do not meet the duration-of-residence requirements of the applicable State plan, where such payments must nonetheless be made because of court determinations that such requirements are unconstitutional, introduced by Mr. MURPHY, was received, read twice by its title, and referred to the Committee on Finance.

S. 1933—INTRODUCTION OF A BILL PROVIDING FOR FEDERAL RAILROAD SAFETY

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill providing for comprehensive Federal railroad safety measures. I hope the present Congress will enact a strong railroad safety law. The time for such action is long past due. Broad Federal safety laws have been on the books for years covering airline safety and the safety of most intercity truckers and bus lines. Nothing comparable exists in the area of railroad safety. The bill I introduce today will give the Secretary of Transportation the same broad kind of authority over railroad safety that is already lodged in his Department over these other forms of transportation safety.

Train accidents have been steadily increasing, Mr. President, and so have the dangers flowing from them. The number of such accidents rose from 4,149 in 1961 to 8,027 in 1968, an increase of 93 percent. Number of deaths from all kinds of railroad accidents rose from 2,127 in 1961 to 2,359 in 1968. This substantially exceeds the number of yearly deaths in airplane accidents.

But mere statistics from the past, as significant as they are, do not provide an accurate picture of the dangerous conditions attending the operation of the Nation's railroads. The railroads today are transporting extremely flammable, explosive, highly reactive, and poisonous substances through the Nation's metropolitan areas and countrysides. Often the hazardous materials carried are so exotic that the control of fire and contamination resulting from an accident is beyond the capability of local authorities. Special firefighting equipment and procedures may be necessary for each of several kinds of materials being transported on a single train. Biological and chemical warfare materials including deadly nerve gases which are shipped on rails by the Defense Department are of value to the military precisely because they can maim and kill and are difficult to defend against.

Increased accidents, greater speeds and more hazardous shipments provide a very lethal combination. With increasing frequency train wrecks threaten whole communities with flames, explosives, and contamination by poisonous chemicals.

I recall one such wreck in the little town of Dunreith, Ind., on January 1, 1968. This happened on New Year's Day, a day of rest and relaxation for most of us, but not for the inhabitants of Dunreith on that occasion. A Pennsylvania Railroad freight train derailed, reportedly because of a broken rail; it collided with a passing train; and the wreck sent blasts, flames and chemical fumes into the town. All of Dunreith's 236 residents had to be evacuated in the bitter cold and were kept away from their homes for several days until fires had burned out and lethal gases had dissipated. On returning, some of them found their homes burned to the ground, along with a local liquid fertilizer plant which had exploded, adding to the destruction.

More recently, I am sure many of us read of the tragic accident in Crete, Nebr., last February 18 when a Burlington Railroad freight train derailed and smashed into a tank car filled with deadly ammonia gas, early in the morning. The ammonia gas spread to homes, asphyxiating people in their beds, killing eight and injuring scores of helpless citizens of this Nebraska town.

Again, a derailment on the Southern Railway at Laurel, Miss., last January 25 was followed by multiple explosions and fires originating in 14 ruptured tank cars carrying propane gas. Two persons died, hundreds were injured, 60 homes were destroyed and 1,000 persons had to be evacuated.

As these illustrations indicate, recent accidents have been confined to smaller communities. What would be the result in a large metropolitan center where high population density would automatically place more people, more businesses, and more fuel in the immediate vicinity of the accident?

I should like to quote here, in part, a statement made by Mr. John H. Reed, a member of the National Transportation Safety Board and former Governor of Maine, in opening an investigation of the derailment at Laurel, Miss.:

> In a recent five week period, four derailments, including the one at Laurel, resulted in endangering thousands of lives and hundreds of homes in four small towns across the country.
>
> These four accidents had one common denominator—in each instance each train was carrying hazardous cargo involving highly inflammable or toxic materials . . .
>
> It is obvious that in rail transportation we are facing a new dimension in accident exposure. In the past when a derailment occurred, even in the geographic limits of a town, it did not create a holocaust of fire, explosion or release suffocating chemical fumes over large areas, or cause the mass evacuation of a town.
>
> We must now begin to develop ways and means to reduce and prevent such attacks on our environment, and on our lives.

Mr. President, these hazardous and dangerous materials must be transported. Our economy needs most of them. But it is crucial that they be transported safely. To achieve this, in the case of railroads, their equipment, their rights of way and their operating practices must be safe and sound. Today, unfortunately, a very large proportion of the thousands of train accidents each year is caused by faulty track or faulty equipment. Faulty operating practices are undoubtedly responsible for other serious accidents.

What is the Federal Government doing and what can it do under existing law? The sad truth is that Federal laws today are grossly inadequate to meet the need.

Most of the existing rail safety statutes were enacted from 50 to 75 years ago when technology and the accompanying hazards were much different. These outmoded statutes are limited to particular hazards, and they contain broad gaps. The Department of Transportation at present has no jurisdiction over the design, construction, inspection, or maintenance of track, roadway, and bridges. Its authority with respect to freight and passenger cars applies only to safety appliances and certain aspects of the brake systems. Car wheels and axles, which are major causative elements in many accidents, are not subject to Federal regulation.

Mr. A. Scheffer Lang, who was then the Federal Railroad Administrator of the Department of Transportation, on May 21, 1968, stated:

> Approximately 95 per cent of the accidents that occur on the nation's railroads are caused by factors not subject to any control by the federal agency responsible for promoting railroad safety. To us this is a key factor in the month-by-month increase in train accidents.

Mr. Lang, incidentally, was testifying in favor of a broad Federal rail safety bill sponsored by the previous administration. Unfortunately Congress last year did not act on the matter.

My bill would deal with this urgent problem by giving the Secretary of Transportation broad authority to issue rules, regulations and minimum standards for railroad safety, power to enforce such rules and realistic penalties for violations. At the same time the Secretary's authority would be circumscribed in several ways; he would not be given a blank check.

I understand Representative HARLEY STAGGERS, chairman of the House Committee on Interstate and Foreign Commerce, is sponsoring similar legislation in that Chamber.

I am advised by the Department of Transportation that Secretary Volpe has asked railroad management and labor representatives to join with the Federal Railroad Administrator and representatives of State regulatory commissions in a task force on railroad safety matters. I commend the Secretary for seeking the assistance and guidance of those charged with the public interest, representatives of railroad employees and officials of the industry.

I would urge the task force to be expeditious but thorough in examining all facets of the rail safety problem. A concerted effort by the task force would doubtless be valuable to the Secretary and to the Congress as we seek to meet this safety problem.

I trust that both Senate and House can move forward promptly on this life-and-death matter and I intend, as chairman of the Senate surface transportation subcommittee, to do all in my power to achieve prompt action.

The National Transportation Safety Board has recently released a summary of testimony taken during the Board's investigation of the Laurel, Miss., January 25 accident. This revealing summary is quite relevant to the legislation which I am introducing. Mr. President, I ask unanimous consent that the April 14, 1969, release by the NTSB be printed in the RECORD at the close of my remarks. I urge my colleagues to read this eye opening account. I also ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1933) providing for Federal railroad safety, introduced by Mr. HARTKE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1933

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Railroad Safety Act of 1969".

FEDERAL SAFETY REGULATIONS

SEC. 2. It shall be unlawful for any common carrier, as defined for the purposes of this Act in the first section of the Act of February 17, 1911 (45 U.S.C. 22), in carrying out its functions as a common carrier, to use or permit to be used any facilities or equipment or to engage in any operating practice unless any such facilities or equipment are made, inspected, and maintained, and any such operating practice is in accordance with applicable rules, regulations, and minimum standards promulgated by the Secretary of Transportation (supplementing provisions of law and regulations in effect on the date of enactment of this Act) for the purpose of reducing unnecessary peril to life or limb: *Provided,* That nothing herein shall be construed to give the Secretary of Transportation authority to issue rules, regulations, and standards relating to the qualifications of employees.

STATE REGULATIONS

SEC. 3. No existing State law or regulation affecting safety of common carriers shall be superseded, nullified, or preempted by any action of the Secretary under this Act, unless the Secretary shall have promulgated rules, regulations, or minimum standards covering the subject matter of the State law or regulation and the Secretary shall find that such rules, regulations, or standards impose a standard of safety equal to or higher than the standard imposed by the particular provision of State law or regulation.

PENALTIES

SEC. 4. (a) Any common carrier who violates any provision of this Act, except section 6, shall be subject to a civil penalty of not less than $500 nor more than $1,000 for each violation. Each day of such violation shall constitute a separate offense.

(b) The civil penalties provided by subsection (a) of this section may be compromised by the Secretary. The amount of any such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the common carrier charged.

INJUNCTIVE RELIEF

SEC. 5. (a) The United States district courts shall, upon petition by the appropriate United States Attorney or the Attorney General on behalf of the United States, have jurisdiction, subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this Act or to enforce standards, rules, or regulations established hereunder.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this Act, trial shall be by the court, or, upon demand of the accused, by a jury, conducted in accordance with the provisions of rule 42 (b) of the Federal Rules of Criminal Procedure.

CEASE AND DESIST POWERS

SEC. 6. (a) Whenever the Secretary or his duly authorized representative shall find that any facilities or equipment used or intended to be used by any common carrier in carrying out its functions as a common carrier is not in condition for safe operation, he may immediately issue an order providing for the immediate cessation of such condition. Thereafter, such facilities or equipment shall not be used unless found by the Secretary or his duly authorized representative to be in condition for safe operation.

(b) Any common carrier who violates an order of the Secretary to cease and desist shall forfeit and pay to the United States a civil penalty of not more than $5,000 for each violation. Each day of such violation shall constitute a separate offense.

(c) The United States district courts shall have jurisdiction to enforce any order of the Secretary under this section, and any person aggrieved by such order may obtain review thereof by such courts.

GENERAL POWERS

SEC. 7. (a) In addition to the powers granted to him under section 2 of this Act, the Secretary is authorized to perform such acts, including, but not limited to, conducting investigations, issuing subpenas, taking depositions, prescribing recordkeeping and reporting requirements, arranging for research, development, testing, evaluation and training, and delegating to any public bodies or qualified persons functions respecting examination, inspecting and testing of facilities or equipment, as he shall deem necessary to carry out the provisions of, and to exercise and perform his powers and duties under this Act.

(b) The Secretary may, after reasonable notice and opportunity for hearing, grant such exemptions from the requirements of any rule, regulation, or order prescribed under this Act as he considers to be in the public interest and consistent with the purpose of this Act of reducing unnecessary peril to life or limb.

EFFECT UPON THE RAILWAY LABOR ACT

SEC. 8. Nothing in this Act shall in any way be construed or applied so as to abridge, modify, limit, supersede, or repeal any provision of the Railway Labor Act (45 U.S.C. 151–188) or any agreements made pursuant thereto.

APPROPRIATION AUTHORIZATION

SEC. 9. There is hereby authorized to be appropriated $——— to carry out the purposes of this Act.

SEPARABILITY

SEC. 10. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

The letter, presented by Mr. HARTKE, follows:

The National Transportation Safety Board today issued a summary of testimony taken during a recent public hearing as part of its investigation to determine the probable cause of a Southern Railway freight train derailment at Laurel, Mississippi, on January 25, 1969. The derailment of 15 propane gas tank cars touched off explosions and fire, fatally injured two residents, hospitalized 33 persons, and caused widespread property damage.

Safety Board Member John H. Reed presided at the seven-day public hearing, which convened March 4, 1969 in Jackson, Mississippi, and reconvened in Washington, D.C., March 24, 1969. Forty persons testified and 73 exhibits were entered into the public record.

Member Reed explained that the Safety Board will issue a public report later with its formal determination of the probable cause of the accident.

The Board designated six parties to the investigation. They were: Southern Railway Company; Gulf, Mobile and Ohio Railroad Company; Association of American Railroads; Allied Chemical Corporation; Armco Steel Corporation; and Railway Labor Executives Association.

Testimony of the train and engine crews on Southern Railway freight train No. 154, on January 25, 1969, revealed that the derailment occurred about 4:15 a.m., C.S.T., and was followed immediately by fire and explosions. Witnesses testified that for 45 to 60 minutes after the derailment a series of explosions propelled pieces of tank cars ranging in size from small to those weighing thousands of pounds for distances up to 1,500 feet.

A retired minister and a seventeen year old girl died as a result of injuries received after the wreck, according to testimony received. Numerous people were injured and, of the 33 who were hospitalized, 17 were still hospitalized at the opening of the hearing. As a result of either fire or explosion, 54 residences were destroyed with an additional 1,350 suffering various degrees of damage. Two business plants were heavily damaged or destroyed, and the structures or equipment of four other businesses or industries were substantially damaged. Six public schools and five churches were also damaged, and approximately 100 small business establishments within the downtown area suffered plate glass damage. Southern Railway estimates monetary damage to track and equipment at $334,675; to lading, $45,000; and total damage in all categories to be about three million dollars.

The freight involved was Southern Railway train 154, a northbound, through freight, which originated in New Orleans. The train left New Orleans with four diesel-electric locomotives pulling 113 cars, and picked up 26 tank cars loaded with propane at Dragon, Mississippi. This made a train of 139 cars with a gross tonnage of 10,486 tons.

As near as can be determined the original derailment occurred while the train was traveling 30 mph. Marks on the west rail indicated that the trailing wheel on the west side of the lead truck of the 62nd car broke while passing over the GM&O Railroad crossing and caused the original derailment about 356 feet north of the crossing. A second pair of wheels derailed about 970 feet north of the crossing and broke the lead wheel on the east side of the front truck. The derailed 30,000-gallon tank car of propane continued northward to a facing point switch about 2,400 feet north of the GM&O crossing where 14 additional 30,000-gallon tank cars of propane derailed.

During the height of the explosions and fire, Southern Railway employees, including an off-duty switchman who volunteered his services, removed those cars not derailed from the fire area. This action involved crew members subjecting themselves to high heat and danger from explosions in order to remove the remaining cars from the wreck area. Included were additional propane cars and a car of poison gas.

The Southern Railway's Chief Engineer testified that the track through the derailment area was good enough for speeds of 40 to 45 mph, even though the maximum authorized speed was 30 mph. Neither he nor the track supervisor believed the track condition to be a contributing factor. This opinion was a value judgment based on experience and not on a set of objective standards. There are no publicized objective standards for track maintenance. He also testified that the track involved was relaid with new 115-pound continuous welded rail on February 4, 1969, followed by the usual track maintenance operation. This work had been programmed for this date.

Reports of laboratory tests made on the first broken wheel by the Southern Railway, the Illinois Institute of Technology Research Institute, and Armco Steel Corporation revealed rough corrective machining in the plate area surrounding the hub. The requirements of the Association of American Railroads are not specific as to finish, and acceptance standards depend upon individual interpretation. Generally, the wheels are required to "have a workmanlike finish and must be free from defects liable to develop in or cause removal from service." The machining resulted in a surface whose irregularities exceeded 5,000 microinches, thus providing discontinuities which can act as stress concentrators or notches which would initiate cracks under a suddenly applied lateral load.

Testimony concerning the broken wheel revealed that the wheel met the A.A.R. specifications, with the possible exception of the rough plate machining. It had a rim worn to within 0.008 inches of being condemnable for a high flange. The tread was worn hollow permitting a vertical difference or $\frac{7}{32}$ inch if the wheel were riding on the outer edge as opposed to its riding close to the gage of the rail.

Testimony indicates that the brittle fracture of the wheel originated in the plate near the hub, probably as a result of a combination of factors. These factors were the presence of the rough machining, the hollow worn tread, the strength of the steel at the prevailing temperature, and lateral stresses from impacts of normal irregularities in track.

Testimony of tank car experts representing the Association of American Railroads Committee on Tank Cars covered the history, construction, and service of the so-called "jumbo" tank car for transportation of liquefied petroleum gas. There is no indication at this point that any of the tank cars involved failed to meet requirements of the DOT or AAR. In spite of this, 14 of the 15 tank cars subjected to the derailment conditions were punctured, ruptured, or exploded.

There was sufficient testimony by expert witnesses to raise questions about the adequacy of the design of the "jumbo" tank car without a continuous center sill, the safety relief valves, and the proper handling of loaded tank cars subjected to high heat.

Eyewitnesses from the Laurel area described the fear and confusion which accompanied the explosions and fire. One woman who lived within 800 feet of the scene described how she was awakened by explosions and then knocked down by concussion while fleeing with her young children. She also described seeing a large piece of tank car hurtling through the air at a point determined to be more than 1,000 feet from the wreck. Other witnesses confirmed this phenomenon.

The Chiefs of the Police and Fire Departments of Laurel described the functions of their groups in the post crash procedures. They also related how numerous agencies and organizations rendered aid. These organizations included Fire and Police Departments from neighboring communities, the American Red Cross, Salvation Army, National Guard, and many churches and other groups.

Two tank cars did not explode. One was burning at a puncture; the other was burning around the dome and its safety relief valve was venting periodically. To relieve the unsafe condition presented by this situation and to expedite the cleanup operation, the two tanks were vented by blowing holes in their shells by the use of shaped charges applied by Army personnel. The results were successful; however, there was considerable testimony to the effect that this is not a procedure that can always be depended upon to give satisfactory results from a safety standpoint.

Several witnesses indicated that the fact that a catastrophe such as this could occur with equipment which apparently met both Federal and AAR regulations, required a new look at the regulations.

Tests of safety relief valves from the tank cars involved in the wreck have not been completed; however, the results of these tests will become a part of the public docket when available. There are numerous steel samples from the tank cars which will be analyzed under the surveillance of the AAR's Committee on Tank Cars. The results of these tests also will be made available.

S. 1937—INTRODUCTION OF THE YOUTH POWER ACT

Mr. HATFIELD. Mr. President, in the belief that the talents and energies of young people should be more effectively devoted to voluntary service and learning opportunities to the benefit of the whole Nation, I offer for introduction today a bill to establish a National Youth Service Foundation and a National Youth Service Council. It is designated the "Youth Power Act of 1969." Senator MATHIAS, Senator PERCY, and Senator SAXBE join in the cosponsorship of this legislation.

Within the last half century, the potential role that youth might play in our society has grown tremendously. We have changed from a rural to an urban society. Better medicine and health have added to vigor and ability of young people to act upon their concerns. Available leisure time has been increased. The ideal of universal education has come closer to realization. The world of work has become more complex and more challenging. Young persons are raising fundamental questions about our society and are taking new and different views of the problems of life today. They seek to become the movers of our society rather than to be among the manipulated.

Yet, the potential role for youth in our society has not been nearly realized. Chances for creative work, learning and service to mankind have not kept pace with the increasing abilities and desires of our young citizens for such opportunities. Many millions of our under-27 citizens live in poverty while other millions of our youth sense that they are irrelevant to the myriad public and private institutions regulating their lives.

Since the establishment 8 years ago of the Peace Corps, the Federal Government has had an increasing commitment to lessen the gap between the potential service and learning roles and the actual service and learning roles of youth in our society. Following the Peace Corps came Volunteers in Service to America—VISTA—the Teacher Corps, the Job Corps, and National Youth Corps. The attention given to youth problems at the national level has increased the awareness of the need to deal with these problems in the communities in all parts of our land.

It should be emphasized that private voluntary organizations have also been active in providing experiences of both service and learning for our youth.

The purpose of the bill which I am introducing today is to supplement and increase, not to replace, the service and learning opportunities currently available to our young people. The goal is to provide enough opportunities so that no young person is denied a chance to serve and to learn.

The extent of the broad effort required is well described in the following statement of Donald J. Eberly in the "Directory of Service Organizations," National Service Secretariat, Washington, D.C., 1968:

> We must ask our young people to engage themselves fully with the war on poverty, on disease, on illiteracy, on pollution. We must make it possible for every American youth who wants to serve his fellow man to do so. Black or white, rich or poor, from north or south, east or west, from slum or suburb, village or farm, from the school, the college or university, our young people are needed.
>
> They are needed in our schools as tutors for young children. They are needed in our hospitals and clinics to assist doctors and nurses.
>
> They are needed in our courts to work with youth who have started off on the wrong foot. They are needed as friends by old folks living alone, by the mentally retarded and the mentally ill. They are needed in our forests and open lands, to protect and conserve them. They are needed to respond to natural disasters, at home and overseas. They are needed to build new towns where there will be no discrimination, no illiteracy, no pollution, but opportunities for all to move with confidence into the 21st century.
>
> Already the organizations exist to make this program possible. We shall ask the nation's schools, hospitals, churches, labor unions, businesses and industries, civic organizations, governmental departments at

the local, state, regional and federal levels to provide opportunities for young people to serve.

We shall ask private citizens, foundations, profit-making organizations and, as necessary, Congress, for funds to provide the yearly subsistence that will be needed to feed, house, transport and give a living allowance to each young person in service.

We shall ask our colleges and universities, labor unions and industries to organize training and information programs so that each young person will be able to find the challenge he wants and will be able to meet that challenge.

As stated in the act's declaration of purpose, young people at all educational levels from high school dropouts through graduate students can and will take advantage of increased service and learning opportunities. A huge number of domestic tasks remain unmet which simultaneously provides a unique opportunity for young people to serve and learn. Future manpower requirements for increased skills in the fields of education, health, conservation, welfare, job training, and governmental affairs are increasingly difficult to fulfill, and can be alleviated by a coordinated effort to increase service and learning opportunities for young people. The experience young people acquire in service and learning projects will serve to increase manpower skills and to strengthen their understanding of the world in which they live. It is the purpose of the act to strengthen, supplement, and coordinate programs and activities contributing to these policy objectives.

NATIONAL YOUTH SERVICE FOUNDATION

The bill establishes a National Youth Service Foundation to be operated by a 21-member Board of Trustees, 15 of its members to be appointed by the President, by and with the advice and consent of the Senate, and the following to be ex officio members: Director of the Peace Corps; Director of the Teacher Corps; Assistant Director of the Office of Economic Opportunity for Volunteers in Service to America; Director of the Neighborhood Youth Corps; Director of the Job Corps; and the Director of the National Youth Service Foundation.

The Director and Deputy Director of the Foundation are to be appointed by the President, by and with the advice and consent of the Senate.

The National Youth Service Foundation is authorized to make grants to or contract with public and private nonprofit agencies for recruitment and training of 17- to 27-year-olds, for periods up to 2 years for, and to conduct, youth service and learning programs as defined in the act; agree to furnish 17- to 27-year-olds to public and private nonprofit agencies to carry out any youth service and learning program or any other program approved by the Foundation; recruit and train 17- to 27-year-olds for, and to conduct, youth service and learning programs; provide technical assistance to any public and private nonprofit agency receiving assistance under the act; and develop and carry out a program to encourage greater participation by State and local agencies and by private agencies and organizations in programs offering greater opportunities for youth participation in projects for community betterment.

No payment may be made under the act in excess of 80 percent of the cost of the program. Not more than 12½ percent of the funds provided for grants and contracts shall be made available within any one State.

The Foundation shall submit to the President and to Congerss an annual report of its operations and its recommendations.

The bill provides for an Advisory Council to the Board. The President would appoint the 24 members of the Council—at least eight of whom will be under 27 years of age—to advise the Board on broad policy matters.

NATIONAL YOUTH SERVICE COUNCIL

The second major provision of the bill establishes a National Youth Service Council in the Executive Office of the President, who would be Chairman of the Council. In addition to the President, the Council would be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Labor, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Chairman of the Civil Service Commission, the Commissioner of Education, the Director of the Peace Corps, the Director of the Teacher Corps, the Director of the Office of Economic Opportunity, the Assistant Director of the Office of Economic Opportunity for Volunteers in Service to America, and the Director of the National Youth Service Foundation.

The functions of the Council will be to advise and assist the President as to youth service and learning programs conducted or assisted by the Federal Government; to assure effective program planning for summer and other related youth programs of the Federal Government; coordinate youth programs and activities of all agencies of the Federal Government; encourage the adoption by appropriate agencies of the Federal Government of common procedures and simplified application forms for recruitment and transfer into youth service and learning programs conducted or assisted by any agency of the Federal Government, particularly with respect to the Job Corps, the Neighborhood Youth Corps, the Volunteers in Service to America, the Teacher Corps, the Peace Corps, and the National Youth Service Foundation; encourage each agency of the Federal Government administering a youth service and learning program to coordinate at the local level recruiting and informational activities; encourage development of cooperative programs among agencies of the Federal Government administering or conducting youth service and learning programs so as to more effectively meet the unmet community needs and services; encourage State and local agencies and private agencies and organizations to provide service and learning opportunities for youths; resolve differences between agencies of the Federal Government with respect to youth service and learning programs; and report to Congress at least once each year on the activities of the Council.

The Council may employ a staff to be headed by an executive director.

The bill provides that the functions of the President's Council on Youth Opportunity and the Citizens Advisory Board on Youth Opportunity established pursuant to Executive order, are transferred to the National Youth Service Council.

YOUTH SERVICE AND LEARNING PROGRAM

References are made throughout the bill to youth service and learning programs. Such a program is one primarily designed to improve educational opportunities of persons, improve health and welfare of persons, contribute to the development, conservation, or management of natural resources or recreational areas, strengthen library services, and improve community services.

AUTHORIZATIONS OF APPROPRIATIONS

There is authorized to be appropriated for the National Youth Service Council an amount not to exceed $2 million for any fiscal year. This is somewhat more than the $1.75 million recommended for the operation of the President's Council on Youth Opportunity for fiscal year 1970. As noted above, the functions of the President's Council on Youth Opportunity would be transferred, under the bill to the National Youth Service Council.

Authorizations for the National Youth Service Foundation are divided into: First, those for grant and contract awards; and, second, those for the activities carried on directly by the Foundation. In the first category, authorizations are provided of $75 millon for the first fiscal year; $300 million for the second fiscal year; and $600 million for the third fiscal year. The second category provides for authorizations of $75 million for the first fiscal year; $200 million for the second fiscal year; and $300 million for the third fiscal year.

POSITIVE OBJECTIVE

I wish to stress the positive objective of the bill. We are passing through a time when the temptation is great to adopt measures designed to repress the energies of young people in the cities and on the campuses. But we have to recognize that energy per se is neither moral nor immoral. It is amoral. It can be used to shape a sword or a plowshare. By providing constructive ways for all young people to use their energies and talents, they will have a chance for a better life and a chance to relate to and serve their society—as well as to help peacefully improve it where necessary.

Mr. President, I ask unanimous consent that the bill which I have introduced be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1937) to supplement and strengthen voluntary youth service and learning opportunities supported or offered by the Federal Government by establishing a National Youth Service Council and a National Youth Service Foundation, and for other purposes, introduced by Mr. HATFIELD (for himself

and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1937

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—GENERAL PROVISIONS

SHORT TITLE

SECTION 101. This Act may be cited as the "Youth Power Act of 1969".

DECLARATION OF PURPOSE

SEC. 102. (a) The Congress hereby declares that it is the policy of the United States that the talents and energies of young people should be more effectively devoted to voluntary service and learning opportunities to the benefit of the whole nation.

(b) The Congress declares that young people at all educational levels from high school dropouts through graduate students can and will take advantage of increased service and learning opportunities; that a huge number of domestic tasks remain unmet which simultaneously provides a unique opportunity for young people to serve and learn; that future manpower requirements for increased skills in the fields of education, health, conservation, welfare, job training, and governmental affairs are increasingly difficult to fulfill, and can be alleviated by a coordinated effort to increase service and learning opportunities for young people; and that the experience young people acquire in service and learning projects will serve to increase manpower skills and to strengthen their understanding of the world in which they live.

(c) It is the purpose of this Act, therefore, to strengthen, supplement, and coordinate programs and activities contributing to the policy contained in this section.

DEFINITIONS

SEC. 103. As used in this Act—

(1) "Youth service and learning program" means a program primarily designed to—

(A) improve the educational opportunities of persons in the area to be served by any such program, including projects for counseling, custodial services, library assistance, tutorial work, teaching assistance, and maintenance of educational equipment;

(B) improve the health and welfare of the persons in the area to be served by any such program, including projects for clinical or clerical assistance in nonprofit private or public hospitals or public health centers or other related facilities; health surveys, increasing sanitation services, improving air and water pollution control services, and increasing services to the handicapped;

(C) contribute to the development, conservation, or management of natural resources or recreational areas in the area to be served by any such program, including projects for historical site restoration, camp site building and maintenance, trail construction and maintenance, protecting and maintaining forests, animal care and game services, grounds keeping and landscaping, soil surveys and water shed improvements;

(D) strengthen library services in the area to be served by any such program, including projects for increased staffing of bookmobiles, reading and recording services for the blind and young children, cataloguing, shelving and repairing books, and preparing exhibits; or

(E) improve community services available to persons in the area to be served by any such program, including projects for increased day camp and child care services, assistance for museum professional personnel, playground maintenance and operation, and assisting probationers and the disadvantaged, particularly helping unemployed youths locate services available to improve their skills and employability

and is conducted or is to be conducted substantially for participation by persons who have attained 17 years of age but not 27 years of age. For the purpose of this paragraph "youth service and learning program" includes any program designed to increase the skills and employability of youths.

(2) "Private nonprofit agency" means any agency owned or operated by one or more corporations, organizations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(3) "State" means each of the several States and the District of Columbia.

TITLE II—COORDINATION OF YOUTH SERVICE AND LEARNING OPPORTUNITIES

ESTABLISHMENT OF THE NATIONAL YOUTH SERVICE COUNCIL

SEC. 201. (a) There is hereby established in the executive office of the President the National Youth Service Council (hereinafter referred to as the "Council") which shall be composed of—

(1) the President, who shall be Chairman of the Council;

(2) the Secretary of the Interior;

(3) the Secretary of Agriculture;

(4) the Secretary of Labor;

(5) the Secretary of Health, Education, and Welfare;

(6) the Secretary of Housing and Urban Development;

(7) the Chairman of the Civil Service Commission;

(8) the Commissioner of Education;

(9) the Director of the Peace Corps;

(10) the Director of the Teacher Corps;

(11) the Director of the Office of Economic Opportunity;

(12) the Assistant Director of the Office of Economic Opportunity for Volunteers in Service to America; and

(13) the Director of the National Youth Service Foundation.

(b) Each member of the Council from a department or agency of the Federal Government may designate another officer of his department or agency to serve on the Council as his alternate in his unavoidable absence.

(c) The President shall from time to time designate one of the members of the Council to preside over meetings of the Council during the absence, disability, or unavailability of the Chairman.

(d) Whenever any matter is considered by the Council relating to the interests of a Federal agency not represented on the Council, the Chairman shall invite the head of any such agency to participate in the business of the Council. The authority contained in this subsection may be exercised by the Chairman in any case in which the agency concerned is in a Federal department the head of which is a member of the Council.

FUNCTIONS

SEC. 202. It shall be the function of the Council to—

(1) advise and assist the President as he may request with respect to youth service and learning programs conducted or assisted by any agency of the Federal Government;

(2) assure effective program planning for summer and other related youth programs of the Federal Government;

(3) provide effective procedures for the coordination of youth programs and activities of all agencies of the Federal Government;

(4) develop and encourage, to the extent practicable, the adoption by appropriate agencies of the Federal Government of common procedures and simplified application forms for recruitment and transfer into any youth service and learning program conducted or assisted by any agency of the Federal Government, particularly with respect to the Job Corps, the Neighborhood Youth Corps, the Volunteers in Service to America, the Teacher Corps, the Peace Corps, and the National Youth Service Foundation;

(5) develop adequate procedures and encourage each agency of the Federal Government administering a youth service and learning program to coordinate at the local level recruiting and informational activities so that the young people in any such locality may be aware of the full range of service and learning opportunities available;

(6) to encourage the development of cooperative programs among agencies of the Federal Government administering or conducting youth service and learning programs with particular emphasis on cooperative programs designed to more effectively meet the unmet community needs and services;

(7) encourage State and local agencies and private nonprofit and other private agencies and organizations to participate fully in efforts to provide service and learning opportunities for youths;

(8) resolve differences arising among agencies of the Federal Government with respect to youth service and learning programs; and

(9) report to the Congress at least once in each fiscal year on the activities of the Council during the preceding fiscal year.

ADMINISTRATIVE PROVISIONS

SEC. 203. (a) The Council may employ a staff to be headed by an executive director and a deputy director. The executive director, subject to the direction of the Chairman, is authorized to—

(1) appoint and fix the compensation of such staff personnel, including not more than five persons who may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and who may be compensated, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, at rates not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title, as he deems necessary; and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $100 a day for individuals.

(b) The Council shall, to the fullest extent possible, use the services, facilities, and information, including statistical information, of other Governmental agencies as well as private research agencies. Each department, agency, and instrumentality of the executive branch of the Government, including any independent agency, is authorized and directed to furnish to the Council, upon request made by the Chairman, such information as the Council deems necessary to carry out its functions under this title.

(c) The Council is authorized to establish an advisory committee and may consult with such representatives of State and local governments and other groups, organizations, and individuals as the Council deems advisable.

COMPENSATION OF THE EXECUTIVE DIRECTOR

SEC. 204. (a) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(92) Executive Director—National Youth Service Council."

(b) Section 5316 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(128) Deputy Director—National Youth Service Council."

TRANSFER OF FUNCTIONS OF PRESIDENT'S COUNCIL ON YOUTH OPPORTUNITY

SEC. 205. (a) The functions of the President's Council on Youth Opportunity and the Citizens Advisory Board on Youth Opportunity established pursuant to Executive Order 11330, approved March 6, 1967, are transferred to the Council.

(b) All personnel, assets, liabilities, property, and records as are determined by the Director of the Bureau of the Budget to be employed, held, or used primarily in connection with any function transferred by subsection (a) are transferred to the Council.

AUTHORIZATION OF APPROPRIATIONS

SEC. 206. There are authorized to be appropriated such sums as may be necessary, not to exceed $2,000,000 for any fiscal year, to carry out the provisions of this title.

TITLE III—NATIONAL YOUTH SERVICE FOUNDATION

ESTABLISHMENT OF FOUNDATION

SEC. 301. (a) In order to carry out the purposes of this Act, there is hereby established an agency to be known as the National Youth Service Foundation (hereinafter referred to as the "Foundation").

(b) The Foundation shall be subject to a Board of Trustees (hereinafter referred to as the "Board"). The Board shall be composed of 15 members who shall be appointed by the President, by and with the advice and consent of the Senate, of whom 4 members shall be appointed from among officials of agencies of the Federal Government, administering any youth service and learning program, and 11 members shall be appointed from among individuals from private life who are widely recognized by virtue of their experience or ability as specially qualified to serve on the Board. The Director of the Peace Corps, the Director of the Teacher Corps, the Assistant Director of the Office of Economic Opportunity for Volunteers in Service to America, the Director of the Neighborhood Youth Corps, the Director of the Job Corps, and the Director of the Foundation shall serve as ex officio members of the Board. In making appointments from private life, the President is requested to give consideration to the appointment of individuals who—

(1) will be representative of youth in the United States, and

(2) will provide collectively the appropriate regional balance on the Board.

(c) The term of office of each appointive trustee of the Foundation shall be six years; except that—

(1) the members first taking office shall serve as designated by the President, five for terms of two years, five for terms of four years, and five for terms of six years, and

(2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed.

(d) Members of the Board who are not regular full-time employees of the United States shall, while serving on business of the Foundation, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per diem, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) The President shall call the first meeting of the trustees of the Foundation, at which the first order of business shall be the election of a Chairman and a Vice Chairman, who shall serve until one year after the date of enactment of this title. Thereafter each Chairman and Vice Chairman shall be elected for a term of two years in duration. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Foundation shall elect an individual from among the trustees to fill such vacancy.

(f) A majority of the trustees of the Foundation shall constitute a quorum.

DIRECTOR AND DEPUTY DIRECTOR

SEC. 302. (a) There shall be a Director and a Deputy Director of the Foundation who shall be appointed by the President, by and with the advice and consent of the Senate. In making such appointments the President is requested to give due consideration to any recommendations submitted to him by the Board. The Director shall be the chief executive officer of the Foundation. The Director shall receive compensation at the rate provided for level IV of the Federal Executive Salary Schedule, and the Deputy Director shall receive compensation at the rate provided for level V of such Schedule. Each shall serve for a term of four years unless previously removed by the President. The Deputy Director shall perform such functions as the Director, with the approval of the Foundation, may prescribe, and be acting Director during the absence or disability of the Director or in the event of a vacancy in the office of the Director.

(b) The Director shall carry out the programs of the Foundation subject to its supervision and direction, and shall carry out such other functions as the Foundation may delegate to him consistent with the provisions of this title.

AUTHORITY OF THE FOUNDATION

SEC. 303. (a) The Foundation is authorized to—

(1) make grants, enter into contracts or other arrangements in any State with public and private nonprofit agencies, including junior colleges and other institutions of higher education, under which such agencies will recruit, select, train and enroll persons who have attained the age of 17 years of age but not 27 years of age, for periods up to two years in a youth service and learning program assisted under this title;

(2) make grants, enter into contracts or other arrangements in any State with public and private nonprofit agencies to conduct youth service and learning programs;

(3) enter into arrangements in any State to furnish persons who have attained 17 years of age but not 27 years of age to public and private nonprofit agencies to carry out any youth service and learning program or any other program approved by the Foundation to be conducted by such agency or organization;

(4) to recruit, select, train and enroll persons who have attained 17 years of age but not 27 years of age for youth service and learning programs;

(5) conduct youth service and learning programs;

(6) provide technical assistance to any public and private nonprofit agency receiving assistance under this title;

(7) develop and carry out a program to encourage greater participation by State and local agencies and by private agencies and organizations in programs offering greater opportunities for youth participation in projects for the betterment of the community.

(b) No payment may be made under paragraphs (1), (2), (3), (6), and (7) of this section, except upon application therefor which is submitted to the Foundation in accordance with regulations and procedures established by the Board.

LIMITATIONS ON PAYMENTS

SEC. 304. (a) No payment may be made pursuant to this title in excess of 80 per centum of the cost of the program, project, activity, or award for which the application is made. Non-Federal contributions may be in cash or in kind, fairly evaluated, including, but not limited to, plant, equipment, or services. For the purposes of this subsection, financial assistance under any provision of Federal law other than this Act shall be considered financing from a non-Federal source.

(b) Not more than 12½ per centum of the funds provided in this title for grants or contracts pursuant to paragraphs (1), (2), and (3) of section 303(a) shall be made available within any one State.

(c) No compensation or stipend paid to any individual pursuant to this title may exceed $5,000 in any fiscal year. This limitation shall not apply to medical or travel expenses and other special expenses as determined by the Foundation.

(d) Assistance pursuant to this title shall not cover the cost of any land acquisition, construction, building acquisitions, or acquisition of major equipment.

(e) Nothing contained in this title shall be construed to authorize the making of any payment under this title for religious worship or instruction.

ADMINISTRATIVE PROVISIONS

SEC. 305. (a) In addition to any authority vested in it by other provisions of this title, the Foundation, in carryng out its functions, is authorized to—

(1) prescribe such regulations as it deems necessary governing the manner in which its functions shall be carried out;

(2) receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purposes of the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions;

(3) in the discretion of the Foundation, receive (and use, sell, or otherwise dispose of, in accordance with paragraph (2)) money and other property donated, bequeathed, or devised to the Foundation with a condition or restriction, including a condition that the Foundation use other funds of the Foundation for the purposes of the gift;

(4) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this title;

(5) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed $100 per diem;

(6) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(7) enter into contracts, grants or other arrangements, or modifications thereof to carry out the provisions of this title, and such contracts or modifications thereof may, with the concurrence of two-thirds of the members of the Board, be entered into without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5) or any other provision of law relating to competitive bidding;

(8) make advances, progress, and other payments which the Board deems necessary under this title without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529);

(9) rent office space in the District of Columbia; and

(10) perform such other functions as are necessary to carry out the provisions of this title.

(b) The Foundation shall submit to the President and to the Congress an annual report of its operations under this title, which shall include a detailed statement of all private and public funds received and expended by it, and such recommendations as the Foundation deems appropriate.

ADVISORY COUNCIL OF YOUTH SERVICE AND LEARNING PROGRAMS

SEC. 306. (a) There is established an Advisory Council on Youth Service and Learning Programs (hereinafter referred to as the Advisory Council) composed of 24 members appointed by the President from among individuals who are widely recognized by reason of experience, education, or scholarship as specially qualified to serve on such Advisory

Council. In making such appointments the President shall give due consideration to any recommendations submitted by the Board. At least 8 members appointed to the Advisory Council shall not have attained the age of 27 years on the date of appointment.

(b) The Advisory Council shall advise the Board on broad policy matters relating to the administration of this title. The Advisory Council shall select its own chairman and vice chairman.

(c) Each member of the Advisory Council who is appointed from private life shall receive $100 per diem (including travel time) for each day during which he is engaged in the actual performance of his duties as a member of the Council. A member of the Council who is an officer or employee of the Federal Government shall serve without additional compensation. All members of the Council shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

AUTHORIZATION OF APPROPRIATIONS

SEC. 307. (a) For the purpose of making payments pursuant to paragraphs (1), (2), and (3) of section 303 (a) of this title there is authorized to be appropriated $75,000,000 for the fiscal year ending June 30, 1970, $300,000,000 for the fiscal year ending June 30, 1971, and $600,000,000 for the fiscal year ending June 30, 1972.

(b) For the purpose of carrying out other provisions of this title there are authorized to be appropriated $75,000,000 for the fiscal year ending June 30, 1970, $200,000,000 for the fiscal year ending June 30, 1971, and $300,000,000 for the fiscal year ending June 30, 1972.

S. 1938—INTRODUCTION OF A BILL TO AMEND THE RAILROAD HOURS OF SERVICE ACT OF 1907

Mr. HARTKE. Mr. President, on behalf of Senators BURDICK, HARRIS, MAGNUSON, MCGEE, and WILLIAMS of New Jersey, I rise to introduce a bill which has for its purpose the promotion of safety and employees and travelers upon the Nation's railroads by limiting the hours of service of the railroad employees.

The present law on this subject, enacted March 4, 1907, provides in general that a railroad may not keep its employees on duty for more than 16 hours in a 24-hour period. My bill would make it unlawful for a railroad to keep an employee on duty longer than 12 hours in a 24-hour period or permit him to go on duty without having had at least 8 consecutive hours off duty during the preceding 24-hour period. The bill would provide for certain exceptions in emergency situations and it would tighten up the definition of what is considered time on duty.

I believe this measure is wholly reasonable and in the public interest. There have been many changes in railroad operations since 1907 and they have, for the most part, placed more strain and tension on the employees. Engineers now frequently have both the operation and care of the locomotive units placed on them. The actual speed of trains has increased in running over the road. The threat of derailment due to poor maintenance or to daredevil motorists at grade crossings hangs over the train crew's head and creates its own tension. Daily exposure to acts of vandalism—including rock throwing, attempts at train wrecking, even robbery and physical violence—makes the need of rest more imperative for the train crews.

There is little comparison between today's trains of three to six diesel units, hauling up to 300 cars with a lading of 10,000 tons or more, and the small steam-powered trains of one locomotive and 30 to 60 cars with a lading around 1,000 tons, back in 1907. Today's trains require far more responsibility from the employees and, therefore, more alertness.

My bill will help make sure that railroad employees are rested and fully alert and can do a safer job for their employers and the American public. I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1938) to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907, introduced by Mr. HARTKE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce, as follows:

S. 1938

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon", approved March 4, 1907 (45 U.S.C. 61, 62, 63, 64), is hereby amended to read as follows: "That (a) this Act shall apply to any common carrier or carriers, their officers, agents, and employees, engaged in the transportation of passengers or property by railroad in the District of Columbia or any territory of the United States, or from one State or territory of the United States or the District of Columbia to any other State or territory of the United States or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States.

"(b) For the purpose of this Act—

"(1) The term 'railroad' includes all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any common carrier operating a railroad, whether owned or operated under a contract, agreement, or lease.

"(2) The term 'employee' means an individual actually engaged in or conencted with the operation of any train.

"(3) Time on duty shall commence when an employee reports for duty and terminate when the employee is finally released from duty, and shall include:

"(A) Interim periods available for rest at other than a designated terminal;

"(B) Interim periods available for less than four hours rest at a designated terminal;

"(C) Time spent in deadhead transportation by an employee to or from duty assignment;

"(D) The time an employee is actually engaged in or connected with the movement of any train; and

"(E) Such period of time as is otherwise provided by this Act.

"SEC. 2. (a) It shall be unlawful for any common carrier, its officers or agents, subject to this Act—

"(1) to require or permit an employee, in case such employee shall have been continuously on duty for twelve hours, to continue on duty or to go on duty until he has had at least ten consecutive hours off duty; or

"(2) to require or permit an employee to continue on duty or to go on duty when he has not had at least eight consecutive hours off duty during the preceding twenty-four hours.

"(b) In determining, for the purposes of subsection (a), the number of hours an employee is on duty, there shall be counted, in addition to the time such employee is actually engaged in or connected with the movement of any train, all time on duty in other service performed for the common carrier during the twenty-four-hour period involved.

"(c) Crews of relief trains or wreck trains may be permitted to remain on duty for a longer period than is otherwise permitted by this section when necessary to clear the track at the scene of a wreck, but only until such time as the track is cleared sufficiently to permit movement of trains.

"(d) The provisions of this section shall not apply to an employee during such period of time as the provisions of section 3 apply to his duty and off-duty periods.

"SEC. 3. (a) No operator, train dispatcher, or other employee who by the use of the telegraph, telephone, radio, or any other electrical or mechanical device directs or controls the movement of any train or who by the use of any such means dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements—

"(1) shall be required or permitted to be or remain on duty for more than nine hours, whether consecutive or in the aggregate, in any twenty-four-hour period in any tower, office, station, or place where two or more shifts are employed; or

"(2) shall be required or permitted to be or remain on duty for more than eleven hours, whether consecutive or in the aggergate, in any twenty-four-hour period in any tower, office, station, or place where only one shift is employed.

"(b) For the purpose of subsection (a), in determining the number of hours an employee is on duty in a class of servce, and at a place, described in clause (1) or (2) of such subsection, there shall be counted, in addition to the time spent by him on duty in such service at such place, all time on duty in other service performed for the common carrier during the twenty-four-hour period involved.

"(c) Notwithstanding subsection (a) of this section, in case of emergency the employees described in such subsection may be permitted to be and remain on duty for four additional hours in any period of twenty-four consecutive hours of not exceeding three days in any period of seven consecutive days.

"SEC. 4. (a) Any such common carrier, or any officer or agent thereof, requiring or permitting any employee to go, be, or remain on duty in violation of section 2 or section 3 of this Act shall be liable to a penalty of $500 for each and every violation, to be recovered in a suit or suits to be brought by the United States attorney in the district court of the United States having jurisdiction in the locality where such violations shall have been committed; and it shall be the duty of such district attorney to bring such suit upon satisfactory information being lodged with him.

"(b) It shall be the duty of the Secretary of Transportation to lodge with the appropriate United States attorney information of any violation as may come to the knowledge of the Secretary.

"(c) In all prosecutions under this Act the common carrier shall be deemed to have knowledge of all acts of all its officers and agents.

"(d) The provisions of this Act shall not apply in any case of casualty or unavoidable accident or the act of God; nor where the delay was the result of a cause not known to the carrier or its officer or agent in charge of the employee at the time said employee left a terminal, and which could not have been foreseen.

"Sec. 5. It shall be the duty of the Secretary of Transportation to enforce the provisions of this Act."

Sec. 2. This Act shall take effect thirty days after the date of its enactment.

S. 1939—INTRODUCTION OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT AMENDMENT OF 1969

Mr. MAGNUSON. Mr. President, I introduce, by request, for appropriate reference, a bill to amend the Federal Property and Administrative Services Act of 1949, and ask unanimous consent that the bill and a justification be printed at this point in the Record.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and justification will be printed in the Record.

The bill (S. 1939) to amend the Federal Property and Administrative Services Act of 1949 to provide that the procurement of certain transportation and public utility services shall be in accordance with all applicable Federal and State laws and regulations governing carriers and public utilities, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 1939

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377, as amended; 40 U.S.C., Sec. 481) is amended by adding at the end thereof the following new subsection:

"(e) Any other provision of this Act or any other Act to the contrary notwithstanding, the procurement of transportation and public utility services under the provisions of this Act or any other Act shall be in accordance with all applicable Federal and State laws and regulations governing carriers and public utilities; *Provided,* That the Secretary of Defense may from time to time, and unless the President shall otherwise direct, exempt the Department of Defense from action taken or which may be taken by the Administrator under clauses (1)–(4) of subsection (a) of this section whenever he determines exemption from such action to be in the best interests of national security."

The justification, presented by Mr. Magnuson, follows:

Federal Property and Administrative Services Act Amendment of 1969

JUSTIFICATION

The purpose of the following proposed Amendment is to require the Government Services Administrator (GSA) in his capacity as procurement officer for the Federal Government, to adhere to applicable State regulatory provisions when procuring transportation or public utility services.

The effect of the proposed Amendment will be to overrule the decision of the United States Supreme Court in *United States* v. *Georgia Public Service Commission,* 371 U.S. 285, 9 L.Ed. 2d 317 (1963). This case concerned GSA authority to arrange the transportation of Federal employee owned household goods from Savannah to Atlanta, Georgia, by Georgia PSC certified carriers, but at rates below the PSC approved tariffs.

A three judge Federal district court unanimously upheld State regulation, but on appeal the Supreme Court, with Justices Goldberg, Harlan and Stewart dissenting, reversed, holding that Congressional policy, as expressed by the Federal Property and Administrative Services Act of 1949, 40 U.S.C. 481, as amended, 41 U.S.C. 251 *et seq.,* permits Federal procurement officers to disregard State economic laws in obtaining cheaper rates. See also *Paul* v. *United States,* 371 U.S. 245, 9 L.Ed. 2d 292 (1963).

The rationale of this decision might be applied to other areas subject to State commission regulation, such as permitting Federal procurement officers to arrange intrastate transportation by carriers holding no State authority. Also, there could be an erosion of Federal regulatory jurisdiction.

Adoption of the Act will avoid these consequences.

S. 1940—INTRODUCTION OF THE EXPORT EXPANSION AND REGULATION ACT

Mr. MUSKIE. Mr. President, on behalf of myself, Mr. Packwood, and other Members, I introduce, for appropriate reference, the Export Expansion and Regulation Act of 1969. This bill is designed to replace the Export Control Act of 1949, which expires on June 30 of this year. Hearings on this bill, as well as the Export Control Act, will begin on April 23, 1969, before the International Finance Subcommittee of the Banking and Currency Committee.

Mr. President, the Export Control Act was passed 20 years ago. I think it would be well for us to examine the circumstances under which it was passed and, without taking too much time, acknowledge some of the changes which have taken place since then.

In 1949, the entire world was struggling to overcome the ravages of the war. The Soviet Union had adopted policies and taken actions which were an obvious and immediate threat to the security of the United States and its allies. This threat, coming at the time and in the manner in which it did, raised tensions between the Western allies and the Soviet Union to a height never equalled before or since. It came at a time when all of Europe was economically and physically decimated. The United States was the only Western country whose industrial and technological capabilities remained intact. It was the only country capable of helping Europe regain its economic independence through technological, industrial and financial help. When Russia presented its threat, it was necessary for the United States to take whatever steps it could to minimize the danger. It should be remembered that Russia was also decimated by the war. Consequently, to deny Russia the benefits of American trade and technology was one effective way of minimizing the Soviet threat, at least for the time being. This fact occasioned the passage of the Export Control Act. That act served to provide positive scrutiny and control over virtually all exports to the Eastern European countries which were not already controlled by even more restrictive measures.

At that time, the act was an effective means of denying the Soviet Union advanced technology and strategic materials which could have military application, and, consequently, it was an effective tool both for national policy and security.

But much has happened since 1949. The Soviet Union has rebuilt its economy so that its technological and industrial level is greater than ever. Thus, it can now produce many products which it formerly might have sought from the United States.

Also, our relations with the Soviet Union and other nations of Eastern Europe have changed. I would never pretend that our problems and differences with these countries are over. However, I do believe that we have moved to the belief that our problems and differences can, and ultimately must, be solved by constant attempts to effect a meeting of the minds. We must make these attempts over the conference table and in the marketplace—wherever and whenever we can meet with our East European counterparts—be they manufacturers, politicians, diplomats, or traders—to discuss our mutual interests and concerns. In order to expand this dialog, it is necessary for us to actively seek ways and means to increase our contacts and dealings with Eastern Europe. By taking advantage of every opportunity to meet, talk and deal, we should be able to accelerate what is going to be a long and laborious process to eventual understanding and accord.

There are other circumstances which have changed since the original passage of the Export Control Act which affect its current effectiveness. As I pointed out earlier, to deny the Soviets access to our goods and technology was at one time an effective way to minimize the threat to us. For at that time, the denied goods and technology were available nowhere else. However, the United States was successful in its endeavor to help Europe and Japan rebuild. We were so successful that the free world economy surpassed its prewar level many years ago. There are now very few U.S. products which cannot be approximated or duplicated by one or more of our allies. Moreover, our allies have not imposed the severe restrictions on themselves that we have upon ourselves in regard to trade with Eastern Europe. Consequently, at this date, a vast majority of products which cannot be obtained by Eastern Europe from this country because of our unilateral export restrictions can be easily obtained from one or more of our allies. In many other instances, goods which could be obtained from this country even under the current restrictions are bought elsewhere merely because of the nuisance and delays caused by excessive redtape made necessary by current U.S. regulations.

Thus, in short, restrictive U.S. trade practices formerly served to deny products to Eastern Europe. In most instances, they now serve only to deny sales to American business.

At one time, it is possible that this country could have said that it did not need the business—there was a severe shortage of American dollars after the war, and no one seriously considered the possibility of a balance-of-payments deficit. Now the situation is different. Every day we struggle to improve our balance-of-payments picture—over both the short and the long term. The latest figures show that the percentage growth of our exports is decreasing. The ratio of our exports to imports is getting worse. Under these circumstances, it would be foolhardy to refuse to consider allowing American business a more competitive access to an existing market—an access which would in no way affect the national security.

These are a few of the compelling reasons to seriously consider bringing the U.S. trade practices in regard to Eastern Europe into line with the other countries of the free world.

Last summer, at my request, Senator Mondale conducted extensive hearings on the subject of East-West trade. The material he accumulated is unique and comprehensive. It has been an invaluable aid in helping single out specific proposals which warrant further consideration by Congress. Many of these proposals are contained in the bill we are introducing. In the hearings which begin tomorrow, we will continue to explore means by which we can continue to afford maximum protection to the national security while, at the same time, allowing American commerce maximum opportunity to prosper without the burden of artificial barriers.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1940) to provide for continuation of authority for the expansion and regulation of exports, and for other purposes, introduced by Mr. Muskie (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. MONDALE. Mr. President, today Senator Muskie and Senator Packwood have introduced amendments to the Export Control Act in the form of new legislation, the Export Expansion and Regulation Act of 1969. I participated in the development, the drafting and the discussions of the bill. I am pleased to associate myself as a cosponsor with this effort to bring U.S. controls over East-West trade into line with present trade realities.

The amendments to the present Export Control Act reflect the concerns and purposes developed last year in the Senate on East-West trade. In May 1968, I introduced an East-West trade resolution on behalf of myself and Senators Clark, Hartke, Inouye, Javits, Edward Kennedy, Robert Kennedy, McGovern, Morton, Moss, Pell, Percy, and Stephen Young. The resolution states:

> Whereas current export credit and other restrictions on United States trade in peaceful goods with Eastern Europe impede the response of the United States to changes within the Communist world; and
>
> Whereas the changes in Eastern Europe are vital to the maintenance of United States objectives in building a peaceful, democratic world; and
>
> Whereas an increase in United States exports to Eastern Europe will assist in meeting the United States balance-of-payments problems; and
>
> Whereas public misconceptions plague efforts to expand East-West trade: Therefore be it
>
> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is the sense of the Congress that the Export Control Act regulations and the Export-Import Bank financing restrictions should be examined and modified to promote the best interests of the United States by permitting an increase in trade in peaceful goods between the United States and the nations of Eastern Europe.

This bill is introduced as a result of findings in hearings on the resolution last summer before the International Finance Subcommittee of the Senate Banking and Currency Committee. The witnesses substantially agreed that the military and economic strength of Eastern European countries is not affected by U.S. trade restrictions which are more severe than the restrictions imposed by Western Europe and Japan. Both economic and political advantages could be gained for American business and diplomacy if U.S. restrictions on East-West trade are reduced to the level of those imposed by Western Europe and Japan.

Witnesses warned of the consequences should the United States continue to apply its restrictions upon East-West trade extraterritorially to foreign subsidiaries of American firms and to foreign purchasers of American exports.

These amendments, which I worked on, to the Export Control Act are intended to reduce the complexities, delays, and uncertainties in the administration of export controls, which now hamper American business enterprises in competing for trade both in Western and Eastern Europe, without sacrificing the objective of controlling the export of strategic goods. We believe that these amendments will be conducive to an appropriate expansion of U.S. trade and an improvement in relationships between the United States and other nations, while at the same time providing adequate safeguards against the sale to other nations of goods of military significance.

The cold war may have diminished on other fronts, but the United States still battles vigorously in the trade arena, waging our own brand of economic warfare. Ideally, trade should be neutral, regulated only by the marketplace, and until World War II, the U.S. Government restricted exports only in time of war or special emergency. When the war against the Axis powers ended, trade restrictions continued—but the enemy changed: It became any nation under the control of a Communist government. American lines are drawn in the Export Control Act of 1949:

> It is the policy of the United States to use its economic resources and advantages in trade with Communist-dominated nations to further the national security and foreign policy objectives of the United States.

The apprehensions about East-West trade center on our participation in the advancement of a rival economic system. The argument is that as long as the United States maintains a "leadtime" in economic and technologic progress, the nations of Eastern Europe cannot outproduce or threaten the United States.

The Soviet Union's achievements in space and the growing volume of trade between Western and Eastern Europe belie the theory that Eastern European countries cannot achieve economic success without us. In fact, economic warfare may result in exactly the opposite of the intended effect. By withholding trade, we encourage a nation to develop its own resources. Rigid export restrictions result in a denial forcing the creation of new industrial capacity to produce the item denied.

The Russian space technology and missile guidance systems may be the world's most sophisticated, yet American high technology industries are told that the United States should restrict exports of these commodities in order to maintain a technological lead over the Russians of 2 to 5 years. Too much information is available through other sources in Western Europe and Japan or published in technical journals for "straightarm" techniques to be effective. American creativity has kept our technological lead intact in most fields; products on the market reflect technology that is 3 to 5 years old. If Communist importers copy such technology from items bought on the world market, they only succeed in locking themselves into out-dated systems.

On the other hand, Western trade can have a profound effect on the nature of life in Russia and in Eastern Europe. For example, the implications of a contract between the Italian Fiat Co. and the Russians for an automobile manufacturing plant in Russia are many: they will need repairs, gasoline, highways, and insurance, all factors in social change. The Russian auto plan projects expenditures of $800 million for the new Fiat plant, $400 million for tires, gas, and steel, and $1.4 billion per year for highways and gasoline stations. By 1975, their investment in transportation will equal ours in the 1920's.

Such Western trade with Communist nations is not a form of aid. All imports must be paid for, and the money for the imports can come only through exports developed by investment in the production of items for export. No nation can gain through imports the economic advancement it is not capable of providing for itself; trade quickens the economic growth of both trading partners.

A companion to the broad economic warfare approach to trade is the concept of trade as a political weapon. Our Government tends to bestow trade upon nations we consider our friends and withdraw it from others as punishment for unfriendly political acts. Czechoslovakia is a good case in point. Although Czechoslovakia is one of three Communist members of the General Agreement on Tariffs and Trade—GATT—we withdrew most-favored-nation status—a normal status for all of our other trading partners in GATT—from Czechoslovakia in 1951.

Our entire system of export controls reflects political relationships. We refuse to trade at all with some Communist nations—Mainland China, North Korea, North Vietnam, and Cuba; within Eastern Europe, Poland and Rumania are treated more liberally than Czechoslovakia, Hungary, and Bulgaria, and all of these trade with us under better conditions than does East Germany.

To undo restrictive trade practices, we must dismantle complicated administrative export controls. No specific Government authority is necessary for American businesses to participate in international trade. However, individual transactions are subject to a variety of trade controls.

The constitutional basis for this control is the Commerce clause, providing that "Congress shall have power to regulate commerce with foreign nations." Congress has delegated this power to the President, particularly under the Export Control Act which gives the President nearly unlimited power to prohibit or curtail exports, and the President, in turn, has delegated discretion over export control to administrative officials, primarily in the Office of Export Control of the Department of Commerce. These administrators now control the movement of more than $30 billion worth of exports per year to all countries of the world.

The Export Control Act of 1949, as extended and amended most recently in 1965, restricts exports of materials which are in short supply in the United States, and restricts exports of materials which have potential military and economic significance and may adversely affect, if exported, the national security of the United States. The short supply controls at the present time, have little effect. On the other hand, an elaborate mechanism restricts exports of possible military and economic significance.

The first step for an exporter is to determine whether his product may be shipped under a general license or whether it requires an individually validated license. A validated license application, accompanied by an "order" from the importer for the item, may take 6 to 8 weeks to be processed through the Office of Export Control. The processing may include review by an interdepartmental committee consisting of representatives from the Departments of Commerce, State, Defense, Treasury, and sometimes from the Departments of Agriculture, Interior, the Atomic Energy Commission, the National Aeronautics and Space Administration, and the Federal Aviation Agency. The exporter's problems increase if it is his American subsidiary in Western Europe, for example, that wishes to obtain a license.

American businessmen complain that licensing delays and redtape lose sales in Eastern Europe and often prevent American businesses from trying to develop the market. If goods equivalent to American products are available elsewhere, other countries will buy from the alternate sources to avoid the complicated paperwork and restrictions and interference imposed by the American Government, which also result in long delays in delivery to customers who can find faster and less complicated arrangements by dealing with other western countries.

Most businessmen engaged in East-West trade will complain in private about the complicated applications and the long delays associated with export licenses. A few companies described the problems they have encountered in the public hearings before the Subcommittee on International Finance of the Senate Banking and Currency Committee last summer.

The Minnesota Mining & Manufacturing Co., the developer of magnetic tape, now finds itself competing with qualified manufacturers of video and computer tape: two firms from the United Kingdom, two from France, one in Belgium, a German firm, and four Japanese companies. Foreign buyers are switching from wire to magnetic tape for almost all communications purposes, but American sellers are not sharing this market as fully as they should because magnetic tape is on the U.S. export control list and subject to licensing delays.

For example, Minnesota Mining received the following in a letter from a Swiss firm to which they had made a bid for the sale of video tape:

> We have come to the conclusion it would be too long to supply you with all the information you require in order to get approval of the Department of Commerce in Washington and much to our regret we will for the time being have to use other products.

Another letter to Minnesota Mining reads:

> Your statement regarding the long delivery time due to the procurement of the export license surprises us greatly. For comparison we might quote we recently purchased these magnetic tapes via the suppliers of the computers, for example, the British ICT, and we have gotten the merchandise always promptly, in many cases even within one week.

One of the largest of the country's electronics firms, Hewlett-Packard in Palo Alto, Calif., must obtain export licenses for 97 percent of its product line. Hewlett-Packard received an order for a computer designed for medical application from a charity hospital in East Germany. The company knew the recipient, knew the doctor in charge of research, and knew the purpose of the ordered computer: patient monitoring. But the hospital would order the computer only if Hewlett-Packard could guarantee an export license, and it takes weeks to process the application through the Office of Export Control because East Germany is subject to very stringent U.S. export controls.

I ask unanimous consent that two letters from Mr. David Packard, then president of Hewlett-Packard Co., be included in the Record at this point in my remarks.

There being no objection, the letters were ordered to be printed in the Record, as follows:

HEWLETT-PACKARD Co.,
Palo Alto, Calif., June 21, 1968.

Hon. WALTER F. MONDALE,
U.S. Senate,
Committee on Banking and Currency,
Washington, D.C.

DEAR SENATOR MONDALE: Thank you for your letter of May 27th, and your invitation to comment on the East-West Trade Resolution (S.J. Res. 169) you have recently introduced. Before commenting, however, I wish to commend your succinct and well-phrased introductory statement. It is extremely encouraging to me, as a businessman, to see that a key member of the U.S. government has such an excellent grasp of the major difficulties faced by U.S. businessmen interested in East-West trade.

The Hewlett-Packard Company is a major designer and manufacturer of highly sophisticated instrumentation used in electronics, medicine and analytical chemistry. Hewlett-Packard has sold its products outside the United States for many years, and now has wholly owned or controlled sales companies in nineteen of the more highly developed countries of the free world, and factories in West Germany, the United Kingdom and Japan.

During 1967 the company received almost $250,000,000 in orders for finished goods. Of this almost $60,000,000 was from outside the United States, with approximately 75% representing U.S. exports. In addition, some $5,000,000 in parts and components were supplied from the U.S. to our three international factories. Hewlett-Packard expects its international sales to more than double within the next five years.

To date, only a small amount of our products have been sold to Eastern Europe—less than 1% of our total international sales volume in 1967. This is not too surprising, however, since up to recently we have done very little to stimulate interest in Eastern Europe. We believe that the restrictions imposed by the COCOM and unilateral U.S. controls, made the sale of virtually any of our products in Eastern Europe difficult and time consuming. Any efforts we might have expended to stimulate sales would yield small returns, when compared to the return we might expect from the same effort elsewhere.

Late last year, however, we decided we could no longer afford to ignore the East European market, which as you point out, has been growing at a remarkable rate. We were, and still are, hopeful that some day tensions would ease sufficiently to allow a considerable increase in U.S. trade with Eastern Europe. We were convinced that we should now undertake a more active sales program against that day, or else we would find it virtually impossible to break into a market which had gone to our West European competitors largely by default.

As a result, the Hewlett-Packard Company is presently engaged in a long range program to increase its sales of non-strategic products in Eastern Europe. Several sales engineers employed by Hewlett-Packard S.A., our Geneva based wholly owned European marketing subsidiary, have been assigned the task of traveling in the territory and providing on-the-spot assistance to East European purchasers and end users. This year we have participated in the Leipzig and Budapest Fairs. We will also take part in the Posnan and Brno Exhibitions, as well as other smaller shows. We anticipate this new effort will cause our East European sales to more than double in 1968, with an even further substantial increase the following year.

Despite these large percentage increases, we do not expect our 1969 East European sales volume to exceed more than two or three percent of our anticipated 1969 West European volume. This relatively low figure is due in part to the lower degree of sophistication, and hence smaller overall size of the East European market. It is also due to the fact that we are new and inexperienced in dealing with Eastern Europe.

We do not believe credit will be an immediate problem, since the dollar value of a typical transaction is quite small in comparison, for example, to an expensive automated machine tool, or to an entire factory.

We feel by far the most important factor limiting our sales to Eastern Europe is the high level of unilaterally imposed U.S. export controls. Controls of this type, not imposed on our West European and Japanese competitors, drastically lower our effectiveness, despite the fact that many times our products have better inherent performance capabilities, are frequently of better quality, and often lower in price.

It is our firm belief that if Hewlett-Packard Company is to be successful in Eastern Europe, steps will have to be taken to reduce the effect of the unilateral U.S. controls to more nearly that of the COCOM controls. To maintain a high level of unilateral controls merely serves to deny business to U.S. firms, for the East Europeans can and do purchase similar products from West European and

Japanese manufacturers, who can sell their products freely.

Needless to say, we are opposed to the sales of strategic goods and materials which might be in the nature of aiding the enemy, but at the same time we feel the long term interest of peace will be best served by increased communication and understanding between the various countries of the world. We believe a larger volume of East-West trade can and will contribute to a better understanding without in any sense providing substantial aid which would strengthen our enemies, or potential enemies. In balance we believe increased East-West trade would be a very constructive program.

Sincerely,

DAVID PACKARD.

HEWLETT-PACKARD CO.,
Palo Alto, Calif., August 28, 1968.

Hon. WALTER F. MONDALE,
U.S. Senate,
Committee on Banking and Currency,
Washington, D.C.

DEAR SENATOR MONDALE: In my letter to you of June 21, 1968, commenting on the East-West Trade Resolution (S.J. Res. 169), I stressed that we felt the high level of unilateral U.S. Export Controls was the most important factor limiting our sales to Eastern Europe. At the time, I was not able to offer any statistical evidence to support this claim. However, we have recently completed a major study of our world-wide business during the six-month period November 1, 1967 to April 30, 1968. If we apply the various current levels of international (COCOM) and unilateral U.S. Export Controls to the mix of products sold during this time, dramatic evidence can be obtained as to the effect such controls have on our business.

The results of this study are shown on the attached chart. In each of the three cases internationally imposed COCOM controls affect 44% of our sales. These controls would also, presumably, affect the same portion of sales of foreign competitors with similar product mixes located in the other COCOM participating countries. However, as a U.S. firm, we must also contend with the unilaterally imposed U.S. export controls. These controls, which are not duplicated by the other COCOM countries, affect 6% of our sales to friendly Western countries and a huge 53% when we deal with the USSR and the other East European countries, excluding Poland and Romania. In fact, in this latter category, we are able to sell only $3 out of every $100—mainly medical equipment such as electrocardiographs—without restriction under General License.

In contrast, West European and Japanese competitors with similar product mixes can sell $56 out of every $100 to Eastern Europe without restriction. Now, this wouldn't be so bad if little or no competition existed in Western Europe and Japan. But this is not the case. In every instance we have investigated we have found similar items to be available from non-U.S. sources. In this light, the high level of unilateral U.S. controls makes our marketing task much more difficult. We must contend with the time and added expense required to make formal license application, the long delays encountered in obtaining decisions, and the fact that our East European customers and our East European sales force is never quite sure whether a substantial portion of our product line can be sold or not. Since most of the material over which the United States exercises unilateral export controls is readily available elsewhere, it seems to us that the high level of these controls merely serves to deny business to U.S. firms. The controls, in effect, serve to push East European purchasers into the hands of our West European and Japanese competitors who are only too willing to sell their products.

Sincerely,

DAVID PACKARD.

Mr. MONDALE. Mr. President, another example involves an electronics firm on the east coast which received a request for television equipment intended for the Czechoslovak television system. The order represented a Czech decision to favor the United States-West German television system over the French-Russian approach, but the license application took over 2 months for processing. Fortunately, the buyer was in a position where it was possible to wait.

The present Office of Export Control Licensing procedure is based on a "case method" which relies upon past decisions by the Office to set the guidelines for present licensing policies. The process is inherently conservative because it discounts the rapid pace of growth in high technology industries. The concept of economic warfare embodied in the present act's language requiring licenses for items of "potential economic significance" and the actual operation of the licensing system combine to limit the foreign trade possibilities of the most dynamic segments of American industry.

Most businessmen believe that the spectacular economic growth of the United States has been and will continue to be dependent upon the unfettered development of high technology. When American companies are denied markets, whether in Western Europe or in Eastern Europe, by restrictions on the exportation of sophisticated items, then the export controls act only to inhibit the growth of these industries.

The longer the United States refrains from participating in these markets, the more entrenched become our growing Western competitors.

Total East-West trade in 1967 with the West was over $15 billion which means the market is growing at the rate of 24 percent. In 1966 the United States had 4 percent of this market; in 1967 the U.S. share of the market decreased to between 2.5 and 3 percent of total East-West trade.

As long as other Western countries trade with Eastern Europe—as they are to an increasing extent—the objective of denying Communist nations the advantages of advanced technology are circumvented, at the expense, only, of the United States and its businesses.

SENATE JOINT RESOLUTION 96—INTRODUCTION OF A JOINT RESOLUTION AUTHORIZING THE POSTHUMOUS PROMOTION OF THE LATE GENERAL OF THE ARMY DWIGHT DAVID EISENHOWER TO THE GRADE OF GENERAL OF THE ARMIES

Mr. DIRKSEN. Mr. President, I introduce a joint resolution for appropriate reference, and I should like to read it into the RECORD:

S.J. RES. 96

Joint resolution authorizing the posthumous promotion of the late General of the Army Dwight David Eisenhower to the grade of General of the Armies

Whereas, the late General of the Army Dwight David Eisenhower served as Supreme Commander of the Allied Expeditionary Forces during World War II; and

Whereas, the said General Dwight David Eisenhower was Commander-in-Chief of the Armed Forces of the United States for eight years while serving as the thirty-fourth President of the United States; and

Whereas, the said General Dwight David Eisenhower served his country for many years with great honor and high distinction as both a military and civilian leader: Now, therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, in recognition of the late General of the Army Dwight David Eisenhower's outstanding service to his country and his high devotion to duty, the President is authorized to issue, in the name of the said General Eisenhower, a commission in the grade of General of the Armies.

(b) The commissioned grade authorized by subsection (a) of this section shall, after issuance by the President, be appropriately reflected on all records of the Department of the Army relating to the late General of the Army Dwight David Eisenhower.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 96) authorizing the posthumous promotion of the late General of the Army Dwight David Eisenhower to the grade of General of the Armies, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on Armed Services.

SENATE JOINT RESOLUTION 98—INTRODUCTION OF A JOINT RESOLUTION AUTHORIZING EMERGENCY CREDIT FOR FLOOD VICTIMS

Mr. MONDALE. Mr. President, at the quest of Senator GEORGE MCGOVERN, who is recuperating from an illness, I am introducing a joint resolution to authorize the Commodity Credit Corporation to advance $25 million to the emergency credit revolving fund in the Department of Agriculture for loans to farmers who are victims of the floods in the upper Missouri, the upper Mississippi, Idaho, and other areas this spring.

The joint resolution is identical to a similar resolution passed by Congress a year ago to give assistance to flood victims.

The Farmers Home Administration recently obtained the release of $41 million in loan funds, but I am advised that these funds, plus collections into the FHA's revolving loan account will be necessary to meet already outstanding loan commitments.

The amount of the authorization in the joint resolution has been set without detailed information on needs. The floods are right now cresting in some areas and the full extent of damage to farmers and the amount of their credit needs has not been accurately determined. The Agriculture Committees of the Senate and the House should be able, during hearings, to make a determination whether or not the $25 million specified in the joint resolution is adequate to meet needs and to amend the amount, if necessary, when the resolution is reported to the floor.

I saw the extent of this year's flood damage from the air and on the ground last Friday when I examined devastated areas in Minnesota. It is clear that loan funds will be needed if many farm operators are to stay in business. Farmers in the upper Missouri and upper Mississippi basins have had unusually heavy snows to contend with during the winter. Many of them have exhausted their resources digging out of the snow, buying emergency feed to carry livestock, and paying other abnormal wintertime expenses. The additional costs of removing debris, plowing under silt deposits, leveling fields and repairing other damages will make it impossible for them to continue operations unless emergency loan funds are made available very quickly.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed at this point in the Record.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 98), to authorize the temporary funding of the emergency credit revolving fund, introduced by Mr. Mondale (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S.J. Res. 98

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commodity Credit Corporation is hereby authorized and directed to make additional advances to the emergency credit revolving fund (7 U.S.C. 1966) in a total amount not to exceed $25,000,000. Such advances together with interest at a rate which will compensate Commodity Credit Corporation for its cost of money during the period in which the advance was outstanding shall be reimbursed out of appropriations to the fund hereafter made.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. SPARKMAN. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wyoming (Mr. Hansen) be added as a cosponsor of the bill which I introduced recently (S. 1832), to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from North Dakota (Mr. Young), I ask unanimous consent that, at its next printing, the name of the Senator from Kansas (Mr. Pearson) be added as a cosponsor of the bill (S. 1790) to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. Murphy) be added as a cosponsor of the bill (S. 1706) to strengthen the antiobscenity laws in order to protect minors against the distribution or sale of obscene materials through the mails or interstate commerce, to establish the Division of Obscenity Control in the Department of Justice, and for other purposes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from North Dakota (Mr. Young), I ask unanimous consent that, at its next printing, the name of the Senator from Oregon (Mr. Hatfield) be added as a cosponsor of the bill (S. 1181) to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Michigan (Mr. Griffin) be added as a cosponsor of the bill (S. 1782) to amend section 7(b) of the Small Business Act to provide for new interest rates on the Administration's share of disaster loans.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Michigan (Mr. Hart), I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania (Mr. Scott) be added as a cosponsor of the bill (S. 835), to amend the act of September 5, 1962 (76 Stat. 435), providing for the establishment of the Frederick Douglass home as a part of the park system in the National Capital.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. Murphy) be added as a cosponsor of the joint resolution (S.J. Res. 85), to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week."

The PRESIDENT pro tempore. Without objection, it is so ordered.

SENATE RESOLUTION 181—RESOLUTION REGARDING THE CENTENNIAL ANNIVERSARY OF THE YOUNG WOMEN'S MUTUAL IMPROVEMENT ASSOCIATION OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

Mr. BENNETT submitted a resolution (S. Res. 181) regarding the centennial anniversary of the Young Women's Mutual Improvement Association of the Church of Jesus Christ of Latter-day Saints, which was referred to the Committee on the Judiciary.

(See the above resolution printed in full when submitted by Mr. Bennett, which appears under a separate heading.)

SENATE RESOLUTION 181—RESOLUTION REGARDING THE CENTENNIAL ANNIVERSARY OF THE YOUNG WOMEN'S MUTUAL IMPROVEMENT ASSOCIATION OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

Mr. BENNETT. Mr. President, I submit, for appropriate reference, a Senate resolution regarding the centennial anniversary of the Young Women's Mutual Improvement Association of the Church of Jesus Christ of Latter-day Saints.

Organized in November 1869, the YWMIA is celebrating its first 100 years in church organizations throughout the world. The climax of the centennial will occur in late June when the annual MIA world conference is held in Salt Lake City.

This is a unique organization which has made an immeasurable contribution to the spiritual, social, and cultural welfare of thousands of young women. I am proud to introduce the resolution which calls simply upon the Senate to take note of this milestone in Mormon Church history, and to commend the organization for its fine work. I hope its next 100 years are as successful as its last 100.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 181) which was referred to the Committee on the Judiciary, is as follows:

S. Res. 181

Whereas the Organization for young women of the Church of Jesus Christ of Latter-day Saints formally known as the Young Women's Mutual Improvement Association (YWMIA) was organized November 28, 1869 and this year marks its centennial anniversary to be commemorated by church congregations throughout the world; and

Whereas the YWMIA enriched and improved the lives of hundreds of thousands of young women during the past century through organized programs of dance, drama, music, speech, sport, camping, home-making, and spiritual counsel; and

Whereas the YWMIA has made an invaluable contribution in preparing young women to make meaningful contributions to their families, their communities and their church; and

Whereas the highlight of the YWMIA Centennial will be the Annual MIA World Conference June 27, 28 and 29 at Salt Lake City, Utah; be it

Resolved, That the United States Senate pays tribute to this fine organization and commends it for the contributions it makes to the youth of its sponsoring organization and to the Nation itself, by helping to develop wholesome, well adjusted talented young women with high personal ideals and devotion to God and country.

APPOINTMENT OF ADDITIONAL DISTRICT JUDGES—AMENDMENT

AMENDMENT NO. 12

Mr. BAKER submitted an amendment, intended to be proposed by him, to the bill (S. 952) to provide for the appointment of additional district judges, and for other purposes, which was referred to the Committee on the Judiciary and ordered to be printed.

ESTABLISHMENT OF THE GREAT PRAIRIE LAKES NATIONAL RECREATION AREA—AMENDMENT

AMENDMENT NO. 13

Mr. BURDICK submitted an amendment, intended to be proposed by him, to the bill (S. 248) to establish the Great Prarie Lakes National Recreation Area in the States of South Dakota, North Dakota, and Nebraska, and for other purposes, which was referred to the Committee on Interior and Insular Affairs and ordered to be printed.

NOTICE OF HEARINGS ON THE FAIR CREDIT REPORTING ACT

Mr. PROXMIRE. Mr. President, I wish to announce that the Subcommittee on Financial Institutions of the Committee on Banking and Currency will hold hearings on S. 823, a bill to enable consumers to protect themselves against arbitrary, erroneous, and malicious credit information.

The hearings will be held on Monday, Tuesday, and Wednesday, May 19, 20, and 21, 1969, and will begin at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with these hearings should notify Mr. Kenneth A. McLean, room 5300, New Senate Office Building, Washington, D.C., 20510; Telephone 225-7391.

NOTICE OF HEARINGS ON ELECTORAL REFORM

Mr. BAYH. Mr. President, the Senate Subcommittee on Constitutional Amendments will conclude its hearings on electoral reform with 3 days of hearings. These hearings will be held on April 30, May 1 and 2. The hearing on April 30, will be in room 324, Senate Office Building, while the hearings on May 1 and 2 will be held in G-308, auditorium of the New Senate Office Building. The hearings will begin at 10 a.m. each day. Persons having questions regarding the hearings are invited to contact the subcommittee staff in room 419 of the Senate Office Building, extension 3018.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. SCOTT. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Louis C. Bechtle, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania for the term of 4 years, vice Drew J. T. O'Keefe, resigning.

Bill Carnes Murray, of Georgia, to U.S. marshal for the northern district of Georgia for the term of 4 years, vice Elmer J. Hardegree.

George J. Reed, of Oregon, to be a member of the Board of Parole for the term expiring September 30, 1974.

F. L. Peter Stone, of Delaware, to be U.S. attorney for the district of Delaware for the term of 4 years, vice Alexander Greenfeld.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, April 29, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

THE GRADE OF GENERAL FOR THE ASSISTANT COMMANDANT OF THE MARINE CORPS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 119, H.R. 3832.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3832) to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active strength of the Marine Corps exceeds 200,000.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-130), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

This bill is designed to establish the grade of general for the Assistant Commandant of the Marine Corps, at the discretion of the President, with the advice and consent of the Senate, when the personnel strength of the corps exceeds 200,000. The bill also provides that when the active duty strength drops below this figure after an officer has been appointed to the Office of Assistant Commandant and to the grade of general, he will retain the grade so long as he retains the office. However, his successor will not be eligible for the grade of general until the strength again exceeds 200,000.

JUSTIFICATION

At the present time, the Marine Corps is authorized one officer in the grade of general—its Commandant. Marine Corps officers designated for appropriate higher commands or performance of duty of great importance and responsibility are limited by law to the grade of lieutenant general, unless they are assigned as Chief of Staff to the President or Chairman of the Joint Chiefs of Staff. This legal limitation was enacted in 1947 and since that time there have been many changes in the Marine Corps which have impacted on the office of the Commandant and his principal assistant.

The size of the Marine Corps in 1947 was 93,000—today its size is 314,000. In 1947 the number of marines serving overseas was 19,000, but today there are 101,000 marines serving overseas, including 82,000 in Vietnam. In 1947 the Commandant was not authorized to sit as a member of the Joint Chiefs of Staff. Today the Commandant sits with the Joint Chiefs of Staff whenever matters directly concerning the Marine Corps are under consideration. The magnitude of these changes alone has enlarged the scope and complexity of the responsibilities of the Commandant, and this, in turn, has greatly expanded the responsibilities of his principal assistant.

The Assistant Commandant represents the Marine Corps at meetings of the Joint Chiefs of Staff whenever the Commandant is unavailable. The Vice Chiefs of Staff of the other services, whose positions are almost identical to that of the Assistant Commandant, hold the rank of general, or its equivalent, while the Assistant Commandant holds the rank of lieutenant general.

It is the opinion of the Committee on Armed Services that the Assistant Commandant should enjoy a status comparable to his counterparts. At the present time the Commandant of the Marine Corps is the only four-star general officer in the Corps.

In addition, the substantial growth in the Marine Corps has had a significant effect upon the responsibilities exercised by the Assistant Commandant, who must give close supervision to the ever-increasing number of personnel, weapons systems, programs, and operations with which the Marine Corps is involved.

A comparison of the ratio of four-star general and flag officers to total strength in the Army, Navy, and Air Force, reveals that the Marine Corps is substantially below the other services. The strength and ratio comparisons as of January 31; 1969, are shown below:

STRENGTH AND RATIO COMPARISONS

	On board strength as of Jan. 31, 1969			
	U.S. Marine Corps	U.S. Army	U.S. Navy	U.S. Air Force
Officer	24,927	170,720	85,800	136,576
Enlisted	289,168	1,304,840	655,334	736,135
Total	314,095	1,475,560	741,134	872,711
4-star officers	1	17	8	13
Ratios:				
4-star to active generals	1:75	1:29	1:38	1:33
4-star to total strength	1:314,000	1:86,800	1:92,600	1:67,100

FISCAL DATA

According to the testimony, the pay and allowances increases from the grade of lieutenant general to the four-star grade will be $4,800 per annum.

THE FIRST 90 DAYS

Mr. MANSFIELD. Mr. President, in response to a request from the Associated Press, last week, to give our impression of the first 90 days of the Nixon administration, the distinguished assistant majority leader, the senior Senator from Massachusetts (Mr. KENNEDY), and I issued a statement. We ask unanimous consent that this statement, with reference to the first 90 days of the Nixon administration, as seen from our point of view, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE FIRST 90 DAYS

The first 90 days of the administration of President Nixon are over. So, too, is the calm which has characterized them. If a signal of the end is needed it is to be found in the tragedy of the intelligence-reconnaissance plane off North Korea. From now on, crises both at home and abroad are likely to crowd in upon the nation.

These initial months have enabled the President to prepare for what lies ahead and he has used the time well. His highly successful trip abroad, for example, brought him into friendly contact with heads-of-state with whom he will be dealing in the years ahead. Relations with France have been placed on a better plane and at the same time diplomatic contact with Cambodia is now being reestablished. At home, the President has proceeded at a deliberate pace to fill out the hierarchy of his administration with men of his own choosing and to work out changes in the budget of the previous Administration. All in all, the first 90 days of President Nixon have been marked by care, caution, and competence.

The evolution of the new administration now moves from the opening phase to the follow-through. During the months ahead will come proposals, policies and programs which clearly carry the President's imprimatur. They will be needed to deal with the problem of Viet Nam as well as the intensifying issues of inequitable and heavy taxation and inflation. These problems along with a host of other difficulties await the President's initiatives.

What also remains to be seen is whether the President can gain control over the far-flung activities of the military and civilian wings of the government. From administration to administration, the Executive Branch has grown into an administrative enormity. Unless President Nixon is able to devise means for grasping control of the continuing machinery of government for which, in any event, he has the responsibility, the tragedy off North Korea will be but the beginning of his difficulties.

THE NORTH KOREAN AIR ATTACK

Mr. SCOTT. Mr. President, I applaud President Nixon's wisdom and firmness in dealing with the outrageous but typical action of North Korea in attacking one of our unarmed reconnaissance aircraft over international waters. Our people are capable of a mighty rage and indignation at wanton killing, and there has been a proper outpouring of these reactions in recent days. The response of our Government, however, must at the same time be that of a powerful nation whose very strength in the community of nations lies in the self-imposed restraint in dealing with smaller countries, however demented and belligerent they are. We will show that we will not be deterred from our policies and our mission by ugly deeds, but we will not be drawn into war by a small, criminal state intent on destruction of all for their own ends; either.

Mr. President, there are two national security needs which must be kept uppermost in mind when considering response to the North Korean attack and the tragic loss of 31 men, and President Nixon kept these needs very much in mind.

One is the continuing need for the very kind of intelligence that such aircraft as the EC-121 can gather. Intelligence is the closest thing to casualty insurance against war; the more coverage we have the less likely we will need it in global conflict. It is intelligence which permits us to meet the aggression of a North Korea before they reignite the Korean war—a threat which is renewed from time to time by that irresponsible government. It is intelligence which helps America to secure the lid before it blows off, all over the rim of the boiling pots in Asia and elsewhere. If we are to continue gathering this intelligence, we must protect those who gather it, and in that context, the movement of the naval task force to the sea off Korea is eminently justified.

The other need which the President kept in mind is that of meeting North Korea's test of our will and the nature of our response. We have shown that we have the will to continue actions which we feel our national security and peace in the world demand. Such a demonstration of will is most especially required when dealing with a government such as North Korea, which has virtually no respect for decent relations between governments, but resorts to brutality with a morbid fascination unmatched in the world.

I submit that this crisis has been handled very well by a new administration. Our Government has been tested and found strong, but not headstrong; intelligent, but not tangled in intellectual indecision. I am saddened by the tragic attack, but heartened by the response of President Nixon to see that it is not repeated.

PRESIDENT NIXON'S HANDLING OF THE KOREAN AIR ATTACK INCIDENT

Mr. STEVENS. Mr. President, I am proud to join my colleagues in commending President Nixon for his statesmanlike handling of the recent crisis with Korea.

The destruction of an unarmed aircraft by the North Koreans is a striking example of irrational conduct. The United States, under President Nixon's leadership, has responded to their action in a totally rational manner. This is the mark of a great power, and the President's decision to act with restraint is the mark of a great President.

As the North Koreans so ably proved, it takes little thought or sensitivity to murder. We could have responded in kind. We cannot help but feel a helpless rage at such occurrences; that is a natural thing. But, as the leader of our Nation, President Nixon's example to other nations has been an excellent one.

In the discussion and debate that followed the loss of the aircraft, I have heard the North Koreans termed a "fourth-rate power." The stature of a nation may not lie in its military power, but rather in its ability to conduct itself and its affairs in a civilized and rational manner. In this incident, the North Korean Government has clearly cast itself in the role of a fourth-rate power.

Quite sensibly, President Nixon has instructed our defense people to continue surveillance of North Korean activities—in the free international zone of air travel—but with armed escort. As a former pilot of unarmed aircraft, I know what that means. It means simply that the pilots and crews of these flights will have a "fighting chance"—no American ever asked for more than that as he carried out his Commander in Chief's instructions. I, for one, hope that this meaningful change in policy will not go unnoticed in North Korea.

REPUBLIC OF SOUTH AFRICA SUGAR QUOTA SHOULD BE ABOLISHED

Mr. YOUNG of Ohio. Mr. President, among the nations of the world, the Republic of South Africa has the tragic distinction of being the only country whose legal and social structure is frankly and aggressively based on racial discrimination. The black majority of that nation has been systematically brutalized by the vicious policies of apartheid. The oppression of black citizens of South Africa by the white minority is a stain on the conscience of the free world.

Frankly, we in the United States have much to atone for and to correct in the treatment of our 20 million fellow Americans who are black. However, we have made great strides toward eliminating discrimination in our legal structure and in assuring all Americans the rights guaranteed them in the Constitution of the United States. We are also making a determined effort to eradicate economic discrimination and to provide full and equal opportunity for the development of the potential of every American regardless of race.

Mr. President, the winds of freedom are blowing throughout the world in a manner and to an extent almost beyond belief. Across the China Sea, on the African Continent, and everywhere the toiling masses and the underprivileged are striving to achieve economic and political freedom—just as in generations gone by we achieved political and religious freedom.

The time is gone when imperialists may oppress colonial peoples and natives they have sought over the years to keep in ignorance and in bondage. Human beings everywhere have served notice they may no longer be exploited or enslaved.

We Americans must not stand idle while the peoples of Asia and Africa emerge into nationhood. Our great spiritual and political heritage has inspired these peoples. At the same time they are very much aware that we have maintained cordial and economically lucrative relations with South Africa, the most racist nation in the world. The racial policies of that nation are anathema to the conscience of the world. They have been condemned in the United Nations and by nearly every government on earth. Still, these abominable policies have grown steadily more extreme and more authoritarian.

It is high time that we begin a reassessment of our policy toward the Republic of South Africa. Frankly, I do not believe that a business-as-usual attitude is appropriate between the United States, the greatest democracy, and South Africa, the only avowedly racist government in the world.

Therefore, I was indeed proud to be a cosponsor of S. 1858, introduced by the distinguished senior Senator from Massachusetts (Mr. KENNEDY) to eliminate the sugar quota presently allocated to the Republic of South Africa. While this quota represents only slightly more than 1 percent of all sugar quotas reserved for foreign countries, it will provide South Africa with more than $5 million in subsidies above the world market prices for sugar in 1969 alone. During the past 7 years sugar producers of South Africa have benefited by more than $19 million in surplus profits generated by our sugar subsidy. Proponents of the quota for South Africa will argue that in earlier years South African sugar producers earned $3.6 million less when the American sugar price was lower than the world market price. However, this temporary loss was more than made up in subsequent years. Wealthy sugar producers in South Africa now look forward to increasingly large windfall profits from the sale of their sugar, sown and harvested by oppressed black laborers with little more status than that of serfs. It is ironic that the Sugar Act includes stringent provisions to protect American workers in the cane and beet fields, while it permits growers overseas to exploit workers who toil under intolerable conditions.

Mr. President, for more than half a century I have made my home in Cleveland, Ohio. In 1967 citizens of Cleveland elected a black man, Carl B. Stokes, as their mayor. He has been an outstanding mayor of that great city. His leadership qualities have been recognized by mayors throughout the Nation who have been following his lead in helping to solve the problems of their communities. Carl Stokes is now a candidate for relection. I believe he will be reelected by an overwhelming majority and I shall do everything that I can to assist him. I find it unconscionable to consider that the American citizens are presently unwittingly supporters of the South African economy and thus of an apartheid system in which a Carl Stokes or any other black man is unable to rise above the status of fourth-class citizen and is sentenced from birth to economic serfdom. I resent the fact, and I am sure millions of my fellow Americans also do, that whenever I purchase sugar I am indirectly enriching some South African racist farmer and the economy of his nation.

Although abolishing the South African sugar quota is only a minor step toward correcting our relationship with South Africa, it at least embraces the sound principle that nothing in our official governmental actions will lend positive economic support to this South African regime. It would be a significant moral gesture not only from the United States to the world community and especially to black Africans and the other colored peoples of the world, but also to our own citizens seeking justice, racial equality and complete civil liberties here at home.

Furthermore as an economic byproduct, through such action the present South African sugar quota could be allotted to the new sugar-producing nations of Africa, countries whose economic development is far less advanced than South Africa.

The South African sugar quota should be eliminated as soon as possible. There is no reason whatever for delay.

THE HEADSTART PROGRAM MUST BE CONTINUED AND EXPANDED

Mr. YOUNG of Ohio. Mr. President, it is difficult to believe that funds for the Headstart program for this coming summer may be cut 35 percent. The Headstart program is such a meritorious program and is so needed that these funds should be increased by at least 50 percent and not reduced. The reason given by administration officials for the proposed cut is that there is allegedly a shortage in funds for such programs.

Very definitely, I do not go along with that sort of reasoning. Cutting the funds for worthwhile programs for youngsters is not only a manifestation of hypocrisy but it is entirely inconsistent with the needs of our Nation.

We in the Senate are being importuned to provide authorizations and appropriations of billions of dollars to land men on the moon, to support our involvement in a civil war in Vietnam and to construct an ABM system, allegedly to gird our ICBM sites against a missile attack from Communist China or the Soviet Union. This preposterous boondoggle, opposed by almost every reputable scientist in the Nation, including the science advisers to Presidents Eisenhower, Kennedy, and Johnson, will cost $9 billion to begin with and may eventually cost as much as $100 billion.

It includes purchasing 250 acres of land in the environs of the District of Columbia, the only metropolitan area slated for an ABM system. Washington, D.C., has been termed the "National Command Authority" by some slick public relations man in the Pentagon. Of course, the District of Columbia is not represented by two Senators as was every city previously picked for the Sentinel, now termed "Safeguard, missile sites." So it is proposed that 250 acres of high-priced real estate close to the District of Columbia will be set aside for the Safeguard ABM site. Yet, the slum areas of the District of Columbia and the thousands of poor, ill-housed, jobless, and uneducated District of Columbia residents who live in them are to continue to be neglected.

We must concern ourselves with our own critical problems. We must provide that the have nots in Washington and in every part of our Nation share more of the wealth and plenty of the Nation. We must try to provide work for every worker and a home for every family.

It is difficult to have harmony, racial and otherwise, until all Americans come to the realization that really all of us belong to and are a part of the same race—the human race. We read of crimes in our cities, such as in Washington, and in Cleveland where I live. Many crimes do occur in our inner cities, so-called, and fewer crimes occur in our suburban areas. Unless we give top priority to the needs of our inner cities, while it may seem that those living in suburban areas are presently safe from violence that occurs from time to time in urban centers, then it is safe to assert that this is probably for the present time only. We know that poverty, inadequate housing, lack of opportunity to acquire job training, unemployment, a poor education coupled with poor housing, poor or no recreational facilities, malnutrition, and other factors combined contribute to violence in our Nation. Where and to what extent this violence may extend no one is able to foresee unless we in the Congress give top priority now to legislate to continue and expand needed programs such as Headstart, to eliminate slums, provide decent housing and end malnutrition and abject poverty.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1929—INTRODUCTION OF A BILL TO PROVIDE FEDERAL PENALTIES FOR CAMPUS REVOLUTIONARIES

Mr. BYRD of West Virginia. Mr. President, the events of the past weekend at Cornell University in Ithaca, N.Y., have given even more sinister dimensions to the wave of revolution and anarchy which is engulfing high schools and the campuses of colleges and universities throughout the land.

The disruptive events at our educational institutions during recent months have been a cause for utmost concern by millions of law-abiding American citizens.

The country has been treated to the nauseous spectacle of campus rebels, from both student and faculty ranks, forcing weak-kneed, spineless administrations to kow-tow to outrageous demands. Our institutions of higher learning are being characterized as places where youngsters go to learn how to riot instead of for an education.

At many of our schools burning and breaking of property and occupation of buildings by students has become the rule rather than the exception. And just recently, student demonstrators bodily ejected a member of the Harvard faculty from his office.

Extreme as these events have been, however, I don't think that just a few weeks ago anyone would have predicted the incredible sight which was witnessed at Cornell University last weekend.

What point have we reached in the history of our civilization when a band of student rebels can arm itself with rifles, hatchets, and shotguns, and then extort concessions from a university administration?

Mr. President, I believe that extraordinary events demand an appropriate response, and for that reason I am today introducing what I believe to be a strong and far-reaching measure providing for a Federal response to subversion of our educational institutions.

My bill, which is modeled after the Civil Rights Act of 1968, prohibits the disruption of the administration or operation of any federally assisted educational institution.

The bill provides a fine of up to $1,000 and/or imprisonment up to 1 year for any person who, with the intent to prevent, obstruct, or interfere with the orderly administration or operation of such an institution, willfully, first, appropriates, occupies, or destroys any real or personal property which is property of such institution, is situated upon the premises of such institution, or is situated within any structure of such institution; or, second, denies or abridges by force, threat of force, or any act of disruption the right of any person to participate in or enjoy the benefits of any class, facility, program, or activity conducted or provided by such institution or authorized by appropriate administrative authority of such institution to be conducted upon the premises of such institution.

The offenses which I have described constitute a misdemeanor unless they result in bodily injury to any other person. The offenses become a felony in cases of bodily injury and, as such, carry a penalty of up to $10,000 and/or 10 years' imprisonment. If a death should result from such actions, the bill provides a penalty of from 10 years to life in prison.

There are some persons, no doubt, who will say that this is an oppressive measure. To the bleeding hearts I say only that firm action is certainly called for in America today to counterbalance the mollycoddling, permissive attitude championed by confused individuals who are seeking to destroy our heritage and our entire system of values.

What this bill proposes, certainly seems reasonable enough, for it does not limit the right of students to present legitimate grievances and requests to the administrators of our educational institutions. The bill only becomes a factor when individuals decide to sidestep the normal channels of civilized, democratic communication in favor of disruptive, intimidating action which infringes upon the right of educators to educate and serious students to learn. And that, after all, is what our schools are all about.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1929) to amend title 18, United States Code, to prohibit the disruption of the administration or operations of federally assisted educational institutions, and for other purposes, introduced by Mr. BYRD of West Virginia, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1911—INTRODUCTION OF A BILL TO PROVIDE THAT TIME FOR VOTING IN PRESIDENTIAL ELECTIONS BE EXPANDED TO 24 HOURS

Mr. GOLDWATER. Mr. President, I introduce a bill and I ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1911) to expand the time for voting in presidential elections to a 24-hour period and to provide that such period shall be uniform throughout the United States, introduced by Mr. GOLDWATER, was received, read twice by its title, and referred to the Committee on Rules and Administration.

Mr. GOLDWATER. Mr. President, in connection with the current discussions throughout the Nation and activities in the Congress relating to the subject of making reforms in the manner of choosing a President and Vice President, I believe it is appropriate for attention to be given to all means whereby our election machinery can be altered and improved so as to encourage and facilitate the maximum participation by our citizens in the selection of such officers. In fact, I believe we would be overlooking one of the most important aspects of the entire area of electoral reform if we did not combine efforts to modernize the system for electing a President with efforts to insure that the greatest numbers of citizens will be able to vote in such elections.

As one who has been involved as a candidate in one of these campaigns, I am especially appreciative of the importance to the American democratic system of obtaining the greatest possible expression of the national will.

For these reasons, I have already submitted a proposed constitutional amendment that would remove the serious limitations on the right vote in presidential elections which result from excessive residence and physical presence requirements. The measure which I offered, Senate Joint Resolution 59, could enable as many as 11 million additional citizens to cast votes to select a President by loosening residence requirements, insofar as practical, and expanding opportunities for absentee voting. This amendment alone could result in an increase in 11 percent in the numbers of voters participating in the election of a President.

Today I offer a second measure designed to broaden the effective voice of our citizens in the selection of the two highest officers in this country. I am introducing today a bill to provide that the time for voting in presidential elections be expanded to a full 24-hour period and that this period be uniform throughout the United States. This means that the polls will open and close across the United States at the same moment. In view of the likelihood that some alternative to the present electoral college will be approved, whether it be the district plan, proportionate system, or direct election method, I have drafted my bill so as to conform with any one of these proposals that might be adopted.

Mr. President, in introducing this bill, I am carrying out an intention expressed when I testified before the Subcommittee on Constitutional Amendments last month concerning reform of the electoral college system.

I am confident that enactment of this proposal would make it considerably easier for millions more of our citizens to vote who now find themselves unable to go to the polls because of the limited period for voting. These citizens may number over 10 million. For example, one recent survey claims that 3 million citizens of voting age were barred from casting ballots because they were unable to leave their work. Several million other citizens were sick or disabled on the day of the election. It is my belief that several million of these citizens and some in other categories would find it possible to cast ballots if the voting period were extended to 24 hours and persons had a choice of convenient hours for voting on portions of 2 calendar days rather than on only 1.

The period I have chosen, from 6 p.m. to 6 p.m., central standard time, is designed to permit voters to use the polls at the end of normal working hours on the first day, through the evening and night of that day, prior to going to work on the second day, and up to midafternoon on the second day. Such a range of choices should enable many millions of citizens to find a time when it will be easy for them to go to the polls, but who are now prevented from exercising their franchise by unavoidable demands on their time or temporary illnesses.

As an additional benefit, my bill could eliminate many of the criticisms arising because of the reporting of significant percentages of the results from some States before the polls close in all other States. With voting spread over a 24-hour period covering portions of 2 calendar days, the possible influence of vote projections should be considerably reduced since people in all areas of the country will be able to vote at a convenient hour right up to the end of the election and the election will not end in one area before it does in any of the other regions.

Mr. President, I hope that serious consideration will be given to this measure by the 91st Congress. The enactment of my proposal would be one more step in assuring that the role of our people in determining their future will be strengthened and encouraged. I believe that this is the only bill on this subject that would conform to any system used for the selection of a President, whether it be the present electoral college method or some other system. Consequently, I would hope that Members of all persuasions may find it possible to support my proposal as a worthy approach to increasing participation by the public in the election processes. If the bill I offer today would be coupled with the constitutional amendment, I proposed to remove excessive residence requirements and expand absentee voting, the impact of both measures combined could bring about an increase of 20 million or more in the number of citizens who vote in presidential elections.

DEDICATION OF BUST OF FORMER SENATOR LISTER HILL

Mr. SPARKMAN. Mr. President, on Sunday, March 30, in Birmingham, Ala., the University of Alabama Medical Center dedicated a bust of former Senator Lister Hill. The bronze bust, the work of sculptor Gwalberto Rocchi, is in the Lawrence Reynolds Library. When the medical center library is completed, the bust will be reinstalled there.

It is not necessary for me to remind the Members of this body of the great achievements in medicine of Senator Lister Hill. I know that all of my colleagues will join me in hailing this new recognition of a distinguished Alabamian.

I ask unanimous consent to have printed in the Record an article entitled "Life-Sized Bust of Senator Hill is Dedicated," written by Dennis Washburn, and published in the Birmingham News for March 31, 1969.

There being no objection, the article was ordered to be printed in the Record, as follows:

Life-Size Bust of Senator Hill Is Dedicated

(By Dennis Washburn)

A 14-year-old youth, Lister Hubbard Hill, stripped the veil from a life-sized bronze bust of his grandfather, Sen. Lister Hill, in ceremonies at Smolian House Sunday afternoon.

And about 75 family friends and officials of the University of Alabama Medical Center applauded the metallic likeness of Alabama's retired U.S. Senator created by famed Italian artist Gwalberto Rocchi.

As Sen. Hill stood beside the bust and addressed the group, observers gazed in fascination from one of the other—from the bust to the Senator, and then back again, and again.

But the Senator made little reference to the piece of art in his remarks to the group.

He reminisced briefly on changes in the world of medicine in recent years, and changes in governmental participation in medicine.

"I can remember when the government's share in medical expenditures was $81 million a year," he said, "And for the past several years this has grown to more than $1½ billion per year."

Observers could hardly help remembering that Hill, himself, was responsible for much of the increased interest of the federal government in medicine.

His personal efforts in medical legislation such as the Hill-Burton Hospital Construction Act has resulted in the construction or remodeling of more than 9,000 hospitals as well as direct federal aid to struggling medical schools, organization of a massive research program in the medical sciences, and the building of centers for treatment of mental illness and retardation.

Sen. Hill spoke about the University of Alabama Medical Center complex in Birmingham. "I remember the first time I visited the Medical Center. It was only one square block then. Now, it occupies more than 15 blocks, and this is only the beginning," he predicted.

"Those who are sick and those who suffer cannot wait for attention," said the Senator. "Men's lives hang in the balance."

He cited the need for a better medical educational program, more doctors, more dentists, more nurses, and the acquisition of more medical knowledge.

"We are here today to dedicate ourselves to a greater, more magnificent Medical Center in Birmingham," said Hill.

And as the spectators started applauding he stepped forward again and quieted them with upraised hand.

"Does that applause mean that you've all enlisted in the cause?" he quipped.

The handclapping volume swelled then.

Dr. Joseph F. Volker, executive vice president of the University of Alabama in Birmingham, introduced Sen. Hill after the unveiling.

Pointing to the bronze image of the senator, Dr. Volker said:

"This bust is here because of the desire of the many friends of the Senator to have his much beloved features reproduced in bronze by a distinguished artist."

Dr. Volker said the bust will remain, for the time being, in the Lawrence Reynolds Library. "Then it will be removed to the Medical Center Library when that is completed," he said.

The bronze bust was commissioned on behalf of the Medical Center as a permanent art contribution in honor of Sen. Hill.

The unveiling was one of the final events of the 1969 Birmingham Festival of Arts.

SENATE JOINT RESOLUTION 99—INTRODUCTION OF A JOINT RESOLUTION TO PROCLAIM HELEN KELLER MEMORIAL WEEK

Mr. JAVITS. Mr. President, on behalf of myself, the Senator from West Virginia (Mr. Randolph), and the Senators from Alabama (Mr. Sparkman and Mr. Allen), Miss Keller's native State, I am today introducing, for appropriate reference, a joint resolution to authorize the President of the United States to issue a proclamation designating the first week in June of this year and every year thereafter as "Helen Keller Memorial Week." This proposal has the support of the American Foundation for the Blind.

As you know, June 1 of this year marks the first anniversary of Helen Keller's death. I am sure that many of my colleagues attended the funeral services here at the Washington National Cathedral, where her ashes are interred, and heard Senator Lister Hill, the distinguished former chairman of the Senate Committee on Labor and Public Welfare, deliver the eulogy for his longtime friend.

The story of Helen Keller's conquest of the staggering double handicap of blindness and deafness is well known. The tireless lifelong devotion of this unique individual to improve the lot of the blind, the deaf, the handicapped, and the economically underprivileged marks her as one of those rare beings with whom the human race is periodically blessed who has the understanding, compassion, foresight, and ability to make people right wrongs and repair neglect. An American, Helen Keller was a true citizen of the world, her enlightened influence resulted in schools for the handicapped and new concepts of human dignity and worth for the handicapped and underprivileged in place of custodial institutions and cruel neglect.

I am very pleased that Helen Keller lived to see the outstanding progress made as a result of congressional action in the development of more effective education and rehabilitation programs for children and adults with all types of physical and mental handicaps. I am glad that she saw the beginning of more effective ways to help the economically deprived break out of the poverty cycle. All of these were matters of great concern to her, and she started her pioneering effort to interest people in social problems well before this concern became established public policy.

A national observance each year in memory of Helen Keller will give the American people for generations to come an opportunity to rededicate themselves to the goals and ideals to which she devoted her long and fruitful life. It is fitting that such a national observance in memory of a unique American be launched with a Presidential proclamation.

The Senator from West Virginia (Mr. Randolph) and I commend this joint resolution to our colleagues and urge their support.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 99) to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week," introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1926—INTRODUCTION OF A BILL TO AMEND THE TUCKER ACT

Mr. JAVITS. Mr. President, during the first session of the 90th Congress, I introduced and the Senate passed my bill to amend the Tucker Act to increase from $10,000 to $50,000 the jurisdictional limitation of the Federal district courts in certain contract cases against the Federal Government. This bill was supported by the Department of Justice and the Administrative Office of the U.S. Courts.

At that time I said that—

> The primary purpose of this bill is to allow former Government employees to join suits for reinstatement with suits for back pay. The former must be brought in the district courts, but the latter must now be brought in the Court of Claims if the amount in question exceeds $10,000.
>
> The Justice Department has estimated that if the jurisdictional limit were raised to $50,000 as contemplated by this bill, more than 99 percent of the backpay claims could be heard in district court—freeing the Court of Claims for more important work and considerably reducing the cost of litigation for claimants outside the Washington area. In addition almost one third of all the other contract cases against the Government could be heard in district court.

Since that time, it has come to my attention on numerous occasions that this bill would in addition confer substantial benefits upon our Nation's small businessmen.

The Senate Select Committee on Small Business, of which I am ranking minority member, the Small Business Administration, the Department of Defense, the Government Supply Agency, and others are all making a concerted effort to insure that our small businessmen receive their share of Government procurement. This greater involvement in Government procurement has had the predictable effect of involving these small businessmen in contract claims with the Federal Government.

Under the present jurisdictional limits, all of these claims in excess of $10,000 must be heard before the Court of Claims here in Washington, D.C. This, of course, places an extreme hardship on a small businessman with a claim over $10,000 by requiring him to either retain Washington legal counsel or bear the additional expense of having his local counsel travel to Washington, often consuming several days in the process. In addition, witnesses, exhibits, records, documents, and other physical evidence of both the claimant and the Government are often required to be brought to Washington frequently at substantial additional cost to both the Government and the claimant.

The jurisdictional limits of the Tucker Act have never been amended since 1887, a time when $10,000 represented a significantly larger sum than it does today. And in view of the expanding operations of the Federal Government resulting in an ever increasing number of contracts throughout this Nation it is imperative that persons contracting with the Government be afforded a reasonable opportunity of having their smaller contract claims adjudicated in their local Federal courts. I, therefore, send to the desk, for appropriate reference, a bill to amend the Tucker Act which is identical to the one offered to the 90th Congress passed by its Senate.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1926) to amend the Tucker Act to increase from $10,000 to $50,000 the limitation on the jurisdiction of the U.S. district courts in suits against the United States for breach of contract or for compensation, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1926

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of subsection (a) of section 1346 of title 28, United States Code, is amended to **read as follows:**

"(2) Any other civil action or claim against the United States, not exceeding $50,000 in amount, founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort."

FUND FOR EDUCATION IN WORLD ORDER

Mr. JAVITS. Mr. President, on March 5, 1969, Senators FULBRIGHT, MCGOVERN, and I addressed the Fund for Education in World Order's National Convocation on the Challenge of Building Peace. As it was reported widely in the press at that time, the meeting was invaded by a group of demonstrators disguised as waiters, who disrupted the proceedings, waving Vietcong flags and marching around the room carrying pigs' heads on trays.

I had been informed that such a disruption was imminent, but I determined to go on in any event, because I think this Nation must not allow disruptive forces to suppress the very right of free speech and discussion which they, erroneously purport to exert.

Nothing could be farther from the American tradition than this kind of demonstration. The Constitution protects the right of free speech and assembly, but has never protected a disruption designed to destroy someone else's right to peaceably assemble and speak.

I do not question the right of demonstrators to hold their own meeting and discuss whatever they wish. Nor do I question their right to peaceably and nondisruptively demonstrate outside someone else's meeting, or to heckle reasonably. But the invasion of a private meeting for the purpose of undermining a free exchange of views among those who have devoted considerable time and effort in planning a meeting is something which I deplore and which has no place in the American political tradition.

Mr. President, I have here the verbatim transcript of these proceedings, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

FUND FOR EDUCATION IN WORLD ORDER

(National Convocation on the Challenge of Building Peace, New York Hilton, New York, N.Y., March 5, 1969)

Master of Ceremonies: Chet Huntley.

Greetings: Randolph P. Compton, Jack P. Jefferies, Stewart Rawlings Mott, and Matthew B. Rosenhaus.

U.S. Senators speak out: J. WILLIAM FULBRIGHT, JACOB K. JAVITS, and GEORGE MCGOVERN.

Mr. MOTT (in progress). Today we have with us some of the most important workers in the voluntary organizations, in the academic community and those from Washington. I'd like to introduce those at the head table who will not be introduced later in the program, and I'd like to ask them to stand as I read their names and continue standing until I give you the signal for applause.

First, on your left, is Miss Josephine Spencer, who is Secretary of the Fund for Education in World Order.

Next to her is Earl Osborn, who is President of the Institute for International Order and a member of the Board of Trustees of The Fund.

Next is Sen. Joseph Clark, former senator from Pennsylvania. Sen. Clark is now President of the United World Federalists.

Next is Mr. Randolph Compton, who is Chairman of the Board of Trustees of The Fund for Education in World Order.

Next is Mrs. Gardner Cox from Boston, a long-time friend of the peace movement.

Sen. ALAN CRANSTON of California.

Moving to my left, a man who is unknown to many of us in New York and who has represented himself very well both in the program last night as well as today's panel session, Sen. Robert Packwood from Oregon.

The next is—he needs no introduction. Paul O'Dwyer.

Mrs. Maurice Pate, a member of the Board of Trustees of The Fund for Education in World Order.

Congressman CLARK MACGREGOR, Republican of Minnesota.

Sen. Ernest Gruening, former senator from Alaska.

Mr. Seth Milliken, another long-time friend of the peace movement and of The Fund.

Mr. Malcolm Andresen, a Trustee of The Fund and co-chairman of our Finance Committee.

Mrs. Betty Lall, a nationally-known expert on arms control.

The Hon. Jack Gilligan, former congressman from Ohio.

And Michael Washburn, the Executive Director of The Fund for Education in World Order.

A round of applause for them all. (Applause.)

Today we have come together to ask ourselves the question and ask of our experts in the academic community and in government: What can we do to promote the cause of peace? I think that each of you, among the circles that you move in and the work that you undertake every day, you have that same gnawing question asked by people who have willing spirits and are looking for a role. I think today, in this major convocation, we have an opportunity to come together for educational purposes, to talk about the issues and to speak our mind.

We are very thankful to those of you who have helped to make that convocation possible, to each of you who became sponsors of the convocation and sent in a check to help underwrite the cost of it. We're thankful to all of the speakers who have given you a day of their time to come and participate fully in this day's work. And we're thankful especially to the foundations and to the corporate sponsors who have been willing to step out and to put the name of their corporation or of themselves on the line on behalf of peace. And particularly I'm thinking of men like Robert Stewart of the National Can Corporation and Joseph McDonald of Servomation, and many other of you businessmen who have come together for this purpose. (Applause.)

And next I'd like to introduce my co-chairman and a prominent businessman himself, President of the J. B. Williams Company, Matthew Rosenhaus. (Applause.)

Mr. ROSENHAUS. Thank you, Mr. Mott.

Honored Guests, Ladies and Gentlemen: I hope that today will mark the beginning of a significant effort toward peace in the world. They say that great oaks from little acorns grow, and we are just learning to crawl. We have a very simple, naive faith. We believe that the people of the United States, the people of the world, want peace. They've waited thousands of years for it, and we think that the time is coming up now when they're going to get it. (Applause.)

More than that, we are convinced that the brain power is now living here and throughout the world that can build a structure for peace, and we mean to stir up that brain power and put it to work.

We need your help. We need everybody's help in this effort. Peace is everybody's business, and we hope that all of you, when you depart today, will remember to tell your friends, tell your acquaintances. Let's all get together in this and let's help build the peace that we all want.

It is now my happy privilege to introduce the President of our Fund, Jack Jefferies, on my right. (Applause.)

And also the Chairman of our Fund, whom you were introduced to a moment ago, who is a grand guy and really started this whole thing, Randy Compton, who is going to make a presentation. (Applause.)

Mr. COMPTON. Friends, Honored Guests and those here on the dais who are all, with the world, interested in one subject: how to develop a better world order:

I have believed that education, especially that of young people, must be a key element in any effort to build a just and lasting peace. Some months ago The Fund started a program to provide support for research, training, in problems of peace, and today I am delighted to announce that two of the first fellows to result from this program, the first grants, are being given in honor of the two co-chairmen of this Convocation, Mr. Stewart Mott and Mr. Matty Rosenhaus, whose contribution to The Fund's effort to build public support for peace, education, has already been immense, as we see from the response here today.

I'd like to ask Jack Jefferies to present the fellowship program.

Mr. Jefferies. The Matthew B. Rosenhaus Fellowship in World Order Studies is being presented this year to a young woman from the Columbia School of International Affairs, Miss Geneese Gottschalk. Geneese is studying arms control and peace-keeping at Columbia, and after leaving Columbia she plans to work at the United Nations in these same areas. (Applause.)

The Stewart R. Mott Fellowship in World Order Studies is being awarded to an outstanding Ph. D. candidate associated with the Michigan Center for the Study of Conflict Resolution, Andrew Seville. Andy will complete a fascinating dissertation on policy-making attitudes and perceptions of State Department officials as they relate to our foreign policies on arms control, Vietnam, the United Nations and our problems of peace. We believe that Andy will go on to make many important contributions to our peace. (Applause.)

Thank you.

Mr. Rosenhaus. And now, a gentleman who needs no introduction, except I would like to say two things about him. No. 1, in an industry where few last and survive for two or three years, he's made a great record. This gentleman is about to begin his fourteenth year. Also, they didn't get enough from him five nights a week so they extended him to six nights a week. Your friend and mine, Chet Huntley.

(Applause.)

Mr. Huntley. Thank you, Mr. Rosenhaus.

Mr. Mott, distinguished Guests and Ladies and Gentlemen:

This Convocation, this dedication to an effort in behalf of peace, does not occur by accident. It does not take place in limbo. It is the product of something—of hope, or work, of financial investment and the conviction by a great number of men and women that world peace is a valid and attainable objective.

I suggest there is present in this country and perhaps in the world a new dedication to peace, a new determination to achieve it. For example, how to realize peace was very much an issue in our recent political year, and the pledges which were made in behalf of it were certainly not frivolous. The national desire for peace and the frustrations accruing from its absence had tremendous impact on the political decisions and political events of last year. Recently we read the excellent report of a committee working under the auspices of the American Association for the United Nations. The central thrust of that report was, again, a call for a greater constituency in behalf of peace and a convincing argument in behalf of the premise that it can be had.

Recently, again, I believe some of the distinguished senators and congressmen present here today were petitioned in Washington by the leaders of a new women's organization boasting 50,000 members, founded in Beverly Hills, California, dedicated to work in behalf of peace and demanding that a federal department for peace be created and that it be given Cabinet status. (Applause.)

I would point out that although the volume of American and worldwide student unrest is frequently so high that it's difficult for us uninitiated to comprehend all that's being said, yet it is clear that the call for peace runs strongly through all the talk, all the literature, all the chants, all the music and all the turmoil of our young. (Applause.) This determination of millions of the world's young to achieve and maintain peace is indeed one of our greatest hopes and our finest assets. (Applause.)

Peace has had no greater champion anywhere than the men and women of our own and foreign scientific communities. Peace and education are virtually synonymous. It was Senator Fulbright who said in a 1966 speech in Stockholm, "Education is a slow-moving but powerful force. Far from being a means of gaining national advantage in the traditional game of power politics, international education should try to change the nature of the game, to civilize and humanize it in the nuclear age." (Applause.)

Another encouraging development of these post-war years has been the quickened interest in peace and the investment in its pursuit by American businessmen and industrialists, and our artists, and indeed most of the artists of the world, have been splendid ambassadors for peace. And there are many others, groups and individuals, and we need them all.

The quest for peace is never the exclusive project of one group, one profession or one people. It would be most difficult, I believe, to determine who makes or who can make the finest contribution to it. The will to international peace can and does come from the most humble sources and from the most unstudied, unpremeditated acts. It can germinate from a smile or the clasp of a hand, and it can come from those who have no great names nor reputations. We also know it can be nourished by kings and presidents and by ministers and lawmakers. But I have seen peace advanced by an American handing a ballpoint pen to a young Russian. I have seen and heard it generated from the trumpet of Louis Armstrong. Our scientists, who converse with Soviet and other foreign scientists, have a tremendous capacity for the promotion of peace. Students and youth are tremendous forces for peace, and we might well consider ways and means to export more of our own, for modest periods of time, and to import all we can. (Applause.) The Fulbright Scholarship plan has been a tremendous peace instrument.

Yes, I think there is a quickened interest and a renewed determination in behalf of peace. We all recall, I am sure, those buoyant and bright days of 1944 and early 1945 when the organization of peace fascinated us. Even in small American towns and American communities you could find citizen organizations working on peace formulas, writing charters, constitutions, preambles and bylaws. But then peace slipped by us. It was not to be—not yet. And many of us, I think, grew cynical. Indeed, the temptation was there to regard peace as an idle dream and a delusion.

But hopefully that spate of cynicism is coming to an end. Perhaps more of us are coming to comprehend at last that there is actually no alternative to peace except despair—(applause)—no alternative except despair and ultimate ruin, and that is not consistent with the nature of man. Peace is not one of several choices. It is the only choice. But it is one that mankind has to make. So it is mandatory, my friends, that we believe in it, that we work for it and that we invest in it.

Now, it is my happy privilege to introduce the distinguished Senator from Arkansas, J. William Fulbright, Chairman of the Foreign Relations Committee.

(A standing ovation.)

Senator Fulbright. Mr. Mott, Mr. Huntley, and ladies and gentlemen—

(A demonstration disrupted the proceedings.)

Mr. Mott. Ladies and gentlemen, we were expecting something of a demonstration today. We would have been disappointed if we hadn't had it. (Applause) In fact, I was prepared to yield one or two minutes of my time on the program to any responsible spokesman who would want to come up here.

I think they've had their say and I think we are pleased now to come back to Sen. Fulbright.

(Applause.)

Senator Fulbright. You never come to New York that you don't get interesting meetings. I suppose that's one reason we just can't get along without New York, because it adds spice and interest to our lives.

It's a great honor to be invited to such a large meeting. Last summer, when I was running for reelection, I don't recall that I ever saw so many people together in one place. But there are a number of those here today who were very helpful in that endeavor last summer, and that's one reason why I'm here.

It is a great honor to participate in any kind of meeting in which the objective of peace and particularly education for peace is the principal theme. Having been an old professor, of course, this has been my own approach. I felt, ever since I entered public life, even before the Congress, that this was the one hope—that is, it's long-term, but it is the hope.

It's true today that, I think, nearly everyone is for peace. The trouble has been in the past that they're always anxious for something else a little more. And this has been true particularly of those who have the responsibility of government. There is something very strange that happens to all of us, I suppose, who are designated by their fellow citizens as their representative to protect the national security. I think this is a strange psychological phenomenon. I've never quite understood it. I don't today, when I see the transformation that takes place in people who are given great responsibility in public office.

One of the purposes of the committee on which I have the honor of being chairman is to educate just such people. That has been its objective for a number of years. The hearings which we have to a great extent are educational hearings. The ones we will have in the coming year will be educational hearings. And I can't say how glad I am, how pleased I am, that the distinguished senior Senator of New York is now a junior member of that committee and will add a great deal. (Applause.) I know that Sen. Javits brings to that committee a long experience and will add a great deal to these educational hearings.

There are many different aspects of this problem. You will have the ABM discussed, and Sen. Javits, I'm sure, will refer to it. We are having hearings tomorrow in my committee—in a subcommittee of my committee, tomorrow on this subject. The Symington subcommittee is talking about a different aspect of this same struggle for peace, going into the impact of our presence abroad in so many countries upon our foreign policy. There are many different aspects of it.

The one thing which my committee is thinking now of—(disturbance).

Mr. Mott. If there is a spokesman for the group which is making the current demonstration who would like to come to the podium and make a one-minute statement, we welcome your coming to this podium for that purpose. Otherwise—if there is one person who would like to speak for the group—Excuse me, sir.

We have a gentleman here who would like to make a brief statement—we will keep it to one minute—to demonstrate we believe in the freedom of speech and free expression, and after the presentation we would like to proceed without interruption with our program.

Go ahead.

A Speaker. The question that we're asking is how long liberal America is going to deceive itself with these kinds of peace convocations and meetings. The power structure of this country, which is represented by people sitting at this table, either positively or negatively, is not going to allow peace as long as it puts money into their pockets. Why isn't General Motors out there? Why isn't Lockheed out there? The reason that they're not out there is that they are suppressing and murdering people all over the world and you good people are standing by and allowing it to happen.

To talk about peace is nonsense. What we have to talk about is that we have and we have had since the Second World War a liberal country. Johnson was put in by the largest plurality ever and we all turned three or four years later and said that the militarists have taken over. Of course they've taken over. You people let them.

A Voice. Who are you? Who do you represent?

Same Speaker. I represent no one but myself. It's not important, my name. We're into too much of my name is this, my name is that. The problem is that the people here do not represent anybody. You are individuals who represent yourself, and until you begin to talk as such, it doesn't mean anything.

The media stands up here and makes a statement about peace. He did not say anything that deals with the problems that exist in the world today and the problems that exist in this country—all we're here to tell you—we're here—what we're trying to say is that until good people like all of you stand up and say this country—this country is riding roughshod, economically suppressing people in South America, in Asia and in Africa—until we stop the power leaders of this country from doing that, we will not have peace. And there are people and they are my brothers and they are here and we're going to pull it down around your heads. (Applause.)

Mr. Mott. Personally I welcome the intervention, and I think there are many in this room who agree with the last speaker. (Applause.)

Now, I shall ask the security guards to make it possible for us to proceed without further interruption because we have a tight schedule. We'd like to get on with our program. I'm sorry that we cannot permit individual statements which would otherwise eliminate our program for the day.

I'd like to welcome Sen. Fulbright back to the speaker's table. (Applause.)

I'd like to call for order, please, and I'd like to ask the security guard to remove from the room any of those who would like to continue disrupting the meeting.

I'd like to ask the assistance of the security guard to bring order to the room.

Ladies and gentlemen, if I may have your attention, please. Because of our tight time schedule, I'm going to ask Sen. Fulbright to return to the podium and to continue speaking. I hope you will all give him your full attention, regardless of whatever interruption you may have. (A standing ovation.)

Senator Fulbright. Well, there is nothing I could possibly say that would be nearly as eloquent about the difficulties of achieving peace as you've seen here today. (Applause.) Those things which are of significance in working for peace are very controversial, as the young man who just spoke mentioned, and as the people always do, because it does affect many old traditions and many interests which have intrigued and fascinated the human race since the beginning of time. After all we have had, the customary way of settling disputes or the customary way of carrying on national activities has been through the use of force. To make a change in this is going to be extremely difficult.

I would only end, because it's not a very good time to try to be too specific, to say that the Committee on Foreign Relations is going to undertake some hearings I think of a rather unusual approach, which will not be related to a specific measure.

I don't know whether you can hear me or not. (Applause.)

But I've become extremely interested, and other members of the committee, too, are trying to have hearings which may be considered educational in the broadest sense as to why great countries like our own, in spite of our desire for peace, have always seemed to engage in a succession of wars. This involves a study of the psychological aspects of national behavior and it will, if done properly, undoubtedly arouse a great many questions in many people's minds, because there will be some activities which are traditional, which will have to be examined. We like to think of ourselves, just for one example, as being a peace-loving nation, and we all profess it, as has already been professed.

Well, I must say I've been heckled in my campaigns, but not quite as persistently as they do in New York.

But in any case, Sen. Javits is going to speak and Sen. McGovern. Perhaps they won't arouse quite the same interest as I do.

But we will have committee meetings in the very near future which I hope will be interesting to you and I hope that it will be a means by which we can bring matters of interest to you from people who have given very deep thought to these difficult problems.

Thank you very much for your very cordial reception.

(Applause.)

Mr. Huntley. Well, one day a little wisdom will settle upon our young friends and then they may indeed have something truly remarkable to say.

Now, it is my privilege to introduce the senior Senator from the State of New York, the Hon. Jacob Javits.

(Standing ovation.)

Senator Javits. Thank you very much, Chet Huntley.

My colleagues in the Senate, my colleagues in the House and my former colleagues in the Senate who are here, whom I am delighted to welcome with you all, Mr. Mott, Mr. Rosenhaus, Mr. Jefferies, ladies and gentlemen:

I'd like first to say that I think Bill Fulbright, my chairman, is one of the greatest sports as well as one of the greatest men this nation has ever seen. (Applause.)

Now, I shall finish my speech, I might just as well tell my heckling friends, and I shall not even draw a long breath or stop in the course of it. So they can carry on as much as they like.

Now, it's the kind of an occasion, I might say, ladies and gentlemen, in which a speaker is minded to say, "I'll put this in the record and tell you what I really have on my mind," and that's what I intend to do in the five minutes that I shall take.

You are hearing something which we all experience in public life and something which needs very urgently to be commented on in the struggle for peace, the reason for this luncheon. For, I do not believe that the cause of peace will be advanced by those who would use violence to suppress even its opponents, let alone its friends. (Applause.) And with all due respect to those who may be uttering loud cries—and as I said a minute ago, I've had too much experience with it to stop speaking—I might tell them that it's just as much violence to try to destroy a meeting by a protest of this character—and by such unbelievably bad taste—as it would be to storm in here and upset the tables or to throw a stink bomb.

Now, what is the answer? Now, what are the rights of protesters to participate in this meeting? I think that Mr. Mott was unduly generous in allowing time to the speaker for the protesters. This is not a meeting out in the street where you are campaigning, like I have, and where you occasionally do that, or answer any questions that come along. This is a meeting to present very distinguished men, Sen. McGovern, Sen. Fulbright, to deal with an extremely serious subject upon which people want to be educated.

The rights of protesters are to be given a frame of reference, an opportunity to persuade the people—but not to ride on the back of this organization holding this luncheon. Can the protesters attract this kind of a luncheon audience themselves in the opportunity to persuade those who they think need to be persuaded? But I will not let them, and I don't think you ought to let them—it is your attention, your applause, your interest which is the test—I will not let them coerce me and I hope you will not let them coerce you. (Applause) It's just as much coercion to be compelled to come here and see and hear something that you didn't want to see and hear and didn't buy the privilege of seeing and hearing and didn't invite seeing and hearing as it is to hit you over the head and tie you to a chair and make you listen.

Now, I've said what I had on my mind and I shall take the other two minutes to deal with the basic subject which I was going to present to you today. But I'm deeply exorcised because this is my town. This is not the kind of a reception that New York gives to Sen. Fulbright and to Sen. McGovern and to other very distinguished senators of the United States, and if no one else is going to tell them that, I feel it my duty and my privilege to tell them that myself. (Applause.)

Now, the essence of our situation—and I shall deal with quite a different subject from that of Sen. Fulbright and probably from that of Sen. McGovern—is that there is an extremely great opportunity to make a real breakthrough for peace right now, and that opportunity relies upon the fact that the Senate will undoubtedly ratify, in my judgment—apparently it's the President's judgment—the non-proliferation treaty. (Applause) Given that opening, an enormous mixed question of politics and security will be presented to the United States, and that question will be incorporated in whether or not the nation proceeds with further procurement or deployment at this time of an antiballistic missile system.

Now, many of us believe, in the Senate—Sen. Fulbright has been very much a leader of this kind of thinking—that the security of the United States does not require that we proceed in this way. We believe that the opportunity presented by the provision in the non-proliferation treaty—Article 6 of that treaty, which calls for good-faith negotiations on the limitation of armament and on disarmament will afford us an ideal opening to try to negotiate, especially with the other super power, a real arms limitation. Probably such a negotiation would be really the basically first one in terms of the real nuclear hardware in the world, a real limitation upon the onward rush of nuclear preparation which so many of us believe can get to the point sheerly by virtue of automaticity where we won't be making the decisions any more but they'll be made blindly and without any human intervention by some computer.

And we believe that this decision cannot be a military decision alone because if it is, it will mean the procurement and deployment of the ABM, now a thin system, ultimately the works. But we believe that this must be admixed with the political judgment that this is the time when, if we stop—and we can stop, in our judgment, without necessarily putting any time tag on it, without jeopardizing the security of the United States—that if we stop, there is a real chance to get somewhere on nuclear arms limitation.

Therefore, I have only one message for you. One of the big problems of all liberal groups is that they are magnificently idealistic, but they're so long-term that nobody could care less. Here is an immediate opening on ABM deployment in which the peace movement in this country can really get started in a very tangible way with a very practical result and with a real likelihood of success. And so I beg of you, look into this question carefully, read as much about it as you possibly can, listen to our hearings—they'll be open and public, as Sen. Fulbright has said—and get behind the twin proposition that history will have presented us when we ratify the non-proliferation treaty. History will have presented us with an unparalleled opportunity to begin to reverse the onward rush of the nuclear arms race. The greatest blow for peace which we can strike, the greatest new plateau upon which we can stand, is that the two super powers—now really receptive and ready—have the support, the urging of public opinion to bring about the true beginning of an effort to attain a rule of law instead of the rule of force in this world. And that is by the negotiation, the successful negotiation of an arms limitation agreement beginning with the very practical, immediate step of a limitation on or the elimination of the antiballistic missile.

Thank you very much.

(Applause.)

Mr. Huntley. The next speaker is a young man who enriched our political dialogue last year, Chairman of the Select Committee on Nutrition and Human Needs, Sen. George McGovern of South Dakota.

(Standing ovation.)

Senator McGovern. Thank you very much, Mr. Huntley and my colleagues in the Senate, ladies and gentlemen:

I would like to begin by saying that I come here as a member of the United States Senate who, for 5 or 6 years, has carried a heavy heart and a deeply troubled mind about the course our country has been following in Southeast Asia and also about the areas of neglect here in our own society. But I must say that nothing that has happened in the beginning of our attempt at a dialogue here this afternoon has done anything but deepen the troubled character of both my heart and mind, because I am convinced that we diminish the chances for peace in the world and we degrade our own society when we do not pay each other the honor of a respectful hearing. (Applause.)

Some 200 years ago Edmond Burke, the great parliamentarian of the British people, made an observation about his age: "I am aware," he said, "that our age is not what we all wish, but I am sure that the only means of checking its further degeneracy is to concur heartily with whatever is best in our time." And it's in that spirit that I am pleased to be associated with the organizations and with the people and with each of you who are represented here today who are trying, each in his own way, to identify himself with what we believe to be the best in the traditions of our country and in the hopes for the future.

Six years ago the late President Kennedy spoke to the students at American University in what I believe to have been his greatest speech, his most imaginative speech, and in that speech he described his own vision of a world at peace. It was not, he said, a world of the pax Americana enforced by American military superiority. Neither was it a balance of terror maintained by the super powers. Rather, he said, it is a world made safe for diversity in which there is the opportunity for difference of ideology, difference of political philosophy and difference of viewpoint on the issues facing all mankind. And then he said that peace must begin with each one of us, with our attitudes towards each other, with our attitudes towards the Soviet Union and with our attitudes towards our own place in the world as a great power. The President concluded his remarks that day with the announcement that he was stopping the testing of nuclear weapons in the atmosphere, no matter what any other power did, and that we would not resume if other powers did not engage in the testing of weapons. He went on to add that the risk inherent in disarmament and in reductions of the arms race would pale by comparison with continuing on the course we were then following.

Now, I think that perhaps without thinking through all the implications of it, most of us accepted the wisdom of the late President Kennedy's words just as we accepted the earlier warning of President Eisenhower that there is no longer any reasonable alternative to peace. The question then is: Why does the arms race continue? When the President spoke, our military budget stood at 53 billions of dollars. In fiscal 1970, which is immediately ahead of us, if we add in the anticipated supplemental requests, we will be dealing with a military budget of somewhere around 90 billions of dollars; and added to that are the substantial continuing costs of past wars, which bring to nearly 72% of our total federal budget the amount going to war purposes. This is seen in contrast with some 11% that we allocate for the whole range of society-building programs in the field of education, health and community development.

Now, I hope this afternoon we can be clear on one central fact. We cannot meet the challenge of a turbulent developing world with military power (applause) and we cannot resolve the ferment and the protest in our own society by force of arms. (Applause) There are problems all around this world of enormous significance to every mortal on this planet that cannot be reached with a B–52, and there are problems here in our own homeland that cannot be met by any show of power or force. And that is why we should bring an end to the war in Viet Nam and make certain that never again do we stumble into a cruel and futile effort of that kind. (Applause)

It may very well be that the only lasting value that will come from this tragic experience in Southeast Asia is the lesson that it has to teach us, that we need to look more critically at our preoccupation with military power and begin laying the foundations for more enlightened political judgments. And that, I take it, is the central purpose of this conference.

Beyond this, our recent divisive and turbulent experiences here in our own land should lead us to reexamine the domestic priorities, the domestic agenda that is before us. Today our military capability is vastly greater than it was six years ago when, as a first-term member of the Senate, I suggested a 10% reduction across the board in our military spending. So I would like to suggest here today, with a new sense of urgency, that we inaugurate in the fiscal 1970 military budget an across-the-board cut of at least 10% in military spending. (Applause) That reduction could be administered by the Secretary of Defense in the manner he deems most responsible, but there are areas of specific urgency that I would like to suggest that be high on the list of eligible cuts in the field of surplus spending.

One of those is the ABM system (applause) which we do not need, which will add nothing to our security, from all indications, and may in fact aggravate the dangers to this country by introducing another round into the arms race. There are other items in the military budget that time does not permit to tick off here today, but to suggest that there is within that enormous, swollen budget ample room for a modest 10% cut.

Now, it may be argued that defense matters are too crucial to the nation's security to seriously consider reductions of that kind. But that argument overlooks the larger dimensions of national security. If we are so preoccupied with armament spending that we permit the largest and most sophisticated cities in this country to decay at the center while millions of Americans are ill fed, ill housed and ill schooled, I do not regard that as sound national security policy. (Applause.)

Where is the wisdom in devoting so much of our own resources or talent to military defense that we undermine the foundations of the very society we are trying to defend? (Applause.) The size of the military appropriation is so enormous that, to a considerable degree, when we pass judgment on that budget we are determining much of our priorities and much of our domestic agenda.

In 1969 we are approaching, if our hopes for the end of this tragic war are realized, a period in which our capacity to convert to peacetime purposes will be sorely tested. That is the reason for the Economic Conversion Act that was introduced in the Senate yesterday by myself and by my co-sponsor senators now totaling some 35 members of the Senate, which is designed to give us a greater capability of converting from an excessive military spending to peacetime purposes.

I conclude with this question: Will we permit our country and our posture in the world to fall increasingly under the sway of military considerations or will we have the wit and the wisdom to realize that we could very easily lose the American dream if we continue to pursue the illusion of security through armaments? Before we make that choice, let us recall the words of Virgil: Easy is the descent to hell. Night and day the gates stand open. But to reclimb the slope and escape to the outer air, this indeed is a task.

That is the common task that ought to bind us all as mortals. It's a task well worthy of the best effort of each one of us.

(Standing ovation.)

Mr. Mott. Sen. McGovern, Sens. Javits and Fulbright, Chet Huntley, we are profoundly grateful to you for having come to New York today to talk to one of the most significant parts of the peace constituency which you need to support your actions in Congress.

We are especially lucky today to have with us five brand newly-elected Senators who will be in Congress for the next six years and who will be able to represent in large part our point of view. We are thankful to Sen. Packwood and Sen. Cranston deeply for participating in today's program.

Earlier today I was asked about the program we had last night. We had a small meeting of the speakers, the sponsors, and someone said, "Where are the young people?" Well, I'm very pleased to say that other than those young people from whom you have heard so vociferously, we do have in the audience today nearly 1,000 young people from universities all over the country who are members of the constituent organizations participating in the Fund for Education and World Order who have come to join us. (Applause.)

I'm pleased also to be able to announce that thanks to the dinner gathering last night and some of the commitments made by individuals here in this audience, that the Fund for Education in World Order has identified an aggregate support for its program for the next year the sum of $400,000, and that's just the beginning.

I'd like to point out to you that many of the organizations have put literature on the tables just outside the ballroom and you are invited to pick up the pamphlets that are there for distribution.

I'd like to call to your attention also that two weeks and a day from today, on March 20th and 21st, there will be a very important meeting on U.S.-China relations, which you are urged to attend. There is a brochure describing that on the outside table.

The National Education Television Network has covered today's program most adequately, and there will be a highlight summary of the features of the program today played tomorrow night at 9:00 o'clock in New York. There will be a program on Newsfronts tonight, and I understand that the entire program will be repeated on Sunday. You will have to check your schedule to find the times for that. I believe it's going to be screened on the nationwide network of NET.

I think the solutions to peace are quite simple. I am puzzled sometimes by the very complicated arguments put forth by many of the peace organizations who often war with each other as to the methodology. To me it seems very simple to make a plan of action to spend $5 billion not for the ABM but to produce textile machinery and other badly needed health services and supplies that can be shipped to the red menace in Russia or China that we so fear. It strikes me that we need to create a climate where conscientious objection is dignified and respected and made easy. (Applause.) It seems so simple to me that with a phased buildup of troops in Viet Nam, that we could have with equal ease a phased withdrawal of troops from Viet Nam. (Applause.)

We are not here today to pass resolutions. This is not a delegate body. However, because of Sen. Fulbright's hearings in the Foreign Relations Committee which begin tomorrow and because we understand that President Nixon is likely to bring the ABM issue to a head starting early next week and call for construction, continued construction on the ABM sites, it has been suggested that we at least give a voice vote approval to a resolution. You're not being asked to represent your organizations, only to give your opinion as individuals. The resolution reads as follows:

In the absence of a consensus of public opinion on the ABM system, we urge President Nixon to defer indefinitely any further construction on ABM sites and to permit ample additional hearings on the subject in both the Senate and the House.

Do I hear an affirmative vote? (Applause.)

I'd like to point out that our panel starts promptly at 2:30 this afternoon. You are requested to vacate the ballroom so that the tables in here can be set up for the afternoon session.

And once again, I urge you to read the literature describing the Fund for Education in World Order, to support the organization, and I thank you all for coming. (Applause.)

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOSS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

BONNEVILLE UNIT OF THE CENTRAL UTAH PROJECT AFFECTED BY BUDGET CUTS

Mr. MOSS. Mr. President, because Utah escaped with a relatively small cut in reclamation construction funds in the budget revisions which President Nixon sent to Congress, the people of our State should not be complacent. The fact that the Nixon administration proposed such deep cuts in reclamation construction—a total of $38 million in 17 Western States—does not bode well for the future of our most important water project, the Bonneville unit of the central Utah project.

The Johnson administration had asked for $8 million for fiscal 1970 for Bonneville, and the Nixon administration did not cut this back for the simple reason that these funds were all obligated, and could not be cut.

But our neighboring States were not so lucky with their reclamation projects—Nevada, Colorado, and Wyoming all took stiff reductions.

We Utahans had hoped to increase our $8 million for Bonneville to at least $15 million. But with our neighboring States taking such cuts under the Nixon budget in their projects, Utah's chances of getting more money for Bonneville have gone aglimmering, I am afraid.

And this is tragic, because at the rate we are proceeding, it will take a hundred years to complete the central Utah project—and we cannot afford to wait that long. The heartland of Utah must have more water if we are to continue our progress.

I take vigorous issue with President Nixon in some of his decisions as to where Federal funds should be cut. He gambles with the future of the West when he cuts reclamation. It is rash and reckless to cut so deeply in funds for projects which we in Utah must have to survive.

There are many other places the President could cut the Federal budget with less harm to our people. Let us cut some of the frills before we cut basic programs like reclamation.

I suggest we abolish the Subversive Activities Control Board, for instance. This board has 14 people on its staff, and its five board members each get $36,000 a year. Yet for years they had absolutely no cases before them. Only recently, the Justice Department has given them a few cases to try to justify their existence. Yet the budget request for the Board for fiscal 1970 is for $365,000.

Let us cut the $200,000 we spend each year to advertise American cigarettes overseas. Since 1956 we have spent about $3 million to promote U.S. cigarettes and tobacco overseas. About a million of this has been spent since the Surgeon General made his damaging report on tobacco and health. Yet even since we have known beyond any doubt that smoking was injurious to our health, we have continued to spend taxpayers' dollars to promote more smoking.

Or, if you want to get at the root of the tobacco question, why do we continue to pay price support money to farmers who raise tobacco? The net price support cost of the tobacco crop in the fiscal year 1968 was $1.8 million. I, personally, would feel a lot better if we were spending money to help find alternate crops for tobacco farmers so they could make a living without having to grow a crop which is harmful to many people.

Or, finally, if you want to get into the area of real savings, why do we not admit now that the Safeguard antiballistic missile will not give this country any additional measure of real security, and cannot be justified? We could then save at least $2 billion in 1970 and some $7 billion in all.

The cuts proposed in reclamation construction by the Nixon administration are a bitter pill for the West to swallow, when there are such glaring examples of more justifiable budget cuts which could be made.

When we cut reclamation funds, we strike at the hopes and aspirations of the people of Utah and all of the West. We cannot afford to have these programs gutted, and I will certainly do what I can to see that Congress votes to override these unreasonable reclamation slashes.

WHY SHOULD WE BUILD A NEW MANNED BOMBER?

Mr. PROXMIRE. Mr. President, in former Secretary of Defense Clark M. Clifford's "posture" statement on the 1970 defense budget, which was prepared by him and the Defense Department on January 15, 1969, the figures given for United States and Soviet intercontinental bombers were as follows:

United States	646
U.S.S.R.	150

These figures, found on page 42, give the strength of each nation as of the first of September 1968. These are the heavy bombers which could fly two-way intercontinental missions. In a footnote it is pointed out that the Soviets also have a force of medium bombers and tankers capable of striking Eurasian targets.

NO EVIDENCE OF SOVIET DEPLOYMENT OF NEW BOMBER

On the following page, the then Secretary said:

> The estimate of the Soviet manned bomber force is essentially the same as presented last year. There is still no evidence that the Soviets intend to deploy a new heavy bomber in the early 1970's. (p.43)

On page 46 of Secretary Clifford's posture statement he also said:

> Their BISON and BEAR long range bombers are distinctly inferior to our B–52's and we have long since eliminated from our forces the B–47's which were clearly superior to their BADGER medium bombers.

SECRETARY LAIRD SHIFTS PROGRAM

It seemed clear that we had an overwhelming superiority over the Russians both in quantity and quality of our manned bombers.

But when Secretary Laird came before the Senate Armed Services Committee on March 19, 1969, he said in his "new" posture statement that the Pentagon had decided to cut off the FB–111 program at four squadrons and concentrate our efforts on the development of a new strategic bomber, AMSA.

AMSA stands for advanced manned strategic aircraft.

Secretary Laird further testified that the fiscal 1970 budget of the outgoing administration provided $77.2 million to continue the competitive design phase—engineering drawings, wind tunnel testing, and mockups—for the AMSA and to advance the development of the long leadtime avionics and propulsion system.

Then, in what I thought was a highly significant and, at that time, little notice sentence, Secretary Laird said:

> We now propose to increase that amount by $23 million to shorten the competitive design phase and *permit the start of a full scale engineering development in fiscal year 1970*. (Italics added.)

NEW MANNED BOMBER TO BE BUILT

I took this to mean that the Air Force was now going ahead with the AMSA. It appeared to me that by adding $23 million, they were on their way. If they reached the so-called contract definition stage with the added $23 million, they would then build at least one prototype at a cost certainly in the neighborhood of $1.5 to $2 billion. I was also told that the Air Force planned to build 240 planes. It was said the estimated cost was $50 million per plane. The added $23 million, according to the Secretary, "could advance the initial operation capability—IOC—of this aircraft by one year from 1978 to 1977." In other words, $23 million now would mean delivery of the fleet in 1977.

On April 7, I wrote a letter to the Secretary asking pointedly if they now intended to build this new manned bomber. While I have not yet received a reply—and I make no point about that, since I asked a series of detailed questions which will take some time to answer—the Secretary of the Air Force, Robert C. Seamans, Jr., and the Air Force Chief of Staff, Gen. John P. McConnell, have called for the development of a new manned bomber, in testimony behind closed doors of the Senate Armed Services Committee, according to published reports.

DECISION STRAINS CREDULITY AND CREDIBILITY

Mr. President, this decision, in my judgment, strains the credulity of Congress and the credibility of the military. By an appropriation this year of $23 million, we essentially back into a new manned bomber program which will cost at least $12 billion, and which will not be delivered until 1977.

In addition, the history of both costs and delivery dates for major weapons sytsems is such that they routinely are delivered 2 to 3 years late and at costs which greatly exceed estimates. In my judgment, then, we are talking about a fleet of 240 planes which will be delivered a decade from now at a cost of at least $24 billion.

OBSOLETE BEFORE IT FLIES

But the fundamental question is why we should be building a manned bomber in an age of sophisticated missile systems. Most people think the weapon will be obsolete before it ever flies.

In 1962, 7 years ago, the President and the then Secretary of Defense resisted an expensive addition of manned bombers. Secretary Laird said the AMSA would be operational in 1977, or 8 years from now, or 15 years after the highest officials of our Government questioned the fundamental need for an additional generation of manned bombers.

EFFECT ON THE ARMS RACE

There are other important questions which this action raises as well. What effect will this decision have on the arms race?

Will not the Russians feel compelled to increase either the number of their bombers or the defensive system needed to cope with AMSA or to improve their offensive weapons, or all three? And will this not in turn lead the Military Establishment in this country to argue that because the Russians have increased their proportionate effort, we must also increase the expenditures of our resources for additional weapons to meet their new threat?

BACK DOOR TO DEVELOPMENT OF THE SST?

There is one further point I should like to make. There are some who believe that the program is going forward in order to develop a supersonic transport (SST) essentially under military aegis in order to meet the overwhelming objections to the continuation of the SST program at a time when priorities for virtually every other domestic program rate higher on any rational scale.

INTEND TO OPPOSE FUNDS

Mr. President, unless new overwhelming evidence is produced, I intend to fight the development of the AMSA. I believe that this request is an example of the operation of the military-industrial complex at its worst.

PLANE UNNEEDED

From all the independent evidence we have, the plane is unneeded. The reports I quoted from Secretary Clifford's statement concerning the national intelligence estimates of the Russians plans and capabilities with respect to manned bombers certainly give no reason to go ahead with the development of AMSA.

To build a new, highly expensive, multibillion dollar manned bomber in these circumstances is both a waste of our resources and an example of misplaced priorities.

CAN ENFEEBLE OUR DEFENSE

I give way to no man in my concern for the safety and security of the United States of America. But if we build AMSA, not only will the cost be immense, but also, by devoting funds to obsolete weapons, we enfeeble our military strength and make this Nation less secure rather than more secure.

I have circulated a letter to a number of my colleagues urging them to join me in opposing the development of AMSA. I believe that both Congress and the Country should be warned against this folly.

I ask unanimous consent to have a copy of the letter. I sent to Secretary Laird on April 7 printed in the RECORD.

There being no objection, the copy of the letter ordered to be printed in the RECORD, as follows:

APRIL 7, 1969.

Hon. MELVIN R. LAIRD,
Secretary of Defense,
The Pentagon, Washington, D.C.

MY DEAR MR. SECRETARY: In your "posture" statement to the Senate Armed Services Committee on March 19, 1969, you addressed yourself in part to the subject of a new supersonic manned bomber—the AMSA (Advanced Manned Strategic Aircraft—pp. 29–30).

You pointed out that the original fiscal year 1970 budget submitted by the previous administration:

". . . provided $77.2 million to continue the competitive design phase (engineering drawings, wind tunnel testing, and mockups) initiated with fiscal year 1969 funds and to advance the development of the long lead time avionics and propulsion system."

Then, in what appears to be a highly significant although little noticed sentence, you continued:

"We now propose to increase that amount by $23 million to shorten the competitive design phase and *permit the start of a full scale engineering development in fiscal year 1970.*" (Emphasis added.)

You then concluded,

"With the new design proposals in hand, we should be able to resolve, once and for all, the long-standing controversy over the configuration of AMSA. While no decision on production and development need be made now, the accelerated R. and D. effort could advance the Initial Operational Capability (IOC) of this aircraft by one year, from 1978 to 1977."

In your statement you also said that:

"We have decided to cut off the FB 111 program at four squadrons and concentrate our efforts on the development of a new strategic bomber, AMSA."

So much for the facts.

The statements raise highly important questions of far reaching significance. I am told by what I consider to be most reliable sources that they have some, if not all, of the following implications.

(1) The addition of $23 million to the budget will take the project into the "contract definition" stage.

(2) Your statement that this will "permit the start of a full scale engineering development in fiscal year 1970," means that one or more prototypes will be built.

In other words, by the addition of a mere $23 million now, the new bomber ultimately costing billions will be built. I am told that the Air Force estimates that the contract definition stage will be arrived at by about November 1969.

(3) The effect of reaching the contract definition stage essentially commits us not only to the prototypes (which puts costs over the billion dollar level) but, in the absence of overwhelmingly negative results, essentially commits us to a full scale program.

In other words, this is "a" or "the" critical decision. This certainly would seem to be borne out by the decision to cut off the existing FB 111 program at four squadrons and to eliminate funds for it altogether in FY 1970.

(4) I am told that the program calls for 240 planes at an estimated cost of $50 million each. As the C–5 cargo plane will cost at least $40 million a plane and the original estimates for the SST were from $30 to $40 million a plane, this figure would seem to be on the low side. As you know, costs would be higher because a supersonic, high- and low-level bomber not only must carry the same sophisticated instrumentation as a supersonic civilian plane but also must carry the highly complex weapon system instrumentation as well.

Estimates therefore are as high as $80 million per plane.

(5) This means that by the addition of a very small amount—$23 million—this year, we are essentially committed to at least a $12 billion program. It could go much higher.

I need not point out that this is double the cost of the whole ABM program about which there is such controversy.

(6) This also raises the fundamental question of why, in an age of sophisticated mis-

siles, should we be moving to a new, major, highly expensive, multi-billion dollar manned bomber weapon system?

In 1962, seven years ago, the President and the then Secretary of Defense resisted an expensive addition of manned bombers. The AMSA would not be operational until 1977, eight years from now or 15 years after the highest officials of our government questioned the fundamental need for an additional generation of manned bombers.

Will not the AMSA be obsolete by the time the fleet of bombers is delivered?

(7) Even more far-reaching is the question of what effect this decision will have on the arms race? Will not the Russians feel compelled to increase either the number of their bombers or the defensive system needed to cope with AMSA or to improve their offensive weapons, or all three? And will this not in turn lead the military establishment in this country to argue that because the Russians have increased their proportionate effort we must also increase the expenditures of our resources for additional weapons to meet their new threat?

At this time, public estimates are that the Soviets have 155 strategic bombers to our 680, and have recently de-emphasized their program. Should we not take advantage of this development rather than run the risk of stimulating a manned bomber race?

(8) There are some who believe that the program is going forward in order to develop a supersonic transport essentially under military aegis in order to meet the overwhelming objections to the continuation of the SST program at a time when priorities for virtually every other domestic program rate higher on any rational scale.

In view of all of this, I want to ask for answers to the following specific questions.

First. Do you intend to reach the "contract definition" stage for AMSA by approximately November 1969 or, in any case, in the coming fiscal year?

Second. Does not the addition of the $23 million to start "a full scale engineering development" mean that contracts to build the plane will be let?

Third. What is the minimum estimate of the cost per plane at this time, including research, development, technology, and engineering, and the provision for spare parts?

Fourth. Do not present plans call for a fleet of 240 planes and a program which would be operational by 1977? What is the estimated ultimate cost of the program?

Fifth. Why in an age of highly sophisticated missiles, do we need a more advanced manned bomber than the B–52 or the FB 111? And do we need one which will not be operational until at least 1977. And in view of the fact that almost every recent major weapon system has been delivered two to three years late, are we not really talking about a new manned bomber becoming operational a decade from now? Is this plane really necessary?

Sixth. Given the present state of world affairs, what are the implications for a further intensification of the arms race if this program is launched?

It may be that there are rational and reasoned answers to these questions. But from the information I have, there is every possibility that without critical examination we will back into a multi-billion dollar, unneeded program, which will be obsolete before it is finished, and which could heat up the arms race.

Before we commit ourselves to a $12 billion manned bomber program by spending $23 million, the Country and the Congress should know what it is doing.

Because of your definitive statement that funds for the FB 111 program will be eliminated in fiscal year, 1970, I have every reason to believe that we are essentially committing ourselves to this far reaching AMSA program.

If this is true, the public should know it and be fully aware of its consequences. I would welcome answers to the questions I have asked and a definitive statement about the consequences of the added funds for a full scale engineering development.

With best personal wishes.

Sincerely,

William Proxmire,
U.S. Senator.

DISRUPTION AT CORNELL UNIVERSITY

Mr. JAVITS. Mr. President, yesterday, the faculty of Cornell University voted 726 to 281 to reject an agreement recently signed by the university administration and a group of gun-carrying students who had occupied the student center for 36 hours. What American was not appalled by the picture on the front pages of our newspapers, probably throughout the country, although I have not seen them all, of these students carrying rifles and bandoliers of ammunition, marching out of Willard Straight Hall?

Yesterday's vote was not an easy one for the faculty, which is as liberal as the students in most universities. I know Cornell University very well, and I think it is true there also.

Under such circumstances, the faculty deserves to know whether it has support in refusing to be coerced—literally at the point of a gun—into granting concessions which the faculty considered unreasonable.

I support the faculty position, and I hope very much that most students, white or black, at Cornell support the faculty position as well. I support it because I think it is in the best interest of the objectives of broader student participation in the university's affairs and of the black students themselves. It is my duty to make known this support because I have stood in this Chamber, in the Chamber of the other body, and before other public forums not only throughout this country but throughout the world and fought hard for civil rights, the right of 18-year-olds to vote, Federal aid to higher education, and student recognition.

The issue which prompted student occupation of Willard Straight Hall was the disciplining, by judicial procedures within the university, of five students who were involved in incidents last winter. Dean of the faculty, Robert D. Miller, had agreed on behalf of the administration—to avoid the danger of armed confrontation between students and police, which was appallingly real—to recommend to the faculty that these measures be abandoned in exchange for ending the occupation. The faculty rejected the compromise with this statement:

> Without in any way judging the merit of the judicial decisions recently taken with respect to the black students, we believe that to reverse the decision under coercion and threat of violence would endanger the future of the university and we refuse to do it.

Mr. President, these are brave men.

Four years ago Cornell, under the gifted leadership of James Perkins, a very old friend of mine, began a program to recruit black students from the ghetto. They are entitled to no special thanks for having done so; they should have. But they did it and they were one of the first universities to do it.

Last fall Cornell announced plans for an Afro-American curriculum, putting it ahead of many universities in this respect. Whatever the deficiencies of these plans, whatever the honest grievances of the black students, dictating conditions under a threat of armed violence is absolutely unacceptable. Peaceful protest such as employed by the late Dr. Martin Luther King often involved physical occupation of a building or public facility, in testing State laws or local laws, many of which were unconstitutional. But never, never were rifles, shotguns, or bandoliers of ammunition part of that protest.

Much has been accomplished in the last decade through peaceful demonstration, but these events at Cornell are not of that character. These particular students have acted in such a way as not to protest an injustice, but to coerce capitulation. If "agreements" obtained under these conditions are tolerated in this university, the tactic could be employed in universities throughout the land, eventually bringing down our entire system of higher education.

I have fought here and elsewhere for years against military dictatorships. The specter of young people armed with rifles and bandoliers of ammunition making law in the mouth of a gun, is a frightening reminder of that kind of tyranny.

In refusing to accept such an ultimatum the faculty acted as it had to act to maintain the integrity of the university. The protestors, by arming themselves and threatening with arms, went beyond the brink. They cannot be allowed to prejudice and harass the whole legitimate student protest movement by such recklessness.

A cross was burned in front of the dormitory housing coeds, largely black young women. When those guilty of that grievous offense are caught, I shall speak as strongly against any amnesty for them. That act of terrorism is just as damnable and reprehensible as the actions we are condemning here today.

A related fact worthy of note in this connection is the easy availablity of guns to students. It is my understanding that for some weeks there were rumors on the Ithaca campus that firearms were being stockpiled, but since it is not against the law there for anyone to purchase and own a rifle or shotgun without registration, moral persuasion was the only weapon the administration had to prevent the stockpiling. Obviously, a stronger law in New York and nationally—as many of us have been advocating for years—would have delayed purchase, enabled authorities to keep track of purchases, and perhaps have averted this most unfortunate incident.

The Governor of the State of New York, in a fortuitously well-timed action—has just signed a measure calling upon colleges and universities in the State to file plans for dealing with student disorder as a qualification for receiving State aid.

This, incidentally, I think, is a most intelligent and constructive action to take because it leaves the primary responsibility of deciding how to handle the matter in the hands of the college authorities.

Colleges and universities have adequate power to deal with the situation, provided we hold up their hands. That is what law and policy should do, rather than pit the Government of the United States against the individual student through student loans.

The Cornell incident is a clear and naked situation in which the faculty has stood up and on which I consider it an honor to support them.

I hope very much that this unfortunate experience will prove three things: First, that the universities and colleges have the necessary means and the authority in their own hands, through discipline, to act to deal with this situation most effectively.

Second, that we can encourage them to exercise that authority as being in the highest interests of higher education in the United States.

Third, that the friends of student recognition and the supporters of reforms which are being sought, have a special obligation to stand up in exactly this kind of situation. Their credentials are good, so they have the best chance to communicate with the students and to see that the movement is not corrupted, despoiled, or destroyed by the kind of recklessness shown by these misguided and very ill-advised young people at Cornell University. It is for these reasons that I have spoken today, Mr. President.

I ask unanimous consent to have printed in the RECORD the articles published in the New York Times, referring to these incidents and also to the signing by the Governor of New York of the bill to which I have referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CORNELL FACULTY VOTES DOWN PACT ENDING TAKEOVER—DRAFT RESOLUTION CONDEMNS OCCUPATION OF HALL AND THE CARRYING OF GUNS—CAPITULATION ASSAILED—WHITE STUDENTS DENOUNCE AS APPEASEMENT ACCORD ON SEIZURE BY NEGROES

(By Homer Bigart)

ITHACA, N.Y., April 21—The campus of Cornell University was under a "situation of emergency" this evening as the faculty met to decide whether the administration should honor a seven-point agreement under which gun-carrying Negro students ended a 36-hour occupation of the student center yesterday.

A test vote, taken after two hours of debate, showed the faculty rejecting the agreement, 726 to 281. The vote was taken on a draft resolution condemning the forcible occupation of Willard Straight Hall "and above all the carrying of guns as a part of the action."

A crowd of white students carrying placards denouncing the agreement as "capitulation" and "appeasement" greeted 800 faculty members as they filed somberly into Bailey Hall to deliberate ratification of the agreement between members of the militant Afro-American Society and the dean of the faculty, Robert D. Miller.

THREATEN TO RESIGN

Dean Miller promised to recommend nullification by the faculty of judicial procedures against five students who were involved in incidents last December and January. But he faced what appeared to be a growing faculty revolt. A number of professors of the College of Arts and Sciences went to the meeting threatening to resign if the procedures were nullified.

The faculty, which was in no mood for what it called "capitulation," concluded in its resolution:

"Without in any way judging the merit of the judicial decisions recently taken with respect to the black students, we believe that to reverse the decision under coercion and threat of violence would endanger the future of the university and we refuse to do it."

Earlier, President James A. Perkins announced "emergency action."

No more guns on the campus, he said.

Dr. Perkins called it a "shattering experience" when Negroes, many of them carrying rifles and shotguns, and draped with bandoliers, came out of Willard Straight Hall.

"This incident cannot be repeated," Dr. Perkins said. "I am now declaring that on the campus students and nonstudents will not be allowed to carry a gun.

"Any student who is found carrying a gun outside his own room will be automatically suspended and any nonstudent seen or found carrying a gun will be arrested."

Also Dr. Perkins forbade the seizing of campus buildings.

"Any student who enters the building for the purpose of occupying it for coercive purposes would also be automatically suspended and any nonstudent who enters a building for the same purpose will be liable to arrest."

Without mentioning the Afro-American Society, Dr. Perkins said he would move to disband any organization that tried to occupy a building henceforth.

Later, at noon, he declared a situation of emergency, saying he had assumed full authority and responsibility for the safety and security of the campus and that he would establish an emergency advisory board of three faculty members, three students and three members of the administration.

RELATIONS WITH TOWN CHANGE

Relations between Ithaca and Cornell have seemed patterned on the stormy town vs. gown syndrome. Dr. Perkins has sometimes been critical of the town and county for police intrusions on the campus, generally defending his students. Now, in this crisis of arms, he said he had been in constant contact with Mayor Jack K. Kiely and Tompkins County District Attorney Matthew McHugh.

He said he did not feel the situation critical enough to ask Mayor Kiely to declare a "limited state of emergency," which presumably would give the local and state police free rein on the campus. Dr. Perkins said he had gone this far in hopes that "more drastic action may be avoided."

His strongly worded pronouncements gratified those students and faculty members who opposed what they called "appeasement" of the blacks.

WHITES DEMONSTRATE

Before Dr. Perkins spoke, a dozen white students marched past the podium carrying slogans, "guns off the campus" and "stand up for freedom." They drew applause from perhaps a third of the assembly and a few scattered hisses.

The throng listened politely. For 22 minutes, Dr. Perkins spoke of the need for humanity on the campus, making no direct reference to the tumult of the last three days.

Dr. Perkins said he was speaking at a "time of trial and anguish for our country, for higher education and Cornell University."

"And the question before the house today, and in the immediate days to come, is whether we have the collective wisdom and sensitivity in sufficient measure to deal with what I am certain future historians will doubtless call one of the great testing points in that peculiar institution we call the university."

The problems of the modern university and Cornell in particular was "the pressure of new priorities," and the "pressure of decentralized decisionmaking."

Discussing these priorities as they affected university governance, Dr. Perkins said, "Participation of the community will have to be increased by an order of magnitude." This applied to all levels of the university community but did not mean "instantaneous town meeting," he said.

"What are the chances for success that this great university and the great people in it will be willing to deal with the triple problem of humanizing our studies, humanizing our priorities, and humanizing our governance?" Dr. Perkins asked. He said he did not know the answer, but he was hopeful.

URGES HUMANE APPROACH

He concluded:

"If the process is looked at, studied, examined, and managed by those who take a selfish and parochial point of view, those who do not see in this audience the fact that this is a large and differentiated human community, those who believe that clinging to the past is safer than the explorations of the future, those who believe that their only recourse to the kind of world they wish is through violence, and those who feel that any change is anathema; if this is what we see when those in this room look in the looking glass they are not likely to be the decisive instrument for seeing to it that the world ahead of us is the one in which we wish to live.

"If we approach this complicated task as humane men, all is possible."

Before the convocation, faculty members and students of various groups were busy caucusing. It was a mild, sunny day and the fringes of the campus were golden with forsythia, but an air of tension prevailed.

The department of government faculty held a caucus and came out strongly against guns.

All but four of the department's 20 professors signed a manifesto saying that they would suspend classes and "review our relationship with the university" if the faculty endorsed Dean Miller's action.

They were joined by 11 other professors from Arts and Sciences. Among the signers were Clinton Rossiter and George Kahin, authorities on government administration.

The manifesto chided President Perkins for his statement "belatedly forbidding the carrying of guns," and said that Dean Miller's motion to nullify the judicial procedures of the university posed an "intolerable and, one would have thought, unthinkable situation."

EXCERPTS FROM TALK BY PRESIDENT OF CORNELL UNIVERSITY ON STUDENT DISSENSION

(NOTE.—Following are excerpts from the speech yesterday by James Perkins, president of Cornell University.)

We meet this afternoon at a time of trial and anguish for our country, for higher education and for Cornell University. And the question before the house today and in the immediate days to come is whether we have the collective wisdom and sensitivity in sufficient measures to deal with what I am sure future historians will doubtless call one of the great testing points in that peculiar institution we call the university.

The first thing I wish to say is that we must be mindful of the fact that in the nineteen-sixties American society, indeed society around the world, was engaged in that wrenching process of substituting new priorities for old. And such a circumstance, which does not happen every decade, is one where free institutions are put to their finest test.

For a university, the problem is particularly most important and severe. It's important because in the Western world there is no other community that has a chance to pick through on a time scale comparable to the problem, to pick through the balance of values and factors needed to come up with wise social policy.

PARALLEL WITH 1850'S

The first question is what in the nineteen-sixties, seventies and eighties will be, and must be, considered humane studies. We are at the point of re-examination of our whole curriculum, somewhat like that of the eighteen-fifties, where some of you may know this country went through another convulsion prior to the Civil War, and the universities were caught in the middle of it, and the convulsion had to do whether or not the universities were going to maintain a narrow notion of curriculum of a classical variety or whether they were going to be useful to society by taking up matters having to do with agriculture and industrial development.

That decision looked like it might not be made in the forties and fifties, and just before the Civil War there had been three years of an absolute decline of the number of students going to institutions of higher education, because they had decided—if I may use the modern term—they had decided they [the institutions] were irrelevant.

This same atmosphere is part of the picture of the nineteen-sixties, and our curriculum is now in the process of being re-examined from stem to stern to make sure that the contents of what we learn and the style in which we teach represents the new priorities rather than the old ones.

EMPHASIS ON HUMANE STUDIES

The emphasis in the next decade is going to be on the humane studies, in order to perfect a much better balance in the content of what we teach with our science and technology. It must also at the same time recognize that humane teaching involves a priority to the learner rather than to the knowledge that the learner must learn.

This brings me to the second big problem that we have quietly and in an unstated way been debating in the last year, and tentatively in the last few weeks and the last few days. The world, in my judgment, has assumed new overriding priorities, and I would like to state them.

The priority that is growing on the public attention, and has not by any means reached its apogee, is a concern for peace.

A second priority that is pushing on stage is the priority of justice, as opposed to affluence. Those who came through depression years have frequently told you and reminded ourselves that it did not seem to us that justice was possible in a world where 20 per cent of the population was unemployed. I'm not sure today that that's possible. But our overriding preoccupation in seeing to it that the country got on its feet blinded us, in my judgment, to some of the consequences of the measures we took to produce full employment and an affluent society.

PREOCCUPATION WITH RICHES

That blindness is being eroded, and the dark glasses are coming off as we face the kind of world and environment that has been produced by a single-minded preoccupation with affluence and full employment. We are at last, and lately, coming to recognize that the function of society is to serve the needs of the people who are members thereof, and that an unjust society has within it the seeds of its own destruction. And no amount of affluence without a just society can even in the long run be affluent.

A third priority: And that is a preoccupation—as I've indicated—with the individual as such. Partly for reasons of hegemony, partly for reasons of stability, partly for reasons of affluence or determination to achieve it—a nicer way to put it is full employment—we have forgotten perhaps that the purpose of the whole human exercise has got to do with the prospects for the greatest conceivable development of each independent and distinct human being and the priority of requiring attention to the individual differences is now overriding the priority of the human being in his collective aspects.

THE RIGHT TO PARTICIPATE

A third point, where the two pressures of new priorities and university adaptation comes together, have to do with the nature of the governance of this big and complicated community.

This involves students and faculty; this involves administration and trustees; this involves all of us, recognizing that no community can be considered legitimate in which we or those of us who ask for the right to participate in its decisions have that right denied.

This does not mean that everything we do has to be run or can be run by instantaneous town meetings operated by a hundred computers spread throughout the campus. It does mean that we are only at the beginning steps of figuring out how those who have a right to be heard shall be heard at the right point where their being heard will be, in fact, effective.

This is going to be one of the most complicated self-examinations in political science and public administration the country has yet known, and that the university has yet known.

What are the chances of success? That this great university and the great people in it will be able to deal with the triple problems of humanizing our studies, humanizing our priorities and humanizing our government. I do not know this afternoon the answer to that question.

I do know, however, that if the process is looked at, studied, examined, and managed by those who take a selfish and parochial point of view, those who do not see in this audience the fact that this is a large and differentiated human community, those who believe that clinging to the past is safer than the explorations of the future, those who believe that their only recourse to the kind of world they wish is through violence, and those who feel that any change is anathema—if this is what we see when those individuals look in the looking glass at themselves, the university is not likely to be the instrument, the decisive instrument, for seeing to it that the world ahead of us is the one in which we wish to live.

A NOTE OF OPTIMISM

However, if while looking at ourselves we see people who at least will try to be sensitive to the agonies of others, who will be patient with the process of resolving individual differences, because they know we have the right to be different; if we see people who are courageous enough to see the pillar that leads to the future, as opposed to wanting to sit on the beaches of the past; if, in short, when we look at ourselves we see the prospect of humane men and women, believing that this is a great university and will be one for decades to come—and that whatever the trials and difficulties, we will be determined that we will act in the large way of which I have come to discover most, if not all, of the people in this room have acted in similar circumstances—I end therefore on a note of optimism tinged with concern.

My optimism stems from the fact that I have never seen a major issue in the some six years I have been at Cornell addressed by those who have done so with sensitivity and human compassion, notwithal in a way that has made looking back on it proud of us, proud of ourselves that we are Cornellians.

If we approach this complicated path as humane men, all is possible, as this afternoon, I firmly believe to be the case.

GOVERNOR SIGNS MEASURE REQUIRING COLLEGES TO MAINTAIN ORDER

(By William E. Farrell)

ALBANY, April 21.—Governor Rockefeller today signed a bill that requires all colleges and universities in the state to adopt rules and regulations for the "maintenance of public order" or run the risk of losing state financial aid.

The bill requires college and university trustees to adopt within 90 days rules of conduct as well as an enforcement program that govern the conduct of students, faculty, staff and visitors.

In a statement, Mr. Rockefeller said that "penalties for violation are to be clearly set forth and must include provisions for ejection of violators from the campus and suspension, expulsion or other appropriate disciplinary action in the case of a student or faculty violator."

CITES CORNELL DISORDERS

"The intolerable situation on the Cornell University campus dramatizes the urgent need for adequate plans for student-university relations and clear rules governing conduct on the campus," Mr. Rockefeller said.

"The absence of such plans and established rules of conduct create an atmosphere in which serious disorders can arise and destroy the orderly functioning of any university."

The Governor said the failure to file such rules and regulations with the state within the 90-day period "would render the college ineligible to receive any state aid or assistance until they were filed."

The bill signed by the Governor was sponsored by Assemblyman Charles D. Henderson, Republican of Steuben County. It was prepared by a special Assembly task force appointed by the Republican speaker, Perry B. Duryea Jr., and was passed by the Legislature last month.

The bill was one of several passed by the Legislature this year aimed at campus disorders. It is considered by some to be the mildest of all the measures passed and is the first to be signed by the Governor.

One source said tonight that it was unlikely that Mr. Rockefeller would now sign the so-called Flynn bill—named for its sponsor, Senator John E. Flynn, a Yonkers Republican. This bill would ban state financial aid to college students convicted of crimes "committed on the premises of any college."

It has been attacked by opponents as being discriminatory because it would affect low-income students who receive state stipends, and not those involved in fracases who pay their own tuition.

The Flynn bill has also drawn the opposition of State Education Commissioner James E. Allen Jr., who said it by-passed college officials, who, he has said, should be responsible for setting rules and regulations governing conduct on campus.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

URBAN MASS TRANSIT PROBLEMS AND A PROPOSED SOLUTION—SENATOR HARRISON A. WILLIAMS, JR., ONCE AGAIN LEADS THE WAY

Mr. MONDALE. Mr. President, in his recent message to Congress, President Nixon announced that he will soon recommend a new program for the development of our Nation's mass transit systems.

Over the years, the junior Senator from New Jersey (Mr. Williams) has initiated almost all of our Nation's mass transit legislation. Senator Williams was the author of the now historic Mass Transportation Act of 1964. Recently, he again exhibited his leadership when on February 17, 1969, he introduced the Urban Mass Transportation Act of 1969. This proposed legislation would create over a 4-year period of time a $1.8 billion trust fund in order to finance our Nation's mass transit programs. The need for additional financing of our mass transportation programs becomes obvious when it is realized that the annual national appropriation is now a mere $160 million.

In a speech delivered on March 11, 1969, before the Fourth International Urban Mass Transportation Conference, Senator Williams explained his proposed legislation in detail and called on commuters, truckers, and highway interests to support its provisions. I sincerely hope that President Nixon will give careful consideration to the Williams bill before making any specific recommendations to the Congress. With the President's support, I am confident that this legislation can create the transit systems necessary to meet the future needs of our Nation.

Mr. President, I ask unanimous consent that the text of Senator Williams speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Urban Mass Transit Problems and a Proposed Solution

At long last, the spotlight of public attention has been focused on our transportation problems. Everyone residing in the metropolitan area is a living example of the horrible statistics and he knows what the message is—better and more efficient public mass transportation.

Additional money must be spent. Improved facilities must be made available. Improved coordination between Federal and local government is absolutely essential. If this is not done, we all will struggle on in a morass of endless traffic congestion.

The need, as all of you know, is self-evident. In 1910 more than half of our population was urban; today that figure is increased to more than 70%.

The convenience, productivity and income of this urban majority are obviously dependent upon transportation. The life of the city depends on its transit system. Inefficient transportation services increase the costs of local industry and commerce. They rob citizens of their time and comfort.

Transit systems created 50 years ago may have served very well the needs of that distant day—but no amount of patching of the old will be adequate today, not to mention tomorrow. We have only to look at Boston, Los Angeles and New York City.

To prove the point. One all too prevalent example is the New York I.R.T. When it first started, the I.R.T. carried its passengers at 40 MPH. It was both comfortable and speedy. Today, Gilbert Burck of Fortune Magazine has called the I.R.T., "one of civilization's most degrading experiences." It is dirty, unreliable, and uncomfortable. In addition, it is totally unsafe. Thefts and muggings are abundant. There are 400 suicides or fatal "falls" each year. All this helps to keep the subway policemen busy. Did you know that they total more than all but two dozen cities have above ground?

However, not the least of the I.R.T.'s or perhaps any of the old mass transit's worries is its grave fiscal problems. The I.R.T. loses $7-million per year in operating losses and a great deal more than that if depreciation is counted.

Other examples which could be cited would include the New Haven and the Erie Lackawanna, both of which are commuter lines which are bankrupt. In our dynamic society people move. They have, they are, and they will leave the city core for the suburbs. With them move the industrial skilled job opportunities. At the same time, white collar administrative jobs in the central city increase.

To meet the transportation problems caused by this shift, people automatically turn to private automobiles. In city after city, there is no adequate alternative. The results have been both predictable and inevitable. The air is foul with fumes, accidents take more than 150 lives a day. In areas where land is at a premium, it is devoured by streets, garages, and parking lots. Today almost 50% of the land in suburban areas belongs to the cars. 41,000 miles of interstate highway were allotted by Congressional legislation in 1956. Upon its completion in 1972, this highway will occupy more land than the entire state of Rhode Island. And there is already a clamor to extend the program.

These roads and others utilize lands which were once productive in now-needed tax revenues. This, though, is just highways.

The automobile itself is a prime hoarder of space. The average automobile with one person in it utilizes more space than nine times one person riding in a mass transit vehicle.

Mayor Raymond Tucker of St. Louis put the situation this way: "The plain fact of the matter is that we just cannot build enough lanes of highways to move all of our people by private automobile and create enough parking space to store the cars without completely paving over our cities and removing all of the . . . economic, social, and cultural establishments, that people are trying to reach in the first place . . . even if we could do it physically, the costs would bankrupt the combined resources of the cities, state and Federal governments."

The Department of Commerce concurred: "Merely adding highways which will attract more automobiles which will in turn require more highways is no solution to the problem of urban development."

While I can't predict that the urban tortoise will turn into a hare—I can on this lucky day of March tell you better days are on the way (more about that in a minute).

This vast expanse of concrete which continually proliferates has not achieved the intended results. Indeed as far as the life of the city dweller is concerned, our highway system has been a complete and utter failure. There's nothing better than the interstate highway as you wing your way across the country. But when it brings you to the city, you stop.

It's difficult to put a price tag on this intra-city traffic congestion but everybody has been trapped in a snail-like traffic jam and you don't need figures to explain your losses.

To express companies and other industries that use trucks, the lack of an efficient transit system is painfully clear. For example, last Friday morning one of my staff members boarded a general delivery truck in Newark, New Jersey, at ten after eight. Nine and one-half miles and an hour and twenty minutes later he finally reached the other side of the Holland Tunnel in downtown New York. For 45 more minutes he travelled just four or five blocks with the truck driver, who then made his first delivery of the day.

The truck driver cheerfully explained that this was a better day than usual since the threat of snow had eliminated many of the automobiles which would have otherwise been on the road.

McCall's magazine estimates that traffic delays cost its publication approximately $50,000 extra annually. The costs are extra drivers' pay, gas, and equipment. When frustrations build up—and the driver gets "up tight", efficiency drops and accidents occur.

When we relieve the worst traffic congestion with better passenger transit—and we can and we will—one of the first beneficiaries will be the trucking industry. I am not being facetious, therefore, when I extend a friendly hand of invitation to this industry—an invitation to help enact legislation designed to provide an efficient mass transit system.

Obviously more highway money is not the answer. Since 1957, $36-billion has been spent on highways. In fiscal 1967 alone the Federal Government spent $5.35-billion on urban and intercity transportation. Of this amount, only $160-million, a mere 3% went for mass transportation—billions for highways, but tokens for urban mass transit.

An illustration of the absurdities of our priorities is that just last year we committed ourselves to an anti-ballistic missile system, the cost of which will be $10-billion and if this system was expanded to total coverage, Senator Symington estimates it could go to $400-billion. This is a system which I think all will agree is of doubtful value—it may not even work. These billions can and must be put to uses of proven value. Less than half of the initial $10-billion would supply total mass transportation for the cities of Los Angeles, Seattle and Atlanta. This money would bring to our nation a mass transportation system second to none. And one of which we would all be proud.

The fact of the matter is that just not enough Federal money has been made available for mass transit programs. $175-million has been appropriated for fiscal 1970. The minuteness of this appropriation becomes absurd when you realize that $37.00 of Federal money is spent on highways for each $1.00 spent on mass transportation.

Seven major capital grant applications presently pending before the Department of Transportation already amount to more than $206-million or $31-million more than is available. Moreover, these applications do not reflect the true need for mass transit funds. Rather they reflect what officials of seven existing systems feel they can reasonably expect to get out of the limited funds available. To come anywhere near satisfying the mass transit needs it is estimated that $15-billion will be necessary over the next ten years.

To overcome the deficiency of funds needed to build a better and more balanced transportation complex, I have introduced the Urban Mass Transportation Act of 1969. Congressmen Patman and Barrett have introduced the same bill in the House of Representatives. This bill will establish a mass transportation Trust Fund to provide the capital investment necessary to meet the growing transportation needs of our nation's cities.

The Mass Transportation Trust Fund would be financed by a portion of the declining excise tax on automobiles from 1971 through 1974. Over this four-year period an estimated total of $1.8-billion would be available for loans and grants for mass transportation.

Right now I want to declare emphatically that this does not infringe upon or touch one single penny of the highway Trust Fund. It merely takes our existing tax presently paid into the general Treasury funds and applies it to mass transportation.

Funds from the program would be used for both Urban Transportation *and* Urban Development. The bill would also permit both a loan and grant to a single transit system—a flexibility not possible under the present law. A further provision directly links mass transportation projects to over-all city planning.

This bill would also alleviate the problems resulting from the artificial restriction limiting the amount of funds spent on any one state to 12.5%. While I envy the open spaces and natural beauties of Wyoming, Wyoming's need for urban transportation funds is not equal to that of New York, New Jersey, Pennsylvania, Illinois, or California. To equitably balance the program, the bill provides a discretionary fund of $50 million which can be used in heavily populated states.

I know that the first and loudest objection to this bill will be, "Should automobile owners pay for mass transportation? Their money should go for highways, not buses and trains." The answer to that is simple: "we're all in the same traffic jam together and what we're trying to do is to get out of it together. This is truly a situation where whatever helps one helps the other.

If we are willing to move forward we can replace the present traffic jams with a system which makes travel easier and more pleasant. We can erase the poor image which besets urban mass transit.

Moreover, we already have the tools in the planning stage to revitalize urban mass transit. Indeed, future urban travel can be as imaginative and as exciting as present urban travel is drab and uninviting.

MAYOR LINDSAY PROPOSES "NEW DIRECTIONS FOR THE ADMINISTRATION OF CRIMINAL JUSTICE"

Mr. MATHIAS. Mr. President, many of us recall the contributions which our former colleague, Hon. John V. Lindsay, made to the cause of improving criminal justice while he served as a Member of the other body. Since his election as mayor of New York City in 1965, he has continued and expanded his efforts in this vital area. Some of the most innovative projects in the entire Nation have been carried out in New York City during his administration and under his leadership.

In a recent article, entitled "New Directions for the Administration of Criminal Justice," published in the January issue of Judicature, the Journal of the American Judicature Society, Mayor Lindsay has presented some observations and suggestions which deserve attention from all who are involved in the administration of justice.

For example, the mayor calls on the law schools of America to involve their students in the operations of "the law on the streets" through an imaginative proposal for full-time internships, which would allow students to devote all their attention to the criminal process for several months. Such a program would not only meet the desires of many students for a more relevant course of legal study, but would also focus the attention of law schools on areas in which they could contribute to reforms.

At the same time, Mayor Lindsay points out that the bar itself must play a more direct role in achieving legal reforms. He cites the activities of the Junior Bar Association of Washington, D.C., as a possible model for young lawyers in other cities.

Because of its timeliness and significance, I feel that Mayor Lindsay's article merits wide attention. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW DIRECTIONS FOR THE ADMINISTRATION OF CRIMINAL JUSTICE

(By John V. Lindsay)

As the report of the National Advisory Commission on Civil Disorders made clear, the administration of criminal justice very nearly broke down under severe, unpredictable pressures during the riots in the cities in the summer of 1967. In those extraordinary days, our judicial system dealt primarily in volume; it possessed no demonstrable ability to deal with individuals. The consequences were a grossly inadequate conviction rate, violations of civil rights, and judicial decisions based on group rather than individual situations.

The disorders gave spectacular but transient publicity to these deficiencies. The continuing tragedy in our cities is that the administration of criminal justice is not working satisfactorily on a daily basis. Under normal circumstances, the system dispenses mass justice and fails to deal properly with the individual. Yet in these same courts, hundreds of thousands of our least fortunate citizens first confront their government and first experience the application of the government's laws to them.

Here is where the American bar can find a cause. For here, despite our democratic system, our careful constitutional system of individual rights, justice in America fails our professed ideals. It fails largely because we have not gone beyond the paper of the law to its application in fact. To a great extent, we have lost contact with the workings of the law. Both law schools and lawyers have lost touch with the law on the streets—enforced by police, prosecuted by district attorneys, adjudicated by judges. Yet here is where our legal system is truly tested—and today, across the country, it frequently fails the test.

To achieve permanent improvements in the administration of justice, I think we must begin with a reconnection of the lawyers and the law schools of our nation with the criminal justice system. We must educate them in the workings of the criminal system. We must stimulate interest and concern for its inequities and inadequacies. We must install a new responsibility throughout the bar and the law schools for the quality of justice in America.

Too many of our nation's leading lawyers have devoted their professional lives to tax and corporate law. They have tried to avoid participation in, or responsibility for, the criminal justice system. Even worse, too many leaders of the bar have felt that the criminal justice system was lowbrow law—to be reserved to less distinguished, less affluent members of the bar.

In a time of complex procedures, statutes and case law, it has been easy to treat the criminal law as a specialized area of practice and rationalize that it be left to its specialists. We tend to focus on its visible parts and on the major theoretical questions. We will debate the conceptual merits of *Mapp* and *Miranda*, but few of us will try to learn how they in fact work on the street.

I think it is time to break some old traditions and adopt some new practices. Instead of starting with Supreme Court decisions and working down to the lower courts, I think our law schools ought to undoctrinate their students into the ultimate effects of the administration of criminal justice. How does a "stop and search" law really affect the people involved—the policeman as well as the suspect? What does a summons look like? How are the poor provided with legal counsel?

All of these questions are topical, relevant, tangible. I think the law schools ought to give their students the opportunity to find the answers, if only for the reason that an intensifying complaint among all college and university students is that their courses are too abstract; that they do not relate directly to the conditions and demands of the real world. Here, I believe, the law schools can take a leadership role in coping with that general resentment.

In my judgment, two efforts must be made: First, we have to get the law schools more deeply involved in the actual workings of the law—on the streets, in the dentention pens; in the courts; in the prisons. Second, we must encourage the schools to recognize the relationship of the law to other disciplines such as medicine—in alcoholism, narcotics, tort cases, or psychiatry—in criminal intent.

LEGAL INTERN PROGRAMS

Recently, two programs announced by New York University under Ford Foundation grants moved in these directions. One provides for twenty "squad car lawyers"—law students who will go on patrol with the New York City police and then follow the first felony arrest they witness through every stage of the criminal process. They will observe every step of the police procedure: booking, interrogation, fingerprinting, transporting, detention; every phase of defense counsel consultation and advice, of prosecution interrogation; and of judicial procedure. At the end of the semester, they will have a full picture of how the law has been applied in practice "from the bottom up" in twenty cases.

The second program will enroll law students in seminars in psychiatry and forensic medicine to follow actual case histories and learn from clinical experience the complicated interaction of these branches of medicine with the law.

These are important programs, but they do not go far enough. The problems of the law on the streets are too complex to be reduced to a two-credit seminar, on a one-afternoon-a-week basis. We must move farther and faster. We must develop changes, not simply in the substance of legal education, but in its structure. We can't expect law students to grasp the problems of police officers or the courts on a two-hour-a-week assignment.

To meet these problems, I propose a drastic change in the structure of legal education. The key would be a seven-month legal intern program, which would extend over one semester and one summer. The program might begin in February and end in September. This would not be a part-time course, but rather, a full-time involvement of the student in a specific aspect of the criminal process. Four days a week, the student would work in the criminal process; on the fifth day, he would participate in a seminar to review and discuss what he encountered. As a full-time endeavor, this program would have to carry with it a full semester's academic credit. The student would be required to take no other course or seminar. For the summer months, he should be paid. The summer period is important to make the program long enough to permit a full and fruitful study of a part of the criminal process and to allow for some practical follow-up on the findings of the program.

It is important that these programs go beyond educating the law students as to the nature of the administration of justice. That in itself would be important. But such a program should also focus on the problem of changing the legal system—it should focus on a specific problem area and develop ways to improve it. In effect, this should be a course in the dynamics of legal reform. These courses would change each year as the problems change. They will not be static, but responsive. Their goal would be to initiate change and then move on to another problem. The objective, a fine one, I think, is to involve the law schools as institutions in the realistic process of legal change.

In New York City in the past few years a number of critical reforms have been introduced in the administration of criminal justice. Most of them have been initiated by the Vera Institute of Justice, working closely with various city agencies and often using law students. These reforms would have been ideal subjects for a legal intern program. They include the famous Manhattan Bail Project, begun by Vera with New York University law students in the Manhattan Criminal Court seven years ago.

It has now spread to over one hundred cities across the nation and has resulted in the first federal bail reform legislation in the nation's history. It is saving New York City millions of dollars annually in detention costs and it is saving thousands of New York's citizens the indignity and disruption of unnecessary incarceration. The Manhattan Summons Project, which began in one precinct, is now city-wide. This is now saving our city over sixty-four thousand police man hours annually by eliminating unnecessary trips to court for arraignment. The twenty-four-hour arraignment court is providing around-the-clock judicial service to citizens and police alike, permitting us to eliminate the old precinct lock-ups, to ensure prompt arraignment, and to save police and defendant time in court.

Working with the Criminal Justice Coordinating Council, which I established last year, Vera has expanded its activities as with the Manhattan Bowery Project, which operates a fully staffed medical detoxification program for Bowery derelicts. By means of the program, we have moved to end the traditional revolving door of police-court treatment of derelicts which is both inhumane to the individual and inefficient for the scarce resources of the criminal system. We are taking the police and the courts out of the degrading business of "cleaning the streets," and we are instead substituting an exciting program to service and care for these forgotten residents of our city.

The Council and Vera are focusing heavily on the problem of court delays which chews up the scarce time of police, attorneys, judges, defendants, and witnesses alike. It is one of the most agonizing aspects of the administration of criminal justice.

Our first project in this area was the Traffic Court Alert. On a test basis, we had policemen in traffic cases report to their regular posts instead of to the courthouse. They stayed in regular communication with the court on "alert" status. An officer was called in only when the case would be definitely heard and he would clearly be needed.

I am pleased to report today that in our first four months of limited operation we have been able to cut by fifty percent the time policemen previously spent in court. We are now moving to expand this project city-wide and into the criminal courts as part of our continuing campaign to place more policemen on patrol on the streets of our city.

Each of these projects would have been suitable for legal intern programs. Each of these problems in the administration of criminal justice could have benefited from the fuller scrutiny and involvement of law students and law schools. Each is suggestive of the kind of dynamic new course our law schools should be giving in the practical problems of criminal administration and its reform.

One problem with existing internship programs is inadequate supervision and coordination which often results from having professors or attorneys supervise the program on a part-time basis. Instead, I propose the creation of a new position at our law schools to go along with the proposed new legal intern program—the position of clinical professor of law. This would be a new kind of faculty member who would spend his full time supervising the program, conducting seminar, and coordinating the work of the students with the law school on the one hand and the agencies on the other.

It will not be enough to find new ways to involve our law schools in the problems of the criminal system. We must strive as well to find new channels to involve the members of the organized bar in these same efforts. We should aim beyond the establishment of new crime commissions or study groups to research problems and produce reports that inevitably end up on the shelf. We should involve ourselves in the operations of the legal system and in the process of legal change.

This involvement is particularly necessary for young lawyers who may be growing restless with the requirements and rewards of private corporate practice.

JUNIOR BAR ASSOCIATIONS

In Washington, D.C., for example, a Junior Bar Association is a dynamic force for legal reform. It has pioneered the implementation locally of some of the reforms I discussed earlier, such as the Summonses and Bail Projects. It is moving forward on other fronts as well. This is an important vehicle for tapping the energy and idealism of young lawyers, from the time they leave law school until they reach thirty-five. It is a way of stimulating young leadership and creativity that is too easily lost in the larger and older bar association structures.

A Junior Bar Association could act as a new form of legal service agency to provide skills where needed in the legal system. This would complement existing legal aid and community action legal services efforts in each city. It might include the establishment of voluntary panels of young lawyers available twenty-four hours a day to go to police precincts to represent indigent defendants. Or it might mean the establishment of special groups versed in consumer law to help community groups set up various kinds of consumer cooperatives and credit unions.

It is time we also found ways to involve the senior members of the bar more fully in the criminal process. Again, I do not think this can be done adequately merely by setting up new bar association committees. It will require some drastic rethinking of ways to use private attorneys in the administration of justice. Our goals should be to reacquaint the leaders of the bar with the daily workings of the criminal process and to stimulate a renewed concern on their part for improving and updating the system. Sadly, it appears that too many of our foremost attorneys have only a theoretical interest in the criminal process.

I believe the process is far too important—to our cities, to our society and to our profession—to be viewed from afar. The moment of truth for the law is in its enforcement on the street corner by the policeman, and its adjudication in the courtroom.

As recent Supreme Court decisions have made abundantly clear, one cannot divorce the substantive law from our judicial procedures and processes. It does no good to refine the statutory law and set careful penalties if inadequate manpower compels the district attorney to make unwarranted bargains in return for a lesser plea or if the penal institution merely embitters the convict rather than rehabilitates him.

In either case, the law as passed by the legislature, and perhaps endorsed by the organized bar, is most likely defeated in practice—not because of its own defects, but because of the multiple failings of the system. And unless the system begins to work, no law, no matter how sound and reasonable, can be either effective or fair.

The function of the criminal justice system should be made the highest priority of the American bar. It is in the lowest criminal courts that our system of individual rights is tested on a daily basis and it is here that hundreds of thousands of citizens have immediate contact with their government.

I believe that more can be done by more members of the bar in the field of criminal justice. I have been thinking about how their talents and energies might be best employed, and, here, I think, is the kind of involvement that might take place.

Throughout the judicial process, there is a staggering caseload and an extreme shortage of judicial manpower. I think a program might be initiated to allow the appointment of "temporary judges" for a thirty-day period on a voluntary basis. The local bar association would establish a screening committee to recommend to the Mayor distinguished attorneys who have served at the bar for at least ten years for appointment as temporary judges. Upon appointment, they would receive a short orientation course and could then sit for two or three weeks in either trial or arraignment parts.

In some states this might be permissible by court rule; in others it might require new legislation. It will only be meaningful if it receives the support of the leaders of the private bar who will begin to accept this kind of two- or three-week service in Criminal Court as part of their obligation. In any event, I think the concept should be explored.

An ongoing project which is taking place in New York City is a Court Employment Project under the aegis of the Mayor's Crime Council and with the active cooperation of the Vera Institute of Justice. A committee of the Council, chaired by Mr. James Oates, chairman of the Equitable Life Assurance Society, has established a special employment office in the Manhattan Criminal Court, where selected defendants are chosen for participation in the project.

The records of those chosen are reviewed by both the district attorney and the judge and, if they approve, the case is held over for a three-month period. During the three months the defendant is placed in a job or job training program and given careful and intensive counseling by a staff primarily composed of ex-convicts. At the end of the three months, if the employment record is satisfactory and if there have been no further problems with the police, the original case is closed.

This, I believe, is an imaginative attempt to provide individualized treatment for those entangled in the criminal process and to make every effort to introduce stability and order to their lives, rather than further disruption and hostility. It is this kind of alternative to incarceration that is essential if we are to deal adequately with the needs of the large volume of criminal offenders so as to prevent recidivism instead of fostering it.

What has been happening in this country—on the university campuses as well as in the ghettoes—places intense strains upon our police, our courts, our entire body of criminal law. Members of the bar should be the primary defenders of our legal system, to ensure that at all times it is just and equitable, that at all times the individual's rights are paramount.

For many of us, that will demand the adoption of rigorous new responsibilities and the sacrifice of established comforts. We may have to spend less time in the conference rooms and more time in the courthouses.

It must be done, however, because our unyielding allegiance must be to the law. We must be mindful that the law is not concerned with the position, the race or the wealth of those it touches. The law exists, not for the administration of equity, but for the administration of justice.

PACIFIC AIRLINE ROUTES

Mr. HART. Mr. President, President Nixon's decision on the Trans-Pacific Airline case has now been made public. President Johnson's decision added point-to-point competition between American carriers on Pacific routes. President Nixon's decision to a large extent takes it away. For this reason I believe President Nixon's decision unwise.

Early in the political campaign President Nixon spoke approvingly of cutting back on Government regulation. The alternative to regulation, of course, is competition. In this case, the President has used his office to protect existing routes from a substantial rise in competition—to protect the "ins" from the "outs."

His decision means that regulation has been increased, not lessened. It demonstrates again that Government regulation may be often used to protect those already in power from new entry. It explains why the regulated who loudly protest the evils of Government regulation are happy to receive its benefits.

It is my understanding that the law limits the President's role to a review of the foreign policy aspects of the Civil Aeronautics Board route awards: with that in mind let us review this case.

After lengthy hearings begun 3 years ago a CAB examiner made findings of fact on adequacy of service, traffic, and projection of future demand, and the customary route recommendations. The Board, charged by law with overall responsibility for the policy under the Federal Aviation Act, disagreed with some of the examiner's conclusions and recommendations. The changes made by the Board were well within the scope of its authority and such changes in hearing examiners' findings are made routinely by regulatory bodies. President Johnson, discharging his responsibility under the law, approved, with one exception, the Board's recommendation. The exception involved a route to Japan. The Japanese Government is strongly opposed to certification of additional carriers. One must presume the President was responding to this attitude, clearly a foreign policy consideration.

Now President Nixon has eliminated additional carriers from Pacific routes. There will be significantly less direct point-to-point competition on any Pacific route between U.S. carriers than under President Johnson's decision.

I suggest that the real threat to the public interest lies in the resolution of the case in a way which for practical purposes tends to eliminate point-to-point competition and which delays the certification of new service by remanding the case to the CAB and setting the stage for lengthy litigation.

Given the existing structure of the international carrier industry and its method of fixing ticket prices, the addition of fresh point-to-point competitors to Pacific routes is the only way to create pressures which might lower prices and improve service.

These routes are highly important to the United States and to the countries of Asia. Traffic on them is growing at an annual rate of 20 percent, even in the face of high fares which presently prevail. As many air carriers operating on the North Atlantic routes have discovered, the demand for air transportation is highly elastic. As price decreases the demand increases sharply. Should ticket prices drop substantially the growth of traffic on these routes should be dramatic. The rewards to all the nations of the Pacific in the form of more trade, better international understanding and greater opportunity for face-to-face contact between peoples would increase.

Under the existing system, rates are fixed by committees of the International Air Transport Association. The association, called IATA, is a membership association of the world's major commercial air carriers. The membership, for rate purposes, is divided into traffic conferences on a regional basis. Traffic Conference No. 3 covers Asia, Australia, New Zealand, and the Pacific Islands. The conferences meet privately and discuss the rates they will charge. Each member has veto power.

On routes with few competitors and limited seat capacity the economic pressures needed to force lower rates are missing. Carriers are content to carry fewer passengers at monopoly profit. However, as the seat capacity on a route increases so does the economic pressure to fill the seats. That pressure translates itself into lower fares. The experience on the North Atlantic routes provides an excellent example. Fares, particularly those of the promotional package variety, have dropped steadily.

Mr. President, I confess to having a strong distaste for this method of setting fares. It is not subject to the antitrust laws and it is not subject to CAB regulation. Perhaps this system should be changed but changes would require legislation and my concern is more immediate. I should like to see more carriers and more capacity on each of the Pacific routes. Further delay benefits only those carriers presently serving the routes. Partial elimination of point-to-point competition further benefits the existing carriers by removing pressures for lower fares.

The real losers are the American people. Additional competition on the Pacific routes is essential and if legislation is required to get it we should begin to think about appropriate steps.

I ask unanimous consent that the editorial entitled "The Pacific Air Fight," published in the Scripps-Howard newspapers be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PACIFIC AIR FIGHT

Although he did approve some increased competition among U.S. airlines, President Nixon has scuttled a large share of the commercial airline expansion President Johnson had approved for the Pacific area.

His decision brought no joy to Denver's World-wide aviation ambitions—which has been sent soaring by Johnson's decision to include Denver's Stapleton International Airport as a jumping-off place toward the Far Pacific by non-stop flights to Hawaii. The reversal of route grants also cut off Denver ties in the intricate airways network leading to the Far East and the antipodes via southern routes.

Nixon told the Civil Aeronautics Board he disapproved Johnson's rulings in six instances, based upon consideration of foreign relations and national security. It previously had been announced at the White House that these were the "only" considerations on which he would revise the Johnson decisions.

But White House aides told reporters some of the proposals were turned down because they were "lacking in economic viability." They said the estimates of increased Pacific traffic on which the Johnson decisions had been based were out of date and overly optimistic.

Since he did not spell them out, the international and security factors which influenced the President's decisions hardly can be debated. Six foreign carriers now compete against Pan Am, TWA and United in the Pacific.

But the airlines themselves, along with the CAB, seemed to be wholly convinced of the economic possibilities in the Pacific.

When he made his recommendations a year ago, the CAB examiner who heard the case had said:

"From every point of view—defense, economic, trade, tourism—the interests of the United States are being drawn inexorably toward the countries of the Pacific Basin."

This case, in substance, had been under way more than 10 years. The CAB reopened official proceedings in 1965. The record covers 9,400 pages; oral arguments alone went on 68 days. The examiner's recommendations of last April were revised by the CAB, revised again by President Johnson and now re-revised by President Nixon.

As evidence of their hopes for business in the Pacific, the competing U.S. airlines have spent millions and millions of dollars seeking rights to the routes. In 1967 alone, they spent some $4 million just on lawyer fees.

With bigger and faster planes, they were hoping to cut fares and flying times and thus enormously increase the tourist popularity of Hawaii, Japan and even New Zealand and Australia.

Security and foreign relations aside—whatever they may mean in this instance—competition generally is the public's greatest benefactor, in air travel or any other field. In this respect, Nixon's decisions cannot be regarded as other than disappointing.

But if the Pacific business of the future is as lucrative as the airlines obviously believe, this fight will go on and on (as it should) until the U.S. carriers get a fatter proportion of the Pacific business and American travelers and shippers get better service.

AMBASSADOR DAVID K. E. BRUCE

Mr. SPONG. Mr. President, for the better part of this decade, Mr. David K. E. Bruce has been our Ambassador to the Court of St. James in London and now has retired. He not only served in London for 8 years—longer than any other American—but he was our Ambassador to both France and Germany and the only American to hold these top three diplomatic posts.

Ambassador Bruce's long and varied career of public service also included membership in the legislature of both Virginia and his native Maryland.

Few diplomats have served their country with more diligence than Ambassador Bruce. Virginians have taken pride in his accomplishments and hope that in retirement he will spend much time at his residence, Staunton Hill, near Brookneal, in Charlotte County, Va.

Attendance at an Embassy briefing in London, presided over by Ambassador Bruce, gave one an opportunity to appreciate the depth of experience and knowledge that enabled Mr. Bruce to cover with clarity the entire range of Anglo-American relations.

We salute this distinguished American and wish him well in the future.

THE RIGHT APPROACH

Mr. HANSEN. Mr. President, the thoughts of a great number of Americans has centered on the downing of the U.S. Navy plane by the North Koreans. I want to take just a moment to comment on President Nixon's response to this serious matter.

I interpret the President's statement—that he has ordered the flights continued, with protection—to mean that our men will seek to shoot down any aircraft which attack.

Mr. Nixon also emphasized that renewal of the flights, which were discontinued when our plane was downed, is not indication that this is the final action we can take or will take in this matter.

The need to continue the flights is obvious. I believe the President made that clear. We still have 56,000 American troops in South Korea. The North Koreans have made threats against these men, and the border incidents have increased appreciably.

For the protection of our troops, we must continue to know, on a daily basis, what the North Koreans are doing. The best way to determine this apparently is through continued use of the reconnaissance planes.

Our aircraft have flown 190 such missions this year already, and there have been no warnings from North Korea against these missions. Our plane was 90 miles from their shore when attacked and at no time during this flight was it closer than 40 miles.

The attack on our unarmed aircraft was unprovoked and certainly unexpected.

I believe the President has taken the right approach.

SENATOR HARRIS CALLS FOR EQUITY IN RESULTS IN AMERICA

Mr. MONDALE. Mr. President, the senior Senator from Oklahoma (Mr. Harris) spoke recently before the National Press Club about the challenge to our society's unequal distribution of economic and political power.

He spoke of managing the economic system to improve the quality of American life. He spoke of basic rights for citizens. And he spoke of access to the decisionmaking processes for all Americans.

I am pleased that our Democratic Party Chairman touched on a number of questions with which I have been especially concerned—enforcement of antidiscrimination regulations; adherence to school desegregation guidelines; reform of our tax structure; real movement toward peace in Vietnam; the effect of anti-ballistic-missile deployment; of our hopes for peace abroad and progress at home; reform of the Democratic Party.

I took special interest, however, in Senator Harris' call for "a system of economic and social accounting which measures not just the sterile statistics of gross national product and corporate and individual income, but reinjects ethical concerns and human values into our economic management system and measures the quality of American life."

Mr. President, the senior Senator from Oklahoma (Mr. Harris) and 21 other Senators are sponsors of my proposed Full Opportunity Act, S. 5, which would establish a Council of Social Advisers and take a long step toward the kind of measurement Senator Harris speaks of in his address. I look forward to early hearings on the bill.

I ask unanimous consent that the complete text of Senator Harris' remarks before the National Press Club be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of Senator Fred R. Harris, National Press Club, April 17, 1969

All over America today, as never before in the history of our country, people are challenging our society's unequal distribution of economic and political power.

America's greatest need today is the need to achieve equity for all our citizens—not only equity in opportunity but equity in results.

Equity requires that America put first things first, establishing a system of economic and social accounting which measures not just the sterile statistics on GNP and corporate and individual income, but reinjects ethical concerns and human values into our economic management system and measures the quality of American life—a system which allows us to get our priorities straight so that it may not be said of us: "They could hear the lightest rumble of a distant drum but not the cries of a hungry child."

Equity means making real certain basic rights of every American. In addition to the traditional right to live and lodge and eat where one wants, equity means the *right* to a minimum standard of income for those who cannot help themselves, and the *right* to equal opportunity and a decent job at a liveable wage for every person willing and able to work; the *right* to a decent home in pleasant, wholesome surroundings; the *right* to a decent education, which prepares for living as well as for earning; the *right* to good health and enough to eat; and the *right* to be treated fairly—as a taxpayer and as a consumer of public and private services.

Equity means also that all Americans must have real access to the decision-making processes which affect their own lives.

There is a fundamental sense of unease in our society—a feeling of powerlessness on the part of many of our citizens in the face of huge and impersonal institutions—a sense of inequity, of inability to obtain response or recognition from our schools, our churches, our governmental bodies and our political parties.

There is a nagging sense of worry in our society—a concern that we are drifting listlessly into the stormy face of new and growing problems which beset our radically changing lives and world. For, as the President of the Massachusetts Institute of Technology recently said:

"We are beginning to discover that the right of free citizens to move freely without hindrance can be made meaningless by the breakdown of mass transportation, and the right of free assembly can be negated by impassable city traffic, or, for that matter, by uncontrolled crime in the city street. We are beginning to suspect that free speech and free press might become irrelevant if we were slowly strangled by the air we breathe or slowly poisoned by our drinking water. We are beginning to see that equal rights and equal job opportunity, when finally obtained by citizens long denied them, can be made meaningless by intolerable housing conditions or by ineffective education systems. We are beginning to realize that if exploding populations create a world of starving humans almost standing on each other's shoulders, *all* concepts of freedom can become irrelevant, and American prosperity could be infuriating and incendiary to billions deprived of either hope or future."

Now, President Richard Nixon has been in office for eighty-seven days. Yet, we will not carp and criticize. But we still await with more than casual interest his first substantial moves to really lead this nation.

For, as Teddy Roosevelt said, the Presidency *is* a "bully pulpit," and the test of leadership is not how accurately the leader gauges the mood of the people, but how skillfully he can appeal to those sparks of idealism which, though often smothered beneath layers of apathy and inertia, flicker still, waiting to be brought to flame.

The test of leadership is not only how successfully the leader is able to diminish the sounds of political acrimony, but also how acutely he detects the quiet voice of moral outrage, of social justice, of human compassion.

But, as the President cannot evade his responsibility to lead, neither can the Democratic Party refuse to take its stand on the great moral issues of our time.

Toward making equity real in our society, America has made proud and measurable progress in recent years—frequently with strong bipartisan support in the Congress. From the advances we have already made, we will now either advance further or retreat; we cannot stay where we are. We shall watch to see in what direction President Nixon will now attempt to lead us—or *whether* he will lead.

But, so long as the Democratic Party remains a vital influence on the national scene, there shall be no retreat.

The Democratic Party must move—and we are moving—to get our own house in order so that we may be prepared to do our duty.

We will allow no retreat on the issue of race and human equality.

We are concerned about the lack of clarity with which this Administration acts and moves on this, the most fundamental matter of equity in America—on social and economic equality for black people, for American Indians, for Spanish speaking Americans and other minority groups. There must be no retreat from the elementary and basic gains we have made in recent years, and we must not permit administrative neglect or half-hearted enforcement to slow the march forward.

We are disturbed by the reported advice of the newly appointed general counsel in the Department of Health, Education and Welfare concerning relaxed desegregation guidelines, advice which seems at variance with the statements of Secretary Finch. We are concerned about the actions of the Department of Defense in awarding contracts without requirement of full civil rights compliance. We puzzle over how these actions and the circumstances of Clifford Alexander's resignation as Chairman of the Equal Employment Opportunity Commission can coexist with Administration assurances of continued progress toward full equality.

President Nixon, we feel, must soon end this confusion; he must soon clearly choose between right and wrong on the moral issue of race. He cannot satisfy both sides, for only one of them is right.

We must allow no retreat on the issue of poverty. There must be no retreat from the determined march we have begun against inferior education and training, the lack of decent jobs, the bad housing, and the poor health and malnutrition which prevent millions of Americans from having a real chance to attain equity in their lives.

We are disturbed by the announced plans to cut back on summer Head Start funds, to turn youngsters out of closed-down Job Corps centers, to retrench on financing of health research and health delivery, and the refusal to pay the pitifully small price to do away with hunger.

These positions of the Nixon Administration seem dreadfully inconsistent with its announced intention to offer new approaches on the terrible urban and other domestic problems which daily grow more difficult.

A nation which can increase its real production by some $40 billion a year, which is the richest and most medically knowledgeable, most agriculturally productive country in the world, cannot escape the moral burden of continued poverty, when, as the 1968 Democratic Platform makes so clear, "For the first time in the history of the world, it is within the power of a nation to eradicate . . . the age-old curse of poverty."

President Nixon, we feel, must soon strike out on some clear course; he must soon clearly choose between right and wrong on the moral issue of poverty and hunger. He cannot satisfy both sides, for only one of them is right.

We shall not dwell upon President Nixon's campaign pledge to end the surcharge tax, for we know that election often makes wiser men of former candidates. But there must be no retreat from the resolute march toward fairness and equity in our tax system. Throughout America, taxpayers are increasingly outraged by a system which is regressive in its overburdening of those of lower and middle income, while allowing many of the rich to escape their fair share of Government costs.

We are concerned about this Administration's delay in presentation of its promised tax reform position, disturbed by those things which are reported to be left out of these recommendations to be announced.

President Nixon must soon break this silence. He must soon clearly choose between right and wrong on the moral issue of equity and fairness. He cannot satisfy both sides, for only one of them is right.

There must be no retreat from the long march toward peace. We shall not dwell upon President Nixon's campaign announcement of an undisclosed plan to end the war in Viet Nam. But we shall declare our concern that private peace talks, underway before his election, have only now begun again. We must declare our firm, continuing desire for a systematic de-Americanization of that war, for real progress toward South Vietnamese assumption of greater military responsibility and institution of real and lasting political, social and economic reform.

We are disturbed by the rhetoric of Secretary Laird, who spoke of "military victory" upon his visit to Viet Nam and by his confusing and disappointing public statements against withdrawal of any American troops from that area during 1969.

We are deeply worried by the growing militarization in America and by the continued delay in sitting down with the Soviet Union to discuss a lessening of arms race tensions. Deeper than the technical questions of whether an ABM system will work are questions concerning the triggering of further escalations in the race for armaments advantage and the sobering question of the direction America will go, the priorities it will establish for itself in the next decade.

President Nixon's decision to scrap the Sentinel Missile System and then to advocate a somewhat curtailed Safeguard system, backed up by varying arguments, seemed to be more political than military in its apparent attempt to do a little for each side of the argument.

President Nixon must soon make the hard decisions on the moral questions of war and peace. He cannot satisfy both sides, for only one of them is right.

We do not expect or insist that President Nixon meet and solve these issues within one hundred days or any other arbitrary period. We do insist that he address himself and his administration to these issues. For they must be met. And the people of America must soon be called to the task—in clear tones, in firm voice.

We shall not make partisan capital of these solemn causes. But we shall ask this Administration to lead, and we shall offer our own solutions.

The late Robert F. Kennedy was fond of quoting Tennyson's Ulysses:

> "One equal temper of heroes' hearts
> Made weak by time and fate, but strong in will
> To strive, to seek, to find, and not to yield."

The Democratic Party will continue to be entitled to lead the United States of America to the degree it continues to strive, to seek and not to yield—to the degree it speaks to the changed problems of our day, to the moral issues of our time, in terms which are meaningful and relevant to our lives and to the lives of our children.

For a time, we Americans may be tempted to rest on our record, to count the comforting beads of past progress, to recite the American litany of success, to turn our face away from the winds of change. But those winds blow more fiercely than ever in 1969. And the sounds we hear are not a call to retreat, but the trumpeting summons to advance toward individual dignity and self-determination, for equity, for an end to war and for the first steps toward that world peace which can yet be ours.

Those sounds will not be stilled by a call for silence.

Because the Democratic Party does hear those sounds and because we *will* and *must* respond to them, I believe that we shall be returned to leadership and—more importantly—to responsibility.

WATER AND INTEREST RATES

Mr. CURTIS. Mr. President, the Commercial Appeal, of Memphis, Tenn., published a very interesting editorial on April 1, 1969, entitled, "Water and Interest Rates." It refers to the excellent proposal made by the senior Senator from South Dakota (Mr. MUNDT).

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Memphis (Tenn.) Commercial Appeal, Apr. 1, 1969]

WATER AND INTEREST RATES

When interest rates began to soar about a year ago, concern was sounded about the effects this would have on the nation's water and land conservation programs.

The concern stemmed from the fact that approval of projects such as stream flood control depends upon a formula which compares the economic benefits to be derived with the costs involved. Higher interest rates obviously would have to be included in the cost side of that formula. As a result, a project that could have been justified two years ago might now be disqualified simply because interest rates had risen.

Senator Karl Mundt (R-S.D.) is asking Congress to correct this situation. He points out that unless corrective action is taken soon, there will be under-development of the nation's water resources in the years ahead which could lead to a shortage of water in the future due to lack of sufficient reservoirs.

What Senator Mundt proposes is that in the future water conservation planners crank into the cost-benefit formula definite economic values for benefits which in the past have been considered intangible.

He points to the Gillham Reservoir project in Arkansas as one example of how this could be done.

In reviewing the justification for that reservoir, it was noted that the cost side of the equation included $328,000 for recreation. Yet, the breakdown of benefits showed no gains for recreation.

Similarly, in the Biloxi Harbor, Miss., project, no economic benefits were toted up for the increase in barge hauling of coal there due to the development.

In the long run, lower interest rates would simplify the problems facing water resources planners, but until such rates show a decline consideration of the economic value of such projects should indeed be revised as Senator Mundt suggests.

NEGLECT OF ARTS BY NIXON ADMINISTRATION

Mr. PELL. Mr. President, I realize that President Nixon is faced with many tremendous and awesome problems. However, it is also important that the quality of American life, as well as its protection, should be of great concern to us. Indeed, I believe that an emphasis on the arts and humanities during the next few years should be maintained.

During the last campaign, there were many appeals made by those interested in the arts to support Mr. Nixon. Nationally, some artists and actors and many patrons of the arts supported the Republican nominee. In my own State of Rhode Island—a very distinguished group of citizens—alined themselves as "People in the Arts for Nixon."

Interestingly enough correspondence has since come to me out of this same group decrying the lack of support for the arts, evidenced by the Nixon administration. But the reason for taking the floor at this time is to say that I believe it is a disgrace that the position of Chairman of the National Endowment for the Arts is being left vacant.

The former excellent Chairman, Roger Stevens, had received a great deal of bipartisan political support for reappointment and, far more important, was tremendously respected and approved of in artistic circles. However, he was not reappointed, the reason being given, that he had once raised funds for the Democratic Party. That was in early March. My understanding is that the White House is now searching for a person suitably acceptable to the world of arts but who presumably has also a high Republican profile. Perhaps such a combination is hard to find.

While recognizing that President Nixon is fully occupied with the problems of the day, I do wish that the White House would hurry up in pressing this search or that it would at least be delegated to some individual so that a decision made which might in part fulfill the expectations of so many people who are members of "People in the Arts for Nixon."

EXPRESSION OF SOVIET ABM INTENTIONS

Mr. FANNIN. Mr. President, in the days leading up to the vote on the anti-ballistic-missile system, I think that it is wise for us to hear from all sources.

Much has been made, by opponents to the ABM, of the apparent intention of Soviet forces. They say that if we do not deploy our defensive system, then that will give the Soviet leaders no reason to develop a weapon to use against us. I admit that this kind of argument is too sophisticated for me to grasp. For the life of me I cannot see how our defensive capability can be considered provacative, while their defensive capability is not.

However, casting that argument aside for the moment, let us look at what the Soviets themselves say about their intentions. Early this month a copy of the book "Fifty Years of the Armed Forces of the U.S.S.R.", by Marshal M. V. Zakharov, arrived in the Library of Congress. This Russian officer was Chief of the General Staff of the Soviet Armed Forces. In the book he recalls that in 1958 the Russian equivalent of our ABM began taking shape. The Russian initials designating their defense system are PVO. This defense group became equal with Army, Navy, or Air Force.

Marshal Zakharov writes that in 1958 the PVO began taking on new dimensions. He says:

> The creation of ballistic missiles and space vehicles required a modern air defense system, to respond not only against the aircraft threat but also—and first of all—to provide anti-missile and anti-space (specifically in Russian, anti-cosmic) defense.

Thus it is clear that as long as 15 years ago the Russian high command decided that an ABM was needed and apparently work has proceeded full steam ahead since then.

The question I put then to the ABM critics is—If ABM is so costly, or meaningless, or valueless as claimed, then why have the Russians pushed so hard and fast in these past years to reach a point where they are already deploying their ABM and more? Why is it all right for the Russians to have a defense against nuclear ballistic missiles and not all right for the United States to claim the same defense?

Mr. President, I am indebted to the newsletter of the American Security Council for this information, and I ask unanimous consent that the entire text of the newsletter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Soviet ABM Monopoly

While the United States conducts a great national debate over whether or not to begin construction of an anti-ballistic missile defense, it is important to note that the genesis of a Soviet ABM system occurred 15 years ago.

In fact, with its own ABM well advanced, the Soviet Union today is apparently testing the far more sophisticated problems of defending against space weapons.

This would give Russia great additional lead time, even if the United States plan for a Safeguard system around some of our Minuteman silos is approved immediately.

Since 1954, when the Kremlin's top military and political planners decided to create a new branch of military service equal in status to the Army, Navy and Air Force, the Soviet Union has been moving ahead in the development of nuclear age defenses.

That new service was named P-V-O Strany for the Russian word *protivovozdushnaya oborona* meaning "anti-air defense".

Initially, P-V-O consisted of little more than anti-aircraft defense units and their equipment, anti-aircraft artillery, jet fighters and radar. Its first commander was World War II hero of the defense of Leningrad, Marshal L. A. Govorov.

Early this month a copy of a new book—*Fifty Years of the Armed Forces of the U.S.S.R.*—arrived in the United States for registration at the U.S. Library of Congress. Published last year, it was written by Marshal M. V. Zakharov Chief of the General Staff of the Soviet Armed Forces. In it, he recalls that in 1958 P-V-O began taking on new dimensions.

"The creation of ballistic missiles and space vehicles required a modern air defense system, to respond not only against the aircraft threat but also—*and first of all*—to provide anti-missile and anti-space (specifically, in Russian, anti-cosmic) defense.

THE SOVIET ABM SYSTEM

Soviet scientists, engineers, designers and industrialists were mobilized to provide a new subdivision called P-R-O (protivoraketnaya oborona or ABM, literally anti-rocket defense) while the original responsibilities of P-V-O were turned over to a new subdivision, P-S-O (protivo-samoletnaya oborona or anti-aircraft defense).

P-R-O missiles were first deployed in 1963 and have since been steadily increased in number and improved. P-R-O first relied on a so-called "point defense" not unlike (but far less sophisticated than) the *Safeguard* system requested by the Nixon administration for protection of a few selected sites where our Minuteman retaliatory intercontinental ballistic missiles are installed.

As the Russians viewed "point" defense, P-R-O was set up around their ICBM strategic weapons centers, key military command centers and the most vital industrial complexes. This system was soon enlarged to provide regional defense rather than just point defense.

Lately, the Soviet Union has begun installation of a line defense ranging down the Baltic Coast and named for one of the anchors in the line—the city of Tallinn, capital of Estonia.

P-V-O has set up regional command centers throughout the Soviet Union and the border areas of its satellites where both P-R-O and P-S-O units are stationed. However, the only known regional deployment of P-R-O missiles in heavy concentration is around the metropolitan complex of Moscow. Recent news accounts indicate there are some 67 P-R-O missile sites around the Russian capital.

THE P-V-O MISSION

P-V-O has established six command centers in the Eastern European satellites—one each in Bulgaria, Czechoslovakia, East Germany, Hungary, Poland and Rumania. These are primarily early-warning stations. (Incidentally, Soviet military journals often cite the existence of such bases in the satellites as the reason for stationing Russian or Warsaw Pact troops on satellite territory.) In addition, there are fourteen command centers in the Soviet Union.

P-V-O operations with the satellite countries are completely integrated under a Warsaw Pact three-star Russian general who operates from the headquarters of the Russian national P-V-O command. Thus, P-V-O, like all other military operations in the Soviet bloc, is totally integrated under Russian control. So much for Communist satellite independence.

Marshal Zakharov writes:

"The troops of P-V-O . . . consist of surface to air missile units, fighter aviation, radio-technical troops, and missile carrying aircraft. Surface to air missile troops are the new branch (P-R-O) of P-V-O troops . . . equipped with combat missile complexes of differing purpose and capability.

"The characteristic element of these missiles is the fact that they are guided in flight which permits directing the missile to the target area and homing it on the target for its complete destruction. The aiming of missiles is accomplished by means of complex automatic computerized guidance systems. The target is destroyed as a rule by the first launched missile. The modern surface to air missile complexes are capable of destruction of all existing types of planes and missiles the enemy possesses at this time . . .

"The surface to air missile troops are constantly undergoing developmental improvements. New families and generations of missiles are created with improved and perfected combat qualities and alert capabilities. The range of operations, speed of launching, and all other operational characteristics of P-R-O missiles are constantly being improved."

Thus, with pride and assurance to the Russian people does the Soviet Chief of Staff claim ABM progress over the past ten years in the Soviet Union. It may be discarded by critics of ABM as mere braggadocio but the fact remains they have ABM forces in being and we do not. No U.S. commander can assure the American people that they have a defense against nuclear war because the U.S. has not allowed its military to provide such defenses.

The Soviet Union officially describes P-R-O's mission as the "interception and destruction of enemy missiles or rockets in space, preferably at distant approaches to their objectives and far from national territory."

The commander-in-chief of P-V-O is Marshal P. F. Batitsky who took over in 1966. His responsibility for P-R-O and the conventional P-S-O anti-aircraft defenses has been expanded to include the establishment of an entirely new field mentioned earlier by Marshal Zakharov as anti-space/cosmic defense.

This subdivision of P-V-O is labeled P-K-O (protivosmicheskaya oborona, Russian for defense against space-orbiting combat missiles or intelligence [spy] satellites).

Such space defense may have three objectives—first, to be able to neutralize or destroy U.S. reconnaissance satellites which presently are our prime source of information about Soviet missile and space developments and/or second, to develop a means of neutralizing or destroying our intercontinental ballistic missiles shortly after they are launched. The third objective is one stated repeatedly by the Soviet Union's top officials—to gain control of Space. Our intelligence gathering agencies have come across numerous references in Soviet speeches and official documents in support of such an objective.

RECENT SOVIET TEST

Evidence of a Soviet test of anti-space defense was provided by a report, just released, from the U.S. Air Defense Command's "Satellite Situation Report." That document discloses that between October 19 and the first of November, three space vehicles were launched by the Soviet Union from their Cape Kennedy—known as the Tyuratam Space Center. Cosmos satellite 248 was sent into orbit on a trajectory that would carry it to an angle of 62.2 degrees over the equator. On practically the same course, Cosmos 249 and 252 were sent after it. About 300 miles above earth, the three satellites were in close proximity. Suddenly, 249 and 252 exploded into lots of little pieces, according to the U.S. Report. Cosmos 248, unharmed, continued on its way.

The explosion of the two satellites was non-nuclear, according to press reports.

The educated speculation of many of our military and space experts is that Cosmos 248 may have been a new military space vehicle designed to neutralize or destroy "enemy" satellites.

Neutralizing a satellite makes its camera inoperable so that it is "blinded". It has long been the view of specialists in space research that our best early-warning of a Soviet first-strike decision would be our reconnaissance satellites. The Russians have said they would try to develop a means of putting such an intelligence gathering space vehicle out of commission.

It now appears that the Russians may be doing just that.

The full impact of the Soviet Union's emphasis on an ABM system was demonstrated for the world to see on April 14, 1969 when Warsaw Pact forces conducted their first Spring maneuvers.

Marshal Batitsky, who holds the post of Air Defense Commander for the Warsaw Pact as well as that of Chief of P-V-O, was placed in charge of the maneuvers which were described as an effort to improve "anti-aircraft" defenses, but reportedly involved much more than a defense against conventional weapons or vehicles.

It is clear that P-V-O, structured to include P-R-O, P-S-O and P-K-O, enjoys a high priority in Soviet military planning.

One may fairly assert, as some U.S. critics of an ABM system have, that just because the Soviet Union has devoted so much attention to a Russian ABM there is no reason why America must follow suit. But those same critics owe it to themselves and to the American people to ask, as well, why the Soviet leadership considered it to be desirable or necessary to develop such an elaborate defense. If the ABM is so "costly", "useless" or "meaningless" as critics of the American plan are wont to charge, then why have the Russians pushed so hard, so fast in the past decade to reach the point where today they are rapidly building their own ABM and more?

Until that question is answered convincingly, supporters of the ABM defense concept in the United States have a right to keep asking: why should the Russian people have a monopoly on defense against nuclear war?

STUDENT ASSISTANCE ACT OF 1969

Mr. MONDALE. Mr. President, on April 14 I introduced S. 1788, the Student Assistance Act of 1969. The bill, if enacted, would do much toward expanding the higher education opportunity structure in this country. It would also be one of the most efficient ways to help millions break out of the cycle of poverty.

Since the bill has been introduced, a number of persons have asked questions about the bill. I ask unanimous consent that a questionnaire be printed in the RECORD.

There being no objection, the questionnaire was ordered to be printed in the RECORD, as follows:

QUESTIONS AND ANSWERS ABOUT THE STUDENT ASSISTANCE ACT OF 1969

1. How many students will be affected by the bill when fully implemented?

The bill provides grants to students under the provisions of Student Opportunity Grants and the Federal Fellowship Program. Loans will be provided through the Higher Education Loan Bank. Three to four million students might eventually borrow money from the bank to pay a part of their college expenses. At least 1,500,000 students would receive aid under the two grant programs, if they were fully funded.

2. Is the Student Opportunity Grant program similar to any present federally supported student aid programs?

Yes, it is. It is very similar to the G.I. Bill, a program that is familiar to many Americans. Both pay money directly to the student and let him attend the educational institution of his choice. Both make this aid available to students attending postsecondary vocational schools as well as colleges and universities. Both permit aid to half-time and three-quarter time students in addition to full-time students.

3. How do Student Opportunity Grants differ from the G.I. Bill?

There are two primary differences. First, Student Opportunity Grants will be based on need with the size of the grant ranging from $200–$1500, depending on the students' financial need. The G.I. Bill pays a flat sum to eligible veterans who qualify as a result of service in the military. To full-time students this G.I. Bill grant amounts to $130 per month. Second, universities attended by students receiving Student Opportunity Grants will receive a cost-of-education allowance for each student receiving a grant. The G.I. Bill does not pay a cost-of-education allowance to the educational institution.

4. How does the Student Opportunity Grant program compare with the present Educational Opportunity Grant program?

There are several differences:

(a) The E.O.G. program requires colleges to match funds they receive through this program on a 50–50 basis while the S.O.G. program requires none.

(b) The E.O.G. assistance goes only to the most needy students, with some institutions imposing a very low family income restriction. The S.O.G. program will aid these needy students. But it will also reach students from middle income families, particularly those with several children, more than one of whom is attending college.

(c) The S.O.G. program will pay a cost of education allowance to the school attended by those who receive grants; the E.O.G. program does not pay such costs.

(d) The S.O.G. award will go directly to the student who will have the choice of attending the institution he wants to attend; the E.O.G. award is dispensed by individual educational institutions. Before the student can get this aid he has to find an institution which has it available. Such an institution may not be the one he would prefer to attend and it may be difficult to find an institution with available money.

(e) E.O.G. awards can go only to full-time students. S.O.G. awards (proportionally reduced) can go to half-time and three-quarter-time students. Some students with heavy financial responsibilities may not be able to attend school full time. By carrying a heavy work load, with the money they could receive from a S.O.G. they may be able to attend school part-time.

(f) The S.O.G. program will provide an additional allowance for any dependents a student receiving a grant may have, if the student is determined to be self supporting. The E.O.G. program makes no provision for dependents.

(g) The maximum amount of the E.O.G. grant is $1000. The maximum S.O.G. grant will be $1500.

5. How does the Student Opportunity Grant program improve upon the Educational Opportunity Grant program?

It does so in several ways:

(a) To get an E.O.G. a given student must first find an institution with money to which he can apply. Institutions located near him, or ones that he would prefer to attend, may not have the money available for making the grant. Finding an institution which does have money may require several applications. This is a costly and time-consuming process which, in itself, erects certain obstacles to attending college.

(b) If a student knows that he will qualify for a grant, regardless of where he intends to go to college, he can begin planning to attend college early in his high school years. Veterans Administration psychological consultants and Office of Education studies indicate that the crucial decisions related to attending college are made then. The knowledge that this assistance is available will encourage low-income students to attend college.

(c) The formula which allocates E.O.G. money to institutions sometimes does not allocate the money where the greatest financial need is.

6. Why pay a cost-of-education allowance?

Although college costs are very high, the charge to the student does not cover the cost to the institution for educating him. Students at both private and public institutions receive a subsidy. If this bill increases college attendance, as it is designed to do, then it will require these institutions to stretch their subsidy over a larger number of students. This would increase the pressures to increase charges to all students. The cost-of-education allowance will ease this pressure.

7. Why is the bill needed? Aren't present programs working?

It's not a question of present programs working. Their results have been promising. It's a question of making improvements, and of making more needed aid available. This bill is needed for two reasons. First, the cost of attending college has vastly increased over the last several years. Between the years of 1948 and 1968, the cost for attending a public college for one year increased 72.3%; attending a private college increased 91.3%. During the same period of time the Consumer Price Index increased 44.6%. This means that the percentage increase in cost of attending college has almost *doubled* that of the increase in the Consumer Price Index. Since the cost is increasing so fast, there is a need to provide assistance from needy and middle income families. Second, there is evidence that there are still a number of able but needy students not reached by the present programs—the size of this group is at least 650,000.

8. What has been the difference in cost and tax return on the G.I. Bill?

The first two G.I. Bills, which covered veterans of World War II and the Korean conflict terminated in 1965. The total cost of these programs was $19 billion. Veterans Administration and Department of Labor studies suggest that the education made possible by these programs generated higher incomes for veterans who participated in the programs. The tax return on the income added was estimated at $1 billion per year. This means that during the lifetime of these men, the tax revenue on the added income will more than double the cost of the original program. At the present time the Department of Health, Education, and Welfare estimates that the lifetime differential in earnings between a college graduate and a high school graduate is $136,187. If this differential were taxed at the rate of 15% the added tax revenue would be $20,428.

9. Why does this bill emphasize direct aid to students?

It is the most efficient way to focus Federal resources on the neediest students who without this aid might not attend college, and it maximizes the choice of the student.

10. Why does the bill emphasize graduate as well as undergraduate education? Shouldn't the government's resources be concentrated on undergraduate education first?

The resources of this country are great enough to finance both undergraduate and graduate portions of this bill. Graduate enrollments are growing faster than undergraduate enrollments. Between 1960 and 1965 graduate enrollments increased by 70.3% while undergraduate enrollments increased 54.3%. This is putting increased strain upon present forms of graduate support which is not increasing as fast as enrollments. In addition, graduate students are somewhat more likely to attend schools in states other than that of their residence. Although no precise figures are available, it is also plausible that they are more likely than undergraduates to move to other states upon receipt of their degree. For these reasons, many state legislators are becoming increasingly reluctant to support graduate education, which is the most expensive of all education.

11. How does this fellowship program differ from present graduate fellowship programs?

It differs in several ways:

(a) Awards are based on both ability and need while present fellowships are based only on ability.

(b) As long as the student is in his last two years of working toward the Ph.D. or equivalent degree, he is eligible for the award regardless of his field of study. Present programs require the student to study in federally approved fields of study.

(c) The new program will be awarded directly to the student for study in the institution of his choice. Presently, only National Science Foundation Fellowships are awarded on this basis.

(d) The cost-of-education allowance paid the institution under this program will be greater (and more realistic) than that of most present fellowship programs.

12. Why should the awards be given to a student, regardless of his field of study? Shouldn't Federally supported fellowships encourage graduate students to study in fields where there are pressing national needs?

There may be a need for special federal fellowships designed to provide special assistance in areas where there is a national shortage. The Federal Fellowship Program will not replace present graduate support programs, many of which are designed to encourage students to enter fields of study in which there is a national need. At the same time, present programs provide disproportionately small support to training in education, social sciences, humanities, and business.

13. Who will make the determination of awards of money for students receiving Student Opportunity Grants and Federal Fellowships?

The Commissioner of Education will contract with private non-profit corporations to make this determination. All rules and regulations used to make determinations will be approved by the Commission of Education. These regulations will be published in the *Federal Register,* so that all can see them. When the student decides what school he will attend, he will inform this agency and his award will be dispensed through the institution he attends. His educational institution will also certify his course load, his progress toward the degree, and any change which might affect the amount of the student's award. Educational institutions will be reimbursed for their administrative expenses.

14. How does the Higher Education Loan Bank differ from the Guaranteed Loan Program and the National Defense Student Loan Program?

The bank will be a private non-profit corporation chartered by the government. It will make loans directly to students. These loans, like those in the Guaranteed Loan Program and the N.D.S.L. program, will be guaranteed by the Federal Government, and interest and repayment will be deferred until after the student completes his education. The chief difference is that the Bank will make loans directly to students. At the present time Guaranteed Loans are dispensed through local banks and National Defense loans through educational institutions.

15. What is the advantage of the Bank over the N.D.S.L. program?

There is no intention of replacing the N.D.S.L. program. But it has two disadvantages. It requires appropriations for much of the capital. The Bank will make it possible to tap the private sector for this. Also, the ability of the student to get the money hinges on whether it is available at the institution he attends. It may not be. The ability of a student to obtain a loan from the Bank would not hinge on the institution he happened to attend.

16. Why does the bill permit students to take 30 years to repay their loans? Isn't that a long time?

It is true that N.D.S.L. program permits only 10 years for repayment and the Guaranteed Loan program permits 15 years. However, this is a burden to many people, particularly to those who have to borrow large amounts. The thirty-year limitation spreads this burden over a longer period of time. It will make it easier for those who have to borrow large amounts to repay their loans. Earlier repayment will also be permitted.

17. Will the student be obligated to assign a certain percentage of his income to repay the loan?

No, the student will be obligated to repay only the principal and interest of his loan. Interest will be paid by the Federal Government as long as the student is still in college. The charter of the bank is sufficiently flexible so that the repayment could be a fixed amount each year or could start with lower amounts during the first few years and rise over the years as income increased. The only requirement is that the student pay all the interest after he has finished his education (except for up to three years for such service as the Peace Corps, VISTA, or the military), and that repayment be made within thirty years.

18. Where will the Bank get the money it lends?

The bank will get its loan funds from securities (or bonds) which it sells. In this way it will be able to tap private capital. At the present time, capital for the National Defense Student Loan program must be appropriated from public funds—although as loans are repaid these funds also become available for loans.

19. What are the advantages of the Bank over the Guaranteed Loan Program?

To get a guaranteed loan a student must apply to a local bank. The decision to grant the loan is made in the context of the credit rating of the student's family. Sometimes, students with academic promise fail to qualify for these loans on this account. In addition, money may not be available at the local bank, where the student would ordinarily apply, for educational loans. The law limits the amount of interest which the bank can charge for loans insured by the Guarnateed Loan Program. As a result, banks are becoming increasingly reluctant to make these loans. Many of these sources may be willing to make large amounts of money available for this purpose. But they are not willing to make it available for a loan-by-loan basis. Finally, the Bank will isolate these loans somewhat from the private capital market. The federal guarantee of the security coupled with the guarantee of the loan itself should reduce the interest rates. Moreover, the use of the Internal Revenue Service to collect the loan should reduce collection costs which could also be passed on to the student. It should make a large pool of money available on a national basis to which a student could apply for a loan. The greatest advantage of the Bank is that it would make a maximum amount of capital available for education loans with a minimum amount of Federal funds required. It should also facilitate the availability of loans for educational purposes.

20. Why is a cancellation provided when a borrower's income does not attain a certain level?

This will keep the repayment of the loan from becoming an unnecessary burden on low income persons who find that their income is not as high as they expected. It will also encourage certain individuals with a high risk of not completing their education by giving some incentive for trying, or at least starting their education.

21. How do the provisions concerning student outreach differ from outreach provisions?

The main differences are:

(a) The bill provides training grants to high school teachers and student leaders to equip them to counsel high school students about college, finance, and career possibilities.

(b) The bill sets up 500 Higher Education Opportunity Centers across the country to provide accessible places where students and parents can obtain information, application blanks, and other items concerning financial aids and college possibilities.

(c) The bill funds new projects designed to identify students potentially able to benefit from college work and encourage them to attend college. It also funds new research efforts which will throw light on the blended motivational and financial difficulties associated with low college attendance rates.

BALTIMORE'S JOB BANK PROVES VALUABLE IN HELPING THE UNEMPLOYED

Mr. MATHIAS. Mr. President, one of the most frustrating aspects of the unemployment problems of our cities has been the difficulty of bringing together the people who are seeking work and the jobs which need to be filled. In many cases, gaps in education or training may separate men from jobs. But in all too many instances, the failure is one of information and counseling.

For several years, many of us have discussed the possibility of creating computerized job banks to match people with available positions. I am glad to be able to report that this concept has now been put into operation in Baltimore, where a very exciting and promising program is being run by the Maryland State Employment Service and local antipoverty agencies.

Under the Baltimore system, an up-to-date list of several thousand job openings in the metropolitan area is prepared by computer every evening, and printouts are delivered each morning to neighborhood employment and counseling offices. Armed with this comprehensive, current list, counselors can direct men and women to appropriate jobs without delay or confusion.

This new efficiency and broader service has enabled the job bank to find employment for thousands of Baltimoreans who had formerly been numbered among the hard-core unemployed. During the last 3 months of 1968, for example, the job bank helped 2,184 poor persons to find work, more than triple the placements made in the same period in 1967.

One of the most impressive aspects of the Baltimore job bank is the high degree of cooperative and teamwork which has been sustained by State and local agencies. Some 18 antipoverty and social service agencies now participate day to day in the job bank program, which thus provides a coordinated citywide service for both employers and jobseekers.

The Baltimore job bank is already serving as a model for similar efforts in other cities, and is being studied closely by Federal officials interested in the possibility of expanding such services to entire urban States or, ultimately, nationwide.

In an excellent article published in the Wall Street Journal of April 9, Richard J. Levine summarized the Baltimore experience and the promise it offers for finally bridging the gap between men and jobs. Because I feel that this important project deserves wide attention, I ask unanimous consent that Mr. Levine's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Help for the Jobless: Computerized Job Bank Proves a Valuable Tool in a Test in Baltimore—It Lists Openings Each Day, Speeds Placement of Poor—Neighborhood Offices Help—Getting to Work Is a Problem

(By Richard J. Levine)

BALTIMORE.—Unemployed slum-dwellers seeking work in this city have a new ally—the computer.

The Maryland State Employment Service is testing a computerized job bank that Federal officials believe may prove a potent weapon in the nationwide war against poverty. In 10 months of operation, the experiment has shown high promise.

Developed locally, the Baltimore job bank is a simple computer system that prints an up-to-the-minute list of some 9,000 job openings in the metropolitan area each weekday evening. The following morning copies are distributed to placement counselors with the employment service and Baltimore antipoverty agencies—giving them a current and complete list of openings for the first time.

On a typical day, the bank offers a broad array of openings. It lists jobs for teachers, mechanical engineers, maids, clerk-typists, secretaries, steel-mill laborers, auto mechanics, porters, cooks and lathe operators.

Baltimore officials say the job bank has been crucial in helping the hard-core unemployed, particularly in Negro areas. The bank has enabled the employment service to decentralize by increasing the number, size and efficiency of its neighborhood "Outreach" offices.

A FACTORY JOB

Among the beneficiaries is Mrs. Nannie Gregory, who now packs bottles of bleach in boxes for $2 an hour at Owens-Illinois Inc. Mrs. Gregory, who previously scrubbed floors at a hospital, went to an Outreach office and told the interviewer, "I want factory work." Next day the employment service called to inform her about the Owens-Illinois job.

Howard Mitchell, a 23-year-old laborer at Allied Chemical Corp., also got quick help from an Outreach office located just two blocks from his home after he lost his construction job. The job bank produced the $2.56-an-hour Allied Chemical opening a day and a half after Mr. Mitchell visited the Outreach office.

Some needy people are being reached for the first time. "We knew there were potential job applicants in the ghetto we weren't serving," says J. Donn Aiken, director of the Maryland Employment Service. "Many slum-dwellers who never visited our main office have been willing to walk up four flights to a neghborhood office located six or eight blocks from their home."

Mainly as a result of the job bank, Mr. Aiken says, the employment service was able to place 2,184 poor persons in jobs in the Baltimore area during September, November and December 1968, more than triple the placements a year earlier. (October was excluded from the comparison, the latest available, because of a bus strike then.)

MORE JOB BANKS PLANNED

Labor Department officials in Washington are enthusiastic about the Baltimore experiment. They are moving to establish job banks in St. Louis, Chicago, Atlanta, Hartford and Portland, Ore., by mid-year. By July 1970, they hope to have banks operating in 30 more cities.

Spurring this effort is the knowledge that President Nixon is a strong proponent of automating the U.S. Training and Employment Service so it can better serve the poor. He favors a national computer job bank capable of automatically matching men and jobs located anywhere in the country. Such a system is viewed as a logical outgrowth of the Baltimore-type bank, in which the matching is still done by skilled interviewers.

"This is an area in which modern technology can serve human needs," Mr. Nixon has said. "If computers can match boys and girls for college dates, they can match job-seeking men with man-seeking jobs."

Experiments in computerized job matching are already in progress.

The most advanced test is being conducted by the Utah Employment Service, which since January has operated the first computerized statewide matching system covering the full range of jobs. Labor Secretary George Shultz says the project "has broad implications beyond the state of Utah." It is still too early to evaluate its performance, however. Before the end of the year, experimental matching systems are scheduled to be working in Florida, Michigan and the New York City area.

A TRICKY TASK

However, Federal officials caution that major problems remain.

First, it is extremely difficult to design an effective matching system. A computer, manpower experts stress, can't duplicate the subtle judgments a skilled interviewer often must make about an applicant's abilities and interests to place him in a job. "We are years away from a sophisticated search strategy that is sensitive to the needs of the hard-core unemployed," declares Charles Odell, a high-ranking Labor Department official.

Moreover, a national matching system would require sophisticated, expensive computer equipment. The Federal Government spent about $500,000 to set up the Utah experiment, and officials estimate a nationwide matching system would cost from $60 to $180 million.

Finally, it's not at all certain there is an urgent requirement for a national matching operation. Even with substantial Government assistance, the poor may be loath to move hundreds or thousands of miles for a job. "The major need," Mr. Odell says, is for a matching system covering each metropolitan area.

At the moment, the Federal Government is working hardest on duplicating the Baltimore job bank—because it is relatively free of hitches and has proved its usefulness.

"Some computer experts sneer at the Baltimore project" because they feel the computer is being used simply as a printing device, observes Joshua Levine, a Federal aide who oversees employment automation efforts.

He stresses, the job bank "licks the overriding problem" today in many big-city employment service offices: How to provide job interviewers with up-to-date listings of job openings for the entire metropolitan area. A growing flood of paperwork frequently makes this impossible where lists are kept manually.

Actually, the Baltimore job bank was designed to meet a particular local need rather than to solve a national problem.

In late 1967, many large employers in the Baltimore area were complaining to Mr. Aiken of the Maryland Employment Service and to city officials that they were being harassed by a multitude of agencies seeking jobs for the poor. Mr. Aiken turned for help to John Allen, a computer expert with the Maryland Department of Employment Security, which is housed in the same building as the employment service and uses computers to run the state's unemployment insurance program.

In six weeks, Mr. Allen and three other computer specialists came up with the design for the job bank. It works this way:

Information on job openings, placements, referrals of applicants for interviews and employer cancellations of orders is punched on computer cards. Each night the cards are fed through an IBM computer, which prints out a revised list of job openings. Copies are made, bound into big books and distributed by messenger.

To establish the bank, the Maryland Employment Service has received $150,000 from the Federal Government, mainly for rental of a copying machine and the salaries of 10 additional employes. No computer equipment beyond that used for the unemployment insurance system was needed.

Because the most isolated Outreach office now can have the same information on job openings as the main downtown office, the employment service has increased its neighborhood offices from three to 15—five of whilch are located in the heart of the Negro ghetto—and is planning to add 10 others.

While many job-seekers who have benefited from the bank remain unaware of its existence, they are pleased with the help they have received.

Harold Adams, a 19-year-old Negro, was drawing unemployment insurance after being laid off by a local department store. With the aid of an Outreach office aimed at needy young people, Mr. Adams was able to land a job as a stock man at Londontown Manufacturing Co., a rainwear maker. Mr. Adams pronounces himself "satisfied" with the employment service's help. "They got me a job," he says.

The disadvantaged aren't the only ones benefitting from the bank. Twenty-four-year-old Mrs. Marcia Ritmiller, who is attending college at night, got her job as a technician at Johns Hopkins University's medical school after visiting the main employment service office. To find the opening, she relates, the placement counselor "simply went through the job bank book."

Eighteen antipoverty or welfare agencies, ranging from the Federally financed Job Corps to the Maryland Department of Parole and Probation, have been assigned desks in the employment service's main office. Representatives of these agencies diligently search the latest copy of the job bank book. Access to it has significantly lessened the need for the agencies to solicit job openings from employers on their own.

But antipoverty officials warn that the bank isn't a panacea for hard-core unemployment. Many of the listings aren't suitable for the people the agencies serve.

"I'd bet 80% of the jobs in the bank aren't available to the hard-core" because they can't be reached by public transportation, says Mrs. Irene Little, a Neighborhood Youth Corps worker. Still, she adds, the bank has made it easier to place trainees, and the listings often provide leads to other jobs.

Employers seem especially pleased with the bank's central control unit, which helps keep them from being flooded with more applicants than they want. By checking a master copy of the job bank book, a clerk can determine if the number of applicants referred equals an employer's request, or if the job has been filled or the order canceled.

"Our experience with the bank has been good," says C. A. Kozelski, personnel vice president of Black & Decker Manufacturing Co. The power tool maker used to receive eight to 10 inquiries a day about jobs for the hardcore, says Mr. Kozelski, but now the problem has been eliminated.

The bank is also bringing more positive benefits for employers. "When we need people," says a Bethlehem Steel Corp. spokesman, "we just go to the job bank."

PRINCE SIHANOUK OF CAMBODIA

Mr. McGEE. Mr. President, Prince Sihanouk of Cambodia is a leader who has led his country on a tightrope policy of neutrality, more or less, shifting positions to accommodate the realities of power in Southeast Asia. He has been deft and sometimes exasperating, as Hedrick Smith observed Sunday in a column published in the New York Times. But he has been, through it all, a fairly good bellwether of the prevailing political winds in Asia. Thus, his move toward resumed relations with the United States last week is an encouraging sign that Sihanouk's opinion of the ultimate outcome in Southeast Asia has shifted considerably since he broke off relations with the United States in 1965.

Smith's column, which analyzes well the Sihanouk shift, deserves attention by Congress. I ask consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

United States and Cambodia: The Sihanouk Weathervane Turns West

(By Hedrick Smith)

Washington.—To veteran diplomats, Cambodia's Prince Norodom Sihanouk has long been one of the most reliable bellwethers of prevailing political winds in Southeast Asia. With a skill that has often exasperated, occasionally entertained, and always impressed much larger powers, the mercurial Prince has pursued a zig-zag course, deftly playing off Peking, Washington, Hanoi and Saigon to suit his own needs.

His constant objective has been Cambodia's—and his own—survival. For Prince Sihanouk is haunted by the fear that his small kingdom will be engulfed by its more warlike neighbors in Vietnam or Thailand, or sacrificed in the ideological clash between Peking and Washington.

AN INDICATOR

Cambodia's survival has rested, in large measure, on Prince Sihanouk's ability to pick the likely winner in the mortal combat swirling around him. The twists and turns in his foreign policy thus reflect his appraisal of the fortunes of the region—and are hence taken as an indicator of what shrewd Asian neutrals think about the outcome of the Vietnam war.

Small wonder, then, that some American officials last week took comfort that Prince Sihanouk wanted to resume diplomatic relations with the United States and had sharp words of criticism for Hanoi and the Vietcong. Although the Prince stuck to his basic neutralist posture, his latest moves were taken as a sign that he evidently thought allied prospects were improving.

Back in 1965, the Sihanouk weathervane was pointing the other way. With the Vietcong then seemingly on the verge of victory over a faltering Saigon, the Prince broke diplomatic relations with the United States and proclaimed Communist China as Cambodia's "No. 1 friend."

He accused American forces in Vietnam of arrogantly violating Cambodia's frontiers and he disingenuously denied that the Vietcong were hiding troops on Cambodian soil.

By 1967 Prince Sihanouk was hedging his bets. Evidently it looked like a long war to him. The North Vietnamese and Vietcong were no longer as discreet and inconspicuous about using Cambodian territory. But his own armed forces were too weak to do anything about it; they had problems enough trying to cope with Cambodian Communist rebels stirring in the countryside.

In recent weeks, his tune has really changed. He has taken to warning that Communist "provocations will only push us into the other camp." Apparently very worried at the security threat posed by tens of thousands of North Vietnamese and Vietcong troops in Cambodia, Prince Sihanouk has told his people that these Communist forces have set up "staffs, bases, hospitals, depots and rest centers" in Cambodia.

PASSED THE WORD

Privately he passed the word to Washington through the Philippines Embassy that he understood that in wartime some allied incursions from Vietnam were inevitable. And he acknowledged that Cambodia's disputed border with Saigon was poorly marked in spots.

With Prince Sihanouk in such a mood, Washington saw advantages in improving relations: encouraging his new line would increase international pressures on Hanoi to pull its troops back home. The Nixon Administration decided to recognize publicly Cambodia's territorial integrity "within its present frontiers"—something the Prince had always wanted to bolster his territorial claims against Vietnam and Thailand.

These soothing words moved Prince Sihanouk to action. On Wednesday, he announced he would soon reopen relations with Washington and said this would let him "play a new card since Asian Communists are already attacking us before the end of the Vietnam war."

The Prince, however, still supports the Vietcong politically and has snubbed an effort from Saigon to discuss their longstanding border dispute. But his position is more genuinely neutral than previously.

The reasons are not hard to find. The outcome of the war evidently looks more uncertain than ever before, and in a real compromise settlement, Prince Sihanouk calculates that it would pay to have some credit in Washington.

SUPPORT FROM WEST

In the long run, if the Paris negotiations succeed, Prince Sihanouk will want diplomatic support from the West for getting North Vietnamese and Vietcong troops to quit his territory.

NATIONAL SECRETARIES WEEK

Mr. DIRKSEN. For the 18th consecutive year, the last full week in April has been designated as Secretaries Week, with business, industry, education, government, and the professions joining in its observance. In 1969, Secretaries Week is April 20–26, with Wednesday, April 23, set aside as Secretaries Day. Under the sponsorship of the National Secretaries Association, International, the world's leading secretarial organization, the theme will again be "Better Secretaries Mean Better Business."

The week is acknowledged by Federal, State, and municipal governments and is observed with special NSA-sponsored activities. In the District of Columbia, Mayor Washington will sign a proclamation on April 21, urging recognition for all secretaries for the vital role they play. Deputy Mayor Fletcher will make the presentation for Mayor Washington. Present at the ceremony will be Mrs. Sally Dankmyer and Miss Alice Tilson, chairman and cochairman, respectively, Secretaries Week Committee.

Washington's Capital chapter and District of Columbia chapter will join together in the activities of the week, beginning with a church service on Sunday, April 20, at the Georgetown Evangelical Lutheran Church. Other activities for the week will include a tour of the McCall Printing Co. in Glenn Dale, Md., and a tour of WRC–TV studios including watching of a taping of the program "Its Academic."

The highlight of the week will be Secretaries Day, April 23, with a reception and banquet being held in the evening at the Shoreham Hotel. The speaker will be Kurt Henschen, news commentator, WWDC radio, and entertainment will be provided by the Riverside Four, a barbershop quartet, members of the Fairfax Jubil-Aires.

THE HEALTH AND NUTRITION NEEDS OF MIGRATORY FARMWORKERS

Mr. MONDALE. Mr. President, on April 9, 1969, Senator Alan Cranston, of California, who is a member of the Migratory Labor Subcommittee, of which I am chairman, delivered the keynote address at the Mid-Continent Migrant Health Conference in Albuquerque, N. Mex.

I would like to share his speech with my colleagues, for it is significant in several respects.

First, Senator Cranston correctly points out that both the immediate and long-range health care and nutrition needs of our Nation's 1 million migratory workers and their families are overwhelming, and must be given immediate attention. Yet, health services under the Migrant Health Act are available to only one of three migrants. And, how ironic it is that many farmworkers who pick our Nation's abundance of food are suffering from malnutrition.

Second, I fully agree with Senator Cranston that the Migrant Health Act should immediately be extended for 5 years with substantially increased appropriations. Furthermore, I share his conviction that health care, like education, must be made available as a matter of right to every American citizen.

And, finally, the theme repeated throughout my colleagues' eloquent speech was that our Nation's priorities must be reevaluated and reassessed. As he notes:

> We casually expend billions on sophisticated programs for military defense and then nit-pick at the few dollars needed merely to investigate hunger and human need in our land.

The migrant health program is currently funded for $9,000,000 a year. By doubling the appropriation we could at least reach 300,000 more human beings with minimum health care. Yet we spent $560 billion for defense in the past 10 years, and expect to spend $100 billion to $115 billion in the year 1970.

I am not a romantic—I think this Nation needs a defense. But one of the key issues facing this country is the necessity to realize that just because an idea is proposed by someone with stars on his shoulders, that does not put it above criticism. We have other problems too, and meeting the health and nutrition needs of our migratory farmworkers and rural impoverished is just one.

Mr. President, I ask unanimous consent that Senator CRANSTON's address, entitled "Better Health Services for All Rural Families" be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

BETTER HEALTH SERVICES FOR ALL RURAL FAMILIES

(Speech by Senator ALAN CRANSTON Before the Mid-Continent Migrant Health Conference in Albuquerque, N. Mex., on April 9, 1969)

I'm sure that you know the health problems of migrant and seasonal farm workers better than anyone else—better, really, than those who suffer the ills and pains and loss of energy that afflicts so many poor Americans.

Many of you have stood before other audiences and spoken with the eloquence of compassion about the disease, the hunger, the poverty which sap the strength and stifle the aspirations of the forgotten men of our countryside: the rural poor.

Many of you here are giving your careers, your very lives, to that forlorn cry for help that touches your hearts when you tend the babies and treat the mothers of the families who pick our crops.

It is because of your dedication that you have come to this Mid-continent Migrant Health Conference—looking for new ideas, better cooperation, and improved programs.

But most of all you come seeking hope—hope to surmount the anger and discouragement which come with knowledge of rural poverty—anger with a society that has the blind temerity to suggest to the rural poor that poverty can be overcome by hard work and initiative, when farm workers probably work harder for less money than anyone else in our society.

And discouragement with a nation that can casually expend billions on sophisticated programs for military defense and then nitpick at the few dollars needed merely to investigate hunger and human need in our land.

I wish that I could tell you that Congress and the nation are finally awakening to the desperate needs of the poor, in our cities and on our farms.

But you and I know that I cannot.

The indifference and apathy of our national attitude toward poverty are now being supplemented by our economic problems.

The dark clouds of an anti-inflationary economic policy threaten to blot out the fragile rays of aid and assistance which have brightened at least a few lives during the 1960's.

I do want to say to you that there are many members of the United States Senate who understand and care about rural poverty. Their number is increasing.

And I promise you that I will be in the thick of the fight to make a full and meaningful life possible for every American.

The immediate health needs of our migrants are well known to you.

The proposed 5-year extension of the Migrant Health Act—from 1970 to 1975—is essential for our nation.

Those of you whose devotion and hard work have developed and expanded migrant health services since the Act was adopted 7 years ago know all too well the sad reality:

Of the estimated one million migratory workers in the United States, only 31 percent were in counties served by migrant health projects last year.

Every American county with an annual migrant influx should have personal health and sanitation services available.

Yet for every one that does, two do not.

I say we must continue and expand migrant health services.

We must make it possible for the traveling farm worker's family to achieve some continuity of health care along the migration routes.

Further we must emphasize that the migratory family's needs are only a specialized version of the general deficiency of health services among the rural poor in our nation.

Even where the farm worker meets the residency requirements in his home-base county, he seldom has access to a comprehensive and effective health care program.

We must reach more of the rural poor, be they migrant or not, with better programs to treat and immunize, to supply needed vitamins, to improve sanitation, to educate in health and nutrition, and to provide hospitalization.

We must likewise face up to the problem of hunger in America.

The tragic findings of Senator McGovern and his colleagues on the Senate Select Committee on Nutrition and Human Needs should finally end the senseless prohibition against free distribution of food stamps for family units whose income is below a minimum level.

Food stamps should be used as tools to help solve the hunger problem.

There is, of course, no shortage of food in this country.

When children and adults are weakened and stunted by inadequate diets, we—and I mean our nation—are guilty of a meaningless and needless waste of our human resources.

As Americans we pride ourselves on our ingenuity—and surely a nation which can meet the challenge of outer space can figure out how to distribute surplus food to hungry children.

Meanwhile, we must end the exclusion of farm workers from the laws which regulate and protect other American working men.

Farm workers should be included under the National Labor Relations Act. I've joined with other Senators in sponsoring legislation to this end.

Compulsory workmen's compensation, and unemployment insurance, should be extended to farm workers in every state in our nation.

We must end the discriminatory residence requirements which deny to migrants federally supported public assistance programs and other benefits.

We must be alert to the understandable political tendency to concentrate limited poverty funds in the cities.

In no way would I suggest that the conditions of life in urban poverty neighborhoods are less than deplorable.

Nevertheless, I have seen rural slums in California which are as atrocious, as degrading to their inhabitants, as any core-city ghetto.

Yet as the turmoil of the cities seethes and bursts open through the long hot summers, the rural poor stand by silent and impassive, enduring the hardship of their kind of poverty—virtually unnoticed by the headlines and television cameras.

We must make sure that rural poverty-striken Americans are not ignored in our struggle for economic justice.

None of these proposals are new.

You have called for them in your conferences.

The Senate Subcommittee on Migratory Labor has called for them.

Churches and other concerned organizations have called for them.

Political conventions have called for them.

And I fear that the conferences, the conventions, the Congressional committees of next year and the next decade will say again and again what we say now and have said before:

Families still live in the disease and pestilence of poverty.

Worms still infest the bodies of little children.

The inadequate diets of pregnant mothers still condemn their unborn babies to deficient or retarded lives.

Migrants still die sooner from both disease and accident than their middle class brothers.

I believe this will be true—that is—unless we change our sense of national priorities.

Why should every dollar we spend on government health care programs and other plans to ease and improve the lives of the poor require such a battle in Congress and in our State Legislatures?

I think the answer is obvious:

Look at the 1970 budget now before Congress:

We are asked to spend $81.5 billion for national defense, $25 billion of which will be spent in Southeast Asia alone.

In contrast we can expect to spend about $13 billion for our entire federal health program, one half of which will be self-financed by medicare trust funds.

We are asked to spend almost $2 billion to land an American on the moon, while our entire food and nutrition budget is estimated at $720 million.

These strange priorities put the war in Vietnam ahead of the health of our own people.

A man on the moon is somehow more important in our scheme of values than feeding hungry children.

I believe it is time to reconsider these priorities. I believe the American people, and their Congress, are about to do exactly this.

Somehow in the maze of our political complexities we have lost sight of human values. Perhaps we are about to rediscover them.

It is on one specific aspect of these forgotten human values that I wish to place particular emphasis today.

As we call for specific programs and more adequate funding, let those of us concerned with health continue to demand that we reconsider and revise the priorities which shower funds on armaments and space exploration at the expense of poor people.

Our nation has long adhered to the principle of public education, insisting that every American has the right to attend a free public school.

We say that democracy must have enlightened, educated citizens if it is to remain a free society.

Our economy promises rewards based on hard work and education.

We tell our young people that if they stay in school and concentrate on studies, they will be able to get ahead.

Historically the philosophers of an equalitarian society have always insisted on the individual's right to an education as essential to giving every man an equal opportunity.

Isn't it time that we realized that exactly the same arguments apply to health?

It is an impudent mockery to say "all men are created equal" to a boy whose body or mind never developed properly because his migrant mother had a deficient pre-natal diet.

How can we seriously tell the child, whose health has been weakened by years of slum neglect, that because he lives in a free society he must stand on his own two feet and compete with his healthy middle class contemporaries for a job?

For our democracy to work, every person must have an opportunity to achieve a decent life for himself and his family.

Yet poor health is just as much of a barrier as a lack of education for the poor person—perhaps even more of a barrier, for disease and malnutrition feed on the strength and the spirit of a man, sucking him into despair and lethargy.

To fight their way out of poverty, poor Americans need all of their strength, all of their mental and physical resources.

Yet they have less access to national medical and other health services than anyone else in our society.

I believe it is time to give new substance to the promise of our democratic society to the poor people of our nation.

Let us declare that among the inalienable rights of every man, woman, and child in America is the right to be healthy. Let us declare that the right to be healthy is as essential a part of life, liberty, and the pursuit of happiness as is the right to an education.

And then, having avowed this commitment, let us assert and achieve the right to be healthy in every slum, at every cross roads, in every labor camp in our nation.

We must demand that every child has access to health services, that every family can get medical assistance when it needs it.

The United States can do this.

Once the threats to our national health have been recognized for what they are, we will rise to fight them with the courage and determination with which we have met other threats to our security and freedoms.

We have the knowledge, we have the people, we have the resources.

The right to health will add a shining new star to the panoply of America's promise.

Let each of us do all we can in the battle to make the right to be healthy an American reality.

FLIGHTS OF RECONNAISSANCE PLANES TO CONTINUE

Mr. BAKER. Mr. President, the decision to continue the flights of reconnaissance planes in the Sea of Japan to send armed escorts with them is a decision only the President should have made.

Since that was his decision I support it. I am sure North Korea received a much stronger warning than has been made public. A more emotional response might have been more satisfying initially, but I doubt if it would have improved chances for world peace.

From all evidence the shooting down of the unarmed plane was an aggressive act of war and while President Nixon made only a temporary decision, I think he made it crystal clear that he—and the United States—will not tolerate such incidents in the future. I support that policy.

A COMMITMENT TO EXCELLENCE

Mr. BURDICK. Mr. President, on April 11, Dr. L. D. Loftsgard was inaugurated as president of North Dakota State University in Fargo, N. Dak.

I believe his excellent inaugural address, entitled "A Commitment to Excellence," covered many of the problems and hopes in higher education today. His thoughts would be of interest to anyone concerned with the future development and growth of higher education. Therefore, I ask unanimous consent that his address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

A Commitment to Excellence

(An address by Dr. L. D. Loftsgard, delivered on the occasion of his inauguration as the 10th President of North Dakota State University, Friday, April 11, 1969, at Fargo, N. Dak.)

I recall reading in the paper last spring about a Commencement address that our esteemed neighbor Dr. Malcolm Moos was slated to give at the University of Minnesota.

It seems that the exercises had been scheduled out-of-doors and, at the last minute, had to be cancelled because of rain. Dr. Moos, being an adaptable fellow as well as a public speaker of no mean accomplishment, decided, in preference to letting his speech go to waste, to deliver it to the family dog which had that day been graduated from obedience school. He later reported the dog, in the manner of students nowdays, had howled piteously at several points, but at least Dr. Moos had had the satisfaction of feeling the day was not completely in vain.

We have a very nice dog at our house. But I must say, it pleases me greatly that the Jonahs among my associates, who have been predicting for the past three months that the mighty Red would have swollen its banks with pride by now and inundated us all, have been confounded and I'm not having to give this talk to Red, our family's Irish Setter.

We are indeed pleased, and, speaking in behalf of the University as well as myself, flattered, to have such a distinguished group of friends present for this occasion.

A university is like a human being in many respects. And this is not really so surprising if you stop to think about it—being the brainchild of human beings and made up of people. It has character, a personality, an aggregate intellect, standing in its community, status among its peers and a social role that constantly changes in some respects, but remains rigidly constant in others.

I have the impression that, during its early years, NDSU, or the Agricultural College as it was known as in those days, was rather a brash, young, no-nonsense kind of institution, with its shirtsleeves rolled up and a determination to do everything it could to help the North Dakotans of that day survive in an oftentimes hostile environment. The work of such people as Edwin Ladd, the Waldron brothers, H. L. Bolley and others will attest to that.

In the years to follow, science and technology became the watchwords of the institution's education philosophy, equipping its people with the tools and skills they would need to cope with an increasingly technology-oriented society.

NDSU's official designation as a university nine years ago, portended another change in its philosophical role, a change which, in keeping with its growing maturity as an institution, reflects not only the realization that science and technology alone cannot solve humanity's problems but society's changing values as well.

I think John Quincy Adams summed all of this up rather succinctly more than 150 years ago, when he said, "we must learn the arts of war and independence so that our children can learn engineering and architecture, so that their grandchildren can learn fine arts and painting." Ironically, visionary though he was, John Quincy Adams apparently could not foresee the extent to which it would be necessary for us still to be learning the arts of war, simultaneous with engineering and architecture, while we continue the search for the elusive keys to human behavior that will allow us, one day, to get off this frightening roller coaster ride to self destruction.

This is a very exciting time to be involved with higher education. I wouldn't trade my role in it for anything. But it's also a very sobering time.

Recently, a prominent educator who has long been involved with educational planning on a global scale, published a report which he called a systems analysis of the world crisis in education. In it, he identifies five major forces at work in education today. They include the great flood of students we all have been experiencing in the past couple of decades; the alarming rise in the costs of education which has accompanied this expansion; the scarcity of resources—both human and economic—to cope with these increased demands; the unsuitability of the output of higher education today; and, finally, the inertia and inefficiency we are experiencing in adapting ourselves to cope with these problems.

Although each one of these factors is menu for extensive deliberation, I'm going to dwell for a moment on only the last two.

This one about the unsuitability of our output should particularly concern us today. As we watch our young people stride across the Commencement platforms here, and at other institutions this spring, I think we would do well to ask ourselves just what kind of creature is this that we have produced? I suppose there are some slightly Frankensteinian connotations to that statement, but I do think some rather deep soul searching is in order at this particular point in time.

When we speak of such things as quality or suitability, we are not talking about a given person's technical qualifications for a particular profession. I'm as fully confident as you are that when one of those bright, clear-eyed engineers or pharmacists or home economists steps up to receive a diploma with his "graduation-with-honors" ribbon fluttering in the breeze, he's as technically well qualified for his profession as any graduate in the world today.

But the word technology has two lines of origin. The "Techne" part carries the connotations of artifice and invention. The "Logos" part, the connotation of wisdom. The question then that we need to ask ourselves as educators, is whether or not these young engineers and chemists and agriculturalists we are educating are wise as well as skilled in their professions? I don't know, but I like to think that they are. Or at least that we have had some part in laying the groundwork that will help them to grow is wisdom as the years go by.

We in higher education are sometimes charged, most often of late by our own students, with producing not well-rounded, reasoning, feeling, civilized members of society, but rather technical automatons, custom styled to fit the needs of a mindless technological society, serving violence and war, and into which they fit as faceless interchangeable parts. Robert Hutchins leveled the latter charge at American education 30 years ago and has continued to reiterate it since then, including at the time of his visit here a couple years back. It is a very serious charge.

But I don't buy it. At least not completely.

Granted, there is some very convincing evidence that our current society is more interested in machines than it is in people. But I am not at all convinced that the fault lies wholly with the kind of people we have been producing through our educational system. Rather, I would prefer to believe that this is, as John Quincy Adams suggested, one step in the evolution of mankind. Now that science and technology have given us the tools for true civilization, the challenge to us is to learn to employ them for humane and positive ends.

In looking back over the history of this institution and that of the others like it, one cannot help but be profoundly impressed by the extent to which they have succeeded in harnessing science and technology for humanitarian purposes. Where would we be today without the great achievements of our colleges of agriculture, medicine, chemistry and engineering?

And to suggest that a man who is educated in science or one of the professions is necessarily an unfeeling barbarian, incapable of humanitarian responses is a grossly subjective judgment, wholly unsupportable by logic.

Most of us are agreed, I think, that it need not be an either-or situation.

We need not abandon our instruction in technology and professional skills to place more emphasis on the humanities. We can and must have both. Most important, I think, is that we must be constantly alert to the inherent dangers of technology gone wrong. And to that end, we must aggressively pursue positive change in the direction of greater attention to human concerns.

This, then, brings me to the other major problem I cited earlier, that of inertia and inefficiency. Too many of us, I'm afraid, have a tendency to respond to crises such as these with "business-as-usual" methods. But because these complex problems don't lend themselves to simple solutions, what we end up with in too many cases is doing "business-worse-than-usual."

A leading American educator has said that in a great many of our colleges and universities the most stubborn enemy of excellence in performance has been low morale—a kind of hopelessness on the part of both administration and faculty—hopelessness about ever achieving distinction as an institution. Not only are such attitudes a corrosive influence on morale, they also make it virtually certain that the institution will never achieve the kind of excellence which is within its reach.

There is a kind of excellence within the reach of every institution. We are all acquainted with some organizations, some families, some athletic teams, some political groups that inspire their members to great heights of personal performance. Such high individual performance depends to a great extent on the capacity of the society or institution to evoke it.

Last June, in an effort to ask ourselves some of these questions as they relate to this university, the deans and I together with a handful of faculty members and some other key administrators, drove up to Lake Metigoshe, near the Canadian border for a sort of retreat—an opportunity to get away from the day-to-day concerns of life on the campus; a chance to look at what we were doing through the large end of the telescope; an opportunity to get some feeling of detachment. I felt it was a most successful outing. The initial recommendations that grew out of that conference will be published soon.

We talked about such relatively mundane things as needed changes in the various curricula, new ideas in research and extension; a system for better evaluating and rewarding faculty performance; greater real student and faculty involvement in decision making; the university's physical needs; and the importance of accommodating the academically gifted student as well as the academically underendowed. But this was the first time, in recent years at least, that we have taken the opportunity to put NDSU under the microscope to come up with recommendations about its future directions.

With a target date of 1975 to give us something to shoot for, we are currently beginning to implement some of the recommendations that came out of that retreat. We have lumped it all under the title, SU '75. Although this idea may seem new to us, its philosophical roots go very deep.

The land-grant system that created NDSU, was conceived under a powerful democratic dictum: That all work is dignified, and that students should be taught on the basis of their ability to learn some worthwhile work, whether intellectual or practical, rather than on the basis of money or social position.

That position was eloquently restated a few years back by John W. Gardner, when he said, "We must learn to honor excellence, indeed to demand it, in every socially accepted human activity, however humble . . . and to scorn shoddiness, however exalted. . . . An excellent plumber is infinitely more admirable than an incompetent philosopher. The society which scorns excellence in plumbing because it is a humble activity and tolerates shoddiness in philosophy because it is an exalted activity will have neither good plumbing nor good philosophy. Neither its pipes nor its theories will hold water."

It is on this kind of philosophy that SU '75 is based.

It is not a list of specific changes we hope to bring about. Rather, it is a broad-based challenge to our teachers and students, a challenge to help us create environment in which SU '75 can happen. The specifics of these changes will come from our teachers, our students, and our alumni.

And I am particularly pleased to report to Mr. Gallagher, who so kindly offered the services of NDSU's 17,000 alumni a few minutes ago, that we do indeed have a challenge for them. Among the changes we hope to see at NDSU by 1975 are in the physical face of our campus.

One change is a new Music Building as a part of the Fine Arts Complex which was begun last year with the completion of Askanase Hall. Another would be the construction of new South Stands at Dacotan Field. Another is a new University Library. And there are more—a Research and Development Center to house the electronic computers; a new Auditorium to replace Festival Hall; and a Faculty-Alumni Center that will provide an atmosphere for the continuing exchange of ideas among all the University's people. Hopefully, some of these structures will be constructed with partial aid from state appropriations. Others may be eligible for Federal assistance. But part of this total program—an estimated $4 million worth—will have to come from sources other than governmental. It is our hope that leadership in this endeavor can be the alumni's stake in SU '75.

I guess I had never really appreciated before, the great extent to which a university is dependent upon its alumni. Faculty members come and go. In the main, their loyalty goes first to their discipline. Students are here for four or five years. But the dedicated alumnus belongs for the rest of his life. There is a mutual interaction between a good university and its alumni. As an institution grows in stature, the value of its diplomas grows accordingly. But such growth is realized only through the concerned and committed participation of its alumni.

The people who founded this university 79 years ago, had, I'm sure, lofty hopes for what it might become. I doubt if they envisioned anything quite like what it is today But they, and the people who came after them, have given us a strong foundation of dedication, commitments, and intellectual aspiration on which to build.

Today we face a responsibility to them, to the people of North Dakota, to our students, our alumni and ourselves that is infinitely more far-reaching in its implications than at any time before in our history.

In the light of this, it behooves us all to move forward, shunning intellectual faddism and conformity, yet striving for that singular excellence and individuality that is this University's heritage.

Thank you.

PRESENTATION OF PROFESSIONAL TROPHY AWARD TO OHIO

Mr. SAXBE. Mr. President, I am proud that Ohio has been selected winner of the Professional Trophy Award for the excellence of its industrial development program last year.

The award is presented annually by the Society of Industrial Realtors.

An independent board of judges voted North Carolina runnerup for the 1968 award. Virginia placed third and will receive an honorable mention citation.

This is the second time in the past 3 years Ohio has won the award. North Carolina captured the coveted trophy in 1960—the first year it was presented.

The award presentation will be made to Ohio Gov. James A. Rhodes at a luncheon May 6 at the Olympic Hotel in Seattle during the annual spring meeting of the society—a professional affiliate of the National Association of Real Estate Boards. SIR members specialize in marketing industrial properties and meeting industry's real estate needs.

All States and Canadian provinces are invited to compete for the award. In addition to Ohio and North Carolina, previous winners have been Maine, Manitoba, Texas, Georgia, and Kentucky, which won twice—in 1964 and 1967.

The Ohio industrial development program is carried out by the State's development department, Fred P. Neuenschwander, director.

In its entry, Ohio reported that there were 695 new firms and 2,623 expansions in the State in 1968, with new capital investment totaling more than $2.4 billion. Additional employment generated by industrial growth for the year was 124,346.

The entry noted that Ohio has led the Nation in new capital for plants and equipment in every year for the past 5 years. During this period, manufacturers have invested over $10 billion in Ohio industry, creating 600,000 new jobs.

The board of judges cited Ohio's broad-ranging, coordinated approach to development, and the excellent results it achieves with a comparatively low budget of $732,000—less that 7 cents per capita.

Ohio's "total development program" includes a sales division, research division, information division, atomic energy division, world trade division, travel and tourism division, offices in Washington, New York, Brussels, Tokyo, and Caracas, and advisory councils composed of 141 professional leaders who offer expert advice to the department and serve without monetary compensation.

A management consulting service for small businessmen, a computerized site selection system, and a fully automatic area information system are among the features of the 1968 Ohio industrial development program. The department emphasizes international trade and held five trade fairs in Venezuela, Brazil, Japan and Australia in 1968 which resulted in more than $12.4 million in business for Ohio companies.

The judges commended Ohio for embarking on a new planning program called "Solutions for the Seventies"—a "strategy for the total mobilization of Ohio's human, economic, and natural resources." Vocational and technical schools, job retraining centers, minerals research and development, a transportation research center, improving the State's lakes and rivers, and stimulating recreation investment are included in this program.

The criteria against which entries were judged were: scope and balance of the program; degree of difficulty of the development program; efficiency of the industrial development efforts in relation to financial resources; amount of progress made during 1968 compared with previous years; industrial development program—relations with, and aid to, new and existing industries; attraction of industry; financing; and the program's contribution to the ethical stature and practice of industrial development.

Serving on the board of judges were: Robert E. Boley, executive director, Urban Land Institute, Washington; Russell B. Gallagher, manager, real estate department, Philco-Ford Corp., Philadelphia; Frank M. Heilmann, vice president, Fair Lawn Industrial Park, Franklin Lakes, N.J.; W. L. Ollerhead, vice president, the Chespeake & Ohio Railway Co./the Baltimore & Ohio Railroad Co., Baltimore; Theodore K. Pasma, Economic Development Administration, Washington; Richard Preston, executive director, American Industrial Development Council, Boston; and Donald N. Stocker, manager, area development, Pennsylvania Power & Light Co., Allentown, Pa.

CUTOFF OF SCHOOL LUNCH FUNDS

Mr. TALMADGE. Mr. President, the Atlanta Constitution of April 16 contained an Associated Press article entitled "Aid Cutoff Hurts Poor Pupils Most."

This excellent article makes the point that the withdrawal of Federal assistance to school systems in desegregation noncompliance cases inflicts the most damage to the very ones that the law purports to help—poor and needy schoolchildren most of them Negro. Judging from the comments of some of the school principals interviewed by AP writer Don McKee, lunch programs for hungry children suffer the most.

This is what I have maintained for a long time. This is what I pointed out in the Senate on March 11, when I introduced a bill to prohibit the Department of Heath, Education, and Welfare from cutting off funds to school systems where they are being used in school lunch programs.

I hope that my proposed legislation will be adopted by Congress and that we can put a stop to this unconscionable practice. I cannot understand a policy of the Federal Government that allows small children, and in most cases poor and hungry children, black and white, to be penalized in this way. I cannot understand denying any children under any circumstances of their rights to education and training. I cannot believe that this was the intent of the Civil Rights Act of 1964. I know it was not intended that any agency of the Federal Government would act to cripple or destroy school lunch programs for needy boys and girls.

I sometimes wonder how it must feel to some of the officials in the Department of Health, Education, and Welfare to be cast in the role of hatchetmen over schoolchildren, with virtually dictatorial power to make decisions affecting the upbringing and education of thousands and thousands of small children—to decide in effect whether they will be given the full loaf of adequate schooling, or merely a breadcrumb.

Instead of taking money away from schools, we ought to be pumping every available dollar into them—especially into those schools where there are heavy concentrations of poor families and deprived children.

Some 6,000 schoolchildren are involved in the two schools discussed in the AP article. Each and every one of them needs the best education possible. It is their right. Yet they are being shortchanged because of a punitive policy of the Department of Health, Education, and Welfare. There are tens of thousands of other schoolchildren throughout the South that are being similary denied their right to a full and adequate education.

The argument is made that the Federal Government cuts off school money to relieve itself of being in the position of subsidizing illegal segregation. I cannot go along with that philosophy.

If the Federal Government continues to pour money and assistance into colleges and universities where students strike, riot, and destroy, and where the administrators are either unwilling or unable to maintain law and order, are we then subsidizing lawless anarchy on the campus?

When we spend Federal money to rebuild parts of cities that have been destroyed in riots by arsonists and looters, are we not then subsidizing lawlessness in the streets?

If Federal funds must be withheld from somewhere, I say withhold them from colleges which have been turned into revolutionary shambles by students, many of them on Federal loans, who make a mockery of law and order and a farce of higher education. These people are old enough to know what they are doing and college administrators must be aware of what they are permitting to take place.

Rioters and looters also know what they are doing, and it makes me flinch to see vast sums of the taxpayers' money being spent to repair their damage.

But let us stop punishing small and innocent schoolchildren for circumstances over which they have absolutely no control and controversy they do not even know about.

Mr. President, I bring the AP article to the attention of the Senate, and ask unanimous consent that it be printed in the Record at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Aid Cutoff Hurts Poor Pupils Most

(Note.—What happens when federal school funds are cut off? Who gets hurt? Does it force compliance? To get answers, The Associated Press investigated results in Georgia.)

(By Don McKee)

Vienna, Ga.—Refusal to accept integration guidelines cost Dooly County $359,000 a year in federal funds, a figure equal to 40 per cent of the school budget, and crippled enrichment programs at Negro schools.

The cutoff helped force a tax raise.

But hurt worst were hundreds of disadvantaged school children, most of them poor and Negro.

Losers were not the five school board members who rejected an integration plan of the U.S. Department of Health, Education and Welfare—HEW—two years ago.

The losers were school children: those needing special preschool help and remedial training but now without a program.

And sick children, who lost a school nurse.

Hungry children, who were getting hot lunches free.

"My biggest problem? Not being able to feed the children," said Negro Principal Frank E. Williams at Paul Vance School in Dooly County.

Dooly, the state's top cotton-growing county located in south Georgia, and Jones County, a sparsely populated pulpwood area near Macon, show the pattern of what results from cutting off federal funds for schools.

Most of the money went to Negro schools since they have by far the most low-income families, a key qualification for the larger grants. Withdrawal of funds was felt sharply in these schools, while the situation in predominantly white schools was not significantly changed.

That has been the main effect in Georgia systems, which authorities say are losing upward of $7.5 million a year. Some Georgians argue that HEW's cutoff of funds penalizes children because of actions of school boards.

But a HEW official says the school authorities must take the blame for not complying with "the law of the land."

Regardless of blame, the effects are the same.

Dooly County, 50 miles south of Macon, is bisected by Interstate 75, the major north-south tourist route. The county's 11,000 population is 60 per cent Negro, as is the school enrollment of 3,100.

THIS BREAKDOWN

School Supt. W. F. Stone gave this breakdown of the federal funds it received before termination in 1967:

Remedial-enrichment programs—under Title I of 1964 Civil Rights Act—273,000.

Antipoverty—Head Start others—$40,000.

"Impact area" funds based on the number of military dependents in schools, $26,000.

Vocational education, $15,000.

The total of $359,999 is equal to nearly 40 per cent of the 1967 school budget of $904,876. But since the bulk of the federal funds were for added, enrichment programs, the county had to make up only about $50,000 in its budget, Stone said.

This was done by raising property taxes $4 per $1,000 valuation last year, producing about $85,000 for schools.

A pressing problem was that of hot lunches for many Negro pupils, farm children whose families fall below the poverty level of $3,000 a year income and often must be trained to like milk because they have none at home, Stone said.

Principal Williams and his teachers at Vance elementary have taken it on themselves to raise money in their community. A pilot program of special state aid has helped.

"Sometimes we have only 19 children out

of 404 at this school who can pay for lunch," Williams said. "The majority still eat free."

FOOD CURTAILED

Stone said that with federal funds 733 meals per day had been provided free. Local efforts have kept the free lunch program going, but on a curtailed basis.

Lost with the federal money also:

A special reading teacher, a physical education teacher and six teacher assistants, a nurse, a band instructor, three lunchroom workers and two janitors—all for the Negro schools.

Dooly County's school board balked two years ago when HEW's formula demanded 150 pupils and 14 teachers cross the color line, Stone said.

Under a freedom of choice plan, about 35 Negroes had transferred to white schools. "You just don't change overnight," Stone said, arguing that HEW had asked too much.

There now are nine Negroes in two otherwise white schools, he said, though the system has dropped its integration plan altogether.

No public battle has resulted from the loss of funds and the recession in integration. But the Department of Justice notified the school board four months ago that a Negro parent had complained of discrimination.

BOARD REPLIES

The school board, in reply, adopted a resolution calling for compliance requirements to be "established by judiciary directives." Under federal law, the Justice Department may go into federal court to force compliance.

Jones County, which lies immediately northeast of Macon, has 3,000 school children, with a slight white majority. There are seven schools, four of them all Negro. About 65 Negroes attend predominantly white schools.

Federal aid totaling more than $150,000 was cut off in October 1966 when the school board rejected HEW's proposal to abolish the dual school system. Included in the loss, state records show, were $111,836 in enrichment funds and $21,677 in funds for military dependents in schools.

HUNGER PLAGUES

"Actually it seems like it brought things to a standstill," said Negro Principal Charles Adams of Bradley Elementary, also plagued with hunger problems. He said classroom equipment, such as reading machines and projectors, were still in use but there were no maintenance funds, no new filmstrips.

"Actually some of the machines are idle," he said.

Schools in Jones County are crowded and the critical need is for more room, said Supt. Linton Jordan.

WHAT'S EFFECT?

What was the effect of cutting off federal funds?

"The difference is in things we might have done," he said.

"We're operating like we always operated before we got the funds."

Jordan said $50,000 was spent in a reading program for Negro schools. Other federal money went into science equipment, textbooks, physical plant, lunches, a band with instruments costing $6,000, record players and four pianos.

NEGRO SCHOOLS

All this went to Negro schools. And there were ambitious plans for more programs before the money was cut off, said Marie H. Collins, a Negro teacher who coordinated the federal programs.

Principal Jerome Guy of Maggie Califf High School said Negro schools, like this, were "definitely retarded" academically by the termination of funds.

He said if he had to make a choice he would rather have improved education than school integration.

A federal official defended the cutoff of funds.

THE THEORY

"The theory of cutting off funds was that the federal government in such situations was in the position of subsidizing segregation," said Paul Rilling, regional civil rights director for HEW in Atlanta.

The theory that federal aid might be used to "encourage" compliance was involved also, Rilling said. This has worked in many instances, he said, citing the fact that most school systems have complied with the law.

"There has been substantial progress in the Deep South," said Rilling. In the 11 Southern states in 1964, he said, integrated schools had only 2 per cent Negro pupils, but now the figure is 20 per cent.

GOLDEN SPIKE CEREMOMY PROGRESS

Mr. BENNETT. Mr. President, on May 10, 1969, at Promontory, Utah, a great moment in American history will be marked when the driving of the golden spike that signaled completion of the first transcontinental railroad is reenacted.

All of Utah is waiting for this major event.

Utah will have an especially hearty welcome for all steam train "buffs" during the activities planned to celebrate this historic event. A big steam locomotive of recent vintage, Union Pacific's No. 844, will operate in daily service between Salt Lake City and Ogden for a 10-day period beginning May 11. An "iron horse special" will be pulled from New York City to Omaha by steam, and there to Salt Lake City by the Nation's most powerful new diesel, dubbed a "centennial model." Special trains from Los Angeles and from the San Francisco Bay area will bring rail fans to Utah for the big event. The Union Pacific will bring a museum train to Salt Lake City and Ogden during the celebration which will include a vintage steam locomotive and tender, period-piece passenger and baggage cars, and several modern cars in which will be displayed maps, photos, tools, and other mementos of the railroad builders.

Gordon Eliot White, the fine Washington correspondent for the Deseret News, has written a most interesting article on the railroad industry which made this triumph possible. I ask unanimous consent that the article be printed in the Record in its entirety.

In addition I ask unanimous consent that a schedule of events for the golden spike celebration also be printed in the Record.

I urge all Senators and anyone else who reads these remarks in the Congressional Record to come and join us for this big event in Utah.

There being no objection, the article and schedule were ordered to be printed in the Record, as follows:

When Rails First Spanned the United States

(By Gordon Eliot White)

Washington.—The golden spike driven 100 years ago next month was the jewel that crowned the U.S. railroad industry. With the completion of the transcontinental rails, manufacturers such as Rogers, Cooke and Danforth, Baldwin, and Schenectady Locomotive Works were pushed to heights of power and efficiency in their steam locomotives. The dynamism of the U.S. railroad industry gave American manufacturers a worldwide market that was one of the key factors that helped make the post-Civil War U.S. a world power by the end of the 19th Century.

The manifest destiny of America was at once fulfilled at Promontory Summit in May, not only by the continent-spanning rails, but manifest destiny of a larger sort was given impetus by the closing of the frontier, the end of the challenge at home, and the growing power of American manufacturers in the world, led first by the builders of railroads.

The center of the locomotive industry in the U.S. for 66 years was Paterson, N.J. Built at the falls of the Passaic River, 20 miles west of New York City, Paterson was the new world's first planned city, created by Alexander Hamilton's Society for Useful Manufactures in 1791. Paterson's first steam locomotive, the "Sandusky," was built in 1837 by a Connecticut Yankee, Thomas Rogers. Ten thousand engines followed in the next 90 years.

The ceremony at Promontory Summit owed one of its stars, the Union Pacific's locomotive No. 119 to Paterson's Rogers' Brothers works. Turned out on Nov. 19, 1868, No. 119 had to be hauled up Market Street along the horse trolley tracks, since the locomotive works, built close to the water power of great falls, did not have their own rail siding. The new locomotive was dead-headed to Omaha, Neb., where it was set up for operation in mid-December.

The Golden Spike ceremony could have been held with Paterson-built locomotives on both sides of the junction point, since the Danforth and Cooke-built "C. P. Huntington" had been shipped round the Horn in 1864 and assembled in Sacramento to become the Central Pacific's first locomotive. In the end, the honor of being the western road's locomotive went to the "Jupiter," from Schenectady, after the "Antelope," which had been specially prepared for the ceremony, hit a timber on the rails west of Reno and could not continue to Promontory.

Like the rail route through Promontory, Paterson could not survive. Promontory was bypassed by the Lucin Cutoff, and Paterson's locomotive industry withered at the end of the century. The city's locomotive industry, which had made more engines in the 1880s than any other in the world, was on the downgrade a dozen years later and was finally swallowed up in the industrial consolidation of the American Locomotive Company in the early 1900's.

Along the way, the builders of No. 119 sold—and lost—locomotives in a dozen countries. Two were delivered to Mexico just before the Mexicans rose up and overthrew Emperor Maximillian; one of the unfortunate engines had been named "Carlota," after his empress. Several more were delivered during revolutions in Argentina and Venezuela and destroyed in the fighting.

Paterson's greatest locomotive builder, Thomas Rogers, once boasted, "No Englishman can show me how to build an engine." Today, all that is left of the Rogers' glory is a brass plate set in the wall of his Spruce Street works, now a shirt factory, with his name and the date, 1871.

Golden Spike Celebration Calendar of Events

Events are scheduled throughout 1969 as part of the national observance of the centennial for the driving of the Golden Spike which united the nation by rail. The calendar includes events prior to May 10, events of the actual celebration week and follow-up events from Memorial Day to Labor Day designed to interest summer tourists.

GOLDEN SPIKE CENTENNIAL CELEBRATION EVENTS

May 6–7—Golden Spike Railroad Symposium. All Day. University of Utah, Salt Lake City, Utah. Two-day Symposium, with papers being presented by leading railroad executives and historians. The Symposium will feature the past, present and future of the railroad industry and its economic impact on the United States.

May 8—Golden Spike Empire Youth Symphony and Drama Festival, 8:30 PM. Fine Arts Auditorium, Weber State College, Ogden, Utah. A combined symphony, choral, drama and dance program presented by international and nationally recognized groups.

May 9—Golden Spike Centennial Reception & Dance, 8:30 PM. Salt Palace, Salt Lake City, Utah.

May 10—Pilgrimage to Promontory, 8:00 AM. Train leaves from Salt Lake City. Special train will carry guests to Ogden. Buses will then transport guests to Brigham City and on to Promontory Summit for actual reenactment ceremony:

The Golden Spike Special from Salt Lake City to Ogden with approximately 1000 international and national dignitaries will participate in the "Pilgrimage to Promontory."

Ogden City Reception, Ogden, Utah.

Brigham City Reception, Brigham City, Utah.

Dedication Ceremonies, Golden Spike National Historic Site Museum & Visitors' Center.

Historic reenactment of The Driving of the Golden Spike,[1] Promontory Summit, Utah.

Golden Spike Luncheon. Following Reenactment, Thiokol Facility, Utah.

May 10—Golden Spike Centennial Celebration Commission "Honors" Banquet, 8:30 PM. Lafayette Ballroom, Hotel Utah, Salt Lake City.

May 11—Golden Spike Concert, 9:00 AM. Mormon Tabernacle, Temple Square, Salt Lake City, Utah. Special concert by the Salt Lake Mormon Tabernacle Choir to be held on Sunday morning in connection with the weekly national radio broadcast of the Choir.

May 11–18th—Golden Spike Special "Steam" Excursion Trains (Salt Lake-Ogden-Salt Lake). Bus to Promontory from Ogden. Daily reenactment Driving of Golden Spike at Promontory (1:47 p.m. MDT—June 1st to September 1st).

June 1–Sept. 1—Daily reenactment Driving of Golden Spike at Promontory. 1:47 p.m. MDT. Pilgrimage to Promontory Days.

July 15–Sept. 15—Amon Carter Museum of Western Art's exhibit: "A Century of Transcontinental Railroading" (Provo, Salt Lake City, Ogden, Brigham City, Logan).

July 20–26—Intermountain West Pioneer Days Celebration (Ogden) Days of '47 Pioneer Celebration (Salt Lake City and most Utah communities).

July 26—Golden Spike Railroad Parade (Ogden).

SPECIAL EVENTS

Utah historically celebrates Pioneer Days commemorating the arrival of Mormon Pioneers to Utah in 1847. The 1969 July celebration will recognize the railroad centennial with parades, pageants, rodeos, pilgrimages to Promontory, etc.

A Union Pacific "Museum Train" displaying period locomotives, cars, artifacts will tour Utah rail communities on a schedule to be announced.

Rail-fan steam locomotive trips will operate from Salt Lake City to several points, sponsored by National Railway Historical Society, Promontory Chapter.

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[1] This ceremony will be complete and authentic in accordance with historical records of the day. The original Western Union message flashed to the White House one hundred years ago will be repeated. The original golden spike and silver maul will be utilized and displayed. Authentic replicas of Central (now Southern) Pacific's "Jupiter" engine and Union Pacific's "No. 119" engine will be displayed on tracks laid on the original roadbed in the exact location of one hundred years ago. The reenactment celebration will be concluded with swinging of the silver maul and dispatch of the message.

ADDRESS ON CORRECTIONS, DELIVERED BY RICHARD W. VELDE, ASSOCIATE ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

Mr. BURDICK. Mr. President, of all the problems facing our criminal justice system today, perhaps none is as significant—or as frequently overlooked—as the shortcomings of the corrections process. The police are the most visible part of the criminal justice system. As such, their needs are widely recognized. There is a growing awareness, too, of the critical problem of court congestion. But, as a nation, we have for too long been content to ignore prisons.

But we see signs now that the critical role that corrections plays in our total crime control capability is starting to be recognized. Reforming and modernizing this key element in criminal justice is one of the goals of the new Law Enforcement Assistance Administration, created last year by the Omnibus Crime Control and Safe Streets Act. Thus, it was with great interest that I read the remarks of the Associate Administrator of LEAA, Richard W. Velde, to the Middle Atlantic States Conference of Correction on April 13 in Washington, D.C.

As chairman of the Judiciary Subcommittee on Penitentiaries, I have had the opportunity to observe the work of Mr. Velde and to know of his concern about our correctional institutions. While serving as minority counsel to the Judiciary Subcommittee on Criminal Laws and Procedures, he also acted as the unofficial minority counsel to the Subcommittee on Penitentiaries. It is because of this acquaintance with Mr. Velde that I call his comments to the attention of my colleagues.

Mr. Velde's speech offers a thoughtful, penetrating analysis of the crisis in corrections facing us today. I use the term "crisis" intentionally, for it is certainly no less than that when, as he points out, imprisonment serves frequently as an advanced course in crime, returning to society not a better citizen but a more proficient criminal.

However, the speech does more than point out the scope of the problems. It is gratifying to see that the LEAA program, in cooperation with the States, plans a broad series of reforms and advances. The subject certainly is one in which we all have a great interest today, and I respectfully ask unanimous consent that the speech be printed in the Record as part of my remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Richard W. Velde, Associate Administrator, Law Enforcement Assistance Administration, to the 31st Annual Conference of the Middle Atlantic States Conference of Correction, Washington, D.C., April 13, 1969

OPPORTUNITY FOR PROGRESS IN CRIME CONTROL

Thank you for this opportunity to be here with you at the opening of the 31st Annual Meeting of the Middle Atlantic States Conference of Correction. Your theme—"Delinquency and Crime Control in Action"—reflects one of the foremost concerns of the American people. That concern has existed for a long time in varying degrees. What has been lacking is enough of the meaningful action referred to in your theme. If the crime and delinquency problems are great, so are the opportunities now presented to us. This is especially true for your organization, and groups like it. Your role in the improvement of America's correction system is central and vital. It is up to you and your colleagues to continue to give meaningful leadership in this field. Meetings like this one provide a forum for discussing problems and sharing information and ideas. This can help to ensure that progress is made in corrections. That progress must be both real and sustained if we are to control crime across the nation. Our goal, of course, is clear—a safer America.

As we work toward that goal, we must study, experiment, improvise, expend both resources and talent. The Law Enforcement Assistance Administration can help provide the resources, but we look to you—knowledgeable, experienced professionals—to provide the talent and imagination. Ideas can sometimes come from unusual sources. Let me give you just one example.

If some of you are night owls, you may see from time to time on late-evening television a classic prewar Humphrey Bogart movie that was partly filmed on location at San Quentin prison in California. The most interesting shots are of physical facilities—the main courtyard and prison buildings. I visited San Quentin last year. It was like walking onto that movie set. Though the film was made more than 30 years ago, everything looked the same—especially the main courtyard, where hundreds of the prison's 4,000 inmates milled about.

I am not singling out California for criticism, for it has one of the best prison systems in the nation. But if things are so unchanged over the years in a major prison in one of the best states, it takes little imagination to appreciate the present condition of the country's entire corrections system. San Quentin not only looks old. It is old. Portions still in use date back to 1842.

This sort of thing is far from unusual, as the National Crime Commission found. In the United States today, there are some 400 adult prisons, ranging from maximum security facilities to forest camps. Consider only the state institutions. Sixty-one of them were opened before the turn of the century. Of that number 25 are more than 100 years old. Many city jails pose similar problems. I have seen one in Omaha, for instance, that was built in the 1870s. Its gas light fixtures still work.

The fortress or battleship mentality that concocted the architecture of so many prisons unfortunately decreed that they would be operated in the same fashion. But what may have appeared to be effective 100 or even 50 years ago has little relevance now. More to the point, it simply doesn't work anymore. I suspect that it never did work very well.

Even the most generous observer would be compelled to say that the nation's corrections system is falling short in achieving its great tasks. It does not adequately protect society. It does not reform enough criminals. Certainly many are able to adjust to society, but is it because of what the corrections system does or is it mostly a matter of sheer chance and in spite of our best efforts?

THE NEED FOR HARD FACTS

One thing that must be accurately determined is how many persons return to crime after leaving prison. The Law Enforcement Assistance Administration hopes to lead the way in developing comprehensive statistics to find that answer and many more which can accurately describe what is happening in our correctional systems. We need to know the hard facts of life—in time enough to be able to do something about them.

Right now, and this is shocking, no system exists for acquiring this essential data on a nationwide basis. Historically, correctional data such as rates of recidivism have been measured state by state. It is true that some states have developed fairly effective reporting systems. But the sad fact is that far too many have not. The state-by-state approach, even if it were being utilized successfully, at best provides only incomplete, comparable information.

A major advance in this area is being planned by the Law Enforcement Assistance Administration. Our enabling legislation specifically authorizes us: "to collect, evaluate, publish, and disseminate statistics and other information on the condition and progress of law enforcement in the several States." It is our firm intention to implement this mandate as fully as modern technology and our financial resources allow.

The vehicle will be our new National Criminal Justice Information Center. It gives us the great hope of being able to collect, for instance, meaningful, real-time statistics from the entire nation on crime repeaters. It will do much more, of course, and collect statistics—and reliable ones—on all aspects of the criminal justice system, including data from the police and court segments. But it is statistics on corrections that concerns us here tonight.

WHAT WE KNOW NOW IS BAD ENOUGH

From the information we do have, we know that the problem of crime repeaters is enormous.

One of the states with the most advanced corrections system—and a fairly advanced statistics system—has found that its rate of crime repeaters is running between 47 and 49 percent and that figure includes only those who stay within the state's jurisdiction after release and can be located for survey purposes. Other figures indicate that nationally it may be from 50 to 70 percent.

We should ask ourselves how good a job would be good enough. Perhaps the goal should be to reduce crime repeaters to 10 percent—and then work to reduce that figure even more. We know nearly every inmate will be released from prison sometime, as only about three percent die behind bars. Since that is a fact, all I am suggesting is that it is very possible to make much more certain they will be law-abiding and useful citizens when they do re-enter society. That should not be beyond the capabilities of a country like ours, with its incredible scientific and industrial achievements, its rich endowment of human talent. No one knows what measure of success might be possible for there has never been a unified national attempt to find out.

However, there is an opportunity now to liberate our corrections systems out of the dark dungeons of neglect. It is the program of the Law Enforcement Assistance Administration, which was created last year by the Omnibus Crime Control and Safe Streets Act. With the aid of $19 million in grants, the states are now planning comprehensive improvements in their law enforcement and criminal justice systems. In this fiscal year, $29 million in action grants has been appropriated to carry out those plans. Congress has authorized $300 million for fiscal 1970, and $225 million of that—if appropriated—would be for action grants.

The first action funds may be awarded late this month. To receive grants, the state plans must be comprehensive—meaning that police, courts, and corrections must have significant attention. In the LEAA, we are determined that this will be the case.

The problems are as plentiful as they are obvious. In the San Quentin prison yard, for instance, I saw some 1,200 inmates milling around in forced idleness with nothing to do. In the Omaha jail, the inmates are seldom, if ever, taken out into an exercise yard. They just stay inside the cell blocks month after dreary month. In jail in one of the nation's largest cities, the great problem of homosexuality is dealt with by locking up all of the homosexuals together. These practices can hardly be conducive to preparing a man to turn from crime. They are too often graduate courses in criminality. Barbarism that is nurtured in prison is then unleashed on the public. That is a heavy burden for any conscience—individual or national.

Staffs of nearly every prison facility are too small. In many instances, they are badly trained. Guards in many states have a starting salary of about $300 a month. Most states hire guards who don't even have a high school diploma. A recent survey found that the *median* starting pay for custodial employees in adult facilities is from $4,000 to $5,000 a year. In juvenile institutions, it was even lower, $3,000 to $4,000 a year.

The catalogue of these tragic facts goes on and on. One study indicates that only three percent of prison line officers are college graduates. Another shows that of total correctional employees, only 2.4 percent are psychologists, social workers, or counselors. Yet, criminal acts in many cases indicate grave mental health problems. It's not the sort of thing that can be treated by prescribing aspirin or locking the emotionally disturbed inmate in solitary.

In too many states, corrections means nothing more than confinement. Programs that may sound good to outsiders exist only on paper. If the Society for the Prevention of Cruelty to Animals could inspect some prisons, I imagine they might want to picket to protest even worse cruelty to human beings.

The LEAA program can help to bring needed changes, so that the corrections system can be modernized and rebuilt. Frankly, major parts of it must even be replaced. I am not talking only of fortresses and battleships that should be dismantled. I also mean discarding practices, ideas and programs that merely perpetuate old evils. No one agency can do the job alone. It will require a cooperative approach that clings tenaciously to its goals. All levels of government must be involved, and all participants of the criminal justice system. The American people also must, at last, support and invest in these great reforms. Money in substantial amounts will have to be spent by state and local governments for better facilities, better training, more personnel.

The time for excuses has ended.

NEW APPROACHES ARE NEEDED

The great hopes for prisoner rehabilitation lie in the programs that embrace new concepts such as work release, halfway houses, community treatment, and really effective and adequately financed probation and parole.

For many offenders, particularly the youthful ones, imprisonment can cause more problems that it solves. For these and other categories of offenders, prison frequently becomes a sort of graduate school in crime, turning out a more finished product than it received. Let's make one thing clear—I'm not making a plea for coddling anybody. But the harsh reality of recidivism demands that we explore realistic, sensible alternatives to incarceration for certain offenders.

For instance, consider community-based treatment in this light. There also are other benefits. One survey found that, in 1965, it cost an average of $3,600 a year to keep a youngster in training school. But it cost less than one-tenth that amount to keep him on probation.

Probation and parole services must be given substantially more resources if they are going to fulfill their critical front-line role in the rehabilitation process. It is an area of great potential. Indeed, it may well offer the best opportunity for immediate, visible improvement in the correctional process.

The National Crime Commission noted that "the central question is no longer whether to handle offenders in the community but how to do so safely and successfully."

In some instances, there is great public hostility to such programs. Residents of a community may be apathetic about crime in their midst, or apathetic about approving money to fight it, but they rise up to oppose efforts to rehabilitate criminals. Somehow, communication has failed. I suggest that you and your counterparts must play a major role in re-establishing it. Not only with the public, but with state legislators, mayors and city councils, county governing boards.

THE PUBLIC MUST BE INFORMED

People should know, for instance, of the success by the Federal Bureau of Prisons in its work release and halfway house programs set up under the Prisoner Rehabilitation Act of 1965. These programs help inmates to become re-acquainted with society, in many cases acquainted with the real world for the first time. Their re-entry is well controlled, unlike the release of inmates from many state institutions whose major impulse is to stick up the first thing that moves. What else would you expect from a man who is dumped out on the street with no money, friends or prospects of finding a job.

The federal work release program so far has put some 5,000 persons into work release—and their earnings exceed $5 million. They send money to their families. They save money for their own release. And they achieve something money can't buy—pride in themselves for perhaps the first time and the knowledge that people trust them.

In addition to supporting intelligent corrections planning and expenditures, members of the general public also could participate more directly, if they choose, as volunteers in probation and parole programs. A number of pilot programs indicate such volunteers can be very valuable additions to a system now greatly overburdened and short of personnel.

Let me mention one federally-financed project that has demonstrated the effectiveness of volunteers in corrections work. A Denver County Court probation program, which received a federal grant, now has some 800 volunteers who work with people on probation. The volunteers are a cross-section of the community; they include celebrities like members of the Denver Broncos football team. The large number of volunteers makes possible a ratio of about one counsellor per probationer. To date, results have been very encouraging. Re-arrests before the project ran 3.5 percent. But for those who have received the concentrated probation services, the rate has dropped more than half—to 1.5 percent.

If as national surveys show the sensibilities of many are hardened against the adult offenders perhaps greater sympathy could be evoked for the youthful offenders. As a people we have always been moved by the sight of youngsters in trouble. A great many of them are in deep trouble today.

JUVENILE INJUSTICE

This country has been guilty of many failures in attempting to cope with crime but none is so spectacular as our failure to deal with the youthful offender. None is so significant, none is so frightning for our children are our most lawless citizens. Recent figures show that persons under 21 represent some 64 percent of all those arrested for the most serious crimes; homicide, forcible rape, robbery, aggravated assault, burglary, larceny, auto theft. Eight of every 10 auto thefts were by persons under 21. So were seven of every 10 arrests for robbery. Our 15 and 16-year-olds are arrested more frequently than any other age group.

The arrest rates for all crimes for juveniles continue to grow wildly. In 1966, for instance, arrests of adults declined slightly but arrests of juveniles increased nine percent. If they are criminals as youths, the odds now are good they will be hardened criminals as adults. Four out of every five adult felons were convicted of misdemeanors—generally as youths—before committing their more serious crimes. Most of that could have been prevented. The juvenile justice system is in such disrepair that of the 400,000 youths in jails each year, about 100,000 of them are imprisoned with hardened, adult criminals. No program can substitute for the concern that the people of this country must develop. They must know that we cannot go on failing so many children in such profound ways and still have any real hope for tomorrow. Those children are, after all, the one natural resource that we cannot get along without.

WHAT LEAA CAN DO TO HELP

Concern must, of course, be followed by action. In addition to the substantial action grants that the LEAA will soon award, a number of other programs are getting underway. Studies on how to make corrections programs more effective are being started by the National Institute of Law Enforcement and Criminal Justice, the research body of LEAA. The Institute also will evaluate the effectiveness of just about every major type of program in existence in corrections today.

Additional qualified manpower is desperately needed throughout corrections. You, of course, know only too well how overburdened correctional personnel are. Another need is for increased professionalization of present staffs. As a major step toward both these goals, the LEAA this year has given some $6.5 million to finance college degree studies by corrections and law enforcement personnel and those studying for careers in those fields. The grants and loans are administered by some 500 colleges and universities now taking part in the program. Eventually, 1,800 schools are expected to participate. This program will be of great help in improving correctional personnel and aiding recruitment efforts as well. The education funds this year are assisting some 14,000 persons. For the next fiscal year, we hope to have about $20 million for the education program. That would enable us to finance college studies by some 40,000 persons—most of them in corrections and police work. Those figures represent a substantial and very promising beginning.

The complaint is often heard that just about everybody ignores corrections. But that, I think, is changing. Your presence here is one indication. The work being done by you and your counterparts across the country is another. The requirement of Title I that corrections be treated as a full and equal partner in the criminal justice system—in planning and in allocation of financial resources—is another.

We must now transmit that sense of urgency so that people everywhere support these efforts as though their lives depended on it. In more instances than we might like to admit, that is precisely the case.

HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, the United States of America has long been regarded by other peoples of the world as a great sanctuary of human rights. We have tried to establish an example of high ideals by the Declaration of Independence and to eternally preserve this example in our Constitution and the Bill of Rights. This is the Nation that professed to hold out the shining beacon of freedom and opportunity to the less fortunate. The Statue of Liberty proclaims:

Give me your tired, your poor,
Your huddled masses yearning to be free,
The wretched and refused of your teeming shores,
Send these, the homeless, tempest tossed to me;
I lift my lamp beside the golden door.

In the years following the Second World War, a world exhausted by strife and horrified by the revelation of Dachau, Breslau, and Auschwitz drew up a convention to outlaw any such future action. It was resolved that never again would an attempt to exterminate an entire people like the Nazi persecution of the Jews be permitted to occur. The resulting United Nations Convention on Genocide met with enthusiastic approval in most of the world, but here in the United States Senate it bogged down in the Committee on Foreign Relations.

Now, 19 years later, the United States remains among the small number of countries that have not yet ratified the convention. Eighty nations have preceded us in the ratification of the Genocide Convention, and the Senate has as yet taken no action.

Also unpassed are the Conventions on Political Rights for Women and on Forced Labor. There is no element in the American society that can be offended by the ideals set forth in these Conventions; indeed, they reaffirm what America claims to have stood for for 193 years. The United States practices political rights for women, and abhors forced labor. Why should we not demonstrate our beliefs again to the community of nations by the simple action of publicly voting to support these provisions.

There is no real excuse for delay. Let us act now to finish what should have been completed years ago. Let us ratify these Human Rights Conventions.

UNIVERSITY OF UTAH CHOSEN FOR ARTIFICIAL HEART PROGRAM—A TRIBUTE TO VISION

Mr. BENNETT. Mr. President, last Saturday it was my privilege to learn from the Department of Health, Education, and Welfare that the University of Utah has been chosen by the National Heart Institute as one of the Nation's first full-scale artificial heart, test, and evaluation centers.

The university's proposal was one of two selected over 13 others submitted by some of the most prestigious medical centers in the Nation. It was made possible by many factors, not the least of which is the excellent faculty and staff at the university medical center.

Combined with this personal asset is an excellent bioengineering program and a computer science department, all of which will support the overall project.

Nor can one fail to mention the fine work that has already been accomplished at the university in the area of artificial organs. Also the program will be closely coordinated with the Latter-Day Saints Hospital in Salt Lake City where a great deal of pioneer medical work has been done on heart problems.

The recent developments in Texas wherein a man was kept alive for 65 hours with an artificial heart, dramatically show what can be accomplished with artificial organs. I think we can safely say that we have only begun in the search for artificial devices to replace the human heart where necessary.

I have worked very closely with many persons in obtaining approval for this project, and I think all will join me today in saying that the University of Utah will exert its best scientific and medical efforts to become the artificial heart center of the world.

If past dedication, performance, and professional qualifications are any criteria, I am sure Utah will succeed.

This award brings a great deal of satisfaction to President James C. Fletcher, of the university, and to his fine staff at the school. I also wish personally to thank and compliment the dean of the medical school, Dr. Kenneth Castleton, and to Dr. Frank W. Hastings, the chief of the artificial heart branch, as well as Dr. Theodore Cooper, the Director of the National Heart Institute, for their efforts and contributions in this exciting field.

I should also make public note of the uncounted hours given by L. Ralph Mecham, formerly a vice president at the university; Raymond Hixon and Warren Johnston, of fluidonics divisions of the Imperial Eastman Corp., who also contributed to the success of this award.

Truly this is a milestone for the State of Utah and as the years go by and we look back to the developments which I am sure will come in the area of artificial organs, we can say that once again the pioneering spirit of the people of Utah has been dramatically demonstrated.

I would like to ask that an editorial appearing in the Salt Lake Tribune this morning be inserted at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Tribute to Vision

If there were any question about the U. of U.'s eminence in the world of Medical science they should be dispelled by the recent location at the institution of a nation heart study center. The designation also augments the embryonic University Research Park.

From a field of several well-known, long-established science centers, the U. of U. was selected as one of two locations for a full-scale artificial heart test and evaluation laboratory funded through the National Heart Institute in the Department of Health, Education, and Welfare. A Federal contribution of $800,000 will start the project.

Implications of such a program are varied and many. It amply justifies the emphasis on medical research at the University College of Medicine. Expanded facilities have provided for a distinguished faculty and outstanding contributions have been made to medical progress. The Artificial Heart Testing award not only acknowledges University excellence; it contributes to it as well.

The project is a credit to University President James C. Fletcher and all those who have worked diligently on the Research Park plan. The idea for commercial research conducted in conjunction with colleges and universities has proven itself on campuses in other states. But anything so ambitious always depends on ability and determination to get started.

Utah's selection for the heart testing center also derives from previous involvement in the project planning by Fluidonics Research Laboratory of ITE Imperial Corporation, an early research park tenant.

Those connected to the project see it as the bellwether of similar research park developments. Quite certainly it will attract eminent scientists in the field of heart and artificial organ medicine. Allied enterprises are also likely to be located nearby.

We congratulate all who have joined in this cooperative effort. A special commendation should go to the many Utah citizens who supported the scientific excellence at the publicly supported institutions of higher education. The bright future only glimpsed a few years ago is almost at hand.

FUTURE U.S. TRADE POLICY

Mr. SYMINGTON. Mr. President, in 1968, the U.S. commercial trade surplus declined $3.4 billion to a mere $100 million, the lowest level since 1936. This very serious deterioration in our trade account resulted from a 22-percent increase in imports as against only a 9-percent increase in exports; and according to a recent report by the Commerce Department, prospects for substantially improving this trade picture in the near future would appear dim.

This report said in part:

> If the export projections and the averaged import projections should be approximately correct—they are of course, subject to many variables and are merely illustrative of anticipated trend—the indicated trade balance in 1973 would range from a $1.8 billion deficit to a $1.2 billion surplus.

It is essential therefore that all measures possible and practical be taken to improve the U.S. trade position in the world. In some instances, this may require a reappraisal of our own trade restrictions which may be too restrictive on the ability of American industries to export more goods and services.

In other cases, negotiations will have to be undertaken with other nations in an effort to remove barriers and expand world trade. However, we would hope that any tariff agreements negotiated between our country and other countries or groups of countries be based on true reciprocity. Moreover, it should be emphasized that the United States will not stand idly by while others erect trade barriers, particularly nontariff barriers, which adversely affect the export of American goods and services. The reduction of trade barriers must be a two-way street; and every precaution must be taken that the Government not take unilateral actions which could jeopardize the competitiveness of U.S. products in foreign markets.

In this connection, as an example of the trade problems faced by American business, I ask unanimous consent to have printed in the RECORD an excerpt from remarks by Mr. Charles Sommer, chairman of the board of the Monsanto Co., at their annual meeting on March 27, 1969, in St. Louis, Mo.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> It is the chairman, however, who traditionally reviews with you the consequences of certain policies and regulations of our federal government—and to this end, I have some rather specific observations to share with you this year.
>
> First, let me deal with the subject of petroleum import quotas, which were established for national security purposes 10 years ago, to protect the energy market in the United States. We have no quarrel with this objective nor do we argue with the necessity of maintaining a healthy domestic petroleum exploration and production program. However, far from the original purpose of the quota system, we are caught in a harmful squeeze in obtaining raw materials for our U.S. petrochemical operations. As a result, chemical companies overseas can obtain these feedstocks at prices 40 per cent below those we have to pay for all feedstocks beyond the quotas. Consequently, we are currently paying a premium of $1.25 per barrel for such feedstocks; and this amounts to more than $13 million a year—a sizeable bounty borne by Monsanto but not by foreign competitors.
>
> As you can see, this puts us at a material disadvantage in selling our products in export markets. And as tariff reductions are made under the Kennedy Round, our domestic competitive position will be in further jeopardy.
>
> Therefore, we have joined with other U.S. companies, whose petrochemical operations are similarly affected, in petitioning our government to remove import restrictions on petroleum feedstocks for petrochemical manufacture. This would allow companies of this nation to be fully competitive here and abroad.
>
> Now let me turn attention to an even larger segment of our business: man-made fibers. Again in 1968, imports reached an all-time high, approaching 10 per cent of our nation's total consumption. About two-thirds of the imports involved fibers themselves, and the rest were in blends in the form of textiles and apparel.
>
> And how fortunate it was that at least during the year 1968, additional imports could be absorbed during a period of peak demand, the result being that the U.S. marketplace was not seriously disrupted.
>
> Yet, the unhappy fact is this: tariffs on fibers, textiles and apparel are scheduled for decreases, in steps, over the next three years. We do not believe this situation is in the national interest. It is detrimental to our economy and to our workers. We simply cannot be content with such tariff reductions while our overseas competitors are using a different set of rules, aided by lower wage rates and a broad variety of subsidies.
>
> Accordingly, we have joined our largest customer, the textiles industry, in appealing to the federal government. As you probably know, there is already in existence a voluntary agreement with foreign nations which limits the importation of cotton textiles and apparel. What we seek is this: a broadening of this agreement to include man-made fibers and materials made from them. We are encouraged that the new administration has promised support for our program, and we are now eagerly awaiting the first signs of implementation.

INTELLIGENCE GATHERING AND THE NAVY EC-121 PLANE

Mr. McGEE. Mr. President, some persons reacted quickly to the downing of the Navy EC-121 over the Sea of Japan last week, with the thought that the United States should not be flying so-called spy missions anyway, and probably could not turn up any useful information as a result of such missions. In other words, they were quick to say, in effect, that the incident, like the *Pueblo* seizure before it, should not have occurred because we should not have been there in the first place.

I disagree, as I suspect most informed Americans do. Intelligence gathering in the jungle world we live in remains a necessity. Nor does it clarify the issue to call such intelligence missions spying. Operations in or over international waters are not quite the same as intrusions of another nation's sovereignty.

Aside from this, we do learn essential information through these missions, although, as in all intelligence operations, we also turn up much chaff. Sunday, the New York Times published an article which gives a good example of why the planes fly these missions. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY THE PLANES FLY THOSE RISKY MISSIONS

(By William Beecher)

WASHINGTON.—The slow, four-engine EC-121 moved into position some 50 miles off the eastern coast of North Korea. At a master radio console, a senior radio specialist who spoke Korean fluently started slowly turning his radio dial.

He listened for a few minutes and decided one channel was potentially interesting, carrying the voice transmission of a nearby radio operator guiding a pair of MIG's in his plane's direction.

He signaled to another technician to lock on to this frequency, clear out the static, and start a tape recorder.

Over the next 30 minutes, the linguist had swept the entire frequency band and had a dozen channels monitored and taped simultaneously.

INFORMATION PUZZLE

Most of the information, when it was delivered to the top-secret National Security Agency at Fort Meade, Md., would turn out to be of little value. But a few nuggets, when analyzed and dovetailed with information turned up at a diplomatic cocktail party in Jakarta, some photographs from a high-flying reconnaissance satellite, and a report from an agent working as a stevedore in a Soviet port city, would reveal that after the seizure of the spy ship Pueblo 15 months ago, Russia more than doubled the number of surface-to-air missile sites in North Korea, from 14 to 35, representing a total of 210 launchers. Future intelligence missions would attempt to pinpoint each of the new sites, determine the quality of their equipment and the training of their crews.

If war breaks out in Korea, knowledge of where these SAM's are and how they might be thwarted might be a crucial factor in the outcome.

ABOUT 190 MISSIONS

This mission happened not to be the one last Monday in which two North Korean MIG's came out and shot down the Navy reconnaissance plane. But it might well have been.

Over the last three months, the United States has flown about 190 similar missions over the Sea of Japan.

Others have focused on communications relating to Communist China's missile program, the border dispute between Russia and China, new radars being installed in all three potentially hostile Communist countries.

The Soviet Union's readiness to lend the assistance of two destroyers in searching for possible survivors among the plane's 31-man crew was, in the opinion of some American officials, not only an act of humanity but also an indication that Russia, with its own intelligence problems, was not particularly happy over the attack in international air space.

The Soviet Union has as an extensive a

worldwide intelligence-gathering net as the United States, concentrating rather more on intelligence trawlers and less on planes, but with about as many spy satellites.

A limited number of officials in both nations are fully aware of how important fast, accurate information can be in the cold war.

The downed propellor-driven EC–121 had about six tons of electronics equipment. The 31 men aboard made up two crews to enable the plane to remain on station for about eight hours. The intense nature of the work involved requires that the technicians rest occasionally.

SATELLITES UNSATISFACTORY

In addition to monitoring radio messages, this type of plane is equipped to determine the frequencies employed in air-defense radar. The missions that the planes carry out are said to be too complex for spy satellites to conduct effectively.

"It would be nice," said a ranking intelligence official, "if we could program all the things we need into satellites, push a few buttons, and then wait for the information to come flowing in.

"Unfortunately that day, if it ever comes, is still pretty distant. What satellite can carry the six tons of equipment hauled by the EC–121? More important, without human judgment, how is it to decide which radio frequencies to monitor?"

"That's one of the principal reasons," he added, "why President Nixon insisted that, despite the risks, the EC–121 missions must resume off the Korean coast. If we give up our eyes and ears, we better get out of the area, fast."

FALLOUT IN JAPAN

The "spy plane incident" prompted the opposition Socialist party in Japan to revive attacks last week against the pro-American policies of Premier Eisaku Sato. Because the American plane operated out of an air base near Tokyo, many Japanese feared involvement in a new Asian conflict not of their own choosing. But Premier Sato defended the United States' right to conduct reconnaissance flights over international waters, and said such flights were "necessary" in the kind of world in which Japan lives. He added that the deterrent power of the United States-Japanese security treaty eliminated the danger that Japan might be dragged into a war.

THE PRESIDENT IS DOING THE BEST HE CAN

Mr. BENNETT. Mr. President, President Nixon has become a prime target of certain political factions both in Congress and throughout the country. They seem compelled to take out their own frustrations on the President and have attacked him without giving him a fair chance to resolve the grave problems which he faces.

Recently the editor in chief of the Hearst newspapers wrote an article about these attacks. I think Mr. Hearst has placed the problem in a very clear perspective. I ask unanimous consent that his editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDITOR'S REPORT: DOING THE BEST HE CAN

(By William Randolph Hearst, Jr.)

NEW YORK, March 22.—Spring wasn't the only development sprung during the past week. The wahoo warriors of the nation's leftist-liberal establishment, after sharpening their tommyhawks in unaccustomed silence for two months, also sprung their expected spring offensive on President Nixon.

It was inevitable that they soon would take off after the Nixon scalp. As a symbol of conservative Republicanism, that scalp would make an even better trophy for the liberal wigwam than that of the Johnson scalp now hanging there, Johnson, after all, was a Democrat.

Thus about the only surprising aspect of the war whoops now being sounded, largely over the Nixon decision to go ahead with the Sentinel missile system, is that the wahoos were able to hold off so long. Some of them, notably Sen. J. William Fulbright, in fact couldn't wait for the rest of the pack.

Even before the Nixon ABM announcement, Chief Doveweathers from Arkansas was wailing that the President was about to risk Moscow's displeasure. When the announcement actually came, it was like a signal for all the rest to follow the Fulbright lead.

In thundering editorials, such liberal policy shapers as the New York Times and the New York Post decreed that Nixon's ABM decision was a disaster from any angle. Since then their stables of pundits—quickly joined by all the other acid-pen, self-proclaimed intellectuals of the leftist-liberal camp—have been lambasting the President himself as a poor leader limited, according to one of "a narrow, political, tactical and public relations view of the world."

And it's only the beginning. George J. McGovern, a dove who parrots the Hanoi line, sounded what is guaranteed to be the biggest single theme of the assault by castigating the new administration for what he called its lack of "strength and courage to genuinely reverse our course in Vietnam." Almost simultaneously, groups of war protestors announced they will resume mass demonstrations with a coordinated turnout in 23 cities on the Easter weekend of April 3–6.

Once again, in other words, the same old slings and arrows of the poisonous and divisive liberal camp can be expected from now on. How they will be used can be predicted with great accuracy. Whatever the President does will be either dead wrong, or inadequate. Above all he will be assailed for resisting Communist pressures from any source, whether Hanoi, Moscow or Peking.

What continually astounds me about the Fulbrights and the McGoverns is their consummate gall in attempting to dictate presidential policy. It was Richard Nixon who was elected to the White House, not the George McGovern who couldn't even get nominated by his own party. And although J. William Fulbright wants to be Secretary of State so bad he can taste it, even the liberal-minded John F. Kennedy wouldn't give him the job.

Compounding the gall of the Fulbrights, McGoverns and their ilk is the fact that none of them really know what they are talking about. It is only the President who has access to all the information needed to make momentous decisions. In his position, significantly and fortunately, he cannot afford to have the kind of one-track, made-up mind displayed by the leftist-liberal critics.

When Lyndon B. Johnson was in the White House he had a framed quotation from Abraham Lincoln sitting on his desk. It said:

"If I were to try to read, much less answer, all the attacks made on me, this shop might as well be closed for any other business. I do the very best I know how—the very best I can; and I mean to keep doing so until the end. If the end brings me out all right, what is said against me won't amount to anything. If the end brings me out wrong, ten angels swearing I was right would make no difference."

That is a perfect guideline for any President—one which should be hung permanently on the wall of the White House Oval Room. It certainly would spare any Chief Executive a lot of unnecessary worry if he didn't listen to, look at or read all the mean, biting, cutting, incisive attacks on him. It's only proper to be aware of such opposition, of course, but he certainly doesn't have to try to appease the critics—nor should he be upset by them.

FDR had the gift of laughing off his critics, sometimes demolishing them with a quip. Eisenhower, too, had something of a cast-iron serenity. But Truman sometimes let the critics get under his skin and even the suave, easy-going Jack Kennedy banned the Herald-Tribune from the White House. LBJ, despite the motto on his desk, was the most vulnerable of all in recent years—eventually to the point of political paralysis.

I have a hunch that Dick Nixon, who once blew up at the press, has learned the hard way to let carping criticism roll off his back. After all, he knew exactly what his job entails before he got it. And he certainly knows that the leftist-liberals who are now whooping after him didn't vote for him in the first place, and never will.

Nothing is more true than the saying that the buck stops at the President's desk. Dick Nixon has many crucial decisions ahead of him—on Vietnam, the Mid-East, national defense, domestic priorities and equally controversial matters. However pressing any one problem is, furthermore, it is going to have to be considered and weighed against the commitments and needs of the others.

There is only one man who can, must and is qualified to make those tremendous decisions, and that is the man who was elected to make them. So far President Nixon is being criticized for doing exactly what he said he intended doing—to carefully and cautiously consider all his options before acting at the proper time in the best interests of all the people.

He promised no grandiose new programs, offered no panaceas and held out no hopes that America's problems would be solved overnight. Instead he promised a sane, efficient and wholly responsible administration. Up to now, all things considered, that's what we've been having.

Dick Nixon has been doing very well indeed. He's not only doing the job as he outlined it before his election, he's doing it even better.

The proof of that pudding, despite the yips of the wahoo warriors, is that a lot of Americans who didn't vote for him in November would do so today.

Our new President has everything to gain by following his present course—and possibly everything to lose by following the voices which echo Hanoi's and Moscow's complaints.

SECRETARIES WEEK

Mr. HATFIELD. Mr. President, I wish to remind Senators that Secretaries Week will be observed April 20–26, 1969, and will mark the 18th consecutive year for this observance. Wednesday, April 23, will be highlighted as Secretaries Day.

Although Secretaries Week was originated in 1952 by the National Secretaries Association, International, in cooperation with the U.S. Department of Commerce, it is for all secretaries.

The whole purpose of NSA, through its various activities, including Secretaries Week, is to maintain a program of continuing education for secretaries to keep them updated on changes and new developments.

Business equipment manufacturers recognize the ever-growing importance of skilled office personnel. They realize that in this age of technological change it is imperative for business enterprises, if they are to take full advantage of the modern equipment now available, to have staffs trained and educated to meet the challenge of competition.

It is truly said: "Better secretaries mean better business."

TRUTH IN GOVERNMENT

Mr. YOUNG of Ohio. Mr. President, one of the greatest needs of this country is a truth-in-government law. In America, 1,900,000 of the finest young men have been sent to Vietnam and Thailand to fight in an unpopular undeclared war. More than 200,000 fine young Americans have been killed and wounded in Vietnam to date, and more than 2,000 are missing in action or are prisoners of war. Thousands have died from bubonic plague, hepatitis, malaria, and other jungle diseases, and many more will suffer from the effects of and recurrence of attacks of these diseases throughout their lives. Also, we are spending at least $1 billion this year on an anti-ballistic-missile system to ring various areas of our country including Washington, D.C., with an ABM system, now termed safeguard ABM, by some bright public relations man working in the Pentagon. Americans should know the truth—this boondoggle may eventually cost as much as $100 billion and be obsolescent by the time that ABM silos have been installed just as were the Nike-Zeus missiles and others on which billions of dollars of taxpayers' money were wasted.

Since 1954, and particularly from November 1963, our country has replaced France in world opinion as the aggressor nation in Vietnam. Americans know that the strongest defense against communism is to make our American system of government work so that men and women the world over will regard the United States as the nation where all citizens, regardless of race or color, are liberty-loving Americans enjoying equal opportunities and complete freedom. It is high time that Americans were told the truth—that more than 600,000 Americans are fighting in Southeast Asia and many of them dying because the administration refuses to admit our mistake in attempting to create a pro-American, and anti-Chinese buffer state in South Vietnam following the time the French withdrew in 1954. As Walter Lippmann bluntly put it, "We are fighting to save face." More than 2,500 years ago Confucius wrote, "A man who makes a mistake and does not correct it makes another mistake." A nation making a mistake and failing to correct it likewise makes another mistake.

PRESIDENT'S REACTION TO NORTH KOREAN TREACHERY IS WISE

Mr. HRUSKA. Mr. President, the shooting down last Tuesday of the U.S. Navy EC–121 reconnaissance plane by North Korea has resulted in a further demonstration of the firm, calm, and capable grip which President Nixon has on our country's foreign affairs.

In making clear that our surveillance in international air space must and will continue and in stressing that such flights will be protected, the President did not respond with ineffective threats. He has responded with a statement of the case.

Dealing with an unpredictable and paranoid nation is at best difficult. It would be the height of folly to succumb to the temptation to act as that nation acts, irrationally and irresponsibly. President Nixon has chosen clarity and reason. The policy he has announced is not ambiguous, and I commend him for it.

I ask unanimous consent that the four newspaper editorials commenting on the President's action be printed in the Record.

The first, from the Oakland, Calif., Tribune, of which our former colleague is editor and publisher, well posed the spirit and feeling of the Nation at large, as to what should and what should not be done.

The other three are typical appraisals and approvals of the President's firm, realistic action.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Oakland (Calif.) Tribune, Apr. 17, 1969]

Another Act of Barbarism—Another Insult Unanswered?

Our nation today is once again gripped in the agonizing dilemma of how to respond to a murderous and barbarous act by the belligerent Communist regime in North Korea.

North Korea is scornfully boasting to the world that on Tuesday it downed "with one stroke" a United States Navy reconnaissance plane with a crew of 31 men aboard.

The Pentagon says two bodies, but no survivors, have been found.

Our plane, a lumbering, 300-m.p.h. propeller-driven surveillance aircraft laden with six tons of electronic equipment, was clearly defenseless—in fact, shockingly defenseless under the circumstances.

The kill—apparently by two sophisticated Communist MIG jets—was as simple to achieve as it was cowardly.

Ours was a routine reconnaissance flight—the sort of flight which has been common over the Sea of Japan for 20 years, the sort of reconnaissance activity, in fact, carried on today by every world power.

The North Koreans contend the U.S. plane violated their air space—as if, even if it were true, this fact alone could somehow make right a homicidal skeet shoot in the sky with 31 defenseless American airmen as the target.

Our government flatly denies any such air space violation. The Pentagon insists the plane was lawfully traveling only in international corridors. The recovery by rescue ships of the bodies and portions of the plane's wreckage 120 miles off the North Korean coast points ominously to a blatant North Korean lie.

Our nation, of course, has been here before—just 15 months ago when the USS Pueblo was seized by North Korea, with one of its crewmen killed and the remainder ignominiously imprisoned, tortured and subjected to extracted "confessions."

We responded then with a weakness unbefitting our role as the leading defender of freedom and democracy against the dictators and tyrants of not only the Far East but of the entire planet.

When the Pueblo was seized we should have immediately proceeded to blockade Wonsan and other North Korean ports. No vessels should have been allowed to leave or enter until the Pueblo and its crew were back under United States jurisdiction.

But we didn't. Perhaps the argument could have been made then that to do so would have jeopardized the lives of the Pueblo crewmen. No such claim can now be made.

The words and warning of Thomas Jefferson at an earlier date in our history haunt us today.

In a letter to John Jay, Jefferson urged not only the establishment of a strong U.S. naval force but also prompt retaliation against any aggressor seizing or harassing U.S. ships on the high seas.

Speedy retaliation, Jefferson declared, was necessary because—as he put it—"An insult unanswered is the parent of many others."

We shall not be so presumptuous as to suggest what specific course of action our President should now take. No citizen does or can have the information available to a President. None of us can know all the implications of this latest, and obviously deliberate, Communist diversionary tactic.

But we can suggest what ought not be the limit of our response. We ought not merely express our outrage. We ought not be satisfied with merely a "strong diplomatic protest." We ought not let the matter repose in a new round of "negotiations" with sullen and smug tin-horn tyrants. We ought not settle for only the ultimate issuance of some debasing and self-degrading mutual "statement"—as we did in the Pueblo incident.

For, as surely as the unanswered insult of the Pueblo seizure was the parent of Tuesday's bloodthirsty attack on our unarmed reconnaissance plane, just as surely will this latest insult—if unanswered—be the parent of yet further insult and tragedy to our nation.

[From the Washington Star, Apr. 19, 1969]

The Response

The protest lodged in Panmunjom over the downing of the United States reconnaissance plane by North Korea is, in view of the diplomatic realities, just about as much as this country can do by way of a non-military response. The decision to continue with the spy flights and to provide them with protection is the least that can be done to protect American lives.

President Nixon described the response as an interim move, pending a reply to the protest by Pyongyang. The probability is, however, that North Korea will either disregard the protest or counter with a protest of its own that the United States intruded on North Korean airspace. And the further probability is that the diplomatic dispute will stop there.

The only diplomatic escalation that could take place would be a move to bring the matter to the United Nations Security Council. But this would be an empty gesture. North Korea is not a member of the UN, and already has been branded an aggressor by the council. It could also be an unwise gesture, for it would force Russia to abandon its present neutral posture and side with North Korea, thereby jeopardizing the impending arms limitations talks.

As to the military response, it must be assumed that the President and his advisers have reviewed the need for the reconnaissance flights, and have concluded that the information supplied is worth the demonstrated risks involved. And the decision to protect such missions puts North Korea clearly on notice that the response to any future attack will be something more than a stiff note.

To have responded with an immediate retaliatory attack would have meant a serious risk of involving the United States in a second hot Asian war. And there are some indications that the attack was not a fully premeditated official act calling for a punitive response; that it was, perhaps, a paranoid general's notion of a fitting birthday gift for Premier Kim Il-Sung.

[From the Baltimore Sun, Apr. 19, 1969]

Warning Given

Like the protest officially delivered to North Korea at Panmunjom, President

Nixon's statement at his press conference on the shooting down of a naval reconnaissance plane was impressive for its restraint, a restraint appropriate to the seriousness of the incident. He emphasized the fact that the unarmed aircraft had not flown closer than 40 miles to the North Korean coast and he described the attack on it—90 miles from shore—as unprovoked, deliberate and without warning. He also made it very clear that these surveillance flights are regarded as necessary, and that they will be resumed, continued and from now on, protected.

Although Mr. Nixon declined to say what form the protection would take and was careful to note that his order for the protection was not a threat, the firmness with which he announced it can be interpreted as very plain notice to North Korea that it cannot halt the intelligence missions of United States planes over international waters and that any new attempts to interfere with those missions by force will be met by force.

That this is what might be called an interim decision is apparent from the President's assertion that "Looking to the future . . . what we will do will depend upon the circumstances." It will depend, he added, on what North Korea does, on "its reaction to the protest and also other developments that occur as we continue these flights." The incident of the EC121 is not finally disposed of. For the time being it is being left to diplomatic exchanges.

Obviously Mr. Nixon is trying to avoid any action that would worsen an already thoroughly bad situation. But he has told North Korea—an "unpredictable country," he said—that it will not be permitted to change the United States policy on aerial reconnaissance or to repeat its attack on our planes. Restrained as this message is, it carries an extremely sober warning.

[From the New York Daily News, Apr. 19, 1969]

A FIRM, CALM STAND

A firm, calm stand was taken at his news conference yesterday by President Richard M. Nixon on Red North Korea's Monday shooting down of an unarmed U.S. EC–121 reconnaissance plane.

One hundred ninety similar flights had gone unmolested this year, so that Monday's attack was a complete surprise.

The intelligence flights are essential, said the President, and will go right on—but protected henceforth (by aircraft carriers in the Sea of Japan).

This calm firmness probably will disappoint some Americans. And the Nixon tactics no doubt will have to be revised if North Korea persists in these Pueblo and EC–121-type outrages. For the time being, though, it looks to us as if Mr. Nixon is acting wisely.

AMERICAN PERSEVERANCE

Mr. McGEE. Mr. President, the former Prime Minister of Great Britain, the Earl of Avon, has authored a well-reasoned, cogent essay summing up the need for American perseverance, not only in its negotiations over Vietnam, at Paris, but also in its attempts to approach the Chinese, in the realization that any settlement in Asia which can endure must take into consideration in the interests of the representatives of Peking.

I ask unanimous consent that the article, written by Anthony Eden, and published in last Saturday's New York Times, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOPICS: WHY WE MUST PERSEVERE WITH CHINA

(By Anthony Eden, Earl of Avon) [1]

LONDON.—Nobody should be surprised at the recent outbreaks of fighting on the Russo-Chinese frontier. Tension, punctured by incidents, has been the rule along much of the 4,000-mile frontier for some time now. We are not yet at the end of the busines, and we shall make a grave mistake if we belittle or discount the part which China must play in any settlement in Southeast Asia.

Frontier forays are not the only expression of the growing bitterness between Moscow and Peking. Chou En-lai's rebuke of the Soviet invasion of Czechoslovakia last autumn was sternly meant. The Chinese are acutely aware that they also are Russia's neighbors. Their purpose in censuring Moscow was in part, no doubt, to serve advance notice that no pretext of Communist neighborliness could ever justify any Russian intervention across Chinese frontiers.

Can these events be expected to have any influence on relations between the United States and China? The Chinese conviction that the United States menaces her security is, I believe, genuinely held. In Chinese eyes the inescapable evidence of this is the American military presence on the continent of Asia. It follows that if Washington contemplates a negotiation which would result in a phased reduction of American forces from South Vietnam, in return for a withdrawal of North Vietnamese forces, China will be a deeply interested party and should prudently be treated as such.

Not too much should be made of the postponement of the talks in Warsaw. There were some epithets flying when this happened. The time could soon come when Peking would not be embarrassed to exchange reflections with Washington, whether confidentially or otherwise. The United States has wisely shown a continued readiness to negotiate even after its opposite number declined the last round of talks. There is a fair chance that the Chinese will see in this an opening which could be useful.

VIETNAM WAR PRESENCE

It is not possible to approach the question of negotiation in Southeast Asia without regard to the events of the last fourteen years. With the passage of time, the mounting commitment and loss of life, all questions become more intense and harder to solve and it is necessary to get back to first principles. These are that the United States has no wish to establish any military presence anywhere in Indo-China, provided that North Vietnamese military forces are withdrawn from south of the demilitarized zone.

This condition is indispensable if South Vietnam is to be free to determine her own future, but it carries with it the terms of American disengagement. A comparable withdrawal on both sides from Laos has to be phased in with any Vietnamese agreement. If we are to get back to the 1954 Geneva Agreements for Vietnam, we have also to return to the 1963 Agreement for Laos.

The fighting in Laos may prove the most stubborn issue overlooking the negotiations. Here Russia has an obligation reaffirmed only six years ago. It can hardly be denied that the 50,000 North Vietnamese troops are in Laos in defiance of that engagement, or that the equipment and supply of these troops is only made possible through Soviet weapons and material aid.

The fact that Laos is as reluctant as Cambodia to receive any foreign troops upon her soil only emphasizes the ruthless cruelty of this violation of a contract. If Moscow wants to stay hostilities anywhere, here is an immediate claimant. There cannot be any settlement otherwise.

The neutralization of the area still remains the final objective, but this must be for the countries themselves to endorse and for the greater powers to guarantee. Meanwhile Ambassador Lodge is undoubtedly right to persevere with the problem of the demilitarized zones, whenever opportunity offers. These zones are a necessity in any scheme of withdrawal and offer some assurance for the fulfillment of any pledges given.

SECRET SESSIONS FRUITFUL

It is unlikely that any progress will be made in these or other matters as the outcome of publicized meetings. We certainly were unable to achieve anything at Geneva until, after many weeks, we moved into secret session. Even so, most difficulties had to be resolved by two and two in contacts which were not known to have taken place and could therefore be broken off or renewed without ceremony or loss of face.

If and when this stage is reached in the present negotiations, it will be important, assuming that the aim is to reach a settlement which can endure, to establish and maintain contact with the representatives of Peking, whose interest in the area will not fade.

KNOXVILLE, TENN.—A MOST BEAUTIFUL CITY

Mr. BAKER. Mr. President, more than 20 years ago John Gunther wrote a book in which he said Knoxville, Tenn., was the "ugliest city" in the world. No one knows how long Mr. Gunther was in Knoxville, but he has not been in the city since that time. Just the other day he reiterated his ugly-city statement on a nationwide television show, just at the time Knoxville was staging one of its most widely known events—and one of the most beautiful in the world—the Dogwood Arts Festival. People from all over the country, and some from foreign countries, travel over the six trails which are literally alive with dogwood blooms. It is truly a magnificent festival which features—in addition to the trees, arts, and crafts—sporting events, a parade, and other events and monuments of beauty. Since Mr. Gunther's visit to the city, on the initiative of the citizenry and the local government, there have been carried out several urban renewal projects, construction of one of the finest auditorium-coliseum facilities in the country, erection of a beautiful mall in the center of the business district, completion of a unique promenade on which several business establishments are located, and creation of a "gay-way" on the city's main thoroughfare. In addition, and as a result of some of these activities, Knoxville was declared an All America City. At the time of his recent statement I reminded Mr. Gunther of the old adage:

> A foolish consistency is the hobgobblin of little minds.

Mr. President, I use this means to invite Mr. Gunther to revisit the city of Knoxville. I am confident that, once that is done, he will feel as many of us who know the city do—that it is one of the most beautiful cities in the world.

FOUNDERS DAY EXERCISES AT UNIVERSITY OF VIRGINIA

Mr. SPONG. Mr. President, on Monday of last week the University of Virginia celebrated the anniversary of Thomas Jefferson's birthday with its observance of Founder's Day. This year also marked the 150th anniversary of the university. It was my privilege to participate in these exercises.

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[1] Lord Avon, former Prime Minister of Great Britain, served as joint chairman of the 1954 Geneva Conference on Far Eastern Affairs.

Six Members of this body, among whom are the majority and minority whips, are alumni of the university. For us, Founder's Day has a special significance. However, I believe, all Members of the Senate will benefit from the remarks of Dr. Edgar F. Shannon, Jr., president of the University of Virginia, which eloquently place in perspective the forces that threaten higher education today.

I ask unanimous consent to have excerpts of Dr. Shannon's remarks printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM REMARKS AT FOUNDER'S DAY EXERCISES, UNIVERSITY OF VIRGINIA, BY PRESIDENT EDGAR F. SHANNON, JR., APRIL 14, 1969

Thomas Jefferson was a revolutionary. Yet as one of the chief architects of what Julian Boyd has called "the most radical and irreversible revolution in history," he derived his conceptions not from fervid emotionalism but from a disciplined mind enlightened by the heritage of Western thought. The American revolution was radical and irreversible "because its moral proposition included the transfer of sovereignty from the hereditary ruler to the individual citizen." It was a revolution dedicated not to destruction but to the creation of a new order—"a new society based on the concept of the equality of man and governed by reason and justice." This, as Boyd has indicated, is the continuing revolution that we in this country must steadfastly seek to fulfill. This is an enduring revolution, never yet fully achieved, but to be pursued with work and hope and not to be abandoned in despair and irrationality.

Like the new country, the new university that Thomas Jefferson brought into being here 150 years ago was a daring innovation. It was founded as the first true university in North America, and Jefferson aimed his secular university to develop leaders for practical affairs and public service. Devoted, in his own words, to "the illimitable freedom of the human mind"—the phrase that we have taken as the theme of the Sesquicentennial—the University of Virginia was conceived as a means of affording full opportunity for a continuously evolving aristocracy of talent and intellect instead of one, as in the old world, based upon wealth or accidents of birth. This university then has been committed from the beginning to the undergirding propositions of the republic—the equality of man and governance by reason and justice.

Freedom to teach and to learn, to seek the truth through rational inquiry, are the hallmark, not only of the University of Virginia, but generally of American colleges and universities. Through this freedom and truth have come the primary benefits to society. Now this freedom, often under attack from outside the universities, is currently being endangered by irrationality, even coercion and force from within the universities themselves. A minority, espousing methods that are the antithesis of the idea of a university, seem dedicated to the destruction of our society and appear to have marked the universities as their first targets of a campaign for chaos.

The basic principles of the University of Virginia were never more pertinent to our society than they are today. Jefferson spoke somewhat grandly of the University of Virginia as intended to be "the chief bulwark of the human mind in this hemisphere." Usually we have thought of this metaphor in the context of external forces, but never before in American higher education was there greater opportunity for the University of Virginia, along with all institutions of higher learning, to be an inner bulwark for the defense of freedom and liberty in our society.

Here at the University, in Mr. Jefferson's words, "we are not afraid to follow truth wherever it may lead, nor to tolerate any error so long as reason is left free to combat it." He would be the first to support our protection of orderly dissent. He would no doubt share the frustration that many of us feel over the realization that advanced societies now have the knowledge and technical means to solve the problems of poverty, health, and education but thus far have failed to do so. Yet he would be concerned, as we in this university must be, that reason remain the means by which we combat apparent error. Intolerance and fanaticism, rudeness and vulgarity cannot be allowed to supplant reason as the instrument of dissent. And dissent itself must not be so strident as to become a purely negative force that will rend the fabric of our institution and destroy our bright prospects for united and constructive effort.

This afternoon we honor Mr. Jefferson by honoring those among our faculty, students, and alumni who have excelled in developing the mind. We celebrate both those who by rational processes are qualifying themselves to take a leading part in "the continuing revolution" through orderly change, and those who have already been notable participants in the struggle to improve the condition of man. It is our privilege to salute those who have demonstrated in the words carved over our gateway—"the will to work for men."

TRIBUTE TO THE LATE MRS. LAU KUN, HAWAII SUCCESS STORY

Mr. FONG. It was my sorrowful task recently to say a fond farewell and eulogy to Mrs. Lau Kun, of Honolulu, Hawaii's beloved "Mama Lau." In the passing of Mama Lau, my island community lost a magnificent lady, for she lived a brave and beautiful life. She was an exemplary mother and grandmother of a fine family.

Once a poor immigrant girl from China, she overcame much to achieve much. By today's definition, she would be considered a "disadvantaged" person. Yet through her qualities of perseverance, diligence, and willingness to work hard, she overcame her disadvantages to become a true success in the American tradition.

Although she arrived in Hawaii an alien, she learned to love this country and became a naturalized citizen, her citizenship reflecting the true essence of America.

Although she had little formal education and spoke only Chinese when she came to Hawaii, she acquired the art of communicating most effectively and persuasively.

Although she was born poor, she labored long and ardously to improve her lot and that of her family. From a modest stall selling pork in a Honolulu market, she and her husband built, step by step, the largest supermarket chain in the 50th State.

Thus, in her own unique and colorful way, she personified many attributes which won the affection and admiration of thousands.

As one of the fortunate people who early came to know and love her, I was privileged to pay tribute to her life and memory at her funeral services on April 12. So that others may share in the inspiring example of her life, I ask unanimous consent to have the tribute printed in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

TRIBUTE TO THE LATE MRS. LAU KUN, HAWAII SUCCESS STORY

(By U.S. Senator HIRAM L. FONG)

Friends: We are gathered together today to pay tribute to one of Hawaii's truly grand ladies, Mrs. Lau Kun, also known as Mrs. Lau Soo Shee, and more affectionately known as—our beloved Mama Lau—who departed this mortal life last Tuesday, April 8.

With her beloved husband Lau Kun, her son Eddie, her daughter Joanna, her son-in-law Maurice Sullivan, and her nine grandchildren—whom she loved above all—we weep and we mourn, for it is difficult to reconcile ourselves to the loss of one who was so vibrant, so full of vitality and love of life during her long and active tenure on this earth.

And yet, as we dry our tears we realize that although this good and noble lady left us, she bequeathed to all of us a heritage that will endure as long as we do—and beyond.

It is with a full and grateful heart that I pay highest homage to Mama Lau today by reminding us all of the priceless legacy she has left behind.

It was in 1921 that Mama Lau came to Hawaii as a young girl, nearly half a century ago. In modern parlance, young Mrs. Lau Kun would have been considered a "disadvantaged person."

She was a stranger in a strange land.
She spoke an alien tongue.
She was poor.
She had little formal education.

To most, these would be insurmountable handicaps. But not to Mama Lau.

She came to Hawaii as an alien, but she grew to love this land of ours and in time she became a naturalized citizen. Her quick native intelligence, her redoubtable perseverance and determination, enabled her to meet all the requirements for citizenship in these United States—not only legal citizenship, but the true citizenship that reflects the inner spirit and the character of the land.

Mama Lau arrived in Hawaii speaking only Chinese and, although through the years she did her best to unravel that difficult, idiomatic tongue known as English, she would have been the first to admit that she was not quite the master of her new tongue.

But what really counted was that, in her quaint and colorful way, without regard to syntax and grammar, Mama Lau could—and did—*communicate* very audibly and clearly whatever she had in mind. Above all she mastered that universal language which all understood—a language bespeaking her innate sense of kindness, helpfulness, decency, respect and brotherhood towards all mankind—a language which young and old alike understood and to which they warmly responded.

She arrived in Hawaii poor but she was not afraid to work—and work she did, side by side with her beloved husband Lau Kun, year after year, decade after decade. Even long after they had prospered and could easily have retired to a life of leisure and comfort, Mama Lau and her husband remained active in their business enterprises. She knew the value of honest toil to the human body and the warm satisfaction it gives the human spirit.

She arrived in Hawaii with only a few years of formal schooling in her old homeland, China. But she did not let that deter her. Intelligent and alert, she put to work the good, quick mind God had given her. And with her uncommon common sense, her constancy and courage, and her instant ability to learn from experience, Mr. and Mrs. Lau Kun advanced from the days of a simple wholesale and retail pork stall at the market at King and Kekaulike Streets to achieve these remarkable accomplishments—associates in the old Standard Market on Beretania Street, near Linekona School—owners of the Lanikai Store in Kailua . . . founders of the market located in Hawaii's first shopping center—Market City, Limited . . . and finally, founders and owners of the biggest supermarket chain in Hawaii—Foodland Supermarket with 18 super market stores. Mama Lau held the positions of vice president and director of this large food retailing complex.

Mama Lau's specialty was produce and—in the manner that she did everything—she knew her business well. Responsible for the purchase of fresh fruits and vegetables from both mainland and island sources, she won the respect and admiration of the farmers and wholesalers from whom she bought. She was looked up to by her workers and, indeed, even by her most avid competitors!

Although officially she retired a few years ago, it was really only a very partial "retirement". She continued to maintain a very lively and daily interest in her "superstores".

It was at Lau Kun's pork stall many, many years ago that my mother—shopping for pork for the big Fong family—first met Mama Lau. As both were from the Lung Doo district in Kwantung, China, they considered themselves as country cousins, and from that moment on, their friendship was spontaneous, deeply genuine, and lasting.

I, myself, made her acquaintance when I returned home to Hawaii in 1935, a fresh green grad of the Harvard Law School. I remember very distinctly just before World War II when she and her daughter Joanna came to my law office to have me draw up the documents in their purchase of the Lanikai Store in Kailua.

As Mama Lau did with so many, she took me under her wing, treating me like another son. She was very solicitous of my well being. She cooked and brought me various foods which she would urge me to eat as particularly healthful and strengthening to my body. When I sought to be a U.S. Senator, and on my seeking re-election, she went to the temple of Kwan Yin on Vineyard Street to pray and seek the oracles for signs of whether I would be successful in my quest.

Busy as she always was, she was never so busy that she overlooked family or friends. She was especially fond of her kinsmen, the Pangs and the Laus. She was always trying to help to bring her refugee relatives from the Orient, to guarantee their not being public charges, to provide employment for them and make it possible for them to enjoy a whole new start in life.

She was deeply engaged in philanthropic activities. She gave generously of what she had and got others to give generously to charitable, educational and benevolent causes. She was responsible for the successful campaign to erect the magnificent Koon Yum Goddess of Mercy temple on Vineyard Street. She was a director of the Palolo Chinese Home and a member of the Lung Doo Society.

Mama Lau had a heart as big as the world in which she lived so fully and through which she travelled so extensively. She loved people and they loved her—and it was not only her contemporaries who responded to her, but young people as well. She was that rare individual who could not, would not, comprehend a "generation gap" and in so doing swiftly succeeded in bridging it. To her, all people belong to the human family—and the human family *was* Mama Lau.

Outgoing and warm, forthright, vivacious, energetic yet gentle, Mama Lau had that true charisma that we encounter so rarely in a lifetime.

We, her friends and kinsmen, contemplate her amazing life and her shining character and cherish the heritage of love, courage, and devotion she left behind. And we ask: what can we do that would serve as a fitting memorial to Mama Lau?

One suggestion by her longtime friend, Dr. Lup Quon Pang, is to establish, in time, a radio-therapy unit at St. Francis Hospital to help victims of cancer like herself. I am sure such a useful and humanitarian memorial would please Mama Lau tremendously. And it has her family's blessing.

Another suggestion, which I offer in closing, is an intangible one—a memorial that each of us can help establish and perpetuate individually as we live out our lives and as we rear our children to carry on the torch of life in the generations to come. Let us instill in our own hearts and imbue our offspring with the will to learn and to persist . . . the drive to engage in useful and creative labor . . . an abhorrence of idleness and wickedness . . . a reverence for law and country . . . and an undying love for mankind.

This is what she gave us. And what each of us can give her in return is the silent promise that her shining example, her noble ways, her precious wisdom—will never die.

We cherish fond memories of this loved and most lovable lady. We will keep her remembrance always. She will always be with us, her friends and family, even though she is gone.

As a poet wrote:

"Of this bad world the loveliest and best
Has smiled and said 'Good Night', and gone to rest."

And now it is time for us to bid her a fond farewell.

Aloha nui loa . . .

Aloha . . . Dear Beloved Mamma Lau.

ORDER FOR ADJOURNMENT UNTIL FRIDAY NEXT

Mr. **KENNEDY**. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until Friday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORTS TO BE FILED BY SENATORS AND CERTAIN OFFICERS AND EMPLOYEES OF THE SENATE UNDER RULES 41, 42, AND 44

Mr. **STENNIS**. Mr. President, some time before May 15, Senators and senior employees of the Senate will be filing statements as required by rules 41, 42, and 44 of the Senate. A number of Senators and others having suggested that they be reminded of their responsibilities, I therefore present this brief summary, in my capacity as the chairman of the Select Committee on Standards and Conduct, of the reports that will be due.

Two reports of personal financial interests must be made before May 15 under Senate rule 44 by Senators, former candidates for Senator, and officers and employees of the Senate who are compensated at a rate in excess of $15,000 a year.

The first of these reports should be filed with the Comptroller General. This report includes a copy of the individual's income tax return and a statement of certain income, holdings, and debts. This is a confidential report to the Comptroller General as expressly provided in the rule.

The second report is made to the Secretary of the Senate and contains a statement of contributions accepted and honorariums received. This report will be open to public inspection and copying.

In addition to these two reports, all officers and employees of the Senate who are engaged in outside business or professional activity or employment must make a report to their respective supervisors on May 15. The details of this requirement are contained in Senate rule 41.

The Select Committee on Standards and Conduct will gladly supply such further information as may be needed. Copies of suggested report forms may be obtained from the committee office In addition, the chief counsel of the committee is available for counsel.

AUTHORIZATION TO RECEIVE MESSAGES AND SIGN BILLS

Mr. **KENNEDY**. Mr. President, I ask unanimous consent that during the adjournment of the Senate until noon on Friday next, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives, and that they may be appropriately referred.

I further ask unanimous consent that during this period, all committees may file their reports together with any individual, minority, or supplemental views.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL FRIDAY NEXT

Mr. **KENNEDY**. Mr. President, if there be no further business to come before the Senate, I move, under the previous order, that the Senate stand in adjournment until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 1 o'clock and 25 minutes p.m.) the Senate adjourned until Friday, April 25, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 21, 1969, under order of the Senate April 18, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Shelby Davis, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Switzerland.

Malcolm Toon, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czechoslovak Socialist Republic.

Fred L. Hadsel, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Somali Republic.

Executive nominations received by the Senate April 22, 1969:

UPPER GREAT LAKES REGIONAL COMMISSION

Alfred E. France, of Minnesota, to be Federal Cochairman of the Upper Great Lakes Regional Commission.

OFFICE OF ECONOMIC OPPORTUNITY

DONALD RUMSFELD, of Illinois, to be Director of the Office of Economic Opportunity.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 22, 1969:

DEPARTMENT OF DEFENSE

Curtis W. Tarr, of California, to be an Assistant Secretary of the Air Force.

CENTRAL INTELLIGENCE AGENCY

Lt. Gen. Robert E. Cushman, Jr., U.S. Marine Corps, to be Deputy Director, Central Intelligence Agency, with his current rank of lieutenant general while so serving.

HOUSE OF REPRESENTATIVES—*Tuesday, April 22, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

My beloved brethren, be ye steadfast, unmovable, always abounding in the work of the Lord, for forasmuch as ye know that your labor is not in vain in the Lord.—I Corinthians 15: 58.

O Thou giver of every good and perfect gift, we are grateful for the opportunities for good which have been ours; for the love in our homes; for the fellowship of friends; for the freedom to worship as we desire, and for the happy experience of serving our country in this House of Representatives. Keep us ever alive with gratitude for Thy goodness to us.

Do Thou forgive our mishandling of some of Thy gifts—the opportunity neglected, the untruth accepted, the shallow judgment made, and the cynicism enjoyed. Forgive the unkind word, the unjust criticism, the false ambition, and every unworthy spirit which has reigned in our hearts.

May the light of Thy love and the triumph of Thy truth purify us and send us out into this day to be true to Thee, loyal to our country, and in love with our fellow men.

In the name of Him who reveals life to us we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

PERMISSION FOR SUBCOMMITTEE ON PUBLIC LANDS, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, TO SIT DURING GENERAL DEBATE TODAY

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PRESIDENT NIXON'S SO-CALLED BUDGET CUTS

(Mr. ADDABBO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADDABBO. Mr. Speaker, I am disturbed over President Nixon's so-called budget cuts, particularly the cold and callous cuts in the Veterans' Administration budget.

With the exception of the Defense Department and Health, Education, and Welfare, no other Department or agency budget was cut as much as the VA. The $245 million cutback includes delays in structural improvements to VA hospitals as well as a veto on hiring needed medical care personnel.

The Nixon administration has jeopardized the entire program of veterans medical care by killing the VA's request for 4,700 new employees, most of them in the field of medical care.

Approximately 3,600 new employees in hospitals and VA outpatient clinics and another 500 in medical research were approved by the outgoing administration only to be rejected by the Nixon administration.

The Nixon administration has turned its back on the growing problem of crowded VA hospitals with long waiting lists and a shortage of doctors and medical assistants.

As a member of the House Appropriations Committee, I will make every effort to restore at least a part of this budget cut so that our veterans can be assured of adequate medical care.

MUTUAL SECURITY PROGRAM

(Mr. PASSMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. PASSMAN. Mr. Speaker, Mr. Nixon's request for foreign aid for fiscal 1970 exceeds Mr. Johnson's January request by $19 million.

Mr. Nixon's request for mutual security funds exceeds the 1969 appropriation by $959 million.

Mr. Speaker, it would appear that all Presidents in recent years have a way of getting hooked on foreign aid before the White House lights are turned off on inaugural night. They are willing to reduce requests for funds for justifiable projects in America but they always ask for increased funds for similar projects under foreign aid.

There are no ifs, no ands, and no buts. Mr. Nixon, in his revised budget, when the military assistance program is included, is asking for more foreign aid funds than did Mr. Johnson in January.

Mr. Speaker, the total funds requested for foreign aid and assistance for fiscal 1970, carried under 22 headings, total in excess of $10,600 million. Stand by for recapitulation sheets covering totals, which will be placed in the RECORD in a few days.

The following recapitulation covers only one of 22 spigots of foreign aid and assistance:

MUTUAL SECURITY PROGRAM

Item	Fiscal year 1969 appropriation	January budget request, Johnson	Revised budget request, Nixon	Nixon request exceeds Johnson request by—	Nixon request exceeds 1969 appropriation by—
Economic assistance	$1,380,600,000	$2,320,800,000	$2,285,000,000	−$35,800,000	+$904,400,000
Military assistance	375,000,000	375,000,000	430,000,000	+55,000,000	+55,000,000
Total	1,755,600,000	2,695,800,000	2,715,000,000	+19,200,000	+959,400,000

HAPPY BIRTHDAY TO TURNER ROBERTSON

(Mr. BOGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOGGS. Mr. Speaker, I take this time to extend birthday greetings and felicitations to one of our very hard workers, the chief page, Turner Robertson, who has completed over 30 years of service in the House of Representatives and I believe that all of us will join in wishing him a happy birthday.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I am happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman for yielding, and I join with the distinguished majority whip in extending Turner Robertson our very, very best wishes from this side of the aisle on this occasion.

I do not know which birthday in years, but a good one, I trust.

Mr. BOGGS. I thank the gentleman. I believe Turner Robertson is about 60, but he will not admit it.

FREEDOM OF INFORMATION FOR THE DISTRICT OF COLUMBIA

(Mr. MOSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MOSS. Mr. Speaker, I have today introduced a bill to bring the government of the District of Columbia under the provisions of the Freedom of Information Act.

The legislation has a twofold purpose: It will bring about uniformity in the application of the information law at all levels of government in the Nation's Capital, and it will give the Mayor of Washington, the city council, and other officials a long-needed tool of statutory authority to disclose records and documents to the public—an affirmative authority they do not have at present.

It should be noted that the present officials of the District of Columbia, as in the case of their recent predecessors, have generally evidenced a desire to comply with the spirit of the freedom of information law. My amendment will strengthen their hand in the day-to-day implementation of a positive public disclosure policy.

THE NEW DIRECTION IS BACKWARD

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. I have been reading in the public press about numerous occasions the minority leader and others have used the term "new direction" to exemplify this administration. It is very difficult when an object is standing still to figure out what direction it is going, so for the past 100 days I have been unable to ascertain what the "new direction" was. But in the last day or two I think I have been able to figure it out: the "new direction" is backward.

SUPPORT LAW ENFORCEMENT

(Mr. DORN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. DORN. Mr. Speaker, today I join my colleagues in introducing a resolution which would request the President to declare May 11 to 17 "Help Our Police Fight Crime Week."

Never in the history of our country has emphasis been needed more on supporting our police and law enforcement agencies as now. We hear of crime on the increase, riots and demonstrations on the campus, attacks on law-enforcement officers by hoodlums and demonstrators just because they are law officers sworn to do their duty.

Our policemen, patrolmen, sheriffs, deputies, and all law enforcement need the support of every good citizen. Law enforcement and law and order cannot be maintained without the support of the overwhelming majority of our people. It is fitting and proper that our Nation during these critical times pause to honor those men in uniform standing guard over our freedoms. The first line of American defense today against subversion, sabotage, and anarchy is through our local law officers. Their "lives, their fortunes, and their sacred honor" are on the firing line for all of us.

Law enforcement is dedicated and devoted to the preservation of our way of life. They are devoted to democratic principles and ideals. They stand for justice, order, and restraint as opposed to violence, crime, and chaos. With the support of good citizens, they can and will maintain law and order and preserve our time-honored democratic institutions.

I believe this resolution will pass the Congress unanimously, paying a just tribute to our men who preserve rule by law instead of rule by man.

THIRTY-ONE AMERICAN CITIZENS DEAD AS A RESULT OF NORTH KOREA'S PIRATICAL ACTION

(Mr. PEPPER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEPPER. Mr. Speaker, I am sure no Member of this House wishes to add anything to the onerous and awesome burdens which our President and our Government have to bear. I think all of us commend the action of the Chief Executive in giving notice that in the future our flights, although they are in international air space, will be protected by our Armed Forces.

But what I am troubled about, and what my mail and contacts with other citizens of this country indicate our people are concerned about, is whether we are going to just drop the matter of what our President termed a fourth-rate military power shooting down one of our planes which was not offending anybody, but was flying along unarmed in international air space, with 31 American citizens on that plane dead as the result of that piratical action.

The future is one thing, but those 31 men are dead. It would seem to me that the dignity of this country and the respect that we have for those men who give their lives would command that we do something surely to get some kind of redress for the families of these patriotic martyrs and redress which would deter North Korea or any other aggressor from offending in a similar way in the days and years ahead.

Mr, Speaker, surely recent history would compel anyone to understand that there is neither national honor nor national security in appeasing national brigands.

SALUTE TO PORK INDUSTRY IN NEBRASKA

(Mr. DENNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENNEY. Mr. Speaker, meat-animal production and marketing in Nebraska is a very important part of the Cornhusker State's economy. Whether the primary or a secondary project of the Nebraska farmer, livestock production helps to provide his living and the livelihood of his fellow Nebraskans in related agricultural occupations.

Today I salute the pork industry in Nebraska. It has helped to meet the needs of a productive people, both in terms of providing a livelihood and in providing nourishment to citizens across the Nation.

On this Friday, April 25, the U.S. Department of Agriculture will report confirmed production figures for agriculture in Nebraska for 1967, and will present a preliminary report for 1968. These figures will indicate the most up-to-date evaluation of Nebraska's stake in the pork industry, and the pork industry's stake in Nebraska.

Since the beginning of our State a little more than a century ago, the production of swine has been a staple commodity of the farming programs of Nebraska farmers. During good livestock years, the porker helped the farmer to prosper; and during the years when the future of farming was placed in serious jeopardy, as likely as not it was the pig that kept the farmer from "going under."

Nebraska has a fine history of meat-animal production, ranking second of the 50 States in commercial slaughter in 1966. In no small part, this level of production was achieved by the number of swine raised and slaughtered in our State. Constituting a healthy percentage of Nebraska's cash receipts from farm marketings, the production of pork continues to make its valuable contribution to the stockman's wallet as well as the consumer's plate.

THE PROBLEM OF THE NIXON ADMINISTRATION

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINDLEY. Mr. Speaker, my good friend, the gentleman from Ohio (Mr. HAYS) expressed what I would term a certain wistfulness about the lack of action on the part of the Nixon administration, and it calls to my mind a story of ancient Greece, when Hercules was given the chore of cleaning out the Augean stables. The stables had been occupied for many years by several thousand horses without any cleaning. Hercules finally had to divert not one but two rivers to get the job done.

I mention this not to suggest that the previous administration consisted of horses or any part thereof, as a matter of fact, but simply urge a little bit of patience on the part of my good friend from Ohio.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Ohio.

Mr. HAYS. I would say to the gentleman that I am not impatient. He apparently just missed the import of my statement. I said that I heard all of these remarks about a new direction, and I feel without any movement it is impossible to tell what the direction is. That is all I was complaining about.

Mr. FINDLEY. But the gentleman certainly agrees that it would be well to get the stables cleaned out before we become too impatient.

Mr. HAYS. I do not believe that we had stables to start with, so therefore we are off on the wrong premise.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Michigan.

Mr. CEDERBERG. After we have been going around in circles for 8 years, any direction is new.

ADMINISTRATION STALLED

(Mr. HUNGATE asked and was given permission to address the House for 1 minute.)

Mr. HUNGATE. Mr. Speaker, I would like to concur with my distinguished colleague from Illinois that horsesense would lead to stable thinking, but the administration appears stalled.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during general debate today.

Mr. SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON HOUSE ADMINISTRATION, HEARINGS ON HOUSE RESOLUTION 364

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that the distinguished gentleman from Maryland (Mr. FRIEDEL), chairman of the Committee on House Administration, has requested me to announce that on tomorrow or at some later date this week House Resolution 364, the election contest of Wyman C. Lowe, may be called up.

FOOD-FOR-PEACE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–104)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed with illustrations:

To the Congress of the United States:

I am pleased to transmit the report for 1968 on the Food for Peace Program under Public Law 480—a program which over the years has helped provide better diets for millions of people in more than 100 nations. In addition to its primary humanitarian aspects, Food for Peace contributes significantly to the maintenance of export markets for U.S. agricultural commodities and to the U.S. balance of payments position.

While this is my first official report on the program as President, I have been closely associated with it since its beginning. This great humanitarian effort began in 1954 during the Presidency of Dwight D. Eisenhower. As Vice President at the time, I was keenly interested in the program and have followed its development and accomplishments ever since.

It is evident that the battle against hunger must continue, both in the United States and in the world at large, through programs such as Food for Peace. The present Administration eagerly accepts this challenge and dedicates itself to dealing effectively with the problems of hunger and malnutrition at home and abroad.

RICHARD NIXON.

THE WHITE HOUSE, *April 22, 1969.*

PERMISSION FOR SUBCOMMITTEE ON PRINTING TO SIT DURING GENERAL DEBATE TODAY

Mr. DENT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Printing be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 41]

Annunzio
Ashley
Bates
Bell, Calif.
Blanton
Blatnik
Brademas
Brooks
Brown, Calif.
Brown, Ohio
Camp
Carey
Casey
Celler
Colmer
Daddario
Davis, Ga.
Dawson
Dwyer
Edwards, La.
Fraser
Gibbons
Gray
Hébert
Jarman
Jonas
Kirwan
Long, La.
MacGregor
Mahon
Mann
May
Mayne
Mizell
Moorhead
Murphy, N.Y.
Ottinger
Pollock
Powell
Purcell
Rooney, Pa.
Rosenthal
Ruppe
Scheuer
Sikes
Springer
Sullivan
Symington
Taft
Tunney
Wilson, Bob
Wilson, Charles H.
Wright

The SPEAKER. On this rollcall 379 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1969

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 514) to extend programs of assistance for elementary and secondary education, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 514, with Mr. PRICE of Illinois in the chair.

The CHAIRMAN. When the Committee rose on yesterday the gentleman from Kentucky (Mr. PERKINS) had 1 hour and 4 minutes remaining, and the gentleman from Ohio (Mr. AYERS) had 1 hour and 6 minutes remaining.

The Chair recognizes the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, we have come to another point in our historic fight to try to put into effect in this country a reasonable approach to Federal participation in the educational programs of our country. It has been a long, hard struggle over the years to get government at any level to recognize that it had any stake in the education of the children of our country. The original public law that established the public school system was sponsored by a Member of Congress from the great State of Pennsylvania, Thaddeus Stevens. Ever since that date there have been those who have tried to take the Government out of education and a few dedicated persons who have realized that local school districts cannot finance the type or scope of education required in today's world. The days and years of yesterday are gone. We live now in a modern world which depends upon the education of its peoples. The whole world and the whole future belong to the educator and the educated. The responsibilities of this Congress are that we now, at this point in our history, write indelibly upon the records of this Congress a mandate that the people of this Nation are going to take their responsibility and give to the children of today and tomorrow an opportunity to meet the conflicts and the challenges of the future. We may have added a few too many trimmings to the public school system. Maybe we have put it in a position where the cost per pupil is too high. This committee has before it today a piece of legislation aimed at carrying on at least at the level we have established for education. We also have the responsibility to look into the individual cost of education and see whether or not there are trimmings that do not add to the fundamental education of our children but become an unjustified item of cost in the budget of our school districts. I remember when I was a boy in a coal town and we had two classrooms and four classes in each room. We started school at the age of 5 and had what is known as a chart class for 1 year. We never had a pencil and we never had a scrap of paper. All we had was a chart before us with pictures on it and three-letter words where we tried to learn the word, the spelling, and the meaning. We spent a whole year doing that. Then in the first year of official schooling we tried to learn our ABC's. Somehow or other we have now added so many subjects to the curriculum—even for small kids in kindergarten—that we may be overburdening not only the cost of education at that base of education, but the ability of the child to assimilate what we are trying to teach him.

And, I would say to this Congress let us not retreat, as I have heard some rumors to the effect that there will be an attempt to retreat from the standards which we have set. If we were to do the right thing, we would be adding to the cost of Federal aid to education simply because of the local school districts can no longer carry the burden, and the States cannot carry the State aid portion of the burden of the educational system of this country.

Mr. Chairman, the educational system of this country grew up on the premise that it was to depend upon real estate taxation for educational purposes. No person in his right mind could ever hope to maintain the educational plants of this country based alone upon real estate taxation. It cannot be done, nor can it be done by State taxation programs. My State, the great State of Pennsylvania, added a tax of now 6 cents—a State sales tax—to try to meet the burden of education.

Mr. Chairman, we are now talking about an income tax on top of the State sales tax. We have every kind of tax that most States have and a lot of taxes that other States do not yet have. This is because we are adding more and more to our State budget. We added $167 million to our State budget in aid to education just yesterday. We do not have the money in the till to pay for this. Why? Because we in the Federal Government have reached too deeply into the pockets of the cities, of the States and local communities in order to meet certain other Federal problems. We do not recognize the fact that education is not the primary function of a State. When I say this, I have in mind the money that has been diverted to the Federal programs for Vietnam and other incidentals that have become a part of our Federal operation.

Mr. Chairman, I say to the Members of the Committee of the Whole House on the State of the Union and to all Members of the Congress, do not make an attempt to make a political issue at this late stage of the Federal aid to education program; do not try to get some little political betterment for yourself or for your party, either Democratic or Republican, on the basis of aid to education. We have been through that battle. We have climbed over that hump and Federal aid to education is here to stay.

The proper and honorable thing for this Congress to do is join together on both sides of the aisle and try to put through the kind of legislation that will make Federal aid to education possible, make it work, and add sufficient funds to see to it that any child in any school district in any State of the Union will receive a minimum standard of education equal to the needs of the moment. I plead with you sincerely to set aside these little personal wants and desires to have your name on an amendment just so you can go out and say I tried to amend the bill to cover this one small group.

Mr. Chairman, I have had all of them to come to me—school superintendents, school supervisors, representatives of the Government and State legislatures, each with a different idea. But that is not their responsibility. It is our responsibility. This is Federal aid to education. The titles are clearly spelled out. There is not a person in this Congress who cannot find out within 5 minutes exactly what this bill does, exactly what it is aimed to do and what it intends to do. If there is an honest difference of opinion with reference to one of the titles or with reference to all of the titles, let us debate them in an unbiased manner and let us do it in such a way that if we do amend the bill we strengthen the bill rather than weaken it.

So, I plead with you to give us as much help as you can, to give this committee, which has had a very serious time in bringing to the floor this very important legislation, as much assistance as possible.

Mr. DINGELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Fifty-one Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 42]

Annunzio
Ashley
Baring
Barrett
Bates
Bell, Calif.
Betts
Blackburn
Blanton
Blatnik
Bolling
Brooks
Brown, Calif.
Brown, Ohio
Camp
Carey
Casey
Cederberg
Celler
Clark
Cleveland
Cohelan
Colmer
Daddario
Dawson
Dickinson
Diggs
Downing
Dwyer
Edwards, La.
Fallon
Foley
Fraser
Friedel
Gallagher
Garmatz
Giaimo
Gilbert
Gray
Grover
Hanna
Hébert
Helstoski
Jarman
Kirwan
Kleppe
Long, La.
Mahon
Mailliard
Mann
May
Montgomery
Moorhead
Morse
Murphy, N.Y.
O'Hara
Ottinger
Patman
Pelly
Pike
Pollock
Powell
Purcell
Rivers
Rooney, Pa.
Rosenthal
Ruppe
Scheuer
Sikes
Springer
Steiger, Ariz.
Sullivan
Symington
Taft
Teague, Calif.
Wiggins
Wilson, Bob
Wilson, Charles H.
Wright

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Edmondson) having assumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 514, and finding itself without a quorum, he had directed the roll to be called, when 352 Members responded to their names, a quorum and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Committee will be in order.

When the Committee rose the gentleman from Pennsylvania (Mr. Dent) had 2 minutes remaining.

The Chair recognizes the gentleman from Pennsylvania.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. DENT. I am happy to yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Is it true that under the impacted areas section of this bill that any person working for the Federal Government on Federal property and who lives nearby, who owns his own home and pays the same taxes as does everyone else and has children in school, is it correct that they will draw—the school district will draw—additional money under the impacted areas section of this bill?

Mr. DENT. Under category B that is the fact.

Mr. TEAGUE of Texas. Mr. Chairman, if the gentleman will yield further, will the gentleman tell us what rationale or what reasoning goes on that would take someone who has his own home and who pays the same taxes as everyone else and who has children in school whereby that school district would receive additional money?

Mr. DENT. In answer to the question which has been propounded to me by the distinguished gentleman from Texas, the impacted areas bill was passed long before I became a Member of Congress. Then I was fortunate enough to become chairman of the Select Education Subcommittee. At that time we made a very deep and thorough study into the impacted areas legislation. It came before the Congress with some recommendations which were denied by Congress and, therefore, we still have category B. However, we were able to wipe out category C which in my opinion represented a very grave inequity. The argument for the retention of category B was advanced by this committee on the basis that a Federal installation by its nature denies taxation for school purposes to the school district and, therefore, a large installation having many employees who may live within the community would be eligible for impact aid. Since they receive only the taxes paid by the individual in taxation but no return of the revenue from the installation itself. Some communities have only Federal impacted areas.

Mr. TEAGUE of Texas. Mr. Chairman, if the gentleman will yield further, is this true where the child has any impact on the school area? Let us take as an example the Dulles Airport. They have been there all of their lives. They have children in school.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. PERKINS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. TEAGUE of Texas. Mr. Chairman, if the gentleman will yield further let us take, for example, a family living near Dulles Airport or a person living at Dulles Airport has a child in school. He has owned this property all of his life and he pays taxes on it, but he goes to work over at Dulles Airport. He pays the same taxes as others do, but in addition to that that school district receives money under the impacted areas section of this bill because he is a Federal employee and works on Federal property; is that correct, and is it right?

Mr. DENT. That is correct. Whether it is right or not, that is a personal opinion.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. I think the answer which the gentleman from Pennsylvania just gave was not quite correct under the circumstances indicated by the question. Before any child is counted for the purpose of impact aid it must first be demonstrated that the school district in which that child resides has, in fact, felt the impact of children coming from federally employed persons to the extent of either 400 schoolchildren or 3 percent of the school enrollment, whichever is lesser. So a child living at Dulles Airport would not be counted unless he lived in an affected school district that already had 400 children or 3 percent of its enrollment who would not be there but for the Federal installation.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. DENT. When I answered the gentleman I tried to give the gentleman the rationale that was used before our committee. The regulation says that they must be impacted by 400 pupils or 3 percent. This of course allows certain small districts to participate that have less than an impact of 400 pupils.

I now yield to the gentleman from Texas.

Mr. TEAGUE of Texas. I thank the gentleman for yielding.

I have a secretary who lives in Montgomery County, and has children in school. She works in my office. She tells me that her children come home with a statement that she signs that says that she is a Federal employee. So this school district, even though they own a home and they pay the same taxes as everybody else, receives this benefit.

Is this true or not?

Mr. DENT. It is true.

Mr. TEAGUE of Texas. I would say to the gentleman that surely it is not right.

Mr. DENT. I did not believe it was right when I lived in Maryland, and the children of the parents next door, who paid the full taxes, and their parents happen to work for U.S. Government in Washington, the same as I do, but they were taxed the same as everybody else, and the local school district received this benefit.

Mr. TEAGUE of Texas. I intend to offer an amendment because I do not believe it is right that a person working for the Federal Government and paying taxes like everybody else—that because of that then the school board gets additional money.

(Mr. BOLAND asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BOLAND. Mr. Chairman, I want to express my vigorous support for H.R. 514—the legislation now before us to extend and strengthen the Elementary and Secondary Education Act—and to urge the rejection of any proposed amendments that would inhibit the act's effectiveness. The programs administered under ESEA's provisions are, plainly and indisputably, among the most strikingly fruitful programs ever undertaken by the Federal Government.

H.R. 514, in addition to proposing an extension for ESEA, seeks an extension for Public Laws 874 and 815—the laws authorizing financial assistance to federally impacted school districts. The extension of these laws is essential if school districts in my Second Congressional District of Massachusetts, and thousands more throughout the Nation, are to make adequate provisions for planning budgets, construction and educational programs.

Cutbacks and retrenchments in the provisions of these laws have been proposed and discussed over a number of years, and rejected by the Congress. Slashes in these programs would result in utter chaos in the financing of school budgets and most certainly would make local tax increases mandatory in Springfield, Chicopee, Ludlow, South Hadley, Granby, and Belchertown.

For example, the city of Chicopee would have to increase its real estate tax rate $17 this year to cover its school budget if Federal school impact funds were not forthcoming. The Public Law 874 entitlement for Chicopee in fiscal year 1969 has been set at $1,447,846 for school maintenance, which is a significant portion of the city's $7,700,000 school department budget. The impact in Chicopee is brought about by the children of Air Force personnel stationed at Westover Air Force Base, which is the headquarters of the 8th Air Force of the Strategic Air Command.

The need is equally pressing for an extension of the programs administered under ESEA. The Elementary and Secondary Education Act is one of the most comprehensive attempts to assist education in our history. It has greatly changed the face of education in America and has come a long way toward providing a quality education for every American boy and girl.

Many of the titles of the ESEA have set our local school administrators, as well as experts in the field, thinking of more and better ways to educate our youngsters. I have seen in the CONGRESSIONAL RECORD some of the results of the questionnaire Chairman PERKINS sent to school superintendents. It is encouraging to see the enthusiasm displayed by the superintendents for the ESEA program and see them relate some of the achievements of their various programs. It is also encouraging to note the fact that Mr. PERKINS has gone to the local level to discover how well the programs are working and to ask for opinions. I feel that it is essential to keep in touch with the people who are directly involved in the programs in order to assure success.

In my State of Massachusetts, during fiscal year 1968 we received nearly $25 million in support under the ESEA. Some new programs were implemented but more importantly, programs already set up under the act were extended and further developed. As I look into the educational record in Massachusetts, I am encouraged by the strides recently taken—at the State and at the local level.

Under title I, the State received almost $15 million which was used for the education of 87,000 children during the school year of 1966–67. One of the main targets of the program was to keep disadvantaged children in school. A sampling of 40 percent of the potential dropouts in urban areas involved in title I work-study programs showed that 65 percent of them stayed in school. Before the program, 18 percent would have been expected to stay in school. Other programs were equally as impressive. In a sampling, 32 percent of the children scored in the lowest quarter on a reading test, after 8 months in their title I program, only 18 percent were still in the lowest quarter.

It is my understanding that title I programs have had equally encouraging results in the rest of the country. In our big cities, there is evidence that title I pupils can make substantial academic gains in their compensatory education courses. Antagonistic attitudes toward school can be changed and energies channeled in more constructive directions. Besides the advances with disadvantaged students, title I is working in another direction. As educators develop and introduce new techniques for the disadvantaged students, traditional educational practices are challenged with the result benefiting the fortunate child as well. Innovative curriculum designs are currently being explored, developed, and are in use for all of our students—making a contribution to our total educational picture.

While title I perhaps receives the most emphasis when many of us think about the successes of the ESEA, the other titles have made outstanding contributions to the total educational picture also. Under title II, during fiscal 1968, $99 million was made available for use on school library materials. This has allowed many schools virtually without libraries to offer the many benefits derived from outstanding reading to all of their students. Public and private schools have taken advantage of the program. Title III has taken us a step into the future by encouraging creative projects in education. Programs for the handicapped have been developed under title VI and with the 1967 amendments we can expect a much wider approach toward solving their special problems. We can also look forward to the results of bilingual education—and the progress of students who had previously been trapped behind a language barrier and taught by teachers insensitive to their special needs. State departments of education are progressing as well with the financial assistance now available—at this point every State has access to a computer which will encourage the coordination so essential to the efficient functioning of an organization.

The ESEA programs have been in effect long enough for us to see that progress is being made. But, they have not been in operation long enough to make any definitive judgments about which programs are, in actuality, successful and which ones are not. It would be unfair to prejudge the progress being made and come to any hasty conclusions. Many of the educational problems attacked under the various programs are so intertwined with problems of poverty, housing, cultural background and health that progress will indeed be slow. I feel that any changes in the different titles of the ESEA would only put us back to the start before we have had a chance to develop the potential of our ongoing programs. I think one of the most important aspects of the Act is that each title provides for a separate program, but there is linkage from one program to the other. Educators have become familiar with the guidelines and have turned their attention to developing good programs.

I also feel that it is not only important to preserve the ESEA intact, and to extend the provisions, but it is equally important to extend them for a significant period of time. The advance funding provisions written into the recent amendments will go a long way toward achieving a consistency in funding which adds stability to any program. If authorizations were made for 1 year at a time, the consequent effects on the stability and continuity of the programs would be detrimental to the purposes for which the legislation was enacted.

I am very enthusiastic about the results we have obtained through the ESEA programs to date. I feel very strongly that they must continue in the years to come. Education is one of the most important factors in each child's life. If we are to look forward to a bright future for this country, we must provide a quality education for each and every boy and girl. The Elementary and Secondary Education Act has made a good beginning in this regard—and I thoroughly support its extension by the provisions of H.R. 514.

Mr. AYRES. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin (Mr. STEIGER).

Mr. STEIGER of Wisconsin. Mr. Chairman, may I say first of all before getting into any discussion on some of these substantive problems with respect to this bill that the gentleman from Texas (Mr. TEAGUE) has pointed to an inequity which some of us on the committee unsuccessfully attempted to correct. I have an amendment, which may be offered, which would meet the very problem the gentleman from Texas has raised. It would provide a limitation on those Federal employees who would be eligible to be counted for impacted aid by providing that in the first year that any with an income from such employment of over $12,000 could not be counted. The second year, $10,000. The third year, and thereafter, $8,000. This would alter the situation that exists in a county like Montgomery County, Md., in which they are getting impacted aid because they are adjacent to the District of Columbia, and they get a bonanza because the District of Columbia is so close. Those employees who live in Montgomery County, Md., pay real property taxes, pay personal property taxes, pay sales taxes, and income taxes. In my judgment, you cannot justify Federal payments in that situation under the impacted aid formula.

I hope the gentleman, if he is interested in this problem, will be willing to either support my amendment, or I will be happy to work with him.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I will be happy to yield to the gentleman from Texas.

Mr. TEAGUE of Texas. I thank the gentleman for yielding.

I would say to the gentleman that, of course, it is not only in the District of Columbia, it is all over the United States. This applies to my district, where we have many employees who work for a defense industry, and the same thing happens there. So it is not just the District of Columbia; it is all across the country.

Mr. STEIGER of Wisconsin. May I say to the gentleman from Texas that he is absolutely correct. As a matter of fact, it seems to me this is one of the reasons to extend the bill for only 2 years so that maybe we can convince the House Committee on Education and Labor, and the Congress, to come back here and grapple with this problem where they have not been willing to do so.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Chairman, I thank the gentleman for yielding.

What the gentleman from Wisconsin (Mr. STEIGER) is saying, and what the gentleman from Texas (Mr. TEAGUE) is saying, I believe should be repeated, and that is at a time when we are trying to get more education money into the so-called disadvantaged areas, it makes no sense at all to maintain the position that a person who works for the Government and earns from $15,000 to, say, $35,000 a year, by any stretch of the imagination impacts in any area in the United States. And that is basically what we are saying.

Mr. STEIGER of Wisconsin. I thank the gentleman for his contribution. I believe he is correct.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. PERKINS. I am just wondering if the gentleman deals with these so-called inequities that he has enumerated in the substitute he intends to offer.

Mr. STEIGER of Wisconsin. Mr. Chairman, I have no substitute that I intend to offer.

Mr. Chairman, there is going to be a great deal of discussion in the course of this debate on the way funds are distributed under the formula for title I of ESEA. Some of the glaring inconsistencies have been pointed out. There are but a few examples of the many that could be chosen.

Actually, my State of Wisconsin does better than many others under this formula the way it works out—but I do not consider that a reason for supporting a 5-year extension.

This year the Wisconsin title I payments are figured on the basis of $300.86—one-half our State average per pupil expenditure—which is well above the national average. When the appropriations for title I for fiscal 1969 are distributed, our Wisconsin schools get $150.20 per child counted. Massachusetts, by comparison, has a higher per-pupil expenditure and their allotments are figured on the basis of $303.73—but they only receive $141.83 per child. Hawaii has still a higher base—$305.18—but gets less than either Wisconsin or Massachusetts—$132.31 per child counted.

Iowa, Kansas, Montana, New Mexico, and Arizona, on the other hand, spend far less per pupil than Wisconsin, but this year they all end up receiving more per poor child counted than my State.

Obviously, we do not—or, at any rate, should not—want to distribute funds in such crazy quilt patterns indefinitely. Many Members have asked how such results can occur, and I confess to you as one member of the Committee on Education and Labor that I cannot give you a complete answer.

One reason for the wild discrepancies in this formula—and a reason also for not extending it indefinitely—is that part of the count of children involves the welfare program which varies from State to State.

As the formula stands now, we count school-age children who were estimated to have been in families with less than a $2,000 annual income in 1960.

Then, apparently on the assumption that some child might otherwise be counted twice—which, by the way, is still possible under the act—we take an actual and recent count of the school-age children whose families receive more than $2,000 in welfare payments under aid for families with dependent children—AFDC.

This immediately introduces an absolutely capricious element into the formula, because eligibility for welfare and the amount of the payments both vary from State to State. Worse, the poorer the State and the less able it is to support schools, the less likely it is that a poor child will be on welfare, or if he is on welfare, that his family will get over $2,000 in welfare payments.

The simple result is that the less wealthy States count fewer children, and then get paid less for each child counted.

To put this in some perspective: there are 12 States—Alabama, Arizona, Arkansas, Florida, Georgia, Maine, Mississippi, New Mexico, South Carolina, Tennessee, Texas, and Wyoming—which together in the 1960 census data had nearly 1 million school-age children in families with more than $2,000 but less than $3,000 annual income. Today these 12 States have over 17 percent of the total children on AFDC welfare rolls. Yet, they cannot count a single AFDC child for payment under this act.

Compare that situation with the same figures in New York. In 1960, New York State had an estimated 175,000 children in families with more than $2,000 but less than $3,000 income; today the State counts under title I a total of more than 250,000 school-age children on AFDC whose families receive more than $2,000 in welfare payments.

Where is the equity in this sort of treatment? Where is the sense in this kind of formula? I challenge any member of the Committee to explain it.

Even assuming changes in income levels and migrations since 1960, there are still hundreds of thousands of poor school-age children who cannot be counted at all under this act because they are not in the right States.

Three States—California, Illinois, and New York—accounted for less than 15 percent of the very poor school-age children in 1960—under $3,000 income—yet this year they count nearly 60 percent of the AFDC children counted for payment under this act.

They count 60 percent of the AFDC children counted, even though they have only a little over one-third of the total AFDC children. But even between these three favored States there is no equity. Rounding the figures, Illinois in 1960 had 256,000 poor school-age children in families of less than $3,000 income. This year Illinois counts 212,000 for purposes of payment under title I.

California on this comparison does somewhat better. It had 358,000 very poor children in 1960, and today counts 376,000 for purposes of payment under title I.

New York tops every other State. In 1960 it counted 375,000 poor school-age children, but this year its title I count is over 450,000.

The disparity in my opinion, Mr. Chairman, between California and New York is probably very much greater than the old 1960 census figures or even the current AFDC caseloads will show, because California since 1960 has exceeded New York in population, and now has public and private school enrollments totaling 600,000 more young people than the State of New York.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am happy to yield to my chairman.

Mr. PERKINS. When we were studying the formula, both in 1966 and 1967, we had statisticians from the Department of Commerce before the committee, and their projections were that the pattern would change very little percentagewise between the decennial census of 1960 and the decennial census of 1970. The gentleman knows that the rural areas are losing population.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. AYRES. I yield the gentleman 5 additional minutes.

Mr. PERKINS. Mr. Chairman, will the gentleman yield further?

Mr. STEIGER of Wisconsin. I yield to the gentleman from Kentucky.

Mr. PERKINS. I want to say to the gentleman that there is more equity in this formula than in any other formula that has ever been devised and has ever been before this Congress. You are trying to say that the formula is inequitable, but specifically where is it inequitable?

Mr. STEIGER of Wisconsin. Mr. Chairman, I have given you 8 minutes worth of inequity in the formula. It makes no sense to me to have 13 States that can count no AFDC children. It makes no equity to me to have Illinois, California, and New York, each of which would have approximately the same cost of living, and each of which would have approximately the same cost of education, and yet the State of New York gets an inequitable amount of funds distributed under this formula as contrasted to the poor children in Illinois and California. If you are saying that this formula is the most equitable ever devised, or ever to come before the House, I think the facts in the RECORD yesterday, the facts that I have tried to discuss in detail today, clearly indicate that if we are to extend this act for 5 years, we will simply compound the inequities. We do not force the Congress to come back and correct the inequitable distribution per poor child that goes on under the existing formula. I for one support a 2-year extension.

Mr. PERKINS. Mr. Chairman, will the gentleman yield further?

Mr. STEIGER of Wisconsin. I am happy to yield to the gentleman from Kentucky.

Mr. PERKINS. Undoubtedly there are some inequities in the bill. Formula inequities result from underfunding and the resulting appropriation floor that has been written into the appropriation bill. The gentleman well knows that the States of New York and California have more migration into their States than any other States in the Union. We know the current AFDC count in every State. This data equitably compensates for migration occurring since the 1960 census. This is only one of the important aspects of the formula. It is most equitable. The title I formula is the best equalization formula ever devised. School administrators in the Nation know the equity in this bill. They know too, the amount of money they are going to receive when we appropriate.

Mr. STEIGER of Wisconsin. Mr. Chairman, you sat more diligently through the hearings than any other member of the committee as chairman of the full Committee on Education and Labor. You heard the responses of the State superintendents of public schools of instruction when I asked them their opinions about the equity of the formula time after time, and they all responded by admitting that the formula was not equitable, but they did not want to rock the boat.

So let us not confuse the issue——

Mr. PERKINS. We will not confuse the issue.

Mr. STEIGER of Wisconsin. Either on the basis of admitting inequity or on the basis of stating there will be equity when we have full funding.

Mr. PERKINS. My response to the gentleman is if the gentleman will look at the record—and I invite all members of this committee to look at the record—he will see that 99 percent of the people who came before the committee stated this was the most equitable formula that has ever been devised in this Congress.

Mr. STEIGER of Wisconsin. Mr. Chairman, I say with all respect that I do disagree because the cold facts require that I disagree. I disagreed in the hearings 2 years ago and I disagreed in the hearings this year, as the gentleman knows, because these same facts have been before us all this time.

Mr. PERKINS. Let us rely on the hearings on this issue. I am willing to let the hearings speak for themselves, and to look at the record, and look at the testimony of witnesses who were brought before the committee.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield at this time to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I will say to the gentleman that all we have to do is read the numbers. If we look at the tables I put in the RECORD yesterday, we can see that if the State receives less money than another State, it is not fair, and if we count fewer poor children in one State than another State, it is unfair. All we have to do is look at the numbers. We do not have to wade through all the hearings and see if they want a 5-year extension or do not want to tamper with the formula at all. We can make up our minds.

Mr. STEIGER of Wisconsin. Mr. Chairman, in response to the gentleman from Minnesota, may I say I remember the colloquy with the gentleman from New York who was accusing everybody of trying to tamper with the formula on the floor. I am not trying to tamper with it, and I know the gentleman from Minnesota is not trying to tamper with the formula. I am trying to suggest that the formula as it exists poses problems and disadvantages, and we should examine it in detail in the House of Representatives and in the other body, and we abrogate that responsibility if we go for a 5-year extension of this act.

The CHAIRMAN pro tempore (Mr. BOLAND). The time of the gentleman from Wisconsin has expired.

Mr. AYRES. Mr. Chairman, I yield the gentleman 2 additional minutes.

The CHAIRMAN pro tempore. The gentleman from Wisconsin is recognized for 2 additional minutes.

Mr. STEIGER of Wisconsin. Mr. Chairman, to continue with my statement, despite the fact that it is considerably harder to get on public welfare in California, the AFDC caseload is only slightly less than that of New York—which leads to the conjecture that today there are a lot more deprived children in California than there are in New York. Yet this year the schools of New York will receive well over $40 million more than those of California under title I.

Mr. Chairman, in citing these figures, I am not trying to appeal to the Representatives of one State as opposed to another, but rather, I am trying to appeal to the sense of reason and justice which motivates—I assume—every Member of this House. We simply ought not to extend the operation of this very unjust formula beyond the earliest time when we shall have the information to make necessary changes.

We should not, therefore, extend the act for 5 years, but for 2 years at the most.

While this act—which I support—accomplishes much good and is a credit to the Congress, the title I formula is so full of inconsistencies and contradictions that its long term extension would not be in the interest of American education and would not be a credit to the Congress.

Those of us who opposed reporting a 5-year extension joined in the following statement of our views:

Statement in Opposition to 5-Year Extension

We believe it would be unwise to extend the Elementary and Secondary Education Act of 1965 more than 2 years; we favor extension of the act to June 30, 1972—in order to give effect to forward funding provisions and to assure advanced program planning—and we propose certain changes in the act to make it a more effective instrument for educational improvement. We oppose the committee-reported bill precisely because it fails to deal responsibly with urgent educational problems.

We confess to a feeling of intense frustration with the attitude of the majority on this committee which treats this legislation as something sacrosanct in the face of all kinds of evidence—some of it beyond question and openly acknowledged by members who voted to report this bill—that ESEA is falling far short of congressional hopes for a reversal of certain patterns of educational failure, and that the act is riddled with inequities which should be either eliminated or greatly reduced.

Even if the majority had desired the kind of searching inquiry and detailed consideration required to produce improvements in the legislation, the way it was handled in the committee would have defeated that intent. H.R. 514 was considered in "informal" hearings of the full committee which heard a seemingly endless parade of witnesses who dutifully and repetitively answered two questions posed by the chairman: "Has this act done some good?" and "Should it be extended for 5 years?" The second question could well have been asked in terms of 1 year, 2 years, 10 years, or 20 years; the answer would have been "Yes". The answer to both questions, of course, was "Yes" (even from a few witnesses who had the temerity to point out certain weaknesses in ESEA). The cumulative effect of 22 days of such hearings can best be described as stupefying; certainly it was not a better informed committee.

These attitudes and procedures produce predictable results which must now be untangled by the House. The purpose of these views is to attempt to clarify some of the critical issues in this legislation and to suggest changes which would go a part of the way toward correcting obvious deficiencies.

THE FOLLY OF A 5-YEAR EXTENSION

ESEA expires June 30, 1970. However, if the forward-funding provisions—which Republican members of this committee strongly supported—are to be operable the act must be extended now for at least 1 year. That is the only compelling reason for any committee action at this time. We support a 2-year extension as recommended by Secretary of Health, Education, and Welfare Finch—to June 30, 1972—for two reasons. First, an assurance of 3 more years of operation is desirable in order to encourage advance program planning. Second, and even more important, the census data which forms the basis of the distribution of funds under title I will be updated in 1969–70 and the new information very likely will necessitate major changes in title I, which is by far the most vital part of this act.

Additional factors support this view. The administration has undertaken a complete review of this legislation in the context of our total national effort to overcome educational and social problems, and the Congress should be assured of the opportunity to act upon any recommendations of the executive branch at an early date. There is also the cumulative evidence gathered by such groups as the National Advisory Council on the Education of Disadvantaged Children, and numerous public and private agencies and organizations, which should form the basis for constructive changes in the act.

Against the weight of such factors the only reasoning advanced in favor of the committee action to extend the act of 5 years—to June 30, 1975—was that a long extension gives "assurance" to educators and "continuity" to the program. As to the first, any educator worthy of the name must know that one Congress cannot bind another and that the only assurance possible of the continuation of these programs lies in the continued support of a substantial majority in the Congress. With respect to "continuity," to the extent that certain programs are weak and ineffective or certain provisions are inequitable, continuity is the very thing that must be avoided.

The illogical arguments for a long extension are not made more persuasive by the repeated assurances of the chairman—which we accept without reservation as being given in good faith—that the act can be reviewed at any time. Technically this is true; in practice it is meaningless. The Congress shares at least this one trait with every other legislative body from the city council on up the line—it seldom acts when there is no necessity to act. The only way to assure a timely review of this act is to fix its termination at the earliest prudent date.

It is pure folly—and a disservice to the vital objectives of ESEA—to extend the act beyond 1972. Perhaps the best single example of why the act needs thorough revision at the earliest possible time is provided by the much-discussed but little-understood formula in title I of the act. Title I is the most important part of the act because it provides the only clear focus on the needs of disadvantaged children and because it represents three-quarters of the authorized appropriations.

A "FORMULA" FOR FAILURE

Any distribution formula for Federal assistance thus far devised is at best an instrument for achieving a rough degree of equity based upon a rational assessment of need; its one essential quality is uniformity of application. The reason that many otherwise useful forms of data cannot be utilized in such a formula is that they do not apply uniformly on a national basis, a good example being welfare caseload data as a means of measuring poverty; it is useful within any given State to compare local needs, but is useless nationally to compare needs of States or of localities in different States because the welfare program is supported at widely different levels by the States; a child with certain needs in New York who is receiving welfare is in demonstrably better circumstances than a child with the same needs in Mississippi who does not receive welfare.

Yet the title I formula ignores this patently obvious fact and bases a large proportion of its payments upon the aid to families with dependent children welfare program (AFDC). This error is further compounded by counting only those school age children whose families receive more than $2,000 from welfare payments alone—which means that tens of thousands of schoolchildren on welfare cannot be counted simply because they live in States in which few if any families receive that amount of money from AFDC. We shall examine some of the results of this irrational procedure.

Other types of data are satisfactory if used to compare States, but quickly break down at the local level because changes occur too rapidly. An example of this are the census estimates of the number of school age children from families with a certain level of income, which is the basic factor in figuring title I payments. When this data was used in 1965 it was already 6 years old; it is now 10 years old and will be 12 years out of date before the 1970 census figures can be applied to the formula. Although this data might still be fairly useful in comparing the relative needs of most States (while undoubtedly unfair to a State such as California which has a huge inmigration), it is woefully inadequate as a measure of the highly changeable economic and population status of individual counties and communities. Yet the title I formula applies these old estimates on just that basis. Between 1959 and 1966, for example, Los Angeles County had a net inmigration of 276,200 persons, many of them schoolage children from low-income families, who cannot be reflected in the title I formula before 1972. Other counties around the Nation have had large outmigrations (often to cities within the same State) of low-income families, yet continue to receive title I payments on the 1959 data.

The other factor in the title I formula (aside from the "count" of disadvantaged children based upon census estimates and AFDC payments) is that the final allocation of funds is figured on the basis of the expenditure per pupil for public education in each State, with the result that the more a State can afford to expend the more it gets to spend. With the exception of a very few States which are supporting schools at a lower level than their resources should permit, this simply means that "the rich get richer." In 1966 the Congress amended the act to provide a partial correction of this effect by permitting low-expenditure States to use the national average expenditure to figure title I entitlements. When it became apparent in 1967 that limited appropriations would mean that districts in wealthier States would lose money in favor of those in poorer States, our committee attempted to suspend the operation of the national average provision, but this was reversed by amendment to the committee bill by the House—whereupon it was agreed to impose the 1967 allocations as a "floor" for each county and thereby distort the effect of using the national average expenditure for the States below that average. To say the least, this sort of performance creates its own credibility gap for some of those who are loudest in the protestations of concern for impoverished children attending impoverished schools.

The results of all these inconsistencies speak louder than any words we can muster to describe them.

SOME RESULTS OF THE TITLE I FORMULA

The title I formula currently counts children on the basis of (a) 1960 census estimates of the number of school age children in families with less than $2,000 income and (b) most recent count of school age children on AFDC whose families receive over $2,000 in AFDC payments.

For reasons already discussed, the AFDC count is worthless in comparing the needs of one State with those of another. Even using the 1960 census data gathered in 1959, a far more valid measure of need between States would be the number of desperately poor school age children—using the $3,000 poverty level for family income—in each State. Here are some of the results using that measure of need and then comparing actual 1969 payments to local schools in the States under title I.

Georgia had 5,000 more very poor school age children than New York, but received a little over 25 percent of the New York allotment for their education;

Texas had 272,000 more poor children than New York, but gets a bare 60 percent of the New York allotment;

Ohio had 2,000 more poor children than Illinois, but gets $11 million less than Illinois;

Michigan had 83 percent of the number of poor children in Illinois, but gets only 73 percent of the Illinois title I allotment;

Indiana had half as many poor children as Illinois, but gets a little over one-third the amount allotted to Illinois;

Kentucky had 25,000 more poor children than Illinois, but gets $14.4 million less to educate poor children;

Pennsylvania had 90 percent of the number of poor children in California, but gets 60 percent as much title I money;

With 87 percent of the New York total of poor children, Pennsylvania gets only 38 percent of the New York allotment.

New York, California, and Illinois combined had only 12.3 percent of the poor children counted in 1959, but their combined allotments in 1969 are more than 22 percent of the total allotments for title I. Even between the most-favored States, however, there are vast inconsistencies in treatment. California, for example, in 1959 had over 95 percent the number of poor school age children as New York, yet in 1969 receives only two-thirds the amount of funds going to New York. Moreover, there is more than a suspicion that in this period California has not only overtaken New York in total population, but in the extent of the educational problem with which title I is concerned; the total public and nonpublic elementary and secondary school enrollment in California now exceeds that of New York by 600,000 pupils.

Nor does one have to pick and choose carefully between States and sections to obtain these outlandish discrepancies between need and money allocated under title I to meet the need (such as a comparison between New York and Mississippi). The discrepancies appear almost at random.

For example, in the New England States of Maine and Connecticut, Maine in 1959 actually had 1,000 more poor schoolage children than Connecticut, but in 1969 Connecticut received over twice as much title I money as Maine ($8.6 million versus $3.4 million).

These wild results are not caused by using old data—and this point cannot be stressed too strongly—*had this data been applied in 1960 when they were brand new the same relative values would have occurred, and they shall occur with the new census data of 1970 when it is applied in 1972.*

All sorts of arguments have been advanced to explain why the schools in one State should receive much more than the schools in another in relation to demonstrable need and even when there is greater financial capacity in the favored State to meet such needs. The lamest of all these is that "costs" vary from State to State. They do—but not nearly as much as would be required to reflect the different treatments under title I, and they vary even less when comparing various metropolitan areas in which a high proportion of disadvantaged children live and attend school. The cost of living (according to the latest Bureau of Labor Statistics estimate) in Boston, for example, is only 2 percent less than in New York City and is 7 percent more than in Buffalo—yet for each poor child counted in Boston the schools are paid on the basis of $303.73, while in New York City and Buffalo the rate is $467.88. Living costs are 6 percent higher in San Francisco than in Chicago, yet San Francisco's allotment is figured on the basis of $287.32 per poor child while the basis in Chicago is $302.72.

However, as we shall show, these are only the amounts that would be paid on behalf of each child if title I were fully funded. They enter into the calculations in determining the actual amounts with lesser appropriations, but they are not the only factors. This year the schools in Boston will actually receive $150.01 for each child counted, compared to $206.80 per child in Buffalo and New York City. In San Francisco the actual rate is $151.88, while in Chicago it is $159.01.

One conclusion from these figures is that title I becomes progressively more unfair as the appropriations for it are increased. This, in itself, is a strong argument for not extending the act beyond 2 additional years when, hopefully, more money might be available for this program.

The cost of providing a quality education for disadvantaged children undoubtedly does vary somewhat from region to region, but it would be difficult to argue that it varies to the extent reflected in the rates used—$277.65 in the case of Mississippi and $467.88 in the case of New York—to arrive at the entitlements under title I of this act. The true basis for this title is not the "cost" of a quality education, but only what the various States can afford to spend, which in many cases, adds up to an inferior education for all the children involved.

FORMULA DISTORTED IN APPLICATION

These various factors unite in producing a confused and distorted formula, but the result has become further distorted in application by changes occurring both through the appropriations process and through substantive amendment. The first of these was at the very beginning when many schools spent the first allocation of funds as quickly as possible and others held back until they could put together a sound program; thus the schools in some States spent a far greater share of the initial allotments than did the schools in other States. In the second year the appropriations act used the first year's expenditures as a "floor," which meant that the initial fast spenders were rewarded at the expense of the more cautious. This initial distortion has continued every year since, and has become further complicated by "floors" and formula changes written into the substantive act. The effects are extremely capricious from State to State.

Another distortion of the formula occurs because of limited appropriations for the program at the same time that more and more AFDC children are being counted in certain States and new categories of children (in State institutions, and so forth) are added by amendments. As the count of children goes up, the actual payments per child go down when appropriations remain stable. Again, however, the effect is uneven because some States have increased their AFDC counts far faster than others, and 12 States cannot count any AFDC children at all.

One of the effects of these distortions has been to reduce the range between the favored and less-favored States in terms of the actual payment to the schools for each child counted. If title I were fully funded, that range would be from $277.65 (one-half the national average per pupil expenditure) in the poorest States to $467.88 in New York (one-half its average expenditure). However, this year, the range actually is from $123.32 per child counted in Nebraska to $234.27 per child in Alaska.

It may clarify the situation to note that the entitlements are figured on one basis (the full authorization) and then ratably reduced to fit a much smaller appropriation, but only after several "floors" have been figured into the State allocations. At any rate, we have appended to these views a table which shows exactly how much each State received this year for each child counted under the act. Members can note the obvious discrepancies between States with similar needs and costs and draw their own conclusions about whether this act works equitably.

THE EFFECT OF THE AFDC COUNT

As we pointed out, much of the irrationality of the title I formula stems from using welfare data which is neither uniform nor consistent from State to State in the benefits for poor people. A family which qualifies for AFDC aid in New York might not qualify in California and generally would not qualify in Mississippi, and in any case the amount of the assistance varies enormously. So there are tens of thousands of desperately poor school age children who are not counted for title I purposes simply because they are not on welfare or the welfare payments to their families do not exceed $2,000. The inequity, even between wealthy States, is not hard to demonstrate.

California, for example, has 14.5 percent of the total AFDC caseload (50 States plus District of Columbia), but counts 20.4 percent of the AFDC children (schoolage in families receiving more than $2,000 from AFDC) counted nationally in computing title I entitlements; New York has 15.8 percent of the total caseload, but counts a whopping 30.2 percent of the AFDC children under title I.

The inequity between high income and lower income States, of course, is tremendous.

Three States—California, Illinois, and New York—accounted for only 12.3 percent of the very poor school age children (under $3,000 family income) counted in 1959. Yet they account for 35.9 percent of the current AFDC caseload and 58.2 percent of AFDC children counted for payment under title I.

Twelve States—Alabama, Arizona, Arkansas, Florida, Georgia, Maine, Mississippi, New Mexico, South Carolina, Tennessee, Texas, and Wyoming—accounted for 37.2 percent of the 1959 count of poor children, have 17.2 percent of the total AFDC caseload, *and cannot count a single AFDC child for payment under title I.*

The basic data for these comparisons is presented in a table at the conclusion of these views, and Members may draw their own conclusions about the fairness of the title I formula.

Surely a more equitable and effective method of distributing funds can be worked out before the act would again require extension in 1971, and by that time the 1970 census data would be available to assist in that task.

Accordingly, we shall propose an amendment to limit extension of the act to June 30, 1972.

CONCENTRATION ON NEEDY DISTRICTS

Another major weakness in title I is that nearly 90 percent of the operating school districts in the Nation receive these funds. Even if title I were fully funded at approximately $3 billion, this would represent a widespread dispersion of limited funds which should be more concentrated in the school districts having the most severe educational problems with disadvantaged children. This need becomes even more urgent when the amount of money is just over $1 billion.

In its fourth annual report the National Advisory Council on the Education of Disadvantaged Children stressed the point that a concentration of funds is necessary to meet the multiple needs of disadvantaged children and stated:

"The Council again calls for adherence to the principle of concentrating funds where the need is greatest so that a limited number of dollars can have genuine impact rather than being dissipated in laudable but inconclusive efforts."

The Council limited its recommendation to the use of funds available within a given school district. We feel that the principle it stressed is sound and that it should have even broader application. Under the existing act the wealthiest areas in every State, with the best-financed schools and the most extensive services for all the children, receive title I funds. There is virtually no authority in the act for either the States or the Federal Government to bring about a greater concentration of funds upon those areas—principally the inner city areas and rural pockets of poverty—where the schools most need help.

We recognize, as a practical fact of life, that there would be enormous resistance to any attempt to take $1 away from any school district and give it to another, however much good sense this might make in terms of public policy. Also, there is a perfectly rational argument against cutting back special programs for the disadvantaged, once they have been initiated, even in the best schools. For these reasons, we proposed in committee that a modest step be taken in the direction of concentrating limited funds where the needs are most urgent. We proposed that every school district (appropriations permitting) be assured of receiving no less than was received in fiscal 1968 under title I (the highest level to date), but that all amounts in excess of that be made available to the State education agency for reallocation to the neediest districts for strengthening their title I programs—and that this be done in accordance with criteria supplied by the U.S. Commissioner of Education pursuant to a State plan approved by him.

The amendment we proposed specified that the excess funds be allocated to school districts having high concentrations of disadvantaged children from low-income families and to school districts in areas of chronic economic depression or which are geographically isolated with the result that children are denied adequate educational opportunities.

The committee majority rejected this amendment upon the most specious grounds. The argument was made that this would be turning funds over to the States without restriction (which is demonstrably wrong on the face of the amendment) and that it would set up some sort of competition for the extra funds between poor rural areas and beleaguered cities (which is highly speculative and almost irrelevant since both would gain in the process). The majority appeared to us to be troubled most with the thought that any change should be made in the pattern of distribution in this act.

The committee thereby neglected the opportunity to provide a little more help for the schools in every State which most need help, and then only if funds for title I are increased above the 1968 level. We shall again propose this amendment on the House floor.

THE NEED FOR CONSOLIDATION

In 1966 the Department of Health, Education, and Welfare administered 190 different programs listed in their publication "Grants-in-Aid," many of which involved two or more types of grants of financial aids; 59 were listed under the Office of Education. A number of new grant-in-aid programs have been authorized since 1966, and today the Office of Education has at least 105 different programs of aid to States, local school districts, colleges and universities, other public and private agencies, and individuals. There are many hundreds of Federal grants-in-aid to State and local governments covering virtually every aspect of their operation, and the schools among other institutions are beginning to choke on the redtape.

Every school administrator to whom we have posed the question, whether in public hearings or in conversations at home, acknowledges that the proliferation of Federal grant programs—each with separate applications, justifications, accountings, and plans ad infinitum—has caused a major administrative burden. Many smaller districts with limited administrative staff are not able to cope with the multitude of requirements. Yet, despite increasing clamor for relief at the State and local level, the consolidation of Federal programs in any degree has proved to be a very difficult thing to accomplish.

Every Federal program creates its own special lobby which thereafter resists all attempts at consolidation. Indeed, the major lobby groups unite in Washington to protect one another (the most unusual argument advanced by the spokesman for one such group in opposition to combining programs was "We don't want to fight among ourselves for these funds"). As much as we hate the thought of discord in chummy little groups, we think that sound public policy dictates some program consolidation.

Accordingly, we proposed in committee that four very similar State-grant programs for elementary and secondary schools be merged into a single grant which would then be used for these four special purposes without radical change in the nature of the programs.

These four are: title III of NDEA (equipment grants); title V–A of NDEA (testing, counseling, and guidance); title II of ESEA (textbooks and library materials); and title III of ESEA (supplementary educational centers and services). Each of these is State administered under a State plan; each gives aid to local schools on a basis of need determined by the State; each has an allocation formula primarily based upon population; each requires approximately the same kinds of applications and accounting procedures. Rather than four separate grants, four separate formulas, four separate plans, four separate sets of applications and accountings, and four separate sets of rules and regulations, we proposed to have only one.

CONSISTENT WITH PRESIDENT'S TASK FORCE REPORT

This approach is fully consistent with the recommendations made to President Nixon by a task force of distinguished citizens which included leading educators—the so-called Pifer report. In recommending what it termed "designated block grants" it took note of and concurred with the "widespread belief, both at the State and local level, that the seeking of funds under this multiplicity of legislation is an unnecessarily burdensome and time-consuming business, and the time has come for a major effort at simplification of the process." The report recommended "a general movement in Federal programs away from categorical aid narrowly defined toward more broadly defined designated block grants * * * as a way of lessening the burden on State, local, and institutional officials in applying for Federal funds—an area in which there is now considerable irritation and frustration—and * * * as an important step toward the urgent task of strengthening the administrative capacity of the States to meet their responsibilities in education."

The amendment we have proposed is an extremely modest step in this direction, but it is vitally important that a first step be taken.

SHARING EQUIPMENT WITH PRIVATE SCHOOL PUPILS AND TEACHERS

Aside from the consolidation of these programs, and permitting the States and localities a bit more flexibility in their allocation of funds as between these special purposes, the amendment proposed only one major substantive change in the programs—it proposed to make available to pupils and teachers in nonpublic schools the NDEA title III instructional equipment (microscopes, projectors, tape recorders, etc.) on exactly the same basis as textbooks, filmstrips, encyclopedias, and other library resources are made available to those pupils and teachers under title II of ESEA; that is, the equipment would be purchased by the public schools, remain the property of the public schools, but loaned for the purpose of instruction in secular studies in nonpublic schools.

Frankly, this seems to us an eminently fair proposition involving no departure in practice from the successful ESEA title II program. We do not see any distinction to be made between a microscope and a set of encyclopedias, or between a film and a projector, that justifies making one available for the use of private school children but not the other. No member of our committee attempted to make any such distinction.

We were amazed, therefore, that the suggestion was made, in the course of rejecting the amendment, that our proposal would "raise the church-state issue all over gain." We see no reason why it should. One of the historic breakthroughs of the 1965 act as the working out of methods by which private school pupils and teachers—in many cases even more hard pressed that those in public schools—could share some of the benefits. These methods have not worked perfectly, as testimony before our committee disclosed, but they have worked best in the sharing of instructional materials under title II of the act, and instructional equipment fits perfectly into that pattern. Moreover, this would correct a glaring inconsistency in our treatment of nonpublic education.

IMPACTED AREAS AID—THE SACRED COW

Three consecutive national administrations have attempted by a variety of methods to make more sense out of our federally impacted areas school aid—principally to limit its application to those school districts which experience a genuine and adverse impact due to Federal activity. Every such attempt has been in vain.

In 1968 some 4,235 school districts qualified for assistance under Public Law 874 (operating expenses) on account of 2.6 million "federally connected" children. Of these children, only 348,000 fall into the "3(a)" category with parents who both live and work on tax-exempt Federal property; the remaining 2,222,000 (with a handful of exceptions) live with parents in private homes or other taxpaying properties. Literally hundreds of the eligible districts under Public Law 874 suffer no appreciable adverse impact on their ability to support schools; quite the contrary, the Federal activity is often a major and much-prized economic benefit. This is not too difficult to show.

An Office of Education study of impacted districts eligible in 1967—before the effect of the lower eligibility requirements designed to include large cities altered the picture—showed 860 districts (22.6 percent of those eligible in that year) with only 3 to 5 percent of their total attendance "federally connected"; they received 12 percent of the funds for the program. Another 900 districts (23.6 percent) had an "impact" of between 5 and 10 percent and received 16 percent of the funds.

The most astounding finding of the study, however, was that—due to an obscure amendment to the act in the mid-1950's which permits a district that once achieves the 3-percent eligibility level to be eligible for 2 additional years without 3 percent of the children being federally connected—947 districts (25 percent of the total) had from 0 to 3 percent "impact" and received nearly 10 percent of the funds under the act.

To summarize, over 70 percent of the eligible districts under Public Law 874 experienced a quite minimal "Federal impact," but they drained off nearly 40 percent of the funds.

It is little wonder that three successive Presidents (Eisenhower, Kennedy, and Johnson) supported the Bureau of the Budget in trying to make some changes in this act. Yet this legislation continues to be a sort of "sacred cow" in the Congress and in our committee, as evidenced by H.R. 514.

Secretary Finch suggested one sensible change which would give first priority for the funds to eligibility based upon the "3(a)" children whose parents both live and work on tax-exempt Federal property. There is no question whatsoever that payments should be made on behalf of all these children since every one of them represents an absence of tax revenue to the schools they attend. The amendment was rejected out of hand.

We attempted a more substantive amendment—the principal effect of which would have been to reduce the amount of funds being poured into counties surrounding Washington, D.C. (which are among the wealthiest in the entire Nation—Montgomery County, Md., in the last census had the nation's highest median family income). We proposed that payments for the category "3(b)(2)" children—whose parents work on Federal property but live in taxpaying residential property—be limited to those children whose parents earned as a result of the Federal employment less than a certain amount. The amount would be $12,000 in fiscal 1970 (8 percent of Federal employees earn more), $10,000 in fiscal 1971 (14.7 percent of Federal employees earn more), and $8,000 thereafter (29.5 percent earn more). The purpose of cutting out payments on account of the better paid Federal employees who live on taxable property is to take account of the fact that higher income families are likely to be living on property which is taxed sufficiently to support the children they have in the public schools. The effect would be to trim the total program by perhaps as much as $50 million, and by between one-third and one-half in the wealthy Washington suburbs.

This amendment was accepted by the majority on one day and rejected on the following day.

IMPACT AID AND PUBLIC HOUSING—"NOW YOU SEE IT—NOW YOU DON'T"

One successful amendment which we support in principle—but not in the illusory form in which it is found in this bill—would count as a Federal impact those children attending public schools who live in federally financed public housing projects. With few exceptions, these children are from very low-income families and are likely to be attending schools which urgently need assistance. The tax-exempt public housing in which these children live makes an in-lieu-of-tax payment to the schools which averages out to a paltry $11.61 per public housing child in attendance. In our judgment, here is a Federal impact more demonstrably real and adverse to the schools than most of that counted under Public Law 874.

Yet the majority added it to Public Law 874 in a way that virtually assures that little, if any, money will be made available in the foreseeable future to the schools involved. Instead of counting the public housing children along with the other "category (b)" children and then sharing the appropriations in whatever amount is made available for impact aid, the majority inserted it into Public Law 874 as a separate category for which a separate appropriation is required. In the existing budgetary situation it is highly unlikely that any such appropriation will be made, and under any conditions the large cities which have most of the Nation's public housing will have to make a separate fight for these funds.

In short, the committee has presented the Nation's 50 largest cities (as well as many smaller ones) with a classical "Now you see it, now you don't" form of assistance. They are not likely to see it.

If there is a sound justification for making payments to the schools on account of pupils from nontaxable public housing—and we believe that there is a very strong justification—then those pupils should be treated equally with the other "federally connected" children. They should share equally whatever amount is appropriated to compensate schools for Federal impact.

The committee bill succeeds only in protecting hundreds of school districts that don't need help against the threat of sharing these benefits with a few districts that need all the help they can get.

A LOST OPPORTUNITY

H.R. 514 is a disappointment to all those who believe that the Elementary and Secondary Education Act of 1965 can be made more effective and more equitable in its impact on educational problems. It represents a lost opportunity for our committee to make a really penetrating analysis of the operation of the act and to make any significant improvements that could be made at this time. Both ESEA and the impacted areas legislation demand such an examination, not with a view to dismantling them or curtailing programs of demonstrable value, but for the purpose of strengthening them. The Federal role in financing education has become one of critical importance to our schools, and may well spell the difference between success and failure in the total national effort to overcome a whole complex of critical social and economic problems. Legislating in this sensitive and vital field demands the best effort we can bring to it. H.R. 514 does not by far represent that kind of effort.

For this reason we voted against reporting the bill from the Committee on Education and Labor. The issues we have discussed in these views will now have to be resolved by the entire House of Representatives, which we regret. They are issues more suitable for determination within the committee.

A LOOK AHEAD

Quite aside from the issues we have raised in these views, with respect to this particular bill, we believe that the entire Federal role in education is overdue for a searching evaluation in the context not only of our total educational needs, but of total national needs for public services of all kinds and the tax structure upon which all this rests.

There is a growing taxpayers' revolt across the Nation which is reflected in the increasing number of instances in which school bond issues and millage increases for schools are rejected by voters. In the decade 1957–67 the average rate of approval in school bond elections was 72.7 percent; the approval rate for 1968 was 62.5 percent, down nearly 7 percent from 1967. Approvals for increases in millage follow the same trend. We should not deceive ourselves by shrugging off this trend as merely a result of local issues affecting local decisions. The feeling is general.

Short of a general overhaul of the present structure of Federal aid for schools there is still much that we can do to assure taxpayers of getting more for every Federal dollar expended. One is to take greater care that such programs are concentrated on the most important needs; another is to make certain that every program is thoroughly and objectively evaluated and modified or discarded as the evaluation shows necessary. Secretary Finch has expressed strong support for this concept, and we applaud him for it; we hope the Congress will give him the tools he needs to do this job.

We believe that if these intermediate steps are not taken, and if a beginning is not made now on the larger and long-range appraisal, the whole structure of education as we know it may be in deep trouble in the years ahead.

BASIC DATA ON PERCENTAGE DISTRIBUTION OF DISADVANTAGED CHILDREN AND TITLE I PAYMENTS

[As a percent of the national total in each category]

	School-age children, families less than $3,000 income, 1959	Total AFDC caseload 1968	School-age children in families receiving over $2,000 from AFDC, 1968	Percentage distribution of title I funds, 1969, 1.123 in bi.lions
Alabama	4.34	1.83	0	3.24
Alaska	.09	.10	.05	.17
Arizona	.80	.76	0	.87
Arkansas	2.69	.69	0	2.02
California	4.46	14.50	20.39	7.43
Colorado	.74	.97	.65	.83
Connecticut	.45	1.22	2.14	.81
Delaware	.15	.31	.03	.24
Florida	3.16	3.11	0	2.97
Georgia	4.72	2.34	0	3.21
Hawaii	.20	.35	.41	.22
Idaho	.29	.20	.25	.28
Illinois	3.19	5.57	7.71	4.11
Indiana	1.65	.96	.50	1.39
Iowa	1.52	.89	1.23	1.35
Kansas	.90	.77	1.02	.91
Kentucky	3.51	1.92	.10	2.79
Louisiana	3.85	2.83	0	2.81
Maine	.46	.40	0	.32
Maryland	1.21	2.04	1.61	1.34
Massachusetts	1.10	2.76	4.23	1.55
Michigan	2.65	3.51	5.61	3.00
Minnesota	1.67	1.12	2.04	1.72
Mississippi	4.20	1.99	0	3.38
Missouri	2.56	2.13	.30	2.12
Montana	.31	.18	.11	.33
Nebraska	0.78	0.45	0.34	0.53
Nevada	.07	.15	.05	.10
New Hampshire	.15	.11	.12	.15
New Jersey	1.32	2.92	5.37	2.27
New Mexico	.78	.76	0	.91
New York	4.66	15.84	30.13	11.14
North Carolina	6.07	1.86	.01	4.57
North Dakota	.49	.17	.28	.38
Ohio	3.21	4.14	2.95	3.09
Oklahoma	1.75	1.57	.64	1.55
Oregon	.53	.67	.67	.76
Pennsylvania	4.02	5.48	5.46	4.26
Rhode Island	.27	.54	.60	.33
South Carolina	3.69	.64	0	2.77
South Dakota	.59	.24	.25	.51
Tennessee	4.16	1.87	0	2.96
Texas	8.06	2.74	0	6.79
Utah	.26	.45	.27	.29
Vermont	.19	.17	.17	.17
Virginia	3.34	1.13	.05	2.50
Washington	.81	1.11	1.73	1.07
West Virginia	1.90	1.40	0	1.49
Wisconsin	1.37	1.28	1.73	1.33
Wyoming	.12	.07	0	.14
District of Columbia	.33	.53	.58	.53

Amount allocated for each child counted under title I formula (fiscal 1969)

States by rank:	*Amount*
50 States and District of Columbia (average)	$154.94
Alaska	234.27
New York	206.80
District of Columbia	202.44
Florida	184.26
Delaware	183.68
New Mexico	182.27
Oregon	180.84
New Jersey	174.36
Wyoming	171.99
Montana	170.78
Arizona	170.27
Minnesota	167.94
Kansas	164.58
Washington	164.05
Connecticut	162.38
Texas	162.26
Illinois	159.01
Iowa	156.76
Wisconsin	156.65
Nevada	154.02
Idaho	153.98
Pennsylvania	153.81
California	151.88
Missouri	150.31
Massachusetts	150.01
Colorado	149.97
Michigan	148.91
Rhode Island	146.76
Indiana	144.12
Louisiana	143.84
New Hampshire	142.80
Arkansas	142.52
Maine	142.05
North Carolina	141.97
Oklahoma	141.95
South Carolina	141.65
Tennessee	141.44
Georgia	141.31
Mississippi	141.21
Alabama	140.81
Virginia	140.52
Maryland	140.46
North Dakota	140.13
Vermont	139.54
South Dakota	139.80
Hawaii	138.19
Kentucky	137.40
Ohio	136.11
Utah	135.15
West Virginia	131.96
Nebraska	123.32

Accordingly, Mr. Chairman, I shall support an amendment for a 2-year extension.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. Mr. Chairman, the gentleman from Wisconsin stated previously he intended to offer on this floor an amendment connected with Public Law 874 category B funds. In response to a comment made by the gentleman from Texas (Mr. TEAGUE), I would like to call to the gentleman's attention, if he has this intent, the necessity of taking into consideration, in the matter of this Public Law 874 category B funds, the situation which exists in many parts of the United States and is typified by a school district in my congressional district. From this district has been taken away recently over 87,000 acres. To the school district has been added approximately 2,000 to 3,000 students. The homes in this district are from $9,000 to $18,000 or $20,000. The only industrial areas we have are small modest shopping centers.

The CHAIRMAN pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the gentlewoman from Oregon (Mrs. GREEN).

Mr. HAYS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Eighty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 43]

Annunzio
Ashley
Baring
Bates
Bell, Calif.
Blatnik
Brooks
Brown, Calif.
Brown, Ohio
Camp
Carey
Celler
Clark
Daddario
Dawson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Evins, Tenn.
Fisher
Ford, William D.
Fraser
Gray
Hansen, Wash.
Hébert
Helstoski
Holifield
Hosmer
Jarman
Kirwan
Mahon
Mann
Martin
May
Mollohan
Moorhead
Murphy, N.Y.
O'Hara
Ottinger
Powell
Purcell
Ronan
Rooney, Pa.
Rosenthal
Rumsfeld
Scheuer
Sikes
Smith, Calif.
Springer
Sullivan
Taft
Teague, Tex.
Thompson, N.J.
Watts
Wilson, Charles H.
Wold
Wright

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 514, and finding itself without a quorum, he had directed the roll to be called, when 374 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentlewoman from Oregon (Mrs. GREEN) had been recognized for 10 minutes.

Mrs. GREEN of Oregon. Mr. Chairman, first of all I should like to pay my respects to the chairman of the committee, who I believe is one of the hardest working Members of the House and certainly one who has the best interests of education very much in his mind and in his heart.

I must say I regret that on this particular occasion I am not able to give my wholehearted support for the bill as it has been reported out of the committee. The chairman and I do have some minor disagreements, though I believe not major in the goals we both seek.

However, I cannot in good conscience vote for this legislation, as it was reported by the committee, without amendments. Therefore, I should like to discuss the proposed changes in the legislation which is before this Committee, and I should like to discuss it first of all from the political standpoint and second from the standpoint of the proposed substantive changes.

I shall have specific amendments to offer later during the time we are marking up the bill. Those amendments would address the problem created by the ever increasing direction of American education from Washington, D.C. For many years I have been committed to the idea that the success of our schools depends upon local and State control of our educational system.

I am also more than ever convinced that we on the committee and we in the Congress cannot sit as one great school board to determine what is the best educational policy in each one of the 2,500 or 2,600 school districts throughout the country, from Florida to Alaska and from Maine to Hawaii.

As a matter of fact, I would say in all honesty that we in the Congress cannot even provide good education for the schools in the District of Columbia. We have classrooms here in the District of Columbia that are turning into battlefields. We are watching the deterioration of the schools in many of our ghetto areas, a deterioration occurring before our eyes.

Mr. Chairman, I intend to offer an amendment to title I of the bill which would allow the funds under title I to be spent for teacher combat pay. I say that in all seriousness. As we witness city classrooms being turned into battlefields it seems to me we ought to give the teachers in especially difficult school areas bonuses in order that the Nation can recruit and retain qualified teachers to engage in what amounts to actual combat duty.

There is also a provision in the bill now, of which I am not sure all Members of the House are aware. Under this provision a school district is required, when it is making its plans for title I funds, to submit its plans to the local community action agency. The local community action agency has endorsed those plans of the school district before the district can present them to the State for funding.

In the case of Portland, Oreg., there was an 8 month delay between the time the Portland School Board actually submitted its plan under title I to the local community action agency, and the time the district received it back. The community action agency is an agency in a small part of the Portland School District. It took that community action agency 8 months to approve the plans of the Portland School Board, which that board, elected by the people of Portland, had already determined were best for all the boys and girls in that school district. I must say, I think this is an outrage.

We elect a school board to determine policy. We elect a school board to use its best judgment and its best wisdom in making plans. For us to pass laws that say we turn this responsibility over to a community action agency is a situation, I believe, where a change ought to be made.

I shall also, at the appropriate time, offer amendments to cut out a couple of other advisory committees which, I believe, will create only chaos and confusion.

Mr. Chairman, let me also say I am opposed to the 5-year extension, which is in fact a 6-year extension, because it would carry the legislation to July 1, 1975.

I do believe that education is too important to be considered on a purely partisan political basis. I long for the day when Federal aid to education at the elementary and secondary levels will be considered on the basis of individual convictions instead of on a party line.

But since political considerations cannot be avoided this week, then let me say to my Democratic colleagues, from a purely democratic standpoint that it makes more political sense to require the Nixon administration to come up with its recommendations on programs to meet the crisis that is in our schools, rather than to give them the "out" that Congress has spoken in passing a $25 billion education bill extending not only through the 4 years of the Nixon administration but also 2½ years beyond.

I also say to my Republican colleagues that I am more confident than some of my Democratic colleagues, because I think there will be a change in the White House in 1973; and we will have a Democratic administration. Therefore, I am unwilling to cast my vote this week for a 6-year bill which not only extends through the life of the Nixon administration, but 2½ years into the life of the next one. I wish to say that I want my Democratic President in 1973 to have the chance to, and be required to, submit his recommendations to this House.

Beyond these purely partisan considerations, Mr. Chairman, I cannot stand here today and say to anyone that this bill even begins to meet the serious crisis facing this country and our schools.

In the Journal of Secondary Education for October 1968, we read:

ABOUT STUDENT UNREST

(By William N. McGowan)

It was inevitable that the unrest that has become status quo in this troubled twentieth century find its way into public schools. It was inevitable that student unrest take forms already tested on the general public. It was likewise inevitable that the problems created would have a dramatic effect on school business.

School trustees face demands to reorganize school districts and alter curricula, shift personnel, close schools. Teachers are attacked in classrooms and in halls. Administrators are harassed at school and in their homes. It is getting more and more difficult to find competent teachers and administrators to serve in "inner city" schools. Schools are closed by student protests, and by teachers protesting the conditions that make them the victims of protesting students. Manifestations of student unrest are varied and numerous.

One of the more dramatic manifestations of student unrest is the development of underground curricula. Mimeographed sheets labeled "Urban Guerrilla Warfare" and containing diagrammatic instructions for the construction of Molotov Cocktails are passed from hand to hand by high school students in San Francisco.

Careful instructions are given for making fire bombs. Discussion groups providing information on how to avoid the draft are well-organized and are being conducted in communities across the nation. Seminars to teach techniques for challenging all authority are being conducted in Los Angeles, New York City and other parts of the country.

Then, from an article published by the High School Principals Association of New York City we read this:

THE NATURE AND LIMITS OF STUDENT DISSENT AND PARTICIPATION

(A report of the Committee on Student Unrest of the High School Principals Association of the city of New York. Unanimously approved and adopted at its meeting of Jan. 16, 1969)

Until quite recently, manifestations of student unrest have been largely confined to our colleges. Now there are unmistakable signs that similar kinds of student disaffection have spread into our high schools, expressing themselves in the following forms and strategies:

Student demands for complete, unsupervised, unchecked student control of student government, student newspapers and magazines, student finances.

Student demands for a determining voice in the rating and retention of school personnel.

Student demands for a determining voice in shaping, revising, and modifying present curricula, and introducing new courses.

Campaigns against traditional school regulations governing dress, behavior, use of school facilities, etc. The evidence to hand strongly suggests that outside groups and individuals are providing encouragement and leadership to students involved in these campaigns.

A strong, insistent thrust to eliminate or diminish the present legally mandated policy and decision making powers of the principal and his staff, and to turn these powers over, in whole or in part, to students.

The consistent characterization of all administrators as rigid, authoritarian, unfeeling, insensitive to the needs of youth or "the community".

Deliberate, planned "confrontations" designed to provoke the school authorities into actions that will win adherents and sympathizers for the dissidents.

Underground newspapers and leaflets (frequently anonymous) filled with generally unsubstantiated attacks on school policies and school personnel. The language of these publications is often obscene, the tone strident, belligerent, and arrogant.

Disorders and fears of new and frightening dimensions stalk the corridors of many of our schools. Yet in the face of these obviously clear and present dangers, our Board of Education has virtually abdicated its responsibilities for the safe and orderly conduct of our schools. Preoccupied with the dismantling of a school system it does not understand or care about, our Board of Education seems unable or unwilling to come to the defense of our beleaguered schools. No one appears to be in charge. No one appears to be listening.

It is in this present context that we feel we must make clear to parents, students, our Mayor, our Board of Education, our Superintendent of Schools, and every citizen of this city, what we conceive to be:

The essential mission and responsibility of the school.

The nature and limits of student dissent and student participation in the direction and governance of our schools.

We are deeply committed to insuring and protecting the rights of all students to responsible dissent and to an appropriate role in the life of our schools. We are equally committed to insuring for the non-dissenting student the right not to dissent and the right to uninterrupted, unrestricted access to the education he wants and needs.

We are aware that some of the present student discontent has its roots in very real defects and inadequacies in our educational system. Much of this discontent, however, is based on misunderstanding, some of it fostered by forces with a stake in promoting misunderstanding.

We are encouraged by our students' active interest and concern about their education and about the times they live in. We take their efforts to bring things "nearer the heart's desire" as a heartening sign of their growing maturity.

Through democratically elected student government organizations, our schools are providing significant and constructive channels for responsible student participation in developing fruitful approaches to school problems that vitally affect them. Some of these student organizations are not as alert, as concerned, or as effective as we or our students would like them to be. But there are signs all around us that they are moving responsibly and intelligently to expand their functions, take on new responsibilities, and adapt themselves to changed and changing conditions. Under the leadership of their school advisers, they are creating vital forums and instrumentalities for their meaningful, responsible participation in a healthy and stable school environment.

Implicit in every one of these school councils or similar organizations (which have functioned in our schools for many years) is the unequivocal recognition that students have a right to speak and to be heard. As in the past, they are now speaking in our schools—and they are being heard. And where feasible and possible, their suggestions are being incorporated into school policy and practice. They will continue to be heard—on any matters they feel they have a stake in. And their requests for change and modification in the content, direction, and quality of our educational programs will continue to receive the attention and response they merit. We shall continue to delegate to students those responsibilities and functions which the schools are legally permitted to and can safely delegate, and which students are qualified to assume and execute. We shall, as we always have, continue to meet in our schools with our democratically elected student organizations to consider wtih them their problems, needs, and desires.

A significant amount of contemporary student protest is raw, crude, disruptive—and frequently designed to be so. We deplore this misdirection of youth's essentially idealistic impulses. We will not, however, be party to those strategies and policies calculated initially to keep our schools in turmoil and. ultimately, to render them incapable of sustaining an atmosphere in which students who want to learn can learn. We will not supinely accept programs designed to destroy our schools and the society we are pledged to strengthen and uphold. We do not intend to capitulate to the violence or the threat of violence that will surely take our schools down the road to anarchy.

In the following we have identified some current, persistent, surfacing issues and problems that face our schools. For each we have indicated what we believe to be a fair and appropriate response. Unequivocally implicit in these responses is the inescapable fact that the principal is charged by law with the responsibility for supervising the school's teaching staff and instructional programs, implementing the mandates of the city Board of Education and the State Education Department, providing, under optimum conditions, for the education, safety, and welfare of all the students.

The principal is not an absolutely free agent operating in a vacuum. His duties, responsibilities, and accountabilities are clearly spelled out for him. He may not shirk or neglect them. He may not improperly delegate them. He may not let them go by default.

STANDARDS OF DRESS

Good taste, propriety, sensible restraint are the desiderata here. Dress codes stressing what is proper and fitting for school wear have been promulgated in individual schools by students, faculty, and parents working together. They have proved effective in helping to set and maintain acceptable school tone and appearance. Changing fashions, of course, will call for periodic review of these dress codes.

DEMAND FOR UNRESTRICTED FREEDOM IN CONDUCTING STUDENT GOVERNMENT AFFAIRS WITHOUT BEING SUBJECT TO PRINCIPAL'S VETO

Were he to accede to this demand, the principal would be abrogating his authority in an area where he is precisely charged with the responsibility for reviewing and approving student government decisions as they apply to the whole student body. It is very much in order for students to suggest that student government broaden its present concerns, that it meet and consult with school authorities on matters vitally affecting student welfare. This is exactly what is now happening in many of our schools. And schools welcome this evidence of constructive student concern and desire for more significant involvement in vital problems. But students must not be allowed to believe that lending a respectful and sympathetic ear to their desires and demands constitutes an automatic mandate on the school. The intensity of student demand is not necessarily a measure of its legality, validity, or practicality. No governing body in this country has the absolute, unchallengeable rights that some student demands seem to be asking for. Our City Council's recommendations are subject to Mayoral veto. The State Legislature's are subject to the Governor's veto. And the acts of Congress are subject to presidential veto. So, in school matters, the principal is in duty bound to exercise his veto over unwise or unsound student proposals governing the expenditure of student monies, the assumption of obligations that the school cannot meet, etc. The principal cannot abdicate his ultimate function as the legally responsible, executive head of the school.

DEMAND FOR A STUDENT SMOKING ROOM

This request would have to be denied. It constitutes a threat to the health and safety of students.

DEMAND TO REVIEW AND SET ASIDE PRINCIPALS RULINGS IN DISCIPLINARY PROBLEMS

Such demands now take the form of student "review boards" or student courts endowed with the power to overrule the judgments and decisions of the principal. The school cannot accede to these demands. The principal cannot legally or ethically delegate to students the responsibility for maintaining school discipline, punishing offenders, official recording of student offenses, and administrative dispositions. Under such procedures, students would have access to confidential records of other students. This would constitute a grave breach of student privacy. Students and their parents may see their own confidential records. Limited access to these records is permitted to specifically designated governmental agencies or individuals—for specific purposes. Teachers, administrators, guidance personnel, of course, are permitted to work with these records, but required to keep them confidential.

DEMAND FOR UNRESTRICTED, UNSUPERVISED STUDENT USE OF SCHOOL MIMEOGRAPH AND SIMILAR FACILITIES

School facilities and school supplies (duplicating machines, paper, ink, etc.) may legitimately be used only for instructional and noninstructional purposes consonant with the legally sanctioned, recognized, and accepted objectives of the school. No other use can be sanctioned. The duplicating of materials for school use must be approved by a responsible school official. Students may and do operate these machines under faculty supervision in carrying on the affairs of student government.

DEMAND TO DISTRIBUTE LEAFLETS (SIGNED AND UNSIGNED), PETITIONS, OR OTHER MATERIALS, ETC. INSIDE SCHOOL

The principal and his assistants are charged with responsibility for all activities that take place within the school. They must, therefore, determine in advance whether materials are pertinent to or have a meaningful bearing on the school's educational program, whether they are inimical to student welfare and safety, whether they constitute a clear threat to the proper and orderly running of the school, whether they are libelous in nature, etc.

We have an inescapable obligation to give our students free and legitimate access to each other while, at the same time, protecting them against exploitation, manipulation, assaults on their sensibilities.

DEMAND FOR INTRODUCTION OF SPECIFIC COURSES OF STUDY

We have always recognized students' right to examine the content of their educational program; and to make specific recommendations designed to improve them. We recognize, too, our obligation to discuss and evaluate with student representatives the soundness, pertinence, practicability of their proposals. We must point out, too, since all suggestions for curriculum revision, whether student or faculty originated, have district and city-wide implications, they must, under our present operating procedures, receive the approval of the District Superintendent and the Local School Board.

DEMAND TO SET UP NEW CLUBS

All school clubs must be chartered, sponsored, and supported by the school's General Organization and approved by the principal or his delegated representative in charge of student activities. Every club must have a faculty advisor who is frequently chosen by the students, but officially assigned by the principal. Clubs may be affiliated with outside organizations provided the purposes of these organizations do not run contrary to the Board of Education's by-laws.

DEMAND TO WEAR BUTTONS, ARMBANDS, INSIGNIA, ETC.

In most instances these requests present no problems. But at times schools have rightly barred the wearing of various kinds of insignia when they were obviously obscene, in egregiously bad taste, racist in intent, and inflammable in effect, provocative of disorder, etc. We shall continue to exclude from our schools emblems that violate community canons of good taste and good manners, that arouse and feed racial antipathies, that pose a threat to the orderly conduct of our schools.

DEMAND TO BRING IN OUTSIDE ASSEMBLY AND CLUB SPEAKERS WITHOUT SCHOOL APPROVAL

We cannot accede to this demand. The principal is responsible for all activities that take place in school during the school day. Since outside speakers, by their very entrance into the school, become a part of the school program, the principal is obliged to judge these speakers just as he would judge any other proposed additions to the school's curriculum or extra-curriculum—for their propriety, their consonance with the purposes of the school's program, their impact on and contribution to students' school experiences.

An essential part of the school program is making students aware of and sensitive to varying viewpoints that are legitimately held and espoused in our society, and training them in thoughtful, balanced evaluation of conflicting views. These highly desirable ends are best achieved in school under responsible adult supervision. Indeed, standing legally as it does *in loco parentis*, the school would be derelict in its duty if it failed to provide such supervision and guidance for its students.

DEMAND TO CALL AND HOLD ASSEMBLIES UNDER STUDENT DIRECTION WITHOUT FACULTY CONSULTATION OR SUPERVISION

The total absence of even minimal adult control and supervision under these conditions poses obvious hazards to student safety and to the proper conduct of the school's program. Further it raises the real possibility that the school might be used to further causes or ends at hostile variance with the educational and social purposes which the school, as an agent of the society, is specifically charged to promote and support.

We welcome student suggestions for vitalizing and improving assembly programs. In some schools students are now serving on student-faculty planning committees in this area. But the request for free-wheeling, unsupervised calling and holding of assembly programs cannot be granted.

DEMAND FOR STUDENTS TO JUDGE THE COMPETENCY OF TEACHERS OR CALL FOR THEIR REMOVAL

The methods and procedures for evaluating teacher performance are clearly spelled out in the State and City education law. The determinations of teacher competency can, by law, be made only by trained, certified supervisors.

DEMAND TO SET ASIDE SCHOOL REGULATIONS

These demands commonly ask for the right to leave classes at any time without official passes, the right to attend or not attend classes at will, the right to leave the school building during lunch periods, the right to spend study periods outside school, etc. Acceding to these and similarly anarchic demands would make the safe and orderly conduct of the school impossible. Such demands obviously cannot be granted.

We have a painful, daily awareness that we do not have the answers to many of our school problems. We, therefore, welcome any suggestions from any source to explore any avenues that may lead us to the development of the more vital, more effective schools we all want.

Meanwhile, as we continue to heighten and sharpen our awereness of and responsiveness to the pressing and unmet needs of our students and parents, we are united in our determination to make and keep our schools places where teachers can teach without fear and harassment, and students can learn without distraction and disruption.

There are limits to the right to dissent—as there are limits to every other right. The right to dissent does not confer on students the right to disrupt the normal school processes. The right to dissent does not entitle any students to deprive their fellow-students of their education if they do not share or wish to join in their dissent. Nor does the right to dissent, by its mere utterance, give instant sanction to student demands that cannot legally be granted or that students are demonstrably incapable of performing. The right to dissent carries with it the obligation to respect the rights and opinions of those who do not dissent. This, we take it, is the essence of democracy. This is what we propose to safeguard in our schools and in our society. And in this we know we can count on the overwhelming support of our parents and students. They see clearly that the disorders planned and executed by small, destructive groups are a menace to their education and security.

The hour is late. Our schools are in peril. It is the ineluctable duty of our Mayor, our Board of Education, our Superintendent of Schools to do what they have sworn to do: protect our schools, our teachers, and our students against the disturbers, the violents, and the enemies of public education within and outside the school system. We call on them to act firmly, quickly, and courageously against the divisive, disruptive forces and individuals loose in our schools working to radicalize, subvert, and poison the minds of our students.

We call on our Mayor, our Board of Education, our Superintendent of Schools to stop surrendering our schools piecemeal to the foundations, the opportunists, the extremists, the unrealists.

We ask the Mayor, the Board of Education, the Superintendent of Schools to stand up and talk up, loud and unequivocally, for our schools. The people of this city, the teachers who man our schools, have a right to know whose side our public officials are on: the side of the parents who want their schools to be places where they can safely send their children to learn, or on the side of those who, by design, capitulation, indifference, or their naivete, are leading our schools down the road to anarchy.

> We call on the Mayor, the Board of Education, the Superintendent of Schools to meet, at long last, their sworn commitments to provide a full, meaningful, secure education for "all the children of all the people" all the time—in all our schools.

And, from Education U.S.A. for September 1968, we read:

> *School vandalism cost New York City nearly $2 million in 1966–67, according to a vandalism survey just released by the Baltimore City Schools.* Next was Los Angeles with damage totaling $555,491; Detroit, $515,319; and Cleveland, $449,500. Following in the $200,000 bracket are Baltimore, Newark, Washington, D.C., Philadelphia, Cincinnati, Milwaukee, and Boston. Newark leads the list in vandalism cost per pupil with $3.30. In response to the problem, schools report using various electronic detection systems, window screens, all-night guards, fences, lights inside and outside schools, plastic window glass, and programs to teach student and parental responsibility. St. Louis has planned police training, emphasizing vandalism laws and police relations, for its administrators, and is trying to combat truancy as a means of reducing vandalism. And in Detroit, a former policeman has been named to a new school post, head of security.

Then we find in the San Francisco Chronicle preliminary statistics in San Francisco on violence in San Francisco's 10 high schools since the schools opened on September 4. These were released yesterday. They show there have been 189 reported cases of assault on either students, teachers, or school personnel. They show that there have been 41 reported cases of robbery or extortion with students, teachers, or school personnel as victims.

From the U.S. News & World Report we have another article about vandalism and about these attacks and the fact that teachers today have the threat of physical violence as daily accompaniment to their job.

Here in the District of Columbia what happened? Hearings this year before the Senate District Committee show that the director of an organization dealing with narcotic addicts estimated that in one local high school of 1,400 students, one-third are heroin addicts.

The Director of the Bureau of Narcotics and Dangerous Drugs Office and the FBI uniform crime reports indicate that drug arrests of persons under 18 rose 778 percent during the period 1960 to 1967.

The **CHAIRMAN**. The time of the gentlewoman from Oregon has expired.

Mr. **PERKINS**. Mr. Chairman, I yield the distinguished gentlewoman 5 additional minutes.

The **CHAIRMAN**. The gentlewoman from Oregon is recognized for 5 additional minutes.

Mr. **PERKINS**. I would like to ask if the gentlewoman would yield to me briefly at this point?

Mrs. **GREEN** of Oregon. Yes.

Mr. **PERKINS**. I, of course, want to compliment the gentlewoman from Oregon on her statement.

I do not think the gentlewoman intended to leave the impression that the administration would be locked in in connection with this extension. I know that the gentlewoman last year in the bill which she brought to the floor under her able leadership—the higher education bill—we extended that bill for 3 years and she is now conducting hearings to amend that bill.

I just wanted to make clear at this point that we are only asking for the lengthy extension because of continuing the continuity of the program which in my judgment will enable the committee to be more deliberate and review the programs with greater intensity if we do give these programs some stability and give an extension here to meet a problem which has increased all over this country to the extent of at least 5 percent, I would think, in every local school district in the Nation. That is what many witnesses have said.

Mr. Chairman, I wish to compliment the distinguished gentlewoman on her statement.

Mrs. **GREEN** of Oregon. I thank the chairman, and I may ask for several additional minutes later in view of his statement.

In reply, may I suggest it is my judgment that if this bill is extended for 5 years, which is actually 6 years, we successfully foreclose the possibility of seriously considering alternatives. Let me tell you why. This is a $25 billion bill. We all know the budget restrictions. The saddest part of all is that even with the authorization today we only have 41 percent funding.

Mr. **PERKINS**. Well——

Mrs. **GREEN** of Oregon. Will the gentleman permit me to finish this statement?

Mr. **PERKINS**. I will yield the gentlewoman some additional time, but with reference to the $25 billion figure I think we all know that 75 percent of the moneys are in title I of this bill and the appropriation for fiscal 1969 is $1,115 million. Now, there are many titles in this bill like title III that carries an authorization of $550 million, but there has been only $42 million appropriated. We are talking about, out of this so-called $25 billion bill, now appropriating $1,375 million.

Mrs. **GREEN** of Oregon. Mr. Chairman, if I may repeat just briefly, if we pass today a $25 billion bill I do not think that this Congress is going to vote another multibillion-dollar education bill this year. And I do not think that this particular bill meets all the needs. Also, conditions are changing very rapidly in this country. How many of us today would have stood on the floor of the House 6 years ago and made the prediction that we would be facing the kind of school crisis we are facing in this country in 1969? How many of us would have known the seriousness of the situation and, in fact, how many of us really know the seriousness of the situation today?

Mr. **LANDRUM**. Mr. Chairman, will the distinguished gentlewoman yield?

Mrs. **GREEN** of Oregon. I yield to the gentleman from Georgia.

Mr. **LANDRUM**. When we were considering Federal aid to elementary and secondary education several years ago—6 years ago and prior to that—a consideration at that time was to try to give assistance in a field that would bring about real help toward getting teachers' salaries commensurate with what they ought to be in that particular profession.

It would appear to me that the argument presented by the gentlewoman from Oregon would extend over into that area. If we were to pass a bill of this magnitude for the length of time proposed in it we might foreclose the opportunity of giving serious study to writing legislation that would earmark specific sums of this money for classroom teachers.

As the gentlewoman from Oregon has so wisely and vigorously stated here, that is the area in which we suffer the greatest problem today, that of teachers' salaries. And until we do something in my judgment that will channel these funds into helping the classroom teacher meet not only her or his professional qualifications, but to meet the problems they have in the classrooms, I believe we ought to be very, very careful in making long-term programs until we reach the point that we have given ample consideration to this.

The **CHAIRMAN**. The time of the gentlewoman has again expired.

Mrs. **GREEN** of Oregon. I would ask the chairman of the committee if I may have 5 additional minutes.

Mr. **PERKINS**. I can yield only 2½ minutes unless I borrow time from someone else. Therefore I will yield 2½ additional minutes to the gentlewoman from Oregon.

Mr. **AYRES**. Mr. Chairman, we can spare 5 minutes.

The **CHAIRMAN**. The gentlewoman from Oregon is recognized for 7½ minutes.

Mrs. **GREEN** of Oregon. Mr. Chairman, if I may continue—and I believe no confidence is being violated, for I believe the chairman referred to it in the hearings—as soon as this bill is voted upon by the House, the chairman intends to introduce and to put in the hopper the bill which is sponsored by the National Education Association, which has a price tag on it of over $7 billion a year for each of 5 years.

Now, I happen to know that the NEA bill is a very carefully thought out bill, and is a really good bill. I know I will not have my way in that regard, but if I did have my "druthers" I would favor passage of the NEA bill for I believe our schools need a vast infusion of Federal funds.

Mr. **PERKINS**. Will the gentlewoman yield on that point?

Mrs. **GREEN** of Oregon. I will yield to the gentleman if I may have an additional extension of time.

Mr. **PERKINS**. I believe we ought to make it clear that the National Education Association is on record and agrees with the thinking of the committee that this bill should be funded, or that the NEA approach is the second priority, because they say that not at the expense of special educational programs do they want their own bill.

Mrs. **GREEN** of Oregon. Mr. Chairman, I thank the chairman of the committee for that contribution. But the point that I am making is that in my judgment—and I have said this to some of the people connected with the NEA—I believe that they are foreclosing serious consideration of that kind of legislation. And I believe that kind of legislation is necessary in the United States in the 1970's. To bolster what the gentleman from Georgia (Mr. LANDRUM) said, the latest figures that I have are that there are 131,000 teachers who left the teaching profession in 1968, not including those who retired. Also 79,000 finished teacher education courses, but did not go into teaching. We are fast reaching the place where we are not even going to have enough physical bodies for each one of the classrooms, and we ought to be talking about this critical need.

HEW released a report not too long ago that said the most urgent education problem in the United States today is the shortage of qualified teachers.

So I ask for the possibility for the consideration of other alternatives, not necessarily this year, but if we extend the act for 6 years, then we will foreclose that possibility entirely.

I believe the testimony that I cited earlier in the articles on the troubles in our schools could be referred to as a catalog of defeats. If we consider this final defeat then we can withdraw, and each of us could help build his own little enclave where he can labor under the delusion that security is provided for his children and his posterity.

But this is an impossible alternative. We must consider these problems today as simply a catalog of problems—problems which must be solved. They will not be solved by high expectations and verbal cheers. It is going to require hard cash and the effort, energy and courage and the will to do something about it.

The conditions in our schools as I said are changing very, very rapidly. We need to be reviewing and reevaluating the legislation each year.

May I also say that to vote $25 billion when we know it is going to be funded only at 40 percent, is a cruel hoax on American educators and on American children.

Reference was made in the last few days as to the necessity of giving some kind of stabiltiy to the program, and that that is what we are going to do by voting for a 6-year extension, and that we are going to provide for long-range planning. The chairman has suggested that on several occasions.

May I ask you how we possibly, by our vote today for a 6-year extension, can guarantee any stability or provide for any long-range planning?

In 1967 under title I my school district of Portland received $1,940,000.

In 1969 with the authorization level still higher, the Portland school district received less funds. They received $1,484,000.

Now this is not the way to get stability. The way to get stability is to pass a realistic authorization bill that will bear some relation to the appearance of the appropriation bill when it is passed. The way to do it also is for every single Member of the Congress who believes in good education to fight as vigorously when the appropriation bill comes up as they did when the authorizing legislation was passed.

So I would say to my colleagues—really make a sincere effort to consider the seriousness of the situation. Let us try to persuade the White House, that while they may deem the deployment of the ABM system be necessary to our security the revision of the ABC system in the United States and the gearing of our schools to the 1970's is going to be far more important for the future of our schools and for the future security of the United States.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentlewoman yields back 1 minute to the gentleman from Ohio (Mr. AYRES).

(Mr. BARRETT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BARRETT. Mr. Chairman, I strongly support H.R. 514, extending the Elementary and Secondary Education Act of 1965 and the impacted area aid programs for 5 years.

The committee, when originally reporting the act, clearly indicated the purpose of the legislation was to meet a national problem because of basic education deficiencies. This was the first major effort on the part of the Government to provide a general education program for elementary and secondary schools. Amendments in 1966 and 1967 expanded the scope of the program and extended the authorizations for the program.

I have repeatedly stated that the greatest asset that this country has is our youth. And, the most prudent investment we can make for their future is in their education. This program is designed for that purpose.

At this point, I believe Chairman PERKINS and the committee are due a special word of commendation for the diligence with which they have pursued this program and its goal of improving the level of education across the board throughout the country. Today, as we look at the financial crisis facing so many school districts we can be thankful that Congress had the wisdom and foresight to enact the program.

The program is now 4 years old, and since the inception of title I, almost $3 billion has been invested in an effort to make schooling more responsive to the needs of educationally disadvantaged children. By 1968, over 9 million children were being served by title I programs conducted in 16,000 school districts across the Nation. Approximately 500,000 children attending nonpublic schools are included in the 9 million. Title I has also sought to reach certain special classes of educationally deprived children, namely children of migratory farm laborers, neglected and deprived children in institutions, children with physical or mental handicaps and Indian children. This is a most commendable record.

The report notes that at present the maximum effective use of Federal funds for educational programs is being impaired by "delays in continuing authorizations and untimely funding." It is indeed most unfortunate that the elementary and secondary education programs have not received full funding.

The practice of the past, short-term extensions of the programs, does not provide local administrators and the personnel they seek with sufficient assurance that Congress will not abandon the program. The experience of 1966 and 1967, when program extensions were not enacted until several months after the school year had begun, placed an undue burden on school administrators.

There is an urgent need for long-term planning and for knowing well in advance what kind of program we will have in education. The 5-year authorization as proposed in H.R. 514 will correct the past failure to give long-term authorization to the program with the incident delays and breakdowns in the machinery.

I strongly urge my colleagues to support the committee and pass the bill.

Mr. AYRES. Mr. Chairman, I yield such time as he may require to the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Chairman, as a member of the Education and Labor Committee, I have consistently supported education. However, if the House fails to limit the bill, H.R. 514, to 2 years, I may be forced to abandon this position and vote against final passage.

A 5-year extension of the Elementary and Secondary Education Act with no more change or improvement than contained in this bill would foreclose any real opportunity for the new administration and Congress to move forward with new ideas and programs. This bill, without amendment, will virtually freeze policy for the next 5 years. This would be unfortunate. Nearly all of the witnesses before the committee testified that substantial changes should be made in one or more of the programs included under this bill. Very few witnesses indicated complete satisfaction with the manner in which this legislation is operating. Many of the witnesses felt that some, perhaps even most, of the programs should be extended but modified. Few of the amendments suggested by the witnesses and by members of the committee were adopted and included in this bill.

The legislation before us would negate anything we have learned in past experience and this proposal would prevent the administration and the Congress from taking advantage of this experience in administering these programs.

The block grant approach is one of the various new, exciting and challenging ideas which have been developed to the point where they should be tested in practice on a pilot basis. I believe the block grant approach is worthy of being tested in actual practice. It has been my experience that most educators in State and local government and other officials responsible for elementary and secondary education would prefer the flexibility of the block grant. Other approaches also should be tried, perhaps in a mix of programs.

Many members of the committee were disturbed by the results of reviews and surveys made of the present Federal educational assistance programs. Dr. J. Galen Saylor, distinguished professor at the University of Nebraska, writing in the journal Educational Leadership, described Federal spending on education as producing "very meager educational results" and as "one of the God-awfullest messes you ever saw in educational administration."

Any claim that a 5-year extension of present programs would permit education authorities to plan and budget better is highly misleading. An extension of this nature is not necessary. One thing is certain, Federal aid to education will be continued in one form or another. It has become an accepted responsibility of the Federal Government. In time it probably will expand as need arises. Hopefully it will take such form as will permit the States and localities to meet their educational needs rather than be forced into a mold cast by a Federal school authority in Washington, D.C.

The real test of Federal funding for the schools is not in what is authorized nor for how long. It is in what is appropriated. That is an annual process and is apt to remain an annual process for the foreseeable future.

Furthermore, the provisions of the Elementary and Secondary Act, retained in the pending bill, will produce substantial changes in distribution of funds from present allocations, once the statistics compiled in the 1970 census become available. The Congress, the administration and the educational system of the Nation should be permitted another opportunity to review and modify this act after the 1970 census report is released.

The language of the House Committee on Education and Labor to extend the act for 5 years is excessive. I will support substitution of a 2-year extension and am hopeful, for the sake of education generally, that the 2-year extension will be adopted.

Mr. Chairman, I yield back the balance of my time.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. Esch).

Mr. ESCH. Mr. Chairman, there are those in the course of the discussion of this bill who suggest that the question still is, Should we have Federal aid to education? They have intimated, if not outright emphasized, that a vote for anything less than the 5-year extension is a vote against Federal aid to all school districts in the Nation.

Nothing could be further from the truth. The question of whether we are going to have Federal aid to education has long been resolved. The real question facing this Congress this day is, How are we going to develop a structure that will effectively and efficiently distribute funds to the local school districts, emphasizing the areas of highest priority and utilizing fully the real strength of our country's school system, that of the local school districts themselves?

Mr. Chairman, I for one am very much opposed to the extension of this bill for 5 years without substantive amendment. The absolutely capricious operation of the title I formula is alone a major reason for not extending it any longer than we have to in order to assure us of forward funding and program continuity, and a 2-year extension will do this.

Even though I am a member of the committee and have studied the formula, it is difficult to determine how this formula, which is so confusing and inconsistent, could be so vehemently defended. The formula would confound a Ph. D. in mathematics, and probably would drive a professor of logic to the depths of despair.

Michigan is but one State that is supposedly favored in this formula. I cite it as but one example—and not out of provincial interest.

We have a largely urban population with heavy concentrations of disadvantaged students. Our AFDC welfare program is supported at a level high enough to permit us to count over 45,000 welfare children in families receiving over $2,000 in welfare payments. Most States can count relatively few of these children and 12 cannot count any at all. So Michigan should do well under this formula.

What we find, however, is that Michigan only receives $138.45 this year for each poor child counted. Thirty-three of the 50 States do better than Michigan under this formula.

Now, Michigan is a high-cost, high-expenditure State, so one of the chairman's explanations yesterday for this kind of discrepancy—that States with higher school expenditures get more per child—does not make any sense at all when applied to my State. Only 10 States and the District of Columbia have higher per-pupil expenditures this year than Michigan.

Even if this act were fully funded, it would not be fair in the distribution of funds. I submit that it costs just as much to give a disadvantaged child a quality education in Detroit or Ann Arbor, Mich., as it does in New York City or Binghamton, N.Y. Yet, if this act were fully funded right now, the schools in New York City and Binghamton would be getting $165.59 more per child than the schools in Detroit and Ann Arbor. This year the New York advantage is only $61.56.

In short—if we fully funded this act, the discrepancy between our schools and New York schools becomes almost three times worse than it is now.

Mr. PERKINS. Mr. Chairman, will the gentleman yield now?

Mr. ESCH. Mr. Chairman, I would like to finish my statement and then, if I have time left, I will yield. I think we have been very generous with the Chairman. I hope that is all right. I thank the Chairman.

Mr. Chairman, to continue my statement, even that does not tell the whole story, because I doubt that Michigan can ever match New York in welfare payments—so that New York will continue to count a much higher percentage of their poor children than can Michigan.

If a State like Michigan fares badly in comparison with New York, what of all the other States? The fact is that most of them do even worse. The basic assumption of this formula is that the more a State can afford to spend for education, the more it should get from the Federal Government.

I submit to you that this is a strange assumption which defies commonsense.

If what we are really talking about is the cost of equalizing the educational opportunities of extremely disadvantaged children—of giving them a genuine chance to overcome all the handicaps with which they are burdened—then I suspect we are talking about approximately the same order of costs whether the child is in New York, Detroit, Los Angeles, Denver, Birmingham, Atlanta, Dallas, or some isolated hollow in Appalachia. Title I of this act does not even approximate equal treatment in different places for children with similar needs.

That is why we must not extend this act indefinitely—or for any longer period than absolutely necessary. We should extend it no longer than 2 years, and then our committee should get to work immediately on devising a new formula and a new approach that will mean equal treatment for all disadvantaged children in every State. We should not wait for the 1970 census results to commence this task.

If we in our committee, and in this Congress, cannot put aside questions of who gains or loses how much in any formula change, and in the name of the welfare of impoverished children, approach this matter with a degree of disinterested statesmanship, then we shall have made a further contribution to making "politics" a demeaning word in our society.

Mr. Chairman, it is also important for us to recognize that the bill before us today does not really attack the major problems faced by urban education. The central city school system is in a state of crisis. With a decreasing tax base and an increasing population of disadvantaged schoolchildren the systems are simply not able to offer quality education to those students who need it most.

This is a crisis which can no longer be ignored. Last year I joined with my colleagues, Congressmen Bell, Dellenback, Horton, and Ogden Reid, to study the problems of urban education in detail. Our study took nearly a year and the results were included in the Congressional Record last year.

Our conclusions were clear. The present system of Federal aid to elementary and secondary education is simply not adequate to deal with the special problems faced by urban education. The multiplicity of separate programs under present arrangements makes it impossible for an urban system to organize its programs on an overall basis and apply Federal funds where they are needed most. Categorical grants tie school systems to programs which are not of highest priority for their system and encourage a shotgun approach.

Mr. Chairman, I think it would be extremely unwise for the House to take action today which would tie us into a continuation of this system, unchanged, for 5 years. When Secretary Finch testified before the Education and Labor Committee he endorsed our study and indicated that the special problems of urban education are receiving utmost consideration in the Department and that the administration hopes to make full recommendations for improved Federal programs in this area. I understand that a task force has been established in HEW to make specific recommendations in this field. Congress should not take action today which would make it impossible to make constructive and innovative changes in the years ahead. Allow me to summarize for you the conclusions of our study:

First. Item by item, the urban youth, especially the ghetto resident, have fewer physical facilities for education which are up to date and in good condition, fewer curriculum aids, a less compelling academic curriculum and learning environment, and slightly lower quality in teaching.

Second. Recognizing that some of these differences obviously restrict educational opportunity, the level of differences could not alone account for the vast gap in the results of the students in the cities versus those in the suburbs.

Third. Data from achievement scores, from progress reports, from armed services entrance tests, and from dropout rates and college attendance rates demonstrate explicitly that each student in America is not now being given the opportunity to acquire the basic tools of speech, writing, reading and mathematics, tools without which he can neither continue learning nor compete effectively.

Fourth. The kind of individual who enters the urban school system and the kind of environment he comes from leads to the conclusion that urban education has failed in not responding effectively to the challenge of teaching culturally deprived students.

Fifth. Urban education, then, must be made superior to suburban education if the graduates of both are to have equivalent skills.

Sixth. The recent Federal effort to promote better education across the board has been extraordinary, with Congress having passed over 49 pieces of legislation dealing with education over the past 4 years and spending some $9 billion a year to implement 111 programs, twice what was being spent 4 years ago. Nevertheless, the Federal effort has failed to produce the results in urban education which are needed.

Seventh. The very multitude of education legislation and the numerous programs implementing it put the local school in a position where it can, at best, only adjust to its desperation within the administrative nightmare imposed by the segmented bureaucracy of Washington. Such a plethora of programs prevents the one thing the local education agency must do—devise a comprehensive plan to provide real education to the urban children.

Eighth. The "something for every thesis" approach to Federal aid deprives the Congress of the opportunity to concentrate on the desperate urban need for education in the basic learning skills.

Ninth. Congressional preoccupation with the legal formula by which Federal aid is extended has obscured the real issue of improving education. It is wrong for Washington to run every school district in the Nation, not just because Congress forbids it, but because it would not produce good education. But it is equally wrong for this, the best educated nation in all history to force the least fortunate and skilled among us to find their own wisdom and initiative and optimism to better their own education system before we can help them. The Federal Government must be bold enough to tie its aid to the States with strings that demand action in the crisis in urban education.

Our study then recommended the following:

First, a recognition that priority attention to be given to urban education as one of the keys to solving the urban dilemma;

Second, revision and consolidation of the Federal support programs to direct a single education payment to the cities;

Third, providing the opportunity for each city to undertake a total revision, restructuring, and revitalization of their entire local educational system;

Fourth, Federal aid to education which requires only that a local program be comprehensive in nature and that in planning, attention and consideration by the local area be given to teacher training and recruitment, facilities construction and use, curriculum aids and supplemental services, preschool programs and year-round school, use of technology and provision for adequate nutrition and medical care;

Fifth, Federal support which encourages consideration by the urban center of the fundamental questions of the adequacy of existing control over education and the question of decentralization, the existing financing of local education, and the existing administrative management of education;

Sixth, Federal support which encourages consideration of the value of a synergistic curriculum based on planning which considers each and every aspect of education and its effect on every other aspect, including basic skills, vocation/technical education, recreation and extracurricular activities, remedial programs, and a wide range of academic subjects. The support programs would encourage the urban center to use relevant cultural background material and to include programs for the development of personal creativity and self-reliance.

Seventh, Federal support which requires community participation in the development of education plans and utilizes the talents of officials of private independent schools, private industry, higher education institutions, and local citizens;

Eighth, the appointment of an Associate Commissioner for Urban Education in the Department of Health, Education, and Welfare; and

Ninth, a massive increase in teacher training programs emphasizing instruction designed especially for the urban area.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Indiana (Mr. BRADEMAS).

Mr. BRADEMAS. Mr. Chairman, I rise in support of H.R. 514. At the outset I want to express my admiration and congratulations to the great chairman of our committee, the gentleman from Kentucky (Mr. PERKINS), who, I think it is fair to say, has contributed more than any Member of Congress, either in the House or in the Senate, to the passage of legislation to improve the elementary and secondary schools of our country.

Mr. Chairman, I also would like to take a few minutes to express several concerns I have with respect to this measure and the elementary and secondary education programs generally and with respect to some of the amendments that have been suggested to H.R. 514.

First, I want to say something about money. I am much concerned about the funding, as I know Members on both sides of the aisle must be, for education programs.

I speak in no partisan sense when I observe that President Nixon in his budget message of a few days ago proposed—and I believe my figures are correct—approximately $370 million less for education than did President Johnson in his outgoing budget message for fiscal year 1970; and in all candor, I did not think President Johnson proposed adequate funds for education in his recommendation.

For example, President Nixon would, in his budget, completely eliminate all funds for title II of the Elementary and Secondary Education Act, which is the title that has provided funds for library resources in our elementary and secondary schools, a program which has meant a great deal to schools throughout the United States which have been short of funds for library materials.

President Nixon also proposed that we invest no money at all for title VI of the National Defense Education Act, a program for guidance, counseling, and testing.

He would cut the title III elementary and secondary education program, which provides for supplemental centers and services by a very large amount of $56 million.

The distinguished gentlewoman from Oregon, quite rightly, I believe, expressed her concern that we are not doing enough to provide for the education of elementary and secondary schoolteachers. I regret to report that President Nixon asked for $10 million less, approximately—$9.5 million, to be exact—for the Education Professions Development Act than had President Johnson.

Mr. Chairman, let me here cite another authority to which reference has been made in this debate, which has also come to be a council considerably respected by members of our committee on both sides of the aisle. I refer to the National Advisory Council on the Education of Disadvantaged Children, which has won a reputation for independence of thought because of the ability of its members and because it is independent of the Department of Health, Education, and Welfare in putting together its judgments and recommendations. The Advisory Council on the Education of Disadvantaged Children warned in its report this year about what, to quote it, "appears to be a weakening Federal commitment to the education of disadvantaged children." The report continued:

> This is best evidenced by the $68 million cutback in funding title I, from $1.19 billion last school year to $1.123 billion this school year. This cutback, combined with the continuing increase in the cost of education, results in an estimated $400 million less for disadvantaged pupils in local schools this year than was available the first year of the program.
>
> We are deluding ourselves if we think we can make an impact on education of the disadvantaged without providing the necessary resources.

So, Mr. Chairman, when people say that we keep spending more and more money for title I, ESEA programs, that is not accurate. We have been putting in less and less money.

I was struck also by the recommendation of President Nixon's Education Task Force, which the President appointed when he was President-elect. This task force, chaired by Alan Pifer, the very distinguished president of the Carnegie Corp., recommended an increase of $1 billion on education for the elementary and secondary schools in the big cities of our country alone. That report even went so far as to propose an Urban Education Act to supplement title I, not as a replacement for it. This is an indication that Mr. Nixon's own advisers, the authors of what I think is one of the best education reports I have seen in a long time, share these concerns about underfunding these important programs.

The point I want to make, therefore, Mr. Chairman, is that the proposals which may be coming before us tomorrow, which would consolidate several of the elementary and secondary school programs, carry with them the very great danger that there would be even less money put into a consolidated program than is presently being put into these several programs when they continue to exist in separate form.

A second concern I have, Mr. Chairman, deals with proposals that would place greater control of the Federal funds in the hands of some of our State education agencies as distinguished from maintaining the present patterns of distribution, whereby the Office of Education often works directly with the local public school systems.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BRADEMAS. Will the gentleman yield me 5 additional minutes?

Mr. PERKINS. Mr. Chairman, I yield the distinguished gentleman 5 additional mintues.

Mr. BRADEMAS. I thank the chairman.

The CHAIRMAN. The gentleman from Indiana is recognized for 5 additional minutes.

Mr. BRADEMAS. I just want to comment from a little experience we are having right now in my State of Indiana, to explain to Members what I mean. The State of Indiana as of this week stands to lose over $6 million in vocational education funds because the chief State school officer, the superintendent of public instruction, is in a fight with other State officials in Indiana.

Mr. Chairman, the Federal Government has sent checks in excess of $1 million in Federal moneys for education which, until a few days ago, State officials had not even deposited in the bank, despite the fact that those checks had been issued months ago.

I will give you a second instance. The Governor of my State during the last campaign promised that if elected he would see to it that 50 percent of the cost of public school education in Indiana would be paid from State funds. He thereupon announced that he would veto any increase in State sales or State income taxes to meet this promise. The result is that after the 61-day session of our State legislature, Indiana has inadequate funds for the schools of our State, and we know that property taxes will be soaring all over Indiana, as a direct result of the Governor's position.

Therefore, I raise certain questions about the wisdom, the advisability, and soundness of taking more dollars voted by Members of the Congress of the United States and putting them into the hands of State officials who have, to be very candid about it, almost completely abdicated their responsibility to provide adequately for State support of education.

Here again, Mr. Chairman, I cite the National Advisory Council on the Education of Disadvantaged Children with respect to proposals to shift responsibility for handling Federal funds for title I programs to the States.

The Council warns that in many States and possibly in all States, such a move would "diminish the impact of this necessary investment in the education of disadvantaged children," and continues:

> The Council's position is not based on preconceived theories but hard data which show that State distribution of funds rarely, if ever, favors those sections of the State with the greater concentration and numbers of educationally deprived children.

Mr. ECKHARDT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Sixty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 44]

Addabbo
Annunzio
Baring
Barrett
Bates
Bell, Calif.
Brock
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burton, Utah
Camp
Carey
Celler
Clark
Cunningham
Daddario
Davis, Ga.
Dawson
Diggs
Dwyer
Edwards, La.
Evins, Tenn.
Flynt
Gilbert
Harsha
Hébert
Helstoski
Holifield
Horton
Jarman
Karth
Kirwan
Lowenstein
McKneally
Mahon
May
Mollohan
Moorhead
Murphy, N.Y.
Nix
O'Hara
Ottinger
Patman
Pike
Powell
Purcell
Rivers
Rooney, Pa.
Sandman
Scheuer
Scott
Sikes
Smith, Iowa
Stokes
Sullivan
Teague, Tex.
Ullman
Widnall
Wilson, Charles H.
Young

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 514, and finding itself without a quorum, he had directed the roll to be called, when 371 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its setting.

The CHAIRMAN. When the Committee rose the gentleman from Indiana (Mr. BRADEMAS) had 2 minutes remaining.

Mr. BRADEMAS. Mr. Chairman, I have only two or three other observations to make.

In urging passage of H.R. 514 I was warning against the dangers of proposals like that to consolidate several titles, a move that could result in leading to less financial support for those several categories than they receive when, as at present, they are funded individually.

Second, I was observing that there would be a real danger of shortchanging programs for the educationally deprived if we put more education money into the hands of State agencies.

The last point to which I refer is represented by a phrase used in President Nixon's Educational Task Force report which is printed in the CONGRESSIONAL RECORD of March 12, namely, "The Church-State Issue."

I quote from the President-elect's task force report as follows:

> 2. THE CHURCH-STATE ISSUE
>
> The immense complexities of this issue are explored with great clarity in two special memoranda which were commissioned by the Task Force. These are included as appendices to this report, and we urge that they be carefully studied. While for the moment the Church-State issue is quiescent because of the essentially political accommodations reached over recent Federal education legislation, especially ESEA, there are two distinct possibilities for it to become once again a lively area of controversy that could cause the new Administration a great deal of trouble.
>
> The first of these could result from an unsophisticated effort to rearrange the methods through which Federal aid is channeled to the support of education, either through some general aid plan, a badly designed block grant or a clumsy scheme for the consolidation of legislation. Such an effort could easily upset the present delicate Church-State accommodation.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. PERKINS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. BRADEMAS. And then the members of President-elect Nixon's Education Task Force go on to observe:

> We recommend that neither he [Mr. Nixon] or any high official of his Administration make any further allusions to block grants until the full implications of new methods of Federal financing of education can be fully explored. Since more than 30 States, including three of the largest, have provisions in their constitutions which tightly restrict aid to parochial schools, Catholic officials will in all probability be strongly opposed to any move on the part of the Administration which appears to have the effect of turning Federal educational dollars into State educational dollars.

And, Mr. Chairman, I think the point made by Mr. Nixon's advisers is telling and accurate.

Let me just summarize, Mr. Chairman, because I have only a minute or two left.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. Not until I complete my remarks and then I shall be glad to yield to the gentleman from Wisconsin.

I want to direct an observation or two to my friends on the Republican side. In Mr. Nixon's Education Task Force report there is to be found the following very revealing observation—and these are not Democrats speaking; these are Mr. Nixon's own advisers:

> Speaking candidly, we do not believe that President-elect Nixon, with all his varied and high qualifications for office, would at present by most Americans be considered to have the kind of special concern for education that the times require.

Now, following that observation by the Nixon Education Task Force, I call your attention to the fact that in his message on domestic priorities which the President sent to Congress and the country last week, although he set forth about 10 different priorities for our Nation, the President did not once mention the word "education."

And further, I remind you that President Nixon in his budget message of last week proposed a tremendous cut of $370 million below the budget request for education that President Johnson had suggested for fiscal year 1970.

Now, I think, and I do not want to make this a partisan issue, but I do want to make an observation. I have been citing from Republican authority and not from Democratic authority. I believe the bill before us today affords a superb opportunity for both the majority and the minority parties in the House of Representatives to make clear whether they are going to make speeches about education and simply write support for education into their party platforms, or whether they are going to really support aid for education, and when the roll is called, and vote in support of education.

Now, Mr. Chairman, I am glad to yield to one of our colleagues on our committee who is interested in education, the gentleman from Wisconsin (Mr. STEIGER).

Mr. STEIGER of Wisconsin. I appreciate the gentleman from Indiana yielding to me.

Perhaps, by oversight, the gentleman from Indiana did not fully discuss the report which he put in the RECORD so that we could all review it. The Members will note that the gentleman from Indiana mentioned designated block grants, but I would like to insert at this point in the RECORD the following statement concerning block grants:

> This approach is fully consistent with the recommendations made to President Nixon by a task force of distinguished citizens which included leading educators—the so-called Pifer report. In recommending what it termed "designated block grants" it took note of and concurred with the "widespread belief, both at the State and local level, that the seeking of funds under this multiplicity of legislation is an unnecessarily burdensome and time-consuming business, and the time has come for a major effort at simplification of the process." The report recommended "a general movement in Federal programs away from categorical aid narrowly defined toward more broadly defined designated block grants * * * as a way of lessening the burden on State, local, and institutional officials in applying for Federal funds—an area in which there is now considerable irritation and frustration—and * * * as an important step toward the urgent task of strengthening the administrative capacity of the States to meet their responsibilities in education."
>
> The amendment we have proposed is an extremely modest step in this direction, but it is vitally important that a first step be taken.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. BRADEMAS. May I have 1 more minute?

Mr. WILLIAM D. FORD. I yield 1 additional minute to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I appreciate what the gentleman from Wisconsin is saying, and I myself subscribe to much of what he is saying, but I would call attention to other passages in the Nixon Education Task Force Report. I believe that the best and most honest way to approach this matter, if one is seriously interested in what the Nixon Task Force said, is to read it from start to finish. Then I think you will agree with me that very clearly the kind of people who put that report together would be in support of the passage of H.R. 514.

Mr. STEIGER of Wisconsin. If the gentleman will yield further, I will say to the gentleman that I believe the approach suggested by the amendment to be offered is one which meets the criteria of the Nixon Task Force. In addition to that, and I quoted from it at the time of the hearings, the Nathan Task Force, which also was concerned with this, was recommending this kind of consolidation of programs. This is the effort that we are making on the floor today, not in a partisan vein, but one which will meet the educational needs of the young people of this land.

Mr. BRADEMAS. I would say to my friend from Wisconsin that what he has said flies completely in the face of the testimony we heard from all of the witnesses on this bill, especially the local school superintendents who joined, most of them, in warning us against the dangers of the gentleman's proposals.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I am glad to yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. I should like to rise in support of this bill and to urge the Members to join the chairman, the gentleman from Kentucky (Mr. PERKINS) in resisting amendment to the bill as it has come to the floor.

I wish to associate myself with the remarks of the gentleman in the well.

Mr. Chairman, today, for the fifth time since I came to Congress and became a member of the Education and Labor Committee, the House is debating the merits of the Elementary and Secondary Education Act of 1965.

It has been my privilege and pleasure to have served at the side of the Honorable CARL PERKINS, of Kentucky, who was chairman of the subcommittee upon which I served when this act was originally written and passed. Now, as chairman of the full committee, he comes once more to the floor of the House leading again the fight to continue Federal aid to elementary and secondary education.

If I may be permitted, I should like to join the other members of this committee in paying tribute to the chairman for his untiring efforts in behalf of Federal aid legislation and for full funding of this worthy program.

Mr. Chairman, the fact that we have had to debate this same program every year for each year of its life should demonstrate the need for a 5-year extension.

Here we are, as each year in the past, still discussing the amounts to be authorized, and in fact the very question of whether any or all of the titles of this act are to be continued, while school boards and administrators across the country are trying to plan programs and find personnel for the coming school year.

It must certainly be apparent that we have reached the stage where this House should be capable of adopting a realistic extension of the act to permit the kind of advance planning needed for quality education.

Mr. Chairman, this legislation has, since its enactment in 1965, been more important to the grade schools and high schools of our Nation than any previous education legislation ever enacted. We cannot today calculate its total impact—for that will be felt in the years to come in the increased earning power and good citizenship of many thousands of schoolchildren whose education was in some way significantly improved through the application of funds under the provisions of this act. It may be the Mexican-American child whose enrollment in a bilingual education program enabled him to keep pace with his English-speaking peers; it may be the deaf child who was reached by a teacher especially trained to understand his needs, it may be the potential dropout who was encouraged to continue his education and obtain his high school diploma. All of these individuals and many others whose needs have heretofore not been adequately met by the schools because of lack of funds, of skilled teachers or of relevant materials are, and will continue to be, served by the programs under this act.

If ever Congress was faced with an imperative to enact immediately a piece of legislation, that time is now. Although the present act does not expire until 1970, we cannot afford to let it wait until next year for extension. Repeated testimony and evidence before the Committee on Education and Labor indicate that present late funding means that many schools do not receive their moneys until well after the school year has begun, thus greatly reducing the effectiveness of the legislation. By extending it now, and extending it for 5 years, we make sure that advance funding is possible, and we will give school officials and administrators a chance to prepare in advance for optimum use of the funds they are to receive. What is more, they will be able to plan with certainty on an expected amount of income, and will not be forced to cut crucial programs at the last moment, or exclude children from programs already underway, because the appropriations from Washington fell short of what they had expected.

In addition to extending the Elementary and Secondary Education Act, H.R. 514 also extends Public Laws 815 and 874, the impacted area aid laws. These important laws have been providing assistance to school districts, suddenly and severely overburdened with a school age population to be educated as a result of Federal activities in the area, since their enactment in 1950. Public Law 815 provides assistance for school construction, and Public Law 874 provides funds for operation and maintenance. Payments to local educational agencies are based on the existence of Federal property in or within reasonable commuting distance of a school district where children reside with their parents or on which the parents are employed. These payments are intended to compensate the school district for loss of revenue from untaxed property. Today, there are many school districts which receive a major portion of their budget from the funds allotted under Public Law 874, and thus the law plays a substantial role in providing a good education for the Nation's schoolchildren, many of whose families provide substantial services to their Government in the Armed Forces.

An important amendment to both Public Laws 815 and 874 will make children who live in federally assisted public housing eligibe for being counted for payment purposes to the local educational agency. The great increase in federally assisted public housing which is not countable for State and local taxing purposes has placed a severe burden on many school districts in recent years. Although the Federal Government does provide some payment to the local district in lieu of taxes, the national average of this payment is only $11 per child for each school year, while the national average of estimated current expenditure for pubic elementary and secondary schools per pupil—in average daily attendance—is $680.

Mr. Chairman, at this point I would like to summarize the major provisions of ESEA.

TITLE I—EDUCATION SERVICES FOR DISADVANTAGED CHILDREN

Title I, is designed to help local school districts improve the quality of education offered educationally disadvantaged children. Services provided range from medical care, to special reading programs to cultural exposure field trips. Any educationally disadvantaged pupil in a school receiving title I funds may be eligible to participate, regardless of income. Projects are designed at the local level and approved by State educational agencies.

Since passage of the ESEA in 1965, title I has provided in round figures the following: In fiscal year 1966, $960 million to serve 8.3 million children in 17,500 school districts; in fiscal year 1967, $1.011 billion to serve 9.1 million children in some 16,400 school districts; in fiscal year 1968, $1.070 billion to serve 9 million children in an estimated 16,000 school districts.

Special populations of disadvantaged children specifically provided for in later amendments to ESEA, title I, have been served by projects designed to meet their special needs. Funds spent to serve these special groups under title I amounted to approximately the following:

[In millions]

	In fiscal year 1966	In fiscal year 1967	In fiscal year 1968
Handicapped children	$10.5	$13	$21.7
Neglected children		.205	.922
Delinquent children		1.7	8
Migrant children		8	32.7

Local school districts have elected to spend most of their title I funds on services that touch children directly: improved instructional services, guidance and counseling, food, health care, and so on. Equipment and construction expenditures represent a minor portion of funds spent by local education agencies—13 percent in fiscal year 1967.

TITLE II—SCHOOL LIBRARY RESOURCES

The purpose of title II is to provide nonmatching grants to States for the procurement of school library resources, textbooks, and other printed and published instructional material for use by students and teachers in public and private elementary and secondary schools.

Fiscal year	Authorization	Appropriation
1966	$100,000,000	$100,000,000
1967	128,750,000	102,000,000
1968	154,500,000	99,234,000
1969	167,375,000	50,000,000
1970	200,000,000	(1)

[1] Not yet passed.

Among the three categories of eligible materials—school library resources, textbooks, an other instructional materials, the States have given priority in each year to school library resources. States expended title II funds for acquisitions in fiscal year 1967 in the following proportions:

	Percent
School library resources	92.0
Textbooks	4.0
Other instructional materials	3.4

In fiscal years 1966 and 1967, the States reported a total of almost 8,500 new public school libraries serving approximately 3,800,000 students. More than 70,500 libraries were expanded in fiscal year 1967 alone.

Of an estimated 47,000,000 public and private schoolchildren eligible to participate in the title II program each year from 1966–68, an estimated 44,000,000 or almost 94 percent of those eligible, participated. About 1,800,000 teachers—approximately 89 percent of all those eligible—participated in the program each year.

It is estimated that the 1969 appropriation of $50,000,000 will provide for the purchase of 9,000,000 books and filmstrips or about 1 book or filmstrip for every five children participating.

TITLE III—SUPPLEMENTARY CENTERS AND SERVICES

The title III program is designed to encourage school districts to develop imaginative solutions to educational problems; to utilize research findings; and to create and design innovative educational practices. Grants are made for supplementary educational centers and may be used for the planning of projects, pilot projects, and programs such as guidance and counseling, experimental academic services, specialized instruction and many others.

Fiscal year	Authorization	Appropriation
1966	$100,000,000	$75,000,000
1967	180,250,000	135,000,000
1968	515,000,000	187,876,000
1969	527,875,000	164,876,000
1970	566,500,000	(1)

[1] Not yet passed.

During fiscal year 1969, primary responsibility for the administration of title III shifted from the Office of Education to the States. Currently, the States, under a State grant program, are administering 75 percent of all title III funds with the Office of Education administering the remaining 25 percent. During fiscal year 1970, the States will assume responsibility for all title III funds except those necessary to complete projects begun in prior years.

Persons benefiting from fiscal year 1968 approved projects

A. Preschool	135,000
B. Elementary and Secondary Students	10,000,000
1. Elementary	8,000,000
2. Secondary	2,000,000
C. Teachers	35,000
D. Parents, adults, and others	90,000

Of the 1,587 projects active in March 1969, the estimated precent distribution of the $158 million is as follows:

Activity:	*Percent*
New curriculums	30
Educational technology, facilities, equipment, and materials	15
Institution or personnel improvement	14
Special education-remediation	13
Research, survey, planning, evaluation, and dissemination	8
Pupil personnel services	8
Community involvement	6
Instructional methods	5
Other	1

Beginning fiscal year 1969, at least 15 percent—about $23 million—of the total ESEA title III appropriation must be spent for projects for the handicapped. In fiscal year 1938, $15 million or 8 percent of the total title III funds went to such projects.

TITLE V—STRENGTHENING STATE DEPARTMENTS OF EDUCATION

The purpose of title V is to stimulate and assist States in strengthening the leadership of their educational agency and to assist them in establishing and improving programs to identify and meet their educational needs.

Fiscal year	Authorization	Appropriation
1966	$25,000,000	$17,000,000
1967	30,000,000	22,000,000
1968	65,000,000	[1]29,750,000
1969	80,000,000	[1]29,750,000
1970	80,000,000	(2)

[1] Includes funds formerly appropriated for Public Law 85–564, the National Defense Education Act, title X ($2,250,000) and title III ($5,500,000)

[2] Not yet passed.

In fiscal year 1938 funds were distributed as follows:

	Percent
Strengthening leadership, consultative and technical assistance to local educational agencies	31
Planning, development, and research coordination	16
Strengthening States' internal management capabilities and data processing services	36
School and teacher accreditation and other services to local educational agencies	17

Originally, 15 percent—$3,300,000—of the appropriation was reserved for special project grants to State education agencies to pay part of the cost of experimental projects. Beginning in fiscal year 1969, 5 percent—$1,487,500—is now reserved for this purpose. The 1967 ESEA amendments require that 10 percent of the State educational agency's entitlement, under section 503, be distributed to local educational agencies for use in directly strengthening their programs.

Virtually all the States and outlying areas have been involved in the 41 interstate special projects which were funded through the 15 and 5 percent reserve.

State educational agencies have added over 4,260 professional personnel since the program's inception. More than 1,000 professional personnel and a similar number of nonprofessionals have been added to their staffs in 1968 alone.

TITLE VI—EDUCATIONAL SERVICES FOR HANDICAPPED CHILDREN

Title VI, added to the ESEA in 1967, is a three-part program for the improvement of special educational services for handicapped children.

Part A is a State grant program; over its 3 years of operation VI-A has supported a great diversity of projects for school-aged handicapped children. These include work-study programs, special transportation arrangements, mobile units to carry services to handicapped children in rural areas, and diagnostic services. It is estimated that by the end of this fiscal year, almost one-quarter of a million handicapped children will have benefited from the program.

Appropriations for the program have steadily expanded to provide for more children. In VI-A's first year, fiscal year 1967, approximately $2.5 million was appropriated for planning grants. In 1968, $14,250,000 was appropriated, and this year the figure reached $39,250,000.

Part B authorizes the establishment and operation of regional resource centers devoted to improving the education of handicapped children. This year will mark the initiation of the program. Applications are yet to be approved, but it is expected that four planning grants will be approved by June, at about $125,000 each. Appropriations for fiscal year 1969 are $500,000. For each child referred, centers will offer diagnostic testing, individual analysis of each child's learning problems, and a specially developed educational program to assist his teachers in meeting his special needs.

Part C, also new this year, provides for the establishment and operation of a limited number of centers to serve deaf-blind children. One million dollars has been appropriated for fiscal year 1969, and grants were recently made for eight centers for amounts ranging from $36,260 to $189,000. Each center is to serve a multiple-State area, providing diagnosis and evaluation, family consultation, and adjustment services for these severely handicapped deaf-blind children.

TITLE VII—BILINGUAL EDUCATION PROGRAM

The purpose of title VII is to provide grants in support of programs designed to meet the special educational needs of children 3 to 18 years of age, who come from environments where the dominant language is other than English. Three million school-age children are deprived of equal education opportunity because of their limited communication skills. The concern is for these children's desire and need to develop greater competence in English, for the realization of their full potential as speakers of two languages, and for their educational advancement.

Fiscal year	Authorization	Appropriation
1968	$15,000,000	0
1969	30,000,000	$7,500,000
1970	40,000,000	(1)

(1) Not yet passed.

The Office of Education received 312 preliminary proposals requesting over $41 million for projects beginning in fiscal year 1969. Of these, 78 were selected for funding. These projects will serve some 139,000 pupils, 64 percent of them in urban communities.

The majority of projects will deal with children from Spanish-speaking backgrounds; five deal with American Indian dialect backgrounds, four deal with students from Portugese-speaking families, and two deal with students from French-speaking backgrounds. The projects are located in 22 States, and include preschool storefront centers, the development of special curriculum materials, inservice education in bilingual methodology for bilingual staffs, and summer bilingual programs.

Mr. BRADEMAS. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. DANIELS).

Mr. DANIELS of New Jersey. Mr. Chairman, I rise in strong support of H.R. 514 and wish to commend the gentleman in the well, the gentleman from Indiana (Mr. BRADEMAS), for a very fine statement and associate myself with his remarks. I know he has worked hard and contributed immeasurably to this legislation.

Mr. Chairman, the Elementary and Secondary Education Act has been described as a widening door to opportunity for the development of talent and skills. In 1965 enactment of ESEA provided the key which opened that door for the first time. Both the 1966 and 1967 amendments to the act further expanded the chances of each and every American for equal educational opportunity. The bill which we are considering here today—H.R. 514—would extend the programs of ESEA through 1975, thus insuring that the door to excellence in our schools would remain open wide.

When President Johnson signed the Elementary and Secondary Education Act in 1965 he stated his belief that:

> No law I have signed—or will sign—means more to the future of America.

ESEA has already sparked great changes in our schools, but due to limited appropriations and the ever-present specter of late funding, it has not yet lived up to its full potential.

Considering the budget cuts which have been sustained in recent years by many of the programs included in H.R. 514, the returns on the Federal investment in education have been most gratifying. According to one big-city school superintendent, Dr. Norman Drachler:

> The Elementary and Secondary Education Act has provided the only significant funds that the Detroit Public Schools have had for program improvement since the bill was enacted.[1]

This statement is typical of the sentiments expressed by the educators who testified in hearings before the Education and Labor Committee on H.R. 514.

The accomplishments of ESEA in its first 3½ years merit more than a quick catalog. A rundown of some of the major breakthroughs for which it is responsible, however, may serve to convince you of the urgent necessity for favorable action on this bill. As a result of ESEA—

An average of 9 million children in low-income areas receive each year extra help they need to overcome the cumulative effects of poverty and educational deprivation;

The purchase of over 70 million books and instructional materials has provided 88 percent of our schoolchildren with the basic tools essential to learning;

More than 10 million students have benefited directly from programs designed to release the creative potential inherent in our schools. The education of countless other young people will be enriched as a result of the knowledge generated by these programs;

Some 250,000 handicapped children have received the extra services which they require to surmount their mental or physical disabilities;

More than 275,000 teachers each year have improved their skills through the various inservice training programs offered under the act;

State departments of education, the key to effective coordination of Federal, State, and local efforts, have been strengthened through the addition of more than 4,000 professional personnel;

Adult basic education has brought the gift of literacy to over 1 million Americans who were trapped in a twilight world of ignorance. In the words of one expert:

> This program has given them hope, dignity, and a start on the road toward productive citizenship—at a cost of approximately $100 per year per student.

In addition to the extension of the Elementary and Secondary Education Act, H.R. 514 will also insure that the impacted area programs authorized by Public Law 815 and Public Law 874 will continue to assist those schools impacted by Federal activities. During 17 years of its operation, Public Law 815 has helped to finance the construction of over 62,000 classrooms and other facilities housing nearly 1,900,000 pupils. In fiscal 1967, Public Law 874 contributed to the education of more than 2,300,000 children. These are programs for which we in the Congress bear a direct responsibility, for we can hardly expect the local schools, hard pressed as they are for funds, to absorb the additional financial burdens placed upon them by federally connected children.

Unprecedented legislation, such as ESEA, always requires a few years in which to mature. The amendments proposed by H.R. 514 represent a distillation of the experiences of those countless educators who have been called upon to implement this act. The major contribution of the bill before us will be the continuity provided by the certainty of continuing authorizations. In addition, however, it will also refine and improve the provisions affecting institutionalized, neglected, delinquent, and Indian migratory, children. The evaluation process so essential to successful programs will be substantially altered. The invaluable National Advisory Council on the Education of Disadvantaged Children will be reestablished and strengthened. Equitable participation in title III—supplemental educational centers and services—programs will be insured.

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[1] House hearings on H.R. 514. Pt. 1: p. 418.

Just as recent legislation must be altered in the light of newly acquired experience, so older laws must be changed in response to changes in the society they serve. H.R. 514 will accordingly amend Public Laws 874 and 815 to compensate for the crushing burden placed upon many school systems by the growth of public housing projects.

The bill which we consider here today will insure that the Nation we bequeath to our children will be in good hands. As H. G. Wells once reminded us:

> Human history becomes more and more a race between education and catastrophe.

Education can win that race, but not without the help and foresight of both the people and their Government. I call upon my colleagues to display their foresight by providing that help.

Mr. BRADEMAS. Mr. Chairman, I yield to the gentleman from Maine (Mr. Hathaway).

Mr. HATHAWAY. Mr. Chairman, I join my colleague from New Jersey in commending the gentleman from Indiana (Mr. Brademas).

Today we are considering the extension of ESEA. In my mind the Elementary and Secondary Education Act of 1965 is the most fundamental and most important piece of Federal legislation in the field of education. Of course legislation in higher education and vocational education is important, but it is elementary and secondary education that provides the necessary foundation. Without adequate elementary and secondary education no further or additional education is possible. So today we are considering the essentials; the foundation not only for our educational system but for our society. It is incumbent upon us to create an elementary and secondary system adequate for all. Even in our complex society a person graduating from secondary school should be able, if it is necessary, to intelligently participate in our democratic processes and to lead a productive life without further education. All too often the complexities of our modern life are used to justify the failures of our elementary and secondary education. Truthfully too many of our young men and women are receiving an education that would be considered inadequate even 200 years ago. This is particularly true of children of minority groups and children from schools in the inner cities. These students frequently have not mastered the elementary skills of reading and writing.

Recognizing the desperate need and the urgency of the situation Congress passed in 1965 the Elementary and Secondary Education Act. This legislation, however, has been plagued by late funding, chaotic funding, and underfunding. In this period of budgetary restraint there is very little we can do about the consistent underfunding of education legislation. We can, however, substantially alleviate the problem of late funding by extending this act for 5 years.

The legislative calendar does not coincide nor is it easily reconciled with the school calendar. The result of much of the education legislation that we have passed in recent years has been to create a permanent anxiety and doubt in school administrators and personnel. They begin programs they do not know if they will finish. People begin jobs that they do not know will continue. We all know dedicated teachers and administrators who for months work without pay while legislators debate. We cannot expect the development of a continuous and cohesive program under such conditions. We must provide more continuity and certainty in our education legislation if we do not want to turn the teachers of this country into a band of hobos and gypsies.

A 5-year extension of this program would rectify this problem. A 5-year extension would allow administrators to plan programs that will really meet our education needs.

Educational programs should be planned to meet long-term needs and should not be a desperate attempt to use suddenly available and unpredictable Federal funds. If we cannot provide adequate funds let us at least provide that the funds will be timely.

While ESEA is a bill drafted to meet the general educational needs of our society there are many commendable provisions tailored to meet a specific educational need.

The assistance provided for various forms of handicapped children is a worthy concern for this body. The handicapped child has special problems that will not be met unless this bill is passed. The training for desperately needed educational personnel in this field is provided by this bill.

This bill continues the bilingual education program which was first established by Congress in 1967. Again children from families where English is not their native tongue have special problems which require special assistance.

The dropout prevention program, section 807 of title VIII of ESEA, is another program that must be extended. The educational system cannot and must not give up on its students. Certainly some children will be poor students and other students will be effected by poor families or environment. A dropout represents not only the failure of a student and his family and environment, but of the school system. We would not think much of a doctor who excused his constant failures by asserting that his patients were sick. It is the duty of the doctor to heal the sick and of the school to educate the ignorant.

While these are all worthwhile provisions I believe our elementary and secondary educational system will rise or fall on the success or failure of three main titles in ESEA—title I, title III, title V. After all the books, television documentaries, campaign rhetoric about poverty there still is only pitifully few Federal laws trying to solve some of the problems of poverty. Whatever the shortcomings and failures of title I it is making an effort in an area of utmost importance to this country. Failure to solve the problem of poverty will mean the failure of this country.

There is a tendency in this area for some to minimize the difficulties while maximizing their demands for success. Education is really a miracle between individuals. It involves not only the imponderable human element of the student but the incalculable human consequence of the teacher. Judging from their criticism there are some who seem to believe that education success can be planned with the precision of a moon shot and that educational problems can be solved by creative bookkeeping. If we are sincere about quality education for all we must be willing to endure a long-term commitment.

Title III to provide supplemental educational centers and services has a twofold objective: First, to stimulate and assist in the providing of vitally needed educational services otherwise unavailable in the local schools in sufficient quality and quantity; and, second, to develop exemplary educational programs to serve as models for regular school programs. Title III has provided innovation, stimulation, and competition in our educational system. Of course, there have been failures but to do nothing or to continue as we were before 1965 would have been the greatest failure of all. The old ways, the old methods were not working. Something new was needed in this area of human imponderables; what was needed, what would work was not clear. Therefore, title III was started as an experiment. It has been my observation that it has been a successful experiment. An experiment that is now up to the State education agencies to continue.

Title V provides grants to strengthen State departments of education. State institutions of education are integral parts of our education system. With the increasing importance of education the function of State educational agencies is of growing importance. It is the purpose of title V to assist the State agencies in meeting this responsibility. It is incumbent upon the State agencies to insure that they are not merely a reward for faithful service or a final resting place for those without inspiration.

For the reasons stated ESEA must be passed. It must be made clear, however, that we will have not fulfilled our commitment to education until we have adequate funding of educational programs. Until there is, adequate funding of the passage of education legislation is like the title of the Broadway musical "Promises, Promises, Promises."

Full funding for fiscal 1970 under present provisions of ESEA requires an estimated appropriation of $648 million. The 1970 budget request, however, is for only $300 million.

Today we provide the home for education. Hopefully in the future we will furnish it.

Mr. AYRES. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon (Mr. Dellenback).

Mr. DELLENBACK. Mr. Chairman, there should no longer be any question about whether it is proper for the Federal Government to provide assistance to elementary and secondary education throughout the United States. The past few years have shown clearly that the Federal Government can provide this assistance without encroaching unduly upon the autonomy of our Nation's schools. The questions have become instead how Federal aid can be most beneficially and equitably distributed among the States, what shall be the specific areas in which Federal dollars shall be made available, and how many Federal dollars shall be appropriated for educational purposes.

I would point out to the gentleman from Indiana, who has served so ably on our committee, and who spoke from the well immediately prior to my remarks, that he should not continue to confuse several of these distinct questions. When it comes to the questions of what shall be the nature of Federal education programs and what shall be the manner and distribution of Federal funds, we should not mix up these questions with how many dollars should be appropriated. As I believe he and we are both fully aware, we are not today discussing the appropriation of Federal funds. We are talking about the authorization of Federal funding. We are talking about the question of what shall be the nature of Federal education programs and the manner of distribution of Federal funds, and this type question.

Mr. Chairman, ESEA has contributed significantly to the general public acceptance of Federal aid to elementary and secondary education. Since its passage in 1965 ESEA has made possible unprecedented support for schools throughout the Nation and has yielded some fine accomplishments. In my opinion, however, ESEA has the potential to provide even greater benefits. This potential will never be realized if Congress refuses to try to improve the act to make its programs as effective as possible. A 5-year extension, as authorized by H.R. 514, erroneously assumes that ESEA is perfect and beyond improvement in its present form. On the contrary, ESEA as extended by H.R. 514 contains several serious imperfections.

One almost universally recognized imperfection of the present law is the lack of opportunity for forward funding. Under the present funding system of ESEA, schools are often not informed of how much money they will receive until after the administrators have had to formulate plans. A sad pattern emerges from this delay in funding. Encouraged by an act, which seems to promise a great deal in terms of Federal funds for innovations, educators and administrators plan creative, new programs. When the time comes for implementing these programs, the administrators are too often faced with the fact that they have far less funds than they had anticipated. Their plans must either be drastically curtailed or totally abandoned. It is clear to me from this pattern that the lack of forward funding tends to discourage creativity and innovation in our Nation's schools.

While the lack of opportunity for advance funding is surely one of the most serious of the present ESEA's imperfections, it is by no means the only defect in the present law. The multiplicity of programs has caused unwieldly administrative burdens and rigid, confining requirements. The proliferation of programs works a special hardship on small school districts which frequently lack the staff and facilities to cut through redtape and determine what funds are available.

Dr. Dale Parnell, the Oregon State superintendent of public instruction, wrote me last week to urge my support of several changes in ESEA. One of his suggested improvements involves combining ESEA title II and title III with title III and title V-A of the National Defense Education Act. Dr. Parnell feels, and I quote from his letter:

> I am in full agreement with the proposals to consolidate some of the related programs as I believe this could be a step in the direction of a more flexibly administered total aid program.

As one who strongly supports the exact proposed combination of programs advocated by Dr. Parnell, I welcome his expert testimony in favor thereof.

ESEA has obviously been in effect long enough to demonstrate the need for change to educators as well as to Congress. Yet I feel we need further direction to indicate certain of the most constructive specific roads to follow in making changes. In his testimony before the House Education and Labor Committee on March 10, 1969, Secretary Finch stressed the need for additional evaluation of ESEA programs during the coming months. The Office of Education is at this very time in the process of making the very type of evaluation in depth of the provisions of ESEA and programs aided thereunder which is so very badly needed. We have his assurances that the results of this evaluation and his recommendations based thereon will be before the Congress for consideration as soon as possible.

With a 5-year extension of ESEA, these evaluation efforts by the Office of Education run the risk of being virtually pointless. But if, as I hope, we extend ESEA for only a 2-year period, there will be a definite and desirable urgency for Congress to reconsider this act next year and to apply the results of sound and thorough evaluation. Congress will in this way be exercising its essential responsibility of making ESEA as effective as possible. The danger is clear and great that the passage of H.R. 514 with a 5-year extension will lock in ESEA's present weaknesses and imperfections and serve a grave injustice to elementary and secondary school children across the country.

Mr. AYRES. Mr. Chairman, I yield myself such time as I may consume to direct a question to the gentleman from Kentucky (Mr. PERKINS) chairman of the committee.

It is my understanding, Mr. Chairman, that we will finish all general debate this afternoon except for 20 minutes, with 10 minutes to remain for each side; is that correct?

Mr. PERKINS. Yes, that is the understanding.

Mr. AYRES. Then, after general debate is completed tomorrow, we will start reading the bill?

Mr. PERKINS. That is correct.

Mr. AYRES. Mr. Chairman, if it is permissible, I would like to reserve the 10 minutes for tomorrow, and if it will accommodate the gentleman from Kentucky (Mr. PERKINS) I would be glad to yield to the gentleman what time we have, except for the 10 minutes to be reserved for tomorrow, that is if the gentleman from Kentucky would like to use the time.

Mr. PERKINS. Mr. Chairman, we have a couple of additional Members who wish to speak. I do not know how much time they will consume. But we may have to take you up on your offer since we are just about out of time, in order to reserve 10 minutes of time for discussion tomorrow.

Mr. AYRES. I should like to ask the Chairman what time remains on both sides.

The CHAIRMAN. The gentleman from Ohio has 27 minutes remaining; the gentleman from Kentucky has 20½ minutes remaining.

Mr. AYRES. Mr. Chairman, I yield the chairman of our committee 17 minutes, reserving 10 minutes for tomorrow.

Mr. PERKINS. Mr. Chairman, I wish to thank my distinguished colleague for being so generous.

I yield 4 minutes to the distinguished gentleman from New Jersey (Mr. THOMPSON).

Mr. TUNNEY. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from California.

Mr. TUNNEY. Mr. Chairman, the Elementary and Secondary Education Act Amendments of 1969 is a very important piece of legislation. H.R. 514 is the result of a serious consideration of education legislation and has provisions which are essential to a continuation of our commitment to build a bright future for our country. Education is one of the basic elements in the preparation of youth to take our places in the future.

Education has long been cited as one of the key factors in solving the economic and social problems we have in America today. We must continue to strive for excellence and equality of educational opportunity. Not until we can say that each American boy and girl has had a good education can we begin to feel that our educational system is living up to the expectations we have for it. We in Congress, have played a big part in the fulfillment of educational priorities through passage of the Elementary and Secondary Education Act. Since its enactment in 1965, an amazing success story can be told. It has not been an unqualified success, but with each new year, the pace of progress keeps increasing. And yet, we have only begun to realize the potential it contains.

H.R. 514 essentially provides for the extension for another 5 years of education programs such as the federally impacted areas aid, the Elementary and Secondary Education Act, and the Adult Education Act. Each of these acts covers a separate area of education—all are essential in relation to the whole. When we consider the accomplishments growing out of each one of the acts, we can see their importance.

Public Laws 815 and 874 more popularly known as federally impacted areas assistance have been in existence since the 81st Congress. They are continually being revised to reflect the needs of the times. Their function is to provide assistance to areas which educate large numbers of children whose parents either live or work on Federal property. In the years since their enactment, they have helped thousands of children. Under Public Law 815, help has been given for the construction of over 62,000 classrooms and other facilities which now house almost 2 million students. Under Public Law 874, entitlement was made for over 2 million children for fiscal year 1967, the figure will be even higher for 1968 and 1969. Funds given to school districts through these acts are especially useful because they become a part of the overall budget of the education agency and help with the education of all students in the school district.

The Adult Education Act of 1966 has meant that the basic tools of literacy were given to over 1 million adults. Most of them were the product of a now bygone age when education was not considered important. It is estimated however, that an additional 24 million adults are in need of a basic education which would allow them to feel truly a part of this modern age.

The Elementary and Secondary Education Act has made possible benefits for nearly 90 percent of America's schoolchildren. An enumeration of the many programs would be a lengthy but a worthy tribute to this legislation. To mention a few, approximately 9 million disadvantaged children have participated in some way in the new programs; an estimated 43 million children and 1.7 million teachers have utilized library and instructional materials made available under the provisions of the act; and an estimated 10 million students, parents and teachers have benefitted from innovative programs encouraged or begun through the provisions of the legislation.

A 5-year extension of these programs along with the minor administrative changes incorporated in H.R. 514 is essential to provide the continuity which must accompany any Federal assistance. The addition of students residing in low-rent public housing to the provisions of the Federal impact aid is a step forward in equalizing some of the pressures exerted on many school districts by Federal activities. By including these children in a separate category requiring a separate appropriation allotments will not be reduced to those school districts already participating in the program.

Another valuable section of this legislation is the $40 million authorization for bilingual education. This program is vital to the educational needs of millions of children of limited English-speaking ability. There are almost 2 million Mexican-Americans in California. The bilingual education program will hasten equality of education.

A report by the National Advisory Committee on Mexican-American Education says:

> The average Mexican American child in the Southwest drops out of school by the seventh year.
>
> A recent study in California showed that in some schools more than 50 per cent of Mexican American high school students drop out between grades 10 and 11.
>
> Although Spanish surnamed students make up more than 14 per cent of the public school population of California, less than ½ of one per cent of the college students enrolled in the seven campuses of the University of California are of this group.
>
> These facts give tragic evidence of our failure to provide genuine educational opportunity to Mexican American youth; and today there are nearly two million of these children between the ages of 3 and 18.
>
> Money is only one problem. Perhaps an even more serious one is the problem of involuntary discrimination—that is, our insistence on fitting the Mexican American student into the monolingual, monocultural mold of the Anglo American. This discrimination, plus the grim fact that millions of Mexican Americans suffer from poverty, cultural isolation, and language rejection, has virtually destroyed them as contributing members of society.

I am encouraged by the progress of education in my district, in my State, and in the country. The programs which will be extended by H.R. 514 are an integral part of the educational picture. Each has many accomplishments to its credit and has much to offer as we look to the future.

Considering the gains which have been made, I believe that the next few years will be ones of continuing progress and I therefore urge an early enactment of H.R. 514.

However, the enactment of this authorizing legislation is a meaningless gesture unless it is followed by adequate funding. In the past only a little over 50 percent of the authorization has been appropriated.

In 1968 over 55 percent of local and State school bond issues were defeated. The property and other local and State taxes are no longer able to support educational needs. The Congress has an opportunity to act to prevent a crisis in our Nation's educational system. Our children and the future of our Nation called upon us for a decisive and positive response.

Mr. Chairman, the President's budget request for the impact area program is only $202,167,000. This revised budget request is $113 million lower than the previous fiscal year 1970 budget request. Most of the cut has occurred in the maintenance and operation portion of the Impact Aid Program. For this portion of the program the new request is $187 million compared to a previous $300 million.

The revised budget request for the Elementary and Secondary Education Act is $1,415,393,000, a reduction of $110,483,000 from the original budget request.

These budget reductions are intolerable and cannot support our Nation's increased educational needs.

If category B of Public Law 874 is eliminated as the revised budget suggests, schools in my district will lose $2,500,000 and many will be unable to operate. The State of California will lose about $75 million in education funds from its full entitlement.

Many school districts throughout the State of California would be in a precarious situation. School districts in California have annually received an average of 21 percent of the total available assistance under Public Law 874. Under section 3 of Public Law 874, 446 districts in 47 of the States 58 counties have received entitlements. California has a large number of Federal facilities and installations and this places a heavy burden on already overburdened property owners. It is clear that the property tax can no longer be the sole vehicle for financing education. Other sources must be found. The impacted area aid program has served as an effective and needed supplement to many school districts. Instead of curtailing this concept of school aid, we should be expanding it.

I would like to urge the approval of H.R. 514 and subsequently the appropriation of sufficient funds to carrry out its provisions.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in support of H.R. 514, a bill to extend programs of assistance for elementary and secondary education. This legislation extends and strengthens the most significant Federal aid program for elementary and secondary schools. I wish to state for the record my admiration for the skill and vision of the distinguished chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS), in bringing this bill forward.

ESEA was passed in 1965 to confront a national crisis: the deteriorating quality of many of our elementary and secondary schools. Since 1965, measurable progress in this area has been achieved. H.R. 514 would insure the continuation of this progress.

By passing the recommended extension, H.R. 514 would add stability to this program, would provide more time for realistic and effective planning, and would allow more appropriate budgeting through advance funding, in the same manner that the gentleman from Oregon just requested. I think it is much healthier to extend it beyond the 2-year period for purposes which I just enumerated and those which the gentleman from Oregon just mentioned than for a lesser period of time.

Mr. David Tankel, director of title I programs for the board of elementary and secondary education, Trenton, N.J., testified before the Education and Labor Committee on this point as follows:

> A cutback or cutoff of funds in these times of stress would be a death blow to the efforts of the cities to improve the whole of inner city education. . . . First of all, Congress can help by providing a 5-year extension of Title I funds. Hopefully, more funds will be made available.

The legislation before us implements this suggestion of Mr. Tankel. The need for speedy enactment of H.R. 514 is apparent. In my judgment, Federal money for education represents the most important investment in America's future freedom and security which we can make. I urge my colleagues to support H.R. 514.

I might point out that during his testimony before the Committee on Education and Labor, the new Secretary of Health, Education, and Welfare, Mr. Finch, was extremely candid in recognizing that during the short time in which he has been in office, he has not had enough time to evaluate the programs in such manner as he would like. This is a completely understandable statement and position. I do not think—and I have been an advocate, either a sponsor or a principal advocate, for more than 14 years of legislation leading to the Elementary and Secondary Act and of the act itself—that a shorter period, a period as short as 2 years, would be enough time for the type of evaluation which the new Secretary indicated he has in mind.

I very strongly urge the adoption of the bill as reported by the committee and ask my colleagues to do likewise.

Mr. DELLENBACK. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Chairman, I thank the gentleman from New Jersey for yielding.

For the sake of making clear to the Members present the length of time that a 2-year extension would bring about, am I not correct that the present law already extends this through fiscal year 1970, and a 2-year extension beyond that, so a 2-year extension of the act would be, in fact, at the present time something in excess of a 3-year extension of the law?

Mr. THOMPSON of New Jersey. I believe that is the case. In spite of that, I believe it should be necessary to extend it beyond the 2-year period and beyond the period which the gentleman just mentioned.

Mr. DELLENBACK. That was only to make the record clear that a 2-year extension does not mean 2 years from the present time. The 2-year extension we are speaking of means a 3-year-plus extension from the present time.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Oklahoma, our majority leader.

Mr. ALBERT. Mr. Chairman, I take this time to say I concur in what the gentleman from New Jersey has said and to add my note of congratulations to the distinguished chairman of this committee, who has been a Rock of Gibraltar in the great effort he has put into this matter. He has come to be recognized across the Nation as one of the greatest friends of education, and in this House I know of no one for whom higher personal regard is held than the distinguished chairman of the gentleman's committee.

Mr. THOMPSON of New Jersey. Mr. Chairman, I thank the majority leader.

I know Members on both sides of this body recognize the really tremendous contribution, as the gentleman from Oklahoma has outlined, made by our friend, the chairman of the committee, the gentleman from Kentucky (Mr. PERKINS).

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from New York.

Mr. CAREY. Mr. Chairman, I would say to the gentleman from New Jersey, after his splendid statement, that it would seem to me what we are urging on this side is a vote of confidence in this bill for 5 years, to give the new Secretary of Health, Education, and Welfare and the new Commissioner of Education from the State of New York a chance to work with a stable bedrock foundation on which they can build and implement the new Nixon program in education. A vote of confidence of that kind I would think for 5 years, with forward funding for the children of America, would seem to very closely configure to what the administration has been saying about stability and tranquility and speaking quietly and saying what we mean in forward terms.

I do not know why we should short-term the children and shortchange the country by saying that before the 1970 census the bill will expire, before the census takes effect. We need, of all things in the schools of this country, a long-range stable program on which the localities can count, a precise and exact foundation formula in forward education. This is what I have heard all the way from Miami to Washington.

Mr. THOMPSON of New Jersey. Mr. Chairman, I might say to my colleague from New York that he expresses it better than I could. I thank my colleague, and I agree that in this interim period, the new Secretary and the prospective head of the Office of Education, who will not arrive on his job for a month or so from now—in the month of May—may at any time during this period come up with a forward-looking innovative, creative, or changing program, at which time I am absolutely certain, with the depth of interest in education, led by our chairman and shared by a majority of us on both sides, we could revise the entire program; but, at the least, the very least, what we are doing, as the gentleman from New York so very well puts it, is to give a vote of confidence to education and offer to the school districts throughout the land some degree of stability.

Mr. CAREY. The gentleman will agree that the great proponent of Federal funding and advanced planning on our committee has not really been on our side, but it has been the gentleman from Minnesota (Mr. QUIE), who suggested for a long time that we should do forward funding in higher education and give the colleges and other schools of our country an opportunity to plan minimal input and to achieve maximum realization of their plans. I give credit to the gentleman for the idea of forward financing. I do not know why at this time they suddenly depart from their own ideas.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Minnesota.

Mr. QUIE. We are not departing from our ideas of forward funding. That is why we are asking for a 2-year extension now, rather than a 1-year extension, because we know that in 1 year we would get caught up with the same kinds of pressures.

Mr. THOMPSON of New Jersey. The gentleman means that 2 years is more forward than 1 but less than 5?

Mr. QUIE. We do not need to go as far as 5.

Mr. THOMPSON of New Jersey. This is a matter of semantics.

Mr. CAREY. There is an old expression around New York City that says, "If you cannot get five take two, but if you can get five take five when you can get it."

Mr. THOMPSON of New Jersey. The New Jersey version of that is, "If you cannot get five take four."

(Mr. CAREY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. CAREY. Mr. Chairman, I rise in support of the much needed extension of title VI of the Elementary and Secondary Education Act. As my colleagues well know, this title was added to the act in 1966 and is designed to improve both the quality and quantity of special educational services for handicapped children. The day is long past when through ignorance we hide our physically and mentally handicapped children away from the world. We have learned that they can and do serve as complete members of our modern society. But they cannot become participants unless they receive a full and understanding education that helps them to overcome specific handicaps. This law is doing an excellent job in focusing on the educational needs of the handicapped and a 5-year extension of the authority is needed to insure its future success. There are about 5½ million children in this country who could be benefited through this extension.

The needs of the handicapped for a good education are greater than those of normal children, and the education itself is more difficult to give, but this act has been providing special educational services for hundreds of handicapped children who had received no special help before its passage. It has also helped State and local agencies to raise the quality of assistance they had been offering to school-age handicapped children. In addition, the program has had a number of important byproducts. It has prompted a greater awareness of the special needs of handicapped children among school administrators, both regular and special education teachers, and the general public. Title VI has supported administrative personnel at all levels, and it has sparked better cooperation and communication among the many agencies dealing with the handicapped.

The regional resource centers which have been begun this year under part B of title VI will provide a much-needed boost in the ability of educational personnel to offer handicapped children an education specifically designed to meet their individual needs. Services provided in the center will focus, not only on the problems of handicapped children, but also on the problems a teacher has in teaching the handicapped child. This program has only been functioning for a few months. It holds great promise for improving the entire range of curriculum and teaching of the handicapped. We can serve the needs of the handicapped people of this country best by firmly standing behind this program through a 5-year extension of its authority so that the development of a worthwhile educational program for all handicapped children of this country can be achieved.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. Roybal).

Mr. ROYBAL. Mr. Chairman, I am happy to have this opportunity to join with my colleagues in the House in offering my enthusiastic support for the passage of H.R. 514, the Elementary and Secondary Education Amendments of 1969.

The chairman and members of the House Committee on Education and Labor are to be congratulated on their excellent work on this legislation, and in particular for the 5-year authorization provision which they incorporated into the bill.

This provision alone will be of tremendous value to the cause of better education in America, because it will allow school administrators to plan ahead in an orderly way, and utilize Federal, as well as local and State funds, in the most efficient and effective manner possible.

At this time, I would like to focus my attention on title VII of the Elementary and Secondary Education Amendments—ESEA—the bilingual education program to assist in meeting the special educational needs of children with limited English-speaking ability.

This legislation is making a significant start toward establishing a system of bilingual education programs for America's more than 3 million limited English-speaking elementary and high school students—to offer them for the first time, a real chance to achieve their full educational potential.

Few persons now would dispute the fact that there is an urgent need to find constructive solutions to the unique bilingual/bicultural education problems faced by these hundreds of thousands of American school children who are members of our many ethnic and nationality groups whose home language is other than English.

The situation is just beginning to receive the long-overdue national recognition it deserves as one of the most critical education problems in the United States—calling for immediate, aggressive, remedial action to help overcome the serious learning difficulties experienced by this important segment of the Nation's school-aged population.

Today, job opportunities, income levels, economic advancement, in fact, all the aspects of personal and family well-being are closely linked to educational achievement and the ability of communicate effectively with one another.

Those of our citizens who are severely handicapped because of language barriers in our modern, predominantly English-speaking society suffer a continuing denial of the opportunity to participate and share fully in the rich abundance of 20th-century America.

What we need, and what title VII of ESEA represents, is a major effort to develop the kind of local-State-Federal cooperative approach necessary to meet the special educational needs of the large number of students in the United States to whom English is a second language.

The compelling urgency for greater attention to this area is graphically demonstrated by the fact that the median of years of school completed for Spanish-speaking in the Southwest is 7.1 years, whereas for the Anglo child in the Southwest, it is 12.1 years, and for the nonwhite child it is 9 years of school completed.

This tragic record of educational disparity and underachievement in the Southwest has been called "the greatest single failure of our system to provide equality of educational opportunity in this region."

However, December of 1967 marked the beginning of a new day in the lives of our citizens with limited English-speaking ability. For, in that month, the Bilingual Educational Act was adopted as title VII of ESEA, and the potential of this new program was widely heralded by Mexican Americans, Puerto Ricans, American Indians, and many other ethnic groups in the United States who spoke a language other than English—as a real breakthrough in their fight for equal educational opportunity.

Unfortunately, the Bilingual Education Act has not yet been given the chance to fulfill its promise. Of the $15 million authorized for fiscal 1968, there were no funds appropriated. Thirty million dollars was authorized for fiscal 1969, and after a lengthy battle, $7.5 million was finally appropriated.

By December of 1968, more than 300 preliminary proposals from some 39 States, seeking $41 million, with projects involving seven different languages—Spanish, French, Portuguese, Chinese, Japanese, Cherokee, and Navajo—had been received by the U.S. Office of Education.

Of the many deserving projects submitted, however, 81 have now been invited to prepare formal grant proposals to serve about 140,000 students in 22 States.

There is simply not enough money to go around.

The programs established next year can serve as the vanguard for those to follow—training the personnel, providing the research, developing the materials, and demonstrating the new teaching techniques necessary to the success of every innovation in education.

The knowledge which these programs generate, however, will be of little value if the Bilingual Education Act is not extended beyond its present 1970 expiration date. To raise the hopes of so many non-English-speaking communities only to dash them once again to the ground would be a cruel blow indeed.

H.R. 514 would extend the Bilingual Education Act through 1975, authorizing an appropriation of $40 million each year. It would also amend the act to include Indian children attending Federal schools run by the Department of the Interior's Bureau of Indian Affairs.

I urgently enlist your support for H.R. 514. We have made a promise to all the children of America—to the disadvantaged and the child of limited English-speaking ability, as well as his more fortunate classmate. A vote for H.R. 514, and for title VII, is a vote of confidence in the future.

I trust that you will join me in my efforts to safeguard the promise we have made to equal educational opportunity for all by giving the programs included in the Elementary and Secondary Education Amendments of 1969 the time they need to accomplish the purposes for which they were designed.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Illinois (Mr. Pucinski).

Mr. PUCINSKI. Mr. Chairman, as we reach the end of general debate on this very important bill I believe we can congratulate both sides on the manner in which the debate has been handled. It has been informative. It has been a good discussion. It has been most helpful to all of us.

I think it is important at this point perhaps to put in perspective the genesis of this bill.

Earlier one of the Members suggested combat pay for teachers in the ghettos. There is no question that the teachers in some of the ghettos have tremendously difficult assignments, and it is becoming more and more difficult to hold these teachers. I saw over the weekend a report of the New York situation, where 20,000 teachers are not expected to come back to their assignments after the school holidays.

Certainly all sorts of efforts have been made to provide additional compensation to teachers who take on these difficult assignments.

I should like to remind the House this can now be done within the framework of title I. Any local school administrator who has tried it has always been opposed by the local teacher unions and various other organizations that have opposed a dual standard of salaries. This is a decision the local administrator must resolve.

I do not believe the Congress of the United States wants to inject itself into these policy questions at the local school level; at least, I hope we do not want to.

There was also some talk today about the formula being unfair. This is perhaps the most important single aspect of the debate.

I agree with the distinguished chairman of the committee as to the fairness of the present formula. We have gone to a great deal of time and effort over many, many years trying to find an equitable distribution formula to bring assistance to the areas of the greatest need.

Let me remind my colleagues of what is the main thrust of this legislation. For years and years and years, for decades, the Congress of the United States has tried to get through some form of a Federal aid to education bill. At one time we came pretty close. We got the bill as far as the Rules Committee, and it got tied up in the Rules Committee.

Finally, in 1965, under the leadership of the gentleman from Kentucky, we evolved a concept of legislation for Federal aid to areas of proven need.

I agree with the gentlewoman from Oregon about all the horrible things that are happening in the schools today. There is no question; there is a serious problem. We have to deal with this problem. But title I is primarily designed to bring to local school districts Federal funds to provide compensatory education to disadvantaged children who need this help to bring them up to an acceptable academic norm.

That is the main thrust of title I.

We have other bills. We have the Vocational Education Act, which this House passed last year unanimously, without a dissenting vote, to deal with some of the other problems of education. We have before my subcommittee, of which I am chairman, a school construction bill to deal with construction needs. Last year we passed a bill on juvenile delinquency hopeful that we could move forward into the problem of solving the marihuana problem and other social problems. But H.R. 514, the bill before us today, is primarily designed to continue this program of Federal aid to areas of proven need, namely, compensatory education in the disadvantaged communities of this country where we have to try to bring these children up to the norm so that they can join the mainstream of other young people in this country in our educational process. That is the main purpose of it.

For us to try to divert ourselves from this purpose is to invite disaster for the whole bill. I remind the House that for years and years we tried to get a general education bill through the Congress. Every time we did we were rolled back. So I say it is through the great wisdom of this chairman that we have a formula which proved acceptable to the Congress of the United States.

As far as the distribution formula is concerned, it is very simple. We first determine how many children are in every school district who come from families that earn under $2,000 a year or who are on public assistance. After we have ascertained the number of these children we decide the average per pupil expenditure by the State for education. After we have ascertained how many children there are in this school district that qualify for this help, we take the State formula and the State average and take the national average, whichever is the greater. If the State average is, then we get one-half of the State average for every one of the children counted in that school district to provide compensatory education to bring the youngsters up to a norm.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. PUCINSKI. If he comes from a very poor school district, as many of our school districts are, where one-half of the State average is below the national norm, then we apply the national norm and use one-half for that.

I submit to the good sense of the Members of the House on both sides of the aisle that this formula is honest, equitable, and recognizes the poor school districts of this country. It also recognizes the fact that when a district like New York or Chicago or some other district does indeed spend more money per child, that we ought to be able, in meeting half of the cost, to meet the extra expenditure.

Mr. Chairman, I submit that this bill is worthy of our support and I hope it will be approved by the House in its present form.

Mr. EDWARDS of California. Mr. Chairman, the Elementary and Secondary Education Act Amendments of 1959 represents the continuing commitment of this Congress to the goals of providing a better education for every child living within the borders of the United States.

The amendments have been carefully considered by the House Education and Labor Committee. Hearings have been held and controversies explored. The amendments proposed are based on past experience with this act and they carry the stamp of approval of the vast majority of the Nation's educators.

In the past few weeks we have seen the erosion of this Nation's basic commitments to its citizens as program after program vital to the welfare of this country has been cut. We in this House have little or no control over this erosion, but we do have the ability to make known our commitment and our determination to do the necessary work of this Nation.

It is in this context that I think it is vital that these basic education programs be extended for 5 years. The Nation's educators have told us they need a foundation on which to build. That they can not plan when programs are changed and distorted on a year-by-year basis, according to the changing political tides. The representatives of school districts within my area have come to me and said, "These programs are working. We need them. Why change now?" Some of them, shaking their heads, have even asked, "Is this a plot to cut our support?" I cannot answer that question. But I can urge that this House offer to the educators and children of the United States a long-term, workable program, clearly spelled out.

The administration already has cut vital educational programs and is proposing further cuts. The stark example of the closing of Job Corps centers throughout the Nation, including the one at Camp Parks in California, demonstrates its disregard for the needs of the disadvantaged. The administration also has sliced deeply into the work-study programs at the colleges, $200,000 alone from San Jose State College, programs designed to help the disadvantaged to work their way through college. These are programs which should be expanded, not made smaller. I believe we can expect similar fund cuts in support of elementary and secondary education support.

Secretary Finch, for example, has proposed the elimination of an important part of aid to school districts flooded by Federal installations. The proposal to eliminate funding for children whose parents work in Federal installations and live off the installations, would work a real hardship in California, the Santa Clara Valley, and the Ninth Congressional District.

For the State of California the elimination of these funds will cost the schools $75 million a year and in my congressional district the cuts will cost $1.5 million.

Two of the school districts within the Ninth Congressional District illustrate the problems facing California school districts. The Eastside Union High School District would lose an estimated $100,000 in funding, forcing an increase of 3 cents on its tax rate, and the Alum Rock Elementary School District would lose $80,000, 10 or more cents on its tax rate.

Both of these districts, as well as school districts throughout the Ninth Congressional District, already face tremendous funding problems. They, like districts throughout the State and Nation, are in the midst of the present crisis of education. These cuts hurt them rather than help. These cuts take away not so much from the haves, but from the have-nots.

I am afraid that the philosophy of many of the other proposed changes in the committee's recommendations will produce the same result in our efforts to improve education—hurt rather than help. By combining the titles, it would be easier to cut the total program. By setting up block grants to the States, the results of those cuts could be hidden.

Those who are harmed by these cuts are not the haves, but the have-nots. Those who most need help are being denied help.

We have clearly seen the intent of the present administration in its so-called economies already inflicted. I believe this House must make clear to the Nation its commitments, and that can be done best by approving these amendments as proposed by the committee.

Mr. LEGGETT. Mr. Chairman, the annual battle to provide an adequate educational system for our children is with us again. H.R. 514, extending the ESEA program and the impacted areas program is now up for our consideration on the floor after having gone through 22 days of committee hearings and 3,000 pages of testimony. This is a good bill. It has gone through the markup mill and has emerged as a tight, fiscally responsible proposal with only one marked deficiency—it does not provide enough authorization for some of the most necessary and valuable programs. Impact aid is an example of one underfinanced section. I will get to the impact aid problem later, however.

One major feature—the extention of the basic ESEA and impact aid programs for 5 years is outstanding. School districts must be able to plan their programs over a long time span. Educational programs are inherently a long-term operation, they cannot be cut and pasted on a year-to-year basis if the students are to receive the type of education that we expect in the latter half of the 20th century. A 5-year program is the minimum that we should consider for these basic educational necessities.

I cannot agree with the suggestion of Secretary Finch made before the committee that the extension of ESEA be limited to 2 years. It is all well and good that HEW is conducting a review of the existing programs. I support these studies and hope that HEW does, indeed, come up with the proposals for substantive changes that will strengthen the federally supported education programs. This is no reason, however, for cutting the extension to 2 years. If the new proposals do, in fact, come out of the Department the act can always be amended, but cutting the extension on the basis of the promise of future studies is educational suicide. I fear also that the pending amendments relating to a 2-year extension are in some ways a ruse by the antieducation factions to gut the existing programs with no thought of new and better proposals.

The committee report—No. 91-114—clearly indicates that ESEA "is doing a successful and effective job in carrying out the congressional purposes for which it was enacted." The hearings and letters from school administrators, teachers, and educational experts have convinced the clear majority of the committee that the No. 1 priority education need from the Federal level is a 5-year extension of ESEA with adequate and timely funding. I repeat—adequate and timely funding. While I do not sit on the Committee on Education and Labor, I can certainly vouch for the statement that school administrators are in full support of the 5-year extension. I have received numerous letters from school superintendents in my congressional district urging my support of this measure. I have personally spoken with a number of these superintendents, and have been very impressed by their arguments for a long term program under which they can adequately plan for our future education needs.

At the present time a number of the school districts in my congressional district are in deep financial trouble as a result of delays in allocation of the presently funded programs. A number of the school districts will have great difficulty in meeting their payrolls by the end of the school year, and many of them have resorted to borrowing measures to keep the doors open up to now. I would stress that these school districts are having trouble meeting salary commitments. These are not frill programs, or experimental projects that are debatable on the basis of cost effectiveness or educational necessity. These are the basic costs for the operation of any school.

On the question of the Public Law 815-874 program I want to clearly stress my view that this title must be fully funded on an adequate basis from the view of those persons included. There is an almost continual murmur of criticism directed toward impact aid. Critics are always deriding the program, but I use the word "murmur" because the criticism never seems to get beyond the general complaining stage. Impact aid may not be the perfect answer to the educational financing problems of the affected areas, but it is the best program that has been devised thus far, and at all costs should be continued. I eagerly await the much-heralded new proposals that we hear will be coming out of HEW on this subject, but in the meantime I will paraphrase Winston Churchill and agree that while impact aid is a terrible form of subsidy, it is far better than any other program yet devised.

Full funding for Public Law 874 with the housing amendment would require an estimated $875 million appropriation for fiscal 1970. The 1970 amended budget request is only $185 million. Funding at less than one-third the authorization is not to my mind a sensible solution to the problems of the impacted areas, especially after this year's problems with the withholding of allocated funds. For this reason I want to concur with the views of my colleagues, the gentlewoman from Hawaii (Mrs. MINK) and the gentleman from Washington (Mr. MEEDS).

While I support the theory of aid to areas affected by public housing, I cannot see the advantage of tacking on another $235 million to a program which is already underfunded.

If we are going to provide the necessary aid for these children, we must fund the existing programs at an adequate level before we can consider adding new categories of students to an already overburdened system.

Mr. MINISH. Mr. Chairman, I rise in support of H.R. 514—the Elementary and Secondary Education Amendments of 1969. The education of our Nation's youth is one of the most important challenges we must face. We have long ago made a firm commitment to education in this country and we must continue to back it up in every way possible. We have passed various pieces of legislation over the last decade which have contributed largely to the efforts of the State and local educational agencies in whose hands the responsibility lies. Our Federal assistance must be in the form of dependable support to allow programs to begin and then grow and expand as our educators learn from experience. Some of the legislation which we have passed must now be extended. H.R. 514—the Elementary and Secondary Education Act Amendments of 1969—is the bill which provides for these extensions.

The most comprehensive act which H.R. 514 will extend is the Elementary and Secondary Education Act of 1965. The effects which this one piece of legislation has had on education are even now just beginning to be measured. Title V has helped State departments of education refine their administrative techniques and in almost every State turn to automated data systems to assist them in their evergrowing responsibilities. Title II has made library materials available to students who attend any type of school—large or small, urban or rural, public or private—materials which enrich the curriculum and help to spark an enthusiasm for learning which is so important. The great good already accomplished by this title fully justifies its extension at the present annual level of authorization—$200 million—as recommended by the committee. I hope that the inadequate budget estimate for 1970—less than 25 percent of the authorization—can be raised to the authorized level so that the critical needs for library books and other instructional material can be met more adequately. Title IV has helped to expand innovative research in education. Together with title III for supplemental education centers, it has allowed some of the miracles of the computer age to be utilized in one of our most important concerns—education.

Other titles of the ESEA are for programs aimed at helping specific types of students. Title VI helps children who are handicapped. Title VII will provide programs for those who must learn English as a second language and have unique problems which the average teacher is not equipped to handle.

Possibly the most dramatic results have been achieved through title I for the educationally disadvantaged. In 1966-67, over 9 million children participated in programs of compensatory education—services over and above what schools normally supply. Reading projects were carried out in various grades spanning prekindergarten through the twelfth. Title I programs throughout the Nation have made it possible for youngsters who could see no future for themselves in school, to take a second look and become more a part of the educational system which is such a basic part of our society today.

In a conference with the New Jersey congressional delegation on April 15, the New Jersey Association of School Administrators reported that our State's experience with title I has been excellent. This year these funds are providing vitally needed educational programs and services for nearly 130,000 children from low-income families in public and private schools. However, the Association warned that New Jersey is faced with a crisis in its program as indicated by the following chart. As noted in the chart, in the first year of the program, local districts received $287.79 per eligible child based upon a total of 85,309 children. In the current year the local districts received $106.75 per child based upon 137,857 eligible children. The increase in eligible children is attributable to an increase from 25,464 to 71,813 children in the AFDC category.

School year	Number of eligible children					State allocation	Amount available per child
	Foster	Neglected delinquent	AFDC	Census	Total		
1965-66			25, 464	59, 845	85, 309	$24, 551, 083	287. 79
1966-67	5545	1, 271	42, 106	59, 845	108, 767	22, 865, 002	210. 22
1967-68	5545	1, 271	58, 213	59, 845	124, 874	22, 865, 209	191. 49
1968-69	5051	1, 148	64, 696	59, 845	130, 740	21, 035, 992	160. 75
1969-70 [1]	5051	1, 148	71, 813	59, 845	137, 857	18, 932, 393	137. 60

[1] Projected.

The reduction has necessitated the elimination of over 100 districts from the program and a curtailment in valuable summer programs. For example, Newark, the largest recipient of title I funds in New Jersey, has been able to operate summer programs since 1966 utilizing approximately $1,000,000 of its annual allotment. Because of the increased cost of providing services, increased numbers of children to be helped, and a decrease in title I funds, Newark will have a substantially reduced summer program this year.

The impact of these cutbacks on children in urgent need of these services is illustrated in the following letter from the South 11th Street School Parent Teacher Association, Newark:

> Are human needs to be sacrificed in the interests of balancing the budget? We, the undersigned, are a group of parents of trainable mentally retarded children at the South 11th Street School in Newark, who are deeply concerned about the severe curtailment of the Title I program contemplated for the coming summer months and for the next school year.
>
> To abandon a program that has paid such high dividends in human response and values solely in the interest of so-called economy seems to us callous and unconscionable.
>
> A recurrent rationale for indiscriminate slashing of worthwhile projects such as Head Start, remedial reading, and summer programs for disadvantaged children is the tired cliche of "balancing the budget." Well, we would like to say, "Please don't balance the budget at the expense of human pride and dignity and service." Our children, who are trainable mentally retarded, not only need at least the same type of summer program they had last year, but if possible, one with services even expanded.
>
> We urge you as our elected representative to restore the Title I program to its former status. We believe that our most important commodity is our children. They deserve the best that we can give them.

I urge Congress to respond compassionately to the needs of these unfortunate children.

The experience of my State with title I and other programs under the Elementary and Secondary Education Act is shared by many States. We cannot permit our economically and educationally disadvantaged children to suffer the loss of these enriching services. Are they not entitled to qualified education as much as the more fortunately situated suburban children? Quality education should be the birthright of every child in a democratic society, not only the well-born.

H.R. 514 will also extend Public Laws 815 and 874—Federal impact aid. This program has been in effect since the 81st Congress. Under Public Law 815, assistance has been given for the construction of over 62,000 classrooms. Under Public Law 874, over 2 million children were eligible for entitlement during fiscal year 1967.

The Adult Education Act will also be extended by H.R. 514. The purpose of this act is to help to provide a basic education for adults who do not possess the skills of literacy. It is estimated that 24 million adults in this country are lacking these skills—skills which are essential in this modern age.

It is important that these programs are extended at this time as provided in H.R. 514. An early enactment of this bill will allow appropriations to be made for fiscal year 1971—before school administrators begin planning for the 1970–71 school year. This advanced funding eases the burden of program planning, because administrators can secure a competent staff with the assurance that the funds have been allocated.

One outstanding change is included under the provisions of H.R. 514—that of including public housing children in Federal impacted areas assistance. This is a change which is designed to keep the programs in line with the reality of the situation of today. Large numbers of children residing in public housing have created economic problems for school districts and including them in the programs will offer some relief. At the same time, they should be included as a separate category thereby eliminating the danger that districts already participating in the program will suffer a reduction of funds.

The provisions of H.R. 514 extend some of the most important education programs for elementary and secondary education in effect today. The 5-year extension period will allow a continuity which cannot be achieved with a shorter period of extension. We cannot afford to shirk our responsibilities to education. We can see the progress being made through our elementary and secondary education programs and an early enactment of H.R. 514 will assure that this program continues. I urge passage of this bill as reported by the committee so that we can continue to advance toward the goal of high-quality education for every American child.

Mr. BIAGGI. Mr. Chairman, I rise in support of H.R. 514, the Elementary and Secondary Education Act Amendments of 1969. The provisions of this bill will extend three essential components of Federal aid to education for an additional 5 years. Each of these programs—the Elementary and Secondary Education Act, the Federal Impact Aid Act, and the Adult Education Act—have been major contributions to the shape of education in this country. Each can be termed successful and each has a role to play in education for the next decade.

I have spoken with school administrators in my district and I am encouraged by the enthusiasm they display for Federal aid programs. The progress that has been made under the Elementary and Secondary Education Act was cited particularly and the many possibilities it has opened up for the schools of my district and the State of New York speak clearly of its accomplishments. As school administrators they are in a particularly good position to evaluate the success of a program. Their remarks are comparable to those of the many school superintendents who traveled to Washington to testify at the hearings on H.R. 514. Their vote of confidence makes it clear that the programs are working at the local level.

An extension of 5 years is particularly important for these programs. The uncertainties associated with shorter funding periods tend to lessen the impact of the programs. Highly skilled and qualified personnel—so essential to the efficient operation of any program—generally prefer to work for programs which are assured of continuity from year to year. If the legislation must be reworked every 2 years it makes it difficult for our administrators to secure the best possible personnel. These programs need the 5-year extension.

H.R. 514 is the result of an examination of the three programs and their results. The changes which are contained in the bill reflect a streamlining of the administrative aspects and will improve the operation of each program. On substantive change will allow children who live in low-rent public housing to be counted as federally connected children for the purposes of Public Laws 815 and 874—a change which updates this legislation to meet the needs of our modern day. Since this legislation was passed in the 81st Congress, it has been periodically reviewed and changes made which reflect changes in our situation. The inclusion of low-rent public housing students is just such a change offering additional relief to school districts which are burdened with large numbers of children whose parents either live or work on Federal property.

The importance of Federal aid to education programs for this country is a fact. We cannot allow them to fall by the wayside. H.R. 514 will extend three of these programs for an adequate period. We have seen the success of these programs and can look to the future for additional progress. For these reasons, I am in favor of the passage of H.R. 514.

Mr. RYAN. Mr. Chairman, H.R. 514 extends the Elementary and Secondary Education Act which is one of the most vital Federal programs in existence. The Federal Government has a responsibility to provide educational assistance to school-age children, and the approval of the 5-year extension of this program is critical to that effort.

However, in approving this extension, we should not delude ourselves that it is an adequate response to the challenges posed in elementary and secondary education today. Despite the fact that the programs of the Elementary and Secondary Education Act have proven themselves effective within the limitations of their resources, the programs continue to be badly hampered by a lack of funding. In order to continue an effective program which can perform on more than a limited basis, it is necessary for this Congress to significantly increase the appropriations. For adequate funding is perhaps the greatest single cause of the failure to meet the needs of our Nation's school-age children.

The discrepancy between the authorizations and the appropriation requests made for fiscal year 1970 is in itself enormous. While the authorization is $4.37 billion, the appropriations request is $2.78 billion.

Many school systems are presently overburdened by large numbers of children enrolled in their schools who reside in tax-exempt low-rent public housing. While this housing is essential to the basic welfare of the children, the fact that the school systems which they attend are deprived of sources of revenue through tax exemption has an adverse effect on their education. Existing Federal payments, in lieu of taxes, to schools confronted with this problem now average only $11 per public housing child. The result of this inadequate support is an inferior education for the children living in the districts involved. H.R. 514 would provide authorization for increased payments to these districts. But, as in the case with other vital Federal programs, that authorization will bring little relief unless adequate appropriations are voted.

Approximately 3.3 million, or 60 percent, of all handicapped children do not now receive the special educational training required to lead productive and meaningful lives. Again, although $162.5 million was authorized for aid to these children, only $29.25 million was actually appropriated in fiscal year 1969. Even so, the program was able to reach some 100,000 handicapped children.

The dropout prevention program, which is urgently needed to provide counseling and assistance to potential high school dropouts, was also deprived of an appropriation which would have stepped up its effectiveness. Of the $65 million authorized for the program, only $5 million was appropriated in fiscal year 1969. As a result, only 20 of 369 proposals for the establishment of dropout prevention programs could be approved by the Office of Education, and only 10 of these proposals are expected to be put into operation in the near future. Once again, inadequate funding is sabotaging creative and necessary programs for dealing with some of our most significant educational problems.

The approval of the extension sought for the Elementary and Secondary Education Act is clearly a prerequisite to meeting the educational needs of this Nation's elementary and secondary age children. It is also imperative that the House reject amendments which would undermine the school desegregation effort which must continue if racial balance in our schools is to be achieved. With almost 80 percent of school-age black children in the 11 States of the Deep South still attending segregated schools, it is obvious that the 1954 Supreme Court desegregation decision is still being defied. To approve any amendments which would diminish efforts to achieve school desegregation or nullify title VI would be a betrayal of the policies and ideals adopted by Congress in the Civil Rights Act of 1964.

Let me repeat that a 5-year extension of the Elementary and Secondary Education Act cannot be viewed as more than a minor victory. For the needs of our Nation's schoolchildren remain unmet. To meet them, we must do more than approve programs. We must provide sufficient funds so that the programs are able to meet effectively the educational needs of our Nation.

Mr. EILBERG. Mr. Chairman, I rise today to give my support to H.R. 514 as reported to the House by the distinguished chairman of the Education and Labor Committee, Mr. PERKINS. The committee spent many long hours in the hearing room and in executive session hammering out this legislation. I believe all viewpoints were carefully considered, and the legislation we have before us today reflects this excellent work.

While I would like to comment on many provisions of the legislation we are now considering, I will only address myself specifically to the matter of how long we should extend the authorization for the Elementary and Secondary Education Act programs. I believe we should adopt the 5-year extension contained in the committee bill. In this regard, I am reminded of one particular section of the report of the National Advisory Council on the Education of Disadvantaged Children which states that we must recognize "that a successful attack on poverty through improving the education of poor children will be measured in terms of decades and not congressional sessions." This is why we should extend the ESEA programs for 5 years.

Not only must we act to extend the authorization for the ESEA programs for 5 years, but I believe we must also act to provide for advance funding. In the city of Philadelphia, public school officials begin planning their operating budget in considerable detail 10 months before the fiscal year begins. Their planning is guided by a 5-year budget projection. But, they never know how much ESEA money they will receive or whether a given program will be continued, redirected, funded at 80 percent of the authorization, or at 100 percent. Sound planning and management are impossible under these conditions. It becomes necessary for Philadelphia school officials and others across the country to practice a kind of fiscal roulette.

In terms of the mission that Federal, State, and local school officials have, they need as long a commitment in terms of program authorizations and appropriations levels as possible. They need at least as long as the space program. The nature of the educational problems which the ESEA programs are designed to help solve are at least as complicated and complex as those of the space program. Under the current authorization and funding system, ESEA programs have started and stopped due to delays in processing the legislation. School districts have not known in some instances until the year is half over whether the authorization for these programs will be extended or at what level they will be funded. As a result, each year school districts have been forced to gamble and play this game of fiscal roulette. But, this gamble has not only been with dollars and cents but with the needs of children who desperately need the help these programs provide.

Year-to-year authorizations have aggravated the ability of school systems using these funds to secure topflight educational specialists. In many instances, arrangements must be made by the systems to provide special training and to upgrade personnel. These arrangements must be made in a timely fashion with institutions of higher learning and other educational agencies. The systems' ability to perform any effective long-range planning has been seriously impaired by these year-to-year extensions. A 5-year extenison such as that proposed in H.R. 514 will provide school systems with the assurance that the Congress intends the ESEA programs to continue. Such action as on our part will enable administrations to secure dedicated and specialized personnel and will enable them to make the most effective use of Federal dollars.

Mr. Chairman, if we yield to those who will argue that this legislation should only be extended for 2 or 3 years, we will renew fears on the part of State and local educational officials that these programs will be phased out or abandoned.

School administrator after school administrator, who testified before the Education and Labor Committee, stressed that we are at a critical point in the history of Federal support for education, and that ESEA has enabled the educational system to begin structural changes within the schools which will release the talents of students and teachers alike. They said that the system itself has begun to respond more readily to the individual needs of students, and that not to put the ESEA programs on a stable 5-year authorization would produce chaos in the schools. The need for this extension of 5 years is particularly critical for the schools in our large cities. It takes time to formulate plans to attack the educational problems of the Nation's needy children and it takes time to implement these plans. We must begin to think more in these terms as we consider education legislation in the 91st Congress and hereafter. Therefore, I urge all my colleagues to support the 5-year extension, reject debilitating amendments to H.R. 514, and pass the bill as reported by the committee.

Mr. PERKINS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 514) to extend programs of assistance for elementary and secondary education, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks and include extraneous matter on the bill H.R. 514.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

TO AUTHORIZE APPROPRIATIONS FOR PROCUREMENT OF VESSELS AND AIRCRAFT AND CONSTRUCTION OF SHORE AND OFFSHORE ESTABLISHMENTS FOR THE COAST GUARD

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 369, Rept. No. 91-151), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4153) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

REMOVING THE SOCIAL SECURITY INCOME LIMITATION

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, I am certain that most, if not all, of my colleagues in the House have received a wide expression of discontent with the present Social Security System. One of the most common concerns is with the income limitation placed on those who, at 65 or earlier, enter compulsory or voluntary retirement.

Today, I am introducing legislation to completely remove the income limitation for those receiving social security benefits.

The present law, as amended in 1967, sets a minimum income of $1,680 a year for those eligible for social security benefits up to age 72. Further income earned up to $2,880—the maximum income—reduces the benefits by $1 for each $2 earned. This limitation applies regardless of how many dependents the individual has.

Consider for a moment how this compares with the poverty levels of income as determined by the Office of Economic Opportunity. For an individual, the poverty line is $1,600 a year; for a married couple, or family of two, $2,100; for a family of four, $3,300. By writing such low income levels into our social security laws, we are committing our elderly citizens to a standard of living no better than the poverty level. Is this their just reward after so many years of gainful employment?

The bill I am introducing today is designed to correct this unfair situation—unfair for two primary reasons. First, money which is included within this income restriction under social security is limited only to wages. It does not include income received from nontaxable earnings, such as bonds and other investments. So a retired person who has no investment portfolio is prevented, under the present law, from receiving the income which exemptions allow to an investor. He is penalized if he goes out to earn money to supplement his meager allowance.

So this restriction on individuals who have paid into the System throughout their working years and who are entitled to the benefits of their long-term investment and who want to live a little better than the substandard level provided under social security, penalizes them by reducing their social security benefits. Incentive to work is stifled.

This is not only demoralizing for the individual, who may have many good years of service to offer and who does not want to simply retire from the pleasures which come from meaningful work, but it is also a loss to the American economy which loses the benefits of his many years of experience.

Mr. Speaker, my bill, if enacted into law, will completely remove this income limitation for those individuals who retire and who are eligible for social security benefits. It will, I believe, correct a grossly unjust provision applying to our senior citizens who deserve better than they are receiving from our Government.

CURBING INFLATION

(Mr. HANNA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANNA. Mr. Speaker, I noted two items in the Wall Street Journal this morning that have a juxtaposition that interests me in terms of the administration's desire and our great hope for doing something about inflation.

One item indicated that the President hopes to be able to take off at least half of the 10-percent surcharge by the first of next year.

The other items referred to the possibility of bringing back the Committee of Advisers on Labor-Management Problems.

These items set me thinking of the interaction that occurs between the major, dynamic factors that effect inflation.

It suggests to me that you might turn your eyes for a moment toward England where you see the interaction between taxes and wages. When the English faced the crunch that followed devaluation, they made a brave move in substantially increasing taxes. It was loudly and proudly proclaimed that this "belt tightening" gave full assurance to the outside world that Britian was going to stabilize its economy and curtail imports. However, and unhappily, shortly after the tax rise a series of wage increases nullified the tax influence on domestic consumption and internal inflation. Since devaluation, the negative effects of wage policies have been canceled out the positive effects of tax increase. Additionally, wage and price increases canceled out effects of program reduction in Government spending.

England is just about to get on the merry-go-round the second time with a new tax increase proposal that will come out soon.

Think on that for a moment.

I would also suggest you turn your eyes to another phenomenon and that is the counter productivity of high interest rates. Certainly, it ought to occur to us somewhere along the line that interest rates become a part of the price of commodities and that just as sure as taxes and wages interact, the interest rates and prices also come in and get tied up in one flow.

If the interest rates get to the point where they are effective simply in pushing up higher prices, they become part of the total inflation.

Any business which can recapture higher interest rates in higher prices will pay the higher interest and go on with inflation. I think it is about time that we think of this very carefully because you cannot operate the economy by looking just at the taxes. You cannot operate the economy just looking at the interest rates or monetary policy and fiscal policy alone. You have to look at all these plus wages and prices. If we are not grown up enough to face that, then we are not grown up enough to fight this battle against inflation.

We need a fiscal policy. We need a monetary policy but just as sorely we need a wage policy and a price policy. Where all are not working then none will ultimately work.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. HANNA. I yield to the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, I am sure some are impressed by the remarks of the gentleman from California, but I did not hear him make this speech during the last 4 years when interest rates under the Democratic administration went soaring up to the point as high as they are today. We in the new administration are trying to do something about it, and we are going to do something about it, but you cannot in 100 days overcome and solve the problems that we inherited from the last 4 years.

Mr. HANNA. I am sure the gentleman is familiar with the salutary release process that comes when you are no longer handicapped or tied up with the administration. The gentleman has had more experience with that delightful state than I have had.

HICKS URGES ACTION TO INCREASE THE TIMBER YIELD IN OUR FEDERAL FORESTS

(Mr. HICKS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HICKS. Mr. Speaker, less than a year ago I joined other Members in strongly urging that limitations be put on the export of timber from Federal lands.

I did this at some peril. The largest city in my district is also the largest log exporter in the United States. Export of logs to Japan is of substantial importance to many of my constituents.

But my district also is a major producer of lumber and plywood, and includes substantial areas of national forests.

I did not believe, and I do not believe, that it makes sense to export raw material that is badly needed at home. That belief left me no way to satisfy the strong voices in my district that spoke out in favor of exports.

The limitation was imposed, and I support it.

However, I did not support that limitation in every effect it would have. One of those effects is to make it difficult for the people of Japan to realize their housing goals. But the people of the United States should, I believe, come first in their demands on our resources.

Now there is a way out of that dilemma.

The timber shortage that inspired the limitation has grown worse. But the forest industry, rather than demanding a further limitation, has wisely proposed another solution in hearings in both the Senate and the House, before committees concerned with housing.

That proposal has been incorporated into the National Timber Supply Act, introduced by the distinguished gentleman from South Carolina. It calls for the establishment of a high timber yield fund that would allow the Forest Service to apply the same principles of silviculture to its land that are now used by industry to produce yields almost four times greater than those on Federal lands.

I believe we would be wise to accept this proposal, and I am persuaded it will be successful.

There is no argument over the ability of industry, with its dependable funding system, to outproduce the Forest Service, although there may be some differences on the exact ratio.

I have seen some of these results myself, in my own district. The Weyerhaeuser Co., one of the country's largest timberland owners, has some of the most productive forests in the world. That company's headquarters, and some of its forests, are located in my district.

The purpose of this bill is to make it possible for the Forest Service to bring its practices up to the level of those of the Weyerhaeuser Co. and others in the industry. An announcement a year ago by that company makes me certain that this goal is easily attainable.

The Weyerhaeuser Co.'s board of directors has agreed to the financing of what the company calls a high yield forestry program. The comparisons being made today are not with this program, but with the programs of the past.

The high yield forestry program, which includes the same elements called for in the National Timber Supply Act, increased the yield on the Weyerhaeuser timberlands by a full third over present yields during 1968.

Obviously, the foresters who conceived it have put their professional careers on the line. The company's directors have committed millions of their stockholders' dollars to high yield forestry on the basis of increasing returns on the investments.

No one involved in this program doubts for a moment that it will do what it is supposed to do, and more. The company's stock has held up and increased in value.

The Weyerhaeuser men tell me that the personnel of the Forest Service are fully competent to do the same thing. But only if we in the Congress can make the same commitment to them that this company's directors have made to their foresters.

For that reason I have no reservations about supporting the National Timber Supply Act and, as a Representative of a timber-growing district, about urging all of my colleagues to give it the same support.

The sooner we act, the sooner we can begin to supply all of the timber that we need for our own programs, with more than enough left over to supply the needs of our friends and allies around the world.

TWENTY-SEVEN DEMOCRATS INTRODUCE LEGISLATIVE REFORM ACT OF 1969

(Mr. REES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. REES. Mr. Speaker, today, 27 Democratic Members of Congress are introducing their version of the Legislative Reform Act of 1969.

I am optimistic that this might well be the year in which Congress finally decides to make much-needed changes in its organization, bringing this venerable institution into the realities of the 20th century.

I believe that the reform effort this year will be a genuine bipartisan effort and that there is considerable agreement among a majority of Congressmen as to what is needed to make us a more functional and responsive body. Although there are some differences between this bill and the Republican bill sponsored by the gentleman from Illinois (Mr. RUMSFELD), the differences are not so substantial as to hinder a united effort.

The bill closely parallels the measure originally recommended by the Joint Committee on Congressional Operations and approved by the Senate in 1967. The reorganization bill affects many of the functions of Congress. The committee process is improved immeasurably. Open meetings of committees are encouraged. Committee votes, in executive sessions, are to be made public. Rights of minority members are protected in committee staffing and on submission of material for minority reports. Reforms are made in proxy voting.

New proposals improving the ability of Congress to cope with its growing duties are proposed. These would include the use of systems analysis in the area of the Federal budget and the strengthening of the Legislative Reference Service.

The reform bill would take some steps toward correcting the antiquated, disorganized business operation of Congress, developing the beginnings of a personnel system based on factors other than patronage. The Capitol Police would be removed from patronage. Also, postmasters and rural letter carriers would be removed from congressional patronage.

The bill also tightens up the current restrictions on lobbying. The oversight functions of committees are emphasized so that this process will be constant in examining Government functions under a committee's jurisdiction.

Many of us are concerned about the ability of the legislative branch to cope with the responsibilities that face us in the year 1969. Each day we see a further erosion of our capacity to deal with the executive branch of Government. We simply do not have the facilities and the expertise to adequately analyze the complexities of the Federal budget and the multitude of agencies and programs we must face on a day-to-day basis. At times it seems as if the legislative branch is playing only a minor role in the governing of this Nation.

For example, in order to deal with the $195 billion Federal budget, every Member of Congress is in need of far more comprehensive information than we now receive from the Comptroller General and the Appropriations Committees. The reform bill proposes to strengthen the position of the Comptroller General so that his office might act more as a legislative budget bureau using the most modern techniques of data processing, analysis, and program budgeting to give us reports on current and future trends of budgeting for all the departments of Government.

The bill we are introducing differs from the Rumsfeld version in several aspects. Additions provide for a revision and printing of House precedents at the beginning of each new Congress; the printing of a bill digest with every newly introduced bill; and the printing of new bills in such a manner as to indicate additions and deletions in present law. All amendments over 25 words introduced to bills during floor debate would be required to be printed and made available to Members.

Changes deal with the use of proxy voting, the composition of the Joint Committee on Congressional Operations, and the method of meeting the staff needs for minority members of committees.

I include at this point a summary of the bill and the list of cosponsors:

SUMMARY OF "THE LEGISLATIVE REORGANIZATION ACT OF 1969" INTRODUCED BY MR. REES

Title I improves and contributes to the democratization of committee procedures in Congress by providing for:

(1) Open meetings of committees, and public disclosure of votes taken in committee meetings;

(2) Prompt filing of committee reports;

(3) Standardization of proxy voting procedures in committees;

(4) Public statement of the permanent and temporary authorizations available to standing committees;

(5) The right of minority committee members to call witnesses, and to file additional views to committee reports;

(6) A prohibition against Floor consideration of a bill until the committee report has been available to members at least 3 days;

(7) Public notice of committee hearings, and provision for live telecasting and broadcasting of open committee hearings;

(8) More equitable procedure whereby committees may obtain permission to hold hearings while the House or Senate is in session;

(9) Better performance by all committees of their legislative oversight functions, i.e. review of the administration of existing laws;

(10) Annual authorization for additional committee staff, with fair consideration for staff needs of the minority; and

(11) Allowing additional explanatory views in conference reports, and equal time for both parties in the debate on conference reports.

Title II strengthens the resources and procedures of Congress for dealing with fiscal matters, by providing for:

(1) The use of automatic data processing of Federal budget information;

(2) Involvement of the General Accounting Office in the establishment of a standard classification code of activities and expendi-

tures, and more efficient location of budget information, provision for expert assistance in the analysis of cost-effectiveness studies, and preparation of tabulations of budget data;

(3) Improvement of the budget document to provide Congress with information about its long-range fiscal implications;

(4) The annual appearance before the full Appropriations Committee of each House of the Director of the Bureau of the Budget, the Secretary of the Treasury, and the Chairman of the President's Council of Economic Advisers within 30 days after submission of the Budget to discuss the budget as a whole;

(5) Closer examination of multiagency programs;

(6) Open hearings of the Appropriations Committees of both Houses;

(7) Mandatory roll call votes on all appropriations bills, including the adoption of conference reports on appropriation measures;

(8) More comprehensive reports on supplemental and deficiency bills; and

(9) Greater participation by the legislative committees by having them provide projection of costs on new legislation, and by having them regularly review grant-in-aid programs.

Title III enhances the sources of information available to members and committees of Congress, by providing for:

(1) Additional professional staff for committees, including staff for minority members;

(2) Comparability of pay for House and Senate committee staffs;

(3) Use of consultants by committees;

(4) Specialized training for professional staff of committees;

(5) Improvements in the Legislative Reference Service of the Library of Congress, including authorization for obtaining automatic data machinery;

(6) Annual updating of a compilation of relevant precedents of the House of Representatives;

(7) Summaries to accompany each House bill when it is introduced, and clear explanations of the changes such bills seek to make in existing law; and

(8) The printing of every Floor amendment over 25 words before it may be acted upon.

Title IV deals with some of the institutional problems of Congress by providing for:

(1) A permanent Joint Committee on Congressional Operations;

(2) An office to assist members and committees in securing trained personnel and office management advice;

(3) Greater authority for the elected officers of each House to supervise employees under their jurisdiction;

(4) Improvements in the Capitol Police, Senate and House pages, and the Capitol guide service;

(5) An August recess;

(6) Removal of postmasters and rural mail carriers from the patronage system;

(7) A quarterly accounting by every member of his employees and their salaries, to be reported to the House Administration Committee and published annually by the Clerk of the House.

Title V provides for improved administration of the Lobbying Act by providing for:

(1) Transfer of the Act's administration to the General Accounting Office;

(2) Broadening the Act's coverage to require registration by individuals and organizations who solicit or receive funds for the "substantial purpose" of influencing legislation;

(3) A more complete disclosure of lobbying expenditures, and disclosure by individuals and organizations not currently covered; and

(4) The disclosure of contingent fee arrangements for purposes of influencing legislation.

List of Cosponsors on Congressional Reform

1. Thomas M. Rees (California).
2. William Hungate (Missouri).
3. Andrew Jacobs (Indiana).
4. Brock Adams (Washington).
5. William Hathaway (Maine).
6. Lee Hamilton (Indiana).
7. Sam Gibbons (Florida).
8. William L. St. Onge (Connecticut).
9. James J. Howard (New Jersey).
10. Joshua Eilberg (Pennsylvania).
11. Richard Ottinger (New York).
12. Robert L. Leggett (California).
13. Charles C. Diggs, Jr. (Michigan).
14. James H. Scheuer (New York).
15. Benjamin S. Rosenthal (New York).
16. Edward P. Boland (Massachusetts).
17. George E. Brown, Jr. (California).
18. Abner J. Mikva (Illinois).
19. Jonathan B. Bingham (New York).
20. Bertram Podell (New York).
21. Adam Clayton Powell (New York).
22. Allard K. Lowenstein (New York).
23. Mrs. Shirley Chisholm (New York).
24. Peter N. Kyros (Maine).
25. John C. Culver (Iowa).
26. Glenn M. Anderson (California).
27. Edward I. Koch (New York).

REPEAL OF THE EMERGENCY DETENTION ACT OF 1950

(Mr. MIKVA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MIKVA. Mr. Speaker, there is a law on the books which many people do not even know exists, and which those of us who know of it find hard to believe. This law is the Emergency Detention Act of 1950. The law provides that in the event of invasion of the United States or its possessions, of declaration of war by Congress, or of insurrection within the United States in aid of a foreign enemy, the President may declare an internal security emergency and may authorize the Attorney General to apprehend and detain any person "as to whom there is reasonable ground to believe that such person probably will engage in, or probably will conspire with others to engage in, acts of espionage or sabotage." As part of that act, emergency detention camps were authorized. This law is an anachronism and an abomination.

I feel quite certain, Mr. Speaker, that if it were possible to test the provisions of this law, it would be found unconstitutional. Because of the limited situations in which the emergency detention power can be invoked, however, there has never been a real challenge mounted to the act.

There are stronger reasons, however, for repealing the Emergency Detention Act. As unlikely as it is that any President would ever invoke the authority he has under the act, that authority still exists—the act is still on the books.

The very existence of this authority is subject to misunderstanding and to gross distortion. Unfortunately the existence of the emergency detention authority has been used by some to distort the intentions of the U.S. Government toward some of our citizens. Thus, a recent report written by Phillip Luce for the House Committee on Un-American Activities referred to the emergency detention camps authorized by the 1950 act as a good place to keep black militants and other "radical" political groups which, the report said, advocate guerrilla warfare. It was not clear from the report whether the camps existed or not.

Despite the fact that emergency detention centers have not existed since 1957 when the original appropriation ran out, nevertheless some Americans believe that the Government does have and intends to use emergency detention facilities. I had this forcefully brought home to me last week, Mr. Speaker, by a group of young men who actually believed that "concentration camps," as they called them, exist in America and that they are intended for blacks.

The Emergency Detention Act has never been used. Even when there was money to establish such centers, only six were ever in existence, and these have since been abandoned. Three of the sites are no longer even under the control of the Department of Justice. As my colleague, the gentleman from Iowa (Mr. CULVER) noted last year on the floor of the House, assurances have been received from the Assistant Attorney General for Internal Security that the emergency detention program is now inactive.

But having the program inactive is not enough. This was recognized by the distinguished Senator from Hawaii, Senator INOUYE, last Friday when he introduced a bill in the Senate, S. 1872, to repeal the Emergency Detention Act. Congressman CONYERS and I take pleasure in introducing a similar bill in the House today. A copy of the bill follows:

H.R. 10396

A bill to repeal the Emergency Detention Act of 1950, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Internal Security Act of 1950 (50 U.S.C. 811–826) is hereby repealed.

SEC. 2. (a) Section 8312(c) (1) (C) of title 5, United States Code, is amended by striking out ", 822 (conspiracy or evasion of apprehension during internal security emergency), or 823 (aiding evasion of apprehension during internal security emergency)".

(b) Clause (4) of section 3505(b) of title 38, United States Code, is amended to read as follows: "(4) in section 4 of the Internal Security Act of 1950."

DRUG ABUSE EDUCATION AND INFORMATION PROGRAM

(Mr. ROGERS of Florida asked and given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, at 4 p.m. this afternoon, a briefing session will be held in room 2123 in the Rayburn Building, the Interstate and Foreign Commerce Committee room, during which Dr. Stanley F. Yolles, Director of the National Institute for Mental Health, and his associates will present to Members of the House the activities of NIMH in research, training, service, and public education in the area of drug abuse.

I strongly urge my colleagues to attend this session as I am sure they will find it most interesting and informative.

In fact, Mr. Speaker, I might suggest that attendance is imperative in light of the frightening increase in drug abuse which we have witnessed in recent years.

A recent study of five California campuses shows that marihuana use has almost tripled in the 18 months ending December 1968. The survey shows that 57 percent of students at the schools had smoked marihuana at least once, compared with 21 percent a year earlier. About 14 percent were regular users, against 4 percent a year before.

In 1963, Federal Government officials seized 6,432 pounds of marihuana at the borders of the United States. In 1966, 23,260 pounds were confiscated.

LSD, marihuana, "speed", hashish, STP, and DMT are the most frequent names which appear in the expanding subculture which has developed with the increase in the use of drugs. These are the names of the drugs which are reaching more and more of the young people of our Nation. Recent studies indicate that such drugs are as near as the neighborhood schoolhouse, and that more and more young adults are "tuning in, turning on and dropping out" of school, society, and the conscious, rational world.

Estimates of high school and college administrators of drug abuse range anywhere from 5 to 35 percent of the students in a given institution are using "speed", LSD, or some other drugs. Students themselves claim use runs as high as 80 to 90 percent among their peers. Accurate statistics are hard to obtain, but it is undeniably clear that abuse is on the increase.

We have laws, Federal, State and local, which make possession, sale, and manufacture of depressant and stimulant drugs a criminal offense. These laws, in part, act as deterrents.

In November 1967, I introduced legislation to make the possession of LSD and other related hallucinogenic drugs a Federal offense. That bill, H.R. 14096, is now Public Law 90–639, and provides, in part, that possession of LSD and related hallucinogenic drugs shall be a misdemeanor on the first offense.

During hearings on this legislation in the spring of 1968, the committee was concerned, after the testimony which we received, that not enough was being done to educate the public, and particularly the young people about the disasterous effects of drug abuse.

For that reason, the committee provided the following language in section 5 of the law:

> It is the sense of the Congress that, because of the inadequate knowledge on the part of the people of the United States of the substantial adverse effects of misuse of depressant and stimulant drugs, and of other drugs liable to abuse, on the individual, his family, and the community, the highest priority should be given to Federal programs to disseminate information which may be used to educate the public, particularly young persons, regarding the dangers of drug abuse.

Mr. Speaker, I am today introducing legislation to further implement the intention of that provision of Public Law 90–639.

This legislation would amend the Public Health Service Act by adding a new section on "Drug Abuse Education and Information Programs."

The sum of $3 million would be authorized for the fiscal year ending June 30, 1970, $7 million for fiscal year 1971, and $10 million for fiscal year 1972.

The thrust of this legislation that I am introducing is to mount an educational offensive against the growing menace of drug abuse which is damaging an increasing number of young lives.

The Secretary of Health, Education, and Welfare, under this legislation, would assist projects designed to educate the public on the problems of drug abuse by:

First, making grants to or entering into contracts with public or private nonprofit institutions of higher education and other public or private nonprofit agencies, institutions, or organizations for the development of curriculums on the use and abuse of drugs, for the testing of the effectiveness of such curriculums, and for pilot projects to correct ineffective curriculums;

Second, making grants to public or private nonprofit institutions of higher education and local educational agencies to help educators, law-enforcement officials, counselors, and community officials attend short term or summer institutes on drug education; and

Third, making grants to local educational agencies for community education programs on drug abuses—including seminars, workshops, and conferences—especially for parents and others in the community.

In order to assist the Secretary in carrying out the provisions of this act, the legislation also provides for the creation of a 14-member Advisory Committee on Drug Abuse Education. The Advisory Committee shall consist of persons familiar with education, mental health, and legal problems associated with drug abuse.

Mr. Speaker, I believe that this section of the bill I am introducing will carry us many steps forward in our efforts to bring order out of chaos that is encroaching on the lives of many young adults as the result of drug abuse.

There is, however, another section of my bill which I feel is also important, and relates to this basic problem of drug abuse. Section 2 of the bill that I am introducing would transfer to the Secretary of Health, Education, and Welfare the functions, powers, and duties of the Attorney General under Reorganization Plan No. 1 of 1968 to designate a drug as a depressant or stimulant drug under section 201(v) of the Federal Food, Drug, and Cosmetic Act, and to make a finding that a drug or other substance is an opiate under section 4731 of the Internal Revenue Code of 1954.

On April 2, 1968, when Reorganization Plan No. 1 was before the House for consideration, I expressed reservation concerning the transfer from the Department of Health, Education, and Welfare to the Justice Department of the clinical and pharmacological determination of what drugs should be controlled.

Since passage of Reorganization Plan No. 1, I have talked on numerous occasions with HEW officials concerning the wisdom of the decision to transfer this determination of what are dangerous drugs.

The officials expressed increasing concern that the Department of Justice cannot properly meet the problem with its present pharmacological facilities. Moreover, I do not feel it is desirable to expand the pharmacy facilities for the Department of Justice thereby duplicating the expertise and facilities which already exist in the Department of HEW.

Rather, I believe that we should permit the Department of Health, Education, and Welfare to reassume its proper responsibility to make the determination of what drugs should be controlled and continue to permit the Department of Justice to exercise its proper responsibility of enforcement of the laws.

Mr. KOCH. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from New York.

Mr. KOCH. Mr. Speaker, last week I introduced a bill to create a Presidential Commission to determine what the effects of marihuana are. As the gentleman knows, a British panel recently brought in a report indicating that marihuana was not addictive; that there is no connection between the use of marihuana and violent crime; nor, reported the panel, did the use of marihuana lead to heroin addiction. That British panel answered many medical, sociological, and legal questions.

The intent of my bill is to have an American commission make a definite investigation into all of the questions relating to the use of marihuana in this country so that the American public could be better informed. Would the gentleman agree that we need such a commission?

Mr. ROGERS of Florida. Mr. Speaker, I think we need more research, there is no question about it. I think it is well, also, to point out there has been a recent study which shows marihuana developed psychological dependence and also brings out latent psychotic personality traits, so there is great danger.

SUSPENDING FEDERAL AID TO COLLEGES UNWILLING OR UNABLE TO COPE WITH STUDENT UNREST

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KUYKENDALL. Mr. Speaker, I introduced last week a bill that would suspend Federal aid to colleges that proved themselves unwilling or unable to cope with the wave of student unrest that has grasped our Nation by the throat.

I have been told that the bill is unnecessary, that it fails to go to the roots of the problem, that it is oppressive and would punish the innocent along with the guilty.

Mr. Speaker, I could want no more graphic illustration of why I think this bill is necessary than the weekend events at Cornell, when a proud center of learning was disgraced and humbled by armed rioters, and its administrators were forced at gunpoint to capitulate to the demands of a radical minority. They gave them everything but the clock tower.

Punishing the innocent along with the guilty, Mr. Speaker? Nonsense. What is happening now, and who is being punished? How many thousands of students are being deprived of an education, cheated out of the learning they have paid their tuition to get, blocked from their classrooms, because 2 percent of their classmates want to study basket weaving instead of military tactics?

The rights of the minority are precious to me, but so are the rights of the majority. And the majority of the students want their campuses returned to normalcy, so they can go about the day-to-day business of learning how to become the leaders of tomorrow. Instead, they are being taught graphically, that might makes right, that you can get what you want by force, and that college administrators will give you the world with a fence around it if you are loud enough and rowdy enough.

Is this the lesson we want burned into the minds of the young people who will be the Senators and Representatives of the U.S. Congress in one short generation? Is this the legacy we want for our children and our grandchildren?

On today's university campuses, there is usually an office near the office of the president or the chancellor, in which one person has no duty except to coordinate the spending and acquisition of Federal funds for his university. Federal funds are big business, running into more than $3 billion annually. Make no mistake about it, it is our only avenue of attack on this most vital social problem, but it is a highly vulnerable area. Faced with a complete cutoff of the Federal spigot, and the knowledge that the spigot will be turned off if he does not act, the administrator will act. He cannot afford to do otherwise.

The bill is designed for one purpose only: to stiffen the backbones of those men who would rather see their colleges closed down, their professors held captive and their files ransacked than to see one student arrested or one policeman on their campuses.

It is bad, Mr. Speaker, to have to use the carrot-and-stick tactic in order to force some of our educators to do what should have been done already. But we must do something, to remind these men that it is they, and not the sophomores who can yell the loudest or block the door with the broadest shoulder, who are running the college.

So far, many of them have only acted in a manner designed to make us all ask, "Who's in charge here?"

TREASURY TAX REFORM PROPOSALS

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, I would like to commend President Nixon and Secretary of the Treasury Kennedy for their latest tax reform proposals. They reflect the administration's genuine desire to enact fair and equitable tax laws.

The time for tax reform is long overdue. The hearings before the House Ways and Means Committee are an excellent first step in this direction. I had the pleasure of testifying before that committee on the subject of tax-exempt foundations. Among other things, I advocated stricter surveillance of exempt organizations. I am particularly pleased to see that this is one of the latest reform proposals.

The proposed repeal of the investment tax credit would bring in, in added taxes, an estimated $1.8 billion for the 14 months following its removal. But equally important, it should play a major role in helping to bring under control the very dangerous inflation problem which we are presently faced with in this country. This recommendation required a great deal of courage. I congratulate President Nixon and Secretary Kennedy for exercising such courage.

I was impressed by the entire package. The "low-income allowance" will help not only our families in poverty but also our young people. These young people need the relatively modest amounts they earn to further their education and to get their feet on the ground.

I hope that recommendations to reduce the oil depletion allowance also will come forth at a later date. This, to me, certainly is one of the major tax loopholes which should be corrected in any tax reform legislation. However, I am happy to see that they attack certain mineral transactions. I support this effort as a first step toward the realistic taxation of the oil industry.

The proposed limits on farm losses should eliminate another tax gimmick employed by the wealthy. I strongly support this measure.

I also support the liberalization of moving expenses. For several years I have introduced bills to this effect. It is gratifying to see such measures given serious consideration.

The reform proposals are characterized as much for their individual merit as they are for their balance. The low-income allowance is offset by the imaginative "minimum income tax." In addition, the investment credit repeal is offset by a proposed reduction in the surtax.

Finally, these proposals will permit the administration to fund two high priority programs. These are the revenue sharing program and the tax credit program.

President Nixon's recommendations certainly form the basis for much-needed change in our tax structure. The need for an all-out effort, including new ideas, to remedy our domestic ills is obvious.

I thank the Speaker for this opportunity to comment on the latest tax reform proposals.

A LETTER FROM A CONSTITUENT

(Mr. TEAGUE of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TEAGUE of California. Mr. Speaker, I call to the attention of my colleagues the following letter I received from one of my constituents, Mr. Bernard J. Goldmann, of Santa Paula, Calif.

DEAR CONGRESSMAN TEAGUE: If the idea of representative government is sound, then most letters to Congressmen are unnecessary. Telling a good man how to vote on a particular issue after sending him to Washington violates the whole principle. Writing him a short deserved note of thanks occasionally may be a nicety but is inconsistent with human nature. What is left? Griping, of course! This only wastes the Congressman's time, increases his office costs, and keeps him from more important legislative matters.

Perhaps letters can only be condoned if Congressmen, thousands of miles away, like to know what their constituents are thinking. You have received more than enough of these from me, all promptly, courteously, and calmly answered. On this end, pressure builds up, and the theme is always the same—increasing discontent with our federal government, namely taxes and waste. We have created a monster in Washington.

As two Californian neighbors who love to grow citrus, we could compare the problem to a giant, old, eucalyptus tree growing in the middle of a potentially fine orange grove. It is soaking up every bit of moisture and nutrient for a hundred feet around. Also it is now malformed with unsightly dead limbs everywhere. Surprisingly, not a single foreman or worker seems to notice it, much less has the initiative to prune it, or plans to take it down.

Theoretically, the new Nixon Administration should give us Republicans comfort. What happens? Continued welfare programs but without fanfare, continued 10% surcharge, continued depletion allowances, continued agricultural subsidies, continued raising of the debt limit, and possible added expense of an ABM system. As a teacher, I wonder how long it will be before any administration checks to see that much federal aid to education is only establishing many little nests of privilege at the expense of the many. Money siphoned out of the state does not come back in a way to help the regular classroom. No wonder schools are in trouble.

However sad, my purpose now is to plead that our government is no longer the friend of the small, honest, industrious, law-abiding citizen. Let me return to another domestic illustration:

My grandfather, dissatisfied with the German army, bought a steamship ticket to the United States of America in 1900. He had nothing but a grade school education and a short apprenticeship as a carpenter. America was such a land of opportunity in those days that he retired in 15 years. He adequately raised seven children and accumulated so much money and real estate that his last surviving daughters were still spending it until they died a few years ago.

My own father had only one year beyond grade school and he supported six children as a machinist. Despite the big depression and five years of unemployment without welfare or aid, he arrived at the age of 70 with a proud $3000.00.

I began working under social security and the federal income tax. My starting assets would be adequate in some countries: a college degree, journeyman skill as a machinist, auto and airplane mechanic (4 years in the Navy as a volunteer), tool maker foreman, tool and production planner in an aircraft factory, and now as an elementary school teacher. I had zero time lost to sickness and unemployment, a genuine passion for work and only three children to care for. I send three annual checks to IRS in addition to withholding tax, send one to the state beside gas and sales tax, and deliver two plump ones to cover property taxes. At the age of 54, after an entire working career, I now have $110.00 in the bank!

In order to accomplish this, our family has had to practice unbelievable economies. I have not once taken my wife and family out to a restaurant in 26 years. I fix every radio, T.V. (1953 black and white), washing machine, or car that we have ever owned. All autos have been purchased used, overhauled, driven, and junked. Our present one is of 1955 vintage. My wife cuts my hair and paints the house alone while I grow fruit trees. The reason we own a house is because three little kids and I spent 9 years building one from scratch, including plumbing, electricity and stucco. We own no stocks, securities, nor a penny's worth of insurance. This is not a land of opportunity to me.

Therefore letters to you are of the complaining kind. Who else can I tell that a horribly sloppy bureaucracy and excessive taxation is aimed at exterminating the middle class? What amazes me is that no force in our nation—newspapers, radio, T.V., books, elections, rebel or statesman can check this giant from crushing the will of the little people who honestly try. If representative government no longer serves the industrious common man what will happen?

Just mentally reviewing the series of letters to you, I note degeneration of spirit: first hope, then puzzlement, shock, frustration, bitterness. Projecting this I am beginning to understand how governments age, how orderly protest is ignored, discontent spreads, undergrounds develop, riots appear. Some rather fine men joined a cause in 1776.

There comes a time to choose. Our country has noisy mouths who love violence as well as quiet folks who love to work. But remembering my grandfather's remarkable luck with just one skill, I think emigration has a virtue or two."

Very truly yours,

Bernard J. Goldmann.

COMMENTS ON THE INTERNATIONAL SITUATION BY ROTHWELL H. BROWN

(Mr. SCOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCOTT. Mr. Speaker, a retired general, Rothwell H. Brown, writes a weekly column in the Rappahannock Record, a weekly newspaper published in my congressional district at Kilmarnock, Va.

Last week he endeavored to analyze the international situation and our relationship with the Communist nations. He referred to a report recently published by a British strategic study group stating that the United States had lost the will and ability to compete with Russia diplomatically, economically, and militarily, and stated that one of the most important items for national existence is the will to survive.

It is a very thought-provoking article and I insert it at this point in the Record for the information of the membership:

Now Let's See

(By Rothwell H. Brown)

A British Strategic Study Group recently published a report stating that the United States has lost the will and the ability to compete with Russia, diplomatically, economically and militarily. This report should not be dismissed lightly simply because of its British origin.

The report may come as a shock to many Americans who are blindly inclined to believe that Russia is still 50 to 100 years behind this country in practically every respect—a belief not eradicated by sputnik.

Far too many Americans consider this country to be omnipotent without actually understanding the true sources of and the manifestations of power.

Russia does indeed appear backward if one considers millions of miles of concrete highways, millions upon millions of automobiles, millions of electric dishwashers, the heights and numbers of skyscrapers, the millions of tons of detergents produced, or even the millions of tons of steel produced as standards for the measurement of national power.

Unfortunately, while many of these things are measures of affluence they cannot be considered as accurate gauges of a country's ability to cope with the ambitions of an aggressive nation.

The British report points its finger at the two most critical and salient criteria which must prevail if this country is to assure its survival in spite of Russian designs for our destruction.

First, and rightly so, the most important is the will to survive. Without this everything else is naught. And this will to survive presupposes an understanding of and widespread knowledge of the threat to survival.

It is here that the British report points out our greatest weakness. Except for a few voices which are almost drowned out by the loud-mouthed shouting of disputatious liberals and out-and-out communists, there seems to be no one who dares to alert the American people to the fact that Russia is our mortal enemy.

While it is true that President Eisenhower and Secretary Dulles created strong barriers against Russian expansion, this sole attempt at containment was permitted to wither away without the American people ever being aware of the serious results flowing from our abandonment of this worldwide system of alliances.

Our lack of will to compete with Russia diplomatically goes way back to President Roosevelt who failed to see through the evil designs of Stalin and paved the way for the enslavement of central Europe.

Truman exhibited the same fundamental weakness. He sold out Chiang and the Chinese to communism. He then refused to carry the Korean War to a victorious conclusion. Then Eisenhower, who should have known better, closed out the war by negotiation, but by no means reduced our casualties from those which would have occurred had Truman permitted MacArthur to push on to victory. President Kennedy continued this evil trend and supinely permitted the Russians to establish a stronghold in Cuba.

Vietnam has now disclosed not only the weakness, vacillation and lack of will in our leadership but the disintegration of patriotism, love of country and faith in God throughout our country. The communists—Russian, Chinese, Vietnamese—can see our lack of will which is going to result in another abject withdrawal by President Nixon without having achieved victory.

Finally the British report concludes that since we no longer have the will to survive, we have lost our ability to compete in the power struggle in which we are engaged.

This may surprise those who judge our capabilities versus the Russians in terms of our successful moon orbits and outer space programs. Unfortunately, while we may get to the moon first, the Russians have developed such formidable and awesome weapons for delivery through outer space that our astronauts might not have any America to return to from the moon.

When one listens to the shouting in our universities, the oratory of appeasement, detente and defeat in our Congress and the weasling words from most of our leadership, it is no wonder that the British have concluded that this country is doomed from lack of will and lack of ability to defend ourselves.

Once the countries of the free world get this message they will strip us of our gold and desert us like rats leaving a sinking ship.

MEETING OUR NATIONAL HOUSING GOALS

(Mr. DELLENBACK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DELLENBACK. Mr. Speaker, with a steadily increasing and highly mobile population we have a great need for new residential construction. Congress recognized this need last year when it set a goal of 26 million housing units to be built during the next 10 years. It is now predicted that we will fall short of this goal by 200,000 units in even this first year under the Housing Act of 1968.

Recent congressional hearings have shown us that present practices and procedures in the management of our national forests will not yield sufficient lumber and plywood in the right places and at the right times and at the right prices to make possible the attainment of our essential national objectives.

Congress must make additional funds available to those who manage the national forests in order to make possible the construction of an adequate system of forest roads, reforestation of current cutover lands, and other nonstocked or poorly stocked lands, thinning of the forests, increased salvage of timber killed by fire, insects, or disease, and enhanced research to develop new ways to grow timber faster, use wood more efficiently, and reduce the cost of production. We of the Congress cannot justifiably expect even the able and dedicated persons serving the national interests in the employ of the Forest Service and the Bureau of Land Management to accomplish what it is possible to accomplish with our national timber resources unless we give them the necessary tools and funds which are within our power to make available to them.

The distinguished chairman of the Forestry Subcommittee of the House Agriculture Committee, the gentleman from South Carolina (Mr. McMillan), and the distinguished gentleman from Ohio who serves on the House Banking and Currency Committee which recently held extensive hearings on the lumber and plywood problem (Mr. Ashley) yesterday were principal sponsors of the National Timber Supply Act of 1969. This act calls for the creation of a high-timber-yield fund which will assure that timber sale receipts will, for a period of time, be used for intensified management of our national forests.

The bipartisan cosponsors of this measure are Members who are concerned that the Nation provide the necessary building materials to meet our growing consumer needs, including Members from the producing areas that can make those materials available. All of us are working together to make sure that the Nation will not fail its commitment to provide more and better housing for its citizens.

The Fourth District of Oregon has roughly 10 percent of the standing commercial softwood timber in the United

States. The vast public and private land holdings from which our timber resource is harvested account for a very significant share of the economy of southwestern Oregon. Most of the people in my district derive their livelihoods, directly or indirectly, from caring for, harvesting, and replacing the timberland stands as well as converting logs from the forests into useful consumer products.

I am pleased to cosponsor the National Timber Supply Act and I commend its careful consideration to my colleagues. I offer my full assistance in bringing the full promise of our Nation's housing goals—through the intensive and creative management of our national forests—to reality.

HOGS ARE BEAUTIFUL

The **SPEAKER** pro tempore (Mr. MATSUNAGA). Under previous order of the House the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 60 minutes.

(Mr. SCHWENGEL asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, I arise today to set the record straight in a matter of very great importance to the constituents of my district, to Iowa, and this country. The record which I desire to set straight is the record of the contribution made by the pork industry, the producers of pork and the importance of pork to our economy and the importance of pork to the nutrition of our people. I have no quarrel with other producers of protein and other meat producers. They are making significant contributions to a more wholesome and healthy life. My purpose here today, is to set the record straight with respect to the pork industry and the maligned pig.

The need for correcting the record arises in part from a dialog which has been in progress among certain Members of the other body. It seems that some of the Members of that body are engaged in a contest to determine whether Virginia, Tennessee, or Kentucky, produces the best ham. Their efforts to point out the savory flavor of ham products is to be commended. It is wonderful food. However, they are terribly misguided in one sense, for the States which they represent may produce very good ham, but they lack sufficient capacity among the three States to produce more than a merest percent of the total ham produced in this country. Iowa alone produces over 24 percent of all the hams produced in this country. In addition, anyone with a discriminating palate knows full well that Iowa ham has the best flavor of all. Besides this well-known fact, we boast of delicious and nutritious pork chops, protein rich and tasty bacon, palatable energy giving loins—this plus 70 other products such as a delicacy like pickled pigs feet.

A second source of error in the record, is a series of television clips in the "Keep America Beautiful" campaign. These films depict the hog as being stupid, and an animal of unclean habits. This is a serious error which I hope to correct here today. The National Pork Producers Council has spearheaded the drive to correct this image by their distribution of bright green and yellow buttons proclaiming, "Hogs Are Beautiful." My purpose here this afternoon is to further correct the record and the general image of that much maligned animal, the "picked on porker."

I like pigs, and I honestly believe that most pigs like me. Hogs are beautiful. Some of my best friends are hogs.

Like Patrick Henry, I care not what—unfortunate—remarks others may make, but as for me, I like pigs. Against all those who would besmirch them, I stand ready to speak in their defense—even on the floor of the House of Representatives of the U.S. Congress.

The pork industry in America is disturbed about the bad image that my countrymen are creating for this lowly farm animal. Last year the promotion agents for "Keep America Beautiful" came out with this slogan:

> Don't be a *pig* in the park.

Long before this slogan was coined, there were other expressions in common use that the advertisers suspect have somehow cooled the market for pork products. And that is not hogwash—to use just one such expression.

To keep pace with the litterbug campaign, National Pork Producers Council has launched a counteroffensive with slogans and buttons proclaiming that "Hogs Are Beautiful." And I understand that already they are sold out of buttons.

To amuse ourselves, let us take a look at some of the uncomplimentary terms and phrases being heaped upon the poor pig. Consider these imagemakers, for example:

> She is *pigheaded*.
>
> Her apartment is as dirty as a *pigsty*.
>
> On weekends, she goes *hog wild*.
>
> She knows as much about politics as a *hog* knows about Sunday.
>
> She is always *hogging* the show.
>
> What's more, she is a *road hog*.
>
> Her Congressman is nothing but a *pork-barrel* politician who feeds at the Government *trough*.
>
> I've never met her, but they say she is as *fat as a pig*.
>
> Who wants to buy a *pig in the poke*.
>
> Maybe she is all *lard*, who knows?
>
> I've heard rumors that she casts her pearls before *swine*.
>
> Does she have a cute little *piggy* bank?
>
> Yes, I know, but you can't make a silk purse out of a *sow's ear*.
>
> On the dance floor, she is as awkward as a *hog on ice*.

Now that we have a pig's eye image of this girl, how would you like to go whole hog and hire her as a member of your congressional staff?

So much for the scintillating sematics of swine slang. Now, I want to pay tribute to the noble pig for its 9,000 years of loyal service to mankind. In doing so, I shall quote in part from "The Story of Pork" published by the American Meat Institute:

> Americans have special reason for paying tribute to the hog. He's contributed greatly to pioneering, settling and building this land. Supposedly at Queen Isabella's urging, Columbus brought eight pigs with him on his second voyage to the New World. Cortez' excursion into Honduras in 1524 included a drove of swine. But it was on May 25, 1539—almost a century before the arrival of the Pilgrims—that the hog was introduced to mainland America.
>
> On this date, Hernando DeSoto, who was determined to conquer Florida and establish colonies in the interior, landed at Charlotte Harbor, Florida, with 600 soldiers, 350 horses and only 13 hogs. The Indians along his route learned just how good roast pork can be, and DeSoto's records show that the whole Spanish encampment was completely burned a couple times because of the Indian's craving for pork.
>
> When the encampment in Arkansas was burned in 1541, "more than 400 pigs were lost in the fire and only about 100 remained." A year later, when survivors of the expedition built boats for the voyage down the Mississippi, they killed 700 pigs to provide meat for the journey. Fifty years later, when the French explored the Mississippi, the Indians fed them pork raised from the descendants of DeSoto's party. The 13 hogs had made a sizable contribution to the formation of a new land.
>
> Pork was a staple of the Pilgrim diet. Supplies had to be locked up because the Indians on the East Coast liked pork, too. Pork packing was the chief business of William Pynchon, the first American meat packer. Yankee trade with the West Indies sprang from barreled pork; and before 1700, packers had made Worcester, Massachusetts, a center of flourishing export trade. The American Revolution was in part possible because of the strength that the pork trade brought to the colonies.
>
> During the trying days of Valley Forge, pork chunks in brine became a saving provision to the tattered Continental Army. Sow-belly (salt pork) in the Civil War and canned K rations in World War II were later instances when pork was on the winning side.
>
> ### PIGS, PORK, AND PROGRESS
>
> When the covered wagons went West, the hog went with them. He was a hardy traveler, able to hold his own against the animals of the forest where he had to forage for food. Small hams and stringy bacon were the yield of these "razorbacks" and "stump rooter." Pork as we know it was not available until settlers used the abundant Indian corn as feed and changed the hog from a scavenger to a standard farm commodity.
>
> As river towns sprang up, small packing plants and slaughter houses were built where farmers could get cash for the swine their families did not consume. The canals that brought such color to American history were built primarily to provide dependable transportation for pork products and live hogs. The three routes colonial drovers used to take their hogs to market later became the routes of the New York Central, the Pennsylvania and the Baltimore and Ohio railroads.
>
> Cincinnati became known as "Porkopolise" and packed more pork than any other place in the world in the mid-1800's. Packers perfected the assembly-line ideas of Eli Whitney and made important developments in food refrigeration. Shortly after the Civil War, the first refrigerator car appeared. This invention played a major role in enabling the entire nation to enjoy the nutrients and flavor of pork.
>
> ### THE HOG TODAY
>
> Grandmother and her mother depended heavily on the hog as a source of fats, and yesterday's hog was obliging plump and jolly. The fats in lard, produced from pork, was particularly important during the effort for World War I. Today's homemaker is diet conscious, and the hog has again been adjusted. With the help of researchers, breeders, and farmers, a "meat type" now offers the more-lean-less-fat combination which the homemaker prefers. Once again the hog has condescendingly agreed to change its form just to meet (no pun intended) our needs. The hog is one of our most efficient convert-

ers of feed grain to meat. We can produce one-hundred pounds of pork from two-hundred and fifty pounds of feed. This is a real feat! It serves to further demonstrate the flexibility and the adaptability of the hog to our economy over the years. The true versatility of this noble animal can be seen more clearly by reviewing the many products which the "porker" provides us.

List of products that contain only pork

FRESH OR FROZEN

1. Boston butts.
2. Brains.
3. Cheek meat.
4. Chitterlings.
5. Hams.
6. Head meat.
7. Heart.
8. Jowls.
9. Kidneys.
10. Knuckles.
11. Link sausage.
12. Lips.
13. Liver.
14. Loins.
15. Loin end roast.
16. Lungs.
17. Melts.
18. Neck bones.
19. Patties.
20. Picnic.
21. Pigs feet.
22. Pork chops.
23. Rib end loin roast.
24. Shoulder.
25. Shoulder steaks.
26. Snouts.
27. Spare ribs.
28. Stomachs.
29. Tails.
30. Tongues.

PROCESSED (CONDIMENTS AND CURING AGENTS INCLUDED)

1. Bacon squares.
2. Canned hams.
3. Coppa.
4. Copicola.
5. Cottage butt.
6. Chopped ham.
7. Chopped pork.
8. Hocks.
9. Pickled pigs feet.
10. Sliced bacon
11. Smoked ham.
12. Smoked ham, butt half.
13. Smoked ham, butt end.
14. Smoked ham, shank half.
15. Smoked ham, shank end.
16. Smoked ham slices.
17. Smoked picnic.
18. Smoked pork chops.
19. Spiced pork.
20. Sweet and sour pork.

List of products with pork and other ingredients

1. beans with bacon.
2. beans with ham.
3. blood pudding.
4. blood sausage.
5. bologna.
6. braunschweiger.
7. breakfast sausage.
8. canned pork and gravy.
9. chili with pork.
10. chow mein with pork.
11. deviled ham.
12. frankfurters.
13. German style potato salad.
14. ham a-la-king.
15. ham hash.
16. liver.
17. liver sausage.
18. liver spreads.
19. luncheon meats.
20. margarine.
21. meat loaf mix.
22. meat spreads.
23. metwurst.
24. nonspecific loaves.
25. peperoni.
26. pickle and pimento loaf.
27. pork and beans.
28. pork pot pie.
29. potted meat food product.
30. salami.
31. sausage pizza.
32. scrapple.
33. shortening.
34. souse (head cheese).
35. split pea soup with ham.
36. sulze.
37. summer sausage.
38. smoked sausage.
39. thuringer.
40. tamales.
41. tongue spreads.
42. vienna sausage.

The hog's years of service continue as he offers palate-tempting eating, variety in cooking and high quality proteins, plus iron and niacin. Pork is especially important for thiamine, both because it is one of the most valuable sources and because there are fewer food sources of this vitamin than of other known B vitamins.

BYPRODUCTS

By-products of pork can be found in all facets of everyday living. Pigskin is a light and durable leather used for gloves, insoles, wallets and various novelties. Of course, some of the most important pigskins are those which we use so much on Saturday and Sunday afternoons in the Fall—the football! Hog hair is used for bristle brushes, upholstery, insulation and felting. Hog casings are used for sausage. Gelatin, cosmetics, roofing compounds, defoamer and cleaning emulsions come from pigskins and fats. Glue, animal feeds and industrial greases are other useful by-products.

PHARMACEUTICALS

Pharmaceuticals are by-products of which the meat industry can be justly proud. Hogs have circulatory, respiratory and digestive systems similar to man but do not suffer from the "bodily imbalance" diseases of man. Packers' long-range research has uncovered many medical potentials in hog glands and organs.

The thyroid gland of the hog is used as raw material for thyroid extract. The diabetic patient depends on the meat industry for insulin; the pancreas glands from 120,000 hogs are required for one pound of insulin powder. The pituitary glands of 25,000 hogs are needed to produce one ounce of ACTH, and the extraction process is a skilled and intricate one. Cortisone, pepsin, mucin and epinephrine are a few more of the lifesavers that originate in the packing plant.

THE WONDERFUL PIG

The most intelligent domestic animal in America, according to a study made by Cornell University;

Adaptable to the extent that he will accept an environment forced upon him through ignorance, although he prefers a clean lair;

A perfect conservationist, will eat whatever his master provides; and

A prolific meat-making machine.

Surely these are qualities enough to warrant esteem and gratitude.

Praise to the pig for 9,000 years of service and the thousands of years to come!

IMPORTANCE OF THE HOG INDUSTRY

The hog industry is big business. The $3.8 billion received by farmers last year from the sale of hogs accounted for 9 percent of the Nation's $44.1 billion of cash receipts from farm product sales. Iowa's $1 billion in 1967—latest available—from hog marketings was tops in the country and was 28 percent of the State's total farm sales. Of the 85 million hogs slaughtered commercially last year, almost 21 million—one-fourth—were killed in Iowa packing plants—more than three times as many as slaughtered in the No. 2 State—Minnesota. Iowa has led the Nation in the number of hogs on farms in every one of the past 80 years.

WHO SAID HOGS ARE DUMB?

Yes, Sir; pigs are versatile creatures—and smart, too. Sometimes they are smarter than we think. For example, I recall a story I heard as a boy on my father's farm in Franklin County, Iowa, about the city slicker from Boston who bought a farm near ours. He wanted to get rich quick raising hogs. For a start he had one sow. He wanted some baby pigs so he loaded his sow into the wheelbarrow and pushed her up the road a couple of miles to the nearest neighbor to visit a boar. Then he wheeled the sow home again. Next morning he went to the barn bright and early, but to his surprise there were no little pigs. So he hoisted the sow into the wheelbarrow and repeated the journey. Next morning he went to the barn again—and still no little pigs. But there was the sow sitting in the wheelbarrow.

Yes, sir; pigs are smart. Even Abe Lincoln thought so, for he once said:

> A pig won't believe anything he can't see.

HOG DRIVES IN THE EARLY DAYS

I am sure you are aware that Iowa and other Midwestern States are famous for corn and hogs. But perhaps you are not aware that the area was also once famous for its great hog drives.

In pre-Civil War days, the early settlers herded their pigs across the countryside to eastern assembly points for shipment by rail or water. Madison, Ind., and Cincinnati, Ohio, were both known as "porkopolis" about 100 years ago. In those days, hogs had different names, too, They were commonly called elm peelers, alligators, land-pikes, razorbacks, and prairie rooters. They ran at large until 2 or 3 years old, living mostly on acorns, beechnuts, and whatever they could scrounge. But before the drives began, they were fattened out on corn.

The droves often contained 2,000 to 3,000 hogs. They traveled hundreds of miles from Illinois, Kentucky, Indiana, and surrounding States. These hog drives were similar to the famous cattle drives of the early West. But the men were not called cowboys; they were called drovers. The trail boss was usually owner of the drove. He brought up the rear, seeing to it that his drovers—usually on horseback—kept the hogs moving. At night the crew would make camp in the beech forest and sit around the campfire, singing ballads and telling stories, just like in a western movie.

This bit of forgotten history gives me an idea for a new TV series to help brighten the image of pork. Perhaps we could promote a "Gunsmoke" type of program centered around the romance of the famous hog drives of the early Middlewest. All we would need is a sponsor, a good script writer, a Matt Dillon, and a few thousand razorbacks.

WHY IS THE USE OF PORK FALLING OFF?

Today Americans are eating more meat but less pork. In 1879, per capita pork consumption was about 73 pounds.

By 1966 the consumption was down to 58 pounds per capita.

What are some of the possible explanations for this unsettling change? According to a study published in 1968 by Iowa State University entitled, "The Pork Industry, Problems and Progress" there are four factors involved:

First. Proliferation of alternatives.

Second. Increased protein competition.

Third. Changes in consumer attitude toward obesity.

Fourth. The image of pork.

More choices are available to the housewife today when she goes shopping for food. A century ago the general store carried fewer than 60 different products for all consumer needs, including food. Today's supermarkets carry more than 35,000 coded items, and that is enough to confuse any housewife.

Competition has also increased. Since 1953 the American consumer has been eating more beef than pork. He now eats 79 percent more beef, and the lines plotted on the graph continue to diverge.

Popularity of other forms of animal protein has also increased sharply.

In absolute pounds consumed by civilians during the last decade, for example, poultry increased 85 percent; breaded shrimp by 120 percent; fish sticks by 53 percent; beef by 47 percent; but pork actually showed a 3-percent loss during this period when the U.S. population had increased by 19 percent. In its most recent biennial review of 10-year growth patterns in the food industry, Food Processing & Marketing magazine showed substantial increases in 39 of 42 categories of food products, topped by an 822-percent growth in frozen potato products and a 679-percent growth in noncaloric sweeteners—with cane and beet sugar also up by 20 percent. During the past decade, only three of the 42 categories lost ground—pork, with a 3-percent loss, butter—down 11 percent—and citrus fruit used fresh—down 13 percent.

But the threat to pork from increased competition from alternative protein sources is clearly not limited to other animal proteins such as beef and poultry. Within the past 2 years a technological breakthrough has been achieved in isolated spun soy protein products, and there is every indication that these will play an increasingly important role in the consumer diet within the very near future. With a source of protein that is roughly half the cost of animal protein, and with the ability to provide a very wide range of texture, flavor, and appearance, it seems reasonable to suppose that vegetable proteins will make further inroads into the market for pork producers. An interesting recent development is a patented process which combines soy protein with animal protein to yield an entirely new kind of product.

The third cause for pork's decline was listed as "changes in consumer attitude toward obesity." This is a strange paradox. For almost since the beginnings of recorded history, overweight has been a prestigious sign of affluence. Only the prosperous could afford enough food to provide the caloric surplus that results in obesity. And this is still so throughout much of the world. But the United States, as Charles Slater once pointed out, is "the first nation in history to be seriously threatened by mass obesity." It is well within the reach even of those who subsist on public funds to become grossly overweight.

Regardless of the extent to which people actually are overweight—and it is doubtful that two-thirds of the adult population would really qualify as medically obese—it is still a fact of enormous significance that two-thirds of the population consider they are fatter than they would like to be. The ratio of women who considered themselves to weigh too much was even higher than that of men, and it is obvious that women have a disproportionate influence on the choice of foods that are purchased and served.

With the proper selection and trimming, pork can be among the leanest of meats. But does the consumer perceive pork to be lean? Just how much of an effort is actually being made by the producer, the packer, the retailer to encourage the consumer to think of pork as a lean meat?

The fourth cause, the image of pork, has already been mentioned in my introduction. To the extent that people associate "pork" with the pig, there is some reason to believe that its consumer image is less than shining bright. Such phrases as "dirty as a pig," "this place looks like a pigsty," and so forth have conditioned the consumers mind since childhood. Add to this vague fear about diseases such as trichinosis and even hog cholera, and then top it off with publicity about the role of saturated animal fat in arteriosclerosis, and it would be strange indeed if there were no negative ruboff on pork and pork products.

I would like to close with a brief quotation from Charles Lamb. In his "Dissertation Upon Roast Pig," he gives one of the most glowing tributes to pork in all literature.

> Pig, Let me speak his praise, is no less provocative of the appetite, than he is satisfactory to the criticalness of the censorious palate. The strong man may batten on him, and the weakling refuseth not his mild juices.
>
> Unlike to mankind's mixed characters, a bundle of virtues and vices, inexplicably intertwisted, and not to be unravelled without hazard, he is—good throughout. No part of him is better or worse than another. He helpeth, as far as his little means extend, all around. He is the least envious of banquets. He is all neighbours' fare.

If we can only get more consumers to thinking about pork and pork products in this way, the future for pork would indeed be bright.

Some pertinent correspondence follow:

DAVENPORT, IOWA,
April 16, 1969.

Mr. FRED SCHWENGEL,
House of Representatives,
Washington, D.C.

DEAR FRED: As a Pork producer and a promoter of improving the image of Pork, I am pleased to know of the tribute that you and your colleagues are planning to give to the swine industry. As you know I am presently serving in the capacity of Vice President of the National Pork Producers Council which has the largest paid membership of any commodity group in the country today. We have started the voluntary check off program to help in the promotion of our own product. Naturally an occasion such as the one you are promoting April 22nd makes me especially proud to have you representing this area of Iowa. As you know, Iowa in general is where hogs are "King".

Iowa has 25% of the Grade A land in the U.S. Land that produces some of the best yields in corn, and as you know Fred, hogs are the best converters of corn to red meat. This is why Iowa raises about 30% of the hogs in the 10 corn belt states. Last year 19,493,000 hogs were slaughtered in Iowa to produce 5,041,866,000 lbs. of pork, more than any other State. The processing of pork also contributes to the employment of many people in and out of Iowa.

Pork, fresh, cured, pickled, smoked or canned sets the pace for a wide selection of delectable dining and has an impressive nutritive value for the homemaker when planning family menus. Todays pork is superior due to better breeding and feeding and closer trimming by meat packer and retailers. Among other things pork is a major dietary source of the B vitamins, especially thiamine, riboflavin and niacin, essential to food utilization, appetite, skin and oral health. With less fat and fewer calories, pork plays a particular role in the diet of weight control. Whether it is barbecued pork roast, ham, bacon, or left-over pork in a sandwich, you can be sure of the same outstanding nutritive values that mean so much to the health and well being of old and young alike.

I will be thinking of you, Fred, on April 22nd with pride, knowing how well you will be representing Iowa. Thanks again for your support of the hog industry. Enclosed please find a pig tie tack that I hope you will wear proudly that day.

Sincerely,

ROY B. KEPPY.

NATIONAL LIVE STOCK AND MEAT BOARD,
Chicago, Ill., April 8, 1969.

Hon. FRED SCHWENGEL,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE SCHWENGEL: The management of this organization commends your intent in saluting U.S. produced pork and the agricultural industry that brings it to our tables. Pork producers in your constituency and across the land will be applauding this public recognition. We join them!

Very sincerely,

DAVID H. STROUD,
President.

IOWA SWINE PRODUCERS ASSOCIATION,
IOWA PORK PRODUCERS ASSOCIATION,
Des Moines, Iowa, April 11, 1969.

Hon. FRED SCHWENGEL,
U.S. House of Representatives,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE SCHWENGEL: The pork producers of Iowa are pleased to have this opportunity to inform the House of Representatives in our United States Congress of the importance of the hog industry to our great state and nation.

We believe that hogs are truly beautiful in this state because they furnish most of the livelihood for the 80,000 farmers who raise them. These same hogs furnish jobs for thosuands of other Iowans who work in packing houses, drive trucks, build tractors, produce and sell feed, and work in the other agricultural related jobs.

The average Iowa pork producer raises 250 head of hogs. The average American eats 65 pounds of pork per year. The Iowa pork producer markets his hogs at 220 pounds, and if this hog dresses out at 70% he will furnish 154 pounds of pork which will feed more than two Americans each year. It figures out that the average Iowa Pork producer provides enough pork for more than 500 hungry Americans each year.

Iowa is the largest pork producing state in the nation. We raise a few over 20,000,000 head each year, one-fourth of the nation's total pork supply. It then follows that Iowa provides enough pork to feed between 40 and 50 million Americans.

In Iowa we know that the hog is one of our most efficient converters of feed grains to meat. Here we can produce 100 pounds of pork from 250 pounds of feed. We feel that pork will be one of the best and more efficient sources of protein in a world where the need for protein is ever increasing.

Hogs are not only beautiful—they're just plain wonderful.

Sincerely,

MIKE FORD.

DERWINSKI'S POLISH SAUSAGE WITH SAUERKRAUT

2 pounds Polish sausage
2 pounds sauerkraut, drained
½ cup diced carrots
2 apples, peeled & diced
1 cup diced bacon
½ cup onions, diced
1 cup grated raw potato
1½ cups soup stock
½ cup sauterne

Place all vegetables in a 3-quart casserole in layers. Combine soup stock and wine and pour over vegetables. Cut Polish sausage into 4 to 6 pieces and put on top of vegetables.

Bake in foil-covered casserole in preheated 350 degree oven 2 hours. If after 2 hours, there is too much liquid, remove cover and cook an additional 15 minutes. Serves 6 generously.

SWEET AND SOUR RED CABBAGE

1 medium size red cabbage (1½ pound size), shredded
3 tablespoons granulated sugar
1 tablespoon flour
½ teaspoon ground allspice
¼ cup cider vinegar
¼ cup butter
1 green apple, peeled & sliced thin
1 teaspoon salt
2 cups boiling water

Melt butter; add hot water, sugar and flour and blend well. Bring to a boil. Add all other ingredients. Cover saucepan and cook about 20 minutes over low heat until cabbage is cooked. Stir occasionally. Drain liquid when ready to serve. Serves 6.

NATIONAL PORK PRODUCERS COUNCIL,
Des Moines, Iowa, April 16, 1969.
Hon. FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN SCHWENGEL: I personally wish to thank you for your efforts in giving the pork industry recognition among the members of Congress.

The pork industry plays a vital role in our economy, providing approximately one third of our nations meat supply. Consumers are spending 8¼% of their food dollar for pork products which represents a 7 billion dollar annual expenditure.

It is important that members of the congress be kept informed of factors affecting the pork industry.

Sincerely,

ALBERT E. GEHLBACH,
President.

IOWA SWINE PRODUCERS ASSOCIATION,
IOWA PORK PRODUCERS ASSOCIATION,
Des Moines, Iowa, April 15, 1969.
Hon. FRED SCHWENGEL,
U.S. House of Representatives,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE SCHWENGEL: Iowa's hog producers, some 80,000 of them, are delighted that you've decided to stress the importance of one of the nation's most important food products.

As you must know, politically-inspired efforts to appeal to the consumer vote have left the impression that bad meats would flood the market unless there is an inspector hovering over every carcass.

Nothing could be more in error. We're not objecting to adequate inspection, of course. But the simple fact is that producers are doing more to protect the health of the American consumer than 10 million inspectors could do.

I'm the third generation to raise hogs on the family farm where I live. Neither my Grandfather, my Dad nor I are stupid enough to think that we can make a living from the production and marketing of sick hogs. On the contrary, hog producers know that we simply cannot stay in business unless we keep our hogs healthy. A sick hog costs us money, and we're in this business to develop profits.

So I would say, and you could say in public, that if people were one-tenth as disease free as are our hogs, we could forget about all kinds of medicaid programs. They simply wouldn't be needed. We raise in excess of 20 million hogs in Iowa each year . . . and we haven't had a single case of cholera in five months. Compare that with the flu, cancer, heart trouble and other human ills. We have more than 200 million people in this nation . . . and not a single American died of trichinosis last year. Less than 100 cases of human trichinosis was diagnosed—nearly all of these having been caused by handling hogs, not by eating pork. Compare this and you'll find it is about as rare as leprosy.

So what? So if there is one sick hog in each 150,000 marketed, we hog farmers want it intercepted and removed from human consumption. But when you "have your say", tell the world that our pork supplies are clean and wholesome because farmers raise healthy hogs. We can't afford to do otherwise, because disease bankrupts us in the growing process, and because we're pretty consumer-conscious and we refuse to scare off our customers with questionable quality.

There are many major problems facing the nation. Isn't it fortunate that every American can enjoy his daily "fill" of clean, wholesome, safe, fresh red meat at a price level well within even limited budgets. This kind of high-protein diet will give us strength to resolve the other problems . . . and when human health and human behavior comes up to that of the American hog, this will be nothing short of Utopia.

Sincerely,

JOHN SOORHOLTZ,
President.

AGGRESSIVE YOUNG LEADERS BRIGHTEN FUTURE OF HOG INDUSTRY

"The hog industry is in the soundest hands it has ever been in," declares Rolland "Pig" Paul, hustling executive vice president of the National Pork Producters Council.

He explains, "Our breeding and production come closer to providing the desired product than ever before. And I don't think we'll see much resistance to future changes as they become necessary."

A big reason: The "youth movement" in the business. Paul stresses that the "young" thinkers building and leading the industry include many heads sprinkled with gray. But he thinks that these men deserve real credit for stepping aside to let men also young in years shoulder some of the responsibilities of actual leadership.

"The boards of state organizations in the Midwest average under 40 years of age," he points out. "We're electing young men as state officers, too."

Paul adds, "We've got a lot of good, solid young people in the business. They're going to make it because they *have* to make it—they've invested their money and their lives in it—and because they're prepared to do whatever it takes to make it."

Don't talk to Paul about "deserving" to make it, however. Here's how he feels about that: "Hogs will be raised by whoever can handle and produce them the best and the cheapest—and that's the way it ought to be."

With the industry sound, some speculators and money will move into hog production, he says. So there's no room for complacency. But he believes an individual or "family" producer will stick in there as long as he can do a better job. "And he shouldn't be there a minute longer," observes the outspoken Paul.

Paul has kept a little dirt on his shoes, raising 35 to 40 litters of purebred Durocs a year with a partner, Jack Moran, on 160 acres in Dallas County, Iowa. Paul's wife, Donna, did her share, too.

"That's been my balance-wheel," he says. "It's easy to talk about accrediting, validating, testing—someone else to do it. When you open a door some morning and smell TGE, when you call the rendering truck—when you pay feed bills—it keeps you closer to the men you work for."

As indicated, "Pig" presently plans to leave his NPPC post this summer to go into production fulltime. He'll continue the purebred herd he began developing as a youngster, and also raise feeder pigs.

"Hogs have been good to me," he says. They've been his life. He was on the show circuit at 11, an award winner in 4-H, worked in the hog barns at Iowa State University, livened up the Iowa hog industry as state secretary, then directed the industry effort that gave real life to NPPC and its check-off.

"Something was stirring in the industry," he says. "I just happened along at the right time." Well. . . . when something stirs in the hog business, you can look for Pig Paul's hands on the paddle some place. And you can bet that "Pig" and his trademarks—big grin, the two-cylinder chuckle and the cigar—will continue to show up "where it's happening" in the hog industry.

DICK SEIM.

THE SENATE, STATE OF IOWA,
Des Moines, Iowa, April 17, 1969.
Hon. FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR FRED: I am informed that you are having a program to recognize the pork industry. I most highly commend you for your efforts in this area.

It is most fitting that you should do this. The State of Iowa produces twenty-five percent of the hogs produced in the U.S. Thus it has a large impact on the economy of our state. The First Congressional District of Iowa produces a large portion of the hogs produced in our state. Thus the economic impact of the pork industry is reflected directly or indirectly on most of your constituents in the First Congressional District. This impact is very great, is also felt by all of our Iowa citizens.

As a producer of both commercial and purebred swine, I am particularly proud of the progress we have made in the last fifteen years on upgrading the quality of pork, and pork products. We have come a long way and hope with the determined effort of our pork producers, we will be able to continue to upgrade the quality for all pork consumers.

We are hopeful that we can continue our existing state-federal program for the eradication of hog cholera. This is a very important program to the pork industry. To the farmers it will mean saving the cost of vaccination. It will further and more importantly open up many foreign markets for our pork products which are now closed to us because we do use the Cholera Vaccination.

Through the years, Fred, hogs have been known as the mortgage lifter for Iowa farmers. This has been true because with our relatively low capital investment, farmers have been able to realize a relatively high return. I feel that the future will hold that pork production will continue to be most important as an economic factor to our Iowa farmers and to our Iowa economy. Thus I find it most refreshing, Fred, that you should bring to the attention of the Congress and the people of the U.S., the importance of the hog and it's resultant product of nutritious, wholesome pork.

I much appreciate your efforts.

Sincerely,

Richard L. Stephens.

American Meat Institute,
Chicago, Ill., April 17, 1969.

Hon. Fred Schwengel,
Member of Congress,
House Office Building,
Washington, D.C.

Dear Congressman Schwengel: The American Meat Institute is deeply appreciative of your good efforts to bring to the American public a better understanding of pork, one of our most important, most nutritious, and most economical foods. We particularly welcome this opportunity to join with you and others in a salute to the National Pork Producers Council and its many thousands of members throughout the land.

Pork has always been a staple of our national diet. It is one of the finest sources of proteins, vitamins and minerals needed by everyone, every day.

The meat packing industry is indeed optimistic about the future market for pork. Pork quality is continually on the upgrade. And the nation's pork packers and processors are turning out a vast variety of pork products in various forms, shapes and sizes which are meeting with high popularity among consumers. I doubt that there is any valid reason why pork cannot continue to be moved into consumer markets at something in the magnitude of 60 to 65 pounds per person per year at prices that will maintain a healthy swine industry. The swine industry's potential for future production efficiency coupled with the creativity of the modern meat packer bring promise of a bright future for a progressive swine and pork business that can and will capture and hold an even stronger place in the consumer market.

With every good wish.

Sincerely,

Herrell DeGraff,
President.

Mr. Rolland Paul,
National Pork Producers Council,
Des Moines, Iowa

Dear Mr. Paul: My first graders are partial to pork! Most of them come from families who raise hogs. One boy's father manages the Wilson hog station, here, and another boy's father has the sale barn. All the children agree that pork is *delicious!* Enclosed are some illustrated letters from them.

I have been reading in the Des Moines Register about your "Hogs Are Beautiful" campaign. If the buttons are available again, we would be very grateful to receive about 30 of them. Thank you very much.

Keep up the good work.

Sincerely,

Mrs. J. W. Cusack,
First Grade Teacher, Our Lady of Good Counsel School.

Yes, pigs are beautiful. My daddy sells them in his sale barn. May I have some buttons for my family, please? Thank you.

Barry Hammen.

Yes, pigs are beautiful. My daddy raises them. May I have some buttons for my family, please? Thank you.

Linda Lynch.

Yes, pigs are beautiful. My daddy raises them. May I have some buttons for my family please? Thank you.

Patrick Wittrock.

Yes, pigs are beautiful. My daddy raises them. May I have some buttons for my family, please? Thank you.

Dennis Hess.

Yes, pigs are beautiful. My Daddy has a hog buying station. May I have some pins, please? Thank you.

Mike Chettinger.

Yes, pigs are beautiful. I like them. May I have some buttons for my family, please? Thank you.

Luann Marie Tegels.

Yes, pigs are beautiful. My Daddy raises them. May I have some buttons for my family, please? Thank you.

Ann Peiffer.

Yes, pigs are beautiful. My Daddy raises them. May I have some buttons for my family, please? Thank you.

Gloria.

Yes, pigs are beautiful. I like them. May I have some buttons for my family, please. Thank you.

Maria.

Yes, pigs are beautiful. My Daddy raises them. May I have some buttons for my family, please? Thank you.

Marilyn Mohr.

Yes, pigs are beautiful. My Daddy raises them. May I have some buttons for my family, please? Thank you. Love.

Rita Tolan.

Yes, pigs are beautiful. My daddy raises them. May I have some buttons for my family, Please? Thank you.

Kathleen.

Yes, pigs are beautiful. I like them. May I have some buttons for my family, please? Thank you.

Craig Alan Fitzgerald.

La Crosse, Ind., *April 18, 1969.*

Congressman Schwengel,
House Office Building,
Washington, D.C.

Hon. Congressman Schwengel: For years cornbelt farmers have long referred to hogs as mortgage raisers, because they play an important part in farm income. It is well known that the byproducts of the pork industry have helped win wars and fight disease.

Millions of Americans have been awakened since childhood by the sizzling aroma of bacon. American tradition almost dictates that each family enjoy the tantalizing taste of the Easter ham. The new generation of cookout kings recognize the outstanding quality of pork for outdoor cookery. Budget-conscious space-age housewives always pick pork for protein, pep, and price.

Certainly, no doubt people of all walks of life agree with you Congressman Schwengel that "Hogs Are Beautiful."

Root'in for pork.

Claudia Arndt,
National Pork Queen.

Franklin Park, Ill.,
April 20, 1969.

Hon. Fred Schwengel,
House of Representatives,
Washington, D.C.

Dear Representative Schwengel: I saw a brief article in Chicago's American on your planned tribute to pigs. I'm glad to see someone standing up for this maligned animal. Although I'm a city girl who has seen few pigs in person, the pig is my favorite animal. From what I have read this animal is quite intelligent and is not as dirty as is generally believed. I collect all sorts of pigs—stuffed animals, salt and pepper shakers, banks, figurines, pictures, etc. And Arnold of "Green Acres" is one of my favorite TV stars. Keep up the good work.

Sincerely yours,

Patricia Dee Haney.

Radiobiology Laboratory,
University of California,
Davis, Calif., April 20, 1969.

Hon. Fred Schwengel,
Republican-Iowa:

While in the city this weekend I read with interest a news release that you will lead a tribute to pigs in Congress this coming week.

I share your enthusiasm re. pigs & thought you might be interested in the enclosed article.

Respectfully submitted,

E. O. Bustad,
Professor and Director.

PIGS IN THE LABORATORY

(Note.—*Similarities between the physiology of swine and of men suggest that if pigs were smaller, they would make excellent experimental animals. The problem of size has now been solved by breeding miniature pigs.*)

(By Leo K. Bustad)

The pig is a greatly underappreciated animal. For thousands of years it has been a mainstay of civilization and a versatile servant of man. It is easily domesticated, and it can be raised in pens or allowed to fend for itself in the field or the woods, since it will eat almost anything, including man's leavings. The pig is the world's most bounteous supplier of meat and fat. What is not commonly realized is that it is capable of serving, and has served, in many capacities besides providing food. It was long employed as a beast of burden. In ancient Egypt it was used for treading seeds into the ground, its small hoofs planting them at the right depth in soft soil. The Polynesians, making use of the pig's sensitive nose, employed it to search out lost burials; other cultures trained the pig to grub for truffles and to retrieve game. In England pigs became popular substitutes for the hunting dog. A celebrated sow named Slut developed such proficiency in hunting that her accomplishments were recorded in 1807 in the periodical *Rural Sports:* "Slut was . . . trained . . . to find, point and retrieve Game as well as the best Pointer. . . . When called to go out Shooting, she would come home off the Forest at full Stretch, and be as elevated as a Dog upon being shown the Gun."

The subject of this article is not, however, the pig's aptitudes or its domestic history; it is the pig as a servant of science. In anatomy and physiology the pig is remarkably like man. Its heart and circulatory system, its diet, its alimentary tract and even its teeth are very similar to those of human beings. Like man, the pig has comparatively little hair on its body. It has a tendency to be sedentary and fat. It develops stomach ulcers and cardiovascular diseases resembling man's. In almost every way the pig offers a closer analogy to man than do those laboratory favorites, the rat and the dog.

The potential usefulness of the pig as an experimental animal was recognized in a general way centuries ago. Leonardo da Vinci studied the cyclic motions of the pig's heart. The 18th-century investigator John Hunter, one of the most brilliant men of medicine Britain has produced, declared the pig to be the most useful of all animals for physiological studies. An anecdote in John Kobler's recently published biography of Hunter (*The Reluctant Surgeon*) has a pig as its hero. The Margrave of Baden Dierlach was stricken with an apparent heart disturbance, and his court physicians decided a poultice should be applied over the heart. They fell into dispute, however, about exactly where the heart was located in the chest. "To settle the issue to the Margrave's satisfaction, they dissected a pig before his eyes in the belief—and it is true—that the situation of a pig's heart is the same as that of a prince's. The Margrave finding this logic admirable, they applied a poultice accordingly a little to the left of his median pectoral line."

Notwithstanding such recommendations, until recently the pig had won no enthusiastic admittance to laboratories. The great Russian physiologist Ivan Pavlov tried experimenting with pigs but gave it up when he found that as soon as a pig was placed on the table it began to squeal at the top of its lungs and squirm so that work was impossible; Pavlov concluded that pigs were inherently hysterical. Work with pigs was handicapped by a general lack of knowledge about the care, feeding and handling (including anesthesia) of these animals in the laboratory. Most forbidding was the pig's size (pigs weigh as much as 800 pounds); there simply was not room for such a subject in most laboratories.

All of this has now changed. Over the past decade several laboratories have succeeded in breeding miniature pigs that grow little larger (150 to 200 pounds) than the average weight of a man. These animals not only are more manageable but also make possible more significant physiological investigations, because they are more closely scaled to the human body. As a result the pig has at last come into its own in biological research. A report by the United Kingdom Agricultural Research Council lists 3,094 publications and current research projects with pigs as the subjects, and the Battelle-Northwest Laboratory of the Atomic Energy Commission has issued a selected list of more than 1,500 articles that have been published in the past five years on studies of pigs in biology and medicine alone.

My interest in pigs goes back to my boyhood on a farm in a Norwegian community in western Washington. I never ceased to be amazed at how much pigs resembled people. They were temperate at the trough, neat and clean if given a chance, dignified in courtship and conjugality. It was as a graduate student at Washington State University in the late 1940's that I developed an enthusiasm for the pig's research possibilities. There, working under Tony J. Cunha and Eugene Ensminger, who introduced me to the use of the pig as an experimental animal, I began with studies of the effects of vitamin deficiencies. In the course of these investigations I attempted the difficult task of raising pigs from birth without their mother, so that we might have subjects uncontaminated by colostrum (the milk secreted immediately after delivery). I learned a great deal about pigs as I lived with them night and day for weeks, feeding them around the clock every two or three hours. When I returned some of the piglets to their mother after a few days, they embarrassed me somewhat by squealing and running to me in preference to their mother (in consequence of their early imprinting) whenever they heard me approaching. The experiment, however, succeeded only in breaking up happy pig families (besides putting a severe strain on my own); under the given conditions and in the time allowed I did not manage to keep viable any litter that had been removed at birth from its mother.

Much as I would have liked to continue my work with infant pigs, exploring problems in nutrition, I was more strongly attracted to the field of radiation biology, and so I joined the Hanford Laboratories of the General Electric Company (now the Battelle-Northwest Laboratory); there investigations of the effects of ionizing radiation were being carried out on experimental animals. These studies began with sheep, but we soon extended them to swine, anticipating that the effects on the pig would provide a firmer basis for extrapolation to man. We used a standard breed of swine, called Palouse, that was developed at Washington State University. These animals grew to a weight of between 600 and 800 pounds, even on a restricted diet. They were costly to feed and maintain, were unwieldy and developed arthritis; moreover, their size made it questionable that they could accurately be compared with man. As we ran short of feed, housing and patience we began to wish for a smaller pig.

I learned that a friend from my graduate school days, David England, was conducting a project in breeding a small pig for research purposes at the Hormel Institute of the University of Minnesota. He and his associates William E. Rempel and Almut E. Dettmers had started the crossbreeding program with three wild pig varieties: a guinea hog from Alabama, a wild boar from Catalina Island and a hog from the piney woods of Louisiana. Later a fourth variety, a swine called Ras-N-Lansa from Guam, was introduced. Most recently a white domestic pig, the Tamworth, was bred into the line to give it a light color. The Minnesota group's breeding efforts produced a comparatively small pig (adult weight about 180 pounds) called the Hormel miniature. In the 15 years since they first created this breed they have reduced its weight by roughly a third.

The Hormel Institute provided us with some castrated miniature pigs for experiments. It was the institute's policy at the time not to release any animals in its breeding program that were capable of reproducing. Since we wanted to raise our own miniatures we had to look elsewhere for a breeding stock. We found that the Pitman-Moore Company of Indiana, a veterinary pharmaceutical firm, was breeding another strain of miniature swine from a small, wild Florida hog of mixed ancestry; it was descended from pigs Columbus had brought to the New World and that had interbred with Caribbean swine. The Pitman-Moore Company generously presented the Hanford Laboratories with some of its best stock of this breed. With these animals as the basis, my associates—V. G. Horstman, M. E. Kerr and W. J. Clarke—and I began in 1957 to breed a new strain. We particularly wanted white pigs, to facilitate studies of the effects of radiation on the skin; hence we crossed the Pitman-Moore breed with white swine of the Palouse strain. Later we crossed the offspring with a Labco pig, a sparsely haired, gentle swine from Mexico, and so produced an animal that not only is white but also has a smooth skin with very little hair. The weight of the Hanford miniatures at present runs from 150 to 200 pounds.

From the stocks I have mentioned and from others, several institutions are now engaged in breeding small pigs for research; among them are the Battelle-Northwest Laboratory, the Hormel Institute, the University of Nebraska, the U.S. Food and Drug Administration, the Vita Vet Laboratories, Labco and laboratories in France and Germany. One goal is to produce a pig smaller than a man—about 60 pounds or less—that would require no more space or food than a dog and would be a better subject than the dog for many biological investigations.

Let us review some of the recent research in which pigs have served as the experimental animals. It would take volumes to survey the vast field of these wide-ranging studies; I can only report here the highlights of a few particularly interesting investigations.

Chief among the inquiries in which the pig has been used so far is the study of nutrition. The pig's alimentary tract and metabolism are so similar to man's that it has yielded a wealth of information bearing on human nutritional problems. The pig provides a standard for the feeding of infants and young children. It has been found that a young pig has more stringent food requirements than a human baby; consequently one can be sure that a diet that provides healthy growth in a piglet will be adequate for a baby. Experiments with pigs have also shed light on the protein-deficiency disease of children called kwashiorkor. Wilson G. Pond and his associates at the Cornell University Graduate School of Nutrition produced the symptoms of this disorder in young pigs by feeding them a low-protein diet containing only 3 percent protein and 20 percent or more of fat. Curiously they found that on the same low ration of protein young pigs did not develop as severe symptoms and showed normal activity if the fat content of the diet was reduced. On the low-protein, high-fat regime infant pigs suffered severe liver damage, anemia, gross edema and in addition permanent losses of learning ability.

Several investigators, among them Jerome C. Pekas of the Battelle-Northwest Laboratory and Donal F. Magee of the Creighton University School of Medicine, have shown that the pig is a particularly convenient animal for studying the functioning of the pancreas and other elements of the digestive system. An operation on the gastrointestinal tract of the pig is the same as the corresponding operation in a human subject; a given dose of drug or other substance produces very nearly the same degree of response in a pig as it does in a man, and presumably the various digestive juices secreted by the pig are about the same in quantity and composition as those secreted by man. The pig's pancreatic juice is rich in enzymes. Pekas has found that the animal can be excited to a high rate of pancreatic secretion by a continuous infusion of secretin, the pancreas-stimulating hormone. Looking into the functioning of the young pig's pancreas, he has observed that the animal sometimes shows a congenital failing, marked by inficient metabolism of soybean protein, that parallels a similar disorder in human infants.

Other investigators of the pig's gastrointestinal tract have discovered that it occasionally develops spontaneous ulcers similar to those in man. Experimenters at Purdue University have produced a high incidence of ulcers by feeding pigs gelatinized cereal products.

In the course of the studies at Washington State University in which we tried but failed to raise pigs from birth without the mother we noticed that the pigs usually succumbed to infection. This fact and other observations suggested to us, as it had to other investigators, that the pig might be a good subject for studies of immunology. In recent years a number of investigators have found that the young pig is indeed uniquely suited for studies of the development of immunity.

A newborn pig has very little gamma globulin (the principal antibody protein) in its serum. Apparently it acquires gamma globulin and other immunoglobulins from its mother's colostrum when it begins to suckle. Diego Segrè of the University of Illinois found that baby pigs deprived of colostrum remained deficient in gamma globulin for weeks and showed little of the normal antibody response to antigens. He concluded that colostrum provides the young with the basis for developing the immune mechanism. Experimenting further, he found that colostrum-deprived baby pigs acquired immunological capability when he injected an antigen together with a small amount of a specific antibody or large amounts of gamma globulin. These results supported the theory that the antigen-antibody complex, rather than the antigen alone, is the usual stimulus for the production for an antibody.

Somewhat different results emerged from experiments by Dennis W. Watson, Y. B. Kim and S. Gaylen Bradley at the University of Minnesota Medical School. They took infant pigs from the mother prematurely by surgery and kept them without colostrum and under germ-free conditions. The piglets proved to be completely free of any detectable immunoglobulins or antibodies. Yet these immunological "virgins," unlike Segrè's, showed an excellent ability to produce antibodies against antigens soon after birth.

The development of the miniature pig proved invaluable for our studies of radiation effects at the Hanford Laboratories. These studies were prompted by the need for detailed information about tolerances and treatment for people exposed to radioactive substances. For such investigation the miniature pig has many useful characteristics as an experimental animal. Its body size and skeletal mass are about the same as man's; its general similarity to human beings in diet and digestion permits meaningful tests of experimental diets; its life-span (15 to 20 years) is long enough to allow measurement of the effects of radiation in shortening life and in causing malignancies.

One of the Hanford investigations, still under way, is exploring the effects of strontium 90, a long-lived and potentially hazardous constituent of nuclear fallout, which is deposited principally in the bones. Strontium 90 at various levels of dosage is fed daily to experimental pigs. Leukemias have already developed in animals receiving the very high levels of dosage in the program. No bone tumors have appeared as yet, but this form of malignancy is known to have a long latent period of development.

Roger McClellan and his associates at Hanford's successor laboratory, Battelle-Northwest, extended the strontium-90 studies to other radioactive substances that could be used in power generators with minimal hazard to man. Power generators of the thermoelectric type with radioactive isotopes as their energy source are being developed for small portable units on the earth and in space. An important factor in determining the safety of such devices is the extent to which the radioactive material in them would be taken up by the body if it were accidentally ingested. McClellan found that when strontium in the form of a titanate is ingested into the pig's digestive tract, less than .5 percent is absorbed into the body. This is only about a tenth of the amount absorbed when more common chemical forms of strontium are ingested. Still smaller is the absorption of the radioactive substances cerium 144 and promethium 147: less than .01 percent of the oral dose of those isotopes is absorbed into the pig's tissues.

Our miniature pigs enabled other investigators at Hanford and Battelle-Northwest to examine the toxic effects of plutonium and to test methods of treatment. It was found that certain chelating agents, including DTPA (diethylenetriaminepentaacetic acid), are effective in helping the body to eliminate plutonium that has been absorbed.

Using a standard breed of pig, the U.S. Navy Radiological Defense Laboratory made detailed tests of the results of high doses of radiation. The investigators found that the 50 percent lethal dose resulting in death within 30 days was 400 roentgens. Surprisingly, they also learned that a sublethal dose endowed pigs with considerable resistance to later heavy exposure. After the animals had received a dose of about 265 roentgens and had been allowed three weeks for partial recovery, it took a dose 70 percent greater than the usual one to cause a 50 percent death rate.

The largest study utilizing swine in radiobiology is one that has been conducted since 1959 at Iowa State University with Atomic Energy Commission support. D. F. Cox and his associates are measuring the effects of radiation on the fertility of male pigs and the genetic effects on their offspring. The standard procedure consists in giving the male's testes an X-ray dose of 300 roentgens and breeding the male later after germ cells subjected to the radiation have developed. As was expected, the irradiation reduces the amount of sperm by about 20 percent; this does not, however, significantly impair the pig's reproductive capacity. So far more than 15,000 baby pigs have been sired by the irradiated males. In one of the breeds under test (the Duroc breed) a peculiar result has been noted: the litters fathered by irradiated males tend to be slightly larger than normal. This result was not observed in the Hampshire breed. No explanation of the phenomenon has yet been found.

The Battelle-Northwest group has studied the effects of radiation on the karyotype (chromosome pattern) by examining the white blood cells of miniature pigs fed radioactive strontium. Investigators in other laboratories have found the pig to be an exceptionally useful animal for analysis of the various forms of chromosome in the cell nucleus. The domestic pig normally has 38 chromosomes—19 pairs. Six of these pairs have characteristic, readily identifiable shapes and the rest can be classified in small groups. R. A. McFeely of the University of Pennsylvania is making a detailed study of abnormalities in pig chromosomes. This inquiry carries special interest because pigs have an extraordinarily high rate of embryonic death—about 30 to 40 percent—and it is known that chromosome aberrations are sometimes associated with embryonic death in human beings.

Robert Murphree and A. F. McFee of the Agricultural Research Laboratory of the University of Tennessee have found a distinctive complement of chromosomes in a pig resulting from a cross between a domesticated swine and a European wild sow. The parents have 38 and 36 chromosomes respectively, and the offspring turns out to have an odd number: 37. Apparently it is completely fertile, and its chromosome number should be a good marker for research purposes. This case of an odd number of chromosomes is not altogether unique: a cross between two breeds of European ponies has been known to produce a fertile offspring with 65 chromosomes.

Among the institutions that have used our Hanford miniature pigs for research is the University of Oregon Dental School. There E. B. Jump, M. E. Weaver and their associates have found the animal highly useful for studying dental problems. The pig's teeth are nearly the same size as man's (approximately a fourth larger) and are of the same types, consisting of molars and cutting teeth. Moreover, the general growth pattern is the same: the pig starts with deciduous teeth and sheds them as its permanent teeth develop. Hence the pig's mouth and jaw provide a model that makes possible experimental studies on many of the dental problems of children. Douglas L. Buck and other Oregon investigators have used it to look into the details of tooth growth and development, the basic movements of the teeth in biting and chewing and the functioning of orthodontic appliances.

Probably the field in which the pig will make its greatest contribution to human health and longevity is that of research on the heart and circulatory system. In this area the parallels between the pig and man are striking, to say the least. The pig's rearing as an item for the table has produced an animal that is a counterpart, even a caricature, of the overfed, physically lethargic human population. Coupled with this similarity of nurture and disposition is a porcine cardiovascular system that also is remarkably parallel to the human system. The pig's heart and coronary arteries, unlike the dog's have much the same pattern as man's. Its blood-clotting mechanism is like that of man.

Investigators have found the pig particularly valuable for the study of atherosclerosis. H. C. Rowsell and his associates at the Ontario Veterinary College have used it to examine the effects of diet. Since the pig likes all man's foods (from peanuts and popcorn to a steady diet of eggs), Rowsell's group has tested pigs with high-cholesterol diets, including foods such as eggs, butter and lard. They find that in pigs such a diet indeed accelerates the development of atherosclerosis, and the signs and symptoms of the disorder are like those in man. Rowsell also used the pig to test anticoagulant drugs administered in certain human cardiovascular diseases. He found that a small dose of dicumarol or heparin was worse than ineffective: it actually had a coagulating effect on the blood. The finding emphasized the importance of proper dosage in the use of these drugs.

D. K. Detweiler and Hans Luginbuhl at the University of Pennsylvania have been analyzing the progressive stages of the development of atherosclerosis. For this purpose they had the good fortune to gain access to a herd of 2,000 breeding sows of various ages that have been raised on garbage (that is, essentially a human diet). In these animals, ranging up to 14 years in age, they have made detailed analyses and tests of the atherosclerotic lesions, the blood vessels and the blood. At Iowa State University, Robert Getty, studying the development of atherosclerosis from another point of view, has found that the characteristic deposits on the artery walls commonly start in the first year of the pig's life and are present in most animals by the second year.

G. D. Lumb and his associates at the Warner-Lambert Research Institute in Canada are studying how blood is supplied to the heart under adverse conditions. It is well known that when the major coronary arteries in man are partly blocked or constricted, this stimulates the development of an auxiliary or substitute circulation to nourish the heart. Lumb's group, using a plastic constrictor to narrow the pig's coronary vessels gradually, demonstrated that the animal, like man, develops a bypass system of circulation. Lumb also found that vessel-dilating drugs could improve the survival of pigs whose coronaries had been occluded.

A joint group at the University of Colorado and Colorado State University (C. A. Maaske, N. H. Booth and T. W. Nielsen) is using the pig to study congestive heart failure, a complex disorder that involves the functioning of the heart as a pump, the mechanisms controlling the heart and secondarily the functioning of the kidneys and lungs. They have found that the pig is a much better subject than the dog for an investigation of this matter. A single operation on the pig's main pulmonary artery produces the symptoms of a gradual development of cardiac failure.

All in all, although the pig is only a newcomer to the laboratories of basic biology, there can be little doubt that it will become, along with the primates, a most important contributor to knowledge about the biology of man.

Mr. MAYNE. Mr. Speaker, will the gentleman yield for a question?

Mr. SCHWENGEL. I yield to the gentleman from Iowa.

Mr. MAYNE. I did not hear the source of that quotation the distinguished gentleman gave. Was it Lamb's "Tribute to Pork"?

Mr. SCHWENGEL. A quotation from Charles Lamb; yes.

Mr. MAYNE. Lamb's "Tribute to Pork."

Mr. SCHWENGEL. I thank the gentleman.

Mr. SCHERLE. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the distinguished gentleman from Iowa.

Mr. SCHERLE. Mr. Speaker, I thank my colleague from Iowa for the few minutes to dwell on one of the finest aspects of our great country, and also hopefully to indulge for a few minutes in some of the interesting aspects of an animal, as the gentleman from Iowa (Mr. SCHWENGEL) mentioned a moment ago, that has made a total commitment so far as this country is concerned.

Mr. Speaker, pigs are pretty but "hogs are beautiful."

We have all heard the expression "beautiful people." Some probably wonder how they got that way. It was because they consumed those beautiful hogs from Iowa.

The beauty of the hog, which this color photograph illustrates so graphically, is not only physical but philosophical.

Hogs are not only beautiful, they are perhaps the most intelligent of animals—sometimes perhaps exceeding man himself. Each is an individual, with its own mind, and does not willingly follow the herd blindly. The hog has little fear, and rarely is found to abandon its responsibility for its offspring. It knows how to relax, but also knows how to work, as it constantly seeks freedom. It will not overeat into indigestion and illness at every opportunity, but on the other hand is capable of considerable effort to find nourishment when it is not provided. It does not just wait for the handout. A hog will not foul its own litter or nest.

One of the most beautiful things about a hog is that every part of it can be marketable except, as the old Iowa saying goes, the squeal.

Yes, "hogs are beautiful" and its byproducts are generous. Of course, when I speak of hogs, I mean Iowa hogs. There are pork products peddled in this precious country which I cannot endorse. Hams from Poland cannot compare to those pork products produced in the Pigland of America, Iowa. For many years Iowa farmers and processors have produced the highest quality pork in the world. The wholesomeness of Iowa pork, despite demagoguery, has assured all Americans that Iowa pork is of top quality.

I join with my colleagues from Iowa in proudly wearing my "hogs are beautiful" button and in saluting the pork industry for its high integrity in producing a great meat product.

We refer to our "beautiful hogs" in Iowa as "mortgage lifters." Their contribution to the consumer is total. If you appreciate the finer delicacies of life, try our beautiful Iowa hog—of which we have many, and which I am sure you will all enjoy.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I think as a Minnesotan I should challenge the statement that the Iowa hog is the one that should be glorified today, because we give Iowa great competition in that field. I do want to say to my colleagues from Iowa that it has really been an enjoyable occasion to listen to their challenging of the statements that have been made and their support of the lowly pig. I owe a great deal to that animal, I think. One of the reporters at the luncheon today that FRED sponsored asked me what is beautiful about a pig. I said they have a personality, and few animals have a curl in their tails as pigs do.

I wish to relate that many years ago I was engaged in 4-H Club work. Through the sponsorship of the then representative in our State legislature I acquired a Duroc-Jersey pig. It became a Minnesota grand champion and took third place at the National Swine Show. As I recall it, the registration number of that pig was 366093. I would be interested in knowing from the Duroc-Jersey Pig Association if my memory is correct. However, I am sure that is right. This pig won the grand championship. I sold it for $150 and had my choice of three herds. This became the beginning of a show herd that I had for many years.

There are those who say that pigs are not clean. I can honestly say that I slept in the pig house during the time of the furrowing of the spring litters. It must certainly be said that if you gave that lowly animal a chance, he would be clean. If the pigsty is unclean, it is not the fault of the pig but the fault of the man in charge of the pigsty, house, or barn, or whatever you want to call it.

So to my colleague, FRED, my hat is off for taking the time to do the research that you have done.

Also I see my colleague NEAL SMITH of Iowa on the floor, but I still challenge Iowans, because I believe Minnesota pork is just a little bit superior to that of Iowa. However, I am sure my statement will be challenged.

Mr. SCHWENGEL. I thank the gentleman from Minnesota. I expect him, of course, to defend the product of his State. I am sure he feels that way. It seems to me that we have every year a contest between great institutions with regard to that noble animal, the hog.

You played football, and I know, and you have often won on the gridiron field, but you know that you did it with a pigskin and did it under the rules that we agreed to. You have surpassed in this field. We have had our good days, too.

Mr. Speaker, I do not want to pursue this contest with my neighbor, but I will let the record stand on the facts.

Now I yield to the distinguished gentleman from Iowa (Mr. MAYNE), a distinguished member of the Committee on Agriculture.

Mr. MAYNE. Mr. Speaker, I thank the gentleman for yielding.

I want to commend the gentleman from Iowa (Mr. SCHWENGEL) on having taken this time for this special order to pay tribute to the pork industry.

Apropos of the remarks of the gentleman from Minnesota and the gentleman from Iowa (Mr. SCHWENGEL), I would point out that the trophy which passes each year to the winner of the football game between the Universities of Iowa and Minnesota is Floyd of Rosedale, a pig.

Mr. SCHWENGEL. That is right.

Mr. MAYNE. Mr. Speaker, the pork industry is of the greatest economic importance to the people of Iowa and especially to the constituents of Iowa's Sixth District.

Zoologically, swine are classed as hoofed mammals of the family Suidae. They are stout-bodied, short-legged, artiodactyl animals with omnivorous habits. The meat of swine, known as pork, is an important part of the diet of people throughout the world.

In all probability, man's first use of swine occurred during the Neolithic age, or before written history, when swine were found of the type known as turbary or Asiatic pigs. Chinese history relates that hogs were domesticated about 4900 B.C. Swine are mentioned in Biblical historical writings as early as 1500 B.C. while legendary and historical accounts mention the keeping of swine in Great Britain as early as 800 B.C.

The domesticated hog of today is closely related to the wild hog. This domesticated animal appears to have had an origin that involves the crossing of several distinct species. Although the exact origin is obscure, it is generally accepted that the domestic hog of today descended from the European wild boar, *Sus scrofa*, and the first improvements were brought about the Neopolitan, Siamese and Chinese crosses. Columbus is credited with bringing hogs to North America. Spanish explorers brought them to Mexico and Hernando De Soto is credited with introducing hogs into what is now the United States.

In the world today there are over 300 breeds of hogs. Careful selection, feeding, and breeding have been the main contributions to the development of modern swine. Most of these improvements have been carried out by progressive livestock breeders in the United States, especially in Iowa, and by our land-grant colleges and universities.

From an economic standpoint, hogs are indeed beautiful. Hogs have traditionally been known as mortgage-lifters on midwestern farms. As my colleague from Iowa (Mr. SCHERLE) pointed out, last year American farmers received $3.8 billion from the sale of hogs. Iowa was first in the country, contributing more than $1 billion to total sales. Iowa also leads the country in the total number of hogs produced. Two of the great counties in Iowa's Sixth District, Plymouth and Sioux, are among the top four hog-producing counties in the United States. All of the 18 counties in this district are listed in the top 300 hog-producing counties.

The swine industry has also contributed favorably to our foreign balance of payments. The first recorded exports of pork were to the West Indies in the year 1790 and amounted to 6 million pounds. In 1968, 85.1 million pounds of pork valued at $31.6 million were exported.

I salute the pork producers of the United States for continuing to furnish this country and the world with a plentiful supply of nutritious wholesome meat.

Mr. LANDGREBE. Mr. Speaker, I would like to commend to my fellow colleagues in the House the speech today of Congressman FRED SCHWENGEL, of Iowa, on the contribution of the pork industry to our Nation's economy. His remarks deserve the attention and consideration of all of us.

The pork industry is indeed important

to our total economic life and to our health and well being. I wish to commend the distinguished Congressman from Iowa for his effort to set straight the record of the contribution made by the pork industry, and particularly in regards to the false image in films and television which depict the hog as being a stupid and unclean animal.

Hogs are, in fact, a very important animal to our economy. About two-fifths of the meat eaten in the United States comes from hogs. These animals provide us with bacon, ham, sausage, and pork chops. The fat, skin, and other parts of hogs are used to make many products such as lard, leather, brushes, soap, and medicines. As Congressman SCHWENGEL points out, the hog industry is big business. Of the Nation's total cash receipts from farm product sales, the sale of hogs accounts for 9 percent.

Indiana ranks third in the Nation in pork production. Hogs continue to be the leading source of Indiana cash crops. In 1967 hog sales accounted for 23.4 percent of the total receipts from marketings. Cash receipts from hogs led income from other enterprises in 43 of the 92 Indiana counties.

Indiana produces virtually all of the main breeds of hogs, including Berkshire, Chester Whites, Duroc, Hampshire, Poland China, and Spotted Poland China. There were 4,278,000 hogs and pigs on the farms of Indiana on January 1, 1969, having a total market value of $135,613,000.

In the Second District of Indiana, which it is my privilege to represent, there are 198 registered hog breeders out of a total of 2,062 breeders and feeders of hogs. Income from hogs in my district amounted to $30,339,936 in 1967, which was 15 percent of the total income from the sale of agricultural products. Hog production continues to grow and has increased by 3 percent in 1968 over the previous year.

Also located in the Second District of Indiana is the Heinold Hog Market, the world's largest buyer of hogs. Founded a number of years ago by Harold Heinold of Kouts, Ind., this thriving company last year purchased 2,647,145 hogs at 51 buying stations operating in six Midwestern States and requiring 130 employees according to Mr. Joe Vogel, general manager.

I would also like to call to the attention of my colleagues the observation that Congressman SCHWENGEL has made concerning the once-famous hog drives. Indiana was also part of this in pre-Civil War days when hogs were herded across the land for shipment by rail or water to the Eastern States. And a final note must not be forgotten. The National Pork Queen, Miss Claudia Arndt, is a resident of LaCrosse, Ind., which lies within the Second Congressional District.

In conclusion I would like to add my voice to that of my colleague in his efforts on behalf of the pork industry and the campaign to strengthen the swine industry's image to bring a greater awareness among our people of the contributions that it has made to our economy and welfare.

Mr. FINDLEY. Mr. Speaker, proudly wearing a "hogs are beautiful" pin, I am glad to join the gentleman from Iowa (Mr. SCHWENGEL) in this suitable recognition of the importance of hogs to good life in America.

I speak with special pride on this occasion, because my hometown, Pittsfield, Ill., has earned the title, "Hog Capital of the World" and proclaims that honor with a marker in the public square. A city of 4,000 population—4,004 when the Findleys are home—Pittsfield is the county seat of Pike County, which has the enviable record of producing 100 million pounds of pork annually.

A reporter asked me today what is beautiful about hogs. My answer was that the economic base and the pleasant eating that hogs provide constitute a thing of real beauty. And while city dwellers may envision hogs in terms of mud, squeals, and grunts. I have seen many an animal that deserves the word beautiful.

The 20th Congressional District, which I serve, has the world's finest agricultural State fair at Springfield each year, as well as 14 outstanding county fairs. Each features swine exhibits, with animals neatly groomed and well ordered, real beauties.

Many a time I have watched as exhibiters, young and old, proudly paraded beautiful hogs to the admiration of judges and other spectators.

These animals came by beauty not without effort, care, and research. As a visit to almost any hog lot in Pike County, Ill., will prove, the production of beautiful hogs is a scientific endeavor.

The diet of hogs is more carefully watched than the diet of people. The same may also be said of health care. The result is pork far superior to that of yesterday. It comes from animal lean, well-proportioned and healthy.

The official organ of the world hog capital is the weekly newspaper, the Pike Press.

In recent issues it has reported and commented on the supremacy of this community is quality hog production. Here are some samples:

From the July 10, 1968 issue of the Pike Press, this news story and editorial:

FREE BARBEQUED PORK—TWIN EVENT: ANNUAL STREET SALE, SALUTE TO PIKE PORK INDUSTRY

Think Pig!

That's exactly what's going to happen in Pittsfield all day Friday, July 12, during the annual street sale.

The event is being heralded by the Chamber of Commerce as Pittsfield Pig Day, in recognition of farmers who make Pike one of the top two hog production counties in the state.

Merchants are going whole hog in the bargains which will be piled high in front of their stores.

PIGAWOTOMIE TRIBE

Numerous sales people, it is rumored, will be dressed for the occasion as Indians from the Pigawotamie tribe.

TO UNVEIL PRINCE PIG

One of the highlights of the day will be the unveiling of "Prince Pig" by Charles Durall, president of the Chamber of Commerce, assisted by Gaylord Rhodes, chairman of Friday's event, and Miss Linda Kinscherff of Pleasant Hill, recently selected as queen by the Pike County Pork Producers Assn.

Prince Pig, a monumental work of art, promises to be a tribute to Pike-grown pigs for generations to come. It has been executed under the artistic guidance of Farm Advisor Harry Wright and a team composed of pork producers, welders, painters and pig patrons.

IT LOOKS EXCELLENT

All Wright would reveal when he was contacted by this newspaper on details of the monument was "It looks excellent." He did disclose that the model for the art piece was the 1967 champion barrow from the national show held in Minnesota.

UNVEILING AT 11 A.M.

The unveiling is scheduled around 11 a.m. —about the same time merchants will begin serving shoppers free pork barbecue sandwiches from a tent to be put up on the west side of the courtyard.

Another highlight will be the hog judging contest.

CAN JUDGE HOGS

This event will go on all day. Ten hogs will be on display in the courtyard for all comers to take a crack at evaluating hog fine points. Those whose judgments match those of the official judges will be presented hams. The judges will be a panel selected from Cooperative Extension personnel from surrounding counties.

WEIGHT GUESSING CONTEST

For shoppers less skilled, there will be a hog weight guessing contest. Hams will be given to those guessing the correct weight, or closest to it.

All winners will be announced and prizes awarded from a stand in the courtyard around 8:45 p.m.

About mid-afternoon entrants in the pork cook-out contest will descend on the courthouse lawn with their charcoal grills to start the preparation of their pork specialties. Judging will take place at seven o'clock.

FOR MEN AND BOYS ONLY

The contest is open to any male 12 years old and up, with the winner eligible to represent the county in a state-wide pork cook-out contest to be held during the State Fair in August.

Harry Wright, who is coordinating the cook-out in cooperation with the Pike County Pork Producers Assn., asks that cook-out entrants notify him of the cut of pork they need and the amount. The local pork producers will contribute the meat for the contest.

Anyone with a yen to ham it up, shouldn't miss Pittsfield Pig Day on Friday.

FRIDAY IS PIG DAY

Friday will be "Pig Day" in Pittsfield.

As such, the day has a double significance. First off, it's an attempt to pay overdue recognition to the role of pork in the economy of Pike county. Secondly, it's the occasion of the annual outdoor sidewalk sale by Pittsfield merchants.

The second event is not new. The sidewalk sale has been held each summer the past few years and always draws a big crowd to town as merchants offer special bargains, along with a carnival atmosphere and lots of plain good fun. You can expect the same attractions this year. With something new added.

It's the first objective we'd like to discuss here.

Pork production is a key factor in the county's economy. Yet we are sometimes inclined to take it for granted. Friday's celebration will demonstrate, we believe, that the contribution of the county's pork producers is indeed recognized and appreciated.

There will be a variety of events, described elsewhere in this issue, all related to the promotion of pork. There will be free pork barbecue sandwiches served Friday on the courthouse lawn. All this week Pittsfield merchants, store clerks, and others have been wearing big red and white buttons proclaiming Friday, July 12 as "Pittsfield Pig

Day." In this issue of the Pike Press we are publishing 21 pork recipes, gathered from Pike county homemakers by Helen Hackman, county home economics adviser.

Illinois ranks second in hog production among all 50 states, exceeded only by Iowa. In Illinois, Henry county is generally regarded as the top hog producing county of the state, with Pike in second place. Nationally, Pike county ranks fourth, behind two Iowa counties, according to the Illinois Department of Agriculture.

In local on-the-farm income, in related feed and equipment businesses, in pork-related processing activities, hog production is a most essential link in the chain of Pike county's economy.

Friday's "Pig Day in Pittsfield" represents a community-wide recognition and celebration of this important relationship.

Hats off to the Pike County Pig. He'll be Prince for a Day Friday, but in truth he reigns the year round.

The July 21 issue of the St. Louis Post-Dispatch carried this report from the "hog capital":

PITTSFIELD, "PORK CAPITAL OF WORLD," CELEBRATES PIG DAY IN BIG WAY

(By Clarissa Start)

PITTSFIELD, ILL., July 20.—There was a psychedelic pig in a pen on the main street and a number of less arty but more meaty pigs in an inclosure around the corner. Just before noon, a crowd gathered in the town square for the unveiling of a "Pigcasso."

It was Pig day in Pittsfield, Ill., and merchants and residents were going whole hog in their tribute to the pork industry of pike county, where Pittsfield is located, just across the Mississippi river from Louisiana, Pike county, Mo.

Pike county, Ill. now claims to be the "Pork Capital of the World," having produced 100,000,000 pounds of pork last year.

More than 850 pounds of it was served in free barbecue sandwiches on Pig day, July 12. Street sales, an auction, cook-outs, hog-calling, hog-judging and other festivities were part of the occasion. Costumes for the event included farmerette ensembles of mini-blue jeans and straw hats and Indian costumes described as representing natives of the pigawotamie tribe.

"We haven't had this much excitement since the Sadie Hawkins day race last winter," Marge Nighbert said, as she organized the barbecue stand where the sandwiches were to be served.

Crowds thronged the sidewalks from the early morning hours and by 9:30 the atmosphere was pure holiday picnic.

Pittsfield is centered about a town square with a conventional courthouse with a somewhat unconventional soaring steepled center, raspberry-red in color. Merchants on the four sides of the square and down the side streets had moved merchandise out onto the sidewalks, racks and stacks of it, at tempting bargain prices and were doing a brisk business.

A center of attraction was in front of the pharmacy which is owned by Warren Winston, president of the Pike County Historical Society. This was the "Psychedelic Pig," painted in vivid swirls of orange, red, blue and green. A sign described it as, "An artist's contribution to Pittsfield. Body by pig. Art work by Lilly Brown." The pig spent most of its time lying in a puddle of water at the side of the pen, looking slightly self-conscious.

On another side of the square were more pens of pigs, these in a natural state, attracting large crowds of children. They were Hampshires, we were told, and two contests were being held, one to guess the weight of a particularly shapely sow, the other to second-guess the judges in the various points of competition in the hog-judging to take place later that day.

Also in preparation for late-day activities was a roast pig turning over a huge homemade rotisserie.

"It was 160 pounds, dressed down at 120 pounds," said Dick Alspaugh, who was in charge of the roasting. "We started the fire at midnight last night and it ought to be ready by late afternoon. We haven't put any barbecue sauce on it. Barbecue sauce doesn't really do anything to a pig but flavor the air. We'll pour a little on the fire later on for atmosphere."

The street sale has been an annual event in Pittsfield but this is the first year Pig day has been celebrated. Chairman of the event was druggist Gaylord Rhodes, assisted by Mayor Frank Penstone, other merchants, pork producers and Co-operative Extension personnel.

Several experts on pork production—Walter Dehart, Lawrence Smith and Winfred Dean—had gathered on the square and were discussing Pike county's claim to being the Pork Capital of the World. According to past statistics, Illinois has ranked second in hog production among the 50 states, exceeded only by Iowa. Henry county to the north of Pike county has been regarded as the top producing county in Illinois.

"But while Henry county had the largest number of pigs last year, we outranked them in number of pounds last year," said Dehart. "We believe we're not only first in Illinois but right up there for the nation with Clinton county, Ia., our only competition in the ranks."

If Pittsfield and its environs make it the pork capital of the world, this would be a second claim to fame for Pike county. Neighboring Griggsville calls itself the Purple Martin Capital of the World.

Whether the top or only near the top, Pike county farmers can live high on the hog from their pork proceeds. Many farmers in the area have from 2000 to 5000 pigs.

"You hardly call yourself a hog farmer around here unless you have at least 1500," one man said. "The farmer with the most heads of hogs is Ray Myers; no one knows exactly how many he has but it's between 7000 and 12,000."

Pigs grow big in a hurry under modern systems of nutrition and grain feeding. At 5 months, one may weigh as much as 220 pounds.

"The weight's different than it was when we used to raise 'em," said one farm woman, studying the pig in the weight-guessing contest. "Much less fat, much more lean solid meat, but that means they weigh more. It makes it hard to guess the weight."

Pigs from Pike go all over, some to the St. Louis market, some to Beardstown, some to the east. Recognition of the role of pork in the county's economy is overdue, Allan A. Seiler, editor and publisher of the Pike Press, wrote in a special Pig day editorial.

"Pork production is a key factor in the county's economy," the editorial said. "Yet we are sometimes inclined to take it for granted . . . In local on-the-farm income, in related feed and equipment businesses, in pork-related processing activities, hog production is a most essential link in the chain of Pike county's economy.

"Friday's Pig day in Pittsfield represents a community-wide recognition and celebration of this important relationship.

"Hats off to the Pike County Pig. He'll be Prince for a Day Friday, but in truth he reigns the year round."

The Pike Press published 21 pork recipes gathered from Pike county homemakers by Helen Hackman, University of Illinois county home economics adviser, and her assistant, Florence Metternich.

Farm adviser Harry Wright supervised a cook-out for amateur cooks and also supervised the construction of the statue named "Prince Pig," also termed a freestanding "Pigcasso," which stood in the square, swathed in cloth and waiting to be officially unveiled.

At 11:20, a crowd gathered, television cameras and microphones were set up and Charles Durall, president of the chamber of Commerce, approached the pig-shaped outline.

Assisting him was Linda Kinscherff, Pike County Pork Queen, a student at Quincy College. Linda's sister, Janet, is Miss Pike County Fair, Miss Illinois Rural Electric and Miss Adams County. She was competing that day for the title of Miss Illinois.

Durall and Linda, in a co-operative effort, removed the covering from "Prince Pig," as the crowd applauded. "Prince Pig" turned out to be a sort of orange wire, curly-tailed sculpture on a pig-shaped wooden background. Model for the art piece was the 1967 champion barrow from the national show held in Minnesota.

By this time, long lines of hungry people were waiting at the barbecue stand and farmer Gene Reeves gave the official opening signal—a lusty expert exhibition of hog calling.

"Hooooooey," he sent the call ringing across the square. "Hooo-hooo-hooo-hoooey."

The first free barbecued pork sandwich was served. Later it was learned that the 850 pounds of meat lasted just about two hours. As calls of "hoooey" echoed around the square, one bystander summed it up.

"It's safe to say," he observed, "that there's a little ham in everybody."

When the Illinois Pork Producers held their annual statewide meeting January 25, 1969, they were greeted by a special issue of the Pike Press which included this welcoming editorial:

WELCOME, PORK PRODUCERS

We extend a hearty welcome to the Illinois Pork Producers and Pork-Ettes who will be in Pittsfield Saturday for their annual state meeting.

Pittsfield is the smallest city to be host so far to the state annual meeting and so we take special pride in being the host community.

The Pike County Pork Producers deserve much credit for their part in arranging this meeting, acting as the host association, and formulating the program, along with the University Extension service.

The Pike Press has consistently supported the purpose and program of the pork producers and we are pleased to report that national progress has been fruitful. Quoting from the January issue of the National Pork Producers Council News, "The membership, now at 30,000, will move to or above the 50,000 level during 1969, as the local units and the State Producers groups reach the goals which they have set."

Put pork on more tables more often is a key objective of the pork producers, but not the only one. Using its "Nickels for Profit" project, the national council has moved into a major consumer research program, a cooperative research-testing plan with other segments of the industry to eradicate trichinosis, a cooperative project with federal extension service to catalogue and summarize all available pork production information, and in recent weeks the development of a pilot project to study the potential of advertising and promotion for increasing consumption of fresh pork and of improving the consumer image of pork.

GENERAL LEAVE

Mr. SCHWENGEL. Mr. Speaker, in view of the fact that many of my colleagues have indicated their desire to comment upon this subject, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and to include extraneous matter on the wirthiness of this great food product for America and for the world.

The SPEAKER pro tempore (Mr. MATSUNAGA). Is there objection to the request of the gentleman from Iowa?

There was no objection.

RACKETEER INFILTRATION OF BUSINESS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Virginia (Mr. POFF) is recognized for 15 minutes.

Mr. POFF. Mr. Speaker, after mutual consultation, Senator ROMAN HRUSKA, of Nebraska, and I have joined Senators McCLELLAN and ERVIN in a bipartisan bill aimed at racketeer infiltration of legitimate business enterprise. Senator McCLELLAN the distinguished chairman of the Senate Subcommittee on Criminal Laws and Procedures, has introduced for himself and his able colleagues, S. 1861, entitled the "Corrupt Organizations Act of 1969." The companion House bill is H.R. 10312.

Racketeer corruption of honest business organizations was brought into sharp focus by the President's Crime Commission. The Commission reported that organized crime was acquiring control by four principal methods; first, investment of income illegally acquired; second, requiring payment of gambling debts in the coin of business equity; third, foreclosing on loanshark loans; and, fourth, extortion by various means and methods.

In response to that report, Senator HRUSKA and I introduced legislation which in its latest form is found in S. 1623 and H.R. 9327 and is known as the "Criminal Activities Profits Act." That legislation was designed to activate the tax laws and the antitrust laws against money invested in business concerns which was either, first, unlawfully acquired, or, second, unreported for tax purposes. That legislation does not meet the whole need. The new bill will help.

The new bill is innovative and pioneering. As the need is new, so the remedy must be new. Based on the interstate clause, it creates a new Federal crime called "racketeering activity." Specific acts covered in the definition include acts of violence, bribery, counterfeiting, embezzlement of union funds, interstate theft, loansharking, white slave traffic, obstruction of investigations, obstruction of justice, and conspiracy to commit these acts. All of these are crimes already defined in existing Federal statutes. The new crime would require the prosecution to show a "pattern of racketeering." When the pattern is shown, it will be unlawful, first, to invest or use income derived from the pattern in the creation or operation of any enterprise in interstate commerce; second, to acquire or maintain control of such a business through such racketeering activities or through collection of unlawful debts; and, third, to work for or manage an enterprise engaged in such activities. The penalty is up to $10,000 fine or 20 years in prison, or both.

Another penalty is provided. It is forfeiture. After conviction, the ill-gotten gains must be forfeited to the Government. This sanction is not only poetic justice but a strong deterrent as well.

Another section of the bill borrows conceptually from the antitrust laws. The courts are given broad powers in the civil remedy field. They can issue injunctions restraining criminal violations of the act. They can order dissolution of any offending business organization. They can compel racketeer business owners to divest themselves of their equity. They can prohibit such owners from engaging further in the same type or other business activity. In this context, these powers are innovative. In other context, they are tried and tested. Under present law, one large corporation can be required to divest itself of ownership in another corporation for competitive or other economic considerations. It is a logical extension of the concept for society to protect itself economically and otherwise by requiring criminal elements to leave the house of honest business.

The bill contains another parallel to the civil aspects of the antitrust laws. It authorizes the Attorney General to make an investigative demand upon any person or enterprise in possession of documentary material relevant to a civil racketeering investigation. If the demand is refused, the Attorney General can obtain a court order, disobedience of which would incur contempt penalties.

The new crime of "racketeering activity" is added to the list of crimes covered by the electronic surveillance title of the omnibus crime bill adopted in the last Congress.

A witness immunity clause is included in the bill. Conceived as a "use restriction" against all evidence given under immunity—and the fruits thereof—this clause follows the concept recently recommended by the National Commission on Reform of the Federal Criminal Laws. This represents a bold improvement over the "total defense" theory of present witness immunity statutes. It will do much to help gather information not otherwise available and still not grant a total pardon to guilty informants in the operating structure of the Cosa Nostra.

Mr. Speaker, the Corrupt Organizations Act of 1969 will not eliminate organized crime in our society. No law or set of laws ever will. But it will materially strengthen the hand of the law-enforcement establishment against the lawbreaker.

LEGISLATION TO BRING EYE, HEARING, AND DENTAL CARE UNDER THE PROVISIONS OF PART B OF MEDICARE

The SPEAKER pro tempore. Under a previous order of the House the gentleman from New York (Mr. FARBSTEIN) is recognized for 30 minutes.

Mr. FARBSTEIN. Mr. Speaker, I yesterday introduced legislation—H.R. 10291—to bring eye, hearing, and dental care under the provisions of part B of medicare. The bill would also change the present cost sharing under part B by which the individual pays 50 percent of the cost and the Federal Government the other 50 percent, to a one-third to two-thirds sharing. The legislation has been introduced in the Senate by the Honorable VANCE HARTKE, of Indiana.

Medicare is doing an excellent job in helping the elderly to finance their health expenses; however, three areas of health care of very considerable importance to the elderly are specifically excluded from coverage. These three areas of affliction are each, by testimony of the Public Health Service, more common in those over 65 years of age than in any other age group. These are the areas of eye, hearing, and dental care.

Yet, although their incidence is more frequent in the elderly, the elderly receive in proportion to these problems less care than other groups. The reason is plain—and it is the same reason which was pervasive when the Congress adopted the part B program for medicare. That is simply that the costs are beyond the means of millions of those who are social security beneficiaries.

The cost of the three services I propose would run approximately $750 million. Under the present financing, this would necessitate an increase in the cost to those electing part B, an increase from the present $4 to approximately $6 a month, with an equivalent increase in the Federal share. Because I believe we should bear the burden through Federal financing rather than increasing the load of the social security beneficiary, my amendment also includes a change in the financing of part B from a 50–50 sharing to a one-third and two-thirds sharing. This would fully cover the additional financing for those covered without increasing the present $4 as now fixed for fiscal year 1970.

While the $750 million cost may seem high, it represents less than a day's cost for the war in Vietnam. For that money, we would be able to provide help to a great number of the 4 million old persons who are hard of hearing, the 700,000 or so with a difficult visual impairment, and the vast numbers who need dental care they are not receiving.

THE HATE ISSUE

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Texas (Mr. GONZALEZ) is recognized for 15 minutes.

Mr. GONZALEZ. Mr. Speaker, we are a nation of immigrants. Every one of us, save the Indians, is either an immigrant or the descendant of immigrants. All immigrants or their ancestors are either members of some racial or religious minority or their descendants have been, at one time or another. There is not a living American who either is, or has been, or has a descendant who was a member of some minority. As it happens I am myself a member of an ethnic minority and am so classified by the census. I think that there is not a Member of this body who is unaware of the effects that minority status can have on an individual life.

Eric Hoffer has observed that no matter how protective the laws may be, no minority group is ever truly secure; a minority exists in the knowledge that its rights are protected only on the consent of the majority, or at least on the benevolent neutrality of the majority. Minority rights are protected, but only as long as the majority is willing. It does not matter whether you happen to be in a political minority or a racial minority, but that you realize deep in your soul that your position is tolerated, but never secure. Perhaps it is never said, maybe even never thought, but somehow the feeling is inescapable that there may be something wrong with you or your position, because after all it is a minority position. One feels safety, but not security. It is a fortunate thing that all of us can understand this, that most of us recognize that we are or may be in a minority, and that therefore minority rights must be—and generally are—protected.

An ethnic minority is in a peculiar position. I happen to be an American of Spanish surname and of Mexican descent. As it happens my parents were born in Mexico and came to this country seeking safety from a violent revolution. It follows that I, and many other residents of my part of Texas and other Southwestern States—happen to be what is commonly referred to as a Mexican American. That label sums up most of the elements of a vast conflict affecting perhaps most of the 5 million southwestern citizens who happen to bear it. The individual finds himself in a conflict, sometimes with himself, sometimes with his family, sometimes with his whole world. What is he to be? Mexican? American? Both? How can he choose? Should he have pride and joy in his heritage, or bear it as a shame and sorrow? Should he live in one world or another, or attempt to bridge them both?

There is comfort in remaining in the closed walls of a minority society, but this means making certain sacrifices; but it sometimes seems disloyal to abandon old ideas and old friends; you never know whether you will be accepted or rejected in the larger world, or whether your old friends will despise you for making a wrong choice. For a member of this minority, like any other, life begins with making hard choices about personal identity. These lonely conflicts are magnified in the social crises so clearly evident all over the Southwest today. There are some groups who demand brown power, some who display a curious chauvinism, and some who affect the other extreme. There is furious debate about what one should be and what one should do. There is argument about what one's goals are, and how to accomplish them. I understand all this, but I am profoundly distressed by what I see happening today. I have said that I am against certain tactics, and against certain elements, and now I find yet more confusion. Mr. Speaker, the issue at hand in this minority group today is hate, and my purpose in addressing the House is to state where I stand: I am against hate and against the spreaders of hate; I am for justice, and for honest tactics in obtaining justice.

The question facing the Mexican American people today is what do we want, and how do we get it?

What I want is justice. By justice I mean decent work at decent wages for all who want work; decent support for those who cannot support themselves; full and equal opportunity in employment, in education, in schools; I mean by justice the full, fair, and impartial protection of the law for every man; I mean by justice decent homes, adequate streets and public services; and I mean by justice no man being asked to do more than his fair share, but none being expected to do less. In short, I seek a justice that amounts to full, free, and equal opportunity for all; I believe in a justice that does not tolerate evil or evil doing; and I believe in a justice that is for all the people all the time.

I do not believe that justice comes only to those who want it; I am not so foolish as to believe that good will alone achieves good works. I believe that justice requires work and vigilance, and I am willing to do that work and maintain that vigilance.

I do not believe that it is possible to obtain justice by vague and empty gestures, or by high slogans uttered by orators who are present today and gone tomorrow. I do believe that justice can be obtained by those who know exactly what they seek, and know exactly how they plan to seek it. And I believe that justice can be obtained by those whose cause is just and whose means are honest.

It may well be that I agree with the goals stated by militants; but whether I agree or disagree, I do not now, nor have I ever believed that the end justifies the means, and I condemn those who do. I cannot accept the belief that racism in reverse is the answer for racism and discrimination; I cannot accept the belief that simple, blind, and stupid hatred is an adequate response to simple, blind, and stupid hatred; I cannot accept the belief that playing at revolution produces anything beyond an excited imagination; and I cannot accept the belief that imitation leadership is a substitute for the real thing. Developments over the past few months indicate that there are those who believe that the best answer for hate is hate in reverse, and that the best leadership is that which is loudest and most arrogant; but my observation is that arrogance is no cure for emptiness.

All over the Southwest new organizations are springing up; some promote pride in heritage, which is good, but others promote chauvinism, which is not; some promote community organization, which is good, but some promote race tension and hatred, which is not good; some seek redress of just grievances, which is good, but others seek only opportunities for self aggrandizement, which is not good.

All of these elements, good and bad, exist and all of them must be taken into account. The tragic thing is that in situations where people have honest grievances, dishonest tactics can prevent their obtaining redress; and where genuine problems exist, careless or unthinking or consciously mean behavior can unloose forces that will create new problems that might require generations to solve. I want to go forward, not backward; I want the creation of trust, not fear; and I want to see Americans together, not apart.

Just a few days ago, in Denver there was a demonstration mounted by a priest and a few others. The priest and eight others pledged that they would fast for 8 days in behalf of legislation to protect migrant farmworkers. About 30 people were on hand to support them. Within 2 hours a convention of militants arrived and took over; they refused to listen to legislators who were working for the legislation they supposedly supported. After a while, someone pulled down the flag of the State of Colorado and mutilated it. The militants left and marched back to their convention, jeering at police along the way and generally behaving in imitation militant manner. The original protest was drowned, its purpose obscured, and justice moved forward not at all. The priest remarked sadly:

> The group who destroyed the flag was not part of our group. We don't agree with that philosophy.

In this case I doubt that the plight of migrant farmworkers was ever called to public attention, but was lost in the antics and hoopla mounted by unthinking people who apparently got bored with their own meeting and decided to take over another one. I fear that this is an instance where the cause of justice took a back seat to the cause of publicity.

Assuredly there is cause for wrath among people who have suffered long and endured much. But the question that must be answered is whether wrath alone will bring about justice, or whether it will merely obfuscate the real remedy. It is easy to be angry, but it is hard to have that moral indignation that alone reveals the depth of injustice, and lights the corridors of truth.

It is not simply a case today where a local protest is taken over in an isolated incident; the Denver situation is not at all unique. In fact the very day after that incident, a demonstration in Del Rio, Tex., attracted militant types, who sought to turn it to their advantage. Militants attempted to provoke police and plastered their slogans all over the premises where a meeting was held. Even the local Republican organizer hung stickers around, so that he might possibly gain some converts. The organizer of this protest said:

> We have nothing to do with militant leaders who infiltrated the Del Rio march.

In the midst of change and unrest there are always parties who want to use that unrest to their own advantage. It is no secret that militants want to use others for their own ends and purposes; but it should also be no secret to the perceptive that there are also people who want to use the militants for their purposes. It is no secret that a political party organizer hopes to promote militant action as a means to win votes, or possibly embarrass political opponents. But that is a game that many can play. If people should not be shocked that my minority party friends had a paid organizer running a hospitality suite in Del Rio, then neither should they be shocked that sympathizers of the Cuban regime might also hope to turn the incident to their advantage. Protests can advance the ambitions of many, and the ambitious will attempt to advance their interests if they can by taking advantage of the unwary and the naive.

Unfortunately it seems that in the face of rising hopes and expectations among Mexican Americans there are more leaders with political ambitions at heart than there are with the interests of the poor at heart; they do not care what is accomplished in fact, as long as they can create and ride the winds of protest as far as possible. Thus we have those who play at revolution, those who make speeches but do no work, and those who imitate what they have seen others do, but lack the initiative and imagination to set forth actual programs for progress.

Indeed there are even those with the best of intentions who find their efforts misguided. Foundation grants meant to achieve harmony and unity have created greater divisions and hatreds; funds meant to support the development of new leadership have only been used for the friends of grantees, who might or might not have any potential for constructive leadership and action. Like Tolstoy's Count Bezukhov, a foundation with the best of intentions may be able to produce only greater misery by entrusting its funds to ambitious but ruthless and self-seeking overseers. No one could quarrel with the good intentions of the bumbling Count or the great foundation, but one can and must examine what has happened to that benevolent intent. After all, the best of programs must be translated into action by human beings, and not all human beings interpret an idea in the same way. One man's facade is another man's empty and crumbling building; it all depends on who is looking at it.

About 3 years ago the Ford Foundation, by far the greatest of all foundations devoted to the advancement of humanity, took an interest in the Mexican-American minority group. What the foundation saw was an opportunity to help. That opportunity, coupled with the best of intentions, has produced what I could classify only as a very grave problem in the district I am privileged to represent. As deeply as I must respect the intentions of the foundation, I must at the same time say that where it aimed to produce unity it has so far created disunity; and where it aimed to coordinate it has only further unloosed the conflicting aims and desires of various groups and individuals; and where it aimed to help it has hurt. I hope that all of this will change; but before it can change the facts must be examined.

The Ford Foundation believed that the greatest need of this particular minority group was to have some kind of effective national organization that could coordinate the actions of the many that already existed, and give for once an effective and united voice to this minority group. This good desire may have rested on a false assumption; namely, that such a disparate group could, any more than our black brothers or our white "Anglo" brothers, be brought under one large tent. There are conflicting interests in any group of any race or creed, and this must be recognized. Whatever the case may be, the Ford Foundation established the Southwest Council of La Raza and gave it a treasury of $630,000.

Not long after the Southwest Council of La Raza opened for business, it gave $110,000 to the Mexican-American Unity Council of San Antonio; this group was apparently invented for the purpose of receiving the grant. Whatever the purposes of this group may be, thus far it has not given any assistance that I know of to bring anybody together; rather it has freely dispensed funds to people who promote the rather odd and I might say generally unaccepted and unpopular views of its directors. The Mexican-American Unity Council appears to specialize in creating still other organizations and equipping them with quarters, mimeograph machines and other essentials of life. Thus, the "unity council" has created a parents' association in a poor school district, a neighborhood council, a group known as the barrios unidos—or roughly, united neighborhoods—a committee on voter registration and has given funds to the militant Mexican-American Youth Organization—MAYO; it has also created a vague entity known as the "Universidad de los Barrios" which is a local gang operation. Now assuredly all these efforts may be well intended; however it is questionable to my mind that a very young and inexperienced man can prescribe the social and political organizations of a complex and troubled community; there is no reason whatever to believe that for all the money this group has spent, there is any understanding of what it is actually being spent for, except to employ friends of the director and advance his preconceived notions. The people who are to be united apparently don't get much say in what the "unity council" is up to.

As an example, the president of MAYO is not on the Unity Council payroll; but he is on the payroll of another Ford Foundation group, the Mexican-American Legal Defense Fund. He is an investigator but appears to spend his time on projects not related to his defense fund work. This handy device enables him to appear independent of Foundation activities and still make a living from the Foundation. Of course, his MAYO speeches denigrating the "gringos" and calling for their elimination by "killing them if all else fails" do little for unity, and nothing for law, but that bothers neither him nor his associates.

As another example, the "Universidad de los Barrios" is operated by a college junior and two others. The "universidad" has no curriculum and offers no courses, and the young toughs it works with have become what some neighbors believe to be a threat to safety and even life itself. After a murder took place on the doorstep of this place in January, witnesses described the place as a "trouble spot." Neighbors told me that they were terrified of the young men who hung around there, that their children had been threatened and that they were afraid to call the police. After the murder, the "dean" of this "university" said that he could not be there all the time and was not responsible for what happened while he was away. This might be true, but the general fear of the neighbors indicates that the "university" is not under reliable guidance at any time. I note that since I have made criticisms of this operation its leader says it is ready to enter a "second phase." I hope so.

Militant groups like MAYO regularly distribute literature that I can only describe as hate sheets, designed to inflame passions and reinforce old wounds or open new ones; these sheets spew forth racism and hatred designed to do no man good. The practice is defended as one that will build race pride, but I never heard of pride being built on spleen. There is no way to adequately describe the damage that such sheets can do; and there is no way to assess how minds that distribute this tripe operate. But, Mr. Speaker, I say that those who believe the wellsprings of hate can be closed as easily as they are opened make a fearful mistake; they who lay out poison cannot be certain that it will kill no one, or make no one ill, or harm no innocent bystander.

I have no way of knowing whether foundation money goes into the publication of these hate sheets, but I cannot see why the foundation would permit its money to support groups that published these sheets either, and I cannot see how good can come from the building of passions that have throughout the history of mankind brought about only distrust, fear, hate, and violence.

I fear very much that the Ford Foundation miscalculated in choosing those who have charge over their grant money.

We see a strange thing in San Antonio today; we have those who play at revolution and those who imitate the militance of others. We have a situation in Denver where the local leader said, "This is our Selma," and not a week later a situation in Del Rio where the local leader said, "This is our Selma." But try as they might, Selma was neither in Denver nor in Del Rio. We have those who cry "brown power" only because they have heard "black power" and we have those who yell "oink" or "pig" at police, only because they have heard others use the term. We have those who wear beards and berets, not because they attach any meaning to it, but because they have seen it done elsewhere. But neither fervor nor fashion alone will bring justice. Those who cry for justice, but hold it in contempt cannot win it for themselves or for anyone else. Those who prize power for its own sake will never be able to use it for any benefit but their own; and those who can only follow the fashions of protest will never understand what true protest is.

I believe that a just and decent cause demands a just and decent program of action. I believe that a just and decent cause can be undermined by those who believe that there is no decency, and who demand for themselves what they would deny others. I have stood against racists before, and I will do it again; and I have stood against blind passion before and I will gladly do so again. I pray that the day will come when all men know justice; and I pray that that day has not been put further away by the architects of discord, the prophets of violence. I pray that these great tasks that face us in the quest for justice and progress will be taken up by all men; and I know that when all is said and done and the tumult and shouting die down those who only spoke with passion cast aside, and those who spoke with conviction and integrity will still be around. I am willing to let time be my judge.

OUR BILL OF RIGHTS IS NOT AMENDABLE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, of late a series of statements have been made regarding intentions of the administration to seek some sort of amendment to our Bill of Rights. We hear a request will be made for a study to ascertain whether the Constitution should be amended to soften effects of Supreme Court rulings that have enlarged the rights of the defendants.

Our priceless heritage, the Bill of Rights, has remained viable, vibrant, and meaningful since the first 10 amendments to the U.S. Constitution were ratified in 1791. These rights have not only survived, but have grown in world as well as national stature over the generations. Massive challenges have been thrown at them, only to be surmounted by their inherent strength and truth. Because we have lived by the Bill of Rights, rather than in spite of it, America has become a haven to the oppressed and a light to the world. Now, we are informed that this administration seeks to weaken them in order to cater to hysteria and demagoguery. How unthinkable.

Does President Nixon not read history? Has he never contemplated the fate of the Alien and Sedition Acts? Has he not read proceedings of the Hartford Convention? Is he not familiar with those periodic attempts which have been mounted to abrogate constitutional liberties of all Americans? Or how about the Palmer raids in the World War I period? What of the refusal to seat the New York Socialists? Is he not familiar with these challenges? Once we abrogate such guarantees, the prison camp and secret police are around the corner.

Mr. Speaker, a free sociey of free men stands and grows not out of fear of its institutions and guaranteed liberties, but because of continued faith in and reliance on them. Ever has this been true of our own country. Are we now so terrified of our traditional liberties that we shall seek to destroy them in the name of a crusade against crime? Shall we deprive all Americans of liberty in the long run because we seek to serve a short-term political objective? Do we have so little faith in our rights and constitutional vitality?

If we take away any of such guarantees from the least of our people, we are in effect wrenching them away from all of our people. Liberty such as Americans enjoy under the first 10 amendments to the Constitution has been dearly bought, nobly defended, and unselfishly paid for. Nor will this generation of Americans allow any erosion of their foundation of dignity which is the essence of our republic.

Today we hear a crescendo of voices calling heatedly for prosecution of this one and a halt to activities of that one. Again the frightened and weak seek recourse to repression instead of relying upon inherent strengths. To them we must present a front of unyielding defense of our Constitution. Better men then we have passed this glowing heritage to us, and we dare not break faith with them.

We have already seen what the difference is between campaign oratory and demands of reality. I pray that the administration will turn from this course of proposed alteration of the Bill of Rights. If they do not, then Vietnam and the ABM will be mere introductory chapters to a bitter story of constitutional struggle.

Let us heed the lessons of history both here and abroad. Most men dream of liberties we enjoy, and never behold or taste of them. Down through the corridors of history sounds the lament of those in bondage, echoed all too often in our own Nation. Shall we toy with the most sacred rights of men because there are those who would deprive men of liberty and others who would accede to their demands?

On March 23, 1775, in the Virginia Convention at Richmond, Patrick Henry uttered words I commend to Mr. Nixon and those around him. They read:

> Is life so dear or peace so sweet as to be purchased at the price of chains and slavery?

Is a demand for repression so necessary and national fear so overpowering as to hurl us as a nation over the brink of abridgement of our most priceless possessions? Let those who propose to tinker with the Bill of Rights give us an answer.

TO DIE IN WARSAW—AND BE REBORN IN ISRAEL

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, spring is a time for rebirth and revitalization of old lessons. It is a time not only to look forward to new beginnings, but to keep fresh in our minds previous happenings. Such efforts more than once have enabled people to evade repetition of past mistakes. Some happenings, even though long removed in time, contain major relevance for generations yet to come. Among them are two anniversaries which fall in the spring—the Warsaw ghetto uprising and the founding of the Nation of Israel.

One was and remains a reaffirmation of the human spirit, even though its immediate result was the snuffing out of much human life. The other is a celebration of life, made possible in part by sacrifices which were an inherent part of the first event.

In a way the history of the Jewish people is so bittersweet, with a heavy emphasis on the bitterness contained in the cup history has held to the lips of this unique people. Torn from their land by force of conquest, they tasted horrors of slavery early in man's recorded history. Matured in the fires of oppression, they survived in spite of generations of dictators. None extinguished their spirit, which flourished along with their love of learning and capacity to rise above life's vicissitudes. Yet as history progressed, violent oppression aimed at them increased, until excesses of the crusaders were replaced by the Inquisition, and discrimination of medieval days gave way to organized and government-sponsored programs of Eastern Europe. Still the Jewish people prevailed and gave cultural light to the world.

The 20th century unfolded the most horrible chapters of all, climaxing in the unspeakable torment of the Nazi era, as names such as Auschwitz, Babi Yar, and Dachau became household words. Six million Jews perished as they were entered first in the category of peoples to have genocide practiced against them as part of major national policy. Most went to their deaths in gas chambers in a stupor of terror, fear, and confusion, as the mass graves and crematoriums of Treblinka, Chelmno, Maidanek, and Sachsenhausen filled with awful swiftness.

There were some, however, in the ghetto of Warsaw, who realized that a new Jew had to be born—in fire and blood, if necessary. Born he was in the desperate death grapple that was precipitated.

From April 19 to May 16, 1943, these driven, desperate people fought like men possessed in order to sell their lives as dearly as possible. No chance of victory existed, and they knew it. No quarter was possible, and they realized it. No monument mattered, yet they have one.

It is the spirit of the Maccabees reborn in this age. The spirit of defenders of Massada, who chose death by suicide rather than surrender and perish like cattle. It was that first bright flame of resistance and will to accept death in order to prove manhood and spirit that lit the blaze that roared so high and hotly that out of it was born a new State—Israel.

On May 15, 1948, Israel, a free nation, was born, conceived in a people's torment and dedicated to the proposition that the Jewish people shall live. Soon Israel will be 21 years old. Men and women of Warsaw's ghetto never lived to see her rise like a phoenix from the ashes of Europe's Jewry. Only their spirits knew, for they had touched off the first torch—with their lives.

If we seek their monument, look not in Poland, which still drives Jews in fear beyond its borders. Look instead to Israel—at her strong young heroes who nail victory to their banners over the prostrate forms and broken armies of dictators of today. If Nasser and his fellow would-be assassins seek their victory, let them look at spiritual forebears of the Israel Armed Forces. Let them contemplate the faces of those who will never enter today's gas chambers singing psalms. Let them gaze at those who will die before they surrender their heritage and right to live. That goes for any so-called four power talks who seek to award a Nobel Peace Prize, Czechoslovakia-style, to Israel in 1969.

May the spirit of the Warsaw dead ever stand beside the people of Israel. May we never forget their ageless lesson that survives all. It is better to die on your feet than to live on your knees.

May Israel have long life and remain the beacon of enlightenment and refuge to the oppressed for many long and fruitful years to come. The Jewish people lives.

WAR ON INFLATION

(Mr. MOSS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MOSS. Mr. Speaker, I place in the RECORD for the information of my colleagues, an editorial from the Sacramento Bee of March 29, 1969. I do so because the editorial expresses truths which should be faced up to by this Congress. Increasingly, we see evidence of actions by presumably carefully regulated industries which reflect a high degree of correlation in the decision-making process producing what is in every sense an administered price, virtually a private ability to levy taxes upon the consuming public.

It is my judgment that we have reached the point where serious re-evaluation of much of the underlying policy must be made by Congress if it is to discharge its responsibility to the American public.

The editorial follows:

WAR ON INFLATION IS FOUGHT ON OLD, COWARDLY, ASTIGMATIC LINES

The recurrent uproar about inflation has an almost Alice in Wonderland character. When people are not under the ritualistic dread of inflation, the greatest economic good is supposed to consist of full employment and full production.

Every so often, however, when the economy is moving toward those ends, the cry goes up that the "economy must be cooled off." The Federal Reserve System's chairman, William McChesney Martin, Jr., is always waiting just off stage to do his act when the economy becomes too productive.

After the usual warnings about how nations have been destroyed by inflation, Martin raises the rediscount rate to the banks. This means the banks have to pay more for the money they borrow and thus have to charge more to their borrowers.

Early this year the whole process of cooling off the economy through higher bank interest rates began. Recently bank interest to prime borrowers reached 7.5 per cent, about the highest it has been in several decades.

Of course, when prices rise faster than production and eat up purchasing power, inflation is a very real threat. It has to be stopped. But why must it be stopped by slowing down the economy? By more unemployment?

During the 1950s were three recessions caused largely because people could think of no way to curb inflation except by slowing down the economy. The result was to increase the unemployment rate to its highest figure since the 1930s. Billions of dollars were lost through underproduction.

Why do not the leaders of the nation ever confront the fact there are ways of checking inflation other than by high interest rates and fouling up production and employment?

One of the most obvious but rarely admitted ways is to lower prices by making the economy truly competitive. Monopolistic activities should be broken up. Yet the antitrust division has just dismissed an 11-year old fight to pump true competition into the gas pipeline operation. The "administered price" area of the economy whereby companies play follow the leader in fixing prices is left almost unscratched.

Rather than do any of these things, rather than buck the powerful interests involved, government as today constituted shows a disposition to step on the little fellow's toes as he waits out still another cooling off of the economy.

WILLIAM J. DRIVER, ADMINISTRATOR OF VETERANS' ADMINISTRATION

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, most Members of Congress, including myself, lauded President Nixon's publicly announced decision several weeks ago to conduct a nationwide talent search to fill high-level positions in the Federal Government. We were given to believe that it was the President's intention to continue the policy of President Johnson of bringing into the Government men and women of talent, experience, and good judgment irrespective of their partisan affiliation. We were also given to believe it was his intention to adopt the corollary policy of retaining in office those men and women who have proven themselves to be dedicated career public servants. We lauded that announcement, Mr. Speaker, because we believed it.

Now, however, we are told that the President, apparently bowing to partisan pressures, is about to drive out of the Government one of the most dedicated, impartial, talented, and sensitive men it has been my pleasure to know—the Honorable William J. Driver, Administrator of the Veterans' Administration.

Mr. Speaker, Bill Driver is a career man in Government. His service dates back to the 1940's. His talents and his desire to serve the veteran community of this Nation are seemingly limitless. Yet in one of the most outrageous, contemptible maneuvers devised by partisan politics, this man, this dedicated public servant, is being told to go packing.

Mr. Speaker, I do not even know what Bill Driver's political leanings are, and I do not really care. The solid, responsible administration of the Veterans' Administration is far more important than its Administrator's partisan affiliations. It really does not matter what his political affiliation is. What does matter is the fact that his removal is a blow to the morale of every career employee in the Federal Government and an affront to every veteran and veterans' organization in the country.

Bill Driver was brought into the Government by Gen. Omar Bradley. He has served under Presidents Truman, Eisenhower, Kennedy, and Johnson. He has risen up through the ranks by dint of his ability, not through any "political clout." Yet even this background does not seem to immunize him from the arrogance of the spoils system.

I am appalled, Mr. Speaker, and I hope the President will change his mind and retain Bill Driver as Administrator of the Veterans' Administration.

CONGRESSMAN'S HANLEY'S SENTIMENTS ON INTERNAL REVENUE CODE

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, I welcome this opportunity to express my sentiments on a number of the areas in the Internal Revenue Code where abuses have developed which are costing the Treasury considerable amounts of revenue.

I am hopeful that the Ways and Means Committee will present the House with a comprehensive tax reform bill which will substantially increase the revenue available to the Federal Government without increasing at all the burden already imposed on our low- and moderate-income taxpayers.

I should like to relate some relevant thoughts on these matters.

CAPITAL GAINS TAXATION

Like many parts of the U.S. Tax Code, the provisions regarding capital gains taxation were written with some reasonable justification, but have since been abused to such an extent that it would be wise to once again examine them carefully.

The basic regulation, of course, is that long-term capital gains—realized on the sale of assets such as stocks or other income producing property held more than 6 months—are taxed at one-half the ordinary rate. In other words, if you are in the 20-percent tax bracket, $1 additional revenue obtained from the sale of capital goods would be taxed only at a 10-percent rate. However, the maximum effective rate of capital gains taxation is 25 percent. This means that those in the 70-percent tax bracket pay no more on capital gains than those in the 50-percent bracket. So the very rich—those with taxable incomes on joint returns of more than $400,000—pay just over one-third of their regular tax rate for capital gains, while those with lesser incomes—$45,000 or less on joint returns—pay one-half of their regular rates for the same capital gain.

Another comparison will demonstrate the value of capital gains rates to those who can afford to utilize them. The ordinary worker drawing a salary of $7,000 a year can expect to pay roughly $1,100 in tax, while another taxpayer whose sole income is $7,000 made from long-term capital gains on stock investments will only pay the Federal Government $400.

It must be emphasized that the law which permits this kind of situation is not necessarily what has come to be known as a "loophole," because the reasoning behind some form of tax incentive to capital investment is sound. Obviously, an expanding economy needs capital investment and there must be some sort of reward commensurate with the risk of this kind of investment. However, there is a big difference between the long-term investor and the stock market speculator who sells his stock at a profit after the 6-month minimum holding period.

The time has come to take a hard look at this capital gains provision, for, according to the annual report of the Treasury, this support of capital investment for just individuals alone costs the Federal Government $4.5 billion yearly. Perhaps the minimum holding period should be extended to 3, 4, or 5 years, or perhaps the 25-percent maximum rate should be repealed so that capital gains would be taxed at half the ordinary rate up to a maximum of 35 percent. At any rate, when the revenue cost is so large, a complete review of the situation is in order.

The low capital gain rates have been used in specific ways which many tax reformers have branded as loopholes.

STOCK OPTIONS

The granting of special stock options to certain company executives has proved to be a most rewarding practice for those preferred employees, but a very costly one for the Federal Government. The Revenue Act of 1964 helped to close the door somewhat on the most serious abuses, but the opening is still wide enough to permit most executives to slip through this loophole, and further reform is needed.

According to present law, an executive can be granted "qualified stock options" which are supposed to be approved by the stockholders and must be exercised within 5 years. This option enables the executive to purchase a certain amount of stock, any time within 5 years after the option is granted, but at a price not less than the market value of the stock at the time he receives the option. In other words, say an employee was given an option in 1964 on stock worth $50 per share. If that stock was selling today at $200 per share, he could still pay just $50, in effect realizing a capital gain of $150. The law states that this executive must hold the stock for 3 years before sale in order to receive the special capital gains rates. However, if he waits until 1972 to sell his stock at, say, $300 per share, he can realize a net gain of $250 per share, taxable at the low capital gains rates. In contrast, if the ordinary employee received a $250 bonus or raise, this addition to his income would be taxable according to the full tax bracket schedules. It is also worth mentioning that the executive is not obliged to purchase the stock, so that, if its value should decline during the 5-year period, he would simply not exercise his option.

CAPITAL GAINS ON ASSETS TRANSFERRED AT DEATH

One of the most outstanding loopholes and one attacked very frequently by tax reformers is the provision regarding taxation of capital assets transferred at death. The argument here is that this loophole violates one of the fundamental principles of our tax system, horizontal equity—the concept that those of equal wealth should pay approximately the same taxes. An example will clarify the problem. Suppose that an individual buys $100,000 worth of stock which appreciates in value till it is worth $500,000 at the time of his death. If he leaves this stock to his heirs, the capital gain of $400,000 will never be subject to any income or capital gains tax. And should his heirs sell the stock some time later for $600,000, they will pay a capital gains tax only on the $100,000 the stock has increased in value since the time of the transfer. The first individual has actually experienced a $400,000 increase in his wealth on which he paid no taxes whatsoever. If another individual received $400,000 in income in the form of wages or dividends, he would be subject to a very substantial tax. Of course, the value of the stocks transferred at death is taxed according to the estate tax schedules, but this does not resolve the inequity since the estate tax also falls on income accumulated after income tax.

EXCESS DEPRECIATION

Those people who are in a position to invest in rental dwellings, office buildings, or other such buildings, are able to take advantage of another lucrative loophole. According to present law, the owner of such an asset is allowed to calculate a certain percentage of its value as "depreciation", and deduct this amount from his adjusted gross income in order to compute his taxable income. Further, the owner has the option of computing a more rapid rate of depreciation for the first few years than would be determined according to a "straight line" depreciation. In other words, if a wealthy individual constructs an office building with a useful expectancy of, say 40 years, at a cost of $5 million, his "straight line" depreciation would be 2½ percent or $125,000 per year. However, he is allowed to take an accelerated depreciation in the early years of nearly twice this rate according to the "double declining balance" method or the "sum of the years digits" method. The latter method is slightly more advantageous to this investor and so this will be used as the more likely example. According to this formula, after 10 years, or one-fourth the useful life of the building, the owner will have been able to write off 43.3 percent of the cost of the building as depreciation. In other words, over this 10-year period, the owner would have been able to deduct $2.16 million from his other sources of income before computing his taxable income. Put another way, this wise investor has realized over a 10-year period more than $2 million of tax-free income.

All this would be equitable, of course, if the value of the building actually was decreasing at the depreciation rate used for tax purposes. But in reality, it is far more usual that real estate such as this does not decrease in value nearly this fast, and may even increase during the first few years. Assume, for purposes of simplicity, that in this case the market value of the building is still $5 million, and our investor sells his property for exactly what he paid for it. The law requires that he pay a capital gains tax only on the difference between the market price and the depreciated book value, or in this case, on $2.16 million. At the maximum capital gains rate of 25 percent, his tax would be $540,000.

If one examines the total profit enjoyed by a smart investor such as this, the magnitude of the injustice suffered by less wealthy taxpayers becomes clear. Over a 10-year period, the owner of this building has realized tax-free income of $2.16 million and has paid a total in taxes of $.54 million, for a tax-free, net gain, of $1,620,000. Now, even if our assumption that the building still had a market value of $5 million after 10 years was unwarranted, it remains true that as long as the market value of such real estate exceeds the depreciated book value, then to that extent the owner receives an undeserved tax break. The report on tax reform put out by the Treasury Department sums up the situation in these words on page 440:

> These book profits reflecting the artificial writedown of the depreciable investment by accelerated depreciation represents deductions previously taken against ordinary income, so that the whole process represents a conversion of ordinary income into capital gain for tax purposes.

Of course, the figures used in the above example are only hypothetical. But the statistics published in the annual report of the Secretary of the Treasury for fiscal 1968 are very real. The Treasury Department estimates the tax loss from excess depreciation of rental housing and other buildings to be $750 million.

TAX-EXEMPT STATE AND MUNICIPAL BONDS

The exemption from taxation of the interest on State and local bonds is another example of a situation which seems rationally justifiable on the surface, but cannot bear a more penetrating analysis.

This exemption was written into the original income tax law of 1913 in order to make it easier for State and local governments to finance capital improvements. By exempting the interest from these bonds from any income tax, the States and localities have been able to make their bond issues attractive, even though they pay a substantially smaller rate of interest than corporate bonds—approximately 4 percent as compared to 7 percent. In fact, investors find these issues so attractive that State and local governments are holding approximately $100 billion in outstanding bonds at the present time. With this money, they are able to finance schools, roads, water purification plants, hospitals, and other public facilities.

However, there are two important drawbacks to this system. From an economic viewpoint, it costs the Treasury hundreds of millions of dollars in lost tax revenues and, from the viewpoint of equity, it provides a tax haven for the very rich.

In considering the latter problem first, former Senator Paul Douglas, in a recently published article offered an instructive example. He noted that when Mrs. Horace Dodge, Sr., inherited $56 million from the estate of her husband, she immediately invested the entire amount in State and municipal bonds. Assuming a 4-percent rate of return, this would provide her with a tax-free income of approximately $2 million annually. This is an extreme example, of course, but the fact remains that over 80 percent of tax-free bonds held by individuals are in the hands of the wealthiest 1 percent of the population. Senator Douglas estimates that approximately $3.5 billion in interest is paid every year on such bonds, and it certainly seems anomalous, to say the very least, that each year $2.8 billion of this tax-free income flows into the pockets of the wealthiest 1 percent of our citizens.

To return to the other problem, this tax loophole, according to the annual report of the Secretary of the Treasury, cost the Federal Government $1.8 billion in fiscal 1968. Now it must be kept in mind that the tax exempt status for these bonds serves an important purpose from the standpoint of the States and municipalities, and it would be unwise to alter this provision without regard to their interests. But, fortunately, there is a relatively simple solution to this apparent dilemma which safeguards the interests of the States and localities, yet eliminates the tax shelter for the very wealthy and saves the Treasury a great deal of revenue at the same time. The answer is to tax the interest from these bonds at the regular rates, but have the Federal Government subsidize the State and local governments for the higher interest rates they would have to pay to make their bond issues competitive. This sounds at first like borrowing from Peter to pay Paul. But it has been estimated that, where the Treasury loses $1.8 billion, the States save in lower borrowing costs only about $0.9 billion. In other words, the Federal Government would come out comfortably ahead in this deal.

If the long-standing regulation permitting tax-free interest on municipal bonds was at least grounded in reason, the extension of this privilege to industrial development bonds by a 1954 Treasury Department ruling was completely unjustified. Under this ruling, communities were permitted to issue tax exempt bonds to finance the construction of plants and facilities for private corporations. The community would simply build the plant according to the directives of a particular company and then rent the facility back to this company, using the rental fees to retire the bond issue. Since the municipality is able to borrow money through bond issues at a significantly lower rate than could a private corporation, this represents a substantial saving to the corporation. Naturally, the reason a municipality would go out of its way to provide such a service is to attract industry to the community. And this practice was followed with considerable success by a number of Southern States. However, this practice forced other States to react defensively until presently there are 44 States which authorize such industrial development bonds. The result, of course, is that virtually no State has an advantage over another in this area. Now the only winner is the corporation which is, in effect, subsidized by the municipality, and the loser is the Federal Treasury, which recoups its losses out of the pockets of the average taxpayer.

MULTIPLE CORPORATION SURTAX EXEMPTION

Many large corporations have been able to slip through a very profitable loophole known as the "multiple corporation surtax exemption." While the name sounds imposing, the principle behind it is actually quite simple. The regular income tax rate for corporations is 48 percent, but, in order to assist small corporate businesses, Congress stipulated that the first $25,000 of income receive an "exemption" of 26 percent. In other words, the effective tax rate for the first $25,000 of corporate income is only 22 percent.

The problem with this regulation, however, is that its chief beneficiary has not been small businesses, but the very large corporations. Simply by dividing the corporation into a series of separate corporate units, each of which has an income of less than $25,000, many large corporations have been able to take undue advantage of the lower tax rate. In fact, there is one case on record of a corporation that divided itself into 734 separately incorporated units, for an annual tax saving of nearly $5,000,000. The 1964 Revenue Act attempted to narrow this loophole somewhat by adding an additional 6-percent penalty tax on the first $25,000 of income of each corporate unit actually controlled by a larger corporate complex. The loophole has been narrowed, but not shut. And through this aperture will pass—according to Treasury Department estimates—$235 million of uncollected revenue in 1968.

TAX-LOSS OR HOBBY FARMING

When is a loss really a gain? When is a farmer not really a farmer? The answer to both questions is when the nonfarmer is a wealthy businessman who runs a farm at a "loss" strictly for tax purposes.

The ordinary businessman is obliged to follow certain rigid accounting practices in determining his annual income and making such computations as the amount of current inventory or the rate of depreciation of investment assets. However, the Internal Revenue Code has long permitted liberal deviations from these regulations for the farmers in order to spare them the bookkeeping operations that would be necessary to comply with strictly correct accounting procedures. Those who wrote into the tax laws this exception to the rule acted rationally, but they could not foresee the abuse to which this provision would be subject.

For most business enterprises, the cost of a capital investment—including maintenance of the asset prior to its being used—is not deductible as a current expense, but may be written off gradually over the useful life of the asset according to a depreciation schedule. However, farmers have been permitted to deduct, as they are incurred, expenses which are admittedly capital investments. For example, a farmer engaged in raising livestock for breeding purposes may deduct these capital expenses from current income in order to compute taxable income.

The problem comes when wealthy individuals begin to take advantage of this provision solely for tax purposes. Those in the high income tax brackets find it advantageous to engage in such farming activities as the raising of cattle in order to lessen their tax burden. Because an investment in livestock brings no immediate return, it is computed as a "tax loss" which can then be deducted from other nonfarm income, resulting in large tax savings. Of course, such a "loss" is nothing other than an investment which can be recovered at a later time, and the return on this investment will then be taxable only at the lower capital gains rates.

An example may help to indicate the real dollars and cents value of this loophole to those wealthy enough to take advantage of it. Suppose that a wealthy entrepreneur decides to enter the cattle-raising business, and this adventure costs him $100,000 over some period of time. Under present law, he can set off this "tax loss" against an equal amount of nonfarm income, which in effect means that the first $100,000 of his income over this period is completely tax free. It is hardly unreasonable to assume that our "farmer" could sell the herd for at least the $100,000 which he had invested, and he would only pay a capital gains tax on this sale of a maximum of 25 percent.

As in the case of the excess depreciation on real estate investment assets, this whole process really amounts to a conversion of ordinary income into capital gains purely for tax purposes. And, naturally, the higher the tax bracket of the investor, the greater the incentive to become a nonfarmer. Suppose, for example, that in this case the individual was in the highest, or 70-percent bracket. At regular rates, he would have paid $70,000 in income tax on this first $100,000 of his income; using this tax dodge, he would only have paid $25,000 in taxes, for a net gain to him of $45,000 and a net loss to the Treasury of the same amount.

In addition to the revenue loss, which has been estimated at $400 million per year, the Treasury Department notes two other serious consequences of this tax-loss farming by wealthy individuals. On the one hand, the true farmer who must support his family from his farm income faces unfair competition from the "gentleman farmer" who has no incentive to show a profit. And on the other hand, the attractive tax benefits that accompany this tax-loss farming enterprise have induced wealthy individuals to bid up the price of farm land beyond that which would prevail in a normal farm economy.

GIFT TAXES

Since gifts during lifetime are a natural alternative to bequests made at death, it was quite reasonable for the Federal Government to develop—in 1932—a system of gift taxes to supplement the already existing estate taxes. What appears now to have been less well considered was the decision to fix the schedule of gift tax rates at only about three-quarters of the corresponding rate for estate taxes. This disparity in rate schedules, compounded by certain other provisions pertaining to gift tax regulation, has created a situation where the very rich are the beneficiaries of unintended tax advantages.

The very wealthy are in an enviable situation simply because they can afford to give away larger portions of their estates during life rather than disposing of the estate at death. Figures released in the "Tax Reform Studies and Proposals" of the Treasury Department show that, where the very wealthy transfer slightly more than 10 percent of their total wealth accumulations during lifetime, those with smaller estates transfer less than 2 percent of their property by means of lifetime gifts. Put another way, the evidence indicates that 52 percent of those with large estates—the estates were simply classified as small, medium, and large—made gifts during lifetime, but only 10 percent of those with small estates made lifetime transfers.

Even a cursory examination of gift tax regulation makes it easy to understand why those who can afford the luxury, prefer to transfer their estates during lifetime. To begin with, there are rather liberal exemptions that may be taken into consideration when computing the "taxable gifts" for any one year. The "per-donee" exclusion exempts the first $3,000 of gifts to each recipient, and this exclusion jumps to $6,000 where the spouse agrees to treat gifts made by the other spouse as having been made one-half by each. Also, the law permits an additional exemption of $30,000 per recipient, spread over the lifetime of the donor or taken in any one year. And here too, this exemption doubles where couples agree to treat gifts made jointly as if they were made individually. These provisions mean that, over a period of 20 years, a wealthy couple would be able to transfer to each of their children a tax-free sum of $180,000.

In addition, it is important to realize that while both the estate and gift tax rates are progressive, the estate tax rates are applied only to transfers made at death, without regard to lifetime gifts. This means that the person who can afford to make lifetime transfers reaps a double advantage: he enjoys the lower gift tax rates—including the liberal exemptions—and the remainder of his property transferred at death is subject to a new and very low beginning set of rates.

Finally, the lower gift tax rates—(as mentioned above, approximately three-fourths of the estate tax rates—are applied to a different and smaller tax base than are the estate tax rates. According to present law, the estate tax is paid by the recipient as a certain percentage of the transfer. The gift tax, however, is paid by the donor, and the amount of the tax is never added to the gift before determining the principal against which the progressive tax rates are to apply. In other words, if an individual dies leaving a taxable estate of $10 million, the Federal Government will receive $6,088,200 and the heirs will get slightly less than $4 million. But if another individual gives away the same $10 million during his lifetime, he will be able to transfer approximately $7 million to his heirs, and pay a tax of a little less than $3 million. He can keep this additional 75 percent of the wealth within the family because the tax base for this gift is not $10 million, but the $7 million actually transferred to his heirs. The other $3 million is used to pay the gift taxes on the $7 million gift. In both cases, of course, the original estate actually transfers the $10 million, but the tax savings when the gift is made during lifetime are substantial.

Congressman REUSS, in title X of his bill, proposes a 25-percent increase in the gift tax rates to bring them in line with the estate tax schedules. He estimates that this would bring in $150 million in extra revenues annually.

TAX-EXEMPT FOUNDATIONS

> Private philanthropy plays a special and vital role in our society—

States the recently published Tax Reform Studies and Proposals put out by the Treasury Department. Private philanthropic organizations provide "financial aid to areas which Government cannot or should not advance—such as religion," and in doing so, "they enrich the pluralism of our social order." For these reasons philanthropic organizations, such as foundations, have been accorded a tax-exempt status under our Internal Revenue Code.

Beginning in 1961, however, and under the vigorous leadership of Chairman WRIGHT PATMAN, critics have pressed the charge that some foundations have seriously abused their tax-free status. Periodically since 1961, in his positions as chairman of the Subcommittee on Foundations of the House Select Committee on Small Business, Representative PATMAN has issued reports documenting his charges of misconduct. In addition, in 1965, the Treasury Department, at the request of the tax committees of the House and Senate completed an extensive study into the operations of private foundations.

While emphasizing that the activities of most foundations are above reproach, the Treasury report also noted that some foundations were operating for the personal gain of a few individuals or had become involved in activities unrelated to the purposes for which the original tax exemption was granted. In view of these findings, and in light of the recently completed hearings on foundations by the Ways and Means Committee, it is altogether appropriate that Congress reexamine the tax-exempt status of private foundations when considering proposals for tax reform.

For purposes of simplification, the many objections to the present regulations pertaining to private foundations can be divided into three general categories. The three basic allegations are that: first, through the use of foundations, a great deal of revenue is lost; second, much of the resources of foundations is devoted to activities not related to charity; and third, foundations have accumulated a disturbing amount of wealth and economic power.

The first criticism, that the tax-exempt status of private foundations costs the treasury hundreds of millions of dollars in lost tax revenue every year, is substantiated by Representative PATMAN in testimony before the Committee on Ways and Means—on February 18 of this year. He revealed that in 1966, the 596 foundations studied by his subcommittee had an estimated gross income in excess of $1 billion, and all of this, of course, was tax free. He suggested at that time that a 20 percent tax be imposed on the gross income of these foundations, bringing in more than $200 million to the Treasury.

Also, in connection with loss of tax revenue, it is a well documented fact that wealthy individuals set up foundations to escape estate taxes and perpetuate family control over their assets. Thus, the Ford Foundation now controls more than 90 percent of the equity in Ford Motor Co. Representative PATMAN, in his recent testimony, presented a list of what he termed "a few conspicuous examples" of wealthy Americans who have died in recent years, and whose estates, valued at more than $293 million, escaped estate taxes through the foundation route. Mr. PATMAN expressed his emphatic agreement with Stanley S. Surrey, former Assistant Secretary of the Treasury for Tax Policy, who said in 1967:

> The present resort of tax and business planners to the creation of a business enterprise so as to perpetuate the family control of that enterprise is a complete distortion of the policies and philanthropic motivations that underlie the tax benefits granted charitable contributions and charitable institutions.

And in recent years, the moderately wealthy, as well as the very rich, have learned that foundations can be useful in avoiding income taxes as well as estate taxes. In fact, in 1966 an organization called Americans Building Constitutionally—ABC—was founded to instruct the wealthy in this very art. The ostensible purpose of this group is to "help citizens of the United States make full use of the rights guaranteed them under the Constitution." But, apparently, the right considered most important by the ABC is the right to avoid paying taxes.

Full membership in this organization eventually costs $10,500, for which the member is entitled to such services as a 30-hour seminar on foundations, instruction on the legal problems of establishing a foundation, and a manual which includes everything from relevant sections of the Internal Revenue Code to detailed advice on setting up a foundation, administering scholarship grants, and apportioning expenses between foundation and personal budget. That these services are valuable can be verified by the case of a midwest doctor. Acting on information provided by the ABC, a general practitioner from Aurora, Ill., set up his own foundation, appointed himself as "medical administrator" and continued to treat the same patients in the same office as he had done in his private practice. The difference was that the fees were now paid to his tax-exempt foundation. In return, the foundation paid him a relatively modest salary, but supplied—tax free—a house, a car, a retirement plan, and insurance. It also employed his wife as assistant medical administrator and sent his four children to college on educational grants. It goes without saying that this kind of activity cannot be allowed to continue.

The second general criticism is that too great a share of the resources of private foundations—both in time and money—is devoted to pursuits not related to the purposes for which the tax exemption provisions were originally enacted. Critics list several examples in support of this contention. For instance, in a 1966 report, Chairman PATMAN noted that the 575 foundations in his study had accumulated $4.6 billion in receipts during the 4 years from 1961–64—this figure includes capital gains. While only 48 percent of this amount was used for gifts and grants, more than 10 percent went to operating expenses. In fact, in his recent testimony, Mr. PATMAN revealed that the Rockefeller Foundation spent half as much just running its New York offices—$5.4 million—as it spent throughout the entire Nation in 1966. He also noted that, in fiscal 1967, the Ford Foundation paid out $446,262 just for public relations. Figures like these raise serious questions concerning the abuse by foundations of their tax-exempt status. After all, the tax exemption provisions were adopted to encourage philanthropy, not underwrite the cost of huge office buildings or maintain a good public image.

Another argument in support of this second general criticism is that a disproportionate amount of the time and energies of the administrators of these foundations is devoted to the accumulation of wealth, not the distribution of charitable grants. In other words, a number of foundations have become so intricately involved in the complexities of their business deals that their charitable pursuits have really become secondary. This accusation will be discussed in another connection below.

"Self-dealing" schemes, such as those outlined by the ABC organization discussed above, are offered as still a further example in support of this general criticism that much of the tax free foundation money is not being used for truly charitable purposes. The "self-dealing" schemes, in the form of high salaries and large expense accounts, may also be partly responsible for the large percentage of foundation receipts used for "operating expenses."

And finally several critics have seriously questioned the propriety of foundations sponsorship of certain kinds of activities. They point out that the tax-exempt status of foundations really means that the foundations are subsidized by other taxpayers, and consequently, certain activities should be proscribed.

A great deal has been written lately about the involvement of the Ford Foundation in the controversial decentralization plan for New York City's school system. Certainly no one questions the right of any private organization to support the political party, project, or cause of its choice. But it is important to remember that the tax exemption which helps to make this support possible, is little more than a subsidy from the public funds, a subsidy which must be paid by the average taxpayer. It may be time for Congress to take a very close look at the kinds of activities supported by what are, in effect, public funds.

The third general criticism of foundations is that they have accumulated an enormous amount of wealth, and consequently are in a position to wield tremendous economic power. According to the Internal Revenue Service, there are over 30,000 private, tax-exempt foundations in the Nation, and WRIGHT PATMAN's Subcommittee on Foundations has determined that 596 of the most prominent of these organizations have assets totaling more than $15 billion. This represents an amount 41 percent greater than the $10.7 billion capital funds—capital, surplus, and undivided profits—of the 50 largest banks in the United States. Of these 596 foundations—according to Mr. PATMAN's recent testimony before the Ways and Means Committee—136 held stock in 288 corporations at the close of 1966 in amounts ranging from 5 to 100 percent of the outstanding shares of at least one class of stock. According to Chairman PATMAN, this heavy involvement of foundations in the business world and the stock market poses serious danger of various kinds of illegal or unethical conduct, such as self-dealing schemes, activities involving conflicts of interest, unfair trade practices, and unfair competition. Many of these activities are prohibited by statutes administered by the Federal Trade Commission, the Antitrust Division, or the Securities and Exchange Commission. But, as Mr. PATMAN further points out, the IRS has not, and is not equipped to, detect possible violations because it does not presently collect the relevant information.

Representative WRIGHT PATMAN has introduced a bill based upon a three-point plan designed to correct the most serious of these abuses. As he told the Ways and Means Committee recently, according to his bill:

> (1) Every privately-controlled, tax-exempt foundation would pay a tax in the amount of 20 percent of its gross income, including capital gains. Gross income would be comprised of the following: gross profit from business activities; interest; dividends; gross rents; gross royalties; gain or loss from sale of assets, excluding inventory items; and other income, *excluding* contributions, gifts, grants, etc., received.
>
> (2) A privately-controlled, tax-exempt foundation would not be permitted to own more than three percent of the outstanding shares of any class of stock of a corporation or to own more than a three percent interest in the capital or profits of a partnership.
>
> (3) The net income of every privately-controlled, tax-exempt foundation would have to be disbursed annually for the purposes for which is was organized.

Finally, though by means of less importance, is the matter of depletion allowances for oil and certain minerals. I would hope that the committee in its deliberations on overall tax reform proposals will give firm consideration to and will adopt measures rigidly scaling down the present depletion allowances and where practicable, will abolish those allowances completely. A number of published reports over the last few years leave little doubt that severe abuses resulting in tax inequities have occurred repeatedly in this field.

The Ways and Means Committee has already received substantiating testimony to that effect. No tax reform proposals will be either complete or equitable until this grossly imbalanced situation is brought under control.

ANOTHER COAT OF MANY COLORS

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, the Disabled American Veterans organization is an outstanding organization. Its leadership is competent and effective. The membership of this great service organization is always well informed.

We are all familiar with the DAV magazine, the official voice of the Disabled American Veterans. Included in this monthly publication are Chet Huber's "Legislative Reports," John Keller's "Service Comments," excellent remarks by National Adjutant Dale Adams and DAV's outdoor sportsman, Bill Burton, and the story of the month authored by my good friend, James E. Rogers, national DAV chaplain.

Jim Rogers is well known to the people of South Carolina and to members of the DAV throughout our country. We are proud of him. He is the first South Carolinian to hold such high office in this national organization.

Chaplain Rogers is a tireless worker. He visits hospitals, and clinics; he seeks out the shutin, and the housebound. He lives to serve his fellow man. He loves his country and those who work to make it a better Nation for all mankind. He is proud of the DAV, having served it faithfully for over 21 years.

In a recent issue of the DAV magazine, Chaplain Rogers eloquently defines the real meaning of his organization while paying tribute to some of its past and present selfless leaders. The article deserves the attention of every Member of Congress:

ANOTHER COAT OF MANY COLORS

(By James E. Rogers)

The day was cold, and most of the enlisted men of the Roman barracks of Amieus, France, had decided to stay in during the evening hours. Like the G.I. of today, they were far from home. Lonely and away from home they looked forward to the day they could return to their homes and friends. Most of them had seen the countryside and visited the historic spots of their time.

But on a particular evening, one man felt that he had to get out and walk, for he had much on his conscience. He was just a lad of eighteen years and far from his birthplace in Savar, Hungary. Born of Roman parents and a citizen of the world's greatest nation of his time, he had, in the eyes of his parents, committed the unpardonable by accepting the Christian religion.

Now in the year 334 A.D., he walked the streets of the city pondering the decision to leave the pagan religion of Rome and embrace the Christian religion which was unpopular among the troops of Caesar. Being a Christian in the Samarobriva of Caesar was a courageous act on his part. Many of his friends taunted him about his newly found religion. Some of his former friends refused to speak to or associate with him. This worried him greatly as he walked the streets of the city that night.

As he wandered from one intersection to another with his thoughts attached to home and parents, his mind was awakened by the cry of a beggar sitting by the closed gates of a residence. "Alms, good man, please, alms," the beggar cried out through the cold dark night. Looking down at the shivering, tattered, ragged beggar squatting in recessed darkness, the young soldier repeated as one had said years before, "I have no alms, but what I have, I will share with you." Then with tears in his eyes the young soldier removed the cloak from around his own shoulders. Taking the sword from his side he cut the cloak in half. Taking half of the severed cloak, he placed it around the shivering shoulders of the beggar. The other half he placed around his own shoulders.

Thus, we find the first recorded act of human kindness by one who was later to become a great saint of the early church. When he arrived back at the barracks late in the evening he was questioned about the cloak. One soldier wanted to know if he had been in a fight with citizens of the country, while others cast aspersions. Under pressure from his comrades he finally explained what had happened in the city. While still on the receiving end of chiding, he fell asleep.

When young Martin was discharged from the Army, he decided to become a missionary. Because of his newly found faith he was not welcomed back home. From rural countryside to wayside villages he journeyed practicing the simple virtues of love—ministering to the sick, the orphan, the shut-in, the widow, the war-wounded and the needy—whenever the occasion should arise. Because of his love for others, as mirrored through compassioned empathy, he attained renown throughout France. His very name was an inspiration to others "to go and do likewise" in behalf of others.

Many honors came to this distinguished son of the church. He was hailed and greeted by the rich and poor, the intellectual and illiterate—truly a manifestation of the concerned heart of France and her people. While the Goths and Visigoths were fighting around Tours, he was seen everywhere ministering to the wounded and sick. During this period of his life he was elevated by the church to become Bishop of Tours.

He founded the first monastic institution in Gaul, a monastic institution which was for generations to join others across the breadth of Christendom to further the welfare of man. When "Martin of Tours" died around 400 A.D. a sorrow swept across France, a nation which loved him deeply. His death was also felt throughout the life of the church. A great man had died; a great apostle of love was called home.

The good friends of France refused to let the memory of this great man die. They rose from the altar of prayer and said, "How can we ever forget the love which radiated from the life of one so close to God—a man who by precept and example, lived so unselfishly in behalf of others?" Through their concern and prayers, the church proclaimed him a Saint and appropriately named him, "Saint Martin of Tours." They went further by erecting a small building in his memory. In this they placed a cloak close to the altar as a memorial—a remembrance of the day back in Amieus when he shared his cloak with another. Outside the building they placed a permanent guard to watch over the cloak. People came from all parts of the country to see the memorial to the great saint.

The French word for cloak is "cappella." The one who cared for and guarded the cloak was called "a capellani." These words, modified over the centuries, became "chapele" and "chapelain," respectively. Today, in English, the words become "chapel" and "chaplain."

To Disabled American Veterans there is a suggestive significance in the meaning of the life of this great Saint. We, too, like this one of yesterday, live to serve our fellowman. We have left the army of our day, even as he did, to go out into the countryside, the village, and city to find those who are shut-in, housebound, lonely, orphaned, widowed, and wounded—gathering them together in common purpose—the service to others.

The Disabled American Veterans wear the likeness of that cloak around their hearts. Each time it is severed on the part of the individual in sharing with another, it grows even greater in dimensions of devotional love and loyalty.

Time weaves incessantly with threads of thoughtfulness its patterned movement across plain, seashore, and mountains. Within the cathedral of this great organization there stands high in the belfry of the heart the clarion call of humility monitored by the heartbeat of every disabled congregant. These are ever responding in sharing the cloak of love. No one individual wears the cloak alone, but it drapes every chapter and her membership. When used in the service for others, it reflects exquisite taste and beauty. It never seeks to harm, but is continuously found in a variety of color, forms, and movement to warm the huddled forgotten ones resting away from the beaten pathway of hurrying humanity. The threads of the fabric of the coat are woven again and again with succor, support, assistance, thoughtfulness, benefice, kindness, relief, love—and as long as every member seeks, through prayer and labor, to weave such a cloak, the Disabled American Veteran will continue to be the best-dressed man in America. As long as the cloak is shared and shed for another the emblematic spirit of him or her who wears it will honor the true spirit which created and designed it before the altar of sacrifice and prayer. There are no seconds as found in some basement department store. These cloaks worn by the disabled congregants were purchased for a price found only on the top floor of human endeavor in that department owned and operated by America.

During this past convention in Philadelphia I saw again the evidence that the cloak is worn around the heart of those in attendance. (This I have noticed during my twenty-one years of membership.) When a bus load of members left the convention hall to journey to New York to honor one who had worn the cloak and shared a thousand pieces with others, observers knew that the cloak still is alive and is vibrant in honoring one who knew its meaning so well. When "P. D. Jackson of Buddy Chapter" of Texas stopped me in the lobby and said a delegation was going to New York to honor our beloved Past National Commander Milton Cohen, I could readily see that Comrade Jackson was taking a small bit of the cloak of love from every heart of the convention. The Disabled American Veterans are better, and America is better, because of men like Milton Cohen who fought in the 69th. When the last rites were held for Milton at the Forest Park Chapel at Queens Boulevard and Seventy-sixth Road, Rego Park, friends were there from across this great land. Hanging high in the hall of memory of everyone that called him friend is that multi-colored coat of love which he wore so proudly.

Another example of the breadth of this coat worn by those at the convention was depicted by friends of Danny Netwall of Columbus, Georgia. When Danny was stricken with a heart attack, Comrade Sheehan of Massachusetts carried him to the hospital and helped as much as any man does on the battlefield when life is endangered. When the Georgia delegation learned of Danny's sickness, there spread a labored concern of love, led by Johnnie Davis, through all hearts. The delegation made arrangements for Danny's wife and daughter to fly up to the city. As Senior Vice Commander of the State of Georgia Danny had wanted to attend one National Convention. This he did and while in Philadelphia he was called by God to a greater convention—a convening among old comrades in a better land where his heart was wrapped with the cloak of love by the hand of God.

Surely other evidences of this cloak of love were portrayed during the convention which the Chaplain does not know of or was unable to see, but it was there for all comrades willing to see and hear.

Who stands guard over this cloak? Every Disabled American Veteran. This cloak is so precious to the heart of the organization that guards have been elected and appointed since the first congregants gathered in Detroit, Michigan, June 28, 1921. There are those within the bounds of the organization who know of her illustrious life better than I—such men as Captain Hogan and others, but the ones I have met have been men of broad stature and integrity—men who have been willing to shoulder a task with honor and meaning in giving a noble purpose to her growth and guiding her through valley and peak to the place where she stands tall like a mountain in the affairs of America today. When I have been able to shake the hand of men like J. L. Monnahan, Milton D. Cohn, General J. M. Wainwright, Howard W. Watts, Judge Alfred L. English, Floyd L. Ming, I know I have touched the hands of folk who have worked unselfishly in behalf of others. Men who have hands wide enough to encompass the total need of the height of the organization. When I have been privileged to hear the voices of men like Boniface R. Maile, Joseph Burke, David Williams, Bill H. Fribley, W. O. Cooper, Francis R. Buono, I know I have heard words of guidance and wisdom—words which give meaning to the life of the cloak. They are individuals who have given sustenance to the roots and branches of the ever encompassing cloak to warm the hearts of all persons searching for shelter and warmth. The acropolis character imparting security and peace to those principles which are just, praiseworthy, and pure and which inspire continuity of purpose in the displaying of this great cloak gleams from the lives of men like Peter Dye, Douglas H. McGarrity, William G. Dwyer, and Claude L. Callegary.

During the convention last year, under the leadership of John W. Unger, Sr., I was allowed to offer several prayers during the convention. For the thoughtfulness on the part of Father Joseph Lauro in sharing the moment of prayer from the platform, I shall ever be grateful. His politeness, his dedication, his address of thoughtfulness is an ever higher testimony of the esteem and love he has held in the heart of all.

During the past year, our past Commander in Chief, the Keeper of the Cloak of Service, Francis J. Beaton, has carried the office with great dignity. The philosopher Plutarch has said: "True and perfect friendship requireth these three things: virtue, as being honest and commendable; society which is pleasant and delectable; and profit, which is needful and necessary . . ." His has been a true and perfect friendship to all—not only a pleasant one, but all disabled veterans have profited because of his leadership. Beyond admiration. "Won't you agree with me" that he has through his passioned devotion to the office exemplified those high ideals which has thrust the service of the Disabled American Veterans to every nook and cranny where a disabled soldier could be found? He consecrated the office with tireless effort in extending his energy to the circumference of each and every demand he encountered. He surely leaves a legacy to the heritage of the organization which shall long be remembered.

The vastness of the purpose of the cloak of service in behalf of others carries with it required accouterments far reaching in scope and depth. The few who have guarded well the trust of the coat are affluent with strength and direction. These command the highest encomium from every listed member within the body of disabled congregants. Animating from the concerned heart of men like Chet Huber, John Keller, and Denvel Adams there have arisen a strength of direction and service unequal in the illustrious history of our organization.

The imaginative minds of all the service officers should call forth an "Amen" from everyone. These consistently are draping the shoulders of the wounded wherever one can be found. They constantly depict a dexterity toward others unchallenged by any service organization in America.

One could easily call the roll of the membership and hear said: "I have felt the warmth of the coat of service and have, equally shared it with others. Moreover, one cannot attend the few National Conventions, as I have, without seeing the visible texture of the cloak of service in the great regard and affection all have for Joseph Harold . . . the qualities of friendliness of John Delaney . . . the ever thoughtfulness of "Johnnie" Davis . . . the persistence of "Brother" Burton . . . the attentiveness of "Paddy" Driscoll . . . the cheerfulness of Ah Kee Leong . . . the ever congenial John P. Geary . . . the quiet dignity of Raymond Neal . . . the Memorial Honor Roll under the excellent watchcare of Miles H. Draper, Esq. . . . the honored gentleman at all times and constant thoughtfulness of Henry Wentworth . . . the affableness at all times of Louis N. Stamas . . . sick and should be in bed but ever searching for new members, Cliff Lancaster . . . always having the time to have coffee with a friend, Charles W. Schamp . . . thoughtfulness toward others, A. Eddie Piazza—yes, a book could be written concerning the virtues displayed by the many convened in Philadelphia, but time and space are not available. But this I do know, that in every State, each day, a record volume is printed across the hearts of thousands who have found a haven of warmth wherever Disabled American Veterans are known. These will be bound by "Love for Others" and placed upon the shelf of time.

One above others stood before the convention and pledged himself in an unequivocal manner to exert his full energy in leadership to take this cloak of service to the naked—to the needy—to the orphan—to the widow—wherever they can be found. Our Commander Wayne L. Sheirbon, life member since 1947, has honored the cloak of service through pledged faith over these many years. Under his wise leadership we will continue to engage in a great and arduous struggle for fulfillment of the spirit and purpose of this preeminent organization. The breadth of his arms in lifting high the ideals will be longer when we uphold him with the strength of our arms. He will be able to see further into the future with the focused concern from our eyes. His heart will be able to beat louder when he shares the throbbing beats of our hearts. His footsteps will be firmer when he is able to hear the echo of cadence from the footsteps of the members. And his spirit will find strength when others join him daily at the altar of prayer.

Lord Tennyson said many years ago that "we are all a part of that which we meet daily in life." This being true, our Commander shall, this year, by the grace of God, share truly with others a cloak of love and service in behalf of others. May God give him that strength.

The cloak has no dimensions, no circumference, or height in its reach. There is a size for everyone. Its color is determined by the heroism of the spirit of the one who is willing to wear it. A cloak, a chapel, or a cathedral is determined only by assessment and vision in the testimony of service.

Pause again and study the Disabled American Veterans' symbol.

MISSIONARY WORK AND U.S. AID IN GHANA, TOGO, AND KENYA

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, in the latter part of last year a good friend, Mr. George Tworoger, returned from a most interesting trip to the nations of Ghana, Togo, and Kenya. He was deeply impressed with the missionary work of the United Church of Christ as well as with the contributions being made through the American embassies and the U.S. aid missions. For the benefit of my colleagues, I would like at this point to have published in the Record Mr. Tworoger's letter to me:

MIAMI, FLA.,
September 6, 1968.

Hon. CLAUDE PEPPER,
Congress of the United States,
Miami, Fla.

DEAR CLAUDE: Thank you very much for your letter of July 8, 1968. I have just returned to Miami after a fascinating trip to Ghana and Togo and parts of Kenya.

To enumerate the details of this experience would take pages. May it suffice to say that I was tremendously impressed with the work of the missionaries of the United Church of Christ who are now working within an entirely different format than was true in colonial times.

The old missionary who was determined to baptize the heathen and put some clothes on him has vanished. In his place we have dedicated specialists who are concerned with improving agriculture and economic situations, health and education in addition to bringing the Good News to the people.

Our church sends missionaries only at the request of the indigenous church for specialized ministry and each missionary is pledged to do his best to train a native replacement to take over his function at the earliest possible time so that our missionary may move on to new and different challenges.

I do not want to close this letter without expressing my great admiration for the work the American Embassies and United States Aid Missions are doing in the countries I visited. We hear only too often of the waste and meaningless projects obviously conducted at the tax payers expense. I am certainly no authority on this subject, but the projects I was privileged to see at first hand and the people from the Embassies and the Chief of the United States Aid Mission on towards the field worker was that of dedicated people who are determined to put meaningful projects into effect under a constantly tightening budget.

Perhaps at a later date I will have an opportunity to report to you in person. In the meantime I want to send you my best wishes for your continued success.

Sincerely,

GEORGE TWOROGER.

SECRETARY STANS ANNOUNCES REVISIONS IN THE 1970 CENSUS

(Mr. HALL asked and was given permission to extend his remarks at this point in the Record and include extraneous matter.)

Mr. HALL. Mr. Speaker, I have received a letter from the Secretary of Commerce concerning the 1970 census of population and housing. The Secretary has recommended a number of changes that affect both the conduct of the census during 1970, and the data that will result from the census.

Since the census is specifically required by the U.S. Constitution, since it touches every resident within our boundaries, and since we are dependent upon its results for knowledge about ourselves during the next 10 years, it should not be ignored.

Certainly, Mr. Speaker, we will have the opportunity at a later date to discuss this letter in the proper hearings to be held before the House Committee on Interstate and Foreign Commerce. In this way it will lead to the enlightenment and understanding for all concerned. I include the letter at this point in the Record:

THE SECRETARY OF COMMERCE,
Washington, D.C., April 17, 1969.

Hon. DURWARD G. HALL,
House of Representatives,
Washington, D.C.

DEAR "Doc": I have recently received from various Members of Congress a number of questions about the 1970 Decennial Census. I am sure that you have been receiving similar inquiries from your constituents.

The main purpose of this letter is to advise you of some immediate changes in census procedure which I have ordered. These changes include a substantial reduction in the number of individuals who will be asked to respond to the longer census forms. Approximately three million households previously designated to receive a 66-question form will now receive a questionnaire containing only 23 questions.

Questions relating to the adequacy of kitchen and bathroom facilities have been reworded to remove any implication that the government is interested in knowing with whom these facilities may be shared.

The Secretary of Commerce is exercising greater supervision over the general operations of the Bureau of the Census and independent experts have been retained to advise on census matters.

The questionnaire which will be mailed to households in 1970 will be accompanied by a cover letter explaining the great need for census data and emphasizing the confidentiality of all responses.

In addition to these changes, which are being implemented immediately, these further steps will be implemented after the 1970 census: (1) proposed questions will be submitted to the appropriate Committees of Congress two years in advance of future censuses; (2) an increased number of representatives of the general public will be appointed to various advisory committees which contribute to the formulation of census questions; and (3) a blue-ribbon Commission will be appointed to fully examine a number of important questions regarding the Census Bureau, including whether or not the decennial census can be conducted on a voluntary or a partially voluntary basis. The Commission would also examine and offer proposals for modernizing and improving the operations of the Census Bureau.

Because the 10-year lapse of time between decennial censuses can result in unfamiliarity regarding their nature and purpose, I felt it might be helpful to provide you with some basic data and information concerning the questions to be asked in 1970, the scope of the data sought, and the uses to which the results are put.

Some of the most frequently asked questions, along with my answers, follow:

1. Question: *Is the 1970 census more extensive than previous censuses?*

Answer: No. The number of questions to be asked in 1970 is about the same as in 1960, less than in 1950 and 1940, and far less than in some earlier censuses. Of the average household heads to be queried in 1970, four of five will answer 23 questions, three of twenty will answer 66 questions, and only one of twenty will answer 73 questions. Under certain unusual circumstances, some household heads will be asked to answer 89 questions.

2. Question: *Will the citizen's right of privacy be protected in the 1970 census?*

Answer: Yes. Whatever a respondent reports remains strictly confidential under the law. Every employee of the Census Bureau takes an oath of confidentiality and is subject to severe penalties for violation of the oath. In the long history of the census, there has never been a violation of the confidentiality of the information given.

3. Question: *Would the 1970 census yield adequate results if the response were voluntary rather than mandatory?*

Answer: Voluntary response at its best falls far short of response to a mandatory inquiry. Since the first Decennial Census in 1790, response has been mandatory. It is so in every other country of the world where a census is conducted. Professional statisticians will testify that a voluntary census would be unreliable and practically useless. A voluntary procedure would yield distorted and deficient statistics for whole groups of people and for entire areas. This procedure would very likely be especially prejudicial to low-income groups.

4. Question: *Who uses the census results?*

Answer: Census data are used by every Federal government department, State and local governments, and the private sector. Many laws depend upon accurate census reports. Questions such as those on housing are specifically required by statute. Government programs on poverty, housing, education, welfare, agriculture, transportation, veterans, and senior citizens require and rely upon the census tabulations. Many of the decisions of the Congress would be almost impossible in the absence of reliable census data.

These questions are illustrative of those which have been asked in recent weeks. The answers are necessarily brief. Enclosed is a memorandum which explains in more detail the purposes and uses of census information. If you have questions concerning the 1970 census, we would be pleased to discuss them with you at your convenience.

Sincerely,

MAURY.

MR. GUILFORD DUDLEY, JR.

(Mr. **FULTON** of Tennessee asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. **FULTON** of Tennessee. Mr. Speaker, the President has today announced that he is nominating Mr. Guilford Dudley, Jr. of Nashville, Tenn., as our U.S. Ambassador to Denmark.

In so doing President Nixon is submitting the name of one of this Nation's most outstanding businessmen and one of Nashville's most distinguished citizens.

Mr. Dudley is president of the Life & Casualty Insurance Co. of Tennessee. But, as is the case with so many men who have risen to prominence because of their special abilities, Mr. Dudley is more than a businessman. He is a community builder and civic leader and the honor which is now bestowed on him is richly deserved for he will serve, I know, with distinction and dedication. Mr. Dudley is to be congratulated as is President Nixon in this fine appointment.

Mr. Dudley's nomination was noted by the Nashville Banner in an editorial entitled "Congratulations, Mr. Dudley." I include this editorial in the RECORD at this point and commend it to the consideration of my colleagues:

CONGRATULATIONS, MR. DUDLEY

Citizens of Nashville and Tennessee who are cognizant of his extraordinary qualifications and his desire to be of public service share a deep sense of pride in the selection of Guilford Dudley Jr. as United States Ambassador to Denmark. The important appointment, which White House sources indicate will be announced officially within a few days, reflects honor not only upon Mr. Dudley and his well-established record of achievements, but also upon his community and his state.

As president of Life & Casualty Insurance Company since 1952, Mr. Dudley has exhibited his qualities of leadership in guiding the highly-respected firm through a period of vast expansion, underscored by construction of the 31-story L&C Tower and by attaining a new high level or more than $3.25 billion in life insurance in force.

One of the South's foremost financial and social leaders, Mr. Dudley has played a key role in the development of a progressive city, serving with distinction in numerous other business capacities over the years. Prominent in insurance circles throughout the nation, he also is known on both sides of the Atlantic for his ability as a host and as a skillful horseman.

A chief factor assuring the success of Mr. Dudley's diplomatic mission will be his charming wife, Jane, whose outstanding beauty and graciousness as a hostess will be unsurpassed in this country's embassies in Europe and elsewhere.

Despite Mr. Dudley's busy schedule in business, he has contributed significantly of his time, energy and resources to community endeavors. He also has served as state finance chairman, and in other posts, for the Republican party in which he has been active for many years.

Ambassador-designate Dudley will be an asset to the diplomatic service, a creditable representative of the United States to a foreign country at a sensitive time when they are needed most throughout the free world.

The Banner happily joins his multitude of friends in extending congratulations and best wishes for a successful and fruitful tour of duty.

CBS VERSUS SMOTHERS BROTHERS

(Mr. **FULTON** of Tennessee asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. **FULTON** of Tennessee. Mr. Speaker, the controversy which has arisen over the Columbia Broadcasting System decision to cancel the Smothers Brothers' contract has drawn a great deal of attention.

Commenting on the CBS decision on April 11, was the Babbler of David Lipscomb College, Nashville, Tenn., in an editorial entitled "CBS Justified in Canceling Smothers Brothers' Contract."

Mr. Speaker, I place this editorial in the RECORD at this point and commend it to the attention and consideration of my colleagues.

CBS JUSTIFIED IN CANCELING SMOTHERS BROTHERS' CONTRACT

Congratulations go to Columbia Broadcasting Studios on the recent cancellation of the Smothers Brothers' contract.

At long last a major entertainment corporation has taken an unequivocal stand on what should be demanded of its performers in standards of good taste.

The high network rating of the Smothers Brothers Comedy Hour—a bright spot on the television dial for many Sunday night viewers—did not deter CBS from taking the drastic action to maintain its right to preview programs that go out on its network, and to make top level decisions about what they may include.

For too long the entertainment industry has swung from standards that were established by its own executives. Seemingly, it was beginning to be accepted that the employees, the performers, were occupying the upper end of the totem pole instead of the employers, the networks.

Those who have the responsibility for financing, producing and staging entertainment certainly should have the responsibility for deciding what may or may not be presented under their billing.

It seems a shame that anything as big as the giant networks should have been swayed so long by anything as small as a group of performers who arrogantly assume that the public is at their beckoning call.

The Smothers Brothers have no one to blame but themselves for flaunting the desires—and stated regulations—of their employers.

That this particular move took an ace away from CBS' hand is all the more reason to admire the company for standing up for its rights and for what it feels is the good of the general viewing audience.

ADMINISTRATION'S TAX PROPOSAL

(Mr. **VANIK** asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. **VANIK**. Mr. Speaker, today, before the Ways and Means Committee, Hon. Charles Walker, Under Secretary of the Treasury, and Hon. Edwin Cohen, Assistant Secretary for Tax Policy, extensively detailed the Administration's tax proposal which was yesterday hailed as a reform to "lighten the burden of those who pay too much and increase the taxes of those who pay too little."

Closer examination of the proposal indicates that it does not live up to this billing.

During the past months and for several years we have heard endless testimony before the Ways and Means Committee on tax reform. The overwhelming evidence has indicated the need for hard-hitting, revenue-producing tax reform which the average taxpayer can understand. In the face of this strong case which has already been established, the administration has submitted a proposal which completely overlooks the big loopholes which have perpetuated the injustice of our tax system.

Where are the proposals to limit or reduce the oil-depletion allowance? Where are the proposals to reach tax-free, long-term gains and corporation-held tax-free bonds? What efforts are being made to recover $12 billion in loophole-sheltered revenue under the President's proposals?

MINIMUM INCOME VERSUS LIMITED TAX PREFERENCE

The administration's substitute of the limited tax preference for the minimum income proposal originally recommended by Treasury is a "nonlaw," a statutory nothingness. It increases the tax on sheltered untaxed wealth at only 5 percent of the original Treasury recommendation.

The Treasury's minimum tax proposal would have taxed untaxed wealth at the rate of $420 million—almost one-half billion per year. The administration's proposal reduces the bite on sheltered tax-free wealth to $20 million in 1969, $40 million in 1970, and $80 million in 1971.

The carryover averaging provisions included in the administration's proposal encourages the indulgence in tax-free wealth rather than suppressing it.

TAX-FREE BONDS

The administration's proposal completely exempts corporate and trust holdings of tax-free bonds from its tax reform proposals. Treasury officials yesterday testified that these bonds are 35 percent held by individuals and 65 percent held by corporations and others.

The administration's proposal perpetuates and legalizes the large-scale holdings of tax-free bonds by corporations and banks, trusts, and insurance companies which are already heavily invested in these securities.

LONG-TERM CAPITAL GAINS

The administration's proposals are completely silent on the long-term gain loophole in which $16½ billion escape taxation every year. Certainly there is a distinction—or should be—between capital gains tax preference on a 6-month holding as distinguished from a 25-year holding of an asset. There is every reason to extend the holding period of assets for long-term tax treatment from 6 months to 1 year or to provide graduated long-term rates, providing the most favorable rate to the asset held the longer time. Reform of the capital gains tax in a reasonable manner would yield over $3 billion in additional revenue without destroying the essentials of incentive for investment.

The administration's proposals completely overlook the need for taxing long-term gains at death, a proposal which would yield $2.7 billion in additional revenue.

In substituting the misleading limit on tax preference for reform on capital gains, the administration is settling a proper Government claim for $3.5 billion for $20 million or one-half cent on the dollar.

OIL AND MINERAL DEPLETION

Oil depletion, the sacred cow of the establishment—remains sheltered—practically untouched by the administration's proposal. The original Treasury proposal clearly provided that the revenue loss due to the excess over cost depletion for all extractive industries totaled $1.3 billion, of which $1.1 billion is due to corporations and $.2 billion to individuals. The administration proposes increased taxes of $200 million on oil—a $200 million settlement on a claim of upward of $3 billion per year by way of the depletion loophole.

LITTLE TAX RELIEF FOR THE POOR

While the administration's proposal is offered as a measure providing tax relief to 2,000,000 taxpayers existing on so-called poverty income, in fact it provides only $665 million in tax relief for the poor, compared with the original Treasury proposal of this spring which provided exactly twice as much relief at an annual rate of $1,130 million.

The administration's proposal exempts low family income for a family of four with income below $3,500 from Federal income taxes. This is based on the assumption that 1969 poverty levels are assumed to be 6 percent above the Health, Education, and Welfare nonfarm poverty level for 1966. This assumption is not realistic. The rate of cost-of-living advance in 1969 is almost 6 percent ahead of 1968. The present poverty level for a family of four is upward of $4,000 because of the inflationary impact of the past 12 months.

CONCLUSION

The administration's proposal falls far short in meeting the need for effective tax reform. Too much is left out. Too much is deferred. This may be the best opportunity for tax justice. The patient taxpayer has waited long enough.

NEED TO PLACE BASEBALL UNDER ANTITRUST LAWS

(Mr. ZABLOCKI asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ZABLOCKI. Mr. Speaker, it was disturbing to note in press reports over the last few days the latest gross injustice that has been perpetrated by baseball's management—the refusal to rehire umpires Al Salerno and Bill Valentine who were fired for attempting to organize the American League umpires last September.

We have all witnessed our one-time national sport become what is today a big-business operation. The sport has suffered—some say enthusiasm is decreasing, primarily because baseball's management is no longer interested in pleasing the fans. Their main interest and primary concern is the dollar.

They have repeatedly demonstrated in recent years how profits can make them extremely callous to the wants and needs of the fans and the players. The firing of umpires Salerno and Valentine should help us realize that umpires fall in the same category.

Of course, the one instance with which I am most familiar was the move of the Braves from Milwaukee to Atlanta. This move increased my concern over this problem. Therefore, I introduced my bill, H.R. 60, in order to remove baseball's exemption from the antitrust laws of this country.

At present, baseball considers itself, and actually is, above the law. It is virtually untouchable.

The summary firing of Al Salerno and Bill Valentine last September is only the latest example of baseball's flagrant violations of the law and of the rights of the players and umpires.

The two umpires were merely attempting to organize the umpires of the American League; suddenly, they were fired for "inefficiency."

In my opinion, and in the opinion of the sportswriters and managers, they were fired for trying to organize a union. They were threatening the autocratic control of the baseball "bosses."

Baseball can ride herd over the rights of everyone—umpires, players, fans—and they can get away with it because the Supreme Court granted the sport an exemption from the antitrust laws in 1923.

More recently, however, the Court has had second thoughts about this exemption. The Justices recognize that baseball has changed with the times. When first granted its exemption from the antitrust laws, baseball was primarily a sport. Today, however, baseball is primarily big business, and only secondarily a sport. In recognizing this fact the Supreme Court has said recently that any change in baseball's exemption must come from Congress.

Both the Department of Justice and the Federal Trade Commission apparently in agreement, strongly endorsed my bill last year. Reports from both agencies cited the necessity of congressional action to eliminate the present difference in the applicability of the antitrust laws to baseball and other sports.

Until the Congress takes action, baseball will continue to flaunt certain laws of this country. It will continue to trample on the rights of its umpires, its players, and its fans.

What we must remember is that this is but one instance in baseball's history of injustices to its umpires, players, and fans. This is an issue that must ultimately be decided by this Congress.

Therefore, I urge that the Judiciary Committee take early and favorable action on bill H.R. 60.

THE FUTURE OF AMERICAN TRADE POLICY

(Mr. MORTON asked and was given permission to extend his remaks at this point in the Record and to include extraneous matter).

Mr. MORTON. Mr. Speaker, one of the many encouraging developments of the first 3 months of the Nixon administration is the attention being given to the difficult problem of international trade.

In a thoughtful address to the Baltimore chapter of the Maryland Bankers Association on April 17, my good friend and colleague, Senator Charles McC. Mathias, Jr., reviewed the current international trade picture, the decisions already made by President Nixon, and the questions which we will face in the coming months.

Senator Mathias' remarks show a keen understanding of the importance of expanding trade to our national growth and that of our State of Maryland, as well as a firm grasp of the complicated issues involved.

His speech deserves wide attention, and I would like to include in the Record both the text of his address and an editorial from the Baltimore Sun of April 18:

Address by Senator Mathias

I did not come here, needless to say, to tell you what to do with your money. Under our system you should decide that, though some Democratic Administrations have recently been trying to control how much of it is spent overseas. Rather I want to discuss what the new Administration is doing to improve your chances of getting more.

President Nixon's moves to phase out constraints on the international flow of capital bode well for his Administration. If he brings to the key questions of international trade policy the same calm intelligence he has shown in cutting down the interest equalization tax and other Johnsonian restrictions on overseas loans and investments, his Administration's international economic policies will be auspicious indeed.

The President acted in the face of a balance of payments deficit that is continuing unabated into the first months of this year. He was under great pressures to continue the restrictive approach of his predecessors. But he showed a confidence in our free economic system rare in the Presidency in recent years. And he showed a recognition that foreign investment ultimately benefits our payments balance as well as world economic growth. It is actions like this that makes me happy to have a Republican in the White House.

Trade policy will pose a similar challenge to the new Administration. International trade accounts for less than four percent of the American gross national product. It is thus a marginal item in the statistics of the American economy. In some ways, in fact, its importance is diminishing as our technology produces synthetic versions of formerly indispensable raw materials.

It is even possible that—following a period of adjustment while we all learn to live without coffee for breakfast and diamonds in our engagement rings—the United States could make do without any foreign commerce at all. Even now, in some of our larger cities, police dogs are replacing diamonds as a girl's best friend. And bourbon has long been a popular breakfast beverage in some circles. Of course, such a self-sufficiency program might also require conversion of the Port of Baltimore—which is estimated to generate almost a billion dollars annually for the Maryland economy—into a wilderness area.

None the less I don't recommend that we start calling Secretary Hickel right away for birdwatching concessions at Port Covington and Dundalk.

International trade continues to be a key preoccupation of the Congress and the Executive. Despite the siren call of self-sufficiency, there seems to be little real inclination to turn the United States into a tight little island in the world economy. You may have heard about what the New York Times described as "the most bitterly fought jurisdictional battle in the new Administration."

This battle did not revolve around bourbon and diamonds; or around the Office of Economic Opportunity in charge of President Johnson's beleaguered War on Poverty; nor did it erupt between the State Department and Professor Kissinger's fogless foggy bottom in the basement of the White House. Rather the battle focussed on trade.

The issue was whether the making of Administration trade policy would continue to be centered in the office of the President's Special Trade Representative or be shifted to the Department of Commerce, reputedly more responsive to domestic industry's requests (and more bound in bureaucracy). As it turned out, Commerce Secretary Stans has failed to gain control for his department and the STR will retain its still vague authority under the excellent leadership of Carl J. Gilbert, an advocate of liberal trade. The intensity of the struggle, however, is a reflection of the key role of trade policy in the deliberations of the Administration today.

Congress, with its ultimate responsibility for our economic policy, is also deeply embroiled in trade controversies. On the one hand we are besieged by pressures from firms threatened by imports, some of whom seem to want to take advantage of our potential for self-sufficiency. And, though the clamor is less, consumer groups, farmers, department stores, and export-seeking business push us for further liberalization. Trade, in fact, promises to be one of the most contentious issues in American politics over the next several years.

You are all aware of one of the chief reasons for current controversy: a 22 percent increase in American imports last year—to an estimated total of $33 billion. Our exports also rose handsomely in absolute terms. Our nine percent increase kept pace with the increase in total world trade, also nine percent, and brought our total exports to $34 billion. Nonetheless, the surplus in our trade balance was reduced to one billion dollars, less than one-quarter of the 1967 level, one-seventh of the 1964 level and far too little to compensate for our other foreign outflows. The Vietnam War alone, for example, caused a direct payments deficit of about $1.5 billion.

Despite the previous Administration's restrictions on U.S. private and public foreign aid, investment, lending and travel—many of which I opposed—the situation does not appear to be getting better. The February international payment figures were the worst in recent years. Since trade accounts for more than half of total U.S. balance of payment transactions, most analysis of our payments predicament and with proposals for arresting imports or stimulating exports.

In resolving on a policy it is well to avoid panic. We should understand that the chief cause of the influx of foreign products is American inflation. Economists have demonstrated that when the GNP rises more than five percent at current prices, domestic production fails to keep pace with rapidly increasing demands and imports soar. Last year the GNP rose by nine percent, including about about five percent inflation. This fact alone comes near to explaining our present plight.

Under the conditions of an overheated economy, rising imports may cause economic unrest. But, in general, they siphon off demand that otherwise would push up prices still further. Without the recent import surge, our inflation would have been even more serious. To the extent that the import rise is due to inflation—and as I said, this appears to be the chief cause—measures to exclude imports, therefore, are a little like bourbon for breakfast. The relief is temporary and expensive and may be habit forming. Though it is a difficult fact of our politics that pressures for exorbitant protection always increase during inflationary periods, I am inclined to recommend the think drink rather than bourbon.

This does not mean, of course, that I overlook the other causes of increasing import competition—lower wages, greater access to capital and advanced technology, and larger markets overseas which give foreign firms the economies of scale formerly restricted to the huge U.S. market. The American steel industry, in addition, confronts European and Japanese competition which is to some extent subsidized by government, and which is organized in cartels that would violate American anti-trust laws. Nor do I deny the need for more effective assistance to firms or industries—and employees—seriously hurt by import expansion brought about by changing federal trade policy. Current adjustment assistance criteria under the trade expansion act are so strict that no firm has yet qualified. Also of important concern are the non-tariff barriers, special surcharges and the like which are being employed to exclude our exports from European markets. Secretary Stans has just proposed open table meetings on the subject with our trading partners in Europe. I applaud this initiative.

But beyond the most exceptional cases of unfair foreign trade actvity, which cannot be eliminated through negotiations, I believe that demands for special protection must be resisted. Although this boom period poses a major challenge, I am confident that both the President and Congress will resist the growing pressures. The appointment of Gilbert as special representative is a strong indication of the Administration's commitment to freer trade. I am hopeful, moreover, that the President's dual policy of gradual deflationary action and gradual extrication from Vietnam will together suffice to slow our spiraling inflation and bring our payments back into balance.

Developments in the world economy give opportune aid to the Nixon approach. The Common Market economies are entering a renewed boom period and growth in excess of five percent is now anticipated, along with a renewed inflationary push. New orders for capital goods in Germany are now 23 percent ahead of last year, employment demand is intensifying, and prices are climbing. The Netherlands is instituting price controls to fight the pressures. Elsewhere in Europe and in Japan, the story is generally similar. Altogether it means our chief trading partners are experiencing an expansion of domestic demand, which will tend to reduce pressure to export and increase the need for imports. Unless—in violation of all the rules of economics—the U.S. drive to reduce inflation fails entirely, our balance of payments problem should be substantially alleviated during the coming year.

This development will not solve all our domestic and international economic problems. The intractable poverty of the slums and of the underdeveloped countries will continue to challenge us. The question of our long-term trade policies toward the Communist world will remain. Our attitude toward new free trade area proposals continues at issue. But a reasonably stable balance of payments will give us a foundation for a sound and farsighted approach to all these questions.

The Nixon Administration has wisely eschewed the hundred day hysteria that engulfed previous administrations and the public in paper snow storms during their opening months. I trust it will also escape the payments panic which led the Democrats to ill-considered restrictions on the international movement of goods and capital. And if President Nixon does succeed in the perilous world of international finance, he will find his other problems much easier to solve.

The President told the Congress on Monday, "Unless we save the dollar we will have nothing left with which to save the cities—or anything else." It looks as if we already have a strong President among our national assets. I expect he can add to them a sound dollar with which to move against our formidable problems.

[From the Baltimore Sun, Apr. 18, 1969]

Tangle in Trade

Senator Mathias speaks the simple and welcome truth when he says that the new administration seems too genuinely committed to freer trade. The time for the new President to show his flag on this point was the quarrel over continuing and then manning the Office of the Special Representatives for Trade Negotiations. Put in the White House in the Kennedy administration explicitly to protect it against protectionist politics, the office is now extended by the Nixon people and headed by one of the most notable free (or at least freer) traders in American business.

But all is not won by extending useful offices and making appropriate appointments. The Nixon administration has still to contend with an ultimate tangle in these days when national economies are all more or less planned by more or less welfare states. The welfare policies push inexorably for production and distribution programs often in conflict with international market forces. Yet any effort to blunt or evade the international market is, by definition, merely a cumbrous way of describing a curb on trade.

Mr. Mathias illustrated the rule by saying our imports have risen because domestic purchasing power had risen. Domestic purchasing power has risen in the service of domestic policies favoring lower-income groups. Higher incomes for some Americans are higher costs for others. The higher costs make American products harder to sell both at home and abroad. The high-cost producer, high-cost in response to attractive domestic policies, then has what he sees as legitimate claim to compensating protections. And those protections disrupt free trade.

How? Watch carefully when the European Economic Community farm experts meet in Luxembourg Monday to adjust EEC farm prices. They will be adjusted at many points to protect EEC farmers against the market: which means at many points against American farm exports.

INTRODUCTION OF THE NATIONAL TIMBER SUPPLY ACT

(Mr. JOHNSON of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. JOHNSON of California. Mr. Speaker, over the years, our forests have been discussed often in this House. Many of us, representing varied viewpoints, have debated the questions of timber management, watersheds, recreational areas, fish and wildlife, the many other facets of conservation, and matters involved with the science of forestry.

I hope that every Member of this House who has spoken on these subjects will make himself thoroughly familiar with the National Timber Supply Act, which I have the pleasure of cosponsoring this week. I feel very strongly that it must be passed by this Congress, and that its passage will be one of the most constructive acts ever taken by any Congress in the fields of forestry and conservation.

The National Timber Supply Act can open the way to a whole new array of benefits for this country.

The primary purpose of the bill is to make it possible for the Forest Service in the U.S. Department of Agriculture to exercise all of its skills in the growing of timber on the commercial portions of the national forests. Other Members already have pointed out that this has been impossible in the past. The Forest Service simply has not had the funds that are necessary, and the high timber yield fund called for in this bill would correct that situation.

Introduction of the bill has become necessary at this point in time because of the housing goals this Congress has set for the Nation. Without better development of our forest resources, those housing goals are nothing more than empty hopes.

The National Timber Supply Act would enable the people of my district to make an even larger contribution to the housing needs of the rest of the Nation. We already make substantial contributions to our country's food supply, from the fertile lowlands of California's central valleys one of the great agricultural areas of the world.

By applying the same principles—converted to forestry terms and spelled out in this proposed legislation—we could duplicate the achievements of the farmlands in the forests of fir and pine that stand above them on the slopes.

And I believe we must do this, to provide the amenities of life that are possible only through decent housing.

But we can do more.

The National Timber Supply Act will not sanction or permit any alteration in the status of the lands in my district, or any other district, that are now dedicated to recreation.

Implementation of the act will not diminish the role of my district in its contribution to the recreation values that are so important to the quality of American life.

My district is an unusual one. In terms of sheer area, the district I represent contains more commercial timber land than any other in the contiguous States.

We have often discussed the millions of visitors who spend hours or days of their leisure time visiting the great outdoor recreation areas of this country. More visitors are recorded in the forests and parks of my district than any other in the Nation.

The fabled Sierra Nevada, Lake Tahoe, Shasta-Trinity recreation area, Mount Whitney, Mount Shasta, and all or portions of 13 national forests are found in my district.

All of this area is easily within reach of the urban population of San Francisco, Los Angeles, and the other major cities of California. Millions of visitors from other States travel long distances to enjoy the scenic beauty in these mountains and forests.

Passage of this act will give my district a greater role in this important area, and will make it possible for even more visitors to enjoy the pleasures of the forests.

Today, the hiker and the lover of wilderness has many areas set aside exclusively for his use. But for the average person, wilderness is literally impenetrable, particularly if he has only a short time to spend away from home.

Other Members have pointed out that many areas of our national forests are impenetrable, so far as logging, fire control, and forestry practices are concerned. There are no roads, because the Forest Service has not had money for them.

It is tragic that this lack of funds has made these commercial lands as impenetrable as wilderness to recreation seekers.

This will change, under the National Timber Supply Act.

Roads would be built that Forest Service teams would use to reach timber stands that need care. Fires could be prevented or stopped more easily. Insect control would be possible throughout the commercial lands. Stand improvement techniques would weed out the dead and dying trees, the weak and undesirable species, and remove the toppled and rotting material that blocks and fouls the streams.

The benefits to this country are obvious and enormous.

The forests would make their full contribution in terms of lumber, plywood, other wood and paper products, and all of the byproducts of their manufacture. Watersheds would be more secure. We would, as a nation, be even more certain that our hillsides would remain green and that wildlife would wander in abundance among the trees.

And thousands of new recreation sites would be created, making the wilderness even more serene and remote, for those whose spirits require solitude and wildness.

Finally, and in a way, amazingly, the Federal Government would increase its return and profit, rather than its outlay and loss, on one of its major programs. The growing of timber in a profitable enterprise, as the earnings reports of many companies demonstrate.

Mr. Speaker, I earnestly commend the National Timber Supply Act to the attention of all my colleagues, for the benefits it can provide to the people of their own districts and for the children of these citizens.

The forests can contribute to the quality of life everywhere through better and more economical housing and through the recreational benefits they can more easily provide with better management.

SUPREME COURT REACHES NEW PLATEAU OF RIDICULOUSNESS

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, the Supreme Court has reached a new plateau of ridiculousness with the twisted logic of their decision Monday striking down all waiting periods prior to becoming eligible for welfare benefits. This requirement, says the Court, unconstitutionally infringes upon the "right" of persons to travel about the country. In the first place, of course, there is no such right in the Constitution. And, even if one could be assumed, these waiting periods in no way prevent anyone from traveling. They may restrict their ability to travel, but certainly not their right.

This latest rape of the Constitution will no doubt be used as a basis for a future finding that State-imposed waiting periods before transients become eligible to vote are also unconstitutional. So would be, one supposes, the 3-day waiting period for a marriage license or, for that matter, the required period before obtaining a divorce. All these waiting periods hamper one's freedom to travel if they require you to wait around for something.

But then, the whole concept is so asinine that only the Supreme Court could have thought of it. Nine men of commonsense would have laughed the proponent attorneys out of the chamber.

I do not wish to take up more time of the Members today, so rather than continue my remarks on the Court and for fear I will not be able to restrain my contempt for it, I would like to shortcut my remarks by inserting here in the RECORD a copy of my recent newsletter which will give my views of the Court in greater detail. I entitled it, appropriately enough I think: "Ship of Fools":

SHIP OF FOOLS

The Supreme Court, in a recent 7 to 2 decision, ruled that elementary school children have a full and protected right to participate in demonstrations against society and the established order. The only reservation spoken of by the Court was that such demonstrations must not "materially" disrupt classwork or involve "substantial" disorder. In other words, *some* disruption and *some* disorder created by sub-teenage agitators is permissible, as long as it is not "material" or "substantial" . . . whatever that means. In reality, these words mean whatever the Court says they mean on any given day.

With this decision, the seven approving Justices constitute themselves a Ship of Fools adrift on a sea of legal insanity.

Mr. Justice Black, one of the two Justices who disagreed, wrote an angry dissent from the decision in which he stated the obvious fact that this ruling heralded a "new revolutionary era of permissiveness fostered by the judiciary" and one which "subjects the public schools to the whims and caprices of their loudest-mouthed but maybe not their brightest students.

"One does not need to be a prophet or the son of a prophet", he continued, "to know that, after the Court's holding today, some students in . . . all schools will be ready, able and willing to defy their teachers on practically all orders. This is the more unfortunate for the schools since groups of students all over the land are already running loose, conducting break-ins, sit-ins, lie-ins and smash-ins".

The complete ridiculousness of the Court's decision can be appreciated only when one remembers that not long ago, this same Court prohibited prayers in these same schools. Thus, the Court is saying, children may *protest* in school but they may not *pray*. To follow this twisted logic, it would apparently be permissible for children to pray if their prayers were a form of protest or part of a demonstration. The Court thus protects absolutely the right of children to be led into temptation, but at the same time, the Justices see to it that they are not, however, permitted to petition the Almighty for deliverance.

This decision is an advanced stage of the social disease of libertarianism, spread by a Court which is dazzled by the magic of dissent. One wonders how long it will be before this same Court, in an obvious extension of this ruling, will hold that the toddler in his crib has these same rights against his parents and that temper tantrums and the right *not* to go to bed when told are also sheltered under the security blanket of permissiveness. Parents must wonder, too, how in the midst of Court-approved agitation, the quiet and earnest students who make up the majority are going to get the education they are earnestly seeking.

I cannot leave this disturbing subject without at least trying to answer the questions which I know are this minute in the mind of every reader . . . when will there be an end to all this lunacy espoused by the Court and what can be done to curb these nine men.

I hesitate more times than one to admit even the possibility that there is a flaw in the Constitution of the United States, so deeply do I revere that document. But, if there *is* a flaw, it is that the Justices of the Court are appointed for life and, in the words of the Constitution, "hold their Offices during good Behaviour".

Under these conditions of employment, there is no *practical* way the Justices can be held accountable for, their decisions. The three divisions of the federal government are separate and independent of each other, subject only to certain checks and balances. This is as it should be, *under the ideal conditions* visualized by the framers of the Constitution: each branch devoting itself to the betterment of our nation and the welfare of its people. But these "ideal conditions" do not prevail today. At least one branch, the judicial, cares less for society than it does for sociology . . . less for the victim than it does for the criminal . . . less for the will of the people than it does for social reform.

The Constitution provides that, if Legislators fail to heed the public mandate, they can be turned out of office every two years in the House, every six years in the Senate. If the Chief Executive does not respond to the will of the majority, the Constitution provides that he can be replaced every four years. But the Justices of the Supreme Court can, in their absolute lack of wisdom, flaunt the will of the people as long as the Justices live on this earth and they can escape judgment scot-free because they "hold their Offices during good Behaviour".

As a *practical* matter (and this is the only sense in which there is any use to consider the subject) the words "good Behaviour" defy definition in the finite sense necessary in order to remove a Justice from the Court. One would have to prove beyond any shadow of doubt whatsoever, some grave and continuing misconduct. Unfortunately, being a fool is not an impeachable offense.

The present Court sits as a continuously functioning constitutional convention, ever re-writing, erasing and pencilling-in new concepts as they happen to occur to the Justices or their clerks. The Court has, in my opinion, done more to bring about domestic chaos and the resulting plaque of crime and disorder than any other body of men in the nation. Yet, there is no *practical* way to hold the Justices accountable for their stewardship. *Theoretically,* there are ways, such as impeachment and by constitutional amendments, but with sympathizing liberals in control of both Houses of Congress, an effort in either direction cannot be successfully carried out.

There is only one *practical* way to stop this endless string of decisions which fly in the face of the written law and all common sense. That is for the present and future Presidents to fill such vacancies as will be created by death and retirement with men who view the Constitution as an abiding instrument which says the same thing today that it said the day it was written, the same that it said on the day the Justices were sworn in and will continue to say the same thing into infinity or until amended by the people.

President Nixon will soon nominate a new Chief Justice to replace Justice Warren, a man who is, in my opinion, totally lacking in Constitutional scholarship, common sense or candor. Other vacancies will likely occur in the next few years. The President's choices to fill these future vacancies will determine in great measure whether this nation will return to its previous pattern of *rule by law* or will continue down the road of *rule by men.*

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CONABLE (at the request of Mr. DELLENBACK), for 30 minutes, on April 28; to revise and extend his remarks and include extraneous matter.

Mr. QUIE (at the request of Mr. DELLENBACK), for 30 minutes, on April 28; to revise and extend his remarks and include extraneous matter.

Mr. GONZALEZ, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ZABLOCKI in two instances and to include extraneous matter.

Mr. DON H. CLAUSEN (at the request of Mr. DELLENBACK) immediately following Mr. DELLENBACK'S remarks in the Committee of the Whole today.

(The following Members (at the request of Mr. DELLENBACK) to extend their remarks and include extraneous matter:)

Mr. PETTIS.
Mr. GUBSER in two instances.
Mr. DENNEY.
Mr. DERWINSKI in two instances.
Mr. FINDLEY in two instances.
Mr. STEIGER of Wisconsin.
Mr. WIGGINS.
Mr. GUDE in two instances.
Mr. MIZE.
Mr. JOHNSON of Pennsylvania.
Mr. WYMAN in two instances.
Mr. REID of New York.
Mr. LANDGREBE in two instances.
Mr. UTT.
Mr. CUNNINGHAM in three instances.
Mr. MILLER of Ohio in two instances.
Mr. HALPERN.
Mr. HOSMER.
Mr. FREY.
Mr. WATSON in two instances.
Mr. ANDERSON of Illinois.

(The following Members (at the request of Mr. ADAMS) and to include extraneous matter:)

Mr. SHIPLEY.
Mr. REES in two instances.
Mr. LONG of Maryland in three instances.
Mr. PODELL in three instances.
Mr. BOLAND in two instances.
Mr. WILLIAM D. FORD in four instances.
Mr. BIAGGI in five instances.
Mr. ROONEY of Pennsylvania in five instances.
Mr. STUCKEY.
Mr. HUNGATE in two instances.
Mr. RARICK in five instances.
Mr. ULLMAN in five instances.
Mr. CHARLES H. WILSON.
Mr. WATTS in two instances.
Mr. OLSEN in two instances.
Mr. MURPHY of New York in two instances.
Mr. GONZALEZ in three instances.
Mr. MIKVA in six instances.
Mr. PEPPER.
Mr. RODINO in two instances.
Mr. JOHNSON of California in two instances.
Mr. BINGHAM.
Mr. ROBERTS.
Mr. JONES of Alabama in two instances.
Mr. HOWARD.
Mr. MILLER of California in five instances.
Mr. GALIFIANAKIS in two instances.
Mr. NICHOLS.
Mr. HAGAN in five instances.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 10158. An act to provide mail service for Mamie Doud Eisenhower, widow of former President Dwight David Eisenhower.

ADJOURNMENT

Mr. ADAMS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p.m.), the House adjourned until Wednesday, April 23, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

694. A letter from the Director, District of Columbia Unemployment Compensation Board, transmitting the annual report of the Board for 1968, pursuant to the provisions of title 46, section 313(c), of the District of Columbia Code; to the Committee on the District of Columbia.

695. A letter from the Comptroller General of the United States, transmitting a report on the administration and effectiveness of the work experience and training project activities in Maricopa County, Ariz., under title V of the Economic Opportunity Act of 1964, Department of Health, Education, and Welfare; to the Committee on Education and Labor.

696. A letter from the Acting Director of the Peace Corps, transmitting a draft of an amended version of the proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended, submitted under cover of letter dated January 17, 1969; to the Committee on Foreign Affairs.

697. A letter from the Chairman, Federal Power Commission, transmitting copies of the publications "Typical Electric Bills, 1968," and "World Power Data, 1966"; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 347. Resolution to authorize the General Subcommittee on Labor of the Committee on Education and Labor to conduct an investigation and study of production of foreign-made goods competing with domestically produced goods and of new developments in coal mine safety and health practices in Great Britain, with amendment (Rept. No. 91–149). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 17. Resolution creating a select committee to conduct an investigation and study of all aspects of crime in the United States (Rept. No. 91–150). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 369. Resolution for consideration of H.R. 4153, a bill to authorize the appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard (Rept. No. 91–151). Referred to the House Calendar.

Mr. BOGGS: Committee on Ways and Means. H.R. 4229. A bill to continue for a temporary period the existing suspension of duty on heptanoic acid, with amendment (Rept. No. 91–152). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURKE of Massachusetts: Committee on Ways and Means. H.R. 4239. A bill to amend item 802.30, Tariff Schedules of the United States, so as to prevent payment of multiple customs duties by U.S. owners of racehorses purchased outside of the United States, with amendment (Rept. No. 91–153). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 5833. A bill to continue until the close of June 30, 1972, the existing suspension of duty on certain copying shoe lathes (Rept. No. 91–154). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 9951. A bill to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes, with amendment (Rept. No. 91–155). Referred to the Committee of the Whole House on the State of the Union.

Mrs. GRIFFITHS: Committee on Ways and Means. H.R. 10016. A bill to continue until the close of June 30, 1971, the existing suspension of duties for metal scrap (Rept. No. 91–156). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H.R. 10370. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

H.R. 10371. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 10372. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. COLLIER:

H.R. 10373. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 10374. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Education and Labor.

By Mr. CUNNINGHAM:

H.R. 10375. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the annuities and pensions (and lump-sum payments) which are payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 10376. A bill to amend section 4356 of title 39, United States Code, relating to certain mailings of State departments of agriculture; to the Committee on Post Office and Civil Service.

H.R. 10377. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10378. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 10379. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 10380. A bill to amend titles X and XVI of the Social Security Act to prohibit any State from imposing a lien on a blind individual's property as a condition of aid or assistance thereunder; to the Committee on Ways and Means.

By Mr. DANIELS of New Jersey:

H.R. 10381. A bill to amend title II of the Social Security Act to provide a 20-percent, across-the-board increase in benefits thereunder (with a minimum primary benefit of $100 a month), to provide for subsequent automatic increases in such benefits based on rises in the cost of living, and to finance the cost of these changes out of the general revenues; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 10382. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of California:

H.R. 10383. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 10384. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 10385. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

H.R. 10386. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 10387. A bill to amend title II of the Social Security Act to reduce from 72 to 70 the age at which deductions on account of an individual's outside earnings will cease to be made from benefits based on such individual's wage record; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 10388. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10389. A bill to amend the Internal Revenue Code of 1954 to allow a deduction against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. KING:

H.R. 10390. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 10391. A bill to encourage national development by providing incentives for the establishment of new or expanded job-producing and job-training industrial and commercial facilities in rural areas having high proportions of persons with low incomes or which have experienced or face a substantial loss of population because of migration, and for other purposes; to the Committee on Ways and Means.

H.R. 10392. A bill to make hospital insurance benefits available to uninsured individuals who attain age 65 at any time before 1983 (instead of only to those who attain such age before 1968 as presently provided); to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 10393. A bill to amend title II of the Social Security Act to permit an individual receiving benefits thereunder to earn outside income without losing any of such benefits; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 10394. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LUKENS:

H.R. 10395. A bill to amend the Internal Revenue Code of 1954 to increase, for 1970 and 1971, the personal income tax exemptions of a taxpayer from $600 to $800, and to provide that for taxable years beginning after 1971 such exemptions shall be $1,000; to the Committee on Ways and Means.

By Mr. MIKVA (for himself and Mr. Conyers):

H.R. 10396. A bill to repeal the Emergency Detention Act of 1950, and for other purposes; to the Committee on Internal Security.

By Mr. MILLER of California (for himself and Mr. Daddario):

H.R. 10397. A bill to authorize appropriations for activities of the National Science Foundation, and for other purposes; to the Committee on Science and Astronautics.

By Mr. MINSHALL:

H.R. 10398. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOLLOHAN:

H.R. 10399. A bill to amend title 28, United States Code, section 753(e), to eliminate the maximum and minimum limitations upon the annual salary of reporters; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 10400. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease, to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs, and for other purposes; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 10401. A bill to amend the provisions of chapter 5 of title 5, United States Code, relating to the application of the public information and disclosure provisions of such chapter; to the Committee on Government Operations.

By Mr. O'KONSKI:

H.R. 10402. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. POLLOCK (for himself, Mrs. May, Mr. Leggett, Mr. Montgomery, and Mr. Sikes):

H.R. 10403. A bill to amend chapter 44 of title 18, United States Code, to allow, under certain circumstances, the purchase of firearms by mail order, and for other purposes; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 10404. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 10405. A bill to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 10406. A bill to incorporate the Italian American War Veterans of the United States, Inc.; to the Committee on the Judiciary.

H.R. 10407. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 10408. A bill to amend the Public Health Service Act to authorize the Secretary of Health, Education, and Welfare to provide financial assistance for education and information programs relating to drugs and their abuse, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROUDEBUSH:

H.R. 10409. A bill to amend section 134 of title 23 of the United States Code to provide that the requirements of that section shall apply to urban areas of more than 100,000 population; to the Committee on Public Works.

By Mr. STRATTON:

H.R. 10410. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 10411. A bill to equalize the retired pay of members of the uniformed services of equal grade and years of service; to the Committee on Armed Services.

H.R. 10412. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of Georgia (for himself, Mr. Adams, Mr. Addabbo, Mr. Ashley, Mr. Baring, Mr. Brinkley, Mr. Byrne of Pennsylvania, Mr. Corbett, Mr. Dellenback, Mr. Dent, Mr. Dingell, Mr. Feighan, Mr. Gallagher, Mr. Halpern, Mr. Hanna, Mrs. Hansen of Washington, Mr. Hays, Mr. Joelson, Mr. Karth, Mr. King, Mr. Long of Maryland, Mr. Lukens, Mr. McEwen, Mr. Minish, and Mr. Moss):

H.R. 10413. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to States for the establishment, equipping, and operation of emergency communications centers to make the national emergency telephone number 911 available throughout the United States; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia (for himself, Mr. Nix, Mr. Ottinger, Mr. Pepper, Mr. Pirnie, Mr. Podell, Mr. Randall Mr. Rosenthal, Mr. Sandman, Mr. Sisk, Mr. Springer, Mr. Stafford, Mr. Steiger of Arizona, Mr. Waggonner, Mr. Watts, Mr. Wright, Mr. Zwach, Mr. Mikva, Mr. Hastings, Mr. Whitehurst, Mr. Wold, Mr. Sebelius, Mr. Yatron, Mr. Flowers and Mr. Córdova):

H.R. 10414. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to States for the establishment, equipping, and operation of emergency communications centers to make the national emergency telephone number 911 available throughout the United States; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia (for himself, Mr. Hull, Mr. Riegle, Mr. McKneally, Mr. Williams, and Mr. Stuckey):

H.R. 10415. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to States for the establishment, equipping, and operation of emergency communications centers to make the national emergency telephone number 911 available throughout the United States; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 10416. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

By Mr. WATTS:

H.R. 10417. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLFF:

H.R. 10418. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. BINGHAM:

H.R. 10419. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. FALLON:

H.R. 10420. A bill to permit certain real property in the State of Maryland to be used for public purposes generally; to the Committee on Armed Services.

By Mr. HAYS:

H.R. 10421. A bill to provide Federal financial assistance to States to enable them to pay compensation to certain disabled individuals who, as a result of their employment in the coal industry, suffer from pneumoconiosis and who are not entitled to compensation under any workmen's compensation law; to the Committee on Education and Labor.

By Mr. JOHNSON of California (for himself, Mr. Olsen, and Mr. Myers):

H.R. 10422. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. MONTGOMERY:

H.R. 10423. A bill to amend the Federal Seed Act; to the Committee on Agriculture.

By Mr. OTTINGER:

H.R. 10424. A bill to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expending, modernizing, and improving operations under such act at both State and Federal levels, and for other purposes; to the Committee on Education and Labor.

H.R. 10425. A bill to exclude from income certain reimbursed moving expenses, to expand the deduction for moving expenses in certain cases, and for other purposes; to the Committee on Ways and Means.

By Mr. REES (for himself, Mr. Jacobs, Mr. Adams, Mr. Hathaway, Mr. Hamilton, Mr. Gibbons, Mr. St. Onge, Mr. Howard, Mr. Eilberg, Mr. Ottinger, Mr. Leggett, Mr. Diggs, Mr. Scheuer, Mr. Rosenthal, Mr. Boland, Mr. Brown of California, and Mr. Mikva):

H.R. 10426. A bill to improve the operation of the legislative branch of the Federal

Government, and for other purposes; to the Committee on Rules.

By Mr. HUNGATE (for himself, Mr. Bingham, Mr. Podell, Mr. Powell, Mr. Lowenstein, Mrs. Chisholm, Mr. Kyros, Mr. Culver, Mr. Anderson of California, Mr. Koch, Mr. Moss, and Mr. Price of Illinois):

H.R. 10427. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. REID of New York:

H.R. 10428. A bill to amend 2 U.S.C. 7 to conform the election of Representatives to the election of the President; to the Committee on House Administration.

By Mr. TEAGUE of Texas:

H.R. 10429. A bill to amend title 38 of the United States Code to establish the rate at which assistance allowances shall be paid for programs of education pursued in the Philippines; to the Committee on Veterans' Affairs.

By Mr. TIERNAN:

H.R. 10430. A bill to amend the Maritime Academy Act of 1958 to require payment of amounts paid for the training of merchant marine officers who do not serve in the merchant marine or Armed Forces; to the Committee on Merchant Marine and Fisheries.

By Mr. TUNNEY:

H.R. 10431. A bill making supplemental appropriations for the educational and cultural exchange program of the Department of State for the fiscal year ending June 30, 1969; to the Committee on Appropriations.

By Mr. WHALLEY:

H.R. 10432. A bill to amend title II of the Social Security Act to provide a 10-percent, across-the-board increase in benefits thereunder; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.J. Res. 667. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. REID of New York:

H.J. Res. 668. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States; to the Committee on the Judiciary.

By Mr. WINN:

H.J. Res. 669. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. DORN:

H. Con. Res. 210. Concurrent resolution authorizing the President to proclaim the period May 11 through May 17, 1969, as "Help Your Police Fight Crime Week"; to the Committee on the Judiciary.

By Mr. WOLFF:

H. Con. Res. 211. Concurrent resolution terminating the joint resolution of August 10, 1964, relating to the maintenance of international peace and security in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. RODINO:

H. Res. 370. Resolution creating a select committee to conduct an investigation and study of all aspects of crime in the United States; to the Committee on Rules.

By Mr. ROYBAL:

H. Res. 371. Resolution creating a special committee to conduct an investigation and study into the legal, political, and diplomatic status of lands which were the subject of grants from the King of Spain and from the Government of Mexico prior to the acquisition of the American Southwest as a result of the Treaty of Guadalupe-Hidalgo concluding the Mexican-American War in 1848; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

129. By the SPEAKER: Memorial of the Legislature of the Commonwealth of Massachusetts, relative to suspension of the construction of the Sentinel antiballistic missile system; to the Committee on Armed Services.

130. Also, memorial of the Legislature of the State of Kansas, relative to legislation to limit the number of questions to be asked in the 1970 census; to the Committee on Post Office and Civil Service.

131. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to the payment of all medical expenses of members of the medicare program; to the Committee on Ways and Means.

132. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to expanding the medicare program to include persons who are recipients of aid to the permanently and totally disabled under the social security program; to the Committee on Ways and Means.

133. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to expanding the medicare program to include drug costs; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 10433. A bill for the relief of Eduardo and Giovanna Maiorelli; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 10434. A bill for the relief of Mrs. Soo Ok Koo Campbell; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 10435. A bill for the relief of Robert A. Pickering; to the Committee on the Judiciary.

By Mr. CLAY:

H.R. 10436. A bill for the relief of Henry D. Espy, James A. Espy, Naomi A. Espy, Jean E. Logan and Theodore R. Espy; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 10437. A bill for the relief of Dr. Michael C. Shende; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 10438. A bill for the relief of William W. Brady; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 10439. A bill for the relief of ToppSav, Inc., formerly known as the Topp-Cola Co.; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 10440. A bill for the relief of Hilarion Ngayan, Jr.; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 10441. A bill for the relief of Giuseppe Lo Piccolo; to the Committee on the Judiciary.

By Mr. KAZEN:

H.R. 10442. A bill for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex.; to the Committee on the Judiciary.

By Mr. KYL:

H.R. 10443. A bill for the relief of Cesar Farell and his wife, Dora Poussin Farell; to the Committee on the Judiciary.

H.R. 10444. A bill for the relief of Dr. Ismael M. Naanep and his wife, Dr. Belen Fernandez Naanep; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 10445. A bill for the relief of Robert Harry Urch; to the Committee on Interior and Insular Affairs.

By Mr. ROSTENKOWSKI:

H.R. 10446. A bill for the relief of Mr. Jean Jacques Wodzinski; to the Committee on the Judiciary.

H.R. 10447. A bill for the relief of Beatrix Francesca Morris; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.R. 10448. A bill to provide relief for certain members of the U.S. Navy recalled to active duty from the Fleet Reserve after September 27, 1965; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 10449. A bill for the relief of the estate of William E. Jones; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

ALABAMA NEWSMAN ELECTED TO GRIDIRON

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. JONES of Alabama. Mr. Speaker, I wish to commend James Free, Washington correspondent of the Birmingham News since 1947, on his recent election to the world-famous Gridiron Club.

As most of us know, the Gridiron Club is composed of 50 Washington correspondents and editors.

Jim Free becomes the 288th member to be elected since the club was organized in 1885. His election is well-deserved recognition of his very able and conscientious work as a newsman in Washington for more than 20 years.

As the Washington news chief for Alabama's largest newspaper, Jim Free is noted for his knowledgeable commentaries on Washington events. His fairness is handling the facts in his news articles is well known to my colleagues from Alabama and other States.

His many readers admire his ability to ferret out new trends and developments and frame them in a meaningful way.

Jim Free was born in Gordo, Ala., and attended the University of Alabama. He has published a weekly newspaper and has worked for the Richmond Times-Dispatch, the Washington Star, and the Chicago Sun-Times Washington Bureau.

He is a former cochairman of the standing committee that admits newsmen to the House and Senate press galleries. He is a member of Sigma Delta Chi, the professional Journalism Society, and the National Press Club.

Jim's charming wife, Mrs. Ann Cottrell Free, is a noted journalist in her own right and devotes much attention to the conservation of issues. The Frees have one daughter.

I wish to commend Jim on his election to this elite group of newsmen. His membership in the Gridiron Club is a well-earned recognition of his talents and abilities as a newsman.

KANSAS WINS ANOTHER FRIEND

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. MIZE. Mr. Speaker, we have a great deal of which we are proud in Kansas, and we are always happy to extoll the virtues of our State to all who will listen. It is gratifying, naturally, when someone agrees with our own high appraisal of Kansas life and Kansas virtues. A recent testimonial came from a young lady from Pakistan, Nilofer Hashmi. From 1962 to 1964, this young lady was a Fulbright student at the University of Kansas, where she obtained her master's degree in journalism. Her maiden name was Nilofer Ahmed. She is now the wife of an Indian student she met at the university, Shafif Hasan Hashmi, and they live in Wellington, New Zealand, where he teaches political science at Victoria University.

She wrote to the Kansas City Star a few weeks ago and gave a glowing account of her impressions of Kansas, and especially the two Kansans who had befriended her the most, Mr. and Mrs. H. I. Sifers of Shawnee Mission, Kans. Under leave to extend my remarks, I wish to call attention to this account of a Pakistani girl's fond memories of Kansas. The article follows:

A PAKISTANI GIRL'S FOND MEMORIES OF KANSAS

(By Nilofer Hashmi)

Two red and gold leaves fell out of the envelope, dry and brittle, but their colors vibrantly alive. "It would give us a new lease on life to see you again—please try to come," Aunt Cecil wrote. "With this letter you'll find two leaves from the oak tree by the driveway to remind you of Kansas."

I could never forget Kansas, though now many thousand miles away. After many of life's experiences have become vague memories the warm, simple friendship of Kansas will live with me, I know, brighter than sunshine on ripe wheat.

I shall remember always a September day at the bustling London airport when, as a rather nervous Pakistani student bound for America and the University of Kansas, I stood amid a crowd of impatient passengers ready to go aboard the waiting plane. Call it coincidence if that suffices to explain how out of more than 70 persons I found myself next to a warm, friendly, kind-hearted couple—from Kansas.

Mr. and Mrs. H. I. Sifers to the world, they were thenceforth Uncle Harry and Aunt Cecil to me and in their house, from the day I set foot on American soil, I found a second home and a new family half way around the world from my own. The overflowing love and kindness of these warm hearted people for me, a foreigner, form one of my happiest memories of Kansas.

The travel agency representative who was to meet me with my ticket at the New York airport failed to make contact, but the Siferses wouldn't hear of my cashing my travelers' checks, which I might need later, to pay my fare to Kansas City. Instead, they bought a ticket for me, assuring me that I could repay them later after being reimbursed by the travel agency.

It was to their cozy little home in Shawnee Mission that we went from the airport, where I was introduced to their sons and grandchildren. By the time they drove me down to the university and saw me comfortably settled down in a dormitory I already had the wonderful feeling of being cared for and looked after and not the loneliness of a stranger in a new land.

Looking back now I realize that I had never known what cold really meant until the bleak November winds started to howl. My Oriental apparel proved entirely inadequate.

"Why don't you wear socks?" a concerned American girl friend asked me, looking at my bare feet in flimsy sandals. I confessed I didn't have any, not being used to wearing them, but agreed to get some.

It didn't prove necessary. Next day outside my door was a sack with about a dozen pairs of socks. Apparently every American girl on my part of the floor had suddenly discovered "an extra pair she didn't need."

I am sure I can never forget the days of crowded study in the ivy-covered university buildings, the unending race to catch up with class assignments and term papers and the desperate evenings spent in the library. Or that very first day in class when a distinguished-looking professor outlined the staggering amount that had to be accomplished within the span of a few brief months, adding, "As you will see this is clearly impossible. But nothing was ever worth attempting that was not impossible."

Memorable too was my first American student party, so different from the more formal ones back home with its gay dancing, doughnuts and popcorn and music loud enough to raise the roof.

I was delighted with the friendly, informal atmosphere on the campus and the freedom to discuss and question new ideas presented in the classroom. Frequently I was invited by members of the faculty to their homes to meet their families. I spent many pleasant evenings and shared many hearty American meals with my thesis adviser's hospitable family.

When my Fulbright scholarship expired I found part-time work in the university's language laboratory. Imagine my surprise when, the very first day I reported for work, I was led to a table with a beautiful frosted cake and bottles of Coke. The kind laboratory supervisor and my new colleagues had found out it was my birthday anniversary!

I have a special personal reason also for my deep attachment to Kansas university. It was here that I met the boy I later married.

After some time I had opportunities to go to places outside Kansas, including a trip to Washington to attend a rather select student seminar. Soon I grew accustomed to being asked by students from California, New York and Washington who teased, "Kansas? Where's Kansas?"

"Kansas is where the grass is greener, the sunsets prettier, the fall brighter and the people friendlier," I retorted in mock-seriousness.

Nonetheless it was true. Nature has seldom been so spendthrift with color as in the riotous hues of a Kansas sky when the sun is sinking. (Kansans modestly attribute this to the presence of more dust particles in the air, but to me this explanation always seemed far too prosaic.)

Equally glowing are the russets and yellows of the leaves of a Kansas fall which, I believe, Mark Twain described as the most beautiful sight he had seen anywhere. I was captivated too by the vast seas of wheat with the wind rippling through them in the daytime or with a large red unreal-looking harvest moon hanging low above at night.

Among my treasured memories also is a visit to a ranch in a tiny little place with a population of just a few hundred where I was thrilled by unending acres thickly carpeted with green and unbelievably huge herds of plump cattle. And here, for the first time, I rode a horse, encouraged by my host family in jeans and 10-gallon hats, all of them fearless riders down to the tiny 5-year-olds.

It was in Kansas, too, that I saw my first snow, an experience so breathtaking that it made me forget all about dormitory rules and I rushed outside, dazed with wonder, after the closing time of 11 o'clock at night.

Indeed, snow never lost a bit of its enchantment for me, even on the very coldest of days when Aunt Cecil would call from Shawnee Mission to tell me to be sure to wear my gloves and socks before going out.

Ready smiles and people eager to help are what I remember most of all about Kansas. Once, lost while traveling by bus, I asked the driver for instructions. To this day I can see him alighting from the bus, in which the passengers patiently waited, to spread out a road map on the pavement and show me where I was, all willingness and eagerness to help a stranger in need.

One of my gayest and most cheerful memories is of the Christmases spent in Kansas City with the family of which I had become a part; the gaily-decorated Christmas tree with colorful packages piled up at the foot, always including a large number for me; turkey cooked by Aunt Cecil as no one else could cook it; spicy Christmas pudding.

Outside on the snow-covered lawn stood a life-size Santa with his sleigh and reindeer.

As I basked in the affection and love of my American family my heart was full to the brim with happiness.

No, I could never forget the warm, friendly smile of Kansas or its wide-open welcome. Nor that little home in Shawnee Mission, my other home across the seas.

PFC. ORVILLE LEE KNIGHT

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, April 22, 1969

Mr. MATHIAS. Mr. President, I was very sorry to learn of the death of Pfc. Orville Lee Knight, of Dargan, Md., a victim of injuries which he received in combat near Bienhoa, South Vietnam, on April 8.

Private Knight, aged 20, had been in Vietnam less than 6 months and served with Company B, 2d Battalion, 16th Infantry Division.

A native of Dargan, Private Knight was the son of Francis and Whylmenia Knight. As a boy he was an active Boy Scout. After graduation from Boonsboro High School, he worked at the Fairchild-Hiller plant in Hagerstown and served as a member of the Dargan Volunteer Fire Company before entering military service.

Private Knight was married to the former Sarah Dagenhart, of Keedysville, Md. They had one child, a daughter, Samantha Jo, now about 6 months old.

Mrs. Mathias and I extend our sympathies to the family of Private Knight. In tribute to his service, I ask unanimous consent that a recent newspaper article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Dargan GI Dies of Battle Wounds

Pfc. Orville Lee Knight died from injuries received in action near Bian Hoa, S. Vietnam on April 8.

A native of Dargan, Pfc. Knight was the father of an infant daughter. He had been in Vietnam less than six months.

The 20-year-old infantryman was serving with Co. B, 2nd Battalion of the 16th Infantry Division.

Inducted into the Army last June 6, he left for Vietnam on Nov. 6.

He was a graduate of Boonsboro High School, Class of '66 and had worked at Fairchild-Hiller before going into the service.

Pfc. Knight was the county's tenth casualty in the Vietnam war.

He was the son of Francis and Whylmenia Ingram Knight of Dargan, and attended Samples Manor Church of God.

In addition to his parents, he is survived by his wife, the former Kathy Dagenhart of 94 S. Main St., Keedysville and a six-month-old daughter, Samantha Jo; paternal grandparents, Mr. and Mrs. Arnold Ingram of Dargan; a brother, David of Dargan and two sisters, Mrs. Frances M. Grim and Mrs. Doris L. Gay of Dargan.

The Bast Funeral Home will announce funeral arrangements.

SALUTE TO LONGVIEW LEADER

HON. RAY ROBERTS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. ROBERTS. Mr. Speaker, it is with a great deal of pleasure that I join the citizens of Longview in saluting Harry Mosley, Longview city manager, as he completes 23 years of service to Longview.

During his years of service, Longview has experienced unparalleled growth and development. Men like Harry Mosley, with his untiring devotion to the citizens of Longview, provide the spark which builds great cities.

The April 18 edition of the Longview Daily News carried the following editorial which clearly traces Harry Mosley's important role in the development of Longview and east Texas:

[From the Longview Daily News, Apr. 18, 1969]

Saluting Harry Mosley

A record unmatched and without parallel in Texas or elsewhere in the nation has been achieved by Harry G. Mosley during the 17 years he has served as city manager of Longview.

The period from 1952 to 1969 may well be described as "the Mosley years" as it relates to municipal progress.

A summation of accomplishments puts into clear perspective his 17-year record of administrative leadership:

The city's population has more than doubled, from around 24,000 to 52,000; assessed valuations have tripled from $40,377,820 to $122,925,000; the police department has increased from 34 employees to 67, and the fire department from 25 to 63.

The area within the corporate limits has increased from 8.1 square miles to 22.8 square miles; 125.1 miles of water mains and 134.2 miles of sewer mains have been installed; and 158.5 miles of streets have been constructed. The water filtration system has been increased from three million to forty million gallons daily capacity.

The City of Longview has the highest credit rating (AAA) of any municipality in Texas, and perhaps in the United States. This has resulted in the savings to taxpayers of hundreds of thousands of dollars in interest on bonds.

Mr. Mosley, as the chief administrator, with the full support of members of the City Commission and his staff, has done a remarkable job of making possible the continued growth of the city. Had not his planning provided for more water, sewer lines, streets and other facilities, our progress could have been stymied intermittently. Let it be said to his credit, and to the credit of those who have served with him, that at no time has the lack of City cooperation and readiness retarded development.

Because of steady and substantial growth that has resulted in corresponding increases in valuations, Longview has had for many years sufficient revenues to maintain a comparatively low tax rate. This has been possible because of conditions and good management. City Manager Mosley and members of the City Commission, mindful of the accelerated growth pattern in recent years, have mapped plans for future development. A city planner has been employed; more parks and playgrounds have been projected; studies are being made of the needs of our fast-growing population, which now exceeds 52,000 (on the basis of the City's own estimate). Longview has now assumed metropolitan market status, and this places a larger responsibility on the City in meeting the needs and the challenges of continued growth.

Careful planning and able management have resulted in no increase in water rates, nor has Longview ever suffered a water shortage such as that experienced by many other cities. Today, plans are going forward for the building of another reservoir, assuring an adequate water supply for future years.

Longview's $2,750,000 sewer treatment plant, which has received the acclaim of municipal officials and engineers throughout the country, was built on Harry Mosley's recommendation. It was the first of its kind anywhere, and a great deal of courage and knowledge had to be employed in making the decision to use it, but the city manager did not hesitate or waver because his studies had convinced him of the soundness of the new, revolutionary process.

Mr. Mosley has worked closely with the Gregg County Commissioners Court and the Texas Highway Department on a number of projects. These include Interstate 20, rerouting of S–149 to U.S. 80, extension of Spur 63 to Loop 281 along McCann Road (now in preliminary stage) and extension of U.S. 259 from U.S. 80 north to Judson (now under construction).

He also has been a key factor in our industrial development program.

As Harry Mosley completes 23 years of service with the City of Longview this week—six years as city secretary and 17 years as city manager—he can look in any direction and see great evidence of the very important part he has played in growth and progress unsurpassed or unequaled anywhere in East Texas. It would be impossible to measure the full extent of the impact he has had on this fine community.

He has been highly influential in building the Longview of yesterday and today, and we are confident he will continue his dedicated role in building the Longview of tomorrow. The blueprint of progress is implanted indelibly in his mind. The firm foundation that has been built over the years and the sound City government we have experienced has made it possible for Longview to aim higher and do more on a larger scale in planning a bigger, better and finer city.

We congratulate Mr. Mosley on his 23rd anniversary as a city administrative official, and we commend him for his dedication and devotion to duty as well as for his brilliant record.

UNION LOCALS FIGHT TO OBTAIN WORK FOR THEIR EMPLOYER

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, April 22, 1969

Mr. GOODELL. Mr. President, locals 425 and 471 of the International Union of Electrical Workers—IUE—have been involved for the last several weeks in a valiant effort to obtain additional work for their employer, the Ford Instrument Co. of Long Island City, N.Y. At a time when many labor unions are being criticized for their demands upon management, the employees of locals 425 and 471 have turned the tables and are actively soliciting business for their company. Almost daily they are scouring the halls of the Navy Department, their principal customer, telling the story of their company's history and products.

Because of a change in Navy procurement requirements their company now faces a shutdown of its facilities. The union members have decided that their plant must be kept open.

Ford Instrument Co. has been a reliable Navy supplier since before World War I. It is said that every ship in the U.S. fleet carries at least one of their products. For the union's part, they have had only one 1-day work stoppage in 32 years. They have a long history of being vitally concerned with the Navy's needs for national defense and the production of quality products.

Several weeks ago members of this union asked me to intercede on their behalf with the Navy Department and their own management so that new business efforts could be coordinated. Despite numerous meetings with union officials, management, and the Navy Department, the outlook remains cloudy. However, with employees such as those of locals 425 and 471 the effort must succeed.

Mr. President, I ask unanimous consent that an article written by Victor Riesel, detailing their campaign, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Requiem for a War? Navy Phasing Out Wizard Gun System Which Union Chiefs Say "Could Have Saved 'Pueblo'"

(By Victor Riesel)

Washington, D.C.—This is the requiem for the Mark 87—a revolutionary system for placing and keeping guns on target. Perhaps this is also the requiem for the ghastliness in South Vietnam, but basically this is the story of labor leaders in a unique role—lobbying for the revival of production of a gun fire control system which they say could have saved the Pueblo from capture and the S.S. Liberty from a mistaken, tragic attack in Middle East waters in June '67.

The well-tested but almost stillborn Mark 87, which combines radar and computers for a fully automatic means of locating, tracking and bringing down targets, is being phased out. Navy specialists, who say that other gun fire control systems are like bows and arrows compared to the Mark 87, add that they are grieved to report they have no more money for the fantastic air, land and sea range finder.

Thus—no orders to the 55-year-old Ford Instrument Co. installation in New York City, which produced the first two Mark 87s. Thus the company, which had been counting mightily on further contracts, has decided to phase out its plan. Thus its work force, a smooth mix of 900 technicians, engineers, white collar people, mathematical geniuses, electronic specialists, porters, typists, et al., also will be phased out this year.

This will wipe out the jobs of 900 employees, most of whom belong to Local 425, International Union of Electrical Workers (IUE). Its national leader is one of labor's younger newer breed, the militantly liberal Paul Jennings, who will make headlines later this fall when he leads the assault on the General Electric Co. and Westinghouse in the labor conflict of the year.

So the IUE's national leaders have taken to the Hill. They are visiting senators. They are pressuring congressmen. They plead for the Mark 87's survival and are armed with impressive technical literature.

I recall no such labor campaign for a piece of fighting equipment.

"The Mark 87 can easily be updated," says the IUE leadership, "and used in the future against any conceivable change of enemy weaponry . . . (it) is a highly efficient system and can outgun any other control system in the world.

". . . It can be reasonably stated that, if the Pueblo had been equipped with a Mark 87 guidance and two three-inch guns, she would not have been taken. . . . With the Mark 87 the Pueblo would have been able to blast the Korean ships out of the water before they could take any meaningful counteraction. The development and implementation of a broad Mark 87 program could save America from a repeat of the Pueblo crisis. Can the men who man the ships be denied this safety?"

Recently, the Mark 87 was tested on a strange new aluminum-hulled ship, a glorified PT boat, for inshore and river fighting. There were so many on-target hits that the admiral ordered a rerun. He thought no target finder could be so consistently successful. There must have been an error in scoring. But there wasn't.

At a private conference in Navy headquarters here Thursday, March 27, Navy procurement people wistfully discussed this wizardry with IUE leaders who had come to lobby for new Mark 87 orders.

The Navy officers said they were being forced to use a 20-year-old Mark 63 system. It is outmoded, but it is in stock. Thus, it will be woven into a new fleet of 20 LSTs (Landing Ship Tanks) now being built in San Diego. This is a four-year construction program. Thus, the ancient 63s will be virtually a quarter-century old when they are locked into the last of the new LSTs. Furthermore, it takes 18 men to run the 63 and four to service it. The Mark 87 uses three men, with two for service.

But the union people, local and national, who have been pushing for at least 12 new 87s to keep the Ford Instrument plant going, talk of more than production costs, more than the spectacular accuracy of this fire control system's digital mechanism, which monitors itself regularly and then alerts the crew if it finds itself faulty.

The union people talk of the "mix" at the plant—the working team which will now be dispersed. They say that a Ford Instrument Co. piece of equipment is on virtually every Navy fighting ship. The union men, who've called only one one-day strike in 32 years, talk of a different kind of picket line—the kind on which the local's members wait across the world to be summoned to repair electronic and computerized fighting mechanisms.

They recall quite proudly how one of the "mix," the work force, was called on to solve a problem on the U.S.S. New Jersey when the Navy found it had to use Army shells. A Navy phone call to the Ford Instrument Co. produced a veteran engineer who developed calculations for an electronic brain to recompute the trajectories vital for a different weight shell. If Ford Instrument shuts down, whom will the Navy call, ask the union men.

"At a time when our fighting men deserve the best," the union asserts, "and our nation demands the utmost defense from enemy attack, the further delay in the development of the Mark 87, with its attendant closing of the Ford plant, with its dispersal of a special skilled work team, can in no way appear justified."

But it may be that the military and the White House are phasing out more than a target finder, fantastic as that bit of cybernetics may be. It may be that the Mark 87 is being beaten into more than bows and arrows. It may be ploughshares coming up.

But if this is not the intent of well-briefed men, then it may be that a mighty, lifesaving weapon is being junked by penny pinchers who find their target with pencils.

REPORT ON PUBLIC WELFARE

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. UTT. Mr. Speaker, I would like to include in the Extensions of Remarks of the RECORD a letter and report from the Association of Former Grand Jurors of San Diego County, Calif. I believe that the views expressed by the association should receive wide circulation:

ASSOCIATION OF FORMER GRAND
JURORS OF SAN DIEGO COUNTY,
CALIF.,
San Diego, Calif., March 5, 1969.

The Honorable ROBERT H. FINCH,
Secretary of Health, Education, and Welfare,
Washington, D.C.

DEAR MR. FINCH: At the request of the Executive Committee of this Association, I am enclosing a report regarding the Welfare situation as it exists in San Diego County today.

At the last general meeting of this Association, which has a membership of 125 prominent and influential citizens, a growing concern over the escalation of County Welfare costs, resulted in the appointment of a committee to conduct an investigation of this entire situation. The three members of this committee are all highly qualified and knowledgeable of welfare problems. If they are not already known to you, may I submit the following qualifications:

Lara P. Good. General Good was Foreman of the 1939 San Diego County Grand Jury, the first Grand Jury to make a study of the growing Welfare problem. At that time Welfare had increased from benefits of $79,000.00 paid in 1923, when the County had a population of 175,000, to $4,000,000.00 when the County population was 425,000. These figures indicated that while the population increased only 2½ times in this sixteen year period, Welfare benefits increased 52½ times. The Grand Jury expressed alarm over this excessive growth in County welfare and recommended that steps be taken to remove the role of Public Welfare outside the realm of politics.

General Good has continued his study of Public Welfare, and as Chairman of the Welfare Committee of our Association of Former Grand Jurors, has kept us advised of current changes which have accelerated the dangers that jeopardize the balance of budgets in our county, state and nation. General Good was asked to serve as Chairman of the Investigative Committee issuing this Report.

Lawrence N. Turrentine. Judge Turrentine began the practice of law in 1913 at Los Angeles, and in 1926 moved his Law Office to San Diego. He was appointed Judge of the Superior Court of San Diego County in 1930, and thereafter was elected five times with opposition on only one election.

He served in all capacities on the Superior Court Bench, the last eleven years of his incumbency as Presiding Judge. During this period he served as President of the California State Conference of Judges, also a member of the State Judicial Council, and at the request of that Council he served on the Appellate Court Bench for six weeks. He retired in November, 1958.

Judge Turrentine has been recognized as the Dean of Judges in San Diego County, and was appointed an honorary Life Member of the Association of Former Grand Jurors; also an Honorary member of its Executive Committee. For the past 30 years or more he has been very close to the Welfare situation and is familiar with its problems in San Diego County.

MacArthur Gorton. Mr. Gorton has lived in San Diego since 1925. He is an authority on the history of this city and has for years been recognized as one of its most prominent and best known citizens. He managed the San Diego Social and Athletic Club from 1931 to 1956.

He served on the 1938 County Grand Jury and was Vice Foreman of the 1945 Grand Jury. He also served as Foreman for the Federal Grand Jury in 1963. He is a Past Chairman of the San Diego County Board of Public Welfare on which he served for seven years.

An authority on tax matters, Mr. Gorton represented the San Diego Chamber of Commerce at all meetings of the California Taxpayers Association. He also serves as Chairman of the Taxation Committee of the Association of Former Grand Jurors, and is also a member of the Executive Committee of this Association. He is highly knowledgeable on Public Welfare matters and has been deeply concerned over the way this program has ballooned in recent years.

The 1968 San Diego County Grand Jury Report states that while Welfare assistance is excessive, every member of their Public Welfare Committee is aware that much of this abuse of authority emanates from State and Federal levels and does not fall within the jurisdiction of the local Public Welfare Department. If this is true, we believe that drastic changes must be made on the higher levels.

Very truly yours,
JOHN A. DAVIS,
President.

REPORT ON PUBLIC WELFARE

To: Mr. John A. Davis, President, Association of Former Grand Jurors of San Diego County.

Your Committee, appointed to study the alarming growth of Public Welfare in San Diego County, has given much thought to the problems involved in the administration of Public Welfare locally, statewide, and nationwide, and has reached the following conclusions:

1. The attitude toward Public Welfare has

unfortunately changed from the idea that anyone who receives funds from other than his or her own earnings is none other than a charity case supported at public expense through the benevolence of the society in which he lives, until today recipients of welfare payments who are either unable, or do not wish to be employed, are entitled to be supported at public expense as a right to which they are entitled without any further justification.

2. The attitude that once existed on the part of our society generally that each family should support its own relatives, regardless of how distant such relationship might be, has now changed until even sons and daughters are absolved from contributing to the support of their parents without any stigma attached to them because of their refusal to make any contribution to such support—all this regardless of how affluent such sons and daughters may have become. No stigma attaches to them because they have asked society to take care of those who were once regarded as their own personal obligation.

3. Laws have been passed which even reject the idea that any estate of a deceased recipient of public welfare should be subject first to a lien by the county or state up to the amount of public welfare which had been paid such receipient during his or her lifetime. In other words, such sons and daughters who deny aid to their parents may now claim the estate of such parents without having to pay back to the state the aid such parent received.

4. When once the books of the county were open to inspection by any taxpayer to determine the amount of aid being paid to a recipient, the same as a taxpayer may by inquiry find out the amount of salary or wage that is being paid to a public employee, the recipient of public welfare is placed in a preferred class of recipient of public funds as compared with a public employee. This would appear to be in violation of the Amendment of the United States Constitution which declares that property cannot be taken from its owner without due process of law. But recipients of public welfare are placed in a preferred class of citizens, and their status on the public welfare rolls is denied to the taxpayer generally.

5. Despite all of the cases of fraud which have been proven in our courts, new rules are prescribed for the administration of public welfare which require the payment of benefits without any investigation of any kind as to the merits of the individual case, but assume that anyone who declares that he or she is entitled to welfare benefits should forthwith be so paid according to his or her own declaration of need. This is an open invitation for the commitment of further fraud against the taxpayers.

6. Many of those employed in the administration of public welfare are more concerned that claimants of public welfare aid receive their payments promptly than they are with the position of the average taxpayer who is required, by steadily increasing taxes, to support the public welfare program. Many taxpayers are actually receiving less in income than the recipient of public aid.

7. Public charges are constantly made about the impoverished condition of a large segment of our population claimed to be suffering from malnutrition, whereas., in most cases, the fault lies not with the amount of food supplied to them, but to their inability to select or plan a balanced diet.

8. Without doubt there is no larger percentage of our nation's population that is impoverished now than there was back in the 1900's, but we have raised the standard of living so high that it cannot be supported by a large segment of our population without government subsidy. Too many do-gooders insist that everyone, regardless of their income, should be provided with all modern electrical appliances, including colored TV's etc., which fringe benefits add to the ever mounting costs of public welfare.

9. Too much emphasis is being placed upon the slum type of homes in which people are living, and that these homes are sub-standard and must be replaced, when what is needed is for those who live in such homes to clean up, paint up, and improve their living conditions by their own efforts. Example after example has proven that when people who have no pride in improving their present sub-standard homes, are moved into a brand new modern housing project, such housing projects quickly deteriorate because they are subjected to the same living conditions, which rather proves the assertion that it is the bums who make slums, rather than the reverse.

10. The status of public welfare has got entirely out of hand. Today in San Diego County approximately 47% of the expense of government is concerned with public welfare in its various phases, and if the growth of public welfare is allowed to continue at the present rate the nation will go bankrupt:

(a) During the period from 1923 to 1939 when our San Diego County Grand Jury made its first study of the growth of public welfare, our population increased only two and one-half times, while public welfare expenses for recipients within the county increased more than fifty-two and one-half times.

(b) During the last 45 years, from 1923 to 1968, the population of San Diego County increased approximately eight times, while welfare payments during the same 45 years increased better than ninety times.

(c) The situation in San Diego County is simply a duplication of the growth of welfare elsewhere. It is nationwide.

11. Because of the migratory nature of our population, the removal of residential restrictions has worked a further hardship upon those states and communities to which people have flocked because of more comfortable living conditions and/or larger benefit payments. Once California required a residence of 15 years before eligibility for welfare benefits from the county tax rolls could be approved. Later the time limit was reduced to five years, and more recently, according to Supreme Court decisions, any time limit as to residential restrictions has been outlawed altogether. This has permitted a person moving to California to become immediately eligible for welfare payments by San Diego County where they have never lived or paid one cent of taxes, and local authorities are helpless to remedy the situation.

12. Reduction of public welfare will never be accomplished as long as the grant is given without obligation on the part of the recipient; and, whenever possible, repayment should be a requirement—more like a repayable loan.

13. The solution is not more paternalism, laws, decrees and controls, but the restoration of incentives for people to stay off of relief rolls.

14. The complete administration of welfare should be left in the hands of local county welfare officials who are familiar with conditions within their respective counties.

We believe the foregoing are constructive suggestions and would tend toward the solution of our welfare problems, keeping in mind the interests of those who are asked to contribute the funds as well as those who receive them.

Welfare Study Committee,
L. N. Turrentine
MacArthur Gorton
Lara P. Good, *Chairman*.

San Diego, Calif., *March 1, 1969*.

RESOLUTIONS ADOPTED BY DAUGHTERS OF THE AMERICAN REVOLUTION

HON. JOHN STENNIS

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

Tuesday, April 22, 1969

Mr. STENNIS. Mr. President, the Society of the Daughters of the American Revolution met in Washington last week, bringing together sincere and patriotic Americans from throughout the Nation.

I am impressed with the dedication of its members to the fundamental principle upon which this Nation was founded and I find the society's outlook and spirit refreshing and inspiring amidst our troubled times.

The Daughters of American Revolution are vitally concerned about the future of the United States, as much so as any other organization in this country. I wish to commend the members of this society for the orderly and proper way in which they express their concern and recommend this pattern to all concerned Americans.

The DAR has proved and will continue to prove that an unruly demonstration, or a definance of authority, is unnecessary to get a point of view heard. Clinging fast to the framework of this great democracy, made possible by the society's ancestors, the DAR has met in a serious and dignified way to adopt a number of resolutions that express their feelings on crucial matters facing this Nation.

Mr. President, I find these resolutions and the dignified and orderly manner in which the society expressed itself to represent the real meat of what democracy is all about. I am delighted and encouraged to see that our great form of government is manifested so well by the Daughters of the American Revolution.

I ask unanimous consent that the resolutions adopted by the society at its 1969 meeting be printed in the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolutions Adopted April 16, 1969

REDEDICATION

Whereas three hundred years ago a new ideal found root on these shores, and through trial and tribulation a new government and Constitution, founded on Faith in God, man, justice and opportunity for all, ultimately evolved; and

Whereas the current theme of our National Society is "One County, One Constitution and One Destiny"; and

Whereas to perpetuate the blessings accrued to mankind under the Constitution—the greatest charter of individualism—the National Society, Daughters of the American Revolution was founded to preserve history and to educate citizens not only in the privileges but also in the responsibilities of citizenship in this Republic; and

Whereas despite the sophistication of our age and the skepticism that has come to blight and weaken our Faith, Liberty under God remains the prized blessing of mankind;

Resolved, That the National Society, Daughters of the American Revolution carry forward the original spirit of America, surrendering to no foe the sacred trust committed to our hands, a trust we are honor bound to pass on unimpaired to future generations;

Resolved, That the National Society, Daughters of the American Revolution rededicate themselves to the fundamental principles that impart wisdom and reason, justice and unity, courage, and faith in God.

APOLLO 8 ASTRONAUTS' READING OF GENESIS

Whereas America was founded as a Christian Nation; and

Whereas the majority of Americans respect their God for His protection and guidance through the centuries; and

Whereas the epic accomplishment of the Apollo 8 Project on December 24, 1968, is now history; and

Whereas the awesome, perilous flight of the three Astronauts proved without doubt what Americans working together toward a common goal can achieve; and

Whereas the reading of verses from Genesis by the three courageous Astronauts proved their fealty to the Country they serve, "One Nation under God";

Resolved, That the National Society, Daughters of the American Revolution express their joyous pride and warm admiration to these brave men of science, for expressing their Christian faith as they became the first human beings to look upon God's creation—Earth—"small and beautiful and blue in that eternal silence where it floats", and they found it good.

ANTI-BALLISTIC-MISSILE SYSTEM

Whereas it is folly to rely on treaties with the Soviets who have broken more than 100 major agreements; and

Whereas the Soviet invasion of Czechoslovakia in August, 1968, (which violated 17 agreements, one of which was only 17 days old) proves that "peaceful coexistence" is a fraud and that the Soviet communists have never abandoned their goal of world domination; and

Whereas Secretary of Defense Melvin Laird testified before the Senate Armed Services Committee in March, 1969, that:

(1) the Soviets "are going for a first-strike capability";

(2) the Soviets now have more than 200 "accurate" missiles of 20 to 25 megatons (which are 20 to 25 times the size of 95% of United States missiles);

(3) the Soviets have caught up with and passed the United States in numbers of land-based nuclear missiles, and are continuing to deploy more at a rapid rate;

(4) in slightly more than two years, the Soviet nuclear missile force has increased more than threefold, while the size of the United States nuclear missile force has been frozen;

(5) the Soviets have "deployed" and "launched" orbital bombs (the FOBS), which could be equipped with nuclear warheads;

(6) at the present time, the United States has no installed anti-missile defense, but the Soviets have been deploying their anti-missile system for the last three years, and are currently spending $3.70 on defensive nuclear forces to every $1.00 spent by the United States;

(7) the Soviets are "going forward with the deployment" of Polaris-type nuclear submarines at the rate of seven per cent per year and it is anticipated that they will be "comparable" to our Polaris fleet by 1971–74;

(8) our Polaris-Poseidon submarines will be vulnerable to a Soviet attack in about three years because of Soviet weapons advances;

Resolved, That the National Society, Daughters of American Revolution in the interest of a strong National Defense, support the restoration of United States nuclear weapons superiority and urge the rapid deployment of anti-missile defenses which can protect our Nation from any Soviet or Red Chinese nuclear attack.

TARIFF AND TRADE

Whereas in seeking to rebuild war-torn Europe and Asia and to aid emerging nations, the United States taxed her people and industries so heavily that many small and marginal firms failed; and

Whereas the United States government has created a critical situation in several industries by permitting a series of wage increases not justified by production increases and by canceling government contracts in various industries which attempted to raise prices to cover production costs; and

Whereas both the Trade Expansion Act of 1962 and the proposed Trade Expansion Act of 1968 frankly state that whole industries may be seriously injured; and

Whereas many earlier trade laws (still in effect) to prevent the dumping of foreign over-production have loopholes which permit evasion of the law while, at the same time, many other nations continue their restrictive tariff policies; and

Whereas the flood of imports contributes heavily to an ever-mounting unfavorable balance of payments which has weakened our dollar, drained away our gold and diminished our national prestige;

Resolved, That the National Society, Daughters of the American Revolution urge that the United States adopt a policy of enlightened self-interest and establish import quotas until foreign nations remove their costly non-tariff devices.

THE ELECTORAL COLLEGE

Whereas in providing the Electoral College, it was the intent of the Constitution of the United States of America to give American voters the same numerical representation in selecting a president as they enjoy in their representation in Congress, but this objective has long been thwarted by application of the unit rule or "winner take all" of the electoral votes to which a given State is entitled; and

Whereas the State of Maine by its recent action has demonstrated that it is within the power of the States, without Constitutional amendment or federal legislation to eliminate the unit rule, and Maine has now substituted a district plan of selecting electors, under which electors will be chosen by Congressional Districts and will vote for the candidate with the winning margin in the district, with two electors chosen at-large who will vote for the candidate with the popular majority in the State; and

Whereas the District Plan, by giving each voter one vote in his district together with the two votes of the electors chosen at-large to represent the vote of the State would be consonant with the provisions of the Constitution of the United States of America, in that it would retain the Electoral College and would require electors to represent the will of voters by Congressional Districts as well as the State; and

Whereas the method of direct election would mean abandonment of the federal system of representation, would risk federal control of elections, and would deprive the small or less populous states of the protection now provided by the two electoral votes representing their senators;

Resolved, That the National Society, Daughters of the American Revolution commend the State of Maine for adopting the District Plan of representation and voting in the Electoral College;

Resolved, That the National Society, Daughters of the American Revolution urge the several States to exercise their Constitutional powers; abolish the present bloc system of voting in the Electoral College; and adopt the District Plan, under which the body of electors comprising the Electoral College would represent the votes of each Congressional District and the two at-large votes to which each State is entitled, thereby giving American voters equal representation in a presidential election.

SEABED ARMS TREATY

Whereas a draft treaty recently introduced by the Soviets at the 17 member nation United Nations Committee on Disarmament in Geneva would ban all weapons from the seabeds of the world; and

Whereas this plan prohibits placing on the seabed and the ocean floor and the subsoil thereof, objects with nuclear weapons or any other type of weapons of mass destruction, and the setting up of military bases, structures or installations, fortifications and other objects of military nature; and

Whereas such a sweeping elimination of all seabed military installations would include electronic directional devices for submarine, listening devices and other instruments vital to United States undersea operations; and

Whereas the Soviet willingness to cooperate in this treaty suggests the importance which they attach to seabed controls; and

Whereas the Soviets have never signed an agreement or treaty that did not at least temporarily advance their plans for world domination, nor have they kept their pledged word whenever it suited their purpose to break it;

Resolved, That the National Society, Daughters of the American Revolution in the interest of a strong national defense, urge that the United States retain control of all necessary military seabed installations.

CONSERVATION

Whereas man is part of the ecology of nature and through the decades has endangered the balance of nature by his exploitation and misuse of natural elements of air, water and land; and

Whereas it is imperative that those persons determining land use must take into consideration indiscriminate acquisition for highways, industrial complexes, housing developments, air ports and the destruction of the marsh lands, and for minerals, strip mining and oil recovery policies, watersheds and erosion, reclamation and irrigation, esthetic values and recreational needs; and

Whereas the future development of the national wealth and the standard of American life will depend upon adequate supplies of clean, usable water and a high percentage of environmental pollution derives from wasteful, antiquated, unsafe methods of city and industrial waste disposal, farm use of insecticides, fungicides and herbicides resulting in the deterioration of water quality; and

Whereas the air is becoming increasingly polluted by jet planes, motor vehicle fumes, industrial smoke and gases, uncontrolled fires and dust bowls threatening the well-being and even the existence of whole communities; and

Whereas careless cutting of magnificent forests, including the majestic monarch, the Redwoods (a national heritage), has resulted in loss of vital water-sheds contributing to soil erosion and uncontrolled floods; and

Whereas man by indifference, by greed or by necessity, has been responsible for the decimation or extinction of countless species of wildlife and unwarranted destruction of fish life;

Resolved, That the National Society, Daughters of the American Revolution support effective studies and laws to implement pollution controls of air and water, better use of land and prudent conservation of all natural resources, and cooperation among national, state and local authorities in order to find a common solution to these problems.

ATTACK ON POLICE

Whereas militant groups have openly announced their intention to destroy the local police forces of the United States as a necessary step toward their goal of creating anarchy in this Country; and

Whereas leftists efforts to destroy the effectiveness of the local police and to stimulate demand for a national police force are being abetted by court decisions and propaganda; and

Whereas widespread anti-police propaganda discredits efforts of the local police to protect citizens from bodily harm and their property from looting and arson, and derides the policeman who attempts to protect himself from vicious attacks; and

Whereas police departments are often inadequately equipped and undermanned, and police are often so restricted in their use of arms that they must risk their lives unnecessarily; and

Whereas a bold, escalating plan for the destruction of local police has reached the stage of numerous bombings of police headquarters;

Resolved, That the National Society, Daughters of the American Revolution commend the local police of this Country for their efforts to protect law-abiding citizens and pledge them our support;

Resolved, That the National Society, Daughters of the American Revolution warn of the dangers of any plan for a nationalized police system.

LOSS OF INDIVIDUAL RIGHTS

Whereas the Constitution of the United States of America reserves all powers of government to the several sovereign states and to the people except those specifically allocated to the Federal Government; and

Whereas Americans, apathetically unaware of the magnitude of these losses, should be alarmed by the following partial list:

Citizens have been deprived of the right to own gold by Executive Order; the coinage of the nation has been debased; Silver Certificates have been withdrawn; and the dollar is being progressively devalued by inflation.

The right to know is abridged by bureaucratic practices of distortion or by classification of government information in order to withhold it, not only from the people but also from committees of Congress, and by Federal Communications Commission "guidelines" used to influence radio and TV programming.

The United States has been involved in two foreign wars without a declaration of war by Congress.

The right of parents to direct the education of their children is being increasingly curtailed by federal edicts; freedom of choice of schools and teachers is denied; children are being bussed in violation of the law.

The right to read the Bible and to pray in public schools is denied.

"Guidelines" in the implementation of the Gun Control Law of 1968 provide de facto gun registration by requiring detailed information from buyers of ammunition or materials for reloading shells for sports and recreation.

The right to sell or rent property has been sharply curtailed, and dictatorial use of the power of Eminent Domain often amounts to actual confiscation of property.

The right to conduct business is greatly hampered by numerous government regulations including; hiring and firing personnel; inspection of records; submission of innumerable reports; collection of withholding, sales, unemployment taxes and social security payments under severe penalties for noncompliance.

Farmers restrained by bureaucratic edicts, are restricted in the use of individual ingenuity and initiative, thereby limiting use of land, productivity, and hope of profit, thus depriving the nation of cheaper food and fiber for domestic use and for export;

Resolved, That the National Society, Daughters of the American Revolution stand firmly for the restoration and preservation of Constitutional rights of individual citizens.

CIVILIAN BENEFITS OF DEFENSE RESEARCH AND DEVELOPMENT AND SUPPORT OF ROTC

Whereas the military research and development work of our industrial and university laboratories—so often distorted and attacked—not only enables the United States of America to neutralize potential threats to our national survival but also has provided civilian life with "walkie-talkie" radios, computers, lasers (with their medical application), transistors, worldwide television and meteorological reports by satellite with new developments in concentrated foods and in nutrition; and with materials never found in nature, withstanding the heats, speeds and pressures that technological progress generates; and

Whereas the ROTC programs at nearly 300 of our Nation's colleges and universities not only supply the bulk of the Air Force, Army and Navy officers needed in times of national emergency but also strengthen the character traits of self-discipline, self-reliance and adult responsibility demanded of today's businessmen, executives and statesmen;

Resolved, That the National Society, Daughters of the American Revolution deplore the action of any member of a faculty, student body or news medium who joins through ignorance and/or intent in demonstrations against Defense Research and Development programs or the ROTC;

Resolved, That the National Society, Daughters of the American Revolution commend and support Department of Defense Research and Development and every reserve Officers Training Corps enrollee and instructor devoting his efforts to the survival of our Nation.

VIETNAM

Whereas, Vietnam peace negotiations in Paris have been in session since May, 1968, and have produced no tangible results; and

Whereas American casualties have soared during these months of negotiations; and

Whereas the heavy loss of American lives combined with leftist anti-war agitation and lengthy peace negotiations may lead to an American demand for peace at any price;

Resolved, That the National Society, Daughters of American Revolution call for an end to Vietnam peace negotiations, to be followed by a public pronouncement of United States objectives in Vietnam, determined after full consideration and possible repudiation of any entangling alliances which may hamper United States freedom of action in achieving military victory in Vietnam under direction of United States military strategists for a prompt and decisive settlement of the Vietnam War.

STUDENT SUBVERSION

Whereas "militant activists" and "student radicals" not only have wantonly burned college and university buildings, with losses running into many millions, have unlawfully occupied administrative offices and have destroyed irreplacable and invaluable records and property; but also have disrupted with physical violence, the educational pursuits of the great majority of serious and law-abiding students, all in the name of academic and intellectual freedom; and

Whereas the campus revolutionaries are now openly directing the violent disruption of education in the elementary and secondary schools across the nation, making demands which, if agreed to, lead only to more and unacceptable demands; and

Whereas the true purpose of most campus disorders is to tear down the existing structure of the educational institutions of the nation and to create a climate of anarchy in which to destroy the Republic of the United States; and

Whereas it is no secret that, to secure the downfall of the United States, the Marxist-Socialists have had long range programs to debauch American Youth; the success of these programs being manifest (1) in their rebellion against all authority, (2) in the widespread use of drugs, and (3) in the breakdown of religious and moral values;

Resolved, That the National Society, Daughters of the American Revolution urge immediate discontinuance of the payment of any tax monies:

(a) To any student at any college or university who has participated in any action opposing administrative authority and in defiance of the law, and

(b) To any faculty member who has participated in or encouraged any action opposing administrative authority, and

(c) To any institution of learning whose administrative officals have not enforced the regulations of the institution;

Resolved, That the National Society, Daughters of the American Revolution urge the thousands of Americans, who financially support the college of their choice, to consider the uses to which their money is being put and to withhold their support from those institutions which condone or compromise with student terror tactics;

Resolved, That the National Society, Daughters of the American Revolution commend the many students and educators (amended to include) who have maintained high standards of academic achievement and who have adhered to the principles of decency, morality and religious faith upon which this country was founded and which have resulted in the greatest degree of freedom and the greatest prosperity ever known to man.

SEX EDUCATION

Whereas sex education is not new, most high schools having for years conducted courses which teach the biological facts of life; and

Whereas there is a new and comprehensive sex education program being promoted by a private organization for use in all schools from kindergarten through high school; and

Whereas leading promoters of sex education have published a brochure in which they state (we) "can be neither for nor against illegitimacy, homosexuality, premarital sex nor any other manifestation of human sexual phenomena"; and

Whereas a reputable psychiatrist has stated that sex education should not begin in grade schools because there is a phase of personality development from about ages 5 to 12 when a child develops his physical and mental strength, and premature interest in sex will distort the development of the personality; and

Whereas there is deep parental concern that such instruction unconnected with spiritual and moral values could cause a disintegration of character and moral standards in an entire generation of American youth;

Resolved, That the National Society, Daughters of the American Revolution oppose any sex education in primary and grade schools because of the undesirable psychological effects and urge their members to do everything within their power to prevent the teaching of the physical aspects of sex unconnected with spiritual and moral values.

SENSITIVITY TRAINING

Whereas Sensitivity Training, incorporating self-criticism, is a form of instruction given small groups of persons by a trained leader who uses his power of persuasion to induce individuals to abandon self and personal privacy of body and thought and to submerge themselves into an homogenized group which then becomes an entity subject to the direction of the leader; and

Whereas Sensitivity Training under such names as T-Groups (Training Groups), Dynamics, Human Relations, Group Counseling and other pseudonyms is being promoted by educational, youth and rehabilitation groups and by many churches, business, industry, government and civic organizations; and

Whereas in spite of the alleged goals of Sensitivity Training—which are love, trust, freedom of communications—the programs often result in the loss of moral and ethical standards, abdication from social and personal responsibility, subversion of parental authority and could destroy the ability to distinguish right from wrong according to God's Law; and

Whereas many specialists in the field of psychiatry recognize self-criticism to be an integral part of the brainwashing technique used so destructively against American war prisoners in the Korean War, having originated in the U.S.S.R. in 1929 with the communist party slogan "Through Bolshevist self-criticism we will enforce the dictatorship of the Proletariat";

Resolved, That the National Society, Daughters of the American Revolution oppose Sensitivity Training programs and urge their members to make a thorough study of Sensitivity Training and then sponsor educational programs to publicize its inherent dangers.

ON DRAWING A LINE (PORNOGRAPHY)

Whereas it has been said that "art, like morality, consists in drawing a line somewhere"; and

Whereas on every side in this Nation we see moral decadence, coarseness of conduct and a general desecration of tradition—as evidenced in the printed and spoken word; in the theatre of cruelty; in motion pictures and in TV performances of brutishness, depravity and perversion; in the gyrations of popular dances; in the crudities of Op Art; and

Whereas it is a recorded goal of the Marxist world conspiracy and one of its rules for successful revolution to destroy the moral values of those nations whose governments the international socialists seek to destroy;

Resolved, That the National Society, Daughters of the American Revolution express their interest in the work of the Presidential Commission on Obscenity and Pornography and hope the Commission will conduct a comprehensive study of and an investigation into planned decadence in this Country to ascertain what elements are promoting and profiting by this lucrative traffic, and to identify those elements whether within or outside our borders; and

Resolved, That the National Society, Daughters of the American Revolution suggest such an investigation should formulate stern measures to curb this despicable business, beginning with a simple definition of pornography—in the belief that to survive, this Nation must acknowledge that "art, like morality, consists in drawing a line somewhere."

APPRECIATION TO THE PRESIDENT OF THE UNITED STATES OF AMERICA

Resolved, That appreciation be expressed by the National Society, Daughters of the American Revolution to the President of the United States of America for his message to the Seventy-eighth Continental Congress.

APPRECIATION TO THE PRESIDENT GENERAL

Resolved, That the National Society, Daughters of the American Revolution express to Mrs. Erwin Frees Seimes, President General, their sincere and grateful appreciation of her efficiency, courtesy, dedication and courage and for her inspired leadership in furthering the objects of our Society.

APPRECIATION TO THE CHAIRMAN OF THE RESOLUTIONS COMMITTEE

Resolved, That the appreciation of the members of the Resolutions Committee be expressed to the President General for the privilege of serving under Mrs. William D. Leetch, Chairman of the Committee, who has shown such unusual tact, knowledge, ability and discretion in handling her assignment.

COURTESY RESOLUTIONS

Whereas the 78th Continental Congress of the National Society, Daughters of the American Revolution has been instructive, inspirational and enjoyable; and

Whereas the overall result is due to those who planned and took part in the programs;

Resolved, That the National Society, Daughters of the American Revolution express their deep appreciation to the Officers, Chairmen, their Committees, Pages, and all who participated in the programs, particularly:

1. The members of the staff, their loyal and courteous service during the year as well as during the Congress;
2. The United States Service Bands and their enjoyable evening concerts;
3. The musicians, artists and choral groups for their contributions to the programs;
4. Our own All-American National Chorus of which we are so proud;
5. The speakers for their fine addresses;
6. The coverage of press, radio and television;
7. The police and firemen for their courtesy and protection;
8. Each individual who contributed to the success of this 78th Continental Congress.

NATIONAL TIMBER SUPPLY ACT

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. OLSEN. Mr. Speaker, prior to entering this distinguished body I had the privilege of being closely associated with local government in my home State of Montana. In Montana, as in other Western States and a good many other rural areas, the county is the key to effective local government. It is the county which determines the adequacy of the road system so essential to get crops and livestock to market. It is the county which bears the basic responsibility for schools. People in rural areas throughout the country look to the county for police protection and other fundamental services paid for by their taxes.

It is because of my fundamental interest in the welfare of the counties of the United States that I rise today to speak in behalf of the National Timber Supply Act of 1969. There is a close and continuing relationship between timber harvest and county revenues particularly with respect to the timber management of the national forests.

I want to make it clear at the outset that the Government land I am referring to in my statement is not wilderness area but commercial forest land managed by the Forest Service.

Under the law, counties where national forests are situated receive 25 percent of the revenues from timber sold off those local Federal timber lands. These funds are paid to the counties to help defray the costs of construction and maintenance of county roads and to help defray the cost of schools. It follows logically that the improvement of timber stands on the national forests and their better management will inevitably provide greater revenues and thus directly benefit the counties which, I would remind you, derive no property tax revenues from national forest lands lying within the county boundaries.

Perhaps of equal importance is the fact that the National Timber Supply Act will eliminate the necessity for the continuation of the Knutson-Vandenberg Act—16 U.S.C. 576—funds which are specified for reforestation of national forest lands which have been harvested. The Knutson-Vandenberg fund system, while serving a worthy purpose, has been a bone of contention between the counties and the Federal Government for many years. The inequities of the system have caused the introduction of numerous bills over the past 25 years. I have attended hearings on the issue. The amount of K–V funds—as they are called—deposited by the timber buyer varies widely depending upon the nature of the forest, the terrain involved, and other factors. Purchaser deposits for reforestation are a high percentage of stumpage costs, the apparent value of the timber sale is reduced and the 25 percent of receipts going to the counties is cut down.

There are county officials who feel that K–V funds tend to deprive the counties, therefore, of their fair share of timber sale revenues.

While the National Timber Supply Act does not repeal the K–V provisions, it will, when operating through the "high yield forest fund" make it unnecessary to use the act. It does not provide near enough money to do the needed cultural practices. The whole purpose of the proposed act is to stimulate better silvicultural practices which, of course, includes reforestation.

In essence the National Timber Supply Act and its funding methods will eliminate the counties' share of the timber sale revenues from being skimmed off the top for what is rightfully a Federal management expense. This is only right and just and will, in every case, work to the direct benefit of the citizens who live in those counties.

In terms of reforestation activities themselves, the National Timber Supply Act, while easing the counties' financial burdens, will provide more than 10 times as many dollars for reforestation as is now provided by K–V. Everyone benefits from this change and no one loses. This is rare legislation for this reason alone.

I am today directing these remarks by mail to the National Association of Counties urging that they solicit the support of every county governing body in the United States for the passage of the National Timber Supply Act. This act will respond to the President's plan to restore fiscal responsibility to local government and I thoroughly endorse both its intent and its climate effect.

THE DETERIORATING SITUATION IN IRAQ

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, April 22, 1969

Mr. JAVITS. Mr. President, I have been given a special report by the American Jewish Committee which describes the situation of the 2,500 Jews in Iraq as "deteriorating at an ominous rate." A situation of terror pervades the community there as restrictions are steadily tightened. The report speaks eloquently for itself. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

SPECIAL REPORT ON SITUATION OF JEWS IN IRAQ—AMERICAN JEWISH COMMITTEE

The situation of the Jews in Iraq is deteriorating at an ominous rate. The only ones working are a few teachers, a few businessmen and one professor whose services are apparently wanted and needed by the government. A system of self help, that is one family helping another had been built up; but even those who had are now joining the ranks of the have nots. There is want.

The people are terrified and terrorized. The ringing of the bell or a knock at the door is enough to frighten any of them. The fear was compared to that of the Nazi ordeal, and has brought the population collectively to an indescribably nervous pitch. The night of the executions the Chief Rabbi was asked to go to the prison to say prayers for the condemned men. He refused, as did his assistant; no doubt out of fear. Someone did go however, but was kicked out after only a few minutes.

It is reported that the hangings in Baghdad took place one by one in the presence of the other victims.

Restrictions have become intolerable. Personal effects cannot now be sold either. An entire family was arrested because a member sold a carpet. The explanation given is that such money will be spent to smuggle the people out of the country.

The economic situation of the Jewish community has reached a desperate point, and the oppressive policies continue. If there is any way through an international voluntary body or a friendly government to bring some assistance to this helpless group, it would be a life saving measure for them.

THE 1970 CENSUS

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. BOLAND. Mr. Speaker, the probing personal questions the U.S. Census Bureau wants for its 1970 census threaten to violate every citizen's fundamental right to privacy. I am cosponsoring a bill—H.R. 3778—that would clear away this threat by making wholly voluntary the responses to all but six basic census questions. This legislation would prevent the Federal Government from carrying out searching inquiries into a citizen's private affairs without that citizen's consent. But the bill—and this point should be emphasized—will not restrict or inhibit the Government's ability to gather the statistics it needs for planning and administering its programs.

We have read of the complex and wide-ranging questionnaire that the Census Bureau proposes to send into the homes of this country next year. Though the Bureau's Director, A. Ross Eckler, assured the Subcommittee on Census and Statistics of the House Post Office and Civil Service Commission in hearings on April 1 that the responses to this questionnaire would be kept strictly confidential, our mail reflects the opinions of our constituents who feel the requirement to answer some of the questions constitutes an unwarranted invasion of their personal privacy. And who should be in a better position to know when a question is too personal than the people who will be asked them?

In response to the mounting wave of criticism over the length of the form and the personal nature of the questions, the Secretary of Commerce recently informed Members of Congress that "questions relating to the adequacy of kitchen and bathroom facilities have been reworded to remove any implication that the Government is interested in knowing with whom these facilities may be shared." I am relieved to hear that the original 66-question form has been cut back to 23 questions, but I feel that these measures do not solve the basic complaint we have with the 1970 census; that is, individuals are still being asked to divulge what they regard as confidential information or else face the possibility of as much as 60 days imprisonment. No woman should be faced with the dilemma of admitting that she had borne illegitimate children or other personal information, possibly not even known by her husband, or face the possibility of a jail sentence. Admittedly, this is probably the most extreme example of the type of conflicts this census will create between the demands of the state and the individual's loyalty to himself and his self-respect. But an examination of the proposed census form and the many statements delivered by my colleagues on this matter in this Congress and in the 90th Congress have convinced me that the Senate Post Office and Civil Service Committee was correct when, in reporting a bill similar to H.R. 3778, it wrote on October 2, 1968:

> Census questions are broad and in some cases invade areas of citizens' personal households and activities which go far beyond the necessity for enumeration. Although State and local governments have expressed strong interest in obtaining such information for justifiable reasons (including the distribution of public funds for education, welfare, and related government purposes), imprisonment for refusing to answer or answering falsely is a penalty too great to impose on any citizen (S. Rept. No. 1610, 90th Congress, 2d Session).

The bill reported by the Senate Post Office and Civil Service Committee last Congress, S. 4062, which would have repealed those sections of the United States Code providing jail sentences for persons refusing to answer or falsely answering census questions, was approved by the Senate on October 2, 1968, which, unfortunately, proved to be too late for the House to act. H.R. 3778 includes the changes proposed by S. 4062, and, in my opinion, provides a basic improvement not included in that bill. In addition to eliminating prison penalties, H.R. 3778 would make persons liable for a fine of not more than $100 for failure to truthfully answer questions in the following areas only:

(1) name and address;
(2) relationship to head of household;
(3) sex
(4) date of birth; and
(5) visitors in home at the time of the census.

By restricting compulsory questions to these areas, Congress would be more closely following the constitutional purposes of a census, which are to provide the basis for congressional districts—Constitution, article 1, section 2, and section 2 of the 14th amendment. Questions on personal matters such as the number of bathrooms in a given residence are irrelevant to this purpose and therefore not within the constitutional intent of the census.

We do not doubt that statistics derived from questions asked about marital status, years of school completed, employment status, kitchen or cooking facilities, heating equipment, number of bedrooms, presence of washing machines, television, and many other questions, are helpful to the national, State and local governments and private industry as well. Some of this information may indeed be vital to the planning of governmental programs. Therefore, we do not propose restricting the nature of the questions asked. We only are telling the Census Bureau that they may not force a person to answer questions beyond five specific categories related to the constitutional purposes for the census. We are leaving it to the individual citizen to determine which questions are too personal for him to answer. There is no better way to protect the right of privacy in this area because no one can determine what invades a person's privacy better than that person.

I cannot see how asking for voluntary responses to most of the census questions would make the census, to use Secretary of Commerce Maurice C. Stans' words, "unreliable and practically useless." George Gallup, Lou Harris, and countless other polling organizations have been proving for years that you can take accurate surveys without threatening to fine or imprison the person questioned. In fact, we may find that the Census Bureau will get more cooperation from the public if they ask rather than require people to answer questions. I know that if someone came up to me and explained the reasons for asking various questions and asked for my cooperation, I would feel more disposed to answer than if he had said, "Answer these questions or else you will go to jail for 60 days." Next year's census will for the first time be conducted largely by mail. Distortion and failure to respond seems more likely under these circumstances than when the census was conducted by direct, personal interview. Surely, under these new conditions, we should try to obtain the cooperation of the people rather than their hostility.

Furthermore, we should act at this time to let the Census Bureau know that many of the questions included in the 1970 census, such as requests for information on previous marriages, value of property, and number of children borne by a woman, including stillbirths, touch upon personal matters which Congress believes should not be the subjects of a national survey. We should warn the census takers that although we are leaving the questions on this census to be answered voluntarily—since to completely remove them at this stage would involve great waste—the questions should be carefully reexamined and limited before the next census or else Congress may force them to make such restriction. We must demonstrate our recognition that a compulsory census on such personal matters increases the Government's power to conduct a regular, computerized surveillance of a citizen's every move, thought, word, and deed and represents a gratuitous intrusion by Government into the everyday lives of its citizens.

A recent Associated Press dispatch indicates that we must act soon on this problem. For even as the protests rise in Congress and throughout the land, under the orders of President Nixon, the administration has instructed the Government Printing Office to begin production of 150 million forms to be filled out by each household next year with the instruction that answers to the questions are mandatory. I believe that H.R. 3778 presents an ideal balance between the competing needs of the Government to know and of the citizen to retain some areas of privacy.

WORKWEEK 1969 AT SPRINGFIELD COLLEGE, A STUDENT-ADMINISTERED PROJECT DESIGNED TO RAISE FUNDS FOR BADLY NEEDED FACILITIES—WORKWEEK STANDS AS A POSITIVE REJECTION OF THE IRRESPONSIBILITY AND DESTRUCTION OCCURRING ON SOME COLLEGE CAMPUSES

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, April 22, 1969

Mr. RANDOLPH. Mr. President, students at Springfield College, Springfield, Mass., have initiated and administered a project—Workweek 1969—designed to bring contributions to the college to aid in the growth and expansion of that institution of higher education.

The Springfield undergraduate has seldom been given to noise or display but rather has chosen the currently unstylish path of cooperation. It is in this tradition and spirit that students of Springfield have foregone the placard and have instead chosen the shovel and paint brush as a means by which they offer aid to the capital fundraising campaign.

It is hoped that the goals of their efforts will be realized in the building of a library, a football-track-soccer complex, classrooms, and infirmary facilities.

Participating students are working in the Springfield community on a variety of odd jobs. The proceeds from their labors will augment funds being used to provide needed improvements.

It is gratifying to see students giving aid in a positive manner, so beneficial to themselves and their institutions.

This positive program was brought to my attention by Phyllis Lerner, a student of this institution. She is an alert and enlightened young lady.

THE BRUTAL TRUTH

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. DENNEY. Mr. Speaker, the April 13, 1969, issue of the New York Times contains an excellent article entitled, "The Brutal Truth" by C. L. Sulzberger. Having received permission, I insert the following in the CONGRESSIONAL RECORD:

THE BRUTAL TRUTH

(By C. L. Sulzberger)

SAIGON.—Last October the Central Office for South Vietnam (C.O.S.V.N.), Communism's executive committee for Vietcong operations, adopted a basic peace strategy which must be reversed by Hanoi if present efforts are to succeed. This basic strategy is called Resolution Eight and aims at "decisive victory."

"Decisive victory" is specifically described as: (1) American recognition of and negotiation with the Communist National Liberation Front (N.L.F.), now regarded as attained; (2)—American withdrawal from South Vietnam and destruction of U.S. military bases which "will certainly be accomplished"; (3) —creation of a "coalition government" in Saigon, including the N.L.F., to establish a "neutral South Vietnam."

TOTAL VICTORY

Such "decisive victory" is to be followed ultimately by what is called "total victory": independence, territorial reunification and a Socialist regime in [all] Vietnam." A later C.O.S.V.N. study session on Resolution Eight concluded:

"The enemy's rear is unstable. The puppet army and Government are disintegrating. . . . The fact that the Americans are talking with us in Paris means they have fallen into our trap. The fact that they declared an unconditional bombing halt over North Vietnam means they have recognized their failure."

To exploit this situation, Hanoi many weeks ago ordered "continuous, relentless and encompassing" offensives with "recurring climaxes and concentrating their main efforts on chosen targets." But it warned that Washington also is trying to find "a political solution to defeat us" and "we are resolved to defeat them in this situation. . . . We will defeat the enemy on the political front right in the United States. We will enlist the American people's support against the Vietnam war."

C.O.S.V.N. commanded its troops to "sustain your attack and don't let the enemy stop for a breath. . . . Build up secret self-defense and secret guerrilla strength in the urban centers. . . . Build up our strength in Saigon urgently for Saigon is the number one theater in South Vietnam. . . .

"The primary objective of the political struggle movement in Saigon is to voice the people's demands for peace, to topple the Thieu-Ky-Hung clique, to establish a progressive government to negotiate with the N.L.F. and to bring about American withdrawal."

C.O.S.V.N. concluded: "political weakness causes the enemy to suffer failure after failure in the strategic field and drives him to defeat. . . . We must engage in a protracted war and endure many hardships."

A subsequent analysis announced the Communists would cling to certain goals at the Paris negotiations including deescalation of the war and mutual withdrawal of all foreign troops in South Vietnam. It is reckoned that Hanoi can disguise its own troop withdrawal and later reopen "the war of liberation." This tactic is spelled out in documents taken from enemy corpses late last month.

General Giap, Hanoi's redoubtable commander, issued orders (also captured at the end of March) to sustain present attacks with a view to a "final major offensive either in May or the last part of June through the first half of July." Reinforcements for this effort are already marching down the Ho Chi Minh Trail in Laos toward South Vietnam.

SAIGON IS TARGET

This offensive would start only if there is no prior settlement in Paris and is labelled the Dong Khoi General Revolution. Saigon would be its primary target. There is even reference to "leveling" the capital. Special units are being prepositioned for attacks on Saigon's Tansonnhut airport, seat of the U.S. high command.

Several basic deductions can be made from these audacious plans. Although the Communists report their own high casualties accurately in order to insure adequate reinforcments will be sent, they exaggerate allied losses and distort the real military picture. They also rely heavily on "sleeper" agents hidden in Government-controlled areas and on accommodations reached with regions that are not as well "pacified" as Saigon thinks.

THE PRICE IN BLOOD

Communist troops already committed to this protracted offensive are being brutally punished. Nevertheless, Hanoi seems to reckon that if it continues paying the terrible price in blood, its own military resolution will outweigh Washington's political resolution. This hard-boiled audacity may yet prove justified.

Showdown could be deferred if, before May-June, the new Nixon peace initiative produces results. Otherwise there promises to be a terrible effort to raze Saigon. In either event the American people should be aware what Communist strategy calls for and what their own responsibility should be in helping their Government to articulate a response. For Communist strategy specifically reckons on "the American people's support" to secure its own victory.

POSTAL REFORM

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. JOHNSON of Pennsylvania. Mr. Speaker, the question of postal reform is now before the Post Office and Civil Service Committee. Today the chairman of the committee, THADDEUS J. DULSKI, appeared as a witness for the committee and outlined future plans. In connection with the hearing today, I received a letter from the Postmaster General explaining that he intends to submit to the committee legislative proposals for postal reform during the last week of May. I thought that the Members would be interested in the statement of both Chairman DULSKI and Postmaster General Blount, which I am submitting for the RECORD:

Statement of Hon. Thaddeus J. Dulski on Reformation of the Postal Establishment and H.R. 4, a Bill To Accomplish That Purpose Before the Committee on Post Office and Civil Service, U.S. House of Representatives, April 22, 1969

Mr. Chairman, for the record I am Thaddeus J. Dulski, Representative in Congress from the 41st District of New York.

To qualify myself as a witness, I will state that I have been a member of this Committee during all of my ten years and three months of service in the Congress. I also served as Chairman of the Subcommittee on Postal Operations during the 88th and 89th Congresses.

I am the author of H.R. 4, to modernize the United States postal establishment, to provide for efficient and economical postal service to the public, to improve postal employee-management relations, and for other purposes.

I am accompanied by Mr. Charles E. Johnson, a member of the professional staff of this Committee for nearly seventeen years, and Mr. Frank C. Fortune, a member of the regular Committee staff.

I believe it will be helpful, at the outset, to review the background of this hearing and our posture on the matter of postal reform at this particular time.

The United States Post Office has a more direct, personal, and day-to-day effect on more Americans than does any other Governmental function.

A healthy, efficient, and responsive postal service is a vital force in the economic, cultural, and social growth of the nation. A weak one is a danger to the American way of life.

For several years past there has been a growing awareness that our vast, sprawling postal complex is heavily overburdened and in deep trouble. Delays, breakdowns, errors, damage, and other inconvenience to the public have become more and more frequent.

Businessmen, public officials, and just plain citizens have demonstrated increasing concern with the condition of their postal system and the grave problems confronting it.

Public dissatisfaction is more widespread—and public demand for a change is more insistent—than ever before with respect to postal affairs.

Plagued as our people are by recurring rises in postal charges in the face of declining service, small wonder their mood is sullen. They feel they are entitled to a better deal all around.

There is, as well, unusual agreement among postal officials and independent authorities upon the need for sweeping reforms in postal policies and operations.

It is also a fact that public resentment soars to high levels whenever a pronouncement is made by a public figure criticizing the Post Office or warning that it is threatened with disaster.

In my experience, the most striking example of such a pronouncement by a public figure was the proposal on April 3, 1967, by former Postmaster General Lawrence F. O'Brien. He proposed that the Post Office be turned over—lock, stock, and barrel—to a corporation.

The immediate result was renewed clamor for major surgery in the postal establishment. The corporation approach was seized upon by sundry and assorted "experts" as the panacea for all postal ills.

The proposal was given impetus by the creation of a panel—called "the President's Commission on Postal Organization." This was on April 8, 1967, just five days after Mr. O'Brien's original suggestion.

Mr. Frederick R. Kappel, the highly regarded former Chairman of the Board of Directors for the American Telephone and Telegraph Company, was named Chairman of the Commission.

The Commission's report, entitled "Towards Postal Excellence," was submitted to former President Lyndon B. Johnson in July of 1968. The report strongly supports the corporation proposal.

Therefore, the two advocates for turning the Post Office over to a corporation are Mr. O'Brien, the architect, and Mr. Kappel, the signer of the Commission recommendations.

Yet, notwithstanding their strong advocacy of the corporation, both of these gentlemen have declined my requests that they testify before this Committee in support of their corporate recommendations. The requests were made early in March and again within the last ten days.

Each has stated that other obligations preclude his appearance here. Neither one has indicated any possibility of appearing in the reasonably near future.

I recognize that Messrs. O'Brien and Kappel, as private citizens, are under no statutory mandate to appear and testify.

Nevertheless, I do feel that they share a strong moral obligation—as the chief architects of a precedent-shattering change in historic public policy—to help complete the project they began.

It seems to me that the public interest demands they submit themselves to the requirements of established legislative process. It is my hope that both Mr. O'Brien and Mr. Kappel will be able to testify before these hearings are completed. I will continue my endeavors to arrange for their appearance.

The other major factor to be considered, of course, is the position of the new Administration on postal reform.

I have consulted at length with Postmaster General Winton M. Blount, and urged early submission of his official recommendations for postal reform.

The Postmaster General has advised me that he cannot be prepared to do this until the end of May. He also has urged that postal reform hearings be deferred until he can appear and testify at that time.

I fully appreciate the Postmaster General's situation, and his need to make certain that his official recommendation, once submitted, will serve the public interest.

He has been in office less than ninety days, and will have the responsibility of providing postal service long after he commits himself.

In contrast, the Kappel Commission conducted an exhaustive study, with a strong staff and at considerable expense to the Government, to arrive at its decision after a year and a quarter.

It was with the background of the Kappel report and my own intensive study that I introduced H.R. 4 at the start of the 91st Congress and declared that the most urgent issue facing us in 1969 is: "What we should do about the United States Post Office Department."

The issue has been intensified, now, by the Postmaster General's announcement that he will seek an increase in first-class postage, from 6 cents to 7 cents, as well as other postal rate adjustments to be detailed later.

Mr. Chairman, it is my firm conviction that positive steps toward postal reform must precede postal rate increases. First things must come first.

The public interest requires that we move promptly on postal reform.

THE NATURE OF POSTAL REFORM

Postal modernization has engaged a major share of my personal time and attention for the past 10 months.

I have made a thorough review of the Kappel Commission report and its four volumes of "Annex" material, as well as the records of certain existing Government corporations.

The Kappel report and annexes are comprehensive and analytical documents. I have been particularly impressed with their informative value with respect to the multitude of postal problems.

I strongly concur with the Commission's findings that postal reform is an immediate necessity, and that no private firm would be willing to take over the postal system.

I differ, however, with the Commission's conclusion that a postal corporation is the only answer.

All of the worthy purposes that a corporation might achieve can be gained just as well—and with far less risk of serious disruption—while keeping the post office as a direct executive function in the normal framework of Government.

I was prepared to begin hearing testimony a month ago. In deference to the Postmaster General's position, I delayed until after the Easter Recess.

However, I could not, in good conscience, agree to further postpone Committee action and have proceeded, pursuant to public notice, with the hearings beginning today.

It is not my intention, in doing so, in any way to compromise the Postmaster General's situation. The hearings will have no adverse effect on the development and presentation of his plan.

He has my personal assurance that his official proposal will be welcome, when presented, and will receive full consideration by the Committee.

At the same time, I feel it is the direct responsibility of this Committee to take and to maintain the initiative in a legislative field that is of such vital concern to all of us.

As to postal rate increases, it is noteworthy that the third round of the heavy ones imposed only 16 months ago by Public Law 90–206 has not even taken effect yet.

In my opinion, the American public would reject outright a new round of rate increases unless the Congress first takes positive steps to improve postal service.

What I have said, Mr. Chairman, establishes the general frame of reference in which I ask the Committee to consider the relative merits of my bill, H.R. 4, and the corporation approach recommended by the Kappel Commission.

Each presents a suggested means for the solution of the many postal difficulties.

Each is the product of painstaking study of the postal system and of all possible means to improve it.

Each, in my judgment, represents one of the most comprehensive proposals to modernize the postal service yet placed before the Congress.

And each, I am sure, has been offered with equal good faith and concern for the public interest.

I certainly agree that major changes—possibly even radical changes—are needed in our postal policy and practices.

But I find nothing to prove that the only satisfactory remedy is to turn this great service over to a corporation.

We must take care that the cure is not worse than the illness. I think that this error could occur if we made the drastic changeover to a corporation.

A government corporation is justified only when a necessary governmental task cannot be accomplished in the normal Government process. This is not the case here.

The Post Office Department and its 700,000-odd employees are doing a remarkable job in the face of the burdens imposed on them.

They stand ready, willing, and able to do an even better job if we will only free them from existing handicaps.

As I have said, my studies show that every reform possible to a corporation can be achieved more quickly and effectively by sound legislation within the present framework of Government.

Most important, I believe this can be done without the inevitable disruption and turmoil involved in a change-over to a corporation.

My postal reform bill, H.R. 4, is intended to provide a responsible alternative to the corporation for the Congress to consider.

The bill is directed primarily to the three fundamental areas of change that are needed to permit the Post Office Department to do well the job for which it was created.

First, top postal management must be given authority, consistent with its responsibilities, to provide an efficient and economical postal system.

Postal management now is severely and unjustly hampered in its efforts to administer the Department in a businesslike way.

Second, there must be provision for the Department to install and utilize an updated financial policy that is fully responsive to operating needs.

The present financial arrangements are a hodgepodge of sometimes conflicting and often obstructive limitations. Immediate corrective action is required in at least two phases of the Department's financial activities.

And third, postal employee-management relations are in a sad state of disrepair and must be modernized to fit today's needs.

My bill would reorganize and greatly strengthen the postal establishment in these three vital areas, as well as in its related activities. It would retain the postal establishment as a regular Government Department, with the Postmaster General a member of the President's cabinet.

I sincerely believe that enactment of this bill would not only accomplish most of the Kappel Commission's recommendations, but, also, would truly achieve our own goal of "postal excellence."

A fairly comprehensive summary of H.R. 4 is on each Member's desk this morning. I commend it to the attention of the Members for purposes of our discussion.

I would like at this point to make some general comparisons of the major provisions of the bill as they relate to the five recommendations contained in the Kappel Commission's report.

The first recommendation of the Commission is "that a Postal Corporation owned entirely by the Federal Government be chartered by Congress to operate the postal service of the United States on a self-supporting basis."

The Postmaster General already has full management responsibility but he lacks a necessary measure of authority and flexibility of operations.

My bill retains the Post Office as an executive department headed by the Postmaster General, but—for the first time in history—it would grant a measure of authority and flexibility that is equal to his level of responsibility.

Thus, it would enable the Postmaster General and his Department to do every necessary thing that a corporation could do.

Under H.R. 4, the Department would have the objective of supporting itself from its revenues, with the exception of public service allowances, which would continue to be subject to Congressional scrutiny and appropriation.

The Department would be enabled to use its own revenues to pay its own expenses free of present overly-restrictive budgetary and appropriation limitations.

Provision is also made for periodic semi-automatic postal rate adjustments through a "Quadrennial Commission" whose recommendations would be submitted to the President once every four years.

The President would use the Commission's recommendations as the basis for rate proposals to Congress. His proposals would take effect as law in 120 days unless either the House or the Senate voted changes, in part or in full.

The second Kappel Commission recommendation is "that the corporation take immediate steps to improve the quality and kinds of service offered, the means by which service is provided and the physical conditions under which postal employees work,"

My bill provides a strong foundation for modernization of postal plant and equipment. It establishes a new Postal Modernization Authority, a body corporate headed by the Postmaster General.

The Authority would act as a "holding company" for all property and equipment, with authority

1. To issue, finance, and retire bonds secured by the property.

2. To conduct a vigorous research and development program.

3. To lease needed property and equipment to the Post Office Department on a cost-recovery basis.

The Postal Modernization Authority would be subject to the Government Corporation Control Act.

The third Kappel Commission recommendation is "that all appointments to, and promotions within, the postal system be made on a nonpolitical basis."

Title II of H.R. 4 prohibits all kinds of political recommendations, influence, and interference in the appointment of postmasters.

It also extends this prohibition to all other types of undesirable pressure or influence from any other source.

The fourth recommendation of the Kappel Commission is "that present postal employees be transferred, with their accrued Civil Service benefits, to a new career service within the Postal Corporation."

The recommendation also includes a general proposal, but no specifics, for a system of collective bargaining to negotiate and fix the pay, fringe benefits, and conditions of employment for non-managerial employees.

My bill contains a complete and specific labor-management relations program. It embodies all of the essential policies, principles, practices, and procedures that have been adopted in modern, progressive private enterprise.

It provides for (1) compulsory arbitration, (2) settlement of disputes in disagreement by an independent Labor-Management Relations Panel, and (3) clear-cut standards and guidelines for both management and labor in the field of employee-management relations.

The fifth and last recommendation of the Kappel Commission is "that the Board of Directors, after hearings by expert Rate Commissioners, establish postal rates, subject to veto by concurrent resolution of the Congress."

As pointed out earlier, H.R. 4 provides for periodic review and adjustment of postal rates by a Quadrennial Commission for the purpose of returning cost, exclusive of public service.

It also provides a semi-automatic procedure for proposed rate adjustments to take effect as law without the necessity of extensive, frustrating, and often bitter consideration of the complexities of postal rates before Congressional Committees.

Mr. Chairman, several of our colleagues on the Committee have sponsored postal reform bills of their own. Copies of those bills are at each Member's desk.

I am sure that their testimony in support of those measures will be of great value to the Committee. Suitable arrangements can readily be made for them to testify when they desire.

Additional dates thus far set aside for continued postal reform hearings are April 29th and 30th and May 6th, 7th, 14th, and 21st.

In the meantime, I will continue my efforts to have Mr. Lawrence F. O'Brien, as the chief architect of the postal corporation approach, and Mr. Frederick R. Kappel, who signed the report recommending that approach, testify before the Committee.

This concludes my statement, Mr. Chairman. I will be glad to respond to any questions to the best of my ability.

THE POSTMASTER GENERAL,
Washington D.C., April 21, 1969.

Hon. ALBERT W. JOHNSON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This letter is a formal acceptance of Chairman Dulski's invitation for me to appear before your Committee during the first week of June to present the Department's views and recommendations regarding Postal Reform legislation.

The Department is presently reviewing all facets of the Postal Service in order to develop a comprehensive postal reform proposal. Our plans call for submission of the Department's legislative proposal during the last week of May.

On behalf of the Department, I want to express our deep appreciation for the willingness of your Committee to defer making even tentative policy decisions on this extremely important and complex matter until the Department has had an opportunity to fully develop and present its comprehensive legislative proposal on postal reform.

As I have previously told Chairman Dulski, it is my firm conviction that it would be highly irresponsible for this Department to submit comprehensive postal reform legislation until the new postal management team has had an opportunity to fully analyze the problems of the Postal Service. During the very short time since we assumed responsibility for the operation of the Department, we have been extremely busy in recruiting top level personnel to fill the highly responsible positions in the Department, in addition to attempting to solve the day-to-day problems which confront us.

I believe it is critically important that the postal reform legislation, which is eventually passed by the Congress, be a bill which encompasses complete and major postal reform. To enact anything less would not be in the best interest of the Postal Service itself nor for the American citizens who demand and deserve the very highest quality of postal services.

I want to take this opportunity to express my complete willingness to cooperate with your Committee as it considers the long-range needs of the Postal Service. I am looking forward to the opportunity of appearing before your Committee, after we have had an opportunity to carefully analyze the problems confronting this Department and to submit our postal reform proposal to the Congress for its consideration.

To appraise the other Members of the House Committee on Post Office and Civil Service of the Department's views, at the outset of its scheduled hearings, I have taken the liberty of sending a similar letter to each of the other Members.

Sincerely,

WINTON M. BLOUNT.

TODAY WE CELEBRATE THE BIRTH OF J. STERLING MORTON, NEBRASKA PIONEER WHO FOUNDED ARBOR DAY

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. CUNNINGHAM. Mr. Speaker, today, Nebraskans celebrate the birthday of J. Sterling Morton, a great conservationist who served as Secretary of Agriculture and was the founder of Arbor Day.

The first observance of Arbor Day—a day set aside to plant trees—was almost one century ago, April 10, 1872. The Nebraska Legislature made Arbor Day a legal holiday in 1885 and changed the observance to April 22 to honor Morton.

From the work of this Nebraska pioneer, whose home was near Nebraska City, most States have an observance of Arbor Day. However, the date differs, depending upon the climate suitable for the planting of trees.

Arizona, Texas, Alabama, and other States in warmer climates observe Arbor Day in February. Florida's observance is in January.

In West Virginia, the climate is suitable for tree planting in both spring and fall and the Mountain State has an observance in each season.

J. Sterling Morton's home, Arbor Lodge, at Nebraska City, is now a Nebraska State park. It is a magnificent colonial mansion surrounded by 65 acres of woodland, including apple orchards.

Mr. Speaker, we Nebraskans are indeed proud of this conservationist whose statue is in the Hall of Columns of the Capitol along with those of other great Americans.

ACTIVITIES OF U.S. ANTI-COMMUNIST CONGRESS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. WYMAN. Mr. Speaker, several organizations in the United States are engaged in continuing efforts to remind Americans of the incompatibility of communism with our way of life. Pure incompatibility would not be particularly significant if it were not for the additional fact that Communists continue dedicated and committed to the replacement of our way of life by conversion to communism through whatever means may be necessary including force, violence, and subversion. Much of our domestic violence of late has followed nonnegotiable demands both on and off the campus from individuals and groups with established records of Communist activity or association. Not all, nor even perhaps a majority, but some, and most of these have been activists or ringleaders.

One of the American organizations seeking to help keep Americans alert to the continuing Communist subversion is the U.S. Anti-Communist Congress, Inc. headed by Wilson Lucom. Recently President Lucom's organization has printed in considerable quantity an educational stamp in which a member of the crew of the U.S.S. *Pueblo* has expressed interest for understandable reasons. At this point in the RECORD I include interesting correspondence relating to this educational activity by the U.S. Anti-Communist Congress:

UNITED STATES ANTI-COMMUNIST CONGRESS, INC.,
Washington, D.C., April 16, 1969.

Hon. LOUIS C. WYMAN,
U.S. House of Representatives, Cannon House Office Building, Washington, D.C.

DEAR MR. WYMAN: The United States Anti-Communist Congress has created a very effective psychological weapon against communism in its educational stamp which has on it a picture of the Communist Hammer and Sickle with a large "X" crossing out the Communist Emblem. This message is understood all over the world in any language. In addition, the stamps contain the slogan "America Yes; Communism No!" together with our address.

One hundred million of these stamps have been distributed to date throughout the United States. We are receiving inquiries from many foreign countries as well as from the United States.

We have even had an inquiry from Peter M. Langenberg, a member of the crew of the U.S.S. *Pueblo*, who said he saw our stamp and is in sympathy with our organization. Attached is a copy of his letter.

Sincerely yours,
WILSON C. LUCOM,
President.

Attachment.

U.S.S. "PUEBLO,"
San Diego, Calif., January 31, 1969.

U.S. ANTI-COMMUNIST CONGRESS,
Washington, D.C.

DEAR SIR: On the back of a letter that I recently received there were several "stamps" similar to Christmas seals. Immediately I spied the words "anti-communist". Having spent several months in one of the thirteen "workers' paradises", I am in sympathy with your organization though I know nothing of it. Could you please send me some of your propaganda. I am certain that it would be well received by other shipmates of mine aboard the late U.S.S. *Pueblo*. Thank you.

Sincerely yours,
PETER M. LANGENBERG.

FEDERAL WATER POLLUTION CONTROL ACT

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. LANDGREBE. Mr. Speaker, I would like to commend my colleagues in the House for their wise and prudent action in passing last week the Federal Water Pollution Control Act. This legislation, which provides for the control of pollution by oil, requires owners of vessels which have discharged oil to pay the costs of cleanup, provides for control of sewage from vessels, and the cooperation of all Federal agencies in the control and prevention of water pollution, is both necessary and long overdue. It has been my conviction that effective programs must be established to control the dumping of refuse and the discharge of wastes into all navigable waters from vessels. I have come to this realization over the last 10-year period, particularly as I have seen the waters of Lake Michigan, whose shores border on my district, become increasingly polluted because of the waste materials discharged by oceangoing vessels.

The problem of water pollution, of course, does not only affect Lake Michigan, but all of the Great Lakes as well as many inland streams and waterways. The bill which we have passed is a step in the right direction to improving and controlling our water pollution problems. It provides for strict penalties of up to $10 million as the cost of cleanup which the owner of the vessel guilty of pollution may be charged.

It is my conviction that with the opening up of a deep sea harbor in the Second Congressional District of Indiana, which I represent, there is an urgent need that this legislation which has now passed the House and well be sent to the Senate be enforced. We must be willing to use our skills and the necessary resources to solve the problems of pollution if we are to save our water, shoreline, and beaches from contamination as well as to prevent the severe effects pollution has on fish, wildlife, recreation, and our national health and safety.

WHOLESOME FOOD FOR THOUGHT

HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. WIGGINS. Mr. Speaker, all Members of this body receive hundreds of pieces of mail commenting, sometimes ineptly sometimes forcefully, upon the issues of the day. These letters are often a Congressman's closest link to his constituents.

When an informed citizen takes the time to write his Congressman, and states his positions succinctly and well, it behooves all of us to listen.

It is for that reason, Mr. Speaker, that I ask that a recent letter received by me from Mr. Bob Lancaster, of Santa Fe Springs, Calif., be included at this point in the RECORD. His remarks provide wholesome food for thought for all of us in this body:

MARCH 27, 1969.

Congressman CHARLES E. WIGGINS,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WIGGINS: You are my man in Washington. Your voice is my only voice in the House. And that's why I'm writing to you now.

Your "Special Report" letters always tell me something. Your most recent letter outlines the need for an A.B.M. defense system, an up-dated Navy and a merchant fleet.

Consideration of these critical needs are a long time coming. And at this "late hour" it isn't a question whether the American people are willing to pay the price. It's too late to have a choice. We must pay the price even if it means a few unemployed astronauts and a few moon vehicles put in mothballs.

Perhaps more down-to-earth thinking will help guarantee safety to Americans at home and on the high seas. And restore the eagle as our national bird.

If there are still shortages and surpluses left from seven years of "preserving South Vietnam's independence" . . . it is a shortage of wisdom and guts . . . and a surplus of top brass wearing hats lined with dove feathers.

During the last two decades Washington has been the peace-mongering capital of the world. A "half-way" house. A soothing and smoothing hall . . . where ideals for both national and international justice have been pushed out to make room for the champions of appeasement.

Peacebunglers will never, never end a war by trying to negotiate peace with an enemy who hates everything we are and believe. And the "appeasers" don't stand a chance in a fight either. East-West Germany, North-

South Korea, and North-South Vietnam are only the beginning if we don't change our ways.

We could still be fighting Japan if we hadn't demanded an unconditional surrender, prefaced by a demonstration of punishment to their homeland. This got the message to their people, and their leaders suddenly became serious about talking. Men simply don't take action until it affects them personally. (Incidentally, Japan was better off, with America's business encouragement, after peace was established!)

A signal that something is wrong is the disgusting attitude our government has towards Peru. Allowing that country the satisfaction of pushing us around, only gives other nations a license to do the same. Tuna boat incidents are just as satisfying to Peru as the *Pueblo* capture was to North Korea.

It is also evidence to our own people that the United States no longer goes to the aid of its citizens . . . civilian or military, when attacked by a foreign navy craft on the high seas.

That's why I'm for the United States to act now on building a new Navy . . . equipped with up-to-date gear. And most of all, manned by men given authority to act without holding six months of committee meetings first.

You have stated your intent to support those appropriations to defend this country against all enemies. You and your colleagues are the only Americans of this hour who can authorize the re-establishment of United States military strength . . . to a force strong enough to cope with any enemy . . . including those who dwell among us! But it will never happen while Congressmen are play-acting before an audience they want to please. Your work is not to win popularity contests . . . in your home towns . . . your districts . . . your states . . . your country . . . or anywhere else in the world. Things that are good for the country may not be very popular.

In the tradition of our heritage . . . men of wisdom would enter the Capitol Building with lumps in their throats, full of awe. And they would enter the House chamber with tears of disgust for being such cowards in not taking action . . . for fear of offending those who might not like us if we show too much military muscle.

Mr. Congressman, haven't we been down this blind street before? Thirty years ago Congress was dilly-dallying with their pledge to defend the United States against two enemies . . . Nazi Germany and Japan . . . even though these nations had already informed the world of their intentions.

Two years later our President and Secretary of State thought they could sit down and talk . . . and make agreements with Japan. Patriotic and well-informed men were shocked at the naval-air attack on the United States. Is Pearl Harbor such ancient history that the hard lesson cannot be applied to what Russia and China will do . . . if we continue to display our weakness. Can we stop an attack on New York, Chicago, Los Angeles or the Panama Canal? What would happen if an attack was successful?

The seats of Congress are filled with a different American than 30 years ago. These "later day patriots" are knowledgeable men. Informed with up-to-the-minute, high-speed communication, plus the convenience of computor-digested facts and data . . . and they can be on the scene in person anywhere in the world . . . in a few hours.

They are educated beyond the dreams of their forefathers. But, Mr. Congressman . . . well-informed, highly-educated people are not necessarily wise thinkers. Wisdom is not the product of a computer. Wisdom is not even a product of an overabundance of education. Wisdom is a product of observation . . . and observers are saying when America gives up respect for God, for country, for manhood, for womanhood, for marriage . . . and when the people lose self-respect, and respect for decency and order: then America will become another *has been* among the nations of the world. Let's not go the way of Spain, France and England.

Let's not make it easy for Russia or China by becoming senseless and defenseless. The United States stands to lose everything we believe in by putting trust in these two enemies of freedom. Look at their record . . . both have batting averages of zero for contributing to world peace. They both would like the United States out of their way. Russia cannot advance on Europe or Africa . . . and China cannot advance on the balance of Asia as long as the United States is a threat. What we need is a strong Navy, equipped with offensive weapons. And our own merchant fleet . . . instead of one we rent from the Greeks or the Japanese.

Those are my thoughts, Mr. Congressman direct from me to you. Because you are my man where it counts the most . . . where the roll is called.

Very truly yours,

BOB LANCASTER,
President.

NO REASON TO FEAR HISTORY'S JUDGMENT

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. SHIPLEY. Mr. Speaker, Dr. George S. Reuter, Jr., recently spoke to a service organization in Vermillion, S. Dak., concerning a great American, Lyndon B. Johnson. All of us know of the great worth of our former President in aiding mankind, but we may neglect to voice it. I thus extend my remarks in the RECORD and ask that "No Reason To Fear History's Judgment," be included:

NO REASON TO FEAR HISTORY'S JUDGMENT

(By Dr. George S. Reuter, Jr.)

INTRODUCTION

On November 29, 1963, I spoke on the subject "From Roosevelt to Kennedy to Eternity." At that late date, I had serious doubts about Lyndon B. Johnson as our President, but events have demonstrated that he will go down in history as one of the greatest of our chief executives. There was a time when I had doubts concerning President Harry S. Truman, yet time placed me on the side of historians and now we all agree he was one of our great leaders. Just as President Truman would have been elected again in 1952, so would President Johnson in 1968. In the former case, historians have validated this opinion, and the recent poll of the most popular Americans for 1968 indicates my thesis concerning LBJ is correct. President Johnson was ranked ahead of all Americans save President Eisenhower. Winning an election, however, is different from becoming a great President. I am convinced he has no fear from history's judgment either. A few of the reasons follow:

1. He demonstrated deep interest in the welfare of all mankind. One is reminded of Hemingway's novel *For Whom the Bell Tolls*. The novel derived its title from a 17th century sermon delivered in England by the Rev. John Donne. When anyone died in those days, the news was announced by ringing the bell of the village church. Hearing that solemn sound, the men would leave their shops and come in from the fields to inquire for whom the bell tolled. In the course of his remarks, the clergyman said: "No man is an island entire to himself. Every man is a piece of the continent, a part of the main. If a clod be washed away by the sea, Europe is less, as well as if a promontory were, as well as if a manor of thy friends or thine were. Any man's death diminishes me, because I am involved in mankind; and therefore, never ask for whom the bell tolls—it tolls for thee." LBJ reflected this interest in mankind.

2. He demonstrated deep concern by the outstanding domestic legislation he secured. Many centuries ago Plato wrote that "the direction in which education starts a man will determine his future life." The truth in his statement has never been more widely acknowledged than it is today. For today we are living in a period which future historians may refer to as the age of education. In the past five years the Congress has passed more than 40 bills supporting education.

LBJ imagined himself moving into the Presidency as another FDR, whose name for thirty years he often quoted. A few weeks ago David Wise wrote in "The New York Times Magazine:" "At the end of the day his face, creased with fatigue, is curiously Rooseveltian, not unlike the large portrait of FDR that hangs on the wall above Mr. Johnson's rocking chair." LBJ and FDR were giants in achieving domestic progress while in office.

3. He demonstrated leadership in selecting outstanding cabinet members and aides. Also, he was not afraid to retain able officials inherited from his predecessor such as Dean Rusk, Stewart Udall, Willard Wirtz, and Orville Freeman. His selection of Wilbur Cohen and Ramsey Clark will always be praised.

The accumulated grievances of centuries; the sudden disenchantment with a society that has failed to solve its problems; the traditional rebellion of the young against the old now taking bizarre and even riotous forms—these all call for the genius in human relations. Our society today faces not one but two revolutionary challenges. One is the now familiar revolution of rising expectations. The other is a new and pre-emptive revolution of rising impatience. LBJ was constantly solving these problems and planning wise answers for the future.

4. He demonstrated concern for the issues by constantly improving the status of mankind. Today many of our children are damaged by our failure to stimulate them intellectually in the years when they are most eager to learn—between birth and age 6. They are crippled for life because we have ignored their innate curiosity and their deside for achievement. These children, particularly the socially and culturally deprived child, could be given a head start in learning through creative, stimulating experiences in day care centers, nurseries or kindergartens. Yet few communities have been willing or able to provide these services. In the 1966–1967 school year only 148 of the nation's 11,970 public school systems with 300 or more pupils enrolled had nursery schools. In 1966, about 25 percent of all 5 year olds did not attend kindergarten or school. Eighty percent of all 4 year old children were not enrolled anywhere. Here is just one area where LBJ moved mankind ahead.

5. He demonstrated the need for justice and fair play. Two documents have profoundly affected mankind. The Divine Decalogue was one and it was handed down from Mt. Sinai, amid thunder and lightning, to Moses in 1491 B.C. The other; the U.S. Constitution was adopted in Philadelphia on September 17, 1787. Instead of abusing our great and benevolent government for its few glaring faults, all of us should offer up thanks that it is the chief means by which we have become the freest, safest, most secure, most prosperous, most enlightened people in all the long and tragic history of the human race.

Now, LBJ has encouraged, from his rich background, a new attack of the difficult issues. For example, the story of the Negro in American law is one of horror. Our treatment of the Negro has forced us to live with a crisis of conscience, as we confronted the difference between the actual and the ideal in our law. The challenge has required moral exertion and strengthened the moral element. It has fortified the capacity of our order for self-realization, in requiring custom and history to yield in the end to constitutional principle.

When the cancers of rivalry, fear, prejudice and hatred between classes and races have been exorcized; when mutual concern and cooperative effort have come to be the rule rather than the exception; when justice and equality of opportunity overwhelmingly prevail, there will still remain profound and critical needs of human life to be met in the realm of the spirit. As the problems of American minority groups are caught in the glare of the public spotlight and ugly events expose our neglect of these problems, the plight of all minorities—including the American Indians—must no longer remain hidden in the shadows. Yes, for example, the magnitude of the Indian problems may be measured by the depth of its roots which go back through 450 years of exploitation.

LBJ acted wisely in this area, but difficult questions must still be faced with sensitivity. Nor can we ever be ashamed to speak of humaneness, of rehabilitation, of justice—these are essential to the spirit of mankind. When the history of freedom and justice is written, one of its greatest chapters will be of the progress toward equality for the American Negro from 1961 to 1969.

6. He demonstrated the need for orderly protests but has been critical of protests without reason. The American people have rallied to protect the U.S. Supreme Court against the enemies of law in a thousand battles, and they will do so again, in the dangerous conflicts in which we are engaged today. Yes, we appreciate the labors of the Court in maintaining the balance of our federal system. I salute LBJ in his stand to extend orderly protests to the dialogue stage. Neither of us will tolerate insane or un-American riots by students or adults.

7. He has demonstrated the necessity to be right regardless of "passing" praise. LBJ saw the necessity to save Asia's "soul." He didn't misjudge the danger, but no honest or moral American can seriously question his reasons for leading this nation along the path started by Eisenhower and Kennedy—the necessary conflict. He acted to arrest Communism in Vietnam. Just as President Truman acted properly in Korea, Greece, and West Germany, so LBJ followed the established guidelines of his predecessors. Vietnam costs us about $30 billion a year and has taken some money from the general welfare programs, but LBJ has proved that we can have both "butter and guns."

CONCLUSIONS

Fate brought Lyndon Baines Johnson to the Presidency at a most critical hour. One is reminded of Tennyson's words:

> "Ah! when shall all men's good
> Be each man's rule, and universal peace
> Lie like a shaft of light across the land,
> And like a lane of beams athwart the sea,
> Thro' all the circle of the golden year?"

LBJ was 40 years old when he moved into the U.S. Senate and now, leaving the White House and public life, he is 60. He has been in the U.S. House of Representatives before. He thus had the opportunity of about 30 years to work his way into history, and he has been remarkably successful in this area. He was thought by many writers and politicians to be about as unpopular as Herbert Hoover was in 1932, but now the polls shows LBJ to be extremely popular. No President ever ended his tenure with any higher status. In the past the public esteem of a President during his period in office has borne no particular relationship to future judgment, hence we have not built our case on this single point.

He can look back with satisfaction of five great years. He presided over a new age of progressivism. He has been subjected to as bitter criticism as any President in history. He has been the victim of vulgar snobbery because of his Texas origins and manners. The Bible says, however, "by the fruits ye shall know them." LBJ is indeed known for the fruits of his labors and will always be admired with a deep sense of gratitude by the people he was privileged to represent in both Houses of Congress and by the people of all sections of America and those who love democracy around the world. There are many good people, a few great ones, and LBJ is beyond a shadow of a doubt in the latter classification.

CALIFORNIA FLOODS—VOLUNTEER HELP

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. PETTIS. Mr. Speaker, the English man of letters, Samuel Johnson, said that "adversity has ever been considered the state in which a man most easily becomes acquainted with himself." It occurs to me, Mr. Speaker, that if this is true with individuals it is also true of communities. The floods of southern California which caused incalculable damage, have also brought to light qualities of human compassion and good will that, in my opinion, deserve recognition. I refer, Mr. Speaker, to men from the California Department of Corrections who cooperated with other groups in the region to bring assistance and relief to citizens in my district who suffered from the devastating floods.

Crews from the Pilot Rock Conservation Camp, north of Crestline, from the Prado Conservation Camp, south of Chino, the Don Lugo Conservation Camp, south of Chino, the Rainbow Conservation Camp, near Fallbrook in San Diego County, Puerta La Cruz, in San Diego County, and the Oak Glen Civilian Conservation Center near Yucaipa, with the personnel from the division of forestry, gave over 20,000 man-hours helping citizens in seven communities deal with the ravages of the flood.

Four conservation camp crews each consisting of approximately 17 well trained and equipped men worked several days and nights in flood fighting activities in the Forest Falls area northeast of Redlands. A deep snowfall with heavy water content had to be removed from many of the homes to prevent loss of life and property from roof cave-ins. The work of these crews was directed by local fire chief, Leonard Campbell.

The extremely heavy snowfall in the higher mountain elevations had overtaxed the capacities of the San Bernardino County Road Department and the division of forestry was asked to assist. For 6 days and nights four large bulldozers worked to open roads in the Green Valley Lake, Arrowbear, and Smiley Park resort areas. This operation was critical as the permanent residents needed access for supplies and medical attention.

Four 17-man crews worked 4 days on a sandbagging operation to prevent flood damage to homes and installations in the path of the Cucamonga Creek which had overrun its normal channel.

The heavy rainfall and strong winds caused many trees to go down blocking mountain highways in the Crestline and Cedar Springs area. A conservation camp crew worked several days sawing up these trees and removing timber and debris opening vital roads in this area.

A few miles downstream from the flood-ravaged community of Mount Baldy, the road into the Barrett Canyon homesite area was completely washed out. This area contains about 24 homes, a few of which are occupied by permanent residents who were totally isolated from any kind of assistance. A temporary footbridge was constructed so inhabitants in this area could have access to obtain necessary supplies. Mr. Don Henley, coordinator of the Civil Defense Office for the county of San Bernardino, called on conservation camp crews to assist in rehabilitating homes damaged by flood waters and heavy sediment deposits.

An informal community disaster committee including Mr. Guy H. Habenicht, of the Loma Linda Chamber of Commerce, Dr. Howard B. Weeks of Loma Linda University, and C. W. Shay of the California Division of Forestry surveyed damage in the Loma Linda area and then organized and directed a large force of volunteer workers from the university. Conservation crews did much of the heavy work in this area, digging out homes from February 27 to March 7. In order to obtain more hours of productive work by the crews, the Division of Forestry established a field kitchen and funds for the purchase of food were provided by Loma Linda University, the Chamber of Commerce at Loma Linda, the American Red Cross, and the county of San Bernardino.

Volunteer coordinator for Yucaipa, Mr. Jose Mulder, directed the work of four conservation crews in bringing assistance to those whose homes were damaged or destroyed in the Dunlap Acres settlement in Yucaipa. This assignment was completed after 5 days of work under the supervision of Assistant State Forest Ranger Larry Young.

Enthusiastic expressions of gratitude were voiced by community leaders in all these areas as well as by county supervisors. County supervisor, Don C. Beckord, whose district sustained heavy damage, observed that he "simply could not say enough in praise of the men who worked so tirelessly in bringing help to flood victims."

Jack D. Burke, State forest ranger, reported several acts of heroism and many examples of action above and beyond the call of duty by participating inmates.

Recognition should also go to the U.S. Army Engineers and to the U.S. Marines who participated in rescue operations, and to the American Red Cross whose representatives worked tirelessly to bring relief to those whose homes were damaged or destroyed by the flood.

I am proud, Mr. Speaker, to share with you and Members of this House my feelings of gratitude and commendation for those who worked so unselfishly in meeting authentic human need. Their performance is an inspiration to all who saw them in action.

A STATEMENT OF CONSCIENCE

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. MIKVA. Mr. Speaker, popular opposition to the President's plans to deploy the hard-site anti-ballistic-missile system, the Safeguard, continues to grow apace. The President has said he plans a full-scale campaign to promote the Pentagon's Safeguard plan. Private citizens, however, are fighting just as hard against this monstrous military boondoggle. It remains to be seen in a contest between the people and the Pentagon who will come out on top on the ABM issue.

I was heartened to note recently that a group of distinguished Christian theologians from several Chicago schools prepared a Statement of Conscience opposing deployment of the limited ABM system. The theologians urged President Nixon and their fellow Christians, all religious people, and men of deep humanity to join them in their opposition.

It is my great honor, Mr. Speaker, to insert at this point in the RECORD a list of those signing the Statement of Conscience and the text of the statement itself.

The items referred to follow:

A STATEMENT OF CONSCIENCE

As Christian theologians deeply concerned about the responsibility for creation which man shares with God, we must strongly protest the limited deployment of the Sentinel ABM missile system recommended by President Nixon. Along with Hubert Humphrey, Senators Fulbright, Symington, Percy, and Kennedy, and some of America's leading scientists, we are convinced that the destructive arms race must be stopped now if mankind is to survive. Americans must come to realize that there is really no absolute missile defense against nuclear attack. Even a defensive system with ninety-eight percent reliability would not prevent massive destruction by the missiles that escaped its detection. Our only sane defense is to diffuse the tension existing in the world today which might force some nation in a moment of lunacy to release its nuclear weapons. Stockpiling of weapons and intricate defense systems only intensify the already existing tension and ultimately provide no more of a deterrent than the death penalty does for a potential murderer. It is thus imperative at this time in our nation's history that we take a risk for peace by channeling funds earmarked for the missile system into programs that would lessen the tensions in our own country and throughout the world. We have in mind programs of enlightened foreign aid, support of the World Bank and regional economic associations in the Third World, efforts at realistic population control and environmental management, elimination of poverty and injustice in our own country, and cultural exchange arrangements. These must become our priorities for the coming decade if we are to avoid increasing the frustration of deprived peoples throughout the world which could easily lead to a nuclear confrontation. Our nation, which controls so much of the world's wealth, has a moral responsibility to assume a leadership role in this drive for peace.

We urge our fellow Christians, all religious people and all men of deep humility to join us in this protest against any deployment of the Sentinel ABM system and to express their opposition to the leaders of our government in Washington.

Those signing the statement were as follows:

Prof. Hugh T. McElwain, OSM. (Academic Dean), Prof. Sebastian MacDonald, C.P., Prof. Barry Rankin, C.P., Prof. John T. Pawlikowski, OSM, Prof. Florence Michels, OLVM., Prof. Max Behnen, OFM., Prof. Nicholas Crotty, C.P.—Catholic Theological Union.

Prof. Thomas Cunningham, OSM.—Loyola University (Chicago).

Prof. Franklin E. Sherman, Prof. Carl E. Braaten, Prof. James A. Scherer, Prof. Wilhelm C. Linss, Prof. Wesley J. Fuerst, Prof. N. Leroy Norquist, Dr. Arthur O. Arnold (Dean of Students), Prof. Richard R. Syre, Prof. Morris J. Niedenthal, Prof. Robert Benne, Prof. Philip J. Hefner—Lutheran School of Theology at Chicago.

Prof. Victor Obenhaus, Prof. LeFevre, Prof. Ross Snyder, Prof. Arthur L. Foster, Prof. J. Blenkinsopp, Prof. Robert S. Moore, Prof. Clyde L. Manschreck, Prof. J. Archie Hargraves, Dr. Edward F. Manthei (President), Prof. Albert E. Hurd, Prof. W. Widick Schroeder, Prof. Philip A. Anderson, Prof. J. Robert Meyners—Chicago Theological Seminary.

PUBLIC REVERENCE

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. FREY. Mr. Speaker, I commend the interesting and educational article by the Reverend Robert G. Howes on the first amendment to my colleagues:

PUBLIC REVERENCE

(Rev. Robert C. Howes) *

When the U.S. Supreme Court interprets the First Amendment of the Federal Constitution in a manner which radically contradicts the consistent practice of the majority of the states, it does no singular, minimal thing. Whatever the particular practice, that interpretation immediately becomes a precedent affecting the whole future of religion in our public life. As such it must deeply concern not only whose practice is denied but also those who are involved in any way with religion as subject to and supportive of public policy.

On June 25, 1962, the Supreme Court interpreted the First Amendment as barring the following prayer:

"Almighty God, we acknowledge our dependence upon Thee and we ask Thy blessings upon us, our parents, our teachers, and our country."

The prayer had been composed by a committee of religious leaders. It was made available by the State of New York for an entirely voluntary recitation by pupils and teachers in its public schools. Justice Stewart, in dissent, noted:

The Court has misapplied a great constitutional principle . . . What is relevant to the issue here is not the history of an established church in 16th century England or in 18th century America, but the history of the religious traditions of our people, reflected in countless practices of the institutions and officials of our government.

On June 17, 1962, the Supreme Court widened this interpretation to ban the Lord's Prayer and Bible reading in the public schools of Maryland and Pennsylvania. Once again, no teacher had been required to lead prayer, no pupil to join in reciting it. Specific provision was made for abstention on the part of those who did not wish to participate. There are many pleasant phrases in the two majority decisions. Most of them are collateral remarks, *obiter dicta*, that is remarks incidental to the real deciding reason. One could, and some did, assemble such remarks and claim that the court had done nothing more serious than to rule out a residual unfairness, leaving public religion itself wholly intact.

There are, however, other *obiter dicta* which are less sanguine. For instance, in the first decision Justice Douglas enumerates various instances of government accommodation to religion. Bishop James Pike, appearing before a Senate committee in 1962, called such reasonable accommodation "the great American middle way." Justice Douglas says "our system at the federal and state levels is presently honeycombed" with accommodation. "Nevertheless," he continues, "I think it is an unconstitutional undertaking whatever form it takes." In fact, the deed of the decisions, what the then Harvard Law School Dean Erwin Griswold called "the absolute and . . . extreme" reasoning of the court, is dangerously basic. Henry P. Van Dusen, then President of Union Theological Seminary, wrote:

"The corollary in both law and logic of the Supreme Court's recent interdictions is inescapable, prohibition of the affirmative recognition and collaboration by government at all levels with all organs of religion in all relationships and circumstances."[1]

Fordham University Law School Professor Charles E. Rice said:

"The school prayer decisions, if followed, predictably will have the effect of raising agnosticism to the rank of the official public religion of the United States. The Court has now cast aside the historical affirmation by government in this country of the essential truth of theism, has embarked upon a search for 'neutrality,' a search incapable of success, and has substituted agnosticism for the theistic affirmation to which a small minority has objected so strongly. And for its action the Court can point to no durable justification beyond its own inflated rhetoric and a tortured historical interpretation."[2]

The Boston Pilot editorialized:

"ALL PUBLIC LIFE AFFECTED

"The Supreme Court in the Lord's Prayer and Bible ruling has continued along a path unhappily familiar to all from its early decisions. The same tedious arguments emphasizing the 'establishment of religion' clause are brought forth to support a position which turns its back on the total American tradition and outlaws the present practices of 39 states . . . Let us suppose that the Lord's Prayer and the Bible are excluded from the American public schools for precisely the reasons given by the Supreme Court. What is the next step? Clearly, all other expression of religion in public life must now be deleted . . ."[3]

To suggest that pleasant phrases en route to decision can override the deed of the decisions themselves is to ignore the heart of

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* *Father Howes is Associate Professor and Chairman of City and Regional Planning at the Catholic University of America, Washington, D.C. He is the representative in Washington of Citizens for Public Prayer, a national federation of citizens' groups backing a restorative prayer amendment.*

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[1] The New York Times, *July 7, 1963.*

[2] The Supreme Court and Public Prayer (*New York, 1664*), *p. 21.*

[3] *June 21, 1963.* The Boston Pilot *is the official publication of the Catholic Archdiocese of Boston.*

the matter. That heart clearly is the equation by the Supreme Court of "establishment" with public reverence, whether free or not, whether institutional and sectarian or not. Even to question such an equation, the court said in its second decision, is "of value only as academic exercises!" The situation is, in short, as it was a century ago when Abraham Lincoln commented on the Dred Scott decision;

> When all the words, the collateral matter was cleared away from it, all the chaff was fanned out of it, it was a bare absurdity.... The Dred Scott decision covers the whole ground, and while it occupies it, there is no room for the shadow of a starved pigeon to occupy the same ground.[4]

Five years have passed since the first prayer ban. In those years, several significant things have happened.

(1) Literally hundreds of bills were introduced in both the House and Senate calling for a clarifying amendment to restore the First Amendment to its preban interpretation and to forestall a further widening of the court's logic. There were 117 such bills on the House side alone in the spring of 1964. Senate Joint Resolution Number 1 of the 90th Congress was signed by 42 senators of both parties. It proposed a restorative constitutional amendment which would read:

> Nothing contained in this Constitution shall abridge the right of persons lawfully assembled in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer.

(2) Catholic response to the prayer bans was openly mixed, though there is no possible doubt that Catholics were in great numbers part of the massive proamendment majority across the nation. The National Council of Catholic Youth officially recorded itself as opposed to the prayer bans and called upon all of its local units ot work for reversal. Otherwise, where Catholic apathy and even support of the decisions showed itself, it has been suggested that an underlying cause was self-interest:

> It may be that some of it is motivated by the thought that if public education can be completely secularized (so that, as it has been said "religion" in such quarters becomes "a dirty word"), then there will be an increased public demand for sectarian education which can combine religion with general education. This could then be an argument in favor of parochial schools, and as public schools decline, the argument for public support of parochial schools can be advanced in one guise or another.[5]

I hope this estimate is inaccurate. I fear it may be, in at least a partial sense, accurate. Our bishops wrote once that "religion is our chief national asset," and as such what happened to it anywhere at law must affect it everywhere. I am afraid some of us have simply failed to make the vital connection between what occurred in the prayer ban decisions and those aspects of the First Amendment which preoccupy us more immediately. Too many Catholics have simply failed to appreciate that any fundamental interpretation of the First Amendment by the Supreme Court must over a period of time operate in all areas of religion and public policy, including the area of government aid to nonpublic schools under religious auspices.

(3) Eleven of the 13 justices who passed on the New York prayer issue prior to its arrival at the Supreme Court ruled it constitutional. The attorneys general of 19 states submitted a "friend of the court" brief to the Supreme Court, prior to the first decision, which said in part:

"Our founding fathers, together with the great and God-fearing leaders of the last century and a half, would be profoundly shocked were they to have been told in their day that in this year of our Lord . . . a voluntary nondenominational acknowledgment of a Supreme Being and a petition for His blessings recited by American children in their classrooms is being seriously attacked as a violation of the Constitution of the United States."[6]

It was clear from Congressional reaction that a massive mail concurring with such judgments was hitting Capitol Hill. "Kingsize" was how Senator Dirksen described it. Resolutions endorsing what came to be called the Peoples Amendment for Public Prayer came from the National Conference of Governors, the National Conference of Mayors, legislatures of several states, the National Jaycees, the Veterans of Foreign Wars, the American Legion, and from such men as Billy Graham, Cardinal Cushing, the late Cardinal Spellman and Bishop Fulton Sheen. Sampling after sampling confirmed the will of the nation. The Gallup Poll in September 1963 recorded a three-to-one majority for reversing the court in its prayer decisions. In October 1964 the Harris Poll put the figure at 82 percent for amendment. Congressional home district polls backed the national sampling. Again and again there was no subject on which more of a congressman's constituents were united than on the need for a prayer amendment, and no subject in which "don't knows" ran lower, or majorities ran consistently higher. At each hearing on prayer amendment proposals, thousands of proamendment petitions were presented. About 40,000 petitions were introduced on the very first day of the House hearings (1964) by Congressman Fallon of Maryland. To the Senate hearings (1966), were introduced in behalf of amendment 35,000 petitions from Pennsylvania, 30,000 from New York and 50,000 from the Midwest. In the spring of 1967 *Good Housekeeping* magazine came up again with an 80-plus percentage for amendment.

(4) Despite all this *not one single normal floor vote has been held in five-and-a-half years in either house of Congress on even the technicality of proposing a prayer amendment to the nation.* And hearings in this critical matter were forced in the House Judiciary Committee only after a discharge petition to bypass Chairman Emanuel Celler, who was bitterly negative, had nearly succeeded.

(5) In the wake of the prayer ban decisions, things have not stood still. A number of trends have developed. Two are of major importance. First, a trend toward a kind of fearful indecision on the part of public authority. School boards everywhere were from the start anxiously uncertain about whether and how religion was to survive in the public classroom. In some instances, boards have defied the court, but this is, patently, no solution to the problem. In a few instances, boards have tried to substitute various procedures, such as God sandwiched between Thoreau and Ben Franklin for morning assembly reading. These instances, however, remain so rare that each one is the subject of national notice. In most cases the net result has been one of the following: a) to rule religion out entirely; b) to emasculate religion before it is permitted in the school, thus reducing it to the merest art, history or literature; c) to decide any particular question involving religion in the classroom in favor of parents who might conceivably object to it along lines indicated in the prayer ban record. Secondly, there has been a trend toward enlargement of the prayer ban to affect other practices of public reverence. Courts and some attorneys general have relied on prayer ban decisions to strike down kindergarten prayers and such substitutes as the singing of patriotic anthems. In the fall of 1966 the Supreme Court relied significantly on the decisions to knock out aid for church-related colleges in Maryland.

Meanwhile, it was again and again made clear by such opponents of religion in public life as Madalyn Murray O'Haire that the prayer ban would be used as a launching pad for further attacks on all surviving instances of public reverence. It is, of course, impossible to predict with precision just how far the court will go toward accommodating these attacks, but its defenses against them must be seriously weakened by the majority reasoning in the prayer ban cases.

Of course, at the very base of the prayer amendment issue stands the issue of parental rights. There is no question that God belongs in the homes and the churches of America. There is no question that a serious re-examination of His presence there is imperative. But religion is not strengthened at the hearth and the sectarian altar by denying it entry to the public classroom. Religion is not strengthened in the heads and hearts of American youth by wiping it off their lips precisely where most of them prepare for citizenship in a reverent society. What is rather indicated is a joint activity, carefully respectful of the right of dissent, which involves church, home and school. In its 1951 Statement of Belief, which recommended school prayer, the New York State Board of Regents said:

"We believe that thus the school will fulfill its high function of supplementing the training of the home, even intensifying in the child that love for God, for parents and for home which is the mark of true character training and the sure guarantee of a country's welfare."

In its *Decree on Education* Vatican II underlined how the principle of subsidiarity applies in public education:

"The Church gives high praise to those civil authorities and civil societies that show regard for the pluralistic character of modern society and take into account the right of religious liberty, by helping families in such a way that in all schools the education of their children can be carried out according to the moral and religious convictions of each family."

It is suggested by those who oppose a prayer amendment that the court banned only "prescribed" prayer and that other types of religious presence in the public classroom stand unaffected, indeed encouraged. There is at the very base of the court's decisions a fatal, secularizing equation. Once this equation has been repealed, there is certainly place for reexamination of the entire gamut of that presence. Various approaches to religion as a force for morality and civic strength can and should be tested. Citizens for Public Prayer fully support such testing, but at the right time. So long as the prayer ban remains, however, there can be no compromise. Generally, those who ask substitutes for the brotherhood of prayer call for a moment of silent mediation, classes in comparative religion or the rendition of God strictly in paintings, dates and poetry. Each substitution has is weakness. Collectively, they are totally inadequate to the need of the situation.

Let's take meditation first. It is most significant that the same day the Massachusetts legislature sanctioned meditation in the public schools of the state it petitioned Congress in support of a prayer amendment. A quiet God is better than no God. But a quiet God cannot provide that experience in pluralism which a spoken God encourages. One great advantage of the brotherhood of prayer consists, precisely in the fact that through it children from various religious backgrounds are taught that although they go freely to their separate churches and synagogues over the weekend, still they can freely find and pronounce together common words of uniting reverence each day during the week. Besides, meditation is extremely difficult even for adults. To suppose that grade school youngsters can meditate properly is a delusion.

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[4] *Columbus, Ohio, Sept. 16, 1859; Galesburg, Ill., Oct. 13, 1958.*

[5] *Griswold, Erwin N.* Utah Law Review, *Vol. 8, No. 3 (Summer 1963)*.

[6] *United States Supreme Court, October term 1961,* Document No. 468.

As for classes in comparative religion, it may be that once the prayer ban is repealed we can move along these lines. But such classes will require teachers who have the wisdom of Solomon, and are objective enough to relate one religion to another without bias. And should these teachers fail even slightly, offended parents will rise to challenge them in the courts, just as parents who objected to the earlier prayer did.

In regard to religion as art, history and literature, it is true that under these aspects it belongs in many classes, so that children of a reverent people may review their inheritance. But what a tragedy it would be if God could come into school only as a footnote in classes otherwise preoccupied and minus any factor of reverence whatsover! Religion is more than dates and pretty pictures and nice phrases. Religion is reverence. Any proposal which drains it of its prayerful blood is anemic to start with. In short, none of the suggested substitutes is, at least in its present state of refinement, adequate. None would in any way remove the tragic precedent of the two prayer ban decisions. Finally, the closer any one of them came to being a real collective reverence, the more likely it is that it would be challenged and struck down by courts under the compulsion of prayer ban logic.

MAJORITY-MINORITY PROBLEM

There is another item in the prayer amendment debate which must be pondered. This is the item of majority-minority relationships in a democracy. It has two facets. The first is: How should society accommodate in its practices a majority will against which there is marshaled a loud minority will? The second is: In the public classroom how should the dissent from prayer and the desire for prayer be handled with justice all around? In regard to the first question, it must at the outset be agreed that 50 percent plus one does not of itself make a thing right. Democracy must never be a matter of a bullheaded majority tyrannizing over a cowed minority. Neither must it ever be an oligarchy in which a miniscule elite, somehow wiser, forces its preference on an unwilling majority. This latter state becomes what *The Boston Pilot* has called a "tyranny of the few." One thing is clear: As in all such controversial situations, a dissenting minority must be assured to the maximum reasonable extent its right of silence and abstention. To permit a minority's preference to dominate public practice, however, thus denying to an overwhelming majority its will, is an intolerable travesty of democracy. In this case, a strong argument can be mounted in support of the traditional, pre-ban interpretation of the First Amendment. Even Justice Brennan, siding with the majority in the second prayer ban decision, concedes that its factual position is far from conclusive:

> On our precise problem, the historical record is at best ambiguous, and statements can readily be found to support either side of the proposition.
>
> But even if the court's reading of the history and the semantics were accurate, the case for a clarifying amendment would still stand. No people in a free society are required to be prisoners of words which, in that hypothesis, do not say what the people wish them to say and do not permit practices which the people overwhelmingly wish to provide for themselves and for their children. As in the flag salute situation, what is required of a wise judiciary is not a decision rendering the majority silent before an intolerant minority but one that allows the greatest prudential accommodation for dissent while the majority will prevails.

The second facet of majority-minority relationships here can be expressed in a question: Is school prayer an unconscionable intrusion on the rights of the dissenting child and his parents? It must be repeated that in the three prayer ban states, school prayer had been entirely voluntary for both teacher and pupil. Tolerance is, and must continue to be, a two-way street. So long as he is respected in his right to be different, the dissenting child must learn to respect the right of the majority of his fellow students who wish to pray together. Dean Griswold's treatment of this critical matter is excellent:

> Must all refrain because one does not wish to join? . . . No compulsion is put upon him (i.e. the dissenting child). He need not participate. But he, too, has the opportunity to be tolerant. He allows the majority of the group to follow their own tradition, perhaps coming to understand and respect what they feel is significant to them. Is not this a useful and valuable and educational and, indeed, a spiritual experience for the children of what I have called the minority group?[7]

A related question is often posed. Whose prayer? The answer is simple. Once the civil right of public reverence is restored in the public school, the American people again will select, with a minimum of mistakes and a maximum of good common sense, a reasonably nondenominational prayer. To suppose that any group of Americans with a sectarian majority would be so callous of its neighbors as to insist on a sectarian prayer in their public schools is to fly in the face of the great bulk of American experience. But even should, in a rare instance, such a prayer be proposed, recourse for remedy would still be open with the courts. What is clearly urgent in this entire issue of majority-minority rights is a reasonable pluralism, the kind of adjustment and prudential accommodation which mature men make with their neighbors in any complex matter in which a common decision is required. With such a responsible pluralism, the solution to difficulties such as wording a proper amendment and coming up with consensus prayers is easy. Without it, we become quickly a jungle of selfish predatory religious groups, careless of neighbors and haggling over every approach to that harmony which has so long been the major motif of our people.

A few words of prayer by children in a public place will not alone change the world. The brotherhood of prayer remains an important part of an important pattern. Clearly, however, much more than this is at stake in the fight to write a Peoples Amendment for Public Prayer. The whole matter of a reasonable and, reasoned pluralism is involved here. So is the survival intact of all practices of public reverence. So is every other controversial aspect of church-state relationship. So, finally, is the very workability of the democracy itself. It is simply incredible that there are still Catholics concerned with democracy, education and pluralism who cannot, or will not, understand these things. John Donne wrote that "no man is an island." It can be said with equal force that no decision of the U.S. Supreme Court fundamentally interpreting the First Amendment against the expressed will of the nation is an island—a minimal, a singular thing. Remedial action now, loud and long, is emphatically indicated. Seldom has the alternative to such action been put more strongly than by Father Joseph Costanzo, S.J., professor of historical jurisprudence at Fordham Univerity:[8]

> American believers are losing by default. They have taken their spiritual heritage for granted. They have allowed a creeping gradualism of secularism, under one specious pretext or another, to take over their public schools. A vociferous and highly organized pressure group is exercising its own form of indirect coercive pressure upon the American community.

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[7] *Op. cit.*

[8] *This Nation Under God* (*New York, 1964*), *pp. 131–32.*

JOB CORPS CLOSING FOOLISH ECONOMY

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. JOHNSON of California. Mr. Speaker, in considering the closing of some 57 Job Corps centers throughout the Nation, including many of our fine conservation centers, I am at a loss to understand why a going program of proven value should be discarded for an unproven effort, which I fear will only amount to a token replacement of this fine program.

The order to cut the heart out of the Job Corps program in the name of economy, will prove to be foolish, false economy which will cost this Nation greatly in the months and years ahead.

The concept of conservation of our natural and human resources has been proven time and time again. During the depression days of the 1930's, the Civilian Conservation Corps took boys off the streets and gave them solid foundations upon which to build productive lives. Graduates of the old CCC program have served with us here in Congress, succeeded in business, and become leaders in education, science, the trades, labor and all other fields of endeavor. But most important most of those given a second chance through the CCC became solid citizens of this Nation of ours.

Because of the outstanding successes of this program I was among those Representatives in Congress who sponsored and actively worked for establishment of a similar program for the 1960's. This effort resulted in the enactment of the Job Corps legislation.

In the succeeding years, there is no doubt but that the wisdom of this effort has been more than justified. It is true that the 1960's are not the depression days of three decades ago, but we have found that even in these days of high employment and relative affluence there are many among us who have not been able to make the grade, primarily because of a lack of opportunity to learn the basic skills by which they can earn a living.

Would you hire an 18-year-old with a low third-grade education who could hardy read or write?

This is the average for young men entering the Job Corps camps I have visited in the Second Congressional District of California. In 6 months of training, the corpsman has advanced 2 years in reading, a year in math. He has developed the ability to write, has a knowledge of how to get a job, knows about income taxes and most important he is working for a salary which will require him to pay income taxes. He has returned to society.

It is tragic that this program should be crippled now that it has proven itself by combining education with good hard work to provide young men with an opportunity to become self-respecting, self-supporting, contributing members of society.

By active recruitment programs, we talked these young people out of environments in which they could grow up only with hopelessness. Now we are breaking faith with these young people, tossing some back into these environments without the means of earning their own way, and abandoning others who have not had the opportunity to participate. The consequences will be tragic, I am sure.

It appears that these Centers will be replaced at some future date, with "minicenters" located in urban areas. These, apparently, will be located close to the trainees homes. One of the strengths of the conservation center program is that these boys are taken out of the environments which have caused the problem throughout their formative years and are able to get away and stand on their own feet away from these influences and I think the reversal of this would be a terrific mistake.

In reviewing the list of those Centers facing extinction, there appears no rhyme nor reason to why some of these were selected. The three in my congressional district—Toyon in Shasta County, Sly Park in El Dorado County, and Five Mile Center in Tuolumne County—all had fine records and good community support.

Yesterday, Secretary of Labor George P. Shultz testified before the House Education and Labor Committee that the average cost of training a Job Corpsman was $7,241. Statistics I have collected from the three Job Corps Centers in the second district indicate that their records, then, are well below the average. The reported costs at the Toyon Job Corps Center, $4,757 per trainee—the second lowest of all Bureau of Reclamation-operated Centers yet not one of three to survive the "economy" ax—at Five Mile Center near Sonora, $5,200 per trainee, and at Sly Park Center near Placerville, $5,500 per trainee. If these are Centers with below average costs, I ask: "Why these?"

Mr. Speaker, I must emphasize that these are current 1969 figures—what it is costing today. These do not reflect the value of outstanding conservation work accomplished by these young men—estimated at $2,000 per year per man.

When you add all these up, it comes out to a mighty inexpensive program which yields tremendous returns on the investment—lifetime dividends of self-respect and economic independence for the individual.

In addition the human resources we have conserved and channeled into productive activity, we must also consider the natural resources which are enhanced by the efforts of the Job Corpsmen who truly are "learning by doing."

The "doing" means new campgrounds, additional recreation facilities, improved water supplies, better fire-fighting base facilities which will yield tremendous economic returns years to come through faster forest-fire suppression, improved timber stands which in future years will mean greater timber sale returns.

During 3 years of operation, corpsmen at the Toyon Camp have completed some $1,328,000 in work projects, including some of the largest campground installations ever built in the National Parks System. Additionally, the corpsmen provided some 10,000 emergency man-hours in firefighting, search and rescue work, and battling floods and storms. At the Five Mile Center, corpsmen have completed $946,250 in work projects beneficial to the national forests. Since 1966, corpsmen have spent 27,632 man-hours in fire suppression work, the value of which would amount to $55,260. At Sly Park the project value to the national forests and the local community amounts to $897,000 plus thousands of man-hours on the firelines and other disaster work.

These contributions do not reflect in the cold statistics upon which the decision to close these centers was apparently based.

Nor are other community efforts reflected in the cold statistics. Take, for instance, the Toyon Center. Through a cooperative agreement with the Shasta County Welfare Department, welfare recipients receive work experience training at the center, giving volunteer assistance while learning themselves to be more employable. The Toyon Center has hired four of these former welfare cases and 23 others have gone from welfare to gainful employment using these new skills.

This is meaningful manpower training. It works. We must not buy a pig in a poke by discarding it for an untried program which still is in the formulative stages.

As you can see, Mr. Speaker, I am tremendously concerned with the impact the proposed closings will have upon the individual trainees. Without minimizing this, I must mention also the impact of the decision upon the communities in which these conservation centers are located. Again, let me use, for example, the three centers located in the second district which now face extinction. Each of these centers is situated in counties of substantial unemployment. Each of these areas have very restricted payrolls and economies in which the Federal Government is investing heavily through a variety of programs in order to achieve some element of economic stability.

The abrupt closing of these centers will mean increased unemployment and will deflate severely the economies of the areas.

For instance, Toyon Job Corps Center in Redding has an operating budget of some $760,000 a year. It has 158 Job Corpsmen enrolled actually at the center at the moment with a staff of 48. Loss of this payroll and budget will be a severe blow to the community of Redding and Shasta County.

The Sly Park Camp in El Dorado County, which has an operating budget for the camp of $640,000 per year, has 38 employees and 120 trainees.

Finally, at Five Mile Center near Sonora we have a $718,000 annual operating budget based on some 160 corpsmen and 46 full-time employees.

The closing of these projects in these communities is going to be a serious blow and, if we must make up for this loss through other employment development projects sponsored by the Federal Government, it seems to me that we are robbing Peter to pay Paul.

In conclusion I want to say that since this announcement was made I have received a variable flood of wires, letters, phone calls from the communities affected. Not a single word has been spoken in favor of the closings. These are communities which have met their responsibilities as is indicated in the following telegram from the chief of police of the city of Redding:

> There is considerable local concern that projected cutbacks in the Job Corps Program may force closure of the Toyon Civilian Conservation Center in Shasta County. The program is well accepted in this area and has proven to be a definite asset to the community. This area has a great deal to offer these boys and they certainly have a great deal to offer the community. The populace in the greater Redding area is in favor of continuing the Job Corps program in Shasta County.

And from the sheriff of Shasta County, John Balma:

> I am happy to give my appraisal of the local Job Corps Center, located at Toyon, Shasta County, California.
>
> Granville W. Tilgham, Center Director, is a very good administrator. More important, he is a fine man and well thought of in our Community. His cooperation with our Department has always been the best.
>
> The Corps have benefitted our Community by adding more than $1,000,000.00 worth of recreational and conservation projects to the area in projects like Shasta Divide Nature, Davis Gulch Nature Trail and the Judge Francis Carr Memorial Campsite along Whiskeytown Lake; Knob Cone (Old Man) Campground, Fisherman's Point Rest Area and the clearing of debris (after the 1964 flood) along Shasta Lake; planting of more than 80,000 trees for beautification and erosion control on the Spring Creek-Keswick Watershed, Rip Rapped and constructed floating docks for Reading Island boat launch near Cottonwood; contributed about 10,000 man hours in forest fire fighting; assisted the Shasta County Sheriff's Department and the local Civil Defense Department in two search missions—one for a Central Valley girl and the other for the victim of a plane crash.
>
> The young people in the Center have participated in Community affairs by being members of local church choirs; assist church, civic, social, service and fraternal organizations with local college, high shool, teen-clubs, and in community center groups; participate in City League sports; assist in parking and general activities at the Shasta County Fair; work with law enforcement agencies in the better understanding of law enforcement and respect for law officials; conduct social, cultural and educational exchanges on Center with youth and adult groups; participate in local stage plays; make public appearances including television appearances for educational and public relation purposes.
>
> The Corps have engaged in Community projects by contributing blood to needed persons and particularly Veterans of World War I Barrack No. 1031; improved grounds of historical cemeteries at Shasta and Central Valley, improved grounds for local public schools, Bella Vista Head Start School and the school for the Handicapped at Shasta; assisting the City of Redding in an improvement of the Linden Avenue and drainage

> area; cleanup streets in impoverished areas; placed sand bags around an elderly couple's home in Central Valley for protection against flooding; two corpsmen assisted in the arrest of a would-be robber and five other corpsmen alerted a local Redding store owner that his store was unlocked several hours after closing time; corpsmen have helped local agencies in the delivery of food baskets to needy families at Thanksgiving and Christmas time; donated funds from corpsmen have contributed to the purchase of items for food baskets; assisted in the construction of a Senior Citizen's building in Redding. Most of the community type projects have been done by staff and corpsmen on weekends through volunteer services.
>
> I hope this information will assist you in evaluating the Toyon Job Corps.

Speaking for the chief probation officers of the entire State of California, Ted L. Smith of Merced, president of the Probation Officers Association:

> The impending closing of Job Corps Centers threatens to deprive the criminal justice system throughout the United States with curtailment of an effective training program for deprived and delinquent children. Returning 200,000 hard core teen agers to local jurisdictions, already unable to provide the training they need and desire, is risking possible civil disturbance during the coming summer months. California's Chief Probation Officers Association supports the Job Corps Programs and strongly urges reconsideration towards retention of the Centers.

Local government unanimously endorses the preservation of these centers. Typical is the resolution of the board of supervisors of the county of Tuolumne:

> Whereas, the Tuolumne County Board of Supervisors has been informed of the contemplated closure of the Five Mile Civilian Conservation Center located in this country, and
>
> Whereas, this Board of Supervisors is thoroughly familiar with the operations of this center since its establishment in August, 1965, and
>
> Whereas, the corpsmen assigned to this center have compiled an outstanding record in the successful accomplishment of many assignments of great material benefit to the public, ranging from fire protection to site improvement projects in the Stanislaus National Forest, and
>
> Whereas, of far greater importance, this center has provided an effective means by which under-privileged young men have been given the opportunity of discovering and developing their individual potential through intensive programs of education and manual training, and
>
> Whereas, it is essential that America have trained, productive workers upon whom it can depend, rather than unskilled, idle men who depend upon it, and
>
> Whereas, the Five Mile Civilian Conservation Center has proved to be an effective means of providing the education and training so essential to the future welfare of our country.
>
> Now, therefore, be it resolved that this Board of Supervisors does hereby urge the U.S. Labor Department to rescind its order to terminate the Five Mile Civilian Conservation Center effective as of July 1, 1969, and
>
> Be it further resolved that copies of this resolution be forwarded to the Hon. Richard M. Nixon, President of the United States; the U.S. Labor Department; the Hon. George Murphy and the Hon. Alan M. Cranston, United States Senators from California; the Hon. Harold T. Johnson, Member of Congress; the Hon. Ronald Reagan, Governor of California; Harry D. Grace, Supervisor of the Stanislaus National Forest and to such other officials as may hereinafter be directed.

And Mayor George K. Moty of Redding telegraphs:

> I have just learned of the President's order closing the Toyon Job Corps Center in Shasta County, as one of the 57 Centers ordered closed. I am sorry to hear of this decision and I hope that you and your fellow legislators can do something to cause a reconsideration of this decision. The Toyon Job Corps Center has been an asset to Shasta County. The staff and the Corpsmen at this Job Corps Center have completed many beneficial projects for the Forest Service at Shasta Lake and for various communities in Shasta County including the City of Redding. Our experience with the Toyon Center has been most favorable. We have seen the Corpsmen of the Center participate within various activities within our city, including intramural athletic and recreational programs, participation in church activities and the accomplishment of certain projects within the community. From this observation we are convinced that Toyon was doing a satisfactory job of training and educating these young people so that they could become useful citizens of whatever community they subsequently chose to live within. I further understand that 71 percent of the enrollees of the Center have obtained employment upon leaving the Center. I therefore respectfully urge you to do what you can to cause a reconsideration of this decision by the Executive Branch and to make it possible for the Toyon Job Corps Center to remain in operation.

The business community is backing this program. Beverly Barron, president of the Tuolumne Chamber of Commerce in Sonora writes:

> The word of the probable closing of our 5-Mile Job Corps Center, in Tuolumne County, has been received with sorrow.
>
> Although the Tuolumne County Chamber of Commerce does not pretend to be authoritarian on the educational values involved in the Corps, we do feel that the 5-Mile Job Corps Center, here, has been doing a most beneficial job.
>
> Further, we are always cognizant of withdrawal of any enterprise in the county, because of the effect upon our economy.
>
> Our Board of Directors, at last Monday evening's meeting, unanimously requested that I send you this letter, protesting the possible closure of the Center. Your continuing efforts in this behalf, will be deeply appreciated.

And from Fank B. Plummer, president, Greater Redding Chamber of Commerce:

> The Board of Directors of the Greater Redding Chamber of Commerce with over 500 businesses in membership strongly opposes the closing of the Toyon Job Corps at Project City, California. The hundreds of boys passing thru this camp have been accepted by this community and marvelled at for the changes brought about in their demeanor while here. Boys who could not read or write have been enabled to learn these basic rudiments of living and have gone out to secure jobs in private industry.
>
> We have been deeply appreciative, in this tourist economy, of the fine camps for tourists that these boys have constructed for us. They are now involved in the largest project ever attempted by the Job Corps—the construction of 416 new camp sites for the coming season. Our county has an unemployment rate of 14.2%, so you can get some idea of what these new camping spaces mean to our economy. The construction work of all kinds that the Job Corps has completed here must run into the millions.
>
> The budget of the Toyon Job Corps has brought $750,000 into this community annually since its inception and we have been deeply appreciative of this.
>
> We respectfully submit that this is no time to cut back projects of this kind. It would be far better to cut back severely the $80 billion military budget.

And, Howard H. Heilman, president of the El Dorado County Chamber of Commerce, Placerville, wires:

> The proposed closure of the Sly Park Job Corps Center in El Dorado County, California is unanimously opposed by this Chamber of Commerce. Meeting in regular session this date the County Chamber's Board of Directors established such position on the basis of the Sly Park Center's success in its training function and its reliable role in this community. Documentation of this opposition is being prepared and will follow this message forthwith.

From the educator's viewpoint, this has been "a most effective means of combating the great problems of the educational and economic dropouts of today." Gilbert A. Collyer, president of Shasta College in Redding, writes:

> During the past week an announcement has come to us that the Job Corps Unit located at Toyon, just a few miles from our college, is being closed. We wish to write in connection with this closure since we have been greatly impressed by the effectiveness of this particular Federal project.
>
> We have become rather closely acquainted with some of the work the unit has done in our community and we have met, personally, boys that were trainees. Each experience we have had with the unit has impressed us that the activity is accomplishing strong results insofar as we could measure it at this particular point.
>
> We, of course, are not acquainted with the overall financial aspects of the program and as to how the cost of operating it may compare with other efforts to solve the problems of young men who have dropped out of the mainstream activities. I am sure that other programs will also help in this direction, but would be very skeptical that all activities should be transferred closer to the urban centers. I am sure that bringing young men into a location farther away from the congested urban areas is a very favorable aspect to the whole training program.
>
> In addition, I could state that these trainees have won the respect of the people of the community and the surrounding region and that, while ethnically they have introduced greater heterogeneity into the area, this has been viewed favorably by most people.
>
> I would urge your strong consideration of keeping a unit like Toyon active as a most effective means of combating the great problems of the educational and economic dropouts of today. In addition, I believe that a unit located in such surroundings will prove a valuable check on the effectiveness of various kinds of approaches to the entire problem.

Mr. Speaker, the most appealing plea came from a Job Corps trainee himself:

> If they close this up, there goes my second and last chance.

Are we going to rob this boy of that last chance?

Are we going to throw these boys back on the streets without the ability to become contributing members of society?

SOLID WASTE PROBLEMS INCREASE

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. JONES of Alabama. Mr. Speaker, a timely and pertinent warning about the multiplying problems of the increasing amounts of solid wastes was printed in the April 20 issue of This Week magazine.

As our population increases and as the level of consumption rises, our Nation's towns and cities are faced with a growing problem of disposal of garbage and the castoff of modern life.

Many new techniques are being considered, but much more attention needs to be paid to this mounting problem.

So that my colleagues can know more of this serious matter, I ask that the article by Thomas Fleming from This Week magazine be included at this point as a part of my remarks:

ENGULFED IN GARBAGE

(By Thomas Fleming)

You people have been spoiled for 50 years. Rain or shine or earthquake, your little pail of garbage has been picked off your doorstep every Tuesday or Thursday. Until recently, you didn't give a damn what happened to it after that.

Are you listening? That is the voice of a modern garbage man. His name is Leonard Stefanelli and he was speaking to a group of fellow San Franciscans. But he might well have been speaking to the entire nation, warning Americans that they are in danger of being engulfed in garbage.

His is by no means the only ominous voice. Dr. Philip R. Lee, Assistant Secretary of Health, Education, and Welfare, says, "We have been running to keep pace with the growth of the . . . problem, and we are losing the race." Professor Ross E. McKinney of the University of Kansas warns, "We have already allowed the problem to exceed the solution."

There are some prophets around the country predicting that by the year 2000, garbage collection may dwarf civil rights, national defense, and crime in the streets as our No. 1 political problem.

It is by no means a fanciful prediction. Recent reports indicate that Americans are already spending $4,500,000,000 a year for refuse collection and disposal services—a sum that is exceeded only by expenditures for schools and roads.

Why is garbage becoming so big and costly a problem? Approximately 500,000 tons of residential, commercial and industrial wastes, or 5.3 pounds per person are generated in America each day. In an average year, a family of six creates 3,860 pounds of trouble for the garbage man. Of this, 990 pounds is genuine garbage—leftover food scraps and the like, what the experts call "putrescent matter"—and 2,870 pounds is rubbish.

This last statistic is the real explanation for the garbage crisis. In earlier decades, Americans carried most of their food home in paper bags. Practically everything today's supermarket shopper buys is enclosed in plastic or cardboard or glass containers.

It doesn't really matter where the junk comes from. The problem is how to collect it efficiently and what to do with it once it's collected. To the citizen, collection would seem the most important facet of the problem. Garbage strikes have threatened a half dozen American cities with disease and social chaos in the last year or so.

Sanitation experts are far more worried, however, about what to do with the stuff once it is collected. They note that 85 per cent of the money we are spending on garbage is currently going into collection (yet a startling 12 per cent of the residential population, receives no formalized collection service) and only 15 per cent of our cash is being spent on disposal.

Many people are under the impression that most garbage is burned in incinerators. Actually, there are only about 300 incinerators in the entire nation, most of them in large cities. Most of our garbage goes to what is familiarly known as the *dump*. There are 12,000 of these *land disposal sites,* as the experts call them, and a recent report of the Public Health Service declared that 94 per cent of them were "unacceptable and represent disease potential, threat of pollution, and land blight."

Nor should incinerator owners start congratulating themselves. The same government experts condemn 75 per cent of these as inadequate, either because they fail to burn enough of the garbage shoved into them or because they pour unhealthy amounts into the atmosphere as air pollution.

Aside from the disgraceful condition of most dumps, there is the blunt fact that we are running out of room for them. New York will run out of space altogether in four to eight years. Philadelphia has been trying to burn 90 per cent of its wastes for well over a decade. San Francisco has had a running battle with surrounding communities over where to put refuse.

All this adds up to what might be called, The Lament of the Garbage Man. "People make jokes about garbage men," Eugene L. Pollock, editor and publisher of *Solid Wastes Management,* a national magazine for the sanitation industry, says, "They tend to think of them as people of little standing in the community. They don't seem to realize they are talking about the fifth largest service industry in the country. Nor do they seem to realize that a lot of these so-called garbage men are executives running multimillion-dollar operations, often using computers." He also notes several major schools grant Ph.D.s in refuse disposal techniques.

Leonard Stefanelli is typical of the new breed of garbage executive. He is president of the Sunset Scavenger Co., one of the two private contracting firms which handle refuse collection and disposal in San Francisco. A good-looking, well-dressed 33-year-old, Stefanelli told a gathering of San Franciscans last year, "You people think of us garbage men as donkeys with strong backs and weak minds. But the fact is that we have spent tremendous amounts of money on modern research and development to try and reduce the bulk of waste as much as possible before disposing of it."

Most people know that garbage men feel underpaid. But few realize a more significant item in the garbage man's tale of woe. It is very dangerous work. The National Safety Council recently reported that their accident rate is highest in the country.

A great deal, however, is being done. A number of ingenious solutions are being tested or toyed with by scientists and sanitation experts around the country. One of the problems of the open dump is being solved by sanitary landfill—one of the best and cheapest methods of disposal now available. Usually it involves shredding, milling and compacting the refuse into an indistinguishable mass, which is dumped in trenches scooped out by bulldozers. It is then covered with seven or eight feet of earth, and natural decomposition over the next 25 years converts it into normal soil.

Landfill not only eliminates the old smoking, rat infested dump, it can also create new recreational sites for land-short cities and suburbs. Virginia Beach, Va., is building an outdoor theater on a 15-year-old landfill site. The Borough of Etobicoke in metropolitan Toronto has built a ski hill out of what they call "selected sanitary waste"—1,500,000 cubic yards of old refrigerators, stoves, bed springs, lumber, chemicals—everything but food wastes. The twin-peaked hill is expected to be 130 feet high when completed. Other communities have constructed golf courses, baseball and football fields and even swimming pools on landfill sites.

Around our larger cities, land is simply too scarce and too valuable to put garbage in it. San Francisco and Philadelphia are about to begin experiments in shipping their garbage 200 to 300 miles away by railroad.

Philadelphia has hired a private firm to lug the stuff out to the central part of the state, and dump it into abandoned strip mines. The cost will be $5.39 a ton, a big saving over the current $7.50 a ton for incineration. Rhode Island University, under a grant from the National Center for Urban and Industrial Affairs, is studying the possibility of burning garbage at sea in huge incinerator ships and tossing the residue overboard at selected dump sites.

The inventive Japanese have come up with another idea, a giant compacter said to reduce trash to 10 per cent of its original volume. The Japanese at first claimed that the resulting hard blocks of garbage could be used for construction work. But experts quickly demolished this idea. As garbage decays, it emits methane gas, and if you sealed these bricks inside a concrete building, within a year or so there could be an explosion.

The fondest dream of the modern sanitation expert is making garbage profitable. In the old days farmers paid for the privilege of collecting and removing garbage from Philadelphia. Today collectors get up to $8.33 a ton for this work—plus the refuse itself—and the price is considered to be a real bargain. Paper was once salvaged for the production of cardboard. Now it is stored until a private collector comes and picks it up—at a charge of $100 a month for this service. Some people have experimented with burning garbage to produce steam which, in turn, would run electric turbines. The Town of Hempstead on Long Island has an incinerator that drives a 2,500-kilowatt electric power plant and a 420,000-gallon-a-day water desalting plant. But neither here, nor anywhere else, has anyone made such operations profitable.

The brightest hope in this department has been composting. For over 25 years, various countries—Israel, Holland, Scotland, and the United States—have experimented with pulverizing and reducing the garbage to manageable brick form and selling the stuff to farmers to enrich the soil. A few years ago, a *Fortune Magazine* story grandiosely announced the opening of a composting plant in St. Petersburg, Fla., operated by the International Disposal Corp. The $1,500,000 plant lasted from July, 1966 until the early months of 1968, when it was closed as a public nuisance because of an odor problem. But after remodeling it is expected to start again soon.

The Florida plant joined a long line of composting plants, stretching from Scarsdale, N.Y., through McKeesport, Pa., Mobile, Ala., Norman, Okla., Phoenix, Ariz., and Houston, Tex.—most of which are already closed or closed part of the year. The reason lies in that earlier statistic about the preponderance of rubbish in today's garbage. Plastic bottles, aluminum cans, paper and glass are not very soil enriching.

Yet the composting idea has value. "These commodities we are throwing away today may someday be in serious short supply," says Dr. Walter R. Hibbard, former director of the Bureau of Mines. Dr. Athelstan Spilhaus, president of the Franklin Institute in Philadelphia, argues that we ought to "bank" potentially valuable wastes until we know how to get at their ingredients economically.

Still another solution would be the creation of self-destructive bottles and cans. Jerome Gould, the noted industrial designer, is working on such a project as is Samuel F. Hulbert of Clemson University in South Carolina. Hulbert says his bottle will have the same basic elements as glass but when it breaks it will become soft and greasy and melt away.

Back on the practical, everyday level, some people are trying to take the minor headaches out of the garbage problem. Some companies have recently perfected a garbage can with a bottom made of rubber cement, that thuds instead of rattles in the early dawn. New Haven, Conn., is experimenting with the use of kitchen sink grinders in a high-rise apartment complex. The reduced garbage is piped to a central building for disposal.

All these changes, experiments and improvements point toward one conclusion. The garbage crisis can and must be solved.

The alternative may well be the policy currently being pursued in the state of Zulia, Venezuela. The government had to declare martial law and send in National Guard troops to suppress rioting stemming from a strike of sanitation men which left four dead and dozens injured. To prevent a repetition of the upheaval, authorities hastily passed several laws which clearly demonstrate the dangers of uncollected garbage in a free society. One of the laws stipulates that no couple will be allowed to marry unless they both produce certificates proving they are up-to-date in their refuse collection payments.

THE 1968 ATA NEWSPAPER SAFETY WRITING COMPETITION

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. GALIFIANAKIS. Mr. Speaker, when the American Trucking Associations, Inc., recently named the winning entries in its 1968 newspaper safety writing competition. I was delighted to note that a young man from the congressional district I was privileged to represent at that time was honored for an editorial entitled "Live Beyond Labor Day."

I salute the writer, Michael B. Smith of the Winston-Salem Journal, for the outstanding contribution he has made to highway safety. Additionally, I should like to call to the attention of all the Members of this distinguished body the content of Michael Smith's prize-winning editorial:

LIVE BEYOND LABOR DAY

There are several approaches one can take when writing an editorial about traffic safety on the eve of a traditionally bloody holiday. There is, for instance, the didactic approach, with its solemn instructions to Drive Carefully. The Life You Save May Be Your Own, or Speed Kills, Take It Easy, or If You Drink, Don't Drive, or Buckle Up For Safety, Buckle Up. It is all fine advice and it is all generally ignored.

There is the statistical approach, which will tell you that since Henry Bliss stepped off a Manhattan streetcar into the path of a speeding horseless carriage in 1899, two million other people have died in traffic accidents—more deaths than in all our wars combined. Statistics will inform you that 609 Americans died in automobiles during the Labor Day weekend last year, 30 of them in North Carolina. But few people are ever really impressed by statistics until they become one.

Finally there is the dramatic approach, with its corollary, the scare approach. Newspaper files are full of large glossy photos of bent automobiles, jagged windshields, torn metal and blood-soaked upholstery. Any Highway Patrolman or ambulance attendant or mortician knows what happens when a human body moving at, say, 70 miles an hour meets a tree or a bridge abutment or a two-ton piece of steel. Oh yes, we are temporarily sobered by talk of smashed skulls and crushed chests, but we secretly believe that *It can't happen to me.* It can.

There are many ways to illustrate the dangers of driving on a holiday, but none of them will prevent about two dozen North Carolinians who are alive today from being dead by midnight Monday, when the counting stops. Only one absolute means of protection comes to mind, and we urge it on all our readers: Please stay home this weekend. Stay home.

ROTC CONTROVERSY

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. NICHOLS. Mr. Speaker, there has been a good deal of controversy, both on campuses in particular and around the country in general, regarding the ROTC program. There has also been a great deal of misleading information disseminated, some intentionally by those who serve their own purposes and some unintentionally by those who are just plain uninformed, about this very fine program.

The April 1969 issue of Army Digest presents a very factual, and I might add "official," statement by the Department of the Army's Office of the Director of Individual Training for ROTC Affairs. This article was brought to my attention by Mr. J. T. Rutherford, himself a former Member of this body and currently the executive director of the Association of Military Colleges and Schools of the United States.

In an effort to see that the true facts regarding the ROTC program are given wider distribution. I insert the text of the article at this point in the CONGRESSIONAL RECORD:

ROTC UNDER FIRE: AN AMERICAN INSTITUTION MEETS THE TEST

(By Army Digest staff in cooperation with Office, Director of Individual Training for ROTC Affairs)

At campuses across the country, graduates in cap and gown soon will be receiving diplomas from college presidents, visiting deans or VIP's imported as commencement speakers to impart words of wisdom to the fledgling captains of industry, commerce, and various professions.

At 268 of these campuses, some 17,000 young men will be exchanging mortar boards for military hats, and academic robes for jackets with gold shoulder bars denoting brand new lieutenants. These are the students who, for the most part, elected as sophomores to fulfill their obligations of citizenship in a free Nation by enrolling in the advanced Reserve Officers Training Corps program.

Some of these dedicated young men will make a career of the military services. Each year the Army alone needs—in fact must have—at least 15,000 to fill its requirements for leaders educated in a wide variety of fields that go to make up a modern, progressive Army.

Others will meet their minimum military obligations, then return to civilian pursuits while remaining available for duty via the Reserve Forces. These graduates often have been recruited, even before leaving the campus, by commercial organizations. For while the Army must have its input of young leaders, many of these firms also are anxious to recruit the same talents. Increasingly, there is competition for the potentials for advancement represented by these young men—potentials which are increased by their proven leadership fostered through ROTC training and then developed by several years of actual military service.

Many of this year's graduates will have been scholarship winners, their tuition and incidental expenses paid through ROTC programs. Many others will have been assisted to a greater or lesser degree. It is safe to say that many hundreds of the graduates would never have been able to attain a college education were it not for ROTC assistance.

As sophomores, these men had the foresight to recognize the advantages of enrolling in advanced ROTC. They voluntarily joined despite the current criticism and vociferous outcries against the program that faces ROTC on many campuses—criticism and outcries that appear strange indeed when one considers that for many years the military services were criticized for not having a "rapport with world events," for "living in a world of their own," with leaders whose "military mind" and thinking were simply products of a "trade school."

Basic to such criticism was the implication that the military services needed the leaven of large numbers of leaders educated in many fields—men who could understand and evaluate worldwide political, economic and sociological conditions, who could comprehend the interplay of events in a world of power politics, who could generally chart the Nation's path through the maze of highly complicated events that mark the making of history.

For more than half a century the Army has made every effort to get just such men. And ROTC has provided increasing thousands of them, until today the Corps of over 150,000 is the largest and least expensive precommissioning educational system in the Army. Its graduates—by the hundreds and by the thousands each year—represent all academic disciplines. They come from varied ethnic backgrounds, from all parts of the Nation. They can be found on active duty from second lieutenants up to lieutenant generals.

Yet today the system is facing criticism from several sources. Ironically, much of the criticism comes from the same people who just yesterday were complaining that the Army was hidebound and needed leaders of greater depth and breadth of vision. Today these same people would do away with the very system that is producing exactly such leadership. Among evidences of this attitude:

Some members of staffs and facilities of various institutions of higher learning claim that the ROTC curriculum is below academic standards.

Demands are made to withdraw academic credit for ROTC courses.

The rank of the Professor of Military Science has come under scrutiny. Some educators feel sincerely that only the colleges or universities should have the right to designate professors. Some feel that the entire idea of military training on campus is in conflict with the purposes and ideals of the American system of higher education—disregarding entirely this Nation's tradition and history of dependency on a citizen army.

Some of the criticisms—those which hit the headlines all too often because of their character and source—come from small but highly organized and extremely vociferous dissident groups. One group has actually prepared in great detail a complicated printed plan to "smash the military machine in the schools." These students carry on actual campaigns of terror—reviling other students, defiling uniforms, carrying on intense campaigns against incoming students aimed at browbeating impressionable newcomers from signing up for the Corps.

It is significant to note that some dissident groups appear to fight ROTC merely as part of a larger plan for fomenting actual revolution in the Nation. They seek to introduce class warfare among the youth of the country on the basis that ROTC produces large numbers of well-educated officers—and according to their warped view, the officers are the "oppressors" of the enlisted ranks. They would not only emasculate ROTC but would eliminate it altogether, and eliminate all military leadership along with it.

ANSWERING THE CRITICS

Yet despite all criticisms the senior ROTC enrollment today continues to thrive and grow stronger. This spring even larger numbers of young men than usual will be completing their courses to enter the Army as second lieutenants. Admittedly, the peak enrollment today may be attributed in part to selective service accompanying the Vietnam conflict. But historically enrollments in the advanced course have fluctuated according to international tensions.

Many of the critics of the program for obtaining young leaders do not realize that just as the Army has changed from the old days of close order drill, Wednesday afternoons off, bailing out the enlisted man after payday, so has the ROTC changed. It's a far cry today from the era when most efforts went into an hour or two of drill a week, combined with a few dull lectures on military courtesy and a stilted course or two on military history.

The ROTC curriculum has kept pace with the changing needs of an ever more technological Army. It actively seeks to develop fledgling leaders with the education that makes them aware of political, economic and sociological conditons, that produces future leaders with the potential for continuing growth in many fields.

ORIGIN AND HISTORY

Although ROTC had its formal beginnings with passage of the National Defense Act of 1916, training in colleges and universities dates back to 1819 when Captain Alden Partridge, former superintendent at West Point, established Norwich University, Vermont, as a military college. Similar training was provided at many other colleges and military academies, such as Virginia Military Institute, most famous graduate of which was Gen. George C. Marshall. It is noteworthy that a young officer, later to become Gen. John J. Pershing, established the Pershing Rifles as a crack drill unit back in 1892.

The Land Grant Act of 1862 provided for military training to be required at the so-called Land Grant Colleges, mostly state universities, in return for land concessions from the Federal government. Thus the Nation gave practical expression to its time-honored philosophy—civilian control of the military establishment based on a system that expects every citizen to be a vital part of the national defense, subject to call for military duty in time of war. This philosophy has been expressed by American statesmen, educators, legislators throughout our entire history. Today ROTC embodies the principle of drawing officers for our Armed Forces from the mainstream of American life in all its diversity.

KEEPING PACE

Through the years following World War II, studies have constantly been made to keep curricula in tune with the changing needs of an Army in transition. Such changes were largely undramatic, moderate breezes rather than swift winds of change. But with the ROTC Revitalization Act of 1964 came the beginning of what has become an entire New Look in ROTC.

The Act created a platform for a complete restructuring and modernization of the entire program. It is significant that this began before the present wave of criticism was even a ground swell far out on the horizon. The Act indicates that the Army and other Services were continuously evaluating, looking ahead, constantly seeking to meet changing conditions.

Principal feature of the Vitalization Act was the scholarship program under which 5,500 will annually receive tuition, book and fee costs plus $50 per month subsistence. Many of these ROTC scholarship students would never be able to attend college otherwise. Recipients are committed to four years of active duty following graduation, and must accept a Regular Army commission if offered.

Another feature is authorization of the two-year program that provides for junior college graduates and transfer students from non-ROTC institutions to join the Advanced Course program in their junior or senior years.

In making changes in the ROTC curriculum, the Army has recognized the changes in educational philosophies and concepts in the colleges themselves. With each passing year, degree standards have been raised so that a student must carefully budget his time to satisfy these requirements; as a result, less time is available for activities outside his principal areas of study. ROTC has endeavored to keep pace with this trend.

FLEXIBLE CURRICULUMS

Today's curriculum studies, and other aspects of the program, are characterized by flexibility. Currently, Army ROTC offers three choices to colleges and universities of the country—Curricula which permits practically any school to tailor its military program according to its institutional needs in conjunction with the Professor of Military Science at the particular school.

At present, about 15 percent of the host institutions are using Option A which deals mainly with military subjects.

About 80 percent of the campuses are utilizing Option B which allows 25 percent of the subjects to be selected from those offered and taught by the college.

A third, Option C, was initiated by 11 schools on a developmental basis in the fall of 1968. This is designed to present the basic course in a manner that will insure its being accorded academic credit on a par with other courses offered at that particular school. The freshman courses acquaint a student with basic concepts of warfare and problems of national defense; the sophomore course examines the concept of military force, relative effectiveness in solving international crises, the role of the military in society and its relationship to other elements of national power. Instruction may be presented by military personnel, or by civilian members of the faculty—or by both. This latter, or "team teaching" method, enables each to present its specialty in a highly interesting and informative manner.

Curriculum studies and retailoring of course content involves a continuing process of cooperation between the Army and educational institutions.

As a result of many months of study of campus and Army requirements, the entire ROTC curriculum is now being revamped to add even more flexibility to meet changing times and to become more academically oriented.

However, it should be remembered that moves toward a more academically oriented curriculum do not necessarily provide a panacea for the problems involved. The exact nature of the curriculum on any particular campus will be tailored by the institutional authorities and the Professor of Military Science concerned—a cooperative approach which should demonstrate that the curriculum is not "dictated from Washington" as some critics contend.

ROLE ON CAMPUS

A key role in ROTC is exercised by Professors of Military Science on campus. Actually the rank of professor is statutory and is prescribed in Public Law 88–647. However, this does not prevent a reevaluation of the role the military appointees play. As a department head the Professor of Military Science—or PMS for short—has full and equal status with other department heads. Normally he limits his activities on the faculty board to areas concerned with the military department unless requested by institutional officials to enter into other university matters.

Questions of PMS status are sometimes raised by certain faculty members who, through normal academic procedure, strive to attain tenure at a given school. Since advancement often depends on tenure, appointment of a non-tenured Army officer to the level of professor may generate displeasure among faculty colleagues thus affected.

It is not so much the PMS's actual rank, but his stature as a department head, with all rights and privileges of the position, that interests the Army. A solution to the entire problem may lie in changing the title which would imply all the rights and privileges of a professor and department head, minus the vexing question of tenure. This matter now is being seriously considered by Department of the Army.

In spite of such problems, it is interesting to note that there is a continual demand by colleges and universities to enter into contracts to provide ROTC. In the last two years alone, Department of the Army has approved 30 new units. These were selected from no fewer than a hundred applications nationwide. In selecting institutions, the Department of the Army considers production quality and potential, institutional support, facilities, and geographic distribution.

This year two-thirds of the institutions offering the program have elective programs. The decision is the institution's to make; the Department of the Army does not favor one program over any other. So far, though, it can be stated that elective programs are proving efficient and economical. Units adopting them exhibit a high esprit, since all cadets are volunteers. They are taking ROTC because they actively seek it.

LOOKING AHEAD

What about the future of the Army ROTC program? To a large extent, the future depends on the ability of the Army to keep pace with evolutionary developments on college campuses. Past history and present studies point to such success based on the Army's adaptability to changing circumstances.

Support for the program comes from many sources, but in the long run it is the responsible educator who recognizes the requirement for colleges to participate in the education of the Nation's young officers as a meaningful contribution to the American institution of a citizen-army, which holds the key to success or failure in a viable democracy. This type of positive support does exist and will continue to exist.

ROTC will continue to be the major source of newly commissioned officers for the Active Army and the Reserve Forces. The Army will continue to meet the challenge raised by professional educators by maintaining its flexible approach in developing progressive programs that mutually benefit the Army, the host institutions, the student and, in the long run, the Nation. Always our Army's goal is to maintain cordial, cooperative relations based on mutual respect and understanding of the responsibilities and interests of each party involved. The objective is to produce well-educated young men with leadership potential for peaceful pursuits of civilian enterprise as well as for command in emergencies that may arise in the Nation's defense.

THE NEED FOR TAX JUSTICE FOR ALL

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. BIAGGI. Mr. Speaker, I am most anxious for this Congress to plug tax loopholes which favor the wealthy while placing a heavy burden on those Americans of small or modest means. I want to congratulate President Nixon for recognizing this in his tax message that was received yesterday.

The tax loopholes that now exist are unconscionable and scandalous.

In 1968, according to former Treasury Secretary Joseph Barr, some $35 billion in tax revenue was lost to the Treasury Department because of an assortment of tax loopholes.

If this revenue was shared by some 85 million Americans who filed individual tax returns in 1968, it would have meant a payment of $411.76 to each one.

If this revenue was shared by every man, woman and child in the United States—some 200 million in all—it would have meant a payment of $175 to each one.

If this revenue was used to fight drug addiction and crime on the streets, America would be a better and safer place in which to live today.

If this revenue was used to rebuild our ghettos, we would not be experiencing an urban crisis today.

If this revenue was used for medical research and for more and better hospital facilities, less Americans would be dying today.

If this revenue was used to bolster the grossly inadequate benefits for senior citizens, America would be a happier place in which to live today.

If this revenue was used for the education and care of needy young people, America would be able to look to the future with renewed hope for the generation of tomorrow.

It staggers the imagination to think of what we could have accomplished with $35 billion.

I am deeply concerned about tax loopholes such as the depletion allowance for virtually every mineral, especially oil; the gimmicks by which depletion allowances and losses by wealthy, gentlemen farmers can be used to liquidate taxes on other income; certain areas of tax shelter for real estate investment; the capital gains treatment for stock options; and the special tax breaks for conglomerate corporations and the no-tax status of foundations.

There are also other tax loopholes which are unfair and most disturbing.

Some wealthy Americans, for example, readily achieve tax deductions by contributing tangible property such as used furniture to a charity which will raise revenue from the sale of the gift. The wealthy donor will then take a deduction equivalent to what he paid for "the gift" when he bought it—perhaps years earlier. The charity, however, might have sold "the gift" for as little as 10 percent of its original cost.

Why then should the donor be allowed a deduction far greater than the amount derived from the sale of "the gift?" I see no valid reason for not restricting him to a deduction equal to the proceeds derived from the sale of his "gift."

While I agree with the President that the 7-percent investment tax credit has accomplished its purpose of stimulating the business economy, I do not fully support his recommendation for blanket repeal. I believe that both the investment tax credit and extra-fast depreciation writeoffs should be retained on a restricted basis as incentives to encourage investments in ghetto areas.

I am hoping that the President uses the weight of his office to help eliminate the most flagrant examples of wealthy taxpayers slipping through loopholes. These taxpayers are individuals and companies deriving their incomes from gas and oil. They benefit from a panoply of credits and deductions.

Dry holes are written off, deducted as business losses. Depletion allowances equal to 27.5 percent of gross income and ranging up to one-half of net income can be taken. About 90 percent of capital costs, which nonoil companies have to depreciate over 20 years, can be charged off the first year by oil companies through the intangible drilling and development cost deduction. This includes many of the construction costs at the site, drilling costs, mud, roads, and the like.

Finally, the oil companies have the golden gimmick by which American firms can credit the royalties they pay to the Middle Eastern sheiks and potentates, dollar for dollar, against the taxes they would otherwise owe in the United States. Not only is American currency going abroad because of this technique, but our Nation is also soaked for "the privilege" of allowing it to go over there.

As a result, many major oil companies pay little or no Federal corporate income taxes.

In 1967, the last year for which data is presently available, Standard Oil of New Jersey paid taxes of only 8 percent on net income of more than $2 billion.

Texaco paid taxes of only 2 percent on earnings of $900 million.

Gulf, Mobile, Union, Marathon, Getty, and Atlantic all paid less than 8 percent on net incomes exceeding $100 million each.

Atlantic-Richfield paid no taxes at all on a net income of $145 million.

On the other hand, the struggling middle-income wage earner with a wife and two children and $12,000 of taxable income, paid almost 20 percent of it directly to the Federal Government this year.

Piled on top of the Federal income tax bill of the middle-income family was the surtax and Federal excise taxes such as social security payments and real estate, personal property, sales and gasoline taxes.

These are heavy burdens which have been borne out of a deep sense of responsibility and loyalty to our Nation. But this year, if the taxpayer is reasonably well informed, he knows that many far wealthier than he bear a much lighter burden.

On April 13, the New York Times Sunday Magazine reported that 381 Americans—each having incomes in excess of $100,000—did not pay one penny of Federal income tax last year because of existing loopholes.

On April 14, the day before the deadline for filing tax returns, the Wall Street Journal reported—and I quote directly:

> Aghast at the income tax due by midnight tomorrow? Here's a tip on how to get off easier next April 15. Push your 1969 earnings up to $100,000. That, Treasury studies show, is the point at which the tax burden starts getting lighter . . .

I have been receiving an increasing number of letters from middle-income taxpayers complaining that some of the rich are getting richer at their expense.

If indignation continues to grow, it could lead to a breakdown in the present tax system. It is a largely self-enforcing system and its backbone is the basic honesty of the American taxpayer and his ungrudging acceptance of the fact that he has to pay a relatively large amount of taxes.

If this willingness turns to widespread cynicism as loopholes which benefit the wealthy remain intact, the system cannot survive.

While the direction and the principle of the President's proposal to remove poverty-level Americans from Federal tax rolls is commendable, it must be remembered that some of these hard-pressed individuals would incur no tax liability anyhow because of presently allowable deductions for medical expenses and other items.

I would not only like to see this Congress plug the tax loopholes that benefit the wealthy, but I hope more is done for both low- and middle-income taxpayers. Among steps that can be taken to accomplish more for these taxpayers and to achieve tax equality, I recommend:

Tax credits be allowed for the expense of higher education.

Deductions for each dependent be raised from $600 to $1,200.

Teachers be permitted tax credits for expenses incurred while pursuing courses for academic credits.

Homeowners be allowed deductions of $1,000 annually for certain necessary repairs for the maintenance and improvement of the homes in which they live.

Tenants who must undertake certain necessary repairs for the maintenance and improvement of the homes in which they live be allowed deductions of up to $1,000 annually that would otherwise go to the landlords.

Retired Federal, State, county, and municipal employees be exempt from Federal taxes on their retirement income.

Mothers who must work to support their families be allowed deductions of $800 instead of $600 for the care of one child and $1,200 instead of $900 for the care of two or more children.

Extension of head of household benefits to widows, widowers and certain divorced or legally separated individuals who have reached the age of 35.

Special tax credits be given disabled taxpayers.

Special tax credits be given to taxpayers supporting dependents who are mentally retarded or suffering from a neuromuscular disease.

Deductions equivalent to 100 percent of the cost of medical and dental treatment be given to all taxpayers when such expenses are not absorbed by insurance carriers or otherwise.

We can accomplish all of this and more if we plug the loopholes that now benefit the wealthy. It would be fair and just. It would show so many troubled Americans that the conscience of Congress is at work.

HON. ROBERT A. "FATS" EVERETT

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. HUNGATE. Mr. Speaker, the House recently lost an effective and respected Member, the Honorable "Fats" Everett. Many people will miss this public servant and among those who sense his loss most deeply are the farmers of America. This is because he was concerned with their problems and fought for them. An article appearing in the Progressive Farmer, March 1969, touches on some of his fine achievements:

ROBERT A. "FATS" EVERETT

> Tennessee farmers and Southern agriculture lost a good and loyal friend when Representative Robert A. Everett passed away. Everett was not a member of the House Agriculture Committee, but this did not keep him from studying each bill that could or would affect the welfare of farmers in the Eighth District of Tennessee and other parts of the South.
>
> From the first to the last day he was in the House, he always was mindful of the fact that he was elected to represent the rural and urban citizens of northwest Tennessee. He pleased voters of the Eighth District so well that no one challenged him for his seat in the election last fall.
>
> A vast majority of farmers in the Eighth District have a great appreciation for a dollar. They know money is hard to come by and that a dollar misspent is a dollar lost or wasted. Everett, too, hated to see money spent foolishly, so he gained the "conservative label." However, his fellow Congressmen could count upon his vote when appropriations were for worthwhile causes where he could see economic growth and greater prosperity coming from the expenditure.
>
> In his home district he will be remembered as a public servant who put service above self and who was never too far away from his district or absent too long to forget the needs and desires of the people he served.
>
> Everett was first, last, and always the people's representative. So we say to his successor, "Mr. Representative, the pattern has been 'cut.' You can run for reelection many times if this goal is second to that of serving your people and being able to distinguish between their needs and their selfish demands."

CONTINUE THE MARINE COUNCIL

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, today I support wholeheartedly the passage of H.R. 8794 to extend for 1 year the life of the Marine Resources and Engineering Development Council. Since its inception under the 1966 legislation, the Council has done more than enough to justify its existence by advising and assisting the President in developing a comprehensive program in marine science affairs and coordinating activities of the Federal departments and agencies involved. The Council, under the direction of Executive Secretary Dr. Edward Wenk, is to be highly commended for the way in which it has implemented the intent of the 1966 act by promoting a national marine science program for the benefit of mankind. We are also deeply grateful for the fine work done by the Commission on Marine Science, Engineering, and Resources under the chairmanship of Dr. Julius A. Stratton. The Stratton Commission has provided us with a virtual blueprint for making the 1970's the "Decade of the Oceans" and I would highly recommend this report, "Our Nation and the Sea," to all my colleagues.

It is significant to note that the change in administrations has not meant a change in our marine science commitment. The Nixon administration has made it abundantly clear that it fully intends to press forward on this front. Vice President AGNEW has assumed the chairmanship of the National Council on Marine Resources and Engineering Development with enthusiasm and vigor and has amply demonstrated the commitment of this administration to pursuing a national marine science program. In a major policy address on February 24, 1969, Vice President AGNEW made the following statement:

> We intend to use the science of oceanology to serve the pressing needs of our society. The knowledge of the seas must be used to serve the cause of world peace. And we shall pursue these policies—as the Nixon Administration shall pursue all national policies—with an emphasis on realism and a reliance upon the technological genius of our nation. . . . The past years have been a time of preparation, the present year should be one of organization, so that the next decade can be one of cooperation climaxing in realization of the sea's promise.

One of the main reasons for extending the life of the Council for 1 year is to give the new administration sufficient time to review the long list of recommendations made by the Stratton Commission. It is important to keep in mind that the Marine Council is an interim body and that one of its primary responsibilities this year will be to decide what organization is needed to continue its functions once the Council has been dissolved. The Stratton Commission has recommended the formation of an independent agency, a National Oceanic and Atmospheric Agency—NOAA—which would bring "a freshness of outlook and freedom of action which is difficult to achieve within an existing department." The Stratton Commission found that "the proliferation of marine activities—among 11 Federal departments and agencies—places an unnecessary burden on the President and the Congress" and that the objective of a national ocean program "can be achieved only by creating a strong civil agency within the Federal Government with adequate authority and adequate resources."

I heartily endorse this concept and strongly urge the Council to give this recommendation the priority status it deserves. The Executive Secretary of the Council, Dr. Edward Wenk, has wisely warned against comparing the proposed NOAA with NASA:

> This has not been a crash program, nor do I believe it should be. It is not exclusively a Federal program, nor do I believe it should be.

Dr. Wenk has pointed out that private enterprise is primarily responsible for the development and exploitation of marine resources; that the successful management of activities in the coastal marine environment is the primary responsibility of State and local bodies; and that basic research and education needed to advance the entire enterprise is the basic responsibility of universities and nonprofit research institutions. At the same time, it is most important that the Government provides much of the leadership and support for ocean research and exploration and that we recognize that this can best be done through a single independent agency such as NOAA.

I am hopeful that the Marine Resources and Engineering Development Council will reach these same conclusions after carefully studying the findings and recommendations of the Stratton Commission so that we might press forward with a unified national effort as we approach the "Decade of the Oceans."

At this point in the RECORD I would like to insert excerpts from the Stratton Commission Report as they appeared in the January 1969, issue of the National Oceanography Association News:

THE COMMISSION REPORT

RECOMMENDED NEW AGENCY, NATIONAL OCEANIC AND ATMOSPHERIC AGENCY

> The proliferation of marine activities (among Federal agencies now) places an unnecessary burden on the President and the Congress . . . It is our conviction that the objective of the national ocean program recommended by this Commission can be achieved only by creating a strong civil agency within the Federal Government with adequate authority and adequate resources. No such agency now exists, and no existing single Federal agency provides an adequate base on which to build such an organization. For the national ocean effort we propose unified management of certain key functions is essential. . . .
>
> (NOAA would have the following functions: rehabilitating U.S. fisheries, research on and exploration for various ocean minerals, pro-

grams of scientific research and fundamental technology, assuring adequate manpower, providing weather and oceanic forecasts through the recommended National Environmental Monitoring and Predictions System [NEMPS], exploring beneficial weather modification, navigation and safety programs, promoting aquaculture, advising on coastal multiple-use problems, assisting and coordinating proposed State Coastal Zone Authorities, international liaison, encouraging private investment, coordinating with other Federal agencies, advising the President and Congress and continuing all present functions that would be transferred to NOAA). . . .

Initial composition

The Commission recommends that the National Oceanic and Atmospheric Agency initially be composed of the U.S. Coast Guard, the Environmental Science Services Administration, the Bureau of Commercial Fisheries (augmented by the marine and anadromous fisheries functions of the Bureau of Sport Fisheries and Wildlife), the National Sea Grant Program, the U.S. Lake Survey, and the National Oceanographic Data Center . . . An independent agency can bring a freshness of outlook and freedom of action which is difficult to achieve within an existing department. Its greater public visibility would draw stronger public interest and support . . . (the new agency) need not be regarded as the ultimate answer but rather as a step in an orderly progression of actions to achieve more effective organization of the executive branch . . . (55,000 employees, 320 seagoing ships and 38 laboratories would be brought together in NOAA). . . .

Reorganization cannot be a substitute for new programs; but neither can programs be launched with maximum effectiveness through our existing machinery of Government. Because of the importance of the seas to this Nation and the world, our Federal organization of marine affairs must be put in order.

INDUSTRY-GOVERNMENT RELATIONS

The Commission recommends that since direct Government subsidies are not required at this time to induce industry to generate capital for marine investments, Government policy should instead be directed to providing the research, exploration, basic technology, and services . . . to encourage private investment in the exploration and exploitation of marine resources. . . .

Oil and gas

The offshore oil industry generally is expected to continue to grow and to account for at least 33 percent of total world oil production in 10 years . . . the five-year term allowed by the (Outer Continental Shelf Lands Act) for exploration and development may be too short for profitable development as the industry moves further offshore into deeper waters and more hostile environment. . . . earlier notice of lease sales would help the industry to plan its exploration and development programs in a more orderly and efficient fashion. . . .

With growing demand for natural gas, it is important to encourage a greater rate of exploration and development than presently existing. . . . Two categories of Federal Power Commission regulatory policy should be modified to help encourage additional exploration and development of gas reserves: pipeline construction and wellhead price.

Offshore mining

There is no urgent necessity to develop subsea hard minerals with maximum speed regardless of cost. Nevertheless, an early start in offshore exploration and development of the required technology is warranted to determine reserves and establish a basic for future exploration. . . . The United States is almost totally dependent on foreign sources for such minerals as chromium, manganese, nickel, cobalt, industrial diamonds and tin. Forty of 72 strategic commodities come from politically unstable areas. . . . The marine mining industry is in its infancy. . . .

Technology development

The Commission recommends that strong Federal support be provided for a program to advance the fundamental technology relevant to marine minerals exploration and recovery . . . ($150 million) . . . The Government should have the function of testing new tools and equipment developed mainly by private industry and in cooperation with industry should be responsible for setting standards for the mining industry. . . .

"The Commission recommends that when deemed necessary to stimulate exploration, the Secretary of the Interior be granted the flexibility to award rights to develop hard minerals on the outer continental shelf without requiring competitive bidding. . . .

A Government-supported program is necessary to delineate the gross geological configuration of the continental shelves and slopes adjacent to the United States and to identify in general terms their resource potential and areas of greater commercial promise . . . ($150 million). . . .

General industry

A major purpose of Federal participation in a fundamental technology development program is to enlarge the national base for future productive activity by industry. . . .

National projects

Undersea operations, fixed or mobile, depend on power supplies . . . As the resources industries expand deeper into the ocean and farther from shore, the need for self-sustaining power supplies will become increasingly critical . . . the Commission proposes as a national project the construction of an Experimental Continental Shelf Submerged Nuclear Plant . . . ($230 million). . . .

To provide the facilities and the focus to improve and expand the Nation's capability to utilize the oceans, the Commission has proposed a national project encompassing Continental Shelf Laboratories . . . These laboratories are conceived as permanent structures emplaced on the shelf bottom in areas of high concentration of mineral and living resources. These laboratories would include living and working quarters for 15 to 150 men . . . ($500 million). . . .

Industry's ability to assimilate new scientific findings and technology will be critical to the success of the research and development programs . . . Hence, there is a strong need to insure that the resource industries participate in planning the proposed marine technology programs and National Projects in order to insure that technology does not become an end in itself . . . (For development of fundamental technology to investigate power, propulsion, life support and related systems to provide underwater operating capabilities at 2,000 feet, $400 million).

WEATHER PREDICTION AND MODIFICATION

(The Nation's) industry, commerce and agriculture are critically dependent on the weather controlled in large measure by global ocean conditions. The safety and well-being of its people and their property must be protected against the hazards of air and ocean. . . .

The Commission's recommendation to observe and describe the global environment adequately will require a balanced effort in research, exploration, technology, and by the latter part of the coming decade, the development of a global environmental monitoring and prediction system . . . (Benefiting from improved forecasts would be: national defense, the national economy, fishing industry, petroleum and mineral industries, the transportation industries, agriculture, protection of life and property and the scientific community). . . .

Submersibles needed

Presence of man in the ocean depths is necessary, because present knowledge does not indicate what to observe, and the versatility and comprehension that man alone can bring to the task of exploration is indispensable . . . A 20,000-foot depth capability will permit operations in more than 99 percent of the world's ocean volume with access to 98 percent of the ocean's floor, excepting only the deep trenches . . . The Commission recommends that the National Oceanic and Atmospheric Agency sponsor an explicit program to advance deep ocean fundamental technology and proceed with a national project to develop and construct exploration submersibles with ocean transit capability for civil missions to 20,000-foot depths . . . ($685 million). . . .

The Commission recommends that NOAA take the lead in fostering a wide variety of instrumentation development programs required for ocean exploration . . . ($175 million). . . .

Unified system

The Commission recommends that the Nation's civil oceanographic monitoring and prediction activities be integrated with the existing national wealth system (as well as certain aspects of the systems for monitoring the solid earth) to provide a single comprehensive system designated as the National Environmental Monitoring and Prediction System (NEMPS) . . . the scattering of responsibilities among many Federal agencies continues to cause funding and management difficulties. . . .

The Commission recommends that NOAA (Coast Guard) launch a NATIONAL PROJECT to develop a pilot buoy network . . . the pilot network would be tested and evaluated fully before a commitment is made to a major operational system . . . ($85 million) . . . The Commission recommends that NOAA (Environmental Science Services Administration) undertake a comprehensive program of research and development to explore the feasibility of beneficial modification of environmental conditions and the effects of inadvertent interference with natural environmental processes . . . ($325 million). . . .

FISHERIES

World food production must increase by 50 percent over the next 20 years to keep pace with growing populations . . . Our Nation has a strong interest in advancing development of the sea's food resources . . . The total annual world harvest from the oceans is about 50 million metric tons . . . It is, therefore, more realistic to expect total annual production of marine food products (exclusive of aquaculture) to grow to 400 to 500 million metric tons before expansion costs become excessive. . . .

The Commission recommends that voluntary steps be taken—and, if necessary, governmental action—to reduce excess fishing effort in order to make it possible for fishermen to improve their net economic return and thereby to rehabilitate the harvesting segment of the U.S. fishing industry. . . .

Conflicting laws

U.S. vessels land about one-third of the total fish consumed in the United States and harvest less than one-tenth of the total production potential available over the U.S. continental shelf. Although there are areas of successful performance—most notably in the tuna and shrimp fisheries—and although the U.S. catch is third or fourth if measured by dollar value, the U.S. fishing fleet, by and large, is technically outmoded . . . A major impediment is the welter of conflicting, overlapping, and restrictive laws and regulations applying to fishing operations in the United States . . . The Commission recommends that NOAA (Bureau of Commercial Fisheries) be given statutory authority to assume regulatory jurisdiction of endangered species (under certain conditions) . . . The Commission recommends that legislation be enacted to remove the present legal restrictions on the use of foreign-built vessels by U.S. fishermen in the U.S. domestic fisheries . . . If the recommended action is not taken, the vessel construction subsidy program should be expanded . . . The Commission recommends that NOAA (BCF) establish an expanded program to develop fishing technology by improving the efficiency of conventional gear and developing new concepts of search, detection, harvesting, transporting and processing . . . expanded support for the NOAA (BCF) program to develop fish protein concentrate. . . .

The existing (international legal-political) framework is seriously deficient . . . U.S. objectives regarding the living resources of the high seas can best be obtained by improving and extending the existing international arrangements. . . .

Quota systems

The Commission recommends the United States seek agreement . . . fixing a single annual overall catch limit for the cod and haddock fisheries of the North Atlantic . . . (which), in turn, should be divided into annual national catch quotas . . . The Commission recommends that early consideration be given to instituting national catch quotas for the high seas fisheries of the North Pacific . . . The Commission urges that serious consideration be given to assuring coastal nations a reasonable opportunity to participate in the exploitation of fish stocks nearest their coasts . . . If the suggested means of prefering the coastal nation proves to be acceptable, it will also serve the important purpose of removing the impetus to extension of the territorial sea that derives from concern over access to fisheries. It may then be possible to secure agreement on a narrow territorial sea consistent with the totality of U.S. interests in the oceans. . . .

Aquaculture lags

Activity in the United States today is at a low level compared with aquaculture in other parts of the world, but it is showing signs of rapid growth . . . It should be possible to develop means for high volume production of lower valued species, suitable both for table use and for processing into new food forms in which protein content is the dominant element . . . The Commission recommends that . . . NOAA (BCF and Sea Grant) support more research on all aspects of aquaculture, economic and social as well as technical . . . ($175 million). . . .

Groups concerned with the health sciences must carefully evaluate the sea as a source of new and useful medicinal raw materials . . . The Commission recommends establishment of a National Institute of Marine Medicine and Pharmacology in the National Institutes of Health . . . ($45 million). . . .

(For general fisheries development, $530 million). . . .

COASTAL ZONE MANAGEMENT, POLLUTION AND RECREATION

The coast of the United States is, in many respects, the Nation's most valuable geographic resource. . . .

New management need

The key to more effective use of our coastland is the introduction of a management system permitting conscious and informed choices among development alternatives, providing for proper planning, and encouraging recognition of the long-term importance of maintaining the quality of this productive region in order to insure both its enjoyment and the sound utilization of its resources. The benefits and the problems of achieving rational management are apparent. The present Federal, State, and local machinery is inadequate. Something must be done. . . .

The most intensive uses of the coastal zone occur at the water's edge. . . . But—and this is a point the Commission must stress—problems of multiple uses of the coastal zone are moving seaward. . . .

Coastal authority

Effective management to date has been thwarted by the variety of governmental jurisdictions involved, the low priority afforded marine matters by state governments, the diffusion of responsibilities among state agencies, and the failure of state agencies to develop and implement long-range plans. . . . The Federal role in the coastal zone has grown haphazardly. . . . The Commission finds that the States must be the focus for responsibility and action in the coastal zone. . . . An agency of the State is needed with sufficient planning and regulatory authority to manage coastal areas effectively and to resolve problems of competing uses. . . . The Commission recommends that a Coastal Management Act be enacted which will provide policy objectives for the coastal zone and authorize Federal grants-in-aid to facilitate the establishment of state Coastal Zone Authorities empowered to manage the coastal waters and adjacent land . . . the Federal Government should meet one-half of the operating costs of the new state authorities during the first two years. . . . The key functions of the state Coastal Zone Authorities would be to coordinate plans and uses of coastal waters and adjacent lands, and to regulate and develop these areas. . . .

Zoning power

The following powers should be available to the typical Coastal Zone Authority: Planning . . . Regulation—to zone, to grant easements, licenses or permits . . . Acquisition and eminent domain . . . Development—to provide . . . such public facilities as beaches, marinas, and other waterfront developments. . . .

The Commission recommends that the Land and Water Conservation Fund be more fully utilized for acquisition of wetlands and potential coastal recreation lands. . . .

The multiplicity of Federal interests calls for Federal review of proposed state plans and their implementation and for Federal intercession if a Coastal Zone Authority fails to safeguard national interests. . . .

Coastal labs

The Nation lacks well established and well equipped research centers to investigate the problems of the estuaries and the coastal zone. . . . The Commission recommends that Coastal Zone Laboratories be established in association with appropriate academic institutions . . . ($170 million). . . .

Recreation needs

Outdoor recreation is becoming a massive rush to the water; spear-fishing and scuba diving have introduced new forms of recreation into the sea, and the future may see recreation diving from underwater habitats and touring in glass bubbles and small submarines . . . coastal zone policies should recognize the desirability of providing an outlet for the energy and innovative talent of individual entrepreneurs. There are many ways in which these energies might be applied, including aquaculture projects and underwater tourism. . . .

The disposition of wastes into estuaries and offshore waters is both a major economic use of the oceans and, at the same time, a growing national disgrace. . . . The Great Lakes and oceans are the final receptacle for most of the Nation's wastes. Pollutants carried down the rivers or deposited directly from the shores may be trapped permanently within the estuarine system and may work damage that cannot be repaired. . . . Oil spillages and boat toilets are two of the most publicized sources of marine pollution. . . . Existing water pollution control legislation is inadequate in dealing with spillage of hazardous materials. Financial responsibility should be assigned to owners and operators of offending vessels and shore installations. . . . The 1968 Federal Water Pollution Control Administration research and development program of $66 million is inadequate to permit exploration of bold new approaches, which may hold the key to far more efficient waste management than present methods. . . .

The Commission recommends that NOAA launch a National Project to explore the techniques of water quality restoration for the Great Lakes . . . ($175 million). . . .

MARINE SCIENCE/TECHNOLOGY

The Commission finds that the U.S. position of world leadership in marine science depends mainly on the work of a small number of major oceanographic institutions . . . the Nation does need a small group of geographically distributed laboratories that will be given such facilities and support to develop a high capability for ocean research . . . The direct management of these laboratories, which might be designated as University-National Laboratories, should be assigned to universities with a strong interest and demonstrated competence in marine affairs . . . ($445 million) . . . The Commission recommends that Federal marine science laboratories be strengthened by adequate funding and staffing . . . ($215 million) . . . The Government assigns a high priority to the military applications of marine science. This is to be expected . . . The Commission recommends that the Navy maintain and, as required, expand its broad program of oceanographic research in particular its underwater acoustics research program.

The Commission recommends that NOAA establish a National Project to increase the number and capability of private and Federal test facilities for research, development, testing, and evaluation of undersea systems . . . ($500 million). . . .

Technology key

While science provides the key to understanding, technology is the key to expanded utilization of the oceans . . . specific goals should be established which will challenge the Nation and accelerate its movement into the seas . . . As a primary goal . . . the capability to operate at the 2,000-foot depth is attainable and, because of the known richness of the resources to be found out to that depth, immediately rewarding . . . The Commission recommends that the United States establish as a goal the achievement of the capability to explore the ocean depths to 20,000 feet within a decade and to utilize the ocean depths to 20,000 feet by the year 2000.

Private industry to date has done the most to develop civil marine technology . . . the Federal Government has failed to give serious support to civil marine technology . . . The Commission recommends that NOAA initiate a dynamic and comprehensive fundamental technology program. The objective of the program should be to expand the possibilities and lower the cost of marine technological applications by industry, the scientific community and government . . . ($750 million).

COMMISSION MEMBERS

Following are the members of the Commission on Marine Science, Engineering and Resources and, where noted, the study panel of which a member was chairman:

Commission Chairman, Dr. Julius A. Stratton, chairman, the Ford Foundation. Chairman, Panel on Manpower, Education and Training.

Commission Vice Chairman, Dr. Richard A. Geyer, head, Department of Oceanography, Texas A&M University. Chairman, panel on Industry and Private Investment.

David A. Adams, Commissioner of Fisheries, North Carolina Department of Conservation and Development.

Carl A. Auerbach, professor of law, University of Minnesota Law School. Chairman, International Panel.

Charles F. Baird, Under Secretary of the Navy.

Jacob Blaustein, director, Standard Oil Company.

James A. Crutchfield, professor of economics, University of Washington. Chairman, Panel on Marine Resources.

Frank C. DiLuzio, Assistant Secretary—Water Pollution Control, Department of the Interior.

Leon Jaworski, attorney.

Dr. John A. Knauss, dean, Graduate School of Oceanography, University of Rhode Island. Chairman. Panel on Environmental Monitoring and on Management and Development of the Coastal Zone.

John H. Perry, Jr., president, Perry Publications, Inc. Chairman, Panel on Marine Engineering and Technology.

Taylor A. Pryor, president. The Oceanic Foundation.

George E. Reedy, president, Struthers Research and Development Corporation.

Dr. George H. Sullivan, consulting scientist, General Electric Reentry Systems.

Robert M. White, administrator, Environmental Science Services Administration, Department of Commerce. Chairman, Panel on Basic Science.

VALLEY OF FLOWERS CELEBRATION—FLORISSANT, MO.

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. HUNGATE. Mr. Speaker, I would like to extend an invitation and bring to the attention of my colleagues in the House the following celebration on May 3 and 4 in my congressional district:

THE VALLEY OF FLOWERS

The Florissant Valley from its earliest days has been known for its rich, black soil and flourishing vegetation which gave the village and valley the name of Florissant.

In 1804 Major Amos Stoddard in a visit to Florissant described the valley as the most fertile and valuable in the country. As late as 1923 Harry Burke wrote of the clipped lawns with old-fashioned flowers, honeysuckle, rose and iris—where you may still glimpse the pointed ears and laughing eyes of Pan.

The first organized effort to promote the preservation of its flowering environment came in the 1930's when the Florissant Valley Road-Side Improvement Society was formed to clean up the countryside and to plant ornamental shrubbery and trees. In the 1950's another effort was made to promote the natural beauty of the area when the local businessmen set aside a day each spring called "Valley of Flowers Day".

The postwar growth that changed Florissant from a village to a city changed the lush farmland to thriving subdivisions, and the present Valley of Flowers celebration began in 1963, sponsored by the Florissant Chamber of Commerce. The success of the annual affair was such that by 1967 the Chamber sought to enlarge the sponsoring organization. The Missouri Community Betterment Committee of Florissant whose membership includes representatives of civic, service and religious organizations as well as interested citizens, rose to the challenge. With community-wide participation, thousands of visitors are expected to join in the 1969 Valley of Flowers Celebration on May 3 and 4. Each visitor is sure to find something of particular interest to him whether it be old homes, antiques, auctions, special exhibits, folk singing or bands, and every visitor is sure to enjoy delicious barbecued ribs and old fashioned homemade ice cream.

On Sunday, May 4th a parade with marching bands, clowns and antique cars as well as decorated cars and floats will end at the Knights of Columbus Grounds where the new Valley of Flowers Queen will be honored as she begins her reign in the Florissant Valley.

NO EXCUSE FOR VIOLENCE IN UNITED STATES

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. DERWINSKI. Mr. Speaker, the Polish-American newspaper has developed a reputation for sound, sober editorial comments.

I was especially impressed by its article Saturday, April 19, dealing with violence in the United States, which follows:

NO EXCUSE FOR VIOLENCE IN UNITED STATES

It is utter nonsense to supinely accept the judgment frequently voiced by both foreign and domestic critics that violence in the United States is the symptom of a critical and perhaps fatal breakdown in the moral fiber of our people who are now senselessly engaged in dismantling the legal, economic and social structure of our society.

It is especially ludicrous when violence and lawlessness in the U.S. is looked upon with shock in countries such as France, very nearly embroiled in a civil war of her own; Germany, with an unparalleled record of brutality; Russia, with one of the most barbaric backgrounds in world history, or other communist countries whose governments are founded on the concept and daily practice of oppression and brutal disregard for the value of human life.

Violence of the type that could one day precipitate World War III exists in China, in Cuba, and in the Middle Eastern countries.

But, the fact that there are few countries in the world with a national record justifying their throwing rocks at the United States does not excuse in any way what is happening here or explain it. Far from being too violent, it may be that the people of the U.S. are not violent enough.

This country has gone further along the way of advancing the cause of individual freedom and opportunity than any other nation in history. This has been our national purpose and the reason why millions of the world's oppressed came to our shores.

Perhaps the American people have leaned too far over backwards to avoid any semblance of violent oppression of the individual's freedom. Perhaps this is why leaders in education and government and the courts have, by their collective action, fashioned the new "policy of permissiveness" that encourages individual, as well as mob, license and undermines the rule of law—the basis of liberty itself.

It seems to many that what we are experiencing in the United States is not a sickness of our society, but rather what will prove to be in the perspective of history, a relatively short period of confusion concerning the proper application of legal and economic principles vital to the life and development of a free society.

Certainly, the vast majority of Americans support our institutions which have more successfully than any others in the world secured human freedom within a framework of order and material abundance. Most people voluntarily live according to standards of behavior that do not outrage the rights, property, and lives of those around them. Laws are really only necessary for the small minority who don't have the desire, judgment, or responsibility to make such standards part of their own behavior. Such people must be controlled.

There is no future in a policy of law enforcement which allows a mob or well-organized group of any kind to do what would be patently a crime if it were undertaken by an individual. The alleged goodness of the cause being pursued does not change the imperative need to stop with the force of police power those who go beyond the law. There is much evidence that public sentiment is changing, but the drift toward anarchy is something that cannot be stopped overnight. Public policy follows public opinion.

New laws will not solve the problem. As an example, the most restrictive gun legislation in the world may disarm the law-abiding citizen, but it will never stop the criminal or the deranged person from firing an assassin's bullet. The future of the United States lies in upholding the freedom and security of the law-abiding individual and implementing the will of the people to enforce decent standards of behavior upon those few who have no standards of their own.

BILL WORKMAN TO RECEIVE HONORARY DEGREE

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. WATSON. Mr. Speaker, this year The Citadel, the military college of South Carolina, will confer an honorary degree upon one of its most distinguished graduates, William D. Workman, Jr.

It is indeed fitting that Bill Workman receive this honorary degree. As the editor of The State, the largest daily newspaper in South Carolina, Bill Workman has established an enviable reputation as one of the most respected journalists in America.

Mr. Speaker, I can recall any number of reasons why Bill Workman is so richly deserving of this honor, but the following editorial from the Charleston, S.C., News and Courier, in just a few well-chosen words explains why, more eloquently than I could ever do. I include it as a part of my remarks as follows:

FITTING HONOR

Among South Carolina men of achievement receiving honorary degrees from universities this year is W. D. Workman, Jr., editor of The Columbia State.

We are especially pleased that The Citadel has decided to honor Mr. Workman, our longtime colleague. Bill Workman, as he is known to thousands of South Carolinians, is a dedicated alumnus of The Citadel. More than that, he has demonstrated outstanding leadership in South Carolina. Currently, he is helping revise the state's outdated Constitution.

We doubt that any Ph. D. in political science knows as much about the machinery of state government in South Carolina as W. D. Workman.

Thus he truly deserves an honorary doctorate. We won't have any trouble getting accustomed to referring to him as Dr. Workman.

HOW TO DESTROY A UNIVERSITY

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. PODELL. Mr. Speaker, I was deeply shocked by the chilling tableau presented of young students emerging with deadly weapons in their hands after recent events at Cornell University. It is well to note that this institution has been willing to go more than half way in meeting demands of these students.

It is obvious these young people have not fully understood the meaning of a university or principles they are trampling upon. Their methods are almost guaranteed to prevent them from realizing their goals.

A university is a state of mind as well as an institution of higher learning where students may master one or more disciplines. Weapons in the hands of a minority who seek to coerce a majority unbalance that state of mind. Because a university stands for the best in any society and is in the forefront of any efforts made to advance it, all its elements have a major obligation to place reform efforts within the framework a university affords. Injecting a threat of armed violence is an act of violence and contempt against the very concept of higher learning. By their actions, these students have struck a body blow at their own cause. Reform is not accomplished at the point of a gun—certainly not reform that is lasting or worthy in and of itself. Violent reform contains the seed of its own destruction.

It is, therefore, imperative that the administration of Cornell University and all other American colleges and universities take a stand against such tactics. By such action they will be defending the university concept as well as their individual institutions.

Dissent and disagreement leading to discussion and compromise are more than welcome. Extortion and desire of the few to impose their will upon the many is a negation of everything a university purports to represent. How long ago was it when a shocked world observed as the Nazis took over bastions of learning—the German universities? Have we forgotten what transpired next?

Tyranny of this sort is not to be suffered. Our Nation, students, faculties, and institutions need not suffer the insufferable any longer. Do these strident students not know how their actions are polarizing American thinking? Are they not aware of whose hands they are playing into?

Are they prepared to use those deadly weapons they obviously brandish so cavalierly? When you play a man's game with a man's tools, you must be prepared to pay a man's penalties. There are forces of reaction in the United States who are even now licking their collective chops in anticipation of cashing in on the opportunity now being offered them so foolishly. All free institutions will suffer as a result. All free people will lose out.

When there is a deliberate attempt made to destroy the very essence of a democratic society, that society has a right to fend off such efforts. No one possesses a right to use guaranteed liberties as vehicles to destroy the society which grants them.

We dare not enshrine nihilism in the name of dissent. We cannot allow foundations of free inquiry and advancement of knowledge to be attacked and destroyed in the name of a warped idea of justice which is rapidly evolving into racial separatism. We will not permit an immature collective concept of equality to become destructive license.

THE ASSOCIATION AND THE GENERATION GAP

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1969

Mr. REES. Mr. Speaker, we of southern California are keenly aware that most non-Californians believe we are a little odd. I would like to risk proving this thesis by taking this opportunity to honor seven young men who wear their hair long and who sing and play in a pop music group. I refer to The Association, a band that makes its home in the Los Angeles area.

It is not unusual for Congress to pay tribute to an organization such as this, but I would like to take a moment here to explain why I believe The Association is an unusual group, earning unusual attention. Perhaps then you will not think me so odd.

The Association is a band that was formed 3 years ago in a small coffee house in Pasadena. Since then, The Association has become one of the most widely recognized and commercially successful young folk-rock bands in the history of popular music. And while accomplishing this, the individual members of The Association have acquitted themselves in a manner that brings credit to young people everywhere.

The Association has received nearly every award to be won—several "gold" records certifying at least 1 million copies of a record sold and no less than seven Grammy nominations—for best vocal group, best contemporary rock and roll recording performance, best contemporary rock and roll group performance, and best contemporary album. The Association also has won the applause of fans throughout Europe and the Orient.

Perhaps the most important thing The Association has done is span the generation gap, linking young and old. In the pleasing melodic sound of The Association, parents have found something in pop music they can share with their children. The Association's most ardent fans are young people, of course, and hundreds of these teenagers write The Association each week, asking personal advice. Every letter is answered and always the advice is good: Stay in school, give your parents a chance to explain, listen to all opinions—not just those of friends—and then make up your mind. As a result, many parents have written members of The Association to thank them for giving their time, and The Association has, in turn, written parents, giving them some advice.

Young people are grateful The Association exists, and so, apparently, are their parents. So, Mr. President, I think we should express our gratitude, too. And say "Welcome" whenever The Association comes to town—your town, my town, any town. We need people who can communicate, and in the field of communication, The Association excels.

SECRETARY STANS REFORMS THE CENSUS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. FINDLEY. Mr. Speaker, Secretary of Commerce Maurice Stans has moved decisively to make some major reforms in the 1970 census questionnaire. Many Members of Congress, including myself, have expressed concern over the relevancy of many of the questions intended to be asked. Mr. Stans, in an early action as Secretary of Commerce, directed a review of the census questionnaire with a view toward modification and reform. Last week I received a letter from him in which he outlined the scope of his review and the reforms which had been made. Several Members of Congress received similar letters, but because of the widespread interest in this matter, I include the full text of his letter along with supplemental material in my remarks at this point:

THE SECRETARY OF COMMERCE,
Washington, D.C., April 17, 1969.

Hon. PAUL FINDLEY,
House of Representatives,
Washington, D.C.

DEAR MR. FINDLEY: I have recently received from various Members of Congress a number of questions about the 1970 Decennial Census. I am sure that you have been receiving similar inquiries from your constituents.

The main purpose of this letter is to advise you of some immediate changes in census procedure which I have ordered. These changes include a substantial reduction in the number of individuals who will be asked to respond to the longer census forms. Approximately three million households previously designated to receive a 66-question form will now receive a questionnaire containing only 23 questions.

Questions relating to the adequacy of kitchen and bathroom facilities have been reworded to remove any implication that the government is interested in knowing with whom these facilities may be shared.

The Secretary of Commerce is exercising greater supervision over the general operations of the Bureau of the Census and independent experts have been retained to advise on census matters.

The questionnaire which will be mailed to households in 1970 will be accompanied by a cover letter explaining the great need for census data and emphasizing the confidentiality of all responses.

In addition to these changes, which are being implemented immediately, these further steps will be implemented after the 1970 census: (1) proposed questions will be submitted to the appropriate Committees of Congress two years in advance of future censuses; (2) an increased number of representatives of the general public will be appointed to various advisory committees which contribute to the formulation of census questions; and (3) a blue-ribbon Commission will be appointed to fully examine a number of important questions regarding the Census Bureau, including whether or not the decennial census can be conducted on a voluntary or a partially voluntary basis. The Commission would also examine and offer proposals for modernizing and improving the operations of the Census Bureau.

Because the 10-year lapse of time between decennial censuses can result in unfamiliarity regarding their nature and purpose, I felt it might be helpful to provide you with some basic data and information concerning the questions to be asked in 1970, the scope of the data sought, and the uses to which the results are put.

Some of the most frequently asked questions, along with my answers, follow:

1. Question. *Is the 1970 census more extensive than previous censuses?*

Answer. No. The number of questions to be asked in 1970 is about the same as in 1960, less than in 1950 and 1940, and far less than in some earlier censuses. Of the average household heads to be queried in 1970, four of five will answer 23 questions, three of twenty will answer 66 questions, and only one of twenty will answer 73 questions. Under certain unusual circumstances, some household heads will be asked to answer 89 questions.

2. Question. *Will the citizen's right of privacy be protected in the 1970 census?*

Answer. Yes. Whatever a respondent reports remains strictly confidential under the law. Every employee of the Census Bureau takes an oath of confidentiality and is subject to severe penalties for violation of the oath. In the long history of the census, there has never been a violation of the confidentiality of the information given.

3. Question. *Would the 1970 census yield adequate results if the response were voluntary rather than mandatory?*

Answer. Voluntary response at its best falls far short of response to a mandatory inquiry. Since the first Decennial Census in 1790, response has been mandatory. It is so in every other country of the world where a census is conducted. Professional statisticians will testify that a voluntary census would be unreliable and practically useless. A voluntary procedure would yield distorted and deficient statistics for whole groups of people and for entire areas. This procedure would very likely to especially prejudicial to low-income groups.

4. Question. *Who uses the census results?*

Answer. Census data are used by every Federal government department, State and local governments, and the private sector. Many laws depend upon accurate census reports. Questions such as those on housing are specifically required by statute. Government programs on poverty housing, education, welfare, agriculture, transportation, veterans, and senior citizens require and rely upon the census tabulations. Many of the decisions of the Congress would be almost impossible in the absence of reliable census data.

These questions are illustrative of those which have been asked in recent weeks. The answers are necessarily brief. Enclosed is a memorandum which explains in more detail the purposes and uses of census information. If you have questions concerning the 1970 census, we would be pleased to discuss them with you at your convenience.

Sincerely,

MAURICE H. STANS,
Secretary of Commerce.

PURPOSES AND USES OF 1970 CENSUS INFORMATION

1. NAME, SEX, RACE, DATE OF BIRTH, AND MARITAL STATUS

Questions 1 through 12 are designed to identify household occupants by name, relationship to head of household, sex, race, age and marital status. These questions will be asked of 100 per cent of the population.

2. THE HOUSING QUESTIONS

The Census of Housing, required by act of Congress in 1940 (13 U.S.C. 141), contains thirty five (35) questions regarding the adequacy of housing facilities. Fifteen questions will be asked of 100 per cent of the population; five will be asked of 20 per cent; five will be asked of 15 per cent; and ten will be asked of 5 per cent. Some sample questions and comment on their uses follow:

Kitchen and bathroom

Question H-3 (100 per cent): Do you have complete kitchen facilities?

☐ Yes, for this household only.

☐ Yes, but also used by another household.

☐ No complete kitchen facilities for this household.

Question H-7 (100 per cent): Do you have a bathtub or shower?

☐ Yes, for this household only.

☐ Yes, but also used by another household.

☐ No bathtub or shower.

Comment: The absence of a kitchen and/or a bathroom for the exclusive use of the household is a major indicator of urban blight and slum conditions. This information is needed by HEW, HUD and other Federal, State and local agencies.

Value of property

Question H-11 (100 per cent): If you live in a 1-family house which you own or are buying—

What is the value of this property; that is, how much do you think this property (house and lot) would sell for if it were for sale?

Comment: Section 301 of the Housing Act of 1948 (12 U.S.C. 1701e(b)) directs the Secretary of HUD to prepare and submit to the President and Congress estimates of national urban and rural non-farm housing needs. The requirements of various public laws make it necessary to determine the value of property and, as an alternate, the rent paid for rented units.

Housing equipment

Question H-22 (15 per cent): Do you have air-conditioning?

Question H-27 (5 per cent):

(a) Do you have a clothes washing machine?

(b) Do you have a clothes dryer?

(c) Do you have a dishwasher?

(d) Do you have a home food freezer which is separate from your refrigerator?

Question H-29 (5 per cent): Do you have a battery-operated radio?

Comment: When the Congress provided for the Census of Housing, it included the words "housing (including utilities and equipment)." The presence of certain household equipment provides a measure of adequacy of housing and of levels of living. The items included above are those which have particular effects on the needs for power, water and waste disposal, and related services. The question concerning radio is related to the need for communication in case of emergencies or power blackouts.

3. PLACE OF ORIGIN AND MIGRATION

Quesions 13 through 19 are concerned with identifying the country of origin, languages spoken, and patterns of housing mobility. These questions will be asked of 15 per cent of the population. Some sample questions and explanatory comments follow:

Birthplace of parents

Question 14 (15 per cent): What country was his father born in?

Question 15 (15 per cent): What country was his mother born in?

Comment: These questions, along with that regarding the birthplace of the individual, serve to identify those groups known as Puerto Ricans, Mexican-Americans, and Cubans. The census is the *only* source of information concerning the numbers, distribution, and characteristics of these groups. This information is of importance to the Immigration and Naturalization Service, the Congress, HEW, and to other Federal and State agencies.

Residence 5 years ago

Question 19 (15 per cent):

(a) Did he live in this house on April 1, 1965?

(b) (If no) Where did he live on April 1, 1965?

Comment: The Departments most needing this information are Agriculture, HEW, Labor, Commerce, and HUD. This information is also of importance to the Council on Urban Affairs, which has established a subcommittee to consider the problems relating to internal migration.

4. EDUCATION

Questions 20, 21 and 22 deal with the number of years of school attended. They are designed to reveal the educational level of individual citizens, and they will be asked of 20 per cent of the population.

5. MARRIAGES AND BABIES BORN

Questions 24 and 25 request information concerning marriages and the number of babies born. They will be asked of 5 and 20 per cent of the population, respectively. The purpose of these questions is to provide information needed in the preparation of estimates of the future growth of the population. All agencies of Government are concerned with such estimates, and with information on the rates of growth of the white and non-white populations. Agencies such as HEW and HUD which are concerned with family welfare and the care of dependent children need this information in implementing their programs.

6. MILITARY SERVICE

Question 26 asks whether male respondents have served in the military and, if so, during what period. This question is asked of 15 per cent of the male population. This information is needed by the Veterans Administration and other Government agencies.

7. EMPLOYMENT AND OCCUPATION

Questions 27 through 39 are concerned with employment history and status, amount of time worked, occupation, and related facts. These questions will be asked of 20 per cent of the population. Examples follow:

Did you work any time last week?

Question 29 (20 per cent):

(a) Did this person work at any time last week?

(b) How many hours did he work last week (at all jobs)?

Comment: The Manpower Development and Training Act of 1962 necessitates that the Department of Labor have census data on employment, unemployment, and occupation. Census data on unemployment are used to establish the eligibility of communities applying for assistance under the Public Works and Economic Development Act of 1965 and for a wide variety of other programs.

Place of work

Question 29-c (20 per cent): Where did he work last week?

Comment: The Department of Transportation and HUD are concerned with major transportation and traffic problems associated with trips from home to place of work. This question provides data necessitated under the Highway Act of 1965 and also provides estimates of daytime population needed by the Office of Civil Defense.

8. INCOME

Questions 40 and 41 request information concerning income from all sources, including employment, welfare, veterans' benefits, etc. These questions will be asked of 20 per cent of the population. Income data are needed by a number of Government agencies and for a variety of Federal programs. For example, income data are needed to implement the Elementary and Secondary Education Act of 1965, and also for allocation of funds under the Manpower Development and Training Act of 1962. The Appalachian Regional Development Act necessitates information on per capita income. The Department of Agriculture needs this data for its food distribution programs, including the school lunch program.

NIXON FIGHTS INFLATION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. DERWINSKI. Mr. Speaker, a very objective commentary of President Nixon's budget was carried in the Chicago Daily News, Wednesday, April 16.

This editorial commentary is, I believe, a very fair evaluation of Mr. Nixon's budget.

The editorial follows:

NIXON FIGHTS INFLATION

President's Nixon's "hard-choice" moves to cut back the budget he inherited leave no doubt that he means business in the battle against inflation. He is probably right in expecting the proposed cuts to be unpopular, since they will touch just about everyone in one way or another. Yet the need to stem inflation is so clear that short of a fast ending to the war in Vietnam nothing else he could do would be more popular.

Mr. Nixon took his time in confronting this paradoxical situation, and predictably is taking his lumps from those who demand speedier action as well as those who would rearrange the spending priorities. But on both counts the President's moves demonstrate a plan carefully thought out and capable of fulfillment. The deliberate pace of his first three months in office is in keeping with his wish to "wind down" some of the supercharged tensions that have afflicted the nation. The budget cuts reflect an intensive re-examination of a governmental structure so vast as to be almost incomprehensible.

To those critics who have begun to compare unfavorably the slow pace of the new administration with the hectic "100 days" of his predecessors, Mr. Nixon had an effective reply in his Monday message to Congress. "This administration," he said, "will gladly trade the false excitement of fanfare for the abiding satisfaction of achievement. Consolidation, co-ordination and efficiency are not ends in themselves; they are necessary means of making America's government responsive to the legitimate demands for new departures."

In trimming the budget, Mr. Nixon proposed no abrupt shifts in direction. Nearly every department of government is affected, including a $1.1 billion cut in military spending. But there is clearly no intent to terminate or cripple beyond repair any of the major domestic programs established in the last few years.

One may wish that the cutbacks in military spending were even greater, and that the money thus saved could be channeled immediately into meeting the pressing needs of the cities. Even though the Vietnam war makes demands that cannot be ignored, the evidence of waste in the name of defense continues to mount, and further study here could surely point to further savings.

Yet Mr. Nixon by no means ignores the cities' needs. And by promising to begin sharing federal revenues with cities and states he opens a new prospect of alleviating the fiscal crises faced by local governments throughout the country.

The details of the President's domestic programs remain to be spelled out, but the broad outline is encouraging indeed. And if his planned budget surplus of $5.8 billion—the largest since 1951—does pan out, and inflation is brought under control, the consequent return to stable growth of the economy would make all manner of things possible that are now in the limbo of undelivered promises.

STEEL IMPORTS: FREE TRADE IS A TWO-WAY BUSINESS

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. MILLER of California. Mr. Speaker, recently, the Oakland, Calif. Tribune, published by former Senator William Knowland, in its feature editorial objectively commented on the serious problem of the high importation of steel products into the United States. As one of a group of western Congressmen who, in 1968, served on an ad hoc committee on steel imports, I worked for an equitable answer to the problem. There has been some voluntary import restraint by foreign nations which is a step in the right direction. However, I feel the problem should be further carefully evaluated either through legislation or voluntary negotiations.

I offer for the RECORD the April 6 editorial of the Tribune:

STEEL IMPORTS: FREE TRADE IS A TWO-WAY BUSINESS

The dispute over steel import quotas may represent President Nixon's first big clash with leaders of his own party on a major policy issue.

Senate Republican Leader Everett M. Dirksen of Illinois and his assistant, Sen. Hugh Scott of Pennsylvania, are among a group of 30 Senators of both parties who are co-sponsoring legislation to limit steel imports to 9.6 per cent of the annual U.S. domestic consumption of steel.

The issue is an especially thorny one because there is merit on both sides of the argument.

President Nixon is cool to the idea of import quotas because it could pose a threat to the continued expansion of free trade in the world. Besides diplomatic difficulties, any protectionist movement overseas could become an economic headache to the Nixon administration because part of America's current prosperity is based on foreign sales.

But the Senators who advocate quotas are just as sincerely convinced that the United States cannot afford to continue to ignore the steel import question. They have a considerable case to make.

Between 1955 and 1968, steel imports climbed from one million to 18 million tons a year, or nearly 18 per cent of the domestic U.S. market. At the same time, due to a variety of factors which will be reviewed later, American steel exports declined from five million tons a year to less than 1.5 million tons.

Although U.S. steelmakers have introduced tremendous advances in operating efficiency, American-made steel still suffers a competitive disadvantage because its labor costs are three and four times higher than other steel-producing nations. U.S. steel makers must pay higher transportation costs to ship exports, too.

And there is one further disadvantage that outweighs all the other in terms of congressional interest. That is the simple fact that despite all the glowing public testimonials to the value of free trade, many foreign nations protect their domestic industries with a variety of non-tariff barriers. These include border taxes, licensing controls, currency exchange controls, import surcharges, quotas, rebates and in some cases, a flat prohibition of an import that might threaten a basic domestic industry.

Steel is a particular victim of many of these restrictive practices and the cost in exports has been obvious. The advocates of a quota, limiting steel imports to a reasonable percentage share of the U.S. domestic market, contend that the nation simply cannot afford to permit its domestic steel industry to slowly be strangled by subsidized foreign competition.

We share the Nixon administration's hesitance about import quotas. Once applied in one industry, the clamor for similar controls from other products threatened by imports could swiftly escalate. But there is no question that the U.S. industry has a valid case to make against the subtle and open non-tariff barriers it confronts in trying to expand its export sales.

The major steel-producing nations which export to the United States would be wise to consider voluntary ceilings and other steps to counter-balance the unfair trade restrictions that have been raised against U.S. produced steel and other products.

If something isn't done soon on a voluntary basis, Congress will be forced to take action to equalize the competitive situation between foreign producers and the U.S. industry. The United States supports the idea of free trade. But free trade is a two-way street.

A STAMP FOR MACARTHUR

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. BIAGGI. Mr. Speaker, I wish to bring to the attention of my colleagues in the House of Representatives, a newspaper column written by Mrs. Jo Hindman which appeared in the April 10, 1969, issue of the Montrose Ledger, Montrose, Calif. I am pleased to include the following article in the RECORD:

A STAMP FOR MACARTHUR

(By Jo Hindman)

The historic return of the great soldier and statesman, General of the Army Douglas MacArthur, revealed him as an American hero. Yet the great leader has been postally ignored, despite groundswells of appeal for a commemorative MacArthur stamp issue.

The General was pushing back the foe when he was abruptly relieved of command in Korea (World War II). Higher ups intended chastisement. But the American people admired MacArthur. They greeted him with shouting acclaim, cheered him along streets lined mile upon mile with delighted crowds. Assemblages overflowed with the throngs that gathered to show him respect.

One most memorable celebration occurred on January 26, 1955, MacArthur's 75th birthday. Californians feted the five-star General. He had arrived in Los Angeles by airplane the night before, in a dense fog that made landing difficult. At the three major assemblies during the day-long fiesta, the General delivered speeches of major importance.

At the dedication of his statue in the Los Angeles park that bears his name, an imposing two-winged mural was unveiled, bronze-embossed with his famous Soldier-Statesmen words: "Battles are not won by arms alone. There must exist above all else a spiritual impulse—a Will to Victory. In War there can be no substitute for Victory."

The Statesman added: "Could I have but a line a century hence crediting a contribution to the advance of Peace, I would gladly yield every honor which has been accorded by War." People from all walks of life—day laborers, waitresses, clerks, professionals—contributed donations that paid for the monument.

But strangely, the slighting of General MacArthur by individuals in high government circles has persisted, even after his death in 1964, as though some secret jealousy endures with the implacable resolve to blot out the great man's rightful place in American history.

As this is written, and as the remainder of the postal stamp program for 1969 is being developed, another philatelic drive is underway. Citizens are flooding Postmaster-General Winton M. Blount, U.S. Senators, Congressmen and the Citizens Stamp Advisory Committee, reviving another demand for a commemorative Douglas MacArthur stamp.

Congressman Mario Biaggi (N.Y.) has introduced a bill, H.R. 6723, now referred to the Committee on Post Office and Civil Service. The measure directs the Postmaster-General to issue a special postage stamp in honor of General Douglas MacArthur in tribute to his career and accomplishments as a professional soldier and as a citizen of the United States. Design and denomination are to be selected by the Postmaster-General.

Favored is a design that would include Douglas MacArthur's birthplace at Little Rock (Ark.), now the site of museums, cultural facilities and the historic Arsenal building erected about 1833.

The date being widely requested for the MacArthur stamp release is November 11, 1969, Veterans Day. Do include the date in your correspondence to Postmaster-General Blount or to your elected representatives at Washington, D.C., when asking their support for the MacArthur commemorative postage stamp.

DIRECT POPULAR ELECTION OF THE PRESIDENT

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. REID of New York. Mr. Speaker, I am introducing today a constitutional amendment providing for direct popular election of the President. There is also a companion bill that would conform the dates of election of representatives to the new dates for presidential election that my amendment proposes.

The electoral college system was conceived of in 1787 as a barrier between the people and their choice of a President. Alexander Hamilton said in Federalist No. 68:

> A small number of persons, selected by their fellow citizens from the general mass, will be most likely to possess the information and discernment requisite to such complicated investigations.

Times have changed. All Americans, with access to television and newspapers and with presidential candidates touching down in every corner of the land, possess the information to make a judgment on their President. No longer can it be said that any group of citizens is better qualified than any other to select the Chief Executive.

But the issue, in my view, goes considerably beyond the mere elimination of the elector and the electoral college system. I seek to make each American's vote count, pure and simple, in the tally for President. Where he lives or how his neighbors vote should not dilute or increase the effect of his vote.

In addition, my amendment would provide for a runoff election in case no pair of candidates for President and Vice President receive at least 40 percent of the vote. In these respects, it is identical to the resolution submitted by Senator Birch Bayh in the other body. However, my bill differs from Senator Bayh's in that it would move up the dates for the election, providing that the initial election shall be held on the second Tuesday in October, and the runoff—if required—on the first Monday in December. This would allow sufficient time for both election and runoff and would, hopefully, shorten the presidential campaign which is too long in terms of money, energy, and achievement.

Mr. Speaker, I do not think that the President of this Nation should be elected by a process which makes it possible for him to win merely by virtue of a majority of the electoral college and not a majority of the popular vote. This has happened three times in the 19th century and a change of 1 percent in the popular vote meant that it could have happened again at least seven times since 1900.

Nor do I believe that we can ever have a people's President unless we fully and finally provide for direct popular election. Patchwork alteration of the system will only produce cries for reform again in a decade. I do not think that we will be doing the Nation and our posterity a service by closing our eyes to the inexorable trend toward a direct and immediate voice for the people. Our recognition of this fact should be made clear in the first instance by our system of electing the President.

Subcommittees in both the House and the Senate are now considering various electoral reform proposals. I would hope that agreement is reached speedily that direct popular election is the amendment that should be submitted to the Congress and to the States for their ratification.

To change the constitutional basis for electing the President is, however, not to perfect the process. We also need realistic changes in the committee, contribution and expenditure provisions of the Federal Corrupt Practices Act, and we need, I believe, new legislation to assure fairness in voting in presidential elections in all States. I have already cosponsored with Mr. Brademas and others a measure to insure that change of residence would not deprive an American of his vote for President. In my judgment, we need, as well, measures to insure that votes are not bought, ballot boxes are not stuffed, and tallies are not padded. Considerable study is necessary before a perfect system can be designed in this regard and that is why I merely point out the parameters of the problem today instead of introducing legislation to cure them.

Our political system must be made responsive to the majority of Americans and to their demands for change, for compassion and for an opportunity to be heard. The first step to that end is to make their votes count, fully and equally.

It is my understanding that the distinguished Judiciary Committee, after taking extensive testimony on this subject, is now meeting in executive session on the several bills that have been introduced. I am hopeful that they will report out legislation along the lines I have discussed in the very near future.

ROLE OF THE DOMESTIC FREIGHT FORWARDER

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. MURPHY of New York. Mr. Speaker, Mr. G. Russell Moir, chairman of the U.S. Freight Co., recently contributed an article to the Distribution Manager magazine concerning the role of the domestic freight forwarder in the surface transportation industry. Russ Moir, an expert in the transportation field, has been with U.S. Frieght Co. since 1929. He rose through the ranks of the company and in 1966 was elected chairman of the board and chief executive officer. In addition Mr. Moir is chairman of the board of governors of the Freight Forwarders Institute which represents the major segment of the forwarding industry, and he also serves as a director and panel chairman of Transportation Association of America.

"Role of the Freight Forwarder" delineates the case of the freight forwarding industry for greater equity in the marketplace. Under leave to extend my remarks, I wish to include this article in the Congressional Record and commend it to the attention of my colleagues:

Role of the Domestic Freight Forwarder

(By G. Russell Moir)

We have deliberately permitted transportation to develop in tight compartments in this country. Indeed, we have fashioned our law so that we have not encouraged the development of a system of transportation, although that is still the ultimate goal of our transport policy—on paper.

In the political arena, each system can muster the strength to prevent effective action which it considers adverse to its interest.

We cannot appreciate what we do not understand, and being busy men, preoccupied with our own problems, I am afraid most of us in transportation have failed to try hard enough to understand the other fellow's problems.

The freight forwarder has a long, colorful and, to me, exciting history, large chapters of which have been written only in the tomes where the decisions of courts and agencies are recorded in the dry language of the decisional process, and in the reports and debates of Congress and its Committees. The freight forwarder has an important role in the current transportation scene and a vital place in the coordinated, containerized, intermodel transportation picture.

Finally, the forwarder has problems, the resolution of which would be greatly facilitated by the understanding and cooperation on the part of certain interests who have heretofore either withheld their cooperation. Or who have resisted efforts to remove the roadblocks to forwarder progress because, we think, they do not fully understand what is involved.

By the middle of the 19th Century, the freight forwarder had achieved considerable prominence on the transport scene. One of the important functions of the forwarders of that day was to coordinate service on the sprawling but disconnected railway lines. A report of a special committee of the Ohio State Legislature, filed in 1867, describes the forwarding organizations of the time and states:

"They (forwarders) issued through bills of lading, and provided agencies at the points of delivery for the adjustment of losses, and supplied thereby the great want of the mercantile community, of prompt dispatch of freight and settlement of claims."

Two things of current interest characterize the history of the forwarder of the last century. One, he was invariably held to have the status of a common carrier, though he frequently sought to avoid it. And, two, he made mutually agreeable arrangements to compensate the railroads and boat lines as one common carrier to another.

These two matters are of current interest because today (more than a hundred years after the foregoing legal determinations became firmly established) the contention is still seriously made that forwarders are not, in all respects, common carriers, and the people who make such contentions vigorously oppose any change in the present restrictive law which prevents forwarders from coordinating their services with railroads on a carrier-to-carrier basis. So, let's go back to 1888 and look at the language of a typical decision. The case is Block against Merchants' Despatch Transportation Co., a forwarder. The Supreme Court of Tennessee is speaking. After holding the forwarder to be a common carrier, the Court said:

"The contract of shipment was made by the defendant (Merchants' Despatch) in its own behalf for the whole route, and not on behalf of others or for a part of the route only. For a specified sum, to be paid to it for the whole service, the defendant promised through transportation from New York to Clarksville, receiving the goods in its own name at point of shipment and binding itself to deliver them at point of destination. It did not own or claim to own a single line of railroad, though several were to be used in the performance of its contract. It was compelled to rely upon others for the carriage of its freight, and for its own benefit, and not for the benefit of the shippers or consignees; it reserved to itself the selection of the lines it would use; the reservation necessarily embracing the privilege on the part of the defendant making its own arrangements as to terms, with such lines, and carrying with it the duty of paying them for their services." (6 S. W. 881)

I direct your attention to the fact that the foregoing decision was rendered after the Interstate Commerce Act was enacted and that at that time and for quite some time thereafter the forwarders and railroads dealt with each other not on a rate basis, as shipper and carrier, but on a mutually agreed upon basis. In that regard, forwarders and the early express companies were indistinguishable.

For reasons which no one seems to have taken the trouble to record, the forwarding industry took on a new complexion beginning just before the end of the last Century. In place of the contractual arrangements with underlying carriers, the new breed of forwarder compensated the rail lines on the basis of their carload rates and lived on the "spread."

This method of operation, which has continued until today, has given rise, now and again, to the most phenomenal absurdity of reasoning. Perhaps I should say it has led some people to accept, as fact, the most precise of non sequiturs. The non sequitur may be stated this way:

"The freight forwarder compensates the railroads the same way a shipper does, therefore the forwarded is a shipper."

Those who accept this ridiculous proposition do not hesitate to take the next step and argue that the forwarder, having become impressed with the role of rail shipper, may not and should not be given any other status by law. I hope I can persuade you that the freight forwarders not only may but should be given the right to work with the railroads as cooperating carriers, as they did throughout the early history of railroading in this country.

To return, briefly to the march of history, the role of the forwarder as a coordinator took on vital new significance with the appearance of the motor truck on the highways of the country. Far-sighted Joseph B. Eastman, of the ICC, dissenting in the Freight Forwarding Investigation of the 1930's said:

"So far as trucks are concerned, the forwarding companies . . . have utilized trucks very extensively in their operations . . . taking advantage of every opportunity to use them where greater economy of efficiency would result. They have been among the most successful practical exponents of the principle of coordination between rail and truck services." (229 I.C.C. 201 (1938).)

By the time the burgeoning young motor carrier industry was regulated, in 1935, a strong partnership had been forged between the freight forwarders and literally thousands of the truck lines, many of which had no other means for sharing in long-haul movements than through the forwarders.

The freight forwarders paid the motor carriers largely for the assembly and distribution but sometimes for the line-haul movement of forwarder traffic, an amount arrived at by negotiation and stated in a contract. It is one of the oddities of history that Congress, seemingly, overlooked the very important arrangements between motor carriers and forwarders when it passed the Motor Carrier Act. At least no provision of the Act, by specific reference, authorized continuation of the arrangements.

The forwarders thought, and contended formally, that the definition of a motor carrier was broad enough to embrace the operations of forwarders, and they applied for motor carrier certificates, at the same time filing joint rates with their connecting motor carriers pursuant to the terms of the Act.

The ICC and ultimately the Supreme Court held that forwarders were not regulated by the Motor Carriers Act and therefore that there was no authority for the joint rates then in effect. This made the regulation of freight forwarders inevitable, because it was clear to everyone that the off-line service that forwarders had established could not be continued on an extensive basis if forwarders were treated as shippers and required to pay the local rates of the motor carriers.

After extensive hearings and long deliberation, Congress finally enacted the Freight Forwarder Act, which became Part IV of the Interstate Commerce Act, in 1942.

At one time or another, I am sure that most of you have had occasion to take part in the making of laws by Congress, and you are fully aware that in the highly competitive situation which exists today all transportation law is a compromise. Over a period of more than three years, Congress considered a number of forwarder bills. One was written by the forwarding industry. Joseph Eastman wrote one at the invitation of Congress.

Finally, a bill, which was agreed to in principle by the forwarding and trucking industries, was introduced. Strangely enough, the bill introduced at the joint instigation of the forwarders and the American Trucking Associations, H.R. 3684, provided for joint rates between forwarders and rail, motor, and water carriers. What came out as law differed from all of those bills.

The three critical areas of forwarder regulation which were the subject of a good deal of tugging and pulling by various interests were the definition of a forwarder, the ownership provisions, and the provisions relating to the working arrangements between forwarders and other carriers. After more than a quarter of a century of regulation and several changes in the law we still have problems in all of those areas.

Originally, the definition of a freight forwarder in the Act did not contain the words "common carrier." Our lawyers tell me that the original definition of a forwarder was, indeed, the classic definition of a common carrier, and that to add to it made about as much sense to a lawyer as Gertrude Stein's "A rose is a rose is a rose."

Nevertheless, the definition was misconstrued and to clear up all misconceptions, Congress found it necessary in 1950 to amend the definition and add to it the words "as a common carrier." Unfortunately, there are still some people who refuse to accept the fact that the term "common carrier" means the same thing when applied to a forwarder as when applied to a truck line or some other carrier. The people who think that way oppose any and all updating of transportation law that is designed to help the freight forwarder.

FLAGRANT DISCRIMINATION

The ownership provisions of forwarder regulation are perhaps the most flagrant example of undisguised discrimination in the history of regulatory law. The law provides that a forwarder may not buy a rail, motor or water carrier, with or without ICC approval, but that any one of such carriers is free to buy a freight forwarder without asking for authority or proving that the acquisition would be in the public interest.

It is elementary that if common ownership of a forwarder and a truck line is achieved, it makes no difference who bought whom. The result is the same either way.

In 1962 and again in 1963, the ICC drafted and supported legislation to remove this one-sided ownership law and give forwarders the same right which all other common carriers have with respect to acquisitions. ICC approval would have been required before a forwarder could acquire a carrier of another kind, and the reverse would also have been true.

In support of the Commission's bills, our industry showed that it needs the right to buy short-haul motor carriers because we are finding it more and more difficult to obtain efficient and economical assembly and distribution service from the truck lines.

The long-haul motor carriers, who are the competitors of the forwarders, are rapidly acquiring the short-haul carriers who provide off-line service for our industry. When they become part of a competing system of carriage, these short-haul carriers understandably cease cooperating with the forwarders.

Despite the clear legal and economic justification for such legislation, it did not survive the barrage of opposition which competitors of the forwarding industry threw against it.

The problem has not gone away. It has worsened.

A solution must be found. It would be helpful if the ICC would permit forwarders, as it has the express agency, to extend their terminal areas to embrace the general scope of their assembly and distribution operations. Whatever the answer, the competitors of the forwarders should not be able to write it to suit their own plans.

By the initial Forwarder Act, Congress provided for the temporary continuance of the existing joint rates between forwarders and motor carriers. The hope was expressed, in the Committee reports, that ultimately the motor carriers would establish "assembly and distrbution" rates, as authorized by Section 408 of the Act, which would be an effective substitute for joint rates.

That did not turn out to be the case, and in 1950, by the same Act of Congress which added the common carrier amendment to the definition of a forwarder, the temporary joint rate authority was changed so as to provide for contracts between forwarders and motor carriers—on a permanent basis.

The great thrust of the drive to secure forwarder regulation in the first instance was to preserve the status quo, and to remove the threat to the coordinated service which forwarders had established by reason of their flexible joint arrangements with motor carriers. Little emphasis was placed upon the arrangements between forwarders and railroads because, as I have said, from about the turn of the Century forwarders had been utilizing rail carload service and paying the published carload rates of the railroads.

Consequently, while some of the initial bills provided for joint rates between forwarders and all other types of carriers, no one pressed for anything more than the *status quo*, and no authority was included in the Act for forwarders to compensate railroads or water carriers on anything other than a tariff basis.

By the mid 1950's it was becoming apparent to those close to the picture that the forwarder was being hampered in the achievement of his full potential as a coordinator and intermodalist by the fact that he is held to the category of a shipper in dealing with those who should be his partners—the railroads. As time went on that fact became crystal clear.

Efforts were made in 1956, and were renewed in the 90th Congress, to expand the existing law so as to authorize contracts between forwarders and railroads as well as between forwarders and motor carriers.

Those efforts have not been successful but we hope that with better understanding the obvious merits of the proposed legislation will overcome the self-serving arguments of those who, for competitive reasons, do not wish to see any expansion or improvement in forwarder service.

It does not make any sense that the freight forwarder, who was described by Joseph B. Eastman 30 years ago as the most successful practical exponent of coordinated rail and truck service and who, in the intervening years, has underscored the truth of the statement, should be deprived of the most useful tool that a coordinator could have—the right to make contracts with the railroads.

What has changed the picture? Why contracts with railroads now when none were authorized before?

We have moved into a new era of transportation. Railroads have abandoned LCL, leaving nobody to serve the small-lot shipper except forwarders and motor carriers and the forwarders, because of rising rail line-haul costs have been very largely forced out of the short-haul movements. Piggybacking has appeared prominently on the scene and international containerization is on every transportation drawing board.

The piggyback success story is legend now, and it started when Plan III and Plan IV rates, which forwarders could use, were published beginning in 1958. Almost overnight the piggyback development gained revolutionary proportions. The truckers gradually entered the field, but in doing so they employed the forwarder method, not the end-to-end joint-rate method which we once thought was the only basis open to them under the law.

According to the ICC's "monthly Comment" for September, 1968, Class I motor carriers reported, in 1967, a total of 346,000 trailers moved in piggyback service, and only 35,000 of that number moved under true joint rates, or Plan V. Plan I accounted for 240,000 of the trailers. And Plan I, of course, is just freight forwarding performed by a motor carrier instead of an authorized forwarder.

FORWARDERS PAY MORE

It is true that the ICC has ruled that Plan I is a joint rate, but the Commission describes it as substituted service and, by rule, limits the service to points on the motor carrier's line. The same rule, issued in Ex Parte 230, authorizes the motor carrier to limit its participation to pick-up and delivery service, leaving the entire line-haul to the railroad. The critical point—critical indeed from our standpoint—is that the truck lines buy their rail service under Plan I at a flat, contract charge which is a great deal less than we, as forwarders, pay for the identical transportation.

As if it were not enough that the motor carriers have, in effect, been franchised to go into our business whenever, under Plan I, the railroads agree to give them a discount charge, the law has now been so interpreted that the trucks may engage in the forwarding business on the same basis employed by us—the rail tariff rate basis.

This means that the motor carriers now are free to operate both as motor carriers on the highways and as freight forwarders on the railroads, according to their own choice. And we cannot even compete with them on equal terms when they choose to use the method assigned to us by law rather than their own.

We did not rest our case for the forwarder-rail contracts bills of the last Congress, H.R. 10831 and S. 3714, solely on the traditional American concept of fairplay and equal regulation. We called attention to the need to preserve competition for the benefit of the shipping public.

Pointing out that there is a virtual crisis in the transportation of small shipments we suggested that the problem will get worse instead of better unless the forwarder, who specializes in that field, is permitted a more flexible basis of dealing with the railroads.

There is not much chance that so long as forwarders are required to pay the published tariff rates of the railroads they will be able to reinstate their short-haul service, which they have largely been forced to abandon (or to expand their service into areas not now adequately served).

But if forwarders and railroads are permitted to more effectively coordinate their services, with the working arrangements and charges expressed in contracts tailored to the operations, there is no doubt in my mind that forwarders will be enabled to expand and improve their service.

PARTNERS VS. COMPETITORS

This can be done, I am confident, without in any way depleting the revenues of the railroads—indeed it will improve rail revenues by generating new tonnage. The railroads and forwarders are partners, but they are not permitted to work in partnership. The only way in which a shipper can obtain rail service for his LCL shipments today is through the instrumentality of the forwarder.

Why should the railroads not be permitted to work with their partners, the forwarders, on at least as flexible a basis as they are permitted to work with their competitors, the long distance truck lines?

As you probably know, hearings were held on the legislation I refer to on both the House and Senate side and a House Subcommittee favorably reported a bill to the full Interstate and Foreign Commerce Committee, but the bills died in Committee. The legislation was supported by numerous shippers and truck lines, individually and collectively. It was also strongly opposed.

We can understand why the long-haul truck lines, through their central organization, would oppose such legislation. They wish to suppress competition.

But we think that some of the shippers and the one railroad group which opposed the bills, the Eastern roads, were laboring under some mistaken concepts. And we hope that in time they will come to understand that such legislation should receive their support.

Basic to all of the arguments of those who opposed the contracts bills was the thoroughly discredited contention that freight forwarders have, and *ought to be held to*, a dual status. Admitting that forwarders are full common carriers insofar as the shipping public is concerned, the opponents said forwarders are and must remain shippers in their relations with the carriers with whom they deal.

We are surprised that anyone, at this point in time, would seriously make that argument. It has been refuted by precedent, by decisions of courts, and by the Interstate Commerce Act.

For years prior to the enactment of forwarder regulation in 1942, forwarders dealt with motor carriers not as shippers but as connecting common carriers. Under Part IV, forwarders have always dealt with motor carriers as connecting carriers.

Under recent decisions of the Commission and the Supreme Court, common carriers by motor vehicle, by water and by express may have their freight transported by railroad and pay the rail published rate, the *same as a forwarder*, and yet those carriers continue to enter into contracts or divisional arrangements with railroads.

Moreover, the proposed legislation does not give forwarders a new right to contract—it only extends the right they already have so as to include the railroad portion as well as the motor carrier portion of the through forwarder operation.

The Senate Commerce Committee and the Congress disposed of the "dual status" argument 18 years ago by adding the words "as a common carrier" to the definition of a freight forwarder over the same objections of the same interests who now oppose the Contracts bill.

The 90th Congress has passed into history, and with it the bills to recognize the right of freight forwarders to deal with railroads on a common carrier basis. We know that we are right in asking for this kind of legislation and we will not give up because the opposition is strong.

The Department of Transportation takes the position that freight forwarders have the undisputed status of common carriers. DOT not only supports the legislation, it would like to have it expanded so as to authorize joint rates between forwarders and all other carriers. Moreover, the DOT's "Trade Simplification Act of 1968," which was introduced in both Houses of the Congress, includes freight forwarders within its definition of covered common carriers, and authorizes forwarders to enter into joint rates for international transportation with all other regulated common carriers.

BEAM IN MOSCOW

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. RARICK. Mr. Speaker, our brand-new Ambassador to Moscow, Jacob Beam, has arrived.

In his maiden speech to Soviet President Podgorny, Mr. Beam is reported as calling for the United States and the U.S.S.R. to "devote our energies to reducing and ultimately eliminating areas of tension in the world, especially where such tensions could result in armed conflict."

One wonders why Mr. Beam did not remind the Soviet President that those are Russian tanks, guns, mortars, and bullets killing our boys in South Vietnam and that one of the first energies to reduce world tension would be for the Russians to halt their arms escalation in Vietnam.

In fact, recent reports over Radio Moscow report Soviet technicians are rebuilding and expanding the port facilities at Haiphong in order to move a greater flow of Soviet supplies by sea.

I insert two news articles, as follows:

[From the Asbury Park (N.J.) Evening Press, Apr. 18, 1969]

AMBASSADOR ASKS SOVIET, U.S. ACCORD

MOSCOW.—U.S. Ambassador Jacob D. Beam presented his credentials at the Kremlin today and made a bid for the United States and the Soviet Union to work together for "a more stable and peaceful world order."

Beam specifically mentioned arms control and elimination of areas of tension as points demanding the attention of the two countries.

In his presentation speech to Soviet President Nikolai V. Podgorny, Beam said: "I believe that as we succeed in reducing our own mutual differences we open the way to working together to solve other fundamental problems of mankind which are in themselves a threat to the peace and stability of the world."

Beam said, "The United States and the Soviet Union have a common obligation to use their power and influence to foster a more stable and peaceful world order. We must, in cooperation with nations everywhere, devote our energies to reducing and ultimately eliminating areas of tension in the world, especially where such tension could result in armed conflict."

[From the Washington (D.C.) Post, Mar. 22, 1969]

SOVIETS CLAIM CHINESE IMPEDE ARMS FOR HANOI

(By Robert S. Elegant)

HONG KONG, March 21.—The Soviet Union asserted today that Peking was creating great obstacles to the flow of arms and commodities across Chinese territory to North Vietnam, but indicated that the movement had not been stopped.

Moscow Radio further declared in a Chinese-language broadcast that Soviet technicians, and materials were now rebuilding and greatly expanding the facilities on North Vietnam's chief port, Haiphong, in order to move a greater flow of Soviet supplies by sea.

The Moscow statement came after widespread reports from vaguely identified sources that Peking had totally stopped the movement on Russian and East European arms and other goods to North Vietnam by Chinese railways.

The last paragraph of a news report extolling the bravery and hard work of Soviet sailors and technicians, noted: "at the present time, when the Maoist authorities are creating all kinds of obstacles in order to restrict the passage on aid from the Soviet Union and other socialist countries across Chinese territory, the labors of Soviet seamen are of the greatest significance for the livelihood and struggle of Vietnamese patriots."

The short-wave broadcast, addressed to the Chinese people was an element of the vituperative dialogue between Peking and Moscow which has followed upon armed clashes between frontier guards on the two largest Communist powers since the beginning of March.

The Russian statement that the Chinese were "interposing obstacles and restraining" the flow on goods overland was seen as firm evidence that Peking had not cut off all such supplies.

THE ADMINISTRATION'S TAX REFORM PROPOSAL

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, yesterday, April 21, the White House sent a long awaited message on tax reform to the Congress of the United States. This tax reform message reveals the most recent step in the unfolding of the administrations fiscal policy.

In the not too distant past we have seen the administration request and Congress agree to raise the national debt ceiling $12 billion. As a second step the President on March 26 sent a message to Congress requesting an extension of the 10-percent surtax as a necessary measure, along with budget surpluses, to fight inflation. Then on April 15, the Nixon administration disclosed its budget proposals which made some 50 revisions in President Johnson's nondefense budget. The net reduction for the nondefense budget was $2.9 billion while defense spending was to be cut only $1.1 billion.

As each of these fiscal policy measures has been announced I have asked the same question: Could not comprehensive tax reform achieve the same fiscal ends?

Therefore when the administration's tax reform proposals were released yesterday, I was optimistically waiting to see tax reform pursued with the same vigor as raising the debt ceiling, extending the surtax, and cutting moneys from domestic programs had been pursued.

I was, however, a bit disappointed that the President's tax reform proposals were not more comprehensive.

I find that in an effort to make extension of the 10-percent surtax more palatable President Nixon has offered some very good tax reform proposals. I have no quarrel with what he has proposed: a minimum tax, tax exemption for poverty level families, repeal of the 7-percent investment tax credit, allocation of deductions, elimination of mineral production payments, elimination of the multiple corporation gimmick, eliminaton of losses on "hobby" farms, an examination of foundations, controls on charitable deductions—these are all worthy reforms.

What concerns me is what he did not propose. Many of the most needed and obvious tax reforms were not among his proposals. I sincerely hope that we are not going to find ourselves saddled with a 10-percent surtax for 6 months and a 5-percent surtax for the next 6 months without getting a truly comprehensive tax reform that will bring relief to the middle-income taxpayers who, I thought, have been making their voices heard on this topic.

President Nixon said that his Treasury Secretary would provide recommendations and analysis of the impact of other possible tax reforms no later than November 30, 1969. Yet we are being asked to approve extension of the surtax as of June.

Much research has already been done. Some areas of our tax structure have been all but studied to death. Certain reforms should be proposed now—further study will only make their already clear merit more obvious.

I have proposed in H.R. 5250 the following reforms which I am deeply disturbed to find are absent from the Nixon administration proposal:

Taxation of capital gains upon death.

Elimination of the unlimited charitable deduction.

Elimination of special tax treatment on stock options.

Elimination of the $100 stock dividend exclusion.

Removal of the tax exemption on municipal industrial development bonds.

Establishment of a municipal bond guarantee corporation.

Reduction of the oil depletion allowance from 27½ percent to 15 percent.

Establishment of similar tax rates for estate and gift taxes.

Elimination of payment of estate taxes by redemption of government bonds at face value.

Elimination of accelerated depreciation on speculative real estate.

Further study will not show us that much more about these reforms. The President himself said that tax shelters are "preferences built into the law in the past." What is required is a decision as to whether these preferences shall continue.

Who benefits from stock options, oil depletion allowances, special capital loss treatment, municipal bond's exempt interest, accelerated depreciation, unlimited charitable deductions? Only the very rich. By not proposing these reforms I fear that the President leaves himself open to charges that he has decided to favor and keep preferences for the rich and for the corporations at the expense of the American wage earner who is being asked to support a renewal of the surtax without really meaningful tax reform.

The President stated that under his proposal there would be no substantial gain or loss in revenue. This need not be the case. Estimates of what tax loopholes cost the Treasury go as high as $50 billion a year. If the administration would propose a tax reform bill with some real substance a surtax, be it 5 percent or 10 percent, would not be necessary.

The administration's attempt to tie repeal of the 7-percent investment tax credit with extension of the surcharge misses the mark. Both are measures to slow up an overheated economy—just as raising revenue through tax reform and cutting the budget. The basic choice is which of these methods to use. My vote will go for tax reform and relief for the taxpaying individuals who work for wages or operate small businesses and pay the majority of our income tax.

TONY CURTIS' NEW PROJECT "I.Q."

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. REES. Mr. Speaker, in these times of internal stress at all levels of American society, it is indeed gratifying to point out that there are citizens among us who will take time from their personal interests to devote energy and efforts on behalf of their fellowmen.

Actor Tony Curtis has assumed the national chairmanship of the I.Q.—I quit smoking—program of the American Cancer Society and in doing so announced the program's goal would be to encourage 42 million Americans to quit cigarettes. According to society officials, about 2 million Americans already have given up the habit.

Tony Curtis gave up cigarettes 10 years ago and has volunteered his services to the society "because I feel responsible not only to my family but to other people."

The busy actor, along with his wife, the former model Leslie Meredith Allen, will undertake a major portion of their free time to devote all the energies to the American Cancer Society and its goals. The actor will begin a series of nationwide television and radio appearances. He will also tape a series of personal messages and visit as many cities as his schedule will permit. The messages will utilize rock bands for an "approach that smacks of today."

Tony Curtis is celebrating his 20th anniversary in the business which includes some 50 of Hollywood's top films.

Tony Curtis was born in New York of Hungarian immigrant parents. At an early age he had to learn to cope with the jungle tactics of neighborhood hoodlums. A turn for the better came when he became a Boy Scout and exchanged steamy asphalt streets for summers at camp. A dropout from high school, he joined the Navy early in World War II and served aboard the submarine U.S.S. *Dragonette*. While loading torpedoes at Guam, he was injured and lay paralyzed for several weeks. After recovery he was discharged and returned to finish school.

His earliest acting experience was at the YMHA on East 92d Street in New York. Out of the Navy he studied at the Dramatic Workshop under the GI bill of rights. He was later signed by Universal Pictures and his film career began.

Today the name of Tony Curtis is respected and known throughout the world by peoples of all nationalities. Over 200 million people have seen his films.

On April 20, Tony Curtis will receive one of the highest honors of his career when he goes to Montreal, Canada, to receive the Eleanor Roosevelt Humanitarian Award as the outstanding citizen of the North American Continent. He will receive the award from the Montreal Israel Bond Organization. Previous winners of this honor have been the late Albert Einstein, the late Bernard Baruch, and Vice President Hubert Humphrey.

Despite the fame and fortune that Tony Curtis has earned these past 20 years, he still has found time to help his fellow Americans and other people throughout the world and it is truly an honor to pay tribute to this outstanding American.

MARYLAND MARINE COLONEL, GI DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. LONG of Maryland. Mr. Speaker, Lt. Col. Harry L. Morris, Jr., and Sgt. Joseph Oreto, two fine young men from Maryland, were killed recently in Vietnam. I would like to commend their courage and honor their memory by including the following article in the RECORD:

MARINE COLONEL, GI DIE IN VIETNAM: SHRAPNEL KILLED OFFICER—SERGEANT SLAIN ON PATROL

A Marine Corps lieutenant colonel and an Army sergeant, both from Maryland, have been killed in Vietnam, the Defense Department announced yesterday.

They are:

Lt. Col. Harry L. Morris, Jr., 43, who died April 7 of shrapnel wounds. He was the husband of Mrs. Carolyn A. Morris, of 5355 Pooks Hill road, Bethesda.

Sgt. Joseph A. Oreto, 21, of Westminster, who was killed April 13 while on patrol near the Cambodian border.

Sergeant Oreto had been in Vietnam since November. He was stationed with the 11th Air Cavalry near Bien Hoa.

"He was against killing of any kind, but he felt he should do his duty," a relative said yesterday.

STUDENT PRESIDENT

Although born in Washington, Sergeant Oreto spent most of his life in the tiny Prince Georges community of Accokeek.

He was remembered by relatives as being a bright, athletic young man. While attending Gynn Park Junior and Senior High School in nearby Brandywine, Sergeant Oreto played varsity football and was president of the student council.

After graduation in 1965, he attended St. Mary's College in St. Mary's City which was then a two-year college. He was a police cadet with the Washington police department when he was drafted into the Army in January last year.

Sergeant Oreto is survived by his wife of six months, the former Georgia Croft, his parents, Mr. and Mrs. Joseph G. Oreto, of Pikesville, Tenn.; two brothers, Michael and Angelo Oreto, both at home; three sisters, Julia and Pamela Oreto, both at home, Mrs. Mary Lou D'Altorio, of Pittsburgh; and his maternal grandparents, Mr. and Mrs. Charles McCloud, of Pikesville.

WRITINGS OF FATHER LESTER

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. GUBSER. Mr. Speaker, from time to time I have inserted articles in the CONGRESSIONAL RECORD by Rev. William Lester, S.J., and am pleased to include more of his succinct and interesting writings. Father Lester is an ordained Jesuit priest who welcomes questions of a moral nature pertaining to today's life from members of any religious denomination. His answers are based on the timeless viewpoint of traditional Judeo-Christian principles.

More of Father Lester's writings follow:

[From the Los Angeles Herald Examiner, Sept. 7, 1968]

CHAVEZ OR GROWERS?

(By Father Lester)

DEAR FATHER LESTER: Who has the moral side—the Delano grape growers or Caesar Chavez? D.G.

DEAR D.G.: Workers have a right to unionize in order to gain a balance of power with management. The growers morally cannot prevent this unionization. But they can prevent a particular union from taking over if they are reasonably certain that the union would be run unjustly.

Personally, I am inclined to be on the growers' side of this dispute. The very fact that Chavez's teacher and associate is Marxist Saul Alinsky is almost enough to bang the scale down hard in favor of the growers. (Alinsky's only criterion of morality is fear of reprisal. For him there are no intrinsic rules of fairness. He "uses" existing power structures like the Church and becomes a Buddhist among Buddhists and a Catholic among Catholics until he is strong enough to destroy the establishments.)

Daily evidence, too, seems to indicate that Chavez's principles are those of Alinsky. A just man, for instance would not blithely resort to secondary boycotts nor sign contracts which he could not fulfill nor lessen the advantages of the worker under the guise of adding to them. Furthermore, Chavez's religiosity is much too ostentatious not to be contrived. Like Alinsky's good pupil, he seems to be "using" the Church.

[From the Sunnyvale Standard, Oct. 4, 1968]

FATHER LESTER DISCUSSES: LIMITS OF ACADEMIC FREEDOM

(NOTE.—Father Lester welcomes questions of a moral nature pertaining to today's life from members of any religious denomination. His answers are based on the timeless viewpoint of traditional Judeo-Christian principles.)

DEAR FATHER LESTER: As a moralist do you have any answer to the problem today on college campuses of maintaining academic freedom yet denying freedom to overturn violently the academic establishment? In other words, can we morally allow the campus to be used as a staging area for violent social change or revolution?

DICK R.

DEAR DICK: Academic freedom has its limitations. It is difficult, though, to agree upon them in a pluralistic society.

However, we must all admit that schools, as well as any other organization or person, are not free to promote actions contrary to just laws or humanity. They may tolerate some advocacy of injustice as long as it, like the shabby soap-box orator in the park, constitutes no real danger; but they cannot be allowed to use freedom to overturn freedom.

The very purpose of schools, too, is to lead students to the truth, the good and the beautiful. In their guidance, therefore, they must keep students within proper bounds so they can familiarize them with what is true, good and beautiful and not let them waste time wallowing in hog-mire.

Dear Father Lester: I'm a young business woman, have a good figure and an especially good bust-line.

Since the see-through blouse is now fashionable and being worn by many celebrities, would there be any moral wrong-doing in my showing off this becoming fad?

Del.

Dear Del: I doubt today's average American male can tolerate an attractive woman revealing that much of herself to him without being provoked to sex—licit or not. If that judgment is correct, the blouse is immoral.

Dear Father Lester: I must compliment you on seeing through many of the shallow, modern-day, false justifications given for actions which are not in the best interest of the individual or his society.

I know of one philosopher, Ayn Rand, who would agree with your interpretations almost to the letter and she claims to be an atheist.

R. T.

Dear R. T.: Thank you for your kind compliment. I hope, though, I will not lose your admiration when I say that Ayn Rand and I are really poles apart—almost as far as I am from Karl Marx.

Rand has no room for the individual's responsibility towards the community. For her, the individual is god.

Marx, on the other hand, would make the community god.

Marx would deny man the freedom he needs to perfect himself as a person—an intellectual being; Rand would deny man the concern he must rightfully have for others.

Their errors show up, too, in their concepts of property. Marx would have everything owned and used in common; Rand would have everything owned and used in private.

(The traditional viewpoint subscribes to private ownership but holds that everyone has a certain claim to the use of the world's material goods.)

Dear Father Lester: Dr. Ralph Abernathy, the successor to Dr. Martin Luther King, is pushing for a "guaranteed income" whether or not the person works. One article quoted the amount as being $20 monthly.

I not only can't see how the government can afford this, but I wonder if a guaranteed income is moral.

Roy C.

Dear Roy: The guaranteed income seems definitely immoral.

It is immoral to encourage indolence. And any form of a guaranteed income cannot but encourage perpetual vacations and immediate retirements. The difference between what so many people can earn and what they would be given for nothing is simply too small to make work appetible.

True love for the neighbor rules against encouraging him to indolence. Rather, love means helping him stand on his own feet and do for himself as a man should.

St. Paul, a rather good moralist, warns us: "If anyone is unwilling to work, do not let him eat." (2 Thess. 3:10)

Dear Father Lester: Five big antibiotics manufacturers are being sued for conspiring to fix prices throughout the Western Hemisphere.

I know monopolies are illegal, but are they immoral?

P.N.

Dear P.N.: They are immoral when they are unlawful or used to extract more money than necessary and just.

They are civilly outlawed because usually they are unnecessary temptations.

[From Twin Circle, Oct. 13, 1968]

THE MORAL ANGLE—IF YOU ASK ME

(By Father William Lester, S.J.)

Eldridge Cleaver has a prison record a page long. His convictions include rape and assault to kill. He's a Black Panther and preaches racism and violent revolution. Even though he does have some following, is it moral for colleges to bring him in as a speaker?

Interested Citizen.

Dear Interested: Schools have a duty to lead students to truth, beauty and good. To achieve that goal they must allow an academic freedom limited only by what is obviously false, ugly and evil. They cannot allow students to be patently misguided. Anyone preaching racism and unlawful violence cannot, therefore, be given a campus podium as though his doctrine were not obviously untrue and evil. Some school administrators will agree with the above principle, yet defend the good of having speakers like Cleaver on campus. They say this gives students firsthand knowledge (so much better than secondhand) of the opponent's thinking. I agree, of course, that this knowledge is good and should be had—if the price is not prohibitable. It is good, for instance, to know the psychology of a murderer, but not at the price of being one. So it is good to hear a racist in person, but not at the price of honoring him and gaining recognition and respect for him. Some administrators agree with that principle, too, but then deny that the college lectern gives the speaker public respect and recognition. They need a vacation.

[From Twin Circle, Nov. 3, 1968]

THE MORAL ANGLE—IF YOU ASK ME

(By Father William Lester, S.J.)

In a recent column you stated you were inclined to be against Cesar Chavez, the grape strike leader in California, because he is a long-time student of Marxist Saul Alinsky. Please, do you have to stoop to Red-baiting? You also opined that Chavez was "using" the Church. Just who in the Church is he using? You owe an apology to Messres. Alinsky and Chavez. George B.

Dear George: Would you also say that I was Red-baiting if I stated that Mao Tse-tung, Brezhnev, Kosygin and Castro were Marxists? Or would you have me play make-believe and denominate red as white and white as blue? Saul Alinsky speaks for himself very clearly in his manual for agitators, "Reveille For Radicals" (University of Chicago Press, 1946). It is pure doctrinarie socialism. In the book he looks for the salvation of mankind through peoples' organizations—a word he uses often for proletariat and peoples' world. For him, all existing organizations, Church and labor included, have had their opportunity of bringing peace and security and happiness to the world; they have all failed. But in his peoples' organizations, each individual would so love the humanity in the other that there would never be any question of quarrels, wars, greediness, disease, destruction, deterioration; each would find peace, security and happiness (pp. 218–9). (God should have checked with Alinsky before making any plans.) According to him, too, all of the people must control and own the means of productivity. Capitalism is evil, monopolistic. Even labor unions today have been perverted from socialism, but hopefully they will return. Only the rule of the proletariat can save the world (pp. 33–53). Logically, as a materialist, he holds the only norm of morality is fear of reprisal (pp. 54–5). To achieve his goal, he teaches the necessity of "using" the existing power structures—churches, labor unions, any organization whatever. Yet these power structures are to be condemned once he comes into power (pp. 97–101). Do you still want me to apologize for labeling Alinsky a Marxist? But Chavez, as I said, has been a close student and associate of Alinsky for the past ten years. Would it not be right, therefore, to suspect that he holds with Alinsky and also "uses" the Church?

[From the Los Angeles Herald-Examiner, Dec. 28, 1968]

PIKE WRONG?

(Father Lester)

(Note.—Address your questions to Father Lester in care of this newspaper enclosing a stamped, self-addressed envelope.)

Dear Father Lester: What's the moral angle on Bishop Pike and his "communication" with his deceased son?

Noah W.

Dear Noah: Fortune telling and calling up dead spirits have always been forbidden to Jews and Christians. If God has anything to reveal to humans, He will definitely do it His way and not in a manner opposed to His own evident plan.

In any supernatural communication, God must give evident signs that He is speaking or we rightly infer that it comes from the evil spirit.

Dear Father Lester: Is it a moral necessity to follow what our military leaders tell us we must do?

B. D.

Dear B.D.: Soldiers must follow the directions of their leaders—except in matters that are morally evil. They cannot, for example, directly kill innocent people even though their officer commands it.

Soldiers seldom have reason to balk when they fight under a just, legitimate government. Most of their directives come under the norm of common sense—like the reported-as-true words of George Washington to his men as they were getting ready to cross the Delaware: "Get in the boat, men; get in the boat."

Dear Father Lester: I thought I understood that if one's life really depended on it, a person could break any moral rule.

For instance, to keep a little sister as well as herself from starving, a woman could be a prostitute.

I. G.

Dear I. G.: Wrong. A person may never do moral evil.

It is the only really important evil in the whole world. It is the deformation not of a person's body but of his character.

On the other hand, physical evil—like malnutrition or a broken leg—does not affect character directly. A person can be minus both legs and arms and starving, yet still be what counts—a good man.

Dear Father Lester: Can you define pornography?

Sam W.

Dear Sam W.: In 1957 Supreme Court Justice William J. Brennan Jr. defined a work as obscene if "to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest." Now, in my judgment, that fairly well defines patent pornography.

A few rapid corollaries: (1) What is not obscene for one community may be obscene for another. (2) The individual community is best protected from pornography by using its own standards. (The tolerant San Franciscan is no judge for an Amish community.) (3) A higher court should not suppose that it knows the moral attitude of an individual community better than the latter's own citizens.

Dear Father Lester: Even though it might be legendary, do you think it was all right for William Tell to shoot that apple off his son's head?

Bill T.

Dear Bill: It was better than missing.

[From the Sunnyvale Standard, Jan. 17, 1969]

Father Lester Discusses: Value of Corporal Punishment

(Note.—Father Lester welcomes questions of a moral nature pertaining to today's life from members of any religious denomination. His answers are based on the timeless viewpoint of traditional Judeo-Christian principles.)

Dear Father Lester: A judge in Oklahoma City recently gave a 17-year-old youth a choice between a lashing and five years in prison for receiving stolen cartons of cigarettes. The boy took 20 lashes on his bare back with a stiff leather strap and was sent home.

The judge thought the whipping did the boy a lot of good and that there would be fewer boys getting into trouble if corporal punishment were handed out more often.

The judge may be correct, but isn't whipping immoral cruelty?

Roy K.

Dear Roy: Corporal punishment in itself is not cruel. A smarting bottom, for instance, can teach a child to be kind to himself by not playing with kitchen knives; his spanking was an act of love on the part of his parents. Only if the punishment exceeds the crime or is inflicted purely for vengeance is it cruel. (Cruelty and pain, punishment and vengeance are not synonymous as so many people erroneously think.)

In my judgment, a reintroduction of some corporal punishment often would help more than jail sentences to lessen crime. Such suffering is a lesson that is humiliating, quickly over with, yet easily remembered. The young miscreant can take no pride in a whipping, nor can he become hardened in a criminal attitude by association with jail companions.

Furthermore, stiff, quick punishment minimizes the community's own loss through crime.

Dear Father Lester: I heard that scientists—like neuroscience professor Dr. Robert Livingston at University of California in Los Angeles—claim a Russian's brain differs from an American's, a white man's from a black man's, a hippie's from a square's. They say the molecules and atoms of these different brains actually become set in different patterns from every other, but between cultures there may be vaster differences still.

Doesn't that mean that man isn't responsible for what he thinks and how he acts?

Dennis Z.

Dear Dennis: The human brain is a collection of sense organs for use of the intellect.

One man's brain can have a better sense organ of memory, imagination and so forth than another's. This physical condition is inherited and determines whether the man's intellect will function well or poorly. Ordinarily, though, brain variation results in little more than a variation in mental quickness and has only slight effect on man's basic outlook on life; it would never account for the difference in attitude between hippies and squares.

Man's external sense of sight, sound, etc. may fail and not report all due sense knowledge. His brain, too, which synthesizes, correlates and stores all the facts sensed externally may function poorly. But usually the great differences in life-outlook between men result from the spiritual variation in acquired intellectual knowledge, reasoning habits and the will to accept reality.

Because man has a spiritual nature, he—not his physical brain molecules—is basically responsible for his actions.

Dear Father Lester: If an artist paints a copy of a more famous artist's work and then peddles it as an original, what would you call it?

B. G.

Dear B. G.: "A Fraud As Painted By A Fraud."

[From the Sunnyvale Standard, Mar. 3, 1969]

Father Lester Discusses: Our Complicated Income Tax Laws

(Note.—Father Lester welcomes questions of a moral nature pertaining to today's life from members of any religious denomination. His answers are based on the timeless viewpoint of traditional Judeo-Christian principles.)

Dear Father Lester: How can anyone be expected to comply with the income tax law if the normal person can't figure it out? Isn't such a law unjust?

A friend of mine told me, too, that Mortimer Caplin, while heading the Internal Revenue Service a few years ago, admitted to him privately that he couldn't understand it either.

Stuart F.

Dear Stuart: Law is an ordinance of reason for the common good, made by the person or persons who have care of the community, and promulgated.

But a law which is not clearly expressed is not promulgated. It cannot bind people until it tells them what it expects.

Every person, of course, cannot know and easily understand all laws—for instance, the laws binding corporations; yet, laws governing common everyday matters, like traffic and taxes, should be known and capable of being understood by the average citizen. People who are sophisticated enough to establish a corporation can be reasonably expected to know the laws pertinent to their business.

Dear Father Lester: Should there be an "ouch" in taxes? Should taxes hurt as California Governor Reagan says?

Edith M.

Dear Edith: People should run their government; hence, they should be completely aware of the taxes they pay and how the money is spent. The power to allocate money independently of taxpayers' supervision naturally makes administrators the masters rather than the servants of the community.

People who "ouch" are aware of the tax bite and will want to oversee the use of their money.

On the other hand, if taxes are hidden and sweetly extracted, people will seldom realize that they are gradually losing the power to govern themselves. Withholding is this type of tax.

(California Assemblyman John G. Veneman, who is proposing that his state adopt the withholding system, foolishly claims that it will not increase the tax rate. But anyone with basic arithmetic knows that a citizen can collect at least bank interest, if nothing more, on the money he must save for his taxes; yet if that money is withheld from him, he forfeits to the state the interest he could make. This profit is most certainly an extra tax.)

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. GUDE. Mr. Speaker, recently, on April 11, the Metropolitan Washington Council of Governments celebrated its 12th anniversary. The council, of which I am a member, embodies a concept which I have long espoused—that of interjurisdictional cooperation in dealing with metropolitan problems, and also cooperative concern about city problems among contingent suburban areas and the city itself.

In this day of crying needs for communication and cooperation, it is encouraging to observe a voluntary communications system among our local governments which not only discusses the pressing problems of our metropolitan area, but acts to help solve them. I speak of the Metropolitan Washington Council of Governments, founded 12 years ago on April 11.

The third oldest council of governments in the Nation, and by far the most advanced and productive, our area organization has compiled an impressive record of achievement in assisting the 15 major local governments of Metropolitan Washington to cope with area-wide problems which defy solution by any one local government.

Some of these accomplishments by COG include:

The establishment of radio and teletype networks linking area police and fire departments.

Helping to establish an area-wide police computer system to give local police agencies split-second access to needed data from every section of the region.

Pioneering the air pollution battle with a scientific laboratory analyzing our air on a 24-hour-a-day basis and with a guide ordinance which is the basis for air pollution laws adopted in every major jurisdiction of our urban area.

Conducting the area's first major transportation survey since 1955, the most complete ever attempted here, interviewing 100,000 citizens to determine travel needs and habits as part of a regional transportation plan being prepared by COG's transportation planning board.

Preparing "mutual aid agreements" so police and fire departments can aid each other in large-scale emergencies.

Production of 25 major reports in 1968 and this year on crime prevention and law enforcement, police training, transportation needs, community resources issues, airports and air travel demand, health facilities, employment, housing and a listing of public building projects scheduled through 1973, plus a wide variety of other reports on Metropolitan Washington's urban problems.

Reviewing in the past year, as part of its responsibility as Washington's official metropolitan planning agency, 125 Federal aid applications from local, State, and special agencies for projects totaling more than $160 million in Federal grants.

Conducting courses in public administration, rapid reading, and municipal public relations for staff members of its local governments, in association with the International City Managers' Association.

Aiding in the establishment of the Metropolitan Washington Urban Coalition, first proposed by COG's president, to attack the region's pressing social problems.

The establishment of a link-up for all public libraries in Metropolitan Washington, through a joint lending arrangement giving citizens in any part of the region access to books in all public libraries in the area. The system is the first to link all libraries in an interstate area, only the second in any region and the first to be developed through a council of governments.

Evidence of the support for such united approaches to regional problems is the presence of similar councils of governments in 150 metropolitan areas across the Nation. This clearly shows that our local elected officials recognize the need to act against areawide problems and are moving to do so through this voluntary but productive device.

Mr. Speaker, as a member of the Metropolitan Washington Council of Governments, I am pleased to join in the tributes being paid to COG and to wish it continued success as it carries on its efforts in behalf of our area's local governments and their officials.

DWIGHT D. EISENHOWER CENTER FOR HISTORICAL RESEARCH

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. BOW. Mr. Speaker, in the days since the passing of Gen. Dwight David Eisenhower many suggestions have been made to honor him by naming various places in his memory.

My purpose today is to call attention to my bill (H.R. 10001) to establish a National Armed Forces Historical Museum Park and the Dwight D. Eisenhower Center for Historical Research, both to function as a part of the Smithsonian Institution.

I wish to point out that this project to honor the general and our former President was approved by him, the only such project of which I have knowledge. His approval was stated in a letter addressed to Chief Justice Earl Warren on February 7, 1969, after the Chief Justice had written to General Eisenhower on behalf of the Board of Regents of the Smithsonian Institution to explain the project.

Inasmuch as General Eisenhower gave his personal approval to the Dwight D. Eisenhower Center for Historical Research, it is my hope that all who wish to honor him will join in support of this proposal.

The exchange of letters between the Chief Justice and General Eisenhower follows:

JANUARY 27, 1969.

Hon. DWIGHT D. EISENHOWER,
Walter Reed General Hospital,
Washington, D.C.

MY DEAR GENERAL EISENHOWER: You will recall that it was my privilege to serve as chairman of a special committee which you convened during your presidency to consider and make recommendations concerning the establishment of an American Armed Forces Museum. It was your conviction that such a museum, properly conceived, could make a substantial contribution to our citizens' knowledge and understanding of American life. In your instructions to the committee, you stressed that the museum should be a dynamic educational venture reaching beyond the mere collecting and cataloguing of military hardware. You espoused two themes as especially appropriate: an exposition of the contributions which the military forces have made to American society and culture, and an analysis of the meaning of war in today's civilization.

After considerable study, your committee submitted a report to you recommending that a National Armed Forces Museum be established under the auspices of the Smithsonian Institution. In pursuing your suggested themes, the committee advocated the establishment of a study center for historical research and scholarly study into the meaning of war, its effect on civilization, and the role of the armed forces in national development.

These recommendations were incorporated into Public Law 87-186, approved August 30, 1961, which also established a National Armed Forces Museum Advisory Board to advise and assist the Regents of the Smithsonian Institution on matters concerned with portraying the contributions of the armed forces to American society and culture.

I have had the additional privilege of serving as a member of this Advisory Board under the enthusiastic chairmanship of the Honorable John Nicholas Brown, my distinguished fellow Regent of the Smithsonian, who also served as a member of your original committee. Inspired by the ideas sown during your presidency, the work of the Advisory Board has progressed to the point where the Smithsonian Institution has proposed development of a National Armed Forces Historical Museum Park in the Fort Foote area of Prince George's County, Maryland, on the Potomac River, and for a study center to stimulate historical scholarship in military affairs and to provide for increased public awareness of the issues raised by military security in a democratic society.

At its most recent meeting, on January 15, 1969, the Board of Regents of the Smithsonian Institution unanimously approved the Advisory Board's recommendation that the study center be designated as the Dwight D. Eisenhower Center for Historical Research in honor of your distinguished public service and your unparalleled contributions toward the shaping of a free world.

The Board of Regents has asked me to inform you of their action, and I take pleasure in enclosing a draft of the proposed legislation which will be introduced in the 91st Congress in the near future.

This legislation seeks to attain the goals which you envisioned a decade ago. The museum park and study center will provide an appropriate monument to American courage and resourcefulness; but, perhaps more important, the Eisenhower Center may light man's way toward a more complete knowledge of himself and thus secure for future generations the security with freedom for which you have worked so long and arduously.

On behalf of the Board of Regents, I hope this will meet with your approval.

Sincerely yours,

EARL WARREN,
Chief Justice of the United States, Chancellor of the Smithsonian Institution.

WALTER REED HOSPITAL,
February 7, 1969.

Hon. EARL WARREN,
Chief Justice of the United States,
Supreme Court of the United States,
Washington, D.C.

DEAR CHIEF JUSTICE WARREN: I welcomed your excellent letter respecting the proposed museum and study center and am most grateful for the honor paid me by the Board of Regents of the Smithsonian Institution in proposing that the study center bear my name.

It is, perhaps understandably, my general disposition to view favorably a study center of this type, and also the museum park, so conceptually you can fairly indicate to any interested person that I would generally support these ventures. On the other hand, I feel particularly sensitive about the extremely difficult fiscal circumstances in which our new President has been placed. I am hesitant to be positioned as urging upon him new Federal expenditures over and beyond the immense spending proposed by the previous Administration, unless such expenditures are explicitly required for urgent national purposes.

So if it is feasible for me to do so, I should like to embrace your excellent work in principle while holding in abeyance my personal endorsement of immediate expenditures of additional Federal funds.

I am informed that the President's Budget Bureau has just received from Smithsonian the copy of the proposed legislation and has the entire matter under active review. Perhaps in three or four weeks, one can make a more accurate appraisal of the fiscal contingencies that these proposals entail.

Again my warmest appreciation to you, to John Nicholas Brown and all others concerned with these matters.

With warm regard,

Sincerely,

DWIGHT DAVID EISENHOWER.

GETTYSBURG, PA.

Mr. Speaker, I share the general's concern about the fiscal situation, and I point out that there is no intention to proceed at once to the construction of the museum and center authorized in the bill. There is an urgency, however, to authorize the project so that initial planning, involving no new appropriation, can proceed.

At this point, I wish to extend in the RECORD the language of the bill itself, as follows:

H.R. 10001

A bill to establish a National Armed Forces Historical Museum Park and Study Center

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That this Act may be cited as the "National Armed Forces Historical Museum Act of 1969".

DECLARATION OF POLICY

SEC. 2. Pursuant to the provisions of the Act of August 30, 1961 (75 Stat. 414, 20 U.S.C. secs. 80–80d), and in furtherance of the purposes thereof, the Congress hereby finds and declares—

(1) that a living institution demonstrating the historic commitment of the people of the United States to the cause of freedom and commemorating the magnitude of American military and naval achievement, in peace and war, would be an appropriate memorial to the valor and sacrificial service of the men and women of the Nation's Armed Forces, and an inspiration to the present and to future generations of America;

(2) that the importance of deterring war in the present age, and in preserving a free, peaceful, and independent society clearly points to the need for increased understanding of the issues raised by military security in a democratic society and of the demands placed by national defense upon the full energies of all the people;

(3) that the National Armed Forces Museum Advisory Board, created by the Act of August 30, 1961, and the Board of Regents of the Smithsonian Institution, recommended that a National Armed Forces Historical Museum Park be established at a site in Prince Georges County, Maryland, to consist of so much of those lands which the Secretary of the Interior has been authorized to acquire in fee simple under section 19 of the Federal-Aid Highway Act of 1968, and so much of those lands already under the jurisdiction of the Secretary of the Interior as a part of the park and parkway system of the National Capital, as lie within the boundaries approved by the National Capital Planning Commission on January 12, 1967, and which are shown on a map bearing the National Capital Planning Commission file number 75.20/3208–24744, on file in the records of said Commission;

(4) that the National Armed Forces Museum Advisory Board and the Board of Regents of the Smithsonian Institution further recommended establishment of a study center for historical research into the meaning of war, its effect on civilization, and the role of the Armed Forces in maintaining a just and lasting peace; and

(5) that by relating the Nation's military and naval history to all other aspects of man's unending quest for freedom and enlightenment, the establishment of such a museum park and study center would be consonant with the purposes of the Smithsonian Institution, created by Congress in 1846 "for the increase and diffusion of knowledge among men."

THE MUSEUM PARK AND STUDY CENTER

SEC. 3. (a) There is hereby established in the Smithsonian Institution a National Armed Forces Historical Museum Park (hereinafter referred to as the "Museum Park"), including facilities for the display of naval craft, which shall be administered by the Board of Regents of the Smithsonian Institution with the advice of the National Armed Forces Museum Advisory Board.

(b) There is hereby established a study center, which shall be known as the Dwight D. Eisenhower Center for Historical Research (hereinafter referred to as the "Center"), in honor of the thirty-fourth President of the United States, who contributed so greatly toward the shaping of a free world.

(c) The Secretary of the Smithsonian Institution, with the advice of the National Armed Forces Museum Advisory Board, may appoint scholars and, where appropriate, provide stipends, grants, and fellowships to such scholars, and acquire or accept the voluntary services of consultants and panels to aid the Smithsonian Institution in carrying out the purposes of this Act.

(d) The Board of Regents of the Smithsonian Institution with the advice of the National Armed Forces Museum Advisory Board, may solicit, accept, and dispose of gifts, bequests, and devises of money, securities, and other property of whatsoever character for the benefit of the Museum Park and the Center; any such money, securities, or other property shall, upon receipt, be deposited with the Smithsonian Institution, and unless otherwise restricted by the terms of the gift, expenditures shall be in the discretion of the Board of Regents for the purposes of the Museum Park and the Center.

(e) The Secretary of the Smithsonian, with the advice of the National Armed Forces Museum Advisory Board, is authorized to employ the director the chairman of the Center, and the superintendent of exhibits, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. The Board of Regents of the Smithsonian Institution, with the advice of the National Armed Forces Museum Advisory Board, may employ such other officers and employees as may be necessary for the efficient administration, operation, and maintenance of the Museum Park and Center.

(f) To carry out the purposes of this Act, the Board of Regents of the Smithsonian Institution and the Secretary of the Interior are hereby authorized to enter into an agreement for the joint use of lands described in section 2(3) above.

(g) The Smithsonian Institution, with the advice of the National Armed Forces Museum Advisory Board, shall prepare plans and specifications for the Museum Park and the Center, including planning for the design and development of all buildings, facilities, open spaces, and other structures, in consultation with the Commission of Fine Arts, the National Capital Planning Commission, and the Department of the Interior.

(h) Development of the Museum Park and the Center shall be planned to permit construction, when authorized, in stages over a period of years as appropriate. In view of the approaching bicentennial of the American Revolution, priority in construction shall be given to such displays and supporting facilities as will have special significance during the period of the bicentennial.

CONGRESSMAN WHALEN ANNOUNCES RESULTS OF ANNUAL THIRD OHIO DISTRICT POLL OF CONSTITUENTS

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. WHALEN. Mr. Speaker, I would like to take this opportunity to inform the House of the results of my annual poll of constituents in the Third Ohio District.

The survey sampled attitudes on eight questions. It went out in January and received an overwhelming response from residents in the Greater Dayton area.

More than 21,000 of the 155,000 poll cards sent out where returned. This indicates a very high level of interest in national affairs, a fact which I greatly appreciate.

In summary, the following were reflected in the answers:

The income tax surcharge should not be renewed.

The Paris peace talks will not resolve the Vietnam war conclusively.

The peace talks, however, are the best means of terminating the war.

Lowering the voting age to 18 showed virtually a deadlock in views with 48 percent against, 47 percent for, and 5 percent undecided.

The electoral college ought to be abolished and replaced by direct vote of the people.

A bare majority favored continuing the space program at about the level of fiscal 1969 expenditures.

The power of the President to commit American troops to combat without the specific approval of Congress should be curbed.

The Post Office ought to be converted into a Government-owned corporation to operate on a self-supporting basis.

Mr. Speaker, I insert herewith a tabulation of the poll results:

1969 3D CONGRESSIONAL DISTRICT POLL RESULTS OVERALL AND BY CATEGORY

[Note: Answers are expressed in percentages. In some cases, answers do not total 100 percent due to rounding]

Questions and answers	Overall	Sex		Party			Age			
		Male	Female	Republican	Democrat	Independent	18 to 24	25 to 44	45 to 64	65 and over
1. Viewing the economy as it stands today, would you favor renewing the 10 percent surtax when it expires on June 30?										
Yes	28	31	21	31	25	24	35	27	23	43
No	62	60	65	57	65	66	50	63	66	53
Undecided	10	9	14	11	10	10	15	10	11	3
2. Do you feel that the Paris peace talks will result in a conclusive settlement of the Vietnam war?										
Yes	20	21	18	19	26	17	20	24	14	23
No	65	64	67	62	67	69	68	59	75	47
Undecided	15	15	15	18	7	15	13	17	10	30
3. Regardless of how you answered the previous question, do you consider the Paris peace talks to be the best means of terminating the Vietnam war?										
Yes	50	48	54	52	50	48	50	52	48	53
No	33	36	27	31	35	36	33	31	39	20
Undecided	17	16	19	17	15	17	18	17	14	27
4. Do you favor lowering the minimum voting age to 18?										
Yes	47	47	47	41	57	50	58	52	41	30
No	48	49	48	54	39	45	35	44	53	67
Undecided	5	5	5	6	4	4	8	4	6	3

1969 3D CONGRESSIONAL DISTRICT POLL RESULTS OVERALL AND BY CATEGORY—Continued

[Note: Answers are expressed in percentages. In some cases, answers do not total 100 percent due to rounding]

Questions and answers	Overall	Sex		Party			Age			
		Male	Female	Republican	Democrat	Independent	18 to 24	25 to 44	45 to 64	65 and over
5. Should the electoral college be abolished and the President elected solely by the direct vote of the people?										
Yes	79	79	78	72	88	82	80	79	79	67
No	16	17	15	20	11	13	13	16	15	23
Undecided	5	5	7	8	1	5	8	4	6	10
6. Which 1 of the following most closely reflects your attitude toward the Nation's space program?										
(a) Continue with funding at about the present level ($4,000,000,000 in fiscal year 1969)	51	53	47	54	44	51	43	59	48	30
(b) Accelerate, increase funding if necessary	16	17	12	15	19	13	35	17	8	13
(c) Cut back, reallocate funds to social welfare programs	21	19	26	17	33	19	13	17	26	37
(d) None of the above	12	11	15	13	4	17	10	7	18	20
7. Should the power of the President to commit American troops to combat without the specific approval of Congress be curbed?										
Yes	65	63	70	66	64	65	50	64	69	77
No	29	31	26	27	30	32	45	29	28	17
Undecided	6	6	5	7	6	2	5	7	3	7
8. Do you support the proposal to convert the Post Office into a Government-owned corporation to operate on a self-supporting basis?										
Yes	67	70	62	72	60	64	60	68	65	80
No	16	15	18	15	20	16	30	15	17	7
Undecided	17	15	20	13	20	21	10	17	19	13

NEW YORK STATE BAR REPORTS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. ROSENTHAL. Mr. Speaker, the Committee on Federal Legislation for the New York State Bar Association recently prepared three excellent reports on improving our foreign aid programs, establishing neighborhood information centers, and encouraging the growth of cable television. I believe that these constructive and thoughtful comments on three timely national issues provide the subject matter for lively discussion and merit the attention of my colleagues.

The reports follow:

CABLE TELEVISION REGULATION*

Cable television can permit a technological revolution in communication, making it possible for citizens in their homes to select from a very large number of alternate channels and programs. It may ultimately permit each household to be tied in directly to an information system or library so that almost any stored data or new information entering the system which the recipient desires to inspect can be received. The long-range implications of such potentialities are very great. This would also mean that the medium would permit more individual choice.

This report deals with the legal structure for permitting use of these possibilities for the future.

The cable television industry, sometimes called CATV for community antenna television, began as the result of a technological discovery, the coaxial cable through which television signals can be distributed to individual homes. Initially, CATV was used to bring clearer signals to small communities suffering from poor reception due to topographical conditions or remoteness from broadcasting stations. Today, cable television systems are being installed even in large cities which already support as many as seven over-the-air channels; and in addition to providing the basic clear signal service, cable systems have begun to originate their own programming.

The importance of cable TV to the television industry as a whole was emphasized by the Communications Task Force appointed under Former President Johnson. Its report has not been officially released but excerpts from the report relating to cable TV were printed in the New York Times on December 10, 1968 (p. 41, cols. 3–8). The task force suggested that, as a major goal for the future, government should foster an industry so structured that a wide variety of needs, interests and tastes can be achieved at low cost, both to the communicator and the viewer. The task force further indicated that it is precisely this diversity that cable TV can bring to the industry which now concentrates chiefly on programming intended to appeal to mass audiences.

Since the growth of CATV has been accompanied by increasing regulation by both the Federal Communications Commission (FCC) and local authorities, the continued proliferation of which may inhibit its future growth. This Committee believes that a review and evaluation of such regulation is essential at this time.

REGULATION BY THE FCC

When a government agency denies entry into cable television service or prevents systems from carrying certain kinds of programming, it is limiting freedom of the press. Since *National Broadcasting Company* v. *United States*, 319 U.S. 190, 226 (1943), the courts have justified the FCC's intervention in broadcast television on technological grounds. Because the electromagnetic spectrum will only support a small number of over-the-air stations, the courts have held that government may properly see to it that this scarce resource is used in the public interest. Such reasoning, however, may not be applicable to cable television systems which carry their signals over wire and can increase the number of channels indefinitely.

However, apart from any constitutional limits to regulation, cable television, as the concluding link in a process of interstate radio communication, is clearly within the scope of the Federal Communications Act.[1] Moreover, there is an intimate economic relationship between broadcast and cable television, both as competitors and as producer-distributors; and regulation of cable television may be related to the FCC's congressional mandate to promote "radio communication service."[2] In any event, the courts have accepted these rationals for the Commission's assertion of at least some jurisdiction over cable television.[3]

Historically, FCC regulation of cable TV has assumed three forms: (1) the requirement that each CATV upon request carry the signals of all stations operating in its own area of coverage; (2) the prohibition against duplicating the programming of any local station on the same day a given show is aired on the local station without permission; and (3) the prohibition, subject to waiver by the FCC in special cases, against importing signals from distant stations into the top 100 geographical markets which include approximately 89% of the nation's television homes. More recently, in December 1968, the FCC announced plans to require cable TV systems to originate programs. These types of regulation are not discussed in detail here since we believe they present less serious problems than other types of regulation principally entry and program content restrictions discussed below.

The FCC's decision to require CATV systems to originate programs is consistent with the role in diversification of programming envisioned for cable TV by the Communications Task Force. Such a requirement should not place a heavy burden on cable TV operators. Since subscriber revenues are normally sufficient to cover the costs of distributing CATV signals, advertising revenue is not as important to CATV systems as it is to over-the-air broadcasting systems. Consequently, in order to expand his list of subscribers, a cable TV operator has a positive incentive to offer a varied programming mix, including items which would not attract a commercial sponsor, even if that required him to bear a portion of the programming costs. With an abundance of channels, CATV systems can provide such diverse programming as local news, children's programs, shopping information, the stock market ticker, reports of local governmental agencies, foreign and old film festivals, academic courses, and high school and college theatrical or sporting events. Much of this type of programming could be created with amateur or semi-professional talent in modest studios using simple camera equipment. The moderate costs of such programming might as well be offset by an increased subscriber audience. So long as the requirement of program origination does not become a form of regulation of program content, serious constitutional questions can be avoided.

REGULATION BY LOCAL AUTHORITIES

Local governments through the imposition of licensing requirements are regulating CATV systems in a variety of ways, including control of marketing entry, rate regulation and regulation of program content; the

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* This report was prepared for the Committee by Professor Leonard Chazen of Rutgers University School of Law at its request and thereafter approved by the Committee.

[1] 47 U.S.C. 152(a) (1962).

[2] 47 U.S.C. Section 151 (1962); see also 47 U.S.C. Sec. 307(b) (1962).

[3] See *United States* v. *Southwestern Cable Co.*, 88 Sup. Ct. 1994 (1968); *Carter Mountain Transmission Corp.* v. *FCC*, 321 F. 2d 359 (D.C. Cir., 1963); cert. denied, 375 US 951 (1963).

FCC might also use its statutory authority to engage in entry limitations.

A. *Regulation as a Public Utility:* Most cable television systems operate under municipal franchises. These licenses may restrict a system's construction activities, its charges to subscribers or its programming policies. The licensee, in turn, has sometimes been granted an exclusive cable franchise for a specified area.

The basis for this form of regulation is an analogy between cable television and the traditional public utilities, particularly telephone service. Once a cable TV system has cabled a street, it has borne the major expense of providing the households along the street with cable service. This gives the system substantial power to deter prospective competitors and to extract a monopoly price from its customers. Furthermore, there are wide locational differences in the cost of providing cabel TV service. The more densely an area is populated with cable subscribers, the cheaper it is for the system to serve them. Just as the regulatory agencies responsible for local telephone service often prevent the franchisee from reflecting locational variations in its prices so as not to discourage use of the telephone in costly, lightly-settled areas, licensing agencies may wish to make sure that cable television is available to all at so-called "reasonable rates."

The policy of assuring service at reasonable rates often leads to restrictions on entry in the form of exclusive franchising as a part of a regulatory scheme. If municipalities merely wished to guard against monopoly pricing, they would not have to award exclusive franchises. A city could be divided into regions according to the cost of installing the cable, and in each one cable TV systems could be limited to a compensatory price. But under this kind of regulation, there is likely to be no cable service in places where cost-related prices are prohibitively high. By protecting the licensee's market position elsewhere, entry restrictions compensate him for operating at a loss in high-cost areas.

This justification for entry restrictions is a familiar part of public utility regulation. But when a telephone company receives an exclusive franchise, the awarding agency is not engaged in a restriction on first amendment freedoms. A telephone company with an exclusive franchise has no right to interfere with the content of the conversations that pass over its lines. An officially sanctioned cable television monopolist, on the other hand, decides for his customers what programs they shall receive and, by selecting the number of channels in the system, how much choice they shall have. So long as the cable provisioner is an exclusive franchise, the customers have no recourse if he fails to satisfy their needs other than to cancel their subscriptions and receive no cable television service. It is submitted that a serious constitutional question is arised when the imposition of economic regulation impinges upon first amendment freedoms.[4]

An alternative to banning entry restrictions that would permit local regulation would be to allow local governments to award exclusive franchises, but to require that the franchisee operate as a common carrier. Anyone seeking use of a cable channel could rent one at a price set by the franchisee. Then the cable monopolist would have a relationship to the programming it carried that was much like the telephone company's. The franchised carrier could place no resrtictions of his own on programming content and would influence the quantity of cable programming only through the price it set for channel usage. This would not preclude reasonable classifications such as reduced rates for non-profit public service programs, nor do we deal with the ultimate limits concerning material a carrier might be entitled to reject. The common carrier approach has been rejected for broadcast television, but there technological limits are crucial. Because spectrum limitations resrtict the number of over-the-air television channels, broadcast time commands a scarcity price. It has been feared that worthwhile material would not get on the air if access to the small number of channels were allocated exclusively through price. But there are no such spectrum limits on cable television, and the financial burden of operating a channel is less onerous. In any environment of channel abundance, price rationing and programming for wide diversity of tastes may be compatible, and the common carrier approach may be an attractive long-run solution that would permit local governments to pursue economic regulation without submitting decisions about program content to a single franchised monopolist.

We see no reason why Congress or the FCC could not preempt local jurisdiction in this area in order to promote a federal policy of the free entry into communication services which would foster the growth of cable TV. The wisdom of forbidding local authorities to award exclusive franchises depends on the importance of the regulatory objective that would be sacrificed—equal service at an equal price throughout the jurisdictional area. This goal is a prominent part of public utility regulation of services such as telephone and power which are regarded as essentials. Television may fall into this category; and, if the cable were destined to replace broadcasting, there would be a stronger case for allowing local authorities to do whatever is necessary to make cable TV available to all at non-prohibitive rates. But generous projections of cable's growth find it reaching fewer than half the television households in the United States. Through controls on the broadcast signals that cable systems carry, the FCC seems determined to preserve over-the-air television and that goal was not challenged by the Communications Task Force. At the present stage in the development of cable TV systems it is neither necessary nor wise to regard cable TV as an essential public utility which should be regulated in the same manner as a natural monopoly.

B. *Programming Controls:* Local licensing authorities have long been engaged in programming regulation, for example, by indicating a preference for prospective franchisees that produce the programs they originate instead of relying on films.

Such regulation presents a grave constitutional issue, for unlike entry restrictions and signal controls it involves the government in the content of cable television. In effect a government agency's disapproval of the material being offered becomes grounds for denying an official license—a practice ruled unconstitutional in another context by the Supreme Court.[5] Broadcast regulation has been made an exception to this principle because of the scarcity of over-the-air channels. But as discussed earlier, cable television is free from both the technological and economic constraints that restrict the number of broadcast channels.

One prominent aspect of cable programming regulation is a distinction between approved original productions and second-hand fare such as films which are considered to duplicate what is already available from broadcast television. Categories as broad as these are unreliable guides to programming judgments. A cable system may offer a type of film that is unavailable from the broadcast channels; merely presenting the same material more frequently than the broadcast stations or at more convenient times may be a significant service. Such judgments are better left to the marketplace than to a government administrator.

Moreover, local regulations regarding programming may conflict with national goals. Some local licensing commissions, for example, may forbid program origination which the FCC has announced will be a requirement of cable TV systems. Again we see no reason why Congress or the FCC should not preempt local jurisdiction with regard to this type of regulation.

RECOMMENDATIONS

Government restrictions on entry into cable television service interfere with freedom of the press. Although these barriers may be an integral part of an economic regulatory scheme designed to guarantee equal cable service at equal rates, the service they assure is not an essential one, since the FCC through the impositions of signal controls continues to provide for the survival of broadcast television. Therefore, to encourage the growth of cable TV systems and the diversity of its services, either Congress or the FCC could abolish exclusive franchising by local governments without fear that it is sacrificing a vital municipal interest. The goal of protecting over-the-air television is best served by making cable systems responsible for preserving a minimum number of broadcast signals while an amendment to the Copyright Act will eliminate the unfairness of allowing cable systems to exploit programming material without compensating the producer.[6]

Of all the forms of cable television regulation, programming controls present the most serious constitutional issues. Broadcast television has long been treated as an exception to the principle that the contents of communications are invalid grounds for withholding a government license. Cable television, however, is not subject to the technological and economic limitations which have justified this exception and, therefore, should not have to submit its programming to the approval of a government agency. Such an approach would permit the greatest use of the long-term potentialities of cable television, with its great possibilities for future expansion of our communications.

Respectively submitted.

COMMITTEE ON FEDERAL LEGISLATION: Richard A. Given, Chairman; Anthony P. Marshall, Secretary; Leslie H. Arps, New York City; Harold Baer, Jr., New York City; Mark K. Benenson, New York City (abstaining); Edward S. Blackstone, New York City; Vincent L. Broderick, New York City; Mason O. Damon, Buffalo; David M. Dorsen, New York City; John T. Elfvin, Buffalo; Robert B. Fiske, Jr., New York City; Lawrence W. Keepnews, New York City; Norman Kellar, Kingston; Herbert C. Miller, New York City; George W. Myers, Jr., Buffalo; James M. Nabrit, III, New York City; Bernard Nussbaum, New York City; Robert Patterson, Jr., New York City; Charles B. Rangel, New York City; Arthur C. Stever, Jr., Watertown.

CITIZEN INFORMATION SERVICES

There is widespread frustration and disenchantment on the part of citizens today because information about benefits, rights, entitlements, and other matters relating to services offered by federal, state, local and private agencies is difficult to obtain. There likewise is widespread concern among agencies and professional persons about the availability and adequacy of information.

The inadequacy of information, advice and referral services is perceived in small towns and rural areas as well as in large urban centers; and is felt by persons of varying income, education and ethnic background.

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[4] See Comment, "Refusal of Radio and Television Licenses on Economic Grounds," 46 Virginia Law Rev. 1391 (1960); Compare *Southwestern Operating Co.* v. *FCC*, 351 F. 2d 834, 838–39, (D.C. Cir. 1965) (Bazelon, C. J. Dissenting).

[5] *Hannegan* v. *Esquire*, 327 U.S. 146 (1964).

[6] Cf. *Fortnightly Corp.* v. *United Artists Television, Inc.*, 88 Sup. Ct. 2084 ((1968).

We believe that there is a need for publicly and privately supported independent centers which would provide accurate information and skilled advice to citizens enabling them to benefit from services to which they are entitled.

THE NEED

A recent study, directed by Dr. Albert Kahn of Columbia University, "Neighborhood Information Centers (1966)," looked into the feasibility of adapting Britain's successful Citizens' Advice Bureau (in operation since World War II) to the United States. Kahn found evidence that information, advice and referral services are urgently needed in this country but concluded that the American situation demands its own special approach in organization of such services.

Kahn pointed out that, as the means of making services available become more complex, the individual in search of information gets lost and tends to become alienated from institutions and from government itself. Only a handful of persons specially educated and equipped can find their way through the maze of municipal, county, state and federal departments and programs, as well as the conglomeration of voluntary and private agencies which offer benefits to specified classifications of people under various conditions. The identity, location, extent and limitations of these services confound professionals. The poor and middle classes (left out of so many programs in the last decade) who have the greatest need and the least knowledge, are the primary victims of this confusion.

Many agencies and civic organizations have developed their own information and referral services, but these usually reflect specialized functions or a limited perception of responsibility; and, even if they were coordinated (which they are not), these fragments of information do not make a comprehensive whole. This is not a reflection upon the agencies; indeed, it would be unreasonable to expect that agencies committed to specific services could take on the burden of providing information about all services.

These agencies generally favor an instrument which would borrow whatever can be successfully transplanted from the British system, but create its own mechanisms for responding to the American problems of vastness and diversity and the interlocking municipal, state, federal and private systems.

STRUCTURE AND CHARACTER

We believe that the following features are basic to the development of adequate citizen information centers in the United States:

Neutral image

The service should not be identified with any specific group, rich or poor, or with any ethnic group, interest or lobby, but should provide information, advice and referral to all citizens in a setting Kahn called as "non-stigmatized as the Post Office."

Independence

The citizen information service should not be weighted in favor of or attached to any existing local, state or federal agency or any private service or political or other interest group. Rather, information resources should be developed impartially within an independent structure. In such a structure personnel would be in a position to take an unbiased, integrated view of the person seeking assistance and give advice or make a referral which would not reflect any specialization of interest. An independently organized service would encourage people to drop in, ask a question, and chat without being marked as a "person with a problem." Consequently, they could receive help in the early preventive stages, before troubles became more costly to handle. Independent organization would also favor the development of the information service's potential for feedback in decision-making: The results of referrals would be made known to service agencies as an additional guide to their work.

A resource for the entire community

The citizen information centers should make a special effort, through the media and the staff, to make all segments of society confident that they will find a friendly, hospitable atmosphere and answers to their questions. The citizen information centers should serve all in search of information; all citizen-serving agencies; and, through advisory committees and a national office, policy and government bodies who request the results of its experience.

Effective staff

The citizen information centers should be under the direction of a professional, and, where a partially computer assisted center is contemplated, a systems analyst-consultant. The staff should be a mix of persons skilled in dealing with people and agencies, paraprofessionals, and volunteers. Neighborhood people who fit into any of these categories should be hired where possible. The only hard and fast rule, however, should be effectiveness: ability to perform the assigned task, friendliness, flexibility, concern for human beings and sensitivity to their problems; and, last but not least, acceptability to those served.

Resources file

Each citizen information center should develop the kind of information that is relevant to the needs of the local clientele. In addition, information about resources further afield should be provided through professional advisory committees and a national office. A common approach should govern collection, storage, retrieval, and up-dating of data so that comparative research and exchange of information would be possible.

CONCLUSION

The term citizen is here employed in its broadest sense, for the citizen information service should be available to the newcomer and the immigrant, as well as to the resident of long standing.

With a service set up and run by local citizens for the benefit of the established community and the stranger within the gates, the citizen information service would act not only as a link between the individual in need and the sources of help, but as a force for building a more civilized society.

Such a service would make contact with people at all levels and points of need, and would be in a position to report upon hardships, inequities, bottlenecks, insufficiencies and redundancies. Thus, an outgrowth of the citizen information center's primary function would be that of providing information to decision-makers, administrators and legislators; and should ultimately help to create a more reasonable and dignified quality of life.

We believe that the need for citizen information services would justify federal legislation to establish or assist in the establishment of neighborhood information centers meeting the standards we have outlined.

Respectfully submitted.

Committee on Federal Legislation; Richard A. Givens, Chairman; Anthony P. Marshall, Secretary; Leslie H. Arps, New York City; Harold Baer, Jr., New York City; Mark K. Benenson, New York City; Edward S. Blackstone, New York City; Vincent L. Broderick, New York City; Mason O. Damon, Buffalo; David M. Dorsen, New York City; John T. Elfvin, Buffalo; Robert B. Fiske, Jr., New York City; Lawrence W. Keepnews; New York City; Norman Kellar, Kingston; Herbert C. Miller, New York City; George W. Myers, Jr., Buffalo; James N. Nabrit III, New York City; Bernard Nussbaum, New York City; Robert Patterson, Jr., New York City; Charles B. Rangel, New York City; Arthur C. Stever, Jr., Watertown.

REPORT ON LEGAL STRUCTURE FOR THE U.S. FOREIGN AID PROGRAM

For the last several years, the foreign aid program has suffered from diminished public support and therefore repeated cutbacks in funding. Criticisms of the program have come from many sources.

The program has also been beset by instances of fraud against the foreign aid authorities and diversion of funds to improper ends.[1] At the same time, as emphasized by the House Foreign Affairs Committee,[2] as well as by repeated statements by successive Presidents, aid remains essential to our highest national objectives.

On January 21, 1967, President Dwight D. Eisenhower said:

". . . our world is where our full destiny lies—with men, of all peoples and all nations, who are or would be free. . ."

* * * * *

"From the deserts of North Africa to the islands of the South Pacific, one-third of all mankind has entered upon an historic struggle for a new freedom: Freedom from grinding poverty."

* * * * *

"To build . . . peace is a bold and solemn purpose. To proclaim it is easy. To serve it will be hard. And to attain it, we must be aware of its full meaning—and ready to pay its full price." [3]

The late John F. Kennedy, at Independence Hall, Philadelphia, on July 4, 1962, quoting Lincoln's words spoken in the same Hall on Washington's birthday in 1861, announced a solemn Declaration of Interdependence, declaring "Our vow to do our part to lift the weights from the shoulders of all . . . And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor." [4]

In a message to Congress of February 1, 1966, President Johnson stated:

". . . today the citizens of many developing nations walk in the shadow of misery: half the adults have never been to school; over half the people are hungry or malnourished."

* * * * *

"Our response must be bold and daring. It must go to the root causes of misery and unrest. It must build a firm foundation for progress, security, and peace."

* * * * *

"We extend assistance . . . because it is in the highest traditions of our heritage and our humanity. But even more because we are concerned with the kind of world our children will live in." [5]

President Richard M. Nixon in his acceptance speech in 1960 stated that a dam in India might be as important as one in this country.[6] In 1968, he emphasized the need for our allies to share with us the cost of promoting development.[7]

The goal of sharing such burdens would be advanced by proposals for exploring unity of free peoples supported by Mr. Nixon together with such leaders as Hubert Humphrey, Eugene McCarthy, Dwight D. Eisenhower, Nelson A. Rockefeller, Robert F. Kennedy, and Barry Goldwater. H. Con. Res. 48, 90th Cong., 1st Sess. (1967), to this end was favorably reported by the House Foreign Affairs Committee in 1968. H. Rep. No. 1656, 90th Cong., 2d Sess. (1968). This proposal for a United States delegation to explore this matter was unanimously approved by the Committee on Federal Legislation of the

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Footnotes at end of article.

New York County Lawyers' Association (Vincent L. Broderick, Chairman) shortly after the Czechoslovak tragedy of August 1968. CONGRESSIONAL RECORD, volume 114, part 21, pages 28103–28104. Also in New York State Bar Association *Bulletin of Committee on Federal Legislation* 24–25 (Jan. 1969). The proposal was also unanimously approved by this Committee in its "Report on Resolution Calling for United States Delegation to Confer with other Free Nations Concerning Future Steps Toward Unity," January 2, 1969.

Pending the evolution of such efforts, the United States cannot shirk its responsibilities as the major industrialized power in the world and as the most powerful industrial economy not under totalitarian control. Accordingly, every effort must be made to strengthen the legal structure for our aid programs. Lawyers must be especially concerned with this, both because it is a prerequisite to the ultimate goal of world law[8] and because there is no specific political constituency to represent the needs involved in this program which is necessary for the future of all.[9]

The Committee on Federal Legislation of the New York County Lawyers' Association has recommended the adoption of long-range authorizations and funding to strengthen the legal foundation for this important program. The County Lawyers' Committee has also recommended that the amounts to be voted be fixed in the appropriations without advance limitation in authorizing legislation. The Committee cited other laws containing open-end authorizations without limitation in advance of the amount to be voted, such as the statute creating the Foreign Service Act of August 13, 1946, Sec. 1071, 60 Stat. 999, 22 U.S.C. Sec. 801, note ("Appropriations to carry out the purposes of this Act are hereby authorized"). The Committee also referred to programs under which advance commitments of funds are made for long-range projects such as the Demonstration Cities Act,[10] and the highway program.[11] Another example is the space program.[12] The Committee concluded:

"1. The basic authorization should be open-ended with no specified expiration date, subject, of course, to further amendment by Congress at any time.

"2. The authorizing legislation should permit appropriations of such sums as may be necessary. The amount to be voted should be fixed when appropriations are enacted and no ceilings on monies to be voted should be contained in the authorization statute.

"3. Appropriations, at least for long-range projects, should be for the entire amount necessary for such projects and should remain available until expended. There is no constitutional difficulty in this procedure, since the only limitation in the Constitution on the duration of appropriations is for armies, where funds are limited to a term of two years. Article I, § 8, clause 12.

"In our view, these basic reforms will ultimately become indispensable for aid to be the fully effective tool of our foreign policy which it should be. The longer such reforms are delayed the more waste and ineffectiveness the aid program will encounter." Quoted in New York State Bar Assn. *Bulletin of the Committee on Federal Legislation,* 25–26 (Jan. 1969).

We endorse these Recommendations.

At the same time, other measures are necessary to assure that there is more effective use of funds expended in connection with the foreign assistance program.

In the past, a substantial amount of foreign aid has been made available in the form of grants or loans to provide dollar exchange to finance imports of commodities to be sold in the regular commercial channels of the recipient country's economy. The importer pays in his local currency into a "counterpart fund" used for generating funds for local investment.

The reasoning behind this type of assistance is that a commodity import program will bolster the local economy and deter inflation. However, the program was beset by a number of abuses. A serious challenge to the integrity of the program involved several cases of exporters, who were asked by unscrupulous importers to pay "kickbacks" to them on transactions, financed with A.I.D. funds. The importers requested such payments in order to obtain dollars they otherwise could not get, which in turn frequently ended up in numbered secret Swiss bank accounts[13] and like depositories for secret funds. All this was reflected in the price of the items for which the A.I.D. furnished the dollars. Post-audit of A.I.D.—financed transactions and follow-up investigation of suspected irregularities has resulted in prosecutive action and administrative recoveries by A.I.D. authorities. Continued vigilance is important and we would recommend the establishment within the A.I.D. Agency of a surveillance organization to monitor the program.

Another abuse, which has been inherent in the more-or-less "shotgun" approach of subsidizing the entire economy of the country through a commodity import program, involved the use of A.I.D. funds for purchases of items which were not essential to the developmental needs of the recipient country. However, controls have been tightened so that each grant or loan agreement specified the type of commodities to be procured with the funds. In addition, under a new procedure recently put into effect, suppliers are required to apply for commodity eligibility for each shipment to be financed with aid funds.

More aid funds might well be channeled into specific programs or projects involving education, specific investments, or designed to aid developing economies at the "rice roots" and through technical assistance and efforts in the nature of the Peace Corps.[14]

In aid to education, training in fields which will give practical benefit to the recipient country is of great importance. Basic education is equally vital. Particularly important is education tied to job opportunities and job needs in the developing country.[15] Funds for sending qualified teachers to developing nations should be expanded.

Encouragement of action by the private sector to aid in the growth of the economies of developing nations is important, but cannot in our view be a substitute for an aid program based on an adequate long-term legal foundation designed to meet needs which it is not normally profitable for private capital to undertake. Expanded trade is likewise highly desirable, but cannot be a substitute for pinpointed assistance directed at specific needs.

The program we envisage would operate in a more specific manner with less of a "shotgun" approach of subsidizing entire economies through injections of imports. It might involve greater rather than less investment. It should save countless dollars and lives in the end.

In being more specific, the program would concentrate more on particular planned projects and aims. This does *not* mean that the number of participating countries should be more limited. The impact on the future of this nation does not depend on the number of national boundaries involved. We therefore regard limitations on the *number of countries* covered by aid as a weakening of the necessary legal structure for an effective program.

Our aid is not given to obtain gratitude or for short-term political dividends alone, however important these may be. It is based on the reality of what the French Jesuit biologist Pierre Teilhard de Chardin has called "the planetisation of mankind." What affects mankind affects us all. We ignore this challenge and opportunity at our peril.

Respectfully submitted.

Committee on Federal Legislation: Richard A. Givens, Chairman; Anthony P. Marshall, Secretary; Leslie H. Arps, New York City; Harold Baer, Jr. New York City; Mark K. Benenson, New York City; Edward S. Blackstone, New York City; Vincent L. Broderick, New York City; Mason O. Damon, Buffalo; David M. Dorsen, New York City; John T. Elfvin, Buffalo; Robert B. Fiske, Jr., New York City; Lawrence W. Keepnews, New York City; Norman Kellar, Kingston; Herbert C. Miller, New York City; George W. Myers, Jr., Buffalo; James M. Nabrit III, New York City; Bernard Nussbaum, New York City; Robert Patterson, Jr., New York City; Arthur C. Stever, Jr., Watertown; Charles B. Rangel, New York City.

FOOTNOTES

[1] E.g., *United States* v. *Olin Mathieson Chemical Corp*. 368 F. 2d 525 (2d Cir. 1966), 63 Cr. 217 (S.D.N.Y.); "Improper Practices, Commodity Import Program, United States Foreign Aid, Vietnam, "Hearings Before the Permanent Subcommittee on Investigations of the Committee on Government Operations, United States Senate, 90th Cong. 1st and 2nd Sess., Part 1 (Apr. 25–27, 1967), Part 2 (Aug. 1–3, 1967, Jan. 31, 1968).

[2] H. Rep. No. 1587, 90th Cong., 2d Sess. (1968). These views were recently reemphasized by the Report of the President's General Advisory Committee on Foreign Assistance Programs (Oct. 25, 1968) (James A. Perkins, Chairman).

[3] Hofstadter, *Great Issues in American History* 444–45 (Vintage ed. 1958).

[4] Kennedy, *The Burden and the Glory* 108–112 (Nevins ed. 1964) See id. 141–43.

[5] United States Code, Cong. & Admin. News, 89th Cong., 2d Sess. 96–104 (1966).

[6] *New York Times,* July 29, 1960, p. 9.

[7] Compare Ripon Society, "Multilateral Foreign Aid" (Jan. 1968).

[8] See Luce, "The Rule of Law: Its World Implementation is Man's Hope, 49 A.B.A.J. 727 (1963); Jones, "Law and the Idea of Mankind," 62 Colum. L. Rev. 753 (1962); Givens, "The World Rule of Law, Foreign Aid and Declaration of Interdependence, "52 A.B.A.J. 1046 (Nov. 1966).

[9] The Bar has accepted special responsibility for pointing out needs not otherwise represented in our political processes, such as those of migratory farm workers, *e.g.*, Committee on Federal Legislation, The Assn. of the Bar of the City of New York, "Migratory Labor", 20 Record of the Assn. of the Bar of the City of New York, 518 (1965), 4 Reports of Committees of the Assn. of the Bar of the City of New York Concerned With Federal Legislation 108 (1965), 111 Cong. Rec. 12, 853 (daily ed. 6/11/65).

[10] 80 Stat. 1259–64 (1966).

[11] 23 U.S.C. Sec. 118b.

[12] 42 U.S.C. Sec. 2459.

[13] See the situation described in Brief for the United States, *United States* v. *Olin Mathieson Chemical Corp.,* 368 F. 2d 525 (2d Cir. 1966); as to the abuses of foreign bank accounts in certain cases, see "Legal and Economic Impact of Foreign Banking Procedures on the United States, "Hearings Before the House Committee on Banking and Currency, 90th Cng. 2d Sess. (Dec. 9, 1968).

[14] See generally Mead, "The Underdeveloped and the Overdeveloped," 41 Foreign Affairs, 78 (October 1962); Jackson, "Foreign Aid: Strategy or Stopgap," 41 Foreign Affairs 90 (October 1962); Galbraith, "A Positive Approach to Economic Aid," 39 Foreign Affairs 444 (April 1961); Goodfriend, "The Only War We Seek" (1951).

[15] Support of academic education leading to higher academic degrees for large numbers not tied to fields in which jobs are likely to be available may fit graduates for jobs which do not exist and thus be counterproductive.

NATIONAL SECRETARIES WEEK

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. MURPHY of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following remarks by Mrs. Hope Piper, District of Columbia Chapter, National Secretaries Association, in tribute to the secretaries of the Nation who are, this week, celebrating National Secretaries Week:

NATIONAL SECRETARIES WEEK

"Better Secretaries Mean Better Business" will be the theme of the 18th consecutive annual Secretaries Week to be observed April 20–26, sponsored by the National Secretaries Association (International), the world's leading secretarial association. The intervening Wednesday, April 23, is set aside as Secretaries Day.

Mrs. Lenore S. Forti, CPS, NSA's International President, emphasizes that Secretaries Week is for *all* secretaries whether or not members of NSA.

For the 27 years of existence, NSA has been concerned with elevating the standards of secretarial performance by means of continuing "learning labs" of education. While certainly some criticism about secretaries must be a matter of genuine concern, about 90% of it is unjustified due to an awareness gap of what today's secretary is really all about. Management and personnel agencies are not always fully cognizant of NSA's official definition of a secretary:

"A secretary shall be defined as an executive assistant who possesses a mastery of office skills, who demonstrates the ability to assume responsibility without supervision, who exercises initiative and judgment, and who makes decisions within the scope of assigned authority."

The ultimate in secretaryship is the attainment of the Certified Professional Secretary rating, sponsored by NSA. This two-day exam is open to all qualified secretaries.

FEDERAL CONTROL OF EDUCATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. RARICK. Mr. Speaker, today the Members will vote on continuing Federal control of education under a promotional scheme that the Federal Government is aiding education.

We have all taken an oath to support and defend the Constitution which is silent on the Central Government's having any power either to control or to aid education.

In fact, the Constitution does not even mention education—unless we accept that Earl Warren has legal power to breathe new wordage into the Constitution thereby altering our oaths of office to conform to his objectives and goals.

Such are the sentiments of Hon. E. F. W. Wildermuth, attorney and counselor at law, a member of New York State bar for 40 years. A learned gentleman in the grace of living who loves his country and the constitutional system of limited powers, Mr. Wildermuth urges loyalty to the system instead of defiance against representative government.

I include Mr. Wildermuth's recent letter and an article written by him which appeared in Freedom magazine, January–February 1967:

JAMAICA ESTATES, N.Y.,
April 21, 1969.

Hon. JOHN R. RARICK,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN RARICK: Your item on federal control of education arrived today and I would appreciate your making this letter a part of the record of the proceedings had in connection therewith.

It has long been my opinion that Congress is without power or authority under the Constitution to enact laws pertaining to education . . . the word "Education" does not appear in the Constitution.

In their wisdom, the Founding Fathers provided in the Constitution for a division of federal powers among the legislative, the executive and the judicial branches established by the Constitution. The purpose was to prevent the creation of an all-powerful centralized government. They also provided that all the powers not granted by the Constitution were reserved to the States and to the people.

The anti-Americans in this nation have converted the federal powers of taxation into a weapon designed to destroy constitutional government by creating an all-powerful federal government in defiance of the constitutional mandate to the contrary, via tax gouging and other unlawful and lawless means, under deceptive and misleading guides too numerous to mention.

Even if the Constitution authorized federal interference in education, practical experience dictates that the area of local school curriculum annot properly or effectively be directed from a swivel chair in Washington, assuming that a Commissar of Education was truly motivated by a burning desire to pledge his life, his fortune and his sacred honor for his distant posterity to be worthy of his forefathers who did as much for him. What Commissar was ever truly so motivated? To those anti-Americans who consider "Commissar" to be a dirty word, what other person sworn to uphold and defend the Constitution and who openly defies the Constitution, has effectively demonstrated that he was truly so motivated?

Congress will better extend its energy and employ its time by concentrating the repeal of ALL its enactments which can or do contribute to the creation and expansion of federal powers. As a matter of fact, I urge that we end our hypocrisy, by proposing the repeal of the Constitution. In this manner the proponents of repeal will be enabled to undertake to convince the electorate of the futility of self-government under the Constitution and the opponents will be provided with an opportunity to extol its virtues. There seems no other effective way in this time of chaos and crisis to determine if law and order can be restored. If we cannot restore law and order, of what value is making believe that we live under a Constitution?

With kind regards and best wishes, I am,
Sincerely yours,
E. F. W. WILDERMUTH.

WHAT HAS HAPPENED TO THE SUPREME COURT'S SENSE OF SELF-RESTRAINT

(By E. F. W. Wildermuth)

Judicial tyranny has been rampant in this nation since about 1937 and continues at an accelerated pace because the U.S. Supreme Court relentlessly and persistently pursues a practice of discriminating reversal, on a wholesale basis, of precedents earlier established in the public interest. Its unceasing usurpation of legislative and executive power has been conducted with reckless abandon in a manner to threaten the very stability and substance of constitutional government.

A distinguished member of the Court, Justice Owen J. Roberts, pointed out the court-made evils being visited upon Americans when in 1944 he said:

"The evil resulting from overruling earlier considered decisions must be evident . . . (the result is that) . . . the law becomes not a chart to govern conduct but a game of chance; instead of settling rights and liabilities, it unsettles them . . . But the more deplorable consequence will inevitably be that the administration of justice will fall into disrepute. Respect for tribunals must fall when the bar and the public come to understand that nothing that has been said in prior adjudications has force in a current controversy . . . The tendency to disregard precedent in the decision of cases like the present has become so strong in this court of late as, in my view, to shake confidence in the consistency of decision and leave the courts below on an uncharted sea of doubt and difficulty without any confidence that what was said yesterday will hold good tomorrow . . ."

In another case in the same year, Justice Roberts protested the majority of that Court's continued defiance of judicial restraint, as follows:

"The reason for my concern is that the instant decision, overruling that announced about nine years ago, tends to bring adjudications of this tribunal into the same class as a restricted railroad ticket good for this day and train only. I have no assurance, in view of the current decisions, that the opinion announced today may not shortly be repudiated and overruled by justices who deem they have new light on the subject. In the present term the Court has overruled three cases . . . It is regrettable that in an era marked by doubt and confusion, an era whose greatest need is steadfastness of thought and purpose, this Court, which has been looked to as exhibiting consistency in adjudication, and a steadfastness which would hold the balance even in the face of temporary ebbs and flows of opinion, should now itself become the breeder of fresh doubt and confusion in the public mind as to the stability of our institutions."

In so destroying the stability of the Constitution, the U.S. Supreme Court opened the door to unlimited change by arbitrary decree of any temporary majority of that Court, in addition to unlimited usurpation of power and thus ever onward to unlimited judicial despotism in government.

Changing times and conditions cannot justify or excuse the usurpation of power by our highest judicial tribunal. The destruction of the stability of our Constitution by the Supreme Court is judicial tyranny and it matters not what euphemism is used to cloak such utter disregard for judicial restraint with some degree of respectability.

With respect to judicial self-restraint, Justice Stone, an illustrious member of our highest judicial tribunal, expressed his alarm at the unjudicial trend being pursued by a majority of that Court when in 1936 he said:

"While the unconstitutional exercise of power by the executive and legislative branches of the Government is subject to judicial restraint, the only check upon our exercise of power is our own sense of self-restraint."

HARLAN FOR RESTRAINT

An outstanding and able member of the present Court, Justice John Harlan, courageously admonished in 1961, as follows:

"The Court, in my opinion, has forgotten the sense of self-restraint . . ."

In 1964, in the so-called "reapportionment" case, Justice Harlan made further reference to the continued failure of a majority of the Supreme Court to exercise judicial self-restraint when he said:

"No thinking person can fail to recognize what the aftermath of these cases . . . will have achieved at the cost of a radical alteration in the relationship between the States and the federal government, more particularly the federal judiciary . . .

"Finally, these decisions give support to a current mistaken view of the Constitution and the constitutional functions of this Court. This view, in a nutshell, is that every major social ill in this country can find its cure in some constitutional 'principle', and that this Court should 'take the lead' in promoting reform when other branches of the Government fail to act. The Constitution is not a panacea for every blot upon the public welfare, nor should this Court, ordained as a judicial body, be thought of as a general haven for reform movements."

WARREN OPPOSED MEDDLING

The present Chief Justice of the United States, a vigorous proponent of reapportionment of the legislatures of the respective States, once vigorously opposed meddling with the legislature of California. In 1948, while Governor of that State, he declared:

"Many of our counties are far more important in the life of the State than their population bears to the entire population of the State. It is for this reason that I have never been in favor of such redistricting the representation in the Senate to a strictly population basis. It is for the same reason that the Founding Fathers of our country gave balanced representation to the States of the Union . . . equal representation in one house and proportionate representation based on population in the other.

"Moves have been made to upset the balance of representation in our State even though it has served us well and is strictly in accord with the American tradition in the pattern of our national government. There was a time when our State was dominated by boss rule. The liberal election laws and the legislative reapportionment of the system have liberated us from such domination. Any weakening of the laws would invite a return to boss rule which we are now happily rid of. Our State has made almost unbelievable progress under our present system. I believe we should keep it."

WHY THE CHANGE?

What catapulted the 1948 zealous protector of American tradition in the pattern of our national government to leadership in his judicial capacity in a revolutionary adjudication, the natural consequence of which is to destroy the constitutional guarantee of a republican form of government to each State? Is not the judicial destruction of constitutional guarantees judicial tyranny? Also, does judicial self-restraint encompass judicial destruction of constitutional guarantees?

Further, in regard to the Supreme Court's utter failuer to exercise judicial self-restraint, the writer published an article in the Congressional Record for April 20, 1961. An excerpt follows:

"It will be recalled that in 1952, Chief Justice Vinson and Associate Justices Minton and Reed, in a dissenting opinion, held that the U.N. Charter superseded the U.S. Constitution when they voted to uphold President Truman's seizure of the nation's steel industry, on the ground that the U.N. Charter obligated the United States to resist aggression in Korea and therefore authorized him to take any steps he deemed necessary in the prosecution of the war.

"In view of this strange behavior by the dissenters, what guarantee do Americans have that a majority of the Supreme Court may not one day succeed in subordinating our Constitution to the U.N. Charter or to any other treaty?"

Does judicial self-restraint encompass the Court's eventual subordination of our Constitution to the UN Charter?

Are Americans powerless in this reign of tyranny by the U.S. Supreme Court? The following bit of cynicism appears to indicate that we are:

"The decline and fall of the 50 State governments will be completed in our lifetime. The movement of political power from State capitols to Washington, D.C., is inevitable and unstoppable whether we like it or not."

This quotation is from the Cincinnati Enquirer and was reported from an address to the assembled students at Ohio University in July, 1964, by television commentator, David Brinkley.

The decline and fall of our 50 State governments may very well be completed in our lifetime unless a genuine, effective two-party system is revived, for free government based on constitutional principles cannot survive without such system.

The U.S. Senate has the power and the duty to protect Americans from tyranny by the federal judiciary. The President is empowered by the Constitution to nominate federal judges for appointment by and with the advice and consent of the Senate. The tenure of all federal judges is fixed by the Constitution as being during "good behavior." No other Presidential appointments are conditioned upon "good behavior."

Since appointments to the federal judiciary are subject to the "advice and consent" of the Senate, it is both the prerogative and duty of the Senate to determine when a federal judge violates the condition of his appointment in either his official or social conduct. The failure to exercise judicial restraint, the usurpation of legislative or executive powers and the failure to uphold and defend the Constitution (or any one of these) do not constitute "good behavior" within the purview of the Constitution.

A notion prevails that federal judges are appointed for life and may be removed only by impeachment. There is no basis in law or fact for such notion, and it may well be that the prevalence of this myth among Senators accounts for their failure to have acted to "clean up" the Supreme Court before this late date.

The basic law of this nation was embodied in the Constitution. The Founding Fathers were keenly aware of the weaknesses inherent in people, from their own bitter experiences. Accordingly, they sought to protect self-governing citizens from what they had suffered by providing safeguards against power-hungry public officials and those who destroy constitutional government. For instance, this Government was divided into three separate and independent branches so as to prevent the concentration of power and the abuses which flow therefrom. In their wisdom, they sought to protect citizens from abuses by judicial officers who did not have to give an account of their stewardship to the voters. Accordingly, the tenure of office of all federal judges was conditioned on their "good behavior," and so continues to be. All federal judges are bound to good behavior under penalty of having their tenure of office terminated upon a factual finding by the Senate that the standard of good behavior it has established, or may establish, has been violated.

The U.S. Constitution is the People's basic law and the framers of the Constitution intended that no federal official be authorized or permitted to make or change it. Alexander Hamilton made the following observation in "The Federalist" (# 53) in 1788:

"The important distinction so well noted in America between a constitution established by the people, and unalterable by the government; and a law established by the government, and alterable by the government, seems to have been little understood and less observed in any other country."

COURT DECISIONS NOT SUPREME LAW

In the past 25 or more years, the People's basic law has not been accorded the respect to which it is entitled by the three branches of our federal government. For instance, the U.S. Supreme Court has suffered many self-inflicted wounds by its frequent excursions into nonjusticeable matters. Under the Constitution, the judicial power of the United States extends only to cases and controversies. It does not extend to public administration or to law making. The decisions of the Supreme Court are not the supreme law of the land. Article VI, Par. 2 declares:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made . . . under the authority of the United States shall be the supreme law of the land . . ."

In 1964, Justice Hugo Black made the following observation:

"There is no constitutional provision which gives this Court such law making power . . . I think the New York law here held invalid is in full accord with all guarantees of the Federal Constitution, and that it should not be held invalid by this Court because of a belief that the Court can improve upon the Constitution."

The limitation of judicial power proscribed by the Constitution precludes the possibility of the Supreme Court's lawful intervention in all non-justiceable matters. Yet, the Court's despotic will-to-govern has been made clear and unmistakable by its meddling in the fields of religion, race relations, education, morals, politics, subversion, State's right, law enforcement, passports, the postal power, communications, labor relations, local law and order such as the manner in which candidates are elected to represent the people in Congress etc. Yet, as of now, the U.S. Senate has done nothing to protect American citizens from such wrongful exercise of judicial power.

The intervention by the Supreme Court into nonjusticeable matters has created more issues than have been clarified and has unnecessarily created much dissension and division among Americans. The Court's meddling in matters which are not authorized by the Constitution has caused this nation to undergo a complete erosion of the heritage which at one time made the United States of America the envy of the world.

In 1930, Justice Holmes wrote a dissenting opinion expressing his alarm at the *carte blanche* indulged by a majority of the Court, in which he said:

"Although this decision hardly can be called a surprise after Farmers' Loan & Trust Co. v. Minnesota, 280 U.S. 204, and Safe Deposit & Trust Co. v. Virginia, 280 U.S. 83, and although I stated my views in those cases, still, as the term is not over, I think it legitimate to add one or two reflections to what I have said before. I have not yet adequately expressed the more than anxiety that I feel at the ever increasing scope given to the fourteenth Amendment in cutting down what I believe to be the constitutional rights of the States. As the decisions now stand, I see hardly any limit but the sky to the invalidating of those rights if they happen to strike a majority of this Court as for any reason undesirable. I cannot believe that the amendment was intended to give us *carte blanche* to embody our economic or moral beliefs in its prohibitions. Yet, I can think of no narrower reason that seems to justify the present and the earlier decisions to which I have referred."

SENATE LETHARGY

More than 36 years have passed since the "no limit but the sky" pronouncement and the U.S. Senate continues to sit idly by while the Supreme Court continues to usurp legislative powers and to otherwise function in excess of the jurisdiction expressed in the Constitution. It would seem that when outstanding members of the Supreme Court complain about the excesses indulged by a majority of the Court, that the least the Senate should do in the public interest would be to hold public hearings and examine the matter. Such Senatorial inaction leads to the inescapable conclusion that by such inaction, it has aided and abetted judicial tyranny in this nation and has wholly failed to protect Americans against acts of officials who are in no way directly accountable to the voters for their official behavior.

It is appropriate for the Senate to take special note of the following judicial wisdom expressed by Justice Frankfurter in 1958:

"It is not the business of this Court to pronounce policy . . . Self-restraint is the essence of the judicial oath, for the Constitution has not authorized the judges to sit in judgment on the wisdom of what Congress and the executive branch do."

It is clear that the Court no longer regards the Constitution as the measure of constitutionality and that it is utterly lacking in judicial self-restraint, the essence of the judicial oath.

Witness for instance, the behavior of some members of the U.S. Supreme Court, as described by Hon. Howard W. Smith, distinguished Congressman from Virginia, CONGRESSIONAL RECORD, volume 112, part 13, page 16834:

"And I was deeply distressed to see members of the Supreme Court sitting on those front seats, hearing discussed and advocated a piece of legislation the constitutionality of which they would soon be called upon to pass upon, applauding . . . applauding the revolutionary call that 'we shall overcome' ".

Is the U.S. Senate, in the light of the foregoing, yet willing to sit idly by and tacitly classify such behavior by justices of our highest tribunal as "good behavior" within the purview of the U.S. Constitution?

The attention of the Senate is respectfully directed to some words of wisdom by Edmund Burke, noted political philosopher, author and orator (1729–1794), when he said:

"For evil to triumph, good men need only do nothing."

DECEPTIVE MAGAZINE SUBSCRIPTIONS SALES

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, April 22, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, a number of Pennsylvania newspapers last week carried an informative series of articles which focused upon deceptive magazine subscriptions sales practices being used to dupe consumers in my own State.

This series, written by the Associated Press reporter, Tony May, examines some of the typical deceptive sales pitches and includes comments from Deputy Attorney General Benjamin Kirk, who is assigned to the Pennsylvania Bureau of Consumer Protection, and from representatives of the subscription sales industry.

Fraud and deception in magazine subscription sales are commonplace, Mr. Speaker, in Pennsylvania and virtually every State in the Nation. Thus far, neither the magazine publishers nor the subscription sales companies have taken effective steps to clean up these sales practices.

Since I first began investigating magazine subscription sales practices in February, I have had a number of meetings with individuals representing the subscription sales industry. Repeatedly, I have been told, "We think we are doing a good job—the best possible job we can." But in almost every instance this glowing self-appraisal is qualified by a remark to the effect—

> We insist that fair sales practices are adhered to by our personnel but of course we can't be held responsible for the individual franchise sales dealer, or telephone solicitor or salesman.

Mr. Speaker, I maintain that magazine subscription sales companies—the parent companies—must be made to assume responsibility for the conduct of sales within their organizations, from the top of the organization down to the individual salesman. If the company will not tolerate deception and fraud, it will not be practiced by the company's employees, or at least not on a scale which creates a nationwide pattern of unscrupulous sales practices as now characterizes the industry.

I request that Mr. May's fine series be reprinted in the RECORD as further evidence of the need for congressional investigation of this industry:

[From the Easton (Pa.) Express, Apr. 16, 1969]

MAGAZINE RACKET: SOMETHING FOR NOTHING IS PLOY USED OVER PHONE

(By Tony May)

HARRISBURG.—The phone rings. "Congratulations, you've been selected as a contestant in our nationwide contest," the voice at the other end says. "If you answer a simple question correctly, you'll be eligible for a free subscription."

Scores of times daily in Pennsylvania, and an untold number of times across the nation, this bait is dropped into the still waters of the American home. It lures many into long-term, expensive contracts for magazines they didn't really want in the first place.

To some, use of such gimmickry is unfair or immoral. But, according to Pennsylvania's attorney general and several Pennsylvania congressmen, it is more than just sneaky—it's illegal.

It's illegal, says Benjamin Kirk, a deputy attorney general assigned to consumer protection because the consumers are led to believe they are getting something for nothing but end up paying the full, regular price "or even more" for the magazines.

Often, said Kirk, other tactics are used which are also illegal or unfair such as pressuring customers when they attempt to rescind contracts—something they are allowed to do within 48 hours of signing under Pennsylvania law.

Also, Kirk said, contracts often don't conform with stipulations of Pennsylvania's Goods and Services Sales Installment Act.

Kirk, who has investigated scores of complaints for the Pennsylvania Bureau of Consumer Protection in recent weeks, said many magazine solicitors "use the 'something for nothing' approach again and again and again."

The contest gimmick, which shows up often in complaints in Kirk's files, usually involves a simple question to which any answer is accepted, like, "Where do you get most of your news?"

One person thus solicited advised The Associated Press, "I told her, 'The backs of cereal boxes,' and without a giggle, she tells me, 'You win!' "

The spiel becomes a little more involved and, Kirk says, often downright misleading after the householder has "won the contest."

Kirk said, "Then they say, service fee—for postage and handling—of 49 cents' for the five magazines you supposedly have won."

While 49 cents sounds cheap, complainants say they weren't told it was that much each week for five years—meaning a grand total of more than $100 for magazines they were led to believe were free.

U.S. Rep. Fred B. Rooney, the prime mover in increasing scrutiny of the magazine sales industry, says some subscription contracts obtained under what he considered fraudulent conditions ran more than $250.

Kirk's files, letters from consumers read into the Congressional Record by Rooney and letters submitted to a daily public service column in the Easton Express, indicate that the "free prize" ploy is only one of many gimmicks used in magazine sales.

Rooney calls the situation "a most serious problem of consumer deception by unscrupulous magazine subscription sales companies."

The problem, said Kirk, is bigger than the files would indicate.

"We have received scores of complaints, but most people don't complain," he said. "They just shut up and pay. There must be literally thousands of people who are victims of this kind of selling practice."

Rooney, in calling for congressional and Federal Trade Commission probes of the problem, pointed out that many of the sales firms are subsidiaries of some of the largest and most respected publishing firms in the nation. He named Cowles Communications, publishers of Look magazine; Curtis Publishing Co. which had produced the now-defunct Saturday Evening Post, and Time-Life Inc.

The Bethlehem Democrat also took note of the magazine publishers' own attempt at self-policing through the Central Registry for magazine solicitors—an arm of the Magazine Publishers Association.

Rooney said, "The obvious failure of the industry's voluntary self-regulation code" made federal action necessary.

[From the Easton (Pa.) Express, Apr. 17, 1969]

MAGAZINE RACKET: MISLEADING SALES SPIEL CALLED EXCEPTION TO RULE

(By Tony May)

HARRISBURG.—More than 50 firms in the nation are engaged in selling magazine subscriptions door-to-door, and many are among the first to admit that charges of "unscrupulous practices" by some individual solicitors are true.

Just how widespread these practices are, who is to blame and how to stop the unfair and illegal sales techniques is another matter.

"The actual number of complaints compared to the number of people solicited is actually very, very small," says Robert Goshorn, secretary of the Central Registry for magazine solicitors, the industry's selfpolicing arm.

"It's very difficult to control just what solicitors tell people because they actually are independent agents," says David Mazer, an executive in the Pittsburgh branch of Keystone Readers Service, Inc., a subsidiary of Curtis Publishing Co.

Mazer, a spokesman for Curtis, and Goshorn, said the companies and the Central Registry frown on illegal or misleading sales spiels and try hard to ban them.

"Most agencies will submit sales talks to us for review, or to local Better Business Bureaus," said Goshorn.

This would tend to put the blame on the individual solicitors.

Not so, says U.S. Rep. Fred B. Rooney, who is leading a campaign for a federal clampdown on magazine sales practices.

"Although the methods used by the magazine subscription sales companies vary slightly from company to company and from locale to locale," says Rooney, "I have noticed a basic pattern in most of the cases I have reviewed."

Benjamin Kirk, a special deputy attorney general for consumer protection in Pennsylvania, says subpoenas for suspected violations of the Consumer Protection Law are served on the subscription service operators, not the solicitors. They are considered the responsible parties under state law.

Notwithstanding who is ultimately to blame for illegal sales tactics, Goshorn said the registry provides assurance to magazine buyers that they are being treated fairly.

The registry, he said, investigates all complaints they receive involving their 50-member agencies.

"We have levied a number of assessments" against member agencies for violations of the registry's fair practice code, "and corrections have been made and certain sales talks are withdrawn," said Goshorn.

"Without public confidence and good will, the firms cannot prosper," he said.

Rooney disagrees and says the companies are prospering, many at the expense of unsuspecting consumers.

"I regret . . . an effort at self-regulation by the magazine industry is a virtual failure, if in fact it is a sincere effort to wipe out unscrupulous tactics," he said.

Mazer said Keystone offers multiple protections for its customers; in addition to the registry code and bonding of solicitors, the firm has its own code of ethics and cooperates with the local Better Business Bureau.

"We have had only one call from the Pennsylvania Consumer Protection Bureau and that complaint was settled amicably," he said.

Not all agencies were so talkative, however, Edwin Johnson, operator of Home Readers Service of Harrisburg, declined to talk about soliciting problems with The Associated Press.

Johnson was subpoenaed last month to answer a handful of charges of unfair and illegal sales tactics made by Atty. Gen. William C. Sennett.

The Harrisburg firm is the franchisee of a subsidiary of Cowles Communications Inc., publishers of Look Magazine. Earlier this year, the parent firm and four other Cowles subsidiaries pledged to the Minnesota attorney general that they would refrain from unfair practices in that state including:

Falsely representing that the buyer would receive something for nothing; misrepresenting terms of the contract or misrepresenting that forms signed by a customer do not constitute a contract.

Some complaints, Mazer suggested, come from people "who want to get out of what is a legal and binding contract by raising a stink about how they were tricked."

Deputy Atty. Gen. Kirk agreed that was a possibility, but added he had one case where "this was not true."

The case, he said, involved the sale of more than $100 in magazines "to a woman who couldn't even read."

[From the Easton (Pa.) Express, Apr. 18, 1969]

MAGAZINE RACKET: CONSUMER BUREAU SETTLES COMPLAINTS ONE BY ONE

(By Tony May)

HARRISBURG.—While support rises for a federal investigation of unscrupulous practices in the magazine subscription business, Pennsylvania's Consumer Protection Bureau is hard at work trying to police the business.

Benjamin Kirk, special deputy attorney general in the Consumer Protection Bureau, said he has already settled scores of complaints to the satisfaction of customers.

"Usually, the company involved is more than willing to refund money to complainants," said Kirk. "It's easier for them that way."

But, Kirk said, the bureau is trying to move away from mere settlement of individual grievances and into securing real changes in business tactics.

Kirk said he and aides are investigating complaints—primarily in Easton, Philadelphia, and parts of Western Pennsylvania—and are seeking written "assurances of voluntary compliance" to the Consumer Protection Law.

The written affidavits will indicate that the firms promise not to engage in acts prohibited by the law. These include pretending to offer magazines free, when in reality the "service charge for postage and handling" more than covers the total cost of the magazines.

"It's not our goal to drive men out of business," said Kirk. "Our goal is to see that business is done legitimately."

If the firms then break their word, the attorney said, "We'll take them to court."

While Kirk is active on the state scene, U.S. Rep. Fred B. Rooney, along with several other Pennsylvania congressmen, are working on the problem in Washington.

Rooney is the prime sponsor of a resolution calling for a Congressional investigation of the subscription sales business.

"While it is true that the states of Pennsylvania and New Jersey are moving forcefully ahead with efforts to halt this magazine sales racket within their own borders, operations of these subscription sales companies extend to every state in the nation," Rooney told Congress recently.

Rooney says "patterns I have observed" in the subscription sales business include wrongly leading consumers to believe they have won free magazines.

They then have the "lucky winners" sign "innocent-appearing forms which in reality were contracts for $150 worth of magazines," says the Bethehem Democrat.

Rooney says that since his resolution was introduced, Paul Rand Dixon, chairman of the Federal Trade Commission, informed him an FTC "field Study" of Rooney's charges is under way.

In Pennsylvania, the Consumer Protection Law, passed last year by the legislature, has some sharp teeth against unfair practices of all kinds.

Specifically, the law forbids "deceptive practices," including "making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions," and "engaging in any . . . fraudulent conduct which creates the likelihood of confusion or of misunderstanding."

Upon court conviction, penalties up to $5,000 may be imposed along with a court injunction against the practice in question. The firm also faces possible forfeiture of its state corporate franchise—in effect banning it from doing business in the state.

The process of cracking down is a slow one, however, Kirk explained.

"I am sure the public is being robbed out of millions of dollars" in the meantime, he said.

"The problem is how to make people aware," he said, "that you have to beware when someone offers you something for nothing, or next to nothing."

COMMON SITUS PICKETING HEARINGS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, this morning the Special Subcommittee on Labor opened hearings on H.R. 100, the so-called common situs picketing bill. The Secretary of Labor, the Honorable George P. Shultz, was the first witness.

I believe my colleagues might wish to examine Secretary Shultz' complete statement. The statement follows:

STATEMENT OF SECRETARY OF LABOR GEORGE P. SHULTZ, BEFORE THE HOUSE SPECIAL SUBCOMMITTEE ON LABOR ON H.R. 100, COMMON SITUS PICKETING, APRIL 22, 1969

Mr. Chairman and gentlemen, I am here today to indicate my support for legislation to legalize common situs picketing, if that legislation is carefully designed to incorporate appropriate and essential safeguards.

I recognize that the primary purpose of this legislation is to equalize the right to picket in construction and industrial settings including the right to picket for organizational purposes. I am sympathetic to such equalization. Further, in this legislation as in all other labor legislation, the public interest and the rights of employees and neutral third parties must be protected.

The history of legislation to deal with the common situs issue is long and complex, running back more than 22 years to 1947.

In that year Congress amended the National Labor Relations Act to make certain acts unfair labor practices. One of the amendments, the secondary boycott provisions of section 8(b)(4), made it an unfair practice for a union to engage in various specified activities with the intent of causing neutral employers to cease doing business with an employer with whom the union has a dispute.

In 1951 the Supreme Court decided the *Denver Building Trades* case and by so doing focused attention on the common situs issue. In that case a general contractor sublet electrical work to a nonunion subcontractor on a construction project on which all other subcontractors used union employees. The Supreme Court sustained a National Labor Relations Board decision that the union's conduct in picketing the construction project because of the use by one subcontractor of nonunion workers was an unfair labor practice.

The crucial finding was that the general contractor and the nonunion subcontractor were independent legal entities and therefore indiscriminate picketing of the entire site was directed against neutral employers (the general and other subcontractors) and was, thus, unlawful. Critics of the decision have challenged its analysis of the relationship between contractors at a common situs.

The history of legislation introduced since 1951 to resolve this issue and the subsequent development of pertinent Board and court decisions make clear that it is difficult both to generalize in this area and to frame specific legislative language to deal equitably with the common situs question and also to protect the public interest, the rights of employees and the rights of third parties.

I would like to review this history briefly with you and discuss some of the problems it raises. I believe this history shows, not only how difficult it has become to deal with this problem, but also that over the years a number of new issues have been raised with which no one bill yet deals adequately. Many of these issues were not originally foreseen, but have surfaced as different situations have been presented to the Board and the courts.

I believe, therefore, that legislation developed to legalize common situs picketing must take account of these problems and contain certain safeguards, many of which are widely agreed to in principle but which seem difficult to frame in legislative language. These safeguards are not adequately secured in H.R. 100. I therefore do not support H.R. 100 as presently drafted.

Since there is a great deal of room for discussion as to how our goal can be accomplished, I believe that the Department of Labor, at this time, can help most by providing general guidance on the problem and by expressing a willingness to work together with you and interested parties. I should like to identify here certain principles which should guide us in framing an effective, practical and realistic bill, and then to discuss them in more detail later during the course of my statement.

II. GUIDING PRINCIPLES

A. No bill should transform presently illegal activity, apart from "common situs picketing," into legal activity. In particular, common situs picketing should not be used to victimize an employer when the real dispute is between two unions as to which should perform certain work, nor should it be used for a discriminatory purpose.

B. No bill should apply to general contractors or subcontractors operating under State laws requiring direct and separate contracts on State or municipal jobs. That is to say, any legislation must recognize these State laws as establishing conditions of neutrality between contractors.

C. The interests of industrial and independent unions must be protected.

D. The bill should include language amending section 301 of the National Labor Relations Act to permit enforceability of contracts by injunction.

E. Any bill should encourage the private settlement of disputes which could lead to the total shutting down of a construction project. To that end, notice of intent to picket should be required and there should be a limit to the time during which picketing an entire situs should be permitted to occur.

III. LEGISLATIVE HISTORY

As early as 1954, and again in 1956 and 1958, President Eisenhower recognized that the NLRA created inequities as between construction workers and industrial workers. In his first Labor Message to Congress in 1954 he advocated an amendment to permit situs picketing:

"I recommend that the Act be clarified by making it explicit that concerted action against an employer on a construction project who, together with other employers, is engaged in work on the site of the project, will not be treated as a secondary boycott."

In his Labor Message to Congress in 1956, President Eisenhower said:

"The administration recommends that the ambiguities and inequities that exist in these provisions be removed . . . to make it clear that they do not prevent . . . activity against secondary employers engaged in work on a construction project with the primary employer."

Between 1954 and today many so-called "common situs" bills have been introduced and supported by both sides of the aisle with provisions substantially similar to H.R. 100, the bill before you today. An example is S. 2650 of 1954, introduced by Senator Smith of N.J., Republican, and favorably reported. In 1958 Senator Smith again introduced common situs legislation (S. 3099) which first contained language closely similar to H.R. 100. In 1959 other similar bills were introduced by members of both parties: S. 2643 by Senators Kennedy, Kuchel and Prouty; H.R. 9070 by Congressman Thompson, Democrat, N.J.; and H.R. 9089 by Congressman Kearns, Republican, Pa.

Even in this earlier period efforts were already being made, however, to write various safeguards into these proposed bills.

As early as 1960, Congressman Kearns (Republican) in the House Committee Report on H.R. 9070 (H. Rept. 1550), stated that, although he had long desired to help resolve the common situs issue, after listening to the testimony of both those who favored the bill and those who opposed it, he was convinced enactment of the bill *in its present form* would be a disservice to all concerned. He stated:

"The testimony disclosed sincere differences of opinion as to the meaning of the law now applicable to secondary boycotts at common construction sites and the bill, as reported out by the committee, does nothing to clarify present law. Even the bill's strongest supporters have not been able to agree as to its meaning. For example, one proponent felt the bill might give industrial unions the right to picket a manufacturer and take away jobs of members of building trades unions who are performing alterations or repairs on the manufacturer's plant. Others believe the proposed language will permit building trades unions to use secondary boycotts as a means of preventing installation of products made by members of industrial unions. Also, the problem of racial discrimination in some building trades unions will be intensified by the bill should it pass in its present form in that it will allow the secondary boycott weapon to be used by unions who wish to force such discrimination.

"The foregoing are examples of the problems which H.R. 9070 raises rather than resolves. There are many others. *Therefore, I strongly believe clarifying amendments are essential.*" (Emphasis supplied.)

Congressmen Goodell and Frelinghuysen, Republicans, while voting to report H.R. 9070 and not requesting clarifying amendments, tried to achieve the same result as such amendatory language by statements in their supplemental views that the bill's provisions were not designed to legalize activities such as those described by Congressman Kearns. As I will indicate, by 1967, Congressman Goodell had become convinced that mere statements to this effect were not enough and legislative language is necessary.

So, from 1960 on, various issues were raised which became reflected in subsequent bills.

Serious labor disputes at missile sites gave rise to language in the 1961 bill requiring strike notices in missile site disputes. (See H.R. 2955, Thompson, 1961, 87th Cong., 1st Sess.)

In 1961, a dispute between the industrial unions and the building trades unions over the so-called "separate gate" issue obviated any chance of passage of a "common situs" bill.

The Industrial Union Department of the AFL–CIO refused to support the bill unless it protected picketing by industrial unions at plants where employees of construction contractors or other neutrals were at work. As I discuss later, the National Labor Relations Board, ultimately upheld by the Supreme Court, found that industrial unions could not picket entrances reserved for the exclusive use of employees of independent contractors working at the plant on work unrelated to the normal operations. Some industrial union department affiliates feared that with the "protection" of the common situs bill, building and construction trades unions might picket industrial plants if the regular workforce represented by industrial unions performed in-plant construction work which, ordinarily, might be considered as building and construction trades department work.

This issue resulted in the addition of language to Congressman Thompson's bill (H.R. 6363) in the 89th Congress (1965–66) which prohibited common situs picketing where the dispute involved a labor organization representing employees of an employer *not primarily engaged in the construction industry.* This 1965 bill was reported as H.R. 10027, H. Rept. 1041, Sept. 21, 1965.

The bill now contained several additional features to take care of the issues which had arisen since 1954: (1) a notice requirement for strikes on missile sites, (2) an amendment to make it clear that ownership or control of the site by a single person is not the only factor in deciding whether several employers are joint venturers, (3) a provision excluding disputes involving employers not primarily in the construction industry whose employees are unionized and where the issues involve such unions (the industrial union language), and (4) a provision excluding a dispute in violation of an existing collective bargaining agreement, to which Congressman Goodell subsequently added "or other applicable agreement, arrangement, or procedure."

Other issues also appeared. District 50 of the UMW, an independent union which sometimes represents employees of *construction* contractors, felt the exemption to deal with the industrial union issue did not take care of a situation where construction unions would picket contractors employing District 50 members. For this reason District 50 urged that the bill be amended to prevent strikes if the dispute involved a labor organization which represented employees of an employer at the site *regardless of whether he was primarily in the construction industry.*

Other problems which have been injected into consideration of this legislation are (1) the product boycott; (2) State laws requiring the independent letting of contracts; and (3) concern that common situs picketing might be used to frustrate Federal policy to alleviate the effects of racial discrimination.

In 1967, when H.R. 100 appeared on the scene, a bill (H.R. 7750) prepared by then Congressman Goodell attempted to meet some of these problems but failed of acceptance.

Thus, we see that there are still many issues which the legislative drafters have not been able to settle.

Before I turn to a more detailed discussion of the principles I outlined earlier and which I hope can help us to find a legislative solution, I would now like, as an interested layman, to review briefly with you, the Board and court case history that bears on this whole subject.

IV. CASE HISTORY

The Board, in the administration of the Act, has recognized the legitimate rights of construction unions to picket the primary employer at a "common situs" under standards which seek to insure that other employers do not become enmeshed in the dispute of another.

Subsequent to the decision of the Court of Appeals for the District of Columbia in the *Denver Building Trades* case (in which that Court disagreed with the Board's neutrality of general and subcontractor position) and prior to the Supreme Court's reinstatement of the Board's position, the Board in *Sailors Union of the Pacific,* 92 NLRB 547, announced what is now known as the *Moore Dry Dock* standards. These standards sought to strike a balance between the proper scope of primary picketing and the right of neutral employers on a common site to be protected from the effect of the primary employer's dispute. Briefly, these standards require a union which pickets at a common situs to abide by restrictions on area, time, and identification in order to confine its activity as much as possible to the primary employer.

As is not unusual when standards are first enunciated, in the earlier years the *Moore Dry Dock* rules were applied in a more or less literal fashion. As you know, these rules arose in an ambulatory picketing context. When they were applied to the construction industry, to hold that picketing at a common situs was unlawful if the primary employer had a legal place of business in the general locality where the picketing could take place, such an application of the doctrine effectively prevented meaningful picketing of the primary employer on construction sites.

As experience has developed in the application of these concepts to the construction situation, the per se, mechanical application of the *Moore Dry Dock* standards has given way to a more realistic application of the rules. Thus, for example, in *Local 3, I.B.E.W.*, 144 NLRB 1089, the Board ruled that temporary absences from the situs, such as the primary employer not scheduling work for that day, the success of the union in convincing employees of the primary employer to strike, or the employer removing the employees from the situs, do not thereby render the picket line at the common situs unlawful.

To a certain extent, then, some of the inequities faced by construction unions in the '50's have been remedied by further elaboration of the National Labor Relations Act by the Board and the courts. This is not to say, however, that the basic issue presented by the *Denver Building Trades* case does not remain with us.

The main difference is the nonapplication to construction sites of the "normal business" doctrine which determines the legality of picketing at a separate gate at an *industrial* plant. The leading case in the separate gate area is *Local 761, I.U.E.* v. *N.L.R.B.*, 366 U.S. 667, involving the separate gate set up by the struck industrial employer for the exclusive use of employees of its independent contractors. The Supreme Court held that picketing at the separate gate would be protected primary activity if the work done by the employees using this gate was related to the normal operations of the struck employer or was of a kind which would necessitate the curtailing of those operations.

In the construction industry a majority of the Board and the two appellate courts, which have considered the matter, ruled that the "related to the normal operations" test did not apply to a construction common situs.

Before leaving this legal history discussion I should mention the "product boycott." In 1967 the Supreme Court held that a union does not violate the secondary boycott provisions of the Act if it strikes its employer in order to protest his attempt to use products manufactured elsewhere which would partially eliminate that work.

V. APPLICATION OF PRINCIPLES

Mr. Chairman, I would now like to turn to a discussion of the general principles which I outlined briefly at the opening of my statement as applied to the issues which arise from a consideration of the legislative and case history.

A. So far as I know, everyone has always agreed on Item "A" of these principles, which is that no bill should transform presently illegal activity, apart from "true common situs picketing," into legal activity. If the conduct is violative of other sections of the Act, it should clearly still be unlawful.

The existing Act recognizes that an employer should not suffer because of a dispute between two unions as to which should perform work. Thus, a special procedure for the resolution of the dispute is set forth in section 10(k) and picketing in furtherance of such a dispute violates 8(b) (4) (D). A charge brought under that section triggers the 10(k) procedure. Under present law, also, if a union pickets an entire site without conforming to the *Moore Dry Dock* standards, whether or not the activity is part of a jurisdictional dispute, it violates 8(b) (4) (B), and under that section—in contrast to 8(b) (4) (D)—the Board must seek an immediate injunction.

We do not believe that any bill should deprive contractors on a construction site of this protection when the dispute is jurisdictional in nature.

Under this principle of not transforming already illegal activity into legal activity, I also stated that common situs picketing should not be used in furtherance of a discriminatory objective. The Government is actively engaged under Title VII of the Civil Rights Act and, under the Executive Order program (11246), in securing equal employment opportunities for minorities which have been too long victimized by discrimination in all fields, including employment. Thus, common situs legislation should make clear that common situs picketing should not be permitted if it is directed at coercing an employer who is attempting to meet such legal as well as moral obligations by his employment of minorities and by affirmative action programs to end the effects of such discrimination.

B. Principle B also seems relatively clear and indisputable. Where a State law requires separate and independent contracts for a State or municipal construction project it is obvious that the contractors on the project cannot be held responsible for each other's labor policy. As it is impossible for any one of the contractors to control the others in such a situation, common situs legislation must recognize that these State laws create a condition of neutrality between the contractors which must be respected.

C. Principle C recognizes that the interests of industrial and independent unions must be protected. If a union has been lawfully recognized, picketing by a competing union directed at its presence on a construction project should not be made lawful. In such cases the issue may become one of a jurisdictional nature, which could be dealt with as discussed under Principle A. In other cases, the issue might be of a boycott against the products manufactured by the employer of employees represented by a union but where the operation is conducted off the construction site. This latter issue presents problems to manufacturers in context of technological changes as well as to industrial unions whose members work in plants which prefabricate items to be used in the construction site.

D. Although H.R. 100 recognizes that strikes in violation of an existing collective bargaining contract should not be accorded a privileged position with regard to common situs activity, it provides no relief for the problem of specific enforcement of contractual obligations. There should be little dispute over the principle that contracts should be enforceable by injunctions. The Supreme Court held in *Sinclair* v. *Atkinson*, (370 U.S. 195 (1962)) that a union which violates a no-strike clause may not be enjoined from such conduct. If a union violates a no-strike clause, a damage action is not a feasible remedy to compensate an employer for the period during which he has been shut down by a strike. This is especially the case in the construction industry, where time is of the essence. When contracts and no-strike clauses are voluntarily signed and the parties have a grievance-arbitration procedure to resolve disputes over the interpretation of the contract, there is no valid reason why such agreements should not be enforced. Section 301 of the Taft-Hartley Act should clearly authorize specific enforcement of such agreements.

E. Any bill should encourage the private settlement of disputes which could lead to the total shutting down of a construction project. Not only should we be sensitive to the public interest in protecting the rights of individual employees as we devise an equitable solution to this problem, but to the maximum extent feasible the public interest in retaining the essentially private nature of our collective bargaining process should also receive due consideration.

I would recommend that before picketing of an entire situs is permitted pursuant to new legislation, a union which intends to engage in picketing an entire situs give a timely 7-day notice of intent to all employees and unions on the situs, and furthermore, that such picketing be limited to a 15-day period. Any picketing which is now permitted under *Moore Dry Dock* standards would be unaffected by this legislation.

The purpose of this suggestion is twofold. First, this 7-day "waiting" period is intended to encourage the private settlement of disputes prior to permitting the dispute to encompass the entire situs. A waiting period can provide the time and the encouragement to the parties to settle many disputes before they are escalated into an actual strike. Furthermore, I visualize a number of situations where this requirement would serve to induce parties who would be affected by the proposed picketing to mediate between the disputing parties.

Secondly, the 15-day limitation is a recognition that, although subcontractors are closely interrelated with a general, their separate legal identity should be considered.

VI. CONCLUSION

Mr. Chairman, it seems to me that this issue, as it has been debated over the years, has not only grown in complexity but has also served to inflame situations among the parties. The construction industry has been, and is today, preoccupied with this issue, and this unfortunately has diverted attention from other pressing and important problems. I believe, if all parties will apply themselves to finding a legislative solution in accordance with the above principles, that we should finally be able to resolve this difficult issue.

The Department has been meeting with employer and union groups on other matters to assist in the arrival of solutions to vexing substantive problems that beset the industry and trample the public. We wish to get on with this work and, in doing so, it would be helpful to put this inflammatory issue behind us. To that end, we stand ready to add our efforts and resources to bring about a considered solution of this matter.

Mr. Speaker, I also think it would be valuable at this point to insert the response of the subcommittee chairman, the gentleman from New Jersey (Mr. Thompson), to the Secretary's testimony. I therefore insert at this point Chairman Thompson's response:

Remarks by Mr. Thompson of New Jersey, Chairman of the Committee

Mr. Secretary, I wish to thank you for a very constructive statement. As the author of H.R. 100, I appreciate your support for Common Situs Picketing legislation. I wish to note for the record that your support for Common Situs Picketing legislation puts you in a distinguished position: you represent the fifth Administration which has supported this legislation.

I think it would be useful to turn for a moment to several of your Guiding Principles on pages 3 and 4 of your prepared statement. I do not intend to cover them thoroughly because I do not want to intrude into the questioning time of my colleagues.

Turning to your Guiding Principle "A" on page 3, I agree completely with the thrust of that principle—that this bill should "not transform presently illegal activity, apart from situs picketing into legal activity." That is why my bill contains the language at page 2, lines 5 and 6, which sets forth that situs picketing may only be used if there is a labor dispute "not unlawful under this Act." This language is not new in my bill. This exact language is contained in S. 748 in the First Session of the 86th Congress, a bill introduced in the Senate in 1959 by Senators Goldwater, Dirksen, Mundt, Hruska, Hickenlooper, and other distinguished Republican Senators. This bill, S. 748, incorporated the recommendations of President Eisenhower and his Secretary of Labor, James Mitchell. As I said, this earlier bill contains precisely the language on this point which is contained in my bill, H.R. 100.

Turning to your Guiding Principle "C" that "the interests of any industrial and independent unions must be protected". I am sure you know that the Industrial Union Department, AFL–CIO, supports H.R. 100.

With respect to the Independent unions, these are protected under H.R. 100 because of the language I referred to earlier, which states that situs picketing cannot be used for an unlawful purpose.

On page 12 of your statement, when you discuss more fully your Guiding Principle "C", you refer to so-called product boycotts. You refer in this context to the technological changes in industry and to the use of prefabricated items in the construction site. This problem is certainly a large one, and unions inside and outside the construction industry are searching for ways to cushion the impact of technological displacement. As you are well aware, the various unions in the various industries have negotiated a number of such cushions: early retirement, sabbatical leave, shared work, anti-subcontracting agreements, and so on.

The Government is a partner in solving these problems. I need only refer to the occasion of your testimony yesterday in regard to the Job Corps and other manpower and re-training efforts of the O.E.O., the Department of H.E.W., and your Department of Labor.

I would be hesitant to try to solve these very large problems in the context of the Common Situs Picketing bill.

In relation to your Guiding Principle "D" on page 3, to "permit enforceability of contracts by injunction"; the memory of Senator Norris and Congressman LaGuardia, and the bill that bears their names, makes me hesitant to go back to the pre-1932 era of "Government by injunction". I really would have to give a lot of thought and hear a lot of testimony before I could make up my mind on this, and I hope it is not necessary to do this thinking and to hear this testimony before we can enact what is in essence a very simple amendment to Section 8(b) (4) (B) of the Taft-Hartley Act.

In relation to your Guiding Principle "E" that there be a 7-day notice of intent to picket and a 15-day limitation period on any picketing, I just don't know. Are there any operations in the normal construction project which would or could be completed within the 7-day notice period? Is the 15-day limitation period on picketing too much or too little, or is it necessary at all? Could you have 2, or even 3, 15-day periods of picketing if workers resumed for brief periods between the picketing? If these provisions are a good idea, why should they be limited to the construction industry?

Mr. Secretary, my colleagues have a number of questions and I would like to close my comments by expressing my appreciation, again, of your support for a common situs picketing bill and your thoughtful presentation.

ADDRESS BY DONALD M. KENDALL, CHAIRMAN, NATIONAL ALLIANCE OF BUSINESSMEN

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. MILLER of California. Mr. Speaker, Mr. Donald M. Kendall, chairman of the National Alliance of Businessmen, speaking on April 11, in Oakland, Calif., to a number of distinguished businessmen from the Oakland area, delivered what I believe to be one of the best addresses of its kind that has come to my attention.

I commend it to my colleagues and to businessmen in general, as Mr. Kendall succinctly lays down the reasons why people in industry should affiliate with the National Alliance of Businessmen in helping to solve the vexatious problems that confront this country today.

The address follows:

ADDRESS BY DONALD M. KENDALL, CHAIRMAN, NATIONAL ALLIANCE OF BUSINESSMEN; NAB, LOS ANGELES, APRIL 10, 1969; NAB, SAN FRANCISCO AND OAKLAND, APRIL 11, 1969

I think it is quite appropriate that my first NAB "get acquainted" meetings are being held with the business leaders of California. Californians have long been in the forefront of the Alliance, Plans for Progress, Merit Employment and many other successful jobs programs.

Your programs for business involvement are being used as a model throughout the country. Your Management Councils, which have been organized in every major California community, are doing a tremendous job. NAB will continue to rely heavily on your advice, counsel and cooperation.

When President Nixon asked me to become Chairman of the Alliance I was flattered but also hesitant. I realized the immense responsibilities involved in heading an organization which has such a massive task to perform—but there was another matter which made me hesitate.

I am primarily a salesman and I know that no salesman can be successful unless he believes in his product. I asked myself if I could actually sell this product of NAB—jobs and equal opportunity—to the most select group of customers in the world—the American businessman. Before I reached my decision, I had to review the circumstances that had shaped my life and my attitudes from the beginning.

I was born and spent my early years in the northwest in the state of Washington. During that time I was unaware of any instances of prejudice or discrimination against Negroes, Indians or Mexican-Americans. It was not until Pearl Harbor that prejudice became formidable against the Japanese-Americans. I went to Western Kentucky State College on an athletic scholarship. Here again I don't recall any discrimination against members of minority groups—possibly because they were not represented in our student body.

My real awareness did not crystallize until 20 years later by which time I was President of our international company and a member of our Board. I remember a meeting in which the Board was conducting the routine business of electing vice-presidents. Only this time the business was not routine because one of the candidates was a Negro. I won't go into the details—but he was elected—and, as we later learned, became the first Negro corporate officer of a major American company. I said "as we later learned" because I'm not at all sure how the vote would have gone had we known that this was a "first."

Then I began to wonder why this was a "first"? Was it because there were no other Negroes with his ability—or was it because others had never had an opportunity to prove their ability? Could it be that only seven years ago just one Negro was qualified for the approximately 50,000 vice-presidential slots in major business? Is it true today, when there are perhaps two dozen Negro vice presidents that these are the only Negroes who can do the job?

The man we elected and I—by coincidence—both attended college in Kentucky—but his school was Kentucky State College for Negroes. We were in the same state at the same time but our paths never crossed then or afterwards in our early business careers. You might say that it was a 50,000-to-1 chance that we would end up as fellow corporate officers. Actually, the odds were even greater than that.

My eyes were opened further when I found that another man whom I have learned to respect was also a college athlete in Kentucky when I was—but our paths never crossed either. His name is Whitney Young.

It was this concern for this wasted potential which led to my interest in NAB, the organization President Johnson called "The most promising way ever devised of eliminating the tragic waste of our human resources."

My company, like all our companies, is faced with the problem of America's tight labor market. Our increasing output of goods and services has swallowed up almost all available labor. Our unemployment level is the lowest in peacetime history, yet industry needs more workers with higher levels of skill than ever before. We must find or create these skills and expand our labor force to take advantage of talents and aptitudes wherever they exist. Our future expansion lies in the full participation of all our citizens in the labor market. We must explore every potential source. As a businessman I see the greatest hope for the solution of our pressing needs in the work of the Alliance.

Some cynics have called NAB "industry's conscience." I'm sure you'll join me in rejecting that description. Were not do-gooders urging industry to offer platitudes and handouts to the poor. NAB's function is to show American businessmen that the problem of the unemployed and underemployed in our society is their responsibility.

Companies spend vast amounts of money developing new sources of raw materials. NAB is out to prove that money spent on recruitment and training can develop new sources of skilled labor. And it's good business because new jobs produce new taxpayers. We all feel the burden of taxes needed to support our massive program of governmental services. New jobs will help provide the means to reduce the level of those services—not only on the welfare rolls but in unemployment benefits, law enforcement and other hidden costs which are byproducts of poverty.

There is dramatic proof of this right here in California. The Sacramento Planning Commission recently studied that city's substandard housing areas—where most of the unemployed live—and found that those areas accounted for 20% of the population but only paid 12% of the taxes. They accounted for 42% of the adult crime, 36% of the juvenile delinquency and 26% of the fires. They also represented 76% of reported cases of tuberculosis. They used 50% of the city's health services, 41% of the police protection and 25% of the fire protection. I have no doubt that the statistics are similar here. This is the real cost of unemployment!

It's good business because American industry cannot prosper in an atmosphere of civic unrest. No business can pursue a policy of long-term expansion if its home community, its employees or its ultimate customers are tempted by the frustrations of poverty to flirt with the idea of short-term destruction. It's the responsibility of business to create a social and economic climate in which business can continue to function profitably in years to come. In sum—it is good business for business to provide meaningful, profitable employment for all. NAB is showing business and industry how to do this.

This organization—still less than 18 months old—is harnessing the tremendous problem-solving ability of American industry and directing it to the task of creating new employment opportunities.

NAB companies have given generously of their resources. No gift has been more important than the donation of the many thousands of hours of managerial manpower which you represent. Many of the firms that have been involved most actively in manpower programs have even refused federal funds.

The most important result of NAB's first year was to establish a nationwide climate of opinion in which all businesses were encouraged to reassess the standards by which they judged job applicants, stressing the need to re-examine traditional screening procedures to screen in potential rather than screen out inexperience. Most important, perhaps, NAB has sold business on the idea—"hire first, train afterwards."

We must continue to strengthen our new partnership of government, industry and labor in the field of job creation. We've giving technical assistance in planning on-the-job training programs and guiding industry to sources of federal funds. By developing simpler procedures for the MA-3, 4, and 5 contract series, we will not crack the red-tape barrier, but we hope to bend it a little.

In each of its 50 cities, NAB efforts have resulted in a substantial number of new job placements. I won't quote the pledge figures—we've already been criticized for playing "the numbers game." I will tell our critics, however, that each success represents many man hours of effort spent in seeking out local companies, selling them on the jobs program and getting the initial pledge. We must work even harder. We must assess these pledges more carefully. We must weed out those which are no more than the employer's regular casual labor vacancy. We must track down the "golf course pledge" which may have been made lightly and without planning but which can be worked into meaningful jobs.

What is our goal for the future? NAB will continue to involve wider sections of industry in the job-creation effort—but it must be clearly understood by the businessmen we approach that our concern now is with meaningful jobs. A meaningful job is one which provides possibilities for advancement to the full limit of the man's potential—and that means training. It has been estimated that only 10% of NAB pledge employers now run training programs. My guess is that it is much higher if you include the small employer who may not have the financial and personnel structure for a formal training program. He may not need one if his operation is such that fellow employees and supervisors give the trainee the training he needs.

The people we are working with have been systematically excluded from the business world for many generations. They include youngsters who have never seen a parent regularly going to work, and adults who believe that the business community has no place for them. We must convince them—and ourselves—that they are wanted. Skills training is also essential. Our aim is to give each of the unemployed his own marketable skill. From now on, we must be concerned not only with jobs—but with the people who fill them.

You may have noticed that I've avoided using the term "hard-core unemployed." At best, it is meaningless. I could just as easily call myself, and all of you, the soft-core employed. But much worse, this phrase has picked up a number of secondary meanings. Too many people associate it with hard-core criminals who deliberately refuse to follow our normal pattern of work. And yet we know from the first responses to the jobs program—if we did not already know by sheer common sense—how little joblessness stems from a desire to avoid work. To most people "hard-core" means black, although whites constitute 78% of the unemployed. In other parts of the country "hard-core" means Indian or Mexican-American or Puerto Rican instead of men and women desperately in need of work.

NAB and the Department of Labor have named their target population. They are the poor—those whose family incomes do not come up to the very minimal standards of the government's poverty-line budget. Within the broad category of the poor—we are directed especially to those who have dropped out of our educational system, to the very young worker and the older worker, to the long-term unemployed and to those who suffer special obstacles to employment. I'm opposed to labels but if I had to pick one I would use the Department of Labor's definition of "sub-employed." These are the registered unemployed and those who miss all the official lists because they've given up any hope of finding a job. They're also the part-time workers who can't find full-time jobs and the workers who are confined to tasks and wages below the level of their abilities and aspirations.

Within this group are most of the 5 million heads of families who support 20 million people on poverty line wages, young workers among whom unemployment is more prevalent than any other group and teenagers with inadequate education who can't make that first entry into the job market.

The business community can—and must—under your leadership, plan for all of these people. In this sense the labor unions are as much a part of the business community as the corporations. No effective solution to unemployment problems can be found unless management and labor work together.

We will also work more closely with the organizations and groups of industrialists who have tackled these problems at local and national levels. There can never be too many concerned people—and the need for useful cooperation has never been greater. Together we must establish employment and training procedures not only for the minorities excluded from the benefits of our society today but those who will be excluded in the future. Pressures of automation and skills requirements will be more of a barrier to employment then than ethnic group membership is today.

Our ultimate aim must be not to urge industry to hire Negroes, Puerto Ricans or Mexican-Americans as such—but to hire people—and to train each person to the limit of his capacity.

Of course these limits will be different—there will continue to be degrees of skill and differential wages—but if we are successful there will be Negroes, Puerto Ricans and whites at every job level all the way up the line in proportion to their abilities.

We have a long way to go to achieve that end. The job is enormous. It's industry's job—both management and labor—and it's government's job. Many of us have complained at some time or other of big government. But this is one area which the government is not big enough to tackle alone.

During the prosperous sixties industry created 6 out of every 7 new jobs and still it has a ravenous appetite for fresh sources of labor. Even if the immediate future brings deflationary trends, we'll still be struggling to find the skills we need. I don't have to remind you that industry faced and solved this problem before. In less than one year America's businessmen, through singleminded devotion to a goal, created skilled riveters, welders and mechanics from an untapped labor force of housewives, farmers and others who today would be labelled "hard-core."

I do not consider myself an idealist but neither am I cynical enough to believe that only a World War can spark that kind of effort from industry. Surely the nation's continuing growth is goal enough. American industry has been largely responsible for that growth up to now. American Industry will be responsible for preserving and increasing it.

Together we have the opportunity, the know-how and the experience to create the most skilled, the most prosperous and the most diverse labor force the world has ever known. We, the businessmen, have a great need to do so. For—unless the nation eradicates poverty, poverty may well eradicate the nation.

MYTH OF VOLUNTARY QUOTAS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. FINDLEY. Mr. Speaker, the trade mission led by Secretary of Commerce Stans will be returning from Europe during the next few days. I await with anticipation, as I know many of my colleagues do, any word regarding the discussions of our representatives with the major European countries involved, particularly as those discussions may have related to the proposed voluntary quotas on textiles.

Last February 20 I told my colleagues in the House that there is nothing to gain and everything to lose by rushing into a textile agreement and requested the administration to carefully weigh the matter. I would presume that if the subject of voluntary quotas on textiles was discussed during our trade mission's visit to the EEC countries, that it was met with some resistance, and such resistance would be logical. The very purpose of the mission is to expand trade, not to restrict it via voluntary or any other type of quotas. This would be a glaring inconsistency.

In line with this, a very timely booklet entitled "Voluntary Quotas on Textiles: A Contradiction in U.S. Trade Policy," has been published by the United States-Japan Trade Council. This booklet very effectively explodes "The Myth of Voluntary Quotas," in a chapter by the same title and presents a very logical case against making an exception for textiles.

I invite the attention of my colleagues to the following excerpts from this booklet:

> If quotas are imposed by legislation, the exporting country is entitled under GATT to compensation or retaliation in like amount for the trade affected. One of the arguments used in support of "voluntary" quotas is that they are legal under GATT, and so avoid the problem of retaliation or compensation. But it is an illusion to believe that the United States can force "voluntary" quotas on foreign countries without paying the price. Those on whom the burden will fall are American exporters and investors who need a liberal trade climate for their own business operations.
>
> To illustrate the economic forces involved, Japan is now under pressure from the United States to liberalize its rules regarding foreign capital investment and its residual restrictions on imports. Steady progress is being made on both these fronts, although at a slower pace than the U.S. would like. But

with what enthusiasm can the Japanese government and Japanese industry view requests to speed up the pace of their own liberalization when faced with the demand for quotas on Japan's textile trade to the U.S. worth nearly one-half billion dollars? And how can the U.S. insist upon the reduction of the trade barriers of other countries when it is itself promoting a proliferation of restrictions through the imposition of "voluntary" quotas?

THE HARM THAT QUOTAS WOULD DO

To the average American, the possibility that the United States may impose further import quotas on textile products sounds, at first, like a technical issue of only remote interest. In fact, however, such quotas would have very significant effects on him directly and indirectly, and on the national interest. They would:

Raise his family's costs for clothing and home furnishings, and accelerate the nation's inflationary spiral;

Curtail U.S. exports of such products as automobiles, aircraft, machinery, electrical equipment and chemicals, as well as overseas sales of U.S. wheat, soybeans, feedgrains, rice, cotton, and tobacco;

Impair other U.S. trade negotiations and U.S. security interests;

Lead to a progressive cartelization of the U.S. market, inducing stultifying controls which would destroy the nation's economy and debilitate the free enterprise system.

QUOTAS WOULD SPUR INFLATION AND HURT THE CONSUMER

The issue of whether or not to impose further quotas on textile imports is directly related to the critical problem of combating U.S. inflation.

Quotas inevitably result in higher prices to consumers and a contraction of consumer choice, thus penalizing both those seeking bargains and those seeking variety and quality.

The choice facing President Nixon, according to columnist Roscoe Drummond in The Washington Post, is "whether to stand firmly behind his commitment to halt inflation or to compromise and yield to pressures to impose extensive import quotas which would raise prices and abet inflation."

The potential inflationary impact of textile quotas was viewed with particular concern by the National Retail Merchants Association, representing the country's leading department stores, before the Senate Finance Committee. The NRMA stated that "restrictions on textile and apparel imports would vastly accentuate an already evident inflationary trend in the price of apparel" and would "lead to inflated prices in a basic ingredient of every family budget." The effect on the American consumer, says the NRMA, would be "devastating."

It has been estimated that textile quota bills pending in the Congress would raise the budget cost of clothing for a family of four by $25 to $30 a year. It should be remembered that such goods are already subject to tariff duties, which, in the case of some clothing articles, now adds as much as forty per cent of their retail price.

U.S. INDUSTRIAL AND FARM PRODUCERS WOULD LOSE EXPORT SALES

U.S. consumers would not be the only ones to pay heavily for such textile quotas. They would also affect, in some cases severely, U.S. exports of industrial and farm products. By curtailing the amount of textiles which could be imported from Western Europe, the Far East and Latin America, additional quotas would in effect substantially reduce the ability of many nations to earn dollars with which to buy U.S. products.

Overseas sales of U.S. autos, aircraft, machinery, electrical apparatus and communications equipment, chemicals and scientific instruments—and many other products—are dependent on the ability of our foreign customers to sell their products in the American market. Total U.S. exports are big business today, amounting to $34 billion in 1968.

In terms of percentage of total production, exports of U.S. farm products are highest (and most vulnerable) of all. Over 50 per cent of the total U.S. wheat crop is sold abroad, as is nearly 50 per cent of our soybeans and rice, 33 per cent of corn and feedgrains, and 30 per cent of tobacco. U.S. farmers in every state stand to be particularly heavy losers if the U.S. cuts back textile imports, in part because numerous alternative sources exist for agricultural products.

Japan is not only the United States' biggest overseas customer in general, but also the biggest cash market in the world for U.S. farm products. In 1968, its purchases included $218 million of U.S. soybeans, $124 million of wheat, $240 million of feedgrains, $45 million of hides, $110 million of cotton, $46 million of tobacco, and over $150 million of other farm products.

THE ROLE OF THE DEFENSE COMMUNITY IN THE NIXON ADMINISTRATION

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. GUBSER. Mr. Speaker, those of us who have served in the House of Representatives with the present Secretary of Defense, the Honorable Melvin R. Laird, have always known him to be forthright, frank, and to be dedicated to a strong national defense.

Since assuming the important and strategic position of Secretary of Defense, Melvin Laird has continued to conduct himself as he did while a Member of this body. On April 17 Secretary Laird addressed the American Society of Newspaper Editors in a completely candid and straightforward fashion. Because his thoughts are important as an indication of the role the defense community will play in the Nixon administration, I believe they should be published in the CONGRESSIONAL RECORD. Accordingly, I submit Secretary Laird's speech made to the newspaper editors:

THE ROLE OF THE DEFENSE COMMUNITY IN THE NIXON ADMINISTRATION

I can think of no better forum for one of my first public appearances as Secretary of Defense than this one. What I would like to do is share with you some of the larger concerns that have occupied my attention in the 83 days since I became Secretary of Defense.

I have tried not to delude myself, and I'll try not to delude you, with preconceived notions about what is wrong with the Defense community and what we intend to do about it. There is perhaps enough criticism these days of the military and its role in our Nation's affairs. And my own criticism of the operations of the Defense Department was made clear during my 14 years as a Member of the Defense Appropriations Committee in the House of Representatives.

One object of the current criticism is the Department's credibility. I am fully aware of the special responsibility of those in this audience and others in the communications media to inform the people about what we in Defense are doing and to call us to account when we make mistakes. And I pledge to you the full co-operation of the Department in performing these duties. As long as I am Secretary of Defense there will be full and free access to all information that can be made available without danger to the Nation's security. There will be no cover-up, no concealment, no distortion. We intend to put a lot of landfill in the Credibility Gap.

Another type of criticism that gives me concern is that directed at the military profession and at the character of the career military man. Some of the critics seem to be in search of a scapegoat. The frequently expressed concerns about the military-industrial complex raise some valid issues, but it is utter nonsense to question the motivation of our military leaders. Our military leaders are dedicated men of the highest competence whose purpose is peace.

In fact, the primary role of the Defense community, as I see it, is to contribute toward the restoration and preservation of peace by safeguarding the national security interests of the United States. This must be done in the most economical manner possible. I would like to tell you a little bit about how we are approaching our task.

Your own program today casts that task into perspective. At your sessions this morning you focused on the problems of violence in our society. This afternoon, you will address the issue of campus revolt. You have placed my luncheon address smack in the middle. I think the order of your agenda is significant because it illustrates what is becoming a fact of life. More and more, the question of national defense is caught in the middle of nationwide concern over domestic problems and crises.

In a word, our Nation's Defense community is bearing the brunt of public frustration over the war in Vietnam. In the wake of tragic casualty rates and military expenditures of almost $30 billion a year on a war that has in the past shown no signs of ending, public debate has moved inevitably toward broader and more fundamental questions about our defense community.

We hear many questions raised, such as these:

Is the Defense community, in whole or in part, unnecessary and wasteful?

Has it become, in combination with the industry that it supports, a self-perpetuating or self-expanding colossus?

Has the Defense community become the master, rather than the servant, of national policy?

Does it rob the Nation of badly needed resources that could better be used to solve problems of health, education, housing, and welfare?

These are valid questions to which our Defense community should be continuously subjected under our democratic system. We rcognize the need for providing convincing answers in what is said and what is done in the coming months. But in the search for these answers, we must do everything in our power to keep the debate on a responsible level and to prevent it from degenerating into emotional polemics that never yield sound solutions.

As Secretary of Defense, I welcome open and frank dialogue on all matters of great concern to the American people. I welcome particularly the great debate that is shaping up on the question of going forward with an Anti-Ballistic Missile System. But this specific issue can be properly evaluated only as part of a much more complex whole. Permit me, therefore, to place into perspective some of the factors that led to the Safeguard decision.

To do so, let me pose this very broad question: Is the Defense community, as presently constituted, fulfilling its proper role in support of the basic objectives of national policy?

To answer that question we must first define the objectives of national policy in an atmosphere of reality—of how things actually are in today's world. The objectives of national policy are both complementary and competitive. That is why it is so vital that we set realistic priorities for allocating our scarce resources. It is relatively easy to define what we want to do. It is much more difficult to determine the relative emphasis to be placed on each particular goal. We cannot have our cake and eat it, too.

To restore and preserve peace is an overriding goal toward which we all strive. But the attainment of absolute peace, a world in harmony and totally free of friction has eluded mankind throughout recorded history. To use a homely analogy, we are striving to climb the ladder of peace.

Our goal is the top of the ladder, a world in harmony and free of friction. The bottom rung, or the first step, is an absence of nuclear war. In between, are the various steps of relative peace that can and have existed in our turbulent world: no armed conflicts *between* major powers; no armed conflicts involving *any* major powers; and close to the top of the ladder, no armed conflicts of any kind.

Obviously, we are only part way up that ladder. Equally obviously, the climb that lies ahead is a very difficult one.

While we continue to struggle toward perfect peace, we cannot neglect our urgent domestic goals. It should be clear, however, that we need more peace than we how have if we are to accomplish our domestic goals, and at least some peace if we are to make any progress toward those goals.

In establishing realistic priorities, therefore, we must allocate our resources in accord with our position on the ladder of peace. Domestic progress would be rendered meaningless if we fell off into a nuclear war. And the harsh fact is that it is possible to fall off the ladder from any height. We must not become less cautious as we approach the top simply because we have grown tired. That is only common sense whether you are building a house or building peace.

Under the conditions facing us here and now, we can pursue peace in two ways: through credible deterrence and through effective international agreements.

Beginning with his acceptance speech in Miami last July, President Nixon has made very clear his intention and determination to pursue peace through negotiation. This Administration wishes to put the era of confrontation firmly behind us. Since January 20th, President Nixon and other spokesmen of this Administration have underscored this objective with their every action and word. The President has made it equally clear that until his efforts bear fruit, we must maintain a credible deterrent.

The specific role of the Department of Defense is to ensure the safety and security of the American people beyond any reasonable doubt. In the absence of comprehensive and enforceable international agreements, maintenance of a credible deterrent is the only effective way to do so. By striving to maintain that credible deterrent, the Defense community is advancing, not retarding, the cause of peace. Our deterrent forces, built at great expense, continue to prevent nuclear war and direct armed conflict with another major power, as they have for more than two decades.

Clearly, it would be highly desirable to scale the ladder of peace in close cooperation with those who now threaten us.

Nothing would please me more as Secretary of Defense than to preside over a diminution of arms as a result of successful arms limitation talks. But until that success is realized, it is my responsibility as Secretary of Defense to ensure that we maintain a credible deterrent and an adequate defense posture.

Against that backdrop, let me come back to the decision made to move ahead with the safeguard ABM system and show how that decision relates to the pursuit of peace.

I think it is important to recognize that the previous Administration also believed it was necessary to deploy an ABM system. Based on a thorough review of the latest intelligence data and a rethinking of the strategic problem, this administration believes it is necessary to reorient the ABM system of the previous Administration and to put it on a carefully time-phased basis. It has been modified to emphasize its clearly defensive purpose. The careful phasing of the construction program means that the Nixon Administration can reduce the FY 1970 ABM request of the Johnson Administration by $1 billion.

The Safeguard system is designed so that it will in no way impede a strategic arms agreement. In fact, it will provide an added incentive for arms limitation talks with the Soviet Union. It will do so by showing the Soviets that we mean business in protecting our deterrent forces—in demonstrating to adversaries that they cannot achieve the capability for an effective, low-risk, first-strike against the United States.

There is no doubt about the credibility of our deterrent today. And there should be no mistake about this. We have sufficient strength today in the combination of our strategic forces—our missiles, our bombers, and our polaris capability—to respond to any attack that might be launched against the United States.

However, the potential threat from the Soviet Union lies in the fact that it is building at a rapid rate the kinds of weapons that could be used to erode our deterrent. From the Red Chinese, a potential threat lies in their growing capability to build a small ICBM capacity against our cities.

Hence, a major feature of the Safeguard system is that it provides options for preserving the credibility of our deterrent forces and defending our population against small or accidental attacks. We hope that these options will not have to be exercised. But as Secretary of Defense, it is my responsibility to see that the President has them available.

Our decision to recommend a phased measured deployment demonstrates by action our strong desire to avoid further arms escalation. If the Soviet Union continues the rapid buildup of weapons that threatens to erode our deterrent capability, the Safeguard program puts us in a position to counter the threat step by step. If, on the other hand, the Soviet buildup slows down or is modified because of successful arms talks or for other reasons, the Safeguard deployment can be modified accordingly. In other words, except for work on the two initial sites in North Dakota and Montana, our proposed plan for Safeguard permits us to respond to the Soviet threat, not as we project it now, but as it develops in the months and years ahead.

If the Red Chinese ICBM threat materializes, we will have similar options to protect our people without deploying ABM's around our major cities during the decade of the 1970's.

I believe, therefore, that prompt Congressional approval of the flexible Safeguard missile defense would help the President greatly in two of his most crucial and immediate international responsibilities:

"Meaningful arms-limitation talks and the continuing protection of the invulnerability of the strategic deterrent forces by which we prevent nuclear war."

In closing, I should like to say a word about the general approach of the Nixon Administration in these early months. Some impatience has been evidenced by those who feel that the Administration is not moving fast enough in tackling domestic problems, in ending the war in Vietnam, or in eliminating the waste that exists within and outside the Defense community.

The evidence of this impatience reminds me of a story that gained some currency during the course of the 89th Congress when so much legislation was hastily enacted. It concerned a commercial airliner on a transcontinental flight. The plane ran into heavy, foggy weather—so bad, in fact, that the passengers couldn't see the wing-tips from the cabin windows. Interrupting the passengers' silent concern came the pilot's voice over the loudspeaker: "Ladies and Gentlemen," he said, "I know you're concerned about the weather conditions, and I would like to report two things to you. One represents good news and the other represents bad news. I will give you the bad news first. We're lost. The good news is that we're making record time."

That story illustrates what we are trying to avoid in the Nixon Administration. Activity is easy to generate but it is not an end in itself. What we are attempting to do, in Defense and throughout the government, is to find better ways for Americans to do things. This entails not only clarifying and in some cases redefining our goals. It also involves restructuring, consolidating, and reordering the vast governmental entities that exist in order to do a better job in a more orderly and less expensive way.

I can best illustrate the problem and the need for prudent activity by coming back to my responsibilities as Secretary of Defense. As I said earlier, what we wish to accomplish is relatively easy to state. But organizing the resources to do it is enormously more difficult.

Time is needed because such questions as the following have to be answered before basic changes, if required, are made:

Is the Defense community, as presently constituted, adequately performing its primary mission?

Could its mission be performed more efficiently and at less cost?

Are the military force structures as they now exist and as we currently project them excessive or inadequate when measured against national security requirements?

Does our recent experience support the organizational decisions of the past?

Are the defense agencies performing their intended function and does experience justify their current position in the organization?

Is our research and development organized in the best manner possible for achieving its objectives?

I could go on, of course, and point out that we also need fresh perspectives on whether the Department has an excess of personnel performing in some cases unnecessary jobs; or whether there is duplication of effort within the Department; or whether the Department is maintaining proper communications and coordination with other government departments.

These are all questions that have concerned me greatly in these first 88 days. They are complex, difficult and not susceptible to easy or quick answers. Some work has already been done to obtain answers and other work is currently in progress. In my Defense report to the House and Senate Armed Services Committees, I identified some of the more glaring problems we uncovered in our initial review and some of the actions we have already taken to correct those problems.

We reduced the FY 1970 Johnson-Clifford budget by more than $3 billion in obligational authority and more than $1 billion in outlays.

We found almost $2 billion in cost overruns which had not been funded and some programs which were not proving out.

In some cases, such as the FB–111, we have already taken action to stop any further procurement. In others, like the Army Tank Program and a helicopter contract, we are taking a hard look to determine what action is appropriate.

I am confident that additional savings in the FY 1970 Defense budget can and will be found as we continue our internal review.

But a much more comprehensive review than has been attempted in the past 88 days is clearly needed. During the past decade no independent, over-all review of the Defense Department has been undertaken. In that period of time, our needs and our requirements have undergone some changes, and we have gained additional experience with the organization as it now exists.

Prior to my becoming Secretary of Defense, I urged creation of a Blue Ribbon Panel to conduct a thorough, independent and objective study of the Defense community. After twelve weeks of exposure to this vast enterprise from the inside, I am even more convinced that such a Panel would serve a very useful purpose in helping not only to improve the structure and the operations of the Defense community but also to restore the Department's credibility.

Accordingly, I intend to announce within a very short period of time the formation of such a Panel to undertake a complete and objective analysis of the Defense Department, from its mission to its performance.

The task that lies ahead is enormous, not only for the Defense community and the Nixon Administration but also for the American people. Our goal is peace and our responsibility is to ensure that our efforts are all designed to advance the cause of peace.

Thank you very much.

BIAS IS CHARGED IN CIVIL SERVICE

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. CLAY. Mr. Speaker, I have stressed the urgency of equal employment opportunities in this Nation—and I shall continue to do so. Several of my colleagues in the House and in the Senate have emphasized their concern that this Nation pursue equal opportunity in employment without delay—whether within or outside the Government.

Our apprehension toward the administration's view of equal employment policy is well-documented. The causes for our apprehension are also documented.

The St. Louis Sentinel carries a story which further points up the need for diligence on the part of all those who share this commitment to equal employment opportunity. I commend to the attention of my colleagues this account of discriminatory practices within the U.S. Civil Service Commission:

[From the St. Louis Sentinel, Apr. 19, 1969]

BIAS IS CHARGED IN CIVIL SERVICE

(By Ethel L. Payne)

WASHINGTON.—Clifford L. Alexander Jr., outgoing chairman of the Equal Employment Opportunity Commission, charged the U.S. Civil Service Commission with gross discriminatory practices within its own agency and called for taking away its equal employment responsibility and placing it in EEOC. At present, the Commission is empowered to deal only with discrimination in the private sector of employment.

Alexander made his remarks at the Eighth Annual Business Week Luncheon of Alpha Gamma chapter of the Iota Phi Lambda sorority last Saturday in the Hotel America honoring Mrs. Ruby C. Martin, former director of the Office of Civil Rights in the Department of Health, Education and Welfare, and Mrs. Etta Horn, chairman of the City-Wide Welfare Alliance.

Under Sec. 103 of Executive Order 1142, issued in 1965, the Civil Service Commission has the duty to supervise equal employment opportunity within the federal government. Recently, President Nixon issued a new directive to heads of all agencies re-emphasizing his desire for carrying out the policy of equal opportuntly.

Significantly, he did not make any reference to private industry or the work of EEOC. There are 2,800,000 employees under Federal Civil Service.

THE FIGURES

In the Civil Service Agency headquarters, Alexander cited these figures:

GS–18—6 (no blacks).
GS–17—8 (no blacks).
GS–16—29 (no blacks).

This means that of the 43 super grades in the agency there are no blacks or other minorities. In GS 15 of 115 employees, four are blacks. The responsibility for carrying out the provisions of the executive order for the entire Federal Government lies with one GS–15 who has a staff of one. Alexander said the Commission is giving only the barest token attention to the problem. This can be changed by executive order.

"I am in favor of administrative neatness in equal employment," said Alexander.

In contrast to the poor record of the Civil Service Commission, Alexander said his agency, EEOC, has one GS–17 black of two in this category; GS–16—7 blacks and GS–15 of 26, eight are blacks.

"Of course, we are a much smaller agency than the Civil Service Commission," said Alexander, "but this is all the more reason why the Commission which has the responsibility for supervising fair employment ought to set the best example."

POLITICAL CLEARINGHOUSE

Alexander charged that the Civil Service Commission has become a political clearing house for the Nixon Administration to reward friends, and said that either it should set absolute standards to apply fairly to blacks, Spanish sur-named people, Orientals and women or else get out of the business. He said that he had personally sent over the resumes of four blacks in career status who are qualified for promotion to GS–17 four months ago, and these have been languishing on the desk ever since.

Alexander criticized testing methods as devised by the bureaucrats in the Civil Service Commission as grossly unfair to minorities. They are geared entirely to paper qualifications with emphasis on college education.

KENT COUNTY, MD., GI KILLED IN ACTION

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. LONG of Maryland. Mr. Speaker, Sp4c. Carl J. Crew, an outstanding young man from Maryland, was killed recently in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

KENT COUNTY GI KILLED IN ACTION: CARL J. CREW HAD EARNED PURPLE HEART IN VIETNAM

A Kent county soldier who previously had been wounded was killed in Vietnam March 21, the Defense Department announced yesterday.

He was identified as Spec. 4 Carl J. Crew, 20, of Betterton, Md. He was killed in action near Chu Lai, where he was serving with the American Division as an infantryman.

Specialist Crew had been making plans for his return to Betterton next August when he was killed, his mother said yesterday.

PLANNED WEDDING

Mrs. Lawrence J. Crew said her son had promised to marry Caroline V. Graber, of Catonsville, "just as soon as he got home."

"He was very happy and looking forward to his return," she said.

Although born in Brooklyn, N.Y., Mr. Crew spent nearly all his life in Betterton where he roamed the neighboring hills and shore line hunting deer, ducks and geese.

A 1967 graduate of the nearby Galena High School, he had previously attended Chestertown High School.

WAS MEAT CUTTER

After graduation, Mr. Crew was employed as a meat cutter in an A. & P. supermarket in Charlestown and belonged to the local Meat Cutters Union there.

Drafted in December, 1967, he had been in Vietnam for the past 10 months. He had been awarded the Purple Heart after being slightly wounded in the face and legs.

Besides his mother and father, Mr. Crew is survived by two brothers, Lawrence D. Crew, Jr., and Stephen J. Crew; a sister, Mildred Crew; and his paternal grandmother, Mrs. Frances Crew, all of Betterton; and his maternal grandfather, Carl Wesch, of Smyrna, Del.

THE 1970 CENSUS

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. RUMSFELD. Mr. Speaker, many questions about the 1970 census have been raised recently by Members of Congress, the press, and the public. The legislative proposals relating to the subject which are currently being considered in the Congress have added to the distinction. On Thursday, April 17, I received from Secretary of Commerce Maurice Stans a letter outlining some immediate changes in the census procedure which he has ordered, as well as additional revisions which will be implemented after the 1970 census. The letter includes a discussion of some of the most frequently asked questions about the 1970 census and an attached statement described the purposes and uses of the 1970 census information. Because the communication from Secretary Stans is particularly helpful in clarifying the intentions of the administration with regard to the census and the needs for the basic statistical information it provides, I include it in the RECORD at this time:

THE SECRETARY OF COMMERCE,
Washington, D.C., April 17, 1969.

Hon. DONALD RUMSFELD,
House of Representatives,
Washington, D.C.

DEAR DON: I have recently received from various Members of Congress a number of questions about the 1970 Decennial Census. I am sure that you have been receiving similar inquiries from your constituents.

The main purpose of this letter is to advise you of some immediate changes in census procedure which I have ordered. These changes include a substantial reduction in the number of individuals who will be asked to respond to the longer census forms. Approximately three million households previously designated to receive a 66-question form will now receive a questionnaire containing only 23 questions.

Questions relating to the adequacy of kitchen and bathroom facilities have been reworded to remove any implication that the government is interested in knowing with whom these facilities may be shared.

The Secretary of Commerce is exercising greater supervision over the general operations of the Bureau of the Census and independent experts have been retained to advise on census matters.

The questionnaire which will be mailed to households in 1970 will be accompanied by a cover letter explaining the great need for census data and emphasizing the confidentiality of all responses.

In addition to these changes, which are being implemented immediately, these further steps will be implemented after the 1970 census: (1) proposed questions will be submitted to the appropriate Committees of Congress two years in advance of future censuses; (2) an increased number of representatives of the general public will be appointed to various advisory committees which contribute to the formulation of census questions; and (3) a blue-ribbon Commission will be appointed to fully examine a number of important questions regarding the Census Bureau, including whether or not the decennial census can be conducted on a voluntary or a partially voluntary basis. The Commission would also examine and offer proposals for modernizing and improving the operations of the Census Bureau.

Because the 10-year lapse of time between decennnial censuses can result in unfamiliarity regarding their nature and purpose, I felt it might be helpful to provide you with some basic data and information concerning the questions to be asked in 1970, the scope of the data sought, and the uses to which the results are put.

Some of the most frequently asked questions, along with my answers, follow:

1. Question. *Is the 1970 census more extensive than previous censuses?*

Answer. No. The number of questions to be asked in 1970 is about the same as in 1960, less than in 1950 and 1940, and far less than in some earlier censuses. Of the average household heads to be queried in 1970, four of five will answer 23 questions, three of twenty will answer 66 questions, and only one of twenty will answer 73 questions. Under certain unusual circumstances, some household heads will be asked to answer 89 questions.

2. Question. *Will the citizen's right of privacy be protected in the 1970 census?*

Answer. Yes. Whatever a respondent reports remains strictly confidential under the law. Every employee of the Census Bureau takes an oath of confidentiality and is subject to severe penalties for violation of the oath. In the long history of the census, there has never been a violation of the confidentiality of the information given.

3. Question. *Would the 1970 census yield adequate results if the response were voluntary rather than mandatory?*

Answer. Voluntary response at its best falls far short of response to a mandatory inquiry. Since the first Decennial Census in 1790, response has been mandatory. It is so in every other country of the world where a census is conducted. Professional statisticians will testify that a voluntary census would be unreliable and practically useless. A voluntary procedure would yield distorted and deficient statistics for whole groups of people and for entire areas. This procedure would very likely be especially prejudicial to low-income groups.

4. Question. *Who uses the census results?*

Answer. Census data are used by every Federal government department, State and local governments, and the private sector. Many laws depend upon accurate census reports. Questions such as those on housing are specifically required by statute. Government programs on poverty, housing, education, welfare, agriculture, transportation, veterans, and senior citizens require and rely upon the census tabulations. Many of the decisions of the Congress would be almost impossible in the absence of reliable census data.

These questions are illustrative of those which have been asked in recent weeks. The answers are necessarily brief. Enclosed is a memorandum which explains in more detail the purposes and uses of census information. If you have questions concerning the 1970 census, we would be pleased to discuss them with you at your convenience.

Sincerely,

MAURICE STANS,
Secretary of Commerce.

PURPOSES AND USES OF 1970 CENSUS INFORMATION

1. NAME, SEX, RACE, DATE OF BIRTH, AND MARITAL STATUS

Questions 1 through 12 are designed to identify household occupants by name, relationship to head of household, sex, race, age and marital status. These questions will be asked of 100 per cent of the population.

2. THE HOUSING QUESTIONS

The Census of Housing, required by act of Congress in 1940 (13 U.S.C. 141), contains thirty five (35) questions regarding the adequacy of housing facilities. Fifteen questions will be asked of 100 per cent of the population; five will be asked of 20 per cent; five will be asked of 15 per cent; and ten will be asked of 5 per cent. Some sample questions and comment on their uses follow:

Kitchen and bathroom

Question H-3 (100 per cent): Do you have complete kitchen facilities?

☐ Yes, for this household only.

☐ Yes, but also used by another household.

☐ No complete kitchen facilities for this household.

Question H-7 (100 per cent): Do you have bathtub or shower?

☐ Yes, for this household only.

☐ Yes, but also used by another household.

☐ No bathtub or shower.

Comment: The absence of a kitchen and/or a bathroom for the exclusive use of the household is a major indicator of urban blight and slum conditions. This information is needed by HEW, HUD and other Federal, State and local agencies.

Value of property

Question H-11 (100 per cent): If you live in a 1-family house which you own or are buying—

What is the value of this property that is, how much do you think this property (house and lot) would sell for if it were for sale?

Comment: Section 301 of the Housing Act of 1948 (12 U.S.C. 1701e(b)) directs the Secretary of HUD to prepare and submit to the President and Congress estimates of national urban and rural non-farm housing needs. The requirements of various public laws make it necessary to determine the value of property and, as an alternate, the rent paid for rented units.

Housing equipment

Question H-22 (15 per cent): Do you have air-conditioning?

Question H-27 (5 per cent):

a. Do you have a clothes washing machine?

b. Do you have a clothes dryer?

c. Do you have a dishwasher?

d. Do you have a home food freezer which is separate from your refrigerator?

Question H-29 (5 per cent): Do you have a battery-operated radio?

Comment: When the Congress provided for the Census of Housing, it included the words "housing (including utilities and equipment)." The presence of certain household equipment provides a measure of adequacy of housing and of levels of living. The items included above are those which have particular effects on the needs for power, water and waste disposal, and related services. The question concerning radio is related to the need for communication in case of emergencies or power blackouts.

3. PLACE OF ORIGIN AND MIGRATION

Questions 13 through 19 are concerned with identifying the country of origin, languages spoken, and patterns of housing mobility. These questions will be asked of 15 per cent of the population. Some sample questions and explanatory comments follow:

Birthplace of parents

Question 14 (15 per cent): What country was his father born in?

Question 15 (15 percent): What country was his mother born in?

Comment: These questions, along with that regarding the birthplace of the individual, serve to identify those groups known as Puerto Ricans, Mexican-Americans, and Cubans. The census is the *only* source of information concerning the numbers, distribution, and characteristics of these groups. This information is of importance to the Immigration and Naturalization Service, the Congress, HEW, and to other Federal and State agencies.

Residence 5 years ago

Question 19 (15 per cent):

a. Did he live in this house on April 1, 1965?

b. (If no) Where did he live on April 1, 1965?

Comment: The Departments most needing this information are Agriculture, HEW, Labor, Commerce, and HUD. This information is also of importance to the Council on Urban Affairs, which has established a subcommittee to consider the problems relating to internal migration.

4. EDUCATION

Questions 20, 21 and 22 deal with the number of years of school attended. They are designed to reveal the educational level of individual citizens, and they will be asked of 20 per cent of the population.

5. MARRIAGES AND BABIES BORN

Questions 24 and 25 request information concerning marriages and the number of babies born. They will be asked of 5 and 20 per cent of the population, respectively. The purpose of these questions is to provide information needed in the preparation of estimates of the future growth of the population. All agencies of Government are concerned with such estimates, and with information on the rates of growth of the white and non-white populations. Agencies such as HEW and HUD which are concerned with family welfare and the care of dependent children need this information in implementing their programs.

6. MILITARY SERVICE

Question 26 asks whether male respondents have served in the military and, if so, during what period. This question is asked of 15 per cent of the male population. This information is needed by the Veterans Administration and other Government agencies.

7. EMPLOYMENT AND OCCUPATION

Questions 27 through 39 are concerned with employment history and status, amount of time worked, occupation, and related facts. These questions will be asked of 20 per cent of the population. Examples follow:

Did you work any time last week?

Question 29 (20 per cent):

a. Did this person work at any time last week?

b. How many hours did he work last week (at all jobs)?

Comment: The Manpower Development and Training Act of 1962 necessitates that the Department of Labor have census data on employment, unemployment, and occupation. Census data on unemployment are used to establish the eligibility of communities applying for assistance under the Public Works and Economic Development Act of 1965 and for a wide variety of other programs.

Place of work

Question 29–c (20 per cent): Where did he work last week?

Comment: The Department of Transportation and HUD are concerned with major transportation and traffic problems associated with trips from home to place of work. This question provides data necessitated under the Highway Act of 1965 and also provides estimates of daytime population needed by the Office of Civil Defense.

8. INCOME

Questions 40 and 41 request information concerning income from all sources, including employment, welfare, veterans' benefits, etc. These quesitons will be asked of 20 per cent of the population. Income data are needed by a number of Government agencies and for a variety of Federal programs. For example, income data are needed to implement the Elementary and Secondary Education Act of 1965, and also for allocation of funds under the Manpower Development and Training Act of 1962. The Appalachian Regional Development Act necessitates information on per capita income. The Department of Agriculture needs this data for its food distribution programs, including the school lunch program.

THE ALEXANDER AFFAIR

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. MOORHEAD. Mr. Speaker, civil rights leaders and leading newspaper editorials are expressing deep concern over the Republican attack upon Clifford L. Alexander, Jr., Chairman of the Equal Employment Opportunity Commission, and the abrupt announcement from the White House that he would be removed as Chairman immediately following the attack.

Roy Wilkins, executive director of the National Association for the Advancement of Colored People, had this to say:

> A case of anti-Negro racial policy with a minimum amount of fuzziness has arisen in the Nixon Administration with the resignation of Clifford L. Alexander, Jr., as chairman of the Equal Employment Opportunity Commission.
>
> No matter how much gloss is applied, Negro citizens and their allies will remember that Republican Senate Leader Everett M. Dirksen of Illinois publicly rebuked Alexander for allegedly "harrassing" businessmen to secure conformity with the 1964 Act outlawing discrimination in employment and threatened to get him fired.
>
> The very next day the Republican White House announced that Alexander would be replaced as chairman.
>
> This adds up to a Republican attack on Alexander only incidentally, but principally upon government action to curb racial discrimination in employment.

Whitney Young, executive director of the National Urban League stated:

> I deplore the controversial events leading up to the resignation of Clifford Alexander as Chairman of the EEOC, and the implication of intimidation it carries.

In a reference to Minority Leader DIRKSEN's threat to get Mr. Alexander fired for what DIRKSEN termed "harassment" of business, Mr. Young expressed special concern about charges "that requiring employers to comply with the law constitutes harassment. I am far more concerned," he continued, "with the harassment so many black workers face, in the form of illegal discrimination in hiring, payment and promotion."

Following is a sample of the editorial comment around the country, which I respectfully call to the attention of my colleagues at this point in the RECORD:

[From the Washington Post, Apr. 6, 1969]

SENATOR DIRKSEN AND THE FACTS

(By Edward P. Morgan)

As happens too often, the thunder of self-righteous outrage on Capitol Hill has again rolled into the headlines, leaving the rain of relevant facts on a controversial situation—the disgraceful imbalance of job opportunities, in this case—to fall unnoticed behind the noise.

Ten days ago, that political thespian from Pekin, Ill., Senate Minority Leader Everett McKinley Dirksen, made the front pages and the network newscasts from coast to coast when in his best Wurlitzer bass he bellowed his defense of business against the noisiness of Federal bureaucrats prying into their hiring practices. ". . . This punitive harassment . . . is going to stop . . .," Dirksen intoned, "or I'm going to the highest authority in this Government to get somebody fired."

The very next day, the White House obliged Dirksen by announcing that the target of his wrath, Clifford L. Alexander Jr., would be replaced as chairman of the Equal Employment Opportunities Commission (EEOC). Speculation persists that President Nixon had been planning to name William H. Brown III, a Philadelphia lawyer, to succeed Alexander anyway. Brown is a Republican. Alexander is a Democrat, a holdover from the Johnson Administration who, in any case, plans to remain on the Commission until this term expires in 1972. Both are Negroes. But the timing of the White House announcement, inevitably giving stature to Dirksen's dubious influence, only feeds growing doubts and fears about the Nixon Administration's "commitment" to seek equal justice and opportunity for black Americans and other ethnic minorities.

Sen. Dirksen's charge of harassment would be hilarious if it did not hide downright hypocrisy followed not only by business (and labor unions) but by government itself in employment policies. Picture the spectacle of Chairman Alexander, a mild-mannered, soft-spoken, young, handsome attorney out of Harlem by way of Harvard, ruthlessly badgering the moguls of banks, insurance companies, broadcasting networks and the movie and aerospace industries in public hearings in Los Angeles in mid-March on ethnic hiring practices. Thanks to the emasculatory decisions of Congress, the EEOC has no "teeth," not even the authority to issue cease-and-desist orders against companies violating the equal opportunity provisions of civil rights laws.

The EEOC can only recommend. So outrageous did the hearings reveal the movie industry's barriers against blacks to be (abetted by the rigidly segregationist policies of craft unions involved), that the Commission urged the Justice Department, not once but three times, to file a charge of "pattern or practice of discrimination" against the entire motion picture industry, companies and unions alike. At last reports Attorney General Mitchell's shop had not even acknowledged the Commission's requests and Mitchell himself had not found the time to sit down and discuss common responsibilities and problems of the Department and the Commission in civil rights, as Alexander had suggested in a letter to him nearly three months ago.

Ironically, Dirksen's volcanic temper at Sen. Edward Kennedy's hearings on Federal racial policies obscured such disturbing facts as these in Alexander's testimony:

On the average, a black college graduate earns $1040 less than a white who never attended college.

In California alone, college enrollment includes 38,000 Mexican-Americans and 30,000 Negroes who will soon be in the "educated" job market.

Yet in the movie industry, "Mexican-Americans and blacks were almost completely excluded from craft jobs by a collusive system involving the producers and many craft unions."

In aerospace, minorities were almost invariably lumped at the bottom of the job ladder though many had education or training superior to whites in higher positions.

In three big Southern textile firms recently awarded contracts by the Pentagon, one of every 16 whites is an official or manager compared to one out of 1000 blacks.

One plant refused to hire a black woman because she had children out of wedlock though the company admitted hiring white unwed mothers.

"Discrimination," Alexander testified, "costs billions of dollars annually in unrealized productivity." He called the facts and figures "appalling." They are hardly more appalling than the sanctimonious fury by which Senator Dirksen is allowed to cloud the realities in this disgraceful picture. The picture won't be improved unless and until the Nixon Administration puts action where its promises are.

[From the Washington Post, Apr. 4, 1969]

HANDLING OF ALEXANDER AFFAIR NO WAY TO WIN BLACK GOODWILL

(By William Raspberry)

President Nixon, painfully aware of how little they trust him, has been working since he assumed office to build a fund of goodwill among Negro Americans.

That fund may be approaching bankruptcy now, thanks to the Administration's incredible bungling of the Clifford Alexander affair.

Alexander is the bright, aggressive young New Yorker named by President Johnson to head the Federal Equal Employment Opportunity Commission. He took seriously his task of seeing to it that private employers doing business with the Government provided equal opportunity to Negroes and other minorities.

So strong was Alexander's insistence on more than empty statements of good intentions that Sen. Everett M. Dirksen (R-Ill.) saw it as "harassment."

The Senate minority leader became so incensed, in fact, that he dropped completely the carefully cultivated mask of the benign old codger and turned tiger.

Either the "harassment" would come to a screeching halt, said Dirksen, or "I'm going to the highest authority in this Government to get somebody fired."

The echoes of the Dirksen blast hadn't died when the White House—"the highest authority in this Government"—let it be known that Alexander would be replaced as EEOC chairman.

There were explanations, of course. It is customary, said the White House spokesman, for new Presidents to name their own chairmen of administrative agencies. Alexander, who pointedly defied tradition by declining to submit his resignation when the new Administration took over, would have been replaced in any case, the explanation went.

Certainly, we were not to believe that there was any "direct connection" between Dirksen promise and White House delivery. Besides, Alexander would be staying on as a member of the Commission; he would simply no longer be its chairman.

The explanation may have been totally true. But timing rendered it irrelevant. President Nixon had had more than two months to name his own chairman if he had wanted to. To reveal his intention to do so a day after Dirksen's threat suggests that more than tradition was involved.

Alexander had been too diligent as director of the Government's campaign against racial bias, and he had drawn blood. Big businessmen who were happy enough to issue the appropriate policy statements apparently wanted no part of real fair employment. They turned to Dirksen for help, and they got it.

There may be some consolation in the official hint that Alexander will be replaced by another Negro, but not much.

Considering the circumstances of Alexander's demotion, any new chairman would have to assume that he would take over with the understanding that he would not annoy Dirksen's friend. In other words, make the Administration look good to black folks, but don't rock any boats.

It is possible, of course, to assume that since Mr. Nixon would have replaced Alexander in any case, the Dirksen blast was nothing more than an unfortunate coincidence.

This would have been easier to believe except for the letter from Mr. Nixon read at the time of the Alexander announcement:

"I want to emphasize my own official and personal endorsement of a strong policy of equal employment opportunity *within the Federal Government*. I am determined that the executive branch of the Government lead the way as an equal opportunity employer."

Beautiful. But Alexander didn't incur Dirksen's wrath through his efforts at fair employment "within the Federal Government." Dirksen was angry over Alexander's treatment of private employers. And these weren't mentioned in the letter.

The omission, added to the recent actions of the Pentagon and the Department of Transportation to soften the impact on Federal contractors of fair-hiring standards, suggests that the Administration's commitment to equal opportunity in private industry may be less than total.

There may be comfort for Alexander in the knowledge that he lost his job by dint of doing it too well.

[From the Washington Evening Star, Apr. 9, 1969]

RIGHTS RX: A LITTLE LESS OF DIRKSEN

(By Carl T. Rowan)

It was a young Negro official whom Sen. Everett Dirksen, R. Ill., recently threatened to have fired if the official did not stop "harassing" employers believed guilty of job discrimination.

But it is Dirksen's fellow Republicans in the Justice Department who seem to be quaking under their beds.

Clifford L. Alexander Jr., chairman of the Equal Employment Opportunity Commission (EEOC), was the direct target of Dirksen's threat to "go to the highest authority in this government and get somebody fired."

But Alexander goes dutifully about his job of building his own fire under those firms and unions whose age-old policies of job discrimination are largely responsible for the racial conflict and sickness that bedevil this society.

Even though the White House rather foolishly followed up Dirksen's absurd threat by announcing that President Nixon probably will name someone else to replace Alexander as chairman, the young lawyer is pressing ahead more vigorously than ever.

But not so Jerris Leonard, head of the Justice Department's Civil Rights Division and the new chief enforcer of the nation's civil rights laws.

Alexander's commission has been trying for two weeks to get the Justice Department to consider court action against the motion picture industry. Leonard's office hasn't even bothered to return the telephone calls, let alone weigh the evidence of blatant discrimination that EEOC compiled during recent hearings on the West Coast.

In hearings on March 13, EEOC came up with findings like this:

Walt Disney productions has 238 officials and managers, but not a black American among them. Among this company's 900-odd white-collar employes, there are nine Negroes.

Warner Brothers-Seven Arts has 184 technicians, one of whom is black, and 250 office and clerical workers, only seven of whom are Negroes.

Universal City Studios has three blacks among its 361 officials and managers.

Twentieth Century-Fox reports that of 174 technicians, it has no blacks; of 433 office and clerical employes, only seven Negroes; and of 695 professional employes, nine blacks.

The International Association of Theatrical and Stage Employees reported some 4,000 union members, eight of whom are black. It has 50 illustrators and artists, not one of whom is a Negro.

The commissioners found a comparable situation with regard to Americans with Spanish surnames.

Considering this and much more information, Alexander and the other commissioners concluded immediately that there was "clear evidence of a pattern or practice of discrimination" and they voted to begin talks with Justice Department officials about taking legal action to halt the discrimination.

EEOC wants Justice to move in federal court against the Association of Motion Picture and TV Producers, against certain motion picture production companies, and several of the craft unions, including the Motion Picture Machine Operators of the U.S. and Canada.

Legal action is possible in part because Dirksen, the man who thinks Alexander and the other commissioners are working too zealously, helped to enact the Civil Rights Act of 1964. Title VII of that law empowers the attorney general to file suit in a federal district court, and seek an injunction, restraining order, or whatever is proper relief whenever he has "reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment" of the rights to employment secured by the civil rights law.

This provision of the law was used in 43 instances under the Johnson administration. It has yet to be used by the Nixon administration.

To not have passed the Civil Rights Act of 1964 would have been a small tragedy, for lack of economic security among America's minority groups lies at the heart of the woes of most every major city in the nation.

But to pass the law and refuse to enforce it, because Dirksen or someone else is loathe to "harass" men who coughed up big for the GOP's campaign coffers, is to invite calamity. For the violence that has plagued us these last few years is a direct result of the despair and hopelessness of people who are losing faith in the law.

What this country needs is a little less of Dirksen and a lot more of the Cliff Alexanders who have the guts to tell the unpalatable truth about what is wrong and what must be done to right things.

[From the Louisville (Ky.) Times, Apr. 2, 1969]

A CLOWN WHOSE MAKEUP SLIPPED

Everett McKinley Dirksen frequently is a funny fellow—we assume intentionally, although we are not sure. His flamboyant buffoonery, whether or not it is meant to be that, has provoked many smiles over the years. But behind the clown makeup is a powerful politician who isn't at all funny.

The Republican senator from Illinois showed himself at his unfunniest the other day during a Senate committee hearing on fair employment practices.

Racial discrimination in employment is barred by federal law. The Equal Employment Opportunity Commission has been set up to help enforce it. During the committee meeting, Dirksen, charging the commission had harassed businessmen, threatened to "get somebody fired." The implication was that the man to be fired was EEOC's chairman, Clifford L. Alexander Jr., who at the moment was testifying before the committee.

Is EEOC harassing business? Or is it only trying to do the job assigned to it by Congress? If there is evidence of genuine harassment, let Dirksen bring it forth. If Alexander or anyone else has acted improperly, according to the judgment of unbiased judges, then disciplinary action can be taken. But Dirksen has offered no evidence. He has only issued a threat to use his personal influence to fire a man who has not been found guilty of anything. And he has had the arrogance to make his threat publicly.

This kind of intimidation seems to us intolerable. But President Nixon tolerates it. In fact, by his actions the president appears to encourage it—or bow to it. The White House has announced that Alexander will be replaced as head of EEOC although he may remain on the commission.

It is true, as the White House spokesman said, that it is customary for new presidents to name new heads of administrative agencies. It may be true, as the same spokesman said, that there was "no direct connection" between Dirksen's threat and Nixon's decision to replace Alexander. But the timing is provocative and tends to reinforce the opinions of those who feel Dirksen successfully has intimidated someone—and that maybe the someone was Nixon.

[From the Louisville (Ky.) Courier-Journal, Mar. 31, 1969]

SENATOR DIRKSEN'S ODD DEFINITION OF HARASSMENT

They make a fine team, Senators Dirksen and Thurmond. They teamed up at a hearing in Washington the other day to browbeat the man charged with enforcing the law against racial discrimination in employment. Senator Dirksen went so far as to threaten to get the official fired if he didn't let up on the discriminators.

Clifford L. Alexander, Jr., a Negro and chairman of the Equal Employment Opportunities Commission, was the object of Mr. Dirksen's wrath. Senator Dirksen's threat against Mr. Alexander drew a rebuke from Senator Edward Kennedy, who told Alexander: "Those who threaten you . . . will find they'll have just as much trouble getting rid of you as they would anybody else who's doing his job."

TEXTILE CONTRACTS AT ISSUE

Mr. Kennedy discounted the close ties between the President and his Republican colleagues. One day after the bullying session, Mr. Nixon's press secretary announced the President's plan to replace Mr. Alexander as chairman of the EEOC. The two events, said the secretary, had no "direct connection."

Mr. Nixon is entitled, of course, to put persons of his own choice at the head of government agencies. His timing of this announcement, however, showed an implied approval of the Senators' hectoring and somewhat weakened his accompanying protestation of devotion to the equal employment opportunity concept.

The subcommittee, headed by Senator Kennedy, is investigating charges that the Nixon administration has eased anti-bias enforcement in employment. Specifically under fire was the Pentagon's decision last month to award $9.2 million in contracts to three textile firms accused of racial discrimination in employment policies by officials of the previous administration. These three firms—Dan River Mills, Burlington Industries, and J. P. Stevens—along with the textile industry in general have a long history of racial discrimination, and virulent anti-union policies.

PAST RECORD ISN'T GOOD

In January, 1968, federal representatives visited five facilities of Dan River Mills. They found low employment of black female production workers even in counties with a one-third black population; virtual exclusion of Negro women from clerical jobs; assignment of black males to low paying, low status jobs and segregation of facilities. In 1968 Dan River was given more than six extensions of time to develop a plan for changing these conditions. It temporized.

In the last 20 years, the three textile firms have been found guilty of violating federal labor laws. Since 1966, the National Labor Relations Board has found J. P. Stevens guilty of illegal labor acts six times, and four of these findings have been upheld by federal courts.

The textile industry is a major employer in the South. In view of the record, the charge of Sentaors Dirksen and Thurmond that the federal government is "harassing" such firms is strange indeed.

[From the Dayton (Ohio) News, Mar. 29, 1969]

LAWMAKER ERUPTS IN WRONG FIELD

Is the presidency of the New Nixon reviving the Old Dirksen?

The senator has been relatively quiet lately, like a dormant volcano, but when aging Everett Dirksen rumbles the tremors still are felt nation-wide. What a disservice, then, that he chose to make noises against enforcement of the equal employment provisions of the Civil Rights act.

Dirksen has run in all directions on civil rights legislation—usually away from it—but he claims with some justification to be the savior of the act whose enforcement he decried during a Senate hearing.

The senator didn't substantiate his charge that federal compliance officers are harassing business that fail to meet fair hiring standards—except to say that some important business men have griped to him. He nonetheless said bureaucratic heads will roll unless businesses are treated more tenderly.

It is possible that the equal employment office has been inspired to an excess of zeal, although the feds usually have been patient to a fault on such matters. This nation has been brutally "cautious" for the 100 years since Reconstruction.

Of course enforcement should be fair, but it will be the nation's loss if the Equal Employment Opportunity commission allows itself to be unjustly bamboozled into timidity.

[From the Wilmington (Del.) Journal, Mar. 28, 1969]

MR. DIRKSEN'S THREATS

Sen. Everett M. Dirksen virtually took over hearings yesterday by a Senate subcommittee looking into the Nixon Administration's enforcement of civil rights laws, and by the time he had stopped talking the Illinois Republican had stated pointedly that heads would roll in the federal government unless officials stopped "harassing" businessmen.

Mr. Dirksen's particular target was Clifford L. Alexander Jr. who is chairman of the Equal Employment Opportunity Commission.

"Businessmen are streaming into Washington every day to complain they've been harassed by your operation," said the senator. "Either this punitive harassment is going to stop or somebody is going to lose his job or I'm going to the highest authority in this government to get somebody fired."

Mr. Alexander replied calmly that minority groups were more harassed than businessmen and "it's important that the law be enforced."

Since the commission Mr. Alexander heads has little or no enforcement power (and unlike various Cabinet agencies, it has no contracts to withhold), it would seem that persuasion is its single best weapon. And if trying to persuade businessmen to obey civil rights laws is harassment, then businessmen can expect to be (and should be) harassed.

[From the New York Amsterdam News, Apr. 12, 1969]

ALEXANDER'S TROUBLES

The Nixon Administration has uncommendably acquiesced in Senator Everett Dirksen's blatant hatchet job on Clifford L. Alexander, Jr.

Fortunately Alex is only down a notch and not out. We are confident he has the courage, intelligence and resourcefulness to remain an effective instrument for justice—even against obviously increased odds in his "demotion."

We take this opportunity, however to say to Dirksen just some of the things that young Alexander's personal restraint and the dignity of his office would not permit him to say when Dirksen first lifted his axe in a badgering session recently.

We know that the brilliant young Alexander, who performed excellently in fighting job bias as chairman of the Equal Employment Opportunities Commission, irritated many people in high places with reports on racism in industry.

He ruffled their feathers even further when he did not bow down to the tradition of resigning when a new President of another party came into office. He took the position—one in which he is legally sound—that Mr. Nixon could move to fire him if he wished, but that he himself would not quit.

The other day—as Alexander testified before a Congressional Committee—Senator Everett Dirksen, lashed out angrily, saying he was tired of big business being persecuted and that if this continued, he might have to "get" someone's job. Of course, the threat was directed at Mr. Alexander. Both Senator Edward Kennedy, who was conducting the hearing, and Mr. Alexander replied with restraint and dignity.

We have this to say: Senator Dirksen is a bully and an unintelligent one at that. Let him attend to his own lucrative affairs. The law firm with which he is connected makes so many millions because he is allowed to sit in the Senate and still practice the most obvious influence-peddling.

Fortunately, the intemperate Dirksen outburst was seen on television. Black people in Chicago, who have tremendous vote power, ought to remember his bullying attack on Mr. Alexander.

Clifford Alexander is fired now and we know the name of President Nixon's hatchet man.

The irksome Mr. Dirksen is a very powerful man. But an alert and angry black populace can help tumble even this powerful man from his throne.

Remember also that this Dirksen is the man who makes corny records about our fighting men, but who, when open housing legislation is at stake votes with those who believe the Land of The Free should not have decent homes for the brave—the black brave."

[From the Baltimore (Md.) Sun, Apr. 11, 1969]

JOB DISCRIMINATION

With an unintentional assist from Senator Dirksen, Clifford L. Alexander, Jr., has been able to draw attention to federal laws against racial discrimination in employment and to challenge the Nixon Administration to pursue their enforcement. Mr. Alexander is the chairman of the Equal Employment Opportunities Commission, a post to which he was appointed during the Johnson Administration. He is a Democrat and in the normal course of politics would have been replaced as chairman by an appointee, in all likelihood a Republican, chosen by President Nixon.

But when Mr. Alexander went up to the Capitol ten days or so ago to appear before a Senate subcommittee which was looking into the award of Defense Department contracts to three southern textile mills, Senator Dirksen charged the commission with harassing business firms and threatened to have someone fired. The White House promptly disclosed that a new chairman would be appointed, although it was said later that there was no connection between this move and Mr. Dirksen's threat.

Mr. Alexander now has resigned as chairman—although he says he will remain a member of the commission—and declared that "vigorous efforts to enforce the laws on employment discrimination are not among the goals of this administration." To this the White House press secretary took exception, saying that "the President and the Administration have made it very clear we intend to enforce the laws in this area."

What the Administration does in this area, of course, will speak louder than its words. Thus far there has been some ambiguity about its actions. The Deputy Secretary of Defense, Mr. Packard, was willing to award the three textile contracts in question on the strength of an oral understanding as to discrimination rather than the written agreement customarily sought. Yet this week the Justice Department filed suit against another southern textile company, charging discrimination in employment and company housing.

This is a sensitive issue for the Nixon Administration. The President received little support from Negroes in last year's election. He needs much more support from Negroes, for the successful functioning of government programs as well as for his own future as the Republican leader. He has been seeking such support, as he should. But the Alexander episode is a setback. Mr. Alexander is a Negro and, as it happened, Mr. Dirksen's Democratic opposite number during the subcommittee hearing was Senator Edward Kennedy, who may well be Mr. Nixon's opponent in 1972. This is clearly a challenge to Mr. Nixon in more ways than one.

ADMIRAL HARLLEE'S PRESENTATION OF U.S. MARITIME POLICIES

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. GARMATZ. Mr. Speaker, earlier this month the Sixth Annual European Conference of the National Defense Transportation Association was held at Brussels, and provided an opportunity for the exchange of ideas on the many problems confronting the members of the Association.

Rear Adm. John Harllee, U.S. Navy, retired, Chairman of the Federal Maritime Commission, very ably presented to the meeting the U.S. maritime policies and their relationships to free world commercial and security interests.

These very informative and interesting facts are of great concern to all of us and, therefore, I am pleased to place them in the RECORD so all may have the opportunity to give them the careful consideration they deserve:

REMARKS OF REAR ADM. JOHN HARLLEE (RETIRED)

I am happy to join this distinguished group and to once again express the interest of the Federal Maritime Commission in the National Defense Transportation Association.

The N.D.T.A. offers a unique opportunity for both government and transportation industry leaders. The patterns of transportation have been undergoing rapid, and revolutionary changes in recent times, and the forum provided by the N.D.T.A. for the frank interchange of ideas leading to resolutions of common problems has been invaluable. Your organization has provided the necessary liaison between the various modes of the transportation industry and the government, both civilian and military.

The N.D.T.A., while in strong support of privately owned common carriers, has at the same time realized the necessity for regulation of various aspects of transportation industries. We at the Federal Maritime Commission have much in common with your objectives. We too have made every effort to resolve disputes and direct transportation policy in a manner which would best benefit not only our regulated carriers but also the commerce and economy of the U.S. The communication of differing view points and the resolution of problems presented to the various segments of the shipper and carrier industries is essential.

I am particularly happy to be here in Brussels, Belgium. No more convenient nor fitting example of the value of progressive port installations can be pointed to than that at nearby Antwerp. Antwerp is the number one European port in terms of tonnage of general cargo. From 1966 to 1967 import container trade with the U.S. through Antwerp more than doubled and exports more than quadrupled.

But even with the increase in container cargo space made available by additional vessels serving the North Atlantic the demand has not been fully satisfied.

In 1967 Antwerp handled over 20 million tons of general cargo and yet predictions are being made that the future will witness continued increase in trade with the U.S. along with an increase in other traffic through the Port of Antwerp.

While the investment has been costly Antwerp has chosen to move forward with an eye on the future.

Antwerp is by no means alone in its participation in the increase of container traffic throughout Europe. For example, Rotterdam, which had handled 1,600 containers per week in 1967, was handling 2,500 per week by July of 1968, and the Port of London increased its annual carriage of containers by over 32,000 from 1966 to 1967.

You gentlemen and the ports you represent are to be congratulated on your progress. You are naturally interested in developments in United States maritime policy.

Before discussing this matter I should point out the distinction between the Federal Maritime Commission of which I am Chairman and the Maritime Administration within the United States Department of Commerce. The Maritime Administration is concerned with direct promotional activity in relation to the American Merchant Marine, including the operating differential subsidy and construction subsidy programs. The Federal Maritime Commission on the other hand is concerned with economic regulation of all common carriers' rates, practices and activities in our oceanborne commerce. All Federal Government officials concerned with the United States maritime affairs mutually have a great interest in a maritime policy.

Our policy has always been one calling for a strong merchant marine, both for defense and commercial purposes. Following the Merchant Marine Act in 1936 it was generally believed that American flag ships should carry at least fifty percent of our commerce. As you know it carries only a small fraction of that now.

In a policy speech presented in Seattle, Washington during the campaign last fall President Nixon said: "We must set as our goal a sharp increase of the transport of U.S. trade aboard American flag ships. The present rate is 5.6 percent; by the mid-seventies, we must see that rate over 30 percent and the growth accelerating.

I support a building program to accomplish that objective."

President Nixon has appointed as Maritime Administrator a man who has not only had years of experience as a merchant marine shipmaster but more years as an operating vice president of a major steamship line with special expertise in modernized terminal operations and as a member of a management consultant firm which handled much maritime work. The new Maritime Administrator, Mr. Andrew E. Gibson, is especially well qualified for this task.

I recently heard Congressman Mendel Rivers, the powerful Chairman of the Armed Services Committee of the House of Representatives, pledge support for money for a revitalized American merchant marine and a 3.8 billion dollar naval shipbuilding program for fiscal 1970.

All of these factors portend a United States maritime policy supporting a strong American flag merchant marine and a real intention to implement such a policy.

Our maritime policy is also affected by our balance of payments position.

A stronger U.S. merchant marine and carriage of a large share of our cargo by American flag ships has a favorable impact upon our balance of payments position.

At this point I would like to say that although our own merchant marine should carry a much larger share of our trade, we nevertheless welcome foreign merchant marines to our shores. They serve a vital need. Neither the shipping statutes which the Federal Maritime Commission implements nor the FMC itself in implementing them discriminates against foreign ships. Our laws stand for fair competition for all and we believe in that policy. Despite all you may have heard to the contrary, our United States trades are so lucrative that NATO member nations continue to build hundreds of millions of dollars worth of ships for use in those trades.

Another factor in our balance of payments position is export trade expansion. Our country spends billions of dollars on foreign aid, on military exports overseas, and on foreign travel by American citizens. In order to maintain a favorable balance of payments the United States needs a favorable balance of trade. Of course, imports are also important because they, in many instances supply the raw materials for exporters and in other cases supply needed products to American consumers. The Federal Maritime Commission must ensure that our exports are not unjustly discriminated against in the matter of freight rates, schedules or other practices related to ocean transportation. A recent case in point was the longshoremen's strike on the Atlantic and Gulf Coasts. Many conferences, after the strike, imposed surcharges on exports from the United States but not on imports. The Commission is informally investigating this and has been able to get certain adjustments made.

The Federal Maritime Commission does not have statutory authority to regulate directly the level of ocean freight rates in our foreign commerce, nor does the Commission have the responsibility for the fixing of rates in the foreign trades. However, within our regulatory limitations we at the Commission have taken steps to eliminate discriminations and rate practices which would obstruct the free flow of trade. I believe that the basic philosophy of our shipping statutes as they relate to steamship conferences is that the conferences are beneficial if subjected to moderate government regulation. I believe our Commission has successfully carried out this necessary and moderate regulation.

It is quite clear from all of the foregoing that the impact of our maritime policy upon the economy of the NATO nations is favorable. Since NATO nations own the great majority of Free World shipping they benefit, as they should, from operating in our trades, including trades with third countries in the developing continents.

Now let us turn to transportation in NATO. As the transportation problems of individual trading partners become increasingly commingled the need for international discussions and cooperation is increasingly critical. Individual nation's transportation needs, like their defense requirements, are in some respects similar and in some respects quite different and often in conflict.

The North Atlantic Treaty provides a framework for wide areas of cooperation among its signatories. While the military aspect of its Articles are often stressed, the Treaty also provides for cooperation in political, economic, social, and cultural fields. To be effective, an alliance of this nature must be based to some extent on strong cultural and economic ties. Indeed it has been said that while its earlier periods were centered around the strictly military requirements of its members, NATO today is devoting over one-half of its planning time to economic and political matters. This increased non-military emphasis prevalent in the North Atlantic Treaty Organization has opened ever broader avenues of cooperation and progress.

The famous report of the "Committee of Three on Non-military Cooperation in NATO" dates back to December 1956. However, its suggestions are not without validity today. The Committee was established to advise the North Atlantic Council on ways and means to improve and extend NATO cooperation in non-military fields and to develop greater unity within the Atlantic Community. Paragraph 15 of the committee report is of particular interest. "From the very beginning of NATO, then, it was recognized that while defense cooperation was the first and most urgent requirement, this was not enough. It has also become increasingly realized, since the treaty was signed, that security is today far more than a military matter. The strengthening of political consultation and economic cooperation, the development of resources, progress in education and public understanding, all these can be as important, or even more important, for the protection of the security of a nation, or an alliance, as the building of a battleship or the equipping of an army."

There are too many, and some of them may even be within our own organizations, who believe that the role of transportation in the defense plans of our Nation, is concerned only with military movements.

This is a concept which we must dispel. The wheels, the wings, and the ships which are the handmaidens of our transportation complex are actually the sustaining factors of American, European, and Asian economies and it is their transportation contribution which makes possible our national and international economic strength and the military capability upon which the productive capacity and the peace of this world rest.

The National Defense Transortation Association, as does the Federal Maritime Commission, subscribes to the ideal that we must continue to contribute to the highest sustainable growth in our industrial world. We certainly subscribe to the proposition that transportation has contributed and will continue to contribute, to greater employment, to rising standards of living, to sound financial stability, to basic economic expansion in developing countries, and to the expansion of world trade on multi-lateral and non-discriminatory foundations.

There can be no doubt that we of the United States intend to pursue these objectives and there is no doubt in my mind, after the contracts and meetings that I have had here in Europe, that we can expect the close cooperation of our friends, and allies, for the one point of which my contacts in Europe have made me acutely aware is the fact that all of us know that the international life of trade and commerce links us together and that transportation strengthens, not only our independence, but our interdependence.

The fact that trade, travel, and investment among us have reached unprecedented levels, makes it all the more urgent that we should develop and strengthen the procedures and mechanisms we have for coordinated transportation action.

The communication of ideas is particularly critical during periods of economic and physical change in the means of transportation. We are in such a period now.

The container revolution has spread from its beginnings in the trade from the Atlantic Coast of the United States to Puerto Rico trade to the great North Atlantic U.S. to Europe trades and has penetrated into the NATO nations of Europe. It has been and will continue to be a strong factor tending to further the integration of all modes into a European transportation system.

The increased utilization of the container as a vehicle for carrying goods has caused changes not only aboard ships but at each terminus of the voyage. The fluidity of containerized cargo in our foreign trades has caused increased similarity of interest by each individual trading partner, since the exporting and importing nation must work in unison.

Most of the major carriers serving the North Atlantic/European trade have inaugurated or plan to inaugurate a sophisticated container service, utilizing high speed, and fully integrated container vessels capable of cargo delivery within from five to eight days. This relatively new intermodal container concept offers to international trades significant economic benefits which we believe will accrue to both the shippers and the ocean carriers. The shipper is already benefitting from the availability of a through intermodal, faster service from the door of his plant or warehouse to the door of his customer abroad. The cost of packaging goods for export purposes should be reduced. The protection which the container affords to the cargo should reduce considerably the possibility of loss, damage, and pilferage. The cost of cargo insurance could be lessened when the risk is reduced. The smooth transfer of a container between different transportation modes could mean savings in the total cost of distributing goods and offer significant savings to the ocean carrier. Faster vessels allow shorter turnaround and fewer ships may therefore offer more service. The expense of cargo handling into and out of the vessel could be greatly reduced.

Commerce can now flow from interior points in one nation to interior points in another with relatively little impedance if the nexus of the ocean to land modes is equipped to handle efficiently the exchange of cargo. A modern highly efficient containership cannot be utilized to full advantage and cannot be economically operated if the port at which it calls is not equipped to respond to the needs of the traffic. Efficient loading and unloading and quick turnaround are essential to optimum performance.

One reason that the North Atlantic trade is well advanced in the handling of containers is that western European and U.S. ocean port development has progressed and is continuing to progress in a manner which parallels the requirements of the modern ocean carriers.

The Federal Maritime Commission has kept pace and will continue a policy of enlightened regulation to accomplish full utilization of modern achievements in international commerce. The Commission will not permit outmoded regulatory practices to impede the growth of new transportation concepts.

For example, since March of 1966 the Commission has had a container committee, made up of top staff officials, working with the problems of containerization, point to point traffic, single factor through rates, through intermodal bills of lading, and conflicting inland and admiralty rules affecting carrier liability.

We not only drafted legislation to provide coordination with the Interstate Commerce Commission, Civil Aeronautics Board, and Department of Transportation, but we also testified before Congress in full support of the Trade Simplification Act which was proposed in May 1968 by the Department of Transportation to facilitate through movement of cargo.

While the Federal Maritime Commission does not have authority to require carriers to develop and inaugurate container service, it can create a regulatory atmosphere favorable to the development of these new transportation concepts. The Commission has approved agreements to assist carriers in developing container services. It has facilitated the approval of changes in conference tariffs to permit operation of new containerized vessels. It will continue to try to help not only containerization, but unitization, use of automatic data processing and other forward steps in any way it properly can.

However, containerization also brings with it many problems and I have been asked to comment on some of these problems relating to transportation between the United States and Europe. During my last trip to Europe I was confronted with concern over the problem of over-tonnaging in the North Atlantic due to the construction of additional highly efficient containerships. We have been aware of this possibility and will most likely consider approval of such forms of rationalization as those approved already for the Atlantic Container Line, the Matson/NYK Agreement and various pools, but the FMC may well consider that there should be in return some advantage to the shippers such as increased stability of rates or some dampening factor on the rapid increase of rates.

Containerization and intermodal transportation resulting therefrom presented a difficult problem which became the subject of a formal proceeding in the past year or so. That proceeding which is generally referred to as the "CML (Container Marine Line) case" was decided by the Commission in April 1968. This decision did not meet with complete acceptance, but in my opinion it is progressive and will ultimately be beneficial in the matter of through rates by all carriers participating in our foreign commerce.

The impact on the Trans/Atlantic Trade in the event of the cessation of hostilities in Viet Nam has also been a matter of concern on the part of certain government and industry officials in Europe. It was their belief that American merchant ships released from the Viet Nam trade would aggravate the over-tonnaging problem. I do not think that this will present a critical situation since a good portion of the American ships would be returned to the reserve fleet and it would probably take most of the remaining ships presently engaged in Viet Nam traffic six months to a year to return the men and equipment and another year or two to supply Viet Nam with building materials, grain and the many other items of aid which will be necessary if South Viet Nam is to survive.

There are, of course, many other problems, relating to management-labor issues, apprehensions concerning bypassing ports, issues as to how to replace the ships of American merchant marine and a number of relatively minor problems. Nevertheless our trade continues to grow and I am optimistic about the ultimate strength of our trade and our maritime policy. It is our desire at the Federal Maritime Commission to be of as much assistance as possible in proving this optimism well founded.

WHITE OAK SOLDIER KILLED IN VIETNAM—CAMBODIA BORDER ACTION TOLD

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. GAYDOS. Mr. Speaker, Army Sp4c. James R. Long, a brave young man from McKeesport, was recently killed serving his country in Vietnam.

I wish to honor his memory and commend his courage and valor by placing the following article in the RECORD:

AREA SOLDIER KILLED IN VIETNAM—CAMBODIA BORDER ACTION TOLD

A 20-year-old White Oak soldier has been killed in combat in Vietnam.

He was identified as Spec. 4 James R. Long, son of Mr. and Mrs. Donald Long of 2615 Mohawk Drive. Mr. Long, an employee of Westinghouse Electric Corp. in Trafford, said his son was reported missing in action April 1. The Defense Department yesterday listed him as dead.

The soldier was a member of a rifle company and was in action near the Cambodia border in Vietnam when he was reported missing.

A 1966 graduate of McKeesport Area Senior High School, he was employed at Westinghouse Electric Corp. in East Pittsburgh before entering the service last June. He was sent overseas last Nov. 2.

According to the serviceman's father, the last letter received from his son was on March 8th.

"He did not discuss what was going on or anything about being in combat in his letters, but he did write to several of our neighbors and told them it was terrible."

Spec. 4 Long was also a member of the United Church of Christ in McKeesport.

He is survived by his parents and two brothers, Kenneth D., 28 and Donald W. 25.

FEDERAL FUNDS HELP STUDENTS THROUGH TV

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. PUCINSKI. Mr. Speaker, the uses of television and communications equipment are still being widely explored. We have only just begun to appreciate TV's enormous effectiveness in reaching children in classrooms around the Nation.

My own city of Chicago has a particularly innovative system that has been funded largely with the assistance provided under title I of the Elementary and Secondary Education Act of 1966.

I would like to call the attention of my colleagues to a story about the uses of television in 40 of our Chicago area schools. More than 24,000 children participate in this educational program. The details of the overwhelming success of the program are contained in an article which appeared in the New World on April 18. It demonstrates the excellent uses to which this title I money has been put.

Mr. Speaker, the article follows:

IN CATHOLIC, PUBLIC SCHOOLS: FEDERAL FUNDS HELP STUDENTS THROUGH TV

(By David Sutor)

The fate of our tax monies is often a source of curiosity, irritation, and puzzlement for most American taxpayers. They don't always know how the money is used and are convinced that the money being spent is sometimes wasted.

Here in Chicago, there's an opportunity to see how tax money is fruitfully being used in certain public and Catholic elementary schools for closed-circuit television instruction in classrooms.

Since the early 1960s, the Chicago public school system has developed the use of classroom TV instruction, but only since 1966 has the program been federally funded through Title One of the Elementary and Secondary Education Act (ESEA) of 1965.

The Chicago system of classroom TV instruction is unique and, as such, was commended in Senate hearings during 1967 on the ESEA program, for being innovative in designing the "cluster" system of instructional TV.

Currently, there are 40 schools and some 24,000 Chicago area students, all from federally defined urban poverty areas, participating in the program to educate scholastically and economically poor students, from kindergarten through the upper grades, by using TV instruction.

Of those, 25 are public schools, 15 are Catholic; 20,000 are public school students and 4,000 are from Catholic schools.

Catholic schools are able to take part in the program because of Title One's provision that federal funds involved be used to meet the needs of the most disadvantaged children, regardless of what school they attend.

Children who qualify must measure at least one year or more below the level of the grade they are in and must also be classified as coming from economically deprived backgrounds.

Catholic schools with students who qualify under Title One, receive all necessary instructional TV materials and equipment.

However, parishioners in participating Catholic schools are expected to pick up the cost of installing the necessary wiring that allows TV signals to be received.

The reason for this is that federal regulations stipulate that funds may be used to benefit children, but may not be used to benefit a non-public school. This also explains why participating public school teachers are paid for their services and why Catholic school teachers are not.

According to Carole R. Nolan, director of the public school's division of instructional TV, "wiring is considered to be a permanent improvement in the school, and is not considered directly beneficial to the child."

Because the TV materials and equipment in Catholic schools are considered as directly responsible for child benefit, their cost is paid for by federal funds, she explained.

Through Title One funds, amounting to $635,000 a year (administered locally by the State Superintendent of Public Instruction), the public and Catholic school costs of materials and equipment are paid for, along with the wiring costs for public schools.

An Archdiocesan school board spokesman explained that each participating Catholic school decides on how many rooms will be wired for TV reception; therefore cost varies from school to school. Total estimated cost is $18,000.

Public schools, Miss Nolan explained, are equipped with a 23-inch portable TV set and rolling stand in every other classroom. In public schools, she said, wiring per room costs around $200; the set and stand $190.

Under the professional guidance of Miss Nolan, a "cluster system" has been developed whereby several schools, all within a one-mile radius of the TV sending studios, receive a full day's schedule of classroom instruction, five days a week.

Currently there are five "clusters" made up of six to eight receiving schools. Participating Catholic schools in the Dumas school cluster are St. Clara, St. Cyril, and Holy Cross.

In the Woodson cluster—St. Ambrose, Corpus Christi, and Holy Angels. In the Dvorak cluster—Blessed Sacrament, St. Finbarr, Our Lady of Lourdes, and Perpetual Help. In the Hinton cluster—St. Brendan, St. Cathage Sacred Heart, and St. Leo. In the Byrd cluster—St. Michael.

Instruction takes in all areas of the usual school curriculum (science, math, English), as well as classes that involve black studies, music, art, story telling, current events, etc.

In class, all students watch the programs and are later tested with materials geared specifically to their individual learning levels.

TV curriculum, Miss Nolan said, is developed during special eight-week summer training and planning sessions. Each cluster, she explained, has a steering committee made up of representatives from the participating public and Catholic schools.

There are about 100 teachers involved in the TV production, said Miss Nolan, including 20 lay and religious teachers from Catholic schools.

TV courses are taught on videotape by specially selected teachers and are shown throughout the school year on two separate channels used for reception in schools. Additional courses are taped during the school year.

The main conflict in the closed-circuit programming for Catholic schools, she said, is the time scheduling of certain courses, since Catholic school classes don't always coincide with the same time and length of public school classes.

To produce the programs, the public school has hired 11 TV engineers, uses five teachers as producer-directors, five teacher co-ordinators, and five teachers as graphic artists for visuals.

In addition, there are 10 teacher aides for operating cameras and five school clerks to handle necessary clerical work. All personnel are distributed evenly throughout the control centers of the five clusters.

While Miss Nolan pointed out that a comprehensive follow-up on the strength and weaknesses of the TV curriculum is now being conducted, normal evaluation is conducted through a variety of means:

The TV co-ordinator, who helps conduct in-service training of classroom teachers;

Elementary school teachers' meeting;

Written evaluations from teachers;

Results of pre- and post-TV course tests of students;

Evaluation from cluster steering committees.

"In evaluating," said Miss Nolan, "we check to see if students have improved in the subject areas studied, if there has been any perceptible improvement in the children's listening skills, their attentiveness, their attitude towards learning, and in their daily attendance records. We also talk to teachers to get their opinions on whether the correct skills or concepts were selected for the TV courses."

In discussing why television is so important for the education of disadvantaged students, Miss Nolan pointed out certain common characteristics that most share:

"They usually do not listen well, they have a disinterest in school topics, they feel school subjects are irrelevant to their lives, they have poor habits, are poor readers, are tardy and absent often.

"These children," she pointed out, "are usually more visually than audio oriented. They seem to be able to think better pictorially."

In an effort to improve their listening skills, she said, the teachers will occasionally blot out the TV picture so that only the voice is present. Then there are audio reviews used in pre-telecast preparations. Story telling sessions are also used to help students to listen and use their imaginations.

"One of the most beneflical aspects of TV for students," Miss Nolan said, "is that it eliminates the distraction of the classroom teacher. It pinpoints attention, helps to minimize unruliness and puts teaching on a personal one-to-one basis."

By using television, she said, students are exposed to a diversity of teachers, a precision of teaching concepts and are stimulated to be interested in learning.

Teachers benefit, too, she added. "The TV curriculum provides good education and professional growth for teachers. The classroom teacher finds the TV teacher an added help and it gives the classroom teacher more freedom to develop new ideas. The TV teachers find they must become research experts when assigned to tape a TV course.

"They know," she said, "they must make every second count and be well prepared in all areas of the subject. They learn to pinpoint ideas and concepts."

TV teachers, Miss Nolan said, are selected on the basis of how well they know their subject, how articulate and organized they are, and on the basis of their personality.

Miss Nolan says she sees a greatly expanding use of classroom instructional TV. As a member of the TV subcommittee of the Great Cities Research Council (16 cities), she said the organization is engaged in planning cooperative production of TV programs for large urban areas and eventually plans to exchange videotapes.

Miss Nolan looks hopefully to the Educational Technology Act of 1969 as an additional source of greater federal aid for further development of educational technology.

"We have," she said, "planned, developed, operated and shown good, tangible results in our closed-circuit TV program so far, and we hope to do much better in the future."

One good reason why, as Miss Nolan pointed out, is because there are still 200 other public schools and 97 other Catholic schools in the Chicago area that are eligible under the Title One clause for reception of TV course programs, but do not participate simply because the project hasn't enough money or personnel to expand.

MENTALLY UNFIT TEACHERS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. PUCINSKI. Mr. Speaker, the Chicago's American magazine of April 20 published an article dealing with a subject that is too often spoken of only in private—the pernicious damage inflicted on children by teachers who are emotionally and psychologically unfit to teach.

As the American article points out, this problem is not a dominant characteristic of our school system. But the pressures on our teachers are so great, their financial needs so widely unmet, their time so burdened with endless administrative tasks, that it is surprising a larger number are not seriously ill. We are all familiar with the statistics showing the increasing amount of talented young men and women who leave the teaching profession each year, because they are not permitted to exercise their ability to teach, unencumbered by the endless minutiae of administrative chores that could and should be handled by others.

For most of their developing years, our children spend the bulk of their waking hours in classrooms with teachers who possess varying degrees of emotional stability. The enormous influence that a teacher has on his or her pupils is well-known to any parent willing to take the time to listen to his children.

We like to think our American system of education is among the best in the world. A major component to its effectiveness, however, is the mental health and emotional stability of our teachers.

Mr. Speaker, I recommend that my colleagues read the following article in order that they may remain attuned to the necessity for providing answers to this problem, answers that will eliminate unfit teachers from America's classrooms.

Mr. Speaker, the Chicago's American article follows:

Mentally Unfit Teachers

(By Bernard Bard)

The varieties of physical violence and mental havoc inflicted on children by disturbed teachers are limitless.

A Milwaukee trade-school teacher highlighted a sex-hygiene lesson by going from desk to desk in the classroom and, after estimating the apparent age of each student, indicated whether or not he thought a particular student would be admitted to a house of prostitution.

A teacher in Oklahoma resented very bright children, and when Janie came into her 3d grade class with perfect marks from the year before, "the teacher isolated her completely from the other children, would never allow her to participate or recite, ignored her hand when she tried to volunteer," according to an educator's report. The child suffered a nervous breakdown. The school administration recommended that extra-bright children be kept out of this teacher's classes "for their own welfare."

Mr. Y., a teacher in a large Ohio city, became enraged at a boy who left his seat and peered over a windowsill to observe something in the street. Without a word, Mr. Y. walked over and slammed the open window down on the boy's neck. The boy sustained a broken collarbone. His parents were dissuaded from filing a lawsuit by a Board of Education promise to place the teacher on leave and arrange for him to go to a psychotherapist.

All studies of "maladjusted" or "unstable" teachers suffer from scientific inexactness. As one education professor said:

"Are we talking about teachers who are under therapy, under suspicion, just plain incompetent, tired, or crawling on all fours like a dog?"

The problem is not new. The N.E.A.'s American Association of School Administrators said in 1942 that "the emotionally unstable teacher exerts such a detrimental influence on children that she should not be allowed to remain in the classroom." It said the teacher who has a wild temper, is severely depressed, bitingly sarcastic, or habitually scolding is as much a menace as a teacher with a communicable disease such as tuberculosis. "Such teachers need help," said the N.E.A.

But overwhelmingly, such teachers are not getting help. "The schools do with teachers to a large extent what they do with problem children," says Charles Cogen, past president of the American Federation of Teachers. "They transfer them to another school. . . ."

A. F. T. President David Selden said the pattern of cover-up is so ingrained that a teacher who has gone for psychiatric help and been restored to mental health "would be barred from employment in most school systems" by the mere fact of having such an entry on his medical records. Selden added: "On the other hand, a 'nut' who has not faced his own problems and doesn't want anybody else to know about it could very easily pass the entrance requirements in most states."

Prof. R. Baird Shuman of Duke university tells of a teacher undergoing psychotherapy who parks her car several blocks from the therapist's office for fear of being recognized and possibly losing her job.

Dr. Elliott S. Shapiro, a field superintendent in the New York school system and a practicing clinical psychologist, says that "the basic problem is that no one in the school system will admit a deficiency." The school's basic posture, he said, is that all is well in the classroom, everything is being done right, and if the child is not learning, that's the child's fault.

The schools pay lip service to mental health; teachers take courses in it, and a "week" is named after it. But the actual mental health of teachers is generally ignored. Anyone who raises the question runs the risk of becoming a pariah to teachers and teacher organizations.

In 1961 a book called "The Mentally Disturbed Teacher" was written by a veteran New York City teacher, Dr. Joseph T. Shipley. Several state teacher associations rejected the publisher's advertisements in their professional journals, simply on basis of the title, without having seen the book. And N.E.A. national headquarters in Washington sent an investigator to Stuyvesant High school, where Shipley had been a teacher for 40 years, "to check up on me."

The book was an inquiry into the handling—or mishandling—of teacher mental-illness cases in 44 school districts. Its main conclusion: "Nowhere . . . is there a frank facing of the problem of the unfit teacher." Shipley said nothing would be improved until "the evasive pattern of teacher indignation, official hedging, and public passivity" was broken.

My study shows that some reforms are taking place—but very slowly. Much of the blame for the delay, according to Professor Shuman of Duke, rests with school administrators who hold "outmoded notions" about psychiatry and mental health. They equate any record of past psychiatric treatment with trouble—despite considerable evidence to the contrary.

Shuman believes every prospective teacher should receive a "psychiatric clearance" while in college. Any student who failed to win clearance would be required to complete a course of treatment [paid for by the school]. And any student who disagreed with the findings could appeal to a psychiatrist of his own choosing. The record of his treatment would be confidential.

Wholesale psychiatric interviews—either for student-teachers or those in the classroom—may be too avant-garde or expensive for most teachers colleges and school districts. As an alternative some teachers colleges are trying what they consider the next best thing—batteries of "personality and attitude inventory" tests.

But several experts told me the tests have not done the job. "They are just not that good," says Dr. Sheldon R. Roen of Columbia's Teachers college. Too many candidates marked neurotic by the tests turned out to be splendid teachers. Another difficulty is that it takes an expert to evaluate test results, and few teachers colleges are willing or able to invest the money in skilled specialists.

West Texas State university tried in 1963 to set up a program based on counseling with student-teachers as equal face-to-face partners. The point was to allow them to make up their own minds, with the help of the personality tests, not weed out people by fiat, according to Prof. Berl J. Grim.

The program went well for several years, but has faltered lately. Some students blame conservative faculty members who felt the procedure was too time-consuming, took time away from academics, or regarded personality tests as "an invasion of privacy."

An innovation that may have a wider effect on mental health in the classroom is the annual health checkup for teachers. Dr. William G. Hollister, a psychiatrist on the faculty of the School of Medicine at the University of North Carolina, supports the idea. Dr. Hollister, chairman of the mental health standing committee of the National Congress of Parents and Teachers, told me, "Just as any good industrial firm provides a good medical and psychological health service for its employees, so should a school system."

The idea is begining to take hold. Los Angeles gives a mental-health checkup to all new teachers, and maintains a mental-health section to which any teacher can go for help at any time.

Money is one of the teacher's continuing mental-health hazards. Economist Leon Keyserling found in a survey last year of the 10 largest United States cities that if teacher salaries had kept pace with other major occupational groups, the average pay last year for teachers would have been $13,969, or 78.1 percent higher than it is.

Dr. Albert Schliff, director of personnel for the Detroit schools, reports that "more and more budgetary problems" are among the reasons teachers come to the attention of the mental-health committee.

The money gap also means that high school graduates with the poorest grades often wind up as teachers. A 1961 Columbia Teachers college survey of 658 alumni showed that of 200 teachers who left for better-paying fields virtually all were "mentally superior" to those who remained teachers.

To Dr. Mortimer Kreuter, a former New York school principal and now assistant director of the Center for Urban Education, a Manhattan-based federal education laboratory, the schools "infantilize" teachers and depress their mental health.

"Teachers are graded and inspected very much like children," says Dr. Kreuter. "Their private formulations for teaching their classes—their plan books—are made the subjects of weekly inspections. They are also graded on loyalty, dress, deportment, punctuality and attendance, and evidences of growth . . . as are the children. What's worse, the children recognize that their teachers are being checked and graded." In addition, says Dr. Kreuter, teachers work under "sweatshop conditions." They literally have no time to go to the toilet. They punch time clocks, and must bring a doctor's note when ill.

Dr. Ruth G. Newman, co-director of the Institute of Education Services, Washington, D.C., school of psychiatry, recently completed a national tour of United States schools. She talked to teachers and watched their treatment at the hands of supervisors. She likened the atmosphere to that of concentration camps in which teachers were too often treated like children by their superiors.

If teachers are "infantilized," if their intellectual growth is atrophied, and their mental health eroded, as Dr. Newman claims, then the entire structure of American schools must be overhauled. This is being done in bits and pieces, thru team teaching, ungraded classes, independent study, computerized instruction, and other fresh approaches designed to free teachers from regimentation.

But recasting American education will take generations. What can be done today about emotionally unfit teachers?

Often, the reflex answer is: "Do away with tenure laws"—the laws in force in almost all states outside the south that protect a teacher from being dismissed after he or she passes a probationary period. But teachers have struggled too hard to win tenure laws to surrender them without a fight. And no parent group can match teachers in political muscle or treasuries. Any campaign to weaken or roll back tenure laws would probably fail and shatter parent-teacher partnerships on other educational issues for years to come. Without tenure, too, teachers could be dismissed for unorthodox political views or for not being sufficiently "loyal to the administration"—which often means they must be disloyal to the interests of the children. So, without tenure, tens of thousands of the best teachers would probably quit the professions.

"Tenure is not the problem," says Dr. Roy A. Edefelt of the N. E. A. "These mental health cases do not have to get to the firing stage. And they wouldn't if school boards would set up adequate remedial and preventive measures."

This year the 10,700,000-member PTA Congress will expand to all 50 states a pilot program begun last year in Connecticut, Kansas, and North Carolina. Local PTA's, collaborating with schools and mental-health agencies in their communities, will survey unmet mental-health needs of children.

If the PTA is successful, the result should be increased appropriations for child-guidance clinics, school psychologists, and community mental-health services. "And this is where a major lifting for the teachers is going to come from," says Dr. Hollister, the University of North Carolina psychiatrist.

Jean Piaget, the renowned Swiss child psychologist, has defined the chief goal of education as the development of adults who "are capable of doing new things, not simply repeating what other generations have done—men who are creative, inventive, and discoverers. The second goal of education is to form minds which can be critical, can verify, and not accept everything they are offered."

It will take a gifted teacher to bring off that kind of education. Presumably, it is not the teacher who last spring told a 7-year-old in a school near St. Louis: "We have little beans and we have big beans. You're one of the little beans, and we don't expect anything out of you."

TWO MORE FROM MARYLAND KILLED IN VIETNAM WAR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. LONG of Maryland. Mr. Speaker, L. Cpl. Norman C. Byrd and S. Sgt. Harold L. Greever, two fine young men from Maryland, were killed recently in Vietnam. I would like to commend their courage and honor their memory by including the following article in the RECORD:

TWO MORE KILLED IN VIETNAM WAR: BOTH HAD PREVIOUSLY BEEN WOUNDED IN COMBAT

A Baltimore Marine lance corporal and an Army staff sergeant from West Virginia whose mother lives in the city, have been killed in Vietnam, the Defense Department announced yesterday.

The dead are:

Lance Cpl. Norman C. Byrd, 21, of 2605 Aisquith street, who was killed April 14 in a truck accident.

Staff Sgt. Harold L. Greever, 29, of Hilton, W. Va., who was killed in combat on April 13.

A career soldier, Sergeant Greever spent nearly half his life in the Army, having enlisted at the age of 17. He was serving his third tour in Vietnam when he was killed.

The sergeant was twice wounded by machine gun and shrapnel, but recovered such time to volunteer for Vietnam duty, his mother, Mrs. George Greever Kimmel, of Baltimore, said yesterday.

"He felt it was his duty to the country. He saw the people over there and how terrible it was for them, and he wanted to do something to help," Mrs. Kimmel said.

Most of his career was spent with infantry units in West Germany, where he had met his wife, Mrs. Ann Greever, of Bamberg, West Germany.

At the time of his death, Sergeant Greever was stationed with the 11th Air Calvary Regiment near Saigon.

WAS BORN IN HINTON

A native of Hinton, Mr. Greever attended the local schools before beginning his Army service. In his spare moments, he enjoyed watching auto races.

Besides his wife and mother, Mr. Greever is survived by a son, John, and a daughter, Diane, both with their mother in Bamberg; and a half-brother by his mother's former marriage, Richard Pitzer, of Charleston, West Virginia.

Funeral arrangements are incomplete.

Corporal Byrd was serving with the 3d Marine Division at the time of his death. He had been released from a hospital, only two days before the fatal truck accident, according to his father, Isaac C. Byrd, of Baltimore.

HAD BEEN HOSPITALIZED

Mr. Byrd said his son had been hospitalized for shrapnel wounds of the legs.

A native of Baltimore, Mr. Byrd was graduated from City College and attended Morgan State Teachers College before he enlisted in the Marine Corps in 1967.

In high school, Mr. Byrd was a member of the varsity track and football teams.

Besides his father, he is survived by his wife, Mrs. Jaqueline Byrd; a daughter Mern; his mother, Mrs. Lelia Marie Byrd; three brothers, William, Isaac, Jr., and Edward Byrd, all of Baltimore; and four sisters, June, Mary Astor, Deborah, and Golden Byrd, all of Baltimore.

ONE MAN CAN MAKE A DIFFERENCE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. MOORHEAD. Mr. Speaker, one man can indeed make a difference—make his voice heard and his influence felt—even in these impersonal, chaotic times.

I am very proud to include at this point in the RECORD, a story by press writer, Roger Stuart, "The Life and Thoughts of James McCoy, Jr."

James McCoy, Jr., whom I am pleased to call a friend, has made a difference in our city of Pittsburgh in his thoughts and actions as a distinguished civil rights leader, district representative for the United Steelworkers, community leader, and innovator in black capitalism.

I include the story here for the attention of my colleagues:

THE LIFE AND THOUGHTS OF JAMES MCCOY, JR.

(By Roger Stuart)

James McCoy Jr. says nothing for a moment. He just stands inside the big plate glass window of an old store front, which conjures up an image of the Last Chance Saloon but actually serves as the Freedom House Enterprises office, and stares across the way.

The wind whips up Centre Avenue—harsh and cold—catching the light powdery snow and packaging it in little swirls like sand or upended tumbleweed blowing through a western ghost town.

Jim McCoy's eyes rest first on the barren foundation of the Mainway Market burned out during what he calls "the visitation of the destroying angel," that devil-possessed villain of last April's Hill District riot.

He looks out upon the rutted, cobbled streets where fire hoses writhed like hissing snakes, spitting little jets of water into smoke blossoming black and ominous from burning tar roofs above the Hill District, and looters had a field day.

When he finally speaks, Jim McCoy goes through a sentence like a prospector pans for gold, picking words as if they were the best bright nuggets, light to the touch yet heavy in worth.

"Violence that comes from the hand of a black racist is just as destructive as violence that comes from the hand of a white racist," he says. "Neither serves any good for his country . . . I do not propose to anyone that we seek a solution in violence. The greatest achievements in the history of this nation in civil rights and human dignity were achieved without violence. However . . ."

His voice stops and he goes into another of his pregnant silences. His gaze moves over to the lot equipped for youngsters to play on since those disorderly days last April. Hill District people had wanted that for a long time, to be sure. But not as the first visible sign offered by municipal officials that they did, indeed, have a recovery plan for Pittsburgh's oldest slum.

"However," Mr. McCoy continues, "violence may be created by people who would be attempting to resist the positive and affirmative solutions we have to offer . . . The voice of black people must be heard in the council chambers and the policymaking rooms of this city and this nation. It can no longer be heard as the voice in the wilderness, because it is that voice not heard in the wilderness that created the civil disorders that we have been experiencing.

"The black voice must be heard and become a part of the power structure. The times demand such. When that is done, then the lasting peace, which was spoken of so many centuries ago, will certainly become evident among us who are citizens of this country.

"You know Jesus said, 'Peace I leave with you. My peace I give unto you—not as the world giveth—give I unto you.' The day must come when we recognize, regardless of who it is, that a man is a man and respect him for his ability to contribute to the community in which he lives and the country of which he is a citizen."

Jim McCoy's silences say almost as much as his words, contributing to that carefully honed delivery which makes you think that surely the phrase "with all deliberate speed" must have been coined with him in mind. It's also a characteristic that creates for some an image of a man ponderous in speech and easy-going in manner, in short, a push-over.

Ask him about this impression he conveys to others, though, and what he thinks of this assessment, whether it annoys him or not, and he'll say: "Does it bother me? No, I cultivate it. I lead them into a trap sprung by themselves through improper analysis of their subject."

The answer demonstrates, as many adversaries have discovered, that beneath his deceptive manner is a determined man with forceful logic and an articulate gift for negotiation or persuasion. Every word he speaks, every act he engages in, is an intensely deliberate effort bent always on moving his people forward.

But there's a sharply honed wit lurking there somewhere, too, ready to seize up the right opportunity when it's presented, as one was recently when he was meeting with his old friend and adversary, Mayor Joseph M. Barr.

"When it comes to interrogating you, Jim McCoy can do a better job of tying you down than many lawyers," said the Mayor. "But, of course, I haven't always answered."

"That's right, Mayor," Jim agreed, "you have taken the Fifth Amendment a few times, haven't you?"

To some, like attorney John Conley, associate director of Hill House Assn. and an old ally, "Jim might seem to stray away from the point sometimes. But he always comes back to it. And, sooner or later, he'll get to the point with no nonsense. He knows what he'll give and won't give."

This ability has helped Jim McCoy build an enviable record of accomplishments, first as a local union president, later as a district representative for the United Steelworkers, and now as one of Pittsburgh's foremost civil rights leaders.

A black man, he was elected president of a 60 per cent white, 40 per cent Negro USW local in the late 1940s. He was a principal founder of the civil rights protest movement here, organizing demonstrations, staging boycotts, arguing eloquently for his people's cause in the early 1960s. And when others were still hung up on protest as the only way in which to enhance the forward motion of Pittsburgh's black community, Jim McCoy was one of the first local Negro leaders to push black capitalism.

"He is one of the most persuasive and most important of the protest and civil rights leaders we have locally," says House Majority Leader K. Leroy Irvis, Hill District Democrat. "And I think, unlike some, Jim McCoy's horizons are not particularly limited to certain areas. He is not limited in his viewpoint as to which methods and techniques will work in the civil rights struggle."

FOUGHT FOR JOBS

As a protest leader, Jim McCoy has fought for jobs for Negroes, battering down the walls of blatant discrimination and unfair quota systems. He has spoken eloquently of the need for better education and better homes for Pittsburgh's Negroes. And when other men turned to the torch, Jim McCoy preached tolerance.

"I cannot agree when a person says, 'The civil rights movement is dead'," he declares. "That is, by far, far from the truth. It's like saying Christ is dead. Christ is very much alive. He may not project Himself now, in the year 1969, as He projected Himself 2000 years ago. But He's still here. As long as there is a wrong existing, there is a need for Christianity. As long as one group of people denies other people of their just rights—there just due—because of race, there will be a need for the civil rights movement."

But honesty, as much as tolerance, is one of Jim McCoy's virtues. Indeed, says Rep. Irvis: "Jim McCoy's main characteristic is his unflinching honesty. He's that way in his public dealings with men and he's that way in private dealings with men. His public posture and his private posture are the same, which is more than one can say for a great many public figures."

However, in this time of transitory leaders in the civil rights movement or its heir, the Negro Revolution, there are blacks who will say without wanting to be quoted by name: "There's a day for every man in this movement, and Jim McCoy had his day five years ago."

Others, like attorney Conley disagree. He says: "Jim McCoy is a genuine leader as opposed to a black buffoon who just mouths off with nothing to say really, just to get his name in the paper. Jim works extremely hard and effectively and gets nothing for it. He brings the skills of an arbitrator to get things moving. And being a real leader he can work with a group and get the best out of it. He doesn't go charging off. People listen.

"And if they listen at all, they'll find that the word dignity is all-important to him—the dignity of the black man. But dignity to Jim isn't something somebody gives you. It means participation and responsibility."

Similarly, Herbert Bean, a Negro who operates three service stations employing 18 persons, says: "I've known Jim real close for six years and never have I seen him back up. He stands up to what he says."

Politically, Jim McCoy is "a Democrat by registration and an independent by thought." And there's a chance that some public office might be his in the future.

Indeed, he received quite a bit of consideration this last time around from the Democratic slatemakers in their quest for candidates to run for five City Council seats.

He was also considered a leading possibility last year to succeed former City Council President Patrick T. Fagan, when he retired. Mayor Barr says now that he considered Jim McCoy as top candidate, believing "there should be a minimum of two Negroes on Council." But the Mayor finally appointed the retiring council president's son, Thomas L. Fagan, to the job.

"If I hadn't," says the Mayor, "none of the wards south of the river would have been represented on Council." But, the Mayor adds, "I took hell that night when I addressed a town meeting in the Hill District."

Regardless of whether Jim McCoy ever becomes a political candidate, community activities have been his major concern for the greater portion of his life. And it's doubtful that he would elect to become a dropout.

"I've shown interest in helping and working with people even from my earliest days," he says, adding, "I presume that is part of my father in me."

His father was a traveling evangelist—"a man of the Gospel," says Jim—and he traveled extensively throughout the country. But when Jim was born in 1919, one of three children, the family had planted its roots in Houston, Tex. Later, though, Jim recalls fondly that he often accompanied his father on his missions and that, as a preacher, his father was "an old coal burner."

Little wonder then that Jim McCoy has a deeply religious streak or that his dad was his first public-speaking model.

From Houston, the family moved to Idabel, Okla., where the Depression caught up with them in the 1930s and Jim says he "encountered early in life tremendous hardships and difficulties." But he skips quickly over that period, saying cryptically, "We were able to stay alive."

Denver was the next stop, lasting two or three years, and the place where Jim remembers boxing in YMCA tourneys. Finally his family moved east to Cleveland, from which Jim struck out on his own in 1936 for Pittsburgh to hunt for a job—and find a wife.

"It was really quite funny how we met," says Mrs. McCoy. She was Rose Moore then and celebrating her 17th birthday by going to the movies. "Jimmy and I didn't know each other," she says. "But a friend of his and I were in school together and were supposed to go dutch to the movies, then meet each other there. Nobody had much money then. I waited for my date, but he didn't show up. So at intermission I went looking for him in the lobby. He wasn't there either, but Jimmy was. So I asked him where his friend was and he said, 'You know, it's a funny thing, but he lost his ticket.' And it was really funny, too, because I believed it."

In any event, Jim decided right then on his intentions. And, says Mrs. McCoy, "Somehow or another, it was understood after I saw Jimmy at the show, I became his girl and not his friend's. Those two have teased each other ever since, but I still don't know for real whether Jimmy's friend was upset. He never did say anything.

Jim McCoy and Rose Moore were married almost 28 years ago. But shortly after their marriage, Jim learned that either he or his trombone had to go. The way Mrs. McCoy tells it, "Jimmy played with a group of fellows and they practiced religiously. But after we were married, I don't know. Jimmy was going to night school, stopped going to practice and they sort of drifted apart. Anyway, the thing used to make so much noise." The way Jim remembers it, it was the noise. In any event, he pawned not just one but both of his trombones.

MET AT NIGHT CLASS

Jim was attending night classes at Fifth Ave. High School when they met, says Mrs. McCoy, because with all the traveling his parents had done while he was growing up, he had never finished. In later years, Jim enrolled in a correspondence law course. And, although he never finished, he says, "What I learned then has been of tremendous help to me in the years since in performing union jobs."

"Oh, those were some bad days when we were first married," says Mrs. McCoy, "because, you know—really and truly—you would never know how we had to pray it wouldn't rain. Jimmy was working down at a brickyard in Lawrenceville. They would tear down houses and all. If it rained he didn't work. Oh, those were some days."

Their first home was one room in the Hill District, where they stayed, sharing kitchen privileges, until after Patricia, the first child, was born. "After that we graduated," says Mrs. McCoy. "We moved into two rooms. There was this place in back of the library off of Wylie Ave. I don't know if it's still there. But it was a four-room house with a bath, which the landlord subdivided.

The next year, James Douglas McCoy arrived. So the McCoys looked once more for something larger, finding a six-room house on the North Side. "It was real fun having all those rooms," says Mrs. McCoy.

Meanwhile, Jim had left the brickyard job and gone to work on the railroad. But he used to pass the Continental Rolling Steel Foundries in Coraopolis every day and he began to get an idea. "He had gotten enough of outside work when he was working construction," says Mrs. McCoy. "So one day, after talking about it for quite a while, he just got off the train and went in there to get a job. And that's how he finally got into union work."

A chipper in the foundry, he was elected shop steward and later president of Local 1904. But neither union job was full-time, says Jim, because the local wasn't rich enough. In 1948, though, he was appointed to the staff of the USW as a district representative—a job he's held ever since. Today he is also the only Negro to head one of the USW's negotiating teams with the 96 basic-steel companies.

In addition, Jim McCoy is a member and supporter of the National Ad Hoc Committee of Rank-and-File Steelworkers, which is pushing for the inclusion of a black man on the USW board and more black staff representatives. "I. W. Abel is aware and is clear as to the position I hold, have held and will always hold on that particular subject," he says.

As a staff representative, Jim McCoy must minister to the needs and affairs of various locals in District 20. Among his chores are negotiating contracts, processing grievances and presenting them at arbitration hearings. He also must implement the international union's safety, civil rights and education programs and, in the course of each day, be ready to help the rank-and-file resolve personal problems over pensions, retirement and such.

But back about 22 years ago, before Jim had his present job, the family budget was tight. And once when the Steelworkers were on strike, Mrs. McCoy could see no alternative but to go to work herself. She landed a job as a cook at the Rockwell Manufacturing plant in Homewood and, somehow, has never left it.

Finally, they decided to buy the house at 7261 Lemington Ave., East End, where they now live. Jim was in the USW job by then and things were looking up. But Mrs. McCoy was still working. And, she says, "I told Jimmy, 'If I'm going to help you, we're going to have to move closer to my job because you have the car every day.' Jimmy is still working all the time and I'm working. But, really and truly, the Government seems to get most of what we earn."

In the meantime, the youngsters were growing up. Patricia, 25, is now Mrs. Patricia Goodnight and the mother of a four-year-old son, Mark. A graduate of Westinghouse High School, she attended Duquesne and Temple universities and took time out to get married before resuming her education at Howard University. While she's finishing, her parents are looking after young Mark, Jim drops him off at nursery school every day on his way to work.

AN ART TEACHER

James Douglas McCoy, 24, is also married and the father of one child. He graduated from Westinghouse, where he was an All-City end on the football team, and from Rutgers University. Today he's an art teacher in New York City.

"All the while, Jim was working so hard in labor and civil rights," says his wife, "that he really doesn't know how old he is." But he still had time, she recalls, to cultivate public speaking as a "hobby". I guess that's what you would call it," she says. "He's always trying to be a great speaker. Sometimes he'll practice by himself, then he'll ask me how it sounds. We have a tape rcorder, too, that he uses."

The two men, besides his father, who have left indelible impressions on Jim's own brand of oratory were Philip Murray and Dr. Martin Luther King Jr. He admired the rolling thunder and whispering pines quality of Dr. King's delivery. And in Phil Murray he found a need to ponder every word to make sure it was the right one. "Sometimes his silence was like a trip hammer," Jim recalls.

Over the years, Mrs. McCoy has also helped her husband with his civil rights labors. "But," she readily admits, "I guess I can't do the work like the men. I would like to get right to it like Jimmy. But I'm a little afraid. The men aren't afraid to go to jail if they have to. I really don't want to go to jail when they're having their demonstrations."

Jim McCoy has been arrested twice—once in Homewood in 1963 for playing a loudspeaker on Sunday and later during a picketing demonstration.

He first got into "the struggle for human dignity," as he is apt to call the civil rights movement, back in the late 1940s. "We in the black community and liberal people throughout Pittsburgh became concerned over the need for Fair Employment Practices statutes both in the City and State," he says. "I worked and helped as much as I could without any fuss or fanfare."

But it wasn't long before he was named chairman of the Greater Pittsburgh Improvement League's employment committee. Later he was elected to the board of the Pittsburgh branch of the NAACP. On the State level, he organized the Pennsylvania NAACP Labor and Industry Committee. "One of our most important efforts," he recalls, "was the successful fight to integrate the Hershey Chocolate Co. in Hershey."

He was aggressive, even militant, in his search to develop techniques for expanding Negro opportunity. And out of his pursuit came selective buying campaigns and negotiations that advanced job opportunities for Negroes.

Yet Jim McCoy sensed a need to expand the protest movement in order "to shock the consciences of many black people and many white people to their responsibilities toward all citizens." So, on July 12, 1963, he called together a group of his oldest allies, including Pittsburgh NAACP President Byrd R. Brown. Out of the meeting came the United Negro Protest Committee (UNPC) with James McCoy Jr. as its chairman.

In the years since, it has set a record for consistency of meeting among district civil rights groups, convening every week. And it has pushed steadily for more and better housing, more and better jobs and more and better education for Negroes.

But, once again, Jim McCoy was dissatisfied with the progress being made. He began to realize that something more than protest was required to eliminate "the pronounced inequities in the black community." As a result, Freedom House Enterprises Inc. (FHE) was chartered two years ago as a private, non-profit, tax-exempt concern. Its mission was to develop a program to expand or strengthen the economic base of the black community by creating Negro-owned businesses and industries. In addition, it was to provide commercial skills as well as job training.

Since then FHE has received funds from the Ford, Mellon, Falk, Kaufmann and Pittsburgh foundations as well as Community Action Pittsburgh Inc. The bulk of the money has gone to the Freedom House Ambulance Service, which is manned now by 19 black paramedics and serves all of the Hill District under contract to the Dept. of Public Safety. And now, both Jim McCoy and the physicians at Presbyterian-University Hospital, who took the men off the streets and trained them, dream of the day when the service may become Countywide.

A HUMBLE MAN

Despite the weight of his considerable accomplishments, however, Jim McCoy remains a basically humble man.

"I don't consider my efforts in terms of a battle won or lost today and a new battle tomorrow, but rather as a contribution toward a long-existing struggle for human dignity that may not end during my lifetime," he says.

"Considering the magnitude of this problem, considering the effort that must be expended, I feel that what I am doing can be summed up in a little rhyme I learned while I was in kindergarten. It goes like this:

"Little drops of water
Little grains of sand
Make a mighty ocean
And a pleasant land.

"What I am doing is just a little grain of sand and it takes many of those little grains of sand to make this beautiful seashore. It takes many of those little drops of water to make this beautiful ocean.

"It is highly possible that I will not see this seashore or this ocean in all of its beauty. But I and countless thousands of others will have the satisfaction of knowing that in that deep blue ocean there is a little drop of water that I am responsible for and on that seashore, where there are millions of grains of sand, there is a little grain of sand somewhere in that midst that we are responsible for putting there.

"That's the way I look at this struggle, and looking at it in that manner eliminates frustration and discouragement from my heart and conscience. If I were to look at it in any other way, I would have been retired from this struggle. I would have been a casualty in this battle a long time ago.

"You see, I feel that a person does not get into the movement; the movement is in the person. And if we look at a movement such as I mention, we have in us a mechanism that is self-generating. We'll never become disillusioned in our journey up the road toward total equality."

A BLACK MAN'S VIEWS

As an orator, James McCoy Jr. has few equals in Pittsburgh. As a philosopher in a troubled time, his words offer much for the young and old, both black and white, to ponder and to heed. The following are excerpts of his views. They were recorded by Press reporter Roger Stuart while compiling information for this week's Roto Magazine profile of Mr. McCoy.

Narrowing the breach

"I think the job will be much easier, the journey much lighter, the progress much greater if we move forward as a nation united. I'm afraid we will never be a nation united totally. But I do believe that the chasm, which is wide now, will narrow as time goes on."

Separate-but-equal remains unequal

"Despite the efforts of the black and white separatists in this nation, I feel there will be a resurgence of effort—joint effort—on the part of white people and black people together in this country.

"Although it appears that this has not been the case in recent months, I do believe—in fact, I know—the white and black communities have begun to realize there is no such thing as a separate-but-equal philosophy being applied in this nation.

"Those people who are saying today that the black man should be in a certain area of the city or a certain area of the country are only asking for a life of inferiority in America. Those white people who are supporting such a philosophy are supporting a life of inferiority for certain citizens of this country. As long as this is a democracy, such a theory will never work. Never."

The victims of violence

"Certainly if violence becomes imminent, where I am concerned or I am involved, I will raise high my hands and my arms and my voice to protect those who have or would become its victim, whether it would be a member of my own race or a member of some other race."

The need for protest

"The law that we have, the civil rights law that we have on the statute books today, is the result of the protest movement. The historic Supreme Court decision in 1954 was the product of the protest movement.

"Out of the protest movement have come hopes for thousands of black youth and black people throughout the country simply because it has shown these people that there is a better job, there is a better home, there is a better education for them and their families.

"I say that the protest movement must continue and must be intensified. We must keep pressing forward. The only reason why we should look back is because we are looking for energy and inspiration to keep moving forward."

As long as there is injustice

"The struggle for human dignity, which the civil rights movement is identified with, is something that is immortal or near immortal. As long as there are injustices, human inequities and the deprivation of one citizen's rights and privileges in favor of another citizen, there is going to be a struggle and a movement. The movement may take a different turn from time to time, as we have experienced in the past. But it will never come to a dead standstill. Nor will it turn backward. There is but one way, to go and that is forward."

Who's fit for public office and who's not

"My concept has been that if you want a candidate to perform in a manner that would be satisfactory to you, then you must not only vote for him, you must also work for him and let it be known you are contributing toward his candidacy.

"This is necessary so that he will realize that he has a responsibility to you as a citizen who voted for him. I believe that if more citizens would embellish that concept we would no longer see politicians walking around who feel they are the masters of the people instead of the servants of the people.

"It is my belief that any person who aspires to political office must first believe deep in his heart that he is a servant if elected. If he does not hold that concept, then, in my opinion, he is not fit to hold the office he is running for."

AFRICAN CULTURE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. RARICK. Mr. Speaker, many small items of information reach the West from Africa which remind us that the great bulk of Africa remains a primitive society.

Since some of the reported African incidents are an enlightening commentary on the culture of Africa, I ask that several news releases from Africa follow:

SPICE PRICE IS DEATH

ZANZIBAR, TANZANIA, April 19.—The spice island of Zanzibar introduced the death penalty today for persons convicted of stealing cloves from the State Trade Corp.

Zanzibar, part of the United Republic of Tanzania, gets its main revenue from cloves.

IF WIFE DESERVES BEATING, WALLOP HER, NIGERIAN SAYS

LAGOS, NIGERIA.—A Nigerian columnist posed a question Friday to which he said there never has been a satisfactory answer—"Should a man beat his wife?"

His conclusion, if they deserve it, wallop 'em.

To wives who talk too much and are insolent to husbands the columnist would show only a modicum of mercy.

"Such wives should be beaten up but should not be maimed," he advised. Writing in the Lagos Daily Telegraph, the columnist "Antar" reported:

"In England husbands box their wives on the head and sometimes give them an uppercut. In America husbands use rubber canes. In Java husbands use the tail of a crocodile. In Kenya husbands use hippopotamus hide.

"All these are good for naughty wives."

Of course, he added, it is sweet indeed to have an understanding wife. But get yourself a shrew and, man, it's hell on earth.

Antar is a man who speaks from experience and plainly has no domestic troubles of his own.

"All my wives obey and fear me because they know what I would do if they became rude," he wrote. "It would not be a question of boxing them. I would get my houseboys to lay them on the table while I did havoc on their backs with the tail of a horse until I felt a pain in my right hand.

"That is the way to maintain domestic protocol and discipline, because a woman is like a child. She must be beaten up to inject some sanity into her coconut head."

[From the Newark (N.J.) Sunday Star Ledger, Apr. 2, 1969]

AFRICA WALKS IDEOLOGICAL TIGHTROPE

(By George Weller)

Central and southern Africa went on the ideological block last week, with white and black auctioneers making competitive pitches for support.

The leaders of 14 newborn African states and Portugal's Prime Minister Marcello Caetano offered contrasting patterns for controlling racial strife in the Dark Continent and exploiting and sharing its riches.

The black leaders, meeting in Zambia, pledged themselves to sharpen the struggle against white-run southern Africa, but to renew efforts for peace in Nigeria. They are divided between supporters of Biafra and of the federal government, tribal independence versus central authority.

Caetano, successor in leadership to former President Antonio Salazar, was on a nine-day trip to Portuguese Africa. He began at Guinea, takeoff point for Biafra's relief, with Angola and Mozambique his next calls. Portugal's pattern of mixed racial standards was strengthened by setbacks to rebels in Mozambique.

The Lusaka meeting was shadowed by the revolt in the central African republic, originally pro-Chinese, now a pro-French state headed by President Jean Bedel Bokassa. The president sent to the firing squad his ex-paratrooper minister of health, Lt. Col. Alexander Banca, leftist leader of the abortive uprising.

Kenya, the most determinedly neutral of the African powers, heralded the Zambia conference by expelling two Soviet diplomats, the first secretary of the U.S.S.R. embassy and an assistant. "The methods adopted by hostile intelligence services to subvert and undermine governments, and to carry their ideological battles into countries which have repeatedly declared their intentions to remain non-aligned, are too well known to require repetition," said a Kenyan spokesman.

Tanzania's President Julius Nyerere and Guinea's President Sekou Toure sent greetings to China's Ninth Party Congress. China is building a railroad from Tanzania to Zambia to cut out Portuguese Mozambique and Rhodesia.

Zambia's President Kenneth Kaunda took an unexpected step against Herbert Chitepo, head of the ZANU guerrilla underground operating from Zambia, by having him arrested. Police found that he had kidnaped and chained a black partisan, whom he had alleged to be a Rhodesian spy, and tortured him. But the hearing has been postponed until the delegates of the 14 nations leave.

By elastic method Caetano is doing far better than Salazar in bolstering Portugal's possessions. In northern Angola the former leading guerrilla, Alexander Tati, a tribal chief, has come over to the Portuguese side. He has his own militia.

The Spanish government has arrested a Guinea Front leader, Pons de Cruceiro. Two months ago Frelimo's American-educated leader, Prof. Eduardo Mondlane, who ran the Moscow-oriented movement from Tanzania, was killed by a package bomb sent him from Germany in a Marxist book. He was succeeded by the pro-Chinese Presbyterian missionary Uriah Simango.

Simango arrested the 65-year-old chief of the Makonde tribe, Lazaro Kavandame, a supporter of Mondlane, threw him in jail and put his subordinates in charge of the guerrillas. The chief escaped from the jail in the guerrilla camp at Mtwara in Tanzania and walked nearly a month to the Portuguese border.

After a conference with Portuguese authorities, Kavandame broadcast demands that his tribesmen desert Simango and make peace. The guerrilla army numbers 8,000, mostly Makonde.

A crack force of Makonde guerrillas is also operating against Frelimo under leadership of the bearded big game hunter Daniel Roxo, 34, the "White Devil." He specialized in capturing guerrillas alive and persuading them to become informers. Roxo speaks three native dialects, and gets his weapons from the Portuguese regulars, who find his techniques of ambush-laying inimitable.

FINISH HOEING THE GARDEN

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. MOORHEAD. Mr. Speaker, it is said that when someone asked St. Francis, while working in his garden, what he would do were he to suddenly learn that he would die at sunset that day, he replied, "I would finish hoeing my garden."

Perhaps this is an apt answer to all of the troubled young people these days who feel that they are just beginning to live in a world where nothing appears to be certain, where they feel there is no security for them, or anyone, young or old.

We do have a choice. It is this same obligation to go about the business of living each day to the fullest, the challenge to concentrate on the things of life, not death, that Prof. George Wald had in mind in his recent remarks at MIT, "A Generation in Search of a Future."

I include at this point in the RECORD the extemporaneous remarks of Professor Wald as they appeared in the New Yorker of March 22, for the attention of my colleagues:

THE TALK OF THE TOWN: NOTES AND COMMENTS

On Tuesday, March 4th, in the Kresge Auditorium at the Massachusetts Institute of Technology, a group of scientists assembled, with students and others, to discuss the uses of scientific knowledge. There is nothing we might print in these columns that could be more urgent than the extemporaneous speech, made before that gathering by George Wald, professor of biology at Harvard and Nobel Prize winner, under the title "A Generation in Search of a Future." We therefore quote from it here at length:

"All of you know that in the last couple of years there has been student unrest, breaking at times into violence, in many parts of the world: in England, Germany, Italy, Spain, Mexico, Japan, and, needless to say, many parts of this country. There has been a great deal of discussion as to what it all means. Perfectly clearly, it means something different in Mexico from what it does in France, and something different in France from what it does in Tokyo, and something different in Tokyo from what it does in this country. Yet, unless we are to assume that students have gone crazy all over the world, or that they have just decided that it's the thing to do, it must have some common meaning.

"I don't need to go so far afield to look for that meaning. I am a teacher, and at Harvard I have a class of about three hundred and fifty students—men and women—most of them freshmen and sophomores. Over these past few years, I have felt increasingly that something is terribly wrong—and this year ever so much more than last. Something has gone sour, in teaching and in learning. It's almost as though there were a widespread feeling that education has become irrelevant.

"A lecture is much more of a dialogue than many of you probably realize. As you lecture, you keep watching the faces, and information keeps coming back to you all the time. I began to feel, particularly this year, that I was missing much of what was coming back. I tried asking the students, but they didn't or couldn't help me very much.

"But I think I know what's the matter. I think that this whole generation of students is beset with a profound uneasiness, and I don't think that they have yet quite defined its source. I think I understand the reasons for their uneasiness even better than they do. What is more, I share their uneasiness.

"What's bothering those students? Some of them tell you it's the Vietnam war. I think the Vietnam war is the most shameful episode in the whole of American history. The concept of war crimes is an American invention. We've committed many war crimes in Vietnam—but I'll tell you something interesting about that. We were committing war crimes in World War II, before the Nuremberg trials were held and the principle of war crimes was stated. The saturation bombing of German cities was a war crime. Dropping those atomic bombs on Hiroshima and Nagasaki was a war crime. If we had lost the war, it might have been *our* leaders who had to answer for such actions. I've gone through all that history lately, and I find that there's a gimmick in it. It isn't written out, but I think we established it by precedent. That gimmick is that if one can allege that one is repelling or retaliating for an aggression, after that everything goes.

"And, you see, we are living in a world in which all wars are wars of defense. All War Departments are now Defense Departments. This is all part of the doubletalk of our time. The aggressor is always on the other side. I suppose this is why our ex-Secretary of State Dean Rusk went to such pains to insist, as he still insists, that in Vietnam we are repelling an aggression. And if that's what we are doing—so runs the doctrine—everything goes. If the concept of war crimes is ever to mean anything, they will have to be defined as categories of *acts*, regardless of alleged provocation. But that isn't so now.

"I think we've lost that war, as a lot of other people think, too. The Vietnamese have a secret weapon. It's their willingness to die beyond our willingness to kill. In effect, they've been saying, You can kill us, but you'll have to kill a lot of us; you may have to kill all of us. And, thank heaven, we are not yet ready to do that.

"Yet we have come a long way toward it—far enough to sicken many Americans, far enough to sicken even our fighting men. Far enough so that our national symbols have gone sour. How many of you can sing about 'the rockets' red glare, the bombs bursting in air' without thinking, Those are *our* bombs and *our* rockets, bursting over South Vietnamese villages? When those words were written, we were a people struggling for freedom against oppression. Now we are supporting open or thinly disguised military dictatorships all over the world, helping them to control and repress peoples struggling for their freedom.

"But that Vietnam war, shameful and terrible as it is, seems to me only an immediate incident in a much larger and more stubborn situation.

"Part of my trouble with students is that almost all the students I teach were born after World War II. Just after World War II, a series of new and abnormal procedures came into American life. We regarded them at the time as temporary abberations. We thought we would get back to normal American life someday.

"But those procedures have stayed with us now for more than twenty years, and those students of mine have never known anything else. They think those things are normal. They think that we've always had a Pentagon, that we have always had a big Army, and that we have always had a draft. But those are all new things in American life, and I think that they are incompatible with what America meant before.

"How many of you realize that just before World War II the entire American Army, including the Air Corps, numbered a hundred and thirty-nine thousand men? Then World War II started, but we weren't yet in it, and, seeing that there was great trouble in the world, we doubled this Army to two hundred and sixty-eight thousand men. Then, in World War II, it got to be eight million. And then World War II came to an end and we prepared to go back to a peacetime Army, somewhat as the American Army had always been before. And, indeed, in 1950—you think about 1950, our international commitments, the Cold War, the Truman Doctrine, and all the rest of it—in 1950, we got down to six hundred thousand men.

"Now we have three and a half million men under arms: about six hundred thousand in Vietnam, about three hundred thousand more in 'support areas' elsewhere in the Pacific, about two hundred and fifty thousand in Germany. And there are a lot at home. Some months ago, we were told that three hundred thousand National Guardsmen and two hundred thousand reservists—so half a million men—had been specially trained for riot duty in the cities.

"I say the Vietnam war is just an immediate incident because as long as we keep that big an Army, it will always find things to do. If the Vietnam war stopped tomorrow, the chances are that with that big a military establishment we would be in another such adventure, abroad or at home, before you knew it.

"The thing to do about the draft is not to reform it but to get rid of it.

"A peacetime draft is the most un-American thing I know. All the time I was growing up, I was told about oppressive Central European countries and Russia, where young men were forced into the Army, and I was told what they did about it. They chopped off a finger, or shot off a couple of toes, or, better still, if they could manage it, they came to this country. And we understood that, and sympathized, and were glad to welcome them.

"Now, by present estimates, from four to six thousand Americans of draft age have left this Country for Canada, two or three thousand more have gone to Europe, and it looks as though many more were preparing to emigrate.

"A bill to stop the draft was recently introduced in the Senate (S. 503), sponsored by a group or Senators that runs the gamut from McGovern and Hatfield to Barry Goldwater. I hope it goes through. But I think that when we get rid of the draft we must also drastically cut back the size of the armed forces.

"Yet there is something ever so much bigger and more important than the draft. That bigger thing, of course, is the militarization of our country. Ex-President Eisenhower, in his farewell address, warned us of what he called the military-industrial complex. I am sad to say that we must begin to think of it now as the military-industrial-labor-union complex. What happened under the plea of the Cold War was not alone that we built up the first big peacetime Army in our history but that we institutionalized it. We built, I suppose, the biggest government building in our history to run it, and we institutionalized it.

"I don't think we can live with the present military establishment, and its eighty-billion-dollar-a-year budget, and keep America anything like the America we have known in the past. It is corrupting the life of the whole country. It is buying up everything in sight: industries, banks, investors, scientists—and lately it seems also to have bought up the labor unions.

"The Defense Department is always broke, but some of the things it does with that eighty billion dollars a year would make Buck Rogers envious. For example, the Rocky Mountain Arsenal, on the outskirts of Denver, was manufacturing a deadly nerve poison on such a scale that there was a problem of waste disposal. Nothing daunted, the people there dug a tunnel two miles deep under Denver, into which they have injected so much poisoned water that, beginning a couple of years ago, Denver has experienced a series of earth tremors of increasing severity. Now there is grave fear of a major earthquake. An interesting debate is in progress as to whether Denver will be safer if that lake of poisoned water is removed or is left in place.

"Perhaps you have read also of those six thousand sheep that suddenly died in Skull Valley, Utah, killed by another nerve poison—a strange and, I believe, still unexplained accident, since the nearest testing seems to have been thirty miles away.

"As for Vietnam, the expenditure of firepower there has been frightening. Some of you may still remember Khe Sanh, a hamlet just south of the Demilitarized Zone, where a force of United States Marines was beleaguered for a time. During that period, we dropped on the perimeter of Khe Sanh more explosives than fell on Japan throughout World War II, and more than fell on the whole of Europe during the years 1942 and 1943.

"One of the officers there was quoted as having said afterward, 'It looks like the world caught smallpox and died.'

"The only point of government is to safeguard and foster life. Our government has become preoccupied with death, with the business of killing and being killed. So-called defense now absorbs sixty per cent of the national budget, and about twelve per cent of the Gross National Product.

"A lively debate is beginning again on whether or not we should deploy antiballistic missiles, the ABM. I don't have to talk about them—everyone else here is doing that. But I should like to mention a curious circumstance. In September, 1967, or about a year and a half ago, we had a meeting of M.I.T. and Harvard people, including experts on these matters, to talk about whether anything could be done to block the Sentinel system—the deployment of ABMs. Everyone present thought them undesirable, but a few of the most knowledgeable persons took what seemed to be the practical view: 'Why fight about a dead issue? It has been decided, the funds have been appropriated. Let's go on from there.'

"Well, fortunately, it's not a dead issue.

"An ABM is a nuclear weapon. It takes a nuclear weapon to stop a nuclear weapon. And our concern must be with the whole issue of nuclear weapons.

"There is an entire semantics ready to deal with the sort of thing I am about to say. It involves such phrases as 'Those are the facts of life.' No—these are the facts of death. I don't accept them, and I advise you not to accept them. We are under repeated pressure to accept things that are presented to us as settled—decisions that have been made. Always there is the thought: Let's go on from there. But this time we don't see how to go on. We will have to stick with these issues.

"We are told that the United States and Russia, between them, by now have stockpiled nuclear weapons of approximately the explosive power of fifteen tons of TNT for every man, woman, and child on earth. And now it is suggested that we must make more.

All very regrettable, of course, but 'those are the facts of life.' We really would like to disarm, but our new Secretary of Defense has made the ingenious proposal that now is the time to greatly increase our nuclear armaments, so that we can disarm from a position of strength.

"I think all of you know there is no adequate defense against massive nuclear attack. It is both easier and cheaper to circumvent any known nuclear-defense system than to provide it. It's all pretty crazy. At the very moment we talk of deploying ABMs, we are also building the MIRV, the weapon to circumvent ABMs.

"As far as I know, the most conservative estimates of the number of Americans who would be killed in a major nuclear attack, with everything working as well as can be hoped and all foreseeable precautions taken, run to about fifty million. We have become callous to gruesome statistics, and this seems at first to be only another gruesome statistic. You think, Bang!—and next morning, if you're still there, you read in the newspapers that fifty million people were killed.

"But that isn't the way it happens. When we killed close to two hundred thousand people with those first, little, old-fashioned uranium bombs that we dropped on Hiroshima and Nagasaki, about the same number of persons were maimed, blinded, burned, poisoned, and otherwise doomed. A lot of them took a long time to die.

"That's the way it would be. Not a bang and a certain number of corpses to bury but a nation filled with millions of helpless, maimed, tortured, and doomed persons, and the survivors huddled with their families in shelters, with guns ready to fight off their neighbors trying to get some uncontaminated food and water.

"A few months ago, Senator Richard Russell, of Georgia, ended a speech in the Senate with the words 'If we have to start over again with another Adam and Eve, I want them to be Americans; and I want them on this continent and not in Europe.' That was a United States senator making a patriotic speech. Well, here is a Nobel laureate who thinks that those words are criminally insane.

"How real is the threat of full-scale nuclear war? I have my own very inexpert idea, but, realizing how little I know, and fearful that I may be a little paranoid on this subject, I take every opportunity to ask reputed experts. I asked that question of a distinguished professor of government at Harvard about a month ago. I asked him what sort of odds he would lay on the possibility of full-scale nuclear war within the foreseeable future. 'Oh,' he said comfortably, 'I think I can give you a pretty good answer to that question. I estimate the probability of full-scale nuclear war, provided that the situation remains about as it is now, at two per cent per year.' Anybody can do the simple calculation that shows that two per cent per year means that the chance of having that full-scale nuclear war by 1990 is about one in three, and by 2000 it is about fifty-fifty.

"I think I know what is bothering the students. I think that what we are up against is a generation that is by no means sure that it has a future.

"I am growing old, and my future, so to speak, is already behind me. But there are those students of mine, who are in my mind always; and there are my children, the youngest of them now seven and nine, whose future is infinitely more precious to me than my own. So it isn't just their generation; it's mine, too. We're all in it together.

"Are we to have a chance to live? We don't ask for prosperity, or security. Only for a reasonable chance to live, to work out our destiny in peace and decency. Not to go down in history as the apocalyptic generation.

"And it isn't only nuclear war. Another overwhelming threat is in the population explosion. That has not yet even begun to come under control. There is every indication that the world population will double before the year 2000, and there is a widespread expectation of famine on an unprecedented scale in many parts of the world. The experts tend to differ only in their estimates of when those famines will begin. Some think by 1980; others think they can be staved off until 1990; very few expect that they will not occur by the year 2000.

"That is the problem. Unless we can be surer than we now are that this generation has a future, nothing else matters. It's not good enough to give it tender, loving care, to supply it with breakfast foods, to buy it expensive educations. Those things don't mean anything unless this generation has a future. And we're not sure that it does.

"I don't think that there are problems of youth, or student problems. All the real problems I know about are grown-up problems.

"Perhaps you will think me altogether absurd, or 'academic,' or hopelessly innocent—that is, until you think of the alternatives—if I say, as I do to you now: We have to get rid of those nuclear weapons. There is nothing worth having that can be obtained by nuclear war—nothing material or ideological—no tradition that it can defend. It is utterly self-defeating. Those atomic bombs represent an unusable weapon. The only use for an atomic bomb is to keep somebody else from using one. It can give us no protection—only the doubtful satisfaction of retaliation. Nuclear weapons offer us nothing but a balance of terror, and a balance of terror is still terror.

"We have to get rid of those atomic weapons, here and everywhere. We cannot live with them.

"I think we've reached a point of great decision, not just for our nation, not only for all humanity, but for life upon the earth. I tell my students, with a feeling of pride that I hope they will share, that the carbon, nitrogen, and oxygen that make up ninety-nine per cent of our living substance were cooked in the deep interiors of earlier generations of dying stars. Gathered up from the ends of the universe, over billions of years, eventually they came to form, in part, the substance of our sun, its planets, and ourselves. Three billion years ago, life arose upon the earth. It is the only life in the solar system.

"About two million years ago, man appeared. He has become the dominant species on the earth. All other living things, animal and plant, live by his sufferance. He is the custodian of life on earth, and in the solar system. It's a big responsibility.

"The thought that we're in competition with Russians or with Chinese is all a mistake, and trivial. We are one species, with a world to win. There's life all over this universe, but the only life in the solar system is on earth, and in the whole universe we are the only men.

"Our business is with life, not death. Our challenge is to give what account we can of what becomes of life in the solar system, this corner of the universe that is our nome; and, most of all, what becomes of men—all men, of all nations, colors, and creeds. This has become one world, a world for all men. It is only such a world that can now offer us life, and the chance to go on."

ABM—THE LAST BULWARK AGAINST INTERNATIONAL TYRANNY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. RARICK. Mr. Speaker, many times our foreign friends offer the soundest critique of the problems the American people are experiencing and what they can expect.

One such analysis is a recent article by a former international diplomat of a country now behind the Communist curtain who, for fear of his life, lives in exile and writes under the pen name of Z. A. Rust.

Mr. Rust compares the naivete and lack of statesmanship of the American leaders today with the disbelief and lack of concern in his country until it was too late. There was no second chance for his country or people—nor will there be for us.

I present his work, "The Ghost in the White House and the Coming American Tragedy" at this point:

THE GHOST IN THE WHITE HOUSE AND THE COMING AMERICAN TRAGEDY

"Through a systematic terror, during which every breach of contract, every treason, every lie will be lawful, we will find the way to abase humanity down to the lowest level of existence. It is only that way that we will succeed in transforming it into that passive and obedient instrument that is indispensable to the establishment of our dominion."—LENIN. (Collected Works.—Russian edition, 1923.)

If the tragedy will be called suicide or murder depends on the operating groups we choose to consider: the persistent victims of the Roosevelt folly and the 73 Senators who out of party discipline ratified the disastrous Nonproliferation Treaty, or the false advisors and the communist parachutists Joe McCarthy tried to ferret out of America's State and social apparatus.

Suicide or murder, the thing that is directly at stake is the downfall of the last existing non-Communist big power, supreme purpose of the Communist conspiracy.

In order better to understand the significance, for the United States and the world, of the ratification by the United States Senate of the Nonproliferation Treaty we must go back to two past events; 1) The surrender by Franklin Roosevelt of almost half of non-Communist Europe to the Communist Empire, 2) President Kennedy's speech which was the base of the policy of demolishment of the United States First Strike Nuclear Force. Those events separated by fifteen years of co-Existence were prompted by the same chimera, that of the Communist arch-fiend transformed into a friendly collaborator of the Christian world.

The speech of the President was very much admired for the military and technical knowledge showed by a non-professional personality. The truth is that very professional military and political individuals, from the Soviet General Staff and Foreign Office, have been responsible for the substance of Kennedy's address. It represented and implemented exactly the desire expressed by Comrade Kutnetzof to Mr. Rostov, the President's emissary to Moscow. "Your policy, observed the Soviet undersecretary of state, excludes a surprise attack against the Soviet Union; all your First Strike apparatus is therefore a useless luxury. Give it up and a big step would have been made towards a political understanding between our two countries." Kennedy bought the idea, MacNamara took charge of its execution. Neither the Kennedy nor the Johnson administration seem to have realized the difference between "not having the intention to strike first" and conforming oneself to the request of an enemy who asks you to disarm yourself.

Useless to remark that Soviet Russia did not follow the policy recommended by Mr. Kutnetzof.

Defense Secretary Laird had communicated recently to the Senate Foreign Affairs Sub-

Committee—where, besides Senator Fulbright and Symington he had to face an hostile peacenickoid public—information which until then had been kept secret by the preceding Administration, disclosing for the first time publicly and officially "that there was no question that with their large tonnage of nuclear warheads the Soviets were going to a first strike capability", and that the Soviet deployment of intercontinental missiles with warheads larger than those of the U.S. "leads to the conclusion that this can be only aimed at destroying our retaliatory force."

Secretary Laird's declarations ask for some elaboration. It was the impudent violation, 97 times repeated, of the first Test Ban Agreement that permitted Soviet Russia to develop nuclear warheads ten times more powerful than those with which the United States, respectful of the first and of the second Test Ban Agreements are forced, even today, to content themselves. As the United States and the Soviet Union have for the moment about the same number of land based intercontinental missiles, this means that the Soviets dispose for a sneak nuclear attack of ten times more megatons than the United States . . . before that attack. Taking into account that the superiority in tonnage of the nuclear missiles does not indicate exactly their superiority in destructive power, but also the fact that the population and the industries of the United States are much more concentrated than in the Soviet Republic, the estimation presented by Secretary Laird, computed under the Democratic administration, shows that the Soviets could kill 35% of the United States population with 200 of their missiles; for the same effect the United States would need six times as many well placed nuclear bombs.

It is the defense of the U.S. cities that the leftists and new-leftist circles, under the leadership of some very distinguished personalities, are decided to prevent, in order not to offend Soviet Russia and Red China's susceptibility, two friendly countries who might see in those purely defensive measures the preparation of a surprise nuclear aggression. Indeed, while Soviet Russia has started a broad development of anti-missile defense for the protection of her population, the leftist and neo-leftist circles in the United States oppose even the stingy project of antimissile protection for two of the U.S. intercontinental missiles bases, presented by the Nixon Administration.

The sum-total of the present comparative nuclear situation may be thus described therefore: (1) continuous disaggregation of the U.S. First Strike Force, started under the Kennedy administration and critical vulnerability of the U.S. Second Strike bases; (2) continuous increase of Soviet Russia's First Strike Force and of its defense against retaliation operations. In such circumstances there is no wonder that the Nixon administration and its opponents in the Congress are in agreement over one important point: both declare that the only real defense against nuclear anihilation would be an understanding with the Soviet Government concerning the control of nuclear armament or of armament in general.

Both the present administration and the opposing Congressmen know, nevertheless, very well that the Soviet Union has violated all the agreements to which it has ever subscribed; both know that the Soviets will never consent to give up the crushing superiority they have in Europe in matter of traditional warfare and, between the two continents, in matter of nuclear armament. Both know that the maximum concession which could be expected from Moscow is a stabilization at the present level of military possibilities. Both know, also, that Soviet Russia has declared beforehand that she rejects categorically any control on her territory of the implementation of any disarmament agreement. The opposed party will have therefore to rely only upon her word and her good faith.

Until the recent visit of President Nixon to the Western European capitals and the ratification of the Nonproliferation Treaty, the U.S. could not have been coerced to accept such a precarious and perilous situation as the unique way of assuring a pretense of peace and of delaying the unavoidable outcome. The existence of even a fitful NATO and, more especially, the confidence which, despite of all, the NATO countries still had in the U.S.' support in case of a Soviet attack or a Soviet menace, created a fragile first line of political and military defense for the United States, and left open the possibility of reinforcing this line to the point in which it would have represented an almost insuperable obstacle for the Kremlin's world-dominating aspirations. The ratification of the Nonproliferation Treaty and President Nixon's trip, diplomatic prelude to this ratification, have quelled that possibility and has given the NATO as much as the *coup de grace*.

The scandalous "no-win" campaign of the American Press and media of communication, and the timorous and pro-Soviet manifestations in the American Senate by some of the most influential personalities of both political parties concerning the NPT and the Vietnam affair, scattered in the capitals and the public opinion of the NATO countries the last illusions about the United States taking the terrible risk of a nuclear war on behalf of the European continent.

The only way of breaking in Europe, in the Mediterranean and in the Atlantic, the balance of nuclear terror, or better said the permanent state of nuclear blackmail of which the Communist World has been the unique beneficiary, would have been the sudden transformation of the group of NATO countries in a second nuclear power, a thing which could have been done almost instantaneously, without giving the Soviets the time necessary to prevent it. This would have transformed what was only a symbol of anti-Communist collaboration in a homogeneous nuclear block, extending from the East-German frontiers to the Pacific coast, having also among its arsenal the explosive power of 150 millions of enslaved Europeans, a block obviously more dangerous for Soviet Russia than the Soviet nuclear power is for the United States. That was what the Soviets were afraid of, and that is the enormous political and military victory they have won when the United States Solons sold their country's birthright for a plate of lens.

The result of the situation which has been thus perfected by the new United States Administration, can be only a tragic acceleration of the process of continuous capitulation which monitors East-West relations since Teheran and Yalta. It is in Asia, very likely, that this acceleration will bring the United States to a new crisis of eminence and power, herald of the approaching struggle on the inner and foreign battlefield for their existence as a free nation.

To understand the origin and the nature of the mess in which the United States have entangled themselves in Vietnam we must, as for the nuclear European imbroglio, go back to two past and fairly wide apart happenings: (1) the moment in which President Truman, for no explainable reasons in terms of avowable national or international considerations, snatched China from the hands of Chiang Kai-shek and gave it to the Communist Empire, a more important milestone, perhaps, in human history than the surrendering to Stalin of half of Europe by Franklin Roosevelt; (2) the repeated and still valid declarations by President Johnson and every responsible factor in Washington, that the United States had no intention to win the war in which they were engaging more than 500,000 men and have lost already about 40,000 officers and soldiers and more than 3,000 planes and helicopters, and spent more money than for the whole war against Japan. It is of course only the firm and proclaimed decision not to win the war in the Far East that has prevented it to be won months and years ago. It is the humiliating negotiations in Paris, where slap after slap have answered the United States' overtures and forbearance that have convinced Ho Chi Minh he could demand anything, as it was not the tens of millions of Americans, who were as sensitive to national honor and patriotic summons as the soldiers who were fighting his troops, who dictated in Washington, but a clique of insiders of mixed origin and doubtful affiliation.

In fact the United States' proposal of *reciprocal* withdrawal of troops meant already victory for Hanoi, for which no neutralized zone has ever existed and whose troops will remain always in readiness for a new invasion. But what Ho Chi Minh and his bosses in Moscow and Peking are working for is more than that: they want a manifest *unilateral* withdrawal of the United States forces which will not permit Washington to save its face even in the measure allowed by the pretended reciprocity, a withdrawal which will make of all the Americans' efforts and sacrifices a huge and cruel Bay of Pigs.

What is aimed at is the outlawry of United States' influence and even presence from the whole Far-Eastern area, which will make them lose all their friends and allies, Thailand, Laos, Burma, Indonesia and even South Korea, the Philippines and Japan.

This will deprive them of the only chance to avoid being caught, in three or four years from now, in probably irresistible Sino-Soviet nuclear pliers. A situation which with the predictable political changes in a Europe abandoned to Communist menace and power, could force the United States to accept a crucial showdown at a moment chosen by the enemy, or to accept the government of administrators chosen also by him, indirectly or directly.

Only a total change in the leadership of the United States, or a radical change in the mentality of the present leadership, could prevent the fall of American power, influence and prestige in both the western and the eastern hemisphere and, consequently, the repulsive emergence of the animal farm of men and nations announcd by Lenin and his successors.

Is such a radical change likely to occur? Some ominous news came recently from Washington. The well informed and controlled Press reports that President Nixon "was anxious to get a first hand assessment of the popularity of the Saigon regime and of the concessions this regime was prepared to make towards reaching a political settlement with the Communist enemy." The New York Times and the Time Magazine, the band leaders of the dozens of newspapers and magazines which have espoused the enemy line, have stricken for months the same chord.

It seems that the same fate, or worse, is intended for President Nguyen-Van-Thieu and Vice President Kao-Ky, than that which has been meted to Chiang-Kai-Shek by the Lattimore gang of conspirators. The ghost of the White House is still there, under all its incarnations, from Colonel Mandel House to Professor Henry Kissinger. It still haunts its lofty halls and obsesses the presidential will power. And as long as this wraith of another world would not have been thoroughly exorcised from American life and policy, not only the United States but all the countries of Christian Civilization will be hanging over the brink of the Communist Gehenna.

Z. A. RUST.

HOUSE OF REPRESENTATIVES—*Wednesday, April 23, 1969*

The House met at 12 o'clock noon.

Rabbi Stanley Rabinowitz, Adas Israel Synagogue, Washington, D.C., offered the following prayer:

Our God and God of our fathers: We are grateful for those whose lives are consecrated to the service of man. May we be blessed in our deliberations so that where there is ignorance and superstition, there may be knowledge and enlightenment;

Where there is prejudice and hatred, there may be tolerance and love;

Where there is fear and suspicion, there may be confidence and trust;

Where there is tyranny and oppression, there may be freedom and justice;

Where there is illness, hunger and poverty, there may be healing, sustenance and bounty;

Where there is strife and discord, there may be harmony and tranquillity. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3832. An act to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active duty strength of the Marine Corps exceeds 200,000.

HOUSE OF REPRESENTATIVES RESTAURANT WORKERS SHOULD BE PAID SALARY REQUIRED BY LAW

(Mr. JACOBS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JACOBS. Mr. Speaker, I note with regret that the House of Representatives has found sufficient funds to pay a fee of $200,000 to the lawyer representing the House of Representatives in the so-called Adam Clayton Powell Supreme Court case. In my judgment, as a member of the committee which investigated this matter, relatively little legal work is involved in this case before the Court. And yet the House of Representatives cannot find sufficient funds to pay the salary required by law to employees of the Capitol Hill restaurants and cafeterias.

HAPPY BIRTHDAY TO ISRAEL

(Mr. ADDABBO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADDABBO. Mr. Speaker, this week the nation of Israel celebrates its 21st birthday.

I join in extending congratulations to this bastion of democracy and freedom in the Middle East and I hope that Israel will finally receive the recognition of sovereignty which it deserves.

What better birthday present could Israel receive than acceptance of her sovereignty by her Arab neighbors and by all the nations of the world?

If the Arab nations would only admit that Israel exists as an autonomous state, then there would be no roadblock to direct peace talks in the Mideast.

If the Big Four powers accept Israel's sovereignty, then there need be no fear of an "imposed peace" in the Mideast.

If the Soviet Union and the United States agree on the meaning of Israeli sovereignty, there could be a deescalation of the arms race in the Middle East.

The key to a lasting peace between Israel and her Arab neighbors is recognition of Israel's sovereignty and the principles of international law which flow from such sovereignty.

On her 21st birthday Israel has more than earned the right to be accepted as a member of the world community with full rights and status. The United States can help assure Israel that recognition by using its influence during four-power talks to spur direct peace talks and avoid an imposed settlement in the Middle East.

SOVIET BLOC FISHING VESSELS OFF OUR SHORES

(Mr. WHITEHURST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHITEHURST. Mr. Speaker, I wish to call attention to the continued presence of Soviet bloc fishing vessels off our shores. I believe that our commercial fishermen will have their livelihood diminished considerably if something is not done to restrict Soviet fishing activity.

Recently, I received a complaint from one of my constituents, Capt. Julian A. Penello, of Portsmouth, Va. Captain Penello tells me that the large Soviet fishing vessels are now present off the Virginia Capes with nets having a capacity of 50,000 to 100,000 pounds of fish. He told me that he had seen these vessels take as much as 100,000 pounds of fish within an hour's time. Frequently, they move among our own fishing vessels and within 1 or 2 hours, all of the fish were gone. There is strong evidence that the Soviets are violating their agreements with us which protect certain species of fish. Captain Penello told me that the large Russian factory ships frequently intimidate the smaller American vessels and force them out of the way.

How much longer are we going to behave in this craven fashion? We permit our aircraft to be shot down and our ships to be seized in regions where they have a right to be. Now Red ships are depriving our own fishermen of their livelihood almost in sight of our own shores.

CONGESTION AT AIRPORTS

(Mr. CAHILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAHILL. Mr. Speaker, one of the great frustrations and I think imminent dangers to the citizens of the eastern part of the United States and perhaps throughout the entire United States is the congestion at airports.

I have made a study of this, and I have become convinced that one of the problems is the inadequate legislative authority for the CAB to regulate the scheduling of airlines. As a result, we now have foolish competitive scheduling which is reducing the payload in the airplanes to about 50 percent and is bringing about dangerous congestion and frustrating delays at all major airports.

I have therefore today introduced legislation to empower Federal regulatory agencies to take effective action to remedy this problem. I would welcome the support of the membership in bringing this essential aid to the citizens who rely on air travel.

FILING FOR RADIO STATIONS

(Mr. LUJAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUJAN. Mr. Speaker, a situation in the broadcast industry has been called to my attention by radio stations in my congressional district, which seems to be extremely unfair.

I am told that under present laws of the Federal Communications Commission, it is possible for an individual or group to file for a station's license at the time of license renewal, even though the present licensee is found by the FCC to have served his area in the public interest. This means hearings can be held pitting performance against promises. If this becomes common practice, practically every radio and TV station in the country will be subjected to costly hearings once every 3 years when it comes time to renew their license.

This right of the Federal Communications Commission has never been exercised to the extent of an existing station's license being given to another who promised more, but under present law it can happen. It is my understanding some members of the present Commission favor this method of determining licensees.

I am not an expert on communications, Mr. Speaker, but I would like to introduce this bill which calls attention to the program. It is my hope that through the bill's introduction, there will be study and debate, and through this process a decision will be made that is fair to all.

CENSUS QUESTIONNAIRE CHANGED

(Mr. MIZE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MIZE. Mr. Speaker, in view of the controversy which has arisen about plans for the 1970 census of population and housing, I am grateful to receive from the Secretary of Commerce, the honorable Maurice H. Stans, a letter and an accompanying factual statement of what is actually contemplated. The Secretary's communication clearly sets forth the Nation's needs for accurate statistics as well as showing a desire to conform to some of the most frequently voiced wishes of the Congress. I am also glad to note his decision to alter procedures in the interest of our present trend toward economy in government.

This is evidence that progress is being made in developing a questionnaire to give the Government agencies the essential information they need without placing an undue burden upon the respondents. In my opinion we must continue to evaluate these fact-gathering procedures looking toward further simplification and less compulsion, but I certainly commend Secretary Stans and his staff for their consideration of the complaints which have been raised and their responsiveness in doing something about them.

FINANCIAL DISCLOSURE

(Mr. PRICE of Illinois asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Illinois. Mr. Speaker, now that the ides of April deadline—if we can stretch a bit and call April 15 the ides of April—has been met, or so I trust, I should like to call attention to another deadline.

Under the rules of the House, as amended last year, April 30 is the deadline for the filing of financial disclosure reports with the Committee on Standards of Official Conduct, of which I have the honor to be chairman.

Forms for making these reports were mailed early this year, with instructions, to all Members, officers, members of the professional staffs of committees, and principal assistants, so far as the latter had been designated at that time, to Members and officers. Additional forms, if needed, may be obtained from the committee offices.

Only 1 week remains for the filing of these reports, so time is fleeting for Members and others who have not complied. They should get their reports to the committee offices at 2360 Rayburn Building as promptly as possible. The committee staff will be glad to help in any way possible.

Since part A of these reports must be maintained, under the rules of the House, for responsible public inquiry, it follows that the identity of delinquent filers, if any, may become public property. In other words, if the committee staff cannot supply, on request, the reports of specified Members or employees, it will have no alternative to telling the inquirer that the requested reports have not been filed.

The committee urges, therefore, that all who are required to file make sure that their reports reach the committee offices before the close of business on Wednesday, April 30.

COMPENSATION OF ATTORNEY REPRESENTING HOUSE IN ADAM CLAYTON POWELL CASE

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, I take this moment to point out to the House that in yesterday's Washington Post we were advised that an attorney representing this House of Representatives in the Adam Powell case, now before the Supreme Court, was to be compensated some $200,000 for representing the House.

It occurs to me that the Solicitor General might have been the more appropriate person to represent this House, and it would have been cost free.

Considering some of the working conditions and inadequate compensation which presently attain with respect to many of the House employees in the cafeteria and other areas of employment here, this money could have been much more wisely spent for some more useful purpose, rather than hiring New York counsel to represent the House of Representatives.

I think this is a very serious matter, and I take exception to this wasteful expenditure of funds.

PERSONAL ANNOUNCEMENT

(Mr. MOSS asked and was given permission to address the House for 1 minute.)

Mr. MOSS. Mr. Speaker, due to other obligations, it was not possible for me to be present on the House floor last week when this body passed H.R. 4148, the Water Quality Improvement Act of 1969.

Had I been present when the vote was taken on this measure, I would have voted "yea".

COMPENSATION OF ATTORNEY REPRESENTING HOUSE BEFORE SUPREME COURT

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I was moved to speak to the House after hearing the gentleman from Michigan (Mr. CONYERS) and to point out that I read in the newspaper some of the answers to questions propounded by the Justices which the lawyer representing the House gave. I think, if he is being paid $200,000, and I guess he is—I voted in committee against paying him—that he is being paid $199,998.50 too much.

DISMISSING CONTESTED ELECTION CASE OF WYMAN C. LOWE, CONTESTANT, AGAINST FLETCHER THOMPSON, CONTESTEE, FIFTH CONGRESSIONAL DISTRICT OF GEORGIA

Mr. ABBITT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91–157) on the resolution (H. Res. 364) dismissing the contested election case of Wyman C. Lowe, contestant, against FLETCHER THOMPSON, contestee, Fifth Congressional District of Georgia, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 364

Resolved, That the election contest of Wyman C. Lowe, contestant, against Fletcher Thompson, contestee, Fifth Congressional District of the State of Georgia, be dismissed.

The SPEAKER. The gentleman from Virginia is recognized for 1 hour.

(Mr. ABBITT asked and was given permission to revise and extend his remarks.)

Mr. ABBITT. Mr. Speaker, only one election contest evolved from the 1968 general election and that was in the Fifth Congressional District of the State of Georgia. For the third time in recent years Wyman C. Lowe has initiated a contest. In 1951 and again in 1967 the House dismissed contests brought by Mr. Lowe on the basis that he lacked standing to bring a contest under the contested-election statute. That is the basis for recommending dismissal of the current contest. In none of the contests was Mr. Lowe a candidate in the general election for the congressional seat.

FLETCHER THOMPSON, the Republican nominee, was reelected to the office of Representative from the Fifth Congressional District of Georgia in the general election held on November 5, 1968. His Democratic opponent was Charles L. Weltner. The result of the election was officially certified in accordance with the laws of Georgia. His credentials having been presented to the Clerk of the House, Mr. THOMPSON appeared, took the oath of office, and was seated on January 3, 1969.

The contest of Mr. THOMPSON's election was initiated by Mr. Lowe, an unsuccessful candidate in the Democratic primary, by service upon the Member on December 18, 1968, of a notice of contest pursuant to the Federal contested election law claiming that the contestee's election was null and void and that his seat should be declared vacant. The grounds of the contest asserted in the notice of contest are that the general election was invalid because the Democratic candidate Mr. Weltner had not been lawfully nominated or that there are such grounds as to raise grave doubts that he had been lawfully nominated. Mr. Weltner won the nomination from Mr. Lowe, his only opponent, in the Democratic primary election on September 11, 1968. Contestant claims that Mr. Weltner's victory in the primary election was the result of certain specified "malconduct, fraud and/or irregularity" on the part of poll officers in 40 of the

155 precincts of the fifth district. There is no allegation of wrongful conduct on Mr. Weltner's part or any attribution to him of the alleged misconduct of the poll officers. Nor is it contended that contestee engaged in any wrongful conduct in the general election. The sole basis for attacking contestee's election is the alleged invalidity of his Democratic opponent's nomination.

The record before the committee reveals that contestant brought an action against Mr. Weltner in the superior court of Fulton County, Ga., to set aside his nomination under the Georgia Election Code. This suit was dismissed on September 20, 1968. On appeal to the Georgia Court of Appeals, the lower court's ruling was affirmed and a subsequent petition for certiorari filed with the Supreme Court of Georgia was denied.

The contest came before the Subcommittee on Elections on contestee's request that the notice of contest be dismissed for failure to state a cause of action. Having considered the oral arguments of the parties and the brief filed by contestant, the committee concludes that contestant has no standing to bring the contest and that the notice of contest does not state grounds sufficient to change the result of the general election. Contestant, an unsuccessful candidate in the Democratic primary, was not a candidate for the Fifth Congressional District seat in the general election and does not claim any right to the seat. There are a number of recent precedents from 1941 to 1967 involving contests brought by persons who were not candidates in the general election indicating that the House of Representatives regards such persons as lacking standing to bring an election contest under the statute.

The Elections Subcommittee, after careful consideration of the notice of contest, the oral arguments and the brief filed by the contestant, unanimously concludes that contestant Wyman C. Lowe, not being a candidate in the general election, has no standing to bring a contest under the contested election law and that he has failed to state sufficient grounds to change the result of said election. It is recommended that House Resolution 364 be adopted dismissing the contested election case.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

The **SPEAKER**. The Chair lays before the House a message from the President of the United States.

CALL OF THE HOUSE

Mr. **BOLLING**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 45]

Ashley
Bates
Blanton
Camp
Clark
Culver
Cunningham
Davis, Ga.
Dawson
Diggs
Dwyer
Edwards, La.
Esch
Goodling
Hathaway
Hawkins
Hébert
Ichord
Jarman
Kirwan
Landgrebe
Leggett
Mailliard
May
Moorhead
Murphy, N.Y.
Patman
Philbin
Powell
Purcell
Rees
Reid, N.Y.
Rivers
Rumsfeld
Scheuer
Sisk
Steiger, Wis.
Stuckey
Ullman
Wiggins

The **SPEAKER**. On this rollcall 392 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ORGANIZED CRIME MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-105)

The **SPEAKER**. The Clerk will read the message from the President of the United States.

The following message from the President of the United States was read and referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

Today, organized crime has deeply penetrated broad segments of American life. In our great cities, it is operating prosperous criminal cartels. In our suburban areas and smaller cities, it is expanding its corrosive influence. Its economic base is principally derived from its virtual monopoly of illegal gambling, the numbers racket, and the importation of narcotics. To a large degree, it underwrites the loan-sharking business in the United States and actively participates in fraudulent bankruptcies. It encourages street crime by inducing narcotic addicts to mug and rob. It encourages housebreaking and burglary by providing efficient disposal methods for stolen goods. It quietly continues to infiltrate and corrupt organized labor. It is increasing its enormous holdings and influence in the world of legitimate business. To achieve his end, the organized criminal relies on physical terror and psychological intimidation, on economic retaliation and political bribery, on citizen indifference and governmental acquiescence. He corrupts our governing institutions and subverts our democratic processes. For him, the moral and legal subversion of our society is a life-long and lucrative profession.

Many decent Americans contribute regularly, voluntarily and unwittingly to the coffers of organized crime—the suburban housewife and the city slum dweller who place a twenty-five cent numbers bet; the bricklayer and college student who buy a football card; the businessman and the secretary who bet illegally on a horse.

Estimates of the "take" from illegal gambling alone in the United States run anywhere from $20 billion, which is over 2% of the nation's gross national product, to $50 billion, a figure larger than the entire federal administrative budget for fiscal year 1951. This wealth is but one yardstick of the economic and political power held by the leaders of organized crime who operate with little restriction within our society.

Organized crime's victims range all across the social spectrum—the middle-class businessman enticed into paying usurious loan rates; the small merchant required to pay protection money; the white suburbanite and the black city dweller destroying themselves with drugs; the elderly pensioner and the young married couple forced to pay higher prices for goods. The most tragic victims, of course, are the poor whose lack of financial resources, education and acceptable living standards frequently breed the kind of resentment and hopelessness that make illegal gambling and drugs an attractive escape from the bleakness of ghetto life.

BACKGROUND

For two decades now, since the Attorney General's Conference on Organized Crime in 1950, the Federal effort has slowly increased. Many of the Nation's most notorious racketeers have been imprisoned or deported and many local organized crime business operations have been eliminated. But these successes have not substantially impeded the growth and power of organized criminal syndicates. Not a single one of the 24 Cosa Nostra families has been destroyed. They are more firmly entrenched and more secure than ever before.

It is vitally important that Americans see this alien organization for what it really is—a totalitarian and closed society operating within an open and democratic one. It has succeeded so far because an apathetic public is not aware of the threat it poses to American life. This public apathy has permitted most organized criminals to escape prosecution by corrupting officials, by intimidating witnesses and by terrorizing victims into silence.

As a matter of national "public policy", I must warn our citizens that the threat of organized crime cannot be ignored or tolerated any longer. It will not be eliminated by loud voices and good intentions. It will be eliminated by carefully conceived, well-funded and well-executed action plans. Furthermore, our action plans against organized crime must be established on a long-term basis in order to relentlessly pursue the criminal syndicate. This goal will not be easily attained. Over many decades, organized crime has extended its roots deep into American society and they will not be easily extracted. Our success will first depend on the support of our citizens who must be informed of the dangers that organized crime poses. Success also will require the help of Congress and of the State and local governments.

This administration is urgently aware of the need for extraordinary action and I have already taken several significant steps aimed at combating organized crime. I have pledged an unstinting commitment, with an unprecedented amount of money, manpower and other resources to back up my promise to attack organized crime. For example—I have authorized the Attorney General to engage in wiretapping of organized racketeers. I have authorized the Attorney General to establish 20 Federal racketeering field offices all across the nation. I have authorized the Attorney General to establish a unique Federal-State Racket Squad in New York City. I have asked all Federal agencies to cooperate with the Department of Justice in this effort and to give priority to the organized crime drive. I have asked the Congress to increase the fiscal 1970 budget by $25 million, which will roughly double present expenditures for the organized crime effort.

In addition, I have asked the Congress to approve a $300 million appropriation in the 1970 budget for the Law Enforcement Assistance Administration. Most of these funds will go in block grants to help State and local law enforcement programs and a substantial portion of this assistance money will be utilized to fight organized crime. I have had discussions with the State Attorneys General and I have authorized the Attorney General to cooperate fully with the States and local communities in this national effort, and to extend help to them with every means at his disposal. Finally, I have directed the Attorney General to mount our Federal anti-organized crime offensive and to coordinate the Federal effort with State and local efforts where possible.

ASSISTANCE TO STATES AND LOCAL GOVERNMENTS

Through the Law Enforcement Assistance Administration, and other units of the Department of Justice, the Attorney General has already taken some initial steps:

1) A program is being established so that State and local law enforcement people can exchange recent knowledge on the most effective tactics to use against organized crime at the local level.

2) The Justice Department is furnishing technical assistance and financial help in the training of investigators, prosecutors, intelligence analysts, accountants, statisticians—the professional people needed to combat a sophisticated form of criminal activity.

3) The Justice Department is encouraging municipalities and States to reexamine their own laws in the organized crime area. We are also encouraging and assisting in the formation of State-wide organized crime investigating and prosecuting units.

4) A computerized organized crime intelligence system is being developed to house detailed information on the personalities and activities of organized crime nationally. This system will also serve as a model for State computer intelligence systems which will be partially funded by the Federal Government.

5) We are fostering cooperation and coordination between States and between communities to avoid a costly duplication of effort and expense.

6) We are providing Federal aid for both State and local public information programs designed to alert the people to the nature and scope of organized crime activity in their communities.

These actions are being taken now. But the current level of Federal activity must be dramtically increased, if we expect progress. More men and money, new administrative actions, and new legal authority are needed.

EXPANDED BUDGET

There is no old law or new law that will be useful without the necessary manpower for enforcement. I am therefore, as stated, asking Congress to increase the Fiscal Year 1970 budget for dealing with organized crime by $25 million. This will roughly double the amount spent in the fight against organized crime during Fiscal Year 1969, and will bring the total Federal expenditures for the campaign against organized crime to the unprecedented total of $61 million. I urge Congress to approve our request for these vital funds.

REORGANIZATION OF THE CRIME EFFORT

I have directed the newly appointed Advisory Council on Executive Organization to examine the effectiveness of the Executive Branch in combating crime—in particular, organized crime.

Because many departments and agencies of the Executive Branch are involved in the organized crime effort, I believe we can make lasting improvement only if we view this matter in the full context of executive operations.

FEDERAL RACKETEERING FIELD OFFICES

The focal center of the Federal effort against organized crime is the Department of Justice. It coordinates the efforts of all of the Federal agencies. To combine in one cohesive unit a cadre of experienced Federal investigators and prosecutors, to maintain a Federal presence in organized crime problem areas throughout the nation on a continuing basis, and to institutionalize and utilize the valuable experience that has been gained by the "Strike Forces" under the direction of the Department of Justice, the Attorney General has now established Federal Racketeering Field Offices in Boston, Brooklyn, Buffalo, Chicago, Detroit, Miami, Newark, and Philadelphia. These offices bring together, in cohesive single units, experienced prosecutors from the Justice Department, Special Agents of the FBI, investigators of the Bureau of Narcotics and Dangerous Drugs, the finest staff personnel from the Bureau of Customs, the Securities and Exchange Commission, the Internal Revenue Service, the Post Office, the Secret Service, and other Federal offices with expertise in diverse areas of organized crime.

The Racketeering Field Offices will be able to throw a tight net of Federal law around an organized crime concentration and through large scale target investigations, we believe we can obtain the prosecutions that will imprison the leaders, paralyze the administrators, frighten the street workers and, eventually, paralyze the whole organized crime syndicate in any one particular city. The Attorney General plans to set up at least a dozen additional field offices within the next two years.

FEDERAL-STATE RACKET SQUAD

Investigations of the national crime syndicate, La Cosa Nostra, show its membership at some 5,000, divided into 24 "families" around the nation. In most cities organized crime activity is dominated by a single "family"; in New York City, however, the lucrative franchise is divided among five such "families."

To deal with this heavy concentration of criminal elements in the nation's largest city, a new Federal-State Racket Squad is being established in the Southern District of New York. It will include attorneys and investigators from the Justice Department as well as from New York State and City. This squad will be directed by the Department of Justice, in conjunction with a supervisory council of officials from State and local participating agencies, who will formulate policy, devise strategy and oversee tactical operations. Building on the experience of this special Federal-State Racket Squad, the Attorney General will be working with State and local authorities in other major problem areas to determine whether this concept of governmental partnership should be expanded to those areas through the formation of additional squads.

NEW LEGISLATION

From his studies in recent weeks, the Attorney General has concluded that new weapons and tools are needed to enable the Federal government to strike both at the Cosa Nostra hierarchy and the sources of revenue that feed the coffers of organized crime. Accordingly the Attorney General will ask Congress for new laws, and I urge Congress to act swiftly and favorably on the Attorney General's request.

WITNESS IMMUNITY

First, we need a new broad general witness immunity law to cover all cases involving the violation of a Federal statute. I commend to the Congress for its consideration the recommendations of the National Commission on Reform of Federal Criminal Laws. Under the Commission's proposal, a witness could not be prosecuted on the basis of anything he said while testifying, but he would not be immune from prosecution based on other evidence of his offense. Furthermore, once the government has granted the witness such immunity, a refusal then to testify would bring a prison sentence for contempt. With this new law, government should be better able to gather evidence to strike at the leadership of organized crime and not just the rank and file. The Attorney General has also advised me that the Federal Government will make special provisions for protecting witnesses who fear to testify due to intimidation.

WAGERING TAX AMENDMENTS

We shall ask for swift enactment of S. 1624 or its companion bill H.R. 322, sponsored by Senator Roman Hruska of Nebraska and Congressman Richard Poff of Virginia respectively. These measures would amend the wagering tax laws and enable the Internal Revenue Service to play a more active and effective role in collecting the revenues owed on wagers; the bills would also increase the Federal operator's tax on gamblers from $50 annually to $1000.

CORRUPTION

For most large scale illegal gambling enterprises to continue operations over any extended period of time, the cooperation of corrupt police or local officials is necessary. This bribery and corruption of government closest to the people is a deprival of one of a citizen's most basic rights. We shall seek legislation to make this form of systematic corruption of community political leadership and law enforcement a federal crime. This law would enable the Federal Government to prosecute both the corruptor and the corrupted.

ILLEGAL GAMBLING BUSINESSES

We also shall request new legislation making it a Federal crime to engage in an illicit gambling operation, from which five or more persons derive income, which has been in operation more than thirty days, or from which the daily "take" exceeds $2000. The purpose of this legislation is to bring under Federal jurisdiction all large-scale illegal gambling operations which involve or affect inter-state commerce. The effect of the law will be to give the Attorney General broad latitude to assist local and state government in cracking down on illegal gambling, the wellspring of organized crime's financial reservoir.

This Administration has concluded that the major thrust of its concerted anti-organized crime effort should be directed against gambling activities. While gambling may seem to most Americans to be the least reprehensible of all the activities of organized crime, it is gambling which provides the bulk of the revenues that eventually go into usurious loans, bribes of police and local officials, "campaign contributions" to politicians, the wholesale narcotics traffic, the infiltration of legitimate businesses, and to pay for the large stables of lawyers and accountants and assorted professional men who are in the hire of organized crime.

Gambling income is the life line of organized crime. If we can cut it or constrict it, we will be striking close to its heart.

PROCEDURAL LAWS

With regard to improving the procedural aspects of the criminal law as it relates to the prosecution of organized crime, the Attorney General has been working with the Senate Subcommittee on Criminal Laws and Procedures to develop and perfect S. 30, the "Organized Crime Control Act of 1969." As Attorney General Mitchell indicated in his testimony on that bill, we support its objectives. It is designed to improve the investigation and prosecution of organized crime cases, and to provide appropriate sentencing for convicted offenders. I feel confident that it will be a useful new tool.

DEVELOPMENT OF NEW LAWS

Finally, I want to mention an area where we are examining the need for new laws: the infiltration of organized crime into fields of legitimate business. The syndicate-owned business, financed by illegal revenues and operated outside the rules of fair competition of the American marketplace, cannot be tolerated in a system of free enterprise. Accordingly, the Attorney General is examining the potential application of the theories underlying our anti-trust laws as a potential new weapon.

The injunction with its powers of contempt and seizure, monetary fines and treble damage actions, and the powers of a forfeiture proceeding, suggest a new panoply of weapons to attach the property of organized crime—rather than the unimportant persons (the fronts) who technically head up syndicate-controlled businesses. The arrest, conviction and imprisonment of a Mafia lieutenant can curtail operations, but does not put the syndicate out of business. As long as the property of organized crime remains, new leaders will step forward to take the place of those we jail. However, if we can levy fines on their real estate corporations, if we can seek treble damages against their trucking firms and banks, if we can seize the liquor in their warehouses, I think we can strike a critical blow at the organized crime conspiracy.

Clearly, the success or failure of any ambitious program such as I have outlined in this Message depends on many factors. I am confident the Congress will supply the funds and the requested legislation, the States and communities across the country will take advantage of the Federal capability and desire to assist and participate with them, and the Federal personnel responsible for programs and actions will vigorously carry out their mission.

RICHARD NIXON.

THE WHITE HOUSE, *April 23, 1969*.

ORGANIZED CRIME

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I rise today to urge every Member of this House to join with President Nixon in placing the leaders of La Cosa Nostra at the top of America's most wanted criminals list.

Mr. Speaker, I also urge every Member of this House to help arouse the law-abiding citizens of this land.

We have before us today, Mr. Speaker, a battle plan from the President of the United States—an outline of the strategy and a list of the weapons needed to strike at the crime lords of this country, the greedy, vicious, rapacious criminal kings whose subjects are the gamblers, drug pushers, panderers, and other criminal types who drain away America's moral strength and economic lifeblood like millions of leeches.

In the message we have received from the White House today, President Nixon has branded organized crime as public enemy No. 1. He has told us what we are doing now to fight the enemy. He has urged us to do more—far more—in terms of men and money and new laws. We must accept that challenge.

The President has spelled out his plans to make life miserable for the Mafia. And on the basis of his plans, if Congress concurs, I would advise anyone with stock in the Mafia to sell it right now.

I agree completely with the President that the best-laid plans are useless without the manpower to carry them out—the manpower to carry out the President's declared objective of convicting the heads of the Mafia, paralyzing crime syndicate administrators, frightening the street workers and ultimately squeezing to death the whole crime syndicate operation in our cities.

I therefore join the President in urging this House to vote the additional funds needed to double our present Justice Department outlays for fighting organized crime and to vote the full $300 million authorization to help the States and local communities join with Federal authorities in a nationwide drive against racketeers and street criminals.

I applaud the proposed increase in the number of Federal racketeering field offices and the establishment of a new special Federal-State racket squad in the southern district of New York.

I also urge congressional approval of President Nixon's requests for new authority aimed at stepping up the rate of Mafia prosecutions and convictions—authority dealing with general witness immunity, bribery and corruption of police or local officials, illicit gambling operations in interstate commerce, and wagering tax law amendments.

These are anticrime weapons Congress should make immediately available to our antiracketeering forces.

As the President has so well put it:

> The Federal Government must prosecute both the corruptor and the corrupted.

Mr. Speaker, organized crime is like an octopus stretching its tentacles into every corner of our land. From time to time we have lopped off an arm or a leg but new members have grown in their place. It is long past time to strike at the head of the operation, to cut deep into the brains of this monstrosity which has the entire Nation in its grip.

We must hunt down the chieftains of organized crime. We must bring every one of them to book if we are to halt the crime wave which has swept over America like a poisonous torrent.

President Nixon has asked for the weapons to do the job. Let us, the chosen representatives of the people, give him the tools he needs.

THE PRESIDENT'S CRIME MESSAGE TRANSLATES IDEAS INTO PROSPECTIVE ACTION

(Mr. McCULLOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCULLOCH. Mr. Speaker, I am pleased to say to the House that, in my opinion, President Nixon's crime message translates ideas into prospective action, generalities into definite programs, and fragmented approaches into direct and significant projects.

The message dramatically illustrates the administration's recognition that the States and local units of government must be joined into the coordinated attack against organized crime if we are to preserve our public institutions.

The President has directed our attention toward the improvement of the capabilities of our State agencies. He understands that we have neglected to take advantage of our available resources. We have deployed a fragmented approach to the problem of organized crime, which is ineffective. I subscribe to the need to develop expertise at every level of law enforcement which is directed against organized crime.

As the President so clearly recognized, if we are to be successful against the organized criminal syndicates, we must be prepared to establish the statewide investigatory and prosecutorial office, intelligence divisions composed of persons of various disciplines, national and interstate compacts that foster meaningful exchange of information, equipment, and training facilities.

The President has advocated the establishment of permanent offices in States with the most significant organized crime problems, manned by attorneys and investigators from various Federal agencies. These men, cooperating with our local prosecutors and investigators, are essential. The resources available for our Federal law-enforcement agencies are woefully inadequate. Successful law enforcement requires adequate financing and trained manpower which is repayed in tax dollars and preservation of our economy and self-respect. The Law Enforcement Assistance Administration is dedicated to making funds available to those States that wish to increase and improve their capability to deal with organized crime. It is essential that the Federal agencies have the resources to complement the States' efforts.

Too often the executive branch of the Government, when confronted with substantial and unsolved problems, thinks in terms of legislation, more statutes and more unenforced or unenforceable laws. Organized crime can be destroyed with the addition of a few tools and the effective deployment of existing sanctions coupled with maximum cooperation and coordination of efforts.

The need for a broad general immunity law to compel testimony is essential as is the Federal gambling tax amendments. We must examine additional areas such as the power of injunction and forfeiture, but most important is the direct, coordinated, fully sponsored attack.

This is a unique opportunity, my colleagues. The public is our audience, we are the directors, and law enforcement the players. The show must begin and the ultimate conclusion must be the destruction of the power of organized crime in this Nation.

PRESIDENT NIXON KEEPS PLEDGE OF ALL-OUT FIGHT AGAINST ORGANIZED CRIME

(Mr. ARENDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, as a candidate for the Presidency, Mr. Nixon pledged an all-out fight against organized crime. As our President, he is intent upon keeping that pledge. He says what he means, and he means what he says.

In his message today President Nixon has presented a carefully prepared plan for concerted action that we may rid our society of the criminal cartels and syndicates that have been insidiously destroying our economic and moral vitality.

President Nixon is to be congratulated on the forthright leadership he is furnishing for marshaling all our instrumentalities at all levels of Government—Federal, State, and local—for the overthrow of the crime overlords, such as the Cosa Nostra. In this all-out attack on all such organizations, of whatever size and wherever located, President Nixon is entitled to our full cooperation.

I commend the President on the action he has already initiated for the establishment of Federal racketeering field offices and for the establishment of a new Federal-State racket squad in New York to deal with the concentration of criminal elements in New York City.

It is at the local level that the organized crime syndicates exercise their corrupting power. President Nixon has determined that in this fight against crime the State and local governments shall have a significant and vital part to play, with the Federal Government providing the leadership and coordinating all its efforts and available resources in cooperation with the States.

President Nixon's approach to the crime problem and to all our national problems is: First, first things first; second, deal with that which is fundamental; and, third, adhere to our basic concepts of a federal system of government comprising 50 sovereign States

Mr. POFF. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Virginia.

(Mr. POFF asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. POFF. Mr. Speaker, this is the first preplanned, coordinated, systematically organized attack the Nation has attempted on the problem of organized crime. It is bold, imaginative, innovative, and yet realistic and altogether responsible. It recognizes that the jurisdiction and responsibility are shared jointly by the Federal, State, and local governments and it does not attempt to blink away the unblinkable fact that more citizen safety is going to cost the citizens more money. The expenditure increase for fiscal year 1970 is the only increase made in any agency of Government by the new Nixon budget.

I am particularly pleased that the President has endorsed new witness-immunity legislation. We now have more than 50 such statutes on the Federal law books. For a variety of reasons, these 50 are now practically useless. The National Commission on Reform of Federal Criminal Laws has recommended a universal witness-immunity law applying not only to courts and grand juries but to Congress and executive agencies of the Government. It will employ a new concept. More importantly, it will facilitate a new function. It will greatly enhance the information and evidence gathering capacity of the Federal Law-Enforcement Establishment.

I am also pleased that the President supports the policy announced earlier by the Attorney General. The Achilles heel of the organized crime apparatus is its vast treasure houses of property and money. Those treasure houses were filled by income acquired illegally and surreptitiously in violation of both Federal and State laws. Needless to say, it is money which has not been declared for Federal tax purposes. Moreover, it is the money from these storehouses that has been used by organized crime to invade the world of legitimate business enterprise.

The President and the Attorney General intend to target upon these treasure houses, using wherever possible the antitrust laws or the techniques illustrated by the antitrust laws.

Initially, the principal thrust will be against the largest single source of income; namely, that derived from illegal gambling. The wagering tax amendment bills introduced by Senator ROMAN HRUSKA and I can be helpful in this effort. Our bills are designed to fill, so far as it is legislatively possible to do so, the void in law enforcement left by the decisions in the Marchetti and Grosso cases. Beyond this, the Attorney General shortly will submit a draft of a new statute bottomed upon the interstate commerce clause which makes professional gambling in areas where it is unlawful under State laws a Federal crime as well. The definition is so structured as to focus Federal concern principally upon the gambling mechanisms of syndicated crime rather than upon the conduct of individuals. The new statute will recognize the problem of official corruption in connection with gambling. The simple fact of the matter is it is difficult for illegal gambling apparatus to grow big enough to operate profitably without the active cooperation of law enforcement officials in key places.

I was impressed that the President understands the organized crime problem enough to refrain from pledging that his organized crime program will eliminate organized crime. Those knowledgeable in the area agree that no single law and no package of laws is likely ever to be wholly successful. This is because the dimensions and the complexities of the problem are in many respects beyond the capacity of any government but a government so powerful as to be unacceptable to America.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I join with the minority whip in his praise of the President's excellent message, but I wonder if the gentleman would not join me in an appeal that the President ask for full funding of the Safe Streets Act and the Juvenile Delinquency Act which we have already on the books. I would be a great deal more persuaded if we could fully fund the programs we have already enacted to deal with the crime problem and move forward.

Mr. ARENDS. Mr. Speaker, let me say in reply to the matter raised by the gentleman from Illinois, let us adequately fund all programs necessary to carry out the fight against crime.

THE PRESIDENT'S ANTICRIME MESSAGE

(Mr. CRAMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAMER. Mr. Speaker, as a longtime supporter and sponsor of anticrime legislation, I rise in support of the President's anticrime message to the Congress. The most effective and comprehensive program in my memory during 15 years of service in the House.

I note with approval the President's call for an across-the-board application of immunity laws, providing uniformity and proper applicability. As the author of the immunity of witnesses bill of a more restricted nature, which became a part of the 1968 anticrime act and which was previously recommended by the President's Crime Commission, I am very much in support of this needed approach.

As the coauthor of the McClory-Cramer amendment to the Omnibus Crime Control and Safe Streets Act of 1968, providing for the establishment of a National Institute of Law Enforcement and Criminal Justice, which was a proposal I had introduced initially some 6 years previously, I am gratified that the administration is considering the full implementation of that section. The administration will place particular stress on the phases of technology, research, and development on crime detection, prevention and techniques, together with all other types of technological breakthroughs that would help accomplish an effective nationwide fight against crime and riots.

I would hope that the establishment of such an Institute would be ready for submission to the Congress in the not too distant future and perhaps as an adjunct to the already recommended Federal law enforcement training center institute scheduled for location at Beltsville, Md. I intend to support wholeheartedly this $18,073,000 project when it comes before the Public Works Committee of the House for approval of the prospectus. The center would accommodate the proper training of all law-enforcement authorities on the Federal level and in the District of Columbia, with the exception of the FBI which will continue its training program presently located at the Quantico, Va., Marine Corps base. It seems to me a natural adjunct to this facility would be this National Institute of Law Enforcement and Criminal Justice, established to protect the moral health of the country, just as the National Institutes of Health serve the mental and physical health and well-being of the Nation.

A further laudable objective of the President's message is the development of a computerized organized crime intelligence system to house detailed information on the personalities and activities of organized crime nationally, which system will also serve as a model for State computer intelligence systems. I previously proposed this in the anticrime package I introduced in 1961 and I am glad to see it is being implemented.

The wagering tax amendments bill deserves the support of the Congress and is similar to the legislation proposed by the Republican task force on crime, which I had the privilege of being a member of last session. I have also cosponsored this proposed legislation in the current Congress.

As the coauthor of the wiretapping and electronic surveillance title of last year's anticrime act, I am pleased to note the President's action in authorizing the Attorney General to engage in wiretapping of organized racketeers.

In addition to the proposals already referred to, I have reintroduced and sponsored in this Congress the following bills:

First, to establish a Joint Committee on Organized Crime;

Second, the Criminal Activities Profits Act;

Third, to amend the Sherman Act to prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce;

Fourth, amendment of the Bail Reform Act to allow for the consideration of danger to the community in determining conditions of release of a person charged with a crime;

Fifth, to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses;

Sixth, to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes;

Seventh, to make it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while on duty under orders of the President;

Eighth, to establish extended terms of imprisonment for certain offenders convicted of felonies in Federal courts; and

Ninth, to strengthen the penalty provision applicable to a Federal felony committed with a firearm.

I would hope action on these measures, some of them the same as those recommended by the administration, will receive careful and speedy consideration by Congress.

I particularly note the Miami Federal racketeering field office, at the city where the leaders of Cosa Nostra were arrested and in Florida where racketeer investments run rampant.

Mr. Speaker, I would like also just briefly to reply to the gentleman from Illinois, that the President did ask for double the money for the Anti-Crime Act of 1968 and has asked for additional funds—$25 million, double that money—for the anticrime effort the President has referred to in his message. I am confident more will be forthcoming.

FUNDING OF CRIME BILLS

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute.)

Mr. PUCINSKI. Mr. Speaker, the gentleman from Florida is correct. The fact still remains that we are not funding the crime bills we have passed. This Congress, with the cooperation of both sides of the aisle, since 1967 has passed 13 different anticrime bills or bills designed to deal effectively with crime.

Until we get these programs funded and get them going, it seems to me it is just idle talk to be talking about starting some new program.

I am for the program outlined in the President's message, and intend to support it. The fact remains that we need some funding for the programs we have now.

As one example, we authorized $50 million for juvenile crime. No one needs to recite or repeat today the fact that in this country the largest single area of the problem in crime is among the young people. We have a fantastic problem with respect to juvenile crime, yet we are being told we can only appropriate, actually, $10 million even though the House authorized $50 million. In my judgment, that kind of a shortchanging of that program is giving nothing more than lipservice to the war on crime.

Until we get the administration to support fully the authorizations we worked out in this House, I say to you that these messages are nothing but idle words.

PRESIDENT'S MESSAGE ON ORGANIZED CRIME

(Mr. HUTCHINSON asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HUTCHINSON. Mr. Speaker, the President has sent to the Congress a message which I hope will emphasize for the Members of this body and for all the American people a danger which too many of us have ignored in the past, a danger which, if forceful and immediate action is not taken, threatens to rot the structure of our society and our economy from within. I do not exaggerate, for organized crime in all its varied aspects, is a force more powerful than any one of us can realize—a force which grows in strength as it feeds on people who do not realize that the $2 bet leads to the $1,000 bribe.

It is the bribe—the weapon of corruption—which is the ultimate evil. The organized criminal element uses the money supplied by its illicit enterprises to subvert the administration of justice on all levels—so that it may insure that its members may disobey the law with virtual impunity and ease their infiltration into legitimate businesses. It is particularly vital, therefore, that we take some action to bring the resources of the Federal Government to bear on this problem, and to that end I particularly urge the enactment of the proposed legislation making it a Federal offense to obstruct local and State law enforcement in connection with illegal gambling operations. At the same time, it is important that we expand the jurisdiction of the Federal Bureau of Investigation so that they can more readily attack the source of the "fixer's" funds. In this connection I think it beyond dispute that the illegal gambling business, with its estimated income in the billions of dollars, has so important an effect on interstate commerce as to call for the exercise of congressional power to its fullest constitutional extent.

Until some 15 months ago, the drive against illegal gambling was substantially enhanced by the investigative efforts of the Intelligence Division of the Internal Revenue Service, whose special agents had developed an expertise in the rooting out of such operations. This effort was cut short, however, when the

Supreme Court ruled that the wagering tax statutes, under which the service has jurisdiction to act, could not be criminally enforced in the face of a defendant's claim of his privilege against self-incrimination. It is vital that they be brought back into the fight, and that result will be accomplished by passage of the proposed amendments to the wagering tax laws which are intended to eliminate from the statutory scheme those constitutional infirmities which now preclude its enforcement.

But whatever new statutes are enacted or new programs initiated, they cannot alone have any meaningful effect on the organized crime menace. All federal, State, and local efforts to eradicate organized crime will come to nought if the public does not understand the danger which faces them, and for that reason I am gratified to note that the President has placed particular emphasis on the need for a program which will inform the people of the importance of the problem and of the ways in which organized crime affects their daily lives. A concerned and alert citizenry is the key to any effective drive against the professional criminal and the local and national news media must do their part in insuring that sufficient accurate information is made available to the public.

The achievement of these goals will not be easy; nor will it be inexpensive. The Federal Government must be willing to devote a meaningful share of its resources and energies to the elimination of this evil.

PRESIDENT'S MESSAGE ON ORGANIZED CRIME

Mr. BIESTER. Mr. Speaker, I rise to commend the President of the United States for the forthright and thought-provoking message on organized crime that he has sent today to this Chamber. During his campaign the President promised that if people saw fit to place upon his shoulders the responsibility of governing this land he would make organized crime a prime target in the war on the domestic problems confronting our Nation. His message today constitutes the fruition of this promise. This Presidential message presents for our consideration a broad and comprehensive plan for waging a war against the organized armies of vicious corruption which weaken our society today. This plan envisions a whole new group of weapons that can be employed in attacking the roots of organized corruption.

The President's message, however, is only the beginning. Now the torch has been passed to us, the representatives of the people. We must not shirk our responsibilities. We must act now. We must act with deliberation, but we must act quickly. The President's message points out directions in which we can move. It suggests various areas for new legislation. Let us examine these suggestions carefully, weighing the advantages and disadvantages of particular proposals.

As the legislative body we have the responsibility to see that the war against organized crime is buttressed by a concrete legislative program. Certainly we cannot hope to repair in a year or two the tremendous damage done by the organized underworld over a great many years. Rome was not built in a day. But we can make a strong beginning.

The President has shown us the way. Let us shoulder our burden and join the fight.

PRESIDENT'S MESSAGE ON ORGANIZED CRIME

(Mr. McCLORY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. McCLORY. Mr. Speaker, the Nation has received a most significant statement today from President Nixon on the subject of organized crime. The threat to our Nation and its institutions by members of the organized crime syndicate is one which is spoken of too infrequently. The President has been forthright and courageous in denouncing organized crime and its activities.

In addition, he has provided a well thought-out and comprehensive program to combat organized crime in our Nation.

The broad three-pronged program which he has outlined, and which the Attorney General is directed to carry out, has the potential of checking the growth of this horrendous threat to our Nation and its citizens.

The President has proposed: First, financial and technical assistance to the States and local governments; second, a massive increase in Federal resources of men and money; and third, essential new legislation. For the first time we find a balanced type of effort which is necessary to sustain a long-range and persistent campaign against the entrenched forces of organized crime.

The President's program recognizes that the States and local communities are indispensable partners in any meaningful Federal effort against the forces of organized crime, and he has wisely provided for creating a capability within the States and local governments to deal with this problem by having the Justice Department furnish both financial and technical assistance to these bodies for the purpose of recruiting and training investigators, prosecutors, intelligence analysts, and other types of professional people needed to staff State and local crime investigating and prosecuting units. This is a particularly wise and sound policy since in the final analysis it is at the State and local level where organized crime breeds and thrives and where the decisive battles against it will ultimately be fought.

Until the States and local bodies of Government have acquired the specialized skills and resources needed to launch effective programs against organized crime, however, the Federal Government must continue to bear the brunt of the struggle. To meet this responsibility the President has proposed a vast escalation in the current level of Federal activity. His request that the Congress increase the budget for fiscal year 1970 by $25 million, about double the amount spent by the Department of Justice in the fight against organized crime during fiscal year 1969—will insure that the finest investigators and prosecutors available will be committed to the expanding Federal effort against this national enemy. This increase in funds will also allow the Department of Justice to establish Federal racketeering field offices in many of our urban crime centers where a permanent effort against organized crime is essential if the program is to have any lasting effects.

The legislative proposals contained in the President's message have been carefully chosen and reflect a keen awareness of the gaps in present Federal law which make it difficult to curtail the activities of the organized crime overlords.

The proposed new statutes designed to suppress large scale commercial gambling enterprises, and their attendant corruption of State and local law enforcement officials, will close the final loopholes which presently allow big-time gamblers to escape the reach of the Federal Government. These proposals will not preempt the field of gambling regulation but will simply make the Federal Government a more effective member of the established State-Federal law enforcement partnership which has long been waging a common war on organized crime and illegal gambling. The proposed amendments to the wagering tax laws will remedy the problems in these laws which were the subject of the Supreme Court cases of Marchetti against United States, and Grosso against United States, and will insure the efficient collection of taxes of such wagering operations without infringing the constitutional rights of the taxpayers.

The general immunity statute proposed by the President is a greatly needed tool in dealing with the code of secrecy that surrounds the operations of organized crime, and it will enable Government prosecutors to penetrate this secrecy by compelling witnesses to testify or to be imprisoned for contempt.

The President deserves the support of the Congress and the people in carrying out his commitment "to unleash the full power of this Government to confront organized crime at the local and State and Federal level—wherever it operates, wherever it exists." I pledge him my support and call upon the Congress and all of the decent, law-abiding citizens of this country to do likewise.

PRESIDENT'S MESSAGE ON ORGANIZED CRIME

(Mr. MACGREGOR asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MACGREGOR. Mr. Speaker, the President's message on organized crime in the United States contains some alarming statistics on the scope of the problem, but also contains some original and promising proposals for solving it. One that strikes me as being particularly worthwhile, and which should be pursued, is the recommendation that the antitrust laws be utilized as a weapon against organized crime.

The individuals who comprise the organized criminal fraternity are clustered within the national La Cosa Nostra syndicate as "families." These individuals are totally subservient to the organization and the ruthless rules of conduct designed to govern their lives. The organization is such that the loss of individual life or lives or the displacement of any person appears to do no appreciable damage to the structure as a whole. This, of course, seriously hampers law enforcement efforts, for the jailing of a racketeer does not appear to necessarily curtail racketeering.

Therefore, I believe that focusing upon the property of organized crime presents definite possibilities. A Mafia lieutenant may be easily replaced, but perhaps the assets and property of organized crime are more permanently vulnerable.

Once we decide to move against the property of organized crime, the antitrust laws constitute a useful tool. There is the injunction with its concomitant powers of contempt and seizure. Heavy fines and treble damages may have a crippling effect if repeatedly imposed. Another penalty which Congress built into the original Sherman Act—although not used for over 40 years—is forfeiture, a sanction uniquely promising in certain types of cases. Finally, the antitrust laws are designed to afford the courts with broad discretion in the formulation of remedies placing limitations on the use of property. The fact that the property of organized crime is often in the form of legitimate business assets may result in a situation where such civil remedies are not only the most appropriate sanction, but, indeed, are the sole sanctions available.

The President's suggestion that use of the antitrust laws be explored is representative of the new and imaginative thinking which has been directed toward the organized crime problem. Such thinking takes into account the cold fact that in the criminal underworld men tend to be a cheaper commodity than property. Given this situation, a successful attack on the syndicate's property may prove in the long run to be the most effective means of eradicating or sharply reducing organized criminal activity.

PRESIDENT'S MESSAGE ON ORGANIZED CRIME

(Mr. RAILSBACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAILSBACK. Mr. Speaker, I would like to commend the President of the United States for his forthright and comprehensive message dealing with one of the major problems facing the Nation today—that of organized crime.

Organized crime is a complex structure operating outside the control of the American people and our governmental structures. It involves thousands of criminals whose actions are deliberately carried out, the result of intricate conspiracies, over long periods of time. If unchecked they will continue to grow in both size and intensity.

Organized crime has long thrived on the basest forms of criminal activity—narcotics, loan sharking, and other forms of vice. In addition its gambling network is of international proportions. While organized crime affects the lives of every American citizen there is no reason why it should continue to thrive or even exist.

An attack on organized crime will require a commitment from every American. Dedicated effort must replace past inactivity and apathy. In this area, as in few others, our national integrity is at stake. Those who cherish freedom must rise to this challenge, for as long as organized crime continues to exist, no man is truly free. It is my hope that all of our law-abiding citizens will join our President in his commitment to do away with this most important menace.

PRESIDENT'S MESSAGE ON ORGANIZED CRIME

(Mr. FISH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FISH. Mr. Speaker, we Americans are known to the world—and often characterize ourselves—a permissive society. In no area are we better known, or with more reason, for this permissiveness, than in our attitudes toward organized crime.

The romantic notion of a Jesse James, or a Bonnie and Clyde infect us all to a degree, dulling our senses to the danger of organized crime so that we often view with indulgence rather than horror the deadly corrosive effects of crime on our citizens and our society.

I feel that President Nixon's clear declaration of war on organized crime can provide an antidote to apathy—give a healthy injection of purpose and planning in our fight wtih criminal elements that are infecting our society.

In his message that marks an end to permissiveness, the President clearly outlines the essential steps necessary to combat organized crime effectively. This clear call to battle is long overdue. The voice of our people called for such a stand last November, and President Nixon is heeding that voice.

In his message the President indicates he not only will not hesitate to use the crime fighting tools already provided by Congress, yet ignored by the last administration, but he asks for new and sharper weapons to carry on this war effectively. These weapons should be provided by us in the same spirit Congress provides the best weapons available to our troops when they fight a war.

Mr. Speaker, to more adequately assist the President in this struggle I would like to suggest the creation of a special subcommittee of the House Judiciary Committee be formed to deal directly with legislation aimed at fighting organized crime. The Senate has long had such a committee; the Committee on Criminal Laws and Procedures. I feel it is time we in the House moved to meet this problem by the formation of this special subcommittee. I have discussed this suggestion with Congressman Richard Poff, second-ranking Republican on the Judiciary Committee, who chaired the Republican task force on crime during the last election, and he supports the idea.

THE PRESIDENT'S ORGANIZED CRIME MESSAGE

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, the President has once again exhibited those qualities of statesmanship and leadership which are characteristic of him. In presenting to us today his message on organized crime he has once again shown to the American people his deep and heartfelt concern about the pressing problems of crime in our society today.

I must say, Mr. Speaker, that I was shocked when I read some of the facts and figures in the President's report. I am sure all of us are aware that organized crime has a tremendous impact upon our society. But the true size of this monolithic creature of evil and viciousness is far greater than any of us could have imagined. The President's message states that the "take" from illegal gambling alone is between $20 and $50 billion annually. When we consider how many hungry mouths this ill-gotten gain could fill, how many clothes could be bought to place on the rag-covered backs of little children of the ghettos, this one fact alone must fill us with a sense of outrage, with a consuming desire to do all in our power to assist the President in ridding our society of this monstrous vulture of evil which feeds upon the carrion of poverty and dispair.

Mr. Speaker, let us act with dispatch in doing our part. Let us gird our loin, to do battle with this domestic enemy which pervades our society at all levels.

The President has shown the way. Let us follow, and let us strive together until the blight of lawlessness is wiped from the land.

PRESIDENT'S MESSAGE ON CRIME—GENERAL LEAVE

Mr. SMITH of California. Mr. Speaker, President Nixon today delivered a message on a program to halt organized crime; a program that can be termed comprehensive and most encouraging.

Illegal gambling, the numbers rackets, and narcotics are the moneymaking criminal endeavors that demean and destroy human life.

President Nixon accurately assessed this situation, and called for a coordinated attack upon the $20 billion-a-year gambling take that supplies the funds for all types of assorted Cosa Nostra activities.

The President noted not one of the 24 Cosa Nostra "families" has been destroyed and he has outlined affirmative action such as wiretapping, racketeering control field offices, better coordination of State, local and Federal activity, information, and so forth.

And the President has tied these administrative moves to an extensive legislative package. His message today should bring hope to the many people subjected to the cruelties and the intimidation of organized crime.

Mr. DEVINE. Mr. Speaker, President

Nixon has placed a vast and sobering job on the shoulders of our very able Attorney General, John Mitchell, and the Department of Justice. In his typical sound, unemotional approach to complicated and momentous problems, President Nixon points out that organized crime relies on physical terror, psychological intimidation, economic retaliation, political bribery, citizen indifference, and governmental acquiescence, all of which results in a take from illegal gambling alone between $20 to $50 billion. Further, that organized crime's victims run the whole gamut—the middle-class businessman paying usurious loan rates; the small merchant paying protection; the white suburbanite and black city dweller destroying themselves with drugs; the elderly pensioner and young married couple robbed by high prices—all across the board.

The Nixon plan serves notice on the 24 Cosa Nostra families with a membership of some 5,000, and all others that the U.S. Government will no longer tolerate illegal activity; that organized crime will be eliminated by carefully conceived, well-funded, and well-executed action plans on a long-term basis. Success, of course, will depend in large measure on the support of our citizens.

The President has authorized the Attorney General to: first, engage in wiretapping of organized racketeers; second, to establish 20 Federal racketeering field offices; and, third, to establish a unique Federal-State racket squad in New York City. Further, Mr. Nixon has requested all Federal agencies to cooperate with the Justice Department and give priority to the organized crime drive, and for the Congress to increase the 1970 fiscal budget by $25 million, as well as approve a $300 million appropriation in the 1970 budget for the Law Enforcement Assistance Administration.

The action program proposed by President Nixon is aimed in the direction of obtaining prosecutions which will result in convictions and imprisonment of the leaders, paralyze the administrators, frighten the street workers, and eventually paralyze the whole organized crime syndicate in any one particular city. The plan contains a number of innovative approaches, including broad new witness immunity laws in order to better gather evidence to strike at the leadership of organized crime and not just the rank and file, or little operator.

Wagering tax law amendments would enable IRS to become more active in collecting revenues owed on wagers, and would increase a Federal operator's tax on gamblers from $50 to $1,000 annually. More importantly, the President recommends legislation making it a Federal crime to bribe or corrupt police or local officials, aimed at the premise illegal gambling enterprises cannot continue without cooperation through either of these sources.

The major thrust of the administration is directed at gambling activities which provide the bulk of the revenues ultimately going into usurious loans, bribes of police and local officials, "campaign contributions," narcotics, infiltration into legitimate business, as well as providing the wherewithal to finance a stable of lawyers, accountants, and pros for hire.

Mr. Speaker, it will take bipartisan, or nonpartisan cooperation in this Congress to implement this Nixon action plan, and I am hopeful immediate consideration will be given to the legislative needs spelled out in the message. The country demanded affirmative, aggressive steps in the field of law and order and justice in the elections last fall, and this is an opportunity to take responsible and meaningful action.

Mr. FASCELL. Mr. Speaker, I rise to commend the President of the United States on the program that he has outlined to the Congress to continue the fight on organized crime.

For the past 3 years, the Legal and Monetary Affairs Subcommittee on the House Committee of Government Operations has been continuing an intensive study of the Federal effort against organized crime. In the last Congress, the subcommittee, of which I am chairman, held many days of public hearings at which we explored all aspects of the organized crime problem, what was being done to combat that enemy in our society and how the Federal part of the fight could be improved.

In a committee report issued last summer entitled "The Federal Effort Against Organized Crime," we assessed the resources, capabilities, and operations of the Department of Justice, including the FBI, and of some 24 other Federal agencies that are involved in the Federal fight against organized crime. The study concluded that "the Federal Government has not borne its obligations with a constancy and force that its role in the overall battle against organized crime demands," and recommended a series of actions to combat the organized crime menace.

While some of these recommendations have been put into effect, much remains to be done. I am happy to see that the President agrees that further action is needed. His statement signifies a comprehension of the importance of the threat of organized crime and provides a battle plan for action that deserves the full consideration of Congress.

The President's approach to the problem closely parallels the recommendations that were made in our committee report.

As the subcommittee carefully documented, there can no longer be any doubt about the menace that syndicated crime presents to every one of us, in our private lives, in business, and in Government. The battle against that enemy in the past had many shortcomings. The most salutary development that we noted after the subcommittee hearings began was the fact that the Federal drive was increased. Much more had to be done, however, as we indicated in the report.

I could not agree with President Nixon more when he says that action plans against organized crime must be established on a long-term basis. In fact, the committee's recommendations were predicated upon the belief. Organized crime has expanded over a long period of years and unfortunately it is firmly entrenched in too many localities. The possible financial gains are so great that successors are always available to take the place of those who are imprisoned or otherwise lose their leadership positions.

One of the things we pointed out in our report was that it was too easy for many of the battlers against syndicated crime to become bogged down in day-to-day operations on a case-by-case basis. One of the prime essentials was a need for careful long-range planning. Apparently that recommendation has been taken to heart, because the President's program clearly shows that much thought has been given to long-range strategy to fight organized crime.

After our hearings which probed into the adequacy of the Federal effort, the committee report concluded:

> The Federal effort against organized crime is not a single coordinated venture which is conducted under the management and direction of any one department or agency. It is, rather, the sum of the Federal prosecutions, investigations, administrative proceedings and judical actions, plus the aid extended to State and local law enforcement.

In this regard, the President's message states:

> I have asked all Federal agencies to cooperate with the Department of Justice in this effort and to give priority to the organized crime drive. * * * I have directed the Attorney General to mount our Federal anti-organized crime offensive and to coordinate the Federal effort with State and local efforts where possible.

Other parallels between what the President is seeking and what the committee recommended are as follows. The committee said:

> The question is raised, should consideration be given to development of a uniform inter-agency organized crime intelligence system for greater efficiency and for avoidance of duplication, but containing adequate safeguards against misuses of such information?

And the President says:

> A computerized organized crime intelligence system is being developed to house detailed information on the personalities and activities of organized crime nationally. This system will also serve as a model for State computer intelligence systems which will be partially funded by the Federal Government.

The committee said:

> There are other areas of possible Federal aid that should be explored. For instance, the establishment by each State of an organized crime unit probably would best enable it to contend with that menace.

And the President says:

> The Justice Department is encouraging municipalities and States to reexamine their own laws in the organized crime area. We are also encouraging and assisting in the formation of State-wide organized crime investigating and prosecuting units.

The committee said:

> In cooperating with State and local law enforcement by exchanging information, Federal law enforcement agencies do so largely on an investigator-to-investigator basis. * * * It would appear that greater overall (Federal, State and local) results would be possible if the Organized Crime and Racketeering Section (of the Justice Department) issued guidelines for such exchanges in cases which involve violations that are usual in organized crime operations, such as gambling, narcotics dangerous drugs, and racketeering.

And the President says:

> A program is being established so that State and local law enforcement people can exchange recent knowledge on the most effective tactics to use against organized crime at the local level.

The committee said:

> Public apathy towards some crimes on which organized crime feeds (most notably gambling) accounts for much of organized crime's success. * * * The question arises of whether the combined knowledge and experience of all Federal agencies, including Organized Crime and Racketeering Section, should be put into a national coordinated educational campaign to relieve public apathy.

And the President says:

> We are providing Federal aid for both State and local public information programs designed to alert the people to the nature and scope of organized crime activity in their communities.

It is gratifying to see these committee proposals endorsed by the President. There are other significant conclusions by the committee which perhaps are implicit in the President's message, but which require further attention. For one thing, our report pointed out that various Federal agencies have the power to extend licenses, privileges, contracts, and loans, but that not all of the agencies adequately comprehend the potential danger that organized crime can present to areas within their operation. As we said in our report:

> The plain fact is that organized crime is moving into legitimate businesses of every kind, through nominees and through apparently respectable associates. Quite obviously, all agencies should be alert to that fact—particularly since the operations of those agencies are responsible for the regulation, and frequently the creation, of businesses in every line which involve multi-billions of dollars of commerce annually. The public interest requires that the agencies not only protect themselves against being used to expand the operations of organized crime but that they also aid in the overall Federal effort to defeat that enemy in every way they can.

Another matter that requires further attention is the need to devise some means of measuring the effectiveness of the Federal effort against organized crime, particularly when the President is asking for millions in increased funds. Many more millions will be expended over the years in attempting to eradicate organized crime. As the committee report pointed out, there is a genuine need on the part of all concerned in the fight to know on a continuing basis what results are being obtained, so that shortcomings can be remedied and duplications avoided.

In the revised budget sent to Congress, additional funds are sought for fiscal 1970, most of which would provide for the hiring of 415 new FBI agents and 271 other persons to work with them. The Immigration and Naturalization Service also would receive extra funds to hire 16 investigators and six clerks. The budget also adds money for marshals and Federal attorneys, and for strengthening the Bureau of Narcotics and Dangerous Drugs.

Significantly, these increases in the Government's fight against organized crime come at a time when most Government agencies are absorbing a spending cutback. The Justice Department is the only Government agency to receive an increase in the administration's proposed revisions of the budget. I again congratulate the President for giving this emphasis to the drive to eliminate organized crime.

Another source of funds for the fight against organized crime was provided by the Congress last summer in the Omnibus Crime Control Act. Under section 306 of that act, the Law Enforcement Assistance Administration is to allocate to the States 85 percent of the funds appropriated for law enforcement grants and the remaining 15 percent in the manner LEAA determines. The next provision of the act, section 307, provides that in making grants, the LEAA and State planning agencies shall give special emphasis to programs and projects which, among others, deal with the "prevention, detection and control of organized crime." Clearly these two provisions must be read together to accomplish the objectives of the act and the intentions of Congress, so that in allocating the discretionary funds, LEAA must give special emphasis to programs that are aimed at eradicating organized crime. I am happy to see that the President is asking Congress to approve a full $300 million appropriation for LEAA, one effect of which will be to increase the amount of discretionary funds available to that agency for use against syndicated crime.

I sincerely hope that efforts to end public apathy on the organized crime menace will meet with success. The Miami Herald recently published an editorial warning that continued and expanded support by ordinary citizens is needed if the battle is to be won. "Federal Crime Fighters Can Use Your Help, Too," is the title, and this could well serve as the theme for involving the public in this epic task. The Herald declares:

> The trouble with anti-crime drives, is that they lose momentum as the public lapses into apathy after the first surge of excitement and satisfaction. The contrast between 11 indictments in 1960 and 1,166 in 1968 is statistical evidence of that fact.
>
> Thus, the Federal effort calls for the widest citizen support.

Because of the Government's current drive against organized crime, I believe we are slowly winning this fight. But it will require constant effort and dedication. Continued citizen support is the essence of the battle, and I hope that each person will do all that he can to help in this cause.

I, for one, can promise that the Legal and Monetary Affairs Subcommittee will continue its efforts to improve the overall Federal effort against organized crime.

Mr. BOW. Mr. Speaker, the President's message on organized crime asks the Congress to double—to $25 million—the amount that we have been spending on law-enforcement activities to combat this menace to American society.

The President states the extent of the problem in this sentence:

> Estimates of the take from illegal gambling alone in the United States run anywhere from $20 billion dollars, which is over two percent of America's gross national product, to $50 billion dollars, which is roughly equivalent to the combined national products of Argentina, Brazil, and Chile.

As ranking member of the Appropriations Subcommittee on Justice Department Appropriations, I have worked closely with my chairman, the gentleman from New York (Mr. ROONEY), in efforts to develop a satisfactory program in this area. As the President has pointed out in his message, we have had some minor successes but the effort thus far has failed to halt the expansion and entrenchment of the criminal establishment.

The President's proposals for fighting organized crime are sound and forceful. They deserve the support of the Congress and the public. I am confident the President's request for the additional funds will receive the most sympathetic consideration in the Appropriations Committee and I trust it will have approval. The President is organizing the troops to fight this battle, and we must give him the support he requires.

Mr. RHODES. Mr. Speaker, I approve of the President's message on organized crime.

We have no choice but to carry out the program he has outlined. The threat to this great Nation is immediate and it cannot be put aside.

We concern ourselves with the danger of external aggression, while our internal structure is being slowly eaten away to satiate the gluttonous appetite of the underworld.

We seek an end to crime in our streets by eliminating its perpetrators, while the dope pushers of the Mafia create new ones.

We pour millions of dollars into programs to protect our allies, while our underbelly is eaten away by moral decay at home.

The President has faced the problem for what it is—a threat to our way of life. We cannot bury our heads in the sand and hope the problem goes away. Our duty to this great Nation compels our immediate and complete support of the President's program.

There is nothing partisan about crime prevention. It is paramount in the interest of all of us. Each day the dope pusher entices new addicts who commit new crimes. Every day our people lose respect for law enforcement personnel.

The mountain may seem insurmountable, but it can never be known if it can be scaled if we do not take the first step toward the top.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks following the message of the President.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

A GREATER NEED FOR UNIFORM NATIONAL WELFARE STANDARDS

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONAGAN. Mr. Speaker, the Supreme Court decision that struck down the residency requirements that 40 States impose upon potential welfare recipients, certainly serves to point up the urgency of immediate action by the Congress on my bill, H.R. 9952, to amend the public assistance provisions of the Social Security Act to require the establishment of nationally uniform minimum standards for eligibility for aid or assistance thereunder.

We have a crisis in welfare today. The crisis exists most emphatically in several States including Connecticut where the highest in humanitarian welfare standards have been established and where the taxpayers are paying a penalty because by doing their utmost to aid the needy they have provided easy access to these benefits by refugees from less concerned States where provision for the unfortunate is far less liberal. This generosity of our hardpressed taxpayers should not be penalized. These welfare recipients are no longer the local paupers of other days. They are a nationwide phenomenon. The task of caring for them should be borne by all U.S. taxpayers.

It is a sad lack of system that results in this heavy financial burden on those who exert their best efforts to help the most disadvantaged segment of our population.

Poverty is a problem that crosses State lines and should be met with single national commitment.

The strains on our State budgets are severe.

If Connecticut—or any other State—is forced to cut back its program to assist the needy, it will not be due to a change in the humanitarianism of our citizenry.

ELEMENTARY AND SECONDARY EDUCATION

(Mr. DENNEY) asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENNEY. Mr. Speaker, I believe it would be unwise to extend the Elementary and Secondary Education Act of 1965 more than 2 years. I favor extension of the act to June 30, 1972, in order to give effect to forward-funding provisions and to assure advanced program planning. I support certain changes in the act to make it a more effective instrument for educational improvement. Therefore, I oppose the committee-reported bill because it fails to deal responsibly with urgent educational problems.

ESEA expires June 30, 1970. However, if the forward-funding provisions, which the Republican members of the House Education and Labor Committee strongly supported, are to be operable, the act must be extended. I support a 2-year extension as recommended by the Secretary of Health, Education, and Welfare for two reasons. First, an assurance of 3 more years of operation is desirable in order to encourage advance program planning. Second, and even more important, the census data which forms the basis of the distribution of funds under title I will be updated in 1969–70 and the new information very likely will necessitate major changes in title I, which is by far the most vital part of the act. The administration has undertaken a complete review of this legislation in the context of our total national effort to overcome educational and social problems, and the Congress should be assured of the opportunity to act upon any recommendations of the executive branch. Perhaps the best single example of why the act needs thorough revision at the earliest possible time is provided by the discussed but little understood formula in title I of the act.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1969

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 514) to extend programs of assistance for elementary and secondary education, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 514, with Price, of Illinois, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Kentucky (Mr. Perkins) had 11½ minutes remaining and the gentleman from Ohio (Mr. Ayres) had 10 minutes remaining.

The Chair recognizes the gentleman from Kentucky.

Mr. PERKINS. Does the gentleman from Ohio (Mr. Ayres) wish to use time?

Mr. AYRES. Mr. Chairman, I yield myself such time as I may consume.

Mr. MIZE. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Kansas.

Mr. MIZE. Mr. Chairman, even as we debate the merits of the Elementary and Secondary Education Act, and consider its extension, we reaffirm the predominant role that State and local authorities must continue to play in education.

Traditional burdens borne by school boards and State departments of education have never been heavier than they are today. The task has never been more difficult. The revenue needed for an adequate school system becomes a larger proportion of total government revenue each year, and properly so. Most of that revenue, without question, should come from local sources.

Local authorities must maintain control of curriculum, teachers' salaries, construction of facilities, selection of textbooks, and qualitative standards of instruction. These are responsibilities left to the States and to the people by the Constitution, and the Congress may not properly entertain an ambition to assume any of them.

For what purpose, then, has the Federal Government initiated programs of Federal aid to elementary and secondary education? What national responsibility has the Congress embraced with the passage of the ESEA? We must define the extent of our duties, then measure the legislation before us by that standard. If there are problems in education which the Congress can not properly move to solve, then congressional restraint must be exercised. Our constitutional mandate demands no less. The traditions of our people must be respected.

THE FEDERAL MOTIVE

The Elementary and Secondary Education Act does not presume to preempt the historic role of local school boards.

This act is consistent, in theory, with historic concepts of educational responsibility, for it was passed—in the main—to meet a narrowly defined challenge quite beyond the capacity of many local and State resources.

That challenge is the challenge of providing an adequate education to seriously disadvantaged students, the habitual underachievers. Congress recognized that local authorities required significant outside assistance in order to provide disadvantaged students with the educational equipment they must have to become participating, contributing citizens in our society.

The underachiever becomes a national liability, for the National Government is required to contribute to his welfare payments if he fails to learn a trade. The National Government loses his tax contributions when he is unemployed. The National Government provides his food stamps and his commodities when he cannot feed his children.

The National Government, clearly no less than the State government or the local government, must share the burden of providing for a citizen who cannot provide for himself.

Further, there is a moral obligation which every National Government, including our own, has to each of its citizens. That obligation is to provide an atmosphere and reasonable opportunity for each man and woman to live a life of dignity and purpose.

In the modern world, the National Government is almost powerless to provide such an atmosphere to one who has not achieved a basic education.

In view of all this, there is pressing need for Federal assistance to elementary and secondary education in America. Perhaps, if this assistance had been provided a generation earlier, we would not today be burdened with many of the problems that are collectively characterized as the "urban crisis." In truth, many of these problems can be traced to educational failings in rural America.

FIVE-YEAR EXTENSION OF CURRENT ACT UNMERITED

Mr. Chairman, I have reviewed the reasons for my support for the concept of Federal aid to elementary and secondary education. For practical reasons, I favor a 2-year extension of the basic legislation. Without such an extension, local and State authorities will be denied the program continuity and advance funding they require for proper financial planning.

But, Mr. Chairman, I oppose a 5-year extension of ESEA. The distribution formula which is currently employed is beyond rational explanation. Under the allotment procedures for distribution of title I appropriations, the rich are getting richer, and the poor are getting relatively poorer.

I will include table I, which I have prepared from statistics provided me by the Office of Education, in the RECORD at this point:

TABLE I.—COMPARISON OF 4 SCHOOL DISTRICTS, SELECTED STATISTICS, FISCAL YEAR 1967

	White Plains, Westchester County, N.Y.	Montgomery County, Md.	Oklahoma City, Oklahoma County, Okla.	Mobile, Ala.
Assessed taxable property value per pupil	$31,462	$20,855	$5,359	$6,005
Expenditures per pupil in average attendance	$1,077.17	$714.35	$379.19	$323.20
Disadvantaged children qualifying for assistance under title I, ESEA:				
(a) Low income children (age 5 to 17)	367	2,180	7,884	12,967
(b) AFDC supported children	193	314	2,444	0
(c) Neglected and delinquent children	173	0	239	117
(d) Foster home children	43	351	118	188
Total qualifying children	776	2,845	10,685	13,272
Title I entitlement (fiscal year 1967)	$212,531	$503,215	$1,764,669	$1,654,852
Title I entitlement per qualifying disadvantaged child	$274	$177	$166	$125

Source: Office of Education records.

Mr. Chairman, Members reviewing the facts presented in table I will see that distribution of funds prior to fiscal year 1968 was grossly unjust. Those school districts with vast resources and revenue capacity, exemplified by White Plains and Montgomery County, received a bonus from the Federal Government for their wealth. Those districts with the greatest local capacity to assist disadvantaged students received, in many instances, absurdly high allotments from the Federal Government under title I.

In stark contrast, school districts with meager resources, and a floodtide of poor children received a mere trickle of Federal assistance—assistance so insufficient per disadvantaged pupil that educational opportunity was made more disproportionate for the poor wherever they were crowded together.

Wealthy suburban school districts were provided with assistance which they appreciated, no doubt. But the pressing need remained in the poorest districts, and those districts lost ground in their attempt to provide parallel educational opportunity.

If you give a rich man more money than you give a poor man, the poor man is poorer, in comparison, than before the dispensation.

That, in a nutshell, was the situation created by the distribution formula of the ESEA prior to fiscal year 1968. Allotment of funds, per disadvantaged pupil, was an embarrassment and an absurdity.

HAS ANYTHING CHANGED SINCE FISCAL YEAR 1967?

In fairness to the administrators of ESEA, these inequities were recognized quite early. The distribution formula was revised for fiscal year 1968, and the national average of expenditures for education became the "floor" in applying the formula to determine allotments for the school districts.

The States spending less than the national average for education per pupil were programed to receive more money per disadvantaged pupil than they had before.

While extensive statistics are not yet readily available for fiscal year 1968, the following are indicative of the results achieved under the revised method of ESEA title I allotments. I include table II in the RECORD at this point:

TABLE II.—COMPARISON OF 4 SCHOOL DISTRICTS, SELECTED STATISTICS, FISCAL YEAR 1968

	White Plains, Westchester County, N.Y.	Montgomery County, Md.	Oklahoma City, Oklahoma County, Okla.	Mobile, Ala.
Disadvantaged children qualifying for assistance under title ESEA:				
(a) Low income children (age 5 to 17)	367	2,180	6,931	12,967
(b) AFDC supported children	193	485	4,379	0
(c) Neglected and delinquent children	173	37	210	117
(d) Foster home children	43	351	104	188
Total qualifying children	776	3,053	11,624	13,272
Title I entitlement (fiscal year 1968)	$220,696	$492,380	$1,757,979	$2,009,397
Title I entitlement per qualifying disadvantaged child	$284	$161	$151	$151

Source: Office of Education records.

Mr. Chairman, table II shows that good intentions were frustrated. Today, after revision, the results are almost as inequitable as before.

The allotment to each school district per disadvantaged pupil is the real paydirt under this act. That allotment, after all slide-rule manipulations are completed, is the criterion upon which the ESEA title I distribution, and therefore, the effectiveness of the program, should be judged.

The continued comparative poverty of poverty-stricken districts should not be extended by this Congress for 5 full years. There is no justification for such imprecise work.

Mr. Chairman, I urge all Members to vote for a 2-year extension of the ESEA, and then turn to the task of revising this legislation to meet the real need which it is intended to meet.

School districts which have large numbers of disadvantaged children have desperate problems. Upon the administrators of those districts we must depend for the ultimate break in the poverty cycle which has captured so many American families.

The Congress properly addresses itself to upgrading educational opportunity for the very poor. But in our wisdom, we have created a program which has made a mockery of our good intentions. I suggest that a 5-year extension of the ESEA would be an unwarranted perpetuation of an inequity which we have an obligation to eliminate.

Mr. AYRES. Mr. Chairman, in view of the fact that the proposals have been debated quite thoroughly in the past 2 days, and Members are anxious to get on to consideration of the bill, I yield back the remainder of my time.

Mr. PERKINS. Mr. Chairman, I yield the remainder of the time on our side to the distinguished majority leader (Mr. ALBERT).

Mr. ALBERT. Mr. Chairman, I shall try not to take all the time, because I concur with what the distinguished gentleman from Ohio said. The House is anxious to get on with the important business which is before us.

It is my privilege to rise today in support of H.R. 514, a bill to extend the Elementary and Secondary Education Act of 1965.

This legislation has, since its enactment in 1965, been more important to the grade schools and high schools of our Nation than any previous education legislation ever enacted. We cannot today calculate its total impact—for that will be felt in the years to come in the increased earning power and good citizenship of many millions of schoolchildren whose education was in some way significantly improved through the application of funds under the provisions of this act.

It may be the Mexican-American child whose enrollment in a bilingual education program enabled him to keep pace with the English-speaking majority; it may be the deaf child who was reached by a teacher especially trained to understand his needs; it may be the potential dropout who was encouraged to continue his education and obtain his high school diploma.

All of these individuals and many others whose needs have heretofore not been adequately met by the schools because of lack of funds, of skilled teachers or of relevant materials are, and will continue to be, served by the programs under this act.

If ever Congress was faced with an imperative to enact immediately a piece of legislation, that time is now. Although the present act does not expire until 1970, we cannot afford to let it wait until next year for extension. Repeated testimony and evidence before the Committee on Education and Labor indicate that present late funding means that many schools do not receive their moneys until well after the school year has begun, thus greatly reducing the effectiveness of the legislation.

By extending it now, and extending it for 5 years, we make sure that advance funding is possible, and we will give school officials and administrators a chance to prepare in advance for optimum use of the funds they are to receive.

What is more, they will be able to plan with certainty on an expected amount of income, and will not be forced to cut crucial programs at the last moment, or exclude children from programs already underway, because the appropriations from Washington fell short of what they had expected.

Mr. Chairman, there has been much banter about a 2-year extension being more desirable than a longer extension and a lot of misconceptions have been promoted in support of the effort to cut back this authorization. For example, it is utterly wrong that a longer extension will preclude or result in no congressional consideration of the legislation during the 5-year period.

Largely through the efforts and leadership of the very able and distinguished gentlewoman from Oregon, we engineered through the Congress an extension of the Higher Education Act until June 30, 1971. Yet, at this moment, I am advised that the Special Subcommittee on Education, which she chairs, is in the process of holding hearings on possible amendments to the Higher Education Act.

Three months after ESEA was first enacted—Public Law 89-10—the Congress held hearings and took action on amendments to it—Public Law 89-313.

The Vocational Education Act, as embodied in Smith-Hughes, George-Barden, the Vocational Education Act of 1963, and the Vocational Education Act of 1968, all contain not limited authorizations but permanent authorizations, yet these acts have been the subject of congressional investigations, hearings, and have been amended many times.

The distinguished chairman of the Committee on Education and Labor has personally and publicly advised the Honorable Robert Finch, Secretary of Health, Education, and Welfare, that when the administration comes forth with any amendments or modifications of the Elementary and Secondary Education Act, he will promptly initiate proceedings to entertain them. I am further confident, in view of the statements of the chairman of the committee, that the committee will be bringing to the floor of the House, during the life of this act, legislation to modify and improve the Elementary and Secondary Education Act.

Mr. Chairman, an extension of more than 2 years is imperative if we are to get the most effective educational use of Federal dollars. The committee has held hearings in 1965, 1966, 1967, and again this year, in which it has exhaustively probed the minds of the best education experts in the country. Throughout this wealth of testimony, one common denominator underlies all of their thinking:

First, better planning for the use of Federal dollars.

Second, the securing of qualified personnel, and

Third, the coordination of Federal dollars with local State funds.

Maximum program impact can be obtained if schoolteachers, principals, and school administrators can be assured that Congress really means business and recognizes that the effort contained in the Elementary and Secondary Education Act is a long-range effort and not a temporary venture of the Congress.

The program instability which is occasioned by the ups and downs of congressional action from year to year on this measure creates havoc in local educational planning. The teachers, specialists, and other technical personnel cannot be hired for programs when they have only a 1-year assurance that the program will continue.

Mr. Chairman, I believe the Congress wants to insist upon the wise management of Federal dollars going into education, but the overwhelming weight of evidence indicates that we preclude this with short-term authorizations.

In addition to extending the Elementary and Secondary Education Act, H.R. 514 also extends Public Laws 815 and 874, the impacted area aid laws. These important laws have been providing assistance to school districts, suddenly and severely overburdened with a school-age population to be educated as a result of Federal activities in the area, since their enactment in 1950. Public Law 815 provides assistance for school construction, and Public Law 874 provides funds for operation and maintenance. Payments to local educational agencies are based on the existence of Federal property in or within reasonable commuting distance of a school district where children reside with their parents or on which the parents are employed. These payments are intended to compensate the school district for loss of revenue from untaxed property. Today, there are many school districts which receive a major portion of their budget from the funds allotted under Public Law 874, and thus the law plays a substantial role in providing a good education for the Nation's school children, many of whose families provide substantial service to their Government in the Armed Forces.

Mr. Chairman, this bill is needed. I am sure that the gentlewoman from Oregon was right when she said much more is needed than this bill offers. Surely, we can do no less today for the schoolchildren of America than what the great Committee on Education and Labor proposes here.

Mr. PERKINS. Mr. Chairman, I yield back the balance of our time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read by title the substitute committee amendment printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1969".

TITLE I—EXTENSION AND AMENDMENT OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

EXTENSION OF TITLE I OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 101. (a) Section 102 of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1975".

(b) Section 121(d) of title I of the Elementry and Secondary Education Act of 1965 is amended to read as follows:

"(d) For the purpose of making grants under this part there are authorized to be appropriated not in excess of $50,000,000 for the fiscal year ending June 30, 1969, and for each of the six succeeding fiscal years."

(c) The third sentence of section 103(a)(1)(A) of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out "for the fiscal year ending June 30, 1968, and the fiscal year ending June 30, 1969,".

(d) The second sentence of section 103(c) of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out "years ending June 30, 1968, June 30, 1969, and June 30, 1970," and inserting in lieu thereof "year ending June 30, 1968, and for each succeeding fiscal year,".

DESIGNATION OF RESPONSIBILITY FOR PROVISION OF SPECIAL EDUCATIONAL SERVICES FOR INSTITUTIONALIZED NEGLECTED OR DELINQUENT CHILDREN

SEC. 203. (a) Section 103(a)(2) of title I of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following sentence: "Notwithstanding the foregoing provisions of this paragraph, upon determination by the State educational agency that a local educational agency in the State is unable or unwilling to provide for the special educational needs of children, described in clause (C) of the first sentence of this paragraph, who are living in institutions for neglected or delinquent children, the State educational agency shall, if it assumes responsibility for the special educational needs of such children, be eligible to receive the portion of the allocation to such local educational agency which is attributable to such neglected or delinquent children, but if the State educational agency does not assume such responsibility, any other State or local public agency which does assume such responsibility shall be eligible to receive such portion of the allocation."

(b) Section 103(d) of such Act is amended by adding at the end thereof the following new sentence: "For purposes of this section, the Secretary shall consider all children who are in correctional institutions to be living in institutions for delinquent children."

REQUIRING GRANTS FOR MIGRATORY CHILDREN TO BE BASED ON THE NUMBER TO BE SERVED

SEC. 104. (a) The first sentence of paragraph (6) of section 103(a) of title I of the Elementary and Secondary Education Act of 1965 is, effective with the first allocation of funds pursuant to such title by the Commissioner after the date of enactment of this Act, amended to read as follows: "A State educational agency which has submitted and had approved an application under section 105(c) for any fiscal year shall be entitled to receive a grant for that year under this part, based on the number of migratory children of migratory agricultural workers to be served, for establishing or improving programs for such children."

(b) The second sentence thereof is amended by striking "shall be" the first time it appears and inserting in lieu thereof "may be made".

USE OF MOST RECENT DATA UNDER TITLE I

Sec. 105. (a) The third sentence of section 103(d) of title I of the Elementary and Secondary Education Act of 1965 is amended by inserting immediately before the period at the end thereof the following: "or, to the extent that such data are not available to him before April 1 of the calendar year in which the Secretary's determination is made, then on the basis of the most recent reliable data available to him at the time of such determination".

(b) Section 103(e) of such title is amended by inserting the following after "during the second fiscal year preceding the fiscal year for which the computation is made": "(or, if satisfactory data for that year are not available at the time of computation, then during the earliest preceding fiscal year for which satisfactory data are available)".

CONTENT OF STATE AND LOCAL EDUCATIONAL AGENCY REPORTS

Sec. 196. (a) The parenthetical phrase in clause (A) of section 106(a)(3) of title I of the Elementary and Secondary Education Act of 1965 is amended by inserting "and of research and replication studies" immediately before the closing parenthesis.

(b) Section 105(a)(7) of such title is amended by striking out "in such form and containing such information, as may be reasonably necessary" and inserting in lieu thereof "in accordance with specific performance criteria related to program objectives".

STATE ADVISORY COUNCILS

Sec. 107. Part A of title I of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following new section:

"STATE ADVISORY COUNCILS

"Sec. 109. (a) Any State which desires to receive payments under this part for any fiscal year shall establish a State advisory council within its State educational agency for the purpose of advising such agency in all matters relating to the carrying out of this title within the State. The State advisory council shall be appointed by the Governor or, in the case of States in which the State educational agency is a State board of education the members of which are elected, then by such board.

"(b) The State advisory council established pursuant to subsection (a) shall be broadly representative of the educational resources of the State and of the public. Representation on the State advisory council shall include, but not be limited to, persons representative of—

"(1) public and nonprofit private elementary and secondary schools,

"(2) institutions of higher education, and

"(3) area of educational competence dealing with children qualified for special educational assistance under this title.

"(c) The State advisory council shall—

"(1) advise the State educational agency on the preparation of, and policy matters arising in the administration of, State and local educational programs including the development of criteria for approval of applications in such State;

"(2) review and make recommendations to the State educational agency on the action to be taken with respect to applications for grants by local educational agencies;

"(3) evaluate programs and projects assisted under this title;

"(4) prepare and submit through the State educational agency a report of its activities, recommendations, and evaluations, together with such additional comments as the State educational agency deems appropriate, to the Commissioner and to the National Advisory Council on the Education of Disadvantaged Children established pursuant to this title, at such times, in such form, and in such detail, as the Secretary may prescribe; and

"(5) obtain such professional, technical, and clerical assistance as may be necessary to carry out its functions under this title."

STAGGERED TERMS FOR NATIONAL ADVISORY COUNCIL ON EDUCATION OF DISADVANTAGED CHILDREN; TECHNICAL ASSISTANCE

Sec. 108. (a) Section 134(a) of such title is amended by striking out ", within ninety days after the enactment of this title,".

(b) The second sentence of subsection (b) of such section is amended to read as follows: "Such members shall be appointed for terms of three years, except that (1) in the case of the initial members appointed after January 20, 1969, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only."

(c) Such section is further amended by redesignating subsection (e) as subsection (f) and by inserting immediately after subsection (d) the following new subsection:

"(e) The Council is authorized, without regard to the civil service laws, to engage such secretarial, clerical, and technical assistance as may be required to carry out its functions, and to this end up to one-fortieth of 1 per centum of any appropriations for grants under this title will be available for this purpose."

(d) Subsection (f) of such section (as so redesignated by the preceding subsection) is amended by striking out "annual report" and inserting in lieu thereof "annual reports" and by striking out "to be made not later than January 31, 1969".

TECHNICAL AMENDMENT

Sec. 109. Section 107(b)(2) of such title is amended by striking out "Wake Island,".

Mr. ERLENBORN (during the reading). Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. GREEN OF OREGON

Mrs. GREEN of Oregon. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mrs. Green of Oregon: Strike out everything after the enacting clause and insert in lieu thereof:

"TITLE I—EXTENSION AND AMENDMENT OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF TITLE I OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"Sec. 101. (a) Section 102 of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out 'June 30, 1970' and inserting in lieu thereof 'June 30, 1972'.

"(b) Section 121(d) of title I of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"'(d) For the purpose of making grants under this part there are authorized to be appropriated not in excess of $50,000,000 for the fiscal year ending June 30, 1969, and for each of the three succeeding fiscal years.'

"(c) The third sentence of section 103(a)(1)(A) of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out 'for the fiscal year ending June 30, 1968, and the fiscal year ending June 30, 1969,'.

"(d) The second sentence of section 103(c) of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out 'years ending June 30, 1968, June 30, 1969, and June 30, 1970,' and inserting in lieu thereof 'year ending June 30, 1968, and for each succeeding fiscal year,'.

"DESIGNATION OF RESPONSIBILITY FOR PROVISION OF SPECIAL EDUCATIONAL SERVICES FOR INSTITUTIONALIZED NEGLECTED OR DELINQUENT CHILDREN

"Sec. 103. (a) Section 103(a)(2) of title I of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following sentence: 'Notwithstanding the foregoing provisions of this paragraph, upon determination by the State educational agency that a local educational agency in the State is unable or unwilling to provide for the special educational needs of children, described in clause (C) of the first sentence of this paragraph, who are living in institutions for neglected or delinquent children, the State educational agency shall, if it assumes responsibility for the special educational needs of such children, be eligible to receive the portion of the allocation to such local educational agency which is attributable to such neglected or delinquent children, but if the State educational agency does not assume such responsibility, any other State or local public agency which does assume such responsibility shall be eligible to receive such portion of the allocation.'

"(b) Section 103(d) of such Act is amended by adding at the end thereof the following new sentence: 'For purposes of this section, the Secretary shall consider all children who are in correctional institutions to be living in institutions for delinquent children.'

"REQUIRING GRANTS FOR MIGRATORY CHILDREN TO BE BASED ON THE NUMBER TO BE SERVED

"Sec. 104. (a) The first sentence of paragraph (6) of section 103(a) of title I of the Elementary and Secondary Education Act of 1965 is, effective with the first allocation of funds pursuant to such title by the Commissioner after the date of enactment of this Act, amended to read as follows: 'A State educational agency which has submitted and had approved an application under section 105(c) for any fiscal year shall be entitled to receive a grant for that year under this part, based on the number of migratory children of migratory agricultural workers to be served, for establishing or improving programs for such children.'

"(b) The second sentence thereof is amended by striking 'shall be' the first time it appears and inserting in lieu thereof 'may be made'.

"USE OF MOST RECENT DATA UNDER TITLE I

"Sec. 105. (a) The third sentence of section 103(d) of title I of the Elementary and Secondary Education Act of 1965 is amended by inserting immediately before the period at the end thereof the following: 'or, to the extent that such data are not available to him before April 1 of the calendar year in which the Secretary's determination is made, then on the basis of the most recent reliable data available to him at the time of such determination'.

"(b) Section 103(e) of such title is amended by inserting the following after 'during the second fiscal year preceding the fiscal year for which the computation is made': '(or, if satisfactory data for that year are not available at the time of computation, then during the earliest preceding fiscal year for which satisfactory data are available)'.

"CONTENT OF STATE AND LOCAL EDUCATIONAL AGENCY REPORTS

"Sec. 106. (a) The parenthetical phrase in clause (A) of section 106(a)(3) of title I of the Elementary and Secondary Education Act of 1965 is amended by inserting 'and of research and replication studies' immediately before the closing parenthesis.

"(b) Section 105(a)(7) of such title is amended by striking out 'in such form and containing such information, as may be reasonably necessary' and inserting in lieu thereof 'in accordance with specific performance criteria related to program objectives'.

"STAGGERED TERMS FOR NATIONAL ADVISORY COUNCIL ON EDUCATION OF DISADVANTAGED CHILDREN; TECHNICAL ASSISTANCE

"Sec. 107. (a) Section 134(a) of such title is amended by striking ', within ninety days after the enactment of this title,'.

"(b) The second sentence of subsection (b) of such section is amended to read as follows: 'Such members shall be appointed for terms of three years, except that (1) in the case of the initial members appointed after January 20, 1969, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only.'

"(c) Such section is further amended by redesignating subsection (a) as subsection (f) and by inserting immediately after subsection (d) the following new subsection:

"'(e) The Council is authorized, without regard to the civil service laws, to engage such secretarial, clerical, and technical assistance as may be required to carry out its functions, and to this end up to one-fortieth of 1 per centum of any appropriations for grants under this title will be available for this purpose.'

"(d) Subsection (f) of such section (as so redesignated by the preceding subsection) is amended by striking out 'annual report' and inserting in lieu thereof 'annual reports' and by striking out 'to be made no later than January 31, 1969'.

"SALARY BONUSES FOR TEACHERS IN SCHOOLS WITH HIGH CONCENTRATIONS OF EDUCATIONALLY DEPRIVED CHILDREN

"Sec. 108. Section 105(a)(1) is amended by inserting 'payments to teachers of amounts in excess of regular salary schedules as a bonus for service in schools eligible for assistance under this section' after 'including the acquisition of equipment,'.

"TECHNICAL AMENDMENT

"Sec. 109. Section 107(b)(2) of such title is amended by striking out 'Wake Island,'.

"TITLE II—EXTENSION OF TITLE II OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"Sec. 201. (a) Section 201(b) of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof the following: ', and for each of the two succeeding fiscal years'.

"(b) Section 202(a)(1) of such Act is amended by striking out 'for the fiscal year ending June 30, 1968, and the fiscal year ending June 30, 1969,'.

"(c) Section 204(b) of such Act is amended by striking out 'for any fiscal year ending prior to July 1, 1970,'.

"TITLE III—EXTENSION AND AMENDMENT OF TITLE III OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF TITLE III

"Sec. 301. (a) Section 301(b) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970' the following: ', and for each of the two succeeding fiscal years', and by striking out 'two' in the last sentence and inserting in lieu thereof 'four'.

"(b) The third sentence of section 302(a)(1) of such Act is amended by striking out 'for each fiscal year ending prior to July 1, 1969,'.

"(c) Clause (2) of section 307(b) of such Act is amended by striking out 'during the fiscal year ending June 30, 1970' and inserting in lieu thereof 'for any fiscal year ending after June 30, 1969'.

"PROVISIONS TO ASSURE PARTICIPATION BY ALL ELIGIBLE STUDENTS

"Sec. 302. Section 307 of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following new subsection:

"'(f)(1) In any State which has a State plan approved under section 305 and in which no State agency is authorized by law to provide, or in which there is a substantial failure to provide, for effective participation on an equitable basis in programs authorized by this part by children and teachers in any one or more elementary or secondary schools of such State in the area or areas served by such programs, the Commissioner shall arrange for the provision, on an equitable basis, of such programs and shall pay the costs thereof for any fiscal year, out of that State's allotment. The Commissioner may arrange for such programs through contracts with institutions of higher education, or other competent nonprofit institutions or organizations.

"'(2) In determining the amount to be withheld from any State's allotment for the provision of such programs, the Commissioner shall take into account the number of children and teachers in the area or areas served by such programs who are excluded from participation therein and who, except for such exclusion, might reasonably have been expected to participate.'

"TITLE IV—EXTENSION OF TITLE V OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"Sec. 401. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended by striking out '$80,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970' and inserting in lieu thereof '$80,000,000 for the fiscal year ending June 30, 1969, and for each of the three succeeding fiscal years'.

"TITLE V—EXTENSION AND AMENDMENT OF TITLE VI OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AND OF OTHER ACTS RELATING TO EDUCATION OF THE HANDICAPPED

"EXTENSION OF TITLE VI OF THE ACT

"Sec. 501. (a) Section 602 of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof the following: ', and for each of the two succeeding fiscal years'.

"(b) Section 603(a)(1)(B) of such Act is amended by striking out 'for the fiscal year ending June 30, 1968, and the succeeding fiscal year,'.

"EXTENDING AUTHORITY FOR REGIONAL RESOURCE CENTERS FOR THE IMPROVEMENT OF THE EDUCATION OF HANDICAPPED CHILDREN

"Sec. 502. Section 608(a) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970' the following: ', and for each of the two succeeding fiscal years'.

"CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

"Sec. 503. Section 609(j) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970' the following: ', and for each of the two succeeding fiscal years'.

"RECRUITMENT OF PERSONNEL AND INFORMATION ON EDUCATION OF THE HANDICAPPED

"Sec. 504. Section 610(b) of the Elementary and Secondary Education Act of 1965 is amended by striking out 'two' and inserting in lieu thereof 'four'.

"EXTENSION OF AUTHORIZATION FOR GRANTS FOR TEACHING IN THE EDUCATION OF HANDICAPPED CHILDREN; TRAINING OF SUBPROFESSIONAL PERSONNEL

"Sec. 505. (a) Section 7 of the Act of September 6, 1958 (Public Law 926, Eighty-fifth Congress, 20 U.S.C. 617), is amended by inserting after '1970' the following: ', and for each of the two succeeding fiscal years'.

"(b) The second sentence of the first section of such Act (20 U.S.C. 611) is amended (1) by striking out 'professional or advanced' before 'training', and (2) by striking out 'specialists' before 'providing special services' and inserting in lieu thereof 'special personnel'.

"EXTENSION OF AUTHORIZATION FOR RESEARCH IN EDUCATION OF THE HANDICAPPED

"Sec. 506. The first sentence of section 302(a) of the Act of October 31, 1963 (Public Law 164, Eighty-eighth Congress, 20 U.S.C. 618), is amended by inserting after '1970,' the following: 'and for each of the two succeeding fiscal years,'.

"EXTENSION OF AUTHORIZATIONS AND TECHNICAL AMENDMENTS IN PROVISIONS FOR TRAINING OF PHYSICAL EDUCATORS AND RECREATION PERSONNEL FOR MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

"Sec. 597. (a)(1) Section 501(b) of the Act of October 31, 1963 (Public Law 164, Eighty-eighth Congress, 42 U.S.C. 2698), is amended by inserting after '1970,' the following 'and for each of the two succeeding fiscal years,'.

"(2) Section 501(a) of such Act is amended by striking out 'professional or advanced' before 'training', and by inserting 'educators or' before 'supervisors'.

"(b)(1) Section 502(a)(1) of such Act (42 U.S.C. 2698a) is amended by striking out 'two' and inserting in lieu thereof 'four'.

"(2) Section 502(a)(1) of such Act is further amended by (A) striking out so much of the sentence as follows 'organizations,' and (B) inserting in lieu thereof 'and to make contracts with States, State or local educational agencies, public and private institutions of higher learning, and other public or private educational or research agencies and organizations, for research and related purposes (as defined in section 302(i) of this Act) relating to physical education or recreation for mentally retarded and other handicapped children (as defined in section 302(a) of this Act), and to conduct research, surveys, or demonstrations relating to physical education or recreation for such children.'.

"TITLE VI—EXTENSION AND AMENDMENT OF TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF BILINGUAL EDUCATION PROGRAMS

"Sec. 601. Section 703(a) of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof the following: ', and for each of the two succeeding fiscal years'.

"APPLICATION TO INDIANS ON RESERVATIONS

"Sec. 602. (a) Section 705 of the Elementary and Secondary Education Act of 1965 is amended by redesignating subsection (c) as subsection (d) and by inserting the following new subsection immediately after subsection (b):

"'(c) From the sums appropriated pursuant to section 703, the Commissioner may also make payments to the Secretary of the Interior for elementary and secondary school programs to carry out the policy of section 702 with respect to individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments for that purpose may be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the policy of section 702.'

"(b) Section 706 (a) of such Act is amended by inserting the following before the period at the end thereof: 'or, in the case of payments to the Secretary of the Interior, an amount determined pursuant to section 705 (c)'.

"TITLE VII—EXTENSION AND AMENDMENT OF TITLE VIII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF AUTHORIZATION FOR DROPOUT PREVENTION PROGRAMS

"SEC. 701. Section 807(c) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970,' the following: 'and for each of the two succeeding fiscal years,'.

"REVISION OF FEDERAL ADMINISTRATION SECTION

"SEC. 702. Section 803(c) of the Elementary and Secondary Education Act of 1965 is amended by striking out '(1)' and by striking out everything after 'by such other departments and agencies' and inserting in lieu thereof the following: ', Federal departments and agencies administering programs which may be effectively coordinated with programs carried out under this Act or any Act amended by this Act, including community action programs carried out under Title II of the Economic Opportunity Act of 1964, shall, to the fullest extent permitted by other applicable law, carry out such programs in such a manner as to assist in carrying out, and to make more effective, the programs under this Act or any Act amended by this Act.'

"TITLE VIII—EXTENSION AND AMENDMENT OF IMPACTED AREAS PROGRAMS

"EXTENSION OF IMPACTED AREAS PROGRAMS

"SEC. 801. (a)(1) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out 'June 30, 1970' and inserting in lieu thereof 'June 30, 1972'.

"(2) Section 15(15) of such Act is amended by striking out '1965–1966' and inserting in lieu thereof '1967–1968'.

"(b) Sections 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out '1970' wherever it occurs and inserting in lieu thereof '1972'.

"EXTENSION OF SCHOOL ASSISTANCE IN DISASTER AREAS

"SEC. 802. (a) Section 16(a)(1)(A) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) is amended by striking out 'July 1, 1970' and inserting in lieu thereof 'July 1, 1972'.

"(b) Section 7(a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out 'July 1, 1970' and inserting in lieu thereof 'July 1, 1972'.

"ASSISTANCE FOR THE MAINTENANCE AND OPERATION OF SCHOOLS, BASED ON CHILDREN LIVING IN FEDERALLY ASSISTED PUBLIC HOUSING

"SEC. 803. (a) Title I of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended, effective July 1, 1969, by adding at the end thereof the following new section:

" 'ASSISTANCE FOR CHILDREN LIVING IN FEDERALLY ASSISTED PUBLIC HOUSING

" 'SEC. 8. (a) Subject to the reduction provided for in subsection (b), each local educational agency shall be entitled to receive for each fiscal year ending before July 1, 1972, an amount equal to the product of—

" '(1) one-half the number of children (other than children with respect to whom the agency is entitled to receive a payment under section 3) who were in average daily attendance at the schools of the agency, and for whom such agency provided free public education, during such fiscal year and who, while in attendance at such schools, resided in low-rent housing assisted under the United States Housing Act of 1937 which is located in the school district of such agency, and

" '(2) the local contribution rate (as determined under section 3(d)) for such agency.

" '(b) The amount to which a local educational agency is entitled under subsection (a) for a fiscal year shall be reduced by the amount it received from payments made by the public housing agency for such year under section 10(h) of the United States Housing Act of 1937 on account of such low-rent housing.

" '(c) If the funds appropriated for making the payments provided in this section are not sufficient to pay in full the total amounts which the Commissioner estimates all local educational agencies will be entitled to receive under this section for such year, the amount so appropriated shall be available for payment of a percentage of the amount to which each local educational agency is entitled under this section, such percentage to be equal to the percentage which the amount so appropriated is of the amount to which all such agencies are entitled under this section. In case additional funds become available for carrying out this section, the additional funds shall be paid by the Commissioner on the same basis as is provided above for the initial allocation.'

"(b)(1) Section 5(a) of such Act is amended by striking out 'or 4' and inserting in lieu thereof '4, or 8'.

"(2) The first sentence of section 5(c) of such Act is amended by inserting after 'this title' both times it appears the following: '(other than section 8)'.

"COUNTING CHILDREN IN FEDERALLY ASSISTED PUBLIC HOUSING FOR PURPOSES OF CONSTRUCTION ASSISTANCE IN FEDERALLY IMPACTED AREAS

"SEC. 804. (a) Section 1 of the Act of September 23, 1950 (20 U.S.C. 631), is amended by striking out the second sentence and inserting in lieu thereof the following: 'There is hereby authorized to be appropriated for each fiscal year such sums as the Congress may determine to be necessary to make payments on the basis of the number of children in an increase under paragraphs (1), (2), and (3) of section 5(a) and for carrying out the provisions of sections 9 and 10. There is also authorized to be appropriated for each fiscal year such sums as the Congress may determine to be necessary to make payments on the basis of the number of children in an increase under paragraph (4) of section 5(a).'

"(b) Section 3 of such Act is amended by striking out 'or (3)' in the first sentence and inserting in lieu thereof '(3), or (4)', and by striking out the second sentence and inserting in lieu thereof the following: 'The Commissioner shall by regulation prescribe an order of priority, based on relative urgency of need, to be followed in approving applications on the basis of the number of children in an increase under paragraphs (1), (2), and (3) of section 5(a). He shall also by regulation prescribe a separate order of priority to be followed in approving applications on the basis of the number of children in an increase under paragraph (4) of section 5(a). The orders of priority so established shall be followed in the event the funds appropriated under the second sentence or under the third sentence of section 1 and remaining available on any such date for payment to local educational agencies are less than the Federal share of the cost of the projects with respect to which applications have been filed prior to such date (and for which funds appropriated under the second sentence or the third sentence, as the case may be, of subsection (a) of section 1 have not already been obligated.)'

"(c) Paragraph (4) of section 5(a) of such Act is amended to read as follows:

" '(4) the estimated increase, since the base year, in the number of children in the membership of schools of such agency residing in low-rent housing assisted under the United States Housing Act of 1937 which is located in the school district of such agency, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated.'

"(d) Section 5(b) of such Act is amended (1) by striking out 'the paragraphs' and inserting in lieu thereof 'paragraphs (1), (2), and (3)', and (2) by adding at the end thereof the following new sentence: 'If paragraph (1), (2), or (3) of subsection (a) applies to a child to whom paragraph (4) also applies, then only paragraphs (1), (2), and (3) shall be deemed to apply to such child, except that paragraph (4) shall apply to such child if the local educational agency was not eligible for payments for the increase period on account of children counted under paragraphs (1), (2), and (3).'

"(e) Section 5(c) of such Act is amended (1) by striking out 'or (3)' and inserting '(3), or (4)', and (2) by striking out 'or (2)' and inserting ', (2), or (4)'.

"(f) Section 5(f) of such Act is amended by striking out 'or (3)' and inserting '(3), or (4)'.

"(g) The amendments made by this section shall become effective July 1, 1969. For purposes of sections 5(a)(4) and 5(f) of such Act of September 23, 1950, the number of children in the membership of a local educational agency residing in low-rent housing assisted under the United States Housing Act of 1937 located in the school district of the local educational agency during the years of the base period preceding such effective date shall be determined by the Commissioner on the basis of estimates.

"TITLE IX—MISCELLANEOUS

"EXTENSION OF ADULT EDUCATION PROGRAM

"SEC. 901. Section 314 of the Adult Education Act of 1966 (title III of Public Law 89–750) is amended by inserting after '1970,' the following: 'and for each of the two succeeding fiscal years,'.

"REQUIRING REPORTS TO CONGRESS WITH RESPECT TO CONTRACTS FOR EVALUATIONS

"SEC. 902. Section 402 of the Elementary and Secondary Education Amendments of 1967 is amended by inserting '(a)' after 'SEC. 402.' and by adding at the end thereof the following new subsection:

" '(b) No later than July 31 of each calendar year, the Secretary shall transmit to the respective committees of the Congress having legislative jurisdiction over any Act referred to in section 401, a report containing (1) a brief description of each contract or grant for evaluation of a program or programs referred to in section 401 (whether or not such contract or grant was made under this section), any part of the performance under which occurred during the preceding fiscal year, (2) the name of the firm or individual who is to carry out the evaluation, and (3) the amount to be paid under the contract or grant.'

"JOINT FUNDING

"SEC. 903. Pursuant to regulations prescribed by the President, where funds are advanced by the Office of Education and one or more other Federal agencies for a project or any activity funded in whole or in part under a statute for the administration of which the Commissioner of Education has responsibility (either as provided by statute or by delegation), any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.

"RULEMAKING REQUIREMENTS

"SEC. 904. No standard, rule, regulation, or requirement of general applicability prescribed for the administration of this Act or any Act amended by this Act may take effect until thirty days after it is published in the Federal Register.

"INDIRECT COSTS AMENDMENT

"SEC. 905. The Elementary and Secondary Act of 1965 is amended by adding the following new section at the end thereof:

" 'INDIRECT COSTS

" 'SEC. 808. Local educational agencies are authorized to use organized and systematic approaches in determining cost collection, cost measurement, and cost reporting as may be required by this Act: Provided, That such conform generally to the concept of reimbursement procedures prescribed by the Bureau of the Budget in circular numbered A-21 (revised) as in effect on March 1, 1969.'

"PROGRAM CONSOLIDATION

"SEC. 906. The Elementary and Secondary Education Act of 1965 is further amended by adding a new title as follows:

" 'TITLE IX—CONSOLIDATION OF SPECIAL STATE-GRANT PROGRAMS

" 'APPROPRIATIONS AUTHORIZED

" 'SEC. 901. (a) The Commissioner shall carry out a program for making grants to the States for the uses and purposes set forth in section 903 of this title.

" '(b) For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $1,000,000,000 for the fiscal year ending June 30, 1971, and for the succeeding fiscal year.

" 'ALLOTMENTS TO STATES

" 'SEC. 902. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 901(b). From the amount appropriated for any fiscal year pursuant to the preceding sentence the Commissioner shall allot (A) among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands an amount determined by him according to their respective needs for assistance under this title, and (B) to (i) the Secretary of the Interior the amount necessary to provide programs and projects for the purposes of this title for individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (ii) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

" '(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 901 (b), the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children aged five to seventeen, inclusive, in that State bears to the total number of such children in all the States. The amount allotted to any State under the preceding sentence for any fiscal year which is less than its aggregate base year allotment shall be increased to an amount equal to such aggregate, the total thereby required being derived by proportionately reducing the amount allotted to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being reduced to less than its aggregate base year allotment. For the purposes of this subsection, (A) the term "aggregate base year allotment" with respect to a State means the sum of the allotments to that State, for the fiscal year ending June 30, 1969, under titles II and III of this Act and part A of title III and part A of title V of the National Defense Education Act of 1958; (B) the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands; and (C) the number of children aged five to seventeen, inclusive, in each State and in all of the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

" '(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amounts reallotted to a State under this subsection during a year from funds appropriated pursuant to section 901 shall be deemed part of its allotment under subsection (a) for such year.

" 'USES OF FEDERAL FUNDS

" 'SEC. 903(a) It is the purpose of this title to combine within a single authorization, subject to the modifications imposed by the provisions and requirements of this title, the programs formerly authorized by titles II and III of the Elementary and Secondary Education Act of 1965 and by titles III-A and V-A of the National Defense Education Act, and except as expressly modified by this title, Federal funds may be used for the purchase of the same kinds of equipment and materials and the funding of the same types of programs previously authorized by those titles.

" '(b) Grants under this title may be used, in accordance with State plans approved under section 906, for

" '(1) the provision of library resources, textbooks, other printed and published instructional materials, laboratory and other instructional equipment, and audiovisual equipment and materials for the use of children and teachers in public and private elementary and secondary schools of the State;

" '(2) the provision of supplementary educational centers and services to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary public and private elementary and secondary school educational programs to serve as models of regular school programs; and

" '(3) programs for testing students in the public and private elementary and secondary schools and in junior colleges and technical institutes in the State, and programs designed to improve guidance and counseling services at the appropriate levels in such schools.

" '(c) In addition to the uses specified in subsection (b), funds appropriated for carrying out this title may be used for—

" '(1) proper and efficient administration of the State plan;

" '(2) obtaining technical, professional, and clerical assistance and the services of experts and consultants to assist the advisory council authorized by this title in carrying out its responsibilities; and

" '(3) evaluation of plans, programs, and projects, and dissemination of the results thereof.

" 'PARTICIPATION OF PUPILS AND TEACHERS IN NONPUBLIC SCHOOLS

" 'SEC. 904. (a) Except with respect to uses described in subsection (c), funds appropriated pursuant to section 901 shall be utilized only for programs which provide for the effective participation on an equitable basis of children and teachers in private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State.

" '(b) In order to facilitate the policy set forth in subsection (a) the State educational agency shall take appropriate action to provide liaison with private elementary and secondary school officials in the State.

" '(c) The State educational agency, in approving applications of local educational agencies for programs and projects funded under this Act, shall assure that in the planning of such programs and projects there has been, and in the establishment and carrying out thereof there will be, suitable involvement of private elementary and secondary school officials in the area to be served by such programs or projects.

" 'PUBLIC CONTROL OF LIBRARY RESOURCES AND INSTRUCTIONAL EQUIPMENT AND TYPES WHICH MAY BE MADE AVAILABLE; PROHIBITION OF USE FOR RELIGIOUS INSTRUCTION OR WORSHIP

" 'SEC. 905. (a) Title to library resources, textbooks, other printed and published instructional materials, laboratory and other instructional equipment, and audiovisual equipment and materials furnished pursuant to this title, and control and administration of their use, shall vest only in a public agency.

" '(b) The library resources, textbooks, other printed and published instructional materials, laboratory and other instructional equipment, and audiovisual equipment and materials made available pursuant to this title for use of children and teachers in any school in any State shall be limited to those which have been approved by an appropriate State or local educational authority or agency for use, or are used, in a public elementary or secondary school of that State, and provision for the participation of private school pupils and teachers shall not include the construction or remodeling of private school facilities.

" '(c) The library resources, textbooks, instructional materials and equipment, and educational services of all kinds made available pursuant to this title shall be used only for secular purposes and for instruction in secular studies and the use of such resources, textbooks, materials and equipment, or educational services for religious instruction or in connection with religious worship is expressly prohibited.

" 'STATE PLANS

" 'SEC. 906. (a) Any State which desires to receive grants under this title shall submit to the Commissioner, through its State educational agency, a State plan, in such detail as the Commissioner deems necessary, which—

" '(1) designates the State educational agency (which may act either directly or through arrangements with other State or local public agencies) as the sole agency for administration of the State plan;

" '(2) sets forth a program under which funds paid to the State from its allotment under section 901 will be expended solely by public agencies and only for the purposes set forth in section 903;

" '(3) provides assurances satisfactory to the Commissioner that the requirements of sections 904 and 905 will be effectively carried out and sets forth in such detail as the Commissioner may deem necessary the criteria, methods, and procedures to be utilized in meeting these requirements;

" '(4) provides assurances that the funds allocated for each of the uses authorized for section 903 shall not be less than 50 per centum of the State allotment for fiscal year 1969 for each such use under titles III-A and V-A of the National Defense Education Act and titles II and III of the Elementary and Secondary Education Act of 1965;

" '(5) provides that not less than 15 per centum of funds allocated for supplementary educational centers and services shall be used for special programs or projects for the education of handicapped children;

" '(6) takes into consideration the relative need, as determined from time to time, of the children and teachers of the State for the services, materials, and equipment provided under this title, sets forth principles for achieving an equitable distribution of assistance under this title giving appropriate consideration to (A) the geographic distribution and density of population within the State and (B) the relative need of children and teachers in different geographic areas and within different population groups in the State for the assistance provided under this title, and for determining the priority of applications in the State for such assistance, and provides for approving such applications in the order so determined;

" '(7) provides for adoption of effective procedures (A) for the evaluation, at least annually, of the effectiveness of programs and projects supported under the State plan, (B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects, and (C) for adopting, where appropriate, promising educational practices developed through such programs or projects;

" '(8) contains the necessary certification of the State advisory council established pursuant to the requirements of section 907(b);

" '(9) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year (A) will not be commingled with State funds and (B) will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner, by regulation) that would, in the absence of such Federal funds, be made by the applicant for educational purposes;

" '(10) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

" '(11) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the areas served by the programs or projects supported under the State plan and in the State as a whole, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (7), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

" '(12) provides that final action with respect to any application (or amendment thereof) regarding the proposed final disposition thereof shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing; and

" '(13) contains satisfactory assurance that, in determining the eligibility of any local educational agency for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

" '(b) The Commissioner may, if he finds that a State plan for any fiscal year is in substantial compliance with the requirements set forth in subsection (a), approve that part of the plan which is in compliance with such requirements and make available (pursuant to section 908) to that State that part of the State's allotment which he determines to be necessary to carry out that part of the plan so approved. The remainder of the amount which such State is eligible to receive under this section may be made available to such State only if the unapproved portion of that State plan has been so modified as to bring the plan into compliance with such requirements: *Provided*, That the amount made available to a State pursuant to this subsection shall not be less than 50 per centum of the maximum amount which the State is eligible to receive under this section.

" '(c)(1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State educational agency submitting the plan reasonable notice and opportunity for a hearing.

" '(2) Whenever the Commissioner, after reasonable notice and opportunity for hearings to any State educational agency, finds that there has been a failure to comply substantially with any requirement set forth in the approved plan of that State or with any requirement set forth in the application of a local educational agency approved pursuant to such plan, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies not affected by the failure. as the case may be.

" '(3)(A) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under subsection (a) or with his final action under paragraph (2), such State may, within sixty days after notice of such action, file with the United States Court of Appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

" '(B) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make a new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

" '(C) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

" 'STATE ADVISORY COUNCIL

" 'SEC. 907(a). Any State desiring to receive payments to carry out a State plan under this title shall establish a State Advisory Council (hereinafter referred to as "the Council") which shall—

" '(1) be appointed by the State educational agency, and be broadly representative of the cultural and educational resources of the State and of the general public, including persons representative of—

" '(A) public elementary and secondary schools,

" '(B) private elementary and secondary schools,

" '(C) urban education,

" '(D) rural education,

" '(E) higher education, including junior and community colleges,

" '(F) the State library system, and

" '(G) areas of professional competence in dealing with children needing special education because of physical or mental handicaps;

" '(2) advise the State educational agency on the preparation of, and policy matters arising in the administration of, the State plan, including development of criteria for the allocation of funds within the State and the approval of applications under such State plan;

" '(3) assist the State educational agency in evaluating programs and projects assisted under this title;

" '(4) prepare and submit through the State educational agency a report of its activities and recommendations, together with such additional comments as the State educational agency may deem appropriate, to the Commissioner and to the National Advisory Council, established pursuant to this title, at such time, in such form, and in such detail as the Secretary may prescribe; and

" '(5) obtain such professional, technical, and clerical assistance as may be necessary to carry out its functions under this title.

" '(b) The Commissioner shall not approve a State plan submitted under section 906 unless it is accompanied by a certification of the Chairman of the Council that such plan has been reviewed by the Council. Such certification shall be accompanied by such comments as the Council or individual members thereof deem appropriate, and shall indicate whether the plan meets with the approval of the Council and, if not, the reasons for its disapproval. Upon the disapproval of a State plan by the Council the Commissoner shall not approve such plan until he has afforded the Council or its designated representative an opportunity for a hearing.

" 'PAYMENTS TO STATES

" 'SEC. 908. (a)(1) From each State's allotment under section 902 (or the part thereof made available to the State under section 906(b)) for any fiscal year the Commissioner shall pay to that State, if it has in effect a State plan approved pursuant to section 906 for that fiscal year, an amount equal to the amount expended by the State for the uses referred to in section 903 (a) and (b) in accordance with its State plan.

" '(2) The Commissioner is further authorized to pay each State, from its allotment for any fiscal year, amounts necessary for the activities described in section 903(c), except that the total of such payments pursuant to this paragraph shall not exceed 7½ per centum of its allotment for that year or $175,000 ($60,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater.

" '(b) In any State which has a State plan approved under section 906 and in which no State agency is authorized by law to provide library resources, textbooks, other printed and published instructional materials, laboratory and other instructional equipment, or audiovisual equipment and materials for the use of children and teachers in any one or more elementary or secondary schools in such State, the Commissioner shall arrange for the provision on an equitable basis of such library resources, textbooks, other instructional materials, laboratory and other instructional equipment, or audiovisual equipment and material for such use and shall pay the cost thereof for any fiscal year out of that State's allotment.

" '(c)(1) In any State which has a State plan approved under section 906 and in which no State agency is authorized by law to provide, or in which there is a substantial failure to provide, testing or counseling and guidance services, or to provide for effective participation in supplementary educational centers and service, for the use of children and teachers in any one or more elementary or secondary schools of such State, the Commissioner shall arrange for the provision on an equitable basis of such service or services and shall pay the cost thereof for any fiscal year out of that State's allotment.

" '(2) In determining the amount to be withheld from any State's allotment for the provision of such services, the Commissioner shall take into account the number of children and teachers in the area or areas served by such programs who are excluded from participation therein and who, except for such exclusion, might reasonably have been expected to participate; the Commissioner may arrange for such services through contracts with institutions of higher education or other competent institutions or organizations, or by other appropriate methods.

" 'RECOVERY OF PAYMENTS

" 'Sec. 909. If within twenty years after completion of any construction for which Federal funds have been paid under this title—

" '(a) the owner of the facility shall cease to be a State or local educational agency, or

" '(b) the facility shall cease to be used for the educational and related purposes for which it was constructed, unless the Commissioner determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so, the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court or the district in which the facility is situated.

" 'NATIONAL ADVISORY COUNCIL

" 'Sec. 910 (a) The President shall, by January 31, 1970, appoint a National Advisory Council on Educational Assistance which shall—

" '(1) review the administration of, general regulations for, and operation of this title, including its effectiveness in meeting the purposes set forth in section 903;

" '(2) review, evaluate, and transmit to the Congress and the President its evaluation of the reports submitted pursuant to sections 906(a)(11) and 907(a)(4);

" '(3) evaluate programs and projects carried out under this title, and disseminate the results thereof; and

" '(4) make recommendations for the improvement of this title, and its administration and operation.

" '(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of twelve members, a majority of whom shall be broadly representative of the educational and cultural resources of the United States including at least one person who has professional competence in the area of education of handicapped children. Such members shall be appointed for terms of three years except that (1) in the case of the initial members, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only. When requested by the President, the Secretary of Health, Education, and Welfare shall engage such technical and professional assistance as may be required to carry out the functions of the Council, and shall make available to the Council such secretarial, clerical and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

" '(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 20 of each year. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.

" '(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

" 'LABOR STANDARDS

" 'Sec. 911. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).'

"TECHNICAL AND CONFORMING AMENDMENTS

"Sec. 19. Title VIII of the Elementary and Secondary Education Act is amended by inserting at the end of section 801, 'Definitions', the following:

"(1) The term 'laboratory and other instructional equipment and audiovisual equipment and materials' means equipment and materials (other than supplies consumed in use) suitable for use in providing education in science, mathematics, history, civics, geography, economics, industrial arts, modern foreign languages, English, or reading (or, when available and suitable, for instruction in other subjects not involving religious instruction or worship if there exists a critical need therefor in the judgment of local school authorities) in public and private elementary or secondary schools, or both, and testgrading equipment for such schools and specialized equipment for audiovisual libraries serving such schools, and minor remodeling of laboratory or other space used for such materials or equipment in public elementary or secondary schools.

"USE OF FUNDS AVAILABLE UNDER AUTHORIZATIONS CONSOLIDATED BY THIS ACT

"Sec. 907. Title VIII of the Elementary and Secondary Education Act is amended by adding thereto the following new section:

" 'CONSOLIDATION OF PROGRAMS

" 'Sec. 809. Funds appropriated pursuant to the following authorizations shall be considered as funds appropriated pursuant to section 901 of the Elementary and Secondary Education Act of 1965, as amended by this Act:

" '(1) Section 301 of the National Defense Education Act of 1958 (as amended);

" '(2) Section 501 of the National Defense Education Act of 1958 (as amended);

" '(3) Section 201 of the Elementary and Secondary Education Act of 1965; and

" '(4) Section 301 of the Elementary and Secondary Education Act of 1965.' "

Mr. QUIE (during the reading). Mr. Chairman, I ask unanimous consent that the substitute amendment be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. CAREY. Mr. Chairman, reserving the right to object, I have taken this occasion to reserve the right to object for the purpose of asking the gentlewoman from Oregon (Mrs. Green) or the gentleman from Minnesota (Mr. Quie) in behalf of those of us on this side who are concerned with the language in the substitute amendment, if they would let us have a copy of this substitute amendment?

Further reserving the right to object, Mr. Chairman, I am sure the gentleman from Minnesota knows what the substitute amendment contains, but we do not, and we certainly have the right to know what is contained in it. It used to be that those offering such amendments would give us copies of them a day or so before they were presented on the floor.

Mr. QUIE. I learned my experience 2 years ago.

Mr. CAREY. The gentleman means it is better to grope in the dark than come forth to the light?

Mr. QUIE. I recall what the gentleman did 2 years ago.

Mr. CAREY. Would the gentleman clarify that last statement, or does the gentleman mean that the gentleman did not succeed 2 years ago because the House knew what he was doing?

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. The gentlewoman from Oregon (Mrs. Green) is recognized for 5 minutes in support of her amendment.

(Mrs. GREEN of Oregon asked and was given permission to proceed for 5 additional minutes.)

Mrs. GREEN of Oregon. Mr. Chairman, we have tried to make copies of this substitute available. A copy was given to the chairman and, in fact, there are two or three copies at the desk there. We have made as many copies available as we had the time to do in drawing up the bill.

Mr. Chairman, during the next few minutes I hope to spell out the exact changes that have been made in the committee bill.

May I say first of all, this substitute bill is cosponsored on a truly bipartisan basis by the gentleman from Ohio (Mr. Ayres), the gentleman from Minnesota (Mr. Quie), and by two former Democratic members of the Committee on Education and Labor—the gentleman from Georgia, (Mr. Landrum) and the gentleman from Connecticut (Mr. Giaimo), two people who were extremely hardworking members during the years they served on the Committee on Education and Labor—two gentlemen who are very knowledgeable about bills enacted by this Congress and two people who share my concern about the proliferation of educational programs.

The gentleman from Nebraska, I believe, made reference to about 110 or 111, somewhere in that neighborhood, of Federal bills that have been enacted by Congress. May I suggest that since those statistics were gathered, there probably have been an additional 75 or 80 bills. Now we are to the place where there are close to 200 different kinds of educational bills—bills with different matching requirements, bills with different formulas specifying certain categories where aid should be given.

So, Mr. Chairman, the five of us in offering this bill today on a truly bipartisan basis do so because of our deep concern about the proliferation of programs, and because of the increased amount of paperwork required at State and local levels, and endless hours that have to be spent by people, already busy enough, to fill out forms and in filling out all kinds of reports.

Mr. Chairman, we also share a concern about the increased concentration of direction here in Washington. The amendments we have made to the committee bill go directly to those two concerns. They go directly to the proliferation of programs, and we hope that we can at least make a start, even though a small one, toward the coordination of some of these programs, particularly in terms of local and State planning and in terms of allocation of funds from the Federal Government to the States.

Mr. Chairman, the other amendments address the point of decreasing Federal direction of individual school districts and States in regard to the categories and ways in which funds shall be spent.

May I make special note that the Congress ought to give high priority to the number of advisory committees that we are establishing throughout the Department of Health, Education, and Welfare and also as to the use of consultants.

This ought to be an item of high priority on the agenda of the Committee on Education and Labor.

May I also say to my colleagues that certain changes Secretary Finch recommended were put in the committee bill and are also in this bill. Other recommendations made by Secretary Finch to the committee when he appeared before it have been deleted from the substitute bill, especially a group of amendments that we considered extremely obnoxious.

This, may I say, goes to the establishment of a new advisory committee for every single local school district. This is on top of all the other advisory committees that we have.

In the committee bill there is a provision that every school district must, because of Federal law, depend upon the local advisory committee. And reference was made to maximum feasible participation.

This language, may I remind my colleagues, is in the Office of Economic Opportunity legislation, that is the war-on-poverty legislation in title II.

Let me make perfectly clear, first of all, what this substitute bill does not do. It does not make any change, and may I repeat, it does not make any change whatsoever in the Federal impact provisions of the bill except as far as the extension of time is concerned, to June 1972.

All the rest of the bill on impacted aid is identical to the committee bill. It does not make any change in the title I formula for the distribution of funds to the States. The only change it makes in title I is to permit local school boards to give teachers in disadvantaged areas a salary bonus as an incentive to obtain and keep good teachers in the schools that most need them.

We are all aware of the tremendous turnover of teachers in the ghetto schools, in the schools that are most difficult. Yesterday I referred to the fact that our classrooms are turning into battlefields, into battlegrounds. Teachers cannot teach and children cannot learn where this is the case. So yesterday I referred to this as combat pay. I repeat the figures for those who were not here yesterday; 131,000 teachers left the education profession in 1968, not including those who retired. Also, of the newly trained people, 79,000 people who had considered teaching a desirable profession, at least desirable enough to spend 4 or 5 years of their lives in preparing for it, 79,000 new teachers that prepared for it, when they got to the door of the classroom, decided that they did not want to go into teaching.

Statements and reports have been made that this shortage of qualified teachers is the most critical problem facing American education today. So we make a provision in title I that some of these funds—if the school district, and only if the school district, wants to use it for teachers in the most disadvantaged areas—can be used as bonus pay.

Let me now outline some of the changes that the substitute bill does make:

First. It extends the act to June 30, 1972. This is actually a 3-year extension from this time, and it is a 2-year extension of the authorizations. In the committee bill it actually extends the time for 6 years, and as I pointed out yesterday, it extends it to 1975. This is not only beyond the life of the Nixon administration but, as I suggested yesterday, it goes 2½ years into the Democratic administration to be elected in 1973.

May I also say that the committee bill that extends the public law for 6 years forecloses any serious possibility of a major revision. What if we decided to make revisions? The Senate is not required to do it. They do not have to take up the bill if they do not want to. One person in the Senate, the chairman of the committee, or someone else, could thwart any serious consideration of review as far as a change in the law is concerned.

I say the things that are happening to our schools, the changes that are occuring so rapidly, are too serious not to demand that Congress review the law and to make the desirable changes.

Second. It has been argued that if we extend the legislation for 6 years, it will bring stability, that it will allow school districts to engage in long-range planning. May I suggest to this committee that if this bill is extended for 6 years or 10 years or 20 years, it will not offer one bit of stability. It will not offer one single bit of long-range planning, because the thing that makes it impossible for school districts to have any long-range planning is the appropriation, and we do not make appropriations 5 years in advance. We do not make appropriations 10 years in advance. School districts have found that even though we have authorized a higher level of spending each year, we have decreasing amounts of money. They cannot plan. They must cut back every single year, a year at a time. So I suggest that is not a legitimate argument for the extension of the bill for 6 years.

Third. The substitute bill eliminates the committee bill's unnecessary and pernicious requirement that the Commissioner of Education from Washington force every school board in the country to set up local advisory councils to superintend the work school boards themselves are elected or chosen to do.

This provision is not found in title I, but in title VIII of the committee bill. It is not found in the substitute bill, because we have deleted that section from the substitute bill.

Fourth. The substitute bill permits the local school boards to use a portion of title I funds if they so choose, as I said a moment ago, as a bonus for teachers.

The CHAIRMAN. The time of the gentlewoman from Oregon has expired.

(By unanimous consent, Mrs. Green of Oregon was allowed to proceed for 5 additional minutes.)

Mrs. GREEN of Oregon. Next, Mr. Chairman, it amends title VIII of ESEA to remove the requirement that local school boards clear the title I school programs with local community action agencies and instead requires other Federal education programs be coordinated with programs carried on by the schools.

This would eliminate much needless delay and a great deal of pointless controversy in the development of school programs for disadvantaged children.

May I say to my colleagues in the House I really invite their attention to this, and I had not read the guidelines until about 2 weeks ago when I was home in my own city of Portland, we did not intend this in the law when we passed this. But let me read from the guidelines offered by HEW. Any Member of Congress can get a copy of it:

> In any area where a community action program under Title II of the Economic Opportunity Act of 1964 is in effect, any project under Title I of the Elementary and Secondary Education Act must be developed in cooperation with the public or non-profit agency responsible for the community action program.

Mr. Chairman, what has happened in the enforcement of this provision? The Office of Education has sent to every school district in the country a requirement—and I am going to ask later to insert this in the Record—in a sheet of paper which requires the community action agency to approve of the title I expenditure of funds by the local school board.

I consider this to be an outrage. I insert the entire letter which I received from the Portland schools in the Record:

Portland Public Schools,
Portland, Oreg., April 11, 1969.
Hon. Edith Green,
House of Representatives,
Washington, D.C.

Dear Mrs. Green: In our discussion on April 10 of some problems connected with acquiring ESEA Title I funds I mentioned the delays caused by the necessity to get written approval by the Metropolitan Steering Committee (CAA). A copy of the form which requires Community Action Agency approval is attached as you requested. Related here are actions taken to get the necessary approval from CAA for proposals developed for the 1967–68 school year and the original proposal for the 1968–69 school year.

August 25, 1967—First proposal was completed and sent to the Metropolitan Steering Committee. Proposal preparation committee included members of CAA. As suggested on the back of the form, its return was requested by September 11.

September 25, 1967—Having heard nothing from the CAA, I called to request either positive or negative reaction to the proposals. The forms and proposals I had sent earlier had been lost so I sent them again.

October 9, 1967—No response from CAA. I requested State Department of Education to approve proposals without CAA approval which they are allowed to do.

November 22, 1967—Following repeated phone calls, CAA approved proposals and returned signed form.

December 20, 1967—Congress passed appropriation bill. Additional Title I funds became available thereby since original proposal was designed to fit 80% anticipated level.

January 31, 1968—Exact amount of additional allotment was made known to us by State Department of Education requiring new proposals for expenditures. Obviously, money was to be spent on summer schools since allotment could not be received until April.

March 25, 1968—Proposal for summer activities expanding additional allotment was sent to State Department and CAA. CAA approval was requested by April 12. CAA members helped prepare proposal.

April 29, 1968—Called CAA office to request approval or some kind of response. CAA requested 30 additional copies of proposal and new forms since others had been misplaced.

May 10, 1968—I met with CAA sub-committee as requested to discuss summer proposals. Two members of sub-committee of five showed up and gave verbal approval. They said they would see that proposal was approved at May 15 meeting of CAA.

May 15, 1968—Approval was on CAA agenda but chairman failed to ask for report. No action.

May 16, 1968—I requested State Department to approve summer proposals without CAA approval so that personnel could be hired. Granted.

June 26, 1968—CAA signed approval form received. Program had already started operation.

1968–69 PROPOSAL

August 26, 1968—Proposal completed and sent to CAA with proper form. Reply requested by September 13.

September to November—Same process as 1967–68.

November 20, 1968—Final approval by CAA.

These notes may be of value to you. It was a pleasure meeting with you when you were in Portland.

Sincerely,
Clifford W. Williams,
Director, Special Curriculum Projects.

The Portland schools drew up their plans under all criteria under title I of the Elementary and Secondary Education Act, and on August 1, 1967, they submitted that plan to the local community action agency, and it was 8 months before the community action agency cleared it.

This brings instability into the program, and this was in the committee bill. The committee did nothing about it. The substitute does not require a local school district to have a community action agency clear the program.

Mr. WAGGONNER. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, does not the gentlewoman's substitute—and this is repetitious—the substitute which the gentlewoman has offered remove the requirement in existing law that makes it mandatory on the part of local elected school boards to get approval in writing from community action agencies as part of the poverty program before they can expend any title I ESEA money, which is the title of that bill supposedly to help the disadvantaged children?

Mrs. GREEN of Oregon. The gentleman is absolutely correct. Congress would speak and say to the Office of Education: "You cannot any longer require local school districts to clear their title I programs with the local community action agency."

Let me tell Members what happened in Portland. The Portland School Board, elected by all the people, drew up their plans for title I programs, and then they were required, according to these guidelines, to submit it to the local community action agency, which is only in one small part of the city. And the community action agency has to give their approval. I consider this an outrage.

Next, Mr. Chairman, may I say finally that the substitute bill provides a new administrative device for combining four existing State programs, title III(a) and V(a) of NDEA and II and III of ESEA, into a single State grant for the four purposes already outlined in the present law, but administered under a single State plan approved by the Commissioner of Education.

In the two NDEA titles there is a matching formula. We eliminate this, so they are all Federal grants to the local districts.

May I also insert in the Record a letter from the Governor's conference, the executive director of that conference, dated April 21, 1969. I will read the letter and the resolution which is an enclosure to it.

National Governors' Conference,
Washington, D.C., April 21, 1969.
Hon. Edith Green,
Washington, D.C.

Dear Mrs. Green: I would like to convey to you the views of the Governors as to the need to consolidate the various categorical federal educational programs. At the 1968 Annual Meeting of the National Governors' Conference, the Governors unanimously expressed their concern for the present fragmentation and overlapping in the present federal educational grant-in-aid programs. In a resolution that the Governors passed unanimously, they asked the Congress to enact a comprehensive program of federal aid to education which embraces both general and categorical aids. This would include major participation at the state level in policy formulation, full advance funding and maximum administrative simplification of application, allocation and accounting procedures.

At the Mid-Year Meeting of the Governors held here in Washington in February of this year, the Governors again unanimously requested consolidation of the large number of categorical grants in the human resources areas.

The large number of categories of grant-in-aid programs to the states is a major concern to Governors as they attempt to relate the federal aid to education to the efforts being made by the states to provide financial assistance to local school districts.

The amendments which I understand will be considered on the floor of the House during debate on H.R. 514 to extend the Elementary and Secondary Education Act would combine certain categorical programs which could best be administered and planned for if combined under one title of the Elementary and Secondary Education Act.

In closing, it should be made clear that the Governors recognize the need for the U.S. Congress to emphasize the needs of the disadvantaged and to express other federal priorities. However, the expression of these priorities by Congress should not create such administrative and accounting burdens on state and local educational agencies that the resources at the state and local level are dissipated by the administration of a large number of categorical aid programs and away from the children who need the assistance which broader categories of aid could just as adequately accomplish.

Sincerely,
Allen C. Jensen,
Special Assistant.

XXII. FEDERAL AID TO EDUCATION

Whereas, state control of education and federal participation in its support are essential and compatible elements of a nationwide educational policy, and joint policy formulation which makes possible both continued state control of education and maximum utilization of national resources to meet national priorities is the only way to assure a true "partnership" approach; and

Whereas, *general aid* is needed for accomplishing broad educational purposes and assuring maximum flexibility of state application of these funds to state problems; and

Whereas, at the same time, *categorical aids* are needed as a necessary and complimentary part of the general support program for public schools; and

Whereas, the present multiplicity of categorical aid programs, often designed without adequate participation by the receiving states, are notoriously fragmented, overlapping and over specialized; funding of these programs is inadequate, late, and uncertain; administrative practices with respect to application for and approval of the many specialized grant programs are almost totally unsatisfactory, both from the standpoint of the state education systems and the U.S. Office of Education itself:

Now, therefore, be it resolved that the Congress should enact a comprehensive program of federal aid to education which embraces both general and categorical aids, a program characterized by major participation at the state level in policy formulation, full advance funding, and maximum administrative simplification of application, allocation, and accounting procedures; and

Be it further resolved that, concurrently, states should move legislatively and administratively to strengthen the capacity of their state education agencies to plan for and utilize such federal funds as are made available, and should support state legislation designed to increase the productivity of state financial efforts through broadening, equalizing, and assuring the effective administrative management of state tax sources.

The CHAIRMAN. The time of the gentlewoman from Oregon has again expired.

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent that I may proceed for 3 additional minutes.

Mr. PERKINS. Mr. Chairman, I wish to offer a substitute amendment.

The CHAIRMAN. The gentlewoman from Oregon has requested unanimous consent to proceed for 3 additional minutes.

Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Chairman, I continue to read the letter:

> The governors unanimously voted to express their concern about the fragmentation of Federal educational grant-in-aid programs, and at the mid-year meeting of the governors held here in Washington in February of 1969 the governors again unanimously requested consolidation of the large number of categorical grants in the human resources area.

The Governors, Republicans and Democrats alike, unanimously expressed their concern about this proliferation of large numbers of programs.

Now, the new title, Mr. Chairman, makes only two substantive changes in the existing programs. First, it eliminates the matching requirements, as I suggested, from the two NDEA titles to conform with the pattern of the Elementary and Secondary Education Act; and second, it provides for the loan of instructional equipment such as microscopes, projectors, and so on, for use in private schools in exactly the same way that library materials, films and film strips, and so forth, are already loaned under the law, under title II of ESEA.

It has never made sense to me to say to the private schools, "You can borrow from the public agency filmstrips and film material but you cannot borrow the projector to use them."

We simply say that the projector may also be loaned to the private school.

These changes do nothing more than to bring a needed uniformity of administration and a uniformity of treatment of the nonpublic schools, into virtually identical Federal grant programs.

I wish to emphasize, Mr. Chairman, that all four of these programs to be combined have the following characteristics—all four of them:

First. They are all State grant programs in which the amount of the grant is figured on a population basis.

Second. They are all administered by the State education agencies under a State plan approved by the Commissioner of Education.

Third. They are all distributed to local schools within each State on the basis of priorities and assessments of need determined by the State educational agencies.

Fourth. They all have virtually identical requirements for accounting and other administrative procedures.

Fifth. They are solely for the benefit of elementary and secondary schools.

So they are four titles which lend themselves to a coordinated program, which the Governors and educators across the country are asking for. It just does not make any sense to me to have four separate programs with four separate sets both of Federal and State administrative and accounting procedures, and four separate applications at the local level, when a single program with a single set of administrative procedures can accomplish the identical objectives and in the process give the States and local school authorities a lot more flexibility and freedom in meeting their needs in terms of these four specific purposes.

Mr. Chairman, I urge the adoption of the amendment in the nature of a substitute, because I believe it will help enormously in resolving the two national problems I mentioned earlier: the proliferation of the programs, and Federal control from Washington, D.C.

The CHAIRMAN. The time of the gentlewoman from Oregon has expired.

SUBSTITUTE AMENDMENT OFFERED BY MR. PERKINS FOR THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. GREEN OF OREGON

Mr. PERKINS. Mr. Chairman, I offer a substitute amendment for the so-called Green of Oregon amendment in the nature of a substitute.

The Clerk read as follows:

Substitute amendment offered by Mr. PERKINS for the amendment in the nature of a substitute offered by Mrs. GREEN of Oregon: Strike out all after the enacting clause and insert in lieu thereof the following:

"That this Act may be cited as the 'Elementary and Secondary Education Amendments of 1969'.

"TITLE I —EXTENSION AND AMENDMENT OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF TITLE I OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"SEC. 101. (a) Section 102 of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out 'June 30, 1970' and inserting in lieu thereof 'June 30, 1973.'

"(b) Section 121(d) of title I of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"'(d) For the purpose of making grants under this part there are authorized to be appropriated not in excess of $50,000,000 for the fiscal year ending June 30, 1969, and for each of the four succeeding fiscal years.'

"(c) The third sentence of section 103(a)(1)(A) of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out 'for the fiscal year ending June 30, 1968, and the fiscal year ending June 30, 1969,'.

"(d) The second sentence of section 103(c) of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out 'years ending June 30, 1968, June 30, 1969, and June 30, 1970,' and inserting in lieu thereof 'year ending June 30, 1968, and for each succeeding fiscal year,'.

"DESIGNATION OF RESPONSIBILITY FOR PROVISION OF SPECIAL EDUCATIONAL SERVICES FOR INSTITUTIONALIZED NEGLECTED OR DELINQUENT CHILDREN

"SEC. 103. (a) Section 103(a)(2) of title I of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following sentence: 'Notwithstanding the foregoing provisions of this paragraph, upon determination by the State educational agency that a local educational agency in the State is unable or unwilling to provide for the special educational needs of children, described in clause (C) of the first sentence of this paragraph, who are living in institutions for neglected or delinquent children, the State educational agency shall, if it assumes responsibility for the special educational needs of such children, be eligible to receive the portion of the allocation to such local educational agency which is attributable to such neglected or delinquent children, but if the State educational agency does not assume such responsibility, any other State or local public agency which does assume such responsibility shall be eligible to receive such portion of the allocation.'

"(b) Section 103(d) of such Act is amended by adding at the end thereof the following new sentence: 'For purposes of this section, the Secretary shall consider all children who are in correctional institutions to be living in institutions for delinquent children.'

"REQUIRING GRANTS FOR MIGRATORY CHILDREN TO BE BASED ON THE NUMBER TO BE SERVED

"SEC. 104 (a) The first sentence of paragraph (6) of section 103(a) of title I of the Elementary and Secondary Education Act of 1965 is, effective with the first allocation of funds pursuant to such title by the Commissioner after the date of enactment of this Act, amended to read as follows: 'A State educational agency which has submitted and had approved an application under section 105(c) for any fiscal year shall be entitled to receive a grant for that year under this part, based on the number of migratory children of migratory agricultural workers to be served, for establishing or improving programs for such children.'

"(b) The second sentence thereof is amended by striking 'shall be' the first time it appears and inserting in lieu thereof 'may be made'.

"USE OF MOST RECENT DATA UNDER TITLE I

"SEC. 105. (a) The third sentence of section 103(d) of title I of the Elementary and Secondary Education Act of 1965 is amended by inserting immediately before the period at the end thereof the following: 'or, to the extent that such data are not available to him before April 1 of the calendar year in which the Secretary's determination is made, then on the basis of the most recent reliable data available to him at the time of such determination'.

"(b) Section 103(e) of such title is amended by inserting the following after 'during the second fiscal year preceding the fiscal year for which the computation is made': '(or, if satisfactory data for that year are not available at the time of computation, then during the earliest preceding fiscal year for which satisfactory data are available)'.

"CONTENT OF STATE AND LOCAL EDUCATIONAL AGENCY REPORTS

"SEC. 106. (a) The parenthetical phrase in clause (A) of section 106(a)(3) of title I of the Elementary and Secondary Education Act of 1965 is amended by inserting 'and of research and replication studies' immediately before the closing parenthesis.

"(b) Section 105(a)(7) of such title is amended by striking out 'in such form and containing such information, as may be reasonably necessary" and inserting in lieu thereof "in accordance with specific performance criteria related to program objectives".

"STAGGERED TERMS FOR NATIONAL ADVISORY COUNCIL ON EDUCATION OF DISADVANTAGED CHILDREN; TECHNICAL ASSISTANCE

"SEC. 108. (a) Section 134(a) of such title is amended by striking out ', within ninety days after the enactment of this title,'.

"(b) The second sentence of subsection (b) of such section is amended to read as follows: 'Such members shall be appointed for terms of three years, except that (1) in the case of the initial members appointed after January 20, 1969, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portions only.'

"(c) Such section is further amended by redesignating subsection (e) as subsection (f) and by inserting immediately after subsection (d) the following new subsection:

"'(e) The Council is authorized, without regard to the civil service laws, to engage such secretarial, clerical, and technical assistance as may be required to carry out its functions, and to this end up to one-fortieth of 1 per centum of any appropriations for grants under this title will be available for this purpose.'

"(d) Subsection (f) of such section (as so redesignated by the preceding subsection) is amended by striking out 'annual report' and inserting in lieu thereof 'annual reports' and by striking out 'to be made not later than January 31, 1969'.

"TECHNICAL AMENDMENT

"Sec. 109. Section 107(b)(2) of such title is amended by striking out 'Wake Island,'.

TITLE II—EXTENSION OF TITLE II OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"Sec 201. (a) Section 201(b) of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof the following: ', and for each of the three succeeding fiscal years'.

"(b) Section 202(a)(1) of such Act is amended by striking out 'for the fiscal year ending June 30, 1968, and the fiscal year ending June 30, 1969,'.

"(c) Section 204(b) of such Act is amended by striking out 'for any fiscal year ending prior to July 1, 1970,'.

"TITLE III—EXTENSION AND AMENDMENT OF TITLE III OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF TITLE III

"Sec. 301. (a) Section 301 (b) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970' the following: ', and for each of the three succeeding fiscal years', and by striking out 'two' in the last sentence and inserting in lieu thereof 'five'.

"(b) The third sentence of section 302(a)(1) of such Act is amended by striking out 'for each fiscal year ending prior to July 1, 1969,'.

"(c) Clause (2) of section 307(b) of such Act is amended by striking out 'during the fiscal year ending June 30, 1970,' and inserting in lieu thereof 'for any fiscal year ending after June 30, 1969'.

"PROVISIONS TO ASSURE PARTICIPATION BY ALL ELIGIBLE STUDENTS

"Sec. 302. Section 307 of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following new subsection:

"'(f)(1) In any State which has a State plan approved under section 305 and in which no State agency is authorized by law to provide, or in which there is a substantial failure to provide, for effective participation on an equitable basis in programs authorized by this part by children and teachers in any one or more elementary or secondary schools of such State in the area or areas served by such programs, the Commissioner shall arrange for the provision, on an equitable basis, of such programs and shall pay the costs thereof for any fiscal year, out of that State's allotment. The Commissioner may arrange for such programs through contracts with institutions of higher education, or other competent nonprofit institutions or organizations.

"'(2) In determining the amount to be withheld from any State's allotment for the provision of such programs, the Commissioner shall take into account the number of children and teachers in the area or areas served by such programs who are excluded from participation therein and who, except for such exclusion, might reasonably have been expected to participate.'

"TITLE IV—EXTENSION OF TITLE V OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"Sec. 401. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended by striking out '$80,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970' and inserting in lieu thereof '$80,000,000 for the fiscal year ending June 30, 1969, and for each of the four succeeding fiscal years'.

"TITLE V—EXTENSION AND AMENDMENT OF TITLE VI OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AND OF OTHER ACTS RELATING TO EDUCATION OF THE HANDICAPPED

"EXTENSION OF TITLE VI OF THE ACT

"Sec. 501. (a) Section 602 of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof the following: ', and for each of the three succeeding fiscal years'.

"(b) Section 603(a)(1)(B) of such Act is amended by striking out 'for the fiscal year ending June 30, 1968, and the succeeding fiscal year,'.

"EXTENDING AUTHORITY FOR REGIONAL RESOURCE CENTERS FOR THE IMPROVEMENT OF THE EDUCATION OF HANDICAPPED CHILDREN

"Sec. 502. Section 608(a) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970' the following: ', and for each of the three succeeding fiscal years'.

"CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

"Sec. 503. Section 609(j) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970' the following: ', and for each of the three succeeding fiscal years'.

"RECRUITMENT OF PERSONNEL AND INFORMATION ON EDUCATION OF THE HANDICAPPED

"Sec. 504. Section 610(b) of the Elementary and Secondary Education Act of 1965 is amended by striking out 'two' and inserting in lieu thereof 'five'.

"EXTENSION OF AUTHORIZATION FOR GRANTS FOR TEACHING IN THE EDUCATION OF HANDICAPPED CHILDREN; TRAINING OF SUBPROFESSIONAL PERSONNEL

"Sec. 505. (a) Section 7 of the Act of September 6, 1958 (Public Law 926, Eighty-fifth Congress, 20 U.S.C. 617), is amended by inserting after '1970' the following: ', and for each of the three succeeding fiscal years'.

"(b) The second sentence of the first section of such Act (20 U.S.C. 611) is amended (1) by striking out 'professional or advanced' before 'training', and (2) by striking out 'specialists' before 'providing special services' and inserting in lieu thereof 'special personnel'.

"EXTENSION OF AUTHORIZATION FOR RESEARCH IN EDUCATION OF THE HANDICAPPED

"Sec. 506. The first sentence of section 302(a) of the Act of October 31, 1963 (Public Law 164, Eighty-eighth Congress, 20 U.S.C. 618), is amended by inserting after '1970,' the following: 'and for each of the three succeeding fiscal years,'.

"EXTENSION OF AUTHORIZATIONS AND TECHNICAL AMENDMENTS IN PROVISIONS FOR TRAINING OF PHYSICAL EDUCATORS AND RECREATION PERSONNEL FOR MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

"Sec. 507. (a)(1) Section 501(b) of the Act of October 31, 1963 (Public Law 164, Eighty-eighth Congress, 42 U.S.C. 2698), is amended by inserting after '1970,' the following 'and for each of the three succeeding fiscal years,'.

"(2) Section 501(a) of such Act is amended by striking out 'professional or advanced' before 'training', and by inserting 'educators or' before 'supervisors'.

"(b)(1) Section 502(a)(1) of such Act (42 U.S.C. 2698a) is amended by striking out 'two' and inserting in lieu thereof 'five'.

"(2) Section 502(a)(1) of such Act is further amended by (A) striking out so much of the sentence as follows 'organizations,' and (B) inserting in lieu thereof 'and to make contracts with States, State or local educational agencies, public and private institutions of higher learning, and other public or private educational or research agencies and organizations, for research and related purposes (as defined in section 302(i) of this Act) relating to physical education or recreation for mentally retarded and other handicapped children (as defined in section 302(a) of this Act), and to conduct research, surveys, or demonstrations relating to physical education or recreation for such children.'.

"TITLE VI—EXTENSION AND AMENDMENT OF TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF BILINGUAL EDUCATION PROGRAMS

"Sec. 601. Section 703(a) of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof the following: ', and for each of the three succeeding fiscal years'.

"APPLICATION TO INDIANS ON RESERVATIONS

"Sec. 602. (a) Section 705 of the Elementary and Secondary Education Act of 1965 is amended by redesignating subsection (c) as subsection (d) and by inserting the following new subsection, immediately after subsection (b):

"'(c) From the sums appropriated pursuant to section 703, the Commissioner may also make payments to the Secretary of the Interior for elementary and secondary school programs to carry out the policy of section 702 with respect to individuals on reservations services by elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments for that purpose may be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the policy of section 702.'

"(b) Section 706(a) of such Act is amended by inserting the following before the period at the end thereof: 'or, in the case of payments to the Secretary of the Interior, an amount determined pursuant to section 705(c)'.

"TITLE VII—EXTENSION OF TITLE VIII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"REVISION OF FEDERAL ADMINISTRATION SECTION

"Sec. 701. Section 803(c) of the Elementary and Secondary Education Act of 1965 is amended by striking out '(1)' and by striking out everything after 'by such other departments and agencies' and inserting in lieu thereof the following: '. Federal departments and agencies administering programs which may be effectively coordinated with programs carried out under this Act or any Act amended by this Act, including community action programs carried out under title II of the Economic Opportunity Act of 1964, shall, to the fullest extent permitted by other applicable law, carry out such programs in such a manner as to assist in carrying out, and to make more effective, the programs under this Act or any Act amended by this Act.'

"EXTENSION OF AUTHORIZATION FOR DROPOUT PREVENTION PROGRAMS

"Sec. 702. Section 807(c) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970,' the following: 'and for each of the three succeeding fiscal years,'.

"TITLE VIII—EXTENSION AND AMENDMENT OF IMPACTED AREAS PROGRAMS

"EXTENSION OF IMPACTED AREAS PROGRAMS

"SEC. 801. (a) (1) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out 'June 30, 1970' and inserting in lieu thereof 'June 30, 1973'.

"(2) Section 15(15) of such Act is amended by striking out '1965–1966' and inserting in lieu thereof '1968–1969'.

"(b) Sections 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out '1970' wherever it occurs and inserting in lieu thereof '1973'.

"EXTENSION OF SCHOOL ASSISTANCE IN DISASTER AREAS

"SEC. 802. (a) Section 16(a) (1) (A) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) is amended by striking out 'July 1, 1970' and inserting in lieu thereof 'July 1, 1973'.

"(b) Section 7(a) (1) (A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out 'July 1, 1970' and inserting in lieu thereof 'July 1, 1973'.

"ASSISTANCE FOR THE MAINTENANCE AND OPERATION OF SCHOOLS, BASED ON CHILDREN LIVING IN FEDERALLY ASSISTED PUBLIC HOUSING

"SEC. 803. (a) Title I of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended, effective July 1, 1969, by adding at the end thereof the following new section:

"'ASSISTANCE FOR CHILDREN LIVING IN FEDERALLY ASSISTED PUBLIC HOUSING

"'SEC. 8. (a) Subject to the reduction provided for in subsection (b), each local educational agency shall be entitled to receive for each fiscal year ending before July 1, 1973, an amount equal to the product of—

"'(1) one-half the number of children (other than children with respect to whom the agency is entitled to receive a payment under section 3) who were in average daily attendance at the schools of the agency, and for whom such agency provided free public education, during such fiscal year and who, while in attendance at such schools, resided in low-rent housing assisted under the United States Housing Act of 1937 which is located in the school district of such agency, and

"'(2) the local contribution rate (as determined under section 3(d) for such agency.

"'(b) The amount to which a local educational agency is entitled under subsection (a) for a fiscal year shall be reduced by the amount it received from payments made by the public housing agency for such year under section 10(h) of the United States Housing Act of 1937 on account of such low-rent housing.

"'(c) If the funds appropriated for making the payments provided in this section are not sufficient to pay in full the total amounts which the Commissioner estimates all local educational agencies will be entitled to receive under this section for such year, the amount so appropriated shall be available for payment of a percentage of the amount to which each local educational agency is entitled under this section, such percentage to be equal to the percentage which the amount so appropriated is of the amount to which all such agencies are entitled under this section. In case additional funds become available for carrying out this section, the additional funds shall be paid by the Commissioner on the same basis as is provided above for the initial allocation.'

"(b) (1) Section 5(a) of such Act is amended by striking out 'or 4' and inserting in lieu thereof '4, or 8'.

"(2) The first sentence of section 5(c) of such Act is amended by inserting after 'this title' both times it appears the following: '(other than section 8)'.

"COUNTING CHILDREN IN FEDERALLY ASSISTED PUBLIC HOUSING FOR PURPOSES OF CONSTRUCTION ASSISTANCE IN FEDERALLY IMPACTED AREAS

"SEC. 804. (a) Section 1 of the Act of September 23, 1950 (20 U.S.C. 631), is amended by striking out the second sentence and inserting in lieu thereof the following: 'There is hereby authorized to be appropriated for each fiscal year such sums as the Congress may determine to be necessary to make payments on the basis of the number of children in an increase under paragraphs (1), (2), and (3) of section 5(a) and for carrying out the provisions of sections 9 and 10. There is also authorized to be appropriated for each fiscal year such sums as the Congress may determine to be necessary to make payments on the basis of the number of children in an increase under paragraph (4) of section 5(a).'

"(b) Section 3 of such Act is amended by striking out 'or (3)' in the first sentence and inserting in lieu thereof '(3), or (4)', and by striking out the second sentence and inserting in lieu thereof the following: 'The Commissioner shall by regulation prescribe an order of priority, based on relative urgency of need, to be followed in approving applications on the basis of the number of children in an increase under paragraphs (1), (2), and (3) of section 5(a). He shall also by regulation prescribe a separate order of priority to be followed in approving applications on the basis of the number of children in an increase under paragraph (4) of section 5(a). The orders of priority so established shall be followed in the event the funds appropriated under the second sentence or under the third sentence of section 1 and remaining available on any such date for payment to local educational agencies are less than the Federal share of the cost of the projects with respect to which applications have been filed prior to such date (and for which funds appropriated under the second sentence or the third sentence as the case may be, of subsection (a) of section 1 have not already been obligated).'

"(c) Paragraph (4) of section 5(a) of such Act is amended to read as follows:

"'(4) the estimated increase, since the base year, in the number of children in the membership of schools of such agency residing in low-rent housing assisted under the United States Housing Act of 1937 which is located in the school district of such agency, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated.'

"(d) Section 5(b) of such Act is amended (1) by striking out 'the paragraphs' and inserting in lieu thereof 'paragraphs (1), (2), and (3)', and (2) by adding at the end thereof the following new sentence: 'If paragraph (1), (2), or (3) of subsection (a) applies to a child to whom paragraph (4) also applies, then only paragraphs (1), (2), and (3) shall be deemed to apply to such child, except that paragraph (4) shall apply to such child if the local educational agency was not eligible for payments for the increase period on account of children counted under paragraphs (1), (2), and (3).'

"(e) Section 5(c) of such Act is amended (1) by striking out 'or (3)' and inserting '(3), or (4)', and (2) by striking out 'or (2)' and inserting ', (2), or (4)'.

"(f) Section 5(f) of such Act is amended by striking out 'or (3)' and inserting '(3), or (4)'.

"(g) The amendments made by this section shall become effective July 1, 1969. For purposes of sections 5(a) (4) and 5(f) of such Act of September 23, 1950, the number of children in the membership of a local educational agency residing in low-rent housing assisted under the United States Housing Act of 1937 located in the school district of the local educational agency during the years of the base period preceding such effective date shall be determined by the Commissioner on the basis of estimates.

"TITLE IX—MISCELLANEOUS

"EXTENSION OF ADULT EDUCATION PROGRAM

"SEC. 901. Section 314 of the Adult Education Act of 1966 (title III of Public Law 89–750) is amended by inserting after '1970,' the following: 'and for each of the three succeeding fiscal years,'.

"REQUIRING REPORTS TO CONGRESS WITH RESPECT TO CONTRACTS FOR EVALUATIONS

"SEC. 902. Section 402 of the Elementary and Secondary Education Amendments of 1967 is amended by inserting '(a)' after 'SEC. 402." and by adding at the end thereof the following new subsection:

"'(b) No later than July 31 of each calendar year, the Secretary shall transmit to the respective committees of the Congress having legislative jurisdiction over any Act referred to in section 401, a report containing (1) a brief description of each contract of grant for evaluation of a program or programs referred to in section 401 (whether or not such contract or grant was made under this section), any part of the performance under which occurred during the preceding fiscal year, (2) the name of the firm or individual who is to carry out the evaluation, and (3) the amount to be paid under the contract or grant.'

"JOINT FUNDING

"SEC. 903. Pursuant to regulations prescribed by the President, where funds are advanced by the Office of Education and one or more other Federal agencies for a project or other activity funded in whole or in part under a statute for the administration of which the Commissioner of Education has responsibility (either as provided by statute or by delegation), any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.

"RULEMAKING REQUIREMENTS

"SEC. 904. No standard, rule, regulation, or requirement of general applicability prescribed for the administration of this Act or any Act amended by this Act may take effect until thirty days after it is published in the Federal Register.

"INDIRECT COSTS AMENDMENT

"SEC. 905. The Elementary and Secondary Education Act of 1965 is amended by adding the following new section at the end thereof:

"'INDIRECT COSTS

"'SEC. 808. Local educational agencies are authorized to use organized and systematic approaches in determining cost collection, cost measurement, and cost reporting as may be required by this Act: *Provided*, That such conform generally to the concept of reimbursement procedures prescribed by the Bureau of the Budget in circular numbered A–21 (revised) as in effect on March 1, 1969.'"

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that the substitute amendment be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. WAGGONNER. Reserving the right to object, may I ask is it possible to have a copy of this proposed change?

Mr. PERKINS. Yes. We will see that you get a copy.

Mr. WAGGONNER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

(By unanimous consent, Mr. Perkins was allowed to proceed for 15 additional minutes.)

Mr. PERKINS. Mr. Chairman, I regret that the gentlewoman from Oregon did not offer the amendments that she complained about in the Education and Labor Committee. She certainly had the opportunity. I think that we all know here today that legislation this comprehensive should not be written in this kind of haste on the floor of this House. Never in the history of the committee has there been a bill more thoroughly considered, in my judgment. Every witness was heard. The members of the minority were not denied one witness on any occasion. Yesterday we heard of a substitute to be offered by the gentleman from Ohio (Mr. Ayres), or we thought it was going to be offered. It was the same substitute, for all intents and purposes, that was offered today by the gentlewoman from Oregon. In their talk yesterday of the substitute and in their minority views they complained considerably about the impacted area program. That was the complaint I heard before the Committee on Education and Labor—that is, the inequities in the impacted area program. So here yesterday and today the people who complained so loudly did not include that in this substitute. I sometimes wonder just how sincere they are. In fact the substitute resembles the committee bill in most every respect. In only two is there material difference—(1) the length of authorization and (2) the consolidation of two programs of ESEA and two of NDEA.

Then again much has been said about section 701 which reads:

> Sec. 701. Clause (2) of section 803(c) of the Elementary and Secondary Education Act of 1965 is amended by inserting "(A)" after "authorities" and by inserting the following immediately before the period at the end thereof: "; (B) to involve parents and community representatives in the development and operation of such programs and projects through a local advisory committee or other appropriate means; and (C) to insure adequate dissemination of program plans and evaluations to parents, community representatives, and the public at large".

Whose amendment was that in committee? The gentleman from Minnesota (Mr. Quie) offered that amendment. It was recommended by Secretary Finch. I voted against the amendment in committee, not because it was proposed by the Nixon administration but because I felt it jeopardized our efforts to pass a good bill. I see that my Republican colleagues now share this view because they have removed it from their substitute.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. Not at this point. I would like to finish my remarks.

What do we do in our substitute? We take out the proposed State advisory council in title I. We take out the so-called maximum feasibility amendment, as the gentlewoman from Oregon (Mrs. Green) has so correctly stated. It was carried over from the Economic Opportunity Act language with which we had so much difficulty with in the 1967 amendments to that act. But it was put in here by our minority friends and they have undertaken to trade off this provision to get support for a 2-year extension bill.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. Briefly.

Mr. WILLIAM D. FORD. Is it not correct that originally the Secretary of the Department of Health, Education, and Welfare, Mr. Finch, came before our committee and recommended the inclusion of the clause that the gentleman from Kentucky has just mentioned and that subsequently the ranking Republican Member who has been handling this bill on the floor offered the amendment and it was adopted at his insistance?

Mr. PERKINS. That is correct. And, our Republican friends offered the amendment. It was not offered by the Democratic members of the committee. The amendment was offered by the minority Members. I think most of the Democrats voted against the amendment but it carried.

Mr. Chairman, in our substitute we take out this provision for a local advisory council. I wish the minority Members could have joined the voting against it. In the substitute I offer we also have an identical provision to the provision in the great mandate with respect to coordination with committee action agencies. So, we leave no advisory boards or local advisory boards in our substitute. In view of the concern I have heard over a 5-year extension the substitute I offer will be cut back to 3 years, 3 years is more desirable than two, but less desirable than five. But if this move will enable us to get more Members to vote in favor of giving this program greater assurance of continuity and stability than 2 years would provide this as a desirable change.

Mr. Chairman, I know that this Chamber is not going to be fooled by the minority substitute which would destroy the efficiency of the National Defense Education Act and the smooth working of titles II and III of the Elementary and Secondary Education Act of 1965. The consolidation of these programs into one authorization is the only other difference between the minority substitute and the one I offer.

Mr. WAGGONNER. Mr. Chairman, would the gentleman yield?

Mr. PERKINS. In a moment, I will now read the language in the minority substitute concerning the State advisory council which it creaks, and here is what the language says—and I am surprised at the gentleman from Louisiana being fooled with this provision.

Mr. WAGGONNER. The gentleman is not and will not be fooled.

Mr. PERKINS. Upon reflection it would most certainly surprise me. The gentleman is very astute.

Here is what the language says:

> (b) The Commissioner shall not approve a State plan submitted under section 906 unless it is accompanied by a certification of the Chairman of the Council that such plan has been reviewed by the Council. Such certification shall be accompanied by such comments as the Council or individual members thereof deem appropriate, and shall indicate whether the plan meets with the approval of the Council and, if not, the reasons for its disapproval. Upon the disapproval of a State plan by the Council the Commissioner shall not approve such plan until he has afforded the Council or its designated representative an opportunity for a hearing.

Mr. WAGGONNER. Would the gentleman yield, Mr. Chairman?

Mr. PERKINS. I do not have time right at this time.

Now, in connection with the period of extension proposed in the two versions of this legislation: The greatest progress that has been made has been made in the last 2 years since we gave this bill a 2-year extension for the first time. A 2-year extension would mean that we will have to consider an extension of this legislation again next year in order not to take any chance on not having sufficient period of authorization for advance funding. A 3-year extension we have agreed to in our substitute. I believe that is the minimum.

Here is the way a neighboring school superintendent puts it. He says:

> Urgently recommend passage of ESEA with five year authorization for funds and maintenance of separate programs as passed by the committee. Local school districts find it very difficult to plan and implement good school program when time and amount of appropriation are uncertain. It is imperative that a five year authorization plan be approved by Congress if local school systems are to obtain services of good teachers, establish excellence in teacher training programs, involve the community in depth, and ensure commitment of boards of education.

If you want to save Federal dollars and make Federal dollars spent on education more effective in doing the job of providing quality education for the children of this country, a 3-year extension is certainly the minimum we should settle for today.

I would like for any of you who have any doubts to look at the four volumes of committee hearings and see what the educators in the country said about this program. I mean look through the hearings. The hearings are conclusive, as to the need for a long-term extension.

I do not know why our Republican friends want to try to ditch the library program under the pretense of saying they are going to simplify and consolidate. I fear that in many States our school library and textbook programs may be sharply curtailed.

Our schools need the equipment that title III of the NDEA act authorizes.

In some States this program may well

diminish to the detriment of quality education.

The minority substitute should be rejected for these reasons alone.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. CAREY. Mr. Chairman, I want to commend my chairman for the very splendid statement he has made on this bill.

The gentleman has touched upon something here that I think should teach all of the Members here a lesson.

If the Green-Quie substitute succeeds it would in fact put the educational bill for the first time into a legal thicket and church-state tangle.

I was one of those who was with the gentleman from Kentucky when this bill first came to life. We settled the longstanding controversy between the rural areas and the cities and between the nonpublic schools and the public schools. We did it with the most carefully constructed and carefully packaged instrument which included clear-cut carefully drawn provisions to stay away from this very tricky question of aid to parochial schools through direct funding or grant or property.

Now overnight we see a substitute. We see for the first time this substitute on our desks here today which would plunge us into a controversy on this very question of what aid is to be given to the nonpublic schools.

As I read the language here, in the Green-Quie bill we abolish what was set forth in title II—a State plan for lending of materials on a library assistance basis to nonpublic schools. A similar measure in State law has already had the approval of the U.S. Supreme Court. We have gone that far, but no farther—but where will so-called block grants lead us or leave us.

This law, as the Perkins substitute has met the test of time and the test of custom and usage in the schools and had put to rest this controversy, which really had denied the children of the schools aid for too many years. We depart from its provisions in new directions at our peril. We should not move without careful reviews which is not afforded us in this overnight substitute never considered by the committee.

In what the gentleman from Minnesota and the gentlewoman from Oregon propose—if I read the language correctly in title III, NDEA—title III, NDEA, would be transformed into a clear-cut, definite proposal to lend equipment and all sorts of aids and instruments in education to nonpublic schools, and the language has not been studied or reviewed in the committee. I am certainly not against giving aid to nonpublic schools, but I wonder if the gentleman from Minnesota can tell us how far back this would take us in the development of that program if we renew a battle without any gain in benefits for anyone.

Mr. PERKINS. It is for that reason that I cannot understand the logic of some of the Members who have gone so overboard, who have complained so vigorously in committee heretofore.

Mr. CAREY. Mr. Chairman, will the gentleman yield further?

Mr. PERKINS. I yield briefly to the gentleman from New York.

Mr. CAREY. I just wish to point out there is a question of how far we are going to go in giving aid to nonpublic schools and schoolchildren, because I want to hold what we have and not start up again what seems to have now alarmed the National School Board Association.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

(On request of Mr. O'HARA, and by unanimous consent, Mr. PERKINS was allowed to proceed for 3 additional minutes.)

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Michigan.

Mr. O'HARA. Mr. Chairman, I would like to ask the committee chairman a couple of questions about the substitute amendment he has offered. The committee bill provided for a 5-year extension.

Mr. PERKINS. Correct.

Mr. O'HARA. The substitute offered by the gentlewoman from Oregon provides for a 2-year extension. What does your substitute provide?

Mr. PERKINS. My substitute provides for a 3-year extension.

Mr. O'HARA. The committee bill provided——

Mr. PERKINS. For 5 years.

Mr. O'HARA. On another point, if the gentleman will yield further, the committee provided for the involvement of parents in the planning of title I programs at the local level.

Mr. PERKINS. Our substitute deletes that completely. That was the Republican amendment that was put in in committee over my objection.

Mr. O'HARA. Will the gentleman yield further?

Mr. PERKINS. I yield to the gentleman from Michigan.

Mr. O'HARA. The committee bill provided for State advisory committees under title I. The substitute offered by the gentlewoman from Oregon deletes such advisory committees. What does your substitute provide?

Mr. PERKINS. Our substitutes deletes advisory committees in title I. All advisory committees are deleted in our substitute. The only advisory council remaining is the one in their substitute.

Mr. O'HARA. I thank the gentleman.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Connecticut.

Mr. GIAIMO. The gentleman has indicated that in many instances he agrees with the substitute offered by the gentlewoman from Oregon, which lends credence to the belief that it must be a pretty good substitute which the gentlewoman has submitted. Will the gentleman agree?

Mr. PERKINS. I would disagree with my distinguished friend from Connecticut. This is the Republican substitute. That is the label I put on it, and that is the label I will say it has today and say it has tomorrow. But the reason we are deleting some of these amendments, amendments that our Republican friends put in and have been trying to accuse the Democrats as having offered as Democratic measures because they are in the bill, we thought it wise, after counseling with a lot of our friends whose views we respect, to take them out, to take out all of these advisory committees. The only advisory committee left is the one that is in the Republican substitute.

Mr. GIAIMO. May I ask the gentleman one further question?

Mr. PERKINS. I yield to the gentleman from Connecticut.

Mr. GIAIMO. You have indicated the areas where you have agreed with the Green of Oregon substitute. Would you comment on the areas of difference, the major areas of difference in your bill, which would be different from the Green of Oregon substitute?

Mr. PERKINS. We certainly do not agree to destroy title II, or III ESEA, or the tried and proven provision of NDEA dealing with guidance and counseling and grants for equipment. We feel that your amendment does not guarantee one thing for these programs. We feel that you are placing additional burdens on State agencies for the simple sake of saying you had something you could put a "block grant" label on and at the same time you are destroying the effectiveness of the NDEA and ESEA programs. Further they are block grants only because some choose to label them such.

Mr. QUIE. Mr. Chairman, I rise in opposition to the substitute amendment offered by the gentleman from Kentucky (Mr. PERKINS).

Mr. Chairman, it is surely interesting to hear in the debate where one substitute is unacceptable because it has not been seen before, and the other substitute is acceptable even though it has not been seen before. But even more interesting is the point that one change in the substitute offered by the gentlewoman from Oregon (Mrs. GREEN) and joined in by three of our colleagues and myself, would change the requirement that presently is in the law that community action agencies must approve each title I project. The identical language is in the substitute offered by the chairman of the committee.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. No, Mr. Chairman, I do not yield now. I have 5 minutes.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I do not yield at the moment.

So when the chairman of the committee finds the substitute is so good that he will use one of the amendments in our substitute in his own, it looks like we did pretty well. The fact that this substitute was really put together and joined in by not only the gentlewoman from Oregon, who is well renowned for her ability in educational legislation, and also the gentleman from Ohio, the ranking Republican member on the Education and Labor Committee, but also two of our best former members of the Education and Labor Committee, the gentleman from Georgia (Mr. LAN-

DRUM), and the gentleman from Connecticut (Mr. GIAIMO)—and I was glad to join with them on this. It really shows we have put together a pretty good package by people who have studied this for a long time, and who Members know from their experience have pretty sound judgment in education measures.

Members have heard repeated exactly what this substitute does. It extends the amended acts for 2 years. We will not be under the pressure of a 1-year extension. We propose an extension of 2 years. We will have time to consider studies that were begun and evaluations that were made by the previous administration. The reports have not been brought to us. We will have time for the new Commissioner of Education, James Allen, to work with this legislation and come up with recommendations. We have time to see the Census Bureau's new census information.

In that 2 years we should be able to put together the kind of education bill for elementary and secondary schools which will eliminate more of the problems that exist in the present law and make that next jump forward for better education for this country.

To wait 5 years is not acceptable. In fact, we should not wait 3 years. Two years is ample time. We will not be pressured by such an extension, and we can get the job done.

One of the problems of local schools is they have access to so many Federal programs it is hard to keep track of them. Many districts hire a person just to keep track of the Federal programs, because it would be pretty unfortunate if they missed some Federal money that was available.

The consolidation in the Green substitute is just to make a first step in consolidating programs.

We all know the four consolidated programs have similar formulas. With the substitute there would be one formula and one State plan instead of four State plans. They are put together in this substitute offered by the gentlewoman from Oregon (Mrs. GREEN). It will cause no problem but instead will protect the interests of the local schools so they can spend money in the particular area where they have need, whether for more money, or for guidance and counseling, or for more equipment, or for textbooks and library resources, or for some new innovative program limited to title III. It will enable them to have more flexibility to do a better job than presently is the case.

The substitute offered by the chairman of the committee does not have that in it. The substitute offered by the gentlewoman from Oregon (Mrs. GREEN) does.

Mr. PERKINS. My substitute does. My substitute does have that. In fact, if the gentleman had offered his substitute in committee, I would have accepted it there.

Mr. QUIE. That is interesting. I did offer the amendment to consolidate in the committee. It is in our substitute, and the copy of the substitute offered by the gentleman from Kentucky—that I read while the gentleman was speaking—did not have that in. So I think the gentleman ought to read his substitute again. I think the gentleman wants it correctly. That is not in his substitute.

A third part is to eliminate the advisory committees, which are not necessary. The local school boards and administrators can still appoint advisory committees. They can ask the people to advise them.

The other part of the Green of Oregon amendment in the nature of a substitute provides for what is sometimes called "combat pay." It is a bonus to the teachers who do an excellent job in the ghetto schools but need some recognition for their ability so they might be retained.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

(By unanimous consent, Mr. QUIE was allowed to proceed for 2 additional minutes.)

Mr. QUIE. Mr. Chairman, the Green substitute gives a bonus to those exceptional teachers who are dedicated and commit themselves to a thorough job of reaching the deprived children, in order that the school can hold them there. Education has long needed that. Now, under title I, local schools will have the opportunity of utilizing title I money for that purpose. We should make some tremendous strides with that amendment.

So I say to my colleagues, Mr. Chairman, that we have not changed the committee bill on impact aid, which is of great concern to many Members, who are fearful that an amendment might hurt their own districts. We have come up with some recommendations now that will make the programs function much better than they have in previous years.

As an individual who now has worked on education legislation for 10 years, I am convinced at this time these are the kinds of strides we need to make in the improvement of education, and over the next 2 years we will be able to study and come up with further recommendations, which I think the Members will be able to approve.

If you will support the amendment in the nature of a substitute offered by the gentlewoman from Oregon (Mrs. GREEN), I believe you will receive the compliments of the educators in your districts when they see how that operates. I know they are fearful of programs that have a termination date on them, but to date we have not reached the point in elementary and secondary education aid where we want to make a permanent program. We are not that sure of them. The evaluations and studies are not that sure. Even the committee came up with a 5-year extension, and not permanent legislation.

Someday we will come to that, similar to what we have now on the category (a) of impact aid, and similar to vocational education's permanent legislation. Remember, in vocational education last year we combined the categorical programs under the George-Barden Act, the Smith-Hughes Act, and the 1963 amendments, and put them into a comprehensive plan, and every Member of the House voted for it—every Member.

We believe this consolidation is another step forward.

PARLIAMENTARY INQUIRIES

The CHAIRMAN. For what purpose does the gentleman from Illinois (Mr. ERLENBORN) rise?

Mr. ERLENBORN. To make a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. ERLENBORN. Mr. Chairman, is the Perkins substitute amendment open to amendment at this point?

The CHAIRMAN. It is.

Mr. ERLENBORN. And is the Green of Oregon amendment in the nature of a substitute open to amendment at this point?

The CHAIRMAN. It is.

Mr. ERLENBORN. So both are open to amendment at this point?

The CHAIRMAN. The gentleman is correct.

Mr. ERLENBORN. A further parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. ERLENBORN. Should the Perkins substitute amendment be voted upon and adopted, would it then be subject to amendment?

The CHAIRMAN. No, it would not.

Mr. ERLENBORN. If the Perkins substitute amendment is voted upon and rejected, would the Green of Oregon amendment in the nature of a substitute then be open to amendment?

The CHAIRMAN. It would be.

Mr. ERLENBORN. A further parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. ERLENBORN. Is title I of H.R. 514 subject to amendment at this time?

The CHAIRMAN. It is.

AMENDMENT OFFERED BY MR. ERLENBORN TO THE SUBSTITUTE AMENDMENT OFFERED BY MR. PERKINS

Mr. ERLENBORN. Mr. Chairman, I offer an amendment to the Perkins substitute amendment.

The Clerk read as follows:

> Amendment offered by Mr. ERLENBORN to the substitute amendment offered by Mr. PERKINS for the amendment in the nature of a substitute offered by Mrs. GREEN of Oregon: On page 8, strike out lines 7 through 15 and reletter "(d)" on line 16 as "(c)".

Mr. ERLENBORN. Mr. Chairman, this amendment would delete from the Perkins amendment, language which is also contained in the Green amendment and in the bill. Probably the easiest place for reference to it would be H.R. 514, page 13, lines 10 through 15, which is subsection (e) of section 108.

Mr. Chairman, I propose by this amendment to strike out this language which sets aside one-fortieth of 1 percent of the appropriations made under title I of ESEA for the purpose of financing permanent secretarial, clerical, and technical assistance for the Council on the Education of Disadvantaged Children.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me?

Mr. ERLENBORN. Yes. I yield to the chairman.

Mr. PERKINS. So far as I am concerned, I have not consulted with the committee, but this amendment requires one-fortieth of 1 percent to be set aside, with a new way of funding that amount. I think there are funds already in other sections of the bill, but as far as I am concerned, I have no objection to this amendment.

Mr. ERLENBORN. I am happy that the chairman has no objection.

This would establish permanent financing for the hiring of people separate and apart from the civil service laws without any ceiling on salary. The chairman is correct that there are other ways of financing the kind of clerical help an advisory council might need, and with the chairman's cooperation I hope we will adopt this amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Iowa.

Mr. GROSS. Then this takes out all the language to which a waiver of a point of order applied. Is that correct?

Mr. ERLENBORN. The gentleman is correct. This removes part of the language to which the waiver of points of order applied in the rule. There is also another part in the bill which is also subject to a point of order.

Mr. GROSS. But this does remove the exclusion from provisions of the Class Act which would have permitted open end hiring and pay. Is that correct?

Mr. ERLENBORN. The gentleman is correct.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Illinois (Mr. Erlenborn), to the substitute amendment offered by the gentleman from Kentucky (Mr. Perkins).

The amendment to the substitute amendment was agreed to.

AMENDMENTS OFFERED BY MR. COLLINS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. GREEN OF OREGON

Mr. COLLINS. Mr. Chairman, I rise to offer an amendment to the amendment in the nature of a substitute offered by the gentlewoman from Oregon (Mrs. Green).

Mr. Chairman, there are two sections in this which deal with titles II and III. For simplicity and in order to consolidate them, since they are parallel provisions, I ask unanimous consent to have both of them considered at the same time.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the amendments, as follows:

Amendments offered by Mr. Collins to the amendment in the nature of a substitute offered by Mrs. Green of Oregon: Insert after section 108 on page 5 the following:

"PROHIBITION ON USE OF FEDERAL FUNDS FOR CERTAIN PURPOSES

"Sec. 109. (a) Title III of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by redesignating section 303 as section 304, and by inserting immediately after section 301 the following new section:

" 'PROHIBITED USES OF FEDERAL FUNDS

" 'Sec. 303. The Secretary of Health, Education, and Welfare shall take such action as may be necessary to insure that no funds appropriated to carry out this act are used by a local educational agency for the assignment or transportation of students or teachers in order to meet the provisions of title VI of the Civil Rights Act of 1964.'

"(b) Section 301(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out ', or require the assignment or transportation of students or teachers in order to overcome racial imbalance'."

Insert after section 701 on page 12 the following:

"PROHIBITION ON USE OF FEDERAL FUNDS FOR CERTAIN PURPOSES

"Sec. 702. (a) Section 805 of the Elementary and Secondary Education Act of 1965 is amended by inserting '(a)' after 'Sec. 805.' and by adding at the end thereof the following new subsection:

" '(b) The Secretary shall take such action as may be necessary to insure that no funds appropriated to carry out this Act are used, whether or not voluntarily, by any local educational agency for the assignment or transportation of students or teachers in order to meet the provisions of title VI of the Civil Rights Act of 1964.'

"(b) Section 804 of such Act is amended by striking out ', or to require the assignment or transportation of students or teachers in order to overcome racial imbalance'.

Mr. QUIE. Mr. Chairman, I make a point of order against the amendment.

The **CHAIRMAN.** The gentleman from Minnesota will state his point of order.

Mr. QUIE. Mr. Chairman, it appears to me that this is an amendment to title VI of the Civil Rights Act and its effect would be to amend title VI of the Civil Rights Act. Therefore, Mr. Chairman, it would not be germane to the bill under present consideration.

The **CHAIRMAN.** Does the gentleman from Texas desire to be heard on the point of order?

Mr. COLLINS. I will leave it with the Parliamentarian, Mr. Chairman.

The **CHAIRMAN.** Does the gentleman from Kentucky (Mr. Perkins) desire to be heard on the point of order?

Mr. PERKINS. I do not desire to be heard, Mr. Chairman, on the point of order.

The **CHAIRMAN.** Does the gentleman from Texas now desire to be heard on the point of order?

Mr. COLLINS. I do not wish to be heard on the point of order, Mr. Chairman.

The **CHAIRMAN.** The Chair has examined the amendment and the Chair finds that they appear to be amendments to the bill under consideration and do not appear to be specific amendments to the Civil Rights Act. Therefore, the Chair overrules the point of order.

The gentleman from Texas (Mr. Collins) is recognized for 5 minutes.

(**Mr. COLLINS** asked and was given permission to proceed for 10 additional minutes.)

Mr. COLLINS. Mr. Chairman, this is a nonpartisan amendment. It relates to neighborhood schools. It simply boils down to the fact that there will be no Federal funds available for busing of students. That is the essence of the amendment.

Mr. Chairman, the amendment has for its purpose the continuance of neighborhood schools, an American tradition from the first inception of our Government.

Mr. Chairman, in the laws of 1964 and 1966, Congress very plainly stated its confidence and belief in neighborhood schools. But through court interpretations, Government pressure has been intensified for busing.

Mr. Chairman, this amendment provides no Federal funds for busing, with the one exception, for transporting handicapped children.

There is pressure to bus children from 6 to 13 miles away from home. If an elementary schoolchild is 10 miles away from home, he cannot go home if he gets sick during the day. A girl cannot stay after school to rehearse school plays; a teenager cannot take part in athletic events; a weak student cannot have special tutoring in weak subjects because all would miss the bus. Parents' attendance at PTA meetings would be difficult in the evenings. The long bus ride would immeasurably lengthen the day for the student. In addition to that the cost of busing could become astronomical.

Mr. Chairman, many statistics show the unpopularity of this subject of busing. Nation School magazine, May 1968, reported a poll that showed that 74 percent of the Nation's school superintendents did not support busing as a desegregation measure. This same survey showed that the members of the school boards, by 83 percent, would not personally support a busing program, And, this is interesting: In Today's Education, March 1969, an NEA research division survey showed that 78 percent of the teachers oppose busing students from one district to another.

On March 26, 1969—just a few weeks ago, the New York State Assembly voted 104 to 41 to ban busing of students to correct racial imbalance in schools. On February 6, 1969, a proposal to bus children from Queens into the Great Neck School District was defeated 3 to 1. We should avoid this subject of busing which will embroil us in extremely bitter local controversy and by avoiding busing, we would strengthen this act and improve its acceptability in every part of our country.

If local school officials feel they must transport pupils for any purpose, then they should do so with local and State funds. Since nobody has suggested that Federal funds pay the total cost of education, we should reserve these Federal funds for essential expenditures.

Let me say this at this point: that we have in many districts, many sections—in fact, most of us do—there are rural children who are brought in from the rural areas to school, and these sections can continue to do this. This is done with local money and State money. All we are talking about here is Federal funds, and Federal pressure.

Today the need for funds in education is tremendous. We need to provide higher teachers' salaries, more construction of buildings, better equipment, smaller numbers of students per classroom—and we must eliminate any unnecessary expense items.

We need a Federal educational program based entirely on the concept of developing superior education; let us provide higher teachers' salaries, more construction of buildings, better equipment, smaller classes for students—let us build to strengthen neighborhood schools and concentrate on education.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. I yield to the gentleman from New York.

Mr. WOLFF. I thank the gentleman for yielding, and I just want to make this comment, since the gentleman has mentioned an area in my district relative to the Great Neck school, and I just want to state the facts, that the Great Neck School Board did sanction the busing of the schoolchildren, and the vote——

Mr. COLLINS. It was voted three to one against.

Mr. WOLFF. No, it was not three to one against it. Unfortunately, there was some difficulty with the voting machines, and the full count was never determined.

Mr. COLLINS. It was never determined?

Mr. WOLFF. That is correct.

Mr. COLLINS. I appreciate that contribution.

Mr. BURLISON of Missouri. Mr. Chairman, will the gentleman yield for a question?

Mr. COLLINS. I yield to the gentleman from Missouri.

Mr. BURLISON of Missouri. I thank the gentleman for yielding.

Is the real purpose of the amendment offered by the gentleman from Texas to preclude all busing, or is the real purpose of the amendment offered by the gentleman to preclude the busing in order to obtain integration?

Mr. COLLINS. The purpose of the amendment is to maintain the neighborhood schools. I will give you two examples of situations. There is a little town in Texas of some 90,000 people, and they closed a school on September 1. Irving is a small town. They do not have enough schools, but they closed that school, and they are now busing children all over town. They need that school opened. Federal pressure caused them to close it.

The other situation is in a school in Houston, and they have suggested that they take the children out of that school and transport them 12 miles to another school. Both of us went to school in our own neighborhoods, I am sure the gentleman did, like I did. I walked to school when I grew up.

Mr. BURLISON of Missouri. If the gentleman will yield further, most of the rural oriented schools have been busing for 35 years, is that not correct?

Mr. COLLINS. That is right.

Mr. BURLISON of Missouri. We were busing students long, long before there was any thought or consideration of the case of Brad against Board of Education in 1954.

Mr. COLLINS. That is right.

Mr. BURLISON of Missouri. It does not make sense to me to come up at this point, after we have been busing students for years and years and years, in order to get them to school in the rural areas, and now say that busing is an entirely irrelevant criteria for a school board.

Mr. COLLINS. In those situations the busing is being paid for by local and State funds.

Mr. BURLISON of Missouri. That is correct.

Mr. COLLINS. That is the way it will be done in the future, also, from local and State funds. What we are seeking to do is to keep the local and State funds on the one hand, and the Federal on the other. We want to continue to do it just the way we have in the past.

Mr. MEEDS. Mr. Chairman, will the gentleman yield for a question?

Mr. COLLINS. I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Chairman, as I understand the amendment offered by the gentleman from Texas, there is a very fine science program which we have going on in the Seattle area, and in which outlying schools are joining in, under title III, which is being administered under the State education agency, and funded under the Federal act, and under the amendment offered by the gentleman from Texas this project would no longer be able to transport students in from the outlying districts to participate in this science lab; is that correct?

Mr. COLLINS. If it is paid for by Federal money that would be the case.

Mr. MEEDS. This would be out the window.

Mr. COLLINS. In those occasional cases where we found that to be true.

Mr. MEEDS. I thank the gentleman.

Mr. RANDALL. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. I yield to the gentleman.

Mr. RANDALL. In order to clarify the question of busing, would your amendment affect all busing, or only that intended to correct so-called racial imbalance?

Mr. COLLINS. If they get any Federal money to bus.

My colleague from Seattle mentioned cases where they are getting Federal money. One-third of the students now travel to school on buses. This is mostly provided by local or State funds.

Mr. RANDALL. That is, busing to rural areas would not be affected?

Mr. COLLINS. Not as long as it is paid and provided by local, county, or State funds. This affects only Federal funding as there will be no Federal money for busing. Busing is a local and state tax matter and we need to keep it that way.

Mr. O'HARA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think one thing ought to be made clear about the amendment offered by the gentleman from Texas.

It is not a simple busing amendment. It would prohibit the use of funds for either the assignment or transportation of students and teachers in order to meet the provisions of title VI of the Civil Rights Act.

Second, we ought to understand that it is not limited to so-called racial imbalance or de facto segregation. It goes further than that.

It goes to the question of out and out racial segregation in violation of title VI.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman briefly.

Mr. COLMER. I know that the gentleman is familiar with the Civil Rights Act and I think I know that the gentleman is familiar with this bill.

I am wondering if the gentleman from Michigan and the gentleman from Texas are both not assuming here something that does not exist. I know of no law, and if the gentleman can cite me such a law, then I will be pleased to have that knowledge. I know of no law that provides for the transportation of students for the purpose of integration or segregation. I would be glad if the gentleman would enlighten me on that.

Mr. O'HARA. The gentleman is correct. There is no law that provides paying for transportation for such purposes.

Mr. COLMER. Yes. So here what the gentleman is really doing is saying that the practice that has been used of transporting these students across town unauthorized, as it may be by the use of the ESEA Act or any other education act or the Civil Rights Act—but that the money is being used for that purpose nevertheless and he is saying that it should not be used; is that not correct?

Mr. O'HARA. In no case have title I funds been used to provide busing undertaken to comply with title VI of the Civil Rights Act. There are some school districts, however, which on their own initiative have undertaken to correct the effects of racial imbalance, and that have instituted programs of transportation of students for that purpose, without being under any order or requirement to do so, and have used title I funds to help carry out such a program. Only to that extent have such funds been used in transportation.

Mr. COLMER. What the gentleman is saying here is that none of the funds provided here shall be used for that purpose. I thank the gentleman.

Mr. O'HARA. Mr. Chairman, I would like to make one final point. As I have said, the amendment involves a good deal more than simply the transportation of pupils to overcome racial imbalance. It involves assignment as well as transportation. It involves outright racial segregation as well as racial imbalance. So for these reasons I oppose the amendment, even though it was offered as an amendment to the Green amendment and I am very much opposed to the Green amendment. I would not vote for the Green amendment in any event. But this issue is bigger than any partisan difference we might have on education and I am just as eager to prevent this amendment from becoming a part of the amendment offered by the gentlewoman from Oregon as I am to prevent it from becoming a part of the committee bill or of the Perkins substitute for the Green amendment.

Mr. QUIE. Mr. Chairman, I rise in opposition to the Collins amendment.

Mr. RUTH. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from North Carolina.

Mr. RUTH. Mr. Chairman, there is agreement on both sides of the aisle, and in the country, on the need for our society to provide adequate educational opportunities in the field of education. Also, these should be available to all children whoever they are and wherever they live.

I feel very strongly that clarification is needed with regard to some practices now being used to follow the guidelines of HEW. I am referring specifically to the busing of students to achieve the balance of integration suggested by the Government.

Although, as the law now stands, the Federal Government does not force or require local schools to bus their students to achieve integration, many school districts have, for all practical purposes, been forced to do so to meet these guidelines. This, I believe, is wrong, and is creating serious problems for many school districts, school boards, and parents and children.

Busing of children to schools is not new to our country. But it has in the past been used as a service to aid children in getting to the closest schoolhouse. In many rural communities it has indeed been a necessity in getting a student from his home to a distant school and then return him home at the close of the schoolday.

Busing has always been used in the past to overcome distance and not someone's idea of what is moral or right—two intangible expressions that are difficult to define with precision. Also, busing to achieve integration has seriously disrupted social and family relationships. A mother, in my district, visited me recently and reported with emotion and disgust that while her 6-year-old daughter had to board a bus and ride miles to another school, her two older children walked a short distance to the neighborhood elementary school. This pattern could be repeated in many areas and is causing an adverse reaction and, I feel, impeding the advance of education.

It is because of this that I rise in support of Mr. COLLINS' amendment and urge its adoption.

Mr. QUIE. Mr. Chairman, I believe it is the desire of the gentleman from Texas to eliminate the busing controversy from this legislation and from the local school districts which are in his congressional district and in other congressional districts. But as the gentleman from Michigan indicated, it goes much further than just making a decision on whether these funds should be used for the transportation of schoolchildren or not. In fact, it does have an impact on the effect of title VI of the Civil Rights Act of 1964. I am concerned that if we now begin to tamper with that language, we may be getting ourselves involved in a controversy that was laid to rest in the past. At least for the duration of this act, whatever we do decide to extend it, it should not be brought up. So I take the same position as the gentleman from Michigan. I am naturally opposed to it on the Green substitute because I think it would endanger it. But I would also be opposed to it if it were offered to the Perkins substitute, because we would not then be making a decision on substitutes before us but rather on the question of whether we support busing or not.

It also, as you note here, affects the assignment, and whether it is done voluntarily or involuntarily, and it is my belief, and has been all the time, that the Federal Government should not require busing of children. Such is written in section 804 of the act, which is proposed to be repealed by the amendment offered by the gentleman from Texas, but if we do go even further than that and prohibit Federal money being used by a local school as they want to use it, I think we are going much further than we intend. I know there has been some difficulty with the enforcement of the provisions of the Civil Rights Act in the past. I hope that that can be worked out properly in the future. But I would ask my colleagues, Mr. Chairman, that you not support the Collins amendment at this time.

Mr. COLLINS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Texas.

Mr. COLLINS. I do not believe we have any difference of substance. The matter is local. In your district it is probably paid by State funds. The laws of 1964 and 1966 clearly state that there is nothing in the bill provided to overcome racial imbalance. The law of Congress is very plain. However, in the Green case the question was ruled on by the court, and now the Justice Department uses that ruling as a yardstick. They do not turn to the Congress for a yardstick but to the Green case, and the need has arisen for clarification in the Halls of Congress.

We are going to let the local school board be run by local people, and they can use local and State money for busing, but for Federal money we want to eliminate this controversial busing.

Mr. QUIE. I would say to that, Mr. Chairman, that the proper way would be to introduce a bill which would amend the Civil Rights Act of 1964, so we would consider it in the context of civil rights legislation rather than education legislation.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. Mr. Chairman, is it not correct that the Civil Rights Act of 1964, in the language of it, prohibits any requirement for busing, thereby leaving the entire matter within the discretion of local school officials and free of any interference from Washington? However, the gentleman's amendment now offered specifically authorizes the U.S. Office of Education to interfere in this exercise of this discussion, interfere from Washington and go back to the local level. It is the reverse of the present situation, and we would have actually Federal control of this situation substituted for local control.

Mr. QUIE. The gentleman is correct. It repeals a provision in the Education Act which now prevents the Office of Education from assigning pupils to overcome racial imbalance.

Mr. COHELAN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas (Mr. COLLINS).

Mr. Chairman, this is merely another assault on title VI, as has been indicated by the distinguished gentleman from Michigan and the distinguished gentleman from Minnesota.

Another way of putting it is that this is the Whitten amendment that appeared in the HEW appropriation bill last year, and which we defeated on the floor of the House, as Members will recall.

I respectfully oppose both amendments offered by the gentleman from Texas. If enacted, these amendments would give the Federal Government a virtual veto power over decisions now reserved to local school officials and policies. Second, the amendments would give Federal funds to some school districts for busing children and deny the funds to others. And, finally, there is no demonstrated need for these amendments.

First, the issue of encroaching Federal power. The very same section of the Elementary and Secondary Education Act, which would be amended by these proposals, expresses the intent of Congress that no Federal directive shall usurp any of the traditional powers of the local school officials. At this time the dispersal of ESEA funds is consistent with congressional intent. If a local school board wants to use Federal funds for a specific project, it decides what that project will be and State education officials simply approve or disapprove the project. Federal officials now have no control, no veto, no direction, and no means to encroach on local matters.

But under the proposed amendments, if a local school board decided that children must be bused in order to get maximum educational benefits from existing facilities, it could not use Federal funds whenever the desegregation of students were a byproduct of this educational decision. Instead, the Federal Government would be inserting its veto to prevent local school boards from making such a decision—a decision deemed by local officials to be educationally sound.

Second, let us view the basic inequities of the proposed amendments. I believe an example of how this amendment could work in actual application will show the basic inequity. Let us assume that Berkeley, Calif., decided to use title I or title III funds for the massive crossbusing of students which is now taking place there. Because the Berkeley school system is not in violation of title VI of the 1964 Civil Rights Act, it does not fall within the proscription of these amendments and it could ostensibly use these Federal funds for its busing program. But let us assume for this example that San Antonio or another Texas community which is currently not in compliance with title VI of the 1964 Civil Rights Act decides that busing is the only feasible way of maintaining high educational standards while complying with the constitutional requirements. That community would not be permitted—under these proposed amendments—to make any application for Federal funds. And to make matters even more inequitable, let us assume that Houston, Tex., which is desegregating pursuant to a court order—not title VI—decides that it wants special title I funds for a busing program. It would be permitted to make such an application because it, too, does not fall within the proscription of the proposed amendments.

And we should keep in mind when we vote on these amendments that they are more far reaching than the simple "busing" of children. They actually go into the entire concept of student assignment, and, for some reason or another, they also go into the matter of teacher assignment. When the Federal Government begins to reach down into these traditionally local actions, total Federal control of our school systems cannot be far behind.

I think that the whole concept of busing children has become an emotionally charged issue with little relevance to facts. It is a fact that 90 percent of all school districts bus children in this country. It is a fact that more than 17 million children are bused by our school systems and that 230,000 buses are used to accomplish this. It is a fact that the desegregation of an unconstitutionally dual school system more often results in less busing rather than more busing.

Finally, I would like to ask, indeed, to challenge the proponents of the proposed amendment to tell me of one school district which has used or applied for Federal funds in order to bus its children to meet the requirements of title VI of the Civil Rights Act of 1964. I am sure that a quick check of the list of school districts that have used Federal funds for busing projects in the past year or more will reveal not a single school district that has bused in order to comply with the requirements of title VI.

My objections to the proposed busing amendments include other points, but those already mentioned are the most important: First, they would allow unprecedented Federal control into the local management of our public schools; second, they would result in an inequitable distribution of Federal funds; and third, they are not relevant to any extant problem. For these reasons I would urge my colleagues to vote against the amendments proposed by the gentleman from Texas.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I should like to call the attention of the House to the fact that apparently the dedication of some people in Texas to the neighborhood school is recently acquired, because in 1966 a suit was filed to stop the practice of busing white students 12 miles to an all-white school yet refusing admission to Negro children who lived within 100 yards of that school.

In the past few years this Nation has been moving toward a society that provides true equality for all its citizens, no matter what the color of his skin—a movement that is vitally essential to the future well-being of the Nation.

The American people have awakened to the need for equality for all its citizens. We have recognized that in order to have a decent, orderly society, it must be one society—not two polarized against each other. The basis for such a society is a single, desegregated educational system in which every American child has equal opportunity to learn to the extent that he is capable. The Supreme Court gave the Nation this mandate in 1954 when it handed down the Brown decision.

The Congress must not and cannot in any way—by any amendment to any legislation—impede the progress of desegregating the Nation's school systems. The Congress must support every effort in the direction of eliminating racial discrimination in public education.

Mr. Chairman, we have taken the first steps down a long and difficult path. We must not stop now.

I urge that the amendment offered by the gentleman from Texas be stricken.

Mr. RYAN. Mr. Chairman, the pending amendment offered by the gentleman from Texas (Mr. COLLINS), is another in a series of amendments offered on the floor of the House since the enactment of the Civil Rights Act of 1964 which would attempt to frustrate and nullify title VI of that act.

The Collins amendment provides that no funds appropriated to carry out the Elementary and Secondary Education Act shall be used by a local education agency for the assignment or transportation of students or teachers in order to comply with title VI of the Civil Rights Act of 1964.

In other words, if a local school district assigns students or teachers, or transports them, in order to desegregate its schools, then Federal funds cannot be used for that purpose. This is a blatant effort to discourage and prevent local school districts from obeying the mandate of the 1954 Supreme Court desegregation decision and title VI of the Civil Rights Act of 1964.

The practical effect of this amendment would be that school districts, which are in compliance with the provisions of title VI of the Civil Rights Act of 1964, would continue to be able to use Federal funds for pupil assignment and for busing, while precisely those districts which might elect to utilize pupil assignment and busing as a means of achieving racial balance in their schools would be unable to use funds for that purpose. As the law now stands, school districts may or may not elect to use busing in order to bring about racial balance. But the Federal Government may not require the transportation of students in order to promote racial balance. In short, school districts now have the freedom to decide what means they will employ to achieve racial balance in their schools, including busing if they so elect. That freedom would be curtailed by this amendment.

The ESEA and HEW appropriations bills have always been vehicles for amendments designed to weaken or even nullify the requirements of title VI of the Civil Rights Act of 1964. In 1967 the Fountain and Whitener amendments were offered in order to frustrate the effectiveness of school desegregation. In 1968 it was the Whitten amendment. This year Representative RUTH offered an amendment in committee to exempt the ESEA entirely from title VI.

The pending amendment would undermine the progress which has been made in desegregating public school facilities and thereby increasing educational opportunities for long denied minority groups. Moreover, it would effectively block the future action which is needed to achieve racial balance in our schools.

Statistics furnished by the Office of Education show that school desegregation has yet to be completed. Although the Supreme Court outlawed the "separate but equal" doctrine 15 years ago, almost 80 percent of black children in the 11 States of the Deep South still attend segregated schools. The need for more vigorous efforts, including effective enforcement of title VI, to complete desegregation is clear. The approval by Congress of any amendment which would weaken that effort would be nothing less than a betrayal of the policy and purpose of the 1964 Civil Rights Act.

Any amendment, which would hamstring Federal efforts to expand educational opportunities through desegregation, and to increase aid to educational needs at the primary and secondary level, must be defeated. This legislation, as it has been recommended by the Committee on Education and Labor, is essential to build on past efforts to upgrade and broaden educational opportunities for the disadvantaged children of this Nation. The introduction of Federal funds and resources into this country's educational system has brought significant progress even with the limited amount of money which has been appropriated. This progress must continue so that equal educational opportunities are available for all children.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Texas (Mr. COLLINS) to the amendment in the nature of a substitute offered by the gentlewoman from Oregon (Mrs. GREEN).

The amendments to the amendment in the nature of a substitute were rejected.

AMENDMENT OFFERED BY MR. TEAGUE OF TEXAS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. GREEN OF OREGON

Mr. TEAGUE of Texas. Mr. Chairman, I have an amendment to offer to the amendment in the nature of a substitute offered by the gentlewoman from Oregon (Mrs. GREEN) and I should like to ask unanimous consent that the amendment be considered at the same time as a perfecting amendment to the substitute amendment.

The CHAIRMAN. The amendments would have to be considered separately.

Mr. TEAGUE of Texas. They cannot be considered together under unanimous consent?

The CHAIRMAN. The gentleman asks unanimous consent that an amendment which he is offering be considered both in respect to the substitute amendment and the amendment in the nature of a substitute; is that correct?

Mr. TEAGUE of Texas. Mr. Chairman, I make that unanimous-consent request.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. WILLIAM D. FORD. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. TEAGUE of Texas. Mr. Chairman, I offer the amendment to the Green of Oregon amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. Teague of Texas to the amendment in the nature of a substitute offered by Mrs. Green of Oregon: On page 13, after section 802, insert the following:

"RESTRICTION ON COUNTING CHILDREN WHOSE PARENTS PAY REAL PROPERTY TAXES

"Sec. 803. (a) Section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by adding at the end thereof the following:

" '(f) Notwithstanding any other provision of this title, in computing the amount to which a local educational agency is entitled for a fiscal year under this section, the Commissioner shall not count any child who resides with a parent on real property on which he pays real property taxes.'

"(b) Section 5 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by adding at the end thereof the following:

" '(g) Notwithstanding any other provision of this Act, in determining under this section the payments which may be made to a local educational agency, the Commissioner shall not count any child who resides with a parent on real property on which he pays real property tax.' "

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. TEAGUE of Texas. Mr. Chairman, this is a very simple amendment. This amendment merely says that any Federal employee anywhere in our country who owns his home and pays his taxes and has children going to school, that that school district will not receive additional money through the impacted area section of this bill. That is all there is to the amendment and, Mr. Chairman, I ask for a vote on it.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I will be glad to yield.

Mrs. GREEN of Oregon. Mr. Chairman, I think this is an amendment that ought to be very carefully considered by the Members of this House. I just heard one of my colleagues, who is one of the most ardent opponents of the substitute bill offered by five of us, say that this, you know, is a good amendment—support it—because if this amendment is attached to the Green substitute, the people will not dare vote for the substitute bill on a recorded vote. I ask you to consider it and weigh it very carefully. I will say to the gentleman from Texas that I completely agree with him on the inequity in the formula of the Federal impact law. I think it is the most unfair formula of any bill that has been passed by the Congress. That is one of the reasons why I support only a 3-year extension—a 2-year extension of the authorization plus the 1 year we have. In other words, I support a 2-year extension which is offered in my substitute so we can really look at all of the formulas and make some sense out of them so that there will be equity in the districts. I give my pledge to the gentleman from Texas that I will lend every single bit of effort I can and any influence I might have on the committee to try to change the formulas. However, Mr. Chairman, I wish to point out one additional thing. This amendment is only limited to those people who pay property taxes. There are a lot of people in districts who live in apartment houses who also work for private contractors with Federal contracts. They are counted as federally impacted people. Really a person living in an apartment house has no more right under these circumstances to be included in the Federal impact than the person paying a real property tax. So I regret to say that I am forced to oppose this amendment in view of the arguments raised at this time. I would hope that the occasion will present itself in the very near future when we can closely examine all of the formulas and especially the Federal impact formula.

Mr. TEAGUE of Texas. The gentlewoman well knows that this is the most conservative and the simplest thing to be offered in this field. This is a broad field and a lot needs to be done in it, but I do not see how any body can disagree with this part of it, because it is something where you just do not take the benefits both ways, taking it from somebody who pays his taxes where most of it goes to the school district but at the same time, with other taxpayers they draw more money because the parent is employed by the Federal Government. If this substitute is adopted to the gentlewoman's amendment, I intend also to offer it to the Perkins substitute.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman.

Mr. EVANS of Colorado. If this amendment is accepted by the House, we will find ourselves in this situation in my district. There has been over 80,000 acres of land removed from school districts for Fort Carson, on which taxes had been previously paid for schools. We have over 20,000 to 30,000 people being trained at this fort, which land was in this school district, and we have Federal employees employed there as well as troops. The valuation of the remainder of the land in the school district has gone down continually, and the number of impacted children in the area has gone up continually.

Mr. TEAGUE of Texas. This amendment does not deal with the military people on the post.

Mr. EVANS of Colorado. Thousands of these people do not live on the fort but do live in the district and live in very modest homes. These impacted children in this district account for about 20 percent of the operational funds of the school district and your amendment would slash these vitally needed funds. And there are not enough.

Mr. TEAGUE of Texas. There are those who rent and there are those who own their own homes.

Mr. EVANS of Colorado. The gentleman from Texas should know the evaluation of the remaining land in this district does not begin to be enough to support this school.

Mr. RANDALL. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Missouri.

Mr. RANDALL. Does the gentleman's amendment apply only to those parents who own real estate and on which these owners pay real estate taxes? What if parents are not owners but rent a home?

Mr. TEAGUE of Texas. What does the gentleman from Missouri mean?

Mr. RANDALL. Apparently they would be paying the taxes.

Mr. TEAGUE of Texas. This applies to the owners of the homes who live in that home and pay the taxes.

Mr. RANDALL. Mr. Chairman, if the gentleman will yield further, what about all of category B who live in trailers?

Mr. TEAGUE of Texas. I think the committee ought to go into this and straighten it out.

Mr. RANDALL. But does your amendment apply to those living in trailers?

Mr. TEAGUE of Texas. If the trailer is a home and they tax it as a home, I think it would be covered.

Mr. RANDALL. Notwithstanding the fact that a housetrailer is regarded as personal property?

The CHAIRMAN. The time of the gentleman from Texas has expired.

The question is on the amendment offered by the gentleman from Texas to the amendment in the nature of a substitute offered by the gentlewoman from Oregon (Mrs. Green).

The amendment to the amendment in the nature of a substitute was rejected.

Mr. CAREY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, my purpose in rising at this time is to try to help clarify in the minds of the members of the Committee what course we follow if we adopt one amendment or another. The important decision here involves two questions. The first consideration is whether it is responsible to extend for 2 years now or for 3 years, which is the term of the Perkins substitute. In my opinion the 3-year period is a responsible course of action to take for the following reason: The proposal to extend the Elementary and Secondary Education Act for 2 years on the assumption that this would allow sufficient time to use new census data for the title I formula is completely misleading for two basic reasons:

First. The timing of the receipt of 1970 census data by the Office of Education is at this point indefinite and cannot be relied upon for consideration of formula and revisions of legislation to take effect in fiscal year 1973. It is impossible for the data to be ready at such time.

Second. The advance funding provisions of title I of ESEA requires that 2 years from now the Office of Education should be making allocations for fiscal year 1973 and it is impossible for that data to be ready in such time for the allocations.

I have checked with members of the Committee on Post Office and Civil Service who are conducting the hearings on the census legislation and I notice that one member of that committee is present on the floor here at this moment. Therefore, I ask the gentleman to confirm the fact that such data will not be available by 1971, as would be required by the two-year extension?

Mr. WALDIE. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from California.

Mr. WALDIE. The committee staff has just advised me a few moments ago that the law requires the enumerators to commence no later than April 1970 and they will not complete the enumeration for any meaningful purposes or any program involving census figures for a period of 3 to 6 months, thereby making September the very earliest date in 1970 for which any figures would be available and they would only be minimal figures which would not cover the entire spectrum of the census data.

Mr. CAREY. Mr. Chairman, this date is too late to rely upon the 1970 census data, for fiscal year 1972 allocations. It is absolutely too late to provide for advance funding for fiscal year 1972, and probably too late for advance funding of fiscal year 1973.

The 1970 census is certainly to produce a sizable shift in population throughout the country both in terms of urban-rural populations between regions of the country. The shifting of funds that will take place as a result of population changes calls for careful consideration of the effect of shifts in formula funds.

Mr. Chairman, Congress should not be placed in the position of a pistol being held to its head 2 years from now in view of this act in the face of the major changes in the formula and allocation of funds. The amendment that is being offered would force us to make a decision 2 years hence without knowing the impact of that decision and without providing for advance consideration of the impact of the formula and the ways in which individual States would be affected.

Moreover, the Office of Education will be placed in the untenable position of making advance allocations for fiscal year 1973 on the basis of the 1970 census without knowing what the formula base will be for the final allocations.

We need, therefore, a 3-year extension of the legislation:

First, to provide ample time for completion of the 1970 census.

Second, full congressional consideration of its effects on funding, beginning with fiscal year 1973.

Third, an orderly transition to the new formula without the expiration pistol pointed at the temples of the Members of the House.

Finally, there are two courses available for us. The responsible course is the Perkins amendment, and I say "responsible" for this reason: What is the Perkins amendment, basically? The Perkins amendment is the law which has been operating since 1965. It was a carefully constructed compromise which led to the greatest historical advancement in education, as heralded by President Johnson, in all of his experience, both in the Congress and in the Presidency. It is the thing that the school men want. It is the bill that has been working. The language before you is a simple amendment, it would extend for 3 years the law, and it is recommending changes which have come from the school men of the country and the school people of the country, as is reported in those four volumes of the hearings. The other amendment is an unknown quantity at its very best. It has four people who are sponsoring it, and there is not a witness that was for it in any one of the entire volumes of the hearings which have been placed in the committee record.

Let me point out one simple thing about the Green amendment, which has not even been heard in any hearing held by the committee. For the first time we hear about combat pay for teachers. That is a principle under which every nickel or dime funded could be used to give bonuses to teachers to teach in what are supposed to be dangerous districts. I want the Members to know how mischievous this could be in terms of a great city. For instance, right now the teachers union in New York City is conducting negotiations, and the teachers union leadership would have to ask for these funds—which they have long opposed in principle.

The CHAIRMAN. The time of the gentleman from New York has expired.

(On request of Mr. PERKINS, and by unanimous consent, Mr. CAREY was allowed to proceed for 3 additional minutes.)

Mr. CAREY. Practically and logically, all the teachers union would have to do on the basis of this new principle in title I would be to tell the school superintendent "We want combat pay for 90 percent of the teachers in the school district, because 90 percent of the schools have disadvantaged children," and they would get an automatic increase in pay beyond the capacity of the local school district to pay or with which other schools could compete.

Therefore in title I, money which is being used for new curriculums, for deserving innovations for remediation, would now be turned into a teacher's pay amendment without a day of hearing.

If this is the way the House wants to go, then let us have it so heard, but first let us have the teaching people come forward and tell us so. Let us have the education people come forward and tell us this. Let us have the school superintendents tell us what they want to do, before we vote for it or against it, but for goodness' sake do not let us do it now. Let this Congress make the decision after due deliberation.

Certainly this flies in the face of local control. This says you have to have combat pay in a school district.

I have heard it said again and again that we should never in this Congress transfer control out of the local administration in the school district, but yet in this very provision we are saying that from here on in, under title I, money shall be used and can be used for increasing the salaries of teachers in the local school districts. Are we going to say that because of the action of Congress this must happen? Is this not a local decision? Local taxes pay the teachers now.

Are these teachers going into a nonpublic school going to get combat pay as well? Will there be a difference in scale between the two teachers? These are implications of this bill which have not been considered by this great committee.

Do not march in the dark. None of us on this side, and none of you on that side, with the exception of four people, really know what is in the Green amendment, if we vote on it.

You do know what is in the Perkins amendment. There is a 3-year extension in the Perkins amendment, and there is the elimination of the Finch amendment which was put in at the instance of the minority to give local authority in the school district.

This is the choice you have before you. Let us have a show of confidence in the basic idea that was advanced in 1965, and give it a 3-year extension, and let us come back and give consideration to the changes recommended by the gentlewoman from Oregon, after due consideration and hearings on the evidence. That would be far better than adopting the substitute offered by the gentlewoman from Oregon at this time. That is the way to legislate. If we do it in no other bill, let us in this bill continue to vote the confidence of this Congress in the greatest legislation ever passed for schoolchildren, the ESEA, the Elementary and Secondary Education Act of 1965. It is worth 3 years of our time to wait until it is right. We will begin hearings on any provisions recommended to our committee just as soon as we get this bill forward and get going in the poor school districts. This is certainly not the way to legislate, dealing with a substitute. You heard the gentleman from Minnesota say of the Quie-Aiken substitute:

> I did not want to show it to you because it might be defeated.

It therefore should be defeated.

Mr. WAGGONNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have heard several times this afternoon that we should not legislate in the dark. We have heard some say they had not seen the substitute offered by the gentlewoman from Oregon (Mrs. GREEN) until we proceeded under the 5-minute rule today. I know that a number of people did not, but I simply say to you that if a Member of the U.S. House of Representatives is to have any part in writing this legislation, then we must do it here on the floor of the House, because some of us are not members of the committee and this is the only opportunity which is ours to say something about the course and the direction that this bill will take.

The distinguished chairman and my dear friend, the gentleman from Kentucky, the chairman of the full committee, referred earlier to telegrams in his pocket protesting any changes in the bill. I have received some of those telegrams myself. I called up one of my friends who sent me one of the telegrams and asked him if he knew what was in the bill. He said, "No." I asked him why he sent me the telegram and he said that he had a call from Washington asking him to do that.

Now let us talk for a minute on what this substitute does, since we are getting down close to the time to vote.

The substitute does several things. The substitute, at least the one that has been offered by the gentlewoman from Oregon (Mrs. GREEN), does several things which the substitute offered by the gentleman from Kentucky (Mr. PERKINS) does not do. I think the gentleman who preceded me spoke with a great deal of truth when he said that basically the substitute offered by the gentleman from Kentucky (Mr. PERKINS) was a continuation for 3 years of what we have been doing. I think that is correct.

But now the Green substitute, which substitute is also sponsored by others, does first of all reduce the period of time that this bill is to be alive—from 5 years to 2 years.

The Perkins substitute reduces that period of time from 5 years to 3 years.

The Green substitute abolishes State and local advisory commissions or committees which were made mandatory by the committee amendments. I readily admit that the Perkins substitute does that. These committees absolutely must go.

This has been a bone of contention with some of us—yes, from the South, whom the gentleman my friend from Kentucky referred to earlier as being taken in. But we have not been taken in.

Now the Green substitute does provide for block grants for four titles in this bill, two titles under the NDEA legislation, title III(a) and title V(a). Title III(a) of the NDEA legislation is that title having to do with equipment.

Title V(a) is that title of the NDEA legislation having to do with guidance and testing.

The other two titles consolidated under the so-called block grant approach are titles II and III of the Elementary and Secondary Education Act.

Title II of ESEA is that title having to do with aid to libraries.

Title III is that title of ESEA having to do with supplemental grants to State departments of education.

Now nobody argues really about consolidating, but some people say a dangerous precedent is established here by having a State advisory council for those four titles.

Let me call your attention to the fact that that advisory council already exists for title III of ESEA. The wording is somewhat different. For example, elected State boards of education do appoint advisory councils, but they appoint educators. It is spelled out. The council has no veto authority over any plan devised by a State board of education of a State plan. The council appointed does not require Commissioner approval in Washington.

It is true that if the council disagrees with the plan submitted to the U.S. Commissioner of Education by a State board of education, the Commissioner will grant them a hearing if they want it and he can, indeed, veto that State plan if he desires to after a hearing. But I submit to you that the U.S. Commissioner of Education can veto plans now and does veto plans now.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

(On request of Mr. PERKINS, and by unanimous consent, Mr. WAGGONNER was allowed to proceed for 2 additional minutes.)

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Kentucky.

Mr. PERKINS. I would like to ask my distinguished colleague if there is presently any advisory council provided in the law, in title II, the Elementary and Secondary Education Act?

Mr. WAGGONNER. No, and I did not indicate there was. I said there was a council provided for only in title III, ESEA. I did not make mention of III(a), V(a), of NDEA, or title II of ESEA. I said specifically it exists now only for title III.

Mr. PERKINS. Neither is there any advisory council provided in the law presently for the equipment title, title III(a)?

Mr. WAGGONNER. I just got through saying that. I said I agree with you.

Mr. PERKINS. But your substitute, or the Republican substitute——

Mr. WAGGONNER. Let us get one thing straight right here.

This is one man who stands in this well not talking about a Democratic bill or a Republican bill. I am talking about a bill to help education. I do not care who you are or where you are from.

Mr. PERKINS. The Republican substitute does contain a provision for an Advisory——

Mr. WAGGONNER. I do not know that this is a Republican substitute. I think I have had something to do with it.

Mr. PERKINS (continuing). Council for Testing, Counseling, and Guidance——

Mr. WAGGONNER. Even though my name does not appear on it. This is a substitute offered by some of us who want some changes.

Mr. Chairman, if I may proceed, I should like to ask the gentlewoman from Oregon (Mrs. GREEN) if I have correctly described the congressional intent, as the sponsor of this substitute, with regard to the advisory council, which has application to the four titles I have discussed.

Mrs. GREEN of Oregon. If the gentleman will yield, I think he is absolutely correct. In the substitute bill which I offered there is one less advisory council on the State level than there was in the committee bill. And if the gentleman will yield further, in the analysis which I have in my hand, and I am sure many other Members have, which I believe was prepared at the direction of the chairman of the full committee, the statement is made that the title I State Advisory Council proposed by the minority side—language which I also take exception to—gives the State advisory council, or appears to provide a veto power over the entire State plan.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

(On request of Mrs. GREEN, by unanimous consent, Mr. WAGGONNER was allowed to proceed for 3 additional minutes.)

Mr. WAGGONNER. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. In the analysis that has been distributed there is the statement that this amendment appears to have a veto power over the entire State plan, and then it quotes—

> The disapproval of the State plan by the council shall constitute prima facie evidence that it does not comply wtih the requirements of this title.

May I state to my colleagues in the House the language that is quoted here is not even in the substitute bill, and I really am sorry that there is this kind of misinformation about it. I know that the Chairman did not have hours to study it, but the amendment which is a substitute bill which five of us are presenting—this amendment in regard to the State advisory committee for the combined titles was specifically drawn up at my request by the counsel of the majority staff. This is not any partisan bill. I tried to say that in my opening remarks. This is a bipartisan bill. There are lots of Democrats in this House that have had a major say in the drafting of the substitute bill.

It was drawn up by the staff, here on the Hill, with amendments. It was not drawn up downtown. I join my colleague, the gentleman from Louisiana, in saying education in this country is for over 49 million boys and girls, and action that is taken by this House today is too important and ought to be considered on its merits, on the merits of the bill, and not be labeled by some party. Please do that: Consider it on the merits. That is all I would ask.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I want to make it clear that not under any circumstances would I ever put out any propaganda or any analysis I believe is incorrect. But the analysis that my good friend, the gentlewoman from Oregon is talking about is an analysis that was made on the Republican amendment of last night, of which I had a copy, and that is the Republican substitute, and it did contain the phrase that if the advisory council's wishes were thwarted at the local level, that it was prima facie evidence.

But, today, in this substitute the only difference is they delete that terminology, "prime facie evidence." So the effect of it is still the same. It is still prima facie evidence and they are entitled to the hearing.

Mr. WAGGONNER. Mr. Chairman, if I may proceed to talk about the differences in this bill, I will be happy to. Let us talk about another difference, an important and vital difference we have not heard much about, and put it in proper perspective as between the substitutes offered by the gentlewoman from Oregon (Mrs. GREEN) and the gentleman from Kentucky (Mr. PERKINS).

Even though I respect and admire as a dear friend the gentleman from Kentucky, he has said that the present act does not have guidelines requiring concurrence or agreement by the poverty program people to administer any part of title I. I hold in my hands the guidelines for administering title I of ESEA, the program which we enacted in 1965, and I turn to page 2.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

(On request of Mr. PERKINS, and by unanimous consent, Mr. WAGGONNER was allowed to proceed for 1 additional minute.)

Mr. WAGGONNER. Mr. Chairman, I read from page 2, which says, under "Related Statutes—Economic Opportunity Act of 1964":

> In any area where a community action program under title II of the Economic Opportunity Act of 1964 is in effect, any project under title I of the Elementary and Secondary Education Act must be developed in cooperation with the public or non-profit agency responsible for the community action program.

I hold here in my hand a form from the U.S. Office of Education which requires compliance to get that approval, and they must have approval by the CAP people before title I funds of ESEA, so related, can be expended. So this does remove that requirement from the initial program.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I take it the gentleman knows that the coordination language with the local communication action agency—for which all of these guidelines were written by the department, and I personally feel the department went overboard myself—is completely out of our bill now. Our bill is the same as that offered by the gentleman in that respect. It is completely out.

Mr. WAGGONNER. It is in the orginal bill.

Mr. PERKINS. It is not in our substitute. It is out of the substitute.

Mr. WAGGONNER. The substitute took no cognizance of removing that.

Mr. PERKINS. Yes. It removes it in toto. In fact, every word of it is removed.

I am sorry we did not make that clear to the gentleman, but every word of the coordination amendment, to coordinate with local community action agencies, is removed. That is in our substitute.

Mr. WAGGONNER. Mr. Chairman, I want to reply to the allegation that the requirement for distribution of title I funds of ESEA has been changed. Again, it has not been changed. We hear again the bugaboo over the church-state issue. Let me tell Members that plain language is in the substitute allowing any teaching aids or materials to be utilized by the local schools.

The CHAIRMAN. The time of the gentleman from Louisiana has again expired.

(On request of Mr. DELLENBACK, and by unanimous consent, Mr. WAGGONNER was allowed to proceed for 3 additional minutes.)

Mr. WAGGONNER. Mr. Chairman, the amendment in the nature of a substitute offered by Mrs. GREEN, of Oregon, requires that where utilization of these materials is effected and brought about by parochial schools, title must be vested in some public authority. It has an absolute prohibition against using these materials for purposes of religious worship.

But remember this above everything else: This bill, for these 2 additional years, does not do what some people are talking about, to which I object also, on the part of the present administration. It does not cut the request for authorizations. It would authorize the same money what we have been spending.

Surely, the President in his revised budget for fiscal year 1970 recommended some cuts. But this bill does not recommend cuts for these 2 additional years. It is up to us to decide whether or not we want to authorize, and if we authorize whether we will appropriate all the money we have authorized. That is a decision for us. So this does not cut the money.

My friends, this bill does not have what I want, but it has a part of what I want, and I am standing here today giving you a first. If we adopt the amendment in the nature of a substitute offered by Mrs. GREEN, of Oregon, JOE WAGGONNER is going to vote for this aid to education measure, because education is in trouble.

AMENDMENT OFFERED BY MR. ERLENBORN TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. GREEN OF OREGON

Mr. ERLENBORN. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute offered by Mrs. GREEN of Oregon.

The Clerk read as follows:

> Amendment offered by Mr. ERLENBORN to the amendment in the nature a substitute offered by Mrs. GREEN of Oregon: On page 5, amend section 107 by striking out subsection (c) and by relettering subsection (d) as subsection (c).

Mr. ERLENBORN. Mr. Chairman, this amendment is a conforming amendment. It is the same amendment that I offered to the Perkins substitute amendment. It was accepted by Chairman PERKINS.

I believe this is acceptable to the gentlewoman from Oregon (Mrs. GREEN), as an amendment to her amendment, and I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Yes. I believe this amendment does conform, and I am very glad to accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. ERLENBORN) to the amendment in the nature of a substitute offered by the gentlewoman from Oregon (Mrs. GREEN).

The amendment to the amendment in the nature of a substitute was agreed to.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. QUIE. Mr. Chairman, I move to strike the last word.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I am glad to yield to the gentleman.

Mr. GIAIMO. I would like to give an answer to the question posed by the gentleman from Illinois.

He is correct that the local school agency would have to go to the State advisory board, but if you will look at the past track record in education, you will find quite clearly that he will get a better shake at the State level than he is getting presently at the Federal level.

And it is about time that some of us realized in the non-Southern part of this country it is necessary to wake up to what is happening in the field of education in all parts of the country where we have poured in hundreds of millions of dollars into our schools and look at our schools at the present time in view of the expenditures of this type of money. They are doing many things. One thing, however, they are not doing is teaching. We had better get education back into the realm of State responsibility, back to local responsibility and back to those who are educators and let them work with this problem.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Illinois.

The CHAIRMAN. The Chair will state that the gentleman from Minnesota (Mr. QUIE) has the floor.

Mr. QUIE. Mr. Chairman, I cannot yield to the gentleman from Illinois at this time because I want to use some of the time myself.

The gentleman from Illinois did not state the facts accurately when he stated that the money for any of those four titles is distributed among schools within States according to population under existing law. The money goes to the States and the States submit a State plan and the State decides how it is going to be distributed to schools within the State in all of these four programs. This does not change that at all. There is no change in the present law in that case. All it does is to consolidate these four programs into one plan and would permit this local district to have some flexibility as to how it spends the money. The gentleman from Illinois is just raising a strawman in an effort to try to confuse the members of the committee.

With respect to the State advisory council, it would be purely advisory, would not even consider applications from local school districts, and would have no veto power over a State plan. The amendment makes this perfectly clear on its face.

Mrs. CHISHOLM. Mr. Chairman, I move to strike the requisite number of words.

My fellow colleagues in this Chamber, I have stayed here this afternoon and listened to this voluminous debate on this entire ESEA Act. I have listened to the fact that there were persons who are renouned educators and persons who have knowledge in this area, but permit me to say briefly that in my opinion there is not anyone who is really attuned any more to the entire educational process than I, because I am the most current educator and have been for the past 15 years, and furthermore, as a member of the New York State Legislature, I served on the committee which dealt with the matter of education and conducted hearings thereon up and down the entire State of New York. Let me say that this is no time to play partisan politics. It is the lives of the young people in this country who will be guiding the future, because many of us will be out of the picture within the next 10 years or so.

Mr. Chairman, what we have to recognize is what has happened in terms of the implementation of the ESEA program. What has happened? What has been done? Of course, there have been some errors and some failures but no kind of new program is going to be termed completely successful until you have gone through a number of years of operation. We need this time in order to evaluate the program and work out the problems.

Mr. Chairman, what we have to do when enacting laws dealing with education is to take into consideration the fact that the educators and teachers and other persons in this country concerned with the current crisis in education, have undeniably and unequivocally stated that this program has been helpful to the children in the various States.

I think what we are becoming so bogged down in is a lot of technicalities and are not looking at what and how much has been done and exactly what good has been accomplished since this program has been implemented—though it has not yet been fully implemented.

Mr. Chairman, once again, you are about to play a sort of hoax upon the people of the country who have been given the feeling that perhaps there is some purpose, perhaps there is some real probability that education is the key to everything and that perhaps now our Government has begun to realize for the first time in a very realistic sense that education is the key whereby we can help people to acquire the type of educational background and training that is necessary to help them move out into the mainstream of American society.

Mr. Chairman, no bill is perfect. No legislation is perfect. But, what we must do is to look at the results.

What is the use of these volumes of hearings, and the columns of statistics that we receive from persons who are in the educational field, who come and testify before the committee, unless you are going to use this information in order to move the country forward; in order to give it the kind of approach and the kind of services that are necessary? Why have public hearings? Why have testimony if you are not going to use it? The opportunity to come before the committee is of no use unless the committee is going to consider and use the proposals presented.

Another thing is to judge the program in terms of progress.

Mr. CONYERS. Mr. Chairman, would the gentlewoman yield?

Mrs. CHISHOLM. I yield to the gentleman from Michigan.

Mr. CONYERS. I thank the gentlewoman for yielding.

Mr. Chairman, I want to commend the gentlewoman from New York on her statement. I agree that there is a great problem here concerning what kind of a bill this House comes forth with, but between the two proposals would not the gentlewoman agree that the Perkins substitute is the best thing we have going at the moment?

Mrs. CHISHOLM. There is no doubt about it. In fact, I would have liked to have seen that substitute extended for a 5-year period, but, realizing the politics of the situation, I will support a 3-year extension. What is needed is reassessment, evaluation, and a pulling together of the kind of information that is needed to judge a program. It takes time to assess a program, and a 3-year extension would assist in doing this.

Do not take any program overnight and think that you are going to be able to assess it. The educators have been telling us things, and I believe that we are overlooking what the educators have been telling us. Let us forget about the political ramifications. I do not care if a Republican or a Democrat has anything to do with the measure; the things we must look at are the results. And there is no doubt that the results of this program have been most meaningful to the children and to the educators.

I would strongly urge that this body support the Perkins amendment, and reject all other amendments, if they are truly concerned about the equality of opportunity of our children, so that every child can have the right to move up fully in American society.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN TO THE SUBSTITUTE AMENDMENT OFFERED BY MR. PERKINS

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment to the substitute amendment offered by the gentleman from Kentucky (Mr. PERKINS).

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin to the substitute amendment offered by Mr. PERKINS for the amendment in the nature of a substitute offered by Mrs. GREEN of Oregon: On page 18, after line 3, insert the following:

"FEDERAL ASSISTANCE TO BE CONSIDERED IN ASCERTAINING ABILITY OF SCHOOL DISTRICT TO PROVIDE MINIMUM EDUCATION

"SEC. 803. Paragraph (2) of section 5(d) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out the period at the end thereof and inserting in lieu thereof 'except that in the case of a State which, in its State aid program, provides for a minimum education program which must be provided for each pupil and bases a portion of the amount of State aid to local educational agencies on the financial ability of such agencies to provide that minimum education program, that State may consider payments under this title as payments in lieu of local taxes for the support of education in ascertaining the ability of an individual local educational agency to provide such a minimum education program from local sources.' "

And renumber the sections which follow accordingly.

Mr. STEIGER of Wisconsin. Mr. Chairman, while I offer this amendment to the Perkins substitute amendment, were it to be adopted I will not support the Perkins substitute amendment, and will continue to support the Green amendment in the form of a substitute, and would intend to offer this amendment to that amendment as well.

Mr. Chairman, this amendment comes as a result of the fact that there are now 19 States in this country which, because of the Vocational Education Act amendments of 1968, are having some problems as a result of the amendments that were adopted to Public Law 874 by the Congress at that time.

May I say to my colleagues on the committee that the amendment which I am proposing was one that was not considered by the House at the time of the Vocational Education Act.

It was an amendment that was offered in the other body and was adopted by the conference committee and the conference report was adopted by the House. I served on that conference committee and speaking for myself, did not quite fully understand the impact.

Mr. Chairman, Congress for a number of years has been concerned that school districts receiving impact aid under Public Law 874 should not be discriminated against in the distribution of State aid for education. The theory was that the impacted districts, if eligible for State aid, should be treated like all other districts because we want the best possible schools for the children of Federal military and civilian personnel.

The theory is fine if not taken too far, but the last Congress added a requirement to section 5(d) of Public Law 874 that has proved to be too sweeping in its provisions. The new provision went beyond the point of saying that States could not discriminate against impacted districts and required a discrimination in their favor.

The new provision prohibits the States from taking impact aid into account in any fashion for the purposes of determining State aid. What this has meant in practice in a number of States is that when the State attempted to assure a minimum level of financial support in its school districts, bringing the poorest up to a minimum level of expenditures for each pupil, it could not do so without at the same time pouring money into the impacted districts which, in many cases, are among the highest expenditure school districts. In short, under the act as it stands, a State must treat the impacted funds as though they were not being spent.

My amendment is identical to the language of Senate bill 1396, cosponsored by Senators ANDERSON and MONTOYA of New Mexico, now pending before the Senate Committee on Labor and Public Welfare.

The amendment I propose continues to protect impacted areas from State discrimination, while alleviating the undesirable consequences of the existing law. It permits the State to take into account the impacted funds only to the extent of determining whether the district meets the minimum level of expenditures per pupil guaranteed by State law—and then only with respect to that portion of the State-aid program designed to assure that minimum expenditure.

The gentleman from Arizona who sent you a letter indicated their concern about this provision. I have talked with a number of Members on the floor, both yesterday and today. Among the 19 States which have been affected, at least one State, Washington, I understand in its legislative session this year took care of the problem by amending the State's basic formula.

But I would suggest to the Members of the Committee here that the amendment I have proposed is one which would help to alleviate one of the problems which at least the House had not fully considered at the time of the adoption of the Vocational Education Act Amendments of 1968.

It is for that reason and on behalf of

members of the Committee on Education and Labor and on behalf of the other Members who have this problem that this amendment is offered.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. EVANS of Colorado. I commend the gentleman for bringing this to our attention at this point, but I do have a question to ask the gentleman.

It is my understanding the amendment would not reach the other end of the problem where it would go through to the impacted school district which gets up to a level that is so well financed that the State thereafter cannot recognize that and decline State aid without the entire State losing all of its Public Law 874 funds; is that correct?

In other words, the gentleman's amendment does not reach the other end of the problem.

Mr. STEIGER of Wisconsin. The gentleman from Colorado is correct; yes.

Mr. EVANS of Colorado. If your amendment passed, beyond those boundaries, it so touches, it would not change laws that now exist which means if a State reduced its State aid because of the Public Law 874 money, the entire State would lose its funds except for those funds used as your amendment provides; is that correct?

Mr. STEIGER of Wisconsin. My answer to the gentleman would be, "Yes." I believe he is correct in his interpretation of the amendment.

Mr. MEEDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment offered by the gentleman from Wisconsin, certainly in good faith, and supported by other Members of the House in good faith, actually attempts to undo completely what this House by unanimous vote last year did and what the other body by unanimous vote last year did, and that simply was to prevent States from in any way decreasing the aid which was given to impact areas or districts by the Federal Government by decreasing the amount of State aid which the State would then give.

The gentleman is correct. There are 19 States doing this—18 now, for the State of Washington, to my knowledge, has changed its law and is no longer doing this.

The problem that the gentleman overlooks is that 874 funds are meant for two purposes: First, to replace lost tax base in the areas affected; second, to provide quality education for the children of federally connected people.

This law, 874, was passed specifically for the purpose of putting money in those districts—not in those States—in those districts which were affected by federally connected people, and the law is very clear on that point. The language of the committee, in its initial consideration of this legislation, made it very clear—and I am quoting from the report of 1950—when they considered this question:

> The effect of the payment provided for in this section is to compensate a local educational agency for loss of local revenue. There is no compensation for loss of any State revenues.

This is precisely what the law has always stood for. These payments go directly to the school districts affected, and if the State is taking money from what it otherwise would be providing those districts, what it is doing is taking the Federal funds and spreading those across all the educational districts in the State and not allowing us at the Federal level to put our funds into the problem we seek to confront—impact from federally connected people.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Arizona.

Mr. RHODES. Would it not also have the effect, if the present law remains in effect, that impacted areas would actually get a benefit because of State aid plus the impact money that the nonimpacted districts do not get, whether or not there is a basis of need?

Mr. MEEDS. It may well be that these districts—and certainly this is the intention of Congress—that these specific districts will get some aid that other districts do not get, but that is precisely what this law is about. We are trying to pass a law which will provide federally affected people with quality education, and not to provide a State-equalization formula. This is our purpose. The State must take care of its problems and not ask us, and not use our funds, which they are doing now, to supplement other programs in the State.

I should like to continue, and then I will be happy to yield to the gentleman. The amendment which the gentleman is proposing—and here is the real mischief in it—the amendment which the gentlemen are proposing provides for a minimum education program which must be provided for each pupil. What a State can do is provide for a minimum education program of $100, and make the federally impacted area count everything it gets from the Federal Government. It has provided then under the terms of this amendment for a minimum program.

What if we are putting in some $300, or $269, as we are in many impacted districts in the United States? The actual effect of this is that the extra $169 that we at the Federal level are putting in is being spent across that State for alleviation of other school problems. I know they need the money, but here we have a specific act intended for a specific purpose, and we are diluting it and actually flying in the teeth of the intent of the act.

The CHAIRMAN. The time of the gentleman from Washington has expired.

(By unanimous consent, Mr. MEEDS was allowed to proceed for 2 additional minutes.)

Mr. MEEDS. Mr. Chairman, what we are doing is actually flying in the teeth of every major education program which we have enacted in this Congress since 1965. That, in effect, is to say that the funds we provide—and this is in ESEA, in higher education, and in vocational education—will be so used as to supplement and to the extent practical to increase the level of State and local funds.

If this amendment were adopted, we would be doing exactly the opposite of that. We would be allowing the use of Federal funds to supplant what the States should be doing in supporting their own minimal education programs. Even in the language of the law itself, this provision is shown. This is precisely why last year we unanimously adopted this amendment.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, the gentleman from Washington has made the point on the question of the minimum education program, but am I not correct in saying what happens today, given what we did in 1968, is that a State can say the minimum education program is one that requires $300 per pupil expenditure in that school district?

What has happened is that under the law as it stands now, impact aid cannot be counted, so the district itself can only raise $200. The State under its minimum education program, therefore, says, "We will give you $100 additional to make it $300," so the effect is that when we then add this to the impact aid and the local school district is enjoying preferential treatment which the Congress, I do not believe, intended it to enjoy.

Mr. MEEDS. Mr. Chairman, the gentleman from Wisconsin is correct with his figures but incorrect in conclusion.

Mr. RHODES. Mr. Chairman, I rise in support of the amendment.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I yield to the gentleman from Illinois.

Mr. COLLIER. Mr. Chairman, I thank the gentleman from Arizona for yielding.

Mr. Chairman, I can say that no matter how much talk there is in opposition to this amendment, it seems to me it is just commonsense. Everyone who really wants to understand the intent and purpose of the Congress ought to support this amendment. There are inequities in the Federal impacted areas program, and this attempts to modify one of the more glaring inequities.

Mr. RHODES. Mr. Chairman, I thank the gentleman from Illinois for his contribution.

Mr. Chairman, I have no great desire to bring up a matter involving the formula under Public Law 874, but I would be derelict in my duty if I did not do what I can to inform the House about a serious inequity which was put in the law in the last Congress, which involves distribution of Public Law 874 money.

Public Law 874 was enacted in order to put the Federal Government in the position of a real-property-tax payer in a school district in which a Federal impact had occurred. This is the way the law is to operate.

If a private institution came into a school district and built a plant, it would pay taxes. The Federal Government comes in and builds a plant and does not pay taxes. So the Federal Government is trying to put itself vis-a-vis the school district in the same position as a private enterprise would find itself.

This was the way this legislation developed. This is the way it operated prior to last year. Before then, the States would be able to take into account the fact that Federal money under Public Law 874 went into a district, and the State's aid to that district could be reduced accordingly.

Naturally, if private enterprise owned property, the tax money paid would go to pay the costs of educating children in the district. Certainly, funds paid by the Federal Goverment should go also to pay the total costs of education, along with whatever the State paid. Yet under the present law Federal money is different.

This law last year actually created a preference in districts with federally impacted children.

As an example, if Arizona pays each pupil $400 as State aid then, according to this law, Arizona must not only pay the impacted districts the $400 but the district also gets the amount of the Public Law 874 money in addition. The other school districts in the State of Arizona which are not impacted would only get the $400.

I say this is an inequity because there is no way of knowing whether or not the impacted school districts are those which are the most needy. There is no test of need. Some of the more wealthy districts actually get the Public Law 874 money, and some of the poor districts get none.

All I am trying to do is to let the States decide for themselves what they want to do about State aid. If they want to pay the State aid on top of the Public Law 874 money they would be able to do it under the formula offered in the amendment of the gentleman from Wisconsin. If they do not want to they do not have to. Let us permit the States to decide for themselves.

This is not only Federal money we are talking about; we are talking about State funds, too, and a State's right to decide whether or not it wants to allow discrimination between districts on some basis other than need. I do not believe they should.

I believe the amendment offered by the gentleman from Wisconsin is very proper, appropriate, and should be adopted.

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe it is very important to recognize that although the language which is now the subject of the amendment was actually put into the Elementary and Secondary Education Act as an amendment to the Vocational Education Act last year, it came as a result of about 2 years of study by the committee, including very lengthy hearings, which produced evidence of the fact that in 19 States various devices were used in setting up the State aid distribution formula, so that funds received by a school district from Public Law 874 were charged against the district in distributing State educational funds. The net effect was that if the district were receiving, let us say, $100,000 of Federal funds under Public Law 874 the State deducted that $100,000 from the money it would otherwise have given that school district for that year of operation, under the deductible millage formula or whatever formula for distribution they had. In some cases it was a 100-percent penalty. In some instances there was a sliding scale.

The State of Washington, represented by the gentleman who spoke against this amendment, established a four-step program, through the State legislature, which ultimately represented an 80-percent penalty to the impact district.

The entire reason for this impact legislation was that the specific school district which was feeling the impact of a Federal activity in the form of additional children to be educated by that school district should receive the additional funds that would provide for that additional burden.

As the gentleman from Arizona just indicated, what he wants to do in his State is not take the money into the specific school district within the State that has the children but to put it into the general pot of Arizona and let the legislature divide it up and spend it any place it wants.

As a matter of fact, there is a substantial amount of money, as he indicated, I gather from the Indian reservations. I understand, from what he said, he wants to be able to spend that money somewhere else.

If we are going to appropriate money here through the impact formula for school districts educating children who are there because of something the Federal Government is doing, then we should see to it that the money goes to the districts where the children go to school.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. It occurs to me if one can apply this principle to impacted school districts one could also apply it to the other programs under the different titles of ESEA and thereby wash out all the specific requirements that are written into ESEA.

The principle is a bad one to establish, because we can apply it to the poor or ghetto districts, the districts which need to get Federal funds through appropriate titles.

Mr. WILLIAM D. FORD. I agree with the gentleman.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman.

Mr. RHODES. Of course, it was not my intention at all to substitute these funds. The way the thing should work, of course, is that if the State puts in its money, then there should be credit given for Public Law 874 money, because the school district gets the same amount no matter who pays it. I do not think we ever intended to give impacted districts an advantage, which is what the law does now as it is written. I want them to be treated the same as other districts, but I do not believe they should be preferred unless they are needy.

Mr. WILLIAM D. FORD. I disagree with the gentleman. He is exactly wrong. We do intend to give them an advantage, but we try to give them money on top of the amount which they are receiving because of Federal activities going on in their area. If we allow them to dilute the Federal assistance, we in effect penalize the district by giving money to the State that would have gone to someone else, and you are wiping out the effect of the intention of Congress.

Mr. RHODES. The gentleman seems to be changing the philosophy of Public Law 874. We intended to make the impacted district whole because of Federal participation in activities in those districts. Now you say that there should be an advantage which is to be given to these impacted districts not just equality. These impacted districts are not necessarily needy. They may be, but not necessarily so.

Mr. WILLIAM D. FORD. I would like to correct the gentleman. The theory of it is a replacement of tax revenue which is theoretically lost by the putting in of a Federal installation of one kind or another, but more importantly, on an educational view, it is based on providing funds to allow for an adequate education in a school district that becomes overcrowded when we bring in a military activity near it, or a Federal activity.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman.

Mr. BROWN of Ohio. The point has to be established that the loss of revenues because Federal property is not taxable is not the only impact which originally stimulated this law, but impact is also from the number of added pupils brought into the area. These additional pupils may be in the district where the tax revenue is lost, but they also may be in another district down the way where there is no impact from the loss of tax revenues because of Federal installations taking taxable real estate.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STRATTON. Mr. Chairman, I rise in opposition to the Steiger amendment.

Mr. Chairman, I had not intended to speak on this bill or on this amendment, but because the amendment applies directly to my State of New York, and could have such a damaging effect on so many school districts in our State, it is necessary for me to say a few words.

This sounds like a very plausible amendment. The gentleman from Wisconsin made it appear to be a very simple and reasonable change. But in plain terms this amendment would repeal the whole impacted area program. It would gut the program as it applies in New York State and as it applies elsewhere. In fact, it would transform impacted areas into a program that would not help impacted school districts at all but would only ease the budget problems of the State. New York tried 2 or 3 years ago to pull this kind of stunt on the impacted areas of our State; it directed that if a district got money from the Federal Government as an impacted area, then they would reduce their previously scheduled State aid by a corresponding amount, so that the school districts we were trying to help ended up with less money than they had had the year before. In fact, the impacted aid moneys they had been using for years and had been counting on and programing for in the individual school districts, the very thing that made the impacted area program such a valuable one, was suddenly taken away by New York State. Fortunately, this House and the other body acted last year to prevent this kind of short changing of local school districts, and this nullification of a longstanding Federal program.

If this amendment goes through, it really means that the impacted area program as this House has known it over the years, and has supported it over the years, and has fought for it over the years, would be destroyed. Instead of giving aid to individual school and individual schoolchildren, we would then be giving aid to State budget directors, which is certainly what we never intended to do, and certainly do not want to do. I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin to the substitute amendment offered by the gentleman from Kentucky (Mr. PERKINS).

The amendment to the substitute amendment was rejected.

Mr. WILLIAM D. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the principal part of the bipartisan substitute that we have before us was before the committee in the form of an amendment offered by the gentleman from Minnesota (Mr. QUIE) and that is the proposal which is contained in this legislation calling for the consolidation of four ESEA education titles into a single title.

Mr. Chairman, people around this floor today have been talking about the fact that these would be block grants.

I would like to take just a moment here to talk about what the committee amendment proposes to do and does not do, especially for the benefit of those of us who have been led to believe that somehow the nature of these programs is going to be changed by this proposal from a Federal program controlled at the Federal level to a State program controlled at the State level and that, in fact, there will be less restraint upon the uses of the money than there is at the present time. First, all the programs that the Republicans would merge are all now State administered programs.

Second, I call the attention of the members of the committee to page 22 of the substitute where they will see enumerated as the specific purposes for which the funds that will be appropriated under this section can be used for exactly the same purposes that are now contained in the law for each of the four titles.

Under paragraph (b) you will find they call it "library resources." That is exactly title II of the present Elementary and Secondary Education Act. They also included the equipment in that section, which is title III(a) of the NDEA—title II of the Elementary and Secondary Education Act which you will remember last year became a State program in toto and was transferred to the States for administration and is a State program today. It is covered in paragraph No. 1. And, the purposes covered by title III are identical with title V of NDEA covered in there as No. 3.

The only thing in addition to the present authorized usage of the money that could be done under these alleged block grants would be to spend some money for what? Look over on page 23 and you will find the statement:

> (1) Proper and efficient administration of the State plan;
>
> (2) Obtaining technical, professional, and clerical assistance and the services of experts and consultants to assist the advisory council authorized by this title in carrying out its responsibilities; and
>
> (3) Evaluation of plans, programs, and projects, and dissemination of the results thereof.

But there is no language in this amendment that will expand by 1 inch the latitude that is given to State and local officials to use the money that has heretofore been funneled to them through State programs under the existing titles of the present program.

If you will look at the proposal now pending before us you will find that there are five full pages of specific powers reserved to and given to the Commissioner of Education and I would like for you to listen to the kind of strong language that is used. It says that he can require in such detail as the Commissioner deems necessary—and that means the Commissioner of Education here in Washington—assurances satisfactory to the Commissioner that the money is going to be used for these purposes and provides again and again and again in eight separate instances in these four pages specific references to the power of the Commissioner to be absolutely sure that the enumerated purposes set forth in this act and only those purposes are the subject of the spending of this money.

So anyone who here believes that this is in fact a block grant proposal that is going to give money to the State and local agencies without any strings attached, as some people have been trying to peddle it around this floor, is being misled.

And if there is a member of the Committee who is advocating this legislation who would like to disagree with the assertion and show us one single additional purpose for which this money could be spent, I wish they would stand up now and tell us about it.

Mr. KARTH. Mr. Chairman, would the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Minnesota.

Mr. KARTH. Mr. Chairman, I want to commend the gentleman in the well, the distinguished gentleman from Michigan, for talking about this block grant concept.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. MCCORMACK, and by unanimous consent, Mr. WILLIAM D. FORD was allowed to proceed for 5 additional minutes.)

Mr. WILLIAM D. FORD. Mr. Chairman, I yield further to the gentleman from Minnesota.

Mr. KARTH. I thank the gentleman for yielding.

Mr. Chairman, a great deal can and should be said about block grants. Let me give an example of our experience in Minnesota with this concept.

The 90th Congress enacted the Omnibus Crime Control and Safe Streets Act of 1968. During the debate on that important legislation, the matter of block grants to the States was discussed. Despite the position of many of us that the Federal Government should deal directly with the local communities in allocating funds under Public Law 90-351, the decision in the Congress favored grants to States.

Therefore, I want to bring to the attention of this Congress the facts on what has happened as a result of what I consider to be an unfortunate action by that body in choosing the State route to distribute Federal moneys. At that time I warned that in the State of Minnesota such moneys would be siphoned off by the creation of a new State bureaucracy.

I am sorry to report that my prediction was correct and much of the badly needed help for our urban communities has instead been budgeted into a new and burgeoning agency in State government.

According to the planning application submitted to the law enforcement assistance administration by the Governor's Commission on Crime Prevention in Minnesota, some 43 percent of the funds will ultimately find its way to the various communities that need the help. Out of a total budget for the Governor's commission only $70,000 is allotted to planning area "G" which is the seven-county Twin Cities metropolitan area. Minneapolis and St. Paul happen to be the very areas where the need for Federal help is most desperate. Thus only $70,000 out of a total budget of $383,000 ends up in the metropolitan areas of great need.

Other aspects of the proposed budget of the Governor's crime commission that should be of interest to the Congress are these. There will be 12 employees with a total wage and fringe benefit cost of $154,000. This would include three secretaries and even a grant administrator. Added to this total are the amounts of $10,300 for consultation fees, $15,500 for travel, and $18,500 for "other" expenses. Therefore, only $185,000 is ultimately allotted to local law enforcement agencies, while almost $200,000 is gobbled up by the State bureaucracy.

There is a lesson to be learned from this example of the creation of a bureaucracy where none previously existed with the result that badly needed money does not reach the problem areas as it was intended by this body.

In the future let us not heed the siren call of State block grants when the result will be as described above. It is one thing to work within the State structure when there is an existing State vehicle to administer programs. It is wasteful, however, of our Federal funds when the States set up new bureaucracies that did not exist previously.

We have a system of local law enforcement in our Nation and I feel the Congress meant in its wisdom to help the local law enforcement agencies. I feel that this intent of the Congress has been frustrated by the State block grants approach of Public Law 90-351, the Omnibus Crime Control and Safe Streets Act. I trust we will not make the same mistake in the important field of education.

Again I want to commend the gentleman in the well for pointing this up.

Mr. WILLIAM D. FORD. Mr. Chairman, I would like to close by just calling attention to one other matter, and I am looking at the formula for distribution devised by these five sponsors—and I suppose as a person from Michigan I could be selfish and vote for this, because Michigan is one of 14 States that will be authorized to receive more money under this proposal than it currently receives under the existing law—but she will receive it, along with those 14 States, at the expense of 36 other States. And for my friends right straight up the aisle here I would like to point out that it is going to cost Alabama $752,649, just for openers, if you vote for this proposal. Georgia is going to lose $239,256. And one of the sponsors here who spoke so eloquently a few moments ago should know that Louisiana is going to lose $57,000.

I believe I have given the Members some idea of the pattern that is involved in the Quie formula that is incorporated in this legislation. The 36 losing States are revealed in the table I insert at this point:

STATE ALLOCATIONS

Under the Republican consolidation amendment, the four distribution formulas now contained in the Titles to be consolidated would be replaced by a distribution formula based on school age population. Assuming that equal amounts* were distributed under the Minority-sponsored distribution formula and under the distribution formulas it replaces, the 36 following states would lose the amounts indicated if the Green-Ayres formula were applied:

	Amount of loss
Alabama	$752,649
Arkansas	513,213
Colorado	15,323
Delaware	4,523
Georgia	239,256
Idaho	152,215
Iowa	426,483
Kansas	50,329
Kentucky	725,267
Louisiana	57,308
Maine	425,993
Massachusetts	169,882
Minnesota	87,215
Mississippi	175,161
Missouri	249,950
Montana	210,372
Nebraska	372,761
Nevada	50,012
New Hampshire	207,475
New Mexico	150,999
New York	32,395
North Carolina	499,094
North Dakota	268,703
Oklahoma	563,223
Oregon	322,599
Pennsylvania	1,348,120
Rhode Island	$232,655
South Carolina	58,151
South Dakota	51,048
Tennessee	542,128
Utah	2,227
Vermont	127,556
Virginia	97,761
West Virginia	784,963
Wisconsin	308,282
Wyoming	224,659
District of Columbia	36,073

* The authorization for the consolidation program in the Green Substitute.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Minnesota.

Mr. QUIE. What the gentleman said here is not true, because the consolidation provides that no State would receive less money than they would receive under the present law.

The gentleman was absolutely correct that this adds no new purposes to it; it only adds consolidation to the programs.

Mr. WILLIAM D. FORD. The gentleman is playing sleight of hand with words. We have an appropriation that amounts to 43 percent of the authorization and what you distribute is the authorization—you do not distribute the appropriation. The only thing you protect them in is the level of expenditure for last year—and all new funds will be distributed under the formula as you have now written it, may I say to the gentleman from Minnesota (Mr. QUIE) and the end result where we reach the level of the full fund, it results in an annual loss to those States.

Mr. QUIE. The gentleman is wrong. I am not speaking of the authorization. I am talking about the appropriation. There is protection here under the appropriation that no State will receive less money.

Mr. WILLIAM D. FORD. You do not protect any State or anything except the amount of money they received last year when we appropriated 43 percent of the authorization.

Mr. QUIE. I am not talking about that provision alone. There is the protection. I also have the appropriation, whatever it is, that they will not receive less than the appropriation that has been made under the formula.

Mr. WILLILAM D. FORD. The formula used in your substitute is less favorable to 36 States I have mentioned than the four formulas it replaces.

AMENDMENT OFFERED BY MR. HATHAWAY TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. GREEN OF OREGON

Mr. HATHAWAY. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. HATHAWAY to the amendment in the nature of a substitute offered by Mrs. GREEN of Oregon: Strike sections 803 and 804, beginning on page 13.

Mr. HATHAWAY. Mr. Chairman, this amendment strikes the so-called impacted aid for children in public housing. It is an amendment to the substitute amendment offered by the gentlewoman from Oregon (Mrs. GREEN).

Let me say first that I am in favor of the Perkins substitute and if this amendment prevails, I will also apply it to the Perkins substitute amendment.

Impact aid generally, I think, has a very questionable basis. It was enacted at a time when there was no general Federal aid to education whatsoever. Since that time we have enacted the Elementary and Secondary Education Act which is designed to help those people, which these two sections purport to help under what is called impact aid.

As a matter of fact, I would be glad to see all of the children who live in public housing be counted under title I of ESEA which is the provision of this law to help poor children get an education—but the fact that poor children live in public housing is no impact to the community. It means that instead of living in the homes that they are living in now, they would be living in different houses. So as a matter of fact, what this amendment is going to do is to allow those areas which have a lot of public housing, and which are mostly in the large cities of this country, an extra amount of money for educating their poor children whereas in areas that do not have a large amount of public housing which are still not getting much of any taxes out of the shacks that these poor children live in—not to get this money.

These children will be helped—or the schools will be, at the rate of one-half of per pupil cost which is the same as the category (b) children.

At the present time under the Housing Act in order to compensate the school districts for the tax losses they do get $11 per pupil.

Furthermore, as a result of the building of public housing in many of these areas the value of the surrounding property is increased so the tax base of the school district is greater than it was before.

Furthermore, if, and we can reasonably believe it will happen, the impact area aid sections of the act will not be fully funded, this will dissipate the amount of funds that will go into the (a) and (b) categories.

We have, as I mentioned earlier, title I, principally, of the ESEA designed to help the very children here that we are trying to have helped in addition to that, and I think the formula therein stated does the job a lot more equitably than what is proposed in sections 803 and 804.

For these reasons, Mr. Chairman, I ask that my amendment be sustained.

Mr. PUCINSKI. Mr. Chairman, I rise in opposition to the amendment. I think every Member has received a letter from the committee explaining the amendment. I remember having received the letter saying what this amendment would mean to each congressional district. There are 361 districts in this country which today have very serious problems in their local school districts because of the impact of non-tax-producing public housing in their communities. This would in no way upset category A or B. It cannot be funded until A or B are funded. I believe the amendment is most meritorious.

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Ohio.

Mr. AYRES. I thank the gentleman for yielding. I think it should be pointed out to the Members of the Committee that the so-called Pucinski amendment was in the original committee bill. It was included in the bill got together by Democrats and Republicans and known as the Green substitute, and it was also in the Perkins substitute.

Mr. PUCINSKI. I might also advise the Committee that the Secretary of Health, Education, and Welfare, Mr. Finch, was asked about this amendment, and that while he said he did not have the details and was not fully familiar with it, he would have no objection to the amendment. I hope the amendment will be voted down.

Mr. Chairman, the committee, in approving the amendment, went beyond a simple extension of these two laws. By a vote of 28 to 2, with broad bipartisan support, the committee initiated a major new program which would extend the benefits of the impacted aid laws to children residing in public housing projects. Under this new program, local school districts would be reimbursed approximately one-half of the local cost of education for each public school pupil who lives in a public housing unit.

The committee, however, reduced this reimbursement by the amount of the payment in lieu of taxes which is used for education. The committee felt that there should be this reduction since this money was presently being used for the education of these children from public housing. But the committee realized that by writing the amendment in this form it will cause some initial problems. Most particularly, in those cities where the board of education is a separate taxing body, a specified amount of the payments in lieu of taxes goes directly to the board of education, but in those cities where the school system is an integral part of the municipality there is no present determination of the amount being expended for education.

Consequently, it would seem on the face of it that a city which has a separate board of education would receive a lesser amount proportionately under this amendment than a city which does not presently determine how much of the payment in lieu of taxes is used for education. But the committee intended that the Office of Education require that in the latter situation a determination be made of the amount of the payment in lieu of taxes which is being used for education and that this amount be reduced from the payment under this amendment.

A total of 381 congressional districts would receive direct benefits for their local schools because these congressional districts actually have public housing in their districts. But even those few districts that do not have public housing would benefit by bringing more school funds into their States.

Under the amendment to Public Law 81–874 this aid would not be earmarked for any specific programs, rather it would go into the general operating budget of the local school district. I believe that this type of aid is vitally needed now if our school systems are to survive.

Under the amendment to Public Law 81–815 this aid would be earmarked for construction, but the local school district would have the sole discretion to determine how this money is to be spent. As under the present Public Law 81–815, a school district could use the money for the construction of any school buildings it desires and in any location it desires, not just in the areas affected by the federally impacted children.

The committee added this amendment to the impacted aid laws because it believed that the Federal Government has unintentionally created a severe impact in many school districts through the public housing laws. These housing acts have as their purpose the guaranteeing of a decent home for every American regardless of income. As a direct consequence, today more than 670,000 families occupy low-rent housing constructed with the financial assistance of the Federal Government.

But this Federal housing policy has also resulted in inadvertently placing a crushing burden upon many school systems. Frequently, the existence of this attractive low-rent housing has lured poor, uneducated families from rural areas into our cities, large as well as small. While the results of this migration are frequently most dramatically seen in our larger cities, they are, nonetheless, also present in the semirural areas of Alabama, North Carolina, and almost all other States, often causing a greater strain on these schools because of the more limited tax bases. Thus, many of our school systems across the Nation have been weighted with large numbers of disadvantaged children drawn into the school districts by the construction of federally financed public housing.

Since Federal laws exempt all public housing from State and local taxation, schools serving children from public housing are deprived of tax revenue which would provide funds for an adequate education for these children. Recognizing this gross inequity unintentionally caused by the housing acts, the Federal Government presently makes a token payment in lieu of property taxes to the local school districts.

The national annual average of this Federal payment in lieu of taxes is only $11 per child for each school year. This amount is shamefully inadequate to offset the revenue lost by exempting public housing from State and local taxation. The results of this insufficient compensation by the Federal Government are inadequate educations for all children within the school districts affected and an excessive burden placed upon the property owners within these school districts.

The Federal Government must assume a greater financial responsibility for the education of these children from public housing projects. Testimony presented before the General Subcommittee on Education, which I chair, has shown that enrollments in certain surveyed areas have doubled with the construction of federally financed public housing. This sudden concentration of large numbers of disadvantaged students has placed a great stress on already strained school systems.

Testimony has also shown that the property tax revenue per nonpublic housing pupil attending public schools averages $415 and that if the payment in lieu of taxes per low-rent housing pupil were deducted, an amount of $404 would be needed to close the gap between the cost of education per public housing student and the revenue produced by the housing projects. This difference of $404 per child is now being borne by other property owners in the school districts causing an excessive burden on these property owners.

Testimony presented before the Committee on Education and Labor has shown wide support from a great number of witnesses for this amendment.

These witnesses have demonstrated the urgent need for this legislation. The leading national educational associations have also endorsed my amendment. These associations include the following: The National School Boards Association, the Chief State School Officers, the National Education Association, the National Association of State Boards of Education, the American Association of School Administrators, the National Congress of Parent-Teachers Associations, the Research Council of the Great Cities.

I would like to thank especially the National School Boards Association for its early and continued support for this amendment. The association and Mr. August Steinhilber, director of Federal relations deserve a great measure of credit for this amendment. The Research Council of the Great Cities also deserve praise for their valuable assistance.

Some may argue that although the principle of this amendment is worthy, it should not be included under the impacted aid laws. I think that I have demonstrated that the Federal housing policy has indeed created an impact in many school districts. In fact, this impact in many instances is much greater than that caused by other Federal activity in the same community.

But let me emphasize that this amendment creates a new authorization of funds for public housing children. This separate authorization will insure that the appropriations for "A" and "B" children under the present laws will in no way be decreased.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine (Mr. HATHAWAY), to the amendment in the nature of a substitute offered by the gentlewoman from Oregon (Mrs. GREEN).

The amendment to the amendment in the nature of a substitute was rejected.

AMENDMENTS OFFERED BY MR. PICKLE TO THE SUBSTITUTE AMENDMENT OFFERED BY MR. PERKINS

Mr. PICKLE. Mr. Chairman, I offer amendments to the substitute amendment offered by the gentleman from Kentucky (Mr. PERKINS).

The Clerk read as follows:

Amendments offered by Mr. PICKLE to the substitute amendment offered by Mr. PERKINS: On page 13, after line 23, insert the following:

"PROHIBITION ON USE OF FEDERAL FUNDS FOR CERTAIN PURPOSES

"SEC. 110. (a) Title III of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by redesignating section 303 as section 304, and by inserting immediately after section 301 the following new section:

" 'PROHIBIT USES OF FEDERAL FUNDS

" 'SEC. 303. The Secretary of Health, Education, and Welfare shall take such action as may be necessary to insure that no funds appropriated to carry out this Act are used by a local educational agency for the transportation of students or teachers in order to meet the provisions of title VI of the Civil Rights Act of 1964.'

"(b) Section 301(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress) is amended by striking out ', or require the transportation of students or teachers in order to overcome racial imbalance'."

On page 22, after line 6, insert the following:

"PROHIBITION ON USE OF FEDERAL FUNDS FOR CERTAIN PURPOSES

"SEC. 703. (a) Section 805 of the Elementary and Secondary Education Act of 1965 is amended by inserting '(a)' after 'Sec. 805.' and by adding at the end thereof the following new subsection:

" '(b) The Secretary shall take such action as may be necessary to insure that no funds appropriated to carry out this Act are used, whether or not voluntarily, by any local educational agency for the transportation of students or teachers in order to meet the provisions of title VI of the Civil Rights Act of 1964.'

"(b) Section 804 of such Act is amended by striking out ', or to require the transportation of students or teachers in order to overcome racial imbalance'."

Mr. PICKLE (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the Record, so that I may explain them.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Chairman, this is an amendment similar in many respects to the amendment offered by the gentleman from Texas (Mr. Collins) when he offered an amendment to the Green amendment. This is an amendment to the Perkins amendment.

What it does in effect is to prohibit the use of Federal funds in the transportation of students. It makes this important change, and I hope you keep this in mind. The amendment that was offered previously stated that no Federal funds shall be used by a local education agency for the assignment or transportation of students or teachers, or to require the assignment or transportation of students to overcome racial imbalance, in connection with title VI of the Civil Rights Act. It makes the same prohibition in the field of the Elementary and Secondary Education Act.

My amendment would remove the wording "assignment or" so that the provision will simply read that no funds can be used, whether or not voluntarily, by a local educational agency for the transportation of students or teachers in order to meet the provisions of title VI of the Civil Rights Act of 1964, or section 804 of the same act. What I have done is to remove the word "assignment." The word "assignment" conjures worries, fears, and apprehensions, whether they are justified or not in some areas, and I say that what we propose to do is to take that word out and simply say that we cannot use Federal funds for the transportation of students or teachers.

Now, this goes to the heart of what I think is an effort to cure the problems attendant on busing students. I think this is a worthwhile amendment. I believe most of you would support this, some on either side of the aisle. Perhaps one of the reasons the amendment was not agreed to earlier with respect to the Green amendment was that you just did not want it to clutter up this particular bill. I think this is where it ought to go, in the Elementary and Secondary Education Act. I do not think it brings up again all the fears that you have here in connection with the transportation of students. I think it is sound. I think it is helpful. There is no authority in the country for the busing and transportation of students; so I urge that you support this amendment.

Mr. O'HARA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, may I ask the gentleman from Texas if I may have a copy of the amendment he offered?

Mr. PICKLE. I will give the gentleman a copy, yes.

Mr. O'HARA. Mr. Chairman, I thank the gentleman from Texas.

Mr. Chairman, if the amendment did what the gentleman intended it to do, the practical effect would be that if a school district were required by a Federal court order or by a threatened cutoff of funds under the Elementary and Secondary Education Act to change some school attendance areas in a way that would require busing, they would have to use their own money to do it. They could not use Federal money. I do not know what good this does any school district that is put under a court order to transport pupils in order to comply with title VI of the Civil Rights Act, because all it does is deny them the use of Federal funds to meet that requirement.

In fact, no school district is now using Federal funds for the purpose of providing busing to implement a plan of desegregation that they must implement in order to comply with title VI of the Civil Rights Act.

Under the amendment as intended they would not be able to in the future. They would have to reach into their own pocket to get the money to pay for that.

But the gentleman goes further and attempts to amend the language already in the act by striking out the word "assignment." I do not know what we would have left there, because the second part of the amendment offered by the gentleman from Texas (Mr. Collins) which the gentleman leaves in there, would not in its altered form remove all the language that is presently in the act. It would leave the words "assignment or" imbedded in there somewhere. I do not know what the effect of that would be, and I do not think anyone else knows. While this amendment probably does not do the harm I feared from the Collins amendment, it certainly doesn't do anyone any good. I would hope the amendment will be defeated.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Chairman, under the amendment the words "assignment or" are removed. The word "assignment" is removed. The gentleman is not correct when he says I have left some of it in there. I wish the gentleman would look over the amendment and see if that is correct.

Mr. O'HARA. That is correct, but he also removes it from the language he proposes to strike.

Mr. PICKLE. Mr. Chairman, I would want to say further with respect to the statement of the gentleman, if a Federal court would actually order a school district to transport students, the only thing left would be for them to use their own funds. It seems to me that is an invitation for the Federal court to order this and for the school districts to use their own funds. We are trying to say to the court that they cannot use Federal funds.

Mr. O'HARA. Then the gentleman is saying they would have to use their own local funds. What good does that do?

Mr. PICKLE. I do not know if that would be fatal in itself. What is wrong with them using some of their funds, if they wished?

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, we cannot decide whether removing the word "assignment" is going to help. This amendment still has the prohibition against transporting pupils with Federal funds regardless of whether LEA's do it voluntarily or not. I think it would be wise to vote down this amendment and consider this before the committee and get the proper judgment, rather than adopt it at this time.

Mr. O'HARA. Mr. Chairman, I completely concur with the gentleman from Minnesota. Not only is the amendment one we ought to postpone, but I do not think it does what the gentleman who proposed it wants it to do.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Chairman, as I understood the gentleman, he said we do not use funds now for transporting?

Mr. QUIE. No. The Federal Government cannot require the schools to bus children in order to overcome racial imbalance. That is the law now. If the local school has a voluntary plan and voluntarily wants to use Federal money because one of the schools is closed down and they want to get children to another school, that is permitted.

I believe this would take that opportunity away from the local board.

Mr. PICKLE. Mr. Chairman, this problem has been before us many times.

We are going to see this language in appropriation bills later. We ought to put it in this particular bill.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Texas (Mr. PICKLE), to the substitute amendment offered by the gentleman from Kentucky (Mr. PERKINS).

The amendments to the substitute amendment were rejected.

Mr. McFALL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, H.R. 514 amends Public Law 81–874 to provide for payments to school districts of one-half of the local cost of education for each public housing child, less the share for education of the amount in lieu of taxes by the Federal Government to the local governing agencies. It also amends Public Law 81–815 to provide local construction aid for children in public housing projects in a similar manner. I support this addition to the basic law which would cover children of approximately 670,000 families living in public housing assisted under the Housing Act of 1937.

I believe the committee should also give favorable consideration to adding to their group of public housing children those from approximately 6,000 families with approximately 12,000 children living in housing constructed under title III of the Economic Opportunity Act of 1964 and title V of the Housing Act of 1949. They are certainly in the same kind of public housing considered by the amendment but they live in rural areas rather than urban areas and are entitled to equal treatment. Children of these migrant farmworkers are as equally a heavy burden on these rural districts as the other children are to the city districts.

While the parliamentary situation does not lend itself to the consideration of this amendment at this time I expect it will be offered to the committee in the other body. If it should be adapted, I would hope it would be accepted by our conferees in a later consideration of this legislation in conference.

Mr. RYAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it has now been 4 years since Congress first approved the programs of the Elementary and Secondary Education Act. Today, the question of extending the life of this act, and of adding some new features to programs already in existence, is before the House.

On the merits of its performance alone, the Elementary and Secondary Education Act must be regarded as a successful program. In spite of the fact that appropriations for the programs of this act have been woefully inadequate—averaging less than 40 percent of the authorized levels—the achievements of this act are many. On the basis of estimates made by the Department of Health, Education, and Welfare, 9 million disadvantaged children will have received compensatory educational services, which are essential to their integration into the mainstream of our educational system, by the close of fiscal year 1969. Fifty-eight million badly needed books have been distributed to classrooms and libraries, filling gaps in the resources of local schools. Ten million students have benefited from programs and special centers set up to enrich and supplement the educational opportunities of their local schools. Instructional help and services have been provided to over 250,000 physically and mentally handicapped children. Some 275,000 teachers each year have had the opportunity to add to their teaching skills by participating in one of the on-the-job training programs offered under several titles of this act. And 4,265 additional professional personnel have been hired with funds provided to State education agencies to provide better administration of State and Federal education programs.

As these statistics indicate, the accomplishments of this Act have been many. But, as former Secretary of Health, Education and Welfare Wilbur Cohen indicated in his testimony before the Education and Labor Committee, the educational problems and inadequacies facing us demand new programs and vastly increased financial support.

Secretary Cohen said:

> While we can cite accomplishments under this legislation, we know that our work has really just begun. The appetite of America for increased educational opportunity has only just been whetted. Our need to help our children from disadvantaged backgrounds to do their best remains as an unfinished obligation. Because of this we must renew the provisions of this most important piece of legislation and strive for its improvement and for a full funding of its provisions. (Hearings before the Committee On Education and Labor, January 15, 1969.)

Several programs are in urgent need of the improvement and increased funding to which Secretary Cohen alluded. Among these are the dropout prevention program, programs for the assistance of handicapped children, and the bilingual education program.

Let me briefly discuss the need for bilingual education.

The need for bilingual education programs is clearly demonstrated by statistics supplied by the Office of Education for the Southwestern States of the United States. While the average Spanish-surname child completes only 7.1 years of schooling in this area, the average for all nonwhite pupils is 9. Both of these figures contrast sharply with the average 12.1 years of school completed by white pupils.

In New York City, the board of education has found that fewer than 10 percent of Puerto Rican third graders were reading up to their grade level in 1966. Three out of 10 were already at least a year and a half behind the average level of attainment of their fellow students. By the eighth grade, reading disability had increased to such a degree that as many as two-thirds of the Puerto Rican children at the eighth grade level were more than 3 years behind. When one realizes that in New York City, 46 percent of the Puerto Rican population is under 20 years of age, the tremendous impact the bilingual education program could have on these Spanish-speaking children is clear.

In response to this need, and to needs identified in many of our major urban communities—including New York City—the bilingual education program was established, and I was pleased to sponsor the original legislation.

As of January 1969, the Office of Education had received 310 preliminary proposals for bilingual programs, totaling $40.4 million. But the appropriation for the current fiscal year is only $7.5 million. This means that only about 18 percent of the need demonstrated in these proposals will be met with the funds appropriated to this program. I have introduced legislation, H.R. 2793, to provide a supplementary appropriation of $22.5 million to the bilingual education program. This would bring the appropriation for the fiscal year 1969 from $7.5 million, which was allocated by Congress, to the full authorized level of $30 million. Even this appropriation would fall more than $10 million short of the needs embodied in the State and local proposals for bilingual education which have already been submitted.

That the need for bilingual education is truly national is attested to by the fact that 39 States have submitted proposals to the Office of Education for programs which include teaching in 17 different languages. National as the need is, however, Congress has failed to provide adequate funds to make possible an effective and comprehensive response to the desires of States and local communities to upgrade educational opportunities for bilingual portions of their population.

The extension of that act, then, is only the necessary prerequisite to the improvement of its programs and the allocation of far greater amounts of resources to our education needs. For as Secretary Cohen says:

> Our work has only just begun.

The proposal under the Green amendment to channel funds to the States in bloc grants rather than to school districts, as is now practiced, would reduce the role of the Federal Government in education and permit the States to decide which school districts should receive first priority on Federal funds. However, responsibility to identify areas of need should continue to rest with the Federal Government. The States, some of which have long denied efforts of minorities to achieve an equal educational opportunity, cannot be permitted to assume what must be a Federal responsibility. To acquiesce in bloc grants would be to erode the increased role which the Federal Government has only lately begun to exercise in the interest of the poor and disadvantaged. It would turn over control to the very State governments whose failures necessitated Federal action in the first place.

While I believe that H.R. 514 should be adopted as reported out of committee with a 5-year extension of the Elementary and Secondary Education Act, I will support the Perkins substitute as preferable to the Green amendment which extends the act for only 2 years and incorporates bloc grants—a most undesirable feature.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope that in its wisdom the

House will speedily see fit to overwhelmingly approve this vitally important measure before us, H.R. 514, the Elementary and Secondary Education Act Amendments of 1969.

The projection and content of the eight titles of this measure have already been technically and thoroughly explained by the managers of the bill on both sides and need no further extended repetition at this hour. Also the bill is substantially the same, with one proposed amendment addition, as the measure we adopted here in 1967.

In summary, H.R. 514 proposes to extend and authorize funds for 5 years for the elementary and secondary education programs designed to assist school districts with large concentrations of educationally disadvantaged children; extend school library resources, textbooks, and instructional materials; maintain supplemental education centers and services; strengthen dropout prevention encouragements; and establish special instruction for the handicapped.

The impact aid programs provide funds for the construction, operation, and maintenance of schools in districts where the school population is upwardly affected by the presence of Federal installations.

The main contention about the bill is over the proposed 5-year extension. Hitherto, the Congress has taken action providing the elementary and secondary education programs with a 1-year extension in 3 out of the 5 years the law has been in existence and, in its most recent action in 1967, only a 2-year authorization was provided.

In prolonged hearings conducted by the House Committee on Education and Labor, the evidence shows that all the expert witnesses and authorities unanimously testified that the greatest basic improvement the Congress could make in the existing legislation would be to approve a 5-year extension with timely funding.

Mr. Chairman, beyond the most persuasive evidence of these accredited witnesses, our own good reason and commonsense clearly indicate that a longer period of authorization for 5 years will obviously enable school officials and systems to more practically utilize their personnel and material resources, project better structured education programs, and more prudently plan for the most efficient use of the taxpayers' hard-earned money, which, the Lord knows, we all universally desire.

The imperative need and great merit of the current impact aid programs have been practically universally endorsed and accepted. The major additional amendment in this pending bill expands the established purpose of impact aid by further providing for the reimbursement of each school district for approximately one-half the local cost of education for each child residing in federally financed low rent housing.

As you know, public housing is exempt from State and local taxation. Local housing authorities now pay the local school district an average of only $11 per year per student in lieu of taxes, while the average cost of educating a youngster is about 50 times that amount. Every school superintendent and major educational organization in my area and throughout the country has endorsed this amendment as a sound way to try to help schools meet their immediate financial crisis, and to help relieve local taxpayers of the full cost of providing this additional education.

Mr. Chairman, in special fields, the voices and the testimony of acknowledged authority should certainly not go unheeded. The esteemed chairman and committee members presenting this bill to the House have emphasized the immense support for the continuation, over a 5-year period, of these elementary and secondary education programs that have come from a great majority of the major educational organizations and officials of school systems and districts throughout the country.

In substance, this bill represents an investment in the basic resource of this country, the Nation's youth. By any standards of measurement, the objectives of this measure would have to be rated, at the very least, among the very highest on any priority list of essential national expenditures. The only real question about the proposed expenditure authorizations is whether they should truly be increased.

Mr. Chairman, if there ever was a legislative proposal in the pure national interest, this is it. Let us, therefore, adopt it, without delay.

Mr. FRASER. Mr. Chairman, I want to add my support to H.R. 514, the Elementary and Secondary Education Amendments of 1969. I know that the ESEA—particularly title I of that act—has made an important impact in my district, Minneapolis.

Recently the Minneapolis Board of Education released a study which shows that title I compensatory programs are affecting achievement levels for disadvantaged children. In 8 months, 50 children at a poverty area junior high school made 2 years academic growth in reading and arithmetic as a result of their participation in a title I project. I am sure that this success story can be repeated in thousands of districts throughout the country.

But the new educational programs made possible by ESEA are just beginning to make a difference. The program must be continued and expanded if we are going to start meeting our country's educational needs in a meaningful way. I feel it is significant that H.R. 514 proposes a 5-year extension of this major Federal program. Local school systems need to know that the Federal Government is making a long-term commitment to education. Federal aid should not be a "here today gone tomorrow" phenomenon.

I am also pleased to see that H.R. 514 extends ongoing programs without making major changes in the structure or organization of these programs. There is no demonstrated need for tampering with the title I formula or with other parts of the ESEA machinery. From discussions with school personnel in Minnesota, I know that programs as they are now constituted enable funds to be used in areas of greatest educational need. State and local school officials in Minnesota feel that any significant overhauling of the authorizing legislation would merely make the implementation of programs on the local level all the more difficult.

Mr. EILBERG. Mr. Chairman, I rise today once again to voice my support for H.R. 514. Yesterday, I spoke of the excellent work of the Education and Labor Committee and of its distinguished chairman, the gentleman from Kentucky (Mr. PERKINS), in bringing this legislation to the floor. I also expressed my support for the full 5-year extension of the Elementary and Secondary Education Act programs included in the committee bill. Today, I feel I must urge all my colleagues to act favorably on H.R. 514 and in particular to insure the full authorization for the title II program contained in the bill.

H.R. 514 would extend the title II program for 5 years at the present authorization level of $200 million. As is the case with so many of our education programs, the funds appropriated are insufficient, particularly in the elementary schools, to meet the needs of these children for library books and instructional materials. The budget estimate for the 1970 fiscal year for the title II program is $42 million—less than 25 percent of the authorized amount. In spite of this, significant progress has been made in strengthening library resources in our elementary and secondary schools by providing textbooks and other instructional materials.

Under the title II program over 70,500 school libraries were expanded in 1967 alone, with more than 44.6 million children and 1.8 million teachers benefiting from the title II funds. Over 58 million books have been distributed to libraries and classrooms besides many other instructional materials. Thirty States have started demonstration programs where school personnel can see firsthand library services and instructional materials of the highest quality. Mobile demonstration programs have been instituted for rural areas. From 1966 through 1968, almost $300 million has been provided for this program.

The record of the public and nonprofit private schools in the State of Pennsylvania and in particular, the city of Philadelphia, in the title II program has been astounding. Because I believe the work that has been done here is so worthy of note, I would like to take this opportunity to advise my colleagues of exactly what has been done.

Mrs. Elizebeth Hoffman, director of the division of school libraries and coordinator of the ESEA title II program in the State of Pennsylvania, was kind enough to forward me a copy of her annual report to the Department of Health, Education, and Welfare on State activities under the title II program. Regarding the impact of title II funds, the report states:

> The principal portion of the ESEA Title II funds made available to Pennsylvania have been and shall continue to be used for the purchase of school library resources, textbooks, and other printed and published instructional materials which have been and

> shall continue to be made available for the use of children and teachers of the public and private elementary and secondary schools in the State. To that extent there has been a greatly increased supply of such quality instructional materials.
>
> Schools which had not provided these instructional resources for their teachers and children prior to the Title II advent have been motivated to establish local effort through the demonstration of the educational benefits the Title II resources are providing.
>
> Schools which have developing instructional materials collections have been aided by the Title II resources in their effort to meet State Standards.
>
> The need for professional personnel in the educational media areas (librarians, audiovisual specialists) is great. By providing materials to the administrative agents of the children and teachers of the State, the immediacy of the need for professional personnel to select and administer these materials has been forcefully brought to the attention of schoolmen. These men will establish the necessary positions at the local level, support them financially, and are seeking out qualified people to fill the positions and/or train for them.
>
> The consultative services made possible by Title II at the State level has provided professional assistance to local district administrators, teachers, architects, curriculum specialists, librarians, and audiovisual specialists in all facets of the instructional materials programs including the areas of selection and use of quality resources, facilities design, library services to children, and the organization and administration of effective educational media provisions.
>
> In summarizing the effect of the impact of ESEA Title II, it is clearly evident that these funds have provided a great stimulus to the development of quality collections of materials in all the schools of the Commonwealth. In addition these funds have emphasized the need for qualified personnel in the instructional materials centers of the schools.

Since the 1965–66 school year, public elementary and secondary schools in the city of Philadelphia have received over $1 million in title II ESEA money. Even though they suffered a reduction of 50 percent in the amount of funds they received for the 1968–69 school year as compared to the 1967–68 school year much has been done with the money.

Prior to the availability of title II money, the book collections and the programs in existing libraries in the Philadelphia school district were grossly inadequate. At that time, there was an average of about two library books per child. National and State standards call for a minimum of 10 books per school child. Today, these libraries have an average of five books per child.

Title II funds which the city has received over the last 4 years has enabled the schools to add 400,000 books. The concept of the school library is being expanded into that of a multimedia instructional materials center which provides all types of audiovisual learning materials needed in the libraries to support the educational programs of the schools. Local funds alone are not sufficient to provide the wide range of materials needed.

Title II funds have libraries available to many children who had never been in one before and the accessibility and availability of a wide range of instructional materials is essential to sustain the many new educational needs. Mark Shedd, superintendent of the Philadelphia public schools, and David A. Horowitz, deputy superintendent for public instruction, have done a tremendous job with the limited title II money available.

The nonprofit private schools in the city of Philadelphia have received over $1.5 million in title II funds since the beginning of the 1965–66 school year. Sister Mary Arthur, coordinator of libraries for the archdiocese of Philadelphia has done an excellent job with these funds. Monsignor Hughes, superintendent of the parochial schools in the archdiocese of Philadelphia, testified before the House Education and Labor Committee on H.R. 514. When he was asked for his estimate of the impact of title II funds on the schools under his jurisdiction, he responded:

> Four years ago, we were seriously concerned about the lack of library facilities, about the inadequate number of books and really effective library program. The effect of Title II on the Archdiocese School System has been spectacular. It has promoted the expansion and professional situation in existing libraries. It has led to the establishment of libraries where there previously were none. The books and instructional materials provided on a long term loan basis through the Title II program have acted as seed money. They have encouraged the Archdiocese's own people to increase their efforts now since they see the possibility of an effective library program through the cooperation of the government. At the present time, we have 268 elementary school libraries which are functioning effectively as a part of the total school program. Five years ago, we could not have claimed one tenth of that number as really professional libraries.

Mr. Chairman, the need for the continuation of the title II program as recommended in H.R. 514 is evident. Even with the encouraging results which the program has brought to the city of Philadelphia—the average number of books per child is now five, as compared to two before title II—more must be done. The State and National average of books per child is 10, well above the city's average. About 56 percent of the elementary schools in the State of Pennsylvania still have no library facilities and 27 percent of the secondary schools do not have them. Title II money has put learning materials in the hands of 9 of every 10 school-age children in the State. The intensive programs of audiovisual aid instructions for teachers in the city of Philadelphia and throughout the State have helped acquaint these teachers with the most advanced teaching methods. Thus, the combined effect of the title II money has been an increase in the educational level of children throughout the State. But more must be done. It will be done if we approve the $200 million authorization level contained in H.R. 514 as reported by the committee and then provide the appropriations necessary when the time comes.

Mr. FARBSTEIN. Mr. Chairman, I rise to express my strong support for the bill extending the Elementary and Secondary Education Act as reported out by the House Committee on Education and Labor under the able direction of the gentleman from Kentucky (Mr. PERKINS).

I believe the act must be extended for an additional 5 years so that school districts can have adequate time to plan for the best use of the benefits that come under this act. We in the Federal Government are always stressing rational planning for the financial assistance we provide; yet we make it extremely difficult for the local jurisdiction to rationally plan for its programing when we authorize funding for only 1 or 2 years.

At the same time, I am extremely interested in the section of the bill which would compensate the local school budget for one-half the local cost of educating children in public housing.

Like many other school districts in the United States, the New York City system faces a serious financial crisis. The additional $42,533,280 that, according to my own calculations, would come to New York City under the provisions of this new program would go a long way toward alleviating the cutback of $116 million in current operations the school system will be forced to undergo in the fall, as a consequence of insufficient funding. While the school budget as a whole will increase, increases in base expenses—salaries, a larger student body, inflation—will absorb all of the gross increase in the budget, plus much more. I might add that much of the cut also comes as a result of the recent State budget slashes in funds for the city and for educational expenses.

Since Federal law exempts all public housing from local taxation, schools serving children from public housing are deprived of tax revenue which would make possible funds for adequate education of children in public housing. Almost one-third of the total assessed property valuation for New York City is exempt from taxation and a sizable portion of this $850 million in lost revenue is from public housing and Federal property. As a result, other taxpayers are required to make up the difference. Tax revenue is lost while at the same time these children require additional educational expenses and programs above and beyond normal requirements in order to compensate for their cultural deprivation and disadvantaged background. The $42 million this legislation would provide New York City represents a small percent of the $850 million in lost revenue.

All across America, school districts are faced with the gravest financial crisis in their existence. The plight of the New York City school system revealed by the new budget is only symbolic of the pattern of school closures and retrenchments that will take place unless the Federal Government substantially increases its support of education.

This fiscal plight comes because States and localities can no longer afford to maintain the level of services they have had in the past because of the limits on their traditional sources of funding and preemption of much of the tax revenue by the Federal Government.

The effects of this fiscal crisis have become more and more apparent as the level of State and local programing has progressively fallen further and further behind the objective need.

Even the added amounts authorized

by the legislation we are considering today, in my opinion, do not begin to take up the slack, as best evidenced by the $116 million cutback in New York City, which is being met by the bill with an increase of only $42 million in funding for public housing children. This figure assumes that the entire authorized sum is appropriated. I am fully aware that this rarely happens.

Finally, I oppose any attempts to consolidate education money into block grants to the States for their allocation to local jurisdictions. Such an amendment would force educational groups to compete in each State for already inadequate funds with the distinct possibility that beneficial programs would receive no funds. I believe the block grant approach, in this context, injects the ugly spectre of politics into the important question of educating our children; for where the State legislature is dominated by one party and the local jurisdiction by the other party, the children of that community inevitably are prejudiced.

The need to take politics out of education was recognized 60 years ago when the move to make school boards nonpartisan first began to gain momentum. Let us not reverse this trend now by replacing program grants to local jurisdictions with block grants which the State can allocate as they wish for whatever educational purpose they desire and to whomever they want.

I urge my colleagues to join me in supporting better education for all our children by approving the 5-year extension of the Elementary and Secondary Education Act and the new program of Federal aid to public housing education costs.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 514, the Elementary and Secondary Education Amendments of 1969.

This 5-year extension of the landmark 1965 Aid to Education Act is desperately needed by cities throughout the Nation and by all communities—particularly those areas with large numbers of disadvantaged children.

Of the many new legislative programs authorized by the 89th Congress, the Elementary and Secondary Education Act stands as one of the most successful. Funds appropriated under this act have been used wisely and the old reactionary warnings about Federal controls have proved unwarranted.

If local school districts are to retain control of education and be able to plan ahead for use of Federal funds, we should reject any effort to limit the extension of the act to 2 years. The 5-year extension is sound and consistent with the philosophy of local control of education.

New York City desperately needs title I funds—particularly in light of recent budget cuts recommended by the Governor. As a member of the House Appropriations Committee, I will make every effort to secure full funding for this important program.

Mr. GILBERT. Mr. Chairman, I would like to announce my support of the Elementary and Secondary Education Amendments of 1969.

I believe we in Congress have done nothing more important in recent years than establish the principle and devise the formula for extending Federal aid to elementary and secondary schools.

My only regret—and it is a major one—is that we have not appropriated the funds to implement the principle. In fiscal 1969, we appropriated only $1.5 billion of the $3.9 billion that was authorized. The fiscal 1970 budget submitted by the Executive requests but $1.6 billion out of a total of $4.4 billion authorized. We will not achieve our educational goals, I am afraid, by such grievous shortchanging of our programs.

I believe that this legislation has proven its worth in the years since it was first enacted. We have helped to educate the boys and girls of America. I am particularly proud of the success of bilingual education programs, which I had a role in shaping. But we have not helped our boys and girls enough, Mr. Chairman. I believe that enactment of this bill should be clearly understood as a mandate for the full appropriation of authorized funds.

I would like to commend the committee for its foresighted amendment to provide Federal funds in lieu of taxes for the education of children living in public housing. This amendment will assist cities like my own—New York—in performing their obligations to the underprivileged. This is an amendment that should be approved.

Mr. Chairman, we have already had too much shortsighted diversion of funds in our day from the vital goals of our society. Of what use are missiles to protect a society that is in a state of disorder? We must set as our first priority the building of a strong social fabric. To achieve this goal, education is the most important instrument. I urge an overwhelming vote in favor of this bill—and its full support at appropriation time.

Mr. Chairman, I rise in support of the Perkins substitute to the Green amendment. I preferred the bill as it came out of committee with the 5-year extension of all programs under the act and the impacted area aid programs. However, in view of the great controversy between the administration's 2-year proposal and a 5-year extension, I am going to support the Perkins substitute which will provide for a 3-year extension.

Mr. BOB WILSON. Mr. Chairman, an important provision in the bill H.R. 514 now before us would continue the flow of Federal dollars to local school districts burdened with the responsibility of educating children from federally connected families. I strongly urge that the House approve this provision as it has been recommended by the House Education and Labor Committee.

The impact aid to education program is the most successful school aid program we have ever had. I have consistently supported the program for two reasons. First, since Federal activities create the problem of overcrowding local schools, the Federal Government has the undeniable responsibility to assist these school districts in educating the children of federally employed families. Second, there is very little Federal intervention in the school districts' spending of these funds.

The San Diego area that I represent is home base for the Navy's largest complex of bases. Thousands of schoolchildren from military families and civilian families employed at these Federal installations have swelled the enrollment of our local school districts. With impact aid, our San Diego area schools have been able to meet this increased enrollment satisfactorily. A reduction in this assistance would, in essence, cripple our education system in San Diego by creating overcrowded classrooms, cutbacks in curriculums, and a reduction in teachers. Under the provision in this bill, school districts in the San Diego area would be entitled to between $10 and $12 million in impact aid. Under certain proposals for restricting impact aid, San Diego schools alone would lose more than $4 million. I am certain that my colleagues who represent other federally impacted areas share my concern and I urge them to join me in pressing for continuation of the full impact aid program.

Mr. ANNUNZIO. Mr. Chairman, I rise in favor of the provisions of H.R. 514, the Elementary and Secondary Education Amendments of 1969. The Elementary and Secondary Education Act is one of the most comprehensive attempts to assist education in our history. In the years since its enactment, it has provided Federal assistance to State and local educational agencies on a scale never before attempted. The ultimate benefit of these programs is derived by all the children in this country. It is to this group that we will have to turn for our country's leadership in the future.

H.R. 514 represents both an extension and a strengthening of the most significant Federal aid programs for elementary and secondary education—that of the ESEA and the federally impacted areas assistance and the Adult Education Act. All of these programs will be extended for 5 years under the provisions of H.R. 514—a period of time most essential for continuity of the programs which have begun and which are developing and improving year by year. Teachers and administrators are committed to participating in the programs. Parents and students are involved in the programs. To add an element of uncertainty would most assuredly erode part of the progress which has been made.

One of the problems which has been connected with Federal aid to education is that of timely funding. Most school plans are made in the spring for the next school year. Staff members are secured and plans are drawn up well in advance of the beginning of the program. Our legislative calendar frequently provides funds after this early date. In almost every year of the existence of the ESEA, allocations of funds have not been received until several months after the beginning of the academic year. This does not allow school administrators to employ expert teaching and counseling personnel. It makes more difficult the development and utilization of instructional equipment and facilities and specialized materials necessary for a truly effective program. An early enactment of H.R. 514 will make it possible to appropriate funds this year for fiscal year 1971 and then continue to provide advance funding for these programs in the years to come.

The results of programs funded under the Elementary and Secondary Education Act are phenomenal. In my State of Illinois I have talked to school administrators who are directly involved in the many programs operating in the State. They speak with enthusiasm about the results of the programs in their school districts and in the State as a whole. Probably the most spectacular results have been the result of title I—for the disadvantaged. During the 1966–67 school year nearly 243,000 children in Illinois participated in the title I program utilizing over 47 million. The accomplishments of the program in my State are many and the program has been improving each year. Illinois school officials have increased their ability to evaluate the specific needs of disadvantaged children and to design projects to meet those needs. The reading achievement of children who are participating in the program in Illinois has increased between 200 and 300 percent.

Other titles have provided assistance in such areas as library materials, innovative research, special problems of handicapped children and supplemental educational centers. The Illinois Office of Public Instruction has made use of funds for its development. A broad range of improvements have been accomplished in my State, and I am confident the record for other States is equally as distinguished. The funds provided under the ESEA have been well and effectively utilized. It is of paramount importance that the programs continue at the present or even a higher level. Education is a very important part of American life and to shortchange it would reap a tragedy with more ramifications than any of us would dare to consider.

Assistance under Public Laws 815 and 874 for federally impacted areas has also been well received and utilized. The responsibility for education rests squarely with the local and State educational agencies with the Federal Government providing financial assistance. Under this legislation the Federal Government makes payments to local school districts to help districts which must bear the burden of educating children whose parents reside or work on Federal property. These funds are most popular among school officials because they are put into the general budget of the school system and help to raise the overall level of education in the district. H.R. 514 makes an important change in these two acts—that of including children who live in public housing under the definition of federally connected children. It will offer additional relief to big cities which are having an increasingly difficult time in providing a quality education for every child. Under the provisions of H.R. 514, a separate appropriation would be required for children in this category, thereby preventing the possible reduction of funds to school districts under the present program.

H.R. 514 represents the results of a serious consideration of the legislation involved. The changes which are essential to a continuation of the excellent progress which has been made by education in this country are included. I am most enthusiastic about the results which have been accomplished and feel very strongly that they must continue in the years to come. For this to be possible, I urge an early enactment of H.R. 514, the Elementary and Secondary Education Act Amendments of 1969.

Mr. DERWINSKI. Mr. Chairman, I realize the attention in the processing of this bill has been focused upon the period of time it should be extended and I join with those who are supporting a 2-year extension.

The processing of amendments to the Elementary and Secondary Education Act gives us an opportunity to emphasize legislative intent in the matter of busing of students for integration purposes.

Most Members properly recognize that the law as written by Congress provides that the Federal Government should not force nor require local schools to bus students primarily for the purpose of integration. However, the Justice Department under the previous administration and now under the Nixon administration seems determined to ignore or misinterpret the intent of Congress and in various suits filed against local school districts the Department has pressed for busing primarily for integration purposes. In so doing they disregard the neighborhood school concept, pay little attention to the wishes of parents, and ignore the complications they cause in local school districts in which educational programs are thus adversely affected.

The primary purpose of this act is to improve education. Neither this program nor any other Federal education program should be used for dubious political purposes when the goal of quality education is still to be attained in many parts of the country.

Having voted in the past for civil rights legislation and education programs, I reemphasize my opinion that it is the intent of Congress to give support to educational programs without interfering with the administration of local schools or requiring pupil transfers that add to educational and logistical problems.

Mr. MATSUNAGA. Mr. Chairman, as one who has supported the Elementary and Secondary Education Act since it was first under consideration by this body in March 1965, I rise in support of H.R. 514, the Elementary and Secondary Education Amendments of 1969.

It is significant, as the Committee on Education and Labor points out, that this legislation is now before us for the fourth time in the short span of 5 years. Such frequency of legislative review probably was justified during the early period in the administration of this outstanding Federal aid program. While it is true that the program's 5-year record reveals some weaknesses, the overall picture is one of progress and encouragement in terms of achieving the original legislative goals. In short, the urgent educational needs of the Nation's children are in fact being met through the Elementary and Secondary Education Act.

The period of testing and evaluating is past. It is now time to consider this program in long-range terms to ensure its continued life and vitality. H.R. 514 will help to do this by extending most of the programs of assistance for 5 years from the end of fiscal year 1970. This extension would help to eliminate impairment of the various programs by delays in continuing authorizations and untimely funding. It would promote more effective planning by school districts and provide for greater certainty in the development and acquisition of curriculum material, instructional equipment, and necessary facilities.

In my own State of Hawaii, the Elementary and Secondary Education Act has become an important part of our program to improve the education of elementary and secondary schoolchildren who live in recognized low-income areas. The obligated amount for fiscal year 1969 under title I alone is $2,365,107. The funds are being utilized effectively to meet the educational needs of our educationally disadvantaged children.

Under title II, Hawaii's obligated amount for the current fiscal year is $193,833 for library books and other instructional materials. For the same period, Hawaii's share under title III, supplemental educational centers and services is $874,776.

To strengthen the Hawaii State Department of Education under title V, the 1969 obligated amount is $281,390. An area of increasing concern because of the lack of adequate appropriated funds is the education of handicapped children under title VI. The 1969 obligated amount for my State under this title is $113,023.

The 1969 obligations for the State of Hawaii under the Elementary and Secondary Education Act total $3,828,129, an amount considered to be inadequate but necessary for the vital work to which it is being applied. When the importance of the work that is being carried on in Hawaii, a relatively small State, is multiplied fiftyfold, the nationwide effect is indeed overwhelming. It is then that the need for the proposed extension and strengthening of the Elementary and Secondary Education Act becomes at once clear and convincing.

Mr. Chairman, I strongly urge a favorable vote for H.R. 514 without any crippling amendments.

Mr. PRICE of Illinois. Mr. Chairman, I strongly support the enactment of H.R. 514 which extends the Elementary and Secondary Education Act and the impacted areas aid programs for 5 years at the present authorization levels. There can be no question as to the value of these programs. If anything, they should be expanded to meet our Nation's ever growing education needs.

The impacted areas aid programs have been with us for some time and almost every congressional district benefits from Public Law 874 and 815. This year I am glad to see that an amendment has been adopted by the House Education and Labor Committee which authorizes impacted aid funds on the basis of the number of children in each school district living in federally assisted public housing. For those of us whose districts contain significant public housing populations this amendment is a welcome addition to the already depleted inventory of financial assistance for our innercity school districts.

The committee is absolutely correct in concluding that Federal public housing has placed severe burdens on the school districts. In addition to the increased demand for education services the Federal payment in lieu of taxes paid to school districts averages a paltry $11 per child per school year. Committee testimony revealed that the property tax revenue per nonpublic housing pupil attending public schools averages $415. This means that a school district loses $404 per public housing pupil under the present payment formula. Hence, the school districts are faced with the dilemma of providing needed services to those most in need but receive little support for their efforts. In the 24th Congressional District of Illinois, which I have the honor of representing, there are 3,609 public housing units, with an estimated 7,218 schoolchildren living in them. Under the amendment, the affected school districts would receive an additional $1,331,676. This amendment corrects a severe injustice.

I would caution, however, that this new impact program should not operate at the expense of existing impact programs. The Congress must not deceive itself by thinking that it can vote a new program and support it with other program funds. Nor should the administration attempt to fund the program from other sources. It boils down to the point of providing adequate funds for our efforts.

Budget limitations and demands may be cited as the reason for not funding these programs. Again, it comes down to the question of national priorities and, as I said during the debate on the Water Quality Improvement Act, if we can afford $80 billion for defense we can surely afford to invest adequate funds in our education programs.

The Elementary and Secondary Education Act is a truly monumental and historic legislative enactment. Its impact is being felt more each year and should be funded at its full authorization level. It is a lasting tribute to President Johnson and the great 89th Congress that we have this law. Turning aside old controversies and stale arguments we forged ahead in an existing and new policy area. We are still profiting from this bold exercise of legislative vision, and we should make certain that the law's intent and purpose is not diluted by confusion and the lack of long-range planning.

With a 5-year authorization as reported out by the committee we can insure that effective and orderly development will occur. The question of legislative oversight is not involved here, but a question of acting responsibly so that our educators can plan efficiently and effectively. I strongly concur in the committee recommendation of a 5-year extension of the Elementary and Secondary Education Act.

Mr. QUIE. Mr. Chairman, the substitute bill for H.R. 514, offered by the gentlewoman from Oregon (Mrs. GREEN), and cosponsored by Mr. AYRES, Mr. LANDRUM, Mr. GIAIMO, and myself, makes the following changes in the committee bill and in the Elementary-Secondary Education Act.

First. It extends the provisions of ESEA and the impacted areas legislation—Public Law 874 and Public Law 815—for 2 years beyond their expiration dates—until June 30, 1972. This means that in order to make forward financing effective the acts will again have to be reconsidered in 1971.

Second. Title I of ESEA is amended to permit local school districts, at their discretion, to increase above normal salary schedules the pay of teachers who are teaching in schools served by title I programs, as a bonus for their service to disadvantaged children.

Third. The provisions of the committee bill which created a State advisory committee for title I programs and directed the Commissioner of Education to require local school districts to establish advisory committees for Federal programs, are deleted.

Fourth. The provisions in existing law which requires local school districts to obtain the concurrence of local community action agencies established under the Economic Opportunity Act in the title I ESEA program established by such districts is rewritten to require instead that educational programs of OEO and other agencies be coordinated with those of local school boards.

Fifth. The provision in the committee bill which would have permitted the ESEA title I National Advisory Committee to utilize a portion of title I appropriations and to appoint staff without regard to civil service laws is eliminated.

Sixth. An additional program consolidation title is added to ESEA which:

First, consolidates title III(A)—instructional equipment—and title V(A)—Counseling, guidance, and testing—of NDEA and title II—Library materials and textbooks—and title III—Supplementary centers and services—of ESEA into a single State-grant, State-administered, program for these four purposes; and

Second, makes the following substantive changes in the four consolidated programs:

Eliminates the matching requirements in the two NDEA programs;

Makes instructional equipment under NDEA title III available to children and teachers in private schools on a loan basis in the same manner in which library materials and textbooks are made available under ESEA title II; and

Substitutes a single State plan, single set of applications, single accounting procedure, and single distribution formula—but with no State receiving less than under the aggregate of the old formulas—for the four separate and differing requirements of existing law.

Mr. VANIK. Mr. Chairman, I rise in support of H.R. 514, this year's amendments to the Elementary and Secondary Education Act. These amendments continue at present authorization levels vital programs of Federal assistance for the poor and educationally handicapped, for education experiment and research, for library services, and for education assistance to the physically handicapped. These assistance programs have provided services that, because of existing heavy demands and high tax burdens on local school districts, would probably never have been provided.

In my State of Ohio, we have been faced with the very, very serious situation of a "taxpayers revolt" on local school issues. The Youngstown school system has been severely affected by the repeated failure of local school levies. Other communities in Ohio are experiencing the same problem. It is therefore imperative that these programs of Federal assistance, particularly title I which provides assistance to schools with large numbers of students from low-income families, be continued and even increased.

I would like to add, Mr. Chairman, that as a member of the taxwriting Ways and Means Committee, a great deal of my concern has been to do away with the surtax through revenue raising tax reform so that the average taxpayer, who is being asked to support local school levies, will be in a better position to do so.

There can be no question that these programs of Federal assistance have been useful. In my county, in which the city of Cleveland is located, the various titles of the Elementary and Secondary Education Act provided some $6.3 million in aid to local school districts during the 1967–68 school year. The title I moneys assisted some 15,000 students in the Cleveland city school system in projects ranging from prekindergarten child development to job training, orientation, and placement for high school seniors.

Some title I money was used in a special project for seriously intellectually underdeveloped children between the ages of 5 and 8. One-third of the children showed increases in IQ of from five to 19 points. Except for these programs we are considering today, these children's lives would probably never have been improved.

At high schools in the Cleveland system receiving title I services there was a 10-percent decrease in the dropout rate last school year as compared to the preceding school year. The meaning of this 10-percent decline—in terms of human lives, jobs, and potential taxpayers—is simply incalculable.

All of us are concerned about crime in our society. But the money we spend to diminish the high school dropout rate, the money we spend to provide more quality education and job preparation is the wisest anticrime money we can spend.

This is one reason I am particularly distressed that title VIII of ESEA, the "dropout prevention program," has been so poorly supported with appropriations. Since this title was first authorized, the Office of Education has received some 369 preliminary proposals for programs with expenditure request of $67 million. The appropriation for the title in this fiscal year is only $5 million and only 20 of these antidropout programs will be funded.

The high school dropout prevention program has not been the only program in which appropriations have lagged. The lack of appropriations for ESEA has resulted in a severe backlog of very worthwhile education proposals. Four school districts in my congressional district have had excellent applications and proposals turned down because of lack of funds. Our children have been the losers in this false economy. In the current fiscal year, ESEA programs had a total authorization of $3.86 billion. The appropriation in fiscal 1969 was much less than half of this—only $1.46 billion. The authorization for fiscal 1970 is $4.4 billion. Under the Johnson administration appropriation request, nearly $1.6 billion was scheduled. The new administration has completely cut any appropriation request for school library assistance and has cut the request for title III supplementary educational centers by a third. In addition, President Nixon has requested that the Federal aid for impacted areas be cut by one-third or nearly $100 million. The result is a request by the new administration for $1.415 billion for the various ESEA titles.

It is my hope, Mr. Chairman, that this Congress will reverse this tendency to cut these vital education programs and provide appropriations in line with the authorizations.

Only with the improved education that these programs help provide will the problems of our society be met and solved.

Mr. GALLAGHER. Mr. Chairman, I would like to give my support to extending the Elementary and Secondary Education Act for 5 years. It is my firm belief that such an extension is necessary in order for the participants to reap the full benefits of the program. It is extremely difficult for the participants to engage in long-range planning if they are uncertain as to the amount of money with which they will be funded. Too many of these programs have had to waste time worrying about appropriations when the time could have been better spent in the actual running of the program.

I am also opposed to consolidating several school assistance programs into block grants to the States. We have a great deal of difficulty actually appropriating the money which is actually authorized by ESEA. In my opinion block grants to the States will do two things: It will cut down on the actual money spent on such necessary programs and it will also cut down on their efficiency and further confuse the line of authority of the recipient agencies.

Finally I am a strong supporter of that provision of ESEA which will reimburse school districts for about one-half the local cost of education for each child residing in federally financed low rent housing. My district, the 13th District of New Jersey, which embraces the cities of Bayonne, Elizabeth, Linden, Rahway, and part of Jersey City, will receive at least $2,065,336 per year for the education of their children. There are over 11,000 school-age children living in low rent housing in the 13th District, and this amendment is one way to help the schools meet their obligations. All the letters which I have received from my constituents strongly support this provision.

At the present time schoolchildren who reside in public housing have not been adequately supported in their educational endeavors. While the average cost of educating a child is $370 a year, the local housing authorities now pay that local school district an average of only $11 per year per student in place of taxes.

Mr. RANDALL. Mr. Chairman, I rise to support H.R. 514. Although I preferred the Perkins substitute to the Green amendment on the premise or principle that if Federal aid to elementary and secondary education has in fact proven successful, then it should be extended for the maximum number of years at this time. While the original version of H.R. 514 called for a 5-year extension, all of us should be mindful that present legislation does exist through June 30, 1970. The Green amendment would have added only 2 years. There would be left the issue to be decided prior to the end of the Nixon administration at a time when partisan considerations could very well overrule what otherwise might be best for education.

The Perkins concession to extend the provisions of ESEA for 3 years should prevail upon the principle if the bill is a good one, why cut it down or chop it off with only a 2-year extension?

There are other considerations involved which prefer Chairman PERKINS' substitute over the amendment of the lady from Oregon. Foremost in this area of difference is that of the consolidation of titles offered by the Congresswoman which would consolidate some ESEA titles such as library services and the innovative programs together with certain NDEA programs, such as science teaching projects.

In other words, the Green approach would consolidate several titles and leave it up to the States in a sort of a block grant to determine what projects would be funded. The question quite properly may be asked, what is wrong with leaving this decision to the States? The answer is that while we are all in favor of the principle of States' rights, in this particular instance, we are concerned with new educational methods which in the short time they have been in effect have proven most successful. These innovative programs could or might fall by the wayside or be completely scuttled or passed over if left entirely to the States. The States have always put a premium upon the old or time-honored methods of education. It has been observed by some very prominent educators that both Einstein and Thomas Edison would have flunked the teaching methods of their day.

I believe we should constantly be on the alert for new educational methods to improve those that have been used in the past. For that reason, I am fearful the block grant approach will keep our educational system in the old straightjacket that has been so long the pattern without no chance for the innovative methods which would be possible under the Perkins approach.

The parliamentary situation as debate on this bill came to an end was quite complex. Much controversy centered over the advisory councils. The Green amendment restored the advisory councils on the State level. Once again, we believe the States should control their educational systems, but by the Green approach, there has been opened up the possibility that a State advisory council could reach a conclusion so far away from the viewpoint of the U.S. Commissioner of Education that an endless negotiation could result. This negotiation could go on indefinitely and HEW remain at loggerheads so long with the State advisory council that funds would be delayed and for too long held up. The ones that would suffer would of course be the children in the school systems throughout the State which had refused to negotiate with the commissioner. For years, certain States could be deprived of funds under this bill, because of the Green amendment.

Finding ourselves in a complex parliamentary situation where we had to literally rewrite a bill on the floor of the House, we found some considerations of the Green amendment were meritorious; on balance the Perkins substitute came nearer to the original version which was so laboriously and carefully considered by the committee for many weeks prior to bringing this measure to the floor.

After the Green amendment prevailed, even with the doubts involved, there was no recourse on final passage but to approve the best available result of a snarled parliamentary situation. H.R. 514 as amended will hopefully be a useful and workable extension of ESEA. Regretfully we might have a somewhat better result.

Looking back over the debate, those of us who represent impacted areas are grateful that the formula for category A and category B children were not disturbed. Those school districts that have been and will continue to be hard pressed because of pupils from military installations and other Federal facilities will welcome the good news that this most essential formula has not been disturbed by enactment of H.R. 514.

Mr. BURLISON of Missouri. Mr. Chairman, we have been debating for the greater portion of this week the vital question of support to our grade and high schools throughout the Nation. Scores of professional educators have come to Washington to give their testimony relative to a subject with which they are acquainted better than anyone else. The bill (H.R. 514) reported out by the Committee on Education and Labor is an embodiment of the best judgment of these professionals who are most conversant with the problems of education.

There are moves afoot to reduce extension of the legislation from 5 years to 2 years. This is unwise in my judgment because our school administrators can most effectively utilize these funds if they can plan ahead with a greater degree of continuity. There will likely be other amendments offered. It is my intention to support the bill as reported out by the committee.

Summarized below are provisions of the bill which I feel to be of importance to the schools of my district.

H.R. 514 would extend for 5 years the Elementary and Secondary Education Act of 1965, together with new elementary and secondary education programs resulting from the Elementary and Secondary Education Amendments of 1966 and of 1967. Included in these programs are grants to local educational agencies under title I of ESEA, which places funds in the neediest schools, the library resources textbooks and other instructional materials programs, programs for supplemental education centers and services, grants to strengthen State departments of education, the education of handicapped children, adult education programs, bilingual education programs, and dropout prevention programs.

The bill extends the legislation providing grants to local educational agencies for school operation in federally affected areas and the legislation providing financial support for the construction of school facilities in such areas as contained in Public Laws 81–874 and 81–815. Authorizations are estimated at $622 million annually under Public Law 874 and $80,407,000 under Public Law 815.

Title I is amended to allow a State educational agency, or any other appropriate State or local public agency, to assume responsibility for title I educational services to neglected and delinquent children counted in determining the title I entitlement upon the determination of the State educational agency that a local educational agency cannot or will not provide for the special needs of these children. The amendment provides that, in this case, the portion of the local agency's entitlement based on the number of neglected and delinquent children, would go instead to the State educational agency for the provision of the services to the children in question if that State agency assumes responsibility for providing such services. If the State educational agency does not assume this responsibility, then the funds would be made available to any other appropriate public State or local agency assuming responsibility for providing title I educational services to such children. An additional amendment in this area provides that children in all types of correctional institutions be counted for the purposes of title I. Heretofore, children in county and local reformatories, prisons, and jails have not been included in the title I count of institutionalized delinquent and neglected children.

Section 105 of the bill amends section 103(d) of title I of the Elementary and Secondary Education Act of 1965 to carry the recommendations made by the administration. With the advent of advanced funding for title I programs, difficulties have been experienced by the administration in securing data for the second preceding fiscal year as the law now requires. In this regard, the amendment provides that, if satisfactory data for the second fiscal year is not available at the time the computation must be made, then the Commission may use the earliest preceding fiscal year for which satisfactory data is available.

In section 106, the committee has added two amendments to title I affecting the evaluation reports provisions at the State and local level. The first would require local educational agencies in their annual report to the States, to supply evaluation data "in such form and in accordance with specific performance criteria related to program objectives." This change strengthens the States' and Commissioner's authority to insure that evaluation data will be more specific in relation to program objectives and more uniform and easily comparable. It helps overcome present inadequacies in the requirements for local reports to the States and to the Office of Education. The second would require the States to include in their reports to the Commissioner the results of research and replication studies carried on in the State. As educators learn more and more about what programs have the greatest impact, the committee expects that the States will encourage the local schools to replicate these programs and concentrate funds on those programs with the greatest potential. This amendment requires the States to keep the Commissioner informed on these activities.

Section 107 of the bill amends part A of title I of the Elementary and Secondary Education Act to require the establishment of State advisory councils broadly representative of the educational resources of the State and of the public to advise the State educational agency on the preparation and policy matters arising in the administration of educational programs funded under title I. The council is patterned after the council established under the Vocational Education Amendments of 1968; and the State advisory council provided for title III supplemental educational centers and services program under the 1967 amendments which turned the administration of title III programs over to the State educational agency.

Section 302 of the bill amends section 307 of the Elementary and Secondary Education Act of 1965. The amendment provides that, if there is a substantial failure to provide for effective participation on an equitable basis in supplemental education centers and services programs by children and teachers in the schools in the area to be served by the program, the Commissioner is given authority to arrange for the provision of an equitable basis of such programs paying the cost of such out of the State's title III allotment. A comparable provision has been in operation since 1964 with respect to the library resources textbooks and other instructional materials program authorized by title II.

Section 505(b) of the bill carries out a recommendation of the administration to amend section I of Public Law 85–926 to include training for subprofessional personnel and other staff who do not require professional or advanced training.

H.R. 514 amends Public Law 81–874 to provide for payments to school districts of one-half of the local cost of education for each public housing child, less the share for education of the amount paid in lieu of taxes by the Federal Government to the local governing agencies. This payment by the Federal Government, except for the reduction, would be similar to the payment made for "b" children under the present impacted aid laws. However, this amendment contains a separate authorization of appropriations for public housing children. Under this circumstance, appropriations for "a" and "b" children under section 3 of the existing law.

The bill also amends Public Law 81–815 to provide that a local school district may be compensated for school construction costs by the Federal Government for a sudden increase in enrollments caused by the presence of large numbers of children from public housing projects. There is a separate authorization of appropriations for this purpose, and appropriations for "a" and "b" children will not in any way be affected by the amendment. The contribution for construction costs will be according to an order of priority similar to the orders of priority established for "a" and "b" children. These orders of priority will be separate.

The Federal Government, no more than any other organization of men, can predict all the results of its actions. Through the Housing Act of 1937 and subsequent housing acts, the Federal Government has committed itself to guaranteeing a decent home for every American, regardless of income. As a direct consequence, today more than 670,000 families occupy low-rent housing constructed with the financial assistance of the Federal Government.

But, the Federal housing policy has inadvertently placed a crushing burden upon many school systems, necessitating these amendments to the impact aid program. Frequently the existence of attractive low-rent housing had lured poor, uneducated families into our cities, both large and small. Thus many of our school systems have been burdened with large numbers of children needing additional educational services to overcome economic and social disadvantages.

Yet, since the Federal housing acts exempt all low-rent public housing from State and local taxation, school districts serving children from public housing are severely limited in providing an adequate education. Recognizing this inequity, unintentionally caused by the housing acts, the Federal Government presently makes a payment in lieu of taxes to the local school districts.

However, the national average of this payment is only approximately $11 per child for each school year. This amount is grossly inadequate to offset the revenue lost by exempting public housing from local and State taxation. The results of this insufficient compensation by the Federal Government are inadequate educations for all children within the school districts affected and an excessive burden on the property owners within the school districts affected.

These consequences of the Federal housing policy are most dramatically seen in our large cities. But they are nonetheless present in our small cities, frequently causing a greater hardship because of the more limited tax base.

Mr. SCHWENGEL. Mr. Chairman, we

are debating a very important bill. There is no need to talk at length about the importance and necessity of maintaining a strong educational system in our Nation. There also is no need to debate or discuss any longer whether or not there is a Federal responsibility. A commitment has been made and must be fulfilled.

The debate which has taken place in committee and here on the House floor has been over the best way or method to fulfill the commitment which has been made. And this certainly is a question over which serious and responsible people can honestly disagree.

The backbone of our education system has been our elementary and secondary school system. Deeply ingrained in our heritage and tradition is local control of schools. I believe that this tradition is not one which should be maintained for tradition's sake. But because it has worked and makes our education system relevant to local needs. Therefore, our challenge, seems to me, is to fashion programs which meet the needs, but leave intact the principle of local control.

Because of my deep interest in ESEA, I sponsored a series of three education conferences in the First Congressional District during the Easter recess. Invited were school board presidents, school superintendents, and local education association presidents. At each conference, representatives of the U.S. Office of Education and the Iowa State Department of Public Instruction spoke and participated in a discussion period.

Two very clear lines of thinking emerged from the conferences. First, was the feeling that the States and local school districts must have an earlier indication of what assistance will be available for more adequate planning. Second, there was a clear bias for general as compared to categorical aid.

By extending ESEA for 2 years we will insure the continuity sought. By adopting the Green amendments we will advance the cause of bloc grants also desired by most administrators.

Therefore, I am supporting the amendments which will be offered. To freeze ESEA for 5 more years would be a mistake. Undoubtedly, in 2 years we will see where additional improvements can be made. Perhaps, significant changes will be in order. The opportunity to make those changes should present itself. A 2-year extension would do just that.

The need for general aid to education in the form of block grants becomes more apparent each year. We have strengthened our State departments of education and have made substantial progress in insuring the non-discriminatory distribution of funds. By combining the programs brought together by the Green amendments, we will make more efficient use of funds available as well as giving greater flexibility to our school systems in meeting their particular needs.

If the amendments I have mentioned are adopted, I believe, we will be doing a much better job in meeting our responsibilities in the area of elementary and secondary education.

Mr. PODELL. Mr. Chairman, I strongly support H.R. 514 as reported by the House Education and Labor Committee and, in particular, a 5-year extension. The educational needs for which we seek solutions under the provisions of the Elementary and Secondary Education Act will not vanish in 2 years, nor in 5 years for that matter. But, a 5-year authorization represents a stronger congressional commitment to the long-range effort to strengthen educational opportunities in those schools in the hearts of our cities which so desperately need funds at this time. In this regard, title I of the Elementary and Secondary Education Act is the most significant. Authorizations for title I are in the neighborhood of $3 billion and yet we are funding this program at scarcely a billion dollars a year. For this reason not only am I concerned that the Congress provide for a long-range extension of the act, but also I am concerned that we are not permitting this program to have its designed maximum impact, by not carrying through with appropriations for this commitment.

Mr. Chairman, I am deeply disturbed by the provision in the minority substitute to consolidate ESEA titles II and III with NDEA titles III and V. If the bill before us is amended as proposed, we will be taking a major step backward in solving the Nation's educational problems.

Title II, which provides library books, textbooks, and instructional materials, the indispensable instruments of learning, is one of the most significant ESEA programs benefiting all our schoolchildren—public and private.

The States have made substantial progress in developing school libraries and instructional media centers with the stimulation of their title II allotments. For example:

New library and instructional materials were made available to approximately 44.6 million children and 1.8 million teachers in public and private elementary and secondary schools in fiscal year 1967.

Establishment of 8,487 new school libraries is attributed to the stimulation and assistance provided by ESEA title II in fiscal year 1966–67. Of these, 7,638 were elementary public school libraries serving 3.4 million students, and 849 were secondary school libraries serving over 526,000 pupils.

In regard to the improvement of existing school libraries, over 91,000 public elementary school libraries and 41,500 public secondary school libraries were expanded and improved in fiscal year 1966–67.

The average expenditure per elementary and secondary school pupil for library resources increased from $2.70 in 1965 to an average of $5.30 in 1967 with the addition of ESEA title II funds—a gain of 65 percent.

Title II also benefited 3.1 million private school students who received loans of materials in fiscal year 1966.

Many States—31 in fiscal year 1966—have reported an increase in local and State financial support of school libraries, as a result of the "seed" money from ESEA title II.

Despite this splendid succession of accomplishments, as of March 1968 approximately 36,000 public elementary schools still lacked libraries. In other words, we still have a long way to go in overcoming the barriers to equal learning opportunities. The insights and experience acquired in operating this program need further reinforcement and stability through greater program length and continuity, as proposed in H.R. 514.

I invite any Member in this Chamber on either side of the aisle to go to the telephone and call his school administrators and ask about the importance and the effectiveness of this program. I am sure you will find that the title II program has done a great deal to improve the quality of education in the schools and that your school administrators will urge that title II be continued for 5 years as provided in the committee's bill.

The problems that have arisen in the implementation of title II have been solved for the most part. If title II is combined with other titles many new and complex problems will arise inevitably which will delay the progress now underway.

Title II is a program which has proven its capabilities and potential and it needs to be continued as an individual program rather than part of a conglomerate.

At this point, Mr. Chairman, I place in the RECORD a résumé of some of the highlights of programed activities under the various titles of the Elementary and Secondary Education Act:

Summary of Highlights of Program Activity Under the Elementary and Secondary Education Act of 1965

TITLE I—SERVICES FOR DISADVANTAGED CHILDREN

Title I, the Office of Education's largest single grant program, is designed to help local school districts improve the quality of education offered educationally disadvantaged children. Funds are allocated to the county level on the basis of the number of children from families of incomes less than $2,000, plus those from families receiving over $2,000 annually under AFDC. Services provided range for medical care, to special reading programs to cultural exposure field trips. Any educationally disadvantaged pupil in a school receiving Title I funds may be eligible to participate, regardless of income. Projects are designed at the local level and approved by State educational agencies.

Since passage of the ESEA in 1965, Title I has provided in round figures:

In Fiscal Year 1966: $960 million to serve 8.3 million children in 17,500 school districts.

In Fiscal Year 1967: $1.011 billion to serve 9.1 million children in some 16,400 school districts.

In Fiscal Year 1968: $1.070 billion to serve 9 million children in an estimated 16,000 school districts.

Special populations of disadvantaged children specifically provided for in later amendments to ESEA Title I, have been served by projects designed to meet their special needs. Funds spent to serve these special groups under Title I amounted to approximately:

Category of children	Fiscal year		
	1966	1967	1968
Handicapped	$10,500,000	$13,000,000	$21,700,000
Neglected		205,000	922,000
Delinquent		1,700,000	8,000,000
Migrant		8,000,000	32,700,000

Local school districts have elected to spend most of their Title I funds on services that touch children directly: improved instructional services, guidance and counseling, food, health care, and so on. Equipment and construction expenditures represent a minor portion of funds spent by local education agencies (13 percent in FY 1967).

TITLE II—SCHOOL LIBRARY RESOURCES

The purpose of Title II is to provide nonmatching grants to States for the procurement of school library resources, textbooks, and other printed and published instructional material for use by students and teachers in public and private elementary and secondary schools.

Fiscal year	Authorization	Appropriation
1966	$100,000,000	$100,000,000
1967	128,750,000	102,000,000
1968	154,500,000	99,234,000
1969	167,375,000	50,000,000
1970	200,000,000	(1)

[1] Not yet passed.

Among the three categories of eligible materials—school library resources, textbooks, and other instructional materials, the States have given priority in each year to school library resources. States expended Title II funds for acquisitions in Fiscal Year 1967 in the following proportions: School library resources, 92.0 percent; textbooks, 4.0 percent; other instructional materials, 3.4 percent.

In Fiscal Years 1966 and 1967, the States reported a total of almost 8,500 new public school libraries serving approximately 3,800,000 students. More than 70,500 libraries were expanded in Fiscal Year 1967 alone.

Of an estimated 47,000,000 public and private school children eligible to participate in the Title II program each year from 1966–1968, an estimated 44,000,000 or almost 94 percent of those eligible, participated. About 1,800,000 teachers (approximately 89 percent of all those eligible) participated in the program each year.

It is estimated that the 1969 appropriation of $50,000,000 will provide for the purchase of 9,000,000 books and filmstrips or about 1 book or filmstrip for every five children participating.

TITLE III—SUPPLEMENTARY CENTERS AND SERVICES

The Title III program is designed to encourage school districts to develop imaginative solutions to educational problems; to utilize research findings; and to create and design innovative educational practices. Grants are made for supplementary educational centers and may be used for the planning of projects, pilot projects, and programs such as guidance and counseling, experimental academic services, specialized instruction and many others.

Fiscal year	Authorization	Appropriation
1966	$100,000,000	$75,000,000
1967	180,250,000	135,000,000
1968	515,000,000	187,876,000
1969	527,875,000	164,876,000
1970	566,500,000	(1)

[1] Not yet passed.

During Fiscal Year 1969, primary responsibility for the administration of Title III shifted from the Office of Education to the States. Currently, the States, under a State grant program, are administering 75 percent of all Title III funds with the Office of Education administering the remaining 25 percent. During Fiscal Year 1970, the States will assume responsibility for all Title III funds except those necessary to complete projects begun in prior years.

Persons benefiting from fiscal year 1968 approved projects

Preschool	135,000
Elementary and secondary students	10,000,000
Elementary	8,000,000
Secondary	2,000,000
Teachers	35,000
Parents, adults, and others	90,000

Of the 1,587 projects active in March 1969, the estimated percent distribution of the $158 million is as follows:

	Percent
New curriculums	30
Educational technology, facilities, equipment, and materials	15
Institution or personnel improvement	14
Special education-remediation	13
Research, survey, planning, evaluation, and dissemination	8
Pupil personnel services	8
Community involvement	6
Instructional methods	5
Other	1

Beginning Fiscal Year 1969, at least 15 percent (about $23 million) of the total ESEA Title III appropriation must be spent for projects for the handicapped. In Fiscal Year 1968, $15 million or 8 percent of the total Title III funds went to such projects.

TITLE V—STRENGTHENING STATE DEPARTMENTS OF EDUCATION

The purpose of Title V is to stimulate and assist States in strengthening the leadership of their educational agency and to assist them in establishing and improving programs to identify and meet their educational needs.

Fiscal year	Authorization	Appropriation
1966	$25,000,000	$17,000,000
1967	30,000,000	22,000,000
1968	65,000,000	[1] 29,750,000
1969	80,000,000	[1] 29,750,000
1970	80,000,000	(2)

[1] Includes funds formerly appropriated for Public Law 85–564, the National Defense Education Act, title X ($2,250,000) and title III ($5,500,000).

[2] Not yet passed.

In Fiscal Year 1968 funds were distributed as follows: Strengthening leadership, consultative and technical assistance to local educational agencies, 31 percent; planning, development, and research coordination, 16 percent; strengthening States' internal management capabilities and data processing services, 36 percent; school and teacher accreditation and other services to local educational agencies, 17 percent.

Originally, 15 percent (3,300,000) of the appropriation was reserved for special project grants to State education agencies to pay part of the cost of experimental projects. Beginning in Fiscal Year 1969, 5 percent (1,487,500) is now reserved for this purpose. The 1967 ESEA Amendments require that 10 percent of the State Educational Agency's entitlement, under Section 503, be distributed to local educational agencies for use in directly strengthening their programs.

Virtually all the States and outlying areas have been involved in the 41 interstate special projects which were funded through the 15 and 5 percent reserve.

State educational agencies have added over 4,260 professional personnel since the program's inception. More than 1,000 professional personnel and a similar number of nonprofessionals have been added to their staffs in 1968 alone.

TITLE VI—EDUCATIONAL SERVICES FOR HANDICAPPED CHILDREN

Title VI, added to the ESEA in 1967, is a three-part program for the improvement of special educational services for handicapped children.

Part A is a State grant program; over its three years of operation VI–A has supported a great diversity of projects for schoolaged handicapped children. These include work-study programs, special transportation arrangements, mobile units to carry services to handicapped children in rural areas, and diagnostic services. It is estimated that by the end of this fiscal year, almost one-quarter of a million handicapped children will have benefited from the program.

Appropriations for the program have steadily expanded to provide for more children. In VI–A's first year, FY 1967, approximately $2.5 million was appropriated for planning grants. In 1968, $14,250,000 was appropriated, and this year the figure reached $39,250,000.

Part B authorizes the establishment and operation of regional resource centers devoted to improving the education of handicapped children. This year will mark the initiation of the program. Applications are yet to be approved, but it is expected that four planning grants will be approved by June, at about $125,000 each. Appropriations for FY 1969 are $500,000. For each child referred, centers will offer diagnostic testing, individual analyses of each child's learning problems, and a specially developed educational program to assist his teachers in meeting his special needs.

Part C, also new this year, provides for the establishment and operation of a limited number of centers to serve deaf-blind children. One million dollars has been appropriated for FY 1969, and grants were recently made for eight centers for amounts ranging from $36,260 to $189,000. Each center is to serve a multiple-State area, providing diagnosis and evaluation, family consultation, and adjustment services for these severely handicapped deaf-blind children.

TITLE VII—BILINGUAL EDUCATION PROGRAM

The purpose of Title VII is to provide grants in support of programs designed to meet the special educational needs of children 3 to 18 years of age, who come from environments where the dominant language is other than English. Three million school age children are deprived of equal education opportunity because of their limited communication skills. The concern is for these children's desire and need to develop greater competence in English, for the realization of their full potential as speakers of two languages, and for their educational advancement.

Fiscal year	Authorization	Appropriation
1968	$15,000,000	0
1969	30,000,000	$7,500,000
1970	40,000,000	(1)

[1] Not yet passed.

The Office of Education received 312 preliminary proposals requesting over $41 million for projects beginning in Fiscal Year 1969. Of these, 78 were selected for funding. These projects will serve some 139,000 pupils, 64 percent of them in urban communities.

The majority of projects will deal with children from Spanish-speaking backgrounds; five deal with American Indian dialect backgrounds, four deal with students from Portuguese-speaking families, and two deal with students from French-speaking backgrounds. The projects are located in 22 states, and include preschool storefront centers, the development of special curriculum materials, inservice education in bilingual methodology for bilingual staffs, and summer bilingual programs.

Mr. McCORMACK. Mr. Chairman, I move to strike the requisite number of words.

The debate on this bill has been on a

very fine level, and I want to congratulate both sides. With the differences of opinion which exist, it has been a very stimulating debate.

However, I want to make a few observations.

There are two basic differences, as I see it, between the substitute amendment offered by the gentleman from Kentucky (Mr. Perkins) and the amendment in the nature of a substitute offered by the gentlewoman from Oregon (Mrs. Green) for herself, Mr. Quie, and others.

The first of those two differences is the period of extension of the act, if it passes the House; whether it will be for 3 years or for 2 years. It seems to me that the 3-year period is the most desirable one.

I believe the gentlewoman from New York (Mrs. Chisholm) very ably presented the case in an eloquent and effective way. Her remarks were very timely and based upon experience as to the need of the educators of the country to plan ahead.

Certainly, in connection with that, whether we come from the North, the East, the South, or the West, we are all interested in education of the children, in education for those going to the schools of higher education, which will come later and be considered in a separate bill. We are all deeply interested.

Particularly as to the elementary and secondary levels it seems to me that the period of 3 years is much preferable to the period of 2 years.

The other difference is on the so-called consolidation provisions of the amendment in the nature of a substitute offered by the gentlewoman from Oregon (Mrs. Green) for herself and several other Members.

As I examine that, it seems to me it is fraught with a lot of danger. As I examine that, I see where, under the guise of a State advisory council, the result could be greater power vested on the Federal level, greater power vested in the Commissioner of Education. I particularly call to the attention of my friends who have strong views on that subject the advisability of carefully examining the provisions of the amendment—I will refer to it as the Green-Quie substitute—and the substitute amendment offered by the gentleman from Kentucky, which does not contain any advisory council.

The provisions of the Green-Quie substitute in this respect call for the creation of a State council. That State council evaluates, advises, and so forth, the State educational agency. Now, suppose there is a difference between them; suppose they cannot get together; suppose the advisory council on the State level and the State educational agency, whether it is a Commissioner of Education or some State educational agency, elected or appointed, are unable to agree. They come to Washington, and the matter has to be certified, as a matter of fact, as I understand it, by the council. Then under this provision there is a lot of additional power given to the Commissioner of Education that does not exist under the present law.

I do not know whether this is right or wrong and correct or not, coming from the State of Massachusetts. If I came from some of the States that my friends came from where they have strong convictions in this matter, I would look into that very carefully and very quickly, because when you vote for the Green-Quie amendment, you are voting just for that.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. McCORMACK asked and was given permission to proceed for 5 additional minutes.)

Mr. McCORMACK. This is under the guise of a so-called consolidation. It is fraught with danger in that respect.

Might I also speak from another angle, looking into the future. We know what the law of natural consequences is, taking into account the language here with the doors open for interpretations. I can see where, with respect to the matters of which I have already spoken, it gives greater power on the Federal level than exists now. I know this and of this I am confident: If anything, on the Federal level you are going to have greater power of direction—and you can call it that—or dictation. You will have that on the Federal level. It so happens that I am one of those who believe that the relationship at the Federal-State level should be cooperative, but our schools should be operated on the State level. This is broadly speaking. Under this amendment, though, there are as least eight additional grounds, as I see it, giving further authority, whether expressed or implied, to the Commissioner of Education in Washington—not in Mississippi, not in Georgia, or in some other State, but in Washington. I suggest to my friends that you think and realize what it means. I know what it means. For years we have legislated here hesitatingly and uncertainly with many honest differences of opinion and with some emotionalism involved on the question of the relationship of church and state. Fortunately, in the last few recent years this Congress has pretty well taken care of that matter and has harmonized the problems confronting the public school system and the private school system. Yet I can see danger here under this language whereby we are going to dislocate or bring about some sources of concern—I will use that word—in relation to the healthy situation we now have with reference to the exercise of school legislation in relation to the private school system.

So, I say, were this language—projecting my mind into the reasonable future—adopted, I can see problems there. But the major thing I wish to call to the attention of my friends, is that I see greater problems than what I have heretofore stated.

Under the guise of obtaining greater States rights, you are in fact getting more serious Federal responsibility and more Federal control insofar as the particular consolidation provisions of this substitute are concerned. So, I want to caution you that if the Green-Quie substitute should be adopted, and if by any chance becomes law, and if the development of things I not only reasonably fear but I can see with certainty arise, I am not going to say, "I told you so," but you are alerted before the fact and not after the fact.

The provisions of this substitute are fraught with danger. It is not a step in connection of the emancipation of the States from so-called Federal control. This is a decided step of further control on the part of the Federal Government with reference to educational assistance provided for our several States.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Kentucky (Mr. Perkins), as amended.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. PERKINS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Perkins and Mr. Ayres.

The Committee divided, and the tellers reported that there were—ayes 152, noes 203.

So the substitute amendment was rejected.

The CHAIRMAN. The question recurs on the amendment in the nature of a substitute offered by the gentlewoman from Oregon (Mrs. Green), as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 514) to extend programs of assistance for elementary and secondary education, and for other purposes, pursuant to House Resolution 366, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute?

Mr. PERKINS. Mr. Speaker, I demand a separate vote on the Green of Oregon amendment.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Strike out everything after the enacting clause and insert in lieu thereof:

"TITLE I—EXTENSION AND AMENDMENT OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF TITLE I OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"Sec. 101. (a) Section 102 of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out 'June 30, 1970,' and inserting in lieu thereof 'June 30, 1972'.

"(b) Section 121(d) of title I of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"'(d) For the purpose of making grants under this part there are authorized to be appropriated not in excess of $50,000,000 for the fiscal year ending June 30, 1969, and for each of the three succeeding fiscal years.'

"(c) The third sentence of section 103(a) (1)(A) of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out 'for the fiscal year ending June 30, 1968, and the fiscal year ending June 30, 1969,'.

"(d) The second sentence of section 103(c) of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out 'years ending June 30, 1968, June 30, 1969, and June 30, 1970,' and inserting in lieu thereof 'year ending June 30, 1968, and for each succeeding fiscal year,'.

"DESIGNATION OF RESPONSIBILITY FOR PROVISION OF SPECIAL EDUCATIONAL SERVICES FOR INSTITUTIONALIZED NEGLECTED OR DELINQUENT CHILDREN

"Sec. 103. (a) Section 103(a)(2) of title I of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following sentence: 'Notwithstanding the foregoing provisions of this paragraph, upon determination by the State educational agency that a local educational agency in the State is unable or unwilling to provide for the special educational needs of children, described in clause (C) of the first sentence of this paragraph, who are living in institutions for neglected or delinquent children, the State educational agency shall, if it assumes responsibility for the special educational needs of such children, be eligible to receive the portion of the allocation to such local educational agency which is attributable to such neglected or delinquent children, but if the State educational agency does not assume such responsibility, any other State or local public agency which does assume such responsibility shall be eligible to receive such portion of the allocation.'

"(b) Section 103(d) of such Act is amended by adding at the end thereof the following new sentence: 'For purposes of this section, the Secretary shall consider all children who are in correctional institutions to be living in institutions for delinquent children.'

"REQUIRING GRANTS FOR MIGRATORY CHILDREN TO BE BASED ON THE NUMBER TO BE SERVED

"Sec. 104. (a) The first sentence of paragraph (6) of section 103(a) of title I of the Elementary and Secondary Education Act of 1965 is, effective with the first allocation of funds pursuant to such title by the Commissioner after the date of enactment of this Act, amended to read as follows: 'A State educational agency which has submitted and had approved an application under section 105(c) for any fiscal year shall be entitled to receive a grant for that year under this part, based on the number of migratory children of migratory agricultural workers to be served, for establishing or improving programs for such children.'

"(b) The second sentence thereof is amended by striking 'shall be' the first time it appears and inserting in lieu thereof 'may be made'.

"USE OF MOST RECENT DATA UNDER TITLE I

"Sec. 105. (a) The third sentence of section 103(d) of title I of the Elementary and Secondary Education Act of 1965 is amended by inserting immediately before the period at the end thereof the following: 'or, to the extent that such data are not available to him before April 1 of the calendar year in which the Secretary's determination is made, then on the basis of the most recent reliable data available to him at the time of such determination'.

"(b) Section 103(e) of such title is amended by inserting the following after 'during the second fiscal year preceding the fiscal year for which the computation is made': '(or, if satisfactory data for that year are not available at the time of computation, then during the earliest preceding fiscal year for which satisfactory data are available)'.

"CONTENT OF STATE AND LOCAL EDUCATIONAL AGENCY REPORTS

"Sec. 106. (a) The parenthetical phrase in clause (A) of section 106(a)(3) of title I of the Elementary and Secondary Education Act of 1965 is amended by inserting 'and of research and replication studies' immediately before the closing parenthesis.

"(b) Section 105(a)(7) of such title is amended by striking out 'in such form and containing such information, as may be reasonably necessary' and inserting in lieu thereof 'in accordance with specific performance criteria related to program objectives'.

"STAGGERED TERMS FOR NATIONAL ADVISORY COUNCIL ON EDUCATION OF DISADVANTAGED CHILDREN; TECHNICAL ASSISTANCE

"Sec. 107. (a) Section 134(a) of such title is amended by striking out ', within ninety days after the enactment of this title,'.

"(b) The second sentence of subsection (b) of such section is amended to read as follows: 'Such members shall be appointed for terms of three years, except that (1) in the case of the initial members appointed after January 20, 1969, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only.'

"(c) Such section is further amended by redesignating subsection (a) as subsection (f) and by inserting immediately after subsection (d) the following new subsection:

"'(e) The Council is authorized, without regard to the civil service laws, to engage such secretarial, clerical, and technical assistance as may be required to carry out its functions, and to this end up to one-fortieth of 1 per centum of any appropriations for grants under this title will be available for this purpose.'

"(d) Subsection (f) of such section (as so redesignated by the preceding subsection) is amended by striking out 'annual report' and inserting in lieu thereof 'annual reports' and by striking out 'to be made no later than January 31, 1969'.

"SALARY BONUSES FOR TEACHERS IN SCHOOLS WITH HIGH CONCENTRATIONS OF EDUCATIONALLY DEPRIVED CHILDREN

"Sec. 108. Section 105(a)(1) is amended by inserting 'payments to teachers of amounts in excess of regular salary schedules as a bonus for service in schools eligible for assistance under this section' after 'including the acquisition of equipment,'.

"TECHNICAL AMENDMENT

"Sec. 109. Section 107(b)(2) of such title is amended by striking out 'Wake Island,'.

"TITLE II—EXTENSION OF TITLE II OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"Sec. 201. (a) Section 201(b) of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof the following: ', and for each of the two succeeding fiscal years'.

"(b) Section 202(a)(1) of such Act is amended by striking out 'for the fiscal year ending June 30, 1968, and the fiscal year ending June 30, 1969,'.

"(c) Section 204(b) of such Act is amended by striking out 'for any fiscal year ending prior to July 1, 1970,'.

"TITLE III—EXTENSION AND AMENDMENT OF TITLE III OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF TITLE III

"Sec. 301. (a) Section 301(b) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970' the following: ', and for each of the two succeeding fiscal years', and by striking out 'two' in the last sentence and inserting in lieu thereof 'four'.

"(b) The third sentence of section 302(a) (1) of such Act is amended by striking out 'for each fiscal year ending prior to July 1, 1969,'.

"(c) Clause (2) of section 307(b) of such Act is amended by striking out 'during the fiscal year ending June 30, 1970' and inserting in lieu thereof 'for any fiscal year ending after June 30, 1969'.

"PROVISIONS TO ASSURE PARTICIPATION BY ALL ELIGIBLE STUDENTS

"Sec. 302. Section 307 of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following new subsection:

"'(f)(1) In any State which has a State plan approved under section 305 and in which no State agency is authorized by law to provide, or in which there is a substantial failure to provide, for effective participation on an equitable basis in programs authorized by this part by children and teachers in any one or more elementary or secondary schools of such State in the area or areas served by such programs, the Commissioner shall arrange for the provision, on an equitable basis, of such programs and shall pay the costs thereof for any fiscal year, out of that State's allotment. The Commissioner may arrange for such programs through contracts with institutions of higher education, or other competent nonprofit institutions or organizations.

"'(2) In determining the amount to be withheld from any State's allotment for the provision of such programs, the Commissioner shall take into account the number of children and teachers in the area or areas served by such programs who are excluded from participation therein and who, except for such exclusion, might reasonably have been expected to participate.'

"TITLE IV—EXTENSION OF TITLE V OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"Sec. 401. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended by striking out '$80,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970' and inserting in lieu thereof '$80,000,000 for the fiscal year ending June 30, 1969, and for each of the three succeeding fiscal years'.

"TITLE V—EXTENSION AND AMENDMENT OF TITLE VI OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AND OF OTHER ACTS RELATING TO EDUCATION OF THE HANDICAPPED

"EXTENSION OF TITLE VI OF THE ACT

"Sec. 501. (a) Section 602 of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof the following: ', and for each of the two succeeding fiscal years'.

"(b) Section 603(a)(1)(B) of such Act is amended by striking out 'for the fiscal year ending June 30, 1968, and the succeeding fiscal year,'.

"EXTENDING AUTHORITY FOR REGIONAL RESOURCE CENTERS FOR THE IMPROVEMENT OF THE EDUCATION OF HANDICAPPED CHILDREN

"Sec. 502. Section 608(a) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970' the following: ', and for each of the two succeeding fiscal years'.

"CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

"Sec. 503. Section 609(j) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970' the following: ', and for each of the two succeeding fiscal years'.

"RECRUITMENT OF PERSONNEL AND INFORMATION ON EDUCATION OF THE HANDICAPPED

"SEC. 504. Section 610(b) of the Elementary and Secondary Education Act of 1965 is amended by striking out 'two' and inserting in lieu thereof 'four'.

"EXTENSION OF AUTHORIZATION FOR GRANTS FOR TEACHING IN THE EDUCATION OF HANDICAPPED CHILDREN; TRAINING OF SUBPROFESSIONAL PERSONNEL

"SEC. 505. (a) Section 7 of the Act of September 6 1958 (Public Law 926, Eighty-fifth Congress, 20 U.S.C. 617), is amended by inserting after '1970' the following: ', and for each of the two succeeding fiscal years'.

"(b) The second sentence of the first section of such Act (20 U.S.C. 611) is amended (1) by striking out 'professional or advanced' before 'training', and (2) by striking out 'specialists' before 'providing special services' and inserting in lieu thereof 'special personnel'.

"EXTENSION OF AUTHORIZATION FOR RESEARCH IN EDUCATION OF THE HANDICAPPED

"SEC. 506. The first sentence of section 302(a) of the Act of October 31, 1963 (Public Law 164, Eighty-eighth Congress, 20 U.S.C. 618) is amended by inserting after '1970,' the following: 'and for each of the two succeeding fiscal years,'.

"EXTENSION OF AUTHORIZATIONS AND TECHNICAL AMENDMENTS IN PROVISIONS FOR TRAINING OF PHYSICAL EDUCATORS AND RECREATION PERSONNEL FOR MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

"SEC. 507. (a) (1) Section 501(b) of the Act of October 31, 1963 (Public Law 164, Eighty-eighth Congress, 42 U.S.C. 2698), is amended by inserting after '1970,' the following 'and for each of the two succeeding fiscal years,'.

"(2) Section 501(a) of such Act is amended by striking out 'professional or advanced' before 'training', and by inserting 'educators or' before 'supervisors'.

"(b) (1) Section 502(a) (1) of such Act (42 U.S.C. 2698a) is amended by striking out 'two' and inserting in lieu thereof 'four'.

"(2) Section 502(a) (1) of such Act is further amended by (A) striking out so much of the sentence as follows 'organizations,' and (B) inserting in lieu thereof 'and to make contracts with States, State or local educational agencies, public and private institutions of higher learning, and other public or private educational or research agencies and organizations, for research and related purposes (as defined in section 302(1) of this Act) relating to physical education or recreation for mentally retarded and other handicapped children (as defined in section 302(a) of this Act), and to conduct research, surveys, or demonstrations relating to physical education or recreation for such children.'.

"TITLE VI—EXTENSION AND AMENDMENT OF TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF BILINGUAL EDUCATION PROGRAMS

"SEC. 601. Section 703(a) of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof the following: ', and for each of the two succeeding fiscal years'.

"APPLICATION TO INDIANS ON RESERVATIONS

"SEC. 602. (a) Section 705 of the Elementary and Secondary Education Act of 1965 is amended by redesignating subsection (c) as subsection (d) and by inserting the following new subsection immediately after subsection (b):

" '(c) From the sums appropriated pursuant to section 703, the Commissioner may also make payments to the Secretary of the Interior for elementary and secondary school programs to carry out the policy of section 702 with respect to individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments for that purpose may be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the policy of section 702.'

"(b) Section 706(a) of such Act is amended by inserting the following before the period at the end thereof: 'or, in the case of payments to the Secretary of the Interior, an amount determined pursuant to section 705(c)'.

"TITLE VII—EXTENSION AND AMENDMENT OF TITLE VIII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"EXTENSION OF AUTHORIZATION FOR DROPOUT PREVENTION PROGRAMS

"SEC. 701. Section 807(c) of the Elementary and Secondary Education Act of 1965 is amended by inserting after '1970,' the following: 'and for each of the two succeeding fiscal years,'.

"REVISION OF FEDERAL ADMINISTRATION SECTION

"SEC. 702. Section 803(c) of the Elementary and Secondary Education Act of 1965 is amended by striking out '(1)' and by striking out everything after 'by such other departments and agencies' and inserting in lieu thereof the following: '. Federal departments and agencies administering programs which may be effectively coordinated with programs carried out under this Act or any Act amended by this Act, including community action programs carried out under Title II of the Economic Opportunity Act of 1964, shall, to the fullest extent permitted by other applicable law, carry out such programs in such a manner as to assist in carrying out, and to make more effective, the programs under this Act or any Act amended by this Act.'

"TITLE VIII—EXTENSION AND AMENDMENT OF IMPACTED AREAS PROGRAMS

"EXTENSION OF IMPACTED AREAS PROGRAMS

"SEC. 801. (a) (1) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out 'June 30, 1970' and inserting in lieu thereof 'June 30, 1972'.

"(2) Section 15(15) of such Act is amended by striking out '1965–1966' and inserting in lieu thereof '1967–1968'.

"(b) Section 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out '1970' wherever it occurs and inserting in lieu thereof '1972'.

"EXTENSION OF SCHOOL ASSISTANCE IN DISASTER AREAS

"SEC. 802. (a) Section 16(a) (1) (A) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) is amended by striking out 'July 1, 1970' and inserting in lieu thereof 'July 1, 1972'.

"(b) Section 7(a) (1) (A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out 'July 1, 1970' and inserting in lieu thereof 'July 1, 1972'.

"ASSISTANCE FOR THE MAINTENANCE AND OPERATION OF SCHOOLS, BASED ON CHILDREN LIVING IN FEDERALLY ASSISTED PUBLIC HOUSING

"SEC. 803. (a) Title I of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended, effective July 1, 1969, by adding at the end thereof the following new section:

" 'ASSISTANCE FOR CHILDREN LIVING IN FEDERALLY ASSISTED PUBLIC HOUSING

" 'SEC. 8. (a) Subject to the reduction provided for in subsection (b), each local educational agency shall be entitled to receive for each fiscal year ending July 1, 1972, an amount equal to the product of—

" '(1) one-half the number of children (other than children with respect to whom the agency is entitled to receive a payment under section 3) who were in average daily attendance at the schools of the agency, and for whom such agency provided free public education, during such fiscal year and who, while in attendance at such schools, resided in low-rent housing assisted under the United States Housing Act of 1937 which is located in the school district of such agency, and

" '(2) the local contribution rate (as determined under section 3(d)) for such agency.

" '(b) The amount to which a local educational agency is entitled under subsection (a) for a fiscal year shall be reduced by the amount it received from payments made by the public housing agency for such year under section 10(h) of the United States Housing Act of 1937 on account of such low-rent housing.

" '(c) If the funds appropriated for making the payments provided in this section are not sufficient to pay in full the total amounts which the Commissioner estimates all local educational agencies will be entitled to receive under this section for such year, the amount so appropriated shall be available for payment of a percentage of the amount to which each local educational agency is entitled under this section, such percentage to be equal to the percentage which the amount so appropriated is of the amount to which all such agencies are entitled under this section. In case additional funds become available for carrying out this section, the additional funds shall be paid by the Commissioner on the same basis as is provided above for the initial allocation.'

"(b) (1) Section 5(a) of such Act is amended by striking out 'or 4' and inserting in lieu thereof '4, or 8'.

"(2) The first sentence of section 5(c) of such Act is amended by inserting after 'this title' both times it appears the following: '(other than section 8)'.

"COUNTING CHILDREN IN FEDERALLY ASSISTED PUBLIC HOUSING FOR PURPOSES OF CONSTRUCTION ASSISTANCE IN FEDERALLY IMPACTED AREAS

"SEC. 804. (a) Section 1 of the Act of September 23, 1950 (20 U.S.C. 631), is amended by striking out the second sentence and inserting in lieu thereof the following: 'There is hereby authorized to be appropriated for each fiscal year such sums as the Congress may determine to be necessary to make payments on the basis of the number of children in an increase under paragraphs (1), (2), and (3) of section 5(a) and for carrying out the provisions of sections 9 and 10. There is also authorized to be appropriated for each fiscal year such sums as the Congress may determine to be necessary to make payments on the basis of the number of children in an increase under paragraph (4) of section 5(a).'

"(b) Section 3 of such Act is amended by striking out 'or (3)' in the first sentence and inserting in lieu thereof '(3), or (4)', and by striking out the second sentence and inserting in lieu thereof the following: 'The Commissioner shall by regulation prescribe an order of priority, based on relative urgency of need, to be followed in approving applications on the basis of the number of children in an increase under paragraphs (1), (2), and (3) of section 5(a). He shall also by regulation prescribe a separate order of priority to be followed in approving applications on the basis of the number of children in an increase under paragraph (4) of section 5(a). The orders of priority so established shall be followed in the event the funds appropriated under the second sentence or under the third sentence of section 1 and remaining available on any such date for payment to local educational agencies are less than the Federal share of the cost of the projects with respect to which applications have been filed prior to such date (and for which funds appropriated under the second sentence or the third sentence, as the case may be, of subsection (a) of section 1 have not already been obligated).'

"(c) Paragraph (4) of section 5(a) of such Act is amended to read as follows:

"'(4) the estimated increase, since the base year, in the number of children in the membership of schools of such agency residing in low-rent housing assisted under the United States Housing Act of 1937 which is located in the school district of such agency, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated.'

"(d) Section 5(b) of such Act is amended (1) by striking out 'the paragraphs' and inserting in lieu thereof 'paragraphs (1), (2), and (3)', and (2) by adding at the end thereof the following new sentence: 'If paragraph (1), (2), or (3) of subsection (a) applies to a child to whom paragraph (4) also applies, then only paragraphs (1), (2), and (3) shall be deemed to apply to such child, except that paragraph (4) shall apply to such child if the local educational agency was not eligible for payments for the increase period on account of children counted under paragraphs (1), (2), and (3).'

"(e) Section 5(c) of such Act is amended (1) by striking out 'or (3)' and inserting '(3), or (4)', and (2) by striking out 'or (2)' and inserting ', (2), or (4)'.

"(f) Section 5(f) of such Act is amended by striking out 'or (3)' and inserting '(3), or (4)'.

"(g) The amendments made by this section shall become effective July 1, 1969. For purposes of sections 5(a)(4) and 5(f) of such Act of September 23, 1950, the number of children in the membership of a local educational agency residing in low-rent housing assisted under the United States Housing Act of 1937 located in the school district of the local educational agency during the years of the base period preceding such effective date shall be determined by the Commissioner on the basis of estimates.

"TITLE IX—MISCELLANEOUS

"EXTENSION OF ADULT EDUCATION PROGRAM

"SEC. 901. Section 314 of the Adult Education Act of 1966 (title III of Public Law 89–750) is amended by inserting after '1970,' the following: 'and for each of the two succeeding fiscal years,'.

"REQUIRING REPORTS TO CONGRESS WITH RESPECT TO CONTRACTS FOR EVALUATIONS

"SEC. 902. Section 402 of the Elementary and Secondary Education Amendments of 1967 is amended by inserting '(a)' after 'SEC. 402.' and by adding at the end thereof the following new subsection:

"'(b) No later than July 31 of each calendar year, the Secretary shall transmit to the respective committees of the Congress having legislative jurisdiction over any Act referred to in section 401 a report containing (1) a brief description of each contract or grant for evaluation of a program or programs referred to in section 401 (whether or not such contract or grant was made under this section), any part of the performance under which occurred during the preceding fiscal year, (2) the name of the firm or individual who is to carry out the evaluation, and (3) the amount to be paid under the contract or grant.'.

"JOINT FUNDING

"SEC. 903. Pursuant to regulations prescribed by the President, where funds are advanced by the Office of Education and one or more other Federal agencies for a project or any activity funded in whole or in part under a statute for the administration of which the Commissioner of Education has responsibility (either as provided by statute or by delegation), any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.

"RULEMAKING REQUIREMENTS

"SEC. 904. No standard, rule, regulation, or requirement of general applicability prescribed for the administration of this Act or any Act amended by this Act may take effect until thirty days after it is published in the Federal Register.

"INDIRECT COST AMENDMENT

"SEC. 905. The Elementary and Secondary Education Act of 1965 is amended by adding the following new section at the end thereof:

"'INDIRECT COSTS

"'SEC. 808. Local educational agencies are authorized to use organized and systematic approaches in determining cost collection, cost measurement, and cost reporting as may be required by this Act: *Provided*, That such conform generally to the concept of reimbursement procedures prescribed by the Bureau of the Budget in circular numbered A–21 (revised) as in effect on March 1, 1969.'

"PROGRAM CONSOLIDATION

"SEC. 906. The Elementary and Secondary Education Act of 1965 is further amended by adding a new title as follows:

"'TITLE IX—CONSOLIDATION OF SPECIAL STATE-GRANT PROGRAMS

"'APPROPRIATIONS AUTHORIZED

"'SEC. 901. (a) The Commissioner shall carry out a program for making grants to the States for the uses and purposes set forth in section 903 of this title.

"'(b) For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $1,000,000,000 for the fiscal year ending June 30, 1971, and for the succeeding fiscal year.

"'ALLOTMENTS TO STATES

"'SEC. 902. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 901(b). From the amount appropriated for any fiscal year pursuant to the preceding sentence the Commissioner shall allot (A) among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands an amount determined by him according to their respective needs for assistance under this title, and (B) to (i) the Secretary of the Interior the amount necessary to provide programs and projects for the purposes of this title for individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (ii) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"'(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 901(b), the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children aged five to seventeen, inclusive, in that State bears to the total number of such children in all the States. The amount allotted to any State under the preceding sentence for any fiscal year which is less than its aggregate base year allotment shall be increased to an amount equal to such aggregate, the total thereby required being derived by proportionately reducing the amount allotted to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being reduced to less than its aggregate base year allotment. For the purposes of this subsection, (A) the term "aggregate base year allotment" with respect to a State means the sum of the allotments to that State, for the fiscal year ending June 30, 1969, under titles II and III of this Act and part A of title III and part A of title V of the National Defense Education Act of 1958; (B) the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands; and (C) the number of children aged five to seventeen, inclusive in each State and in all of the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

"'(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amounts reallotted to a State under this subsection during a year from funds appropriated pursuant to section 901 shall be deemed part of its allotment under subsection (a) for such year.

"'USES OF FEDERAL FUNDS

"'SEC. 903 (a) It is the purpose of this title to combine within a single authorization, subject to the modifications imposed by the provisions and requirements of this title, the programs formerly authorized by titles II and III of the Elementary and Secondary Education Act of 1965 and by titles III–A and V–A of the National Defense Education Act, and except as expressly modified by this title, Federal funds may be used for the purchase of the same kinds of equipment and materials and the funding of the same types of programs previously authorized by those titles.

"'(b) Grants under this title may be used in accordance with State plans approved under section 906, for

"'(1) the provision of library resources, textbooks, other printed and published instructional materials, laboratory and other instructional equipment, and audiovisual equipment and materials for the use of children and teachers in public and private elementary and secondary schools of the State;

"'(2) the provision of supplementary educational centers and services to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary public and private elementary and secondary school educational programs to serve as models of regular school programs; and

"'(3) programs for testing students in the public and private elementary and secondary schools and in junior colleges and technical institutes in the State, and programs designed to improve guidance and counseling services at the appropriate levels in such schools.

" '(c) In addition to the uses specified in subsection (b), funds appropriated for carrying out this title may be used for—

" '(1) proper and efficient administration of the State plan;

" '(2) obtaining technical, professional, and clerical assistance and the services of experts and consultants to assist the advisory council authorized by this title in carrying out its responsibilities; and

" '(3) evaluation of plans, programs, and projects, and dissemination of the results thereof.

" 'PARTICIPATION OF PUPILS AND TEACHERS IN NONPUBLIC SCHOOLS

" 'SEC. 904 (a) Except with respect to uses described in subsection (c), funds appropriated pursuant to section 901 shall be utilized only for programs which provide for the effective participation on an equitable basis of children and teachers in private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State.

" '(b) In order to facilitate the policy set forth in subsection (a) the State educational agency shall take appropriate action to provide liaison with private elementary and secondary school officials in the State.

" '(c) The State educational agency, in approving applications of local educational agencies for programs and projects funded under this Act, shall assure that in the planning of such programs and projects there has been, and in the establishment and carrying out thereof there will be, suitable involvement of private elementary and secondary school officials in the area to be served by such programs or projects.

" 'PUBLIC CONTROL OF LIBRARY RESOURCES AND INSTRUCTIONAL EQUIPMENT AND TYPES WHICH MAY BE MADE AVAILABLE; PROHIBITION OF USE FOR RELIGIOUS INSTRUCTION OR WORSHIP

" 'SEC. 905 (a) Title to library resources, textbooks, other printed and published instructional materials, laboratory and other instructional equipment, and audiovisual equipment and materials furnished pursuant to this title, and control and administration of their use, shall vest only in a public agency.

" '(b) The library resources, textbooks, other printed and published instructional materials, laboratory and other instructional equipment, and audiovisual equipment and materials made available pursuant to this title for use of children and teachers in any school in any State shall be limited to those which have been approved by an appropriate State or local educational authority or agency for use, or are used, in a public elementary or secondary school of that State, and provision for the participation of private school pupils and teachers shall not include the construction or remodeling of private school facilities.

" '(c) The library resources, textbooks, instructional materials and equipment, and educational services of all kinds made available pursuant to this title shall be used only for secular purposes and for instruction in secular studies and the use of such resources, textbooks, materials and equipment, or educational services for religious instruction or in connection with religious worship is expressly prohibited.

" 'STATE PLANS

" 'Sec. 906. (a) Any State which desires to receive grants under this title shall submit to the Commissioner, through its State educational agency, a State plan, in such detail as the Commissioner deems necessary, which—

" '(1) designates the State educational agency (which may act either directly or through arrangements with other State or local public agencies) as the sole agency for administration of the State plan;

" '(2) sets forth a program under which funds paid to the State from its allotment under section 901 will be expended solely by public agencies and only for the purposes set forth in section 903;

" '(3) provides assurances satisfactory to the Commissioner that the requirements of sections 904 and 905 will be effectively carried out and sets forth in such detail as the Commissioner may deem necessary the criteria, methods, and procedures to be utilized in meeting these requirements;

" '(4) provides assurances that the funds allocated for each of the uses authorized for section 903 shall not be less than 50 per centum of the State allotment for fiscal year 1969 for each such use under titles III–A and V–A of the National Defense Education Act and titles II and III of the Elementary and Secondary Education Act of 1965;

" '(5) provides that not less than 15 per centum of funds allocated for supplementary educational centers and services shall be used for special programs or projects for the education of handicapped children;

" '(6) takes into consideration the relative need, as determined from time to time, of the children and teachers of the State for the services, materials, and equipment provided under this title, sets forth principles for achieving an equitable distribution of assistance under this title giving appropriate consideration to (A) the geographic distribution and density of population within the State and (B) the relative need of children and teachers in different geographic areas and within different population groups in the State for the assistance provided under this title, and for determining the priority of applications in the State for such assistance, and provides for approving such applications in the order so determined;

" '(7) provides for adoption of effective procedures (A) for the evaluation, at least annually, of the effectiveness of programs and projects supported under the State plan, (B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects, and (C) for adopting, where appropriate, promising educational practices developed through such programs or projects;

" '(8) contains the necessary certification of the State advisory council established pursuant to the requirements of section 907(b);

" '(9) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner, by regulation) that would, in the absence of such Federal funds, be made by the applicant for educational purposes;

" '(10) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

" '(11) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the areas served by the programs or projects supported under the State plan and in the State as a whole, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (7), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

" '(12) provides that final action with respect to any application (or amendment thereof) regarding the proposed final disposition thereof shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing; and

" '(13) contains satisfactory assurance that, in determining the eligibility of any local educational agency for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

" '(b) The Commissioner may, if he finds that a State plan for any fiscal year is in substantial compliance with the requirements set forth in subsection (a), approve that part of the plan which is in compliance with such requirements and make available (pursuant to section 908) to that State that part of the State's allotment which he determines to be necessary to carry out that part of the plan so approved. The remainder of the amount which such State is eligible to receive under this section may be made available to such State only if the unapproved portion of that State plan has been so modified as to bring the plan into compliance with such requirements: *Provided*, That the amount made available to a State pursuant to this subsection shall not be less than 50 per centum of the maximum amount which the State is eligible to receive under this section.

" '(c)(1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State educational agency submitting the plan reasonable notice and opportunity for a hearing.

" '(2) Whenever the Commissioner, after reasonable notice and opportunity for hearings to any State educational agency, finds that there has been a failure to comply substantially with any requirement set forth in the approved plan of that State or with any requirement set forth in the application of a local educational agency approved pursuant to such plan, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies not affected by the failure, as the case may be.

" '(3)(A) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under subsection (a) or with his final action under paragraph (2), such State may, within 60 days after notice of such action, file with the United States Court of Appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

" '(B) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make a new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

" '(C) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

" 'STATE ADVISORY COUNCIL

" 'Sec. 907. (a) Any State desiring to receive payments to carry out a State plan under this title shall establish a State Advisory Council (hereinafter referred to as "the Council") which shall—

" '(1) be appointed by the State educational agency, and be broadly representative of the cultural and educational resources of the State and of the general public, including persons representative of—

" '(A) public elementary and secondary schools,

" '(B) private elementary and secondary schools,

" '(C) urban education,

" '(D) rural education,

" '(E) higher education, including junior and community colleges,

" '(F) the State library system, and

" '(G) areas of professional competence in dealing with children needing special education because of physical or mental handicaps;

" '(2) advise the State educational agency on the preparation of, and policy matters arising in the administration of, the State plan including development of criteria for the allocation of funds within the State and the approval of applications under such State plan;

" '(3) assist the State educational agency in evaluating programs and projects assisted under this title;

" '(4) prepare and submit through the State educational agency a report of its activities and recommendations, together with such additional comments as the State educational agency may deem appropriate, to the Commissioner and to the National Advisory Council, established pursuant to this title, at such times, in such form, and in such detail as the Secretary may prescribe; and

" '(5) obtain such professional, technical, and clerical assistance as may be necessary to carry out its functions under this title.

" '(b) The Commissioner shall not approve a State plan submitted under section 906 unless it is accompanied by a certification of the Chairman of the Council that such plan has been reviewed by the Council. Such certification shall be accompanied by such comments as the Council or individual members thereof deem appropriate, and shall indicate whether the plan meets with the approval of the Council and, if not, the reasons for its disapproval. Upon the disapproval of a State plan by the Council the Commissioner shall not approve such plan until he had afforded the Council or its designated representative an opportunity for a hearing.

" 'PAYMENTS TO STATES

" 'Sec. 908. (a)(1) From each State's allotment under section 902 (or in part thereof made available to the State under section 906(b)) for any fiscal year the Commissioner shall pay to that State, if it has in effect a State plan approved pursuant to section 906 for that fiscal year, an amount equal to the amount expended by the State for the uses referred to in section 903 (a) and (b) in accordance with its State plan.

" '(2) The Commissioner is further authorized to pay each State, from its allotment for any fiscal year, amounts necessary for the activities described in section 903(c), except that the total of such payments pursuant to this paragraph shall not exceed 7½ per centum of its allotment for that year or $175,000 ($60,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, and Trust Territory of the Pacific Islands), whichever is greater.

" '(b) In any State which has a State plan approved under section 906 and in which no State agency is authorized by law to provide library resources, textbooks, other printed and published instructional materials, laboratory and other instructional equipment, or audiovisual equipment and materials for the use of children and teachers in any one or more elementary or secondary schools in such State, the Commissioner shall arrange for the provision on an equitable basis of such library resources, textbooks, other instructional materials, laboratory and other instructional equipment, or audiovisual equipment and material for such use and shall pay the cost thereof for any fiscal year out of that State's allotment.

" '(c)(1) In any State which has a State plan approved under section 906 and in which no State agency is authorized by law to provide, or in which there is a substantial failure to provide, testing or counseling and guidance services, or to provide for effective participation in supplementary educational centers and services, for the use of children and teachers in any one or more elementary or secondary schools of such State, the Commissioner shall arrange for the provision on an equitable basis of such service or services and shall pay the cost thereof for any fiscal year out of that State's allotment.

" '(2) In determining the amount to be withheld from any State's allotment for the provision of such services, the Commissioner shall take into account the number of children and teachers in the area or areas served by such programs who are excluded from participation therein and who, except for such exclusion, might reasonably have been expected to participate; the Commissioner may arrange for such services through contracts with institutions of higher education or other competent institutions or organizations, or by other appropriate methods.

" 'RECOVERY OF PAYMENTS

" 'Sec. 909. If within twenty years after completion of any construction for which Federal funds have been paid under this title—

" '(a) the owner of the facility shall cease to be a State or local educational agency, or

" '(b) the facility shall cease to be used for the educational and related purposes for which it was constructed, unless the Commissioner determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so, the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court or the district in which the facility is situated.

" 'NATIONAL ADVISORY COUNCIL

" 'Sec. 910 (a) The President shall, by January 31, 1970, appoint a National Advisory Council on Educational Assistance which shall—

" '(1) review the administration of, general regulations for, and operation of this title, including its effectiveness in meeting the purposes set forth in section 903;

" '(2) review, evaluate, and transmit to the Congress and the President its evaluation of the reports submitted pursuant to sections 906(a)(11) and 907(a)(4);

" '(3) evaluate programs and projects carried out under this title, and disseminate the results thereof; and

" '(4) make recommendations for the improvement of this title, and its administration and operation.

" '(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of twelve members, a majority of whom shall be broadly representative of the educational and cultural resources of the United States including at least one person who has professional competence in the area of education of handicapped children. Such members shall be appointed for terms of three years except that (1) in the case of the initial members, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only. When requested by the President, the Secretary of Health, Education, and Welfare shall engage such technical and professional assistance as may be required to carry out the functions of the Council, and shall make available to the Council such secretarial, clerical and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

" '(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 20 of each year. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.

" '(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, he entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

" 'LABOR STANDARDS

" 'Sec. 911. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).'

"TECHNICAL AND CONFORMING AMENDMENTS

"Sec. 19. Title VIII of the Elementary and Secondary Education Act is amended by inserting at the end of section 801, 'Definitions', the following:

" '(1) The term "laboratory and other instructional equipment and audiovisual equipment and materials" means equipment and materials (other than supplies consumed in use) suitable for use in providing education in science, mathematics, history, civics, geography, economics, industrial arts, modern foreign languages, English, or reading (or, when available and suitable, for instruction in other subjects not involving religious instruction or worship if there exists a critical need therefor in the judgment of local school authorities) in public and private elementary or secondary schools, or both, and testgrading equipment for such schools and specialized equipment for audiovisual libraries serving such schools, and minor remodeling of laboratory or other space used for such materials or equipment in public elementary or secondary schools.'

"USE OF FUNDS AVAILABLE UNDER AUTHORIZATIONS CONSOLIDATED BY THIS ACT

"Sec. 907. Title VIII of the Elementary and Secondary Education Act is amended by adding thereto the following new section:

" 'CONSOLIDATION OF PROGRAMS

" 'SEC. 809. Funds appropriated pursuant to the following authorizations shall be considered as funds appropriated pursuant to section 901 of the Elementary and Secondary Education Act of 1965, as amended by this Act:

" '(1) Section 301 of the National Defense Education Act of 1958 (as amended);

" '(2) Section 501 of the National Defense Education Act of 1958 (as amended);

" '(3) Section 201 of the Elementary and Secondary Education Act of 1965; and

" '(4) Section 301 of the Elementary and Secondary Education Act of 1965.' "

Mr. ALBERT (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the amendment may be dispensed with and that it may be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER. The question is on the amendment.

Mr. ALBERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GERALD R. FORD. Is this vote on the Green of Oregon substitute amendment, as amended?

The SPEAKER. The answer to that is "Yes."

Mr. GERALD R. FORD. I thank the Speaker.

The question was taken; and there were—yeas 235, nays 184, not voting 13, as follows:

[Roll No. 46]

YEAS—235

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Aspinall
Ayres
Baring
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Caffery
Cahill
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Conte
Corbett
Coughlin
Cowger
Cramer
Daniel, Va.
Davis, Ga.
Davis, Wis.
Dellenback
Denney
Dennis
Derwinski
Devine
Dickinson
Dowdy
Downing
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fish
Fisher
Flowers
Flynt
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Fuqua
Galifianakis
Garmatz
Gettys
Giaimo
Green, Oreg.
Griffin
Gross
Grover
Gubser
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Harvey
Hastings
Heckler, Mass.
Henderson
Hogan
Hosmer
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Keith
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lujan
Lukens
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McKneally
McMillan
MacGregor
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Mayne
Meskill
Michel
Miller, Ohio
Minshall
Mize
Mizell
Montgomery
Morse
Morton
Mosher
Myers
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Pelly
Pettis
Pike
Pirnie
Poage
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reifel
Rhodes
Riegle
Roberts
Robison
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Ruth
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stephens
Stuckey
Taft
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Ullman
Utt
Vander Jagt
Waggonner
Wampler
Watkins
Watson
Weicker
Whalley
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—184

Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Tenn.
Annunzio
Ashley
Barrett
Biaggi
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Button
Byrne, Pa.
Carey
Celler
Chisholm
Clark
Clay
Cohelan
Conyers
Corman
Daddario
Daniels, N.J.
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Gaydos
Gibbons
Gilbert
Gonzalez
Gray
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Horton
Howard
Hull
Hungate
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
Kirwan
Kluczynski
Koch
Kyros
Leggett
Long, Md.
Lowenstein
McCarthy
McFall
Macdonald, Mass.
Madden
Matsunaga
Meeds
Mikva
Miller, Calif.
Mills
Minish
Mink
Mollohan
Monagan
Moorhead
Morgan
Moss
Murphy, Ill.
Natcher
Nedzi
Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Podell
Powell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Randall
Rees
Reid, N.Y.
Reuss
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruppe
Ryan
St Germain
St. Onge
Saylor
Scheuer
Shipley
Sisk
Slack
Smith, Iowa
Steed
Stokes
Stratton
Stubblefield
Sullivan
Symington
Thompson, N.J.
Tiernan
Tunney
Udall
Van Deerlin
Vanik
Vigorito
Waldie
Watts
Whalen
White
Wilson, Charles H.
Wolff
Wright
Yates
Yatron
Young
Zablocki

NOT VOTING—13

Bates
Culver
Cunningham
Dawson
Edwards, La.
Goodling
Hébert
May
Murphy, N.Y.
Purcell
Rivers
Staggers
Talcott

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Murphy of New York against.

Mrs. May for, with Mr. Dawson against.

Mr. Talcott for, with Mr. Edwards of Louisiana against.

Until further notice:

Mr. Culver with Mr. Cunningham.
Mr. Rivers with Mr. Bates.
Mr. Staggers with Mr. Goodling.

Mr. BLANTON changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. ASHBROOK. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ASHBROOK. I am in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ASHBROOK moves to recommit the bill H.R. 514 to the Committee on Education and Labor.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the pasage of the bill.

Mr. PERKINS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 400, nays 17, answered "present" 1, not voting 14, as follows:

[Roll No. 47]

YEAS—400

Abbitt
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Cahill
Camp
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.

Clay
Cleveland
Cohelan
Collier
Collins
Conable
Conte
Conyers
Corbett
Corman
Coughlin
Cowger
Cramer
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gubser
Gude
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kirwan
Kleppe
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lowenstein
Lujan
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Mathias
Matsunaga
Mayne
Meeds
Meskill
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Podell
Poff
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Ruth
Ryan
St Germain
St. Onge
Sandman
Satterfield
Schadeberg
Scherle
Scheuer
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—17

Abernethy
Ashbrook
Clawson, Del
Colmer
Gross
Hagan
Martin
Michel
Montgomery
O'Neal, Ga.
Passman
Poage
Rarick
Saylor
Schneebeli
Teague, Tex.
Utt

ANSWERED "PRESENT"—1

Powell

NOT VOTING—14

Bates
Culver
Cunningham
Dawson
Edwards, La.
Goodling
Grover
Hébert
May
Murphy, N.Y.
Purcell
Rivers
Rooney, Pa.
Talcott

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bates.
Mr. Edwards of Louisiana with Mr. Talcott.
Mr. Dawson with Mr. Goodling.
Mr. Murphy of New York with Mr. Cunningham.
Mr. Culver with Mr. Grover.
Mr. Rivers with Mrs. May.
Mr. Rooney of Pennsylvania with Mr. Purcell.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 514, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR THE COMMITTEE ON THE JUDICIARY TO SIT DURING GENERAL DEBATE TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may sit tomorrow during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM FOR TOMORROW

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I see the distinguished minority leader on the floor, I take this time only to announce that tomorrow the Committee on House Administration will bring up certain printing resolutions and the Committee on Rules will bring up House Resolution 347, to authorize the general Subcommittee on Labor of the Committee on Education and Labor to make certain studies and investigations. So far as I know, that will be the program.

SECOND CHANCE FOR SELECTIVE CONSCIENTIOUS OBJECTORS

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, it has been my position that the present selective service law permits a local draft board to grant selective conscientious objector status to any young man who is opposed to participation in a particular war based on his religious or ethical revulsion against that war.

On February 9, I wrote to President Nixon requesting that he direct the Selective Service System to establish the selective conscientious objector classification under its rules and regulations. The President has the legal power to act in this matter since the governing statute on conscientious objection can properly be interpreted to include the selective conscientious objector.

Since no Executive action was taken, on February 27, I introduced a bill to amend the Military Selective Service Act of 1967. The proposed amendment removes any ambiguity in the present law and requires the granting of selective conscientious objector status to those who qualify in the future.

Consistent with my position that the present law has been interpreted too narrowly, I am introducing a bill today that would provide a second chance to those young men who have been opposed to participation in the Vietnam war and yet have been forced into the heartrending dilemma of service in a war they oppose or prison or flight from the country.

By second chance, I mean giving a young man the opportunity now to offer information to his local board in substantiation of his claim to exemption from military service provided he was conscientiously opposed to participation in a particular war at the time he received a notice to report for induction or at the time he left a jurisdiction to evade military service.

It should be understood that any claim to exemption which is granted, would require the young man to perform noncombatant service in the Armed Forces or an acceptable form of alternative civilian service as that now performed by traditional conscientious objectors.

My bill would give a second chance to:

First. Any young man who received a notice to report for induction into the Armed Forces prior to the date of enactment of the legislation whether he is already in the Armed Forces or not;

Second. Any young man who left a jurisdiction prior to the date of enactment of the legislation with intent to avoid prosecution for refusing or evading service and who returns to such jurisdiction;

Third. Any young man who is being prosecuted or has been convicted for refusing or evading service; and

Fourth. Any young man in the Armed Forces who is being prosecuted or has been convicted for acts arising out of a nonviolent refusal or evasion of continued service.

It is provided that the grant or improper denial of a claim to exemption made pursuant to the new law shall be a defense to a prosecution for refusing or evading service and shall be a ground for permanent release from prison.

Although most young men reached by my legislation may find it difficult to demonstrate their motivation for claiming exemption, they should have the chance.

As I have called upon the President to act, I now respectfully beseech the Congress to take a major step in bringing this country together again. Let us give those who have exiled themselves or gone to jail out of conscience the opportunity of coming back into the mainstream of American life.

GUNS ON CAMPUS

(Mr. ROBISON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. ROBISON. Mr. Speaker, as the Representative for the Cornell University community in this body, and as an alumnus of that great institution, I have, of course, been deeply concerned over the recent events that have been taking place and are still taking place on that campus.

As we have all noted, and as the New York Times commented on yesterday:

> Arms have been introduced into the campus controversy at Cornell, and only blindness to the lessons of history can shut out the fundamental nature of the threat that development poses.

Mr. Speaker, it is precisely true, as the Times went on to note:

> This threat is doubly frightening because it arose on a campus whose liberal administration has carefully listened to, and even anticipated, legitimate demands for student and faculty participation in campus administration.

Mr. Speaker, I will include the full text of the Times editorial with my remarks, but I would like to summarize my own thoughts about this situation by quoting the last two paragraphs therefrom for the consideration of my colleagues:

> If agreements extorted under duress are to be honored by campus authorities, the American university is embarked on a course of self-destruction, not self-government. American society has borne violence as a heavy cross through all its history; it is the university's task to lead the way toward eliminating violence.
>
> Cornell's ability to enforce its ban not only on guns but on all forms of coercion will be a crucial indicator of the intellectual community's capacity to remain a key element in perpetuating both the free competition of ideas and democratic rule itself.

The complete Times editorial is as follows:

Guns on Campus

The academic world was aghast early in the 1930's when pictures of academic convocations in German universities featured jackbooted students with daggers and sidearms. Some observers, to be sure, explained the whole development away as a temporary aberration—the unfortunate but excusable reaction of concerned youths to social injustice in a country ground down by an oppressive peace treaty. Most educators, however, needed no further confirmation that the bell had tolled for German universities and for freedom.

Now arms have been introduced into the campus controversy at Cornell, and only blindness to the lessons of history can shut out the fundamental nature of the threat that development poses. The threat is doubly frightening because it arose on a campus whose liberal administration has carefully listened to, and even anticipated, legitimate demands for student and faculty participation in campus administration.

Unquestionably, the black students at Cornell have had to contend with suspicion and even hostility on the part of some whites. But it is also true that black militants—separate from, yet in many ways parallel to, the white radicals of the New Left—have undermined the extensive administrative and judicial reforms, first by refusing to serve on joint discipline committees, then by challenging their legitimacy.

The issue here is clearly not one of administrative unresponsiveness. The university's aim has been to prove that reason and the rule of law can make the students full partners in self-government built on nonviolent progress and mutual consent.

All these expectations lie shattered—victim of an intolerable display of coercion at gunpoint. To avert a slaughter, the university has had to surrender to the demands of armed insurgents. This is the lugubrious end of a line that has run from Berkeley through Columbia and Harvard and San Francisco State and dozens of other campuses—a line that rests on the use of illegal force to cow the majority into submission.

If agreements extorted under duress are to be honored by campus authorities, the American university is embarked on a course of self-destruction, not self-government. American society has borne violence as a heavy cross through all its history; it is the university's task to lead the way toward eliminating violence.

Cornell's ability to enforce its ban not only on guns but on all forms of coercion will be a crucial indicator of the intellectual community's capacity to remain a key element in perpetuating both the free competition of ideas and democratic rule itself.

NEED FOR A NATIONAL TRANSPORTATION POLICY—SPEECH OF SENATOR CHARLES McC. MATHIAS

(Mr. BEALL of Maryland asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. BEALL of Maryland. Mr. Speaker, efficient nationwide transportation systems are essential to our national economic health and growth. Through the years, the Federal Government has become involved in supporting, to a greater or lesser extent, many different forms of land, water, and air transportation. However, these efforts are too often fragmented, uncoordinated, and even contradictory.

In a speech to the better service conference of the C. & O.-B. & O. Railroad at Cumberland, Md., on April 12, Senator Charles McC. Mathias, Jr., outlined the need for a coherent national transportation policy and summarized some of the important questions which should be considered in shaping such overall policy. Senator Mathias' observations and suggestions deserve wide attention, and I would like to include the text of his speech in the Record at this point:

Address by Senator Mathias

In his last budget message as President, the late Dwight D. Eisenhower endorsed a Commerce Department recommendation for a Department of Transportation with these words:

"National transportation is presently out of balance. It is less a national system than a loose grouping of individual industries. We have built vast networks of highways, railways, inland waterways and seaports, airways and airports, and pipelines with little attention to conflict among these expanding networks."

Since those words, we have had that Department of Transportation in being. Is it working to minimize the kind of conflicts to which Dwight Eisenhower addressed himself? Is it a success?

First, I believe that the new Department, like anything new in Washington takes time to shake down. Certainly, the new Secretary, John Volpe, has not had his hand on the tiller long enough to measure his course.

Today the Federal government expends billions of dollars in the construction of highway programs, from farm-to-market roads to giant highways of the inter-state system linking all our major cities. The government promotes airport construction and has prime responsibility for air navigation. It dredges and develops our rivers and harbors and after it spends hundreds of millions of dollars in these programs, it spends additional hundreds of millions to maintain these port facilities. It administers airline and Merchant Marine subsidies.

Few, if any, of these Federal programs help the railroads. In fact, some of these programs increase the railroads' difficulties in competing with other forms of transportation. All in all, the Federal government today is pursuing a variety of programs, designed to regulate, subsidize and promote various forms of transportation, and it spends billions of the taxpayers' dollars doing it—or trying to do it.

But despite the advent of the Department of Transportation, there is insufficient coordination among these programs. Some modes of transportation, for example, are regulated and some are not. Some forms are subsidized and some are not. The fortunes of some kinds of transportation are promoted effectively and some are not. There is constant competition for the tax dollar. There are inequities in the size and kind of subsidies accorded different carriers. The component parts of the system are not developed as a whole. The public is not served to the extent it might be because of this patchwork of regulations and subsidies which help to prevent the development of the best in each transportation system.

To administer these highway, airway, waterway and a variety of other programs, a number of Federal agencies had, over the years, sprung up. None was concerned with the needs of the other. Each had its own promotional job to do. Each tended to serve as special counsel and advocate for its own kind of transportation.

The more the public pays in subsidies, real and hidden, the more confused the objectives have seemed to be. The job of the Department of Transportation, it seems to me, is to rationalize these differences. As yet, this concept has not taken hold.

We must develop a coherent and modern system out of the present unstable conglomerate of diverse and unrelated transportation systems. Only in a coherent framework can the development of a truly rational transportation policy result—a framework in which we will be able to keep all our transportation systems in balance and capable of functioning effectively.

To these general observations, I would add a few specific suggestions:

1. We can never fully develop a coherent

transportation policy and system until we decide who pays for it and how; to what extent should public subsidies be involved, and how evenhandedly can they be administered. We continue to find policies affecting the waterways being developed without sufficient regard to the impact they will have on the railroads. We find charges for airport use totally unrelated to plant costs for other modes of transportation. Who supports Friendship airport? The State of Maryland, the Federal government and to an extent, the airlines. Who supports Union Station? The railroads who use it.

2. We cannot expect prompt and easy solutions when the directives given the Department of Transportation by Congress do not constitute a clear signal or provide an open track. In the first years of the Department there has been too much reliance on the very existence of the Department itself—as though our national transportation problems would just blow away because there is a new agency in being. Clearly, change will not come about merely because old agencies have been reshuffled into new.

3. As has been demonstrated time and time again in other fields, federal money alone is not the answer. The Urban Mass Transportation Act is an appropriate example. The law provides Federal financial assistance to improve mass transit systems—bus and rail—in our cities. Congress would have been more effective had we gotten down to the hard economic facts of life, stripping all Federal benefits from the equation and determining the true costs of providing essential services. Had Congress insisted on this course—not just for mass transit, but for all transportation programs—we might have avoided our present situation. Designed as a program responsive to an urgent urban need—with appropriate recognition that the transit fare box alone cannot support and revive a deteriorating system—this Act of Congress has too often had the opposite effect on the fate of local transit systems from its intentions. Too often private transit companies have tended to hang onto their fading properties without any effort at improvement whatsoever. They have done so in the hope that a quick infusion of Federal funds would encourage city government to bail them out by purchasing the private transit lines for public ownership. Meanwhile, back at City Hall the decision-makers were making no such commitments because the promise of Federal was just that—there aren't really enough funds to go around to reinvigorate on any broad basis the transit system.

4. Federal policy has not given sufficient attention to new ownership concepts in the field of transportation. I am aware of one well-run railroad in another section of America which was making excellent strides in improving the quality of its service until it was swallowed up in a larger business conglomerate. The rail service has, I am informed, been on the downgrade since. Other perhaps more profitable enterprises of the conglomerate have come to the fore. Rather than this form of transportation integration more thought should be given to the development of transportation modes to get the job done at less cost to the consumer public and the taxpayer. We ought to at least consider effective transportation integration rather than isolating transportation ownership through the present separate and strictly competitive instruments—rails, trucks, air and the waterways.

My remarks are not a criticism of a vibrant and successful segment of our free enterprise economy. The federal government has, for better or worse, a large stake in the system. All of us in Washington, and particularly in the Congress, have a special obligation to see to it that the contributions that the Federal government makes to the system work—and work well.

TOUR STUDYING PROBLEMS OF BOSTON

(Mr. GUDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUDE. Mr. Speaker, last weekend, along with 10 of my colleagues, I had the opportunity to visit for 2 days and a night in the city of Boston to study and observe the problems of that metropolitan area and the efforts of Mayor Kevin White and his cabinet to cope with the enormously big-city problems. There is much to see and to learn on the visits to the cities sponsored by the Conference of Mayors but I would in particular like to call attention to two aspects of government which I observed on this tour which are particularly significant.

First, I, and also, I believe some of my colleagues were particularly impressed by the efforts to decentralize and to set up "little city halls" in various areas of the city. These institutions are not conceived just as "complaint bureaus" for the citizens but are the beginning of an effort to decentralize actual operation of certain city services to bring them close to the citizenry. I am convinced the beginning effort here in Washington last October as well as those in Boston should be pushed—the trend of the thirties to use big city hall consolidation to solve metropolitan problems has a blighting effect on the role of democratic representative institutions in the problem-solving process.

Second, I was particularly impressed by what seemed to be the deep interest and involvement of so many of Boston's citizens in the process of finding solutions to their city's problems. Boston's democratic roots go deep and among certain groups involvement in government and politics is as natural as eating and sleeping. In contrast, the District of Columbia is particularly devoid of citizen tradition or structure for democratic institutions. The history of so many of Washington's citizens is lacking of a heritage of citizen participation in the democratic process.

I am convinced that the establishment of voting representation in Congress will go a long way toward developing a structure of involvement in the democratic process which is so essential if city citizens are to work together to find solutions to the problems of their metropolitan areas.

For these reasons, the establishment of voting representation for the District of Columbia is a top priority measure for the 91st Congress.

NORTH KOREA'S MADNESS—NIXON'S "BIG STICK"

(Mr. BRAY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BRAY. Mr. Speaker, North Korea has once again drawn attention to itself and the following two statements by persons who should know more than the rest of us about that country are pertinent.

Comdr. Lloyd Bucher, skipper of the U.S.S. *Pueblo*, in testimony before the Navy court of inquiry, March 10, 1969:

> I watched them pull legs off baby birds which fell out of a nest . . . they would find a toad and spilt him apart by pulling out his legs . . . this was common practice . . . they are just basically cruel and brutal savages . . . there were a few pups around the prison compound. I never once saw the Koreans pass one of those dogs without kicking him. This is just their mentality . . . just the way they are brought up.

Prof. B. C. Koh, South Korean by birth and now associate professor of political science, University of Illinois:

> No nation is too small to threaten the peace and security of the entire world community. In North Korea's case, moreover, its smallness is dangerously deceptive. Not only does it boast a well-trained Soviet-equipped army of over 350,000 men, 500 Soviet-made jet aircraft, modern air-defense missile complexes, and a militia of 1.2 million men and women. It is also ruled by a Stalinist dictator whose fanatical dedication to revolutionary objectives is surpassed only by his brash audacity in seeking to carry them out in the face of all obstacles. North Korea has a past record of strident belligerency, coupled with a seemingly inexhaustible potential for precipitating international crisis.

The *Pueblo* in 1968; an EC–121 in 1969; considering the two incidents and the two statements above, it seems obvious that the Nixon administration is probably faced with that most dreaded, unpredictable and unstable element that can be found in a foreign adversary: madness.

There seems no other word for it. The phenomenon is an extreme rarity in international power politics. Adolf Hitler himself, though his eventual conduct in World War II slid toward the irrational and earned him the wonderfully expressive German term Teppichfresser—carpet chewer—at least had attempted to weigh the risks before striking at Poland in 1939. "What now?" snarled Der Fuehrer at his Foreign Minister, Joachim von Ribbentrop, when Britain's unexpected ultimatum to Germany to withdraw from Poland, meaning a general European war, was presented to him.

Of all Communist-power dictators today, it now seems that Kim Il-Sung, Premier of North Korea, can truly be termed at the very least unstable, and some observers even contend he has become more paranoid than Stalin at his very worst. There is no comparable parallel in any other country. Not beyond the grim towers of the Kremlin, and not even in Peking, where an old man watches the shadows lengthen across Tien An Men Gate and dreams of the days of the Long March, and the comradeship of the Caves of Yenan.

Like Mao, in Red China, and Ho, in North Vietnam, Kim has been a dominant figure in his own country for 20 years. However, unlike Mao and Ho, he did not capture power on his own. His role in liberation of Korea from Japan was nil. Only with solid backing of the Soviet occupation forces was he able to rise to power. His rivals—actual and potential—have been methodically eliminated by purges, assassination, or execution. He has tried to gain greater stature in the eyes of North Koreans by masquerading under the name of a legendary national hero but this patent sham has probably been more of a liability than an asset.

He has developed a personality cult that would embarrass Mao Tse-tung. History has been completely twisted and falsified to glorify Kim. The last few years have seen an increase in this cult and statements about him in North Korea today are written in a purple prose style that would shame the most servile Soviet writer of Stalin's heyday.

So, madness—madness generated by bitterness and resentment from what Kim feels was desertion and sellout by his Red Chinese and Soviet allies at the end of the Korean war.

Madness—as Ho Chi Minh gets headlines, acclaim and aid, and North Korea's lone pleas for help from Peking and Moscow are brushed aside.

Madness—as 56,000 American troops back up the Korean Army across the 38th Parallel.

Madness—as one attempt after another to send agents into South Korea for espionage, terror, and subversion go down to defeat when faced with the deadly combination of the highly efficient South Korean Intelligence Service and the Red-hating South Korean citizens.

Madness—with nothing to save his face, nothing to salve his scored and bruised ego except the periodic meetings at Panmunjom, where his officers carry on their strutting farce of insults directed at U.S. representatives.

So—a way out, of sorts—provoke the United States, possibly into attack, or at least pull a feather or two from the American eagle's tail, and draw world attention to himself once again. Thus it was with *Pueblo*. I said at the time it was a shameful and unforgiveable thing to have inflicted on the American Republic, and no less so is the incident of the EC–121.

I do think, however, that the last man on one of these missions has been lost. There are some highly significant and major differences between what was done after *Pueblo* and what has been done after the reconnaissance plane was shot down.

For instance, after *Pueblo*, it was decided in 1968 not to arm spy ships because it would be "provocative." I quote, here, from former Secretary of Defense Robert S. McNamara, appearing on "Meet the Press," February 4, 1968. The statement had just been made to him that—

> There are many Americans who are greatly disturbed that a ship as important as the *Pueblo* could be captured so easily. Why wasn't it better protected?

The Secretary's answer was as follows:

> First, to have protected it would have been a provocative act. Second, it would have compromised the mission. . . . And, finally, the protection itself always runs the risk of leading to military escalation. . . . Nor do we protect aircraft on similar kinds. You will remember that we lost an RB–47 shot down by the Soviets on a mission similar to this in 1960. It was unprotected. Neither then nor now do we protect it for the reasons I've outlined.

Now, let us look at President Nixon's statement on April 18, 1969, in response to a question about U.S. reaction to the EC–121:

> There are 56,000 American troops stationed in South Korea . . . the responsibility of the President of the United States as Commander in Chief . . . It is the responsibility of the Commander in Chief to protect the security of those men. . . . What do we do about these flights in the future? They were discontinued immediately after this incident occurred. I have today ordered that these flights be continued. They will be protected. This is not a threat. It is simply a statement of fact.
>
> As the Commander in Chief of our armed forces, I cannot and will not ask our men to serve in Korea, and I cannot and will not ask our men to take flights like this in unarmed planes without providing protection. That will be the case. . . . when planes of the United States or ships of the United States in intelligence gathering are in international waters or international air space they are not fair game. They will not be in the future and I state that as a matter of fact.

I find a considerable difference in response—and also in what the President as Commander in Chief sees as his obligation and responsibility to men in uniform who must be sent out on dangerous assignments.

To underscore the fact that fear of "provoking" our enemies is not a part of the foreign policy of this administration, and that "protection" means exactly that—and something more besides—what is believed to be the largest concentration of American seapower in that area since the Korean war has been assembled in the Sea of Japan. Task Force 71, consisting of three attack carriers, one antisubmarine carrier, three cruisers and 14 destroyers, has almost 300 jet fighters and fighter-bombers, plus considerable missile and antisub ability.

I am sure the fact is not lost on Kim Il-Sung that Task Force 71 is not only quite well prepared to protect our intelligence missions, but it also carries the potential for direct retaliatory raids against North Korea itself.

President Theodore Roosevelt said:

> Speak softly and carry a big stick.

President Nixon has spoken—softly—but the big stick has been hauled out of the closet, dusted off, swung once or twice for heft, and laid close at hand.

Can even Kim Il-Sung be that mad? If he is, the big stick is ready—and we can argue about map coordinates afterwards.

THE PROBLEM OF UNCONTAINED POPULATION GROWTH AND THE NATURAL ENVIRONMENT

(Mr. UDALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. UDALL. Mr. Speaker, the 1960's comprise the decade in which the U.S. Government became deeply involved in what has now been generally recognized as one of the world's most severe problems, that of uncontained population growth.

Four years of hearings on the problem, conducted by former Senator Ernest Gruening, of Alaska, have served to bring the controversial subject of population control, once off limits to public discussion, into the light of legitimate and open debate. The late Presidents Eisenhower and Kennedy both expressed their concern. Former President Johnson said:

> Second only to the search for peace, it is humanity's greatest challenge.

As a result, the U.S. Government, through its National Institutes of Health, has a growing program of research in reproductive physiology and contraception. The Department of Health, Education, and Welfare, the Department of State, and the Office of Economic Opportunity administer or support programs of voluntary family planning.

However, I wonder if we as a government are doing enough in the field. As we look around us, we see tremendous, truly staggering divisions, strife, conflict and conditions which, I believe, are related if not directly caused by uncontained population.

We are told by some experts that there is nothing that can be done to prevent widespread famine in Asia within the next decade—that the children are already born who will face starvation in the next few years. Although others tell us that a "green revolution" now underway has reduced fears of such a famine in the 1970's, I believe that no "green revolution," unaccompanied by a parallel revolution in population growth rates, can long delay massive hunger.

We are told that Latin America's hundreds of millions will double within the next generation. Can anyone believe that political and economic stability can be achieved there in the face of that kind of growth?

We see hunger in America. We witness almost daily disruptions of our campuses, occurring coincident to the largest influx of new students in colleges ever.

We have come to realize that population growth and density are related to the problems of our cities, to problems of poverty, racial strife, transportation, the rotting of central cities, and the ugly and formless sprawl of suburbia.

Conservationists are beginning to see more and more that no amount of public and private spending will save our remaining wilderness, the natural beauties of our country, or prevent the continued pollution of soil, air, and water, if our population continues to grow at its present rate.

But the problem is much more than the sum of these things. It involves whether our children, or their children will enjoy any of the quality of life we enjoy. It involves whether our society and its cherished institutions can withstand the pressures and demands put upon them by rampant growth. Indeed, it may involve whether mankind itself can long survive its abuses of the delicate balance of nature that sustains it and all other life on this planet.

For one thing is clear: Our little planet simply is not going to carry more life on its surface than its natural resources can sustain. If mankind cannot control his numbers through humane and voluntary birth control methods then those numbers will be controlled by natural or manmade disasters.

Still, I am deeply troubled, as I know that many of my colleagues are troubled, about the proper role of Government in solving the population problem. In struggling with the issue in my own mind, possible solutions collide with the basic human rights so cherished by our society. In short, I have a deep conviction that governmentally imposed, coercive population control is the very antithesis of individual human freedom and would be an indefensible invasion by Government into a deeply sensitive, personal, and private relationship.

On the other hand, I do not believe that the current public programs, or mere extensions of them, really meet the problem. I do not believe that voluntary family planning programs which have as their goal making every child a wanted child will reverse, stop or even slow down the rising tide of population growth. After all, we are coming to realize that the majority of America's annual population increase is composed of wanted children.

Therefore, today I am introducing legislation that calls upon Congress to "find, encourage, and implement at the earliest possible time necessary policies, attitudes, and actions which will, by voluntary and humane means consistent with basic human rights and individual conscience bring about the stabilization of the population of the United States."

My hope is that congressional and public discussion of this issue—and of this goal—will help to make the American people aware of the dangers inherent in continued rampant population growth, and that they will respond by voluntarily limiting the size of their families by whatever birth control means they find acceptable. The ideal result would be that those couples who now have two or more children would make a voluntary decision not to have more. Other couples would voluntarily decide to stop at two children.

My investigation of the current national programs, research and legislation regarding the population problem has led me to this general and related conclusion: Those experts who address themselves to the preservation of our natural environment seldom address themselves to the population problem, possibly because of its controversial nature. Likewise, I find that those who address themselves to family planning and birth control programs seldom indicate a true understanding of the environmental consequences of uncontained population growth, possibly because the link between population and environment is dimly understood.

I am convinced that this is the very relationship on which the health and future of mankind as a species depend. Although man is much more than the other animals, he remains wholly dependent on the wafer-thin layer of air, water and soil that comprises the surface of our earth and, acting in ways more delicate and complicated than the most sophisticated computer, makes all life possible on this earth.

I believe that man must rethink himself in terms of his natural environment if he is to thrive, or even survive. Therefore, my bill creates within the Department of Interior a Bureau of Population and the Environment, to devote itself to searching out and making known the implications of that crucial relationship.

Furthermore, to define the authority and mission of the Bureau and the scope of the problem, my bill creates a Commission on Population and the Environment, with a life of 2 years, composed of respected men in private life and high government officials, to conduct a full study and make recommendations as to the programs and policies available to Congress and the Bureau that would be effective in this area.

I believe this bill to be a necessary forward step in coping with this highly complex problem. I believe that the true solution—should there be one—lies in the ability of free citizens becoming aware of the dangers of uncontrolled population growth and acting in their own interest by planning their families accordingly. Should this bill be effective in achieving that goal, we would, by bringing about the stabilization of our national population, demonstrate to the world that this is a problem within the power of mankind to solve. Thus we would provide by example the necessary incentives for other nations even more beset than ours that now are approaching the problem half-heartedly, if at all.

NIMH PRESENTS AN EXCELLENT PROGRAM ON DRUG ABUSE EDUCATION

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, yesterday afternoon an excellent presentation was made to the Members of the House on the drug abuse education activities of the National Institute of Mental Health.

Dr. Stanley F. Yolles, Director, National Institute of Mental Health; Dr. Sidney Cohen, Director, Division of Narcotic Addiction and Drug Abuse, National Institute of Mental Health; and Mr. Gerald N. Kurtz, Director, Office of Communications, National Institute of Mental Health, and their associates told the Members of some new approaches being taken by NIMH to inform the public, and particularly the young adult population, of the dangers of drug abuse.

I was particularly impressed with the audiovisual advertisements which, this week, are being distributed to radio and television stations across the Nation for local dissemination as a public service. These new advertisements are factual and to the point. And I believe that this will be the most effective way of stemming the shocking increase in drug abuse which we have witnessed in recent years.

I commend Dr. Yolles, Dr. Cohen, and Mr. Kurtz and those at NIMH for the work they are doing to meet this national problem, and at this point in the RECORD, I would like to insert the statements made by these gentlemen at yesterday's briefing session for the benefit of my colleagues:

DRUG ABUSE

(Statement by Stanley F. Yolles, M.D., Director, National Institute of Mental Health, Associate Administrator for Mental Health Services and Mental Health Administration, U.S. Department of Health, Education, and Welfare, before the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce, Apr. 22, 1969)

Mr. Chairman, I am happy to appear today to discuss the scope of the national drug abuse problem and the efforts of the National Institute of Mental Health in the area of drug abuse.

Drug abuse takes a multitude of shapes. It is the heroin user injecting his "H", the methedrine user high on "speed," or the fourteen-year-old sniffing airplane glue. But it is also the suburban housewife using her diet pills for a quick pick-me-up, the driving executive alternating between stimulants by day and sleep-inducing barbiturates at night, the urbanite needing those extra 1 or 2 lunch-hour martinis.

Yet, more than that, drug abuse and narcotic addiction are major and growing public health problems of major national concern. As of December 31, 1968, the number of active narcotic addicts reported by the U.S. Bureau of Narcotics was approximately 64,000 and estimates of the true number of addicts are appreciably higher and on the order of 100,000 to 110,000. Hallucinogenic substances such as marihuana have been at the least experimented with by millions of Americans.

The costs of narcotic abuse to society are both quantifiable and non-quantifiable. The latter include personal and social costs which result from the dysfunction of narcotic abusers as people.

The quantifiable factors associated with narcotic abuse include costs for: law enforcement, crime associated with abuse, lost productivity, and the cost of research and treatment programs. There are also welfare costs associated with broken families and with unemployed abusers.

The total of involuntary social costs of narcotic drug abuse amounts to $541 million per year.

Narcotic addiction historically tended to be concentrated in ghetto neighborhoods with inadequate housing and a lack of physical and social cohesion. We are now witnessing the signs of increasing use of heroin in suburban areas.

The number of non-narcotic drug abusers, including those addicted or habituated to agents such as sedatives, stimulants, marihuana, LSD and related drugs, and certain "tranquillizers," can only be grossly estimated. Inferences as to the size of the problem can be drawn, however, from data on production and illicit diversion of barbiturates and amphetamines.

About eight billion amphetamine tablets (40 tons) are produced in a year—enough to provide each man, woman, and child in the United States with 35 doses. About half of these tablets, it is estimated, go into illicit channels of distribution at bars, gas stations, and restaurants.

Five hundred tons of barbiturates were produced 10 years ago. This is enough to provide 28 doses for each person in the population. Here, too, there is a large illegal market.

Several of the relatively new and popular non-barbiturate sedatives and tranquillizers have been found capable of causing state of intoxication and dependence if seriously overused. These drugs include meprobamate (Miltown, Equanil), gluthethimide (Doriden), and chlordiazepoxide (Librium).

Of those abusing these drugs, the range of persons directly affected is between 200,000 and 400,000.

The use of LSD has declined during the past two years. In part it may be due to the information disseminated about its dangers and the fact that it does not provide instant insight or magical solutions to one's problems. It remains a drug of abuse essentially for young middle-class persons.

Marihuana use has been rapidly increasing in the past five years. Although originally restricted to certain jazz musicians, artists and ghetto dwellers, it has now appeared among the middle and upper class. A conservative estimate of persons, both juvenile and adult, who have used marihuana at least once is about 5 million.

The National Institute of Mental Health is expending considerable effort in the area of narcotic addiction research. Currently, the NIMH supports 59 research projects which have narcotics and/or narcotic abuse as their principal focus. These studies range from examination of the basic neurophysiology of drug action to the studies of the psychosocial characteristics of users. The NIMH expends approximately $2,600,000 in the support of such research. In addition, fellowship, training and special facilities grants in this area raise total grant monies in fiscal 1969 to nearly $11 million.

One major difficulty in the treatment of narcotic addicts has been their tendency to relapse. Current research is being conducted on the development of a method to varify an addict's abstinence from opiates. It is anticipated that early, reliable detection of relapses will prove helpful in the followup treatment of narcotic addicts.

An exciting and controversial advance has been the development of methadone maintenance programs and the use of other narcotic antagonists, such as Cyclazocine and Naloxone. Since methadone maintenance involves the continued use of a narcotic on a long-term basis, it has been the object of criticism. The general idea consists of treating heroin addicts by first stabilizing them on a daily maintenance dosage of methadone and subsequently undertaking rehabilitation, rather than the usual sequence in other programs of first withdrawing the narcotic drug and then attempting rehabilitation.

Research attempting to assess the efficacy of this treatment has indicated that for selected patients, social rehabilitation is a feasible goal. However, methadone does not appear to be a "universal treatment" for all addicts, nor does it result in an abstinence from drugs. Considering the impact of methadone maintenance programs, we need to gain a thorough understanding of its implications for all aspects of the individual's functioning, and a wide variety of studies toward this end are being supported. Studies are also being supported to develop new and long-acting antagonists.

To better understand the motivation of narcotics users, both those in city ghettos as well as middle-class suburbs, the Institute is supporting several studies.

Research is being conducted on drug users within the context of their local slum neighborhoods. The focus is on the specific individual with emphasis on his movement toward drug usage and his development of addict identity.

For any control program to be effective, knowledge is needed of the extent of the narcotics addiction problem.

In view of the estimate that over one-half of the narcotic addicts in the United States live in New York, principally in New York City, NIMH reseachers are assisting the New York City Health Department with a register giving a reliable, up-to-date, unduplicated count of narcotic addiction there.

Results in the area of treatment have often been discouraging, particularly if the criterion of success is total abstinence from drugs. At least part of the difficulty with treatment has been that the addict was often treated in a hospital far from his home community and was not adequately followed up upon release.

Means for overcoming this deficiency, and others, were provided in the Narcotic Addict Rehabilitation Act of 1966 (P.L. 89-793). Through this Act, known as NARA, Congress established a new national policy. It calls for the treatment of narcotics addicts rather than prosecuting them under criminal statutes.

For the first time, Federal law provides that narcotics addicts may apply for treatment in lieu of prosecution for certain crimes and that addicts not charged with a criminal offense may also be committed to the Surgeon General for treatment and rehabilitation.

The Act set in motion a new nationwide program for the supervised treatment and rehabilitation of addicts in the community. The NIMH Division of Narcotic Addiction and Drug Abuse is responsible for the examination and treatment of patients committed under the Act.

Titles I, II, and III of NARA are designed to extend and improve treatment and rehabilitation programs already in existence. The basic principle of Title IV, the development of community programs for addicts, is now incorporated in a new law (PL 90-574) which permits the NIMH to make grants for construction and staffing of narcotic addict and alcoholism facilities in communities.

The first NARA patient was committed under the provisions of Title I on June 29, 1967. As of February 1, 1969, 1,287 addicts had been admitted to NIMH Clinical Research Centers in Fort Worth and Lexington. Of this number, 6 percent charged with a criminal offense chose commitment under the provisions of Title I in lieu of prosecution; and 66 percent were committed under Title III. Ninety-one percent of the Title III commitments were initiated by the addict himself.

When suitable State and local facilities have been developed, these services will be contracted for as close as possible to the addict's home community. As of March 1969, there were contracts for services with 70 agencies in 66 different cities and 39 different States caring for 306 patients. NIMH staff will be assigned to area offices in the 11 metropolitan areas having the largest population.

While searching for better means of treating narcotic addicts, the NIMH simultaneously conducts prevention and education programs. The basic philosophy underlying the NIMH information/education program is our intent to bridge the credibility gap by presenting the facts. Having long had the responsibilities for drug abuse education and information, it is the NIMH's goal to develop effective educational programs for use in elementary, junior, and senior high schools and colleges, as well as parents' groups and other segments of the community. Other members of the NIMH staff who have accompanied me here today will tell you about these educational efforts aimed at the general population.

Other preventive and educational materials are made available to the scientific community and others who, by virtue of their frequent contact with users and potential users of drugs, can form a first line of defense against continued drug abuse.

As the national center for support of research in narcotic addiction and drug abuse, the NIMH has a primary responsibility in coordinating and disseminating research findings, technical information, and noteworthy scientific advances in the field. This is accomplished by ongoing consultation and liaison activities by the staff of the Division of Narcotic Addiction and Drug Abuse.

In addition, the Institute's National Clearinghouse for Mental Health Information, the world's largest computerized repository of mental health and related findings, is actively engaged in assisting the researcher and therapist keep abreast of technical information in drug abuse.

The goal is to develop a complete data bank of all important research and new methods relevant to the problems of drug abuse. This bank already is a valuable source of accurate and complete bibliographies and references tailored to the needs of individual researchers. Information gathered for the data bank is also used to publish, on a regular basis, Drug Dependency Notes, containing timely, original articles of major importance in drug abuse research and recent bibliographies of new research.

The potential audience of Drug Dependence Notes is large. In addition to physicians, psychologicata, sociologists and other mental health professionals, educators, legislators, and lawyers will have use for these reports of research facts.

The Clearinghouse is also producing a complete directory of treatment and rehabilitation facilities in the United States. Although the number of such facilities is essential information about the facilities will provide a much needed source of information to those who seek professional help. Another Clearinghouse publication, the Mental Health Digest, frequently carries scientific articles on drug abuse.

It is clear that one is not dealing here with a simple, unitary phenomenon. Drug abuse is a health, legal, social, economic, and moral problem. Drug abuse is a complex phenomenon in which the major interacting factors are the characteristics of the drug, and the characteristics of the society within which the drug is abused.

It is evident that there will be no simple solution to the problem of drug abuse. Substantial effort must be devoted to prevention, discovery and dissemination of new knowledge, and development of more and better treatment resources.

It is the task of the National Institute of Mental Health to mount the programs needed to deal flexibly with the many problems of drug abuse. As the problem is complex and changing, so must be the strategies designed to understand and cope with it. This is the end toward which we at the NIMH have dedicated our resources.

DRUG ABUSE: EDUCATIONAL EFFORTS

(Statement by Sidney Cohen, M.D., Director, Division of Narcotic Addiction and Drug Abuse, National Institute of Mental Health, Health Services and Mental Health Administration, U.S. Department of Health, Education, and Welfare, before the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce, April 22, 1969)

GENERAL STATEMENT

It is evident that the prevention of drug taking behavior or the conversion of the drug abuser into an abstinent person is the ideal solution to the problem of drug dependence. These methods require a modification of attitudes and beliefs. Attitude and belief change can be best accomplished by skillfully presenting factual information and by correcting false ideas about the abused drugs. It is our position that the presentation of unbiased information is sufficiently impressive that it will deter most potential or actual users. Furthermore, attempts to sermonize or to scare with inaccurate statements is likely to fail or even encourage mass drug abuse. This is so because young people are likely to rebel against patently false information. In the drug area the generation gap often consists of ignorance about drugs on the part of the elders and illusions about drugs on the part of the youngsters. We are attempting to close the gap from both directions.

The National Institute of Mental Health is expanding $900,000 for Fiscal Year 1969 for drug education and information. A description of the more important educational projects follows.

I. FOR TEACHERS

Since the teacher is often the first person who is asked questions and must provide answers about dangerous substances a number of projects are directed specifically at the educator.

1. A sixteen page center insert dealing with the facts and techniques of teaching the facts about drug abuse was placed in the March 1969 issue of Today's Education, the National Education Association journal which is circulated to 1,400,000 educators (copy attached). The insert can be easily removed from the magazine for future use. Additional copies can be obtained on request. During Fiscal Year 1970 a second insert will be placed.

2. A two week teacher's workshop in cooperation with the American Association for Health, Physical Education and Recreation (AAHPER) was held for 20 teachers from all regions of the country in San Francisco and Mendicino State Hospital during October 1968. The entire workshop was videotaped and printed materials were developed. Each participant was to return to the school district and conduct two-day workshops for the local AAHPER members, 14 of which have already been held. From the experience gained at the workshop a handbook of materials was selected for publication (draft copy attached) entitled "Drug Abuse Education."

3. A film library which is being selected by a group of scientific and communication experts. Mr. Kurtz will elaborate on this.

4. A contract to researchers in Dade County, Florida, is under serious consideration. They hope to develop a new model of drug abuse education. Teachers and parents will be involved, but the innovative aspects is the key role of the students themselves in doing the work of preparing materials, designing programs and giving the instruction.

5. The Center for Studies of Substance Abuse in New York, N.Y., has been working under an NIMH grant to provide specific methods of dealing with the special problems that vary from school to school. Their team is invited into a school and they obtain accurate information about the situation from students, faculty and administration. Then they design a solution for the special situation.

II. FOR THE COMMUNITY

1. An up-to-date list of agencies and facilities concerned with drug abuse is badly needed. Resources where individuals and agencies can go for help and information will be collected by city. Numerous private, city, county, State and Federal agencies are available, but a complete directory is not.

2. The NIMH has issued four flyers called "Marihuana," "The Hallucinogens," "The Up and Down Drugs" and "The Narcotics." Over a million copies have been distributed, and another four million are in press.

3. A Spanish language edition of the four flyers mentioned above for Puerto Ricans and Mexican-Americans will be printed. In addition to direct translations; there will be tailored flyers for the specific cultural requirements of those groups.

4. Reprints of other educational materials such as Dr. Yolles' New York Times Magazine article and the NARA flyer are being distributed (copies attached).

5. Personnel from the Division of Narcotic Addiction and Drug Abuse have given many talks to high schools, colleges, community groups, jurists, legislators and professional groups. Although no assigned personnel are available for these lectures and discussion groups, the staff willingly attempts to meet as many requests for speakers as possible.

6. Consultations with many agencies public and private have been provided. Committees and groups which are forming to deal with some aspect of drug abuse have sought out the NIMH as a source of information.

7. Written into the grants of our six NARA Centers and of the additional ones to be funded during Fiscal Year 1969 is a provision requiring that they serve as a community resource for education and information on drug abuse.

8. We are about to write a contract with a group of researchers in Nevada who will examine and evaluate different techniques of drug abuse educational efforts. The program will coordinate school and community activities and will compare small vs. large group meetings.

9. A series of high school newspaper editors' conferences by regions are planned. In general they will be tied into a university journalism program with drug abuse as a prime topic. It is planned that experts in this field will speak and answer their queries. In turn, they will report on the conference in their student newspapers.

III. FOR THE PROFESSIONAL

1. A quarterly journal "Drug Dependence" will be issued, beginning July 1969. It will contain articles pertinent to the subject and abstracts of articles in other journals on drug abuse. This specialized journal will be a concentrated source of information for scientists of all fields.

2. A book is in press which represents the proceedings of a conference held on the effect of LSD on chromosome structure. It contains an up-to-date bibliography on the subject.

3. A grant has been provided for investigators at the University of California at Berkeley to explore new therapeutic approaches to the drug taker. If the approach proves to be successful, it will provide therapists with an additional technique of dealing with drug abusers. In essence it represents an effort to demonstrate that one can "turn on" to life rather than require drugs.

4. The National Clearinghouse for Mental Health Information and the Division of Narcotic Addiction and Drug Abuse are planning to expand the present collection of material in the computer to include every article on drug abuse in the world literature in the form of an annotated reference. It will be possible to furnish an investigator with a printout of abstracts of such material on any aspect of this subject.

Drug Abuse: Educational Efforts

(Statement by Gerald N. Kurtz, Director, Office of Communications, National Institute of Mental Health, Health Services and Mental Health Administration, U.S. Department of Health, Education, and Welfare, before the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce, April 22, 1969)

Mr. Chairman, I appreciate this opportunity to appear here today to discuss the extensive new campaign against drug abuse being conducted across the country by the National Institute of Mental Health.

There are several aspects to the NIMH education/information effort: A public service announcement series presented in cooperation with the mass media; a program for the educational community, including curriculum development and workshops; a grassroots program to disseminate material and information to parents, youngsters and the general public; a professional communications program aimed at providing the latest scientific findings to physicians and researchers.

We are taking advantage of every channel of communication to reach our widely divergent audiences. The messages, which are custom-tailored to specific target groups, all have one thing in common. They present the facts. We believe that only a factual campaign can bridge the credibility gap which exists in this area.

Thousands of young people are convinced that "drugs are the answer." Their parents and teachers are anxious and alarmed. Misinformation, contradictory information received by our youth, has been widening the so-called generation gap. By presenting the facts without resorting to scare techniques or exaggeration, and by presenting these facts in language and via media appropriate to the audience, we believe we will have an impact.

This week we are launching what we call our "umbrella campaign." Factual public service messages; which have been prepared by a national advertising agency—on a non-profit basis—have been sent under the auspices of the Advertising Council to radio and television outlets across the country.

I should point out that this material has been pre-tested by the agency before groups of young people, former addicts, and addicts. For the past month we have been conducting a pilot program in the Washington, D.C. metropolitan area. Following two one-half hour segments of a three part film series, "The Distant Drummer," shown during prime time with the cooperation of a network affiliate, television and radio spot announcements were made available to every TV and radio station in the area. The response of the stations was enthusiastic. The spots continue to be used throughout the broadcasting day on most stations.

The public media campaign, which goes national this week, is divided into several segments. Our primary aim is to arm young people and their parents with the facts to help them resist pressures to experiment with drugs—marihuana and LSD. We also have special messages for adults who overuse amphetamines and barbiturates, and a sub-campaign for residents of the inner city exposed daily to the dangers of heroin addiction.

The spots are directed at the potential user in each category, and since our largest target audience is young people, messages are sophisticated and factual and are intended as ammunition for the youngster to resist peer-group pressure.

There was one exception to this: a segment of the campaign aims mainly at middle-class housewives, concerning the abuse of amphetamines and barbiturates. These women, having found ways to exceed the prescribed amount, are probably unaware of the fact that they are serious drug abusers and are potentially in trouble. The approach to them was quite different from our approach to youth. It's harsher . . . scarier. But this has an interesting side-effect on the youth effort.

The reason is simple: Most young people will say that as long as Mom pops pills all day, and Dad drinks himself into oblivion on the weekend, there's no hard line they can take on drugs that is anything but transparently hypocritical. So when an establishment campaign on drugs seems to go impartially after drug abuse wherever it occurs, even in the parent group, it may win a few more sympathetic ears when it focuses on the young.

Here, then, are the four television spot announcements aimed at the alarming amount of adult abuse of amphetamines and barbituates.

In arming the "potential user" with ammunition of resistance, the spots talk in a quiet, rational, totally factual way about the known dangers of using each of these drugs. There is a minimum of witty, slick advertising phrases. Irony is used occasionally, for that is a favorite literary device of the young. In the main, however, the spot simply says: here are the facts you as an intelligent human being need to help you make up your mind. Nowhere do the spots preach, make a moral judgment, or shake a finger.

One criterion was carefully applied to everything produced on this project. The spots scrupulously avoid showing any aspect of the drug scene in any light which might be remotely construed as being attractive.

The spot announcements prepared for youth speak for themselves. We have the six announcements that are currently being shown.

We think the radio campaign is of particular importance. Radio perhaps is the only common communications denominator in trying to reach young people away from home, at school, after school in the suburbs as well as in the ghettos. You see transistor radios on buses and subways, in the streets, at beaches, pools and playgrounds.

Accordingly, six radio spots for a general audience using the same approach as the television material are now being distributed.

Currently in production are radio spots prepared from taped interviews with former addicts, who tell their stories. Here are several of them which will be sent out with factual material for the disc jockey or general announcer to prepare his own script.

One of the most dramatic aspects of the campaign is the radio material for the Black ghetto. These radio spots were prepared by a youth who is himself a resident of the ghetto now working for the advertising agency. They address the problem in a way that only someone with first-hand experience could communicate.

To support the inner-city targetted radio campaign, we have also prepared posters for car cards, billboards, school bulletin boards, club rooms and the like. The campaign theme, "Slavery" as you have just heard on the radio spots, is being carried through in the print media. Here are slides of these posters, which incidentally also were inspired by the same young ghetto resident. This material is now in production at the Government Printing Office.

In mid-May another group of spot announcements will be released. In these, leading sports, music, TV, and stage celebrities will discuss facts about drug abuse. And other materials are being prepared for radio and television.

For example, with the help of Otto Graham, who has agreed to serve as a consultant to NIMH, special radio and TV messages are to be recorded by professional and amateur athletic stars for broadcast on a seasonal year-round basis. We are asking cooperation of major professional athletic leagues and broadcasters to program these messages during live broadcasting of athletic events locally. The idea is that a Willie Mays spot would be played for a San Francisco broadcast/telecast of the Giant game and that it will be seen or heard in the city of the Giants' opponents as well.

A contemporary designer, well known to today's youth—Peter Max—is doing an anti-drug poster, which will be featured with the artist on television. The poster will be printed by GPO and sent to all requesters.

Another poster, designed in the "Graphics of Today" by a young NIMH artist, Mr. Bill Bowman, carries another campaign theme—one that we consider the soundest argument against experimenting with drugs. It asks, "Will they turn you on, or will they turn on you?" It is now being produced in psychedelic colors. We plan to show these on some 68,000 Post Office trucks during the month of July, and to distribute them widely in schools, recreation centers and so forth.

Earlier I mentioned the film program, noting the debut of "The Distant Drummer" documentary series in the Washington area. This three-part series, which is being scheduled for prime-time television airing in major U.S. cities, presents the most detailed account of current knowledge about narcotics and dangerous drugs ever recorded on film. Beginning with the history of the poppy plant, these films record how opium has been used through history—from opium itself through morphine to heroin—and how man's fascination with drugs has led to the epidemic proportion of drug abuse today. These films will soon be available through a drug abuse information film library being established as part of the National Audiovisual Center.

This series, intended for general audiences, will be supplemented with additional films for specific groups which will elaborate on particular problem areas in drug abuse. A group experienced in recording true-to-life events in the ghetto will prepare a film on the abuse of narcotics in the inner-city. A documentary on treatment—what kinds are available, and where—for adults and teenage drug abusers is also being prepared.

New distribution methods are being tried in an effort to get the films before their intended audiences. Along with distribution through the film libraries, the institute will establish film and equipment loans through community mental health centers.

The distribution of factual literature plays a significant role in the current campaign. More than a million copies of four flyers—Marihuana, LSD, Up and Down Drugs, and Narcotics—have been distributed and 4 million more are in press. Already, these flyers have been distributed to schools, community, groups, pharmacists and others.

Distribution will soon begin to doctors' and dentists' waiting rooms—a co-operative project with the American Medical Association and the American Dental Association. In addition, the flyers will be used to answer public inquiries generated by the mass media campaign.

They are being translated into colloquial Spanish for Mexican Spanish-Americans and Puerto Ricans and new versions for inner-city audiences are planned. The "Hooked" comic book—more than 2 million distributed—will be revised and a Spanish edition is being produced.

Two additional publications are now in press. The first, "Before Your Kid Tries Drugs," will supply parents with facts on drug abuse. It is based on an article by Dr. Yolles that appeared recently in the New York Times Magazine. The second, dealing with research at NIMH on drug abuse, will be distributed to college students to provide them with up-to-date findings in the field.

The Family Service Association of America, working with prominent theatrical writers and Actors Equity, is preparing an open-ended play on drug abuse intended for showing before parent and teenage groups by professional companies, college, school and local dramatic groups. After presentation of the play, an experienced discussion leader will conduct a group seminar on the facts about drug abuse. Productions of the play and copies of the scripts will be made available nationally and at the local level for use by PTA's and other organizations.

In another effort to reach high school students, a series of pilot press conferences and workshops will be conducted this summer and fall. Approximately 1,000 high school newspaper editors will participate in these sessions, where they will meet with experts on drug abuse, professional journalists, high school teachers and college journalism professors.

The students will be asked to evaluate materials being nationally distributed by NIMH and to offer suggestions on new materials they think might be effective. The young journalists at the conferences will write editorials and feature stories and will be encouraged to produce articles and stories for use in their own publications.

Three such conferences have already been approved. Participating universities are Syracuse University, Kansas State University and University of Texas. Proposals are being sought from other universities across the country so that the program can be expanded.

An exhibits program for schools, health fairs, State and County fairs is also being mounted. The exhibits will be the vehicle for distribution of factual literature and for displaying a film version of the television spot messages.

In still another direction, staff of the Office of Communications is developing materials for the Nation's newspapers, radio, and television for the dissemination of drug abuse information. Fact packets are being prepared for local radio stations, syndicated columns are being made available to daily and weekly newspapers, and material is being assembled for a nationwide editorial campaign on the dangers of drug abuse. An awards program is being developed to accord special recognition for outstanding public service journalism.

In conclusion, I would like to point out that the National Institute of Mental Health has been negotiating with several communications research firms for the development of a study to evaluate our public service campaign, to obtain information on the effectiveness of the messages, use of color vs. black and white, and so forth, to help guide us in the development of fellow-up materials.

The intensive broad-based campaign I have described represents a great collaborative effort. Staff at the NIMH Division of Narcotic Addiction and Drug Abuse, its Center for Studies of Narcotic and Drug Abuse, and the Office of Communications have been working closely with other agencies, including the Department of Justice and the Department of Defense. We have also, of course, been working with the private sector—the advertising profession, communications industry and particularly with the National Coordinating Council on Drug Abuse Information and Education and the American Medical Association. The Coordinating Council, which is comprised of more than 60 public and private organizations, including the AFL–CIO, most professional associations, many civic associations, scouting, and the Pharmaceutical industry which means genuine citizen participation in our efforts. The role of the Coordinating Council will become especially valuable as the campaign gains momentum. The Council will be undertaking such invaluable projects as film and literature evaluation and to carry on an even broader public program at the local level.

As Dr. Yolles has indicated, drug abuse has reached epidemic proportions in the United States. The programs and activities we have been discussing are just a beginning. We plan to build on the base we have laid.

RELOCATION BILL

(Mr. WIDNALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WIDNALL. Mr. Speaker, today I have introduced a bill which will go a long way toward alleviating what is rapidly becoming a bottleneck in our urban redevelopment programs, namely, the lack of statutory procedures for persons who will be displaced by urban renewal or model cities plans to question the adequacy of the relocation plans.

There have been three cities which have had their urban renewal programs slowed down or halted recently because of prolonged lawsuits over the adequacy of the relocation plans which are part of each urban renewal program. One of the major issues has been whether the people who are to be dislocated have the right to question the relocation plan. In these most recent cases—in Norwalk, Conn.; Philadelphia; and San Francisco—the courts have held that displacees do indeed have the standing to sue.

The citizens who are being displaced certainly should have the opportunity to question whether the relocation plan meets the requirements of the laws. My bill provides for a two-step procedure. Any person who will be displaced may ask the Secretary of Housing and Urban Development to hold hearings and issue a decision on whether the relocation plan meets lawful standards. The Secretary must issue this decision within 60 days of the request, or all further displacement activity must be halted until the decision is issued. If the decision is adverse to the displacee, he may file suit in the Federal district court for the area in which he resides seeking review of the Secretary's decision.

Our urban development programs are crucial, and very costly. We cannot afford delays of the type that have resulted from injunctions growing out of the recent suits. Delays mean higher costs, and sometimes the redrafting of the entire program.

And yet there are often problems with the programs; which the people living in the areas are more sensitive to than the planners. These problems often do not arise until the program is being implemented. We must give the people most directly affected by urban renewal or model cities full opportunity to question the relocation portion of the full program, but without halting the entire plan. That is what my bill will do.

This bill is also needed for another reason. HUD in the past has coped with this case on an ad hoc basis. The Department has no established policy for dealing with suits questioning the relocation plans. As our urban programs expand, and inner city residents become more active in questioning these plans, we can expect more, not less, activity. The Department in the past has not recognized this. By enacting this bill, the Congress would signify its recognition.

For all these reasons, Mr. Speaker, this legislation is necessary. We have an opportunity to establish a procedure for administrative hearings and judicial review of the relocation question. We will do this without the danger of stopping the entire project, as has happened in the past. It is a small step, but an important one, in having effective programs for eliminating urban decay and replacing it with urban development.

ISRAEL'S 21ST ANNIVERSARY

The SPEAKER. Under a previous order of the House the gentleman from New York (Mr. HALPERN) is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, the 21st anniversary of the memorable day when the Jewish nation was reborn reminds us movingly of the heroism and indomitable will that have made the State of Israel a reality. And wherever there is doubt about man's capacity to shape his own future, this great occasion should be cause for renewed hope.

But there is reason, too, on this anniversary for continued alertness and determination in the face of the stubborn and unreasoning hostility directed against the youthful State of Israel by her Arab neighbors, and there is cause for dismay and for outspoken denunciation in the growing evidence of active anti-Semitism in the Soviet Union.

These somber realizations are cause for a different celebration in Israel than in past years and should give us pause as well. There will be no military parade, no impressive display of weaponry or brilliant air maneuvers. The Knesset some time ago decided against such demonstrations in these days of trial and tension.

The preceding day, as is customary, will be devoted to memorial observances honoring all who have died that Israel might live. The nation's birthday will be celebrated in great gatherings, at the fairgrounds outside Tel Aviv and at public places in cities and settlements throughout the land. The meaning of this restraint cannot be ignored by the American Government or the world.

However, the seriousness of the present situation, Mr. Speaker, cannot allow us to forget the achievement of the people of Israel in the years since 1948. Burdened with the terrible memories of Nazi persecution, confronted by the hatred of the Arab States, inundated by waves of immigrants of the most diverse social, economic backgrounds, handicapped by lack of funds and space and by the barren condition of much of the land, and forced into expensive arms race as a means of self-defense, the Israeli people have triumphed over every obstacle.

It has been a triumph of hope but, even more, it has been a triumph of the courage and faith and determination which transformed that hope into impressive reality. As a result, Israel stands today as an oasis of freedom, of opportunity, of democracy in its finest sense, a land in which respect for human dignity comes first.

But Israel's triumph cannot be taken for granted. Her victories so far can only be considered temporary, for the tiny but dynamic country is still engaged in a struggle for survival. We in America who should understand better than most the unique quality of Israel's accomplishments, cannot be indifferent to that struggle. The 21st anniversary comes at a time of grave challenge. In the coming year Israel can either move forward to peace by retaining her firm resolve for a viable settlement, or can be cast into war by the unrelenting hostility of her foes. The test has come for Israel's friends. The forum of that test is at the United Nations where the four power conferences are now in progress. The Soviet Union and France are openly hostile to Israel. Britain is eager for peace at any price. This leaves the United States to assert Israel's right to a real peace and prevent a sellout that would undermine the interests not only of Israel but also of our own United States.

Our commemoration today of Israel's 21st anniversary will, I hope, demonstrate that the Congress of the United States remains deeply concerned and committed to those people.

INVESTIGATION OF MAGAZINE SUBSCRIPTION SALES PRACTICES

The SPEAKER. Under a previous order of the House the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 10 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I am pleased to call the attention of my colleagues to information I have received from the Federal Trade Commission.

At my urging, the Commission several weeks ago authorized a limited field investigation of deceptive and fraudulent magazine subscription sales practices. That field investigation, conducted primarily in Pennsylvania and New Jersey, has led to the determination that a broader investigation of the magazine subscription sales industry is in order.

Consequently, the FTC has directed each of its 12 field offices across the country to begin an immediate, full-scale investigation of magazine subscription sales practices in their respective regions.

These field offices are located in Atlanta, Ga.; Boston, Mass.; Chicago, Ill.; Cleveland, Ohio; Kansas City, Mo.; Los Angeles, Calif.; New Orleans, La.; Houston, Tex.; New York City, N.Y.,; San Francisco, Calif.; Seattle, Wash.; and the Washington, D.C., area.

Four offices—Atlanta, Chicago, Los Angeles, and New York—have been designated to explore the subject area in greater depth than the other eight. Reports from all 12 field offices have been requested within 45 days.

The specific target of this nationwide investigation is to assess the impact of the FTC-endorsed code of self-regulation which was established in 1968 to police sales practices among the "paid during service"—PDS—long-term budget payment—subscription sales companies.

This self-regulatory code is administered by the Central Registry of Magazine Subscription Solicitors, an agency sponsored and controlled by the Magazine Publishers Association. The FTC appraisal of the so-called Central Registry Code of fair practices and its effectiveness will take into consideration the views of organizations which have an interest in consumer affairs and consumer protection, as well as views of law-enforcement officials and of consumers themselves.

I am optimistic that this investigation—which I anticipate will be a searching and thorough appraisal of the self-regulatory code's impact—will substantiate my view that the code is not effective, will not be effective, and actually serves as a smokescreen behind which unscrupulous sales practices are flourishing.

The truth of the matter is that there is little new to the magazine sales industry's self-regulatory code except its endorsement by the FTC. Actually, Central Registry supposedly has been operating self-regulatory codes for the magazine sales industry for years with relatively little success in preventing fraud and deception in sales practices.

I contend and have offered a great deal of evidence to this effect over the past 2 months and intend to offer far more that the old code was ineffective, the new code is ineffective, and that the unscrupulous practices of today are the same old tactics which have been used within the industry to dupe consumers for a decade or more. If anything has occurred, the unscrupulous practices have gained momentum as the magazine subscription sales business becomes increasingly competitive and competing firms grow more greedy for substantial chunks of the magazine subscription market.

Further, it is simple matter of fact that no matter how magazine subscriptions are sold—honestly or by deception and fraud—the mounting sales are a valuable asset to the magazine publishers. I cannot conceive of General Registry ever providing effective control over the subscription sales industry as long as it is operated by the magazine publishers which benefit from the increased circulation and soaring advertising revenues which result from sales that are consumated by whatever tactics the subscription sales companies utilize.

In conjunction with an earlier statement regarding my request to the FTC for a full-scale investigation, I inserted in the Record expressions of interest and concern from FTC Chairman Paul Rand Dixon, who wrote on behalf of the Commission, and two members of the Commission, Mr. Philip Elman and Mr. Everette MacIntyre. I have received similar expressions from the two remaining members and would like to include those in the Record at this time. They are Commissioners Mary Gardiner Jones and James M. Nicholson. The letters follows:

Federal Trade Commission,
Washington, D.C., March 4, 1969.

Hon. Fred B. Rooney,
House of Representatives,
Washington, D.C.

Dear Congressman Rooney: I fully agree with your concern about the seriousness of deceptions respecting newspaper solicitations.

I am a strong supporter of self-regulatory programs but I agree with you that unless they are actively implemented, they become a charade.

I have not personally looked into the implementation of the PDS program. I had myself asked for such a report and am very glad that you have called this matter officially to our attention. You can be assured that I shall do everything I can to ensure that any deceptions which are going on be proceeded against promptly by the staff.

Very sincerely yours,
Mary Gardiner Jones,
Commissioner.

Federal Trade Commission,
Washington, D.C., March 17, 1969.

Hon. Fred B. Rooney,
House of Representatives,
Washington, D.C.

Dear Congressman Rooney: I have been delayed in responding to your letter dated February 27, 1969 primarily because I was not a member of the Commission at the time the previous matter involving the self-regulatory code was considered and so found it necessary to bring myself up-to-date on the background of the problem.

As I understand the facts, the Commission approved the regulatory code for magazine subscription salesmen on a conditional basis, with the understanding that there would be a review of the manner in which it has been operated and its effectiveness three years after the date of the Advisory Opinion, which was rendered in May of 1967. While I have read the Chairman's report to you dated March 6, 1967, which covers some of the activities taken to date by the Code Administrator, I am without any firsthand knowledge as to the overall effectiveness of the Code in dealing with the many trade abuses which exist in this industry.

In this connection, I note that the Code itself does not purport to cover the entire magazine subscription selling industry. Thus I am not informed as to whether the practices which have been brought to your attention were engaged in by members of the industry not subject to the Code or were such as had not yet been brought to the attention of those administering the Code. From the Chairman's report to you, I gather the matter is now being given consideration by the Code Administrator with the result that action is now being taken. This, then, is one of the situations which will ultimately have to be reviewed by the Commission in its evaluation of the Code's effectiveness.

Let me assure you that I am greatly concerned with this matter which you have brought to our attention and intend to give careful consideration to subsequent reports as to the progress which is being made in correcting the situation. I am further equally concerned that the Code itself should prove effective in other situations as well as this particular one if the consumer is to be adequately protected and intend to give close attention to this aspect of the matter as well.

Before closing, I would also like to point out that William D. Dixon, the attorney who handled the Advisory Opinion request at staff level and to whom you addressed similar inquiries, is now serving as my Legal Adviser. I have discussed the matter with him and had the benefit of his background knowledge in preparing my reply to you, which he would like to have you consider as taking the place of his reply as well. I am sure you can appreciate his difficulty in his present position in personally responding to a matter being considered at the Commission level.

Sincerely yours,
James M. Nicholson,
Commissioner.

VOYAGEURS NATIONAL PARK IN MINNESOTA

The SPEAKER. Under a previous order of the House, the gentleman from Minnesota (Mr. Blatnik) is recognized for 30 minutes.

Mr. BLATNIK. Mr. Speaker, this afternoon the seven other members of the Minnesota House delegation join me in a nonpartisan effort, reintroducing legislation to authorize the establishment in northern Minnesota of a Voyageurs National Park.

I want to take this opportunity to express my appreciation to the members of the delegation for the splendid cooperation and consideration they have given me throughout last year and in recent months.

The objective of this legislation is to preserve a truly unique, nationally significant, and magnificent natural resource as an outstanding water-recreation-oriented park.

This exceptional waterway system is clearly worthy of the high honor of national park status. Rich in the history and the colorful folklore of the voyageurs, whose bold pursuit of the fur trade opened the heartland of North America, these contiguous bodies of water stretch from Crane Lake through Namakan and Kabetogama Lakes all the way to Rainy Lake, and provide throughout a striking panorama of scenery, geology, forests, and water.

Mr. Speaker, as is usual in issues of this kind, there has been considerable controversy in the discussion of the pros and cons of the park proposal, but I am confident that the built-in safeguards and improvements which have been incorporated into this legislation will make this the best possible and fairest proposal for our area.

This bill is a product of the combined best judgments of knowledgeable experts, after extensive consideration was given over a period of many months, to the numerous suggestions from individuals, various groups, county and State officials, and private enterprise.

We offer in this bill a precise, definite proposal describing the features of the park, and setting forth the terms and conditions under which it would be established by law.

We have worked hard for the best bill which would respond to local needs and wishes as much as possible, minimize any adverse effects upon the cabin owners, resorts, and other businesses dependent upon the park area for their livelihood, and the wood products and paper industry, which would be affected the most—while at the same time meeting the criteria required for a national park.

Every effort possible has been made and will continue to be made to assure fair treatment to the people now living and working within the park area, and to avoid disturbing present uses as much as possible.

In the long run, this Voyageurs National Park can—and I believe it will—bring the most good to the largest number of people.

It will be of significant economic benefit to the immediate area, as well as to northeastern Minnesota, the rest of the State, and will certainly be in the national interest.

It is my hope that committee hearings can be held at the earliest possible opportunity so that all concerned may be allowed to express their views on the proposal.

A $14 MILLION INVESTMENT PLANNED: ACQUISITION COSTS ESTIMATED AT $21 MILLION

Park development plans will bring an investment of $14 million in Federal funds to northern Minnesota in visitor centers, campgrounds, boat marinas, hiking trails, snowmobile routes, picnic areas, and so forth, within the park over a 5-year period. Acquisition costs might go as high as $21 million, based on current land values, but could be less, depending on how much State and Federal land can be exchanged for the private holdings.

SAFEGUARDS LISTED

Mr. Speaker, I especially want to point out that the bill includes a number of important safeguards guaranteed by law to minimize as much as possible any adverse effects upon the people living and working in the area.

The significant safeguards in the bill are:

RESORT AND CABIN OWNERS

The bill exempts 52 of 59 resort and commercial properties in the Kabetogama area from acquisition.

It exempts 25 of 30 resorts and most of the nearly 170 private cabins in the Crane Lake area from acquisition.

Most of the park's access points would be through existing resorts, which should give private enterprise a big economic boost and which will permit free entry to the park.

An important provision of the bill establishes conditions under which resorts subject to acquisition may continue to operate on a concession basis under private management.

NO MAJOR INCREASE IN FEDERAL LAND OWNERSHIP

The bill opens the door for a three-way, private-State-Federal land exchange that would offer Boise-Cascade State held timberland comparable to their present holdings within an economical distance from the mill. By using public-private land exchange procedures to the maximum and holding direct acquisition to a minimum, Federal landownership in the State of Minnesota would hardly be increased at all, and the counties' tax base would scarcely be affected.

PLANNING PROVISION

I have asked the Upper Great Lakes Regional Commission for funds for at least a 1-year study on the development of the area bordering the park.

The planning will be done jointly by the State, county, and local municipal governments. Hopefully, this will provide the initial impetus to a progressive cooperation among the governmental agencies for the economic and recreational benefit of northern Minnesota and the entire State.

Under this planning provision, counties and municipalities will have a voice in the development of the park. This will, I believe, result in a harmony of effort among governmental agencies, providing maximum benefit for all concerned and for the future of the park.

SAFEGUARDS FOR PRIVATE PROPERTY OWNERS

Private property is to be acquired through negotiation, at fair market value, and the owner may retain the right of use and occupancy of the property for his lifetime or for an agreed upon period of years.

The bill further seeks to minimize any hardship which might result to individual property owners from undue delay by the Secretary in acquiring property, and requires that hardship due to delay in acqusition shall be taken into consideration in arriving at a price for the property.

TAX LOSS REIMBURSEMENT

Should either Koochiching or St. Louis Counties suffer a tax loss as a result of land acquisition for park purposes, these counties will be reimbursed for that loss.

PARK BOUNDARIES

The park boundaries would include Kabetogama Peninsula, Kabetogama Lake, and portions of Rainy, Namakan, and Sand Point Lakes, and lands and waters generally north of, but excluding, Crane Lake.

AREA

The total area of the park is 219,850 acres, which includes 139,550 acres of land and 80,300 acres of water.

This broadened park proposal will offer vacationers a wider range of recreational opportunities, while providing an additional access to the park. It also illustrates the willingness of the Federal Government to cooperate by contributing a share of its holdings in the area along with the State and private interests to create a park which is designed for the greatest benefit for far more people over a long period of time.

MOTORBOATS AND HOUSEBOATS

The bill assures free use of park waters by all types of watercraft—large and small—including seaplanes, under virtually the same conditions as now exist.

SNOWMOBILES

Year-round recreational use of the park is provided, including use of snowmobiles, under the same conditions as established by the State of Minnesota on its snowmobile trails system.

TIMBER MANAGEMENT

Proper protection of the forest against fire, insects, or disease is assured by the provisions of this bill.

DEER HUNTING

Until the park is established, deer hunting will continue under State regulation.

After establishment of the park, deer hunting will be permitted under a controlled management program established jointly by the Secretary of the Interior and the Governor of the State of Minnesota, after consultation with technical and administrative personnel of the National Park Service and the Minnesota Department of Conservation. This game management program will assure a continuing and healthy deer population to provide present and future recreational opportunity to users of the park.

TRAPPING AND WATERFOWL

Until the park is established, trapping and waterfowl hunting will be permitted in accordance with existing laws and regulations.

After the park is established, the Secretary, after consulting with the Minnesota Department of Conservation, may designate zones and periods where and when trapping or waterfowl hunting will be discontinued for reasons of public safety, administration, or public use and enjoyment.

OTHER HUNTING

All other hunting not mentioned above will be permitted under existing laws and regulations until the park is established.

Upon establishment of the park, all other hunting may be permitted by the Secretary in accordance with Minnesota law. The Secretary, after consulting with the Minnesota Department of Conservation, may set up zones and designate periods when hunting will not be permitted for reasons of public safety, administration, or public use or enjoyment.

ESTABLISHMENT OF PARK EXPLAINED

Establishment of a national park takes place when the Secretary of the Interior has acquired sufficient land within park boundaries to begin major developments. This usually takes place 3 to 5 years after the bill becomes law.

Mr. Speaker, at this point I submit for the Record the following summary of the bill to authorize the establishment of Voyageurs National Park:

Summary of Legislative Proposal, Voyageurs National Park, April 23, 1969

LEGISLATIVE INTENT

After many years of study, legislation was introduced last year and is being introduced again this year to authorize establishment of a "Voyageurs National Park" in Minnesota to preserve, for the inspiration and enjoyment of present and future generations, the outstanding scenery, geological conditions, and waterway system which constituted a part of the historic route of the Voyageur who contributed significantly to the opening of the northwestern United States.

At the same time, the bill gives consideration to the multiplicity of local as well as national problems which experience has shown should be recognized and accommodated when at all possible.

RESORTS AND HOMES INCLUDED

The bill provides for a park which will consist of lands and waters as shown on an official boundary map of the National Park Service, which must be available for public inspection (Sec. 101). The boundaries have been most carefully drawn and include generally. the Kabetogama peninsula, Lake Kabetogama, portions of Rainy, Namakan, and Sand Point Lakes, and lands and waters north of, but not including, Crane Lake. Boundaries have been so drawn as to exclude fifty-two of fifty-nine resorts in Kabetogama area, twenty-five of thirty in the Crane Lake Area, and a majority of the private homes bordering these areas.

ESTABLISHMENT OF THE PARK

Enactment of this bill into law will not, in and of itself, create the park. Establishment of the park will only take place when the Secretary of the Interior determines that sufficient interests in lands have been acquired for administration in accordance with the provisions of the act. (Sec. 101). It should noted that there may be a one or two year lag between the time a bill is introduced and the time it is enacted, and two or more years between enactment and acquisition of such interests as would warrant establishment. Prior to establishment of the park, there will be no alternation of present use patterns.

DEER HUNTING

Until the park is established, deer hunting will continue as at present (Sec. 301(c)). After the establishment of the park, deer hunting by the public will be permitted under a program of planned reduction of the deer population according to joint recommendations of the National Park Service and the Minnesota Department of Conservation, subject to the regulations issued jointly by the Governor of Minnesota and the Secretary of the Interior. Deer hunters will be subject to the approval and licensing provisions of Minnesota law, and upon State approval, will be deputized as rangers by the Secretary.

TRAPPING AND WATERFOWL HUNTING

Until the park is established, trapping and waterfowl hunting will be permitted in accordance with existing laws and regulations. After establishment of the park, the Secretary may, after consulting with the Minnesota Department of Conservation, discontinue trapping or waterfowl hunting in certain zones during designated periods for reasons of public safety, administration, or public use and enjoyment.

ADMINISTRATION AFTER ESTABLISHMENT

Administration is, generally, to be in accordance with National Park Service's usual authority to administer such an area, including that of contracting with concessioners to provide for facilities the Secretary deems necessary to accommodate visitors. (Sec. 301 (a)).

FEES

Fees are to be collected in accordance with existing law, which, at present, provides an exemption from charges for the following: (a) Use of waters; (b) Property owners, lessees, and life tenants going to and from their property.

FISHING

Both commercial and sport fishing will be permitted in accordance with the laws of the State of Minnesota (Sec. 302(a)), with special recognition given to the resources of Shoepac Lake (Sec. 302 (b)).

TIMBER MANAGEMENT

Commercial timber operations will not be continued. However, timber will be managed so as to control insects, or diseases, and to conserve the natural and scenic qualities of the park (Sec. 301(c)).

WINTER USE OF THE PARK

The bill contemplates year-round use of the park, therefore winter uses, including snowmobile operations, are authorized (Sec. 303).

BOATING

Appropriate use of all types of watercraft, including houseboats, runabouts, canoes, sailboats, fishing boats, and cabin cruisers is provided for (Sec. 303).

SEAPLANES

It is not expected that land based aircraft will be accommodated within the park. However, seaplane use is expected and authorized (Sec. 303).

WATER LEVELS AND USE

The two treaties (Webster-Ashburton; Root-Bryce) which have special applicability to the area, one dealing with use of waters and the other concerned with water levels, are specifically recognized as continuing in full force and effect.

ROADS

While roads to the area will remain the responsibility of the State, roads within the area are the responsibility of the Secretary. Accordingly, he is authorized to construct such roads as are necessary within the Park to assure adequate access (Sec. 305).

LAND ACQUISITION PROCEDURES

Within the established boundaries, the Secretary of the Interior is authorized to acquire lands and interests therein, principally by negotiation, at the fair market value (Sec. 201). Another method which may be utilized is exchange of Federal lands administered by the Secretary outside the boundaries of the Park, for non-Federal lands within the boundaries (Sec. 201(b)). There are 88,000 acres of such Federal lands in Minnesota which would be available for the purposes of exchange with the State of Minnesota in the event the State enters into an agreement with Boise-Cascade to exchange State lands outside the boundaries of the park for Boise-Cascade lands within the proposed park.

PLANNING

The Secretary is also authorized to cooperate with agencies and political subdivisions of the State as well as with other agencies of the Federal government for the development of comprehensive plans to preserve and enhance the resources and beauty of the land and water areas adjacent to the park area. The initiative for such planning must come from the State and local governments (Sec. 301(b)).

PRIVATE PROPERTY RIGHTS

The full use and enjoyment of private property will continue until it is acquired (Sec. 301(e)), with retained interests by certain owners and lessees providing for continued use of the property by the owner, or a purchaser from him for the term retained.

RETAINED INTERESTS BY OWNERS AND LESSEES

Owners of noncommercial residential dwellings, under construction prior to enactment of the legislation, have the absolute right to remain for their life (or their spouse's) or for a term of twenty-five years (Sec. 202(a)). Thus, the Secretary will pay to them the value of their property, reduced by the value of whatever right of occupancy is retained by the owner.

Similarly, lessees of State owned lands who have erected noncommercial recreational buildings on leased lands prior to enactment of legislation, will have a parallel right to remain after conveyance of State lands to the United States. This will be for the greater of the average useful life of the improvement on the land, or ten years. (Sec. 202(b)).

HARDSHIP PROVISION

Should undue delay in action by the Secretary in acquiring property which has been offered for sale by individual property owners cause hardship to those owners, the Secretary is authorized to take that hardship into account in arriving at a price for that property (Sec. 201(c)).

TERMINATION OF RETAINED INTERESTS

Both types of retained interests are subject to termination in only two instances:

1. If the use and occupancy is exercised in a manner inconsistent with the purposes of the park; or
2. If the Secretary determines that the property is required for proper administration of the park.

Since the boundaries have already been drawn to account for administrative needs, it is not expected that the second alternative would be utilized. In either case, the Secretary must tender the fair market value of the remaining interest to the owner or lessee, on termination (Sec. 202(c)).

RESORT ACQUISITION

As indicated previously, the drawing of the boundaries excluded almost all private resorts so as to afford private enterprise the opportunity to continue to provide services for visitors to the park. As a result, a substantial number of points of free entry to the park would be provided by these resorts for their patrons. The bill, however, makes absolutely clear those resorts that are within the boundaries and those that will be acquired (Sec. 203(a)). The resort owners will, however, be given a preference as to concession contracts if the Secretary decides that visitor accommodations are necessary at their locations (Sec. 203(b)).

PAYMENT FOR RECREATIONAL VALUE OF BOISE-CASCADE LANDS

If the State of Minnesota should negotiate and exchange with timber companies to acquire their lands within the park, with values based on timbering worth, the Secretary can pay the timber companies an amount equal to the difference between this value and any higher value, if any, of their lands for recreational purposes. This must be an inherent value for recreational purposes, and not merely attributable to the authorization of the park.

TAX LOSS REIMBURSEMENT

The remaining provision dealing with administration is concerned with the temporary, partial loss of tax revenues due to Federal land acquisition. Though the presence of a National park generally results in an overall economic benefit to an area, there may be an intermediate period of tax loss to the locality. To partially make up this loss, the Secretary is authorized to provide for the payment of real property tax losses caused by Federal acquisition of tax-producing real estate for a period of five years (Sec. 306).

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. Mr. Speaker, I am delighted to yield to one who has made a very significant contribution to the shaping out of a very realistic and very far-going bill out of a very controversial situation, the gentleman from Minnesota (Mr. Quie).

Mr. QUIE. Mr. Speaker, I thank my colleague for yielding to me, and I want to commend the gentleman on the work that he has done in putting together the Voyageurs Park bill. It really is very easy for those of us outside of the Eighth District of Minnesota to support the Voyageurs Park bill because the controversy does not exist within our district that has existed within the district of the gentleman from Minnesota (Mr. Blatnik).

The gentleman has done a very superb job of listening to both sides and putting together a bill which has the greatest support in Minnesota. I know that this has not been an easy task for the gentleman to do, and as I say it was a superb job. I just want my colleagues to know that I commend the gentleman for the job that he has done, and that I look forward to the opportunity of working with the gentleman in this excellent venture not only for the benefit of the State of Minnesota, but also for the benefit of people all over this country who will be able to enjoy this park which will be unique and different from any park in the United States.

Mr. Speaker, it is a pleasure to join with my Minnesota colleagues in introducing a bill today authorizing the establishment of the Voyageurs National Park in Minnesota.

The area, which includes the Kabetogama Peninsula, Kabetogama Lake, and portions of Rainy, Namakan, and Sand Point Lakes, contains a variety of geological and scenic interests. To obtain the best use of this area, establishment of a national park would appear to be the best alternative. Comprising some 220,000 acres, 80,000 of which are water, this area should be made available to as many visitors as possible.

With an expanded population, particularly with a higher percentage of young people, it is essential that we develop recreational areas where they can experience the beauties of nature. These lakes and adjoining lands provide untold opportunities for healthful recreation. They also abound in flora and fauna. If one wishes, a person could travel along the entire boundary of this proposed park by water. There is a continually changing vista if one follows this course.

This park will offer several types of recreational facility. Of prime importance will be the opportunity for camping in a relatively virgin situation. The proposed park borders on a wilderness area where rugged individuals can canoe and camp for several days in a completely wilderness situation. Establishment of Voyageurs National Park will complement the wilderness area.

While it is estimated that there will be economic advantage to northern Minnesota, I believe that the other benefits to families from surrounding States far surpasses the economic opportunity which would be afforded by establishment of this park.

I urge my colleagues in the House to give early approval to this bill.

Mr. BLATNIK. Mr. Speaker, I appreciate the very generous and obviously sincere remarks made by my friend, the gentleman from southeastern Minnesota (Mr. QUIE). I want the RECORD to show also that it was through the combined participation of all of us and the combined judgment, combined recognition, and combined patience that made it possible to work out that which I believe is a splendid proposal. I am hopeful that in the very near future, and within a very realistic time we shall have hearings for receiving the response of the public before the committee on this proposal.

Mr. Speaker, I ask unanimous consent that the remarks of my friends and colleagues from Minnesota also appear at this point in the RECORD, they being the remarks of Mr. KARTH, Mr. FRASER, Mr. MACGREGOR, Mr. NELSEN, Mr. ZWACH, and Mr. LANGEN.

The **SPEAKER.** Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KARTH. Mr. Speaker, the entire Minnesota delegation has joined our senior Congressman, the Honorable JOHN A. BLATNIK, in introducing legislation in both the House and Senate to authorize the establishment in northern Minnesota of a Voyageurs National Park.

I would like, Mr. Speaker, to call to the attention of my colleagues that the nonpartisan objective of the legislation offered today is to assure for all Americans the preservation of a truly unique, nationally important natural resource, a waterway parkland unparalleled in its potential for outdoor recreation.

The proposed park region is comprised of 139,550 acres of land and 80,300 acres of lakes and contiguous water routes that make recreational navigation possible virtually from tip to tip of the entire area. The striking panorama of unspoiled scenery, geology, forests, and water make this area clearly worthy of the high honor or preservation as a national park.

The variety of the scenery that will greet visitors is unmatched even in other sections of the Minnesota-Ontario border lakes country. For example, while most of the land area is covered by a mixture of evergreen and typical second growth aspen and birch, Lake Kabetogama contains islands which are covered by elm trees. This is just another unusual feature of a thoroughly delightful and unique area.

Of special interest to all Members of the House, should be the carefully prepared safeguards and provisions of the bill which will make possible recreational and sporting activities not offered in other national parks of this type.

Specifically, and in conjunction with recommendations of a joint State-Federal study of the area, controlled hunting—except for waterfowl—and trapping will be permitted under the guidance of the Secretary of the Interior, the National Park Service, the Minnesota Department of Conservation, and the Governor of the State.

To protect existing resort owners in the area, liberal exemptions from acquisition have been provided which also will represent considerable savings to the Federal Government if our proposal is enacted.

Other unique features of the legislation provide for the free use of park waters by watercraft, including seaplanes; year-round recreational use of the park, including controlled snowmobile routes in the winter; and continuation of commercial and sport fishing in accordance with State law.

I believe, Mr. Speaker, this well-conceived legislation represents a strikingly good example of balanced conservation and recreational planning. It should be remembered that the National Wilderness Area of northern Minnesota locks up for all time a vast portion of the State which will be "untouched" for future generations.

The Voyageurs plan makes possible the sensible usage of a significant wild area, while protecting the rights and interests of local people already settled in the region. The opportunity for enjoyment of this parkland will be readily available to an estimated 2 to 5 million people annually. Its proximity to vast urban centers in the Midwest make it an especially attractive vacation area.

Finally, Mr. Speaker, I think great credit should go to our colleague, and my good personal friend, the gentleman from Minnesota (Mr. BLATNIK). His thoughtful, patient preparation of the measure should enhance its reception by this body. I trust that all of my colleagues will join with us in Minnesota in support for a new Voyageurs National Park.

Mr. MACGREGOR. Mr. Speaker, I am pleased to join with all other members of the Minnesota congressional delegation in introducing legislation to establish a Voyageurs National Park in northern Minnesota.

With the introduction of this legislation we now have a proper forum for the expression of all points of view on this proposal. I am confident that the House Committee on Interior and Insular Affairs will recommend for House approval a bill which will have broad-based support throughout Minnesota and, indeed, the Nation.

It is of vital importance in these days of ever-expanding population and affluence that we take immediate steps to provide for future generations the benefits of the great outdoors through wise conservation practices. Certainly the national park system is a key element in this effort. We must make sure that our natural resources are protected for the enjoyment of millions of traveling and vacationing families.

The Voyageurs Park proposal consists of a 211,000-acre area encompassing some of the most scenic and historical water and land in the entire United States. Stretching along the Canadian border, the area is a magnificent panorama of lakes and streams, cliffs, islands, beaches, in a truly wilderness setting.

The park, consisting of 139,000 acres of land and 72,000 acres of water, would be a unique recreational area providing year-round facilities for camping, fishing, boating, snowmobiling, hiking, nature study, skating, cross-country skiing, and other means of outdoor relaxation.

The proposed national park embraces one of the most important segments of 18th and 19th century exploration in North America. As the National Park Service said in a recent study:

> The voyageurs' travels left one decisive imprint on the map of North America. At one time or another France, England, and the United States had claimed the Quetico-Superior Region. When the Webster Ashburton Treaty of 1842 firmly established the international boundary, it drew the line along the Pigeon River route from Lake Superior to Lake of the Woods, which it defined as the "customary waterway" of the voyageur.

Voyageurs National Park will create for the visitor the setting which the voyageurs of old traveled. It is an exciting proposal and I am most hopeful that all Members of Congress will thoroughly acquaint themselves with this project during the course of our deliberations.

Mr. LANGEN. Mr. Speaker, I am pleased to join with the distinguished congressional delegation from Minnesota in introducing a Voyageurs Park bill to authorize the establishment of a national park in northern Minnesota. This is the same bill, with some clarifying changes, that was introduced last year in the same bipartisan manner.

Our colleague, the gentleman from Minnesota (Mr. BLATNIK), has gone into considerable detail in his statement in connection with the bill, and I will not wish to duplicate that effort.

However, I wish it known that I am pleased to see a concrete proposal put before the Congress, reflecting the thinking of the entire Minnesota congressional delegation and incorporating suggestions from many additional sources. Now the discussion can proceed relative to a definite bill that spells out not only the boundary of the proposed national park, but also definite procedures for acquiring land, preservation of resources, and use of the park. In hammering out such a bill, the prime interest was in best serving Minnesota interests where the land is located, preserving the national scenic beauty of the area and providing outdoor recreational facilities for all Americans.

Special attention was paid to minimize any adverse effects upon cabinowners, resorts, and other businesses dependent upon the park area for their livelihood, and the wood products and paper industry that is dependent upon the timber. Most of the resort, commercial, and private cabin properties are exempt from Federal acquisition, and most of the park's access points would be through existing resorts, giving private enterprise a boost. Even the resorts subject to acquisition could continue to operate on a concession basis. The bill also provides for reimbursement to counties faced with a tax loss, and that land exchanges between private owners, the State and Federal Governments, will keep county tax bases and commercially used timber holdings near their present levels.

It is hoped that committee hearings can be held at an early moment, giving everyone concerned a chance to express their views on the proposal to authorize the establishment of a Voyageurs National Park in northern Minnesota.

Mr. NELSEN. Mr. Speaker, I am proud to join the congressional delegation from Minnesota in introducing with our colleague (Mr. BLATNIK) the bill to establish the Voyageurs National Park.

A great deal of effort has gone into this proposal to establish Voyageurs Park on the part of officials of the State and local governments, sportsmen and conservationists, businessmen and individual citizens. We are all, of course, indebted to my good friend JOHN BLATNIK for all the detailed work he and his staff have put into this effort.

The benefits of this park, when established, will be received not only by Minnesotans who live in that beautiful North country, but by the expected thousands of Americans who will come to the park annually.

The natural beauty of the park setting, so essential to the greatness of the Voyageurs area will be preserved by making it a National Park. Over 139,000 acres of land dotted with 72,000 acres of water make up one of the most scenic and historical areas in the Nation.

With the establishment of this first and only national park in the State of Minnesota, we will have achieved a great conservation goal, and we will be more able to show all Americans "L'Etoile Du Nord," the "Star of the North," the appropriate motto of our great State.

Mr. ZWACH. Mr. Speaker, I am most happy to join with my Minnesota colleagues in introducing legislation to authorize the establishment of one of the most unique national parks in America, the 211,000-acre Voyageurs National Park in northeast Minnesota.

The park area roughly consists of 1 acre of water for every 2 acres of land. It is rich in history since it encompasses some of the most important 18th and 19th century exploration and trade routes in North America.

It is a land of beauty, an area unparalleled in water recreation potential in the entire Nation.

The final form of this bill is a credit to the patience and diligence of the gentleman from Minnesota (Mr. BLATNIK). It has tremendous backing from most segments of our Minnesota population.

In these days of shortening work weeks and exploding population, the need for recreational areas becomes acute. The establishment of the Voyageurs National Park would help to fill this need.

It would also fill the geographical need of a vast area of the American heartland which has only one small mainland park, Wind Cave in South Dakota, within a thousand miles.

Mr. Speaker, we in Minnesota are extremely proud of the stark wilderness beauty of our Voyageurs National Park area. Where else can the haunting cry of the loon or the lonely howl of the timber wolf become indelible in your memory?

We in Minnesota will be happy to share this rich treasure with all of the people of our Nation. I hope the committee sees fit to hold early hearings on this legislation so that Congress will be able to express its views on the establishment of the Voyageurs National Park in Minnesota.

GENERAL LEAVE

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the subject of the Voyageurs Park bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

BARRON'S REVEALS THE "VAULTING AMBITION" OF THE BANK HOLDING COMPANIES

(Mr. PATMAN asked and was given permission to address the House at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, hearings on legislation to control one-bank holding companies—bank conglomerates—are now in their second week before the Banking and Currency Committee.

The testimony we have had over these first 6 days of hearings has dramatically pointed to the need for early enactment of a strong regulatory act.

Mr. Speaker, the Barron's Business and Financial Weekly, a leading business publication, in its March 24 issue, clearly spelled out what these one-bank holding companies are planning around the Nation. The title of the article is "Vaulting Ambition"—a phrase that fully describes the attitude of these big holding companies.

The article discusses the plans of the First National City Bank of New York to acquire the huge Chubb Insurance Corp. through the one-bank holding company device. After discussing the takeover, the article states:

> The bank's executives apparently are impressed, too, by still another potential benefit. Chubb's mainstay property and casualty business is conducted on a nationwide scale, which could be expected to provide National City with a national base from which its ambitious management could launch, via the holding company, a number of additional financial services.

In simple words, Barron's, which has massive contacts in the business world, says that First National City Bank intends to move into every State through the acquisitions made possible by the one-bank holding company loophole. First National City Bank, the Nation's third largest, then will be in direct competition with every bank in every city.

The article also discusses the fact that these one-bank holding companies are being formed under Delaware law instead of under the corporation law existing in the home States of the banks. In other words, these huge financial giants are being operated out of a hole-in-the-wall, one-man office located somewhere in Delaware.

Here is what Barron's publication has to say on this point:

> Another benefit not lost on executives of national banks is that when stockholders turn in their shares for stock in the holding company (usually set up under Delaware law), they give up two special rights guaranteed them legally as holders of national bank shares: pre-emptive or prior rights to future securities offerings by the bank and the privilege of "cumulative voting" in selecting directors of the bank; this bunching procedure is designed to facilitate minority representation on a board.

Mr. Speaker, I place this entire article, "Vaulting Ambition" in the RECORD. Unintentionally, I think Barron's Weekly has given away a lot of the secrets of these one-bank holding companies. The article follows:

THE BUSINESS FRONT: VAULTING AMBITION—HOLDING COMPANIES WILL PUT BANKS ON MORE COMPETITIVE GROUND

Boston Co., a pioneer one-bank holding company—a concept which currently is under hard-eyed scrutiny in Washington—had good news for stockholders last week. It announced plans for a 2-for-1 split of its Class A and B common and a hike in the dividend on both. After the split, the quarterly rate will be 35 cents, a boost of five cents on present shares. Organized as a bank holding company in 1965 by one of the Hub City's more venerable concerns, Boston Safe Deposit & Trust Co. started out with a single subsidiary. Today it boasts over 15 under its corporate roof; altogether they furnish a wide variety of financial services, ranging from personal banking and the management of pension funds to advising clients on real estate and oil ventures.

LEGAL LOOPHOLE

Scores of other banks are no longer content to stick to their last these days. For the past year they have been trying to branch out into such activities as mortgage servicing, the operation of data processing centers and insurance underwriting. But without the backing of Congress, they haven't had much to show for their efforts. Led by such major institutions as California's giant Bank of America, New York's First National City Bank and Philadelphia's First Pennsylvania Banking & Trust, they have been reorganizing into bank holding companies, which under a loophole in federal law can diversify into nonbanking fields beyond the scope of the bank regulatory agencies (although the bank subsidiaries themselves continue under regulation).

To date, more than 100 institutions, with over $140 billion in deposits, or nearly one-third of the deposits of the nation's banking system, either have announced plans to form a one-bank holding company or have actually hung out their new corporate shingle.

Needless to say, this attempt to, in effect, take the law into their own hands has stirred up considerable resentment in official circles. The U.S. Treasury, Federal Reserve Board and banking's arch-critic, Chairman Wright Patman of the House Banking and Currency Committee, among others, have been busily drafting rival bills aimed primarily at plugging the loophole and bringing the one-bank holding companies back into the regulatory fold. Rep. Patman has scheduled hearings on the proposals starting April 1. Apparently Congress will lose little time adopting legislation to end the exemption for one-bank holding companies and subject them to regulation of a kind long imposed on multibank holding concerns—those that own 25% or more of at least two banks—under the federal Bank Holding Company Act of 1956.

Paradoxically, in so doing, Congress is almost sure to legitimatize many of the broader diversification powers the one-bank holding companies have sought to stake out for themselves with as yet little visible evidence of success. The reason: the traditional fear of bank regulatory officials—particularly conservative Federal Reserve Board governors—that the one-bank concerns might use the loophole to link up with one or more major manufacturing corporations in an unholy alliance of financial and industrial interests, to produce an unwarranted concentration of economic power.

GREATER WILLINGNESS

Accordingly, of late, bank regulators have shown an increased willingness to permit bank holding companies, whether of the one-bank or multi-bank variety, to form or acquire subsidiaries limited to only providing other nonbank financial services (along with operation of the bank) as a lesser of evils.

This more permissive attitude is especially significant in the case of multibank concerns. For the Reserve Board, which alone administers the Federal Bank Holding Company Act, long has resisted the diversification efforts, even though the law specifies that they may engage in "financial, fiduciary or insurance" activities. (There are approximately 80 such registered bank holding companies; currently they control over 630 affiliated banks with more than $58 billion in total deposits.) But now the Fed has indicated it is prepared to yield on this hard-nosed position in line with its softer stance on approving the formation or acquisition of financial-type subsidiaries by one-bank companies.

Viewed in broad perspective, then, the new anticipated legislation (expected to be enacted as an amendment to the federal Bank Holding Company Act) clearly would be a boon to the various bank holding concerns. The principal benefit, of course, is that by penetrating new markets for financial services, they will be in a position to expand the pool of assets under their management and hence, hopefully to enhance their return on capital. They stand to benefit, too, by gaining greater access to capital markets than is available to conventional banks, under their generally more rigid borrowing rules.

Despite the furor created by the mushrooming of one-bank holding companies over the past year, few new organizations have been especially aggressive in forming or acquiring subsidiaries. One major exception is First National City Corp., the five-month-old parent holding company of the $18 billion First National City Bank, New York's largest, which recently announced its intention to acquire, for securities valued at some $340 million currently, Chubb Corp. Chubb is an insurance holding concern also based in New York. Citibank officials clearly are impressed by Chubb's annual growth rate (about 10%) and the quality of the financial assets involved in the acquisition (one particularly juicy morsel is a $190 million common-stock portfolio, more than 45% of which represents unrealized appreciation).

ANOTHER POTENTIAL BENEFIT

The bank's executives apparently are impressed, too, by still another potential benefit. Chubb's mainstay property and casualty business is conducted on a nationwide scale, which could be expected to provide National City with a national base from which its ambitious management could launch, via the holding company, a number of additional financial services.

Plans to bring mortgage servicing concerns under a holding company umbrella have been announced during the past few weeks in at least two instances. Pittsburgh National Corp., parent of Pittsburgh National Bank, said it is discussing acquiring Kissel Co., a Springfield, Ohio, mortgage servicing firm. In Dallas, First National Bank reported it seeks to acquire 80% of the outstanding voting shares of Lomas & Nettleton Financial Corp., a Dallas-based mortgage banking company. In addition, First National announced plans for the formation of a one-bank holding company under which Lomas & Nettleton would operate as an autonomous unit.

Undoubtedly many banks have been attracted to the one-bank holding company as a way to expand geographically beyond the borders of the county, banking district or state to which the bank itself is confined by law. Although most large banks have long made it a practice to dispatch officers to call on corporate customers in nearby states or even throughout the nation, the actual location of the banks' offices has always been closely controlled by federal or state banking authorities.

A case in point is Wachovia Corp., Winston-Salem, N.C., which came formally into existence at the start of 1969 as owner of Wachovia Bank & Trust Co., the largest bank in the Southeastern U.S., along with several other subsidiaries that formerly had been subsidiaries of the bank itself. One of these is Wachovia Mortgage Co.; acquired by the bank in a prior merger, it already had offices in Charleston and Columbia, S.C., outside the state. The mortgage loan subsidiary now is planning still other loan production offices in Virginia and the District of Columbia, to serve the booming Washington suburban housing market. But, according to a spokesman, it may not have considered further out-of-state expansion without the holding company.

While bankers see this broader geographic coverage and greater diversification of services as satisfying goals in themselves, investmentwise their main value lies in their contribution to a holding company's growth potential and profits. The recent escalation of the one-bank holding company movement, the bankers stress, reflects directly on the industry's present environment of mounting costs rising U.S. affluences and advancing technology. Thus, as the banks' savings interest costs have continued to rise, they are being forced to seek new, higher-yielding outlets for their funds via additional services.

At the same time, their growing computerization provides them with cost-saving opportunities in furnishing these services, while their customers' mounting affluence provides an increasingly receptive market. "Banks can't make it any more on just interest income from loans," says William H. Boyle, president both of Eastern National Bank, a $65 million Long Island bank and of General Eastern Corp., its recently formed parent holding company. "We've got to look more and more to fees from services."

Equally important from the standpoint of investors, as noted, is that the holding company mechanism gives the parents greater access to capital markets. Hence, they can issue debt securities and then either exchange them for the securities of subsidiaries being acquired or use the proceeds for cash acquisitions—all of which means greater leverage in bolstering per-share earnings. William M. Weiant, an analyst of Eastman Dillon, Union Securities & Co., calculates that a one-bank holding company can support debt equal to 50%–60% of its common, compared with the maximum of only around 33⅓% allowed most banks as individual entities. Mr. Weiant maintains, moreover, that the heavier debt load need not be a worry because the holding company can usually count on the predictable earnings of its one major subsidiary—the bank itself—to generate a consistent flow of cash to service the debt.

HOLD TALENT

The one-bank holding company concept enjoys additional advantages. Thus, officials of the new First Pennsylvania Corp., parent of the $2.5-billion First Pennsylvania Banking & Trust Co., see it as a good way to attract and hold executive talent. The subsidiaries' semi-autonomous status makes it possible to hire experts in specific fields without disrupting pay scales in the affiliated firms. Similarly, there are greater opportunities for advancement, participation in policy formation and higher pay than in a single large bank. First Pennsylvania Corp., according to President John R. Bunting, is now holding talks aimed at acquiring as a key subsidiary, Associated Mortgage Cos., the third-biggest mortgage banking firm in the U.S.

Another benefit not lost on executives of national banks is that when stockholders turn in their shares for stock in the holding company (usually set up under Delaware law), they give up two special rights guaranteed them legally as holders of national bank shares: pre-emptive or prior rights to future securities offerings by the bank and the privilege of "cumulative voting" in selecting directors of the bank; this bunching procedure is designed to facilitate minority representation on a board.

However, there are drawbacks, too. For one thing, regulatory authorities are deeply concerned about the danger of self-dealing among affiliates and the consequent threat to the safety of customers' deposits. Many authorities also worry about the dangers of economic concentration. "Consider what would happen," says one, "if Bank of America were to decide to join forces with General Motors Corp. Where do you call a halt?" (Bank of America's holding company plan has just been okayed by the Comptroller of Currency, supervisory authority for federally chartered national banks, and is expected to be implemented shortly.)

PRESENT SAFEGUARDS

Proponents, on the other hand, argue that existing legal safeguards are more than adequate to prevent any such abuses. They maintain that present regulations and examinations should be sufficient to detect any conflict-of-interest banking, since the regulatory agencies already have the authority to examine the books and operations of a bank's holding company affiliate and probably could also insist on seeing those of the subsidiaries. In fact, proponents believe that such concerns can expect more, rather than less, regulation because their status as general business corporations brings them directly under the scrutiny of the Securities and Exchange Commission and Federal Trade Commission—as well as of the banking agencies. Finally, if a question is raised about any improper concentration of economic power, the Department of Justice is automatically empowered to step in.

Nevertheless, the swing to the one-bank holding company device has created a new batch of headaches for banks. Thus, Mr. Boyle of Eastern National Bank notes that superimposing another corporate layer on top of the bank added an element of confusion and mystification for some customers and investors and that it has taken a lot of talking by him and other officials to help clear the air.

The present one-bank holding company trend is not entirely new. Actually the corporate practice of owning a bank dates mainly from the depression of the 'Thirties when many smaller financially stricken banks were taken over by a major company in their towns or neighborhood. Some 290 non-bank corporations in the U.S. at latest report own a single bank, including Sears, Roebuck & Co., Goodyear Tire & Rubber Co., and Corn Products Co., to name a few; in addition, another 500 comparatively small banks are controlled by private holding companies, frequently operated as tax shelters. In recent years, the one-bank holding company movement has received renewed impetus from corporations, primarily conglomerates like Gulf & Western, C.I.T. Financial and

General American Transportation, that have found it fashionable, if not financially advantageous, to own a fairly sizable bank.

Almost as soon as the Bank Holding Company Act went on the books in 1956, the Federal Reserve Board vainly sought legislation to subject corporate owners of a single bank to the same restrictions as apply to holding companies owning two or more. The Act's main thrust was to safeguard against the intermingling of financial and commercial interests by requiring firms owning two or more banks to sell off non-banking businesses to qualify as registered bank holding concerns. Congress, however, consistently rejected the Fed's plan for broadening the law on the ground it had detected no abuses in the arrangement. That. however, was before the banks themselves decided to get into the act in a big way which, as noted, gave rise to apprehensions that large banks might team up with major corporations in vast concentrations of economic power or otherwise engage in self-dealing.

In the welter of bills aimed at regulating one-bank holding companies scheduled to come before the House Banking and Currency starting April 1, the question of divestiture will be one of the more vexing problems. The measure introduced by Chairman Patman proposes a hard-line approach on this point, as it does on other areas where the bills are in conflict. The Patman bill provides that in those instances where acquisitions by one-bank holding companies were determined to be unacceptable nonbank subsidiaries, the holding concern would be given only two years to sell off the disapproved operation (or alternatively the bank itself). The Treasury version, by contrast, proposes to maintain the status quo respecting the acquisition of non-banking business prior to June 30, 1968. Any acquisitions before that cutoff would be exempt from divestiture proceedings—if Congress adopts the plan.

ANOTHER KEY POINT

The Patman and Treasury bills clash on another key point. The Treasury prefers to have one-bank holding companies regulated by the agency that normally supervises the underlying bank—the Comptroller of Currency for federally-chartered national banks, the Federal Reserve for state member banks and the Federal Deposit Insurance Corp. for insured nonmember banks.

Under the Treasury approach, the traditional agency hence would decide on such matters as proposed acquisitions, as well as define the different types of financial activities that one-bank holding companies can engage in. The tougher Patman bill would leave all these matters entirely in the hands of the equally tough minded Fed, a resolution that most Reserve Board governors—but generally not bankers—concur in.

The technique of the one-bank holding company as an industry innovation goes back only to 1965 when the aforementioned Boston Co. was organized. But while Boston Co. was the first bank to use the new corporate structure as such, the real credit for pioneering the present wave of one-bank financial congenerics goes to Union Bank in Los Angeles. Union Bank, with over $1 billion in deposits, turned to the holding-company format in the fall of 1967 to facilitate, among other things, the acquisition of Western Mortgage Corp., a major West Coast mortgage brokerage concern after it became apparent that trying to merge the company directly into the bank presented bookkeeping and regulatory problems. The resultant parent holding company, Union Bancorp., recently completed its second major acquisition, this time of a West Coast insurance brokerage firm, which together with its majority-owned property and casualty insurer, has been installed as a new subsidiary.

A few months after the formation of Union Bancorp., several prominent regional banks announced similar reorganizations, including Wachovia Bank & Trust Co., Winston-Salem, N.C. (the aforementioned Wachovia Corp.), Industrial National Bank, Providence, R.I. (Industrial Bancorp.) and First Union National Bank, Charlotte, N.C. (First Union National Bancorp.). But it wasn't until last July when New York's Citibank announced its holding company plans that the trend began to gain momentum.

Included in the approximately 100 banks that now have announced one-bank holding companies (some 60 are still awaiting stockholder or regulatory approvals, or both) are all major banks in New York City, except those that are already components of registered multi-bank holding firms like Bankers Trust Co. (Bankers New York Corp.) and Irving Trust Co. (Charter New York Corp.) All 10 of the country's largest banks except Pacific Security National Bank, Los Angeles, either have just formed or are in the process of organizing one-bank holding companies.

While First National City Corp.'s proposed acquisition of Chubb Corp. has gained widespread attention (the proposal is scheduled to come up for approval by FNC stockholders late in April), such as amalagamation of a bank and insurance concern under a one-bank holding company roof won't be the first. Effective January 1, 1969, the Third National Bank of Nashville, Tenn., with over $500 million in assets, joined forces with National Life & Accident Insurance Co. there, with $1.5 billion in admitted assets, to form the new NLT Corp. which owns both the bank and insurance firm.

Among NLT's interests is Nashville's celebrated country-music radio (and TV) station, WSM, long owned and operated by National Life. If the Fed succeeds in bringing one-bank holding concerns under the Bank Holding Company Act, WSM almost certainly would be adjudged a non-banking asset and might have to be sold off under the stiff terms of the Patman bill, an official of the firm concedes.

NEW YORK TIMES CALLS FOR REGULATION OF ONE-BANK HOLDING COMPANIES

(Mr. PATMAN asked and was given permission to address the House at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the need to regulate the one-bank holding companies and to prevent the banks' entry into nonbanking enterprises is gaining wide attention in the Nation's press.

The New York Times of Saturday, April 19, discusses this issue in detail and I urge my colleagues to read this editorial, "Drawing Bank Boundaries."

I call particular attention to the concluding paragraph which states:

> The bank-centered industrial empires that dominated the German and Japanese economies in the decades before World War II stand as reminders of what Congress should seek to avoid in regulating one-bank holding companies. Their industry boundaries should be tightly drawn and regulatory power vested in a single agency.

Mr. Speaker, I place a copy of the editorial in the RECORD:

DRAWING BANK BOUNDARIES

By an anomaly of law holding companies that control only one bank are exempted from Federal regulation. Thus, by the simple expedient of forming holding companies, the nation's largest banks have been able to acquire manufacturing establishments, insurance companies, mortgage brokerage houses and other businesses from which they have long been debarred.

President Nixon, in his recent message to Congress, presented a succinct argument for regulating the one-bank holding company. He pointed to "the erosion of the traditional separation of powers between suppliers of money—the banks—and the users of money—commerce and industry." There are now more than 800 one-bank holding companies which control about $135 billion of bank deposits and are moving steadily to acquire companies in other industries.

"Left unchecked," the President said, "the trend toward the combining of banking and business could lead to the formation of a relatively small number of power centers dominating the American economy. This must not be permitted to happen; it would be bad for banking, bad for business and bad for borrowers and consumers."

Unfortunately the Administration's bill for regulating the one-bank holding company—unlike the strong measure sponsored by Chairman Wright Patman of the House Banking Committee—will not avert the dangers to which the President pointed. Its principal weakness is a failure to set boundaries beyond which the one-bank holding companies may not venture.

Three regulatory agencies—the Federal Reserve Board, the Comptroller of the Currency and the Federal Deposit Insurance Corporation—would decide whether the entry of a bank into data processing or some other business is consistent with the "public interest." But the bill makes no provision for resolving disagreements that might arise among the regulators.

Moreover, existing acquisitions of one-bank holding companies would be sanctioned by a grandfather clause. That arrangement, while greatly beneficial to the early settlers on the one-bank holding company frontier, would lead others to press for lax standards under Federal regulation. It would be better to disgorge the banks of their holdings in other industries through a blanket divestiture provision.

If anyone with the requisite capital were free to move into the banking business, there would be less danger in having banks move into other industries. But banks have been traditionally sheltered from competition by heavy government regulations. Allowing them to venture into other industries from that protected base could lead to a dangerous concentration of economic power in a period when there is already too much such concentration.

The bank-centered industrial empires that dominated the German and Japanese economies in the decades before World War II stand as reminders of what Congress should seek to avoid in regulating one-bank holding companies. Their industry boundaries should be tightly drawn and regulatory power vested in a single agency.

SUBSIDIZED DEMAGOGUERY—TAX EXEMPT ABUSES

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the American people understand that there is a fundamental difference between the Christian charity of voluntarily reaching into your own pocket to assist someone—true giving—and reaching into someone else's pocket—true theft. It is time for us, elected to represent the American people, to recognize the same simple distinction.

In the past, we have granted tax-free status to foundation and other entities believed to fill desirable public purposes—I speak of the tax exemptions enjoyed by the educational, charitable, and religious organizations. What we are prone to overlook is that the deficiencies in revenue created by these exemptions are made up by heavier and heavier taxes on the great numbers of ordinary Americans who carry the real load of national expenditures. The people have a right to expect that such privileged organizations will use their privileges for the purpose for which they were granted. When these privileges are abused, they have a right to expect that action will be taken to correct such abuses.

Last Monday the Supreme Court handed down another of its weird decisions—again usurping the functions of the Congress to reorganize these United States more to the liking of a temporary majority of that Court. I am referring to the decisions in companion cases which have the effect of declaring unconstitutional the fundamental and reasonable welfare residence requirements of the various States, long approved by the Congress, which limit regular public assistance to bona fide residents of the State.

There are two immediate results to be expected from this decision. First, many States will immediately have greatly increased need for funds to defray their costs of public assistance to those made newly eligible through this judicial fiat. These additional funds will come from the pockets—and from the savings—of the productive citizens of those States. Second, many States will find that the Court has created a constitutionally protected migrant voter. These paupers, euphemistically labeled "welfare clients" will be encouraged to move to areas offering more benefits—and right around the corner from the elimination of a residency requirement for charity is the certain elimination of any residency requirement for voting.

When the much abused American taxpayer discovers this, he will be properly indignant. And when he discovers the extent to which the demagogs who schemed and conspired to bring about this result misused and abused the privileges of tax exemption granted to them for education, charitable, and religious purposes to accomplish this entirely different goal, he will rightfully demand that corrective action be taken by the Congress.

Mr. Speaker, in order that our colleagues may have this information readily available before they hear from their angry constituents, I include for insertion at this point in my remarks a list of the organizations and corporations appearing as amici curiae—friends of the court—in support of the attack before the Supreme Court of the attack on the fiscal resources of the States:

AMICI CURIAE IN SUPPORT OF INVALIDATING STATE LAWS WHICH ESTABLISH MINIMUM RESIDENCE REQUIREMENTS FOR WELFARE RECIPIENTS

National Federation of the Blind: John F. Nagle, B. V. Yturbide, and Joanne C. Heffelfinger.

American Jewish Congress: Howard M. Squadron and Joseph B. Robison.

Council of Jewish Federations and Welfare Funds, Inc.: Carlos Israels.

National Conference of Catholic Charities: William Polking.

National Council of Churches of Christ in the U.S.A.: William S. Ellis.

Scholarship, Education and Defense Fund for Racial Equality, Inc.: Carl Rachlin.

American Civil Liberties Union.

American Civil Liberties Union of Southern California.

Connecticut Civil Liberties Union: A. L. Wirin, Fred Okrand, Laurence C. Sperber, Michael Henry Shapiro, Boyd S. Lemon, Melvin L. Wulf, Emanuel Psarakis, Thomas L. Fike, Thomas Schneider, Cherie A. Gaines, and Mark C. Peery.

The Center of Social Welfare Policy and Law.

Travelers Aid Association of America.

National Association of Social Workers, Inc.

Citizens Committee for Children of New York, Inc.: Lee A. Albert, Paul Dodyk, and Henry A. Freeman.

The foregoing organizations and corporations provided the highly-paid attorneys to bring about these decisions. Such activities are a far cry from the purposes for which tax exemptions for charitable, educational, or religious purposes. It is for the purpose of correcting precisely this type of evil that I introduced last month H.R. 9460, providing for the loss to tax exemptions so abused. The bill follows:

H.R. 9460

A bill to amend the Internal Revenue Code of 1954 to provide that tax-exempt organizations which voluntarily engage in litigation for the benefit of third parties, or commit other prohibited acts, shall lose their exemption from tax

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a)(1)(A) of section 503 of the Internal Revenue Code of 1954 (relating to loss of exemption from taxation) is amended by adding at the end thereof the following: "or if it has engaged in barratry, maintenance, or champerty, voluntarily provided legal assistance to, or participated or sought to participate by intervention, as amicus curiae, or otherwise, for the benefit of any person or class other than itself, in any judicial proceeding after the date of enactment of this Act."

ANTI-ABM LOBBY: COINCIDENCES

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, I want to call to my colleagues' attention some interesting coincidences relating to the anti-ABM campaign.

Far be it from me to suggest that there is any working relationship between various anti-ABMers who extend from powerful government politicos, through political preachers to the official organ of the Communist Party. It is just a coincidence.

Likewise, the sound and pictures being carried by both of the major television networks are repetitious of the same theme morning, noon, and night, ad nauseam. Another coincidence.

Someone with a nasty, suspicious mind might conclude that there is a well-financed, well-organized program manipulated from a central command post—to pursuade the American people that it is somehow immoral to use their own money to defend their own lives—and on their own soil. But, of course not. It is only coincidence.

By the way, these coincidences are coincidentally highly favorable to anyone who stands to gain by an undefended America.

As far back as March 13, 1969, the courageous lady journalist Sarah McLendon wrote an article which appeared in the Washington, D.C., Examiner raising the question at that time of who was paying for all this hired help to participate in all these coincidences.

For the benefit of those Members who may be interested in surveying these unique coincidences, I include Mrs. McLendon's article followed here by editorials from the Daily World—formerly the Communist Daily Worker—an article from the ADA World, and news stories from local Washington papers:

[From the Washington (D.C.) Examiner, Mar. 13–15, 1969]

ABM: NIXON'S FIRST DECISION

(By Sarah McClendon)

As President Richard Nixon nears his first major decision in office—whether to continue with the deployment of the anti-ballistic-missile system authorized last year by Congress—it becomes clear that one of the most powerful lobbies ever to be created in the US is at work against the ABM.

This lobby is the more powerful because it consists largely of U.S. Senators and their scientist friends and a number in the news media. Who pays for all this? Certainly not the Senators. But certainly these experts are paid.

Who investigates Senators who are engaged in full-scale lobbying? The answer is, of course, no one. But the House Armed Services committee is going to take a look at a 90-minute film commissioned by the Ford Foundation's Public Broadcast Laboratories here in Washington.

At this writing it appears probable that President Nixon, who has already delayed his decision by days and who may delay it further until next week, according to Sen. Everett M. Dirksen, is finding the ABM a most difficult decision. He could hand down a stalling decision. Any delay would be a defeat for ABM.

Because the decision could mean whether or not the US survives in an attack by the Soviet Union, the senatorial lobby's actions become all important.

Did the American public realize when they listened to a bombardment of lobbying last week-end from television and radio and even when they read Senate-inspired polls made by both AP and UPI that they were being the target of a well organized campaign? Probably the future votes in House and Senate this year on further authorizations and appropriations bills for ABM will tell.

But it must be admitted that the rusty-voiced Abe Chayes, ex-counsel of the US State Department, now at Harvard, and the man who for a time was JFK's science advisor, Jerome Wiesner, now at Massachusetts Institute of Technology, did not prove so convincing against the ABM when brought face-to-face with the incisor-like questioning of Peter Lisagor of the Chicago Daily News.

It should be recalled that these two long-time opponents of the ABM had been commissioned along with former Ambassador Arthur Goldberg and others to write "studies" in the fight against ABM.

But surely they are not being given leave from their salaried positions for nothing? And who is picking up the travel expenses between Boston and Washington for these and the other scientists being brought in to appear regularly before two sub-committees of House and Senate in the foreign policy field who are now inquiring into the safety of US building weaponry while seeking arms curtailment with the Soviets?

It turns out it was not taxpayers' money but tax money the government did not get namely tax-exempt Ford Foundation money, that is behind the anti-ABM film. This is why the House Armed Services committee may yet call before it FF's director, McGeorge Bundy.

The film was a product of Public Broadcasting Laboratories of 1619 Massachusetts Avenue, NW. Entitled "Defense and Domestic Needs, Contents for Tomorrow," it has to do with decision making in the Pentagon. It was produced and directed by Al Levin and was carried over the network of 110 to 140 stations of PBL, according to Edward P. Morgan, broadcast commentator and columnist.

Morgan says that PBL only gets $10 to 12 millions from Ford Foundation. He described that as small amounts. PBL, he elaborates, is not to be confused with the taxpayer-supported Corporation of Public Broadcasting, authorized by law during the Johnson regime.

[From the Daily World, Mar. 14, 1969]

FATEFUL DECISION

At noon today President Nixon is scheduled to announce at a televised news conference his decision on the Sentinel anti-ballistic missile (ABM) project.

A decision to quash proposed expansion of the Pentagon's war plans would represent a significant step for peace.

A decision to approve this escalation of war preparation, on the contrary, would heighten anxieties in the Soviet Union about the White House's intent, and would aggravate the existing tensions.

A decision to press forward along the road of escalation would put in doubt, in the eyes of the world, the trustworthiness of the nation's signature to the nuclear non-proliferation treaty which the Senate will be asked to approve next week.

It would represent a step toward more war in Vietnam; toward greater aggravation in the Mideast.

It would be a decision to sluice $100 billion or more of the nation's wealth to preparations for destruction and disaster, and scorn the urgent and massive needs of our people.

A decision to approve this escalation of war preparation would flout the popular will, cynically and brutally.

The mandate is clear. Our nation, in its great majority, wants no new steps toward war, no aggravation of present tensions, no diversion of more tens of billions to arms, no Sentinel.

The realization of Sentinel's disastrous potential has aroused unprecedented public revulsion, anger, and action.

The depth of this sentiment is evident not only in the Congressional response to the flood of letters and telegrams, but even in the ranks of the President's party.

Whatever Nixon's decision, the popular protest which has arisen can mark the onset of a majority demand for a review of our foreign policy along its entire range, for steps that will take the nation toward peace, and away from the abyss where the Pentagon, the White House, the missile manufacturers and conquest-oriented imperialists have taken it.

[From the Daily World, Mar. 18, 1969]

ABM CAN STILL BE STOPPED

The reported opposition of 57 Senators to the Sentinel program on the eve of Nixon's decision testifies to the majority popular opposition that was aroused. It argues, also, that the Sentinel can be stopped cold even now, in Congress, despite Nixon.

It is urgent, therefore, that every union and other people's organization renew its demands on Congress and the White House that Sentinel be abandoned.

Equally important, for the whole peace effort, is utmost support for the peace actions scheduled for April 4, the anniversary of Dr. Martin Luther King's assassination; April 5, when an East Coast peace parade and rally will be held in New York; and April 6, Easter Sunday, when the theme of peace will resound in countless cities.

[From the Daily World, Mar. 19, 1969]

HERE'S REAL TRUTH ABOUT ABM

(By Tim Wheeler)

President Nixon's decision to deploy the ABM unleashed a flurry of criticism in the Senate, but peace activists warned that the anti-ABM bloc, almost fifty in number, is highly unstable.

CAMPAIGN STEPPED UP

The Women's Strike For Peace, Women's International League for Peace and Freedom, Committee for a Sane Nuclear Policy, and other organizations stepped up their national campaign to keep the Senate in line.

Letters were addressed to several hundred women from states in which the Senators are "leaning toward" opposition to the ABM or are beginning to waver. The letter urges these women to mobilize a campaign to pressure the Senator to take a stand against the ABM appropriation when it comes up in April or early May.

A spot check by the Daily World found the opposition holding firm at this time despite pressure from the Nixon Administration.

[From the Daily World, Mar. 25, 1969]

ABM, ARMS RACE HITS HARLEM—NO MONEY TO HELP THE SICK

(By Ted Bassett)

NEW YORK, March 24.—Harlem Hospital proceeded today with its announced shutdown, forced because of lack of operating funds and critical shortage of personnel.

The action brought into national focus the plight of the institution ministering to the needs of 350,000 residents of the nation's largest black ghetto. It highlighted similar situations in 10 other city hospitals, most of them serving the black and the poor.

Mayor John Lindsay and his Commissioner of Health, Joseph V. Terenzio, passed the buck to Gov. Rockefeller who in turn passed it on to Washington.

ABM GETS MONEY, INSTEAD

Meanwhile in Washington, President Nixon and the Pentagon and the Senate hawks prepared to spend billions on the Sentinel ABM.

As the hospital crisis spread, these developments took place:

Several hundred persons gathered at a noon protest rally in front of Harlem hospital at 138th Street and Lenox Avenue today.

Mayor Lindsay held an emergency meeting of all hospital administrators and medical chairmen at City Hall. He passed the buck to Albany where only yesterday Senate Majority Leader Earl Brydges (R-Niagara) insisted that the city could finance Harlem Hospital by "reallocating" funds within the city budget.

Other hospitals in low-income areas—Morrisania and Lincoln in the Bronx, and Bellevue, the city's second largest—are near joining Harlem in its demonstration.

The city's Hospital Department had asked for $419 million and had been told by the budget director it would receive only $359 million. It is to make up the difference by staff reduction.

A group of state legislators have called for State control of the city hospitals. These include Harlem assemblymen.

Speakers at the noon rally included John Young of HARYOUACT; Eddie Bragg of the newly-formed Black and Puerto Rican Caucus in Local 1199 of the Drug & Hospital Employees Union, and Robert Royal, director of the Harlem Organization for Health Affairs. George Goodman, Harlem community leader, and chairman of the Committee of 100, presided.

Royal scored Mayor Lindsay, Commissioner Terenzio and Gov. Rockefeller for buck-passing. "They're plainly refusing to provide health facilities for the people in the ghetto," he said.

[From ADA World, February 1969]

ADA READIES ASSAULT ON MILITARY COMPLEX

The nation's military-industrial complex and its effect on American life is a high priority concern for ADA, and a special subcommittee on the national board's foreign policy committee has been named to direct ADA action in this area. The subcommittee held its first meeting in Washington Feb. 21.

Leon Shull, national director, has urged chapters to give special priority attention to both the Non-Proliferation Treaty, which must be ratified by the Senate, and the Sentinel Anti-Ballistic Missile System.

"There is ample evidence of substantial support for the Non-Proliferation Treaty and opposition to ABM," Shull said in a Feb. 13 memo addressed to officers, members of the national board, and chapters.

"Our job is to mobilize these sentiments."

NATIONAL DEBATE FORSEEN

ADA will testify before the Senate Armed Services Committee on the ABM, and Shull promised that the national office will continue to lobby vigorously on the bill.

MOUNTING OPPOSITION

"Over a period of many months the national office, with other organizations, has been at work uncovering the facts concerning the ABM. This is the kind of work which has led to the ground swell of opposition. Now the time has come to make this a major national campaign."

Shull urged chapters to assign the campaign to either a special or a standing committee; to establish working relationships with other compatible groups; and to develop the "widest possible communication with Senators and Congressmen."

Edward Lippert, national ADA's foreign affairs staff representative, who is coordinating the campaign, has reported that several chapters are already at work, including chapters in Michigan, New Jersey, and Illinois.

[From the Washington (D.C.) Post, Apr. 1, 1969]

ANTI-ABM CAMPAIGN IS TAKING SHAPE

(By Warren Unna)

A nationwide opposition movement to the Nixon Administration's go-ahead on the Safeguard Anti-Ballistic Missile deployment is developing.

Some of it is centering around Sen. Edward M. Kennedy (D-Mass.); some of it is around bipartisan New York Congressmen; some of it is coming from Harvard-MIT professors. An effort also is being made to capture the grass roots college enthusiasm that last year fastened on the anti-Vietnam protests.

Kennedy has been the most active in this new fight against the ABM. There is strong indication that the movement will not be confined to just defeating this year's Safeguard appropriation requests by the Administration. If it becomes cohesive, the overall priority that military demands should have in competition with domestic needs seems likely to become the group's big issue.

Kennedy's aides insist the opposition is strictly on the ABM issue and nonpartisan.

But it coincides with a decision by the Democratic Party's potential presidential candidate to return to the banquet circuit of cross-country speechmaking beginning this month.

Sen. John Sherman Cooper (R-Ky.), who is as avid as Kennedy in opposing the ABM, warns that if the movement does become partisan and anti-Nixon he is going his own way.

The anti-ABM movement is taking different forms in various locales. The main ones are:

A move by Sens. Kennedy, Cooper, Charles H. Percy (R-Ill.) and Philip A. Hart (D-Mich.) to form what tentatively is being called a "National Committee for Common Sense" led by perhaps 10 authorities from science, business, the ex-military, Negro and women's groups to counter Pentagon arguments.

A document, at last count 400 pages long, requested by Kennedy from 16 scientists, mainly in the Cambridge locale, which is to be completed within the next week or two and made available to a Congress confronted with Pentagon ABM authorization and appropriation requests.

A grass roots movement, led by two associates of the Kennedy family political machine, Richard N. Goodwin and William Vanden Heuvel, which is centered in New York and now beginning to send out mail urging establishment of community anti-ABM protest groups. A special target of this group are young people and followers of Robert F. Kennedy.

A New York coalition movement, led by Rep. Jonathan B. Bingham, a Bronx Democrat who hopes to run for the Senate next year, and Rep. Ogden R. Reid, a Westchester County Republican, which already has a public relations firm engaged in putting out pamphlets, issuing press statements and conducting a telephone campaign.

This "Ad Hoc Committee of New Yorkers Against ABM," organized early last month, includes among its sponsors: Roswel Gilpatric, Deputy Secretary of Defense in the Kennedy Administration; Stephen Smith, a Kennedy brother-in-law, and Paul O'Dwyer, a McCarthy-for-President supporter who last year headed an unsuccessful Democratic ticket for the U.S. Senate.

The 400-page book was requested by Sen. Kennedy before President Nixon's Safeguard go-ahead decision. It has been revised to take into account the Nixon version of the ABM and the growing skepticism about the military's share of the national pie.

Two key men associated with compiling the book, in addition to Sen Kennedy's own aides, are Jerome B. Wiesner, the MIT physicist who served as science adviser to Presidents Kennedy and Johnson, and Abram Chayes, a Harvard law professor who was State Department legal adviser in the Kennedy Administration.

Sen. Kennedy's idea for a "National Committee for Common Sense" began when MIT's board chairman, James R. Killian, a former science adviser to President Eisenhower, proposed before the Senate Disarmament Subcommittee that a high-level group be appointed to study the whole feasibility of an ABM system before the President made his decision.

When President Nixon chose not to adopt Killian's suggestion and announced the Safeguard go-ahead, Kennedy reportedly decided to lend his own backing to such a high-level citizen appraisal of the missile.

Kennedy then requested Sens. Cooper, Percy and Hart to come up with names for the Committee of 10 to lead the group.

Cooper said he offered the names of Killian; Arthur Dean, the late John Foster Dulles' New York law partner who at one time headed U.S. disarmament negotiations in Geneva, and former Eisenhower Administration Deputy Defense Secretary James H. Douglas, Jr. Other names put forward include Gen. Matthew Ridgway, former Army Chief of Staff, and former Ambassador to the United Nations Arthur Goldberg.

Cooper said he told Kennedy the group should be composed of experts, focus at clarifying the issue for the American public and remain strictly nonpartisan.

"I am sure that if it became anti-Nixon Administration it would get more attention in the country," Cooper said yesterday. "But I'm equally sure that we'd then have less chance of doing anything in the Senate. I then wouldn't want to be associated with it."

[From the Washington (D.C.) Evening Star, Apr. 17, 1969]

Citizens Opposed to ABM Schedule Grass-Roots Drive

(By Robert Walters)

A committee of scientists, educators, businessmen and former government officials today formally announced the formation of a national organization to coordinate grass-roots opposition to deployment of an anti-ballistic missile (ABM) system.

The new group, to be known as the National Citizens Committee Concerned About Deployment of the ABM, said "there is no higher national priority than the safety and security of the United States."

However, its organizers added, "The proposed ABM will not enhance the security of the United States. On the contrary, we believe its deployment will jeopardize that security by intensifying the nuclear arms race and by wasting the resources badly needed to meet our domestic problems."

Formation of the committee was announced at a press conference here by Arthur J. Goldberg, former associate justice of the Supreme Court and U.S. ambassador to the United Nations, and Roswell Gilpatric, deputy secretary of defense during the Kennedy and Johnson administrations.

The committee will seek to "stimulate public education and initiative," particularly in states where one or more senators either support deployment of the ABM or are undecided on the controversial issue, through door-to-door canvasing, public forums, leaflet distribution and other techniques.

In a direct allusion to the name President Nixon has given the ABM system, "Safeguard," the organizing committee said:

"We must safeguard America from the consequences of urban and rural poverty, increasing alienation of our young people, deteriorating cities, fiscal pressures on local government, racial discrimination, pollution of the environment, crime, inflation and rising taxes . . .

"To deny these domestic imperatives is to undermine our security in the most profound sense. It is to erode that which we seek to protect."

In addition to Goldberg and Gilpatric, the organizing committee of the anti-ABM group includes:

Whitney Young Jr., director of the Urban League.

Arjay Miller, vice chairman of Ford Motor Co. and dean-designate of the Stanford University Graduate School of Business Administration.

Averell Harriman, the Johnson administration's chief negotiator at the Vietnam peace talks in Paris.

Mary Bunting, president of Radcliffe College.

Dr. Herbert F. York, Pentagon director of defense research and engineering during the Eisenhower administration and one of the leading witnesses to appear at recent Senate hearings in opposition to the ABM.

D. Donald Hornig, presidential science adviser during the Johnson administration.

Marriner Eccles, former chairman of the Federal Reserve Board, now chairman of the Utah Construction Co.

Reinhold Neihbur, noted theologian and professor emeritus at the Union Theological Seminary.

Gerald Piel, publisher of Scientific American magazine.

The committee describes itself as nonpartisan. While it actively seeks to defer deployment of the ABM pending further study, perhaps conducted by an independent panel, it is not opposed to further research on the feasibility and desirability of antiballistic missile systems, the organizers stressed.

Even before today's formal announcement, the committee had been identified closely with Sen. Edward M. Kennedy, D-Mass., a leading ABM opponent and a potential contender against Nixon in the 1972 presidential race.

Administration strategists seeking congressional approval of the ABM system are planning to use the Kennedy tie in the hope of turning the issue into a Nixon versus Kennedy dispute, and thus pick up the votes of the moderate Republicans who comprise the largest block of senators still undecided on how to vote in the controversy.

But organizers said today the earlier accounts of Kennedy influence in formation of the committee were inaccurate. They pointed to the involvement, both within the organizing committee and on the group's staff, of persons who supported various candidates for the democratic presidential nomination, as well as a number of Republicans.

Another group whose formation was announced here this week also will concentrate first on opposition to the ABM.

It is the Coalition on National Priorities and Military Policy, a group of 17 national peace, religious and political groups formed to oppose what it calls "the militarization of this country's policies and resources."

District Hearing on ABM Asked

Speakers for a coalition of 37 Washington area organizations opposed to the antiballistic missile system yesterday called on the D.C. City Council to hold hearings on deployment of ABMs here and to eventually give a vote of "no confidence."

The Rev. Channing Phillips, the District's Democratic national committeeman, attacked the proposal as a "gross distortion of national priorities." Phillips said, "We believe that hearings will show that the citizens of this city overwhelmingly oppose the ABM."

The council has the request for hearings under advisement even though it may have no direct say in the matter.

A TEAR FOR THE STEEL MOGULS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the Record.)

Mr. PODELL. Mr. Speaker, fairy tales used to always begin as follows: "Once upon a time." In recent years fairy tales have had a few new beginnings. Among them have been: "The Pentagon announced today," and "A State Department announcement this morning took note of." Now we possess still another shiny new fairy tale opening which the Brothers Grimm never conceived. It begins with: "The steel industry, citing low profits and increased costs, today raised prices on the following basic items."

Of such cloth are modern fables woven from. Behold. Giants of steel, our most basic industry, raise prices on semifinished steel and a series of hot-rolled and high-strength products. This at a time when steel prices have been rising faster than those of industrial commodities as a whole.

For years now, this industry has refused to spend money percentagewise on modernization that some foreign countries have been comparably able and willing to invest. Cheaper foreign-made steel has poured into this country, effectively competing with our domestic industry. This was especially true of Japanese and European products. As a result, the steel industry set up a caterwauling heard on Capitol Hill. "Protect us from the big, bad Japanese and Germans. They are competing with us and cutting our profits," they cried.

Always ready to unfairly blame labor for their problems, they paused long enough to slip a price rise between the ribs of President Kennedy.

At long last, the sight of aged steel executives groveling in the dust of Capitol Hill in their custom-made Brooks Brothers suits grew too much for America's conscience. We were deeply moved by their anguished laments on behalf of free enterprise, open competition, fixed prices, more and greater profits. Raising them from the earth with clucks of sympathy, we proceeded to help them back to their limousines and prepare a crusading assault upon this cancer afflicting them.

In mid-January, our State Department negotiated an agreement with Japanese and European steel industries to cut back exports to the United States from 17.5 million tons last year to 1 million tons in 1969. We were immediately assured by the steel industry that the Republic had been saved from financial catastrophe, bloody revolution, another New Deal and trench mouth. Possible needs for protectionist legislation were removed. No dancing in our streets, but the click of champagne glasses in board rooms was quietly audible. We were told how necessary it all was, even though the average steel mogul would not recognize truth if he tripped over it in his bathroom.

Now they have struck. We have removed their foreign competition through Government action. In their usual competitive manner, the industry agrees to raise prices almost simultaneously to their now captive domestic market. We are all trapped and laid by our financial heels. As the inflation spiral continues even faster, America will ask why. When the single most basic industry in a highly developed society raises domestic prices on essential products after hamstringing foreign competition, look no further.

I must confess to my profound disrespect for these gentlemen. They are first in war, first in peace, and first in the pockets of their countrymen.

Mr. Speaker, there is something called common greed obsessing some people. Their eyes glaze. Their better impulses become stultified. Their consciences grow dulled. All that dances before their eyes is a vision of cash—dividends.

In another few months, these same gentlemen from the steel industry will turn to the Nation again with long faces, announcing that their prices must rise again because of high operating costs, demands of labor, and the high humidity on the Equator. We shall be informed that because of an outbreak of bunions, death of their oldest stockholder, and heavy moss growths on trees in Minnesota we must pay yet more for their products.

A tear for their plight. Think of blisters that will be raised on tender hands from clipping coupons. So next time, we shall be able to understand a bit more of what is behind steel price rises and resulting inflation. Truly, the Brothers Grimm would blush with shame at offering their modest talents and meager creations if they could observe how our steel industry had mastered the fairy tale teller's art.

FIRST THE COHO SALMON—THEN MAN

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, the Secretary of Health, Education, and Welfare has named a commission to report in 6 months on specific recommendations regarding the problems posed by DDT and other pesticides. To me, it is already obvious that conditions have already deteriorated beyond the point where we can study them for long periods of time with detachment. Because nature respects no political boundaries, we can only conjecture about the levels of pesticide and other chemical pollution in our metropolitan areas. I would hope that the Government would act swiftly to not only ban DDT, but to delve deeply and swiftly into the mass of already damning evidence on chemical and pesticide pollution. We are playing with our lives, those of our children, and the very basis of our collective existence.

Evidence mounts with damning swiftness that DDT is a major pollutant of our environment, posing an ever-increasing danger to all of us. A bill is already written and has been introduced in this House that would effectively curb its use.

Last week the House showed a growing awareness of the pollution problem by passing a strict water pollution control measure. We have barely begun our work.

Everywhere the technology of man is pouring forth streams of new products, all involving ever more intricate combinations of basic elements. We do not know what the end result of use of many of these products will be. Yet all over America pesticides containing deadly chemical ingredients are merrily utilized in growing quantity.

Daily evidence piles up that we are altering our environment and endangering ourselves and our posterity through chemical pollution. Already signs point to a possible link between some forms of cancer and chemical pollutants.

Coho salmon taken from the Great Lakes contain DDT residues which make them unfit for consumption. Such residues are now to be found in all of us. We know of the damage caused to some species of wildlife by DDT. Sweden has recently banned its use.

Already DDT is outlawed or being restricted in three States. Yet we are not coming to grips with the entire problem, which still has not even been defined. Our increasing use of chemical domestically for peaceful uses and overseas in Vietnam is a growing menace that must be contained, defined, understood, and dealt with forthrightly and forcefully.

A measure has been introduced to create a National Commission with subpena powers which would report back to the President within a stated time on what effects this growing use of chemicals is having upon our environment and ourselves. I do not feel we can afford to dawdle for even a short time over this question. It is to be hoped that America's chemical industry will cooperate in this mutually beneficial endeavor. I fervently hope we shall see some formal recognition of this situation. There is a school of thought which holds that man only learns through suffering and disaster. If they are right and we hear or heed none of this evidence, then our penalty will be high, indeed. All of us and our posterity will have to pay it.

FOR RELIEF OF AIR TRAFFIC CONGESTION

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, we are on the verge of chaos in terms of air traffic congestion. While some press for more, faster, and larger aircraft, the air over our cities is crammed with traffic. Our major airports are becoming madhouses of traffic, baggage, and people. Bedlam often reigns. There is a crying need for better safety procedures, relief of congestion, better baggage handling, adequate parking and ground transportation, improved flight scheduling, and enough feeder airports for smaller communities. With this in mind I am introducing the Air Traffic Congestion Relief Act of 1969.

It would establish an airport development trust fund to be raised by new user taxes in order to develop new airports where needed. Taxes would be leveled on commercial aviation fuel and passenger tax would go up from 5 to 7 percent.

It provides for establishment of a State agency in each State for public airport planning.

It would authorize the FAA to direct a State either to establish a plan to meet the public need for airport construction or lose Federal funds project by project until priority airport construction is provided for.

It would permit the CAB to control airline schedules as a means of controlling congestion. It would give the CAB the ultimate right of scheduling to stimulate carriers to arrive at a reasonable system voluntarily.

I cannot help but comment that billions are being spent for military aircraft, many of which are useless. More billions are committed or asked for for technological innovation aimed at further profit to air carriers and convenience to a few. But little or nothing is being done to meet the onrushing daily problems facing cities all over the country because of the growth of air traffic.

COMPREHENSIVE TRUTH-IN-WARRANTY LAW

(Mr. MOSS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MOSS. Mr. Speaker, I have been working with my distinguished colleague from Michigan (Mr. O'HARA) on a comprehensive truth-in-warrranty law.

As chairman of the Subcommittee on Commerce and Finance of the Interstate and Foreign Commerce Committee I have been concerned over the not insignificant number of consumers who have difficulty with the warranties offered by manufacturers.

Within the next few days, the Representative from Michigan and I plan to introduce the Full Consumer Warranty Protection Act.

This legislation would require manufacturers to repair or replace faulty merchandise promptly, at no cost to the buyer.

Recently, the Representative from Michigan discussed his ideas about this legislation with a reporter from the Christian Science Monitor, and an article "What Guarantee? Legislation Proposed on Warranty Agreements That Protect Manufacturer More Than Consumer."

I include this article in the RECORD, and recommend it to my colleagues:

WHAT GUARANTEE?—LEGISLATION PROPOSED ON WARRANTY AGREEMENTS THAT PROTECT MANUFACTURER MORE THAN CONSUMER

(By Lyn Shepard)

WASHINGTON.—Ever since his college days, Rep. James G. O'Hara (D) of Michigan has distrusted those fancy "guarantee certificate" forms known to every American appliance buyer.

Now the suburban Detroit congressman is finally ready to put their fine print to the test with a tough "truth-in-warranty" bill.

The O'Hara proposal, inspired by passage in recent years of "truth" laws covering packaging and lending practices, would cover warranties on motor vehicles and machines as well as appliances and other products.

Actually Mr. O'Hara is trying to adapt the Uniform Commercial Code, the Fair Trade Practices Act, and the common law to curb a wide range of abuses inflicted on American consumers.

Many of the arguments for the O'Hara "consumer full warranty protection act" are based on findings contained in a blue-covered report issued Jan. 8 by the Task Force on Appliance Warranties and Service.

The report—prepared by the Federal Trade Commission, the Departments of Commerce, and Labor, and the President's special assistant for consumer affairs—studied more than 200 warranties used by 50 major appliance manufacturers.

The impressive-looking "guarantee certificate," the task force observed, is "all too frequently a fog-shrouded halo which effectively camouflages a lengthy list of disclaimers and limitations upon the seller's obligations. . . ."

Former White House consumer aide Betty Furness put the problem in laymen's terms when she testified recently before a Senate inquiry.

"Everyone tries to read the warranty at least once and then they give up," the one-time refrigerator saleswoman said. "You feel like a fool. You can't understand it.

"I must tell you that until very late in my job here I thought that a warranty was a plus. I was here a long time before I learned that a warranty on a product can very well be a minus to the product. It doesn't tell you what the manufacturer or the retailer will do. It tells you what they won't do."

POPULAR ISSUE SEIZED

Ordinarily the buyer of a "lemon" will write to the company in protest, but seldom to his congressman. Still Mr. O'Hara hears from enough outraged consumers to know he has seized a popular issue.

The task force examined more than 1,000 such complaints from the FTC and White House files. Here are a few of the horror stories cited:

A housewife complained that her oven would not maintain the temperature at which the thermostat was set. The woman, an experienced cook, was told by the company that oven temperatures normally vary from 30 to 50 degrees, that women often needed six months to get used to cooking with that oven, and that any calls to adjust the thermostat would be at her expense.

One "orphaned" buyer was given the option of shipping her refrigerator 150 miles to the nearest authorized service center at her own expense or of paying the repairs herself.

A freezer was delivered with a broken drain hose that caused water to flood the interior. It remained that way for six weeks. Then the door fell off. The dealer said he would have to order hinges from the factory. Four months later the hinges hadn't arrived. Fortunately the owner was able to reattach the door with bolts.

A dishwasher was so designed that the motor became water soaked and burned out every six months. Two motors were replaced during the guarantee period. Thereafter, replacement was to be at the owner's expense.

TIMING PLANNED?

When a refrigerator dealer switched lines, he referred a consumer with a defective model to a competing dealer. The competitor treated the consumer with contempt and rudeness, refusing to provide the requested service. The factory agent, located in a major city some miles away, referred the buyer to still another dealer. This dealer tried to repair the appliance and charged the owner $9 for labor and $36 for cartage. Almost immediately the refrigerator stopped running. Before it was finally repaired after another appeal to the company, the owner had spent $82, not counting long-distance phone calls. This occurred even though his model was covered by a warranty.

Though the average life expectancy of major household appliances ranged in 1957 from nine years for washing machines to 15 years for refrigerators, the length of warranties seems to have been carefully planned. The task force concluded that "they lapse just before malfunctions may be expected to appear." Many television sets, for instance, carry warranties of only 90 days. Mr. O'Hara would require a one-year minimum warranty.

FTC Chairman Paul Rand Dixon noted in the task force report that the home-appliance industrialists "have not shown too much initiative or willingness to come to grips with (these problems)."

Even so, Mr. Dixon urged the task force to let another year pass before proposing federal legislation. In the meantime, he suggested that manufacturers voluntarily rewrite their warranties in clear, simple language without unneeded exclusions and disclaimers.

Should the industry lag in doing this, the O'Hara bill may build a strong base of support in Congress. Another bill sponsored by Sen. Warren G. Magnuson (D) of Washington, chairman of the Senate Commerce Committee, could also be revived in public hearings.

INTEREST RECALLED

"Most Americans just aren't aware of what's being perpetrated on them," Mr. O'Hara insists. "And it's not just the purchasing public that's unaware. It's the sellers, too. Other than the law profession, there are very few who know what your rights are.

"I first got interested in this as a second-year law student when I took a course in sales," the congressman recalled. "I was newly married and took a look at the warranties and found they were limiting the companies' obligations under the common law.

"That was a rather staggering discovery. In most cases, they ask you to sign the warranty form and mail to the company for protection. They were really only getting you to accept the lesser guarantee.

SUPPORT SOUGHT

"Thus it's not so much a matter of a warranty not doing what it purports to. It's a problem of your warranty being practically worthless."

In time, Mr. O'Hara hopes industry's leaders will support his stringent "truth-in-warranty" proposal. In the long run, he thinks it will serve their interests.

"I think this bill will drive out shoddy workmanship and fly-by-night operators," the congressman says. "But those that produce a quality product should prosper. They are now in a price squeeze with some competing producers who cut corners and sacrifice quality."

Opposition to the bill, Mr. O'Hara believes, will come mostly from those lobbyists who resisted "truth-in-lending," except that this time the financial institutions won't be involved.

INVESTMENT TAX CREDIT

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, recently I received a copy of a telegram sent to President Nixon from C. William Verity, Jr., president and chief executive officer of the Armco Steel Corp.

In his statement, Mr. Verity takes issue with the administration regarding the repeal of the 7-percent investment tax credit, and points out harmful effects that could occur.

Mr. Verity's telegram is timely, and should be read by all. I ask unanimous consent that it be made a part of the RECORD.

MIDDLETOWN, OHIO,
April 20, 1969.

Hon. DURWARD G. HALL,
U.S. Representative,
Washington, D.C.:

We have just sent the following telegram to President Nixon.

We are in complete accord with your concern and that of Congress regarding this Nation's inflationary spiral, and we have expressed our views on this subject to Congress. We believe the steps you have already taken, and some now under consideration, will have a positive effect on the economy by the third quarter of 1969. Capital expenditures for 1969 are at a high level but in our case such expenditures have peaked and the trend is now down. Armco capital expenditures in 1970 will be down 25 per cent from 1969.

We understand that consideration is now being given to immediate repeal of the investment tax credit. Any such precipitous action would drastically disrupt major business plans already underway which cannot be disassociated from other factors that are vital to the economic health and the quality of our environment. The effect which such actions would have on the business community, rather than slowing inflation, would radically disrupt the entire economy.

In the case of ARMCO, and many other companies, the investment tax credit is crucial to our efforts to control air and water pollution and stimulate long range modernization programs which make industry competitive. Such investment has been our most successful thrust in making American business more competitive in world markets and thus is helping solve the balance of payments problem. Repeal of the investment tax credit would invalidate all existing long range plans for the business sector. It would be a serious over correct that would stagger the overall economy. While other steps are necessary, we hope you will urge Congress to consider these vital factors in reviewing the investment tax credit.

Economic indicators are now beginning to reflect the leveling of the economy. I most strongly urge that you and your colleagues give careful consideration to the factors cited in this telegram in your deliberations on the investment tax credit.

C. William Verity,
President and Chief Executive Officer, Armco Steel Corp.

IRISH DEMAND FOR FREEDOM

(Mr. PHILBIN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the Record, I include therein a very inspiring article from this morning's New York Times entitled "Irish Girl Casts a Spell in Commons."

Only 21 years of age at the time of her first appearance in the Commons, Miss Bernadette Devlin by her eloquence and wit, swept the Commons off its feet and drew loud bursts of applause from the packed historic chamber where the "mother of parliaments" convenes.

This young Irish girl declared that she was there for the oppressed people of northern Ireland, Catholic, and Protestants alike, and she assailed the politicians responsible for the present religious agitation affecting her constituency in Ulster.

Miss Devlin's speech, which was characterized as a speech for human freedom, illuminated by poetry, captured the hearts of her listeners and won widespread, enthusiastic approval and delighted laughter.

Most of the free world will rejoice that this lovely, courageous Irish girl stood up boldly in the ancient legislative chamber of Britain to sound the cry against religious persecution and bigotry in this enlightened age, which has cast such dark shadows over the hopes and aspirations of all people seeking that freedom of worship shall be guaranteed, protected, and assured in every free community.

Miss Devlin has a great career before her, and it is hoped by all truly freedom-loving people that her primary mission of securing freedom and liberation from persecution for her constituency will soon be fully realized.

This Nation, born in bitter struggle for personal liberty and other great freedoms, is irrevocably committed to the cause of the oppressed and sufferers from religious and racial persecution and will join the cry of Britain's newest and youngest member of its House of Commons for total justice for the Irish people.

And this Government cannot long remain unmoved, silent and inert while the proud, courageous Irish people are denied their basic human rights. Let us urge that this incredible situation be rectified forthwith.

Irish Girl Casts a Spell in Commons

(By Anthony Lewis)

London, April 22.—A 21-year-old Irish girl held the House of Commons spellbound today with a maiden speech of quiet eloquence and powerful emotion.

Bernadette Devlin, barely 5 feet tall, wearing a new blue dress, looked like a shy schoolgirl as she stood in the crowded Labor back benches. But there was no shyness as she spoke.

The record books show no other case in which a member made a speech on the day of swearing-in. She also broke tradition by speaking on a controversial subject. Miss Devlin said she felt she had to do those things because of "the situation of my people."

She was there, she said, for "the oppressed people" of Northern Ireland—Roman Catholic and Protestant. She bitterly attacked the Unionist (conservative) politicians who have controlled Ulster for 50 years as men who encouraged religious hatred to preserve their own privileges.

Civil rights demonstrators in Ulster are demanding electoral reforms to establish the principle of one man, one vote for local elections, now subject to property qualifications and districting that insure Protestant control.

In Belfast today, Prime Minister Terence O'Neill demanded that members of the ruling Unionist party support his proposals to carry out the reforms, threatening to resign if they did not.

No single sentence Miss Devlin spoke in the House today is likely to be picked out and preserved among great political utterances. What mattered, in her passion and her courage, was that London was at last hearing a voice not of the Irish Establishment but of the tormented ordinary people of Ulster.

"Electrifying," was the description of one Tory member, Norman St. John-Stevas. He said it was the greatest maiden speech since the celebrated effort of F. E. Smith, later the Earl of Birkenhead, in 1906.

A hardened British Broadcasting Corporation commentator, Conrad Vossbark, called it "a speech for human freedom, illuminated by poetry." The Commons itself, hushed for long moments and then bursting out in delighted laughter at her sallies, seemed to agree.

Miss Devlin, who won a by-election in mid-Ulster last week as an independent, drew a packed house with many curious peers and other visitors in the gallery for her swearing in.

The Speaker whispered with her held her hand and then broke up the Commons when he said loudly: "It is out of order for the House to be jealous."

The setting was dramatic because the Commons was holding an emergency debate on the crisis in Northern Ireland. It was the more dramatic because one of the first speakers was a representative of the Unionist aristocracy that Miss Devlin opposes, Robert Chichester-Clark.

In an upper-class English accent, he told how he had toured Londonderry after the riot last Saturday night and found "stark misery" of fear among the people. He blamed the Irish Republican Army for the weekend bombings.

Miss Devlin was called next by the Speaker. Beginning "Mr. Speaker, sir," in a small Irish voice, she talked for 22 minutes with only a glance or two at some notes in her hand.

The policy of the Unionists, she said, is to keep Protestant working people agitated against the Roman Catholics so they will not rebel against the general poverty of Ulster.

She agreed with Mr. Chichester-Clark in his phrase "stark human misery" for Londonderry. But, she said, "I saw it not in one night of broken glass but in 50 years of stark human misery.

"There is no place for us, the ordinary peasant, in Northern Ireland. It is a society of the landlords, who by ancient charter of Charles II still hold the rights of ordinary people in Northern Ireland over such things as fishing and paying ridiculous and exorbitant ground rents."

She drew laughter and Labor cheers when she dismissed Mr. Chichester-Clark's I.R.A. charge as "tripe," and again when she called Captain O'Neill "the white liberal of Northern Ireland."

She charged Captain O'Neill with failing to carry out promised reforms to give more housing to Catholics, and more civil rights.

Then she spoke again of the rioting last Saturday night in Bogside, the Catholic section of Londonderry, and again scoffed at Mr. Chichester-Clark by inference.

"I was not strutting around with my hands behind my back," she said, "touring the area and examining the damage and tut-tutting every time a policeman had his head slightly scratched.

"I was building barricades to keep the police out of Bogside because I knew it was not safe for them to come in.

I saw that night on the "Bogside, with my own eyes, 1,000 policemen come in a military formation to that economically and socially depressed area, six then 12 abreast, like wild Indians screaming their heads off, to terrorize the inhabitants so they could beat them off the streets into their houses."

While denouncing the Unionists, she also had hard words for Labor, saying "any Socialist government worth its guts would have got rid of them long ago." Prime Minister Wilson, who was listening intently, joined in the laughter.

After the jabs and the ironies, Miss Devlin came to a bitter conclusion, fatalistic and very Irish. She said this whole debate was coming "much too late for the people of Ireland."

What could the British Government do? she asked. It could have troops take over altogether in Northern Ireland. "But the one common point among all Ulstermen," she said, "is that they don't like Englishmen telling them what to do."

The same objection applied to the idea of Britain's suspending the Northern Ireland Government and ruling directly. Nor would economic pressure on the ruling Unionists work.

COMPLAINT OF MEMBERS OF CONGRESS AND AIR TRANSPORTATION USERS WITH REQUEST FOR TARIFF SUSPENSION AND A GENERAL RATE INVESTIGATION

(Mr. BURTON of California asked and was given permission to extend his remarks at this point in the Record and to include extraneous material.)

Mr. BURTON of California. Mr. Speaker, yesterday 19 Congressmen, including myself, joined with Congressman John Moss in filing a complaint with the Civil Aeronautics Board regarding various fare changes which, if adopted, would have resulted in giving official status to a ratemaking formula without the benefit of a public hearing.

Congressman Moss is to be commended for his outstanding leadership in the effort to protect the public interest.

The full text of the complaint follows:

BEFORE THE CIVIL AERONAUTICS BOARD, WASHINGTON, D.C., APRIL 21, 1969, IN THE MATTER OF THE TW TARIFF FILED MARCH 18, 1969, AND THE UA AND BN TARIFFS FILED ON APRIL 4, 1969: COMPLAINT OF MEMBERS OF CONGRESS AND AIR TRANSPORTATION USERS WITH REQUEST FOR TARIFF SUSPENSION AND A GENERAL RATE INVESTIGATION

LEGAL PRINCIPLES

Ratemaking is but one species of price-fixing.[1] The Supreme Court has repeatedly stated that the Constitution does not bind rate-making bodies such as the Civil Aeronautics Board to the service of any single formula or combination of formulae in determining the reasonableness of rates. The Board, to whom Congress has delegated this legislative power, is free, *within the ambit of its statutory authority,* to make the "pragmatic adjustments" which may be called for by particular circumstances.[2]

The Civil Aeronautics Board is empowered by the Federal Aviation Act of 1958 to institute an investigation, upon complaint, *or upon its own initiative,* into any matter or thing within its jurisdiction, and whenever, after notice and hearing, the Board shall be of the opinion that any individual or joint rate, fare or charge demanded, charged, collected or received by any air carrier for interstate air transportation, or any classification, rule, regulation or practice affecting such rate, fare, or charge, or the value of the service thereunder, is or will be unjust or unreasonable, or unjustly discriminatory, or unduly prejudicial, the Board shall determine and prescribe the lawful rate, fare, or charge (or the maximum or minimum, or the maximum and minimum thereof) thereafter to be demanded, charged, collected, or received, or the lawful classification, rule, regulation or practice thereafter to be made effective.

In the exercise and performance of its powers and duties under this Act with respect to the determination of rates for the carriage of persons and property, the Board is specifically enjoined by Sec. 102 to consider, among other things, the *encouragement* and *development* of an air transportation system *properly adapted* to the *present* and *future needs* of the foreign and domestic commerce of the United States which *promotes adequate, economical* and *efficient* service without *undue* preference and advantage, and is regulated in such a manner as to *recognize* and *preserve* the *inherent* advantages of air transportation, *foster sound economic conditions* in such transportation, and *coordinate* transportation by air carriers, limiting *competition to the extent necessary.* The pertinent parts of Sec. 102 require the Board to also take into consideration the *effect* of air carrier rates upon the *movement of traffic* and *need in the public interest* of adequate and efficient air carrier service at the *lowest cost* in the sense of the lowest fare, as well as the *need of each air carrier* for *revenues* sufficient to enable it to provide such adequate and efficient service.

Additionally, the Congress has authorized the Board, at its discretion, to take into consideration such other things as profit element, rate base, depreciation, taxes, operating expense and load factor standards, cost-oriented formulae, etc. *But these are not required to be considered by law, and therefore cannot take precedent over the statutory standards.* Under the statutory standards of "just and reasonable" it is the results reached not the method employed which is controlling. It is not the theory but the impact of the rate order which counts.[3]

It is the contention of the complainants that the proposed fares do not take into consideration any of the statutory standards of the Act and that the total effect of the rate proposal viewed in its entirety is unjust and unreasonable.

Trans World Airlines, Inc. (Trans World), United Air Lines (United), and Braniff Airways, Inc. (Braniff) make no reference at all to any of these statutory tests. Indeed, all three carriers do not even dignify the propriety of their proposal by claiming that these specific fare changes are needed for revenue sufficient to enable them, under honest, economical, and efficient management, to provide adequate and efficient air carrier service.

Instead, except for a passing reference to a relatively poor overall earnings position, TW's sole justification for the propriety of its proposed fare change rests on the elimination of certain alleged inequities in the fare structure which exist by reason of undue deviation of some fares from the "Industry Jet Coach Regression Line" in order to achieve a more equitable relationship between existing fares.

Thus, the lawfulness of the applicants' proposal rises or falls primarily upon the lawfulness of the Industry Jet Coach Regression Line (i.e., whether that Regression Line or formula complies with the statutory requirements of the Act), and then on its own merits.

Industry jet coach regression line

The Industry Jet Coach Regression Line, Attachment I to TW's letter of March 18, 1969, was constructed on the basis of March 1, 1968 fare levels and the Board staff's formula transmitted to TW by letter of the Director, Bureau of Economics, dated July 8, 1968, updated to reflect the recently approved (February 20, 1969) fare increases of two dollars ($2.00) in markets up to 500 miles and one dollar ($1.00) from 500–1800 miles.

A. Fares

Since the Regression Line is based on March 1, 1968 fares, adjusted for the change of February 20, 1969, as indicated above, it is necessary to first trace the development of it's numerical input to see if it meets the standards set forth above.

Like the rates and charges for property, air passenger fares in the United States were not subject to regulation by the Federal government prior to 1938. Unlike the rates and charges for property, the air passenger fare structure has never been subjected to a general investigation in the thirty-one (31) years of regulatory control under the CAB. The remarkable thing about the regulation of air passenger fares in the United States, therefore, is how little of it there has been. Historically, the Board has been concerned with only the control of air carrier profit levels and not the rates or overall fare structure. Both the public sense of fairness and the economic theory of competitive equilibrium led to the conclusion that appropriate prices could be achieved by insuring a normal rate of return.[4] As long as all the air carriers received some form of government subsidy, the Board could effectively control the profit level by varying the subsidy element. This left the fare levels by and large to the air carrier's discretion. Until World War II, the Board showed little concern with commercial air fares. In fact, there was only one formal proceeding which resulted in a written opinion, and it involved an investigation to determine whether the discounts given to air travel card holders and government employees, were unduly discriminatory.[5] The mail rate cases of this period do contain miscellaneous statements on the need of reasonable rates, but no air carrier air fares were specifically disapproved. Consequently, no standards of reasonableness were implied.

Basically, air passenger fares, like the charges for some other transportation services, have been the product of a base rate per mile multiplied by a selected mileage figure applicable to the points being served. Generally, air carrier tariffs have reflected three policies with regard to the base rate:

1. A variable or indefinite base rate;
2. A uniform flat base rate; and
3. A uniformly tapered base rate.

Three types of mileage-bases have also generally been applied:

1. Direct point-to-point;
2. Nonstop or skip-stop; and
3. Competitive.

These mileage bases have been computed either on the basis of "actual" course-flown or airport-to-airport great circle.

Prior to 1943, the variable base rates were almost uniformly used among the domestic air carriers. Construction of air fares upon this basis means that the rate per mile used in many city pairs, served by the same air carrier, differs from the base rate in use generally on its system. Such a base rate gave the tariffs a decided lack of uniformity, and obscured the air carrier's respective overall fare policy. This fact was cited in the Board's 1943, show-cause order.

During the period prior to 1943, little attention was paid to actual costs in the construction of air fares. The air carriers set fares which they thought would attract business, and go as far as possible to cover costs; i.e., the value-of-service basis. Since commercial revenues at that time did not come any where close to covering costs, the Federal government tacitly approved the prevailing levels as fair and reasonable, by providing a subsidy in the mail payments to make-up the difference between cost and commercial revenues. Some of the more important influences which caused the air carriers to use a variable rate base, may be summarized as:

1. The desire to build-up traffic over weak routes by expanding the markets through the medium of lower prices;
2. Competition from other air carriers or surface carriers, especially over short-haul segments; and
3. Conversely, where competition did not exist, a higher base rate per mile could be charged than was applied to the balance of the air carrier's system.

Thus, initially, air passenger fares were constructed upon a variable or *indefinite passenger-mile basis.*

The outbreak of World War II changed the situation dramatically. Much of the equipment on-hand DC–3s, and on-order, DC4s, had to necessarily be transferred to the military establishment. At the same time, the demand for commercial air transportation multiplied enormously. Because one of the inherent economic characteristics of air carriers is their high leverage, the resulting extremely high utilization of available capacity produced an almost immediate positive effect upon the industry's net earnings, causing the Board to become seriously concerned for the first time with the possibility of excessive air carrier profits. Aggravating the situation was the fact that the air carriers and necessarily removed all of the pre-war discounts on July 1, 1942. As early as March, 1942, Chairman Pouge is reported to have said that the Board might have to examine air carrier fares in the not too distant future.[6]

Initially, the Board attempted to control the rising profits by reducing the mail payments through a series of cases that finally placed the mail rates upon a weight-mileage basis.[7] At the same time the Board made several informal suggestions to the air carriers throughout 1942 that commercial air rates and fares should be decreased. Finally, on February 27, 1943, noting the very high air carrier profits of 1941 and 1942, the Board ordered 11 of the 16 domestic trunklines to show cause why air passenger fares should not be reduced ten percent (10%) and in the same order instituted an investigation into all air carrier rates and fares.[8]

Footnotes at end of article.

The Board based its order on the fact that the reported net earnings of the eleven air carriers during the five months ended November 30, 1942, had been 'excessive'.

Although some air carriers subsequently reduced various fares, there was no blanket reduction of fares such as evisioned by the Board in its show-cause order. The reductions which were put into effect were for the most part compromises which the individual air carriers worked out and which the Board accepted.[9] The major compromise was to iron out some of the disparities in the existing air fares through the adoption by five air carriers of a system-wide *uniform base rate* which did much to bring about greater uniformity in the tariff structure.

The adoption of a base rate to be applied by the air carriers to all city pairs, regardless of their distance apart, was a natural outgrowth of the use by railroads of this type of base rate, especially since the airlines were in competition primarily with the railroads.[10]

This, therefore, was the first step toward a more rational fare structure replacing what had heretofore been largely a jumble of *ad hoc* prices, having only a casual, if any, relation to mileage, costs, or other factors than historical change or surface fares. Henceforth, air passenger fares were to be primarily constructed upon a *uniform flat passenger-mileage basis*.

With the filing of these tariffs, further investigations were dropped,[11] but not without the dissent of Member Harllee Branch. Branch argued that passenger fares were so intertwined with the mail rates, which at that time still included a subsidy element, that the general investigation should be continued to establish standard procedures for handling both questions.[12]

Thus, the original impetus behind the Board's showcause order, 'excessive' net earnings, was fulfilled (in part) by a change in the fare structure, rather than a reduction in the fare level. Simultaneously, the Board backed away from its first real encounter with the possibility of fully examining air rates, fares and charges.

Again, almost two years later, having seen air carrier profits mount steadily through the war years of 1943 and 1944, the Board adopted investigatory orders[13] on December 22, 1944, requiring the four largest domestic trunk-lines to show cause why their mail rate should not be reduced from 60 cents per ton-mile to 32 cents per ton-mile. Rates to be charged shippers for express and air freight were also to be investigated.[14]

Following a series of informal negotiations between the air carriers and the Board, one of the major trunklines proposed a compromise; to reduce both mail rates and air passenger fares to a common level; i.e., a *semi-cost-of-service basis*. The larger air carriers genuinely felt that a reduction in air passenger fares was necessary in order for them to be able to develop the mass air transportation market they envisioned in the immediate post-war period. On the other hand, the smaller air carriers objected vigorously to the proposed reductions. These air carriers felt that it was a serious mistake at that particular point in time to reduce air passenger fares, because they anticipated a drop in the demand for their services. Nevertheless, the larger air carriers prevailed, and between January 25, and May 1, 1945, there was a general reduction in the level of fares, and a partial restoration of some of the pre-war discounts. The Board accepted this compromise, and therefore less than eight months after the adoption of the initial show-cause orders, it issued (on August 7, 1945) revised show-cause orders to the Big Four trunklines increasing the proposed new mail rate from 32 cents a ton-mile to the agreed 45 cents a ton-mile.[15] The August 1945 show-cause orders differed from those issued in December 1944, in that no mention was made of an investigation into the rates to be charged shippers for express and air freight.[16] On August 20, 1945, the air carriers made a second blanket reduction in the general level of air passenger fares within one year.[17] It is interesting to note that while the Board did not mention the level of air passenger fares in either the December 1944 or the August 1945 show-cause orders, it was during this eight month period that domestic trunklines themselves reduced passenger rates drastically, and went from primarily a value-of-service basis to generally a cost-of-service concept. The resulting level of air passenger fares was the lowest ever attained in the United States.[18]

The significance of the Board action and the carrier counter-action should be clearly understood. As an answer to a threatened Board reduction of mail rates, the carriers agreed to some reduction in those rates, *but the carriers themselves suggested reducing passenger rates*. For the second time, then, the Board agreed to a compromise solution drastically affecting passenger fares, without the Board insisting on the development of a factual record in public hearing upon which to base a far-reaching decision. The upshot of this failure or refusal of the Board to perform its duty under the Act in promoting reasonable charges for airline passenger service was a fare level in 1946 and early 1947 which the carriers have pointed to consistently since then as the primary cause of the airline depression of 1947 and 1948.[19]

Another important change made by the Board in 1945, was the computation of the fare-making mileage. The Board changed from a 'course-flown' basis, to an 'airport-to-airport great circle' mileage basis. On the basis of this conversion, the yield per passenger-mile tended to be slightly increased, since the airport-to-airport mileage was no more than, and usually lower than, the course-flown mileage.[20] When the air fares are constructed upon a mileage basis, the fare-making mileage is the other element in the formula that determines the air fare between two points. The fare-making *route* is the path over which a particular fare is constructed. Unlike railroad and highway mileage, there is a wide flexibility in the mileage which an air carrier can select. The majority of air fares have been constructed by using the airport-to-airport mileage, by way of all the intermediate points designated upon the air carrier's certificate; provided that there are no competitive or other factors to be taken into consideration.[21] On other occasions the use of nonstop, or skip-stop, mileage is found desirable. In such cases, the route by way of the intermediate points is either so substantially greater than the linear (or nonstop) mileage that the fare should be computed by skipping some or all of the intermediate stops, or certain intermediate points were added to the air carrier's certificate after the air fare structure had already been established.[22] A third classification of mileage, competitive mileage, comes into being when there are two or more routings available between the same two points operated by different air carriers. In these situations, the mileage of the shortest route certificated is usually the one that determines the air fare to be charged by the competing air carriers. This action is similar to the so-called short-line mileage principle of the railroads.[23]

The air carriers went into the immediate post-war period with optimism and enthusiasm. Initially the traffic carried by the Big Four air carriers continued to increase after that of the other air carriers started a downward trend in the latter part of 1946, as they had correctly forecasted. However, during the winter of 1946–47, it became apparent that the pre-war seasonal characteristic of air carrier traffic once again confronted all the air carriers. Further, it was now clearly apparent that the sharp upward projection of passenger business, forecast by the larger air carriers, would not be realized in the immediate future.[24] Adding to these difficulties were a series of ghastly accidents. Certain of these accidents eventually forced some of the major air carriers to voluntarily ground and modify entire fleets of new aircraft types. As a result, total revenues failed to respond to the low rates introduced by the air carriers in 1945. These facts, coupled with the sharp increase in the general price level then being experienced, induced the air carriers to (1) seek higher air passenger fares, and (2) inundate the Board with pleas for higher mail rates. Since the rising mail subsidy payments were bringing the Board under heavy political pressure, the Board was not only sympathetic with the air carriers' petitions for air passenger fare increases, but even took an active part in soliciting cooperation among the air carriers in agreeing on what changes should be made. The outcome was three, quick, successive, ten percent (10%), across-the-board increases in April and December 1947, and September 1948. The last increase followed a conference called by the Board of August 19, 1948, to be attended by the Board, its staff, and the heads of the trunkline air carriers, "for the purpose of discussing various problems relative to passenger fares and airline costs."[25] While these air passenger fare cases established no general standards for the handling of rate decisions, nor a precise rate-of-return criterion,[26] the Board did enunciate, on April 21, 1948, certain basic rate-making principles in the *Air Freight Rate Investigation*, which it subsequently applied to air passenger fare cases. The Board set forth its rate-making principles under the section titled "Relation of Rates to Costs" as follows:

> Importance of costs to sound rate-making policy:— It is a commonly accepted principle in all transportation rate making, and a requirement to insure the continued existence of any transportation service, that the rate levels have a reasonable relationship to attainable cost levels.
>
> We are of the opinion that economic considerations do not demand that at all times the rate for any class of traffic or type of service must cover the fully allocated cost of carrying that traffic or providing that service rather that *rates must at all times be reasonably related to costs*. The test of reasonableness must include recognition of variations in the ability of traffic to carry a full share of costs at different stages in the development of that traffic, the effect of low rates in generating new traffic, and the resultant effect of increased volume of reductions in unit costs.
>
> But belief in the justifiableness of promotional rates does not lead to endorsement of rates which are uneconomical in character and depart from all regard to cost. Promotional rates, to be sound, must be fixed not only with due regard to the traffic they are expected to generate, but with sufficient regard for attainable costs to assure that the rates will not have to be raised when the expected volume is realized.
>
> While the portion of present full cost which a reasonable rate may cover can properly vary with the stage of development of the service and be adjusted to promote a sound economic growth of such service, this sound economic growth will not be promoted unless such rates are at all times reasonable related to an expected future level of costs at a fuller stage of development. Any different rate pattern would be disruptive to the industry and commerce, produce wide variations in traffic volume and thus hamper the orderly development of the industry. Moreover, uneconomically low rates place undue burdens upon other types of traffic without any promise of compensating benefits in the form of sustained unit-cost reductions and ultimate profitable operation as increased volume develops.[27]

The gist of this 1948 opinion was that in the future the Board's primary test of "just and reasonableness" for air rates, fares, and charges, would be "that rates must at all times be reasonably related to costs;" i.e., *the*

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cost test. Nevertheless, it appears that the air passenger fare cases during this period were actually decided with very little knowledge of the relation of revenues to costs, or the probable effect of such increases on either the movement of traffic or the need of the air carriers for revenue.[28]

The impact of the third ten percent increase in the level of air passenger fares was off-set somewhat by changes made in the fare structure and the institution of various 'promotional' tariffs. First, at the insistence of American Airlines the surcharge on the DC–6 and Constellation aircraft was removed. Domestic air fares on these two aircraft types had historically been established on a value-of-service basis. Consequently, the removal of the surcharge meant in effect that the domestic air fares for these two aircraft would henceforth be fixed on a cost-of-service basis, and there would be no increase in the air fares applicable to these two aircraft.[29] Since these two equipment types were at that time primarily assigned to the long-haul routes, this action practically eliminated the ten percent increase as far as long-haul traffic was concerned. As a result, almost the entire burden of the third ten percent increase was thrown upon the short-haul market.

Second, over the open and active objection of some major air carriers, the Board permitted the air carriers, without elaborate consideration, to reinstitute the five percent (5%) discount on round-trip tickets. This discount had been abandoned at the start of World War II. Following this, the Board next proceeded to overrule its own staff, on three separate occasions, within one year.

1. It allowed the air carriers to initiate the family-fare plan; i.e., discounts for wives and children.

2. It permitted Western Airlines' "no-meal" tariff to go into effect without a hearing; this tariff provided a five percent (5%) reduction in air passenger fares as compensation for providing no-meal service.

3. The Board approved Capital Airlines' proposal to inaugurate the first domestic air coach service between New York-Pittsburgh-Chicago, on November 4, 1948.

The importance of the Board's regulating activities, in regard to air passenger fares during this period, however, should not be overemphasized.

Rather than being the primary moving force in either the 10% fare increase or the introduction of various types of promotional tariffs, the Board served simply as a review and catalytic agent. For the carriers themselves were the ones who took the principal initiative in the fare field.[30]

A substantial recovery developed in 1949 and 1950. Volume reached an all-time peak during the 12 months ended June, 1950. The outbreak of the Korean hostilities in June 1950 resulted in sudden sharp upsurge in all classes of traffic. Consequently, the calendar year 1950 proved to be one of the best years in the history of the domestic air transportation industry from the standpoint of traffic growth, as well as reported earnings.

Introduction of air coach service.—The air carriers' and Board's approach to the introduction of air coach service during this period provides an excellent example of how their policies have tended, historically, to vacillate with the industry's economic conditions. When Capital initially filed its night-air coach tariff, the Board still had the third ten percent increase under consideration. Consequently, the Board was entirely preoccupied with the raising of the air carriers' overall net revenues. Nevertheless, contrary to its staff's opinion, the tariff was approved. The new service proved to be an immediate success. The Board's immediate concern, therefore, as they saw it, became the diversion of first-class traffic to coach; the coach passenger producing a lower yield per mile per passenger. Anticipating the expiration of many coach tariffs on September 30, 1949, the Board sought to clarify its position regarding air coach service and issued an important policy statement on Septmber 7, 1949.[31] This statement defined coach-type fares as typically being at a level of four cents (4¢) per mile or about two-thirds of the prevailing regular fares.

Since the Board felt that the night-air coach services amounted to really implicit price cutting, and it wanted to raise the air carriers' revenues and profits, the Board continued to resist the expansion of air coach service throughout 1950. When the air coach tariffs came up again for renewal in the fall of that year, the Board and its staff were still concerned that such service would adversely affect the profits of the air carriers. Therefore, the Board renewed the tariffs upon the condition precedent that the air carriers raise the level of the coach fares from 4 to 4.5 cents per mile.

As noted, the Korean War caused another quick shift in the industry's financial position, by again dramatically increasing the percentage utilization of the available capacity provided. The growing prosperity of the air carriers, plus the growing pressure on the part of the noncertificated air carriers for certification, began to bring about a change in the Board's policy from one of attempting to conserve the revenue and net profits, to one of development of the air coach service. The first positive indication of this change was the approval of a daylight DC–6 aircraft, air coach service, between New York and Miami, in July 1951. Then on December 6, 1951, the Board issued another coach policy statement, which read in part:

> It is the Board's considered opinion that coach operations to date have conclusively demonstrated their economic soundness and that the certificated domestic carriers should promptly and substantially expand their coach services using aircraft with high passenger-carrying capacity (high-density coach.).[32]

The Board also indicated its belief that high-density coach operations could be just as profitable as the first-class services. The statement further suggested the air carriers offer "off-peak" coach services, as an alternative to high-density seating, with air fares no higher than four cents (4¢) per mile. On February 27, 1952, the Board confirmed its policy by summarily suspending the tariffs of certain air carriers for failing to comply with its suggestions.[33]

Thus, in a little more than four years, the Board had completely reversed itself—from almost total apprehension of low coach services, to forced expansion of such services. To a certain extent, the air carriers had changed their position, too. Of course, it should also be noted that during this same period, the air carriers' over-all financial condition, and net earnings position, had also completely changed—from a net deficit to a net profit. *Introduction of a 'taper' into the fare structures*—In terms of operating profits, 1951 proved to be an unusually favorable year for the air carriers. The financial results of the fourth quarter of 1951, and the first quarter of 1952, however, were disappointing. The air carriers, consequently, began to feel that a combination of factors posed a threat to their profit margins; i.e., stabilized traffic demand, rising capacity due to new equipment, and rising costs. Some upward revision in air passenger fare appeared necessary to the carriers. A number favored another across-the-board increase. However, even though the air passenger fare structure still had never been fully investigated, it was a generally accepted proposition that the air carriers were making money on their long-haul services, and failing to meet expenses on the short-haul routes.[34]

To rectify this situation, the domestic trunklines filed tariff revisions in March 1952, proposing to increase each one way domestic passenger ticket by one dollar ($1.00), and to eliminate the five percent (5%) discount for round trips. The Board permitted the $1 increase, which represented a kind of terminal service charge, to go into effect by a not too certain three-to-two vote.

Member Joseph P. Adams concurring and dissenting said:

"I concur in the action of the majority suspending the carriers' tariffs which would eliminate round trip discounts and instituting an investigation of the overall fare level."[35]

* * * * *

". . . there *is* no relationship (and there should not be) between prices paid by air passenger, on the one hand, and prices paid by other consumers for such items as food, clothing, railroad transportation, etc. No carrier has seen fit to include in his presentation an explanation of why an air passenger *should* pay more in 1950 or 1951 for an airline seat than he did in 1940 or 1941. No such presentation was attempted, of course, since *the cost to the airlines of providing the passenger with that seat was actually less in 1950 or 1951* than it was ten years before.[36]

* * * * *

The Board's staff, against this factual background, has recommended that the Board suspend and investigate both the one dollar fare increase and the proposal to eliminate round trip discounts. The staff has clearly and forcefully demonstrated to this Board that the actual correlation which the airlines have sought to establish between rising costs in recent months and lower earnings has not been proved. It has shown that in recent months, the lower total earnings figures have been almost entirely accounted for by increases in total capacity operated and other factors, rather than increases in unit cost of material, labor, etc.[37]

* * * * *

A legitimate inquiry is, of course, what useful purpose could be served by conducting such an investigation? To that query, I would suggest several answers. Overall, a factual basis for a very important decision. As already indicated, the Board has now no such basis for its decision here.[38]

* * * * *

Furthermore, from such an investigation, the Board would be in a better position than it can possibly be now to know specifically how the one dollar fare will be shared by the carriers; whether it will be charged and collected by the originating carrier, whether it should be charged the passenger each time he changes airlines, whether it should be prorated, etc. To the best of my knowledge, even the carriers themselves are in no respect uniform on these very practical matters and until at least the carriers are, the Board should not decide the question. *By doing so, despite its lack of knowledge, the Board cannot possibly know whether in fact the one dollar fare increase will necessarily help to solve the short-haul carrier problem which, I take it, is one of the most reasonable arguments justifying the one dollar increase.*[39]

* * * * *

This particular fare increase was unique in that it caused the rate of the increase per mile to decrease as the length of the trip increased. More important, this increase *permanently* changed the United States domestic fare structure to a tapered fare structure.

A tapered fare structure is one wherein there is a regular gradual diminution in the rate per mile as the length of the haul increases. Hence, from 1952 to 1969 air passenger fares in the U.S. were constructed upon a *uniform tapered passenger-mileage basis.*

The first general passenger-fare investigation.—When the Board approved the $1 increase on April 9, 1952, it simultaneously instituted an investigation of these changes

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and of the general level and structure of fares, and suspended the changes which proposed to eliminate the round-trip discount.[40] Thereafter, the carriers canceled the portion of the proposal that would have eliminated the round-trip discount. As a result of several prehearing conferences, the issues of the investigations were considerably limited so that many of the issues dealing with the fare structure and the relation of fares were eliminated, leaving as the principal issue the general level of trunkline passenger fares.[41]

The air carriers' 1952 annual earnings were better than had been anticipated, which proved to be embarrassing to some of the air carriers in their handling of the investigation. It appeared that the conclusion of the investigation not only would rescind the dollar-per-ticket increase, but might also occasion further reductions. Consequently, in March and April of 1953, all of the air carriers that were party to the proceeding filed petitions requesting dismissal.

The pleas of the air carriers to dismiss the investigation fell on relatively indifferent ears so far as the Board's staff was concerned. The Board itself, however, was a different matter, and as a result, by a crucial 3 to 2 vote, the proceeding was dismissed.[42]

In dismissing the first *General Passenger-Fare Investigation*, the majority instructed the C.A.B.'s staff to conduct and prepare an informal study of the air passenger fare structure and fare level. At the same time the majority held that the reasonableness of fares depends upon the long-term economic need of the air carriers, stating their belief . . .

that it is neither possible nor desirable to regulate this industry by attempting to relate fares to returns in the short run. To do so would require lowering fares in times of prosperity and raising them when traffic conditions were poor. This would not make business sense and it is, therefore, our belief that both the industry and the public will be better served by a level of fares which reflects the cyclical needs rather than the needs of any particular year.

With this philosophy in mind, it is our intent to examine any future fare or mail-rate proposals, not only in the light of conditions prevailing at the time they are advanced but with full consideration of abnormal earnings of prior years and the excess earnings which may be expected in the future, as indicated by such experience. In short, should earnings fall markedly in the future the carriers will be expected to absorb such losses without resort to fare or mail-rate adjustments unless it can be demonstrated that such earnings are below the level necessary to provide a fair return over a reasonably extended period which includes the good years as well as the bad.[43]

In defense of its position in dismissing the investigation, the Board's majority stated:

We attach no special significance to the fact that in the 14 years of the Board's existence there has been no general fare investigation. Any inference that the Board is therefore uninformed with respect to the relationship of fares and other significant economic aspects of the industry is a gross *non sequitur*.

The Board is constantly faced with day-to-day decisions upon requested fare changes, and has considered hundreds of such proposals during its history. In passing upon them it must of necessity have in mind the overall aspects of airline economics, proper tariff principles, and the relationship of fares to other operating factors in the industry. The numerous mail-rate cases which have been processed have required detailed determinations of reasonable costs, efficiency, and proper rates of return for individual carriers and groups of carriers.[44]

Members Lee and Adams filed vigorous dissents to the dismissal order. Member Josh Lee was very careful to point out that he favored continuation of the investigation, not because he felt that rates and fares were necessarily too high, but rather, since the Board had never conducted an investigation into air passenger fares, he believed that it was time that it do so.[45]

Member Joseph P. Adams was scathing in his dissent. He objected particularly to an approach to the problem by staff studies. He felt that any facts developed by such studies would have to be tested in a formal hearing. He stressed particularly the shirking of the Board's statutory obligation to develop a sound rate air passenger fare policy. As already noted, he was critical of the 1948 fare conference called by the Board, and what he described as the confused state of the air carrier fares following that conference.[46]

The investigation was meant to adduce facts, upon which the Board would evolve a sound, well reasoned, passenger-fare policy; such a policy as this Board has never had, and won't have until a true investigation has been held. . . .

* * * * *

Only through an investigation of the kind which this Board unanimously ordered just a year ago into the airline-fare structure can the Civil Aeronautics Board properly develop and regulate airline industry prices in the public interest. *During the entire period since its creation by the Civil Aeronautics Act of 1938 this Board has never yet carried through an investigation of the prices charged the traveling public of this country by the airlines.*

* * * * *

In other words, for 14 years, although many thousands of individual fare changes have been filed by our air carriers, and although at various times basic methods of constructing air fares by them have been drastically altered, this Board has never investigated the overall fare structure of the air transportation industry to determine whether the charges made for passenger services by the air carriers are in fact reasonable. The effect of the majority decision here is to perpetuate this obvious vacuum in the work of the Civil Aeronautics Board and I refuse to be a party to such continued neglect of our statutory duty.

Twice before, in 1943, and again in early 1945, the Board attempted an investigation into the rate structure of the domestic airline industry. Each time the Board's efforts were successfully thwarted. There was no investigation, no hearing, or other orderly method evolved for the development of a factual basis upon which to predicate sound principles and policy relative to our passenger fare-structure.[47]

The second general passenger-fare investigation.—With the new 'taper' firmly established in the fare structure, the Board issued its fourth 'Coach Policy Statement' on October 5, 1953, announcing that the Board had indefinitely extended the existing coach services.[48] At the same time, the Board eliminated the previous fixed cents per mile limit, which it had been using to evaluate the reasonableness of air coach fares. In its place, the Board substituted a policy that such fare should not exceed seventy-five percent (75%) of the corresponding first-class fare. The Board indicated that it believed the twenty-five percent differential would (1) adequately reflect the differences in costs, (2) maintain the distinction between the fares, and (3) still provide an incentive to generate additional traffic.

A situation, similar to that which had led up to the first General Passenger-Fare Investigation in 1952, occurred again in early 1954. A minor general economic recession diminished the air carriers earnings. This time, however, the Board indicated it would not be stampeded into action, as it had been in 1952. On May 18, 1954, Mr. Earl Johnson, the newly elected president of the Air Transport Association of America (A.T.A.), appeared before the Board and made an informal presentation of the problems confronting the industry.[49] The gist of the presentation was that due to the reduction in load factors following the cessation of the Korean War and a gradual increase in costs, airline earnings had deteriorated, and were going to deteriorate further unless fares were increased.

However, in contrast to having the sharply deteriorated earnings forecast, the airlines began in the latter part of 1954 to demonstrate a great deal of strength in terms of revenue and traffic growth. This increasing demand continued until well into 1956 causing the Board and its staff to again become concerned that the airlines were beginning to enjoy excessive earnings. For this or other reasons, the Board decided to institute a new inquiry into the general level of fares so it would be in a legal position to make an overall "across-the-board" percentage adjustment if the level of earnings continued to grow.[50]

The initial order, however, revealed a wide difference of opinion between the carriers as to the proper scope of the proceedings. Some felt the general level approach or some modification thereof was sound. Others contended that only a full-scale investigation into all aspects of carrier earnings, as well as the fare structure, would do justice to the industry in the present circumstances.

At the oral argument, the basic question raised was whether an overall percentage adjustment in the level of fares would be economically feasible. Certain air carriers argued that the economics of the industry would preclude any such general remedy, because the percentage changes that might be sound for one carrier would induce (by way of competition) changes in the fares of the other air carriers, which might leave one of the latter with an unreasonably low general fare level. The smaller air carriers, with relatively short average traffic hauls, maintained that if any substantial percentage adjustment was made in the fares of the long-haul air carriers, they would be forced to meet such reductions regardless of the costs. The short-haul air carriers suggested that air passenger fares were not related to costs, one of the ratemaking principles enunciated by the Board in the *Air Freight Rate Investigation*,[51] and that any over-all percentage reduction would result in an even greater discrepancy than already existed between air fares and costs. The remedy these carriers suggested, in the event that an overall reduction in air fares should be found necessary, was the creation of a fare structure which properly reflected the difference in unit costs of short-haul operations, as opposed to long-haul trips. Conceivably, this might have resulted in some increases in short-haul fares, while the general level of fares was being reduced.

As real as the problems of fare structure are, and as material as the concern is that we conceivably might not be able to employ the general remedy our initiating order contemplates, we are not persuaded on the basis of information presently available that we must sacrifice the course of action originally contemplated to permit the time-consuming study of fare structure that has been suggested. In view of the fact that the basic structure of airline fares has long prevailed in spite of percentage changes, upward and downward, in the general fare level, it would not seem that such a change now would necessarily be economically unfeasible. Also, despite the undeniable differential in unit costs between long-haul and short-haul services, the simple fact is that airline fares are not, and have not been directly responsive to costs. It is entirely possible that "value of service" considerations would preclude the kind of "cost" fare structure that would protect the short-haul carriers in the way they have suggested. At any rate we are not prepared, at this juncture, to abandon the overall percentage remedy on the basis of the conjecture about this remedy when the

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suggested alternative is no less speculative and is certainly more complex.

As we view the case, moreover, the question is not *whether* we shall explore the structural problems raised, but *when*. Our present view is that we will first examine the general revenue situation, order appropriate percentage adjustments in fares, if necessary, and then turn to the structural problems that may remain. In limiting the scope of the proceedings at the outset, we do not surrender our discretion to investigate fare structures. If at the conclusion of the general revenue phase of the investigation, or even earlier, we should decide that further investigation is necessary, we can reopen the record to take necessary evidence.[52]

After 'extensive' consideration of the problems and information brought to the Board's attention, the Board concluded that it must reject the proposals for expanding the scope of the proceeding to embrace a study of all conceivable aspects of the fare situation. There was no dissent. Owing to various procedural delays, the second General Passenger-Fare Investigation was not set for hearings until May, 1957.

Before these hearings could get underway, the Board halted the proceedings temporarily, in order to hear the pleas of seven domestic trunkline air carriers seeking an 'emergency' increase of approximately six percent (6%) in air passenger fares, to be effective April 1, 1957.[53] At the time the nation was beginning to experience an economic recession. The reported earnings of a number of air carriers had turned markedly downward, and were considerably below the level of earnings then considered necessary; i.e., eight percent (8%) on investment. In other words, on a short-term basis, it was clear that the air carriers were suffering from depressed earnings. Further, if such earnings would be expected to continue for an extended period of time, the air carriers would have a proper predicate, based upon the rule set-forth in the original *General Passenger-Fare Investigation*, for an adjustment in air passenger fares.

In the Suspended *Passenger-Fare Investigation*, the air carriers conceded that in the past higher costs had been off-set by greater traffic volume, technological improvements, increased productivity and operating economies. However, the air carriers claimed that they had reached the stage in their development where further technological improvements and operating efficiencies could no longer be expected to absorb rising costs, and, therefore, the depressed earning would become worse because the factors causing them were permanent.

The argument that costs are rising faster than revenues and cannot be absorbed by new efficiencies is not novel. It was advanced before us in 1952 when the carriers were advocating elimination of discounts on round-trip tickets. In spite of the carriers' fears, however, 1952 and the succeeding years were highly profitable. This argument was again advanced in 1954 when the Air Transport Association made an informal presentation to the Board forecasting sharply deteriorated 1954 operating results for the domestic trunkline industry, but the lowest level of earnings for any of the carriers party to this proceeding turned out to be the 8.88-percent return on investment reported by United in that year, with the 12 domestic trunkline carriers reporting an average return of 11.01-percent for the year.[54]

The main argument advanced by the air carriers in support of their position that cost increases could no longer be absorbed was that the new turbo-compound aircraft, DC–7 and advanced Constellations, instead of being more economical, were actually more costly than their predecessors. But, in spite of such contentions, no air carrier, other than United Air Lines, offered underlying evidence to support this proposition.[55] As a result, the Board found the air carriers' evidence in support of an emergency fare increase both sparce and vague.[56]

To the extent that the record shows rising cost of any kind, it also shows that the traditional factors that have enabled the industry to absorb higher costs are still operative and are likely to offset recent cost increases. The principal factors in this evaluation are volume and density of traffic and lengths of passenger haul and aircraft hop.[57]

The Board considered these four factors highly significant because they measured the relative cost of the product which the air carriers offer for sale, and reflected a substantial period of operating history and the experience gained therefrom. Consequently, on the basis of the record before it, the Board concluded, 4 to 1,[58] that the decline in earnings was properly attributable to unit cost increases stemming in large part from factors of a nonrecurring nature, and that the traditional factors which had enabled the industry to absorb rising costs in the past should continue to be operative in restoring earnings to a more favorable level.

Inherent in this analysis of the situation was the anticipation that volume of air traffic *would continue* to grow *as it had in the past*, and permit the economies necessary to offset cost increases. (Emphasis added) [59]

In denying the proposed six percent increase, the Board took cognizance of the depressed earnings of the air carriers, and announced its intention to maintain a continued surveillance of the fare situation. As part of this program, the Board took steps to 'expedite' further proceedings in the second General Passenger-Fare Investigation, with particular emphasis on the rate-of-return issue. The Board again directed that trial of this issue be given first priority in the hearings. The importance of the rate-of-return issue had been highlighted, in the Board's opinion, by the fact that all of the air carriers had urged in the *Suspended Passenger Fare Investigation* that a higher level of earnings was required for the continued development of the industry. However, the air carriers had produced no evidence whatsoever to show that the then customary eight percent (8%) rate of return on investment would be inadequate. On the other hand, if the air carriers were entitled to a rate-of-return greater than 8%, this fact would accentuate the disparity between the earnings they were actually realizing, and the earnings they might be entitled to. The rate-of-return, and not the fare structure, therefore, continued to be the Board's main concern.

On January 15, 1958, Continental Air Lines filed a tariff change reflecting a fifteen percent (15%) increase in air passenger fares, to be effective February 15. Trans-World Airlines then filed a new tariff, to be effective March 15, directed primarily at modifying the existing fare structure but which also provided for an increase in the average fare level. The Board suspended the tariffs because, in addition to depressed traffic conditions, the Board also had new information available on the 'appropriate' rate-of-return for air carriers.[60]

Using the new rates-of-return as a yardstick in measuring the reasonableness of the air carriers reported earnings, and taking into account the recent adverse traffic developments and general business outlook at the time, a bare majority of the Board concluded that an interim fare increase of four percent (4%) plus one-dollar per ticket ($1) was warranted. The majority's determination that part of the increase should be implemented through a flat increase in price per ticket was made to give recognition "to the minimum cost inherent in providing each passenger transportation regardless of distance he will travel." [61] It was designed to assist the smaller, short-haul air carrier, who were considered to be at a disadvantage in this area as compared to the long-haul air carriers. This increase, of course, further strengthened the change in the United States fare structure; a change which still had not been fully examined by the Board.

The two dissenting members were Members Guerney and Minetti. Vice Chairman Chan Gurney wanted the Board to approve an increase of ten percent plus one dollar per one-way ticket (10% plus $1). Member G. Joseph Minetti, however, found no change in traffic and cost conditions of sufficient import to have been presented. In defense of his position, Member Minetti pointed out that rates must be related to costs.[62]

The air carriers promptly accepted the Board's offer by filing the appropriate air tariffs. In the latter part of the year, the air carriers were permitted further increases in their air passenger fares through the expedient process of removing certain discounts and promotional features. Both the round trip-discount and the free stopover and related privileges were eliminated.[63] The family-plan discount was reduced from one-half (50%) to one-third (33.3%).[64] In addition, a surcharge was imposed upon new jet services. This surcharge was apparently based upon the value-of-service concept, as opposed to costs, since it was primarily designed to make air travel on the slower propeller aircraft more financially attractive.[65]

Four years after it had instituted the second *General Passenger-Fare Investigation*, the Board arrived at its conclusions.[66] As noted previously, the original objective of the proceeding was "(1) to develop appropriate and well-defined standards as to the earnings which are required by the 12 domestic trunkline carriers for the proper development consistent with public interest; and (2) based on such standards to require or permit such overall decreases or increases in domestic fares as circumstances may warrant." [67]

While the Board found the record was inadequate to permit the fixing of the fare levels, it nevertheless concluded the same record was adequate enough to formulate standards for the regulation of air passenger fares in four basic areas. These standards are to be used (1) for assessing future rate proposals of the air carriers, and (2) to assist the Board in evaluating the reported results of the air carriers, so that the Board might determine when it should take action on its own initiative.[68]

Each of the four standards is meticulously detailed. The four areas involved (1) profit element, (2) rate base, (3) depreciation, and (4) taxes. With regard to the *profit element*, the Board decided the industry's profit element should be regulated by the conventional test of rate-of-return on investment; as opposed to the air carriers' proposed operating-ratio, or its complement, the return margin.[69] The fair and reasonable cost-of-capital, or rate-of-return, was found to be 10.25 percent for the Big Four air carriers (based on a cost of 4.5%for debt, 16% for equity, and a 50:50 debt: equity ratio), and 11.125 percent for the intermediate eight air carriers (5.5% cost for debt, 18% for equity, with a 55:45 debt:equity ratio.) [70] The *rate-base* recognized for air passenger fare regulation consists of (1) net working capital; (2) net operating property and equipment, after deductions for depreciation and overhead reserves; and (3) other used and useful assets, including equipment purchase deposits. Rules for *depreciation* charges are just as precise. Equipment life is specified as 10 years for jet and jet-prop aircraft airframes; 7 years for piston-powered aircraft airframes and engines; and 5 years for jet and jet-prop aircraft engines. In all cases, the residual value is 15 percent, subject to 5 percent of the airframes cost being included as a built-in overhaul allowance. Finally, the recognized income *tax* expense is to be based upon straight-line depreciation, rather than actual payments. The standards, therefore, are not only elaborate and particular, but very explicit; i.e., mathematically, the profit element

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is calculated down to one-hundred-thousands of one.

Considering the method of employing these standards, the Board found that major problems fell into two categories: (1) the degree or extent to which the air passenger fare level should be based upon the return to be anticipated over an extended period of time; and (2) the degree to which air passenger fares should be regulated on an industry-wide basis as opposed to the need of 'each' air carrier.

With regard to the length of the period to be taken into account in determining the reasonableness of fares, the Board reaffirmed its decision in the dismissal order of the original *General Passenger-Fare Investigation* that the reasonableness of the air passenger fare level depends upon the long-term economic needs of the air carrier.[71] That is, the level of fares should reflect the cyclical need rather than the needs of a particular year. The degree by which short-term factors would be influential in affecting the extended-period fare level was found to be dependent upon (a) the length of time such factors are expected to remain operative, and (b) the magnitude of such short-term factors impact upon the bulk of the industry's operating results.[72]

With regard to the 'need' of each air carrier, the Board found, all other things being equal, that air passenger fare adjustments should normally be predicated upon the return for the industry as a whole. That is, in determining air passenger fare adjustments, the Board decided that consideration would be given to the degree by which the fare level meets costs, by classes of carriers; i.e., the weighted average of the relationship of yield per passenger-mile to cost per passenger-mile (including the cost of capital, or rate of return on investment).[73] The Board felt that the industry average, although not controlling, is entitled to great weight because it should indicate the extent of any general fare adjustment needed to produce a reasonable return for the industry as a whole. The Board acknowledged that under such a system of industry-wide regulation some air carriers might fail to attain the standard rate-of-return, or cost-of-capital. However, the Board felt that as far as the problem of accommodating the requirements of the weak and strong air carriers was concerned, there were other more appropriate tools available to resolve these problems than adjustments in the general level of fares.

Clearly, general fare increases cannot be regarded as the panacea capable of solving the problem. There are other tools which are more appropriate for use in dealing with the less profitable carriers. First, *an over-all examination of the general passenger fare structure, an issue excluded from this proceeding, might well result in bringing the costs and revenues of individual carriers into closer alignment*. Second, as the Examiner pointed out, carriers whose needs are not met by general fare level adjustments can seek higher fares, although competitive aspects would preclude them from charging such fares except on some few noncompetitive segments (assuming, of course, that such fares are otherwise lawful). *A third tool is that of route realignments* designed to produce a more balanced competitive structure. Finally, we are authorized by Section 406 of the Act to grant subsidy payments where we find that such compensation is required in the interests of commerce, the Postal service, and national defense.[74]

With regard to the other half of the fare level formula, costs and traffic, the Board found that in the absence of reliable forecasts of future operating expenses and revenues, it was impossible for the Board to determine the proper fare level.[75] However, the Board went on to state that:

If fair standards could be ascertained for representative periods which can be reasonably defined, it is clear that the Board would be able to deal with the problems of determining appropriate fare levels much more effectively. But it appears that development of such standards must await a time when the industry has reached a more stable period. Then, more work in this area by Bureau Counsel and the carriers may be productive of standards of real utility in fare regulation.[76]

Finally, the Board spoke of the requirements of the *law itself*, noting that the general policy with regard to fares and rates for the transportation of persons and property by aircraft is established in the Act of 1958.

On the one hand, it is clearly not the function of the Board to assume the role of management and substitute its judgement for that of carrier management with respect to matters which are the prerogative of management. And clearly the *AOA* case, as well as other cases cited in the Initial Decision, forecloses the Board from regulating fares on the basis of policies divorced from factual findings which the statutory provisions require. On the other hand, the Board is under statutory injunction in determining rates to consider such factors as: (1) the need in the public interest of adequate and efficient transportation of persons and property by air carrier at the lowest cost consistent with the furnishing of such service; (2) the promotion of adequate, economical, and efficient service by air carriers at reasonable charges; and (3) the need of each air carrier for revenue sufficient to enable such air carrier, under honest, economical, and efficient management, to provide adequate and efficient air carrier service.[77]

While concurring with the majority of the Board on most determinations, Member Minetti dissented on three basic issues—the amount of the rate-of-return; the computation of the investment base; and the calculation of taxes. Member Minetti went on to state that informed regulation requires that the Board explore current cost levels, in light of actual experience, in order to learn the extent to which the then considered high level was due to expensing of aircraft integration and other non-recurring causes, and secondly, in order to ascertain representative cost levels for the forseeable future.

Effect of fares on the movement of traffic.—We have deferred decision on this issue, along with our deferral of decision on cost and load factor standards, because of the interrelation of the topics. Obviously, the effect of fares on traffic cannot be ascertained until the cost and load factor decisions, on which fares are primarily based, have been made.[78]

Thus, twenty-two years, three months, and seven days, after the Civil Aeronautics Act of 1938, had become effective, the Board established precise and detailed standards for half of the formula normally utilized in measuring the just and reasonableness of air rates, fares, and charges.

The preliminary details of the decision in the second *General Passenger-Fare Investigation* were contained in a press release issued on April 29, 1960.[79] The rate-of-return contained therein indicated that the domestic air carriers' net earnings during the previous three year period had been significantly below the announced standards. Seven air carriers, therefore, promptly filed tariff increases ranging from four percent plus one-dollar per one-way ticket (4% plus $1) to ten percent (10%). In reviewing these tariff proposals, the Board employed its new regulatory standards, as announced. Upon consideration of these matters, the Board observed that each of the tariff proposals called for an increase greater than appeared warranted; but that upon the basis of these same considerations, it had determined that it would permit a general increase of two and a half percent (2.5%) plus one dollar per one-way ticket ($1) to become effective July 1, 1960.[80] This represented the seventh consecutive increase in the general air passenger-fare level in fifteen years, and the third consecutive change in the tapered fare structure in eight years. And as of then, there still had not been a full examination into the air carriers' air passenger-fare structure, as Member Minetti noted in his concurring opinion.

We have been unable to isolate, with any degree of certainty, the factors which are influencing the present cost increases, nor do we know whether the cost trend is temporary or permanent.[81]

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In view of the foregoing, I will now assume, for the purpose of this fare decision, that costs are more than temporarily inflated and that load factors are in no degree controllable and will not be further depressed by the fare increase granted herein. In doing so, I state my belief that resumed hearings in the GPFI, for the purpose of a full exploration and analysis of the economics of operation in the turbine era, are essential. Only with such information can we intelligently regulate rates and fares. We cannot, in the interest of the industry and the public, continue to proceed half-blind in this critical area.[82]

The resumed hearings which Member Minetti referred to as 'essential', which Member Branch had considered 'imperative' in 1942, and which Member Lee had called 'important' and Member Adams viewed as an 'expressed mandate' in 1953, never came to pass, for when the Board issued its opinion containing its findings, conclusions, and decisions, on November 25, 1960, it also terminated the second *General Passenger-Fare Investigation*.[83]

Miscellaneous changes considered in the fare structure subsequent to the general passenger fare investigation.—A second important development in 1961, was the introduction by Eastern Air Lines, on April 30, of its 'Air-Shuttle' service between Boston-New York-Washington. Every passenger is guaranteed a seat on this service, even though there is no reservation service. Meals and beverages are not served, and passengers carry their baggage to the boarding gate. Air fares were initially substantially lower than coach fares, or in other words in the category of economy fares. Subsequently, however, Air-Shuttle fares were raised to a point where they exceed all propeller coach fares, as well as many propeller first-class and jet coach fares.

Despite the introduction of jet aircraft three years previously (in 1958), and the implementation of numerous promotional fares the air carriers continued to have their cronic financial problems. The air carriers themselves attributed much of their financial distress to a shift of passengers from first-class service to coach services. The air carriers contend this shift resulted in a loss of revenues without a commensurate cost savings.

To correct this situation, United Air Lines filed a new tariff on November 1, 1961, to become effective January 1, 1962. The changes proposed included the following increases: (1) jet first-class, add one dollar per one-way ticket; (2) jet and propeller coach: *day*—add five percent plus one dollar per one-way ticket, *night*—cancel; (3) propeller first-class, add approximately six percent plus one dollar per one-way ticket. In other words, United wanted to again change the fare structure by increasing the taper and varying the proportion of the increase by class of service.

Six other air carriers also notified the Board of their intention to file new air passenger tariffs. Their proposals varied considerably, at least in detail. Certain air carriers wanted to cancel various discounts and promotional fares. Nevertheless, all the air carriers appeared unanimous in their proposal to change the fare structure by decreasing the spread between first-class and coach fares. Generally, the air carriers favored increasing air coach fares approximately five

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percent; that is, to a level of 83 or 85 percent of first-class fares, as opposed to the prevailing 75 percentum.[84] American Airlines, a long-haul carrier, however, wanted an even greater change in the fare structure. First, it wanted to reduce first-class fares, over 1,200 miles, by five percent; second, American would have increased the corresponding coach fares by five percent.

Nevertheless, because of the deteriorating financial situation of the domestic trunkline air carriers, a bare 3–2 majority of the Board indicated their willingness to permit the industry to effect an interim blanket across-the-board increase of not more than three percent (3%) for a period of six months; subsequently, on August 1, 1962, this eighth increase in air passenger fares was extended indefinitely.

Vice Chairman Robert T. Murphy and Member Minetti were the dissenting members. They dissented on the grounds that a general increase in air passenger fares might discourage, rather than encourage, improvements in the decline in percentage utilization of available capacity then being experienced. They wanted to focus more attention on reducing what they considered to be needless over-head expenses. They felt such reduction could produce significantly lower operating costs.

By the middle of 1962, the greatly improved, and steadily increasing efficiency of the jet aircraft was beginning to be realized. Simultaneously, some of the air carriers were beginning to become aware of their need for a tremendously larger air-travel market. The net result was that the impact of competitive forces (never before believed to be effective in the regulated air carrier industry) started forcing the domestic air passenger fares *down*.

Most of the air carriers were not particularly happy with the turn of events. These carriers decried the price cuts; they felt they had lots of 'lean' years to make up for, plus some staggering future obligations for which sound financial preparations had to be made. Most of the financial problems associated with the introduction of jets can be traced to just such lack of financial preparation by the air carriers.[85]

Continental Air Lines initiated the new competitive era by introducing a new three-class service on August 24, 1962. Subsequent to November 4, 1948, the domestic air carriers had generally provided only two classes of service; i.e., first-class and coach.[86] Continental retained the first-class service, but eliminated the coach service and introduced two new classes of service—'business-class' and 'economy coach'.

Business-class.—The new business-class was actually similar to an economy-first-class service. The passengers were seated five-abreast on jet aircraft, versus four-abreast for first-class, and such passengers received meals of a quality similar to those then being provided in the coach section. The business-class fares were 12 to 15 percent below the prevailing first-class fares and about five percent (5%) above the coach fares then in effect.

Economy-coach.—In the new economy-coach section meals were not served and the six-abreast seat spacing was tighter than on the existing coach classes. The economy-coach fares however were about twenty percent (20%) below the prevailing coach fares.

Continental was attempting to persuade the expense account traveler to up-grade his purchase of air transportation from coach to business-class. At the same time it was also trying to get the non-business traveler to go by air. The other domestic air carriers openly disagreed that this could be done terming the planned fare structure "a long step towards disaster for the industry." [87] Nevertheless these air carriers did ask the Board to approve their "defensive" air passenger fares.[88]

Introduction of middle-class service.—Unhappy with the rapidly expanding multiplicity of services United Air Lines decided to attempt to get the air carriers to return to a "one-class" system. The proposal initially drew increasing support from those air carriers critical of the complex of coach and discount and promotional fares. These carriers felt these fares were diluting the industry's first-class revenues.[89]

Basically, United proposed a five percent (5%) more costly coach service with five-abreast seating, and service accommodations that essentially were comparable to Continental's business-class service and its own previous propeller custom coach service. Significantly, United did not offer the new service on the highly competitive Chicago-Los Angeles route, where its own business-class was substantially identical. In addition, the new one-class service would then have had to compete with the lower priced economy-coach of it and its combined competitors. The fares were permitted to become effective without a hearing.

Change in first-class fare structure.—American Airlines, on the other hand, felt that there was a strong public need for two classes of air service. Apparently American had the majorities' support, since no other domestic air carrier ever joined United in its one-class experiment. In a move to counter United's one-class service, American first tried increasing the first-class family-plan discount from 33.3 percent to 50 percent of a full fare. All the other air carriers, including United who still had first-class service, were forced by competitive necessity to match this liberalized discount.[90]

However, with this discount, first-class travel became cheaper than coach or one-class service, for a couple traveling under the family-plan. This naturally had a major impact of first-class traffic. Whereas first-class payloads had been declining for years, as coach payloads increased, first-class traffic now surged,[91] and it did so without appearing to drain traffic away from the coach section.[92] The first assumption from such evidence would normally be that the family-plan experiment demonstrated that lower air fares will attract new customers; but the air carriers apparently felt otherwise. In September 1963, most of the air carriers filed new tariffs designed to rectify the situation by reducing the family-plan discount from 50 percent to 40 percent.[93] Such a change would have eliminated the undesirable feature of granting first-class passage to a couple at a price lower than that for coach or one-class service.

United, however, filed a tariff that not only continued the 50 percent discount on first-class, but extended the family-plan to the one-class and coach services as well. While the Board was apparently tempted to adopt United's proposal, it finally voted 3–2 to suspend all the new air tariffs, and thereby retain the status quo. At the same time, the Board authorized its staff to meet once more with industry representatives in an attempt to resolve the situation. The subsequent meeting on November 14, 1963, set the stage for another major revision of the U.S. domestic fare structure without an evidentiary hearing.

American Airlines continued to be deeply disturbed by the gap between its first-class fares and United's one-class fares, since apparently, like the coach services, this new service was diverting first-class traffic to a lower class of service. It wanted a "proper relationship" between the three fare levels—first-class, one-class, and coach.[94] American contended that one-class service was midway between coach and first-class service as to seating arrangements. American's eventual answer, to what had been a general air carrier complaint for the previous two years—dilution of earnings resulting from a shift of passenger traffic to a lower class of service, was a two pronged attack: (1) a radical change in the fare structure by cutting long-haul first-class fares, and (2) application of the family-plan discount (reduced to 25 percent) to all classes of service.

First-class fares were reduced on all trips over 700 miles in length on January 15, 1964, so that the gap between first-class and one-class would be identical to the differential between one-class fare and the coach fare.[95] This new formula evidently meant that for trips under 700 miles in length, the first-class fares would continue to be constructed by the usual mileage method; but for trips in excess of 700 miles, the first-class fares would be determined by a ratio of the one-class and coach fares.

The second part of American's "fare package", reduced the family-plan discount to twenty-five percent (25%) of the fare and extended the plan to both the one-class and coach services. Competing air carriers, compelled to file for similar reductions in the first-class fares in competitive markets, objected to the new fare structure.

Nevertheless, the new fare structure was permitted to go into effect on January 15, 1964, without an evidentiary hearing.

Introduction of thrift-class service.—Although the Board instituted a number of major passenger fare investigations during the period immediately following the completing of the *General Passenger-Fare Investigation*,[96] as a result of various changes in the fare structure, the Board more or less remained primarily on the sidelines letting the air carriers fight among themselves. The industry battle, afterall, was driving the fare level in the direction the Board wanted it to go—*down*.[97] Stung by criticism during the hard years of the original jet transition, the Board was determined to let the air carriers chart their own course during the initial stages of the profit surge.

This situation represented a complete reversal again from that prevailing two years previously. At that time the air carriers were united in a struggle to raise air passenger fares, and the Board used its strong arm of regulation to prevent any increases. When the Board eventually, but reluctantly, approved the three percent (3%) increase, the air carriers complained that it was too little too late. Two years later, these same air carriers were moving in the opposite direction, but without that same unanimity. Three members of the Board even expressed concern that some of the air passenger fares might be dropping to an uneconomical level.[98]

Air passenger fares were now beginning to be used as competitive tools. Some air carriers were forced to adopt fares they bitterly opposed. As a result, a feeling began to develop that the new tariffs were without uniformity; that they were degenerating into a complex fare structure; and that this was turning what should be a simple task of preparing a ticket into a complicated mathematical problem. American Airlines' new tariff revision alone involved 35 pages, and included more than 300 separate provisions and restrictions affecting new rates.[99] But, underneath these differences concerning the fare structure, there still remained the basis issue.

The current fare squabble again raises an old question that has never been properly answered: will lower fares open up enough new markets to offset a drop in revenue yield per passenger. Some feel that this is a basic weakness in airline management—lack of a pricing technique, a major factor in the conduct of any business. The present tariff structure is so involved that it is virtually impossible to unravel the intertwining rates to determine exactly what yield any given seat-mile, the basic airline product, is producing.[100]

The success of American's new fare structure eventually made it necessary for United Air Lines to substantially modify their 'noble' one-class service experiment. United began substituting a new three class serv-

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ice plan on August 9, 1964. The three classes were: first-class, standard-class, and coach. United's three class plan should not be confused with Continental's three class services, since United's lowest class (coach) is equivalent to Continental's reinstated in between class.

The new "standard-class" or middle-class service with five-abreast seating arrangement, was substantially similar to United's out-going one-class service, propeller custom coach service, and Continental's previous business-class service.[101] Consequently, standard-class fares were generally identical to the one-class fares; the exceptions, amounting to less than two percent (2%), were confined to those long-haul markets in which the first-class fares were reduced on January 15, 1964. These specific reductions were "designed to restore the standard services fare to a more realistic and equitable relationship with first-class and coach fares in the relevant markets.

The adjustments in fares that are now proposed by UAL he said "are designed to place them at 33⅓ percent level between coach and first class fares, i.e., 33⅓ percent of the difference between first class and coach fares is to be added to the coach fares to produce the standard fare.

Subsequently, following their surprisingly successful low fare experiment to Hawaii, United launched on September 27, 1964, (without a C.A.B. hearing or investigation) a new high-frequency, high-density, low-priced, thrift-class, "no-frill", jet commuter service in the highly competitive California market. United had initially been forced into charging the fifth-class fares after a long and bitter battle with Pan American World Airways. United had strongly objected to the thrift plan advanced by Pan American because the sharply-reduced fares and high-density seating arrangements were contrary to United's traditional operating principles.[102]

Thus, by the end of 1964, the basic pattern of the present five classes of domestic air passenger service had been firmly established. These five classes of service consist generally of (1) first-class or regular service; (2) standard-class, a middle-class of service similar to business or one-class service; (3) coach service; (4) economy-class; and (5) thrift-class, which might be considered as including jet-commuter, air-bus, and similar services. All five of these services, with the exception of coach service have been established and maintained without any completed Board investigation as to the just and reasonableness of either their horizontal fare structure, or their relationship to each other (i.e., their vertical fare structure).

Eastern fare structure.—The most recent attempt by a domestic trunkline air carrier to revise the fare structure to more equitably and reasonably relate rates at all times to costs or expenses, and thereby provide an equal opportunity for both long-haul and short-haul air carriers to earn a reasonable profit, was proffered by Eastern Air Lines. On November 10, 1964, Eastern filed a tariff revision marked to become effective on January 15, 1965. Eastern proposed a general revision of all domestic first-class and coach fares under a formula whereby each existing fare would be adjusted so as to reflect the combination of (1) a five percent (5%) *decrease*, and (2) a flat $2.50 *increase*.

Eastern's proposed change in the fare structure was "not a temporary 'general fare increase' nor a stop-gap effort to obtain more revenue." Eastern's proposal was purportedly part of a studied program to revise the basic passenger fare structure. In support of its proposal, Eastern indicated to the Board that the objective of its revised passenger fare structure was to more equitably relate fares to expenses. Eastern had concluded from its studies that its average fare yield was insufficient to cover average costs, primarily because of its extensive short-haul obligations.

Eastern asserts that the existing fare structure favors the long-haul carriers and the short-haul passengers; that both long-haul and short-haul carriers should have equal earning opportunities; and that Eastern's proposal is designed to do so.[103]

National Airlines filed a complaint with the Board requesting suspension and investigation. Mohawk Airlines filed a letter supporting the proposal. American Airlines and Trans World Airlines filed letters to point out (1) they did not endorse the proposal; (2) that such a proposal was not a mandate to the industry to make similar fare adjustments and (3) that if Eastern desired to increase its short-haul fares, *it could do so without upsetting the fare structure of the other air carriers;* i.e., reducing long-haul fares.[104] The Board decided, by a 3 to 2 vote, to dismiss the complaint filed by National because it did not state facts which warranted investigation. As a consequence, the Board again permitted a major change in the air passenger fare structure to become effective without investigation.

Vice Chairman T. Murphy and Member Minetti voted to suspend and investigate the entire proposal. Their dissent indicates they considered the economic growth situation of the air carriers in early 1965 to be favorable enough to warrant the Board adopting a new "hold-the-line" policy against any fare increases.[105]

C.A.B. Order No. E–21637 is a remarkable document because (1) the dissent of Members R. T. Murphy and Minetti clearly reveals the Board's developing concern with the possibility of excess air carrier profits as well as its future course of action six months hence (i.e., a "hold-the-line" fare policy); while (2) the order dismissing the complaint clearly indicates the Board was still not prepared to permit a time-consuming study of the passenger fare structure and would therefore probably continue to avoid any action that could lead to an investigation of the air passenger fare structure.

Although Eastern had originally depended upon industry-wide acceptance of its proposal to both increase short-haul fares and decrease long-haul fares, the other air carriers chose only to match the long-haul reduction. Eastern nevertheless finally chose to go it alone and stick to its increase in short-haul fares. At present, Eastern's short-haul fares are still higher than those of its competitors in many markets.

Fare structure changed by the board.—The abrupt surge in traffic that began in about May 1963 changed the air carriers' financial situation dramatically. The demand for commercial air transportation services multiplied enormously during the next two and a half years. Because one of the inherent economic characteristics of air carriers is their high leverage, the mushrooming traffic produced an almost immediate positive effect upon the industry's net earnings, causing the Board to become seriously concerned for the second time with the possibility of excessive air carrier profits. As the earnings position of the air carriers continued to improve throughout the latter half of 1963, 1964, and 1965, the Board began to take a series of actions in 1965 to tighten the reins on the air carriers' revenues. Domestic mail rates for example, were reduced for the first time since the inception of the present formula in 1955. The historical practice of the Post Office Department in making immediate payments to the air carriers for foreign government air mail charges was terminated.[106] A study of the air carriers' rates for Military Airlift Command traffic was scheduled by the Board looking toward a possible downward revision of such rates on July 1, 1966.[107]

In addition, the Board proposed a rule to change the rate-base recognized for air passenger fare regulation. It wanted to drop the equipment purchase deposit from the air carriers' rate-base. The equipment purchase deposit was initially recognized as an element in the rate-base by the Board's decision in the *General Passenger-Fare Investigation*, supra, 32. The proposed change came, however, at a time when the domestic air carriers were embarking on a second round of major jet aircraft orders. The effect of the change was considered to be more theoretical than actual because the order was supposed to have no direct effect on over-all fare levels until or unless there was a general ratemaking proceeding. Nevertheless, the air carriers generally still became increasingly sensitive to the Board's reaction to the abrupt surge in the profits.

In response, the Board expressed an opinion that the favorable earnings provided an opportunity to reduce fares; asserted that it would allow time for a clear patern to form before it would consider any action that would affect fares; and maintained that the initiative for such changes should originate with the air carriers.

In view of the increasingly strong financial position of the air carriers, the Board believed it was difficult to find any justification for any kind of fare increase, and expressed its feelings in the *Increased first-class, and baggage allowance and charge case* that the present favorable earnings position of the air carriers offered an excellent opportunity for the air carriers themselves to consider various reductions in fares or alternatively, improvements in service without fare increases.[108] The Board then went on to recommend five specific areas, among others, to which it believed the air carriers should direct some consideration.

1. Development of low-cost transportation service on short-haul segments;
2. Improve the adequacy of existing coach service by:
   a. Extending such service to more communities;
   b. Increasing the proportion of coach seats to first-class seats in dual configuration aircraft;
3. Provide better service to smaller cities;
4. Experiment with additional economy service in high traffic density markets;
5. Re-establish the free stopover privilege abolished in 1958.[109]

Changes in the first-class and standard-fare structure.—In connection with the general package proposal to revise the baggage allowance, United Air Lines also filed a number of other traffic revisions marketed to become effective on August 1, 1965.

1. Increased first-class jet and propeller fares for distances over 700 miles by fifty cents ($0.50);
2. All first-class jet and propeller first-class fares for distances over 700 miles, which had not been reduced in January 1964, were to be *reduced* to reflect the combinations of (a) a decrease comparable to that in January 1964, plus (b) the fifty cent fare increase related to the change in baggage rules (This action by the way, also amounted to the last-step in United's complete reversal of its fare policy.);
3. All first-class fares for distances under 700 miles, were to be *increased* by fifty cents; and finally,
4. All standard-class fares for distances over 700 miles that had initially been established identical to one-class fares in August, 1964, were to be *reduced* to a level equal to the existing coach fare plus approximately one-third of the difference between the proposed jet first-class fare and the existing coach fare.[110]

No complaints were filed to any of the above proposals.

Having already rejected in the first part of its opinion that portion of the proposed change associated with the industry-wide revision of the baggage allowance (i.e., the adding of fifty cents to each first-class fare), the Board turned to United's additional proposal to expand the previously approved

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Footnotes at end of article.

change in the fare structure for distances over 700 miles. Although the Board found that from the facts available there was no way to know for sure what the proposal would produce, it could see no basis for denying the reduction to other markets.[111]

Finally, in addition to the foregoing proposals, United had also routinely filed in the same tariff revision jet first-class fares in several markets for the *first time*. Approximately half of the new jet first-class fares were applicable to markets of less than 700 miles. These increases, averaging only about three percent (3%), reflected both the addition of the usual jet surcharge and the general fare increase of fifty cents per one-way ticket in connection with the baggage rule change.

The Board decided to reject these higher fares, not only with regard to the general fifty cent increase, but more importantly, as regards the addition of the jet surcharge to new jet fares at levels above existing propeller fares. The Board's decision in effect summarily established a new "hold-the-line" policy. Henceforth, higher air fares for jet aircraft would no longer be automatically approved when such aircraft were substituted for propeller aircraft on a new route segment. In other words, by suspending United's tariff, the Board itself was changing a portion of the national fare structure from a semi-value-of-service concept to a semi-cost-of-service basis. The Board justified its decision and enunciated its new fare policy in the following language:

> We note from data reported to the Board that United's earnings have been increasing steadily in recent periods, even though its return is somewhat lower than that for the industry. In the absence of an adequate economic justification regarding these fare increases, which United has failed to supply, and in light of our previous discussion we conclude that these fares, to the extent that they are higher than existing first-class propeller fares may be unjust and unreasonable. We are accordingly suspending and will investigate the increases proposed by United and other carriers on jet or propeller equipment above the current propeller fares as these proposals constitute fare increases above the existing level of fares in the applicable markets.

Thus:

(1) The Board referred with apparent approval to the 10.5% weighted average rate of return standard established in the earlier second *General Passenger Fare Investigation* 1960 opinion:

(2) The Board again expressly recognized that fare levels must be regulated to produce a reasonable rate of return "over an extended period of time" (first and second General Passenger Fare Investigation);

(3) The Board emphasized the desirability of tariff changes of a promotional nature that would build additional traffic;

(4) The Board indicated a preference for reductions in fares and service improvements initiated by the air carriers themselves; but

(5) The Board itself initiated a major change in a portion of the national fare structure by eliminating the surcharge for new jet services.

It is unfortunate that the Board decided to merge its five major decisions into one opinion, because the Board evidently failed to communicate its new "hold-the-line" fare policy to the air carriers.[112] As a result, United almost immediately refiled the tariff on August 13, 1965, without the fifty cent increase. About the same time (August 2 and 4, 1965), United filed another routine tariff revision marked to become effective September 1 and 3, 1965, proposing to add seven new one-way jet coach fares in the California and Nevada markets. In support of its tariff proposals, United stated, among other things, that basically the new jet fares were established in accordance with the generally accepted formula used by the trunkline carriers, that its proposed jet fares were no different than other jet fares permitted by the Board until April 25, 1965;[113] that a reversal of the Board's long-established policy permitting higher fares for jet service than propeller service was not desirable at that time; and that *the establishment of new principles pertaining to jet fares should be adopted pursuant to an industry-wide proceeding exploring all problems connected therewith.*[114]

The majority of the Board, however, reaffirmed their previous decision to change the national fare structure by eliminating the surcharge on new jet services; that is, to change from a value-of-service concept to a semi-cost-of-service basis. They vindicated their position by finding that the economic conditions no longer warranted such fares in excess of propeller fares. Member Gillilland dissented and subsequently set-forth his views in C.A.B. Order No. E–22816.

To the air carriers and the public, the Board's new position represented a surprising reversal of a fare structure practice dating back not only to the introduction of jet aircraft in the winter, but also the introduction of the Stratoliners, DC–6s, Constellations, and similar aircraft in the 1940's and early fifties. The jet surcharge had become by 1965 an accepted standard feature of the domestic fare structure. Air carriers included the jet differential in their revenue projections, so that it affected both the purchase and allocation of equipment. And although the Board did state there was no longer any valid economic justifications for imposing jet surcharge on *new* jet services, the Board made no mention as to the fare differentials already in effect in many other markets, nor the disruptive effect the new fare policy would have upon the existing fare structure.

Air passenger fares are not established independently they have an interwoven relationship to each other that is not only more complex than a spider's web, but frequently much more fragile. As a result, it was to be reasonably anticipated that a major change in only one part of the national fare structure was bound to be more than slightly disruptive.

Third general passenger fare investigation discussed.—On August 13, 1965, United Air Lines filed a letter with the Board in support of its refiling of the jet fares which had been previously suspended by the Board on July 27, 1965. Four times previously, in 1943, early 1945, the winter of 1952–53, and again in 1956, the Board or the air carriers had attempted to institute an investigation into the fare structure of the domestic air carrier industry. Each time their efforts were successfully thwarted. There was no investigation, no hearing or other orderly method evolved for the development of a factual basis upon which to predicate sound principles and policy relative to the national passenger fare structure. In other words, for twenty-seven years, although many thousands of individual fare changes had been filed by the air carriers, and although at various times basic methods of constructing air fares by them had been drastically altered, the Board had never investigated the overall fare structure of the air transportation industry to determine whether the charges made for passenger services by the air carriers were in fact just and reasonable.

The President of United Airlines, George E. Keck, proffered two reasons that implied the need for such a fare proceeding in 1965-66—the haphazard fare structure itself, and the realignment of routes being caused by higher performance aircraft.

Two weeks later, in an off-the-cuff speech to the Aviation/Space Writers Association, William A. Patterson, Chairman of the Board of United Air Lines, called on the Board to stop "guessing" and institute a general passenger fare investigation.

"The greatest thing that can happen in this industry is a General Passenger Fare Investigation . . . Let's actually get into the record for the benefit of both sides some of the fundamental and basic factors in economics and marketing so that everyone can learn from them.

"Of course, the CAB might have different views, but this should not be a hearing that was designed either offensively or defensively against someone else's ideas. You will get far better decisions when there is honest conflict of thought, and I don't doubt for a minute that you can have two theories, both of them completely honest. I don't question the honesty of anyone who may be making speeches today on some of these economic questions. I say, let's have an objective hearing, and I am sure we will come up with something that may be revised from my thinking, also from the other fellow's thinking, but I think we would both gain an education from a hearing of this kind."[116]

Mr. Patterson subsequently reiterated his view in an interview with the staff members of *U.S. News & World Report*.

"Today we have a rate structure full of discounts, layers of service and other lures to attract passengers. Unfortunately, only a few of the discounts the airlines are offering are doing anything to increase air travel.

"I think the time has come for the Civil Aeronautics Board and the industry to work together on a general investigation of fares, so that we can reach agreement on the fundamental factors that go into transportation policy and good management."[117]

In rejecting the proposal of the air carriers in 1956 to expand the scope of the second *General Passenger Fare Investigation* to embrace a study of all conceivable aspects of the fare situation, the Board stated:

"As we view the case, moreover, the question is not *whether* we shall explore the structural problems raised, but *when*. Our present view is that we will first examine the general revenue situation, order appropriate percentage adjustments in fares, if necessary, and then turn to the structural problems that may remain."[118]

Thus, theoretically, the Board had committed itself on the record to holding such an investigation. Nevertheless, the Board had concluded that investigation without ever taking up the problems associated with the fare structure. As a consequence, the Board had still never investigated the overall fare structure of the air carriers to determine whether the charges being made for the carriage of persons are in fact just and reasonable.

Although the Chairman of the Board was quoted in September as having stated,

"If we reject something they want, and they want it discussed more fully in an official hearing, we will try to give it every consideration."[119]

It nevertheless subsequently became apparent that neither the Chairman, nor apparently the Board, favored a General Passenger Fare Investigation.

Nor is there any indication the Board wants a general fare investigation as called for by William A. Patterson of United Air Lines.[120]

Murphy also stressed that he favors keeping whatever action the Board takes on an "informal basis." This indicates that Murphy wants to leave the issue open to airline comment and evaluation, an atmosphere that would be difficult should the Board come out with an official order or new policy.[121]

Murphy said he did not think the current fare situation called for a general passenger fare investigation similar to the one concluded in 1960. He added that "I haven't heard any suggestion around the Board for a general fare investigation."[122]

We would like to help the industry find sensible and constructive solutions to its problems. I will be pleased if we can do much of this by informal discussions—and by agreement or mutual consent.

Footnotes at end of article.

Perhaps it would be too much to expect to achieve "regulation by consensus." But for my part, I will be glad for us to get as large a part of our job done by consensus as we can.

No one can properly be expected to yield on vital principles. But on the other hand, the air transport industry is too important, and full of too many needs and opportunities for progress, for us to waste our time and energies on useless arguments and long drawn-out regulatory battles that we do not need to have.

I'm sure we can accomplish more by working *with* each other than by working *against* each other. And I hope that is the path we follow.[123]

The Chairman has let it be known that he does not favor long, involved hearings on every issue that arises. Such a legalistic approach, he feels generally takes more time than is necessary or justified by the results.[124]

The situation now developing also will be the first real test of the new philosophy brought to the Board by its Chairman Charles S. Murphy, regarding industry-CAB relations. Murphy's clear preference is to settle key issues around the conference table rather than through the time-consuming formality of public hearings.

"You've got to admire Murphy's guts in approaching a thing this big by means other than the traditional public hearings", one trunkline executive said. "Whether his technique is valid depends solely on whether we can come to agreement." [125]

Apparently the majority was still not impressed by the complexity or importance of the problems which were being dismissed without consideration, because the only reference made to these issues when the ban on surcharges for new jet services was lifted, was contained in a press release which stated, among other things, "The CAB expects that the ensuing study will delve into all these matters and will provide the basis for long-range improvements in the fare structure." [126]

Re-establishment of surcharges for new jet services.—Just as it had done on similar occasions, the Civil Aeronautics Board again called on air carrier officials to meet with its staff; i.e., the Bureau of Economics. Two meetings were held, the first on October 5, 1965; the second on November 18 and 19, 1965. On the basis of the facts proffered at these two meetings and subsequent revision of the figures to include consideration of the "interlocking" effect, the survey of the domestic trunkline carriers showed the total loss in revenue attributable to the Board's new fare policy would be approximately $146,453,000.00 annually.[127] As a result, by the beginning of 1966 all the indications were that some of the air carriers were ready for a showdown with the Board. Eastern Airlines refiled a tariff which it had previously withdrawn. The tariff (scheduled to become effective on January 20, 1966) contained surcharges for its new jet services. Whereas Eastern and various other air carriers had previously withdrawn their tariffs once the Board had rejected their proposal, Eastern was prepared on this occasion to leave the tariff filed with the Board in suspension, thereby forcing the Board to either hold a hearing on the suspension within six months in accordance with subsection 1002(g) of the Act of 1958, or being forced by that subsection to let the tariff become effective.[128] However, by this time there was also a general feeling among the air carriers that the Board wanted to clear up the confusion in a manner that would enable it to maintain a fare ceiling, and possibly affect some formula for the gradual, orderly reduction of air fares which could be absorbed by the traffic.[129] The Board appeared, among other things, prepared to accept a tradeoff in an amount equivalent to the amount the air carriers would receive from application of the surcharge to new jet services, but the Board was leaving it to the air carriers how to arrange the fare adjustment.[130]

Just as the majority of the Board had advocated in 1948 and 1953, the Board again had directed its staff to prepare a study.[131] This two stage study, and the facts which it presented, was to provide (like the previous reports) a basis for formulating corrective action.[132]

The first stage of the study sought an immediate solution to the inequities arising from the surcharge ban. This report, which was presented to air carrier executives at a meeting between the Board and eleven domestic trunkline carriers on January 24, 1966, contained a recommended formula for reducing fares in an amount equal to potential surcharge revenues.[133] This report included a basic premise that while a ceiling on fare increases was justified, holding all future jet fares to the level of propeller fares was not a practical means of obtaining that objective.[134] The second stage of the study was to be a more detailed analysis of the over-all fare structure and the means by which it might be simplified along more definitive lines. Generally speaking, the staff anticipated that this study would involve (1) an analysis of the existing domestic fare structure, (2) an analysis of cost patterns bearing on key aspects of the basic fare structure, and (3) identification of possible fare structure improvements from the standpoint of a sound national air transportation system and the interest of the travelling public. The Bureau of Economics expected to examine: (1) the mileage taper question; (2) the relationships among the fares for the different basic classes of service; (3) geographical and other fare disparities; (4) fare construction policies and practices including fare-making mileages; (5) possible fare structure criteria; as well as (6) other related matters.[135]

After the January 24th conference, which lasted less than two hours and was attended by nine presidents and high-level representatives of two other trunklines, had been concluded with only one definitive proposal from the air carriers, the fare picture continued to be a highly confused state. The Board had only three alternative courses of action available:

1. The Board could approve the new reduced excursion fare proposal made by United Air Lines at the January 24th meeting, and permit the air carrier to reinstitute the policy of charging a moderate surcharge differential for new jet services: Provided, United and the other air carriers filed with the C.A.B. tariffs to implement such excursion fares;

2. The Board could enter upon a hearing concerning the lawfulness of the fares and provisions proposed by Eastern Airlines which had been subsequently suspended by the Board on January 19, 1966 (C.A.B. Order No. E–23131); but this would be somewhat tantamount to instituting another General Passenger Fare Investigation, and no one but United had much stomach for that course of action; or

3. The Board could do nothing by merely extending the period of suspension of the fares and provisions proposed by Eastern Airlines to July 19, 1966 (the one hundred and eighth day beyond the time when the tariff would have otherwise gone into effect) at which time the tariff would go into effect automatically by statute.

The Board chose the first alternative. As a consequence, the Board announced that if United filed with the C.A.B. a tariff to implement its excursion fare proposal, as it was understood by the Board, the Board would be disposed to approve such a tariff (subject to consideration of complaints) and also to approve tariffs filed to institute new jet surcharges in line with the prior pattern for a period having the same expiration date as the excursion fare, but not later than April 23, 1967.[136] Similar tariffs filed by other air carriers also would be approved. The air carriers promptly accepted the Board's offer by filing the appropriate air tariffs.[137] As a result, on March 27, 1966, all jet services in the United States were again established on a semi-value-of-service concept, as opposed to some services being on a semi-cost-of-service basis, and some on a semi-value-of-service basis.

The significance of the Board's action and the air carriers' counteraction should be clearly understood. As an answer to a Board reduction of their passenger revenues, the air carriers agreed to some reductions in those revenues, but the air carriers themselves had to suggest and file the tariffs reducing passenger rates. For the eleventh time, the Board agreed to a compromise solution affecting passenger fares, without insisting on the development of a factual record in public hearings upon which to base a far-reaching decision.

In the absence of a formal proceeding, the Board could not direct appropriate action to correct the inequities in the fare structure. The 1966 conference, as its predecessors, again without an evidentiary hearing or investigation in any sense, was completely ineffectual. For the eleventh time in twenty-seven years, air fare changes were made without adequate consideration and review by the Civil Aeronautics Board of the United States of America.

In January 1968, the Board's staff issued a "draft" of its long awaited second stage of the study for the stated purpose of obtaining comments and criticism from interested parties. The key element of the study turned out to be industry average regression lines indicating the relationship between existing fares and non-stop, great-circle mileages. Unit costs were also studied on a mileage basis, but as a basis for determining the direction in which the current fare structure should be adjusted, rather than as a test of reasonableness.[138]

In general, the staff found that improvements were warranted and it therefore suggested that various actions be taken to correct existing anomalies and disparities and make improvements in the existing fare structure without a general revision. Specifically, the staff recommended that (1) extreme variations (described as 8% or more) should be modified so as to achieve a greater degree of internal consistency; (2) new fares should be established within the patterns of the existing structure; (3) carriers should publish single factor through fares in each of the own on-line markets and (4) single factor joint fares in all markets in which two or more carriers offer connecting service; (5) stopovers should be permitted at a reasonable charge; and (6) routing rules should be liberalized and restrictions generally removed. In addition, the staff felt the industry and Board should undertake further study of the fare taper and the relationship of first class and coach fares, as well as the establishment of fare structure criteria.

No attempt was made to establish whether present fares were or were not "just and reasonable", or whether these fares, jointly or severally, complied with the statutory standards of the Act of 1958. In point of fact, neither the Act or any of its standards were even mentioned in the study. Nor was any consideration apparently given to any other ratemaking basis than mileage, although such a basis had been suggested initially by one of the carriers.

In addition, the title page contained the following notice:

"This is a staff draft which has not been approved by the Board and is not expected to be submitted by the staff to the Board for action until comments of industry and other interested persons have been submitted."

As requested, some of the airlines did forward to the staff their views, and during the interim (while awaiting further developments) continued to file their tariffs accord-

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Footnotes at end of article.

ing to the customary formula. Then suddenly, without any warning or evidentiary hearing—public or private—the Board announced on July 30, 1968 that fares proposed above the industry average (rounded) should not be permitted to go into effect without an investigation. Member John G. Adams dissented.

A majority of the Board would suspend and investigate because the proposed fares are said to be above the "industry average", by which apparently is meant the so-called "norm" computed in the Fare Structure Study. Thus the majority appears to be enunciating a new policy that fares above the "norm" are unacceptable.

The "norm" is not a standard which the Board has made clear to the industry, let alone a ceiling above which no new fare is to be permitted. Any "norm" is no more than a line drawn through a series of dots representing fares above and below the line, in the preliminary Fare Structure Study.[139]

Fare structure changed.—In terms of operating earnings the financial results of 1968 were disappointing. The air carriers consequently again began to feel that the same old combination of factors again posed a threat to their profit margins; i.e., stabilized revenues, rising costs. Some upward revision in air passenger fares appeared necessary to the carriers. In light of the staff's fare structure, the generally accepted proposition that air carriers were making money on their long-haul service, and failing to meet expenses on short-haul routes had gained new credence. Therefore, to rectify this situation several air carriers filed revised tariffs during the latter part of 1968 and early 1969 using different methodologies. After analysis, the Chairman announced on January 13, 1969, at a meeting with the Chairman, President or other representative of 11 trunklines and 2 other carriers that the Board had concluded that none of the proposals could be approved *in toto* and that all should be suspended.

Following a general exchange of comments on various alternatives suggested by the Board and carriers at this meeting and another on January 16th, the Chairman informed the carriers that a majority of the Board would probably approve an across-the-board increase in first-class fares of $3.00 (with additional increases of $1.00 to $7.00 on certain east-west routes of 800 miles or more); plus an increase in coach fares by $2.00 under 500 miles and $1.00 in markets between 500 to 1,800 miles, etc.[140]

Once again the carriers accepted the Board's offer by filing the appropriate air tariffs, and on February 19, 1969, without the benefit of public hearings and an evidentiary record the Board dismissed the complaints of the National Air Carrier Association and Department of Defense.[141] Thus, for the twelfth time a major change in air fares had been made without the establishment of an evidentiary record. Since February 20, 1969, air passenger fares in the U.S. have been constructed upon a *variable tapered passenger-mileage basis.*

The preceding factual analysis of air carrier rate cases has clearly set forth sufficient facts to establish the complete absence of the development of any factual record as to the lawfulness of present rates, fares and charges for transportation of persons by air carriers. To paraphrase former Member Joseph P. Adams, although many thousands of individual fare changes have been filed by the air carriers during the past 31 years, and although at various times the basic method of constructing air fares by them has been drastically altered, the Board has never investigated the overall fare structure of the air transportation industry to determine whether the charges made for passenger service by the air carriers, including the applicant, are in fact "just and reasonable."

In view of the record, complainants are willing to stipulate that the rates in effect on March 1, 1968, and thereafter are related to mileage, do contain a flat amount of approximately $3.00, $4.00 or $5.00 per published fare, and are legal, but not that said fares are lawful in the complete absence of any factual record developed through public hearings to warrant such a finding.

Therefore, it is complainants' contention that no foundation has been laid by applicants on the basis of existing fares themselves to substantiate any conclusion that the Industry Jet Coach Regression Line proffered complies with the statutory standards of the Act of 1958 and the *Air Freight Rate Investigation*, and that those present and proposed rates which do not meet these tests are unlawful.

B. Mileage

Second, the mileage used by applicants in their formula are great-circle intercity distances from *city center-to-city center.*

However, according to Part 247 of Title 14 of the Code of Federal Regulation, direct *airport-to-airport* mileage is the official mileage record of the Board which "shall be used in all instances where it shall be necessary to determine direct airport-to-airport mileage pursuant to provisions of Title IV and X of the Federal Aviation Act of 1958. . . ." Titles IV and X incorporate Sec. 404 "Rates for carriage of persons and property" and Sec. 1002.

It is complainants' contention, therefore, that the Industry Jet Coach Regression Line proffered by applicants does not comply with the Economic Regulations of the Civil Aeronautic Board, and that a rate constructed solely on this basis is unlawful.

C. Formula

Turning to the other part of the Industry Jet Coach Regression Line, the mathematical formula used to construct the regression line, it is often desirable from a statistical viewpoint to observe and measure the association which occurs between two or more statistical series.

When two associated series are plotted graphically with one variable on the X or horizontal axis (such as distance) and the other on the Y or verticle axis (say the fare); the result is known as the "scatter diagram." If there is a definite association resulting from the plotting of the variables on the chart, the points will follow a definite line of movement or path or "trend." This resulting line or curve is known as the "line of regression."

When the relationship is perfect, it is obvious that for every given value on the X axis there would always be indicated a certain value on the Y axis. If the series are imperfectly associated, a definite value of Y will still result when a given value of X is selected; however, in accordance with the more or less imperfect association, the variation will cause the points to depart from the indicated line or curve creating a scatter. If there is a high degree of association, the scatter will be confined to a narrow path.

Finally, if the trend of the data is linear, the resulting equation will be of the type: $Y=a+bX$, which is a correlation technique for a straight line trend, commonly known as the "least-squares method." (See: A Study of Domestic Passenger Air Fare Structure, p. 15).

The principle of least squares aids in determining the line that best describes the trend of the data. The Principle states that a line of best fit to a series of values is a line the sum of the squares of the deviations (the differences between the line and the actual values) about which will be a minimum. There can be only one having this qualification.

The least-squares lines for a given series may be obtained by use of a set of two of the above type equations derived mathematically. The equations may be solved simultaneously by obtaining equal values for the coefficient of one unknown, either the estimated slope b or the estimated intercept a. Once one unknown is established, the other is easy to compute by substitution. Having obtained the values for the intercept a and slope b, the formula for the line of the trend can be written.

In interpreting the equation it is necessary to state the point of origin and the units used in the enumeration of the original values. For example, the equation as finally stated for airline fares might read:

Trend of Industry Jet Day Coach Fares in the United States, March 1, 1968: $Y=\$7.21+5.67\text{¢}X$; Origin: 0 miles; Unit: dollars per fare.

The least-squares method is used extensively in economic computations for estimating secular trends (any general tendency of values in a statistical series to increase or decrease over the X axis), and for calculating the association between two or more variables for comparative purposes. It was adapted in *A Study of Domestic Passenger Air Fare Structure* "as a means of describing the relationship, on the average, between such fares and the related nonstop distance", and "to describe in a general way the fare patterns inherent in the existing domestic fare structure". (P. 11)

As noted in the previous section, domestic airline fares in the United States have, broadly speaking, been computed on uniform tapered rate per mile since April, 1952. Consequently, it is not surprising that "Use of a straight line formula, to indicate the fare-distance relationship, conforms to the general usage in the industry;" and that the Board "tested the degree of fit of a straight line to jet day coach fares and found that the straight line with a coefficient of correlation of .997 is the best fit" (p. 22). In essence, the formula is merely a mirror reflecting itself.

It should be noted, however, that the values of the intercept a and slope b in the Board's staff's study and TWA application do not agree with each other or the values generally used to compute fares. There are three general reasons:

1. A change in mileage utilized for computing the X axis from between "airport-to-airport" by way of the certificated route, to between "city center-to-city center" via the non-stop great circle route;
2. Changes in fares to round dollar amounts; and
3. Miscellaneous factors such as subjective adjustments made in fares by ratemaking personnel, mathematical problems associated with differences in the size of the statistical population, etc.

The least-squares method used to construct the Industry Jet Coach Regression Line is therefore a widely used purely mathematical procedure for computing the average between two variables or determination of a trend. According to Dr. Herbert Arkins and Dr. Raymond R. Colton in their book *Statistical Methods*, the advantages and disadvantages of the least-squares method are as follows:

Advantages

1. The method expresses trend in the form of a mathematical formula which may be easily interpreted.
2. Results obtained under the method are definite and independent of any subjective estimate on the part of the statistician.
3. The resulting equation is in convenient form of extrapolation (extension into future or past).

Disadvantages

1. The technique used is mathematical.
2. The method is based on the assumption that the data follows a trend that can be expressed by a mathematical equation.

Given these advantages and disadvantages, it is again not surprising to find that the Board's staff cautioned in its report of January 1968:

Footnotes at end of article.

"It should be stressed, however, that the computed fares are not necessarily the 'correct' or 'ideal' fares for any city pair but merely represent a kind of average fare derived from existing fare patterns. (p. 11)

"Although it is mathematically possible to compute a fare from such a formula for any particular distance, it does not follow that such a computed fare should, in fact, be the published fare. (p. 21–22)

"Similarly, differences between the computed and published fares should not be interpreted as conclusive evidence that published fares are either too high or too low." (p. 22)

As previously observed, under the statutory standards of "just and reasonable" it is the results reached not the method employed which is controlling. Consequently, application of this method to ratemaking has to be based in part upon an assumption that the statutory tests will at all times follow a straight line trend which can be expressed by a mathematical equation. Evidence to support such a contention has not been proffered by the applicant.

On the contrary, as just noted, the results obtained under the method used are independent of any other factors including any subjective estimates on the part of the ratemaking airline. The method employed, not the result reached, is in point of fact controlling. As a consequence, the impact of formula upon the determination of rates cannot at all times be said to be just and reasonable.[142]

The point simply is a formula of the type $Y=a+bX$ is merely a convenient method of expressing or indicating the average relationship between two variables or determination of a trend—not a method for establishing those relationships and trends.

The 4-percent test

In their letter of March 18, 1969, TW proffers, as justification for their proposed fare changes, an alleged recommendation of the Board's staff.

"As already indicated to the Board's staff during a recent meeting with them, our proposal *is consistent* with the first recommendation of the staff study of January 1968 that inconsistencies in the present fare structure be removed prior to further study leading to the development of a new structure." (Emphasis added).

The summary of cited recommendation reads as follows:

"1. The extreme variations of existing fares should be modified so as to achieve a greater degree of internal consistency within the existing structure."

The detail of the Board's staff's recommendation is set forth in the study on pages 62 through 68 under the subheading "Modification of Extreme Variations in Existing Fares", and states in part on page 66–67:

"For a start, those jet coach fares would be identified which vary by more than 8 percent from the average in either direction. These fares, 22 percent of the total, involving 186 markets, represent the more extreme variations or anomalies in the structure. . . .

"Those markets with jet coach fares more than 8 percent above the average would be selected on a coordinated basis and fare reductions sufficient to reduce the fare to within 4 percent of the norm would be proposed. Offsetting fare increases would be permitted, but not required in markets with jet coach fares varying more than 8 percent below the average, giving consideration to the effect of the fare adjustments, both up and down, on the revenue and earnings position of the carriers serving the markets involved. Recognizing that there are more competitive markets and more passengers in markets which are 8 percent or more below the average than there are in markets with fares 8 percent or more above the average, when this phase has been concluded, a number of fares will remain more than 8 percent below the average."

In other words, the first recommendation of the staff study of January 1968 used a variance of 4 percent above or below the jet coach regression line to define the zone within which fares that vary *by more than 8 percent* from the average in either direction should be brought. The Board's staff's test of extreme variation is 8 percent, not 4 percent. To this extent, therefore, applicants' proposal is not consistent with the cited recommendation.

Recommendations

In accordance with Subpart E, paragraph 302.505 of the Board's Rules of Practice in Economic Proceedings, the complainants suggest that the foregoing facts warrant:

1. (a) The Board's suspending and investigating the Trans World tariff filed March 18, 1969, and the United and Braniff tariffs filed April 4, 1969, and in addition all other pending tariff revisions, to determine whether they are unjust or unreasonable, and

(b) If the Board shall be of the opinion that such fares are unjust or unreasonable, that the Board determine and prescribe, in accordance with subsection 1002(d) of the Act of 1958, the lawful rate, fare, or charge thereafter to be demanded, charged, collected or received by applicant;

2. (a) Institution of a general rate proceeding to investigate the structure and construction of air passenger fares to achieve a sound foundation for determining whether such fare, should, or should not, be related to revenue-miles or revenue-hours traveled, or revenue-miles or revenue hours traveled plus an arbitrary charge or charges, or some other factor, in order that such rates will at all times be reasonably related to the statutory standards of the Act of 1958, and rules of ratemaking established by the Board, and

(b) As a part of that investigation, to determine and prescribe the national policy regarding the duty of air carriers to establish, observe, and enforce just and reasonable individual and joint through single factor rates, fares, and charges, and just and reasonable rules, regulations, and practices relating to such rates, fares, and charges, in all markets in which service by a single carrier is authorized, or in which connecting service is needed to avoid competition in excess of that necessary to assure the sound development of an air transportation system; (143) and

3. Undertake a rulemaking procedure to amend Part 241 of Title 14 of the Code of Federal Regulation and applicable Schedules and Definitions for Purpose of this System of Accounts and Reports to require submission of revenue-hour information (e.g., available seat-hours, available ton-hours, passenger-hours flown, ton-hours flown, etc.) in order that such data will be readily available for a comprehensive and objective investigation of the fare structure.

In the absence of a comprehensive, full-scale investigation of the general air passenger fare structure, the air carriers have in effect been the actual creators of not only their own ratemaking policy, but more importantly, of the national policy. As a consequence, today we have a national air passenger fare structure adapted to the vested interests, expansion plans and ambitions of the individual air carriers, rather than the vital interests of the present and future needs of the foreign and domestic commerce of the United States for an adequate and efficient air carrier system. This price policy not only does not comply with the Act of 1958, but it has led to the establishment of many unjust or unreasonable, or unduly preferential, or unduly prejudicial rates, fares, and charges.

In support of the complainants' suggestion that the Board undertakes a comprehensive rate investigation which includes consideration of a revenue-hour basis, complainants note that it has historically been the Board's stated position that "rates must at all times be reasonably related to costs." *A fortiori*, it logically follows that the basis upon which fares are constructed should be related to the basis or bases upon which costs are *incurred*.

In this regard, complainants have on file a detailed break-out of air carrier operating costs which disclosed, first, that air carriers incur operating expenses in a normal business fashion; i.e., by contract wages, salaries, hourly pay, piecework (mileage pay), rents, interest, and the purchase or rental of equipment and materials.

Second, the study reveals that the industry's traditional break-out of expenses on the basis of (a) direct aircraft operating expenses, and (b) ground and indirect operating expenses, is not identical to the generally accepted economic and accounting definitions of "fixed" and "variable" costs.

Third, that by utilizing an allocation of expenses adopted by the Board in two mail-rate cases,[144] a logical approach can be nevertheless made to identify (1) the basis upon which individual costs are incurred, and (2) the cost unit to which such expenses are best oriented.

On an unadjusted basis, the study discloses (a) that the 10 classifications of operating expenses historically used by the C.A.B. have been allocated by the Board in the cited mail-rate cases on 11 different cost basis, and that (b) the similarities between a number of these expense categories permits them to be arbitrarily reduced to four major classes as follows:

1. *Aircraft-hours flown by type of equipment*, includes aircraft-hours, total-hours, stewardesses'-hours, passenger-hours, and a ratio to the total of all other costs (i.e., general and administrative costs);
2. *Weighted aircraft departures*, including a ratio to the total of all other costs;
3. *Tons enplaned*, including numbers of passengers, and a ratio of the total of all other costs; and
4. *Revenue—nonmail*, including revenue passenger-miles, and a ratio to the total of all other costs.

Using the domestic operations of U.S. domestic trunklines carriers as the basis for distributing air carrier operating expenses, the following two distributions were derived.

First, on the basis of the Board's *allocation* of operating expenses, seventy-one percent (71%) of all air carrier costs were found to be related to the number of aircraft-hours flown by type of equipment. The remaining twenty-nine percent (29%) were distributed between weighted aircraft departures and tons enplaned (17%), and revenue-nonmail (12%).

Second, thirty-nine percent (39%) of the over-all expenses were found to be *incurred* by aircraft-hours flown by type of equipment, thirteen percent (13%) by one-time purchases, and forty-eight (48%) were primarily assumed on a periodic calendar basis.

On the basis of this evidence, it can be reasonably concluded that an air carriers' costs are primarily *incurred* upon either a periodic calendar or aircraft-hour flown basis (87%). More specifically, it can be reasonably asserted that the major portion of a U.S. domestic trunkline carrier's overall operating expenses—somewhere between 39% and 71%—probably are actually *incurred* by the number of aircraft-hours flown by type of equipment.

The validity of the preceding distribution has been verified by data of four other cost studies.[145] Further, *A Study of the Domestic Passenger Air Fare Structure* also indicates a major portion of the operating costs of the airlines studied are incurred on an hourly basis.

Upon the basis of such evidence it can be reasonably concluded that to make certain air carrier charges strictly comply with the Board's ratemaking principle enunciated in the *Air Freight Rate Investigation*, such rates, fares, or charges, should be related seventy-one percent to aircraft hours flown by type of equipment, and twenty-nine percent to

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Footnotes at end of article.

aircraft departure, tons enplaned, and revenue or sales—nonmail.

Fortunately, however, further investigation has revealed there is a much simpler method for relating revenues to costs. A significant amount of statistical data indicates there has always been a very high degree of mathematical correlation between overall operating expenses and those costs incurred solely on an hourly basis. That aircraft-hours flown is the cost unit to which airline operating expenses are best oriented.

If these are the facts, as the evidence set forth hereinbefore suggest, then it would appear to be prudent and equitable to establish rates, fares, and charges for air transportation in such a manner that total revenue yield per aircraft hour flown exceeds the overall operating expenses per aircraft hour flown. Hence, complainants' suggestion by way of substitution that there are sufficient facts to warrant consideration of construction of air carrier rates on revenue-hour basis.

Air transportation revenues come primarily from income produced by the sale of various air carrier service. The charges for these various services can be constructed in a number of ways. Nevertheless, regardless of how such air fares are put together, once the rate for a given service is published, it becomes a fixed amount which is normally not affected by any subsequent changes in the actual operating situation.

As a result, it is the operational factor or factors which mathematically fixes the number of air services that can be produced and the yield per individual trip, and not the method employed in constructing the fare which is the controlling factor in determining the amount of revenue an air carrier can earn. It is not the theory of ratemaking, but the operational factor or factors which regulates the yield and number of air services that counts.

Complainants have on file as part of the cost study outlined above, a revenue study which indicates, among other things, that once air carrier rates, fares, and charges are established, the operational factor which ultimately determines the yield and number of air transport service which can be produced is the elapsed block-time. Hence, regardless of the method employed to construct such fares, the basic revenue unit of air transportation is the revenue-hour.

This finding of the study has now been substantiated in part by the practical experience of the local transit lines of the United States. For approximately the last 20 years, the national association of these companies, the American Transit Association, has rendered a monthly periodic report to its members reporting therein the average "revenue per vehicle hour". Equally important, the Association has not been reporting the revenue per vehicle mile even though such statistical data is and was available.

Such evidence as this when tied together with that regarding air carrier costs seems to indicate that the fundamental cost, revenue and need units of air transportation are all related to an identical basis—and that therefore a pragmatic adjustment to the revenue-hour is required by the Act of 1958, as well as the rules of ratemaking previously adopted by the Board.

With regard to the formula set forth in Attachment I, it should be noted that an equation of this type is primarily designed for ratemaking in capacity cost industries, such as air transportation. Since the equation is a ratemaking formula, it does not ignore the judgement of the marketplace. In point of fact, as a cost-*value* oriented formula, it specifically requires the ratemaker to make such estimations.

In essence, this formula puts the air carrier's need for sufficient revenues to provide adequate and efficient air carrier service above the line, and all the other statutory factors below. In addition, because it is a ratemaking formula which incorporates subjective judgements on part of the ratemaker, it is not designed to be used with mathematical precision, but only as a guideline in evaluating fare proposals. The judgement of the air carrier's tariff department and the Board is an integral part of the formula.

Furthermore, it should be also noted that such an equation can be used on a revenue-hour or revenue-mile basis. The author of the formula merely used revenue-hours because he felt there were sufficient facts to warrant adoption of this revenue unit to insure compliance at all times with the Board's rule of ratemaking enunciated in the *Air Freight Rate Investigation*, and to achieve a greater degree of internal consistency within the fare structure itself.

One of the key factors which has historically been recognized in determining the future earning potential, unit cost-of-service, and "just and reasonableness" of a rate is load factor. The relationship between cost, price and load factor underlies the whole area of airline profitability.

The Board's staff recognized this relationship in its recent staff study:

"The foregoing data suggest that there is a critical relationship among fares, cost, volume of service, and load factor in that each factor, at once, affects and is affected by the others. It is obvious that volume of service affects load factor which in turn affects cost and fare level. It seems equally clear, however, *that the fare level affects the volume of service offered* by the several carriers in the market and that *a fare set well above cost, based on a reasonable load factor, may contribute to the operation of excessive capacity and resulting inefficient use of resources.* The data developed in this study suggest that long haul jet coach fares are quite high in relation to cost of service even at the relatively low load factors prevailing in the transcontinental markets. The latter suggest that excess capacity is being provided in these areas. *It is a reasonable inference that the high level of long haul jet coach fares at least tends to support such overscheduling which in turn creates a need for a higher fare level than would otherwise be necessary.*" [146]

TW's passenger load factor between San Francisco and New York during the calendar year 1966 was 43%, and 46% in 1967. During this period, TW had approximately a third share of the market, carrying 180,395 passengers in 1966, and 234,141 passengers during 1967.[147]

As previously noted, air carrier fares are primarily based, or should be based, on cost and load factor decisions.[148] Consequently, complainants' request that in determining the just and reasonable rates requested hereinbefore, the Board take into consideration, among other things, load factor.

Finally, because (1) the Bureau of Economics has in connection with "A Study of the Domestic Passenger Air Fare Structure":

(a) noted "fares should be related to distance or time traveled . . .;"

(b) demonstrated that direct cost per block hour is constant; and

(c) did receive a letter from M. Lamar Muse, President, Central Airlines, dated April 26, 1966, in connection with that study suggesting "the feasibility of substituting for the present mileage criteria of fare construction and measurement a standard time criteria based on jet aircraft speeds;"

(d) but subsequently conducted all of its research other than the initial acquisition of operational data, on only a mileage basis; and

(2) in view of:

(a) Mr. Charles C. Tillinghast, Jr., President of Trans World Airlines, statement before the Board on March 17, 1969:

"It (the cost-oriented formula for fares) is moving ahead vigorously. As I said before, our people are available to your staff, and indeed they have had a number of discussions, and I even understand by fortunate coincidence that the formula that we have worked out and the formula that you have developed have a lot more similarities than they have differences. I suspect that if the only people involved here were the Board and the TWA we might come to a conclusion with considerable dispatch"; and,

(b) the intimation in TWA's letter of March 18, 1969, of many discussions between the air carrier and Board's staff relevant to applicant's filing of March 18, 1969,

There appears to be sufficient facts to warrant, for the purposes of this proceeding and subsequent hearing, the Board's staff being disqualified as an attorney for the public, or in the alternative, being classified as a hostile witness with a vested interest in support of applicant's petition.

REQUEST

In summation, it is complainants' contention that the proposed fare changes are unlawful because the formula used and the values used in the formula do not, jointly or severally, comply with the Act of 1958, the Economic Regulations of the C.A.B., and/or the rules of ratemaking previously enunciated by the Board. It is therefore complainants' request that the Board:

(1) suspend and investigate the Trans World tariff filed March 18, 1969, and the United and Braniff tariffs filed on April 4, 1969, and all other pending tariff revisions, and where it is of the opinion that the proposed or present rate is unjust or determine and prescribe the lawful rate or rates;

(2) institute a general rate proceeding to investigate the fare structure of the air carriers to determine, among other things, whether air carrier fares should be related to revenue-miles, revenue-hour, an arbitrary charge, or a combination thereof, or some other factor, and to prescribe a broad national policy with regard to the establishment of individual and joint air carrier fares; and

(3) undertake a rulemaking procedure to amend Part 241 of Title 14 of the Code of Federal Regulations and applicable Schedules, and Definitions to require submission of revenue-hour traffic data in addition to revenue-hour operations data.

FOOTNOTES

[1] Munn v. Illinois, 94 U.S. 113, 134 (1877); Federal Power Commission et al. v. Hope Natural Gas Co., 320 U.S. 593, 601 (1944).

[2] Federal Power Commission v. Natural Gas Pipeline Co. et al, 315 U.S. 575, 586 (1942).

[3] Federal Power Commission v. Hope Natural Gas Co., *Op. Cit.*, 602 and cited cases.

[4] Caves, Richard E., Air Transport and Its Regulators, Harvard University Press, Cambridge, Massachusetts (1962) p. 143.

[5] Air Passenger Tariff Discount Investigation, 3 C.A.B. 242 (1942).

[6] Cherington, Paul W., Airline Price Policy: A Study of Domestic Airline Passenger Fares, the Plimpton Press, Norwood, Mass., (1958, pp. 79–80.

[7] Moore, Armory O., Department Editor, "Allocation of Air Transportation Cost in Determining Domestic Mail, Passenger and Cargo Rates," Judicial and Regulatory Decisions, 15 J. Air L. & Com., 343 (summer 1948).

[8] Order No. 2164, dated February 27, 1943.

[9] General Passenger-Fare Investigation, 17 C.A.B. 230, 243 (1953).

[10] Gill, Frederick W. and Bates, Gilbert L., Airline Competition, Harvard University Press, Cambridge, Mass. (1949) p. 398. Dr. Bates is at present Chief, Planning, Programming & Research Division, Bureau of Economics, C.A.B.

[11] C.A.B. Orders Nos. 2302, dated June 10, 1943; 2344 dated July 7, 1943; and 5102 dated August 21, 1946.

[12] C.A.B. Order No. 2302, dated June 10, 1943.

[13] C.A.B. Orders Nos. 3350, 3351, 3352, and 3353.

[14] General Passenger-Fare Investigation, *Op. Cit.*, 243.

[15] C.A.B. Orders Nos. 3950, 3951, 3952, and 3953.

[16] General Passenger-Fare Investigation, *Op. Cit.*, 243.

[17] In addition to these fare reductions, a number of the middle and smaller sized air carriers that had not previously adopted the uniform base rate in 1943, took advantage of the wide spread tariff changes in 1945 to also construct their fares upon a uniform flat passenger-mileage basis.

[18] General Passenger-Fare Investigation, *Op. Cit.*, 243.

[19] *Ibid.*, 243–244.

[20] Gill and Bates, *Op. Cit.*, p. 398.

[21] *Ibid.*, p. 400; Hawaiian Common Fares Case, 37 C.A.B. 269, 271–272 (1962).

[22] *Ibid.*, p. 401.

[23] *Ibid.*, pp. 401–402.

[24] American Air. et al., Mail Rates 14 C.A.B. 558, 561 (1951).

[25] C.A.B. Press Release 48–64, dated August 10, 1948. General Passenger-Fare Investigation, *Op. Cit.*, p. 244.

[26] Caves, Richard E., *Op. Cit.*, p. 144.

[27] Air Freight Rate Investigation, 9 C.A.B. 340, 344–345 (1948); emphasis added.

[28] Cherington, Paul W., *Op. Cit.*, p. 89.

[29] *Ibid.*

[30] *Ibid.*, p. 91.

[31] C.A.B. Press Release 49–77, September 7, 1949.

[32] C.A.B. Press Release 51–95, December 6, 1951.

[33] Cherington, Paul W., *Op. Cit.*, 97.

[34] "It is almost axiomatic in air transportation that the earnings carriers derive from long-haul high density operations serve to support their marginal short-haul low density operations." Trans World Air Siesta Sleeper-Seat Service, 27 C.A.B. 788, 792 (1958). See also Capital Air., et al. Mail Rates, 18 C.A.B. 457, 467 (1953); Capital Airlines, et al., Mail Rates, 20 C.A.B. 712 (1955).

[35] C.A.B. Order Serial No. E–6305, dated April 9, 1952, 3.

[36] *Ibid.*, 4–5.

[37] *Ibid.*, 6–7.

[38] *Ibid.*, 8–9.

[39] *Ibid.*, 10.

[40] *Ibid.*, 1–2.

[41] General Passenger-Fare Investigation, *Op. Cit.*, 230.

[42] Cherington, Paul W., *Op. Cit.*, 104–105.

[43] General Passenger-Fare Investigation, *Op. Cit.*, 234–235. See also C.A.B. Economic Regulation 399.31 Rate Policy applicable to non subsidized carriers.

[44] *Ibid.*, 232. (*non sequitur*: Lat., It does not follow).

[45] *Ibid.*, 235–239.

[46] Cherington, Paul W., *Op. Cit.*, 106.

[47] General Passenger-Fare Investigation, *Op. Cit.*, 242–243.

[48] C.A.B. *Coach Policy for the Certified Domestic Carriers*, statement of October 5, 1953. See also, Frederick, John H., Commercial Air Transportation, Fourth Edition, Richard D. Irwin Inc., Homewood, Illinois (1955) 282.

[49] Cherington, Paul W., *Op. Cit.*, 107.

[50] C.A.B. Order Serial No. E–10279, dated May 10, 1956.

[51] Supra.

[52] General Passenger-Fare Investigation, 23 C.A.B. 803, 804–805 (1956).

[53] C.A.B. Order Serial No. E–11135, adopted March 15, 1957.

[54] Suspended Passenger-Fare Investigation, 25 C.A.B. 511 (1957), 522.

[55] *Ibid.*, 522.

[56] *Ibid.*, 538

[57] *Ibid.*, 523.

[58] Member Gurney dissenting.

[59] Trans World Air., Interim Fare Increases, 26 C.A.B. 387, 288 (1958).

[60] *Ibid.*, 390.

[61] *Ibid.*, 392.

[62] *Ibid.*, 407.

[63] C.A.B. Order Serial No. 13066, October 27, 1958. See Rule 28—Stopover, Section III Fares and Routings—General, Local and Joint Passenger Rules Tariff No. PR–4, A.T.B. No. 19, C.A.B. No. 43, Airline Tariff Publishers, Inc., Agent, Washington, D.C.

[64] C.A.B. Order Serial No. 13066, October 27, 1958.

[65] The handling of the introduction of the surcharge for new jet services was initially subject to uncertainty.

In December 1958, National Airlines inaugurated the first domestic jet service (New York, New York to Miami, Florida) using Boeing 707 aircraft leased for the winter season from Pan American World Airways. National's original tariff provided for (1) *first-class:* a ten dollar ($10.00) surcharge on propeller first-class fares (i.e., jet $90.80, propeller $80.80); (2) *coach:* the propeller first-class fare was charged (i.e., jet $80.80, propeller $53.55). The Board subsequently suspended the jet coach fare, but not until the introductory season was past. (The proceeding was eventually dismissed without prejudice because National indicated that it did not intend to use this fare structure in the future.)

In January 1959, jet service was introduced into the transcontinental market. American Airlines apparently initially filed tariffs to implement an identical dollar amount surcharge differential on both jet coach and jet first-class. The Board approved the surcharge on new jet first-class service, but rejected the surcharge on new jet coach services. The Board's rejection was based upon a "seating-density standard"; i.e., the seating in the jet coach was substantially comparable in density to that in propeller aircraft. American, supported by several other air carriers, petitioned the Board for reconsideration. The air carriers threatened to not file tariffs containing a surcharge for new jet first-class services unless they were permitted to employ a similar surcharge for new jet coach services as well. The Board gave in, arguing that the jet coach services had a higher quality in speed and comfort that warranted a higher price; i.e., a semi-value-of-service concept.

Somewhere in the ensuing process the surcharge differential on new jet coach services was evidently increased, because according to the figures published by the C.A.B. Bureau of Economics in "Analysis of Domestic Current Fare Structure and Historical Fare Data" (1966), the surcharge on new jet coach services between New York-Chicago-Pacific Coast cities in January 1959 was equal to the surcharge differential on first-class fares *plus* $1.50.

	Chart	Prop	Jet	Differential
		1st class		
New York-Los Angeles	13	$166.25	$176.25	$10.00
Chicago-San Francisco	15	120.35	127.35	7.00
Chicago-New York	21	47.95	50.95	3.00
		Coach		
New York-Los Angeles	13	$104.00	$115.50	$11.50
Chicago-San Francisco	15	80.05	88.55	8.50
Chicago-New York	21	35.35	39.85	4.50

The use of absolute dollar amount surcharge differential for both services naturally reduced the differential between the services percentagewise. The additional $1.50 aggravated the situation. Both methods changed the national fare structure.

See: C.A.B. Order No. E–13232, December 4, 1959; C.A.B. Order No. E–13395, January 16, 1959; C.A.B. Order No. E–13417, January 22, 1959; because none of these orders are published in C.A.B. Reports, see Caves, Richard E., *Op. Cit.*, 166–167.

[66] Our own experience in the previous investigation of fares, as well as the advice of the respondents and bureau counsel, make it abundantly clear that to satisfy our primary aim is, of itself, a major undertaking that will require at least a year to accomplish. General Passenger-Fare Investigation, 23 C.A.B. 803, 804.

[67] General Passenger-Fare Investigation, 32 C.A.B. 291, 294 (1960).

[68] *Ibid.*

[69] One reason given was that, "because a substantial portion of expenses is directly responsive to the volume of capacity offered and traffic carried, airlines are markedly able to blunt the effects of a slackening of revenue growth upon return margins by a substantial contraction of expenses. *Ibid.*, 296.

[70] For the local-service air carriers, the Board had previously found a cost of capital of 5.5% for debt, 21.35% for equity, applied to the actual debt:equity ratio, subject to a minimum floor of 9% and a maximum of 12.75%; where the investment is less than 25 cents per plane-mile, a floor of 3 cents per plane-mile is used. Rate of Return, Local-Service Investigation, 31 C.A.B. 685 (1960).

[71] 17 C.A.B. 230, 234–235 (1953); *Supra.*

[72] General Passenger-Far Investigation, *Op. Cit.*, 328.

[73] As a second test of reasonableness, the resulting fare level should also be measured against the revenue needs of the individual air carrier and/or group of air carriers (Big Four, Middle Eight, etc.), thereby giving consideration to (1) the extent by which the fare level meets the costs of the group; (2) the relative number of passenger-miles accounted for by various groups; (3) the extent by which an air carrier deviates from the norm; (4) the effect of such deviation on the group and industry average; etc. *Ibid.*, 330.

[74] *Ibid.*, 331; emphasis added.

[75] *Ibid.*, 294, 320.

[76] *Ibid.*, 320–321.

[77] *Ibid.*, 321.

[78] *Ibid.*, 339–340.

[79] C.A.B. Press Release 60–10, dated April 29, 1960.

[80] C.A.B. Press Release 60–13, June 17, 1960. Note: in G.P.F.I., "The scope of possible orders to be issued was limited to flat percentage changes in the fares of particular carriers or groups of carriers. General Passenger Fare Investigation, *Op. Cit.*, 293.

[81] Domestic Trunkline Passenger-Fare Increase, 31 C.A.B. 984, 985 (1960).

[82] *Ibid.*, 986.

[83] C.A.B. Order Serial No. E–16068, adopted November 25, 1960.

[84] On October 7, 1960, the Board had permitted the domestic trunkline air carriers to raise jet coach fares to 75 percent of the first-class jet level since the carriers had asserted a need for additional revenue and as a means to check the substantial diversion from first-class to developing on two-class jet flights. (Order No. E–15894, dated October 7, 1960.) This percentile differentiation corresponded exactly with the minimum vertical fare structure differentiation established in the Board's fourth 'Coach Policy Statement' on October 5, 1953; supra, —. See also C.A.B. Economic Regulation 399.33(d) Domestic coach policy, *fare differentials.*

[85] Henzey, William, "The Fare Muddle", *Airlift,* Vol. 27, No. 8 (January 1964) 53.

[86] In 1957 United Air Lines had offered a propeller custom coach service (its first "middle-class" service) at fares approximately three percent (3%) higher than ordinary propeller coach fares. United's proposed "DC–7 Custom Coach" is a new class of service, different from its regular coach service and materially different from its first-class service. The net effect of the proposal would be that United will offer the public

three classes of service as against two at the present time. Initial Decision of the Examiner, United Custom Coach, Suspension and Investigation, 26 C.A.B. 23, 36 (1957).

[87] Ashlock, James R., "Three Competitor File Protests Over Continental Coach Fare Cuts", *Aviation Week and Space Technology*, Vol. 77, No. 7 (August 13, 1962) p. 37.

[88] The Board permitted the tariff to become effective for a limited period, initially to January 1, 1963; later extended to February 28, 1963. At the same time, the Board instituted an investigation of such fares; Order No. E-18706, dated August 15, 1962. Also see Order No. E-18759, dated August 31, 1962, denying reconsideration. Subsequently, by Order No. E-19313, dated February 21, 1963, pending final conclusion of the investigation already ordered, the Board concluded that "these fares appear reasonably related to the cost and value of the service and thus meet the principal test of just and reasonableness."

[89] "First-Class Revenue Drop Spur Support for Single Class Service", *Aviation Week and Space Technology*, Vol. 78, No. 7 (February 18, 1963) p. 44.

[90] Henzey, William V., *Op. Cit.*, p. 55.

[91] *Ibid.*

[92] Doty, L. L., "CAB Seeks to End Domestic Fare Chaos", *Aviation Week and Space Technology*, Vol. 80, No. 2 (January 13, 1964) p. 34.

[93] *Ibid.*

[94] Henzey, William V., *Op. Cit.*, 55.

[95] American Airlines had previously, in 1961, wanted to reduce first-class fares over 1,200 miles by five percent; *Supra*, 38. Later American noted that "almost two-thirds of total airline trips are less than 700 miles; *Infra*, footnote 104.

[96] Continental Air Lines' Economy-coach fares, Family-Plan Discount, Hawaii-mainland Thrift-fares, American Airlines' First-class tariff.

[97] Doty, L. L., "CAB Seeks to End Domestic Fare Chaos"; *Op. Cit.*, 34.

[98] *Ibid.*

[99] *Ibid.*

[100] *Ibid.*

[101] Continental Air Lines eliminated business-class service on January 27, 1964, substituting coach service in its place.

[102] Doty, L. L., "CAB Seeks to End Domestic Fare Chaos", *Op. Cit.*, 35.

[103] Passenger fares proposed by Eastern Air Lines, Inc., et. al., Docket 15713, C.A.B. Order No. E-21637 (January 4, 1965) 2.

[104] "Eastern's Proposal to Revise U.S. Fare Structure Stirs Variety of Reactions", *Air Travel, Official Airline Guide*, Chicago, Illinois (January 1965) 38.

[105] Passenger fares proposed by Eastern Air Lines, et. al., *Op. Cit.*, dissent, pages 1–2.

[106] United States air carriers bill the Post Office Department, and the Department in turn bills the Postal Service of the foreign nation.

[107] Gregory, William H., "Government Tightens Reins on Revenues", *Aviation Week & Space Technology*, Vol. 83, No. 8 (August 23, 1965) 38. See "MAC Contract Rate Revision to Be Set", *Aviation Week & Space Technology*, Vol. 84, No. 5 (January 31, 1966) 34.

[108] Increased first-class fares, and baggage allowance and charges, proposed by the Domestic Trunkline Carriers, Docket 16363, Order No. E-22483, dated July 27, 1965, 7.

[109] *Ibid.*, 7–8.

[110] *Ibid.*, 3–4.

[111] *Ibid.*, 8.

[112] Ashlock, James R. "United Jet Fare Rejection Shakes Industry", *Aviation Week & Space Technology*, Vol. 83, No. 10 (September 6, 1965).

[113] Note: The Board considered the practice had continued until July 27, 1965, when it suspended several jet first-class fares proposed by United.

[114] Surcharge for new jet service, proposed by United Airlines, Inc., Docket 16457, C.A.B. Order No. E-22587, dated August 27, 1965, 1–2.

[115] *Supra.*

[116] "Mr. Patterson Sounds Off—and How!", *Air Travel, Official Airline Guide*, Chicago, Illinois (February, 1964) 22, 23.

[117] "All in One Lifetime—From 'Crates' to Super Jetliners", *U.S. News & World Report*, Vol. 60, No. 6 (February 7, 1966) 62, 64.

[118] General Passenger Fare Investigation, 23 C.A.B. 803, 805, (1956); *Supra* 26.

[119] Ashlock, James R., "CAB Chairman Pledges Firm Fare Limits", *Aviation Week & Space Technology*, New York, Vol. 83, No. 11 (September 13, 1965) 37.

[120] Ashlock, James R., "CAB Seeks Surcharge Dilemma Solution", *Aviation Week & Space Technology*, New York, Vol. 84, No. 1 (January 3, 1966) 28.

[121] "Murphy Forecasts Revised Fare Policy", *Aviation Week & Space Technology*, New York, Vol. 84, No. 2 (January 10, 1966) 37.

[122] *Ibid.*, 38.

[123] Murphy, Charles S., "Trends in Transport Regulation", address at the National Transportation Institute of the Transportation Association of America, New York City (January 12, 1966) 9–10.

[124] Ashlock, James R., "Board to Offer Option to Surcharge Ban", *Aviation Week & Space Technology*, New York, Vol. 84, No. 4 (January 24, 1966) 39.

[125] Ashlock, James R., "Threat of 1967 Fare Investigation Looms", *Aviation Week & Space Technology*, New York, Vol. 84, No. 20 (May 16, 1966) 36.

[126] C.A.B. Press Release 66–19, dated February 9, 1966, 3; *Infra; Supra.*

[127] "Carriers' Estimate of Jet Surcharge Loss", *Aviation Week & Space Technology*, New York, Vol. 84, No. 1 (January 3, 1966) 28.

[128] Fares for first-class and coach jet service proposed by Eastern Airlines, Inc., Docket 16879, C.A.B. Order No. E-23131, January 19, 1966; C.A.B. Order No. E-23461, dated April 1, 1966.

[129] Ashlock, James R., "CAB Seeks Surcharge Dilemma Solution", *Op. Cit.*, 29.

[130] Ashlock, James R., "Board to Offer Option to Surcharge Ban", *Op. Cit.*, 39.

[131] The 1953 staff study was never pursued. In 1956, the Board's Chairman (a new member) did not even know that the dismissal order for the first *General Passenger Fare Investigation* called for a staff investigation. See Caves, Richard E., *Op. Cit.*, 148.

[132] C.A.B. Press Release 66–19, dated February 9, 1966, 3.

[133] Ashlock, James R., "Board to Offer Option to Surcharge Ban", *Op. Cit.*, 40.

[134] Ashlock, James R., "CAB Seeks Surcharge Dilemma Solution", *Op. Cit.*, 28. Note also: " A difference of opinion on the issue has existed between the Board and the Bureau of Economics ever since the surcharge ban was imposed last summer. The Bureau, for example, proposed then that if the Board chose this policy, it should exempt those routes on which jet service was already established. . . . The Board rejected this suggestion."

[135] Roth, Irving, form letter, dated April 21, 1966.

[136] C.A.B. Press Release 66–19, dated February 9, 1966, 3.

[137] On February 10, 1966, United Air lines filed a new tariff under the Title of "Discover America Excursion Fare." Basically, the principal features of United's proposed package fare are (1) a round-trip fare at 25 percent discount of a jet coach fare; (2) regular reservation; (3) one free stopover on either the going or return portion of the trip; (4) no restrictions as to age, organization, family status, etc.; (5) return trip may not commence in the same calendar week, but must be commenced within 30 days; and (6) not available during certain peak travel periods; i.e., hours, days, weeks, and months. The chairman said he was particularly interested in the expansion of packaged tours in domestic markets and greater provision of stopover privileges. (Ashlock, James R., "CAB Chairman Pledges Firm Fare Limits", *Op. Cit.*,)

[138] Rates Division, Bureau of Economics, A Study of the Domestic Passenger Air Fare Structure, Civil Aeronautics Board, Washington, D.C. (January 1968) 5.

[139] Fare Addition proposed by United Air Lines, Inc., Docket 20062, C.A.B. Order Serial No. 68–7–149 (July 30, 1968), Member Adams dissenting.

[140] Report on Meetings Between the Civil Aeronautics Board and the Domestic Trunkline Carriers on Domestic Passenger Fares, Civil Aeronautics Board, Washington, D.C. (no date).

[141] Fare increase proposed by the domestic trunkline carriers, Docket 20696, 20719, D.A.B. Order Serial No. 69–2–68 (February 19, 1969); Vice Chairman Murphy and Member Minetti filed a joint statement.

[142] Even conceding *arguendo* that the total effect of such a rate order could not be said to be unjust and unreasonable, it is doubtful the airlines' managements and the Board are prepared at this time to surrender the exercise of all their powers and duties with respect to the determination of rates to any mechanical formula.

[143] Sec. 102(d), Federal Aviation Act of 1958; Bureau of Economics, A Study of the Domestic Passenger Air Fare Structure, *Op. Cit.*, 72; *Supra.*

[144] American Airlines, Inc., et al., Mail Rates, Docket No. 2849 et al., 14 C.A.B. 558, 595–599 (1951); American Airlines, Inc., et al., Domestic Trunklines, Service Mail Rates, Docket No. 6599 et al. 21 C.A.B. 8, 54–58 (1955).

[145] Air Transport Association, Exhibit 100, General Passenger Fare Investigation, C.A.B. Docket No. 8008 (1961) 11. (See also, Miller, Ronald E., Distribution of Total Operating Expenses by CAB Functional Class: Domestic Trunklines, 1956; *"Domestic Airline Efficiency,"* The M.I.T. Press, Cambridge, Massachusetts (1963) 11; Treatment of Revenues and Expenses, General, "Report of Ernst & Ernst on Survey of Separation of Compensatory Mail Pay from Total Mail Payments to Domestic Airlines"; 18 J. Air L. & Com. 206, 216; Wheatcroft, Stephen, "Economics of European Air Transport," Table 14, *The Economics of European Air Transport*, Manchester University Press, Manchester, England (1956) 82; Speas, R. Dixon, "Operating-Cost Summary, Major United States Airlines, Calendar Year in Early Fifties", Table 16–4, *Technical Aspects of Air Transport Management*, McGraw-Hill Book Company, New York, (1955) p. 300.

[146] Bureau of Economics, A Study of the Domestic Passenger Air Fare Structure, *Op. Cit.*, 70; emphasis added.

[147] TWA's share of the market was 32.4% in 1966, 33.7% in 1967.

[148] *Supra.*

APPENDIX 1

ONE TYPE OF RATEMAKING FORMULA[1]

[Direct operating cost+indirect operating cost+profit element (available capacity) × (load factor) × (value adjustment) =uniform base rate (per passenger, ton or cube by class of service or equipment]

Value of service as percent of uniform base rate (net yield) (1)	Market demand as percent of traffic flow (2)	Value adjustment to uniform base rate (Col. 1 multiplied by col. 2)
106	5	5.3
100	55	55.0
75	10	7.5
66⅔	15	10.0
50	15	7.5
Value adjustment needed in base rate		85.3

Example: $$\frac{\$530+\$430+\$240}{110 \text{ seats} \times 60 \text{ percent} \times 0.85} = \$21.50 \text{ per passenger-hour}$$

[1] Suggested by way of substitution pursuant to subpt. E, par. 302.505 of the CAB's Rule of Practice in Economic Proceedings.

Source: Hon. John E. Moss, "The CAB Staff Study of Air Fares," Congressional Record (May 9, 1968) E4016, E4021.

WARSAW GHETTO DAY: IN COMMEMORATION

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, I wish to honor today the memory of Jews of the Warsaw ghetto who rose against the Nazi SS in April 1943. It is particularly relevant that we recall their struggle, in view of the recent upsurge of anti-Semitism in Poland. The current Polish anti-Semitic campaign has purged thousands of Jews—from the most prominent to the obscure—from positions in universities, political, and cultural life. We must condemn this recurrence of prejudice in Poland as an affront to the memory of thousands of Jews who were annihilated in the Warsaw ghetto uprising of 1943.

Before the Nazi invasion, Warsaw was the most Jewish of European cities. There were some 433,000 Jews in the city when, in early 1940, German occupation authorities began to concentrate Jews in special districts in each town and locality in Poland. A period of mass deportations began, accompanied by confiscations, arrests, and terror. Jews were the victims of unbridled violence of the SS, including looting, murder and starvation. This persecution was designed to deprive Jews of all material goods, and, through physical and mental oppression, to prepare a suitable atmosphere for genocide.

On October 16, 1940, the Germans began to corral Warsaw's Jews into the 100 square city blocks between the major railway station, the Saxon Gardens, and the Danzig Railroad Terminal. The proximity of transportation facilities was probably a determining factor in locating the Jewish ghetto, whose residents the Nazi regime planned to evacuate with maximum efficiency. One-third of the population of Warsaw was crammed, eight to a room, into one-twentieth the area of the city. A brick wall and barbed wire encaged the Jewish Poles. The Germans planned at first to starve them into docility, then to round them up and murder them by the thousands.

According to Nazi plans captured at the fall of the Wehrmacht, Poland was the first occupied area to be cleared of its non-Aryan population, prior to the implementation of the general eastern plan—generalplan ost. The Reich's strategy was to Germanize and liquidate the untermenschen of enormous areas—the Baltic States, Czechoslovakia, the Ukraine, Byelorussia, and Russia itself. The records of the Nuremberg International Military Tribunal include testimony by the spokesman of Nazi race ideology, Rosenberg, who expressed the Reich's purpose:

> Europe can consider the Jewish question solved when the last Jew leaves the Continent. . . . We swear that we will not give up the fight until the last Jew in Europe has disappeared, and, until we are sure that he is really dead.

The pilot project for this operation was Poland; its death terminal, Warsaw. Most of the Jews sealed up in 2½ miles of the classical Jewish quarter of the city had neither roots nor homes in the capital. Here they were starved and systematically hunted by their captors. In spite of the various epidemics which erupted, they were denied drugs. They endured cruel Polish winters without fuel. While the rest of occupied Warsaw went uninformed of events in the sealed ghetto, hunger increased daily. It emerged from dark, overcrowded living quarters into the street, where it spoke through the mouths of beggars—the aged or the very young, who crawled under the barbed wire, before the gendarmes, to get food "on the other side." Entire families were supported in this manner.

In spite of the disease, the corruption, violence, restrictions, and fear of betrayal, the trappings of normal community living developed in the Warsaw ghetto. The ghetto population created its own underground community. The Jews operated clandestine schools. There was even a university complete with faculty. Bomb caches were disguised as parks. Four theaters offered performances. Musicians gave concerts. Poets composed and recited verse. Painters and sculptors worked and exhibited their efforts. An illegal press distributed pamphlets and reported current events. A group of scholars collected an archive to preserve records of the ghetto as part of Jewish history. Among these documents is a draft of the opening address for a cultural evening. The unknown lecturer analyzed the common Jewish purpose:

> We want to continue living and remain free and creative people. Thereby we shall stand the test of life. If our lives are not extinguished under thick layers of ashes, it will be the triumph of humanity; it will be proof that our life-force is stronger than the will of destruction.

Spurred by the certainty that the Germans offered no alternative to extermination, a resistance movement was formed of Zionist youth. Before the outbreak of war, this group was making plans for emigration to Palestine. Its national and political awareness was intense, as was its determination to defy the superior numbers and weaponry of the German troops. At first this resistance organization was viewed as too militant. A year later, however, several intended victims who had escaped from the Nazi death mills were returned to the ghetto. They verified the horrors which the ghetto population had only suspected. Between July 22 and October 3, 1942, 300,000 Jews were removed from the ghetto, the majority to Treblinka, the rest to labor camps. The numbers of the deported substantiated the tales of the escaped prisoners. Within days of the first deportations, the Jewish Fighting Organization was formed under the command of 21-year-old Mordechai Aniedewicz. The organization earned the political and religious support of the community. By the beginning of 1943, confrontation was inevitable.

Weapons were smuggled into the ghetto through sewers or by burying parties who were allowed beyond the walls of the Jewish cemetery. The number of guerrilla units formed and trained has been set at 22. The first clash between Jews and Nazi forces occurred January 18, 9 days after Himmler ordered that deportations be resumed. He had prepared to remove the last 60,000 to 70,000 Jews remaining in the ghetto. This first round was a Jewish victory in spite of the odds against them. After 4 days of battle, the Jews effectively routed the SS.

The Germans retreated to nurse their wounds and repair their wounded vanity. On February 16, 1943, Himmler ordered what he thought would mean the destruction of the ghetto. Lt. Gen. Jurgen Stroop was sent to carry out the operation. Tanks, planes, and artillery encircled the ghetto. April 19, Passover Eve, the SS moved toward the ghetto. The ZOB decreed an alert and proceeded to execute organizational measures. At 6 a.m. the following day the battle broke. In spite of the overwhelming German superiority in troops and supplies, the Jews withstood the barrage. Testifying at the Eichmann trial, ZOB member Zivia Lubetkin recounted the flavor of the revolt:

> Our unit numbered twenty men, women, and youngsters. Each of us had a revolver and a grenade. A whole squad had guns and some home-made bombs, prepared in a very primitive fashion. We had to light them with matches. . . . We knew that they would pay a high price for our lives. . . . When the Germans advanced on our posts and we threw those hand grenades and bombs, and saw German blood pouring over the streets of Warsaw after we had seen so much Jewish blood shed, we rejoiced. . . . Those German heros retreated. . . . They came back again on the same day, reinforced by tanks, and we, with our petrol bombs, set fire to a tank.

The spirit of the ghetto was assuredly its most potent weapon. Reacting now with anger to what had been regarded as a routine operation, the Germans were determined to destroy the resistance regardless of cost. Humiliated by their initial defeats, the Nazis tried what they thought would be a devastating combination of fire and artillery. They first set fire to the brush factory district. Smoke burning their eyes and choking their throats, the Jews would not be burnt alive in German flames. The occupants of this area set out for the central ghetto. Some perished in the conflagration. Charred corpses filled the streets and lay in doorsteps. Smoke and flames drove thousands more out of otherwise safe hideouts. These staggered onto the sticky pavement, melted by the heat, where they wandered aimlessly, only to be captured by the Germans or shot on the spot.

The Germans hoped that the destruction of the brushmakers' district would drive the Jews to surrender. Hoping for a "voluntary" evacuation, they announced deadlines for appearing at collection centers. No amount of pleading or threats would convince the Jews to surrender. They preferred armed resistance to meek submission.

Faced with such stubbornness, the Nazis changed their tactics. They began burning private homes—one after another—to smoke out their victims. The partisans now attempted to preserve large groups of the population hiding in isolated bunkers and shelters by moving them underground. The burning of the ghetto ended only where there were no more living quarters and, still worse, when the water supply was exhausted. At this point the partisans themselves were forced underground.

With the Germans policing the streets by day, the ZOB could make raids only at undercover of night. Supplies were running desperately short. The ammunition cache was nearly depleted. Loss of communication with the Aryan world outside the ghetto meant it would be virtually impossible to put further meaningful resistance.

The Germans sent out searching parties to ferret out those who had burrowed underground. They employed sensitive sound-detecting instruments and trained police dogs. One of the most vigorous battles was fought at 30 Franciszkanska Street, where the Nazis discovered the bunker of former residents of the brushmakers' district. The battle here lasted 2 days, and not a single person submitted to capture alive. ZOB headquarters was discovered on May 18. The Germans tolerated 2 hours of resistance. Then, appreciating the advantages of liquidating the organizers of resistance, the Germans tossed in a gas bomb. Whoever was not gassed committed suicide. Jurek Wilner proposed group annihilation. Lutek Rotblat shot his mother, his sister, then himself. Eighty percent of those who survived the chemical weapons perished in this manner, including ZOB Commander Mordechai Aniedewicz. The few who miraculously escaped death set off to join the remnants of the brushmakers' detachments at 22 Franciszkanska Street. The only safe access to the shelter was through the sewer system, a common thoroughfare in the ghetto. The entrance was boobytrapped with grenades ready to explode at touch. The fugitives crawled through snares and entanglements constructed by the SS. On occasion, the Germans would let gas into the mains. In a sewer 28 inches high, the sludge reaching to their lips, the surviving ZOB waited 48 hours to escape to the bunker. One of their number lost consciousness every few minutes. Thirst was the worst problem. Some of the more desperate chanced drinking the slimy waters.

On June 10, at 10 a.m., two trucks pulled up to the trapdoor at the Prosta Street-Twarda Street intersection. When the door opened, the Jews emerged from their hole, and scrambled onto the trucks. Not all were able to escape. Soon the heavy door banged shut. Not daring to tarry longer, the trucks bolted away, careening through the streets at full speed. This surviving fraction of the ZOB joined guerrilla bands fighting in the woods. The majority of them were eventually slain. The rest took part in the 1944 Warsaw uprising as the "ZOB unit." From this handful of survivors we have accounts of the Warsaw ghetto epic.

The fate of those not fortunate enough to escape was buried in the ragged heap of rubble reaching three stories high. It had taken 44 days to destroy the ghetto. Nazi officials recorded the deaths or relocations during the insurrection at 6,060. Rather than surrender, the valiant Jews of the Warsaw ghetto had preferred to end their ordeal of 3 years with entrenched resistance.

Today a statue to the ghetto population stands in a desolate square, once the heart of the district. In spite of common experiences under German occupation, the fact that many Poles risked their lives to hide Jews during the war, and the fact that many Poles also marched to gas chambers at Auschwitz and Treblinka, the Polish Government seems to have forgotten the Nazi ordeal. Otherwise, how could they tolerate, and, indeed, encourage the senseless anti-Zionist purge which grips Poland today?

In Poland competing camps in the faction-ridden Communist system consistently have exploited anti-Semitism at critical junctures in Polish history. This strategy emerged in Poland during the early post-war period. The first "takeover" government was an uneasy coalition of Communists who had spent the war in the Polish underground and those who, having spent the war in Soviet Russia, returned to Poland with the victorious Red army. Friction between the "domestic" group and the "Muscovites" emerged during the Stalinist period. During the brief thaw which followed Stalin's death, the domestic group blamed the Muscovites for the excesses of Stalinization. The anti-Semitic campaign evolved from their charges against a fraction of the Muscovites who happened to be Jews. The same party plenum which elected Wladyslaw Gomulka first secretary of the party also set up a program for reform and issued a resolution against ethnic prejudice. Neither policy was implemented. In an effort to consolidate power, Gomulka proceeded to generously pad the party apparatus with former Stalinist partisans. This element has since expanded its power base. Since the early sixties, the Partisans have agitated against the political decay and economic stagnation of the "Gomulka establishment." Their goal is to replace it. The student riots of March 1968 gave them precisely the opportunity they sought. Seizing upon the coincidence that some of the leaders of the student protests were Jewish and that their parents occupied prominent government posts, General Moczar, Minister of the Interior, and head of the Partisan faction, launched the current anti-Semitic campaign. To protect his own political position, Gomulka took up the challenge. Just after the Arab-Israel conflict in June 1967, he blamed all of Poland's present difficulties on a pro-Israel Zionist conspiracy.

With anti-Semitism a weapon of both contending factions, the toll among Polish Jews has been heavy, and the purge continues to this day.

Both the Government of the United States and the United Nations must make every effort to combat anti-Semitism in Poland. Memory of the heroic resistance of the Warsaw ghetto should strengthen those efforts.

ISRAEL INDEPENDENCE DAY

(Mr. McCORMACK (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, it has been 21 years since the foundation of the State of Israel in the land of the ancient Hebrew people. Those 21 years have witnessed many events in Israel, not the least of which have been the three wars fought between Israel and its Arab neighbors and the victories of the Israel defense forces in those three conflicts. Peace still is only a dream in the Middle East, but all men of good will hope that a peaceful settlement of the Arab-Israel dispute can be found and implemented.

But, despite the wars and the constant state of alert demanded of the Israeli people, they have still been able to register tremendous growth and progress in the past two decades. The Israeli economy established unprecedented gains, averaging for the decade between 1950 and 1960 a growth rate of over 10 percent per year. After an imposed slowdown of the economy beginning in 1964 had produced the desired effects, the Israeli economy is again growing at its old pace. The Israeli planners have taken great pains to diversify the industry of Israel, seeking a balance between industry, agriculture, manufacturing and services that will insure a stable and reliable economy for the future.

In the educational field, the Israeli nation has faced an arduous task of teaching an ancient language, now revitalized, to the polyglot peoples who came to the promised land. Germans, Rumanians, Russians, Moroccans, French—people from all the corners of the earth speaking all the earth's languages—have been taught Hebrew. Grown men share the classrooms with their sons in their desire to learn and to grow together. The teachers in those schools are quite often young girls, members of the Israel defense forces, who are serving their country in two ways, they are soldiers and they are teachers. The Israelis hunger for education and learning, and they respect the power of knowledge.

Much has been written about the Israeli agricultural programs, the cooperative and the collective communities which have so ably converted vast ranges of wasteland into productive and vital farmlands. The Kibbutz and the Moshav are the epitome of cooperation and democracy, where all share the work and the rewards. In the southern part of Israel is the vast Negev desert. It is here that the Israelis have concentrated their efforts to reclaim the land from the scorching sun and the dry winds and to convert the barren earth into living farms. One of the modern engineering miracles is the Israeli water conduit which carries needed water from the north of the country to the arid south.

But Israel has not been a nation of all work. In the cultural area, the Israelis have become world leaders in music, art and letters. Israeli dancers, singers and musicians travel around the world, receiving critical acclaim for their talents and their creativity. Israeli designers hold shows in the fashion centers of London, Paris and New York. Israeli artists and their works appear in the galleries of Europe and the Americas. Israeli architects and engineers raise buildings in Africa and South America. Novelists, historians and poets from Israel are read and appreciated by a wide spectrum of peoples from Asia to Scandinavia. The wide range of talents demonstrate the Israeli creativity and their innovative and imaginative approach to every aspect of modern life.

On this occasion of the celebration of the 21st anniversary of the founding of the State of Israel, we offer our heartfelt congratulations and express the earnest hope that the people of Israel will soon find the peace they so valiantly seek.

Mr. GIAIMO. Mr. Speaker, today Jews throughout the world celebrate the 21st anniversary of the fulfillment of a dream, the establishment of the State of Israel. They are joined by all those who truly cherish the ideals of independence and justice.

This remarkable nation should serve as a reminder to all of us that freedom is neither easily won nor easily kept. To paraphrase the late President Kennedy, there are those who take the idea of freedom for granted. Let them look to Israel.

The dream of a Jewish homeland has survived for centuries. It could not be eradicated by Roman legions, Nazi terror or so-called holy wars. That dream still lives today in the hearts of oppressed people.

What has been done in 21 years is miraculous, Mr. Speaker. A nation built on arid land has become the garden of the Middle East. A nation surrounded by enemies has made friends throughout the world. A nation aided by the charity of others has itself become charitable.

One could write volumes of praise for this new nation and its accomplishments, but the real promise of Israel lies in its future. There is no reason to doubt that Israel could do for the entire Middle East what it has already done within its own borders.

It is absurd, Mr. Speaker, that a nation like Israel sits as an island of plenty in a sea of hunger and poverty. This absurdity is not the fault of the Israelis, for they have consistently expressed their desire to live in an atmosphere of peace which they have been denied for centuries. It is the fault of the neighboring Arab States who have refused to even recognize the right of Israel to exist.

Israel itself, believing that a gap in living standards between prosperous and poor nations is a danger to world peace, has engaged in a wide-ranging program of assistance to other developing countries. Many nations in Africa, for instance, have greatly benefited from such assistance. Considering that Israel is itself a developing nation, this program is impressive and shows a strong desire to help people in need.

Why cannot this assistance go toward improving the lot of every person in the Middle East? Why can certain Arab leaders not turn from their policies of ultranationalism and racism and instead help their own people? Why can the people of the Middle East, with help from the United States, the Soviet Union, and the United Nations, among others, not settle their differences amicably without resorting to armed force and belligerency?

Why, indeed, can the Middle East, the cradle of civilization, not become a showcase of peace where all nations, whatever their ideology, can exist in a spirit of mutual cooperation and respect?

This is the challenge which faces Israel in the third decade of its existence. Over and over again in the past 21 years, it has shown its will to survive. That will should no longer be questioned by anyone. The Arab States hostile to Israel should admit that Israel exists and has territorial, political, economic, and social integrity.

Only then will all people of the Middle East find peace. Only then will Arab and Jew alike find truth in the ancient prophecy of Isaiah: "And they shall beat their swords into ploughshares, and their spears into pruning hooks; nation shall not lift up sword against nation; neither shall they learn war any more."

Just as a dream of Israel became a reality 21 years ago, so may this prophecy be fulfilled. As we celebrate the past, let us pray for the future.

Mr. MINISH. Mr. Speaker, no matter how old he grows, a man remembers with poignant clarity his 21st birthday—his pride at reaching man's estate, his exultation in his youth and vigor with the whole world and a whole lifetime stretching ahead, his for the asking.

That pride and exultation for young men born in this century have, sadly, been clouded with the horrors of wars, of man's inability to live in civilized peace with his fellow man.

As with the individual, so with a nation. Today we salute with pride and affection Israel's 21st birthday, but our happiness is overshadowed by the grim realities of the hour which find these gallant people engaged in the unceasing struggle to safeguard their security.

As with the young men observing their 21st birthday in today's chaotic world, Israel was born in the aftermath of the sufferings and devastation of world war. For 21 years, its people have been fighting two battles. The first is the battle against a cruel and harsh land, almost devoid of resources and wasted through centuries of neglect and mismanagement. The enemies of the Israelis in this first battle were the swamps and the deserts, the rocky hills and desolate valleys, the arid, forbidding country that is their "promised land." The Israelis are winning the fight against the land and the elements, and the land of Israel is becoming again the land of milk and honey described in the Bible. The costs of rebuilding Israel are high, taking their toll in hard work, but the rewards are even higher, the satisfaction of building not only a home but a nation.

The second of the two battles is the continuing confrontation with the Arab States. In this battle, there is no victory because there is no peace. While Israel has won the armed conflicts that have erupted three times in two decades, she has not been able to translate those battlefield victories into conference table victories because her Arab adversaries refuse to negotiate a permanent settlement of the problem. But the Israelis are a persistent people and a people determined to have peace in their land. They have not been dismayed at the absence of progress at the peace table, but have dedicated themselves to finding and securing a lasting and just peace.

There can be no doubt that the people of Israel are entitled to the land and that there should be a state for the descendants of the Hebrews. The only source of challenge to the Israelis right to exist is the Arab bloc; the rest of the world fully recognizes the State of Israel and this includes the Communist nations which champion the cause of the Arabs. The first nation to recognize Israel on May 15, 1948, was the United States of America. Since then this Nation has not relaxed its friendship with Israel and we have not altered our commitment to the people of Israel.

Our cooperation with the Israeli people has extended from technical training to new farming methods. Israeli scientists and their American counterparts are working on projects that will help all mankind, not just a few people. In fact, the Israelis have become models for the underdeveloped world, training many young teachers, farmers, and scientists in schools and workshops in Israel and in countries in Asia, Africa, and Latin America. This same spirit of cooperation could exist between the Israelis and the downtrodden people of the Arab countries surrounding Israel if only the leaders of those states would be willing to negotiate a peace treaty.

On this auspicious occasion, as we salute our gallant young ally, let us renew our bonds of friendship, our commitment to establishing a permanent peace.

The remarkable Prime Minister of Israel, Mrs. Golda Meir, who epitomizes the bonds between our two countries, stated in her memorable address on presenting her Cabinet to the Knesset—Parliament—Jerusalem, March 17, 1969:

> It has been our fate that while we engrossed ourselves in constructive and creative work in our homeland, we have had to defend our lives and our achievements and take up arms against attackers and aggressors. . . . It has never been our aspiration to win victory in war, but to prevent wars. It has, nevertheless, been demonstrated that when wars have been forced upon us, we have been able to fulfill our task. And there is no doubt in my heart that if a new war is forced upon us again, we shall again be victorious . . . We will not accept any arrangement that is not true peace. We shall not agree to any "solution" which does not guarantee that this war is the last war. Unfortunately, the Arab rulers have repulsed the outstretched hand . . . We consented to a ceasefire. The Arab States also agreed to the ceasefire. But only a few days passed before the ceasefire lines became front lines of continuous aggression waged against us by the Arab States. In truth, the war is not yet over. Day in, day out, our sons are falling at their posts . . . The actions and utterances of the Arab rulers give no promise of approaching tranquillity.

The record clearly demonstrates that the basic obstacle to peace has been the continuance and intensification of terrorist activities, supported or condoned by some Arab governments, and the policy embodies in the Khartoum formula—"no negotiations, no recognition, no peace." Terrorist activities violate the cease-fire resolutions, and international law. They are designed to prevent peace, and force another war. And so, the central tasks facing Israel on its 21st birthday are, above all, to safeguard the nation's security and to continue to strive for peace.

I am happy to join today with like-minded colleagues in issuing the following declaration for peace in the Middle East that offers the best hope of protecting the interests and dignity of all the parties involved and permitting them to make a just and balanced peace. May this peace be achieved and may Israel and its neighbors unite in a spirit of friendship and cooperation and build together a region overflowing with milk and honey for all the peoples of the Middle East.

DECLARATION FOR PEACE IN THE MIDDLE EAST, APRIL 1969

On the occasion of Israel's 21st birthday, we offer our congratulations to the people of Israel on their progress: the absorption of more than 1,250,000 refugees and immigrants; the reclamation of the land; the development of their economy; the cultivation of arts and sciences; the revival of culture and civilization; the preservation and strengthening of democratic institutions; their constructive co-operation in the international community.

On this 21st anniversary we express our concern that the people of Israel are still denied their right to peace and that they must carry heavy defense burdens which divert human and material resources from productive pursuits.

We deeply regret that Israel's Arab neighbors, after three futile and costly wars, still refuse to negotiate a final peace settlement with Israel.

We believe that the issues which divide Israel and the Arab states can be resolved in the spirit and service of peace, if the leaders of the Arab states would agree to meet with Israelis in face-to-face negotiations. There is no effective substitute for the procedure. The parties to the conflict must be parties to the settlement. We oppose any attempt by outside powers to impose halfway measures not conducive to a permanent peace.

To ensure direct negotiations and to secure a contractual peace settlement, freely and sincerely signed by the parties themselves, the United States should oppose all pressures upon Israel to withdraw prematurely and unconditionally from any of the territories which Israel now administers.

Achieving peace, Israel and the Arab states will be in a position to settle the problems which confront them. Peace will outlaw belligerence, define final boundaries, end boycotts and blockades, curb terrorism, promote disarmament, facilitate refugee resettlement, ensure freedom of navigation through international waterways, and promote economic co-operation in the interests of all people.

The U.N. cease-fire should be obeyed and respected by all nations. The Arab states have an obligation to curb terrorism and to end their attacks on Israel civilians and settlements.

We deplore one-sided U.N. resolutions which ignore Arab violations of the cease fire and which censure Israel's reply and counteraction. Resolutions which condemn those who want peace and which shield those who wage war are a travesty of the U.N. charter and a blow at the peace.

The United States should make it clear to all governments in the Near East that we do not condone a state of war, that we persist in the search for a negotiated and contractual peace, as a major goal of American policy.

Mr. FRIEDEL. Mr. Speaker, when a person reaches the age of 21, he is said to have reached his majority; he is no longer held back for lack of maturity.

Twenty-one years ago, the independence of the State of Israel was proclaimed, therefore, by analogy, we may say that this once ancient and historic nation, which was reborn in 1948, has now reached maturity. She is a respected member of the family of nations and, what is especially important, it is a part of the free world and our sister democracy—a republic—located in the strategic Middle East.

It is important that we here in the Congress of the United States, take note of this day and express our congratulations and very best wishes to the State of Israel on the occasion of its 21st anniversary as a nation.

When the independence of the State of Israel was declared on May 14, 1948, according to our calendar, President Harry Truman gave official recognition to its rebirth within minutes after its establishment. Over the years the Congress of the United States has also recognized that time has very clearly shown this decision to be sound and in our best interest.

Here, in the Capitol of the United States, and according to our own Declaration of Independence, we maintain that "all men are created equal, and are endowed by their creator with inalienable rights of life, liberty, and the pursuit of happiness."

During the past 21 years, the world has seen that out of the desert has been created a new and modern state with a truly tremendous record of impressive achievement. From rocky wastes and barren sands the fondest hopes and deepest yearnings of a people for centuries have been realized in transforming a wilderness into a veritable modern Garden of Eden and a place of sanctuary for over a million homeless, dispossessed, and stateless human beings. Today there are over 2,775,000 people within Israel's borders.

For us, both Christian and Jew, Israel is indeed the holy land, the place where the Ten Commandments were given to man—the locale of the Holy Bible—a very special spot on earth, having a deep spiritual significance for the three major religions of the Western World: Christianity, Judaism, and Mohammedanism.

Notwithstanding the fact that it was in Israel where the law of love was announced, that country has been the scene of bloody strife between its inhabitants and its far larger and more numerous Arab neighbors. I view with deep concern the Russian Communist rearming of the Arab countries and encouraging them to again attack democratic Israel. It seems obvious that the Reds want to foster their brand of totalitarianism in that part of the world and obtain control over the rich petroleum resources in the Middle East. It, therefore, becomes quite clear that the concern of the United States and of the entire free world should be for a strong Israel as a bastion of democracy and a buffer to the Communists in this strategic area.

It is a matter of grave concern and alarm to us that the Arab countries have escalated the frequency of their aggressive attacks against Israel. There is no doubt that this is an explosive situation, but not one devoid of hope. I join those who look for peace and understanding among the citizens of Israel and the Arab States, for a way must be found to guarantee the integrity and the continued existence of the state of Israel, and America can and should play an important role in achieving this goal.

On this day marking the majority as the 21st anniversary of the state of Israel, I extend to the citizens of this state my heartiest congratulations and best wishes for peace and continued progress and service to all mankind. Israel has proven her ability to develop and govern as a free and democratic state in the face of impossible conditions and the right to do so must never be denied her.

Mr. PUCINSKI. Mr. Speaker, in many societies, when a boy reaches the age of 21 he is considered a man, and is then entitled to all the privileges of manhood and is bound to all the duties of a mature individual. But in some countries, boys become men at an earlier age. Because of the conditions in which they live, some men mature very quickly and must perform like men even though they may not have reached the chronological age of majority.

Such are the men of Israel, who have been protecting and building the nation of Israel and assuming all the functions and duties of men long before their 21 birthdays.

This year the nation of Israel will also be 21 years old, but that does not mean that this is the first time that the State of Israel will be old enough to carry the full burden of nationhood. For Israel, in the very first moments of its birth, was already engaged in a battle for its life and was already a respected member of the community of nations. Israel, at the moment of its proclamation as a state, already had in its past an experience that most nations live thousands of years to achieve.

On the day it was born in 1948, Israel was already the oldest nation on earth with a full record of achievement in the arts and humanities, in politics, economics, religion and social development, and in battle. Israel is indeed unique: It is a nation celebrating this year its 21st anniversary but it is a nation with 4,000 years of history.

In those 21 years, the Israelis have amassed an impressive array of statistics reflecting their growth and progress, but often statistics do not tell the whole story. For example, there have been over 500 villages founded since the Zionist movement began to build new towns to house the returning Jews, but there is no way to measure the work, the toil, the sweat, the weary muscles that went into the construction of those 500 villages. There is no record of the long nights of guard duty after a day in the fields watching for the Arab terrorists who planted bombs in the roads where the school buses travel. There is no way to account for the grief of the Israelis who lost a loved one or a friend to the sniper's bullet.

A walk through an Israeli village tells the visitor nothing of the personal histories of these valiant people. There is no way to see the marks of the Nazi tortures for those few who lived through the days of the Hitler holocaust, or to read the effects of an accumulation of persecution suffered in the ghetto of a Middle Eastern or North African country. One might detect the remnant of a European accent or see the contrasting colors of blue-eyed Scandinavians and dark-eyed Moroccans, but these clues to the past are as few as the evidence of the current devotion to God and country are many.

With a little imagination, one can taste in the sweetness of a Jaffa orange a little of the hard work that went into its growing. And one can feel the pride of a people who are not ashamed of their love for their country or their love for their fellow man.

The record of the Israel defense forces

in the three wars fought by this brave land in the two decades since its rebirth tell of military maneuvers and of planes downed and tanks destroyed, but it does not tell of the women and men of Israel who led those charges against overwhelming odds. In Israel, there is a very simple rule in battle: it is "follow me." In a nation where every square inch is the frontline, there are no secure areas where commanders sit in safety and direct the soldiers. In Israel, all the people are frontline soldiers and all share the bittersweet rewards of victory.

But despite the 10-percent growth rate of the economy or the trade relations with 100 nations of the world, the Israelis still seek the one condition that has eluded them since they began to return to the land of their fathers some 70 years ago. The green farmlands in the midst of the desert or the industries of the cities do not hold the missing element. The work of Israel farmers or the efforts of Israel diplomats have not been able to create that which they all have sought these 20 years—the Israelis want peace. The elusive peace they seek is no more present today than it was on May 15, 1948, when the nation was founded amid the barrage of battle.

Recent tensions in the area have made it clear that the Arab nations are abetting the actions of the Fadayeen commandos who raid the Israel settlements and bomb Israel roads. The President of the United Arab Republic and the King of Jordan have said that they are in agreement with the terrorists who are continuing their war against the people of Israel through stealth and insurgency. The expansion of the guerrilla war by the Arabs to the airline terminals of neutral nations poses a real threat to the peace and security of the world. And while the guerrilla fighters continue their war against the innocent civilians of Israel, the Arab diplomats continue their intransigent denial of Israeli existence. Perhaps the Arab leaders find in their consistent denial of the reality of Israel a compensation for ther own failures and shortcomings.

If the impressive expansion of the State of Israel was accomplished under the strained conditions of a constant state of war, think what the Israeli people could have done in an era of peace. The greatest tragedy of the Arab-Israel dispute may be the lost opportunities to develop even further the Israeli society. Israel is a prime example of nationbuilding and a model for many emerging and developing nations in Latin America, Asia, and Africa. The Israeli foreign assistance program has been very successful in teaching young students from other nations how they can improve their own countries while still retaining their much-prized independence.

Perhaps the single greatest attribute of the Israeli nation is the innovative spirit of the people. Scientists and engineers created the National Water Carrier, which pipes vital water from the north of the country to the arid southern area of the Negev Desert, where a vast irrigation scheme is converting the wasteland into productive farms and orchards. Israeli builders are now working on the petroleum pipeline between Eilat and the Mediterranean city of Ashdod. When completed, the pipeline will carry as much oil as was sent through the Suez Canal before June 1967. Israeli hydrologists and physicists are engaged in desalination projects which use fossile fuel, solar energy, and atomic energy, and their work has recently produced several breakthroughs in this crucial field. They are sharing their findings with other arid and semi-arid nations in the hope that the increase in food production will be able to alleviate the hunger of many less-developed countries.

In these cases, and many others, the Israelis have sought out new and fresh approaches to the problems that plague mankind. Not content to take "no" for an answer, the Israelis have devised methods and systems which other men have said were doomed to failure. The Israelis apparently have little respect for the impossible task; to them the impossible does not exist. Witness the inspiring victories of the Israel Defense Forces against armies of superior numbers, more modern weaponry, and strategic advantage.

In an age when the world is challenged at every hand by forces of change and the destructive negativism of the radicals, it is heartening to see one nation that still clings to the very basic tenets of hard work and fairplay. In Israel, there is no time to be disruptive or rebellious, there is too much work to be done. The Israelis are building a nation and all of its citizens are cooperating in the process. Young and old, farmers and statesmen, men and women; all share in the work and all share in the rewards. Israel remains the democratic oasis in a desert of dictators and it continues to show the rest of the world that the old values have not lost their meaning or their application in the current world.

The United States is proud that the nation of Israel is our friend, and it is with the warmest expressions of that friendship that we join with the free world in wishing the people of Israel continued success and future long life. On this occasion of the 21st anniversary of the founding of the modern State of Israel, we offer our congratulations and add our most earnest desire that the nation of Israel will soon find the peace that it so earnestly sought.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks and include therein extraneous material on the 21st anniversary of the establishment of the State of Israel, following the remarks of the gentleman from Massachusetts (Mr. McCORMACK).

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUNNINGHAM (at the request of Mr. GERALD R. FORD), for today, and the balance of the week, on account of official business.

Mr. TALCOTT (at the request of Mr. GERALD R. FORD), for today, and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN (at the request of Mr. McKNEALLY), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. BUCHANAN (at the request of Mr. McKNEALLY), for 1 hour, on May 7; to revise and extend his remarks and include extraneous matter.

Mr. ROONEY of Pennsylvania (at the request of Mr. OBEY), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. BLATNIK (at the request of Mr. OBEY), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. KEE.

Mr. GRAY in two instances.

Mr. RYAN during general debate on H.R. 514 on the Collins amendment.

(The following Members (at the request of Mr. McKNEALLY) to extend their remarks and include extraneous matter:)

Mr. PETTIS.

Mr. ASHBROOK.

Mr. SCHADEBERG.

Mr. STEIGER of Wisconsin.

Mrs. HECKLER of Massachusetts in two instances.

Mr. WIDNALL in two instances.

Mr. PELLY in two instances.

Mr. BROWN of Ohio.

Mr. MINSHALL.

Mr. SNYDER.

Mr. WYMAN in two instances.

Mr. HALL.

Mr. MATHIAS.

Mr. SKUBITZ.

Mr. LANDGREBE.

Mr. CARTER.

Mr. REID of New York.

Mr. WOLD.

Mr. TALCOTT.

Mr. LUKENS.

Mr. DENNEY.

Mr. BROWN of Michigan.

Mr. GROVER.

Mr. McCLOSKEY.

Mr. BROCK.

Mr. MORTON in two instances.

Mr. BUCHANAN.

(The following Members (at the request of Mr. OBEY) and to include extraneous matter:)

Mr. EILBERG.

Mr. CAREY in two instances.

Mr. GALLAGHER in two instances.

Mr. RARICK in four instances.

Mr. ABBITT.

Mr. FISHER in two instances.

Mr. BOLAND.

Mr. ROSENTHAL in five instances.

Mr. ALEXANDER in two instances.

Mr. CLAY in six instances.

Mr. Fascell in two instances.

Mr. Pike.

Mr. Addabbo in two instances.

Mr. Brown of California in four instances.

Mr. Shipley.

Mr. Burlison of Missouri in two instances.

Mr. Ottinger.

Mr. Teague of Texas in six instances.

Mr. Hanna in four instances.

Mr. Griffin.

Mr. Dent.

Mr. Sisk in two instances.

Mr. Howard in two instances.

Mr. St. Onge in two instances.

Mr. Hungate.

Mr. Moorhead in three instances.

Mr. Ryan in three instances.

Mr. Philbin.

Mr. Dingell.

Mr. Daniels of New Jersey.

Mr. Podell in three instances.

Mr. Johnson of California.

Mr. Van Deerlin.

Mr. Stuckey.

Mr. Gonzalez in three instances.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3832. An act to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active duty strength of the Marine Corps exceeds 200,000.

ADJOURNMENT

Mr. OBEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 24 minutes p.m.), the House adjourned until tomorrow, Thursday, April 24, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

698. A letter from the Comptroller General of the United States, transmitting a report on the need for improved administration and increased effectiveness in economic opportunity loan program, Small Business Administration; to the Committee on Education and Labor.

699. A letter from the Comptroller General of the United States, transmitting a report on the opportunity to use excess foreign currencies to pay transportation expenses of returning Peace Corps volunteers; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ABBITT: Committee on House Administration. H. Res. 364. Resolution dismissing the election contest in the Fifth Congressional District of the State of Georgia (Rept. No. 91–157). Ordered to be printed.

Mr. DANIELS of New Jersey: Committee on Post Office and Civil Service. H.R. 9825. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes (Rept. No. 91–158). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 2718. A bill to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, with amendment (Rept. No. 91–159). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOGGS: Committee on Ways and Means. H.R. 8644. A bill to make permanent the existing temporary suspension of duty on crude chicory roots (Rept. No. 91–160). Referred to the Committee of the Whole House on the State of the Union.

Mr. FULTON of Tennessee: Committee on Ways and Means. H.R. 10015. A bill to extend until July 15, 1971, the suspension of duty on electrodes for use in producing aluminum, with amendment (Rept. No. 91–161). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 10107. A bill to continue for a temporary period the existing suspension of duty on certain istle (Rept. No. 91–162). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO (for himself and Mr. Gonzalez):

H.R. 10450. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. BEVILL:

H.R. 10451. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BURTON of California:

H.R. 10452. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 10453. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. CEDERBERG (for himself, Mr. Hutchinson, Mr. Harvey, Mr. Ruppe, Mr. McDonald of Michigan, Mr. Brown of Michigan, and Mr. Vander Jagt):

H.R. 10454. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. GROSS (for himself, Mr. Schwengel, Mr. Kyl, and Mr. Scherle):

H.R. 10455. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. HALL:

H.R. 10456. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California (for himself, Mr. Moss, Mr. Leggett, Mr. Cohelan, Mr. Burton of California, Mr. Miller of California, Mr. Edwards of California, Mr. Waldie, Mr. McFall, Mr. Sisk, Mr. Anderson of California, Mr. Holifield, Mr. Hawkins, Mr. Rees, Mr. Brown of California, Mr. Roybal, Mr. Hanna, Mr. Van Deerlin, and Mr. Tunney):

H.R. 10457. A bill to provide full Federal financing of payments made under the public assistance provisions of the Social Security Act to recipients who do not meet the duration-of-residence requirements of the applicable State plan, where such payments must nonetheless be made because of court determinations that such requirements are unconstitutional; to the Committee on Ways and Means.

By Mr. KLEPPE:

H.R. 10458. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI:

H.R. 10459. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 10460. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. LUJAN:

H.R. 10461. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL:

H.R. 10462. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 10463. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

H.R. 10464. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10465. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 10466. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. MILLER of Ohio:

H.R. 10467. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 10468. A bill to amend the Food Stamp Act of 1964. as amended, to authorize the Secretary of Agriculture to establish minimum nationwide eligibility standards; to operate the food stamp program in any political subdivision when local governing officials will not agree to operate a food assistance program for needy families; to enter into cost-sharing arrangements with States or their political subdivisions to cover the cost of local administration of the food stamp program; and to remove current limitations on the appropriations authorized for the program; to the Committee on Agriculture.

H.R. 10469. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

H.R. 10470. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. ROGERS of Florida (by request):

H.R. 10471. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. ROONEY of Pennsylvania:

H.R. 10472. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROSENTHAL:

H.R. 10473. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SLACK:

H.R. 10474. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of New York:

H.R. 10475. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STEPHENS:

H.R. 10476. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of California:

H.R. 10477. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for Federal employees' health benefits; to the Committee on Post Office and Civil Service.

H.R. 10478. A bill to amend the age and service requirements for retirement under subchapter III of chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10479. A bill to amend title 39, United States Code, to provide an established workweek, a new system of overtime compensation for postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10480. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ANNUNZIO:

H.R. 10481. A bill to amend the act of March 2, 1931, to provide that certain proceedings of the Italian American War Veterans of the United States, Inc., shall be printed as a House document, and for other purposes; to the Committee on House Administration.

By Mr. BLATNIK (for himself, Mr. Quie, Mr. Nelsen, Mr. MacGregor, Mr. Karth, Mr. Fraser, Mr. Zwach, and Mr. Langen):

H.R. 10482. A bill to authorize the establishment of the Voyageurs National Park in the State of Minnesota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROWN of Michigan (for himself, Mr. William D. Ford, Mr. Collier, Mr. Dent, Mr. Derwinski, Mr. Goodling, Mr. Hanley, Mr. King, Mr. McClory, Mr. Ottinger, Mr. Railsback, Mr. Stratton, Mr. Lukens, Mr. Biester, Mr. Schneebeli, Mr. Steiger of Wisconsin, Mr. Hunt, Mr. McKneally, Mr. Button, Mr. Robison, Mr. Donohue, Mr. Tiernan, Mr. Bingham, Mr. Cederberg, and Mr. McDonald of Michigan):

H.R. 10483. A bill to increase the membership of the Advisory Commission on Intergovernmental Relations by two members who shall be elected town or township officials; to the Committee on Government Operations.

By Mr. BROWN of Michigan (for himself, Mr. Harvey, Mr. Ruppe, Mr. Langen, Mr. Esch, Mr. Vander Jagt, and Mr. Gerald R. Ford):

H.R. 10484. A bill to increase the membership of the Advisory Commission on Intergovernmental Relations by two members who shall be elected town or township officials; to the Committee on Government Operations.

By Mr. BROYHILL of North Carolina:

H.R. 10485. A bill to amend the Internal Revenue Code of 1954 to grant an additional income tax exemption for each dependent of the taxpayer who is permanently handicapped; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 10486. A bill to amend the Federal Aviation Act of 1958 to authorize the Civil Aeronautics Board and the Federal Aviation Administrator to relieve congestion at certain airports having a high density of air traffic serving air transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. DON H. CLAUSEN:

H.R. 10487. A bill to amend section 2(3), section 8c(2), and section 8c(6)(1) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

H.R. 10488. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 10489. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10490. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLEVELAND (for himself, Mr. McEwen, Mr. Button, Mr. Conable, Mr. Conte, Mr. Fish, Mr. Grover, Mr. Hathaway, Mr. King, Mr. Kyros, Mr. McCarthy, Mr. McKneally, Mr. Pirnie, Mr. Stafford, Mr. Stratton, and Mr. Wyman):

H.R. 10491. A bill to amend the Appalachian Regional Development Act of 1965 to include in the Appalachian region all of the Appalachian Mountain system; to the Committee on Public Works.

By Mr. CORBETT:

H.R. 10492. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement; to the Committee on Post Office and Civil Service.

By Mr. DEVINE:

H.R. 10493. A bill relating to the appointment of the Director of the Federal Bureau of Investigation; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 10494. A bill to amend title 18, United States Code, to protect the people of the United States against the lawless and irresponsible use of firearms, and to assist in the prevention and solution of crime by requiring a national registration of firearms, establishing minimum licensing standards for the possession of firearms, and encouraging the enactment of effective State and local firearms laws, and for other purposes; to the Committee on the Judiciary.

H.R. 10495. A bill to amend title XVIII of the Social Security Act to provide full payment (subject to any deductibles and coinsurance generally applicable) for whole blood furnished an individual under the program of health insurance for the aged; to the Committee on Ways and Means.

By Mr. FOREMAN (for himself and Mr. Lujan):

H.R. 10496. A bill to amend title 19 of the Social Security Act to permit States greater flexibility in establishing and modifying medicaid plans; to the Committee on Ways and Means.

By Mr. FUQUA (for himself, Mr. McMillan, Mr. Abernethy, and Mr. Cabell):

H.R. 10497. A bill to amend the District of Columbia Minimum Wage Act to provide that no minimum wage order under that act may be revised to require a minimum wage rate in excess of the highest rate in effect under the Fair Labor Standards Act of 1938; to the Committee on the District of Columbia.

By Mr. HOWARD:

H.R. 10498. A bill to reduce the rate of percentage depletion for oil and gas from 27½ to 15 percent; to the Committee on Ways and Means.

By Mr. KEE (for himself and Mr. Saylor):

H.R. 10499. A bill to amend title II of the Social Security Act to make disability insurance benefits and the disability freeze more readily available to coal miners and other individuals suffering from pneumoconiosis, and to amend titles II and XVIII of such act to make health insurance benefits available without regard to age to all individuals receiving cash benefits based on disability; to the Committee on Ways and Means.

By Mr. KOCH (for himself, Mr. Brown of California, Mr. Podell, Mr. Mikva, Mr. Conyers, and Mr. Edwards of California):

H.R. 10500. A bill to amend the Military Selective Service Act of 1967 clarifying the definition of conscientious objector so as to specifically include conscientious opposition to military service in a particular war; to the Committee on Armed Services.

By Mr. KOCH (for himself, Mr. Burton of California, Mr. Fraser, and Mr. Rosenthal):

H.R. 10501. A bill to amend the Military Selective Service Act of 1967 clarifying the definition of conscientious objector so as to specificaly include conscientious opposition to military service in a particular war; and providing certain individuals the opportunity to claim exemption from military service as selective conscientious objectors irrespective of their existing selective service status ;to the Committee on Armed Services.

By Mr. KUYKENDALL:

H.R. 10502. A bill to prohibit banks from performing general insurance agency services; to the Committee on Banking and Currency.

By Mr. LANDGREBE (for himself, Mr. Bray, Mr. Buchanan, Mr. Collier, Mr. Dent, Mr. Duncan, Mr. Fisher, Mr. Flowers, Mr. Gallagher, Mr. Halpern, Mr. Hansen of Idaho, Mr. Leggett, Mr. Pepper, Mr. Ruppe, Mr. Sandman, Mr. Thomson of Wisconsin, and Mr. Esch):

H.R. 10503. A bill to amend the Federal Meat Inspection Act to require that imported meat and meat food products made in whole or in part of imported meat be labeled "imported" at all stages of distribution until delivery to the ultimate consumer; to the Committee on Agriculture.

By Mr. PODELL:

H.R. 10504. A bill to establish a National Commission on Pesticides, and to provide for a program of investigation, basic research, and development to improve the effectiveness of pesticides and to eliminate their hazards to the environment, fish and wildlife, and man; to the Committee on Agriculture.

H.R. 10505. A bill to provide for essential development and the relief of congestion at public airports; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 10506. A bill to amend title II of the Social Security Act to increase the annual amount that individuals are permitted to earn without suffering deductions in the monthly benefits payable to them thereunder; to the Committee on Ways and Means.

By Mr. SANDMAN:

H.R. 10507. A bill to amend title 18, United States Code, to prohibit the dissemination through interstate commerce or the mails of material harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons, and to prohibit the sale of mailing lists used to disseminate through the mails materials harmful to persons under the age of 18 years; to the Committee on the Judiciary.

H.R. 10508. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 10509. A bill to provide relief from real property taxes for persons 65 or older in the amount of such taxes used for schools; to the Committee on Ways and Means.

By Mr. STRATTON:

H.R. 10510. A bill to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations and to issue orders with respect to community antenna systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 10511. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. TIERNAN (for himself, Mr. Kyros, Mr. Giaimo, Mr. Blanton, Mr. Barrett, Mr. Brasco, Mr. Donohue, Mr. Daddario, Mr. Philbin, and Mr. Eilberg):

H.R. 10512. A bill to amend the Merchant Marine Act, 1936, to encourage shipbuilding and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. TIERNAN (for himself, Mr. Kyros, Mr. Giaimo, Mr. Philbin, Mr. Barrett, Mr. Brasco, Mr. Eilberg, Mr. Donohue, Mr. Blanton, and Mr. Daddario):

H.R. 10513. A bill to clarify and strengthen the cargo-preference laws of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. TUNNEY:

H.R. 10514. A bill to amend the National Labor Relations Act, as amended, to amend the definition of "employee" to include certain agricultural employees, and to permit certain provisions in agreements between agricultural employers and employees; to the Committee on Education and Labor.

By Mr. UDALL:

H.R. 10515. A bill to establish a Commission on Population and the Environment, to study the impact of uncontained population growth on the natural environment, and for other purposes; to the Committee on Ways and Means.

By Mr. VAN DEERLIN:

H.R. 10516. A bill to protect citizens' rights to privacy from offensive unsolicited matter and fraudulent matter sent through the mails, and for other purposes; to the Committee on the Judiciary.

By Mr. WATTS:

H.R. 10517. A bill to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 10518. A bill to amend title I of the Housing Act of 1949 and title I of the Demonstration Cities and Metropolitan Development Act of 1966 to provide a method for obtaining judicial review of administrative determinations as to the adequacy of relocation housing being provided for displacees under the urban renewal and model cities programs; to the Committee on Banking and Currency.

By Mr. WOLD:

H.R. 10519. A bill to amend chapter 44 of title 18, United States Code, with respect to the sale or delivery of ammunition; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 10520. A bill to amend the Internal Revenue Code of 1954 to allow an employer a deduction for the cost of making changes in his place of business to make it possible to hire or retain handicapped individuals as employees; to the Committee on Ways and Means.

H.R. 10521. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education, and including certain travel; to the Committee on Ways and Means.

H.R. 10522. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 10523. A bill to amend the Internal Revenue Code of 1954 to allow an individual an income tax deduction for the expenses of traveling to and from work by means of mass transportation facilities; to the Committee on Ways and Means.

H.R. 10524. A bill to suspend percentage depletion allowances for oil and gas under the Internal Revenue Code of 1954 for 1 year; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 10525. A bill to provide for relocation payments to individuals, families, and business concerns displaced by the construction of a postal facility in Jacksonville, Fla.; to the Committee on the Judiciary.

By Mr. CAREY (for himself, Mr. Boland, Mr. Brasco, Mr. Brown of California, Mr. Celler, Mr. Dent, Mr. Dulski, Mr. Fascell, Mr. Joelson, Mr. Matsunaga, and Mr. Meeds):

H.R. 10526. A bill to clarify and strengthen the cargo-preference laws of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R.. 10527. A bill to amend the Merchant Marine Act, 1936, to encourage shipbuilding, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BEALL of Maryland:

H.J. Res. 670. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CLARK:

H.J. Res. 671. Joint resolution proposing an amendment to the Constitution of the United States to authorize Congress, by two-thirds vote of both Houses, to override decisions of the Supreme Court; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 672. Joint resolution authorizing the posthumous promotion of the late General of the Army Dwight David Eisenhower to the grade of General of the Armies; to the Committee on Armed Services.

By Mr. KEE:

H.J. Res. 673. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. CORBETT:

H. Con. Res. 212. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. FRIEDEL:

H. Con. Res. 213. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. McKNEALLY:

H. Con. Res. 214. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. TEAGUE of California:

H. Con. Res. 215. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. RODINO (for himself, Mr. Daniels of New Jersey, Mr. Gallagher, Mr. Helstoski, Mr. Howard, Mr. Joelson, Mr. Minish, Mr. Patten, and Mr. Thompson of New Jersey):

H. Res. 372. Resolution to express the sense of the House of Representatives regarding the shutdown of Job Corps installations before congressional authorization and appropriation actions; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

134. By the SPEAKER: Memorial of the Legislature of the State of Nevada, relative to legislation to provide that voting polls be closed simultaneously across the Nation; to the Committee on House Administration.

135. Also, memorial of the Legislature of the State of Nevada, relative to establishment of a national cemetery in Nevada; to the Committee on Veterans' Affairs.

136. Also, memorial of the Legislature of the State of Oklahoma, relative to laws relating to veterans; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 10528. A bill for the relief of Edith H. A. Churchwell; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 10529. A bill for the relief of Pietro Ancona; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 10530. A bill for the relief of Miss Joaquina Loarca; to the Committee on the Judiciary.

By Mr. LUJAN:

H.R. 10531. A bill for the relief of St. John's College at Santa Fe, N. Mex.; to the Committee on Education and Labor.

By Mr. PELLY:

H.R. 10532. A bill for the relief of Theodora Gouloumis; to the Committee on the Judiciarv.

H.R. 10533. A bill for the relief of Eduardo Molina; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 10534. A bill for the relief of Atkinson, Haserick & Co., Inc.; to the Committee on the Judiciary.

By Mr. RAILSBACK:

H.R. 10535. A bill for the relief of Ricardo Magsalin Eduvas; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 10536. A bill for the relief of Douglas F. Scott; to the Committee on the Judiciary.

By Mr. CLAY:

H. Res. 373. Resolution for the relief of Henry D. Espy, James A. Espy, Naomi A. Espy, Jean E. Logan, and Theodore R. Espy; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

LT. GEN. SAMUEL C. PHILLIPS

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. WOLD. Mr. Speaker, while Wyoming's population is relatively small, the achievements of her citizens are numerous. I would today like to extol the accomplishments of one outstanding Wyomingite, Lt. Gen. Samuel C. Phillips, director of the Apollo program.

General Phillips was born in Cheyenne and graduated from the University of Wyoming in 1942 with a bachelor of science degree in electrical engineering, later earning his masters degree in the same field. He joined the Air Force after graduation and received his pilot's wings the following year. For splendid military service, he was awarded the Distinguished Flying Cross and Oak Leaf Clusters, Air Medal with seven Oak Leaf Clusters, Croix de Guerre, the Army Commendation Ribbon, and the Legion of Merit.

His postwar assignment as chief of the Air Defense Missile Division introduced him to the then embryonic space program. Growing with this program, he was promoted to brigadier general and respectively named director of the Minuteman project, vice commander of ballistic systems and deputy director of the Apollo program. Only 9 months after the latter assignment, he was appointed director of the Apollo mission and became the youngest officer ever to have held the three-star rank of lieutenant general.

Standing on the threshold of the great frontier of space, in an age where strong defense is necessary for the preservation of peace, we realize the awesomeness of the future and offer gratitude to General Phillips for his superb leadership, distinguished service, and unyielding interest in the welfare of the United States of America.

Mr. Speaker, I include in the RECORD, an article on General Phillips entitled "Man at the Top of America's Space Program," which appeared in the March–April 1969 issue of the Alumnus of the University of Wyoming:

MAN AT THE TOP OF AMERICA'S SPACE PROGRAM

Launching was the smoothest of any in the Apollo series. Splashdown was right on target. The flimsy lunar "spider" passed all its tests. Docking between spider and Apollo was accomplished without a slip.

You saw it all on TV and wondered at the scientific achievement of man. Perhaps you knew, but did not fully recognize, the importance of one man to this latest of American space flights. Although the Astronauts aboard Apollo 9, the personnel at the Manned Spacecraft Center at Houston, the thousands of men moving about like ants at Cape Kennedy, all work as a team, the man who stands at the top of America's space program is Lt. Gen. Samuel C. Phillips, who took his bachelor of science degree at the University of Wyoming in electrical engineering in 1942.

A quiet, unassuming man, General Phillips has been with the space program almost since its inception. An officer in the Air Force on loan to the National Aeronautics and Space Administration (NASA), he became associated with the Apollo program early in 1964, and in the ensuing five years has guided America through its complicated series of space flights that will culminate, hopefully, with the landing of a man on the moon next July.

One more testing flight, scheduled now to go in May, will precede the mid-summer moon landing. This flight will be a landing rehearsal within 50,000 feet of the moon in Apollo 10. Hinging on its outcome is the dramatic flight that will allow man to realize his long goal of reaching the moon. Its achievement will reflect the nation's vision and the strength of today's science and technology.

When this landing takes place it will be the culmination of years of research and test flights. Boosting Apollo 10 and the later moon landing will be Saturn V, a modification of the original Saturn I, which took 10 successful payloads into earth orbit between 1958 and 1965.

The NASA field center responsible for Saturn development is the Marshall Space Flight Center in Huntsville, Ala., directed by Dr. Wernher von Braun. The Manned Spacecraft Center in Houston, Texas, is in charge of developing the Apollo spacecraft training the astronauts and maintaining flight control. The Kennedy Space Center in Florida is in charge of preparing launch facilities and conducting launchings.

The first launch of Saturn IB, second generation of the Saturn family, came early in 1966. Other launchings in this series followed in July and August of 1966 and January, 1968. Largest vehicle in the project is the present three-stage Saturn V, which is capable of placing a payload of more than 125 tons into earth orbit or sending about 50 tons to the moon. Chrysler Corporation builds the Saturn IB stages at the NASA-Michoud Assembly Facility in New Orleans. McDonnell Douglas Corporation makes the Saturn IVB stage at Huntington Beach, Calif.

The Marshall Center and The Boeing Company jointly developed the Saturn V first stage and Boeing is the prime contractor.

The instrument unit sitting atop the spacecraft is the "brain" or "nerve center" of the Saturn vehicles. From this center come commands to carry out the intricate maneuvering necessary for the rocket's successful operation in space. International Business Machines Corporation is supplier of the guidance signal processer and guidance computer and is the prime contractor for the unit.

Engines for the powerful rockets, which generate a mean thrust of 205,000 pounds, are made by Rocketdyne Division of North American Rockwell Corporation.

General Phillips has been well satisfied with the nation's space program to date, with the exception of the tragic fire in Houston in 1967 which took the lives of astronauts then in training for the next flight.

However, he feels that space flight is only beginning in the modern world. In a recent interview with Data, a magazine published by Queensmith Associates, Inc., in Washington, D.C., General Phillips had this to say, "Manned space flight is still in a very primitive formative stage, even with the magnificent progress which has been made. We are still in our infancy. Compare it with the airplane, for example. In the very early days of the airplane, many people said it would never be commercially profitable nor militarily applicable. Yet look at the airplane today. Look at the rate of change of technology today compared with the last 10 years."

This conviction that military applications of space are inevitable, and that this country had better be in a position to know how to operate when the need is clear, is one of the many reasons Phillips has devoted so many years as a military officer to doing what he can to further the development of space operations, according to Data.

"There has never been a transportation medium in the history of man that has not been exploited for economic and military advantage. Space is not going to be any exception," Phillips said.

"The gravest mistake that this country can make," he continued, "is to fail to develop the technology and the operations that will allow this country to be, hopefully, in a position of initiative in its own defense; but as a minimum to be in a position to react if it becomes apparent that some other nation chooses to use man in space as a means of furthering its own national interests by applications to military forces. And that day is coming."

The soft-spoken officer, who lives in Washington, D.C., and has an office looking out toward the nation's capitol, spends his time shuttling back and forth between Washington, Houston and Cape Kennedy. He is always on hand when a flight is launched.

He has spent much of his life travelling about the globe, even before his association with the space program. Immediately after graduation from UW he entered the Air Force as a second lieutenant and earned his pilot's wings in 1943. Wartime duties included two combat tours in England with the 364th fighter group of the 8th Air Force. He earned the Distinguished Flying Cross and Oak Leaf Cluster, Air Medal with seven Oak Leaf Clusters, and Croix de Guerre.

After the war he remained in Europe, assigned to theater headquarters, Frankfurt, Germany, until July 1945. His meritorious service during this period earned him the Army Commendation Ribbon.

From 1948 to 1950 he attended the University of Michigan and earned an MS degree there in electrical engineering, specializing in electronics. Following his graduation he joined the engineering division of the Air Material Command at Wright-Patterson AFB, Ohio, and remained there in research and development work for six years, with two short interludes for other assignments.

At Wright-Patterson he served as director of operations in the Armament Laboratory; B–52 Project Officer; and Chief of the Air Defense Missiles Division, working on such missiles as Falcon and Bomarc.

Another period of duty in England, beginning in June 1956, gave him an opportunity to participate in writing the international agreement with Great Britain on use of the

Thor IRBM. Later, as 7th Air Division Director of Material, his duties included assisting in the completion of Thor IRBM installations for turn-over to the RAF, for which he was awarded the Legion of Merit.

Upon his return to the United States in 1959 he was assigned to the Ballistic Missiles Division of the Air Research and Development Command as director of the Minuteman program, where he continued until August 1963. During this time he was promoted to brigadier general in the Air Force, thought to be the nation's youngest general officer.

He was made vice commander of the Ballistic Systems in August 1963 and in January 1964 moved on to become deputy director of the Apollo Program. Nine months later he was appointed director of this program. In May 1968 he was promoted to lieutenant general, still the youngest officer to hold this three-star rank.

Having been reared in Cheyenne, General Phillips calls Wyoming his home, and his mother, two brothers and a sister reside there. Mrs. Phillips, the former Betty Anne Brown, is also from Cheyenne.

The general makes frequent trips to Wyoming, among them the time in the fall of 1962 when he was named Distinguished Alumnus of the University and in the spring of 1963 when he received an honorary degree from the University.

Although General Phillips is the director of America's space flight program, he is not the only UW alumnus associated with the project. Literally thousands of alumni, too numerous to locate and name, are involved in both large and small roles in this all-important program for the nation's defense and growth.

But he doesn't expect everyone else to believe as strongly as he does, "until it happens in your own home town."

THE FBI

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. DENNEY. Mr. Speaker, I served as a special agent of the Federal Bureau of Investigation for a short time in the early 1940's. I have continued to hold the organization and its distinguished Director, J. Edgar Hoover, in the highest esteem. It has disturbed me through the years to see the FBI unjustly attacked by its enemies and by extremists on both the left and the right. It long has been my contention, however, that the very fact that extremists of both the left and the right have criticized the FBI is good indication the organization is carrying out its responsibilities in a completely objective manner—exactly as it is supposed to do.

There is a new book on the market now entitled "The FBI in Our Open Society," written by Harry and Bonaro Overstreet. In this book the authors take a close look at much of the criticism which has been leveled at the FBI and expose it to cold, hard facts. I would recommend this book to every American as worthwhile reading. I would also like to place in the RECORD at this time an excellent editorial from the Dallas Morning News, Dallas, Tex., of April 11, 1969, concerning this book. The writer of this editorial, Mike Kingston, ably describes some of the major points in the book. The editorial follows:

THE PROBLEM WITH THE FBI IS

(By Mike Kingston)

"The problem with the FBI is . . ." So runs the theme of critical books and articles about the investigative arm of the Justice Department.

The criticisms cover a lot of political territory: The FBI is a police-state agency; it's communist-infiltrated; it's fascist; it's pro civil rights; it's anticivil rights. So goes the endless list of charges that range to the FBI's organization in 1908.

The Communist party of the United States regularly charges the bureau with police-state tactics and opposition to basic constitutional rights. This figures, since the party has been under close observation for more than 50 years. Civil-rights groups are equally critical, but for a different reason. They claim the FBI ignores their cause.

Harry and Bonaro Overstreet have taken a new look at the agency in a recent book published by W. W. Norton, Inc., "The FBI in Our Open Society."

Most criticism arises from a lack of understanding of the bureau's basic nature. It was organized as the investigative branch of the Justice Department. Prior to 1908, the department's investigations were carried out either by private detectives or by agents "borrowed" from the Secret Service.

Atty. Gen. Charles Joseph Bonaparte, who was considered an outstanding liberal of his day for his record in social reform work in Maryland, felt that neither investigative practice was acceptable.

Bonaparte called on Congress for creation of the department's own staff. The proposed bureau's investigators would owe allegiance only to the Justice Department.

There were abuses of power during the early days of the FBI. Finally, the corruption and abuses of power during the Harding administration prompted a housecleaning. Atty. Gen. Harlan Stone, later a justice of the U.S. Supreme Court, named a young attorney, J. Edgar Hoover, as director of the bureau with orders to clean it up.

Hoover's course was simple: The FBI would operate within the jurisdiction designated by orders from the attorney general, the president and laws by Congress. And this is the course it has followed.

The FBI's responsibility is to investigate certain alleged violations of federal law. If Congress does not grant investigative powers to another agency, it automatically falls under the FBI's jurisdiction.

Some critics claim that growth of the bureau reflects Hoover's personal quest for power. But more accurately, it reflects expansion of federal laws the bureau is called upon to enforce.

The bureau is charged with national security under presidential order, and in this jurisdiction it has kept domestic Communists under surveillance for many years. When a law is broken, the violator is prosecuted. The CPUSA, consequently, is a vehement critic of the FBI.

Unfortunately, many liberals see the bureau in the same light. Civil-rights activists have charged that FBI agents have worked in consort with Southern officers to deprive Negroes and others of their civil rights. Some have suggested that enforcement of civil-rights laws be taken out of the bureau's hands and given to some other agency.

Typical of misinformation on which some liberals base their criticism is the death of civil-rights worker Medgar Evers in Jackson, Miss., in 1963. Many charged that the bureau should have given Evers and his family protection following threats on his life. Its failure to do so was judged proof that enforcement of civil-rights laws should be removed from the bureau's jurisdiction.

The bureau, however, is not empowered to provide protection for anyone. This is the responsibility of the local police, and Hoover has meticulously separated federal and local jurisdictions to keep the FBI from developing into a police-state agency.

In the Evers case, the FBI did investigate and develop a case against a suspect for conspiring to violate another's civil rights. The evidence and the suspect were turned over to local authorities, who filed murder charges. Juries later acquitted the suspect on two occasions.

Criticism from the far right and the Ku Klux Klan is of a different stripe. According to them, the FBI's activities in enforcement of civil-rights laws is an indication that it has been infiltrated by Communists, although Director Hoover is spared direct criticism.

And so it goes. From the left and right, the criticism continues. Many critical exposés, the Overstreets observe and document, contain so many inaccuracies and innuendoes that at best they are "intellectually dishonest."

So the real problem with the FBI seems to be that it is operating within the framework of law and presidential order as it should. The "problem" will remain only a figment of imagination until the agency starts trying to anticipate what Congress will pass into law or sets its own standards as to which laws it will enforce and which it won't. Under Hoover's leadership, neither course is likely.

TOWNSHIP REPRESENTATION ON ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. BROWN of Michigan. Mr. Speaker, today I am introducing legislation, cosponsored by 30 of my colleagues from both sides of the aisle, which would amend the law establishing the Advisory Commission on Intergovernmental Relations—Public Law 86–380—to add two representatives from towns or townships to such commission.

The Advisory Commission, as you will recall, consists of members appointed from the executive branch, the House and Senate, Governors, members of the State legislatures, representatives from the cities, representatives of county government, and, if our bill is enacted, representatives from towns and township government. This Commission is charged with the responsibility of effecting mutually advantageous liaison between the several levels of government and orderly participation by all such levels of government in Federal programing.

There are more than 20 States which still retain the township form of government, with an estimated 40 million persons residing in these towns or townships. Heretofore, township representation on the Advisory Commission could be accomplished through selection of township officials who serve on county boards of supervisors as county representatives on the Advisory Commission. With the courts' new decisions on apportionment of county boards of supervisors and legal rulings related thereto, township officers will no longer be able to serve on county boards of supervisors in my State—and no doubt others—and as a consequence the township level of government will not be represented on the Commission.

In many States, township officers and township government play a significant role in our total governmental structure. If the Advisory Commission on Intergovernmental Relations is to truly reflect all political subdivisions and levels of government, townships must be represented on the Commission.

Briefly stated, the legislation I introduce today would increase the membership of the Advisory Commission from 26 to 28 members, the two new members to be appointed by the President from a panel of at least four elected town or township officials submitted by the National Association of Town and Township Officials. The two new members may not be residents of the same State, and shall serve without compensation as is presently true with regard to members representing city and county government.

I realize, from my conversations with persons familiar with the activities of the Commission, that others have sought to expand representation on the Commission, for example to include county assessors. Our bill, however, would provide representation for a level of government—towns and townships—not a constituent office of a level of government already represented on the Commission.

Particularly in view of the fact that the provisions of this bill will represent negligible cost to government, I am hopeful that the majority of my colleagues will join in supporting this important amendatory legislation.

DEPARTMENT OF LABOR ACTS ARBITRARILY IN CLOSING POPLAR BLUFF JOB CORPS CENTER

HON. BILL D. BURLISON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. BURLISON of Missouri. Mr. Speaker, a Job Corps center in my district has been marked for closing. A heavy preponderance of the credible evidence discloses without equivocation that a number of less effective and less efficient centers are remaining open. This is a sad commentary because we are left with the very real fact that the President and his Secretary of Labor permitted criteria other than that of efficiency and effectiveness to dictate which centers are to remain open and which are to be closed. Below are my remarks made before the House Committee on Education and Labor:

STATEMENT OF CONGRESSMAN BILL D. BURLISON, 10TH DISTRICT OF MISSOURI, BEFORE THE COMMITTEE ON EDUCATION AND LABOR, APRIL 19, 1969

Mr. Chairman, by any rational criteria or standard the Poplar Bluff Job Corps Civilian Conservation Center has been a model for the program and the embodiment of the idea that disadvantaged young people need not be written off as lost, but with enlightened training and assistance may become productive members of society. That is, by any rational criteria except that which must have been used by the Department of Labor because the Poplar Bluff center has been scheduled for closing.

The table below compares statistically the Poplar Bluff Center with five other centers which remained open. It is of some significance that these five centers were originally scheduled for closing and were permitted to remain open while Poplar Bluff was originally scheduled to remain open and then was marked for closing.

	Poplar Bluff	Center A	Center B	Center C	Center D	Center E
Enrollment capacity	224	224	216	210	168	112
Average wage per placement	$1.64	$1.55	$1.50	$1.58	$1.58	$1.90
Average wage per graduate	$1.83	$1.67	$1.65	$1.59	$1.91	$1.97
Percent of men entering military	7.6	0.7	2.4	0.7	3.4	1.5
Construction cost	$794,026	$993,700	$1,004,723	$978,712	$775,115	$674,814
Construction cost per enrollee	$3,544	$4,436	$4,651	$4,660	$4,613	$6,025
Operating cost per man-year	$4,168	$5,368	$5,492	$4,777	$5,252	$5,081
Cumulative appraised value of work projects	$1,090,212	$978,595	$1,000,649	$802,700	$930,140	$487,662

Announcing the closings Secretary of Labor Shultz said, "We will build on experience gained during five years of Job Corps effort, expanding those activities that have been effective and eliminating some that have shown disappointing results." The necessary implication is that the Poplar Bluff Center has shown disappointing results. I submit that the Secretary's definition of "disappointing results" differs from my own.

Corpsmen at the Poplar Bluff Center have assisted in the control of 128 forest fires.

In 1967 and 1968 the Center was involved in Tornado assistance in six cities in three states.

Corpsmen annually clean the levies in Poplar Bluff which protect this city of 20,000 from floods. In view of the potential flooding this year, their services may again be needed.

In December of 1967 corpsmen assisted in the clean up after a Poplar Bluff school burned.

During the past fiscal year the Center has spent approximately $5,000 and many enrollee man hours completing community projects.

Cumulative appraised value of work projects is $1,090,212.

The above catalog is by no means comprehensive and presents only the more visible accomplishments. More vital, I feel, than the center's public works is its effect on the young men who come to the center hoping for another chance to amount to something and to gain some measure of self respect. Here the performance of the center is less tangible but no less real. The Secretary cited length of stay as one of the principal criteria for determining whether or not a center should remain open. Yet, the Poplar Bluff Center ranked 14th nationally in retention of enrollees. It is worth noting that this exceptional retention rate was accomplished with a staff considerably below authorized strength. The retention rate when considered in conjunction with the modest size of the staff indicates remarkably capable, dedicated and efficient personnel at the Poplar Bluff Center.

The Secretary doubted "that pure conservation work was a useful skill for youngsters who will return to industrial areas to find work." Perhaps much of the training given at the center has agricultural application but it also has equal or greater relevance to urban employment. At the Poplar Bluff Center training is offered in baking, building trades, auto mechanics, limited heavy equipment operation and surveying. A special program in co-operation with the Brotherhood of Painters-Decorators and Paperhangers of America, AFL/CIO was scheduled to begin within the next six weeks.

"The relative isolation of many centers has contributed to their inability to retain enrollees for a period necessary to achieve significant improvements in educational and vocational skills." This criticism by the Secretary is no more relevant to the Poplar Bluff Center than the other criticisms. Poplar Bluff is a completely integrated city of 20,000, and the citizens readily accept the corpsmen. The community has two theaters, a municipal pool and park, a library, a Junior College, and several recreation areas. Nineteen miles north is Wappapello Lake and Dam for fishing and boating. Many off-center activities are planned in St. Louis which offers a variety of professional sports.

In addition to the $1,059,840 capital investment which will be lost if this center is closed, the economic consequences to the area will be significant. The center spends locally more than a million dollars each year. This must be viewed in the context of a local median income of only $2,864 and an unemployment rate of 5.6%. The loss is certain to be keenly felt by the residents of the area, but more importantly, what about the loss to the young men at the center? It is promised that they will be transferred elsewhere, but what of those who would be coming to the Poplar Bluff Center? Will centers be found for them; centers whose success is proven by experience as Poplar Bluff has been? I have my doubts, Mr. Chairman. It seems that those who can spare it the least stand to lose the most.

Mr. Chairman, the main thrust of this statement is that even though some centers are closed, Poplar Bluff should not be because the record clearly discloses that the Poplar Bluff Center is far superior to many that remain open.

TAXES UP, PERSONAL INCOME DOWN

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. ALEXANDER. Mr. Speaker, I would like to take this opportunity to emphasize once again the absolute necessity for implementing tax reform measures as soon as possible. After an extensive trip through my home district during the Easter recess, I learned just how deep the resentment of the taxpayers over present inequities really is. They are upset, and justifiably so. They are paying from 20 to 30 percent of their total income in taxes while they read of inequities that permit others to escape with little or no tax payments.

I would like to commend my esteemed colleague from Arkansas, the chairman of the Ways and Means Committee, the Honorable WILBUR MILLS, for taking the leadership in efforts to pass a comprehensive tax reform bill during this session of Congress. His efforts deserve the support of all of us.

I would also like to call to the attention of my colleagues an editorial which appeared in the April 16, 1969, edition of the Washington Evening Star which points out just how serious the question of taxation has become. I would like to insert it in the RECORD at this point:

TAX TIME

The Tax Foundation has come up with some figures to confirm our worst suspicions. The average person will have to work through April 27th this year in order to earn enough to pay his federal, state, and local taxes. That amounts to 117 days working for the government out of every 365, almost one day out of every three.

Broken down into hours, the average taxpayer spends two hours 34 minutes out of every eight working for the government.

There are other figures too, but they tell the same story. The average guy has a well-intentioned but greedy monkey on his back devouring a truly staggering portion of his earnings.

The Tax Foundation has done the arithmetic without drawing any basic conclusions. For that matter, the figures speak for themselves. With this kind of tax burden facing the average American, tax reform is more than ever a must lest the "taxpayers' revolt" become something more than a Walter Mitty dream.

GUN REGISTRATION

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. SNYDER. Mr. Speaker, the January 1969 issue of the California Mining Journal contains an excellent guest editorial by State Senator John G. Schmitz, California, which I believe deserves careful consideration by all Members of this body. With permission I include "Gun Registration by Proxy" in the RECORD at this point:

GUN REGISTRATION BY PROXY

(By State Senator John G. Schmitz, California)

Last June and July in the state legislature we fought a long, hard and ultimately successful battle against proposed new restrictions on the purchase and possession of guns by law-abiding citizens—particularly the Shoemaker gun registration bill. As refugees from tyrannies all over the world can tell us, registration of guns owned by private citizens is a pre-requisite to their confiscation, without which no government can feel secure in eliminating all the liberties of the people.

In the November elections Assemblyman Shoemaker was resoundingly defeated. It is reasonable to conclude that his defeat was primarily due to his newly acquired reputation as the author of the nation's most restrictive gun registration bill.

The people of California have spoken decisively against gun registration in any form. When President Johnson proposed it for the whole nation, the majority in Congress and many thousands of Americans writing to Washington objected vehemently. Congress defeated all gun registration bills. The only new gun bill passed by Congress appeared to be relatively innocuous, restricting interstate and mail-order sales of firearms.

Nationwide publicity was given to Congress' rejection of gun registration. There can be no doubt of the lawmakers' intent on this vital issue.

Yet now the Internal Revenue Service of the federal government is seeking to accomplish by administrative edict what the people's elected representatives in Congress—like their elected representatives in the California State Legislature—explicitly repudiated last summer. The Internal Revenue Service was given the duty of enforcing the new law on interstate and mail-order firearms sales.

In the Federal Register of November 6, 1968, Volume 33, No. 217, the Internal Revenue Service gave notice of proposed new rules on recording and reporting the sales of firearms *and ammunition*. The proposed rules would require all persons buying firearms or *ammunition* from a commercial dealer to give their name and address, height and weight, date and place of birth, and to provide identification. Most ominously of all, the proposed rules would empower the Assistant Regional Commissioners of the Internal Revenue Service to require gun dealers to submit regular reports of the name and address of everyone buying firearms or ammunition from them.

Ever since 1938, gun dealers have been required by federal law to keep a record of firearms sales, but this record was made available to government officials only to trace weapons reported stolen or used in a crime. Now, under the proposed new Internal Revenue Service regulations, the name of everyone buying a gun or ammunition will be on permanent record with the federal government, whether or not the weapon was ever involved in any crime. If the name of everyone who buys a gun commercially is thus recorded, along with the name of everyone buying ammunition for a gun he already owns, we will have gun registration by proxy. The names, addresses, and identification of all gun owners will be available to government through the list of buyers of newly purchased guns, and buyers of ammunition for previously purchased guns, all reported to the Internal Revenue Service.

The will of the people and their representatives has obviously been flouted by bureaucrats who are supposed only to execute the laws, but in this as in so many other cases are clearly making law on their own. Every citizen who believes in and wants to defend his Constitutional right to keep and bear arms should contact his U.S. Congressman and Senator by telephone, telegram or letter and demand that this action by the Internal Revenue Service be reversed. Otherwise all our earlier and apparently successful efforts to defeat gun registration, both in Sacramento and in Washington, may prove to have been in vain.

Mr. Speaker, I should like to include another article from the same publication, entitled "Gun Laws and the Right of Self-defense," and commend both to my colleagues:

[From the California Mining Journal, January 1969]

GUN LAWS AND THE RIGHT OF SELF-DEFENSE

Some people believe that the disarmament of law-abiding Americans through restrictive gun laws would greatly reduce the frequency of violent crime. In fact it would put our good citizens at the mercy of criminals and render them unable to resist violent crimes in our homes.

The assumption that more violent crimes are committed because law-abiding citizens are free to own guns simply does not stand up to examination. New York City has forbidden hand-gun ownership to nearly everyone for more than forty years, yet it is one of the most unsafe places to live in the country. Here in California, about 80% of the convicted murderers of 1966 had previous criminal records and therefore could not legally own any firearm—yet this did not stop them.

In Switzerland, the law requires every male adult to keep a gun in his home, for defense of the nation as well as of himself and his family. But Switzerland has fewer murders per capita than any other nation in which accurate crime statistics are kept.

Criminals will always be able to get guns—if necessary by stealing them. No gun laws will deter them if they are not already deterred by the penalties against the major offense they plan to commit. The rising crime rate in this country has been the result, not of lax gun laws—actually gun laws have been considerably tightened in recent years—but of the failure of our courts to convict many known criminals, and the failure of leading opinion makers in our society, to teach that each one of us is morally responsible for his own acts.

The emotions prompting the demands to register firearms, arising from the shocking assassination of Senator Robert Kennedy, are easy to understand. But they are being cynically exploited by persons and groups who have been working for years to deny Americans the right to own firearms.

The prerequisite to abolish private ownership of any type of gun is registration. Guns can only be forcibly collected if they are first registered.

If guns are registered as a result of one killing they can be confiscated as a result of another. In a period when crime and riots have become so widespread, to disarm the good men is to insure the triumph of the destroyers.

THE AMERICAN FLAG: WHAT IT MEANS TO ME

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. HALL. Mr. Speaker, recently I had the honor to take part in an awards ceremony at the Girl Scout office in Springfield, Mo. The occasion was the presentation of a U.S. savings bond and an American flag flown over our Capitol, to the winner of the Dogwood Trails Girl Scout Council's Patriotic Essay Contest winner.

The award, I am pleased to state, went to a 14-year-old Monett, Mo., High School student named Jan Avondet, the daughter of Mr. and Mrs. Alfred Avondet, of Monett. Jan was runner-up last year and returned this year to take the top spot.

Miss Avondet's essay was entitled "The American Flag and What it Means to Me."

With the emphasis of the daily news on the degrading of the flag by some of the militant youth of our Nation, it is refreshing to read what this young high school girl thinks about our country's flag.

Under unanimous consent, I include the essay in the RECORD so that others may share the thoughts of 14-year-old Girl Scout, Jan Avondet:

THE AMERICAN FLAG: WHAT IT MEANS TO ME

(By Jeanne Janelle Avondet)

When I see the Stars and Stripes waving in the breeze I think of the countless men who fought and died for this flag. Their names were never all recorded but that doesn't matter because America will never forget these brave men who laid down their lives to preserve the freedom we hold so dear. To them our flag was more than a scrap of cloth. It was a symbol of all that America stands for; Freedom, equality, security, and justice.

I think of the hardships our forefathers endured and the wisdom they had in setting up a nation which has withstood the test of time.

I see people in Communistic lands trying to break the bonds which hold them enslaved. Then I realize how truly fortunate we are to have this heritage of freedom and I'm proud of our boys in Vietnam who are fighting to help the Vietnamese resist Communism. They are there so that, as Lincoln expressed it, ". . . government of the people, by the people, for the people, shall not perish from this earth.

There is something proud and strong in the bearing of this flag as it waves in the breeze. It stands as the undaunted spirit of the American people. For America has never given up in the past and, as long as this flag waves, we will never surrender what we are.

Our flag stands as a challenge to every American. The challenge to strive for the day when not only American but the whole world will be free.

I hope my generation will accept this challenge. That this will be our goal in life, to bring freedom to the whole world. May we find the courage, strength, and wisdom to lead America in the path of freedom and peace.

ENGULFED IN GARBAGE

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. HOWARD. Mr. Speaker, in the April 20 issue of This Week magazine, Mr. Thomas Fleming has written an article on a matter which is one of the most serious problems the United States will be facing for the next few years. Mr. Fleming's article is entitled: "Engulfed in Garbage," and discusses the enormous difficulties our country is facing trying to dispose of the everincreasing amounts of refuse produced by our citizens.

Garbage is becoming such a large and costly problem, Mr. Fleming notes, because approximately 5.3 pounds of waste material is generated per person on an average day across the country.

Real garbage, or what is called "putrescent matter" is not the biggest problem. This type of refuse consists of leftover food scraps and the like, which may be buried several feet under ground and, in the course of several years, will deteriorate and become a natural part of the soil. The biggest problem results from the development of technology and modern processing and packaging techniques. Almost everything America's housewives bring home from the supermarket is enclosed in plastic or cardboard, or glass containers. At 5.3 pounds per person per day, it is no wonder that our cities are running out of space for garbage dumps, and considering the contents, it simply cannot be burned in entirety. And, of course, burning adds to the pollution problem.

I would like to commend to my colleagues Mr. Fleming's article for consideration. It is a fine discussion of a problem which becomes more urgent each day:

Engulfed in Garbage

(By Thomas Fleming)

"You people have been spoiled for 50 years. Rain or shine or earthquake, your little pail of garbage has been picked off your doorstep every Tuesday or Thursday. Until recently, you didn't give a damn what happened to it after that."

Are you listening? That is the voice of a modern garbage man. His name is Leonard Stefanelli and he was speaking to a group of fellow San Franciscans. But he might well have been speaking to the entire nation, warning Americans that they are in danger of being engulfed in garbage.

His is by no means the only ominous voice. Dr. Philip R. Lee, Assistant Secretary of Health, Education and Welfare, says, "We have been running to keep pace with the growth of the . . . problem, and we are losing the race." Professor Ross E. McKinney of the University of Kansas warns, "We have already allowed the problem to exceed the solution."

There are some prophets around the country predicting that by the year 2000, garbage collection may dwarf civil rights, national defense, and crime in the streets as our No. 1 political problem.

It is by no means a fanciful prediction. Recent reports indicate that Americans are already spending $4,500,000,000 a year for refuse collection and disposal services—a sum that is exceeded only by expenditures for schools and roads.

Why is garbage becoming so big and costly a problem? Approximately 500,000 tons of residential, commercial and industrial wastes, or 5.3 pounds per person, are generated in America each day. In an average year, a family of six creates 3,860 pounds of trouble for the garbage man. Of this, 990 pounds is genuine garbage—leftover food scraps and the like, what the experts call "putrescent matter"—and 2,870 pounds is rubbish.

This last statistic is the real explanation for the garbage crisis. In earlier decades, Americans carried most of their food home in paper bags. Practically everything today's supermarket shopper buys is enclosed in plastic or cardboard or glass containers.

It doesn't really matter where the junk comes from. The problem is how to collect it efficiently and what to do with it once it's collected. To the citizen, collection would seem the most important facet of the problem. Garbage strikes have threatened a half dozen American cities with disease and social chaos in the last year or so.

Sanitation experts are far more worried, however, about what to do with the stuff once it is collected. They note that 85 per cent of the money we are spending on garbage is currently going into collection (yet a startling 12 percent of the residential population, receives no formalized collection service) and only 15 per cent of our cash is being spent on disposal.

Many people are under the impression that most garbage is burned in incinerators. Actually, there are only about 300 incinerators in the entire nation, most of them in large cities. Most of our garbage goes to what is familiarly known as the *dump*. There are 12,000 of these *land disposal sites*, as the experts call them, and a recent report of the Public Health Service declared that 94 per cent of them were "unacceptable and represent disease potential, threat of pollution, and land blight."

Nor should incinerator owners start congratulating themselves. The same government experts condemn 75 per cent of these as inadequate, either because they fail to burn enough of the garbage shoved into them or because they pour unhealthy amount into the atmosphere as air pollution.

Aside from the disgraceful condition of most dumps, there is the blunt fact that we are running out of room for them. New York will run out of space altogether in four to eight years. Philadelphia has been trying to burn 90 per cent of its wastes for well over a decade. San Francisco has had a running battle with surrounding communities over where to put refuse.

All this adds up to what might be called, The Lament of the Garbage Man. "People make jokes about garbage men," Eugene L. Pollock, editor and publisher of *Solid Wastes Management*, a national magazine for the sanitation industry, says. "They tend to think of them as people of little standing in the community. They don't seem to realize they are talking about the fifth largest service industry in the country. Nor do they seem to realize that a lot of these so-called garbage men are executives running multimillion-dollar operations, often using computers." He also notes several major schools grant Ph.D.s in refuse disposal techniques.

Leonard Stefanelli is typical of the new breed of garbage executive. He is president of the Sunset Scavenger Co., one of the two private contracting firms which handle refuse collection and disposal in San Francisco. A good-looking, well-dressed 33-year-old, Stefanelli told a gathering of San Franciscans last year, "You people think of us garbage men as donkeys with strong backs and weak minds. But the fact is that we have spent tremendous amounts of money on modern research and development to try and reduce the bulk of waste as much as possible before disposing of it."

Most people know that garbage men feel underpaid. But few realize a more significant item in the garbage man's tale of woe. It is very dangerous work. The National Safety Council recently reported that their accident rate is highest in the country.

A great deal, however, is being done. A number of ingenious solutions are being tested or toyed with by scientists and sanitation experts around the country. One of the problems of the open dump is being solved by sanitary landfill—one of the best and cheapest methods of disposal now available. Usually it involves shredding, milling and compacting the refuse into an indistinguishable mass, which is dumped in trenches scooped out by bulldozers. It is then covered with seven or eight feet of earth, and natural decomposition over the next 25 years converts it into normal soil.

Landfill not only eliminates the old smoking, rat infested dump, it can also create new recreational sites for land-short cities and suburbs. Virginia Beach, Va., is building an outdoor theater on a 15-year-old landfill site. The Borough of Etobicoke in metropolitan Toronto has built a ski hill out of what they call "selected sanitary waste"—1,500,000 cubic yards of old refrigerators, stoves, bed springs, lumber, chemicals—everything but food wastes. The twin-peaked hill is expected to be 130 feet high when completed. Other communities have constructed golf courses, baseball and football fields and even swimming pools on landfill sites.

Around our larger cities, land is simply too scarce and too valuable to put garbage in it. San Francisco and Philadelphia are about to begin experiments in shipping their garbage 200 to 300 miles away by railroad.

Philadelphia has hired a private firm to lug the stuff out to the central part of the state, and dump it into abandoned strip mines. The cost will be $5.39 a ton, a big saving over the current $7.50 a ton for incineration. Rhode Island University, under a grant from the National Center for Urban and Industrial Affairs, is studying the possibility of burning garbage at sea in huge incinerator ships and tossing the residue overboard at selected dump sites.

The inventive Japanese have come up with another idea, a giant compacter said to reduce trash to 10 per cent of its original volume. The Japanese at first claimed that the resulting hard blocks of garbage could be used for construction work. But experts quickly demolished this idea. As garbage decays, it emits methane gas, and if you sealed these bricks inside a concrete building, within a year or so there could be an explosion.

The fondest dream of the modern sanitation expert is making garbage profitable. In the old days farmers paid for the privilege of collecting and removing garbage from Philadelphia. Today collectors get up to $8.33 a ton for this work—plus the refuse itself—and the price is considered to be a real bargain. Paper was once salvaged for the production of cardboard. Now it is stored until a private collector comes and picks it up—at a charge of $100 a month for this service. Some people have experimented with burning garbage to produce steam which, in turn, would run electric turbines. The Town of Hempstead on Long Island has an incinerator that drives a 2,500-kilowatt electric power plant and 420,000-gallon-a-day water desalting plant. But neither here, nor anywhere else, has anyone made such operations profitable.

The brightest hope in this department has been composting. For over 25 years, various countries—Israel, Holland, Scotland, and the United States—have experimented with pulverizing and reducing the garbage to manageable brick form and selling the stuff to farmers to enrich the soil. A few years ago, a *Fortune Magazine* story grandiosely announced the opening of a composting plant in St. Petersburg, Fla., operated by the International Disposal Corp. The $1,500,000 plant lasted from July, 1966 until the early months of 1968, when it was closed as a public nuisance because of an odor problem. But after remodeling it is expected to start again soon.

The Florida plant joined a long line of composting plants, stretching from Scarsdale, N.Y., through McKeesport, Pa., Mobile, Ala., Norman, Okla., Phoenix, Ariz., and Houston, Tex.—most of which are already closed or closed part of the year. The reason lies in that earlier statistic about the preponderance of rubbish in today's garbage. Plastic bottles, aluminum cans, paper and glass are not very soil enriching.

Yet the composting idea has value. "These commodities we are throwing away today may someday be in seriously short supply," says Dr. Walter R. Hibbard, former director of the Bureau of Mines. Dr. Athelstan Spilhaus, president of the Franklin Institute in Philadelphia, argues that we ought to "bank" potentially valuable wastes until we know how to get at their ingredients economically.

Still another solution would be the creation of self-destructive bottles and cans. Jerome Gould, the noted industrial designer, is working on such a project, as is Samuel F. Hulbert of Clemson University in South Carolina. Hulbert says his bottle will have the same basic elements as glass but when it breaks it will become soft and greasy and melt away.

Back on the practical, everyday level, some people are trying to take the minor headaches out of the garbage problem. Some companies have recently perfected a garbage can with a bottom made of rubber cement, that thuds instead of rattles in the early dawn. New Haven, Conn., is experimenting with the use of kitchen sink grinders in a high-rise apartment complex. The reduced garbage is piped to a central building for disposal.

All these changes, experiments and improvements point toward one conclusion. The garbage crisis can and must be solved.

The alternative may well be the policy currently being pursued in the state of Zulia, Venezuela. The government had to declare martial law and send in National Guard troops to suppress rioting stemming from a strike of sanitation men which left four dead and dozens injured. To prevent a repetition of the upheaval, authorities hastily passed several laws which clearly demonstrate the dangers of uncollected garbage in a free society. One of the laws stipulates that no couple will be allowed to marry unless they both produce certificates proving they are up-to-date in their refuse collection payments.

SALUTE TO THE PORK INDUSTRY

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. ZWACH. Mr. Speaker, I am pleased to join with my colleagues in paying tribute to the pork industry. This vital segment of the livestock economy has made tremendous contribution to the stature and welfare of our Nation.

A chain is built stretching from the actual producer of hogs through the veterinarian, the trucker, the feed companies, the livestock commission firms, the packer, the wholesaler, the cold storage man, and finally the merchant. Each plays a vital role in keeping the U.S. citizen supplied with fresh, cured, canned, or processed pork of the highest quality. As such they play a significant role as agribusiness employees and as a custodian of our Nation's health.

Great strides have been made in our ability to convert more pounds of higher quality, heavier muscled pork, from less pounds of feed. This gain made by producers has been passed on to the consumer in the form of less cost for the housewife. I commend the industry for its accomplishments and its sacrifices, and hope that they will continue to play a most important part in our meat economy.

THE PLIGHT OF CATHOLICS IN NORTHERN IRELAND

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. BOLAND. Mr. Speaker, the social tumult in Northern Ireland is reaching crisis proportions. Just last night in Belfast another bloody clash erupted between police and civil rights demonstrators, leaving scores injured and the streets littered with shattered glass. For a half century Northern Ireland's Catholic citizens have been cruelly oppressed—forced to live in substandard housing, forced to yield to the contemptuous and contumelious whims of the ruling Protestant majority, forced to accept "voting rights" eroded into meaninglessness by jerrymandered political districts and patently unjust property ownership qualifications.

The country's moderate Prime Minister, Capt. Terrence O'Neill, has threatened to resign unless the governing Unionist Party accepts his voting reform proposal based on the principle of one man-one vote. This reform, plainly and indisputably, must be adopted if Northern Ireland's Catholics are to achieve even the most remote simulacrum of social justice. Yet the Unionist Party—a political institution characterized by ossified rightwing beliefs—appears unlikely to yield. The plight of Catholic citizens in Northern Ireland, if it remains unrelieved, may plunge the country into utter chaos. Terrorist bombings are already taking place there.

The U.S. Government has made clear its keen displeasure at the oppression of peoples in South Africa, Rhodesia, Nigeria and here at home. It seems only just, Mr. Speaker, that this Nation should use its immense prestige and moral authority in an effort to help achieve justice for Northern Ireland's Catholics. President Nixon and Secretary of State Rogers, I feel, should exhaust every possible diplomatic means to help establish civil rights in Northern Ireland. To do less would be to betray the principles upon which the United States was founded.

Bernadette Devlin, a 21-year-old Northern Irish girl newly elected to the United Kingdom Parliament, yesterday made a stirring and eloquent maiden speech in the House of Commons outlining the plight of her countrymen. With permission, Mr. Speaker, I put in the RECORD at this point New York Times and Washington Post dispatches describing her speech.

[From the New York Times, Apr. 23, 1969]

IRISH GIRL CASTS A SPELL IN COMMONS

(By Anthony Lewis)

LONDON, April 22.—A 21-year-old Irish girl held the House of Commons spellbound today with a maiden speech of quiet eloquence and powerful emotion.

Bernadette Devlin, barely 5 feet tall, wearing a new blue dress, looked like a shy schoolgirl as she stood in the crowded Labor back benches. But there was no shyness as she spoke.

The record books show no other case in which a member made a speech on the day of swearing-in. She also broke tradition by speaking on a controversial subject. Miss Devlin said she felt she had to do those things because of "the situation of my people."

She was there, she said, for "the oppressed people" of Northern Ireland—Roman Catholic and Protestant. She bitterly attacked the Unionist (conservative) politicians who have controlled Ulster for 50 years as men who encouraged religious hatred to preserve their own privileges.

Civil rights demonstrators in Ulster are demanding electoral reforms to establish the principle of one man, one vote for local elections, now subject to property qualifications and districting that insure Protestant control.

In Belfast today, Prime Minister Terence O'Neill demanded that members of the ruling Unionist party support his proposals to carry out the reforms, threatening to resign if they did not.

No single sentence Miss Devlin spoke in the House today is likely to be picked out and preserved among great political utterances. What mattered, in her passion and her courage, was that London was at last hearing a voice not of the Irish Establishment but of the tormented ordinary people of Ulster.

"Electrifying," was the description of one Tory member, Norman St. John-Stevas. He said it was the greatest maiden speech since the celebrated effort of F. E. Smith, later the Earl of Birkenhead, in 1906.

A hardened British Broadcasting Corporation commentator, Conrad Vossbark, called it "a speech for human freedom, illuminated by poetry." The Commons itself, hushed for long moments and then bursting out in delighted laughter at her sallies, seemed to agree.

Miss Devlin, who won a byelection in mid-Ulster last week as an independent, drew a packed house with many curious peers and other visitors in the gallery for her swearing in.

The Speaker whispered with her, held her hand and then broke up the Commons when he said loudly: "It is out of order for the House to be jealous."

The setting was dramatic because the Commons was holding an emergency debate on the crisis in Northern Ireland. It was the more dramatic because one of the first speakers was a representative of the Unionist aristocracy that Miss Devlin opposes, Robert Chichester-Clark.

In an upper-class English accent, he told how he had toured Londonderry after the riot last Saturday night and found "stark misery" of fear among the people. He blamed the Irish Republican Army for the weekend bombings.

Miss Devlin was called next by the Speaker. Beginning "Mr. Speaker, sir," in a small Irish voice, she talked for 22 minutes with only a glance or two at some notes in her hand.

The policy of the Unionists, she said, is to keep Protestant working people agitated against the Roman Catholics so they will not rebel against the general poverty of Ulster.

She agreed with Mr. Chichester-Clark in his phrase "stark human misery" for Londonderry. But, she said, "I saw it not in one night of broken glass but in 50 years of stark human misery.

"There is no place for us, the ordinary peasant, in Northern Ireland. It is a society of the landlords, who by ancient charter of Charles II still hold the rights of ordinary people in Northern Ireland over such things as fishing and paying ridiculous and exorbitant ground rents."

She drew laughter and Labor cheers when she dismissed Mr. Chichester-Clark's I.R.A. charge as "tripe," and again when she called Captain O'Neill "the white liberal of Northern Ireland."

She charged Captain O'Neill with failing to carry out promised reforms to give more housing to Catholics, and more civil rights.

Then she spoke again of the rioting last Saturday night in Bogside, the Catholic section of Londonderry, and again scoffed at Mr. Chichester-Clark by inference.

"I was not strutting around with my hands behind my back," she said, "touring the area and examining the damage and tut-tutting every time a policeman had his head slightly scratched.

"I was building barricades to keep the police out of Bogside because I knew it was not safe for them to come in.

I saw that night on the "Bogside, with my own eyes, 1,000 policemen come in a military formation to that economically and socially depressed area, six then 12 abreast, like wild Indians screaming their heads off, to terrorize the inhabitants so they could beat them off the streets into their houses."

While denouncing the Unionists, she also had hard words for Labor, saying "any Socialist government worth its guts would have got rid of them long ago." Prime Minister Wilson, who was listening intently, joined in the laughter.

After the jabs and the ironies, Miss Devlin came to a bitter conclusion, fatalistic and very Irish. She said this whole debate was coming "much too late for the people of Ireland."

What could the British Government do? she asked. It could have troops take over altogether in Northern Ireland. "But the one common point among all Ulstermen," she said, "is that they don't like Englishmen telling them what to do."

The same objection applied to the idea of Britain's suspending the Northern Ireland Government and ruling directly. Nor would economic pressure on the ruling Unionists work.

[From the Washington Post, Apr. 22, 1967]

Ulster Girl's Speech Stirs Commons

(By Karl E. Meyer)

London, April 22.—Young Bernadette Devlin stepped out of the turmoil of Northern Ireland and into parliamentary history today with a maiden speech that broke every precedent and astonished the House of Commons.

Miss Devlin, who will be 22 on Wednesday, spoke movingly of 50 years of oppression of Catholics in Northern Ireland and in the end seemed to say that the conflict with the Protestant majority was out of any government's control.

"It is not sufficient to state a series of negatives," retorted Home Secretary James Callaghan in closing a three-hour emergency debate on a religious conflict that has forced the deployment of troops to protect vital public utilities.

Callaghan said he would continue work with the Unionist government of Northern Ireland to try to speed up the reforms, specifically by granting one-man, one-vote in local elections. Freedom, he said, "will not grow out of a barrel of a gun."

[Rioting was resumed last night in Belfast, the Associated Press reported. Catholic civil rights demonstrators stoned shops and buses and set a police barricade aflame. About a dozen protestors were injured when police moved in to break up the melee.

[Earlier, a Protestant crowd demonstrated outside the Belfast headquarters of the British Broadcasting Corp., yelling and jeering that the BBC had distorted their aims.]

The debate began only minutes after Miss Devlin claimed the seat she won in a by-election last Thursday in Ulster, as Northern Ireland is also called.

Normally, a new member does not speak on his first day, and his first speech is usually a non-controversial effusion replete with flowery praise of his own constituents.

Miss Devlin was recognized immediately after a Unionist member from Ulster had attacked the civil rights movement, of which she is a leader, as infiltrated by Irish Republican extremists and Communists.

"Mr. Speaker, sir," said the brown-haird girl. "I understand that in making a maiden speech on the day of my arrival, on a controversial issue, I am flouting the unwritten tradition of the House, but the situation, I think, merits the flouting of such a tradition."

The packed House was silent as she recalled her own experience at a demonstration last Saturday in predominantly Catholic Londonderry, in which 216 policemen and 80 civilians were injured. She said she had helped to build a barricade to prevent Ulster police from entering the area known as Bogside, where the Catholic poor live.

"I saw that night on the Bogside 1000 policemen come in formation to an economically and socially depressed area, six and then 12 abreast, like wild Indians, screaming their heads off to terrorize the inhabitants so that they could beat them off the streets," she said.

Though she opposes all violence, she went on, she could not condemn Catholics "who wasted not one solitary stone in anger" to force back the police. Miss Devlin asserted that the ruling, overwhelmingly Protestant Unionist Party has tried to instill the idea that the civil rights movement is a Catholic uprising by forcing every confrontation in ghetto areas where Catholics live.

Prime Minister Terence O'Neill, the moderate leader of the Unionist Party, was a "white liberal," she said, who lacked the courage of his own conviction, "if indeed, sir, he has any convictions." She emphasized that the demonstrators were trying to create a just society in Northern Ireland and not to unite the Protestant North and the Catholic South in a single republic.

"Of all the solutions possible," said Miss Devlin, "the least popular would be an agreement between the two arch-tories of Ireland," she asserted, referring to a suggestion that O'Neill should confer with Prime Minister John Lynch of the Irish Republic.

Nor could she welcome troops, sent by the British government, because the "one common point" among all Ulstermen is their dislike of the English. Her point was that 50 years of apathy and neglect had made conflict inevitable and she offered little hope for peacefully ending it.

Her first-day speech, veteran members agreed, was remarkable for its eloquence and astonishing in the case of the youngest woman ever elected to Parliament. But it did not offer much help for a government coping with a condition, not a theory.

Home Secretary Callaghan dismissed her half-serious suggestion that Britain should abolish the separate Parliament in Ulster created in 1920 when the island was partitioned. To do that would be only to embroil Britain in the quarrel, risking a repetition of the very errors Miss Devlin condemned, he said.

Callaghan urged the Northern Ireland Parliament to heed the cry of the protestors, and appealed to the demonstrators to support O'Neill's attempt to bring orderly reforms. Unionist members of the Northern Ireland Parliament are due to meet Wednesday to debate a reported move by O'Neill to press for prompt enactment of equal voting in local elections, ending a system that enables a minority of Protestants to control cities like Londonderry.

The Home Secretary also said he had no evidence that the Irish Republican Army was responsible for fire-bombings of post offices and utility installations last week. The illegal IRA, he declared, was "a motley collection" unlike the Irish guerrillas who fought the English 30 or 40 years ago.

Throughout, Miss Devlin sat listening intently on the Labor benches of the House. She wore a blue woolen dress with a pastel-colored scarf. She had arrived from Belfast only 2½ hours before she made her debut.

Her arrival was delayed by a bomb-scare. Veterans said it was the most memorable entrance since Keir Hardie, a founder of the Labor Party, came to Parliament marching in front of a brass band.

OUR GREATEST GUARANTEE OF PEACE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. WYMAN. Mr. Speaker, only through strength can we deter and prevent aggression upon us. Essentially, this is why a limited anti-ballistic-missile system to protect our missile sites that are our principal retaliatory deterrent, is advisable. Without some assurance of awful retribution should an attack be launched upon the United States, there can be but a state of precarious vulnerability for all Americans. No one, in his right mind, responsible for the protection of our Nation would be willing to accept responsibility for such weakness.

Historical perspective is helpful in establishing these hard necessities of national life. Such perspective is helped by a recent editorial by the distinguished columnist, David Lawrence, appearing in U.S. News & World Report, issue of April 21, 1969. In the interest of better understanding, I am inserting this editorial in the Record at this point:

The Politician-Appeaser "Complex"

(By David Lawrence)

We have heard a good deal lately about the "military-industrial complex," which implies that, for selfish and materialistic reasons, bigger defense spending is being urged upon our policy-makers.

But is it plausible that our civilian officials—the President and his Cabinet—cannot possibly distinguish between wasteful appropriations for armament and funds essential for the maintenance of national security?

What shall we say, on the other hand, about the politicians in our midst who, along with the appeasers outside of Government, favor a course which they may not realize could result in the weakening of our defense apparatus in a nuclear age?

Unquestionably, the resoluteness of the United States in waging war has been reported throughout the world as diminishing because of an alleged shift in American public opinion. The Government in North Vietnam has been encouraged to believe that it need make no concessions at the Paris conference and that, due to pressures inside the United States, our troops soon will be withdrawn entirely from South Vietnam.

Unity at home—which is more important than ever in wartime—has not been achieved in our country. Critics of our presence in Vietnam have widely publicized proposals for appeasement—something that has proved tragic before. It is manifestly contributing today to the prolongation of the Vietnam war. For as the enemy is given aid and comfort, the chances of an honorable settlement tend to dwindle.

When World War I broke out in 1914, our people were told by some of the members of Congress that wars 3,000 miles away were "none of America's business." The imperialistic regime in Berlin took it for granted that American rights on the high seas could be violated and nothing would be done about it. Eventually, the United States was forced into the war to protect its shipping from the "unrestricted submarine warfare" ordered against our passenger and merchant vessels, even though unarmed.

Before we entered World War II, the "isolationist" sentiment rose once more. The militarists in Tokyo and Berlin misinterpreted our detachment from the conflict during the first two years as justifying the risk of an attack in 1941 on warships in our own harbor at Hawaii. They thought it would mean only a token participation by our forces in the Pacific and none in Europe. But the United States played a leading role in fighting the war to victory in Europe and in the Pacific by the use of all our armed services and resources.

This time, instead of a fascist regime in Berlin, we see a Communist Government in Moscow asserting its military power in Czechoslovakia and throughout Eastern Europe. We know the Soviets have been and still are furnishing arms and munitions to support the North Vietnamese in Southeast Asia as well as the Arab governments in the Middle East.

Fifty years ago it was not so clear what airplanes could do in warfare, and nuclear weapons which could destroy millions of human beings with one strike were unknown. Yet in the face of such dangerous conditions today, some men in Congress have become obsessed with the notion that "they can please their constituents or get publicity by calling for American "withdrawal" from all foreign commitments.

The antiwar demonstrations in this country and in other lands have been stimulated, if not part instigated, by Communists, many of whom travel across America to help start riots and teach the tactics of rebellion. Well-meaning citizens who do not know the truth about the international situation are led to believe that our Government has a "military complex" and that more federal funds could be used for domestic subsidies if armament is reduced.

The facts of history are too often ignored. It is indeed fortunate that the American people are not fully aware of what it would mean to them if they abandoned their defense policies and began to give way to the aggressor government in Moscow. The number of its aircraft carriers and submarines has been multiplied in all the oceans in recent years, and its conventional armies are big enough to conquer Europe and thus threaten the peace of the world.

The "isolationists" in Congress say we must turn away from our commitments abroad. They do not consider the risks that such a course would create for the security of the United States. Isn't it better to spend public money to assure the protection of our people than to divert these funds to domestic use? The political appeasers may line up votes among the uninformed in our nation, but failure to maintain our capability to deter an enemy could bring on a third world war, with casualties unparalleled in history.

Negotiation from a position of strength is logical and necessary. This may cost money, but human lives would be saved and our national security would be preserved. Military power can effectively deter an enemy's strike against us. It is our greatest guarantee of peace.

IF YOU ARE ACCUSED

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. HUNGATE. Mr. Speaker, the Christian Science Monitor of Friday, April 18, 1969, contains a brief statement on the constitutional requirements placed upon the police in criminal investigation and arrest. Of course, this brief article cannot pretend to cover each situation or the different requirements in our various State laws, but it does offer a good thumbnail sketch. I call this to your attention with the view that it might be helpful to police officers for ready reference.

The article follows:

IF YOU ARE ACCUSED

Taking the criminal-justice process from its beginning, here are the constitutional results the Supreme Court has reached:

At the time police become suspicious of a crime, or learn that a crime is committed, they must begin thinking of the Constitution.

If they plan to stop a person on the street and question him, they may do so only for the limited purpose of taking weapons or contraband away from the person. If more than that is done, the person has been "arrested," and the standard controlling police conduct is tighter. To be safe, legally, the officer should warn the suspect of his rights—to be silent, and to have a lawyer advise him before answering any questions.

If officers plan to search for evidence—either by physical search or by "eavesdropping" on conversations—they must get a warrant to do so, provided there is time. If there isn't time, they will have rigorous explaining to do in order to justify their searching.

If the search is valid, officers need not stop when they come upon evidence that will help them build their case, even though that evidence is not a weapon, stolen goods or contraband, or "instruments of the crime."

Officers who take items in violation of the court's doctrines on legal searches risk forfeiting their entire case, since illegally seized evidence is forbidden at the trial.

At any "critical" stage in the proceeding that a suspect himself is confronted by the police, the suspect has a right to be advised by a lawyer. That includes occasions when he is put in a police "lineup" where eyewitnesses to a crime may try to identify the suspect, when he is put under questioning in a police station, or when he is accosted even in his home.

If the prosecutor plans to try the suspect, he must move with some dispatch to get the trial started. Allowing a criminal charge merely to stand on the books may lead to its nullification. When the trial begins, it must be a public trial.

At the trial itself, the suspect is entitled to stay off the stand entirely. If he does so, the prosecutor may not comment upon his failure to testify as if that were silent admission of guilt.

The prosecution has a duty not to conceal any of its crucial evidence from the suspect's defense lawyer. That is particularly true if the prosecution has something in its possession that would exonerate the suspect if disclosed.

The suspect has a right to know who is testifying against him, either in person or by statements being relied upon by the prosecution. The suspect has a right to have whatever witnesses he wishes, and these may be forced—by subpoena—to appear.

It is up to the suspect to demand or to forgo a jury trial. If he insists upon one, he can be made to suffer no extra penalty for having insisted. For example, a greater punishment cannot be meted out at the hands of a jury if a judge was not free to hand down an identical sentence without a jury.

If the crime for which the suspect is on trial is one for which the death penalty may be imposed, the suspect has a right to have some people opposed to capital punishment considered for the jury.

When the trial is over, a convicted man is to have an equal right to appeal even when he cannot afford to pay the cost of doing so. He is entitled to have the necessary papers paid for by the state.

If he loses his direct appeal, he still is not lost. He may continue to challenge his trial in an apparently unending number of "habeas corpus" petitions—demands that he be freed on grounds that he is being held unlawfully. The courts frown on "frivolous" filing of these petitions, but judges are not free to ignore them.

If the convicted man is in prison and cannot get legal advice from any outside source, he may ask a fellow inmate with some legal know-how to help him draft his papers and petitions.

NATIONAL SHRINE HOSPITAL DAY

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, for 47 years the Shriners Hospitals for Crippled Children have been one of the Nation's greatest philanthropists.

All Americans have benefited from the efforts to the Noble Order of the Mystic Shrine's efforts in behalf of needy children of all races, creeds, and colors.

Mr. Speaker, Sunday, May 18, 1969 has been officially designated as National Shrine Hospital Day for the 19 orthopedic and three burns institutes located throughout the continental United States, Hawaii, Canada, and Mexico. Wherever possible, the units will celebrate the day with open houses and other birthday activities.

The 47-year-old history of Shriners Hospital has been filled with miracles, as is apparent from statistics such as more than 140,000 children of all races and creeds who have been cured or materially helped; 235,384 surgical techniques have been performed; 587,224 casts and 140,412 braces have been applied, and a staggering 13,415,823 patient days have been logged. These statistics are as of December 31, 1968.

In addition to the above figures, which reflect only the 19 orthopedic hospitals, the Shrine fraternity now has three burn units which offer the finest and most modern treatment available for burn-injured children. During the past 3 years, the burns units have treated more than 1,100 cases. Conservative estimates show average costs for each burn patient exceed $10,000.

Mr. Speaker, as one who is not a Shriner but who is deeply grateful for what the Nobles have done, I would like to wish this fraternal order continued success in its dedicated work in behalf of our children.

There is an old saying that a man never stands as tall as when he stoops to help a child. This being so, the members of the Noble Order stand tall indeed.

A CONSTITUENT'S LETTER REFLECTS THE MOOD OF AMERICA

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. SKUBITZ. Mr. Speaker, this morning I received a letter from one of my constituents which I feel pretty well reflects the general mood of Americans everywhere, including myself. As a result I would like to share this letter with my colleagues. Having received permission I insert this letter in the CONGRESSIONAL RECORD at this point:

WELLINGTON, KANS.,
April 19, 1969.

Hon. JOSEPH SKUBITZ,
House of Representatives,
Washington, D.C.

DEAR SIR: This has not been an unusual day in my life. The press coverage has been no more deplorable than usual. Advertising via television has been just as obnoxious. The same sense of doom prevails in every conversation.

A fourth-rate military power shoots down a United States plane and despite campaign criticisms and promises, we "play it cool."

A militant Negro is given a speaking engagement (which only encourages his militancy) and tells his audience that July will be hot in more ways than one.

The National Welfare Organization meets and plans "shop-ins" and "shoe-ins" to bug private enterprise out of existence. They demand more for nothing and the unorganized middle-class taxpayer works harder and pays more.

Brilliant university students expound with radical impatience, showing their immaturity and inexperience. But the American people have made youth a god and so we are afraid of them. So, if they don't like what our hard earned dollars have bought for them, they destroy it.

Federal funds help pay for "first rate housing for the poor" and the unorganized middle-class taxpayers, many of whom don't live in first rate housing, pay for it.

Six-year-olds cover their mouths and snicker at the word "love," the United States mail is loaded with filth that shocks the average citizen, students urge the end of ROTC in our colleges, but no one asks them how they would like to live without the protection of our military.

Politics, which should be an exciting and rewarding profession, has become a distasteful word.

Mr. Congressman, everyone I know is scared—scared of what is happening to our country. My husband and my son have fought for it and now I want to know how to save it.

I'm sick of everyone agreeing that we are in a bad way and going on about their business. I'm sick of our Congress and the Supreme Court being so fearful of treading on someone's rights that they walk all over the rights of the majority. Our founding fathers would have been the first to tell us to amend their masterpiece if necessary.

I'm sick of being assured that the rabblerousers are only a small minority. Minorities have caused revolutions before this.

Yes, Mr. Congressman, I'm sick—sick with fear.

I hope you are too.

Sincerely,

——— ———.

ENVIRONMENTAL SANITATION

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. TEAGUE of Texas. Mr. Speaker, under permission to extend my remarks, I am including the text of an article by the director of the Veterans' Administration Hospital at Marion, Ill., Mr. Louis M. Frazier, Jr., a longtime employee of the Veterans' Administration who holds a master's degree in hospital administration. He discusses a subject vital to the operation of all hospitals; namely, housekeeping and control of sanitary conditions:

RELATIONSHIP BETWEEN SANITARIANS, ENVIRONMENTAL HEALTH OFFICERS, AND EXECUTIVE HOUSEKEEPERS

(By Louis M. Frazier, Jr.)

What is the relationship between a sanitarian, an environmental health officer, and an executive housekeeper? Generally, environmental health officer and sanitarian are defined as staff positions established to advise, assist, and follow up, but not to perform the basic activities that will activate their recommendations, and executive housekeeper is defined as primarily a director of operational activities that require some related professional knowledge.

Each of these three specialties has a required capability for which the basic professional knowledge is already present elsewhere on the hospital staff. Staff members with different titles and different primary professional interests not only have the basic knowledge but provide advice and assistance. This body of knowledge is available in established committees that are common to all hospitals accredited by the Joint Commission on Accreditation of Hospitals. But this fragmentation of knowledge gives rise to the specialist's claim that he will provide better or more concentrated attention to the situations and problems that arise.

The limited number of publications about the relationship between these specialties indicates definite overlapping of the functions for which each claims some responsibility. This article examines each of the three specialties, comments on their relationship, and attempts to arrive at a practical wedding of the concepts.

SAME FUNCTIONS, DIFFERENT TITLES

The responsibilities of the environmental health officer and the sanitarian do not include the operational aspects of the executive housekeeper's job. The executive housekeeper is primarily an administrator, supervisor, and accomplisher of fundamental activities. An executive housekeeper has knowledge in many of the areas that concern the sanitarian and the environmental health officer but is attuned to daily operational accomplishment of tasks. The environmental health officer and the sanitarian, on the other hand, recommend the rules of sanitation, are more professionally oriented and are concerned with causes and effects.

In examining the functions of the sanitarian, the environmental health officer, and the executive housekeeper, it is apparent that very little difference exists between those of the sanitarian and those of the environmental health officer. In fact, the terms "environmental health officer" and "sanitarian" are used more or less interchangeably.

Specifically, their functions include advising about the use of sanitation methods to prevent transmission of disease by microbes. Sanitarians have become associated with safe air, water, and food and with other problems, such as garbage disposal and vermin control. They are concerned with the effects of heating, cooling, ventilation, and air flow. They are specialists in environmental problems that affect health. Some sanitarians' duties also include development of radiological health and general safety programs. Sanitarians are primarily investigators, scientifically trained and oriented to locate health hazards, make recommendations to correct these hazards, and follow up to ensure their correction.

A sanitarian is required to possess a bachelor of science degree with a major in a scientific field. To become a registered sanitarian, he must pass the examination administered by the National Association of Sanitarians. The trend appears to be toward a master's degree program for sanitarians, but a license is not mandatory in those states where no licensure law exists.

Since the functions of a sanitarian and an environmental health officer are so similar, it follows that no basic difference in functions exists, but only a difference in titles. Therefore, the remainder of this article considers sanitarians and environmental health officers as functioning in the same field.

INFLUENCE OF SPECIALISTS

The trend today seems to be to employ specialists who set up methods and controls but who do not actually practice the fundamental activities they establish. This trend appears to be present in the appointment of environmental health officers and sanitarians on hospital staffs.

The skills and knowledge they possess are already present on the hospital staff, although generally not embodied in one person. Mechanisms to give attention to this field of special interest exist in accredited hospitals in the form of the infection control committee, the safety committee, etc. and in the personages of radiologists, pathologists, physicists, physicians, dietitians, etc. These mechanisms can be activated by existing department heads.

The implication by some authors, that environmental health officers or sanitarians are needed in hospitals because environmental health controls are seriously lacking, is questionable. The hazard in the hospital environment is not a new phenomenon that has gone undetected or without active attention.

There is no question of the need for attention to the problems these specialists mention. It is a matter of degree. If this need is present in all hospitals, then the existence of other investigative bodies to which hospitals pay fees for this kind of assistance is questionable. Local governmental sanitary controls will surely continue.

Why is there a need for a full-time specialist to oversee these functions? The Joint Commission on Accreditation of Hospitals has as an important part of its surveyors' investigations the very things these specialists would review, and it accepts committee implementation and control of these sanitation requirements as being responsive to both need and practical application. Unless the Joint Commission changes its committee requirements, the environmental health officer or sanitarian would still have to work closely with established committees.

There is no doubt that a high-level committee made up of specialists and the personnel who actually carry out the functions can be effective. But management still has to implement and enforce the rules of practice that are established. A committee is a staff arm of management in that it advises, assists, and recommends. Likewise, the environmental sanitation specialist advises, assists, and recommends, although he probably would be given more specific control activities than a committee.

If a committee's know-how is not accompanied by decisive action, management might come to hire a specialist. However, management should carefully examine its own attitude and leadership. Occasionally, it takes another aspirin for a headache without looking objectively for the cause. Subsequently, Parkinson's Law comes into play, and the specialist might also have difficulty in effectuating his programs.

WHEN A SANITATION SPECIALIST?

In the author's opinion, the need for this specialized knowledge to be centered in one person depends on the size and the complexity of the hospital.

The average hospital probably doesn't need a full-time environmental health officer or sanitarian but may have need for consultant assistance. It might be feasible for a group of smaller hospitals to hire an environmental health officer or sanitarian to serve all of them and thereby give specialized attention to their individual problems.

Very large and complex hospitals probably could justify a full-time specialist to ensure proper attention, because the usual committees could have difficulty monitoring the widespread sanitation activities of a large facility. However, the standing committees would still be required by the Joint Commission on Accreditation of Hospitals and other organizations. Furthermore, management must continue to have responsibility for implementation of programs and must be guided by the medical staff. Inherent in the medical staff and its professional support elements is all the knowledge that an environmental health officer or sanitarian would provide. The need for a sanitation specialist is duplication that probably is unnecessary on a full-time basis except in the largest, most complex hospitals.

THE EXECUTIVE HOUSEKEEPER

The executive housekeeper's job is primarily operational. Inherent in his job are certain staff functions that are fairly constant. In the usual situation he activates the rules and guidelines established by top management to ensure a proper environmental sanitation milieu. To do this, he must, of necessity, possess some knowledge in all the areas of environmental sanitation and their effects on health.

Because of lack of interest or control on the part of appropriate professional specialists, the executive housekeeper frequently becomes the expert in various matters. It is only natural that he should become vitally interested, because he must deal with the actual situation every day. He must be able to control or eliminate all the things the environmental health officer or sanitarian says are bad for the hospital. Whether or not such a specialist is present on the hospital staff, the executive housekeeper has to take the same actions.

The functions of the executive housekeeper in all hospitals include important staff responsibilities to the hospital executive officer, but primarily his functions are operational. The operational functions he performs cover a wide range of knowledge that includes understanding and appreciation of many subjects of primary interest to the environmental health officer or sanitarian. Some of these operational functions are basic day-to-day cleaning maintenance; collecting bacterial samples; operation of the laundry; acquisition, distribution, and control of linen; acquisition and issue of uniforms; pest control; waste and trash removal to the point of disposal; interior decoration; and management of dormitory rooms.

To bring these responsibilities to successful operational status, the executive housekeeper must be knowledgeable about the composition of surfaces to be cleaned, the content of products used to achieve the accepted level of cleanliness, and the performance specifications of equipment. He must possess knowledge of fabrics used in linens and uniforms, as fabrics are changing radically. A good knowledge of laundering techniques and of the capability and capacity of laundry machinery is vital. Knowledge of pests and pesticides is necessary. He must know how to develop decoration plans and be acquainted with sources of furniture, furnishings, and decorative items that are suitable for hospital use.

The executive housekeeper is the staff specialist that advises top management in these areas, but above all he must be a manager with the ability to evoke from his employees performance that will ensure a clean and pleasing hospital environment.

The executive housekeeper often has a general college background. By its requirement of a bachelor's degree that includes specific related course requirements, the National Executive Housekeepers Association has expressed the desirability for generalized college training as a prerequisite to certification.

SUMMARY

There is almost no difference between an environmental health officer's and a sanitarian's responsibilities, but there is a definite working relationship between an environmental health officer, a sanitarian, and an executive housekeeper. An executive housekeeper has fewer responsibilities in the scientific or medical realm but many more in the operational realm than an environmental health officer or sanitarian. The executive housekeeper has a major role in successful hospital operation whether or not an environmental health officer or sanitarian is on the staff full time, part time, as a consultant, or not at all.

Local circumstances will determine whether a need for an environmental health officer or sanitarian is justified or whether existing and required committees can give adequate professional leadership and guidance to the executive housekeeper and other department heads. The exception will surely exist when a specialist is available who can combine all of these functions and responsibilities and apply them practically.

From a practical view point, these specialties would not mix well. The environmental health officer or sanitarian functions in many areas that are not, by current standards, part of the executive housekeeper's responsibilities, and, conversely, does not normally function in the operational areas assigned to the executive housekeeper.

MORTON COMMENDS PRESIDENT FOR CONCERTED ATTACK ON ORGANIZED CRIME

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. MORTON. Mr. Speaker, every Member of this body owes a debt of gratitude to the President for the steps he has taken and the measures he proposed today to rid the country of organized crime.

I feel very strongly that the prime responsibility for law enforcement rests with the State and local governments. But it must be conceded that, for various reasons, local law-enforcement agencies cannot cope effectively with the grave internal threat posed by organized crime. Jurisdictional limitations and lack of sufficient funds to provide adequate manpower and modern equipment are among the most frequently cited obstacles to the attainment of this objective. Organized crime, therefore, is a matter of particular Federal concern.

The President is moving against illicit business activity on two fronts. Federal capabilities are being increased dramatically; at the same time, much-needed assistance to State and local governments is being increased.

Mr. Speaker, shortly the Congress will have the opportunity to lend assistance to the President's program by enacting legislation which will provide law enforcement with additional tools in the evidence-gathering process.

AMERICAN HUNGARIAN ASSOCIATIONS' WORK IN FOREIGN POLICY RESEARCH

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. MINSHALL. Mr. Speaker, on April 15, under a special order, I had the privilege of analyzing U.S. policies toward east central Europe together with about 20 of my other colleagues. Our discussion was based on a memorandum composed by the American Hungarian Federation, the Hungarian Freedomfighters' Association of America, and the Federation of Free Hungarian Jurists. Through an oversight the role of the latter two organizations was omitted.

At this point, therefore, I would like to pay tribute to all three organizations. The role and impact of the American Hungarian Federation, ably led by three distinguished American Hungarian leaders, the Honorable Albert A. Fiok, judge of the Court of Common Pleas in Pittsburgh, Pa., Bishop Emeritus Dr. Zolton Beky, president of the Hungarian Reformed Federation of America, and by Dr. Cornelius Navori, prominent gynecologist from Detroit.

The Hungarian Freedomfighters' Association in America, under the excellent leadership of Prof. Andras H. Pogany of Seton Hall University, and Mr. Lazslo Pasztor, an outstanding research chemist from Pittsburgh, has for years been the standard bearer of the ideas and ideals of the Hungarian revolution, with a deep commitment to the tenets of human and political freedom for all peoples. The association has contributed greatly to keeping before the American people the problems of Hungarian citizens living under Communist domination. It continues to form the outstanding exile organization of American Hungarians, registering protest against actions of the Communist Hungarian Government which damage and destroy the interests of the Hungarian people. The association also conducted, in unison with the other American Hungarian organizations, a successful yearlong commemorative program in 1966 on the 10th anniversary of the Hungarian revolution with the assistance of prominent Americans who formed a citizens committee.

The Federation of Free Hungarian Jurists fulfilled, and continues to fulfill, a vital role in acting as the legal conscience of the Hungarians now living under a dictatorial Communist regime. In many well-documented memorandums it has exposed the illegal and extralegal practices of the various Communist governments in Hungary between 1948–69 and brought them to the attention of the Congress, the Executive, and the United Nations. In his book, "Human Rights in Hungary," the president of the federation, Dr. Laszlo Varga, a former member of the Hungarian Parliament and a practicing attorney in New York as he had been in Budapest, described abuses of law and abuses even against Communist law committed by state authorities in Hungary in the last two decades. He is distinguished by his scholarship.

It is a pleasant duty to remember the efforts of these individuals and organizations who contributed so greatly to the excellent memorandum submitted to the President and the National Security Council and to observe that the common commitment to the United States and the welfare of their former conationals unites the American Hungarian organizations in a unity of action.

THE GENERAL MUST SLEEP

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. GROVER. Mr. Speaker, in tribute to former President and General of the Armies Dwight D. Eisenhower, I submit for the RECORD this moving poem by Kay Magenheimer:

THE GENERAL MUST SLEEP

Under his Library,
Buried in a crypt,
Lies the bel-esprit
Of history's famous battle;
A reluctant
Pimpernel
In the face
Of a turbulent world betraying his victory's grace.

And—for *all* mankind—Freedom,
Glimpsed at Normandy's beachhead,
Is yet a delirium
In the books stacked
Over his head.

From a half continent away,
West Point with its reveillés
Arouses memories of its renowned son,
While his country prays
In sudden appreciation
Of its heritage
That God may increase,
In *his* image,
The soldier of peace.

KAISER STEEL AND HELP FOR THE DISADVANTAGED

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. PETTIS. Mr. Speaker, recently Mr. Jack L. Ashby, vice chairman of the board of Kaiser Steel Corp., sent a letter to the 12,500 employees of Kaiser Steel expressing his and the corporation's philosophy in recognizing and positively acting in giving an economic and educational hand to the disadvantaged.

Kaiser Steel's principal fabricating and production facilities are located in my district in California. They also have manufacturing and fabricating operations in several additional Western States. For several years the company has been practicing a commendable minority hiring program. This hiring program in the manufacturing division's operations is substantial. Nearly 30 percent of the total new employees hired during 1968 were from minority groups. Many of these workers have been successfully trained and have moved onward and upward in their work with Kaiser Steel. The corporation, in 1969, is continuing its intensive recruiting and hiring of minorities. I might add that Kaiser Steel is giving consideration to preemployment job clinics. Also plans are being developed for additional cooperative work-study programs with the local schools and for work-study programs designed to help the high school dropouts.

At this point, Mr. Speaker, I wish to insert in the RECORD Mr. Ashby's communication to the thousands of employees of Kaiser Steel. I commend Mr. Ashby and I commend Kaiser Steel.

Mr. Ashby's communication follows:

LETTER TO EMPLOYEES OF KAISER STEEL CORP.

"One nation, indivisible, with liberty and justice for all"

Nearly all of us remember when we made our pledge this way, and most of us thought that is the way our country is—with unity, opportunity, freedom and security for all. Most of us failed to heed that some of our people were disadvantaged, and we rapidly dismissed warnings from our statesmen that our society could not long endure with part of our people ill housed, ill clothed and ill fed.

We all recognize these signs of domestic crisis now, and if you will spare a few moments more, I would like to review some of the efforts your company is making to help eliminate this malignancy and to solicit your continued good will and affirmative attitude.

You may be one of the many who have personally contributed to Kaiser Steel's efforts to provide counselling, training, employment and promotional opportunities for our disadvantaged citizens. As reported in the INGOT, last summer alone we hired more than 300 disadvantaged persons above and beyond our regular seasonal needs. Each of our locations designed its own program to best relate its abilities to the needs of its community. Less well known perhaps are other company efforts such as providing initial financing for the Riverside tutoring program, the McClymonds High School summer program in Oakland, the work study programs in the Fontana and Bay Area, and the Skills Development projects in cooperation with the Napa and Contra Costa Colleges. In every case, the cooperation you and your fellow employees extended was vital to the success of these programs.

Another large area in which Kaiser Steel and its employees have been active is in the support of community activities which can offer so much direct help to disadvantaged members of our society, such as the Boy Scouts, YMCA's and similar organizations. In my position as Chairman of the Board of Governors of Junior Achievement of the East Bay, I am particularly in a position to appreciate the tremendous drive, energy and enthusiasm minority youngsters bring to such an organization. More than 80 percent of the members are considered disadvantaged, and yet they become strong supporters and participants in our society as a result of their experiences in building businesses of their own.

Your company considers the current domestic crisis is as great a threat to the wellbeing of us all as was any past military threat. It will take the same individual commitment, stability and effort plus the financial and productive capacity of our business community to resolve this problem as was required in war, plus the need for one additional essential ingredient—compassion.

The work will go forward, and your company will try to better its record. Your continued support and understanding will help us achieve the goal. Whenever you get the chance, please extend the hand of friendship and welcome to that new employee who is standing on the threshold—waiting to become a part of the Kaiser Steel family.

Together we *will* make this ". . . one nation, indivisible, with liberty and justice for all."

FIGHTING HUNGER THROUGH PRIVATE EFFORT

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. McCLOSKEY. Mr. Speaker, there is a good deal that is said about the dangers of famine that lie around the corner for the world population. I want to take this opportunity to tell my colleagues about a private effort that has begun to do something to meet this problem.

Two years ago a group of men here in Washington decided to attack the problem of world famine. Having learned that nearly 2 billion people in this world were starving or malnourished, that 3½ million would die that year from starvation-abetted illness, and having learned of the dangers of malnutrition to brain growth, especially in the early years of a child's life, and of the effect gross protein deficiency could have, this group, under the leadership of Dr. J. T. Houk and some of his colleagues, decided to take action.

The end result was the formation of a group called Famine Fighters, Inc., an agency which represents an exciting new concept in the effort to stave off hunger for the world's population. Under Houk's leadership, the Vantage Ten Ninety Fund was organized. The concept is simple—Vantage Ten Ninety is a mutual fund, shares of which are sold to the general public through Famine Fighters, Inc., a nonprofit stockbroker organization. As is the case with any mutual fund, Vantage Ten Ninety seeks growth of capital for its investors. But the fund is organized to invest 10 to 15 percent of its assets in private companies located in the developing countries whose activity relates to the war on hunger. The hope is that this investment will help private companies which in turn will help solve the critical world food problem.

Vantage Ten Ninety is a pioneer in the mutual fund industry. Its organizers hope to follow it up with similar funds, part of whose assets will be devoted to helping in other important social efforts: loaning money to private schools and colleges; investing capital in industries which work to revitalize inner cities, and for other purposes.

I am convinced that if we are to successfully confront some of the massive problems that face our country, and indeed the world, we must continue to depend, in large measure, upon the efforts, resources, and abilities of private groups and individuals. Famine Fighters, Inc., is an impressive example of what can be done by such a group of concerned private citizens.

I want to congratulate Dr. Houk and his associates and call this important effort to the attention of my colleagues. Mr. Speaker, I insert at this point in the RECORD a report that tells the story of Famine Fighters, Inc.:

FIGHTING HUNGER THROUGH PRIVATE EFFORT—THE STORY OF FAMINE FIGHTERS, INC.

Born of the concern for the world famine around the corner, a private whirlwind of effort has begun. Nestled in the seat of the largest government in the world, Washington, D.C., Famine Fighters, Inc., a private, non-profit stockbroking firm, has begun to sell the shares of a unique mutual fund, Vantage Ten Ninety Fund, in a unique way.

But first, a word of introduction is in order. In March of 1967, at an International Christian Leadership weekly luncheon gathering at the Washington Lawyers' Club, a group of men were informed about impending world famine. They found out that nearly two billion people in this world were starving or malnourished, and that 3½ million of them would die that year from starvation abetted illness. They were further informed that protein malnutrition caused brain damage in children, and caused lethargy, illness and early death among adults.

Four of those men, then and there, joined later by many others, pledged support to the Meals for Millions Foundation in Santa Monica, California. Gradually a group was formed among these contributors, sparked by Dr. J. T. Houk, Arthur Lane, W. Lyles Carr, and Paul T. Dahlstrom.

This group took on a life of its own. Not just "gift givers", they have been action oriented. Now called the *Famine Fighters Honor Roll*, this group spans the globe, linked by a common concern for the welfare of mankind. Honor Roll members are to be found in thirty states from Maine to California, and in ten countries including Viet Nam, and they number more than four hundred strong. Their action includes:

Donations to private organizations fighting hunger of nearly $80,000;

Endowment, including estate planning commitments, for private charities of over $150,000;

Organization of a mutual fund, Vantage Ten Ninety Fund, whose capital now exceeds a quarter million; and

Organization of Famine Fighters, Inc., as a non-profit stockbroker to sell the shares of Vantage to the public, with more than fifty persons now in training for the national stockbrokers' exam.

The mutual fund, Vantage Ten Ninety Fund, seeks for its investors growth of capital, within the framework that 10% to 15% of the fund's assets are being invested in private enterprise located in the developing countries whose activity relates to the war on hunger.

Participating in its overseas investments initially with the International Finance Corporation, the equity arm of the World Bank, Vantage has recently invested in the Colombian firm of Industrias Alimenticias Noel, S. A. It is one of the largest manufacturers of food products in the country, and is constructing a new plant in Medellin. Vantage has also invested in the dollar bonds of Ultrafertil, S. A., a Brazilian firm constructing what will be the largest fertilizer complex in Brazil. More than 500,000 tons of fertilizer each year will be used to stimulate farm production.

The balance of the assets of Vantage Ten Ninety Fund, 85% to 90%, are invested in a growth-oriented, diversified, portfolio comprised mostly of common stocks. The large New Jersey investment research firm of Templeton, Dobbrow and Vance, under agreement with Vantage, recommends the investment of this portion of the portfolio.

The Board of Directors of Vantage includes Rowland Burnstan, former President of Borg Warner International; Congressman Richard T. Hanna, a member of the House International Finance Subcommittee; Congressman F. Bradford Morse, a member of the House Foreign Affairs Committee; Edward N. Gadsby, former Chairman of the Securities and Exchange Committee; Carrol M. Shanks, former President of Prudential Insurance Company; John L. Schroeder, President of Templeton, Dobbrow and Vance; Eugene Williams, former Chairman of the St. Louis County National Bank; Francis Shurling, President of Shurling and Co., Macon, Georgia; Arthur Lane, with Haight and Company, Washington stockbrokers; and others.

Vantage Ten Ninety Fund is a pioneer in the Mutual Fund industry. It asks the investor to shoulder some social challenge along with his pursuit of profits.

Vantage Ten Ninety will be followed by four other funds, each carrying in small part, a pressing social challenge:

Vantage Twenty Fund will loan 20% of its funds to private schools and colleges to help private education remain independent.

Urban Twenty Fund will invest 20% of its funds in industries which aid the ghetto and help re-vitalize our inner cities in America.

Crusader Fund will help strengthen the moral fiber of America by loaning 20% for Christian purposes; and

L'Chaim Fund will bolster our Judao-Christian heritage by offering loans for Jewish purposes.

Famine Fighters, Inc., has the challenge to implement the effort. It will offer the investor the challenge of fight—his kind of famine: Our lack of food; hunger in the ghetto for solid progress; our thirst for learning; our hunger for reconciliation.

Famine Fighters, Inc., sees this family of mutual funds not only as proper investments for those seeking profit, but also as vehicles for donors who wish to endow church activities, schools and colleges, or other private voluntary activities.

To bring the opportunity to people all over the world, to invest or to donate, Famine Fighters is embarking on an ambitious recruitment program.

Using a nine lesson text, prepared for home study by the Kalb-Voorhis Company, members of the New York Stock Exchange, Famine Fighters is training at home, individuals who imagine part or full-time activity. Vantage Ten Ninety Fund is sold with a sales commission no greater than most mutual funds, yet being a non-profit corporation, Famine Fighters plans to share most of the sales commission with the salesperson himself.

In the short 3-month period from January 15 to April 15, Famine Fighters has recruited and is training nearly fifty persons who will spend from part to full-time fighting famine in this way, as licensed, registered stockbrokers.

Dr. J. T. Houk, an attorney and current part-time faculty member of the University of Virginia, President of Famine Fighters, feels that this effort has three important implications:

First, it creates responsible channels for private capital into needed areas;

Second, it can, through endowment, strengthen the pitifully weak financial resources of our voluntary private organizations; and

Third, it can offer meaningful part or full-time employment for people who are concerned about the quality of life in America and in the rest of the world.

Young people are being urged to leave their protest placards on campus, and build a career out of concern. Midcareer men and women are being urged to take on famine fighting in addition to their regular occupations. And those nearing retirement are being offered an exciting leisure occupation that can help supplement inflation-eroded incomes.

A BILL TO AMEND THE FEDERAL MEAT INSPECTION

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. LANDGREBE. Mr. Speaker, I would like to bring to the attention of the Members of the House a bill I am introducing today to amend the Federal Meat Inspection Act. It is cosponsored by 16 of my fellow colleagues and would require that imported meat and meat food products be labeled "imported" at all stages of distribution until delivery to the ultimate consumer.

As you may know, it is already required under law that a label showing the country of origin should appear on meat imported into this country. However, when a processor reduces this imported meat or cuts it into parts, later to be sold to the ultimate consumer, the meat loses its identity of the country of origin. It is at this point that we wish to strengthen the regulation so that the ulitmate consumer, who is usually the housewife, is assured of the product being purchased. This bill would require that a label with the words "imported" or "imported in part" be affixed to any package containing meat or a meat food product until delivery to the ultimate consumer, thereby permitting that consumer his—or her—right to choose between domestic or imported meats.

The primary intention of this bill is to increase consumption of domestic meat products. It is not an anti-import bill, nor does it require an appropriation. It is meant to be a prodomestic meat bill which will improve not only the financial plight of the grain farmers and livestock feeders, but will also contribute significantly to the economic growth and well-being of our entire economy.

My fellow colleagues join me urging all Members of the House to give this important legislation their serious attention and consideration.

GRAPE BOYCOTT IN DELANO PERPETRATES A HOAX

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. MATHIAS. Mr. Speaker, the dispute over the grape boycott has been well publicized. The most publicized picture, which has been painted, is that of grape workers who are poverty-stricken, starving, naked, forgotten, and homeless migrants. The facts, however, do not substantiate these claims put forth by the boycott organizers.

I was very pleased to see that Mr. James J. Kilpatrick visited the grape fields in Delano, Calif., and wrote a story telling the facts as he saw them and as they actually exist. His article is entitled "Grape Boycott in Delano Perpetrates a Hoax," and appeared in the April 22 edition of the Washington, D.C., Evening Star.

As Mr. Kilpatrick points out, the grape workers are not the destitute, homeless, striking migrants the union portrays them to be. There is no strike in the vineyards, the workers get good wages, and nearly 90 percent of them are permanent residents of the areas in which they work, and they do not want to be unionized.

As in all disputes, truth often becomes tarnished as the battle is waged. I, therefore, recommend to my colleagues the reading of Mr. Kilpatrick's article. I am confident after reading his remarks, that we will all have a better understanding of the true facts concerning the grape workers and the grape boycott.

Mr. Speaker, the article follows:

GRAPE BOYCOTT IN DELANO PERPETRATES A HOAX

(By James J. Kilpatrick)

DELANO, CALIF.—The grapevines stand in trellised ranks, green-sleeved, precisely spaced, as disciplined as troops in close-order drill. Their cross-pieces are angled at right shoulder arms; they make of the flat brown earth a crowded battlefield.

It is for possession of this battlefield that California's table-grape growers and an AFL–CIO union are struggling. The conflict long ago stretched beyond the Delano community.

For the past 3½ years, well-meaning liberals across the country—not to mention a number of politicians on the make—have been giving full-hearted support to the "grape boycott" urged by Cesar Chavez and to the supposed "grape strike" behind it. Chavez is director of the United Farm Workers Organizing Committee, AFL–CIO. When it comes to recruiting union members, Chavez is a flop; his UFWOC has recruited amazingly few. But when it comes to mounting a publicity campaign, the man is an undoubted genius. He turned up recently with a bylined piece in Look extolling his nonviolent piety.

His "boycott" bumper stickers blossom on half a million Volkswagens. In dozens of parochial schools, such is the gullibility of the nuns, little children compose insulting letters to grape growers as exercises in English. Hippies, Yippies, priests, professors, political figures, and housewives with time on their hands—all of them are whooping it up for the downtrodden grape pickers of Kern County, Calif.

It is a hoax, a fantasy, a charade, a tissue of half-truths and whole fabrications. Within the past 10 days, since Chavez blundered into his first big public relations error, the union's effort has become something more—a brazen, ugly, and undisguised bid for "closed shop" power over the lives of farm workers everywhere.

To swallow the Chavez line, you must believe that grape workers in the Delano area are miserably paid, wretchedly housed, and cruelly treated. You are urged to help feed "hungry children," the victims of the system that denies men a living wage. "At present rates," says an UFWOC handout given to me last week, "a farm worker who is fortunate enough to work 40 hours a week, 25 weeks a year, would earn $2,386."

This is moonshine. The reporter who checks payrolls, goes into the fields, talks with workers, visits their homes, inspects the labor camps, and otherwise covers the story, gets an entirely different picture. The going base wage for grape workers is $1.65 an hour. At 40 hours a week, 52 weeks a year, this would produce annual earnings of $3,432. Yet the hypothetical example has no meaning. This is not how grape workers work.

The typical Delano worker—if there is any such being—is a middle-aged Mexican-American, with little formal education and few skills beyond those of grape and vegetable culture. He has a wife and two or three teenaged children. As a resident alien of 10 years' standing, he must register annually with the Immigration Service. Otherwise, he is free to live his proud, humble, independent life as others do.

Such a worker may have a dozen different employers during the year. He goes where the work is, from one vineyard to another. Thus, there is no such thing as an ordinary "bargaining unit," for the workers move around freely. George A. Lucas, a middle-sized grower, sent out 3,500 W–2 forms on workers last year.

In summer, the work is hard and hot; at other times, it is picnic-pleasant. Families take their lunches to the fields. Last week, I talked at length with one such family of four. With the base wage, plus incentive supplements, they expected to earn about $325 for the week. At harvest time, this doubles. They drive a 1968 stationwagon. A son is in college.

Out in the fields, the workers speak of the Chavez union with fear and contempt. They tell of threatening telephone calls at night, of repeated acts of vandalism and intimidation. They are fearful that beleaguered growers, anxious to end the nationwide boycott, may yet sell them like so many heads of lettuce to the UFWOC, which thereafter would control when and where they worked.

It is this press-gang power that Cesar Chavez is seeking. He wants his union to become the sole source of agricultural workers, under contracts that would forbid the growers to hire any non-union man. This is what the fight is all about and it is incredible that liberals, professing a love for the little fellow, should be helping him toward his goal.

CANCEL THE CHEYENNE, MR. SECRETARY

HON. OTIS G. PIKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. PIKE. Mr. Speaker, back in the days when a vice president of Lockheed was sojourning as the Assistant Secretary of the Army for Research and Development before returning to Lockheed, Lockheed embarked on a research and development project for the Army. It was for a helicopter now called the Cheyenne. Lockheed got the contract when the evaluators of the two final proposals from Lockheed and Sikorsky decided that Sikorsky's proposal was better technically, but Lockheed's "management capability" was so much better that the contract should go to Lockheed. Brave, indeed, would be the Army evaluator who would say that Lockheed's management was not great when the big boss had been a part of that management.

Once Lockheed got the contract, however, the management did not look so good. First, of course, the price began to soar. From Lockheed's original estimate of well under a million dollars each to $1.5 million each to an "estimated" $2.3 million each, and still rising. Apportioning the research and development costs over the program of 375 helicopters gets the helicopter up to an "estimated" $2.8 million each—and still rising.

Now, in an almost unprecedented move, the Army has brought the technical problems to the fore. They have given Lockheed 15 days to reply in writing to charges that in at least 11 specifics the helicopter does not meet performance guarantees, and to state specific plans for curing these faults. Failure to answer satisfactorily would be grounds for cancellation of the contract.

Let us, just for the fun of it, assume that Lockheed can cure all the faults. I doubt it, but let us pretend.

Does the Army have the slightest idea what it will cost to cure them? Does Lockheed have the slightest idea what it will cost to cure them? Do either of them care at all?

For over a year Lockheed and the Army has been "negotiating" on a relatively tiny item. Not what the cost of the helicopter should be, oh mercy no. They had agreed to what they called a firm, fixed price contract on January 5, 1968. The main thing they had to "negotiate" was how much of an adjustment should be made to the price because of a delay by the Army in exercising its option from March 1967 to January 1968. On this little item they have been "negotiating" now for 16 months.

Mr. Speaker, it is 11 months ago today that I first asked the Secretary of the Army to tell me what this firm fixed price was. He has not told me, but that is fair, because he still does not know. First they said they would tell us in September. Then they said they would tell me by the end of the year. I wrote the Secretary of the Army on February 20, 1969, asking him what the "firm, fixed price" was. On March 17 I got a letter back saying that they did not know yet but that they anticipated negotiations "will be completed by mid-April."

On April 15 I asked the Army what the price was. They did not know. I asked them when they would know. They did not know. Reason: The negotiators had to stop negotiating the price in order to go back to California to write a letter explaining how they were going to make the bird fly. Presumably, they would not write a letter saying how much it would cost to make it fly.

Cancel it, Mr. Secretary.

SPEECH OF HON. CLEMENT J. ZABLOCKI, FOURTH DISTRICT, WISCONSIN, TO THE GRAND COUNCIL OF PULASKI ASSOCIATIONS OF NEW YORK/NEW JERSEY, APRIL 18, 1969

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. ADDABBO. Mr. Speaker, it was my privilege and honor to be a guest at the installation of officers and dinner dance of the Grand Council of Pulaski Associations this past Friday. The association is made up of dedicated civil service employees of Polish American ancestry, who continue to dedicate themselves to the service of our great country by personal service and raising of funds for school scholarships.

One of the outstanding events of the evening was the speech made by our colleague, the gentleman from Wisconsin, Congressman CLEMENT J. ZABLOCKI. Notwithstanding the trials and tribulations of 5 hours of air travel, due to the weather and traffic congestion, Congressman ZABLOCKI delivered an eloquent speech on American foreign policy.

I desire to bring Congressman ZABLOCKI's remarks to the attention of the Members of this House and, therefore, insert in today's Extensions of Remarks:

Toastmaster Stanley Pryor, Rt. Rev. Msgr. Karpinski, President Labowski, Officers of the Grand Council, Distinguished Guests, Scholarship Award Recipients, and Friends: It is indeed a privilege and a pleasure for me to be with all of you tonight for the Scholarship Award Dinner Dance of the Grand Council of Pulaski Associations.

It is a truly outstanding occasion which blends the gaiety and excitement of a beautiful social event with the more serious business of installing new officers and awarding scholarships to deserving young men and women.

But this is also an evening of gratitude and I would be remiss if I did not express special thanks to my distinguished colleague, the Honorable Joseph Addabbo, for arranging my presence here tonight. In particular I am grateful for his past support and encourgement in helping to make possible the American Children's Hospital in Poland. With his able assistance that symbol of the friendship between the peoples of America and Poland is now a reality.

Certainly the people of his district, the state and the nation can be justly proud of Congressman Joseph Addabbo. His consistent and energetic work in defense of our national interests and on behalf of progressive legislation represents an enviable record.

Your counsel, Attorney Stanley Pryor, has informed me about the illustrious history of this organization, which celebrated its eighth anniversary last month.

During your relatively short existence you have achieved the high goals which you set for yourselves when your individual Pulaski Associations decided to join efforts in this Grand Council.

The benefits which have flowed from your mutual efforts are the 24 scholarship awards which you have made to encourage your children to continue on to higher education.

This is, indeed, a noble and far-sighted work you have done. By assisting young men and women to develop their talents and capabilities through education, you are providing a treasure of great worth to them, to their future heirs, and to our society.

I commend you highly for your achievements and know that they will lead on to even greater accomplishments in the future. My friends, there are many problems that confront our Nation at home and abroad. Your organization and each one of you individually can and, I know, will assist in our country's efforts to meet these challenges.

Tonight I would like to turn attention briefly to an area in which too few organizations seem to take an interest—an area in which the kind of success enjoyed by your organization seems all too infrequently to be found—American foreign policy.

We generally hear only about the failures and problems in our foreign policy.

But this situation should not blind us to the successes and progress which have been achieved in our relations abroad. I believe, for example, that the "bridge building" policy which the United States has carried on with Poland and other European countries for more than a decade has been a fruitful effort.

And since the Soviet Union invaded Czechoslovakia, U.S. policies toward the Communist-dominated countries of Eastern Europe have been under review.

Some have seen the Czech invasion wiping out all the gains of recent years in dealing with the Bloc countries, I cannot agree.

With respect to U.S. policy toward Eastern Europe, there have been some positive gains.

For example, because the United States was willing to sell its surplus wheat and other grains to Poland at a time of food scarcity there, the welfare of the average Polish citizen was enhanced.

Our efforts have helped stimulate the Polish economy by providing more and more *consumer* goods for the people. Thus the people accustomed to a better living might well rebel if the government attempted to emphasize instead the production of *war* material.

Thanks in part to American assistance, the economy of Poland has improved. It has improved—in fact—to the point where the country is able to pay back, in dollars, money owed to American citizens whose property was expropriated, as well as pay back funds owed our government for the earlier wheat shipments. Poland has repaid $21 million in 1968 for agricultural products purchased in the past.

More important has been the psychological impact of our aid. From my own visits to Poland in the past few years, I know that the *people* appreciate these acts of friendship from the United States.

They know that when Poland needed food, it was from the capitalist West—from the United States, Canada and Australia—that help came—not from the Communist East.

No matter how often or how loudly their Communist overlords tell the Polish people that the United States is decadent and headed for the ash-heap of history—they do not believe it. They know better from the contacts they have with friends and relatives in the United States and from the fact that the Communist system had to turn to the Free World System for their needs.

This has been but one result of our bridge-building effort in Poland—a net gain for the forces of freedom against the minions of tyranny.

Today, however, any further move in Poland toward the West or general liberalization is being hampered by the increasing unwillingness of the Soviet Union to *tolerate dissent* within its satellite states.

While this may well be the Kremlin's dying struggle to keep its ill-gotten empire together, the Czech invasion and the so-called "Brezhnev Doctrine" of Soviet dominance in the Communist World have indeed cast a temporary setback on hopes for increased freedom in Eastern Europe.

Although our nation's ability to influence desired change in Communist countries is limited, nevertheless, I believe that the United States might well find new and worthwhile opportunities by revising its policies on other fronts, including the Chinese-Soviet conflict.

In 1965 the Foreign Affairs Subcommittee on the Far East and Pacific, of which I was chairman, held hearings on the Sino-Soviet conflict. It was our recommendation that the United States not take sides in the dispute between the world's two major Communist nations.

In the intervening four years, however, it has become clear that the United States has apparently leaned toward the Soviet side.

Our national leaders have given a great deal of consideration to cooperation with the Soviet Union on consular arrangements, on arms control agreements, on talks over crises such as Vietnam and the Middle East, and even a possible "summit" meeting.

At the same time there has been no deliberate movement toward improving Chinese-American relations.

As a result, our posture has been widely interpreted, both inside and outside the Communist world, as favoring the USSR.

Chinese hostility, of course, accounts for much of this lack of progress. But we expected this. In 1966, for example, the Subcommittee on the Far East and Pacific held hearings on U.S. policy toward China.

We concluded that while American initiatives were almost certain to be met by Chinese rebuff, we should not be discouraged or deterred from the effort.

In the case of Communist China, I do not believe we have persevered as hard as we might.

As you know, this is counter to the basic principle of strategy, that is, if a great power has two enemies who themselves are quarreling, it should support the weaker against the stronger.

In this instance, I am not suggesting that the U.S. support China against the Soviet Union in their dispute, but only that we try to achieve—in our *own* national interests—a greater balance in our initiatives toward each.

If we look back over the history of the past two decades—at Hungary, Cuba and Czechoslovakia—it seems clear that Chinese foreign policy has been no more aggressive, provocative or irrational than that of the Kremlin.

Further, the USSR at present is making moves to outflank the United States in the Middle East, Mediterranean, Indian Ocean and elsewhere. Communist China today poses no such threat.

While China may someday be able to inflict nuclear damage on the United States, it cannot do so today. The Soviet Union, on the other hand, could wipe us off the face of the map and might do so if it thought it could without reprisal.

In dealing with the Russian threat, our nation has found it expedient to support Tito's Yugoslavia as an independent communist power, antagonistic to the Kremlin, because of its geo-political importance. That policy has been relatively successful.

At the same time, we have seemed to forget that China is the largest independent Communist power antagonistic to the Kremlin, and even more important from a geopolitical standpoint.

West Germany has recognized this fact and without any formal political ties or diplomatic recognition has established trade relations with China which could be a potential for future cooperation.

The United States has not made similar overtures for a number of reasons, some of them not particularly relevant to our long-range national strategic goals.

The static nature of U.S. policy toward China has produced a drastic reaction among certain groups and public figures in our country. There appears to be no middle ground on views regarding U.S.-China relations.

There have been recommendations that the United States immediately recognize the Peking regime, permit it to take a seat in the United Nations Security Council, and even to grant it a "sphere of influence" in Asia.

Such recommendations are misleading, impractical and harmful to the cause of peace and order in Asia.

We may take a lesson from the experience of Canada and Italy. Those two nations expressed their intentions of establishing relations with Peking recently only to learn that Peking was not very interested in diplomatic ties with them.

The tendency to consider initiatives toward China only in terms of formal, diplomatic approaches indicates a certain lack of imagination and creativity.

I believe there are steps which might be taken short of formal negotiations.

There is, for example, the area of technology transfer. We know that Chinese are extremely interested in our scientific progress because their subscriptions to our scientific and technical journals provide one of their few remaining, uncensored links to American ideas.

I proposed, therefore, that the United States take a new initiative toward Mainland China by offering to extend our knowledge of the new "miracle" strains of food grains which have resulted in the "Green Revolution" throughout much of the developing world, especially in Asia.

Recent startling developments in the production of rice, wheat, corn—major food staples of the developing world—have checked the threat of famine in country after country.

Last year in India, for example, wheat production of rice, wheat, corn—major food million tons in 1967. The increase is reputed to be one of the greatest that the world has ever seen. A result accomplished with new and better seed strains, fertilizer and agricultural technology.

An initiative to transfer this agricultural technology to China is warranted for several reasons.

First, it is humanitarian since it would be aimed at meeting the food needs of the Chinese people.

Second, it is practical since the technology is not difficult to transfer and could be done by private organizations like the Rockefeller and Ford Foundations which developed the "miracle" grains. Taking this approach would avoid the problems involved in a government-to-government transaction.

Third, it might prove rather difficult for the Peking regime to turn down. At the present time the government of China is engaged in a "new leap forward" which counts heavily on increased agricultural production.

Although the weather this year appears to favor a good harvest, China has experienced frequent spring droughts and other weather conditions leading to poor crops.

Reliance on the new "miracle" strains would lessen China's dependence on good weather for adequate food supplies and would modify the undesirable cyclical nature of its present agricultural production.

Further, such an offer might now look more attractive to the Chinese than it would have a short time ago. Too often it has been overlooked that hatred of the United States inside China is a valuable instrument used by Chinese Communist leaders to unify the people.

Since the recent Sino-Soviet incident at the USSARI River, there is some evidence that the Russians have replaced us as the No. 1 object of Chinese hatred.

This situation—and the somewhat more moderate tone which has characterized Peking's propaganda recently—may indicate a change in attitude. .

At any rate, the Chinese response to the initiative I am proposing would make clearer the prevailing mood in the Chinese hierarchy.

Even if the offer is rejected, it will vividly demonstrate to the world that the United States has not isolated itself from China but rather that China has isolated itself from the United States.

Further, in turning down an opportunity to obtain the latest in agricultural technology, Mao and his cohorts would provide added evidence of their irrationality, stubbornness and callousness to the real needs of their people.

If our efforts are successful toward China, one effect might well be a loosening the stranglehold which Russia has maintained on Poland and other Eastern European countries since the end of World War II.

The Communist China Embassy in Warsaw showing Katyn Forest massacre documentary film would show that Soviet Russia perpetrated the atrocities.

An even-handed policy by the United States toward China and the Soviet Union might permit more independence and freedom for the people of Eastern European countries, particularly the people of Poland—a people who historically have fought for liberty and the right of self-determination.

From personal experience I can assure you that this great dedication to freedom—a dedication epitomized in the life of Pulaski—has not died in the hearts of the Polish people.

To illustrate this, let me—in closing—relate a personal incident which occurred during my last trip to Poland, an incident which occurred in that ancient city of culture and education, Cracow.

Although my visit was virtually ignored by the Polish press, a group of Cracow students learned I would be in their city through the broadcasts of Radio Free Europe and the Voice of America.

They searched the city until they found our American cars outside a hotel. When our party came out, one of the young men approached me and placed in my lapel a pin shaped like an anchor. It carried the initials: "P.W."

This emblem was the mark of the Polish underground resistance against Nazi occupation during World War II. The initials stand for "Polska Walczaca"—"Fighting Poland."

The young man explained to me that presently it is the symbol of those who are still fighting for freedom—that is, against Communism.

The young man and his friends risked political arrest for their boldness in approaching me and indicating their deep longing for political liberty. But their courage and strength of purpose overcame any hesitation.

They are truly to be admired for their courage, for their love of Poland and for their determination to restore individual human dignity.

Needless to say, the pin remains a cherished reminder of the love of freedom and of the indomitable spirit of the Polish people.

Their regard and respect for our country and our people is equally strong. Together with their religious faith, America remains a beacon of hope for a better future.

I have chosen as my topic here tonight two challenges to American policy: the challenge of China in Asia and the challenge of Communist domination in Eastern Europe.

I chose these issues because I believe they illustrate the kinds of problems the young people you have honored tonight will have to face.

With a full education—made possible by the generosity and wisdom of your organization—they will be better equipped for all future challenges.

Thus, these young people and your organization, the Council of Pulaski Associations, are playing an important role in insuring that America is—and continues to be—a beacon of hope for less fortunate peoples.

We must, we shall, keep that light of hope burning bright here and abroad.

AMENDMENTS TO THE SOCIAL SECURITY ACT TO PROVIDE BENEFITS TO COAL MINERS AFFLICTED WITH PNEUMOCONIOSIS, AS WELL AS TO RAILROAD EMPLOYEES

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. KEE. Mr. Speaker, today, my distinguished colleague, Congressman Saylor from Pennsylania, has joined me in introducing a bill to amend the Social Security Act for miners afflicted with pneumoconiosis, popularly known, as black lung disease. In addition, this measure provides benefits for our railroad workers.

This legislative proposal conforms with the provisions outlined in my extensions of remarks, which appeared on page 8037 of the Congressional Record of March 27, 1969.

Title I, in general, is designed to make it easier for a person who has pneumoconiosis to qualify for cash social security disability benefits than it would be for other disabilities.

If an individual, age 55 or over, has penumoconiosis, he will be considered "disabled" if he is unable to engage in his regular job, that is coal-mining; this is considerably more liberal than the existing test under which he would not be considered disabled—unless he is blind—if he is able to engage in any gainful employment.

In addition, the mere fact that an individual has pneumoconiosis assures him the benefit of the disability freeze, thereby protecting his later right to retire on benefits.

Benefits based on these new provisions would require the filing of an application in or after the month of enactment and would be available from and after that month.

Title II extends the medicare program to individuals receiving cash benefits based on disability without regard to their age. In other words, an individual receiving disability benefits, or child's benefits after reaching age 18, or widow's or widower's benefits before reaching age 60, would be entitled to medicare benefits as though he or she actually reached age 65. In addition, it extends medicare benefits to individuals receiving cash benefits under the railroad retirement program on account of disability, without regard to their age, on substantially the same terms and conditions.

ORGANIZED SELF-HELP HOUSING

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. SISK. Mr. Speaker, organized self-help housing has demonstrated that it is a social institution which can materially aid in meeting the housing needs of low-income families. These families, by pooling their own labor in a cooperative fashion, with technical assistance from non-profit sponsor organizations, are able to reduce substantially the cost of acquiring an adequate home, and thus bring better housing within reach of those who are ready to substitute their "sweat" for the financial resources which they lack.

Though the principle of self-help housing is old, its current history in our own country stems principally from the successful project organized by the American Friends Service Committee among farmworkers in California's San Joaquin Valley. Building on this base, the Office of Economic Opportunity has worked with the Farmers Home Administration to encourage increased usage of the technique. Last year, as a tribute to self-help's demonstrated accomplishment and in recognition to its very real potential, we in Congress gave it a legislative base in the Housing and Urban Development Act of 1968. The legislative base, however, has not been funded by Congress. Farmers Home Administration, which is to administer the program, has asked for $4 million in sponsor funds for the coming fiscal year. No one is more familiar both with the potential which self-help housing has, and the need for an expanded program to provide this option to a broader spectrum of those families who are seeking a way out of miserable and inadequate housing, than the people who are working with organized self-help projects now. The directors of 20 of these projects, located in 15 different States, have formed themselves into a Committee of Self-Help Housing Project Directors. At a meeting here in Washington late last month, this group adopted a resolution urging Congress to fund fully the program established by last year's housing act. The text of that resolution follows, and I commend it to the attention of my colleagues in this and in the other body:

COMMITTEE OF SELF-HELP
HOUSING PROJECT DIRECTORS,
Washington, D.C.

The Committee of Self-help Housing Project Directors, composed of directors of self-help housing projects throughout the United States, convened in general session in Washington, D.C., March 24–27, 1969, have considered and do strongly urge that:

(1) The Congress appropriate for fiscal 1970 a substantial increase in administrative funds for the Farmers Home Administration in order that they can adequately staff their offices to carry out the programs of providing loans to rural families and communities.

(2) The Congress appropriated for fiscal 1970 $5 million to be used as grants to non-profit sponsors of self-help housing programs. This was authorized in the 1968 Housing and Urban Development Act and is a part of the present budget request.

(3) The Congress appropriated for fiscal 1970 $1.4 million to Farmers Home Administration to be used as a land development revolving fund for nonprofit sponsors of self-help housing. This concept was authorized in the 1968 Housing and Urban Development Act and is a part of the present budget request.

Resolved—

(1) That these three recommendations are adopted as official expressions of this organization's position on these public issues; and,

(2) that these expressions of our position be transmitted to Chairman Spessard Holland, of the Senate Subcommittee on Agricultural Appropriations, to Chairman Jamie Whitten, of the House Subcommittee on Agricultural Appropriations, and to other members of the Congress.

MAYNARD SCHNECK,
Chairman.
BOB MARSHALL,
Secretary.

(A list of the project directors comprising this advisory committee is attached)

MEMBERS OF THE PROJECT DIRECTORS

Harold Warstler, Macon Program for Progress, Inc., 50 East Main Street, Franklin, North Carolina.

Mr. Pete Gallegos, Home Education Livelihood Program, 219 Shelby Street, Santa Fe, New Mexico.

Mr. Edwin R. Geyer, Self-Help Housing, Inc., 403 Griffing Avenue, Riverhead, New York.

Mr. James J. Cecka, Rural California Housing Corp., 2222 Loma Vista Drive, Sacramento, Calif.

Mr. Robert Marshall, Self-Help Enterprises, Inc., 220 South Bridge St., Visalia, California.

Mr. McKinley Martin, Delta Opportunities Corp., P O Box 478, Greenville, Miss.

Mr. Al Fields, South Carolina Commission on Farm Workers, 116 Broad Street, Charleston, S.C.

Mr. Maynard Schneck, Migrant Opportunity Program, 1517 S. Black Canyon Hyw., Phoenix, Ariz.

Mr. Ron Ivey, Colorado Migrant Council, 1441 Broadway, Boulder, Col.

Mr. Jack Hernandez, W.S.M.E., 14 South First St., P O Box 365, Granger, Wash.

Mr. George W. Curtice, Jr., South Florida Self-Help Housing, Inc., 2830 Saint Charles St., Fort Myers, Fla.

Mr. Frederic B. Presbrey, Catholic Better Community Development Commission, 1601 Jefferson Ave., Toledo, Ohio.

Mr. David Burciaga, El Porvenir Development, P O Box 56, Cantua Creek, Calif.

Mr. Charles L. Ray, Jr., Huntsville-Madison County Community Action Comm., Inc., P O Box A-F Winston St., Huntsville, Ala.

Mr. Charles Mumford, Sencland Community Action, County Hall Box 329, Whitesville, N.C.

Mr. Don Bleck, Indiana Self-Help Housing, 1424 Main Street, Elwood, Ind.

Mr. C. M. Stewart, Southeast Okla. Comm. Act., P O Box 811, Altus, Okla.

Mr. Bill Willis, Treasure Valley Comm. College, 115 West Idaho Ave., Ontario, Oregon.

Frank Lapeyrolerie, Rural Advancement Fund, P O Box 43, Reserve, La.

Mr. Louis Anderson, Jr., Friend, Inc., P O 205, Hayneville, Ala.

A QUICK AND FAVORABLE SOLUTION TO THE VIETNAM WAR MUST BE FOUND

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. ALEXANDER. Mr. Speaker, it is now becoming clear that the new administration has decided that the United States cannot afford both guns and butter. Most of the $4 billion already cut out of next year's budget was trimmed from domestic programs. There also appears to be a good chance that Congress will demand even greater cuts in the 1970 budget. Most of these budget cuts will also be coming out of domestic programs.

There are many programs that are vital to the continued and necessary development of the First Congressional District. Many of these programs cannot be cut without having a drastic effect on the orderly development of eastern Arkansas. But the outlook for funding many of these needed programs is destined to get worse before it gets better.

The new administration has decided that the two top priorities are now the war in Vietnam and the growing problem of inflation. I am in agreement that these are the two most pressing problems now facing our country. The consequences of these two problems are of vital importance to the people of Eastern Arkansas, as they are to all of our citizens.

The war in Vietnam is draining our human and fiscal resources that are drastically needed in order to meet our problems at home. The agony of death resulting from the war has reached into the First Congressional District, bringing the most terrible effect of this war home in a way that will never be forgotten.

A good example of the economic effect of the war is that one of the most needed projects in the First District, the Cache River-Bayou project, which is estimated to cost $30 million could be financed for the same amount it takes to continue the war effort for about 10 hours.

The second problem, inflation, is draining the value from our hard-earned dollars almost before we can spend them. Tight budgetary controls and sizable surplus are necessary in order to bring stability back to our economy. This fiscal policy is destined to hit hardest those least able to afford it, however. For example, the current tight money situation is denying credit to many of our middle- and low-income citizens while other segments of our population still have easy access to adequate credit. The domestic programs that are being cut are designed to help those who are most in need of help through Federal programs.

The answer to many of the problems facing the country lies in a quick and favorable solution to the Vietnam war. Neither the Congress nor the citizens of our country would agree to any surrender in Southeast Asia, but it is imperative for the new administration and its negotiators to find a solution to this problem soon. Until they do, we are all going to have to tighten our belts still more. Our belts are already so tight that the pain cannot be ignored or wished away. This problem must be solved.

BRAC REAFFIRMS PLEDGE TO DEMOCRACY AND FREEDOM

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. JOHNSON of California. Mr. Speaker, on March 28, the international president of the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees—BRAC—Mr. C. L. Dennis, sent a special message to the Transport Workers' Federation of South Vietnam, on the occasion of the federation's fifth national congress, scheduled for April 9 and 10 in Saigon.

Mr. Dennis' statement is indicative of the important functions that American labor unions are performing in building and strengthening friendship and understanding among the peoples of the world.

Considering the significant contribution the BRAC is making toward peace and prosperity throughout the world and under unanimous consent, I submit Mr. Dennis' statement for inclusion in the RECORD, as follows:

TO THE FIFTH NATIONAL CONGRESS OF THE VIETNAMESE TRANSPORT WORKERS FEDERATION

(By C. L. Dennis, international president, BRAC)

DEAR BROTHERS AND SISTERS: The Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees of North America, extends to the Vietnamese Transport Workers' Federation its fraternal greetings and the best wishes for a successful and profitable meeting, on the occasion of its Fifth National Congress, scheduled for April 9 and 10, 1969 in Saigon.

Like the Vietnamese Transport Workers' Federation, this Brotherhood is fully dedicated to the task of improving the social and economic conditions of its members. We are, likewise, fully committed to the cause of freedom and democracy for we are convinced that only under such system can the workers, as free men and citizens, attain not only material and social gains but the dignity and respect entitled to every human being on the face of this earth.

It is, therefore, with great pride that our Brotherhood identifies itself with the courageous struggle of the Vietnamese transport workers in their unbending decision to improve their standard of living and to preserve their status as a free nation. Without freedom and democracy all material gains are rendered meaningless.

This Brothehood reaffirms its pledge to work hand in hand with the International Transport Workers' Federation (ITF), and all of its affiliated unions, in defense of democracy and freedom, opposing colonialism, totalitarianism and aggression in all their forms; and, to defend and promote, internationally, the economic, social, occupational, educational and cultural interests of transport workers throughout the world.

We salute our Vietnamese brothers on this historic occasion wishing that your Congress fulfills your needs and aspirations and that you shall also succeed in your endeavors to remain free and independent.

With best wishes and fraternal greetings.

ISRAEL CELEBRATES ITS 21ST ANNIVERSARY AS A NATION

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. CAREY. Mr. Speaker, last year I joined with many other Members of the House in saluting the people of Israel on the occasion of their 20th anniversary as a nation. It was my hope at that time—a hope which I am sure was shared by all our colleagues and the American people—that the succeeding 12 months would see a cessation of hostilities in the Middle East and the development of a plan to establish peace in that area.

Although a year has now passed and today we seem no nearer a solution to the underlying conflicts involving Israel and her Arab neighbors, I believe, nevertheless, that we can take comfort in the continuing determination and ability of the Israel people to preserve the sovereignty of their nation and the security of their borders.

I believe the best birthday present we can give to Israel as it attains the maturity of 21 years, is the reaffirmation of the commitment given on the occasion of her birth—that America will not permit this bastion of democracy to be overrun and destroyed by the forces of hatred and violence. We recognized then, as we recognize only too well today, that the cause of democracy around the world will be lost if it is not to be defended and preserved in the instance of Israel.

The Honorable Zalman Shazar, President of Israel, has enunciated in very eloquent terms the indomitable spirit of his people during these years of tribulation, confident that each day carries his nation "nearer to a time of serenity and security, of brotherhood and fruitful labor, of freedom and peace."

I include his remarks on this occasion of Israel's 21st anniversary at this point in the RECORD:

This year, again, the State of Israel commemorates the anniversary of its independence without peace. The inciters and the incited continue to believe that hatred and terrorism are the mission of their generation. The long chapter of Israel's efforts to defend itself has still not shaken the Arab leaders' mistaken conviction that they will attain their goals by attack, by ambush and by onslaught upon peaceful citizens. Yet, these acts of destruction and of poisonous ill will have not arrested, even for a day, the economic, scientific and cultural development of our country. Indeed, constructive activity within the land and for the land has grown mightily since those six days in 1967 and the great awakening that followed them among Jews everywhere. Creative forces long stored within us have been released, opening new horizons for our future.

At this time, the Great Powers are conducting discussions about our fate. These are, for us, days of new trials, our foes having determined to inflame our borders and make peace even more inaccessible. We will continue to defend ourselves, never ceasing to wield our tools of creative work. Nor should we weaken in our faith that a time of cooperation and fruitful mutual understanding will yet come to our region.

Many and difficult are the tests and trials still awaiting us, but they, too, we may be certain, will be endured by our people with inner unity and patience, with a readiness to meet all tests, and with a determination never to return to a life of dependence and humiliation. Now, as always, our people have no more vital, no more sublime aspiration than peace. Now, more than ever, our people are firmly convinced that what our whole region truly needs is peace, a peace that will assure us of security. Any arrangement whatsoever that does not achieve this end is no more than a snare, a prelude to renewed warfare.

As we celebrate this anniversary of Israel's freedom, the hearts of all of us turn in blessing to our pioneers along the border areas, to our defenders throughout the land, to our brothers and sons facing the enemy forces along the length of our frontiers—on the Golan Hills, by the Jordan, the Red Sea and the Canal. In every corner where danger lurks, let the sheltering and protective hand be blessed.

On this festive day, which is a festival for the entire Jewish people, fraternal blessings, steeped in faith and encouragement, go forth to the scattered children of our people throughout the world, whose hopes are our hopes, whose concern is our concern. May they be as firmly united as the nation in the homeland and may they stand with us, close and vigilant, guarding our common future.

Our warmest wishes must be expressed today, too, to the newcomers who have been reaching Israel from many lands. May they be happily absorbed among us and swiftly meet with tranquil days.

This independence day of Israel, a holiday dear to all communities and localities of Israel's citizens, will, we trust, bring the hearts of men and peoples closer to each other. May it bring the land itself nearer to a time of serenity and security, of brotherhood and fruitful labor, freedom and peace.

May the saviour of Israel protect his people and watch over his inheritance.

PELLY SENDS BEST WISHES TO ISRAEL ON HER 21ST ANNIVERSARY

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. PELLY. Mr. Speaker, the people of Israel are bravely attempting to commemorate the 21st anniversary of the founding of their nation under a constant harassment and bombardment from Arab guns.

I must think, however, how much more meaningful this birthday would be, in Israel and throughout the world, could it be celebrated in an atmosphere of peace.

And this peace can only come through direct negotiations between the Israeli and the Arabs, free of outside interference.

The State of Israel now is 21 years old, yet her problems are probably as severe today as at any time in her short history. A solution must be found and found soon. It is my prayer that when

Israel's 22d birthday arrives next year that solution has been found and all the world will be able to join the rejoicing.

Meanwhile, my best wishes go to Israel, her leaders, and her people on this, Israel's 21st anniversary.

IMPLEMENTING A NATIONAL PROGRAM FOR OCEANIC DEVELOPMENT

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. SHIPLEY. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to include the following speech made by Dr. Chalmer G. Kirkbride before the monthly meeting of the American Oceanic Organization on March 20, 1969. I do feel Dr. Kirkbride's remarks will be of great interest to my colleagues. The speech follows:

IMPLEMENTING A NATIONAL PROGRAM FOR OCEANIC DEVELOPMENT

(By Chalmer G. Kirkbride,[1] Chairman, Ocean Science and Technology Advisory Committee of the National Security Industrial Association, presented at the American Oceanic Organization meeting, Washington, D.C., Mar. 20, 1969)

I am happy to have this opportunity to speak to you ladies and gentlemen today for two reasons: First of all, it gives me an opportunity to state publicly that I think the commission's report, "Our Nation and the Sea," is tremendous. I support wholeheartedly the major proposals and recommendations contained in this report. It is interesting to observe that this commission was not elected. It had no constituents to whom each member had to account. It was appointed by the President to do a job that it did.

I had the pleasure of serving as a consultant to the panel on industry and private investment, and to the panel on marine engineering and technology. I observed how the men on these panels worked. They were dedicated to doing a job that in their judgment was for the best interests of the United States of America.

I will cite an incident to show you just how dedicated these commisisoners were. The National Petroleum Council was requested by the Secretary of Interior to give its recommendations with regard to redefinition of the continental shelf. The NPC recommended that the "status quo" be maintained, but at the meeting of NPC when the report to the Secretary of Interior was presented for adoption, there was one man who had the courage to vote against all the others. He was convinced that his colleagues in NPC were wrong. He tried to persuade them not to make the recommendations they did. He is a very persuasive person but he was unsuccessful in changing the minds of his associates.

This man is a director of Standard Oil Company (Indiana) and he was also one of the 15 commissioners. His name? Jacob Blaustein. He had the courage to stand up for what he believed to be in the best interests of the U.S.A.

I have used this incident only as an example. Each commissioner I had the pleasure of knowing was equally dedicated. Their excellent report reflects this in every respect.

The second reason I am happy to address you at this time is that I understand there are a number of you who represent the trade press. So I want to direct my remarks today toward a very important part of the commission's report that has been badly misunderstood by most of the popular press. Of course I am sure that none of you members of the trade press present today are guilty of this misunderstanding. Perhaps I can count on you to help get your misinformed colleagues, "on the beam."

The commission directed its recommendations toward a *national oceanic program, not a Federal oceanic program.* Time and again I have seen statements in the press and heard over the radio and television that the commission recommended a "wet NASA." Nothing could be further from the truth. The commission went to great lengths in its recommendations to avoid proposing a "wet NASA."

I want to make certain that you understand the distinction between a "wet NASA" and what the commission really recommended.

NASA was a creation of the Federal Government to carry out the Nation's exploration of space. NASA has been spending annually in the past several years in excess of $6 billion. Tremendous industrial growth has taken place as a result, but essentially all of this private industrial growth has occurred as a result of direct or indirect contractual relationships with NASA. NASA gets its money by appropriation from Congress and you know where Congress gets the money it appropriates. In other words, the Federal Government has financed all the work of NASA, including that of its private industrial satellites who supply NASA with services and hardware.

Now this is a long way from what has been taking place in oceanic development in the U.S.A. to date. Furthermore, it is a long way from what the commission recommended for the future. The commission recommended a *national oceanic program, not a Federal program.* To have a national program we must have the Federal Government working in cooperation with private enterprise, with regions and States, and with the academic community.

In the case of NASA, the Federal Government has appropriated from tax money the funds needed to explore space. But in the case of the oceans most of the money has come from the free enterprise sector and has come out of profits. This is a distinction of paramount importance. As a matter of fact, the petroleum industry alone in the past several years has contributed far more annually to the U.S. treasury, just from its oceanic operations, than the Federal Government has spent on oceanic development, excluding defense.

The petroleum industry in 1968 paid $1.6 billion into the U.S. Treasury from its offshore leases. Furthermore this figure does not include corporate income taxes. In addition to this, the offshore petroleum industry has invested several billion dollars in fixed assets in order to carry out these offshore operations. Compare this with the recommendation of the commission that the Federal Government increase its spending for the next 10 years by an average of $800 million annually over the present $500 million rate, excluding defense efforts. Even at this increased level future Government expenditures will still be substantially less than those of the offshore petroleum industry.

The petroleum industry is the leader in the free enterprise sector, but expenditures by such industries as food, maritime, recreation, chemical and mining are also substantial. You can see then that the Federal Government is indeed a distant second when compared with the total annual expenditures by the entire free enterprise sector. The Federal Government will continue to be a distant second even with the implementation by Congress of the recommendations of the Commission. Remember, that expenditures by the private sector are possible only because industry is willing to invest out of today's land-based profits in expectation of future offshore profits.

Hence the Commission wisely recognized that in a truly national oceanic program industry would be a crucial segment. The Federal Government must recognize the vital roles of the free enterprise sector, of the States and regions, and of the academic community. A national program must have built into it organizational arrangements for obtaining information and advice from the entire marine community. Account must be taken of the accumulated knowledge and expertise from all these segments. National goals and objectives must be established with due regard to the commitments, capabilities, and long-range interests of each of these important contributors to oceanic development. Also a course for federally funded activities must be charted that will not hinder or duplicate effort by nongovernmental sources. Finally, leadership and stimuli must be provided for continued, and hopefully expanded, efforts by the private sector. We as a nation cannot afford the investment needed to attain the full potential of oceanic development within a reasonable time period unless Federal policy establishes and maintains an environment that will encourage economically sound developmental efforts by all these private segments of the marine community, working cooperatively with Federal programs. An atmosphere which permits the free enterprise system to make a fair profit must be maintained if we are to have a successful national oceanic program.

The Commission has provided for this truly national approach by recommending the formation of the National Advisory Committee for the Oceans (NACO).[2] In my opinion, this is the most important recommendation made by the Commission because this is a prerequisite for a truly national oceanic program. Despite its importance, this recommendation unfortunately has been overlooked by most of the press, and where it has been mentioned, its importance has not been emphasized sufficiently.

The members of NACO would be appointed by the President, with the advice and consent of the Senate. These members, approximately 15 in number, would come from industry, various State agencies, the academic community, and other appropriate areas and should be representative of the Nation's varied marine and environmental interests. This committee would have broad advisory responsibilities. In addition, each of the principal Federal agencies concerned with marine and atmospheric matters would designate a senior policy official to participate as an observer in the deliberations of the committee. This arrangement would permit the committee to draw readily on the expert information and views of the Federal agencies.

In my opinion a majority of the NACO members should have extensive successful industrial experience and should be drawn primarily from the users of the sea, such as those engaged in the transportation, petroleum, fishing, mining, chemical, desalination, and recreation industries. Industries supplying hardware and services should also be represented.

Too frequently in the past, such appointments to Federal committees have tended to include an overbalanced representation from the academic community. I hasten to say that I have no objection to college professors. As a matter of fact, I was one myself 22 years ago. Colleges and academic institutions have *not* taken the lead, however, in pointing the way to exploitation of the oceans. They are *not* doing most of the research in this field. Furthermore, they are far behind the free enterprise sector in technological developments in oceanic fields. Industry is far ahead of the academic sector in the number of qualified men it has available to lead the way to successful exploitation of the oceans, and it is far better informed on the problems that are important to exploitation of the oceans. Industry is far better informed on what new technologies are needed for a successful national oceanic program.

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[1] Also, vice president for Research & Engineering of Sun Oil Company, Philadelphia, Pennsylvlania. The remarks of Dr. Kirkbride represent his own views and not necessarily those of OSTAC or Sun Oil Company.

[2] This was recommended by the Commission by OSTAC/NSIA, and as chairman of OSTAC, I am happy that the Commission saw fit to make this their recommendation.

I will admit that I am biased, but I am strongly convinced that the great majority of the members of NACO had better be thoroughly experienced in the free enterprise programs for exploitation of the sea. Otherwise, the chances are that NACO will be a miserable failure, and if NACO fails the proposed national oceanic program also will fail.

The commission recommended that NACO advise the head of a new agency to be created which I shall discuss later; but very significantly, NACO would also report to the President and to the Congress on the progress of both governmental and private oceanic programs in achieving the objectives of the national oceanic program. Such a report would be furnished biennially and made public. NACO would offer guidance and recommendations on long-range goals and on means for achieving them and would seek to insure that optimum use is made of the capabilities and contributions that can be furnished by all sectors.

Note, however, that NACO would be an "advisory" committee. Offering good advice does not guarantee a Federal role which will stimulate a truly national program for effective use of the seas—particularly not when our nonmilitary Federal programs are presently fragmented among so many different departments and independent agencies. The commission has therefore also recommended quite properly, in my opinion, the creation within the Federal Government of a strong independent civil agency with adequate authority and adequate resources to organize and conduct appropriate nonmilitary governmental programs to stimulate a strong national oceanic program responsive to the needs of all segments of the marine community. Specifically, the Commission recommended a National Oceanic and Atmospheric Agency (NOAA) reporting directly to the President. It would bring together the U.S. Coast Guard, the Environmental Science Services Administration, the Bureau of Commercial Fisheries and the national sea grant program plus certain other smaller oceanic-oriented Government organizations. NOAA is the agency to which I referred earlier. By giving this agency sufficient size it will be able to undertake successfully the Federal civilian oceanic responsibilities encompassing science, services and fundamental or multi-purpose technology development.

As mentioned earlier, the National Advisory Committee for the Oceans would furnish advice and counsel to the Director of NOAA. As a result of the recommended consolidation of much of our Federal oceanic activities, NOAA would be able to direct effectively a substantial portion of our nonmilitary efforts as required by the agreed-upon national program. In addition, as the Commission points out, a major benefit of establishing a strong operating marine affairs agency would be the opportunity to assign the head of NOAA the responsibility for interagency planning and coordination. This would be done at the direction of the President. This means that the Director of NOAA would have a second responsibility; namely, chairman of the newly constituted interagency mechanism. Agencies with marine interests that are outside of NOAA, such as Interior, AEC, Smithsonian Institution, NASA, Army Corps of Engineers, yes and the unclassified Navy programs would also be included. This additional assignment to the Director of NOAA would be completely consistent with the broad mission of NOAA. Unfortunately, this dual responsibility of the head of NOAA has also been largely overlooked by the press.

One more item of interest: The major result of this arrangement is that advice by NACO to the head of NOAA would in effect be advice to all Federal organizations with marine activities. Thus, through the organizational relationship of NACO, NOAA and the interagency mechanism, we could do much to insure sound national planning and program direction.

It is neither timely nor appropriate to take this occasion to discuss the pros and cons of the proposed consolidation of Federal effort. Certainly strong objections can be expected from certain quarters, just as there will be objections to various recommendations of the commission in other areas. I sincerely hope, however, that we do not let these specific objections cloud the main issue, for problem areas can better be resolved one by one as we proceed toward our main objective.

Let us realize that we need a truly national program for effective use of the seas—one that involves and is responsive to the needs of private enterprise, States and regions, and the academic community, as well as to various Federal bodies. Let us agree, also, that the Federal role should be one of leadership and stimulation, providing an environment for maximum involvement of private enterprise in economically justifiable oceanic programs. Unless this is achieved, our exploitation of the oceans will fall far short of what is possible. Most of the money for exploitation of the oceans must be generated from profits—not from taxes. Otherwise the national oceanic program will be a failure. This is in sharp contrast to our exploration of space through NASA. It is true that the Federal oceanic program will be financed out of taxes. Even so, I would consider that the national oceanic program has fallen far short of what it should achieve if the taxes paid by industry derived from its oceanic program do not exceed the amount spent by the Federal Government on its oceanic program.

Thus, to provide the proper background and guidance for the decisions necessary to achieve the goal of a national oceanic program, the Commission recognized the need for and recommended the creation of the National Advisory Committee for the Oceans. The success of a national oceanic program will be directly dependent upon just how well NACO performs its responsibilities. To achieve a truly national oceanic program will be difficult at best, because the free enterprise sector must be induced, not coerced, to cooperate. This can be done effectively only by establishing an atmosphere that provides the necessary profit incentives. It cannot be done by demanding and directing through legislation the wholehearted cooperation of the free enterprise sector. Remember, industry is by far the largest of the four sectors that must work together cooperatively to achieve a successful national program.

The creation of NACO and NOAA simultaneously is the essential beginning for Congress in implementing the recommendations of the Commission. There are some recommendations that could be delayed such as the one pertaining to redefinition of the continental shelf. Debate on such recommendations should not be permitted to hold up the implementation of other essential proposals.

The first step is the simultaneous creation of NACO and NOAA. Then the national oceanic program can get underway promptly.

Thank you.

QUESTIONS AND ANSWERS

(NOTE.—The following questions and answers are provided for the record in conjunction with written remarks, "Implementing A National Program For Oceanic Development," presented by Dr. Chalmer G. Kirkbride on March 20, 1969, at the American Oceanic Organization luncheon. The answers represent the views of Dr. Kirkbride and may not necessarily be in agreement with the views of OSTAC or Sun Oil Company.)

1. *Question:* The Vice President of the United States referred to NOAA as a "Wet NASA" in a recent speech before the AMA in New York City. The popular Press reported his remarks accurately. Don't you think the top Government officials need as much education as the Press?

Answer: I wonder if what the Vice President did might be a result of the Press incorrectly reporting that the Commission recommended a "Wet NASA"? The use of this term is misleading, as its meaning is ambiguous and depends upon the context in which it is used. The Commission cited the need for agency consolidation to provide a focal point in the Federal Government for marine affairs (NOAA). This function might be construed as being analogous to NASA, which is the focal point for Federal space endeavors. However, as I pointed out in my prepared remarks, the Commission went to great lengths to explain the factors which are different in the case of the oceans, thereby sharply differentiating NOAA from NASA. Two of the most important differences are the source of funding and the amount of participation outside and independent of the Federal Government. For example, the cost of the civilian space effort is financed 100% by the Federal Government (NASA), whereas the civilian oceanographic effort is financed predominately out of profits from the private sector vis-a-vis taxes collected by the Federal Government.

2. *Question:* The Commission recommended that NACO be administratively attached to NOAA. In your opinion, does this mean that NACO would be subservient to NOAA? For example, would NACO's staff be appointed by NOAA?

Answer: Even though NACO is administratively attached to NOAA, the budgets, as well as the staffs, of the two organizations should be separate. Hence, as I see it, and I am no expert on Federal bureaucratic matters, the provision for administration attachment does not mean that NACO would be subservient to NOAA. NACO could have been placed, for example, in the Executive Office of the President. However, as you well know, there is great pressure to keep this office as small as possible. On the other hand, I doubt that an independent status would be wise because NACO is inherently too small to be unattached. Sooner or later the chances are that it would be "shot down in political flames." In a sense, NACO needs a home. I suspect the Commission concluded that on balance, it would be best administratively to attach it to NOAA. One could argue that by so doing, both organizations would be able to do their job better and more economically. Furthermore, the head of NOAA will need the advice and guidance that NACO can provide.

3. *Question:* Washington is full of Advisory Committees. How can we best assure that NACO, if established, does not become a "powerless" committee?

Answer: The Commission recommended that the members be selected by the President with the advice and consent of the Senate. This in itself would do much to assure top flight people. In addition, the specific recommendation that NACO submit biennial public reports to the President and to the Congress on the overall assessment of the state of the Nation's marine and atmospheric effort does much to assure that their advice will have a strong impact, thereby giving considerable "muscle" to the committee.

4. *Question:* Why is it preferable to have an Advisory Committee (NACO) which is statutorily established, i.e., why shouldn't the Head of NOAA be permitted to choose his own advisory committee to serve at his discretion?

Answer: While NACO is supposed to advise the Head of NOAA, it is not a committee solely for the Head of NOAA. It is also being asked to report to the President and to the Congress on the progress and programs of the Federal Government, state and local governments, industry and the academic community. By having NACO statutorily created and appointed by the President, the advisers are not subservient to the doers, thereby satisfying the primary requisite of independent advice.

5. *Question:* You stress the need for *simultaneous* establishment of NOAA and NACO. Do you see any advantage in first creating a NACO—through an Executive Act—which could be functioning while Congress is working out the details of NOAA? Do you think there is danger that Congress would decide that's enough—establishing NACO—and then drag their feet or do nothing about creating NOAA?

Answer: At first I thought NACO might be created without NOAA and report directly to the Executive Office of the President with no danger of its being ineffectuated. But after hearing the arguments of George Reedy, I am now of the opinion that it would be best if both were established simultaneously. There are dangers which must be considered if NACO is set up first, as you suggested. It is possible that NACO operating without NOAA might be much less effective than hoped for. This might lead to disillusionment and eventually destruction of NACO. In essence, NACO and NOAA complement each other and, while either might be able to perform independently, the needed effort is possible only if both exist.

6. *Question:* Regarding financing, do you favor a measure such as last year's Willis Bill to use oil lease revenues for oceanographic research?

Answer: I am certainly not an expert on the Willis Bill or Internal Federal Government monetary operations. I am not qualified to answer your question.

7. *Question:* Many people feel that most of the additional money going into oceanographic activities might be used for Federal empire building. How can we best minimize this possibility and also assure that it will be applied to solving some of the specific problems necessary to lower the cost of oceanic operations?

Answer: The Commission report pointed this out in many ways. The initial step, of course, should be to make maximum use of what capabilities we already possess and integrate them into a recognized national program through the establishment of NOAA and NACO. Several of the Commission's recommendations will have the effect of minimizing empire building. In the Federal sector, NOAA will consist primarily of the consolidation of *existing* agencies. The competence and facilities of those agencies not included in NOAA, such as the Navy, Army Corps of Engineers, etc., will be tapped through the Federal interagency coordinating mechanism chaired by the Director of NOAA. In addition, the existence of NACO should do much to insure that the competence and facilities already existing in the private sector and states will be utilized by serving as a natural check on empire building. Finally, the Commission recommended vigorous new programs in multipurpose or fundamental technology and national projects geared primarily to lowering the costs of oceanic operations.

8. *Question:* In reference to your remarks on the academic community, in what way *does* and *can* this group contribute to the national marine science effort?

Answer: The academic community, in addition to training the manpower required, performs many very important services. Fundamental studies of the ocean, its contents, the atmosphere above it, and the sea floor are being performed to help understand such items as the history of our planet, the origin of hurricanes, environmental prediction, and the correlation of fish behavior with the environment. Academic studies of the numerous estuaries is already an extremely important activity, especially the effect on ecology by man-made changes due to pollution, landfills, and dredging.

I feel that they have brilliant opportunities for future service. Let me cite only one example. Recently, the Chesapeake and Delaware Canal was deepened and widened. I doubt that any thought in depth was given by the Corps of Engineers to what the impact of this might have on the ecological conditions of the Chesapeake Bay. The changes in this Canal have effected a flow rate of fresh water from the Chesapeake Bay to the Delaware Bay of approximately 400% of what it was before deepening and widening. This new flow rate is such that during a substantial part of the year all of the water from the Susquehanna River and a large part of the water from the Potomac River flows from the Chesapeake Bay to the Delaware Bay. The full effects of this are not yet known. The resultant increase in the volume of water flowing through the Canal could have disastrous results. A greater knowledge of science pertaining to Chesapeake Bay probably would have provided the information to predict this end result. So without the necessary data, decisions were made in ignorance that we may later regret.

Consideration has been given and is still being given to taking water from the Susquehanna River for use in other parts of Maryland, Pennsylvania, and Delaware. I am afraid that what has been done to the Chesapeake and Delaware Canal has made this water no longer available, unless a complete reverse in direction of flow of water in the Chesapeake Bay is acceptable.

The normal flushing actions in the important estuaries of the Nation and their ecological impacts offer fascinating possibilities for research by competent people in the academic community.

9. *Question*: In your prepared remarks, you spoke about the NACO functions and the desired distribution of its members. However, a critical element of NACO is its leadership. Do you have any recommendations you would like to make concerning how this leadership can be made most effective?

Answer: The National Petroleum Council, which is an advisory committee to the Department of Interior, has a chairman who is the Secretary of Interior and a co-chairman who is an NPC industry member. Using this analogy with respect to NACO, if the Federal representatives were made full members of NACO, it is conceivable that the Vice President could be appointed as the NACO Chairman, with an industry member as Co-chairman. If, on the other hand, the Federal members were designated as observers on NACO, as the Commission recommended, then it would be preferable to have an industry member as Chairman because of the major role of industry in ocean development. In addition, I feel the Chairman should also be a full time employee in view of the tremendous importance and number of duties he would be called upon to discharge. I believe a high level member of industry could be induced to come to Washington for several years similar to other Presidentially appointed officials. I would hope that he would be a strong person, with considerable practical experience in an ocean-oriented user industry.

10. *Question:* Why is it necessary that the unclassified portions of the Navy Programs come under the purview of NOAA?

Answer: This point has been misunderstood and needs further clarification. The Commission did not recommend inclusion of the unclassified Navy Programs in NOAA. It was the Commission's intent that the *Director* of NOAA, wearing a second hat, would assume responsibility for interagency planning and coordination. This would be analogous to a prior arrangement in which the Assistant Secretary of Navy (R&D) was assigned by the President a second responsibility as Chairman of the former Interagency Committee on Oceanography (ICO). Thus, there is ample precedent for this type of role; also note that NOAA, the *agency*, is not the coordinator. Before we can have an effective national program, we must have a mechanism for coordinating and planning *all* Federal agencies with ocean activities. By having the unclassified portions of the Navy included in the interagency mechanism, we do much to assure that the nation can take advantage of the vast competence of the Navy. In fact, right now and for the foreseeable future, the Navy's programs are so large that they overshadow all other Federal effort, and to omit them would be unrealistic. Since the effort under consideration is essentially a civilian effort, it makes sense to vest the interagency chairmanship in the head of NOAA.

11. *Question:* You make a strong case for a National program. What are your thoughts on a similarly strong International program?

Answer: There have been many worthwhile international collaborative efforts in the past such as the Indian Ocean Expedition. However, I strongly believe that we should get our own house in order prior to becoming too involved in the international arena. Without the implementation of certain recommendations of the Commission, we will not have the information and capabilities to make wise commitments; but we can be most effective by building upon a strong national base. This, of course, strengthens the need for early action by Congress on NACO and NOAA.

12. *Question:* In citing the lone voice of one of the Commissioners who is also a member of the National Petroleum Council, I feel you inferred that members of the Council were not equally concerned with the national interests of their country. Isn't this issue only a difference of honest opinion by responsible, dedicated men as to what is in the best interest of their nation?

Answer: Apparently this is a more sensitive point than I had realized. My intention was to give a factual accounting of an incident which shows clearly the independent thinking and very serious approach made by the Commissioners. I want to correct my interrogator to the effect that I did not infer that the other members of the Council were not equally concerned with the national interests of the USA. I am sure they are. Furthermore, my reference to one of the Commissioners was not intended to convey any negative feeling about the position of the National Petroleum Council on the seaward definition of the Continental Shelf.

13. *Question:* What did the oil industry spend all its oceanic research funds on—scientific research or seeking out and drilling for oil?

Answer: This problem is not nearly as simple as the question implies. The petroleum industry did not just step out into the ocean and do the things they had been doing on land. Those very costly ventures into the ocean did not occur without being very thoroughly researched and developed prior to the venture. The petroleum industry spends large sums of money on applied research which is proprietary. They do this in the hope of competitive advantage. Some of the programs are so large and extensive that many companies join together in cooperative efforts. They support research and development work on such problems as structural design, materials, ice breakers, hurricane prediction, wave height measurement and prediction, underwater vessels, underwater welding, etc. An even greater amount is spent on research and development pertinent to underwater transportation, exploration and drilling for oil since these operations represent some of the important needs for new technology. There are no official statistics on the division of effort in each of these areas since the figures are proprietary, but if you are at all familiar with the problems with which the petroleum industry is faced, you can identify important needs for new technology and fields of research and development in which the industry is actively working. As a matter of fact, some of the aerospace companies are also actively working on these problems.

14. *Question:* The petroleum industry is all for private enterprise, yet has one of the ~~biggest tax~~ subsidies under the special deple~~tion allo~~wance guise. So, in all candidness, aren't you unfair in your implied criticism of other industry subsidies such as the NASA programs?

Answer: My intention was to point out the differences between space exploration and ocean exploration. Contrary to your statement, I have no criticism of the way NASA was financed. Frankly, I doubt if it could have been done differently. No profitable enterprises have yet been discovered in space, and so the operations of NASA have been 100% tax supported. In contrast, there are many private industrial operations in the ocean which were justified only on the basis of anticipated profit. These operations have resulted in much productive research, development, and exploration.

The subject of mineral depletion allowance is quite foreign to the subject of my address. I am no expert on it and I judge from your statement that you, too, are not well informed. Hence, I would like to refer you to a factual speech by former Representative A. Sydney Herlong, Jr. (Florida) entitled, "Percentage Depletion: Loophole or Equity?", which was printed in the Congressional Record of August 31, 1967, just prior to his retirement from Congress. Representative Herlong was a member of the House Ways and Means Committee for many years and as such had ample opportunity to become expert on the subject.

The mineral depletion allowance is not limited to the petroleum industry as you imply. It is applied to over 100 minerals produced in the United States. Petroleum is only one of them. Nor is the mineral depletion allowance a subsidy any more than filing joint income tax returns vis-a-vis individual returns. People will not invest money in tools of production in the petroleum industry unless the return on this investment is competitive with similar investments they could make in other industries. A review of the facts shows clearly that the stockholders of the petroleum industry realize a return on their equity less than the *average* of all manufacturing industries. So if the petroleum industry were getting a subsidy of any kind, it is not showing up in an unduly high rate of return to the stockholders on the money they have invested in the business. If petroleum were eliminated from the list of minerals receiving depletion allowance prices of gasoline and other petroleum products would have to go up correspondingly. This would be necessary so that the return on stockholders' equity in the petroleum industry would be competitive with returns on investments in other industries. The prices might have to go so high that it would result in the liquidation of the domestic petroleum industry. This certainly would not be for the best interest of the Nation.

15. *Question:* Why do you emphasize the point that the industrial membership of NACO should be predominantly from the resource industries rather than just industry in general?

Answer: I emphasize this point because I believe that it is the user industries who are the major source of the requirements for ocean development. These are the industries whose operations dictate technology and hardware needs. An overemphasis of hardware and service industry representation might tend to encourage programs for programs sake, rather than profitable programs leading to the orderly exploitation of the oceans. As I stated in my prepared remarks, there is, of course, a need for representation on NACO by supplier and service industries in order to assure a useful interchange between those who generate the requirements and those who have acquired the competence in hardware development and services. I make these statements realizing that an increasing number of resource companies, such as in the petroleum industry, are beginning to engage in hardware production while some hardware and service companies are increasingly becoming involved in resource development.

THE JOB CORPS

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. BROCK. Mr. Speaker, a great deal has been said and written about the Job Corps, and the Nixon administration's proposals aimed at overhauling it. Understandably, there is concern that such a serious reorganization may mean drastic changes in the nature of the corps.

To put the picture in its proper perspective, I would like to provide a few facts on how and why the administration intends to overhaul the Job Corps.

To begin with, any program that loses 65 percent of its enrollees before graduation, 40 percent of its enrollees within 90 days, and most of its enrollees within 6 months, is obviously not functioning in an efficient, productive manner. It is of benefit neither to those disadvantaged so in need of productive training and income, nor to the longsuffering, hardworking taxpayer who must bear an ever-increasing burden.

Thus, the Labor Department has devised a plan which corrects inherent weaknesses in the Job Corps, and bolsters the positive points in the program. This plan links Job Corps training with other available manpower training services so that youths participating have the full benefit of existing training programs.

Instead of emphasizing the "nature camp" atmosphere of some past Job Corps facilities located far from the enrollees' homes and incapable of training them for useful employment skills in urban America, the reformed program focuses on the real social and economic needs of the individual enrollees. Better service, superior training, and closer links with home communities are all emphasized.

The plan also makes special provision for training youths from sparsely settled areas. Special centers with comprehensive training and support services are provided for them.

In other words, in cases where the Labor Department and other agencies do not have facilities for special needs, the area centers, coupled with the 32 remaining conservation centers, will provide whatever is necessary.

I believe that this is a positive and well-thought-out improvement of the Job Corps, not a diminution of its services or effectiveness. I would urge every Member of this body who is concerned with really helping disadvantaged youth, as opposed to making a political issue of it, to support the President in his efforts to make the Job Corps a more effective weapon against poverty.

PATRIOTISM

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, many of our adult citizens could learn a great deal from Miss Sharon Elaine Pearson, editor of Windscript, the Pioneer Valley Academy school paper. Miss Pearson is the daughter of Mr. and Mrs. Ronald Pearson, of 77 Spruce Street, North Attleboro, Mass. She is salutatorian of her class and will attend Atlantic Union College, South Lancaster, Mass., this fall.

I know that my colleagues will share my interest in the following editorial, entitled "Patriotism," which was written by Sharon Pearson:

PATRIOTISM

What is a patriot? Webster's Dictionary describes it as one who is devoted to his country. Whenever we think of patriotism it seems we think of the people during the War of Independence. At this time of the year George Washington and Abraham Lincoln come to our minds. Why were they so patriotic?

Let's look at George Washington. He was 100 per cent devoted to his country and became the first president because of it. He knew that in order to have a strong country we must be united. To be united we need one man over us. God, of course was the first Man, but there needed to be a human to be between God and us. Washington filled the position and we still realize our need for a president.

Abraham Lincoln was devoted to his country 100 per cent also. When he was elected he was already told that if he freed the slaves there would be war. But he knew that the right thing was to free the slaves so he wrote "The Emancipation Proclamation."

What does it take to be a patriot today? How can one be devoted to his country? And where does God fit in? A patriot is one who follows the rules set up by the government. He faces the draft board with a smile, and when he receives his card he doesn't tear it up. A patriot does his best in whatever he is asked to do—whether it be die for his country in Viet Nam or serve as President.

But then the question may arise—what if I'm told to do something that my conscience disagrees with? No matter how devoted you are to your country, you aren't 100 per cent unless you let God lead in your decisions. God knows what is best for our country.

There is no reason for the riots and disturbances that take place. You can't be patriotic and be guilty of treason at the same time.

I think in my definition of patriotism I would add a phrase. A patriot is one who is devoted to his country to help it achieve the best that is possible for it with God's help.

SDS PLAN A SUMMER WORK-IN

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. LUKENS. Mr. Speaker, in the past I have spoken out loudly and strongly against the subversive programs of the Students for a Democratic Society—SDS—a group which has contributed largely to the increased disorder on our college campuses. A recent publication of the Illinois Manufacturers Association discloses SDS plans for a student summer work-in. It appears that this group has decided to extend their activity to the "workers" in a clear-cut attempt to disrupt the normal order of our Nation's businesses and factories. I respectfully submit the description of the SDS plan to alert my colleagues to the potential chaos posed by SDS to the Nation by this summer work-in.

STUDENTS FOR A DEMOCRATIC SOCIETY PLAN SUMMER WORK-IN AT MANUFACTURING PLANTS

Student concern about poverty, poor education, the war, etc. has grown considerably on college campuses around the country. The desire to make meaningful changes can be seen in the growth of such programs as Free Universities, Tutorial programs, anti-draft unions, and the like. Students have won many small victories. But nevertheless, students are isolated. We have ignored the largest section of the population: the workers.

As intellectual students who seek certain social changes we must begin to ally ourselves with the workers. We should not and cannot remain in our "ivory tower."

In order for any student-worker alliance to come into existence, we must face squarely the misconceptions we may have regarding worker apathy. With the current strike levels higher than since the depression we see clearly that the workers are not apathetic. The Workers ARE on the move.

S.D.S. is planning a program that will help students get summer jobs in an attempt to break down the barriers that are keeping students isolated. Students involved in the Summer Work-In will meet regularly to discuss their on-the-job experiences; contradictions they may face, how to speak to certain issues, conclusions drawn from their experiences with workers. The student Summer Work-In is an opportunity for students to learn from workers.

I. HOW TO RESEARCH JOBS IN YOUR AREA

Manufacturing—A Directory of Manufacturers (from the library or Chamber of Commerce) lists plants, number employed, and sometimes a breakdown as to male an female employees.

Transportation, utilities, hospitals—Consult phone book or ask librarian for any other directories. Also try union hiring halls.

II. WHAT JOBS TO LOOK FOR

Job-seekers should try to get hired in places that have several hundred workers. Reasons for this include: a) if we want to distribute literature, the potential is greater, b) the larger the company, the better chance of a basic union, that the workers will have a sense of organization (even if the union is a sellout one), that there will be a tie-in to workers nationally, c) in large plants in national unions there is a better chance that workers will become part of (and have a history of) mass strike movements, rebellions against sellout leadership, conflict with the gov. due to "national interest" injunctions, which might create the basis for greater mutual exchange about questions relating to opposition to gov. policies, d) the larger the company the likelier the existence of masses of unskilled jobs which we can fill, especially as replacements for workers taking vacations. If at all possible, choose a plant in the area of your school, to facilitate the possibility of worker-student alliances later on.

If you are white, select a plant where the majority are white. While Black workers might be thought of as more politically conscious, what we are trying to do is to reach white workers on the questions of the war and racism, to name but two areas. If Black, a student should get a job with Black workers; women should give special consideration to jobs where many women are employed (such as electrical industry, department stores, phone).

III. HOW TO GET A JOB

Some places hire students specifically for the summer as replacement for workers on vacations (altho usually bosses try to get by with not filling in, unless the union contract has specific stipulations and they are enforced). Most won't hire a student, and in most cases it would be best not to mention you are a student (unless you have sounded out the situation before hand by sending someone who doesn't really want the job to ask questions, etc.). If you can't say you're a student, you will have to come in as a high-school graduate with a "former place of employment" for the past 1–4 years. Talk about this with your group beforehand to work things out. In most cases indicate that whatever you did on your previous job involved some kind of manual work. You're not afraid of real work, is the idea to get across.

Be familiar, with whatever type of transportation will get you to work or say you "have a friend who works nearby". Some places won't hire you if they think you are a potential late-comer.

Draft status may be a problem, since 1–Y or even 4–F applicants are usually turned down, and 2–S immediately reveals your student status. Try not to mention it and use your wits if they do.

If you use a "background" story make sure your former boss knows about it, and make sure you were "laid off" due to slow business, etc. and not fired. Choose a salary approximate to the job for which you are applying or a little less and make sure your former boss knows this too.

If you take an aptitude test, don't show off. On a time test, answer about half the questions or they may be suspicious and want to use you in the "front office". Sometimes it is hard to judge, and if possible it is good for someone to test out the situation for you.

If you have any physical defects which can't be detected from a normal physical exam, don't mention them. Companies are wary of hiring someone with previous injuries which could be re-injured, creating the basis for a suit.

You should be at your first place looking at around 8:30 or 9:00, and don't go to your last place any later than noon. Otherwise they'll think you never get up till noon. Generally, don't wear a suit, but don't dress like a slob or a hippy. Sports jacket/dress with low heels usually will do.

If you have to sign a "non-communist" or "non-subversive" statement, you can do so without breaking any law unless the company is doing govt. work (this would be stated). Discuss this with the group if you are unclear.

Be straightforward, use simple language and attitude, not $20 words. Don't volunteer information, just answer what is asked.

IV. WHAT TO EXPECT ON THE JOB

Don't start sounding off the first day on the job, or even the first week. Work, learn your job and don't goof off on someone else's back, but if the workers are taking a break or goofing, go ahead (unless it will cost the job, which the others will understand). Although we're here for a short time and can't expect miracles in three months, we don't have to wait as long as we might (if it were a permanent job) to "open up" on political questions. Learn from the workers, about the work, job, history of the plant, their attitudes on every question. Listen, and participate in bull sessions. You might find out who the finks are.

Don't be shocked by the racist remarks of the white workers, by confused political impressions, pro-war talk, "keeping-up-with-the-Joneses" talk. If the workers understood racism, the war, middle class morality, capitalist manipulation, etc., things would not be the way they are. Do let them know you're a student as soon as possible without risking the job. You can't be honest with the workers until they know. Altho some workers think students are snobs (some are), they also respect education and want their kids to go to college. Your job is to bring across the *identity of interests* between students and workers. Without workers there would be no universities, they create the wealth, and have the power. Without them, no basic changes can happen in the system, etc.

But we are there with a specific purpose—to talk about political issues even the student movement, since we will have a chance to "change our image" from what the press has said about us. Talking about racism among white workers is no easy thing, to point out how the boss uses race, union, sex, craft, nationality, etc. to separate workers; it is easier to sit on them if they are divided, etc. The illusions created by the coming elections will be hard to combat. We can't expect wild things in three months, but we can begin to question, to point out relationships they might not have thought about or might be afraid to express out loud, and we can begin to learn how to express these ideas without being presumptuous or arrogant. Try talking to receptive individuals; don't start by using a lunchroom for a "soap box oration." Discuss the use of literature, when to use, what kind.

Try to make a few friends to last beyond the summer, and try to get their addresses and phone numbers before you leave the job. Otherwise, it might be hard to contact them again. Concentrate on making new friends, even join a bowling team, etc.

Don't talk to workers like you know everything and they know nothing. First of all, it's not true (probably the reverse). Even if you do know more about the specifics of the Geneva Agreements or statistics on Black Oppression, that doesn't mean that by making a speech you'll get the facts across. Be patient; make it an *exchange* of experience, not a one-way affair. We will all make mistakes; don't give up! Discuss things with the group. The workers were all rookies once, but they survived because they had to; they had to eat.

Try to record your experiences by day or week. Just a few notes about relevant events will be invaluable for other people participating in the Work-In, for those next summer and for other publicity such as a regional newsletter or New Left Notes (or any other).

Come to work on time! Lateness is the first cause of being fired in a trial period. Don't start broadside against the union leadership. Listen, ask questions about grievances and perhaps suggest types of fights if you can think of something. But don't feel compelled to give leadership on all questions. One important result of your job may just be an appreciation of what workers are up against in their fight against the boss, the govt. and sellout union leadership. Knowledge of the inplant gripes will help if there is to be follow-up along the lines of work-student alliance when you get back to school. You will be able to relate your leaflets to actual problems inside the gates.

Remember when you start talking about the war, many workers who agree with you will keep quiet, while the supporters will speak out. Don't get into knock-down, drag-out arguments with the latter, rather talk with the ones you're making friends with. Don't get yourself into a position of being 'you against the workers'. Know the facts (the group could compile pertinent bibliographies)! If you talk with workers whose sons are in Viet Nam, be careful. That's an emotional area in which it may be very hard to convince him that your idea of supporting his son is correct. Start by understanding his position of having been brainwashed all these years and seeing his son in danger 'from the other side'. To convince an already convinced student is one thing; to change the mind of this worker will be a task we will have to develop patience and understanding for.

After you are there a month or so, try to pick a few workers who are interested in your ideas and who have friends in the shop, concentrate on individual discussions with the hope of keeping these workers as contact after you leave. Talk about the possibilities of students' offering the workers assistance in any struggle coming up, on picket lines, doing research, etc. Don't necessarily start asking about union meetings. Many times they are suspended during the summer or at any rate many workers don't attend meetings. If there are meetings, go if you are asked to, but with the idea of listening rather than orating.

Since only general things have been covered here, it will be essential to keep in close contact with the group to discuss problems with them. If possible, try to have two students in the same job to compare notes, exchange experiences, and get a broader view of the place. However, if students work together, they should not team up. It will be a constant temptation to stick with the person you know the best, can communicate with easiest, etc. This is not to say that you should ignore each other on the job, just that your primary aim will be to work and communicate with the permanent workers in the plant.

MORTON SEES PRESIDENT'S TAX REFORM MESSAGE AS "IMPORTANT FIRST STEP"

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. MORTON. Mr. Speaker, the proposals for tax reform made to the Congress by President Nixon are important first steps toward bringing our total tax system in line with the needs of the Nation in our time. Complete fairness and equity for all taxpayers are, and must be, the prime considerations in tax reform.

The proposals deal directly and forthrightly with loopholes and tax shelters which are the seed beds of inequity and tax escape for the wealthy. The stage is now set for action by the Congress to enact a law which will distribute a fair share of the burden of government to those who have had the means to avoid it.

For any administration, it takes courage to lock horns with tax reforms. There are built-in political risks and great forces of conflict generated by various economic interests. The message before us, Mr. Speaker, clearly exemplifies the courage and candor of President Nixon in facing the issue.

As a responsible legislative body, we must not consider the proposals in this message as a final package for tax reform. As the President notes, they are a beginning. More intense study is required. Further bold action will be forthcoming from this administration.

Work will have to be done in the area of foundations and exempt organizations. Further study is needed in the area of corporate securities and multiple corporations, accelerated depreciation, stock dividends, farm income, public utilities, and many other areas.

The one-step-at-a-time approach of the administration, and the obvious determination to deal with these matters, to lay it on the line with the Congress and with the American people, for us all sets a point of pride and a feeling of confidence in the Nixon administration.

CONGRESSIONAL PRIORITIES

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, a good deal of discussion has been heard in recent weeks criticizing the supposed lack of Presidential messages and proposals upon which the Congress could work its will. The House has been pictured in press accounts as being unable to proceed with the Nation's business because it had not yet received any guidance from the administration about what is was supposed to do.

If these accounts are to be believed, it would seem to provide additional proof for those who argue that Congress is incapable of doing anything more than reacting to the initiative of the Chief Executive. If we must wait for the firm hand of the President to guide us, then we must indeed face up to our responsibility to reform the Congress, to better equip ourselves to cope with the problems of the Nation, and to resume our rightful place alongside the executive as a coequal branch of the Federal Government.

Our colleague from the Second District of New Hampshire, JIM CLEVELAND, has placed these comments in proper perspective in a newsletter prepared for his constituents. I include it in the RECORD as a reminder to my colleagues that among the first items of business in this session should be the reform and reorganization of the Congress:

[From the office of JAMES C. CLEVELAND, Second Congressional District, N.H.]

My last report observed that although case work and committee meetings have been keeping me busy in Congress, activity on the Floor of the House was so light, that only four votes in the first three months of the session merited reporting.

This observation preceded by only a few days an incredible statement by the Leadership of the House. As reported in *Newsweek* April 21, Speaker McCormack gently but firmly prodded President Nixon "for something, anything, to keep idling Congressional machinery busy." Evidently, the days when Congress was a co-equal branch of government are gone. The "leadership" has become so accustomed to taking orders from the White House it can't shake the habit.

NO BETTER TIME FOR CONGRESSIONAL REFORM

Equally galling is the fact that *Newsweek* failed to even mention the subject of Congressional reform in its report. Many of us in Congress have been arguing for years that reform of Congressional procedures is essential if Congress is to perform its function responsively and responsibly. We have long urged the House Leadership to move on the Legislative Reorganization Act. This bill, which, as a member of the Joint Committee on the Organization of the Congress, I helped draft, passed the Senate in the last Congress by a vote of 75–9 on March 7, 1967, but the House never even considered it.

That bill has been reintroduced and sponsored by more than 125 Republican Congressmen. It would make valuable and needed improvements in Congressional procedures. It would require members to cast votes in Committee in person, and not by proxy as now allowed in many committees, and it would make those crucial votes public. It would broaden the capacity of the minority party to carry out its function of responsible criticism. It would adapt computer techniques to many laborious operations. It would open committee sessions of the House to live coverage by television and radio. It would improve staffing and committee procedures.

Now, while we are waiting for the Administration's programs to be sent over, is the ideal time to set our own Congressional house in order. It ill behooves the Leadership of Congress to snipe at the new Administration when its own affairs are in disorder.

GARY DuCHARME, VICTIM OF NORTH KOREAN AIR ATTACK

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. SCHADEBERG. Mr. Speaker, a young man in my district is listed among those 29 other young men as missing in the Sea of Japan, victims apparently of a ruthless attack on their unarmed aircraft by two North Korean airplanes last week.

I did not know Gary DuCharme personally, but in my district in southern Wisconsin, there were many who did. He was an outstanding athlete at Delavan-Darien High School where he earned eight major athletic letters. He graduated from that school in 1964 and planned to coach other young men in athletics some day.

But Gary honored his military obligation first. I have talked with his parents, Mr. and Mrs. Raymond DuCharme, and some of his former teachers. They tell me he was not a bitter young man about his obligation, but that he assumed it was something he had to do, and he did it.

Gary was to leave the service this year and I understand he had been interviewed for several jobs using the skills he had learned in the Navy. He was married to his former high school sweetheart, Linda, and together they were raising their son, Mike, 2, in Yokohama, Japan.

Gary is the oldest of eight children. His father is a World War II Navy man and Gary's youngest brother, Pat, is to be inducted into the Marine Corps yet this month.

Gary's father tells me that his son volunteered for his assignment that took him near dangerous and unfriendly lands. His work in the Navy is understandably classified and Gary's parents do not know exactly what he was doing when his plane was shot down.

I wonder, Mr. Speaker, how America is so fortunate to have had young men like Gary DuCharme. I wonder if America pays tribute enough to these young men who put aside personal ambition for a period of time, to lend their service to their country.

We hear so much of the others, of the so-called dissident who would turn this country into anarchy. Unfortunately when we hear of those young men like Gary DuCharme, it is all too often cloaked in a message of grief and heartbreak.

BROTHER EMMETT CORRY OF THE CATHOLIC LIBRARY ASSOCIATION OPPOSES BUDGET CUTS IN EDUCATION

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. CAREY. Mr. Speaker, at the Overseas Press Club in New York on Monday, April 21, Brother Emmett Corry, former chairman of the school library supervisors section of the Catholic Library Association stated the position of his organization concerning the announced budget cuts in education.

I ask that the text of his remarks be printed at this point in the RECORD:

STATEMENT BY BROTHER EMMETT CORRY, O.S.F.
CATHOLIC LIBRARY ASSOCIATION

The Catholic Library Association deplores the recent budget cuts in education announced in Washington on April 15th. The Association is particularly concerned about those cuts in library services to the children of the nation through the elimination of Title II of the Elementary and Secondary Education Act which has provided essential books and reading opportunities to all children.

Education experts are unanimous about few things; however, most leaders in education would agree that good educational programs are not possible without up-to-date, quality library books and educational materials. Indeed, the appellation "heart of the school" has often been used when educators refer to the school library. The recently published *Standards for School Media Programs*, jointly sponsored by the Department of Audiovisual Instruction of the National Education Association and the American Association of School Librarians, makes the point that a unified Educational Media Center is the hub of the school.

Since 1966, Title II of ESEA has helped many schools to begin to offer the kind of unified media program that the *Standards* suggest. In the last three years, through the foresight of Congress, this program has loaned much-needed library books and educational aids to school children and their teachers. These loans have bolstered the curricular offerings of the teachers and have been of special help to children in deprived and poor neighborhoods. The lack of books and other enrichment materials in the homes of the poor has been recognized as one of the key factors in the low performance of these children in certain standardized tests and other educational evaluations which are predicated upon middle-class, enriched backgrounds. The elimination of this valuable program, so essential to the educational progress of deprived children, is particularly deplorable.

Another aspect of the elimination of Title II will be the adverse effect it will have on the education of non-public school children. Of all the parts of ESEA, Title II has had the only significant influence on the education of non-public school children. Titles I and III have been of only minimum benefit to these children because of the lack of a Federal by-pass provision. To eliminate Title II will emasculate the whole ESEA program and, more importantly, will effectively exclude non-public school children from the benefits of ESEA.

If Title II was included in the ESEA in 1965 to provide a means of including *all* children in some Federal benefits, its elimination now is particularly unfortunate at the beginning of a new administration.

The wisdom of Congress in originally writing this program into the ESEA package is to be commended. It is hoped that Congress will again see the wisdom of including non-public school children in ESEA and will restore this needed part of the Act. We are confident that Congress will not abandon the commitment it undertook in 1965 to all the nation's children, including the seven million in schools in the private sector.

AIDING POSTAL WORKERS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. ROSENTHAL. Mr. Speaker, when President John F. Kennedy issued Executive Order No. 10988, he took a very important step toward better labor-management relations within the Federal Government. It was particularly important for our postal employees. Under its provisions, the order accepted collective bargaining and union recognition as legitimate elements within the Federal employment structure.

But this order has been found lacking, over the years, in its implementation. For this reason, I am introducing corrective legislation today.

During the intervening years more than 12,000 local agreements have been reached with management in the postal service. The Executive order achieved one of its purposes.

But time marches on. After 7 years, the progress achieved under Executive Order No. 10988 has come to a point of stalemate. Basically, the problem is inherent in the nature of the Executive order. It has no power of law. I am not suggesting that our President is likely to turn the clock back. I am suggesting that a mechanism which involves the welfare and working conditions of the Nation's 700,000 postal employees ought to have and, indeed, must have ultimate legislative sanction.

The Executive order is weighted against employees and there is just nothing they can do about it. Its provisions may be freely violated by management—and such sadly has been the case. There is no equilibrium. Management is the prosecutor and the judge and jury. This kind of imbalance cannot work.

My bill would redress this injustice. This bill sets up an orderly program of administrative procedures and appeal mechanisms while spelling out the rights and privileges of both labor and management within the postal service. It provides for compulsory arbitration of disputes and establishes an independent labor-management relations panel to handle such matters patterned after the procedures which have governed labor-management relations in private industry for more than three decades.

It extends to the postal employee some of the basic protections which have long since been enjoyed by his counterpart in the private sector.

My bill does not weaken the existing statutory prohibitions against the strike weapon in the postal and Federal service.

The overwhelming majority of our postal employees have no fundamental urge to strike or otherwise violate the law. Rather, they have an abiding faith in the Congress as their last court of appeal for equality and justice. We must not let them down.

Mr. Patrick J. Nilan, the national legislative director of the United Federation of Postal Clerks summed up the situation in a recent speech:

> When Postal management makes all the decisions unilaterally . . . when the clear intent of Congress is flouted by management in its interpretation of such basic laws as Public Law 89–301 governing work weeks in the postal service . . . when management philosophy is rooted in a "Heads-We-Win, Tails-You-Lose" concept of justice . . . when unions are compelled to seek from the courts the equity they are denied at the bargaining table . . . there is bound to be some resistiveness.

President James H. Rademacher, the president of the National Association of Letter Carriers, has also expressed the same difficulties and frustrating problems in his recent speech:

> It is one thing to "give" employees a temporary bargaining machine subject to revocation at any point in time. It is quite another to make it work fairly and in the public interest. It seems to me that in the final analysis such a critical and important mechanism must have the legitimacy of federal law. Congress alone has that power. It is past the hour of midnight. It is time we exercised that power.

I request the consideration and support of my distinguished colleagues in behalf of the legislation which I am introducing today as the "Postal Employee Labor-Management Act of 1969."

ANNIVERSARY OF ISRAEL'S INDEPENDENCE

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. ST. ONGE. Mr. Speaker, today when the nation of Israel observes the 21st anniversary of its independence is surely an occasion which marks a splendid triumph of courage, work, and determination over a cruel and uncompromising environment.

Remarkable progress, often against incredible odds, has been made in practically every area of national endeavor in the years leading to Israel's present position. Industrial development has been vigorous, new land has been brought under cultivation, forests planted, roads built, great numbers of facilities constructed for an ever-increasing population, and significant gains made in developing an export trade.

This is not to say that all of Israel's problems have been solved. The arid and hostile climate remains to be conquered. Much must be done to stabilize the internal economy, and even though gains have been made in foreign trade, imports still outbalance exports. Larger allocations are needed for education and social welfare programs from a budget which is already heavily burdened with defense requirements.

The overwhelming goal for Israel, as well as for the whole Middle East, is to find the means to achieve a lasting peace and political stability in order that the people of this vital area may go forward together to improve their well-being. Not to reach a peaceful solution to the differences existing in this region would compound the tragedies of past conflicts. This is all the more true since technology is now close to making sufficient quantities of fresh water available for the needs of everyone. This could mean the end of one of the major sources of hostility, and create the basis for viable economies of a type not dreamed possible just a few years ago.

I am hopeful that in the near future a breakthrough will be achieved in the desalinization of sea water based upon relatively inexpensive nuclear power sources. This will make possible a thriving agricultural economy providing sufficient food for the inhabitants of the area as well as the means for increasing exports. Cheap power will stimulate industrialization, and the vast oil deposits of the Middle East could provide the ingredient for a whole host of new petrochemical enterprises.

What is neded now above all else is the promotion of international understanding and cooperation among the peoples of this region. At this point in world affairs, particularly in the Middle East, I can think of no greater goal than that. The need for understanding is growing by the day and the hour. Despite all efforts to date, peace has not come to Israel. Stable and lasting peace is as elusive today as it has been over these past 21 years. Fighting and incursions of its borders have become a daily occurrence, almost a way of life, with its day-to-day list of killed and maimed. Once again, we hear talk of a renewed conflict on a larger scale, of a new Arab-Israeli war, and new bloodshed.

I think the time has come for the United States to realize that if the Arab States, armed with Soviet arms and trained by Soviet "technicians," should succeed in destroying Israel, it would mean the end of all Western influence in the Middle East. Not only would this strategic area come under Soviet control and domination, but for all practical purposes Western Asia up to India and perhaps all or most of Africa would be in danger of a Communist takeover. Israel's stand in the Middle East is therefore of vital interest to us all, Jew or gentile.

The United States must exert utmost efforts to bring the parties directly involved, the Israelis and the Arabs, to sit down together, to reason together, and to try to resolve their differences. This is the best, the most logical, the only way to do so. Forcing a settlement upon them, imposing a solution which will be no solution, could prove to be a fatal error. I think that if our Government saw it that way and worked toward that goal, something could be achieved before it is too late and a new conflict erupts.

The road to achieving this goal is fraught with difficulties, but the people of Israel have the will and determination to reach it successfully. On this 21st anniversary of Israel's rebirth let us honor her past accomplishments, and dedicate our efforts to the quest for a permanent peace and a future devoted to the betterment of all the inhabitants of the Middle East.

PUBLIC REVERENCE

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. CARTER. Mr. Speaker, I have been interested in the continuation of voluntary participation in prayer in our public schools, and to that end have introduced House Joint Resolution 337, which proposes an amendment to the Constitution to permit such prayer.

Many letters reach me every day on this subject, and I wish to insert into the RECORD an article on this subject, written by Rev. Robert G. Howes of the Catholic University, here in Washington, D.C., for your consideration:

CHALLENGE TO THE DEMOCRACY: PUBLIC REVERENCE

(By Rev. Robert G. Howes)

(NOTE.—Father Howes is Associate Professor and Chairman of City and Regional Planning at the Catholic University of America, Washington, D.C. He is the representative in Washington of Citizens for Public Prayer, a national federation of citizens' groups backing a restorative prayer amendment.)

When the U.S. Supreme Court interprets the First Amendment of the Federal Constitution in a manner which radically contradicts the consistent practice of the majority of the states, it does no singular, minimal thing. Whatever the particular practice, that interpretation immediately becomes a precedent affecting the whole future of religion in our public life. As such it must deeply concern not only whose practice is denied but also those who are involved in any way with religion as subject to and supportive of public policy.

On June 25, 1962, the Supreme Court interpreted the First Amendment as barring the following prayer:

"Almighty God, we acknowledge our dependence upon Thee and we ask Thy blessings upon us, our parents, our teachers, and our country."

The prayer had been composed by a committee of religious leaders. It was made available by the State of New York for an entirely voluntary recitation by pupils and teachers in its public schools. Justice Stewart, in dissent, noted:

"The Court has misapplied a great constitutional principle . . . What is relevant to the issue here is not the history of an established church in 16th century England or in 18th century America, but the history of the religious traditions of our people, reflected in countless practices of the institutions and officials of our government."

On June 17, 1963, the Supreme Court widened this interpretation to ban the Lord's Prayer and Bible reading in the public schools of Maryland and Pennsylvania. Once again, no teacher had been required to lead prayer, no pupil to join in reciting it. Specific provision was made for abstention on the part of those who did not wish to participate. There are many pleasant phrases in the two majority decisions. Most of them are collateral remarks, *obiter dicta*, that is remarks incidental to the real deciding reason. One could, and some did, assemble such remarks and claim that the court had done nothing more serious than to rule out a residual unfairness, leaving public religion itself wholly intact.

There are, however, other *obiter dicta* which are less sanguine. For instance, in the first decision Justice Douglas enumerates various instances of government accommodation to religion. Bishop James Pike, appearing before a Senate committee in 1962, called such reasonable accommodation "the great American middle way." Justice Douglas says "our system at the federal and state levels is presently honeycombed" with accommodation. "Nevertheless," he continues, "I think it is an unconstitutional undertaking whatever form it takes." In fact, the deed of the decisions, what the then Harvard Law School Dean Erwin Griswold called "the absolute and . . . extreme" reasoning of the court, is dangerously basic. Henry P. Van Dusen, then President of Union Theological Seminary, wrote:

"The corollary in both law and logic of the Supreme Court's recent interdictions is inescapable, prohibition of the affirmative recognition and collaboration by government at all levels with all organs of religion in all relationships and circumstances."[1]

Fordham University Law School Professor Charles E. Rice said:

"The school prayer decisions, if followed, predictably will have the effect of raising agnosticism to the rank of the official public religion of the United States. The Court has now cast aside the historical affirmation by government in this country of the essential truth of theism, has embarked upon a search for 'neutrality,' a search incapable of success, and has substituted agnosticism for the theistic affirmation to which a small minority has objected so strongly. And for its action the Court can point to no durable justification beyond its own inflated rhetoric and a tortured historical interpretation."[2]

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[1] The New York Times, July 7, 1963.

ALL PUBLIC LIFE AFFECTED

"The Supreme Court in the Lord's Prayer and Bible ruling has continued along a path unhappily familiar to all from its earlier decisions. The same tedious arguments emphasizing the 'establishment of religion' clause are brought forth to support a position which turns its back on the total American tradition and outlaws the present practices of 39 states . . . Let us suppose that the Lord's Prayer and the Bible are excluded from the American public schools for precisely the reasons given by the Supreme Court. What is the next step? Clearly, all other expression of religion in public life must now be deleted."[3]

To suggest that pleasant phrases en route to decision can override the deed of the decisions themselves is to ignore the heart of the matter. That heart clearly is the equation by the Supreme Court of "establishment" with public reverence, whether free or not, whether institutional and sectarian or not. Even to question such an equation, the court said in its second decision, is "of value only as academic exercises!" The situation is, in short, as it was a century ago when Abraham Lincoln commented on the Dred Scott decision;

"When all the words, the collateral matter was cleared away from it, all the chaff was fanned out of it, it was a bare absurdity. . . . The Dred Scott decision covers the whole ground, and while it occupies it, there is no room for the shadow of a starved pigeon to occupy the same ground."[4]

Five years have passed since the first prayer ban. In those years, several significant things have happened.

(1) Literally hundreds of bills were introduced in both the House and Senate calling for a clarifying amendment to restore the First Amendment to its preban interpretation and to forestall a further widening of the court's logic. There were 117 such bills on the House side alone in the spring of 1964. Senate Joint Resolution Number 1 of the 90th Congress was signed by 42 senators of both parties.[5] It proposed a restorative constitutional amendment which would read:

"Nothing contained in this Constitution shall abridge the right of persons lawfully assembled in any public building which is supported in whole or in part through the expenditure of public funds to participate in nondenominational prayer."

(2) Catholic response to the prayer bans was openly mixed, though there is no possible doubt that Catholics were in great numbers part of the massive proamendment majority across the nation. The National Council of Catholic Youth officially recorded itself as opposed to the prayer bans and called upon its local units to work for reversal. Otherwise, where Catholic apathy and even support of the decisions showed itself, it has been suggested that an underlying cause was self-interest:

"It may be that some of it is motivated by the thought that if public education can be completely secularized (so that, as it has been said, 'religion' in such quarters becomes 'a dirty word'), then there will be an increased public demand for sectarian education which can combine religion with general education. This could then be an argument in favor of parochial schools, and as public schools decline, the argument for public support of parochial schools can be advanced in one guise or another"[6]

I hope this estimate is inaccurate. I fear it may be, in at least a partial sense, accurate. Our bishops wrote once that "religion is our chief national asset," and as such what happened to it anywhere at law must affect it everywhere. I am afraid some of us have simply failed to make the vital connection between what occurred in the prayer ban decisions and those aspects of the First Amendment which preoccupy us more immediately. Too many Catholics have simply failed to appreciate that any fundamental interpretation of the First Amendment by the Supreme Court must over a period of time operate in all areas of religion and public policy, including the area of government aid to nonpublic schools under religious auspices.

(3) Eleven of the 13 justices who passed on the New York prayer issue prior to its arrival at the Supreme Court ruled it constitutional. The attorneys general of 19 states submitted a "friend of the court" brief to the Supreme Court, prior to the first decision, which said in part:

"Our founding fathers, together with the great and God-fearing leaders of the last century and a half, would be profoundly shocked were they to have been told in their day that in this year of our Lord . . . a voluntary nondenominational acknowledgement of a Supreme Being and a petition for His blessings recited by American children in their classrooms is being seriously attacked as a violation of the Constitution of the United States."[7]

It was clear from Congressional reaction that a massive mail concurring with such judgments was hitting Capitol Hill. "King-size" was how Senator Dirksen described it. Resolutions endorsing what came to be called the Peoples Amendment for Public Prayer came from the National Conference of Governors, the National Conference of Mayors, legislatures of several states, the National Jaycees, the Veterans of Foreign Wars, the American Legion, and from such men as Billy Graham, Cardinal Cushing, the late Cardinal Spellman and Bishop Fulton Sheen. Sampling after sampling confirmed the will of the nation. The Gallup Poll in September 1963 recorded a three-to-one majority for reversing the court in its prayer decisions. In October 1964 the Harris Poll put the figure at 82 percent for amendment. Congressional home district polls backed the national sampling. Again and again there was no subject on which more of a congressman's constituents were united than on the need for a prayer amendment, and no subject in which "don't knows" ran lower, or majorities ran consistently higher. At each hearing on prayer amendment proposals, thousands of proamendment petitions were presented. About 40,000 petitions were introduced on the very first day of the House hearings (1964) by Congressman Fallon of Maryland. To the Senate hearings (1966), we introduced in behalf of amendment 35,000 petitions from Pennsylvania, 30,000 from New York and 50,000 from the Midwest. In the spring of 1967 *Good Housekeeping* magazine came up again with an 80-plus percentage for amendment.

(4) Despite all this, not one single normal floor vote has been held in five-and-a-half years in either house of Congress on even the technicality of proposing a prayer amendment to the nation. And hearings in this critical matter were forced in the House Judiciary Committee only after a discharge petition to bypass Chairman Emanuel Celler, who was bitterly negative, had nearly succeeded.

(5) In the wake of the prayer ban decisions, things have not stood still. A number of trends have developed. Two are of major importance. First, a trend toward a kind of fearful indecision on the part of public authority. School boards everywhere were from the start anxiously uncertain about whether and how religion was to survive in the public classroom. In some instances, boards have defied the court, but this is, patently, no solution to the problem. In a few instances, boards have tried to substitute various procedures, such as God sandwiched between Thoreau and Ben Franklin for morning assembly reading. These instances, however, remain so rare that each one is the subject of national notice. In most cases the net result has been one of the following: a) to rule religion out entirely; b) to emasculate religion before it is permitted in the school, thus reducing it to the merest art, history or literature; c) to decide any particular question involving religion in the classroom in favor of parents who might conceivably object to it along lines indicated in the prayer ban record. Secondly, there has been a trend toward enlargement of the prayer ban to affect other practices of public reverence. Courts and some attorneys general have relied on prayer ban decisions to strike down kindergarten prayers and such substitutes as the singing of patriotic anthems. In the fall of 1966 the Supreme Court relied significantly on the decisions to knock out aid for church-related colleges in Maryland.

Meanwhile, it was again and again made clear by such opponents of religion in public life as Madalyn Murray O'Haire that the prayer ban would be used as a launching pad for further attacks on all surviving instances of public reverence. It is, of course, impossible to predict with precision just how far the court will go toward accommodating these attacks, but its defenses against them must be seriously weakened by the majority reasoning in the prayer ban cases.

Of course, at the very base of the prayer amendment issue stands the issue of parental rights. There is no question that God belongs in the homes and the churches of America. There is no question that a serious re-examination of His presence there is imperative. But religion is not strengthened at the hearth and the sectarian altar by denying it entry to the public classroom. Religion is not strengthened in the heads and hearts of American youth by wiping it off their lips precisely where most of them prepare for citizenship in a reverent society. What is rather indicated is a joint activity, carefully respectful of the right of dissent, which involves church, home and school. In its 1951 Statement of Belief, which recommended school prayer, the New York State Board of Regents said:

"We believe that thus the school will fulfill its high function of supplementing the training of the home, even intensifying in the child that love for God, for parents and for home which is the mark of true character training and the sure guarantee of a country's welfare."

In its Decree on Education Vatican II underlined how the principle of subsidiarity applies in public education:

"The Church gives high praise to those civil authorities and civil societies that show regard for the pluralistic character of modern society and take into account the right of religious liberty, by helping families in such a way that in all schools the education of their children can be carried out according to the moral and religious convictions of each family."

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[2] The Supreme Court and Public Prayer (New York, 1964), p. 21.

[3] June 21, 1963. The Boston Pilot is the official publication of the Catholic Archdiocese of Boston.

[4] Columbus, Ohio, Sept. 16, 1859; Galesburg, Ill., Oct. 13, 1858.

[5] Senate Joint Resolution Number 6, this session, with identical language, was introduced by 45 Senators on January 15, 1969.

[6] Griswold, Erwin N. Utah Law Review, Vol. 8, No. 3 (Summer 1963).

[7] United States Supreme Court, October term 1961, Document #468.

It is suggested by those who oppose a prayer amendment that the court banned only "prescribed" prayer and that other types of religious presence in the public classroom stand unaffected, indeed encouraged. There is at the very base of the court's decisions a fatal, secularizing equation. Once this equation has been repealed, there is certainly place for reexamination of the entire gamut of that presence. Various approaches to religion as a force for morality and civic strength can and should be tested. Citizens for Public Prayer fully support such testing, but at the right time. So long as the prayer ban remains, however, there can be no compromise. Generally, those who ask substitutes for the brotherhood of prayer call for a moment of silent meditation, classes in comparative religion or the rendition of God strictly in paintings, dates and poetry. Each substitution has its weakness. Collectively, they are totally inadequate to the need of the situation.

Let's take meditation first. It is most significant that the same day the Massachusetts legislature sanctioned meditation in the public schools of the state it petitioned Congress in support of a prayer amendment. A quiet God is better than no God. But a quiet God cannot provide that experience in pluralism which a spoken God encourages. One great advantage of the brotherhood of prayer consists, precisely, in the fact that through it children from various religious backgrounds are taught that although they go freely to their separate churches and synagogues over the weekend, still they can freely find and pronounce together common words of uniting reverence each day during the week. Besides, meditation is extremely difficult even for adults. To suppose that grade school youngsters can meditate properly is a delusion.

As for classes in comparative religion, it may be that once the prayer ban is repealed we can move along these lines. But such classes will require teachers who have the wisdom of Solomon, and are objective enough to relate one religion to another without bias. And should these teachers fail even slightly, offended parents will rise to challenge them in the courts, just as parents who objected to the earlier prayer did.

In regard to religion as art, history and literature, it is true that under these aspects it belongs in many classes, so that children of a reverent people may review their inheritance. But what a tragedy it would be if God could come into school only as a footnote in classes otherwise preoccupied and minus any factor of reverence whatsoever! Religion is more than dates and pretty pictures and nice phrases. Religion is reverence. Any proposal which drains it of its prayerful blood is anemic to start with. In short, none of the suggested substitutes is, at least in its present state of refinement, adequate. None would in any way remove the tragic precedent of the two prayer ban decisions. Finally, the closer any one of them came to being a real collective reverence, the more likely it is that it would be challenged and struck down by courts under the compulsion of prayer ban logic.

MAJORITY-MINORITY PROBLEM

There is another item in the prayer amendment debate which must be pondered. This is the item of majority-minority relationships in a democracy. It has two facets. The first is: How should society accommodate in its practices a majority will against which there is marshaled a loud minority will? The second is: In the public classroom how should the dissent from prayer and the desire for prayer be handled with justice all around? In regard to the first question, it must at the outset be agreed that 50 percent plus one does not of itself make a thing right. Democracy must never be a matter of a bullheaded majority tyrannizing over a cowed minority. Neither must it ever be an oligarchy in which a minuscule elite, somehow wiser, forces its preference on an unwilling majority. This latter state becomes what *The Boston Pilot* has called a "tyranny of the few." One thing is clear: As in all such controversial situations, a dissenting minority must be assured to the maximum reasonable extent its right of silence and abstention. To permit a minority's preference to dominate public practice, however, thus denying to an overwhelming majority its will, is an intolerable travesty of democracy. In this case, a strong argument can be mounted in support of the traditional, pre-ban interpretation of the First Amendment. Even Justice Brennan, siding with the majority in the second prayer ban decision, concedes that its factual position is far from conclusive:

"On our precise problem, the historical record is at best ambiguous, and statements can readily be found to support either side of the proposition."

But even if the court's reading of the history and the semantics were accurate, the case for a clarifying amendment would still stand. No people in a free society are required to be prisoners of words which, in that hypothesis, do not say what the people wish them to say and do not permit practices which the people overwhelmingly wish to provide for themselves and for their children. As in the flag salute situation, what is required of a wise judiciary is not a decision rendering the majority silent before an intolerant minority but one that allows the greatest prudential accommodation for dissent while the majority will prevails. The second facet of majority-minority relationships here can be expressed in a question: Is school prayer an unconscionable intrusion on the rights of the dissenting child and his parents? It must be repeated that in the three prayer ban states, school prayer had been entirely voluntary for both teacher and pupil. Tolerance is, and must continue to be, a two-way street. So long as he is respected in his right to be different, the dissenting child must learn to respect the right of the majority of his fellow students who wish to pray together. Dean Griswold's treatment of this critical matter is excellent.

"Must all refrain because one does not wish to join? . . . No compulsion is put upon him (i.e. the dissenting child). He need not participate. But he, too, has the opportunity to be tolerant. He allows the majority of the group to follow their own tradition, perhaps coming to understand and respect what they feel is significant to them. Is not this a useful and valuable and educational and, indeed, a spiritual experience for the children of what I have called the minority group?"[8]

A related question is often posed. Whose prayer? The answer is simple. Once the civil right of public reverence is restored in the public school, the American people again will select, with a minimum of mistakes and a maximum of good common sense, a reasonably nondenominational prayer. To suppose that any group of Americans with a sectarian majority would be so callous of its neighbors as to insist on a sectarian prayer in their public schools is to fly in the face of the great bulk of American experience. But even should, in a rare instance, such a prayer be proposed, recourse for remedy would still be open with the courts. What is clearly urgent in this entire issue of majority-minority rights is a reasonable pluralism, the kind of adjustment and prudential accommodation which mature men make with their neighbors in any complex matter in which a common decision is required. With such a responsible pluralism, the solution to difficulties such as wording a proper amendment and coming up with consensus prayers is easy. Without it, we become quickly a jungle of selfish predatory religious groups, careless of neighbors and haggling over every approach to that harmony which has so long been the major motif of our people.

A few words of prayer by children in a public place will not alone change the world. The brotherhood of prayer remains an important part of an important pattern. Clearly, however, much more than this is at stake in the fight to write a People's Amendment for Public Prayer. The whole matter of a reasonable and, reasoned pluralism is involved here. So is the survival intact of all practices of public reverence. So is every other controversial aspect of church-state relationship. So, finally, is the very workability of the democracy itself. It is simply incredible that there are still Catholics concerned with democracy, education and pluralism who cannot, or will not, understand these things. John Donne wrote that "no man is an island." It can be said with equal force that no decision of the U.S. Supreme Court fundamentally interpreting the First Amendment against the expressed will of the nation is an island—a minimal, a singular thing. Remedial action now, loud and long, is emphatically indicated. Seldom has the alternative to such action been put more strongly than by Father Joseph Costanzo, S.J., professor of historical jurisprudence at Fordham University:[9]

"American believers are losing by default. They have taken their spiritual heritage for granted. They have allowed a creeping gradualism of secularism, under one specious pretext or another, to take over their public schools. A vociferous and highly organized pressure group is exercising its own form of indirect coercive pressure upon the American community."

UNEMPLOYMENT AMONG MINORITY GROUPS

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. **BROWN** of Ohio. Mr. Speaker, in this day and age when so many of our citizens tend to leave up to others, and especially to Washington, the solutions to the many problems which confront our Nation, it is refreshing to find organizations and individuals who are interested in presenting the answers to these problems themselves.

Recently, the Mutual Broadcasting System sponsored a contest in which radio listeners were asked to write about what they thought was the Nation's major political problem, how they might solve it if they were President of the United States and what they might contribute toward its solution as individuals.

Of the 3,500 essays which were submitted to the Solutions To Our Problems—STOP—contest, 25 were selected as the most outstanding by a distinguished panel of judges. The winners received $100 savings bonds. One of these was a constituent of mine from Ohio's Seventh Congressional District. I hereby submit for the RECORD the winning essay of Mrs. D. T. Holmes, of 1308 Corry Street, Yellow Springs, Ohio:

UNEMPLOYMENT AMONG MINORITY GROUPS

In my opinion, the most pressing problem in the United States is unemployment among minority groups. Many of them have no marketable skills because of insufficient education and preparation for today's jobs, which is the basic cause of discontent, disorder, and expensive welfare programs.

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[8] Op. cit.

[9] This Nation Under God (New York, 1964), pp. 131–32.

As a Solution To Our Problems, if I were President, I would first, have restructured the existing programs designed to prepare minority groups for employment, so that less of the funds will go for administrative personnel and more for the training of the unemployed. Second, I would encourage private industry to establish more programs to train and hire more unemployed minority people. Third, I would establish several agencies or schools to train personnel who specialized in equipping people with marketable skills, utilizing the results of research of education and industry in the most effective methods of training these unemployed in the shortest period; then, this specially trained personnel would be sent wherever needed to cope with this problem.

As a citizen, in addition to civic duties, such as writing my representatives about bills to improve employment among minority groups and encouraging the establishing and strengthening of the type of education necessary for the production of marketable skills, I can indirectly aid the unemployment situation among minority groups by keeping before some of these people the need for developing marketable skills. Through personal contact maybe I can give a "boost" in whatever form is needed: words of encouragement to convince a youngster to remain in school, or tutoring sessions to improve someone's reading ability or to help with someone's homework.

Thus, through some of these suggestions, hopfully we can minimize unemployment among minority groups, which will be a step toward the Solution To Our Problems.

A NEW APPROACH TO SMUT CONTROL

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. VAN DEERLIN. Mr. Speaker, the merchants of smut seem to be utilizing the mails as never before in their continuing campaign to pollute great areas of the Nation.

In my home city of San Diego, pornographic mailings have been reaching scandalous proportions. The deluge of unsolicited filth has prompted many hundreds of complaints to police and other officials whose ability to take positive action in response is limited by the often conflicting court interpretations of existing obscenity control laws.

I believe a new approach is needed and I am therefore introducing today a Right of Privacy Act which takes its inspiration from the recent Supreme Court decision in Stanley against Georgia. In this case, decided April 7, the High Court ruled that a person has the right to private enjoyment of prurient material.

My legislation is based on the belief that the basic right of privacy, as reaffirmed and interpreted by the Supreme Court, works two ways. If a man has the right, in the privacy of his home, to read what he pleases, by the same token the individual citizen should also be free to avoid exposure to materials which he finds personally objectionable. It is to this negative but certainly undeniable right that my bill addresses itself.

In drafting it, I have followed recommendations made by my good friend, Ed Butler, a former San Diego city attorney who has served on the California attorney general's pornography commission. The heart of the measure is its emphasis on civil suits rather than criminal actions to deter pornographers through the possible imposition of huge fines.

The measure declares that the mailing of unsolicited objectionable material would in itself constitute an invasion of privacy, subject to court action. It would specifically prohibit the shipment of "any matter portraying sexual activities in a manner patently offensive to the average person," unless requested by the recipient.

Federal courts would be empowered to issue injunctions against the dissemination of pornography through the mails. The injunctions could be sought either by individuals or in class actions. If a dealer persisted in such mailings after being ordered by a court to halt them, he would be subject to civil as well as criminal punishment.

The bill also contains a title dealing separately—and more sternly—with the menace posed by material appealing to the enjoyment of torture and violence. In addition to the mails, this section would apply to all instrumentalities of interstate communications, including broadcasting; but it would not penalize material with redeeming social importance or matter used for bona fide political, ideological, religious or scientific purposes. It appears that greater specificity in Federal laws prohibiting mass commercial exploitation of sado-masochism may be dictated by events; at least one recent conviction for advertising a do-it-yourself torture kit was reversed by an appeals court on grounds that the statutes involved were too indefinite.

The bill would also authorize a national advisory committee to report on the effectiveness of the Right of Privacy Act, and to seek ways to promote freedom of expression while cracking down on the misuse of the mails by panderers.

The legislation is admittedly complicated, and requires thorough study by an appropriate committee of this body. I feel, though, that it would strike a balance between our need on the one hand to preserve our precious freedoms of speech and on the other to protect our citizens against a flood of patently offensive trash.

Best of all, it would hit the traffickers in smut where it hurts—in the pocketbook. Enormous fines would be made possible by this proposal. Damages could be awarded for each piece of offensive material sent out, meaning any sizable mailing could easily result in penalties which would drive the average smut merchant into bankruptcy.

MAN'S NEWEST TECHNOLOGICAL FRONTIER: THE OCEANS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. HANNA. Mr. Speaker, for some time now the Merchant Marine and Fisheries Committee and the House of Representatives as a whole has had in their possession the reports and recommendations of the Commission on Marine Science, Engineering, and Resources.

I believe with others of my colleagues that we must be prepared to move aggressively forward in this Congress to mark the first steps of implementation with regard to the first steps of realization of these recommendations. I am not unaware of the high level of competition for resources which is now going on in the land, but we can ill afford to neglect appropriate support and consideration for the requirements of this new frontier which is already beckoning substantial resources from other countries in the world not all of whom are our friends and allies. I should like to commend to the attention of my colleagues recently printed remarks by Mr. Roger J. Pierce, president of one of the new oceanographic-oriented corporations based in Cedar Rapids, Iowa:

MAN'S NEWEST TECHNOLOGICAL FRONTIER: THE OCEANS

(By Roger J. Pierce, president and chairman of the Board, Hydro-Space Systems Corp., Cedar Rapids, Iowa)

INTRODUCTION

In the past, man's frontiers have been geographical on land and sea, but mostly on land, first by exploration of wilderness areas followed by low density and finally high density economic development. Economic growth was achieved mostly by initial occupation by pioneers in primitive settings with primitive tools, with little application of Science and Technology. This was followed by increasingly complex communities of towns, cities, and rural farming areas with the relatively simple technological tools of the 19th century.

By the turn of the 20th Century, new land masses to pioneer had become quite scarce and the only frontiers left were the oceans and space. To pioneer in these last frontiers requires the massive application of Science and Technology to deal with the new "mediums" of water, air and deep space. The pioneers of these new frontiers have in the past 50 years turned to the applications of advanced Science and Technology for exploration not only for the land masses but all of space and the objects in it. This includes terrestrial aerospace immediately around the earth, deep space out to the moon and planets, ocean space from the top to the bottom, and deep earth space from the surface crust to the core of the earth.

Starting in the early part of the 20th Century up to the present, we have seen technological pioneering fill up the aerospace with jet aircraft, helicopters, and myriads of smaller aircraft carrying men and materials all over the world. We have also seen deep space substantially traversed with manned and unmanned spacecraft orbiting the earth, to the moon, planets and around the sun. This is just a beginning. The end of our pioneering in aerospace and deep space is not in sight.

Today we see the beginnings of the exploration and occupancy by technological pioneering, in man's newest frontier . . . the oceans.

The ocean is a vast new parcel of real estate with great potential wealth for man to pioneer and work in. Since the real estate is water which "jiggles" around on the surface and has great pressures and low visibility below the surface, it is a "new" medium which man must conquer if he is to occupy it and work on the surface or in the depths in a reasonably comfortable environment.

The application of mass technology has made us very comfortable in traveling in aerospace in jets at 600 miles per hour. It has made astronauts reasonably comfortable in their spacecraft orbiting the earth and soon to the moon and beyond. Man has conquered the medium of air, and the medium of cold, airless deep space to provide a friendly environment for men in their machines, and eventually fixed bases on the moon and planets.

The same massive technology which has produced the jets and spacecraft can conquer the oceans, perhaps with greater ease than in space, and provide man with a quasi-terrestrial environment and an area where he can do many more things than just travel through it. Man should ultimately be able to occupy the oceans and to do nearly all the kinds of activity in the oceans' real estate that he can do on the lands' real estate.

What a startling prospect! What a great new acreage to be opened up for man's activity for his economic benefit! It is no wonder so much has been written and said by both dreamers and pragmatic men about Oceanography in glowing, glamorous terms. They are not far wrong when they say the ocean is the "greatest potential future market," the "sleeping giant," and man's "last frontier."

So far, much has been said about Ocean exploitation but very little has been done. Not much has been done because we have not as yet applied the same massive technology to the oceans as we have in aerospace and deep space. This massive technology applied to deep space in the past has been accomplished by a partnership between Government and industry. Neither one could have done it alone. We have our comfortable jets now only because of the huge sums of money Government gave to private industry to develop their military predecessors. Alone, industry could never have acquired enough capital to fund the billions of dollars in the initial development, much less produce the present commercial jets and sell them at a profit.

The deep space effort, while given quite an impetus by the German and U.S. military efforts, has since the formation of NASA had no military connotations. The billions of dollars furnished by the Government and spent by industry in massive technology in space has in ten short years produced an almost incredible development in man's occupation of deep space by his space vehicles.

So must Government and industry team up for the exploitation of the Oceans, if we are to achieve substantial results in a relatively short time period. It must be a partnership of Government with money and industry with brains and manpower. Private industry cannot go it alone unless we wish to wait at least a century for any substantial results. So far, the ocean industry is a potential giant whose growth has been stunted by the lack of nourishment. It needs to be nourished by a substantial "national investment" in Ocean technology. In short, huge sums of money must be provided by the Government. The U.S. Congress and the public enthusiastically buy the dreams of great things to be done in the oceans, but are woefully apathetic in providing the nourishment interms of appropriations of funds for the "sleeping giant." This must be changed if we are to make significant achievements in the Oceans.

A DREAM OF WHAT CAN BE DONE

A dream is the forerunner of reality. First you must have a dream, then you must try to make it come true. This is my dream of what man can do in the Oceans: . . .

In the future, I see a very busy ocean. I see the offshore areas and deep ocean areas thickly populated with a wide variety of surface, subsurface and bottom structures, essentially "sea buildings." These structures would house laboratories, factories and dwellings for all kinds of man's activities. I can even envision new ocean cities in the offshore areas with their foundations on the bottom and floating ocean cities out in the deep areas.

I can see mammoth surface craft operating in ground effects just above the surface of the ocean at speeds of 100 to 150 mph carrying men and freight between land, ocean installations, and to far shores. The slow surface ship riding the waves will have disappeared.

I see sub-surface craft of all types from a 5-passenger individual "sub-mobile" much like our land cars to multi-passenger submarine busses, up to 1,000-passenger submarines and heavy freighters, all of these cruising at high speeds under the sea.

I see all this activity in fixed structures and moving vehicles on the surface of the ocean, sub-surface and on the bottom, all linked together by written, oral and visual communications.

Finally, I see all this ocean activity as an integrated "leibensraum" with land, aerospace and space activity, where man is at home in any of these spaces and maintains a community of interest by transportation and communication no matter where he sits—be it in his land home, office or factory; ocean home, office or factory; or in an aerospace craft or spacecraft. I see essentially the same kind of activity in the oceans that I see on land; the only difference is that it would be situated on water.

This is a mighty dream, but not beyond our grasp. It probably outdoes Buck Rogers and Jules Verne in its dimensions; but with the present exponential rate of rise of technology, these fantastic things might come faster than we dare predict today.

SPECIFIC EXPLOITATION OF THE OCEAN

Today we speak of the ocean as a great new potential source of food by fish farming and "aquaculture" in the sea. We speak of the ocean as a great reservoir of wealth in offshore oil and minerals. We speak of the ocean with its restless waves and tides as a great resource of potential power. We speak of it as a great area for recreation for our leisure time. We think of the ocean as a base for better prediction of the world's weather. These and many other corollary activities suggest the ocean is indeed a great storehouse of wealth for exploitation by man, provided he can work and live there.

NEW OCEAN TECHNOLOGY NEEDED

In order for man to occupy the oceans, he must have the physical means in the hostile environment to provide housing, transportation, power, communications, and all the components of living and working there, as he does on land. Here are the specific new areas where massive technology must be applied to develop the major components for ocean exploitation to make the dream come true. This is practical, scientific dreaming.

Ocean buildings: First, we need large, substantial, fixed structures in the ocean in which man can live and work. In short, we need to know how to build ocean homes and factories for many purposes and many configurations. This ocean structure of the future will be like nothing man has ever conceived or implemented in the past. It will be an entirely new concept to deal with the extremely hostile environment at the surface and the ocean currents and pressures in the sub-surface and bottom.

All previous ideas of ocean structures such as buoys and platforms must be swept aside and new concepts implemented capable of adjusting to the hostile environment to provide a near-normal environment for man to work in. This means that these structures must have little or no roll, pitch or heave due to waves and winds. They must be capable of staying in a reasonably fixed location, even though there may be high waves, winds, ocean currents and miles of water beneath them. The interiors must be at the normal temperatures and atmospheric pressures for humans so that they can operate in a "shirt-sleeve," or normal environment.

This type of structure is almost analogous to the complexity of a spacecraft in coping with space environment, but many, many times larger to be a useful tool in the exploitation of the oceans. It would seem obvious that these large structures would have to be submerged below the surface where the water is quiet and relatively unaffected by surface waves and winds. In most cases, there must be a surface interface and a structure protruding from the surface of the ocean for access. The surface structure would be very small to present minimum exposure and reduce the effect of the forces of winds and waves, whereas the submerged portion would be very large to accommodate the human activity being carried on. In short, these structures would be much like icebergs with just a tiny portion above the surface and the great bulk and mass below the surface. Or, another way of looking at it, we would build "upside-down" skyscrapers in the ocean with only the elevator shaft peeking above the surface.

Development of such a structure could be scaled up or down from very small ones of several tons to huge ones of thousands of tons, and possibly even to future floating cities of millions of tons.

This may seem like a very rosy dream, but consider the evolution from the first small dug-out canoe of the primitive savage to the mighty ocean liners and warships of today, in the day of the canoe it would have been impossible to have predicted the modern ocean liner.

With such sophisticated ocean structures available, it would not be difficult to conceive of a busy ocean factory producing food from fish and other protein rich resources out in the oceans where the raw materials are available. It would not be difficult to conceive of these structures being used as a base for an ocean offshore oil production factory or an offshore base for mining of minerals on the ocean bottom. It would not be hard to see that they could be used for underwater hotels for recreation . . . rooms and picture windows under the sea and on the surface superstructure, sunbathing, swimming, boating, and general loafing on patios and sheltered lagoons.

Subsurface transportation: Another important component of ocean exploitation is transportation unaffected by the turbulent surface conditions. This means a new generation of highspeed submarines. Here the major problem with both very large and very small submarines is the drag of the water as the vehicle cruises at high speeds. Much technology must be expended to reduce the co-efficient of friction so that high speeds can be obtained with minimum power. Mother Nature has solved this drag problem for the dolphin and other fishes which have an extremely low drag co-efficient. Perhaps massive technology will also solve this problem so that underwater transportation will be at a speed high enough to suit the needs to the new ocean communities.

Surface transportation: Surface transportation must be lifted just above the surface of the waves where there is no pitch and roll but only the low drag of air and no part of the structure touches the water. Recent developments in "air cushion" and "surface effect" vehicles may be the solution which will eventually obsolete conventional surface ships and even advanced craft such as the hydro-foils. These "surface effect" craft could be built up to thousands of tons and carry a large payload of passengers and freight at high speeds.

Ocean "robots": Another important component for ocean activity is the ocean "robots" or workhorses. It is not sufficient for a man to travel through the ocean; he must be able to perform tasks of all kinds at great depths and low visibility. These ocean robots will be analogous to the delicate manipulators used in handling of nuclear materials, as well as to heavy construction machinery like cranes, bulldozers, etc. In the land versions of the latter, man can sit in the seat in the open air and manipulate the various levers controlling the working members. In the oceans this is not possible, and man must be in a protected environment from the great pressures and be provided with lighting or television and have almost human-like extenders of his hands and feet to do intricate work and to magnify the forces he can exert manually. Much work has been done in "man-machines" where the motions of a man's hands can be extended and magnified by servomechanisms to actuate steel muscles and fingers with great power and delicacy. All that is needed now is to surround the man with a proper shirt-sleeves submarine shell and external, powerful, iron hands which he can control for intricate manipulation.

Communications: Still another important component of ocean exploitation is communications by the spoken voice, messages of record and by television. These will be needed for business and personal usage. Communications stations on the stable structures mentioned above can link all this activity via the use of synchronous satellites to relay the messages. This technology is already available.

Power: Still another important ocean component is power, huge quantities of power. This could come from underseas atomic reactors much the same as these reactors being built today for large quantities of power on land. There is also the possibility that the power of ocean waves and tides may be harnessed at sea and converted to useful electrical or mechanical energy.

SUMMARY OF VITAL OCEAN COMPONENTS NEEDED

Recapping the important components needed for the new areas in man's last frontier . . . the oceans, are:

1. Fixed Structures—"Ocean Buildings"
2. Surface and Sub-surface Transportation
3. Communications
4. Ocean Robots
5. Power

When these components are developed to the degree of sophistication to meet the varied needs of the ocean, then we would be indeed well on our way to the implementation of my dream for a very busy ocean.

IMPLEMENTATION

Now I go back to my original premise that it is not enough to dream, but one must get very practical to make the dream come true. I go back to my original premise that to do all these things mentioned above will take massive technology unleashed by large sums of money. This means employment of thousands and thousands of scientists, engineers, technicians, working over years in all these areas to solve the problems and produce working hardware for the major components mentioned above. This means massive expenditure of money to employ all these people.

The U.S. has this type of manpower which can be addressed to this massive technological effort. It is technologically possible for us to do all these things, given sufficient money, men and time. The main question is: When shall we start, and how much shall we start with, directed at what areas? In short: When? How much? and What? If the premise that this type of effort must be a partnership between Government and Industry is correct, it is then up to Government to establish our national goals and decide what kind of national investment we want to make in the ocean. It will then be up to Industry to carry out this effort.

CONCLUSION

In conclusion, I would suggest that we start now, that a National Oceanographic Administration be established which would formulate the national goals and specific projects to start with, and then ask Congress for funds to carry out and implement these goals. I would suggest no less than two billion dollars per year be allocated to this effort initially, increasing as over-all national objectives in the civilian and military sectors allow reasonable increases. If this can be done, it would be a substantial start of man's advance into his newest technological frontier . . . the oceans. It would be the start of making this dream come true.

MOE MAY BE NIMBLE BUT HE CANNOT BEAT NIMBUS

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. GALLAGHER. Mr. Speaker, as a life member of Elk Lodge No. 434 in Bayonne, N.J., I was appalled to read a Washington Post editorial describing the latest use of technology. It seems that an elk named Moe in Yellowstone National Park has been connected to a recently launched satellite, Nimbus 3. The comings and goings of Moe as he does his elk thing are now an inerasable part of a scientist's computer.

Poor Moe. Little does he realize that an occasional sliver of light against the ice blue sky over Yellowstone is actually a beady eyed spy. His graceful movements are now just a jagged curve on a graph, his investigation of the broad and beautiful plains of Wyoming is but another statistic, and his fleet flight to escape the fingers of night can never outrun electronics. He may be nimble, but he cannot beat Nimbus.

Now I am perfectly aware that there is only a tangential relationship between the elk as an animal and the human organization known as the Elks. But this use of wildlife demonstrates a perfectly plausible way for some individuals to stifle the life of their fellow humans.

Mr. Speaker, this is not absurd. On April 11, 1968, I had the privilege of introducing into the Record a brilliant article from the Yale Law Journal by Harvard Law Professor Charles Fried. The horn which Professor Fried used to impale a masterful description of the necessity for privacy was a not entirely hypothetical proposal to monitor parolees.

I wish I could insert the entire article again, but let me give one quotation from Professor Fried which I used on March 26, 1969, in a speech before the Chicago Chapter of the Institute of Management Sciences:

> Privacy is the necessary context for relationships we would hardly be human if we had to do without—the relationships of love, friendship, and trust. Intimacy is the sharing of information about one's actions, beliefs, or emotions which one does not share with all and which one has the right not to share with anyone. By conferring this right, privacy creates the moral capital which we spend in friendship and love.

Mr. Speaker, in that speech I developed the idea that the territorial imperative in lower animals has a counterpart in man which I call the intellectual imperative. The Washington Post editorial shows yet again that something which is employed in lower animals can have a powerful relevance to man. After all, we sent several monkeys into space before we launched the first astronaut. Who can say that Moe, the irredeemably bugged elk is not a trial balloon for the bugging of men? What can bug Moe can bug us all.

Professor Fried describes the ease with which a device could be inserted in a human:

> These devices are so small as to be entirely unobtrusive: other persons cannot tell that a subject is "wired," and even the subject himself—if he could ever forget the initial installation—need be no more aware of the device than of a small bandage. Moreover, existing technology can produce devices capable of monitoring not only a person's location, but other significant facts about him . . . the sounds in his immediate environment—*e.g.*, what he says and what is said to him—and perhaps in the not too distant future even the pattern of his brain waves.

That "not-too-distant future" is the present for Moe. So I would say to those who are my fellow Elks to take heed from what has happened to a literal elk.

Mr. Speaker, editorial writers of the Washington Post always do a splendid job in describing the threats of invasion of privacy. It is too late for Moe, but I insert the editorial in the hope that it is not yet too late for us all.

Moe the Bugged Elk

Somewhere out in Yellowstone National Park is an elk named Moe. At the moment, Moe is a very important elk, not only to his friends and relatives in the Park's herd but also to science. For Moe, to put the indignity he has suffered into modern lingo, has been bugged. He is carrying a radio transmitter along with him as he wanders through the Park's vast acreage.

Now Moe is not the first elk to become important because scientists have attached a modern-day invention to him; others of his breed have been bugged in the past. But Moe steps into the special category of very important elk because of the nature of the gadget he is carrying. His transmitter, unlike those worn by other noble beasts in the past, is keyed to the latest satellite launched by the United States. It is supposed to report to that flying mass of electronic gear every hour and a half or so on Moe's wanderings. In turn, the report is to be sent along through NASA's communications net to the scientists who are interested in Moe, and from it they chart Moe's course—up to look at Old Faithful or over to the cliffs of the Grand Canyon of the Yellowstone or to the edge of Heart Lake.

Moe's wanderings probably won't be any different from those of his relatives who have been bugged in the past. Scientists can and have traced the steps of wild animals with tools far less complex than satellites. But if Nimbus 3 demonstrates that it can keep track of Moe, a new era for the biologists and conservationists will open. Then they will be able to bug whales and polar bears and seals and condors and what have you in an effort to learn more about the life cycles of these long-ranging creatures who know the world is far larger than Moe would ever believe even if someone could tell him. Thus, the space age seems about to throw off another side benefit that will help in understanding life on this bit of the universe.

No benefit, however, comes without its disadvantages. If Nimbus 3 can tell all about Moe, Nimbus 10 or 50 or 100 can tell all about a ship or an airplane or, for that matter, a person. All it would take would be a bug attached in the right place. Thus, while Moe is clearly a Very Important Elk, we're not sure whether to hail him if he lives up to his assignment (and brings 1984 a step closer) or blows it (and postpones that day a bit longer).

ANOTHER YEAR OF SOVIET DOMINATION AND COERCION OF THE POLISH PEOPLE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. DULSKI. Mr. Speaker, we are approaching once again a significant anniversary date—a date of particular importance to Polish people everywhere, but also of interest and importance to all freedom-loving peoples.

May 3 will mark the 178th anniversary of Poland's Constitution, an event which, unfortunately, the Soviet-imposed dictatorship in Poland denies today's residents of Poland the right to observe, while it is marked by those of Polish descent in other lands, including the United States.

This year's anniversary of Poland's Constitution coincides with three other significant dates of Polish history:

First. The 30th anniversary of the German-Soviet attack on Poland.

Second. The 25th anniversary of the Battle of Monte Cassino.

Third. The 25th anniversary of the Warsaw uprising.

This year also marks the silver jubilee of the founding of the Polish-American Congress. This is a great organization dedicated over its existence to working as loyal American citizens to encouragement of world understanding of the continuing desire for peace and freedom of the people of Poland.

It is of special satisfaction to me that this wonderful organization came into being in May 1944 in my home city of Buffalo, N.Y., with the participation of over 2,000 delegates from various Polish American groups.

The record of activity and accomplishment by the Polish American Congress is one of which all can be proud.

Mr. Speaker, at this point I would like to insert in my remarks a summary of the work of the Polish American Congress:

Polish American Congress: 25 Years of Service

"We, the representatives of the united Americans of Polish descent, assembled in convention at Buffalo, New York, mindful of our civic duties, solemnly pledge our unqualified service, love and affection to our country, the United States, and our active participation in its life. Desiring to give true expression to our sentiments and aims, we call into existence the Polish American Congress. . . ."

With this declaration a representative body of about ten million Americans of Polish origin had been founded at organizing convention, held on 28, 29 and 30 May, 1944, with the participation of over 2,000 delegates from Polish American church organizations, fraternal orders, professional, educational, civic and business groups.

Under wise and skillful leadership of its officers, the Polish American Congress was the first American organization to speak out against Russian aggrandizement and warn of the folly of any attempt to appease Russia on the grounds of wartime expediency. Since 1944, its leaders have carried this warning to the public, to this Country's leaders and to the governments represented at the United Nations. Events of history, which now reveal the true menace of Communism to civilization, have proved the validity of these warnings.

The Polish American Congress has made strong protests against the Yalta Agreement, which sacrificed Poland to Soviet domination, and against the rigged elections which were staged in Poland to form the present government. It has emphasized the importance of restoring a free, independent and integral Poland as the cornerstone of European stability and as the true foundation of world peace and American security.

Numerous and comprehensive memoranda, statements, resolutions, letters, wires and booklets have been directed to Presidents Roosevelt, Truman, Eisenhower, Kennedy, Johnson and Nixon; Secretaries of State Hull, Stettinius, Byrnes, Marshall, Acheson, Dulles, Herter and Rusk; members of the United States Congress; delegates to the United Nations; the press; the clergy, educators, and the public. In all, the Polish American Congress has called for adherence to the Atlantic Charter and respect for "the right of all peoples to choose the form of government under which they will live."

Delegations of the Polish American Congress have met Presidents Roosevelt, Truman, Eisenhower, Kennedy, Johnson and Nixon, to plead the case of a free and democratic Poland and oppose the terms of the Yalta Agreement; presented the cause for an independent and integral Poland to the United Nations Conference in San Francisco; attended the Paris Conference, and made a tour of Polish displaced persons camps in Western Europe.

A delegation of the Polish American Congress presented the viewpoint of Americans of Polish origin to numerous leaders and diplomats of democratic countries in personal conferences in Europe.

Officers of the Polish American Congress, have testified before Congressional committees considering legislation to admit displaced persons into this country. The Polish American Congress has established a committee on displaced persons.

It has established commissions of American affairs, culture and education, civic affairs, economics and management, and information and publications to improve the welfare of Americans of Polish descent through support of their schools, parishes, press and vocational activities.

The Congress has through several of its state districts offered scholarships to young Americans of Polish origin to encourage study in fields such as social work, arts and journalism.

It has supported the Polish Institute of Arts and Sciences in America; the Polish Immigration and Relief Committee in New York and The Polish American Historical Association.

It has published a Polish-English newspaper, the Delegates News-Letter, and a digest-size magazine—the Bulletin, containing informative articles on American foreign policy. the Polish situation and related subjects.

Cooperating with the national headquarters at 1520 West Division Street, Chicago, Illinois, are 33 state divisions in 26 states. Membership in the Congress includes more than 20 fraternal organizations and their local lodges, parishes, several Polish language newspapers, outstanding members of the arts, sciences and professions, and business, industrial and civic leaders—also thousands of local church, civic, charitable, cultural, business, ideological, political, professional and other associations, clubs and societies, in cities and towns from coast to coast.

Mr. Speaker, as I mentioned earlier, this year also marks the 25th anniversary of the Victory of Monte Cassino. Following is a summary of that significant event in Polish history:

Victory at Monte Cassino

From the dawn of history, Cassino stood as the southern gateway to Rome. On the adjacent mountain known as Monte Cassino, many temples and altars were built to unknown deities by unknown worshipers in the dim past.

St. Benedict arrived there in the years of 525–529 and found a complete pagan Acropolis, which he rebuilt, in a Christian pattern, into the Abbey of Monte Cassino.

Here, the Poles have tried to grasp the always elusive to them freedom—when the Polish Legions under General Henryk Dabrowski was guarding this territory for the Armies of Napoleon; then again in 1918, when Polish Army of the West was being organized from Polish-Austrian prisoners of war; and in May, 1944, when the Second Corps of the Polish Army-in-Exile wrestled the mountain from the Germans.

There were four battles of Monte Cassino in 1944 and they belong to epic struggles of World War II. The chain of hills towering above the city of Cassino blocked the northward offensive of the Allied Armies, and was transformed by the Germans into a seemingly impregnable fortress.

In the three previous battles, soldiers from seven nations, including the United States Second Corps, tried unsuccessfully to blast the Germans from their mountain stronghold. These battles raged from January until the end of April, 1944.

Then, on May 11th, 1944 at 11 p.m., the Appenine peninsula began to tremble from a renewed violence; two thousand heavy artillery guns opened fire on Monte Cassino.

At 1 a.m., on May 12th main elements of the Polish Second Army Corps,—the Third and the Fifth Divisions under the command of Lt. Gen. Wladyslaw Anders, began to attack German positions, capturing under whithering enemy fire and in hand to hand combat Points 593 and 569, and finally—The Phantom Ridge.

The battle lasted a whole week. The Poles advanced yard by yard, bled, died and fought, sustained by the indomitable will to win.

During the night of 17th and 18th of May, the Germans recoursed to flight. With the dawn of May 18th, Polish white and red flag was unfurled above the smoke filled and blood stained battlefield.

Peace returned to ruins of Monte Cassino.

The Poles paid a heavy price for this victory; 860 officers and men killed in action, 2,822 wounded.

One year later, in March, 1945, a committee was formed for the purpose of rebuilding the Monte Cassino Abbey. It made very little progress, however.

Then on October 10, 1945, the Polish Embassy at the Vatican notified the Papal Secretary of State, that the solders of the Polish Second Corps are willing and ready to rebuild the Abbey. The Pope accepted this offer with deep gratitude. British Command assigned 200 German prisoners of war, who worked whole year on the project under Polish officers and men.

Thus the Poles not only conquered the enemy on Monte Cassino, but were the first to start working on the restoration of its former glory.

The gallantry and heroism of the Poles were beyond praise.

On the memorial in their war cemetery at the slopes of Point 593, these poignant words are written:

> "We Polish Soldiers,
> "For your freedom and ours,
> "Have given our souls to God,
> "Our bodies to the soil of Italy,
> "And our hearts to Poland."

As Fred Majdalany points out in his book, "The Battle of Cassino": "By their selfless immolation the Poles turned that grim mountainside into a memorial to soldiers everywhere."

Mr. Speaker, this year marks the 25th anniversary of the Warsaw uprising, an heroic hour which turned into a sad betrayal of the Polish people in their time of need when help could justifiably have been expected. Following is a summary of this tragic period for Poland 25 years ago:

THE WARSAW UPRISING

The story of heroic Warsaw Uprising and inhuman Soviet treachery goes back to July 1944.

The invasion of the European continent by the Western powers was progressing rapidly. In the East, the Soviet army already occupied large Polish territories won from retreating Germans.

Moscow radio, through its "Kosciuszko" station began to broadcast appeals to the Poles:

"Warsaw . . . the hour of action has struck. Your houses, parks, bridges, railroad stations, factories, buildings, stores have to be transformed into centers of resistance. The Germans will attempt to make a stand in Warsaw—to destroy whole city. In Bialystok they were busy for six weeks destroying everything and murdering thousands of people. . . . Let us do everything in our power to prevent them from committing same crimes in your city. People of Warsaw to arms." . . .

These calls were repeated day in and day out, and finally, on July 29th, when the Russian offensive ground to a halt on the right bank of the Vistula, in Warsaw's suburb of Praga, Moscow radio sent out a more "urgent appeal to Warsaw", urging the Poles to "fight against the Germans", and "the hour of action has arrived." Warsaw never surrendered, never ceased to struggle. And now everything will be lost in Hitlerite deluge unless you save it through action . . . Poles, the time for freedom approaches. Poles, take to arms . . . There is no second to be lost. . . .

The Polish underground authorities adhered to the instructions given by Polish Government in London, where the Western Powers insisted that the Poles must actively co-operate with Russia. Accordingly, the Polish Government in Exile issued such orders.

Then, on July 31, 1944, Delegate of the Polish Government in London, and Vice-Premier of the Polish underground branch of this government, Jankowski, after having heard opinions of the Commander-in-Chief of the Home Army, General Bor-Komorowski and his Chief of Staff, General Monter, issued orders to the Home Army, to start revolt against the Germans the next day, August 1, 1944, at 5 P.M.

Three days later, on August 4th, all activities on German-Russian front ceased, although the Soviet forces already consolidated their positions in Praga. Even their heavy guns were silenced.

Instead of promised and anticipated roar of Soviet artillery, which would herald new phase of Russian offensive, all was quiet on the eastern front of Warsaw.

There was only one explanation: Warsaw had been betrayed by the Russians.

On August 17th, Premier Churchill and President Roosevelt appealed directly to Stalin to help Warsaw. Stalin did not reply.

Anglo-American Staff drew up a plan in London for bombing German positions in Warsaw by means of shuttle operations. British and American aircraft were to bomb German strongholds in Warsaw, then fly for re-fueling to nearby Luck, already occupied and secured by the Soviet army.

Stalin not only rejected this plan, but at the same time accused the Poles, fighting and dying in Warsaw, of "betrayal" and "collaboration" with the Germans.

The Poles fought on against all odds, against all hope.

They forced the Germans to send three armored divisions, badly needed on the Western front, to Warsaw. These, with incessant bombings by German planes, finally crushed the uprising.

After sixty-three days of fighting, Warsaw capitulated.

Over 250,000 Polish men, women and children died in this struggle, in which even Juvenile Scout troops rose to the height of heroism and sacrifice.

The Germans, with a teutonic fury destroyed, burned, pillaged the remnants of the city.

Warsaw did not die, however.

The indomitable Polish spirit rebuilt the city from desolation and ruins.

Warsaw, rising like Phoenix from the ashes, remembers Nazi brutality and Soviet treachery.

And it longs for the day on which a truly free and independent Poland returns to the Western family of Nations.

ELECTORAL REFORM CLIMATE

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. ULLMAN. Mr. Speaker, today I would like to bring an editorial from the New York Times to the attention of the House and especially to our colleagues on the Judiciary Committee, who will soon be deciding which electoral reform method they will present to the House. This editorial provides further justification for creating a direct, popular election of the President and I strongly believe that this is the best reform method if we are to honestly create a system which is responsive to the demands of the people.

The editorial is printed in full as follows:

ELECTORAL REFORM CLIMATE

The Association of the Bar of the City of New York, through its committee on Federal legislation, has given strong support to proposals for a constitutional amendment under which Presidents would be chosen by direct, popular election.

This is the only electoral reform, among several Congress is considering, that would guarantee each voter's vote counting the same and the candidate with the most popular votes winning election. It reflects the one-man, one-vote principle basic to American democracy. It deserves enactment to replace the present Electoral College system with its risk of deadlock and a denial of the popular will.

The House Judiciary Committee, which has been holding hearings on electoral reform along with the Senate Judiciary Committee, is scheduled to vote on the direct election proposal next week. It is expected to approve direct election, but the size of its vote could prove crucial. There have been reports that President Nixon will be largely guided by the results of the committee's action.

An overwhelming endorsement by the House group would help confirm the evidence already given by opinion polls and other indicators that direct election of Presidents and Vice Presidents is the reform favored by most Americans. Such an expression could also help persuade the President to take a clear stand for this fundamental electoral reform, the one he personally favors and the one he should have fought for from the start. His taking that position, even now, could make the difference between its enactment and its rejection.

UNIVERSITY OF TEXAS DRAMA COMPANY TO PERFORM IN WASHINGTON

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. PICKLE. Mr. Speaker, the University of Texas has one of the Nation's 10 best drama companies and has been invited to perform in the first American College Theatre Festival in Washington. The festival dates are April 28 to May 12, and the University of Texas will present "An Enemy of the People" at Ford Theater, May 2–3.

Directing the play, written by Henrik Ibsen and adapted by Arthur Miller, will be Arnold Kendall, of the University of Texas Department of Drama. Cast members include Michael Bobkoff, Larry Scott Lane, James Bailey, and William Halliday, from Houston, Tex.; Mavourneen Dwyer, Montreal Canada; Karen Seal, Richardson, Tex.; Steve Bradley, Omaha, Nebr.; Garry Moore, Austin, Tex.; Wayne Good, Dallas, Tex.; Raja Mitry, Victoria, Tex.; and Terry Tannen, Weimer, Tex.

ABOUT THE PLAY—EXCERPTED FROM THE CATALOG OF THE DRAMATISTS PLAY SERVICE, INC.

A small Norwegian town has just begun to win fame and wealth through its medicinal spring waters. Dr. Stockmann, resident physician in charge, discovers that the waters are poisoned. On receiving proof of this, he immediately reports to his associates, the town officials most immediately affected. The doctor is shocked to find that instead of being thanked, he is looked upon as a dangerous crank, motivated by a desire to prove that his fellow townsmen are wrong, and to bring ruin upon them. As the people who run the local paper and the town officials—among them close relatives and friends of the doctor's—do their utmost to urge secrecy and compromise, the determined doctor realized that the honesty and idealism he has counted upon to make the truth prevail, simply do not exist in the face of selfish "practical" interests. The press will not report his findings; the officials refuse to give him a hearing; he loses his position and the townspeople boycott him; ultimately his wife and children are cut off from all contact with friends and neighbors. Almost every weapon of offense and abuse is brought to bear against the family—blackmail, slander, and eviction from their home. A single individual, a sea captain, stands by them and agrees to take the family to America. But even his good intentions are checkmated when the powers that be buy the ship and refuse passage to the Stockmanns. But all the time the doctor, morally supported by his family, carries on the magnificent fight for the truth. At the end, the townspeople, gathered outside the home which the Stockmanns must soon leave, cast stones through the windows. Stockmann addresses his family: "But remember now, everybody, you are fighting for the truth and that is why you are alone. And that makes you strong."

Mr. Speaker, 176 colleges entered this first nationwide festival. Regional committees screened the productions and made their recommendations to the central committee, according to actress Peggy Wood, cochairman of the festival and honorary president of the American National Theater and Academy. The festival is sponsored by American Airlines, the Friends of the Kennedy Center for the Performing Arts, and the Smithsonian Institution. It is produced by the American Educational Theater Association and the American National Theater and Academy.

In view of the credentials of the sponsoring organizations, the screening of the entrants was thorough. Therefore, I am proud to honor the University of Texas drama group, and all the other colleges which will perform at the festival. I would encourage my colleagues to attend at least one of these fine presentations.

GEN. DWIGHT D. EISENHOWER

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. DENT. Mr. Speaker, it has been almost 1 month since the death of Gen. Dwight David Eisenhower. We are reminded of this sad event each time we have occasion to see the Stars and Stripes flying at half mast in his memory.

The month-long official period of mourning for this great American will extend but a few more days, but he will certainly be remembered long afterward. His contributions as leader in time of war and leader in time of peace will be forever recalled by his grateful country.

Dwight Eisenhower exemplified what is best in America: courage, devotion, strength of character, humility, respect for mankind, and love of homeland. He was ever ready to serve his country in any capacity: warrior, educator, Chief Executive.

We would all do well to rededicate ourselves, public officials and private citizens alike, to those ideals for which the general stood, especially during these chaotic times. This would be the most fitting memorial we could devise to honor our former President.

When our flag is again raised to full staff, may it fly over a more wholesome, united America.

ROTC IN OUR COLLEGES

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. TEAGUE of Texas. Mr. Speaker, on April 17, 18, and 19, at Valley Forge, Pa., the Freedoms Foundation of Valley Forge held a veterans summit meeting, designed to stimulate a greater understanding and deeper appreciation of the fundamental principles of our constitutional Republic and responsibilities in the American system of liberty under law expressed in the American credo. To study and examine objectively the mounting domestic problems of internal subversion, anarchy, the student revolution designed to destroy the U.S. society and its free institutions. To consider ways to mobilize and elevate respect for American traditions and support internal and external defenses of the United States, ROTC, NATO, and others.

The first speaker on the agenda was retired U.S. Army Gen. Bruce C. Clarke, former commander in chief of U.S. Army in Europe who spoke on ROTC in our colleges. Under leave to extend my remarks in the RECORD, I wish to insert a compilation of the main points covered in General Clarke's address:

FACTS FROM A TALK ON ROTC BY GEN. BRUCE C. CLARKE, RETIRED, VETERANS' ASSOCIATION CONFERENCE, FREEDOMS FOUNDATION AT VALLEY FORGE, APRIL 18, 1969

1. My ROTC background:

a. Member of high school ROTC.

b. Taught 4 years ROTC at a State University.

c. Member of Post-War ROTC Policy Board in 1945–46.

d. G–3 Army Ground Forces 1946, implementing post-war ROTC policies.

e. Commanding General of CONARC 1958–60 supervising ROTC program of the Army.

2. This paper primarily covers Army ROTC.

3. ROTC operates on over 350 college campuses—Army on 268 of them.

4. Over 200,000 college men involved in all services.

5. ROTC major producer of junior officers for the active army.

6. This year the three sources will produce approximately the following number of officers for the active army:

a. United States Military Academy, 760.

b. O.C.S., 8,500.

c. ROTC, 16,500.

The ROTC will continue to be the largest single producer of officers for the Army.

7. Future plans call for Army ROTC to produce 15,000 officers per year.

8. Today's ROTC program based upon Vitalization Act of 1964 which provided:

a. Two and four year programs, or both, as determined by host institutions.

b. Authorized a basic summer camp to prepare cadets for the Two-Year Program.

c. Established ROTC Scholarships, paying tuition, books, lab fees and subsistence allowances.

d. Increased cadet pay and allowances.

e. Expanded the Junior ROTC Program in secondary schools.

9. To assist in management, an Army Advisory Panel on ROTC Affairs, was formed in 1952. Its 13 members consist of 10 prominent educators and three other distinguished persons from walks of life other than education. The Panel is designed for direct and easy college-Army communications and serves as a sounding board for new concepts and plans.

10. At the beginning of the present school year there were 514 Junior ROTC units with an enrollment of 102,000 students. Since that time 48 new units have been established.

11. New Senior ROTC units were added last year and 15 more were added this year.

12. Of the Army's 268 Senior ROTC units enrolling cadets in FY 1969; five are Military Colleges, nine are Military Junior Colleges and 254 are State and Private institutions.

13. 10 years ago two-thirds of the institutions had a compulsory program; one-third were elective. Today the ratios are reversed.

14. Of the 15 top producing schools, 10 are elective, 5 compulsory.

15. There has been a decline in basic course enrollment but the advanced course is holding its own at a high level. Over 37,000 advanced course ROTC cadets in FY 1968.

16. Prerequisite for entering advance course is: completion of basic course or a six-week basic training camp.

17. Expect 3,400 to take basic camp this coming summer and enter advanced course this fall.

18. Currently 3,900 students are attending college on Two or Four-year ROTC scholarships. 5,500 ROTC Scholarships will be in effect in FY 1971.

19. Each Scholarship pays for tuition, laboratory expenses, fees, and textbooks, and a subsistence allowance of $50 per month. Four-year winners are selected on a nationwide competitive basis. Two-year Scholarships are allocated to ROTC detachments for award to qualified students who have already demonstrated motivation and aptitude for the Army.

20. 125 of the original Four-year Scholarship selectees were appointed to the United States Military Academy last year, thus allowing a similar number of alternates to accept scholarships.

21. In anticipation of your questions I will give you some data on Negro ROTC participation:

a. 14 predominately Negro colleges are in the ROTC program—4 where students are required to take basic course—1 requires MS I—9 elective.

b. 6,635 Negroes are enrolled in ROTC in these 14 colleges.

c. Approximately 9,500 Negroes enrolled in the Senior ROTC Program.

d. As of January 1969 11.5% of the Army strength, officer and enlisted, was Negro and 3.4% of Army commissioned officers were Negro.

e. There is a definite campaign on at West Point to encourage the appointment of more qualified cadets from minority groups including Negroes.

f. Percentage of Negro Army officers will grow.

22. In 1949, I integrated, on an individual basis, a battalion in Germany. I believe it was the first. In 1951–52 I integrated a Division in Fort Hood, Texas. Since then integration is on a full and complete basis in the Army.

23. To recapitulate then, 268 college campuses in operation with 150,000 cadets enrolled, graduating over 16,000 men in June of 1969.

Now what do the critics say? The basic arguments surround: (1) Limiting academic freedom upon which universities thrive; (2) Professorial titles for PMS; (3) Curriculum not credit-worthy.

24. The academic freedom issue is that educators believe that ROTC curricula are directed from an outside body in Washington and that professorial titles are dictated by law and that faculty members are sent to the colleges from Washington—all of which impinge on the prerogatives of the school to run its own business and set its own standards on all matters relating to the college.

The truth is, the Army is flexible in these matters.

25. Academic titles for the PMS. Public Law currently specifies that "the senior officer of an ROTC detachment will be given the academic rank of professor" by the college or university to which he is assigned.

26. The basic Army standards for a PMS and assistants are:

a. All ROTC professors or assistant professors have a Bachelor's degree.

b. 35% of the PMS now have a Masters degree.

c. Plans are that all the PMS will have a master's degree by 1975.

d. All have graduated from the Advanced course of their branch—a one year course.

e. Many PMS have graduated from the C. & G.S. College—a one year course.

f. Some have graduated from War College courses.

g. All have had good or better efficiency ratings in Army assignments pertaining to their fields.

27. The Army feels that the curriculum, which is constantly being upgraded is worthy of academic credit as an elective.

28. Finally, it is through solid backing made by those assembled here, that the program will continue to be a vigorous one.

29. I encourage you to visit campuses, talk with educators, influence youngsters and motivate ROTC cadets by your meeting them on their territory. You can be particularly effective in local high schools, informing students of the scholarship opportunities. The answer, then, is that we must compete in the dialogue on campus and recognize that change is progress. We must not withdraw from the campus because critics are vocal. Progressive curricula, directed by competent officers and supported by an enlightened citizenry can keep this program vigorous.

SOFT ON CIVIL RIGHTS?

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. CLAY. Mr. Speaker, the St. Louis Post Dispatch editorial from the week of April 7 expresses an impatience with the administration's announced intent to address itself to the urgency of civil rights issues. It is an impatience shared by millions of black people in this Nation.

I commend this editorial to the attention of my colleagues and I commend the Post Dispatch for taking a clear stand on the issue of equal opportunity. The editorial follows:

SOFT ON CIVIL RIGHTS?

Clifford L. Alexander's irate resignation as head of the Equal Employment Opportunity Commission indicates that the honeymoon is over as far as the Nixon Administration's attitude on civil rights is concerned. Where does the Administration really stand?

Obtaining decent jobs is perhaps the key to the problem of Negroes in the ghettos, and Mr. Alexander was in charge, under the 1964 Civil Rights Act, of enforcing equal opportunity to jobs. He was named to his post by President Johnson and had full support from that President. He also performed effectively and courageously. Now he charges that the Nixon Administration has been soft on job discrimination and unresponsive to the need for equal treatment.

The record of Mr. Alexander's own recent treatment certainly supports serious questions about where the new administration stands. During Senate hearings, Republican Leader Dirksen accused Mr. Alexander of "harassing" businesses on equal employment and, in what is best described as a tirade, threatened he would "get somebody fired." The next day the White House announced that Mr. Alexander would eventually be replaced with a Republican.

This threat hanging over the head of an able official was bad enough, but parts of the Administration's record on employment were worse. The Defense Department approved contracts with three Southern textile firms accused by Mr. Alexander's agency of pursuing job discrimination practices. It has been left for a private organization, the NAACP, to file suit against these firms where the Government should have acted. In addition, Secretary of Transportation Volpe changed policy requiring highway contractors to follow fair employment practices, without consulting rights officials.

Naturally White House officials deny that they are anything but eager to enforce civil rights laws. The trouble is that the Administration's record so far seems more intended for show than for real accomplishment.

The Justice Department has just filed job discrimination charges against one big Southern textile firm. This is praiseworthy but hardly enough to answer Mr. Alexander's complaints. President Nixon has ordered another $9,000,000 allocated for cleanup and repair of riot-torn cities, but the verbal priority he gives this task hardly matches the sum proposed to do it. Secretary Romney suggests expanding the Model Cities program to all urban slums, but that would mean spreading less money in more places.

The White House says "in time" its record will make clear the Administration's desire to carry on the civil rights struggle. We hope so. Time is passing, without much practical evidence that the Administration recognizes the dangerous consequences of applying small bandages to the sorest wound in American society.

HUMAN EVENTS AT 25

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. WATSON. Mr. Speaker, this year one of the most remarkable publications in the Nation, Human Events, is celebrating its 25th anniversary. Due largely to the pioneer work of Human Events 25 years ago, American conservatism had a rebirth as a viable political entity.

Although condemned from ultraliberals at every turn, the editorial staff and contributors to this forthright and courageous publication have not yielded in their determination to give Americans the benefit of another point of view.

The vociferous opposition by the so-called "liberal establishment" to Human Events is to be expected. After all, the liberal, who should be the most tolerant by virtue of the very term "liberal" is the least tolerant individual in our society. As a consequence, anyone who offers an opposing viewpoint is automatically labeled a right-wing extremist by the liberal. They fully realize that Human Events stands as a bulwark of strength against the encroachment of more and more control by the Federal Government over the daily lives of all Americans and this presents a very real threat to contemporary American liberalism and everything it stands for.

Human Events continues to grow at an amazing pace, and because of this growth conservatism is appealing to more and more people, especially the youth of America. It is indeed a privilege to salute Human Events on the occasion of its 25th anniversary. I predict for this thought-provoking, patriotic, and wholly American news publication another 25 years of success.

Mr. Speaker, as a part of my remarks I would like to commend an editorial from the April 10, 1969, issue of the Charleston, S.C., News and Courier to the attention of my colleagues and the Nation, as follows:

HUMAN EVENTS AT 25

Publication of a special 25th anniversary issue of Human Events, a magazine and political commentary, serves as a reminder of the rebirth of American conservatism in the last quarter century.

The conservative outlook has deep roots in American history, having such diverse 19th century spokesmen as John C. Calhoun of South Carolina and Fisher Ames of Massachusetts. By 1944, when Human Events was founded as a Washington newsletter, conservatism seemed to be going the way of the dodo bird. Franklin D. Roosevelt had been elected to an unprecedented third term as president. Contemporary spokesmen of intelligent conservatism were few, and almost without outlets. Liberalism in all its forms, from the mild socialistic variety to varieties closely identified with Marxism, was blooming.

Today, a vastly different situation exists. The man in the White House, if not a full-fledged conservative on every issue, is strongly influenced by conservative ideas. The White House staff includes at least one well known young conservative theoretician, Dr. Richard V. Allen. Whereas conservatives hardly would have been allowed in the White House a few years ago, today they are welcome.

M. Stanton Evans, editor of The Indianapolis News, chronicles "The New Conservative Era: A Generation of Growth," in the 25th anniversary issue of Human Events.

"Political change," he notes, "is seldom unilinear and neat, and the Republican-conservative transformation since '44 has occurred as a series of ebbs and flows rather than as a single decisive thrust."

But there is abundant evidence of conservative growth and influence.

California, the most populous state in the Union, has a strongly conservative chief executive in Ronald Reagan. The Republican Party has had a major transfusion of Southern conservatism. Conservative youth groups, such as Young Americans For Freedom, are flourishing.

Perhaps the most important long-range development is emergence of conservative journalists and thinkers, authors such as William F. Buckley, Jr., James J. Kilpatrick, Dr. Russell Kirk, Holmes Alexander and John Chamberlain—several of them contributors to The News and Courier as well as to Human Events.

As yet, conservatives don't predominate on college campuses. They don't play a leading role in the New York book world. But conservatives can no longer be safely ignored by liberals. The liberal presidential candidate failed last November.

In the battle for the mind of the rising generation, conservatives aren't faring badly, though peaceniks and militants grab the headlines. The middle class is continuing to move along the conservative path. Members of the big industrial unions are beginning to act more and more conservative.

Twenty-five years of pioneering by conservatives such as the editors of Human Events is beginning to pay off in a more thoughtful public approach to politics and ideas.

CARRY A BIG LAW LIBRARY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. DULSKI. Mr. Speaker, local police officers have become a much maligned group. Actually, they are doing basically a good job in spite of the changes in rules which have been imposed upon them in recent years as a result of a series of court decisions.

WGR–TV, channel 2, in my home city of Buffalo, N.Y., carried an interesting editorial on this matter the other day, as follows:

CARRY A BIG LAW LIBRARY

J. Edgar Hoover, in the current issue of the F.B.I. Law Enforcement Bulletin notes that today's law enforcement officer must "speak softly and carry a big law library."

He goes on to say there is nothing wrong with an officer's speaking softly and being well-versed in legal criminal procedure. Ideally, this is as it should be.

Unfortunately, in the criminal realm within which he must work, the law enforcement officer is the only one playing by the rules. This places him at a definite disadvantage.

An officer must subordinate his personal safety, his own rights and the rights of society to be sure he does not commit some error which might later result in the release of the guilty.

Vigorous law enforcement is needed to cope with crime and violence in our nation. It cannot be achieved if arresting officers are required to make an apologetic approach to every killer, rapist, robber and thug roaming our streets. If the rule of law is to prevail, the law must be enforced.

These are words to ponder . . . by J. Edgar Hoover.

Mr. Speaker, the editorial contains only portions of the comments of Mr. Hoover from the March 1 edition of the FBI Law Enforcement Bulletin.

I believe that the full text of Mr. Hoover's comments warrant wide circulation and attention, and I am including his entire statement, as follows:

MESSAGE FROM THE DIRECTOR TO ALL LAW ENFORCEMENT OFFICIALS

A newspaper columnist noted that today's law enforcement officer has to "speak softly and carry a big law library." Actually, his paraphrase of the well-known quotation from Theodore Roosevelt comes close to being true. There is nothing wrong, of course, with an officer's speaking softly and being well-versed in legal criminal procedure. Ideally, this is as it should be.

Unfortunately, in the criminal realm within which he must work, the law enforcement officer is the only one "playing by the rules." This places him at a definite disadvantage. In complying with all the procedural safeguards established for criminals, an officer must often subordinate his personal safety, his own rights, and the rights of society to insure that he does not commit some error which might later result in the release of the guilty. Criminals are usually well aware of their legal rights and take full advantage of them.

Many critics of law enforcement today substitute paper theories for grim realities. When they advocate more restraints on arresting officers, they do so apparently on the premise that police are dealing with only law-abiding cooperative citizens who respect the law and those charged with enforcing it. While a big percentage of police contacts are with the responsible members of society, increasing assaults against and killing of law enforcement officers are indicative of the open contempt numerous violators have for police and authority of any kind.

Arguments are made that court opinions and legal restraints are not so broad as to require arresting officers to unduly endanger their lives in order to meet standards established to protect the rights of the suspect or accused. Here again, we encounter the difference between theory and practice. Judicial guidelines which are so vague and questionable that even the highest jurists disagree on their intent place a heavy burden of judgment on the enforcement officer. In crucial moments, this burden of judgment can create indecision. And as we know, moments of indecision can cost an officer his life.

The trend today, even though unintentional, is to negate the enforcement of the laws to insure that the criminal is protected. We are asking our officers to operate under an honor system in dealing with an element of our society which has no honor. Certainly, arresting officers cannot be permitted to resort to illegal tactics themselves, but they must be allowed to perform their duty with confidence and with the assurance that they have the support of the public, the government on all levels, and the courts. The powers of arrest must be as clear and positive as possible.

Vigorous law enforcement is needed to cope with crime and violence in our Nation. It cannot be achieved if arresting officers are required to make an apologetic approach to every killer, rapist, robber, and thug roaming our streets. If the rule of law is to prevail, the law must be enforced.

JOHN EDGAR HOOVER,
Director.

NATIONAL SECRETARY'S WEEK

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. TAFT. Mr. Speaker, this is National Secretary's Week.

Last year I forgot to make note of the occasion. I do not think I will forget it again.

As my colleagues know, every politician, at one time or another is picketed. There are antiwar demonstrators and win-the-war demonstrators and ban-the-bomb demonstrators and build-a-bigger-bomb demonstrators. But how many have been picketed by be-kind-to-secretary posters and Remember-National-Secretary's-Week sign carriers?

It will not happen to me again.

I salute National Secretary's Week, not because of the continued threat of the secretarial corps picketing my office, but because they deserve to be acknowledged.

Mr. Speaker, I take this occasion to say thank you to Sydney Ann Dine, case worker; Vera V. Lewis, staff assistant; Judy B. Martin, staff assistant; Virginia C. McCay, personal secretary; Eleanor R. Parker, legislative assistant; Patricia Schultz, staff assistant; and Sally M. Walker, personal secretary.

REVERSED REWARD AND PUNISHMENT SYSTEM IN THE PENTAGON

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. MOORHEAD. Mr. Speaker, we have had numerous examples in recent months of the incredibly reversed reward—and punishment system for Pentagon cost control and procurement personnel.

For the information of my colleagues, I am inserting in the RECORD a few selected articles on the experience of two of these courageous people.

Irony would have it that in the office of Government employees hangs a plaque displaying the Government Code of Ethics which includes "expose corruption when it is identified."

It would be a sorry state of affairs when the taxpayers' interests can only be protected at the expense of great personal risk on the part of people like Mr. Fitzgerald and Mr. McGee.

The articles follow:

PLEDGES WERE CONTRADICTED, PROXMIRE SAYS: AIR FORCE MEMO ON WAYS TO FIRE AIDE CITED

(By Bernard D. Nossiter)

Congressional investigators yesterday turned up an Air Force memo describing three ways to fire efficiency expert A. Ernest Fitzgerald. He is the man who told Congress that the C–5A transport would cost the Government $2 billion more than it bargained for.

Sen. William Proxmire (D-Wis.), chairman of the committee before which Fitzgerald had appeared, called this "the most shocking retaliation against a public servant I have seen in the 11 years I have been in the Senate." He said that the memorandum "directly contradicted" pledges by Air Force officials that no action would be taken against Fitzgerald for speaking out.

At the same time, the Pentagon announced that it was buying 23 more of the high-priced giant jets from the Lockheed Corp. An Air Force official indicated that the cost of this latest order would run about $541 million.

The explosive document was disclosed at a hearing of Proxmire's Economy Subcommittee of the Joint Economic Committee. On the stand was Robert H. Charles, the Air Force Assistant Secretary for installations and logistics.

Proxmire reminded Charles that Fitzgerald had been stripped of Civil Service protection 12 days after his original testimony about the C–5A cost over-run last November. Charles insisted that a "computer error" had given Fitzgerald the protection in the first place.

No further action against Fitzgerald is planned? Proxmire asked.

None, replied Charles.

Then Proxmire read him a memo entitled "Background Information Relating to the Fitzgerald Case," dated Jan. 6 and addressed to the Air Force Secretary, Harold Brown, by hsi administrative assistant John Lang.

The document explained that Fitzgerald, the Deputy for Management Systems to the Air Force assistant secretary for financial management, could be removed in three ways. One was to bring him up on charges in order to "promote the efficiency of the service."

Another was to make a "reduction in force," Civil Service terminology for abolishing his job. The memo observed that Fitzgerald had not come to his post from any other Government position and, therefore, "could neither 'bump' nor displace anyone" else.

"There is a third possibility, which could result in Mr. Fitzgerald's departure," Lang wrote Brown. "This action is not recommended since it is rather underhanded and would probably not be approved by the Civil Service Commission."

The "underhanded" technique, Lang explained, would be to convert Fitzgerald's post to a career job and hold a competition to fill it.

Charles, unruffled, said he thought the Lang memo was simply "outlining various things that could happen under certain conditions."

Proxmire retorted that it didn't sound as if the Air Force was about to promote its embattled efficiency expert. Charles would concede only that "the wording was unfortunate."

Almost lost in the exchange was the cause of the controversy, the C-5A. As Charles saw it, "we are disappointed with the increased costs" but "it is an outstanding program."

According to his arithmetic, the entire planned order of 120 planes will only cost $4384 million or a near $882 million more than was estimated. The difference between his figure and Fitzgerald's $2 billion over-run is traceable to two factors, primarily. Charles is not counting an extra $350 million to be spent making the big plane even bigger. He is also leaving out about $650 million in additional costs that the Government now expects to pay for spare parts and auxiliary items.

Charles also testified that as much as $500 million of the ballooning cost could be explained by "inflation." Proxmire quickly pointed out that this was allowing for an inflationary rate far in excess of any Government index.

Precisely what the Government will pay for its latest order of 23 planes, an addition to the 58 it has already purchased, is unclear for several reasons. Charles said that the "fly away costs" of the new batch would run to $541 million. However, he left out the cost of the rapidly rising spare parts and did not figure in the Pentagon's peculiar "repricing formula."

Under this device, the greater the expense that Lockheed shows on its first production run, the more the Government pays for additional planes. For example, if costs run 35 per cent more than estimated, the Air Force pays 107.5 per cent of its contract price. But if costs run 100 per cent more, the Air Force pays 240 per cent of the contract price. For Proxmire and others on his subcommittee, this was an open invitation to Lockheed to keep its original cost estimates low and balloon them thereafter. But Charles refused to agree.

Letter Reveals Navy's Moves To Fire Critic

(By James G. Phillips)

Navy officials mapped out a plan 18 months ago to "build a case" for firing a civilian fuel inspector who reported massive thefts of U.S. fuel supplies in Thailand, newly-revealed Navy correspondence shows.

A campaign for firing John M. McGee was outlined in a letter from F. J. Leffler, chief of the Overseas Division of the Navy Fuel Supply Office in Alexandria, to Arlie F. Rankin, who then was McGee's superior in Thailand.

The letter, which Leffler has acknowledged writing, said that Capt. R. N. Jones (USN), commander of the Fuel Supply Office, "would like to fire the guy" (McGee) but that Government personnel experts had advised that "we have to build a case against him first." The letter was dated Nov. 3, 1967.

Jones, contacted by a reporter, declined comment on the issue.

McGee admitted taking the letter from Leffler's file but asserted that he came upon it in the course of his new duties at the Fuel Supply Office.

Leffler said he had written the letter because he had learned tardily that McGee had shown "insubordination" to Rankin by criticizing his fuel inspection procedures and showing a "generally poor" attitude toward Rankin.

Leffler said Navy personnel procedures would not permit his office to fire McGee at that point, however, because Rankin had awarded McGee a "satisfactory" performance rating only several months before.

A recent report by the General Accounting Office found that more than 5.5 million gallons of fuel intended for U.S. forces in Thailand had been stolen in 1966 and 1967. The report cited Rankin for lax inspection procedures—a finding that has since been challenged by the Navy.

Since the letter was written, the Navy has tried once to fire McGee and twice to reprimand him. It dropped the firing action, but the reprimands are still pending.

All personnel actions relating to McGee are currently under study by Navy Secretary John H. Chafee. A Navy spokesman said Chafee was studying Leffler's letter and hoped to arrive at some decision on the McGee case in the near future.

Disclosure of Leffler's letter marks the second time in recent months that attempts by the armed services to manufacture cases against controversial civilian officials have been revealed.

During hearings before the Joint Economic Committee last January, Sen. William Proxmire (D-Wis.) revealed an Air Force memorandum showing ways to fire A. Ernest Fitzgerald, a high-ranking Air Force civilian who had informed Congress of cost overuns in the C–5A transport aircraft program.

Masking Waste

With the overwhelmingly largest part ($78 billion) of the nation's budget going to defense, one would think strict controls would overspread defense spending. Evidently not so.

In recent weeks have come two disclosures of seriously costly waste. And the circumstances surrounding them hint they may be only the caps of much larger icebergs beneath. But what is most troubling in both disclosures is not alone the cost, but the apparent attempts by the military to cover up for themselves and penalize their "informers."

The first case involved a civilian fuel inspector for the Navy, John M. McGee, who uncovered the theft of vast quantities of jet fuel and gasoline in Thailand. After running into blocks put in his way by superiors, McGee wrote to Sen. William Proxmire (D) of Wisconsin to complain of the pilferage and the problems he was having with his superiors. The fuel theft was quickly confirmed by a General Accounting Office investigation: at least 5.5 million gallons had been stolen in 1967 alone. McGee's personnel problem wasn't so easily resolved. He was told he would be dismissed in 30 days for failure to answer a minor question on his job application. An inquiry showed he had answered the question, whereupon the Navy changed its action from dismissal to a reprimand—still an unjust harassment meant to switch attention from the fuel scandal to McGee as a service misfit.

The second case was the disclosure to Congress by A. E. Fitzgerald, a management systems deputy in the office of the Assistant Secretary of the Air Force, that the C–5A jumbo air transport project was running $2 billion over estimates. When asked, he attributed the overrun to inadequate controls and "corporate strategy" by the contractor, which gave a low first estimate with the thought of boosting prices on the second production run. He also alluded to political pressure to pay the extra costs since the main plant was in the home state of Sen. Richard B. Russell (D) of Georgia, chairman of the Senate Appropriations Committee. For his candor, Fitzgerald was notified 12 days later that his job-protecting tenure was being withdrawn.

Congress must investigate both the unjust reprisals meted out to Messrs. Fitzgerald and McGee as well as the cowardly, self-protecting code of the military that would further mask defense waste.

THE NEW BETHEL BAPTIST CHURCH INCIDENT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. CONYERS. Mr. Speaker, I am certain that most of my colleagues have heard various reports of the New Bethel Baptist Church incident of March 29, 1969. A brief statement of the occurrences of that night and the next morning would be that a policeman was killed, the black church was then surrounded and fired upon by the police, and the persons inside were arrested and held incommunicado for several hours. A recorder's court judge was summoned at dawn and set up a temporary courtroom in the police station. After a conference with the prosecutor and a hearing, all but two of the prisoners were released.

The aftermath of these events has served to further polarize feelings in our already racially tense city. The widespread misreporting and analysis of the incident by the communications media due to the general confusion of the moment has greatly contributed to the tension.

I am very pleased to say that the Detroit Free Press, in its lead editorial this morning, pointed out the general confusion of the media and admitted to some misreporting of the events on its part. I feel that this significant editorial by a newspaper that is not afraid to admit a mistake should be inserted in the RECORD so that as many persons as possible can get a clearer view of the incident. I am also inserting a statement made to the press by Recorder's Court Judge George Crockett, who as a result of the many attacks directed at him personally, was prompted to take the unusual move of calling a press conference to correct the distortions of his action spread by the mass media. Both his statement and the Free Press editorial reflect the kind of noninflammatory comment which is so often lacking when such incidents take place:

[From the Detroit Free Press, Apr. 16, 1969]

As We See It: Detroit Cannot Afford To Follow DPOA Lead

The hardening of battle lines drawn by the Detroit Police Officers Association against Recorder's Court Judge George Crockett is a tragedy for the city, the courts and the police. It is a battle which should never have been joined.

We can certainly sympathize with the DPOA's anger over what it regards as a callous public attitude about the death of Patrolman Michael J. Czapski. We can sympathize with Carl Parsell, president of the DPOA, when he says that all may be lost unless there is as much remorse about Czapski's death as there is about the damage to the New Bethel Baptist Church.

And we can understand the DPOA's feeling that its efforts to find the guilty parties were frustrated by what the DPOA considers speedy and summary action by Judge Crockett.

But the attempt to have Judge Crockett removed, either by petition and concurrent resolution by Gov. Milliken, by impeachment, or through the Judicial Tenure Commission, is no way to approach the problem. This may relieve DPOA anger, but it will do nothing to solve the problem reflected by it.

The DPOA will not end, by this move, the danger of racial polarization. It will not end the feeling among many of the black community that the police are racists and that this is a racist society. The police cannot win, in this way, the broad support of the whole community which police demand and have a right to expect.

What is at issue here? Certainly it is no longer what exactly it was that transpired at New Bethel church that Saturday night. The most important facts of that incident are all too tragically clear: A policeman dead, another wounded, four black civilians wounded.

The issue is whether the police were right in arresting some 142 people, and whether the events that followed in the next 12 hours conformed both to the reasonable rights of the state to protect itself and the reasonable rights of individuals to their civil liberties.

Thus the real issue that divides the DPOA and Judge Crockett is not an enormous one of competency, or the assumed right of the police to judge a judge, but only what constitutes the rule of reason.

In fairness to all concerned, Judge Crockett's court that Sunday was chaotic. Mechanically, with 142 people arrested, detectives and uniformed police working overtime and interested but uninvolved parties entering and leaving, the system broke down. The police could not process the cases and Judge Crockett could not fully control his court.

In the confusion that swirled around the courtroom proceedings that day, the facts of what took place were reported inaccurately by many media, including this newspaper. We have since corrected those errors and we think there are human factors which explain them, but the original inaccuracy cannot be excused. In part, the error was ours and we regret it.

Even now, studying a transcript of the court record, it is all but impossible to sort out the details. It appears that a number of persons were released before the regular noon court session began and that Assistant Prosecutor Jay Nolan told the court he wanted to hold only 10 of the original 142 arrested. At that point, Nolan himself did not even know how many persons were being held. Two of the 10 were held, one for assault with intent to murder and the other for carrying a disabling chemical spray.

Mr. Nolan asked that the other eight be held either because they had positive nitrate tests or because police suspected "a speck of nitrate." Judge Crockett ruled that nitrate tests on prisoners held incommunicado without benefit of legal counsel were unconstitutional.

When these were disposed of, Mr. Nolan then recommended the release of all others. Judge Crockett, acting on the prosecutor's motion, so ordered.

That, then, is really what the fight is all about. Is a nitrate test, without counsel, legal? The question has yet to be decided, though the Supreme Court has ruled that a blood test on an unconsenting suspect is legal. Certainly the issue is a reasonable question.

And how long may suspects be held? If there had been only one suspect, would six hours, or 12 hours, have been too long for police to question him without counsel or advising him of his rights? The Supreme Court has ruled it would be. But with 142 persons to be questioned, before they are even suspected of a crime, how long is reasonable? Even Solomon in his wisdom would be hard put to offer an answer to satisfy all sides.

Both sides in this debate, and all other concerned citizens, should also remember that justice is slow. The Algiers Motel case and the Rouge Park case are not yet settled. They, too, try the patience.

If mistakes were made, as they were, it seems evident that they were human mistakes, compounded by confusion and tension. Judge Crockett is considered an eminent constitutional jurist, and attorneys and judges of all persuasions have supported him, just as others have condemned him.

The questions are, essentially, ones that reasonable and knowledgeable men can disagree about. They may be debated for years. What is important in this time and circumstance is that the debate not become irrational, and that light, not heat, be cast upon it.

STATEMENT BY JUDGE GEORGE CROCKETT

The distortions of fact and the confusion over this Court's actions in the recent events at New Bethel Church compel me to make certain facts clear. I am personally deeply affronted by reports and stories which have clearly and deliberately twisted the truth and the law in this matter.

More serious than any harm to me personally is the profound damage being done to this Court and to our entire community by those who would use this tragic affair to intensify community hostilities which are already so deep and divisive.

The actions taken by me in my capacity as presiding judge, following the New Bethel Church shootings and the mass arrests, were legal, proper and moral. Indeed, it is precisely because I followed the law, equally and without partiality, that questions and accusations are being raised. If I were to have reacted otherwise, if I were to have ignored my judicial and constitutional responsibilities and followed the often accepted practices of condoning long police detentions, of ignoring prisoners' rights to counsel and of delaying the hearing on writs of habeas corpus, possibly the adverse publicity about Judge Crockett may have been averted. But in doing so, justice would have been denied.

I deplore the senseless shooting of the policemen. I also deplore the armed assault on a church, particularly a church occupied by men, women and children, whom we must presume to be innocent until and unless evidence to the contrary is presented. I deplore, too, that so many innocent people were rounded up by the police, incarcerated for many hours in violation of their rights as citizens, and that some officials who are sworn to enforce equal justice have complained because I have done so.

Michigan law requires—does not suggest, but requires—that "any judge who willfully or corruptly refuses to consider an application action, or motion for habeas corpus, is guilty of malfeasance in office."

Moreover, "any justice of the Supreme Court and any judge of a Circuit Court may issue a writ of habeas corpus . . . upon his own motion whenever he learns that any person within his jurisdiction is illegally restrained of his liberty." By statute, Circuit Court, as used in this rule, includes Recorder's Court.

Justice last Sunday demanded a prompt judicial examination and processing of the persons arrested. If there was any sound legal basis for their detention, they were detained; otherwise they were entitled to be released and they were released upon reasonable bond.

Let us review the sequence of events following the shooting of the officers and the storming of the church by police, which occurred some time before midnight Saturday.

At 5 A.M. I was called—not by the police but by Representative Del Rio and Reverend C. L. Franklin, the church's pastor, who came to my home and wakened me. As presiding judge of this Court for the day, I went immediately to the police station. I requested a list of the prisoners and was told—about six hours after they were taken into custody—that police didn't know whom they were holding.

I then talked with Commissioner Spreen who agreed to furnish a list. He also agreed to set up a courtroom on the first floor of the police station. I requested that the Prosecutor be called, and Assistant Prosecutor Jay Nolan arrived. The press was present. Mr. Nolan, the police and I agreed on the processing of the prisoners. They were to be brought immediately outside the temporary courtroom in groups of 10, beginning with the women. But they appeared before me individually and each was interviewed separately by me in open court.

The cases of 39 arrestees were then heard and determined as follows:

15 Detroit residents were released on $100 personal bond to reappear at noon.

1 man (the church janitor) was discharged with consent of the Prosecutor.

1 man from Ohio was released on $100 personal bond and ordered to reappear at noon.

22 persons from out-of-town were remanded to custody until noon. All persons released on personal bond appeared at noon as directed.

Further hearings were terminated by the entrance of the Wayne County Prosecutor who, in the presence of the Court, issued verbal orders to the police countermanding a court order. The Prosecutor, in the presence of the Court, prevented the police from producing any further arrestees for the hearing.

I have condemned the Prosecutor's action as not only contemptuous, but also as having racial overtones.

Subsequently, in a letter to presiding Judge Robert E. De-Mascio dated April 1, I declined to press the formal contempt charge. To pursue the contempt proceeding, I felt, would aggravate the already tense community confrontation.

Moreover, the Prosecutor himself, after the contempt incident, and before the Court reconvened at noon and after the Court reconvened, himself released or requested the release of some 130 arrestees.

It is essential to emphasize that the vast majority of those released, approximately 130 persons, were released with the Prosecutor's concurrence. Despite this fact, the press has several times referred to my actions in terms of "unwarranted leniency." There was no unwarranted leniency.

By noon, the number of prisoners whose disposition was under question had been reduced sharply. Out of approximately 142 persons arrested, only 12 remained to be processed. Two of these prisoners I ordered held without bond because there was evidence to do so. Another I released on $1,000 bond after his attorney said he would vouch for him.

The other 9 prisoners were those who, police said, had positive nitrate tests. On this question, I hold that such tests are unconstitutional when taken without the presence of counsel or at least upon advice to the prisoner that he is entitled to counsel at this critical step in his interrogation. For me to have held those nine men, without objective evidence and under those circumstances, would have been improper. The police had many hours to identify those nine men. They should know who they are. If those men committed a crime, the police must gather evidence to make a case that will hold up in court. They still can do so if their investigation warrants it.

I am most anxious that criminals be apprehended, tried and brought to justice. But I will not lend my office to practices which subvert legal processes and deny justice to some because they are poor or black.

I understand, of course, why the hue and cry arose. An angry Prosecutor, lacking police evidence or testimony which might produce a probable suspect, and resentful that ordinary and undemocratic police practices were challenged, chose to divert public attention to Judge Crockett. And some of the media, particularly the Detroit News, picked up that lead and began their campaign to help the police and the Prosecutor's office continue their efforts to dominate and control the courts and legal processes. The judiciary cannot allow its independence to be threatened in this fashion.

Finally, and regretfully, let me repeat that this whole case does have racial overtones.

Can any of you imagine the Detroit Police invading an all-white church and rounding up everyone in sight to be bussed to a wholesale lockup in a police garage? Can any of you imagine a church group from, let us say, Rosedale Park, being held incommunicado for seven hours, without being allowed to telephone relatives and without their constitutional rights to counsel? Can any of you justify the jailing of 32 women all night long when there was admittedly not the slightest evidence of their involvement in any crime? Can anyone explain in other than racist terms the shooting by police into a closed and surrounded church?

If the killing had occurred in a white neighborhood, I believe the sequence of events would have have been far different. Because a terrible crime was committed, it does not follow that other wrongs be permitted or condoned. Indeed, constitutional safeguards are needed even more urgently in times of tension than in ordinary times.

The best guarantee to avert the kind of social disaster that occurred in Detroit in 1967 is prompt judicial action with strict observance of constitutional rights.

I intend to continue to maintain law and order in my court by dispensing justice equally and fairly, by protecting each individual's rights, and most importantly, by upholding the independence of the judiciary and the dignity of this court.

If the real dangers to our community are to be uprooted, let the news media and all other forces of truth and justice concentrate on the underlying causes of crime and social disorder as described by the Kerner Commission and as identified by virtually every responsible commentator in America. The causes are steeped in racism . . . racism in our courts, in our jails, in our streets and in our hearts.

CHALLENGE TO THE ESTABLISHMENT

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. BROWN of California. Mr. Speaker, ever since the outbreak of hostilities in Korea nearly 20 years ago, the specter of an aggressive world Communist movement has acted as a buffer on any threats to the American Military Establishment. No one denies that some of the threats have been real and serious, but even those actual instances of aggression have added extra fuel to the demands of the establishment for an increasing share of our resources.

Between 1950 and 1960, total defense expenditures more than doubled, and it is already certain that by 1970 we will see more than a doubling of the 1960 defense budget level. And of course there is no letup in pressures for more and more funds for that wonderfully nebulous catchall termed "national security."

But, even as those pressures for higher military spending mount, a counterforce to the establishment is gaining strength. For the first time since Korea, the Nation is being aroused into realizing that "national security" means that as much emphasis must be put into internal problems as it does for external affairs.

And as the stress for immediate domestic solutions increase, a natural abrasion occurs with the equally strong push by the establishment, an abrasion which involves the prime control of power and authority in America.

Thus, we find that behind the intense surface struggle over deploying an ABM system, over testing MIRV warheads, over going ahead on a new $12 billion manned bomber, there lies a more basic and key issue—the debate of our overall national priorities and the need to represent the will and judgment of all citizens.

Until recently, and even despite President Eisenhower's poignant warning, the military-industrial-political-education complex—with its tentacles stretching from these very Chambers of Congress into the majority of our large educational institutions throughout the country—remained virtually invisible. No target was vulnerable for criticism, no one person—one thing— could be pointed at as a culprit.

Now, the veil is lifting, the secrecy fading. We see how the pleas for "defense and security" are really no more than further extensions of establishment tentacles, that too many "foreign threats" originate here as the schemes of the complex to cement their control over the Nation.

I am not for weakening national security, I am not advocating retrenchment of all our national defenses. What I support is a strong Nation, a Nation built upon freedom, justice, and equity, and I believe in a symmetry between external and internal priorities, a symmetry largely lacking today.

It is vital that all of us know the totality of the military-industrial-political-educational complex before we can cope with it. We cannot set priorities without a perspective on the complex and on the forces now challenging the establishment.

With these thoughts as an introduction I would now like to insert into the RECORD a series of informative articles presenting a wide background on the establishment and on the confrontation now going on in this country. I, therefore, include the following articles in the RECORD at this point:

[From the Progressive, April 1969]

CHALLENGE TO THE PENTAGON

Something special and significant and promising is happening in the nation and the Congress. For the first time in two Cold War decades, substantial numbers of Americans and their elected representatives are openly challenging some of the myths that have misguided the foreign policy of the United States.

There is a new and growing awareness that this country has become a Warfare State—that the military establishment has attained a position of power and influence that is utterly disproportionate to any external threat and that poses a drastic danger to peace abroad and progress at home. The standard scare propaganda ground out by the Pentagon's huge and costly brainwashing apparatus is finally being met with at least a measure of skepticism.

This is one positive result—the only one, in our judgment—of the Vietnam disaster. The reaction has finally set in to the innumerable military misjudgments that have beguiled Presidents and the public into an ever more disastrous adventure. In an interview with the *Reader's Digest* only a few weeks ago, Admiral John S. McCain Jr., the commander-in-chief of the Pacific Fleet, declared: "We have the enemy licked now. He is beaten. We have the initiative in all areas. The enemy cannot achieve a military victory. He cannot even mount another major offensive. . . . I am convinced that that is why he has come to the conference table in Paris—to try to win there what he has failed to win on the battlefield."

The Admiral's assurances, published under the heading "IN VIETNAM THE ENEMY IS BEATEN," reached the *Digest's* millions of subscribers just as the latest Vietcong offensive was claiming the highest American casualty tolls since the spring of 1968. Time and again the assessments of the military experts and their civilian spokesmen have been exposed by events as erroneous at best and fraudulent at worst. It is a record that, in time, was bound to induce disbelief.

Another factor in the new and healthy skepticism toward the brass is the immense proportion of national resources allotted to "defense." While domestic needs suffer calamitous neglect, hard-pressed taxpayers find the Pentagon gobbling up the lion's share of the Federal budget and are advised to prepare for substantial increases in the current $80 billion-a-year military outlay. Estimates for the Sentinel anti-ballistic missile system alone range up into the hundreds of billions, and there is no lack of other costly gadgets on the Pentagon chiefs' "wish list."

Senator William Proxmire, Wisconsin Democrat, who surveyed his constituents last month and found unprecedented sentiment for curbing military spending, took the Senate floor to declare that the "unwarranted influence . . . by the military-industrial complex" against which President Eisenhower warned eight years ago is not a future peril but a clear and present danger. "The danger has long since materialized with a ravaging effect on our nation's spending priorities," Proxmire told his colleagues.

Despite the massive propaganda barrage mounted in behalf of the ABM by the military and its eager protector, Defense Secretary Melvin R. Laird, nearly half of the Senators and scores of members of the House have publicly declared they will oppose funds for missile sites this year—a degree of resistance to the Pentagon's pressures that would have been unthinkable a few years ago. Their motives vary—some are most concerned with economy, others with the dangers of nuclear accidents at the ABM sites, still others with the likelihood of a new arms race between the United States and the Soviet Union, and the increased peril of accidental or intentional war. What matters most, however, is that a substantial segment of Congress is now willing to stand up to the military behemoth, and is convinced that the voters will agree.

Potentially the most important accomplishment of the Ninety-first Congress is the appointment of a special Senate Foreign Relations subcommittee to investigate the impact of the military on American foreign policy. The inquiry will be conducted by Senator Stuart Symington, Missouri Democrat, the only Foreign Relations member who also serves on the Armed Services Committee. Symington, a former Secretary of the Air Force, has been on cordial terms with the military-industrial complex in the past but he, too, has shown recent signs of independent reappraisal, and delivered one of the Senate's more vigorous attacks on the ABM program. His new assignment provides the opportunity, if he will take advantage of it, to expose the full extent of military meddling in the nation's conduct of foreign affairs. It is no exaggeration to suggest that a sufficiently energetic inquiry could change the course of history.

Even in advance of the Symington study, some recent disclosures afford at least a few fragmentary clues to the pervasiveness of Pentagon manipulation of the levers of national power.

Item: After embarrassing revelations in the press, Secretary Laird was forced to scuttle an ambitious Army "master plan" to promote the virtues of the ABM. The scheme, approved last year by Secretary of the Army Stanley Resor, would have encompassed such tactics as planting favorable articles in scientific journals, staging special classified briefings for members of Congress, producing elaborate exhibits and orientation programs to brainwash communities programmed for Sentinel sites, and enlisting industrial contractors in extravagant advertising campaigns—all at public expense.

Item: Senator William Fulbright, Arkansas Democrat, the chairman of the Foreign Relations Committee, has called attention to the teams of colonels from the Industrial College of the Armed Forces dispatched around the nation to conduct "national security seminars" that are barely disguised exercises in propaganda. "We must take over the guard all around the world to fill the power vacuum left by the withdrawal of the British and other Western powers who no longer have the capability," says a typical excerpt from one of the seminars. "Prominent Americans sit back here in the United States and say that it is all right to let the Communists take over South Vietnam . . . that it would not affect the rest of Southeast Asia . . . and they scoff at the domino theory largely because they don't have to live there," says another. The Pentagon says the seminars are "non-political and present only factual data."

Item: The armed services are spending $4 million a year on a lobbying force of 339—140 military and 199 civilians—to maintain military "liaison" on Capitol Hill and feed the Pentagon's point of view to Congress. "It appears to me that admirals and colonels could be used to better purpose and effect," says Mike Mansfield of Montana, the Senate Majority Leader, but from the military's point of view the purpose and effect are worth the expenditure. The same undoubtedly is true of the 200-man operation presided over by the Assistant Secretary of Defense for Public Affairs, which includes a major general and at least sixteen colonels and spends $1.6 million a year.

Item: General David A. Burchinal, deputy chief of U.S. forces under NATO, has apparently been acting as a one-man State Department in negotiating the renewal of Spanish leases on four American military bases. According to reports that have been publicly denied and privately confirmed by Administration officials, Burchinal went far beyond his authority in offering verbal assurances of American military support to the Franco dictatorship. The episode is high on Symington's investigatory agenda.

These are merely illustrative cases that happen to have come to light in recent weeks. The bulk of the iceberg remains hidden, and it is a safe assumption that only the most persistent effort will bring much of it to the surface. But what we know suffices to demonstrate the critical need to expose the full range of military mischief-making in a nation that still prides itself, anachronistically, on the notion that its military is under the civilian control of its elected Government and under constant scrutiny by the public.

No one should be more concerned with this matter than President Nixon; it is his constitutional authority that is most directly challenged by the power of the Pentagon. His predecessor paid a heavy price—the ultimate political price—for succumbing to the blandishments of military thinking. Mr. Nixon faces critical decisions—on extricating the United States from the dismal swamp of Vietnam; on negotiating with the Soviet Union for a reduced level of armaments and an easing of international tensions; on allocating America's resources to those purposes requiring priority attention; on liquidating reckless "commitments" made in the fervor of Cold War zeal and avoiding the new pitfalls that are bound to confront the nation in the future. On each of these points the President's choices can be subverted by the pressures of unchecked Pentagon power.

Unfortunately, the President's ambassador to the military chiefs, Secretary Laird, gives every indication of being more concerned with protecting their interests than those of the President and the nation. By past performance and present pronouncement the Secretary is clearly identified as the willing handmaiden of the brass. His public comments on the need for military "superiority," on the course of action to be pursued in Vietnam, on ABM and other military hardware projects, have already indicated that he does not mind narrowing the options of the White House or undermining the efforts of the State Department. He is a dangerous man surrounded by other dangerous men, and he is likely to be one of the most powerful men in Washington for some time to come.

Laird's position at the helm of the Defense Department makes it all the more urgent that every possible ray of illumination be cast on the operations of the military apparatus. The need for such illumination has long been great. For the first time, there are signs that Congress and the people want to bring the Pentagon out into the light.

[From the Progressive, Feb. 1969]

THE MILITARY ESTABLISHMENT RIDES HIGH

(By Erwin Knoll)

(NOTE.—Erwin Knoll is Washington correspondent for The Progressive. Mr. Knoll has worked in Washington as a reporter and an editor for twelve years, and he is a former White House correspondent for the Newhouse newspapers. He is co-author with William McGaffin of "Anything But the Truth.")

"The business of America is business," Calvin Coolidge said. Increasingly, the business of America is military business—a business that claims the lion's share of the Federal budget, that employs almost eight million Americans, that preoccupies the nation's leading scientists and engineers, subsidizes its universities, dominates its foreign policy, and distorts its domestic life. It is a business that looks forward, despite its great growth in recent years, to a new spurt of expansion in the Administration of President Coolidge's most recent Republican successor.

When Congress imposed a $6 billion reduction in Federal spending last summer as its price for approving the Johnson Administration's ten per cent income tax surcharge, Richard M. Nixon saw a clear and present danger to the Republic. There were, he warned, "disturbing . . . recent suggestions and hints" that President Johnson would attempt to effect savings by cutting back on military expenditures.

"To cut these segments of the budget—at a time when America's strategic superiority is in increasing doubt—would be blind and reckless economy. It would be an irresponsible and potentially dangerous decision," Nixon declared. Instead, he proposed, the reductions "can and should be made in both the foreign and domestic spending programs not directly related to present and future American security."

There was no reason to believe, then or thereafter, that Johnson did not fully share Nixon's sense of national priorities. "Foreign and domestic spending programs not directly related to present and future American security" had lost every skirmish in the competition for Federal dollars over the last five years. Nonetheless, the charge that Johnson had somehow opened up a "gravely serious security gap" became a dominant theme in Nixon's Presidential campaign.

President Nixon enters the White House committed, at least by campaign rhetoric, to a program of Pentagon spending that could make the recent past look like an idyllic interlude of unilateral disarmament. On the eve of Election Day, Nixon's campaign headquarters disclosed the price tag for his policy of military "superiority"—a Pentagon budget of $87 billion by 1972. The projection assumed an end to the Vietnam war, which accounts for about $30 billion of the current $82 billion military budget. Reassuringly, Nixon's aides projected economic growth which would produce enough new revenue to permit this huge increase in non-Vietnam Pentagon expenditures without increased taxes or significant reductions in domestic social programs.

The Nixon spending forecast was high enough to send shock waves through the liberal ranks in Congress, though some optimists were inclined to write it off as political balderdash. In fact, however, the $87 billion figure is modest compared to some being circulated at the Pentagon, where the conveniently rounded target of a $100 billion budget is often cited these days. The military chiefs' "wish list" of proposed new weapons and weapons systems already includes enough hardware to top the $100 billion figure by $10 billion or so.

"A central question facing the new Administration and the American people," Senator George McGovern recently observed, "will be whether we use the $30 billion now being dissipated in Vietnam to improve the quality of our society, or permit it to be gobbled up by the military for a new string of gadgets and adventures such as the ill-advised anti-ballistic missile system." Every advance sign from the new Administration points to a depressing answer to this question. The Nixon campaign promised rich rewards to the gadget-greedy military men, the profit-hungry defense contractors, and the Cold War hard-liners in Congress.

It is from this last group that Nixon recruited his Secretary of Defense, former Wisconsin Representative Melvin R. Laird, whose appointment sent an anticipatory thrill down Pentagon corridors and through corporate board rooms. Defense contractors "hope to find an ally" in Laird, *The Wall Street Journal* reported, noting that as a member of the House Defense Appropriations Subcommittee the new Secretary "sharply criticized what he felt was overemphasis on cost factors in selecting and developing weapons systems." In an editorial, the *Journal* doubted that industry would find Laird a soft touch—"Certainly he realizes that intelligent defense policy can't be set simply by pouring out more money and turning things over to generals and admirals." But Laird's record leads to no such certainty; he has described the brass as "highly intelligent citizens with a broad grasp of our military potential and future needs . . . well-equipped to make meaningful recommendations for policy."

Laird "goes into the job of Secretary of Defense with an expressed philosophy close to the military chiefs he is supposed to control," wrote George C. Wilson, *The Washington Post's* Pentagon correspondent. That philosophy, as expounded by Laird on the House floor, in committee, and in his 1962 book, *A House Divided: America's Strategy Gap*, embraces abiding faith in the inevitability (and desirability) of a continuing Cold War; uncompromising rejection of the notion of nuclear parity between the United States and the Soviet Union in favor of "American nuclear superiority"; eagerness to assign the top national priority to arms procurement; and contempt for the feeble efforts mounted by former Secretary Robert S. McNamara to apply a measure of "cost-effectiveness" restraint to swollen military budgets.

In the House, Laird has been an able and vigorous campaigner for an expanded nuclear Navy, a strengthened anti-submarine force, more Polaris missile submarines, and increased funds for Pentagon research and development programs. The military chiefs' "wish list" could not fall into gentler, more receptive hands.

At his first post-appointment press conference in December, Laird backed away from some of the more extreme language in his 1962 book—the advocacy, for example, of an American "first-strike initiative" against the Soviet Union. The book was written, he said, "in a period of confrontation. We are now in a period of negotiations, and I think that should be considered as we face the future." Laird declined to discuss specific military questions, but he reaffirmed his conviction that "the United States should maintain a superior position as far as its defensive forces are concerned."

In his last (and most thoughtful) defense "posture" statement, McNamara attempted a year ago to persuade Congress of the rationality of nuclear parity. "To put it bluntly," he said, "neither the Soviet Union nor the United States can now attack the other, even by complete surprise, without suffering massive damage in retaliation. This is so because each side has achieved, and will most likely maintain over the foreseeable future, an actual and credible second-strike capability against the other. It is precisely this mutual capability to destroy one another, and conversely, our respective inability to prevent such destruction, that provides us both with the strongest possible motive to avoid a strategic nuclear war."

Laird's longing—and Nixon's—for "a superior position" explicitly rejects this view, and opens incomprehensible vistas for future military expenditures. An anonymous Nixon aide recently gave *Congressional Quarterly* a hint of the bizarre new numbers game we may soon be confronting. He said:

"We've got to take a good look at the targeting situation. We'll have to see how many targets each country would have to hit in order to wipe out the other. For the sake of argument, say we have 100 targets that the Soviets must hit in order to wipe out this country; but because of the greater Soviet dispersion, let's say we have to hit 1,000 targets. So in raw terms, we must have a ten-to-one edge in missiles to even achieve parity. I don't know what the actual figures are on this targeting, but I don't think the proportion is too different from what I've just described."

Such reasoning can ultimately widen the "security gap" to vast dimensions, as the Nixon aide went on to illustrate. "If we have 100 missiles," he added, "assume that only eighty get off the ground in the event of a Soviet first strike. Perhaps thirty of these will malfunction on the way and the Soviet ABM system will kill twenty-five. So if it takes forty assured hits to deter the Soviet Union then we have a gap of fifteen missiles. This is the sort of thing we have to take a good, hard look at in the weeks ahead."

The multi-billion dollar corporations that thrive on military business are also taking a good, hard look, and they like what they see. In a recent series of interviews with executives of aerospace firms in Texas and California, Bernard D. Nossiter of *The Washington Post* found unbounded, unqualified optimism about the outlook for future defense contracts and profits. James J. Ling, who presides over the $3.2 billion Ling-Temco-Vought conglomerate, the nation's eighth largest military contractor, told Nossiter, "Our future planning is based on visible contracts. One must believe in the long-term threat."

On the basis of that belief, LTV Aerospace Corporation, Ling's prime defense subsidiary, projects total sales of $1.3 billion in 1973, compared with $530 million in 1968. The 1973 estimate includes $322 million for the new Navy VSX plane A–7; $1 million for the Navy F–8 fighter; $320 million for the VFX fighter-bomber; $149 million for missile work; $270 million for other military-space contracts, and $230 million for non-military, non-space production.

LTV Aerospace's cheery forecast reflects industry-wide expectations. In a study of "The Post-Vietnam Defense and Space Market Environment," the Electronics Industries Association concluded a year ago that arms control agreements "during the next decade are unlikely," that the "likelihood of limited war will increase," and that "thus for the electronics firms the outlook is good in spite of [the end of hostilities in] Vietnam."

Items on the military chiefs' "wish list" that help account for the industry's happy outlook include:

An expanded anti-ballistic missile system, costing $8 billion to $14 billion more than the $5 billion already scheduled for the "thin" Sentinel missile defense system and building toward the ultimate goal of a fully operational anti-Soviet ABM at a total cost of $40 billion to $60 billion. The Johnson Administration's decision to begin work on the ABM, Nixon argued in the campaign did not represent the beginning of a new arms race but rather "a belated decision not to lose a race already in progress—a race in which the Soviets threaten to leave us behind."

A new strategic bomber, the Advanced Manned Strategic Aircraft (AMSA), to replace the B–52 and B–58 at a cost of $10 billion to $15 billion. An industry source told *Congressional Quarterly* that "despite the fact that grade-school arithmetic can demonstrate that the manned bomber doesn't make sense in the missile age, a small group of generals who can't forget the glory of 1,000-plane B–17 raids are pressuring the country into a $15 billion anachronism." But Nixon associates say Presidential approval of AMSA is "highly likely."

A much larger successor to the Minuteman missile, estimated to cost $10 billion to $12 billion. This would give full vent to the Nixon-Laird strategy of "superiority."

A new sea-based successor to the Polaris missile, operating from surface ships as well as from new submarines, at a projected cost of $10 billion to $12 billion. The new "super-quiet" attack submarine that Secretary Clark Clifford approved for procurement last October is already being referred to in the Pentagon as "First of the Nixon Class."

Other items on the "wish list" that are likely to meet with the new Administration's favor include a new continental air defense system priced at about $14 billion; massive additions—estimated to cost as much at $10 billion a year—to the nation's stockpile of defense supplies, which Nixon charges has been "seriously depleted" in recent years; new emphasis on military applications of the space program, including the Air Force's long-simmering Manned Orbiting Laboratory, and an across-the-board increase in military research and development funds.

"The real danger," said the 1968 GOP campaign book, *Nixon on the Issues*, "does not stem from existing weapons, but from possible breakthroughs by the huge Soviet research and development establishment. The United States can afford to be selective in our own weapons only if we are resolute in maintaining a comprehensive lead in research and development. Recent events have already put our lead in jeopardy. The belief that a strategic balance of power can be maintained, based on a common 'plateau' of technological achievement, ignores the volatile progress of science today, which is incomparably more rapid and variable than ever before."

The military chiefs and their civilian suppliers may be forgiven for assuming that Nixon has promised them a blank check in place of the generous—but fixed—allowances they have received in recent years.

Increasing military expenditures Senator Eugene J. McCarthy recently wrote have given the Pentagon "greater and greater influence upon our foreign policy, upon our domestic policy, and upon the educational institutions of the United States." Two universities—the Massachusetts Institute of Technology and Johns Hopkins—appeared last year on a Defense Department list of its top 100 contractors. Pentagon figures showed that "nonprofit institutions"—most of them universities—received $665.3 million of the $6.5 billion in defense research contracts during fiscal 1968. The "military-industrial-academic establishment," McCarthy charged, has become "a kind of republic within the Republic."

It is a cozy republic—a comfortable welfare state with an assured future. The relationship between Pentagon procurement officers—some 5,500 military and civilian personnel are employed in procurement—and their suppliers is less a buyer-seller arrangement than a genial partnership. The $45 billion a year now alloted to procurement allows an ample margin for error, and the margin is full and overflowing.

In hearings conducted last fall by Senator William Proxmire's Joint Economic Subcommittee on Economy in Government, expert witnesses testified that major defense contractors earn profits about seventy per cent higher than the average for firms engaged primarily in non-defense work. A. W. Buesking, a former Pentagon official, told the Subcommittee that the $8 billion Minuteman intercontinental ballistic missile program returned a forty-three per cent before-tax profit based on net worth to the prime contractor, the Boeing Company. After taxes, he added, Minuteman profits would have been about twenty-one per cent on net worth—about double the going rate in non-defense industries.

Proxmire called the record "appalling," but it is by no means exceptional. Although the Pentagon acknowledges that price competition in contract awards reduces costs by an average of twenty-five per cent, the volume of competitive bidding has been declining steadily, now accounting for less than twelve per cent of the contracts awarded. About a third of the Defense Department's purchases are based on "competitive negotiated contracts," in which price may or may not be a factor, and more than half—including most of the largest contracts—involve no competition of any kind.

Official regulations governing defense procurement declare that price competition should be the rule, but there are exceptions—seventeen kinds of them by latest count—and they are generously invoked. One exception is "urgent need," and it covers most situations not encompassed by the other sixteen. The contract watchdog agency, the Renegotiation Board, which Senator Proxmire helped save from threatened extinction last year, is governed by exceptions too, including one that automatically exempts from scrutiny all companies that do less than $1 million in defense business a year.

"I would estimate that if all the exemptions were lifted, we would have jurisdiction to check for excess profits on at least another $8 billion or $9 billion in Government purchases and it could go as high as $10 billion," Lawrence E. Hartwig, chairman of the Renegotiation Board, said last fall.

In its munificent tolerance of error, the Pentagon shrugs off the fact that research and development contracts tend to run up final costs more than double their original estimates. Similar "slippage" occurs in hardware procurement, as Proxmire demonstrated when he discovered that the Air Force was preparing to pay the Lockheed Aircraft Corporation $2 billion in excess of the $3 billion originally planned for 120 C–5A Galaxy transport jets. A. E. Fitzgerald, deputy for management systems in the office of the Assistant Secretary of the Air Force, said "corporate strategy" was at least partially responsible for the cost increase, but explained that the Government would pay the tab "because, I suppose, we want the aircraft badly enough and to keep the base active at the plant."

Despite occasional investigatory excursions such as Proxmire's, neither the brass nor the contractors need fear the consequences of Congressional pique. When military appropriations come up for review, the most ardent watchdogs of the public treasury suddenly betray benign indifference. Their main concern is to see to it that their constituencies get a fair share—or more—of the military largesse. Senator Richard B. Russell of Georgia, whose state is splendidly endowed with defense installations and ranked tenth in the nation in Pentagon contracts last year, has already served notice of the approach he will bring to his new chairmanship of the Appropriations Committee: "There is no hesitation in my mind in stating that we cannot continue to support a war, be capable of honoring our commitments abroad, and maintain an adequate defense posture without substantially increasing the size of our defense budget in the near future. As reluctant as Congress will be to accept that statement, I make it unequivocally and without fear of contradiction." A Nixon spokesman says, "There's very little difference between Nixon's philosophy and that of the Armed Services Committees of Congress. I see no reason why they shouldn't get along."

"Is it an industrial-military or a military-industrial establishment?" Nossiter asked in one of his *Washington Post* articles. Do new weapons expenditures originate in the inventive design shops of the contractors to be sold to the Pentagon, or do the corporations respond to the requirements of the brass? "There is no simple answer to the question," he wrote. "Indeed, some authorities think it should more properly be called a military-industrial-political complex to account for the influential Congressmen who press requirements on the Pentagon and contracts on their constituents." The home district of Representative L. Mendel Rivers of South Carolina, the Chairman of the House Armed Services Committee, is often cited as the archetypal example; it has been described as a "microcosm of the military-industrial complex," and includes a naval station and shipyard, an air base, an Army depot, a missile plant, and a mine warfare center.

The complex has come a long way since President Eisenhower warned in his farewell address that its "total influence—economic, political, even spiritual—is felt in every city, every state house, every office of the Federal Government." The present prospect, Senator McGovern said, is this: "Powerful industrial giants eagerly pressing for more military business, Pentagon defense planners eager to get on with new weapons production, Congressmen whose districts profit directly from the anticipated contracts, and millions of Americans from the blue collar aircraft worker to the university physicist drawing their paychecks from the production of arms." The military budget has almost doubled since Eisenhower left the White House. Will it double again in the next eight years?

In his 1968 campaign book, Nixon took note of Eisenhower's warning against "the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex." I do not think it will happen as long as you have in positions of leadership in the United States men who are aware of the danger," Nixon said.

But are such men in positions of leadership? Neither Nixon's record, nor Laird's, nor that of Henry A. Kissinger or Lee A DuBridge, the President's principal advisers on national security and scientific affairs, offers much in the way of reassurance. All have been far more troubled by the prospect of a "security gap" than by the likelihood—indeed the actual existence—of the democracy gap, the peace gap, the social welfare gap that inevitably accompany military dominance. Their preoccupation, once the rathole of Vietnam expenditures is plugged, seems likely to focus on the search for new and bigger ratholes.

"If the Defense Department is to maintain its current mission in the world," Under Secretary of the Treasury Joseph W. Barr said last summer, "I would seriously doubt that any sizable reduction can be made in the defense budget in the foreseeable future." He was right, of course, but what should the "current mission" of the Defense Department be? That is precisely the question requiring an urgent reappraisal.

There has been no sign that such a reappraisal is on the new Administration's agenda. The outlook is for business as usual, and business promises to be very good indeed.

[From the Washington Monthly, April 1969]

THE MILITARY COMMITTEES

(By Seymour M. Hersh)

(NOTE.—Seymour M. Hersh formerly covered the Defense Department for the Associated Press.)

The Congressional debate this year over the anti-ballistic missile system (ABM) marks the beginning of a revolt against one of the most awesome tyrannies on Capitol Hill: the military committees. Debate over military policies is nothing new in Congress—the manned-bomber controversy and the F–111 are just two of many examples—but the ABM debate represents the first time in recent history that a group of protesting legislators went outside the military committees to take a major defense issue to the people. Leaders of the attack were Senators not usually associated with military affairs: the voices of such men as John Sherman Cooper (R-Ky.), Philip A. Hart (D-Mich.), and Charles H. Percy (R-Ill.) suddenly replaced those of John Stennis (D-Miss.) and Richard B. Russell (D-Ga.) in a major military debate.

Public reaction to the location of certain ABM sites was strong—particularly in the suburbs of Boston, Seattle, Detroit, and San Francisco—and the ABM rapidly became the most controversial domestic military issue since the debate over civil defense forced the Kennedy Administration to abandon its elaborate fallout-shelter program. But unlike the situation then, the continuing debate over the ABM system, coupled with the Veitnam war, has initiated or encouraged exploration of several broader issues: the role of the military in American foreign policy, the relationship between the Non-Proliferation Treaty and the ABM, the future of the arms race, and most importantly, the ability of Congress to deal wisely in the area of military policy.

It could mean the end of an era.

In a Senate speech in February, after the Pentagon's decision to put ABM missile sites near cities had led to a nationwide protest, Senator Edward M. Kennedy (D-Mass.) spelled out a possible future approach to military issues. He urged Congress to begin asking questions about all facets of military appropriations and noted that "national defense programs have somehow been above the battle—it has always been implicit in many of our debates that it is perhaps unpatriotic to question the recommendations of the Department of Defense."

Waving the flag has long been a way of life for the military committees. The special relationship between the military committees and Congress as a whole began during World War II and has prospered through the growth of what is commonly called the Military-Industrial Complex, that maze of defense corporations and individuals which produces the goods and services needed to run the $80 billion-a-year corporation controlled by the Department of Defense.

Although the Senate Foreign Relations Committee has sometimes delved into military matters when they have been closely related to foreign policy—and seems newly determined to do so on a regular basis in the future—the four Congressional committees which ordinarily oversee military programs are the Senate Armed Services Committee, the House Armed Services Committee, the Senate Appropriations Committee, and the House Appropriations Committee. Membership on any of these committees is commonly regarded as a plum assignment; it brings prestige to the Congressman (because the largest chunk of the federal budget comes under his scrutiny) and it can confer a strong influence on the location of defense facilities (the six ranking Democrats on the House Armed Services Committee have 43 military bases and plants in their districts).

The ABM presents an unprecedented example of how a military contract quickly becomes a porkbarrel issue for Congressmen. One study published in 1967 noted that as few as 29 of the major contractors for the ABM employ as many as one million persons in 300 plants located in 172 Congressional districts in 42 states. All told, 15,000 firms would profit from a full deployment of the ABM. A member whose district embraces a major naval installation is, not unsurprisingly, invariably a strong booster of increased funds and weapons for the Navy. He becomes a special pleader on a committee in which he is supposed to be an overseer of all military expenditures.

A year ago this month, President Lyndon B. Johnson bowed knowingly in the direction of this reality during the rollout ceremony for the giant C–5A Galaxy cargo plane at the Lockheed aircraft plant in Marietta, Georgia. Mr. Johnson, who had flown to the plant for the ceremony, told the crowd: "I would have you good folks of Georgia know that there are a lot of Marietta, Georgias, scattered throughout our 50 states. All of them would like to have the pride that comes from this production. But all of them don't have the Georgia delegation."

Even those renowned for their high ethical standards are not immune from special pleading of a more sophisticated sort. Senator Richard B. Russell (D-Ga.), the widely respected titan of the Georgia delegation, who was chairman of the Senate Armed Services Committee until he succeeded Carl Hayden as chairman of the Senate Appropriations Committee recently, led a 1967 fight to kill the Pentagon's proposal for a fleet of Fast Deployment Logistics (FDL) vessels, arguing that the ships would commit America to being a world policeman. When the issue came up again last year, Russell surprised his colleagues with silence. The reason for Russell's switch: he did not wish to clash with his long-time friend, Senator John Stennis (D-Miss.), who was then the second-ranking Democrat on the Armed Services Committee and is now its chairman. Stennis had good reason to be grateful to Russell for keeping quiet. A few months earlier Litton Industries, the contractor for the FDL, had begun work in Pascagoula, Mississippi, on a $130 million shipyard financed and owned by the state, but leased to the company.

Benefits also accrue to supporters of the military committees, even when they are not members themselves. Senator Russell B. Long (D-La.) learned last year that the Pentagon, after 20 years of pleading by the Louisiana Congressional delegation, had agreed to give permanent status to Fort Polk, an Army base constructed in the state during World War II. No serious Pentagon official contended that there was a military justification for making the base permanent (and thereby eligible for a recurrent slice of the $1 billion annual pie for military construction). But Long had been a strong supporter of the war in Vietnam, and this was his reward. As one Pentagon official told *Congressional Quarterly* at the time: "You'll never see Senator Long voting to cut defense appropriations. It's really quite a neat little system, with subtle mutual understandings."

The failure of Congress to come to grips with the growth of military power is primarily the failure of the seniority system, which has left control of the four major committees dealing with military affairs in the hands of four elderly, conservative, southern Democrats who score higher than most Republicans on the annual voting charts published by the conservative Americans for Constitutional Action.

The four men—Russell, 71, chairman of the Senate Appropriations Committee; Stennis, 67, chairman of the Senate Armed Services Committee; L. Mendel Rivers (D-S.C.), 63, chairman of the House Armed Services Committee; and George H. Mahon (D-Tex.), 68, chairman of the House Appropriations Committee—are all superhawks. They chafe at military waste but approve multibillion-dollar defense bills with minimal debate. They believe that America's well-being depends upon a preponderance of military might. They feel that a lack of preparedness before World War II and Korea almost brought disaster to the United States. To these men, excess of military might is a reasonable goal.

Some samples from the record demonstrate the degree to which these men hold their views.

During a rare closed-door debate over the ABM last October, Senator Russell and then-Senator Joseph S. Clark (D-Pa.) had this exchange:

"CLARK. There comes a time when the tens of millions of casualties are so enormous that civilization is destroyed, and if there are a few people living in caves after that, it does not make much difference.

"RUSSELL. If we have to start over again with another Adam and Eve, then I want them to be Americans and not Russians, and I want them on this continent and not in Europe."

Congressman Rivers, when asked to explain his advocacy of the ABM deployment, replied: "I don't know why a nation that is approaching a trillion dollars in the gross national product can't afford a gadget to protect its civilization." And when asked for his views on the nuclear Non-Proliferation Treaty, he said: "I have no confidence in any Communist anywhere on earth."

Senator Stennis, in a report by his Subcommittee on Preparedness Investigation last fall, said "Our national security can ill afford to have professional judgments of military officials given inadequate weight by their civilian superiors."

The Constitution provides that the Congress, through its military committees, has the responsibility to "raise and support armies" and to "make rules for the government and regulation of the land and naval forces." During its recent history, Congress has turned out to be much better at the former.

The sad truth is that outside of legislation in military pay, construction, and manpower—areas of less than primary importance—the military committees have largely become a conduit through which the armed forces are able to secure the weapons systems and funding they desire, whether needed or not. In recent years the committees have frequently challenged the decisions—and sometimes the authority—of the Pentagon's civilian leadership in areas involving military strategy and equipment, especially when such decisions ran counter to recommendations by the Joint Chiefs of Staff.

A favorite target was Alain C. Enthoven, Assistant Secretary of Defense in charge of Systems Analysis. The attack centered on what military committee members considered to be Enthoven's over-reliance on computer studies and under-reliance on military requests. At one point, it produced this dialogue during last year's House Armed Services Committee hearings on the Navy's proposal for nuclear frigates:

"ENTHOVEN. I expressed the view that the added benefits from the nuclear frigate were not worth the added costs.

"Chairman RIVERS. And that advice was followed, wasn't it? The answer is 'yes' or 'no.'

"ENTHOVEN. Followed to some extent. The Secretary did decide to build a frigate.

"RIVERS. Mr. Secretary (Enthoven), I am trying to be very patient with you. When I tell you to answer 'yes' or 'no,' you do it."

Rivers is an extremist in tone and style, but what he says is endorsed and supported by other members of his committee and the other military committees in Congress. He is an avowed and abusive advocate of the military; the others are simply not as abusive.

Rivers almost prides himself on his lack of subtlety. In the last election, which returned him to Washington for his 15th term in the House, he again used the proud and accurate campaign slogan, "Rivers Delivers." He is quick to remind his constituents that he has single-handedly brought Charleston "90 per cent" of its rich honeycomb of defense activity. Other reminders are close at hand. The entrance to the Air Force base is called Rivers Gate; Route 52 through Charleston is Rivers Avenue; a housing project on the Navy base is named Men-Riv Park. His Congressional district also includes a Marine Corps air station, an Army depot, a shipyard, a Navy training center, two Polaris missile facilities, a Navy supply center, two Navy hospitals, a Marine Corps recruiting depot, and a military payroll of $200 million a year.

He acceded to his position as chairman of the Armed Services Committee after Carl Vinson (D-Ga.) retired in 1965 at the age of 81. Like Vinson, Rivers runs the committee as an autocracy; nothing passes the committee unless he wants it to, and he provides little time for debate, even on such important matters as the ABM. Committee members who dissent on critical issues face the prospect of wrath and revenge from Rivers. In contrast to Senator Russell's toleration of differences when he ran the Senate Armed Services Committee, dissent on the Rivers committee is perceived by the chairman as a personal affront and a violation of etiquette.

One committee member who challenged Rivers on a key issue suffered through almost a year of being ignored whenever he wanted to ask a question at a hearing. He got back in the chairman's good graces when, after long months in Coventry, he finally received recognition at a hearing and proceeded to give the witness—Robert S. McNamara—a rough interrogation. "After that," the chastened member recalls, "Rivers thought, hell, maybe I wasn't such a bad guy after all."

Only in the last few years have a few members of the House Armed Services Committee begun to speak out on critical issues and file minority supplements to committee reports. Although it could hardly be called a rebellion, Otis G. Pike (D-N.Y.), Frank E. Evans (D-Colo.), and Robert L. Leggett (D-Calif.) have publicly voiced objections to the committee's position on the ABM and the draft. (Evans has since left the committee; Leggett and Pike are permanent occupants of Rivers' doghouse.)

But most young committee members choose not to fight. "Why follow Rivers?" one was asked. "It's awfully hard not to wave the flag," he replied.

Another strategem Rivers employs to enlarge his control and minimize debate on military matters is the deliberately tardy distribution of committee reports to members of the House, thus leaving them little time to read them before voting. Last year, for example, Congressmen received the committee's 91-page report on the ABM only three days prior to the floor debate, for which only two hours had been allotted.

If seniority were not the sole criterion for determining chairmanships in Congress, Rivers clearly would not be running the House Armed Services Committee today. Some members privately (or furtively) express strong reservations about Rivers' qualifications for the job, mainly on the grounds that he has small patience for, or comprehension of, the complexities of a nuclear age. He prefers the no-nonsense approach to military matters typified by former Air Force General Curtis LeMay, whose judgments he valued far more than those of a McNamara or an Enthoven. And he is not alone in this view. As one senior member of the committee put it: "There's a feeling on the committee, and not just with Rivers, that guys like Enthoven are really anti-military and are interested in cranking the military machine down."

The Senate Armed Services Committee, while comparatively elevated in style and sophistication, has much in common with its counterpart in the House. The committee has aptly been called "the ratifying arm of the Joint Chiefs of Staff," a description implying a belief that military judgments are best made by military men, not by the Pentagon's civilian leadership. If there is greater room for dissent on the Senate side, it is a matter of degree: dissent is tolerated, not squelched. But in none of the military committees of the House or Senate are outside views actively sought.

Both Senator Russell and Representative Mahon have candidly acknowledged that no witnesses outside of the Administration testified at their committees' extensive budget hearings last year. The issue arose in the House during debate on the $72.2 billion defense appropriation bill in September, Representative Donald M. Fraser (D-Minn.) said:

"We find the United States involved in a war in Southeast Asia, which, at this point, seems to be regarded by a majority of the American people as an ill-advised venture. Yet I do not find in the processes of the House any place where these questions get raised in an appropriate way or in which these policies are reviewed carefully and in which there is genuine development of contrasting opinions."

Fraser asked:

"Do you [the House Military Appropriations Subcommittee] obtain independent information that is not otherwise available to the committee, do you bring in outside experts who are not part of the federal establishment, do you seek out people who may have some detached or objective viewpoint which is separated from any career concern in the military establishment?"

Chairman Mahon replied that the answer was no. Then he added:

"It is true that out of the six volumes of hearings which we held on the pending bill, practically all of the testimony came from officials of the government. It is well known that all citizens are welcome to appear before the Committee on Appropriations and especially all members of the House are invited to appear. While we do not actively solicit witnesses from outside the government, we do welcome them when they ask to be heard."

The same question came up before Senator Russell during the closed-door hearings on the ABM last fall. Here is the colloquy between Russell and Senator J. W. Fulbright (D-Ark.), chairman of the Foreign Relations Committee and a critic of the ABM:

"FULBRIGHT. Did I understand the Senator to say that no witnesses were brought into the hearings on this matter except Administration witnesses?

"RUSSELL. We had no request whatever. We heard all the witnesses who wanted to be heard. None of the Senators who have this great technical acumen as to the missile came before the committee . . .

"FULBRIGHT. Is it the practice of the Senator's committee never to have witnesses except those of the Administration?

"RUSSELL. No, that is not our policy.

"FULBRIGHT. But in this case, no witnesses except those under the Administration did testify; is that correct?

"RUSSELL. We heard all the witnesses who requested to come."

While Russell is narrowly correct—no outside witnesses went through the formality of writing the committee, asking to be heard—he did let it be known last year that he did not want outside experts to testify on the ABM. At that time, some two dozen scientists, including four former Presidential science advisers, had indicated their willingness to testify in opposition. John Sherman Cooper (D-Ky.), a respected member of the Senate and a leader of the anti-deployment forces, has pressed for assurances that such witnesses will be heard in open session this year. Senator Stennis, the new chairman of the Armed Services Committee, has agreed to hear their testimony, although it should be noted that the anti-ABM scientists have all been testifying before committees that do not normally deal with military affairs.

Many members and aides voiced criticism of the staffs of both the House and Senate Armed Services Committees, "The committee staff and the Pentagon are very close," one aide to a liberal Senator said. "I would sooner deal with a nest of scorpions than with the Senate Armed Services staff at budget-cutting time."

Retired military officers are generally not welcome on the staffs of the Armed Services Committees, but the military pressure is there just the same. One former member told how his colleagues were all in the reserves and "kept pressing me to join—begging me and begged me to take a commission." Pressure also came from the military, which services Congress with squads of young, bright officers to help handle constituent requests. In 1967, the legislative liaison staffs of the Pentagon helped Congress with 155,000 written and 360,000 oral requests.

The military also supplies the requested transportation and facilities to help coordinate the many overseas study missions and junkets undertaken annually by the military committees and their staffs. No pretense is made any more by either Congress or the military that these trips are all strictly business. The main source, however, for the military committees' affection and support for the military stems from the deep convictions of their members.

As one senior member of the House Armed Services Committee said proudly: "I don't know of anything that the Defense Department has asked for that our committee hasn't given them. We haven't cut out any broad programs. We try to get even more planes and more submarines for the military."

This Congressman, like other senior members, refused to discuss Rivers—"a person doesn't normally fault his family"—but he did express his feelings on military affairs and procurement this way:

"Since the United States of all nations on earth is less guilty of military aggrandizement and more interested in keeping peace, military might in our hands is the best place for it. It is in the interests of humanity that the United States is adequately defended."

If any permanent change is to take place in the relationship of Congress to the military, it will come first in the Senate. The emancipating issue there was the ABM. It all began last April 18 when Senator Gaylord Nelson (D-Wis.) introduced an amendment to a Senate defense authorization to strip all procurement funds for the ABM from the legislation. He won only 17 votes but raised the basic issue. Moments later, Senator Cooper, who is highly respected by members of the military committees, offered an amendment calling for a delay in deployment of the ABM until the Secretary of Defense had certified in writing to Congress that the system is feasible. It was a direct challenge to the role of the Armed Services Committee and was quickly recognized as such by Senator Strom Thurmond (R-S.C.), an Army Reserve major general and the leading hawk on the committee.

"What we must realize," Thurmond said, "is that the Soviet danger is the major threat and it must be faced resolutely. The Sentinel system ABM is only the beginning, and is but a step in the right direction. It is time to listen to the recommendations of the Joint Chiefs of Staff and the more defense-minded Members of Congress." Cooper's amendment lost by only three votes, 31 to 28.

Stennis, floor manager for the bill, summed up much of his committee's position by resorting to the traditional theme—heard often among members of the military committees—"if you only knew what I know." He told the Senate at one point in the debate that "I wish more Senators could have heard briefings about the capacity of Communist China at this time in this field."

It was precisely on this point that the Senate movement gained its greatest strength. Cooper joined forces with a number of liberals, including Percy, Hart, Clifford P. Case (R-N.J.), and two important members of the Armed Services Committee—Stuart Symington (D-Mo.), former Secretary of the Air Force, and Margaret Chase Smith (R-Maine), the committee's ranking Republican—to stage a second battle over the ABM in mid-June. But the leaders of the fight decided that for once they would, as one person close to the campaign put it, "know more than they [the Armed Services Committee] knew."

In essence, the small group led by Cooper put itself through an exhaustive series of briefings designed to give them as much information as was available to the military committee members. It was, in effect, a rump Armed Services Subcommittee on the ABM.

Cooper's leadership was important; the military men trusted him and felt that he, unlike some of the others, would have supported the ABM if he believed that it would buy security for the United States.

The group worked hard, and Senator Russell graciously provided access to all of the information the Senate Armed Services Committee had—the kind of cooperation that would not have been possible on the House side of the Capitol.

Another element in the rump group's efforts was a small, little-known lobby, the Council for a Livable World. The group is represented in Washington by John Silard, an attorney and son of the late nuclear scientist, Leo Szilard, and Thomas Halstead, a former Arms Control and Disarmament Agency official. The Council sponsored a series of seminars and briefings on the ABM for interested Senators. Former Presidential science advisers Jerome B. Wiesner of the Massachusetts Institute of Technology and George Kistiakowsky of Harvard appeared before small gatherings of Senators—usually over lunch—to give their views on the ABM, which Wiesner recently described as "a bad joke perpetrated on us by Mr. Johnson and Mr. McNamara in an election year." Off and on, more than 25 Senators attended the sessions.

In intention and result, the Council for a Livable World conducted a highly successful lobby effort. "Until this operation," Halstead explained, "there had never been a serious attempt by a lobby to challenge the military committees." As it was, many members of the Senate who became convinced of the folly of the ABM preferred to remain anonymous.

The Council was instrumental in getting Hart involved in the issue, and he, in turn, as a respected member of the Senate establishment, was influential in persuading Majority Leader Mike Mansfield (D-Mont.) and Symington to take a public stand. In Symington's case, it was his first break with Stennis over a significant military issue during their long association on the Armed Services Committee. "For many years," Symington told his colleagues in June, "I have been hearing about this international Communist conspiracy; about the necessity to put up billions and billions more dollars of the taxpayers' money to defend the free world against Communism in North Vietnam, in South Vietnam, and all over the world. But after studying the Soviet defensive system to the best of my ability . . . I believe that the warnings that have been developed about the Soviet . . . defense system have been much exaggerated." The *Philadelphia Inquirer* commented that in Symington's case, it was as if "a member of the defense establishment suddenly threw up his hands and shouted, 'Enough! I've followed you people long enough and you are wrong, and it's time someone said so.' "

Nevertheless, the challenge had not been enough. In August the Senate again voted in favor of ABM deployment. Another attempt failed in October, in a vote clouded by the Russian invasion of Czechoslovakia.

A similar drive against the ABM was organized in the House, but the tiny band of Democratic liberals who led it—including Sidney R. Yates (D-Ill.), Jeffery Cohelan (D-Calif.) and Robert L. Leggert (D-Calif.)—were unable to broaden the attack to include many members of the military committee establishment.

Congress failed again this year to liberalize its rules for committee assignments and any revisions in the seniority system seem far off.

What's to be done?

The Joint Chiefs of Staff this year requested more than $100 billion to maintain the military strength of the Pentagon. Right now there are 13 major weapons systems—ranging from new fighter planes to missiles and aircraft carriers—whose production has been approved but backed up because of the Vietnam war.

Those concerned with the extent of military influence in the nation must work to build their lobby of public opinion; to develop a forum as persuasive as that of the men who advocate unlimited spending. Congressmen should take advantage of the offer made by Russell and Mahon and testify before closed hearings of the Armed Services and Appropriations Committees, and make noise about what they tell the committees. Those members of the military committees who are willing to take a public stand in defiance of their leadership should be given more floor support, and more effort should be made to insure a good attendance on days of key votes. (During many important votes last year on all issues, conservative members, who know how to count, were there; the liberals were often absent.)

Lobbying groups such as the Council for a Livable World should be given more financial aid and encouraged to seek out other issues besides the ABM in which it is possible for nonmembers of the military committes to get some expertise. At this date, with no prospect for internal reform in the Congress, the only battle possible is largely a public relations one: the issue of military spending must be taken to the people again and again.

[From the Los Angeles Times, Apr. 13, 1969]

Military-Industrial Complex: Wasteful Giant That Affects Us All

(By William McGaffin and Robert Gruenberg)

(NOTE.—William McGaffin and Robert Gruenberg are members of the Chicago Daily News' Washington bureau.)

WASHINGTON.—"In the councils of government we must guard against the acquisition of unwarranted influence, whether sought or unsought . . ."

That was Dwight D. Eisenhower—President, general and educator—speaking on Jan. 17, 1961, three days before the end of his eight-year Presidency. To a nation that appeared largely unlistening, America's greatest contemporary soldier was warning of the "military-industrial complex."

That warning underlies a historic confrontation now building between the American public and the military and industrial planners and spenders and policy makers.

That confrontation—triggered by the Vietnam war, the antiballistic missile debate, and other recent crises—may make the Eisenhower farewell as historically memorable and important as the farewell of our first soldier-president, George Washington.

"The potential for the disastrous rise of misplaced power exists and will persist," Gen. Eisenhower said of the military and industrial forces that—together with a 3.5 million-man defense establishment—has become a permanent part of the American experience.

"We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted.

"Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together."

In the plush carpeted headquarters here of a leading aerospace contractor, an executive—reminded of Gen. Eisenhower's words—snapped:

"That damned speech.

"There's a great outpouring under way from all the people who want money for social programs . . . But the key operative phrase in that speech is 'unwarranted influence.' Everyone overlooks it because they need a favorite whipping boy."

Critics deny "overlooking" it. The military-industrfial complex is an all-embracing conglomerate, reaching into virtually every corner of American life, they say.

It is, at once, a system, an attitude, a giant dynamo of men, machines and money. It has in two decades enveloped the American life and economy in:

—Billions of dollars in waste;

—Airplanes that don't fly, missiles touted in words as empty as the space they are to fly in, and giant trucks that never roll;

—Congressmen who vie for a slice of the defense pie so that constituents from the red clay lands of Georgia to the antiseptic suburbs of Southern California can keep working;

—Lawmakers, not a few with Pentagon-awarded commissions, voting to approve with little or no opposition the billions of dollars for which the military asks;

—An aerospace industry that underpins a considerable share of the nation's economy—estimates run from 10% to 30% of the working force—which is dependent on ever-increasing, more sophisticated arms development;

—A university-scientific-technological community, handmaidens to industry, drawing their sustenance, too, in large part from the Pentagon.

That is the military-industrial complex, overlay upon overlay, and expanding each year.

That is also, according to its defenders, the price of the nation's security. Its proof, they say, is that no nation has dared attack the United States since World War II. That is undeniably true, but the critics of the military-industrial complex point to developments in the national life that, they say, are undermining it from within.

The "unwarranted influence" that Gen. Eisenhower warned about travels with the Pentagon brass after retirement, the critics say.

In 1959, an investigation by Paul H. Douglas, then senator from Illinois, revealed that 88 of the 100 top defense firms had 721 retired officers of colonel (or Navy captain) rank or higher on their payrolls. Ten companies employed 372—more than half.

Pentagon figures, disclosed for the first time in 10 years, show that today 2,076 former officers are working for 98 of the top 100 companies. The top 10 firms had 1,065 former officers.

"I do not claim nor even suggest that any conspiracy exists between the military and the 100 largest defense contractors," said Sen. William Proxmire (D-Wis.), one of the military-industrial establishment's sharpest critics.

"But what we have here is almost a classic example of how the military-industrial complex works. It is a question of what can be called the 'old boy' network, or the 'old school tie.' "

While retired officers get their chances to go to industry, legislators at the same time hold military commissions themselves. One hundred of the 435 House members and 39 of the 100 senators have officer ranks ranging up to major general. They are on the active, inactive and retired lists.

A number of Senate and House members said they could not see a "conflict of viewpoint" in holding the commissions and simultaneously voting on military appropriations.

The military-industrial combine also embraces the nation's educational institutions. Some schools are listed by the Pentagon among the "top 100" of the nation's defense contractors.

Last year educational and nonprofit institutions held $772 million in research contracts—$16 million more than in 1967. High on the list of defense contractors were the Massachusetts Institute of Technology, in 10th place with $119 million, and Johns Hopkins University, in 22nd place with $57.6 million.

More than all this, say the critics, is a foreboding that the nation has become unured not only to having military influence in managing its civilian affairs, but disregarding "conflicts of interest" in sensitive positions.

This was highlighted recently by the appointment of David M. Packard as deputy secretary of defense. Packard is cofounder of the Hewlett-Packard Co. of Palo Alto, Calif., electronics systems and computer manufacturers.

In the 12 months ending last Oct. 12 his firm's sales to the Pentagon, other federal agencies and defense contractors totaled $100,685,000.

The Senate, confirming him, overrode the protest of Sen. Albert Gore (D-Tenn.), who called it approval of "a conflict of interest that is clear on its face."

But Sen. John Stennis (D-Miss.), chairman of the Senate Armed Services Committee, argued in behalf of Packard. Packard has, said Stennis, "the very talent we would like to see."

For all the wealth and talent it has commanded, however, the military-industrial complex has, through the years, made some big mistakes.

The Pentagon recently compiled a list of 68 major weapons systems that cost nearly $10 billion—slightly more than all the money the government proposes to spend for education in the year beginning July.

The $10 billion list was typed on plain, white paper, not like the usual blue-topped Defense Department publicity releases, and it was available only to those who knew of its existence and asked for it.

This modest approach was understandable for the $10 billion list was a catalog of abandoned projects that included mistakes and misjudgments on weapons systems fit only for museums or the scrap heap.

The list was also a forceful reminder that the military-industrial complex is hardly infallible.

The Pentagon cites its new missiles with pride—hailing them in elaborate brochures and publicity releases as a deterrent to war. Nevertheless the average of success does not appear to be too good, in view of the expertise, the time and the money assigned to the projects.

Yet the wisdom of the military-industrial combine has not been seriously challenged since World War II.

WHATEVER MILITARY WANTS FROM CONGRESS IT GETS

It is virtually a truism that whatever the military—backed up by the defense industry—demands from Congress, it gets, despite occasional trims in appropriations.

For being "against defense" is not a position that could popularly be held—or so it was thought.

Just how much money was needlessly added to the huge defense bill may never be know. But some examples from the Pentagon's list may provide a clue.

The largest item is the nearly $1.5 billion devoted by the Air Force to a new, manned bomber, the B–70, which ended up a museum piece.

Another big one is the $511 million the Air Force invested in a futile attempt to build a nuclear-powered airplane. But that is an understatement of the cost. The figure does not include $500 million that the Atomic Energy Commission poured into it, and the $14 million the Navy contributed.

Birds, animals, fish, Indians, Greek gods and press agentry provided names given to some $4 billion worth of hardware that went nowhere.

There was $2.7 billion in Air Force missiles (Navajo, Snark, Rascal, Skybolt, Talos, Mobile Minuteman, Q–4 Drone, Goose and Crossbow).

There was $993 million for Navy missiles (Sparrow I and II, Regulus II, Petrel, Corvus, Eagle, Meteor, Rigel, Dove, Triton, Oriole and Typhon).

And finally, $339 million for Army missiles (Hermes, Dart, Loki, Terrier, Plato and Mauler).

The list has many omissions.

One is a "small item" of $27 million, spent by the Navy to take the New Jersey, a World War II battleship, out of mothballs and send it to Vietnam. It was the brainchild of Sen. Richard Russell (D-Ga.), chairman last year of the Senate Armed Services Committee and whom the brass did not dare offend.

It went to Vietnam in mid-1968 and is scheduled to return home soon. During its brief stay it has tossed shells into enemy positions—a function already being handled by bombers, artillery and smaller warships.

One of its most recent, publicized exploits was wiping out a machine-gun nest with a 1,900-pound shell from one of its 16-inch guns. In premilitary-industrial complex days the job was handled more cheaply—and probably more efficiently—by infantry or artillery weapons.

No one explained the military-industry complex and the mingling of politics with the influence of industrial giantism better—if unwittingly—than President Lyndon B. Johnson at the March 2, 1968, rollout ceremony at Marietta, Ga., for the giant C–5 cargo plane, built by Lockheed Aircraft Corp., the nation's No. 1 defense contractor.

"I would have you good folks know there are a lot of Marietta, Georgias, scattered through our 50 states," he said. ". . . All of them would like to have the pride that comes from this production . . . but all of them don't have the Georgia delegation."

He specifically cited the influential Sen. Russell and former Rep. Carl Vinson, both chairmen at the time of Senate and House armed services committees.

In 1968 Georgia was second only to Mr. Johnson's Texas in capturing prime contracts for airframes, assemblies and parts. Together the states accounted for nearly half the U.S. production.

Today so many military bases and defense installations dot the Georgia landscape that an unknown Pentagon wit once said, "One more in the state will sink it."

[From the Saturday Evening Post]

Speaking Out: The Weapons Industry Is a Menace

(By Ralph E. Lapp)

(Note.—Dr. Lapp, as a member of the Manhattan Project, participated in the development of the first atomic bomb. Since 1950 he has been a free-lance consulting physicist, specializing in defense problems. His latest book, The Weapons Culture, appeared this spring.)

The United States is becoming a weapons culture. The health of our entire economy has come to depend on the making of arms. The machinery of defense, lubricated by politics and technology, has become a juggernaut in our society. Pressures exerted by the giant corporations that compose our military-industrial apparatus are felt in the Pentagon, in the White House and in Congress. Congressmen are re-elected depending on their success in winning defense contracts for their constituencies; government funds support vast military research projects on campuses across the country; the scientific community has been largely corrupted or silenced by military domination.

President Eisenhower warned of this ominous trend in his farewell address back in 1961: "In the councils of Government we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist."

That warning has become the present reality. Since the end of World War II, and especially since Korea, the manufacture of arms has ceased to be an emergency measure whereby private firms do their bit for Uncle Sam. Instead, many U.S. corporations have become primarily arms makers. Their business and their profits depend on winning more and bigger contracts from the Department of Defense. Some companies, like North American Rockwell, General Dynamics and McDonnell Douglas, exist almost entirely on government arms contracts. Without this money many of them would go bankrupt, and places like Southern California or the state of Washington would become economic disaster areas.

Consider, for example, a single company—Lockheed Aircraft. In the past seven years this California-based concern has won a total of $10.6 billion in defense contracts. Uncle Sam provides 86 cents of every dollar of its corporate sales. Lockheed is not just an isolated example. During these same seven years 38 companies each have done more than one billion dollars of business with the Pentagon.

No nation can devote so much of its ingenuity, manpower and resources to the works of war without being deeply changed in the process. Our commitment to weapons making has distorted the free-enterprise system of our economy into a kind of "defense socialism," a system in which the welfare of the country is permanently tied to the continued growth of military technology and the continued stockpiling of military hardware.

This massive "peacetime" commitment to arms is new to the American experience. When one looks back and surveys the postwar years, one startling fact emerges: During these years the United States has devoted one trillion dollars to its national security! And half of this vast expenditure occurred during the Kennedy-Johnson Administrations.

These billions of dollars have meant jobs for many Americans—for electronics specialists in Boston's Route 128 necklace of defense plants; for rocket men in factories spread out over Utah's broad valleys; for aircraft workers in Southern California, Texas, Georgia, Washington, Kansas and Missouri.

President Eisenhower omitted any reference to political influence in his indicting phrase, "the military-industrial complex," but it is the crux of the matter. Powerful members of Congress champion defense systems out of self-interest. Georgia's defense bounty may be traced, for example, to the power of its Senator Richard B. Russell, who is chairman of the potent Armed Services Committee. Our senators and representatives approve the appropriations that control the fate of many a defense plant. It takes a brave legislator to vote against funds that mean jobs for some of his constituents. He becomes vulnerable not just to the disemployed defense worker but to campaign charges that he failed to support the national security program.

The power of the military-industrial complex has been greatly aided by advanced technology. Science has become the key to modern arms. Today's weapons systems, especially those involved in hurling nuclear warheads at intercontinental range, are incredibly complex. Nuclear research has fashioned compact packages carrying the explosive power of a million tons of TNT. Chemical and electronic ingenuity have combined to perfect rockets like Minuteman and Poseidon that can carry from 3 to 10 warheads, each dispatched to a separate target. More and more our great national decisions involve complex technology and secret data about weapons.

Consider, for example, the recent decision to build a thin Sentinel system to defend against ICBM's fired by Red China. This $5 billion project may escalate to $40 billion. Yet the public had precious little to say in this momentous decision. In a sense, even a democracy as modern as ours is dictated to by technology. When a weapons system becomes "ripe", then it dominates its makers. In the case of ballistic-missile defense, the United States spent $4 billion in research and development, so before the decision to deploy it was made, powerful forces urged its production. Robert S. McNamara, who recently resigned as head of the Pentagon, put it bluntly: "There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry. If a weapons system works—and works well—there is strong pressure from many directions to procure and deploy it out of all proportion to the prudent level required."

One way to pressure the American people into supporting larger defense outlays is to sound the alarm about Soviet strength. Thus in the 1950's it was alleged that there was a "bomber gap," and public support was whipped up for mass production of B–47's and B–52's.

Even before the bomber gap vanished into thin air, a "missile gap" was born. John F. Kennedy hammered away at the missile-gap issue in his 1960 campaign, decrying Eisenhower's years in office as "years the locusts have eaten." Yet when Kennedy became President and had time to study the available information about Soviet missiles, he discovered that the missile gap was in our favor. Nonetheless, Kennedy pressed Congress for authorization of more Minuteman and Polaris missiles.

Now a new gap is in the making—a "megaton gap." A megaton means a million tons of TNT, or 75 times more power than the A-bomb that eviscerated Hiroshima. At some time in the future the Soviet Union may be able to hurl more megatons at the United States than we can fire back in return. This does not and cannot alter the fact that a small fraction of the present United States nuclear firepower can knock the Soviet Union out of the 20th century. Having excess kill power—overkill—is not militarily meaningful.

The heart of our strategic policy is our capability to inflict unacceptable losses on the enemy's homeland. It's damage, not megatons, that counts. I have calculated that as few as 45 ballistic missiles can strike at 60 million Russians living in 200 Soviet cities. No, my arithmetic is not nutty—each missile can be armed with from 3 to 10 nuclear warheads targeted on individual cities. The total megatonnage in this hypothetical attack amounts to only 21 megatons—roughly one thousandth of that once carried by our SAC bombers. But 21 megatons is the equivalent of 21 million tons of TNT, or 620 times the explosiveness of the combined power of the Hiroshima and Nagasaki bombs.

If my figure of 45 missiles seems too low, then let's triple it. That figure would amount to less than a tenth of the actual number of missiles in our strategic strike force. Adding more ICBM's to the U.S. arsenal, or magnifying the megatonnage, does not really alter the nuclear balance of power.

But the very concept of "enoughness" in military power is a punishing blow to the solar plexus of the military-industrial-political complex. Defense affluence is based on open-endedness—on there never being enough of anything, even megatons. The United States has already stockpiled over 50,000 nuclear weapons and has a capacity to double this number rather quickly.

The man in the street is not supposed to question matters of national security. But whose judgment is he to trust? The politicians are themselves deeply implicated in the military-industrial complex; the generals traditionally don't know what the word "enough" means, and industrialists covet contracts.

There is sound reason for gloomy forecasts about defense socialism. The United States cannot afford to lay down its nuclear arms until it is safe to do so—and that day is far from dawning. Force of arms still rules, and the United States has no choice but to maintain its armed vigilance. Moreover, it cannot become complacent about its power to deter war by depending on the *status quo*. For this reason military research and development should never cease.

But the need for weapons improvement should not be viewed as a *carte blanche* for defense industry. Rational determination of force levels is of paramount importance to the nation's security. Excessive weapons deployment may not only be wasteful, it may provoke competitors to unplanned arms increases, and thus escalate the arms race with no real gain in our national security. But "how much is enough" is the perplexing question that this country has avoided facing squarely.

I admit that precise definition of "enoughness" is impossible. No single person or computer can be relied on to spell out how much is enough. There must always be an insurance factor—a margin for error, but not for irrational excess. Even if by some magical process we could find a neat answer to how much military power is enough, we lack the mechanism in our democracy for a techno-military consensus. Our democracy depends on a system of checks and balances, but such restraints are lacking for the military industrial complex. Our Congress is ever ready to vote for larger defense appropriations; not once since Hiroshima has the Congress failed to fund a weapons system. It has even pushed some that the Defense Department did not want. Under congressional insistence the U.S. spent about $1.5 billion on a nuclear-powered airplane—against the best advice of scientists. When the project was finally abandoned, the money turned out to be a complete loss.

Both Presidents Eisenhower and Kennedy were pressured by Congress to deploy a ballistic-missile defense system. Had they yielded and authorized the system in the late '50's or early '60's, the resulting radars, computers and missiles would have had to be scrapped as useless. Yet when more advanced systems gave some hope of a thin defense shield, and the Sentinel system was authorized, what did members of Congress do? They immediately demanded a "thick" system—one which Defense Secretary McNamara was careful to point out would be worthless against a massive Soviet attack. Furthermore, McNamara warned it would encourage the Soviets to accelerate their ICBM program, and thus add a new spiral to the arms race.

Twenty-three years of the postwar era have failed to educate the Congress in the realities of nuclear power. We should be considering arms cutbacks, not increases, but this prospect frightens Congress and terrifies the aerospace industry, which is becoming a kind of national industrial welfare program.

There is no easy panacea for correcting America's techno-military ills. But we must begin by recognizing the inherent dangers to our society if we do not control our arms industries. Public exposure of the problem is essential. The Congress must provide itself with authoritative independent advice on techno-military problems. To this end I would urge the creation of a National Analysis Council to study and report on many of the problems that Congress is now handling in a horse-and-buggy manner. For example, the Congress may sson be asked to fund a new Advanced Manned Strategic Bomber. I would urge that it subject this proposal to a concentrated and objective analysis by a National Analysis Council, so that its full significance and value can be determined for the benefit of all members of Congress.

I would urge that the growth of defense socialism be curtailed by applying geographic and contract controls to all new prime military awards. For example, it might be feasible to limit a corporation's involvement with defense work by prohibiting the awarding of new contracts when a company already does more than half of its business with the Defense Department.

These are, I admit inadequate approaches to the overall problem. We cannot treat a cancerous condition so superficially, but we must begin somewhere—and soon. If we perpetuate our weapons culture, we will turn ourselves into a veritable Fortress America, questing for evanescent security and, in the words of John F. Kennedy, "forever racing to alter that uncertain balance of terror that stays the hand of mankind's final war."

[From the Washington (D.C.) Post, Mar. 23, 1969]

Doubts Rise on Hill Over Arms Needs

(By Warren Unna)

The President's decision to go ahead with deployment of a modified Anti-Ballistic Missile system triggered a double volley: Congressional doves found a new military escalation compounding their misgivings about continued U.S. military involvement in Vietnam.

But these two issues—the ABM and Vietnam—may well have caused something even bigger: An increasing skepticism, even disbelief, in what the Pentagon says it needs and wants as a share of the national pie.

Criticizing the military now has evolved all the way from being considered high heresy to somewhat unpatriotic to perhaps respectable legislative inquiry.

Congressmen are becoming increasingly aware that the military budget proposed by President Johnson for the coming fiscal year and which some of them think President Nixon may even exceed, is no less than $80.2 billion. This is almost identical to the $80.6 billion the United States spent in fiscal 1944 at the height of World War II—although inflation and the nation's expanding wealth make such comparisons difficult.

"We are still fighting the leftover Joe McCarthy era," Rep. Otis G. Pike (D-N.Y.), a member of the House Armed Services Committee, said the other day. "If you vote against anything the military wants you are being 'soft on Communism.' "

LARGE ISSUE

"I think the larger issue really is how one perceives the world today," declared Rep. Donald M. Fraser (D-Minn.), a member of the House Foreign Affairs Committee and chairman of the liberal Democratic Study Group. "Do we really need it? Are the Soviets really about to attack us? What country in the world really threatens the United States today? It turns out there really isn't anybody."

Fraser hastened to add that the United States should, of course, retain a defense capability, a nuclear deterrent. But he estimated that would cost $8 to $10 billion a year, instead of $80 billion.

The Senate's most senior Republican, George D. Aiken of Vermont, says even Russia has come to feel she can no longer spend her last ruble on defense: "The Defense Department has been running hog wild. Some people have got worried for fear we've become a military government."

Senate Majority Leader Mike Mansfield (D-Mont.), who personally suspects the Nixon defense budget now may exceed President Johnson's tentative submission in January, declared in an interview: "The days of the Defense Department asking and receiving are over. It will no longer be automatic. You have to achieve a balance somehow between external security and internal insecurity."

SERIES OF ACTIONS

Buttressing these individuals' storm warnings have been a series of actions on both sides of Congress.

The Senate Foreign Relations Committee, focal point of the doubters, has intruded into the heretofore sanctified jurisdiction of the Pentagon's greatest defender, the Armed Services Committee.

Sen. Albert Gore (D-Tenn.), even managed to force the Armed Services Committee to open its usually closed doors to the public and television this past week because Armed Services realized Gore's new Disarmament Subcommittee promised open doors and rough public questioning of Defense Secretary Melvin R. Laird.

Sen. Stuart Symington (D-Mo.), a Secretary of the Air Force under President Truman, is taking on the vast range of military and industrial influence on foreign policy in a new Foreign Relations subcommittee he heads.

On the House side, liberal Democrats, with some Senate assistance, have jumped the old committee jurisdictional disciplines by summoning civilian military authorities to Capitol Hill next Friday and Saturday for a conference on "The Military Budget and National Priorities."

Their announced objective is to get enough documentation to persuade their colleagues to think twice about arms escalation when they start voting military authorization and appropriation requests.

Within jurisdictional lines, Rep. Clement J. Zablocki (D-Wis.), normally considered a safe friend of the establishment, has reactivated a dormant Subcommittee on National Security Policy and Scientific Developments under the heretofore docile House Foreign Affairs Committee.

A House Government Operations subcommittee this past week started following through on a charge by Rep. William S. Moorhead (D-Pa.), that the Bureau of the Budget gives kid-glove treatment to Pentagon requests.

A few weeks ago, Rep. Richard D. McCarthy (D-N.Y.), nudged by a wife who was disturbed by a TV documentary on the extensive U.S. military involvement in Chemical, Biological and Radiological Warfare (CBR) research, asked the Pentagon authorities involved to come over and explain to him and his colleagues.

Chairman L. Mendel Rivers (D-S.C.), of the House Armed Services Committee, one of the Pentagon's best friends in Congress, apparently became so disturbed with reports that the military had sunk some $1.3 to $2 billion into a "dream tank" which is never expected to roll that he organized a special investigation subcommittee.

HELICOPTER COST

Rep. Pike took the House floor in mid-week to air his own difficulties with the Army in trying to make it disclose how much Lockheed's new Cheyenne battle helicopter finally will cost.

Pike said the Army assured him last year that there was to be a fixed-price contract and the 375 helicopters on order probably would cost around $1.5 million apiece. Now, he declared, the Army has sent him a figure marked "classified" which is about $2,250,000 per plane.

Pike termed it: "The military-industrial complex at play—a case history."

Pike also has been holding a series of House Armed Services subcommittee hearings investigating how such an expensive and presumably sophisticated U.S. Navy managed to make so many mistakes in the Pueblo affair.

On Thursday, Rep. Paul Findley (R-Ohio), until now a leading Republican hardliner on defense matters, issued an anti-Vietnam statement which lifted the eyebrows of his colleagues with this sentence: "If military policies, with or without escalation, inherited from President Johnson are continued much longer they will become Nixon policies."

TRUTH QUESTIONED

"Quite frankly," Rep. John Brademas (D-Ind.) said the other day, "many of us simply don't believe that Defense Department officials always tell us the truth about much of what they do, especially about what they spend."

Brademas, who came away from the CBR briefing a few weeks ago regarding it as still another pitch for more money, complained of the difficulty of Congressmen, individually or collectively, trying to match their doubts against the Pentagon's super hard sell, on an $80 billion budget.

"I hope that the unusual occurrence of a Republican President and a Democratic Congress will result in Congress being far more suspicious of the military," Brademas said. "It is high time we got back to what the Founding Fathers had in mind when they wrote a separation-of-powers Constitution."

Rep. Jeffery Cohelan (D-Calif.) declared it common knowledge that the Pentagon budget requests were "watered." One trim he is convinced should be made is in military manpower and bases overseas. A joint Pentagon-State Department study last fall found that the United States now has approximately 450 bases overseas containing a total of 1,715,000 in military personnel and families and costing about $4.8 billion a year to maintain.

Reps. Chet Holifield (D-Calif.), chairman of the Joint Committee on Atomic Energy, and Melvin Price (D-Ill.), a high ranking member of both the Atomic Energy and House Armed Services Committees, differ from their other liberal Democratic colleagues in believing that the United States Gross National Product is increasing at such a rate you can have both guns and butter.

H-BOMB BATTLE

And, while always for giving the military close scrutiny, they can't forget it was they who went to plead with President Truman to get started on developing the H-Bomb. They say the opposition at that time, which included the military, was quite similar to the anti-ABM arguments today.

But despite the increasing outspokenness against the military in Congress today, the full Establishment in the House and part of it in the Senate still is very much pro-Pentagon.

They might be described as the "Whatever our boys need" school. Only "Our Boys" (usually spoken with a heavy Southern accent) no longer means the doughboys of World War II and Korea but the ever ingratiating generals and admirals who specialize in cultivating powerful committee chairmen.

On the House side, the realities of power are in the Appropriations and Armed Services Committees.

The full House Appropriations Committee and its key Defense Appropriations Subcommittee are chaired by the same man—Rep. George H. Mahon (D-Tex.), described even by his critics as "a true believer."

SELF-PRESERVATION

In a recent interview, Mahon declared: "I think self-preservation is the first law of men and nations. We must be careful that we don't become a second rate power in relation to the Soviet Union. The social programs are all right, but if we don't have adequate defense what good are they?"

Serving with Mahon on his key subcommittee are 10 other Congressmen, all conservatives: Reps. Robert L. F. Sikes (D-Fla.), a major general in an Army CBR unit; Jamie L. Whitten (D-Miss.), George W. Andrews (D-Ala.), Daniel J. Flood (D-Pa.), John M. Slack Jr. (D-W. Va.), Joseph P. Addabbo (D-N.Y.), Glenard P. Lipscomb (R-Calif.), William E. Minshall (R-Ohio), John J. Rhodes (R-Ariz.) and Glenn R. Davis (R-Wis.), who was put on the subcommittee this year to succeed the ranking Republican and now Defense Secretary, Melvin R. Laird.

By tradition, subcommittee recommendations go through untouched by the full Appropriations Committee and then, if the leadership has its way, pretty much untouched on the House floor.

"What the Appropriations and Armed Services Committees recommend will get through because they know much more about it," Speaker John W. McCormack (D-Mass.) declares. McCormack personally regards the Atlantic as "our first line of defense" and is convinced the next war will never provide a post-Pearl Harbor period to gather up the pieces.

UNIFORM VOTING

The House Armed Services Committee under Chairman Rivers is known to have almost uniform votes on most all defense authorization matters, 37 to 3. And last year when one committee bill was on the floor Rivers saw to it that one of his own men was in the Speaker's chair so that no unfriendly amendments could be recognized.

"The difference between the Armed Services Committee and other House committees," one Congressman said, "is that in the others they ask, 'Do you really have to have it?' and in the Armed Services they ask, 'Do you have enough?' "

In 1962, the former House Armed Services Committee Chairman, Carl Vinson (D-Ga.), wrote a fatherly letter to Rep. Pike, then a freshman, commending him for a nice try.

"Some things proposed by the Executive Branch are virtually impossible to change," Vinson wrote. "This is particularly so in the area of defense. I personally am reluctant, and indeed refuse, to substitute my judgment on a military matter for the judgment of those so much more qualified to make decisions of a military nature. In the vernacular, you didn't have a chance. Simply stated, there are some things that the individual Congressman cannot do."

In the House, the vast number of members and single committee assignments aid and abet the seniority system. The conservative leadership sees to it that only the "right" men start their climb on the "right" committees.

Moreover, the liberals privately acknowledge that their instincts invariably propel them to apply for seats on committees concerned with social issues, rather than with Armed Services and Appropriations.

On the Senate side, committee or subcommittee chairmanship may come quicker but the Armed Services, and Appropriations Committees again have a decidedly conservative makeup. And in today's pigeon-holing, conservative means pro-Pentagon.

The Senate Armed Services Committee is headed by John Stennis (D-Miss.), another military "true believer" who during last year's authorization hearings on the Sentinel ABM managed to have only Defense Department witnesses testify approvingly behind the Committee's closed doors.

Similarly, the Senate Appropriations Committee is headed by Richard B. Russell (D-Ga.), another military "true believer" who for years headed Armed Services.

In a speech before the National Security Industrial Association Thursday night, Russell went beyond the Defense Department's current military needs to anticipate the hardware which will be needed once the Vietnam claims are over.

"There would be little merit to a course that would win a war against poverty in our backyards if we jeopardized the security of our very home," Russell declared.

ELLENDER IN LINE

If Russell's current bout with cancer forces him to vacate his chairmanship he will be succeeded by Sen. Allen J. Ellender (D-La.), another conservative Southerner but one who currently happens to be on a rampage against military appropriations.

Criticizing the latest ABM request, Ellender said the other day: "Unless we can dispel the fear between us and the Russians we're never going to get together."

No one is predicting how much the military might be cut back this year as Congressional opposition really is just getting started. All seem to say that the lead will have to come from the Senate, where the opposition includes some of the leadership and is far stronger than in the House.

There already is some speculation about trying to impose an over-all 5 or 10 percent cut on whatever the Pentagon finally comes up with, or perhaps arbitrarily setting a $75 or $70 billion ceiling and letting the Pentagon live with it as best it could.

Some even are suggesting a more obscure way of attacking military expenditures: Committing the Administration to social welfare expenditures first then leaving the White House to puzzle out how to maintain a Republican posture of economy and still deal with defense needs.

NO MIRACLE SEEN

Most legislators who knew Defense Secretary Laird during his 16 years in Congress acknowledge his expertise from sitting on the House Defense Appropriations Subcommittee. But they look to no miracles now that he has joined the Administration.

They say even a Laird can't master the Pentagon labyrinth in any short period of time. And they cite his own comments that he now has new responsibilities—defending defense needs.

The realists among today's doubters on Capitol Hill are not saying they have the Pentagon on the rout. They only are hoping to start putting the Department of Defense truly on the defensive.

This posture would replace a post-World War II offense which now has the Pentagon absorbing some two-thirds of all Federal tax receipts and spending not only more than the profits of all American business, but also more than Federal, state and local governments combined spend for health, education, old age, retirement assistance, housing and agriculture.

[From the Washington (D.C.) Post, Dec. 8, 1968]

ARMS FIRMS SEE POSTWAR SPURT—LEADERS SHOW LITTLE INTEREST IN APPLYING SKILLS TO DOMESTIC ILLS—I

(By Bernard D. Nossiter)

NOTE.—This is the first of two articles on the plans and expectations of the great aerospace companies when, and if, the war in Vietnam is brought to an end. Their potential role in domestic programs is examined in detail.)

The shrewd and skillful men who direct large, sophisticated defense firms look forward to a post-Vietnam world filled with military and space business.

For them, the war's end means no uncomfortable conversion to alien civilian markets. Quite the contrary, and with no discoverable exception, they expect handsome increases in the complex planes and missiles, rich in electronics, that are the heart of their business.

The view these firms take of their future has political significance. Some Government officials and economists have been suggesting that the major aerospace companies are capable and ready to use their considerable managerial skills and engineering expertise to solve a broad array of pressing social problems. No less an authority than Defense Secretary Clark Clifford recently said:

"We now have a military-industrial team with unique resources of experience, engineering talent, management and problem-solving capacities, a team that must be used to help find the answers to complex domestic probelms as it has found the answers to complex weapons systems. These answers can be put to good use by our cities and our states, by our schools, by large and small business alike."

This kind of thinking raises hopes that the aerospace industry's ability and interest in domestic areas will supplant its concern with defense dollars. So, the argument runs, there need be no fear that the industrial wing of what has been called the "military-industrial complex" will remain a continuing source of pressure for ever-expanding arms budgets.

However, an extended survey of industry leaders in Dallas, Fort Worth, San Diego and Los Angeles—the heartland of the aerospace world—offers little support for this view. The great defense contractors display only a marginal interest in work outside their accustomed military-space sphere, devote only a fraction of their resources to it, and, for the foreseeable future, see no economic reason to change their ways.

"Basically, we're a big systems builder for military weapons. Over 90 per cent of our business is military. We're in that business to stay."

So says Edward J. LeFevre, the canny vice president in charge of the Washington office for General Dynamics, currently the Nation's largest defense contractor.

"Our future planning is based on visible contracts. One must believe in the long-term threat."

This is the view of James J. Ling, the extraordinary Texan who has put together almost overnight a $3.2-billion conglomerate with enough defense subsidiaries to make his Ling-Temco-Vought the eighth biggest military contractor.

"Defense spending has to increase in our area because there's been a failure to initiate (new weapons systems)—if we're not going to be overtaken by the Soviets."

Thus John R. Moore, the handsome, white-haired president of the Aerospace and Systems Group, the military heart of North American Rockwell, the ninth ranking contractor.

On the other side of the street, a top official at the Arms Control and Disarmament Agency despairingly agrees. The official, who asked that his name not be used, says:

"I'm not sanguine about any reductions in military spending, especially since the election. We are now at the edge of a precipice where we can escalate sharply. The industry thinks that agreements to limit arms are unlikely and will go all out to realize their expectations. We are at the threshold of another round in the arms race, just as we were eight years ago when we went all out for long-range missiles."

FROM THE "BLUE BOOKS"

The best way of discovering how an aerospace company sees its future is to peek at its "blue book," the loose-leaf folder that projects in voluminous detail sales, profits and other data for the next five years. These volumes are the core of any large corporation's plan and usually are kept under lock and key.

However, the LTV Aerospace Corp., the most important defense subsidiary in the Ling empire, opened its book to a visiting reporter (appropriately, it is bound in blue plastic) and here is what it showed:

TOTAL SALES

1968, $530 million: A–7 Navy Attack Plane, $245 million; F–8 Navy Fighter, $82 million; New VFX Fighter-Bomber, $1 million; Missiles-Space, $70 million; Other Military-space, $67 million; Non-military, Non-space, $65 million.

1973, $1.3 billion: New Navy VSX Plane, A–7, $322 million; F–8 Navy Fighter, $1 million; VFX Fighter-Bomber, $320 million; Missiles-Space, $149 million; Other Military-Space, $270 million; Non-military, Non-space, $230 million.

Competitors of LTV Aerospace will be struck by the firms calm assumption that it will win the development contracts for the two new Navy planes. But more important is the company's forecast that five years hence it will earn more than 80 per cent of its dollars from military and space work, nearly the same share it is now receiving. Moreover, this slice will come from a sales total more than twice as large as the company enjoys today.

The breezy optimism of LTV Aerospace is a special case, even in the wonderland of defense contractors. Its parent, Ling-Temco-Vought, Inc., is the unique creation of the slightly unbelievable James J. Ling.

A high school dropout at 14, Ling, with $3000, opened an electrical contractor's shop in Dallas after the war. Ten years later, he parlayed this into a modest equipment company and, by a series of audacious financing operations, ultimately picked up defense firms. Braniff Airways, the big Wilson Company (meat packing, sporting goods, drugs) and the substantial Jones & Laughlin steel company.

The metallic and fast-talking Ling now presides, at the age of 45, over a sprawling conglomerate that betrays some uncertainty about its identity. Executive suites in the new and stark 32-story Ling Tower in Dallas are elaborately paneled in aged wood; neoclassical statuary and 18th century Italian paintings give them the air of a modest gallery or an Edwardian bordello; deep pile carpeting runs from wall to wall (chartreuse for LTV Aerospace, beige for LTV Electrosystems and gold for the parent LTV Inc.).

CHANGE OF MOOD AND MOTIF

In contrast, the defense divisions of North American Rockwell in Los Angeles exude an air of brisk, antiseptic, scientific competence. Doors are in bright, primary colors, trimmed with aluminum; furnishings run to the functional; impressionist reproductions hang outside the offices of lesser executives and bold, dribble-school abstractionists decorate the quarters of the upper echelon.

But whatever their differences in imagery, a common theme runs all through these firms, an almost religious belief in the efficacy of engineering logic. "The buzz word," says a bemused observer, "is systems analysis," a disciplined and systematic attack on problems that begins by determining what something is intended to do. (A systems engineer would not try to build houses; he would attempt to optimize shelter and its related sub-systems of water, sewerage, heating, power, recreation, transportation and the like.)

SOLEMN ESSAYS ON THE FUTURE

So each company begins its forecast of future sales with a solemn, schematic essay in global political projections, attempting to evaluate possible courses of action in the same way that different metals might be compared for strength, lightness and heat resistance.

For example, a study compiled last year by the Electronics Industries Association, "The Post-Vietnam Defense and Space Market Environment," attempts to measure six different ways in which the war will end. The report concludes that "U.S. Escalation" is the likeliest route; a "Soviet Diversion" in Europe or elsewhere is the second likeliest and "U.S. Compromise" from "domestic pressures," the course now being followed, is rated a weak third.

Happily for the industry's members, the document forecasts that arms control agreements "during the next decade are unlikely," the "likelihood of limited war will increase" and "thus for the electronic firms, the outlook is good in spite of (the end of hostilities in) Vietnam."

THREE POSSIBILITIES ENVISIONED

At North American Rockwell, producers of electronic equipment for strategic bombers, Navy reconnaissance jets and a small family of missiles, these geopolitical scenarios are, properly enough, composed by the marketing division. In a post-Vietnam world, the company envisions three possibilities: Limited War, Cold War on Detente (with arms limiting agreements). The house judgment is that something between Cold and Limited War is the best bet.

Nonengineers might charitably regard these exercises as naive and misleading. Obviously, as in the case of the Electronics Industries Association's forecast of war's end in Vietnam, the best of computers can go wrong. But this is not the point. These forecasts govern the planning of aerospace firms and provide them with a rationale for promoting their views and wares.

SELF-FULFILLING PROPHECIES

To an undetermined extent, the companies can be expected to use their influence to make their prophecies self-fulfilling. By no mean coincidence, their views of the world outlook usually coincide with conditions that would maximize their military orders.

The companies are understandably guarded in talking about the effect of more immediate political changes on their future. But they leave little doubt that an important source of their optimism lies in the departure of Defense Secretary Robert McNamara and the election of Richard Nixon.

"People are pressing for new programs more intensely than ever," says W. Paul Thayer, the quiet ex-test pilot who runs Ling's LTV Aerospace. "With McNamara stepping out, that was the turning point."

J. Leland Atwood, the low-keyed president and chief executive officer of North American Rockwell, an aviation designer for nearly 40 years, employs the cautious euphemisms of many modern corporate executives.

A LITTLE MORE AWARENESS

"All of Mr. Nixon's statements on weapons and space are very positive," he says. "I think he has perhaps a little more awareness of these things than some people we've seen in the White House."

Samuel F. Downer, the financial vice president for LTV Aerospace, covers the walls of his sparkling new Dallas apartment with his own paintings and is proudest of a cityscape that looks west on New York's Wall Street ("because it's all there, the flag, the church and money"). For the energetic Downer, the postwar world must be bolstered with military orders.

"It's basic," he says. "It's selling appeal is defense of the home. This is one of the greatest appeals the politicians have to adjusting the system. If you're the President and you need a control factor in the economy, and you need to sell this factor, you can't sell Harlem and Watts but you can sell self-preservation, a new environment. We're going to increase defense budgets as long as those ——— in Russia are ahead of us. The American people understand this."

Richard E. Adams, the plain-spoken engineer who directs advanced projects for the Fort Worth division of General Dynamics, producer of the controversial F–111 fighter-bomber, also talks of the domestic political realities that favor expanding military business.

WHERE THE POWER IS

In any conflict between increased spending on social programs and spending on defense, he says:

"We know where the power is (on Capital Hill and among the Executive Departments). There's going to be a lot of defense business and we're going to get our share of it."

These political estimates, global and domestic, are carefully translated by each company into dollar terms, new weapons systems and the amounts that will be spent for them. There is a standard industry view here and it runs like this:

Vietnam is eating up about $22 billion a year of the $80 billion defense outlay (the war's cost is actually about $6 billion more but this sum would be spent on repositioning American forces elsewhere if they were not in Vietnam). Of $2 billion of the Vietnam budget, however, buys the advanced weapons that the aerospace crowd makes. Thus, the war's end will do little damage to these companies: "We are little impacted by the cessation of hostilities." Military payrolls and makers of uniforms, artillery shells, C-rations and the like will bear the brunt of any cutback.

Thus the end of hostilities opens up great new opportunities for sophisticated munitions makers. They and their Pentagon colleagues will press for bigger research and development budgets, an outlay guaranteed to produce new designs that military men could find irresistible. Several new weapons already designed will be ordered for extensive production. The VFX, a new Navy fighter-bomber; the VSX, an anti-submarine plane and the AMSA or Advanced Manned Strategic Aircraft, a new bomber, all fall in this category.

THE PENTAGON'S "WISH LIST"

Over and above these items, each worth several billion dollars, are those on the Pentagon's "wish list" as it is known in the trade. It comprises more fighter wings; A V/STOL, or Vertical/Short Takeoff and Landing, transport; thickening the "thin" antiballistic-missile system so that it supposedly could shoot down Russian as well as Chinese nuclear missiles; a new fleet submarine armed with missiles.

Also, a new intercontinental ballistic missile for the Air Force; new light attack aircraft; a new series of interceptor planes and a new generation of MIRV, the Multiple Independently Targeted Re-entry Vehicle, a missile with several warheads, each capable of being electronically guided to a different target.

Looking at this shopping list, some knowledgeable Pentagon officials see post-Vietnam defense budgets conceivably rising to $100 billion a year in dollars of present purchasing power.

The aerospace executives are more modest. They think defense budgets will fall by $5 to $10 million after the war, but then begin to grow at some constant percentage of an expanding gross national product. Space budgets, it is thought, will be held on their current plateau a bit longer, but in time will gently start climbing again, too.

Again, a table of some representative firms reflects the industry's view of the near future. What follows is very unofficial. Some parts of the table are based on percentages provided by the companies and from inferences drawn from them. Few companies are as open with their books as LTV Aerospace. Percentages represent military-space sales.

	1968 sales		1973 sales	
	Amount	Percent	Amount	Percent
General Dynamics:				
Fort Worth	$800,000,000	95	$1,400,000,009	95
Convair Div.	300,000,000	95	(1)	95
North American Rockwell Aerospace and systems group	1,900,000	95	2,400,000,000	95
Ling-Temco-Vought:				
LTV Electrosystems	220,000,000	87	400,000,000	81
LTV Aero-Space	530,000,000	88	1,300,000,000	82

[1] Unavailable.

(If Convair fails to win the big new contracts for which it is now competing, its military-space business will drop in 1973 to 60 per cent of total sales.)

(Electrosystems expects $140 million in additional sales from new civilian companies it intends to acquire.)

NO MAJOR SHIFT SEEN

The point again is that everybody expects a brisk rise in business and no substantial change in the dominant share bought by the Defense Department and NASA.

To be sure, this is not the whole story. Ling has bought up a string of nondefense companies that turn out steel sheets, tennis rackets and packaged hamburgers among other things. Combined, they dwarf his sizeable defense subsidiaries.

North American, the big plane and missile maker, merged last year with Rockwell, a conventional producer of parts for trucks, autos, and heavy construction equipment as well as textile looms. Five years hence, the company expects its commercial products to be generating more sales than its defense orders.

Even General Dynamics, which was frightened away from civilian business after a disastrous experience with jet airliners a few years ago, expects to work on parts for other companies' commercial planes if it loses too many military contracts.

Moreover, the very corporate divisions that focus on Pentagon business have all made some cautious stabs at nonmilitary markets.

None of this, however, detracts from the central theme: The great aerospace firms have a strong appetite for military business. They look forward to expanding, not contracting, their sales in this sphere.

WHICH COMES FIRST?

To what extent are these expectations self-fulfilling? Do new weapons systems originate in the fertile design shops of the companies, then to be sold to the Pentagon? Or are the firms simply passive contractors, responding to what the trade calls a "military requirement?" In sum, is it an industrial military or a military industrial establishment?

There is no simple answer to this question. Indeed, some authorities think it should more properly be called a military-industrial-political complex to account for the influential Congressmen who press requirements on the Pentagon and contracts on their constituents.

There are differences even within the same division of a single firm.

For example, John W. Bessire, the manager for pricing at General Dynamics' Fort Worth Division, says:

"We try to foresee the requirements the military is going to have three years off. We work with their requirements people and therefore get new business."

But a few doors away, in the enormous plant where a dozen or so of the swingwing F-111s are quietly produced each month, the advanced projects director, Richard Adams, takes a different view:

"Things are too systematized at the Pentagon to invent weapons systems and sell them on a need. Even if you invent one, all you do is give the military an idea and you'll end up in a competition (with another firm for the production contract)."

President Moore of North American Rockwell's Aerospace and Systems Group, sees the process as one of joint parenthood.

"PEOPLE GETTING TOGETHER"

"A new system usually starts," he says, "with a couple of military and industry people getting together to discuss common problems. By far the largest part of the business comes from requirements established by the Defense Department or NASA."

"But it isn't a case of industry here" (gesturing with one arm outstretched to the ground) "and the Government here" (pointing with the other to the air). "They are interacting continuously at the engineering level."

One of the shrewdest and most important civilian officials at the Pentagon also sees the initiating process as a seamless web. "Pressures to spend more are going to be there," he says. In part, they come from the industry selling new weapons ideas, he thinks, "and in part from the military here."

"Each (military) guy has his own piece, tactical, antisubmarine, strategic. Each guy gets where he is by pushing his own particular thing. Don't forget, too, part of it is based on the perception of needs by people in Congress."

If the origins of increased defense spending can't be isolated surgically, talks with the men in the industry make it clear that they are expecting enough to go around in the years after Vietnam. This is one important reason why Secretary Clifford's proposal that they turn their talents to social problems as well is regarded as unnecessary and unwise.

In fact, one of the industry's most sophisticated men, President Atwood of North American Rockwell, remains convinced that Clifford's speech "was aimed at his own department, at small business firms—but not really at us."

[From the Washington (D.C.) Post, Dec. 9 1968]

DEFENSE FIRMS LEERY OF CIVILIAN WORK—"NO-RISK" CONTRACTS HEIGHTEN APPEAL OF ARMS BUSINESS—II

(By Bernard D. Noissiter)

The last time the White House published a detailed review of the economic consequences of peace, it foresaw a future rich in profitable social opportunity for the great aerospace firms.

"Today's defense plants," it said, "often take on the character of gigantic job shops . . . and their workers are quite adaptable" to similar civilian production. Even the more specialized engineers and scientists are compelled "to adjust to frequent and rapid shifts in requirements."

The document, "The Economic Impact of Defense and Disarmament," continued:

"Several new disciplines—such as operations research, systems engineering and computer technology—have been widely used in defense R & D and strategic weapons programs . . . It is likely that further research would demonstrate the utility of these disciplines in solving a variety of problems in such nondefense uses as Government operations, educational technology, the design and operation of multiple purpose water resource projects, and the design of urban mass transportation systems."

Thus armed with flexible men, blue collar and white, reinforced by new managerial techniques, the report reasoned:

"If there are large-scale nondefense research and development projects . . . many defense contractors should be and will be able to compete effectively for such contracts . . . It has frequently been urged that the Government undertake large new research programs in such fields as urban transportation, pollution control, oceanography, weather forecasting, methods for organizing medical and hospital care and techniques of education . . . Those who have suggested the undertakings are confident that existing defense contractors would secure many of the contracts for research work."

This was the cumulative wisdom of Gardner Ackley, former chairman of President Johnson's Council of Economic Advisers and a supporting crew from Defense, Labor, Commerce and other departments. It was published in July, 1965 and, so far as is known, has not been improved upon since.

The document was reassuring for two reasons. It suggested that the great military contractors easily could and would convert their electronic swords into social ploughshares. It implied that the Nation, therefore, need not worry about an industrial group with a vested interest in arms.

Three years later, many of the aerospace companies have indeed dabbled their toes in these waters. But, as an extended inquiry discloses, they have found the temperature chilly and uninviting. Several aerospace executives like to think they can someday make what one former Air Force general calls "megabucks" in commercial and social markets. But even the most sanguine think that day is far off. As a result, they have invested little of their time and less of their stockholders' money pursuing this track.

The large defense contractors see no need to chase commercial chimeras; they expect and are planning for bigger and better arms business once Vietnam is out of the way. More importantly, the industry wonders whether the techniques required to build an electronically guided, supersonic, missile-equipped jet plane can be used to rebuild ghettos or cleanse the air. Moreover, even if the skills were convertible, there is a prevailing view that the "megabucks" would be made by the traditional manufacturers, by General Motors rather than General Dynamics.

Dwight K. Warner, an earnest industrial engineer who is the manager for market analysis of General Dynamics' Convair Division at San Diego, says:

"It's hard to get a handle on this. With a military system, you can analyze the threat, the mission, the required speed and firepower. These are measurable, tangible things. But how do you measure the goals for New York City or Washington? People are not homogeneous. It's hard to identify the problem. It's such an emotional thing. Finally, what could we sell? Mass transportation? General Motors and the others have it locked up. The customer we have, we understand him and he understands us."

Even the optimists, like James J. Ling, chairman of the multibillion-dollar Ling-Temco-Vought, says:

"Systems analysis can make a complete study of a problem. We do have that capability, we do have that talent. But whether you can become a hardware manufacturer depends on the case."

The distinction is crucial. As everybody in the special world of aerospace knows, the money is in the "hardware," producing the goods and not the design.

HARD TASK FOR SLIDE RULES

As engineer Warner suggested, social and commercial problems demand an understanding of human behaviour and institutions that doesn't lend itself easily to slide rules and computers. Within the aerospace industry, the story is told of some bright young engineers who employed systems analysis to design an optimum machine for extracting coins from parking meters. They constructed a wonderous armoured vehicle that removed, stacked and sorted the money without the intervention of human hands. It was, they properly claimed, absolutely thief-proof. But when they took their blueprint to the California town that had requested the device, it was turned down cold. Three engineers had made no allowance for the 20 per cent that the mayor's son had been skimming from the meters.

TRW Inc., a comparatively small defense contractor, is one of the more ebullient firms in the field. It recently proclaimed: "Techniques for dealing with the future, together with TRW's long experience in systems engineering, are now being applied to complex civil problems."

These words appeared at the end of a study that TRW had offered to the state of West Virginia. The study was supposed to answer, among other things, how land should be assembled for new cities in the undeveloped countryside and where these new towns should be located. The systems analysts at TRW assumed away the first question by recommending that Federal land should be taken over. They then proposed a site "near enough to Washington, D.C., so that it can become an example for visiting foreign statesmen." Potential government clients do not find this sort of thing very helpful.

There is a telling acronym in the business, "GIGO". It stands for "Garbage in, garbage out" and means that no flow chart, no computer will produce answers better than the material fed into them.

EXPERIMENT IN CALIFORNIA

Two Governors of California, Edmund (Pat) Brown and Ronald Reagan, have encouraged the huge aerospace firms in their state to turn their attention toward non-military markets. The Governors' concern is understandable; California receives by far the largest share of defense contracts—$6.7 billion or 18 per cent of the national total in fiscal 1967—and someday the bonanza might end. So, the Governors provided funds for defense contractors to study mass transportation, air pollution and communications.

The outcome, aerospace men agree, was not happy. William L. Van Horn, director of operations for General Dynamics' Convair Division says:

"We'd never specialized in these areas. We felt that the universities and Rand (the Rand Corp., a research group) could contribute more than we could."

Van Horn observes that his company's difficulty with the mass transportation study for the San Francisco region was one any businessman would recognize.

"We found there was no customer. The area is divided into so many political authorities, there was no one you could talk to."

North American Rockwell's Aerospace and Systems Group also tackled a phase of the transport study. But the vice president for engineering and research, Bernard Haber, says he doubts that his team even mapped out the relevant boundaries.

Under the aegis of an indulgent military, aerospace firms have become accustomed to surrounding a problem with scientists and engineers. For California, complains Haber, "the level of effort was too low." The company was given only an amount equal to the annual salaries of three to five professionals compared to the seventy to one hundred for which it gets paid on a new plane.

LOW ECONOMIC REWARDS

The disturbing fact, from the standpoint of the aerospace companies, is that the economic rewards for solving civil problems appear to be low. As a rule of thumb, the industry figures that if it earns $20 million from the research on a device, it will pick up $200 million for developing and testing it and $2 billion in production. This is why everybody says that "the money is in the hardware."

But many aerospace firms suspect that even if they design a better transport system, more conventional corporations will earn the big money from producing the vehicles. A case in point is Ling's LTV Aerospace. Its Missiles and Space Division designed for the Marine Corps a tough, new eight-wheel jeep, the MACV. LTV earned $20 million for developing the vehicle but lost the $200-million production contract to another concern.

There is another, crucial economic consideration that makes civilian work unappetizing. Quite simply, you have to invest your own money, not the Government's, in it. Van Horn of General Dynamics estimates that for every $10 million he invests on a military contract, he must put up $100 million for civilian business of an equal size.

Defense contracting is a peculiar form of enterprise and aerospace firms live in an oddly protected world. They are, says former Air Force Gen. Robert Richardson, "no risk" firms. Richardson dealt with them for several years as deputy to Gen. Bernard Schriever, head of the Air Force Systems Command. Now, he works for Schriever's consulting firm in Rosslyn and has received a liberal education in the limitations of the aerospace companies.

AN IDEA THAT FAILED

He and Schriever had elaborate plans to construct a "General Motors of building" from aerospace talent and turn it loose to create "optimum communities." He still thinks that systems analysis techniques can "build environments a hell of a lot better than the guy who scribbles on the back of an envelope." But he has concluded that the "no risk" nature of the aerospace firms disqualifies them from this undertaking. He and Schriever now hope to teach their techniques to traditional building firms.

What Richardson means by "no risk" is this: Typically, aerospace companies do not spend their own money to build plants; they lease factories constructed by the Government. LTV Aerospace, for example, uses 6.7 million square feet of office, plant and laboratory space; it owns only 70,000 feet or a shade more than 1 per cent.

Much of the elaborate equipment in aerospace factories is also Government-financed. General Dynamics put $20 million into its Convair plant at San Diego and the Government matched this with $20 million worth of machines.

Defense contracts themselves are complex affairs, but in general, they provide liberal allowances if the cost of a weapons system exceeds the estimated price—and it usually does, by a substantial margin.

The heady days of World War II and its cost-plus contracts are over. But even under the so-called "fixed price" agreements now in vogue, the Government will underwrite as much as three-quarters of any unexpected cost up to some pre-determined ceiling.

PRODUCTION LINE UNDERWRITTEN

Finally, the Government finances the production line itself. It does not wait for delivery before paying for weaopns systems but provides "progress payments" during the various stages of construction.

Many authorities insist that there is no other way to finance the exotic items that aerospace firms make, that no conventional firm would spend its own money to build a relatively few copies of an extremely high-cost item that can be sold to only one customer. But this hothouse environment hardly equips aerospace firms for the competitive rigors of commercial or civilian markets.

John R. Moore, the president, of North American Rockwell's Aerospace and Systems Group, drove the point home in a discussion of the conditions his company would require to undertake, for example, a high-speed transit system.

"If the Government provided the risk capital," he said, "and if the vehicle contained enough technology or patentable elements so that we could close out other producers and if we could market it, then it would be viable."

But where, outside of the Pentagon, can such conditions be met?

Despite all these obstacles, there is a nagging belief in the industry that it should widen its scope. The Washington representatives of the major aerospace firms are a special source of internal pressure, urging their companies to explore the prospects for earning the growing sums of Federal money they foresee will be spent on slums, schools, pollution and the like.

At the Appalachian Regional Commission, the Federal-State agency charged with reviving the impoverished areas of 13 states, the executive director, Ralph Widner, reports, "We have been drawing aerospace people like flies." Several companies, like TRW Inc., have expressed an interest in contracts dealing with the broad spectrum of problems with which the Commission is grappling.

Widner is a hopeful sceptic, doubtful that defense management techniques now can make a major contribution but convinced that someday they will. His Commission is financing a proposal from North American Rockwell to build some small clinics and other health facilities. The modest experiment will work if the company can do the job cheaper and faster than traditional firms.

MERGER EYED CIVILIAN MARKETS

So, too, North America itself, primarily a defense contractor, merged last year with Rockwell, chiefly a maker of vehicle parts. The company now talks hopefully of fusing North American's technological skill with

Rockwell's commercial aptitude and thereby widening markets for both.

Even General Dynamics, the most solidly entrenched in defense work is taking a cautious look at other markets. About 500 of the scientists and engineers at its San Diego complex, perhaps 5 per cent of the total payroll, are engaged on oceanographic problems. The firm is very proud of a computerized buoy it has designed, constructed and stationed at sea. The buoy periodically feeds back data on current flows, temperatures, salinity and other useful hydrographic information.

At LTV Aerospace, President W. Paul Thayer is restlessly searching for nondefense business, too. He plans to increase from 5 per cent to 10 per cent the share of research money his company now spends on civilian markets.

Even companies that are dubious about their ability to exploit new designs in nondefense areas think they see a possible way out. As that master of conglomerates, James Ling puts it, "I frankly don't see how we could tackle things like urban renewal or pollution. But we could buy a company to do it."

The industry may or may not draw some comfort from the Rand Corp., a striking case of forced conversion. Essentially an Air Force "think tank," Rand was compelled to modify its ways when Congress placed a ceiling on the funds that Government agencies could spend with such research centers. Today, says Henry Rowen, the scholarly former assistant seceretary of defense who now presides over Rand's fortunes, the corporation is earning about one-fifth of its $25 million in fees each year from civilian work.

FROM AIR TRAFFIC TO CRIME

Its engineers, physicists, economists, lawyers and others are exploring congestion in the air lanes over New York, technology and the press, crime in New York City and other matters outside Rand's familiar path. Albert Wohlstetter, a prominent war games theorist, sits at Rand and looks at the comparative economic situation of whites and Negroes. This is much like turning Herman Kahn loose on a study of the stability of Keynes' consumption function.

There is still another reason for Rand's shift. As Rowan says: "There's been a big change in attitude in the last ten years. Vietnam turned off a lot of specialists, particularly the younger ones with no career commitments." In other words, to attract young scholars, Rand must offer them something besides plotting scenarios for global holocaust.

Rand, of course, is not General Dynamics, and the Congressional ceiling was a powerful spur for change. President Rowen is a great admirer of the aerospace firms with which he once dealt—"they really are smart guys with a respect for the intellect." But even he is of two minds about their ability to move out of defense markets.

"They're really good at one product," he says, "a product of high quality engineering with a lot of science built into it. They don't have long production runs—500 copies of anything is a long one. So they are good at airplanes, missiles, space vehicles, electronics. There's little relationship between that and any condition in the cities."

But he goes on:

"They have learned how to mobilize a lot of engineering talent and this is generalizable. Give them problems on the physical side, not the social, problems in transit or pollution and maybe they'll do poorly, but they'll do a lot better than the rest of American industry."

However, he adds, "It is unreal to expect them to make any significant contribution in a short time."

INDUSTRY DISPLAYS CONFIDENCE

This conclusion is echoed in the industry. At General Dynamics' Fort Worth Division, Richard E. Adams, the director of advanced projects, goes to a blackboard and plots on a time scale the prospects for defense and civilian business. Far out to the right, he draws a slowly widening band of civilian orders.

Adams is one of the few industry men encountered in this survey who thinks that someday there will be international agreements limiting missiles and other weapons. So, he began working on a schematic study to determine which of several social areas—mass transit, waste disposal—offered the most profitable prospect for his company. His superiors, however, cut the project short.

The company, he says, "is unwilling to forego opportunities on programs that look real for something way out in the future."

In the Los Angeles executive suites of North American Rockwell's defense arm, officials talk seriously of "looking hard" at pollution, exploiting the ocean beds and other non-military work. But President Moore of the Aerospace and Systems Group readily acknowledges that this effort has a low priority because he can see "no payoffs until the late 70s or 80s."

It appears, then, that the major producers of sophisticated weaponry will continue to devote some time and money to tentative forays into non-defense business. But their words and plans make it clear that the bulk of their resources will be spent on the development and promotion of new arms. The assumptions of Ackley and other official thinkers have no resonance in the cool, clean plants where the areospace men bend their talents to what they know best, the production of increasingly awesome instruments of destruction.

NEW HOPE FOR CONSUMERS

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, recently President Nixon selected a fellow Pennsylvanian to serve as his fulltime special assistant for Consumer Affairs. She is Mrs. Virginia H. Knauer, who has, in effect, been promoted to this national office from a similar position she has held in Pennsylvania for some 14 months.

I am pleased to extend my congratulations to Mrs. Knauer. I believe that she brings to this vital advisory post a sincere determination to defend the interests of the American consumer. She has demonstrated in Pennsylvania that she can perform effectively as the consumer's spokesman in consumer affairs.

Largely because of Mrs. Knauer's efforts, Pennsylvania is investigating and taking legal action to stop deceptive and fraudulent sales practices of magazine subscription sales companies. She is well aware of the unscrupulous tactics utilized by many magazine subscription sales organizations in their dealings with consumers.

Her firsthand knowledge of this situation, I am certain, will serve to focus due Federal concern on subscription sales frauds on a nationwide basis. The problems she has experienced in Pennsylvania are prevalent all across the country.

Furthermore, the deceptive sales practices of certain American businesses—particularly those engaged in sales of some encyclopedias—are smearing the image of the American free enterprise system around the world. I was appalled recently to learn of the scandal involving American encyclopedia companies which has been running rampant in Sweden for several years.

I wish Mrs. Knauer well as she begins a most necessary and extremely difficult task. Her efforts, however, will be richly rewarded in the knowledge that the American consumer is getting a fair deal in the marketplace and at his own doorstoop, and that American businesses are dealing honestly with consumers around the world. I should like to include in the RECORD at this point the Christian Science Monitor's recent article on Mrs. Knauer's appointment:

MRS. VIRGINIA KNAUER COMES ON CONSUMER SCENE

(By Josephine Ripley)

President Nixon's appointment of Mrs. Virginia H. Knauer (pronounced now-er) as full-time Special Assistant to the President for consumer Affairs would seem to indicate that consumer issues are to receive the same close attention in White House councils today as they did in the previous administration.

Thus there appears to have been a reassessment of the role of consumer adviser since the appointment in February, of Miss Willie Mae Rogers of Good Housekeeping magazine who was to serve only as a part-time, nonsalaried consumer consultant to the President.

Miss Rogers resigned four days later following widespread criticism of her appointment.

Mrs. Knauer comes on the scene with all of the prerogatives of the office formerly held by Miss Betty Furness, including her title, her position as chairman of the President's Committee on Consumer Interests and as executive secretary of the Consumer Advisory Council.

Mrs. Knauer made a smooth, poised debut before television cameras at the White House press conference immediately following her appointment. Never at a loss for words, she always seemed to find the right ones.

After all, consumer issues are not new to her. She has been dealing with them for the past 14 months as director of the Bureau of Consumer Protection of the State of Pennsylvania.

She had high praise for Miss Furness, saying, "I think Miss Furness did a fantastic job in communicating with the public and making clear the administration's deep concern for the welfare of the consumer.

"And I expect to do the very same thing."

If this includes speaking on behalf of consumer legislation before congressional committees, she will make such appearances when they are called for.

Further underlining current White House thinking on consumer affairs, she described President Nixon as "devoted and dedicated to the idea that this administration shall represent consumer needs at the highest level."

AS SHE SEES THE JOB

Her job, as she sees it, will be "to advise the President on matters of consumer interest and also to represent consumers themselves at the highest level of government."

Her first assignment will be the same as that which Miss Rogers was to undertake. That is, an evaluation of existing consumer programs within the various government departments.

The purpose is to make sure that these programs "are responsive to the needs of consumers," to determine whether there is duplication and to find out if they "are really doing what they were designed to do."

Mrs. Knauer's political savvy comes from experience. She served eight years as a member of the Philadelphia City Council and was the first Republican woman to be elected councilman-at-large.

Consumer groups are reacting cautiously to her appointment. She is not widely known outside her state. Some say they are glad she is not "another home economist" which was one of the criticisms of Miss Rogers.

Not that consumer organizations have anything against home economists. It is just that they would prefer to see this job in the hands of someone more familiar with the legislative processes.

There was prompt and favorable reaction to the appointment from Capitol Hill where Sen. Frank E. Moss (D) of Utah, chairman of the Senate subcommittee for consumers saw it as evidence of the President's intention to "preserve the consumer post as a significant pillar of his administration."

Mrs. Knauer has been closely concerned with consumer legislation passed by the Pennsylvania legislature and backed by Republican Governor Raymond P. Shafer who has said he does not feel that consumer issues should be left to the Democrats.

PRESIDENT SAYS LITTLE

President Nixon has said little, if anything, on consumer subjects since his election. So far as is known, no consumer message will go to Congress in the near future. Presidents Kennedy and Johnson set the precedent for such messages and many consumer bills were passed by the 90th Congress.

In a statement published in Business Week before the election, the President said he felt that "consumer interest is far too basic to be left in the hands of a single adviser. In the next Republican administration, it will be the explicit responsibility of every department and agency head to foster consumer welfare."

This was taken to indicate, at that time, that the White House consumer office would be abolished. But this has not happened and Mrs. Knauer will soon take up her duties in offices in the Executive Office Building, adjacent to the White House.

Mrs. Knauer will establish residence in Washington. Her husband is Wilhelm F. Knauer, a Philadelphia attorney. They have two children and one seven-year-old granddaughter. Mrs. Knauer will receive a salary of $28,000 in her new post.

DISTRICT OF COLUMBIA ENVIRONMENT: AN EXPERIMENT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. RARICK. Mr. Speaker, Washington is our Nation's showcase to the world as well as its capital. When such trumped-up and emotional issues as home rule for the District of Columbia are being publicized around the country, our citizens are never reminded that the District never has, never can, and never will pay its own way. Washington exists only as a Federal Capitol—it is here to house our Government and to serve the people of the Nation. The taxpayers pay its bills, and the elected national representatives should properly run it—just as article I, section 8, of the Constitution, including the District together with "forts, magazines, arsenals, and dockyards" plainly provides.

From time to time, we hear anguished screams of "police brutality"—louder and louder demands for trial boards to harass and hamper honest local police—more and sadder crocodile tears for the "juveniles" and the "underprivileged minorities" whose crimes of violence prey on innocent citizens—and better and better "constitutional" protection for the vilest criminals, the filthiest obscenities, and the most obvious subversion.

To illustrate this point, I am inserting several clippings from Washington newspapers during the last 3 weeks.

Decent Americans will surely agree that there is something very wrong in our Nation's Capital when a veteran police officer feels it necessary to go armed in his own neighborhood; when an officer with 19 years service in keeping peace is given immediate "administrative leave" for shooting a fleeing two-time rapist caught in the act; when the Mayor announces his displeasure and suggests retrial of two officers found not guilty by a police trial board; when a rapist walks free because his distraught victim kills herself—and rulings of the Supreme Court leave no evidence for trial; and finally, when a juvenile in the custody of U.S. marshals in the District of Columbia jail finds himself "homosexually raped"—with medical evidence to substantiate his story—by a dozen adult cellmates.

Washington has frequently been cast in the role of an "experiment" in various things—integration of schools, self-government, total franchise. Has not this experiment of letting the inmates take over the supervision of the asylum demonstrated that it should be terminated forthwith, lest the next 3 weeks be worse than the last?

The articles follow:

[From the Evening Star, Apr. 2, 1969]

Police Bullet Kills Boy, 15, at Rape Scene

A 15-year-old Anacostia youth was shot to death by a District policeman early today as he was fleeing the scene of the rape of a 69-year-old widow in Congress Heights.

Police identified him as Edward William Rawlings of 4000 Livingston Road SE.

His family described the youth, who attended Hart Junior High School, as something of a "loner" but seemed incredulous that he had been involved in such a case.

The Metropolitan Police Department officer who shot the youth, Victor Kuklis, said he entered the house in response to a neighbor's call and found the youth inside and the woman stripped nude on the floor. Kuklis said the youth headed for the front door, and he ordered him to halt several times. The youth had unlocked two locks and was turning around when Kuklis fired twice, police said. One shot went into the door jamb, but another hit Rawlings in the right side. He was pronounced dead at Hadley Memorial Hospital.

Kuklis, sent to the scene after neighbors reported a woman screaming, said that he could not enter by the front door because it was still locked, but was able to get in through the back door which had been left ajar by the intruder, police said.

Kuklis reported that the widow had partially wrecked the living room in her desperate efforts to fend off her assailant.

The widow told police she had been talking on the telephone and getting ready to go to church today, and had not heard the intruder come into her home. She looked up and saw him in her living room, carrying a knife and demanding money.

She told police she gave him all the money she had—$1—and then the intruder told her he was going to rape her.

The woman was bruised during the struggle and was screaming incoherently when Kuklis entered, but police reported there were no knife wounds. The assailant had the knife in his hand with the blade out when he first demanded money, police reported.

The weapon, a pocketknife, was found in the youth's pocket along with a $1 bill, police said.

Rawlings, a Negro, had no record here as a juvenile, authorities reported.

Police said the youth was about 6 feet tall and weighed about 150 to 160 pounds.

Rawlings was identified at the D.C. Morgue by friends of the family.

The shooting occurred at 12:01 a.m. and the department placed Kuklis, who is white, on administrative leave with pay at 1:40 a.m., under administrative procedures ordered by Mayor Walter E. Washington earlier this year. Kuklis, 44, has been a police officer here for 19 years.

Young Rawlings lived with his mother and sister in a third-floor apartment of a red-brick building facing the Oxon Run Park.

Mrs. Arlizzie Rawlings, who makes venetian blinds for a firm in Northwest Washington, expressed disbelief that her son could have done what homicide detectives described to her early today.

"I'd like to find out what happened because I don't believe a 15-year-old boy could do anything like that," she said.

Mrs. Rawlings and her daughter Brenda, 16, as well as neighbors and teen-age friends, described the boy as something of a loner.

"He was very quiet," was the general comment.

His mother said he liked to play his electric guitar, always alone, and infrequently left the house except for school. His attendance in the eighth grade at Hart was fairly regular, his family reported. He had failed a grade or two in Richmond, Va., where the family lived until 14 months ago, they said. Edward's father, now separated from the family, lives in Richmond.

They said Edward returned to Richmond to visit a girlfriend and other close friends nearly every other weekend. He seemed not to have any close friends here, they added.

[From the Evening Star, Apr. 3, 1969]

Second Rape Linked to Slain Youth

A 54-year-old Anacostia woman has identified the 15-year-old youth slain as he fled the scene of a rape yesterday as the person who robbed and raped her in her home in the same general neighborhood two weeks ago, police said today.

The youth, Edward William Rawlings of 4040 Livingston St. SE, was shot to death by Metropolitan Police Officer Victor Kuklis at the scene of a rape and robbery of a 69-year-old widow. The police officer said the youth, who was armed with a knife, refused repeated orders to halt.

Homicide Squad Lt. Patrick Burke reported that the attack on the 54-year-old Anacostia woman occurred a block and a half away from the scene of yesterday's case.

[From the Washington Daily News, Apr. 9, 1969]

Prosecution of Suspect Now in Doubt—Virginia Rape Case Complaint Kills Self

A woman cabdriver, who reported she was raped by a passenger 10 days ago, shot and killed herself in her apartment Sunday afternoon, after brooding with a friend about what she said had happened, Alexandria police said today.

Alexandria Commonwealth Atty. Early Wagner identified the suspect in the case as Moses Alexander Currie, 20, Negro, of Alexandria, said today he did not know whether it now would be possible to bring the rape charge to court.

"Police are investigating to see if medical evidence, and statements made by Miss Moore to police are enough to bring this case against this man," Mr. Wagner said.

Police said Doris Jean Moore, 30, white, a driver for Yellow Cab, picked up two men at about 2:15 a.m. in Alexandria and took one to the city's train station.

Police said the second man, reportedly asked to be taken to Episcopal High School, at King and Quaker streets, but pulled a razor, climbed into the front seat and forced Miss Moore to drive to the 4400 block of W. Braddock Road, where the alleged attack occurred.

Police said Mr. Currie, lists his occupation as a cook at the Episcopal High School and lists his address there.

[From the Washington (D.C.) Evening Star, Apr. 8, 1969]

Alexandria Tragedy: Rape Victim, 30, Kills Self

A woman cab driver who police said was raped by a passenger 10 days ago shot and killed herself in her apartment Sunday, Alexandria police reported today.

The woman, Doris Jean Moore, 30, shot herself in the chest with a .22-caliber pistol at 5:03 a.m. in the presence of a friend, police said. They said she had been upset since the attack.

The attack occurred on March 29 after she had picked up two passengers at Duke and Alfred Streets at 3 a.m. She took one to Union Station in Alexandria and the other, giving a destination in western Alexandria, pulled a knife and raped her.

A 20-year-old suspect has been apprehended and held for action from a grand jury on a charge of rape, police had previously reported.

On Sunday, police said, Miss Moore, was talking to a male friend as they were sitting on a sofa in her apartment. Two other women were present in another room. Miss Moore had been upset and became more so, threatening to kill herself, police said. She mentioned the rape at the time, police were told.

The friend tried to console her, but without warning she went to a closet, got the pistol and shot herself before the friend knew what she was doing, according to police.

The friend called for help, but she was pronounced dead at Alexandria Hospital. Police listed the death as an apparent suicide.

Clifford Furman, manager and vice president of Alexandria Yellow Cab, Inc., said the victim was a "nice young lady," describing her as "real dependable—a hard worker."

After she was assaulted she was switched from night to day driving, he said.

Furman said Yellow Cab has two other women drivers, but "I don't hire them any more—this is no place for a woman to be driving."

Commonwealth's Atty. Earl F. Wagner said today he doubts he will be able to prosecute the rape suspect now that the complaining witness is dead.

"It looks like the end of the thing," he said. "It's a right serious case and a right sad one."

[From the Evening Star, Apr. 8, 1969]

Two Exonerated Police Face Board Retrial

Sources close to Mayor Walter E. Washington report he plans to order a departmental retrial of two policemen who were cleared of mistreating a motorcyclist they arrested last June.

The sources said Mayor Washington "was disturbed" by the decision of a three-man Police Trial Board that found the pair of 14th Precinct patrolmen not guilty in February. The officers in the case are William B. Caton and Alfred W. Folkman.

They were accused of wounding Marvin D. Vincent, 33, of the 5000 block of Hayes Street NE, four times during a bullet-riddled chase, struggle and arrest that ended in the darkened stairway of his brother's house.

Both officers were charged with using excessive force in arresting Vincent. Folkman also was charged with conduct unbecoming an officer in accidentally shooting the victim. Caton in addition was charged with unauthorized use of his revolver, disobedience of a police order and conduct unbecoming a gentleman.

Caton, according to testimony at the Trial Board hearing, shot at Vincent from the scout car during the chase.

The incident occurred the night of June 6, 1968, when the policemen stopped Vincent because his motorcycle appeared to have altered tags on it. When he couldn't produce a registration for the vehicle, he was ordered to drive ahead of them to the 14th Precinct station house.

However, the officers reported, Vincent raced off. Caton admitted firing at the motorcyclist, hitting him once. Folkman was driving. During the ensuing struggle, Vincent was hit accidentally by bullets from the guns of both officers. He was wounded in the ankle, lower back, stomach and chest. He escaped but later gave himself up to the U.S. marshal.

[From the Sunday Star, Apr. 20, 1969]

Lutz Granted Jury Trial on Gun Charge

Retired D.C. Deputy Police Chief Clarence H. Lutz, exonerated by a coroner's jury Friday in the fatal shooting of a 16-year-old youth during a holdup attempt, pleaded not guilty yesterday to a misdemeanor charge of carrying a dangerous weapon.

Lutz was granted a jury trial June 9 by Court of General Sessions Judge Edward A. Beard yesterday after appearing with attorney Joel Finkelstein.

U.S. Attorney David Bress said yesterday that no determination has been made as to whether the shooting case would be presented to a grand jury.

Police said the shooting victim, described as more than 6 feet tall and weighing 195 pounds, was Henry Gross Jr. of the 4900 block of 9th Street NW. He was shot once in the stomach by Lutz when he and another youth attempted to rob the retired policeman at gunpoint as he entered his car at 16th and Decatur Streets NW Tuesday night.

[From the Washington Post, Apr. 23, 1969]

Eight Held in Sex Attack on Youth

(By William N. Curry)

Eight D.C. jail inmates yesterday were charged with sexually assaulted a 16-year-old youth being held by U.S. marshals in the U.S. District Court holding cell last Friday.

The youth had been placed in the lock-up although the U.S. Code says that juveniles kept in jail must be "held in custody in a room or other place apart from adults if facilities for such segregation are available."

C. A. (Al) Butler, the chief deputy marshal for the District, said the cellblock has separate facilities and he normally uses them for juveniles. "A breakdown in communication" led to the youth's being placed with adults, he said.

The U.S. marshal transporting the youth from Florida to New York City did not tell local marshals the youth was under 18, Butler said. The youth did not look like a juvenile and Butler said there were no papers traveling with him.

A Justice Department spokesman said a form giving the youth's age as 17 accompanied him. He was born April 26, 1952, according to court papers.

Butler said, "There has been a tightening up of normal procedures to hopefully prevent a recurrence." The Justice Department spokesman said the chief U.S. marshal for the United States was investigating the incident.

The youth had been placed in the holding cell Friday afternoon. After rebuffing one sexual advance the youth, who is white, was homosexually raped by 10 to 12 black adults, police said.

When he was getting on a bus for the D.C jail, where he was to have spent the night, the youth told marshals of the attack, Butler said.

Medical tests substantiated his claim, and yesterday Stephen M. Schuster Jr., the investigating assistant U.S. attorney, filed sodomy charges against the eight.

General Sessions Court Judge Justin L. Edgerton ordered the men, already in jail, held without bond.

Those charged were: Delano R. Tarlton, 18, of 154 3d st, nw.; Charles Canty, 23, of 278 15th st. se.; Kenneth Thomas Jr., 24, of 4269 Foote st. ne.; Michael E. Jones, 20, of 640 Rock Creek Church rd; Tyrone Parker, 21, of 1122 21st st. ne.; Larry Curtis, 21, of 5068 8th st. ne.; Tyrone Flowers, 20, of 418 D st. ne; and Henry Smith Jr., 18, of 1343 F st. ne.

THE FIRST NATIONAL AVIATION SYSTEM PLANNING REVISION CONFERENCE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. OTTINGER. Mr. Speaker, I wish to call to the attention of my colleagues the First National Aviation System Planning Revision Conference which opened today under the auspices of the Department of Transportation and the Federal Aviation Administration and to commend Secretary of Transportation, John Volpe, Federal Aviation Administrator John H. Shaffer, Deputy FAA Administrator David D. Thomas and Associate FAA Administrator for Plans Oscar Bakke for their efforts and initiative in scheduling this historic conference.

This conference, which will conclude on Friday will hopefully point the way toward the development of a national aviation system which will meet the future needs of this important segment of American transportation. This week's conference is the first in a series of annual conferences designed to continually update the planning and goals for a modern aviation system.

This conference and those to follow deserve the serious consideration of every Member of Congress and I am pleased to bring to the attention of my colleagues the opening remarks prepared for delivery by Secretary Voipe and by Administrator Shaffer:

Remarks Prepared for Delivery by Secretary of Transportation John A. Volpe Before the First National Aviation System Planning Revision Conference L'Enfant Plaza, Washington, D.C., April 23, 1969

I want to welcome you to the Department of Transportation—and to L'Enfant Plaza. Unfortunately, the Department doesn't own L'Enfant Plaza. But General Quesada—our first FAA Administrator does. It looks like Jack Shaffer has a very bright future.

I want to congratulate you leaders of the aviation industry and the people at our Federal Aviation Administration for arranging this conference. It represents sound government-industry cooperation at its best. I was, in fact, so impressed with the plans for this meeting that when I first heard of them, I asked that the date be postponed to permit all the members of our new Transportation team to participate. I wanted them to be part of this meeting. I think all parties will benefit. I might mention our new Transportation team is very much aviation minded. My number one assistant—Jim Beggs—is from the Naitonal Aeronautics and Space Administration; Paul Cherington heads our policy staff and Secor Browne is in charge of our research and development. And Jack Shaffer you all know.

I also want to mention Ben Darden who heads our new FAA Office of Aviation Policy and Plans. Ben just came to us from New York where he was a member of Mayor Lindsay's staff charged with formulating air transportation policies. Before that he was on the City's Planning Commission. He's young—32—a veteran FAA air traffic controller and a lawyer. And we think that's a good combination of experience.

My advice to you can be stated directly—think big! There is no other way!

The prime assignment President Nixon handed me when I became a member of his Cabinet was to prepare a long-range plan for meeting the Nation's growing transportation needs. This first projections of our Nation's future growth are beginning to come in. They are absolutely astonishing! Certainly, you in aviation are familiar with the expansion in your own industry. But we look to tremendous growth in every mode of transportation.

One of the main reasons for this growth is of course, population increases. Twenty-four hours from now—at 9:45 tomorrow morning, America's population will be some six thousand soles greater than it is right now. But transportation demand is increasing faster than the population and one of the consequences is that there will be seven thousand more airline passengers tomorrow than there are today. Another—and this is not your problem but it is certainly one of mine—tomorrow there will be ten thousand more vehicles on our Nation's highways than there are today. But in the face of this, I still submit that our future is bright indeed; so let me suggest as a theme for this meeting a section of the famous quotation of James Burnham that one airline publicized a few years back, I quote: "Make no small little plans; they have no magic to stir men's blood." Again, gentlemen—think big. There is no other way!

I would also urge that you leaders of the aviation community use your time here together to discuss informally among yourselves another matter—a matter that is the natural consequence of your deliberations here.

I have during the past month had the opportunity—along with my fellow members of the Cabinet—to work on the national budget. We have been looking deep into the government's cash drawer. I know what is in there now. I know what expenses we have coming up. I know what income we can expect. And I tell you frankly, gentlemen, the government, under the existing arrangements, cannot provide the facilities needed to support the predicted growth of your industry. Additional funds are needed, and they are simply not going to come wholly from the Federal Government. The money must come from those who derive special benefit from these new airport/airways facilities.

It is no secret—especially to this group—that the Department of Transportation shall be sending up to Congress within a very short time new legislative proposals urging the adoption of a number of aviation user charges—funds which will be used to provide needed new facilities. I cannot discuss the details of our proposals but I certainly want to emphasize their importance.

One of the best indications of the significance of these proposals is that President Nixon listed improvement and expansion of our airports and airways as one of his ten top legislative priorities.

I feel fairly confident that there can be agreement in all segments of the industry that some form of user charges are necessary. If there is no such universal agreement, then we are in very bad shape—of that I am sure. I am not so confident, however, that there is full agreement in the industry on how these charges should be allocated. This concern of yours is understandable and I am hopeful that there will be debate and discussion concerning this. We solicit your ideas.

The danger, however, is time. General aviation is feeding about 150 new planes into the system every week. During the same seven-day period, your carriers are adding about fifty thousand new passengers to your lists—the seven thousand a day I referred to a few moments ago.

Every day spent in debate and argument thus only compounds the size of our difficulty. I remind you that there is a tremendous lead time involved here before our plans become physical realities. The interval from the day the Congress passes new charge legislation to the actual operation of a newly purchased I.L.S. (instrument landing system) must be measured not in weeks—but months, many months.

In addition to the time-factor danger, gentlemen, there is, again, the danger that in the inevitable necessity for compromise we might come up with too little. Any restriction of flight operations is objectionable even today. Given the ever growing demand for air travel, any additional restriction of operations in the future would be intolerable. Again, I urge you to think big.

Let me here make my own position clear. I favor no one type or mode or means of transporation. Nor am I against any. My purpose is only to insure that every time the government spends a dollar, it secures for the American people, a full dollar's worth of well-reasoned value.

Gentlemen, I wish you well in your deliberations. I am looking forward to studying the results of your confidence. They will be carefully considered in our planning.

Thank you.

REMARKS PREPARED FOR DELIVERY BY JOHN H. SHAFFER, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, TO THE FIRST INDUSTRY/GOVERNMENT PLANNING REVIEW CONFERENCE, WASHINGTON, D.C., APRIL 23, 1969

Good morning. I am delighted to have an opportunity so early in my tenure to speak to you and to add my personal welcome to this, the first Planning Review Conference. I want the communication circuits between the Office of the Administrator and your interests to be open and freely used. I regret this joint industry/government conference the vehicle for and the right time to inaugurate that kind of service.

You're probably familiar with the studio card, popular in some business establishments, which reads: "This is a non-profit organization. We didn't plan it that way, it just happened."

I like to think that at some point in the near future, after surveying the air traffic system, we will be able to say: "It didn't just happen; we planned it that way."

Planning then is the immediate business and the prime purpose of this conference. This is a get-together to exchange viewpoints, compare proposals, and merge resources. Before the seminars are concluded tomorrow, there will have been many spirited discussions—maybe some sacred cows will have been slaughtered. Unquestionably, some new ideas will be born.

But I'm hopeful that the program will provoke more head-nodding than head knocking, that it will produce more open doors than closed minds, and that there will be more agreement than argument. Like any planning effort, this exercise is a means to an end—a point of departure toward a new order of understanding of where we're going and what it takes to get there.

There are two points I would like to make. One: we're not going to get anywhere in terms of building a more effective, efficient system if we persist in compartmentalizing civil aviation in our thinking or in practice. As we said on page two of one of the books we put in your hands before you came here, the National Aviation System in its broadest sense "encompasses the manufacturers of aircraft airframes, engines and components; the private, business, and airline operators of aircraft; the regulators of the economic use of aircraft; and the providers of the airways, the airports, and ground access facilities and services."

Virtually anything that's a problem for any one segment of the civil aviation society is also a problem for its other members, or interferes in some way with the effectiveness or the profitability of their operations.

The National Aviation System Plan, therefore, must meet the needs of civil aviation *in its broadest sense*, over and above the desires of any of its artificial divisions.

According to the Federal Aviation Act, passed by the 85th Congress ten-and-a-half years ago, the FAA was created ". . . to provide for the regulation and promotion of *civil aviation* in such manner as to best foster its development and safety, and to provide for the safe and efficient use of the airspace by both *civil* and *military* aircraft . . ."

That emphasis on "civil aviation" and "civil and military aircraft" is my own. As I look on it there are only two classes of aviation—civil and military. The enabling legislation identified civil aviation as an entity, not a conglomerate; that is the way I think of civil aviation, and that is the way I suggest we ought to treat it.

Those who comprise this civil aviation family are well represented here today. Our purpose is a mutual one—to bring into being a new aviation system designed to accommodate *everyone* who wants to fly.

We're hard pressed to do that today, at least in certain busy air transportation centers. The forecasts have caught up with us. The congestion that has been predicted for so long has arrived. The marvel to me is that the system has been elastic enough to absorb the growth that has occurred, consistent with safety.

Nearly all of the industry statistics show that actual growth has outpaced the forecasts. When the National Airspace System design was established in 1964, the forecast called for handling 13 million IFR operations a year by 1975. Yet by 1967, the number of IFR operations had climbed to more than 16 million and the revised estimate for 1975 had gone up to 33 million.

Fortunately, this doubling in volume is well within the growth capacity of the computer-based system. But all of the other elements in the civil aviation operations network are not as readily expandable. At present, there are far too many potential choke points in the system. These range from terminal airspace limitations to such surface problems as inadequate access roads, deficiencies in baggage handling, and a shortage of gate positions.

The most immediate problems, however, relate to the lack of capacity in the airways/airports system. Our forecasts on air traffic growth are meaningless unless the restraints to growth are overcome.

My number one priority, therefore, will be to win support for the Administration's airways/airports legislative package—a package that has real substance to it—and to commend that package to all of *civil* aviation.

Now, where are we going to get the substantial resources we need?

The legislative program we have proposed to the Congress faces up to the fact that large outlays of funds are essential if we are to maintain the high level of safety and while improving the efficiency in air travel.

The new and expanded airways program contemplated by the Administration will require a very substantial investment for the automation of the air traffic control system, as well as other new terminal facilities and equipment. And it would double the existing grant-in-aid program.

To help finance these expenditures, we have proposed additional taxes on the users, since the users are the principal beneficiaries of these improvements.

It is worth noting at this point that when we *reduce schedule delays*—with safety—through improved facilities, we will virtually eliminate the vast waste of resources—fuel, equipment and crews. Without going into the other costs implicit in current delays, I would guess that the waste in fuel alone exceeds $80 million for the carriers.

These dollars are the debt service on a Billion dollars which these same users could employ productively. And unless we accomplish the improvements we seek to cope with the rapid growth in air transportation, things will get worse; not better.

We can no longer live with alternating periods of feast and famine in terms of public sympathy or fiscal support for civil aviation facilities. Neither can we afford to vacillate on equipment requirements or operational procedures that can mean life or death in a crowded sky. We must recognize the realities of air transportation as they exist today and will exist tomorrow, and make a sustained effort to establish both the near-term and long-range capabilities those realities demand.

The second point I want to make is that: we don't need to wait on any "round-the-corner" technology to do this job. The middle years of this century have been remarkably fertile technologically. We can be very busy throughout the next 10 or 20 years by simply exploiting the science and technology available to us.

Updating and improving our airports and airways is not a basic research project, an R&T program, or a technological WPA. The big job is to *buy and integrate*. It's squarely up to us to seize this once in a lifetime opportunity, too long dormant, and take the quantum jump in air traffic management and safety which computer-based technologies have made possible.

An industry that can automate ticket scheduling, inventory control, even baggage handling, can't afford to lag in the areas where accuracy, speed, and efficiency are vital to safety!

The NAS system now in the process of implementation is a major step in the right direction. The short-term objective is to complete that system as quickly as possible and to augment it as soon as possible with better means of data acquisition, more efficient use of the airspace, and increased runway capacities.

One of our problems is that we can't turn off the present system while we install the new one. We can't put up a "closed for alterations" sign. The automated system was designed to blend into the existing one, preserving the traffic flow and maintaining safety standards during the transition. This is a neat trick but one that can't be performed overnight. Fortunately, as I have said, we have the technologies. All we need now are resources and resourcefulness. I'm confident that resourcefulness exists in abundance within our ranks.

I have one final thought this morning. As we discuss the future of aviation over these next few days, and as we consider what automation will do for us, let's bear in mind that flying and flight control are still tasks that people do best. Planning is also a people function. We're not about to automate the man out of the system. As we move farther downstream in the automation process, the controller will become more and more the manager of a ground-based system, just as the aircraft commander will be increasingly the manager of an airborne system.

I think crew acceptance of the new system will come readily, for it will upgrade rather than downgrade the pilot's role. At the same time it will greatly increase his efficiency and the overall safety of his aircraft.

Automation offers the opportunity to relieve the pilot of routine physical tasks so he can be a better master. The devices will be his dependable slaves, while his own talents are freed for matters requiring the exercise of his judgment, not his muscle.

The talents essential to civil aviation will not diminish in the future; they will grow, just as the prospects for greater air transportation productivity will increase in direct proportion to the wisdom, the energy, and the quality of leadership we assert in planning the course and complexion of the National Aviation System.

NEEDED: A NEW SYSTEM OF UNEMPLOYMENT COMPENSATION

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. MIKVA. Mr. Speaker, unemployment compensation is one of the most important protections that workers, their families, and communities have. National policy and a State-by-State system of jobless insurance were formulated more than 30 years ago. Since then, shamefully little has been done to keep the system realistic and effective, as the economy and standards of this country have steadily advanced. An article entitled "Needed: A New System of Unemployment Compensation," in the February issue of the Advocate, the national monthly magazine of the Retail Clerks International Association, AFL–CIO, makes a compelling case for the need to modernize the present unemployment compensation system, and how it can be done. With unanimous consent, I insert the article in the CONGRESSIONAL RECORD, as follows:

NEEDED: A NEW SYSTEM OF UNEMPLOYMENT COMPENSATION

Unemployment compensation laws need a drastic upgrading to provide adequate protections for today's workers.

For the past 30 years, unemployment compensation benefits have remained nearly static because of interstate competition for business.

On the other hand, wages and prices have soared in this period, so the system has lost ground in achieving its original objectives.

As a result of these disparities, *maximum* weekly benefits have declined from 65 per cent of average base wages to 42 per cent. A $3,000 tax base which represented 95 per cent of covered wages in 1939 now represents only 53 per cent.

As a result, even though as many as 80 per cent of the unemployed receive maximum benefits in a number of states, the system no longer provides weekly payments that maintain a minimum standard of decent living for unemployed workers. As a matter of fact the benefits paid by 45 states are currently below the poverty level yardstick of the United States government.

As inadequate as existing benefits are, they do not even cover all workers.

Many RCIA local unions have been able to negotiate supplemental unemployment compensation benefits. But this is an inadequate substitute for a thorough modernization of the structure on a nationwide basis to provide proper protection for all unemployed workers.

To bring about a comprehensive revision of the unemployment compensation system, the AFL–CIO Department of Social Security has prepared a model law, and it recommends adoption by all states. The long-term goal of the AFL–CIO is to bring all wage and salaried workers into the protection of the system.

Currently excluded are establishments with fewer than four workers, agricultural workers, employees of agricultural processing establishments, non-profit institutions, state and local governments, subcontractors, and individuals working under contract who in fact have an employment relationship.

Further, the present regulations for qualifying for benefits are arbitrary and restrictive and should be brought up-to-date: The AFL–CIO recommends that:

1. Employment should not be required in more than two quarters of the base year.

2. Low wage earners should not have to work longer than high wage earners to establish their right to benefits.

3. Outside limits should be defined as follows: Where a multiple of the weekly benefit amount is used, it should not require base year earnings of more than 30 times the weekly benefit amount; where a multiple of high quarter is used, it should not require base year earnings of more than one and one-half times high quarter earnings whether expressed as a multiple of the weekly benefit amount or of high quarter earnings. That is, when the weekly benefit amount is one-twentieth of the high quarter earnings, the base year earnings should be not more than 30 times the weekly benefit amount.

4. A claimant should not be required to meet more than one formula or type of wage qualifying requirement.

Regarding payments, a flexible maximum weekly schedule should be set up so that benefits will automatically keep pace with wages.

The Federation recommends that weekly benefit payments should be equal to two-thirds of the worker's full-time earnings, and in no case be less than one-half. This amount should be computed on the gross earnings on those weeks of the base year when wages were highest.

Every claimant should be entitled to at least 26 weeks under state law. For variable duration provisions, this should be the minimum rather than the maximum.

The "waiting week" should be eliminated or at least compensated retroactively after a few weeks of unemployment.

Unemployment compensation should be paid during labor disputes:

In the case of lockouts;

Lay-offs during negotiations;

An employer violation of any state or Federal labor law, or any arbitration decisions;

To workers not directly interested in the labor dispute; and

If a labor dispute occurs at a location other than the worker's place of employment.

The model statute also includes provisions to secure the soundness of the funds, including the raising of the taxable wage base to at least the $7,800 used by the social security system.

SUCCESS STORY IN SOUTH KOREA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. HAMILTON. Mr. Speaker, in the April issue of Foreign Affairs, Mr. Emerson Chapin in "Success Story in South Korea" concludes that Korea "has become one of the success stories of the U.S. assistance program."

Having recently returned from a survey trip to South Korea, I commend the following article especially to those of my colleagues who have not seen first-hand the relative political stability and the impressive economic progress of this small yet ruggedly anti-Communist country:

SUCCESS STORY IN SOUTH KOREA

(By Emerson Chapin)

It was only a few years ago that South Korea, wracked by poverty, political chaos and popular discontent, was widely regarded as a sinkhole of American aid. Now this small, ruggedly anti-Communist country enjoys relative political stability and is making impressive economic progress. It has become one of the success stories of the United States assistance program. How did this startling reversal come about?

Officials familiar with South Korea's history since the war with the Communist North insist that the ingredients for success had been there for a long time, however obscured they may have been in the dark days of the early 1960s. They are convinced that the apparent miracle is genuine and likely to continue, although as Assistant Secretary of State William P. Bundy has pointed out: "While Korea's achievements are considerable, its major problems require that they be kept in perspective."

Economic growth was at the rate of 7.6 percent annually over the 1962–67 period, with an 8.4 percent rise in 1967 and a surprising 13.1 percent for 1968, but it started from a very low base. The living standard is perceptibly rising, as indicated by the sale of new homes, television sets, refrigerators, more food and better clothes; but per capita income is still not much above $140 a year, deep pockets of poverty exist and the gap between urban and rural income has been growing. Although considerable progress has been made toward democracy, the overriding need for stability and order and the government's vigilant anti-communist policy lay a heavy hand across certain sectors of society. However, to those familiar with the spirit of defeatism that so long prevailed among the Korean people, the key element is a new feeling of self-reliance and self-assurance that has begun to pervade the country. "We can do it ourselves" has become the motto for a people who long were inclined to ask: "How can we ever succeed?"

The United States helped to pave the way by patient investment which kept this war-shattered nation supplied with food and other necessities, laid an intrastructure in a land almost devoid of natural resources, created educational opportunities, built several layers of experienced administrative personnel and ended Korea's international isolation. Political stability, painfully attained under the Park Chung Hee government after a period of crisis and strife, established a climate in which businessmen and others could look to the future, inflation could be checked and coordinated planning begun. Once the watershed was passed, momentum built up rapidly. Austerity and hard work paid off. Three years ago, the United States aid mission was expanding; now it is being rapidly reduced.

An unintended tribute to South Korea's progress is the intensified campaign of harassment and terror carried on since late 1966 by Kim Il Sung's North Korean regime. Early in this decade, the Pyongyang government may well have felt it could afford to wait patiently until the South fell like ripe fruit into its hands. They can take this for granted no longer. The communist government, itself now in economic difficulties, has carried out a bristling rearmament program and Kim asserts that he intends to reunify the peninsula, by force if necessary, before the end of 1970.

The attempted raid on the Presidential mansion in Seoul by a carefully trained team of 31 North Korean agents in January of last year, closely followed by the seizure of the United States intelligence ship *Pueblo*, brought to world attention the intensification of the military confrontation that began when six American soldiers were deliberately slain from ambush by communist infiltrators during the visit of President Johnson in November 1966. The extent to which American military strength in Korea had been depleted because of priorities for Viet Nam was revealed during the *Pueblo* crisis. The modernization of South Korea's large forces had also long been lagging. Now that situation has been to a large extent corrected and the United Nations Command has repeatedly warned the North Koreans that their campaign of provocation and terror could have dire consequences. There is now little doubt that any overt North Korean attack across the demilitarized zone could provoke general war. Indeed many South Korean generals appear to hope that the North's provocations may provide an excuse for "hot pursuit all the way to the Yalu River." Officially, Seoul's objective is to build up the nation's economic and political strength until, in President Park's words last October, "it cannot be curbed at all and will overflow into North Korea, thus becoming a current for national unification."

II

That the Koreans are a tough, resilient people is attested by their preservation of a national identity and culture despite incursions over the centuries by the Mongols, Manchurians and Chinese. Japanese, Chinese and Russian armies fought over Korean soil, and from the turn of this century until 1945 Japan exercised a stern occupation rule that sought to stamp out national feelings and traditions. After World War II the country was cut in half, without reference to the wishes of its own people. The arbitrary division along the 38th Parallel separated the more industrialized North, with most of the country's natural resources, from the densely populated, largely agricultural South.

The savage war that raged for three years after the North Korean attack in June 1950 caused more than 800,000 military and civilian casualties among South Koreans, left property losses estimated at $3 billion and made 25 percent of the population homeless. In addition, the communists carried off 6,000 technicians and industrial managers to work in the North. An already poor country was made much poorer.

Even without the effects of the war, the South Koreans had major handicaps to overcome. Years of Japanese occupation had left a majority of the people illiterate in their own language. Subordination of native Koreans in the colonial régime meant that there were few trained and experienced administrators. But Japanese repression, instead of crushing Korean nationalism, stirred only a more intense patriotic feeling, channeled into oppositionist activity. Those who became Korea's leaders after 1945 had been in exile or had devoted themselves to resistance and had little experience in the positive aspects of governing. This experience, coupled with the outspoken, often contentious Korean character, meant that in the long reconstruction period much of the national energy was spent in political feuding and infighting.

Since the Panmunjom armistice settlement of 1953, the United States has provided more than $3.6 billion in aid to Korea. This has been supplemented by funds from international aid programs and private charitable enterprises. In the immediate postwar period, emphasis necessarily was on relief—feeding people, and clothing and sheltering them—and on the repair of war damage. With this went efforts to lay the foundation for eventual economic and industrial development.

By 1957 much of the war damage had been repaired; the economic growth rate averaged 5.3 percent annually from 1954 to 1957. But as the régime of the aging President Syngman Rhee became a prey to corruption, repression and mismanagement, this rate dropped to 3.6 percent in the 1958–61 period and was largely nullified by the rapid rise in population. Discontent and poverty pushed the nation to the point of student revolution (1960) and the subsequent bloodless coup of 1961, in which a military junta dominated by Major-General Park Chung Hee displaced the inefficient and fumbling civil government headed by Dr. John M. Chang. Meanwhile, despite the political instability, the aid program was slowly achieving results, and in 1962, having concluded that a base had been constructed for an independent South Korean economy, the United States shifted emphasis. It selected five major areas of development designed to push the country toward an eventual self-supporting economy. These five priority areas were power, mining, transport and communications, key industries, and investment and agricultural credit.

Much of the credit for what has happened since then must go to the strong, stubbornly determined leadership of President Park. With the best of intentions but impeded by a lack of civil administrative and technical experience, his junta inaugurated an ambitious five-year economic plan in 1962. Initially this faltered and many of its projects had to be abandoned or deferred. The new régime also found itself embroiled in a number of scandals. Pressed by the United States, General Park converted his military régime into a nominally civilian government by general elections in 1963 and enlisted the aid and experience of many of the old-line politicians and bureaucrats who had previously been denounced and purged. Before the new administration could gather strength it drifted dangerously close to a crisis point in 1964, when economic deprivation and pent-up frustrations seemed to be pushing the populace toward revolution. But President Park refused to yield and stamped down hard on the activities of the students and intellectual dissidents; the crisis passed, a period of political stability followed, and a number of favorable elements finally coalesced to provide the long-awaited turn upward. Progress has been at an accelerating rate since then.

Contributing factors, in addition to American help in building an industrial base, were the mood of stability following the establishment of strong political rule and the resulting feeling in the government as well as business that they could plan ahead. Control of what had threatened to become runaway inflation in 1963 and 1964, and the gradual elimination of distortions in the economy, brought long-needed incentives into play. Savings were encouraged. The opportunity to make money has increasingly attracted the large-scale foreign investment needed for industrial development.

American officials almost uniformly profess admiration for the native energy and talent of the Koreans. "We had to find several layers of technicians in government and develop an additional layer of competence in industry," said one high-ranking American in

Seoul. "We could provide equipment but we had to wait for competence in personnel to develop. Now they've got competence. There's plenty of native initiative, and an almost kinetic energy, but without financing there was no way to apply their talents."

Finally, there was a general willingness to accept American aid at face value and welcome American assistance as well intentioned, South Koreans are anti-communist and in general pro-American, no matter what occasional frictions arise. Unlike some other Asian nations, the Seoul government did not accept American aid resentfully, looking uneasily for strings that might be attached.

That the economic and industrial spurt has continued unabated into this year despite North Korean threats and subversion is attributable to President Park's decision to press ahead resolutely on the economic front even while cooperating with the United States in taking strong measures for military security. There is no doubt that one aim of the Pyongyang government has been to create insecurity in the South, hinder ecoomic planning and frighten off foreign investment. To some extent, its threats have succeeded in stirring uneasy feelings and fears among both the urban and rural populace. But the President has told the people that continuing the drive for prosperity is equally as important as military preparedness in thwarting the communists. In addition to promising that South Korean would repulse all aggression, he has warned that "if North Korea triggers an all-out attack on the South, we should counterattack immediately and take this opportunity to achieve national reunification, thus resolving, on our own initiative, the national tragedy of territorial division."

The possibility of a South Korean "overreaction" to Northern provocations is one of the prospects that troubles the United Nations Command in Seoul. This Command, under an American officer, General Charles H. Bonesteel 3d, has jurisdiction over the Republic of Korea forces in Korea, 550,000 strong, as well as the U.S. Eighth Army, about 50,000 strong. It has been the aim of the United States military to resist firmly all North Korean attempts to stir up trouble, but otherwise to "cool" the situation and maintain first priority for Viet Nam.

There have been periodic clashes with the North during what has become the world's longest military armistice. The Command nevertheless tended for many years to maintain a fairly relaxed attitude along the 155-mile-long demilitarized zone. Not so now. In years past it was assumed that the communists would not risk a general war, and American troops performing onerous and often dangerous duty in the front line dubbed Korea "the forgotten front." Now, however, the actions of Kim Il Sung have led some observers to believe that he might indeed be tempted to try to unify the country by force. "It isn't enough to analyze his intentions: we have to make our plans on the basis of his known capability," one American officer said. That capability is strong.

The North Koreans have 350,000 men at or close to the front line, with 8 divisions along the demilitarized zone and 10 in reserve. There is a Red Guard militia of 1.2 million men to back them up. The air force has 500 jet aircraft, including probably 60 MIG–21s operating from underground hangars. The navy is thought to have 186 ships, including four submarines and 60 high-speed torpedo boats. There are known to be 66 surface-to-air missile sites. The army is said to have about 900 Soviet-built tanks and adequate artillery. Americans and South Koreans have the highest professional respect for the combat ability of these tough, highly trained and disciplined fighting men.

Since 1966 the North Koreans have stressed the training of guerrilla forces, according to the South Korean Central Intelligence Agency, which has played a leading role in anti-guerrilla operations. Units of 500 men have been established, each led by a major-general, each assigned to a specific province in the South. The men have undergone actual combat training in the demilitarized zone. The number of men available for infiltration missions into the South has recently been put at 30,000 to 40,000 by American officials. In December, Kim Il Sung tightened his military control, .purging his long-time Defense Minister, General Kim Chang Pong, and installing General Choi Hyon, generally regarded as the North's leading guerrilla warfare specialist.

The United Nations Command reported 543 serious incidents in the demilitarized zone in 1968, compared with 445 in the previous year. According to a South Korean spokesman, a total of 172 North Korean infiltrators were killed out of 1,087 who attempted to cross the line; most of the rest were presumed to have been driven back into the North. About 160 other agents and guerrillas were killed below the truce zone. The U.N. forces suffered more than 150 casualties. The resolution of the *Pueblo* incident, with North Korea returning the 82 surviving crewmen after accepting an already repudiated "apology" from the United States, had no apparent effect in alleviating the state of open confrontation. In a "1968 summary" speech at a meeting of the Military Armistice Commission, Major-General Gilbert H. Woodward of the United States declared that "Communist North Korea has made 1968 the bloodiest year in Korea since 1953" and charged that its aggressive activity "involved assassination, terror, cold-blooded murder, kidnapping, mutilation and brutal attacks against U.N. Command personnel."

Between October 30 and November 2, the North Koreans put ashore 120 agents from high-speed boats along the mountainous east coast area in what was believed to be a bold effort to lay a basis for an eventual campaign of guerrilla warfare on the Viet Nam model. By January 10, a total of 110 of these men had been killed and 7 captured, but the South Koreans were compelled to mobilize 40,000 regular soldiers and militiamen and initiate a large-scale security program to protect farm families from terrorism in the remote rural region. President Park has predicted that Pyongyang will increase its infiltration of guerrillas and agents, and U.S. analysts have expressed concern over what they believe may become a program of subversion patterned on that pursued by the Hanoi regime in South Viet Nam in the late 1950s prior to the outbreak of open warfare in Viet Nam.

But there are important differences between South Viet Nam and South Korea. Northern agents usually find themselves conspicuous and are quickly detected when they appear either in cities or in rural areas of the South. A system of high rewards for reporting enemy agents and severe penalties for concealing them has proved extremely effective: even family members returning to their old homes from the North after years of separation usually are turned in to the authorities. The Seoul government has announced that it has broken several large rings of agents, including one that operated on the big island of Cheju fifty miles off the southern tip of the peninsula. Both Korean and American officials are convinced that the people of the South, with memories of the war years, will remain hostile to overtures from northern agents, but there is some nervousness about how the population would react to a widespread campaign of terror throughout the countryside.

In the rugged country north of Seoul, American and South Korean troops maintain a state of extreme alert. Since early 1968, defenses have been reinforced, all positions heavily sandbagged and another American brigade (from the Seventh Division) moved north of the broad Imjin River. A chain-link fence, electrified in many places, has been erected along much of the 155-mile line, backed up with minefields, tank traps and explosive charges. Electronic detection equipment has been brought in to slow the infiltration; bloodhounds also are used. A defense in depth, with new strongpoints constructed between the front line and the bustling city of Seoul, only 30 miles away, affirms the military's determination to prevent any repetition of 1950, when invading forces reached the capital in little more than a day. A ring of Hawk missiles has been installed around Seoul, which is only three-and-a-half minutes' jet time from the border.

Last summer there was considerable concern that the militant rulers of Pyongyang, misinterpreting the lack of a military response to the *Pueblo* seizure and the raid against the Presidential mansion, might stage an "Israeli-type" offensive in a chosen sector, bite off a chunk of territory, then call a halt and await the reaction, knowing that the United States, heavily committed in Viet Nam, wishes to avoid a serious involvement in Korea. This worry was strongest among South Korean staff officers, who lack much of the advanced equipment of the U.S. divisions, and whose men in the rainy season must often spend a disproportionate amount of time in maintenance and repair of installations, roads and bridges rather than in combat training. High officials in Korea believe that war came very close in January 1968, when success in the attempt to assassinate President Park might well have prompted the South Koreans to march north; nor do they discount the continuing danger.

However, General Bonesteel has kept his forces under strict orders to avoid escalation, and spokesmen in the Military Armistice Commission at Panmunjom regularly convey stern warnings to the communists that force will be met with force. The Seoul government feels that Pyongyang could not desire full-scale war in present circumstances, since this would be suicidal without outside help. The North Koreans could hardly want intervention again by Chinese forces. As for the Soviet Union, it must now be exercising whatever restraining influence it can on them; and however reckless they may be, this influence must be considerable since they rely on Moscow for supplies and weapons.

The South Korean armed forces are the third largest in the non-communist world. They include a 540,000-man army, a strong air force, a small but effective naval component and a 2 million-member militia force. The army has 19 active divisions, including the two serving in Viet Nam, and 10 in reserve. Its quality and capability are highly regarded by American advisers and its contingent in Viet Nam has demonstrated its toughness. However, low pay for its largely drafted servicemen, limited food rations and shortages of modern weapons and equipment raise complaints from top officers. The air force has more than 300 modern planes, including F–84s and F–86s and the F–5 Freedom Fighter. But delivery of F–4C Phantom jets from the United States, originally scheduled for 1968, has been postponed until probably the middle of 1969. Air defenses have been dramatically strengthened, however, by missiles and by a rapid build-up of American air power following the *Pueblo* incident. U.S. supersonic fighters are now dispersed at five major bases, many of them in concrete revetments.

High officials in Seoul, still uncertain over the motives for the *Pueblo* seizure and the raid on the President's Blue House, feel that in the long run these actions backfired by stimulating the strong reinforcement of South Korean's defenses. While they hope to keep the military situation damped down, they believe that in a combat situation they can cope with whatever forces the North Koreans may launch against them.

III

A rapid increase in foreign investment indicates that there is considerable international confidence in South Korea's military security, though some businessmen believe the current rate of investment might be several times as high if the threat of trouble from the North could be eliminated. A special mission from private American industry, commissioned by President Johnson and led by George W. Ball, visited South Korea in the spring of 1967 and submitted a very favorable report. It noted the attractions of an investment law that welcomes 100 percent foreign ownership and permits repatriation of capital and profits on a liberal schedule.

In the first half of 1968, Ford decided to assemble cars and trucks in Korea, Caterpillar and International Harvester decided on long-term credit extensions, and Baldwin pianos was going into production. National Distilleries outlined a program to produce synthetic alcohol from petrochemicals and Union Oil of California contracted for a joint project to build a big thermal power plant near Seoul. Plans progressed for a large integrated iron and steel mill and for a large petrochemical complex with participation by seven important U.S. companies. A country that five years ago had to import all refined petroleum products now has a second major refinery in operation, with construction of a third and fourth under way. Total foreign capital projects approved by the government from 1962 to 1968 had reached 113 by late December with $91.5 million involved. U.S. investors head the list, with Japanese second.

Exports, which amounted to only $32 million in 1960, rose at an average of 42 percent annually during the First Five Year Plan. Last year's goal of $500 million was slightly exceeded. The target for this year is $700 million and that for 1970 is $1 billion. Exports of plywood and textiles to the United States head the list. Industrial production has soared, tax collections rose about 50 percent last year, and unemployment and under-employment have been substantially reduced from the dangerously high levels of a few years ago. Wholesale prices showed an increase of 7.1 percent in 1968, slightly exceeding the 6 percent that the government had set as a desirable limit. The policy of liberalized imports was reversed somewhat, checks being put on such luxury items as air-conditioners, television sets and refrigerators, in a move to slow consumption and improve foreign payment balances. The Economic Planning Minister, Park Choong Hoon, has noted that the nation's imports were approaching $1 billion annually, making it about 20th among the world's markets.

Taking account of the lag in agricultural development, the government reached a fundamental decision in October to raise the official price paid to farmers for rice deliveries by 17 percent, thus encouraging greater production, raising farm incomes and shifting consumption to other grains. Diversification of farming, livestock breeding, off-season farm projects and agrobusiness ventures are being promoted and the government has recently invested in seed research to improve plant strains.

The Second Five Year Plan, which began in 1967, has already been revised upward, since most of its goals appeared attainable at least a year ahead of schedule; and the foreign-investment goal was almost attained last year. Marked improvement in living standards is projected. South Korea is expected to be self-sufficient in food-grain production and free of reliance on grant aid from the United States by 1971. The revised estimates indicate that the growth rate will average 10 percent annually and international trade will reach three times the 1965 rate. Education will be broadened and improved and science and technology, hitherto neglected, will get more help. Perhaps most important, the growth of population, which pushed the crowded land past the 30-million mark this year, is beginning to be stemmed by a government-supported family-planning program. The rate of increase has been cut in five years from 3 percent to 2.4 percent; plans call for a decline to 2 percent by 1971 and hope is voiced for reaching 1 percent by 1986.

Many economic hazards remain. Chief among them is inflation as government budgets rise almost 50 percent a year and the amount of money in circulation soars. American advisers see danger in the tendency of the newly confident Korean officials to attempt too much too fast. Some projects, such as the Seoul-Pusan superhighway, the petrochemical complex or the integrated steel mill may be more a matter of national prestige than sound economic ventures under present conditions. The economic atmosphere is heady in Seoul these days, and Americans hope Korean planners will not be carried away by their enthusiasm. Nevertheless there is rejoicing over the new mood that has replaced the defeatism of years past.

Corruption has almost a way of life in Korea, as in many underdeveloped countries, and eliminating it is an arduous process. At the grassroots level, underpaid civil servants are vulnerable to temptations of many sorts, and underpaid teachers have been prone to accept favors from parents for advancing individual pupils in the highly competitive educational system. The Park government, like its predecessors, has periodically been rocked by scandal, although the President himself is free of any suspicion. Recently the government, under opposition pressure, has acknowledged gross profiteering by big business monopolies and companies assisted by the government in attracting foreign investment: investigations are in progress. These incidents have not shaken the faith of the governing Democratic-Republican Party in its policy of promoting big business and industry as the fastest means of spurring economic development.

IV

Any estimate of the degree of democratization in South Korea will depend on the standard one sets. For reasons not of their own making, the Koreans were late starters. Democracy was largely discredited in the late 1950s under Dr. Rhee and in the 1960–61 period when an elected government proved incapable of effective rule. Now, eight years after the military coup, the President and the 175 members of the National Assembly, chosen at four-year intervals, are the only elective officials; all other posts, national and local, are filled by appointment. All political organizations are right of center and a prominent politican has remarked that it will be many years before the country can afford the luxury of any organized left-of-center activity. The left-wing movement, by its squabbling and factionalism, has gravely impaired its own prospects and many of its members have joined the parties of the right. In general, politics are more a matter of personality than ideology—and Korean personalities are strong.

In many sectors the harsh hand of repression has been felt: the far-reaching network of intelligence agents is reported to have compiled extensive dossiers on several million people, particularly intellectuals and student leaders. The groups that led the student opposition to the treaty with Japan a few years ago have been effectively broken up, and professors who lost their jobs then (many of them are back in teaching posts) are not expressing their views publicly. The universities are administered by educators who have shown themselves friendly to the Park regime. Opposition politicians who have spoken too boldly about the personal lives of the governing hierarchy or who view communism less than harshly have sometimes been imprisoned—a situation that has not always damaged their popularity.

Nevertheless, foreigners who go to Korea expecting to find a repressive police state are likely to be pleasantly surprised. Politicians are outspoken and election campaigns have been waged with considerable heat. There is little doubt, in fact, that if his opponents had been able to submerge their differences and wage a united campaign, Park Chung Hee would have been defeated in his first Presidential race in 1963. Newspapers tend to be generally critical of the government—critical of almost everything it sometimes seems—reflecting the tradition of resistance that dates back to the Japanese occupation. National Assembly debates are often stormy and sometimes violent, for oppositionists there, at least, have a public platform where they cannot be muzzled.

Though various ministers have come and gone, the Cabinet headed by Premier Chung Il Kwon has preserved an unusual continuity. Mr. Chung, former Chief of Staff during the Korean War and later Ambassador in Washington, has held office for five years. Though the Park government is nominally civilian, seven of the ministers are retired generals and 25 other former generals are members of the National Assembly. Twelve of South Korea's 29 ambassadors abroad are former high military men and three-fourths of the state-run enterprises and companies supported by government investment have retired generals as their presidents.

For some time attention has been focused on the Presidential election of 1971, when President Park reaches the end of the eight years which he is constitutionally permitted to serve. Fears are being voiced that the President may find it advisable to amend the Constitution or suspend it under a declaration of emergency in order to continue his leadership and prevent a disastrous struggle for power. After having initially denied any intention of seeking a constitutional amendment, leaders of the government party have begun this year to talk publicly about such a step as a means of assuring "public stability." Dr. Yu Chin Oh, the brilliant constitutional scholar and former university president who has been leading the opposition New Democratic Party, stresses that independent South Korea has not yet had a normal constitutional transfer of power and declares that a legal succession is the very essence of the democratic process. Following the 1967 general elections, which prompted some well-grounded charges of fraud and rigging, the government party now holds a little less than two-thirds of the Assembly seats, but with the support of 12 independents it has adequate strength to force through an amendment. The consequences might be grave.

There is also speculation about the plans and prospects of Kim Jong Pil, 43 years of age, long President Park's right-hand man, who as a lieutenant-colonel provided the directing force in the 1961 coup, served as the initial head of the South Korean CIA, then organized the Democratic-Republican Party as the vehicle for the changeover to civil rule. He went into political exile twice when his rivals seemed to have the upper hand, and last May, finding his position again being eroded, resigned from the the party chairmanship and declared himself finished with politics forever. Few politicians take this declaration seriously. Whether the President might designate him as his successor, and whether this would precipitate a destructive political struggle, are already topics of keen interest in Seoul.

Much of the new confidence so plainly evident reflects South Korea's improved international standing. The normalization treaty with Japan, finally pushed through after 13 years of off-and-on negotiations with the old enemy, went far toward removing a national inferiority complex. It opened the door to $800 million in grant, loan and investment aid from Japan over a

10-year period, eased long-standing mistrust and brought two complementary economies into possibly fruitful relations. The difficult decision to send troops to Viet Nam and their impressive performance there has given South Koreans a feeling that they are now playing an important role in the international containment of communism while repaying a debt to the allied nations that came to their aid in 1950.

South Korea has also ended her long international isolation by seeking a significant role in regional and international affairs. It was largely Korean initiative that brought about the nine-nation conference in Seoul in 1966 which gave birth to the Asian-Pacific Council (ASPAC), and South Korea has continued to play a prominent role in this organization, advocating recently that its members, except for Japan, be linked in a collective security grouping as envisioned by President Nixon. Koreans provided the initial impetus for the 1966 Manila Conference. President Park, Premier Chung and other officials have traveled widely in Asia, seeking to make their country and their policies better known. South Korean missions have been dispatched on long tours through Asia, Africa and South America to promote good will and offset the diplomatic efforts of the Pyongyang régime, backed by the communist bloc, in the continuing contest for support among United Nations members.

Reunification remains the overwhelming national goal, and the Republic of Korea—the only Korean government recognized by the international organization—remains committed to the United Nations formula for reunification: nationwide elections under U.N. supervision. Though the annual debate on the "Korean question" at the United Nations attracted little outside attention, it long remained a vital matter for the South Koreans, an indicator of the degree of international support for their regime against the intensified communist offensive. When the item finally was removed from automatic annual consideration on the Assembly agenda last year, the voting indicated that South Korea retained substantial majority support.

The demarcation line running near the 38th Parallel in Korea is probably the most tightly closed border in the world and there presently seems little prospect of loosening it. After two decades of living with this barrier, the South Koreans have achieved a remarkable degree of political stability and economic growth; they probably have not yet reached the point where they can hold on to one without the other.

EDWARD J. DELANEY RETIRES

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, the southern end of the 10th Congressional District of Massachusetts has for 31 years profited from the wisdom of Edward J. Delaney, editor of the Fall River Herald News. Mr. Delaney has decided to retire from his newspaper career at this time. I know I speak for all the citizens of Fall River and the surrounding communities served by the Herald when I say that Mr. Delaney's guiding hand will be sincerely missed.

In his quiet but deliberate way, Ed Delaney established high standards for the Fall River community. As a newspaperman and an editor, he has truly served his Nation through the community in a way much needed in our country today.

I know that my colleagues join me in saluting his outstanding career and wishing him a fruitful and satisfying retirement. A most fitting tribute expressed by Ed Delaney's associates on the Fall River Herald News on April 12, 1969, follows:

Edward J. Delaney Retires

Edward J. Delaney, who has just retired after 31 years as editor of The Herald News, has been a major figure in the public life of Fall River all that time. Throughout his career he has had the best interests of the city and this area at heart. As the editor of The Herald News, he worked tirelessly to help Fall River through its difficult transition from the industrial patterns of the past to those of the age of technology.

In the course of his long career as an editor, Edward Delaney naturally became well known to virtually everyone in public or political life in New England and in the nation. He was respected everywhere and by everyone as a newspaperman and a humanitarian. He was, however, averse to publicity, and whenever possible, shunned the spotlight. Although his opinions were sought by everyone interested in promoting a civic cause, he never imposed them on anyone. He was always glad to help, always prodigal of his time and energy, but invariably preferred to remain in the background when public acknowledgement was given.

His assistance in making the United Fund a reality, in the development of SMTI and Bristol Community College, in promoting the Fall River Development Corporation and in numberless other causes was invaluable. So was his private assistance to numberless individuals who needed help of all kinds. His generosity in all ways was his salient characteristic in public and private.

Now, as he retires into what everyone hopes will be many years of health and pleasure, he takes with him the genuine affection of the entire staff of The Herald News and the genuine good will of the city of Fall River. He served them both well.

NLRB STRIKES AGAIN

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. FISHER. Mr. Speaker, another strange decision has been handed down by the National Labor Relations Board. Entitled "Unfair" the action is discussed in the April 23 issue of the Wall Street Journal. The editorial follows:

Unfair

At the Scott Air Force Base in southern Illinois, the National Labor Relations Board has held a St. Louis contractor guilty of an unfair labor practice. What, exactly, was the contractor doing?

Well, it seems he refused to bargain with a carpenters' union on a disputed issue. A description of that issue tells something of what's wrong with labor relations generally, and especially with the Federal involvement in them.

The construction firm, putting up two new barracks on the base, purchased 300 premachined wooden doors. When the doors arrived, the carpenters union insisted that its members be given the unloading job usually handled by lower-paid laborers. (If you haven't noticed, construction pay runs high; the average worker's hourly earnings far exceed those of any other production-worker group.)

Although the carpenters had a no-strike clause in their contract, they called in "sick" for 15 days; finally, the construction firm worked out a compromise. Peace, however, proved to be impermanent. The union carpenters insisted that they be paid not only for installing the doors but, in effect, for the processing work done on the doors (by members of another carpenters' local, incidentally) before the doors were received.

That, not surprisingly, was too much for the contractor to swallow. He stood fast, even though he is being assessed $100 a day by the Corps of Engineers for failure to complete the project.

There certainly is unfairness in this situation but somehow we can't see that the NLRB has put its finger on it.

ADMINISTRATION COMMENDED FOR CHANGES IN 1970 CENSUS

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. CRAMER. Mr. Speaker, I am pleased to note that the administration has ordered a sharp reduction in the number of questions to be asked in the 1970 decennial census, as well as a rewording of some of the most sensitive questions.

Last month, I expressed to Commerce Secretary Maurice H. Stans my belief that many of the questions which were drafted by the previous administration invaded the privacy of the American citizen. I also introduced a bill designed to limit the questions to be asked.

I am happy to report that by letter dated April 17, the Secretary advised me that he has ordered a number of changes in the census questionnaire. For example, 80 percent of the American people will only be asked a total of 23 questions. Fifteen percent will be asked 66 questions and only 5 percent will be asked the full 73 questions.

In addition, the Secretary has either deleted or reworded a number of objectional questions dealing with the adequacy of kitchen and bathroom facilities to remove any implication the Government wants to know with whom they are shared.

I believe these revisions are a step in the right direction. In light of the fact that the extensive preparation for the 1970 census was already completed by the previous administration, it appears that more extensive changes, although desirable, could not be instituted without delaying the census entirely.

I, therefore, endorse and applaud the administration for making these zero-hour revisions of longstanding plans for the census in an attempt to overcome the objections that have been voiced and I am especially gratified that the Secretary has already committed himself to take further steps to be implemented in future censuses, including submitting proposed questions to Congress 2 years in advance of future censuses, increasing the number of representatives of the general public to advisory committees which contribute to the formulation of census questions, and appointing a blue-ribbon commission to examine a number of important questions regarding the Census Bureau including whether or not the decennial census can be conducted on a voluntary or partially voluntary basis.

I am happy to insert into the RECORD at this point the letter I received from the Secretary, as well as an enclosure which explains the purposes and uses of the 1970 census information:

THE SECRETARY OF COMMERCE,
Washington, D.C., April 17, 1969.
Hon. WILLIAM C. CRAMER,
House of Representatives,
Washington, D.C.

DEAR BILL: The main purpose of this letter is to advise you of some immediate changes in census procedure which I have ordered. These changes include a substantial reduction in the number of individuals who will be asked to respond to the longer census forms. Approximately three million households previously designated to receive a 66-question form will now receive a questionnaire containing only 23 questions.

Questions relating to the adequacy of kitchen and bathroom facilities have been reworded to remove any implication that the government is interested in knowing with whom these facilities may be shared.

The Secretary of Commerce is exercising greater supervision over the general operations of the Bureau of the Census and independent experts have been retained to advise on census matters.

The questionnaire which will be mailed to households in 1970 will be accompanied by a cover letter explaining the great need for census data and emphasizing the confidentiality of all responses.

In addition to these changes, which are being implemented immediately, these further steps will be implemented after the 1970 census: (1) proposed questions will be submitted to the appropriate Committees of Congress two years in advance of future censuses; (2) an increased number of representatives of the general public will be appointed to various advisory committees which contribute to the formulation of census questions; and (3) a blue-ribbon Commission will be appointed to fully examine a number of important questions regarding the Census Bureau, including whether or not the decennial census can be conducted on a voluntary or a partially voluntary basis. The Commission would also examine and offer proposals for modernizing and improving the operations of the Census Bureau.

Because the 10-year lapse of time between decennial censuses can result in unfamiliarity regarding their nature and purpose, I felt it might be helpful to provide you with some basic data and information concerning the questions to be asked in 1970, the scope of the data sought, and the uses to which the results are put.

Some of the most frequently asked questions, along with my answers, follow:

1. Question. *Is the 1970 census more extensive than previous censuses?*

Answer. No. The number of questions to be asked in 1970 is about the same as in 1960, less than in 1950 and 1940, and far less than in some earlier censuses. Of the average household heads to be queried in 1970, four of five will answer 23 questions, three of twenty will answer 66 questions, and only one of twenty will answer 73 questions. Under certain unusual circumstances, some household heads will be asked to answer 89 questions.

2. Question. *Will the citizen's right of privacy be protected in the 1970 census?*

Answer. Yes. Whatever a respondent reports remains strictly confidential under the law. Every employee of the Census Bureau takes an oath of confidentiality and is subject to severe penalties for violation of the oath. In the long history of the census, there has never been a violation of the confidentiality of the information given.

3. Question. *Would the 1970 census yield adequate results if the response were voluntary rather than mandatory?*

Answer. Voluntary response at its best falls far short of response to a mandatory inquiry. Since the first Decennial Census in 1790, response has been mandatory. It is so in every other country of the world where a census is conducted. Professional statisticians will testify that a voluntary census would be unreliable and practically useless. A voluntary procedure would yield distorted and deficient statistics for whole groups of people and for entire areas. This procedure would very likely be especially prejudicial to low-income groups.

4. Question. *Who uses the census results?*

Answer. Census data are used by every Federal government department, State and local governments, and the private sector. Many laws depend upon accurate census reports. Questions such as those on housing are specifically required by statute. Government ment programs on poverty, housing, education, welfare, agriculture, transportation, veterans, and senior citizens require and rely upon the census tabulations. Many of the decisions of the Congress would be almost impossible in the absence of reliable census data.

These questions are illustrative of those which have been asked in recent weeks. The answers are necessarily brief. Enclosed is a memorandum which explains in more detail the purposes and uses of census information. If you have questions concerning the 1970 census we would be pleased to discuss them with you at your convenience.

Sincerely,

MAURICE STANS,
Secretary of Commerce.

PURPOSES AND USES OF 1970 CENSUS INFORMATION

1. NAME, SEX, RACE, DATE OF BIRTH, AND MARITAL STATUS

Questions 1 through 12 are designed to identify household occupants by name, relationship to head of household, sex, race, age and marital status. These questions will be asked of 100 per cent of the population.

2. THE HOUSING QUESTIONS

The Census of Housing, required by act of Congress in 1940 (13 U.S.C. 141), contains thirty five (35) questions regarding the adequacy of housing facilities. Fifteen questions will be asked of 100 per cent of the population; five will be asked of 20 per cent; five will be asked of 15 per cent; and ten will be asked of 5 per cent. Some sample questions and comment on their uses follow:

Kitchen and bathroom

Question H-3 (100 per cent): Do you have complete kitchen facilities?

☐ Yes, for this household only.
☐ Yes, but also used by another household.
☐ No complete kitchen facilities for this household.

Question H-7 (100 per cent): Do you have bathtub or shower?

☐ Yes, for ths household only.
☐ Yes, but also used by another household.
☐ No bathtub or shower.

Comment: The absence of a kitchen and/or a bathroom for the exclusive use of the household is a major indicator of urban blight and slum conditions. This information is needed by HEW, HUD and other Federal, State and local agencies.

Value of property

Question H-11 (100 per cent): If you live in a 1-family house which you own or are buying—

What is the value of this property, that is, how much do you think this property (house and lot) would sell for if it were for sale?

Comment: Section 301 of the Housing Act of 1948 (12 U.S.C. 1701e(b)) directs the Secretary of HUD to prepare and submit to the President and Congress estimates of national urban and rural non-farm housing needs. The requirements of various public laws make it necessary to determine the value of property and, as an alternate, the rent paid for rented units.

Housing equipment

Question H-22 (15 per cent): Do you have air-conditioning?

Question H-27 (5 per cent):

a. Do you have a clothes washing machine?
b. Do you have a clothes dryer?
c. Do you have a dishwasher?
d. Do you have a home food freezer which is separate from your refrigerator?

Question H-29 (5 per cent): Do you have a battery-operated radio?

Comment: When the Congress provided for the Census of Housing, it included the words "housing (including utilities and equipment)." The presence of certain household equipment provides a measure of adequacy of housing and of levels of living. The items included above are those which have particular effects on the needs for power, water and waste disposal, and related services. The question concerning radio is related to the need for communication in case of emergencies or power blackouts.

3. PLACE OF ORIGIN AND MIGRATION

Questions 13 through 19 are concerned with identifying the country of origin, languages spoken, and patterns of housing mobility. These questions will be asked of 15 per cent of the population. Some sample questions and explanatory comments follow:

Birthplace of parents

Question 14 (15 per cent): What country was his father born in?

Question 15 (15 percent): What country was his mother born in?

Comment: These questions, along with that regarding the birthplace of the individual, serve to identify those groups known as Puerto Ricans, Mexican-Americans, and Cubans. The census is the *only* source of information concerning the numbers, distribution, and characteristics of these groups. This information is of importance to the Immigration and Naturalization Service, the Congress, HEW, and to other Federal and State agencies.

Residence 5 years ago

Question 19 (15 per cent):

a. Did he live in this house on April 1, 1965?

b. (If no) Where did he live on April 1, 1965?

Comment: The Departments most needing this information are Agriculture, HEW, Labor, Commerce, and HUD. This information is also of importance to the Council on Urban Affairs, which has established a subcommittee to consider the problems relating to internal migration.

4. EDUCATION

Questions 20, 21 and 22 deal with the number of years of school attended. They are designed to reveal the educational level of individual citizens, and they will be asked of 20 per cent of the population.

5. MARRIAGES AND BABIES BORN

Questions 24 and 25 request information concerning marriages and the number of babies born. They will be asked of 5 and 20 per cent of the population, respectively. The purpose of these questions is to provide information needed in the preparation of estimates of the future growth of the population. All agencies of Government are concerned with such estimates, and with information on the rates of growth of the white and non-white populations. Agencies such as HEW and HUD which are concerned with family welfare and the care of dependent children need this information in implementing their programs.

6. MILITARY SERVICE

Question 26 asks whether male respondents have served in the military and, if so, during what period. This question is asked of 15 per cent of the male population. This information is needed by the Veterans Administration and other Government agencies.

7. EMPLOYMENT AND OCCUPATION

Questions 27 through 39 are concerned with employment history and status, amount of time worked, occupation, and related facts. These questions will be asked of 20 per cent of the population. Examples follow:

Did you work any time last week?

Question 29 (20 per cent):

a. Did this person work at any time last week?

b. How many hours did he work last week (at all jobs)?

Comment: The Manpower Development and Training Act of 1962 necessitates that the Department of Labor have census data on employment, unemployment, and occupation. Census data on unemployment are used to establish the eligibility of communities applying for assistance under the Public Works and Economic Development Act of 1965 and for a wide variety of other programs.

Place of work

Question 29–c (20 per cent): Where did he work last week?

Comment: The Department of Transportation and HUD are concerned with major transportation and traffic problems associated with trips from home to place of work. This question provides data necessitated under the Highway Act of 1965 and also provides estimates of daytime population needed by the Office of Civil Defense.

8. INCOME

Questions 40 and 41 request information concerning income from all sources, including employment, welfare, veterans' benefits, etc. These questions will be asked of 20 per cent of the population. Income data are needed by a number of Government agencies and for a variety of Federal programs. For example, income data are needed to implement the Elementary and Secondary Education Act of 1965, and also for allocation of funds under the Manpower Development and Training Act of 1962. The Appalachian Regional Development Act necessitates information on per capita income. The Department of Agriculture needs this data for its food distribution programs, including the school lunch program.

FIRSTHAND REPORT ON TABLE GRAPE BOYCOTT

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. TALCOTT. Mr. Speaker, many newspaper editors from the East have tried to present views and positions concerning the California table grape boycott—but like so many students, clergymen, and sociopoliticians, they have never seen a grape picker.

James J. Kilpatrick has visited Delano, Calif., the table grape center and, firsthand, talked with grape pickers.

His report ought to be interesting and instructive to the uninformed.

I insert his report in the RECORD at this point. The report appeared in the Washington Star on April 22, 1969:

GRAPE BOYCOTT IN DELANO PERPETRATES A HOAX

(By James J. Kilpatrick)

DELANO, CALIF.—The grapevines stand in trellised ranks, green-sleeved, precisely spaced, as disciplined as troops in close-order drill. Their cross-pieces are angled at right shoulder arms; they make of the flat brown earth a crowded battlefield.

It is for possession of this battlefield that California's table-grape growers and an AFL–CIO union are struggling. The conflict long ago stretched beyond the Delano community.

For the past 3½ years, well-meaning liberals across the country—not to mention a number of politicians on the make—have been giving full-hearted support to the "grape boycott" urged by Cesar Chavez and to the supposed grape strike" behind it. Chavez is director of the United Farm Workers Organizing Committee, AFL–CIO. When it comes to recruiting union members, Chevez is a flop; his UFWOC has recruited amazingly few. But when it comes to mounting a publicity campaign, the man is an undoubted genius. He turned up recently with a bylined piece in Look extolling his nonviolent piety.

His "boycott" bumper stickers blossom on half a million Volkswagens. In dozens of parochial schools, such is the guillibility of the nuns, little children compose insulting letters to grape growers as exercises in English. Hippies, Yippies, priests, professors, political figures, and housewives with time on their hands—all of them are whooping it up for the downtrodden grape pickers of Kern County, Calif.

It is a hoax, a fantasy, a charade, a tissue of half-truths and whole fabrications. Within the past 10 days, since Chavez blundered into his first big public relations error, the union's effort has become something more—a brazen, ugly and undisguised bid for "closed shop" power over the lives of farm workers everywhere.

To swallow the Chavez line, you must believe that grape workers in the Delano area are miserably paid, wretchedly housed, and cruelly treated. You are urged to help feed "hungry children," the victims of the system that denies men a living wage. "At present rates," says an UFWOC handout given to me last week, "a farm worker who is fortunate enough to work 40 hours a week, 25 weeks a year, would earn $2,386."

This is moonshine. The reporter who checks payrolls, goes into the fields, talks with workers, visits their homes, inspects the labor camps, and otherwise covers the story, gets an entirely different picture. The going base wage for grape workers is $1.65 an hour. At 40 hours a week, 52 weeks a year, this would produce annual earnings of $3,432. Yet the hypothetical example has no meaning. This is not how grape workers work.

The typical Delano workers—if there is any such being—is a middle-aged Mexican-American, with little formal education and few skills beyond those of grape and vegetable culture. He has a wife and two or three teenaged children. As a resident alien of 10 years' standing, he must register annually with the Immigration Service. Otherwise, he is free to live his proud, humble, independent life as others do.

Such a worker may have a dozen different employers during the year. He goes where the work is, from one vineyard to another. Thus, there is no such thing as an ordinary "bargaining unit," for the workers move around freely. George A. Lucas, a middle-sized grower, sent out 3,500 W-2 forms on workers last year.

In summer, the work is hard and hot; at other times, it is picnic-pleasant. Families take their lunches to the fields. Last week, I talked at length with one such family of four. With the base wage, plus incentive supplements, they expected to earn about $325 for the week. At harvest time, this doubles. They drive a 1968 stationwagon. A son is in college.

Out in the fields, the workers speak of the Chavez union with fear and contempt. They tell of threatening telephone calls at night, of repeated acts of vandalism and intimidation. They are fearful that beleaguered growers, anxious to end the nationwide boycott, may yet sell them like so many heads of lettuce to the UFWOC, which thereafter would control when and where they worked.

It is this press-gang power that Cesar Chavez is seeking. He wants his union to become the sole source of agricultural workers, under contracts that would forbid the growers to hire any non-union man. This is what the fight is all about and it is incredible that liberals, professing a love for the little fellow, should be helping him towards his goal.

A GENERATION OF GROWTH

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. ASHBROOK. Mr. Speaker, the celebration of its 25th anniversary by the Washington newsweekly, Human Events, is an excellent indicator of the upswing of conservatism in the United States since the mid-1940's. Although supported by well-wishers of the stature of Herbert Hoover, Pierre S. duPont, Col. Robert R. McCormick, Raymond Moley, Robert A. Taft, and Gen. Robert E. Wood, Human Events sallied forth in 1944 on an understandably modest scale. Today, I understand, subscribers have exceeded the 100,000 mark, demonstrating that topical and responsibly presented conservative causes have an ever-increasing market among citizens today. Presently headed by a three-man corporation of Tom Winter, Allan Ryskind, and Bob Kephart, this expanding voice of conservatism tailors the lessons and experience of the past to the newly emerging problems of today and the future. An impressive list of nationally known columnists cover just about every aspect of current affairs for Human Events while its readers enjoy, in addition, the service of on-the-scene reporting here in the Capital.

Human Events is not an isolated case in this present thrust forward of the forces of conservatism. M. Stanton Evans, author, lecturer, and presently editor in chief of the Indianapolis News, outlines for our encouragement the progress made by conservatism generally over the past 25 years. Reviewing the issues, personalities, and organizations which have spearheaded this mounting drive over the past quarter century, Mr. Evans supplies the fuel of hope and confidence for the years to come.

I insert the article, "A Generation of Growth" by M. Stanton Evans, which appeared in the 25th anniversary issue of Human Events, in the RECORD at this point:

NEW CONSERVATIVE ERA: A GENERATION OF GROWTH

(By M. Stanton Evans)

(About the author: Mr. Evans, a former managing editor of Human Events and now a contributing editor, was graduated from Yale in 1955, magna cum laude and Phi Beta

Kappa. In 1959 he left Human Events to accept his present position as editor of the Indianapolis News. He received the Freedoms Foundation award in 1959 and 1960 for his editorials and, in the latter year, also won the National Headliners Club award for "consistently outstanding editorial pages." He is the author of Revolt on the Campus, The Liberal Establishment and The Politics of Surrender and co-author of The Committee and Its Critics, The Fringe on Top and The Law-Breakers. Mr. Evans' many articles and reviews have appeared in many national magazines, including Modern Age, Christian Economics, The Freeman, The Individualist and National Review, of which he is an associate editor. Mr. Evans is in great demand as a speaker and has addressed scores of campus audiences throughout the country.)

In the 25 years since *Human Events* was founded, many objectives set forth in its prospectus have been realized. Many others remain to be accomplished.

The generation since 1944 has seen a major transition in American conservatism: The gradual phasing out of the "old guard" whose writ ran back to Hoover and Coolidge, and the dawning of a new era of conservative politics whose pre-eminent spokesmen are Barry Goldwater and Ronald Reagan. On matters of principle, the two schools of conservative thought are closely related; in matters of approach and articulation, they are very different.

Human Events has been a vital link between these dissimilar eras. It helped sustain the principles of limited government and responsible defense of the nation's interests until a new political leadership could emerge, bridging the gap between Robert Taft in the '40s and Goldwater-Reagan in the '60s.

When this publication was launched with the help of Hoover, Gen. Robert Wood, J. Howard Pew and others, it was a struggling enterprise. Its first office was the apartment of editor Frank C. Hanighen, and its circulation was counted in the hundreds. Over the years *Human Events* has grown in scope and influence, and its advance supplies both a reason for and a measure of the steady march of the conservative enterprise.

Conservative history has wheeled through a cycle of regeneration. As the "old guard" variant declined, encouraging liberal belief that the philosophy was doomed forever, the new guard, unnoticed, had begun to spring to life.

In part these changes have been owing to differences in objective circumstances: Shifts in population mix and therefore in that kind of political attitude derived from economic interest; the manifest failure of leftward programs to solve the problems they are supposed to solve; the speed with which events have outstripped the liberal analysis of the world in which we live and its resistant difficulties.

All these have contributed not only to the growth of conservatism, but to the rise of a substantially different kind of conservatism.

These things alone do not account, however, for the recent waxing of conservative strength.

Equally important has been the investment of enthusiasm and energy by the partisans of what one historian described as the thankless persuasion. Conservatism is considerably more appealing as a political formula today than when the historian's verdict was rendered, chiefly because conservatives themselves have refused to accept that verdict.

Although various commentators have reasons to ignore conservatism and resolutely insist on doing so, any objective observer can testify to the change. It has dawned on usually liberal journalists like Joseph Alsop and Tom Wicker, journals like *Time* and *Fortune*—even *The New Republic.*

Thus *Time* suggested at mid-point in last year's election that Barry Goldwater had been four years before his time and that "the American electorate has moved sharply rightward since Goldwater's conservative banner had waved for naught in 1964." Countless such assertions could be cited from other liberal spokesmen.

In 1944 one could find few expressions like this from conservative sources; much less from liberal ones. There was not much by way of self-conscious conservatism; few political organizations dedicated to conservatism, no functioning conservative publication, no conservative youth activity.

Today there are numerous publications and groups engaged in disseminating the conservative point of view. There are groups which work with Congress, in the realm of practical politics, on theoretical matters, on foreign policy, on domestic questions, on the campus. The total record of growth is impressive.

The easiest way to judge this transformation is to look at the political record.

In 1944 Franklin Roosevelt was President of the United States, gearing up for the series of post-war conferences in which liberal foreign policy doctrine was put to the test of practice and from which it was to emerge as a resounding failure. Although domestic changes were somewhat in abeyance because of the war, the social engineers of the New and Fair Deals were laying plans for peacetime welfare initiatives, seeking to use the network of wartime regulations to collectivist advantage.

The Republican party of that era featured some congressional leaders of conservative outlook, principally Taft; but the presidential wing of the party was firmly under liberal domination. Wendell Willkie had been the party nominee in 1940 and was still a major force in the GOP. Thomas Dewey was to capture the nomination in 1944 and again in 1948, and would help to engineer the Eisenhower victory over Taft in 1952. At the national level, the Republican party during this period presented little serious challenge to the liberal rulers of the nation.

The Deweyite approach of emulating the Democratic opposition, with a few changes of rhetoric and some sober promises to administer things better, did not prove appetizing to American voters. Nor was Republican strength in Congress particularly impressive. The GOP had in part rebounded from its low marks of the '30s, but the crushing loss of '48 wiped out its gains and restored it to minority status.

It was not until the development of the new Republican conservatism that the GOP began to make stable and substantial gains in the battle for control of Congress.

The nature of the change in the presidential arena is simply stated: In 1944 the liberals controlled the Republican party and the party did not gain control of the White House; in 1968 the conservatives controlled the Republican party and the party did gain control of the White House.

Dewey was nominated by the Eastern wing of the GOP, ran a campaign aimed at winning liberal votes, and lost the election.

The comparison omits matters of nuance and degree, but nevertheless epitomizes the basic alteration which had occurred in the GOP and in the country.

Political change is seldom unilinear and neat, and the Republican-conservative transformation since '44 has occurred as a series of ebbs and flows rather than as a single decisive thrust. Conservative sentiment has advanced at given periods—only to be pushed back at a subsequent test of strength. In the course of these comings and goings, the "old guard" of Taft and McCarthy was by degrees displaced.

The terminal year for this process was 1958, when William Knowland was defeated in California and John Bricker lost in Ohio. William Jenner had retired that year, and Joe McCarthy had died the year before. With the '58 balloting, the old guard was pretty well eliminated. And since that was the only guise in which many commentators recognized the political Right, they concluded that American conservatism was finished.

That same election, however, saw the faint beginnings of the conservative new guard—not to be recognized as such for several years to come. Barry Goldwater, first elected as an Eisenhower coat-tailer in 1952, won a thumping re-election victory against the national tide. In the months ahead, he was to emerge as *the* conservative leader in American politics, and to give the Right a whole new outlook and ideological style. Goldwater was the first new-breed conservative, and it was under his influence that the Republican party began to build toward new majority status.

The cataclysm of 1958 occurred because previous Republican victories had not been based on stable foundations.

The victory of '52, like that of '46, had resulted from a kind of flash-flood of political sentiment, without necessary preparation in the realm of ideology or political demographics. The Republican tide rolled in, but the contours of the land could not retain it. By the 1960s these contours had begun to change, so that there is now reason to suppose that GOP gains of recent years, given appropriate effort and resolute leadership, can be made to stick.

The Republican win of '46 embodied a recoil from the astringencies of war, a desire for reversion to the free and normal ways of peace. The victory of '52 involved similar motives, plus the enormous personal appeal of Gen. Eisenhower. As special cases deriving from a temporary interplay of forces, neither supplied a realistic formula for conservative or Republican victory in the future. The victories of '66 and '68, on the other hand, were founded in some elementary and enduring facts of political life.

Republicans gained a congressional landslide in 1966 and a presidential victory in 1968 because the taxpaying sector of American politics has been growing in relative strength and has sought out candidates who will resist the further growth of leviathan government.

Census figures show the suburban, home-owning group in America is increasing rapidly in size and has become the most important single element in our politics. This alteration has been accompanied by expanded public concern on the issue of government—as in the Gallup surveys which show a rapid increase in the number of people who think that government is the "biggest threat to the country in the future."

In 1959, one year after the last Eisenhower by-election, Gallup found only 14 per cent of his respondents who thought that government was the biggest threat to the nation. In 1965, one year after the Goldwater presidential run, Gallup found the level of concern had gone up to 37 percent. And in 1968, midway in the Nixon election campaign, he discovered that no less than 46 per cent of his respondents held to this opinion. The direction and velocity of this political change are obvious.

Equally important in recent conservative-Republican victories has been the fact that the GOP has broken free from the regional strait-jacket which confined its efforts to three-quarters of the country, leaving the House and Senate seats and electoral votes of the South to the Democrats. Although the GOP still has far to go in this respect, its gains are tangible. Within the party, the nominations of Goldwater in '64 and Nixon in '68 were achieved through a coalescence of the Midwest and Western states with the South. It was this same kind of coalescence, in turn, which produced Nixon's victory in November.

In Congress, the significance of the South is plain. The GOP could never hope to achieve a stable majority in the national legislature so long as a quarter of the country was yielded by default to the opposition. Under these circumstances, the party was required to win a massive landslide elsewhere to achieve a simple congressional majority.

The obvious alternative was to break into the South, and thanks to conservative insistence the party has at last begun to do this. Net Republican gains in Congress over the past several years are almost entirely owing to seats the GOP has picked up in Dixie.

If nothing else had been achieved in the last generation, this penetration of Democracy's most fabled bastion would in itself justify conservative confidence in the future. This is an achievement of enormous magnitude, capable in itself of working a revolution in our politics.

At long last the conservative segments of the nation are beginning to move into common alignment. If and when this transposition is achieved, the conservative dominance apparent in the last two Republican conventions can become equally apparent in the nation's politics at large. Republican majorities can be assembled both in Congress and in the electoral college, and those majorities can be distinctively conservative in nature.

This is not, however, the only kind of change that is afoot. We are also in the midst of a major intellectual revolution, pushing us in a similar direction.

Since ideas are the ultimate source of all political decision, this could be the most significant difference between '69 and '44. Indeed, the rise of conservative strength in the realm of ideas has been far more dramatic than its increase in the immediate world of politics. The political change can be measured in terms of a few percentage points; the intellectual change cannot be portioned out so precisely, but the conservative increase has been by a factor of 10 or more.

A simple way of gauging this is to observe the growth of conservative publications. *Human Events,* as noted, had only a handful of subscribers during its first year of publication. It now has over 100,000. And it has been joined by many other journals working in behalf of conservatism, including the refurbished *Freeman, National Review, Modern Age,* and others.

Added to this has been the development of a whole new body of conservative literature—hundreds of books whose counterparts did not exist a generation ago. The flourishing growth of the Conservative Book Club is sufficient witness to this change.

The ranks of conservative scholars have also grown, and their defense of traditional values, of the free enterprise economy, of reasoned opposition to the menace of communism, have far greater impact than was possible in 1944. The attainment of such people as Milton Friedman, George Stigler, Warren Nutter, Stefan Possony, Gerhart Niemeyer, Eric Voegelin, Stanley Parry, Yale Brozen, Martin Anderson, Richard Allen, and countless others have had decisive effect on scholarly and political opinion and will do much to shape our national attitudes in the years ahead.

Conservatives are still a woeful minority in the scholarly community, but their members are legion compared to 25 or even a dozen years ago. And their intellectual influence is far in excess of their numbers.

One obvious result of the new conservative literature and new conservative scholarship has been the growth of student conservatism.

Despite the publicity lavished on the hyperthyroid "New Left," conservative groups on campus continue to grow and prosper. Both the Intercollegiate Studies Institute and the Young Americans for Freedom increase their membership with every passing year, while the Young Republican National Federation has become a durable outpost of informed conservative opinion. The recent boorishness of the New Left has served, moreover, to give fresh impetus to conservative action on the campus.

It is this growth of a strongly motivated philosophical conservatism which most distinguishes the conservatism of 1969 from that of 1944. Conservatives in this interval have become conscious of themselves *as conservatives,* with developed answers to and criticisms of the proposals of the liberal left. This is a momentous change.

The usual pattern of modern politics, in America and in Western Europe, presupposes a leftish monopoly in the arts of verbalization and deployment of opinion. Conservatives have been the party of possession, alternately fighting off and yielding to the swarming ideologies of their liberal foes.

Now, to a large extent, conservatism has become not merely a temperamental but a philosophical interest. The "old guard" variant was not strongly ideological, and while it featured many men of high intelligence—Hoover and Taft most prominent among them—it operated in terms of certain unstated assumptions about American life which were not sustained by scholarly endeavor. It was a "seat-of-the-pants" kind of conservatism, strong on history and precedent, perhaps, but not suited to the rigorous demands of a highly verbal age.

The new Right in America is marked by the confluence of intellectual and political energies.

Goldwater and Reagan—while themselves not scholars—have relied on the inventive resources of conservative theoreticians. So also, to some degree, has Nixon—the examples of Nutter, Allen and Anderson coming most prominently to mind. This was the kind of help which was infrequently available, if at all, to the political leaders of the old guard Republican party. The conservative and Republican interest of 1969 can draw on deeper intellectual resources than were available back in 1944.

The new self-consciousness of conservatives is evident in the number of conservative groups which have come into being, and in the kind of activity they pursue.

There now exists, to mention only one example, the vote record service of Americans for Constitutional Action, which allows the public to assess the performance of its representatives on conservative-liberal issues. This kind of litmus test did not exist in 1944, so that philosophical inconsistencies in Washington could not be checked out very easily back home. Nowadays a congressman who strays too far from conservative principle will hear about it from his constituents. The intervening years have provided both stronger motives toward conservatism and improved techniques for attaining it.

Willingness of conservatives to seize the philosophical initiative has brought other benefits as well: The rigorous conservative critique of government welfare programs, urban renewal projects, Medicaid, the "War on Poverty," public housing and so forth, has finally broken through to the liberals themselves. It has become fairly respectable in liberal-left circles to denounce these things, to proclaim that the big government welfare system has failed and that there must be new efforts to decentralize and equilibrate power. These are things conservatives have been saying for years.

Some part of this dawning realization stems from the fact that the programs have, quite simply, failed, and that anyone who takes the trouble to examine the results can find out as much. But until conservatives like Anderson, Brozen and Friedman started assembling the data, few people had bothered to do the examining.

There is a terrible inertia in such bureaucratic undertakings, and the normal procedure has simply been to pile new programs on the old ones, without inquiring too closely into whether the old ones had accomplished anything or whether the new ones were likely to. Conservative work on such questions has finally moved the stone; and while the inertial drag is still there, it is not particularly unusual these days to find liberals espousing programs and theories originally fostered by people like Friedman or Roger Freeman or some other conservative scholar.

The impact of these economic, geographic and intellectual changes taken together is apparent. As Louis Harris put it in a post-election survey, "America is in a politically conservative mood."

Harris found that 38 percent of his respondents designated themselves as conservatives, as opposed to only 17 percent who said they were liberals. He noted that a poll four years previously showed 34 percent conservative and 20 percent liberal. Although the figures in such inquiries tend to move up and down, depending on sample variations and/or other types of nuance, Harris concluded that the net movement in political sympathy had been "a moderate but perceptible drift to the center and right of center during this period."

Specifics to back up this contention were assembled by the American Conservative Union, which found not only that U.S. opinion was conservative, but that it was getting more so. Thus a 1964 inquiry by the Survey Research Center at the University of Michigan found public feeling on "big government" to be moderately liberal, but a follow-up two years later found it to be moving strongly toward conservatism. The second poll showed 38.5 per cent saying government was "too powerful" as opposed to 26.8 per cent who said it wasn't.

ACU likewise collated a number of inquiries from Survey Research and Gallup showing strongly conservative opinions on such things as school "busing," classroom prayer, compulsory unionism, taxes, a bombing halt in Viet Nam and "bridge-building" with the Communists. In most categories, conservative opinion predominated and was on the increase.

In 1944 welfare liberalism was the accepted orthodoxy in America, both intellectually and politically. In 1969 it is accepted no longer. For liberalism, the philosophical string has all too obviously run out. The drive and resilience are gone, and the nation is casting about for alternatives.

The convergence of forces examined here suggests the likely alternative is the conservative philosophy of limited government, constitutional restraint, and free play for the market economy. In large part, indeed, the shift has already begun, and this is a sizable attainment for the forces of conservatism.

A beginning is not, however, a victory—and there are still many problems for conservatives to negotiate. Miscalculation of resources, failure of will, default of leadership, could prevent the fufilment of conservative objectives. For readers of *Human Events* it has been a trying but on the whole rewarding 25 years. The next 25 can be even better, but only if the proper sort of effort is forthcoming.

WHERE WE STAND

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert into the CONGRESSIONAL RECORD an excellent article entitled "Where We Stand," appearing in Michigan Natural Resources magazine, published by the Michigan Department of Natural Resources on pesticides and pesticide contamination of our environment.

That fine article, outlining pesticide hazards to the Great Lakes and to the

Great Lakes Basin States, merits careful reading by anyone interested in a decent, fit, safe, and wholesome world in which to live. It follows:

WHERE WE STAND

As I review pesticide events of the past year I am greatly encouraged. My confidence is restored that in the not too distant future we will see the hard pesticides become unnecessary, unwanted, and virtually abandoned. There have been gains and losses, of course, but progress has been solid and gratifying. A year ago in the pages of this magazine I stated my alarm over environmental pollution by persistent insecticides. This has been amplified and echoed by conservationists in this state and across the nation. I now restate my concern and report to you significant happenings of this momentous year.

Let me first outline events that set the stage and discuss some basic concerns that bear directly on the matter. The entire pesticide matter flared up in the fall of 1967 when, to curb an outbreak of Japanese beetles in southwestern Michigan near Lake Michigan, a proposal was made to apply nearly 3 tons of dieldrin. The proponents were totally within their legal authority, and felt that this was in the best interest of the people of Michigan. However, we felt that there were safer ways to get at the problem, and we opposed the spray program. Further, the Environmental Defense Fund, a team of dedicated, concerned scientists retained by Michigan citizens, took the matter to court and at the same time brought action against 56 Michigan municipalities that used DDT to control Dutch elm disease.

The dieldrin court action, although unsuccessful, stalled the application of dieldrin until too late in the fall, and the area was not treated. However, the DDT suit remained alive, and during the next few months 53 out of 56 cities stipulated to the Court that they would drop plans to use DDT against the elm bark beetle that carries Dutch elm disease, if they could be relieved from suit.

Unfortunately, the entire dieldrin affair brought two state agencies into an eyeball to eyeball encounter. The whole matter was very important, however, because both agencies had the best interests of the people of Michigan at heart. Naturally we felt the broader viewpoint of concern for the entire environment was proper, wherein the other folks were "after the beetle" to protect the immediate, local interest of home owner and fruit grower, and to prevent spread of the beetle to other production areas.

WE ARE MAKING PROGRESS AGAINST HARD PESTICIDES, AND PUBLIC SUPPORT HELPS MICHIGAN GAIN CONTROL

To resolve this, our Governor appointed a three-man Pesticide Advisory Panel—an entomologist from one state university, an ecologist from another university, and an industrial entomologist who is also a naturalist. They advised that an application of dieldrin in the fall of 1968 would be the lesser of two evils, the other being uncontrolled application by private interests. The Environmental Defense Fund again took the matter into court, this time in Wisconsin, but the case was remanded to Michigan, where it met the same fate as in 1967. So an application of 3 tons of dieldrin and 7½ tons of chlordane on 4,600 acres was made in the fall of 1968. The entire affair has been very complex and there is no need to detail here the parade of legal processes and chains of evidence that were involved.

More important is why this encounter occurred. Use of pesticides was the immediate issue. But the real reason was that man's technology has caught up with, or worse, has passed his ability to harness, understand, or use it intelligently. Here are some of the salient points as I view them.

We, as conservationists, see two major obstacles facing the world. One, we will have more and more people to the point of desperation. Two, the environmental pollution that all of us have created and will continue to create promises to stifle our very existence. The natural pollutants, from carbon dioxide to coliform bacteria, and the durable by-products of our exploding technology—persistent insecticides, radioactive wastes, aluminum food and beverage cans, and a host of other long-lasting wastes—are haunting us right now—today!

As a conservationist, I will not attempt here to discuss Obstacle Number One, except to recognize that it exists, is critical, and is vital. Any married couple with two or more children has already added to the problem. Obstacle Number Two is a direct result of Obstacle Number One, and it is to the problem of the alteration and degradation of our total environment that we conservationists can and must address ourselves.

Pesticides used in Michigan bear directly on this world problem of environmental waste. Simply, we define a pesticide as a chemical used to kill anything you don't want—weeds, rough fish, fungi and mold, insects, rats, and sea lampreys. I have no quarrel with use of most pesticides. My main concern here is insecticides, the bug killers, and not all of them—only a few.

TROUBLE FROM A FEW

We clearly recognize the tremendous value of pesticides to our health, our comfort and our prosperity—to food production, to industry, and the home. We can live without pesticides, but not as well. We are concerned for the most part with only a few of the insecticides, the persistent chlorinated hydrocarbons—those that persist in the environment, spread rapidly over the earth, and later become concentrated in the tissues of living things, the effects of which are just now beginning to be detected and understood.

Let me share with you one experience that we have had recently in Michigan. It involves persistent insecticides, and it involves a big chunk of our real estate. Michigan is blessed with lots of "fresh water" and I quote those last two words. Our waters are not as inherently productive as the oceans, but they are worth a lot to us.

We have more shoreline than any other of the "lower 48" states and more fresh water within our boundaries than any other state. Waters from one-third of the total land area of four states drain into Lake Michigan. The Lake itself measures 22,000 square miles with 1,600 miles of shoreline, and is nearly 1,000 feet deep. About 80 percent of the shoreline has potential for outdoor recreation and the variation in habitat makes the lake inherently capable of supporting a wide range of aquatic life. It is significant as both a sport and commercial fishery. Lake Michigan is also a principal source of drinking water—1.5 billion gallons daily. Industry uses another 4¼ billion gallons. It is a major international seaway.

Lake Michigan lies off to the side of the main stream of water flow through the Great Lakes, like an appendix. Water circulates within the lake, but discharges very little out through the Straits of Mackinac—about one percent of the total lake volume per year. This means that any stable, persistent substance that finds its way into that lake is going to be there for a long, long time. And that is just what has been occurring with certain persistent, chlorinated hydrocarbon insecticides.

What happens when these toxic substances—virtually insoluble in water—begin to accumulate? Recent findings show that DDT was the most probable cause of the death of nearly one million coho salmon fry hatched in state fish hatcheries from eggs taken from Lake Michigan salmon. Many Lake Michigan fish now have DDT levels up to 10 parts per million, plus dieldrin in the range of 0.25 parts per million. The U.S. Food and Drug Administration permits 7 parts per million of DDT in beef and pork, and considers 0.3 parts per million of dieldrin as an "actionable level", a level at which the meat is seized and destroyed.

Where have these pesticides come from? Within the Lake Michigan watershed, including Chicago and Milwaukee—two of the major metropolitan areas of the Middle West—live 6 to 7 million people. Along its shores is one of the major fruit-growing regions of the nation with its accompanying spray schedules. In the northern part of the Lake Michigan basin lie extensive publicly-owned and industrial forests—spraying here, too. Certainly, over the past two decades, many hundreds of tons of DDT have been released in the watershed from a wide variety of sources, as far as a hundred miles from the lake, right down to the shore itself. Cities and parks with their Dutch elm disease and mosquito control programs, state, national and industrial forests, homes and backyards, farms and orchards, spray remnants dumped down the drain or in the creek—all have contributed. Dieldrin undoubtedly came from a narrower range of sources—somewhat more recently—from farms and orchards, homes and backyards, and even from woolen moth-proofing plants.

Runoff from city and farm and forest finds its way downriver or out of the atmosphere. Dust storms and rain add their share of DDT from points west and from global circulation. Regardless of the source of the DDT, once it reaches the lake, much of it is going to stay there, and this has been going on for the past 20 years.

GREAT LAKES IN DANGER

The Lake Michigan situation is only an example—a big, easy-to-recognize example of environmental contamination. Large bodies of water store these pesticides. Tiny organisms pick up the chemicals and store them. Larger organisms eat the little fellows who in turn are eaten by larger critters until top members of the aquatic food chain—fish-eating birds—store vast quantities of the stuff in their fat. Fish and other aquatic animals take DDT and dieldrin directly from the water passing over their gills. The lowly clam can concentrate DDT 70,000 times greater than his water environment.

The effects of this storing-up of pesticides in animals from smallest to largest is not completely known, but gaps are beginning to be filled in. Man, for the first time in his history, has chemicals at his disposal that can completely alter his own food chain. By wiping out certain insects or minute sea-creatures he removes link after link in the very delicately balanced chain of life on which he depends. The complexities of the whole food chain are involved, they are subtle, and they are real. Enough is known now about the persistent pesticides DDT and dieldrin, to name two, to know that they affect the reproductive cycle of certain animal species. I have already mentioned that DDT was the most probable cause of the loss of close to one million coho salmon fry raised from Lake Michigan nurtured eggs. The DDT in those fish was picked up in Lake Michigan. DDT fed experimentally to falcons and ducks significantly affects reproduction—either by reducing hatchability of eggs or survival of young, or causing thinner egg shells, abnormal behavior, and egg breakage. This could well explain the disappearance of the peregrine falcon from the entire eastern United States and western Europe, and the recent decline of the osprey and our national bird, the bald eagle.

We know that the pink shrimp, the same as used for shrimp cocktail, can be killed by four-tenths of one part per billion of DDT after two days exposure. One part per billion is the same as one ounce of chocolate syrup in one thousand railroad tank cars of milk, and that's mighty weak chocolate milk.

It would be nice if we could prove beyond a shadow of a doubt how DDT directly affected man. But these effects are indirect, we think, and subtle. Effects on lower level organisms are better known, but even here the story is not completely clear. Nevertheless, there is enough evidence for us to be greatly concerned and to start bringing the unnecessary and widespread use of these persistent chemicals to a halt. Keep in mind, though, that these specific pesticides are only one of the many environmental pollutants that are of growing concern to all of us.

OUR POSITION IS CLEAR

Our position on pesticide use can be simply stated. There have been some misunderstandings of this position, but it is one I have always held and which has not deviated from the philosophy and policy adopted by the Michigan Conservation Commission as long ago as March, 1966, for use of pesticides on lands we administer:

1. When chemical control is necessary one should use only the most selective chemicals, in the smallest effective dosage, with the safest carriers.
2. Where possible, cultural or biological controls should be used in preference to chemical control.
3. Where proper alternatives are available, the persistent insecticides should never be used.
4. Where alternative methods of control do not exist, the harm to the total environment from persistent pesticides should be carefully weighed against the calculated harm of the pest before the application is made.
5. When persistent insecticides must be used they should be used under as carefully controlled conditions as possible at the time of year when the environmental conditions will make their use the least harmful.
6. No opportunity should be overlooked to bring pressures to bear which will result in the eventual abandonment of persistent chlorinated hydrocarbon insecticides.

We are encouraged because we see progress on one big point—the general public is beginning to be interested and concerned and that's the first step toward acceptance and action. Go to any farm and garden store or department store in Michigan in the spring, and you'll see people reading pesticide labels carefully, although it is a problem for anyone with bifocals to read tiny black type on a green label background.

DDT has been dropped from Michigan State University recommendations for Dutch elm disease control in Michigan. Most cities no longer will use this chemical for that purpose. DDT is no longer registered by the Department of Agriculture for mosquito control. No commercial pesticide applicator can use DDT for this purpose and retain his license.

For the first time in Michigan history a governor has recognized pesticide pollution as a serious problem. His pesticide advisory panel has recommended decreasing use of persistent insecticides, increasing research and monitoring, tightening up of pesticide regulations, and setting up a pesticide review or control body at the state level.

Our Legislature has considered the pesticide situation serious enough to set up a 10-man joint Senate-House committee to review use of pesticides by everyone.

In Wisconsin, concerned conservationists, aided by the Environmental Defense Fund, are battling to show scientifically and legally, that DDT is a pollutant in the waters of that state—a much-needed precedent.

The pesticide committee of the federal-state water pollution enforcement conference for Lake Michigan has recommended establishment of tolerable residue levels of DDT and dieldrin in Lake Michigan fish at levels so low that they can be achieved only by virtually banning the use of these chemicals in the Lake Michigan watershed. It also recommends that state pesticide regulatory authorities and an interstate pesticide coordination committee be set up.

People are concerned. At a hearing in the Legislature last spring on a pesticide control bill there were as many in attendance as we often see at a hearing on deer herd management—and that is really something.

This concern about pesticides is only part of a feeling that many people are having—and expressing—of the need for a cleaner environment. People are seeking solutions to the problems of a technology-ridden world.

Foresters, farmers, and horticulturists have made great strides toward elimination or restricted use of persistent insecticides. They would instead lean more and more on short-lived but effective chemicals, and on other control methods. We are happy about this.

WHAT CAN BE DONE?

But we have a long way to go. Federal and state agencies, and the universities, still recommend some persistent chemicals even though they recognize and also recommend safer alternatives to control the same bugs. We'd be somewhat happier if their publications would point out differences between pesticides when there is a choice. This ought to be done and done quickly. Out of date publications should be discarded or revised.

Some chemical companies still recommend DDT and its family of hard or persistent pesticides, without reservation. Oh sure, they urge caution. Beware of getting poisoned! But what about environmental poisoning—less dramatic but perhaps just as important to the survival of the race of man. To read some of those ads, you'd think their products were as safe as talcum powder.

We urge action on several points.

We urge a hard look at these deficiencies.

We urge all agencies and all segments of the universities to take a look at these pesticides and to show concern for the entire environment—not just their own restricted "area."

We urge that pesticide tolerances be included more firmly in interstate and intrastate water quality standards.

We urged a stepped-up educational program to bring this concern to the public.

We urge a national inventory of the sources of pesticide pollution and a monitoring of these sources.

We urge tight enforcement of present and future pesticide laws and regulations.

We urge accelerated research to document the direct and indirect effects of pesticides, and to develop safer pest control methods—for the individual, the public, and the world.

We urge a regional approach to pesticide problems to accommodate the many problems found in different but related locales.

A recently approved four-state agreement between natural resource agencies of Illinois, Indiana, Wisconsin, and Michigan was designed to halt the flow of persistent pesticides into Lake Michigan. This agreement is a model that we hope will stimulate similar action in other regions of the country. We also hope to broaden its effectiveness by bringing the executive offices and agriculture departments of these states into the effort.

We will work to identify and correct, in its earliest stages, environmental contamination by pesticides.

We will work to develop and improve the ecological conscience in all of us, and we will work toward the day when government at all levels will be more of a trustee of natural resources, rather than a referee between the many users competing for a resource.

All of us are growing exceedingly weary of being buried in the filth and waste spawned by our technological society. We like this way of life, and we all use it, day in and day out. But if sanity is to remain a part of our life, we must root out and eliminate sources of environmental pollution. Short of this, man has no hope of surviving on this planet.

DO WE HAVE AN ADMINISTRATION THAT IS COMMITTED TO CIVIL RIGHTS LAW ENFORCEMENT?

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, the circumstances surrounding the recent resignation of Clifford L. Alexander, Jr., Chairman of the Equal Employment Opportunity Commission, points to a most disturbing state of affairs in the effort to make good on long overdue pledges to minority groups in this country to end discriminatory employment practices once and for all. The gains which have been made in this critical area have been hard fought and hard won. If one thing has remained clear above all others throughout the political and social tumult which we have lately endured, it is the compelling fact that any retreat from a policy calling for strict enforcement of laws which exist to eliminate injustices that have lasted a century or more is completely unacceptable. Yet Mr. Alexander's statement, upon submitting his resignation, indicates that the present administration may be on the brink of initiating a policy of "go slow" or even worse, abandonment, with respect to the goals and guidelines of the EEOC. Mr. Alexander stated that, in his judgment, "vigorous efforts to enforce the laws on employment discrimination are not among the goals of this administration."

What causes the Chairman's observations to be all the more disturbing is the open threat, delivered only one day before the announced termination of Mr. Alexander's chairmanship, by the minority leader of the other Chamber, to "get somebody fired" if what he termed the "harassment" of companies by the EEOC did not cease.

Mr. Speaker, I do not consider the conscientious executing of responsibilities by Mr. Alexander and the members of the Equal Employment Opportunity Commission to be harassment within the generally accepted meaning of that term.

Whether or not the minority leader's remarks were merely an injudicious coincidence with efforts by the Nixon administration to replace the Chairman with a Republican is not the point here. The point is that Mr. Alexander, as Chairman of the EEOC, was in a unique position to know the attitudes and intentions of executive department heads concerned with enforcing the equal opportunity laws of the land, and, as such, he has clearly stated his belief that he sees a "crippling" absence of commitment to the effort to decisively end job discrimination. The impact of his statement and the circumstances surrounding these developments ought not to be ignored or minimized.

I want to commend my distinguished colleague (Mr. Hawkins) for his actions in bringing this matter to the attention of both this body and the public, and to commend also the Members who have offered documentation on job discrimination brought out in EEOC hearings.

The recent hearings in Los Angeles have been described by some as a "carnival." In light of hearing that charge, I wonder just whose brass ring is being threatened? The findings of those hearings are a matter of public record and speak for themselves. If there was some impatience demonstrated on the part of certain witnesses representing minority groups, is it any wonder? As my fellow California delegation member (Mr. HAWKINS) has pointed out, the brief and inconsequential indignities which may have been shown some employers during those hearings are certainly nothing compared to the unending indignities suffered by minority groups during decades of indifference to and exclusion from genuine equality of opportunity.

A public relations blitz generated by a particular industry is no substitute for a program of direct action to combat unfair employment practices on the part of either labor or management groups. For years we have witnessed the tragic spectacle of the black man stuck forever at the bottom of the vocational totem pole—always the servant, never the master. For organizations to open the doors to the most menial of jobs and then tout their generosity with claims of having achieved socially conscious compliance with the law is absurd, since many such organizations are still systematically denying access to upper level positions to minority groups. This is both legally unjustifiable and morally despicable.

The exact intentions of the new administration are, thus far, unclear. What has been and remains lucidly clear is that an honest commitment to equal opportunity for all citizens, be it among the jobseekers, house hunters, the voters, or whomever, is socially demanded and legally required. Any attempts to compromise the law or to patronize—while actually excluding minorities—can be neither concealed nor tolerated. The southern textile mill which is suddenly granted a previously outlawed contract, the local school district which is suddenly granted a previously outlawed Federal grant, the technological corporation which is suddenly granted a previously outlawed Government contract—all of these actions must not go unquestioned if the circumstances surrounding them do not appear to be clearly legal. There can be no rationalization for allowing these matters to escape the scrutiny of public officials who must be intent upon guaranteeing that civil rights laws so dearly won will be firmly enforced. I will exercise my responsibilities in these matters to the fullest and I respectfully urge my colleagues to exert the same effort.

AID COMMUNITY DEVELOPMENT IN LAOS A NEW CONCEPT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. HAMILTON. Mr. Speaker, in the April 29 issue of Look magazine, Mr. Anthony Wolff in "The Welcome Americans" presents a new approach by AID to community development in Laos.

The objective of Loring Wagonner while living as an AID Community Development adviser in Phone Hong for more than 3 years has been to improve the conditions of life in an underdeveloped area while strengthening its political unity—before a Vietnam situation is reached.

How is Loring Wagonner achieving his objective? Rather than viewing community development as construction of physical facilities, he views community development as social development. Through provoking social change, AID achieves a reasonable return: a few first steps toward economic development, a perceptive increase in political stability, and a heightened resistance to terrorist attacks.

As a new approach by AID to community development, I commend my colleagues the following article:

[From Look magazine, Apr. 29, 1969]

NEXT DOOR TO VIETNAM: THE WELCOME AMERICANS

Exotic village names like Phone Hong have become daily front-page fare for Americans ever since World War II and the expansion of American military power in the Pacific. Especially since the war in Vietnam. Far East datelines have prefaced stories of bombings and strafings and body counts, delivered in daily installments.

Luckily, Phone Hong is in nominally neutral Laos, and just far enough from neighboring Vietnam to escape U.S. military attention. While half a million U.S. soldiers are fighting it out next door, the total American presence in Phone Hong is Loring Wagonner, his wife Ann, and their children, Peter, seven, and Adam, two, Lorin has lived in Phone Hong for more than three years, working as a Community Development Adviser for the U.S. Agency for International Development. AID's job is to improve the conditions of life in an underdeveloped area while strengthening its political unity, before things get to the Vietnam stage. Loring's AID budget for Phone Hong, slashed from $60,000 when he started, was $7,000 last year.

He is not concerned about the cut in AID support, partly because local effort is rising to take its place, but mainly because, in his catechism of community development, less is more. "Community development is social development," he insists. "The raw material is the minds of the people. The method is to develop organization, and the hoped-for results are social changes. For years, community development meant pouring money into schools, dispensaries—physical facilities. AID officials are beginning to realize that a pretty school does not improve education, and a nice dispensary does not bring better health."

Loring likes to think of himself as a "subtle agitator," provoking change while trying to soften its impact on the traditional Laotian culture. Last September, he accepted an invitation to visit Ban Kham, a nearby village interested in participating in the AID program. Ann Wagonner remembers: "Loring began to talk to the villagers about the problems that would come with progress. He told the elders that they could expect to be outdated; that customs which had served for so long would now be obsolete. He reminded them that progress is often painful and lonely, especially for the old. He pointed to the village teacher: 'The changes we are going to make in education may bewilder you. You may have a student who stands up and questions what you say! He will say that you are wrong, and you will be shocked to find that he is right!'

"One of the elders thanked Loring for telling them the truth. He said that in fifty years of hearing foreigners, mostly French colonials, speak Lao, none spoke as well as Loring. The elder said, 'Thaan [Honorable Sir] Loring has learned to pull the strings of the heart with our language.'"

Loring's fluency is not always enough to smooth the way. His educational reforms in particular have had unhappy—though perhaps unavoidable—repercussions in Phone Hong. Laotian teachers are fixed in the French mold—they lecture to large groups of students from thrones of unimpeachable dignity. Threatened by Loring's ideas of student freedom, only four out of 25 of last year's teachers agreed to come back for the next semester.

On another occasion, Loring used films to introduce progressive techniques in agriculture and health, only to find, Marshall McLuhan notwithstanding, that the villagers were visually illiterate. One villager was asked if he would like to fly in a plane like the one in the film. Indicating with his hands the small size of the plane on the screen, he protested that he wouldn't fit into it.

Adapting the medium to the audience—rewriting traditional Laotian morality plays into commercials for change—he did better. In one, a poor farmer is converted to a new strain of "miracle rice," and becomes so rich that he can contend for the hand of the chief's daughter. Another folk play was revised into a pure-water story. It featured the deathbed agony of an old woman poisoned by pollution, and the triumph of good over evil through the boiling of drinking water. Simple, perhaps, but successful. There were 35 cases of cholera in the Phone Hong area the year before the play was given. There have been none since.

For its small investment in Phone Hong's future, the U.S. AID program gets a reasonable return: a few first steps toward economic development, a perceptible increase in political stability, a heightened resistance to terrorist attacks. For the Wagonners, whose investment of themselves, their love and their concern has been great, the program has paid off richly. Here is what Ann Wagonner writes to a friend of their life in Phone Hong:

". . . We are content to live here in an age equivalent, perhaps, to the 14th century. We have watched cattle pulling carts, water buffalo doing the heavier work in the fields, and even the lumbering elephants who do the heaviest work of clearing the jungle. Our little village does not have electricity, water is drawn from wells by hand, and very often the rice paddies serve as bathrooms. At nighttime, by 9 p.m., when the last of the cookfires have flickered out, the village is asleep, and the absolute silence, unmarred by mechanical noises, is magnificent. From one kilometer away, you can hear the clear note of a buffalo bell as the beast grazes. If a baby wails in the night, a mother at the other end of the village stirs. At 2 a.m., the village butcher begins his work by candlelight, and by 4 a.m., the village is awake, fed, and working in the fields.

"The Lao food can be delicious: sticky rice, accompanied by a vegetable-and-meat soup; then chopped meat with very hot peppers wrapped in leaves and dipped in a hot pepper sauce, washed down with raw homemade whiskey. Some of the local delicacies are less appetizing to us: raw chunks of liver swimming in blood, an unwashed goat fetus in rice wine, a completely rotten egg, etc. After a meal, the Lao sit around picking their teeth and burping, and a hostess gauges her success by the number and loudness of the burps she hears. . . .

"We have many friends here. Not only have we learned to speak the language, but we were adopted by a young Lao orphan girl who wanted to get married. (By Lao custom, she needed a father to give her hand in marriage.) Thus, we have approximately 400 'receives' in our immediate vicinity on whom we can call for help as easily as we are called upon. When our parents came from America for a visit, they were immediately accepted as 'Honorable Grandparents.' Our children are treated as village children, and are safe anywhere. A village mother will watch, scold and play with any children in her sight, knowing that the other mothers in the village will do the same for her children.

"The Lao have the comfortable custom of calling each other by family names even when they are not related. If I speak to an older woman, instead of using the disrespectful 'you,' I must insert Honorable Older Sister, Honorable Mother, or Honorable Grandmother; and she will respond in the same courteous style. There are many observances which must not be neglected: to bend lower than the head of a respected or older person when passing near, not to show the sole of the foot to anyone, not to touch, even by mistake, a person of the opposite sex.

"I was once asked to come to a house where a young mother had dengue fever. As I was leaving, I saw the woman's two-month-old baby. The mother had lost her milk. I was still nursing my own baby and had plenty, so I become a temporary wet nurse. From then on, mothers would push gangly one-and-two-year-olds at me, saying, 'Please will you nurse my child? I want him to be strong like Ee Noi!' The child would grin at this point, showing a row of glittering teeth, and I would make my excuses. . . .

"We have had much pleasure in Laos and much hard work. Most of all, we have felt a sense of identity with the people we are trying to help.

"During the past three years, Loring has trained competent Lao to administer the AID program here, and hopefully these bright young men will find us a useless nuisance before two more years have passed. We will have accomplished our purpose here and we will leave. Certainly we will never regret the years we have spent here, though we both love to be at home in America and we realize we can't stay in Laos forever. Meanwhile, we enjoy each day as it comes. An unsullied countryside, a wholesome life, and a psychologically calm people: what more could we ask to experience?"

UNTOUCHABLES, JUNIOR GRADE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. RARICK. Mr. Speaker, the close-knit society of untouchables in Government appears to be so entrenched in our National Government that according to the Herald of Freedom for April 4, 1969, we find that even the No. 2 men in both State and the Pentagon qualify as untouchables.

Mr. Speaker, I include the April 4 Herald of Freedom, as follows:

THOSE "NO. 2" MEN

State "Number Two" Richardson and Pentagon "Number Two" Packard are two more international men in an international-minded administration. Both have been directors of World Affairs Councils which have taken over the propaganda and "educational" activities of the discredited Institute of Pacific Relations. One was picked for his high post in spite of his lack of experience and the other in spite of an obvious conflict of interest due to his company's defense contracts.

Elliot Lee Richardson was born in Boston, Mass., on July 20, 1920, the son of Dr. Edward P. Richardson and the former Miss Clara Shattuck. He graduated from Harvard with an A.B. degree in 1941 and obtained his L.L.B. from Harvard Law School in 1947, after having served in the U.S. Army from 1942 to 1945. At Harvard he was editor of The Law Review. He married Miss Anne Frances Hazard August 2, 1952; they have three children, Henry, Anne Hazard and Michael.

Richardson's first position (1947–8) was as law clerk to the famous judge, Learned Hand, who was at that time superior judge of the U.S. Circuit Court of Appeals for the Second Judicial Circuit. As of 1949 Judge Learned Hand had completed forty years on the Federal bench, having first been appointed by President Taft in 1901. His thousands of decisions were described by Felix Frankfurter as "an enduring source of truth-seeking and illumination."

Richardson then became a law clerk to the great Frankfurter himself from 1948 to 1949. Frankfurter by then had progressed from being a Harvard law professor, who had been supplying law clerks to Supreme Court and Federal judges for many years, to being a Supreme Court Justice (appointed by F. D. Roosevelt January 5, 1939). Frankfurter's pro-Bolshevik-Communist bias is well known and was stated in a letter written to him by Theodore Roosevelt on December 19, 1917. in which he stated:

"You have taken, and are taking on behalf of the Administration an attitude which seems to me to be fundamentally that of Trotsky and the other Bolsheviki leaders in Russia; an attitude which may be fraught with mischief to this country. . . . Here again you are engaged in excusing men precisely like the Bolsheviki in Russia, who are murderers and encouragers of murder, who are traitors to their allies, to democracy, and to civilization, as well as to the United States, and whose acts are nevertheless apologized for on grounds, my dear Mr. Frankfurter, substantially like those which you allege."

Among Frankfurter's proteges at Harvard were such subversives as J. Robert Oppenheimer, Lawrence Duggan, Harry Dexter White, Alger Hiss (for whom Frankfurter was a character witness), Lee Pressman, Harold Glasser and Owen Lattimore. Frankfurter was on the National Committee of the American Civil Liberties Union with such (subsequently identified) Communists as William Z. Foster, Elizabeth Gurley Flynn, Louis Budenz and Scott Nearing. He was an intimate of Harold Laski who taught with him at Harvard and then went to the London School of Economics and established what became known in academic circles as the "Frankfurter-Laski Axis." Laski eventually secured a teaching post in Moscow.

From 1949 to 1953 Richardson was with the Boston law firm of Ropes, Gray, Best, Coolidge and Rugg, having been admitted to the Massachusetts Bar. In 1952 he was also a lecturer on law at Harvard. From 1953 to 1954 he was a staff assistant to U.S. Senator Leverett Saltonstall, after which he went back to his law firm from 1954 to 1956. Saltonstall was a former governor of Massachusetts who was elected to fill the unexpired term of Henry Cabot Lodge, Jr., who resigned from the U.S. Senate February 1944. Saltonstall was known as a "liberal Republican" because of his stand on civil liberties and international cooperation. He was a sponsor of U.S.-Soviet "Friendship Rallies" and of the National Council of American-Soviet Friendship of which Corliss Lamont was chairman.

In January, 1957, Richardson was appointed by President Eisenhower to be Assistant Secretary for Legislation in the U.S. Department of Health, Education and Welfare. His present boss, Rogers, was then Attorney General of the United States and in 1959 Richardson was appointed U.S. Attorney in Massachusetts under Rogers. The N.Y. Times tells us that "During those years Mr. Richardson was widely regarded as one of the brighter and more creative spirits in an Administration that was not noted for them. He became identified with the moderate, even liberal, wing of Republican thought." One of the "several notable convictions" won by U.S. Atty. Richardson was that of Bernard Goldfine.

When the Eisenhower Administration was succeeded by the Kennedy Kingdom, Richardson was selected to be a special assistant to Attorney General Bobby Kennedy. He tried in 1962 for the Republican nomination for Massachusetts Attorney General but lost in the primary tó Edward W. Brooke, now the U.S. Senator from Mass. He was a partner in the firm of Ropes and Gray from 1961 to 1964 at which time he was elected Lt. Governor of Massachusetts. In 1966 Richardson ran for Attorney General of Massachusetts and allowed his second cousin, Francis W. Sargent to run for the position he then held as Lt. Governor. This was a maneuver which supposedly was to make the ticket stronger. It resulted in Sargent taking over as governor when President Nixon appointed Governor Volpe to be U.S. Secretary of Transportation.

In his 1966 campaign for Attorney General, Richardson was assailed for making charges against his opponent that he could not substantiate (N.Y. Times, 1/5/69). A more interesting item, however, was the long list of Democrats who supported Republican Richardson. In the Record American (Boston) of Nov. 4, 1966 a full page advertisement stated: "The office of Attorney General is too important . . . that is why we and thousands of other Massachusetts Democrats support Elliot Richardson for Attorney General." Among the signers were Henry Commager and Adam Yarmolinsky. The ad also carried a quote from John F. Kennedy, Washington, 1956: "I want to show the very high regard in which Mr. Richardson is held by all who know him, including myself. I have worked with him on many occasions in the past and always found him to be extremely able, dependable and fair-minded." Richardson was also supported by the Americans for Democratic Action (ADA).

The endorsement of Adam Yarmolinsky should be enough to warn anyone against the endorsee. Yarmolinsky attended Harvard at the same time as Richardson, graduating two years later. During his sojourn at Harvard Yarmolinsky was head of the Marxist Club, a founding member and editor of the Marxist magazine, Yardling, which presented the views of the Young Communist League. He admitted attending meetings of the Communist Youth League and an investigation by the Army into his left-wing background quoted him as stating, "They (the Young Communist League) believed and I was inclined to believe that a so-called Communist government was a desirable end." As a free-wheeling commissar in the Defense Department during the Kennedy Kingdom, Yarmolinsky was instrumental in trying to destroy the morale of the Armed Forces of the United States. High-ranking military personnel had their every word and action carefully scrutinized by Adam and his "Whizz-Kids." He become so powerful under (?) McNamara that reportedly no one could be hired, assigned or discharged at the Pentagon without his O.K. Exposure forced Yarmolinsky out of public life but he continued and continues to be active "behind the scenes."

Endorsement by Yarmolinsky did not mitigate against Richardson and he was elected Attorney General of Massachusetts. One of his more regrettable acts in this capacity was granting permission for a "documentary" film to be made of the inmates at the Bridgewater State Hospital for the criminally insane. These unfortunates were photographed in their degenerate and private activities and the film, entitled "Titticut Follies," was shown and is still being shown commercially. It is from this post that Mr. Richardson moves into his new position of Number Two man in American diplomacy as Under Secretary of State.

He is quite acceptable to the "Liberal Establishment" in spite of his "limited experience in foreign affairs." The N.Y. Times of January 1, 1969, in announcing the selection of Richardson, stated:

"Although Mr. Richardson has no official experience for the Under Secretaryship, he has traveled widely. In 1961, as president of the World Affairs Council in Boston, he visited Africa for a first-hand look at emerging nations. He has also attended policy seminars at Salzburg, Austria."

With the Institute of Pacific Relations thoroughly discredited and exposed by extensive hearings and investigations, its work did not cease but was continued by other groups. The internationalists have never ceased to propagandize and among the "educational" organizations through which they work are the various regional World Affairs Councils. In the House of Representatives report of hearings on Tax-Exempt Foundations appears a document called Recommendations of the President to the Trustees (Carnegie Endowment for International Peace) signed by Alger Hiss and published in the 1947 yearbook of that organization. It states in part:

"Among the special circumstances favorable to an expansion of the endowments own direct activities, the most significant is the establishment of the United Nations with its headquarters in New York, and with the United States as its leading and most influential member.

The United States (via Alger Hiss-Ed.) was the chief architect of the United Nations and is its chief support. The opportunity for an endowed American institution having the objectives, traditions and prestige of the endowment, to support and serve the United Nations is very great. No other agency appears to be so favorably situated as is the endowment for the undertaking of such a program.

"So far as we have been able to ascertain, no other agency is contemplating the undertaking of such a program. Consequently, I recommend most earnestly that the endowment construct its program for the period that lies ahead primarily for the support and the assistance of the United Nations. I would suggest that this program be conceived of as having two objectives. First, it should be widely educational in order to encourage public understanding and support of the United Nations at home and abroad. Second, it should aid in the adoption of wise policies, both by our own Government in its capacity as a member of the United Nations, and by the United Nations Organization as a whole.

"The number and importance of decisions in the field of foreign relations with which the United States will be faced during the next few years are of such magnitude that the widest possible stimulation of public education in this field is of major and pressing importance. In furthering its educational objective, the endowment should utilize its existing resources, such as the international-relations clubs in the colleges and international conciliation, and should strengthen its relationships with existing agencies interested in the field of foreign affairs. These relationships should include close collaboration with other organizations principally engaged in the study of foreign affairs, the Institute of Pacific Relations, the developing university centers of international relations, the Council on Foreign Relations, the Foreign Policy Association, and local community groups interested in foreign affairs, of which the Cleveland Council on World Affairs and the projected World Affairs Council in San Francisco are examples.

"Of particular importance is the unusual opportunity of reaching large segments of the population by establishing relations of a rather novel sort with the large national organizations which today are desirous of supplying their members with objective information on public affairs, including international issues. These organizations, designed to serve, respectively, the broad interests of business, church, women, farm, labor, veterans, educational, and other large groups of our citizens, are not equipped to set up foreign policy research staffs on their own. The endowment should supply these organizations with basic information about the United Nations, and should assist them both in selecting topics of interest to their members and in presenting those topics so as to be most readily understood by their members.

"We should urge the Foreign Policy Association and the Institute of Pacific Relations to supply similar service on other topics of international significance. Explanation should also be made by the endowment as to the possibilities of increasing the effectiveness of the radio and motion pictures in public education on world affairs."

What Hiss was describing and recommending was a huge brainwashing operation to be performed on the American public. Such organizations as the Foreign Policy Association and the World Affairs Councils, fronting for the Council on Foreign Relations, pretend to be "non-partisan" and educational but are strictly World Government propagandists. Richardson has been closely associated with this as a member of the board of directors and president of the World Affairs Council of Boston.

Mr. Richardson was described by the N.Y. Times as having all the attributes of the proper Bostonian, family background, and "the distinctive New England upper-class way of talking." We are told, however, that his intimates know him "as a great party man with a robust sense of humor, a good dancer and avid skier, even an adventurer." Drew Pearson was not quite so kind in his comments, recollecting that Richardson had a good record in government and was "a far-sighted HEW executive" but he had a problem—alcholism. It sounds strange, coming from Pearson, but he states:

"It is a firm rule of the State Department that an alcoholic is a security risk. The theory is that he's subject to blackmail, or can be indiscreet under the influence of liquor and leak security information."

Citing a record of fifteen automobile arrests for Richardson, Pearson states that his first brush with the law was at the age of nineteen when he was arrested on May 6, 1939, at 8:30 P.M. for operating under the influence of liquor on Beacon Street in Boston. Pearson quotes the arresting officer as stating: "Richardson was very abusive at the time of his arrest and threatened to have me fired." After pleading guilty to the offense, Richardson was fined $75 and his license was suspended. For an offense in April, 1951, Richardson pleaded guilty and was fined $200 and his license suspended. This was for striking a stop sign and going through a hedge at 2 a.m. in Brookline, Mass. Of his numerous arrests, three involved driving under the influence of liquor and most of the others involved speeding.

Richardson is a long-time close personal friend of Secretary of State Rogers who has explained his choice as "springing mainly from a desire to have as his deputy someone with whom he is personally close and compatible, a man who would serve as his 'alter ego.'" Both are members of the "Eastern liberal wing of the Republican party."

Number two man in that other important government department, Defense, comes out of the West and, like Richarson, has been connected with a World Affairs Council, having become a director of the World Affairs Council of Northern California in 1958. David Packard was born in Pueblo, Colorado, September 7, 1912, the son of Sperry Sidney Packard and Ella Lorna Graber. He received his A.B. degree from Stanford University in 1934 and his E.E. in 1939, having worked for the General Electric Company in Schenectady, N.Y. from 1935 to 1938. He married Miss Lucile Laura Salter on April 8, 1938 and they have four children—David Woodley (a professor of humanities at the University of California at Los Angeles), Nancy Ann, Susan and Julie Elizabeth.

Packard is a self-made multi-millionaire electronic instrument manufacturer. His appointment caused raised eyebrows because of a "conflict-of-interest" possibility due to the fact that his firm did $34 million worth of business with the Defense Department last year and another $7 million with other federal agencies and had $60 million in sales to government prime contractors. Some sort of a trust arrangement has reportedly been made to make everything proper but Packard has said he has no intention of living on his $30,000 government salary.

Packard founded his company thirty years ago with his partner, William R. Hewlett, in a garage with an initial investment of less than $600. The company, which is the designing and production of electronic measuring instruments, was incorporated in 1947 and now produces more than 2,000 different types of instruments in 17 plants and employs 13,000 persons.

Last year Hewlett-Packard embarked on a "long-range program to increase its sale of non-strategic products in Eastern Europe," Packard carried on correspondence with Sen. Walter Mondale, who strongly favors East-West "bridge-building," and disclosed that his firm had assigned several sales engineers to full-time duty behind the Iron Curtain "traveling in the territory and providing on-the-spot assistance to the East European purchasers and users." The firm participated in different fairs, shows and exhibitions and Packard stated: "We anticipate this new effort will cause our East European sales to more than double in 1968, with an even further substantial increase the following year." He was unhappy, however, because the firm's sales were limited by the "high level of unilaterally imposed U.S. export controls."

Packard cited "better understanding" as a reason for lowering U.S. controls to allow a larger volume of East-West trade: "We believe a larger volume of East-West trade can and will contribute to a better understanding, without in any sense providing substantial aid which would strengthen our enemies, or potential enemies." Unfortunately it is not "understanding" he is after but "money." He is described as a "contemporary man" who "doesn't try to pack everything into an ideological box." He reportedly counts himself a fan of former Secretary of Defense McNamara, stating, "McNamara did a very good job in the over-all job. But I hope we can do a better job."

It has been pointed out that Packard's description of his products as "non-strategic" is not quite accurate as these highly sophisticated instruments used in electronics and analytical chemistry could definitely have military application. It could just be, therefore, that our new "Number Two" man in the Defense Department has been aiding and abetting an enemy against whom we are in active combat. It has been pointed out that weaknesses such as excessive drinking are exploited by the Communists and used by them for blackmail purposes, making a person with such a failing a security risk. It could well be that our "Number Two" man in the State Department has placed himself at the mercy of our enemies and can be manipulated by them because of a present or past drinking problem. As two of the earlier

Nixon appointments, Richardson and Packard lead the sorry parade of dubious appointees. Their connection with the World Affairs Councils indicates their World Government bias and undoubtedly was a factor in their selection.

HOUSE OF REPRESENTATIVES—*Thursday, April 24, 1969*

The House met at 12 o'clock noon.

Rear Adm. James W. Kelly, chief of chaplains, U.S. Navy, offered the following prayer:

And it shall come to pass, if thou shalt harken diligently unto the voice of the Lord thy God, to observe and do all His commandments . . . that the Lord thy God will set thee on high, above all the nations of the earth.—Deuteronomy 28:1.

Let us pray: Eternal God, who with sovereign power controls the destinies of men and nations, we invoke Your divine blessing upon this august and distinguished body, assembled here to address itself to the affairs of state.

Strengthen its Members with the knowledge that as they pursue the best interests of our land and people, remaining sensitive to Your will, they go, indeed, about Your business.

Grant them vision to see that the strength of the Republic rests in faithful expression of the public will through responsible representation.

Through every word uttered and every deed undertaken in this Chamber this day, undergird and strengthen both the American way of life and the world's hope for the future.

In the name of Jesus Christ, our Lord, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

EULOGIES TO THE LATE HONORABLE ROBERT A. EVERETT, OF TENNESSEE, AND SENATOR E. L. BARTLETT, OF ALASKA

Mr. FRIEDEL. Mr. Speaker, I am calling to the attention of the House membership that the closing date for eulogies to the late Congressman Robert A. Everett, of Tennessee, and Senator E. L. Bartlett, of Alaska, has been set for Friday, May 2, 1969. This has been set as the cutoff date for all insertions that will make up the compendiums of eulogy to these two Members of Congress who, but for their untimely passing, would now be serving in the 91st Congress.

REAR ADM. JAMES W. KELLY, CHIEF OF CHAPLAINS, U.S. NAVY

(Mr. HAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAGAN. Mr. Speaker, it is indeed a privilege to have the chief of chaplains of the U.S. Navy, Rear Adm. James W. Kelly, here today to offer our opening prayer.

I have known Captain Kelly for a number of years. We attend the same church in Arlington and I believe him to be one of the truly great men in our armed services today. He agrees with us here in Congress that as long as we can have open prayer and express our allegiance to Almighty God, as he has just done, that our Nation will stand.

Mr. Speaker, there is a great deal more I would like to say about him but to have a man like Chaplain Jim Kelly in a position of spiritual leadership in our armed services is a true asset to our Nation. I have seen the reflection of his work in many places across this country and throughout the world.

I personally look forward to having Chaplain Kelly lead us in prayer again in the future.

Mr. Speaker, I yield back the balance of my time.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the rest of this week and the schedule for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. In response to the inquiry of the distinguished minority leader, the distinguished Speaker is going to offer a resolution today, and the gentleman from Missouri (Mr. BOLLING) is going to call up House Resolution 347. The printing resolutions reported by the Committee on House Administration are going over until next week. They will be called up sometime next week.

The rest of the program for next week is as follows:

Monday is District day. There are three bills:

H.R. 254, to authorize the expansion of the Canine Corps of the District of Columbia Police;

H.R. 4182, to authorize voluntary admission of patients to the District of Columbia Training School; and

H.R. 9526, to exempt certain public international organizations from the District of Columbia Unemployment Compensation Act.

On Tuesday: H.R. 4153, to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, will come up under an open rule, with 1 hour of debate.

For Wednesday and the balance of the week:

H.R. 9825, civil service retirement amendments, subject to a rule being granted; and

House Resolution 17, to create a select committee to conduct an investigation and study of all aspects of crime in the United States.

In addition, the chairman of the Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS), has advised that he will call up by unanimous consent some 10 bills which have been unanimously reported by his committee some day next week. A list of those bills follows:

BILLS REPORTED UNANIMOUSLY BY THE COMMITTEE ON WAYS AND MEANS

H.R. 9951, to provide for the collection of the Federal unemployment tax in quarterly installments, etc.

H.R. 2718, extending for additional temporary period suspension of duties on certain classifications of silk yarn.

H.R. 4229, continuing for temporary period suspension of duty on heptanoic acid.

H.R. 4239, amending Tariff Schedules of the United States so as to prevent payment of multiple customs duties by U.S. owners of racehorses purchased outside the United States.

H.R. 5833, continuing to June 30, 1972, the existing suspension of duty on certain copying shoe lathes.

H.R. 7311, amending Tariff Schedules of the United States to provide that the rate of duty on parts of stethoscopes shall be the same as the rate on stethoscopes.

H.R. 8644, making permanent the existing temporary suspension of duty on crude chicory roots.

H.R. 10015, extending to July 15, 1971, the suspension of duty on electrodes for use in producing aluminum.

H.R. 10016, continuing until the close of June 30, 1971, the existing suspension of duties for metal scrap.

H.R. 10107, continuing for a temporary period the existing suspension of duty on certain istle.

This program is subject to the usual announcement that conference reports may be brought up at any time, and any further program will be announced later.

We have no further program for this week.

ADJOURNMENT TO MONDAY, APRIL 28, 1969

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, does the gentleman think that the heavy grist of business we have today can be completed so that a session tomorrow will not be required?

Mr. ALBERT. I believe with the gentleman's cooperation we can complete the business today.

Mr. Speaker, I renew my request.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

BEST WISHES TO HARRY S. TRUMAN ON HIS 85TH BIRTHDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 216, extending to Harry S. Truman, 33d President of the United States, best wishes on his 85th birthday.

The SPEAKER pro tempore (Mr. Albert). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. Con. Res. 216

Resolved by the House of Representatives (*the Senate concurring*), That the Congress of the United States hereby extends to the Honorable Harry S. Truman, 33d President of the United States, its best wishes on the occasion of his 85th birthday, May 8, 1969.

Sec. 2. The Congress expresses its appreciation to President Truman for his distinguished service as United States Senator, as Vice President of the United States and as President of the United States during the period from 1935 to 1953.

Sec. 3. The Congress expresses its appreciation for President Truman's determined and firm policies in respect to foreign affairs which, with invaluable bipartisan support, (1) helped in the immediate years after World War II to reconstruct a ravaged and weakened Western Europe; (2) firmly set the face of the United States against aggression in both Europe and Asia; and (3) provided desperately needed technical aid and other assistance in the best tradition of American generosity to developing nations struggling to create free and prosperous and democratic conditions for their peoples.

Sec. 4. The Congress further recognizes that President Truman no less heeded the plight of all Americans whom prosperity and justice had passed by and that he boldly advocated programs designed to translate the promise of a bountiful America into fulfillment for each and every American.

Sec. 5. A copy of this concurrent resolution of the Congress of the United States shall be promptly transmitted to the distinguished "Man from Independence," Harry S. Truman.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

FORD FOUNDATION SHOULD DIVEST ITSELF OF DOW CHEMICAL CO. STOCK

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, today I sent a telegram to Mr. McGeorge Bundy, president of the tax-exempt Ford Foundation suggesting that the foundation divest itself of 66,000 shares of stock held in the Dow Chemical Co. According to the foundation's estimate this stock has a market value of over $5,500,000. I have further suggested to the Ford Foundation that the moneys realized from the sale of this stock could be turned over to the city of New York in lieu of taxes for real estate properties owned by the Ford Foundation now located in New York City. I presume the city of New York could use these funds to improve the public schools and also help in improving conditions in the poor neighborhoods of the city.

The Ford Foundation, according to its own financial report, had funds on hand as of the end of 1968 totaling $3,780,000,000. It would appear to me that wise counsel would prevail and action be taken forthwith by the Ford Foundation.

My telegram is as follows:

April 24, 1969.

Mr. McGeorge Bundy,
President, the Ford Foundation,
New York, N.Y.:

May I respectfully suggest that the Ford Foundation divest itself of the 66,000 shares of the stock held in the Dow Chemical Company. This stock, according to the Foundation's estimate, has a market value of approximately $5,500,000. With all the human misery in the world it seems to me to be unreasonable, unconscionable and unscrupulous for any organization such as yours to be deriving part of its income from this source.

As a further suggestion your foundation could turn over the monies derived from this divesture to the city of New York in lieu of taxes for properties held by your foundation in New York City. I presume the city of New York could put these funds to good use in improving their public schools and solving some of the problems in the poor neighborhoods.

James A. Burke,
Member of Congress.

INTRODUCTION OF BILL TO PROTECT FEDERAL INVESTMENTS IN THE ACADEMIC COMMUNITY

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, today I have joined my distinguished colleague in the other body, Senator Robert C. Byrd, of West Virginia, in introducing a bill which would protect Federal investments in the academic community. Our bill will provide for fines and imprisonment of anyone who would burn ROTC buildings, federally financed research labs, or willfully interfere with the administration or operation of any federally assisted institutions.

We have ROTC units of the Army, Navy, and Air Force on the campus of virtually every college and university in the Nation. In our space program alone, over 200 universities are conducting space research. Our nuclear energy program is inseparably tied up with university research and development. Many of our defense programs are dependent upon the cooperation of the academic community. The university team is a vital part of defenses, the security of our country, and that of the free world. We must protect this vast investment in tomorrow.

Much research is federally financed to eliminate disease and provide for a healthy, strong America.

The time has come when we must protect our investment from subversive hoodlums and anarchists. The time has come to protect our investment in higher education from those who would destroy education. Crime against education is one of the worst and vilest forms of crime as it is an attack upon the security, freedom, and progress of tomorrow. I have been hopeful that such legislation would not be necessary, but I now believe that in the national interest such legislation is timely and even urgent.

LEGAL FEES

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, I went into the well of the House yesterday to point out the very exhorbitant price that this House of Representatives has paid counsel to represent us against Adam Clayton Powell in his case before the Supreme Court. I mentioned then that the legal fee was $200,000. I find that I was in error. It is instead, $213,055.30. And that only covers the appellate court services that we have received, my fellow colleagues, and does not count the Supreme Court appearances that have been made so far. I would hope that some of the members of the bar here in Congress would take notice, not judicial, of the compensation attorneys in New York are getting for representation of this House of Representatives in the Supreme Court of the United States.

DOCUMENTS BEING CIRCULATED BY THE MISNAMED STUDENTS FOR A DEMOCRATIC SOCIETY

(Mr. CEDERBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CEDERBERG. Mr. Speaker, I take this time to advise the House that today I am placing in the body of the Record two documents that are circulated on college campuses by the misnamed Students for a Democratic Society. A reading of these documents clearly indicates that this organization is dedicated to the destruction of our form of government. This group should properly be named "Students for the destruction of a democratic society."

This organization contains anarchists, Marxists, Leninists, and other subversives.

It is high time that responsible college administrators, faculty members, and the citizens in general understand the objectives of this group.

It disturbs me when I note that many of our institutions of higher learning grant the demands of this subversive group only to find that new demands are presented. This group is not interested in solving problems. It exists to create disorder. Present campus unrest is well planned and supported by this group. A detailed study of these documents verifies these conclusions.

AMERICANS CASH IN MORE U.S. SAVINGS BONDS THAN PURCHASED

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, during March for the fifth straight month, Americans cashed in more U.S. savings bonds than they bought. Purchases amounted to $336,907,000 while redemptions totaled $394,116,000. It is obvious that these bonds have ceased to be competitive in today's money market. It is time for Congress to act to eliminate the 4¼-percent ceiling for interest to be paid on these bonds.

There are $45 billion worth of these bonds outstanding, about 15 percent of our national debt. They represent the savings mainly of small investors. For many, their bonds are their only savings, a nest egg against financial need. In 1960 U.S. bonds represented 20 percent of all savings. Today they are only 13 percent. We should encourage more Americans to get into the habit of buying a bond a month through the convenience of payroll deductions. But, we cannot expect them to buy bonds that are paying nearly a whole percentage point less than a bank account. I am pleased that Treasury Secretary David Kennedy has indicated that the Nixon administration is preparing to ask for changes in the bond interest rate. Back on February 18 I introduced legislation which would accomplish this end, H.R. 7015, which is before the Ways and Means Committee.

I have heard complaints from some Members of this body that there is little to do in the way of legislation. May I suggest that prompt action on the bond bill would help the Government and millions of small investors.

REORGANIZATION OF JOB CORPS

(Mr. MacGREGOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MacGREGOR. Mr. Speaker, some of us have recently been deluged with mail accusing the Labor Department of throwing Job Corps enrollees out in the cold.

Nothing could be further from the truth. In its proposed reorganization of the Job Corps, the Labor Department is closing down some residential training centers. But it is also providing every possible service to assist in transferring corpsmen to other centers or making referral to suitable jobs, on-the-job or institutional training, Neighborhood Youth Corps, or other manpower programs.

What the Labor Department's sound proposal intends to accomplish is the integration of the Job Corps into its total manpower training program. In lieu of some of the large residential centers, which have been highly expensive and have also had high dropout rates, it proposes 30 smaller inner city or near city residential centers designed to meet the needs of those young men and women who most need to be served. Arrangements will be flexible, depending upon the needs of the community. That isn't the case today.

Such an arrangement will, in many instances, permit actual training to be furnished by other manpower components administered by the Labor Department. It will enable the Department to utilize techniques which have been proven successful and will eliminate costly duplication of services.

I support the Secretary of Labor in his efforts to upgrade the training offered by the Job Corps and to cut down the expense of this operation. I hope that my colleagues will likewise support the wise decisions of Secretary Shultz.

POSTAL RATE INCREASE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–106)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Post Office and Civil Service and ordered to be printed.

To the Congress of the United States:

The Post Office Department faces a record deficit in Fiscal Year 1970, one which will reach nearly $1.2 billion. This unhappy fact compels me to recommend to the Congress that it increase postal rates for first, second, and third class mail.

The increases that I am proposing will reduce the postal deficit in Fiscal Year 1970 by over $600 million. If rates were not raised, that sum would have to be added to the already considerable burdens of our taxpayers. But if these recommendations are adopted, the costs of postal service will be borne more adequately by those who use the service most.

That is the way it should be if the Post Office is to become an example of sound business practices. That is also what the law requires. The Postal Policy Act stipulates that postal rates should produce revenue which is approximately equal to the cost of operating the postal establishment—after the costs of such special public services as the Congress may designate are deducted. It is in accordance with both general principle and specific law, then, that I make the following recommendations:

1. First class mail—I propose that the rates for letters and postcards be increased one cent, to seven and six cents respectively, on July 1, 1969. Air mail postage rates would remain unchanged.

2. Second class mail—The rates for newspapers and magazines which circulate outside the county in which they are published would go up by 12 percent on July 1, 1970. This increase would constitute an addition to the 8 percent increase for second class mail which is already scheduled to take effect on January 1 of next year.

3. Third class mail—Bulk rates are already scheduled for increase on July 1, 1969. I suggest that there be a further increase on January 1, 1970, so that the overall level at that time would be some 16 percent above present levels. Further, I recommend that the minimum single piece third class rate be increased by one cent on July 1, 1969.

I regret the need to raise postal rates. I can suggest, however, that these increases can help our country achieve two important goals. First, the proposal can help in our efforts to control inflation by bringing federal revenues and expenditures into better balance. Secondly, rate increases will make it easier for the Postmaster General and his associates to provide better postal service. After carefully reviewing the fiscal 1970 Post Office budget submitted by the previous administration, we have been able to achieve reductions of net outlays equal to $140 million. A comprehensive review of all postal operations is now underway; modern management techniques are being introduced and efficiency is being increased.

Further improvements will take time—and during that time it is essential that financial pressures should not impair or reduce available services.

I would add one further comment: this Administration is determined that the cycle of greater and greater postal deficits and more and more rate increases will be broken. The only way to break that cycle is through effective, long-range reforms in the way the postal system operates. Some of these reforms can be implemented by the Postmaster General; others will require Congressional action. We will be submitting specific proposals for such reforms to the Congress within the next forty-five days.

Postal reform will not be achieved easily; there are always many obstacles to even the most necessary change. But we remain confident that we can, with your cooperation, move boldly toward our three goals: better postal service, improved working conditions for all employees, and a reduction of the recent pressure for frequent increases in postal rates.

Proposed legislation to effect the revenue increases which I have recommended here will be sent to the Congress shortly.

RICHARD NIXON.

THE WHITE HOUSE, *April 24, 1969.*

POSTAL RATE INCREASE

(Mr. RHODES asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. RHODES. Mr. Speaker, I wish to announce my support for President Nixon's proposal to restore fiscal responsibility to the Post Office Department.

In the coming fiscal year, this Department will run a budget deficit of nearly $1.2 billion. This is the minimum. The deficit is likely to run nearly $300 million higher when the phase III pay increases are implemented this July.

With the postal service facing the greatest deficit in its history, we have no choice but that of supporting President Nixon's proposal to increase postal rates for all the major classes of mail.

In his message to the Congress, President Nixon said:

> The increases that I am proposing will reduce the postal deficit in Fiscal Year 1970 by over $600 million. If rates were not raised, that sum would have to be added to the already considerable burdens of our taxpayers. But if these recommendations are adopted, the costs of postal service will be borne more adequately by those who use the service most.

The President wants the Post Office to become an example of sound business practices. He also recognizes that the Postal Policy Act requires that postal rates should produce revenue which is approximately equal to the cost of operating the Postal Establishment—after the cost of such special public services as Congress may designate are deducted.

Mr. Speaker, I urge that we support the principles of the Postal Policy Act by voting to keep this vital Department on a sound financial basis.

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, today Congress received the President's message proposing legislation to increase postal rates for first-, second-, and third-class mail. I do not believe first-class mail should absorb an increase so close on the heels of the increase to 6 cents last year, and I firmly maintain that an exhaustive cost ascertainment study of the entire postal operation should precede any discussion of further rate increases.

The President reminds us that the Postal Policy Act stipulates that postal rates should produce revenue which is approximately equal to the cost of operating the Postal Establishment. May I remind you, my colleagues in the Congress, the President and the Postmaster General that the Postal Policy Act also stipulates that the Postmaster General conduct studies of the impact of postal rate increases. To my knowledge, this has not been done.

Where would increased revenues in the Postal Department go? Under existing regulations these revenues are diverted to the general treasury and any increase would likely make a significant contribution to the budget surplus the administration has so optimistically forecast.

Before any rate increase is passed I want to see legislation enacted which would guarantee that the revenues would be channeled into a trust fund for the specific needs of the Postal Establishment.

We must guarantee needed improvements in the Post Office. This must include a guarantee that necessary machinery and buildings be provided to handle the ever-increasing volume of mail.

I submit the Congress should consider the establishment of a postal trust fund comparable to the highway trust fund which has been effective in assuring continued construction of adequate roadways.

Mr. Speaker, Chairman THADDEUS DULSKI of the House Post Office and Civil Service Committee made the following remarks in a recent press statement:

> First things first and that means postal reform first. Only then will we take up the matter of postal rates. I do not intend for our Committee to consider the Department's rate increase proposal until after we make some real progress on postal reform. A change in the handling of rates is an integral feature of postal reform.

As chairman of the Postal Rates Subcommittee of the Post Office Committee, I believe an exhaustive study of cost ascertainment within the Post Office must also be made before we give consideration to any proposal to increase rates.

I am certain such a study would point up areas in which costs could be reduced significantly or entirely eliminated. It would also reveal who is, and who is not, paying his fair share of the postal bill.

Therefore, Mr. Speaker, I am convinced that discussion of postal rate increases at this time would be premature—putting the cart before the horse, if you will. I intend to schedule hearings immediately in the Postal Rates Subcommittee to conduct an intense, exhaustive study of cost ascertainment within the Postal Department. One of our objectives will be the setting of a target date for instituting an incremental, out-of-pocket, cost system which would permit the Department to make better rate and management decisions.

Now is the time to act to stop the spiraling costs within the Department. With expert management, costs could be reduced and we can accept nothing less than expert management in return for our citizens' postal dollars.

Mr. ANDERSON of Illinois. Mr. Speaker, recently it was announced that the rise in the cost of living in March was the highest for any single month in the past 18 years. Despite this startling evidence of the inflationary pressures in our economy, some Members are questioning the need to increase postal rates.

The Post Office Department's financial outlook reflects the dangerous trends in our economy. In the coming fiscal year, we expect the Department to run a deficit of nearly $1.2 billion—without even counting the substantial pay increases Federal workers will be demanding this summer.

If postal workers' salaries are increased 4.7 percent—the amount recommended 2 months ago by the Civil Service Commission—the Post Office Department's fiscal 1970 deficit will climb to nearly $1.5 billion. And, we know that the wage package could be even more costly.

Sound fiscal policy does not permit us, Mr. Speaker, the luxury of ignoring or trying to explain away a postal service deficit which could well climb beyond $1.5 billion in the next year.

We have no choice. We must support President Nixon's proposal to increase postal rates for all the major classes of mail.

If we fail to support the President, we are feeding the fires of inflation.

(Mr. TAFT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. TAFT. Mr. Speaker, we all recognize that increasing postal rates is not easy. When the cost of mailing a letter goes up a penny it irritates the family that might send out only one or two letters a week, as well as the large volume mailer pouring tens of thousands of pieces into the mail stream each day.

Understandably, we all wish it will not be necessary to vote for higher postal rates.

This year one of the "hopes" is postal reorganization. The prospect is held out that postal reform will bring such sweeping economies to this big Department that we can stay with existing postal rates.

While I am impressed with these advocates' enthusiasm for postal reform, we all know that it will take years to bring meaningful changes to a Department with more than 730,000 employees.

In proposing higher postal rates, President Nixon is dealing with a problem which needs a solution now—not 10 years down the road. The facts are that the Post Office Department is likely to run a deficit of almost $1.5 billion in the next fiscal year after Federal employees salaries are increased.

If we do not increase postal revenues this summer, this vital Department will have the largest deficit in its history.

We cannot delay. We must increase postal rates in this session of the Congress.

Mr. STEIGER of Wisconsin. Mr. Speaker, none of us likes to consider a further increase in postal rates.

President Nixon has today forwarded his recommendations for increases in postal rates in first-, second-, and third-class mail.

This proposal comes as a result of the critical problems facing the postal system in this country. The President has made clear the commitment of his administration to break the "cycle of greater and greater postal deficits and more and more rate increases." He has correctly pointed out that only if we undertake long-range reforms of the Post Office can this cycle be broken.

It is for that reason that the decision has been made to increase postal rates. Once again, the President has made the hard decision based on what is right and what must be done.

A simple increase in rates does not by itself solve the problem. Given the fact that the Nixon administration understands this and the need for extensive reforms, I believe the proposal of Mr. Nixon deserves support.

The goal of better mail service and better working conditions for employees can best be achieved by providing additional revenue and embarking on meaningful reform. This is the challenge the President has given to us and I commend his proposals.

Mr. RHODES. Mr. Speaker, the record deficit facing the Post Office Department in the next fiscal year is another illustration of the financial toll exacted by the inefficiencies of the postal system in combination with the highest rate of inflation this country has experienced in 18 years.

Now, barely 2 years after the last increase in postal revenues we find the Post Office Department running a potential deficit of more than $1.4 billion when postal employees' salaries are increased this July.

If we are to put a halt to this record rate of inflation, it is essential that we put the Post Office Department—with a budget of nearly $8 billion—on a sound fiscal basis.

That is why, Mr. Speaker, I am reluctantly supporting the President's proposal to increase postal rates. These increases in the rates for the major classes of mail will increase postal receipts by more than $625 million a year. This will lessen the Department's need to use money from the general fund, and help to check an inflationary spiral that has cut into the earnings of all persons but, most cruelly, has eroded the living standard of the poorer members of our society—those on fixed incomes, on welfare and on limited earnings.

The increase in postal rates, admittedly, is only a stop-gap measure. As the Postmaster General stated:

> Rising wage costs—which account for about 80 percent of all postal costs—plus lagging mechanization and archaic management methods, are the underlying reasons for the all too frequent rate increases in recent years.

That is why I also support the efforts of the present administration to increase the efficiency of the Post Office by bringing modern management techniques to bear upon a department too long saddled with the burdens of 19th century politics and technology.

For the present, Mr. Speaker, if we are to succeed in coming to grips with the high rate of inflation we must immediately put the postal service on a sound financial basis.

Mr. Speaker, under leave to extend my remarks, I include herein the latest edition of my newsletter, the report which I send periodically to my constituents:

JOHN J. RHODES REPORTS

APRIL 11, 1969.

THE FIRST 3 MONTHS

By the time you read this newsletter, President Nixon will have been in office approximately three months. It is interesting to note the priorities he set for himself and for his Administration. First, he felt it necessary to begin the work of bolstering our relationships with nations of Western Europe. As a result, very early in his Administration he took a trip to the countries of Western Europe, and even his most ardent critics feel that this trip was an unqualified success. Contemporaneous with this effort, President Nixon changed the negotiating team in the Paris-Vietnam talks, and set the course for negotiations, and for operations in Vietnam.

Now, the President is intently scrutinizing the Johnson budget, hoping to be able to reduce the expenditures of the Federal Government for Fiscal years 1969 and 1970. He has been handicapped in this by the fact that the Johnson Administration underestimated built-in expenditures, such as interest on the national debt, welfare payments, and the like, and overestimated revenues. Therefore, it has been necessary for the Nixon Administration to reduce expenditures of the Government by over $1.5 billion in fiscal year 1969 just to stay even with the faulty figures he inherited from President Johnson.

Now, President Nixon is engaged in preparing his domestic legislative program. Because of the budgetary situation, much of this program will probably consist of relatively modest cash outlays at the present time, but definite starts on Government programs, many of which will be in partnership with the states and the private sector.

One of the extremely important tasks facing the Nixon Administration was to prove its credibility insofar as fiscal prudence is concerned. Not only our own people, but the whole world was waiting to judge the future of the American dollar by the actions of the Nixon Administrtaion. The fact that Mr. Nixon has shown that he is in dead earnest in cutting Government expenses, and in showing restraint in the advocacy of new programs has caused people both here and abroad to feel more confident in the future of the Western World's economy than was felt for many months. Here in Washington, where the words "cut expenditures" were almost regarded as a joke, these words now have taken on a new and very serious meaning. It is obvious that this Administration really does intend to live within its means, and this is good news for the taxpayer, the businessman, and, most of all, to the wage earner and the individual who lives on a fixed income.

ANTIBALLISTIC MISSILES

The country is now engaged in a great debate as to whether or not a system of antiballistic missiles should be deployed. The opening salvo in the debate was released by the Nixon Administration when it announced that it had discarded the Johnson Sentinel system for its Safeguard system.

Sentinel would have deployed antiballistic missile systems around the cities to form a thin curtain to guard against sneak attacks by small nations, irresponsible attacks by Communist China, or accidental detonation of a missile by any nation. It would not guard against an onslaught by Russia or any other nation with an arsenal consisting of many ICBM weapons. The Sentinel system could be easily overwhelmed by the simultaneous dispatch of many missiles.

The enemies of the Sentinel system stated that: (1) The system had not been developed to the point we could be sure it would work; (2) Deploying it around the cities actually escalated the nuclear war because it appeared to be protecting a first-strike capability for the United States; and (3) It was capable of being expanded to a very dense, expensive, system which could cost as much as $60 to $100 billion.

The Safeguard system met most of the objections against Sentinel because (1) Only two ABM sites would be used immediately so that full deployment could not occur at least until the systems effectiveness had been proved; (2) These systems would be utilized to safeguard our own Minuteman locations, not our cities. Thus, Safeguard has as its objective protecting an ability to respond to a first-strike, but does not enhance our capability to launch a first-strike. (3) Since the aim of Safeguard is to protect missile sites, obviously this system could not and would not be expanded to a heavy system to protect cities. Therefore, it would not result in an escalation of the nuclear war. (4) The Safeguard system would cost at least $4 billion less than Sentinel, and its outlay for Fiscal 1970 would be $1 billion less.

Even with these changes, many honest, sincere people feel that no ABM system should be deployed. Their arguments run like this: (1) any deployment of antiballistic missile systems escalates the nuclear armament race. It has been pointed out above that the Safeguard deployment does not enhance our first-strike capability and, therefore, should not result in any escalation. Even so, one wonders how these well-meaning people can feel that the deployment of an American antiballistic missile system would result in escalation, ignoring the fact that Russia has already deployed an antiballistic missile system to protect both Leningrad and Moscow. If any escalation results from antiballistic missile systems, Russia has already escalated. (2) The system will not work. This is a truly unfair accusation. The Nike-Zeus which was the forerunner of the Spartan Missile (which would be used in both the Sentinel and the safeguard systems) has been tested several times against incoming ballistic missiles. It has been almost uniformly successful in knocking down its targets. Anyway, the fact that only two sites are to be used allows the system to be perfected before any further deployment. (3) The money could be better spent elsewhere. This then gets down to a matter of a priority for the utilization of our available resources. Most of the people who make this argument feel that sums released from scrapping the ABM could and should be used to renovate our core cities, and to do away with poverty.

In the first place, the amount of money to be spent on this system is infinitesimal compared to the cost of ending poverty. In addition, the real fight to end poverty begins with the training and educating of people. We are engaged in this great effort, and will expand these programs both public and private as fast as we possibly can.

The facts are that we must make expenditures for the defense of our country, while at the same time we are doing our very best to rehabilitate our disadvantaged people, and to rebuild many of our core cities. A wise allocation or resources, over a period of time, can and will allow us to do both. The timing of these efforts seems to be the main item of disagreement. The so-called "liberal" feels that we should drop everything to rebuild the cities. Others realize that rebuilding our cities, while we drop our guard against those who would conquer the world, would be a vain thing indeed.

The American system has allowed us to dream the dream of ending poverty. This system can be destroyed by neglect, by subversion from within, or by attack from without. We must be on guard against all three. Certainly, substituting the physical and mental slavery under which the peoples of Western Europe and Russia live for the lot of even the most disadvantaged of our people is not in accordance with the desires of very many rational Americans. Yet, if the American system falls as a result of attacks from any of the three directions noted above, then immediately that dream of ending poverty falls with it.

Those who would compare spending in the cities to spending for defense have not yet realized that they are really comparing horses and rabbits, or apples and oranges. There is actually no comparison, and neither type of spending is mutually exclusive as to the other.

So, let's deploy our Safeguard system, and reeducate and retrain our people too. We have the resources to do both. All we need is a rational schedule, and an intelligent allocation of resources. We can have, and we must have, a humane America, a fair America, and an America full of opportunity for all. We cannot have any of these unless at the same time we have an America safe from attack.

VISITORS

Mesa

Mr. and Mrs. Burdell Moody, Ken Heywood, W. L. Cowan, O. James Klein, Norval Jesperson, Mickey White, George F. Rozelle, Mr. and Mrs. Alfred R. Pennell, Maynard Schneck, Mr. and Mrs. Max Killian, David and Mark.

Tempe

Haskell Henshaw, Don Fancher, Andrew B. Mayberry, Mr. John E. Herrick, R. Gary Daniels, M. D. Burdick, George E. Niedner, Jr.

Scottsdale

William Kelley, Filmore Carlos, Billman Hayes, R. A. Fletcher, Frank Tilyou, Josephine Sawaia, Guy Stillman, Dr. John H. Young, Dr. James Schamadan, John J. Gallagher, Mr. and Mrs. Vernie A. Lindstrom, Jr., Hugh D. Stuart, Tom Wade, Mr. and Mrs. Sidney B. Wolfe, Mr. and Mrs. Bruce Merrill, Donald E. Gentry, Cynthia and Bill Turner, Lynda Spencer, Kay Murphy.

Sun City

Mrs. Harry R. M. Crory.

Paradise Valley

Dr. and Mrs. Warren.

Chandler

Kendall Cumming, Mitchell Nelson.

Phoenix

Read Carlock, Maurine and Seth Horne, Don and Karen Vance, Rev. and Mrs. A. C. Valdez, Sr., Harriet Huntress, Margaret E'. Ryan, Walter Chopiwskyj, George Ilinsky, Mr. and Mrs. R. Ptak and Leslie, Dr. Arthur Lee, John D. Noble, Halbert B. Clemmer, Ferris W. Hancock, Elmer C. Coker, Oakley Jordan, Jeffrey J. Ptak, Brian E. Langston, Eugene A. Marvin.

George E. Leonard, Tom Sheridan, Douglas L. Driggs, Lonnie F. Wells, Charles A. Boyle, J. Pat Madrid, Roland S. Mosher, Barry Becker, Nicholas Sakis, Bob Carlock, Mr. and Mrs. Joe Attebery, Melvin Himelstein, Hanen H. Williams, Dr. S. F. Farnsworth J. A. Riggins, Jr., James M. Johnson, Bill Davis, Barney Burns, Frank Hunter, Charles G. Hastings, Dan W. Cohen.

Rich Johnson, Wes Steiner, Les Alexander, Dr. Robert Pickering, Dr. Harold E. Freeman, Mr. and Mrs. Gary G. Keltner, Nell Snyder, John I. Yellott, Stuart Melton, Dr. John R. Green, Steve Morris, Neal E. Kresheck, Dr. Carl R. Bjorklund, George F. Karam, M. W. Holdship, Mr. and Mrs. Tony F. Soza, G. W. Woods, Daniel F. Gruender, Hon. Sam Mardian, Jr., Mr. and Mrs. Hal L. Grammer, J. Snead Parker, Brice I. Bishop.

Mr. and Mrs. Wallace N. Brown, M. S. Horne, H. L. Fulk, J. Clyde Wilson, Robert C. Huntington, Alan G. Thiele, M. C. Titus, Roger Ernst, Mr. and Mrs. Sam B. Hearn, Fred Kemmeries, William D. Peterson, Mr. and Mrs. Harry Rosenzweig, Mr. and Mrs. John Pritzlaff, Morley Fox, Mr. and Mrs. Frank Middleton, Governor and Mrs. Jack Williams, Mr. and Mrs. Gene Hancock.

Mayor Milt Graham, Mrs. John L. Hogg, Barbara Tejeda, Mr. and Mrs. Denison Kitchel, Ronald Carmichael, Leonard F. McDaniel, Catherine McDaniel, Margaret Ryan, Wayne Earley, Gordon and Ann Marshall, Sister Mary Rose.

Margaret Kleindienst, Mr. and Mrs. P. G. Rosenblatt, Hon. and Mrs. Paul Fannin, Mr. and Mrs. Ralph E. Staggs, Ethel Kogen, Jack Kogen, W. Ken Barnhart, George Wilson, Helen Baughamn, Donna Mognett, William H. Trenholme, Mrs. N. A. Winter, Jr.

Cave Creek

Lenna M. Bradbury.

Carefree

Mr. and Mrs. Charles J. West.

Globe

Jack L. Neal.

Many Farms

Bob Roessel.

Maricopa

Wayne Sprawls, Leona M. Kakar.

Tolleson

Ed Walsh.

Payson

T. L. Meredith.

Marana

Dorothy Wencher.

Window Rock

R. E. Kilgore, Norman H. Breman.

Douglas

Janet R. Demmler.

Nogalis

Mr. and Mrs. Jess Allen.

Prescott

Hon. Sam Steiger.

Sacaton

Loyde A. Allison, Marshall Christy, Alexander Lewis, Sr.

Yuma

Everett Self, Tom Choules.

Springerville

Mr. and Mrs. Dick Udall.

Tucson

George M. Griswold, Evelyn Jay, Don Hammond, Benjamin F. Davis, Marvin Ball, Kenneth E. Story, Keith S. Brown, Caval Farrall, Soleng Tom, Harold R. Archibald, Mr. and Mrs. Walter J. Grace III, Howard M. Morgan, Hon. and Mrs. Morris Udall.

Litchfield Park

Harold Porter, Charis Combs.

Camp Verde

Brad Stewart.

Grand Canyon

Mr. and Mrs. Jack Verkamp.

Glendale

Anne Feichtmeir.

GENERAL LEAVE TO EXTEND

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the President's message just read.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT TODAY DURING GENERAL DEBATE

Mr. BOLLING. Mr. Speaker, on behalf of the gentleman from West Virginia (Mr. STAGGERS), chairman of the Interstate and Foreign Commerce Committee, I ask unanimous consent that that committee may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AUTHORIZING GENERAL SUBCOMMITTEE ON LABOR, COMMITTEE ON EDUCATION AND LABOR, TO STUDY PRODUCTION OF FOREIGN-MADE GOODS AND COAL MINE SAFETY AND HEALTH PRACTICES IN GREAT BRITAIN

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 347 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 347

Resolved, That, notwithstanding the provisions of H. Res. 200, Ninety-first Congress, the General Subcommittee on Labor of the Committee on Education and Labor is authorized to send not more than six members (four majority and two minority), and not more than two staff assistants (one majority and one minority), of such subcommittee to conduct a full and complete investigation and study (1) of the circumstances surrounding the production in foreign nations of goods which are subsequently sold in the United States in competition wtih domestically produced goods, and (2) recent developments in coal mine safety and health practices in Great Britain, with a view to determining the feasibil'ty of adopting such practices in coal mines in the United States.

For the purpose of carrying out this resolution the subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones. All such individual reports shall be filed by the chairman of the Committee on House Administration and shall be open to public inspection.

With the following committee amendments:

On page 1, strike out all after the word "*Resolved,*" and insert in lieu thereof the following language:

"That, notwithstanding the provisions of H. Res. 200, Ninety-first Congress, the General Subcommittee on Labor of the Committee on Education and Labor is authorized to send the chairman and not more than ten other members (six majority and four minority), and not more than two staff assistants (one majority and one minority), of such subcommittee to conduct a full and complete investigation and study of recent developments in coal mine safety and health practices in Great Britain, with a view to determining the"

On page 2, strike out lines 6, 7, and 8, and insert in lieu thereof the following language: "including any Commonwealth or possession thereof, and Great Britain, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and within the United States to require, by subpena".

The committee amendments were agreed to.

The resolution was agreed to.

TITLE AMENDMENTS

The SPEAKER. The Clerk will report the committee amendment to the title.

The Clerk read as follows:

Title amendment: Amend the title so as to read: "A bill to authorize the General Subcommittee on Labor of the Committee on Education and Labor to conduct an investigation and study of new developments in coal mine safety and health practices in Great Britain."

TITLE AMENDMENT OFFERED BY MR. BOLLING

Mr. BOLLING. Mr. Speaker, I offer a technical amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. BOLLING: Change the word "bill" to "resolution."

The SPEAKER. The gentleman from Missouri (Mr. BOLLING), is recognized.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding. I have a question. Can the gentleman from the Committee on Rules, who is handling House Resolution 347, tell us whether there has been a prior appropriation predicated on the authorizing resolution, which passed this House on February 19, an authorizing resolution to the Committee on Education and Labor?

Mr. BOLLING. Mr. Speaker, the gentleman from Missouri will have to reply that he simply does not know. I do not happen to remember whether the Committee on House Administration has reported a funding resolution. My impression on this matter, however, is that any funds expended in this connection would have to come out of funds previously authorized, so there must be some. I just do not happen to know it or the number of the resolution. It is obvious we will not have much counterpart in this situation—at least it is obvious to me—and I would think clearly they would not go anywhere unless they had money appropriated.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's explanation. He has anticipated my followup question. I think it would be of general interest to the Members to know—and I have searched the RECORD and cannot find it—if an actual resolution, an appropriating resolution from funds available to the House has been enacted for the Committee on Education and Labor. I agree with the gentleman from Missouri that this funding, even though it comes from counterpart funds on deposit with other nations overseas, would have to come out of such an appropriation.

Having made that legislative record, my question as to the main source goes unanswered.

My real concern is whether for this mission—which I believe to be worthwhile in view of our recent mine disasters, and I am willing to learn from any source available where countries have had prior and longer experience—the funding is ab initio or whether it is secondary to the other appropriation.

Mr. BOLLING. There are two points I have made. I am very unsure of the ground on this. My one point is that there is virtually funding on these committees that exists under the Reorganization Act, to which the usual resolution from the Committee on House Administration for additional funding is in addition. Presumably some of this will be counterpart. I think it is quite clear that there can be no travel without funds. I doubt if they can even start without the funds, so I think it is relatively clear that authorization is necessary, but funding is also necessary unless it is taken care of by the Reorganization Act provision.

I would be interested as to whether my colleague, the gentleman from Nebraska (Mr. MARTIN), can add any further light. The truth of the matter is that I am handling this resolution for another Member and I cannot say I know the details the gentleman from Missouri asks.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding and for his personal opinion.

The SPEAKER. The question is on the amendment to the title.

The title amendment was agreed to.

The title, as amended, was agreed to.

A motion to reconsider was laid on the table.

MORE SUPPORT FOR MASS TRANSIT

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, today I am reintroducing my urban mass transportation trust fund bill with an additional 29 cosponsors.

I first introduced this bill on February 18 and then again on March 27 with 17 cosponsors. Today's introduction brings the total sponsorship of the bill to 47.

I hope, Mr. Speaker, that the support for this legislation will continue to mount, for our Nation is far behind in meeting a major need of our metropolitan areas: mass transportation. And, this is a need that becomes even greater as we do next to nothing to deal with it.

Mass transportation facilities are expensive to construct, and our municipalities desperately need help in financing them.

Currently, over 70 percent of our population lives in "urban America." And yet, we continue to spend great sums of money on highways and very little on mass transit—and it is efficient mass transit that we need to make our cities livable.

We now spend about $4 billion a year in building highways—and expect to spend a total of $60 billion by 1974 for the entire interstate highway system. On the other hand, we are spending only $175 million a year on mass transportation.

The bill being introduced today authorizes a $10 billion expenditure over the next 4 years on mass transportation capital programs. The trust fund is financed through the existing 7-percent automobile manufacturer's excise tax.

The bill also changes the existing urban mass transportation program's Federal share ratio from two-thirds Federal, one-third local to 90 percent Federal, 10 percent local as the highway program is now funded. If our communities are to have any real choice in deciding whether to build a highway or a mass transit system, they must be given the same degree of Federal assistance for both. I have heard of too many instances in which cities have chosen to build a highway even though their needs call for mass transit because they could get 90 percent Federal funding for the highway and only two-thirds Federal assistance for mass transit—that is if they could get any portion of their mass transportation program approved at all.

I am pleased to note too, Mr. Speaker, that the support for my bill has come from Members of this body representing districts all over the country. Many come from our cities including Baltimore, Chicago, Los Angeles, Cleveland, Detroit, St. Louis, Seattle, Augusta, Milwaukee, San Francisco, Boston, Buffalo, and Minneapolis—as well as New York.

This is also a bipartisan effort, as it should be. There is nothing partisan in our cities' need for mass transportation.

In closing, I should also like to mention that I am forming an action alliance, ZOOMass Transit, to organize the support that exists all over the country for greater mass transportation funding. Interest in this alliance and my bill has been expressed by State and local legislators from all over the country.

INFANT MORTALITY AS A RESULT OF RADIATION FROM NUCLEAR TESTS

(Mr. BINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, there has just come to my attention new information which indicates that 34,000 infants will die in this country this year who might not have died had there been no nuclear tests in the atmosphere, and that since 1951 the same has been true of over 440,000 infant deaths.

This information about the hitherto unknown effects of past radioactive fallout on infant mortality rates is horrible enough in itself. But it has broader implications. It indicates that full scale nuclear war would probably mean the eventual destruction of the human race, just as Nevil Shute suggested years ago in his gruesome novel, "On the Beach."

The information has a great bearing on the current ABM debate. It confirms my feeling that Secretary Laird, in his frantic fear campaign about the possibility of a successful Soviet first strike against our missiles sometimes in the 1970's, is talking dangerous nonsense. In contemplating any such attack on our missile sites, involving more than 1,000 multimegaton explosions on or above the ground, the Soviets would have to take account of the radioactive fallout, not only on the American people, but on countries such as Canada, Cuba, and Mexico—indeed, on all the peoples of the world, including the Russian people themselves.

If this new information is correct, it may well be that a strike of the magnitude Mr. Laird is talking about would, in the long run, be suicidal to the attacker regardless of any counterstrike.

The information I refer to, Mr. Speaker, is contained in a letter to me from Dr. Ernest J. Sternglass, professor of radiation physics at the University of Pittsburgh, and in an article by him which appeared in the April 1969 issue of the Bulletin of the Atomic Scientists. From 1935 to 1950, Dr. Sternglass notes, the infant mortality rate in the United States showed a steady decline, which was paralleled almost exactly in Western Europe. In the early 1950's, infant mortality continued to decline at a constant rate in Europe, but leveled off—that is, failed to improve at the expected pace—in the United States. This trend has been a puzzle to public health officials, particularly since the extent to which the decline in mortality rates has slowed displayed unexplained variations from State to State. Only late in the 1950's did European rates of decline also begin to slow, though not as much as the comparable American rates.

The answer to this puzzle has now been supplied by Dr. Sternglass. He has shown, in his article, a direct correlation between above-ground nuclear testing and higher-than-expected infant mortality. Infant mortality rates leveled off, after the 1945–48 tests, in the States of the Southeastern United States which were in the direct path of fallout borne by prevailing westerly winds and which had sufficient rainfall to precipitate the radioactive debris. Rates leveled off in the Northeastern States with substantial rainfall after tests began in Nevada in 1951 and put them in the path of fallout. The low-rainfall States of the Western United States did not show a leveling off of infant mortality rates until the middle and late 1950's, when stratospheric debris from the large hydrogen weapons tests began to be introduced into the atmosphere. This same source of radioactive debris also affected Western Europe, and can be correlated with the sudden slowdown there in what had been steady improvement in infant mortality rates. Finally, within 2 years after the Limited Test Ban Treaty of 1963, infant mortality rates resumed their decline at about the pace which had prevailed before testing began.

These are not theoretical findings. Between 1951 and 1966, Dr. Sternglass estimates, 375,000 infants died in the United States who might have lived if infant mortality rates had declined as expected. Even though these rates have resumed their decline, they remain well above the level they should have reached had the nuclear setback not intervened. In consequence, 34,000 infants died in 1967 and a like number in 1968. And 34,000 more will die this year, and next year, and the year after, who might otherwise have lived.

As Dr. Sternglass has pointed out in his article, these effects on infant mortality were produced by a handful of weapons of kiloton size which are today classified as "tactical" because of their relatively modest explosive force. With this in mind, he says:

> The full dimensions of the threat to the biological survival of mankind posed by a possible nuclear war become apparent.

In a covering letter sent me by Dr. Sternglass, he outlines with great persuasiveness the applicability of his findings to the current debate over deployment of an ABM system.

Mr. Speaker, I believe Dr. Sternglass' findings should properly be one of the most widely discussed and debated documents of our time. I welcome the news that this material will be aired further at a conference to be convened next month at Hanford, Wash., under the auspices of the Atomic Energy Commission, at which time Soviet scientists are expected to present evidence corroborating the work of their American counterparts. I hope this topic will also become the subject of fuller inquiry by the appropriate committees of this Congress, so that the American people may be fully informed about the price which they have paid—and are paying—for the casual manner in which we have introduced radioactive debris into their lives, and about the implications for the future.

In order that my colleagues may have the opportunity of according Dr. Sternglass' findings the close study they deserve, I am inserting in the RECORD the text of his letter to me and of his recent article.

SCHOOL OF MEDICINE,
UNIVERSITY OF PITTSBURGH,
Pittsburgh, Pa., April 17, 1969.

Hon. JONATHAN B. BINGHAM,
House Office Building,
Washington, D.C.

DEAR MR. BINGHAM: In connection with your efforts to prevent the further escalation of the nuclear arms race through the deployment of Anti-Ballistic-Missile Systems, the enclosed article of mine just published in the April issue of "The Bulletin of the Atomic Scientists" may be of interest to you.

Briefly, the article summarized mounting evidence that fallout from nuclear weapons testing has had a far more serious effect than had been anticipated. The data indicate that it appears to have led to nearly a doubling of the normally expected infant mortality in the United States of 1 to 2% of all children born.

Detailed correlation with radioactivity in the food and milk indicate that it is the unanticipated action of Sr-90 on the reproductive cells in man, in contrast with the expected action on bone, which appears to be responsible for the increases in fetal and infant mortality occurring within a few years after nuclear weapons tests.

The connection with atomic tests is particularly well illustrated by the percent changes of infant mortality relative to the normally expected values for each state in 1946 and 1590, following the detonation of the first small atomic bomb in New Mexico in 1945. A sharp rise of 20 to 30% in the excess infant mortality took place between 1946 and 1950 only in the high rainfall states directly east of New Mexico over which the radioactive cloud from the test passed under the action of the prevailing westerly winds.

The implications for the ABM decision may be briefly summarized as follows:

1. The long-range biological effects of fallout appear to be some 10 to 100 times more serious than anticipated in all past calculations of the effects of various nuclear attacks, so that regardless of whether or not defensive missiles are deployed, any kind of full scale nuclear war now for the first time threatens the extinction of mankind through the death of the children born to the survivors. Thus, no system of anti-missiles can be regarded as effective in "limiting damage" in the event of a nuclear war.

2. The long-range world-wide fallout from a massive first strike supposedly threatened by the Russian missile build-up according to Secretary Melvin Laird would necessarily be so large that it would end the Russian society through its effect on their newborn children just as it would end ours. This would be true even if not a single one of our thousands of bombs should reach Russian soil. Such a threat, being suicidal in nature, therefore loses all credibility. An ABM system would not change this situation since it necessarily merely adds to the total amount of long-lived Strontium–90 that would be added to the atmosphere in the event of a war.

3. The deployment of an ABM system, with many nuclear warheads for each of the many offensive warheads that can now be launched by both sides, would greatly multiply the total amount of fissionable material released if the deterrent should ever fail, thus further sealing the doom of mankind through the effect of still more massive doses of world-wide fallout.

4. The vulnerability of man's reproductive cells, the developing embryo and the infant to doses some hundreds of times smaller than are lethal to the adult man that nuclear bombs appear to be a form of biological weapon which does not need to reach the target it is aimed at in order to be effective. Thus, protection of any populated area by anti-missiles can be easily circumvented by aiming upwind from the target by many tens to hundreds of miles.

5. All attempts to provide a defense, either active or passive, can only lead to an increase in the total amount of weapons required to overcome any real or imagined effects a defense might have, and would therefore increase the long-range biological effects produced by a nuclear war, against which even the most elaborate shelters cannot protect. Thus, since the radioactivity of Strontium–90 only decreases by one-half in 28 years, all sources of food and drink will remain poisoned for many years at levels hundreds to thousands of times those due to peace-time testing, leading to the end of man through fetal or infant deaths in the next generation.

I hope that this material will be of use to you in your fight to end the mad race to destruction that our military have determined to carry to its only possible conclusion,

Sincerely yours,

ERNEST J. STERNGLASS,
Professor of Radiation Physics.

[From the Bulletin of the Atomic Scientists, April 1969]

INFANT MORTALITY AND NUCLEAR TESTS

(By Ernest J. Sternglass)

(NOTE.—Can infant and fetal mortality in the United States be correlated with nuclear weapons tests? Professor Sternglass offers data for a close correlation between a leveling off in the decline of the fetal and infant mortality rates in the high rainfall areas in 1951–52 and the onset of the Nevada nuclear weapons tests in the atmosphere. A similar correlation exists for the onset of hydrogen bomb tests in the Pacific in 1954, according to the data. Professor Sternglass is a member of the Department of Radiology and Division of Radiation Health, University of Pittsburgh.)

Mounting evidence that there exists no threshold below which radiation is incapable of producing somatic and genetic effects in man suggests that especially for the sensitive embryo, fetus and infant, even relatively low-level doses from peacetime fallout may lead to detectable increases in death rates when data on very large population groups are examined.

That such effects on the developing human embryo may in fact be observable was initially suggested by the data on fetal death rates in the Albany-Troy, N.Y. area following the rain-out of radioactive debris from a 43-kiloton test in Nevada in April 1953. Examination of these data shows that the decline of the fetal death rate changed to a much lower slope, within a period of a year or two. It remained at this lower value until 1966 even though the measured external gamma radiation dose to the population was only 0.1 rad over a period of some ten weeks following the rain-out from the passing radioactive dust-cloud. Since this incident was also followed by an increase in childhood leukemia beginning some five years later accompanied by a shift in age distribution toward older age at death known to be characteristic of radiogenic cases, the data appeared to be suggestive of a possible causal connection between the rate of change of the fetal death rate and the arrival of the fallout.

It was therefore of interest to see whether changes in fetal death rate appeared not only in the Albany-Troy area but also in New York State as a whole, and whether subsequent tests are also reflected in changes of the fetal mortality.

In New York State as a whole, the fetal death rate began to deviate from the 1935–50 rate of decline in 1951, the year that atmospheric weapons tests began at the Nevada test-site. The rate of decline slowed from the 1935–50 value, after which the death rate started to change sharply, leveling off at about 23 per 1,000 live births between 1957 and 1963. In 1964, it increased sharply to 27.3 per 1,000 live births, declining somewhat in 1965 and 1966.

In contrast to this anomalous behavior, the fetal death rate for California, which received less fallout from the Nevada test, maintained its steady decline, although a decrease in the rate of decline became evident beginning within two to three years after the onset of hydrogen bomb tests in the Pacific in 1954.

CHARTING THE CONNECTION

In order to see whether the sharp rise in the fetal death rate in New York State might be connected with the accumulated fallout from weapons testing, the excess of the fetal mortality over the value expected if the 1935–50 rate of decline had persisted was plotted against the cumulative Strontium–90 deposited in the New York area.

It is seen that except for the first few years of testing in Nevada when short-lived isotopes rather than the long-lived Strontium–90 were dominant, the fetal death rate follows the same general pattern as the accumulated Strontium-90 on the ground. The two curves show the same decrease in rate of climb coincident with the temoprary stoppage of nuclear testing in 1958 to 1961, and the sharp rise beginning with the large USSR test series in 1961. Two years after the test-ban in 1963, both the fetal death-rate and the radioactivity in the environment once again began to decline.

A similar pattern in the registered fetal death rate or rate of still-births exists in the data for the United States as a whole for all periods of gestation up to nine months. Again, there is a steady rate of decline, which levels off in 1951–52, coincident with the onset of nuclear weapons testing at the Nevada test-site in 1951.

The first actual rise in the fetal death rate occurred in 1954, when the first large hydrogen weapons were tested in the Pacific. A second rise took place in 1961, at the same time as the onset of large megaton weapons by the USSR in that year.

In order to see whether the pattern of infant mortality rates for infants up to one year of age in the United States also shows such an association with nuclear weapons testing, the infant mortality rates for various states, differing in precipitation and therefore fallout accumulation, were also investigated. The results were examined for typical large "wet" metropolitan states known to have received substantial amounts of fallout, together with rural southern states that also have heavy rainfalls and lie to the east of the New Mexico and Nevada test-sites, as well as "dry" rural states in the West, largely free from New Mexico and Nevada fallout due to the low rainfall and the direction of the prevailing westerly winds at high altitudes.

The expected synchronous onset of change occurred in infant mortality rates for all four Northern metropolitan "wet" states in 1951, the same year that atmospheric tests in Nevada were begun.

The rural "wet" states of the Southeast show a generally similar pattern, but with indications of a leveling trend setting in somewhat earlier, or within one to two years after the first relatively "dirty" surface A-test in New Mexico in 1945. This detonation was followed by a series of five relatively "dirty" surface tests in the Pacific in 1946 and 1948, all of which occurred in the southern latitudes (11°N). As a result, the narrow belt of tropospheric radioactivity, typically 30° wide, reached primarily the southern part of the United States (25–35°N), where it came down in rough proportion to the annual rainfall.

CONDITION IN WEST

As expected, the "dry" rural states of the West, especially New Mexico which lies to the south of Nevada, do not show this leveling of the mortality rates either after the first tests in 1945–48 or in 1951. Instead, the rates continue to decline steadily and only when the stratospheric debris from the large hydrogen weapons tests begins to be introduced into the atmosphere does one see a leveling-off, beginning first in the mountain states of Idaho, and Colorado in 1954, and later in Wyoming and New Mexico in 1958.

The data on infant mortality for the United States as a whole show a pattern similar to that for fetal mortality, with a strong leveling trend evident by the early 50's, after a steady decline that had persisted since the beginning of the century. That no "natural lower limit" had been reached in the attainable rate is proven by the fact that within two years following the test-ban of 1963, the infant mortality rate resumed its decline at a rate approaching that prevailing prior to the onset of large-scale atmospheric testing.

The nonexistence of a natural plateau of 20 to 25 per 1,000 live births is further substantiated by the fact that in six European countries with advanced medical care comparable to that in the United States, the infant mortality continued downward so that the rates in all these countries fell below that of the United States by 1964, despite a leveling trend in these countries that began in the late 50's with the onset of large hydrogen weapons testing by the United States, the United Kingdom and the U.S.S.R.

The lowest value, that for Sweden, reached 14.2 by 1964, when the U.S. rate was still 24.8 per 1,000 live births. Such a rate represents an excess of 75 per cent relative to that for Sweden, and an excess of 60 per cent relative to the expected U.S. rate of 15.5 had the infant mortality continued to decline at the 1935 to 1950 rate of decrease when the decline closely paralleled that for Sweden.

High radiation sensitivity of the fetus and infant have been determined both from animal studies and the effect of X-rays in man. This sensitivity results from the rapid cell division and organ formation characteristic of the early phases of development. It is therefore to be expected that the first serious effects of fallout would appear in the fetus and young infant, for which existing measurements show very much higher organ and skeletal doses than for the adult.

GENETIC DAMAGE

It has also been observed (in a study by K. G. Luning and his coworkers in Sweden, published in 1963) that Strontium-90, aside from concentrating in the bone, also appears to produce genetic damage, which expresses itself in excess fetal deaths when injected into the male parent animal prior to reproduction. Furthermore, the doubling dose for chromosomal damage to human cells may be as low as 1 rad (as recently discussed by J. V. Neel). This is consistent with recent evidence for an increase in childhood leukemia many years after the irradiation of either parent at diagnostic X-ray levels (observed in a study carried out by S. Graham and his co-investigators at Roswell Park Memorial Institute). These findings suggest that both excess fetal and infant deaths are primarily due to chromosomal damage produced just prior to conception or in the earliest phases of development. No other explanation of the decrease in the rate of decline for infant mortality in the United States, as compared to other countries of equally low mortality rates, has so far been found.

Public health organizations have made a world-wide effort to understand the origin of this disturbing trend that has by now started to affect the entire world. As it was put in a recent book devoted to this problem by S. Shapiro, E. R. Schlesinger and R. E. L. Nesbitt, Jr.: "Why is it that during the 1950's and early 1960's, years of great economic advancement and expanding allocation of economic resources to medical care, the infant mortality rate decreased only moderately? Contrasting economic and medical care advances in this period with what happened to the infant mortality rate poses a difficult paradox."

There is accordingly strong evidence in the correlation of excesses in the infant and fetal death rate with nuclear testing. The human ova, sperm and fetus may be considerably more sensitive to internal radiation from certain radioisotopes than had been expected on the basis of animal experiments or observations on children irradiated in the course of diagnostic X-ray examinations of the mother prior to or during pregnancy. The estimated number of excess infant deaths since 1951 reached a total of 375,000 by 1966 in the United States alone and has continued at a rate close to 34,000 per year—this despite a gradual decline of the death rate beginning with the test ban in 1963. The serious dimensions of the world-wide infant mortality problem are thus apparent, suggesting the need for a major, international effort to test in detail the various consequences implied by the hypothesis that nuclear fallout may have played a significant role in this and other important changes in mortality trends all over the globe.

In view of the evidence of an association between nuclear testing and the increase of fetal and infant mortality in the United States, an association which appears to be of a direct causal nature, the need to end all further atmospheric weapons testing and to halt all shallow underground cratering tests that permit escape of radioactive material into the environment is of paramount urgency.

Since significant changes in the rates of fetal and infant mortality seem to have been produced as the result of tests in 1945–54 involving only a handful of kiloton weapons now classified as "tactical" in size, the full dimensions of the threat to the biological survival of mankind posed by a possible nuclear war become apparent.

Mr. BLACKBURN. Mr. Speaker, will the gentleman yield?

Mr. BINGHAM. I yield to the gentleman from Georgia.

Mr. BLACKBURN. In view of what is happening, do we not want to sprinkle some of our defense mechanisms around the universities today?

SOFTWOOD LUMBER AND PLYWOOD

(Mr. STEPHENS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. STEPHENS. Mr. Speaker, just prior to the Easter recess, the House Banking and Currency Committee on which I serve, conducted hearings designed to determine the causes of high softwood lumber and plywood prices and their unavailability.

Softwood lumber and plywood are basic to the interests of my rural constituents because they grow timber and manufacture these products. They are basic to the interests of my urban constituents because they represent the best possible material for meeting the housing requirements in our growing cities where adequate dwellings are in short supply.

The hearings revealed that the most practical means to increase softwood supply and reduce costs over the long run is to insist upon better management of Federal forest lands. These lands, nationwide, contain 60 percent of the country's softwood timber inventory. But they provide less than one-third of the timber currently processed. Private industrial lands, on the other hand, contain only 18 percent of the softwood timber inventory but match the timber yield of the Federal lands.

The reason for this discrepancy is directly traceable to better industrial management of forest lands, reinvestment of profits in growing stock and crop development, and the incentive tc obtain maximum wood fiber from every acre.

The significance of this serious deficiency in Federal forest management has been recognized in the National Timber Supply Act introduced by the distinguished gentleman from South Carolina who is chairman of the Forestry Subcommittee of the Agriculture Committee. I applaud his action and have cosponsored an identical bill with Mr. ASHLEY, of Ohio.

I have long been aware of the benefits which can accrue to the Nation through the proper management of its vast forest lands.

The pioneering effort in this regard was introduced to Federal forest management as long ago as 1960 by Georgia's senior Senator, Senator RUSSELL. He demonstrated superior foresight at that time by devising the means for the Department of Defense and its several military departments to realize the potentials of the considerable acreages of forest lands on its various training areas. It had developed that in 1960 military timber sales in Georgia were drastically curtailed due to lack of appropriations and a resulting shortage of necessary manpower.

In response to this need, Senator RUSSELL worked with the Department of Defense to develop a feasible method of funding its forestry activities so that the people in areas surrounding military establishments would not be denied the timber raw material so necessary to their local economies and so that the military forests would not decline in value and productivity through neglect.

He established the concept of a revolving fund for military timber sale receipts so that dollars generated by forestry on military lands could be returned for further improvement of those forest lands. This concept was established in the military appropriations bill of 1961 and has worked with telling effect since.

The concept of this little-known legislation is simple. It permits the Department of Defense to use a portion of its timber sale receipts to offset forest management costs, with any excess going to the U.S. Treasury as miscellaneous receipts. At the same time it represents one of the most significant pieces of conservation legislation in our Nation's history since it has resulted in the development not only of magnificent, productive forests throughout the United States where military bases and training areas are situated, but it has enhanced the outdoor recreation facilities for those communities nearby and our men in the Armed Forces and their families. I cannot praise too highly the contribution the distinguished senior Senator from Georgia has made to the public interest in this matter. It is noteworthy that the plan proposed in the National Timber Supply Act which we cosponsored embraces the identical principle.

The Department of Defense has approximately 2,416,000 acres of commercial timberland under intensive management. One and one-half million acres are administered by the Army, 309,000 by the Navy, and 607,000 by the Air Force.

The following table shows the vastly improved forest management made by the Army alone during the 7-year periods before and after 1961, when the aforementioned authorization act was passed, providing assured funding:

	1955–61	1962–68
Managed forest (acres)	1, 165, 000	1, 500, 000
Timber harvest (board feet)	538, 000, 000	1, 279, 000, 000
Income	$10, 568, 000	$26, 781, 000
Project costs	$5, 950, 000	$15, 591, 000

At the present time, the Army's level of annual income exceeds $4,500,000 and current forest management accomplishments are at the following annual levels:

Tree planting (acres)	12, 000
Prescribed burning (acres)	193, 000
Timber stand improvement (acres)	17, 600
Road and trail construction (miles)	1, 608
Road and trail maintenance	5, 731

I am pleased to note that the Army's excellent forestry program embraces five posts in Georgia, including Fort Gordon in my district. In fact, the 440,000 acres of forest managed in Georgia by the Army constitute nearly one-third of its total. These forested acres during the past 7 years have yielded 620 million board feet of timber and $13.2 million in income against $4.2 million invested.

Another indication of the payoff that now is being realized by the Army's intensive forestry effort is the fact that they expect to increase their harvest 7 percent annually for the next 20 years. Another point of interest is that on the 425,000 acres of commercial timberland on three Georgia installations, total sales in the past 7 years have generated $13 million in income, yet the inventory of standing timber has risen 227 million board feet in the same period. This is having your cake and eating it, too.

The Air Force and Navy forestry programs are not as far advanced as the Army's, but they, too, are starting to show substantial improvement since the 1961 authorization act.

The Air Force manages 607,000 acres on 25 bases, compared to 460,000 acres on only three bases between 1955 and 1961. Reforestation covered 2,420 acres in 1961 and 7,750 acres last year. In total, the Air Force has reforested 38,728 acres since 1960. Other forest management activities accomplished during 1968 include timber stand improvement on 2,372 acres; firebreaks built, 282 miles; firebreaks maintained, 1,952 miles; prescribed burning, 86,840 acres; roads constructed, 40 miles and roads maintained, 1,493.

The Navy's program covers 309,000 acres on 80 bases and the level of management tripled since 1961. The current annual allowable cut is 30 million board feet, compared to an estimated 10 million board feet annually in the 7 years prior to 1961. Since then, the Navy has completed 20 insect control projects, 10 erosion control projects, developed 359 separate management plans and completed 547 individual contracts.

The importance of sustained funding to sustained forest yields is a basic tenet followed by private forest industry companies too. Major firms operating in my own district aggressively conduct their forest management programs regardless of ups and downs in the market place. By keeping every acre productive they assure the eventual return of their investment in the land.

When one considers that growing a crop of trees to maturity takes anywhere from 25 to 100 years, it is apparent that long-term assured funding is vital to attaining maximum forest yields. Application of this tested principle for forest management to the millions of acres of national forests could return untold benefits forever to the American people in terms of materials, recreation opportunities, and dollars.

The hearings conducted prior to the Easter recess clearly revealed the need for increasing timber harvest on public lands to meet the housing goals which are already upon us. During those hearings I examined several qualified witnesses as to how Senator RUSSELL's effective military management plan could be applied to other Federal agencies.

The application will require legislation and it will require careful observance by the Congress to make certain that the potential benefits are being realized.

I am persuaded that both of these elements are present in the National Timber Supply Act introduced by me and my colleague who serves with me on the Housing Subcommittee of the Committee on Banking and Currency. I will work vigorously to win total support of the Congress for this sound approach not only to the solution of our national housing goals but to the maximum realization of our forest potential in the interest of all the people.

I commend the gentleman from Ohio and the others in this body for adopting the worthy concept of the distinguished Senator from my home State.

THE ST. LAWRENCE SEAWAY FACES BANKRUPTCY

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PUCINSKI. Mr. Speaker, the St. Lawrence Seaway—the fourth seacoast of our country—is dangerously close to going bankrupt.

This is the conclusion of a Department of Transportation report and an audit by the Comptroller General's Office, as well as any one who studies the financial problems facing the seaway.

The Department of Transportation is now considering a 20- to 40-percent increase in toll rates.

That is why I hope that the Public Works Committee will be holding hearings on my bill, H.R. 9877, to restructure the financial makeup of the St. Lawrence Seaway Development Corporation.

Mr. Speaker, the seaway's debt now stands at $146.7 million. My legislation will convert this indebtedness into a permanent U.S. investment. The Corporation would pay the Government a fair dividend return on its investment at the interest rate at which the Corporation is now paying the Treasury.

The seaway is the only federally supported waterway required to be self-sustaining and fully amortized through commercial earnings. My bill is not a Federal subsidy of the seaway although many competing transportation systems do receive subsidies. It will relieve the financial strain on the seaway by eliminating the necessary or repayment of the debt in 40 years. Yet, the U.S. Government will be assured of a greater return on its investment in the long run.

The Comptroller General's audit showed that 1967 revenues for the seaway totaled $6.1 million. Expenses, including interest payments, amounted to $8.8 million—a deficit of $2.7 million. The Transportation Department projects that the deficit for 1980 will be even larger—$3.1 million, despite an anticipated increase in traffic.

It is clear, then, that the seaway will not be able to reduce its debt and, in fact, the debt could increase due to interest payments being deferred.

However, a toll increase is not the answer to the problems of the seaway. We must find alternative financing for it and my bill offers such an alternative.

Government reports project that the amount of seaway traffic will increase only 10 percent by 1980. The seaway must attract a greater amount of traffic.

Many of the major port cities are now attempting to bring in this additional traffic by modernizing their facilities.

For example, Chicago is making every effort to increase security at its port facilities to combat pilferage which, some reports indicate, has driven traffic out of the Chicago area.

Additional traffic can be brought into the system with an extension of the shipping season. Now the seaway is open about 8 months a year. We have the technical know-how to break up the ice along the seaway and there is no question that a shipping season of 10 months will substantially increase revenues.

Mr. Speaker, the dismal economic forecast for the seaway is due, in large measure, to the projection that general cargo will drop 25 percent by 1980.

While bulk cargo, such as iron ore and wheat, have provided the greatest tonnage, general cargo is the major revenue producer.

General cargo has the greatest economic impact on the port cities also. In Chicago, each ton of bulk commodities, such as iron ore and wheat, adds $7 to $9 to the city's economy; each ton of general cargo adds $24 to $26.

The trend in shipping today is toward containerization. In order to effectively compete, the seaway's major ports must improve their handling facilities.

My legislation will place the seaway in an improved financial position to attract and handle additional traffic. By assuring the cities of the economic soundness of the seaway, the cities will be given the added impetus to expand and improve their port facilities.

The shippers, in turn, will not be faced with a toll increase and will continue to use the seaway. Many shippers, not presently using the seaway, will be drawn to it by its steady rates and improved facilities.

A RESOLUTION TO CHANGE THE TERRITORIAL LIMITS OF THE UNITED STATES

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, with increasing frequency other maritime nations have abused the use of international waters under the guise of territorial sovereignty which extends seaward to unrealistic distances.

The most offensive instance is the case of Peru which claims that its territorial and fishing limits extend some 200 miles seaward, and which has acted on that claim with violence.

On March 19, 1969, the U.S. tuna fishing vessels *San Juan* and *Cape Ann* were seized by a Peruvian gunboat while fishing approximately 23 miles off the coast of that Central American nation. This distance is 11 miles beyond the internationally recognized 12-mile limit for fishing rights, a distance claimed by the majority of maritime nations including the United States and Russia.

On February 14 of this year, a Peruvian warship fired upon the same *San Juan* causing an estimated $50,000 damage to the vessel.

Now, Peru is not alone in the position she takes with respect to her fishing and territorial limits. Chile and Ecuador also claim the 200 mile limit.

These three nations have accounted for more than 80 seizures of U.S. fishing vessels since 1961.

These acts are grave, the costs are great, and lives have been endangered.

But, moreover, these acts point up a weakness in our foreign policy, a weakness which I believe can be strengthened initially by changing the territorial limits of the United States.

The joint resolution which I am introducing today would provide for a policy of reciprocity in our territorial waters.

The United States would continue to maintain a minimum 3-mile territorial limit and a 12-mile fishing limit.

But, this resolution would permit the United States to be flexible and to adopt a territorial limit equal to that of another nation when another nation claims a greater distance, as in the case of Peru.

It is a sad commentary on the abilities of maritime nations to adhere to uniformity with respect to the rights of other maritime nations, yet the latest figures indicate that only 29 of 98 maritime nations of the world now observe the traditional 3-mile territorial limit.

Russia and other Communist nations claim a 12-mile territorial limit, equal to their claimed fishing limit.

Indeed, the *Pueblo* tragedy points up the fact that even the 12-mile limit will not be respected by at least one Communist nation when it feels it can exceed that limit without fear of reprisal.

In addition, Mr. Speaker, this resolution would add strength and support to the Hickenlooper amendment which requires that U.S. aid be stopped to any nation which seizes American property and for which no settlement is made within 6 months. It would give a negotiator in such a situation a stronger position from which to bargain.

I believe that our foreign policy is in dire need of backbone, and I believe that this resolution will contribute to that end.

THE PROGRAM INFORMATION ACT

(Mr. ROTH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. ROTH. Mr. Speaker, this January 16, while introducing the Program Information Act, H.R. 338, I rose on the floor of the House to issue a call to action—a call to action by the Members of the House and of the other body, and to the membership of the appropriate committees and subcommittees into whose jurisdiction this bill has now passed.

A recent event makes the need for this bill all the more acute; namely, the publication of the Catalog of Federal Domestic Assistance. This third comprehensive OEO catalog is no better than the previous effort, the second OEO catalog.

The new catalog, compiled for the Executice Office of the President by the Office of Economic Opportunity, was released about 2 years after the second one, the OEO Catalog of Federal Assistance Programs, and is the product of much deliberation by the executive branch—a BOB task force representing 12 Federal agencies, BOB Circular A–89, OEO Instructions 1800-1, and much concerted effort by many hard-working persons. Because they did not come to grips with essential issues, the resulting catalog is inadequate and, in fact, a failure.

Meaningful information is the open sesame to Federal assistance programs. The lack of such information handicaps everyone, but especially those in greatest need. It is evident that one cannot apply for Federal assistance without knowledge of what aid is available. For that reason, the Federal Government has a moral responsibility to supply complete information on its Federal assistance programs to all of its citizens, and not simply a privileged few.

I regret to inform the House that the Federal Government has again failed to discharge this basic responsibility. The new 1969 OEO catalog of Federal domestic assistance does not represent any major breakthrough of the bureaucratic screen surrounding Federal assistance. It is essentially a rehash of the 1967 version.

The OEO catalog fails in these particulars:

First. A program is not defined precisely. How can 150 different departments and agencies gather information and follow uniform procedures if they do not know what they are looking for?

Second. Programs are omitted or grouped in a general, meaningless way. It is impossible for the layman to understand what type of Federal assistance is available even after studying the entire book, line by line, page by page.

Third. The definition of program is not consistent with that used in other Federal information services or brochures. The result?—different agencies end up working at cross-purposes.

Fourth. The catalog does not uniformly supply the basic and essential Federal program information elements needed by local officials, such as: First, the eligibility requirements of a particular program; second, the average time necessary for processing an application; third, the deadline for filing an application; fourth, the reporting and evaluation requirements imposed on the recipient; and fifth, other obligations—all the strings attached—assumed by the recipient of Federal assistance.

Fifth. The catalog does not tell those seeking aid how much money is available. How can someone plan a program intelligently without dollars-and-cents figures?

Sixth. No effort is made to cross-reference related programs, except through a very inadequate index. Again, those with a particular area of need have to scour the entire 551 pages.

Seventh. No effort is made to keep the catalog up to date as to changes in programs, including additions and deletions.

The inadequacies of the new catalog are not surprising, since it is based on BOB Circular A-89, the deficiencies of which I pointed out on the House floor last October 11—1968. I stated then that the circular, the 12-month work product of a special Bureau of the Budget task force representing 12 different agencies, failed to make hard decisions on specifics. It did not offer an adequate definition of a program; it too often represented a compromise of the agencies, who were fearful that full disclosure of programs would result in the elimination or reorganization of Federal programs; and it failed to give careful consideration to what local officials, who use the catalog, need to know.

The one lesson to be learned from the new Federal catalog is that the bureaucracy itself cannot be relied upon to raise its bureaucratic screen shielding Federal programs. The shield must be raised by Congress. Congress must adopt legislation requiring the executive branch of the Government to publish full and meaningful information on all Federal assistance programs.

For those of you who may have any lingering doubt as to the desirability of adequate program information, I challenge you to contact any State, county, or local official, or others who seek Federal aid and assistance, and discuss with them the present system—the ease and facility with which they obtain adequate program information. You will find that the system needs to be improved.

To demonstrate the need, let us examine each of the charges I listed before.

First. The lack of a program definition results in the omission of programs or permits the grouping of them in such a general way that it is impossible to understand what type of Federal assistance is available.

Representatives of the Bureau of the Budget have very candidly admitted to me that no effort was made in BOB Circular A-89 to define a program except in a most general way.

There are so many programs of such a diversified and complex nature that development of an adequate definition is difficult, but for practical purposes some definition is better than none at all. I believe a program needs to be described so that it reflects one coherent activity. An applicant must know where to go and who to see to obtain a specific benefit. A local official must know what the Federal Government is supplying for each activity. The Program Information Act gives this comprehensive definition of a program: "any program providing Federal benefits, regardless of whether it is identified as a separate program by law or by any administering agency, which can be differentiated from any other such program on the basis of its legal authority, its administering office, its specific purpose, the specific benefits it provides, or the specific qualifications of its beneficiaries."

The failure to define a program has serious consequences. If an agency can define for itself what is or is not a program, an agency can omit programs on the grounds they do not fit the definition.

The new OEO catalog still does not include all Federal assistance programs. It omits Project Themis, a DOD program, funded at over $25 million, providing money to universities. Furthermore, if the new catalog is going to list AEC's "Nuclear Science and Technology Research and Development" at page 434, it should also list the activities of the Advanced Research Projects Agency in the Department of Defense, which provides large amounts of funds for fairly diversified research. Or, if the new catalog is going to list the Library of Congress "Research and Referral Services in Science and Technology" at page 467, it should also logically refer to the Oceanographic Sorting Center in the Smithsonian Institution. And, if the new catalog is going to mention the Special Foreign Currency Program of the Smithsonian Institution at page 517, it should refer as well to similar programs potentially benefiting Americans in the National Institutes of Health, and the Department of Commerce, which are only a few of the agencies that utilize the Public Law 480 "excess" funds.

Obviously, inconsistency between agencies and departments as to what constitutes a program can only be confusing to the user of the catalog and can often lead to unwise decisions as to which program best fits a given need.

Equally as important is the fact that the list of programs presented in the new catalog is, in many cases, so general as to be meaningless. The result is that program groupings shed very little light on what assistance is available. For example, under the new program heading on page 122, "Educationally Deprived Children," the catalog lumps together educational aids for delinquent children, for children of the poor, and for migratory children, as well as a small health program. A migratory child has problems different from those of a delinquent one; a health program and an education program are two activities, not one.

Because the new catalog lists several programs under one "program" heading, it can only refer to them by title, describing none in detail. The "programs" presented on pages 89, 473-474, 476-480, and 483-485 of the new catalog are little more than lists of titles. I quote from page 89 of the new catalog, under "Civil Defense":

> The Federal Government: (1) surveys all structures to designate space as shelters from radioactive fallout, (2) provides funds for developing community shelter plans, (3) procures and distributes radiation monitoring instruments, food, medicine, and sanitation items, (4) matches funds for personnel and administrative expenses, emergency operating centers, survival supplies and equipment, and training, (5) provides adult education and guidance as well as special training in workshops, universities, and the Civil Defense Staff College for architects, engineers, city planners, and state and local officials, (6) provide attack warning, (7) donates surplus personal property such as vehicles, pumps, generators, and fire fighting equipment, and (8) loans engineering stockpile equipment (pumps, generators) for use in disasters such as floods or droughts.

I list all the civil defense programs in our listing of programs—House Document 399, 90th Congress, Listing of Operating Federal Assistance Programs Compiled During the Roth Study—at Nos. 12.5-12.15 and 12.17-12.21. Instead of lumping them together by title, I describe each of them as a separate program in my catalog.

Second. The OEO Catalog fails to set forth clearly the eligibility requirements for a particular program.

When so many programs are summarized under one heading, as they are in the new OEO Catalog, it is impossible to give precise eligibility criteria for each program individually. When the eligibility requirements are summarized for each program into a very generalized statement, the resulting description of eligibility is meaningless.

For example, I would like to quote from the program listed in the new OEO Catalog at page 79, "Shipping and Shipbuilding Assistance."

> Any United States citizen may apply for these government aids. Aid is contingent upon applicant's compliance with stipulations of the Merchant Marine Act, 1936, as amended, and the implementing regulations of the Maritime Administration.

All this says is that to be eligible, one must be eligible. To compare this description, I would refer you to the eligibility requirements given in our listing for the two programs described above. Quoting our No. 6.27:

> Section 601(a) of the Act provides, in effect, that in addition to the applicant being a U.S. citizen, the Maritime Subsidy Board must determine that the proposed operation is required to meet foreign-flag competition and to promote the foreign commerce of the United States; that the applicant for subsidy can supply the proper ships and possesses the necessary qualifications to enable him to conduct the proposed operations in the prescribed manner; that the granting of the subsidy applied for is necessary to place the proposed operations of the vessels on a parity with those of foreign competitors, and is reasonably calculated to carry out effectively the purposes and policy of the Act.

Or, for example, the new OEO Catalog lists "Nuclear Education and Training," at page 433. This one program description is actually a summary description of at least 11 different operating programs, providing no specific information about any of the 11. I quote the first two paragraphs from page 433 of the new OEO Catalog:

> Through fellowships, traineeships, loans of nuclear material, equipment grants, and other financial support, the Atomic Energy Commission (AEC) encourages promising graduate students and research scientists to pursue careers in nuclear science, nuclear engineering, and health physics, and assist the nation's educational institutions to train the specialized personnel required in growing number to meet the expanding needs of nuclear science and industry.
>
> Opportunities are available to colleges and universities to obtain nuclear training equipment, materials, and services; traineeships to strengthen their capability for graduate teaching and research; and financial support for faculty training institutes for instruction of high school or college faculty. Individuals for whom assistance is available include graduate students, research scientists, and science faculty members of high schools and colleges.

In contrast, the following are the titles of those programs from our listing of programs, the programs this one description above attempts to summarize:

No. 14.1: Nuclear Material and Services—Loans and Grants.

No. 14.2: Nuclear Training Equipment Grants.

No. 14.3: Faculty Training Institutes for High School Science Teachers.

No. 14.4: Faculty Training Institutes for College Science Teachers.

No. 14.5: AEC Special Fellowships in Nuclear Science and Engineering.

No. 14.6: Traineeships for Graduate Students in Nuclear Science and Engineering.

No. 14.7: AEC Special Fellowships in Industrial Medicine.

No. 14.8: AEC Special Fellowships in Health Physics.

No. 14.9: Laboratory Graduate Fellowships.

No. 14.10: AEC Postdoctoral Fellowships.

No. 14.14: AEC Summer College Intern Program.

Because the OEO program description summarizes all 11 operations, it is not able to provide specific information about any of them. Compare this with my catalog. One of these 11 programs, for instance, No. 14.7, "AEC Special Fellowships in Industrial Medicine," provides the following information under Eligibility:

> Physicians with M.D. degree and one year of internship.

These nine words, so simple to provide, indicate something: who should apply, and almost more important, who should not apply. In contrast, the nine-line paragraph called "Who Can Apply and How to Apply" on page 433 of the OEO catalog does not give such specific indications of who is eligible and who is not eligible. I quote:

> Colleges and universities may apply for (1) financial assistance to conduct Faculty Training Institutes (supported jointly by AEC and National Science Foundation), (2) grants on a 50–50 matching basis to procure nuclear training equipment, (3) loans of materials related to nuclear technology, or financial assistance to procure such materials and related services, and (4) financial support for traineeship programs. Graduate students who are U.S. citizens may apply for fellowships and traineeships for university study or thesis research at an AEC laboratory. High school and college science teachers may apply to a sponsoring university to participate in a Faculty Training Institute. College and university faculty and students may apply to AEC laboratories for research participation or summer student trainee appointments.

In addition to its general listing of who may be eligible for assistance instead of providing precise eligibility requirements, the new OEO catalog does not set forth the precise criteria agencies use for selecting the recipient. It is not enough to state, for example, that hospitals both public and private may apply for aid under a particular program. The hospital administrator needs to know what factors will be evaluated in deciding which institution is to receive assistance.

Compare, for example, the description in our listing of the program for "Industrial Development Loans," under the Economic Development Administration in the Department of Commerce, with the description in the new OEO catalog. The new OEO catalog, at page 72, states that certain companies are eligible if they are performing certain activities. I quote:

> Private businesses are eligible if they are starting new plants or expanding existing facilities in redevelopment areas and/or Economic Development Centers. Local development companies are eligible if they are constructing plants for lease to new or expanding firms that will create permanent new jobs. The project must not be a relocation and the funds must not be available from other sources on terms that would allow the applicant to carry out the project.

Our listing of programs—for program No. 6.51—gives this for Eligibility:

> Businessmen, public agencies, Indian tribes and local development groups located in EDA-designated areas and that have been approved by an agency of the State or political subdivision directly concerned with economic development.
>
> A listing of all EDA-designated areas is available at EDA Area Offices.

More important, our listing of programs, under Assistance Prerequisites lists the criteria which will be used in deciding whether to approve the loan application. I quote:

> In addition to the conditions that an applicant must be located in an EDA-designated area and may not borrow to relocate his business, EDA requires that: A. The requested funds not be obtainable from other sources on terms that will permit the accomplishment of the project; B. The project not be in an industry experiencing a long-run overcapacity situation; C. There be reasonable assurance of loan repayment; D. The project be consistent with the EDA-approved Overall Economic Development Program (OEDP) for the area; and E. The project construction contractors pay prevailing wages to meet requirements of the Davis-Bacon Act.
>
> EDA also requires that at least 15% of the total eligible project cost be supplied as equity capital or as a subordinated loan, repayable in no shorter period of time and at no faster amortization rate than the EDA loan.
>
> At least ⅓ of the 15% is to be supplied by the State or a community or area organization. There is an exception for projects involving financial participation by Indian tribes.
>
> EDA may also waive the "5% community requirement" in certain hardship cases and allow the applicant or other non-Federal sources to supply the funds directly to the project.
>
> To stimulate investment by private lenders, EDA encourages the applicant to borrow as much as possible of the project cost, above the first 15%, from private lending institutions. Such loans may be repaid before the Federal loan and may be secured by a lien having precedence over the Federal lien, if EDA determines it necessary for the project.

Not only does this description indicate who is eligible, but it also provides the priorities under which the program is conducted which would favor particular applications or classes of applicants. Not only are the contestants indicated in this competition for funds; but also the groundrules are indicated which tell how the winner will be chosen.

Third. The catalog fails to supply Federal deadlines and processing times.

One of the most critical problems facing a local administrator is coordinating the requirements of the Federal Government with those of State and local authorities. Our catalog lists filing deadlines as well as the average time for processing an application. This information is important: there is no purpose in proceeding with plans to apply for Federal aid in a particular year if the deadline has already passed. There is no purpose in proceeding with plans to apply for Federal aid if the Federal and State or local time requirements cannot be meshed in a satisfactory manner. Despite the obvious desirability of this information, OEO makes no effort to incorporate it. This information can be supplied in many instances—our catalog makes specific provisions both for application deadlines and approval/disapproval time. While questionnaires for these sections of our catalog were not answered by the agencies in every instance, in many cases they were. Additional answers could be obtained if one were in a position—as Congress is—to require it.

Fourth. The catalog fails to set forth the obligations of the recipient.

A bulletin from the National Association of County Officials correctly points out that Federal money is not "free money" but often imposes heavy obligations on the recipient. Sometimes these obligations are merely reporting and evaluation requirements. Often they require matching funds. In some cases, Federal funds are only available for establishing the program; the local governmental unit is obligated to pick up the tab from there. In other cases the Federal program requires the creation of very expensive and detailed plans to become eligible for assistance. Unfortunately, one of the most serious deficiencies of the OEO catalog is its failure to make any effort to describe the obligations. This is purely public relations gimmickry. Tell the good but conceal the bad.

Unfortunately too, local officials often do not realize all the strings and obligations that go with Federal aid, because these facts are omitted from the catalog. A brief résumé of the program requirements could really help the local officials decide whether or not they have any interest in a particular program. For example, my catalog includes the following items of information: "Use Restrictions" on the aid received, "Assistance Prerequisites" necessary before one can receive program benefits and the "Post-Grant Requirements" for receiving any aid.

Fifth. No funding information is supplied.

The local planner needs basic funding data, such as authorization appropriations, regional allocations, and remaining funds available. Inadequate information as to funding only raises false hopes back home. Here again, the OEO catalog makes no effort to incorporate such vital information. The Midwest Research Institute study of Federal aid programs lists this type of information as among the most needed, but often the most difficult to obtain. This need has also been emphasized by Charles L. Schultze, the former Director of the Bureau of the Budget, who stated that State and local governments "need fiscal information—how much money is available under both formula and direct project grants, and for what periods."

At this very moment, the Federal Information Exchange System is compiling money figures, but publishing them in different volumes, using a list of programs incompatible with the list in the new catalog. This is unfortunate. The catalog and the FIXS should describe the same programs, in providing the money figures that will, by law, go to the Governors and legislatures in the various States. The recently passed "Intergovernmental Cooperation Act of 1968," Public Law 90–577, in section 201, requires the various Federal agencies, on request of a State Governor or legislature, to notify them "of the purpose and amounts of actual grants-in-aid to the State or to its political subdivisions." It is inexcusable that such money figures are not provided in one coordinated information system. The catalog and the FIXS should describe the same programs, and provide the funding information being supplied under Public Law 90–577 to the States.

Sixth. Cross-referencing of programs.

One of the most significant pieces of information to be provided local authorities is information on programs involving the same area of activity. A college administrator should be able to turn to the catalog and readily find all programs providing scholarship aid. Otherwise he may fail to apply for the program best suited to his school. Yet, the OEO again fails to provide this information, except through an inadequate index.

There are several reasons for these deficiencies. First, OEO did not request the agencies to supply information as to related programs. Second, even if it had, many agencies do not have information on related programs. In developing our catalog we required the naming of related programs. As a quick survey of my catalog shows, many agencies failed to answer this inquiry. We were frankly told by some civil servants that this information was not available to them. Undoubtedly some program managers failed to respond as they feared disclosing to Congress needless duplication or overlapping.

The importance of this information is underscored by the June, 1968, issue of American County Government:

> One question which often arises concerns what program among the four or five designed to meet the same need is most appropriate for a particular county. Sometimes federal field personnel are not informed completely about newer programs within their own areas of concern. Federal departments and agencies still have difficulty relating similar programs to each other or to the scores of different comprehensive and functional planning requirements. Each individual grant-in-aid program has its own set of special requirements, separate authorizations, and appropriations, cost-sharing ratios, allocation formulas, administrative arrangements, financial procedures, and reporting requirements.

In fact, the new OEO Catalog omits the elaborate indexes that were in its previous catalog, and the index that remains is a 16-page, generalized subject-matter index of little use, characterized by generality and lack of coherent precision. Assume for a moment that a potential applicant were interested in programs related to historic sites, monuments and documents. In the new OEO Catalog, he would look under "history" and find the following:

Historic building survey	358
Historic preservation	280, 358

He would turn to these pages, and find two programs, skimpily described at page 358. He would turn to page 280, and find a program entitled "New Communities," evidently not related to historic preservation. Finally, by searching, he would find on page 283 the program, "Historic Preservation Grants," not where the index indicated it should be. In looking through the index, I could not find the program, "National Historical Sources Grants," at page 458, listed under any logical category.

I would compare this with the index in our listing of programs. This index, incidentally, was the creation of a part-time effort by one person, completed in only a few days. I do not claim it is perfect or complete, but it is better than the professional effort in the new OEO catalog. At page 20 in our listing is the following entry:

> Historic sites and monuments: acquisition or restoration grants, 7.156.
>
> Federal surplus real property, 19.3.
>
> National Register of sites, buildings, 8.83; public lands, transfer, 8.81.
>
> Historical societies, humanities grants, 24.5.
>
> History: source documents, publication, 19.5.

This entry lists six possible programs. By turning to the programs themselves, and looking at the entry, "Related Programs," missing from the new OEO catalog, one would discover two more possible programs, No. 8.66, and No. 8.82.

The lack of adequate information on the part of the agencies themselves is demonstrated by the fact that a number of agencies purchased copies of my own catalog.

Seventh. No effort is made to maintain up-to-date information.

The new OEO catalog succeeds the 1967 catalog. Or, in other words, there is a 2-year gap in up-to-date information. BOB Circular A–89 envisions an annual catalog, in effect authorizing a 12-month gap in publishing timely information.

Obviously, with Congress almost continuously in session, new programs are added, old ones dropped, and others are not funded. Likewise, the agencies are constantly changing programs under broad congressional authorizations. In fact, the former Assistant Secretary of Health, Education, and Welfare advised us last year that one reason for not answering our questionnaire is that programs were in such a state of constant flux that most of the information would be obsolete by the time responses were prepared. If this is true, the situation is outrageous. No one can plan intelligently under these conditions. The agencies must provide some stability in programs if they are to permit systematic planning at the local level.

Such changes in programs, however, necessitate changes in the published information, which is impossible if the pages are glued in. If information is to be timely and thus useful, it should be published in a looseleaf form so that substitutions can be made when necessary. Of the major commercial program catalogs with which I am familiar, all of them are updated at least monthly, some even biweekly. All of the information does not change that fast, but much of the information, such as deadlines, current regulations, funding status, and application backlog, must be up to date, or it is worthless.

ADEQUATE UP TO DATE PROGRAM INFORMATION IS NOT IMPOSSIBLE

Adequate, up to date, comprehensive program information is not impossible. My staff produced it.

Last June 25, our study in the Record showed that it was not impossible to furnish adequate program information. One staff member and no more than one volunteer at any given time managed to produce our listing of over 1,050 operating Federal assistance programs. I do not claim our listing is complete or perfect. But I invite you to compare the examples of program descriptions from the new and old OEO catalogs with the equivalent descriptions from my listing of operating Federal assistance programs which appear at the end of this statement—see appendix A.

My staff produced our listing the way almost anyone would produce a catalog—by researching the matter, and then going directly to the program managers in the various agencies. The OEO catalog was produced in the same manner. But the end products are obviously quite different.

What then is needed is not so much manpower, but willpower—the desire to produce adequate, useful, up-to-date information and the willingness to make the hard, very detailed decisions involved in standardizing the term "program," so that a single source can be produced with well-defined programs, lucid and complete program descriptions, and thorough cross-indexing.

It is precisely this desire to face and solve a most serious problem that the BOB task force lacked. The task force report is characterized by the failure to take any definite, positive positions, and, in effect, all it said was that OEO could continue to produce its catalog, as long as the other line agencies were not limited or restricted in producing theirs.

For example, the task force report suggested that the catalog be developed "through an evolutionary process, probably taking several years." Since 1965, there have been at least two attempts by the Office of Economic Opportunity to create something approximating a Government-wide catalog, and at very significant cost to the taxpayer. The printing costs alone of these two catalogs exceeded $400,000. It seems to me that there should be sufficient information available after Government-funded studies and years of catalog publishing, both by OEO and by commercial firms, to know what should be in the catalog without undergoing years of evolution. The initial printing costs for this third OEO catalog are estimated to be over $170,000. That is expensive evolution. What the task force report was really saying was that no one was willing to make the decisions required in order to create a genuinely useful catalog.

As I indicated, my catalog also leaves much to be desired. We were, of course, only able to obtain that information the agencies were willing to supply. The Department of Agriculture and the Department of Health, Education, and Welfare refused to cooperate last year; others, for example, the Department of Housing and Urban Development, only supplied part of the information requested.

Yet my small group collected a catalog which met with high acceptance—at very little cost.

The following remark is typical of the reaction to our listing. It came from a State office of community affairs:

> Probably the most helpful tool for all who are involved in Federal assistance on a State or local level would be the publication of a catalog similar to that which Representative Roth has inserted in the *Congressional Record*. If this type of a catalog could become the "bible," probably substantial savings could be made by ending much of the brochure and catalog production of the various Federal departments and agencies. Likewise, false or inaccurate information would easily be identified and could be corrected in the next edition. It would also identify those programs that are not operating in the manner described. I am sure such a catalog would be of assistance in considering legislation. The Roth catalog supplies sufficient general information as well as specific data to be of value both to the average civic-minded person as well as for those who are involved in government

On the other hand, OEO catalogs have not been accepted as satisfactory. The following are examples of these observations:

SUPERFLUOUS PUBLIC RELATIONS LANGUAGE

A planner from Michigan:

> There is too much superfluous public relations language, thereby allowing less space for facts.

AVAILABILITY OF FUNDS NOT GIVEN

From a department of community development:

> The information needed most, availability of funds, is not really available except through direct contact.

WHO BENEFITS?

A big city planning commission:

> Would be good if the catalog included the amount of appropriation and what magnitude of assistance may be available to individual, municipality, state, etc.

BACKLOG INFORMATION

A State department of planning and development:

> Catalog of Federal Assistance Programs could be more specific regarding requirements, benefits, and funding—no information on applications backlog, etc.

REQUIREMENTS OF APPLICANTS

A city-county planning board:

> They lack detail in descriptions of each program and the qualifications necessary for each community to meet in acquiring aid or assistance.

WHO TO CONTACT

A State office of planning coordination:

> Finding individuals who will assume some responsibility in Washington is usually quite difficult.

TOO GENERAL, VAGUE, HENCE MISLEADING

A State office of community affairs:

> Much of the balance of catalogs and brochures put out by Federal agencies are virtually useless if not damaging, as they frequently describe programs which are not sufficiently funded or all the funds are committed, or the program by regulation is not operative in your area . . . For the most part these brochures and problem-oriented catalogs approach the level of propaganda.

A private planning consultant in Rhode Island:

> Too general in information content. This is true for all Federal publications with the exception of program handbooks and manuals. Actual *operating* examples are always lacking.

A regional commission:

> The writeups could be more specific and meaningful. They were probably written by each agency under a *general* outline that does not probe for consistent facts.

A local consultant in Georgia:

> Limited in content. It is difficult to find specific programs, not specific enough about available benefits, not detailed enough in scope.

Chairman of a college urban studies program:

> No "nitty gritty" aids to those of us unable to spend time in "grantsmanship" Washington run-arounds.

A private company:

> *Catalog of Federal Assistance Programs* and the Vice President's *Handbook* are too vague in specific eligibility requirements and application procedures to be of much help. They sit in my bookcase and are little used.

A university cooperative extension Service:

> When you start with a community problem, research the available programs (catalogs) and select three or four that seem to fit the needs, you nearly always end up with failure. I have yet to see the catalog description of a program that will meet the needs of the communities of our state.

INACCURATE DESCRIPTIONS

A private planning consultant in Pennsylvania:

> They do not go into as great detail as private services and are somewhat inaccurate in program description.

INCONSISTENT FORMAT

A State office of community affairs:

> The OEO Catalog has many errors, lacks necessary information and particularly is lacking in consistency under the section titled "Authorizing Legislation."

NOT INCLUSIVE

A State department of public instruction:

> Federal government catalogs are too disjointed. The two recent catalogs (OEO Catalog and the Vice President's *Handbook*) were started in the right direction but are still not inclusive enough. There are just too many communication gaps when information services are so decentralized.

INADEQUATE INDEX, NOT CURRENT

A teachers college:

> Too little too late, not adequately indexed, not sufficiently current, good only for general leads.

A city legal department:

> Both of the named catalogs (OEO Catalog and the Vice President's *Handbook*) are not very useful because they do not have fiscal data, nor are up-to-date, nor cross-referenced.

Professional "grantsman in residence," Washington, D.C.:

> The OEO Catalog is so poorly indexed as to be almost unusable. The Vice President's *Handbook* is almost as "big picture" in its approach as the *Government Organization Manual*. Most agency catalogues are "clue sheets" rather than working guidelines for someone who wants to implement a program.

And all of this is true for the new OEO catalog as well. As with good public relations documents, the new OEO catalog tantalizes the reader, and then obscures the unpleasant information. It very generally indicates who might apply, but does not go into detail. Precisely what kinds of services or benefits one can receive are not made clear, and precisely who can apply is generally not given.

Even more significantly, the unpleasant aspects are not given. Prerequisites for obtaining benefits are not given. The duties required of an applicant after receiving benefits are not given. If the beneficiary receives some sort of aid, the restrictions on its use, if any, are not given.

In short, all the strings and obligations that go with Federal aid, and which are so critical for the recipient to know in advance, are in no way indicated.

To sum up, Mr. Speaker, I repeat my call for action, and repeat my call for passage of the Program Information Act, H.R. 338. Both the House and Senate Government Operations Committees have asked for reports on the measure; those reports are now in the hands of the Bureau of the Budget. Every day lost in enacting this legislation means a day lost helping those in greatest need. There is no reason for delaying this first simple, necessary step to improve Federal aid. The enactment of the Program Information Act will accomplish the following benefits:

First. It will create a single, Governmentwide catalog of programs—one, complete, reliable, up-to-date source—helping all potential program beneficiaries, not just the privileged few.

Second. It will eliminate other catalogs, saving money. BOB Circular A–89 still permits duplicative effort; this should stop.

Third. It will ease the current burdens on program officers, who now answer endless inquiries for information that could be supplied by a complete, well-disseminated, up-to-date catalog.

Fourth. It will help Federal administrators, as well as Congressmen, understand full scope and complete structure of all related Federal assistance programs.

Fifth. It will place the catalog responsibility under the jurisdiction of a central agency having the authority to gather such data. Since the agency will not operate any of the programs involved, more uniform information and lack of administrative bias will be assured.

Sixth. It will set minimum standards for those items of program information to be provided on a Government-wide basis, and will provide a uniform definition of the term "program," counteracting previous disinterested and sluggish attempts at coordinating, uniformity, and proper indexing.

Seventh. It will call for frequent updating of information, insuring reliability.

Eighth. It will call for simplification and consolidation of all the various application forms and program guidelines a potential beneficiary would use to benefit from each Federal assistance program, especially on a cross-agency basis. The Bureau of the Budget has that statutory authority now; it should exercise it.

Ninth. It will help in the creation of a single, central information system, by placing the catalog effort and FIXS in the same office. The list of programs used in each of these should be coordinated and made uniform. Information provided as a result of section 201 of the "Intergovernmental Cooperation Act of 1968," Public Law 90–577 should be provided as well in this same central information system.

The problem is a serious one. We need more complete and timely information than we are getting. The solution is fairly straightforward. Do away with the publications that are not pulling their own weight and in their place put together a single publication that will do the job. There is no sense in putting together a single publication that will simply carry forward the old mistakes. The new Catalog of Federal Domestic Assistance regrettably does just this. We, the Congress, should keep it from happening again.

APPENDIX A

[From the new January 1969 catalog]

Program Title: Highway Beautification.

Nature and Purpose of Program: This program provides financial assistance to State highway departments for the purpose of beautifying highways and communities by: Controlling outdoor advertising signs, billboards, and displays; controlling the establishment, use, and maintenance of junkyards in areas adjacent to highways; landscaping and otherwise enhancing the scenery along Federal-aid highways, and by other means.

The Federal share of costs incurred by control of outdoor advertising and junkyards is generally 75 percent. An amount equivalent to 3 percent of funds apportioned to a State highway department for Federal-aid highways is allocated to that department for landscaping the roadside development, including acquisition and development of publicly-owned and controlled rest and recreation areas and sanitary and other facilities necessary to accommodate the traveling public. Matching State funds are not required.

Who can Apply and How to Apply: Any State highway department may enter into an agreement with the Secretary of Transportation.

For Information Contact: Bureau of Public Roads, U.S. Department of Transportation, Washington, D.C. 20591; or Regional or State offices of the Bureau of Public Roads; or State highway departments.

Printed Information Available: *Public Participation in Highway Beautification; Highways to Beauty, 1966*–$.20. Available from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Authorizing Legislation: 23 U.S.C. 131, 136, and 319.

Administering Agency: Federal Highway Administration, Department of Transportation.

[From June 1967 OEO Catalog of Federal Assistance Programs]

Program title: Highway Beautification.

Nature and Purpose of Program: This program provides financial assistance to state highway departments for the purpose of beautifying highways and communities by: controlling outdoor advertising signs, billboards, and displays; controlling the establishment, use, and maintenance of junkyards in areas adjacent to highways; landscaping and otherwise enhancing the scenery along Federal-aid highways, and by other means.

The Federal share of costs incurred by control of outdoor advertising and junkyards is generally 75 percent. An amount equivalent to 3 percent of funds apportioned to a state highway department for Federal-aid highways is allocated to that department for landscaping and roadside development, including acquisition and development of publicly-owned and controlled rest and recreation areas and sanitary and other facilities necessary to accommodate the traveling public. Matching state funds are not required.

Who Can Apply: Any state highway department may enter into an agreement with the Secretary of Transportation.

For Information Contact: Bureau of Public Roads, U.S. Department of Transportation, Washington, D.C. 20533; or Regional or state offices of the Bureau of Public Roads; or State highway departments.

Printed Information Available: Public Participation in Highway Beautification Highways to Beauty, 1966 (20c). Available from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Authorizing Legislation: Highway Beautification Act of 1965; P.L. 89–285; 79 Stat 1028; Sections 131, 136 and 319, Title 23, USC as amended by the Federal-aid Highway Act of 1966, P.L. 89–574; 80 Stat 766.

Administering Agency: U.S. Department of Transportation.

ROTH: No. 11.6—HIGHWAY BEAUTIFICATION—LANDSCAPING AND SCENIC ENHANCEMENT

Authorizing Statute: Title III of Public Law 89–285 or Section 319(b) of United States Code 23—Landscaping and scenic enhancement.

Administrator: U.S. Department of Transportation, Federal Highway Administration, Bureau of Public Roads.

Nature of Program: Federal-aid is available to a State for landscape and roadside development within the highway right-of-way of the Federal-aid systems and for acquisition of interests in and improvements of strips of land necessary for the restoration, preservation and enhancement of scenic beauty adjacent to such highways, including acquisition and development of publicly owned and controlled rest and recreation areas and sanitary and other facilities within or adjacent to the highway right-of-way reasonably necessary to accommodate the traveling public, without being matched by the State.

Eligibility: Payment directly to State. They may then reimburse county, city or other local government if required by State law or agreement.

Available Assistance: Progress and final payments in cash.

Funding Use Restrictions: Planning, survey, appraisal, construction.

Appropriations Sought: Fiscal year 1969—$70,000,000.

Past Appropriations: Fiscal Year 1968—$0; Fiscal Year 1967—$64,115,055; Fiscal Year 1966—$60,000,000.

Obligations Incurred: FY 1968—$0; FY 1967—$64,115,055; FY 1966—$57,301,703.

Average Assistance: Landscape—$42,000/Proj.; Scenic Easement—$32,400; Rest Area—$47,300/Proj.

Post-Grant Requirements: Normal Federal-aid procedures are followed; review and approval of State's program, plans, inspection of construction, accounts audited, etc.

Washington Contact: Mr. Fred S. Farr, Highway Beautification Coordinator, Bureau of Public Roads, U.S. Department of Transportation, 1717 H. Street, NW, Washington, D.C. 20591. Telephone number: 967–3437 (202).

Local Contact: State Highway Commissioner of State Highway Director in Capital City of each State.

Application Deadlines: None—except June 30 of each fiscal year for which funds are available.

Approval/Disapproval Time: Normally less than one week.

Related Programs: Section 319(a) of this same law permits State to request Federal-aid for work within highway right-of-way limits under normal highway program at corresponding pro-rata share of cost.

ROTH: No. 11.7—HIGHWAY BEAUTIFICATION—CONTROL OF JUNKYARDS

Authorizing Statute: Title II of Public Law 89–285—Section 136 United States Code—Control of Junkyards.

Administrator: U.S. Department of Transportation, Bureau of Public Roads.

Nature of Program: The Congress hereby finds and declares that the establishment and use and maintenance of junkyards in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

Eligibility: State directly benefits to extent of 75 percent of cost. Final beneficiary is owner of junkyard in existence at time of passage of Act.

Available Assistance: To State—cash; Through State, junkyard owner has premises adjacent to Interstate or Federal-aid primary system screened, relocated, removed or otherwise disposed of at no cost to him.

Funding Use Restrictions: Survey, appraisal, screening or relocation of junkyard.

Appropriations Sought: FY 1969—$10,000,000.

Past Appropriations: Fiscal year 1968—$0; Fiscal year 1967—$15,000,000; Fiscal year 1966—$3,000,000.

Obligations Incurred: Fiscal year 1968—$0; Fiscal year 1967—$6,863,683; Fiscal year 1966—$2,189,785.

Average Assistance: Screening $3,875 Junkyard; Removal, Relocation $7,330 Junkyard.

Assistance Prerequisites: Junkyard must be located within 1,000 feet of the nearest edge of the right-of-way of the Interstate and Federal-aid primary system, visible from the traveled way of the system and outside of zoned industrial areas or unzoned areas of similar character.

Post-Grant Requirements: Normal Public Roads Federal-aid procedures apply—review of design, inspection of construction or removal, inspection to insure continued maintenance.

Washington Contact: Mr. Fred S. Farr, Highway Beautification Coordinator, Bureau of Public Roads, U.S. Department of Transportation, 1717 H Street, NW, Washington, D.C. 20591. Telephone number: 967–3437.

Local Contact: State Highway Commissioner or Highway Director in Capitol City of the State.

Application Deadlines: Normally, end of each fiscal year for which funds are available. Presently, June 30, 1967.

Approval/Disapproval Time: Average elapsed time usually less than one week.

Related Programs: None other by this agency.

ROTH: No. 11.8—HIGHWAY BEAUTIFICATION—CONTROL OF OUTDOOR ADVERTISING

Authorizing Statute: Title 1 of Public Law 89–285 or Section 319(b) of United States Code 23—Control of Outdoor Advertising.

Administrator: U.S. Department of Transportation, Federal Highway Administration, Bureau of Public Roads.

Nature of Program: Title 1 of the Highway Beautification Act of 1965 provides for control of outdoor advertising in areas adjacent to the Interstate and Federal-aid primary system. Signs must be limited to commercial and industrial zones and areas and comply with standards to be set by agreement between the individual State and the Secretary. Exempt from control are on-premise signs. Objectives of the program are protection of the public investment in such highways, promotion of the safety and recreational value of public travel, and the preservation of natural beauty.

Eligibility: Payment directly to State. They may then reimburse the owner of a sign which has been removed, or the owner of the property on which it was located.

Available Assistance: Progress and final payments in cash.

Funding Use Restrictions: Removal of nonconforming signs, and related activities.

Appropriation Sought: Fiscal Year 1969—$5,000,000.

Past Appropriations: FY 1968—$0; FY 1967—$78,500,000 (combined with junkyards and landscaping); FY 1966—$10,000,000 (combined with control of junkyards).

Obligations Incurred: FY 1968—$0; FY 1967—$347,739; FY 1966—$2,169,712.

Average Assistance: Since the Highway Beautification Act of 1965 provides that nonconforming signs do not have to be removed until July 1, 1970, few signs have been removed to date. For this reason we have little experience on which to base a determination of average costs.

Post-Grant Requirements: Normal Federal-aid procedures are followed; review and approval of State's program, plans, inspection of construction, accounts audited, etc.

Washington Contact: Mr. Fred S. Farr, Highway Beautification Coordinator, Bureau of Public Roads, U.S. Department of Transportation, 1717 H Street, NW. Washington, D.C. 20591; Telephone 967–3437.

Local Contact: State Highway Commissioner or State Highway Director in Capitol City of each State.

Application Deadlines: None—except June 30 of each fiscal year for which funds are available.

Approval/Disapproval Time: Normally less than one week.

Related Programs: Control of junkyards and landscaping.

REPRESENTATIVE JOEL T. BROYHILL SUPPORTS BILL TO REQUIRE PRIOR APPROVAL OF THE ACTIVITIES OF THE NATIONAL CAPITAL HOUSING AUTHORITY

(Mr. BROYHILL of Virginia asked and was given permission to address the House for 1 minute.)

Mr. BROYHILL of Virginia. Mr. Speaker, I rise today in opposition to the efforts of the National Capital Housing Authority, headed by the Commissioner of the District of Columbia, to purchase the Regency House in Washington, D.C., and I urge speedy and favorable action by the Congress on the bill I am introducing today to require prior approval by Congress of transactions between the National Capital Housing Authority and property owners in the District of Columbia.

As our colleagues know, the Regency House is a luxury apartment building, complete with swimming pool and underground garage, which the National Capital Housing Authority is attempting to purchase for public housing. The explanation offered for this purchase by NCHA is that Regency House will provide housing for elderly poor. In reality, however, this purchase represents a social-science experiment designed to integrate poor people into high- or moderate-income areas. If it is a practical and financially sound experiment, it should not suffer from close examination.

First, Mr. Speaker, if this purchase is a prudent venture, then the District of Columbia government and the Federal Government should have no fear of tax losses in taking a $2,475,000 piece of private property from the tax rolls and converting it into a nontaxable piece of public property. The fact of the matter is, the District of Columbia government is woefully short of adequate tax revenues. This is especially borne out by the cries to the press now eminating from the District of Columbia government for a commuter tax on citizens of other States to meet its expenses. Much of this demand for funds could be met if the District of Columbia government would practice economy in its fiscal affairs and would stop removing valuable pieces of property like Regency House from its tax base.

Just as ridiculous is the statement by the executive director of the authority, Mr. Edward Arnov, on March 6, 1969, in defending the removal of Regency House from the tax rolls. He said:

> The Authority does not pay full property taxes for any of the developments it owns. It is only the Federal Agency that makes a payment in lieu of taxes to the District of Columbia. This payment amounts to ¼ to ⅓ of full city property taxes.

Frankly, Mr. Speaker, I fail to see Mr. Arnov's reasoning. I know the taxpayers of Virginia and Maryland do not share this sort of reasoning. The citizens of Virginia and Maryland want neither a commuter tax nor higher Federal taxes to make a payment in lieu of taxes. I am also afraid Mr. Arnov, the Commissioners of the District of Columbia, and their supporters at the Department of Housing and Urban Development have failed to recognize other revenue losses that result from a policy of moving out taxpayers from private high-rental housing to accommodate nontaxpayers who pay little or no rent. The impact will be felt further when the Washington City Revenue Division adds up its losses in income, sales, license, gasoline, and other taxes from those who will be dislocated by conversion of the Regency House, and other projects like it, to public housing. The fact that most all of these taxes will be lost to the city is borne out by statements to me that the people to be dislocated intend to move as far away from Washington as it is possible to go.

Mr. Speaker, it just takes commonsense to see the full impact of the loss in tax revenue, income, and citizens to the Nation's Capital as a result of this policy. Apparently our social science experts cannot appreciate these losses, or perhaps they just do not care about what happens to the Federal City as a result of testing their own pet theories.

I believe we all can agree, Mr. Speaker, that the National Capital Housing Authority should utilize sound financial practices in the conduct of its business, and should be capable of making sound decisions involving the housing of the low-income and elderly poor in the District of Columbia. However, information available to me is that the Authority is $24 million in the red and that its financial records are in such a state of confusion that the General Accounting Office has trouble understanding them. Their failure to operate the Authority on a financially proper basis lays all the operations of the Authority open to suspicion.

Mr. Speaker, the District of Columbia government and the National Capital Housing Authority should have adequate long-range and annual plans for housing low-income families as well as elderly poor in our Nation's Capital. I do not believe there is a comprehensive and coordinated plan of this nature. Most communities, cities, and States prepare and submit plans of this nature on a regular basis. But not the District of Columbia government. They just spring surprises on everyone. The poor do not know what is planned for them in the way of housing; the Congress does not know; and neither does the city council. No wonder things have become such a mess in Washington.

Mr. Speaker, I have asked the authority for regulations on housing criteria; cost of construction or acquisition of housing; rules on tax revenue loss that can be sustained; and maximum and minimum features required in low-cost housing. I meet with confused answers from the authority. Actually, the authority has no specific regulations. Instead it relies on HUD circulars, experience or "rule of thumb." The people and Congress should demand that the city government produce workable, practicable regulations, not guesses.

Another matter of importance, Mr. Speaker, is that the authority should as a first priority create new housing, not purchase existing housing. Its program to construct low-cost, low-income housing is woefully inadequate to meet the needs stated by the community. Some members of the community have been hollering for 10 years about the shortage of public housing for the poor, destitute people of the Nation's Capital. But, Mr. Speaker, while the authority's stated aim a few years ago was to construct 500 to 1,000 units per year, their present program has only constructed the following low-income housing since 1964:

Housing units built and occupied

1964	234
1965	441
1966	230
1967	0
1968	753
1969 (planned)	87
6-year total	1,745

Only as late as day before yesterday, the executive director of the authority, Mr. Arnov, stated before the press that there is a critical immediate need for 5,000 housing units for the poor and needy in this city.

The Housing Authority and the Redevelopment Land Agency have the land on which to construct housing. But they use the excuse that it is cheaper to buy luxury housing than build new housing for low-income citizens. This policy is just making more so-called ghettos out of existing housing. Frankly, I think the poor people of this city are being hoodwinked by these social scientists and hack politicians in charge of public housing. The authority and the Commissioners hold out a few air-conditioned apartments, with swimming pools for the aged and a 200-car garage for people who are supposedly too poor to buy a car or too old to drive, as a big social-economic advancement. Meanwhile, millions of dollars are going into a few plush projects and nothing but promises and studies are being made to satisfy the real housing requirements of the large families who really need it. This policy is hurting the great majority of people who are poor and without adequate housing. Congress did not appropriate funds for low-income housing to be wasted in this manner. The intent of Congress was to build low-income housing for the needy.

As an excuse for not building new housing for the needy on land already set aside for this purpose, the authority, the Commissioners, and the Department of Housing and Urban Development hide behind a HUD regulation wherein HUD has interpreted, from the fringes of title VI of the 1964 Civil Rights Act, that the law requires the District of Columbia government to buy or build low-income housing for minority races in non-minority-impacted areas.

Mr. Speaker, this is not the law and this action on the part of HUD does not build public housing. The policy is self-defeating and wasteful of tax dollars.

I might add that I have taken this matter up with the Secretary of Housing and Urban Development and asked him to modify his regulation so that we can build some housing for the poor people who need it. However, I am not supported in this action, to my knowledge, by the Commissioner of the District of Columbia. Apparently he is not interested too much in straightening out this housing shortage.

Mr. Speaker, the National Capital Housing Authority, as it is currently organized and operated under the District of Columbia Code, needs a drastic overhaul by Congress.

To correct these many problems I am introducing a bill today to amend the District of Columbia Alley Dwelling Act, which established public housing in the Federal City, to require certain prior approval of the activities of the National Capital Housing Authority. My bill will also require the Authority to prepare an annual comprehensive plan describing each of its projects and submit this plan through the District of Columbia government and the President to the Congress. This bill will also require the authority to prepare regulations for eligibility for housing, specific requirements for special features, rules as to costs per square foot for such housing, and tax losses permitted in acquisition of housing. It will also require the authority to give priority to construction of housing for low-income families on real property owned by the government of the District of Columbia or its agencies. My bill will state that the primary purpose of the act is to promote decent housing, not to achieve arbitrary racial, social, or economic balance. Finally, the bill will bring the authority under adequate fiscal controls.

Mr. Speaker, I urge immediate action on my bill.

MASS TRANSPORTATION MUST PROCEED IMMEDIATELY IN THE DISTRICT OF COLUMBIA

(Mr. GUDE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GUDE. Mr. Speaker, spokesmen for the District of Columbia government are coming to the Capitol this week for presentation of their fiscal year 1970 dollar requirements for the District of Columbia operations. I have had a considerable interest in providing every assistance to strengthen the District government, including ample Federal contribution.

In line with this I am deeply disturbed at the very serious financial losses to the District of Columbia resulting from the failure of the city administration to build its transportation system. In the last day there has been some encouragement reaching us through press accounts reporting the Deputy Mayor's indication to the Senate Appropriation Subcommittee that the District freeway construction may soon be underway. Press observers report this could very well signal the critical go ahead on transit funds for the basic rapid transit system.

The combined losses of the freeway and transit delays to the citizens come to over $150 million per year. As I reminded my colleagues last July, every day of postponement in initiating construction of our mass transit system alone, because of escalated construction costs of labor, material and land acquisition is costing us $250,000 daily. As time passes and the costs from Maryland and Virginia freeways are included this figure could well double. Such losses are unconscionable.

These effects fall upon citizens and taxpayers everywhere, here and throughout the Nation. It is also a serious regional problem and one in which the city administration appears not to have fully considered the regional effects. This was emphasized recently in a letter from the Department of Housing and Urban Development to the Washington Metropolitan Council of Government's Transportation Planning Board, pointing to the failure of the District to meet the transportation planning requirements for regional planning. These requirements call for consultation with other regional jurisdictions before adoption of a highway plan.

The Congress, as well as all of the citizens of the National Capital region, have a great interest in this matter, and Congress must maintain its vigilance in these vital affairs.

FEDERAL CONSTRUCTION SAFETY STANDARDS ASSISTANCE ACT

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, today I introduce, for appropriate reference, the Federal Construction Safety Standards Assistance Act of 1969. This legislation would establish a Construction Safety Standards Board in the Department of Labor which would develop minimum safety standards for the construction industry and provide financial assistance to the States for the purpose of carrying out State construction safety standards programs.

The purpose of this act is to promote the health and safety of all construction workers in the United States. This responsibility would be charged to a Construction Safety Standards Board in the Department of Labor. After making necessary investigations and studies, the Board would formulate a set of minimum safety standards applicable to the construction industry. These standards would be designed to assure safe working conditions for employees at construction sites within any State.

The Board would also be responsible for reviewing and approving State programs relating to the administration and enforcement of these standards and for paying half the cost of the State programs. Any State wishing to participate in this grant program would submit its plan to the Board through an appropriate State agency along with an assurance of compliance and adequate provisions for administration and enforcement. Upon approval, the Board would agree to pay half the cost of the State program, not in excess of $1,000,000 for any fiscal year.

The need for such a program is reflected in the grim statistics: in 1967, 20 percent of the 14,200 industrial fatalities and 11 percent of the disabling industries were in the construction industry. It is obvious that greater safety protection must be afforded all those engaged in construction work.

One of the advantages of this plan is that it would extend this protection to all construction workers, not just those engaged in Federal contract work. It is estimated that some 2 million workers are not involved in federally related construction work. Are their lives any less important than those of men working under Federal contracts? Is there any reason for giving them less safety protection than those working on Federal projects? It seems to me there is no justification whatsoever for denying these 2 million workers the protection which some would extend only to those who just happen to be working under a Federal contract. We must strive for comprehensive and uniform safety standards to cover all construction workers.

A second advantage of this plan is that it places the major administrative and enforcement responsibilities with the States which are in the best position to implement these standards at construction sites within their boundaries. As such, the plan is both workable and consistent with the principles of federalism. It recognizes the need and advisability of Federal-State cooperation in this area. On the one hand, the National Board is responsible for setting the standards, approving State plans, and footing half the bill for State programs. On the other hand, the State is responsible for seeing that these standards are properly administered and enforced.

Mr. Speaker, it is in the best interest of construction safety that this measure be enacted and I ask the support of my colleagues in securing its passage.

STUDENT UNREST

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, for some time many of us have shared a concern over the student unrest on our campuses. Disorder and disruption threaten to rip the fabric binding our institutions of higher education. The disturbances have been too widespread, too deeply rooted, and far too frequent for us to ignore. Despite our concern, the number of incidents grows with each passing day. This morning's paper reminds us that students seized buildings at George Washington University and American University. A boycott at Howard University's School of Social Work continues. Cornell remains in a state of chaos. City College of New York was closed again today in light of nonnegotiable demands presented by students.

As a reflection of the concern of the Congress and our country, the Special Subcommittee on Education has been holding hearings on the problems of student unrest. It has been our hope that these hearings might shed some light on the problems confronting our institutions of higher education. Out of the hearings, and from the disturbances of the past year, one lesson is vividly clear to me: We must improve communication and our capacity to accommodate competing claims if we are to resolve campus disputes. And we must find a way to resolve such disputes if our institutions of higher education are to survive.

It is in the hope of improving communication and facilitating the accommodation of competing claims that I introduce today a bill to establish a Federal Higher Education Mediation Service. This Service, modeled on the National Labor Relations Board of the 1930's, would make a Federal mediator available to assist in the resolution of campus disputes. I introduce this bill for discussion, fully cognizant of its controversial character. But the current chaos has indicated to me an underlying evolution toward a system in which students would play a role. The problem is to reduce violence and the attendant property destruction, personal injury and campus disruption and at the same time facilitate the evolution.

I think it should be made abundantly clear that I do not encourage Federal interference in the internal policies of our institutions of higher education. Nevertheless the Federal Government has long had a very real and substantial interest in the welfare and functioning of its educational institutions. Recent years have witnessed a tremendous expansion of Federal support to universities, in academic facilities and dormitory construction, in teacher training, in research grants, and in student financial assistance. Federal funds going to higher education have more than doubled in 4 years and are now on the order of $4 billion.

Out of the current turmoil have come cries of a breakdown in communication, a lack of understanding, and references to a generation gap between faculty and students and administrators and students. A mediation service might assist in bridging that gap and keeping the line of communication open. This is essential, grievances, left unattended, fester without remedy and now more frequently find a voice in destruction and disruption, rebellion and riot. I believe the need is apparent for extrajudicial techniques to resolve certain kinds of conflict situations.

Mediation is a method uniquely designed to aid in the resolution of group differences that are not conducive to solution through the dictates of law. While a law can set guidelines, it cannot resolve claims where the claims of all parties are legal and interests are legitimate. In such circumstances, resolution can only be acceptably achieved through accommodation.

A mediator serves many important functions in this process of accommodation. He facilitates communication between the parties, transmits messages from one party to another, seeks understanding of both positions, and generally keeps the proceedings functioning. Parties to the dispute quite understandably see the dispute from their own point of view. Robert Burns once asked for the gift of seeing ourselves as others see us. This insight would be particularly useful in the settling of disputes. But another gift would also be useful in this process. It is the gift to see others as they see themselves. A mediator facilitates this mutual understanding.

Such a formal grievance procedure will give individuals a stated method of voicing complaints, it provides a method for getting the affected parties together in a calm, problem-solving atmosphere. In the process, the issues are clarified, cooled down, meaningful dialog is made possible, and disputants realize it is not necessary to create a crisis confrontation to have their viewpoint heard.

Such a service could provide students, faculty, and administrators with the opportunity to defuse explosive situations, to occasionally face parties with the tempering question, "What would you do about it if you were in my place?" and to demonstrate beyond any possible doubt that problems can be discussed, debated, and dealt with in nonviolent fashion.

The use of the Service this bill would establish would be completely optional and would be used only when settlement cannot otherwise be obtained. Despite its optional feature, I believe the very existence would tend to moderate the disputes on campus. All parties would know that others could make application for the services of a mediator. In order to forestall such applications, the universities would be motivated to institute internal procedures so as to be informed of student and faculty concerns and to deal with them. The faculty and student bodies, both atomistic collections of individuals not readily disposed to let anyone speak for them, would be led into a minimal organization. That very organization should tend to separate the revolutionary minority from the great majority who accept the system but who do have honest grievances. If the majority feel their grievances can be met within the system, they will not be inclined to follow the revolutionaries.

The bill which I am introducing recognizes students, teachers, and administrators as parties at interest. At the request of any of these parties or upon its own motion, the Mediation Service may proffer its services. The faculty will be represented by any officially designated bargaining agent or body or application may be made by petition of 25 percent or more of the faculty. Students will be represented by the elected student government or by petition signed by 20 percent of the enrolled students.

Our institutions of higher education are far too important to society for society to stand by idly while they fall victim to the disruptive tactics of a minority of students and faculty. The future of society depends on our educational institutions. It is essential that our institutions be permitted to perform their function in an atmosphere of academic inquiry to the satisfaction of all parties involved in the learning process. It is for this reason that I offer this bill for this purpose of discussion. It is my hope that this discussion will aid in the resolution of the difficulties presently confronting higher education and in achieving a greater understanding of the interests and problems involved.

SUPPLEMENTAL APPROPRIATIONS FOR NEIGHBORHOOD YOUTH CORPS

(Mr. RYAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RYAN. Mr. Speaker, the budget cutters in the Department of Labor have done it again. And again the victims are the youths of New York City, as well as the rest of the Nation.

Two weeks ago some 1,800 New York City youths enrolled in Job Corps centers had their hopes dashed by the administration's decision to close 59 of the 113 Job Corps centers.

Last week the Department of Labor announced that it would provide funds for less than 50 percent of the Neighborhood Youth Corps jobs requested by New York City. Although the city requested $27.2 million for summer Neighborhood Youth Corps programs, the Department of Labor has allocated only $10.7 million. There will be only 23,900 summer jobs instead of 50,000 as requested. Some 25,000 out-of-school teenagers will have no summer employment. The result will be that the pressures and tensions which have beset New York City during the past several summers will be further aggravated.

The Neighborhood Youth Corps program has in the past provided a variety of job opportunities in Government and private industry, ranging from office work to community organizing, with some students serving as tutors and others as recreational aides. During past summers these jobs have done much to alleviate pressures unleashed by the high number of ghetto youth desperately in need of employment. Indeed, as the tensions and pressures in our major urban areas mount, the Federal Government is cutting back its support of the very programs which are needed most to alleviate those pressures. The Labor Department has said that the figure of $10,775,000 is "a final one."

Last year the Johnson administration asked for a $75 million supplemental appropriation for the Neighborhood Youth Corps, and Congress finally appropriated $15 million—too little, but at least New York City received an additional grant of approximately $1.5 million.

This year the Nixon administration is not even asking for a supplemental appropriation. A spokesman for the Secretary of Labor was quoted in the New York Times of April 20 as saying that he saw "no signs of a supplemental appropriation from Congress."

I call upon the administration to ask for a supplemental appropriation, and to fight for it, if present appropriations are insufficient to meet the compelling needs of our youth for summer jobs.

Early in this session of Congress, I introduced a supplemental appropriation bill (H.R. 2972) for the Economic Opportunity Act. It would provide $232 million, bringing the fiscal year 1969 appropriation to the full authorization.

I urge the Appropriations Committee to bring this bill to the floor. Congress must recognize its responsibility to provide funds urgently needed for this and other related Federal projects in order that these programs can achieve their maximum potential effectiveness. If Congress appropriates additional funds, then the administration will have no excuse for failing to provide adequate support to critical summer employment programs such as the one now threatened in New York City.

In order to alleviate tensions this summer and to create additional economic opportunities for its poorer citizens, New York City this year sought a Neighborhood Youth Corps allocation of $27.2 million to provide jobs for 50,000 teenagers for 9 weeks of the summer. With the $10.7 million it has received from the Federal Government the city will now be able to provide only 23,900 jobs—less than half those sought by the Human Resources Administration. These jobs are for 10 weeks of employment, and average 26 hours per week. This contrasts with the 1968 summer program, which employed some 46,000 youths at its peak and averaged about 40,000 per week during the 9 weeks of its operation.

It is also dismaying that New York City has not allocated any of its own funds for the summer program. In the summer of 1968 the city contributed $5 million which was added to the $11.7 million in Federal funds for the Neighborhood Youth Corps.

However, the Federal Government must recognize that severe budgetary strains are making it increasingly difficult for urban governments to meet all of their multiple needs, and that Federal support must, as a consequence, be dramatically increased if even the most basic needs of our urban centers are to be met.

In view of the tight squeeze on both local and State funds in New York this year, it is unthinkable that the Department of Labor should have reduced its support from last year. If summer disorders are to be prevented and, fundamentally, a start made to meet the needs of the cities, it is imperative that the Department of Labor reconsider its decision and that it provide New York and other cities with the necessary funds to expand—not contract—summer employment opportunities for urban youth.

Over a year ago the President's National Advisory Commission on Civil Disorders made it clear that inadequate employment opportunities in the major urban areas of our country constitute a primary cause of the disorders which have begun to take on the character of an annual event in our cities. Subsequent investigations, including last month's report by the National Urban Coalition, on the lack of progress since the issuance of the Kerner Commission report confirm that unemployment remains a critical cause of urban tensions.

If Congress now fails to heed that advice, it should at least understand that pious condemnations of lawlessness and rioting will not conceal the fundamental fact that it is Congress itself, as well as the executive branch, which must bear responsibility for the steady deterioration of our urban communities. For self-righteous calls for law and order will continue to be a bankrupt substitute for a national policy that is truly committed to the eradication of the causes of poverty and despair in our society.

PRESIDENT NIXON AND THE WAR ON ORGANIZED CRIME

(Mr. STEIGER of Wisconsin asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. STEIGER of Wisconsin. Mr. Speaker, President Nixon has committed his administration to a concerted and positive effort to reduce, and hopefully eliminate, the influence of organized crime in this country. His proposals are sound and deserve the wholehearted support of every American.

Much of the present concern with crime focuses superficially on disorders in our cities. Time and again we are inundated with reams of statistics about the increase of crime on our streets, about the tremendous cost to the Nation in lives and resources incurred by the ever-rising rate of criminal activity. But, we have frequently been guilty of emotionally discussing the symptoms of the problem rather than conducting rational inquiries into the causes of crime.

All too often we have ignored the basic resource which permits this situation to continue; all too often we have failed to make the connection between the increasing crime rate, and the most pervasive aspect of crime in this country—organized crime. Without the vast resources of the Cosa Nostra "families," without their willingness to exploit human misery for profit, without the complicity of millions of citizens, organized crime could not drain from $20 to $50 billion a year from our economy.

I am indeed heartened by the President's message of yesterday and his package of proposals for attacking this problem. I think the time has long since passed when we could tolerate the evil and the human deprivation which organized crime encourages. I think the time has come when we can no longer permit the resources of this great Nation to be funneled into the pockets of a handful of societal parasites. We can no longer quietly acquiesce in the corruption of public officials, in the destruction and infiltration of legitimate businesses, in the unwitting duplicity of citizens who place illegal bets, in the exploitation of our urban poor by individuals who deal in human misery.

The President and his advisers have put together a legislative and administrative package which is aimed at eliminating the most dangerous and pervasive aspect of crime in this country. They are to be commended for their efforts and given every measure of support necessary to insure that their endeavor is a successful one.

SOCIAL PROBLEMS FACING OUR CITIES

The SPEAKER. Under a previous order of the House, the gentleman from Minnesota (Mr. Quie) is recognized for 30 minutes.

Mr. QUIE. Mr. Speaker, the social problems facing our cities are immense. It is unnecessary for me to reiterate the statistics on costs of urban needs in the fields of housing, education, mass transportation, and others. The needs are staggering.

The Nixon administration has been assessing our national needs, the resources available, and the most effective means of channeling these resources toward the solution of these problems. President Nixon has indicated he believes that private enterprise can and must play a much larger role in creating job opportunities for underskilled persons and the hard-core unemployed. He has suggested tax credits as an incentive to bring the managerial skills of private entrepreneurs to work on these social problems. Whether the Congress will approve this approach will be determined in the coming months.

The executive vice president of the Chamber of Commerce of the United States, speaking before the Detroit Economic Club and the Greater Detroit Chamber of Commerce on March 17, laid out the challenge to business to enter the social arena and lend the problem-solving capacity of private enterprise to government. Mr. Arch N. Booth referred to the massive cooperative effort put forth by American business to put man into orbit around the moon. He suggests that the same spectacular results could be obtained in the solution of urban problems if we systematically committed the necessary human and natural resources to this effort.

Another very significant point made by Mr. Booth was a realization that the solution of our urban problems is important to stockholders, that involvement of business in community problems is a sound long-term investment for business.

Mr. Speaker, there are several other thought-provoking suggestions in this speech and I commend it to my colleagues' reading:

Men To Match the Mountains—1969

(By Arch N. Booth)

Everyone, sooner or later, develops his own personal philosophy.

And everyone, I suppose, somewhere along the way, comes by some favorite words which support his particular philosophy—and turn on the inspiration for him, and light up thoughts in his mind which somehow strengthen him. It's a little more than mere motivation.

Today, I want to use some words which have become favorites of mine, to serve as the theme for what I want to talk with you about.

These words may be familiar to you. They were written by a man by the name of Samuel Foss, back in the days when the pioneers of America were moving westward across this country. The words are these:

> "Bring me men to match my mountains,
> Bring me men to match my plains;
> Men with empires in their purpose
> And new eras in their brains."

I hope that idea appeals to you: having men to match the mountains—with new eras in their brains.

I am recalling these stirring words to your mind today for two reasons:

First, because they reflect the spirit of imagination and of determination which has always been the best constructive attitude of the citizens of this country in every period of progress and accomplishment in our history; and

Second, because these words—"men to match the mountains"—are, I am sure, more pertinent right now than ever before.

They describe exactly what we need in 1969.

We, as businessmen, are today, in a new era.

We face new challenges.

We aren't using covered wagons. We have jet airliners. We have supermarkets, computers, automation.

But we are pioneers, nonetheless.

We are being called upon to enter into new dimensions of activity—to set new goals—to develop new flexibility, which may not be too easy)—and to persist with a new sense of determination and accountability.

We are confronted by a whole new range of mountains: mountains of problems—mountains of opportunity.

And—we need to be able to make ourselves able to "match those mountains."

Let us take a sharp, realistic look at today's situation.

What do we see?

Well, we see a dynamic economy, and a high rate of employment—which is good.

At the same time, we see the cities of America beset by massive economic and social problems, human problems—which is not so good.

And this is principally what I want to talk with you about . . . the problems of the cities, and what businessmen can do, are doing, and should do, to meet these problems—and to make the most of the opportunities which grow out of these problems.

The problems of the cities affect the entire nation.

They are, in fact, a part of a revolution which is changing the norms, the standards—and the quality—of our way of life.

The government is committed, irrevocably committed—by the force of public opinion—to try to rid the country of its urban problems.

This is the same as it has been for some time now.

There is, however, something new and different in the picture.

It's a new day.

As you Tiger fans would perhaps say about it, "It's a new ball game."

What's different about it is: the attitude of the Administration toward business and industry.

For the first time in 35 years, government officials are turning to private enterprise—and are inviting private enterprise to play a major role in the solution of the nation's economic and social problems.

This new attitude can be felt—at least, I can feel it from where I work in Washington.

For quite a few years now, I have been a neighbor to the White House.

My office window looks out over Lafayette Park—and the front of the White House is in full view a block away.

I have watched this neighborhood become the focal point for the hurly-burly of war and peace, recession and boom, pomp and tragedy—and, more recently, the protest demonstrations of certain elements of our society.

I have become accustomed to political changes.

Many times in the past, I have been able to guess fairly accurately what new and daring pronouncements might be forthcoming from our eminent neighbor.

But, right now, it is not easy to make predictions.

The wheels are turning, but what I see is a process of calm deliberation setting in.

Instead of showmanship, impulsiveness, salesmanship, razzle-dazzle and catchy rhetoric, the accent is on good, solid homework.

There is a deliberate pace in the White House—and the occupant is described as "cool—meticulous—competent."

Research is going on at greater depth.

Task forces are turning in reports.

There seems to be a reaching out for the possible, instead of a groping for the spectacular.

Teams of competent individuals—not just teams of politicos— but teams of knowledgeable leaders, are being brought together to administer government departments.

And—through it all, comes clearly the note that the Nixon Administration does not want to go it alone in facing up to today's urban problems, but wants the help and cooperation of business in new working partnerships.

The central question, then, is:

How can a corporation help remove the causes of the problems of the cities? These are people-problems—normally called, "social"—or "socio-economic" problems and considered the responsibility of government.

How can the strength of business, and the full strength of our voluntary system or organized effort be mustered to work with government to prevent the urban crisis from demolishing the structure of the American community?

The problems are as numerous as they are severe.

It is easy to overgeneralize about what can be done.

But in many areas, there are already encouraging stories of results of the pioneering action which business firms—through the spending of their own talent and money—have already taken to help solve urban problems. Here are just a few examples:

During this past summer alone employers, cooperating with the National Alliance for Businessmen, recruited, trained and placed 146,000 hard-core unemployed.

In housing—the insurance industry has pledged a billion dollars for developments in deprived areas.

In very low cost housing—the prefabricated home manufacturers have developed units for sale or rent—and have negotiated adjustments in union practices, and in the supporting roles of city government, to make this housing available.

In air pollution—the automotive and petroleum industries are spending millions of dollars in an effort to solve the problems.

I could give you many other examples of this sort. They indicate one thing, namely, that the process of solving socio-economic problems—and of remaking our cities—represents a new area of activity for business, but that it can be done—and it must become a normal part of business operations.

To help pioneer this new approach, the National Chamber has recently researcned and published case studies of successful projects carried out by business (many times with government cooperation) to solve the people-problems of the cities. Such projects as:

Hard-core job training.

Housing for low-income families.

Summer youth employment.

Entrepreneurship in ghetto areas.

Jobs and advancement for minorities . . . and so on.

These case studies are blueprints of planning and action. They show the action taken, the mistakes, the successes and the outcome.

One of these case studies, incidentally, is about a project here in Detroit:

The story of collaboration by business with public education—to make high school education more relevant to the needs of students in the inner city.

These new areas of action for business managers call for new insights and reoriented skills.

To help meet this need, the National Chamber—using special methods developed by the Graduate School of Business Administration of Harvard University—has launched a program of Urban Leadership Workshops.

These Workshops are designed to train businessmen and others to adapt their skills and to develop new capabilities to enable them to do things they were not trained to do:

To identify and analyze the problems of their community;

To determine the causes of the problems;

To establish priorities;

To set up a plan of action, and

To mobilize the total resources of the community—the combined efforts of all the important groups and organizations in the area, public and private.

These Urban Leadership Workshops have been completely tested—and we intend to conduct 50 of them in principal cities, and thus to cover the major metropolitan areas of the country.

These Workshops tie in with the basic process which the National Chamber has developed for dealing with urban problems—and which is called "Forward Thrust."

This is not a fixed program. Rather, it is a technique—a strategic approach to community problem-solving.

It is a process by which the leadership of a community can bring to bear on specific local problems, the coordinated thinking, experience and action of all voluntary and governmental groups.

It was developed over a 10-year period, in cooperation with many state and local chambers of commerce.

And it has the support and cooperation of a good many national organizations, such as these—to mention a few of them:

The National League of Cities.

The United States Conference of Mayors.

The National Municipal League.

The International City Managers Association.

The Urban League.

There are program guidelines and manuals and a full set of tools ready for use. They are not a pat formula, but they provide valuable ideas about how to get action.

Let me tell you about a new bold approach. Believing there is widespread need for information—need for action—need for cooperation between the Nixon Administration and businessmen everywhere—we decided to "shoot for the Moon," so to speak.

On March 26, we're going to hold the most gigantic "town-hall" type of discussion ever staged in America.

On that day—March 26—the National Chamber will conduct a closed-circuit telecast from Washington, D.C., to 26 receiving cities—including Detroit, of course.

The members of President Nixon's Administration—including Cabinet and the new Urban Affairs Council—will discuss plans and programs which deal with today's problems of the cities.

This will be a "live" meeting, with full-color video, and a two-way audio hookup between Washington and the 26 receiving cities.

The telecast will reach more than 25,000 people—from 2,000 cities and towns—representing 4,000 voluntary action organizations.

This will not be a "show," or a "presentation"—it will be a two-way discussion—involving local leaders and Washington officials—talking about crime in the streets, welfare problems, manpower training, housing, health care, and the role of voluntary action.

This exchange of questions and answers—in the unprecedented conference in which you can participate without having to leave your home city—will provide the rallying point that we need.

What else do we need? We need morale!

Surely, every person in this room must be filled with a deep concern about the severity of today's problems—and the threat of these problems to America's future.

As I go about my work, and as I talk with people from all over the U.S.—and as I read some of the significant studies and reports that are being made—the thought keeps nagging me that the situation is almost out of control.

The message I get from some of the urban experts is plain and stark. We are told that, "We are strangling ourselves with numerous uncoordinated public and private efforts. These are doubly ineffective, because so few people have grasped either the immensity or the severity of the problems."

We are told that, "The quality of life itself is in serious danger."

That, "Giant population clusters have already become unmanageable, and that future growth projections are little short of ominous."

That, "The nation is on a collision course with stark destiny."

That, "Failure to embark on a wholly new dimension of leadership is the equivalent of national chaos."

In the face of all of this disheartening discussion, we need to build our morale.

With all of our resources of leadership at hand, we cannot, of course, afford to lose hope.

But what lies ahead is a gigantic task of improving society itself—improving our own man-made environment—and improving the social and spiritual quality of life itself.

If we saw "the crisis of the cities" in that positive light, we could deal with it more effectively. It would improve our morale.

We must not let ourselves come to think of our communities as a mass of failure. This would undermine the forward drive of all who are working toward improvement.

For a community to make truly effective use of its potential energy and resources, it must be motivated by a positive vision—it must think well of itself—it must have the high morale that comes with success and the prospects of greater success. So we need to emphasize the positive approach.

Then, too, business management men will need some new guidelines for action.

The new factor in the picture is that business today is being invited by government to cooperate fully—to become involved on a large scale, to assume responsibility and accountability for the solution of social and economic problems of disadvantaged people. So, for this new role, we need guidelines.

The role of business is a reasonably normal one—it is simply a role of leadership—of analysis and organizing and management.

But, this is different from the normal role of organizing capital and manpower to manufacture and distribute and finance goods and services.

It is different from serving on committees working toward community growth and improvement.

It is different from electing individuals to public office, turning the government over to them—and hoping for the best.

Today, leadership means being concerned enough to be committed to help take charge of the situation—and particularly, to help take charge of the things for which, normally, we have not had responsibility.

Leadership means involvement and commitment.

Leadership means vigilance.

It means learning a vast amount that most of us hadn't thought we wanted or needed to know.

As business moves to accept the new challenges—and to accept the new opportunities of our times—by cooperating with government—business is, in reality, adding a new dimension to its functions—is moving into new, untried relationships and is engaging in a strange sort of "courtship dance" with government.

And, when you come right down to it, it is pretty much of an improvised effort.

It is a performance without ground rules, and without fundamental agreements as to policy—and even without helpful theory—to govern immediate reactions, and long-range consequences.

And we have the right to wonder how this new trend will affect private enterprise—and what sort of changes this trend might bring about in our way of doing things, and in society as a whole.

For example, will the government slow down its rate of growth as it unloads some of its responsibilities on to business?

Will corporations grow larger?

Will the business community have more say in the formulation of national policies?

At any rate, we definitely are in a new era for private enterprise—and business is accepting a new responsibility for the well-being of society, as well as for its own well-being.

What about it?

Many questions are raised.

I make no pretense to knowing all the answers.

Out of my experience in organization work, however, I would like to offer a few suggestions.

First of all, businessmen must work harder, I believe, at the job of understanding the governmental process—and at the job of participating in government.

This does not mean lobbying.

It does not mean knowing how to "open doors" in government departments and agencies, on Capitol Hill, and in the Administration.

Basically, it means understanding the issues with which the government is dealing.

More than that, it means understanding how the government works—and understanding the government's problems and frustrations from the government's own point of view.

It means, above all else, earning the respect and confidence of the men and women, at all levels, who are the government.

Second, the business community must be positive and constructive in all its relationships with government.

I am sure the progressive business leader, concerned about today's vital problems will accept every opportunity to offer constructive proposals—and seek constructive cooperation.

I am equally sure he will take exception to government proposals if necessary—but he will be moderate in statement and will offer constructive alternatives, and will not automatically reject government proposals just because they are government proposals.

This is the day and time to narrow the areas of disagreement and to be positive in relationships with government officials—to win confidence in business integrity.

Third, to be successful in working with government, we will have to be successful in politics.

This does not mean that you need to run for public office.

It means—be active and useful in the political party of your choice.

It means—have a real part in selecting, nominating and electing qualified candidates to public office.

It means—contribute of your time and cash—in the primaries, and in the general elections.

To work hard enough in politics to be successful in politics, will call for substantial commitments of thought and time and effort. But, our business is at stake, and the future of the country is at stake. You can't afford not to work on that basis.

Then—after your candidates are elected, the way to help them be successful is to keep in touch with them, visit with them about their problems, be working partners with them.

So my plea is—learn to be successful in politics. This is certainly the foundation for understanding the governmental viewpoint and having constructive working relationships.

And now—turning strictly to the management and operation of your own business in this new era—you have an educational job to do.

It's public relations work. It is this:

In most instances, it is necessary to educate stockholders and the investment community to understand and accept the fact that the involvement of business in community problems is a sound, long-term investment for business.

Today's business leaders are, to some extent, on the horns of a dilemma.

When they try to "do good in the community"—say, by hiring dropouts and hardcore unemployed—many of their stockholders get very angry.

There now are an estimated 24 million stockholders in America.

And stockholders have a way of pressing for their own interests.

Militant stockholders argue that their companies have no right to retain earnings to contribute toward the solution of public problems—and that the companies should permit the stockholders, who are the rightful owners, to decide for themselves how their money should be spent. They have a valid point. It can be added to the cost—cut profits.

On the other hand, when managers try to work out profit-making agreements in their efforts to solve community problems, they sometimes bring down on their heads the wrath of citizens, civic leaders and politicians with accusation that the business firms are being heartless and money-grubbing—and have no respect for the needs of the people.

Both points of view are right, in a superficial way.

A continuous educational campaign is called for—there is room for deeper understanding on both sides. The public, and stockholders in particular, increasingly are endorsing an active leadership role by business in areas traditionally considered the province of government. That's a favorable opinion climate.

Next—and this cannot be emphasized too much—no matter how involved businessmen become in solving the problems of the cities, businessmen must continue to be totally committed to the profit principle.

The business corporation exists to earn a profit. That's good because profit is a yardstick for efficiency—and a goal to motivation.

Once we understand this, we are then in a position to establish ground rules which allow for a profit incentive. Then we will have self-generating, self-renewing motivation.

Government and business leaders are studying possible new ways for gettting corporations more fully involved. Among the ideas under discussion are:

Tax incentives; broadened use of the insurance principle to cover higher risks; arrangements for relaxing anti-trust regulations; use of more public-private corporations such as COMSAT.

Cooperation of this sort should be stepped up.

Finally, we must recognize that this new era of public-problem solving—and of preserving the incentive system—calls for the involvement and commitment of all businessmen and corporations, not just some of them.

Most businessmen believe strongly in the old adage, "Mind your own business"—but every business firm, large and small, must recognize that its own special world cannot flourish, if the human problems of our day are not solved—and if the structure of society in America is permitted to decay and crumble.

In all of this, if we are to adequately respond to President Nixon's Inaugural call to "enlist the legions of the concerned and committed," we must make maximum use of the ability of businessmen to get things done through organized effort.

The challenge which today faces the business community—and which the business community is accepting—calls for "men to match the mountains."

But, as our common sense tells us, it is far too big a challenge for any individual or corporation to try to face up to alone.

Fortunately, the business community already has all the organizational structure it needs for effective united action.

Our cue is to make maximum use of this machinery—covering every industry and every city and town in the Country—and to use the ability of businessmen to get things done by voluntarily working together—and by working with other groups in our society and with government, local, state and national.

Let me give you a quick example—

On Christmas day of last year, men circled the moon. Maybe you thought the cost was too high, but, at least, you will be interested in the steps which made this possible. Here they are—and they apply to any gigantic problem:

1. A completely exhaustive study of every aspect of the problem to be solved;

2. Agreement on what is available to meet the needs outlined—and on what can be done, and by whom;

3. A decision not to be intimidated by the magnitude of the task, or by its expense, or by the time and effort required to perform it.

4. An adequate organization of competent people;

5. Absolute refusal to be stampeded into shortcuts or unrealistic time scheduled for meeting goals;

6. The capacity to rebound from failure and to learn from mistakes.

These clear-cut steps enabled our country to attain a seemingly impossible goal through deliberate planning, massive organization, and a systematic commitment of the necessary human and natural resources.

I urge that we apply this pattern to the solution of the equally vast social and economic problems of our cities.

In the business community, in the year 1969, ladies and gentlemen, we know what it takes to do the job—pioneers, men with a sense of responsibility and determination—men working together—"men to match the mountains."

Today's challenge is to fight not just for good causes, it is to fight to find and apply sound solutions.

EAST-WEST TRADE BILL OF 1969

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 60 minutes.

Mr. FINDLEY. Mr. Speaker, I have today introduced the East-West trade bill of 1969 which would authorize the President to extend the benefits of most-favored-nation tariff treatment to any Communist country with which we maintain diplomatic relations and which is a member of the General Agreement on Tariffs and Trade. Poland and Yugoslavia, already members of GATT, now receive MFN treatment.

Czechoslovakia is a member of GATT but does not receive MFN and Rumania, also without MFN, has made application to join GATT. The President presently has no authority to extend MFN to Czechoslovakia, Rumania, or any other Communist countries.

My bill would give the President authority to use trade with Communist countries as a flexible tool to normalize relations with these countries.

The major substantive provision would be authority to extend MFN tariff treatment to certain individual Communist countries when this is determined to be in the national interest. The authortiy could be exercised only in commercial agreement with a particular country in which such MFN treatment would be granted in return for equivalent benefits to the United States. MFN treatment for the products of any country would stay in effect only as long as the commercial agreement with that country would be in effect.

In addition to peaceful trade there would be other benefits for the United States. For instance, before the trade agreement would be effective it would be necessary for satisfactory arrangements to be made for protection of industrial rights and processes, settlement of commercial differences and disputes, establishment or expansion of trade and tourist promotion offices, and settlement of outstanding financial and property claims.

I consider it crucial that these benefits be made part of the trade package and do not believe they would represent obstacles to normalization of trade. Certainly any trader has the right to insist on satisfactory and binding agreement for protection of industrial property and for settlement of disputes arising under a trade contract.

At the same time if the United States is going to allow these countries to open offices here to expand their commercial promotion, then we must insist on the same privilege in their country. Outstanding financial and property claims should also be resolved at the time of normalization of relations. Obviously the nature of the agreements finally reached in each of these matters would follow hard bargaining in which there would have to be some give and take on both sides, but it is crucial that some agreement be reached.

Likewise it is desirable not only from our viewpoint but from the Communist country as well that both trading partners be members of GATT. GATT normalizes trade relations between the industrial countries of the world and establishes certain guidelines which must be followed if the normal exchange of goods is to continue unimpeded. The United States would take an economic risk in carrying on commercial relations with a state trading company of a country that is not a member of GATT.

Here is the text of the legislation I introduced today:

H.R. 10569

A bill to promote the foreign policy and security of the United States by providing authority to negotiate commercial agreement with Communist countries, and for other purposes

Be it enacted by the House Representatives and the Senate of the United States of America in Congress assembled.

SHORT TITLE

Sec. 1. This Act may be cited as the "East-West Trade Relations Act of 1969."

AUTHORITY TO ENTER INTO COMMERCIAL AGREEMENTS

Sec. 2. The President may make a commercial agreement with a Communist country with which the United States has diplomatic relations providing most-favored-nation treatment to the products of that country whenever he determines that such agreement—

(a) will promote the purposes of this Act,

(b) is in the national interest, and

(c) will result in benefits to the United States equivalent to those provided by the agreement to the other party and further determines that the government of such country is a member of the General Agreement on Tariffs and Trade.

BENEFITS TO BE PROVIDED BY COMMERCIAL AGREEMENTS

Sec. 3. The benefits to the United States to be obtained in or in conjunction with a commercial agreement made under this Act shall include the following but need not be restricted thereto:

(a) satisfactory arrangements for the protection of industrial rights and processes;

(b) satisfactory arrangements for the settlement of commercial differences and disputes;

(c) arrangements for establishment or expansion of United States trade and tourist promotion offices, for facilitation of such efforts as the trade promotion activities of United States commercial officers, participation in trade fairs and exhibits, the sending of trade missions, and for facilitation of entry and travel of commercial representatives as necessary;

(d) most-favored-nation treatment with respect to duties or other restrictions on the imports of the products of the United States, and other arrangements that may secure market access and assure fair treatment for products of the United States; or

(e) satisfactory arrangements covering other matters affecting relations between the United States and the country concerned, such as the settlement of financial and property claims and the improvement of consular relations.

PROVISIONS TO BE INCLUDED IN COMMERCIAL AGREEMENTS

Sec. 4. A commercial agreement made under this Act shall—

(a) be limited to an initial period specified in the agreement which shall be no more than three years from the time the agreement becomes effective;

(b) be subject to suspension or termination at any time upon reasonable notice;

(c) provide for consultations at regular intervals for the purpose of reviewing the operations of the agreement and relevant aspects of relations between the United States and the other party; and

(d) be renewable for additional periods, each not to exceed three years.

EXTENSION OF BENEFITS OF MOST-FAVORED-NATION TREATMENT

Sec. 5. (a) In order to carry out a commercial agreement made under this Act and notwithstanding the provisions of any other law, the President may by proclamation extend most-favored-nation treatment to the products of the foreign country entering into such commercial agreement: *Provided*, That the application of most-favored-nation treatment shall be limited to the period of effectiveness of such commercial agreement.

(b) The President may at any time suspend or terminate any proclamation issued subsection (a). The President shall suspend or terminate such proclamation whenever he determines that—

(1) the other party to a commercial agreement made under this Act is no longer fulfilling its obligations under the agreement; or

(2) the suspension or termination of the agreement is in the national interest.

ADVICE FROM GOVERNMENT AGENCIES AND OTHER SOURCES

Sec. 6. Before making a commercial agreement under this Act, the President shall seek information and advice with respect to such agreement from the interested Departments and agencies of the United States Government, from interested private persons, and from such other sources as he may deem appropriate.

TRANSMISSION OF REPORTS TO CONGRESS

Sec. 7. The President shall submit to the Congress an annual report on the commercial agreements program instituted under this Act. Such reports shall include information regarding negotiations, benefits obtained as a result of commercial agreements, the texts of any such agreements, and other information relating to the program.

RELATION TO OTHER LAWS

Sec. 8. (a) This Act shall not apply to any agreement made with a country whose products are receiving, when such agreement is made, the benefits of trade agreement concessions extended in accordance with section 231(b) of the Trade Expansion Act of 1962 (19 U.S.C. sec. 1861(b)).

(b) Nothing in this Act shall be deemed to modify or amend the Export Control Act of 1949 (50 U.S.C. App. sec. 2021 et seq.) or the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. sec. 1611 et seq.).

(c) The President may by proclamation terminate headnote 4 to schedule 1, part 5, subpart B of the Tariff Schedules of the United States (77A Stat. 32, 19 U.S.C. sec. 1202) with respect to the products of any country to which it is applicable upon the entry into force of a commercial agreement made under this Act with such country.

(d) Any commercial agreement made under this Act shall be deemed a trade agreement for the purposes of title III of the Trade Expansion Act of 1962 (19 U.S.C. sec. 1901 et seq.).

(e) The portion of general headnote 3(e) to the Tariff Schedules of the United States that precedes the list of countries and areas (77A Stat. 11; 70 Stat. 1022) is amended to read as follows:

"(e) Products of Communist Countries. Notwithstanding any of the foregoing provisions of this headnote, the rates of duty shown in column numbered 2 shall apply to products, whether imported directly or indirectly, of the countries and areas that have been specified in section 401 of the Tariff Classification Act of 1962, in sections 231 and 257(e)(2) of the Trade Expansion Act of 1962, or in actions taken by the President thereunder and as to which there is not in effect a proclamation under section 6(a) of the East-West Trade Relations Act of 1969. These countries and areas are:"

Mr. Speaker, the time has come for the United States to remove some outmoded, self-defeating restrictions on trade with Communist countries and restrictions on MFN are among them.

Many of them arise from false assumptions about the role of China in the Korean war, others from mistaken theories about the impact of trade on the behavior of Eastern European countries.

Review and modification are timely because of both political and economic factors.

Our political interests would be served by initiatives to exploit the deep and relatively permanent split between China and the Soviet Union, and persistent pressures within Eastern Europe for greater external and internal independence.

Our economic interests would be served because increased cash markets overseas will help to meet income problems of American farmers and others as well as our worsening problems in national trade and payments balances.

Here is what I propose, in addition to legislation on MFN:

First. Lift the total embargo on U.S. trade with China. Treat trade with China the same as trade with the Soviet Union. This requires an end to the totally irrational double standard now followed.

Second. Rescind the requirement that 50 percent of certain grain cargoes to Eastern Europe must be carried in U.S. vessels.

Third. Rescind the requirement which prohibits full-cargo grain shipment to Eastern Europe.

Fourth. Rescind the requirement of specific license for agricultural exports to Communist countries, except of course for commodities in short supply.

Fifth. Request permission to establish a trade mission in Canton, China, site of the semi-annual trade fair.

Sixth. Establish agricultural attaches in each embassy in Eastern Europe.

These changes can be accomplished by Executive order.

Overnight President Nixon could clear away serious obstacles to the expansion of our agricultural trade and at the same time improve our position relative to the Soviet Union in the field of world power politics, all without firing a shot, pointing a gun or even building new arms. Political improvement would occur almost instantly, even though actual trade expansion might be months or even years in developing.

Even when trade expansion develops, no strategic disadvantages can be anticipated. My recommendations would impair in no way whatever the system of controls on the export of strategic goods. This would remain in full force. Nor would the new policies in any sense subsidize unfriendly regimes, because they deal entirely with trade, not aid.

The restrictions which I suggest be terminated have not caused Communist countries to do without. Rather, by imposing costly hindrances on U.S. commercial enterprise, they have caused American farmers and other business interests to do without.

Most of these policies developed before it became clear that the Korean war was almost entirely a Soviet enterprise, with the Chinese role comparatively modest. The war was both started and stopped by the Soviets—not China—yet we trade with the Soviets and refuse to trade with China.

In Eastern Europe the development of trade will help to make the Soviet satellite nations less dependent on Moscow, and bring them more into the habits of the private marketplace.

It would be a mistake, of course, to assume that these new policies will soon lead to substantial markets. It would also be a mistake to expect too much in the way of political returns from these initiatives. At the same time, I firmly believe that U.S. moves showing we want to normalize relations with China and Eastern Europe will do more than anything else to make Soviet behavior more reasonable.

LIFT THE CHINA EMBARGO

Presently the United States prohibits all trade with China. This embargo was not initiated because the Communists took control of the mainland. It was initiated because of Chinese intervention in the Korean war.

The Communists proclaimed their republic October 1, 1949 and U.S. trade with China was normal, although small, until December 1950, when Chinese troops crossed the Yalu River. Although the Korean armistice was signed in June 1953—almost 16 years ago—the embargo continues, because the national emergency proclaimed shortly after the war started has continued in effect.

This is difficult to justify.

Although the United Nations labeled China the aggressor in the Korean war, it is now a clearly established historical fact that it was North Korea, aided and encouraged by Russia that was the aggressor. North Korea was heavily supplied by Moscow. As a practical fact, the Korean war was both started and stopped by the Soviet Union. Chinese troops entered only as U.N. forces approached the China border.

Yet we trade with Russia, and refuse to trade with China.

Moreover, 15 other nations fought alongside the United States in the Korean war, among them France, Britain, Canada, and Australia. Each suffered considerable losses, yet each now carries on substantial trade with China. Is everyone out of step but us?

Political considerations alone make desirable a review of our trade embargo against China. China is no longer a satellite of Moscow, if it ever was. Doubtless Moscow and Peking have certain doctrinal solidarity and other common interests, but they have deep, abiding differences.

Foremost among the differences are border disputes. The vast common border between the two states is the longest in the world, and tension is certain to mount as China asserts its historical claims on territory.

In formulating our policies, we would be wise to recall the advice of Klauswitz:

> Support the weaker of your two adversaries. Accept the risk of abetting a potential future menace in order to check the present one.

Lifting the embargo would serve to end the curious, irrational double standard we now apply in dealing with China and the Soviet Union. In dealing with the Soviet Union we have sought to build bridges, political contracts, and trade, believing this in the long run will help to modify Soviet behavior and make Moscow a more responsible member of the world community. In dealing with China, our policy has been just the opposite. While we seek to expand contacts with Russia, we reject them with China. While we seek to enlarge Soviet participation in world affairs, we oppose such by China.

Attempting to justify this double standard is especially difficult in light of the fact that Chinese forces were long ago withdrawn from Korea, in striking contrast to the Soviet armies still present in Poland, Hungary, East Germany, and Czechoslovakia.

It just is not true that the Soviets, like the Dodge boys, are always presumed to wear the white hats.

Our action lifting the trade embargo may not yield early results. It takes two to trade. Given the mutual suspicion and distrust which have marked recent United States-China history, relations will not improve overnight.

In fact, our action lifting the embargo should be accompanied by a statement listing several other important new policies.

The United States should declare that—

First. We will have no part in any effort to gang up with Russia against China.

Second. We have no military designs on the mainland, and will not support any such adventures.

Third. We stand ready to exchange diplomats, tourists, businessmen and cultural groups whenever China is ready.

New policies certainly make good sense from the standpoint of American farmers.

Although recent wheat shipments to China have declined, the overall trend shows great potential. In the period, 1960–67, Canada shipped 454 million bushels of wheat to China. Australia shipped 532 million bushels, Argentina 159 million, France 78 million.

Of this market totalling over a billion bushels, American farmers provided not a single one.

Ironically, in 1961 when the Canadians first started shipping wheat to China, the minister for agriculture in the Canadian conservative government offered, in a private meeting with President Kennedy, to split the China order with the United States. President Kennedy refused.

TRADE HANDICAPS IN EASTERN EUROPE

Agricultural trade with Communist states in Eastern Europe involve still different problems and handicaps. No embargo exists with Poland, Bulgaria, Yugoslavia, Rumania, Czechoslovakia, Hungary or the Soviet Union. Two of these countries, as members of GATT, have most-favored-nation treatment which puts their tariff schedule on par with all free world countries.

Nevertheless, our trade languishes.

Although our total trade with the East is very small, most of it is composed of agricultural products. Improving this trade is hindered by four principal factors: One is tariff discrimination against all of these countries except Poland and Yugoslavia. Lifting this discrimination requires legislation.

The other three limiting factors can all be removed by Presidential Order. Each of them adds unfair competitive costs to U.S. shippers. One is the requirement that 50 percent of certain shipments must go in U.S. vessels. This applies to all wheat and feed grain shipments to the Soviet Union, and to all wheat shipments to Eastern Europe except Poland, Rumania, and Yugoslavia. This adds about 25 percent to the cost of shipment and effectively blocks U.S. farmers from most deals. This requirement is therefore no help to the U.S. merchant fleet and clearly hurts the farmer. If our merchant fleet merits subsidy, the subsidy should be provided directly.

Another requirement provides that certain shipments must be partly unloaded at non-Communist ports. This applies to all feed grain shipments to Eastern Europe except Poland, Romania, and Yugoslavia.

How foolish this can get is illustrated by the fact that a shipment of corn to Czechoslovakia cannot meet the part-cargo requirement by stopping off at Poland, even though a full-cargo shipment to Poland is permitted. This too impairs the competitive position of the U.S. shipper, because it prohibits efficient full-load bids.

The final restrictive provision requires a specific license for each shipment to most of these countries. The legality of this requirement may be questioned, but it is being enforced and of course adds to the cost of doing business.

In many instances these countries manufacture few items the United States is interested in. But the most serious restriction is that goods imported from these countries, with the exceptions of Poland and Yugoslavia, are at present required to pay higher duties than those levied on similar goods from other countries. This is the result of congressional action providing for the withdrawal of equal tariff treatment or the so-called most-favored-nation treatment. This provision was first enacted in the Trade Agreements Extension Act of 1951 as a result of the Korean war.

Since the Korean war has been over for 16 years it would make good sense to allow the President the authority to extend the benefits of equal tariff treatment to those Eastern European countries, with the exception of East Germany, not now receiving it.

Accordingly, I will soon introduce the East-West trade bill of 1969, which will authorize the President to extend this tariff treatment to any country which is or becomes a member of GATT but which does not now receive MFN.

Before we can realistically expect to increase agricultural exports we must extend MFN to these countries. This is so because in order for these countries to buy agricultural products from us they must earn U.S. dollars. These dollars, in the absence of long-term credit arrangements, can be secured in only one way: through selling their exports.

What are the prospects for agricultural trade in these countries?

Let us take the example of wheat. In 1967 our neighbor, Canada, a strong friend which has supported us in many ways, sold 228.7 million bushels of wheat to Communist countries. Canada sold 5.13 million bushels to Albania, 6.18 to Czechoslovakia, 5 to East Germany, 18.5 to Poland, 110.6 to Russia and 82.5 to China.

Although the United States is the world's largest wheat exporter, Eastern Europe has not been an important U.S. market. For instance, during the second half of the 1950's, U.S. exports to Eastern Europe accounted for only 2.5 percent of U.S. wheat exports. In the 1960's it is still less than 5 percent.

The Soviet Union has been the principal wheat supplier in Eastern Europe, but because Russian agricultural output is unpredictable and often tied with political strings, Eastern European countries look for alternative sources. And they have been looking to the West. Unfortunately, the United States has been left out. While U.S. wheat shipments account for 1 percent of Eastern Europe's imports, Canada supplied 16 percent and France 35 percent.

Eastern Europe, like China, is a net importer of wheat. In fact, the countries of the East generally account for 10 percent of the world wheat import total. We have been closed out of this market. When one considers that we are closed out of the China market, too, we compete in only 75 percent of the total world wheat market, whereas Russia, France, Canada, Australia, Argentina, and the other major wheat producers compete in 100 percent of the market.

What is the trend for the future? Although increases in yield are expected, Eastern Europe will continue to be a wheat deficit area. For instance, in 1970 it is estimated that five countries of Eastern Europe will have a wheat deficit of 3,835,000 metric tons.

What is the situation for other agricultural commodities? It is promising. In the period since World War II, the Eastern European countries have been importers of bread grains, soybeans, soybean meal, ground grains, and grain sorghums with protein supplements such as soy and fish meal. Thus they might well absorb some of the bulge which is likely to result as the United States is squeezed in the highly protectionist-oriented Common Market.

On balance, it appears there will be a growing market for about three major American agricultural products which we produce in abundance—cotton, feed grains, and soybeans.

In looking at the potential trade aspects of Eastern European countries one must not, of course, overlook the fact that these are Communist countries, dominated and run by a single party system in firm control of all aspects of human and business activity. They are firmly tied ideologically to the Marxian Socialist principle.

However, it must also be observed that at the present time each of these countries is insisting on making its own interpretation and application of these principles and some of their economic activities are straying far from basic doctrines. There have developed capitalistic incentives and, indeed, capitalist methods. In trade and economic matters, there seems to be a major move in all countries to play an in-between role, thus taking advantage of both Eastern and Western trade and economic contracts.

As I see it, the United States should deal imaginatively, but realistically with the several different competing centers of Communist power. Trade can be a most important method to normalize relations with Eastern Europe, realizing, of course, that there are severe limits on the extent to which the United States can reduce Soviet influence there. United States policies toward these Communist countries have been based more on what we would like to see happen, rather than reality. In the long run the natural desire for national self-assertion will rise regardless of United States policies. The Russian invasion of Czechoslovakia can no more prevent this than Pope Leo X could prevent the Reformation.

The United States commitment to peace, democratic government, and orderly change is a long term affair. While it does not preclude our readiness to participate in defensive alliances, or to take appropriate measures against acts of aggression, our national policy is basically committed to the building of a peaceful world. The long term interests of the United States would, therefore, be best served by reducing tensions wherever possible and by establishment of normal and durable commercial, technical, scientific, and cultural relations with Eastern Europe, the Soviet Union, and China when they show a reciprocal interest in the pursuit of normal relations. In other words we should be prepared to go as far as they are. In this manner hopefully the nations of the East will see that we have no political or territorial designs on them.

In that regard we need not preach to them of the advantages of national independence and self determination. They already know the advantages. What we should seek is to shape our policies in such a manner as to permit reasonably extensive, profitable, and durable relations with individual Communist nations. This requires that we stop viewing the world in terms of an irreconcilable and permanently deadly struggle between all that calls itself Communist and all that does not. We must recognize instead that trade can be among one of the most promising forms for improvement.

The potent movement toward self-determination, national identity and political diversity within the Communist camp is a development of real significance to the world. It is gradually changing the political content of communism, impelling the leaders of these countries, especially in Eastern Europe, to give a higher priority to domestic economic and social problems rather than to ideological crusades and territorial expansion. There can be little doubt that a steady, unimpeded mutually profitable exchange of goods between the East and West helps to support this clearly discernible trend toward the more pragmatic, efficiency-minded and consumer-oriented Communist societies of Eastern Europe.

What I propose is trade, not aid.

I do so with a word of caution. If, as I recommend, we lift our embargo on China trade, let the President extend tariff equality to Eastern Europe, start actively promoting our agricultural products in the Communist world, and terminate present requirements on part-cargo, specific licensing and U.S. vessels—even so, I would not anticipate dramatic new advances in trade volume, or in peaceful behavior by Communist authorities. Such advances will take time.

Nor should we drop our military guard, or lessen our diplomatic vigilance. Zealous and fanatical elements—Communist and non-Communist alike—may well for some time seek to impose arbitrarily their political and economic system on us. In the Communist world especially, political and military power is won and kept by intrigue. No one can accurately forecast what tomorrow will bring.

But, while vigilance and preparedness is rational, so is communication. And one of the best and most persuasive means of communication is commerce.

Mr. Speaker, I insert at this point in my remarks some additional material concerning my bill, including a memorandum on East-West trade prepared in my office which sets forth some of the essential background information regarding the timely subject. As a part of this memorandum, I have included several items in the appendix.

The material follows:

MEMORANDUM: TRADE BETWEEN THE UNITED STATES AND THE COUNTRIES OF EASTERN EUROPE INCLUDING THE SOVIET UNION

I. INTRODUCTION

The United States has been engaged in trade with the countries of Eastern Europe for many years. (See Appendix I.) Today, the critical question in any discussion of East-West trade is not whether there shall be any trade, but the conditions under which such trade will be conducted. In 1965 the United States exported $139 million in goods to the Eastern European countries, excluding Yugoslavia, and imported $138 million in goods from them. (During the same period the countries of Western Europe and Japan exported $7.8 billion in goods to Eastern Europe and imported $4.5 billion from them.) Accepting the fact of trade, this memorandum is concerned with the present trade policy of the United States and strategic considerations for future trade policy. The most relevant issues involve the effect of trade on the economies of Eastern European countries and political and economic benefits which the United States may expect to receive through continued participation in East-West trade.

This memorandum will analyze first the factors contributing to the comparatively limited volume of trade between the United States and Eastern Europe, and, secondly, the study will discuss political and economic advantages which the United States should seek to gain in future trade policy.

II. LIMITATIONS ON UNITED STATES-EASTERN EUROPE TRADE

A. Reserves: Of all the Communist countries, only the Soviet Union possesses substantial gold reserves and ore deposits which can and have been sold on the world market for dollars or other international currencies to finance increases in imports. Most Soviet bloc countries find it necessary to pay for imported goods and services with exports of merchandise, and the problem of generating sufficient quantities of marketable exports has become increasingly active.[1]

The foreign exchange reserves of the bloc countries are kept to a minimum "consistent with maneuverability in foreign trade."[2] Most probably, Soviet bloc countries have little more than a working balance of foreign exchange except temporarily through accumulations from seasonal exports. Should temporary financial difficulties arise because of a shortage of funds, the satellite countries can make limited use of the loan facilities of Soviet-controlled banks in London and Paris and of normal commercial facilities available up to six months from Western banks. "Beyond this, most European satellite countries have little or nothing to fall back on aside from the largesse of the U.S.S.R."[3]

B. Credits: In order to mitigate their financial difficulties, the Soviet Union and other bloc countries have sought and continue to seek credits from the West to finance Capital goods imports. Most Western industrial nations guarantee long-term export credit to the Eastern European nations. These supplier credits are normally granted by local banking institutions and are usually insured by a government or quasi-governmental export credit insurance organization in the exporter's country.

Although export credit insurance or guaranty facilities were not erected specifically as an aid to East-West trade, such facilities do act as a stimulus to such trade.

"Export credit guarantees benefit both the Western exporter and the purchasers. They allow the exporter to obtain local bank financing enabling him to meet production and construction costs and to offer credit terms sufficiently attractive to complete his sales. In the case of bloc countries, Western credit insurance programs permit purchases of capital goods by the Soviet bloc in greater quantities than would be possible if only the proceeds from current exports could be used for such purchases. Because export earnings of many bloc countries are often less than required for import programs, Western credit insurance schemes are a real boom to bloc purchases."[4]

In comparison with other Western nations, the United States severely restricts the availability and terms of export credits to Communist countries. (Details concerning representative types of Western export credit insurance systems are shown in Appendix III.) Such restrictions have been authorized by the Johnson Act of 1934, amended in 1945. However, in 1963, an opinion by the United States Attorney General expressed the view that the extension of credit in a foreign trade transaction was not a "loan" within the meaning of the Johnson Act.[5] At the end of 1963 the foreign aid bill for Fiscal 1964 included a prohibition on United States Government guarantees through the Export-Import Bank of the credit of Communist governments. A waiver clause in the bill permits the President to authorize such guarantees if he deems them to be in the national interest. To date the President has authorized credit guarantees for exports to all Eastern European countries except Albania and East Germany. Agricultural credits have been granted to the U.S.S.R.[6]

Current United States credit restrictions place "American exporters at a disadvantage in relation to other Western nations in their competition for credit-seeking customers in the Communist bloc."[7] However, United States policy has been based on the assumption that it is impolitic to provide economic aid to countries which are basically hostile to Western purposes. (For an analysis of strategic considerations of credit policy, see below, page 5ff.)

C. Embargo on Strategic Items: Exports from the United States may be prohibited or curtailed by the President under authority granted by the Export Control Act of 1949, as amended. Primary responsibility for controlling exports is delegated to the United States Department of Commerce and is administered by that agency in the office of Export Control of the Bureau of International Commerce.

National security controls are instituted to provide control of exports from the standpoint of their significance to the security of the United States. At the present time these controls include an Embargo to Communist China, North Korea, the Communist controlled area of Vietnam, and Cuba, as well as broad controls over exports to the Eastern Europe countries. On October 12, 1966, the President reduced export controls with respect to approximately 400 nonstrategic items for export to these countries. Writing in 1965—a year before the President reduced export controls—Brzezinski suggested that the general volume of East-West trade is affected "only to a very limited extent" by the embargo policy.[8] Thus, while the embargo prevents export of strategic goods, East-West trade is not seriously restricted.

D. Most-Favored-Nation Policy: Currently, the United States denies most-favored-nation treatment to all of the Soviet-bloc nations except Poland and Yugoslavia which are extended the benefits of MFN status under the terms of section 402, the Foreign Assistance Act of 1963.

Reciprocal granting of MFN status by the United States and the Communist nations would enable the United States to benefit from reduced tariff rates and other trade concessions. However, it should be noted that the enhanced competitive position of the United States would be meaningful only in respect to competition with other Western sources of Communist imports. Imports in a Communist country do not compete with domestically produced products, but only complement them.[9]

III. STRATEGIC CONSIDERATIONS OF EAST-WEST TRADE

A. Effect on the Soviet Economy: To discuss East-West trade intellingently two myths must first be dispelled. First, United States trade with the Soviet Union and other Eastern European countries is not going to significantly strengthen the Communist economies and build-up their war-making capability. This contention is often made even though the Soviet Union already is a major power with the second largest GNP of all countries. The quality of Soviet industrial technology is exemplified by the fact that they launched the first Sputnik and the first men in space. Many Soviet scientists have been decorated for their achievements.[10]

The Mutual Defense Assistance Control Act of 1951 (the Battle Act) provides "for the control by the United States and cooperating foreign nations of exports to any nation or combination of nations threatening the security of the United States.[11] However, the Soviets can and often do buy industrial goods in Western Europe when refused an export license in the United States. For example, during the late 1950's export licenses were refused for tire plants in the Soviet Union and Poland. Subsequently, a British consortium obtained a contract to supply such a plant to the Soviet Union. In 1959 a polyethelene plant was denied for the Soviet Union, and a British firm later built the plant. Ethylene glycol or oxide plants were consistently denied to several Eastern Europe countries in the early 1960's. In 1964 an Italian firm built one of these plants in Czechoslovakia.

The range of goods covered by unilateral export controls of the United States is far more comprehensive than embargo coverages provided by the agreements with Western Allies under the Battle Act.[12] However, given the present strength of the Soviet economies and the availability of many goods from Western countries, U.S. trade with the Soviet Union is not going to strengthen their war-making ability.[13]

A second myth which must be dispelled in discussing East-West trade is that United States trade will encourage a major change in their pattern of resource allocation. The Soviets are not so much interested in purchasing consumer goods as they are in obtaining industrial processes and the Soviet Union won't voluntarily place itself in a position of political and military impotence. It is hardly to be expected that the Soviets will enter into a trade arrangement which will be to their disadvantage. On the other hand, United States trade with the Soviets may very well encourage long-term reallocation of resources so that domestic needs are given greater emphasis.

With regard to credit policies, one authority has suggested that coordination of terms of credit within the western alliance is of greater importance than the actual credit limits which are determined.

"On the one hand, the 'aid' provided to the communists is likely to be marginal even if agreed credit terms are liberal; and on the other, the loss of trade to Western countries as a result of credit restrictions is likely to be quite small. In any event, the disadvantages of ill-feeling among the Western allies seems a high price to pay for the limited rewards of independent, national credit policies."[14]

Even though short-term credit guarantees tend to force a greater immediate reallocation of resources, the effect on the Soviet economy of either short or long-term credit is debatable. For a more detailed analysis of the Soviet economy and the effect of trade with the United States, see Appendix IV.

B. Benefits for the United States:

1. In suggesting ways in which East-West trade can serve the national interest of the United States in the future, the first and most obvious benefit is increased financial returns. As shown above, trade between the Western European countries and the Eastern Europe area amounted to more than $8 billion in 1965 and total United States trade was only $217 million. This United States trade represented 0.59% of total United States exports and about 0.7% of United States imports. According to a high official in the Department of Commerce, "While we do not foresee matching Western Europe's trade with Eastern Europe, we believe there is room for substantial improvement in the United States' share of such trade"[15]

2. The major issue in future United States trade policy with Eastern Europe concerns the conditions under which such trade will be conducted. It is not realistic to expect the Communist countries to agree to conditions involving dramatic and spectacular political concessions (removal of the Berlin Wall, for example) in exchange for broadening trading opportunities. One of the Soviet Union's principle trading partners is

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Footnotes at end of article.

West Germany, a country with which the Soviet Union has hardly improved political relations.

On the other hand, need for trade and domestic economic pressures are capable of "profoundly changing . . . communist views and practices . . . The climate surrounding Western businesses in East Europe and Russia improved enormously during the early sixties." [16] That important political concessions can be encouraged by economic necessity is illustrated by the establishment of diplomatic relations between West Germany and Rumania. According to *The Reporter* (April 20, 1967), relations were established with "West Germany against the Kremlin's wishes and over the protests of East German Chairman Walter Ulbrecht." (p. 24). The volume of Rumanian-West German trade is approaching $200 million annually. West Germany is second only to the Soviet Union as Rumania's leading commercial partner.

The experience of Rumania, Yugoslavia, and the reforms which have taken place in other Eastern European countries (such as Poland and Czechoslovakia) indicate that the liberalization of domestic policy and independence of foreign policy is far from being unrelated to East-West trade. However, there are other specific actions which the United States should consider and perhaps demand of the Communist countries in return for increased trade. Examples of such actions include the following:

a. Settlement of the outstanding indebtedness to the United States by respective Communist countries. (See Appendix V.) "There appears to be no serious objection in principle on the part of Communist nations involved against the settling of their debts by a debt agreement." [17]

b. Publication by Eastern European countries of financial data such as gold and foreign exchange reserves, total foreign indebtedness and repayment schedules.

c. Increased contact between United States businesses and the ultimate consumer/supplier.

A most significant way in which East-West trade could prove advantageous for the United States at the present time is through encouraging and facilitating a reorientation of communism as a disruptive force. There are two ways of meeting a disruptive force: immobilization (containment) and reorientation. The United States should move beyond the policy of simple containment and and seek to reorient the Soviet Union and other Eastern European countries to accepting the rule of law, especially impartial third party adjudication as the basis for settling disputes. Although it is premature to believe the Soviets will accept impartial third-party adjudication for solving political disputes, their desire for East-West trade can function as an inducement to settle commercial disputes by rule of law. Ideally, if the Soviets have a good experience with this concept in businesss relations, they may be more willing to accept rule of law as a way of resolving political disputes.

In negotiating credit arrangements and in seeking to extend "Most Favored Nation" treatment to the Soviet Union and East European countries, the United States should consider insisting on certain conditions designed to advance the rule of law:

First, adherence to the Multilateral Copyright Convention and Protocols dated at Geneva, September 6, 1959, or an appropriate equivalent. Of the Eastern Europe countries only Czechoslovakia and Yugoslavia are parties to this convention.[18]

Secondly, adherence to the Madrid Convention of 1891 for the Prevention of False and Misleading Indication of Source.[19]

Thirdly, greater compliance with the general rules of GATT.[20]

Fourthly, and most importantly, acceptance of satisfactory arrangements for impartial third party adjudication of commercial disputes. The only specific governmental bilateral agreement with an Eastern European country that mentions arbitration is the joint United States-Rumanian Communique of June 1, 1964, which included an agreement "that commercial contracts between United States firms and Rumanian state enterprises could provide for the settlement of commercial differences and disputes by arbitration in third countries or by appropriate international tribunals is agreed to by the parties to the contracts." [21]

The Soviet Union and probably other Eastern European countries under special conditions will permit United States companies to stipulate third country arbitration in their commercial contracts at their requests.

Contracts between Western firms and Eastern European enterprises may contain a clause referring the arbitration of disputes to the Chamber of Commerce in Stockholm or Zurich. There have also been a limited number of cases where the rules of the American Arbitration Association or the International Chamber of Commerce have been specified.[22]

The Soviet Union, Bulgaria, Czechoslovakia, Hungary, and Rumania are parties to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards of June 10, 1958, which was adopted by the United Nations Conference on Commercial Arbitration. The Convention constitutes a considerable improvement over former international agreements.

"The Convention permits the winning party to obtain satisfaction of the award regardless of the place of arbitration, the nationality of the arbitrators, and, in general, the domestic arbitration statute prevailing at the place of arbitration. The burden is on the losing party (against whom enforcement is sought) to prove that the foreign award has not become binding or has been set aside or suspended. Thus, the autonomy of the will of the parties plays a decisive role when the arbitration is conducted properly." [23]

The Soviet Union, Bulgaria, Hungary, Poland, Rumania, Czechoslovakia, and Yugoslavia are also parties to the European Convention on International Arbitration of April 21, 1961, which was elaborated by the United Nations Economic Commission for Europe. This Convention provides for a rather complex formula for settling commercial disputes through arbitration procedures which is based on the fact that none of the states of Eastern Europe is a member of the International Chamber of Commerce. The Convention had to overcome different attitudes regarding institutional arbitration which are greatest between West and East Europe.[24]

The fact that the Soviet Union and other Eastern European countries are parties to both of the Conventions, 1958 and 1961, and the fact that the Eastern European countries have previously agreed to third country arbitration under special conditions suggests that the Eastern European countries would agree to third country adjudication of all disputes if requested by United States firms. The United States should seriously consider insisting on agreement to third party adjudication as a condition for increased trade with the communist countries. Such an agreement on the part of the Soviet Union would represent a significant step toward more peaceful and harmonious relations with Western nations and enhance the force of international law.

An interesting aspect of international trade is the fact that the United States is not a party to any convention establishing arbitration panels or other procedures for the settlement of international commercial disputes. Various business firms and legal groups (including the American Bar Association) in the United States have recommended that the United States become a party to the June 10, 1958, Convention on the Recognition and Enforcement of Foreign Arbitral Awards.[25] According to a leading authority on international trade, United States businessmen face a definite disadvantage regarding foreign law enforcement, vis-a-vis their foreign counterparts, because the United States Government has not been a signatory to any of the multilateral conventions concerning arbitration.[26] Indeed, the United States could contribute to a rule of law by acceding to the 1958 Convention even though economic and political necessity may not demand such accession.[27]

In conclusion the reader should realize that East-West trade is, at least in one respect, more important to the communists than to western countries.

"For the East, trade with the West has been a unique source of industrial imports; for the West it has been mainly a source of nonindustrial items, many of which are available from other sources." [28]

Communist exports do not enjoy a strong competitive position with respect to products of western nations. While western countries have alternative sources of supply for their imports from the East, Communist imports of capital equipment are an important factor in domestic economic planning. The loss of such imports, while not calamitous, "would be disruptive of current communist economic plans. In addition, trade with the West provides the smaller communist countries with a measure of freedom which they would not otherwise enjoy." [29]

Given the basic strength of the Western position, the United States should be prepared to encourage a reorientation of communism so that this philosophy becomes less of a disruptive force in the world and more of a positive factor in supporting rule of law.

The attitude of the United States toward trade relations must depend in part on the extent to which the communist states are willing to make adjustments in domestic and foreign policies. The current Administration has not taken full advantage of the buying power of the United States. For example, Most-Favored-Nation status was extended to Poland not only in recognition of changes in Poland's internal policies but also because Poland made a settlement on debts owed to the United States. However, since December 1966 internal liberalization has been abated, and Poland foreign policy has become less independent. The Administration apparently has taken no steps to encourage a reversal of these recent trends.

According to Secretary of State Dean Rusk, trade alone cannot be expected to change the fundamental nature of the communist system in any Eastern European country; however, the United States may expect that the very close relationships normally growing out of trade will provide opportunities for influencing the development of communist societies toward more internal freedom and peaceful relations with the free world.[30]

Even though East-West trade will encourage greater interaction between communist and non-communist peoples, definite, concrete steps must be taken to influence the attitudes of the ruling elites of these countries. One step would be to compel communist nations to adhere to established modes of behavior in international commerce. Such adherence would encourage the communists to modify their rigid dogma in political matters just as trade with Western European nations has already stimulated changes in the formally centralized economic structure of the Eastern European countries.

The real goal of future United States policy with respect to East-West trade should be to move the Eastern European countries toward acceptance of principles safeguarding private property (industrial processes, literary works, inventions) through adherence to established conventions on patent protection and copyright laws. For example, the Soviet Union does not adhere to either of the major copyright conventions.

Footnotes at end of article.

Given the fact that trade between the United States and countries of Eastern Europe does exist, it would seem wiser to develop trade relations which emphasize the advantages of closer ties with the West than to pursue policies which may drive the communists back to a reliance on their own resources. However, the United States should insist on Soviet adherence to established rules of international commerce as one means of promoting wider respect for peaceful coexistence and international law.

FOOTNOTES

[1] *A Backround Study on East-West Trade,* prepared for Committee on Foreign Relations, United States Senate (April 1965), p. 60, and "The Proposed 'East-West Trade Relations Act of 1966': Analysis of its Economic Aspects," by Vladimir N. Pregelj. Economics Discussion, Legislative Reference Service (July 25, 1966), p. 32–33, Cited below as Pregelj. For statement on gold reserves see Appendix II.

[2] *Background Study,* p. 60.

[3] Ibid.

[4] Ibid, p. 61.

[5] Cf. *Government Guarantees of Credit to Communist Countries,* Hearings before the Committee on Banking and Currency, United States Senate (November 20, 21, and 22, 1963), pp. 27–32.

[6] Data supplied by Vladimir N. Pregelj, Analyst in International Trade and Finance, Economics Division, Legislative Reference Service.

[7] Pregelj, p. 34.

[8] Zbigniew Brzezinski, *Alternative to Partition* (New York: McGraw-Hill, 1965), p. 61.

[9] Pregelj, p. 29.

[10] Since 1956 the U.S.S.R. has had six Nobel prize winners for physics and one in chemistry. (See Appendix IV)

[11] Cited in Congressional Digest, Vol. 46, no. 6–7 (June–July. 1967), p. 166.

[12] *Background Study,* p. 42. Efforts on the part of the United States to enlarge the COCOM list of strategic goods have consistently failed because the Western European allies do not agree with the United States as to the extent of that list. Cf. Professor Peter Hay, "Common Market Countries' Approach to East-West Trade" in *Proceedings, International Society, Stanford Law School,* Gene Armstrong, ed., Vol. I, (1966), p. 71.

[13] Earlier rantings of communist statesmen against Western trade controls indicated they hurt, even if sometimes the damage was mainly psychological. "Nevertheless, the resource base of the communist world is such and its determination to accord such a high priority to its defense establishment is so firm, that we should not expect either to reduce their power significantly or to deter them from their purposes by the control of trade." Cf. Philip E. Uren, ed., *East-West Trade* (Toronto: The Canadian Institute of International Affairs, 1966) p. 122.

[14] Philip E. Uren, "Some Strategic Considerations Relating to East-Wast Trade," op. cit.

Berne Union policies on the limits of export credit have almost completely disappeared with British, French, and Italian extension of 12-15 year credits as against the 5 year limit of the Berne Union which the United States continues to follow. Cf. Professor Peter Hay, "Common Market Countries' Approach to East-West Trade," Op. Cit., p. 71.

[15] The Honorable Robert S. McNeill, United States Deputy Assistant to Secretary of Commerce for Trade Policy, quoted in *Congressional Digest,* vol. 46, no. 6–7 (June-July 1967), p. 186.

[16] Brzezinski, p. 68.

[17] Pregelj, p. 35.

[18] With the exception of the Soviet Union and Albania, the Communist countries of Eastern Europe subscribe to the 1886 Berne Copyright Convention, revised at Brussels in 1948, which affords essentially the same protection as the 1952 Copyright Convention. The United States has *not* signed the Berne Convention. The Soviet Union has not signed either the Berne or 1952 Convention.

[19] Neither the United States nor the Soviet Union has signed this Convention. Thus, at the present the United States could hardly compel the Soviet Union to sign. Both the United States and the Soviet Union adhere to the major multilateral Convention for protection of industrial property, the Convention of the Union of Paris, 1883, revised at Lisbon in 1958.

[20] Cf. Brzezinski, p. 64, ff.

[21] Data supplied from William B. Macomber, Jr., Assistant Secretary for Congressional Relations, Department of State.

[22] State Department source.

The Yugoslav Federal Economic Chamber systematically encourages firms to stipulate ICC arbitration. Cf. *The American Journal of Interational Law,* vol. 59, no. 3. (July 1965), pp. 581ff.

[23] Martin Domke, *Commercial Arbitration* (New Jersey: Prentice Hall, 1965), p. 105.

[24] Uren, pp. 101, 102 ff.

[25] Domke, p. 105 and Steven Lazarus, *et al., Resolving Business Disputes* (New York: American Management Association, 1965), p. 176.

[26] Lazarus, p. 173.

[27] From 1945 to the present the United States has added impetus albiet in a most restrained manner, to international arbitration through a series of "Friendship, Commerce and Navigation Treaties" with foreign governments. Such bilateral treaties have been signed with Belgium, Denmark, the Federal Republic of Germany, France, Greece, Iran, Ireland, Israel, Italy, Japan, Luxembourg, Korea, the Netherlands, Nicaragua, Pakistan, and Vietnam.

The concept of comity also affords the United States businessmen a great degree of international enforceability of arbitration awards. Cf. Lazarus, pp. 139 ff. and Domke, pp. 105ff. For histories of United States treaty policy on commercial arbitration see Martin Domke, ed. *International Trade Arbitration* (New York: American Arbitration Association, 1958).

[28] Brzezinski, p. 65.

[29] Uren, pp. 174–75.

[30] Quoted in *Congressional Digest,* op. cit., p. 174.

APPENDIX I

U.S. EXPORTS OF DOMESTIC MERCHANDISE TO SINO-SOVIET BLOC COUNTRIES: TOTAL AND AGRICULTURAL COMMODITIES, 1947–66

[Values in millions of dollars]

Year	Albania		Bulgaria		Czechoslovakia		East Germany [1]		Hungary		Poland		Rumania		U.S.S.R.[2]		China [3]	
	Total	Agricultural	Total	Agricultural	Total	Agricultural	Total	Agricultural	Total	Agricultural	Total	Agricultural	Total	Agricultural	Total	Agricultural	Total	Agricultural
1947	4.5	0.6	1.4	0.2	48.6	18.6	-	-	12.7	2.4	106.2	54.2	15.1	10.1	149.0	5.4	352.6	104.1
1948	.3	.2	2.1	1.6	20.5	6.8	-	-	7.1	1.2	54.9	23.6	7.5	2.9	27.6	.8	240.1	110.8
1949	.1	(4)	1.4	1.0	21.6	12.6	-	-	5.3	3.2	23.1	13.2	3.2	2.6	6.5	5.1	82.5	37.7
1950	.2	.1	.9	.2	10.1	6.4	-	-	3.5	2.5	8.6	4.8	2.0	.8	.6	.1	46.4	37.3
1951	(4)	-	.4	-	1.0	.4	-	-	.6	.5	.7	(4)	.4	(4)	.1	(4)	(4)	(4)
1952	(4)	-	(4)	-	(4)	(4)	.6	.5	.1	(4)	.3	(4)	-	-	(4)	(4)	-	(4)
1953	(4)	-	(4)	-	(4)	-	1.1	1.1	(4)	-	.7	-	(4)	-	(4)	-	-	-
1954	-	-	(4)	-	1.0	.9	.6	.6	2.5	2.5	1.5	(4)	.1	.1	.2	(4)	(4)	-
1955	-	-	.1	-	2.2	1.6	.4	.4	.8	.8	3.2	.7	.2	.2	.2	.1	(4)	-
1956	-	-	(4)	-	.8	.1	.4	.2	2.0	1.7	3.7	1.8	.5	.2	3.8	1.3	-	-
1957	-	-	(4)	-	2.0	.7	.3	.2	5.3	3.3	73.1	62.6	1.0	.7	4.4	3.4	(4)	-
1958	-	-	.1	(4)	1.5	.6	.4	.3	1.7	.6	104.6	79.2	.8	.6	3.4	.3	(4)	-
1959	-	-	.8	.5	2.4	.9	.9	.8	1.1	.5	74.9	60.7	1.8	1.3	7.4	.1	(4)	-
1960	(4)	-	(4)	(4)	4.4	.7	3.9	1.0	1.6	.5	143.1	131.1	1.0	.1	39.2	2.7	-	-
1961	-	-	.1	.1	7.2	4.3	2.8	2.6	1.3	.6	74.7	63.9	1.4	.3	45.6	18.1	(4)	-
1962	-	-	(4)	(4)	7.0	3.9	1.7	1.7	.8	.2	94.4	84.5	.8	.3	20.1	11.0	(4)	-
1963	(4)	-	.1	.1	9.8	5.7	6.4	6.1	17.3	16.5	[5]108.6	[5]101.9	1.2	.1	22.9	9.1	(4)	-
1964	(4)	-	4.8	4.4	11.3	8.5	19.9	16.0	[5]13.6	[5]12.8	[5]137.9	[5]127.1	5.1	2.1	[5]153.3	[5]129.4	(4)	-
1965	(4)	(4)	3.6	2.5	27.6	23.7	12.6	10.9	9.3	8.0	35.2	26.4	6.3	3.4	44.3	29.3	(4)	-
1966	.2	[6].1	3.6	[6]1.7	37.2	[6]32.0	24.7	[6]21.0	10.0	[6]7.7	52.9	[6]44.4	27.2	[6]6.4	41.7	[6]23.3	(4)	-

[1] No data available in source for 1947–51.

[2] Includes Estonia, Latvia, and Lithuania.

[3] Mainland China and Manchuria. Exports after 1951 consist essentially of shipments to foreign diplomatic missions in China.

[4] Less than $50,000.

[5] Excludes shipments of U.S. wheat earlier stored in Canada and shipped through Canadian ports as follows: in 1963, $4,100,000 to Poland; in 1964, $1,100,000 to Hungary, $2,800,000 to Poland, $7,200,000 to U.S.S.R.

[6] Preliminary.

Sources: U.S. Department of Agriculture. Economic Research Service. U.S. foreign agricultural trade by countries; calendar years 1947–65. U.S. Bureau of the Census. U.S. exports; country by commodity groupings (FT420), December 1966.

Note: Due to rounding, identical figures in "Total;" and "Agricultural" columns do not necessarily indicate no trade in nonagricultural products. In years for which data are available, there was no trade with North Korea and North Vietnam; only exports to Outer Mongolia were in 1964 of negligible value.

APPENDIX II

THE INFLUENCE OF EAST-WEST TRADE ON SOVIET ALLOCATION OF RESOURCES

Western trade with the Soviet Union may exert some indirect influence to change their pattern of resource allocation. Any changes at all will be very small, and these changes will be decided internally, by the Soviet leadership, not directly by East-West trade, since the leadership will decide what will be purchased. Consideration of present trends shows that the status quo is strongly opposed to a major reallocation of resources.

The Soviet Union is a highly industrialized nation, although there is a very small, stable increase in production of consumer goods. U.S.S.R. consumers get only about 20% of the Soviet GNP. Per capita consumption in the U.S.S.R. in 1964 of food products was 53% of that in the U.S.; of non-food products, 13%; of services excluding health and education, 17%; for health and education, 54%.[1]

In the early 1950's, Premier Malenkov attempted to reform the Soviet economy in favor of the consumer. After the Korean War, the Soviet economy was overextended. Many projects had to be cut back. The resulting tense situation required some boost for consumers. Prices were cut. Then consumers had money, but no goods to buy. Malenkov said both consumer goods and heavy industry could be developed. But there was more talk than action. Malenkov was forced out of power by two events: a crop failure, and alarm over successful U.S. H-bomb tests. In January, 1955, Malenkov's defeat was made clear when the Soviet position was printed in Pravda, assailing proponents of the pro-consumer line:

"If opinions of this kind were to become general, it would greatly damage the entire cause of communist construction. It would completely confuse our cadres. . . . Practically, it would mean that development of our heavy industry, which is the backbone of the socialist economy, would tend downward, leading to a decline in all branches of the national economy and producing a drop rather than an increase in the working people's living standards. It would undermine the economic power of the Soviet Union and weaken its defense capacity."

The Malenkov era had limitations other than its short life.[2] Abram Bergson finds that—

"between 1952 and 1954 consumption's share of the Soviet GNP (total output of all goods and services) rose from 44.4% to 51.2%. Over the same period the share taken by the defense appropriation in the Soviet budget declined from 12.7% to 10.3%, and the share taken by gross investment fell from 28.7% to 25.5%. These changes were not negligible. As a result, in 1954 Soviet consumers received a higher share of national output than in any other year over the period 1941–55. But in 1928 Soviet consumers had received directly 64.7% of the GNP, and even in 1940 they had received 51.0%. . . . Soviet steel production increased about 7,000,000 metric tons between 1952 and 1954, roughly 20%. Oil output rose almost 25%. . . . The amount of electricity generated increased . . . by 25%. . . . The reality was much more a further advance in the economic and military power of the Soviet state."

Schwartz adds that the Malenkov era made new beginnings. "The Soviet people saw that their rulers had made some concessions and the issue of the standard of living had been brought into the forefront of public discussion . . . the new forces thus set in motion could not be reversed. . . ."

The changes of the Malenkov era were small, and have thus far been kept under control by the Soviet leadership. The situation is described by Alfred Zauberman, who discusses "the remarkable stability of the rate of industrial progress over a considerable period . . . [and] the set of canons evolved in the U.S.S.R. . . . that require continually faster growth rates in producer-goods than in the consumer goods sector."[3]

In the face of the power and prestige that the Soviet Union gains from their present pattern of resource allocation, it would seem unlikely that this pattern will be changed significantly.

Indeed, Soviet interest in trade is largely *due* to the present pattern of allocation. In an address delivered to the April 1966 Party Congress, Premier A. N. Kosygin said:

"It is becoming more and more obvious in our time that the scientific and technical revolution at work in the modern world calls for freer international contacts and creates conditions for broad economic exchange between socialist and capitalist countries. . . . In the past 5 years foreign trade helped us solve a number of important economic problems. . . . The time has come for us to reappraise the role of foreign trade."[4]

Trade with the West better enables the Soviet Union to pursue its policy of emphasis on heavy industry and capital goods.

As Schwartz says, Western goods provide continued injections of advanced technology and equipment into Soviet economy. That trade with the West contributes to the strength and prestige of the Soviet Union is an international fact of life. As Uren writes:

"It may be said that all western exports to the communists improve their strength; this is as true of consumer goods as it is of special steels, although the increment to strength is different in quality. Such general increases in strength cannot be easily separated conceptually from an increase in military strength. While almost everyone will readily agree that we should not provide arms to communist countries, the precise definition of a list of strategic goods is extremely difficult . . . Quite naturally, and it seems properly, the list tends to lengthen when international tension is high and to shorten in periods of detente. The list is, in part, an expression of the political climate and imposes inconveniences upon the communist nations when their intransigence warrants some tangible sign of disapproval . . . on the other hand, it opens up opportunities to them when they seem inclined to some measure of political accommodation . . . the resource base of the communist world is such and its determination to accord a high priority to its defense establishment is so firm, that we should not expect either to reduce their power significantly or to deter them from their purposes by the control of trade."[5]

As a result of this emphasis, the Soviet Union has grown to great prestige in science and technology. Since 1956, the U.S.S.R. has had six Nobel prize winners for physics and one in chemistry. In 1962, the last time an estimate was made, the Soviet Union allocated 2.2% of its GNP to research and development, compared with 2.2% for the United Kingdom, and 3.1% for the U.S.[6]

The Soviet space successes further demonstrate the highly developed nature of industry. A strong industrial power base is essential for any nation that wishes to participate in space exploration. Moreover, a trained corps of space scientists and technicians is needed. That there is a correlation between the Soviet space program and the Soviet capacity to develop the economic base of a modern industrial state can be demonstrated by citing some of their space successes. Great industrial ability was necessary to build the Soviets' superior 27,000 pound Proton space vehicle and a rocket with an estimated first stage thrust of between two and three million pounds to boost it to orbit. The same point can be made for the development of the highly sophisticated deep space systems (e.g. Lunik, Venus, Mars), in addition to their development of communications and meteorological space systems now in operation.

The correlation between the economic base and space exploration is further demonstrated by the following excerpt from a study of the Soviet space programs recently published by the Senate Aeronautical and Space Sciences Committee:

"In the economic sphere, the leadership of the Soviet Union has consistently used the extraordinary political powers at its disposal to pursue two major goals: (1) to build up as rapidly as possible the heavy industrial sector of the economy and (2) to maximize current output of military and products on the basis of a rapidly growing and largely self-sufficient heavy industry.

"In the pursuit of these goals, the leaders . . . have recognized the critical role played by research in the attainment of a high level of industrial and military technology under modern economic conditions. They became aware at an early stage that in their own production system, which was consciously isolated from the international economy by way of autarky, an elaborate research and development structure would be required to substitute for the normal economic interaction among the individual national economies of the world. . . . Accordingly, scientific and technical research was established as an organized state activity, highly centralized and liberally financed by the federal treasury of the U.S.S.R. . . . State expenditures on scientific research doubled between 1951 and 1957, and by 1963 the science budget of the Soviet Government was six times as large as it was in 1951. By 1966 the U.S.S.R. was spending five times as much as in 1956 on funding its research . . .

"The Soviet Union today spends as much on maintaining its research and development apparatus every year as it spends [on] new housing . . . the equivalent of $22.8 billions."[7]

It is evident, then, that the Soviet Government is deeply committed to a very high percentage of expenditures for defense and heavy industry. Changes in this pattern of allocation of resources will depend on various factors, only negligibly on the factor of trade. One variable is the success of the Brezhnev-Kosygin team and those who may follow it in providing greater incentive for farmers, so that production will be increased to permit more consumer spending without any change in priorities. Another factor is how powerfully the winds of change now blowing through the Soviet economy will affect the outmoded, clumsy and frequently irrational mechanism directing that economy, to produce the same result as above. Finally, there is the variable of the burden of arms expenditures the Soviet Union will have to bear in the years ahead.[8] As Schwartz writes:

"Any major reduction of these expenditures could permit the Soviet government to shift large quantities of resources and many of its finest managers and technicians to the task of meeting the needs of the civilian economy. Such a shift could do much to counteract the retarding influences . . . operating upon the Soviet growth rate. Here political developments, both Soviet relations with the West and . . . with Communist China will be decisive. From an economic point of view, the case for Soviet arms reduction is strong, but Soviet military pressure against this is probably felt strongly by the post-Khrushchev regime."[9]

These factors—ability to up production so there can be more "butter" as well as "guns," internal pressure of the existing but embrionic consumer demand, and international situation effects of defense spending, are some of those which will influence resource allocation. The Soviet leadership, on this basis, decides what goods will be included in trade. Trade is not a directly causal factor in this process of allocation.

Present trends indicate that the western nations will take no advantage of one way in which trade could have some small effect directly on allocation of resources. Refusal to extend long-term credit to the Soviet Union could force some allocation away from defense in order to pay for goods—provided it didn't force abandonment of East-West trade, Schwartz writes:

"Partially reducing the pressures for curtailment of arms spending is the ability of the Soviet Union to gain long term loans from the West. The decision of British au-

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Footnotes at end of article.

thorities in 1964 to underwrite long term 15 years credits for Soviet purchases of chemical machinery for production of synthetic fibers could mark a major turning point, since presumably other Western sellers will be under great pressure to extend similar long term credits."[10]

And nevertheless, whether the point of considering what sort of credit is used is ever reached depends primarily on the effects of the above three variables.

There are several factors which make it easier for the Soviet Union than for the West to concentrate on capital investment rather than consumer production: For one thing, it's cheaper, since there are no rent or interest rates in the U.S.S.R. And since the Soviets are on the defensive, want to catch up with the West, they are willing to sacrifice more. There is less uncertainty about the future and greater standardization as a result of central planning. Finally, any change must be slow, since the Stalinist managerial elite not only resists change, but because of its training perhaps could not cope with changes in the economy.[11] The situation at present then shows a preponderance of factors in favor of emphasis on production of capital goods.

The single factor working against this situation is a small, stable impetus in consumer demand. This was briefly encouraged under Malinkov, but has been taken in stride and controlled by the leadership. As long as the goods imported by the Soviet Union are chiefly capital goods, rather than finished consumer goods, East-West trade will have little effect on this consumer impetus. More influence in this respect can be exerted in Eastern Europe where more U.S. exports are consumer goods. As the Soviet Union uses pragmatically more and more profit incentives, markets and hence consumers are bound to become more and more important.[12] Here exposure to superior Western goods through East-West trade could encourage the consumer impetus, if the leadership chooses to continue on its increasingly pragmatic course. But for the most part, imports from the West are capital goods or raw materials and could contribute either to defense or consumer materials, depending on the policy of the Soviet Government.

Trade will not simply *cause* a reallocation of resources toward consumer goods just because Western consumer goods are available. The U.S.S.R. is more interested in capital goods. If any influence is to be exerted by East-West trade, it will be indirect: if the Soviet Union does import Western consumer goods, it may commit itself to secondary investment in this area. This is encouraged by the limited consumer demand in the Soviet Union, and by the attraction of Western capital goods. Western machinery is more efficient whether it produces more machines for industry or refrigerators for families.) But any commitment depends upon the will of the leadership.

An example of how such secondary commitment could occur is the Fiat-Soviet Auto Plant. "While it might be tempting to jump to the conclusion that construction of such a huge auto assembly plant signals an abrupt change in allocation of Soviet resources toward consumer products, such a conclusion would be premature at this time. Nevertheless, this is a huge undertaking and one that could lead to further expansion of Soviet consumer goods industries at a later time."[13] The plant which Fiat will build will cost the Soviet Union approximately $800,000,000, for which Italy has extended the U.S.S.R. what amounts to a nine-year credit. The plant "is capable of quadrupling current Soviet passenger automobile production."[14] But "essentially, the new Soviet program is designed to produce automobiles for the bureaucratic and managerial elite, not for the average citizen,"[15] And "announced plans are not so grandiose as to require a significant alteration in traditional Soviet economic priorities, and would leave military and space programs unimpaired."[16] "Indirect investment required for the supporting facilities for the production of steel, gasoline, and tires has not been fully calculated, but appears to be on the order of $400 million—substantially less than the direct investment."[17] As for so-called tertiary investment, "An examination of Soviet plans for highway development during the next five years reveals that these call for only a modest increase over the previous five years."[18] "Not until there is a large, widely distributed stock of automobiles does a rapid acceleration take place."[19] The Soviet leadership can control whether wide distribution takes place—and the effects of trade on secondary and tertiary investment and allocation depend on the priorities assigned by the Soviet leadership, depend on, as discussed above, other internal aspects of the Soviet economy and upon the international situation.

The Fiat report says:

"The leaders of the [Soviet Union] no longer seem to be either willing or able to continue to repress economic discontent indefinitely and indiscriminately. Above all they have become aware that they cannot afford to remain indifferent to the mood among those groups of citizens that are contributing importantly to the growing fund of scientific, technical, and economic power at the disposal of the state. These are persons and groups with their own unique frame of reference. They know their own worth to the regime, and they are also fairly well informed about the style of life enjoyed by their peers in the modern industrial society around the world."[20]

There are then trends toward change in the Soviet Union which depend on internal conditions and the Soviet leadership. But Western trade, waiting in the wings, could perhaps encourage or at least take advantage of every Soviet shift. Some feel that the fact that the Soviet leaders "are placing their hopes on gradualism" "will fail" to produce any significant progress from socialism to capitalism, since the essence of the system can remain intact. But perhaps these gradual changes are most important, if as Lenin said, The economy is the main field of battle for Communism.

FOOTNOTES

[1] Joint Economic Committee, *New Directions in the Soviet Economy,* Part IV. U.S. Government Printing Office, 1966, p. 1032.

[2] Harry Schwartz, *Soviet Economy Since Stalin.* Philadelphia, J. B. Lippincott Company, 1965, p. 72.

[3] Alfred Zauberman, *Soviet and Chinese Strategy for Economic Growth.* International Affairs, July 1962, p. 345.

[4] Joint Economic Committee, Part I, p. XI.

[5] Philip E. Uren, *East-West Trade.* Ontario, Canadian Institute of International Affairs, 1966, p. 115.

[6] Organization for Economic Cooperation and Development, *Research and Development Expenditure in Western Europe, North America, and the Soviet Union.* Paris, 1965.

[7] U.S. Senate, Soviet space programs, 1962–65. Staff report prepared by the Library of Congress. U.S. Government Printing Office, 1966, pp. 12–13.

[8] See Schwartz, p. 239–41.

[9] Schwartz, p. 239.

[10] Schwartz, p. 239.

[11] Angus Maddision, "Soviet Economic Performance," *Banca Nazionale del Lavord.* Rome, March 1965, p. 20.

[12] *Time,* "Russia," February 12, 1965, p. 23.

[13] House Subcommittee on International Trade, *"The Fiat-Soviet Auto Plant,"* U.S. Government Printing Office, March 1, 1967, p. 3.

[14] Ibid., p. 8.

[15] Ibid., p. 11.

[16] Ibid., p. 11.

[17] Ibid., p. 12.

[18] Ibid., p. 12.

[19] Ibid., p. 12.

[20] Joint Economic Committee, Part I, p. 17.

APPENDIX III

Outstanding loans and other obligations owed United States by Soviet bloc, Yugoslavia, and Cuba as of June 30, 1963 (*other than lend-lease*)

Bulgaria: War and other claims of U.S. nationals	$3,143,398
Czechoslovakia:	
World War I indebtedness	257,647,080
Surplus property credits	7,536,459
Total	265,183,539
Hungary:	
World War I indebtedness	3,935,600
Surplus property credits	8,993,069
Export-Import credit guarantees (wheat and other commodity sales — through Mar. 2, 1964)	20,700,000
Total	33,628,669
Poland:	
World War I indebtedness	435,478,984
Surplus property credits	17,338,000
Public Law 480 sales (dollar repayments not due until 1967)	477,300,000
Claims of U.S. nationals	34,000,000
AID development loans	59,554,000
Export-Import Bank credits	18,888,000
Total	1,042,558,984
Rumania:	
World War I indebtedness	107,569,371
Claims of U.S. nationals	500,000
Total	108,069,371
U.S.S.R. World War I indebtedness	621,420,405
Yugoslavia:	
World War I indebtedness	78,168,718
AID development loans	184,900,000
Public Law 480 sales	433,856,000
Export-Import Bank loans	63,000,000
Total	759,942,718
Cuba:	
Export-Import Bank loans	36,300,000
Expropriation of Nicaro nickel property, valued at	133,000,000

Loans considered in default (*other than World War I loans*)

	Principal	*Interest*
Czechoslovakia	$1,948,000	$1,160,000
Hungary	3,782,000	----------
U.S.S.R.	42,272,000	----------

Source: Hearings, Committee on Foreign Relations, U.S. Senate, 88th Congress, second session, on East-West trade, part I, Mar. 13, 16, 23, April 8, 9, 1964, p. 29.

PROPOSAL TO MAKE VETERANS' ADMINISTRATION CABINET-LEVEL DEPARTMENT

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, in the executive branch of the Government of the United States there are seven agencies with budgets in excess of $5 billion. Six of these agencies are Cabinet-level departments; one is not. That one is the

Veterans' Administration, with a budget of approximately $6.6 billion.

There are four agencies which have more than 100,000 full-time permanent employees. Three of these agencies are Cabinet-level departments; one is not. That one is the Veterans' Administration which has 176,000 in personnel and is exceeded only by the Defense and Post Office Departments.

There are three agencies which in fiscal 1970 will make outlays for education, according to budget estimates, in excess of one-half billion dollars. Two of these agencies are Cabinet-level departments; one is not. That one is the Veterans' Administration.

Again in fiscal 1970 there are two agencies which will expend more than $1 billion in providing direct Federal hospital and medical services, and there are two agencies which will expend more than $5 billion in the form of cash benefits for income security programs. In both of these cases, one agency is a Cabinet-level department, and one is not. The one that is not is the Veterans' Administration.

Mr. Speaker, veterans and their families make up 49 percent of the total population of the United States. If ever a branch of Government reached out to the people, and closely affected the lives of the people, that branch is the Veterans' Administration.

It is for this reason that I have today introduced legislation to elevate the Veterans' Administration to Cabinet rank. Surely, the VA should be represented in the highest council of our Government. It should not be just another Federal agency, for certainly the voice of the veteran should be heard and heeded in the important decisions made at the top level of Government.

As it exists now, the Veterans' Administration is an organizational monstrosity. It should be a Cabinet-level department, and it is high time that something be done to correct it.

AIR SERVICE IN THE PACIFIC

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ASPINALL. Mr. Speaker, the U.S. island areas in the Pacific are of ever-growing importance to our national interest. They represent, in effect, our western perimeter. Their strategic importance is known to many; their economic difficulties are known to few.

The U.S. island areas to which I refer are Guam, American Samoa, and the Trust Territory of the Pacific Islands, or Micronesia. The last mentioned group of islands have been entrusted to the United States under a U.N. mandate. We have a fiduciary responsibility to their inhabitants.

All of these islands have comparatively little natural resources. They do, however, have beauty and cultural charm. In a word, they represent potential tourist attractions. By the same token, tourism offers these islands the only practical means of economic development which could lead to their self sufficiency. Fundamental to the development of tourism to the U.S. island areas is vastly improved and expanded air transportation. Like other fields of endeavor, the stimulus of effective competition is what is so sorely needed.

In the actual proceeding, the Department of Interior and the House Interior and Insular Affairs Committee set forth identical positions. Counsel for the Department of Interior stated:

> The Transpacific Route Investigation provides the principal opportunity in the foreseeable future for assuring the development of these important U.S. island areas. I do not believe that I can overstate to you the great importance which we attach to the development of American Samoa and Guam as U.S. territories and the equally great obligation which we owe to the Trust Territory of the Pacific Islands which has been entrusted to our care by the United Nations for more than two decades now. . . . These Pacific islands present the prospect not only for new vacation areas for travelers from our 50 states, but also for tremendous potential in drawing tourists from the Orient and the Lands Down Under. . . . I would urge, therefore, that in establishing the pattern of service in this Investigation that you place great importance on the development of Guam and American Samoa as new transportation hubs in the Pacific, that you provide single carrier service between the Trust Territory and the U.S. Mainland and the Orient, and that you provide for routings between American Samoa, Guam and the Orient.
>
> I would further urge that in your carrier selection you give full consideration to assure—even to guarantee—that the carrier or carriers selected will undertake the tremendous development required.

The record was replete with evidence of the need of service to these U.S. island areas. For example, the Governor of Guam testified on the "oppressive consequences of inadequate commercial air service." Similarly, the Governor of American Samoa testified that the handicaps encountered "because of its inadequate air transportation services are tremendous."

I was indeed gratified when the Civil Aeronautics Board recognized the interests of these island areas and found a need for the establishment of a route through the mid-Pacific which would serve American Samoa, the U.S. Trust Territory Islands of the Pacific, Guam, and Okinawa. As to this routing the Board noted:

> The Interior Department and the Government of American Samoa have both strongly urged the establishment of a route linking Samoa with the Orient; at present, only extremely circuitous service via Hawaii or Australia is available. Interior and the Government of Guam also urge the establishment of a Guam-Okinawa link (footnote omitted) as an additional means of access into Guam and the Trust Territory for Orient traffic. Both of these objectives will be achieved by the route we are setting up, which will also permit direct access from Hawaii.

With reference to the selection of an airline to provide service to these areas the CAB stated:

> A number of factors persuade us that Continental should be selected in place of Eastern. It has shown itself an extremely vigorous competitor when placed in competition with carriers many times its size. It is a low-cost operator, and its policy has been to share its low costs with its passengers by aggressively pushing economy and promotional fares. This will, in our view, be a particularly important factor in developing large-scale tourism to the far-flung American dependencies in the Pacific. Another important factor will be hotel and similar tourist-plant development; here again, we find Continental's plans more aggressive than Eastern's.

I congratulate the CAB on its understanding and appreciation of the needs of American Samoa, Guam, and the Trust Territory.

I, as I am sure others, was surprised and distressed to learn that this forward-looking decision of the Civil Aeronautics Board and the views of the Department of Interior, our committee, and the Governments of American Samoa and Guam were rejected in President Nixon's decision of April 11th in the Transpacific Route Investigation. However, the President did state that there is to be a second carrier to serve the South Pacific from midwest and eastern points and postponed decision on a route between the U.S. island areas to a later decision. It is critical that the route already created be reestablished. It is further essential that the carrier selected to serve this route and the related South Pacific route be willing to assume the responsibility for needed tourism development, and hotel development in particular. Such matters of responsibility are related to management policies and performance and not the size of a company.

In summary, to a very significant extent the future of the U.S. island areas is at stake. Their economic growth and well-being can best be served by giving proper consideration to those elements which were heretofore taken into account by the Department of Interior, the governments of American Samoa and Guam and the CAB.

POLICE COMPENSATION ACT

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. KOCH. Mr. Speaker, I introduce today a bill providing for a 10-year Federal program to improve the quality of law enforcement in our cities by upgrading our local police forces. Specifically, the bill authorizes Federal grants to be used in increasing the compensation paid to policemen, and in adding more men to the force in cities where this is needed.

The cities of this Nation, faced with the gravest crisis of law enforcement in our history, urgently need to improve the caliber of their police forces by increasing the financial attractiveness of police work to our best young men. To achieve this goal the revenue-starved cities need aid from the Federal Government. They need aid now, with a minimum of red-tape, and in amounts sufficient to make a meaningful impact on the police salaries they are able to pay.

The need for higher police salaries was dramatically documented in 1967 by the President's Commission on Law Enforcement and the Administration of Justice. The Commission discovered that the median starting salary for police recruits in the United States was $4,600 in small cities and $5,300 in large cities.

In comparison, a young man beginning work as a skilled laborer can expect to earn between $6,000 and $9,000, depending on the section of the country. Furthermore, the recruits in most cities will never be able to make more than $1,000 per year above their starting pay, no matter how long they remain on the force. The benefits of seniority in private industry are far greater.

Mr. Speaker, a young man considering police work is aware that we demand more of our policemen today than ever before. Police work has always been challenging and dangerous, to be sure. But today we also ask that our policemen deal with hippy happenings, bitter political protests, and college insurrections, without "losing his cool" or ignoring his duty to protect the public. We ask that he serve in areas of the cities where he may be treated as a scapegoat for the racial and economic frustrations that we have all failed to alleviate. We ask him to make on-the-spot decisions in these areas which may make the difference between riot and reason.

It is asking too much to expect this young man to enter a career filled with these challenges if we refuse to offer him compensation at least competitive with that available in less demanding lines of work. Police work requires men of sound judgment, emotional maturity, and personal courage. Many of our policemen today have all of these qualities, and they deserve our praise and gratitude. But unfortunately, too many do not have such qualities. Our cities find themselves unable to recruit men of high caliber in sufficient numbers because of the low compensation paid by their police departments. Because of their recruitment difficulties the cities are unable to raise their police entrance requirements to a level which would insure a force of high quality.

Ideally, local governments would recognize the need for higher police pay, as most do, and then utilize their own revenues to realize this goal. But we live in a country where the need for governmental services is increasingly outstripping the financial ability of city governments to provide them. It is in our major cities where the need for more and better policemen is most acute, and yet it is in these same cities that the revenue crisis of local governments is most severe and grows more desperate with each year. Hopefully, within the not-too-distant future, we will adopt some form of revenue-sharing plan with local governments which will increase their capacity to finance local services, including police protection. But the need for improved law enforcement is too crucial to await this uncertain day. We need to aid the cities in this area now, and that is what my bill will do.

But in our anxiety to achieve a prompt increase in police salaries, I believe we should be careful to avoid creating a permanent lien for this purpose on the Federal Treasury. The fiscal hazards in such a course are obvious. But just as important, we should avoid permanent Federal financing of police functions because law enforcement should remain a local responsibility. Local responsibility in this area has been a keystone of our governmental system, and it should be preserved.

What Congress can and should do is provide an effective but temporary shot in the arm for our police forces until the adoption of a general program of revenue-sharing makes possible full funding by the cities themselves. It should be noted that the Safe Streets Act of 1968 does not really attempt to do this.

My goal has been to devise a program which will achieve a prompt increase in police salaries through Federal aid during this current period of local fiscal crisis, but looks in the long run to a reassertion of local financial responsibility for the increased salaries. While in effect my bill defines "long run" in terms of 10 years, this of course is subject to expansion or contraction by later Congresses as the progress of revenue-sharing dictates. My program concentrates chiefly on our major urban areas, where the crime problem is the greatest and the police recruitment handicaps most severe.

The basic outline of my bill is simple. The sum of $100 million is authorized to be appropriated for the fiscal year ending June 30, 1970. Of this amount $10 million is reserved specifically for grants to cities having populations of less than 100,000 which the Attorney General, acting through his Law Enforcement Assistance Administration, determines have an urgent need for grant assistance. The remainder of the appropriation, $90 million, will be apportioned on a per capita basis among all cities which have a population of over 100,000. Whether the grant be of this per capita variety, or a discretionary grant by the Attorney General, the bill provides that the grant is to be phased out over a 10-year period, the city gradually accepting full financial responsibility for the increased salaries.

Each city may use its grant to increase the compensation of its policemen in any way it sees fit. Presumably it will expend the bulk of the grant on its salary schedule, increasing both the starting pay and the succeeding increases with seniority. But it might choose also to increase retirement or injury benefits, institute a bonus system for educational achievements by men on the force, or supplement its payments to the wives and children of deceased policemen. It could also expend up to 25 percent of any grant to create new positions on the force. This one limitation on the use of grant funds is present because of the evidence that many cities do not need more policemen but better policemen. Therefore, Congress should insure that its grants are used chiefly to increase the attractiveness of existing police positions through increased compensation. But even here a city may exceed this 25-percent limit if it can convince the Attorney General that it has an urgent need for additional police manpower.

It has been 2 years since the President's Commission established beyond doubt the urgent need for higher police salaries in this country. The crisis in law enforcement has become more severe since the Commission's report was made public, and yet we still have not adequately responded to this crisis in a manner which may be most relevant to its solution—improving the caliber of our police forces by increasing the compensation offered to young men considering a police career. The intent of my bill is to initiate prompt and responsible action which will improve law enforcement now and during the next decade.

MONTANA 4-H CLUB MEMBERS

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, I was pleased to be visited today by representatives of the 4-H Clubs from Montana. All of us know the tremendous contribution 4-H has made to the development of young people in rural America, and, in a day of considerable unrest among our younger people, it is indeed refreshing to see this fine organization continue to flourish.

I ask at this time that the report on 4-H activities in Montana which our representatives presented to me today be inserted in the RECORD.

SPECIAL OPPORTUNITIES FOR YOUNG MONTANANS

Many young Montanans have a wonderful opportunity to attend a whole field of events that have been offered to them by the 4-H program. A few of these are:

Black Hills Recreation Leaders Laboratory, which is held at Camp Bob Marshall, Custer, South Dakota.

Rec Lab is people—working, playing, and having fellowship together. It is a week filled with leadership development. Through workshops and social activities, the lab seeks to help people develop both as individuals and as members of the group, these principles and techniques are then brought back and used constructively with others in their community. Last year sixteen people attended this camp from Montana.

Montana 4-H Fire Prevention and Control School, which is held at Montana State University, Bozeman, Montana.

This is a two-day short course and training school held at Montana State University in which participants receive the latest information in fire preventions and control. In addition to talks, movies and demonstrations members visit the Bozeman Fire Department and make trips to nearby forest areas where they have an opportunity to learn first hand about the devastation of fires and how to prevent them. They study and discuss educational programs which they can take back to their communities to help prevent waste of uncontrolled fires. Last year seventeen people attended this.

4-H Production Awards Trip, held at both Duluth and Minneapolis, Minnesota.

The purpose of this trip is to help 4-H members learn more about grain marketing, processing, and handling; and to visit related agricultural businesses. Emphasis is given to the educational and vocational guidance aspects of the trip. Five Montanans went on this trip.

Western Regional 4-H Tractor Operators Contest, which was held at Lincoln, Nebraska. Three Montanans attended this event.

Minneapolis Grain Marketing Trip, which is held at Minneapolis, Minnesota.

Three Montana 4-H'ers had an opportunity to see the actual processing and sale of grains on a three-day visit and tour of the largest grain marketing centers in the United States.

National 4-H Congress, which is held in Chicago, Illinois.

Over 1,500 4–H delegates from 50 states gather annually at the Worlds largest hotel in Chicago for this event. The week is devoted to educational tours, discussion programs, special entertainment, and unforgettable banquets. Club members are selected on the basis of their excellent project work, leadership, and personal growth through 4–H. 35 Montanans attended National Congress.

National Western 4–H Club Roundup, which is held at Denver, Colorado.

Delegates from western states selected because of their excellence in project work, demonstrations and judging, meet together for a four-day conference held in connection with the National Western Livestock Show. Some members have an opportunity to participate in Livestock Judging Contest and all participate in discussions, tours, and special entertainment. Sixteen members attended from Montana.

National 4–H Conference, which is held at Washington D.C.

Four 4-H'ers who have demonstrated excellence in 4–H club work and junior leadership attend this meeting. This week features tours of the Nation's capital and many surrounding shrines. The 4–H'ers have a chance to discuss their role as citizens in this country with other young people from all parts of the nation.

Northland Recreation Laboratory, held at Camp Ihduhapi, Minnesota.

This program varies from year to year and includes such activities as crafts, dramatics, nature, games, folk dancing, music, stunts, discussions, and many others. One delegate from Montana attended this Lab on a 4–H scholarship.

International Land, Pasture, and Range Judging School and Contest, which is held in Oklahoma City, Oklahoma.

This land appreciation training school and judging contest features the training of young people to understand basic soil differences, soil properties and how these affect crop growth, management practices, land types, their production and treatment, as well as the relationship of soil management to water conservation. Seven Montanans attended this event.

Chatcolab Northwest Leadership Laboratory, which is held at Lake Chatcolet, Plummer, Idaho.

This lab is a week filled with leadership development opportunities for everyone. Eight from Montana attended this meet.

Junior Leader Camps. Four camps, one at Lions Camp, Red Lodge; Camp Needmore, Ekalaka; Methodist Camp, Neihart; and Methodist Youth Camp at Rollins are designed so that young people can practice democratic procedures and processes with adult support and guidance so that they will become new effective citizens in any situation. Return campers selected at these camps help plan and carry out the camp.

Montana 4–H Conservation Camp, which was held at Little Bitterroot Camp, Flathead County.

This camp is devoted to methods and ways by which young people may learn to appreciate and conserve their natural resources. The camp features special instruction in the fields of range conservation, recreation area management, water conservation, wildlife conservation, and emergency preparedness. The principal feature of the camp is the reporting phase which members do upon returning home to their local communities.

Exchanges Programmed by the Counties.

Montana counties continued to arrange exchange with other states and with provinces of Canada.

National 4–H Citizenship Short Course, which is held at the National 4–H Center, Washington, D.C.

The week's program at the Nation's capital gives 4–H members and leaders an opportunity to learn more about their government, gain better understanding of national problems and our citizenship responsibilities, develop some understanding into 4–H club work as a nationwide program with the Cooperative Extension Service. Montana sent 99 people in two different groups to attend this course.

Alberta 4-H Club Week, which was held at Vermilion, Alberta, Canada.

This is an exchange in which four Montana 4-H club members visit a 4-H club week at Vermilion or Olds, and in turn four young people from Alberta come to our Montana 4-H Congress in August. The exchange has as its principal objective the opportunity to exchange ideas and to learn more about what our neighbors are doing in 4-H club work.

American Youth Foundation, Camp Miniwanca, which is held at Stony Lake, Michigan.

Montana sent two delegates to this camp.

International Farm Youth Exchange.

This features an exchange of Montana young people who visit and live as members of families in another country. In turn, young people from abroad come to Montana to live as family members on Montana farms and ranches. Montana had three delegates last year, and six exchange delegates came to Montana.

Montana 4-H Congress, which is held at Montana State University, Bozeman, Montana.

The Congress features a program of educational events and activities aimed at improving the talents and abilities, understanding and knowledge of 4-H club members as it relates to themselves, their community and their role as citizens.

PRESIDENT NIXON DECLARES WAR ON AMERICA'S LIBRARIES

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, the President has just proclaimed National Library Week with hosannahs and oratorical flourishes. Simultaneously, the President has mangled 1970 budget requests for major library programs under the Elementary and Secondary Education Act and Library Services and Construction Act. The original request was $134.5 million. He has trampled it down to a trifle over $46 million. Among programs imperiled by the President's rash action is our Brooklyn Public Library's $200,000 wholly federally financed program of "roving librarians at large" within neglected neighborhoods.

Under the President's mangled program, equipment and instructional materials for schools, public and academic libraries would be reduced or terminated altogether.

This is a difficult-to-understand action by the administration. In recent years, our Nation's libraries, especially our own Brooklyn Public Library, have labored diligently to become more relevant to those who are culturally deprived. Their new programs have brought the library into places where its resources and dedicated personnel can strike ignorance at its roots. All the more reason why our libraries should be given more rather than less funds.

Recent programs have delivered library services to the urban poor, racial minorities, migrant workers and other disadvantaged groups. I have seen personally how innovations by our own Brooklyn Public Library have opened up an entire new world to many of the deprived.

The President proposes to eliminate the entire $200 million original authorization for library materials under the Elementary and Secondary Education Act; to cut funding for the Library Services and Construction Act from $166 million to $23.2 million; and to pare funds for library training, research and services under the Higher Education Act from $114 million to $23 million.

To the ruination of Job Corps and cutting of water pollution programs we now can add this feather to the administration's cap. Defense spending rages unchecked. Only the poor, our environment and precious things like our libraries are suffering.

Mr. Speaker, the public library helped lift millions of immigrants out of slums of an earlier America. My own forebears had cause to bless its facilities more than once. Dedicated people of the library profession have updated their institution, keeping it relevant to a new generation of deprived Americans. Now it is to be hamstrung by an administration which preaches catchwords of morality and uplift while it snatches away tools with which people can help themselves.

We worship weapons and ignore books. There is something very wrong in a society which demands more missiles and starves libraries, which fights wars in Vietnam and ignores learning, which speaks of crushing crime while insuring that it will grow by crippling one of the major weapons in our fight against roots of those immediate causes of crime and urban unrest. Another new direction; away from enlightenment and forward to the rear in the name of ignorance. How tragic.

MILITARY EXPENDITURES MUST BE QUESTIONED AND SCRUTINIZED BY CONGRESS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, time has come for major reconsideration of the amount of defense spending as well as more significant scrutiny of defense requests submitted to and approved by Congress.

For a start, Mr. Nixon's revised budget has not cut enough military money. In light of major demands for budget cuts and negative decrees slashing away at essential domestic programs, a time has arrived for the same type of action in regard to military spending. For every civilian dollar cut, there should be a military dollar removed from the budget—a ratio prevailing in budget cuts of the past. Already we can see non-Vietnam military spending mounting at an alarming rate, menacing hopes for reductions once our Vietnam commitment is ended.

This only serves to point up the pressing need for more intensive, searching debate into our military budget and military policy by the Congress. It is our duty to do so. Our military is doing its job, while Congress abrogates its responsibilities. Some view probes of military requests and policies as actions which are less than patriotic. I consider such probes as the very essence of enlightened fulfillment of constitutional responsibility.

Congress and the Bureau of the Budget have consistently examined domestic programs as if they were plots to steal the Constitution and destroy the Revised Statutes. It is time we exercised such healthy skepticism toward military budgets.

In such a climate of scrutiny, the public would better know what such vast sums are going for and why. Popular ignorance and fear would be considerably lessened. Today we see an all too familiar sight of men in high places capitalizing upon lack of military knowledge by citizens to drive them in apprehension toward acceding to erroneous policy decisions through adroit use of demagogic catchwords. Because many people have not been informed of the true situation in regard to military needs, we are in danger of approving programs which are wasteful and prohibitively expensive. An enlightened people and a questioning Congress make for meaningful decisions.

For instance, what debate was there in Congress over spending $6 billion annually on forces ready to fight China? Why are 15 carrier task forces necessary when the Soviet Union possesses one helicopter carrier? Why are we continuing to build F–111's? Why are we continuing to spend funds on the main battle tank? When will Lockheed deliver the C5A, and how much more will it cost? It is imperative that we ask more pointed questions in the immediate future in regard to all major military expenditures. It is the duty of this House, which is the originator of such legislation, to exercise its constitutionally assigned prerogatives.

Expenditure of massive sums of money on military projects is out of hand completely. We now have information that the Pentagon is moving toward construction of the AMSA, which is a new manned bomber. It is expected to cost between $12 billion and $20 billion. Add to this the proposed ABM and MIRV programs, and solvency is adjourned permanently.

For these reasons alone, Congress must intently examine such massive fund requests. Already proposed programs stretch on into the future indefinitely, requiring expenditure of staggering sums. With the course of world events accelerating constantly, we must establish national checkpoints somewhere, and there are constitutional guarantees allowing us to do so here.

CORRIDOR OF SHAME

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, the Metroliner is a wondrous innovation with which I am much taken. It holds one of the answers to transportation problems now choking our cities. Yet I wonder how many here have taken that trip and looked out at its route—our corridor of shame.

Such a trip takes one from Washington to Baltimore, to Wilmington and Philadelphia, through New Brunswick and Newark. By observing where the train passes we can see where America hides her disgrace. On both sides of the tracks in every one of these communities we pass through block after block of rotten, dilapidated old buildings, crammed to the rafters with people of the slums. Their washing hangs in pitiful tatters from back porches of many of these buildings.

Playgrounds are few. Abandoned warehouses are many. Glass has long since disappeared from their windows. Filth of all types lies in clusters in muddy puddles and in building corners all along the tracks. Grime covers everything, including houses along the right-of-way, people in them and the lives they try to lead.

Filth pours into the air from dozens of factories along the route, as they blithely pollute air we breathe and people who must live in their shadows.

No more depressing landscape can be imagined than that presented by this trip. When one travels on a slower train it is even more wrenching, for then one can take a close look at the warts on America's face in the corridor of shame. If ever our national urban problems were presented in microcosm, it is here. Look at it. Feel it. Breathe it. Smell it. Know it.

I commend this trip from Washington to New York on the Penn Central. May I say that my remarks are not aimed at the railroad. These problems are national difficulties, reflected in the right-of-way of a railroad.

I remember a wonderful, most touching poster used by that great labor union, the International Ladies Garment Workers. It showed a little girl working in a textile mill, gazing out a window. That caption read as follows:

> The golf links lies so near the mill, that nearly every day
> The laboring children can look out and see the men at play.

Verse used is by Sarah N. Cleghorn, who died in 1959. We could use another verse from her now.

Mr. Speaker, it is highly indicative to me that a few children who live in these slums have of late taken to throwing rocks at the Metroliner. I wonder why.

I commend this trip through the corridor of shame to my colleagues. Perhaps then they may have some new opinions on violence. Or perhaps they may want to comment further on closing down the rest of the Job Corps.

UNNECESSARY MISSIONS FROM UNNEEDED BASES

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, since the cold war became the unending international faceoff we know it as, America has extended her military presence over the face of our globe. Our flag flies today at military outposts with outlandish names in far-off places. Because of such major commitments and presence, we have become involved in regional nationalisms, local conflicts and civil wars. The very presence of American forces has made them targets for the trigger-happy and scapegoats for the unscrupulous. Further, our military activities have brought us into brushes with potential conflicts with which we have no real concern. America cannot be the policeman of the world, just as she cannot be the financier and conscience of mankind.

Why must we maintain innumerable expensive bases in so many places? How is it necessary for American planes to fly reconnaissance missions that can better be performed by satellites? Was it absolutely essential for the EC121 to be flying its mission? Could not a satellite have performed it equally as well? Or an SR–71? When we are informed that such spy-in-the-sky satellites can make out individual telephone lines and listen in on telephone conversations, we cannot help but wonder.

Because we are so exposed through omnipresent military facilities, we become automatic targets. Provocative missions of a spying nature leave brave men unnecessarily exposed. Further, we can see that a "pirate state" such as North Korea recklessly wishes to involve great powers in major conflict. Why give them further opportunity? Are they not adequately quarantined by geography already?

Our very power and presence limits our options. Can one kill a flea in a rug with a sledgehammer? the flea is free to bite and strike again and again.

Technology has allowed us to see what we wish without close physical proximity, lessening risk of confrontation through incident. It also gives us power to strike if necessary without innumerable forward bases. Why not take advantage of what science makes available to us?

The United States possesses too many foreign military installations which serve no real purpose except to drain funds overseas. Curtailing their operations poses minimal harm or risk to our total intelligence-gathering network.

By phasing many of them out, we would withdraw our presence from many areas where it only serves to inflame local feelings and provides convenient targets for those with more selfish goals.

Often we maintain such installations to please a local satrap or provide significant income to national leaders who would not recognize democracy if they bumped into it in their bedrooms.

A major review is now underway by the administration of our total international commitment and bases. It is to be fervently hoped that the American flag will be phased out of such areas, without, of course, harming basic defense postures.

Finally, it is my sincere hope that intelligence gathering will rely upon satellites and other means that will in large part obviate further need for missions of the kind that brought such grief to the U.S.S. *Pueblo* and EC121.

HOSPITAL EMERGENCY ASSISTANCE ACT OF 1969

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, as part of the domestic crisis facing the entire Nation, which so many choose to ignore, hospitals of our country are facing a crisis that starts with overcrowded facilities and ends with inadequate services. Many public and nonprofit private hospitals cannot meet present urgent health service needs of communities they are supposed to be serving. Recent situations which have cropped up all over the country, including my own home city of New York, are classic illustrations of our problem.

These hospitals are presently unable to participate in any form of comprehensive health services program or plan to meet future needs due to a critical lack of adequate facilities and services. As of right now, there does not exist an adequate source of public or private financing with which to provide direct emergency assistance needed to meet this critical condition. End result: A catastrophic threat to physical health and safety of all communities involved.

Extent of the dilemma confronting us is amply illustrated by some simple figures. In 1968, our general hospitals required construction of 85,007 new beds and modernization of 240,624 other beds.

Therefore, I am today introducing the Hospital Emergency Act of 1969, aimed at establishing an emergency program of direct Federal assistance in form of direct grants to hospitals in critical need of new facilities, in order to meet increasing demands for service. The bill amends section 314 of the Public Health Services Act by including a new section providing emergency grants to hospitals.

Grants, to be made by the Secretary of Health, Education, and Welfare, could be up to 66⅔ percent of cost of any project providing necessary facilities and services. For the purpose of these loans, $100 million would be authorized for appropriation for this program for the fiscal year ending on June 30, 1970. No single grant could exceed 7½ percent of this full amount.

Public and nonprofit private hospitals must qualify as critical hospitals to be eligible for these grants. The following criteria must be met: First, heavy overcrowding to render the hospital ineffective for community service; second, full use being made currently of existing facilities; third, needed assistance unavailable elsewhere; and fourth, failure to provide needed facilities constitutes a threat to the health, welfare, and safety of the community.

For hospitals unable to secure the other 33⅓ percent of the money, there is provision made for them to apply to HEW for a loan of up to 90 percent of remaining costs at 2½ percent interest annually. For the fiscal year ending June 30, 1970, $45 million is authorized for appropriation for such loans.

Mr. Speaker, in this era, thousands of Americans die or are permanently harmed because of the shameful state of our hospital facilities. Agony as they wait is the daily lot of too many others. Uncounted patients are relegated for extensive periods to hospitals terribly out of date. It is a further sad commentary on this country and the way we are arranging our priorities that several other nations are far ahead of us in the hospital field.

Passage of this measure would make emergency assistance available to hospitals desperately in need of such aid to modernize their plants, extend their services, reduce waiting lines which are scandalous and ease the burden of pain for so many.

Our choices and preferences are clear. As we act on them, so shall we be judged.

FIGHT AGAINST INFLATION

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, on April 21 the President of the United States sent the Congress a message urging repeal of the 7-percent investment tax credit effective as of that date.

On that same day I endorsed President Nixon's call for repeal of the investment tax credit for several reasons but primarily because I believe such action is necessary to curb inflation and thus shield the American people from the repeated blows of price escalation.

Yesterday I was shocked to learn that the cost of living had jumped eight-tenths of 1 percent during March, a rate of price rise which runs to nearly 10 percent on an annual basis.

Mr. Speaker, as the proverb in the greatest book ever written so wisely warned: "As ye sow, so shall ye reap." We are today continuing to suffer from the inflationary policies of the past 3 years and the failure of the Johnson administration to take timely action against inflationary pressures that surfaced as early as late 1965. Now the battle against inflation is infinitely more difficult to win.

Mr. Speaker, the sharp cost-of-living jump in March strengthens my earlier judgment that the Congress should respond as quickly as possible to President Nixon's call for repeal of the investment tax credit.

Although it is possible to read too much into 1 month's cost-of-living index figures, the warning signal in the March data is unmistakable.

To me it says that the fiscal and monetary measures already taken by the administration and by the Federal Reserve Board to slow down the economy and bring inflation under control are inadequate for the task.

There is always risk involved in actions taken to dampen down the economy. But we must take such risks, carefully and judiciously, if we are to bring inflation under control.

The impact of investment tax credit repeal will not be felt in the economy immediately. When it does register, cutting the income tax surcharge in half next January 1 as proposed by President Nixon will probably be needed as a stimulus to the economy.

We must win the fight against inflation, for it weighs most heavily upon the poor. And runaway inflation would inevitably be followed by a deep recession and heavy unemployment.

I hope the Members of this House will support the President in his efforts to repeal the investment tax credit.

GONZALEZ ACKNOWLEDGES THE DEBT OF THE MANY TO THE FEW SERVICEMEN SERVING ADDITIONAL TOURS IN VIETNAM

(Mr. GONZALEZ asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, all citizens of our Nation owe a tremendous debt to the servicemen who are fighting our battle in the unfamiliar land of Vietnam. We owe a particularly heavy debt to the soldier who is serving his second or third tour of duty there, and to the marine who is serving his third or fourth tour. It is these servicemen, their families and their relatives, who are bearing the brunt of the burden of this ugly, complicated, deadly little war.

The waging of the Vietnam war does not seem equally burdensome for the general population. Business activity is vigorous, and wages are up. Most complaints about our wartime situation are indirect ones—about those pesky taxes, and inflation, and high prices.

Perhaps it is impossible to equalize the sacrifices of all segments of a country at war. Certainly there is a vast difference between involuntarily conscripting men to fire the cannons, while conveniently picking up the tab for the cannon maker's costs and guaranteeing him a healthy profit—a profit I have tried to show on other occasions, is frequently excessive. The draft itself is inequitable, clearly less burdensome on the young men who are able to attend college.

Since April 1967, more than 60,300 servicemen have started a second tour in Vietnam. Those who did not volunteer directly to return to Vietnam, voluntarily reenlisted, possibly elected to attend a training school, and then employed their new skills in another Vietnam assignment.

Perhaps the greatest accomplishment of these volunteers is that they have found for themselves the meaning of patriotism. It is plain that patriotism to them means service—service to the stated aims of their mother country. Willingness to put your life on the line is the highest and noblest expression of devotion to country.

The extent of their willingness to serve their country at war is placed into dramatic perspective by the marked contrast with the refusal of some of our young men to serve in this war in any capacity.

War is a great leveler, literally and figuratively. The 34,000 American servicemen killed in battle in Vietnam, if visualized rank upon rank, would make a grim parade. The Vietnam struggle has leveled forever a terrible many of our native sons, who were once so strong and upright.

Yet, to the living soldier, war is a leveler in another sense. At war, all that counts is whether the buddy next to you is a man to be trusted in the heat of the battle. His ancestors, his creeds, his education hardly matter.

This comradeship is well known to the serviceman who volunteers for another tour of duty in Vietnam. His loyalty to his comrade in arms will not allow him to quit before the fight is ended—he cannot leave while his buddies are still out there.

And then there is the career soldier, who may not volunteer for Vietnam, but who philosophically accepts reassignment to the front because he is a professional. The service has been fair to him—fair in sending him to training schools, fair in promotions, fair in recognizing him as a man. He knows that the shortcomings of service life by and large fall equitably upon all members of the Armed Forces. He is loyal to his branch of service, and to the country he has sworn to serve.

We owe an unrepayable debt to our servicemen who have served and are serving in Vietnam. If they must fight, we must support them in battle. We must do our utmost to see that they have not struggled or died in vain.

Mr. Speaker, I wish to include at the end of my remarks a list of the number of men in each branch of service who have accepted additional tours in Vietnam. They are listed by quarters, from April 1, 1967, to December 31, 1968:

Number of servicemen who have served additional PCS (permanent change of station) tours in Vietnam is available by quarters since June 30, 1967. The next report, for March 31, 1969, is due in approximately May 10, 1969.

Army	1,889
Air Force	579
Navy	2,678
Marines	873
Total, June 30, 1967	6,019
Army	2,257
Air Force	484
Navy	628
Marines	986
Total, Sept. 30, 1967	4,355
Army	2,772
Navy	2,277
Air Force	614
Marines	1,403
Total, Dec. 31, 1967	7,066
Army	3,831
Navy	1,582
Air Force	897
Marines	2,866
Total, Mar. 31, 1968	9,176
Army	3,417
Air Force	984
Navy	2,120
Marines	3,148
Total, June 30, 1968	9,669
Army	7,388
Air Force	1,246
Navy	356
Marines	3,993
Total, Sept. 30, 1968	12,983
Army	5,575
Air Force	1,337
Navy	149
Marines	3,971
Total, Dec. 31, 1968	11,032
Grand total	60,300
Total number of servicemen in Southeast Asia (including Thailand and offshore bases) since Jan. 1, 1965	2,000,000
Estimated total prior to Jan. 1, 1968	2,250,000
Breakdown by service:	
Army	1,100,000
Air Force	280,000
Navy	315,000
Marines	342,000

WILLIAM J. DRIVER

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, I regretted to learn that the Administrator of the Veterans' Administration, the Honorable William J. Driver, had submitted his resignation.

The veterans of this Nation are losing a courageous and compassionate leader. The Federal Government is losing one of its most brilliant career men, and we on the Veterans' Affairs Committee shall be without the logical, factual guidance he gave in our deliberations.

I have worked very closely with Mr. Driver. He is an Administrator who cares. Under his supervision, we have passed more meaningful and constructive legislation for our veterans and their dependents than in any period in the history of the VA.

For more than 20 years Bill Driver served the Veterans' Administration. His rise to the office of Administrator has been accompanied by many honors; yet, he remains a modest man.

Mr. Driver served his country during World War II. He left his job with the Veterans' Administration to again serve his country during the Korean crisis. He returned from Korea to continue with the Veterans' Administration. In some way he found the time to finish law school at George Washington University. He later became Director of the Compensation and Pension Service, Chief Benefits Director, Deputy Administrator, and in December 1964, was named by President Johnson to be Administrator. He became the first career employee to administer the affairs of America's veterans.

As the head of an agency employing more than 170,000 employees with a budget exceeding $7,000,000,000, Bill Driver's record is unequaled.

I deem it a rare privilege to have worked with him in the pursuit of a just veterans program. I thank him for serving our Government faithfully and well. I commend his record to all who would follow a Federal career.

Mrs. Dorn joins me in wishing for Bill Driver and his lovely wife, Marian, and family, every continued success and our best wishes always.

GENERAL WESTMORELAND'S OUTSTANDING ADDRESS

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, the United States has produced in all of its history no greater officer than our Chief of Staff, Gen. William C. Westmoreland. He epitomizes and personifies to the highest degree the traditions, principles, and ideals of the U.S. Army and, indeed, all of our Armed Forces.

The United States is proud of General Westmoreland. South Carolinians are particularly proud of this native son.

Mr. Speaker, on April 9, 1969, General Westmoreland delivered a superb address at Kansas State University which I highly commend to the attention of my colleagues and to the American people. It follows:

ADDRESS BY GENERAL WESTMORELAND

Seemingly, I stand at this moment in two worlds. As a member of the military, I stand in the world of the Establishment . . . and as a lecturer at this University, I stand in the world of the educator—overlapping the world of the student. Supposedly, between our worlds there is a great distance—not just from this podium to the front row—but a gigantic chasm—the abyss called the "generation gap." This alleged gap is particularly wide since from what I hear, it begins at age thirty . . . and I must confess that I more than qualify.

In any event, without falling into the chasm, I hope to bridge that alleged gap today . . . if even for a moment . . . if even with a thread of understanding . . . understanding concerning your Army.

In my judgment, thorough knowledge and understanding of the military establishment and of the role that it plays in our society are matters of importance to all informed citizens. In this regard, the higher the proportion of American citizens who make a real effort to be informed, the better the likelihood that the citizenry will endorse, through our democratic processes, basic decisions affecting our national welfare . . . national security as well as in other areas.

It is not the task of the professional military to lead in this informing process. We in uniform should not—must not—become public advocates for particular courses of action. We must meticulously avoid actions which challenge the doctrine of civilian supremacy or which smack of Service partisanship.

Still as citizens, the military should not remain silent. It is difficult to associate silence with any kind of educative dialogue. Professional military men must be appreciative of their role in our society when they speak. On the other hand, it seems to me that our citizenry—specifically those of you who are being educated for future leadership—must also be aware of the functions of the military and of the limits of these functions.

Definitive formulations of roles are hard to come by in this area. Once again, you share with me a continuing concern as citizens for problems which are infinitely easier to state than they are to solve.

Consequently, in talking about the Army, I shall go back to its beginnings to discuss its foundation and, then, its necessity to have interface with our society. I will discuss its role as part of the military establishment, fundamental characteristics of the Army, wellsprings or sources of capabilities; and finally, I will comment on specific Army capabilities . . . what it can do, what it cannot do.

The foundation of our present military establishment was laid in the cornerstone of our government—the Constitution of the United States. Our founding fathers had a great fear of a large permanent military. They had inherited from Europe a distrust of the military which had for years been the bulwark of the personal armies of Kings. They were terrified of the legislative army of Cromwell. Because of this inheritance, our founding fathers feared for the liberties of the people.

The framers of our Constitution correctly took care of watching the Army. They incorporated into the Constitution certain provisions which for over 190 years have successfully regulated and directed our military—a situation which is unique in the world, I might add.

The then new government received through the Constitution sufficient authority to develop a military establishment—an establishment as large as needed for the defense of our Nation, and one which could be supported by our national resources. The size of this establishment in a representative government depends on the current mood of the public.

Our Constitution states that—

"The Congress shall have power . . .

"To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years.

"To provide and maintain a Navy . . .

"To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions . . ."

Several concepts are immediately apparent in these constitutional provisions.

First, notice the contrast between the phrases "raise and support armies" and "provide and maintain a Navy." It is clear that the framers of our Constitution wanted a citizen army which could be raised in time of emergency. Their desire was the basis for our civilian-soldier concept—one that was intended to continue.

On the other hand, "to provide and maintain a Navy" conceived of a force inbeing. Such a concept is quite consistent with the maritime nature of our original States, and our founders were well aware of the tremendous time lag between developing and producing capital ships. They reasoned that without such a force inbeing, no naval threat could be engaged.

However, over the years technology has virtually eliminated the former luxury of time and distance—the threat to our national security has increased at the same time. Technology has rapidly advanced in all Services; weaponry has become increasingly sophisticated. Consequently, the need for an army inbeing has become an essential factor to our national security.

Going back to the Constitution, we see in its provisions concerning the militia the need to draw on the civilian in times of emergency. Conditions have not altered this need.

And in order to regulate and control the Navy, the Constitution implied control through use of its purse strings. However, to assuage the new government's fear of powerful standing armies, the unique two-year appropriation rider was attached to the acts of raising armies.

In order to further the system of checks and balances, the Constitution vested military command in the Executive Branch with the President as Commander in Chief of the Services and of the militia, when activated. Authority over the military was further fragmented by giving States control of their own militias. Thus, they became another effective check against a large standing federal army and as a byproduct precluded America from ever having a legislative army of the Congress or a personal army of the President.

So, we see that from the very beginning, our Constitution affirmed the American historic concept of a dual military system under civilian control. That dual system is visible today in your "One Army"—one army of the people made up of regulars, reserves, National Guard, selectees—all being interdependent, but being supervised by the people through the Congress, the President, and the States.

Throughout the years our Army has kept pace with a dynamic American society—but always under civilian control.

Our Armed Forces are the staunchest supporters of our form of government. They themselves would resist all efforts to change that basic policy.

The Army is profoundly aware that it exists for the American people and operates under the command and control of dedicated civilians who owe their position and authority to constitutional processes. Therefore, the Army can accomplish for an extended period only those missions which are accepted by the American Nation which the Army exists to support. Composed of a representative segment of the American people, the Army must believe as an institution that what it is doing is right, proper, and directed by the people.

Further, as I stressed earlier, the Army is acutely conscious that it is not and cannot become a political force within the United States. Each individual may, and as a citizen must, responsibly consider national issues and exercise his mandate to vote; but as an institution, the Army must not attempt to influence domestic political processes.

For this reason, the Army is reluctant to engage in domestic tasks which involve domestic politics. However, it does have a role in civil works and disaster relief, and civil emergencies.

As an Agency within the Executive Branch, the Army is only one of many instruments of policy. The Army blends its military capabilities into an integrated whole, involving all of the instruments of national policy—political, economic, diplomatic and psychological—all a part of a well-orchestrated national effort.

The Army must not only be prepared and flexible to meet new and unforseen requirements to support national programs, it must also be prepared to do so effectively within the bounds of our national style.

Traditionally, the American people have cherished the concept of the citizen-soldier. Deeply imbedded within the American ethos is the idea that every citizen is a soldier. Our Army and our country have grown and developed on the precept of civilian and military teamwork.

Above all, we seek to maintain a balance between the citizen-soldier and the professional soldier.

To stay healthy, the military establishment is dependent on America's citizenry. I am talking, of course, about the continuous movement of citizens in and out of the Service . . . the movement which maintains the needed citizen contact and awareness between our military establishment and our citizenry, and without which the Army might become a danger to our society—a danger which our forefathers so carefully tried to preclude.

Allow me to talk for a moment about the dependence of the military on the people.

In an effort to remain apolitical, let me acknowledge my awareness of the Selective Service issue. It is a deep philosophical question. If all are not to serve, who should serve? What are the economic and social implications of an all-volunteer force?

As you know, President Nixon has recently appointed an Advisory Commission, composed of leading citizens, to study this matter in depth.

I have purposely not gone into specifics on the Selective Service System—commonly called the draft—but I do want to make a point in passing. Contrary to what many people think, the Army has nothing to do with running the draft. The draft is run by an entirely separate agency of the government over which neither the Army nor the Department of Defense has any control.

Having set the record straight on that one, I shall continue.

Perhaps one of the distinguishing characteristics of our century is the movement of all professions toward the concept of specialization. Yet, I believe that recently we have witnessed in our society a gradual reversal toward generalization. Certainly, as never before in our history, our entire Nation has need for well rounded thinkers—spherical thinkers, as I prefer to call them—not men with a single vision. Rather, we need enlightened men who can relate . . . men who can see the mutual dependence—or nondependence—of matters . . . and yet, at the same time, men who can view the several parts as a whole.

Although the military profession has had its share of specialization, it has only been an extracurricular effort.

A brief look at the educational credentials of the Officer Corps of the Army shows both their high quality and their broad basis. For example: Nearly 90 percent of the career officers in the Army today hold baccalaureate degrees—our goal, of course, is 100 percent. Also, under a civilian schooling program, specifically selected officers are trained at leading universities in order to meet specific needs which demand the higher disciplines associated with masters degrees and doctorates. Today, some 20 percent of our career officers already hold advanced degrees; and we estimate that approximately 75 percent of our career officers may expect the opportunity to gain advanced degrees during their service.

The day when wars were fought by military tactics alone has long since passed . . . if, indeed, it ever existed. Rather, the waging of war and the maintenance of peace and security are the products of national efforts which include all instruments of national policy—the political, the socio-economic, the psychological, and the military.

Obviously, current demands have added new dimensions to the challenges faced by our military commanders. As never before, the military is in need of generalists, not specialists—officers who are military men first and foremost but who have an awareness and appreciation of the other factors that inevitably have a bearing on military policy. Vietnam is, undoubtedly, the best example of our need for this type of leader.

Five wars are being waged in Vietnam today at one and the same time. It is unrealistic to speak of them separately because they are so closely meshed and mutually supporting. And yet for analysis, it is often necessary to view each individually to discover its complexities and its interrelationship with the others. I shall cite these wars briefly:

1. The war in Vietnam is fundamentally political. Such is the case with all wars.
2. The war is sociological.
3. The war is economic.
4. The war is psychological.

However, the existence of these four separate—but related—wars tends to be obscured by the tempo of the fifth, the military war. Violence is more easily depicted—and more readily perceived—than are the rather undramatic, but vital, actions of nation building.

This so-called war of national liberation being less than total—and I'm referring to total war in the sense of World War I and World War II—is often more complex . . . often more demanding.

And thus, we need more than ever before the leader who is the spherical thinker . . . not the man with stovepipe vision. We need the man who finds exhilaration in the study of all aspects of mankind; man's capacity to love and hate, his willingness to serve and desire to govern, his thirst for truth . . . the man who is just and compassionate . . . the man who is a humanist. We need the leader who looks out for his men, who knows his position as a servant of our people . . . who has wisdom to see beyond his present actions to what their consequences might be.

There is only one place that this type of man can originate. He must be the product of a liberal education. He must come from our institutions of higher learning—the fountainheads of humanism. Surely, the late General Eisenhower—who came from this "heart of America"—was one of these men.

All of us—you and I—wish within our hearts that armies could be forever eliminated from the face of the earth. Only a fool would ever hope for war. One who has tasted the bitterness and witnessed the cruelties of war certainly would never become its advocate. Yet, while we work to achieve peace—to see that day when armies are eliminated from the face of the earth—we must continue to face the harsh realities of life. And, violence between men and violence between nations are harsh realities with which we must be able to cope.

I have talked about the foundations of the military establishment as they relate to the Army. I have discussed the citizen-soldier concept, and I have touched upon the Army's leadership needs as they both pertain to the Army's reflecting the will of our society.

With the foregoing background as food for thought, I should further like to reinforce some of the points I have attempted to make in addition to accomplishing my mission of stimulating responsible thought concerning our Army.

I have organized these additional thoughts to discuss in turn: the role of the Army within the military establishment . . . fundamental characteristics of the Army . . . wellsprings or sources of capabilities . . . and lastly, several remarks on specific Army capabilities.

In addition to the checks and balances established by the Constitution, your Army operates within very precise guidelines that establish its statutory responsibilities to the Nation. The military establishment as a whole is directed—". . . to support and defend the Constitution of the United States against all enemies, foreign and domestic; to insure by timely and effective military action the security of the United States, its possessions, and areas vital to its interests; to uphold and enhance the national policies and interests of the United States; and to safeguard the internal security of the United States."

In short, the military establishment is tasked to defend and secure the Nation, its citizens, and its interests. The primary role of the Army is its responsibility " . . . for the preparation of land forces . . . necessary for the effective defense of the Nation.

In carrying out this role, the Army is able to physically seize and occupy the land and thereby assert prolonged influence on the will of man who is a land-being. And in influencing man, the Army is capable of applying force selectively and in measured fashion. It may be—

"Force" represented by the power to influence action through assistance or advisory relationships, or

"Force" as represented by the restrained use of conventional land power as in Vietnam, or

"Force" implied in the possession of nuclear weapons.

The most important characteristic of the Army is its dependence on man. Because the Army relies on man and not machines, and because it is composed of men from every field of endeavor, it is capable of unique flexibility—a flexibility which permits the Army to adapt to any mission it may be assigned. Many times in history your Army has demonstrated its flexibility in meeting the needs of our Nation—needs which emphasize construction rather than destruction:

The need to map and survey our new and growing nation caused our young republic to send its small Army west of the Appalachians.

A need for engineering talent to develop our Nation led to creation of the first higher engineering school established in the United States—the United States Military Academy founded in 1802. (Incidentally, the Military Academy has kept up with the increasing complexity of modern defense. As a result, West Point now has a broad curriculum, balanced between the sciences and the humanities. In his four year academic program a cadet completes 19 courses in the mathematics-science-engineering field, 21 courses in the social science-humanities field, and 8 elective courses which he may choose to pursue in either field, or a combination of both fields.)

Needs for increased arteries of communication in a developing nation caused Army engineers to plan and construct roads, railroads, and canals . . . to include the Panama Canal and the Alaskan Highway.

Needs of health gave impetus to the Army Medical Corps to conquer typhoid and yellow fever . . . to develop a means of water purification through chlorination . . . to develop blood plasma substitutes. Incidentally, the first American psychiatry text was written by an Army doctor.

Needs of the Nation during the Great Depression of the 1930's led to extensive Army involvement in the CCC (Civilian Conservation Corps), a massive effort in social welfare which was a predecessor of the present Office of Economic Opportunity and specifically the Job Corps.

Needs for research in space vehicles led to Army development of Explorer I, the only ready satellite with which the challenge of Sputnik could be met.

The need to chart the Antarctic led Army experts in 1962 to map parts of that vast frozen continent.

A need to meet aggression led to our commitment in Korea and in Vietnam.

The Army has always been a pioneer. Not only has it built roads, written textbooks and charted virgin wilderness . . . it has also, many times, led the way toward social change.

The Army helps many men who would not ordinarily be able to serve in the Armed Forces because of a lack of education. These men are given special training which enables them to become effective soldiers and—very important—gives them an opportunity to learn skills and develop attitudes and habits which will make them more productive citizens. Thus, the Army, the individual, and the Nation benefit by this program.

The interest of the Army does not end when the youth of America take off their uniforms.

Through a special project that we call Transition, we assist soldiers about to be discharged to prepare themselves for civilian life. For several months prior to completing their Army service, soldiers can receive special training to prepare them better for civilian jobs in government and industry—training which improves their future prospects and again adds strength to our Nation.

The Army led this Nation in creating a truly integrated society where race plays no part and any man can advance in accordance with his demonstrated abilities.

Through their military service, our youth have learned how to live and work together as Americans. Men from every race, creed, and color are working, living, and fighting side by side in the Services of our country.

Today, a Negro soldier is dragged from the battlefield by a white medic. A white soldier lives to see another dawn only because a Negro soldier threw himself upon an exploding grenade. And a Protestant soldier is counseled and led in prayer by a Catholic Chaplain. These are experiences that will serve to strengthen our Nation by overcoming the parochial images and the misunderstandings associated with social changes taking place within our—within their—country.

In my opinion, these examples illustrate that the Army is equally interested in the peaceful aspects of its role. It accepts those responsibilities with the same fervor that it does its others, and always for the same purpose—the continued security of our Nation.

I could cite many other contributions to our society through the constructive side of the Army. However, let me make it perfectly clear that I am not attempting to paint a picture of sweetness and light. The Army is equally capable of performing its mission of providing security to our Nation through its complete mastery of the art of warfare.

We have seen that the Army reflects the flexibility and adaptability of the American citizen. The Army's capabilities are derived from—or come from—what I shall call the Wellsprings of Capability . . . wellsprings which are continuously charged by the constant relationship between our Army and our society.

The most important wellsprings or sources of capability are: the Army as a profession, the nature of the threat to our Nation, and our national policy.

The primary Wellspring of Capability is the nature of the Army, and the other military services, as a profession. It is unique as a profession, for it demands the ultimate commitment—service, if necessary, to the point of death.

The professional military man must bear the awesome responsibility not only for his own life but also for those who serve under his command. Further, when an officer takes his oath of office he swears that he ". . . will support and defend the Constitution of the United States against all enemies, foreign and domestic . . . without any mental reservation. . . ." Through this oath, responsibility of the military profession goes beyond self and those under one's direct command. It extends to the survival of our Nation. With total commitment and total responsibility comes the total dedication to country which characterizes the American soldier.

As the Army places unique demands upon a man, so also it develops unique perspectives within the individual—perspectives which also contribute to the Wellspring of Army Capability. The soldier must believe that what he is doing is contributing in some some manner to the resolution of what "really matters" to our citizenry—that is in the best interests of his country.

In earlier days this direct association was relatively easy to establish. The Indian fighter saw and knew the settlers whom he protected. Today, it tends to be more difficult to establish such a relationship due to our global commitments and our larger and far more complex society. However, it has been my experience that this relationship has been successfully bridged by those young men and women who have continued to step forward when their country needed them.

Another contributor to the Wellsprings of Capability is also derived from the professional nature of the Army. It is what I term the "search for adequacy." In this tumultuous world, one can never completely be certain of his enemy's capabilities, much less of his intentions. Yet, the professional military leaders continues by his oath to be responsible for American lives and the security of the Nation. He must strive to develop the capabilities in being which will deter attack or which, at least, will defend the interests of the United States at the lowest possible cost in lives. Contrary to some voices, this leader is not a grasping megalomaniac. Nor is he part of a cabal—the so-called "military-industrial complex"—a complex which allegedly generates ever-increasing military requirements and, in turn, military capabilities. Rather, the military leader's judgment represents, in the aggregate, a considered judgment . . . a judgment of dedicated and experienced professionals with one goal in mind—our Nation's survival against the threats of an uncertain tomorrow.

Many will argue that the military wants too much . . . that it inflates its requirements and deprecates its capabilities to grow larger at the expense of other national needs. This debate is good. It is healthy. It is the unique product of an open society. The Army's voice is only one of many in the great defense debate. All voices must be heard. But one important fact stands out in our form of society; it is the responsibility of the people to establish the final priority.

The second Wellspring of Capability is the nature of the threat. It is the standard against which your Army determines its requirements and measures its capabilities.

The threat is complex. It is bipolar at the strategic nuclear level and multipolar in its potential for conducting conventional warfare. In addition, there are literally tens of nations capable of supporting aggressive insurgency within the borders of their neighbors.

The threat is further complicated by a spectrum of weaponry which extends from the highly sophisticated weapons possessed by the Soviet Union to the sharpened stake and cross bow which have been employed in undeveloped countries.

Areas of possible commitment range from tropical jungle to arid desert, to frigid arctic. Each of these extreme environments requires its own adaptations of Army capabilities and techniques of employment.

Never before in the history of war has the military force of a nation faced such a diverse challenge. Today it is conceivable that a combat unit could be required to move from the jungles of Vietnam to mountainous southern Germany in a matter of days. Overnight, the threat the unit must address changes drastically—from the jungle ambush to massed Soviet tanks operating in an advanced tactical environment with the ever present threat of the enemy's use of nuclear weapons.

The range of problems facing the U.S. Army today is unique. For example: our Army must be prepared to act equally effectively against threats to the safety of United States citizens abroad; against acts of deliberate aggression under the guise of insurgency; and against overt attack accompanied by nuclear assault. No other army faces a wider range of challenges.

The third and last Wellspring which I wish to discuss is "national policy"—an omnibus term which I use to describe the range of decisions made at higher national levels and which delineate the Army's capabilities. "National policy" in this sense would include decisions such as the basic national military strategy which the Nation shall pursue and the resources—men, materiel and money—which are to be allocated to the Army to meet that strategy. The Army is offered full and adequate opportunity to have its views considered, but the decision very properly rests within the civilian national leadership.

There are other less obvious factors which influence Army capabilities. Here I am thinking of such aspects as the rate of technological advance in our society which poses problems in developing and producing weapons. If we delay purchase of a new weapon, we may be able to buy a new, radically better weapon later; but, if we wait too long, we may find ourselves facing an enemy fully armed with weapons better than ours. Decisions regarding research and development are difficult, but they at least imply freedom to influence the future.

The weapons the Army possesses today reflect procurement decisions made five to ten years ago. As in all worldly affairs, "You pay your money, and take your choice." All things in life have costs. And as resources devoted to national defense are reduced, so also is the level of defense readiness reduced.

The Army is most certainly not a slave to the past . . . a slave unable to react to the present . . . a slave unable to prepare for the future. Its capabilities are directed by decisions which lie beyond its power—in authority or in time. This is the third Wellspring of Capability.

Up to this point my remarks have purposely been general in nature—and perhaps a bit theoretical. Hopefully I have set the stage for several specific thoughts that I would like to leave with you.

Naturally, the degree of proficiency with which the Army can fulfill any particular capability is, of course, dependent on the wellsprings which I have discussed in terms of the men, materiel, and money provided to the Army.

However, at almost any reasonable level of resource allocation the Army has certain capabilities; but at the same time there are capabilities which the Army cannot possess—regardless of its level of resources—capabilities which money cannot buy. Let's take a look at what the Army can do . . . and also, what it cannot do.

For example:

The Army can conduct offensive operations to attain specific objectives, but it cannot insure the desirability, viability, or reliability of the political situation which results. The Army can help win a war, but every element of government and the Nation must help to win the peace.

The Army can provide forces designed to defend in Europe or Asia in order to represent the national will to defend, but it cannot constitute the national will. While our Army should be and is a mirror of the society which it represents, the possession of capability alone does not deter aggression. There must be the will to employ in order to deter. That will must come from the Nation—not the Army.

The Army can prevent a guerrilla army from achieving its military objectives, but it cannot resolve the political problems from which an insurgency is derived. Successful elimination of the sources of insurgency involves far more than a military effort. It requires a coordinated national effort in support of an allied nation willing to institute political, military and economic change.

The Army can equip, train, and advise a foreign army, but it cannot insure that the army will be used to advance representative government or economic development. Increasing the military capabilities of a foreign army does not guarantee that the army will be used as we may wish, nor does it insure the favorable solution of internal political or economic problems.

The Army can be employed to alleviate the symptoms of domestic discontent, but it cannot remove the sources of discontent. The Army can, within carefully prescribed limits, contribute its expertise to resolution of grievances, but it cannot do this to the detriment of its primary mission of providing security against foreign threat.

I have described the upper and lower limits of capability—in each case extreme examples. Current and probable Army capabilities generally fall between the two. Precisely where they fall can only be determined by decisions made by the Executive Branch, by the Congress and, ultimately, by the electorate.

We are now at a point in history where we are conducting a major review of our commitments and policies. That review naturally requires that numerous questions be asked and answered. If the informed citizen is to properly evaluate proposals, he must be aware of these questions:

Is the most significant threat to the United States foreign or domestic, or is it a combination of the two?

To what extent can we safely rely on the support of overseas allies to insure our national security? Is their degree of support commensurate with our degree of reliance?

Who are our enemies? What are their intentions? Do we base our actions on what they are capable of, or do we base our actions on our assessment of intentions?

Today, in seeking to bridge the so-called generation gap, I have stressed the continuous need for interface between America's citizens and her Army. I have stressed the Army's role in our society, in particular as an element provided by the Constitution with safeguards as to its use.

It is an element which as a social force has spearheaded integration, improved education, and has trained thousands for leadership.

It is an element which, in conjunction with the other Services, provides security for our Nation.

It is an element which is always ready to respond to constituted civilian authority in support of our Nation's commitments.

It is an element which does not make policy, but is an instrument of that policy.

It is the shield behind which our democratic processes have thrived and our Nation has developed.

In talking to you, I have addressed my remarks recognizing fully your dual status: both as students concerned with the present, and as students faced with the awesome responsibility of the future leadership of our society.

Accordingly, I ask that in each role:

You understand the constitutional basis for the formation and utilization of the Armed Forces of our Nation.

And finally, that you recognize that these forces are essential elements in the society of which you will soon become an active and—most certainly—a constructive participant.

THE 60TH ANNUAL NATIONAL RAISIN WEEK

(Mr. SISK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SISK. Mr. Speaker, the 60th annual National Raisin Week, the Nation's oldest food festival, which we are celebrating during the period April 20 through 26, gives special recognition to one of California's most vital industries. All of America's raisin production and one-half of the world's output of raisins comes from within a 75-mile radius of Fresno in the geographical center of California.

The vineyards and related industries engaged in producing, processing, and distribution supply 250,000 tons of delicious raisins a year for eating out of hand, for cooking, for use in baked foods, and in gourmet dishes. National Raisin Week calls attention to a quarter billion dollar industry, one of the few agricultural industries to maintain its market place position while over the years many other farm products were falling by the wayside.

The California Raisin Advisory Board, as the industry's research, promotion, and advertising arm, deserves high commendation for its role in the raisin industry's success. Despite the great competition from other food products produced in this country, and also from the increasing supply of raisins produced in Australia, Greece, Turkey, and Iran, it has effectively created and maintained the market for California raisins.

For instance, the California Raisin Advisory Board has developed the practically nonexistent Japanese market to the No. 1 export market, which now consumes some 20,000 tons of California raisins each year. In cooperation with the U.S. Department of Agriculture's Foreign Agricultural Service, the State raisin advisory board operates a total of 12 overseas market research and development programs.

I also wish to point out the important role of the Federal Raisin Advisory

Board and the Federal Raisin Administrative Committee. Operating under Federal marketing orders, which have done so much to bring about the orderly marketing of our raisin crops and have also been instrumental in the development of export markets.

In addition, I wish to commend the Raisin Bargaining Association, which during the brief span of less than 3 years has brought the raisin growers together in a concerted effort to give them a better voice in determining what they will get for their crops.

Raisins, grown by the Egyptians and Persians in 2000 B.C., are today produced and sold by the most modern methods—the methods that have made America great. The raisin industry well deserves a special salute during this National Raisin Week.

HISTORICAL BLACKOUT

(**Mr. RARICK** asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, many thoughtful members of the Armed Forces of the United States who fought in Europe, Africa, and the Pacific and witnessed the frightful destruction of World War II and its consequences, have increasingly pondered what history will record on our country's involvement.

Unfortunately, few of our historians have undertaken to write the history of the Second Great War in accord with documented facts. Even today few Americans have been permitted to learn of the overtures for peace from Germany and Japan between the outbreak of the conflict in the Orient in 1937 and the U.S. involvement in both Europe and Asia in 1941. Very few Americans were permitted to know, relative to the European theater, that a special provision in Britain's supposed guarantee to Poland rendered that pact not only inoperative should there be Soviet aggression against Poland, but also, in effect, extended to the Soviets an invitation to seize part of, or possibly all of, Poland without remonstrance from Britain. Thus, in the war launched on the pretense of saving Poland, that country was betrayed by Britain with the knowledge of Washington politicians even before the first shot in World War II was fired.

Why, for example, were the American people never permitted to know the substance of the message that Rudolph Hess risked his life to bring to Britain in May of 1941?

Obviously no military secrets could be involved at this late date. So why, after 29 years, is Rudolph Hess still held incommunicado, unless to distort history by hiding truths. Who would hide historical facts except involved parties who would dread to be revealed?

One who tried to correct the distortions in the writing of pre-World War II history was Dr. Harry Elmer Barnes—1889–1968—whose extensive contributions reflect a lifetime of study and observation. See "Who's Who in America," 1968–69.

It is historically fitting that there was recently published a memorial volume on "Harry Elmer Barnes: Learned Crusader," edited by Arthur Goddard and recently reviewed by Henry M. Adams, professor of modern European history, University of California, Santa Barbara. Furthermore, it is understood that the extensive papers and historical notes of the late Dr. Barnes are being edited for publication by another distinguished historian, Dr. James J. Martin, famous for his two-volume study entitled, "American Liberalism and World Politics," Devin-Adair Co., New York.

Mr. Speaker, a quarter of a century has now passed since the end of World War II when all peoples sought a lasting peace. Instead of peace the strongest nations face each other in undisguised hostility with focal points of discord. And World War II prisoners of war remain imprisoned in various countries undergoing unusual punishments. Rudolph Hess is not only one of these, he has the most important disclosures to make about World War II of any man now alive. This fact, Mr. Speaker, invites this query: Why has not the American Historical Society shown interest in securing his testimony concerning the history of the Second Great War? Why has our Government not attempted to secure a general amnesty for all prisoners of war suffering such prolonged imprisonment. But more especially, why should we not liberate the truth?

The indicated book review, together with an accompanying editorial note on its author follow as parts of my remarks; also a news story on Hess:

[From the Chicago (Ill.) Tribune, Apr. 20, 1969]

FIGHTING A BLACKOUT

(By Henry M. Adams)

(NOTE.—"Harry Elmer Barnes, Learned Crusader," is the source of today's column, which appears here by permission of Ralph Myles, Publisher, Inc., of Colorado Springs. This testimonial volume, edited by Arthur Goddard, honors a man distinguished as historian, sociologist, penologist, journalist, teacher, and lecturer. Dr. Barnes died Aug. 25, 1968, at the age of 80. The following is from the contribution written by Henry M. Adams, professor of modern European history at Santa Barbara college of the University of California.)

Just as in 1922 Barnes had demanded that the current interpretations of the causes of World War I be revised, so at the end of 1947 he made a similar demand with regard to World War II, only to find that the difficulties in the way of getting any truth published about the responsibility for World War II were all but insuperable. So he wrote the slender first edition of his brochure, "The Struggle Against the Historical Blackout," to define and clarify the nature of these difficulties, to compare and contrast the situation following the First World war with that following the second, and to open the attack of the revisionists against the perpetrators of the "historical blackout" by exposing their errors of fact and argument. . . .

Barnes defined his terms. Revisionism meant "bringing history into accord with facts." The efforts to prevent this he colorfully labeled "the historical blackout," and its operators the "blackout boys." Then he went on to explain the obvious reasons for the extent and ferocity of this attempt to restrain and suppress the truth about the responsibility for World War II and America's entry therein.

The vested national political interests of the last 15 years had their reputation deeply involved in maintaining intact the myth of the superb ability and impeccable integrity of their chief, Franklin Delano Roosevelt. The maintenance of the Roosevelt myth was closely tied up with the wisdom and honor of Mr. Roosevelt's foreign policy. Further, the interventionists who had aided and abetted Mr. Roosevelt and his entourage in his war program had to defend the wisdom and outcome of their own war mongering. The special pressure groups which had striven ardently for war had likewise to justify their works. Finally, and very important, American leadership and policies had been directly and deeply involved in the outbreak and extension of World War II.

In addition to the opposition of public groups to the truth about responsibility for World War II, many of the professional historians and other social scientists had a vested interest in perpetuating the prewar and war time mythology. They had veritably swarmed into the various war time agencies after 1940, especially the office of war information and the office of strategic services. They had been intimately associated with the war effort and with the shaping of public opinion to conform to the thesis of the pure idealism and innocence of the United States and our sole and exclusive devotion to self-defense and world betterment thru the sword. . . .

Barnes pointed out that the numerous methods of those who sought to "black out" historical truth fell pretty much into four patterns. The first was the ignoring or obscuring of any material which revealed unwelcome facts. The second was the "smearing" of the authors of such material. The third was contending that, whatever the devious deceptions practiced by Mr. Roosevelt and his supporters from 1937 thru 1941, all that was more than justified in the interest of national self-preservation. And the fourth was maintaining that the successful deception of the populace is the cornerstone of sagacious statecraft under our system of government.

These patterns Barnes then illustrated in a thoro survey of the published evidence, a survey which became larger and more comprehensive with each revised and enlarged edition of the brochure. Citing from the leading newspapers and periodicals, he showed how, by the space and position assigned to reviews of revisionist books, these books were obscured or smeared. . . .

Barnes recalled for the reader the propaganda for war of Mr. Roosevelt and the interventionists before Pearl Harbor, propaganda which spoke again and again of the discovery of secret nazi plans to invade the United States, even via Dakar and Brazil, and [he] reiterated the main point then made by the fighters to keep America out of war, namely the absurdity of such talk in the face of the inability of the Nazis in the summer of 1940 to cross the less than 20 miles of the Dover strait to invade a helpless Britain. . . .

Barnes demonstrated that, in the face of documentary evidence that the President had "lied us into war," the defenders of the Roosevelt myth had taken a new line. Instead of continuing their former argument for the unswerving integrity and veracity of the chief, they now admitted that he had lied about his foreign policy, but they claimed it was for a "noble cause." It was maintained . . . that Roosevelt had tricked the people into acting for their best interests and that the political lie was a sound technique of statecraft.

Barnes cited the secret Anglo-American agreement of Sept. 2, 1940—the destroyer deal—which really put the United States into the war, and the campaign speech of Mr. Roosevelt in Boston two months later, in which he promised American mothers and fathers that their boys would not be sent into any foreign wars. As for the "noble cause" for which Mr. Roosevelt lied so profusely, Barnes provided abundant evidence to show that it was as much a fiction as the earlier dogma of his unimpeachable veracity.

[From the Washington (D.C.) Post, Apr. 21, 1969]

HESS NEARS 75 WITH ONLY BIRDS FOR COMPANY

BERLIN, April 20.—Twice a day the birds wait for Rudolf Hess. They are the only companions the former deputy fuehrer and No. 3 Nazi has left. And next Saturday marks his 75th birthday.

Hess brings crumbs to the birds from the vast Spandau Prison where he has been since 1946. Then he stands and watches them eat.

By the gathering of birds it is possible to tell when Hess will be in the spacious garden of the 19th century prison on the outskirts of West Berlin.

Weather permitting, he always shows up. He is known to curse "this rotten German weather" and talk of sunny Alexandria, Egypt, where he was born April 26, 1894, the son of a German exporter.

Hess has fared well for his almost three decades in prison. He is in his third year of virtual solitary confinement.

In April it is always the Americans' turn to furnish the prison's external security, hence Hess usually fares well on his birthday.

In May 1941, Hess parachuted into Scotland. He never fully explained that mission, but apparently thought he could end the war by convincing the Britons they could not win.

He was made a prisoner of war and was convicted as a war criminal by the International War Tribunals.

THE GRAND DESIGN

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, a thought-provoking presentation of the problem confronting the American people is contained in "The Grand Design," a lecture on U.S. foreign policy, by G. Edward Griffin, of Thousand Oaks, Calif.

Mr. Griffin reminds us that the greatest use of the atomic bomb has been in psychological warfare and the American people have been bombed psychologically every single day through movies, TV, and the programed propaganda network designed to condition American minds that nuclear war is more to be dreaded than a peace under communism.

Simultaneously, our people are rarely permitted to view scenes or hear of Communist horror, bestiality, and the true condition of what a living death life under communism would be.

I include his lecture following my remarks:

THE GRAND DESIGN

THE GRAND DESIGN STATED

Ladies and Gentlemen: It's really a pleasure to be able to welcome so many of you into my home—not only those of you who actually *are* here—but also those who are here *indirectly* through the medium of motion picture film.

As you know, the title of this presentation is "The Grand Design." But I should explain at the outset that the real subject behind this title is U.S. Foreign Policy. Now, I realize there are some who might think that I was trying to be funny or sarcastic with that statement, because for a long time there's been a generally accepted view that our foreign policy has been so bungled and confused it couldn't possibly have followed *any* design, much less a *grand* one. But, Ladies and Gentlemen, the purpose of this presentation is to show, not only that there *is* a Grand Design, but also that it has been the consistent, dominant force behind absolutely every major move by the United States in the foreign policy field since at least the end of World War II. This Grand Design has provided the motivation for all we have done in the past, and unless some basic changes are made, it will determine everything we shall do in the future. Regardless of one's opinion of this Grand Design, it's the outgrowth of a powerful and compelling argument, a profound statement of philosophy, and a deceptively attractive appeal to reason. And, Ladies and Gentleman, unless we are able to counter this argument and to offer a superior philosophy, we'll continue to be like putty in the hands of its advocates.

So, it's important, to say the least, for us to understand what the Grand Design *is*, to analyze it in order to discover its flaws, if any, and then to offer a superior alternative, if we can. These three requirements, then, will constitute the general outline of the material and the ideas to be presented here: First, identification; Second, analysis; and Third, solution.

To plunge right into the core of this challenge, what I'm going to do now is advocate the Grand Design just as though I really believed in it—which, in all honesty, at one time I *did*. In fact, I'm going to teach it to you just the way it was taught to me—and *accepted* by me—at the University of Michigan.

Following the form of what we might call an extended syllogism, here is how the argument begins: One: We are living in a new age—and, of course, you can hardly argue with that. We're always living in a new age. But nevertheless, we're reminded of that profound fact rather elaborately: We're living in an age of marvelous and incredible technological advances; an age in which men travel faster than the speed of sound, in which satellites forge communication links between continents, in which space itself has become a limitless frontier of exploration. And then, at the end of the list of all these wondrous and productive scientific achievements, always we are reminded, with ominous overtones, that we also have with us now something called *The Bomb!* End of step one, ready now for step two.

By the way, everything up to this point not only is true, it's so *obviously* true that it's really not part of the argument at all. It's merely thrown in at the beginning as a kind of conditioner, to get us nodding our heads in agreement in hopes that the habit will carry over into the next step which is where the going gets tricky and where we need to be far more on our guard.

The next step, then—the real *premise* of The Grand Design—is this: If all-out war should develop today between major powers, *both sides would lose*. No one could come out ahead in that kind of a war. Everyone would lose. It wouldn't make any difference who the good guys were or who the bad guys were. It wouldn't make any difference who started it, or even if it were started by accident. Both sides would lose.

Having acknowledged existence of The Bomb, and having concluded that risking war is *unthinkable* in this modern age, we move now to step number three, which is this: Since the Communists have nuclear weapons, and since they certainly would use them in their own self-defense, that means, doesn't it, that victory over Communism is *impossible*. Now, we may *wish* that it were possible. We may wish that we were living in a by-gone era in which, if one had an enemy, he could meet him on the open battlefield and get it over with. We may wish that a lot of things were different in this old world. But instead of moaning and weeping and longing after those things which are no longer possible, let's grow up, be mature, intelligent human beings and face life the way it really is. Rather than living in a fantasy world, dreaming and longing after those things we want but can never have, instead let's find out what is the best we can get, and then work for that.

All right, now the next step: It's not enough for us just to *know* that victory is impossible. For our own safety, we must conduct our foreign affairs in such a way as to *reflect* this knowledge to the other side. We must be extremely careful never to give the enemy any cause to question our benign intent. We must avoid using any words or committing any acts which might even *suggest* that we were pursuing a goal of victory. We can't afford to gamble on what the enemy might do in response. In other words, we mustn't frighten the Communists or give them any cause for self-defensive panic. In fact, to take it one step further, we must avoid the temptation even to embarrass the Soviets in the eyes of the world.

You see, the argument is, that it's like being locked in a cage with a dangerous animal. You can't get out of the cage and you can't kill the animal. So what do you do when it becomes hungry and restless? You feed it—hoping that, if it is full and comfortable and contented, then it won't eat you.

The people who have created U.S. Foreign Policy over the past two decades view the United States as being locked in a worldwide cage with a dangerous animal called Communism. We can't get out of the cage, obviously. And since victory is impossible, remember, we can't destroy the animal.

So, to minimize the chances of Communism turning on us, these planners not only have avoided frightening the animal with any overt moves which it might mistakenly view as a threat to itself, but they've done everything possible to keep the beast fed, comfortable and content. It's in our own interest, they say, to see that Communist regimes remain reasonably stable. If they need wheat, or other agricultural commodities, send it to them. If they need industrial know-how, invite their scientists and engineers to tour our factories so they can learn how best to produce. If they still can't manufacture the goods they need, then send our own people over there to build their plants and set up their production lines. If that doesn't work, then sell the products to them on easy credit terms, and don't really expect to get paid. In fact, if they need money, give that to them, too. Give them *anything* they need so they won't become restless and aggressive. And, yes, as harsh as it may seem on the surface, it's even in our best interest to see that Communist regimes can successfully put down internal anti-Communist revolts. None of this because we're pro-Communist, only because we're mature, objective, intelligent people who recognize that, in this modern nuclear age, we can't afford the risk to our own survival which would be inherent in having so powerful an adversary struggling defensively to maintain his position.

All right, now we're ready for the final step in The Grand Design, which concerns itself with the question of realistic, attainable goals. What *is* the best we can hope to achieve in this new age with all of its complexities? How do we resolve this dilemma before we all go up in a mushroom cloud of nuclear dust?

The answer that is offered to us is this: We should encourage the Communist world gradually to move toward us—ideologically, politically and economically—while at the same time, we must be willing to move toward them—ideologically, politically and economically—to the point where, hopefully in the not-too-distant future, we'll be able to merge our system with theirs—and of course with those of the rest of the world—to form some kind of a world brotherhood, a world union, a *World Government*, to be exact, which, by definition, would hold a monopoly over all these weapons of mass destruction. And then nuclear war between nations finally would be impossible—for the simple reason that there no longer would be any nations, including our own. There would remain only a group of disarmed political subdivisions of an all-powerful world government.

Of course, the Grand Designers scoff at the suggestion that such a concentration of power in one place might ideally be suited for a total consolidation of control into the hands of a small group of power-hungry world politicians. They particularly scoff at the possibility of this power falling into *Communist* hands through the tactics used so successfully by their agents working within every other coalition government in which they've participated. We are assured that, since this would be a *world* coalition government, for that reason the Communists wouldn't try to seize power, they'd be content merely to share in it.

Well, without going into that particular little fantasy, just for the sake of discussion, let's grant the point and assume that a world coalition government with the Communists really *would* result in a merger of our systems rather than the domination of theirs over ours. What then?

First of all, we would have to be willing to give up certain things that we would rather retain—such as our sovereignty and our independence. In other words, we must be willing to abide by the political dictates of the majority of other nations—one man, one vote in a world democracy. We must merge our monetary system with those of other nations, eventually to form a world currency. We must willingly submit all international disputes to a World Supreme Court, and abide by those decisions regardless of the outcome. And, above all, we must turn over our most powerful weapons and even our armies to international control so that the new world government will possess sufficient military might to compel the various political subdivisions by force, if necessary, to comply with the dictates of its laws and the decrees of its Court.

Now, to be sure, we'd prefer not to have to do any of these things because, obviously, if we're going to merge with other countries, other cultures, other legal systems and political ideologies, we can't expect the whole world to adopt *our* way of doing things. It'll be a give-and take situation in which we'll have to seek a common denominator, a middle-ground between our way of life and the way things are done in other parts of the world. And of course, the result of such a compromise of systems predictably would have to be a mixture of the volatile dictatorships of Latin America, the tribal customs of newly emerging Africa, and the Socialist regimes of Europe and Asia. Add to this concoction the necessity to absorb the doctrines and methods of Communist regimes, and it's rather obvious that we're just going to have to give up certain cherished traditions and customs, and learn to adjust to a way of life substantially different from that which we inherited. But it won't be so bad. We'll get used to it. And future generations won't know the difference. Besides, we really don't have any choice in the matter. It's that or The Bomb! So let's get on with the job of putting an end to our own nationhood, as it has been historically defined.

The men who have formulated this Grand Design consider themselves to be part of the intellectual elite. In other words, in their opinion they're just a little smarter than the rest of us. They feel that the average American doesn't quite have the intelligence or the aptitude to understand the wisdom of their Grand Design. As a matter of fact, they're rather worried that, if enough of the American people suddenly discovered what was really going on, they might get out of hand and insist on their leaders doing something silly—like *winning* for a change!

And so, in order to keep us contented at the polls, and to prevent us from asking too many questions, sometimes it's necessary for them to put on a pretty good show of standing firm against the Communists, to make some strong nationalistic statements now and then, and perhaps even to get us involved in some "limited" wars which, although they're clearly not waged to endanger the enemy or weaken his position in any way, still, with the daily loss of American lives in a "shooting" war against Communists, who would dare suggest that our foreign policy is soft on Communism!

And in this way the Grand Designers are confident that the American people will remain satisfied that their leaders are really standing firm and doing all that is humanly possible. But in reality, they're merely buying time. It's their plan that the old-timers among us—those of you who've been raised with those old-fashioned and outmoded concepts of patriotism and love of country—that, in time, your generation will pass away or at least become the minority voice. And at the same time they're catching the younger generations coming up through the high schools and colleges—like they caught me—and the Grand Designers are confident that in just a few more years—especially if they can lower the voting age—the political majority of the American people can be conditioned to accept the total abandonment of our national sovereignty.

I realize that, for those who have never before heard the Grand Design spelled out in detail like this, it's almost impossible to believe that it's real. And there may be some of you who are wondering if, perhaps, I haven't just dreamed up all this. So, let's turn now to the actual words and documents of the men who not only fully endorse the Grand Design, but those who've been instrumental in creating it in the first place, and who helped put it into action.

Now, I'm going to try not to bore you with a lot of long quotations, but in order to give you some idea of just how real and consistent this Grand Design is, I think it's necessary to offer concrete examples from a broad spectrum of American leadership and over a wide time span. For the philosophy which I've just summarized has been held and preached for many years by opinion-molders in the communications media, by Congressmen and Senators, by high ranking personnel in all agencies of the Federal Government, by Secretaries of State, Secretaries of Defense, Supreme Court Justices and even Presidents of the United States.

A good place to begin is with a speech delivered by Joseph E. Johnson on February second, 1959, Mr. Johnson, as you may recall, formerly was the number one man in charge of our State Department Policy Planning Division. But at the time of these remarks, he was President of the Carnegie Endowment Fund for International Peace, one of the many tax-exempt foundations that, all together, spend millions of dollars each year just to promote the Grand Design. Speaking at a luncheon in New York, Joseph E. Johnson said:

"From now on, every decision facing the United States in this field must be taken in the light of the fact that a good part of this country could be destroyed . . . We must be prepared to fight limited wars, limited as to weapons and as to goals, to stabilize the situation temporarily, tide things over. But victory is no longer possible." [1]

Moving from the State Department to Pentagon, we come across this feature article syndicated by the Associated Press on February fourth, 1968 entitled *Robert S. McNamara; Reflections After Seven Years on the Hot Seat*. I think you'll find most revealing this direct quote from our former Secretary of Defense:

"It became clear that we couldn't win a strategic nuclear war, that nobody could . . . The concept of massive retaliation was ruled out . . . Then it was necessary to educate the public and the Congress that you cannot win a strategic nuclear war. We said it in different ways over a period of time. I consider getting that concept across our greatest single accomplishment." [2]

In the transcript of hearings before the Senate Armed Services Committee on February twenty-fifth, 1966, again we find McNamara, this time testifying officially as our Secretary of Defense. He said:

"To declare war [in Vietnam] would add a new psychological element to the international situation, since in this century declarations of war have come to imply dedication to the total destruction of the enemy. It would increase the danger of misunderstanding our true objectives." [3]

The August second, 1961 issue of the Congressional Record contains a statement by Senator J. W. Fulbright, Chairman of the Senate Foreign Relations Committee, and long-time exponent of the Grand Design. Fulbright said:

"In the long run it is quite possible that the principle problem of leadership will be . . . to restrain the desire of the [American] people to hit the Communists with everything we've got, particularly if there are more Cubas." [4]

Returning to the State Department, we find that by 1962, the man who was then running the Foreign Policy Planning Division was Walt Rostow, President Kennedy's Special Advisor on Foreign Affairs. In a report to the President entitled "Basic National Security," Rostow stated:

"Rising tensions or pleas . . . of the American public must be ignored in any crisis with Russia. The temptation must be avoided . . . to degrade or embarrass the Soviets in the eyes of the world." [5]

If you've been wondering why it is that we can't seem to win any wars against the Communists, it's simply because it's our policy not even to *embarrass* them, much less defeat them!

In 1963, the United States Arms Control and Disarmament Agency financed a report by the Peace Research Institute. Published in April of that year, here's what our tax dollars produced:

"Whether we admit it to ourselves or not, we benefit enormously from the capability of the Soviet police system to keep law and order over the 200 million odd Russians and the many additional millions in the satellite states. The break-up of the Russian Communist empire today would doubtless be conducive to freedom, but would be a good deal more catastrophic for world order." [6]

In other words, according to the Grand Design, supposedly it's in our own self-interest for the Soviet police state to remain intact, to remain stable, and to maintain its death grip over the captive nations.

That kind of reasoning leads us next to the pages of one of the most influential newspapers in the world, *The New York Times*. On August sixteenth, 1961, the *Times* ran this editorial:

"We must seek to discourage anti-Communist revolts in order to avert bloodshed and war. We must under our principles live with evil even if by doing so we help to stabilize tottering Communist regimes, as in East Germany, and perhaps even expose citadels of freedom to slow death by strangulation."

Shocking? Well, if you accept the premise of the Grand Design, it shouldn't be. It's then merely a cold and objective appraisal of our limited alternatives in this nuclear age.

Now let's bring this philosophy to its ultimate conclusion and see what the world

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planners have to say about the future role of American sovereignty.

Returning again to the words of Senator Fulbright, we find this most revealing book by him entitled *Old Myths and New Realities*. And bear in mind that this was written by the Chairman of the Senate Foreign Relations Committee, one of the most influential legislative committees in Washington.

On page 25, Fulbright says:

"The problem for American policy, however, is not in defining what we would like; it is rather, . . . how to live with the best we can get."

Then, on page 87:

"Indeed, the concept of national sovereignty has become in our time a principle of international anarchy . . . Our survival in this century may well turn out to depend upon whether we succeed in transferring at least some small part of our feelings of loyalty and responsibility from the sovereign nation to some larger political community."

And so we don't miss the point he's trying to make, he repeats on page 108: ". . . the sovereign nation can no longer serve as the ultimate unit of personal loyalty and responsibility." [7]

I think it's pretty obvious that many of our leaders in Washington long ago have transferred substantial portions of their personal loyalty and responsibility *from* the sovereign nation of the United States to the larger political community called the United Nations. In their own minds it's quite likely that they consider themselves to be citizens of the world *first*, and citizens of the United States second. In any decision where the interests of America are in direct conflict with those of the "larger political community," you can be sure that America will wind up on the short end.

Our former Secretary of State, John Foster Dulles, in a lecture at Ohio Wesleyan University entitled "Toward World Unity," phrased it this way:

"The significance of what I initially propose . . . involves an organization dedicated to the general welfare—the peace and order of mankind—and the assuming of an allegiance to this goal superior to that of any national allegiance." [8]

Returning again to the words of Walt Rostow, our former Chief of the State Department Policy Planning Division, we find an unusually open and frank summary of the objectives of the Grand Design spelled out in his book, *The United States in the World Arena*, which, incidentally, was subsidized by the C.I.A.[9] On page 549 Rostow states:

"It is a legitimate American national objective to see removed from all nations—including the United States—the right to use substantial military force to pursue their own interests. Since this residual right is the root of national sovereignty . . . it is therefore, an American interest to see an end to nationhood as it has been historically defined."

Justice of the Supreme Court, William O. Douglas, wrote an essay entitled *The Rule of Law in World Affairs* published in 1961 by the Center for the Study of Democratic Institutions, which in turn is financed by another of those tax-exempt foundations, The Fund for the Republic. On page 32 Douglas wrote:

"There is no reason for us to get tangled up in legalisms that march inexhorably to the conclusion that total and complete sovereignty must be retained. For we now know that when that claim is pressed by all nations, everyone faces extinction in a nuclear holocaust." [10]

This is a very precise summary of the Grand Design. In just two sentences we're told that it's either World Government or The Bomb! Take your choice. By the way, the general theme and purpose of this pamphlet was to generate public support for increasing the power and prestige of the U.N. World Court, and also to lend support to a drive at that time for the repeal of the Connally Amendment.

Without getting too involved in this, I should explain that, when the Senate ratified the U.N. Statute of the International Court of Justice and agreed to commit the United States to accept the final decisions of the U.N. World Court, it was generally understood that the Court would never meddle into our purely *domestic* affairs. But, there were some who feared that, in time, the World Supreme Court would begin to find legalistic ways to declare what *we* think is strictly our own business and no one elses, it's, in a larger sense, also the concern of "mankind." So, to prevent the World Supreme Court from extending its jurisdiction into our local affairs the same way in which the Federal Supreme Court gradually has assumed jurisdiction over what was once considered to be the local affairs of our own States, the Senate voted for an amendment to the Statute proposed by Senater Tom Connally. This amendment still stands and simply says that what is or is not a domestic affair of the United States will be determined *by* the United States, not by other nations or by the World Court, itself.

And so it's understandable why the Grand Designers have felt the need to generate greater public support for the international World Court and to repeal the Connally Amendment.

On April fourth, 1960, Vice President Richard Nixon issued a statement under the official letterhead and seal of his office [11] which read, in part, as follows:

"Many well-intentioned people have raised the basic question—why have an international court in the first place? The answer, putting it in its simplest and bluntest terms, is that even nations that are friends are bound to have disputes. If those disputes are not settled by negotiation, the only alternatives left are to settle them either by force or by law. At a time when the use of force means unleashing nuclear weapons which would destroy civilization, all sensible people agree that we must find some alternative to force for settling international disputes.

That's really an incredible statement, because, in passing, we should keep in mind that law also is force. If the courts don't have the police and the armies to back up their decisions with *force* if necessary, then there's no law. Law *is* force, legalized. And so with this reality in mind, Mr. Nixon's statement continues:

"There are some today who believe that the prospect of the use of atomic weapons to settle international disputes is so terrible that we should set up a new, all-powerful world organization which would have jurisdiction over disputes between nations. I disagree with this approach. I believe that rather than setting up a new international institution we have to begin to use the one we already have."

And then the Vice-President's statement concludes with strong assurances that we have nothing to fear and much to gain by repealing the Connally Amendment.

The international institution we already have, of course, is the United Nations. Most Americans good-heartedly accept the U.N. as a kind of farcical debating society. But I can assure you that the Grand Designers have other thoughts and plans. The May, 1964 issue of the official *U.N. Monthly Chronicle* contains these glimpses into the future through the eyes of Secretary-General U Thant:

"If we are to make the next step toward world authority and then onward to a world government, it will be by the growth in authority and prestige of the institutions and agencies of the United Nations, and by the development of the . . . Statute of the International Court . . . Regulatory international machinery of Government in the true sense of the word is required . . . Such an authority can not merely consist in a paper constitution and must be based on a certain degree of power." [12]

A "certain" degree of power doesn't sound very menacing. But just how *much* power would it take to make the vision of a world government come true? Obviously, it would take whatever amount is required to be superior to that of any political subdivision beneath it. It would have to be so powerful that no nation would be able to challenge it, without risking nuclear anihilation at the hands of the U.N. army. But if that happened of course no one could possibly object because it wouldn't be called an act of *war*, it would be a "peacekeeping" maneuver by a "peacekeeping" force, and the mushroom cloud would rise from a "peacekeeping" bomb.

I know this must sound fantastic to some of you, so let's get back to the record. In 1961 the State Department published document 7277, a booklet entitled *Freedom From War*. The sub-title explains what it is: "The United States Program for General and Complete Disarmament in A Peaceful World." This was our proposal submitted to the General Assembly of the United Nations for disarming and transferring to the U.N. complete control over our atomic weapons, our missiles, and our national Army, Navy and Air Force as well—*everything* except what we might need for limited internal police function. After eighteen pages of detailed proposals to bring this about, we finally discover in plain language the ultimate goal of our disarmament programs—and this is a direct quote: "Disarmament . . . would proceed to a point where no state would have the military power to challenge the progressively strengthened U.N. Peace Force."

Of course, 1961 was a long time ago, and it's true that State Department Publication 7277 is no longer our official position on disarmament. It was replaced by this one: *Blueprint for the Peace Race*, Arms Control and Disarmament Agency Publication Four, General Series Three. And on page thirty-three we find the "new" position:

"The Parties to the Treaty would progressively strengthen the United Nations Peace Force . . . until it had sufficient armed forces and armaments so that no state could challenge it."

And so it has gone, year after year, and revision after revision. The basic objective of our disarmament proposals has been—and is today—the objective of the Grand Design: The creation of a true world government with sufficient military force to compel all nations, including our own to obey.

The January-February issue of *Vista* magazine, published by the United Nations Association, featured an exclusive interview with former President Eisenhower dealing with exactly this subject. The reporter, Mary Kersey Harvey, a senior editor of McCall's Magazine, wanted to get the President's reaction to a proposal by Grenville Clark which would establish a permanent U.N. world army. After outlining the Clark proposal for President Eisenhower, here is what Miss Harvey reported:

"The President studied the above plan quickly and, as I had expected, caught the ball and ran with it. You'd have, he began to plan out loud, world Marshals, comparable to our U.S. Marshals. Backed by armed forces similar to our National Guard . . . Noncompliance with U.N. law and you send in the U.N. forces. He orchestrated this point at some length.

"And too, he hammered away, the U.N. needs *nuclear* power. He bore down hard on the word 'nuclear.' . . . Take this example, he hurried on. You have two countries in a border argument. The U.N. orders the matter to be taken to the International Court. One or both of the disputants refuses to submit to compulsory arbitration . . .

"The U.N., which by now has in its possession a fleet of submarines armed with nu-

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clear missiles deployed around the world, orders one of the submarines to proceed to the area. The world is then told that if firing breaks out for any reason whatsoever, a tactical nuclear weapon will be delivered onto the disputed territory. If this threat fails to prevent armed conflict, you back it up with action." [13]

And that, is the Grand Design for preventing nuclear war.

That's all the quotations and exhibits that time permits—which, in a way, is unfortunate, because the examples I've used so far have been slightly top-heavy with Republicans. If we had more time, I could balance it out and then get *everybody* mad at me! Seriously, it's just as easy to find the sentiments expressed here within the top ranks of one major party as it is the other. The Grand Design has absolutely nothing to do with partisan politics.[14] These men aren't nearly as much Republicans or Democrats as they are *world* politicians. They've got bigger things to occupy their minds than mere party labels. To them, partisan politics is only a game to amuse the masses who crave the showmanship of big national conventions, the excitement of partisan campaigns, and the satisfaction of casting a vote in the illusion that, somehow, they're really helping to decide the important issues of the day. But, with precious few exceptions, for the past two decades the American voter has had to make his choice between Grand Designer A and Grand Designer B.

It's always a source of amazement to me when I hear someone criticize our leaders for being confused in the area of foreign policy, or reversing their position, of bungling the job and not having any long-range goals. These men are *not* bungling the job. They're acting in accordance with a definite, well thought out plan, and they've been executing that plan with brilliant precision. We may or may not like the plan, but let's not kid ourselves into thinking that there isn't any.

I, for one, don't like the plan. And you may wonder why not. As you recall, earlier I said that when I was first exposed to the Grand Design, it seemed like a compelling argument. After all, each of those steps do seem to progress logically, one to the other. So, having taken this much time merely to expound and explain a point of view which I no longer accept, I think the least I can do now is to offer the reasons for having changed my mind, and to expose what I consider to be the fatal flaws of the Grand Design.

THE GRAND DESIGN REFUTED

There are at least two major fallacies that need to be understood if we're to overcome the arguments for containment, coexistence, accommodation, and ultimate merger with world Communism. First of all, the premise behind these arguments *is wrong*. And you know you can't do much with a piece of logic if you start out with a faulty premise. The premise underlying the entire Grand Design is this: "If all-out war should develop between major powers today . . ." Well, stop right there. We've already passed it. Back up all the way to the very first word "if." If? Ladies and Gentlemen, when are we going to get it through our heads that all-out war *is* being waged against us right now—and *has* been for a long time. And by all-out war, I mean *total war*, not just military war. We're so used to thinking in terms of the old-fashioned concepts of warfare, in which the primary weapons were guns and bombs, we've failed to realize that, for the first time in history, we're facing an enemy that has mastered the concept of *total* warfare. World War III that rages around us right now is a political war, an economic war, a psychological war, a spiritual war and a military war, but the military aspect is the least important of all. The only way that military strategy plays a role in the Communist blueprint, is in the form of guerrilla tactic aimed at creating internal chaos and anarchy, to create the kind of conditions conducive for the quick seizure of power-centers by a small group of organized and well trained revolutionaries. That's the kind of military strategy you'll find in the Communist manuals, whether written by Lenin, Mao-tse Tung or Che Guevara. And even this kind of limited military activity could never succeed without the simultaneous waging of non-military war. The Communist guerrilla bands wouldn't stand a chance of succeeding in most countries without other Communists operating secretly among people to create the appearance of popular support, operating within the communications media to generate propaganda, and operating inside the government itself to create the necessary corruption, bickering, and apparent inefficiency to prevent that government from moving strongly against the guerrilla groups.

In Cuba, for instance, almost everyone remembers that, when Batista fled the country, an army of over 45,000 soldiers surrendered without a fight to only about 1800 revolutionaries under Castro. But very few people were aware that the General who surrendered these forces was, himself, a member of the Communist Party in Cuba—a perfect example of the non-military strategy of infiltration and treason producing an apparent military victory.[15]

The favorite weapons of Communist conquest are not engines of mass destruction in the hands of soldiers wearing a recognizable uniform. They are, instead, propaganda, the slanted view of history, the preaching of hatred to incite civil disorder, the tactics of internal subversion, treason, blackmail, the smear, political assassination—all committed by soldiers who wear no unilform and who claim to be loyal citizens of the target country marked for conquest from within. This is how Communism has spread across the globe, not with invading armies of bombs. And it's extremely unlikely that they'd abandon this non-military strategy, which has been so effective for them, right at the zenith of their success.

Without a doubt, the Atomic Bomb *is* the most powerful weapon in the Communist arsenal. But it's as a psychological weapon, not a military one. The Soviets have gained more by using The Bomb as a psychological weapon than they ever could have using it as a military weapon. Under the constant threat of nuclear annihilation, we've accepted concessions, compromises and defeats one after another, which would have been unthinkable without that spectre of a giant mushroom cloud fixed deep in our subconscious. As a matter of fact, The Bomb, as a psychological weapon, is being dropped on the American people every single day. Movies such as On The Beach, Seven Days In May, Dr. Strangelove, Fail Safe, Planet of the Apes—those well-produced and entertaining movies have done really a professional job of strengthening, subconsciously at least, the premise of The Grand Design.

Motion pictures of course, aren't the only source of this conditioning of the public mind. Radio, TV, books, magazines and newspapers have all played more than their part. The "message" that's been drummed into us all these years more or less follows the general pattern presented in this illustrated brochure entitled "Let There Be a World," written by Felix Greene.[16] Greene is well-known in ultra-Leftist circles as an importer of propaganda film from Red China, and for his lectures and motion pictures extolling the virtues of life under Communism in Asia. By the way, I picked this up not too long ago at the Communist book store in Los Angeles—the "Progressive Book Shop," it's called. Every once in a while I browse around in there just to find out what the "progressives" and "intellectuals" are reading now-a-days. And this is a classic example: Page after page of beautifully reproduced photographs depicting in minute detail all the horrors of nuclear war and all the beauty of disarmament and "peace."

Just take a quick look at some of these.[16a] Naturally, just for openers, we see the fireball and the mushroom cloud. Then the charred bodies at Hiroshima and Nagasaki—grim reminders of the pain and suffering of *any* war, but particularly of *nuclear* war. Then, for those of us with weak imaginations, we're shown what could happen to our own cities. According to this map, if one of the super-bombs were dropped on Manhattan Island, we could cross-off everything clear out to Bridgeport, Connecticut, and fall-out would take care of the rest, probably clear to California!

Speaking of fall-out, there's a special section here just for the ladies. Preserved in jars of formaldehyde, there are the grotesque remains, after autopsy, of tiny infants, still-born and deformed supposedly as a result of radioactive fall-out. What woman can look at these—or what man for that matter—without some kind of a lasting emotional reaction against even the mere thought of risking nuclear war? Here, rather graphically represented, supposedly is the only way to prevent this from happening to us: Disarmament, of course! And finally, the appeal to the heart-strings, "Let There Be a World." It's really quite well done, I think. You have to give these people credit for knowing how to merchandise an idea. By the way, these are generally the same people who like to label anti-Communists as "fright peddlers."

With regard to this particular book, I'm not saying that these pictures are phoney, or that the devastating effects of nuclear war have been exaggerated to the public for propaganda purposes—although there's now a great deal of evidence to support both of these contentions. But that's not the point. The point is that the motion picture producers, the TV commentators, and the publishers who are so creative in their ability to convey to us all the horrors of death under a nuclear bomb, for some reason, never get around to portraying the fact that there are *other* horrible ways to die. We're shown the mushroom cloud but not the mass graves or the torture devices that exist behind the Iron and Bamboo Curtains. We're shown the charred bodies at Hiroshima and Nagasaki, but not the emaciated bodies of the living dead in Soviet concentration camps or the mutilated corpses of innocent civilians hacked to pieces by Communist terrorist in one country after another. It's not there aren't pictures like this available, it's just that we're seldom allowed to see them or be reminded of them through the accepted channels of mass communication.

Here are just two examples out of many that could be offered—two documents that have been readily available for a long time. Yet, they contain material which almost has been totally denied to the American people.

The first is a government pamphlet entitled "Lest We Forget! A Pictorial Summary of Communism in Action." [17] It consists primarily of photographs smuggled out of Eastern Europe, providing documentary proof of Communist atrocities committed in those lands in order to liquidate anti-Communist opposition and to terrorize the people into submission. There's no professional touch here, but the pictures still tell the story: The mass graves, the sound-proofed torture rooms, and the pitiful victims of a deliberate program of mass starvation. It's hard to believe, but all of these children, even down to age two, were starved in this fashion in Communist forced-labor camps.

The other example is a pamphlet entitled "On the Morning of March 15th" consisting of photographs and factual descriptions of the results of a Communist terrorist raid in Northern Angola on the morning of March 15, 1961.[18] Over 200 Europeans and 300 Africans were murdered on that one day alone. Over 50 widely separated places along a 400 mile front were attacked almost simultaneously.

Footnotes at end of article.

In most places, every man, woman, child and infant; every living creature—even the cats and dogs—were killed in the most brutal and sadistic manner imaginable.

Here are some of the *less* nauseating photographs, which hardly need any verbal description.

Seeing that picture of the infant in the bassinet, reminds me of one account which, forgive me, I *must* relate even though it sickens me just to read it:

"On the morning of March 15, a group of some 400 terrorists attacked the experimental farm at M'Bridge. One of the few survivors of this attack, Manuel Lorrenco Alves, relates what happened:

" 'The assault began at six in the morning and all the houses on the farm, whether they belonged to Europeans, Africans or mulattoes, were attacked simultaneously . . . [The] women were dragged out of their houses together with their children. In front of the mothers, the terrorists then proceeded to cut off the legs and arms of the children, and then started to play a grotesque game of football with the twitching bodies. The women and girls were then led away, stripped, raped, and cut up.' "

I've discussed these scenes and shown these pictures, not because of any desire to be sensational, believe me, but merely to help balance the scales of our judgment; to emphasize the almost forgotten fact, now-a-days, that there are *other* horrible ways to die—ways, as a matter of fact, that makes the instant flash of a nuclear bomb seem merciful by comparison. And keep in mind that these other horrible ways to die are not the result of an event that happened almost a quarter of a century ago. We're talking about events that are happening *right now* to thousands of helpless human beings, somewhere, every day, millions every year. And we're not examining the unfortunate bi-product of an effort to bring an end to a long and bloody war. These incredible acts of brutality are the deliberate, pre-meditated works of men whose sole purpose is the destruction of human life and human values. But we're so saturated with peace propaganda and the spectre of the mushroom cloud that we seldom have occasion to ponder these facts. And because of this one-sided exposure, millions of Americans have been conditioned without their even knowing it, to fear the horror of a nuclear war far more than they fear the terror of a Communist peace.

The Communists have been winning this war because they've mastered the art of *total* warfare, while we've been conditioned to cower in fearful expectation of a war limited only to weapons of mass destruction.

And, so, the *premise* of the Grand Design starts right off with a faulty assumption. Instead of wondering what might happen *if* all-out war should develop, we must wake up to the fact that we *are* in an all-out war right now for our very survial. And instead of allowing ourselves to become afflicted with a nuclear war fixation, we must recognize that, because Communist strategy is what it is, the chances of this war ever involving an exchange of nuclear warheads is so remote as to be almost incalculable in the overall equation.

But that isn't all that's wrong with the Grand Design. Another fallacy that needs to be exposed once and for all is the absurd conclusion that victory is impossible. Victory not only is possible, it's inevitable. Let me repeat that because it's so important. If you remember nothing else I've said, remember this: *Victory not only is possible, it is inevitable*. The only question is, for which side? It's inconceivable that the forces of freedom and the forces of slavery can coexist side by side indefinitely. One or the other is going to triumph in our lifetime.[19] And, if you want to satisfy your curiosity as to which side it's going to be, all you have to do is take a pencil and a piece of graph paper, and mark off one side with the years starting 1945. On the other side, using whatever measure you wish, mark the relative level of prestige, power and influence of the United States and of World Communism. Chart the progress throughout the years right up to the present. And I think you'll find the resulting bar-graph to be highly instructive. With hardly any deviation in the line, the power of World Communism has been moving steadily upward, while that of the United States has been sinking from one new depth to another. Take a ruler, then, and project both of these lines into the future. And you can see in very graphic form that, unless there are some drastic changes in U.S. foreign policy, a policy that has been followed consistently by all Administrations and both political parties since 1945, *we are going to lose!* It's as simple as that.

Now, don't misunderstand what I mean. I'm not a prophet of doom. I'm not saying that we're going to lose. I'm saying only that, in order for us to have any chance to win, we must first wake up to the reality of that Grand Design that is U.S. foreign policy, and then we must set about to change it. And that, of course, leads us to the third and final question: Change it to what?

Now, you'd better hang on tight for this next part, because I know from experience that the ground ahead gets pretty rough in places. Some of you are going to be shocked, and the rest probably scared right out of your wits, because I'm now going to propose my own "grand design." I call it the *Grand Design for Victory,* and it's not for the faint-hearted.

Step One in my Grand Design for Victory is the premise that we must be captains of our own ship. We must restore our military, economic and political independence from the strangling entanglements of that budding World Government called the United Nations.

Instead of phasing out our best weapons, we should phase out all disarmament programs and those who propose them. As we should have learned at Pearl Harbor, disarmed and militarily unprepared nations are far more apt to become involved in war than those fully prepared to strike back. The best way to preserve the peace is to be prepared for war. And the best way to end the arms race is to move so far out in front that it ceases even to be a race.

Instead of seeking ways to water down our principles and our traditions to the point where they can be accepted by and merged with those of the majority of the rest of the world, we should be striving actually to improve and upgrade our American way of life even beyond present standards, and then let the rest of the world follow our example, if they so wish.

With regard to World Communism, we must face up to the reality that, whether we admit it or not, whether we like it or not, we are now engaged in World War III, a *total* war in which the stakes are nothing less than our lives and our freedoms. And in this war, our goal must not be containment of or coexistence with Communism, it must be *Victory over Communism,* in order for us even to survive. It's not that we want it that way, it's just that we have no other choice.

Before you nod in agreement with this goal of victory over Communism, let me clarify just what that means. I'm not thinking in terms of those empty phrases and platitudes that so often fall from the lips of politicians. When I say victory over Communism I mean exactly that. Wherever the Communists choose to advance by overt military force—whether that force manifests itself in the form of a Berlin Blockade or a Vietnam guerilla war of so-called National Liberation—no matter what form it takes, it must be destroyed immediately by superior military force. And notice I didn't say checkmated, I said *destroyed!* International crime not only must be stopped, it must be punished.

Of course, the question that rushes to mind at this point is what about the danger of escalation? The total objective of military warfare, once it breaks out, is to escalate it as rapidly as possible to beyond the endurance of the enemy so he'll quit fighting. Without escalation, the slaughter continues on and on with no end in sight and, in fact, no goal worthy of the sacrifice. "Come to the table," we say to the Communist thugs, "We mean you no harm. All we ask is that you stop killing people for a while, long enough for us to hold a conference to see if we can't negotiate to you something that you want." I wonder how many of you would be willing to give your lives for *that?* And yet, that *is* the goal for which we've asked over a million Americans in uniform to be willing to die if necessary. And I don't think it's worth a single drop of American blood. When you put a young man in uniform and ask him to face an enemy in mortal combat, you'd better give that boy every chance in the world to *win* so he can come home. And that, Ladies and Gentlemen means escalation!

In Southeast Asia, instead of fighting the Communist forces on the ground in an exchange of manpower, we should have followed General MacArthur's proposal to take the war directly to the nerve-centers of the enemy's home base using our superior air power. Fighting on the ground, man-for-man, against the limitless population reserves of Communist Asia is just about the *only* way the United States possibly could lose a war. Destroy from the air the source of supplies and leadership. Then the guerilla fighting on the ground would soon wither to no more than a local police problem. When the enemy suddenly realizes that the cards are no longer stacked in his favor, that he no longer has privileged sanctuaries, and that he might even stand to lose something for starting a war, he'll come to that peace table so fast it'll make your head swim. And, when he gets there, there's only one thing we discuss with him—his surrender terms, nothing else!

Any serious plan for victory over Communism must recognize the need to accept the help of all willing and trustworthy allies. Yet, in Korea and again in Vietnam, the Nationalist Chinese have begged us to accept over a half a million of their well-trained fully equipped, strongly motivated troops, either to fight along side our boys or to replace them altogether, and we decline to accept! Why? Well, of course, it's not really so hard to understand when you recall the Grand Design. If the Nationalist Chinese were ever allowed to get into what is basically their own battle against Red China, they just might get an uncontrollable urge to go home to the Mainland. They might not stop when they got to the Yalu or the D.M.Z. In fact, they might even try to *win* and that would ruin everything!

But this is precisely my point. Instead of cowering and trembling in fear at the dreaded possibility of Red China coming into a war, we should hope and pray that the anti-Communist Chinese and Koreans and Vietnamese would *drag* Red China into a war screaming and kicking, and then, by triggering internal revolts, liberate her people from the yolk of Communist slavery once and for all! And we mustn't back away from this one bit, if we're really serious about victory. For our goal must not be merely to keep the Communists out of South Korea or South Vietnam—that isn't victory, that's containment. It must include *removing* the Communists from North Korea, North Vietnam, Red China, Cuba, Eastern Europe and from the very first captive nation, Russia, itself. Just as we could not rest in World War II until every last vestige of Nazism was stamped out everywhere, for ten times that reason we can never hope today to have peace or security until every last Communist regime is removed from the face of the earth.

If this sounds risky, it's because it is! Let's not kid ourselves. The proposal I have just outlined is *very* risky business. The only thing *more* risky is the Grand Design we are now following. For if we continue on that course, we'll have no odds at all for survival!

This doesn't mean that we have to invade all these countries with soldiers, and it certainly doesn't mean that we should go around dropping The Bomb on everybody. And if you're thinking that this is what my proposal implies, then that's a pretty good indication that you're still thinking in terms of old-fashioned warfare. It's true that, occasionally, whenever the conditions seem ripe, the Communists do resort to brute force and semi-military tactics to advance their cause. When this happens, then the contest clearly must be won with military means. But, because of the very nature of Communist strategy, these "hot spots" never have been and never will be more than diversionary tactics to implement their larger strategy in the *total* war, which is predominantly non-military. Just as we are losing this war through non-military means, if we ever hope to win it, we'll have to do it through exactly those same non-military means. Let me give you a few quick examples of how this can be achieved.

First of all—and the most obvious of all—we must stop all trade with and aid to Communist regimes. Let these so-called socialist paradises try to exist on their own unproductive and bureaucracy-bound systems for a change, without being able to run to Uncle Sugar every time they're in trouble, and then see how long they last. I don't think they'd make it two years.

Secondly, I propose that we recognize *all* Communist regimes—for what they are—our mortal enemies! And if we do that, then we withdraw *diplomatic* recognition from them, no longer invite their leaders to dine in the White House, and we send their espionage agents, posing as diplomats, packing from our shores!

Our non-military strategy for victory over World Communism must take into account that our strongest allies and our greatest army already is within the enemy camp. But these captive peoples behind the Iron and Bamboo Curtains have learned the hard way that, although American leaders talk a good line about world freedom, when the chips are down, they don't deliver the goods. Do you want to meet some bitter people? Talk to a few Hungarian Refugees, or some Cubans whose loved ones were abandoned at the Bay of Pigs.

I'll never forget one conversation with a young Hungarian Freedom Fighter. He described how, for months prior to the revolt, American radio transmitters in Europe had been beaming broadcasts into Hungary encouraging the people to revolt, and promising full support. To men and women who are fighting for their lives, full support does not mean *moral* support and good wishes, it means guns and ammunition. And so, when the revolt finally broke out, this young man told how *sure* he and his friends were that America would come to their help. After all, we promised! Each day, they'd radio a desperate plea to the free world for military supplies—particularly bazookas and hand grenades, something that would be effective against the Soviet tanks that were forming an iron ring around Budapest. And then they'd go to the airport and wait.

Finally, on about the fourth day, an American transport plane circled the field for landing. And when they looked up and saw that big beautiful American Star on the side of the plane, he said they began to cry like babies, because at last, Americans had come through! When the plane landed, they were so anxious to find out what kind of weapons had been sent, they scrambled aboard and began to pry open the wooden crates with their bare hands. Do you know what they found? Powdered milk. They were stunned. They just couldn't believe it. And then one of them got the idea that maybe the Americans had been clever enough to camouflage their shipment by hiding hand grenades or at least bullets inside the cans. And so they got a can opener and began desperately to open one can after another, but each was the same, powdered milk.

Actually, it was disclosed later that, at the same time we were declining to offer any real help to the Hungarian Freedom Fighters, our State Department sent a communique to Communist Yugoslavia, and thus indirectly to the whole Communist world, that made it clear we would not take any action to prevent the Soviets from putting down this revolt in Hungary. The message read as follows: "The United States looks with disfavor upon governments unfriendly to the Soviet Union on the borders of the Soviet Union."[20] And, since Hungary lies on the border of the Soviet Union, with the assurance of non-intervention from us, the fate of the Hungarian Freedom fighters was sealed.

But, returning to the young refugee telling the story, after describing the scene at the airport, he looked at me and he said, "When we needed your help, you chose, instead, to be friends with the Soviets. My people will never trust the United States again—or, at least as long as the American flag flies over your Embassy in Budapest as a reminder to us that your ambassador of good will continues to exchange cordial greetings with our hated masters. On the day that you lower your flag and call home your Ambassador, on *that* day, my people will fight again." And these are just about the exact words that he used.

I've had reason to reflect on that statement many times since. And I've come to the conclusion that, if the captive peoples behind the Iron and Bamboo Curtains were ever given any reason to believe that we were really on *their* side instead of seeking an accommodation with their masters, it's my conviction that they would take courage, rise up as one, and topple their Communist regimes the same way they were imposed in the first place—from the inside. And we wouldn't have to fire a shot. But we *do* have to stop *helping* the Communists, we *do* have to stop dignifying their leaders as legitimate representatives of the people, and we *do* have to stand firm for a change and declare openly in word and *deed* our uncompromising dedication to victory over Communism everywhere in the world!

Now, that probably would be an easy place for me to end—three cheers for victory! But it's not quite that simple. I'd be less than honest with you if I closed it off at this point, because we still are missing one final but very important consideration. Even though it's true that The Bomb is primarily a psychological weapon today, and even though the chances are microscopically small that the Bomb would be used in either our victory *or* our defeat, nevertheless, we can't *entirely* rule out the possibility. No matter how remote, it still exists. So now what is our position? Do we give up the whole idea and return blindly to the hope that, somehow, we *can* coexist—at least for a little while longer so we can enjoy life to the fullest in the time we have left, I think not. I have too much faith in the American people, once they fully understand what the choice is.

Putting it very bluntly, if we are not willing to risk our lives, our beautiful cities, and all the material things which we value for those priciples in which we believe, then how can we have the audacity to send our sons onto a foreign battlefield and ask *them* to give *their* lives for those principles? Are their lives any less precious than ours? As far as I'm concerned, Ladies and Gentlemen, when we send that first American soldier into battle, when we first ask him to be willing to lay down his life for us, we put the whole nation right on the line behind him. And if we are not willing to, then this is no longer the home of the brave, nor *much* longer the land of the free.

These are the heavy thoughts I leave with you. And I don't know quite how to close this presentation without running the risk of sounding corny, because the sentiment I want to express has been rediculed by some as being just that. But, to me, it's far from corny. It's an article of faith that needs to be reaffirmed in the public mind openly without shame or embarrassment, and it's simply this: As Americans today, we are truly a privileged people in a privileged land. But with our blessings come responsibilities, and with responsibilities come risks. The challenge of our time is that we must accept both the responsibilities of our blessings and the risks involved in defending them for ourselves and for future generations. And we must do this without hesitation if we are to be worthy benefactors of that precious heritage of freedom passed on to us, through the epic sacrifices of those who have gone before. That is *not* flag-waving, and it is *not* clichéd patriotism. That's a simple statement of the obligations of citizenship in this glorious land—*our* land—which, with God's help, we shall preserve.

FOOTNOTES

[1] "New Factor Seen in Foreign Policy," *New York Times*, Feb. 2, 1959. At a news conference on October 12, 1967, Secretary of State Dean Rusk said: "It is not easy for our people to wage a struggle by limited means for limited objectives. We Americans are an impatient people . . . But our overriding object is—and must be in this modern world—the establishment of a reliable peace. It is easy to rush into total catastrophe. It requires courage and determination to act with both firmness and restraint in the interest of peace." See "Rusk: 'Our Commitment Is Clear'," *U.S. News & World Report*, October 23, 1967, p. 40.

[2] "Robert S. McNamara; Reflections After 7 Years on the Hot Seat as The Secretary of Defense," by Saul Pett, *L.A. Herald Examiner*, Feb. 4, 1968, p. A–3.

[3] It is interesting to note that, over a year later, Secretary of State Dean Rusk used exactly the same phraseology. Testifying on July 31, 1967 before a joint subcommittee of the Senate Foreign Relations and Armed Services Committees, Rusk declared: "In this century, declarations of war have come to imply dedication to the total destruction of the enemy." See "Rusk Says No to War Declaration," *L.A. Herald Examiner*, July 31, 1967, p. A–6.

[4] "Memorandum On Propaganda Activities of Military Personnel Directed at the Public" (The "Fulbright Memorandum") *Congressional Record*, August 2, 1961, pp. 13434, 13437.

[5] See "Rostow Outline Raising A Storm" by Max Frankel, *New York Times*, June 22, 1962, p. 7. Also see "Drafts Foreign Policy Revision Bowing to Reds," and "Rostow Backs 'Education' on Soft Red Line," by Willard Edwards, *The Chicago Tribune*, June 17 and 18, 1962.

[6] "The Political Control of An International Police Force," by Walter Millis. Published by the Peace Research Institute, Inc. April 1963 under U.S. Arms Control and Disarmament Agency Grant ACDA/IR–8, Volume II, p. A–14.

[7] Fulbright, *Old Myths and New Realities*, (Random House, New York, 1964).

[8] Dulles, "Toward World Order" (pamphlet), A Merrick-McDowell Lecture delivered at Ohio Wesleyan University on March 5, 1942, on the occasion of the Conference called by authority of the Federal Council of Churches to study the Bases for a Just and Durable Peace, p. 19, as quoted by Alan Stang, *The Actor; The True Story of John Foster Dulles*, (Western Islands, Boston, Mass., 1968) p. 102.

[9] Rostow, *The United States in The World Arena*, (Harper & Brothers, New York, 1960).

[10] Douglas, "The Rule of Law in World Af-

fairs," (Center for the Study of Democratic Institutions, Santa Barbara, Calif., 1961) p. 32.

[11] This was a printed form letter and was sent to anyone who inquired into Mr. Nixon's stand on the Connally Amendment.

[12] Thant, "The League of Nations and The United Nations," and "Strengthening the United Nations," *U.N. Monthly Chronicle*, May 1964, pp. 75, 84.

[13] "Of War and Peace and the U.N." by Mary Kersey Harvey, *Vista* magazine, Jan.-Feb., 1968, pp. 32–33.

[14] As Secretary of State Dean Rusk phrased it: "The abiding goal of American policy is the kind of world envisaged in the preamble and articles one and two of the Charter of the United Nations . . . That is the kind of world which . . . we are trying to bring into being. And by 'we' I mean not just one President or one political party . . . Four successive Presidents of both parties, and most of our major national leaders have supported the basic policies intended to build this kind of world." See "The United States and Japan; Common Interests in the Building of A Peaceful World," *Department of State Bulletin*, Feb. 17, 1964, p. 231.

[15] My very good source for this statement is none less than Fidel Castro's former Chief of Air Force, Major Pedro Diaz Lanz. Major Lanz was the first Cuban official high in Castro's organization to discover that he was a Communist and to expose him publically. After denouncing Castro, Lanz then fled to an incredulous America where he was labeled as an extremist for falsely defaming the "Robin Hood of Cuba." In time, of course, Major Lanz was vindicated, and the truth of his words now has become painfully obvious to all Americans. When I talked to Major Lanz over the telephone recently, I asked if he had any documentation to "prove" that the man was a Communist. After a moment of tactful silence, he replied, "You know, they asked me that same question when I told them in 1961 that Castro was a Communist. And I must apologize for making the same oversight as I did then. It was so thoughtless of me, of course, but when I left Cuba fleeing for my life, somehow I forgot to ask Castro for a photographic copy of his Party card so I could 'prove' to the American people that he was a Communist. How thoughtless of me not to do that." Major Lanz's point was well made, and I do not hesitate to stand on his statement alone as ample authority.

[16] Greene, "Let There Be A World." (The Fulton Publishing Co., Palo Alto, Calif., 1963).

[16a] Note: The text of this pamphlet is a *verbatim* transcript of a 16mm motion picture titled, "The Grand Design". Documents discussed in this text were shown to the viewer.

[17] Consultation with Mr. Klause Samuli Gunnar Romppanen, House Committee on Un-American Activities, January 13, 1960.

[18] This pamphlet was published by the Portuguese-American Committee on Foreign Affairs, 20 Pemberton Square, Boston, Mass.

[19] The Communists are very realistic on this point. While their agents in our midst encourage the American people to dream of a peaceful merger of our rival systems, the leaders and the theoreticians of World Communism make it clear in their own doctrine that they, themselves, have no such illusions. As one Communist spokesman phrased it, "The concept of a future in which capitalism and communism will 'converge' on an 'equal footing' is utopian through and through. *The time will come, of course, when there will be a world government, but it will be the government of a world Socialist (Communist) community* . . ." See "Speaking Different Languages" by A. Solodovnikov, *International Affairs* No. 11, Nov. 1963, p. 48.

[20] Entered into the CONGRESSIONAL RECORD by the Honorable Michael Feighan on August 31, 1960, p. 17407.

ESTABLISHMENT OF HOUSE URBAN AND DISTRICT OF COLUMBIA AFFAIRS COMMITTEE

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, I would like to bring to the attention of my colleagues in the House an editorial which pertains to the proposal by the gentleman from Maryland (Mr. GUDE) of a resolution to establish a House Urban and District of Columbia Affairs Committee.

Such a committee, I feel, has immense possibilities to benefit not only the District of Columbia, our Nation's Capital, but also all of our urban centers which are facing ever new and more critical problems. The House, as we know, now reacts to these urban crises in several different committees, among them the Banking and Currency Committee for housing shortages, Interstate and Foreign Commerce for narcotics problems, and Education and Labor for the poverty program. The new committee proposed by Mr. GUDE would have the opportunity of overviewing urban problems in general, and would have substantive authority over such problems facing our metropolitan areas as water and air pollution, public and private housing, and mass urban transportation, as well as executing the extent of Congress' constitutional jurisdiction over the District of Columbia. Mr. GUDE feels that coordination in dealing with urban problems is essential not only among the local jurisdictions within each metropolitan area, but also in Congress.

Restructuring Congress in this way may bring about jurisdictional conflicts in the House, but I would certainly hope that the magnitude and the urgency of the crises in our urban centers which demand our immediate attention would cause these jurisdictional conflicts to blanch in comparison.

I now respectfully submit for your consideration the aforementioned editorial from the Baltimore Sun of April 17, 1969:

URBAN PANELS

Representative Gude has publicly proposed a new House committee to deal with District of Columbia affairs and urban problems in general. Senator Tydings is known also to have an interest in something like this. The idea is alluring. For one thing, congressional handling of urban problems now is terribly fragmented—when Senator Ribicoff introduced a comprehensive "urban package" of bills a few years ago, they were assigned to three different committees. For another thing, the District's uniqueness as an entity apart dramatizes the central problem of cities, their apartness from their suburbs.

The suburbs have become middle class havens, leaving cities burdened by a disproportionate number of those who pay relatively little taxes while needing relatively expensive services. There are two ways to handle this problem in the long run: extend city boundaries to include suburbs; or increase greatly state and federal aid to cities. Congressional committees handling urban problems and the District of Columbia's affairs might be biased in favor of federal aid, since that is clearly the avenue the district will take. Even those who prefer annexations will admit this bias would be easily controllable, and a small price to pay, anyway, for creation of truly urban problems committees in Congress.

THE BAY-DELTA STUDY—AN APOLOGIA

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, the California Legislature several years ago authorized the undertaking of a full study of the San Francisco Bay-Delta area to determine how that area would best meet the threat of pollution and diminution of water quality by proposed water diversions and inflows of waste effluent from municipal and industrial plants.

Regrettably, this study appears to back certain contentions of the State department of water resources, which in my own opinion will result in a real threat to the ecology of the bay-delta area.

On Monday, April 21, I made a statement regarding this study, before the State water resources control board in Martinez, Calif. I would like, at this time to insert that statement in the RECORD:

SAN FRANCISCO BAY-DELTA WATER QUALITY CONTROL PROGRAM

(Statement of JEROME R. WALDIE, U.S. Congressman representing the 14th District of California)

I sincerely regret not being able to personally appear and express my views upon the "Final Report (Preliminary Edition) on the San Francisco Bay-Delta Water Quality Control Program" (hereinafter referred to as the Bay-Delta Study), but you may be sure that my absence today does not even remotely suggest any lack of concern for preservation of the ecology and the quality of one of the world's most valuable estuarine bodies of water, the San Francisco Bay-Sacramento-San Joaquin Delta System.

You may also be certain that, before the California State Legislature receives this Report in final form, I will, in the very near future, make every effort to reinforce, by way of personal appearance, these short comments being submitted today—and, if at all possible, appear at your Hearing scheduled for May 2nd in San Francisco.

I would, however, like to take this opportunity to at least generally indicate my profound dissatisfaction, disappointment, and, yes, even my dismay with the Bay-Delta Study as it stands before this body today. The simple fact that the Study:

Assumes that the Peripheral Canal is "the simple physical solution to the highly complex and intricate Water Quality Problems of the Delta:"

Assumes that Delta outflows will be drastically reduced by virtue of the operation of the State Water Project and the Federal Central Valley Project;

Assumes that the nefarious "November 19, 1965 Memorandum of Understanding" (which sets out extremely deleterious salinity control standards for the Delta) is firm and binding; and

Gives no real consideration to ocean disposal of San Joaquin Valley wastes, nor measures the damages to the Bay-Delta Area should these wastes, in fact, discharge at the Antioch Bridge.

This leads me to believe that the Bay-Delta Study, conceived in good faith and with the hope of real accomplishment in protecting the Bay-Delta system, turns out to be, in fact, an apologia for the State Water Project and the State Department of Water Resources and represents an attempted "whitewash" of the very real threat of ecological disaster that awaits the Bay and Delta should the Peripheral Canal be implemented or the "November 19th salinity standards" be established and maintained or San Joaquin Valley Wastes empty into the Delta, at the Antioch Bridge.

The Bay-Delta waters have been over-studied and over-debated by the Department of Water Resources from one over-riding standpoint, i.e., the extraction of the maximum amount of these waters for the benefit of San Joaquin Valley and Southern California. It is our hope that the Bay-Delta Study would fill the gap with an honest and objective evaluation of the Bay-Delta water quality problems and solutions upon which an intelligent and informed course of action could be based. It is a little short of tragic that this Bay-Delta Study has completely failed to achieve this salutary goal. The reason for this failure, I believe is easy to determine.

That the Department's knee-bending subservience to the whims and wishes of the giant economic interest to the South has attached itself to the Bay-Delta Study and drained it of integrity is a tragic, but not an unexpected, occurrence, in view of the political domination of State Government by the Metropolitan Water District of Southern California.

We, of the San Francisco Bay-Delta area, cannot sit idly by while our greatest natural resource is irreparably damaged, if not totally destroyed. It is particularly galling, as well as fatuous that this imminent destruction is attempted to be justified by a deluge of official reports, rhetoric and lofty pronouncements, based upon sophistry and the fallacious premise that, what is good for Los Angeles is good for the San Francisco Bay-Delta-Estuarine System. This wholly unsubstantiated premise is pure and simple hogwash.

The time for the gentlemanly confrontation in hearing rooms is nearing its end. The time for litigation, the "legal Frankenstein Monster", as the late Senator Clair Engle called it, is near at hand. We, in the Bay and Delta Area, are sickened and we are tired. Now we are going to go to Court. The State Administration has "stacked" every possible administrative and executive forum so that non-customers of the State Water Project have only one place to go—the Courts.

On the matter of litigation as a means of saving our environment, I would like to quote the remarks of Victor Yannacone, of the Environmental Defense Fund, who said:

"Sad experience has shown that at this time in American history, *litigation* seems to be the only way to focus the attention of our Legislators" (in our case, Mr. Gianelli, Director of the State Department of Water Resources, and the Governor) "on the basic problems of human existence short of a bloody revolution." (Emphasis added.)

In relating these remarks to California history, I have formulated this opinion. At this time the traditional efforts of conservationists to influence the politicians, the dam builders, the water diverters, are outmoded. No longer can we hope to change the course of the Department of Water Resources by letter writing or by luncheon speeches. We have no other recourse but to enter the Courts.

All of Northern California has something vital and precious to lose if the schemes of the California Water Project, as it is now planned, come to pass. Our friends and allies on the North Coast of California now know the crushing price of not being militant in the defense of their natural resources—the Dos Rios Project, is that price and with more to come. The Dos Rios Project is only the first costly installment the North Coast will have to pay if it vacillates in rejecting the current flood of propaganda emanating from State sources.

We, in Contra Costa County, have long led the "courteous" fight to protect the Bay-Delta Estuarine System. I pledge to you today that this County will now take the lead in a more militant effort.

We hope to enlist the concerned cities and counties and the people of the Bay Area and the North Coast as well as concerned citizens throughout the entire State in a long legal struggle to protect our precious Bay-Delta environment and our invaluable and irreplaceable water resources.

And, Gentlemen, we shall win that struggle!

STUDENTS FOR DEMOCRATIC SOCIETY DEDICATED TO THE DESTRUCTION OF OUR DEMOCRACY

(Mr. CEDERBERG asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CEDERBERG. Mr. Speaker, the following two documents clearly indicate that the so-called Students for a Democratic Society is dedicated to the destruction of our democracy and should be called the Students for the Destruction of a Democratic Society.

This group, consisting of anarchists and Communists, is not interested in solving problems. These articles are a blueprint for disruptive action by this group.

The titles of these documents are: "Crucible of the New Working Class: Long-Range Studies for Student Power Movements," by Carl Davidson, and "Work-In: A National SDS Summer Project."

I commend them to you for your study:

CRUCIBLE OF THE NEW WORKING CLASS: LONG-RANGE STRATEGIES FOR STUDENT POWER MOVEMENT

(By Carl Davidson)

PART III.—THE PRAXIS OF STUDENT POWER: STRATEGY AND TACTICS

Socialism on one campus: An infantile disorder

Perhaps the single most important factor for the student power movement to keep in mind is the fact that the university is intimately bound up with the society in general. Because of this, we should always remember that we cannot liberate the university without radically changing the rest of society. The lesson to be drawn is that any attempt to build a student movement based on "on-campus" issues only is inherently conservative and ultimately reactionary. Every attempt should be made to connect campus issues with off-campus questions. For example, the question of ranking and university complicity with the Selective Service System needs to be tied to a general anti-draft and "No Draft for Vietnam" movement. The question of the presence of the military on the campus in all its forms needs to be tied to the question of what that military is used for—fighting aggressive wars of oppression abroad—and not just to the question of secret research being poor academic policy. Furthermore, the student movement must actively seek to join off-campus struggles in the surrounding community. For example, strikes by local unions should be supported if possible. This kind of communication and understanding with the local working class is essential if we are ever going to have community support for student strikes.

Radicalizing the new working class

If there is a single over-all purpose for the student power movement, it would be the development of a radical political consciousness among those students who will later hold jobs in strategic sectors of the political economy. This means that we should reach out to engineers and technical students rather than to business administration majors, education majors rather than to art students. From a national perspective, this strategy would also suggest that we should place priorities on organizing in certain *kinds* of universities—the community colleges, junior colleges, state universities, and technical schools, rather than religious colleges or the Ivy League.

One way to mount political action around this nation is to *focus on the placement office*—the tie link between the university and industry. For example, when DOW Chemical comes to recruit, our main approach to junior and senior chemical engineering students who are being interviewed should not only be around the issue of the immorality of napalm. Rather, our leaflets should say that one of the main faults of DOW and all other industries as well is that their workers *have no control* over content or purposes of their work. In other words, DOW Chemical is bad, not only because of napalm, but mainly because it renders its workers *powerless,* makes them *unfree*. In short, DOW and all American industry oppresses *its own workers* as well as the people of the Third World. DOW in particular should be run off the campus and students urged not to work for them because of their complicity in war crimes. But when other industries are recruiting, our leaflets should address themselves to the interviewers' instincts of workmanship, his desires to be free and creative, to do humane work, rather than work for profit. We should encourage him, if he takes the job, to see himself in this light—as a skilled worker—and of his self-interest of organizing on his future job with his fellow workers, skilled and unskilled, for control of production and the end to which his work is directed. The need for control, for the power, on and off the job, to affect the decisions shaping one's life in all arenas; developing this kind of consciousness, on and off the campus, is what we should be fundamentally all about.

Practical-critical activity: Notes on organizing

There are three virtues necessary for successful radical organizing: honesty, patience, and a sense of humor. First of all if the students we are trying to reach can't trust us, who can they trust? Secondly it takes time to build a movement. Sometimes several years of groundwork must be laid before a student power movement has constituency. It took most of us several years before we had developed a radical perspective. Why should it be any different for the people we are trying to reach? This is not to say that everyone must repeat all the mistakes we have gone through, but there are certain *forms* of involvement and action that many students will have to repeat. Finally, by a sense of humor, I mean we must be life-affirming. Lusty, passionate people are the only kind of men who have the enduring strength to motivate enough people to radically transform a life-negating system.

Che Guevara remarked in *Guerrilla Warfare* that as long as people had faith in certain institutions and forms of political activity, then the organizer must work *with* the people *through* those institutions, even though we might think those forms of action are dead ends (41). The point of Che's remark is that people must learn that those forms are stacked against them through their *own experience* in attempting change. The role of the organizer at this point is crucial. He or she should neither passively go along with the student government "reformer" types nor stand apart from the action denouncing it as "sell-out." Rather, his task is that of *constant criticism* from within the action. When the reformers fail, become bogged down, or are banging their heads against the wall, the organizer should be there as *one who has been with them throughout their struggle* to offer the relevant analysis of *why* their approach has failed and to indicate future strategies and tactics.

However, we also need to be discriminating. There are certain forms of political action, like working the Democratic Party, that are so obviously bankrupt, that we need not waste our time. In order to discern these limits, an organizer has to develop a sensitivity to understand where people are at. Many radical actions have failed on compuses because the activists have failed in laying a base for a particular action. *It does no good to sit in against the CIA if a broad educational campaign, petitions, and rallies on the nature of the CIA have not been done for several days before the sit-in.* It is not enough that we have a clear understanding of the oppressiveness of institutions like the *CIA* and HUAC before we act in a radical fashion. We must make our position clear to the students, faculty, and the surrounding community.

The cultural apparatus and the problem of false consciousness

In addition to its role in the political economy, it is important to deal with the university as the backbone of what Mills called "the cultural apparatus." (42) He defined this as all those organizations and *milieux* in which artistic, scientific and intellectual work goes on, as well as the means by which that work is made available to others. Within this apparatus, the various vehicles of communication—language, the mass arts, public arts, and design arts—stand between a man's consciousness and his material existence. At present, the bulk of the apparatus is centralized and controlled by the corporate rulers of America. As a result, their use of the official communications have the effect of limiting our experience and, furthermore, expropriate much of that potential experience that we might have called our own. What we need to understand is that the cultural apparatus, properly used, has the ability both to transform power into authority and transform authority into more overt coercion.

At present, the university's role in acculturation and socialization is the promulgation of the utter mystification of "corporate consciousness." Society is presented to us as a kind of caste system in which we are to see ourselves as a "privileged elite"—a bureaucratic man channelled into the proper bureaucratic niche.

In addition to strengthening the forms of social control off the campus, the administration uses the apparatus on campus to legitimize its own power over us.

On the campus, the student press, underground newspapers, campus radio and television, literature tables, posters and leaflets, artist and lecture series, theaters, films, and the local press make up a good part of the non-academic cultural media. Most of it is both actively and passively being used against us. Any student power movement should (1) try to gain control of as much of the *established* campus cultural apparatus as possible, (2) if control is not possible, we should try to influence and/or resist it when necessary and (3) organize and develop a new counter-apparatus of our own. In short, we need our people on the staff of the school newspapers, radio stations, etc. We need our own local magazines. We need sympathetic contacts on local off-campus new media. Finally, we all could use some training in graphic and communicative arts.

What this all adds up to is strengthening our ability to wage an effective "desanctification" program against the authoritarian institutions controlling us. The purpose of desanctification is to strip institutions of their legitimizing authority, to have them reveal themselves to the people under them for what they are—raw coercive power. This is the purpose of singing the Mickey Mouse Club jingle at student government meetings, of ridiculing and harrassing student disciplinary hearings and tribunals, of burning the Dean of Men and/or Women in effigy, etc. People will not move *against* institutions of power until the legitimizing authority has been stripped away. On many campuses this has already happened; but for those remaining, the task remains. And we should be forewarned: it is a tricky job and often can backfire, de-legitimizing us.

On the correct handling of student governments

While student governments vary in form in the United States, the objective reasons for their existence are the containment, or pacification and manipulation of the student body. Very few of our student governments are autonomously incorporated or have any powers or rights apart from those sanctioned by the regents or trustees of the university. Furthermore, most administrations hold a veto power over anything done by the student governments. Perhaps the worst aspect of this kind of manipulation and repression is that the administration uses students to control other students. Most student government politicos are lackeys of the worst sort. That is, they have internalized and embraced all the repressive mechanisms the administration has designed for use *against* them and their fellow students.

With this in mind, it would seem that we should ignore student governments and/or abolish them. While this is certainly true in the final analysis, it is important to relate to student governments differently during the earlier stages of on-campus political struggles. The question we are left with is how do we render student governments ineffective in terms of what they are designed to do, while at the same time, using them effectively in building the movement?

Do we work inside the system? Of course we do. The question is not one of working "inside" or "outside" the system. Rather, the question is do we play by the established rules? Here, the answer is an emphatic no. The establishment habits of student politics—popularity contest elections, disguising oneself as a moderate working for "better communications and dialogue" with administrators, watering down demands before they are made, going through channels—all of these gambits are stacked against us. If liberal and moderate student politicians really believe this kind of crap, then we should tell *them* to try it with all they have. But if they continue to make this play after they have learned from their own experience that those methods are dead-ends, then they should be soundly denounced as opportunists or gutless administration puppets.

We should face the fact that student governments are *powerless* and designed to stay that way. From this perspective, all talk about "getting into power" is so much nonsense. The only thing that student governments are useful for is their ability to be a *temporary vehicle* in building a grass-roots student power movement. This means that student elections are useful as an arena for raising real issues, combatting and exposing administration apologists, and involving new people, rather than getting elected. If our people do happen to get elected *as radicals* (this is becoming increasingly possible) then the seats won should be used as a focal point and sounding board for demonstrating the impotence of student government from within. A seat should be seen a soap-box, where our representatives can stand, gaining a kind of visibility and speaking to the student body as a whole, over the heads of the other studet politicians.

Can anything positive be gained through student government? Apart from publicity, one thing it can be used for is money. Many student-activities funds are open for the kinds of things we would like to see on campus: certain speakers, films, sponsoring conferences, etc. Money, without strings, is always a help. Also, no political services, such as non-profit used-book exchanges, are helpful to many students. But in terms of radical changes, student government can do nothing apart from a mass, radical student power movement. Even then, student government tends to be a conservative force within those struggles. In the end, meaningful changes can only come through a radical transformation of both the consciousness of large numbers of students and the forms of student self-government.

Reform or revolution: What kind of demands?

Fighting for reforms and making a revolution should not be seen as mutually exclusive positions. The question should be: what kind of reforms move us toward a radical transformation of both the university and society in general? First of all, we should avoid the kinds of reforms which leave the basic *rationale* of the system unchallenged. For instance, a bad reform to work for would be getting a better grading system, because the underlying rationale—the need for grades at all—remains unchallenged.

Secondly, we should avoid certain kinds of reform that divides students from each other. For instance, trying to win certain privileges for upper classmen but not for freshmen or sophomores. Or trying to establish non-graded courses for students above a certain grade-point average. In the course of campus political activity, the administration will try a whole range of "divide and rule" tactics such as fostering the "Greek-Independent Split," sexual double standards, intellectual vs. "jocks," responsible vs. irresponsible leaders, red-baiting and "non-student" vs. students. We need to avoid falling into these traps ahead of time, as well as fighting them when used against us.

Finally, we should avoid all of the "co-management" kinds of reforms. Those usually come in the form of giving certain "responsible" student leaders a voice or influence in certain decision-making processes, rather than abolishing or winning effective control over those parts of the governing apparatus. One way to counter administration suggestions for setting up "tripartite" committees (⅓ student, ⅓ faculty, ⅓ administration, each with an equal number of votes) is to say, "OK, but once a month the committee must hold an all-university plenary session—one man, one vote." The thought of being outvoted 1000 to 1 will cause administrators to scrap that co-optive measure in a hurry.

We have learned the hard way that the reformist path is full of pitfalls. What, then, are the kinds of reformist measures that do make sense? First of all, there are the civil libertarian issues. We must always fight, dramatically and quickly, for free speech and the right to organize, advocate and mount political action—of all sorts. However, even here, we should avoid getting bogged down in "legalitarianism." We cannot count on this society's legal apparatus to guarantee our civil liberties; and, we should not organize around civil libertarian issues *as if it could*.

Rather, when our legal rights are violated, we should move as quickly as possible, without losing our base, to expand the campus libertarian moral indignation into a multi-issues *political* insurgency, exposing the repressive character of the administration and the corporate state in general.

The second kind of partial reform worth fighting for and possibly winning is the abolition of on-campus repressive mechanisms, i.e., student courts, disciplinary tribunals, deans of men and women, campus police, and the use of civil police on campus. While it is true that "abolition" is a negative reform, and while we will be criticized for not offering constructive criticisms, we should reply *that the only constructive way to deal with an inherently destructive apparatus is to destroy it*. We must curtail the ability of administrators to repress our *need to refuse* their way of life—the regimentation and bureaucratization of existence.

When our universities are already major agencies for social change in the direction of *1984*, our initial demands must, almost of of necessity, be negative demands. In this sense, the first task of a student power movement will be the organization of a holding action—a resistance. Along these lines, one potentially effective tactic for resisting the university's disciplinary apparatus would be the formation of a Student Defense League. The purpose of the group would be to make its services available to any student who must appear before campus authorities for infractions of repressive (or just plain stupid) rules and regulations. The defense group would then attend the student's hearings en masse. However, for some cases, it might be wise to include law students or local radical lawyers in the group for the purpose of making legal counter-attacks. A student defense group would have three major goals: 1) saving as many students as possible from punishment, 2) desanctifying and rendering dis-functional the administration's repressive apparatus, and 3) using 1) and 2) as tactics in reaching other students for building a movement to abolish the appartus as a whole.

When engaging in this kind of activity, it is important to be clear in our rhetoric as to what we are about. We are not trying to liberalize the existing order, but trying to win our *liberation* from it. We must refuse the administration's rhetoric of responsibility. To their one-dimensional way of thinking, the concept of responsibility has been reduced to its opposite, namely be nice, don't rock the boat, do things according to *our* criteria of what is permissible. In actuality their whole system is geared toward the inculcation of the values of a planned irresponsibility. We should refuse *their* definitions, *their* terms, and even refuse to engage in *their* semantic hassles. We only need to define for *ourselves and other students* our notions of what it means to be free, constructive, and responsible. Too many campus movements have been co-opted for weeks or even permanently by falling into the administrations' rhetorical bags.

Besides the abolition of repressive disciplinary mechanisms within the university, there are other negative reforms that radicals should work for. Getting the military off the campus, abolishing the grade system, and abolishing universal compulsory courses (i.e., physical education) would fit into this category. However, an important question for the student movement is whether or not *positive* radical reforms can be won within the university short of making a revolution in the society as a whole. Furthermore, would the achievement of these kinds of partial reforms have the cumulative effect of weakening certain aspects of corporate capitalism, and, in their small way, make that broader revolution more likely?

At present, my feeling is that these kinds of anti-capitalist positive reforms are almost as hard to conceive intellectually as they are to win. To be sure, there has been a wealth of positive educational reforms suggested by people like Paul Goodman. But are they anti-capitalist as well? For example, we have been able to organize several good free universities. Many of the brightest and most sensitive students on American campuses, disgusted with the present state of education, left the campus and organized these counter-institutions. Some of their experiments were successful in an immediate internal sense.

A few of these organizers were initially convinced that the sheer moral force of their work in these free institutions would cause the existing educational structure to tremble and finally collapse like a house of IBM cards. But what happened? What effect did the free universities have on the established educational order? At best, they had no effect. But is it more likely that they had the effect of strengthening the existing system. How? First of all, the best of our people left the campus, enabling the existing university to function more smoothly, since the "troublemakers" were gone. Secondly, they gave liberal administrators the rhetoric, the analysis, and sometimes the man-power to co-opt their programs and establish elitist forms of "experimental" colleges inside of, although quarantined from, the existing educational system. This is not to say that free universities should not be organized, both on and off the campus. They can be valuable and useful. But they should not be seen as a primary aspect of a strategy for change.

What then is open to us in the area of positive anti-capitalist reforms? For the most part, it will be difficult to determine whether or not a reform has the effect of being anti-capitalist until it has been achieved. Since it is both difficult and undesirable to attempt to predict the future, questions of this sort are often best answered in practice. Nevertheless, it would seem that the kind of reforms we are looking for are most likely to be found within a strategy of what I would call "encroaching control." There are aspects of the university's administrative academic, financial-physical, and social apparatus that are potentially, if not actually, useful and productive. While we should try to abolish the repressive mechanisms of the university; our strategy should be to gain *control*, piece by piece, of its positive aspects.

What would that control look like? To begin, all aspects of the non-academic *life of the campus* should either be completely under the control of the students as individuals or embodied in the institutional forms *they* establish for their collective government. For example, an independent union of students should have the final say on the form and content of *all-university* political, social, and cultural events. Naturally, individual students and student organizations would be completely free in organizing events of their own.

Secondly, only the students and the teaching faculty, individually and through their organizations, should control the academic affairs of the university. One example of a worthwhile reform in this area would be enabling all history majors and history professors to meet jointly at the beginning of each semester and shape the form, content, and direction of their departmental curriculum. Another partial reform in this area would be enabling an independent union of students to hire additional professors of their choice and establish additional accredited courses of their choice independently of the faculty or administration.

Finally, we should remember that control should be sought for *some specific purpose*. One reason we want this kind of power is to enable us to meet the self-determined needs of students and teachers. But another objective that we should see as radicals is to put as much of the university's resources as possible into the hands of the underclass and the working class. We should use the student press to publicize and support local strikes. We should use campus facilities for meeting the educational needs of unsurgent oragnizations of the poor, and of rank and file workers. Or we could mobilize the universities' research facilities for serving projects established and controlled by the poor and worker, rather than projects established and controlled by the government, management, and labor bureaucrats. The conservative nature of American trade unions makes activity of this sort very difficult, although not impossible. But we should always be careful to make a distinction between the American working class itself and the labor bureaucrats.

The faculty question: Allies or finks

One question almost always confronts the student movement on the campus. Do we try to win faculty support before we go into action? Or do we lump them together with the administration?

The knowledge machinery and sabotage: Striking on the job

One mistake radical students have been making in relating to the worst aspects of the multiversity's academic apparatus has been their avoidance of it. We tend to avoid large classes, lousy courses, and reactionary professors like the plague. At best, we have organized counter-courses outside the classroom and off the campus. My suggestion is that we should do the opposite. Our brightest people should sign up for the large freshman and sophomore sections with the worst profs in *strategic* courses in history, political science, education, and even the ROTC counter-insurgency lectures. From this position, they should then begin to take out their frustrations with the work of the course while they are on the job, i.e., inside the classroom. Specifically, they should be constant vocal critics of the form and content of the course, the prof, class size, the educational system, and corporate capitalism in general. Their primary strategy, rather than winning debating points against the prof, should be to reach other students in the class. Hopefully, our on-the-job organizer will begin to develop a radical caucus in the class. This group could then meet outside of the class, continue to collectively develop a further radical critique of the future classwork, to be presented at the succeeding sessions. If all goes well with the prof, and perhaps his department as well, they will have a full-scale academic revolt on their hands by the end of the semester. Finally, if this sort of work was being done in a variety of courses at once, the local radical student movement would have the makings of an underground educational movement that was actively engaged in mounting an effective resistance to the educational *status quo*.

Provo tactics: Radicalization or sublimation?

There is little doubt that the hippy movement has made its impact on most American campuses. It is also becoming more clear that the culture of advanced capitalist society is becoming more sterile, dehumanized and one-dimensional. It is directed toward a passive mass, rather than an active public. Its root value is consumption. We obviously need a cultural revolution, along with a revolution in the political economy. But the question remains: where do the hippies fit in? At the present time, their role seems ambivalent. On the one hand, they thoroughly reject the dominant culture and seem to be life-affirming. On the other hand, they seem to be for the most part, passive consumers of culture, rather than active creators of culture. For all their talk of community, the nexus of their relations with each other seems to consist only of drugs and a common jargon. With all their talk of love, one finds little deep-rooted passion. Yet, they are there; and they are a major phenomenon. Their relevance to the campus scene is evidenced by the success of the wave of "Gentle Thursdays" that swept the country. Through this approach, we have been able to reach and break loose a good number of people. Often, during the frivolity of Gentle Thursday, the life-denying aspects of corporate capitalism are brought home to many people with an impact that could never be obtained by the best of all of our anti-war demonstrations.

However, the hippy movement has served to make many of our people withdraw into a personalistic, passive cult of consumption. These aspects need to be criticized and curtailed. We should be clear about one thing: the *individual* liberation of man, the most social of animals, is a dead-end—an impossibility. And even if individual liberation were possible, would it be desirable? The sublimation of reality within the individual consciousness neither destroys nor transforms the objective reality of other men.

Nevertheless, the excitement and imagination of some aspects of hippydom can be useful in building critiques of the existing culture. Here, I am referring to the provo (provocative) tactic on campus, can cause the administration to display some of its most repressive characteristics. Even something as blunt as burning a television set in the middle of campus can make a profound statement about the life-styles of many people. However, people engaging in this kind of tactics should 1) not see the action as a substitute for serious revolutionary activity and 2) read up on the Provos and Situationists rather than the Haight-Ashbury scene.

From soap-box to student strikes: The forms of protest

During the development of radical politics on the campus, the student movement will pass through a multitude of organizational forms. I have already mentioned several: Student Defense League, Teaching Assistants' Unions, Non-Academic Employees' Unions, and of course, SDS chapters. Another important development on many campuses has been the formation of Black Student Unions, or Afro-American cultural groups. All of these groups are vital, although some are more important than others at different stages of the struggle. However, for the purpose of keeping a radical and multi-issue focus throughout the growth of the movement, it is important to begin work on a campus by organizing an SDS chapter.

From this starting point, how does SDS see its relation to the rest of the campus? I think we have learned that we should not look upon ourselves as an intellectual and political oasis, hugging each other in a wasteland. Rather, our chapters should see themselves as *organizing committees* for reaching out to the majority of the student population. Furthermore, we are organizing for something—the power to effect change. With this in mind, we should be well aware of the fact that the kind of power and changes we would like to have and achieve are not going to be given to us gracefully. Ultimately, we have access to only one source of power within the knowledge factory. And that power lies in our potential ability to stop the university from functioning, to render the system disfunctional for limited periods of time. Throughout all our on-campus organizing efforts we should keep this one point in mind: that sooner or later we are going to have to strike—or at least successfully threaten to strike. Because of this, our constant strategy should be the preparation of a mass base for supporting and participating in this kind of action.

What are the organizational forms, other than those mentioned above, that are necessary for the development of this kind of radical constituency? The first kind of extra-SDS organization needed is a Hyde Park or Free Speech Forum. An area of the campus, centrally located and heavily travelled, should be selected and equipped with a P.A. system. Then, on a certain afternoon one day a week, the platform would be open to anyone to give speeches on anything they choose. SDS people should attend regularly and speak regularly, although they should encourage variety and debate, and not monopolize the platform. To begin, the forum should be weekly, so that students don't become bored with it. Rather, we should try to give it the aura of a special event. Later on, when political activity intensifies, the forum could be held every day. In the early stages, publicity, the establishment of a mood and climate for radical politics, is of utmost importance. We should make our presence felt everywhere—in the campus news media, leafleting and poster displays, and regular attendance at the meetings of all student political, social, and religious organizations. We should make all aspects of our politics as visible and open as possible.

Once our presence has become known, we can begin to organize on a variety of issues. One arena that it will be important to relate to at this stage will be student government elections. The best organizational form for this activity would be the formation of a Campus Freedom Party for running radical candidates. It is important that the party be clear and open as to its radical consciousness, keeping in mind that our first task is that of building radical consciousness, rather than winning seats. It is also important that the party take positions on off-campus questions as well, such as the war in Vietnam. Otherwise, if we only relate to on-campus issues, we run the risk of laying the counter-revolutionary groundwork for an elitist, conservative and corporatist student movement. As many people as possible should be involved in the work of the party, with SDS people having the function of keeping it militant and radical in a non-manipulative and honest fashion. The party should permeate the campus with speeches, films, and leaflets, as well as a series of solidly intellectual and radical position papers on a variety of issues.

Furthermore, we should remember that an election campaign should be fun. Campus Freedom Parties should organize Gentle Thursdays, jug bands, rock groups, theatre groups for political skits, and homemade 8 mm. campaign films. Finally during non-election periods, the Campus Freedom Party should form a variety of CFP *ad hoc* committees for relating to student government on various issues throughout the year.

The next stage of the movement is the most crucial and delicate—the formation of a Student Strike Coordinating Committee. There are two pre-conditions necessary for its existence. First, there must be a quasi-radical base of some size that has been developed from past activity. Secondly, either a crisis situation provoked by the administration or a climate of active frustration with the administration and/or the ruling class it represents must exist. The frustration should be centered around a set of specific demands that have been unresolved through the established channels of liberal action. If this kind of situation exists, then a strike is both possible and desirable. A temporary steering committee should be set up consisting of representatives of radical groups (SDS-Black Student Union, TA's Union, etc.) This group would set the initial demands and put out the call for a strike within a few weeks time. Within that time, they would try to bring in as many other groups and individuals as possible without seriously watering down the demands. This new coalition would then constitute itself as the Student Strike Coordinating Committee, with the new groups adding members to the original temporary steering committee. Also, a series of working committees and a negotiating committee should be established. Finally, the strike committee should attempt to have as many open mass plenary sessions as possible.

What should come out of a student strike? First, the development of a radical consciousness among large numbers of students. Secondly, we should try to include within our demands some issues on which we can win partial victories. Finally, the organizational form that should grow out of strike or series of strikes is an independent, radical, and political Free Student Union that would replace the existing student government. I have already dealt with the general political life of radical movements. But some points need to be repeated. First of all, a radical student union *must* be in alliance with the radical sectors of the underclass and working class. Secondly, the student movement has the additional task of radicalizing the subsector of the labor force that some of us in SDS have come to call the new working class. Thirdly, a radical union of students should have an anti-imperialist critique of U.S. foreign policy. Finally, local student unions, if they are to grow and thrive, must become federated on regional, national, and international levels. However, we should be careful not to form a national union of students lacking in a grassroots constituency that actively and democratically participates in all aspects of the organization's life. One NSA is enough. On the international level, we should avoid both the CIA and Soviet Union sponsored International Unions. We would be better off to establish informal relations with groups like the Zengakuren in Japan, the German SDS, the French Situationist, the Spanish Democratic Student Syndicate, and the third world revolutionary student organizations. Hopefully, in the not too distant future, we may be instrumental in forming a new International Union of Revolutionary Youth. But there is much work to be done between now and then. And even greater tasks remain to be done before we can begin to build the conditions for human liberation.

Work-in: A National SDS Summer Project

During the past few weeks and for several years before them, students have been demonstrating their opposition to the Vietnam war and the draft. Our demonstrations have grown, and the war has grown with them. This has been a frustrating and often demoralizing experience.

Our frustration is shared by millions of others. It comes at a time when living conditions are getting worse for the majority of the American people. The war has taken its toll—in blood and in dollars. Tens of thousands are dead and crippled. Taxes take a greater and greater share of peoples' earnings; less and less remains for food, clothing, heat, rent. But these necessities cost more. These conditions plus deteriorating schools and hospitals, increased unemployment, particularly among youth, and intensified police persecution are behind the hundreds of rebellions of Black people from Harlem to Watts to Washington, D.C.

Another great movement is simultaneously shaking the country. Some say that workers are "bought off," and not interested in trying to change their conditions. But a strike wave has been sweeping the U.S. for the last several years. The New York City sanitationmen's walkout, the Memphis sanitation strike, and the national telephone strike are only three of the most recent examples. These strikes have come from rank-and-file pressure against corrupt union leaders. Nor have the workers hesitated to oppose what highly paid politicians claim is the "national interest."

Our frustration comes from our isolation from the millions of Americans engaged in these struggles. Students and middle-class people also are not powerful enough to stop the war machine. Closing down our schools is not enough. Workers produce and move the goods that are used in the war, and it is they who are primarily forced to fight the war. They can stop it. When threatened with a strike by 80,000 G.E. workers, "Mr. Johnson said in his appeal that U.S. forces in Vietnam need the products of G.E.'s military output now—not next week or next month." (Wall Street Journal, Oct. 3, 1966)

Last summer about 130 students in the anti-war movement got jobs in factories and other work sites in Boston, Rochester, San Francisco, Los Angeles, Chicago, Baltimore, Newark and New York City. This summer we hope to involve more students in the Work-In and, using the experience of last year, do it better.

We want to combat isolation by learning about workers from the workers, not just from newspapers or professors. Are they "strangling the public" with unfair war propaganda? What are conditons like in factories or department stores? What do workers think about unions, union leaders, the war, the draft, and ghetto rebellions?

Bring to workers the idea that the only just demand for peace is the immediate withdrawal of the U.S. from Vietnam. To explain that Kennedy and McCarthy were enemies of labor, are not friends of the anti-war movement either. Even though "Peace" negotiations are in the making, draft calls increase and more reserves are being called up. Evidently the government is planning to stay in Vietnam, as well as leaving troops in other Southeast Asian countries, and in Africa and Latin America.

We want to combat isolation by fighting against white racism among the workers, for government and the press try to whip up racism by portraying the struggles of black people as against white people. We want to show that among the hundreds of black rebellions, *not one* has attacked a white community. They have fought the police and the national guard, the same forces that the government employs against strikers and anti-war demonstrators.

We want to combat isolation by explaining what the struggles on our campuses are about and by showing workers that there are students who support their struggles and who want to organize other students to do so.

WHO CAN PARTICIPATE IN THE WORK-IN

Women play a vital role in the economy of this country. They are often discriminated against, for instance by being paid less than men doing the same job. Women students participated in the Work-In last summer, and it is absolutely necessary they do so this summer if we are to relate to women workers. Women can get in department stores, hospitals and large offices as well as in factories.

High School students have special difficulties in getting jobs. Nevertheless, a School Work-In is being organized. Contact the Work-In organizer in your area for further information.

Summer school students and others who will be unable to get jobs can play an important role in the Work-In. Throughout the summer there will be a need to put out literature at plants where we are working on the war and draft, the rebellion, the ghettos, and other important issues affecting workers. Groups doing independent, electoral work and anti-draft work can coordinate activities with the Work-In.

The Work-In is preparing an organizers' manual which discusses how and when to get a job, how to relate to workers on the job, and how to follow up the summer. Students working-in will meet in groups every week or two to share our successes, mistakes and discuss questions as they arise. The groups will help put out a news letter describing our experiences on the job so that other students can benefit from what we are learning.

Our goal is not to organize the United States working class in one summer. We want to learn as much as we can, and to make friendships that will remain after summer with a few workers, and if possible to involve them in organized political activity. In this way, the movement, through us, will gain some of the urgently needed ties to the workers of this country.

If you are interested in working-in, or for further information, contact:

In Manhattan: Roger Taus, 662-9187, Columbia; Chris Locklo, 228-9480, N.Y.U.; Rick Rhoads, 368-2562, City College.

In-the-Bronx: Chuck Dugan, 631-3459, Fordham.

In Brooklyn: Ira Perlson, 683-4531, Brooklyn College.

In Queens: Fernando Quijano, HI 6-8572, Queens College.

In Newark, N.J.: Joy Schulman, (201) 926-3926, Rutgers-in-Newark.

In Princeton, N.J.: Macklin Smith, (309) 924-9644, Princeton Univ.

The Work-In needs money. Please make checks payable to the "SDS Work-In." Send contributions and inquiries to: New York Regional SDS Work-In, 50 East 11th Street, New York City, 10003.

THE WORK-IN ORGANIZERS MANUAL

(NOTE.—This manual is intended to help Work-in organizers in selecting and getting jobs. It also contains some pointers on approaches to the political issues that we will be raising and encountering at work.)

I. HOW TO RESEARCH THE JOB SITUATION IN YOUR AREA

In every large city and in all states, a Directory of Manufacturers is published which lists all the manufacturing plants in the large metropolitan areas and in the state, city by city. It usually reports the number of workers employed in each plant and sometimes give the breakdown of male and female workers. These directories are usually found in the main (large) city libraries.

These books usually cover only manufacturing. For transportation (railroad, maritime, longshore, airline, teamster) possibly the simplest method is to consult the yellow pages of the phone directory, although there may be additional directories in the library. Consult the librarian about that. This is also true for utilities, etc.

In addition, some people will already know of large plants in their area in which they or friends have worked in the past, which might be helpful since knowledge of hiring practices might be gained thereby.

II. WHAT JOBS TO LOOK FOR

Job-seekers should try to get hired in plants or transport depots that have several hundred (let's say a 400 minimum) workers. Reasons for this include: a) If we want to reach workers with literature, the potential audience is greater; b) The larger the company facility, the better chance that it will be in a basic union, that the workers will have some sense of organization (even if they think the union is a sellout one), and that therefore there will be a tie-in to workers nationally. In larger plants, such as GM, GE, United Airlines, Pennsy RR, etc., there is a greater tendency for workers to regard themselves as workers, with less illusions about becoming some king of a "boss". In small shops, where bosses and workers are closer together, more illusions exist about "moving up". c) In large plants in national unions there is a greater chance that the workers will become part of (and have a history of) mass strike movements, rebellions against sellout leaderships, conflict with the government due to "national interest" injections, etc., which might create the basis for greater mutual exchange about questions relating to opposition to the government's policies; d) the larger the company the likelier the existence of masses of unskilled jobs (assembly lines, platforms, etc.) creating a better basis for hiring, especially as replacements for workers taking vacations. Of course, if summer is slack in a particular industry, this situation wouldn't necessarily hold (i.e., auto, where production on the old model fades into a summer lay-off-changeover before hiring starts around August to September for the new model).

Within the larger plant situation, it might be desirable for students seeking jobs in the area or city in which their school is located, to pick a place which would have follow-up possibilities in the Fall through contacts established within the plant; in line with an on-going worker-student alliance activity.

In general, people should seek unskilled jobs (probably couldn't get a skilled one anyway) and, if given the chance, a job where one would contact larger numbers of workers. If you are white, select a plant where the majority are white. (If possible. In some places; for instance, N.Y.C., this is difficult, although not impossible). While Black workers might be thought of as more politically conscious, what we as white students are trying to do is reach white workers on the questions of the war and racism, to name but two areas (in addition to the day-to-day grievances, trade union questions, etc.) If Black, a student would of necessity, have to (and should) get a job where there are large number of Black workers. Women should give special consideration to jobs where many women are employed. These include, in addition to basic industries (like electric), department stores, telephone companies, hospitals, and even some large offices which are unionized, etc.

In cases where people cannot travel to (or don't want to get jobs in) auto industries, large wholesale and retail outfits within the city proper could be as advantageous-large mail-order houses (Sears-Roebuck, Montgomery Ward department stores (preferably those with unions); possibly as non-professional workers in hospitals (although here in many large cities there are large majorities of Black workers, a factor for white students to consider.) Other such places could include the telephone company, gas and light company, mass utilities (if privately owned; government-owned usually requires a civil service test and waiting period).

III. HOW TO GET A JOB

Some places hire students specifically for the summer as replacements for workers on vacations (although usually bosses try to get away with not filling in, unless the union contract has specific stipulations and they are enforced). Others won't hire you if they know you are a student or if they think you're only working for the summer. In MOST cases it would probably be best NOT to mention that you are a student (unless you have advance knowledge that they are specifically hiring students for the summer—which might be found out by someone being sent there first who's NOT looking for a job, saying he's a student and seeing if they are hiring). If, then, it is the case of not being able to state you're a student seeking summer work, you have to come in as a job-seeker who has worked since graduating high-school (you should say you're a high school graduate), which means you have to have a place or person who will say you worked there for the past 1-4 years. Each area should develop "background" like this for their group. In indicating the kind of work performed, try to slant it to what you presume the work is in the particular plant or depot (assembly, maintenance, shipping, loading platform, etc., and in most every case indicate that whatever you did on your "previous job" involved some kind of manual, heavy work. You're not afraid to work, is the idea to get across.

If getting to the place requires a car (or if that is easier even though you use public transportation) say you have one or a friend who "works around there drives near there every day. Some places won't hire you if they think that you are potential late-comer.

Draft status may be a problem. Job applicants with a 1-Y or even 4-F often find difficulty in getting work. Also, a 2-S classification immediately identifies you as a student. Persons with a 3-A deferment (supporting a parent or child) has an easier time. If you're a 1–A (and possibly someone's tested the draft situation at the place beforehand) you might be able to say you're 1–A and get hired, but here again you may have to "use your wits." If you've been in and had an honorable discharge, tell it the way it is. If you've had something other than an honorable discharge, avoid mentioning it; you've been "working since high school."

In cases where you can't mention college, and use a "background", make sure you state you were "laid off" from your last job because it was "slow" or the company's "contracting" or maybe even "going out of business". Whatever salary you decide on (usually around $85/week—that is, not too much lower than what you expect to make, and not too much higher) make sure that your "former boss" knows what it is. For example, if you're going for a teamster platform job that pays $110 or $120 a week, say you make about $100, not $75. On the other hand, if you're getting a job in a hospital or a department store for $65 a week, say you made that figure in your old job, not $120. Anyway, since most large places will or may (unless you're specifically being hired as a temporary worker who's going back to college in the Fall), make sure your "former boss" has the story straight.

Some places give aptitude tests. Don't show off. If you're taking the test with other job-seekers, try to see how far (number of questions) they're getting and adjust accordingly. If you do too well, they'll either be suspicious or want to use you in the "front office." Of course, it may be hard to judge, not wanting to do below what's required, but again, the first job-seeker's experience will be helpful here. A group should gather ALL information from each successive job-seeker so that the next ones will be better prepared.

If you have any physical defects which can't be detected from a normal physical examination, don't mention them. Companies won't hire people with previous injuries or defects which might be re-injured, creating the basis for suits against them, you may have to go somewhere else where it's a defect that's noticeable, either play it up to figure a way to cover it up. If you can't you may have to go somewhere else where it's not so important. If you wear glasses, some jobs are out (i.e. railroad brakeman, which usually requires 20/20 vision without glasses). However, most jobs only require 20/20 or even less with glasses.

You should be at your first place looking at around 8:30 or 9:00 A.M. It's hard to get a job if you start at 2:00 P.M. You generally should not wear a suit and tie or fancy dress, but don't dress like a slob. Slacks and sports shirt, with or without a sport jacket, depending on the weather, and skirt or summer dress with low heels (or at least not 6-inch spikes) for women.

If places require a "non-communist" or "non-subversive" signature, sign it. You're not breaking any law. If it's engaged in government work, and you would be breaking a law, it will be so stated on the application. Discuss this beforehand with your group.

Be straightforward in any interview; you're getting the job because you "need the money." Don't use $20 words. Don't put on a tough guy act. Just plain, simple language and attitude. Usually the less said, the better. Don't volunteer information. Just answer what is asked.

IV. WHAT TO EXPECT ON THE JOB

Don't start sounding off the first day on the job; or even the first week. Do your work, learn your job. Don't goof off on someone else's back, but if all the workers are goofing off, or taking a break, go ahead (unless it might cost you—as a new worker—your job, which the older workers understand). Remember, we're here for a short-term operation. While you can't expect to win over workers in three months, you don't have to wait as long as you might, if it were a permanent job, to "open up" on political questions. Learn from the workers. About the work, the job, the history of the plant, company, union, their attitudes on every question. Listen. You might find out who the finks are. Participate in the bull sessions, the lunch discussions, talking on the job where it's normal, but take it slow the first 3 or 4 weeks, (if the job were to be permanent, this process might take six months or longer) listening and sounding out workers.

Don't be shocked by the racist remarks of the white workers, by confused political impressions, by pro-war talk, by "keeping-up-with-the-Joneses" chit-chat. If the workers understood racism, the war, the capitalist class, middle class morality, etc., we'd on the way "home" already. Do let them know you're a student fairly soon, within the first 2 or 3 weeks, as long as the foreman won't find out (or someone else who might use it to get you fired). But this isn't fool-proof. You've got to play it by ear. But if you don't say you're a student, they'll know it and you won't be able to do an honest, straightforward job. Remember, although workers may think students are snobbish (and many are), they also respect education and want their kids to go to college. (That's why they're working so hard, among other reasons). Your job is to bring across the identity of interests of students and workers—the fact that without workers, there would be no universities, that the working class is the class with the power, that workers really create the value of society, that without them basic changes in the system can't happen, etc.

But you're there with a purpose—to bring out the relationship of the Vietnam and the other imperialist wars to their immediate demands, to the fact that they and their sons die in the war, that it is a war for the rich—the Class perspective. And also, among white workers, the use of racism against their other interests. Black workers aren't "threatening" their jobs. The boss is. He controls both. As long as workers are divided—by race, union, sex, craft, nationality, it's easier for the boss to sit on them. This is no easy task. It normally takes a lifetime, so don't expect to do it in two or three months! But at least you are able to question, to point out relationships they might not have thought of or might be afraid to express out loud. Try talking to workers individually, especially those who seem more receptive. Don't start by using a lunchroom or platform for a "soap-box oration." Literature could be given out individually or stuck up in bathrooms at the beginning. Discuss in your group when to start giving it out en masse (often by students not working at that plant, at the gates.)

Try to make a few friends among the workers that might last beyond the summer. Two or three—or even one. And try to get their addresses and phone numbers before you leave the job. Otherwise it might be difficult to ever contact them again. Join the bowling league or the baseball team. Avoid running home at the end of the day to the "safe" company of your old friends and political buddies. Concentrate on making new friends. Go to the bar or whatever hang-out they go to after work. Don't try to overdo yourself here. If you can't hold your liquor, don't make a fool of yourself trying to be what you think is "one of the boys". Get to work early—sit around and talk. This is very much worth the extra effort.

Don't talk to workers like you know everything and they know nothing. First of all it's not true (probably the reverse). Secondly, even if you do know more about a particular subject (i.e. the facts about the Geneva Agreement, the U.S. support of the Diem dictatorship) that doesn't mean that by making a speech you'll get the facts across. Be patient. Make it an exchange of experience, not a one-way affair. You'll make plenty of mistakes. Discuss them in your group. Don't give up the first time you do something wrong. After all, these workers were rookies too once, but they had to survive it because they had to eat.

It would be a good idea to record your experiences by day or week, a few notes in the evening about relevant events during the day will be invaluable for other people participating in the work-in this summer, for those in next summer's program and for people to whom we publicize our work. You'd be surprised how much important information you forget; don't trust to your chances of remembering anecdotes.

Come in to work on time. That's the thing that may keep you in the job above all else. Lateness is the first cause of being fired in the trial period. Don't start in with broadsides against the union leadership, even if workers initiate the sellout talk. Listen, ask questions, ask if anything was ever done to overcome it, suggest types of fights around grievances, immediate things, if you can figure some out. But don't feel compelled (in your three-month sojourn) to give leadership on any and all questions. One important result of your job may just be an appreciation of what workers are up against in the fight against the boss, the government, and a sellout leadership. And knowledge of what the in-plant grievances are will help if there is to be follow-up along lines of worker-student alliance activity when you get back to school. You will be able to relate leaflets, etc. to the actual problems inside the gates.

Lastly, remember when you start talking about the war (and about how students are seriously opposed to the war for good reasons, not simply engaged in "beatnik pranks") many workers who feel the same way keep silent while those who support the war are many times the most outspoken. Don't get into knock-down, drag-out arguments with the latter, but rather talk individually first to the ones you're making friends with. Don't get into the habit of making it appear that it's you against the workers. Know the facts about the war not just the polemics. Facts make a deep impression on workers. If you get involved in discussions with workers whose sons are in Vietnam and want to "support them by going all out", be careful. That's an emotional area in which it may be very hard to convince such a father that your line on supporting his son is correct. Start by understanding his position of having been brainwashed all these years and seeing his son in daily danger of "being killed by the other side". In learning how to put forth an intelligent approach in such situations, you will really be learning how to talk to people who are not simply on your side or sympathetic.

After being there about a month, try to pick out a few workers who might be more advanced than the rest, concentrating more on individual discussion, with the hope of keeping them as friends or contacts after you leave the place. Talk about the possibilities of the students offering the workers assistance in any struggles coming up in the future, on picket lines, demonstrations, even doing research for them. Don't necessarily start asking about union meetings. Many times they are suspended in the summer. If not, most workers don't attend and you're not going to build up any active attitude caucus movement in that direction in three months (most of which is spent on trial period and during which you may not even be in the union). If, of course, there's something special going on and lots of workers appear headed toward a union meeting, you can go with them, but more to listen and learn than to orate.

Not everything can be put down here about what you'll face. Keep in constant contact with your group and discuss all problems with them. If possible, try to have at least two students (possibly more) get jobs in the same plant so they can compare notes, exchange experiences, criticize each other's mistakes, and (probably most important) make it possible to get a broader view of the place than that which comes from working in just one department. However, if you do team up, don't hang around together. It will be a constant temptation to talk to, eat and travel with the one person in your worksite who will be easier to communicate with. This is not to say that you should ignore each other's existence on the job, just that your primary aim will be to work and communicate with the permanent workers in the plant.

V. COORDINATORS

In Manhattan: Roger Taus, 662–9187, Columbia; Dave Meitzman, 447–2446, N.Y.U.; Rick Rhoads, 368–2562, City College.

In the Bronx: Chuck Dugan, 631–3459, Fordham.

In Brooklyn: Ira Perlson, 683–4531, Brooklyn College.

In Queens: Farnando Quijano, HI 6–8572, Queens College.

In Newark, N.J.: Joy Schulman, (201) 926–3926, Rutgers-in-Newark.

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The Work-In needs money. Please make checks payable to the "SDS Work-In. Send contributions and inquiries to: New York Regional SDS Work-In, 50 East 11th Street, New York City, 10003.

CONSERVATION AWARDS

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, it is with sincere pleasure that I bring to the attention of my colleagues notice of the first "Conservation Service Awards" made under this administration by the Secretary of the Interior. On April 21, the Department chose to honor three of the most outstanding conservationists in the land: Mr. Frank E. Masland, Jr., of Carlisle, Pa.; Dr. Ralph W. Chaney, of the University of California at Berkeley; and Mr. Harold P. Fabian, of Salt Lake City, Utah.

The caliber of the men to whom the awards were given is an indication of their commitment and dedication to the cause of conservation. Each recipient is most deserving of the Interior Department's highest conservation award.

There is a double pleasure for me in noting these awards for I have been privileged to have known and worked closely with the recipients over many years, and during times of great national controversy on conservation matters.

In presenting the award to Mr. Masland, Secretary Hickel noted:

> Your dedication efforts in behalf of the welfare of mankind and of the wise management of the natural resources upon which he is dependent have been productive and substantial, both in the national and international fields. Your advice and counsel as a member of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, your effective leadership during two terms as Chairman of the Board, and your continued service as Council member and as Consultant to the Department of the Interior have contributed greatly to the policies and programs of the Department of the Interior.

In making the award to Dr. Chaney, the Secretary said:

> You have earned worldwide renown for your contributions to knowledge recorded in numerous scholarly publications, in the field of paleobotany. This body of knowledge, together with your wise counsel, has greatly enhanced the preservation and interpretation of geological and paleontological values in the national parks, and the understanding and appreciation of botanical resources generally. Largely through your efforts the relict Metasequoia of China was made known, and its perpetuation as a species insured. As member and Council member of long standing of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, you have demonstrated a dedication to public service and to the cause of conservation that is in the highest tradition. As a member of this Board, through your active and effective participation in the work of the Save-the-Redwoods League, and as a citizen, you have contributed most substantially to the preservation of magnificent Coast Redwood groves, and to the establishment of Redwood National Park.

And in awarding the Nation's highest conservation award to Mr. Fabian, Secretary Hickel commented:

> Your contributions to the conservation movement span a 50 year period. Your personal endeavors and support have had a profound effect upon influential conservation groups and movements which led to establishing two great National Parks—Grand Teton and Canyonlands. The several conservation awards, which have been bestowed upon you in the past, stand as testimonials to the many contributions you have made toward preserving our natural resources. Your present work with the Yellowstone-Grand Teton Master Plan Team indicates that your efforts in behalf of the preservation and enjoyment of our natural areas will carry into the future.

The remarks of Secretary Hickel tell only a part of the story, but I would like my colleagues to know the background of the recipients as seen from the point of view of the Director of the National Park Service. In each case, the Director, with the concurrence of the Assistant Secretary for Fish and Wildlife, Parks, and Marine Resources, sent a letter to the Chairman of the Interior Incentive Awards Committee, fully describing the contributions of these men to the conservation of our natural resources. I have appended to my remarks the letters to show in bold detail why these eminent men were honored by the Department of the Interior:

CONSERVATION SERVICE AWARD, FRANK E. MASLAND, JR.

(By Director, National Park Service)

On behalf of the National Park Service, it is my pleasure to nominate the very distinguished citizen and outstanding conservationist, Frank E. Masland, Jr. of Carlisle, Pennsylvania, for the Department of the Interior's Conservation Service Award.

Mr. Masland's commitment to conservation began long before his association with the Department of the Interior. From the time he graduated from Dickinson College in 1918, where he later became Vice President and member of the Board of Trustees, he gained a wide knowledge of the national parks and their problems through private travel. Mr. Masland has maintained a deep interest in and has made a concerted study of the social and economic problems of the Navajo Indians of the Southwest. He has lectured extensively on both national parks and Indians before conservation and outdoor groups, using movies of a professional quality which he himself produced.

Mr. Masland explored the Colorado River by boat in 1948, 1949, 1954, and 1956. His travels, explorations and studies have given him a personal familiarity with conservation issues that render his counsel invaluable.

In 1956 Mr. Masland was appointed to the Secretary of the Interior's Advisory Board on National Parks, Historic Sites, Buildings and Monuments, and served with distinction as Chairman in 1960 and 1961.

While Mr. Masland served on the Board, Cape Cod became a reality, Point Reyes was on the threshold, and a very substantial number of other proposals advanced toward ultimate approval. Mr. Masland's personal contribution to the Canyonlands cause, to the Everglades environmental problems, and his efforts in behalf of the preservation of the Valley of the Goblins and Monument Valley were especially noteworthy.

Upon termination of Mr. Masland's appointment on the Advisory Board he was invited to become a Consultant to the Department.

In 1960, following an address before the Atlantic Chapter of the Sierra Club in New York City, Mr. Masland was invited to become a member of the Executive Committee of the National Parks Association. He served as Trustee of this Association for 3 years and as Vice President for a year. He is held in high esteem by other conservation organizations.

Mr. Masland's advice and counsel to the Service and to the Secretary ranged over a wide variety of conservation, resources management, interpretative and park planning issues.

In 1963 after a tour of East Africa, Mr. Masland reported on the problems, the potential development of Tanganyika national parks, and on the inter-relationship of tourism and wildlife conservation. His thoughtful suggestions about the Masai people, the cattle industry, and development and educational programs stimulated involvement by the United Nations Special Fund, and the Ford and Rockefeller Foundations.

In 1965 he served on a Task Force on Leisure at Princeton University and, a Task Force on Relationships of People to Resources. The recommendations made by the group were responsible and incisive.

In 1966 Mr. Masland, in his official capacity as an observer without remuneration, attended the General Assembly of the International Union for Conservation of Nature and Natural Resources at Lucerne, Switzerland. On this same trip he visited Jordan to "devise an overall interpretive plan" and a "detailed interpretive plan for a single park" to encourage the management of national parks and monuments in that country. During this same tour he journeyed up the Nile to Abu Simbel and to the Red City of Rielra. Mr. Masland's suggestions to the responsible government officials in Jordan and the U.S. A.I.D. Mission in Amman influenced the assignment of a team of park planners to Jordan which produced detailed plans for three major historical areas in that country.

Also in 1966, Mr. Masland called on his Imperial Majesty Haile Selassie I, Addis Ababa, Ethiopia, as the Secretary of the Interior's personal emmissary, and initiated discussions concerning the preservation of Ethiopia's natural beauty, historical heritage, and wildlife. Mr. Masland was a member of the small team which subsequently was assigned to visit Ethiopia, and to make further recommendations on cooperation between the two countries on these matters.

Mr. Masland has provided similar advice and counsel with respect to Hawaii, Japan, Burma, Thailand, India, and Nepal.

Mr. Masland's observations on African wildlife, endangered species and illegal importation of hides led to recommendations for legislation to prohibit importation of any wild animal, its hide, or other parts, without an official export permit issued by the country of origin. He thus pioneered the existing movement to establish such international controls.

Mr. Masland's explorations and observations in the Florida Everglades extend over many years. In 1967 he investigated the potential for developing canoe trips in the Florida Bay, Cape Sable, and Gulf Coast areas of the park and for routes for motor propelled boats in areas adjacent to the major water routes. These will offer opportunities for primitive waterway experiences unequaled in the country. He also made recommendations on campground criteria, the location of patrol stations, on the types of control required, and on administrative philosophy concerning the safety of visitors and the preservation of resources.

Mr. Masland's interest and contacts in Africa influenced the establishment of a college of African Wildlife Management at Mweka, Tanzania. A staff member of the National Park Service and another from the B.S.F. & W. are teaching courses at this institution ranging from interpretive techniques and museum technology to range management and botany. Training safaris for the African students are conducted, which prepare them for national park and wildlife management work in Africa. Much goodwill and cooperation with other countries have been brought about through the personal efforts and expense of Mr. Masland on behalf of the Service and the Department.

In August of 1968, Mr. Masland was appointed to a nine-member Advisory Committee on International Conservation Affairs of the National Park Service whose purpose is to advise on international conservation of natural resources. His contributions on this committee have been most helpful.

Mr. Masland is a member of the Board of Governors of Wesley Theological Seminary and has honorary degrees—Doctor of Humanities, Lycoming College, 1957, and Doctor of Laws, Lebanon Valley College, 1959. In church affairs, he is a member of the Executive Committee of the Methodist Committee for Overseas Relief (Refugees Work), and, in 1958, was a Delegate to the World Council of Churches convened in Geneva, Switzerland, to consider world refugee problems. Likewise, in 1960, he attended refugee work sessions in Korea, Hong Kong and Taiwan, and, in 1963, in South America. He is a member of the Board of the Academy of Natural Sciences of Philadelphia; member of the Executive Committee, Council of Conservation, and a Trustee for Conservation. He is a member of the Explorers Club, Camp Fire Club, Colorado River Canyoneers, Utah State Historical Society, British Ocean Cruising Club, Museum of Northern Arizona, Arizona Sonora Desert Museum, the Boone and Crockett Club, and the Sierra Club. He is a Fellow of the American Geographic Society.

His efforts both personally and officially over a span of more than 50 years have had a lasting effect in preserving such areas as Canyonlands for future generations, and the goodwill generated on his several visits and conferences with Government officials of other lands has indeed furthered the cause of conservation throughout the world.

In recognition of the numerous and extraordinary contributions to the conservation and preservation movement in this country and in other lands, Mr. Frank E. Masland, Jr., is considered to be eminently qualified to receive the Department of the Interior's Conservation Service Award and most worthy of the high honor it represents.

CONSERVATION SERVICE AWARD, RALPH W. CHANEY

(By Director, National Park Service)

On behalf of the National Park Service, it is my pleasure to nominate the renowned paleontologist and botanist, Dr. Ralph W. Chaney of the University of California, Berkeley, California, to receive the Department of the Interior's Conservation Service Award.

Dr. Chaney served as Professor of Paleontology at the University of California from 1930 to 1957. He has remained there as Emeritus Professor of Paleontology since 1957 to the present. He accepted membership on the Secretary of the Interior's Advisory Board on National Parks, Historic Sites, Buildings, and Monuments in 1943 and served until 1953. One of his main concerns while on the Board was the retention of Fossil Cycad National Monument as a classic area of valuable fossil material, under the protection and administration of the National Park Service. Since 1953 Dr. Chaney as a Collaborator without compensation has continued to offer his advice and counsel on paleontological matters in the National Park Service and the Department.

Dr. Chaney's profession has taken him to many parts of the world. He is noted for the field work he did in Cenozoic paleobotany in Western America since 1916, and in Central America during the 1930's. He has exerted a profound influence on present scientific knowledge about the natural scene in America and its conservation. Recognized for almost a half century as one of the world's eminent paleobotanists, we are indebted to him for much of our knowledge of the geological antiquity and changing patterns of distribution of the various species of Sequoias and other forest trees of the world. His imprint is present in all publications and interpretive programs dealing with forest trees in areas of the National Park System, including the famed Giant Sequoias and Coast Redwoods.

He travelled to China in 1948 to see the newly discovered Metasequoia, or Dawn Redwood, in its natural setting and insured the perpetuation of this extremely rare species by collecting seeds and subsequently distributing them to botanical gardens and arboretums throughout the world. This species was thought to have been extinct for many millions of years, yet through Dr. Chaney's persistence it was rediscovered and his efforts assured its survival.

Dr. Chaney's other significant contributions are legion. We owe to him much of our knowledge about fossil trees and plants, including the Sequoia, in Tertiary rocks of Yellowstone and the Pleistocene deposits of Alaska. He provided the fossil evidence which has helped establish the geological time table for the evolution of the Cascade Range including Crater Lake, Lassen Peak, and Mount Rainier. For many years, the National Park Service and other natural resources bureaus of the Government have beaten a path to his door to seek information and counsel on forest—tree research and management programs.

He is and has been a prominent member of the Geological Society of America, American Philosophical Society, National Academy of Sciences, Paleontology Society of Japan, Fellow of the Geological Society of America, President of the Paleontological Society in 1939, and Director Counselor of the Save-the-Redwoods League, serving as President of the League in 1961.

The fame of Dr. Chaney as a paleobotanist is matched only by his role as an ardent conservationist. He has long been a strong supporter of moves to save the Redwoods and contributed significantly to the preservation of Coast Redwoods areas through his work with the Save-the-Redwoods League, and in establishment of the Redwood National Park. In his own scientific specialty, as well as the conservation movement affecting national parks and other lands set aside for public enjoyment and use, Dr. Chaney, has been a pioneer and motivating force of considerable influence.

In recognition of Dr. Chaney's highly noteworthy scientific contributions to conservation of the natural environment in America and other lands, he is uniquely qualified to receive the Department of the Interior's Conservation Service Award and most worthy of the high honor it bestows.

CONSERVATION SERVICE AWARD, HAROLD P. FABIAN

On behalf of the National Park Service, it is my pleasure to nominate the very distinguished citizen and one of the outstanding conservationists of the country, Harold P. Fabian of Salt Lake City, Utah, and Jenny Lake, Wyoming, to receive the Department of the Interior's Conservation Service Award.

Mr. Fabian first became interested in conservation during an extended visit to Yellowstone National Park in the year 1900. Sixty seven years later he was appointed, along with other distinguished conservationists, as a member of the Yellowstone-Grand Teton Master Plan Team to look to the future of this great area.

His first direct contact with National Park Service activities was in 1926 when, through the office of Horace M. Albright, then Superintendent of Yellowstone National Park, his law firm was engaged to represent Mr. John D. Rockefeller, Jr., in the Grand Teton Project. Ultimately, he became Executive Vice President of Jackson Hole Preserve, Inc.

From 1946 to 1952 he was Treasurer and Trustee of the Jackson Hole Wildlife Park.

Since 1955 and his retirement from active law practice, Mr. Fabian has devoted his time, wide experience, and boundless energies to the field of conservation.

In 1949, along with Mrs. Fabian, he was instrumental in rehabilitation of the historic Menor's Ferry complex in Grand Teton National Park. He was a member of the Pony Express Centennial Committee in 1957–58 and on the Golden Spike Centennial Commission. He is a Trustee of the Utah Heritage Foundation and a member of the South Pass Historical Commission.

In 1957 he was appointed by Utah Governor Clyde to organize and set in motion the State Park and Recreation Commission. He was Chairman for nearly eight years and was reappointed in 1965 by Governor Rampton for an additional four years as a member of the Commission.

Through his personal efforts, such historic landmarks as The Pony Express Station in Fairfield, Utah, the winter home of pioneer leader, Brigham Young, at St. George, and several other historical sites have been restored and are now operated under the direction of the Utah State Park and Recreation Commission.

At the request of President David O. McKay, the Church of Jesus Christ of Latterday Saints, Mr. Fabian . . . not a Mormon . . . made an investigation of the feasibility of the restoration of the area of one of the early settlements of the Mormons in Nauvoo, Illinois. He is now Vice President and Trustee of the Nauvoo Restoration, Inc., and the motivating factor in the entire project. He obtained the concurrence of President McKay that the work done at Nauvoo would not be solely slanted toward religion, but would be a part of the historic westward expansion movement.

In 1958 the Secretary of the Interior appointed him to membership on the Advisory Board for National Parks. He was Vice Chairman for three years and Chairman the last two years of his term, which ended in 1964. Canyonlands National Park was established during his term of office.

Following his service on the Advisory Board, he continued as a consultant and participated in the Master Plan studies for Great Smoky Mountain National Park. These studies helped to guide the Service in solutions to some very critical problems relating to wilderness recommendations.

In 1964 the American Scenic and Historic Preservation Society of New York awarded Mr. Fabian the very coveted Cornelius Amory Pugsley Gold Medal for his work in national conservation. He has also received special awards from the Utah Historical Society, as well as the Forestry Conservation Award. In May 1965 he was invited by President Kennedy to attend as a delegate the White House Conference on Conservation.

In recognition of his contributions in many fields Governor Rampton of Utah proclaimed October 8, 1967, as Harold P. Fabian Appreciation Day in Utah. He was presented with a citation, expressing appreciation for his conservation efforts.

His efforts on behalf of conservation have spanned a half century and now in his young eighties he continues his contribution as a member of the Yellowstone-Grand Teton Master Plan Team.

In recognition of the many contributions he has made for the conservation movement in this country, Harold P. Fabian is considered to be eminently qualified to receive the Department of the Interior's Conservation Service Award and worthy of the high honor it represents.

U.S. DESK NEEDED IN STATE DEPARTMENT

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, a U.S. desk is desperately needed in the U.S. State Department in order to protect the interests of American farmers.

The State Department so far is waging a winning battle with the Agriculture Department, to the distinct disadvantage of wheat farmers, and now is considering plans which will hurt soybean farmers.

The State Department's Bureau of Economic Affairs is obviously stacked with many people who have scant understanding of the problems our farmers are encountering in world markets. Either that, or they feel called upon to subordinate the interest of our farmers to that of foreign competitors.

In any event, these top policymakers are now locked in a struggle with officials of the Department of Agriculture over the future of the International Grains Arrangement, a wheat treaty which has hurt U.S. markets, and have under consideration Common Market trade compromises which would substantially destroy our soybean markets in Western Europe.

The International Grains Treaty is a dramatic example of State Department indifference to the U.S. farmer.

Just yesterday a letter arrived at my desk from an official writing to me for the Secretary of State asserting that the International Grains Arrangement "has worked, on balance, to our advantage." This startling conclusion was based on the supposition that world wheat prices were higher than would otherwise be the case, and therefore our balance-of-payments position was improved.

Actually, the United States is experiencing the worst wheat export year in a decade. Because of the treaty, we have been foreclosed from many deals. Obviously, prices paid are items of relatively small importance either to our farmers or payments balance when the parties to the sales are both foreign.

Ironically, the same day that the State Department letter applauding the International Grains Arrangements arrived, a letter with a far different tone and content arrived from the Secretary of Agriculture, Mr. Hardin.

In his letter, Secretary Hardin plainly acknowledged the difficulties which have developed under the treaty and still exist. He came to no such conclusion as did the State Department that the treaty was to our advantage.

In fact, he closed his letter by stating that—

> We may have to press for such structural modifications of it (the treaty) as will more effectively serve the interests of the U.S. wheat producers.

A further example of State Department indifference to the problems of American farmers, and also lack of understanding of marketplace factors, has come to my attention.

The Common Market has under consideration an internal tax which would effectively end our soybean market there. Last year, sales topped $500 million.

When I was in Bonn, Germany, early in February, I talked with German Finance Minister Franz Josef Strauss and received from him a pledge that he would oppose this tax. As finance minister of the largest trading member of the Common Market, his voice could be very influential.

Unfortunately, I have just learned that the policymakers in the Bureau of Economic Affairs in the U.S. State Department, the same people who were the architects of the International Grains Arrangement in the last administration and remain in positions of influence, look with favor on two compromises, either of which would severely injure soybean interests in the United States. These are the same people who are exponents of another effort to rig world markets, erroneously called the Voluntary Textiles Agreement. The political forces behind an extension of the textiles deal, which really is not voluntary at all, may be brought to bear in favor of a compromise which scuttles the soybean farmer's markets in Europe.

Here is the text of my letter to Secretary of State Rogers of April 1, regarding the International Grains Arrangement, and the comments on it made to me by Secretary Rogers' assistant, Mr. Macomber, on April 21, and by Agriculture Secretary Clifford Hardin on April 22, also the text of a telegram I dispatched April 22 to Mr. Clarence Palmby, Assistant Secretary of Agriculture, who is in Europe on trade talks:

APRIL 1, 1969.

Hon. WILLIAM P. ROGERS,
Secretary of State,
Department of State,
Washington, D.C.

DEAR SECRETARY ROGERS: Since we began the International Grains Arrangements last July 1, the U.S. is having its poorest wheat export year in the past decade. At the same time the U.S. Department of Agriculture is projecting increased wheat exports over last year for Australia, France, and Canada. It's understandable why these countries want the treaty preserved.

In studying the testimony given both in support and opposition to the Senate ratification of this grain treaty last spring, and recently the expert analysis of the workings of the treaty printed in March 20 Congressional Record, I have come to the conclusion that the arrangement is structured and geared to the consistent disadvantage of the U.S. in world wheat trade. The minimum prices for most U.S. wheat are set so high that for the first time in our history, an export tax is levied on wheat in order to comply with the treaty. This export tax—euphemistically called an inverse subsidy—has been most heavy on Soft Red Winter wheat which is commonly produced in my state of Illinois, and the export of Soft Red Winter wheat this year is running less than one-third the level for the same eight month period last year.

The basing point for applying minimum prices under the treaty was set at our U.S. gulf ports from which we export most of our wheat. This has turned out to be a particularly crippling handicap for our exports. This is so because other exporting countries enjoy all the greater competitive flexibilities that accompany the ocean freight calculations in reference to a basing point that is distant from their port of export. Also, the relationships between minimum prices on wheat from different origins, spelled out in the IGA, give additional advantage to French, Swedish, Greek, and Spanish wheats by special treatment; and to Australian and Argentine wheats by incomplete quality description.

Finally, the Soviet Union, Romania, and Bulgaria did not sign the treaty. There appears to be mounting evidence that the high minimum prices specified in the treaty are stimulating wheat production in these countries as well as all over the world. But, because they do not belong they are consistently undercutting us, particularly throughout Western Europe and the Mediterranean area.

Because the IGA is proving itself in almost every conceivable way to be prejudicial to U.S. wheat exports, I respectfully request your department to initiate immediately those steps provided for in Article 21 of the Wheat Trade Convention of the treaty that would get us out of this agreement by the end of this current crop year. It is noteworthy that the marketing year 1967–68, during which no international agreement on wheat existed, U.S. farmers enjoyed their third best export year in history.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

DEPARTMENT OF STATE,
Washington, D.C., April 21, 1969.

Hon. PAUL FINDLEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FINDLEY: The Secretary has asked me to reply to your letter of April 1 requesting the Department to take steps under Article 21 of the Wheat Trade Convention to get the United States out of the International Grains Arrangement.

Article 21 of the Wheat Trade Convention provides for the possibility of withdrawal from this treaty in the event that United

States interests have suffered serious prejudice by actions of other members and the United States was unable to obtain relief under the procedures provided in the Convention.

The Department of State shares your concern about the current level of wheat exports and it is our intention to ensure that the United States retains a fair share of the world commercial market under the Arrangement. The sales record, however, does not seem to bear out your assessment that the Convention is operating to the consistent disadvantage of the United States in world wheat trade.

While it is true that our wheat exports are down this year from the high volume of the past few years, this decline reflects the turn-around in the supply/demand situation rather than the operations of the International Grains Arrangement. The most important factor in this situation is the recovery of grain production in the USSR, record harvests in India and Pakistan and larger crops in Western Europe and other importing countries. The resulting decline in import demand has affected all major wheat exporting countries. The proportionate share of the United States in total commercial sales has remained at about the average reached during the past few years (the highest in recent decades), despite the adverse effects of the dock strike and the sprouted wheat problem with Japan. It would appear, therefore, that overall, the United States has been able to remain competitive in the world wheat market.

As you point out, problems have arisen in the operations of the Arrangement which may adversely affect our exports of certain types of wheat and our position in certain markets. Some of the other exporting countries have encountered similar difficulties. The Department of State and the Department of Agriculture are working closely with other exporting countries with a view to improving the functioning of the Arrangement. We are also mindful of the desirability of including wheat exporting countries which are not yet members of the IGA in the Arrangement.

The Department considers that despite the difficulties which have been experienced, the Arrangement has worked, on balance, to our advantage. Although various technical problems have impeded the full implementation of the price provisions, the Department believes that the arrangement has helped to keep prices higher than would otherwise be the case. This has helped our balance of payments. The Food Aid Convention has been helpful in diverting some foreign supplies from commercial markets, thus making room for US commercial sales, and generally, by promoting a more equitable sharing of responsibilities for non-commercial disposals.

The major wheat exporting countries have recently reviewed the world wheat situation and they recognized that further steps will have to be taken to adjust supplies to the reduced demand. It is our continuing concern to ensure that the burden of this adjustment should be shared fairly among the major exporting countries: We are encouraged, in this connection, by indications of a 12 per cent reduction in wheat acreage this year in Canada and the proposals for delivery quotas which would substantially reduce deliveries to the Australian Wheat Board.

As you will recall, the President and Prime Minister Trudeau of Canada last month agreed "to work closely together with other exporting and importing countries to find positive solutions to the current problems of the world wheat market within the framework of the International Grains Arrangement." They further agreed to work "to overcome present market instability and to strengthen prices consistent with the provisions of the Arrangement." This is the basis on which we are proceeding.

We appreciate your interest in this matter and hope you will continue to call on us whenever you believe we might be helpful.

Sincerely yours,
William B. Macomber, Jr.,
Assistant Secretary for Congressional Relations.

Department of Agriculture,
Washington, April 22, 1969.

Hon. Paul Findley,
House of Representatives.

Dear Mr. Findley: This is in reply to your letter of April 1 with which you enclosed a copy of your letter to Secretary Rogers which urges the United States to take the necessary steps under Article 21 of the International Grains Arrangement to withdraw from that Arrangement.

We fully support your objective to keep United States wheat competitively priced in the world markets in order that the U.S. can retain its fair share of these markets. In recent weeks we have discussed ways and means of resolving some of the knotty pricing problems in the Arrangement.

On April 2 we called a meeting of U.S. producer, farm organization and trade representatives in the hopes of developing a U.S. position on the I.G.A. acceptable to all parties present. The producers were represented by the National Association of Wheat Growers, Great Plains Wheat, Inc., and the Western Wheat Associates. They were unified in recommending against any downward adjustment in the minimum price scale but requested that the Department take such actions it deemed necessary under other provisions of the Arrangement to maintain competitive export prices on U.S. wheats in order to insure that U.S. wheat retains its fair share of the world wheat trade.

Representatives of the four major farm organizations were present. Three of them actively endorsed viewpoints very similar to those expressed by the producer representatives, while one voiced strong opposition to continued U.S. participation in the Arrangement. Representatives of the grain trade and their associations urged immediate consideration to reduction of the minimum prices and a concurrent reappraisal of the price differentials for the wheats listed in the scale. All persons present agreed that U.S. wheats should be kept competitively priced, but by the time of adjournment no solid consensus was reached as to the best means to accomplish this under the I.G.A.

On April 3 and 4 meetings were held in the Department with representatives of the other major exporting countries (Canada, Australia, Argentina and the European Economic Community). The purpose of the meeting was to find ways to strengthen world wheat prices to at least the minimum price level prescribed in the Arrangement. Detailed discussions covered the subjects of ocean freight, the basing point system as it affects price evaluations, price differentials between wheats, effects of wheat traded by nonmember countries, selling procedures and trading practices. Two full days of discussions were held and agreement was reached that necessary adjustments would have to collectively and individually be made if the Arrangement was to operate effectively. Because of the complexity of the issues, no agreement was reached at this meeting on specific and meaningful steps which could or would be taken by representatives of the countries present to implement the broadly stated objective, but consultations will continue.

As you know, there are this year other contributing factors which have materially affected our wheat exports. India and Pakistan enjoyed bumper crops last year and appear to be headed for a second good season. Exports and sales to these two countries are off more than 175 million bushels from last year.

In the latter part of 1968, Japan experienced some quality problems with U.S. wheat which was occasioned by weather damage and she was out of our market for over two months. The dock strike at East and Gulf ports cut off wheat exports for over three months.

We are seriously concerned about our current level of wheat exports and share the view which you hold that the I.G.A. should not impair the ability of the U.S. to remain competitive in the world wheat markets. We are also concerned by what we believe has recently been an overstimulation of wheat acreage in some other exporting countries and believe it desirable that this be stabilized, and in some instances cut back. In this regard Canada expects acreage to be down for the 1969 crop and Australia is considering a delivery quota system. Our ability to make I.G.A. an effective instrument of world trade in this period when world supplies substantially exceed world demand will be taxed to the utmost. If workable solutions are not found in the near future within the existing framework of the I.G.A., we may have to press for such structural modifications of it as will more effectively serve the interests of the U.S. wheat producers.

Sincerely,
Clifford M. Hardin,
Secretary Agriculture.

April 22, 1969.

Hon. Clarence Palmby,
Assistant Secretary of Agriculture, the American Embassy, Paris France:

Stick to your guns with no compromise or deals on Common Market soybean tax issue. Distressed to learn that compromised positions are under consideration in the U.S. State Department. One version would acquiesce in the tax despite its clear violation of GATT rules provided Common Market agrees not to increase internal feed grain prices. Such deal would be cruel to U.S. soybean farmers. Feed grain prices already so high in Common Market they must by economic necessity be lowered. Further increase totally obsurd. Another version would be to acquiesce in oil part of proposed tax provided meal part is dropped. This would be almost as cruel as first. Fight also against trading off interests of soybean farmers for so-called voluntary textile deal.

Paul Findley,
Member of Congress.

Mr. Speaker, the State Department's defense of the International Grains Arrangement ignores the fact that the United States is currently enjoying its worst export year in a decade, and the further fact that three other major wheat traders, the Soviet Union, France, and Australia are enjoying substantial increases in exports.

It is absolutely misleading for the State Department to conclude, as it does, that our export decline reflects increased world supplies. Working in that same supply situation, other major wheat producers boosted exports while ours went down.

Including that "the arrangement has worked, on balance, to our advantage," the State Department could not possibly have meant "our farmers" in using the word "our." Conceivably the setbacks our farmers sustained under the treaty may have been offset by gains made by hard goods or other U.S. interests, but if such occurred they are not itemized.

The basic factor overlooked by State Department policymakers is the impossibility of controlling by international agreement the price of a commodity unless supply control can also be established. The dismal experiences the United States has encountered over more than 30 years trying to control its own farm supplies should show the futility of worldwide price-supply rigging deals.

CATHEDRAL OF THE PINES: UNIQUE MONUMENT TO AMERICA'S WAR DEAD

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, it is my privilege to have in my district the unique Cathedral of the Pines in Rindge. Since the time when this cathedral was founded by Dr. Douglas Sloan in memory of his son, Sanderson, who was killed in World War II, the concept has grown and spread.

It now embraces all faiths and is dedicated to all American dead in all our wars. It is, as far as I can determine, the only shrine anywhere containing a monument—the Memorial Bell Tower—devoted solely to the memory of women who were the victims of war.

The mountaintop Altar of the Nations, made up of stones contributed from every State, is another unique memorial.

Rather than expand a personal description of the cathedral, I will refer my colleagues to the following article by Carl C. Craft, the Associated Press correspondent in Concord.

Mr. Craft has done a masterful job in explaining how the cathedral has developed. When they have read it I think it will be clear why the Cathedral of the Pines has drawn the attention and personal contributions of Presidents, world leaders, and other persons, both prominent and obscure, from around the world.

The article follows:

New Hampshire Shrine Memorial to War Dead

(By Carl C. Craft)

RINDGE, N.H.—Here's peace, brotherhood, understanding and consecration.

Peace found by five million pilgrims to this remote pine knoll during nearly a quarter-century.

Brotherhood shared through prayer by 49 faiths in a cathedral with heaven as its roof.

Understanding through development of a successful ecumenical experiment accomplished with the donations of stones, flags and other treasures from 111 nations.

Consecration first by a family in memory of a son who died at war and eventually by a nation—through Congress—in dedication of the main altar as a memorial to all of America's war dead.

Here's the Cathedral of the Pines, visited annually by thousands in honor of the spirit of servicemen who died for their country.

Mt. Monadnock is just ahead—majestic 3,165-foot centerpiece of scenery exposed to view from this knoll by the 1938 hurricane that mysteriously circled and spared the fine young pines on the crest.

About 100 feet below is Bullet Pond, one of four bodies of water visible in the view toward Vermont.

"The still waters, the valleys, the shadows . . ." come the words from spiritual leaders of many faiths and many nations—men and women of white skin, black skin, yellow skin, brown skin, all following the call to love their Creator and love their neighbor.

"I will lift up mine eyes unto the hills . . ." come the words of cardinal, bishop, president, princess, rabbi, monsignor, doctor, reverend.

To those reared in Rindage, now a community of 1,800, this knoll was known as "Halo Hill" long before this monument to love was essembled—they'd seen heavy fog rise from the waters and a rainbow form when the sun appeared.

Douglas Sloane, now in his 80s, had been with his family's furniture firm W. & J. Sloane in New York City and head of the Boston office's wholesale end of the business by the time he retired in 1940.

He purchased property here and offered his children their choice of sections of the farm on which they'd like to build a home. His son Sandy's selection was a spot near the present cathedral.

When Sandy—Lt. Sanderson Sloane—died in 1944 after his plane was shot down over Germany, the site became a memorial to him and was made available to all for prayer and meditation and to recall what Sandy had meant to the Sloanes and what the sons and daughters who died in war had meant to other parents throughout America.

Stones were sought—and received—from every state to be placed in an "altar of the nation" as a national memorial to all war dead.

Through the years, 8,000 stones arrived from throughout the world—each with its story, each as a symbol. The stones are united in an altar, in a credence table, in altar rail posts, in a lectern, in a baptismal font, in a chaplains' altar, in an altar at a chapel. Plaques are in a field-stone pulpit. Religious gifts were donated: Books, plants, pens, music, fragments of bones of St. Francis of Assisi and St. Vincent de Paul, and there are flags.

Presidents Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy and Lyndon B. Johnson contributed stones: sandstone from Missouri, a stone from Normandy's Omaha Beach, Chelmsford granite, and a stone from the LBJ Ranch.

Adm. William D. Leahy sent a stone from Washington, Gen. George C. Marshall a stone from Virginia, Gen. Douglas MacArthur a stone from Japan's Atsugi airfield, Adm. Chester W. Nimitz a blue and gold stone from California, Adm. William F. Halsey a stone of coral from the atolls of the Pacific, Gen Omar N. Bradley a stone from Virginia, Gen. Matthew B. Ridgeway a stone from Suwon, Korea.

High Chief Tufele of the South Pacific islands sent a stone from a sacred mound of rocks. From the abbey of Arbroath, Angus, Scotland, came a stone. From the Kimberley mines of South Africa came diamonds. A piece of lava from the volcano Mauna Kea, Hawaii, same, to rest with a stone from the Grace MacKinnely Mountains of Antarctica.

A stone came from Mt. Surabachi, Iwo Jima; another from the white cliffs of Dover; another the foot of the Minuteman statue in Lexington, Mass.

There came olive wood from Jerusalem and a heart-shaped pebble from the shore of the Dead Sea in Palestine near the mouth of the River Jordan.

For Sloane, it "began in a very simple way." He found it expanded beyond what he had expected—carrying the message on the entrance boulders, etched in Hebrew and English, "Thou shalt love the Lord thy God. Thou salt love thy neighbor as thyself."

In 1949, Sloane and his wife established a trust for the benefit of the public—400 acres of peace and prayer, with never an admission and never a collection, never a parking fee, basing its entire support on free-will offerings. There is no advertising.

Members of the cathedral's board of trustees are distinguished lay people representing different faiths.

Sloane points to the cathedral's bell tower as the only monument in the world dedicated specifically to recognition of the role of women in the nation's war effort—ranging from those who died on the battlefield to those who released men for combat duty and took places on the supply lines.

"War would be impossible," he said as he looked across the New Hampshire granite cross on the altar of the nation, "if we would simply love God and love our neighbors."

"That's the value of this peaceful place—up here you can find answers, everything up here preaches its own sermon," he added.

Then, he looked to the gates of the altar, where he found the two words he considers the most inspirational:

"Our Father."

DWIGHT EISENHOWER: A MOVING TRIBUTE BY ED DECOURCY, EDITOR OF THE NEWPORT, N.H., ARGUS-CHAMPION

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, Edward DeCourcy, editor of the Newport Argus-Champion in my district, wrote a superb editorial at the time of President Eisenhower's death. Of all the tributes which I saw and heard I have found none finer or more moving than this. I congratulate my friend E. DeCourcy. One of the measures of Dwight Eisenhower's noble character is surely in its power to evoke as beautiful a tribute as this. I offer this at this point in the RECORD:

The Spectator

(By Edward DeCourcy)

"No man is an Iland, intire of it selfe; every man is a peece of the Continent, a part of the maine; if a Clod bee washed away by the Sea, Europe is the lesse, as well as if a Promontorie were, as well as if a Mannor of thy friends or of thine owne were; any mans death diminishes me, because I am involved in Mankinde; And therefore never send to know for whom the bell tolls; it tolls for thee." JOHN DONNE (1573–1631)

It was not only General Eisenhower who died last Friday. A little bit of a lot of us—many right here in Newport—died too.

When that coffin was lowered into the rich Kansas earth yesterday, midnight passed. It was the final end of a day whose night had fallen almost a decade ago.

It was the end of an era that had been a major part of our lives, those of us who can still hear the General's stern, calm midwestern voice on June 6, 1944, as he reported that a landing had been made that morning on the coast of France and said, "I call upon all who love freedom to stand with us now. Together we shall achieve victory."

Nostalgia burnishes the pleasant and banishes the unpleasant. We'd rather think about the joys of V–E Day than the horror of Pearl Harbor. We'd rather remember the photograph of Ike recuperating in Denver with "Much Better Thanks" embroidered on his pajama pocket, than the shock when John Daley interrupted the "Weston Family" broadcast at dusk on April 12, 1945, to announce, "President Roosevelt is dead."

We'd rather remember the return of full gas tanks, the scramble to buy new cars, the birth of the ballpoint pen, the ruptured duck, than the Bulge, Anzio, Guadalcanal, Omaha Beach or ration points. We'd rather remember that little red schoolhouse in Reims where Jodl and Friedeburg stood in defeat before a five-star General Eisenhower, than those days of November, 1942, when troops in North Africa under Lt. Gen. Eisenhower were temporarily being thrown back by Nazis.

Today's woes may have been budding during the Eisenhower presidency, but we remember Eisenhower efforts to prevent them—the White House Conference on Education urging massive new efforts to make education adequate in quantity and quality for the enormous need ahead—thawing of the Cold War—the NATO conference in Paris—admission of Alaska and Hawaii to the statehood—the offer for an end to atomic testing—creation of the National Aviation and Space Agency—heroic efforts to unify the armed forces—trips to many foreign lands to build peace—that ominous and prophetic warning of the military-industrial complex.

What died in each of us was our part in an era that we now realize is gone forever.

If we did not know it before, we knew it this week when we talked to young people to whom that era that we regard as hardly passed, is an obscure page in ancient history; young people who knew that the name Eisenhower was famous, but weren't quite sure why. Millions of today's voters were tender teenagers when Dwight Eisenhower turned the White House over to young John Kennedy, and most of today's voters think Edward Kennedy is a Senator from Massachusetts forgetting that it was a man named Edward Kennedy, chief of the Paris bureau of the Associated Press, who stirred the Eisenhower wrath when he barked into a telephone on May 7, 1945, "Germany has surrendered unconditionally," hours before Supreme Headquarters was to give the official release.

Something did die in a lot of us who are over 30 last Friday, our part in an era that has passed.

But something more important has been given new life. In death General Eisenhower has made the world recognize anew the virtues that made him widely loved and respected, virtues that hordes have been trying to discredit. Frank Reynolds of ABC put it crisply the night President Eisenhower died when he asked his listeners to "try to think of somebody else in public life you trust."

INTRODUCTION FOR LEGISLATION TO INCORPORATE COLLEGE BENEFITS SYSTEM OF AMERICA

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the Record and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, I am today introducing a bill to incorporate the College Benefits System of America. Early in this century Andrew Carnegie established a system of free retirement pensions for educators in the realization that to attract and keep good faculties, some financial incentives had to be offered. With the rapid growth of higher education, Mr. Carnegie's original endowment did not prove adequate to the purpose. As a result, beginning in 1915 and working with a group of outstanding educators, the Carnegie Foundation for the Advancement of Teaching formulated principles for a sound self-supporting pension system for higher education. The principles established at that time comprise the basic structure of the present retirement system. The Carnegie Corp. endowed Teachers Insurance and Annuity Association with working capital, and thus began the first pension system in the United States in which annuity pensions are fully funded, vest immediately in the beneficiary, and are portable. They are vested in the individual and move freely with him from campus to campus. Those principles were guideposts in the establishment of the Federal social security system in 1935. It should be noted also that the President's Committee on Corporate Pension Funds and Other Private Retirement and Welfare programs recommended in 1965 that these same principles of vesting, portability and full funding be incorporated into all private pension plans for industry and labor.

At the conclusion of World War II, TIAA initiated a detailed study of the effects of inflation on fixed-dollar annuities. As a result of the study, at the request of the TIAA, the New York Legislature created the college retirement equities fund—CREF—as a charitable and education membership corporation to provide variable annuity pensions without regard to sex, creed, or color, only for the faculties and staffs of educational institutions. Following the example of TIAA, these pensions are fully funded, vest immediately in the beneficiary, and are portable. CREF was the first to provide a nationwide variable annuity pension system in the United States.

TIAA–CREF is the nationwide pension system for higher education in the United States. It has more than 300,000 annuity contracts outstanding to faculty and staff members of more than 2,000 institutions of education. More than $3 billion in pension funds are represented.

TIAA–CREF has proven to be a model for all private pension systems. It has functioned effectively and inexpensively. It has met the needs of changing times and a changing economy. It has grown along with our system of higher education.

Now, after more than 50 years of successful operation, the pension system is faced with a threat of taxation by various States on the periodic contributions of faculty and staff members, and their institutions. This threat of taxation is due to the vesting and portability provisions of the pension contract. Such contracts may be considered insurance products under State insurance codes and therefore subject to multistate regulation and taxation.

Tax exemptions are widely applied to retirement plans. The vast majority of our citizens are covered by private and public tax-free pension plans. Certainly those engaged in higher education are entitled to the same consideration.

The purpose of the bill I am introducing today is to preserve the private pension plan of higher education free of State taxation and regulation so it may continue to offer equal services at equal cost in all 50 States. The charter will in no way add to the burdens of the Federal, State, or local governments.

CBR: 10 YEARS LATER

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, in recent days, some very thoughtful and provocative criticisms of chemical, biological, and radiological warfare have been advanced by our colleague from New York (Mr. McCarthy). I believe that the gentleman from New York has made a great contribution to the public discussion of this vital issue through the pertinent questions and revealing answers he has received from cabinet officers and other high officials.

Many of us have been deeply concerned with the secrecy and apparent failure of our military leaders to furnish the public with full and meaningful explanations concerning the development of this form of warfare. In a democracy, the people are entitled to have the facts on these terrible weapons of war before this means of warfare totally engulfs the world and we are helpless to control its application.

I recall that this subject concerned me, and also concerned many of my colleagues, the very first year I served in the Congress, in 1959. In an effort to contribute to the dialog on this vital subject, I would like to submit the text of remarks which were made 10 years ago by my colleague from Wisconsin (Mr. Kastenmeier), delivered on September 3, 1959, and also my own remarks which were delivered in the House on the following day:

Increased Emphasis by Defense Department on CBR Program

The Speaker pro tempore. (Mr. Brooks of Texas). Under previous order of the House, the gentleman from Wisconsin (Mr. Kastenmeier) is recognized for 30 minutes.

Mr. Kastenmeier. Mr. Speaker, I have taken the floor today to speak to you about a problem which I feel is important to us as a nation of free people who honor and protect life, and hopefully, represent and live as a moral and good people. Since this problem involves the defense of our country, there are no simple answers; only bewildering paradoxes and basic questions.

The subject of my talk is the increased emphasis by the Defense Department on the CBR program; that is, the chemical, biological, and radiological warfare program, and possible changes in American defense policy in this field. On June 16 and June 22 of this year, the House Science and Astronautics Committee held hearings on the CBR program. These hearings were limited for the most part to a technical review of what the Defense Department was doing in this area, besides considering the possible uses of CBR in wartime. The committee did not fully explore certain basic moral and policy considerations about the use of CBR in the event of war, which I believe we as legislators must consider very carefully. I would, however, like to take this opportunity to congratulate the chairman and the members of the Space Committee for the fine job which they did in getting at the facts regarding CBR—and I urgently commend a reading of the hearings and report to every Member.

The Space Committee in its investigation of the CBR program established the fact that the Defense Department is interested in increasing the CBR program from an approximate current level of $40 million to $125 million. It was established that such an increase represents a basic change in the thinking of the Defense Department in the CBR area.

It was further established that although some uses were found for CBR, it was duly noted that CBR is not a panacea to our defense problems. The committee pointed out on page 14 of its report that—

"CBR weapons are not a complete answer. They do not replace the nuclear deterrent, and they do not replace the elements of seapower, or the infantryman. But they could readily turn out to be the weapon which toppled a tremendous investment in some previously efficacious strategy. * * * Research cannot guarantee results in every instance. Perhaps CBR research for another decade would not alter the general military balance of power. But if it does, and the United States has not gained the same capability as others, the cost to the Nation would be beyond calculation."

These remarks suggest that the committee feels that it really is not that sure of the necessity of CBR, but if we are to err as to their need, we should err on the side of national security. This is, of course, a powerful argument and must be considered with due gravity by the Congress. On page 15 of the report under recommendation 9, the committee states that it "cannot bring itself to describe any weapon of war as 'humane' and makes no moral judgment on the possible use of CBR in warfare." This, of course, is the basic problem involved with CBR which I shall discuss in this speech. Another recommendation of the committee, No. 15, states that—

"It is also recognized that in the present world situation with other countries pursuing vigorous programs of CBR development, the best immediate guarantee the United States can possess to insure that CBR is not used anywhere against the free world, is to have a strong capability in this field, too. This will only come with a stronger program of research."

This recommendation does not raise certain basic problems which occur when other nations will begin developing CBR weapons. It should be duly noted that at this point it is only the United States, Great Britain and the Soviet Union that have a capacity for developing CBR weapons, and are, in fact, the nations that are developing these weapons in any large-scale program. Thus, the policy actions of these nations with regard to their use will be watched very closely by other nations. If the United States and the Soviet Union create an atmosphere which suggests that it is quite all right to use CBR in wartime, these nations will have given the go-ahead to other nations to build these weapons. We should note that it does not take a great level of technological skill or great amounts of money to build chemical and biological weapons; consequently, the cost of these weapons and the skill involved in their production make them well within the range of other nations. It is not unlikely that smaller nations that are less responsible would begin using these deadly weapons against each other. This, of course, is why it is of paramount importance that the United States set a moral tone in this area. If we do not, we will have done much to initiate the production of these weapons by smaller nations who might otherwise have compunctions in manufacturing and using these weapons.

The hearings before Congress on CBR raised many problems. For example, it is quite clear that the United States is woefully unprepared in case of attack by an enemy with chemical and biological weapons. We certainly have no adequate civil defense in this area. Indeed, it is questionable whether there is any kind of defense to certain of the chemicals and bacteria that could be developed and used on our people and cities.

In the spring of 1958, when confronted with the question by the Senate Armed Forces Committee, "Are there any BW agents for use against humans or animals for which there is no countermeasure or an inoculant?" Gen. William Creasy, the former head of the Army Chemical Corps, replied, "Yes, sir. We do know that in the case of any kind of vaccine, you can override it with massive doses, and the doses we use are massive doses."

Another problem which was raised by the CBR hearings is that there is no truly adequate method of ascertaining whether or not a nation is producing and developing CBR weapons. Consequently, it is very difficult to conceive of an international inspection system in this area similar to the one which could be initiated in the nuclear area. Thus, in order for any international agreement to be effective in the CBR area, it is imperative that these agreements have behind them a moral force at least as strong as the inspection system in the nuclear area.

For now, however, I wish to leave the Space Committee report and its recommendations and the many problems such as these that it raised, to consider the subtle but real change in policy which has been instituted by some, or for which adoption is pressed by others, by those connected with the CBR program. The purpose of this change, of course, is to gain acceptance for chemical and biological weapons, as just another weapon in our arsenal which should be used as an offensive as well as retaliatory weapon. For example, General Creasy suggested before the Space Committee that CBR be used as an offensive weapon. He stated on page 15 of the hearings that—

"I am not advocating preventive war but we must change our policy, which is that we don't hit back until you hit us."

General Creasy also pointed out on page 17 of the hearings that—

"I would hate so see us enter into any agreement with anybody regarding CBR so that if we are going to fight we are going to do it with our hands tied behind our backs."

It is only within the last few months that there has been mention of the CBR program in the popular press. For the most part, the writers in this area have been present military officers in the Chemical Corps and retired military officers of the Chemical Corps. The theme that runs through these articles is that, first, the veil of secrecy should be lifted in the chemical and biological areas within the limits of security; second, we should build up, develop, and research in this area faster and more actively than we are presently doing; and third, the historic strictures that have been placed upon our Armed Forces as to the use of CBR should be removed. With the first two points, I am in agreement.

However, the argument of the Defense Department, through General Stubbs, is that a war fought with chemical weapons is a more humane war. The description by the Defense Department of these chemicals is, indeed, rather disarming. For example, they talk about their psychochemicals which can make cowards out of brave men and vice versa; they tell of the possibilities of sleep chemicals which will put populations to sleep for hours, while soldiers march in and take over the area. This, of course, is not the whole story. General Creasy, the former Chemical Corps Chief, has stated that CBR weapons are as deadly or deadlier than nuclear warfare.

General Rothschild, in an article in Harper's magazine, page 22, has stated:

"Incredibly dangerous amounts of biological material can be carried in very small bulk. For example, a single ounce of the toxic agent which causes the disease called Q fever would be sufficient to infect 28 billion people."

How would these weapons be used? Judging from the testimony before the Space Committee hearing these instruments of warfare would be used in the so-called brushfire localized war. CBR would take the place of nuclear weapons in this kind of encounter. But we should note that the primary and ancillary of the lethal CBR weapons are not that different from nuclear explosions; that is, poisoning of the atmosphere, destruction of the civilian population, and for that matter, destruction of all life within a given area, is possible.

Consequently, depending on the kind of bacteria or chemical used, the results could be just as horrendous, indiscriminate, and inhumane killing as if nuclear weapons were, in fact, used. Indeed, there are those that take the position that we should not build these weapons or increase expenditures for research in this field, arguing that the range of destruction which we have in our defense arsenal would seem to be quite complete without an expanded CBR program. Given the present world situation, I am sure that this is not a realistic position. There is strong evidence to suggest that the Soviet Union is engaging in a buildup of biological and chemical weapons. Much of the Soviet civil defense is aimed at protection from a biological and chemical attack. Hence, the realities of the situation appear to demand that we ourselves engage in an increased program of research and development in this field. I might add that I agree to this view only reluctantly.

The fact, however, that we might have to have an expanded program in this field does not mean that we should change the basic policies of the United States which were reiterated by President Roosevelt on June 8, 1943, when he stated that the United States under no circumstances would use poisonous or obnoxious gases unless used first by our enemies. This policy is being attacked on all fronts by various officials close to the Defense Department. For example, General Rothschild stated:

"We must reject once and for all the position stated by President Roosevelt that an enemy can have the first chemical or biological blow wherever or whenever he wishes. That blow could be disastrous. We must make it clear that we consider these weapons among the normal usable means of war."

Mr. Speaker, our policy in this area is one which was not laid down casually, It stems from our basic belief that even in war we must preserve the essence of humanity. In 1921 the United States itself called an international conference in Washington for the specific purpose of outlawing poisonous gases and other similar weapons. This conception of the use of such weapons is one which is generally accepted by all nations. For example, the international agreement through the Geneva protocol of 1925 specifically prohibited the military use of chemical and biological weapons.

The Soviet Union has been quick to recognize and seize upon the fact that these weapons are abhorrent to the people of the world. I wish to quote to you a message that was sent only last week to a conference of scientists in Canada who have been discussing the problem of chemical and biological warfare:

"In his message Khrushchev stated: 'In the name of the Soviet Government, and personally, I would like to send greetings to the members of the Pugwash Conference of Scientists, meeting to study problems arising from the threat to humanity of biological and chemical weapons. We share the concern of scientists, who justly point out that the use of these weapons may have no less horrible a consequence than the use of atomic or hydrogen weapons. Not by chance were chemical and bacteriological weapons condemned by mankind, and their military use prohibited by international agreement through the Geneva protocol of 1925. As is well known the Soviet Union strongly supports the prohibition of all types of weapons of mass annihilation, including nuclear as well as chemical and biological weapons. We hold that their use runs counter to humane principles, the rules of international law, and the conscience of all peoples. You, as authoritative scientists, can make a significant contribution in the struggle against preparations for war, employing nuclear, chemical, biological, and other mass annihilation weapons. I warmly wish the Pugwash participants success in their noble work.' "

It is disturbing to me that the Soviet Union is able to clothe many of its international policies in morality when basically its approach to international policies is quite Machiavellian. Conversely it is disturbing to me that our Nation, which repudiates naked power politics, is utterly silent on this question. Fortunately, however, I believe that our true intent as to our basic moral position is generally known and more often than not reaches the peoples of the world. For example, few people anywhere believe that the United States used biological weapons in the Korean war. However, the effectiveness of the propaganda of the Chinese Communists about our use of such weapons during the Korean war was in the planting of suspicions of its use. If the United States was now to change its chemical and biological warfare policies, we will have both added fuel to the propaganda mills of the Communists and strengthened their false charges about our use of such methods during wartime.

Mr. Speaker, there are many questions about CBR which go unanswered. We do not know whether we can, in fact, develop a successful civil defense to a CBR attack. We do not know whether any kind of international agreement could be implemented in this field. It is questionable whether having these awesome weapons on hand will act as a deterrent to attack.

However, I believe that there is an answer to the question of preemptive use of chemical and biological weapons. We should not accede to the judgment of the certain military officers who want the right to the use chemical and biological weapons as preemptive attack weapons. We should not accede to the wishes of those in the Defense Department who want to change the policy restated by President Roosevelt in 1943, at the height of World War II, that we would not under any circumstances use chemical and biological weapons unless first used by our enemy. I feel that now is the time that we must reevaluate, before it is too late, where we are going in the field of CBR.

It is now imperative that we as a nation follow our history and good sense in not using chemical and biological weapons for preemptive attack. Although it is important to be prepared in this field, if the facts show this as being a necessity, we must not fall into the propaganda and moral trap which the Soviets have laid for us.

Mr. Speaker, we are losing the propaganda battle, and unless we are willing to express publicly a moral national policy on this issue we will be creating the impression that we are oblivious to the horrors that these weapons bring if unleashed. I do not believe the American people want such a state to come into being. Because of this, and because of the urgency of the problem, I am introducing today a concurrent resolution which will reaffirm our policy of nonuse of biological and chemical weapons unless they are first used by our enemy. This, I believe, is what the peoples of the world are waiting for us to say. This, I believe, is the way our historical heritage and our moral values can be reaffirmed.

Therefore, I conclude that while we are constrained to develop these weapons qualitatively, and quantitatively at an increased rate, we must concurrently reaffirm and announce as an ethical notion our resolve not to initiate use of these weapons in war or in peace.

We cannot allow the concept of survival to obliterate our spiritual and moral values, for if we do survival will have no meaning.

Mr. Wolf. Mr. Speaker, I want to congratulate the gentleman from Wisconsin (Mr. Kastenmeier) for the excellent resolution he has introduced today. I think his statement on the subject will clarify the point for the people of America, and I feel deeply that his resolution deserves serious and immediate consideration. I, too, have been vitally concerned about the danger of chemical and biological warfare, and I pray that somehow we will be able to avert the use of these terrible weapons in war. It should be pointed out, however, that the Soviet Union seems to have a strong program of development and production in the chemical, biological, and radiological area. Coupled with the great number of Soviet submarines—500—which have missile launching capabilities, and the fact that chemical and biological weapons may be attached to these missiles, we must be on our guard both as to our civil defense in this area and as to development of our own weapons as a deterrent.

It should be made clear, however, that we must take every reasonable step toward reaching agreement with the Soviet Union on chemical, biological, and radiological weapons.

Again, let me congratulate the gentleman from Wisconsin for calling the attention of the Congress to this vital subject.

Mr. Meyer. Mr. Speaker, will the gentleman yield?

Mr. Kastenmeier. I yield to the gentleman from Vermont.

Mr. Meyer. I would like to congratulate my colleague from Wisconsin for an excellent presentation. As we know, he is one of the new and younger Members of the Congress. By my association with him I have found him to be a very serious person who has done a lot of hard work, a lot of extra work, thinking about problems that have to be thought out, seeking solutions. I know that he has many good and many progressive ideas, and I am very happy to be associated with him and to congratulate him for his statement. With my own background, with some study in pathology, and with my work associated with quite a few biological scientists and chemists, some of the leading ones in the country, I know, through my own experience, that this field of biological and chemical warfare can present problems that will be of great concern to the American people and to the people of the world. We can only hope that these new weapons may never be used. We can also hope that through a coordination of effort we may prevent the use of these weapons and that we, the American people, as a people dedicated to peace and the welfare of all peoples, will be willing to take that step and say that we will not first use weapons of this type to bring about future great horrors to people all over the world. And I want to say again that I congratulate my colleague and friend for his excellent presentation and for the great service he is performing in bringing this matter to our attention.

Mr. Kastenmeier. I thank the gentleman.

Our Chemical, Biological, and Radiological Policies Are Morally Indefensible

Mr. Hechler. Mr. Speaker this body yesterday had the opportunity of listening to a wise, factual, and thought-provoking speech by my distinguished colleague from Wisconsin [Mr. Kastenmeier] on the increasing emphasis being placed on the Nation's development of chemical, biological, and radiological weapons.

My colleague, who has obviously devoted a great deal of research, study, and thought to this grave subject, expressed very precisely and thoughtfully the sobering moral issue which is parallel to and rising in importance with the accelerated development of these weapons.

I wish to concur fully with this able presentation, to congratulate my colleague on the excellence of his presentation, and to commend the reading of his remarks to every Member of this body.

I particularly want to applaud the gentleman from Wisconsin for the emphasis which he placed on the deplorable, but apparently growing tendency of our military leaders who are charged with the development of this program to disregard the essential inhumanity of these weapons and to attempt to sell them to the American people and to the world as clean or humane.

I also heartily concur with his deep concern over the abandonment by these same officials of the principle that the United States must use its strength and military might only for defensive and retaliatory purposes.

While these generals decry the notion that they might ever be accused of advocating preventive war, they speak piously against agreements "that if we are going to fight we are going to do it with our hands tied behind our backs," and urge that "we must change our policy, which is that we do not hit back until you hit us."

These pseudo sabre rattlers describe this recommended policy of striking first if it is evident that an enemy is about to strike us as preemptive war.

Mr. Speaker, I submit that it is self-evident that preemptive war is nothing more than preventive war. They are all policies that are totally alien and unacceptable to a democratic society filled with the fervent desire for real, lasting peace throughout the world.

The attitudes of many of our military leaders who now or in the past have been directly associated with the development of chemical and biological weapons is morally outrageous, and wholly indefensible in a world already groping for a solution to the awesome nuclear stalemate.

These individuals, of course, are entitled to their opinions. However, in the powerful, secrecy-cloaked offices they administer, they are given unique power to activate their philosophies in a manner that, I am sure, is detrimental to the welfare of the Nation and mankind.

Expressions of this frightening philosophy and actions which have sprung from it, have come frequently to my attention in hearings held before the House Science and Astronautics Committee, on which I am privileged to serve.

Maj. Gen. William M. Creasy, former head of the Army's Chemical Warfare Corps, for example, scoffed at the very concept of disarmament negotiations in response to a question I put to him at one of these hearings. He went so far as to question the wisdom of disarmament discussions even in the field of nuclear weapons.

Yet just a few moments earlier he had conceded that he would use nuclear weapons to devastate four places in the Soviet Union if the Communists should start any more "brushfires" or regional agitation.

But at the same time, General Creasy was describing the biological and chemical agents which the Army is developing as "humane," and saying that they were designed to prevent war as deterrents.

Under unanimous consent, I submit the following excerpt from hearings before the

House Committee on Science and Astronautics on June 16 and 22, 1959:

"Mr. HECHLER: 'It is not the province of this committee nor do I want to get you into any discussion of high policy strategy here, but I was disturbed a little by what you inferred about outlawing these weapons, and I would just like to ask you, are you in favor of disarmament, providing it is gangsterproof, providing you have guarantees?'

"General Creasy: 'Yes, sir; I would like utopia, also.'

"Mr. HECHLER: 'The way you answer that question——'

"General Creasy: 'I just don't believe it is practicable. I think your basic premise is you are dealing with people of integrity, and since your contract is no better than your judgment of the integrity of the people who made the contract, clearly a contract of this type would be self-voiding.'

"Mr. HECHLER: "So, in other words, you believe not even in the nuclear field our Government should carry on negotiations for disarmament?'

"(No response.)

"Mr. HECHLER: 'I don't want to press this too far, except I would like to relate your answer to this whole area that we are discussing.'

"General Creasy: 'I don't believe I could qualify myself as an expert in that area, but I think it is a fruitless exercise.'

"Mr. HECHLER: 'I can't get it through my thick head how it prevents a war to start a war. Here I think we might get into a rather long discussion which we could draw out at length which would not be profitable to this committee. But I do think it is dangerous and borders on the irresponsible to suggest this.'

"General Creasy: 'Yes, I think I dissavowed any intention of talking about preventive wars. But you prevent wars by occupying a position, a posture, if you will, as well as a position, that makes it undesirable for other people to start wars with you.'

"Your posture is the thing that keeps him from wanting to slug it out with you. But your relative position must also be maintained. If you permit him to push you further back into a corner, whether he does this geographically or financially, you have lost the war.

"Someplace in this series of withdrawals, he has really struck this blow. He has started this war. I think we must further define what this point is."

Mr. Speaker, I firmly believe that more information about our potential in the CBR field must be made known to the American public and to the peoples of the world. Likewise, the American people and other peoples must be informed of what the Soviet Union and her satellites are doing in this area. On the one hand we are advertising these awesome, terrible weapons as deterrents to war, and on the other simultaneously denying the world all but the sketchiest of details about them—and this usually disseminated in the lurid, sensationalized format of the Sunday supplement.

If we are truly developing these weapons to discourage the Communist bloc from ever daring to make war upon the free world, then where is the wisdom of keeping any information which might indeed deter an enemy in the darkest and most heavily guarded classified file?

And if an enemy knows nothing of the potential which we have developed or are developing, how can the generals possibly suggest that the primary nature of these weapons are defensive or deterrent?

I am not suggesting that we strip our work in this area nude to the point that the technical or academic details—which might be of value to an enemy—are even remotely visible. But even the Military Establishment, with its preoccupation for secrecy, surely could give out enough information to justify the repeated insistence that theirs is a retaliatory operation.

Now if it seems illogical to say we are scaring the Communist hobgoblin away by not mentioning a word about the weapons which we possess for the alleged sole purpose of scaring him—and this does indeed seem highly illogical—at least it is no less senseless that the concurrent policy of keeping our own people in the dark about the weapon which might be used against them.

We can hardly conceal discussion of our own progress in the field without belittling and discrediting any progress by the Russians in the same line.

Thus our own people are denied the information that might some day save their lives. I assure you that the same is not true in the Soviet Union.

Another hearing of the Committee on Science and Astronautics brought out the startling information that possibly today even more than 30 million people in the U.S.S.R have been trained and have become imbued with the need for this defense, CBR-wise, among the civilian population. That statement was delivered by Dr. Nathan Gordon, Chief of the Army Chemical Corps Intelligence Agency.

And the present director of the Chemical Corps, Maj. Gen. Marshall Stubbs, said that "the Soviet civilian population receives thorough training in defense against chemical and biological warfare."

How many Americans have been similarly trained to protect themselves against this exotic new means of visiting death or incapacitation against our people? Thirty million? Thirty thousand would be an overly ambitious estimate, I would imagine.

But while the leaders of this program see the necessity for such a program of civil defense, virtually nothing has been done to instrument such a program. I must admit here that from the hearings we have held, it seems evident that some efforts have gone into protecting the lives and maintaining the combat effectiveness of our soldiers, but this is little comfort to the civilian population, who certainly would become the major casualties in any widespread chemical or biological attack.

From a standpoint of sheer survivability, it seems incomprehensible that some of our leaders would suggest preemptive use of CBR weapons against a populace well trained to cope with them, knowing full well that the enemy would retaliate with similar weapons against an American people ill trained and uninformed about the horrors of chemical and biological warfare.

I think there has been a feeling that we have not had the national leadership in the past few years in order to lead the people, pinpoint their thinking and really to stir their feelings about the absolute necessity for disarmament and peace. I think that this, very frankly, is the job of the President of the United States. And I think that he could help to wake up our people to the dangers of CBR warfare and alert them to the need for planning defenses against these horrible weapons.

Recently, I had an opportunity to appear in a taped interview with correspondent Tris Coffin, discussing the moral and strategic aspects of this terrible new form of warfare. Under unanimous consent, Mr. Speaker, I insert the text of this interview in the RECORD following my remarks.

"Author, Columnist, and Radio Correspondent Tris Coffin: 'How is your moral fiber tonight? Well, the Army has found a way to tear it down completely—quite simply and cheaply, too. It's all part of a delightful new program which is being presented to the taxpayers in little, sugar-coated drops, and it's known as CBR. This stands for chemical, biological, and radiological warfare.

" 'It was arranged to have the chemical warfare boys spread their tray of goodies before the House Science and Astronautics Committee. The committee was told that CBR is capable of tearing down the moral fiber of men, altering human behavior, and killing people with no mess at all.

" 'One witness, a major general, described a psychochemical drug in these words: "There's a material in the human system that acts as a transmitter of a nerve impulse from one nerve joint to another. The nerve gas stops the production of this material and you do not have any nerve transmission. If this happens to nerves around the heart, the heart constricts and stops."

" 'One member of the committee was particularly startled at the prospect of the Army chemists' brave new world. He is Congressman KEN HECHLER, of West Virginia, a former Princeton professor and White House assistant. I asked him if he did not think that the testimony was not like Aldous Huxley's famous fantasy, "Brave New World." The Congressman replied, on tape recording:

"Mr. HECHLER: 'Well, it certainly was; and just sitting as a member of the Science and Astronautics Committee hearing about these new and terrible forms of warfare can be quite a depressing experience. I think that the reaction of some of the members of the committee was a little bit different. Others seemed to feel that this would provide a powerful new weapon in America's arsenal, but my own reaction was different. Looking at it from the standpoint of humanity and civilization itself, what steps are we going to have to take in order to protect not only our own country but all of civilization against its destruction?

" 'Now, to my mind, it's very different to think in terms of a "clean" bomb or "dirty" bomb or certain types of warfare that are more or less destructive than others and therefore more or less humane. Naturally, all types of warfare are inhumane. Yet, it seems to me that this is an extension and a new type of warfare that's going to mean taking a lot of educational work on the part of our civilian defense to alert our people as to what is involved.

" 'In addition to that, it's a great challenge to our social scientists, international lawyers and others who will have to figure out means of getting this within the framework of our thinking on international disarmament.'

"Mr. Coffin: 'What are some of the types of CBR that were displayed or discussed before the committee?'

"Mr. HECHLER: 'There were several types. There are the so-called nerve gases, which in a sense change a person's personality and cause him to lose the will to fight. Then there are the more destructive agents which, if they touch the skin, can cause death in a very, very short space of time; or, if they even get on the clothing, can cause death in a few minutes.

" 'There are agents which can be sprayed very easily from the exhaust of motor cars or motor boats, without any visible sign as these death-dealing agents are dispersed among the populations of our cities or military installations.'

"Mr. Coffin: 'I detected, I thought, just an example of the "soft sell" when General Creasy was testifying.'

"Mr. HECHLER: 'I wasn't exactly sure what you meant by that phrase, the "soft sell," Tris. What do you mean?'

"Mr. Coffin: 'Well, I mean he used the word "humane" so many times as if this were something that ought to be taken up and accepted by mankind.'

"Mr. HECHLER: 'This has been a tendency, I notice, among all chemical warfare officers. When I was in the infantry during the war, and we were going through basic training, the chemical warfare office assembled us and tried to get every member of our outfit to admit that the use of gas was more humane than any other type of warfare.'

"Mr. Coffin: 'Congressman, you also spoke about social scientists. Is there any way in which we can start from the beginning and, in effect, teach mankind that war is—as you suggest—inhumane and that we had perhaps start working from the bottom to learn how we can eliminate it.'

"Mr. Hechler: 'I think this is highly important, Tris. You know we recognize the necessity of catching up with Russia in the training of our scientists, engineers and others who can aid in the defense of the country, by producing more death-dealing missiles and agents of war. It seems to me that equally important is the training of social scientists in the ideals and imagination that can enable us to control and live in a better world. This is a challenge to social science and it's a challenge to civilization to produce this kind of thinking that has the idealism and the willpower to move ahead and make this a safer, better and more peaceful world.'

"Mr. Coffin: 'I think that one problem is that peace is never presented as very heroic to people. We put up statues of our generals and write our great epic poetry about wars.'

"Mr. Hechler: 'That's true. You may recall William James' book entitled 'The Moral Equivalent to War.' During wartime people feel a great sense of patriotism and national unity. Peace is a hard thing to come by, and it's for this reason, I think, that we are going to have to stir up the spirit of the people to realize that peace on earth, good will toward men is one of the greatest ideals that we can strive toward.

"Mr. Coffin: 'As a Congressman, of course, you are very close to the people. Do you find that there is an underlying hope among people in your own district whom you talk to for peace, so we won't have to use all these weapons?'

"Mr. Hechler: 'It's a rather vague hope, Tris. I'm afraid that people tend to be a little pessimistic about the future. They rather vaguely hope that something may come out of it, and there's a feeling that we haven't had the national leadership in the past few years in order to lead the people, pinpoint their thinking and really to stir their feelings of the absolute necessity for disarmament and peace. I think that this, very frankly, is the job of the President of the United States.

"I believe he's made some fine general speeches about disarmament, but on this question we were talking about—chemical, biological, and radiological warfare—the President has not really informed the American people of what these issues are. And he has not informed them of the nature of the challenge in trying to produce a peaceful world.'

"Mr. Coffin: 'I read a memorandum—I suppose it's supposed to be confidential—by Arthur Schlesinger in which he suggested that the people a few years ago were not ready to be led, but they are coming to the place where they are seeking leadership. Do you think that's true?'

"Mr. Hechler: 'Yes, I think there's a great deal of that. Of course, after World War I, we had an opportunity to rest for a few years. And then during World War II, the people were stirred to quite a great pitch and then they were left emotionally tired after the war. During the late 1940's and the 1950's their noses were kept to the grindstone by the worst cold war in history followed by the worst and most frustrating limited war in history, in Korea.

" 'As a result, there was a great tendency to want to let down at some point, and I'm afraid that this letdown, which I feel has occurred in our national leadership, has really hurt us over the past few years. Yet there is a certain ferment which I believe portends a new feeling on the part of the people that we can and must move forward. What we need now, of course, is national leadership and I believe that that can be supplied only by the White House itself.'

"Mr. Coffin: 'Thank you, Congressman Ken Hechler, for this thoughtful discussion. This is Tris Coffin.' "

FRASER KENT ON "BLACK LUNG"

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, the Cleveland Plain Dealer during the period February 16 to 20, 1969, printed several excellent articles by Fraser Kent which I believe deserve the consideration of all Members as they ponder the effects of this dread disease among coal miners. A reading of these articles should spur new support for the pending legislation on coal mine health and safety:

Officials Ignore Deadly Lung Ills of Coal Miners

(By Fraser Kent)

The coal miners call it "black lung."

Their doctors describe it as a pneumoconiosis.

Either way, it's a disease that affects thousands of miners, crippling some and hastening the death of others. It results from fine coal dust clogging and shriveling the lung.

There is no known cure, nor any way to reverse the damage.

According to a survey by the U.S. Public Health Service, 125,000 miners (working and retired) have the disease.

In Ohio, State officials say "there is no such thing."

It is not generally covered by workmen's compensation, because it may first appear long after the miner has quit work underground.

The United Mine Workers has done so little to protect its members, West Virginia miners recently asked the national union president to come to that state to answer charges of neglect.

Coal operators have reduced coal dust levels, but not to the point where it will no longer cause black lung.

The U.S. Bureau of Mines takes no responsibility for health measures underground, but limits itself to safety precautions. It conducts dust counts to prevent explosions, not to prevent black lung.

The Public Health Service collects mine data, and sponsors conferences on coal workers' pneumoconiosis. It is powerless in the coal mines.

The Ohio Bureau of Mines has done nothing. It, too, is concerned only with the miners' safety.

Ohio Department of Health personnel aren't allowed into the mines to inspect them for health hazards.

Meanwhile, coal miners die from chronic lung diseases four times as often as do other American men of the same age. The percentage of miners dying from these diseases has more than doubled in the last 20 years.

If statistics from other states are valid for Ohio, there should be more than 4,100 miners—past and present—who either have X-ray evidence of black lung, or have been disabled by it.

About 165 Ohio men die from black lung and its complications every year, if the national figures apply here.

In 1965, there were actually 228 "dust deaths" in this state. That would include jobs in dusty trades outside of the coal mines, but the figure has been cited to support the argument that Ohio miners suffer from pneumoconiosis at about the same rate as those in other states.

National interest in black lung comes at a bad time for the coal industry, which must recruit 49,000 miners for the 100 new mines that are expected to open within the next five years.

Although pneumoconiosis is serious enough in itself, it is only a small part of the national problem of industrial health. According to Dr. Philip R. Lee, assistant secretary of the Department of Health, Education and Welfare, more than 300,000 workers are disabled each year as a result of occupational disease.

He said it wasn't because of greed or laziness, but because of ignorance.

You may not want to read this with your morning coffee. But this is the story of penumoconiosis. Or black lung. The disease that is ignored in Ohio's coal mines, because "there is no such thing."

Deadly Black Lung Is Incurable

(By Fraser Kent)

If you live in a city, breathing the polluted air and smoking two packs of cigarettes a day, you have blackened lungs.

They may not be as healthy as a farm baby's bright pink lungs, but the chances of this crippling or killing you are far less than those reported for a coal miner's "black lung." Or coal worker's pneumoconiosis, the internationally accepted medical term.

Those who minimize the long-term impact of breathing coal dust eight hours a day are quick to talk about the evils of air pollution and smoking. This is particularly true in the Industrial Commission of Ohio, which handles workmen's compensation, and in the state's Department of Industrial Relations, which supervises mining.

The disease is covered by workmen's compensation laws in three states, but not here. If black lung were covered, no state agency could enforce methods of preventing it, because none has the authority.

The disease is not new or exotic. It has been recognized for 150 years.

Emile Zola described its effects in "Germinal," a novel about French coal mining in the 1880s. And it has been described dozens of times in medical journals.

There are many types of pneumoconiosis, which literally means "reaction to dust in the lung" and is pronounced newmoconeyosis. Types are classified by the cause, appearance of the lung and other physical effects, and the origin of the dust and its chemical, physical or toxic properties.

Among the most common of the offending dusts are those from silica, asbestos, aluminum, mineral talc, iron, cotton and moldy silage.

Coal worker's pneumoconiosis is found both in miners and in those who work on coal boats. It is believed to result from fine dust being breathed deep into the lung where it accumulates.

Removing a man from the dusty environment has been found to stop the disease from getting worse, although there is no cure.

The problem was first reported when solutions to the problems of ventilation, lighting and flooding permitted miners to go deep into the earth. The disability was first called "miner's asthma" and was stoically accepted by workers and doctors as part of the job.

It has since been found in every coal mining country in the world. At the start of the 20th century, improved ventilation in the coal mines was said to have practically eliminated black lung. Coal dust was described as "inert" and "non-toxic," and was said to cause little or no damage to lung tissue.

In fact, some experts claimed it was not only harmless, but could be beneficial. For example, coal dust might prevent tuberculosis from entering the lung. That view is seldom heard today.

"It would seem obvious the lung cannot become a dust trap and still retain its normal structure and function," argues Dr. Lorin E.

Kerr, medical officer of the United Mine Workers' welfare and retirement fund.

Around 1915, silica dust was first recognized as a dangerous substance to inhale, and silicosis became an occupational disease for which compensation was paid. This has complicated things, Dr. Kerr believes, because the definition of silicosis now excludes all other coal dusts from the danger list.

"As far as many lawyers and physicians are concerned, silicosis is still the only important occupational respiratory disease," he said.

This "maverick view" is held by Dr. Benjamin Felson, professor and director of Cincinnati General Hospital's department of radiology.

"Coal worker's pneumoconiosis is probably the same disease as silicosis," he wrote recently in Seminars in Radiology, of which he is the editor.

"All the X-ray manifestations of the two conditions are identical to my eye, and whereever coal miners get the disease, there silica also lurks in potentially hazardous concentration."

D. H. S. Van Ordstrand, head of the Cleveland Clinic department of chest diseases, agrees it is difficult to tell the difference between some types of silicosis and black lung and notes one man may have both.

But he also agrees with the majority view that the diseases are different and distinct.

This concept was first proposed in the 1930s, when British radiologists found lungs that had been damaged by something in the coal dust other than silicia. This was called "pseudo-silicosis" or "anthraco-silicosis."

Finally, it was determined the unknown agent was the coal dust itself. It not only produced jet-black spit (which can continue 20 years after the worker leaves the mine) but explained the strange X-ray findings that could not be traced back to silica dust.

It was apparent that with every breath, the miner was sucking microscopically small particles of coal deep into his chest.

Bits of dust, 1/5000th of an inch across, were imbedded in tissue and gradually clumped together to form constricting "cuffs" of coal around the lung's tiny air and blood vessels.

In most cases, the problem stops there. The miner has no symptoms, and the condition may be found only if the black-speckled lung is examined at autopsy.

When researchers say 80% of coal miners have "some evidence" of black lung, they do not mean this percentage is handicapped by it.

On the other hand, the disease can progress to forms of bronchitis and emphysema. Eventually, air can not pass easily through the constricted air passages of the lung, and the miner finds he becomes short of breath just walking uphill. He may dismiss this as middle age, and his doctor will tell him to cut down his smoking.

Again, it can stop there. In fact, it may halt at almost any stage; there is nothing inevitable about black lung until it reaches the most complicated stages.

But if the disease continues past the early "breathless stage," there is a shrinking of tissue and an enlargement of the lung's tiny air sacs. Their walls may break down, opening one sac into another and then another, so that an autopsy reveals a lace-like pattern.

Not all the changes are recorded on the X-ray; some are seen only on autopsy.

"Some radiologists who aren't familiar with the characteristic appearance of pneumoconiosis are inclined to regard the changes as trivial and not necessarily diagnostic of the disease," Dr. Kerr said.

"But 30 years ago, leading radiologists considered the X-ray appearance of asbestosis to be within normal limits."

When the disease reaches its most advanced stage, fibers have formed in the tissue at the edge of the lung, producing dark, firm and rubbery masses. The lung continues to disintegrate into shredded fragments of useless tissue.

Meanwhile, there has also been a strain on the right chamber of the heart, which receives blood from the veins and pumps it through the lungs to get a fresh supply of oxygen.

Dr. Hawey A. Wells Jr. of Beckley, W. Va., has described the process as "a pile of coals being heaped on the small arteries of the lung," because the dust also blocks those blood vessels.

Eventually the right heart fails, due in part to the obstructed lung and in part to a lack of oxygen in the blood that feeds the heart muscle. In this respect, pneumoconiosis is the same as many other lung disorders—in fact, the problem mimicks many other well-known diseases, making diagnosis difficult for the doctor who is not aware his patient once worked in a coal mine.

This can be a problem in Cleveland and other industrial centers. Many miners who can not continue to work underground leave the mining areas to find other work in the city, and are then treated by doctors who have never encountered black lung. In mobile America, there is no longer any local disease.

This picture of black lung, drawn from the medical literature, is still the subject of medical controversy. Many experts argue against such an overly simple explanation, and point out that many miners develop no such condition. Why?

Those who are most active in research agree there are many factors involved: the concentration of dust in the air, the period of the miner's exposure, his breathing rate, his smoking habits, his actual job in the mine and outside infections.

Another factor may lie in the lung itself, suggests Dr. Edgar Mayer of New York.

"The lungs," he said, "have remarkably efficient mechanisms for self-cleansing which protect the vast internal surface which is constantly exposed to vast quantities of foreign material.

"It is logical to assume that this complex function if probably compromised in pneumoconiosis, which would be best described as a failure of the lung's self-cleansing function."

If this theory is valid, the problem might be solved by finding a way of measuring this mechanism, as a guide in the hiring of miners.

Impatient with any theoretical discussions that may delay action on black lung, some mine-area doctors dismiss such details as "academic fine points."

Dr. Wells said, "If a man has been in the mines for 20 years and has a chronic lung disorder, he should be taken out of the mines and compensated for his illness, regardless of whether it's silicosis or anthracosis or anything else you call it."

A Public Health Service study found 9.6% of working miners and 18.6% of former miners had some X-ray evidence of black lung damage. This is a frequently quoted study, even though all the results have not yet been published.

It was designed to define the problem by combining X-rays with tests of lung function. One part of the study involved a cross-section of 2,500 working miners and 1,200 retired or disabled miners, ranging in age from 35 to 64.

It was impossible to link X-ray evidence to symptoms, nor could the PHS establish levels of disability "in absolute terms," said Dr. William Lainhard, director of the PHS laboratory in Cincinnati.

However, the lung function test results could be correlated to age, the number of years underground, and symptoms.

If these findings can be extended to the 137,000 soft-coal miners in the United States today, about 13,150 men now working underground have damage to their lungs visible on X-ray. Of these, about 350 are in Ohio mines.

A man who works in the mines longer has a greater chance of lung damage. In this study, 4% of those with 10 to 19 years of underground work had the disease, while 8.6% of those with 20 to 29 years exposure were afflicted.

Another part of the study dealt with nonminers in the same districts and with the wives of miners and nonminers. None was found to have much evidence of black lung.

Another Ohio study looked just at 153 miners with X-ray evidence of black lung. It was conducted by Dr. Milton D. Levine and Dr. Murray B. Hunter, who both then practiced in Bellaire.

They eliminated those who had heart disease and those who did not return for follow-up studies. The remaining 60 miners were matched, by age, with another group of 74 miners with no X-ray evidence of black lung.

In the study group, 32 had physical symptoms of chest disease and only eight still worked in the mines. In the control group, 23 had chest complaints and 22 were still working underground.

Breathlessness was noted in 37 of the study group, and 22 of the controls; a chronic cough was reported in 44 in the study group and 25 in the controls. Some emphysema was found in 48 of the study group (including all complicated cases) and in 34 of the controls.

The Bellaire doctors also reported that 20 of the pneumoconiosis patients—and none of the controls—had a swelling of the heart, apparently resulting from an obstructed lung.

Dr. Levine has since left Bellaire. His successor, Dr. T. H. Korthals, said last fall he had not yet seen a case of black lung. "The men I see—about 10 a week—have a breath restriction that isn't much more than that seen with heavy smoking. My impression is that three packs of cigarettes a day are more of a threat than coal dust."

Only four years ago, the Bellaire findings of heart damage were supported with sensitive new cardiac tests. Dr. Harold B. Warren visited the Appalachian Regional Hospital in Beckley, where pneumoconiosis studies had been under way for some time.

The cardiologist was working with a technique that shows the size and direction of blood flow within the heart. In coal miners he found an unexpected shift, indicating that the right chamber of the heart was meeting some resistance as it pumped blood to the lungs.

Dr. Wells argues this research indicates "tremendous vascular damage," and suggests that many cases are missed because the patient apparently died of heart failure. Sometimes, too, the disease is confused with lung cancer.

"It isn't recorded as the cause in many deaths," agreed Dr. Kerr, blaming this on "an awful lot of doctors who don't understand the disease or don't believe it exists."

Dr. Donald Rasmussen, a pulmonary disease specialist at Beckley, has tested 3,000 miners, measuring heart and lung action while the man is exercising. He found changes in heart action which escaped ordinary diagnostic techniques and is convinced that the "primary lesion" of pneumoconiosis is in the lung's small arteries.

If this can be proven it might be possible to develop a procedure that would identify black lung in its earliest stages, before breathlessness.

Some such early diagnosis is needed, because of the slow and insidious onset of the disease. Once it appears, doctors can only treat the symptoms and minimize the infections that can be hazardous for anyone with a chronic lung disease.

Because it is often not recognized while the miner is still working, it can be hard to establish a clear-cut cause and effect.

Black Lung Vexes Mine Bosses, Too

(By Fraser Kent)

Americans have long known how dangerous coal mining is. In the last 60 years, about 90,000 men have died in coal pit accidents. In the last 30 years alone, more than 1.5 million men have been hurt in the mines, including about 50,000 permanently disabled.

Until recently, there was little notice of "black lung or coal workers' pneumoconiosis, which also cripples and kills miners in every coal-producing country around the world.

Ohio's 123 underground soft coal mines are centered in Belmont, Harrison and Jefferson counties, stretching out in a southwesterly strip to Lawrence County in southermost Ohio. In 1967, there were 3,563 men in these mines, many of which are two or three-man operations.

These small mines will find it particularly hard to install new equipment to lower dust levels to healthy limits. The owners don't have the expertise or the funds to detect health hazards, nor can they contribute much to research programs.

According to Ford Sampson, an Ohio Coal Association executive, the owners are as upset by the black lung problem as are their workers. Unlike state officials, they recognize the problem but feel powerless to deal with it.

"In addition to the human values involved the owner is concerned if only because he pays the cost of recruiting and training a worker who must then quit," Sampson said. "If the man can't work at top capacity because his breathing is impaired, there is less efficiency in the whole operation.

"The owners want to do something, but they're waiting for federally sponsored research to show them what must be done."

The "black lung crusaders" aren't convinced by such statements. They insist that the mine operators have hidden the problem out of sight for years, intimidating company doctors and miners who complained about the effect of coal dust in the lungs.

Commenting on wide variations in reports of pneumoconiosis, Dr. Hawey A. Wells said the most important factor "is not the quality of the coal being mined, nor the region from which it comes, but the effort—or lack of it—made by the individual mine operators to control dust."

His colleague, Dr. I. E. Buff, is even more caustic. "Their attitude is easy to illustrate," he told a congressional committee. "I asked the owners of eight mines I visited to install chemical toilets underground.

"They calculated it would cost 25 cents per man per day, and turned it down as too expensive. If they won't pay that, imagine them spending, say, $3 per day for dust suppression."

Right now, the most serious problems arise not in the small mines, but in the large, mechanized operations. "Continuous" mining is done with a mechanical cutter that has revolving heads which corkscrew their way through the vein, clawing the coal out and stuffing it on to a conveyor. The process rips the coal seams apart at a fast—and dusty—rate.

There are three ways to lower this dust, said Kenneth M. Morse, director of industrial hygiene for the U.S. Steel Corp. "You can prevent the dust from being generated, you can knock down the dust that arises, and you can pull the dust away from the worker, or dilute it."

The first two steps involve using water sprays on the cutting edge of the bit at the face of the mine and spraying the mine floor and conveyor. Improved machine design might also help.

The third condition is met with high-vacuum ventilation that sweeps the mine face with air, to remove both dust and gas.

Respirators and nose-mouth masks have been worn to reduce levels in the lung, but they haven't been satisfactory. "Many of the men chew tobacco, and they can't spit it out with a mask around their face, so it ends up around their neck all the time," Sampson said.

The men complain that the masks block their breathing; this is particularly difficult for any worker with an impaired lung.

And finally, the dust found in a black lung is so fine it passes through the masks. Remember, you can place 5,000 of these particles side by side in one inch.

To prevent explosions, the safe level for coal dust is five million particles per cubic meter of air for 40 hours a week, for a lifetime. This represents about 50,000 milligrams of dust per cubic meter.

The Public Health Service is aiming for a level of 3 or 4 milligrams per cubic meter (mgkm) which would be almost dust-free by present standards. This level was set on the basis of British experience which coal companies say (as they have of almost all British black lung research) may not be applicable in the United States.

Morse said that moving from the present to the proposed level is "like jumping off a 1,000-foot cliff," and argued for a steady, gradual reduction of dust "to levels that can be reached by almost all mines, and moving forward from there."

Even, then, he added, it will be "difficult" to reach 4 mg-cm and "almost impossible" to hit 3 mg.

Public health officials argue that it is not much harder to cut levels to 3 mg. than it is to reach 100 mg or 50 mg. Once steps have been taken in this direction, it is just as economical to go all the way.

This, too, may not be enough, said H. B. Charmbury, secretary of the Pennsylvania Department of Mines and Mineral Industries. Rigid inspection is needed to achieve "total control" of dust levels (without waiting for the mine owners to invite an inspector in) and enforcement must be strict.

Such inspection may require new ways to accurately measure and analyze coal mine dust. Then it would best be done by an industrial hygienist—but this poses a problem here.

Harold C. Cutter, secretary of the Northeast Ohio unit of the American Industrial Hygiene Association, reports there are only about 130 hygienists in the state, including about 50 in U.S. Public Health Service laboratories in Cincinnati. Ohio now employs seven industrial hygienists: four in the Department of Health and three in the Industrial Commission. There is none in the Bureau of Mines.

Which brings us to the state's role in this problem. When asked about the problem of black lung, William O. Walker, director of the Department of Industrial Relations (of which the Bureau of Mines is part), said flatly, "There is no such thing."

Even if he were aware and concerned, Walker has no authority to order a reduction in coal dust, such as that needed to curb pneumoconiosis. His inspectors deal only with safety hazards.

(By the way, Ohio has 79 industrial safety inspectors in all departments, and 109 game wardens.)

"Our inspectors are concerned about the workers' health, though," Walker said. "I mean, a worker isn't safe if he isn't healthy, and he isn't healthy if he isn't safe." But he agreed nothing is done to lower dust levels below those set as safety standards.

Nor can the Ohio Department of Health take action. Its authority stops at quarries and its inspectors cannot enter the underground mines.

Ultimately, the disabled worker might seek workmen's compensation. Then he enters the jurisdiction of M. Holland Krise, chairman of the Industrial Commission of Ohio. He believes all black lung is silicosis, and still uses the term "anthacosis."

He also insists that "everybody has some black lung, from smoking and things like that."

Appearing before a congressional committee on industrial health and safety last year, Krise said "Ohio votes no" to federal intervention in such things as mine health. The government wouldn't do a good job, he said; it is unable even to make the streets of Washington safe.

Anyway, Krise added, there is no need for help with mine health because the state "can do a far better job" than the federal government. He didn't say how this was being achieved.

Workmen's compensation specifically covers black lung in Virginia, Pennsylvania and Alabama. In Ohio, it is included as "a disease peculiar to a particular industrial process, trade or occupation . . . to which an employe is not ordinarily subjected or exposed outside of or away from his employment. The compensation terms are almost the same as for silicosis.

To date, there have been three applications for such compensation from workers in all Ohio industry. The Bellaire study, alone, uncovered 52 men unable to work in the mines because of pneumoconiosis.

Dewitt Huffman, of the State's Division of Safety and Hygiene, believes many applications for black lung compensation have been disguised as silicosis claims. Between 1962 and 1966, 31 silicosis claims were submitted. It isn't known how many were "verified" and "accepted."

In this state, the worker files a claim and this is verified by an administrator of the Industrial Commission. It is then referred to a review board, which conducts a hearing. That decision may be appealed either by the administrator or the claimant. The claim then goes to the Industrial Commission for a final ruling, which cannot be appealed in common pleas court, as can injury claims.

The worker must prove he was exposed to coal dust for at least three years, that he contracted the disease in the course of his work, and that the disease has produced total disability within eight years of the last exposure.

(Black lung and silicosis may not even be diagnosed in that period, let alone incapacitate a miner.)

There is no provision made for partial disability: that is, when a man is no longer able to work in a mine but may be able to do light work elsewhere. If he's not a total black lung cripple, he gets nothing.

In any case, workmen's compensation takes care only of an already bad situation. George F. Meany, AFL–CIO president, puts the point this way:

"When I was seeking legislation to set up a state department of industrial hygiene in New York, a state senator told me I was crazy, that I was not protecting my people.

"He said, 'Why, you get a much better verdict in common law in these silicosis cases, than by putting these people under compensation. You can't lose the case. The lungs are petrified. You lay the lungs on the table before the judge and jury, and you get a tremendous verdict.'

"I said, 'The fellow has to be dead?'

"He said, 'Oh, yes, that is necessary.'

"Well, I am not for putting the lungs on the table. I am for keeping the dust out of the lungs."

Other union leaders admit their organizations have "gone easy" on industrial health, including pneumoconiosis. Jack Suarez, health and safety director of the Electrical, Radio and Machine Workers, told the congressional committee that "in negotiating contracts, it appears that safety and health clauses come after coffee breaks.

"When you try to draft contract demands, the workers want to see the dollar sign: what am I going to get that I can see?" In such cases, safety protection is an invisible fringe benefit.

The United Mine Workers' position was put by Michael Wildman, of its marketing staff: "It may seem easy to say to a coal operator, do this or don't do that. It may be easy to pass regulations and edicts, to dictate what can and cannot be done.

"But it will not be so appealing to face the human debris that a declining coal industry will leave in its wake."

It's hard to see how new health standards, fairly applied, would harm an industry in which profits have doubled within the last six years.

Are these the only alternatives, though? Must the mines be closed, or will nothing be done until the miners' lungs are "on the table"? Many experts believe much can be done, and their proposals will be presented tomorrow.

Black Lung Prevention Research Underway

(By Fraser Kent)

Faced with such a bleak description of "black lung," or coal workers' pneumoconiosis, there seems to be little that can be done without taking the men out of the mines.

However, Dr. Lorin E. Kerr believes there are ways of preventing the disease—and if these methods aren't completely satisfactory, that better methods can be found. He is medical officer for the UMW Welfare and Retirement Fund.

"Dust suppression is primarily an engineering problem, but to be effective, it is essential that our engineers, physicians and coal miners operate as a team," he said recently.

In the last 20 years, the Welfare and Retirement Fund (which is separate from the United Mine Workers Union itself) has focused its attention on spreading information on black lung, and helping formulate state and federal disability policies.

It has also arranged for the care of coal dust victims at teaching hospitals, to advance knowledge of respiratory dust diseases. It has provided drugs, oxygen equipment and other supplies for hospitals and ambulatory patients, Dr. Kerr said.

Most of all, it has zeroed in on research.

Much of the black lung studies up to now, have dealt with the prevalance of the disease. It has seemed necessary to prove that inhaling fine coal dust for many years will cause harm in some men by clogging the minute vessels of the lung. Not everybody is convinced, but researchers are now moving on to other areas.

"Research is needed to help solve many fundamental questions," Dr. Kerr said. "We must understand the precise role of coal dust in this disease, the cause and the correct assessment of disability, the safe limit of coal dust exposure, and the benefits of various therapies."

The same thing could be said of almost every occupational lung disease.

In black lung, the questions begin with the role of coal dust. Is the "migration" of dust into clumps caused by something in the lung, or is it the result of infection and inflammation? Is there a chemical exchange involved?

Why doesn't the lung flush out such fine particles of dust? Why do one-third of all coal miners remain practically free of X-ray signs of the disease? And why do some pneumoconiosis patients slip over into complications, while others do not?

To answer these questions, researchers will have to leave the laboratory.

Several years ago, Dr. Adolph Kammer argues that "our best observations will be those that encompass the breathless coal miner as a total man, living in a particular kind of community and working in a particular kind of job."

He criticized the "American peculiarity" of relying to much on animal experiments, which showed coal dust to be nontoxic in the laboratory. Black lung was then claimed to be either "unreal" or "non-occupational" in man, Dr. Kammer said.

Dr. Hawey A. Wells, a pathologist who has concentrated on black lung, also argues in favor of taking research to the mine's working face. "It is impossible to correlate the disease we find at autopsy with the work environment," he said.

"We have to guess at the work environment that caused it. We never know the precise duration of exposure, the exact chemical nature of the particles, or the concentration."

He said it could be compared to the surgeon of 200 years ago, "poking around inside a man with acute appendicitis without knowing the anatomic structures and functions involved that produced all the confusing symptoms and signs and deaths, from what now seems to be a very simple disease."

Such direct studies mean researchers must be free to go into a mine at any time, so they can be on the spot and stay there to conduct their research. This, in turn, must not interfere with the normal work process or the study might just as well be done in the laboratory or library.

Even current work studies may not be enough. Doctors will still have trouble relating the miner's present physical condition with the dust factors under which he worked long ago.

Diagnosis is now possible only when symptoms appear, or when X-ray evidence of lung damage can be seen. Methods must be found to spot pneumoconiosis at an early stage, when prevention will be most effective.

Better mine machinery, and better methods of dust control and removal are needed. It has even been suggested that miners wear helmets that would protect them from the "inner space" of the dusty mine.

"There are no shortcuts," emphasized Dr. William Lainhard, of the Public Health Service laboratory in Cincinnati. "Painful, time-consuming examinations" may be needed, just to duplicate and verify the research that has already been conducted in Britain.

All these studies will need federal financial support because "industry is simply unable to police itself in the detection and definition of these health hazards," said Dr. Irving J. Selikoff, a New York environmental scientist.

Also, since men go from mine to mine (or to other jobs) and from state to state, "no employer can be expected to follow his employees long enough for long-term effects to be defined," Dr. Selikoff said. "Only bodies such as the PHS can be expected to detect such effects and to maintain the long observation needed."

However, the PHS already has run into trouble with the limited research it has started in this field. The 1962–66 study of pneumoconiosis has not been published, but is still undergoing "editorial review."

Medical World News reported that the Division of Occupational Health Laboratory at the West Virginia University Medical Center "is practically at a standstill. For instance, a two-year research project designed to study the heart and lung damage of 400 miners has completed the examination of only 35 men."

In addition to federally sponsored research, there may be a need for nationally established standards. Otherwise, the conscientious mine owner in a health-conscious state would be penalized by the costs for its dust-reduction programs, while irresponsible owners in other states would get away with cutting corners.

The Nixon administration has promised to introduce a new occupational health and safety bill before the end of March. The UMW might offer more direct support for that law than they did during hearings on last year's proposed legislation.

Dr. Donald Rasmussen, of Beckley, W. Va., has urged annual examination of the coal miner, to detect the first signs of chronic lung disease. He said none of the 3,000 miners he has examined has had "anything like a regular chest X-ray," or lung function test.

Such examinations are already required in some professions, such as food handling, for public protection; a Cleveland lawyer pointed out. Now the concept would be extended to employe protection.

In Ohio, recognition of black lung as an occupational disease might mean more help for the small mine owner (most underground mines here employ five men or less) in coping with health hazards State officials could also be more aggressive in spreading information to the mine operators, and implement research carried on at the federal level.

An obvious and immediate need is for a change in workmen's compensation law to cover men slowly crippled by black lung. This would mean eliminating a "time factor" in applying for compensation years after leaving the mine, and should cover partial disability and retraining for the working-age miner.

This means the medical profession must come up with a better method of diagnosing pneumoconiosis, so that claims can be processed with minimum fuss and delay.

In turn, this requires an end to what a Cincinnati public health worker described as "kid stuff squabbling among the doctors, a sort of did-didn't is-isn't thing that's gone on too long already."

There are several "crusaders" seeking immediate relief for black lung victims—both doctors and journalists—who have done the cause a disservice, he said. They never concede that opponents are mistaken or ill-informed; they are "company stooges," or are involved in a conspiracy to cover up the disease.

He said that when the number of pneumoconiosis cases is inflated to include any and all lung disorders, conservatives can dismiss the whole problem as "exaggerated" or "ridiculous," instead of being forced to face scientific data.

"What we have is a division of the medical community into two name-calling camps—just at a time when concerted action is needed to find out everything we can about all these occupational lung diseases," the health worker said.

This can be seen in West Virginia, where the "Physicians for Miners Health and Safety Committee" has collided with the state and county medical societies in a quarrel that spills over the state borders.

Dr. Wells, Dr. Rasmussen and Dr. I. E. Buff have travelled throughout the state, organizing thousands of miners in the fight. They seek to dramatize the issue, but emotional presentations evoke equally emotional replies that can obscure the scientific cure of the problem.

Dr. Wells holds up a black and brittle shaving from a diseased lung and crumples * * * described by a doctor who has in compensation cases represented coal companies "inciting the coal miners" and "spreading alarming publicity."

Dr. Buff fights the recruitment of new miners. He said "representatives of coal companies are allowed to speak to school assemblies about the rewards awaiting such work. But the school boards won't allow anyone to speak on the health aspects of the occupation . . . and this most degenerative and debilitating disease."

Instead of refuting this charge, his opponents just say Dr. Buff doesn't even know what black lung is.

(In Dille's Bottom, a coal town in Ohio's Belmont county, students in a mine school are told about black lung, but the instructor said emphasis is placed on safety—"something the men can do something about.")

Dr. Kerr is as blunt as Dr. Buff: "The medical profession has barely begun to overcome its ill-informed complacency, and to discover the true state of affairs regarding pneumoconiosis.

"The failure to take earlier action constitutes what may be labeled in the future as the greatest disgrace in the history of American medicine."

Dr. Philip R. Lee, assistant secretary of the Department of Health, Education, and Welfare, has attempted to be more conciliatory. "We are dealing with hidden health hazards," he said. "Management is, for the most part, apparently unaware of health dangers or of how to ascertain proper health procedures.

"But this is not a case of willful sacrifice of the health or life of an employe for a dollar. The villain is not greed. It is ignorance."

Added W. Willard Wirtz, former Secretary of Labor: "We have grown beyond the point of argument by accusation. We won't succeed on the basis of charging employers with callousness or human exploitation.

"There are laggards. There is incompleteness of know how. But the case is not against heartlessness—it is for health and safety."

The greatest need in the battle against black lung may be a rising public demand for action on the part of state and federal governments, mine owners, unions, engineers and doctors.

Said Rep. Ken Hechler (D.W.Va.), "Without such widespread public support, we will falter. We will not be able to sustain the drive that is needed to wipe out black lung.

"This goes beyond those who work in the mines. This involves the conscience of every American."

Public Lacks Concern for Occupation Illnesses

(By Fraser Kent)

With the conquest of so many other diseases, researchers are now turning their attention to occupational diseases, most of which they believe can be prevented. Coal workers' pneumoconiosis is only one example of the illnesses that hit the family breadwinner on the job.

"I doubt if we'll ever prevent all diseases and injury," Dr. William H. Stewart, U.S. Surgeon General, said a year ago. "There will always be need for compensation of injury and disease.

"But we can do a lot better job. We can prevent some of the injuries and disease which are occurring now; we can try to keep people from getting hurt or sick."

Dr. Philip R. Lee, assistant secretary of the Department of Health, Education and Welfare, said the precise toll of occupational disease is not known. Therefore, it has made little impact on medical and safety experts, the public, responsible leaders in labor and industry, "and particularly the victims."

"We are dealing with hidden health hazards," he said. "The onset of occupational lung diseases often occurs after years of exposure to the agents that cause them, but also years after the last such exposure. By then, irreversible damage has already occurred."

Dr. Stewart put a statistical tag on this. The Social Security Administration now receives about 35,000 claims each year for emphysema. "About 7,000 of these originate in occupations where the emphysema rate is excessive, and where the occupations are known to involve exposures to materials that damage the lungs.

"It is also receiving about 8,000 claims a year for disability from pneumoconiosis and tuberculosis of occupational origin."

As an example of the slow onset of such disease, he cited the brass and zinc foundries where workers were exposed to beryllium.

"The worker who breathes its metal fumes on the job will not show the symptoms of chill, fever and malaise until many hours after exposure," Dr. Stewart said.

"Not until after he has gone home, and at a time when he is not likely to connect the exposure with his illness.'"

The onset of berylliosis has been reported 23 years after the last exposure to the material, reports Dr. Harriet L. Hardy, of the Massachusetts Institute of Technology.

Dr. Stewart also noted that many chronic diseases have multiple causes, both on and off the job—no one of which, by itself, may be enough to bring on illness or disability.

"We also need to know those situations where hyper-susceptible people need to be removed from certain work conditions," he said. "And we must probe some workers' increased susceptibility caused by their age, sex, or other physical condition."

It is generally conceded that research and regulation must be on the federal level. One example of this is the case of beta-napthylamine, a chemical used primarily in dye manufacture. Its use is illegal in several countries because it produces cancer of the bladder in workers exposed to it.

After trying to get the industry to stop using the chemical, Pennsylvania authorities finally outlawed beta-napthylamine. The process promptly turned up in Georgia, where it is still legal.

There is a shortage of manpower in the industrial health field: doctors, nurses, engineers, hygienists. There isn't enough research, either. But most of all, the public doesn't seem to care much about occupational disease.

"In this country, we spend an amount on cancer research equivalent to $415 per death from that disease," pointed out Williard Wirtz, former secretary of labor. "On heart research, we spend $95 per death.

"On occupational diseases and health, we spend $6.57."

Three-Way Attack on Black Lung

There are three things that badly need doing to meliorate the problem of the coal miner's disease called pneumoconiosis, or "black lung."

The first is to recognize that there is a problem. Ohio's director of industrial relations, William O. Walker, does not. "There is no such thing," he told Plain Dealer medical writer Fraser Kent. This is a ridiculous attitude.

If there is no such thing, why is it that the incidence of chest disease is higher among coal miners than nonminers? Why do autopsies of affected miners reveal black and shriveled lungs and enlarged hearts? Call it pneumoconiosis, "miner's asthma," silicosis, anthracosis or what, it is a disease that cripples and kills; and denying that it exists will not make it go away.

The second need is for more research into the disease and into ways of controlling the coal dust which causes it.

The U.S. Public Health Service must take the lead in medical research, which should be supported by state health bureaus and the medical profession in general. The medical community in coal mining areas must stop bickering about terminology and get together, as one health worker put it, "to find out everything we can about all the occupational lung diseases."

No cure is known for black lung, nor is it known why some miners are affected and others are not. The disease can be arrested if the afflicted miner quits the coal dust atmosphere of the mines in time. A method of early diagnosis must be developed so that he can leave before the symptoms appear.

The U.S. Bureau of Mines, supported by state mine bureaus and the mining industry, must attack the problem of coal dust control. Techniques should be developed to wash down the dust or filter the air more effectively.

An occupational health and safety bill planned by the Nixon administration offers promise of broader research in both fields. As Kent noted in his series of articles on black lung, the bill could use more support from the United Mine Workers than the union gave legislation considered last year.

The third need is compensation for those coal miners partially or fully disabled by pneumoconiosis. Ohio does not recognize black lung as an occupational disease. It should.

Projections of Public Health Service statistics on the incidence of the disease indicate some 350 Ohioans have it. Some will become disabled by it, developing shortness of breath, chronic cough, emphysema. They will be unable to continue working. They should receive workmen's compensation payments.

Black lung does not get the attention that mine safety receives after some terrible mine disaster. It develops slowly and insidiously. But it can be just as deadly as an explosion. It must get attention until it is finally conquered.

DEDICATION SERVICE IN HONOR AND IN MEMORY OF THE LATE GEORGE GOTTWALD, JR.

(Mr. McCORMACK (at the request of Mr. CHARLES H. WILSON) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, on March 23, 1969, there was held in Roslindale, Mass., a dedication service in honor and in memory of the late George J. Gottwald, Jr. George Gottwald gave his life in the service of our great country. He entered the U.S. Army in October 1968 and served with honor and distinction in the service of his country in Vietnam. While performing his duties he was killed and was awarded posthumously the Silver Star by direction of the President of the United States on March 8, 1968. In his memory the citizens of Roslindale named a square in the city after him, which square bears his name. On that day I sent a telegram to the chairman of the dedication ceremonies reading as follows:

PETER L. CAPARELL,
Roslindale, Mass.

I received your letter of March 18 in relation to the dedication services to be conducted this Sunday in Roslindale to memorialize the intersection of Metropolitan Avenue at Washington Street as the George J. Gottwald, Jr. Square. Will you kindly convey to all present my deep regret at not being able to attend the dedication ceremonies on Sunday because I have to remain in Washington this weekend because of important legislation coming up in the House of Representatives. Will you also convey to the parents of the late George J. Gottwald, Jr. my deepest sympathy in the loss of their beloved son. A soldier who falls in the line of duty, especially when he sacrifices his life to aid a comrade, deserves our humble respect and our profound gratitude. George J. Gothwald, Jr., was such a soldier. His spirit and courage, his dedication to duty, place him among the hallowed ranks of patriotic Americans whose unfailing love of country and loyalty to their comrades in arms have, since the birth of our country, secured the blessings of liberty for all Americans.

Specialist Four George Gottwald never planned great battles nor did he lead an army in the field. He did more than that: He gave his life that another might live. He gave his life for his country. There is no greater sacrifice. There can be no honor paid to his memory that can fully express how much we revere it. Yet the American Legion is doing what it can by dedicating the George J. Gottwald, Jr. Square to the memory of this brave boy. The Legion's National Commander William C. Doyle has said of the partiotism exemplified by George Gottwald, Jr.: "It is a respect for the rights of our fellow man. It is a concern for the freedom of man, as our God-given rights, but a recognition also that every right carries with it an accompanying responsibility." George Gottwald did not shirk that responsibility. By his heroic act he has upheld the honor and tradition of the military service of the United States of America. May every Bostonian, as he passes through the George J. Gottwald, Jr. Square remember the man for whom it is named and soldiers like him who have sacrificed in order that others can enjoy the blessings of democracy and freedom. My heart goes out to family and friends assembled at this dedication ceremony. It is my prayer that this fine American will not have died in vain—that through his heroism we have been brought a little closer to a just and lasting peace.

JOHN W. MCCORMACK, M.C.,
Speaker, U.S. House of Representatives.

I enclose in my remarks a transcript of the proceedings of that day together with the invocation offered by Reverend Father William P. Smith of St. John Chrysostom Rectory, West Roxbury, Mass. As I said in my remarks at the ceremonies there can be no greater honor paid to his memory that can fully express how much we revere it. George Gottwald's spirit and courage will live forever in the minds of his family and friends. We all hope that through his heroism we have been brought a little closer to a just and lasting peace.

ST. JOHN CHRYSOSTOM RECTORY,
West Roxury, Mass., April 17, 1969.
JOHN MCCORMACK,
Speaker of the House.

DEAR SIR: In the following letter you will find the invocation given at the dedication of SPC. 4 George Gottwald Square in Roslindale, Massachusetts on March 23, 1969.

"Our Father in heaven, we gather here today to pay tribute to a young man who gave his life on our behalf. At this time of the year we are also mindful of another man who gave his life for other men almost two-thousand years ago. As His Spirit has animated men of all races and nations throughout the world, so we ask that the dedication of SPC. 4 George Gottwald may be an inspiration to the people of the West Roxbury-Roslindale area, especially to the young, so many of whom are here with us today. We ask this in the name of your Son, Jesus Christ, Amen."

Sincerely yours,
Rev. WILLIAM P. SMITH.

GEORGE J. GOTTWALD, JR., DEDICATION CEREMONIES AT THE INTERSECTION OF WASHINGTON STREET AND METROPOLITAN AVENUE, ROSLINDALE, MASS., MARCH 23, 1969

Opening remarks by master of ceremonies Peter L. Caparell: "In behalf of all Military Units participating here today and in the Spirit of True Democracy in Action; I bid you welcome. We are assembled here this Sunday afternoon, to pay tribute to the memory of Specialist Fourth Class George J. Gottwald, Junior, who died heroically in the service of his country.

"In behalf of your host, the Cecil W. Fogg Post of the American Legion of Hyde Park, Massachusetts, I declare these ceremonies open and ask each Commander, at this time, to bring their Units to Attention."

(So complied.)

Mr. CAPARELL. I present to you our Reverend Chaplain Father William Smith of Saint Johns Chrysostom Church of West Roxbury, to deliver the invocation.

(So complied.)

Mr. CAPARELL. Thank you Father Smith. I now read a cablegram at hand and received on this date of March 23, expressing the—sentiments of a *Patriot Giant* of this—Generation.

(Reading of Speaker McCormack's message.)

Mr. CAPARELL. I am so moved by the *sentiments in depth* of our beloved Speaker that I am not able to adequately add any comment worthy of this *personal* and *inspiring* salute by this great *Patriarch of Democracy.*

I now direct your attention to our first guest Speaker, who, like Speaker McCormack, is a *genuine* and *dedicated* soldier in the ranks of our Free Society.

I call upon and present to you State Senator Samuel Harmon of Dorchester.

State Senator HARMON. Thank you Peter. I am very proud to be here, not only as a guest, but also as an observer at this very solemn occasion.

I extend not only my personal greetings to the family of this heroic boy, but I want them to know that every member of the State Legislature shares with us today the grief which this family endures.

I convey to them the condolences and personal good wishes of Speaker David Bartley of the General Court and also Maurice A. Donahue, President of the Massachusetts Senate.

In the words of Massachusetts first citizen, Speaker McCormack; I, too, when I pass by this Square—will always remember this day—and always remember the George Gottwalds of America.

Mr. CAPARELL. Thank you Senator Harmon for expressing so beautifully your own and the legislators sentiments, and I'm quite certain the sentiments of every man, woman and child, neighbor and friend assembled here today. One cannot, in the presence of our Country's colors, cannot but help to feel a stirring proud heart beat for the valor of this courageous soldier, George J. Gottwald, who gave his life so that those glorious colors may wave ever so proudly over the heads of a free and grateful people.

I call upon our Principal Speaker who sponsored the Resolution making this day possible. A veteran of World War 2—and since then—always a vigilant Champion of Veterans—It gives me great pleasure to salute in pride and to present to you—our Honorable City Councillor at Large, Patrick F. McDonough.

Councillor MCDONOUGH. Thank You, Peter. As one of your nine City Fathers and the Father of the George J. Gottwald, Junior Square, having in deep humility offered the—Resolution to dedicate this corner of America; I wish to state at the outset that what I am about to read was written by your Master of Ceremonies.

I can think of no finer way to pay tribute to the *Nobility* of this boy's character and to the Sacred and the Supreme Sacrifice that he made; than to utter the sentiments of his older friend and neighbor—a World War II Combat Medic himself, Peter Caparell. I now read Peters' tribute to George J. Gottwald, Junior.

(So read.)

Mr. CAPARELL. Thank you Councillor McDonough for speaking the words that sprang from my heart and at this very moment I could not find the strength of voice to utter them so firmly and without blemish. I salute you, Sir.

(Introduction of family.)

Mr. CAPARELL. Before we proceed with the unveiling of the sign post, I wish to introduce to you the proud members of the Gottwald Family.

First, the Supreme Soldier in any Family, the inspiring Mother of George J. Gottwald, Carolyn. On her right, her strong and courageous life mate, himself a veteran of World War II, George J. Gottwald, Senior.

Behind me, wearing the uniform of his country and a volunteer to Viet Nam; Private Frederick Gottwald, now on Leave from Fort Jackson, South Carolina. Standing in front of Mother is 5 year old Denise. (That's a good girl! Put up your hand, honey. Isn't she a doll? Thank you sweetie.) Next to Denise is Jeanie who just turned thirteen years old. Next in line is Eddie. The bunting on the stand is hiding Eddie (so to show them you are not a little shoe shine box Eddie—move—put up your hand. That's a good boy, bless you.) Eddie is 8 years old and the big guy next to him is—ten year old Tommy. Incidentally, Tommy and Eddie are fans of Bobby Orr. They are not bad athletes either. They're going to be great someday. Standing alongside of Mother and holding her hands is Carolyn. Namesake to her most charming Mother and has a lot of her fine looks. Carolyn is 17 years old and attends Roslindale High School, the same school brother George graduated from.

Behind me and to my left and standing next to Dad is Billy, he is the tall Gregory Peck type that you see and he is 18 years old a year younger than Private Freddie and three years older than Dickie who is that handsome blonde adonis right alongside of him.

(Acknowledgments.)

Mr. CAPARELL. While the rifle squad makes preparation; I wish to acknowledge at this time a tireless work horse for veteran causes and a prominent citizen and honored Legionnaire of Hyde Park. It is my pleasure to present to you a past Commander of the George K. Menichios Post and a friend of George J. Gottwald, Junior, Commissioner of Boxing, Emmanuel Aronis.

Commissioner ARONIS. Thank you Mister Chairman, and with your permission Sir, I turn, face this family and Salute them. I cannot improve on the great tribute of our great Speaker, John W. McCormack. God Bless each and every member of this beautiful family.

Mr. CAPARELL. I call upon Commander Charles O'Brien.

Commander O'BRIEN. In behalf of every officer and member of the William Doyle Post of the Veterans of Foreign Wars of Hyde Park, I salute the family.

Mr. CAPARELL. I call upon Commander Edward Goudet.

Commander GOUDET. Each Officer and Member of the Roslindale, All Boston Post of the Veterans of Foreign Wars, Salute the Family.

Mr. CAPARELL. I call upon Adjutant Sam Molner of the Irving K. Adams Post.

Adjutant MOLNER. I salute the Family.

Mr. CAPARELL. I see that the Rifle Squad is now prepared. I wish to thank Commander Thomas Lynch of the Cecil W. Fogg Post of the American Legion of Hyde Park. The Fogg Post is the host chapter and sponsor of these ceremonies. Also, Commander Fogg, I wish to single out one man down there in ranks. He is dead center ahead of me and I salute Jim Ramey who has been the liaison officer between the family and myself. No time of day—no hour of morning was too late to call upon him for his counsel and guidance. God Bless You Jim.

Mr. CAPARELL. It is good to see the blue uniform of the Boston Fire Department Band blending with the olive drab and blue of the V.F.W. and the Legion. Also, in ranks, I observe the patch of the big red 1 of the First Infantry Division of which George J. Gottwald, Junior, was a member. I mean *is* a member. He is a departed brother who joined the eternal ranks of those we must one day follow. Bless you boys! Finally, a salute to Charles Kantos of Roslindale, here on the reviewing stand and wearing the hat of the Disabled American Veterans of Post 44 of Boston.

Unveiling ceremony (conclusion).

Mr. CAPARELL. I now call upon Commander Thomas Lynch of the Cecil W. Fogg Post of the American Legion of Hyde Park and Private Frederick Gottwald, to jointly perform the unveiling ceremony.

(NOTE.—The unveiling of the sign post bearing the gold script lettering: George J. Gottwald, Junior Square, was followed by three volleys of rifle fire by the six man rifle squad with Taps sounded by the bugler and closing with the Star Spangled Banner as played by 2 military bands and the Band of the Boston Fire Department.)

Mr. Caparell. A chip of the fibre of Plymouth Rock—has drifted like a twinkling star into the vastness of eternity. George Gottwald, Junior, has returned to his Maker—Maker of all Men.

In behalf of each member of the family of George J. Gottwald, Jr., We thank you for paying your tribute to his memory by your appearance here today. I yield the platform to Commander Lynch.

Commander Lynch. I invite all participants to attend a dinner in honor of the Gottwald Family at the Cecil W. Fogg Post and I close these ceremonies with Speaker McCormack's prayers that: "Through his heroism we have been brought closer to a just and lasting peace."

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Gonzalez, for 1 hour, on April 28; and to revise and extend his remarks and include extraneous matter.

Mr. Findley (at the request of Mr. McKneally), for 60 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Halpern (at the request of Mr. McKneally), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Anderson of Illinois to revise and extend his remarks in the body of the Record following the President's statement on the postal rate increase.

Mr. Steiger of Wisconsin to revise and extend his remarks immediately following the President's message on the postal rate increase.

(The following Members (at the request of Mr. McKneally) to extend their remarks and include extraneous matter:)

Mr. Brotzman.

Mr. Steiger of Wisconsin in two instances.

Mr. Broyhill of Virginia in two instances.

Mr. Pettis.

Mr. Gubser.

Mr. Pollock.

Mr. Springer.

Mr. Halpern.

Mr. Utt.

Mr. Wydler.

Mr. Langen.

Mr. Reid of New York in two instances.

Mr. Corbett.

Mr. Schadeberg.

Mr. Blackburn.

Mr. Cramer.

Mr. Findley.

Mr. Scott.

Mr. Price of Texas.

Mr. Whalen.

Mr. Watson in two instances.

(The following Members (at the request of Mr. Charles H. Wilson) to extend their remarks and to include additional matter:)

Mr. Shipley.

Mr. Pucinski in six instances.

Mr. Galifianakis in two instances.

Mr. Rarick in three instances.

Mr. Burton of California in two instances.

Mrs. Green of Oregon in two instances.

Mr. Gonzalez in three instances.

Mr. Murphy of New York.

Mr. Steed in two instances.

Mr. Diggs.

Mr. Hicks in two instances.

Mr. Ichord.

Mr. Moorhead in two instances.

ADJOURNMENT

Mr. CHARLES H. WILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 52 minutes p.m.), under its previous order, the House adjourned until Monday, April 28, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

700. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting the third annual report of the Commission, pursuant to the provisions of section 705(d) of the Civil Rights Act of 1964; to the Committee on Education and Labor and ordered to be printed with illustrations.

701. A letter from the Chairman, Interstate Commerce Commission, transmitting drafts of proposed legislation (1) to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes; (2) to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes; (3) to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively and to improve administrative efficiency; and (4) to amend section 17 of the Interstate Commerce Act to provide for judicial review of orders of the Interstate Commerce Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

702. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a report on "Fundamental Nuclear Energy Research—1968," supplementing the Commission's annual report for 1968; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 7311. A bill to amend item 709.10 of the Tariff Schedules of the United States to provide that the rate of duty on parts of stethoscopes shall be the same as the rate on stethoscopes, with amendment (Rept. No. 91–163). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 254. A bill to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia, with amendment (Rept. No. 91–164). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 4182. A bill to authorize voluntary admission of patients to the District of Columbia institution providing care, education, and treatment of mentally retarded persons (Rept. No. 91–165). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 9526. A bill to amend the District of Columbia Unemployment Compensation Act to provide that employer contributions do not have to be made under that act with respect to service performed in the employ of certain public international organizations (Rept. No. 91–166). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLANTON:

H.R. 10537. A bill to amend the Federal Meat Inspection Act to require that imported meat and meat food products made in whole or in part of imported meat be labeled "imported" at all stages of distribution until delivery to the ultimate consumer; to the Committee on Agriculture.

By Mr. BRASCO:

H.R. 10538. A bill to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOMFIELD:

H.R. 10539. A bill to restrict the mailing of unsolicited credit cards; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 10540. A bill to amend the Internal Revenue Code of 1954 to authorize a tax credit for certain expenses of providing higher education; to the Committee on Ways and Means.

H.R. 10541. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education, and including certain travel; to the Committee on Ways and Means.

H.R. 10542. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. COWGER:

H.R. 10543. A bill to extend public health protection with respect to cigarette smoking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DORN:

H.R. 10544. A bill to amend title 18, United States Code, to prohibit the disruption of the administration or operations of federally assisted educational institutions, and for other purposes; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 10545. A bill to amend sections 2(3) and 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising; to the Committee on Agriculture.

By Mr. FLYNT:

H.R. 10546. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. FOREMAN:

H.R. 10547. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H.R. 10548. A bill to raise the Veterans' Administration to the status of an executive department of the Government to be known as the Department of Veterans' Affairs; to the Committee on Government Operations.

By Mr. HANSEN of Idaho:

H.R. 10549. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

By Mrs. HANSEN of Washington:

H.R. 10550. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. JOELSON:

H.R. 10551. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to assist in providing means for portability of credits under certain private pension plans, and for other purposes; to the Committee on Ways and Means.

By Mr. JONES of North Carolina (for himself, Mr. Fountain, and Mr. Myers):

H.R. 10552. A bill to amend the Federal Seed Act (53 Stat. 1275), as amended; to the Committee on Agriculture.

By Mr. KLUCZYNSKI:

H.R. 10553. A bill to provide educational assistance to children of civilian employees of the United States killed abroad as a result of war, insurgency, mob violence, or similar hostile action; to the Committee on Post Office and Civil Service.

By Mr. KOCH (for himself, Mr. Addabbo, Mr. Annunzio, Mr. Biaggi, Mr. Brademas, Mr. Burke of Florida, Mr. Burke of Massachusetts, Mr. Button, Mr. Carey, Mrs. Chisholm, Mr. Conyers, Mr. Daddario, Mr. Diggs, Mr. Donohue, and Mr. Farbstein):

H.R. 10554. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. KOCH (for himself, Mr. Feighan, Mr. Friedel, Mr. Gilbert, Mr. Lowenstein, Mr. McCarthy, Mr. Moss, Mr. Podell, Mr. Powell, Mr. Rogers of Colorado, Mr. Rosenthal, Mr. Ryan, Mr. Stokes, Mr. Charles H. Wilson, Mr. Wolff, and Mr. Anderson of California):

H.R. 10555. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. McKNEALLY:

H.R. 10556. A bill to provide for the issuance of a commemorative postage stamp in honor of Gen. Dwight David Eisenhower; to the Committee on Post Office and Civil Service.

H.R. 10557. A bill to amend section 228 of the Social Security Act to provide that small municipal pensions shall not operate to reduce the monthly benefits otherwise payable to certain uninsured individuals thereunder; to the Committee on Ways and Means.

By Mr. MAHON:

H.R. 10558. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 10559. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. NELSEN:

H.R. 10560. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. O'KONSKI:

H.R. 10561. A bill to provide for the more efficient development and improved management of National Forest commercial timberlands, to establish a high timber yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. PODELL:

H.R. 10562. A bill to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service; to the Committee on Interstate and Foreign Commerce.

By Mr. REID of New York:

H.R. 10563. A bill to amend the public assistance provisions of the Social Security Act to require the establishment of national uniform minimum standards and eligibility requirements for aid or assistance thereunder; to the Committee on Ways and Means.

By Mr. SNYDER (by request):

H.R. 10564. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of Illinois (for himself, Mr. Eshleman, and Mr. Smith of New York):

H.R. 10565. A bill to provide safer working conditions in the construction industry in the United States by establishing a Construction Safety Standards Board in the Department of Labor and by providing grants to States for State programs for State construction safety programs; to the Committee on Education and Labor.

By Mr. BETTS (for himself, Mr. McCulloch, and Mr. Waldie):

H.R. 10566. A bill to further secure personal privacy and to protect the constitutional right of individuals to ignore unwarranted governmental requests for personal information; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H.R. 10567. A bill to provide for the inscription of "Justice," "Mercy," and "Humility" on U.S. currency in the denomination of $1; to the Committee on Banking and Currency.

By Mr. BROYHILL of Virginia:

H.R. 10568. A bill to amend the District of Columbia Alley Dwelling Act to require certain prior approval of the activities of the National Capital Housing Authority, and for other purposes; to the Committee on the District of Columbia.

By Mr. FINDLEY:

H.R. 10569. A bill to promote the foreign policy and security of the United States by providing authority to negotiate commercial agreement with Communist countries, and for other purposes; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H.R. 10570. A bill to create a Federal Higher Education Mediation and Conciliation Service; to the Committee on Education and Labor.

H.R. 10571. A bill to incorporate College Benefit System of America; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 10572. A bill to improve law enforcement in cities through a temporary Federal grant program for the purposes of increasing the compensation of policemen and creating additional positions on local police forces; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 10573. A bill to establish the calendar year as the fiscal year of the U.S. Government; to the Committee on Government Operations.

By Mr. MYERS (for himself, Mr. Giaimo, Mr. Wiggins, Mr. Wydler, Mr. Thompson of Georgia, Mr. Corbett, Mr. Camp, Mr. Lukens, Mr. Belcher, Mr. Frelinghuysen, Mr. Button, Mr. Winn, Mr. Hastings, Mr. Meskill, Mr. Nichols, Mr. Kuykendall, Mr. Weicker, and Mr. Whalley):

H.R. 10574. A bill to designate the Washington National Airport as the "Dwight David Eisenhower National Airport"; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.J. Res. 674. Joint resolution, expressing the support of the Congress, and urging the support of Federal departments and agencies as well as other persons and organizations, both public and private, for the international biological program; to the Committee on Science and Astronautics.

By Mr. ROGERS of Florida:

H.J. Res. 675. Joint resolution, to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. NELSEN:

H. Con. Res. 217. Concurrent resolution, expressing the sense of the Congress that the likeness of Dwight David Eisenhower be placed on the 25-cent piece; to the Committee on Banking and Currency.

MEMORIALS

Under clause 4 of rule XXII,

137. The SPEAKER presented a memorial of the Senate of the State of Washington, relative to the closing of the Job Corps training center at Moses Lake, Wash., which was referred to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 10575. A bill for the relief of William George Moore; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 10576. A bill for the relief of Dolores P. Allanigue; to the Committee on the Judiciary.

By Mr. FLYNT:

H.R. 10577. A bill for the relief of Capt. Betty M. McGough; to the Committee on the Judiciary.

By Mr. WYATT:

H. Res. 374. Resolution to refer the bill, H.R. 10449, entitled "A bill for the relief of the estate of William E. Jones," to the Chief Commissioner of the Court of Claims, in accordance with section 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

96. The SPEAKER presented a petition of John R. O'Keefe, Boston, Mass., et al., relative to extension of the income tax surcharge, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

MAJ. GARY EVAN TODD, U.S. MARINE CORPS

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. SCHADEBERG. Mr. Speaker, it is with great humility that I learn of the courageous acts of so many of our military men serving in Vietnam. They are a tribute to this great country and to their families.

In my own "office family," the cousin of my secretary, Miss Bonnie Bridgers, has been singled out for his heroism in combat. Major—then captain—Gary Evan Todd, U.S. Marine Corps, of San Antonio, Tex., a career Marine officer, has been presented the Bronze Star Medal, one of this Nation's highest decorations, and he has received a citation from Admiral Hyland, commander in chief of the U.S. Pacific Fleet, for the outstanding manner in which he conducted himself while in Vietnam. Major Todd has completed a tour of duty in Vietnam and is now stationed in Quantico, Va.

I am sure that my colleagues in this House join with me in saluting Major Todd, "one of the Nation's finest," and in sharing in the pride of his accomplishments with his wife, Carol, and his sons, Michael and Jeffrey.

With your permission, Mr. Speaker, the commendations awarded to this brave Marine follow:

The President of the United States takes pleasure in presenting the Bronze Star Medal to Captain Gary E. Todd, United States Marine Corps, for service as set forth in the following citation:

"For meritorious service in connection with operations against the enemy in the Republic of Vietnam while serving in various capacities with the Third Battalion, Ninth Marines, Third Marine Division from 26 April to 9 September 1968. During this period, Captain Todd performed his demanding duties in an exemplary and highly professional manner. Initially serving as Assistant Operations Officer, he exhibited exceptional resourcefulness and tactical skill in planning and coordinating combat operations conducted throughout the division's Tactical Area of Responsibility. Reassigned as the Commanding Officer of an infantry company Captain Todd distinguished himself by his aggressive leadership while participtaing in numerous major operations, including Operations Kentucky, Charlie and Lancaster II. When his company was assigned the task of seizing a well defended North Vietnamese Army position on 21 July, he demonstrated bold initiative and tactical skill as he effectively combined supporting arms fire with his unit's attack, overrunning the enemy stronghold and killing forty-five hostile soldiers while sustaining a minimum number of friendly casualties. As a result of his dynamic leadership, he earned the respect and admiration of all who served with him and contributed significantly to the accomplishment of his unit's mission. Captain Todd's resourcefulness, superb professionalism and unfaltering devotion to duty throughout were in keeping with the highest traditions of the Marine Corps and of the United States Naval Service."

Captain Todd is authorized to wear the Combat "V".

H. W. BUSE, Jr.,
Lieutenant General, U.S. Marine Corps, Commanding General, Fleet Marine Force, Pacific.
(For the President).

The President of the United States takes pleasure in presenting the Navy and Marine Corps Medal to Captain Gary E. Todd, United States Marine Corps, for service as set forth in the following citation:

"For heroism while serving as Commanding Officer of Company I, third Battalion, Ninth Marines, Third Marine Division in the Republic of Vietnam. On 19 June 1968, a CH-46 transport helicopter crash-landed at the Khe Sanh Combat Base, trapping the pilot and copilot and spewing fuel over the wreckage. Disregarding the possibility of the fuel igniting at any moment, Captain Todd unhesitatingly rushed to the scene of the accident and expeditiously directed the removal of the two injured men from the damaged helicopter. His heroic and timely actions were instrumental in saving the lives of two Marine aviators. Captain Todd's courage, bold initiative and devotion to duty were in keeping with the highest traditions of the United States Naval Service."

JOHN J. HYLAND,
Admiral, U.S. Navy, Commander in Chief, U.S. Pacific Fleet.
(For the President).

FIGHTING HUNGER THROUGH PRIVATE EFFORT, THE STORY OF FAMINE FIGHTERS, INC.

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. HANNA. Mr. Speaker, we are indeed facing a time of famine. Not only are there hungry stomachs in the world, facing actual starvation or the terrible side effects of malnutrition, but there are people whose minds are starved for learning, and who are turned away from our colleges and universities because of a lack of facilities.

The pressure on our ability in the United States to educate our people will increase, not diminish. In the 1970's the demand for funds to expand our teaching facilities is expected to be multiplied by a factor of 2 or 3. These funds might of course come from the Federal Government. But there are an increasing number of people who believe that private education ought not to be compromised by the receipt of Federal funds, and that insofar as possible the requirements for new facilities should be met by private sources of funds.

To that end, I am joining my limited efforts with some capable colleagues who are exploring whether there can be developed modifications in existing financial institutions to accommodate these needs. One of the financial institutions we are investigating is the mutual fund. Most of you know that the mutual fund is one of the fastest growing investment mediums ever known in this country, probably because it offers the investor both the protection of diversity, and because it brings competent investment counsel to his doorstep.

I am now serving with a volunteer board who serve without compensation in the development of a mutual fund called Vantage Ten Ninety Fund, so named because from 10 to 15 percent of the investments must be made in the field of agribusiness industries, and these private companies must be located in the less developed countries. Agribusiness is a broad term, used to denote companies manufacturing fertilizer, farm machinery, irrigation equipment, as well as producing food, developing land, and rationalizing the facilities for storage and marketing.

This board of directors of Vantage includes Rowland Burnstan, former president of Borg Warner International; Congressman RICHARD T. HANNA, a member of the House International Finance Subcommittee; Congressman F. BRADFORD MORSE, a member of the House Foreign Affairs Committee; Edward N. Gadsby, former chairman of the Securities and Exchange Commission; Carrol M. Shanks, former president of Prudential Insurance Co.; John L. Schroeder, president of Templeton, Dobbrow & Vance; Eugene Williams, former chairman of the St. Louis County National Bank; Francis Shurling, president of Shurling & Co., Macon, Ga.; Arthur Lane, with Haight & Co., Washington stockbrokers.

This mutual fund will invest the remainder of the investors funds, from 85 to 90 percent, in a diversified portfolio of marketable securities hoping to achieve capital growth. Although an investment not without risk, it is designed to afford the investor with an opportunity to fight the war on hunger through private enterprise with a part of his investment dollar.

The thought that we can design an investment medium with both social and investment motives side by side is particularly attractive in the present situation in today's America. The riots, the demonstrations, the marches, the hippies, as well as, on the other side, the avalanche of applications to the Peace Corps and the VISTA program, indicate that change is in the making. Tomorrow's world is being shaped today. The winds of change are blowing hot and strong.

We have also designed, and are at the point of implementing, plans for a mutual fund that will loan 20 percent of its assets to private schools and colleges, so that they will be able to expand their dormitories, classrooms, labs, and other facilities. The balance of this mutual fund too, as in Vantage Ten Ninety, will be in a diversified portfolio of marketable securities hoping to achieve capital growth.

Under the skin of the average American is still the copper of the pioneer, still the latent desire for adventure and discovery. Mutual funds such as we are implementing will give back some of the tools with which we can recapture a sense of discovery and recreation. Much needs to be done in America—important strides must be taken in many different fields—in order to pass on to our children the quality of life that we feel is their birthright.

And these strides, even though not physically taming the wilderness, and not opening up new land for civilization, will have the effect of opening up civilization to new dimensions of living. We can have the effect of improving the quality of life in America and at the same time retain the essential element of private initiative which has been its hallmark.

This family of mutual funds which we are designing, which are composed of a fund placing 10 to 15 percent in agribusiness in the developing countries, a fund loaning 20 percent to private schools and colleges, a fund investing 20 percent in industries that have an impact on the need to revitalize our inner cities, and two funds loaning 20 percent each to either Christian or Jewish higher education and vocational development, can have an important impact on the capital flows in America. They can redirect some of the profitseeking investment moneys, especially moneys that are now in the hands of small investors, and institutional investors such as foundations, into more socially desirable areas.

And they can do so within a framework that is entirely consistent with our emphasis in the United States on the private way.

In addition to the mutual funds, we have organized a stockbroking company not operating for profit called Famine Fighters which will employ commission young, midcareer, and retired men and women, help them to obtain their license to offer mutual funds and other investments, and then ask them in their spare time or full time to present these opportunities to the American investing public.

Any earnings made through the sale of these investments will be returned to the social concern through which the sale developed by helping to fund action projects that have high potential for service.

America still has the vitality and the drive to do for itself—to raise itself by its own bootstraps. Back in the days of the settlers, if a man suffered misfortune, his setbacks were shared by the rest of the townspeople. We still retain this concern. In many of us this concern is honed by our efforts to trod in the footsteps of our Lord and our God.

Private initiative is precious. It is a flame that no amount of oppression and subjugation can quench. Yet we need people of energy and vision to show us how best to channel our initiative so that it is productive of good. We need to take it out from under the bushel so that people may see it—so that it may give light to their feet—so that it may burn ever brighter as other candles are lit from its flame.

At least one State supreme court has recently ruled that "modern conditions require that corporations acknowledge and discharge social as well as private responsibilities in the communities in which they operate." Many States require the inclusion of public purposes in the articles of incorporation. These should be given real meaning. We have heard much about the military-industrial complex to fight shooting wars and build armaments. It is time in our land to see a business and financial complex to help fight the wars against social enemies—like undernourishment—ignorance and suppressive environment.

This is the battle this new venture in social capitalism seeks to join.

HENRY B. MONTAGUE, PUBLIC SERVANT

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. STEED. Mr. Speaker, a distinguished public servant for the last 32 years with the Post Office Department, Mr. Henry B. Montague, has retired as Chief Postal Inspector.

He served in this position for 8 years and attained a remarkable record in combating crime during a period marked by mounting attempts to interfere criminally with the postal service. His innovations and leadership helped to adjust to meet changing conditions.

On the basis of years of observation of his work in my duties as chairman of the Post Office Appropriations Subcommittee, I can pay tribute to him as an outstanding and dedicated public servant.

The Washington Evening Star, in a recent article, summarized some of his achievements as follows:

[From the Washington (D.C.) Evening Star, Mar. 11, 1969]

TOP BATTLER OF POSTAL CRIME RETIRING, LEAVES SKILLED CORPS

Chief Postal Inspector Henry B. Montague, who has fought record postal crime with record arrests and convictions of postal law violators, is retiring as the Post Office Department's top law enforcement officer.

Although his retirement actually became effective February 28, he is staying on the job to assist in the transition of the law enforcement responsibility to the new administration.

The 57-year-old chief took office at the start of the Kennedy administration. During his years in the top spot, he has seen post office burglaries and holdups reach an all-time high, mail fraud drain a conservatively estimated $500 million a year from the public, organized crime got deeply involved in credit card frauds and merchandise swindles, and apartment letter boxes being rifled by the tens of thousands—usually to get at checks arriving on a predictable schedule.

To cope with a postal crime rise which clearly reflects the spiraling nationwide crime rate, Montague developed a corps of specialists and adapted automatic data processing to show him where his specialists were needed most.

QUICK TAB ON OPEN CASES

In mail fraud, for example, his data processing equipment gave him a print-out at month's end showing how many cases were open in each area of mail fraud—how many new medical frauds, chain referral schemes, land frauds, debt consolidation, home improvement rackets, and other schemes affecting young married couples and fixed-income older people. As each new scheme surfaced, Montague deployed the specialists to meet it.

He increased the number of men assigned to mail fraud because he was particularly aware of the social effects of gimmick selling and pie-in-the-sky schemes on ghetto residents. He represented the Post Office Department on the President's Consumer Commission.

To deal with steadily climbing armed robberies of post offices and postal trucks, Montague provided better firearms, more radio equipment and the first radio cars in the Postal Inspection Service. Currently, post office holdups are running at the highest rate in U.S. history.

Postal inspectors now have base radio stations in most big cities, which direct the radio cars not only in postal robberies and burglaries but also in dealing with one of the commonest of postal crimes—letter box thefts in big cities.

FAST ACTION REQUIRED

To get the thieves, inspectors have to move fast and they're on the street ready to move in response to radio calls. Postal inspectors' investigations of mail box thefts resulted in 6,104 arrests last year.

Montague has emphasized more training all along the lines—more firearms training, more training in specialized areas, even university-administered correspondence courses.

The training paid off with the arrest of 14,339 individuals on postal violations last year, an all-time high. The 11,474 convictions last year also were a record.

A veteran of 32 years with the Post Office Department, more than 26 of them as a postal inspector, Montague last December was awarded the highest career honor the Post Office Department can give—the Distinguished Service Award.

Postmaster General Winton M. Blount yesterday hailed Montague as representing the "finest product of the postal career service tradition of advancement of dedicated careerists through the ranks."

THE NEED FOR TAX REFORM

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. BROTZMAN. Mr. Speaker, on Monday President Nixon laid before Congress a group of proposals about which he said:

> This Administration, working with Congress, is determined to bring equity to the Federal tax system. Our goal is to take important first steps in tax reform legislation during this session of the Congress.

I would agree with President Nixon that reform of the present income tax system is long overdue. To that end, today I am introducing three bills which I believe should be incorporated into the overall tax reform legislation which the Ways and Means Committee currently is considering.

My first bill would go to the heart of the problem and increase the personal exemption from $600 to $1,000. The increase would also apply to a spouse and dependents with comparable increases for the aged and the blind. This bill would give the American people a more realistic deduction for their true cost of living.

My second bill would recognize the dilemma of parents and their college age children who today are confronted with the necessity of a college education to properly prepare for many career fields, and at the same time college costs are skyrocketing.

This bill would provide any taxpayer a credit against his Federal tax of up to $550 a year for himself or another individual he may send to college. It would provide relief for both moderate- and low-income families, while at the same time providing a broadened financial base for all of our institutions of higher learning.

My third bill would provide a statutory basis for allowing teachers and educators to deduct from their gross annual income educational expenses incurred in pursuing courses required by a teacher's employer, or courses related to the improvement of the teaching or administrative skills of the teacher.

It is important that our teachers and educators be encouraged not only to remain in their field, but to improve their knowledge through additional advance education. The bill I am introducing today will provide part of that encouragement.

Mr. Speaker, I applaud the initiative of the President in calling for broad tax reforms in this session of Congress. I urge my colleagues to join me in enactment of the three bills I am introducing which will take the first steps in that direction.

FAILURE OF MANY COLLEGE STUDENTS TO UNDERSTAND DEMOCRACY

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. GALIFIANAKIS. Mr. Speaker, I should like to read the text of a letter I recently received from a college student and also my reply to him. While I do not make a practice of revealing the content of my correspondence, I do so today for a very special reason.

I wish to share these letters with my colleagues, Mr. Speaker, because I am very much afraid that this young man's views are those of many of his peers. I have been becoming increasingly concerned that many of today's generation of college students do not comprehend the nature, purpose, or function of a free democratic society. If this young man's attitudes are indicative of his generation, then there is reason for genuine concern, if not alarm.

What can democracy in America expect at the hands of a generation that does not understand what it is or how it works? Mr. Speaker, it is time that we set about to clearly identify the source of the lack of understanding by our college-age generation. We cannot solve the problem, much less save the democracy for future generations, unless we take this vital step first.

Hon. Representative Nick Galifianakis,
U.S. House of Representatives,
Washington, D.C.

Dear Sir: I am certain that you have examined very carefully the use of violence within the movement for civil rights. The question of the use of violence and its ensuing efforts are the subjects of research that I am doing. . . . My investigations thus far are leading me to the belief that violence, despite all the damage that stem from its use, has had a constructive role in the progress of civil rights.

It has appeared to me that violence has called attention very effectively to the nature of the injustices and the urgency to initiate powerful remedial action. Of course, the violence cannot be condoned nor permitted to continue and steps must be and are being taken to discourage violence. But the fact that violence was used calls attention to the problems that precipitated its use, and legislators realize that somehow these problems must be met. This, at least, is the impression that I have received.

But, speaking as a Congressman, what has been your reaction to the use of violence? Specifically, what have been the constructive results of the use of violence and how could these results be achieved in the future without the use of violence? It seems that the radicals perpetrating the violence feel that it does aid the progress of civil rights to some extent at least. Do you see that violence has resulted in any real progress over the long run? What can be done to discourage the use of violence? For instance, far-reaching legislation has been passed in the recent years and the threat of violence has subsided. Will a responsive Congress make the use of violence less likely if it continues seeking amelioration of present conditions?

My reply follows:

This is in response to your letter on the subject of the use of violence in the civil rights movement.

I am somewhat confused by your juxtaposition of statements that violence "has had a constructive role" with "Of course, the violence cannot be condoned nor permitted to continue. . . ." These seem to me to be quite inconsistent and irreconcilable.

However, I can answer directly the question you asked: Do I believe that violence has produced any progress in civil rights? I feel quite to the contrary, that every instance of violence has *retarded* rather than furthered the cause of civil rights. Unfortunately, violence has frequently obscured totally the meritorious aspects of civil rights causes and has only more deeply divided the community, state, and nation.

In a free democratic society the resort to violence has a detrimental effect. It can only lead to further unnecessary division of the people. It is a symptom of social failure and is itself an additional failure of the society in which it occurs. Whenever violence results in anything that can possibly be termed "constructive", you may be assured that it occurred in a society which is not free. The destruction of a democratic society, *not* the solution of its problems, will be the only legacy of violence.

The threat of violence is seldom, if ever, eliminated by laws alone. The real answer is in the application of enlightened, consistent, good-faith leadership, at the *local* level, on *both* sides of the issue. The solution to civil rights and other social problems is rooted in human understanding, not in laws as such, and certainly not in human violence.

I do not wish to appear to be preaching to you, but I am still haunted by your opening paragraph. If you feel that violence plays a constructive role in settling human problems you are saying, in effect, that mankind is forever his own worst enemy and cannot live in peace in a free society. I do not ascribe to that philosophy and hope that most of the free world does not either.

Mr. Speaker, I should be very happy to have any of my colleagues who wish to do so share with me their thoughts and comments on this disturbing problem.

THE SPACE PROGRAM

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. SHIPLEY. Mr. Speaker, under leave to extend my remarks, I would like to include in the Congressional Record the account of a speech given by General Electric Vice President Mark Morton before the Greater Philadelphia Chamber of Commerce on April 8. I feel that Mr. Morton's remarks are very pertinent at this time, and will be of interest to my colleagues interested in the space program.

[From the Philadelphia (Pa.) Evening Bulletin, Apr. 9, 1969]

America must not sacrifice its space program and technological advances for the sake of social reform, General Electric Vice President Mark Morton said here yesterday.

Morton, who is also general manager of GE's Missile and Space Division, spoke at a luncheon meeting of the Greater Philadelphia Chamber of Commerce at the Sheraton Hotel.

"History has taught us," he said, "that the nations that paced the world remained at the top only so long as they had the vision to develop their contemporary technologies and resources and not abandon them for solely social improvement."

Social improvement, he contended, can only be made through technological advances.

"Yet there are those who say we should first solve all of our immediate social programs to the exclusion of the advancement of technology which they describe as a waste of money," he said.

New ideas and new scientific thought have always been fought by the majority of people regardless of the century, he said. He cited the case of Galileo who said the earth was round and the Wright brothers who said they could fly an airplane.

"The people who oppose these ideas," he said, "seem to feel that if the money involved were spent on them instead, they'd be better off.

"This condition lasts for a very short time. Then their country's money disappeared because its lapsing technology lost trade position or defense posture, and its people end up far worse off than before."

He said he believed "certain elements of the New Left," are among those opposing the development of new ideas and techniques because they know it is one way to sap a nation's strength.

If America gives in to the temptation to slack off on scientific research and development, we will no longer be the most powerful nation with the highest standard of living. Instead, he said:

"We will live by whatever generosity and by whatever grace may be allowed us by the nation who, by its vigorous program of science and technological advancement, takes our position."

Besides Apollo and the moon missions, the space program has provided the nation with equally important but less "glamorous" advances in communications, transportation, education, medicine and many other areas, Morton said.

He cited the case of small precision valves developed for booster rockets now being used to replace damaged heart valves.

GE's Missile and Space Division, he said, helped last year in setting up Progress Aerospace Enterprises, a black-owned, black-managed Philadelphia firm.

In the past, he noted, technological advances came in the wake of war.

"Now, in the space program, we have a national objective, other than war, about which we can wrap our advance of technology," he told some 300 persons attending the luncheon.

BOBBY TRUJILLO: WHAT THE U.S. FLAG MEANS TO ME

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. PETTIS. Mr. Speaker, a 10-year-old constitutent of mine, Bobby Trujillo of East Highlands, Calif., recently wrote in an essay for his class at Cram Elementary School what the flag of the United States means to him. I am proud to share his thoughts with my colleagues, who I am sure will feel the same thrill of encouragement as I did by his stirring words. The essay follows:

BOBBY TRUJILLO: WHAT THE U.S. FLAG MEANS TO ME

"The meaning of our flag is everything to the United States and everybody living in it. This is a free country. Everybody wants peace and freedom in the United States. Our flag is a symbol of peace and freedom. Every star and stripe represents something. The stars represent every state in the United States. The red represents courage and bravery and the white represents freedom and justice.

"Our flag is a representative. It represents our country. Our flag belongs to the country. We are free to do almost anything because of the freedom our flag shows. Our flag means freedom and liberty to our country.

"The freedom our flag stands for enables us to watch television, listen to the radio, do anything we want as long as it doesn't bother anybody else. Our flag pictures the justice, freedom and peace of the United States.

"All of these words that I have used to explain the flag, really are our flag. Our flag means all these good things to all of us in the United States.

"When the flag is flying over my country, it means that I can be friends with all of the people in my country. It means play and work with my friends in East Highlands. When the flag is flying over me, it means that I can work and study to be what I want to be. I want to be a police officer and help my country keep the laws in the United States and keep our country free.

"On Flag Day everybody puts up a flag to show that they respect their country and to show that they are American Citizens of the United States. Our flag should be flown every day for these same reasons.

"If I were a flag and I was waving up on a flag pole, I would see a beautiful country and if I were a flag, I would be proud to be the flag of our country.

"Our flag was in the wars just like all of the men and all of the men that were killed in ours just like at Valley Forge.

"The flag is just a piece of cloth to some people and then again it means a lot to some people. It means a lot to me. It means freedom and justice to a lot of people in the United States and me, too."

TANZANIA NATIONAL DAY

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. DIGGS. Mr. Speaker, on April 26, the United Republic of Tanzania celebrates its National Day commemorating the fifth anniversary of the proclamation of the union of Tanganyika with the nearby islands making up Zanzibar. Tanganyika had achieved its independence in 1961 and Zanzibar in 1963.

Since independence and the formation of the Union, the United Republic of Tanzania has made considerable progress in the development of its resources for the good of its widely dispersed inhabitants representing 120 different tribes. Despite limited agriculture and industrial resources, the country has achieved a commendable annual increase of domestic production and has made great efforts to further education and other social services.

Under the dedicated leadership of its President, Julius Nyerere, one of Africa's best known and most thoughtful statesmen, the country has embarked upon a program of nationbuilding and self reliance to strengthen the country's unity and political and economic independence. This program for the future is best set forth in the Arusha Declaration of 1967 which calls for self-sacrifice and hard work on the part of all citizens from the highest officials to the common worker and farmer, equal distribution of the fruits of economic progress, and greater emphasis on agricultural production. Under this program a number of private enterprises in the dominant economic sectors were taken over by the Tanzanian Government. Agreements were reached with most of the former owners regarding satisfactory compensation. In many cases management contracts were also included whereby the former owners have continued to administer these enterprises on behalf of the Government.

A major development since the formation of the United Republic of Tanzania was the establishment in December 1967 of the East African Community in whose creation Tanzania played a notable part. It is fitting that the headquarters of the community should be located at Arusha near the foot of Kilimanjaro in Tanzania. We believe that the community will strengthen the common institutions which Tanzania shares with its East African neighbors of Kenya and Uganda, such as an airline, railroad, ports, postal system, and telecommunications. Mutually beneficial trade within the East Africa common market area should increase. The community organization should lead to a degree of regional cooperation which can help further the rational development of the region as a whole. The community is an example for other areas of Africa.

While stressing the need for self-help and reliance on its own human and economic resources, the Tanzanian Government has consistently sought foreign private capital in designated sectors to participate in the country's economic progress. It has turned to many foreign countries for economic and technical assistance for the establishment of educational institutions, the strengthening of its universities, the improvement of its infrastructure and the establishment of various industries. It has also embarked upon a major program to improve transportation with the neighboring landlocked country of Zambia by construction of a road and pipeline to facilitate export of that country's valuable copper and import to Zambia of petroleum and other needed products. Although our assistance is modest relative to Tanzania's own efforts and to the contributions from other countries, we are pleased that the United States is cooperating in Tanzania's development program. We are confident that our participation will help further that country's economic and social progress and to maintain its true independence.

On the occasion of this auspicious day, we wish the United Republic of Tanzania best wishes in its continued efforts to further peace, progress and social equality. We are confident that mutual understanding and cooperation between our two countries will continue to grow.

LEGISLATION TO AMEND THE SOCIAL SECURITY ACT

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. REID of New York. Mr. Speaker, I am introducing today legislation to amend the public assistance provisions of the Social Security Act to require the establishment of nationally uniform minimum standards and eligibility requirements for aid and assistance.

The principal intention of this bill is to equalize the eligibility requirements and allotments for welfare from State to State, so as to discourage the migration of poor families from Southern States with low welfare payments to New York and other Northern and Western States that offer greater dependent children allowances. Underlying this purpose is the rationale that welfare is the result of poverty, that poverty is a national problem, and that some States should not have to bear the burden of the inequitable system that does not recognize this as a national problem.

The effect of the mounting welfare costs and burgeoning rolls is that States and localities must raise their taxes and/or reduce other vital services which they provide their citizens. The New York City welfare commissioner has requested $1.7 billion for welfare next year, an increase of $400 million over this year and the largest single item in the expense budget. Beyond the fact that New York City's welfare rolls have nearly tripled in 6 years, the reason that New York requires so much for welfare is that it pays $61.70 per month on the average for dependent children, as compared to $8.40 in Mississippi. This higher payment causes a vicious circle: more and more poor families from Mississippi come to reap the greater benefits available in New York. Quite simply, New York should not have to pay for the human misery caused by technological unemployment in the South; the Federal Government should take steps to see that this burden is shared equally.

Aid to dependent children will cost New York State a total of $321.1 million in 1969–70, with the localities paying an equal amount, and the Federal Government paying $428 million. The State and local share of all public assistance programs will be over $1 billion while the Federal Government will contribute just over half that amount. Further, these State figures reflect a 5-percent across the board budget cutback and a reduction in vital welfare services that will drastically alter the lives of aid recipients.

This is not to say that the establishment of uniform national standards will relieve the States of their welfare burden. It is my understanding that several proposals have been advanced to require that the Federal Government assume a greater portion of welfare costs. One plan, developed by Richard P. Nathan, now an assistant director of the Bureau of the Budget, would permit the Federal Government to reimburse the States in full for the first $30 in payments to dependent children and 50 percent of the next $40, with a minimum payment of $40 per child. Another suggestion would be to have the Federal Government finance approximately 90 percent of the cost of welfare programs—as compared to the 40 to 50 percent it now pays in New York, for example.

National standards will help, however, to stop the migration that causes millions to come to the large cities, without schooling, jobs or friends, in search of larger welfare checks. The Supreme Court's decision this week outlawing residency requirements for welfare moves us closer to a uniform national welfare policy.

National welfare standards have been advocated by many, both in and out of Government. This legislation, in fact, has already been introduced by a number of other Members. I think that all of us who realize the importance of this concept also realize that it will be incumbent upon the Secretary of Health, Education, and Welfare—charged with establishing the standards—to set them at levels that are reasonable compared with what States are now paying. In other words, every State should receive some Federal assistance even if its present schedule of payments is above the minimum standard that will be set.

Mr. Speaker, this is but one of several steps that must be taken to reform the welfare system so that it encourages independence and self-sufficiency. Ideally, we need more day care centers and more job training programs so that those who are employable—and their children—can be removed from the welfare rolls. But I urge prompt consideration of this legislation because it is a vitally needed measure for the relief of States and cities which all our tax dollars support.

GRAPE BOYCOTT IN DELANO PERPETUATES A HOAX

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. UTT. Mr. Speaker, I would like to insert in the Extensions of Remarks of the RECORD an article by James J. Kilpatrick entitled "Grape Boycott in Delano Perpetuates a Hoax," which appeared in the Washington, D.C., Evening Star on Tuesday, April 22, 1969. I believe that Mr. Kilpatrick sums up the situation very well. The article follows:

GRAPE BOYCOTT IN DELANO PERPETUATES A HOAX

(By James J. Kilpatrick)

DELANO, CALIF.—The grapevines stand in trellised ranks, green-sleeved, precisely spaced, as disciplined as troops in close-order drill. Their cross-pieces are angled at right shoulder arms; they make of the flat brown earth a crowded battlefield.

It is for possession of this battlefield that California's table-grape growers and an AFL–CIO union are struggling. The conflict long ago stretched beyond the Delano community.

For the past 3½ years, well-meaning liberals across the country—not to mention a number of politicians on the make—have been giving full-hearted support to the "grape boycott" urged by Cesar Chavez and to the supposed "grape strike" behind it. Chavez is director of the United Farm Workers Organizing Committee, AFL–CIO. When it comes to recruiting union members, Chavez is a flop; his UFWOC has recruited amazingly few. But when it comes to mounting a publicity campaign, the man is an undoubted genius. He turned up recently with a bylined piece in Look extolling his non-violent piety.

His "boycott" bumper stickers blossom on half a million Volkswagens. In dozens of parochial schools, such is the gullibility of the nuns, little children compose insulting letters to grape growers as exercises in English. Hippies, Yippies, priests, professors, political figures, and housewives with time on their hands—all of them are whooping it up for the downtrodden grape pickers of Kern County, Calif.

It is a hoax, a fantasy, a charade, a tissue of half-truths and whole fabrications. Within the past 10 days, since Chavez blundered into his first big public relations error, the union's effort has become something more—a brazen, ugly, and undisguised bid for "closed shop" power over the lives of farm workers everywhere.

To swallow the Chavez line, you must believe that grape workers in the Delano area are miserably paid, wretchedly housed, and cruelly treated. You are urged to help feed "hungry children," the victims of the system that denies men a living wage. "At present rates," says an UFWOC handout, given to me last week, "a farm worker who is fortunate enough to work 40 hours a week, 25 weeks a year, would earn $2,386."

This is moonshine. The reporter who checks payrolls, goes into the fields, talks with workers, visits their homes, inspects the labor camps, and otherwise covers the story, gets an entirely different picture. The going base wage for grape workers is $1.65 an hour. At 40 hours a week, 52 weeks a year, this would produce annual earnings of $3,432. Yet the hypothetical example has no meaning. This is not how grape workers work.

The typical Delano worker—if there is any such being—is a middle-aged Mexican-American, with little formal education and few skills beyond those of grape and vegetable culture. He has a wife and two or three teen-aged children. As a resident alien of 10 years' standing, he must register annually with the Immigration Service. Otherwise, he is free to live his proud, humble, independent life as others do.

Such a worker may have a dozen different employers during the year. He goes where the work is, from one vineyard to another. Thus, there is no such a thing as an ordinary "bargaining unit," for the workers move around freely. George A. Lucas, a middle-sized grower, sent out 3,500 W–2 forms on workers last year.

In summer, the work is hard and hot; at other times, it is picnic-pleasant. Families take their lunches to the fields. Last week, I talked at length with one such family of four. With the base wage, plus incentive supplements, they expected to earn about $325 for the week. At harvest time, this doubles. They drive a 1968 stationwagon. A son is in college.

Out in the fields, the workers speak of the Chavez union with fear and contempt. They tell of threatening telephone calls at night, of repeated acts of vandalism and intimidation. They are fearful that beleaguered growers, anxious to end the nationwide boycott, may yet sell them like so many heads of lettuce to the UFWOC, which thereafter would control when and where they worked.

It is this press-gang power that Cesar Chavez is seeking. He wants his union to become the sole source of agricultural workers, under contracts that would forbid the growers to hire any non-union man. This is what the fight is all about and it is incredible that liberals, professing a love for the little fellow, should be helping him toward his goal.

SECRETARY FINCH'S STATEMENT ON HEADSTART

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, Secretary Finch of the Department of Health, Education, and Welfare appeared this morning before the Committee on Education and Labor to discuss the Headstart program.

In his statement Secretary Finch has forthrightly and thoughtfully outlined the basis for the delegation from OEO to HEW. I commend his testimony to my colleagues as being sound and the program he has outlined is one which is beneficial to child development programs.

The statement follows:

STATEMENT BY ROBERT H. FINCH, SECRETARY, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, BEFORE EDUCATION AND LABOR COMMITTEE, HOUSE OF REPRESENTATIVES, ON TUESDAY, APRIL 24, 1969

Mr. Chairman and members of the Committee. I am pleased to have the opportunity to appear before you today in connection with consideration of the Economic Opportunity Act.

Nearly five years ago, an office was established which gave a voice to the poor of this country for the first time. OEO launched programs which were flexible, responsive and innovative. There were trials and there were errors, and we all learned a great deal during those five years.

Let me say at the outset that I feel strongly, as do many of the members of this Committee, that the integrity and strength of the OEO continue to be maintained.

As President Nixon said in his message to Congress of February 19:

"From the experience of OEO, we have learned the value of having in the Federal Government an agency whose special concern is the poor."

He said further that OEO's greatest value had been as an initiating agency, developing new programs and serving as their "incubator" during the experimental beginnings. The significance of the agency as an idea and testing center is greatly lessened if it is called upon to shoulder the burdens of administering and operating national programs after they have passed through their initial phase.

It is in this context that the delegation to HEW of such programs as Head Start is being carried out. I do not believe that OEO can as effectively fulfill its innovative role if it is called upon to shoulder the burdens of administering and operating large, nationally established programs after they have passed through their developmental stages. It is an adage of government that operations drive out innovation, and I think it is critical that this not be allowed to happen to OEO.

Moreover, it is important that these programs be able after a time to draw support from, and have a direct effect upon, the ongoing programs in the traditional Departments and agencies.

It is in this context that these delegation decisions were made—not as an attack on OEO, but in an effort to support its basic mission and the continued growth of those programs which have proved themselves. This, I believe, was the initial dynamic conception of the OEO. Its programs were not to be kept under glass, and forever preserved in their initial agency structure.

I would like now to describe to you in some detail our plans with regard to Head Start and the establishment of a new Office of Child Development.

On two occasions since he took office, on February 19, in his Message to Congress, and again on April 9, the President has made a national commitment to the needs of children in the crucial years, 0 to five years of age. On the latter occasion he drew attention to the fact that we are now discovering that the process of learning, the *need* to learn, begins very early in the life of the infant child. In the case of the infant child of poverty, all too often there are environmental deficiencies which not only are totally negative in meeting his needs, but which also set a dangerous and usually irreversible pattern for the future.

Scientists and researchers in the field of early child development are constantly seeking methods and techniques of compensating for these environmental deficiencies, and daily we learn how much more we need to know. This is why the Head Start program, even though it is a large program, must continue to experiment with new approaches and techniques designed to improve its overall effectiveness. That is an area in which I believe HEW, with its many resources in the human development field, will be able to make a substantial contribution.

In a moment, I will describe to the Committee some of the specific ways in which my Department will seek to strengthen and improve the program. But first I will say that I feel the greatest service we can perform for Head Start children and their families, and the way we can best support the President's commitment is to encourage every innovative feature of the program, and place increased emphasis on its experimental nature.

This it is my intention to do. I shall be requesting larger Head Start programs to set aside a specified proportion of their approved slots for experimental curricula or programs. These will draw upon valuable research being conducted by HEW, and will provide us with a wide range of options and recommendations for future planning.

While the decision was still being made as to precisely where in HEW Head Start should be housed, everyone concerned was acutely sensitive to the need to build upon the program's strengths and to overcome its weaknesses. The decision to entrust the program to a new Office of Child Development was based, in large measure, upon the recommendations of an Advisory Committee, ably chaired by Charles Schultze, former Director of the Bureau of the Budget. This Committee included eminent experts in government organization, child development and community action, education and child health, three members of the original Head Start Planning Committee, five Head Start parents, and three Head Start directors. I should like to ask that the Committee's report be made a part of the record to appear at the end of my testimony.

By taking this action, I feel that several important advantages will accrue:

(1) The integrity of the program will best be assured if it is not placed under any existing major organizational unit;

(2) the prestige and visibility of the Office of the Secretary will enable the new unit to become a focal point for new initiatives in child development;

(3) the special innovative characteristics of Head Start can be carefully nurtured if the program is accorded an independent and secure status within the Department, with direct access to the Secretary.

(4) Such an Office will provide a point of coordination for early childhood activities throughout the Department.

Communities will henceforth be able to relate to a single focal point within HEW, which has responsibility for the bulk of Federally assisted day care and preschool programs. The concept of Head Start as a "family program" will be broadened by encouraging the use of funds from such HEW administered programs as services to AFDC families, Child Welfare Services, Medicaid, vocational rehabilitation, vocational education, and adult education.

In order to improve coordination, I am establishing a Board of Advisors on Child Development, which will be composed of senior officials of this Department of health, education, and welfare. Through this device, it will be possible to take a unified look at all early childhood programs, including those in the Office of Education under the Elementary and Secondary Education Act, and those in the Follow Through program, operated under delegation from OEO; those in Social and Rehabilitation Service, which provides grants for parent education and other child and family services; and those in the National Institute of Child Health and Human Development, which carries out extensive research into the nature of child development, and in the National Institute of Mental Health, which does a considerable amount of research into the biological and behavioral aspects of early child development.

The close coordination of these programs means expanded resources, increased research, greater flexibility, and the presentation of a rational and coherent picture of all that is going on in this field.

As to means of strengthening and improving Head Start, I have already referred to the specific experimental requirement which will be introduced. But another very important area to which we will immediately address ourselves is the comparative merits of eight week summer programs as compared with full year programs.

(1) It has become increasingly apparent that the shorter program produces very limited benefits, and those tend to dissipate after entry into regular school. For this reason, we are removing the previous OEO prohibition on converting summer funds to full-year programs, allowing communities, at their option, to make this transfer. OEO has had requests for some time to allow this.

While such transfer will inevitably result in a reduction of the total numbers of children served, it could enable as many as 60,000 more children to be enrolled in full-year programs.

Plans and applications for this coming summer's programs are already under way. In order not to delay this important conversion for another 12 months, this summer's grantees are being told that they may, upon application, shift all or part of their grant to a full-year program.

(2) To strengthen services being provided to the very young child, I intend doubling the present number of Parent and Child Centers from 36 to 72, with an accompanying increase in the current $6 million budget to $12 million. These programs currently serve some 3600 families with children under three years of age, and a far greater effort is required if we are to explore the full potential of programs for these early years.

(3) The budget includes an increase of $30 million for the Follow Through program. This will permit it to extend in some communities into the third grade, as well as to begin in other communities. In addition, I plan to seek further expansion of the Follow Through program by encouraging greater use of Title I funds for this purpose. This program is aimed at reinforcing in the primary grades the gains that children make in Head Start. During the fiscal year 1968–1969, Follow Through funded projects served some 16,000 which, of course, is only a small fraction of the eligible number who had been enrolled in Head Start.

I am asking Dr. James Allen, Assistant Secretary for Education designate, to work with State and local education offices to examine ways in which the Follow Through program can be expanded and strengthened to reach more of these graduates.

(4) Day care and other early childhood programs at present operated by the Children's Bureau will be transferred to the new Office of Child Development. I am convinced that only by this coordinated, cohesive approach to early childhood development can we achieve responsive and comprehensive programs.

(5) HEW will establish a series of program development panels to focus on the improvement of program quality. These panels will consist of department officials and outside experts drawn from both the academic world and from local program staff or officials. The initial panels will be centered on curriculum, research and evaluation, training and technical assistance, parent involvement and services, and health programs.

(6) A National Advisory Committee will also be established. Membership will include professionals and parents, as well as program officials. The committee will concern itself with Head Start, day care and other early childhood programs, and will establish working relationships with representatives from Follow Through and Title I programs.

(7) In the light of the present inadequacy of testing systems and techniques for working with children of this age group, I will direct the new Departmental Board of Advisors on Child Development to draw up immediately a strategy for improving testing and evaluation methods. This will involve the Office of Child Development, the Office of Education, as well as NIMH and NICHD.

(8) To lend further support to the President's commitment to the first five years of life Head Start will, in its new home, become an integral part of the White House Conference on Children and Youth.

The new Office of Child Development will mesh its activities in other areas with those existing in our education, health and social service programs. For example, using a portion of our demonstration funds, we will encourage school systems using education monies, and community groups using Head Start monies, to collaborate in order to provide a continuous program of child development. Similar uses may be made of funds under Title V of the Social Security Act.

I am sure that there are some admirers of the present Head Start who are apprehensive lest the essential ingredients of the program will be changed in its new home; that some of its comprehensive elements will be dropped; that parents will be neglected or forgotten.

I cannot emphasize too strongly that these fears are without substance. Community Action Agencies, as well as other public and private non-profit agencies will continue to receive funds for Head Start. Non-professionals will be employed and included in career development programs. Volunteers will remain an essential element. The educational, nutritional, medical and social services components of the program will continue. Parent involvement will be sought in every phase of operation. However, as I have already indicated, we plan a vigorous campaign of investigation, research and experimentation into the ways in which these elements can be made even more effective. Just because an element of the program is working well, and enjoys popularity, is no reason to rest on one's oars in smug complacence. The activity must be made better, not necessarily by a single method, but perhaps by a variety of methods and techniques, drawn from every available source, and using every available talent and expertise.

Resources available under Title IV and V of the Social Security Act—services to families and children receiving AFDC, and the full range of Child Welfare Services, and Maternal and Child Health Services—can be mobilized on behalf of improvement and experimentation.

It seems to me that, for Head Start, the end of a vital stage has been reached. The program has been established throughout the Nation. It has received recognition and acceptance as fulfilling an imperative need. I think largely due to the influence of Head Start, nationwide attention has been focused on the early childhood period. Now, as I have indicated earlier, we are finding increasingly that there must be greater attention to the years of infancy as well. Thus the stage is set for the second phase of the program's growth and development.

As the President said in his statement announcing the establishment of the new Office of Child Development, we are only just beginning to learn what works and what does not. A great deal of the whole area of early childhood development is still unmarked territory. Head Start will be one of the most important means of pioneering that territory, finding new ways to reach and affect entire families of young children, so that, working *with* the family, these children will have an opportunity to reach their full potential.

In carrying out all these aims and objectives, I look forward to working closely with the Office of Economic Opportunity, as we have always done in the past in other OEO-initiated programs which have been delegated or transferred to OEO. I am also looking forward to a productive and enjoyable working relationship with OEO's Director designate, Donald Rumsfeld. Of course, in line with its general innovative role, OEO will continue to conduct experimental and innovative programs in the area of early childhood development.

I should now like to give the Committee a progress report on other programs being delegated or transferred to this agency.

FOLLOW THROUGH

As the Committee is aware, the Follow Through program was delegated from OEO to HEW in June 1967, under the terms of a memorandum of understanding between the two agencies. Funds for the program are transferred directly from OEO to HEW.

The broad objectives of the program are to develop programs that meet the instructional, physical and psycho-social needs of children from low-income families, by bringing together the resources of the school, the community and the family. Participants must have usually had at least one full year's experience in a Head Start, ESEA, Title I, or other quality pre-school program.

Follow Through school districts are selected with the assistance of State departments of education, State Economic Opportunity offices, and regional Head Start offices. They have all been asked to take part in a cooperative effort in which a number of program characteristics are varied—from district to district—so that a careful evaluation of results will show which approaches are most successful.

While 40 school districts began pilot projects in the school year 1967–1968, "planned variation" experimentation was not initiated until this school year; therefore evaluative data on the program are limited at this date. However, it has been learned that participating school districts are willing to carry out program variations, and that the combination of Federal and local resources and the research community is an effective one.

Most of the emphasis in 1969 has been on assessing the progress which each community makes in developing the project. It is intended to use these evaluations in developing further projects, and for measuring successes and failures.

A number of local communities have had serious difficulty in meeting their non-Federal share requirement in Follow Through, which is generally 20 percent. Since grantees normally begin by serving children in one grade, either kindergarten or first grade, and then add an additional grade to their program each year, the amount of the non-Federal share increases each year. In several instances, the grantee has had to accept a smaller grant than it was entitled to, thus reducing the number of children served, because of the burden imposed by the constant increase in the amount of non-Federal share contributions.

The proposed revision of the Memorandum of Understanding between HEW and OEO, which would give HEW the authority to set its own criteria, with OEO's concurrence, for waiver of non-Federal share, may relieve this problem somewhat.

UPWARD BOUND

The Office of Education is currently working actively to create an environment into which Upward Bound can be placed on July 1, 1969, without interrupting the program during its peak period of operation.

Progress has been made in the development of an organization to administer the program since, under the Office of Economic Opportunity, its administration has been contracted to a private organization—Educational Associates, Incorporated—a procedure which is now prohibited. The program will be established as a branch within the Office of Education, and candidates for the position of chief of the branch have been interviewed. Meetings have been held with OEO personnel and the Civil Service Commission regarding the status of current OEO employees in Upward Bound, and employees of Educational Associates, Incorporated. All OEO-Upward Bound employees currently on board will be offered positions with the transferred function.

The Civil Service Commission is considering our request for authority to bring current employees of Educational Associates, Inc. into the competitive service on July 1, 1969, and to provide a date after which the employees retained under continuing appointments may be recommended for conversion to Career or Career-Conditional employment. We hope to be able to make positive job offers to Educational Associates, Incorporated, employees on May 1.

We are also in the process of developing a list of consultants for site visiting and membership on advisory committees.

We are now in the process of drafting regulations to be published in the Federal Register shortly after July 1, 1969. A revision of guidelines to be used during the application process for funding of programs beginning after June 30, 1970, will be available for distribution on or about September 1, 1969. We will be operating under OEO guidelines during the coming school year.

The Acting Commissioner of Education has met with the National Advisory Council for Upward Bound and the Chairman of the Upward Bound Project Directors Steering Committee, to explain aspects of the transfer. A letter has been sent to project directors by the Acting Associate Commissioner for Higher Education, reassuring them that the Office of Education desires to maintain the high standards of the Upward Bound program and to continue its progressive development in its new setting.

NEIGHBORHOOD HEALTH CENTERS

The President's February 19 message also stated that preparations were to be made for the transfer of the Neighborhood Health Center program, or the Comprehensive Health Services program, as it is titled in the Act, to HEW. To follow up on that instruction, I have convened an Advisory Committee on Health Centers, composed of eminent people in the health field from outside government. The Committee is chaired by Dr. Julius B. Richmond, who was the first Director of the OEO Health Center program, and includes several directors of operating centers.

I have asked this Committee to consider how the integrity and effectiveness of the program can best be preserved and strengthened in a transfer to HEW, and particularly to consider how existing HEW health care programs can be made to support the Health Center effort.

Some of the recommendations of this Advisory Committee have already been accepted by the Administration in the form of amendments to the Hill-Burton legislation, in which we are proposing that project grant funds be made available for health center construction. I am convinced that we must focus other health resources in our Federal programs in a like manner on the needs of the poor.

A number of critical issues, including the timing of the transfer of the Health Centers program, remain unresolved, and will be the subject of further study within the Administration.

FOSTER GRANDPARENT PROGRAM

I should like to turn now to the Foster Grandparent Program, which, since August of 1965, has been jointly administered by HEW's Administration on Aging and the Office of Economic Opportunity.

This program was launched with 21 demonstration projects, to give older citizens a new and useful role in providing services to children and other individuals.

Men and women over 60 years of age and with incomes within the poverty guidelines, were recruited to serve as foster grandparents. They were given medical examinations, two weeks of orientation, and were then assigned to provide individual attention to each of two children, serving each for two hours a day, five days a week.

President Nixon, in his Economic Opportunity Message to Congress, stated that he had directed preparations to be made for the transfer of the Foster Grandparent program from OEO to HEW. Funds for continuing the existing 68 projects during fiscal year 1970, have been placed in the budget request of the Administration on Aging rather than the OEO request. As you know, last year the House of Representatives passed a bill to amend the Older Americans Act, H.R. 19474, which would have accomplished this transfer by creating a continuing legislative base for the program. This bill, which was reported favorably by this Committee, contained the recommendations of the Office of Economic Opportunity and HEW, that the program should be transferred to this agency.

We feel that it is appropriate to complete this transfer by July 1, 1969.

In addition to its present method of operation, we plan to expand the program to provide personal relationships to elderly persons in hospitals, nursing homes, intermediate care facilities or homes for the aged; to the homebound elderly on a preventive basis; and to other persons in need of this type of special personalized attention. Older people in these settings, in particular, are often among America's most isolated, forgotten and lonely citizens. We call this program element Senior Companions.

The Administration on Aging, in administering this program, intends to continue to emphasize opportunities for low-income older persons to provide these supportive person-to-person services. We also plan to introduce, as an expansion element, the use of volunteers who would be compensated only for out-of-pocket expenses. We believe this to be a logical extension of the program, since the income paid to current participants, in effect, enables them to volunteer for this role.

At the beginning of my testimony, I described the Office of Economic Opportunity as the first real voice of the poor this country has ever known. Opportunities for this voice to be heard must continuously be broadened and strengthened, and while the poor speak, we must always be ready, willing and *able* to listen.

The delegation of certain of OEO's programs to other agencies is being carried out in order that we may be more responsive to demands, more sensitive to needs, and more inventive in our planning.

In fighting the war against poverty, we must never allow ourselves to believe we have perfected our weapons. Only by constant experimentation, the mobilization of every resource, the discarding of programs that do not work, and the strengthening of those that do, can we truly carry out the responsibilities that are rightly ours.

PAN AMERICAN COFFEE DAY

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. MAILLIARD. Mr. Speaker, Pan American Coffee Day was celebrated on Capitol Hill on Wednesday, April 16, with an observance that was as fresh and sparkling as a just-brewed cup of good coffee.

The Inter-American Affairs Subcommittee of the House Foreign Affairs Committee used that occasion to invite the Latin American diplomatic corps and a number of officials of the executive branch to a "coffeebreak" to demonstrate that "coffee is the bond of friendship."

I was delighted to join with my good friend and chairman, the honorable DANTE B. FASCELL, of Florida, in acting as a cohost for the affair.

We were joined by the Speaker of the House, the Honorable JOHN W. MCCORMACK, Democrat, of Massachusetts; House Majority Leader CARL ALBERT, of Oklahoma; Foreign Affairs Committee Chairman THOMAS E. MORGAN, of Pennsylvania; the ranking minority member of the committee, E. ROSS ADAIR, and other members of the committee, in welcoming the Ambassadors from the Latin American nations.

Throughout the "coffeebreak," Members of Congress and some 40 Latin American envoys to the White House and the Organization of American States exchanged views with each other, and with more than 100 other distinguished guests from the U.S. Government and international institutions.

Among these were President Felipe Herrera, of the Inter-American Development Bank, Chairman Dr. Carlos Sanz de Santamaría of the Inter-American Committee on the Alliance for Progress—CIAP—and the former Under Secretary of State for Economic Affairs Thomas C. Mann, who played an important role in the establishment of the International Coffee Agreement.

An outstanding presentation of freshly brewed Latin American coffees, prepared by the Pan-American Coffee Bureau, gave evidence that coffee was literally—as well as symbolically—the bond of friendship. The Pan-American Coffee Bureau, which cooperated in marking the traditional Pan American Coffee Day, was represented by four members of the executive committee: Chairman Geraldo Holanda Cavalcanti, of Brazil; Vice Chairman Bernardo Rueda-Osorio, of Colombia; Jorge Canavati, of Mexico—who is also chairman of the World Coffee Promotion Committee—and Ambassador Luis Demetrio Tinoco, of Costa Rica, who represents his country both to the United States and the Organization of American States.

One of the highlights of the occasion was a brief, extemporaneous speech by Speaker MCCORMACK who disclosed that he attended the observance because he wanted to emphasize the importance of coffee in the life of the Americas. "Coffee is indeed the bond of friendship," the Speaker declared, adding that despite any differences that might arise from time to time, the United States and the Latin American nations are also united by a "common bond of the spirit."

Following brief comments by Ambassador Guillermo Sevilla-Sacasa, dean of Washington's diplomatic corps, the principal address was delivered by Chairman FASCELL, with a closing response by Dr. Bernardo Rueda, of Colombia, on behalf of the executive committee of the Pan-American Coffee Bureau.

Chairman FASCELL's statement follows:

> On behalf of my good friend and colleague, Congressman Bill Mailliard, and myself, I am delighted to welcome all of you to this "coffee break" reception arranged in honor of Pan-American Coffee Day.
>
> Coffee has played an important part in the history of both the United States and Latin America. Our own revolution, according to tradition, was planned in a colonial coffeehouse. And coffee has been the favorite drink of Americans since the War of Independence.
>
> Thus, long before the creation of the Organization of American States, the United States—the largest importer of coffee in the world—and our neighbors to the south—who supply the bulk of these imports—were united in a mutual appreciation of a good cup of coffee.
>
> A wise man once said that coffee inspires the mind and refreshes the spirit. But coffee also serves other, equally important, functions.
>
> For example, coffee is the largest single commodity in world trade—second only to petroleum in dollar volume. Annual trade in coffee amounts to more than $2 billion.
>
> In many countries of Latin America, the coffee bean is the element which spurs the economy and energizes development. The livelihood of millions of Latin Americans depends on the production and export of this commodity. And the vigorous trade between the United States and Latin America depends in good measure on trade in coffee.
>
> Since 1963, the tie that binds us has evolved into the International Coffee Agreement—an unusual arrangement which involves 41 producing countries and 20 importing countries. This is a unique pact in that it brings the exporting countries $500 million more a year in revenues, while providing coffee to the consumers at fairly reasonable and steady prices.
>
> In an age which has seen the cost of living rise in virtually all of the countries of the world, it is interesting to note that the world import price for green coffee—as well as the retail price for coffee in the United States—are lower today than they were ten years ago.
>
> On this day, when we observe Pan American Coffee Day during Pan American Week, it is surely appropriate to pause and remember what coffee has meant to the relationship of the United States and Latin America.
>
> Working together, we have moved steadily forward to a solution of the economic problems of coffee.
>
> It seems to me that with goodwill and the will to do it, we can in like manner seek out ways and means to solve our other mutual problems.
>
> In concluding these brief remarks, I would like to commend the Executive Committee of the Pan-American Coffee Bureau for the fine work which they are doing and to convey to them our appreciation for their help in arranging this marvelous display of the many different ways in which coffee enriches our lives and makes them a bit more enjoyable.

In his concluding comment, Dr. Rueda said:

> On behalf of the Executive Committee of the Pan-American Coffee Bureau, I wish to express to you and to all the members of the Subcommittee on Inter-American Affairs, our gratitude for sponsoring this unprecedented observance of the Pan-American Coffee Day.
>
> As you just said, Mr. Chairman, coffee has played a fundamental role in the relations of the United States and Latin America. And we, the representatives of the coffee-producing countries, see in this reception not only a gracious gesture but, indeed, a symbol of cooperation.
>
> No one doubts that coffee will be for many years to come the livelihood of millions of Latin Americans, and at the same time will continue to stimulate the economy of the United States.
>
> But surely, Mr. Chairman, more than words, this reception demonstrates that coffee is the bond of friendship.

DANGEROUS SEAS AHEAD

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. HICKS. Mr. Speaker, our esteemed chairman of the Committee on Armed Services, the gentleman from South Carolina (Mr. Rivers), spoke last week to the graduating class of the Calhoon Training School of the National Marine Engineers' Beneficial Association at Baltimore. Because what he had to say is so timely and pertinent to our military situation in the Far East, I hope that every Member of Congress will read his speech.

No one has been a stronger or more effective advocate of American seapower, both naval and merchant marine, than the chairman, and I am proud to serve on the Seapower Subcommittee that he created in the Armed Services Committee.

At one point in his address, Chairman Rivers asked this challenging question:

> Now, in light of what has happened in the North Korea area, we must ask ourselves this hard question: Could our American-flag Merchant Marine support sea lift operations to supply our armed forces in both Vietnam and Korea?

The answer to this question is one that our Seapower Subcommittee will be going into in the near future. I would hope that we will come up with a favorable answer, but some of the initial hard facts of the situation indicate otherwise.

I wish to insert in the Record the address by the Honorable L. Mendel Rivers on April 17, 1968. The speech follows:

Dangerous Seas Ahead

Distinguished guests and members of this graduating class.

I am happy to be here with you today—happy because this school and you young men graduating today represent an excellent quality in American life. You are achieving and doing something for your country. For this I congratulate the vision of Jesse Calhoon and all those who made this fine institution possible.

I can really only find one thing wrong with this school and the others like it. There simply should be more institutions of this nature in existence.

Today the Russians have 7000 students enrolled in schools for naval architects and marine engineers—23 times as many as we do. This is just one small and pertinent instance of the many ways in which Soviet Russia is surpassing the United States in the broad field of sea power—in training new personnel, in building new naval and merchant ships, in atomic submarine development, in oceanography and fisheries, and other pertinent areas of maritime development.

Ever so often an event takes place that forces us to look at our maritime hole cards, that forces us to ask hard questions about the status of our naval and merchant sea forces. Such an event occurred this week in the area of North Korea. The shocking act of piracy by the brigands of North Korea has once again dramatized the vital importance of our merchant fleet, our "Fourth Arm of Defense." If the North Koreans, international pirates that they are, were to provoke a full-scale military engagement, we would find ourselves dependent upon the American-flag merchant marine to supply the logistical support for such an operation.

As you well know, over 95% of the logistics support for all of our forces in Vietnam is delivered by sea—the largest and longest sea lift operation in history.

Now, in light of what has happened in the North Korea area, we must ask ourselves this hard question: Could our American-flag merchant marine support sea lift operations to supply our armed forces in both Vietnam and Korea?

The statistics of the situation perhaps provide the answer. Today some 533 ships are operated by the Military Sea Transportation Service. Most of them are old cargo ships, Victory and other such ships built during World War II. The head of the MSTS, Vice Admiral Lawson P. Ramage, recently told a Subcommittee of our Committee that these old transport ships, at the point where they reach 30 years of age, will be of questionable usefulness in supporting future military operations. He said, and I quote—"I would say generally ships built 30 years ago, although not in active service throughout, have come to the end of their useful life."

Most of the 533 ships operated by the MSTS are approaching 30 years of age. And precious few replacement ships have been contracted for.

Thus, while the American-flag merchant marine has been able to support the military effort in Vietnam, there is a question as to whether it could support two such operations.

Any analysis of these facts leads one to the obvious conclusion that the United States today has a thoroughly inadequate merchant marine to meet its basic defense needs. Were another outbreak of the Vietnam nature to occur, we would undoubtedly have to supply sea lift support by taking our subsidized general-purpose ships out of commercial trade on world trade routes. The effect on the national economy in general, and the balance of payments in particular, would be severe. For reasons such as these, I favor the long-term charter concept to help assure an adequate supply of replacement ships in readiness for any military eventuality.

I am sure that I do not have to spell out for you the hazards of shipping in foreign-flag lines, particularly for shipping in support of military operations. We could easily be at the mercy not only of those who own the foreign-flag ships, but of those who might have some influence with the crews. A few years ago, for example, the MSTS chartered a certain ship and the crew flatly refused to sail when they were informed they were going to Vietnam. This was not just an isolated case. There are other instances of foreign-flag ships chartered by American operators on which the crews refused to sail or delayed the ship when they found it was going to Vietnam.

We, all of us in this hall, know that integrated Naval and merchant sea power is an integral part of our national security. And particularly do we realize that our commercial shipping capability is an integral part of American sea power.

Because our Committee recognized the serious nature of this sea power problem, I appointed a Subcommittee on Sea Power last fall, and because I recognized the interdependence of Naval and merchant sea power, I gave the Subcommittee the broadest charter. In addition to Naval power, I asked them to ascertain the steps necessary to overcome the glaring deficiencies in the cargo and troop carrying capabilities of ships owned by the Federal Government or by American industries.

The Subcommittee has just released its first report on the status of Naval ships. I hope you will read it carefully. It can be best described in one word: Shocking!

The discussion in this report of the advances made by Soviet sea power will chill the blood. While we have been throwing words at each other about sea power, the Soviets have been making a monolithic, single-minded drive for supremacy of the seas. They have taken the great teachings of our own Admiral Alfred Thayer Mahan to heart and are intent on overwhelming us in the sea lanes of the world.

I will not take the time to recite the depressing statistics for you undoubtedly know them as well as I do. Suffice to say that, at their present rate of merchant growth, the Soviets will pass us as a maritime power in a brief year or two.

Now the question we must ask is: What can be done?

How can we get American sea power back on course?

The first ingredient, and we might as well state it plainly, is money. We have not spent enough money for new Naval ship construction nor for the maintenance of an adequate merchant marine. We are going to have to increase the annual rate of spending a considerable amount to get results. I don't mean a crash program. I mean an increased level of funding sustained over a period of years. I have introduced legislation to provide a shipbuilding program to cost $3.8 billion in the coming fiscal year. In my view, that would be a beginning step.

Another step we should take is to devote funds to new technology applicable to shipping. In the last six years the Defense Department has spent around $1 billion on research and development for air lift. In the same period it has spent only $46 million in research and development for sea lift—and most of that was for the ill-fated FDL's and, incidentally, I am as strongly opposed to the FDL's today as I have been in the past. There are so many other ships we need so much more than a Government-constructed experiment which could only end up competing with what's left of our privately-owned merchant marine.

Given the proper research and development, I can't help but believe that more of the things designed for the Navy would be of value to our commercial shipping. For example, diesel power was started by the Navy for submarine use and then was adapted to all kinds of commercial uses. Our commercial airlines have benefited tremendously from the jet engine and air framework done for the Air Force. And I keep thinking the same should be true for merchant ships in relation to the Navy.

Commercial shipping as it relates to the nation's defense requirement is the next item on the agenda for our Sea Power Subcommittee. After that, the Subcommittee will make a study of U.S. shipbuilding capacity, both for Naval ships and for commercial ships which contribute to national defense requirements.

But we don't need to wait for these studies to realize our principal need in the fight to restore American sea supremacy. We need to have above all a determination to work together—Congress, the Administration, industry, and maritime labor. The helm of that leadership rests in the Administration—leadership that needs to be backed by an awareness that we must have the total package—covering our Naval forces, and commercial ships, our fishing fleet and our shipyards. We will get this leadership only if this Administration—and the President—are willing to give sea power a high national priority. We have had a multitude of promises in the past that we would get a new Navy and a new merchant marine. Now, as events are proving, time is running out.

Unless we act now, we are going to wake up one morning soon and find the Soviets in control of the sea lanes of the world. There is no other conclusion to be drawn from the overwhelming body of evidence that has been presented. The time is late, the sands are running out, and we must act now.

Thank you very much, and my fervent hopes that our pleas will be heeded and that you will be in a revitalized merchant marine go with you as you prepare to serve your country on the high seas.

A BILL TO AMEND TITLE V, UNITED STATES CODE, TO PROVIDE ADDITIONAL COST-OF-LIVING ADJUSTMENTS IN CIVIL SERVICE RETIREMENT ANNUITIES OF CERTAIN RETIRED EMPLOYEES IN ALASKA AS LONG AS SUCH RETIRED EMPLOYEES CONTINUE TO RESIDE IN ALASKA, AND FOR OTHER PURPOSES

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. POLLOCK. Mr. Speaker, today I have introduced a bill which would amend title V, United States Code, to provide additional cost-of-living adjustments in civil service retirement annuities of certain retired employees in Alaska as long as such retired employees continue to reside in Alaska, and for other purposes.

Civil service employees in Alaska receive a 25-percent cost-of-living differential, however, today if they retire and stay in Alaska they do not receive the cost-of-living differential based on their retirement pay. This is rather unfair for the person who has resided in the State for many years to have to leave that State upon retirement because of the disastrous cut in income upon retirement.

Mr. Speaker, my bill would allow those persons, who after 10 years of employment with the Government in Alaska, to receive the cost-of-living differential in their retirement pay and thus would benefit our great State in that many of these fine people would then be able to remain in Alaska rather than for them to move outside just because of the cost of living. This cost-of-living differential would only be available as long as these persons remain in our great State.

Mr. Speaker, this bill will aid Alaska in keeping as her citizens many dedicated Government employees who have spent much of their lives working and living in Alaska.

A bill to amend title 5, United States Code, to provide additional cost-of-living adjustments in civil service retirement annuities of certain retired employees in Alaska as long as such retired employees continue to reside in Alaska, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8339 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(m) Notwithstanding any other provision of this subchapter and in addition to the amount of annuity to which he otherwise is entitled under this subchapter, the annuity of each retired employee who has performed ten years of service in Alaska prior to separation and who, after the commencing date of his annuity, continues to reside in Alaska, without break in time after his separation, shall be increased by 25 per centum so long as he continues to reside in Alaska. This annuity differential is applicable to the annuity of any survivor of such retired employee.".

SEC. 2. The amendment made by this Act shall apply to persons retiring or retired prior to, on, or after the date of enactment of this Act, and their survivors; but no annuity differential shall be payable by reason of such amendment for any period prior to the first day of the first month which begins after the date of enactment of this Act.

A DECLARATION ON CAMPUS UNREST

HON. RICHARD (DICK) ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. ICHORD. Mr. Speaker, on Thursday, April 17, the American Council on Education, one of the Nation's major private coordinating bodies for higher education, issued a statement on campus disorders and public backlash formulated by a group of prominent educational administrators, trustees, and foundation officers.

The statement, issued under the title, "A Declaration on Campus Unrest," was written at a meeting held under council auspices during the Easter weekend in Chicago and was later approved by the council's board of directors. This document, declaring that balanced judgments are necessary in the search for understanding and solutions, emphasizes these points:

The great majority of American campuses has remained peaceful. Even on campuses where conspicuous disorders have occurred, educational programs generally have proceeded normally.

Among the young is a minute group of destroyers who have abandoned hope in today's society, the university, and in the processes of orderly discussion and negotiation to secure significant change. Students and faculty are increasingly aware of the true nature of the group and are moving to deal with its destructive tactics.

The spectacular events precipitated by the extremists should not be allowed to obscure the recent accomplishments of students, faculty, and administrators who have serious interest in constructive changes in society and in the university.

Some of society's expectations for universities are quite unrealistic. Insofar as these expectations can be dealt with, they involve a sharing of responsibilities among diverse social institutions.

Disruption and violence have no place on any campus. The academic community has the responsibility to deal promptly and directly with disruptions. If universities will not govern themselves, they will be governed by others.

The historic concern of the university community with academic freedom needs to be restated, reaffirmed, and vigorously defended against all. This reiteration is not to claim for the university special privileges that put it above the law or that free it from critical public appraisal—rather it affirms that the university must maintain a basic institutional integrity to function as a university.

Violations of criminal law must be dealt with through the ordinary processes of the law—and universities must attempt to deal with disruptive situations firmly before they reach the stage of police action. Governmental attempts to deal with these problems through special punitive legislation will almost certainly be counter-productive. Students and faculty should not be encouraged to expect amnesty from the effects of the law, or from academic discipline, the latter being "the most effective sanction in disruptive incidents."

A comprehensive effort should be made to study the underlying bases of youthful discontent and alienation "and the broad social problems to which they are related."

All universities should give particular attention to a continuing search for ways, including new social inventions, by which the life of rationality and civility, shared concern, and mutual respect may be supported and strengthened within the university community.

Council President Logan Wilson said the text of the statement is being distributed to the 1,538 colleges, universities, and education associations having membership in the counsel. Participants in the Chicago meeting included three council officers; President Wilson, Vice-President Kenneth D. Roose, and David C. Nichols II, assistant to President Wilson, and the following: Louis T. Benezet, president, Claremont Graduate Center; Landrum R. Bolling, president, Earlham College; Herman R. Branson, president, Central State University; Robert D. Clark, president, San Jose State College; Fairfax M. Cone, trustee, University of Chicago; Thomas H. Eliot, chancellor, Washington University; Robben W. Fleming, president, University of Michigan; David D. Henry, president, University of Illinois; Theodore M. Hesburgh, C.S.C., president, University of Notre Dame; James M. Hester, president, New York University; Ralph Hetzel, trustee, Pennsylvania State University; Roger W. Heyns, chancellor, University of California, Berkeley; Joseph F. Kauffman, president, Rhode Island College; William R. Keast, president, Wayne State University; Malcolm Moos, president, University of Minnesota; Mrs. Henry Owen, trustee, Washington State University; Harvey Picker, trustee, Colgate University; Alan Pifer, president, Carnegie Corporation of New York; Wesley Posvar, chancellor, University of Pittsburgh; Nathan M. Pusey, president, Harvard University; John Ritchie, dean, Law School, Northwestern University; John S. Toll, president, State University of New York at Stony Brook; Edmund A. Stephan, trustee, University of Notre Dame; F. Champion Ward, vice-president, The Ford Foundation; Herman B. Wells, chancellor, Indiana University; Charles E. Young, chancellor, University of California, Los Angeles; and Edwin Young, chancellor, University of Wisconsin, Madison Campus.

Council officers are Mason W. Gross, president of Rutgers—the State university, chairman; Anne G. Pannell, president of Sweet Briar College, vice-chairman; and Gustave O. Arlt, president of the Council of Graduate Schools in the United States, secretary. Members of the board of directors include Father Hesburgh and Mr. Heyns, who were present at the Chicago meeting, and the following: Fred Harvey Harrington, president, University of Wisconsin; Grayson Kirk, president emeritus, Columbia University; Frederic W. Ness, president, Fresno State College; Alan Simpson, president, Vassar College; Thomas A. Spragens, president, Centre College of Kentucky; Sharvy G. Umbeck, president, Knox College; Kingman Brewster, Jr., president, Yale University; G. Homer Durham, president, Arizona State University; Samuel B. Gould, chancellor, State University of New York, Albany; Darrell Holmes, president, Colorado State College; Kenneth S. Pitzer, president, Stanford University; Edgar F. Shannon, Jr., president, University of Virginia; Joseph P. Cosand, president, Junior College District of St. Louis; Martha E. Peterson, president, Barnard College; Calvin H. Plimpton, president, Amherst College; and Willis M. Tate, president, Southern Methodist University.

The "Declaration on Campus Unrest" follows:

A DECLARATION ON CAMPUS UNREST

The unprecedented, comprehensive, and often unpredictable changes that are taking place in this age both disturb and alarm large segments of our society. Most of the changes and attendant alarms affect the operations of our institutions of higher learning. They are also related to the values, concerns, and behavior of our young people. In coming to grips with the compelling issues, all who would think seriously about them must recognize that present-day society—in America and in many foreign lands—is in serious trouble on many fronts. We see around us racial conflict, continued poverty, and malnutrition midst unparalleled prosperity and seemingly unlimited promise. We are confronted by pollution of our environment, decay of our cities, the continuation of wars and the threat of war, and everywhere a vague but widespread discontent with the general quality of life.

These problems affect all of society, not the university alone or the young alone. We must all be concerned to deal intelligently and responsibly with these problems that are neither the exclusive discovery, nor the sole responsibility of the young. Yet the depth of feeling among young people in many countries today about the issues, their general dissatisfaction with the slow-moving ways of society, and the extreme behavior of a small minority of students are evidence of the profound crisis that involves our entire society and, specifically, the university community.

The university itself has often become the immediate target of student discontent, sometimes couched as legitimate complaints about the deficiencies of the universities, sometimes devised as a softening-up exercise for assault on the wider society.

How to deal with campus crises arising from the widespread protests has become a major public issue and the cause of confused and angry debate. That there should be deep anxiety about the course of the conflict and its possible outcome is understandable. No social, racial, or age group that perceives itself and its values to be seriously threatened will fail to strike back. Increasingly there are backlash temptations to enact strong, often ill-considered, and largely futile measures to cope with a youth rebellion that none of us fully comprehends, not even the youth themselves.

Certain balanced judgments are proper to make, however, as we search for understanding and solutions:

1. It is important for the public to understand that, despite the nationwide publicity given to student disorders, the great majority of American campuses have remained peaceful. On campuses where conspicuous disorders have occurred, educational programs generally have gone along their normal ways. Most students and faculty have continued to carry on their regular work. In the main, good teaching and good research, as traditionally defined, have been uninterrupted.

2. On the undisturbed campuses and among the majority of orderly students, however, there are widely shared discontents which extremists are at times able to manipulate to destructive ends. Moreover, even in the absence of violence, there has developed among some of the young a cult of irrationality and incivility which severely strains attempts to maintain sensible and decent human communication. Within this cult there is a minute group of destroyers who have abandoned hope in today's society, in today's university, and in the processes of orderly discussion and negotiation to secure significant change. Students and faculty are increasingly aware of the true nature of this group and are moving to deal with its destructive tactics. The necessity to deal with extremists, however, is placing an extraordinary burden upon the whole educational enterprise and upon those who man it. Consequently, universities are having to divert their energies and resources from central educational tasks in order to deal with student unrest in its various forms.

3. The spectacular events precipitated by the extremists should not be allowed to obscure the recent accomplishments of those students, faculty, and administrators who have serious interest in constructive changes in society and in the university. They have broadened the curriculum and improved teaching. They have moved toward a more open and participating pattern for university governance. And they have begun to make the work of universities more meaningful in dealing with the problems of society. Those efforts must continue. Reform and self-renewal in higher education are ongoing imperatives.

4. Meanwhile, the speed and scale of social change have imposed many kinds of demands upon educational institutions for which their programs, their capabilities, and their funding are not always adequate. Moreover, universities are increasingly asked to perform functions for society, particularly in reshaping the behavior, values, and life-styles of the young, on which the family and other social institutions have already had major influence—or lack of influence. Some of society's expectations for universities are quite unrealistic. Insofar as these expectations can be dealt with, they involve a sharing of responsibilities among diverse social institutions. Many of society's demands require new resources and fresh approaches to old and new problems.

5. Recognizing the right of and even the necessity for constructive dissent—and allowing for inevitable arguments over what is in fact constructive—certain axioms must be accepted as basic to the operation of any university:

a. Disruption and violence have no place on any campus. The academic community has the responsibility to deal promptly and directly with disruptions. If universities will not govern themselves, they will be governed by others. This elementary reality is increasingly becoming understood by all components of the university community. Student and faculty groups, including the American Association of University Professors and the National Student Association, have recently joined in efforts to improve disciplinary procedures and to formulate clear and realistic codes for dealing with misconduct, and more particularly with violence and disruption. Also, by involving students and faculty effectively in the governance of the university, it can be demonstrated that there are better ways of getting views considered and decisions made than by disruption.

b. The historic concern of the university community with academic freedom needs to be restated, reaffirmed, and vigorously defended against all, within or without the university, who would obstruct the right of scholars to investigate, teachers to teach, or students to learn. This reiteration is not to claim for the university special privileges that put it above the law or that free it from critical public appraisal—rather it affirms that the university must maintain a basic institutional integrity to function as a university.

c. Violations of criminal law must be dealt with through the ordinary processes of the law—and universities must attempt to deal with disruptive situations firmly before they reach the stage of police action. Governmental attempts to deal with these problems through special, punitive legislation will almost certainly be counterproductive. Meanwhile, students and faculty whose consciences demand that they express dissent through law violation must be prepared to accept the due processes and the penalties of the law. They should not be encouraged to expect amnesty from the effects of the law. Such an expectation would be the ultimate use of the *in loco parentis* concept against which many young activists passionately protest. Nor should they expect amnesty from academic discipline, which is the most effective sanction in disruptive incidents.

6. The education community needs to undertake a far more comprehensive effort than ever before attempted to study the underlying bases of youthful discontent and alienation and the broad social problems to which they are related. As social critic, the university must help society understand and solve such problems.

7. All universities should give particular attention to a continuing search for ways, including new social inventions, by which the life of rationality and civility, shared concern, and mutual respect may be supported and strengthened within the university community. The survival of the university and its long-term contribution to society depend upon the ability of the institutions to make their everyday life reflect that spirit and pattern.

CHANGING FISCAL YEAR TO COINCIDE WITH CALENDAR YEAR

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. LANGEN. Mr. Speaker, aid to education, assistance to the poor and a host of other programs administered jointly by the Federal Government with the State and local communities are being unfairly penalized by the present congressional appropriations process. Consequently, I am today introducing a bill to make the fiscal year coincide with the calendar year.

Our schools and colleges have suffered from the present July to July system. Those who work with the poor have too often waited for months past the start of the fiscal year before knowing where they were going. Individuals seeking small business loans and other assistance have experienced the same delays. It is also true for communities and townships that plan improvements such as water and sewer works, industrial expansion and the like.

With a budget approaching $200 billion a year, sound and reliable planning is needed. Changing the fiscal year to coincide with the calendar year would go a long way toward putting the entire operation on a businesslike basis. Not only would we get more for every dollar spent, but there would be substantial dollar savings that could be converted into additional aid and assistance.

The public is not the only sector to benefit from changing the fiscal year to start on January first. It certainly would assist our work here in the Congress. We must admit to the fact that this is now a year-round operation and that there have been few occasions in recent years when we have completed either the authorizations or the appropriations by July first. Working well into the fall or winter has become the rule rather than the exception, and now that we have actually scheduled our own recesses and vacations, including 3 weeks in August, it it obvious that the situation will persist.

The present system also places our Federal departments and agencies in an untenable position. We cannot expect that these departments will fulfill the intent of Congress with any degree of proficiency if they do not know our wishes or how much they will have to spend until half of the fiscal year has elapsed. We cannot expect efficiency from dedicated Government employees who are forced to work under such hardships.

Operating on a calendar year basis would benefit the public, the agencies that must administer the programs, and the Congress itself. I urge early consideration of this proposal.

THAT RARE COMMODITY: COMMONSENSE

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. SPRINGER. Mr. Speaker, I submit herewith an editorial from the Chicago Tribune of Wednesday, April 23, 1969, entitled, "That Rare Commodity: Commonsense." This editorial comments on a speech made by Chief Judge William J. Campbell of the Federal District Court in Chicago.

Judge Campbell for a long time has been known for the kind of practical commonsense which he attaches to hearings in his court. Very much of what he says in that speech makes sense. It is good to know that a jurist as eminent as Judge Campbell has spoken out so forcefully. I know that my colleagues will want to read it.

THAT RARE COMMODITY, COMMONSENSE

Chief Judge William J. Campbell of the federal District court in Chicago, delivering a notable address yesterday before the American Newspaper Publishers association in New York, spoke hopefully of a return to that neglected commodity, common sense.

"I feel," he said, "that the pendulum is swinging toward common sense, moderation, and an accommodation of all constitutional rights."

Judge Campbell specifically addressed himself to two problems shared by both the courts and the interests of the public. These were the imbalance created by Supreme court decisions reflecting an undue concern for the rights of criminal defendants, and the misplaced efforts of some courts and the organized bar to limit the rights of the people to know what goes on in the courtrooms.

This latter controversy is represented as a conflict between free press and fair trial. Judge Campbell said that he was "more in sympathy with the press than the bar," feeling, as he did, "that the average juror does not decide cases upon what he has read in the paper." He added, "Crime and criminal trials are and should remain public and in the open."

But, as a measure of protection in the relatively few areas where there was even a hint that the case might be prejudiced by news reports, Judge Campbell told how he had worked out an arrangement alerting the press to the problem and obtaining its voluntary cooperation. The system had worked so well, he said, that justice was done with maximum possible public information, while at the same time any substantial claim by a defendant that he was not accorded a fair trial was eliminated.

Judge Campbell generously said that his views had been based on discussions of the free press in its relationship to courtroom proceedings he had read in THE TRIBUNE, as well as speeches made by J. Howard Wood, its chairman, a former president of the A.N.P.A. He thanked "this outstanding newspaper for the support and encouragement it has always given to free constitutional government by the people."

We appreciate these complimentary references, for it has been the operating principle of this newspaper always to adhere to the counsel of its founding editor, Joseph Medill, that in all things it should "follow the line of common sense."

With reference to impediments on criminal procedure created by Supreme court decisions, Judge Campbell conceded that since his days as a federal prosecutor the criminal law had swung 180 degrees away from what it had been. Because of greater and greater rights for accused persons, he said, what could have been a salutary attempt to balance the rights of defendants and society as a whole had been pushed to the outer limit of absurdity.

"But," he said, "I think I detect the pendulum moving slowly . . . toward a more moderate or even-handed approach to the problem of administering criminal justice . . . back to where neither defendant nor prosecutor has the edge and where both sides receive a fair trial. . . . Only the press as the single continuing dynamic force in influencing public opinion today can effectively work to prevent either extreme from dominating our system of law."

We are happy that so eminent a jurist expresses optimism that common sense will prevail over "the unfortunate signs of the times that could make one lose heart and hope and take counsel of his fears." In that cause, we shall do all in our power.

ALL HE MERITS

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. ABBITT. Mr. Speaker, the Lynchburg News, Lynchburg, Va., carried in its Friday, April 18, edition a splendid editorial entitled "All He Merits," which deals with recent controversy within the Equal Employment Opportunities Commission.

The Lynchburg News has been bringing to the attention of its readers for a number of months some very important problems within the Federal Government which often are played down or not carried at all in many of the papers in various parts of the country.

The particular editorial to which I make reference deals with the almost incredible machinations which have been going on in the EEOC in recent months. The controversy involving the Chairman, Clifford L. Alexander, Jr., has received some attention in the press but many of the reports tend to play down certain important aspects of the problem which I feel need to be brought into the open.

The editorial to which I refer points out very cogently the dissatisfaction with the services of the former Chairman. Some of the news media have taken great pains to try to create the impression that the so-called campaign against the former Chairman has been unfair to him and is a result of partisan considerations. I believe that any objective investigation into the circumstances would certainly show that during the 2 years in which he served as Chairman of the Equal Employment Opportunities Commission activities have been carried on which far transcend the scope of that office and have, in fact, done an injustice to the people the Commission is designed to serve. This Commission was established presumably with the idea of rendering assistance in bringing about equal employment opportunities and its effectiveness can best be served by a mutual cooperation between the Commission and those with whom it must work.

From some of the information which I have seen concerning activities in which the Commission has been engaged in recent years it is obvious that not only the regulations of the Commission itself have been far exceeded but the bounds of common decency have been trampled upon. The work of the Commission is at best difficult and it certainly is made no easier by statements of the type which have emanated from the former Chairman. Harassment of employers and businessmen in the manner which has occurred in the past 24 months is incredible to say the least. It is little wonder that public acceptance of the work of the Commission has been anything but encouraging.

I feel that it is high time that Congress take note of the fact that some of the work of such Government agencies is completely distorted in the public's mind simply because some of the holders of these high offices take off on personal vendettas or philosophical binges just to get across their own point of view. I do not believe that the Equal Employment Opportunities Commission or any of the other assortment of Government agencies dealing in this very sensitive field should be a sounding board for militancy or disrespect for governmental authority.

I include the editorial from the Lynchburg News with my remarks and commend this to the reading of the Members of the House:

ALL HE MERITS

For sheer deliberate, systematic abuse, intolerance and injustice, nothing in the annals of recent American history can surpass—or perhaps equal—the campaign conducted by Clifford L. Alexander Jr., during the two years he served as chairman of the Equal Employment Opportunities Commission.

If this comes as a surprise, that's understandable. The "liberal" press and wire services have ignored Alexander's abuse and insults, his violations of the law, because he is a Negro.

His vilification of white employers and employees, however, is not a matter of opinion. It has been documented repeatedly. Senator Paul J. Fannin's article reprinted in the columns at the right adds more documentation to the ugly record of this white-hating racist.

Last week, Alexander resigned as chairman of EEOC—but remained as one of the commissioners, a position in which he—as Senator Fannin makes clear—can continue to exercise his power tyrannically. When he resigned as chairman, Alexander blasted the Nixon Administration for being soft on enforcing equal job opportunities. Such hypocrisy boggles the mind. During his tour as chairman, Alexander never demanded equal job opportunities: he demanded special privilege for minorities and discriminated contemptuously against whites.

The arrogance and bigotry of this fellow puts the worst of the Klansmen to shame. And no black militant, including Stokely Carmichael and H. Rap Brown, has done as much to vilify the white race or American free institutions as this government official, who manipulated, violated and twisted the law to vent his hatred upon whites—and lied sanctimoniously through his teeth while doing it.

To hear him tell it, he never did anything wrong. But he sneers in your face when he says it.

Last month, Alexander presided at hearings in Los Angeles on job discrimination in the aerospace, motion picture, banking and television industries. He used the hearings to revile, insult and harass the companies called to testify—and repeatedly demanded special, preferential treatment of minorities.

Here is a record of some of the statements and actions which took place during those "hearings":

North American Rockwell was asked: "Why not let minorities come into the company on a favored basis because of the lack of 100 years of equal opportunity?"

When Rockwell representatives gave an answer Alexander didn't like, he would remark sarcastically: "Very interesting . . ."

Every company which testified was asked: "Do you have any blacks, Mexican Americans, women, Indians, Orientals or other minorities on your Board of Directors, as President or at the Vice Presidential level?"

Alexander has repeatedly demanded that members of minority groups be named to top "white collar" jobs—including vice presidential and directorial posts—simply because they are members of minority races.

Warner Brothers was asked, by Alexander: "Do you know that two thirds of the world is brown or black? So you better do something about hiring some of them."

When the representative of Walt Disney Productions protested to the abusive questioning, he was told: "I will do the questioning, not you."

When a young actor, Ray Martel, called the motion picture industry "dogs" and "racist pigs" and declared that its members should be tried like the Nazis at a world tribunal, Alexander made no attempt to interfere. When persons in the courtroom drowned the testimony of another company representative with screams of "damn liar," Alexander made no move to restore order.

Senator Fannin inserted several other documented cases in the Record detailing EEOC abuse of companies. Alexander's activities have extended beyond personal abuse and arrogance; he has used government agencies to harass companies by demanding expensive and time-consuming reports and has threatened to take away government contracts unless companies comply with his, illegal, demands.

When fellows like Alexander are permitted to use the Federal Government as a club to attack the people, is it any wonder that the people lose faith in their government and become ripe for repressive reforms to protect themselves?

During his two years as chairman of EEOC, Clifford Alexander committed more injustices against the American people than the injustices he accused them of committing against minorities. That takes a lot of doing. But it is documented. And he should be exposed and treated with the contempt he merits—for that is all he merits.

The American people would not permit a white official to insult and abuse Negroes and minorities the way this Negro official has been permitted to insult and abuse white businessmen. What makes the Federal Government think it can continue to appoint such creatures to positions where they can misuse the people to attack the people, and escape the inevitable repercussions?

DUQUESNE UNIVERSITY TO INAUGURATE TEACHING BY TV OVER OWN STATION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. MOORHEAD. Mr. Speaker, I think we in Congress all are cognizant of the importance of mass communications in informing—and occasionally misinforming—the American public.

A well-educated and aware public is basic to our democratic form of government.

Serving the public in the news gathering capacity is only one of the many responsibilities of today's communications industry.

Every year, talented, conscientious, and competent young people are attracted by the thousands into the mass media field.

Journalism schools play their role in this process by educating young people to the responsibilities of the profession.

My city of Pittsburgh is fortunate to have one of the better journalism schools in the country located at Duquesne University.

Recently Duquesne began work on a new closed circuit television station for the campus. This facility will serve both as a laboratory and as an actual working station. In both regards, students will profit from the experience and excitement that producing television broadcasts can bring.

These young people will eventually enter the mass media field as technically competent and educationally aware professionals, who will bring you and me, and our constituents, hours of entertainment and information.

Heading Duquesne University's television program is B. Kendall Crane, a dedicated and selfless educator, who has been working with Duquesne students for the past 19 years.

Largely through the efforts of Mr. Crane, has Duquesne's media program attained its present stature and maturity. Many a budding professional newsman cut his teeth on B. Kendall Crane's courses.

I would like to introduce into the RECORD the following articles on Duquesne's development of radio and TV facilities:

DUQUESNE UNIVERSITY'S TV HAS UPS AND DOWNS

When the Federal Communications Commission lifted the freeze on television licenses after World War II, KDKA, WJAS and WWSW became applicants for Channel 11 in Pittsburgh. WJAS, owned by members of the Kenneth Brennan family, and Duquesne University, in the process of planning Rockwell Hall, entered into an agreement that WJAS would have studios and office space over Peter Mills Auditorium. There was to be an adjacent studio which would be used by the University as a TV laboratory for the Journalism Department. The studio could be patched into the main output of the station and student programs (meeting proper standards) would be broadcast.

When KDKA purchased the facilities of WDTV (DuMont) the FCC suggested WWSW and WJAS combine forces in the contended channel. The matter went to court and the merger was ordered.

The new combine rejected the idea of quarters on campus. This necessitated redrawing of plans for Rockwell Hall, and left the University with no prospects for television facilities.

After conferences between the University and WJAS, a grant of $15,000 was made by the Brennan family for the construction of the facilities elsewhere on campus.

This money provided for Dadge TV equipment (2 cameras, controls, monitors, etc.) The School contributed space on the fourth floor of the Administration Building, lighting fixtures, audio system and director's booth.

In the school year 1955–56 Dr. Kurt Schreiber conducted a course in organic chemistry via TV. The class was split (I.Q.-wise) with half in the studio and half in a nearby receiving room. During the second semester the groups were reversed. The following year the Rev. John Schlicht, professor of American History, began the first of three years experimental teaching without a studio audience, but with three classrooms, (some 200 students) wired for TV reception and talk-back.

During the third year of this experiment, another section in American History, and a Political Science course in American Federal Government were added.

At the end of the school year, 1959, B. Kendall Crane made a strong request to update the television equipment the better to conduct these experiments with a view to interesting the school of education, the School of Business Administration and the departments of biology and religion.

By administration fiat, further instruction via TV was cancelled, and the equipment assigned merely as a laboratory for Journalism.

Since that time the status of the TV studio has not changed until the school year of 1966–67 when the School of Education began to evince renewed interest in the prospect of TV use in the training of future teachers. George Hayward of Bus. Ad. teacher of a class in geography for Education students, used the facilities for two experimental periods in preparing student sample teaching projects.

With the beginning of renovation of Old Main as exclusively administration offices, TV was notified to move. Even the spring of 1967 saw classes continued in the studios under considerable obstacles with the noise and dust of renovation swirling about it on the fourth floor.

On June 12, 1967 a top echelon meeting was held and it was decided the new 'home' of the television installation would be a space 30 by 70 feet in what was Canevin cafeteria. This space became available with the completion of the Student Union building.

TV To Resume Teaching Role

Some of the "old-timers" will not remember the closed-circuit television operation on the fourth floor of Old Main, nor the classrooms on that same floor wired for TV reception. Many of the students after 1953 will recall the installation with mixed feelings.

Remodeling of the Administration building evicted the TV setup, and quarters were allocated on the lower level of Canevin Hall (formerly the "caf"). No one, but no one would recognize the area now. For that matter, few would recognize Canevin at all.

Pharmacy is now installed in the new Mellon Science Center, and Education, which used to share space, will take over the entire building. The area where the TV studio is located is now filled in with offices and demonstration classrooms.

Both the radio station and television have been placed under the jurisdiction of the new Provost, Dr. Herbert Petit. (No decision has been made on the final location of WDUQ as a higher power station.)

New equipment for TV includes two RCA T–330 vidicon camera chains (complete), with operating consoles, three IVC helical scan video tape recorders, with remote controls, special effects amplifier, a Bell and Howell film and slide chain with multiplexer, (also remote controlled), and complete audio, with console, mikes, etc.

The lighting units and drapes have been retained from the old studio. The light board will still be a simple circuit-breaker type (no dimmers).

It will be possible to use the studio both for direct teaching to classrooms, or for tape recording. Distribution of studio output is planned for classrooms in Bus. Ad., the new College Hall, and Education. This may later be expanded to include the commons rooms on all floors of existing and future dormitories.

Target date for inauguration of the new facility has been tentatively set for Feb. 1. With the normal delay in equipment delivery, this date is not too realistic, according to Kendall Crane.

Already Bus. Ad, Psychology and Sociology, Speech, Education, Biology have indicated they would be interested in using television in their regular course work. The facilities, of course, will continue to be used as a laboratory for Journalism students in radio and television.

WDUQ Starts Move to 50-kw as Part of "New" Duquesne

WDUQ and Duquesne University have moved one step nearer to realizing the dream of a 50-kilowatt radio broadcasting station on the campus.

On June 21, 1927 the Administrative Council formally approved a recommendation by an Ad Hoc committee named to 'explore the position of WDUQ in the University structure.' After two special meetings the 14-man committee representing every facet of Duquesne, recommended that steps be taken to expand the services of the station to include the community, and to seek an increase of the station's radiated power to the maximum.

Members of the committee included: Dr. Kenneth R. Erfft, Vice President for Administration; Joseph Lauritis, C.S. Sp., Vice President for University Relations (then Dean, College of Arts and Sciences), and Dr. Lawrence Hugo, for the faculty; Dr. Kenneth Duffy and B. Kendall Crane, WDUQ director, for the staff; A William Capone, vice president-treasurer, Koppers Co., and William A. Weitzel, vice president, Calgon Co., Alumni Board of Governors; Merle Pollis and Mrs. Jean Lam, WDUQ Alumni; Donald Taverner, president, WQED, and John Gibbs, general manager, KQV, for the broadcasting industry; Mary Pat Peck and James Martin, for students. James McNamara, C.S. Sp., Vice President for Student Affairs, was chairman.

Actual expansion of the station's facilities will require approval by the Federal Communication Commission.

Capital cost will approximate 100-thousand dollars for transmitter, antenna, and facilities for multiplexing. Up-dating studio equipment such as turntables, microphones, installation of cartridge equipment and automation will take another 20-thousand dollars.

Operation of the new installation, which will service several counties in Western Pennsylvania will, in the opinion of the station director, require a nucleus of a professional staff as announcer-producers. This is necessary because much of the local programming on a community-oriented station must meet the quality standards of commercial stations in the area.

University students in Journalism, as well as other areas of study who are interested in broadcasting, will still find opportunities to gain experience as staff members in many capacities.

Plans presently are under discussion for funding the capital costs.

Nineteen Years Not So Long as Crane Looks Over Shoulder

In the words of the old song, "It's been a long, long time." August 1, 1950! On the other hand, it seems like—well, not exactly like yestrday—but not as long as it really is.

Nineteen years at WDUQ! That IS a few weeks, isn't it? Quite a stretch for a dream to incubate! Yet, with the realization of the expanded radio station operation, the dream has become almost an actuality. Another dream which hasn't yet materialized is a School of Communications. Remember, we were talking about that as far back as 1952.

How many young men and women have paused in these studios and then have passed on "into the world"? I'm ashamed to admit that many of the names have slipped and some of the faces have become a little hazy. I can only hope that a few of the values, ideas, ambitions and dreams which may have been born here have been further nurtured in the real life which came later.

It won't be too long before even the familiar studios and control room, the library and the newsroom, as so many knew them, will also become just memories. Renovation of Old Main makes it necessary to find a new home.

I wish that by some miracle all of the WDUQ Alumni could be located, that each one would take time to drop a card letting us know "what's new." It's a real joy when one of the "old grads" visits or writes a note.

But it will take a long time and the experiences of several hundred young men and women to develop a new set of memories, unless—the "old gang" can manage to maintain a continuing flow of communications among themselves.

We've had some great moments, some very satisfying moments, as well as some we'd like to forget, or at least wish they'd never happened. But that's what life is made of. They all seem to balance out.

This didn't start out to be a philosophical dissertation. So, wherever you are be assured that there is still personal interest in what you're doing; in your families—everything. And most of all, be assured that all best wishes go with you along whatever path life takes you.

I hope to see you all on January 26.

REPORT ON PROPOSED EXPANDED AID TO HIGHER EDUCATION

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. REID of New York. Mr. Speaker, two bar association groups composed of prominent attorneys in the New York area have recently examined in depth some of the major issues surrounding the proper role of Federal law in education.

The Federal Bar Council most recently studied H.R. 6535, the Higher Education Bill of Rights, which I introduced in February with the gentleman from Indiana (Mr. Brademas), and which was last week sponsored in the other body by Senators Kennedy, Javits, and Prouty. The Federal Bar Council unanimously indicated its approval of this legislation, which implements most the recommendations of the Carnegie Commission on the Future of Higher Education, chaired by Dr. Clark Kerr, and made a number of suggestions concerning the direction of Federal support for higher education.

In addition, the Committee on Federal Legislation of the New York County Lawyers' Association has prepared a report on the extension of the Elementary and Secondary Education Act, including approval of a 5-year bill. This document is especially relevant in light of the business of the House this week.

Both of these reports have been brought to my attention by my constituent, Mr. J. Edward Meyer III, who is a member of both bar groups, and I ask unanimous consent that they be inserted in the Record at this point:

Federal Bar Council Committee on Legislation: Report on Proposed Expanded Aid to Higher Education

H.R. 6535, 91st Cong., 1st Sess. (1969) introduced by Representative Ogden Reid of Westchester, New York, seeks to enact a "Higher Education Bill of Rights" to remove financial barriers so that all high school graduates will have equal opportunity for a post-secondary education of good quality, and to strengthen institutions of higher education.

The Reid bill is based on recommendations of the Carnegie Commission on the Future of Higher Education, chaired by Clark Kerr.

We approve the bill, and make the further recommendations which follow for strengthening federal efforts to improve higher education.

In July, 1968 the Committee on Federal Legislation of the New York County Lawyers Association submitted a unanimous report on education legislation stating in part as follows:

"Federal responsibility in the field of education has a long tradition in this country.[1] The importance of sound legislation supporting education for technological progress is equalled or exceeded by its importance to provide a basis for wise use of technological power and to equip our future citizens for the jobs of the future.

"Special urgency has been given to concern about our schools by the role of education in the urban crisis.

"Deepening concern about our entire educational system is growing. This is expressed in many forms, including vehement revolt by many of the students themselves.[2]

The lawyers' group report placed great importance on an expanded work-study program involving students in efforts to meet crucial challenges confronting society:

"A vital function of the work-study program is to make possible education for students who could not otherwise afford further schooling. The importance of this to training for future needs of the nation is clear. It is equally important in working toward equality of opportunity for those whose parents are less affluent.

"Today, unprecedented numbers of young Americans are in school. They are required to remain in school for longer periods than ever before to be qualified for decent jobs. Academic training is largely separated from nonacademic work. Young people who in past years would have been fully responsible adults are in a position of studying for long periods in order to work later. The difficulty here is that for those of age to assume adult responsibility, study alone is rarely fully satisfying:

"Happiness lies . . . in the joy of achievement, in the thrill of creative effort." [3]

"There is, in fact, an innate need of human nature requiring that men engaged in productive activity have an opportunity to assume responsibility and to perfect themselves by their efforts." [Pope John XXIII, Mater et Magistra, Para. 82]

"In large part our young people are restricted in such opportunities today.

"One of the main reasons for widespread student discontent and the susceptibility of large numbers of students to those who pursue extreme methods is the lack of constructive responsibilities and creative opportunities open to many American students.

"In order to deal with this situation, we recommend a future extension of the work-study program on an expanded scale on the basis of the success of the program to date. We further recommend that such work-study programs encompass constructive efforts dealing with national needs which will give the greatest creative opportunities for exciting work on the frontiers of knowledge and of the greatest importance to society.[4] Such programs as the Peace Corps are steps in this direction. Such opportunities must also be made available for many who cannot interrupt their educational career for uninterrupted periods of full-time work of this kind. Perhaps arrangements can be made for academic credit in varying institutions for work-study efforts which have high educational value." [5]

The report also placed great emphasis on the necessity for long-range commitments if efforts to improve education are to be meaningful:

"ADVANCE FUNDING

"H. Rep. No. 1319, 90th Cong., 2d Sess. (1968) points out that federal educational programs have been disrupted on an extremely large scale because of the uncertainty, often up to the last minute, as to whether funds will be available. This Committee has received the same information from many sources.

"As a consequence, many qualified persons today are reluctant to work on educational programs dependent upon federal funds. Many feel as a result of past experiences that there will be no assurance that promised funds for school programs will, in fact, be forthcoming.

"To remedy this, we endorse the proposal that funds be voted during the fiscal year preceding the year in which programs are to be carried out. We further urge that consideration be given to extending this important reform to cover other federal activities in the field of education.

"The procedure is not novel. Whenever it has become clear that long-range planning with knowledge that funds are available is indispensible to the effectiveness of a program, methods have been found to achieve this.

"Any other course is wasteful and amounts to throwing away a large part of the funds spent—because they cannot be effectively used without long-term planning."

This important reform was enacted by the 90th Congress.[6] However, education still does not have the long-range funding granted in other fields where long-range planning is necessary, such as in our highway [7] and space exploration [8] programs. This could be achieved by making all monies voted for education available until expended,[9] if implemented by actual appropriation of funds for long-range educational programs.

In our view this is long overdue. There is nothing in the Constitution which restricts our financial planning to one year [10] nor could any large private business survive on such a basis. Only through long-range commitments can a work study truly be devoted to attacking crucial problems as outlined above be developed and made effective. Long-range commitments can also make possible studies of the results of differing patterns of education on selected students over a period of time, so that their value can be more effectively gaged.

The County Lawyers report concluded with a plea for an overall review of our educational policy:

"NATIONAL EDUCATIONAL POLICY

"The pending legislation and the suggestions we have made only begin to scratch the surface of national needs in the field of education. Comprehensive study and rethinking is necessary to bring our consideration of educational needs up to date to meet the challenges of the last third of this century.

"Much of our education has been devoted to 'cramming information into the heads' of students, who are viewed as passive receptacles like jars into which masses of information are to be poured, for the purpose of being checked on short-answer and multiple choice tests. This is surely outdated in today's rapidly changing environment.[11]

"Our emphasis upon formal education also often deprives citizens who did not do well in school or who lack the appetite for conventional formal education of the opportunity to work in jobs for which they are actually qualified or could become qualified by on-the-job training.[12]

"At the same time, many young Americans who would profit from additional schooling cannot get it because they cannot afford it.

"For these reasons, we approve the pending proposal that it be a national policy that every citizen be entitled to education limited only by the ability of the student to benefit. We likewise endorse the proposal for a National Educational Policy Commission to examine how to carry this goal into effect."

The Committee accordingly approved a bill introduced by Representative Wright Patman of Texas in the 90th Congress to provide for such a long-term study.[13]

The pending bill contains important steps in the directions called for by these recommendations. It would increase the authorization permitting Congress to vote larger funds for work-study program in the future. It would leave intact the 1968 reform permitting education funds to be voted in the fiscal year preceding that in which they are to be spent. It would provide for a study of possible consolidation of existing federal programs of aid to higher education. We approve each of these steps.

We further urge Congressional study of the possibilities of moving further in the directions recommended by the County Lawyers report of 1968.

It is clear that higher education needs to be strengthened to fulfill its role for the nation in the last third of this century. It is likewise clear that the objectives and approach of our higher education need intensive rethinking so that they may meet newly emerging conditions.

The day when education could consist primarily in imparting even a small proportion of existing knowledge to students is long-since gone. The urgent need today is for the ability to find information as needed and to use it effectively, wisely and courageously. The image of the mind as a storehouse must be replaced by the image of the mind as a tool.[14] Our higher education must increasingly reflect this.

Likewise, it must be recognized that academic education alone is not the only means of acquiring either knowledge or skills in finding and using it. Ways must therefore be found to increase the recognition given to on-the-job training and learning-by-doing outside as well as within our educational system. By denying opportunities to those who do not do well in our academic system we deprive the nation of vitally needed human resources. We also generate demands for ever increasing years of formal education by more and more citizens as a prerequisite for good jobs, regardless of whether the formal training to that extent is actually needed for the jobs. The tendency for academic education to become the exclusive ladder for advancement is not healthy either for education or for the nation.

At the same time as we strongly approve the constructive provisions of H.R. 6535, we believe that further exploration of the additional problems and needs outlined above is of the highest importance for the future of higher education and of the nation.

Respectfully submitted.

COMMITTEE ON LEGISLATION, FEDERAL BAR COUNCIL,
Richard A. Givens, Chairman; Peter K. Leisure, Secretary; Harold Baer, Jr., Robert Belton, Vincent L. Broderick, Thomas Cahill, Sol Neil Corbin, Clarence Dunaville, Thomas R. Farrell, Mahlon M. Frankhauser, Victor Friedman, William J. Gilbreth, Arthur M. Handler, Robert L. King, Moses L. Kove, Pierre N. Leval, Anthony P. Marshall, J. Edward Meyer, III, Edith Miller, Gary Naftalis, Paul Perito, John Robinson, Mortimer Todel, Nancy F. Wechsler, Gerald Walpin, and James D. Zirin.

FOOTNOTES

[1] Land-grant colleges, for example, date back to the nineteenth century, see 12 Stat. 503 (1862) and vocational education programs to the era of the First World War, 39 Stat. 929 (1917).

[2] New York County Lawyers Association, Committee on Federal Legislation, Report No. F–5 (1968), extracts reprinted in Bulletin of the Committee on Federal Legislation, New York State Bar Association 19–21 (January 1969), also in CONGRESSIONAL RECORD,pages 4410–4414, Feb. 25, 1969. Footnotes from this report have been renumbered where pertinent.

[3] Franklin D. Roosevelt, First Inaugural Address, N.Y. Times, March 5, 1933, 2 Hofstadter, Great Issues in American History 351, 353 (1958); see Drucker, Concept of the Corporation 140, 179 (1960 ed.); Drucker, The Future of Industrial Man 101–117 (1942); Committee on Labor & Social Security Legislation, Ass'n of the Bar of the

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Footnotes at end of article.

City of New York, Report on Bills to Permit Social Security Beneficiaries to Earn Income to the Extent of their Ability Without Deductions from Social Security Benefits, 5 Reports of Committees of N.Y.C.B.A. Concerned With Federal Legislation 75 (1966); Levenstein, Why People Work (1964); Friedan, The Feminine Mystique (1963).

[4] CF. Givens, Toward Fuller Use of Human Resources, 17 Labor Law Journal 621, 626–29 (Commerce Clearing House Oct. 1966).

[5] Learning-by-doing can often have as much educational value as formal training. See generally Lindberg, The Democratic Classroom (1954); Hopkins, The Emerging Self (1954); Bernstein, The Education of Urban Populations, ch. I (1967); Wertheimer, Productive Thinking (1959 ed.); Dalrymple, The Case for A Hiatus Between School and College, University (Princeton University, Winter 1967–68); Hawkins, The Informed Vision: An Essay on Science Education, 93 Daedalus: J. Amer. Acad. Arts & Sci. 538 (Summer 1965).

[6] Act of January 2, 1968, P.L. 90–247, Title VI, sec. 405, 81 Stat. 815 (1968), 20 U.S.C. § 1225.

[7] 23 U.S.C. § 118(b); see testimony of Vincent L. Broderick and Hon. Charles B. Rangel, before the Senate Committee on Public Works, Subcommittee on Roads, Hearings on Urban Highways, Part 2, 90th Cong., 2d Sess. 208–220 and 374–379 (May 1968).

[8] 42 U.S.C. § 2459.

[9] See also Demonstration Cities and Metropolitan Development Act of 1966, 80 Stat. 1259–64 (1966); Wallace, Congressional Control of Federal Spending 21 (1960) (10 types of appropriations used).

[10] The sole constitutional limitation on length of appropriations is contained in Article I, section 8, clause 12 referring to monies for armies: "The Congress shall have power . . . to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years." Compare also 61 Stat. 105 (1947); 61 Stat. 134 (1947) (appropriations subsequent to borrowing from federally created institutions to finance emergency foreign aid).

[11] See Fantini & Weinstein, Toward A Contact Curriculum (1967) concerning primary and secondary education.

[12] See Dexter, The Tyranny of Schooling (1964).

[13] H.R. 16253, 90th Cong., 2d Sess. (1968).

[14] John Gardner has said that the mind should be viewed as an instrument rather than a storehouse.

NEW YORK COUNTY LAWYERS' ASSOCIATION, COMMITTEE ON FEDERAL LEGISLATION: REPORT ON PROPOSED EXTENSION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

By its terms, the Elementary and Secondary Education Act of 1965, (ESEA) which provides for federal aid to education below the college level, would expire during the present session of Congress. H.R. 514, 91st Cong., 1st. Sess. (1969) would extend the Act, in some respects for five years and in some respects for seven. We approve the extension and recommend consideration of additional steps to strengthen the legal structure for federal efforts in the education field.

MECHANICS OF FEDERAL AID

The ESEA provides for federal aid to education in various specific categories such as for educational programs for low-income families (Title I), libraries, textbooks and like materials (Title II), supplementary education centers and services (Title III), educational research and training (Title IV), strengthening of state education departments (Title V), education of handicapped children (Title VI) and bilingual education programs (Title VII). Other federal education programs are similarly directed to specific kinds of programs (e.g. the National Defense Education Act of 1968 providing aid for instructional materials in science, mathematics, modern foreign languages and certain other subjects and for guidance and testing).

The number of these separate programs are often confusing to educators and the public, and increase the expense of administration as school systems attempt to qualify for as many different kinds of aid as possible. A premium is put on expertise in drafting proposals for aid under the multifarious titles and educational efforts are often distorted as those programs which can qualify for federal funds under one program or another are favored at the expense of other aspects of the educational process. To rectify this, we recommend consideration of consolidation of at least some of the separate programs or adoption of more general aid to basic elementary and secondary education not tied to individual aspects of the process such as instructional materials in specified subjects and the like.

In particular, we feel that programs benefitting the poor will be most viable and effective if extended to all. This should be in addition to some aid for specific kinds of educational efforts which will continue to be needed. Also, in moving toward more general aid programs, we should be careful to see to it that efforts in disadvantaged areas are not cut back but, rather, improved.

Experience with the viability of programs limited to any one specific group has not been favorable. We believe that middle income families should not be excluded. This would also obviate divisive controversies over who can qualify as "poor." We believe that this and other programs would have wider support and benefit as well as long-range likelihood of continuing if they were extended to all, where the programs are of such a nature as to benefit all.

Further in the past we have pointed out that there is no inherent requirements for expiration dates in authorizing legislation or specific fund ceiling in authorization bills.[1] Control of amounts to be spent may be had simply by appropriate congressional decisions on how much is to be voted in the form of appropriations for given programs. Appropriations may be voted to last a reasonable period consonant with efficient planning of the programs. Indeed this and like procedures are used in various circumstances under existing law.[2]

While we approve the five and seven year extensions contained in H.R. 514, we recommend making the program permanent and authorizing such sums to be appropriated as Congress may deem proper, funds to remain available until expended or for some reasonable time to be fixed.

The deleterious effect of lack of advance knowledge of what federal funds are finally to be made available was emphasized by the House Committee on Education and Labor in the 90th Congress, and led to advance funding for one year ahead.[3] In the past those in charge of education programs aided by federal funds often cannot get the best personnel because they do not know until the last minute whether they will receive such funds. Funds voted are sometimes wasted because of the speed of action required once the amounts finally become known. We recommend that this principle be maintained and longer lead-times be provided for truly long-range educational programs.

AREAS WHERE NEW EFFORTS NEEDED

From the investigations made by this Committee and information received through our advisory panel on education, we believe that further attention is needed to the legal structure for dealing with following other problems. Some of these matters relate to the ESEA and others to other education legislation.

1. *School breakfast and school lunch programs*. This Committee has recommended strengthened federal action on a permanent basis to provide adequate breakfast and lunch program for all children who would benefit from it, because:

"No child can learn well on an empty stomach. Nutrition is as much a part of what he needs for his own future and the nation's as textbooks."[4]

It is equally well known that many children in our schools still lack adequate school lunches. Many children in less affluent neighborhoods also come to school without breakfast. We believe the nation cannot afford not to remedy this situation, which is a national problem affecting our human resources with abundant impact on the future of all. We note that H.R. 515 is an important effort to deal with these problems.

Of course as we add such programs, we are using the schools for more than traditional educational purposes. The funds for such programs should, therefore, be voted separately or accounted for separately, or at least not considered as part of the cost of regular school aid in the usual sense. Otherwise school aid budgets look large when actually much of the money goes for other social purposes.

2. *Day Care*. A large portion of families with small children in the urban cores grow up in environments prior to entering school which make their education thereafter more difficult. Likewise many mothers who must work have no way to provide adequate care for younger children. Conversely, a significant number of mothers remain on welfare because they cannot work having no way to care for pre-school children.

Each of these situations, which exists on a large scale, underlines the need for effective national action to provide day care facilities for children of younger ages than those covered in existing pre-school programs.

Important opportunities for older citizens to contribute can also be created, along the lines of the little-implemented "foster grandparent" concept.[5] Further, much of today's informed opinion attributes a portion of the high crime rate in the ghettos to fatherless families.

If we could supply a male authority figure of any appropriate age even if only for a portion of the daytime hours we might be able to help reduce future crime statistics and lay a basis for future healthier families.

3. *Pre-School Programs*. Wide support has been expressed for expansion of federal efforts concerning pre-school programs. Head Start was a pioneering effort in this field, but because of difficulties affecting the anti-poverty program generally it has been cut back. New efforts are therefore needed on a permanent basis. Bipartisan support for such a step was widely expressed in the 90th Congress, for example by Senator Hart of Michigan[6] and the Republican Coordinating Committee's Education Study Group headed by Representative Albert H. Quie of Minnesota.[7] The report of the Republican Coordination Committee's panel stated:

"Early childhood education programs should, as a matter of priority and urgency, be expanded to include all 5- and 4-year olds, and perhaps 3-year-olds from impoverished neighborhoods who would benefit."[8]

We concur with these views, with the single modification that we recommend that the programs be general rather than limited to the poor.

At the same time, as indicated by President Nixon on February 19, 1969 greater follow-through after these pre-school programs is needed (N.Y. Times, Feb. 20, 1969, p. 33). Without this the benefit of pre-school efforts is often lost.

4. *The Need for a More Relevant Curriculum*. In the technological future into which we are moving, the need for ability to handle new situations, to use, find, and evaluate information and to handle tasks requiring judgment initiative and persistence is bound

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Footnotes at end of article.

to grow. This will require a new approach to education, in which the mind is viewed more as a tool and less as a storehouse. The difficulty in training teachers in such methods is great. Accordingly, the need for research in how to most effectively refine, develop and implement the most effective kind of education for the last third of this century is a national problem.

Many educators have pointed to the need for enhancing the motivation of students by beginning where they are—with their curiosities, needs and experiences.[9]

It is a problem we ignore at our peril.

In the inner cities many children regard the education we now provide as irrelevant and reject the educational system by dropping out. This represents a failure to reach these children by challenging them with opportunities relevant to their experience, from "where they are." It results in a vast waste of human resources.

The problem is not limited to the ghettos. Throughout the educational system, students in large numbers feel that their present education is not relevant.

The "old" education often regarded students as jars into which information could be poured, to be poured back on standardized or short-answer tests.

The need today is for greater involvement, learning by doing, and in the higher grades, participation in important tasks which will challenge the greatest efforts of which the students are capable.

The solutions to these problems cannot be legislated. But legislation can provide a framework in which they can be attacked.

This kind of education is needed not merely to stem the waste of human resources now occurring in our cities, but to provide the manpower needed to deal with the technological future.[10]

Research into how these problems can be tackled, communication of results achieved by teachers who have achieved breakthroughs in their classrooms, but which do not now go further because not known, and training of teachers in new methods are vital in this respect. Teacher training in new approaches and sensitivities is a key element in any approach to education for the last third of this century.

5. *Federal Assistance in Dealing With Local Issues*. Many issues trouble education today. For example, in many urban areas, demands for local control of schools have been growing. Many parents and citizens, particularly in the urban cores, feel that the schools are run by a distant series of interlocking authorities and are not "theirs." Teachers and administrators on the other hand fear action based on essentially power and political rather than educational considerations. As a result of these interlocking fears, intense conflicts have developed.

Crime in schools is also a serious problem in many areas.

Availability of Federal consultants to help localities look at the needs of each group might in some cases provide technical assistance leading to a better resolution of the conflicting interests.[11]

6. *Use of Para-Professionals*. The wider use of local community personnel as school aids of many kinds can help to free teachers for closer interaction with students, bring schools closer to communities, and open up "new careers" for many citizens. Federal action to further such efforts are therefore a high priority.

7. *Need for Overall Reevaluation of the Functions of Education Today*. The areas of concern suggested here merely scratch the surface of national needs in the field of education. Representative Wright Patman introduced a bill in the 90th Congress[12] for a National Education Policy Commission to formulate long-term goals for American education and how all can be afforded an opportunity to obtain education to the extent to which they would benefit. We endorse this proposal.

As part of such a study, we believe attention should also be given both to waste of human resources due to inadequate availability of education and inadequate challenge to children to benefit from it, and to the possibility that in other instances overemphasis may have been given to requirements for formal education in qualifications for some jobs and otherwise in our society resulting in waste of human resources.[13]

We do not believe, however, that further federal action to deal with the problems outlined in this report need await the deliberation of such a national commission. On the contrary, these needs are urgent. We must deal with them now to lay a foundation for the future of the nation.

Respectfully submitted.

COMMITTEE ON FEDERAL LEGISLATION,
Vincent L. Broderick, Chairman; Richard A. Givens, Secretary; Alan Appelbaum, Robert Beshar, Arthur Brooks, Gideon Cashman, Arthur K. Garfinkel, Vito T. Giordano, Herman A. Gray, Robert M. Kaufman, Melvin Kimmel, Bowie K. Kuhn, Jerome J. Londin, J. Edward Meyer, III, Robert S. Persky, Henry Stone, Anita Streep, John E. Tobin, Stanley Wolder, Bruce McM. Wright, James V. Hayes, Ex-Officio, and Thomas Keogh, Ex-Officio.

FOOTNOTES

[1] Bulletin of the Committee on Federal Legislation, New York State Bar Association 16–20 (January 1969).

[2] E.g., the Foreign Service Act of August 13, 1946, sec. 1071, 60 Stat. 999, 22 U.S.C. § 801, note ("Appropriations to carry out the purposes of this Act are hereby authorized"); Demonstration Cities and Metropolitan Development Act of 1966, 80 Stat. 1259–64 (1966); federal highway aid program, 23 U.S.C. § 118 (b); space program, 42 U.S.C. § 2459. See also Wallace Congressional Control of Federal Spending 21 (1960) (10 types of appropriations used).

[3] See 81 Stat. 814 (1968), 20 U.S.C. §1223; see also H. Rep. No. 1319, 90th Cong., 2d Sess. 16 (1968).

[4] Bulletin of the Committee on Federal Legislation, New York State Bar Association 20 (January 1969).

[5] N.Y. Times, August 29, 1965, P. 1, Col. 28, p. 74, cols. 1–2; Reissman, New Careers for the Poor (1964); current magazine, No. 66, p. 39 (Dec. 1965).

[6] Congressional Record, vol. 114, pt. 12, p. 15305.

[7] N.Y. Times, April 8, 1968; Washington Post, April 8, 1968, p. A–13.

[8] Washington Post, April 8, 1968, p. A–13. On the effectiveness of pre-school programs see Leeper, et al., eds., Good Schools for Young Children (2d ed. 1968); Hodges & Spicher, "The Effects of Preschool Experiences on Culturally Deprived Children" in Hartup & Smothergill, eds., The Young Child: Reviews of Research 262 (1967).

[9] E.g. Fantini & Weinstein, Toward a Contact Curriculum (B'nai B'rith 1967). See generally Lindberg, The Democratic Classroom (1954); Leonard, Education and Ecstasy (1968); Hopkins, The Emerging Self (1954); Bernstein, The Education of Urban Populations, Part I (1967); Wertheimer, Productive Thinking (1959); Doll & Flemming, eds. Children Under Pressure (1966).

[10] See Hawkins, "The Informed Vision: An essay on Science Education," 94 DAEDALUS: J. Amer. Acad. Arts & Sci. 538 (Summer 1965).

[11] For example, can differing patterns of extent and timing of local control or decentralization be permitted within the large confines of a great city, so that not all areas need agree on a single approach? Can ways be found for a school system as a whole to guarantee jobs to qualified teachers so that disputes with those in charge of local districts will assume less importance?

[12] H.R. 16253, 90th Cong., 2d Sess. (1968).

[13] See Dexter, The Tyranny of Schooling (1964).

HON. RICHARD H. POFF

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, 16 years ago I came to Congress as a freshman Republican from a Democratic State with our distinguished friend and colleague, the Honorable RICHARD H. POFF. We quickly became fast friends.

In the intervening years, DICK POFF has so distinguished himself by his brilliant service in the House of Representatives that he is today rumored to be heading for the U.S. Supreme Court.

While DICK tells us there is nothing to the rumors, it is a high tribute to him, and I am proud to list such a brilliant attorney and warm friend among those with whom I have served in this House.

The Chicago Tribune on Sunday, April 13, carried an article by Aldo Beckman concerning the rumored High Court appointment and many interesting events in DICK's life which have led to his position of acknowledged leadership. I believe the article would be of interest to all who know and admire DICK, and I insert it at this point in the RECORD:

HIGH COURT RUMORS DELIGHT REPRESENTATIVE POFF

(By Aldo Beckman)

WASHINGTON, April 12.—The young sophomore at Christiansburg, Va., high school, son of a local barber, had a great interest in government. So he was disappointed to learn no government courses were included in the regular curriculum.

Explaining to his adviser that he planned someday to serve in the United States Congress, the youngster requested, and was given, a do-it-yourself course in government, which he completed during his school library hours by studying recommended books on government.

The young student who so yearned for an education in government now is 45 years old and spends every Tuesday morning at the White House helping President Nixon and congressional leaders map out strategy for his country.

LEGAL MIND ESTEEMED

He is Rep. Richard H. Poff [R., Va.], who, during his 16 years in the House, has earned a reputation as one of the top legal minds in the legislative branch of government.

That recognized legal ability, coupled with Poff's active role during Nixon's Presidential campaign, has triggered reports that Poff might be in line for a Supreme court opening. One seems almost certain to become available during Nixon's tenure in the White House.

While Nixon would be expected to hesitate to name a southerner to the court in June, when Chief Justice Earl Warren steps down, Poff might be a natural successor to Justice Hugo Black, a native of Birmingham, Ala. Black is 83 years old.

RUMOR DELIGHTS POFF

Poff just smiled at such speculation.

"It's a delightful rumor," he said during an interview in his Rayburn House Office building suite, which provides a picturesque view of the great Capitol dome. "It's one which I am grateful for, but it is no more than a rumor."

Poff, who now is second-ranking Republican on the House judiciary committee, obviously isn't spending much time contemplating such an appointment.

He is secretary to the Republican conference, which is headed by Rep. John Anderson [R., Ill.], and also serves as secretary to the Republican leadership, positions which qualify him for that prestigious Tuesday breakfast every week at the White House.

Administration officials have used him as their chief liaison agent between the White House and the House judiciary committee on all criminal legislative matters, and he played a key role in mapping the President's anticrime drive, which is expected to be announced shortly.

PUSHES PET STATUTE

The Virginia Republican also spends much of his time pushing a new witness immunity statute, which he describes with near missionary zeal.

It would eliminate the "immunity bath" which has served as the No. 1 obstacle to persuading judges to grant immunity to hoodlum figures before federal grand juries investigating organized crime, Poff said.

Under current laws, said Poff, some federal judges have hesitated to grant immunity from prosecution for fear that some other federal agency might have independently gathered information on a hoodlum, who then could not be prosecuted with it if he had discussed those facts after being given the "immunity bath" before the grand jury.

CONFIDENT OF PASSAGE

Poff is confident his bill will pass this Congress and views it as a great weapon against organized crime.

His views on "law and order" were developed to a fine point during the last Congress, when he headed a Republican task force on crime, which was designed to offer constructive alternatives to Democratic programs.

"This law and order problem has many facets," he said, "and it's too easy to oversimplify the problem and even easier to oversimplify the solution."

"The problems include detection and prevention of crime, and the investigation of crimes already committed," he said. "Enforcement of the laws by the courts, the way criminal institutions are operated, and criminal rehabilitation all are part of the problem."

RESPECTS HIGH COURT

"You can't treat one of these things without treating them all," he emphasized.

"I've often disagreed with the rationale of some Supreme court decision's," continued Poff, "but I've never been a court cusser."

"I've always respected it as an institution."

Poff's presence on Nixon's "key issues committee" was widely felt by the G.O.P. candidate, who made law and order one of the main issues of his campaign. During the convention Poff served as parliamentarian on the convention floor for Nixon forces. The veteran legislator describes the chief executive as "a warm and close friend."

WORLD WAR II PILOT

After high school, Poff attended Roanoke [Va.] college, where, as a 160-pound blocking guard, he was named to the second Little All-American Football team. World War II interrupted Poff's education, but he studied law books in England when he wasn't piloting a B-24 in raids over Europe. By the end of the war, Poff had been on 35 missions, and been awarded the distinguished flying cross.

He married the former Jo Ann Ragan Topper in Christiansburg when he returned from the war. The couple now has a daughter and two sons. Then he entered the University of Virginia law school.

Upon graduation, he began practice in Radford, Va., his birthplace, creating what turned out to be one of the most political law offices in town. One member of the team now is in the state house of delegates, another is in the state Senate, and a third, now resigned from the law firm, is a federal judge.

FACES NO OPPOSITION

Poff made his move for elective office in 1952, when he became the first Republican in the history of the district to be sent to Congress. His frequent trips home and his meticulous handling of constituents' requests has so solidified him in the normally-Democratic area that the Democrats didn't even bother to run a candidate against him last fall.

GI BILL CRITICS MISINFORMED

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. TEAGUE of Texas. Mr. Speaker, recently there were several news stories and editorials, based on the inaccurate statement of a misinformed critic of the GI bill, that lamented the alleged low numbers of Vietnam-era veterans taking training under the bill.

The entire episode was unfortunate, first, because there is no factual basis for such criticism. The current bill is a good, workable education measure that is attracting a larger percentage of trainees into higher education than either the World War II or Korean bills.

It was unfortunate because such unfounded, carping criticism serves only to do harm to a program that has proven one of the most successful and most beneficial to the eligible recipients, and to this Government.

Let us look at the facts.

During the first 2½ years of the current post-Korean GI bill, better than 60 percent of the eligible veterans in training have entered institutions of higher learning.

During the first 2½ years of the World War II program, only 46 percent of the veterans who entered training enrolled in institutions of higher learning.

In the first 2½ years of the Korean GI bill—the same span—only 49 percent of the eligible veterans who entered training enrolled in college-level courses. Obviously, with 60 percent of the post-Korean veteran group entering higher education, that program is off to a much better start.

The record reveals that the percentage of the total eligible population, 19 percent, entering all types of training under the current bill in its first 2½ years is greater than in World War II, 18 percent, but slightly less than the 23 percent of the Korean bill in the comparable period.

It will not be surprising, when the final chapter of the post-Korean GI bill education and training program is written, that at least half of the eligible veterans will have used part or all of their training entitlement, thus equaling the total World War II rate and far surpassing the 42 percent total participation of Korean conflict veterans.

I emphasize that what has already been accomplished and what will yet be achieved in education and training under the post-Korean GI bill is neither surprising nor an accident because of the intensive and extensive effort of the Veterans' Administration to tell and sell this program to post-Korean veterans.

For the past 14 months the VA, in cooperation with other Federal, State, and local agencies that can assist veterans, has operated newly conceived U.S. veterans assistance centers in all of the largest cities. Although designed to aid all veterans, the centers have emphasized a reachout program for the disadvantaged.

In assisting thousands and thousands of disadvantaged veterans to secure jobs and resume their education, the assistance center personnel have, in many instances, employed several persistent forms of communication. If veterans do not respond to individual letters offering help, there is follow-on contact by telephone, and where this has failed to get results, USVAC employees have made home visits during the day, at night, and on weekends.

Far from keeping benefit information secret, the VA has mounted the most widespread program of benefit information in its history. Look at these facts:

The VA starts its benefits counseling before a man has even been discharged from service.

Since January 1967, 40 especially trained VA employees have volunteered for service in Vietnam, briefing combat servicemen on their benefits even before they return stateside. Two of these VA officials have lost their lives. The VA representatives have conducted 75,000 in-depth personal interviews, have given orientation lectures to 700,000 troops, and have assisted 30,000 soon-to-be veterans make advance application for benefits. Nothing like this has ever been done before.

Since October 1966, VA representatives have regularly visited stateside military hospitals offering bedside counseling and assistance to wounded and seriously disabled servicemen. They have conducted 160,000 interviews, and have helped to make out 100,000 applications for benefits. The VA has never conducted a program of this magnitude in so many military hospitals before.

VA officials also cover all 304 military separation points, and have given benefit lectures to 970,000 servicemen as well as conducting 135,000 personal interviews. No coverage nearly this comprehensive has ever been provided before.

Once a serviceman becomes a veteran he receives a letter tailored to his general needs by the VA, explaining what benefits are available, and inviting him to contact the VA. A recent sampling showed that 30 percent of the veterans responded to the letters, and two-thirds of those responding asked for detailed information on GI bill education provisions. This correspondence approach has never been utilized before.

For the first time in its history, the VA has established a foreign exchange telephone service in 34 major cities. Veterans in these cities can call a VA regional office in another city without a toll charge. To date, 350,000 telephone inquiries have been handled by the parent regional offices. In March 1969 alone, 40,000 FX calls regarding benefits were received.

The new U.S. veterans assistance centers, which I mentioned earlier in my remarks, have provided personal help interviews for more than 250,000 veterans, and 65,000 of these interviews have been conducted with educationally disadvantaged veterans. This special reachout is over and above the literally millions of interviews conducted at regular VA offices during the past year.

To a degree never remotely approached before, the VA has solicited the assistance of major veterans organizations in contacting newly discharged veterans, and these organizations have done a magnificent service in making benefits known to veterans in every city and hamlet in America.

I think that the Veterans' Administration is to be commended for this information effort. Certainly they should be encouraged to continue it, and, if need be, expand it.

When Congress enacted the Veterans Readjustment Benefits Act of 1966—the post-Korean GI bill, it did not rest on its laurels. Instead, it substantially expanded the education benefits of the post-Korean GI bill in 1967. One of the most significant provisions of Public Law 90–77, effecting these changes, gave first-time-in-history educational entitlement to veterans to complete high school with full VA educational assistance without charging any of this aid to their full, follow-on college eligibility.

This is truly an example of legislative wisdom and vision.

Further refinements were added to the present GI bill education and training program last year, and more will be forthcoming from the Veterans Affairs Committee this year.

I may be an optimist. If so, I have got lots of company. The record clearly shows that the Vietnam veteran is carefully planning the use of his GI bill education and training opportunities. It is also abundantly evident that this third great investment of America—the education and training of its veterans—will pay off more generously than ever for our veterans and our great Nation.

JUSTICE, MERCY, HUMILITY

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. BLACKBURN. Mr. Speaker, today I have the privilege of bringing a matter of no small meaning to the attention of the House of Representatives. Our great country, founded and developed on the principles of God, reflects the qualities of justice, mercy, and humility which the Old Testament Prophet Micah so vividly described as God's requirements for life and worship in Micah, chapter 6, verse 8:

> What doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God.

It is my belief that these principles which play so large a part in our heritage should be inscribed on the $1 bill. With this in mind, I am today submitting a bill which would put the phrase "Justice, mercy, humility" below the word "One."

The matter was brought to my attention by a citizen of my district, Mr. Philip Berlin, who feels that in our dealings with our fellow man we often forget the qualities of morality and kindness, and perhaps the best place to be reminded of them is on the dollar bill. Mr. Berlin says—

> The Founding Fathers conceived our Constitution in justice, mercy, and humility. This would be an everyday reminder of our moral responsibilities. It embraces all faiths and denominations and offends no one. Not even an atheist would be offended at the motto, "Justice, mercy, humility."

I sincerely urge the House to give favorable consideration to this matter.

TABULATED RESULTS FOR POLL CONDUCTED MARCH 1969

HON. ROBERT J. CORBETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. CORBETT. Mr. Speaker, we have completed another poll of public opinion in the 18th Congressional District of Pennsylvania. To date more than 22,000 questionnaires have been tabulated, the results of which virtually constitute a referendum on the issues considered.

The district embraces most of Allegheny County, north of the city of Pittsburgh and is basically residential and industrial. In past polls we have noted that our results generally parallel those of national surveys. This probably stems from the wide variety of ethnic, social, and economic groups that compose the district. It is almost a microcosm of the entire country.

The tabulated results with some commentary are included below:

TABULATED RESULTS FOR POLL CONDUCTED MARCH 1969

1. Do you favor the deployment of an anti-ballistic missile (ABM) system? Yes, 65%; No, 35%.

Unfortunately our questionnaire was printed prior to President Nixon's announcement of his greatly modified ABM program. However, this 65–35 response in favor of an ABM deployment indicates that a large majority of our district is willing to pay for Mr. Nixon's modified ("mini") program.

2. Would you terminate all public financial help to students found guilty of participating in disruptive demonstrations? Yes, 93%; No, 7%.

This shows the general disgust with student demonstrations that are not proper and orderly. Certainly the taxpayer is not willing to help subsidize students who destroy school facilities and interrupt educational processes.

3. Do you favor the plans to terminate political patronage in the Post Office Department? Yes, 95%; No, 5%.

The public has long been aware that one of the chief faults of the postal system is that it has been used to provide political patronage plums at all levels. This can and should be stopped. I have introduced two bills to do this. One (HR 8151) would stop political favoritism by making such acts punishable by fines and imprisonment. The other (HR 9115) would change the system of appointments and promotions by basing them solely on merit. One of these bills is likely to pass.

4. Would you vote to extend for one year the ten percent surcharge on income taxes? Yes, 40%; No, 60%.

Almost everyone is angered by our heavy tax burden, but 40% feel that we must pay as we go for the expensive government services the majority demand (see question 10), or more debts and inflation will result.

5. What should be done about our present selective service system?

(a) Convert the present method of deferments and exemptions to a draft lottery? 36%.

(b) Eliminate selective service in favor of all volunteer forces? 25%.

(c) Leave present system as is? 39%.

Our draft system is far from satisfactory, but a plurality prefers it to the most publicized alternatives. It seems that the most popular thing to do would be to keep our present draft system with some desirable changes.

6. Should we impose a graduated income tax on those who have tax-free incomes of over $25,000? Yes, 92%; No, 8%.

Most people know of, and are outraged by, the many loopholes in our income tax laws. Most of our loopholes had an original justification, but they have been abused to an unjustifiable extent. The Ways & Means Committee is currently holding hearings on the subject and ought to bring out a good reform bill. I have urged members of the Committee to do so and have promised to round up a considerable number of votes in suppport of such a bill.

7. Should a tax be levied on that part of the earnings of foundations not distributed to accredited charities? Yes, 89%; No, 11%.

This is clear evidence of one tax loophole the public wants closed.

8. What method of electing the President would you like to see?

(a) An Electoral College composed of one elector from each Congressional District and two at large from each state? 9%.

(b) Direct popular vote? 77%.

(c) No change; keep the present system? 14%.

It has long been agreed that our Electoral College is unfair and can be dangerous in close elections. Correction has not come, simply because a majority in Congress cannot agree on an alternative. We can hope and work for a satisfactory change before the next Presidential election in 1972.

9. Should segregation be prohibited by cutting off federal aid to schools that will not adhere to federal guidelines? Yes, 53%; No. 47%.

The majority of "yes" responses is not overwhelming. It is, however, typical of the divided opinion in the Congress and the Executive Branch. Many do not like forced integration and a few more do not want federal funds to support school districts that continue segregation. This issue will not soon be resolved.

10. Should we oppose all new non-defense spending programs for several years? Yes, 42%; No. 58%.

Here we go again. People, like politicians, seem to like expenditures but oppose taxes (see question 4). After establishing all the welfare and public works programs of the New Frontier-Great Society, more spending still seems to be popular. The conservative Congress of 1947–48 balanced the budget and cut taxes. It was thrown out of control in the election of 1948. Again in 1953–54 the conservative Congress balanced the budget and cut taxes. It was ousted from control in the next election and conservatives have never come close to regaining a majority since.

11. Should the federal government share some of its revenues with the states? Yes, 79%; No, 21%.

A large majority seems to hope or believe that federal grants to the States would help cut the sprawling bureaucracy in Washington and help prevent increased state taxes. The proposal is worth a thorough testing, because right now we have dozens of federal agencies making heavily supervised grants to various state agencies.

12. Should public employees other than firemen and police have the right to strike? Yes, 41%; No, 59%.

Many people are appalled by strikes of teachers, welfare workers, sanitation employees, etc. However, public workers are hurt by inflation the same as private employees. The long need for a good arbitration system is obvious here. The federal, state, and local governments have not done their jobs in this field.

SPEECH BY HON. ROBERT L. F. SIKES DELIVERED AT DEDICATION AT STETSON UNIVERSITY COLLEGE OF LAW

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. CRAMER. Mr. Speaker, it is my privilege to bring to the attention of my colleagues an outstanding speech delivered by Congressman ROBERT L. S. SIKES on the occasion of the dedication at Stetson University College of Law on March 15, 1969, in St. Petersburg, Fla.

In light of the campus disorders which have been disrupting our country in recent weeks, I believe BOB SIKES' message to the youth of our Nation is both compelling and inspiring and I commend it to my colleagues and enter it into the RECORD at this point:

SPEECH BY THE HONORABLE ROBERT L. F. SIKES DELIVERED MARCH 15, 1969, FOR THE STETSON UNIVERSITY COLLEGE OF LAW DEDICATION

I don't know whether or not it will strike a responsive chord if I refer to the Stetson University College of Law as a "Cinderella" institution. Certainly the sound and substantial progress of this college leaves no picture of a Cinderella, nor do I suggest that at the stroke of 12 all of this pleasing campus with its beautiful buildings will disappear. But I remember the Stetson College of Law in its early days, first as a small institution on the DeLand campus and then, after World War II, in makeshift deactivated Air Force base facilities which you utilized in an effort to accommodate the large influx of post-war students. Certainly those were Cinderella days. And those who believe in the heritage of Stetson have found the foot the golden slipper fits.

I know something of Stetson's national renown as an institution of learning. I am confident no other college of law has an equal record of success in preparing its graduates to pass the bar examinations. I need not remind this audience of the results released each year by the Florida Bar Examiners. Stetson lawyers are always at or near the top of the list. In fact, at the beginning of this academic year, Stetson graduates had led all other Florida law schools in the percentage of applicants passing on eight consecutive occasions. On five of these examinations, its record was perfect. No school can do better than 100%. This requires a highly capable staff and faculty, and it requires dedication and a desire for learning on the part of the students and support from the alumni. On all of these counts, I congratulate you.

I am pleased and honored that you would want me to be with you for the dedication of two buildings which will provide important needed facilities for this institution; the Eleanor N. Dana Hall and the H. Jackson Crummer Hall. These buildings are possible because of the dedicated and helpful interest of Mrs. Eleanor Dana of New York City, an outstanding philanthropist who has graced this occasion with her presence, and that of Roy E. Crummer of Los Angeles, a longtime able and prominent Floridian who died just one year ago. The building established by Mr. Crummer is a memorial to his deceased son, H. Jackson Crummer, for whom the building is named.

It is good to know that the really significant work which is being done at Stetson has attracted the interest and support of these and other benefactors who recognize the value—the essentiality—of soundness in education processes, soundness such as that which is offered at Stetson.

A long time ago Horace Greeley, a man of some renown in his time, said, "Go West, young man, go West." Greeley's statement made in 1854 did not have its full impact until the post-war years following the 1860s. At that time in the South, great areas had been ravaged by war, and to many the future seemed as dead as the burned-out ashes of the Confederacy. In the North, the tremendous build-up of war industry was no longer needed, and returning hundreds of thousands of veterans required new outlets for their energies and new sources of livelihood. The undeveloped West beckoned to everyone with bright promise for a new life.

Now, a hundred years later but a thousand years removed in progress, there are different problems but equal uncertainties. And now a new frontier beckons. New Horizons wait to be pushed back. Where? All around us. When? Today, as a part of every student's college activity. And on tomorrow, as a civic responsibility or as a career.

This new frontier is the domain of public life which needs the thrust and enthusiasm and the dedication of youth. And I say to young men and women, today's brightest horizons are in the field of public service. And remember the adage, "If the mountain will not go to Mahomet, let Mahomet go to the mountain." Go ahead and get your feet wet. Don't wait to be asked. I can assure you that candidates seldom are drafted to run. Be as partisan as you want, or as nonpartisan. And let me also assure you that my remarks are non-partisan, or at least as non-partisan as remarks can be from a man who has run 20 times for office on the Democratic ticket—Southern Democratic, that is. I do not counsel this course because I want you to be a part of the demonstrations and the outlandish demands for recognition which have been noted in too many colleges and universities. Nor do I counsel it as an antidote, for I would provide a different antidote for those activities. I would give those who dissent destructively short shift to get back to their books or get packing. The Justice Department finally has awakened to the fact that some of these are law violators with communist affiliations. They are not students. Instead, I urge students nationwide to enter the field of public service as a way of showing that young men and young women can provide responsible leadership. There must be those who believe in our country and who will stand up for it and make themselves heard on the campuses, on the street corners, or wherever people gather.

What I advocate offers no short cut to success or popularity. It can be as lonely as the life of a pioneer. Leadership is at times a jealous mistress which refuses to share you with the crowds around you. Success can be as heady as a gold strike. But it can also be as seldom achieved, or as short-lived. But the mark you make will be written indelibly on the walls of time. And win, lose or draw, it will say you stood for something.

No one will contest the point that it is in the schools, the colleges, and the universities of our country that our nation's future is being created, but what kind of future? Of all the paradoxical confrontations of success and confusion, there may be no better example than educational processes in America. From the time of Jefferson, we have held that education is the cornerstone of a successful democracy, and with each passing decade we have built on to the foundation of educational opportunity. And each year a bigger bite out of the tax dollar goes into education. What the public now is being exposed to would indicate that a lot of these dollars are being wasted. This, despite the very best efforts of many wholly dedicated staff and faculty members.

Now that we educate so many, and do it so routinely, there is growing concern that education is becoming a mass production phenomenon which does not really delineate goals, or mark out choices, or provide incentives of life. Too many students have told me that they have a sense of simply being swallowed up in the crowd—that they are in college because it is the thing to do, and not in the true sense in preparation for the challenge of life in a dynamic, exciting, rapidly-developing world.

I would under no circumstances urge that any college activity displace the solid substance of learning. It is the exercise of the brain which truly prepares a student for adult responsibility. But I would urge that the variety of activities which so frequently divert student attention from the real challenge of learning be enlarged to include this new area of public service which can in itself add to intellectual excellence.

I need not remind you that no country has endeavored more successfully to convert its resources and its scientific achievements to useful purpose. America has created a stupendous technological power with unbelievable capacity to provide for the needs of our people. We should have obtained, in this process, freedom of action for social betterment and individual improvement far beyond our present status. We can circle the moon and send back revealing photographs of the world and the stars, but we still cannot penetrate the jungle cover of Vietnam and tell what is hidden underneath, or solve the conflict which frustrates us there. We possess the power to destroy hundreds of millions of people with a single massive strike, almost in a single instant, but we haven't conquered disease, and we haven't eliminated poverty even for those who are willing to work to escape poverty. Modern technology is expanding more rapidly than our power and foresights; more rapidly than our understanding of the consequences of the improvements we hail. We should be masters of our destiny in today's confusion, but it would be risky to predict that we can really determine where our destiny leads. New leadership must be developed now to help delineate a safe course for the nation. Where better than through training on the college campuses?

We have created the greatest wealth and established the highest standard of living in the world, but we know these in themselves are not enough. Gross national product, which achieves stupendous new heights each year, does not really spell out the contentment or tranquility of the people. Only leadersip will do these things, leadership which attracts the confidence of the people while charting a safer course. It is the absence of that type of leadership which has encouraged dissenters who, in reality, offer nothing more than destruction of the very goals for which our nation has been building.

Leadership is the art of politics, with important additives. A most respected professor and writer on government, Dr. Charles R. Adrian, notes that, "Politics is not an evil thing. It is the catalysis that changes citizens into public officials, and individual wishes into public policy. It is essential to democracy. On the local scene—as on the college scene—it operates largely in the same manner as it does for state and national governments. Only the emphasis and the relative balance-of-forces are changed." Professor Adrian said it very well. And then if you want to know the steps to accomplish this transition to public life, these too are very simple: (1) Attract attention; (2) Win belief; (3) Impart understanding. Much of leadership is, of course, based on good public relations, but good public relations will endure only when it is deserved. Nor can it be impressive unless it is dynamic. But to be truly effective, there must be knowledge and faith among the people that the actions of a public official are done in their interest, with confidence that he also is upholding moral and ethical values. That's the way this country really is at heart.

Many times people have said to me, "What can I do about my country's problems?" The decisions which affect our lives frequently seem so remote from the average person's influence that he feels frustrated and helpless. And this is a situation which may produce apathy in which nothing more is done than a casual protest vote at the polls, or it may produce a political improvisation—something resembling guerrilla warfare—which now is demonstrated by group protests or even by riots. This power of negative thinking is not new in the United States. There have been protest movements and marches throughout our history. But the new power blocs—the blacks and the students—have developed new techniques for making their displeasure heard and their influence felt. It should be remembered that Ghandi did very well with this sort of thing at a different tempo in India. It would be dangerous to discount its potential. At the college level, it can be particularly disruptive.

Yes, there is something students can do about this situation, and I can promise a sense of personal fulfillment which can come from a total engagement with ideas, and with the intellectual problems of our days, with a magnificent promise for the future. You can be a leader in the battle to preserve America.

There are decisions Stetson cannot make for its students. Leadership is a personal thing. When the chips are down—when the men are being separated from the boys—when his future and perhaps that of the nation is being decided—that's when the student must make his own decision—to be a leader or to be one of the led. He won't find the answer in books—only in his heart. Does it really make a difference? Yes, it makes a difference because these are troubled times, uncertain and in a sense directionless times. Which way is our country going? We obviously are living in a time of great social change; we face unprecedented crises from day to day, those who administer the law do not seem to know how to respond to strange and querulous protests of minorities of our citizens. Established institutions are under attack, and accepted principles of morality, law and order seem to be in question. We hear strange proposals—and strange talk of appeasement from the most unexpected sources.

It requires no great profundity or intellectual capacity to be aware that the American way of life is in danger. It is in danger because vested authority does not seem to have the courage, the resolution, or the conviction to fully resist disorder, chaos, or anarchy. Somehow, the great majority of our citizens seem unable or unwilling to prompt or inspire the sort of action which will insure for us an orderly society, moving forward to greater things with minimum damage to old institutions, most of which most assuredly deserve saving.

President Abraham Lincoln observed in 1864 that "The world has never had a good definition of the word 'liberty' and the American people, just now, are very much in want of one." That comment is very apt today. What is really needed may not be so much a definition of liberty or freedom as guidelines for its proper use. Freedom also means the exercise of rights and franchises under restraints and protections which are justly imposed by law. Freedom implies the presence of reasonable rules for the protection of the community and for the promotion of public health, safety, morals, and welfare. Daniel Webster said, "Liberty exists in proportion to wholesome restraint." If the objectives of liberty and freedom are honorable, as I believe them to be, then the uses of freedom must be no less honorable. Freedom requires individual responsibility, and each man must be a guardian of responsible freedom. When the element of personal responsibility is added, freedom becomes a prevailing force, exerting its influence on men and governments—protected by courage, fortified by wisdom, and nourished by the roots of private morality.

Now if that isn't plain enough, let me say it this way. It is time to discipline the nut fringe, to enforce the law, and to stand up for the things America stands for—at home and abroad. We cannot afford to be directionless. We cannot afford any more Pueblos. There must be purpose and direction and determination, and for these there must be leadership.

Students, as good Americans, can contribute to a secure and progressive tomorrow. You will have great tasks before you, and they are tasks which will test your strength, and your character; sometimes your very soul. But what a wonderful opportunity will be yours in the process. You will be seeing this great land with new vision and new appreciation. And you will be writing a page—your page—in the matchless saga of America.

Now let me express my appreciation to all who have participated in bringing these beautiful buildings into being, and I am grateful to have been given the opportunity to take part in these exercises dedicating Eleanor N. Dana Hall and H. Jackson Crummer Hall to the use and benefit of mankind under the administration of the Dean and faculty of this law school.

AMERICAN PATRIOTS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to include in the CONGRESSIONAL RECORD the following letter which I have received from Philip Amster, of Pittsburgh, Pa., as he is to be complimented on his civic and patriotic interest in our good country:

Congressman JAMES G. FULTON,
Washington, D.C.

DEAR SIR: I am one of four brothers who have honorable United States Army discharges. My oldest brother is 88 years old, a Spanish American War veteran, at present being well cared for at Veterans Hospital in Aspinwall, Pittsburgh, Pennsylvania.

Our family loves and appreciates our America and it just hurts real deep to see how little many citizens show their love and patriotism for our beloved Country. They just take things for granted and I feel they should be prodded and reminded that our United States flag stands for so very much.

When the Astronauts completed Flight 9 and stepped on the big flat top, US Carrier, they had a flag on the left sleeve. Also our US entrants in the Olympics have our flag emblem on their clothing. If millions of Americans showed an American flag emblem on their car in a certain place, say the left or right side or rear window, how wonderful it would be for everyone to see and be reminded what a privilege it is to be an American.

Uncle Sam could sell such a sticker of the US flag to be placed on all mail boxes throughout our 50 states, the Virgin Islands, etc.

How do these suggestions strike you? Can this letter be brought to the attention of President Nixon, I sure hope so.

Yours truly,

PHILIP AMSTER.

Mr. Speaker, I am glad to include this letter in the CONGRESSIONAL RECORD so that not only is it brought to the attention of President Nixon, but to the attention of Members of Congress and the American people as well.

PAN AMERICAN TO BUS SUBURBAN RIDERS IN MOVE TO EASE AIRPORT TRAFFIC

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. MURPHY of New York. Mr. Speaker, all of us are aware of the air traffic congestion problem currently plaguing our major hub airports, particularly those in my own State of New York.

While admittedly air congestion is a critical problem needing an immediate solution, those of farsighted vision such as Najeeb E. Halaby, former Federal Aviation Administrator under President Kennedy and now president of Pan American World Airways, recognize that the problem of the future will be one of ground transportation to and from airports.

In an attempt to alleviate this problem, Pan American, under its "dispersal strategy," has instituted what the New York Times April 11 edition has referred to as a major innovation—going into the suburbs to collect passengers and bus them to the terminal, thereby relieving crowding at Kennedy International Airport.

Mr. Speaker, I request, under unanimous consent, that the New York Times article be inserted at this point in the RECORD:

[From the New York Times, Apr. 11, 1969]

PAN AM TO BUS SUBURBAN RIDERS IN MOVE TO EASE AIRPORT TRAFFIC

(By Robert Lindsey)

In a major innovation for the air traveler, Pan American World Airways has decided to go into the suburbs to collect passengers and—it hopes—relieve crowding at Kennedy International Airport.

The airline said that under the plan, to be implemented next month, it would establish a network of "subterminals" on Long Island, in Westchester County and Connecticut, and in the Bronx and Brooklyn.

Passengers from those areas booked on Pan American flights may go to the suburban terminals, present their tickets, check in their baggage, choose the seat they want on a plane and board a small bus. Then they will be taken directly to Kennedy to board their planes, bypassing the airline's terminal check-in facilities.

In most cases, airline spokesmen said, passengers will have to walk through the Pan American terminal building to boarding gates to reach their planes. But in some instances, passengers may be deposited directly on the airport ramp next to their planes.

Returning passengers will be able to ride the airline bus back to the suburban terminals, which will have "limited" parking spaces for private cars, the airline said. As one spokesman said:

"A passenger will be able to check in his bag at White Plains, or one of the other terminals, and he won't see it again until he reaches Buenos Aires or wherever he's going."

At some time in the future, the airline said, helicopter service may be offered from the suburban terminals to the Kennedy terminal. Pan American already offers passengers "on call" helicopter service to the airport from a heliport on East 60th Street in Manhattan.

The plan for the suburban "subterminals" was made known in an interview by Najeeb E. Halaby, Pan American's president.

ADDITION TO KENNEDY

He said the facilities were part of a "strategy of dispersal" developed by his company to cope with congestion problems at Kennedy.

The problem reached crisis proportions last summer when excess air traffic caused delays up to three hours in landings and takeoffs. And passenger facilities—check-in counters, lounges, roadways—proved far from adequate to digest the resulting overflow crowds.

Although the Government-ordered peak-hour flight restrictions go into effect June 1, and other palliatives have raised hopes for less congestion this summer, Pan American officials said they faced some special problems.

The airline is building a massive addition to its terminal at Kennedy to handle expected passenger growth. But until this is finished in 1971, the construction is expected to cause a lot of headaches at the terminal.

And, late this year, Pan American will be the first airline to fly the huge new Boeing 747—a jumbo airliner that will bring passengers to the terminals in batches of up to 362 persons.

Because of the congestion problems, Mr. Halaby said. Pan American's "disposal strategy" has also prompted the airline to move some peak-season flights away from New York.

"This summer and next summer," he said, "we plan to operate some flights from Dulles and Baltimore, Boston, Newark and other cities that we would have normally operated from Kennedy."

By 1971, the expanded terminal should be ready to permit a large increase in operations at Kennedy, he declared.

Although not all the specific sites for the subterminals have been determined, a Pan American spokesman listed these "general" locations: White Plains and the Westchester County Airport; Greenwich, Conn.; near the site of the former Roosevelt Field in Nassau County; the Williamsburg section of Brooklyn; and the Hunt's Point section of the Bronx. The airline also will establish a check-in terminal at La Guardia Airport, where it does not have air service.

Mr. Halaby said he thought perhaps 25 per cent of the company's passengers might use the new suburban check-in service.

Now, most passengers reach Kennedy by private automobiles, or on buses that leave from the East Side Airlines Terminal in Manhattan. Some arrive via taxi and a few by helicopter.

The ride to the airport from the subterminals would not be free and passengers would pay fares comparable to those charged by limousine services, an airline spokesman said.

Besides examining passengers' tickets and checking their baggage, airline agents in the new facilities will make sure passports and other travel documents are in order for overseas travel.

CONGRESSMAN WHALEN RELEASES A REPORT OF A SPECIAL INVESTIGATION OF THE STOCKADE AT THE PRESIDIO

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. WHALEN. Mr. Speaker, the Department of the Army announced on April 14 the appointment of a committee of six prominent civilian penologists to conduct an analysis and evaluation of Army confinement facilities and practices.

According to a Defense Department news release issued on April 14 the study "will concentrate on the Army's stockade system and will include a review of the Presidio of San Francisco stockade."

Mr. Speaker, I completely endorse this action on the part of the Department of the Army and wish to congratulate our former colleague, Defense Secretary Melvin Laird, for his forthrightness in this matter. The situation at the Presidio has become a national affair. It also has become a local matter of concern in my congressional district since the young man who was shot and killed by a stockade guard was my constituent.

However, I initiated my own investigation of conditions at the Presidio before being apprised of the fact that the deceased, Army Pvt. Richard Bunch, resided in my district. As a former military officer with experience in stockade responsibilities, I decided to dispatch an investigator to the Presidio to make an inspection of conditions in that facility. Accordingly, I advised then Defense Secretary Clark Clifford to this effect on January 6 and obtained his full cooperation. Assistance rendered by Secretary Clifford and his successor Mr. Laird, was laudatory.

The investigation was comprehensive and well done by Mr. Stephen Herbits. Mr. Herbits, I might add, recently was appointed by President Nixon to membership on the President's Advisory Commission on an All-Volunteer Military Force.

After the report was completed, I forwarded it to Secretary Laird. I feel that the determinations it made were instrumental in the decision to create the special civilian committee to study the stockade. Several Members of Congress have had the opportunity to see the report. In view of the great interest in this matter, I have decided to publish it in the RECORD at this time.

Mr. Speaker, I insert herewith that material:

SECRETARY OF THE ARMY APPOINTS SPECIAL CIVILIAN COMMITTEE TO STUDY STOCKADES

The Department of the Army today announced the appointment of a committee of six prominent civilian penologists to conduct an analysis and evaluation of Army confinement facilities and practices. The study will concentrate on the Army's stockade system and will include a review of the Presidio of San Francisco stockade.

The committee will conduct its own inspection of Army confinement facilities in the United States. It will provide recommendations to the Secretary of the Army for any modification it deems necessary or desirable regarding the management, operation, and adequacy of Army confinement facilities. The committee will conduct its first meeting April 23.

In appointing the committee, Secretary of the Army Stanley R. Resor acted upon the recommendation of the Army Chief of Staff, General W. C. Westmoreland, that a committee be appointed to provide an independent and professional evaluation of Army confinement facilities and practices.

The committee represents a broad spectrum of experience in the management of prisons. It will be chaired by Mr. Austin H. MacCormick, currently serving as Executive Director of the Osborne Association, Inc., New York City. He is a member of the Board of the National Council on Crime and Delinquency and the American Correctional Asociation.

Other members of the committee include:

Mr. James V. Bennett, currently consultant to various Federal and State penology agencies.

Mr. Richard A. McGee, President, Institute for the Study of Crime and Delinquency, Sacramento, California.

Mr. Lawrence Pierce, Chairman, New York State Narcotics Addiction Control Commission.

Mr. Sanger B. Powers, Administrator, Division of Corrections, Wisconsin State Department of Health and Social Services.

Mr. E. Preston Sharp, General Secretary, American Correctional Association, Washington, D.C.

REPORT OF INVESTIGATION OF THE STOCKADE, THE PRESIDIO, AT SAN FRANCISCO, AT THE DIRECTION OF CONGRESSMAN CHARLES W. WHALEN, JR., FEBRUARY 28, 1969

I—SUMMARY

Intensive short-term research did not reveal the answers to many problems, but did bring to light some serious questions regarding stockade conditions and procedures.

The shooting of Pvt. Bunch during an escape attempt was "justifiable homicide" only in the sense that the guard was following orders. Unavailability of options for the guard signals serious procedural problems.

It is apparent to me that conditions at the Presidio stockade before the demonstration on October 14 regarding space for prisoners, treatment of prisoners, cleanliness, and food rationing were deplorable, lending justification for the grievances exposed at and by the demonstration.

It is also apparent to me that inattention to the manpower and budget needs of the Corrections Division of the Army has caused an acute problem in the areas of procedures, environmental conditions, mental health, and simple processing of prisoners.

II—RESEARCH PROCEDURES

In response to permission granted by General Karl Gustafson, Provost Marshall General of the U.S. Army, I flew to San Francisco on Thursday, 6 February 69 accompanied by Lt. Col. Al Ackerman of the PMG's office and Chief of the Corrections Division. We discussed the Army's correction program in general and the Presidio specifically.

Arriving at the Base at nine o'clock Friday morning, I was greeted by Col. Fee, Provost Marshall for the Sixth Army, and briefed by Col. Garnette, Judge Advocate, 6th Army, who recommended that I not speak to those prisoners under trial for mutiny. I responded that it was necessary, but my concern was not with the litigation and that I would warn the prisoners they need not talk without their lawyers.

I then inspected the stockade in the company of four Colonels and one Captain. Following the familiarization tour, I interviewed in full privacy six prisoners (one twice), three guards and two stockade officers, the Chaplain, the psychiatrist and one psychologist.

Friday evening was spent with one military defense attorney and the investigating officer of the mutiny case. On Saturday after noon I spoke with Attorney Terrance Hallinan, the leading civilian defense attorney in the mutiny case and familiar with the Bunch case.

Various reports and studies were prepared and/or made available at my request. I was able on Friday evening to examine the Criminal investigation (CID) reports of the Bunch incident and the mutiny. Also, I studied a Judge Advocate report on the history of prisoners' activities during confinement and a collection of affidavits filed in court as to the conditions of the stockade. Other miscellaneous items examined by me included a psychology report on Bunch, photostats of alleged suicide notes, photographs of the stockade taken subsequent to the alleged mutiny, prisoners' files and records of behavior and the full Bunch file.

I also inspected without prior notice a guard detention center and re-inspected without notice the segregation area of the stockade.

Finally, I was able to hold discussions with Col. Ford, Provost Marshall of the Presidio; Col. Looney, Deputy Commander at the Presidio; and Captain Lamont, Commanding Officer of the stockade.

At no time did I receive less than the fullest cooperation in each and every request made by me. All involved were eager to help and attempted their best to do so.

Col. Ackerman must be specifically commended for his unlimited willingness to be of assistance, his frank approach to the problems and his thorough knowledge of the entire area of corrections.

III—BUNCH CASE

A. Chronology

16 January 1967: Enlisted.

24 January 1967: Basic Combat Training.

10 April 1967: Advanced Individual Training.

June 1967: Promoted to PFC, fast rank.

3 July 1967: Clerk Typist.

16 August 1967: Mail Delivery Clerk.

10 October 1967: Consultation with Mental Hygiene for personal problems saw psychologist—determined minor nonadjustment.

16 October 1967: Consultation with Sociologist in response to a physician's consultation request, saw social workers, determined minor non-adjustment (claimed depression, sleeplessness, loss of weight).

31 October 1967: Went AWOL for 1½ hours, reduced in grade to E-2, 14 days extra detail.

4 January 1968: AWOL from Fort Lewis, Washington.

16 January 1968: Returned to Fort Lewis.

22 January 1968: AWOL.

20 February 1968: Dropped from rolls—desertion (standard procedure).

28 February 1968: Returned to Presidio—Special Processing Detention.

29 February 1968: AWOL.

8 March 1968: Returned to Presidio SPD when caught by civilian police with drugs.

11 March 1968: AWOL.

21 March 1968: Dropped from rolls (standard procedure).

27 March 1968: Returned to Fort Ord SPD.

* 8 July 1968: AWOL.

* 10 July 1968: Dropped from rolls.

* 8 August 1968: Turned himself in at Presidio SPD.

* 9 September 1968: AWOL.

15 September 1968: Turned himself in to Presidio SPD—put in stockade.

30 September 1968: Saw psychologist—upon own request—character and behavior disorder.

11 October 1968: Deceased.

B. The shooting

On the morning of 11 October 1968, Pvt. Bunch was assigned, with three other stockade prisoners, to a work detail on the premises of the base. Put in charge of the detail was a guard, approximately 22 years old, armed with a 12-gauge shotgun.

Following is the testimony of the guard (taken for a standard investigation of this type), as this seems closest to the facts as collaborated by other testimony and my conversations with prisoners. I have added my own comments in parentheses.

". . . Before starting to work, I decided to give the prisoners a smoke break as we had walked a long way. I asked the NCO if there were any objections to the prisoners smoking and he said no. Accordingly, I told the prisoners to take a smoke. They were sitting around on some crates and Bunch happened to remark something to the effect of whether I would shoot anyone. I attempted to ignore him and he may have repeated the question." (It is reported that he repeated this and similar questions several times. The guard in answer to questions reports that Bunch made a gesture of escape about this time. One of the prisoners suggested to me that Bunch was going far beyond normal taunting by this point and suggested so to Bunch.)

"Anyway, I told him that if I did not shoot then someone would shoot me. What I meant was that if I were to permit one of the prisoners to escape, then I would be punished. I am sure Bunch knew what I was talking about. As we started to work, Bunch asked for some water. I asked the NCO where the nearest water fountain was and he directed me to Building 244, across from the building we were in. I then marched the four prisoners to Building 244. We entered and then went to the water fountain at the other end of the room. After the prisoners drank water, and as we were walking back to the exit, Bunch said something to the effect 'Will you promise to shoot me. I won't run unless you promise to shoot me.' I didn't really know what to reply to him. I was upset over the question, of course." (It is apparently at this point that the guard responded that if Bunch wanted to know, he would have to try and find out. To this Bunch is reported to have said, "Well if you shoot, shoot me here," and pointed to the back of his head.)

"At any rate, we exited the building and I was walking behind the prisoners. As we were crossing the street, I noticed that Bunch started to lag behind. By this time, Colip, Reum, and Black had crossed the street and were next to the building." (The other three prisoners on the detail.)

"Bunch then turned and said something to the effect 'I don't really think you'll shoot.' At that time he started moving away from me and said 'don't start running'. He suddenly turned and started running in the direction of the commissary. I chambered a round and I thought he had heard me do so." (The use of the word "running" here is difficult to justify. Most other witnesses suggest that he was skipping, trotting or the like. The speed with which he did depart is open to some question.)

"He kept running and I then yelled 'halt.' He failed to stop and I brought the weapon to my shoulder and yelled 'halt' again." (Again there is considerable disagreement as to the number of times the guard yelled halt, if at all.)

"When he continued to run, I removed the safety and fired once at him. I aimed toward the lower part of his buttocks when I fired." (One of the prisoners, shocked by the shooting immediately asked the guard where he had hit him. The guard was in a state of extreme excitation and nervousness and is reported to have answered, "Right where I aimed.")

"I saw that he was hit when he fell to the ground. I ordered the other prisoners to get on the ground. Shortly thereafter, the military police arrived and took the other prisoners in custody." (End of guard's testimony.)

Bunch was hit in the lower back at 62½ feet and died within minutes.

C. Bunch's psychological condition

There is some question as to the mental health of Pvt. Bunch at the time of his death. There are a number of items which suggest that he might have been in serious need of professional assistance. Some suggest his death was in reality a successful suicide attempt.

Prisoners report he was in the habit of sitting on the edge of his bed, staring off into space and talking to himself, and in some instances speaking both parts of a conversation.

Bunch is known to have had wide experience with drugs, including LSD, as documented by one arrest and by prisoner conversations.

Bunch's mother is reported to have requested professional assistance from Dayton hospitals and the military when her son appeared home, claiming he had died and been reincarnated twice, was a warlock, and could kill with a glance. (None of this is confirmed.)

His record of 7 AWOL's and returns, both voluntary and involuntary, demonstrates, at a minimum, a strong inconsistency of behavior.

His mental state immediately preceding the shooting raises certain obvious questions. (See preceding section.)

The reported "suicide" notes found among his belongings possibly suggest a disturbed mind. The validity of the notes (copies of several attached herewith) have been challenged because they were made available by a civilian lawyer to the press. Some prisoners attested to their validity, describing to me in detail the process used to smuggle them out—a process generally supported by an outside lawyer. One prisoner suggests additioned writings can be found in his books, which apparently were returned to Bunch's mother.

Various comments by him to prisoners about the best way to kill himself and various miscellaneous items hold less validity. In most instances they were seen in different light after the incident.

One prisoner reports Bunch walked into a wall twice, claiming he could walk through.

His personal history record shows a family background with his mother having recently suffered a nervous breakdown.

His personal background sheds some light: He claimed an unsatisfactory family life with inability to communicate with his father; a continuing and severe problem of adjustment with his size (5'2; 130 lbs.) and appearance of being extremely youthful; his unusual discontent with being unable to work at the MOS for which he was trained.

He more than once sought out mental hygiene, but apparently was never satisfied. He was independently referred to the Mental Hygiene group by a medical doctor in 1967. Parenthetically, one of the factors underlying the "demonstration" (mutiny) was the prisoners' belief that adequate psychiatric treatment was not available to them, especially as evidenced by Bunch's needs.

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* There is a discrepancy between the PMG's records and Pvt. Bunch's master military file. Bunch's records showed:

18 July 1968: AWOL.

3 August 1968: Turned himself in at Presidio SPD.

10 September 1968: AWOL.

There are, however, factors suggesting the absence of a major mental problem:

An interview held by a trained psychologist 2 weeks before the incident "revealed no evidence of depression, suicidal ideation or thinking disorder." (His report, written after Bunch's death, is attached.)

A medical doctor saw Bunch once between 15 September and 11 October 1968 with no apparent reason for alarm about his mental health.

The stockade Chaplain, who often hears reports about prisoners from other prisoners, heard no such reports about Bunch.

IV—THE STOCKADE OF THE PRESIDIO

A. Conclusion

It is apparent to me that since the publicity of the Bunch death and the demonstration, the conditions at the stockade have changed dramatically for the better. I am reasonably certain, as a result of my research, that the conditions preceding the demonstration were deplorable and, further, that the general regulations governing procedures at the stockade and the rules governing decent behavior of responsible men were being ignored to an unacceptable degree. It is my opinion that the substance of the grievances made known at and by the demonstration was legitimate.

1. Overcrowdedness

For 68 of the 84 days between August 22 and November 13, 1968, the Presidio stockade was in an "emergency" status.

Stockades by Defense Department directives have three categories of space limitations: standard—70 square feet of sleeping space per person; reduced—down to 55 square feet of sleeping space per person; and emergency—down to 40 square feet of sleeping space per person. (This is in contrast to the Federal Bureau of Prisons' standard of 50 square feet of sleeping space per person.) The "emergency" category is limited to seven days at a time. Yet the stockade existed in this state over 80 percent of the time during the aforementioned period. General Skelton, Chief of Staff to General Larson, Commander of the 6th Army, has, since the demonstration, issued a directive to General McMahon, Commander of the Presidio, not to permit a stockade population in excess of 103 men (i.e. "reduced status") for more than one day without notifying him to arrange for transfers. Days when the reduced limit has been exceeded may still occur. This is not to mention the fact that the prevailing condition is still worse than standard.

Upon inspection, the prison blocks did not appear to be dangerously overcrowded, although, I am told by prisoners and guards alike that at least 10 bunks were removed between the time of notice of my arrival and my arrival the next morning.

The serious lack of space is apparently being felt across the country in Army stockades. Although the Presidio's prison population has more than doubled since June 1964, there have been no Congressional appropriations for additional facilities.

Recommendation.—The Committee on Armed Services should be asked to re-examine the space needs of the Corrections Division of the Department of the Army in light of the increased prison population at the Presidio and elsewhere.

2. Treatment of Prisoners

Reports of unacceptable actions by guards were made to me by the prisoners whom I interviewed.

Two fingers of a prisoner were broken in a scuffle with a stockade official in a room where the two were alone while another guard was posted at the door.

One incident was reported where guards used a squirt gun filled with urine on a prisoner in segregation.

At the time of my visit, a prisoner was in segregation who was currently on a dope "trip," admitting he had taken LSD just before his return to the stockade. In my opinion, he should have been hospitalized.

The deliberate decision to leave a homosexual in the same cell block with several other prisoners is evidence to me of lack of careful treatment of both the homosexual and the other prisoners. Such a circumstance existed during my inspection.

Prisoners complained of serious abuse of Form 510 (the form used to request interviews with certain officers relevant to their condition as prisoners—i.e., the Inspector General, the Commanding Officer of the stockade, etc.). A brief perusal indicated to me that there is no way of checking the charges that no action was taken on many requests. On the copies of those Forms 510 which did appear in a file, it was possible to determine the length of time it took to fulfill a given request. Time prevented accurate research here, however.

Every single prisoner with whom I spoke complained of the inconsistency in requirements put upon them by the guards. When I suggested that more consistent behavior would no doubt result from tougher, more stringent policies, they agreed without exception that that would be better. Apparently what has happened is a combination of factors—some guards have gotten to know prisoners and are apt to treat them kindly on occasion, but not at all times. Because of the general overhaul of procedures since the demonstration, there have been frequent revisions in prisoners procedures; because so much latitude is being allowed guards and lower officers, requirements are changed frequently.

3. Cleanliness

Incidents of reported failure to clean up unsanitary conditions may have been overdramatized; nevertheless, there is significant evidence of such failure. Since a complete "GI" cleaning was undertaken between notice of my arrival and my actual arrival at the Presidio, my own sanitary inspection was not meaningful. (During this same cleaning, at least 10 bunks were removed.)

One instance, reported by what I consider a reliable prisoner in relating information, concerned the flushing of a toilet which overflowed onto the floor. Not only was the initial mess left for some time, the next person flushing only added to the mess. It took several days to repair the faulty plumbing.

Setting aside the numerous incidents of toilets being deliberately stuffed by prisoners, a number of instances of faulty plumbing, leaking pipes, toilets and showers were reported.

The leaving of unsanitary conditions when they occur for whatever reason (including punishment) was reported to me in several instances.

Because of a lack of toilet facilities in the segregation cells, prisoners must yell to the guard and the guard must be willing to take the prisoner to the adjoining room. It was reported to me that on occasion it was necessary for a prisoner to urinate (and in at least one instance, defecate) on the floor of his cell—a condition which took varying times to clean up.

4. Food

Information relayed to me indicates that on frequent occasions before the demonstration, food was not available for the full number of people consigned to the stockade. The Commanding Officer of the stockade has admitted under oath at a recent trial that for the five days preceding the demonstration, food was available only at half ration.

5. Suicide Gestures

During the period from June 1968 through January 1969 there were fifty-one "suicide gestures" (as classified by medical personnel) by prisoners confined to the Presido stockade. (None of the attempts were successful, incidentally.) This unusually high rate suggests either an unfulfilled need of psychiatric counseling or a serious morale problem among those confined in the stockade. In either case, there is dramatic evidence of prisoners' finding their conditions unacceptable.

B. Further information

In summary, the impression I gained from my brief investigation suggests that the conditions in the stockade preceding the demonstration were, in fact, deplorable. The preceding discusses some of these findings. Section V of this report raises a number of issues, all of which were brought to my attention by specific problems found during my investigation and all of which contribute to my total impression.

Furthermore, it should be noted that much more complete evidence now is available in sworn testimony at the recent trials at the Presidio. Still further evidence, no doubt, will become available as additional trials are held. This report, in my opinion, is a mere sketch of the dilemma.

V—ISSUES

My investigation and the preceding material raise a number of issues. The research which I was able to undertake did not provide me with acceptable answers. That is not to suggest that in each instance there is not a very workable answer—there may very well be.

To the degree that interest and manpower exist, research by Congressional sources into the problems herein presented might yield recommendations for sensible policy change.

A. The armed guard

Under present circumstances, a guard usually armed with a 12-gauge shotgun accompanies 2, 3, or 4 prisoners (classified as "medium confinement prisoners") on a work detail somewhere on the base. The orders to the guard are, among others, to prevent the escape of any prisoner.

The guard, it seems to me, is thereby placed in a situation where, if one prisoner runs, his alternatives are unrealistic. He has the option of chasing the first, thereby releasing his watch on the other three; retaining his watch on the other three and allowing the prisoner to escape; or, to shoot the prisoner. If he is to do his job without endangering his own position, he must not take the first two alternatives—he must, therefore, shoot the prisoner.

(A NOTE: "maximum confinement prisoners" are not released from the stockade area; "minimum confinement prisoners" and parolees are not guarded with arms while on details. Most prisoners are of the "medium" type.)

The implications of the above procedure are alarming, especially when one considers the offenses for which the prisoners are generally in the stockade—repeated AWOL's. Death for an individual who in civilian society would be committing an act punishable only by being fired from a job is certainly an extreme punishment.

It seems that a number of alternatives should be available. Three come to mind immediately:

(1) Those prisoners deemed necessary to be guarded by arms should not be allowed off the stockade (fence enclosed) premises.

(2) Prisoners deemed necessary to be kept under armed guard should be assigned work details out of the stockade area only on stations where an automatic communications

system between the guard and gate MP's can seal the base to a prisoner who had fled a guard.

(3) More than one guard could be assigned any detail containing more than one man.

B. Qualifications of guards

It would be unacceptable in the private sector for a 20-year-old boy without specific training and without more than superficial experience with a weapon to be put in charge of guarding a local detention center for alcoholics, a county jail or a State mental institution. The Army evidently does not agree.

Questions involving the qualifications of guards are of particular importance, for we must ask if we are sufficiently careful to train those in whose hands we place the lives of others.

Just how much experience do the guards have with the type of weapons they use—shotguns and 45's?

Just how much experience do the guards have with the specific weapon they will have to fire in an emergency, realizing the great variance among instruments of the same type?

How much classroom, academic type training has been given a guard, who is acting as a confinement officer? Has he trained for the specific MOS he is filling?

What is the turnover for guards at stockades? Do guards spend enough time gaining experience? What is the experience average of guards assigned duty with weapons?

What is the psychological condition of the guards? Are they there for punishment or for any reason against their wills? Are they allowed to relinquish their positions if they choose? Are they psychologically tested for personality aberrations, such as sadism, cruelty, irregularity or inconsistency of behavior?

To be reliable, the answers to these questions demand full and accurate research. A brief indoctrination by me reveals a situation which, in my opinion, is somewhat less than satisfactory. The question, in the end, is manpower. Are we neglecting the safety and well being of prisoners because we cannot afford proper manpower?

C. Mental health of prisoners

It is readily apparent that many of those who end up in the stockade are in need of some sort of personal help. Most prisoners at the Presidio are there because of repeated AWOL's; few are there for violent crimes. Recognizing these needs, the Army has instituted two relevant programs—a mental hygiene unit attached to the stockade and a rehabilitation program at Fort Riley, Kansas. Both concepts are useful; neither is used sufficiently.

Should Bunch's condition have been noticed by the authorities?

Is it healthy for a homosexual prisoner or for his cell block mates if he is knowingly kept in with the others awaiting military paper work for release? (A current situation at the Presidio stockade.)

Is it necessary for a prisoner to attempt suicide several different ways before he is admitted to a hospital? I have in mind a Presidio prisoner who tried hanging, eating shoe polish and slashing wrists. He was admitted once to the hospital, went AWOL when told he was going back to the cell blocks (and possibly segregation) and then was returned later to the stockade to repeat this sequence. At this writing, he is back in the hospital.

Are "suicide gestures" so unimportant as not to call for immediate thorough mental examination rather than segregation as punishment?

Are repeated "suicide gestures" by a number of individuals to be dismissed lightly or examined as a serious group mental attitude and morale problem, reflecting some other condition?

Prisoners entering the stockade are not automatically given a consultation with a member of the mental hygiene group. Each prisoner, to be sure, has at his disposal the Form 510 grievance procedure. This assumes, however, that an individual needing help is aware of same—not an altogether fair assumption.

Although there is now someone on the premises representing the mental hygiene group every day, this alone does not insure use of such people, nor the qualification of such people to generate more than a "try-to-get-along" attitude.

A psychological "work-up" is not prepared for most prisoners. A full "work-up" would include past personal and family records, a battery of psychological examinations and repeated interviews. All of this may represent a difficult administrative problem which could generate more paper work than success. Yet, for most of these prisoners, such a work-up would determine at an early date if the individual should be discharged from the service either medically for psychiatric reasons or administratively for character and behavior disorders. There is a certain difficulty in the latter case stemming from the fact that release is the Commanding Officer's decision. The problem is heightened at the Presidio because of the strong degree of local (San Francisco) sentiment against the war. Pressures from outside add to adjustment problems and may harden the position of officers.

The issue involved, when extended to its logical conclusion, is insoluble. How can the Army, when operating under a system of coercion—the draft—release recruits when there are only marginal signs of incompatibility to the military? Although neither good for the military nor the individual, keeping him in, or sending him to jail, appears the only action consistent with the draft. In this context, the answer, then, is to examine the "problem" individual to make a definitive determination as to his fitness, attempt to rehabilitate when marginal, and then release him if rehabilitation is unsuccessful. The Army may not adequately be keeping up with the first of those steps—corrective actions for which the Army must assume responsibility because of the very nature of a draft system.

D. Prisoner deterioration

As stated by a responsible officer, prisoners entering the stockade never gain from the experience. If they are lucky they come out the same as they went in. Usually their personal condition (factually and attitudinally) deteriorates significantly and quickly. It is a spiral effect.

The prisoner is, first of all, much more likely to pile up Section 15 infractions for minor offenses. (It is ironic that an angry prisoner when swearing is apt to get an "incident report" or even a Section 15, while at the same time, officers of high rank used such language in calm, deliberate discussion with me.)

The prisoner is subjected to the prison psychology of doldrums, unhealthy company, unsatisfactory living conditions and reduced freedoms.

The prisoner, often in the stockade only while awaiting trial, begins the waiting game under the unsatisfactory condition of not knowing the status of his case or of not being able to solve personal or financial problems.

Probably the most vivid example of deterioration is seen in those Presidio prisoners who, despite the fact that they would be released from the stockade within a month, participated in a demonstration resulting in a charge of mutiny (and a possible death sentence.)

E. Special processing detachment

Directly related to stockade problems is the efficiency of the Special Processing Detachment (SPD)—that group which handles AWOL's. Most individuals under SPD jurisdiction are not locked up. Many go AWOL again. (There were some 521 at the Presidio at the time of this investigation.) To the degree that these individuals can be handled promptly, however, the number of repeated AWOL's should drop dramatically and therefore the number having to be put in the stockade will decline. It is at this stage when legal and financial matters are processed and when some mental hygiene assistance can be obtained.

The blame for the extraordinary increase in the number of individuals which must be handled by SPD is certainly outside the military. But the blame for the concomitantly extraordinary increase in inefficiency in SPD rests squarely with the Army.

So that significant improvements can be realized, I recommend that the Department of Defense undertake an immediate examination of SPD personnel requirements and administrative procedures. Every indications shows that once an individual is "caught in the SPD quagmire," he has entered a confining and deteriorating process.

F. Military justice

It can only be suggested at this point, for firm data are unavailable, that consideration be given to a comprehensive review of the Administration and operation of military justice.

It certainly would be interesting to determine where the last of this kind of study was done and by whom.

Military Justice in the United States, although facing problems unlike those in the civilian sector, should never be allowed to deteriorate to a condition of anything less than full justice. It would make senseless the very existence of the military to protect the ideals for which this nation stands.

THE 21ST ANNIVERSARY, STATE OF ISRAEL

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1969

Mr. FARBSTEIN. Mr. Speaker, 21 years ago this week the dream of the Arabs to annihilate the newborn State of Israel turned into the nightmare of dismal defeat. Since then the progress that Israel has made has surpassed our fondest dreams. Officially Israel has existed for 21 years. But the idea, the promise, the hope of Israel has existed throughout Jewish history.

I cannot speak about Israel without speaking about Levi Eshkol whom I had the pleasure, immediately following the 6-day war in 1967, to interview in Israel. As Prime Minister he guided Israel through the June war. He devoted himself completely to the Israeli dream—that dream of peace without fear, peace with pride in one's self and country, pride in being a Jew. This and so very much more is what Levi Eshkol stood for. His spirit shall always be with us along with Chaim Weizmann and Theodor Herzl.

Israel today is an example to all the people of the world that the Jewish people will no longer stand by while their basic human rights are violated. That is finished forever. The star that the Jewish people had to wear under the Nazi barbarians is now the shining star of Israel. The star of David shall with God's help light the future for the people of the Jewish faith always.

And so this week, on this 21st anniversary of the founding of the State of Israel, all men of good will join in offering their congratulations and in expressing the hope that the State of Israel will soon live in peace. The miracles wrought by the dynamic Israeli people in the economic, social, and cultural fields serve as an inspiration for all men. Israel's democratic institutions and the exercise of freedom are models for liberty-loving men everywhere. I have infinite faith in the current and future leaders of the State of Israel and in the Israeli people, and wish them every success in their quest for peace.

RAND CORP., HEAVILY SUBSIDIZED BY THE DEFENSE DEPARTMENT, IS COMPETING WITH PRIVATE INDUSTRY

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. GUBSER. Mr. Speaker, at a time when the House is considering tax exemptions for nonprofit foundations, it is perhaps appropriate to highlight an event which raises questions about the policy of a special nonprofit organization which exists and continues to exist because of subsidy by the Department of Defense.

The Rand Corp. recently signed a contract with the New York Stock Exchange to study their information systems needs and make recommendations for the future. What this amounts to is a subsidy to the New York Stock Exchange from the Federal Government—through the Air Force and Rand—which represents unfair competition to the many firms who sell these types of services. The reasoning behind this assertion is based on the fact that Rand is unique in several respects.

First, Rand receives a substantial fraction of its budget each year from the Air Force without competitive bid. Although Rand is nonprofit, the support from the Air Force contains a fee—which is a significant percentage—which can be used to support inhouse research, and, hence, to develop unique skills. The theory underlying such an arrangement is that it will provide the Air Force with unique and highly developed skills for their problems. This is good theory.

Theory goes astray and becomes objectionable, however, when Rand uses these skills, which are Government-supported for Government good, to compete with firms who do not share in the Government largess.

Since Rand does not bid competitively for work, but negotiates sole source contracts only, it, no doubt, argues that it does not compete with private firms. This is camouflage since it does negotiate, and therefore, competes. By taking on the stock exchange job, for example, it makes skills available to this nongovernmental organization and, hence, excludes a private firm from the job.

GEORGE WASHINGTON: PATRIOT AND GENIUS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. RARICK. Mr. Speaker, as a student of basic American history, I have realized for many years the part played by George Washington in the formation of the United States. It was, therefore, with special interest that I read in the April 20, 1969, issue of Twin Circle, a weekly newspaper published by the National Catholic Press, Los Angeles, Calif., a review of a one-volume condensation by Richard Harwell of Douglas Freeman's monumental seven-volume work on the Father of our Country.

In order that word about this latest work on Washington may be more widely disseminated, I quote the indicated review as part of my remarks:

[From the Twin Circle, Apr. 20, 1969]

GEORGE WASHINGTON: PATRIOT AND GENIUS

(NOTE.—"Washington," by Douglas Southall Freeman. Abridged. One volume; 780 pp., by Richard Harwell. Conservative Book Club, Arlington House, 81 Centre Avenue, New Rochelle, N.Y. 10801. $9.95.)

This reviewer does not remember a book in his lifetime that has thrilled him and moved him so much as this one. His feeling after reading it was that it should be in every home in the United States, and that it should be translated into every language so that it would be read in all countries.

It is a fitting antidote to the worldwide sale of biographies of Lenin, Marx, Stalin, Mao Tse-tung, Napoleon and other exponents of terror, dictatorships and military conquest. Indeed, why is it that the nation that has become the most powerful and the most generous has never filled the bookstore windows of the globe with biographies of its benevolent leaders?

Most of us take it for granted that George Washington was a great man, but few of us understand that the imprint of his integrity, patience, strength, unostentatious brilliance, absence of rancor or hatred, his restraint under provocation, and his never-ending devotion to his country rests largely upon this nation.

Instead of a wretched, tinselly, bedazzling, short-lived Napoleonism, we have the greatest country in the world—a condition that is due in considerable measure to the abilities, endurance, humanity, and self-abnegation of Washington. There are no millions of corpses behind him. In war he sought victory, not endless killing. He took no lives that he could have spared. In peace he worked for national serenity.

Instead of accepting a crown or seizing the opportunity to become a dictator, the Father of this country modestly said he was more interested in becoming a good farmer than a king or emperor, and he attributed his successes as a military leader and as President to the blessing of God. Those who are willing to inform themselves of the all-but-unbelievable hardships that Washington and his officers and men endured in order to bring this nation to birth will be able to understand this. They will come to know that Washington was a self-effacing but not altogether unacknowledged genius. He was twice unanimously elected President in a deeply divided country.

Washington was an ambitious man, with an iron constitution, and an indestructible belief in his fellow-men and the principles of freedom and democracy. Slavery existed in the country before he was born. He came eventually to the belief that he should free his slaves because he did not feel that anyone should be a serf.

That he did not achieve this aim should not be held against him, for he did more for the United States of America than any other citizen will ever be able to do—he threw his deciding weight toward giving America the character that was the foundation of her greatness.

Despite the fact that Washington was accounted one of the richest men in the country—he was always buying hundreds or thousands of acres here and there for very small sums—he was often strapped for money and had to borrow to pay the taxes on Mount Vernon. His largest fault was his land acquisitiveness, but he forgot all about it when the greatest call of duty came in 1774.

His ownership of the big plantation on the Potomac proved useful in the promotion of the national interest but something of a headache for the Founding Father as he sat down to dinner at 3 p.m. with fourteen or more house guests, many of them uninvited. The great man, with no issue of his own, had two stepchildren upon whom he showered his affection, and shared his doting wife's great sorrows over them. (The rich, spoiled boy is not the happiest. Many a poor child under a more disciplined mother lived a happier life.)

Washington cleverly used his hard-earned reputation of military genius to further his ambition to lead his countrymen to victory over the British, to national independence, and to a civilian-dominated, unified country seeking the greatest good for all. Here is a lesson in patriotism that could serve the emerging nations of the present as well as those striving for peace and prosperity in a unified world. His biography is indicated reading for the world of today.

For Americans in particular this book makes clear that the help of the French under Lafayette, de Grasse, Rochambeau and others was an indispensable aid to victory. Whenever we are tempted to give up on France, let us always remember it. And for those who have felt that their personal problems were unsolvable, they may take some comfort from the fact that Washington also often feared that he would never make it. Sheer, naked persistence, amid hunger and cold and utter impoverishment during the War of the Revolution, carried him and a new nation through. If the past is prologue, America will endure. Thank you, George Washington.—Herman H. Dinsmore.

ITALIAN GOVERNMENT HONORS DOMINIC CALI

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. FEIGHAN. Mr. Speaker, Cleveland, Ohio, is proud to have as one of its outstanding citizens, Mr. Dominic Cali, a native of Italy. Mr. Cali has devoted considerable time and energy to community activities in Cleveland and was recently honored by the Italian Government for his exemplary record in working with Italians in Cleveland. Following is an account from the Cleveland Press describing this most deserving tribute:

ITALIAN GOVERNMENT HONORS CLEVELANDER

(By Eleanor Prech)

The Italian government has conferred upon a Clevelander the "Insignia of Commendatore to the Order of Merit of the Italian Republic."

This highest of honors was conferred upon Dominic Cali, 3728 W. 140th St., in the name of his Excellency Colombo, minister of the Italian treasury.

The presentation was made by Italy's Acting Consul Ilario Sanson at the consulate offices in the Bulkley Building.

Cali was given the honor for his outstanding record of work with Italians here. He received the insignia, "Knight to the Order of Merit of the Italian Republic" in 1962.

Born in Villa San Giovanni in Calabria, Italy, Cali came to this country in 1920. He and his wife, Paolina, have two sons, Anthony and Vincent. A third son, Frank, lost his life in the Korean War.

Cali's brother Giovanni who heads a large electric manufacturing plant in Milan, Italy, holds the insignia of "Knight of Labor of Italy."

Cali will be honored by members of Italian-American National Union at a testimonial May 22 at the Edgewater Park Yacht Club, Dr. J. A. Morabito is chairman.

NATIONAL LIBRARY WEEK

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. DORN. Mr. Speaker, once again we observe National Library Week, a week in which we recognize and commend our librarians, trustees, and library personnel for their dedication and devotion to the education, culture, entertainment, and enlightenment of our people.

We are a better informed people today because we have more opportunities to utilize the many library facilities at the local, State, regional, and national level. During the past several years, we in the Congress have placed great emphasis on the need for more libraries and expansion and updating those already in operation. We must continue to do more, especially at the neighborhood level.

Mr. Speaker, an excellent article describing National Library Week recently appeared in the Newberry Observer. It was written by Miss Catherine Tanner, our dedicated librarian at our Newberry-Saluda Regional Library. I commend her splendid article to the attention of my colleagues in the Congress and to the people of our country:

NATIONAL LIBRARY WEEK OBSERVANCE IS UNDERWAY

(By Miss Katie Tanner)

National Library Week is here again, a time to take a closer look at libraries in general and the Newberry-Saluda Regional Library in particular. The social changes taking place today throughout the country demand changes in patterns of both living and library service.

These social changes include: population increase, prolongation of education, new occupational patterns, increase in research and record knowledge, increased political involvement in life, new urban changes and pressures, greater and more instant communication.

In our own community we have seen the growth of new industry demanding more information, the population increase, effects of automation, increased leisure time. How does the Library fit into all of this. Is it meeting the information explosion adequately. Independent study, research, and reading are more important today than ever before to bring the nation's libraries—school, public, and special—up to an adequate level of service. The National Library Week Program devotes itself to this effort.

The following is a statement of purpose of this organization:

The National Library Week Program, sponsored since 1957 by the National Book Committee in cooperation with the American Library Association, is a continuing year-around reading and library development effort enlisting the voluntary support of scores of public and private agencies and thousands of persons.

The Steering Committee marshals the talent and resources of the mass media to create a backdrop of national attention to reading, the social mission of books, and the imporance of libraries. The State and Local Committees relate Library Week specifically to the needs of people in each state and community by offering opportunities to find out about and obtain books, by identifying the gaps in local library services and resources, and informing people as to what they can do about closing the gaps.

Since the inception of the National Library Week Program, public support for libraries in terms of federal aid has increased from two million dollars annually to more than 250 million. Library purchases of books and periodicals have risen from $90 million a year to nearly $300 million. Sales of books and the circulation of magazines have doubled. Book readership (according to Gallup figures) has risen from 17 per cent to 25 per cent of the population.

Despite these strides, millions of Americans are still unable to read or write well enough to compete in today's world. They do not have access to adequate library service—especially at the neighborhood level. The National Library Week Program seeks to open new reading doors to them.

Despite gains in public support, more than half of the nation's elementary schools still lack libraries; public libraries in many communities are substandard; manpower shortages handicap service; and the majority of two-year and four-year college libraries are inadequate. The National Library Week Program seeks to remedy these conditions—for a better-read, better-informed America.

To echo the theme for National Library Week 1969—Be all you can be. Read.

THOUGHTS ON NATIONAL SECRETARIES' WEEK

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. COHELAN. Mr. Speaker, this is National Secretaries' Week—as my staff has so ably reminded me.

Based on profound personal experience I can say that a man, and certainly a Congressman, is not much better than his secretary. And so this week, National Secretaries' Week, I would like to pay particular tribute to my secretarial staff.

I am appreciative of the dedicated work of my personal secretary, Mrs. Rita Keating. Her efforts—despite bouts with the typewriter, flu, measles, just plain fatigue, and me—have been noble.

I am mindful, too, of the contribution of Miss Arlene Wiggins—whose early rounds have not been stayed by broken feet, nor wind or sleet or dark of night.

To Miss Lane Retallick, too, goes my commendation for service behind the typewriter—in miniskirt and bright plumage.

And to Florence Hall and Abby Sanders my commendation, too, for service 3,000 miles away—and 3 hours later on the job.

To Marianne Westen and Rebecca Krantz, I say thanks for those days and nights before the files and in the mess of mimeograph ink.

And so to my staff and to all the other secretaries hard at work, I extend my compliments on National Secretaries' Week.

FEDERAL AID TO CITIES VERSUS ABM

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. SCHEUER. Mr. Speaker, the cities of our Nation are in desperate need of massive Federal aid. We are not now meeting this need. At the same time, the Congress is being asked to fund an antiballistic-missile system at a minimum cost of $5 billion.

The need for the ABM has not been proven.

The effectiveness of the ABM has not been proven.

Therefore, I must oppose the administration's request.

I urge my fellow Members of Congress to join me in opposing it.

The proponents of the ABM have not demonstrated that the system will make even a marginal contribution to our national security. The Defense Department itself is not sure whether we are to be defended from the Russians, the Chinese, or both. Or whether we are suppose to be defending our cities, our suburbs, our farms, or our missile installations.

I think the shifting and sometimes contradictory arguments we have heard in the past months raise serious questions about whether national defense is really the important consideration.

We must question how great a role the "gamesmanship" of the military, so well documented by General Shoup, has played in producing the ABM.

We must question how much the needs of the defense industry have been a major consideration.

We must ask whether we will better be served by a questionably effective antimissile system, or by meeting our urgent domestic needs, especially the needs of our cities.

If anyone thinks our Nation's well-being is not threatened by the condition of our cities, I suggest he walk through the acres of rotting, burned-out houses of vacant, rubble-strewn land, of families trying to survive among the rats and the ruins, in New York or Washington, or any of our large cities. This threat to our Nation is as real as any conjectural Chinese missiles.

But how are we using our resources? The first step in the ABM system will cost at least $5 billion. Add another $500 million in annual operating costs. If history is any precedent, add 10 percent to account for underestimation. Then add this to the $70 billion we are already spending on defense. And face the fact that if a "thin" system is built there will be inevitable pressures to construct a "thick" system that will cost another $70 to $100 billion.

The amount we are spending in our cities is trivial in comparison. The President proposes to spend a mere $675 million on the model cities program, a cut of $75 million from the previous administration's proposal; to spend only $23 million for rent supplements, down $7 million from President Johnson's budget; and to spend a mere $2 billion on all poverty programs, a cut of $132 million.

It is time to face the fact that the poverty, slums, and education failure, poor health systems, unemployment, and congestion in our cities pose a greater threat and a greater challenge to this Nation—to its farms and its suburbs, as well as to its great urban centers—than conjectural missiles or "first strike capacities."

REPORT ON NEW YORK HOSPITALS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. ROSENTHAL. Mr. Speaker, I recently asked Dean Lewis Thomas, of the New York University School of Medicine, for a report on the crisis our New York City hospitals are now experiencing.

This crisis has several aspects: rising medical costs which affect hospitals, as well as all other areas of medical care; the awkward administrative burden peculiar to our New York City hospitals; the tremendous role our city hospitals play in service to the entire New York City community which bears, like other cities, an immense welfare burden which is partly a medical-care problem, and finally, the rising expectations we all experience as we start to understand that medical care is a right and not a privilege.

Dr. Thomas has responded with an excellent analysis of these problems which I include below:

DEAR CONGRESSMAN ROSENTHAL: I appreciate your concern for the health services available for the people of New York City. I am responding now to your interest in information about the situation facing the City's municipal hospitals.

After surveying the City's hospitals, the Piel Commission concluded last year that conditions there were "not only deplorable but, under existing arrangements, irremediable." The Commission reached this conclusion because the hospitals have not been able to adjust to contemporary demands for vastly increased quantities and vastly more complicated qualities of health care. The result: preventive, ambulatory, long-term and home care needs are unmet; physical conditions in the hospitals are flagrantly deficient; professional staffing is maintained only through affiliation contracts with medical schools and voluntary hospitals.

Too little money is part of the reason for this; Byzantine administration, a function of an organizational structure devised in the 1930's, is the other and perhaps the greater. Responsibility for running New York's hospitals is so obscured that the men and women actually charged with vital responsibilities to sick and injured people are administratively paralyzed.

For example, a minor repair, such as removing a partition between two examining rooms, cannot be ordered by a hospital superintendent on his own authority. He will have to obtain approvals from at least six City agencies and departments, including the Department of Hospitals, the Department of Health, the Department of Water Supply, Gas, and Electricity, the Board of Estimate, the Bureau of the Budget, the Office of the Controller, and the Fire Department. This process will take *at least* one year.

Not only has hospital management been bureaucratically hobbled for years, it is deteriorating under new pressure from the rising medical expectations of an informed and sometimes aroused community, and from the sheer numbers of people demanding health care (nearly half of the City's population depend on City-run hospitals for some or all of their medical care). Extremely well-qualified observers feel that the situation is degenerating so badly that militant community reaction is inevitable unless substantial improvements are made very soon in the capacity of the City's hospitals to deliver adequate health services. The recent troubles at Harlem Hospital testify dramatically for this view.

The Piel Commission recommended a reorganization that would place all City hospital facilities and operations in a public benefit corporation. A bill based on this recommendation has been drafted by the City and is now pending in Albany before the Joint Legislative Committee on Public Health.

What is needed:

Realization that New York City's municipal hospitals are headed for ruin because they are badly mismanaged and underfinanced.

Recognition that the corporation solution is aimed at the *management* problem, which *must* be solved *before* present or future monies can be properly utilized.

Efforts aimed at modifying the pending draft bill in order to strengthen the base of mandated fiscal support by the City, and working actively for its adoption.

Those of us who work with the City's hospitals have a sense of great urgency about the extremely grave crisis facing them. We want these hospitals to provide the best possible medical care to the people of New York City. The reorganization contemplated by the legislation pending in Albany is an absolutely essential step toward that goal.

Sincerely yours,

LEWIS THOMAS, M.D.,
Dean.

REFLECTIONS ON PASSAGE OF THE ELEMENTARY AND SECONDARY SCHOOL ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. CONYERS. Mr. Speaker, I would like to share with my colleagues my reflections on the Elementary and Secondary School Act which this body passed yesterday. Last night I came across a review of an extraordinary book, "Death at an Early Age," by Jonathan Kozol, which I would like to recommend to my colleagues. The review, "Murder by Education" by John Erlich. Freedomways, spring, 1968, touches upon some issues that to me were not fully treated during the debate on the bill. I had hoped that more attention would be given to the children who continue to suffer the systems of educational torture devised for them by most of our large cities. But this was not the case, the Congress, like the school boards, the principals, and even the teachers have other goals which must be pursued regardless of the ultimate effects on the students.

With mixed emotions, I voted for the bill which passed yesterday because I was faced, as was every other Member, with a choice between inadequate legislation or no legislation at all. We have made our choice; inadequate legislation which provides for only a 2-year extension of funds so that no real long-range planning can be done, and further lumps four programs which should remain separate into one package. The legislation also removes the provision for participation of community and antipoverty groups from making any determination on title I spending.

I hope that my colleagues will be moved by Mr. Erlich's review, which I am inserting following my remarks, to get a copy of Mr. Kozol's book as I plan to do. I hope that both the book and the review will generate some somber reflection by this body, and that perhaps we will have the opportunity to reconsider the gravity of the school situation and our goals when we vote on future education bills.

MURDER BY EDUCATION: A COMMENTARY ON "DEATH AT AN EARLY AGE"

(By John L. Erlich)

There is a Latin proverb which goes, de te fabula narratur. Roughly translated it means something like: at the outset what I'm going to say may seem no concern of yours, but don't fall asleep, baby, this story is about you, too. And so it is that *Death At An Early Age*[*] is more than a horror story about the inner-city schools of Boston. It is a deeply American tragedy, a tragedy born of prefabricated values that exist quite apart from the realities of American life, a deep and abiding institutionalized racism, and a series of archaic arrangements in the educational establishments that educate teachers and pupils alike. A specific and central issue Kozol raises is whether ghetto schools have actually ceased to provide real opportunities for learning.

EDUCATIONAL CONSPIRACY: THE BALLAD OF STEPHEN

Kozol uses a boy named Stephen to symbolize the systematic efforts of a Boston inner-city school to destroy any creativity and desire to learn on the part of its pupils. Perhaps, too, it was the feelings Stephen evoked in Kozol that encouraged and inspired the writing of this book. "Tiny, desperate, and unwell" eight-year-old Stephen absorbed punishment—both mental and physical, and often administered sequentially—until his final apparently psychotic withdrawal from the school. Stephen's single claim to dignity—his art work—was meticulously destroyed by an art teacher who demolished him in front of his classmates by referring to his work over and over as "garbage," "junk" and the like.

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[*] *Death At An Early Age. The Destruction of the Hearts and Minds of Negro Children in the Boston Public Schools.* By Jonathan Kozol. Houghton Mifflin Co., Boston.

In characterizing the way black children are viewed by their teachers, Kozol notes:

"For it is the Boston schoolteachers themselves who for years have been speaking of the Negro children in their charge as 'animals' and the school building that houses them as a 'zoo.' And it is well known by now how commonly the injustices and depredations of the Boston school system have compelled its Negro pupils to regard themselves with something less than the dignity and respect of human beings . . . but the price that is exacted was paid ultimately by every child, and in the long run I am convinced that the same price has been paid by every teacher too."

Kozol's description of the way in which the blame for the inadequacies of the educational system, administrative personnel, and teaching staff is shifted to the children themselves is as chilling as it is real:

"A child, of course, who begins by pretending to accept blame may end up by really *accepting it. If you pretend something well, and if that pretense becomes a habit, and if that habit in time becomes the entire style and strategy with which you deal with the white world, then probably it is not surprising if at last it gets into your bloodstream too and begins to feed your body."*

Also underscored are a series of assumptions concerning the "rights" of poor, black children. One of them, viewed through the "Reading Teacher's" attitude is particularly damning:

"It was this, her assumption that people don't deserve a great deal in life, and that a little—even a very, very little for a Negro child—is probably a great deal more than he has earned, which seems the most disturbing thing about it."

The picture which emerges is of a conspiracy in which many teachers have agreed not to attempt to teach in inner-city schools, while outwardly maintaining the "image" of dedicated public servants trying manfully to do the job for which they were hired *in spite of* inadequate facilities, dangerous communities, parental indifference, and difficult, stupid children. If the children will only submit quietly to this view of themselves, teachers will pass them along without inflicting too much punishment. The disruptive child, the child who threatens to expose this conspiracy, is dealt with handily.

"One of the few things that really work well in the Boston schools is the punitive trip downward. The upward route is ten times harder and more obscure. Punishment is fast but treatment slow."

Objecting parents who seek to intervene on their children's behalf receive a sharp, persuasive rebuke which forces them to double back upon themselves.

"Up they come, angry and with proper outrage. Off they go, humbled, sad and weakly, having as it were apologized for the stupid thing they're tried to obtain. The look of embarrassed humility. The terrible parental horror that they might have made a bad mistake."

To a frightened degree the belief has been internalized that the sorry mess in the urban public school system may be attributed to the sources noted above, rather than to the teachers and the school itself. Look at what an effort Kozol, a new, bright, young, fresh substitute teacher must make to retain any objectivity about the guilt of black pupils where any "wrongdoing" has taken place.

"It seems at moments to require an almost muscular effort of the imagination to consider the possibility in a particular case that the Negro child might actually not *have done it, that he might not be telling any lies."*

OUR TEACHERS ARE DYING

New rules of "free substitution" seem to obtain in inner-city schools. Kozol points out, for example, that one third grade class in the school at which he taught had 25 substitute teachers in a three and one-half month period between September and Christmas. To continue the football analogy, it would appear that these teachers make up what is commonly referred to as the "suicide squad," running on and off the field either to run back kicks or prevent the other team from running them back. Likewise, the teacher is called upon to either maintain the illusion of continuing education or prevent some sort of disruptive student uprising. It seems almost obscene to ask whether any teaching, let alone learning, can exist under these or similar circumstances.

The full-time teacher, in a way, may be worse off than his substitute counterpart. The length of his stay in one building virtually forces him to come to grips with a wide range of energy, vitality, and creativity-sapping forces by which he soon finds himself surrounded. It is my own observation that relatively few inner-city teachers have the strength to withstand the kind of criticism Kozol, for example, received for teaching material not "intended" for the fourth grade. The supervisory reproof is sure and righteous. His response is almost predictable:

"Bewildered as you are by what appears to be a kind of idiocy, you still feel reproved and criticized and muted and set back and you feel that you have been caught in the commission of a serious mistake."

The denial of the humanity of his pupils can only result in a dehumanized teacher. A kind of vicious circle is developed in which, first, teachers are warned against any really friendly interaction with their students.

"To have any friendly relationship with a student outside the classroom would make teaching him impossible or, at the least, substantially more difficult."

Then, in order to control and restrain whatever sincere interests they may have in the children whom they teach, many teachers must not only deny their own feelings, but the feelings of their pupils as well. Any teacher who seeks a way around this usually receives the special treatment reserved for the "rate buster" or worse, the deviate. Often, if he makes a point of sticking to his own integrity, he is isolated and snubbed by his colleagues. At best, he is tolerated as a slightly demented novelty.

But the pressure on even the most innovative teacher to conform continues unabated. The "Curriculum Guide in Character Education," put out by the Boston Public Schools, offers some interesting examples of the direction taken by this pressure:

"Character traits to be developed: obedience to duly constituted authority . . . self-control . . . responsibility . . . gratitude . . . kindness . . good workmanship and perseverance . . . loyal . . . teamwork . . . honesty . . . fair play."

For the overwhelming majority of inner-city teachers, it proves exceedingly difficult to survive without conforming to a thoroughly degrading and, as Kozol and a number of others like Kohl, Schrag, Ryan and Green, have described so vividly, irrational system. In a very real sense, the question of education has become political and the teacher a kind of low-grade, amateur politician for whom survival in the system has become the primary *educational* goal. Unless a teacher has excellent political survival skills or political backing, his chances of sustaining any innovative practices which are at all disruptive to the system must be regarded as minuscule. The new inner-city teacher soon learns that he is being coerced into joining a silent service.

"A young teacher without powerful connections or impressive affiliations does not last long in the Boston school system unless he learns to remain relatively silent about the things he sees."

There is a danger, as Kozol so rightly points out, that the entire world of the teacher—especially the "old-line teacher"—will be shattered if he must admit that the "zoo" in which he teaches is partly of his own making. Not only may he be forced to a realization that his efforts as a teacher have been wasted or worse, but also, in the sense that life and growth are intertwined, he should already regard himself as dead.

ROCKING THE BOAT

The specter of Malcolm X walks the rebellion-torn streets of the black ghettos across the country. Things may not have changed very much, but they will never again be the same. The white liberal is being forced to work both his mouth *and* his body, or to keep his mouth shut. His black counterpart has received the same admonition from his militant "soul brothers." Kozol repeats the challenge that drove him from the dinner table to a sit-in protesting the inadequate protection of civil rights workers provided by the Federal Government.

"If you mean what you said and you really admire them for doing what they have done, then why aren't you right down there with them on the floor instead of sitting here talking about it and enjoying yourself just like the rest of us?"

Some white teachers are beginning (perhaps because they have been forced) to look at the prejudice which abides within them.

"I said I was certain, from any number of similar moments that there was plenty of regular old-time prejudice in me, just as in almost every other white man I ever saw."

Curricula are starting to come under fire—particularly from black leaders in the local community. The increasing power of community-based black militant groups has led—in the very recent past—to more circumspect attacks than the following rebuke delivered by Kozol's principal as a result of his use of Langston Hughes' "Ballad of the Landlord" with his fourth graders.

"No literature . . . which is not in the Course of Study can ever be read by a Boston teacher without permission from someone higher up . . . no poem . . . by any Negro author can be considered permissible if it involves suffering."

It seems almost incredible that the world in which inner-city children live, the violent, rebellious, but consensus-minded, America in which teachers must live as well, has had so little impact upon the curriculum. Fortunately the suffering to which children are exposed nightly on television (in Vietnam, for example), daily in the newspapers and on the radio, and most of their waking lives in the neighborhoods in which they live is more and more intruding into the classroom. The recent "riots" in a number of high schools (especially in Chicago) are but one vivid testimony to the explosive forces now being overtly expressed. Kozol describes "pre-riot" conditions this way:

"Segregated schools seem often to require . . . brutal discipline because of the uneasy feelings which are so often present. The children, enough of them anyway, are quietly smoldering with a generally unimagined awareness of their own degradation. The atmosphere that grows out of this may be one of real danger to the equanimity of a teacher or administrator."

Perhaps it is the children themselves who will help to liberate the schools so that teachers can teach. Even elementary pupils are starting to understand what is happening to them. They are learning a prideful disrespect for the inferior teachers by whom most are taught. As their mothers and fathers, older sisters and brothers have begun to take back their self-hood, so these very young children are learning a new kind of defense. It is different than the stubborn, bitter defiance of the past which often marked a child who refused to be "done in" by the system or one so beaten down that institutional care had to be provided. It has a new vitality and cockiness, and it has something of the flavor of "——— you, baby!" The white authority which has for so long pervaded the ghetto school systems of the nation is beginning to crumble.

"No child in his heart, unless drugged by passivity, will pay obeisance to authority unless authority has earned it, and authority based on political maneuvering and upon the ingestion and assimilation of platitudes is an authority which no person, white or Negro, adult or child, should respect."

The system will still try to crush those who dare to oppose and disrupt it. The "personal discipline" argument invoked in Eisenstadt's report which supported Kozol's discharge will be heard again.

"Mr. Kozol, or anyone else who lacks the personal discipline to abide by rules and regulations, as we all must in our civilized society, is obviously unsuited for the highly responsible profession of teaching."

But the politics of education are changing. The clamor for black control of black schools has not yet begun to build toward a crescendo, but this is the direction in which we are moving. There is a measure of change in the public schools which may be exerted by teachers and pupils acting together. More teachers may go to ghetto classrooms in the spirit with which Kozol describes his entry.

"I went in there . . . in a manner that they soon detected, with a loyalty only to them for their nerve and for their defiance and with an obvious and openly expressed dissatisfaction with the stupidity of a school system that had cheated them."

Perhaps only in this spirit can inner-city schools be redeemed.

LONGSHOREMEN THREATEN BOYCOTT OF CARGO FROM LATIN AMERICAN COUNTRIES SEIZING U.S. FISHING BOATS

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. PELLY. Mr. Speaker, in the argument with Peru over their expropriation of an American oil plant, the dispute over the seizure of U.S. fishing boats in international waters off their coast has been largely put aside.

This is serious because if Peru or any of her neighbors seize another American fishing boat there is likely to be a boycott of that nation's products in U.S. ports. I bring to the attention of my colleagues a resolution passed last week at the International Longshoremen's & Warehousemen's Union 18th biennial convention in Los Angeles, Calif., in which they clearly spell out their course of action.

This makes it all the more clear that negotiations must start between the United States and these nations that claim a 200-mile jurisdiction off their coasts so that we can avert such action as a boycott from ever occurring.

I include the resolution at this point in the RECORD:

RESOLUTION 39: FISHING BOAT SEIZURES

Whereas: Certain South American nations unilaterally claiming a 200 mile territorial water limit have seized, fined, shot at and otherwise harassed ILWU fishermen on the high seas; and

Whereas: These countries, notably Ecuador, Chile and Peru, have so far refused to bring the issue to the conference table; and

Whereas: The government of the United States, despite many promises, has so far refused to pursue a policy of protecting its fishermen on the high seas and has moved much too slowly toward convening a four power conference with the involved nations; therefore be it resolved:

1. The ILWU condemns illegal and unwarranted harassment of fishermen on the high seas; and
2. We demand forthright, immediate action by the U.S. Government to protect our fishermen; and
3. We demand enforcement of existing laws relating to such illegal seizures; and
4. We urge an immediate conference to negotiate a peaceful settlement to the claims on territorial waters; and
5. In the event that ILWU fishermen continue to be harassed, the International Officers are instructed to take whatever appropriate action necessary—including a boycott of cargo and ships from those countries who continue to harass our fishermen—to insure the protection of our members and their freedom to pursue their livelihood on the high seas.

Submitted by Local 33.

IN MEMORIAM: DR. SANDI ESQUIVEL

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. PICKLE. Mr. Speaker, today I honor the passing of a great man, a great personal friend, Dr. Sandi Esquivel, of Austin, Tex.

In all my years in Austin, I have heard only praise for Dr. Esquivel. He was one of those rare persons who did good things for people in his own quiet way, and he always harbored only good thoughts of his fellow man. I join his many friends in mourning his passing.

Dr. Esquivel began his medical practice in Austin in 1935. He literally fought for his medical degree from the University of Texas; I say that because Sandi was an accomplished boxer and many times he jokingly remarked that he "fought his way through medical school" and used the money from professional fights to stay in school.

This gentle man was a well-rounded athlete. While he was a student, Sandi lettered in track and basketball. He played on the unbeaten 1924 Longhorn basketball team. And he set a record for the 2-mile run that stood until 1949.

Just last fall, he was admitted to the Longhorn Hall of Honor. Sandi never forgot the benefits he derived from athletics. Throughout the years, he was an ardent supporter of Longhorn athletic events in all sports. He helped with money, time, and talent.

Dr. Esquivel was one of the eminent bone specialists in the Southwest. He was proud of the medical profession. His practice was heavy; his renown was widespread. Yet he always found time to help the poor boys and girls of Texas. Through the Ben Hur Shrine of Texas he performed hundreds of operations for the unfortunate and needy people of Texas, and he did the same for hundreds of other unfortunate boys and girls in Austin and throughout central Texas. He had a heart as big as the basketball he used at the University of Texas to steer us to championships.

Today, I join the many in Austin who have sent their deepest sympathies to his lovely wife, Irene, and his son and daughter and grandchildren.

MULTIPLE APPLICATIONS OF SPACE TECHNOLOGY

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. PODELL. Mr. Speaker, as a member of the House of Representatives Committee on Science and Astronautics, I have been appointed to the Subcommittees on Manned Space Flight and Science and Technology. As an essential part of this responsibility, I have made an inspection tour of the three principal centers for manned space flight where the meticulous preparation for our exploration of space is taking place.

In the course of this tour I have had definitive conversations with the administrators, managers, scientists, and with some of the astronauts. The broad scope of this program which does now, and will increasingly affect the lives of all of us, became evident to me. We know that the most technologically advanced are the leading nations of the modern world. No previous national effort has so stimulated technological development as has our national space program—except a major war. The eminent British writer, Arthur Clarke has suggested that space accomplishments may replace war as the international symbol of prestige and power.

For the large majority of our population, the hard-working, well-educated producer, the Americans who built this country and who by their diligence and intelligence are continuing our progress, the space program is really a synonym for scientific and technological advancement. In spite of the youth of this program—it began only 10 years ago—its effects are already being felt over a broad scientific spectrum, throughout our industrial complex and within our university community.

Meteorology, navigation, communications, telemetry, geodesy, geology, cartography, agriculture, biology, medicine, astronomy, photography—these are only a few areas which the space program has impacted and advanced.

In our industrial life, a new element has been injected—the technology of perfection. On the Apollo 8 flight which orbited the moon, only five noncritical parts out of 15 million failed. Industry has never before produced anything so nearly perfect. And the management and the systems which accomplished this feat are being applied throughout the industrial complex. Over 20,000 companies worked on Apollo components.

The requirements of the space program forced changes in the curriculums of many of our universities, and NASA's educational grants have already resulted in the achievement of 1,300 Ph. D.'s in space-related subjects. Over 200 universities have been involved in the space program.

Over 2,500 technological products have come directly from our space program, but there are thousands more which have been inspired by it, and an abundance of new products, new industries and new jobs which are just over the horizon.

Variety of the products, of course prevents their specific description, but a few will convey some idea. Miniaturization, advanced for the space program, gives us tiny appliances, improved color television, minuscule medical and surgical instruments. There is a television transmitter which can be swallowed in a capsule for visual examination of the internal workings of the stomach. Teflon frying pans and refrigerators which move at a touch, aid the housewife. Exotic lubricants, developed to withstand the extremes of temperature on the moon, −330° F. to +260° F., are being used in industry and in transportation. There is a "space blanket" which fits in a shirt pocket, and provides sportsmen with warmth and comfort.

Space research has discovered a way to use energy generated within the body to provide power for hearing aids, and for the direction and control of artificial limbs.

The space program has been a most effective spur to the development of computers and this $20 billion industry now employs 800,000 people, one out of every 100 of our total work force. The computer complex at Houston which handled the Mercury flights, only 6 years ago, performed 1 million calculations a minute. Today's Apollo system handles 50 times that many—50 million a minute—80 billion in a day. The computer is ready to do its part in solving the massive problems which beset the earth today.

A lightweight vertical stretcher invented for emergency evacuation of workers from launch vehicle tanks is being used in Vietnam for the lifting of wounded into helicopters.

There is a space-developed television camera, much smaller than the one used for inflight pictures from the moon, and from Apollo 9, about 4 by 3 by 2 inches and weighing just over a pound. Such a camera would find many uses, for police work, for firemen, doctors, and of course, roving reporters.

A new aluminum casting alloy called M–45 is being used in industry because of its superior strength and ductility at cryogenic temperatures. The problem of stress corrosion in metal structures has been intensely studied and shows signs of solution by improved surface treatment and increased thermal research in metals. New paints, resisting heat, cold, abrasion and acids were invented to coat spacecraft, and are now being manufactured by a dozen or more companies.

Ultraviolet photo tubes invented for space probes are now being tested as flame detectors in fire alarm systems. The shuttering devices used on spacecraft, when installed on the exterior of a house, reduce the amount of energy required for heating and cooling. Auto manufacturers are looking seriously at miniaturized electronic controls that will slow a car to avoid obstacles and stop it in case of imminent emergency. An adaptation of space telemetry is already being used in road signs that change automatically as the weather changes. A photochromatic space-developed material darkens rapidly when it is exposed to sunlight. It is being applied to windows and sun glasses.

Greatly improved batteries have been necessary for space activity, and these moved quickly from space development to the appliances we use every day. The fuel cell which lay dormant for many years, was dusted off, developed and improved for the production of on-board power for spacecraft. Now it gives promise of supplying total home power for lighting, heating, cooling, air purification, and later perhaps total waste disposal, without pollution. This promise is now being investigated by 27 natural gas companies in their $20 million research and development program.

The need for fireproof materials for Apollo spacecraft demanded a complete testing and documentation of the flammability characteristics of hundreds of materials. These results have been computerized and are available to all of industry. Within a short time it will be possible to avoid a large percentage of disastrous fires—from mattresses burning, to childrens' sweaters catching fire, to aircraft curtains igniting. Information on flammability of materials developed for Apollo has been passed along to Boeing for their use in outfitting the 747. Fireproof Beta cloth has been developed which is already being used for firefighter suits in municipal departments as well as on board our aircraft carriers at sea. Fire insurers should be especially interested in these developments.

In order to sustain our astronauts in deep space and on the lunar surface, the most sophisticated life support system which we can define has been developed. Since men must carry it on their backs, it is the smallest and lightest unit that we can make; yet it contains all of the equipment and supplies to support life. We have really built a system which allows man to go where he will, in our solar system or out into the universe. This little silver box will someday enable man to create livable worlds on the cold, harsh planets of our solar system. Buckminster Muller, of geodesic dome fame, has said:

> That little silver box, the life support system, may cost millions to develop, but it can be mass produced at $1000, and with it man can live anywhere. The space capsule is man's first scientific house—all previous ones were artificial. So let's stop this nonsense of not going to the moon.

The need to know the physical reactions of our astronauts while they are out in space, 200 miles away, or a quarter of a million miles out, on the moon, has forced the development of some of the most ingenious biomedical instruments that the world has ever seen. It is now possible for one nurse to monitor dozens of patients from a central console. Now a doctor can contact his patient at work, or on the golf course, and tell him to slow down, for the patient will be wearing one of the miniature sensors which reports his condition to his doctor.

There is a new instrument, called an oscillometer, which can detect life in one who seems dead. This is already in production and will save many lives each year. At least a dozen new companies have been organized to manufacture the biomedical instruments perfected in the space program. One of the great products is the astronaut helmet which has been adapted for the treatment of asthmatic children. There is an adaption of a design originally developed as a lunar walker which allows a paraplegic or other crippled person to move easily in the street, and even to climb stairs.

Systems perfected to improve the pictures taken of the moon are now being applied to human X-rays with remarkable results. The most obscure parts of the human brain can now be explored by X-ray. And a delicate sensor, designed to measure vibration in a giant booster, is so finely calibrated that it can detect signs of dread Parkinson's disease long before the onset of the illness, and permit early treatment and cure.

New developments, products, processes, and breakthroughs are almost daily occurrences. Only a few weeks ago it was announced that a NASA scientist researching the effects of space radiation on body cells has discovered intercellular linkages which may help in the understanding of the behavior of certain types of cancer.

Of course, all of us are already taking some of the most important space products for granted, like live TV from everywhere in the world via satellite, and weather reports which not only advise us in our daily newspapers and TV weather reports, but also alert areas in the paths of hurricanes. For example, satellite prediction of Hurricane Carla permitted 500,000 people to evacuate the area of Galveston and parts of Louisiana, confining losses to property damage. We have not had a serious hurricane in our area for some years, but if one should come, we would now be advised in time to minimize our losses.

We know that the way to beat poverty is with education and jobs. At its peak, the space program employed over 400,000 people in every kind of endeavor. New products create new jobs and RCA says that 80 percent of their sales today are of products which were not even invented 10 years ago.

The education necessary to equip people to work in the new technologies is coming through the satellite and the computer. A satellite in orbit with thousands of channels can provide the best education available to people in the cities as well as in the most remote villages in our Nation and throughout the world. India is now preparing such an educational satellite for the 100,000 villages of that poor nation, and they expect that their country will be literate within one generation. Our problems are not so severe, so we can hope that higher education can soon be available to all of our poor and neglected people so that they may take their rightful place among the affluent of this country.

In the south, in advanced research laboratories, I talked with some of our leading scientists who are working at the far-out edge of technology. Some of the people who support their work were, only a few years ago, subsistence farmers, scratching the ground for their living. Now they have jobs of dignity and can afford to send their sons to college. It is not unusual to find that the son of the night-watchman is a Ph. D. in one of the laboratories. His sister, meanwhile, may be the secretary to one of the directors; this is the American way. The space activity is preparing so many of our citizens to perform at the highest level.

Frank Borman and his wife told me of the spectacular reception they received in the countries of Europe. No man in our history has been so warmly received abroad, and no U.S. activity has ever been accorded so much acclaim. Our international prestige has been reestablished through our space program.

For the first time in history the available resources of this Nation, the Government, universities, and industry, have been mobilized for a rapid advancement—the first time these great forces have been unified and channeled for peaceful purposes—and for the first time great advances have been made without a major war.

I consider my work on the committees concerned with the space program of major significance for my constituents in the near and in the distant future. For the accomplishment of all of our purposes, this work will supply many of the answers. Above all, from a defense point of view, our manned space flight capability assures our national security.

ENDANGERED SPECIES

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. COUGHLIN. Mr. Speaker, I thought my colleagues would be interested in a newspaper article that states that the Honeywell Co. is planning to reward its successful computer salesmen with one genuine Bengal tiger skin. Now Mr. Speaker, I know that the Honeywell company is a very efficient organization and that its salesmen will spend many extra hours at work to win their tiger skin prizes. I only hope that the word has been passed along to those few remaining Bengal tigers in the world.

As a matter of fact, Mr. Speaker, I have written to a Bengal tiger friend of mine in India and suggested that he and his friends should get together and give a prize of a brandnew computer to the tiger who eats the most Honeywell salesmen. He thought it was a splendid idea.

The article reads as follows:

[From the London Sunday Times, Apr. 13, 1969]

PUT A TIGER ON YOUR WALL

ESSO has got rid of its tiger—well, almost. Now Honeywell is bringing it back with a vengeance. This is to be the computer firm's Year of the Tiger. It is using it in its current advertising campaign—you can see the creature below on this page—and as a symbol to whip up enthusiasm among its sales staff for its new 3200 Series medium to large computer, a piece of equipment in the unfrivolous £300,000 to £600,000 range. Any salesman winning a firm order for one before the end of the year will get a genuine tiger skin value £120. There's an original incentive for you. And branches doing well will be awarded—wait for it—a mounted tiger's head which they can put on the wall.

To launch the new computer internally Honeywell staged a somewhat curious shindig. The organisers even had a live tiger sitting on a jungle-decorated stage in a London hotel. It sat next to a stuffed one which had a battered tee-shirt, marked IBM, in its mouth. The sales staff sat around in safari hats, drank Tiger's Milk and talked of Tiger's Days One and Two—target dates for calling on all clients and prospects. They also watched an American Honeywell film graciously entitled: "We're Really Going to Sock it to 'Em in '69." 'Em was obviously IBM. A Golath wearing an IBM shirt was felled by a diminutive Honeywell David. Thomas J. Watson, IBM's chairman, got a custard-pie in his face.

Not your actual Thomas J. Watson in person, of course. He was too busy elsewhere chortling over the dominant share which IBM has of the world computer market. Honeywell's UK Director of Electronic Data Processing, Larry Barnett, is convinced all the razzmatazz helps. "Our salesmen are in their late 20s. They are young, they appreciate the fun and it gives them confidence. It will help motivate them."

But the competition are cynical about it helping Honeywell better its claimed 14 per cent of the UK market. "Let's face it, the basic motivation is money," says one IBM man. "Who's interested in tiger skins when if you get the right order you could afford a Bengal tiger shoot of your own?"

VIETCONG DESERTIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. RARICK. Mr. Speaker, a late report from Saigon indicates that the Communist high command is so distraught over the increased large numbers of Vietcong desertions in the Mekong Delta that it sent an indoctrination squad to investigate the reason—there having been promised by all the world propaganda system that they are the only ones who can win a victory.

The Reds were further agonized to learn that the leader of their indoctrination team on reaching South Vietnam also deserted.

If there is any truth in the report then our leadership had best escalate withdrawal of our troops else we may find ourselves in the ridiculous position of losing a war where there is no enemy to surrender to.

I submit a news article from a local paper for inclusion in the RECORD, as follows:

VC PROBE RISING DEFECTIONS IN DELTA

(By David Hoffman)

SAIGON, April 23.—The Communist high command recently dispatched a "leadership team" to investigate why large numbers of Vietcong have been defecting in the Mekong Delta, according to U.S. officials.

On reaching South Vietnam the head of the leadership team reportedly defected.

Interrogated by allied intelligence, the defector reported that about 50 per cent of new Vietcong recruits were rallying to the government in the Mekong Delta. The defector, a former battalion commander, cited two reasons for this:

Impressment of stay-at-home guerrillas into roving Communist battalions. Like most South Vietnamese peasants, the Vietcong prefer to live and fight near their ancestral homes. As main-force Vietcong units are drained of manpower, more and more local guerrillas are being transferred outside their native provinces to flesh out maneuver battalions. Rather than leave home, many are rallying to the government, the defector said.

Continued intense fighting with no clear-cut objective. Prior to the Paris peace talks, Delta Communists reasoned that victory was attainable only on the battlefield. Many now foresee a negotiated settlement. Anticipating it, they balk at fighting, and when forced to fight frequently, choose to defect instead.

For security reasons, U.S. intelligence is withholding the defector's name while evaluating his credentials. It appears, however, that the defector, a Vietcong captain who surrendered April 16, was sent to Kiengiang Province by the Communist Central Office for South Vietnam.

His mission was to bolster morale, shore up discipline and decrease the defection rate in Communist Military Region 3, which embraces much of the Mekong Delta. According to the Communist captain, one of every three Vietcong in the region was suffering from a severe morale problem.

This would help explain the high Delta defection rate, which began last fall and has continued unabated ever since.

During Communist offensives in past years the number of Communist defectors dropped dramatically.

But during the offensive that began Feb. 22, the rate dipped but slightly. In the week ending April 19, 979 Communists turned themselves in to the government—671 of them in the Delta.

But some U.S. pacification workers predict that with the onslaught of monsoon rains in the Delta the defection rate will decrease, at least for the duration of the wet season. They reason that the rains ended early last fall, damaging the rice crop, and that many Vietcong rallied for want of work or food.

HOW CAMPUS REDS TRIED TO TAKE OVER A COUNTRY

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. BUCHANAN. Mr. Speaker, although the violence and insurrection now erupting on our campuses constitute a new trend in the United States, other countries, particularly in Latin America, have had long experience with radical infiltration and the attempted use of a university as a base for revolution.

U.S. News & World Report has detailed the story of one such school—Central University in Caracas, Venezuela. I believe it is important reading for anyone curious to see what happens when radical leftists grab control of a major educational institution.

Mr. Speaker, we must not content ourselves with simply saying, "Well, it can't happen here." That is exactly what Harvard men, Cornell men, Columbia men, Duke men, and Wisconsin men were saying not very long ago.

I insert the article entitled, "How Campus Reds Tried To Take Over a Country" from the January 16, 1967, issue of U.S. News & World Report in the Record at this point:

How Campus Reds Tried To Take Over a Country

Caracas.—At a time when student leftists are causing more and more trouble on campuses in the U.S. and other countries, take a look at the Central University in Caracas to see what can happen when Communists grab control of a university.

The occupation by Venezuelan troops of the Central University in late December uncovered substantial evidence that the Reds were using the school as an arsenal and staging area in a major effort to overthrow the Government.

People in this capital city of close to 2 million inhabitants have known for more than five years that the Central University was a focal point of trouble. Communist-led gangs sallied forth from the campus again and again to stage assassinations, rob banks and blow up supermarkets and oil pipelines.

It was the most sustained campaign of terrorism in Latin America since Fidel Castro took over Cuba. Until last month, the troublemakers were able to dash back to safety through the university gates.

Central University, like most others in Latin America, held the status of an autonomous institution under the constitution. The campus grounds were immune to Venezuelan law and off limits to any type of federal or municipal law enforcement.

THE LAST STRAW

Tolerance of the Communist sanctuary finally ended abruptly last month when a judge was assassinated and the Venezuelan Army Chief of Staff was wounded in a new wave of violence.

Findings made on the campus since troops moved in are enabling Venezuelan authorities to piece together the full story of the conversion of the university into a base of terrorist operations.

Even though the university was on vacation when the troops struck, they arrested some 650 persons there. Many were not students at all but professional troublemakers in the pay of the Communists. Forty-five were singled out as ringleaders. Among them was a retired Army major who had been involved in an abortive uprising in 1960.

Within the university, troops found caches of arms hidden in every part of several buildings—even in the spaces between ceilings and roofs.

The arms included automatic and conventional rifles, a light machine gun, assorted pistols and revolvers, grenades, electric detonators, explosives for making bombs, and stores of ammunition. The dormitories in which some of these weapons caches were uncovered bore such terrorist nicknames as "Stalingrad" and "Chicago."

Thirty stolen cars were rounded up on the campus, including a Volkswagen with homemade armor which one enterprising student had been renting to various terrorist groups. There were supplies of Army and police uniforms, false passports and identification papers, a Castro-Cuban flag, guerrilla films processed in Russia and a printing press for turning out counterfeit money.

KEY FIND: DOCUMENTS

To Venezuelan intelligence officers, their most important find was a mound of papers and documents. These included files on guerrilla units in the mountains, plans for future operations and maps of National Guard posts with instructions on how to attack them.

There were lists of Army officers marked for assassination. There were also sketches of utility plants in the Caracas area—a favorite Red target—and manuals on ambushing Army patrols.

How did Venezuela's main university become such a bastion for the Communists? Intelligence officers say it came about mainly through a combination of three things—a maximum abuse of the constitutional immunity of the campus, intimidation of non-Communists, and an appeal to the romantic streak in many naive students.

Of the total enrollment of more than 25,000 students at Central University, fewer than 1,500 are considered Communists. Most of the students are regarded as seriously devoted to their studies and opposed to Communism.

ONLY 200 RED ACTIVISTS

It is now clear, however, that the armed Communist minority, with approximately 200 activists in various gangs, intimidated all other students into silence. One non-Communist student now says that everybody knew what was going on but was too afraid to talk for fear of Communist reprisal.

Some key members of the university administration and faculty were Communists or sympathizers, so allowed the terrorists a free hand. In this situation, campus dormitories become the refuge of professional criminals as well as professional agitators. The criminals teamed up with students to rob banks—"for the people's cause," as they told bank officers and customers.

The campus became a recruiting ground for guerrilla units in the hills as some students took "mountain sabbaticals." Many of these were attracted to the guerrillas by the supposed glamour of becoming mountain fighters.

"If you were in the mountains with guerrillas," said a non-Communist student who did not succumb, "you were irresistible with girls."

At the same time, the university sanctuary was used as a rest and recuperation area for the regular guerrillas, as well as their fund-raising center.

TRIALS AND TORTURE

Evidence also is emerging that the campus was used for Communist "trials" and torture. One recent victim was Alfredo Rafael Seijas, a lawyer who worked in liaison between the police and Army. Seijas disappeared last September while on a visit to the university. His bound body was found the following night on a deserted Caracas street with 16 bullet holes. His mouth was stuffed with a handkerchief.

Police say Seijas was seized and hidden at the university by Communist terrorists, "tried" in a university auditorium, beaten and tortured, stuffed into the trunk of a car, then shot to death.

The main function of the Communist base at Central University, however, was to serve as the staging ground for an all-out campaign of terrorism against the capital itself. That campaign got under way in 1961 after Fidel Castro publicly declared Venezuela his No. 1 target.

The terrorists' objective was to subject Caracas to so much turmoil as to provoke a military take-over and discredit the democratic Government of President Rómulo Betancourt. In the years that followed, Caracas experienced terrorist bombings almost nightly. For a time, terrorist gunners were killing a policeman a day—often from fast-moving cars that headed straight back to the university.

VOTERS DEFIED REDS

The campaign to oust the Government by such activities in Caracas failed. In 1963, the people defied Communist threats by going to the polls in record numbers to elect a successor to Betancourt. It was the first peaceful transfer of power between democratically elected regimes in Venezuela's history.

But the Communists did not give up. They just shifted tactics. After 1963, the Reds moved into the hills for a guerrilla campaign on the Castro or Chinese Communist pattern.

By 1964, guerrillas were operating in eight of Venezuela's 20 States.

Outwardly, Central University appeared to have become a more peaceful place after the Communists moved their fight to the hills. Secretly, however, it remained a beehive of activity on behalf of the Reds.

Then, in the closing weeks of 1966, violence broke out again in Caracas, and it was traced to the university. After seven persons were killed and millions of dollars' worth of property was damaged. Venezuelan President Raúl Leoni moved in with troops.

Most Venezuelans, despite tradition of autonomy for universities, appear to approve the Government's occupation of the campus. Ordinary people say they were tired of terrorist gangs' using the university as a haven. Some find fault with the Government for waiting so long to move.

As political observers here in Caracas see it, the importance of the occupation of the university is far greater than just the arrests and the seizure of clandestine material.

It puts out of action the Communist sanctuary and center of subversive activities for the most concerted drive ever launched by the Castro Communists against a South American country. And it involves a clear warning that it could happen again.

A similar change of mind over the hot subject of university autonomy is going on throughout Latin America. Universities have been occupied in four other countries in addition to Venezuela. These are Argentina, Ecuador, Colombia and Mexico.

The outlook for the Communists in all five countries, as a result, is for tougher times. No longer can they count on university campuses as their private sanctuaries in working to undermine governments.

AFRICAN LABOR

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. RARICK. Mr. Speaker, the South Rhodesian whites have truly created a chaotic condition with their neighbor, North Rhodesia, now known as Zambia.

It seems that with South Rhodesia declaring their independence from England, the South Rhodesians were compelled to give up operating the railroad in Zambia.

A report on the plight of the defunct malfunctioning Zambian railroad shows the great disservice inflicted by the white Rhodesians for abandoning Zambia.

But then, they only did what they were asked to do and what the U.N.-U.S. foreign policy forced them to do.

Let us just hope they do not give the operation of the powerplant at Lake Kariba to the Zambians.

I include a report on the railroad, as follows:

Zambia's Railroad Troubles

Probably no other country in the world (with only 650 miles of railway track to its name), has more trouble with its line than Zambia.

In the last half of 1967, for example, there were 308 mishaps, including four main-line collisions, 20 in switching yards and sidings, 17 main-line derailments and 155 in yards and sidings.

The New York Times account of this sorry state of affairs makes what at first appears to be the rather startling statement that "many of the difficulties are attributable to Rhodesia's declaration of independence in 1965"—at which time Rhodesia gave up running the railroad.

Actually, this does just about tell the story (repeated all over Africa where the white man has "laid down his burden").

When the Zambians took over the railroad, most of the white men who had been operating it left, foreseeing the general disorganization of the country that was to come.

Of the 7,000 employes (for 680 miles of track, yet!) there are perhaps 1,000 foreigners recruited from all over the world—East Africa, India, Pakistan, etc. The general manager is even Sudanese.

Last year so much of the railway chaos was attributed to drunken train crews that 10,000 breath-testing devices were imported to help enforce sobriety—but never used because of employe resistance.

Should Rhodesia and South Africa ever founder under the black waves, the story would be the same.

PUBLIC MISLED ON CREDIT CODE PROPOSAL

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. BROWN of California. Mr. Speaker, in 2 months the landmark truth-in-lending law goes into operation, and hopefully, the utter chaos and confusion which has characterized so much of the consumer credit industry will be straightened out.

No one should consider the Truth-in-Lending Act as the final answer to all problems of the credit industry—for both lenders and borrowers alike. Still more needs to be done, and one area of immediate importance is that of credit codes at the State level. I note that it is an immediate issue because the credit industry already has begun an intensive campaign to have its version of a credit code law passed by many State legislatures.

Were the proposed State law just and equitable, I would not raise my objection. But, instead of following the lead of the Federal truth-in-lending measure, the Uniform Consumer Credit Code—as it is termed—sets out to evade the regulations just established at the Federal level.

Analysis of the Uniform Consumer Credit Code, and a strong presentation of the case against it, was published in the March issue of Consumer Reports. I place the article in the RECORD at this point:

A CONSUMER CREDIT CODE FOR LENDERS

The casual buy-now-pay-later tone of the American marketplace touches the lives not only of those who habitually use credit but also of those who cling tenaciously to old-fashioned cash buying. Lately, everyone has suffered the inflationary effects of what may well be an overdose of consumer credit. Despite such anti-inflationary strategems as a 10 per cent increase in income-tax withholdings, and despite the highest interest rates in history, installment credit contracts continue to finance vast amounts of buying. In the second half of 1968, consumers were plunging deeper into debt at the unprecedented rate of $800 million to $900 million per month.

Besides contributing to inflation, easy credit and its fellow-traveler, harsh collection methods, have lately fanned the fires of discontent in the city slums. During the 1967 riots in the black ghetto of Boston's Roxbury district, a furniture store was one of the first businesses put to the torch. According to officials of the National Association for the Advancement of Colored People, the store's exorbitant credit charges were "one of the causes of the riot and burning." The trade paper *Home Furnishings Daily* warned its readers that Negro resentment against unfair merchandising practices might spark similar riots in other cities. The paper was right. The U.S. Riot Commission Report of 1968. recounting the causes of disorders, said its investigators heard grievances of Negro consumers against unfair commercial practices in 11 of 20 cities studied.

Much has been said of the way consumer credit accelerates economic growth and provides the material comforts of an affluent society. Less is said of the hardships it has caused. Overcommitments to credit merchants burden uncounted families in every income bracket. By the mid-1960s—20 years into the post-World War II consumer credit boom—one family out of two was paying off installment debts, not counting home mortgages; one family out of four had committed one-third of its income to such debt payments, and one family out of 10 had committed 40 per cent or more of its income. In the first eight years of the present decade, personal bankruptcies nearly doubled. In those eight years, one million consumers, under unbearable pressure from creditors, went broke.

ACTION AND REACTION

Excessive credit commitments and overreaching by credit sellers and collectors must be dealt with as a serious national problem. On that point all responsible observers, including those in the credit industry, can and do agree. The problems are indeed being dealt with this year at the national and state levels.

Leading the way is a magnificent piece of legal reform, the Federal Consumer Credit Protection Act. Beginning July 1, its Truth-in-Lending provisions will require all lending institutions and credit merchants to give consumers the facts they need in order to shop intelligently for credit.

With passage of the Consumer Credit Protection Act, Congress for the first time established some nationwide peacetime rules of behavior for lenders and some rights for borrowers. Beyond its demands for full disclosure, the act sets an upper limit on the percentage of a wage earner's paycheck that a creditor may seize through garnishment proceedings. For the first time, too, a Federal law gives you three days to change your mind about going through with a credit contract that takes your residence as security.

Thus, Congress has entered what previously was a private preserve of the state legislatures. Contracts between borrowers and lenders have traditionally been governed by business laws at the state level. Those laws were meant to cover relationships between businessmen, who can hold up their ends of a bargain. The same credit laws have come to govern "bargaining" between consumers and lenders. But that's usually no bargaining at all—only a take-it-or-leave-it deal based on a contract drawn up by the creditor's lawyers in terms and with implications that borrowers can only dimly grasp.

An elaborate web of hundreds of state retail installment sales laws and consumer loan laws has been spun during this century, ostensibly to right the balance. However, creditors themselves designed the web, and consumers are the flies. A generation born after World War II and now forming families and households will be signing loan forms and credit sale papers by the millions in the next several years. They sorely need the protection of a more realistic set of laws—laws that may have to be imposed by Federal rather than state government. The Consumer Credit Protection Act opens the door in that direction.

INDUSTRY'S WEDGE

Ironically, the credit industry has discovered in that new Federal law an excuse for pressuring state legislatures to pass in great haste the industry's latest version of a reform law. It seems that many existing state credit laws will need amending to avoid conflicts with the Fedeal law. Added legislative incentive comes from a states-rights section of the Federal law; it says that states that pass their own Truth-in-Lending laws may obtain exemptions from the Federal one.

The credit industry's new reform law is called the Uniform Consumer Credit Code (UCCC). The code was promulgated at the annual meeting last year of the National Conference of Commissioners on Uniform State Laws, a nongovernment organization closely related to the American Bar Association. Seldom in the checkered annals of state legislation has so complicted a bill been offered in the name of consumer protection.

The 127-page statute was drafted with the help of a panel of distinguished university professors of law, economics and sociology working with funds supplied mainly by the credit industry. Consumers are presumably expected to support enactment of the UCCC in the belief that it was written in their interest. As a UCCC committee staff member wrote in the *Harvard Business Review:*

"Most segments of the industry appreciate the advantages of uniformity and of outlawing undesirable credit practices that are used by a minority but reflect unfavorably on the majority. Responsible consumer groups similarly recognize that the code provides a much better balance between debtors' and creditors' rights than exists in current statutes."

It is true that some responsible consumer spokesmen have, despite misgivings, endorsed the UCCC, among them the White House consumer agencies of former President Johnson. But CU and its legal consultants can find little to cheer about. *We don't think any state, no matter how bad its existing credit laws, should adopt the UCCC without extensive amendments in favor of consumers.*

The UCCC's benefits to the credit industry are plain enough:

It opens the door to anyone who wants to go into the money-lending business. No license would be required unless interest rates charged were higher than 18 per cent, and no limit would be placed on the number of above-18 per cent lenders. Retailers could sell on credit, as they do now, at high legal interest rates without need of a license—and thus without fear of losing it for misbehavior.

It standardizes credit forms. Big loan companies and store chains would be able to replace scores of different credit applications, contracts and disclosure forms with one standard form. Standardization would make life simpler for consumers, too, if the contracts and forms were fair and easy to understand. But, as we will show, they could be quite unfair.

It offers an escape from Federal enforcement of the Truth-in-Lending Act. The UCCC was designed to qualify states for exemption. From the credit industry viewpoint, most state administrators are easier to live with than those in Washington. From the consumer's-eye view, state regulation of such related industries as banking and insurance is generally inadequate.

RAISING THE ROOF ON INTEREST

But the part of the UCCC best calculated to appeal to lenders is its maximum interest rates. They would exceed top rates now in effect in such industrial states as New York, Illinois and California, where credit selling abounds. Under the UCCC, maximum installment rates would be set at 36 per cent per year on the first $300, 21 per cent on the portion of a debt from $300 to $1000, and 15 per cent on any portion above that.

The UCCC would also open the way for big boosts in interest on revolving charge accounts. The usual maximums now are 18 per cent (1½ per cent per month) on the first $500 and 12 per cent (1 per cent per month) on anything above that. The new ceilings would be 24 per cent and 18 per cent on store charge accounts and 36 per cent on bank credit cards and check-credit plans. And as is now the case, interest could be charged on the balance due at the *beginning* of the billing period—before your payments and returns were deducted.

Illustrations of the extra finance charges people might have to pay in states adopting the UCCC appear in the following table. The figures are based on data supplied by a government credit official in Massachusetts, and the comparisons are made with that state's present maximum rates, which are typical of those in industrial states. Note the possible increase in the cost of a one-year installment loan or purchase involving $1000 or initial credit. It could cost you $15 more than it does now at a licensed loan company and as much as $78 more at a new-car salesroom. Although new-car dealers might seldom avail themselves of the top rate, other lenders probably would, according to the state official.

TAKING THE LID OFF INTEREST COSTS

As if maximum finance charges under present state laws weren't high enough, the Uniform Consumer Credit Code (UCCC) would frequently raise them considerably higher. Here are some comparisons between maximum charges and rates allowed in Massachusetts and the amounts consumers might pay if Massachusetts enacted the Code. Maximum rates in Massachusetts are typical of those in populous states. Credit life insurance and other charges could add significantly to the figures shown.

EXAMPLE: $1,000 OF CREDIT PLUS INTEREST, REPAID IN 12 EQUAL MONTHLY INSTALLMENTS

Credit plan	Maximum annual interest rate		Maximum finance charge		Increase under UCCC	
	Massachusett (percent)	UCCC (percent)	Massachusetts	UCCC	Amount	Percent
Licensed small loan	25.5	28	$143	$158	$15	(11)
Loan to pay insurance premium	25.5	28	143	158	15	(11)
Unlicensed small loan	12.0	18	66	100	34	(51)
2nd mortgage [1]	18.0	28	100	158	58	(58)
Appliances, installment purchase [2]	16.0	28	90	158	68	(75)
New car, installment purchase [3]	14.5	28	80	158	78	(97)

[1] For comparison only, since the smallest second mortgage loan permitted in Massachusetts is $1,500.

[2] Or any other goods and services except a car.

[3] Of the examples shown here, new car credit is the only one in which prevailing rates usually are lower than the maximum.

That prediction is supported by some findings about what happened to interest rates early in 1967, when Massachusetts became the first state to require disclosure of true annual interest rates on consumer credit. All stores and credit institutions had to switch over to new contract forms and rate tables. A survey published by the Federal Reserve Bank of Boston reported that "The tendency for the maximum to become the norm was reinforced by the use of the new annual rate tables. These are prepared by commercial publishers and most orders were for maximum rate schedules, except for auto dealer financing."

You may well ask why the Uniform Consumer Credit Code seeks to raise maximum rates. To make credit easier to get? Hardly. As already noted, installment debt has been expanding at a record pace under the present rate ceilings.

The Truth-in-Lending Act, by requiring discolsure of the true annual interest rate, has the potential for sharpening price competition among lenders and credit retailers. If that happens, there may in theory be no need for rate ceilings at all. There was strong sentiment in that direction among the UCCC authors. They finally decided that it would be politically unwise to remove all ceilings.

But it will take some time for consumers to learn how to shop for credit since, after all, they have never before had the chance to learn. The competitive fruits of Truth-in-Lending will not ripen overnight. For many consumers, no amount of Truth-in-Lending would bring down credit costs. They are the poor, the uneducated, students, newly married couples and borrowers who are already overcommitted. It is an axiom that people who need credit the most are likely to pay the most for it.

Not only do the poor pay more for money, they are also caught in the net of neighborhood credit monopolies. To tighten a lucrative hold on their customers, many stores and loan companies refuse to trade information with credit bureaus. Consequently, many low-income consumers who have never missed a payment to the local furniture store or loan shop nevertheless cannot get credit elsewhere.

Raising the interest-rate ceilings may therefore be something less than satisfactory from either a political or an economic standpoint. One who thinks so is George Brunn, a municipal court judge in Berkeley, Calif., and a CU board member. He wrote to UCCC sponsors: "To give persons a right to charge 36%-plus interest* (or finance charge) shocks at least my conscience and I do not believe that I am unduly sensitive."

WHO TAKES WHAT RISK?

The credit industry takes the position that the interest rates it must charge are determined, not by good conscience and morality, but by the degree of risk to which a lender's money is exposed. People with uncertain employment, low income or nonexistent credit records are poorer-than-average risks. A maximum rate of 36 per cent interest, so the argument goes, is necessary for the sake of consumers who might otherwise not be able to get credit anywhere except from loan sharks.

Merchants and lenders who choose not to exchange information with credit bureaus do not fit very well that image of a prudent taker-of-risks who judiciously weighs each borrower's worthiness. But the image is distorted anyway. That web of state laws previously mentioned, and not the lender's good judgments, is what secures many credit risks. The law in almost all states take the plain and moral view that debtors must pay, and it backs its brand of morality with the authority of constables and courts.

Most consumer credit contracts do not result from a meeting of minds between equally well informed parties. Armies of door-to-door salesmen, car dealers and retailers are truly merchants of debt. Their goods and services are bait for the credit hook. Their sales pitch is tailored to lull the customer into total unawareness of the obligations that will flow with the ink in his signature. The special committee that drew up the Uniform Consumer Credit Code wondered, at the start of its task, whether the legal remedies given to creditors in the age before widespread consumer credit were quite fair now that "buying on time is becoming the norm and the consumer credit transaction is casual and commonplace." Judging by the results of their work, they never quite made up their mind.

The UCCC does deprive creditors of two utterly inequitable tricks of their trade. First, it outlaws confessions of judgment. A confession of judgment is a contract clause, legally acceptable in most states, in which a debtor, in effect, pleads guilty in advance to nonpayment. It's a handy item for the creditor to have when he wants a court to declare a debtor in default or to repossess collateral. Further, he can use the court's machinery to collect without giving the debtor his day in court. Second, the UCCC bans wage assignments, in which debtor assigns to lender the right to take his wages without a court order for garnishment.

The UCCC leaves the rest of the creditor's collection methods largely intact. Three case studies taken from recent Senate hearings on credit practices in the District of Columbia illustrate some abusive practices and how they are treated in the code.

HOLDER-IN-DUE-COURSE

A woman responded to a radio commercial for a 10-day-free-trial offer on a television set. When a salesman came with the set, he said she would have to pay $25 "tax" and sign a "delivery receipt." She paid and signed. The price of the set was said to be $195, but in less than 10 days a finance company sent a book of 24 monthly payment slips totaling $330. The TV set broke down after one year. The woman, finding that she had already paid $190 and suspecting the set was secondhand, stopped making payments. A court summons followed. The woman requested a hearing. She was never called to court, but some months later the finance company garnisheed her wages. As a consequence, her employer said she would probably be fired.

Though misled by a commercial and gulled by a salesman, the woman had no right under the law, to stop paying. She was a victim of the holder-in-due-course doctrine. Finance companies and banks make a business of buying negotiable sales contracts. Unless you can prove that they had reason to know a contract was fraudulently obtained, holders-in-due-course are viewed by the law as innocent parties entitled to be paid. Courts do not ordinarily question the validity of credit contracts. They routinely process thousands of default judgments and garnishments each day under the holder-in-due-course doctrine.

The UCCC should have banished the holder-in-due-course doctrine from all consumer credit transactions. Indeed, it appears at first reading to do that, but CU's legal consultants say the banishment is a sham, and the doctrine would live on virtually unimpaired. For one thing, it is banned only in sales contracts, not in consumer loans; the seller may get around the ban simply enough by wearing two hats, a salesman's and a loan company's; and stores would be free to open their own loan departments. Secondly, the finance companies that bought installment contracts would be able to force payment even though the law said such contracts were not negotiable. You'd have to take up your case against the store or sales firm, and the UCCC does little to encourage attorneys to represent you. In fact, it gives the consumer no right to sue, only to defend himself against a suit for default judgment. And his only reward for a successful defense would be release from any further payments; he would get no refund.

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*The "plus" in the judges remark refers to the fact that in some cases the UCCC ceilings would permit up to 39 per cent interest. Tacked onto that would be credit life insurance premiums and possibly a few ill-defined credit fees.

Finally, the UCCC gives state legislatures the option of preserving the equivalent of holder-in-due-course doctrine for credit sales, provided the consumer doesn't raise a complaint with the finance company within three months.

In short, under UCCC the woman swindled on her television set purchase would very likely have been in the same predicament. And she was probably a victim of other bad credit practices as well.

For instance, her employer received a court order for wage garnishment even though she never had her day in court. In some states, debt collectors can obtain a garnishment without first winning a judgment against the debtor. The UCCC would stop that, theoretically. But in reality most judgments are handed down automatically, because the debtor fails to appear in court. One reason many people fail to appear is that the process server threw away the court notice instead of delivering it. That's called "sewer service," and it is a serious problem in New York City and elsewhere. The UCCC makes no attempt to protect consumers from sewer service.

Many times, too, people who do receive notice to appear in court fail to show up because they would lose a day's wages. The UCCC could have helped them by authorizing judges to award damages for such losses. But it does not.

A truly enlightened consumer credit code would banish wage garnishment altogether. Instead, the UCCC sets about the same garnishment limit as will go into effect on July 1, 1970, under the Consumer Credit Protection Act—25 per cent of a debtor's take-home pay. Several state laws with 10 or 15 per cent limits would be weakened by passage of the UCCC in its present form, as would Texas and Pennsylvania laws prohibiting garnishments entirely.

Garnishments often lead to loss of jobs and thence to personal bankruptcy. Creditors as well as debtors are hurt by the sequence. Under UCCC, therefore, the woman with the television set could not legally be fired for receiving a wage garnishment. The trouble is, many employers resent the extra payroll expenses of processing wage garnishments. They can find other reasons for firing. The only cure is to outlaw all consumer credit garnishments.

THE REPOSSESSED

In a second case study of overreaching credit practices, an elderly woman had paid $35 a month for three years—more than $1200—on a bed, a chair and a television set. With a fairly large balance still due, she begged the store to reduce the size of her payments because of a family financial emergency. The store was unsympathetic and warned her that it would repossess everything if she didn't keep making full payments. As good as its word, the store several times sent men for the furniture; but when the woman saw the truck outside she refused to open her door. One day, seeing no truck, she answered a knock on her door. A man burst in and braced the door open for his helper. Together, they hauled away the bed, the chair and the TV. A neighborhood legal assistance worker later found the woman sleeping on the floor. Meantime, the store continued billing her for the unpaid balance on the furniture it has repossessed.

Forced entry for purposes of repossessing goods on grounds of default is an everyday occurrence. State laws against it have so far proved futile. The authors of the UCCC have made no attempt to deal with the problem directly. At most, a state consumer credit administrator might be able to issue a cease-and-desist order against firms that repeatedly seized goods against the wishes of the debtor. Even that remedy is not spelled out, however.

Aside from the strong-arm stuff used against the old woman, the funiture company resorted to a nasty kind of "add-on" contract. In such a contract, payments are assigned proportionally to several items financed, and none is considered paid for until all are. The UCCC would put an end to that trick by requiring assignment of payments to one thing at a time. (Congress, rather than the code authors, deserve thanks for that rule; it is derived from the Truth-in-Lending Act.)

But can a creditor take back his goods and still demand payment of the balance due? Under present laws, he is supposed to sell the repossessed goods first and credit the amount realized to the balance due. In most states, he may then get a deficiency judgment for the rest, plus expenses of repossession and sale. Unscrupulous businesses have been able to milk that process for rich profits, as in the case of the following racket, described in the 1968 annual report of the Consumer Frauds Unit of the U.S. Attorney for the Southern District of New York:

"Investigations have disclosed a pattern of sales of certain used cars at many times their original cost, followed by a cycle of repossession, repurchase of the car at a low price at auction and further resale at many times that price to new customers. . . . The inquiry indicated that in certain cases some used car dealers know in advance that there will be a complaint regarding each and every automobile sold and that many customers will give up the car and default because they feel it cannot be made to work."

Under UCCC, sellers of cars or anything else priced over $1000 could continue to repossess and also get deficiency judgments. They would have to be satisfied with repossession alone on less expensive goods. But they would be allowed to keep all the proceeds of resale, even if, as was very likely true in the old woman's case, resale brought in more than the balance due. A fair credit law would, in our judgment, give creditors the alternatives of either repossession or a court judgment against a defaulting debtor, but not both. Such a law would insist further on a fair and open sale of any repossessed goods; it would give the defaulted debtor a refund if the repossessed goods sold for more than the unpaid balance due on them.

LAND GRABBING

The last case history is that of a home owner and his troubles with one of those home-improvement salesmen whose practice is to follow, buzzard-like, on the heels of city building inspectors. The victim, who owned his house for 20 years, fell for the salesman's line and signed up for $3000 worth of repairs. He signed a number of mysterious papers, one of which was a deed of trust putting up his property as security. Later, a bank sent him a payment schedule totaling $5250.

Finally realizing his mistake, he decided not to go through with the deal. But although no work was ever done on his house, the bank threatened to foreclose. Furthermore, the home owner learned that a neighbor had lost her house under similar circumstances. He therefore borrowed $400 to make up back payments. He wound up paying more than $100 a month for nothing.

No one knows how many houses have been lost to the home-improvement racket, with its redoubtable sellers of aluminum siding, patios, water softeners, furnaces, central vacuum-cleaning systems, intercoms and anything else attachable to a house.

The number is certainly large. For according to the executive vice president of a finance company specializing in home improvement "paper," his firm usually has an inventory of about 300 houses throughout the country as a result of quitclaims and foreclosures. He estimated a foreclosure rate of 1 to 2 per cent.

The UCCC would perpetuate the whole reprehensible process. It specifically sanctions taking real estate as security for home-improvement debts of $1000 or more.

MISSING: THE RIGHT PHILOSOPHY

In far more ways than can be recited here, the Uniform Consumer Credit Code seems dedicated to perpetuating current unhealthy practices. The influence of the credit industry comes through in section after section.

Missing, in letter and spirit, is a proper legislative regard for economic incentives. If deprived of most of the forces of law now operating for him, the lender would truly have to rely on his prudent judgment. And the borrower would have to protect his reputation as a reliable risk. The proposition was well stated a few years ago by some experts on consumer credit:

"More and more in our modern society credit is essential for the wage earner to obtain his share of goods and services. Credit grantors, relying on credit information, can refuse credit to debtors who have not paid their debts. The emergence of electronic data processing equipment makes it even more likely that in the future rather complete information will be available to an inquiring credit grantor. The . . . debtor's fear of getting a bad credit rating may be one of the strongest collection remedies the creditor has—far surpassing his ability to deduct a few dollars from his debtor's paycheck. . . . A lack of self-restraint, coupled with aggressive selling by credit grantors . . . has led many to buy more than they can afford. . . . It may be that one answer is to force creditors to exercise self-restraint in the granting of credit."

Those words come not from outsiders—they come from a staff memorandum to the drafters of the Uniform Consumer Credit Code. As long ago as 1965, the code-drafting committee reported, "Our present thinking is that harsh collection laws may result in damage not only to debtors but also to the consumer credit industry and to society as a whole."

Perhaps if those same men were allowed to return to their task, unhindered this time by pressure from the credit industry, they would draft a law in harmony with their own thinking.

It might prove a very good law indeed.

"IN THE BEGINNING GOD—"

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. BRAY. Mr. Speaker, Aristotle wrote in his "Metaphysica," book 2, chapter 1, that—

> The search for truth is in one way hard and in another way easy, for it is evident that no one can master it fully nor miss it wholly. But each adds a little to our knowledge of nature; and from all the facts assembled there arises a certain grandeur.

A certain grandeur—a certain grandeur that struck the higher senses and nature of man, and captured his imagination in a way never done before in world history—is represented by the commemorative stamp for the Apollo 8 space flight. "Earthrise"—as Apollo 8 began its first lunar orbit on the far side of the moon, at 3:30 a.m. on December 24, 1968, the astronauts saw the earth rising before them, 240,000 miles away. The classic picture of the mission, reproduced on the stamp, shows the gorgeous royal blue of half of the earth, marbled with white clouds, the sunset terminator bisecting the African continent. Its cloudy, oceanic majesty contrasts with the lifeless, cratered gray surface of the moon below, and both earth and moon stand out against the deep blue background of space.

The poet, James Elroy Flecker, had sung of such a sight:

> And God shall make thy soul a glass
> Where eighteen thousand aeons pass;
> And thou shalt see the shining worlds
> As men see dew upon the grass!

Later that day, on a Christmas Eve that gave a waiting world the most unique and beautiful Christmas message of all time, the three astronauts marked what was at that time the peak of Man's scientific and exploration achievements by reading the first 10 verses from the first chapter of the Book of Genesis:

> In the beginning God created the heaven and the earth. And the earth was without form, and void; and darkness was upon the face of the deep. And the Spirit of God moved upon the face of the waters.
>
> And God said, Let there be light; and there was light.
>
> And God saw the light, that it was good; and God divided the light from the darkness.
>
> And God called the light Day, and the darkness he called Night.
>
> And the evening and the morning were the first day.
>
> And God said, Let there be a firmament in the midst of the waters, and let it divide the waters from the waters.
>
> And God made the firmament and divided the waters which were under the firmament from the waters which were above the firmament; and it was so.
>
> And God called the firmament Heaven. And the evening and the morning were the second day.
>
> And God said, Let the waters under the heaven be gathered together into one place, and let the dry land appear; and it was so.
>
> And God called the dry land Earth; and the gathering together of the waters called He Seas; and God saw that it was good.

"In the beginning God—" The words were not part of Apollo 8's flight plan; but nothing could have been more fitting, and they have become, in the public mind, firmly associated with man's first full sight, with his own eyes, of his home planet hanging in space. And nothing could have been more proper than to include these words on the stamp.

At such a moment in our span of existence, we can only turn inward to that fundamental part of our nature that seeks to cloak our souls with reverence for the very beauty that our eyes behold. Of all living creatures, man alone has the capacity for awe and wonder, to marvel at the mysterious and haunting beauty manifested in so many forms throughout the universe. And only man is empowered to realize, deep within himself, when the time has come when he stands before something that is beyond his power to fully grasp.

There was probably only one other time in all human history when there was an equal parallel, and to find it we must leave the written records and go back even further into the darker and more mysterious channels of time, to that remote period when, at the world's dawn, some first early man saw and was, for the first time, aware of, the splendor of the full moon rising into the heavens.

Full moons had risen, times without number, for uncounted centuries, but there had to be this one first moment when, somewhere in the course of the evolution of humanity, and in a brain that was first of all to be fired by the creative spark, there arose first awareness of what was actually being seen.

Fear, yes—but wonder, too. Man was on his way toward fulfilling his destiny. The road is long; we have come but a relatively short way; and no one can say where or when the end will come, if indeed, it ever does.

Man is an imperfect creation, but he struggles to overcome and to refine his imperfections, to fathom not only the vastness of the universe about him but also the innermost recesses of his own soul and intellect. "Man's reach must exceed his grasp, or what's a Heaven for?" wrote Robert Browning, but man does reach. And he does grasp.

Early man worshipped the moon; he could not understand it and he very probably feared it; to him it was a diety, to perhaps be praised, when its light showed him the way through his savage world, or to be feared when that same light led his enemies to where he was hiding. But he did something else, too; it was not all worship and fear. Man today, in the 20th century, will use the moon as both Rosetta stone and jumping-off point for the solar system, and ultimately the universe. But early man, it is now believed, used this marvelous object in the sky to give him his first reckoning of that most difficult concept of all: Time.

Man's powers of observation and deduction and his abilities to note the regular changes in the world of nature about him were long thought to be relatively new in the span of his existence on this planet. But there seems sufficient evidence to prove that these powers go back thousands of years before they were thought to have developed.

Archeologists have, for years, been greatly puzzled by the large number of ordinary scratches and other markings on walls of caves, bones, tools, and bits of human utensils dating back into the last ice age. Random marks? Hardly; it seemed they had some significance, but what could it be?

A thorough statistical analysis of upward of a thousand marks in sequence, from bones, stones, and cave walls dating back 30,000 to 35,000 years, to the upper paleolithic age, showed many more groups of 29 and 30 marks than any other, and far more than random association could account for.

The cycle of the moon is 29.5 days.

And there was even more. There were even markings for subunits of the cycle, for the weeks; and for the phases of the moon. One painted notation in Spain shows actual reproductions of the crescent moon for the two crescent phases. Both are accurately shaped, and properly oriented.

Nothing is older for man than the study of the universe. Before he could write, he named the bodies of the sky. Before he knew of ethics and while his nature was still coarse and base, he bowed to images of the sun and the moon. Before he devised any way to measure time, he used the heavens to number days, weeks, months, and years. Before he made maps, hunters, sailors and explorers traveled by the stars. Before he began to understand why things grow in the soil, he marked planting time by the sun and the moon.

The stars in their splendor, space in its vastness, and the universe in its infinity have throughout all of recorded time, and even before that, served as a constant symbol and reminder to man of his creator, and that "in the beginning God."

As Saul went to look for donkeys, yet found a kingdom, so has man sought to measure the depth and unlock the secrets of the cosmos—and in so doing, has found his God.

The greatest scientific minds of our age have openly acknowledged this fact. Dr. Arthur Holly Compton, scientist, educator, Nobel Prize winner, and responsible for the work that led to history's first controlled atomic chain reaction, put it in this fashion:

> Among the more thoughtful members of the American community there appears no longer any serious intellectual threat by science against an adequately formulated religion. Saint Paul described the religious man as one who is "alive to all true values." By enabling men to see more clearly what these values are and to work for them more effectively, science has as Dean Inge recently remarked, become an ally of religion.
>
> I find that prominent in my mind is the confidence that the God who made us holds for us an increasing destiny, to be achieved through our own efforts in the world setting that he supplies. This observation is significant in the present setting because it is my strong impression that most of those who have the firm faith in man's future that gives them courage to work strongly toward man's advancement likewise have a religious basis for their faith. If this impression is valid, its consequence is clear. It means that it is men and women of religious faith on whom we must primarily rely to work strongly toward achieving a favorable world society. It means also that those of religious faith have because of their faith a better chance for survival, a fact that has bearing on the attitudes that may be expected in the society of the future. . . .

And let us look now at one of the greatest minds of all time.

RAFFINIERT IST DER HERR GOTT

At the time of his death in 1955 it was recognized that his marvelous brain had had greater impact on the world of physics than that of any other man since Isaac Newton. Out of his work had arisen much of the mathematical structure for understanding the microcosmic laws of the atom, and the macromosmic laws of the universe.

He created a totally new cosmology, as intellectually beautiful as it is difficult to comprehend. He locked space and time together into one cosmos, inseparable, dependent upon one another, and inconceivable apart from one another.

When Euclidean geometry did not serve to explain his concepts, he produced a new one. His work can be proven or conceived of only in mathematical equations, as there is absolutely nothing in human experience which can parallel his ideas. His gravitational field formulas have been acknowledged the basic formulas for the structure of the universe itself. He himself always maintained that although the world can be understood in terms of reason, the eventual criteria for acceptance of the theoretical, in the final analysis, is esthetical—dependent upon art, beauty and, by implication, order and pattern.

Shortly before his death he thought he had reached what he had been seeking for almost 40 years. It would be, as one writer has described it, a concept of space itself being "an eternal play of currents and movements which by its very motion generates all the fundamentals of the universe: matter, time, light, gravitational attraction."

He was the very essence of the skeptic, the hard-headed realist, the stern follower of logic, the rational thinker, the ever-inquiring mind—but his reached out farther than human mind has ever gone before. A photo taken of his study at Princeton shortly after his death quite clearly indicates he left unfinished cosmic business behind them.

But Albert Einstein was aware of something else, too, that could not be put into an equation. In his native German:

> Raffiniert ist der Herr Gott, aber boshaft ist er nicht.

Literally translated, it means "God is mischievous, but not wicked." A more commonly-used version, and one of which I am sure Albert Einstein approved, is: "God does not throw dice."

> *He hath shewed thee, O Man, what is good; and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?* (Micah, VI, 8)

Dr. George Wald, professor of biochemistry at Harvard, who devoted years of work to the search for the understanding of life's origins, has said:

> Life has a status in the physical universe. It is part of the order of nature. It has a high place in that order, since it probably represents the most complex state of organization that matter has achieved in our universe. We on this planet have an especially proud place as men; for in us as men matter has begun to contemplate itself . . .

Dr. Harlow Shapley, the famous American astronomer, has also found great spiritual wealth in the advances of man that have contributed "to the unfolding of a magnificent universe."

> To be a participant is in itself a glory. . . . we are associated in an existence and an evolution that inspires respect and deep reverence. We cannot escape humility. And as groping philosophers and scientists we are thankful for the mysteries that still lie beyond our grasp.

These men and others reflect on the universality of life itself. The greatest question in scientific philosophy at this time is that of the existence of life in other parts of the universe. In the middle 19th century, the truly cosmic question was considered by the Jesuit astronomer, Father Angelo Secchi, whose work helped lay the foundations for modern astrophysical science.

Consider what Father Secchi contended with as he grasped the problem. We speak of the vastness implicit in cosmology. Distances are measured in light-years—the distance covered in 1 year, traveling at the speed of light: 6 trillion miles. The population of the universe is counted in galaxies, these great island-universes, as great in number as the 100 billion stars in the Milky Way, and each galaxy containing on the average of 1 billion stars and probably still larger a number of planets. And with each advance in human seeing power through our telescopes, we continue to see more and more galaxies, numerous and distant to the point where the farthest yet perceived is 5 billion light-years away.

Secchi asked how it could possibly be that only one tiny speck, earth, in this incredible vastness, would be the only source of life?

> It would seem absured to find nothing but inhabited deserts in these limitless regions. No! These worlds are bound to be populated by creatures capable of recognizing, honoring and loving their Creator.

> "Yea, that first morning of Creation wrote
> What that last dawn of Reckoning shall read."
>
> (Omar Khayyam, Rubaiyat).

The British philosopher and mathematician Bertrand Russell has pointed out that universality of life also has implicit meaning concerning not only mortality of man but of our planet earth, and the solar system itself.

> . . . all the labours of the ages, all the devotion, all the inspirations, all the noonday brightness of human genius, are destined to extinction in the vast death of the solar system.

And it will surely die, but our direct descendants will very probably survive that fiery expansion of the sun, 5 or 6 billion years in the future. There will even be a time when the tiniest stars of the Milky Way go out forever.

Our universe still grows; astronomers know the sky is growing fainter as galaxies speed away from each other into the distance. Yet, in the more distant galaxies, there are signs that this expansion process is gradually slowing down. Eventually it will stop, and after inconceivable periods of time, long after the light of the last star has died, the universe will contract again. Billions of years pass, then the contracting universe, pulled together once more, has turned into a superdense, superhot state, with all matter dissolved into the basic and elemental protons and neutrons upon which to build again.

And then expansion begins once more, and the never-ending cycle starts anew.

All things that have a beginning will have an end, but nowhere in religion or in science do we find assertion that the time will come when there is an end to beginnings.

This, then, is eternity—immortality, if you will. The philosopher Santayana has expressed it best:

> He who, while he lives, lives in the eternal, does not live longer for that reason. Duration has merely dropped from his view; he is not aware of or anxious about it; and death, without losing its reality, has lost its sting. The sublimation of his interest rescues him, so far as it goes, from the mortality which he accepts and surveys.

"THE STARS IN THEIR COURSES"

(JUDGES V, 20)

> (I) rely upon a faith that our universe is not a chaos but an orderd cosmos—

Wrote Dr. Arthur Holly Compton. One of the most basic principles, that goes to the very root and foundation of all scientific thought, is the uniformity and order of nature. This has been eloquently expressed over the ages. John Milton, in his great epic poem "Paradise Lost," spoke of "in the beginning, how the Heavens and Earth rose out of chaos" and applied the name Pandemonium to the palace Satan ordered constructed for the capital of Hell.

Laws of nature and of physics may change but merely because they are changeable does not mean that there is no order, no plan, no pattern. Nothing is random; "God does not throw dice."

Charles Darwin wrote in "The Origin of Species":

> There is grandeur in this view of life, with its several powers having been originally breathed by the Creator into a few forms or into one; and that, whilst this planet has gone cycling on according to the fixed laws of gravity, from so simple a beginning endless forms most beautiful and most wonderful have been and are being evolved.

"In the beginning God" and the beginning has never stopped. Radio astronomers today, gazing deep into the heavens, feel that for the first time Man is witnessing the stormy creation of one or more planets like the earth. If this is so, and their observations are correct, then it may be possible within a human lifetime to chart the birth pangs of a new planet.

"THE PAST IS BUT THE BEGINNING OF A BEGINNING"

H. G. Wells wrote:

> The past is but the beginning of a beginning, and all that is and has been is but the twilight of the dawn . . . A day will come when beings who are now latent in our thoughts and hidden in our loins shall stand upon this earth as one stands upon a footstool, and shall laugh and reach out their hands amid the stars.

Man will plumb his universe; our first halting steps have now been taken. To find—what? Colors unknown in the spectrum; music unscored and unplayed; wisdom untapped. Go to any marble quarry, look into it. Can anyone perceive the graceful shapes held within the marble itself, that will be released by the hand and skill of the sculptor?

> The greatest happiness of the thinking man—

Wrote Goethe—

> is to have fathomed that what can be fathomed, and quietly to reverence that what is unfathomable.

And so it is, and so it will always be, with Man.

> And while, with silent, uplifting mind, I've trod
> That high, untrespassed sanctity of Space;
> Put out my hand, and touch the face of God.

MINORITY LEADER FORD OFFERS COMMONSENSE ANALYSIS OF MIDEAST CRISIS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. HORTON. Mr. Speaker, as a Member of Congress, one listens to many hundreds, even thousands of speeches and policy statements each year. This constant exposure to public pronouncements makes us appreciate even more, an outstanding and eloquent address.

This noon it was my privilege to hear such a talk, given by the minority leader. Congressman GERALD R. FORD was called upon to relate his and the administration's stance on the very delicate situation in the Middle East. At one of the highest level meetings of the year on Mideast policy, a Capitol Hill luncheon sponsored by the American Israel Public Affairs Committee, he delivered a forthright statement, outlining in plain language and compelling logic, the dynamics of this continuing crisis.

Before a group which included many of our colleagues, including the distinguished dean of the House, whose expertise and concern for this subject is well known, and including Rabbi Philip S. Bernstein, I. L. Kenen and Irving Kane, leaders of the host organization, Mr. FORD tied together with sure threads, the relevance of the Middle East crisis to other Soviet and radical-inspired events in the world.

I think Mr. FORD's speech is must reading for anyone wanting an understanding of the forces seeking to destroy Israel, and to undermine the interests and purposes of our own Nation.

Under unanimous consent, Mr. Speaker, I include the full text of the minority leader's remarks in the day's proceedings.

STATEMENT BY REPRESENTATIVE GERALD R. FORD, REPUBLICAN OF MICHIGAN, REPUBLICAN LEADER, U.S. HOUSE OF REPRESENTATIVES, AT THE AMERICAN-ISRAEL PUBLIC AFFAIRS COMMITTEE LUNCHEON, RAYBURN HOUSE OFFICE BUILDING, WASHINGTON, D.C., APRIL 24, 1969

I firmly believe that the fate of Israel is linked to the national security interests of the United States. I therefore cannot conceive of a situation in which the U.S. Administration will sell Israel down the Nile.

Concern has been expressed that the Soviet Union and France may prevail at the current Big Four talks on the Middle East. I can assure you that your government will not permit this to happen. We are conscious of Soviet ambitions.

Israel may enter its 21st anniversary confident of its manhood. Israel's record of achievement and courage makes the state worthy of that status. Israel can feel certain that Americans are aware of her dedication to freedom and of the basic affinity linking Israel with the United States.

I join with those who are concerned about overall Soviet designs on the Middle East and Mediterranean. One need only follow the news reports of Operation "Dawn Patrol," the NATO naval maneuvers now in progress in the Mediterranean. We are aware of the unprecedented Soviet naval build-up in that region. We know that the Russians are trying to exert pressures in the Mediterranean at a time when we are preoccupied in the Far East.

Your government is not naive. Nor are the members of Congress. Let me state one fact very simply and directly: Israel must not become another Czechoslovakia.

I have no illusions about Soviet policy and the attempts by the Kremlin to create a sphere of influence in the Middle East that would undermine vital American security interests and threaten the entire southern flank of NATO. The game being played by the Russians, exploiting Arab hostility against Israel, is transparent.

It is my conviction that American policy will not seek to "impose" a settlement as a result of the present Big Four Conference or outside the context of such talks.

President Nixon has pledged that Israel's vital interests will be preserved and that withdrawal can occur only by consent of the parties directly concerned, based upon a contractual agreement establishing a peace involving recognized, defensible, and just boundaries.

American participation in the Big Four Conference is consistent with efforts to test the Soviet Union's professed desire to preserve peace and to avoid a nuclear confrontation. But no accord will be purchased at the expense of Israel. As I have said, we are well aware of Soviet aims and attitudes. We are also mindful of the continuing brutal suppression of Czechoslovakia, as denounced only last Friday by President Nixon.

The U.S. Government is aware that the Soviet-made MIG's that treacherously attacked an unarmed U.S. reconnaissance plane in international airspace off the Korean coast represented the same type of aircraft and weapons systems supplied to the radical Arab states.

Our Government must therefore continue to maintain the military combat and deterrent capacities of Israel through the earliest possible supply of Phantom jets and other military hardware requirements. I am pleased to note that Israeli air and ground crews to man the Phantoms are presently receiving special training at a U.S. Air Force Base in California. The Phantoms will be ready for shipment at a time coinciding with the completion of training—a matter of months. Many of the Phantoms will be in service in Israel before the end of 1969.

We appreciate Israel's isolated geographic position, surrounded as she is by enemies. Her very life depends on airpower and civilian air links with the free world. In this connection, one must note with regret that attacks on unarmed aircraft have escalated worldwide from the hijacking of American commercial airliners to Cuba, to attacks at various European airports on Israeli airliners by Arab terrorists armed with Russian weapons, and now the criminal attack by Communist North Korean MIG–21's on an unarmed American plane in international airspace.

Are the Russians sincerely seeking a relaxation of tensions or have they merely relegated their dirty work to the fanatics and fourth-rate despots of the world?

We have heard the Kremlin profess great concern about Middle Eastern peace. But we have watched them pour naval forces into the Mediterranean. We have heard them demand American withdrawal. We have watched them build up the war potential of radical and irresponsible Arab States refuse to enter into real peace negotiations with Israel.

Moscow is attempting to achieve indirectly what Communist and Arab pressure have failed to accomplish by military pressure and threats. They have sought to roll back the Israelis from the cease-fire lines of June, 1967, without a meaningful peace settlement. Thus they would keep the sore open, restore the intolerable situation that existed immediately before the outbreak of the Six-Day War, and exploit any retreat by Israel and her friends to push further against free world interests.

The Soviet Union has not clarified her policy to my satisfaction. Indeed, they seem to have a variety of policies, to suit their convenience. They have one policy in the Middle East, another in Czechoslovakia, and yet another in North Korea. In North Korea they help us one week to search for possible survivors of the plane shot down by the Mig's they provided, then the very next week, they protest because we send a Naval force to protect our reconnaissance flights and our right to use international waters and airspace.

An assessment must be made at American Soviet bilateral talks on the Middle East and at the Big Four meetings. It is whether Moscow is sincere in seeking a reduction of tensions or whether Russia is trying to exploit the fear of war in hope of turning a complex situation to her advantage.

Not only the Soviet Union but also Communist China is fishing in the troubled waters of the Middle East. Arab terrorists are being trained in Peking. Chinese "button" mines, mortars, rockets, and other weapons used against U.S. forces in Viet Nam have emerged in the Arab guerrilla assaults against Israel. Arab guerrilla leaders have openly proclaimed that they will reject any peace settlement that might be reached by the Big Four or signed by King Hussein or President Nasser.

Citing Chairman Mao of Communist China as their inspiration, the Arab terrorists have proclaimed a so-called war of national liberation in the Middle East. Their aim is the liquidation of Israel and all pro-western Arab regimes.

There is evidence that the leading Arab terrorist movement, El Fatah, is working through Arab students at various American colleges and universities to build up U.S. support for an Arab "national liberation front" similar to the campus underground mobilized for the Viet Cong National Liberation Front. Indeed, we now find that some Arabs here on student visas are working with the U.S. Committee to Aid the National Liberation Front (Viet Cong); the youth arm of the pro-Peking Workers World Party known as Youth Against War and Fascism, and its front group, the Committee to Support Middle East Liberation.

Indications of the flow of trained agitators from the Middle East have been revealed in contacts between the Arabs and the Black Panthers, the Students for a Democratic Society (S.D.S.), and other anti-democratic groups.

Our nation already is beset by disruption at our institutions of higher learning. We have no need of agitators from abroad.

I am confident that the Department of Justice will carefully examine the activities of the estimated 10,000 Arab students in the United States to ascertain possible violations of visa requirements. If they are abusing our hospitality in an unlawful manner, there should be some immediate administrative action.

We are painfully aware of how the Middle East conflict has already spilled over to our shores in the case of the convicted murderer, Sirhan Sirhan. This nation will not tolerate assassination and terrorism.

Let me reiterate that the Republican leadership of the House of Representatives identifies with your concerns. We are committed to the growth of Israel-American friendship. We share your aspirations for the preservation of freedom and justice for all.

CHEMICAL BIOLOGICAL WARFARE STOCKPILE IS INCREASING

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. RYAN. Mr. Speaker, as more and more information becomes available on the extent of America's chemical and biological warfare arsenal, the need to examine the rationale for this controversial program and the purposes of the research now being undertaken under the sponsorship of the Department of Defense in this area is apparent. Our colleague from New York (Mr. MCCARTHY), through the briefing he obtained on chemical biological warfare, and the report he has made to this body on the developing stockpile, has made a substantive contribution to the growing public awareness on this issue.

We are fortunate in being able to draw on the research of several individuals who have made thorough and provoking studies of the implications of chemical biological warfare.

I include in the RECORD today an article from the May 1969 issue of the Progressive by Seymour Hersh, former AP Pentagon correspondent, who has published several articles and a book "Chemical and Biological Warfare: America's Hidden Arsenal" on this closely guarded military program. Mr. Hersh has studied the Department of Defense's chemical and biological warfare research for over 2 years. I urge my colleagues to give close consideration to the alarming conclusions which he has reached concerning the implications of this program:

SILENT DEATH

(By Seymour Hersh)

America's heavy investment in chemical and biological warfare (CBW) traditionally is a taboo subject in Washington. CBW is not mentioned in the Secretary of Defense's annual report to Congress on the nation's military posture, and all important references to it are censored out of Congressional testimony. In the late 1950's the generals of the Army Chemical Corps decided to make a public plea for more understanding, plus more money, and turned to a public relations firm for guidance. "Operation Blue Skies" thus emerged, complete with heavily publicized promises of "war without death" and dire warnings about the Soviet Union's preeminence in all things chemical and biological.

The effort produced more money, but with it the beginnings of a protest movement against the development of CBW weapons. The Army went underground again and probably would have remained there, but the use of gases and chemicals in Vietnam and in the ghettos and campuses of America has ended the dreams of obscurity for the CBW generals. CBW has been under increasing assault from a public rapidly becoming more aware of the Frankenstein monster in its midst. Recent network television shows, at least two books, and many more magazine and newspaper stores have pointed out some of the obvious pitfalls of spending millions of dollars where it is not only not needed, but is highly dangerous.

Precisely how much is being spent each year on CBW is a military secret. Recently the Pentagon gave a group of Congressmen and Senators a classified briefing on CBW and admitted it was spending about $350 million annually, far more than the Federal Government spent last year to subsidize all forms of cancer research. But even this amount, high as it might appear to most citizens, seems inaccurate. In 1963, the last year in which the cost of CBW was provided to Congress on an unrestricted basis, the Government was spending nearly $300 million. Since then, costs have soared for the tear gases and anti-crop chemicals used in South Vietnam. Expenditures at the Edgewood Arsenal, Maryland, the military's main chemical purchasing center, were more than $420 million in fiscal year 1969, according to a McGraw-Hill investment newsletter, and that base is only one of five major CBW facilities in the nation.

In the arsenals of the Pentagon (and in at least thirteen other nations) are chemical poisons—nerve agents such as the recently widely publicized GB—so toxic that one fiftieth of a drop, about one milligram, can be lethal in minutes; it was a nerve gas that was responsible for the death of 6,400 sheep on a Utah ranch in March, 1968, after an errant test near the Dugway Proving Grounds, a CBW research base.

Biological agents are potentially even more deadly: In 1960 the head of the Army Chemical Corps told Congress that ten aircraft, each carrying 10,000 pounds of a dry disease agent such as plague or anthrax, could kill or seriously disable as many as thirty per cent of America's population—about sixty million people.

Congress and the nation were aroused recently when it was revealed that the Army was regularly shipping 300-gallon containers of the deadly GB and similar lethal agents around the country by rail, a grave hazard in the event of an accident.

It is relatively as easy for CBW scientists to produce 10,000 pounds of a disease agent as it is for pharmaceutical houses to produce a similar amount of vaccines and antibiotics. Gas and germs can be delivered in combat situations by hand grenades, airplane spray tanks, bombs, shells, rockets, and missiles.

Since the early 1960's when CBW spending trebled within a few years, the aerospace industry has been increasingly involved in CBW research. Along with it has come a reliance on sophisticated computer techniques and equipment in meteorology, biomathematics, aerobiology, and other necessary disciplines.

The heavy use of defoliants and herbicides in Vietnam (some $100 million worth last year) has been increasingly questioned by scientists concerned about the long-run ecological dangers. There also is considerable evidence that the "riot control" gases used in Vietnam can be lethal to the weak, sick, and undernourished civilians exposed to them. One of the so-called "non-lethal" gases now in wide use in Vietnam is Adamiste, an arsenic-laden chemical that will kill upon ten minutes' exposure to concentrations of one ten-thousandth ounce per quart of air. One of the anti-crop chemicals also in wide use is cacodylic acid, which is fifty-four per cent arsenic, enough to make systemic arsenical poisoning a lethal threat to civilians living near sprayed areas.

In the past few years criticism of the CBW program has become increasingly led by scholars. The Army's main biological research center at Fort Detrick, Maryland, which has held many psuedo-scientific academic conferences in subject areas close to its needs—such as defoliation and genetics—suddenly found itself picketed by a small group of biologists and microbiologists at its session in April, 1968. The fact that at least sixty colleges and universities are currently involved in CBW research has also spawned scores of protests, with more to come.

But the experience of waging an unpopular war in Southeast Asia for the past nine years has taught the military's public relations representatives some lessons. Instead of ducking the blows, the Pentagon apparently has decided to counter the criticism of CBW with demonstrations of its concern with public reaction, and more openness about America's CBW efforts.

Thus, after a group of scientists complained last summer that something like 100 billion lethal doses of nerve gas were stored above ground on a CBW base near Denver, the Army announced it was going to move the gas. Most, but not all, of the gas was shipped to Utah. Enough remains stacked in steel storage tanks less than two miles from the runways of nearby Stapleton Air Field, Denver's main airport, to provide death for everyone in Denver and the vicinity, given the proper wind and weather conditions. Along with such moves, the Pentagon has embarked on a new program of carefully arranged disclosures to curb protests. "We're in the process of changing the public's mind," a Pentagon official recently told me. "We're trying to acculturate the public to deal with reality—this is the Government's responsibility."

Last fall, the Columbia Broadcasting System enjoyed the privilege of having an Air Force Captain, representing the Defense Department's Office of Public Affairs, open the doors for a CBS television unit, headed by veteran correspondent Mike Wallace, to three highly secured military installations devoted to chemical and biological warfare research and testing. Once inside, the television crew was allowed to film employes at work and interview a number of key personnel.

The network had been trying for years to film a news report on CBW: Just twelve months earlier the Pentagon had refused a similar request. CBS, however, paid a high price for the Pentagon's cooperation, a price it did not reveal to the estimated ten million persons who watched the report (shown in separate segments October 8 and October 22 on *Sixty Minutes*, a one-hour news show which the network describes as a "magazine of the air"). A few weeks before the first broadcast, more than fifty Government officials, representing twelve agencies, were given an advance screening of the completed shows in a Pentagon studio. The officials suggested some factual changes, which were made, and offered other objections to the editorial content—not all of which were entertained by the network. In return for its courtesy, the network was permitted to televise previously unavailable films.

At the outset of the two-part series, Wallace told viewers that "the Government undertook a major policy change in granting our request to show what these weapons can and cannot do. . . . This change of policy indicates an effort by the Pentagon to dispel the public horror that surrounds these weapons." One civilian in the Pentagon told me why CBS was permitted to get the rare film of biological facilities: "Our goal is to bring CBW into the sphere of rational discussion—sort of delousing it, or debugging it, like kids learning there aren't any ghosts." The official said he was delighted with the fact that the public responded only feebly to the show—fewer than a dozen letters, he said, were received, most of them asking for more information.

Shown for the first time by CBS on television (or anywhere else in public, for that matter) were some films apparently made at the Army's main biological production laboratories at Pine Bluff, Arkansas, where a ten-story, $90 million laboratory was built fifteen years ago. The footage, supplied by the Pentagon, showed the facilities America has created for the massive production of diseases such as anthrax, plague, and tularemia, all top potential biological warfare agents. Large concentrations of frozen germs were shown rolling off an assembly line device—apparently a huge, sophisticated fermentation machine. Neither the base, or the equipment, was identified, although such facilities are known to exist at the Pine Bluff Arsenal.

Scenes also were shown of the research facilities at Fort Detrick. As the screen depicted scientists determined to find and produce better killers than are available in nature, television viewers were told how easy it is to produce hundreds of gallons of an infectious organism within a few hours. Yet it is what commentator Mike Wallace did not say that is truly alarming, although the average viewer could not have known how much information was not supplied him. Wallace did not report that there are at least 251 cold-storage earth-covered vaults, known as igloos, on the Pine Bluff facility, many of them used to store biological warfare agents. The CBS programs did not tell of the sophisticated weapons assembly lines at the Arsenal, capable of filling hundreds of 750-pound bombs within hours with diseases considered to be worldwide scourges, nor of the detailed military procedures and plans for the distribution of these weapons to Army and allied units around the world. CBS did not mention the more than 3,300 accidents, half of them in laboratories, in an eight-year period at Fort Detrick, involving the infection of more than 500 men and three deaths—two from anthrax.

Many of the questions left unanswered by CBS were answered by the National Broadcasting Company when that network broadcast its special report on CBW February 4 on *First Tuesday*, NBC's response to CBS' *Sixty Minutes*. NBC correspondent Tom Pettit carefully told viewers that the show had not been prepared in consultation with the Pentagon, and millions of viewers were left stunned by scenes of laboratory experiments involving rabbits and mice, and views of the Utah sheep being bulldozed, dead, into huge pits.

Much emphasis was placed on NBC's finding that a Smithsonian Institution project was being used by Fort Detrick to locate a proper site for a biological warfare test; viewers were casually told the tularemia "once was routinely suggested for use in Vietnam. The suggestion was turned down." After this scary development of CBW, NBC concluded the hour-long show by saying that the "United States today does not have germ weapons ready to go at the push of a button [a patent lie]. We know how to build them; we have tested the stuff, but so far at least there has been no order to go into mass production. And until there is an order, the U.S. biological capability will remain only a paper tiger. Of course we don't know about Russia and Red China." It was a cop-out. The United States suddenly emerged from the hour of squalor as Mr. Clean, threatened by the Commies once again.

Because of the muddled direction, the show's most telling point was nearly wasted. NBC reported that the Smithsonian Institution has received more than $2.5 million over six years to investigate the migratory pattern of birds on one-mile-square Baker Island, an obscure uninhabited island belonging to the United States, 1,700 miles southwest of Honolulu. Former Senator Joseph S. Clark of Pennsylvania told NBC that, as he understood it, "under the screen of the Smithsonian Institution in a bird-banding project, they were looking for a relatively safe place to conduct chemical and biological warfare testing. . . It is my understanding that they are now on their way to do some testing there."

The NBC charge that the Smithsonian project was being used as a coverup for tests was incorrect and misleading; the Army does not need the Smithsonian to travel to an island and release germs—all it wants to know is where to go.

There is no evidence that a major large-scale test of a virulent and lethal biological agent has ever been conducted by the military, although many small laboratory and simulated tests are constantly under way. But one rare insight into the thinking of the managers of CBW was given in an unusually candid interview that Archie Penney, head of Canada's CBW efforts, gave to the *Montrealer Magazine* in September, 1967. Asked if there is a point at which a simulated test cannot give proper results and a live agent must be used, Penney replied:

"You sound like the scientists who are working on the job. This is exactly their problems. There comes a time when you say, 'Look, it's no good playing with the model railroad. We have to use the whole railroad.' You've hit on a very delicate and sensitive problem. There are very few areas in the world in which you can do it."

Congressional hearings on the CBW program are held every year, but by a sympathetic subcommittee of the House Appropriations Committee. The hearings are usually chaired by Representative Robert L. F. Sikes, Florida Democrat, a former Major General in the Army Chemical Corps. The hearings, which are heavily censored and attract little press coverage, never touch on these questions:

Why is there a need for the heavy security blanketing CBW efforts, security so stringent that even Congress has not been told publicly since 1963 how much money is being spent in this area? Even the recent disclosure of $350 million a year was off the record, but could be confirmed by a recent Library of Congress Study.

Why will only $175,000 be spent by the Arms Control and Disarmament Agency this year to study the basic disarmament problems connected with treaty enforcement, with no immediate increase in spending anticipated by ACDA officials, while vast sums are poured into CBW?

Why has the United States not ratified the 1925 Geneva Protocol outlawing the use of lethal chemical and biological weapons? The Soviet Union, Communist China, and even Cuba have agreed to the Protocol, along with more than sixty other nations.

Is the heavy spending on CBW justified? How serious is the Soviet threat, details of which have never been made public by the military? The claim of a Soviet threat has not moved U.S. officials to take any significant steps toward civil defense against a CBW attack. There are about 20,000 gas masks stored throughout the nation for civilian use, on for every 10,000 residents.

Where are the CBW agents being stored and tested overseas? The Army is known unofficially to be field-testing its agents in Panama, Hawaii, and Greenland, and also sponsors CBW research in Japan, Malaysia, and Germany. It also supplies nerve agents in quantity to its NATO allies. Chemical defoliation agents are field-tested in Thailand before use in South Vietnam.

How the nation's CBW programs might develop under President Nixon and Secretary of Defense Melvin Laird is uncertain. Laird's specific views on CBW are not known. Mr. Nixon told a Cambridge, Massachusetts, rally during his 1960 campaign against John F. Kennedy that he was all for continued research, but his current views have not been made public.

The Nixon Administration's approach to CBW could not be much worse, however, than that of his immediate predecessors. While doing research for a book on CBW in 1967, I had a score of interviews with past and present Pentagon and Kennedy and Johnson Administration officials. They produced little evidence that there had been any serious thinking about the strategic, political, or moral implications of CBW in the Defense Department or anywhere else. When asked why CBW disarmament studies were not being emphasized, one White House official told me: "There's just a hell of a lot of more important things. CBW is far down the list of criticality."

Yet William C. Foster, then director of the Arms Control and Disarmament Agency, told a House Appropriations Subcommittee at about the same time that CBW would pose the next major threat to world peace after a full nuclear agreement was reached.

In its television series, the best justification CBS could find for the vast U.S. CBW effort came from Albert Hayward, a relatively low-level Pentagon research and development manager for CBW. "If chemical or biological weapons are used against a nation," Hayward said in an interview filmed at the Pentagon, "and its only option is to accept defeat, or to respond with nuclear weapons, then, in fact, another nation has the ability to force you into initiating nuclear war. I think this is another reason for having our chemical and biological capability so that we are not faced with a choice of fighting a chemical-equipped enemy with conventional weapons or escalating to nuclear war."

This sort of reasoning, left unchallenged and unpursued on the television shows, ignores the fact that CBW agents only increase the number of weapons systems and possibilities available for war. Any nation that now dares to attack America with a chemical or biological agent risks retaliation with nuclear weapons and instant removal to the Stone Age; the deterrence is far greater now than if America was prepared to respond to a gas attack with more gas.

Given the military's and the executive's lack of public concern for this eventuality, the burden falls to Congress. Senator Gaylord Nelson, in a recent Senate speech, raised several vital questions regarding CBW. Among them were:

"What are the official policies for the use of CB weapons in the event that they are used first by a foreign aggressor against us? Who makes the decision to deploy anthrax, the plague, or a lethal nerve gas? What are the ground rules? What have they been in the case of Vietnam? What are the deterrent factors in a program of chemical and biological preparedness? How do we militarily defend against a CB attack? If the purpose of our preparedness is to prevent surprise, what specific steps have been taken to detect a surprise?"

Staff members of Senator J. William Fulbright's Foreign Relations Committee have been investigating CBW in preparation for hearings sometime this year, but as of this writing no final decision has been made, nor is the world waiting for U.S. action.

Last December the General Assembly of the United Nations approved a resolution asking Secretary General U Thant to prepare a full-scale report on the effects of possible use of CBW weapons. The resolution calls for broad international cooperation in the preparation of the report; wide public distribution of the conclusions, to be presented by July 1, 1969, if possible; and observance by all states of the 1925 Geneva Protocol prohibiting the use of poisonous gases and bacteriological warfare. The United States has agreed to participate in the study.

Last August the British government proposed reconvening the 1925 Geneva meeting to work out a supplementary agreement calling for a ban on the research and development of biological warfare agents. The British proposal would call upon each nation to destroy its stocks of such agents and equipment intended for their production. The proposal, on the other hand, would not deal similarly with chemical agents, because of their use in the past and the belief by some countries that they are necessary for future use.

Gas warfare already has broken out in at least two countries within the past six years—South Vietnam and Yemen. Many Administration officials, particularly in the State Department, are dubious about the legality of the U.S. use of riot control and harassing agents in Vietnam.

The chance of a serious accident involving CBW agents seems to be higher than many experts thought; the incident involving the sheep in Utah surprised many Army gas warfare experts, according to one source, because of the extreme effectiveness of the nerve agent. Ironically, an order issued May 3, 1967, nearly a year before the accident, sharply tightened the military's safety conditions for CBW handling and testing. The order noted that "the problems are further complicated by the possible political and psychological implication of an accident-incident exposure." The order was not made public.

Along with the accident problem, the chance of gas warfare among smaller nations has been increased because of the heavy World War II munitions stockpiles deposited all over Europe and Asia. The Egyptian use of mustard gas early in the Yemen War was prompted, according to English sources, by the discovery of an old World War II gas weapon depot by the Egyptians. A similar discovery was made in 1966 somewhere in India, according to sources here, when a civilian construction firm digging a highway found a cache of American mustard gas shells. After a frantic flurry of classified cables, a U.S. military team was sent to recover the shells. Details of the incident have yet to be made public.

Unilateral disarmament in CBW has few official supporters, but Congress could take a major step by urging the military to make public essential facts about CBW spending, weapons, and other information that is given out with ease about America's nuclear arsenal.

"What is the United States now doing," asked Senator Nelson in his Senate speech on CBW, "to insure that this totally destructive and little understood aspect of the arms race is reduced? . . . Congress should make it its business to look immediately into this matter. . . . We will need to review the entire scope of chemical and biological warfare. . . . What is significant is the cloak of secrecy which has surrounded our activity in CBW research. This cloak of secrecy must be removed."

Such a full-scale investigation by Congress might well be the first step toward withdrawing these terrifying agents of silent death from the world's overstocked arsenal of weapons.

NATIONAL LIBRARY WEEK

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, April 20 to 26 marks the 12th annual National Library Week. President Nixon has paid a most fitting tribute to our libraries in his statement honoring their accomplishments and role in the achievements and future development of America and its citizens.

Because of the importance all Members of Congress attach to the services and resources our libraries provide, I would like to include at this point in my remarks, the text of the President's statement:

THE WHITE HOUSE,
Washington.

Libraries are the banks of our educational system. And they yield rich dividends in knowledge and in wisdom. They are a summing-up of past achievement and a stimulant to future progress.

Never have we had greater reason than this year to celebrate National Library Week. For never have our libraries played a more prominent role in our campaign against ignorance and for fullness of educational opportunity.

Change is sweeping our academic institutions. Our libraries are sensitive to the currents, responsive to the tide.

Modern technology is revolutionizing our system of public information. Our libraries, with new programs and new media techniques, have become exciting and effective centers of innovation.

The need to bring the benefits of better education to those who have been bypassed by existing programs is more imperative than ever. By extending their services throughout the communities of America, our libraries immeasurably advance our goal, and perform the highest public good.

For these and all their selfless efforts to serve, I congratulate America's librarians—a dedicated profession of men and women who enrich their fellow citizens, their communities, and their country.

RICHARD NIXON.

THE ALCHEMISTS IN OUR PUBLIC SCHOOLS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. ASHBROOK. Mr. Speaker, in view of the recent passage by the House of H.R. 514 concerning elementary and secondary education programs, consideration should be given an extensive and comprehensive article by Roger A. Freeman, a senior staff member of the Hoover Institution at Palo Alto, Calif., dealing with various approaches to quality education in the United States today. Entitled "The Alchemists in Our Public Schools," Mr. Freeman's review seriously questions some of the almost sacrosanct premises which have held sway in American education circles in recent years.

As the alchemists of old expended time and money trying to convert common metals into gold, so too will our latter-day alchemists in education, who seek to turn ever-increasing expenditures of funds into automatic educational gains, be frustrated in their aims. By copious documentation, the author presents a creditable rebuttal to the old myth that "the claim that class size—or the teacher-pupil ratio—is the most potent factor in determining the learning opportunity of children."

The immensity of the problem was brought forth by James S. Coleman, of Johns Hopkins University, in his 1965 study for the U.S. Office of Education a study which researched the effect of inferior schools on pupil performance. This monumental study offered no recommendations for as Mr. Coleman stated:

> Indeed, if recommendations had been requested, they could hardly have been given—for the facts themselves point to no obvious solution.

Neither does Roger Freeman arbitrarily propound panaceas as in the case of the "increased funds equals improved education" formula advanced by some of our educators today. Various experiences and studies indicate that changes are in order in some approaches to our educational problems. Ample evidence is at hand to warrant a review of various academic prescriptions which might well prove as futile as those of the alchemists of old.

I include the article, "The Alchemists in Our Public Schools," by Roger A. Freeman, in the RECORD at this point:

THE ALCHEMISTS IN OUR PUBLIC SCHOOLS

(By Roger A. Freeman)

"Learned men have pursued this science for so long that they would already have succeeded a thousand times if it had been at all possible in any way to gain the desired end." (Geber, *Summa Perfectionis*, (Jabir Ibn Haiyan, Al Tarasusi?))[1]

For nearly two thousand years some of the most brilliant and erudiate minds of their time devoted untiring efforts and their wealthy sponsors' money to a task which, as we have since learned, is not within man's power: to convert common metals into gold by removing their impurities. For many generations the alchemists were able to fool rich and poor, wise and stupid, rulers and servants, but above all—themselves. Many or most of them were not, as often is assumed, fakers who were out to fill their pockets from the purses of ambitious princes and greedy merchants, though some undoubtedly were. With some exceptions they believed in what they were trying to do and spent their lives and fortunes in the search for a goal beyond their reach. Though they never produced an ounce of gold, they continued to attract support and carried on for centuries, each unwavering in his faith that he would succeed where all others had failed. Every defeat spurred the alchemists on to new endeavors, to new experiments, in the quest for a final victory of mind over matter, which always seemed to be just around the corner. Not until barely two centuries ago did scientists resign themselves to the sober truth that transmutation in the laboratory was but a mirage and that gold can be found only where nature placed it.

Why did the alchemists—who were scholars—and their backers—who were men of affairs—remain impervious for so long to ample evidence of the futility of their search? Their stubborn refusal to draw from their defeats the lesson that there is no shortcut to *Eldorado* suggests a deep emotional need to believe that there is. So they persuaded themselves, and others, that what *ought to be* possible, *was* in fact possible.

A modern parallel to that triumph of emotion over reason has appeared on the scene in recent years: A large number of knowledgeable and dedicated men and women assert, insist and try to prove that there is a shortcut by which poverty can be wiped out quickly and painlessly—without the price of blood and sweat and tears that the nations paid which have since become the world's wealthiest—and that this can be done.

a. in the countries which we now euphemistically if inaccurately call *developing*.

b. for Americans with an income that is low relative to the rest of the U.S. population, whom we call *deprived, underprivileged*, or simply *poor*.

That new elixir of life, a contemporary counterpart of the philosophers' stone, our latter-day alchemists believe to be *education*.

Education has made spectacular progress over the past quarter century in most countries, rich and poor, and this is of course an indispensable requirement for social and economic advances. But the income and production gap between the industrial and the backward countries kept widening through the 1960s which the United Nations had hopefully if prematurely christened the *Development Decade*. Of course, a return on the educational investment may come in later years but it does seem that some other, harder to define, ingredient or catalyst is lacking within the poor nations, as Gunnar Myrdal sadly concluded in his *Asian Drama*.[2]

Footnotes at end of article.

Likewise, the tremendous effort of the American people to raise the academic achievements of the children of the poor who are lagging a year or more in essential skills has failed to achieve its primary aim. More than 20,000 programs and projects in communities from coast to coast, initially sponsored by foundations and state and local governments, for the past four years bankrolled by the U.S. Treasury, now reach over nine million school children annually. So far they have not been able to narrow significantly the educational "gap." After endeavors and experiments launched on a small scale about a decade ago, children from low-income backgrounds who typically lag several months when they enter first grade, tend to be several years behind national norms in the upper grades and when they leave school, with a diploma or without.

Though the movement for *compensatory education*—so called because it aims to compensate children for initial disadvantages—was begun in the late 1950's it did not become a big time enterprise until President Johnson declared an "unconditional war on poverty" in his first state of the union message five years ago. To fight poverty was, of course, not an entirely novel idea. From the dawn of history the dream of abolishing poverty and misery from this earth has inspired many men—some pious or true saints, some mercenary or ambitious politicians eager to get money from the rich and votes from the poor by promising each to protect him from the other.

The people of the United States have long conducted the most successful war on poverty, anywhere, any time. Within the past two centuries the descendants of 43 million immigrants, most of whom landed here with little or nothing in material possessions, have made themselves the richest nation on earth. What is more, they have changed the shape of income distribution from the historical pyramid, wide at the base and narrowing to a peaked top, to a diamond—the great bulk in the middle with a slimming toward both ends.

That the time had come to wipe the remaining pockets of poverty off the map of the United States was an immensely appealing proposition which found an immediate and enthusiastic response from most of the public and from Congress. Popular though the idea was of a war on poverty, nearly all its individual fronts and lines of attack—from community action programs and job corps to subsidized housing and new forms of public welfare—became soon embroiled in intense and often bitter controversies. I said "*nearly* all fronts" because one escaped the crossfire and has been hailed by liberals and conservatives alike as the true solution to the problem: education.

The title of one of the poverty war's earliest booklets well expressed what had long been part of the American Creed: *Education—An Answer to Poverty*. Youngsters with a deficient education have little chance to do well in today's job market. Many or most of them will find only menial or casual, ill-paid employment, remain poor for the rest of their lives, and bequeath a heritage of misery to their own children.

The way to break this vicious cycle appears plain: give disadvantaged children more education and, above all, give them a better education; use new and imaginative methods to raise lagging school children to their proper educational level. A few billion dollars indeed seems a cheap price to pay for that. If antibiotics, serums and anti-vaccines were able to end the threat of tuberculosis, polio and other afflictions that had plagued mankind since prehistoric days, why could not educational miracle drugs lift the curse of ignorance and poverty?

Some observers have long blamed all shortcomings in education on a long-standing practice of starving the schools. At some time and in certain locations that charge was not without foundation. But its edge was blunted by the magnificent postwar record of school support when the American people treated their schools with a generosity beyond the fondest dreams of a generation ago. Just in the past twenty years, educational spending multiplied eight times while business and private investment and personal consumption multiplied only threefold. Its current annual budget of $58 billion now ranks education as the country's most ebullient growth industry. With only 6% of the world's population, and between one-fourth and one-third of its developed resources, the people of the United States are spending for education almost as much as all other nations combined.

At the time of Sputnik, public interest dwelt largely on more intensive training of gifted children, as the nation's future leaders in science, management and the professions. But over the past ten years emphasis shifted gradually to the most glaring gap in American education: learning defects of the children of the poor. After small-scale beginnings, Congress in April 1965 enacted an administration bill which in its Title I aimed mainly to raise to higher levels the essential skills and knowledge of disadvantaged children.

President Johnson called the new law a landmark, the most important breakthrough in American education in a hundred years, a forerunner of greater things to come. His sentiment was widely shared, particularly by educators who quickly went into action.

Between 16,000 and 18,000 school districts—three of every four school units in the country—participate each year in Title I funds of $1.2 billion, with projects covering every imaginable aspect of education: preschool, intensified instruction in the language arts, arithmetic and science, improved guidance, counseling and tutoring, cultural enrichment, food and health services, physical fitness, vocational education, drop-out prevention, college preparation, integration, teacher training, parent participation, remedial instruction, motivational influence, use of new materials, audio-visual and other techniques and hundreds of others. More than 350,000 new full-time and part-time positions were created in the schools mostly for teachers, supported by teachers aides, librarians, supervisors, counselors, psychologists, nurses, and many other professional and semi-professional workers.

"If the success of our efforts at facilitating the educational development of disadvantaged youngsters could be evaluated simply on the basis of the amount of enthusiasm and activity generated by those efforts, we could at once declare the majority of programs successful," stated Yeshiva University education professors Edmund W. Gordon and Doxey A. Wilkerson in a 1966 report *Compensatory Education for the Disadvantaged* (College Entrance Examination Board). Needless to say, Congress and the school boards had aimed at more than merely creating "enthusiasm and activity." They meant to raise the academic achievements of disadvantaged children. In that noble enterprise they failed dismally.

In the spring of 1968 the Associated Press conducted a nationwide survey of the accomplishments of the 1965 Education Act. It reported:

"Title I, the federal project on which $3 billion has been spent in the hope of answering the educational needs of deprived children, is not working out. On this point, critics and supporters alike are agreed.

Some critics call the two-year old project a total flop, and others claim it has actually worked against poor children."

The Associated Press quoted Rep. Roman Pucinski, D-Ill., chairman of the House general subcommittee on education and one of the bill's original sponsors: "It is a monumental flop, and the outbreak of recent riots speaks louder than anything I can say about the total collapse of the program." Assistant U.S. commissioner of education Joseph Froomkin commented, "We still have little evidence that the problem is being licked; in fact, we may even be falling behind." Alice M. Rivlin, assistant secretary for evaluation and planning of the Department of Health, Education, and Welfare, admitted: "I think we have found the task is much tougher than we thought at the start. . . . When it began, we really didn't know how to go about it. We still don't, really, but we are trying to find out."

Later in 1968 Miss Rivlin summarized for a congressional group an official evaluation report that was still kept under wraps: "Federal funds so far have failed to stop the downward spiral of poor children's achievement." (Congressional Record, vol. 114, pt. 22, p. 28458.)

A few months earlier, the U.S. Civil Rights Commission surveyed the major compensatory education programs since 1957 and found that "none of the programs appear to have raised significantly the achievement of participating pupils, as a group, within the period evaluated by the Commission." (*Racial Isolation in the Public Schools*, 1967, p. 138)

In an article "Is Compensatory Education Failing?" Professor Edmund W. Gordon tried to identify the cause of the failure:

"We are probably failing because we have not yet found the right answers. For all their variety the programs have generally suffered from one fundamental difficulty: they are based on sentiment rather than on facts."[3]

Some may wonder at this point why educators did not test the programs on a small scale before demanding—and spending—billions of public funds on them. The fact is that compensatory education *was* tested for six or seven years.

But negative results no more caused program enthusiasts to have second thoughts about the feasibility of their goal or the effectiveness of their methods than repeated failures were able to deter the earlier alchemists from stubbornly pursuing their objective of turning common metal into gold. Our latter-day alchemists' reaction was typified by the solution assistant education commissioner Froomkin suggested in the mentioned Associated Press survey: "I think we probably would need $5 billion a year to do the job adequately." But supposing we find a few years hence that $5 billion did not do the job either. Shall we try for $20 billion or for $40 billion" Or—should we *now* stop, look and listen? Should we now try to find out whether we are possibly barking up the wrong tree, whether, like the alchemists of yore, we are trying to do what cannot be done?

To gain a proper perspective let us review the record of compensatory education from its inception.

It all began in New York City in December 1956 when the Board of Education launched what the *New York Times* called "the most exciting educational experiment of recent years." At a Harlem junior high school (#43) the pupils with the greatest academic potential were given intensified counseling and instruction and other special services. The group's achievements in reading and other subjects improved substantially in the succeeding years. Of the 717 pupils originally selected, 379 were later placed in special classes at an academic high school (George Washington); 240 of them were ultimately graduated. Their progress so encouraged the Board of Education that, in an amazing *non sequitur*, it decided to establish a similar large-scale program, *Higher Horizons*, comprising *all* children in a number of schools in low-income or slum neighborhoods.

That action offers a close parallel to the

Footnotes at end of article.

decision, a few years earlier, to extend the Marshall Plan to underdeveloped countries around the globe. Japan and several major European nations had created, prior to World War II and under their own power, an advanced economy and modern industrial plant. When they were extensively damaged during the war, temporary U.S. financial aid under the Marshall Plan proved extremely effective in helping to undo the damage and to restore, within a few years, economic self reliance, rapid growth and prosperity.

In some of the more primitive countries, much of the economic and particularly industrial development was largely the result of action by the former colonial powers. Most of those countries suffered little or no war damage and gained their political independence after the war. As it turned out, even large doses of continuing technical and financial aid—aggregating today more than $100 billion in U.S. funds—failed to produce the hoped-for, promised and confidently expected industrialization, rate of growth or economic independence. Only now, after almost two decades is it beginning to dawn on some of the development planners that although development aid is essential, it takes more than foreign aid and foreign technicians to build a strong, self-sustaining, industrial economy.

Back to New York and compensatory education. *Higher Horizons* (HH), "the most extensive project ever undertaken in the area of education for disadvantaged children" was started in the fall of 1959, on the apparent assumption that what worked for a group of selected able pupils would work equally well for *all* children. By 1962 *HH* included 76 schools with over 64,000 students. Half of them scored below their grade level by more than two years; 88% were Negro or Puerto Rican.

The program's goals were defined by its coordinator in 1963:

"It is not enough for us to raise the self-image, or to broaden cultural horizons, or to improve the school climate, or to make teachers happier. If within a reasonable period of time, the level of academic functioning has not been raised, then our efforts must be adjudged largely a failure."[4]

So they were. When glowing stories of great learning advances seemed to conflict with other evidence, the Board of Education in 1964 ordered a factual evaluation of *HH* by its own research division. With great reluctance, yielding to heavy pressure, it made the report public in 1965.[5]

The investigators found little or no difference between the reading and arithmetic scores of pupils from comparable backgrounds who had attended *HH* schools and those who had not. Academic progress of the two groups was almost identical: both had gained about two years according to national norms—in three school years. Nor had *HH* improved social, school and personal attitudes of the children, their classroom behavior, study habits, educational goals or truancy rates.

That devastating evaluation serves as an ironic comment on a eulogy by the program's coordinator two years earlier, that *HH* "provided a rallying point in the fight for our disadvantaged children, and a peg upon which all—supervisors, teachers, parents and pupils—might hang their hopes." The evaluation report left the Board of Education with no alternative but to discontinue *HH* forthwith.

The life cycle of *HH* was repeated in city after city: acclaimed with fanfare when the project was launched, soon extolled for its accomplishments which proved once and for all that compensatory education offered the urban slum children salvation, unceremoniously dropped or slowly phased out when the failure could no longer be concealed.

Waste of money was the least of the damage wrought. Far worse was the impact on the community. Slum children and their parents, faced with a multitude of problems to begin with, diffident, insecure, defeatist, cynical, often despondent, had their hopes lifted sky high by sincerely meant but irredeemable promises of political, school and civic leaders, only to be left to despair when the blow fell and the inevitable disappointment came. Small wonder that resentment turned into antagonism which often led to belligerency and finally exploded into violence. People can and will endure poverty and deprivation for a long time. But to have their hopes raised and then cruelly squashed is apt to turn even the meek into revolutionaries.

A quick look at the relevant experience of a few other cities may supplement the record of *HH* in New York. One of the nation's largest compensatory education programs is the *Banneker* project in St. Louis. Begun in 1957/58 by an energetic and dedicated educator, Samuel Shepard, it aimed, like other programs, at improving the essential skills of disadvantaged children. At the outset, eighth-grade Banneker students were lagging about one year in reading; by 1960/61 the lag was reported to have been cut to half a year, and a sharp-eyed observer commented: "A forceful educator, Shepard performs his 'miracles' on the most underprivileged school children in the city . . . the results of the Banneker effort speak for themselves." Maybe they did, for a while. But then they stopped talking.

A few years later, the same observer—Thomas F. Pettigrew, professor of social psychology at Harvard and chief consultant to the Civil Rights Commission's Race and Education Study—had his name on a less encouraging report:

"A comparison of eighth-grade reading test scores in subsequent school years, however, shows that this gain apparently was not sustained. In 1965–66, eighth-grade students, some of whom had been in the program for seven years, were tested. The majority of Banneker schools were then a year or more below the national average."[6]

In 1965–66 Banneker students were about as far behind as children from similar backgrounds in other schools. This parallels Philadelphia's experience with its Education Improvement Program (EIP) in 1963–66.

In 1962 the Ford Foundation sponsored the ambitious Madison area project in Syracuse, New York, which turned out to have no effect on the achievements of the participating students, as "before and after" tests showed. This was also true in Berkeley where after three years of compensatory education, achievement test scores disclosed no improvement. Berkeley school superintendent Sullivan wrote sadly: "As in other cities, high hopes have reaped an insignificant harvest. . . ."

During the early 1960's *Higher Horizons* was widely praised as a shining example and was copied in many cities. It also served as the pattern on which the Department of Health, Education and Welfare shaped Title I of its 1965 education proposals which were signed into law just a few weeks before the release of the new evaluation report disclosed *HH* to have been an abject failure.

Before the final curtain fell on *HH*, the N.Y.C. Board of Education, in October 1963, launched another compensatory program, *More Effective Schools* (MES). Less extensive than *HH*, with only 21 elementary schools and 18,000 students—82% of them Negro or Puerto Rican—it concentrated resources more sharply. The pupil-teacher ratio was cut in half between 1963 and 1966—from 1:25.0 to 1:12.3—in the MES schools while it declined only from 1:26.1 to 1:21.9 in the city's elementary schools generally.

Instructional costs in the ME schools averaged $914 per pupil in 1966/67, almost twice as much as in the nine "control" schools ($485) in similar neighborhoods. Total current per pupil outlays in MES schools were estimated at $1263.

Some educational organizations had long regarded per pupil expenditures as the most accurate yardstick of educational quality. They lost little time in claiming MES a rousing success.

Speaking in the Senate on December 15, 1967, Senator Joseph Tydings (D-Md.) declared that "we now have clear evidence that intensive education, on a truly massive scale, can overcome many of the environmental barriers that place ghetto youngsters on an unequal education footing. The *More Effective Schools* program of New York City is now being recognized as a remarkable example of what can be done in slum schools—with small classes, special instruction services and striking teaching techniques—what can be done, in short, if the educational expenditures for ghetto schools are geared to the disproportionate needs of disadvantaged children."

When the Civil Rights Commission in its negative evaluation of compensatory education did not mention MES, Joseph Alsop asked why it was omitted. He continued:

"Perhaps, the answer is that in the MES, all children have shown a very great average improvement, and those children who have begun in prekindergarten and continued on from there are actually performing, on the average, *at grade level or above.*"[7]

The N.Y.C. Board of Education decided to play it safe and have MES evaluated by outside experts rather than its own staff. It commissioned the Center for Urban Education, a New York research organization, federally financed under Title IV, to conduct a study which was carried out by a team of 38 educators and social scientists, mostly from New York colleges and universities, headed by David J. Fox of CCNY. The carefully documented report in the fall of 1967 sent shockwaves through the school system which have not yet stopped reverberating.

The investigators found "an atmosphere and climate characterized by enthusiasm, interest and hope and a belief among all levels of staff that they were in a setting in which they could function. Moreover, parents and community, too, have responded with interest and enthusiasm. . . ." Then the report continued:

"Equally clear are the data which indicate that the MES program has made no significant difference in the functioning of children, whether this was measured by observers rating what the children did in class, and how they do it, or whether it was measured by the children's ability in mathematics or reading on standardized tests. The data of this evaluation show that children in classes in ME schools were not behaving differently than children in classes in the officially designated control schools or in classes in other special service schools. The achievement test data showed that the profiles of ME schools were no different than the profiles of these same schools before the program was instituted. Moreover, the academic year gains which previous evaluations had noted, were not maintained over the calendar year so that overall, in most grades in the old ME schools after three years of MES, the retardation below the urban norms used for reading was no better, and in some cases, worse."[8]

New York's teachers union which has many jobs at stake in the program was quite unhappy with the report and sought to discredit it. But even the union's head, Albert Shanker, had to admit early in 1969: "Compensatory programs throughout the country, as they have been evaluated, show consistently poor results."[9]

The most recent experience was reported on the front page of the *San Francisco Examiner & Chronicle* on January 12, 1969:

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"San Francisco schools' special $3.2 million programs are failing utterly to bring deprived children up to national averages in reading. Instead, most children in the federally financed Title I programs are falling farther and farther behind each year. The failure was disclosed in test scores received more than a month ago by the San Francisco Unified School District but not yet officially released."

When it enacted the program, Congress ordered the U.S. Office of Education to submit annual reports on the results of Title I. The first report, in 1967, cited numerous laudatory comments of state and local school officials. It also contained a statistical table, probably overlooked by most readers, giving the results of "before and after" tests in 19 skills ranging from reading comprehension to arithmetic reasoning.

On ten of those tests, the educational lag had, on the average, been slightly reduced; on the other nine it had increased. Overall, the measurable progress was negligible.

The second annual report on Title I, released in 1968, was no more encouraging. It contained no comprehensive achievement test data and the sporadic information it provided added up to the fact that the educational lag of the participating children had remained unchanged.

With reports on significant improvement in the 3 Rs through compensatory programs hard to come by, it is hardly surprising to find that the Office of Education in a new soft cover book, *Profiles in Quality Education*, issued late in 1968, restricted itself to merely describing the aims and methods of 150 "outstanding Title I Projects" with little reference to results in terms of higher academic achievement.

The *Headstart* program aims to help preschool children from poor families to overcome their environmental handicaps so that they may equal middle-class children when they enter first grade. Over 600,000 children participate annually in Headstart at a cost of over $300 million.

Headstart helped many children to improve their performance and to score gains of 8 to 10 points on verbal I.Q. tests. But those gains proved to be ephemeral and vanished in a few months. Within less than a year no measurable difference remained between children who had gone through Headstart and children from comparable backgrounds who had not.

Why? Most people's performance can be temporarily raised by intensive training such as, for example, cramming for an examination. But the effect wears off in time as the individual gradually reverts to true form. That may well be the most likely explanation of the evanescent nature of Headstart gains.

The overall picture of efforts to raise the performance level of disadvantaged children was summed up by David K. Cohen of the Joint Center for Urban Studies at Harvard-MIT at the Conference on Equal Education in Washington, November 16–18, 1967: compensatory programs in urban schools "have resulted in no substantial improvement in students' academic competence." In view of the tremendous diversity among about 60,000 Title I projects which were largely developed by local imagination and initiative, it appears unlikely that an essential element, ingredient or possibility had been overlooked. There could not be a feature or factor which the majority of students—who perform satisfactorily—absorbed, but which children from low-income families do not get under present arrangements. Thus, to search for new types of courses or techniques does not seem to be promising. There must be something fundamentally wrong with compensatory education that makes it ineffective, something that is not under the control of the school.

When compensatory education failed to deliver what its sponsors had promised, scholars began to search for other ways to achieve the desired ends. One group of researchers, led by psychologist David Krech of U.C., Berkeley, has been experimenting with central nervous system stimulants such as strychnine, picrotoxine and metrazol and found that they could thereby appreciably improve the learning performance of goldfish and rodents. They have not yet created a super mouse, nor tried their art on human beings. Nor do they promise that a pharmacopoeia of drugs will soon make most educators unemployed. But the hope has been expressed that the *chemistry of learning* might some day succeed where more mundane methods have failed. Of all the imaginative appraisals to the improvement of education that have been made or suggested, the use of chemicals on the brain may be the closest parallel yet to the ancient quest of the alchemists.

After reviewing hundreds of projects and research studies, the U.S. Commission on Civil Rights concluded in 1967 that the education of Negro children could not be adequately improved without effective racial integration of the schools. Tests showed that integrated schools score higher than all-black schools. Moreover, Negro children in partly or largely white schools score slightly better than Negro children in predominantly or all-black schools. Whether this fact is significant and suggests a causal relationship, or whether it merely means that the children of middle-class Negro families are more likely to attend integrated schools, has been argued indecisively within and without the research staff of the Civil Rights Commission.[10]

Longitudinal studies on black children who transferred to white schools have been inconclusive. The most extensive review "of evidence regarding the effects of educational desegregation on the scholastic achievements of Negroes" was undertaken by Irwin Katz, Professor of Psychology and Director of the Research Center for Human Relations at New York University ("The Effects of Desegregation on the Performance of Negroes" in: *School Children in the Urban Slum*, Joan Roberts, ed., New York, The Free Press, 1967). His final conclusion: "Reports on the academic progress of Negro children in desegregated school are on the whole inadequate for drawing any conclusions about the effects of biracial environments upon Negro performance."

Whether or not racial mixing in the schools raises the learning level of Negro children is the subject of an intense and continuing debate. But it is not the question on which a national decision on school integration depends or will be made. Though large sections of the public demand *de facto* integration as a matter of moral right and sound public policy, little was done when the U.S. Civil Rights Commission two years ago recommended that the national government make the establishment of racial balance in the public schools throughout the country its first order of business in education. Nor is the outlook for such action bright.

Most opponents do not question that integration is desirable or necessary and has to come but they would accord higher priority to other school improvements. They point at the record of the past 15 years and contend that integration is not a realistic prospect for a long time. Despite determined efforts toward a better racial balance, more Negro children now attend school in predominantly or all-black classes than in 1954. To defer educational reform until *after* full integration has been achieved could mean that the present school generation will see no improvements. The example of the District of Columbia schools is being cited where integration seems to have backfired: they had a white majority when they were integrated in 1954 and are now 94% black. How do you provide racial balance in a school system that is 94% black? Parallel trends in other big cities bear ominous connotations for the future. That is why many have regretfully concluded, as Joseph Alsop expressed it, that "the problem of the ghetto school must be mainly solved *inside the ghetto school*, at any rate for a long time to come."

Racial integration and compensatory education may have various beneficial effects on children. That higher academic achievement does not seem to be among them has been a source of disappointment and extreme frustration to the programs' protagonists. Of late they seem to have turned against each other in bitterness, as appears from an acrimonious exchange between Joseph Alsop and Thomas Pettigrew in the *New Republic* (July 22, September 23, November 18, 1967).

What makes the issue so emotion-charged and politically sensitive is a fact that is well known but can be interpreted in several ways: a much higher percentage of black than of white children lags substantially in the 3 Rs. The average Negro child may be three to six months behind in the first grade, three or more years in the twelfth grade.

To prove once and for all that such differences are largely the result of inferior schools attended by Negro children, the U.S. Office of Education sponsored in 1965/66 the most extensive study of the subject ever undertaken. Headed by James S. Coleman of Johns Hopkins University, it covered 4,000 schools with 600,000 children in grades 1 through 12. Some observers thought it a waste of money to spend $1¼ million to prove what had long been common knowledge.

But to almost everybody's surprise the 737 page Coleman report [11] showed that the differences in the physical and economic resources of schools attended by Negro children and by white children are not significant; the average number of pupils per teacher, teachers' qualifications in terms of the highest degree earned or years of experience, teachers' salaries, tenure or the age of the school building and other measurable input factors provide no explanation for the difference in output, that is in pupil performance.

The Coleman report disproved the widely held assumption of a positive cost-quality (input-output) relationship in the schools. Professor Coleman wrote: "The evidence revealed that within broad geographic regions, and for each racial and ethnic group, the physical and economic resources going into a school had very little relationship to the achievements coming out of it" (*The Public Interest*, Fall 1967). He concluded that "if it were otherwise, we could give simple prescriptions: increase teachers' salaries, lower classroom size, enlarge libraries, and so on. But the evidence does not allow such simple answers."

Nowhere is the absence of a positive cost-quality relationship more clearly evident than in New York.

"The New York City school system, which once ranked at the summit of American public education, is caught in a spiral of decline," warned Mayor Lindsay's Advisory Panel in November 1967. To be sure, the financial record reveals no "spiral of decline," on the contrary, it shows a phenomenal rise and extremely high level of the city's educational expenditures.

Over the past six years (1962/63 to 1968/69) public schools' current expenditures in New York City, relatively high to begin with, doubled (from $664 million to $1,311 million). Simultaneously enrollment grew only 9% and per pupil outlays jumped 81%. With an increase in the number of teachers of 41%, the teacher-pupil ratio dropped from 1:23.9 to 1:18.5.

The latest year for which inter-city comparisons are available is 1966/67. In that year New York expended not only more per pupil than any other large city, it spent about

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twice as much ($1,028 vs. $557) as the average city in its size class (enrollment of 100,000 pupils or more). It employed about one-third more teachers in relation to pupils than the average of all large cities. Nor did New York teachers seem particularly unhappy with their salaries and working conditions: the teacher turnover rate was only half as high (5.8% vs. 10.7%) as in cities generally.[12]

No comparisons can be made of academic achievement between New York and other cities because most school systems treat such information as state secrets.[13] New York, to its credit, publishes test results and they can be held against national norms.

City-wide tests in 1967 and 1968 show few changes and disclose that 57% of New York's public school children score lower than in reading than they should, according to national norms. One New York pupil in three lagged one year or more behind, one in five lagged two years or more.

Questioned by the *New York Times* (November 21, 1967) city school superintendent Bernard E. Donovan admitted that the scores were "the worst ever," adding, "But a headline of that nature would set back our efforts and undermine what we are trying to accomplish."

To expect that findings such as these would tend to shake our latter-day alchemists' faith in the miraculous power of the dollar to raise educational achievements, would be asking for the impossible. A review of reports, requests and recommendations reveals one common note in almost all of them: if the performance of some school children is deficient, the blame should be placed squarely on those who did not supply sufficient funds. "There is nothing wrong with the schools that a lot more money would not cure." If appropriations were boosted by 20%, or 50%, or 100%, we are told all children would in due time be mastering the 3 Rs satisfactorily.

No myth is more firmly implanted, nor has persisted longer, than the claim that class size—or the teacher-pupil ratio—is the most potent factor in determining the learning opportunity of children. With all their variety of methods, nearly all compensatory education projects, and most integration plans, emphasize a reduced teacher-pupil ratio more strongly than any other feature, as a guarantee of improved education. But as I demonstrated earlier, better performance resulting from such improvements has been conspicuous by its absence. That should come as no surprise. The *Encyclopedia of Educational Research* (1950 ed.) summarized over 200 research studies of class size and pupil achievement: "On the whole, the statistical findings definitely favor large classes at every level of instruction except the kindergarten . . . the general trend of evidence places the burden of proof squarely upon the proponents of small classes." More recently, the Coleman report found that the teacher-pupil ratio "showed a consistent lack of relation to achievements among all groups under all conditions."

New York's *HH* schools were staffed 80% better in proportion to pupils than other New York schools, MES schools nearly 100% better. But the performance in the staffwise overprivileged schools remained low. Test results in the Oakland schools in 1966–67 disclosed an inverse ratio between the staffing pattern and reading scores, with the lag of the most amply staffed ten schools behind the ten most austerely staffed schools rising from two months in grade 1 to one year and one month in grade 6.

"All that is accomplished [by small class sizes]," once commented the late President Charles Johnson of Fisk University, "is to enble the teacher to communicate his mediocrity in an intimate environment."

When none of the traditional approaches produced returns that were at all commensurate with the investment, some of their former supporters became disillusioned. In a booklet *Alternatives for Urban School Reform,* distributed by the Ford Foundation, Mario D. Fantini—who headed a Ford Foundation-sponsored compensatory education project in Syracuse in the early 1960s—admitted the failure of the old methods and suggested trying something else:

"Since the compensatory approach has apparently failed, since desegregation is not a realistic short-range prospect . . . the latest—and in my view most promising—approach to intervention is the reform of the total school systems, structurally and otherwise."

The structural reform which Mr. Fantini emphasized was a decentralization of the school system. He served as secretary, and Ford Foundation President McGeorge Bundy as chairman, of Mayor Lndsay's Advisory Panel on School Decentralization which produced what is known as the Bundy Plan: the city school system should be split into 30 to 60 districts under local boards whose majority would be elected by parent assemblies at each school. The N.Y.C. Board of Education would then transfer most of its authority for operating the schools to the local boards while retaining general supervision and the taxing power.

The rationale for community control was this: large numbers of pupils are falling behind in their learning because the schools are not giving them the education they need. Several things may be wrong with the schools—Curriculum, methods, materials, teacher competence or attitude. The parents know and have been told right along that their children *can* learn. If they don't learn, those who govern their education must be at fault—teachers, supervisors and the Board of Education. Why not give the parents authority to correct the shortcomings? They know best what their children need and can observe them daily. With their children's interest at heart they would see to it that the schools educate them properly.

Most big city school systems have become so unwieldy and encrusted with bureaucracy that their boards of education long ago had lost touch with their constitutents. Particularly in New York City, whose board is appointed by the mayor, much of the authority had drifted to professional administrators who proved relatively immune to the wishes of unhappy parents. Thus the idea of neighborhood school control quickly gained popularity among the public. The real impetus, however, came from Negro communities which had become increasingly dissatisfied with the schools' performance but found that their demands for reforms were up against stone walls. Now they asked for a right which most smaller communities, outside the cities, enjoy, at least in principle: the right to control the schools their children attend. As the head of Washington's Morgan Community School, Kenneth W. Haskins, explained: "Community control has emerged not because of the great promise that it holds for the education of black children, but because of the failure of what has taken place so far." [14]

It did seem slightly ironic that the neighborhood principle was now being espoused by the same groups which, only a short time earlier, had attacked it as a cloak for continued segregation. The Board of Education, under heavy pressure from top state and city officials, yielded reluctantly and established, with the Ford Foundation's financial support, three experimental districts in nonwhite neighborhoods in which local boards could exercise some loosely defined authority.

Two of these three districts have hardly been out of the limelight ever since. To begin with, the Board of Education built a "dream school," I.S. 201 in Harlem, at a cost of $5 million, windowless, fully airconditioned, and a planned teacher-pupil ratio of 1:13.8. The school opened in September 1966 with much of the decisionmaking left to the parents.

Eighteen months later, I.S. 201 was described as a "bedlam" by the *New York Times* (February 1, 1968) and called a "model mess" by the Associated Press (February 27, 1968). Citywide tests in 1968 showed the average eigth grader in I.S. 201 to be reading at a sixth grade level.

Nor has the experience with the eight schools in the Ocean Hill-Brownsville district of Brooklyn given much comfort to the advocates of parental school control in low-income neighborhoods. "The unit's schools are a failure by any known measurement," wrote Martin Mayer in an article captioned "Frustration is the Word for Ocean Hill" [15] which described the chaotic conditions there in the spring of 1968. Ill feeling between parents and teachers grew and took a violent turn at school opening time, September 1968, when the United Federation of Teachers (AFL–CIO) resisted a transfer or dismissal of teachers whom the parents did not want.

Not only were the experimental schools thrown into a turmoil, all N.Y.C. public schools were closed for most of the fall months of 1968 when the teachers union decided to walk out rather than let some teachers be transferred from Ocean Hill.

No 1968 test results are available for most of the Ocean Hill-Brownsville schools. But many months of upheaval can only have had a deleterious effect on the pupil's learning.

An uneasy truce prevails in the experimental districts which could blow up at any time. Parents and teachers blame each other for whatever happened or went wrong and create a climate in the schools that is hardly conducive to more effective teaching and better learning.

The most unfortunate part of it is that neighborhood control of the schools was not given a fair trial, nor is likely to get a chance as long as an atmosphere of recrimination and bitterness bordering on hate pervades the community.

New York's experience does not permit a firm judgment on the true potential of parental school control. More tests need be conducted and the neighborhood councils (district boards) given a genuine opportunity to demonstrate that they can succeed where the schools have so far failed. This must include authority to select teachers, supervisors and administrators.

If it produces satisfactory results, decentralization can be expanded over broad areas to open the gates for all deprived children. But if parental school control, after an adequate trial period, turns out to be no more effective in improving academic performance than compensatory education and integration have proven to be, the entire problem of lagging children may have to be subjected to a more fundamental analysis.

Most of the approaches that have been tried so far were based on the assumption that the schools are responsible for the educational deficiencies of their students. Some of the schools, it is widely believed, are good, some are mediocre and some are bad. If the quality of the school were the decisive factor, its impact on the students would be uniform: all students in good schools would earn high scores on performance tests, all students from bad schools low scores.

But they do not. Differences in I.Q. and achievement tests within individual schools are wider than between the averages of the various schools. Some schools with low averages have graduated students with high scores and splendid academic achievements, and some schools with high averages have students who lag several years. This suggests that characteristics of the student play an important, and possibly a decisive role. Could it be that the causative factor is the reverse of what it is widely assumed to be? Is the

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educational quality of the school determined by the characteristics of its students more than vice versa?

The consistent failure of myriads of attempts to raise student performance through changes in school methods makes this a distinct possibility; and the findings of analytical studies turn in into a likelihood.

Reviewing the Coleman report, Christopher Jencks drew a significant conclusion with which many others agree: "Overall, the report makes a convincing though not definite case for the view that student achievement depends largely on forces over which today's schools exercise little control" (*New Republic*, October 1, 1966).[16]

The (then) president of the American Association of School Administrators and San Francisco school superintendent Harold Spears carried that thought further when, in April 1967, in answering charges that the low average test scores in certain schools should be blamed on those schools, he insisted that achievement tends to correspond to student ability. Some "students through no fault of their own are not as bright as others" (*San Francisco Chronicle*, April 24, 1967).

That bright children perform better than dull children comes as no surprise: all studies of the subject have shown that scores on I.Q. tests and on achievement tests are very closely correlated. The question is: why are some children bright and others are not?

It can hardly be questioned that children may be—and many are—adversely affected by an unintellectual and deprived home environment and placed at a disadvantage by living in an impoverished neighborhood. Some children from such backgrounds score high on I.Q. and achievement tests, but they are the exception rather than the rule.

While the surroundings in which a child grows up may cause him to be several months behind on entering first grade, this hardly explains why the lag usually multiplies to one or several years while he advances to 12th grade. Would we not expect the influence of the school to moderate rather than intensify the damage of early childhood experience and the impact of home and neighborhood? I showed earlier that the quality of the school is unlikely to be a decisive factor.

Whatever the answer may be—and some far-fetched and unpersuasive explanations have been advanced—the remedy for an injurious impact of the home environment is the injection of another influence through an earlier start of schooling.

But even pre-school education has so far not been able to produce significant and lasting improvements in disadvantaged children. That is why it has been suggested that the rehabilitation process ought to be started earlier, at age four, or two, or even at birth. But there is no evidence that even removal from the home at time of birth alters the intelligence of children significantly: the I.Q.s of adopted children were found to correlate with their natural parents from whom they have been separated since birth and to bear little relationship to the foster home. Also, the I.Q.s of identical twins reared apart are almost as closely correlated as the I.Q.s of identical twins reared together.

This suggests that intervention at birth may come about nine months late.

Numerous studies of twins and adoptive children and the voluminous literature over the past three decades of laboratory experiments and scientific inquiries into the relationship of heredity to intelligence and performance were surveyed, analyzed and summarized in an article "How Much Can We Boost I.Q. and Scholastic Achievement?" which filled the entire Winter 1969 issue of the *Harvard Educational Review*. It was authored by Arthur R. Jensen, educational psychologist of U.C. at Berkeley who has probably done more in-depth study on intelligence and the nature-nurture question in recent years than anybody else in the United States.

Professor Jensen's advice confirmed the conclusions of preceding reviews of the pertinent scientific literature, as for example, Bernard Berelson and Gary A. Steiner's massive volume *Human Behavior: An Inventory of Scientific Findings* (New York, Harcourt Brace, 1964):

"Large differences in intelligence as measured by the standard intelligence tests, are due principally to heredity. Here is one expert's review of studies on how much difference in ability results from the types of environmental differences usually found among homes and communities. One summary *with which most others agree fairly closely*, is that the variation in tested intelligence among school children is accounted for 75% by heredity, 21% by environment, 4% by accidental factors." (P. 217; emphasis supplied.)

The *Encyclopaedia Britannica* (1968 ed., vol. 12, p. 345) reported that: "intelligence is largely inherited. . . . The usually accepted figure based on the soundest and most extensive studies . . . employing verbal intelligence tests, assigns 75% to 80% of the observed test variation in the general population to genetic factors and the rest to environmental, physical and mental conditions in home and society."

With evironmental influences accounting for 20% to 25% of the measurable intelligence, schools still play an important role and must exert maximum efforts to develop all pupils' talents to their limit. But they can no more alter genetic factors after conception than the alchemists could change one metal into another.

The reason for the failure of compensatory and other approaches to bring the performance of students who lag substantially is now clear. It is also possible to understand the origin of the hatred between parents and teachers in New York City in 1968. The parents had accepted at face value the repeated promises of school leaders that their children's achievements would be improved—and blamed the teachers when they could not deliver. Not surprisingly, they charged the teachers with incompetence and prejudice. Many of the teachers, on the other hand, had grown weary from trying and failing time after time. They felt that their judgment, after up to ten years of dedicated work, could hardly be called prejudice and might rather be termed postjudice. The teachers' attitude also hardened and exploded in repeated and prolonged strikes which hurt all of New York's public school children.

Some social scientists disagree violently with findings that intelligence, school performance and occupational achievements have a biological basis and often react with emotional outbursts when that fact is mentioned. While no responsible scientist nowadays contends that heredity is the exclusive determinant of intellectual capacity—all accord a greater or lesser role to environment and interaction—some educators, psychologists, sociologists and others contend explicitly or by implication that genetic factors are immaterial to human intelligence which is the exclusive result of environmental influences.

Environmentalists have tried for some years to discourage and discredit research on the nature-nurture (heredity vs. environment) question. They have particularly attacked the measurement of intelligence.

It is well established that I.Q. scores predict future scholastic achievement and occupational success more reliably than any other single measure. But the tests are charged with being "culturally loaded" against children from low-income backgrounds. To remedy that defect, psychologists set out to design "culture-free" tests of "problem solving" such as the Davis-Eels Games (1953). Within a few years it turned out that the scores on such tests do little besides confirming the results of conventional I.Q. tests.

At that point those who feel that they know what the tests *ought to* show decided to abandon I.Q. tests altogether, as the N.Y.C. Board of Education did in 1964—true to the maxim: "If you don't like the fever, throw away the thermometer."

I.Q. tests are an extremely useful instrument to identify the relative ranking and prospects of an individual. How reliable they are is irrelevant to the question with which we are dealing here. All human traits such as height, weight, physical strength, etc. are distributed on a curve of some shape. There is no reason to assume that intelligence—even if it consists of several components—is not so distributed. Supposing we had no I.Q.s or other yardstick by which to measure individuals. There would still be 10% of all people whose intelligence is below that of the other 90%, although without a gauge we could not identify them.

About half the people score between 90 and 109 on current I.Q. tests, one-fourth at 110 or above, and the remaining one-fourth below 90, ranging from dull-normal (80–89) to mentally defective (69 and under).

Much recent writing on the education of disadvantaged children has assumed—or claimed, as for example Milton Schwebel in *Who Can Be Educated?* (Grove Press, N.Y., 1968)—that all children can be made to perform in the 3 Rs at least at the national norm, if not better. (Maybe there is something to the proposition that in a country as rich and powerful as ours everybody ought to be above the average.)

All can be raised to the *norm*—to the same extent to which everybody can be made to swim, run, lift weights, sing, paint or sculpture at the national average. Everybody's performance in those and other skills can be substantially improved by intensive training. But some cannot be made to run, sing, paint—or do arithmetic—at a national average by any amount of training. A child with an I.Q. of 80 or below will only in the rarest of circumstances be able to equal the national norm in the 3 Rs.

Again I want to quote from the inventory of scientific findings on human behavior by Berelson & Steiner:

"The stability of the I.Q. score holds at both the upper and the lower extremes. Bright children stay bright, dull children remain dull—although a bright child may not fulfill his potentials and a dull one may be trained to utilize his capacities more fully. More specifically: An exceptionally bright child can expect, on the average, an exceptionally bright future by almost any measure—including physical and mental health, social adjustment, and occupational success." (P. 216.)

I am painfully aware of the fact that some of the scientific findings I have cited could be misinterpreted as permitting racist implications or even misapplied to serve racist arguments. Because James Coleman was also conscious of such possibilities, he was careful to emphasize that "racial composition *per se* of the school was not related to achievement when the social class composition was controlled." The *Encyclopaedia Britannica* stresses: ". . . no experimental design has been found for reliably assigning to heredity and environment the true fractions of the appreciable differences of average intelligence tests scores found among widely different races." ("Intelligence," vol. 12, p. 345, 1968 ed.)

The evidence is unequivocal and overwhelming that an individual's intellectual capacity is not determined by his ethnic or racial background. But it is equally clear that certain physical and mental traits are to be found more frequently in some groups than in others.

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Children's school performance is closely and positively related to their parents' income. The Oakland public schools, one of the very few city school systems to publish detailed information on each of its schools, disclosed that the reading test scores of sixth grade children in the 10 schools with the lowest family income (median $4,143) were in 1966–67 more than two years behind those of children in the 10 schools with the highest family income (median $10,317). I.Q.s averaged 89 and 108 respectively. Not that the poorer children were discriminated against by the school system: there was one teacher for every 19.7 pupils in the low-income schools, one for every 29.2 pupils in the high-income schools.[17]

Professor Arthur Jensen, to whom I referred earlier, concluded in a paper read before the National Academy of Sciences on April 24, 1968, that "it is inevitable that socio-economic status (SES) differences in intelligence are due largely to genetic factors."

Such findings, no matter how well documented, are sheer reactionary heresy to some sociologists and others. But is it really so surprising that a child's score on the educational achievement tests of school tends to parallel his parents' score on the economic achievement test of life?

Educators of the behaviorist school hold that children from low SES families perform poorly because their parents' income is low. Is that not standing logic and causative relationships on their heads? Does it not stand to reason that a pear tree produces more pears than plums? Is it not more likely that both, low test scores and low income, are determined by a combination of genetic and environmental factors and interaction between the two?

Behaviorists act as if heredity extended only to such physical attributes as height, weight, color of skin, hair and eyes, etc. but had no bearing at all on mental traits. Animal experiments and breeding have proven that mental as well as physical characteristics are genetic. Obviously we cannot conduct such experiments on humans. But reason and observation suggest that laws of heredity apply to man and animal alike.

Professor Arthur Jensen wrote in an article "Social Class, Race, and Genetics: Implications for Education":[18]

"At most, some 10 to 20 percent of the variability in educational attainment is associated with school variables. Massive evidence now indicates that discrepancies in educational achievement by different social class and racial groups are correlated to only a slight degree with inequalities in those variables over which the schools traditionally have control.

"The overall consistency of the major studies of the inheritance of intelligence clearly leads to the conclusion that genetic factors are of predominant importance as a cause of individual differences in measured intelligence in our present society."

Could all of these scientists be mistaken and their findings be erroneous? Possibly but not likely. To clear up remaining heredity-environment uncertainties—and because the current debate is so dominated by emotional outbursts which often drown out facts and reason—my Stanford colleague Professor William Shockley, a 1956 Nobel Prize winner in physics, appealed in October 1966 to the National Academy of Sciences to sponsor relevant interdisciplinary research.

Greatly discomforted, Academy heads replied that many of the facts were unknown, that "none of the current methods can produce unambiguous results," that some of the answers might be guesses which could be biased and that social problems such as poverty, slums, school dropouts and crime were not entirely genetic [whoever said they were?]. Therefore, they questioned the social urgency of a crash program. They did remark that "a selection program to increase human intelligence . . . would almost certainly be successful in some manner," a somewhat oblique way of saying that, in common with most scientists, they recognize the at least partially genetic nature of intelligence.

That research should not be vigorously pursued in an area because we don't know some of the facts and may not be able to produce unambiguous results with presently known methods, has never before, to my knowledge, been cited by a scientific body as an argument *against* increased research efforts in that field. It has occasionally served as an argument *for* more research.

Between the lines of the Academy's statement (*Science,* November 17, 1966) we can easily read the fear that findings from such research might be of an explosive character, would arouse emotions and could cause grave splits in and beyond the academic world. Emerging facts might be offensive to certain deeply held beliefs which are impervious to scientific proof.

Environmentalists had long imposed research taboos on inquiries which might produce results that are unacceptable to them because they place big question marks behind some of their favorite goals. In that attitude they offer a close parallel to the alchemists as M. Caron and S. Hutin described them:[19]

"They were sincere empiricists, yet often they shut their eyes to their own sense experiences and daydreamed of the miracles by which their crucibles would be filled with gold and overflow with precious gems."

We may wonder: If the environmentalists were so sure of being right, as they give the *appearance* of being, would they not welcome research which in the end would prove their case?

What then is the answer to the problem of lagging children?

The most comprehensive study of American schools ever undertaken, submitted no recommendations. Its director, James S. Coleman, added: "Indeed, if recommendations had been requested, they could hardly have been given—for the facts themselves point to no obvious solution."

Experience with a variety of approaches over the past ten years has demonstrated what does *not* work. But that obviously is not enough.

Maybe we ought to say a famous prayer: O Lord, give me the strength to tackle the problems that can be solved, give me the tolerance to bear whatever misery I cannot change, and give me the wisdom to tell one from the other.

First and foremost, we need to do what John Fischer in a display of remarkable courage suggested in "The Stupidity Problem" (*Harper's,* September 1962): "We'll have to face up to the fact that all men are *not* created equal, except in the limited political sense which Jefferson had in mind when he drafted the Declaration of Independence."

As long as the schools keep acting as if *every* child had the capacity to learn and perform at a level equal to the average achievement of *all* children—the national norm—we shall continue to reap a harvest of failure, dropouts, frustration, and growing belligerency. The surest way to incite people to violence is to raise their hopes beyond any possibility of fulfillment and tell them that their defeat and misery are the fault of certain other people or of the institutions of society. That is the stuff which riots, revolts and revolutions are made of.

This does not at all imply that we should—or could afford to—give up on less gifted children. Only by establishing realistic goals for children of widely varying levels of ability, goals they can reach, can we truly offer every child the best education he is apt to absorb. Everybody's ability to swim can be improved by training. But only those with certain inherited traits can be successful in competitive events or become Olympic swimmers. This applies equally to other skills.

Children differ widely in their aptitudes and attitudes, and no power on earth can make all 6-year-olds, or 10-year-olds, or 17-year-olds perform at or near the "norm" for their age. This is why virtually all countries outside the United States operate two or more parallel secondary schools systems, why some of our own schools run several "tracks" or "streams."

That is what District of Columbia school superintendent Carl F. Hansen tried to do:

"When I came into the senior high schools in 1955, I found that the great amount of retardation among both blacks and whites made a change in curriculum structure imperative. More than 25 percent of the tenth graders read no better than at the sixth grade level, and 40 percent of the same group could do no better than sixth grade level in mathematics. Coming to me from scores on standardized tests taken by these students in the ninth grade, these facts created a great need for a curriculum that would differentiate academic instruction in relation to levels of achievement."[20]

But the track system was eventually abandoned and Hansen forced out. In the great majority of American public schools heterogeneous grouping is the common practice, in a mistaken belief that it is required by the precepts of democracy. Its ill effects were multiplied when the public schools, some years ago, discovered the secret of perpetual promotion. The teacher is now confronted with the impossible task of educating simultaneously, in one classroom, three or four or more grade levels of children. The gifted child is thereby insufficiently challenged and likely to goldbrick while the less endowed, unable to keep pace with his classmates, is discouraged and turned into a discipline problem. That the results have not been much worse than they actually were is a testimonial to the dedication of our teachers.

Teachers often find themselves in an unenviable position, as illustrated in a newspaper cartoon some time ago. It showed an irate mother with her offspring, berating his teacher: "I don't see why junior is a problem, Miss Finch! . . . Good grades are due to heredity, and bad ones to poor teaching."

Contemporary techniques of psychological testing are far from perfect but they permit us to determine with reasonable accuracy and reliability the learning capacity, and the motivation, of children. *It is just as evil not to segregate children for educational purposes according to their measurable capacity as it is to segregate them deliberately by color of skin. And it is just as destructive.*

What we have to do below the college level is what we have done in higher education: offer a broad range of programs and opportunities to meet the needs of children with widely differing levels of learning capacity. For too long, the public schools have suffered from the affliction of many monopolies or near-monopolies—rigidity.

Neighborhood school control may offer a way out. Before putting it into effect in large areas it would first have to be given an opportunity to demonstrate what it can do for deprived—and other—children. The New York experiment has not been a fair test, so far.

Discouraged by the New York upheaval, Christopher Jencks—who in prior years enthusiastically supported compensatory education and desegregation but then recognized their failure—recently suggested that government should financially assist parents in setting up private schools for their children.[21] This would give the parents a freedom of choice they do not have at the present time. Only affluent parents can now afford to send their offspring to private schools, with the

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Footnotes at end of article.

possible exception of the Catholics who, however, also begin to feel that the burden of maintaining parochial schools is becoming too heavy. As in many other fields, a competition among various school systems, public and private, could stimulate each school to exert its maximum efforts.

Whether this would raise the learning of deprived children remains to be seen. Christopher Jencks doubts it—and he may be right. But if nothing else, it could provide a political *modus vivendi* which is tolerable to all sides.

James Coleman advanced another idea that merits careful consideration. He calls it *Open Schools.*[22] The teaching of basic skills, or of the entire program, would be contracted out to entrepreneurs, paid in proportion to the increased performance of children on standardized tests.

Neither the Jencks and Coleman plans nor any of the other proposals that have been advanced are free of pitfalls or do not call for elaborate safeguards. But what are the alternatives? To go on pretending like the alchemists of yore that we can transmute one basic material into another by a process which has proven to be incapable of doing anything of the kind?

Maybe we can afford to continue pouring out billions of taxpayers' money to support methods which have proven ineffective a thousand times but are favored by politicians who would do anything rather than face their constituents with an unpalatable truth. They may remember Calvin Coolidge's acid remarks: "You can always get a lot of votes by telling people that their troubles are not their own fault."

But can we afford a further crescendo in the periodic outbreaks of violence that have wracked our cities and schools with growing frequency and intensity in recent years? It is too much to hope that the latter-day alchemists in our public schools will see the futility of their quest in less time than it took their spiritual ancestors to accept the fact of life that gold can be found only where nature placed it? If it is, then the rest of us will have to take a stronger hand in school affairs than we have so far. Ducunt fata volentem, nolentem trahunt.

FOOTNOTES

[1] As translated by Ernst Darmstaedter, *Die Alchemie des Geber,* Julius Springer, Berlin, 1922, pp. 23–24.

[2] Gunnar Myrdal, *Asian Drama, An Inquiry Into the Poverty of Nations,* Twentieth Century Fund, 1968.

[3] *College Board Review,* Winter 1966/67.

[4] Jacob Landers, *Higher Horizons, Progress Report,* N.Y.C. Board of Education, January 1963, p. 9.

[5] *Evaluation of the Higher Horizons Program for Underprivileged Children,* N.Y.C. Board of Education, April 1965.

[6] Professor Pettigrew's first statement appeared in his book *A Profile of the Negro American,* 1964, the second in *Racial Isolation in the Public Schools,* 1967.

[7] "No More Nonsense About Ghetto Education," *The New Republic,* July 22, 1967.

[8] *Evaluation of New York City Title I Educational Projects 1966–67, Expansion of the More Effective School Program,* by David J. Fox, The Center for Urban Education, N.Y., 1967.

[9] Albert Shanker, "What's Wrong with Compensatory Education?" *Saturday Review,* January 11, 1969.

[10] E.g., *Racial Isolation in the Public Schools,* Appendix C3; Henry M. Levin and Samuel Bowles, "The Determinants of Scholastic Achievement," *Journal of Human Relations,* Winter 1968.

[11] *Equality of Educational Opportunity,* James S. Coleman et al. U.S. Office of Education, Washington, GPO, 1966.

[12] The New York City data for 1962/63 and 1968/69 are from the N.Y.C. Board of Education. Inter-city comparisons are from a report by the National Education Association *Selected Statistics of Local School Systems, 1966–67,* 1968.

[13] If the school administrators were as certain as they pretend to be that educational quality is positively related to the number of dollars spent, would they not be eager to publish the schools' cost and performance data to prove their claim? That most of them steadfastly refuse to release such information suggests that the data tend to prove them wrong.

[14] Kenneth W. Hoskins, "The Case for Local Control," *Saturday Review,* January 11, 1969.

[15] *New York Times Magazine,* May 19, 1968.

[16] Most other reviewers of the Coleman report agree or feel even more strongly. E.g., Robert C. Nichols, research director of the National Merit Scholarship Corporation concluded from the report's statistical evidence that "the effects of variations in school quality on student achievement are minimal, even less than the authors admit." In a paper "The Nature and Nurture of Intelligence," at a conference under the auspices of the Social Science Research Council and others, Professor Steven G. Vandenberg of the University of Louisville School of Medicine wrote:

"The recent report by Coleman . . . concludes that, of the total variability in intellectual ability and achievement, only between 10 and 20 percent is associated with differences between schools, while most of the variance is within schools. . . . These findings specifically suggest that in the United States the major source of differences in ability is no longer the quality of schooling. . . ."

(*Genetics: Biology and Behavior,* David C. Glass, ed. N.Y., Rockefeller University Press, 1968, p. 50.)

[17] From: *Report of the Oakland Public Schools 1966–67 State Test Results,* Oakland Public Schools, 1967–68, Report No. 3 (proc.).

[18] *American Educational Research Journal,* January 1968.

[19] M. Caron and S. Hutin, *The Alchemists,* Evergreen Profile Books, #27, p. 53.

[20] Carl F. Hansen, *Danger in Washington, The Story of My Twenty Years in the Public Schools in the Nation's Capital,"* Parker, 1968.

[21] Christopher Jencks, "Private Schools for Black Children," *New York Times Magazine,* November 3, 1968.

[22] James S. Coleman, "Toward Open Schools", *The Public Interest,* Fall 1967.

AMBASSADOR WILLIAM CROOK RESIGNS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. PICKLE. Mr. Speaker, William Crook has stepped down from his position as U.S. Ambassador to Australia and I would like to honor him for his service to his country.

Bill Crook is no stranger to public service. His credentials are many and varied. He has served as president of the San Marcos Baptist Academy and regional director of the Austin Office of Economic Opportunity among other things. He served with distinction here in Washington as the head of VISTA.

In one of his last public appearances, Mr. Crook addressed the National Press Club in Canberra. In this speech, he has a little fun with the press while he reminisces about his experiences in Australia. However, the talk is not melancholy; rather, it offers a challenge for the future for both nations.

I commend this speech to you for it comes from an outstanding public servant and one of the delightful men of our times.

The speech is as follows:

SPEECH BY AMBASSADOR WILLIAM H. CROOK TO THE NATIONAL PRESS CLUB, CANBERRA HOTEL, MARCH 28, 1969

Nothing so tempts a man to phoniness as an appointment with the press. And why not? Before our eyes you turn a ball point pen into a wand for a magic touch or into a stiletto for a coup de grace. Your power is awesome. Collectively you can project midgets into giants or shrink titans into dwarfs. News photographers can turn serious men into grinning morons or moronic men into serious statesmen. No wonder we comb our hair and check our deodorant before the interview begins. And imagine the magnification of intimidation when a lone Ambassador finds himself outnumbered in such an assembly as this. I sympathize with Charles D. Ferguson—a little known American who was hired as a foreman on Robert O'Hara Burke's expedition through Australia. Once into the deep interior of the bush, the American was informed that his salary had been reduced because he was a "troublesome man". Having been invited into your journalistic outback today, I may learn that you have something similar in mind. So perhaps I should remind you that upon returning to Melbourne, Mr. Ferguson brought suit against the expedition and obtained a judgment for 183 pounds, 6 shillings and 8 pence. If you should think me a "troublesome man" today please know that I do not mean to be. I have resisted the temptation to phoniness with the Australian press from our first meeting until now. In spite of a few bruises I still believe that candor is the best diplomacy even when it is interpreted as something else.

During my term as Ambassador I have managed to stay off of tranquillizers and I have learned that private conscience and public duty are not as widely separated as I initially feared. The satisfaction that is mine in having served one of the great American Presidents as Ambassador to Australia has been increased by the treatment which I have received at the hands of the Australian press. On balance, I have no criticism of that treatment and considerable appreciation for it. You have often been friendly and you have always been fair.

On Tuesday, as I prepared this speech, a protest demonstration was taking place outside my office. Reporters and photographers moved in and out among the marchers and the whole thing seemed symbolic of the times. The Embassy had been discovered and incorporated into that long list of institutions which are now under scrutiny and judgment. But the reporters and photographers—the press—what about the press? How long before your mask of detached objectivity drops away and the Fourth Estate is exposed, too, as an establishment in need of change? Enjoy your immunity, Gentlemen, while you have it, but inform your editors and publishers that the day will soon come when the protesters will form outside of your windows, too. For in this day of drastic and exciting change, nothing that is establishmentarian can escape scrutiny and probing. I personally take hope in such demonstrations. They are too simplistic—yes—superficial in knowledge and subject to mob impuses—often. Arrogant in the self-deception that only they are troubled by the contradictions of the human spirit—certainly. But without going into a critique of the excesses and successes of protest, let it be said that the protest of the sixties, as destructive as it has sometimes been, has not been without its affirmation. What people are against is often as important as what they are for, and the people who've taken to the streets in our day have, however awkwardly, expressed the better aspirations of the human spirit. No institution can indefinitely escape the scrutiny and judgment of the time. Governments, religions, movements and systems of all kind, have been indicted. Thus far you have been able to "report" those indictments but soon you, too, will be called upon for answers. As Bob Dylan, the American folksinger, has said:

> "Come writers and critics
> Who prophecy with your pen
> And keep your eyes wide
> The chance won't come again.
> For the wheel's still in spin
> And there's no tellin' who
> That it's namin'
> For the loser now
> Will be later to win
> For The Times They Are A-Changin'!"
>
> "Come senators, congressmen
> Please heed the call
> Don't stand in the doorway
> Don't block up the hall.
> For he that gets hurt
> Will be he who has stalled
> There's a battle
> Outside and it's ragin'
> It'll soon shake your windows
> And rattle your walls
> For The Times They Are A-changin'!"

I am pleased that I have served during a period of transition for both of our governments. The time has been brief but intense. Once the election was determined in America I knew, as a cardcarrying Democrat, that my course of action was clear. It would, however, be dishonest for me to pretend that the Crooks are not disappointed to be leaving. We are taking with us, by way of compensation, many prized experiences and indelible memories. Since no one has visited my home as often or stayed as long as members of the Australian press, it will come as no surprise to you that many of these good memories relate to the Press Gallery and to that rougher element known as "The Gray Bus Crowd."

There are other things that are personally meaningful: (1) I have in my files a safe conduct pass from some students at Monash University. As far as I know, it is the only one in existence and I prize it. I do not intend to surrender it to the new Ambassador, whoever he may be, because the trauma of earning his own may be as good for him as it was for me. (2) Nor do I intend to leave behind my file of personal letters from Australians of all ages and occupations. They are warm, spontaneous letters, giving rare insights into the Australian character. (3) I am taking with me a new respect for the unugly Americans who live here and an admiration for their business methods and their personal commitments to the greatness of Australia. And, by way of a constant reminder, we are delighted to be taking with us, in the person of our youngest daughter, Noel, a trace of lilting Australian accent which we hope she will never lose.

There are some things that I will miss and some things that I will not miss. I will miss Australian art, Australian wine, the Flying Embassy, Norfolk Island, Alan Reid, the U.P.I. machine in my office, riding behind the American flag, and toasts to the Queen. I will not miss striped pants, being called "Excellency", puns on my name, National Days, the meat quota, Australian roads, Australian hamburgers, and reporters who phone at midnight. Some things that I can't take back as gifts to my country but would like are: (1) the Sydney opera house, (2) Charles Court, (3) Dame Mabel Brook's collection of Napoleona and, (4) the Government House in Tasmania and (5) the koala preserve in Brisbane.

I leave with a debt of gratitude to members of your Government who are among the hardest working people in the nation, and I share with the members of the American Embassy an appreciation for the Australian Civil Service. Eleanor and I will always treasure those special friendships which have offered hospitality, kindness and acceptance. We are especially touched by the friendship of two of the world's most beautiful people—Lord and Lady Casey.

I am, as you know, a non-career diplomat—that means a political appointee. My view as to what an Embassy should be differs, therefore, from the concept of the skilled and professional diplomat who provides the genius and the stability for our Foreign Service. Many people think that since the advent of mass media the role of the Embassy has been diminished and I have even heard talk of replacing Ambassadors with computers. The chief advantage, I think, to this would be in the fact that a computer can't put its foot in its mouth, can tell the time, and could rattle on endlessly at cocktail parties about the Canberra weather.

I believe that there is a pressing need to update the role of Embassies and of Ambassadors. I once breakfasted wtih a student in Melbourne who had been one of several demonstrators against me the night before. I asked him, "why did you grab for me last night?" And he replied, "Because I wanted to talk to you." Naive answer? Not really. How else does a kid talk to the American Ambassador? If he writes him his letter may not reach the Ambassador's desk. If he calls him he may not get through the switchboard. If he visits him he may be stopped by the receptionist. So, to get the Ambassador's attention, he grabs him. And since it is important that Ambassadors' attention be gotten, I think it is necessary for Ambassadors to make themselves as available as possible. This thought was behind the initiation of the mobile Embassy. It was an attempt to move away from the stereotype concepts. Some people think of the Embassy as a mailbox through which visas, forms and applications are sorted, processed and distributed to the proper government agency back home. Some think of an Embassy as a *store front* in which a country displays its wares. Others think of it as a *fire station* to be used only in an emergency. I believe an Embassy should be an open door through which real, live people come and go—through which glimpses can be had of the society which it represents and around which valid and relevant dialogue can be conducted. Embassies must come alive with all the risks that that involves. Too much protocol is stifling and the retreat into silence can be as condescending as it is sometimes cowardly. If an Embassy is representational then let it represent! True, a lot of precedents would be shattered but most precedents are little more than bad habits, anyway. Think of what would happen if instead of having "meaningful discussions" representatives from different countries could really air their views, share their problems, and expose their ideologies to the collective give and take of a multicultured world. The consequence might even give you gentlemen of the press something significant to write about.

In extending this invitation to me it was suggested that I might make some observations on Australia. I will do so only if you will let me step outside my role as an Ambassador and if you will accept the observations as observations only and not as criticisms. It would be terribly presumptuous for me, after so brief a sojourn, to present myself as an expert on any facet of Australian life. The only credentials I have as an observer are in my travels which have taken me to every State and Territory except for those tiny islands you have out in the Indian Ocean—and they were on a future schedule. I have also visited Vietnam, Antarctica, New Zealand, and areas of Southeast Asia. I have listened to student groups from every major campus and I have had discussions with your scholars, writers, artists, poets, historians, educators, churchmen, graziers, Aboriginal leaders, social workers, politicians, and countless others. I have flown with your Prime Minister high over the outback and have listened to his dreams for this country. I have had discussions on numerous subjects with the distinguished Leader of the Opposition. I have talked with union leaders, tractor drivers, and Australian Volunteers serving effectively in Papua/New Guinea. I have argued political theory with young backbenchers, kidded with waiters and taxi drivers and walked incognito through Kings Cross to talk with American servicemen. And in the course of these pleasant experiences I have formed the opinions which I now discuss under three headings: (1) *Natural Resources*, (2) *National Productivity* and (3) *National Self-analysis*.

YOUR NATURAL RESOURCES

I once chatted with a Digger from Western Australia. He was standing knee-deep in mud by an artillery piece in Vietnam. He was tired, dirty, and apparently disgusted. "You have enough iron in Western Australia," I said, "to sink the whole world." "Yes", he replied, "and right now I feel like starting with the United States." Then he grinned and said, "But what the hell, we're in this thing together."

No one can fully conceive of the staggering amount of mineral wealth which has been unearthed and which still remains to be discovered in Australia. You are, I believe, rapidly on the way toward an unprecedentedly high living standard. As these resources are developed and as methods of production improve and technological advances increase, Australia is certain to become a leading world economic force. There is, I think, only one thing that could retard spectacular progress, and that would be the failure to recognize that your natural resources, abundant as they may be, are secondary in importance to your human resources. No society today can seriously compete in the striving for scientific and technological excellence unless it gives priority to the development of its human assets. The time has passed when it makes sense to have anything but a broad educational system based on inclusion rather than exclusion. Education can no longer be looked upon as a privilege for a few but as a human right for all. Every child throughout the world should be able to advance as far and as fast in education as his own mentality and motivation will permit. In my country, forty-three per cent of all young people of college age are now enrolled in university. That percentage is still too low and our system is still too narrow. I do not know the figure for Australia, but it is considerably less than that. Thus, both of our countries and, in fact, all countries are faced with the challenge of human development.

NATIONAL PRODUCTIVITY

The "She'll be right" that is built into your Australian philosophy is an attitude which I would not want to see drastically changed. I would certainly not want to foster off on you those American compulsions which amount almost to a national neurosis and which were instilled into our forefathers by writers such as Emerson and rugged Carlyle who wrote, "Produce! Produce! be it only an infinitesimal fraction of a product, produce it in God's name!" We could use more leisure and less tension in America and be healthier for it. In many serious discussions with Australian leaders I have heard the expression, "We must have more Australians." May I digress here for a moment to say that I think

Australia is a promising place for Americans who want to season their lives with a little risk and challenge. I would caution you, however, not to rejoice too quickly in the reception of people who come here to escape the realities of the great American Happening. The problems of the United States are serious and pressing and are putting the fabric of our free society to the test. But let no-one feel sorry for us or wish us to suppress our problems. How great would be our loss and how complete our diminishment as a moral force if the poor, the young and the minorities were not having their say and demanding their rights as long as inequities exist.

Those few who leave my country and migrate to yours because problems at home are unpleasant, do not constitute, I believe, the kind of root stock that will serve Australia well. But it cannot be denied that your experts are right in listing an enlarged population as a desirable national objective. In my opinion, however, increased population by itself is not a panacea for economic growth. At least of equal importance—perhaps in the long run of greater importance—is increasing productivity of the average workman by the application of the most modern and advanced technology and in the case of service industries, it may be possible that scientifically applied time and motion studies would release manpower for other forms of employment and would improve efficiency to a significant degree. Obviously, as average productivity increases, the greater the overall production and efficiency of the entire economy. Thus, I think you must give as much emphasis to the qualitative improvement of your labor force as you do the quantitative increase of the force itself. We have learned in America not to fear automation, but to foster and welcome it. If three men can be made to do the work formerly done by four by the intelligent use of improved technology, it means that one man is released for new work created by new technology. It may seem strange to you that an American who uses a knife and fork in the most inefficient manner should be making such an observation, but I submit it for your consideration.

SELF-ANALYSIS

The third observation which I would make is more philosophical than practical. Again, you should be careful in accepting it without critical scrunity, because it comes from a Yank and Yanks are known to be compulsively self-analytical. We are, for instance, constantly obsessed with the kind of image we project abroad. Perhaps this is a beneficial restraint on our exercise of power. We like to be liked. I am personally convinced, however, that popularity and power are incompatible and that the best that a leading nation can expect is a reasonable blending of power and respect. America will increase in world popularity, I believe, in direct ratio to the diminishment of her powers. And I think that any developing nation will lose in popularity in direct ratio to its increase in power and prestige. But back to the observation on Australia and self-analysis. I believe that Australia, while profiting intellectually from a lack of parochialism, suffers from the bombardment of too much world news, and that the sheer volume of this external news may be permitting an atrophy of those self-analytical faculties which determine national direction and destiny. I read nine of your newspapers a day—six in the morning and three in the evening. A surprising percentage of the column inches in most of those papers is devoted to the problems of other societies and the happenings of other places. I am not prepared to say that this is wrong. I would, however, raise the question as to whether it is the most constructive role that journalism can play during a period of national self-definition and identification. Does it perhaps permit the postponement of self-diagnosis and development?

But times, they are a-changing, and you in the press like the rest of us who find security in establishments and institutions, will change with the times—for better or worse—or will cease to be needed. In the meantime, may I wish you well and may I wish your country well. Australia and I have become good mates. Whatever small influence I may have in the future will be used for the encouraging of ever closer and more realistic ties of friendship between our countries.

Finally, Gentlemen, let me in closing touch upon the unfinished work before us all. As Australia and America continue to draw closer together in friendship and interest there will be more and different items added to the lists of unfinished and new business. During the past nine months there has been, I believe, a maturation in our relationship. We have moved appreciably beyond rhetoric toward those basic realities which make for strong and lasting ties. There will continue to be differences between us, but if the lines of communication are kept open there will be no differences that can't be worked out. We must continue to treat each other in trust and with respect. Continuous criticisms, sweeping indictments and superficial judgments are hard on friendships. Problems between us—and there are no problems of a major nature—must be treated with honesty, courtesy and candor—and within the larger framework of proven good will and mutual assistance. Of the items which now occupy the agenda of the future none is more urgent than bringing an end to the carnage in Vietnam. Until peace is restored there on firm and honorable terms and until peace gains an ascendency in the world, we will continue to suffer from an incompleteness in ourselves and in the societies which we have formed. Presidents, Prime Ministers, Press Men and Ambassadors will come and go and their work will never be done. But the search for a better answer and a better way must go on. In the meantime let us not congratulate ourselves too much. As long as war continues we are all failures, you in your profession and I in mine. Men are dying on both sides of a war and as Rod McKuen reminds us—

> "Some of them fall like seagulls
> off in a foreign land,
> the blood from their cuts
> the life from their guts
> spread over the silver sand.
>
> "And some of their names are Peter
> and some of their names are Bill—
> I don't know why some of them die,
> I guess I never will."

This is the time when we all have more questions than there are answers and it may be that the agony and glory of our generation is to live with question marks rather than exclamation points. But the "why some of them die" is humanity's most urgent question and an answer must be found.

ANTON SCHUBEL

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. FEIGHAN. Mr. Speaker, April 26 will mark the 70th anniversary of the birth of the late Anton Schubel, a great Slovenian-American singer and musician, who, I am proud to say, was a resident of Ohio's 20th Congressional District, which I have the honor to represent.

He was a leader of Cleveland's cultural community and a spokesman for the Slovenian-American community. He was, further, a man of national prominence, who, by his achievements, contributed in significant fashion to the cultural life of the United States.

Born in Carniola, Slovenia, Mr. Schubel studied music at the Ljubljana Conservatory of Music and the Music Academy of Berlin studying under the famous pedagog, Max Reinhardt. Upon emigrating to the United States in the early 1930's he established himself as a baritone in the chorus of the Metropolitan Opera Co., a position he held until 1945. Thereafter he worked as a choir director and music teacher in Cleveland, establishing there a music studio in the Slovenian National Home.

Mr. Schubel was a talent scout for Carnegie Hall in New York and discovered some of the finest American talents, including world-renowned pianist Van Cliburn. He organized the Slovenian Children's Choir in Cleveland, and founded the Slovenian Glasbena Matica Chorus, known as one of the finest amateur singing groups in the United States.

His life and his career are testimony to the Slovenian national character, as well as to his dedication to the fine art of music. He represented ably, by his example, the Slovenian community in America, which though small, numbering less than half a million people, is distinguished for its moral integrity, industrious initiative, and solid accomplishment. Slovenian Americans are proud that their ranks make virtually no contributions to crime, juvenile delinquency, or relief roll statistics. They are proud further of their integration into all facets of American life, including politics, the arts, and the business community.

It is therefore a privilege and an honor for me to offer my tribute to Anton Schubel, and to all Slovenian Americans for whom he spoke, on this 70th anniversary of his birth.

AWAKENING IN THE MEXICAN-AMERICAN COMMUNITY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. BROWN of California. Mr. Speaker, as our domestic urban crisis deepens, the voices of discontent multiply in both number and intensity. To ignore them is to ignore the reality of new groups and a new generation rising to political and social maturity.

Nowhere is this better illustrated than in the Mexican-American community—our second largest minority group—where the passive acceptance of many years has been discarded and a new cultural awareness has produced demands for a major reordering of national priorities which have, in the past, dismissed the Mexican-American and his needs. For these people the allocation of resources is no abstract problem, but the reality of economic deprivation, of aimless violence, of institutions such as schools, health facilities, and employment services that fail utterly in being relevant to the lives of Mexican-American people.

The following editorial is indicative of the response of the people themselves when confronted with these problems. There is a new spirit, a new style of action in the Mexican-American community—one that no longer asks, but demands social and political justice. It is a voice that must be heard. I submit this editorial for inclusion in the Record at this point:

[From the Los Angeles, (Calif.) Carta, Mar. 1969]

For the Informed—Interested in Mexican-American Affairs

Education . . . Blow Outs—one year old and still going strong. . . . President Nixon declared last week that campus violence had endangered intellectual freedom in the United States and warned that the student law breakers would lose federal assistance.

"The nature and content of that danger is as clear as any one thing could be," he said. "Violence—physical violence, physical intimidation—is seemingly on its way to becoming accepted, or at all events a normal and not to be avoided element in the clash of opinion within the university confine," he continued.

Well, Mr. Nixon should know. The youth of today know only of the ways of violence. Their country has been engaged in violence (war) since, and before, they were born. They have been eyewitnesses (TV) of the horrors of war for all of their impressionable years. The present high school and university students were born during the Korean war only to to grow up in the atmosphere of the Vietnam war. This generation has had violence inflicted upon them, directly or indirectly, from at least three additional sources. Many of these youngsters have parents who fought in WWII or they were born while their fathers were still in service after the conclusion of hostilities in 1946. While the United States signed a Peace Treaty with Japan, it has not yet concluded one with Germany . . . therefore, WWII has never been terminated officially. The residual of WWII remains sufficiently active to constitute a constant threat to the outbreak of WWIII. This concern is so great that these children and others in lower grades have been frightened by the exercises practiced in the school room as preparedness in the event of nuclear war. These youths are raised on fear and violence and nightmares.

Violence as the only method. The present adult generation has not been able to settle its differences with other countries without violence. This is an example we have set forth. We cannot place the blame for the present situation on the campuses on the younger generation. The main burden has to be assumed by the men in public office, who in the first place are unable to find other methods than war to settle their problems. Violence, no matter the source is unacceptable, and rejected as a substitute for discussion and negotiation.

The youth are hard to convince. They are idealistic and politically honest. They have not learned to play games of the adults . . . and they see their world in a mess and they want to change it.

The youth know violence . . . and what they are not able to secure by rational approach they plan to get by using threat and forceful action. They have learned that a show of strength, and violence will receive attention.

This is true even with the little tots. It has not been too long since most of the children were playing with war toys. Now the adults want to turn it off by decree. They taught the child to play with a gun . . . and how far is the step from pointing a toy gun at passing cars on the street to using a real one?

Peaceful negotiations . . . it is not war with the students that requires attention but how to develop peaceful discussion. Adults have to muster sufficient confidence in their own beliefs (even if they are outmoded) in order to sit down at a table to discuss the issues with the youth. This is particularly true in the case of the school administration. The present state of uncertainty and confusion will continue if the school administrators and principals insist on unilateral decisions, and acting on the basis of fear, force and incompetency.

There are many examples of this state of affairs in the high schools of Los Angeles, California. The principals, are acting hysterically and provoking an incendiary atmosphere where none exists. If something happens at one school the principal of the other school over reacts and take measures to prevent something that is not happening.

The schools are being kept in a state of seige . . . parents are called to the school to "observe" and to help keep "peace." However, not all parents are called. Only those the principal chooses. The others are not informed that the principal is bringing some parents onto the school campus to help in surveillance of the students. In this atmosphere the students are expected to attend school and learn. This attitude (similar to the stand taken by Reagan) to break the students' back will not produce a solution to the problems in the school.

And this is precisely the problem . . . the present administration does not want to change. Most of them are antiquated, unprepared to meet the needs of awakened students, therefore, inadequate to continue in their present positions.

It is ture that 50–60% of the students graduate from high school. However, many of these are "push outs" and cannot pass a college entrance exam. This is hardly adequate preparation for 12 years of school. Yet, there is still no serious program to change this situation. It is clear that the taxpayers are taking a beating. They are paying their taxes to educate these students but the school system is not doing the job they are paid to do. Mexican parents at times have turned down voting for school bonds because of the inferior educational program on the Eastside. But it would probably be more productive if the parents could remove some of the administrators and/or principals from their present positions.

RHODESIAN SANCTIONS: BENEFIT ONLY SOVIETS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. RARICK. Mr. Speaker, since the imposition of mandatory sanctions against Rhodesia, I have attempted to point out the fallacy and the unfairness of these sanctions.

Now we are beginning to see that when it comes to adherence to these sanctions, the Soviet Union—although a member State of the UNO—has no intention of abiding by them.

I include an article by the Amarillo Daily News following my remarks:

U.N. Policy Traps United States

(By Willard Edwards)

Washington.—On March 26, according to intelligence reports received here, a Russian ship docked at the East African port of Mozambique and began taking on chromium ore. This event had a critical significance.

The ore had been transported from Rhodesia, bordering Mozambique on the west, in cars marked with the Rhodesian railroad emblem. An examination indicated the ore was of Rhodesian origin.

This transaction was, of course, a brazen violation of the sanctions imposed on Rhodesia by the United Nations, with the enthusiastic cooperation of the United States, the Soviet Union, and Great Britain. The U.N. had discovered a threat to world peace in the refusal of a small white minority in the land-locked country to agree to immediate racial parity for four million tribal Africans.

The Nixon administration now is beginning to wonder if another threat—a threat to the national security of the United States—has developed from rigid African adherence to the U.N. edict while other nations flout it with impunity.

Here is an authoritative analysis of why the Mozambique incident aroused deep concern and has strengthened demands in government circles for reappraisal of the Rhodesian policy inherited from the Johnson administration.

Chromium is so indispensable to stainless and other alloy steel essential to defense that chromium ore and the American-based industry to convert it to a ferrochrome have been declared by the office of emergency preparedness as essential to national security.

Russia and Rhodesia have the largest sources of supply. The chromium ore mines in Rhodesia are owned by two American corporations. Before sanctions were imposed, these companies imported the vast majority of the ore required for the American ferro-alloy industry and were the major free world competitors to Russia.

The Rhodesian embargo cut off these supplies. The two companies have ore stockpiled above ground in Rhodesia valued at more than $8 million. They own it but are denied access to it. Great Britain, under similar circumstances, gave its industries a period of six months to obtain sanctioned material, including ferrochrome, but the United States imposed an embargo immediately.

American industry has been forced to turn to Russia, now enjoying a virtual monopoly. To nobody's surprise, the price of Russian ore promptly rose from $32 per to to $46, a 44 per cent increase. The profits are so rich, the Mozambique incident indicated, that Russia now is buying ore from Rhodesia illegally. It came from American-owned mines.

The comic opera aspects of the situation fade when these other points are considered.

One of the American-owned mines in Rhodesia, accounting for one-third of the chromium deposits in the country, must be worked continually or it will be flooded. The company kept it going at a cost of $900,000 annually until January, 1968, when it no longer could afford the expense. The Rhodesian government has operated it since then but could be forced to suspend, causing in the words of a government report, "the irretrievable loss of a significant and vital portion of the free world's chromium ore deposits."

The Treasury and Commerce Departments, supported by the Office of Emergency Preparedness, have urged strongly that the two companies be allowed to import, as quickly as possible, the ore stored above ground in Rhodesia.

The State Department has objected. Rhodesia must be strangled economically, it insists, disregarding objections that Rhodesia would reap no profit from removal of the ore.

This department dispute must be settled by President Nixon. The State Department is protesting that the United States would be "embarrassed" in the U.N. by any action favoring relaxation of the sanctions against Rhodesia.

The President must weigh this objection against the massed opinion of the other government departments that an inflexible stand may menace the nation's security.

SENATE—*Friday, April 25, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, whose children we are, whose will we seek to discover, and whose work we would do, we give Thee hearty thanks for the noble succession of unselfish patriots who in high and humble places, counting not their lives dear unto themselves, consecrated their gifts to the service of their generation, and won for their age a better world. Suffer not this race of the dedicated public servants to become extinct. Breed in each generation the legions of selfless servants of the common good as shall move each age nearer to Thy perfect kingdom.

O Lord, wilt Thou renew us each day in the things of the spirit. Spare us from idolatry of the past or fear of the future. Give us a good conscience in the use of power and in the management of money. Open our minds to learn and open our hearts to love that our work here may be to Thy glory and to the advancement of Thy kingdom.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, April 22, 1969, be dispensed with.

The **VICE PRESIDENT**. Without objection, it is so ordered.

EULOGIES TO THE LATE SENATOR E. L. BARTLETT, OF ALASKA, AND REPRESENTATIVE ROBERT A. EVERETT, OF TENNESSEE

Mr. JORDAN of North Carolina. Mr. President, I am calling to the attention of the Senate membership that the closing date for eulogies to the late Senator, E. L. Bartlett, of Alaska, and Representative Robert A. Everett, of Tennessee, has been set for Friday, May 2, 1969. This has been set as the cutoff date for all insertions that will make up the compendiums of eulogy to these two Members of Congress who, but for their untimely passing, would now be serving in the 91st Congress.

ORGANIZED CRIME—MESSAGE FROM THE PRESIDENT RECEIVED DURING THE ADJOURNMENT

The **VICE PRESIDENT** laid before the Senate the following message from the President of the United States received on April 23, 1969, under the authority of the order of the Senate of April 22, 1969, which was referred to the Committee on the Judiciary:

To the Congress of the United States:

Today, organized crime has deeply penetrated broad segments of American life. In our great cities, it is operating prosperous criminal cartels. In our suburban areas and smaller cities, it is expanding its corrosive influence. Its economic base is principally derived from its virtual monopoly of illegal gambling, the numbers racket, and the importation of narcotics. To a large degree, it underwrites the loansharking business in the United States and actively participates in fraudulent bankruptcies. It encourages street crime by inducing narcotic addicts to mug and rob. It encourages housebreaking and burglary by providing efficient disposal methods for stolen goods. It quietly continues to infiltrate and corrupt organized labor. It is increasing its enormous holdings and influence in the world of legitimate business. To achieve his end, the organized criminal relies on physical terror and psychological intimidation, on economic retaliation and political bribery, on citizen indifference and governmental acquiescence. He corrupts our governing institutions and subverts our democratic processes. For him, the moral and legal subversion of our society is a life-long and lucrative profession.

Many decent Americans contribute regularly, voluntarily and unwittingly to the coffers of organized crime—the suburban housewife and the city slum dweller who place a twenty-five cent numbers bet; the bricklayer and college student who buy a football card; the businessman and the secretary who bet illegally on a horse.

Estimates of the "take" from illegal gambling alone in the United States run anywhere from $20 billion, which is over 2% of the Nation's gross national product, to $50 billion, a figure larger than the entire Federal administrative budget for fiscal year 1951. This wealth is but one yardstick of the economic and political power held by the leaders of organized crime who operate with little restriction within our society.

Organized crime's victims range all across the social spectrum—the middle-class businessman enticed into paying usurious loan rates; the small merchant required to pay protection money; the white suburbanite and the black city dweller destroying themselves with drugs; the elderly pensioner and the young married couple forced to pay higher prices for goods. The most tragic victims, of course, are the poor whose lack of financial resources, education and acceptable living standards frequently breed the kind of resentment and hopelessness that make illegal gambling and drugs an attractive escape from the bleakness of ghetto life.

BACKGROUND

For two decades now, since the Attorney General's Conference on Organized Crime in 1950, the Federal effort has slowly increased. Many of the Nation's most notorious racketeers have been imprisoned or deported and many local organized crime business operations have been eliminated. But these successes have not substantially impeded the growth and power of organized criminal syndicates. Not a single one of the 24 Cosa Nostra families has been destroyed. They are more firmly entrenched and more secure than ever before.

It is vitally important that Americans see this alien organization for what it really is—a totalitarian and closed society operating within an open and democratic one. It has succeeded so far because an apathetic public is not aware of the threat it poses to American life. This public apathy has permitted most organized criminals to escape prosecution by corrupting officials, by intimidating witnesses and by terrorizing victims into silence.

As a matter of national "public policy," I must warn our citizens that the threat of organized crime cannot be ignored or tolerated any longer. It will not be eliminated by loud voices and good intentions. It will be eliminated by carefully conceived, well-funded and well-executed action plans. Furthermore, our action plans against organized crime must be established on a long-term basis in order to relentlessly pursue the criminal syndicate. This goal will not be easily attained. Over many decades, organized crime has extended its roots deep into American society and they will not be easily extracted. Our success will first depend on the support of our citizens who must be informed of the dangers that organized crime poses. Success also will require the help of Congress and of the State and local governments.

This Administration is urgently aware of the need for extraordinary action and I have already taken several significant steps aimed at combating organized crime. I have pledged an unstinting commitment, with an unprecedented amount of money, manpower and other resources to back up my promise to attack organized crime. For example—I have authorized the Attorney General to engage in wiretapping of organized racketeers. I have authorized the Attorney General to establish 20 Federal racketeering field offices all across the Nation. I have authorized the Attorney General to establish a unique Federal-State Racket Squad in New York City. I have asked all Federal agencies to cooperate with the Department of Justice in this effort and to give priority to the organized crime drive. I have asked the Congress to increase the fiscal 1970 budget by $25 million, which will roughly double present expenditures for the organized crime effort.

In addition, I have asked the Congress to approve a $300 million appropriation in the 1970 budget for the Law Enforcement Assistance Administration. Most of these funds will go in block grants to help State and local law enforcement programs and a substantial portion of this assistance money will be utilized to fight organized crime. I have had discussions with the State Attorneys General and I have authorized the Attorney General to cooperate fully with the States and local communities in this national effort, and to extend help to them with every means at his disposal.

Finally, I have directed the Attorney General to mount our Federal anti-organized crime offensive and to coordinate the Federal effort with State and local efforts where possible.

ASSISTANCE TO STATES AND LOCAL GOVERNMENTS

Through the Law Enforcement Assistance Administration, and other units of the Department of Justice, the Attorney General has already taken some initial steps:

1) A program is being established so that State and local law enforcement people can exchange recent knowledge on the most effective tactics to use against organized crime at the local level.

2) The Justice Department is furnishing technical assistance and financial help in the training of investigators, prosecutors, intelligence analysts, accountants, statisticians—the professional people needed to combat a sophisticated form of criminal activity.

3) The Justice Department is encouraging municipalities and States to reexamine their own laws in the organized crime area. We are also encouraging and assisting in the formation of State-wide organized crime investigating and prosecuting units.

4) A computerized organized crime intelligence system is being developed to house detailed information on the personalities and activities of organized crime nationally. This system will also serve as a model for State computer intelligence systems which will be partially funded by the Federal Government.

5) We are fostering cooperation and coordination between States and between communities to avoid a costly duplication of effort and expense.

6) We are providing Federal aid for both State and local public information programs designed to alert the people to the nature and scope of organized crime activity in their communities.

These actions are being taken now. But the current level of Federal activity must be dramatically increased, if we expect progress. More men and money, new administrative actions, and new legal authority are needed.

EXPANDED BUDGET

There is no old law or new law that will be useful without the necessary manpower for enforcement. I am therefore, as stated, asking Congress to increase the Fiscal Year 1970 budget for dealing with organized crime by $25 million. This will roughly double the amount spent in the fight against organized crime during Fiscal Year 1969, and will bring the total Federal expenditures for the campaign against organized crime to the unprecedented total of $61 million. I urge Congress to approve our request for these vital funds.

REORGANIZATION OF THE CRIME EFFORT

I have directed the newly appointed Advisory Council on Executive Organization to examine the effectiveness of the Executive Branch in combating crime—in particular organized crime.

Because many departments and agencies of the Executive Branch are involved in the organized crime effort, I believe we can make lasting improvement only if we view this matter in the full context of executive operations.

FEDERAL RACKETEERING FIELD OFFICES

The focal center of the Federal effort against organized crime is the Department of Justice. It coordinates the efforts of all the Federal agencies. To combine in one cohesive unit a cadre of experienced Federal investigators and prosecutors, to maintain a Federal presence in organized crime problem areas throughout the Nation on a continuing basis, and to institutionalize and utilize the valuable experience that has been gained by the "Strike Forces" under the direction of the Department of Justice, the Attorney General has now established Federal Racketeering Field Offices in Boston, Brooklyn, Buffalo, Chicago, Detroit, Miami, Newark, and Philadelphia. These offices bring together, in cohesive single units, experienced prosecutors from the Justice Department, Special Agents of the FBI, investigators of the Bureau of Narcotics and Dangerous Drugs, the finest staff personnel from the Bureau of Customs, the Securities and Exchange Commission, the Internal Revenue Service, the Post Office, the Secret Service and other Federal offices with expertise in diverse areas of organized crime.

The Racketeering Field Offices will be able to throw a tight net of Federal law around an organized crime concentration and through large scale target investigations, we believe we can obtain the prosecutions that will imprison the leaders, paralyze the administrators, frighten the street workers and, eventually, paralyze the whole organized crime syndicate in any one particular city. The Attorney General plans to set up at least a dozen additional field offices within the next two years.

FEDERAL-STATE RACKET SQUAD

Investigations of the national crime syndicate, La Cosa Nostra, show its membership at some 5,000, divided into 24 "families" around the Nation. In most cities organized crime activity is dominated by a single "family"; in New York City, however, the lucrative franchise is divided among five such "families."

To deal with this heavy concentration of criminal elements in the Nation's largest city, a new Federal-State Racket Squad is being established in the Southern District of New York. It will include attorneys and investigators from the Justice Department as well as from New York State and city. This squad will be directed by the Department of Justice, in conjunction with a supervisory council of officials from State and local participating agencies, who will formulate policy, devise strategy and oversee tactical operations. Building on the experience of this special Federal-State Racket squad, the Attorney General will be working with State and local authorities in other major problem areas to determine whether this concept of governmental partnership should be expanded to those areas through the formation of additional squads.

NEW LEGISLATION

From his studies in recent weeks, the Attorney General has concluded that new weapons and tools are needed to enable the Federal Government to strike both at the Cosa Nostra hierarchy and the sources of revenue that feed the coffers of organized crime. Accordingly the Attorney General will ask Congress for new laws, and I urge Congress to act swiftly and favorably on the Attorney General's request.

WITNESS IMMUNITY

First, we need a new broad general witness immunity law to cover all cases involving the violation of a Federal statute. I commend to the Congress for its consideration the recommendations of the National Commission on Reform of Federal Criminal Laws. Under the Commission's proposal, a witness could not be prosecuted on the basis of anything he said while testifying, but he would not be immune from prosecution based on other evidence of his offense. Furthermore, once the government has granted the witness such immunity, a refusal then to testify would bring a prison sentence for contempt. With this new law, government should be better able to gather evidence to strike at the leadership of organized crime and not just the rank and file. The Attorney General has also advised me that the Federal Government will make special provisions for protecting witnesses who fear to testify due to intimidation.

WAGERING TAX AMENDMENTS

We shall ask for swift enactment of S. 1624 or its companion bill H.R. 322, sponsored by Senator Roman Hruska of Nebraska and Congressman Richard Poff of Virginia respectively. These measures would amend the wagering tax laws and enable the Internal Revenue Service to play a more active and effective role in collecting the revenues owed on wagers; the bills would also increase the Federal operator's tax on gamblers from $50 annually to $1000.

CORRUPTION

For most large scale illegal gambling enterprises to continue operations over any extended period of time, the cooperation of corrupt police or local officials is necessary. This bribery and corruption of government closest to the people is a deprival of one of a citizen's most basic rights. We shall seek legislation to make this form of systematic corruption of community political leadership and law enforcement a Federal crime. This law would enable the Federal Government to prosecute both the corruptor and the corrupted.

ILLEGAL GAMBLING BUSINESSES

We also shall request new legislation making it a Federal crime to engage in an illict gambling operation, from which five or more persons derive income, which has been in operation more than thirty days, or from which the daily "take" exceeds $2000. The purpose of this legislation is to bring under Federal jurisdiction all large-scale illegal gambling operations which involve or affect inter-state commerce. The effect of the law will be to give the Attorney General broad latitude to assist local and state government in cracking down on illegal gambling, the wellspring of organized crime's financial reservoir.

This Administration has concluded

that the major thrust of its concerted anti-organized crime effort should be directed against gambling activities. While gambling may seem to most Americans to be the least reprehensible of all the activities of organized crime, it is gambling which provides the bulk of the revenues that eventually go into usurious loans, bribes of police and local officials, "campaign contributions" to politicians, the wholesale narcotics traffic, the infiltration of legitimate businesses, and to pay for the large stables of lawyers and accountants and assorted professional men who are in the hire of organized crime.

Gambling income is the life line of organized crime. If we can cut it or constrict it, we will be striking close to its heart.

PROCEDURAL LAWS

With regard to improving the procedural aspects of the criminal law as it relates to the prosecution of organized crime, the Attorney General has been working with the Senate Subcommittee on Criminal Laws and Procedures to develop and perfect S. 30, the "Organized Crime Control Act of 1969." As Attorney General Mitchell indicated in his testimony on that bill, we support its objectives. It is designed to improve the investigation and prosecution of organized crime cases, and to provide appropriate sentencing for convicted offenders. I feel confident that it will be a useful new tool.

DEVELOPMENT OF NEW LAWS

Finally, I want to mention an area where we are examining the need for new laws: the infiltration of organized crime into fields of legitimate business. The syndicate-owned business, financed by illegal revenues and operated outside the rules of fair competition of the American marketplace, cannot be tolerated in a system of free enterprise. Accordingly, the Attorney General is examining the potential application of the theories underlying our anti-trust laws as a potential new weapon.

The injunction with its powers of contempt and seizure, monetary fines and treble damage actions, and the powers of a forfeiture proceeding, suggest a new panoply of weapons to attach the property of organized crime—rather than the unimportant persons (the fronts) who technically head up syndicate-controlled businesses. The arrest, conviction and imprisonment of a Mafia lieutenant can curtail operations, but does not put the syndicate out of business. As long as the property of organized crime remains, new leaders will step forward to take the place of those we jail. However, if we can levy fines on their real estate corporations, if we can seek treble damages against their trucking firms and banks, if we can seize the liquor in their warehouses, I think we can strike a critical blow at the organized crime conspiracy.

Clearly, the success or failure of any ambitious program such as I have outlined in this Message depends on many factors. I am confident the Congress will supply the funds and the requested legislation, the States and communities across the country will take advantage of the Federal capability and desire to assist and participate with them, and the Federal personnel responsible for programs and actions will vigorously carry out their mission.

RICHARD NIXON.

THE WHITE HOUSE, *April 23, 1969.*

POSTAL RATE INCREASES—MESSAGE FROM THE PRESIDENT RECEIVED DURING THE ADJOURNMENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States received on April 24, 1969, under the authority of the order of the Senate of April 22, 1969, which was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

The Post Office Department faces a record deficit in Fiscal Year 1970, one which will reach nearly $1.2 billion. This unhappy fact compels me to recommend to the Congress that it increase postal rates for first, second, and third class mail.

The increases that I am proposing will reduce the postal deficit in Fiscal Year 1970 by over $600 million. If rates were not raised, that sum would have to be added to the already considerable burdens of our taxpayers. But if these recommendations are adopted, the costs of postal service will be borne more adequately by those who use the service most.

That is the way it should be if the Post Office is to become an example of sound business practices. That is also what the law requires. The Postal Policy Act stipulates that postal rates should produce revenue which is approximately equal to the cost of operating the postal establishment—after the costs of such special public services as the Congress may designate are deducted. It is in accordance with both general principle and specific law, then, that I make the following recommendations:

1. First class mail—I propose that the rates for letters and postcards be increased one cent, to seven and six cents respectively, on July 1, 1969. Air mail postage rates would remain unchanged.
2. Second class mail—The rates for newspapers and magazines which circulate outside the county in which they are published would go up by 12 percent on July 1, 1970. This increase would constitute an addition to the 8 percent increase for second class mail which is already scheduled to take effect on January 1 of next year.
3. Third class mail—Bulk rates are already scheduled for increase on July 1, 1969. I suggest that there be a further increase on January 1, 1970, so that the overall level at that time would be some 16 percent above present levels. Further, I recommend that the minimum single piece third class rate be increased by one cent on July 1, 1969.

I regret the need to raise postal rates. I can suggest, however, that these increases can help our country achieve two important goals. First, the proposal can help in our efforts to control inflation by bringing federal revenues and expenditures into better balance. Secondly, rate increases will make it easier for the Postmaster General and his associates to provide better postal service. After carefully reviewing the fiscal 1970 Post Office budget submitted by the previous administration, we have been able to achieve reductions of net outlays equal to $140 million. A comprehensive review of all postal operations is now underway; modern management techniques are being introduced and efficiency is being increased.

Further improvements will take time—and during that time it is essential that financial pressures should not impair or reduce available services.

I would add one further comment: this Administration is determined that the cycle of greater and greater postal deficits and more and more rate increases will be broken. The only way to break that cycle is through effective, long-range reforms in the way the postal system operates. Some of these reforms can be implemented by the Postmaster General; others will require Congressional action. We will be submitting specific proposals for such reform to the Congress within the next forty-five days.

Postal reform will not be achieved easily; there are always many obstacles to even the most necessary change. But we remain confident that we can, with your cooperation, move boldly toward our three goals: better postal service, improved working conditions for all employees, and a reduction of the recent pressure for frequent increases in postal rates.

Proposed legislation to effect the revenue increases which I have recommended here will be sent to the Congress shortly.

RICHARD NIXON.

THE WHITE HOUSE, *April 24, 1969.*

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT—NOMINATIONS

Under the authority of the order of the Senate of April 22, 1969, the Secretary of the Senate, on April 23, 1969, and April 24, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on April 23 and 24, 1969, see the end of the proceedings of today, April 25, 1969.)

EXECUTIVE REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of April 22, 1969, the following favorable executive report of a nomination was submitted:

On April 24, 1969:

By Mr. ALLOTT, from the Committee on Interior and Insular Affairs:

Brantley Blue of Tennessee, to be a Commissioner of the Indian Claims Commission.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The Vice President laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(For nominations this day received see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. LONG, from the Committee on Finance:

Dorothy A. Elston, of Delaware, to be Treasurer of the United States;

Robert C. Mardian, of California, to be General Counsel of the Department of Health, Education, and Welfare; and

Lewis Butler, of California, to be an Assistant Secretary of Health, Education, and Welfare.

By Mr. McGEE, from the Committee on Post Office and Civil Service:

L. J. Andolsek, of Minnesota, to be a Civil Service Commissioner;

Henry Lehne, of Massachusetts, to be an Assistant Postmaster General;

Ronald B. Lee, of Maryland, to be an Assistant Postmaster General; and

Frank J. Nunlist, of New Jersey, to be an Assistant Postmaster General.

By Mr. RANDOLPH, from the Committee on Public Works:

Ralph R. Bartelsmeyer, of Illinois, to be Director of Public Roads; and

Stewart Lamprey, of New Hampshire, to be Federal cochairman of the New England Regional Commission.

MESSAGE FROM THE HOUSE

A message from the House, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

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The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 216) extending to Harry S. Truman, 33d President of the United States, best wishes on his 85th birthday, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the bill (H.R. 3832) to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active duty strength of the Marine Corps exceeds 200,000, and it was signed by the Vice President.

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The following bills were each read twice by their titles and referred, as indicated:

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LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The bill clerk read the nomination of of Harold B. Finger, of Maryland, to be Assistant Secretary of Housing and Urban Development.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

INDIAN CLAIMS COMMISSION

The bill clerk read the nomination of Brantley Blue, of Tennessee, to be a Commissioner of the Indian Claims Commission.

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Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR MANSFIELD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be recognized for not to exceed 10 minutes during the period for the transaction of routine morning business.

The VICE PRESIDENT. Without objection, it is so ordered.

PRESIDENT'S MESSAGE ON ORGANIZED CRIME

Mr. DIRKSEN. Mr. President, I want to give complete encouragement and support to the rather fortright representation and presentation by the President on the subject of organized crime.

I think it was Lord Acton who said long ago that "power tends to corrupt. And absolute power tends to corrupt absolutely." Even in a free country there can develop that kind of corrupt power; and it becomes corrupt and corrosive and corrupts whatever it touches. Our forefathers took heed of Lord Acton's warning, and they established a government of limited powers, with checks and balances.

But now, nearly 200 years later, we find a government within our system which has no checks and recognizes no balances. Its members are governed by a false sense of loyalty and by a constant fear of violent reprisal. The philosophy of this government within a government is to use any means necessary to increase its power and wealth.

If by now there are those who do not know what I am referring to, I am referring to La Cosa Nostra. This vast empire has extended its influence to many areas outside of those for which it is noted.

Labor unions, private enterprise, local government, and our financial institutions have all been infiltrated by its corrupt influence.

Unfortunately, our constituents are often not aware of the influence that organized crime has on everyday life. It is time that we made them aware, for, as Charles W. Eliot once said:

> In the modern world, the intelligence of public opinion is the one indispensable condition of social progress.

Once a citizen is aware of the fact that when he lays down a $2 bet somewhere, or on a number, he helps to buy heroin which is used to ruin the lives of our youth, he may be less likely to make what at one time seemed to be a relatively harmless and insignificant wager.

With the support of the public, coordinated efforts of Federal and local law enforcement can lift the black hand of organized crime from the Nation's heart. I urge full support of the President's program as set forth to this Congress.

It is time that we close the door on organized criminal activity in this country, and we had better begin today.

With further reference to the President's message on organized crime, on Monday next I am quite sure that the Senator from Nebraska (Mr. HRUSKA), as the author, and others, as cosponsors, will introduce the legislation dealing with gambling.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

THE PROPOSED POSTAL RATE INCREASE

Mr. DIRKSEN. Mr. President, the previous administration's Post Office Department budget, submitted last January, called for raising the cost of mailing a letter from 6 to 7 cents, plus an extra penny for postcards. That administration did not, however, seek additional revenue from those flooding the mails with advertising circulars or from the publishers of magazines and newspapers.

I am pleased, Mr. President, that President Nixon recognized in his postal revenue proposal that it is not fair to ask those sending letters to bear the entire rate increase.

In addition to asking for a 1-cent increase in first-class mail, the President has proposed increases for bulk third-class mail and magazines and newspapers. Including increases to be implemented for these two classes of mail within the next 8 months, their rates would be lifted from 16 percent to 20 percent above today's levels. These amounts are comparable to the 16⅔-percent rise being asked for letter-mail postage.

With the Post Office Department facing the biggest deficit in its history, President Nixon felt that all of the major classes of mail users should help trim the $1.2 billion postal deficit expected in fiscal year 1970. On an annual basis, the President's postal revenue proposal will yield about $636 million.

Mr. President, if we support the principle that those using the mail should pay for its services, we have no choice but to revise postal rates and avoid this huge deficit in the postal service. The alternative is an increased burden which must be borne by all the taxpayers.

ISRAEL

Mr. RIBICOFF. Mr. President, Israel is a miracle in the modern world.

Though surrounded by enemies, deluged by a torrent of immigrants, and slighted in the blessings of natural wealth, Israel has not only survived, she has prospered.

The reason is singlefold: Israel has harnessed her one outstanding attribute—a people who are strong, steadfast, patient, talented, and determined to succeed.

This week marks the 21st anniversary of Israel. There is much to celebrate.

From a nation of some 600,000 people, her population has now reached almost 3 million.

Israelis are celebrating the recovery of fertile green fields from the yellow sands of the desert.

Their nation is a haven for the persecuted who have come to establish new lives. And their pride in living in the new Israel is reflected in the new cities, farms, factories, and roads—in the vibrant economy they have built on the face of their land.

All of us marvel at this noble experiment in statehood which already has so many remarkable achievements to her credit.

Yet we know that this—Israel's 21st anniversary year—is also a time of sad thoughtfulness.

For the remarkable Israelis fought a victorious war to bring peace, and still there is no permanent peace. Instead, hostilities break out almost every day.

It is our solemn hope that finally a just settlement and lasting peace will come to the Middle East.

For the state of Israel teaches of human courage, strength of will, vitality, and self-sacrifice. The commitment of her people to meaningful values gives promise for the future. There cannot be too much of that in the world today.

Mr. President, I am pleased to announce that the following 46 Senators have joined with the Senator from Pennsylvania (Mr. SCOTT) and me in signing the following statement which expresses our strong support for meaningful efforts to establish permanent peace in the Middle East: Senators ALLOTT, BAYH, BENNETT, BIBLE, BROOKE, BURDICK, BYRD of West Virginia, CASE, COOK, COTTON, CRANSTON, GOODELL, GORE, GURNEY, HARRIS, HART, HARTKE, HOLLAND, JACKSON, JAVITS, MAGNUSON, MATHIAS, McGEE, McGOVERN, McINTIRE, METCALF, MILLER, MONDALE, MOSS, MURPHY, MUSKIE, NELSON, PERCY, PROXMIRE, SAXBE, SCHWEIKER, STEVENS, TYDINGS, WILLIAMS of New Jersey, YOUNG of Ohio, YARBOROUGH, PASTORE, KENNEDY, GOLDWATER, MONTOYA, and PELL.

The statement reads as follows:

> On the occasion of Israel's 21st birthday, we offer our congratulations to the people of Israel on their progress: the absorption of more than 1,250,000 refugees and immigrants; the reclamation of the land; the development of their economy; the cultivation of arts and sciences; the revival of culture and civilization; the preservation and strengthening of democratic institutions; their constructive co-operation in the international community.
>
> On this 21st anniversary we express our concern that the people of Israel are still denied their right to peace and that they must carry heavy defense burdens which divert human and material resources from productive pursuits.
>
> We deeply regret that Israel's Arab neighbors, after three futile and costly wars, still refuse to negotiate a final peace settlement with Israel.
>
> We believe that the issues which divide Israel and the Arab states can be resolved in the spirit and service of peace, if the leaders of the Arab states would agree to meet with Israelis in face-to-face negotiations. There is no effective substitute for the procedure. The parties to the conflict must be parties to the settlement. We oppose any attempt by outside powers to impose halfway measures not conducive to a permanent peace.
>
> To ensure direct negotiations and to secure a contractual peace settlement, freely and sincerely signed by the parties themselves, the United States should oppose all pressures upon Israel to withdraw prematurely and unconditionally from any of the territories which Israel now administers.
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> Achieving peace, Israel and the Arab states will be in a position to settle the problems which confront them. Peace will outlaw belligerence, define final boundaries, and boycotts and blockades, curb terrorism, promote disarmament, facilitate refugee resettlement, ensure freedom of navigation through international waterways, and promote economic co-operation in the interests of all people.
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> The United Nations cease-fire should be obeyed and respected by all nations. The Arab states have an obligation to curb terrorism and to end their attacks on Israel civilians and settlements.
>
> We deplore one-sided United Nations Resolutions which ignore Arab violations of the cease-fire and which censure Israel's reply and counter-action. Resolutions which condemn those who want peace and which shield those who wage war are a travesty of the United Nations charter and a blow at the peace.
>
> The United States should make it clear to all governments in the Near East that we do not condone a state of war, that we persist in the search for a negotiated and contractual peace, as a major goal of Americn policy.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. RIBICOFF. I am pleased to yield to the distinguished coauthor of the statement.

Mr. SCOTT. Mr. President, I am very happy, indeed, that the distinguished Senator from Connecticut has called to the attention of the Senate a statement expressing the sentiment of nearly one-half of the Members of this body. I am sure there are many other Senators who share in this feeling that there should not be a peace imposed upon the parties. This is not to say that the good offices and good will of all nations should not be exerted to end this conflict.

That this conflict should be ended is, of course, the aspiration of all men and women of good will everywhere.

There is a great difference between imposing peace and searching for suggestions and conclusions which might

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The statement reads as follows:

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That this conflict should be ended is, of course, the aspiration of all men and women of good will everywhere.

There is a great difference between imposing peace and searching for suggestions and conclusions which might aid the parties to come together at the peace table. But there can be no peace, in my opinion, unless and until the Arab States recognize the State of Israel and sit down at the conference table for discussions. There is a need for settlement; there is a way for settlement; what we need is the will.

I thank the Senator from Connecticut.

MORALITY AND PORNOGRAPHY

Mr. MILLER. Mr. President, columnist Donald Kaul, of the Des Moines Register, usually writes with tongue in cheek, poking fun at those who take themselves too seriously. But in the Sunday Register of April 13, Kaul was deadly serious in assessing the issue of morality and pornography as it exists today.

I think that his column merits attention and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Over the Coffee: Modern-Day Sodom

(By Donald Kaul)

Either New York is really getting crummier or I'm getting old; maybe both.

Although I've never lived in New York, I've always considered myself a New Yorker-in-exile. Like many Midwesterners of my generation, I've been thrilled by the city's skylines and energized by the excitement of its streets.

Whenever somebody would start to say "New York is a nice place to live but . . ." I'd interject a "P h f f t t t !" or equally appropriate comment.

But now . . . I'm not so sure.

New York didn't seem quite so glamorous this trip. The sordidness, filth, corruption, decay and noise—my God, the noise—have reached a level that makes the city virtually uninhabitable.

Take Forty-second street. Forty-second street, around Broadway, has long been the dirty movie capital of the United States, the Mecca of creeps, but the perversion represented on that street today has reached truly astonishing proportions.

On Forty-second street a foot fetishist is considered straight. The scene is enough to make the Tijuana chief of police blush.

Homosexuals, transvestites, drug addicts, male and female prostitutes, sadists, masochists, pushers, voyeurs—all walk the street there, many of them hand in hand.

Above their heads blink gaudy movie marquees, bearing titles like "Body Lust" and "Party Girl." The stores are almost without exception smut shops, with hard-core pornography displayed in the windows and promises of harder stuff to be found inside.

A British visitor, asked to comment on Forty-second street recently, said:

"It's the last 27 minutes of the Roman Empire."

And there are those who think his watch was running a little slow.

There is more degenerate activity to be found on a single block of that street on a given night than you could discover in the whole of Des Moines.

"Well," you say, taking the sophisticated view, "it's a zoo; a kind of moral leper colony. Creeps have to live, too, and it's better to have them all in one place."

But they're not all in one place. The disease is spreading throughout Manhattan.

You walk uptown on Broadway or the Avenue of the Americas—up into the mid-50s around Rockefeller Center, the Time-Life Building—and you are accosted by hordes of hookers.

Crowds of young girls—some of them couldn't be any more than 16—jam the doorways along the respectable-looking business district, offering themselves to passing men. The going price is $25.

In the evening a lone man on the street will be approached 10 or 12 times in a single block. In the morning—9:30, say—it's not so bad. You'll only have to resist the charms of three or four pants-suited maidens,

You go to Greenwich Village. You can't go as long as three minutes without some long-haired punk asking you for a handout. Occasionally, the punk will not want a quarter; he'll want to sell you drugs.

It is unhealthy to indulge in the hypocrisy that such things as prostitution, drug addiction and perversion don't exist, but it is no less damaging to have them shoved down your throat day after day.

You are forced to learn to ignore it or go crazy. Some New Yorkers do one thing, some the other.

New York is still an exciting city; corrupt, but exciting. It's a catalogue of all the vices and virtues to be found in our culture.

I certainly wouldn't presume to advise anyone not to live there.

I mean, if you liked Sodom and Gomorrah, you'll love New York.

W. EARL HALL—NOTED IOWA EDITOR

Mr. MILLER. Mr. President, W. Earl Hall, one of Iowa's most noted editors, died on April 12. While making his newspaper, the Mason City Globe-Gazette, a newspaper of quality and distinction, he also served well his community and State. His efforts on behalf of safety won him the coveted Dr. C. C. Criss award; he served on the State board of regents and was named "Layman of the Year" by the Iowa State Education Association in 1960. Earl was active in the American Red Cross and the American Legion.

A newspaperman his entire life, he was a man of untiring energy who always considered himself a reporter, not an editor. He once said:

> It's my basic reasoning, kind sir, that anybody who can report can step down into that lower category of writing editorials if need be. A corollary to this is that I think of myself as a reporter rather than as an editor . . . basically.

W. Earl Hall was a credit to his profession, his community, his State, and his Nation. No greater praise could be accorded any man. I ask unanimous consent that the following articles relating to Mr. Hall be printed in the RECORD:

First. "Coworkers Laud Hall," Mason City Globe-Gazette, April 12.

Second. "Friends and Acquaintances of W. Earl Hall Pay Tribute," Mason City Globe-Gazette, April 14.

Third. "W. Earl Hall, Reporter," Mason City Globe-Gazette, April 14.

Fourth. "W. Earl Hall," Fort Dodge Messenger, April 14.

Fifth. "He Served His State," Des Moines Register, April 15.

Sixth. "Earl Hall Had 'A Lifetime of Fun,' " a column by editor Robert Spiegel, Mason City Globe-Gazette, April 16.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Mason City (Iowa) Globe-Gazette, Apr. 12, 1969]

Coworkers Laud Hall

"Earl was one of the great editors of our day," said Ray N. Rorick, who succeeded W. Earl Hall as publisher of the Globe-Gazette. "He brought the Globe-Gazette a long way in his years as head of its news and editorial staff.

"His absence will be felt in circles far wider than the normal circulation of a newspaper our size. He was known throughout the state and the nation, not only as a newspaperman but also for his work in education, the Red Cross, National Safety Council and American Legion.

"We at the Globe-Gazette feel a great personal loss."

"There is no way to measure the debt Iowa owes to Earl Hall," said Philip D. Adler, Davenport, president of Lee Enterprises, Inc., of which the Globe-Gazette is a division. "He was Iowa's crusading spokesman for more than a generation, a powerful personality as Globe-Gazette editor and a great leader in civic affairs.

"He was a landmark editor among all the Lee newspapers, a newspaperman who gave tremendous amounts of his time to teaching and inspiring others.

"His lifelong friendship with Virgil Hancher (former president of the University of Iowa) made him one of the outstanding contributors to and alumni of the University of Iowa.

"There is no civic enterprise in Mason City and North Iowa that has not benefited by Earl Hall's life and work. The American Red Cross, the American Legion, the Mason City Chamber of Commerce and the North Iowa Band Festivals will mourn him.

"I mourn him as a friend to whom I have constantly turned for counsel and help. His patriotism and personality have left a deep impression on Iowa history."

[From the Mason City (Iowa) Globe-Gazette, Apr. 14, 1969]

Friends and Acquaintances of W. Earl Hall Pay Tribute

Tributes to the late W. Earl Hall have come from across the state and nation as those with whom he was associated in a variety of endeavors received word of his death.

Composer Meredith Willson of Brentwood, Calif., native of Mason City and longtime friend of Earl Hall, said:

"If ever there was an irreplaceable man, it was Earl Hall. Utterly sincere, always willing to be involved; his family, his fellow men, his friends, all came first with Earl.

"His life was a succession of kindness for others. As a patriot, and as one constantly concerned, he had no equal.

"Earl Hall will never die. There is enough love for him in the hearts of those left behind to sustain him through an eternity of eternities."

Don Johnson, West Branch, former national commander of American Legion, was a freshman at Iowa State University and Mr. Hall was a member of the State Board of Education when they first met. He said:

"Earl was a familiar sight when I became active in the Legion, and he contributed considerably at all the Legion meetings, he attended," said Johnson.

"I have a particular regard for him, because he was the speaker at the kickoff meeting when I began my campaign for national Legion commander.

"I relied heavily upon the advice he gave me.

"More recently, he served so well as chairman of the committee for the Legion's 50th Anniversary. He had a unique knowledge of the Legion and a particular knack of being able to communicate to the public.

"His death is a loss, I'm sure, to Mason City and to Iowa . . . and it will leave a void in the Legion."

Carl Hamilton, vice president for information and development of Iowa State University and previously editor of the Iowa Falls Citizen, in which Earl Hall had a financial interest, said:

"Earl Hall was not a complex man, but he had so many interests and virtues that it now is difficult to separate them and decide which seemed most meaningful to his friends.

"Let me speak as a longtime business associate. We kidded Earl, and he of course joined in the laughs regarding his seemingly almost total lack of knowledge of business matters. A balance sheet was almost a mystery to him. Why? Because he was overwhemingly interested in people and events and ideas and safety and sports and politics. With a boundless energy, carried along to the tune of a hearty laugh, he chose to focus on those things which he felt were going to make this a better place for his friends and those who were to follow.

We need more Earl Halls."

Mayor George E. Mendon said:

"Earl Hall was one of the outstanding citizens of Mason City. Anytime he was asked to do something for the city, he did it. It is a great loss to the community . . . a man of his caliber and ability."

Mendon recalled the first time he ran for mayor.

"Earl was a strong advocate of a city manager form of government," the mayor said. "We discussed the issue at length. Despite our opposite views, it made no difference in our personal relations. Earl always was a good backer and was a great help to me many times and in many things."

Paul F. Hill, general manager of the National Safety Council in Chicago, a friend and associate of Mr. Hall for some 40 years, said:

"One statement that Earl Hall frequently made was that nine out of ten drivers wanted to do the right thing, and that if each driver fully understood his responsibility for driving a motor vehicle, accidents could be reduced at least 50 per cent.

"Earl Hall was one of the real pioneer leaders in traffic safety. His inspiration and leadership will be greatly missed. No one has given more to the cause of reducing needless accidents than Mr. Hall."

Hill was with the Department of Public Safety and the Iowa Safety Council during the time Mr. Hall was president of the council. Mr. Hall was vice president of the National Safety Council from 1944 to 1948.

Alfred M. Gruenther, national Red Cross president from 1957 to 1964, said of Mr. Hall:

"He was always a great leader and we had a very high regard for him. Personally he had a tremendous amount of magnetism. We at national headquarters were very fond of him and extremely grateful, to him for his very fine service to the Red Cross," Gruenther said.

"He was always coming forward with new ideas for Red Cross service in an endeavor to be able to do a better job, and we relied very heavily on his advice."

Mr. Hall was a member of the Red Cross national board of governors from 1952 to 1955 and worked for Red Cross many years before that, as well as afterward.

Willis Patton, longtime Mason City friend and neighbor of Mr. Hall, said: "I never knew a guy who put so much energy into the things he did . . . that drove himself as constantly as did Earl Hall."

Patton's acquaintance with Mr. Hall went back to 1927 when they played handball at the newly opened YMCA.

"Earl had the most intense desire to win of anyone I've ever known, be it handball or any other endeavor.

"Physically, he did not look like a good handball player, but he was smart . . . as smart at handball as at anything else."

Patton recalled a time when he and Mr. Hall played handball with a fellow who was "careless at score keeping."

"The guy is crooked," Earl remarked.

"No," said Patton. "He is just like you, he wants to win."

"If that was true," replied Earl, "he would make a mistake in my favor sometimes instead of always in yours."

Patton accompanied Mr. Hall on a trip around the world in 1956–57.

"We were on the go constantly during that trip," recalled Patton. "I did the same things that Earl did, except he stayed up nights writing accounts of what we had seen and done:

"The trip included the Olympic Games at Melbourne . . . and about everything else. We went to Saigon when they told us we couldn't. We went to Cairo during the Suez crisis, when everyone else was being evacuated.

Patton remembers also that Mr. Hall never was afraid to state an opinion on any subject if he was asked.

"He always had a positive approach to the subject and you could take it or leave it," said Patton. "I admired his frankness."

Frederick B. Shaffer, one of the two surviving members of the Rusty Hinge Quartet, recalls that Mr. Hall "made up and announced every program the quartet sang for 40 years, starting in 1926.

"He was the backbone of the quartet, his initiative being as a public relations leader inviting people to visit Mason City.

"He was a great community song leader at any time and anywhere, especially for the Chamber of Commerce and American Legion."

Mr. Hall was a member of the Rusty Hinge Quartet since it started in 1921 and sang all over Iowa and parts of Minnesota for about 40 years.

Dr. Raymond F. Kunz (Sr.), surviving member of the group along with Shaffer, said Mr. Hall did most of the quartet's driving.

He was a good driver, said Dr. Kunz, calling attention to Mr. Hall's work with the national safety council.

"He was on the go all the time and so nice to other people," said Dr. Kunz. He recalled how Mr. Hall volunteered to take him to the University Hospitals at Iowa City. This was in connection with Dr. Kunz's arthritic hip.

Mr. Hall did it more than once, said Dr. Kunz. He cited one trip when it was snowing.

"He was the best friend I ever had," said Dr. Kunz.

Lester Milligan, retired Mason City Chamber of Commerce secretary, said:

"Earl Hall was a friend, counselor and fellow-worker from March of 1923 when I came to Mason City as secretary of the Chamber of Commerce.

"The Community Chest, now United Fund, was founded that summer and if editorial support for the first efforts were counted, he had as long a record as anyone in that endeavor. Later he was campaign chairman with excellent results under his leadership.

"He continued to work right up through the very last one, when he was a valued member of the Advance Division. He not only handled several cards, but he was so serious about it that when he lost $50 on one pledge, he added that much to his own already-generous giving.

"We worked together in many community promotions, including both "Music Man" affairs—1958 and 1962. He not only helped set those up with the Meredith Willsons, but was general chairman of the national marching band contest spectacular of 1962.

"He was a faithful member of the Chamber of Commerce Glee Club, predecessor of the present Barber Shop Chorus. The Rusty Hinge quartet began during Mason City's 75th anniversary celebration of 1928.

"Soon along came that series of Chamber annual meeting Christmas parties which packed the hotel year after year and the quartet and chorus were the vehicle for much of those programs.

"Earl had a fine bass voice, might easily have been a professional. had an excellent sense of pitch and rhythm and was a great song leader. It was my privilege to play piano for him many times and he gave unselfishly of time and talent for scores of groups and events.

". . . As one of our poets puts it, when a giant oak goes down from a storm there is left a great vacant space against the sky. And so it is today in Mason City."

Leslie G. Moeller, of the University of Iowa School of Journalism and formerly its head, said:

"Earl Hall was a man of high ideals, and a great believer in the principle of wide participation in public life by all citizens. His writing and speaking on public affairs, backed up by his actions, have helped to improve the caliber of living in his city, his state, and his nation.

"During 20 years as director of the University of Iowa School of Journalism, I found him to be not only a consistent and thoughtful supporter of improvements for his profession, but also a great inspiration to young people coming into the field of journalism.

SERVICES SET

Memorial services for W. Earl Hall, 72, longtime Globe-Gazette editor, 22 River Heights Drive, will be at 2 p.m. Tuesday at the First Congregational Church. The Rev. Robert L. Stone, pastor, will officiate. The organist will be Miss Marie VonKaenel. Ushers selected are Richard Dean, James R. Brown, Max Sowers and Willis O. Patton.

Private committal services will be in Elmwood Cemetery. The Major-Erickson Funeral Home is in charge of arrangements.

Mr. Hall died Saturday morning in a Mason City hospital.

Surviving are his wife, Ruth; one son, Reeves, Independence; two daughters, Mrs. Paul (Marjory) Hook, San Francisco, Calif.; Miss Nancy Hall, New York City; two brothers, Alvin Hall, Pomona, Calif.; Ernest Hall, Alberta, Canada, and seven grandchildren.

[From the Mason City (Iowa) Globe-Gazette, Apr. 14, 1969]

W. EARL HALL, REPORTER

The memory is of a white-haired man sitting at a typewriter, looking up keenly, head half cocked to the side.

Curious. Prodding. Questioning.

The memory is of tearsheets from the Globe-Gazette with a message written around the border (sometimes all four borders) in a familiar scrawl with the initials, W.E.H., at the end.

The memory is of a man who loved his job, his family and his country and couldn't understand anyone who didn't.

The memory is of a man who recognized no boundaries. He saw the newspaper's role extending beyond city limits, state boundaries, national boundaries. He knew that the events all over the world echoed and reechoed in Mason City, Iowa. He reported those events; he interpreted them.

The memory is of a man who didn't like to lose, whether it was a struggle over a city-manager plan or a football game at Iowa City or a handball game at the YMCA. He saw little glory, or profit in defeat, but seldom dwelled on the misery of defeat. He was too busy looking for new combat.

The memory is of a personal editor, one of the last of that breed, casting a strong shadow on his paper and his community. He was a purist with the English language, written or spoken, and those who abused it heard from him.

The memory is of a man who loved to sing and could form a quartet or men's chorus or mixed group at the drop of a musical note.

Most of all, W. Earl Hall was a man who wanted to be remembered as a reporter, a title he valued more than any other.

The state of Iowa is better today because of W. Earl Hall, reporter . . . and editor. It has a better judicial system. It is better educationally. Its highways are safer. Its people can stand a little straighter, a little more proudly.

This is what Earl Hall wanted. This is what he achieved.

[From the Fort Dodge (Iowa) Messenger, Apr. 14, 1969]

W. Earl Hall

One of Iowa's great newspapermen died in Mason City Saturday.

He was W. Earl Hall, whose name, writings and civic zeal were known throughout the state.

Editor and publisher of the Mason City Globe-Gazette for 20 years prior to his retirement in 1963, Hall won state and national recognition with his hard-hitting, constructive editorials. He was an unwavering champion of his sector of the state and of the entire state. Iowan to the core, he wrote glowingly of the state and its assets at every opportunity but he constantly strove to remedy faults as he saw them or to suggest needed progressive moves.

His fellow newspapermen recognized his leadership with the Master Editor-Publisher award in 1946 but that was just one of his many honors. A close friendship with famous Meredith Willson enabled Hall to call upon that musical genius to visit Mason City on several occasions and to contribute to the success of the North Iowa Band Festival and other community programs.

Hall's efforts in behalf of safety won him the coveted Dr. C. C. Criss Mutual of Omaha $10,000 safety award in 1960. Always a leader in the field of education, he served on the Board of Regents and won the Iowa State Education Association's 'Layman of the Year' award.

He devoted a great deal of time and effort to the American Red Cross. He served in numerous volunteer leadership positions with the Red Cross and probably did more for that great humanitarian organization than any other newsman in Iowa.

Veteran of more national political conventions than any other Iowa newspaperman, Hall was himself discussed as a potential candidate for governor in the early 1950s. But he felt he could contribute more to his community and his state as a newspaperman—and it was here that his heart was, too.

He spoke as well as he wrote and through the years addressed numerous organizations, graduating classes and conventions.

His friends throughout Iowa and over the nation are saddened that W. Earl Hall has passed from the scene. He was one of Iowa's great journalists and, more than that, one of her outstanding citizens.

[From the Des Moines (Iowa) Register, Apr. 15, 1969]

He Served His State

Iowa lost a notable son in W. Earl Hall, who died at 72 the other day. Iowa-born and educated, he ran the Mason City Globe-Gazette from 1920 to 1963, first as managing editor, then editor and finally as editor-publisher. He made it a newspaper of quality and distinction.

During that period he found time for all sorts of extra community chores, notably his long hitch on what is now the state Board of Regents and his long service in safety organizations. He was a World War I veteran, a commander of the Iowa American Legion, and took a tour as war correspondent in 1944.

His shock of white hair, his dynamic interest in people and issues, made him stand out in a crowd. His weekly "One Man's Opinion" was both a radio broadcast and a newspaper column. It ran for 20 years.

His retirement in 1963 was not from work, but from one set of chores to other more flexible ones—as editorial consultant to Lee Newspaper Enterprises, working with his son Reeves Hall on the Independence Bulletin-Journal, and other activities, as long as his health permitted.

[From the Mason City (Iowa) Globe-Gazette, Apr. 16, 1969]

Earl Hall Had "A Lifetime of Fun"

(By Robert Spiegel)

W. Earl Hall was a writing man who could talk lucidly, forcefully, and, above, all interestingly. That is a rare combination.

The best way to remember Earl Hall, perhaps, is to turn to his final radio commentary—"One Man's Opinion"—that also was carried as a front-page column in the Globe-Gazette for 20 years.

That final commentary was on April 1, 1963.

Earl opened with these words: "I come now to the end of 20 years of once-a-week commentaries. The words I've spoken in these quarter-hour talks would fill at least 20 books of conventional novel length.

"Subjects have ranged from the love life of the honey bee to man's place in the scheme of things. I've really covered the waterfront . . . I have told not only all I know, but all I even suspect!"

Earl had a way of writing editorials that drove the reader to form his own opinion. It might be in the form of a critical question, demanding an answer, or in a set of neatly arranged arguments that provoked an opinion.

In his final commentary, Earl posed some questions for himself. In capsule form, here are his answers:

Peace?

"Not in modern times certainly and probably never have those who must do the fighting and the dying been responsible for our wars. The decision is made by those far removed from the fighting and the dying. In this I find the most compelling argument possible for a quest for lasting world peace through a system of enforceable law."

Establishment of a world peace organization, with enforcing power, involves risks. Are they too great?

"I ask only that this risk be set down alongside the ever-present risk attaching to following the same road that has led to two world wars within my own span of maturity."

Communism?

"Communism is as phony as a three-dollar bill. It never went anywhere on honest invitation. It could stay nowhere—not even Russia—if there was a free choice and a plausible known alternative."

Earl then predicted that living Americans will witness the burial rites "for this most loathsome ideology . . . if we of the free world remain strong economically, militarily and most important of all—spiritually."

Education?

"Education is an indispensable precedent to true self-government in the democratic pattern."

Too many causes?

"It may be said of me that I have been a sucker for causes . . . safety, Red Cross, Community Chest agencies, crippled children, cancer, Radio Free Europe, all of them. If I am so accused, I shall not be disposed to enter a denial . . . . As I have given of my time, my effort and my means, I have always had the deep-seated conviction that I was receiving even more than I gave."

Any failures, Earl? (You could almost see the delight with which he went after that one).

"On the less serious side I haven't been able to make it known that it was Charles Dudley Warner, not Mark Twain, who said "everybody talks about the weather but nobody does anything about it."

Pause: "Nor have I been wholly successful in getting across the information even among some of my own associates—that the word is adDRESS, not ADdress."

Final words?

"My happiest memory is going to be about the thousands of stimulating letters from listeners and readers," Earl said in his final paragraph. "These have undergirded my well-defined conviction that human kind is mostly good and that our God-directed evolution is ever upward."

The same day the final One Man's Opinion appeared, Earl wrote a signed editorial on the retirement of Enoch A. Norem as associate editor. In it, he revealed the warmth of his friendship with Enoch—and, by this example, with many others.

"It is impossible to measure the imprint this remarkable man has had on the Globe-Gazette down through the years . . ." wrote Earl, along with other words of praise.

He sent me that editorial in Des Moines (this was prior to my employment) and, typically, wrote along the top of the tearsheet: "This one was really from the heart."

I owe a great deal to Earl Hall. Without his recommendation, I wouldn't have been hired in 1963—something I wanted very much.

He interviewed me graciously, ignoring his personal wounds that came with leaving a newspaper after 43 years. It was always good talking with him—and getting his letters.

The letters were lively reading, sprinkled with facts and whimsy and even a little philosophy.

As a newspaperman, two paragraphs stay with me most clearly because I believed so strongly in what he had to say:

—"It's my basic reasoning, kind sir, that anybody who can report can step down into that lower category of writing editorials if needs be," wrote Earl. "A corollary to this is that I think of myself as a reporter rather than as an editor . . . basically."

—And, finally: "It's been a lifetime of fun, believe me."

I do believe that.

DAN TURNER, FORMER GOVERNOR OF IOWA

Mr. MILLER. Mr. President—

Dan Turner was one of those men who fought for their cause with courage. We are grateful to him.

Those words, appearing in the Des Moines Register of April 18, were written in memory of a former Governor of Iowa who passed way last week at the age of 92.

Dan Turner espoused causes back in the 1920's and 1930's which are still the stuff of headlines today; namely, water pollution, foster home care, farm price stabilization, graduated State income tax, conservation, and congressional redistricting.

Iowa became a better State because of his efforts.

I ask unanimous consent to have the editorial, entitled "Iowa's Courageous Reformer," printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Iowa's Courageous Reformer

"Our streams are rapidly degenerating into open sewers, receiving the waste drainage of private industry and municipalities. We must terminate this practice."

"The professional lobbyist . . . should be ejected from the presence of honest men . . . He is not interested in the well being of the people whom we represent."

"Rapid changes in industry have displaced hundreds of workers who must be given an opportunity to learn new lines of work in which they have no experience or training . . . The adult who had no opportunity of education . . . should have his chance."

The quotations could have come from today's newspaper. They are from the address delivered by Dan Turner of Corning upon his inauguration as governor of Iowa on Jan. 15, 1931.

Dan Turner died Tuesday in a Corning hospital at the age of 92. He played an important part in the political history of the Middle West. His active public life spanned the history of "farm revolt" in America's heartland.

The farm-born demands for reform were boiling into the "Populist Revolution" of the prairies when Dan Turner was born near Corning in 1877. Twenty-six years later, as a young Iowa state senator under the Progressive Republican banner, he helped put such "populist" measures as primary elections and railroad fare regulation into the Iowa Code.

Providing foster home care instead of institutional care for children has been a major theme of Iowa social service reform in the 1960s. Young Senator Turner sponsored an Iowa foster home law 60 years ago.

In the 1920s, Turner and fellow Iowan Henry Wallace were among the "Sons of the Wild Jackass" pleading with their fellow Republicans for measures such as farm price stabilization. Wallace despaired after the 1928 Republican National Convention and supported Democrat Al Smith. Turner stayed in his party to carry on the fight.

Republican Turner was elected governor of Iowa in 1930 on a program which called for a graduated state income tax and corporation tax to replace state property tax (finally passed four years later) and state regulation of utility rates (not passed until 35 years later).

His inaugural address in 1931 included a call for establishment of a conservation commission to assure preservation of natural beauty and measures to promote child welfare, reorganize the executive branch of state government, establish municipal utilities, equalize property tax assessments and form congressional districts which were "compact and uniform in population." The issues have a familiar sound.

Governor Turner displayed courage. Though he had become a spokesman for the Iowa farmer, he used the National Guard to enforce a state law on tuberculosis vaccination for cows against eastern Iowa farmers who threatened defiance.

He retained his zest for causes. When the National Farmers Organization was born in the 1950s, Dan Turner at 78 was one of the organizers.

It may be difficult for members of this generation to conceive of that time when the prairies and small towns were widely viewed as the seedbed of radicalism rather than the bulwark of conservatism. Or of a time when "the East" was viewed by Midwesterners in both parties as the seat of entrenched conservative privilege rather than home base of the "liberal Establishment."

There was such a time. Men of the soil who stumped from courthouse square to courthouse square and did battle in the legislative halls added much to the leavening of democracy and equal rights which we now take for granted as part of our way of life.

Dan Turner was one of those men who fought for their cause with courage. We are grateful to him.

THE INSURANCE INDUSTRY RENEWS ITS BILLION DOLLAR URBAN INVESTMENT PROGRAM

Mr. PROXMIRE. Mr. President, on April 15, the life insurance industry announced a second billion-dollar investment program for the inner city. This second phase of the life insurance program follows the first billion-dollar investment program announced on September 13, 1967.

According to the reports of the life insurance industry, $900 million of the first $1 billion target has been committed or disbursed for specific projects in 227 cities in 42 States and the District of Columbia. The investment will result in providing 63,000 housing units for low- and moderate-income families and 30,000 permanent jobs for the residents of inner city areas.

The success of the life insurance program indicates the tremendous role which can be played by private enterprise in working with Government in helping to solve our pressing urban problems. The life insurance industry is to be congratulated for its farsighted efforts in helping to rebuild the inner city.

The additional $1 billion pledged by the industry for new projects indicates the continuing commitment of the industry to help rebuild the inner city.

Mr. President, I ask unanimous consent to have printed in the Record a statement about the billion-dollar investment urban program by Francis E. Ferguson, chairman of the Joint Committee on Urban Problems of the life insurance industry and also president of the Northwestern Mutual Life Insurance Co., as well as a report on the billion-dollar program by the American Life Convention and the Life Insurance Association of America together with a breakdown showing the amount of funds committed or disbursed by city together with the number of housing units and jobs created in each city.

There being no objection, the material was ordered to be printed in the Record, as follows:

Statement to the President by Francis E. Ferguson

Mr. President, the Joint Committee on Urban Problems of the American Life Convention and the Life Insurance Association of America was created in the spring of 1967 to explore how the life insurance business could help in finding solutions to the problems that confront our cities.

On September 13, 1967 we announced at the White House that the life insurance business would divert one billion dollars from its normal investment channels to provide better housing and more jobs and community services for Americans living in urban core areas. These funds were pledged by individual life insurance companies for the types of projects not previously financed by most private investors, including insurance companies, because of their location or risk as compared to normal investment opportunities.

I can report to you today on the progress of the $1 billion investment program which began nineteen months ago. As of March 13, 1969, $900 million had been committed or disbursed for specific projects in 227 cities in 42 states, the District of Columbia and Puerto Rico. Of this amount, $681 million is providing 63,000 housing units, ranging from sizable rent supplement housing projects to single-family homes for low- and moderate-income families from the inner city. Another $219 million has been invested in job-creating enterprises and community services providing 30,000 permanent jobs for the residents of city core areas. In addition to the $900 million already committed for urban projects, another $100 million in funds for projects is currently under review by the participating life companies. Thus, this billion-dollar program has now reached virtual completion.

In our efforts to fulfill our pledge, we feel that we have gained valuable experience and insight. These investments have covered a wide range of urban projects from which we have learned many lessons. Those of us who have been personally active in this program share two basic beliefs:

(1) There is a need to seek continuing improvements not only in our own investment approaches to urban lending, but also in the administration and focus of Federal programs in the urban field.

(2) Any program, governmental or private, to improve the conditions in the cities requires the cooperation of the responsibile leadership of the community.

In September 1967 we acknowledged the enormous size of the task the nation faces in improving the quality of life of the people in our cities. The task today is no less challenging. In many ways, the growing awareness of social and physical inequities by those living in the cities have made the solution of these problems more compelling for all segments of our society, public and private.

With the virtual completion of our billion-dollar program, we are pleased to announce today that the life insurance business is pledging a second billion dollars of investment capital to finance improved housing, job-creating enterprises, and community services for the people of the city core areas. It is our hope that this second program will be of even greater value to the cities and to the nation, in view of the lessons and experience that the first nineteen months of this effort have provided us.

Approximately three-quarters of the funds we have already committed are being used for low- and moderate-income housing, which the remaining quarter has been for job creation and community services in the urban core. Although housing is of critical importance, we are hopeful that a larger proportion of the second billion dollar program can be devoted to the creation of new jobs for core area residents and to the development of minority business enterprise, since these are increasingly vital needs of our inner cities. Moreover, the dollars invested in job creation can obviously produce significant "multiplier effects" which go far beyond the initial amount invested. A new job created in the urban core not only means family income for the newly-employed worker, but allows him to pay the rent for better housing to upgrade his living conditions in the inner city. Thus, investments in job-creating enterprises help to improve housing conditions as well as the employment situation in the city core.

We believe that a great potential exists for assisting business development in the inner cities, if Federal programs can be adapted to meet the needs of minority business enterprise and the expansion of core area employment, and if loan guaranty programs can be developed or modified to attract more funds from private lending institutions. Where government resources are applied to guarantee loans or provide assistance for urban business development, they can produce another type of "multiplier effect" by enabling substantially greater amounts of private business captial to flow into these areas than the dollars of government support required to stimulate it.

In the housing field, further improvements in Federal programs are needed to smooth the way for more rapid development of low- and moderate-income dwellings for families in deteriorating core areas. We hope to work closely with Federal agencies to help make these programs more effective. As far as our own guidelines are concerned, we have learned the value of wider flexibility in the types of projects to be financed under our urban program, and the need to apply broader investment standards to meet the special problems of our cities.

The life insurance business has a vital concern with the health and stability of the cities. We are intimately bound up not merely with the economic condition of our urban centers but also with the physical and social well-being of our fellow citizens who live there. We recognize that our life insurance urban program can produce a major impact on the condition of our cities only if it is part of a massive cooperative effort by other elements of the private sector, by government on all levels, and by the active participation of concerned citizens everywhere. Many groups in the private sector are alert to the urgency of the situation and the need for their involvement in substantial remedial efforts.

We are hopeful that the success we have had with our first billion dollar program, and our willingness to pledge a second billion dollars for the betterment of the cities, will produce a third type of multiplier, namely, the encouragement of even more groups in the private sector to take positive action toward meeting the problems of the inner cities.

We are confident that the various multipliers that have been noted can lead to the investment of much more than the second billion dollars we are pledging today. Many billions of dollars of private capital will be needed in the critical task of rebuilding the inner cities across the nation. We believe that proper adaptation and redesign of Federal programs in the urban field can stimulate the active involvement of builders, developers, labor groups and lending institutions in addition to the life insurance business in finding effective solutions to the challenging problems of our cities.

INVESTMENTS IN REPRESENTATIVE CITIES THROUGH THE $1,000,000,000 URBAN PROGRAM OF THE LIFE INSURANCE BUSINESS

[Status as of Mar. 13, 1969]

City	Committed or disbursed	Number of housing units	Jobs created or retained
Atlanta	$15, 698, 050	1, 267	112
Baltimore	10, 512, 700	949	147
Birmingham	5, 412, 408	319	169
Boston	33, 533, 825	2, 258	923
Chicago	72, 827, 440	4, 798	4, 747
Cincinnati	17, 137, 293	539	1, 500
Cleveland	12, 125, 750	944	115
Dallas-Fort Worth	33, 774, 250	3, 743	1, 847
Denver	8, 344, 217	644	85
Detroit	30, 841, 304	2, 258	1, 090
Gary	6, 565, 687	565	29
Hartford	6, 382, 598	489	7
Houston	15, 300, 070	1, 228	386
Indianapolis	6, 504, 684	573	98
Kansas City	7, 432, 350	304	146
Los Angeles	48, 534, 990	2, 998	3, 123
Louisville	5, 485, 369	363	513
Memphis	8, 173, 650	742	32
Miami	1, 442, 050	49	50
Milwaukee	15, 556, 250	988	229
Minneapolis-St. Paul	19, 076, 100	964	752
Nashville	13, 555, 400	1, 267	(1)
Newark	31, 180, 700	681	3, 128
New Orleans	7, 506, 500	506	394
New York City	52, 093, 850	3, 153	705
Omaha	$3, 387, 700	399	525
Philadelphia	17, 691, 254	2, 255	1, 099
Phoenix	1, 100, 000	108	....
Pittsburgh	3, 868, 167	346	....
St. Louis	11, 891, 811	733	690
San Antonio	12, 723, 900	881	410
San Diego	10, 037, 700	746	....
San Francisco-Oakland	18, 598, 050	885	176
Seattle	14, 789, 417	898	200
Washington, D.C	12, 568, 750	763	204

[1] Unknown.

ONE BILLION DOLLAR URBAN INVESTMENT PROGRAM OF THE LIFE INSURANCE BUSINESS

EXAMPLES OF INVESTMENTS

1. Housing

A look at the urban housing investments by life companies reveals essentially three important areas of current activity:

(a) FHA rent-supplement housing projects which range in size from about $50,000 to $2½ million or more. These are 40-year mortgages with FHA insurance, under Section 221 (d)(3) to supply rental housing to low- and moderate-income families. The Federal government supplements the rentals by paying the difference between 25 percent of the family's income and the market rental for the project.

(b) FHA Section 203(b) insured and VA guaranteed mortgages on 1- 4-family houses for low- and moderate-income families, where the property is located in an older, blighted neighborhood in an inner city area.

(d) Noninsured loans on low- and moderate-income housing, either in the form of rental housing projects or 1- 4-family homes occupied by the owner.

These three areas by no means exhaust the possible investment approaches under the $1 billion program to channel funds into housing. Many other possibilities are open. For example:

$175,000 will finance the construction of a 26-unit apartment project for minority occupancy in the core area of Galveston, Texas. These will be two-story apartment buildings constructed by a new and unproven method which has promise as a means of providing low-cost housing. A three-bedroom apartment in this project will rent for $100 a month.

$473,000 will finance the construction of 44 apartment units in the core area of New Orleans, Louisiana, to be leased by the housing authority of New Orleans and subleased to lower-income minority families for $65 to $80 a month for three and four bedroom units in various locations in New Orleans. Properties range from 3-unit buildings to 8-unit buildings.

A bond issue of $3,298,000, in which several companies have participated, will finance a 586-bed dormitory and dining facilities at Knoxville College in the core area of Knoxville, Tennessee. Knoxville College is a Negro institution which is intimately related with the surrounding core area through civic projects, self-help programs and development of higher education facilities for the financially deprived. Its campus is surrounded by substandard housing, and the proposed new dormitory will enable students to move onto campus from the surrounding area.

A total of $408,500 will finance Negro ownership, operation and rehabilitation of 4 separate apartment buildings in the Boston area containing a total of 69 apartment units and 5 stores.

A conventional loan of $660,000 will finance the construction of 100 multifamily units for minority occupants in a blighted area of Winston-Salem, North Carolina. The project will be leased to the Winston-Salem housing authority at market rents and then sublet to low-income and elderly persons at approximately 40 per cent of the market rent. The rentals will range from $30 to $32 a month for a one-bedroom apartment.

$5,500,000 has been committed to purchase a group of about 375 loans by assignment from the Bank of Finance, a Negro bank near the Watts area of Los Angeles. There will be some 2- to 4-family dwellings in this group. These are economic waiver loans in the core area of Los Angeles and the owner-occupants will be from minority groups.

2. Job-creating enterprises and services

Funds for job-creating enterprises or service facilities are typically without government insurance or guarantee. These loans are being made to finance industrial facilities, hospitals and medical clinics, nursing homes, neighborhood shopping facilities and social service centers.

In each instance the loan qualified so long as the project provided jobs and/or essential services to low- and moderate-income residents of blighted areas within our cities.

Other examples of financing of services and job-producing enterprises are listed here:

MEDICAL FACILITIES

$6,000,000 has been disbursed to cover the expense of major improvements in the new addition to a hospital in the heart of the Avondale neighborhood of Cincinnati, Ohio, which was the scene of the 1967 riots. Approximately 400 jobs for nurses, practical nurses, nurses aides, kitchen help, dining room help, maids, janitors and maintenance men will be provided.

$350,000 will finance the rehabilitation of an addition to a medical clinic in the core area of Chicago, Illinois. The owners are practicing Negro physicians, and the staff and clientele are both drawn from the Negro community. Approximately 22 jobs will be provided in related health services.

$78,000 will finance a nursing home for Negro males and a day nursery for Negro children, located in the central core area of Louisville, Kentucky. Facilities are available to underprivileged aged Negro males and children of working parents at a very nominal cost.

$2,412,000 will finance a nursing home in the core area of Milwaukee, Wisconsin to be owned and operated by a group of Negro doctors.

$775,000 will finance a Negro owned, operated and occupied nursing home and convalescent center in metropolitan Detroit, Michigan. This is a 162-bed facility and approximately 75 jobs will be provided.

$460,000 will finance a medical office building within the hard core "riot area" of Los Angeles, California. This facility will provide additional office space that is greatly needed for doctors, dentists, laboratory technicians, pharmacists, etc. in this area.

$1,500,000 will finance a neighborhood health center near Meharry Medical College in the core area of Nashville, Tennessee. Meharry is one of the outstanding Negro medical institutions in the United States. The purpose of this facility is to provide comprehensive health services to eligible residents of a defined area of concentrated poverty. It is centrally located for the population to be served. Capital costs are to be covered by continuing grants from the Office of Economic Opportunities. The loan is guaranteed under FHA Title 11.

Loan commitments for commercial facilities include the following:

$1,000,000 to finance a shopping center, office and school complex to be owned and operated by Negroes in the core area of Philadelphia. This very unusual facility will not only provide needed shopping for a blighted area, but will also provide a school and on-the-job training for minority groups in merchandising.

$175,000 to help Negro entrepreneur build a new supermarket in the center of the Negro area of Dallas, Texas. The area is generally run down and in need of improvement. All employees of this market will be Negro.

$170,000 to finance rehabilitation of a movie theatre in the core area of Roxbury, Massachusetts, to be owned and operated by members of the Negro community and provide approximately 20 jobs for movie projectionists, stage hands, ushers, cashiers, maintenance men and concessionaires.

$85,000 to finance the rehabilitation of a burned-out store on Blue Hill Avenue in the core area of Boston, to be owned by BREAD, Inc., a newly organized publicly owned corporation which has sold stock to the Negro community and will establish in these facilities a new retail outlet. Approximately six jobs will be provided in the retailing of hardware, household goods, soft goods and furniture.

$160,000 to finance Negro ownership of store buildings in the Roxbury area of Boston. The owner will operate a beauty salon, boutique and beauty school, and lease out a barber shop. About 15 jobs for beauticians, instructors and retail clerks will be provided for Negro members of the community. It is anticipated that there will be an enrollment of 50 students in the beauty school.

A pledge of $100,000, the first by a large institution, to provide the financial leadership in underwriting the equity capital for New England's first bi-racial bank, located on Blue Hill Avenue in Dorchester, Massachusetts. This bank is now also a mortgage correspondent and depository for the life insurance company involved, and its services are designed for residents and potential businessmen in the Roxbury area.

Industrial facilities funded under the program include the following:

$5,400,000 to finance an industrial plant and electronics and programming institute to hire and train minority persons. The location of this industrial facility is in the heart of the minority slum area on city renewal land in Minneapolis, Minnesota. There will be training and employment for at least 270 persons in the beginning and the programming institute will eventually have an enrollment of 900 persons, most of which will come from the core area.

$1,100,000 in a participation by two companies to finance an industrial plant in the core area of Minneapolis. 48 jobs will be provided in association with the National Alliance of Businessmen under their job training program. A large percentage of the employees will come from the city core area. The factory is located in the center of an older industrial and low-income residential area. Directly west of the subject is one of the largest public housing projects in Minneapolis, primarily occupied by Negroes.

Commitments have also been made for social service, educational or job-training facilities. For example:

$350,000 to construct new and expanded headquarters of a social service agency in the core area of Dallas, Texas. 478 jobs for office workers, warehousemen, clerks and repairmen will be provided in the complex comprised of offices, a warehouse, food kitchens, storage facilities, salvage and repair shops and retail stores for goods such as clothing, furniture, clean and press services, radio-TV, and durable goods, and a printing shop.

$120,000 to finance a new educational building for an established Negro congregation which has been located for 50 years in a sanctuary building at the site in the core area of Louisville, Kentucky. The proposed addition will provide for the expansion of a day nursery for the small children of working parents in the immediate vicinity. The facility will also allow an expansion of young people's activities in which this church has been most active.

$250,000 to finance a technical job-training school in the core area of St. Louis, Missouri. This remodeled building will be totally staffed by qualified professional instructors with its sole purpose being to train the hard-core unemployed into qualified para-hospital personnel who can then be removed from the relief rolls.

ANOTHER CREDIT CRUNCH?

Mr. PROXMIRE. Mr. President, we are faced with a possible repetition of the severe credit crunch experienced in 1966. Since early December, the Federal Reserve Board has been tightening the money supply; however, the restrictive policy, thus far, has had relatively little impact on bank loans to businesses. Despite the record high rate, corporations are planning to increase their planned expenditures for plant and equipment by a record 14 percent over last year's level.

Since interest payments by business firms are tax deductible, the effective aftertax rate on an 8-percent loan is only 4 percent for the average corporation. With prices increasing faster than 4 percent a year, it becomes obvious that the prudent corporation will plan to borrow all the funds it can get.

The impact of this corporate scramble for funds is felt by the home buyer, the small businessman, the consumer, the farmer, and by State and local governments. The smaller borrowers must stand in line and take what is left after large corporate borrowers have satisfied their demands.

Recently the U.S. News & World Report published an article concerning the impact of tight money and where it is hitting the hardest. The article said:

> Some prospective home buyers are being priced out of the market as loan costs soar.

The article also reports:

> State and local bond issues are being cancelled and spending projects are being deferred.

For small business firms, according to the article:

> The squeeze is really on. Loans are being rationed nearly everywhere—with old customers standing the best chance of getting money.

However, the giant corporations still have access to needed credit.

This analysis by the U.S. News & World Report generally confirms the findings made by the Senate Banking and Currency Committee in its hearings during the early part of April on the impact of high interest rates on the economy. If we are to rely upon monetary policy for economic stabilization, we need to develop better methods for allocating the impact of tight money.

Mr. President, I ask unanimous consent to have printed in the Record the article on "The Credit Squeeze" in the April 21 issue of the U.S. News & World Report.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From U.S. News & World Report, Apr. 21, 1969]

The Credit Squeeze

A tightening up on money, ordered from Washington, now is reaching into homes in communities all over the U.S.

Families, businesses, government suddenly are finding out—many of them for the first time—what "tight money" really means.

Loans are being rationed. Borrowers are being carefully screened. All types of interest charges are soaring. As loanable funds dwindle, even some of those willing and able to pay the rates are being turned down.

Pressures, up to now, had been largely confined to big-city banks and borrowers. But recent moves by money managers have spread the effects of credit restraint to every corner of the U.S., to banks of all sizes.

BUT NO PANIC

Despite the tightening pinch, there's no sign of a money panic. Bankers are doing their best to take care of legitimate needs for credit.

Yet there's not enough money to go around. It's a tough—even desperate—time for many borrowers as loan money for a home, a small business, a community project begins to dry up.

For a look at the impact of the greatest credit shortage in years, staff members of "U.S. News & World Report" sought out lenders large and small around the nation.

The latest findings—

1. Banks in many places have slammed down their loan windows to anyone except old customers—and even these can't always get what they want.

2. Lenders look most favorably on consumer loans—for autos, appliances, home improvements. There's little, if any, cutback on these.

3. Mortgage credit generally is available—though at a steep 8 per cent or more. In States with rate ceilings below today's mortgage market, money is scarce, building is being hurt.

4. If you want money for a speculative project—in stocks, real estate, a risky business venture—forget it. Banks are likely to say, "No."

5. Businesses are not immune from the pinch for money, especially small and medium-sized firms and farms. Some spending plans of business are beginning to be scaled back.

6. Interest rates could move a notch higher. But, significantly, a number of bankers predict that rates may be nearing a peak and could begin to ease before many weeks go by.

Engineering today's severe money shortage is the nation's central bank—governed by the Federal Reserve Board, which is headed by William McChesney Martin, Jr. The money managers expanded the nation's money supply at a mere 2 per cent annual rate in the first three months of this year—down sharply from the 8 per cent expansion rate in the last three months of 1968.

Treasury Secretary David Kennedy, at the same time, has been pulling the Government's purse strings tight to help cool down the economy.

The aim of the Government is to halt inflation in this country that has reached an annual rate of more than 4 per cent in recent months.

As yet, signs that restraint is taking hold are few and far between.

A report on unemployment in March, released April 8, showed a slight drop in the number of people out of work—to the lowest level in 15 years. The drop was less than seasonal, so the rate of unemployment, seasonally adjusted, rose slightly. Economists still complained about "over-employment."

A GRADUAL COOLING?

Herbert Stein, a member of President Nixon's Council of Economic Advisers, said April 8 that the present policies of restraint on spending and credit will gradually cool the boom and bring "visible evidence" of a decline in inflation by the end of the year.

Bankers and economists surveyed by "U.S. News & World Report" generally agree with that assessment.

The broad view of the experts:

Now that the money squeeze has reached every nook and cranny of the country, people are going to pull back on their spending. When that happens, business will follow suit. The economy, then, will begin to slack off in its rate of growth. There will be a gradual easing in the pace of business with no actual recession—at least not in 1969.

To see how today's credit squeeze is already beginning to work, consider actual examples of what's happening to people and businesses trying to borrow money:

In San Francisco, a woman employed by the same firm for 20 years went to her neighborhood bank for a $750 loan to pay taxes and renew insurance on her home. Although she was a long-time customer of the bank, her request ran into delays as the bank debated making the loan. She finally got the money after being told by the bank that earlier loans still outstanding now made her a "borderline" case.

At Detroit's Michigan Bank, relates a loan officer, a group of men wanted to borrow $700,000 for less than a year to build a resort complex. They offered the bank a 9 to 10 per cent interest payment to get the money. Michigan Bank turned them down. Reason: They were "out-of-towners." The bank is making loans only to depositors.

"NO," TO NONCUSTOMERS

From a big Chicago bank:

"Almost without exception we are turning down requests for credit from noncustomers. We see it every day, people going from one bank to another trying to get money.

"Even our good customers are not able in many cases to get what they want. The other day we had such a customer ask for a $500,000 loan commitment and we had to get him to scale it down to $300,000."

It's in housing loans that you find the most problems right now.

From one of Chicago's biggest banks: "We have withdrawn from the home-mortgage field. Investing long-term money at 7 per cent—the State ceiling on mortgage loans—does not make sense in today's money market."

Adds another Chicago banker: "The real squeeze hits the individual interested in buying a home for $30,000 and under. Homes in that price range are moving very slowly. FHA and VA loans are almost out of the question because the seller must pay loan fees above the mortgage rate of up to 10 or 11 per cent, and is frequently unwilling or unable to do so."

FEARED: CREEPING DEATH

Michigan's 7 per cent ceiling on mortgage loans has "just about killed" the home-mortgage market, says a banker. In Maryland, builders say their industry faces a "creeping death" unless mortgage ceilings are raised from the present 8 per cent to 9½ per cent.

In Houston, where construction is a major force in the economy, the president of a medium-sized bank looks for a "credit crunch" within 60 days:

"Banks just don't have the money. We're definitely going to see a slowdown in construction."

Consumer loans—to finance automobiles, home furnishings, medical bills—still are available nearly everywhere for good customers with good credit ratings.

Consumer loans are favorites because they usually carry a fancy interest rate—roughly 13 per cent on a simple interest basis—and they are short-term.

Says William Schenk, president of Riverside National Bank, outside Los Angeles:

"We are concentrating on retail-type credit. Real estate loans tie up too much money for too long. We don't know what will happen to interest rates in the future, so we are staying with short-term credit."

From J. J. DeLay, president of the Huron Valley National Bank in Ann Arbor, Mich.: "We are making consumer loans at the same rate as five years ago."

Bankers, though, are flatly turning down loans that smack of speculation.

From Roy Reierson, senior vice president of New York's Bankers Trust Company: "New York City banks generally are trying to funnel new loans into so-called productive purposes. They are taking a much dimmer view of bank lending for speculative purposes whether it be in real estate, or bonds or in bank loans that are necessary parts of mergers, acquisitions or takeovers."

Outside Los Angeles, a banker says he has had to turn down old customers because of the money squeeze. He notes: "We have had several requests for money for future land development. We told them that we just didn't think this was the time for such speculation."

Business borrowers are feeling the pinch, too—except perhaps for giant corporations, which apparently can command what money they need.

AN EXTRA-HARD LOOK

The small businessman finds his banker taking an extra-hard look at the borrowers' financial statement. Loan use is scrutinized. If the banker thinks the businessman is building up inventories of goods excessively, or is adding to his plant capacity just to beat price rises, chances are the loan request will be scaled way back, or turned down.

Small businesses having the most trouble are those ranging from a one-man TV-repair operation to a small firm employing 20 people. "These businesses need working capital," says one banker, adding: "As interest rates keep moving up they are hurt because they operate on a fine margin. A one-point increase in loan charges is really hard on them."

From a Los Angeles banker: "Much as we dislike doing it, we just are having to tell businesses that they will have to slow down for a while."

For farmers, especially those having tough going, tight money brings desperate times. Says Thomas R. Smith, president of First National Bank of Perry, Ia.: "Marginal operations are getting left at the post. This tight-money situation will push the marginal farmer out even faster than in the past."

Bankers generally shy away from talk about "hardship" cases brought on by the money squeeze. As one San Francisco banker puts it:

"I know of no hardship cases. If people look long enough, they eventually find a lender. It's the price they have to pay for a loan that's the hardship."

On the brighter side, several bank economists see signs that sky-high interest rates may ease up in months ahead.

Explains Beryl Sprinkel, senior vice president of Chicago's Harris Trust and Savings Bank: "Interest rates are very near their peak. For the first time in many years we are doing something to cool this inflation."

For some time yet, however, borrowers can expect loans to be harder than ever to get—and very costly.

WHERE TIGHT MONEY IS HITTING HARDEST

Home buyers

Mortgage money growing scarcer in many areas. Interest charges keep moving up. Some prospective home buyers being priced out of the market as loan costs soar.

Consumers

Most banks still making auto, appliance, other consumer loans—though borrowers are being more carefully screened. Marginal credit risks being turned down most places.

Speculators

Flat refusal on loans for all types of speculative deals—in stocks, land, risky ventures.

Corporations

Giant firms still have access to needed credit. Yet many large companies are running into trouble getting loans for mergers, acquisitions, other projects that don't boost production.

States

Serious problems in raising money faced, as interest rates reach legal ceilings in many States. Bond issues being canceled, spending projects deferred.

Small firms

Squeeze is really on. Loans are being rationed nearly everywhere—with old customers standing best chance of getting money.

Farmers

Loans harder to get and costliest in decades. Farmers pinched for credit to buy equipment, supplies, working capital.

U.S. Government

Burden of carrying the national debt mounts as interest rates rise. Treasury's borrowing costs recently hit highest level since the Civil War.

Lenders

Difficult time for many, despite high income from interest. Money squeeze makes it difficult to meet needs of old customers. Depressed bond prices mean losses for banks as they sell bonds to raise lending money.

Bond investors

Owners of bonds have watched prices slump. For new investors, however, yields available on high-grade bonds are the richest in more than 100 years.

PROJECT MONEYWISE HELPS GHETTO CONSUMERS

Mr. PROXMIRE. Mr. President, the Bureau of Federal Credit Unions has been operating a highly successful program called Project Moneywise. The purpose of the programs is to train selected residents of the inner city in the techniques of wise credit management. Those receiving the training frequently become officers of low income credit unions in their neighborhood, thus passing on the knowledge they have acquired to the residents of the entire area.

In this way, the program obtains a maximum leverage and a maximum impact for a relatively small expenditure of funds. The training is conducted by a small team of highly professional credit experts operating out of the Bureau of Federal Credit Unions. The team conducts an intensive 4-week training course in credit management in various cities.

The most recent city to receive the training was Miami, Fla. The Miami Herald and Miami Times recently published a series of articles about the impact of the training program in the Miami area. The course material alerted the residents of the Miami area to a number of deceptive and unfair practices carried on by certain merchants in the area.

Mr. President, I ask unanimous consent to have the articles printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Miami Herald, Apr. 2, 1969]

GHETTO RESIDENTS VICTIMS OF CREDIT GYPS

(By Peggy Blanchard)

The bedroom suite costs $750 to a Negro woman; $500 to her white friend.

For the dining room set, the Negro woman was told it cost so much. But after a quick credit check found her to be a good paying client, she was quoted another lower price.

These are facts of purchasing things in Miami's ghetto areas; of the poor trying to live on credit the way the rest of America does; of paying higher interest rates and carrying charges—additional fees that can almost double the price of any given article.

Operation Moneywise: Breadbasket, a Bureau of Federal Credit Unions educational project is now in session in Miami. Its goal is to teach ghetto residents about these credit problems. The three-week program meets daily at the Culmer Neighborhood Center to teach area leaders to teach others to be better consumers.

Poverty, explained course instructor Joseph Bellenghi, is a never-ending cycle. Born poor, receiving substandard education and poor training for jobs the poor simply pass the cycle on to succeeding generations.

Because the poor are poor, they are automatically excluded from purchasing at major stores—companies that base their credit ratings on the amount of income a potential client receives.

"Their income is so low that they have to go to stores that cater to them," said Bellenghi, "stores that say no money down and $5 a week.

"They have to buy on credit. It's a way of life. And, they must take the goods available on the credit available. The merchant dictates the terms. The people are actually buying both credit and goods. They buy unknown brands but the brands are not important to them. The credit is.

"It's a seller's market. Prices go as high as possible. The merchant says to himself, 'this is a dangerous business so I had better get as much out of it as possible before the customer stops paying.' Often the payments last longer than the merchandise."

Consumer habits are so predictable they fall into distinct patterns with individualistic names.

The people who have to buy from ghetto stores because that's the only place they can get credit are called "captive consumers."

"They don't have a choice of where to buy. They need help in stretching the dollar so they will get the most out of their money. You can't tell people what they can buy, but in working with them you hope that they will recognize good consumer habits."

"Compensatory consumers" account for all those television antennas seen sticking out of ghetto housetops and for all those expensive cars in poor driveways.

"These people are immobile. They can't move up socially, educationally or economically but they are surrounded by people who have made it. So, they engage a little game with themselves and reach up to pluck one of these symbols of success. Having a big car, for instance, makes them feel good within themselves."

Giving the poor more money through poverty programs does not help them get out of the credit bind, said Bellenghi. Even with more money the same merchants get the business—this time because of habit.

"Most people know they are being taken, but they don't know by how much," he said. "We must separate buying merchandise from buying credit."

The Federal Credit Union, a division of the Department of Health, Education and Welfare, and the program's sponsor, provides one way to separate buying credit from buying merchandise. By participating in a savings program, credit union members are provided with a credit base to use in purchasing. With that foundation, they need to combine good consumer practices.

"You," Bellenghi told the 25 persons attending "will have to provide immediate returns from your work. Don't promise these people a cabin in the sky unless you deliver it. Don't promise an alternative to their current situation unless you have a practical, workable one to show them.

"You have to keep up their enthusiasm and motivations while trying to find alternatives to their credit and consumer habits."

[From the Miami Herald, Apr. 4, 1969]

Miamians Hear How Customers Take Bait—Wily Ads Lure Ghetto Consumer

(By Peggy Blanchard)

A special kind of advertising is aimed at the ghetto consumer.

It offers merchandise at extremely low prices to be paid for in small weekly amounts, and generally a free gift is thrown in with purchases made.

Some 25 Negro community workers now attending the three-week Project Moneywise: Breadbasket program at Culmer Neighborhood Center were told Wednesday that these ads don't mean what they say.

The low income consumer, said Federal Credit Union project instructor Joseph Bellenghi, is the victim of what's known as "bait and switch" advertising—advertising that offers one thing to lure consumers in, then switches to a more expensive product once the prospective buyer is within reach.

Take the Washington, D.C. ad (typical of any part of the country) which offered three rooms of carpeting for $115; $1.25 a week.

Aside from the small print that said up to 260 square feet of this carpeting was on sale for the $115 and that the three rooms mentioned in the estimate included a hallway or stairs, the ad promised a free gift with each sale.

The only way the consumer could contact the company was through a telephone number. A call brought a salesman to the door with his sample book under his arm.

The quality of merchandise on sale, he would tell prospective customers, really wasn't the best available. The consumer deserved better so the salesman would sell him a more expensive carpeting, installation and padding. And, said Bellenghi, the buyer would end up paying several times what he originally intended to spend.

"These companies want to send somebody to your house," said Bellenghi. "When they get there, they're nice to you, they treat you with dignity and, they're going to sell you something before they leave."

"Being nice" to the potential client, he said, is almost equivalent to making a sale in most low income areas.

The sales contract calls for weekly payments purposely. Whether the peddler comes to the home to collect or the purchaser visits a store to pay on the bill, that's 52 additional chances to sell him on something new. And, more often than not this consumer will buy something else from the same merchant during the time he's paying off one bill. Payments may go on forever.

There's not much that can be done about the low income buyer's plight. It's a situation of "let the buyer beware."

"But you should learn a lesson. Don't fall for the bait whether it is offered through a knock on the door or advertisement or telephone call. You're dealing with hardcore professionals and you're amateurs. You know very little of how to deal with this type. Stay away from them," Bellenghi said.

[From the Miami Herald, Apr. 7, 1969]

Shopping Tour Shows Prices Uniform in Miami Markets

(By Peggy Blanchard)

Comparison shopping trips climaxed the first week of the three week Project Moneywise program at Culmer Neighborhood Center. The idea, said home economist Mary Jane Kaniuka, was to see if ghetto supermarkets were more expensive than middle class markets.

The results showed that supermarket prices were fairly uniform in the various Miami areas shopped.

"I don't think Miami provides as much contrast as many cities," said Mrs. Kaniuka. A price offender discovered through Project Moneywise research was Kansas City. Washington, D.C., another offender, has now evened its prices out over the city.

"It's my opinion that prices in Miami are somewhat higher than those in Washington," she said. "But there isn't much difference between the high and low income stores here."

The comparison shopping list included canned goods, milk, meat and staples. Each student was assigned a store. Both chain markets and neighborhood groceries were included.

Considerable savings, the excursion revealed, could be obtained by shopping chain stores and buying house brand merchandise. House brands are available in the same amounts and approximately identical quality as brand name items. But the prices, the group discovered, can run about half the cost of name brands.

Speaking of the difference in green beans, Mrs. Maniuka said, "do you think your family would care if served a house brand? All beans are stringy if you have a bad year. The brand doesn't make a difference."

Mrs. Kaniuka also suggested that food be purchased with an eye toward its use. Bacon, if used as a seasoning, can be purchased in "ends" just as well as in slices. Such a change could mean a saving of about 60 cents.

She had other suggestions. Included were:

Shopping chain stores.

Not shopping the day welfare checks come out because prices could be hiked for that day.

Shopping specials. Lists should be made out according to weekly menus planned to correspond to grocery advertisements.

[From the Miami Herald, Apr. 9, 1969]

Gyp Victims Gain Sharper Eye

(By Peggy Blanchard)

When one of the students attending Project Moneywise: Breadbasket decided she was gypped in a furniture purchase William O'Brien was delighted.

He wasn't pleased because she had been "taken" on credit and insurance rates. He was happy, however, that after a few classes she had learned enough to know her credit contract was costing more than it should.

O'Brien's business is to teach the poor the good and bad points of credit.

A former Bostonian, accountant O'Brien wears two hats around the U.S. Department of Health, Education and Welfare. He serves as assistant director of the Federal Bureau of Credit Unions and heads the Project Moneywise program.

It is Project Moneywise: Breadbasket that brings him to Miami. The three-week study of consumer problems is in session at the Culmer Neighborhood Center. About 25 area residents are enrolled in the training program designed to teach them to be community financial aides.

There are four different Project Moneywise programs in effect throughout the nation. Each deals with general consumer education with the emphasis on purchasing durable goods; the special problems of the welfare mother and the senior citizen; and, consumer education stressing food.

All programs are several weeks long. Between 20 and 25 Project Moneywise programs are scheduled each year. The subject taught depends on the agency sponsoring the session.

Now being funded by the Office of Economic Opportunity's Office of Emergency Foods, Moneywise must stress food.

"The prime purpose of these programs is to get the low income person out of the clutches of the loan shark, away from the high rate money lender and unscrupulous merchant," says O'Brien.

"By the end of the course, students are angry enough to ask what can be done about these things. Then, we tell them to teach consumer education to anyone who will listen.

"These programs have been tremendously successful," he says. "But they are not being given in enough places. This course should be given in every city of the United States.

"Government agencies attack the cycle of poverty. They give the low income worker more skills to get more money. But if they do this without any consumer education, that jump in funding will be funneled off to the unscrupulous merchant."

O'Brien feels he and the team of experts are fighting a never-ending battle. But where Project Moneywise has already been taught, a lesson, a refresher course should be given to pass on new information and keep volunteers' enthusiasm up.

The fate of Project Moneywise is in the hands of the low income volunteer attending the course. How well it will succeed is directly proportionate to the volunteers' interest and his capability to pass the word along.

"You need a guy this low income man

trusts," says O'Brien, "someone from his neighborhood; someone who can tell this guy that he's being taken, in his own language. That's the only way it will work."

Once the ghetto dweller is convinced he's being taken, Project Moneywise equips its volunteers with a way to lessen chances the low income man will fall into the same trap again.

The Federal Credit Union system is set up in individual neighborhoods. The poor put small sums of money in, then when funds are needed for purchases, the Credit Union supplies the money at low interest rates.

This allows the income buyer to escape credit rates offered by the high priced merchants who make their living by offering the poor man credit. It also allows him to go to downtown merchants and purchase the item at the lowest price possible.

[From the Miami Times, Apr. 4, 1969]

PROJECT MONEYWISE—BREAKFAST TO BEGIN

R. Ray Goode, executive director of the Greater Miami Coalition, will speak at the opening session of a three-week consumer education course called Project Moneywise—Breadbasket.

Classes will be held at Culmer Neighborhood Center, 490 NW 11th St., Miami.

Although inadequate income and low educational levels are readily recognized causes of poverty, lack of knowledge and information about the various programs to help disadvantaged citizens also contribute to the problem. Existing Federal and State food programs will be discussed, as well as ways to overcome the obstacles that prevent the participation of needy families. The agenda for Project Moneywise—Breadbasket emphasizes the importance of good nutrition, meal planning, food buying, and stretching the consumer dollar.

Thirty-five neighborhood leader participants, who were chosen because of their community activities, are expected to return to their neighborhoods and pass along the knowledge and information they have gained.

Project Moneywise—Breadbasket is sponsored by the Office of Economic Opportunity and conducted by the Bureau of Federal Credit Unions to help limited-income persons obtain the most from their money.

THE CONSTITUTIONAL CONVENTION BILL—TIME IS RUNNING OUT

Mr. ERVIN. Mr. President, nearly 2 years ago the country was shaken by the revelation that 32 States had called for a national constitutional amending convention. In the wake of that disclosure, and the many scare stories that were soon given great publicity, it was clear that some order and good sense had to be brought into the picture. In an effort to place this controversy on a more meaningful and intelligent level, I introduced S. 2307 in the last Congress. Later in the session, the Subcommittee on Separation of Powers held hearings on it. After the hearings the bill was revised, and I reintroduced it on January 24, 1969, as S. 623.

I warned at that time that the crisis was not over merely because it has been quiet for a year. Thirty-two of the 34 petitions necessary for Congress to call a convention have been filed. Many State legislatures are meeting this year. Already one, Iowa, has begun to consider adopting a petition. The State senate has already passed a resolution. All signs are that Iowa will be number 33. The time for action by the Senate is slipping away. If all 34 petitions are in before Congress acts on the bill, a difficult job will be made almost impossible.

We should not be deluded by the idea that Congress can ignore these State applications. The Constitution requires Congress to call a convention. This is explicit in article V, and we are beholden by our oaths to observe the Constitution—both the parts we like and the parts we wish were not included. Those who oppose article V, those who oppose the idea of an amending convention, those who oppose any change in the reapportionment decisions—all are bound by the Constitution just as those who favor this amendment and the idea of a convention. Article V was included in the Constitution for the specific purpose of affording the States an opportunity to seek amendments which the Congress refused to propose. To refuse to call a convention when the constitutional requisites have been met would be a direct violation of the Constitution's mandate. The Congress cannot shirk its constitutional obligation to act merely because of a disagreement with the end that these States seek.

The bill I have introduced will provide much needed guidelines for Congress and the States. It is carefully drafted and it represents the best efforts of lawyers and Constitution experts. It is not a partisan bill. It does not make it easier or harder to propose a reapportionment amendment. It is constitutional legislation—it seeks to give meaning to article V of the Constitution without favoring either side of this current controversy. Those who are in favor of a convention like some parts of the bill, and dislike others. Those who are against the convention also favor some provisions of the bill and oppose other provisions. But increasingly public opinion recognizes that the issues cannot be ignored. As evidence of this feeling, the Washington Post of Saturday, April 12, called for Senate action on S. 632. I ask unanimous consent that the editorial be included in the RECORD at this point in my remarks.

There being no objection, the editorial referred to was ordered to be printed in the RECORD, as follows:

CONSTITUTIONAL CONVENTION BILL

The Iowa Senate did not create much of a stir the other day when it passed a proposal for a national constitutional convention, although (if the House should concur) Iowa would be the 33d state taking such action. If 34 states join in this petition, it is widely assumed that Congress would have to call such a convention. And some people fear that a convention initiated solely by the states might abolish the Bill of Rights, create an elected Supreme Court and critically curb the powers of the Federal Government.

This venture aroused a great deal of alarm two years ago when the 32d state resolution was passed. Since then much of the steam has gone out of both the drive for a constitutional convention and the opposition to it. One reason for this is the careful work done by Sen. Sam J. Ervin Jr., which makes it evident that Congress would not need to call a wide-open convention even if two-thirds of the states should seek constitutional changes under the unused portion of Article V.

Another factor is the passage of time. The first petitions to Congress to call a constitutional convention came from 12 states in 1963. The purpose behind them was to deny the Federal courts jurisdiction over state legislative apportionment cases. Most of the petitions since then have asked for a convention to propose an amendment which would permit one house of a state legislature to be apportioned by some standard other than population. Are the two groups sufficiently related to be joined together into a single demand upon Congress? Another question must be raised about the validity of four petitions which apparently have not been received by Congress. Then there is the question as to whether the early petitions are still valid six years after they were voted. Under the terms of the Ervin bill designed to guide the submission of such petitions, they would remain in effect only four years.

Whether or not 34 petitions are ultimately received Congress ought to take up the Ervin bill at the first opportunity. It would tell the states how to proceed in petitioning for a constitutional convention and how to elect their delegates if such a convention should be called. It would make Congress the sole judge of whether the states had complied with the requirements in any instance. More important, it would confine the convention to the specific problem raised in the state petitions and the congressional call and give Congress discretion to kill any proposed amendment on other subjects by not submitting it to the states for final ratification.

In our view this safety valve is both proper and essential. Senator Ervin has noted that when the framers adopted two methods of amending the Constitution, one to be invoked by Congress and the other by the states, they did not intend to make one superior to the other. They did not invite the states to junk the Constitution and write a new one in a convention called by themselves. Both Madison and Hamilton make clear that the conventions which the states might initiate were intended for the proposal of specific amendments only.

We think Congress would be well within its rights in passing a law to implement this understanding. If it does so, most of the fear that has been associated with state-initiated conventions will evaporate. As a matter of policy it is infinitely better for constitutional amendments to be approved first by Congress and then ratified by the states, so that the will of the Nation as well as that of the states will be expressed. But as long as an alternative amendment procedure remains in the Constitution, and it is not likely to be repealed, Congress has an obligation to provide sensible guidelines for its use and not to risk a constitutional crisis after petitions from two-thirds of the states have been laid at its door. This would be a good bill for Congress to get to work on while it is complaining that it has nothing to do.

Mr. ERVIN. Mr. President, the differences of opinion over my bill should be debated fully on the Senate floor. This bill is too important to be dealt with by ignoring it. I will spare no effort to get this bill considered by the Senate, because I believe we cannot and should not shut our eyes to the responsibilities the Constitution has imposed on us.

CLARK MOLLENHOFF ON THE OTEPKA CASE

Mr. DIRKSEN. Mr. President, Clark Mollenhoff, of the Des Moines, Iowa, Register, has been a very responsible reporter on the Washington beat for a great many years. When the Internal Security Subcommittee of the Senate Committee on the Judiciary got started on the so-called Otepka case nearly 6 years ago, Mr. Mollenhoff gave a good deal of attention to it, and, in fact, his attention continued all through the hearings. He was really one of the men who stood by Otepka. He verified the documentation and sources; therefore, he was correct when he wrote and when he spoke.

Clark Mollenhoff went to the Freedoms Foundation at Valley Forge on April 19 of this year and made a speech which was devoted to the Otepka case. There he set it out—line, page, and verse—in a way that really nails the matter down. I think it should be made a part of the literature on the Otepka case. I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY CLARK MOLLENHOFF

I call attention to the case of Otto F. Otepka and the case for moderation, patience and conscientious hard work on the seemingly impossible problems that face our society. I hope the six-year ordeal of Otto Otepka is nearly over, and that within a few weeks he will be busy at the Subversive Activities Control Board. I hope his term on the Subversive Activities Control Board will be marked by the same thoughtful and balanced actions that have characterized his approach to his six years of trial.

I will not say that there were no moments of anger and bitterness for Otepka in the last six years, for I know there were many in his long and often frustrating battle with the big bureaucracy that is the State Department. But, Otepka managed to keep the bitterness to himself through most of the time, and he avoided the temptation to engage in a public name-calling contest that could have seriously damaged his case.

For the most part, Otepka confined himself to the recitation of the written record of the Senate Internal Security Subcommittee and the papers filed by his attorney, Roger Robb, in connection with his personnel litigation. Because he confined himself to the written reocrd he made it difficult for critics in the State Department to twist or distort his position by taking comments out of proper context. Because he kept meticulous records of his case and related matters, Otepka has been in a position to document the record of the activities of his tormentors.

Because of the care with which Otepka has proceeded the issues in his case have remained essentially the same as they were when the case started six years ago.

The State Department press office and other critics have found it difficult to create new side issues to distract from the basic case. In its simplest form this is the case:

The State Department political arm was trying to fire or demote Otepka because he told the truth under oath and produced three documents to prove he was truthful.

Otepka testified on lax security practices at the State Department and his testimony was flatly contradicted by a superior, John F. Reilly. This created a serious problem for someone had testified falsely under oath on a material matter dealing with State Department security.

Otepka was advised by the Senate subcommittee of the conflict in testimony indicating that either Otepka or Reilly had lied under oath.

Faced with that problem, Otepka said he could prove he was truthful and that his superior had told a false story. At the subcommittee's request, Otepka produced three documents:

1. A memorandum from Otepka to Reilly setting out the facts as Otepka had testified they were related to Reilly. It was initialed by Reilly.

2. A memorandum from Reilly to others setting out the information Otepka said he had conveyed to Reilly. This was signed by Reilly.

3. The personnel papers of a young woman. They contained no derogatory information. They were used to demonstrate how a case would be handled under normal circumstances.

Those documents were necessary to prove that Otepka was truthful. They dealt with a subject matter within the jurisdiction of the Senate Internal Security Subcommittee. None of those documents involved any national security secrets. Perhaps it would have been possible for Otepka to take those documents to his superior, Reilly, and obtain approval for delivering them to the Senate subcommittee for the purpose of proving that Reilly had given false testimony.

However, I do not believe it was unreasonable for Otepka to believe that he had a right to respond to the Senate Subcommittee request without clearing with Reilly. The Senate Subcommittee had the responsibility to find out who was telling the truth. Otepka had the information necessary to establish the truth and the right to prove his own veracity.

It was John F. Reilly who filed the charges of "insubordination" against Otepka for delivering the three documents to Congress. He also filed ten other charges that had to be dropped by the State Department after Otepka and his lawyer said they had evidence to prove that those charges were based on rigged evidence.

Reilly was in the group of officials who participated in the illegal and unauthorized wiretapping of Otepka's office telephone and the bugging of the State Department office. Reilly had a role in entering Otepka's office at night to ransack his desk and bore into the security safes to try to find grounds for firing Otepka.

This "get Otepka" drive failed to produce evidence but the pattern of harassment was the worst in police state tactics.

Reilly and others on two occasions lied to the Senate Internal Security Subcommittee in denying a knowledge of the eavesdropping on Otepka before they finally admitted it.

It was Reilly who filed the "insubordination" charge against Otepka to try to fire him. To me it was incredible that Secretary Rusk and other officials would permit Reilly to file the charges in the light of his pattern of "get Otepka" activity.

I started to work on the Otepka case in 1963 prior to the time Reilly filed the charges of "insubordination". I have followed it since then.

When I started work on this matter, I questioned Otepka extensively. I did not know him well then. I did not know if the facts he presented were accurate, nor did I know if there were other facts that might change the overall look of the case.

For weeks, and even for months, I was cautious about drawing any more than a few of the most limited conclusions on the Otepka case. Every investigation I made of Otepka's story demonstrated that he was accurate on the facts, and balanced in his perspective. In many respects he understated his case. Also, he was amazingly objective in viewing his own case, and in judgment about the men who were aligned against him. He had the restraint and judgment to draw lines between those who were actively engaged in illegal and improper efforts and those who seemed to be simply trapped into a position by carelessness or to present a united political front.

Despite the care with which Otepka related his case, I had difficulty in believing it was as one-sided as it appeared. I made every effort I could to determine if the facts were glossed over or omitted by Otepka or the Senate subcommittee. I questioned everyone I could at the State Department, up to and including Secretary of State Dean Rusk. Frankly, I did not want to believe the Kennedy Administration was either as incompetent or as cruel as it appeared to be.

In those first months, it was logical to ask if there was something in Otepka's record or his activities that in some manner justified the unusual methods used in the effort to get him. What crimes or suspicions of subversion could justify the use of wiretapping and eavesdropping on Otepka, the tight surveillance kept on his activities, and the ransacking of his office and security safes?

There was no hint from his critics that Otepka was believed in either subversion or crime.

Also, the other obvious question involved Otepka's rulings on security cases. I asked if there was any case showing that Otepka had been irresponsible in branding someone a security risk on the basis of flimsy or rigged evidence? No one could or would cite a case of irresponsibility or lack of balance in any Otepka evaluations.

Month after month I asked for the case against Otepka. In the end I concluded that there was nothing else against Otepka except the so-called "insubordination" in producing the documents for the Senate Subcommittee.

There were insinuations that Otepka was a "right-winger" who deserved no defense. At State officials hinted that Otepka was a "McCarthyite" but they shut this off fast when I asked them for specific details after explaining that Otepka did not know McCarthy, and recalling that Otepka had recommended clearance of a number of persons in controversial cases.

The undocumented State Department line apparently went over with some reporters. A few reporters wrote stories crediting the Kennedy Administration with taking a necessary step in disciplining Otepka to crush out "the last vestiges of McCarthyism" at the State Department. They gave no facts, but with this broad smear engaged in the worst type of McCarthyism against Otepka. I asked several if they had any facts linking Otepka to McCarthy. They had none.

I asked several of my colleagues if they knew that Otepka had recommended the clearance of Wolf Ladejinsky in 1954 at a time when Agriculture Secretary Benson was ruling that Ladejinsky was a security risk. Most of them did not.

I reviewed the Ladejinsky case in which the Benson decision became a great cause for liberals, and with good reason. Benson's decision was an arbitrary and irresponsible one, as was later established. I had a major newspaper role in correcting the Ladejinsky decision, but I had many helpers and editorial supporters in the liberal press.

I tried to demonstrate that the Ladejinsky and Otepka cases were similar. Both men were career public officials who were being persecuted by political decisions with all of the power of a cabinet office being used to enforce an unjust arbitrary decision.

The American Civil Liberties Union and other liberal groups rejected my efforts to stimulate their interest in the Otepka case. I argued that true liberalism demanded that Otepka, a conservative, should be defended as stoutly as Ladejinsky, a liberal, was defended.

For the most part that plea was futile, even though the ACLU did enter the case briefly to protest the proceedings in the State Department appeal.

The State Department hearing was a rigged political court to give Otepka a pro-forma hearing before Rusk ruled against him and demoted him from a $20,000 job to a $15,000 job.

Roger Robb, lawyer for Otepka, protested the hearing form, and sought witnesses to establish a frame-up of Otepka. His pleas were rejected by the hearings officer, and by Rusk.

My disappointment with the failure of

liberal organizations to come to Otepka's defense has been matched by my disappointment in some of my liberal press colleagues. We worked together on the Ladejinsky case, and they were eager to help. No amount of persuasion could move them to examine the even greater injustice of the Otepka case.

I realize the record of the Otepka case is voluminous and despite the reports of the Senate Internal Security Subcommittee has remained controversial. This did make it a difficult case to unwind, and it made it easy for State Department spokesmen to distort the record and to snip at Otepka from the protecting cover of anonymity.

There may be some malicious and intentional distortions by some segments of the press, but I prefer to hope that the mass of distorted reporting on the Otepka case was a result of carelessness and a lack of diligence on the part of overworked State Department reporters. Certainly, the voluminous record made reporters easy prey to the distorted State Department backgrounders.

I realize the broad range of direct and subtle pressures brought to discourage a defense of Otepka, for I met most of them at some stage from my friends in the Kennedy Administration. One put it crudely: "What are you lining up with Otepka and all those far-right nuts for? Do you want to destroy yourself?"

There were also the hints that I could be cut off from White House contacts and other high administration contacts if I continued my push for the facts in the Otepka matter.

When I tried to discuss the facts and the unanswered questions, there was no interest in either the facts or the merits. They simply wanted to shut off reporting and comments on an embarrassing subject.

Fortunately there have been a few people who have continued to work on the case and to report something besides the State Department versions. I would pay special attention to Holmes Alexander, Ed Hunter, Edith Roosevelt, and Willard Edwards.

I want to pay special tribute to Willard Edwards. His conversation with Richard M. Nixon, the Republican candidate, set the stage for the naming of Otepka to the Subversive Activities Control Board. Edwards reported that Nixon intended to see that justice was done for Otepka, and I had a later conversation with the then Candidate Nixon in which he confirmed his conversation with Willard Edwards and again expressed his interest in straightening out the Otepka case.

There was some disappointment that Secretary of State William P. Rogers did not take direct action to reinstate Otepka as well as several of Otepka's supporters who were victims of the political knife under the Kennedy and Johnson Administration. But, since there has been no change in the top legal, personnel and press jobs at the State Department, I guess it should not be surprising if Rogers received one-sided briefings and actions recommendations that represented anything but justice for Otepka.

I had believed that Secretary Rogers—a former congressional investigator of subversion and a former Attorney General—should be able to analyze the Otepka case. But, he has been busy with the affairs of dozens of alliances, and in the absence of other evidence, I prefer to think his unfortunate letter on the Otepka case was a result of the work of holdover subordinates.

Fortunately, President Nixon stepped in to make things right with a top level vindication of Otepka through the appointment to the Subversive Activities Control Board.

There have been some efforts to stir an anti-Otepka drive in the Senate on ground that Otepka's association with some John Birch Society members made him unworthy of the SACB appointment. This guilt by association technique ranks with the worst "McCarthyism". There is the possibility that some Senators may try to stimulate an anti-Opteka move and some will almost certainly vote against his confirmation. This is their right.

If any opposition Senators conduct the research necessary to properly discuss this case, I have an idea that they will back away from any direct confrontation because it would focus national attention on one of the most serious black marks in the Kennedy Administration. Any discussion of the case is certain to point up more vividly than at any time in the past the sordid story of eavesdropping, surveillance, safe-breaking and other police state methods used by the Kennedy administration in the "get Otepka" drive.

I have been sorely disappointed over the press handling of the Otepka case over the period of the last few years. In seeking to analyze the reasons, I have concluded that much of the fault must be in the superficiality of the news media in dealing with complicated controversial issues.

The superficiality that marked the coverage of the Otepka case can also be found in an examination of the rise of the late Senator Joseph McCarthy to a position of national prominence on a record that included the wildest irresponsibility. The press *made* Joe McCarthy through its initial superficial and noncritical handling of his irresponsibility. It was impossible for a reader to tell fact from general smear. In the same manner the press permitted anonymous State Department people to smear Otepka.

Only when the newspapers became alarmed and enraged in a careful investigation and study of the details of the McCarthy record was there a public understanding of McCarthy as the irresponsible rogue he was.

Unfortunately, the press engaged in what I am afraid is a characteristic over reaction on the issue of loyalty and security. The fact that Joe McCarthy was wrong in engaging in a general smear of public employees on charges they were disloyal or security risks *did not mean that there are no persons* in the United States Government *who are disloyal*. Yet, much of the press reacted in a manner that indicated there was no problem of loyalty and security and that anyone who suggested it was somehow off on a kick of "McCarthyism."

This type of an attitude is as destructive as are the equally irresponsible antics of a Joe McCarthy. It disregards the fact that there has been a constant problem of protecting national security interests. I assume there will be a problem until such time as the United States, the Soviet Union, and all of the other nations of the world can give effective guarantees that there will be no more spying. It is hardly necessary to add that I do not believe that there is any possibility of such a condition arising in the near future.

In the meantime, the government must try to manage a security program for the protection of our government and our people. The press must recognize this as a difficult problem with some inherent conflicts between personal liberty and general welfare. The system must be administered in a fair manner rejecting pressures to disregard security standards for political favorites and also the temptation to bar persons with otherwise fine records because of flimsy evidence or overly suspicious reasoning.

Since the press is our life line of information in a democracy, it is vital that newspapers learn how to deal with the major complex controversies of our age in a manner that enlightens rather than enflames the public. What I have said of this issue of security standards can also apply to our other major problems—

Obtaining a reasonable balance between the rights of defendants and the need for an orderly society through firm law enforcement.

Creating and maintaining the needed military-industrial complex without letting it control the nation or warp our institutions.

Establishing the rights of working men to bargain for fair wages and working conditions without permitting their leaders to destroy businesses, the government, or other institutions in our society.

These are only a few of the major problems that face our society today, but they are large enough and representative enough to demonstrate that the newspapers have a large responsibility. I hope they will learn from the past errors, and find a way out of the pattern of superficiality that has marred the past.

There would be no purpose in identifying those news organizations who through negligence or incompetence did not come to grips with the enormous wrongs of the Otepka case in the years that case has been pending. I was pleased with the general fairness of most of the coverage of the Judiciary Committee hearing on the Otepka nomination to the Subversive Activities Control Board. I hope that it means that there will be more thought to depth investigation and balanced coverage the next time such a case comes on the horizon.

THE SHOE INDUSTRY

Mr. DIRKSEN. Mr. President, when we contrived the Republican platform in 1968—and I had some hand in its preparation—we indicated that we would take a sensible and forward-looking position on the whole subject of foreign trade.

The Secretary of Commerce, the Honorable Maurice Stans, is on a trade mission to Europe at the present time. According to the reports I have seen, he is consulting with leading trade figures in various countries in Europe. I think this is a fine thing that the Secretary is doing, and I commend him for his efforts.

In that connection, I ought to call attention to the distressing situation that confronts the shoe industry of the country. I have more than a casual interest in it, because there are 42 shoe factories in the State of Illinois, they are located in 25 different cities, and, of course, their progress and their prosperity are contingent on the conditions that confront and beset the industry.

In 1968 we lost 22 percent of our domestic market to imported shoes. The shoe industry employes 230,000 people, and there are 1,100 factories scattered in some cities and towns in 40 States of the Union. The early figures for 1969 will indicate that 30 percent—which is getting close to one-third—of our entire domestic market is going to be surrendered to imported shoes unless something is done.

The key factor in all this problem is, of course, the wage scale. In the United States, the hourly wage scale is $2.62. In Japan, including fringes, it is $1.04. In Italy, it is 57 cents. In Spain, it is 55 cents. In Taiwan it goes as low as 15 cents an hour. These four countries sent 90 percent of all footwear sent to the United States last year.

Obviously, an industry which pays a wage of $2.62 to employees working in the domestic shoe industry cannot meet that kind of competition. They use identical equipment and raw material costs are not major cost items.

1968 imports amounted to 175 million pairs of leather and vinyl shoes. That is the equivalent of 64,200 jobs. Cut it as thick or as thin as one will, we have just exported over 64,000 jobs abroad. We get

to the wailing wall and make our lamentations about the ghettos and the conditions in the ghettos, and about the absence of work opportunity. This is the type of work that can be done by unskilled and semiskilled people. We are getting pretty close to the fringes of the ghetto. Perhaps we ought to think about doing something about it.

I earnestly hope that after Secretary Stans gets back to this country and makes his recommendations, we can get our teeth into the problem and see what we can do about a domestic industry that is being ground to the wall.

BASES IN SPAIN

Mr. FULBRIGHT. Mr. President, one of the most concise and perceptive analyses of the Spanish base affair, which has received much mention in the press recently, was that written by Mr. Ward Just and published in the Washington Post on April 24, 1969, entitled "The Bases Issue Seen From Spain." Mr. Just, a member of the staff of the Washington Post, is, as we all know, one of the most experienced newsmen on the American scene.

I ask unanimous consent that the article to which I have referred be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Bases Issue Seen From Spain

(By Ward Just)

No noncommunist country in Europe has been so isolated from what we are pleased to call the Free World than Spain. Barred from NATO, barred from the Common Market, reviled by liberals everywhere for the endurance of the Franco regime, Spain continues to look inward. Spasms of political reformation are followed by suppressions. The Spanish, anarchists at heart, plot long in cafes while the economy inches forward, the middle class grows, and memories of the war recede. She accommodates 19 million tourists a year (not a misprint), yet remains on the outside looking in—a condition which pleases many Spanish. Habitually distrustful of outsiders, Spain is now making her own evaluation of the four obsolete and obsolescent bases she leases to the United States. The lease, it seems, is not a one-way street.

In Congress and in the American press, the debate has centered around the Pentagon's role in negotiating the renewal. A secondary question has been the matter of alliance: do the bases, either in fact or in theory, commit the United States to Spain's defense? If they do, Senator Fulbright and others are arguing, then there ought to be a treaty. Treaties, as all the world must know, are ratified by the Senate. And no one here loves General Franco.

The quid pro quo most often mentioned is $150 million or so in military hardware, distributed to Madrid over the next five years in exchange for the leases. It is an old business, the "lease," for it requires the Spanish flag to fly over the bases and in language quite vague commits the United States to consult with the Franco regime if the bases are ever used. In fact, in the Lebanese crisis in 1958 and the Cuban missile crisis in 1962, the bases were "activated" with no prior notice to Madrid. That, according to a Spanish official here.

The core of the opposition to the bases (there are three Air Force bases, and one Naval base) here rests on two points: the first is that they are not militarily essential, either to the defense of Europe or the defense of the U.S., and the second is that they have the effect of propping up the Franco regime, now in its thirtieth year and bound to yield sometime soon. All this has had an extremely interesting effect in Madrid, which has its own split between liberal civilians and conservative generals. There is also something known as Spanish pride, which one trifles with at peril.

"We must not accept a 'dictat,'" said one recent editorial in *Ya*, a Madrid daily which reflects General Franco pretty much as Ronald Ziegler reflects President Nixon. "Anything but that, including the complete termination of the agreements renewed in 1963. Those agreements—as they were stipulated—have become too burdensome for us. Long range nuclear missiles have radically changed the situation from what it was when the agreements were subscribed. An alliance on equal grounds may be appetizing, but not the posture of an acolyte. We will not become a satellite country."

Going further: "Without adequate counter-measures against the dangers involved"—and here *Ya* means a signed treaty—"we believe that Spain should not renew the agreements with the United States. Analyzing the pros and cons of 15 years of 'agreements,' Spain has derived from them less advantages—many less—than the other side."

That last is arguable, since the bases have been at least one factor in the one-plus billion dollars in aid that has gone from the United States to Spain since 1950. But, as Spanish here put it, what kind of arrangement is it when the United States can rent land on which to emplace its weapons. Either there is a mutual security arrangement or there is not. As a Spanish Embassy official here puts it, it is "inadmissible" to lease the bases without regard "for the risks the arrangements would entail for Spain." Quite correct. It is not enough, as the Pentagon argues, that the mere presence of American troops is an effective guarantee. If that is the intent, then there ought to be a treaty. "The 'era of rentals' has ended," *Ya* said, a bit pretentiously but accurately enough.

There is probably no regime in the world that provokes such passion as that of General Franco. He is something of a relic, with his civil guards and his censored press, something of a sore thumb on the manicured hand of Europe, and no matter that his regime differs not a whit from some of the most eminent of America's allies. The Spanish Civil War, one of the great confused ideological struggles of all time, is still the benchmark of good guys versus bad for a good many people, here as in Europe. A number of Western observers in Spain have argued that the American presence, symbolized by the bases, has been helpful in nudging the regime from right to center. It is argued that the modest liberalization that has occurred is the result of American influence, and part of it the personal contact between the American military and the Spanish. Perhaps. It is a plausible argument.

With some heat, Spanish officials here and in Madrid categorically reject the notion that the bases, or the 10,000 Americans which now reside on them, would ever be used in the event of internal disorders in Spain. "Gratuitiously offensive," is the way one Spanish official here put it, "and detrimental to Spanish sovereignty."

One recalls the 1936 Spanish war, which became a laboratory for experimentation by the Soviet Union and Nazi Germany, among other nations. The test for the bases ought to be their use to the United States. If they are found to have no use, then they should be abandoned. If they are found to be essential to American or European security, then they should be negotiated, and the negotiations should be in the context of a treaty. But the Senate ought to look very carefully at the implications of a treaty now with Spain, as the Franco era draws to a close with no certain successor. If any people in the world have the right to work out their own affairs without interference it is the Spanish. It did not happen that way the last time.

THE UNWINNABLE WAR

Mr. FULBRIGHT. Mr. President, Mr. Henry Brandon has been for many years interpreting the American scene for the Sunday Times of London. He is intimately acquainted with the events and personalities of recent years, and has the advantage of greater objectivity about our affairs than many of our own observers. I believe that his account of the Wilson-Kosygin meeting and its significance for us and for the war in Vietnam is worthy of our attention.

I ask unanimous consent to have printed in the Record the article entitled "Hot Words on the Hot Line—the Unwinnable War, Part 2," written by Henry Brandon, and published in the London Sunday Times Weekly Review of April 20, 1969.

There being no objection, the article was ordered to be printed in the Record, as follows:

Hot Words on the Hot Line—The Unwinnable War, Part Two

(By Henry Brandon)

(Note.—Downstairs at Chequers, Wilson stalled for time with Kosygin. Upstairs an American envoy held the phone out of the window so that Washington could hear the motor cycle escort preparing to take Kosygin away. It was a desperate last-minute bid for peace in Vietnam. It failed—with angry recriminations between Wilson and Johnson.)

Harold Wilson had great expectations of Premier Kosygin's visit to London in February, 1967. He hoped it would provide an opportunity for him to step on to the world stage as a mediator between the Americans and the North Vietnamese. He had known Kosygin for years, and felt he had something of a special personal rapport with him.

In Washington President Johnson was not only tired of volunteer mediators, but ever since Mr. Wilson had dissociated himself from the bombing of oil installations near Hanoi seven months earlier, he had ceased to be considered a robust ally. His self-appointed mission with Kosygin only aggravated the distrust.

Yet it was difficult for Johnson to say no to Harold Wilson: it would have been very awkward if it had become known that the United States would not try out such a special opportunity for peacemaking.

The chosen liaison man was Chester Cooper, a short, bushy-eyebrowed, slightly Chaplinesque member of Ambassador Averell Harriman's staff. He had "low visibility"; he would not be spotted by the Press. Thanks to his dry humour and his easy way with the British, he was well liked in London from his CIA days, between ten and twelve years earlier. He had the subtle mind needed for this task—yet, as it proved, he did not quite have the necessary White House influence.

Cooper had in fact just visited London, early in January, to brief the Prime Minister and George Brown, the Foreign Secretary, about the fruitless Polish peace feeler, "Marigold." On a visit to Moscow the previous November George Brown had transmitted, on behalf of the Americans, the so-called "Phase-A, Phase-B" proposal (which was to play such a pivotal part in the events of the next few days) to Hanoi via Moscow; excitable as ever, he was infuriated to learn from Cooper that he had not been the only one to do so.

Wilson was also annoyed that the Americans had not informed them sooner of the

Polish mission. The fact that the Americans were still not sure that the proposal had reached Hanoi via Warsaw was no real comfort to Brown.

Shortly before Kosygin's arrival, Harold Wilson asked Dean Rusk, the U.S. Secretary of State, whether Cooper could return to London to bring him fully up to date on the American negotiating position. Rusk agreed, and Cooper flew back to London on February 3. He was instructed to hold nothing back from the Prime Minister, and to provide a channel of communications with Washington.

Before he left for London, Cooper had seen three drafts of a letter from Johnson to Ho Chi Minh, along the lines of the Phase A-Phase B proposal. Phase A provided that under a prior secret agreement the US would stop the bombing "unconditionally." Phase B(i) provided that the North Vietnamese would stop the infiltration of men; Phase B (ii) that the US, as a corollary, would refrain from sending any additional troops to Vietnam. It was also understood that the US would agree to the first part of this agreement only if Phase B (i) was accepted in advance. The key to this proposal, the time lag between Phase A and Phase B, was vaguely a "reasonable period," understood to be from about ten days to no more than two weeks, in which Hanoi could determine that bombing had stopped under Phase A and not simply because of technical or weather conditions.

The President had not yet made up his mind to send this letter to Ho Chi Minh. It was a difficult decision: he had never before taken such an initiative. What Cooper did *not* know when he left was that a letter had finally been sent, but it was an uncompromising letter. It said the President would stop both bombing and further build-up of US forces but only after being assured that infiltration into South Vietnam had ceased.

The letter was delivered by the American Charge d'Affaires in Moscow to the North Vietnamese mission there on February 8. The idea, according to some, was to pre-empt the Wilson-Kosygin talks and to forestall the possibility, which the State Department suspected might be a probability, that Wilson would sign his name to Kosygin's formula—the old theme song that there could be talks if only the U.S. stopped the bombing. Others suggest a simpler motive. Negotiations by proxy are not a practical proposition. If there were to be negotiations, Johnson wanted to be the one to conduct them.

The Prime Minister was full of high hopes about his meeting with Kosygin. George Brown was less so, and Wilson's hopes sank when the Russians announced their delegation. It did not include Foreign Minister Gromyko nor a known Asian expert. It looked more like a goodwill than a business visit.

Undaunted, the Prime Minister asked the American Ambassador in London, David Bruce, if Cooper could stay on for the duration of the Russian visit. The White House sceptically agreed. Walt Rostow, the President's Adviser for National Affairs, considered Cooper a dove and therefore an untrustworthy emissary.

Kosygin arrived on Monday, February 6, on the eve of the ceasefire in Vietnam over the Tet holidays: this gave special meaning to the timing of the visit. Wilson met him at the airport and as they rode into London Kosygin said that he wanted to discuss international problems including Vietnam. But, and Kosygin put special emphasis on it—only in *private*, not in plenary session.

Wilson was greatly encouraged. On Tuesday, when the talks began, he put forward the ingenious "Phase A-Phase B" proposal, under the impression, which Cooper shared, that this was still Johnson's policy.

Kosygin at first countered by restating Hanoi's known position. He suggested that an interview given by Hanoi's Foreign Minister to the Australian journalist, Wilfred Burchett, was a genuine attempt by Hanoi to get negotiations started, and that it represented a major concession. Talks could begin three to four weeks after a bombing halt.

Contrary to Washington's expectations, the Prime Minister loyally insisted that the best approach to negotiation was the Phase A-Phase B proposal and Kosygin reacted by saying it was "a possibility." Wilson held to his position until finally, on Friday, in private session with only two aides on each side present, Kosygin said, "You keep telling me about this two-phased proposal—put it into writing." The proposal seemed new to him though it had already been given to the Russians by George Brown when he met Mr. Gromyko in November.

For the first time the Russians were showing a real interest in getting involved in backstage peacemaking. Kosygin had also told Wilson explicitly that he was in touch with Hanoi, that he thought Hanoi was in a receptive mood, and that he was worried that if nothing happened the Chinese would again be able to assert their influence on the North Vietnamese.

The Chinese, said Kosygin were itching to send volunteers following the declaration agreed on in Bucharest the previous July and they, the Russians, were doing their utmost to prevent it. Kosygin also left the impression with his hosts that he was taking certain risks by facilitating communications with Hanoi because others in the Kremlin were afraid that failure of such an initiative would give Peking an opportunity to attack the Soviet Union for disloyalty to the North Vietnamese ally.

After lunch on Friday Chester Cooper and Donald Murray, then Asian expert in the British Foreign Office, sat down together and drafted a short memorandum setting out how it was proposed to give Kosygin the Phase A-Phase B offer. Around 4 p.m. Cooper sent the text to Washington, confident of immediate approval. After all, it was within the fairly loose instructions with which he had left Washington. The memo did, however, contain a sentence to the effect that nothing would be done until a reply was received.

Cooper was so sure of Washington's approval that when by 7 p.m. no reply had arrived, he decided to go to the theatre to see "Fiddler on the Roof." Harold Wilson was equally confident that the memo conformed to the American position; it had been drafted by Cooper, the special emissary, and he had discussed the whole matter with Ambassador Bruce almost every evening of the week. In addition Wilson was under the impression that Dean Rusk's approval had come in.

Harold Wilson, his copy of the memo in his pocket, went to the Soviet Embassy to attend an early evening reception in Kosygin's honour. At an appropriate moment he handed the draft proposal to the Russian who seemed confident that it might open the way to progress. When the Prime Minister later that evening met Bruce and Cooper, both were hopeful that the cause was advancing.

At least, they were until 10:30 p.m. Then Walt Rostow called Wilson direct on the "hot line" from Washington and told him, brusquely, that the terms originally presented were no longer on offer. Wilson was ordered, in no uncertain terms, to inform Kosygin of this forthwith. To Wilson, since then, Rostow has always been Johnson's "Rasputin."

What most perturbed the Johnson Administration at this point was that increasingly heavy enemy supplies were reported to be moving south and that troop concentrations had been spotted poised along the Demilitarised Zone. So that when the Cooper draft arrived in the Situation Room in the White House it aroused grave misgivings.

Wilson twice during the week had been asked by the President (through Cooper) to tell Kosygin that the increased infiltrations violated the current Tet truce, and should be stopped immediately; and he had done so. Kosygin had replied that he had no information on the violations and added that he did not believe Washington. He had not specifically confirmed that he had transmitted those warnings to Hanoi, but the Prime Minister assumed that he had done so.

The substitute formula that was now flashed over the teletype machine from Washington had more the quality of an ultimatum than an offer to negotiate. A time interval between Phase A and Phase B had become unacceptable to the President; and infiltration had to stop before he would halt the bomb. He "will" agree to halt the bombing only "as soon as" infiltration from the North "will" stop.

Walt Rostow, Defense Secretary Robert McNamara, even the President, sat that night redrafting the written terms to put to Kosygin in London. Rostow was insensitive to the theme; McNamara was inexperienced in diplomatic drafting; and the President, who focused for the first time on the intricate language was quite appalled by the concession to Hanoi entailed by the proposal Wilson had already put. At the same time no one in the White House realised quite what they were doing to Harold Wilson.

Hopping mad with embarrassment, Wilson had to send his private secretary that night to catch Kosygin, before his train left Euston for Scotland, to hand him the new message. Kosygin never returned to the Phase A-Phase B proposal again.

Later, at about 11 p.m., Wilson, still angry, got on to the President over the "hot line." Johnson repeated that his offer had been withdrawn. The Prime Minister complained bitterly about this abrupt volte face, and the "hot line" began to run at a higher temperature than usual.

The only explanation Wilson could see for this reversal, which had badly undermined his credibility with Kosygin, was that either he had not been kept properly informed or the hawks had won the upper hand, or somebody on the American side "didn't know their asses from their elbows." In reply, the President put all the emphasis on the gross breaches of the truce and the heavy movement of supplies south, which he and the Joint Chiefs of Staff thought endangered the security of American troops.

Walt Rostow, on the phone, had accused Wilson of precipitateness in handing the original memorandum to Kosygin before it had been cleared in Washington. This only made Wilson angrier, for he had every reason to believe that it represented the American position. Hadn't Cooper and Bruce, who both knew what it was all about and neither of whom could be called a fool, seen all the cables? It was not surprising that he had assumed approval of Cooper's message in Washington to be only a formality. (Cooper, too, became the target of Washington's ire, and was threatened with dismissal until it was found that he had not exceeded his instructions.)

WILSON DECIDES ON ANOTHER TACK

Undaunted by this embarrassing setback, Wilson decided on another tack: he drafted a new proposal for an extension of the bombing pause, conditional on Hanoi's agreeing to halt infiltration immediately. It was put into final form by Cooper and Sir Burke Trend, Secretary to the Cabinet, and transmitted to the White House on Sunday morning. It was to bring the crisis between London and Washington to an angry climax.

In Washington, as he met his advisers to decide how to reply, President Johnson was in one of his worst moods. He was annoyed by the whole Wilson attempt to negotiate with Kosygin, and he suspected him of having done so more in his own political interests than Johnson's. Nor did he like negotiations by proxy, for it put his own good faith somehow into question. He complained that he always had too many volunteer intermediaries and negotiators.

At one point he asked rhetorically, "If you knew Harold Wilson's outlook would you want him to negotiate for you?" He did not want to be trapped into another "goddam pause," and snapped at those who pleaded for the extension by saying, for instance to Nick Katzenbach, the Under Secretary of State: "Nick or someone else is going to tell me . . . but I am not buying any of that"; or, "Bob McNamara got me involved in that 37-day pause and here he's going again. I wish I had not followed his advice the first time. . . ."

But some of those present had the impression that in fact they were debating a decision which the President had already taken. Johnson always became angry if he felt that he had to act on some peace feeler on a ten-to-one chance, and always felt that he was being conned into something. He usually agreed to take the chance, but it took him to the limits of his patience.

Cooper, meanwhile, had been installed that Friday in a hide-out on the second floor at Chequers, in a room once used as a prison. From there he had a direct telephone line to the White House. Down below, Wilson and Kosygin began their last meeting. George Brown, who in the last three days had offered his resignation about four times, was not present.

It began to get late and still there was no word of Washington's willingness to extend the bombing pause. Dinner was served specially slowly, and Wilson sat at the table secretly nursing his proposal, spinning out conversation about the Common Market and what it might mean to the Soviet Union.

Upstairs Cooper was getting impatient. He had promised Wilson an early reply, and Walt Rostow (who had been rude and impatient) became contrite and repeatedly promised one as soon as possible. By 10:43 p.m., when nothing new had come through Cooper called the White House again. Still no decision. Cooper called yet again, and got Rostow on the phone.

But downstairs they had long passed the coffee stage. Kosygin was ready to leave and Wilson could stall no longer. As he said goodbye he told Kosygin that he might have a message for him from the President, and suggested that it would be better if he did not go to bed immediately on arrival at Claridge's. The police escort revved up their motor-cycles and upstairs Cooper, in utter desperation, leaned from the window and held out the telephone receiver as far as he could so that Rostow, across the Atlantic, could gain a proper sense of urgency from the spluttering noise of the departing outriders.

Finally, at 11 p.m., Cooper was told that the President had agreed to delay the bombing resumption. The message was being drafted and would be awaiting Wilson on his return to 10 Downing Street. At 12:15 a.m. Wilson, Ambassador Bruce and Cooper met there to read it and decide what to do. Officially the Tet truce had ended some hours earlier on Sunday morning and the fact that the bombing had not yet been resumed meant that an unofficial extension was already in progress.

Johnson's message now confirmed an official extension till 10 a.m. Monday morning London time. That gave just enough time for Kosygin to leave London before the resumption of the bombing. He was scheduled to leave at 9:30 a.m. Johnson remembered how offended the Russians had been when he ordered the bombing of North Vietnam while Kosygin was in Hanoi, and at least wanted to avoid offending the Russian and the British Premiers.

As an extension it was disappointingly little but Wilson decided to tell Kosygin nevertheless. He and George Brown went to Claridge's at 1 a.m., armed this time with the message signed by Ambassador Bruce on the stationery of the American Embassy to authenticate it. Wilson wanted to insure against another misunderstanding with Washington.

The Russian leader's reaction to that after-midnight meeting at Claridge's was not encouraging. He interpreted the message as coming close to an ultimatum. Seven hours for Hanoi to reply, he felt, was too little. He said he would pass it on but, he added, he did not think it would be acceptable. It simply did not leave enough time. Wilson then offered to try for a further extension if he, Kosygin, on his part, would press Hanoi for an early reply.

Wilson left Claridge's at 2 a.m. By the time he returned after a few hours sleep to accompany the Russian visitor to Gatwick Airport he was able to inform him that Washington had agreed to another five hours' delay. Kosygin sounded depressed. He thought this still did not leave enough time for a reply and predicted that Hanoi would turn the offer down, especially since it could not afford to withhold completely all supplies from its forces in South Vietnam. Kosygin took off from Gatwick, there was no further word from him, and bombing was resumed.

The peace initiative had collapsed—not only for Wilson, but also for Kosygin.

There is indeed some reason to believe that the message of the extension of the truce was never transmitted from Moscow to Hanoi after Kosygin had forwarded it for retransmission to Ho Chi Minh. His colleagues must have decided that he had not done well enough and that it could only create embarrassment.

THE DILEMMAS THAT RUSSIA FACED

Yet to most of those involved in all the various peace feelers, this seems in retrospect perhaps one of the most significant for the Russian willingness to become involved.

Off and on the U.S. had tried hard to interest them, but they steadfastly refused, and simply repeated Hanoi's position, which was that an unconditional halt in the bombing would lead to negotiations. But Johnson was too soured by the failure of the 37-day pause to listen to that.

The Russians had their problems. There was clearly a great difference between their ignoring Fidel Castro and taking their own missiles out of Cuba, and what sway they could exercise over the North Vietnamese. Not only was their influence limited with Ho Chi Minh, but the Chinese too had their supporters in Hanoi's politburo.

The Russians let it be known in Washington that they had had only limited scope for maneuver, and were facing several dilemmas. They did not want to promise the Americans anything they were not sure they could deliver; nor did they want to give the impression that they were trying to force something down North Vietnamese throats or that they were letting down a Communist ally. They knew that the Chinese were only waiting to jump on them with propaganda accusing them of betraying the Communist cause.

They were also confused, just as Hanoi probably was, by the credibility gap that Johnson created for himself. In the beginning, the Kremlin probably accepted that he wanted to carry on in the Kennedy tradition. But as his position in Vietnam hardened, as he escalated the war, they came increasingly to mistrust him. They could not be sure whether, if they succeeded in starting negotiations, Johnson would not demand terms so unacceptable to Hanoi that they would be embarrassed. They were therefore very chary of helping Johnson, who, they suspected, wanted to attain at the conference table the victory he had failed to win on the battlefield.

The Russians worried that the war in Vietnam would lead to a confrontation with the U.S. As the North Vietnamese continued to hold their own and did not seek intervention by either themselves or the Chinese, they probably found some pleasure in seeing the American Goliath pinned down and embarrassed by the North Vietnamese David.

Gradually, as more Soviet arms were sent to Hanoi and as the Chinese not only cut down their own aid but tried to impede the flow of Russian supplies, Moscow's influence in Hanoi began to grow. This, plus the rising cost of Russian aid, may have persuaded Mr. Kosygin to his London overtures.

THE REASON FOR JOHNSON'S DISTRUST

Chester Cooper did his level best to advise the Prime Minister and to put pressure on the White House, but he clearly could not carry enough influence. Walt Rostow distrusted him, and that in turn meant that the President distrusted him; perhaps if someone of the stature of Cyrus Vance, the Deputy Secretary of Defence, a man whom the President trusted implicitly, had been sent to London, the outcome might have been different.

The President's distrust of Wilson may have been an even greater handicap. He was afraid that Wilson, in his eagerness to play the peacemaker (or, as Dean Rusk once put it, his hope of getting the Nobel Peace Prize), would give away some of the chips the President had been hoarding carefully. Johnson was not a man who let anybody else play with his own chips.

Wilson became a victim of his own good intentions and his ambitions as a peacemaker, and was rewarded with some uncharacteristically shabby treatment by the Americans. A chance to test the Russians in peacemaking was missed—and now no one will ever know how real that chance was.

The U.S. restarted the bombing and Hanoi Radio sounded as tough as ever, stubbornly reiterating North Vietnam's demand that the bombing had to be halted "unconditionally and for good." The ten-mile circle around Hanoi no longer remained bomb-free. Both sides hardened their positions. Hanoi disclosed the correspondence between Johnson and Ho Chi Minh; and a "war council" held by the President on Guam proved inconclusive.

The prospect of peace seemed more remote than for a long time. No reasonable basis for negotiations was in sight. In private President Johnson sounded more determined than ever to increase military pressure. "When the bullets get faster and hotter round my ears I get calmer." The Gallup Polls showed 67 per cent in favour of bombing North Vietnam and his own popularity rating down to 62 per cent, but the division among Americans had become more bitter, more emotional.

On March 28, U Thant disclosed that his proposal for a standstill truce in Vietnam as a first step towards peace negotiations had been approved by the United States and South Vietnam but rejected in Hanoi. All major peace initiatives from then on petered out, until two Frenchmen with direct access to Ho Chi Minh—Raymond Aubrac and Herbert Marcovich—went to Hanoi to sound out the prospects for negotiations.

The American intermediary between them and Washington was Harvard Professor Henry Kissinger (now President Nixon's adviser on National Security Affairs). Kissinger had been to Vietnam himself several times. He went out a moderate hawk and came back, having talked to the province chiefs, feeling that politically the Government was hardly viable. It was through Kissinger's contact with Marcovich that Aubrac an old friend of Ho Chi Minh, was enlisted in the mission. Kissinger had already acted as a consultant for three Presidents but was also someone the Administration could easily disown should things go awry.

KISSINGER'S OPTIMISTIC VIEW

The operation lasted several months. In his debriefing after the first contact, Kissinger put forward a mildly optimistic view. One who listened to this debriefing was the new Assistant Secretary for International Affairs at the Pentagon, Paul Warnke. Inspired by Kissinger's presentation, he and a member of his staff returned to their office and jotted down a possible new approach to negotiations.

They handed their brief memo to Robert McNamara, who liked it and took it to the President, who accepted it immediately. It became known as the San Antonio Formula because it was offered as a basis for negotiations by President Johnson in a speech in San Antonio.

The formula was a definite departure from the tough proposal the President had made in his letter to Ho Chi Minh. It allowed the North Vietnamese to continue infiltration, even after the bombing halt, *at the existing level.*

Through Kissinger this most conciliatory offer so far was transmitted for the first time to Hanoi. There was no doubt that Kissinger conducted the operation in the most professional manner, and that Aubrac had direct contact with Ho Chi Minh. At one point Chester Cooper went to Paris to offer proof that Kissinger spoke with the authority of the American Government. However, nothing came of the operation, and by September the effort was abandoned.

If nothing else the Kissinger mission at least resulted in the development of the San Antonio Formula. It was a conciliatory offer, and even though the signals that came back from Hanoi were unclear and didn't lead anywhere, it may nevertheless mark a turning point. It must have helped to impress at least some members of the Politburo in Hanoi that the U.S. was offering more than equitable terms for talks.

M'NAMARA GOES COOL ON BOMBING

The approved troop ceiling of 480,000 men had now been reached, and the President was considering requests for more. By early August the new maximum was 525,000. Because of Vietnam, Johnson had now become the most unpopular President since the second world war. And yet at the same time it was Vietnam that accounted for most of the strength he still had in the country. The doves were more vocal, but the hawks were equally strong. It was the hesitant people in the middle whose numbers suddenly had increased.

After my own visit to Vietnam that autumn, I was convinced that the cost in lives and money had to be reduced. It seemed to me that this was the only way to meet the growing public dissatisfaction in the U.S. I also believed that militarily the U.S. had achieved the kind of stalemate that made negotiations the next logical step.

In October, Townsend Hoopes, the Assistant Secretary for Air, produced for McNamara a 15-page document pulling together all the difficulties in the way of a military victory. It asked whether there was an ultimate ceiling to the number of men America could put in, and how the Chinese would react if the number reached one million. It laid out the growing threat to the dollar caused by the loss of gold and it analysed the increasing criticism among world opinion. It reflected the growing sense in the Administration that the U.S. was doing nothing in Vietnam but reinforcing weakness.

By then McNamara had gone publicly on record before the Senate Armed Services Preparedness Subcommittee that he was opposed to widening the range of bombing targets in the North, and that no level of bombing or direct air-strikes on population centres (which the U.S. considered immoral), would help win the war. He reflected the conclusion also contained in the Hoopes memorandum that air bombardment had never seriously impeded the flow of supplies, and the enemy in the South never suffered serious shortages because of the bombing.

For some inexplicable reason, no full evaluation of the bombing had been done up to then. Interest always was focused on how the U.S. could do better. And the objective always was how to make the enemy pay a higher price. As the war widened so the frustrations mounted, and the original purpose of preventing infiltration had been changed to "bomb them to the conference table."

The advocates of air power had always been bullish about what could be accomplished. They consistently claimed more than could be obtained. North Vietnam was not an industrial area, such as Germany in the second world war; it lacked vital targets, and so the damage that could be done from the air was limited.

Operational Air Force officers, of course, consider themselves a "can do" outfit. They will therefore never admit that they cannot accomplish what is asked of them. But it would be wrong to assume that the Air Force is a monolith; it too reflects a spectrum of opinion. It did the job it was asked to do with a remarkable fidelity to the very stringent ground rules.

It held to the specialty prescribed approaches to certain targets, for instance, although they were often the most dangerous approaches; and those who did not carry out their orders faithfully—as, for example, the pilot who dropped his bombs close to a Soviet ship in Haiphong Harbour—were severely penalised. The usual reply to critics of the ineffectiveness of air warfare maintained, as the Senate Military Preparedness Subcommittee did, that the Air Force was shackled, and if only it could bomb Haiphong Harbour the effects would be much more noticeable.

MILITARY VALUE AND POLITICAL COST

This, in effect, scathing criticism of McNamara aroused to his defence his fellow-rationalist McGeorge Bundy, who had by then left the White House to become President of the Ford Foundation. He, too, had now become doubtful of the effectiveness of military measures, however well executed, in a limited war. He took the Committee to task: "Nothing is less reliable than the unsupported opinion of men who are urging the value of their own chosen instrument—in this case military force. We must not be surprised, and still less persuaded, when generals and admirals recommend additional military action—what do we expect them to recommend?"

He warned that careful judgment was required between military value and political costs. The ideologists continued to hold fast, but the rationalists had had second thoughts. As McGeorge Bundy now confessed, "Grey is the colour of truth."

On September 29, the President revealed in San Antonio his new negotiating formula, which by then was already in the hands of Hanoi.

Just before Christmas General Westmoreland, the U.S. Commander in Vietnam, and Ellsworth Bunker, the Ambassador in Saigon, returned to the U.S. to sprinkle some optimism into everybody's ears. They both talked about "light at the end of the tunnel," but many suspected that Johnson was using them to set the right mood and tone for the Presidential election year of 1968.

And, in fact, it had been clear for some time that the war had become a stalemate. The word was resented in the Johnson Administration, but until the Tet offensive began in February, 1968, its use was accurate. The Tet offensive caught the U.S. forces off guard and proved how vulnerable they still were; but their counter-offensive, so to say, restored the stalemate. It did not restore, though, the lost confidence in the political and military assessments from Saigon.

THE ABM

Mr. MANSFIELD. Mr. President, the ABM debate symbolizes and encompasses more than a weapons system. The development of technology as applied to missile systems and other implements of war affect our chances for disarmament and tend to distort domestic priorities. They have great implications not only in the military field but in the fields of industry, labor, the universities, and politics and all these factors can be, and have been, without any prior determination and without any deliberate intent, developed into a partnership of enormous proportions.

Mr. President, I have nothing but the greatest respect for the military. I think they are doing their job with integrity, dedication, and patriotism. I have great respect for industry in this country. They are seeking business and achieving it. Sometimes I think perhaps they go to undue lengths. I have great respect for labor, too, but labor too often finds desirable the jobs which missile installations and other systems make available, the work pays well and often carries a good deal of overtime.

The universities have also been benefiting for some time. The latest figure I have indicates that last year, educational and nonprofit institutions earned $772 million in research contracts—$16 million more than in 1967.

For example, with no intention of impugning any university, but rather to note their excellence, I note from published news sources that the Massachusetts Institute of Technology is in 10th place in this field, with $119 million in Defense research contracts, and that the Johns Hopkins University, for example, is in 22d place with $57,600,000.

As far as the politics is concerned there are many of us in this Chamber, myself included, who must share a part of the responsibility, and a part of any blame, because when it comes to getting defense installations, missile or otherwise, for our States and into our areas, none of us have been shrinking violets. I think that ought to be made clear.

So what has developed along with the technological developments over the past two decades, is a military-industrial-labor-academic-political combination, and that development simply cannot be gainsaid.

To come back to the main theme of my remarks, I would note that the Pentagon's allegation, in defense of the ABM—Safeguard—system, is, in my opinion, predicated on its belief that the Soviet Union is developing a first strike capacity and that almost all our land-based missiles or at least a sizable portion of them would be destroyed on that basis.

It is well to reiterate and to emphasize that the second strike capacity is only in part predicated on the reaction of our land-based missiles and that we have, in addition, 41 Polaris submarines with 656 nuclear missiles and 646 nuclear armed strategic Air Force bombers.

At this point, I ask to have printed in the Record a table showing the increase from 1963 through 1968 on the part of the United States and the U.S.S.R. of ICBM—intercontinental ballistic missile—SLBM—sea-launched ballistic missile—and total missiles from these two systems. In addition, I would like on the same basis to include the number of intercontinental bombers. All this is public information.

There being no objection, the table was ordered to be printed in the Record, as follows:

	1963		1964		1965		1966		1967		1968	
	United States	U.S.S.R.	United States	U.S.S.R.	United States	U.S.S.R.	United States	U.S.S.R.	United States	U.S.S.R.	United States	U.S.S.R.
ICBM launchers	514	100	834	200	854	270	934	340	1,054	720	1,054	905
SLBM launchers	160	90	416	120	496	120	512	130	656	30	656	45
Total missiles	674	190	1,250	320	1,350	390	1,446	470	1,710	750	1,710	945
Intercontinental bombers	1,300	155	1,100	155	935	155	680	155	697	155	646	150

Mr. **FULBRIGHT**. Mr. President, will the Senator yield for a question?

Mr. **MANSFIELD**. I yield to the Senator from Arkansas.

Mr. **FULBRIGHT**. Mr. President, with regard to this table, I merely wish to say that while the Senator has included, in the table which he has just asked to be inserted, I think, a very complete and very good table of the nuclear weapons, this by no means exhausts the capacity of this country to destroy any enemy or any antagonist, because we have enormous capacity in the field of chemical and bacteriological warfare agents, sufficient at least to duplicate the destructive capacity represented by the figures in the table the Senator has inserted.

I wish only to make the point that this table, with all of its impressive figures, by no means tells the whole story. The Russians, as do we, have, in addition, the further capacity to decimate populations.

Mr. **MANSFIELD**. Mr. President, the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas (Mr. Fulbright), is correct. And may I say that I have not even given all the information at my disposal relative to the number of warheads and the like, but I shall do so now.

It is my understanding, subject to verification, that in 1963 the approximate number of nuclear warheads was 7,844 for the United States and 755 for the Soviet Union and that by 1968 the figure was 6,556 for the United States and 3,295 for the Soviet Union.

I say that subject to verification; but I have a pretty good idea that what I have just stated is fact, and can well be proved.

Another aspect of the development, or in some instances, lack of development, of missiles is indicated by the fact that approximately $23 billion has been expended on missile systems planned, produced, deployed, and abandoned. Of that figure about $4.1 billion was spent on missiles which were abandoned in the research and development stage. I shall ask to have printed in the Record a list of major missile projects terminated during the past 16 years and not deployed; but before doing so, I wish to give full credit to the distinguished senior Senator from Missouri (Mr. Symington), who placed these figures in the Record on March 7, and thereby made them available to the rest of us.

I now ask unanimous consent that the list of terminated projects be printed in the Record.

There being no objection, the list was ordered to be printed in the Record, as follows:

Project	Year started	Year canceled	Funds invested (millions)
Army:			
Hermes	1944	1954	$96.4
Dart	1952	1958	44.0
Loki	1948	1956	21.9
Terrier, land based	1951	1956	18.6
Plato	1951	1958	18.5
Mauler	1960	1965	200.0
Total Army			399.4
Navy:			
Sparrow I	1945	1958	195.6
Regulus II	1955	1958	144.4
Petrel	1945	1957	87.2
Corvus	1954	1960	80.0
Eagle	1959	1961	53.0
Meteor	1945	1954	52.6
Sparrow II	1945	1957	52.0
Rigel	1943	1953	38.0
Dove	1949	1955	33.7
Triton	1948	1957	19.4
Oriole	1947	1953	12.5
Typhon	1958	1964	225.0
Total Navy			993.4
Air Force:			
Navaho	1954	1957	679.8
Snark	1947	1962	677.4
GAM-63 Rascal	1946	1958	448.0
GAM-87 Skybolt	1960	1963	440.0
Talos, land based	1954	1957	118.1
Mobile Minuteman	1959	1962	108.4
Q-4 Drone	1954	1959	84.4
SM-72 Goose	1955	1958	78.5
GAM-67 Crossbow	1957	1958	74.6
MMRBM	1962	1964	65.4
Total Air Force			2,774.6
Grand total			4,167.4

Mr. **MANSFIELD**. Mr. President, the following table shows the total investment for missile systems which have been deployed but are no longer deployed. These two sets of figures add up to a total of $23,053 billion:

[Cost in millions]

Army:	
Nike-Ajax	$2,256
Entac (Antitank missile)	50
Redstone	586
Lacrosse	347
Corporal	534
Jupiter	327
Total Army	4,100
Navy:	
Polaris A1	1,132
Regulus	413
Total Navy	1,545
Air Force:	
Houndog A	255
Atlas D, E, F	5,208
Titan I	3,415
Bomarc A	1,405
Mace A	328
Jupiter	498
Thor	1,415
Total Air Force	13,241
Grand total	18,886

[Cost in millions]

Plus missile systems terminated before deployment	$4,167
Total	23,053

In view of the fact that the estimated cost of the Safeguard system will increase considerably above the present approximate $8 billion—$6 billion plus for acquisition, construction, and deployment and $2 billion plus for research and development—that there are grave questions about the reliability of the system; that, inherent in the Safeguard proposal, is the start of a new phase of the arms race which could cost tens of billions of dollars; and in view of the fact that there are alternatives both of diplomacy and weapons technology which have yet to be considered, it seems to me that it is high time to put first things first.

First. I would suggest that on the basis of a number of Soviet diplomatic probes over the past several months suggesting a readiness to go forward on an arms limitation or freeze, a diplomatic reaction should be tried on our part which might lead to the setting of a time certain in the first part of June for negotiations to begin in earnest between the Soviet Union and the United States.

Second. In the meantime, research and development should be continued on the ABM system to determine more clearly the prospects of resolving the technical problems which have raised serious doubts about the effectiveness of this system.

Third. A year from now, we should know as a result of diplomatic initiatives as well as further research on the ABM whether there is a sound basis for going ahead with the building of an ABM system or for setting it aside entirely. In my judgment the Defense Department and the State Department have not yet provided the Senate with persuasive grounds for going ahead with the deployment of the ABM at this time.

Mr. **FULBRIGHT**. Mr. President, will the Senator yield?

Mr. **MANSFIELD**. I yield.

Mr. **FULBRIGHT**. Mr. President, I associate myself with the conclusions of the distinguished majority leader, the Senator from Montana. In presenting these facts to the Senate and to the public, he has rendered a great service. I hope that his suggestions will be taken most seriously.

I congratulate the Senator on his fine statement.

Mr. **MANSFIELD**. I thank the Senator.

Mr. **JAVITS**. Mr. President, will the Senator yield?

Mr. **MANSFIELD**. I yield.

Mr. JAVITS. Mr. President, I have noted with deep interest the views of the Senator from Montana. They are most authoritative and have been well borne out under the auspices of the Senator from Arkansas and the Senator from Tennessee both in the principal committee and in the subcommittee.

I appreciate the feeling of the President of the United States upon this matter. But I think one thing needs to be made very clear—and I know the Senator from Montana will agree—that there is not one whit less feeling about the security and future of our country in the heart of the Senator from Montana, the Senator from Arkansas, and myself than there is in the heart of the most ardent advocate of the Safeguard or antiballistic-missile system.

There is no partisanship in this matter. I took this position before. The Senator from Arkansas, the Senator from Montana, and the Senator from Kentucky (Mr. COOPER) also took this position before President Nixon was even considered for the nomination of the Presidency of the United States.

I hope that these two factors may be made crystal clear by so authoritative a voice as that of the majority leader.

Mr. MANSFIELD. Mr. President, I appreciate the remarks of the distinguished senior Senator from New York. But I think he gives the Senator from Montana too much credit.

I not only appreciate what the Senator had to say, but I also agree with him. There are two sides to this question, maybe the proponents are right.

It is a matter of judgment. It is a matter of searching our consciences to try to find the truth on the basis of the best evidence available, and arriving at a judgment.

I honor the President for being responsible for a review of this system. I appreciate that he made a decided change in the system which he inherited—the Sentinel.

He faced up to his responsibility of exercising his best judgment on the basis of the facts. And what he has done, we in our individual capacities will have to do as well. It is a part of our responsibility as Senators from sovereign States.

I hope that recognition will be given to the fact that probes have been made by the Soviet Union and that the President himself, as well as the Secretary of State, have indicated that there is a very strong possibility that talks will get underway either late this spring or early this summer. We need only refer to Secretary Rogers' latest press conference.

I am somewhat disturbed at the question of priority. I think the key word is "balance"; that we must balance our foreign policy and our defense expenditures, on the one hand, with our domestic problems and needs on the other.

If we can achieve a balance on that basis, we shall all be further ahead than we would be if we were to place too much emphasis on the use of the word "priority" in one field or the other.

If we were to become the strongest nation in the world and were to spend all of the money that has been requested, of what good would it be? If our cities burned and our society were disrupted, our people became discontented and uneasiness were to spread throughout the land, of what good would it be?

That is why we cannot give either of these factors a priority, but, rather, ought to treat them, in effect, as a duality. That is why we must, in accommodation with the President and the executive branch, work to try to obtain a balance. We must face up to these matters which are difficult, but which cannot be avoided.

The matter must be considered, as the distinguished Senator has already said, on a nonpartisan basis.

It will do neither party any good to win a victory in this or in any other area if the country is the loser.

I have been especially pleased with the tone with which the debate on the ABM has developed in the Senate, not only this year but also last year. I have also been pleased with the lack of partisanship and the understanding on the part of the President and the executive branch of our responsibility and our reciprocal understanding.

Mr. JAVITS. Mr. President, I am grateful to the distinguished majority leader.

FOUR-STAR SCAPEGOATS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Four-Star Scapegoats," published in the Wall Street Journal of April 24, 1969.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOUR-STAR SCAPEGOATS

The "military-industrial complex" has become an increasingly fashionable bogeyman, and indeed the notion is spreading that the generals have created nearly all our national ills by running up defense spending and involving us in Vietnam. These problems are certainly serious, but making the generals scapegoats for them obscures the actual lessons to be learned.

The international climate being what it is, the garrison state remains a real enough long-term danger, though it ought to be plain that at the moment military influence is not burgeoning but plummeting. This long-run danger surely will not be solved by turning military officers into a pariah class, as much as that would please those intolerants whose personality clashes with the military one. The danger requires a far more sober diagnosis, and this would find that many of the present complaints should be directed not at the generals but at their civilian superiors.

We tend to agree, for example, with the complaints that the Pentagon budget is swollen. But it tells us nothing to observe that the officers press for more funds for their department; in this they are no different from any bureaucrat anywhere. Indeed, the same people who think the generals malicious for requesting large funds would find it quite remiss if, say, the Secretary of Health, Education and Welfare failed to make similar demands for his concerns.

Choosing among competing budget demands is the responsibility of civilians, in the Pentagon, at the White House and in Congress. Part of the current problem seems to be that in the ballyhoo about "scientific" management of the Pentagon, the old-fashioned unscientific Budget Bureau review was relaxed. More generally, it needs to be recognized that the problem of fat in the budget is due less to the generals' greed than to a want of competence or will in civilian review.

Much the same thing is true in Vietnam. There is plenty of room to criticize the generals' incoherent answer to the problems of limited war, but many of the most decisive mistakes were made by civilians.

Take the failure to understand the escalation of our commitment implicit in supporting the coup against Ngo Dinh Diem. After we had implicated ourselves in overthrowing the established anti-Communist government, we could not with any grace walk away without a real effort to salvage the resulting chaos. Reasons of both honor and international credibility left us vastly more committed than before, and it was almost solely the work of civilians.

Or take the fateful decision to have both guns and butter, made in 1965 when the U.S. part of the ground fighting started in earnest. It was a civilian—and in no small part political—decision to avoid mobilization, to build the armed forces gradually, to expand the bombing of North Vietnam at a measured rate, to commit the ground units piecemeal. All of this is in direct contradiction to the thrust of military wisdom. And if the generals did favor defeating the Communists, the little public record available also suggests they favored means more commensurate with that goal.

The point is not that the generals necessarily should have been given everything they wanted. The point is that the civilians decided to do the job on the cheap. They would have been wiser to listen when the generals told them what means their goal required, then to face the choice between allocating the necessary means or cutting the goal to fit more modest means. This discord between means and goals is in a phrase the source of our misery in Vietnam, and primary responsibility for it rests not on military shoulders but civilian ones.

Blaming the generals for these problems maligns a dedicated and upstanding group of public servants. More than that, it obscures the actual problem with the military-industrial complex itself. For the real long-term danger is that the garrison state will evolve through precisely the type of failing that led to fat in the budget and trouble in Vietnam.

For the foreseeable future an effective military force will remain absolutely essential to national survival. An effective force depends on generals who think and act like generals. If they worry about funds for defense and Communist advances in Asia, it is because that is what we pay them to worry about.

That the nation needs people to worry about such things certainly does release potentially dangerous forces that need to be controlled. The military's responsibility for controlling them is passive, to avoid political involvement, and our officer corps has a splendid tradition in that regard. The more difficult task of active control is essentially a civilian responsibility, and the modern world makes it a terrible responsibility. But make no mistake, civilian control depends squarely on the will and wisdom of civilian leaders.

This simple but crucial understanding gets lost in the emotional anti-militarism growing increasingly prevalent. What gets lost, that is, is the first truth about the actual menace of a military-industrial complex—the danger is not that the generals will grab but that the civilians will default.

Mr. MANSFIELD. Mr. President, while I do not agree with some of the observations which are contained in the editorial, I certainly agree that it is a mistake to vent our frustrations on the Nation's military leaders. Like the rest of us, these leaders are trying to do their job for the Nation, with such wisdom and ability and special skills which they possess.

In particular, I am in agreement with the article's basic thesis. It is evident that civilian authority has been remiss in exercising adequate control over the military budget and for initiating foreign policies which result, in the end, in major military commitments. It is the responsibility of the President and his civilian agents and of Congress to exercise judicious management over the Military Establishment of the Nation. Together, it is our responsibility to decide carefully what to spend for military functions and for what purpose. If, indeed, as the article suggests, we were to wake up one morning and find ourselves living in a garrison state, the fault would lie not so much with the military but with the civilian authorities who had abdicated their responsibilities and permitted thereby the erosion of their constitutional responsibilities.

ADDRESS BY SENATOR MUSKIE AT BROWN UNIVERSITY

Mr. HART. Mr. President, I commend to Senators and the public at large the penetrating remarks by the able junior Senator from Maine (Mr. MUSKIE) at Brown University, Providence, R.I., on April 10, 1969.

As we debate the ABM question and indeed the whole philosophy of piling of military might on military might, we would all do well to consider this thoughtful message from our respected colleague.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR EDMUND S. MUSKIE AT BROWN UNIVERSITY, PROVIDENCE, R.I., APRIL 10, 1969

For the last several years we have become frustrated by the despair in our cities and the neglect of urban problems. But we have reassured ourselves constantly that new programs would be initiated and more funds would be available as soon as the Vietnam War was over.

Several months ago I first said that I thought this assumption was unjustified. Already, the pressure from the military has mounted, and the President has recommended the deployment of the anti-ballistic missile system.

At the end of the Vietnam War—Defense spending will *not* decrease automatically.

Our national priorities will *not* be adjusted automatically.

And the domestic needs that demand a massive commitment of funds and energy will *not* be met automatically.

The decisions that the Administration, the Congress, and the people make in the next several months are not merely decisions for 1969, they are decisions for the Seventies.

These are not merely decisions about the best kind of weapons for us to have, they are decisions about the kind of society we want to have.

And these are not merely decisions which will determine the strength of our deterrence to nuclear attack, these are decisions which will determine the strength of the world's resistance to nuclear destruction.

These decisions will not wait until the end of the Vietnam War. They are being made now.

And if they are going to reflect any commitment to peace, to a sane defense policy, and to a just life for all Americans, they must be made on the basis of new thinking and new priorities.

Since achieving the role of a major power early in this century, our burdens of leadership have grown. For our own security and the security of the world, this country can never withdraw from its central responsibility for the preservation of peace.

However, this is a responsibility which we derive not from our military strength alone, or from a desire to exert undue influence on the lives of other nations, but from our superior size and our economic and technological strength.

It is not a responsibility we can avoid, but it is one which we can abuse.

Because this responsibility is so easily abused, yet so unavoidable, the ways in which we choose to meet it must be carefully attuned to our national goals.

Our goal is not military domination, but peace for ourselves and the rest of the world.

Our goal is not to equip each nation with the capacity to annihilate its neighbors, but to enable the peoples of all nations to exist in a world free of hunger, poverty, and ignorance.

Our goal must not be to take risks in pursuit of war, but to take them in pursuit of peace.

We must never forget that our options are limited by our responsibilities. Our every action is examined and re-examined, interpreted and re-interpreted. The more doubtful or less clear our intentions, the more risky our actions.

And we must not fool ourselves. Regardless of our motives, the Vietnam War has not enhanced our reputation as a nation of peace in a world sensitive to the dangers of war. We cannot afford to let our intentions be open to question.

Our resources also limit our options. They are not unlimited. As we face enormous demands on our economic strength in meeting world needs and our global commitments, our domestic society is undergoing the most severe test the nation has known.

We are in the midst of an urban crisis. And the nature of that crisis is that we have not yet decided whether we are at all prepared to make a commitment.

We have not concentrated enough resources in any one place at any one time to demonstrate what can be done to make the system work better for all of us. Our whole approach to the problems of urban and rural poverty has suffered from fiscal and institutional malnutrition. In too many cases we have whetted appetites without providing bread.

Under the circumstances, the decisions we make concerning our national security in the Seventies are more critical than any we have made in the past.

The ABM is only the first of these decisions, but the precedent set by this decision will have a great deal to do with the directions to which we will become committed.

The Administration's ABM proposal represents a major commitment of resources, away from other, vitally important national objectives—with a price tag made suspect by all our experience in weapons-building and by the system's own built-in momentum towards a new arms and cost spiral.

The ABM also represents an immediate commitment to apocalyptic diplomacy—bargaining that raises the ante without calling the bet. It represents another onset of quantum changes in the weaponry on which the precarious balance of mutual deterrence rests. It makes the balance of terror that much more terrible.

With one bold stroke, and the explicit threat it represents, the Administration has put the Soviet Union on the spot, forcing us both to continue to play the game which no one can win.

And no one seems very sure where the rules of this game will take us. We do not know what is proposed to be done within the so-called Safeguard program. The intimations to date have been confusing, contradictory, and ambiguous. The President has stressed his options to restrict the system, but the Undersecretary of Defense has justified the program in terms of full deployment and redeployment. This is terribly expensive uncertainty.

But these are only the short-range implications of this decision. What are its meanings in terms of long-range hopes for world peace and domestic justice?

When I cast my vote in the Senate in favor of the ratification of the nuclear nonproliferation treaty, I did not do so lightly. It was a prudent treaty which bought us precious time to gain control over our nuclear destiny.

The treaty established a working precedent of international inspection, and the signatories pledged themselves to pursue with urgency arms limitation agreements.

That treaty was the latest step in a long, agonizingly slow movement toward arms control and disarmament—a process that began with the test-ban treaty earlier in this decade.

We have reached a critical point in these efforts. We have recognized some of the limits and we have put up some stop signs. But stop signs are not enough; you only pause before you proceed to the next. We need some U-turns.

We have reached a point where we must decide whether we shall institutionalize the arms race and preserve it for our children, or whether we shall honestly try to turn back.

For the first time we are considering deployment of weapons whose dependability is questionable. We cannot know whether they will work.

And since the results of initiating serious arms control discussions are also in doubt, we are at the middle of an unusually balanced equation. On one side, risks in the direction of war; on the other, risks in the direction of peace.

Finally, the deterrent capacity of the ABM is so questionable and so slim, that we must wonder whether our view of national security has become so distorted that it is limited to weapons systems and overkill.

The illusion of national security offered by the ABM offers no sanctuary against hunger, poverty, and ignorance.

National defense is not an end in itself. An arms system or a deterrent force may protect us against armed attack, but they are useless against human neglect.

A broader definition of our national security is in order. Armed defense is no more the whole answer to problems of national security, than law and order is the whole answer to crime.

The American people make an investment in their national goals, and they rightfully expect that decisions concerning that investment will not be made from a narrow range of choices.

But as long as the military is responsible for all the choices in the field of national security, the range will continue to be narrow. Consider how many future Vietnams could be avoided by spending half as much money on aid to underdeveloped countries as we may spend on an ABM system.

Food and education are alternatives to weapons systems. They are more meaningful to a struggling nation than a missile, but our national security has never been defined that way.

As our concern over world poverty has grown, so has our military budget. But not our economic assistance. We will always have a military budget, but we must not allow it a life of its own.

We must control its objectives. But in 1969 we can see a pattern of defense spending developing which is similar to our experience after Korea. Within a few years of the end of that fighting, the Defense budgets were larger than they had been during the war.

Around the world, the credibility of our initiatives toward peace holds more promise than the size of our military budget.

Effective diplomacy is a more constructive force than sophisticated weapons systems.

But as long as decisions concerning our defense budget are made in the vacuum of the Defense Department, are accepted at face value by the Administration, and are ratified without pause by the Congress, we will continue to run the risk that alternatives to military spending in the interests of national security will never be considered adequately. And we will forever be forced to modify our foreign and domestic policies to fit our military commitments.

The choices we face for the Seventies are emerging. We cannot have both guns and butter in the manner which we have always thought possible. We simply cannot afford both.

This is not a new situation. We have not been able to afford the mixture for several years, but we have tried to manage both—without success at either.

And because of the budget pressure of Vietnam, many people have had to tighten their belts—belts that were too tight to begin with.

As long as these belts are tight—as long as we tolerate hunger and poverty in an affluent world, peace is threatened. And as long as peace is threatened, military spending will remain high.

Somehow we must find ways to break out of this vicious circle. As I see it, there is only one way to start, one option to exercise.

We must examine every request for military spending with a new skepticism, asking not whether there is a less expensive military substitute, but whether there is a more effective, non-military substitute.

We should not look to those who are skilled in war for the decisions which lead to peace. It is naive to expect the military to design the new directions we seek.

It is irresponsible for the public and the Congress to abandon its prerogatives of control. Yet these traditions are clearly threatened.

The ABM, chemical-biological weapons, and nuclear weapons are not the keys to peace.

Professor George Wald, a Nobel Laureate at Harvard, stated this very bluntly last month when he said: "There is nothing worth having that can be obtained by nuclear war; nothing material or ideological, no tradition that it can defend. It is utterly self-defeating. Atom bombs represent unuseable weapons. The only use for an atom bomb is to keep somebody else from using it. It can give us no protection, but only the doubtful satisfaction of retaliation."

We cannot eliminate risk from this world, but we can control its directions. We can make up our minds that the time has come when risks in the pursuit of peace hold more promise than risks in the pursuit of war.

But changing the direction of our efforts and the reactions of other nations will not be easy.

Congress is beginning to question the basis of our military posture and our foreign priorities. Our leaders are beginning to realize that our options are limited only by our willingness to broaden our perspectives. We think—

That trying to communicate with China will be more fruitful than isolating her;

That arms control is a more direct route to peace than arms development; and,

That hunger and poverty are more dangerous than Communism.

This progress and this skepticism will continue—if it is maintained by the support of an interested and concerned public.

Public pressure has made halting the deployment of the ABM possible, and public pressure can make it possible to rearrange our priorities and to pursue peace more vigorously and resolutely.

But this pressure will be no more automatic than reductions in military spending.

And its success is far from assured.

The employment of 10 percent of our workforce depends on the defense budget.

Almost 1000 cities and towns and millions of American citizens are caught in the military-industrial combine.

This is the other side of the nuclear deterrent. We have become intimidated by the economic strength of our military as we have intimidated others by the might of its weapons.

We are afraid—

That we can no longer say "no" to the budget requests of $80 billion and more;

That our economy might not produce housing as profitably as it manufactures weapons;

That we cannot find political solutions to political problems; and

That we are not even going to have the chance to try.

This tyranny of fear has no place in America. Instead of being one of the many nations maintaining the arms race, let us be the first nation to renounce that fear and take a first step out of the arms cycle.

But there is every chance that the public will relax with the end of the Vietnam War, believing that Gulliver's troubles are over.

But they will not be over. They will have just begun, unless we make the right decisions now.

So I plead with you, as college students who have been concerned about a war, to be equally concerned with the issues of peace.

Professor Wald put this very eloquently. He said: "Our business is with life, not death. Our challenge is to give what account we can of what becomes of life in the solar system, this corner of the universe that is our home, and, most of all, what becomes of men—all men of all nations, colors, and creeds. It has become one world, a world for all men. It is only such a world that can offer us life and the chance to go on."

This is an awesome challenge. But it is there, and we are the only creatures who can meet it.

OUR GREATEST NATIONAL PARK OPENS

Mr. DIRKSEN. Mr. President, on behalf of the distinguished Senator from Wyoming (Mr. HANSEN), I ask unanimous consent to have printed in the RECORD a statement entitled "Our Greatest National Park Opens" prepared by him, and a brief description entitled "This Is Big Wyoming," published by the Wyoming Travel Commission.

There being no objection, the statement and description were ordered to be printed in the RECORD, as follows:

OUR GREATEST NATIONAL PARK OPENS—STATEMENT OF SENATOR HANSEN

I invite attention to a matter of interest to Americans throughout the 5 States and to foreign visitors, as well.

Our greatest national park, Yellowstone National Park, in Wyoming, will officially open to the public for the season on Saturday.

Yellowstone was the first National Park established in this country, and it has become the symbol throughout the world for the preservation of natural beauty. I urge every Member of Congress to plan a visit with his family to our great park this year, and to notify the people of his State that their park is open, because spectacular Yellowstone National Park is the property, of all the people of the United States.

Yellowstone's fame is such that it requires little discussion, but I shall place in the RECORD a brief description entitled "This Is Big Wyoming," from a Wyoming Travel Commission publication.

"Yellowstone, the first, is still America's largest and most fabulous national park. You will leave its two million acres with memories of Old Faithful obligingly erupting on schedule, of hundreds of other geysers surging forth in a violent thermal display of Nature's hidden power; of small bubbling mud volcanoes, hot springs and brilliant pools; petrified forests and limestone terraces, waterfalls and canyons and numerous lakes including Yellowstone Lake itself, 110 miles around and filled with trout. Over 200 species of birds and almost 60 species of mammals inhabit this vast area. Yellowstone's season is May 1 through October 31 and later, weather permitting. For further information on accommodations in the park, write: Yellowstone Park Company, Yellowstone National Park, Wyoming 83020."

TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA ON BILL TO CURB CAMPUS DISORDERS

Mr. BYRD of West Virginia. Mr. President, on April 23, 1969, I made a statement for television regarding Federal penalties for the disruption of federally assisted educational institutions.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

BILL TO CURB CAMPUS DISORDERS

The sinister event at Cornell University in which rebellious students armed with rifles, shotguns, and hatchets demanded concessions from the University administration, was an escalation in the reign of terror on American college campuses. An appropriate response, in my judgment, is demanded. Law-abiding American citizens are completely fed up with the trend toward revolution, anarchy, and chaos that has paralyzed some of our institutions of higher learning. I have, therefore, introduced a bill in the United States Senate, to provide fines up to $1,000 and imprisonment up to one year, for any person who interferes with or obstructs the operations of any Federally-assisted college or university, who occupies or destroys property in such an institution, or who otherwise interferes with the rights of faculty members to teach or the rights of students to study. Firm action is needed to counterbalance the molly-coddling of those who are destroying our educational institutions.

LEGAL ASSISTANCE TO FARMWORKERS

Mr. MONDALE. Mr. President, an article published in last Thursday's Miami Herald describes an application by the Florida Bar Association and Gov. Claude Kirk's office to the Office of Economic Opportunity for the legal services funds presently granted to South Florida Migrant Legal Services, Inc.

Attorneys with the South Florida Migrant Legal Services were instrumental in calling the attention of the Select Committee on Nutrition and Human Needs, of which I am a member, to malnutrition and hunger in the migrant camps in Florida. I have been impressed with the caliber of the attorneys in the program and with what they have tried to do to improve the lot of migrant farmworkers. Perhaps they were too successful.

If the application of the Florida Bar Association to replace South Florida Migrant Legal Services is accepted by the Office of Economic Opportunity, legal assistance to farmworkers, although still present in name, will be greatly diminished in fact.

We must not turn programs intended for the poor into a mere facade in order to obtain the support of a local power structure. The news story from the Miami Herald indicates to me that such may be the fate of the migrant legal services program in Florida.

I ask unanimous consent that an article entitled "County Government Asks Funds to Replace Migrant Aid Unit," published in the Miami Herald of April 17, 1969, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

County Group Asks Funds To Replace Migrant Aid Unit

(By Clarence Jones)

Washington.—Opponents of the controversial South Florida Migrant Legal Services Inc. got together here Wednesday with a counter-proposal and asked the Office of Economic Opportunity to finance their plan.

The formation of Six County Migrant and Legal Aid Inc. has the backing of bar associations in the six counties, the Florida Bar Association, Gov. Claude Kirk and Rep. Paul Rogers of West Palm Beach.

The counties included in the proposal are Palm Beach, Broward, Hendry, Glades, Lee and Collier.

Palm Beach Bar Association President Gavin Letts came to Washington personally to file the application for federal financing at OEO. With him was Buddy McWilliams, director of migrant affairs for Gov. Kirk.

Notice of the application was released by Rogers' office, and the president of the new corporation is Marshal M. Criser, current president of the Florida Bar Association.

The new group of attorneys wants to replace the present migrant service which has for the past two years sought out migrant workers with complaints then represented them in court action against farmers in the area.

Opposition to the migrant service boiled over last month when a group of U.S. senators toured migrant labor camps looking for signs of malnutrition and hunger. The lawyers financed by the poverty program had arranged the tour.

Both Rogers and Kirk were angered over the nationwide publicity that showed squalid living conditions in Florida.

IN DEFENSE OF PATRIOTISM

Mr. McCLELLAN. Mr. President, an industrialist and financier of my State, Mr. W. R. "Witt" Stephens, recently spoke to the student body at Harding College, Searcy, Ark. In his speech Mr. Stephens defended and emphasized patriotism and deplored the fact that it seems to be a vanishing virtue in today's world. He also reminded the students that freedom must not be taken as a license to overthrow or advocate the overthrow of the very government which promulgates and undertakes to perpetuate and make secure that freedom which is theirs to enjoy.

In his address Mr. Stephens pinpointed problems that are critical to the future security of our Nation. In addition, he proposed solutions to many of the problems he identified, I am in general accord with the dominant theme of his speech. We should have more advocates of true patriotism and devotion to our country.

There must be a revival of patriotism and a renewed dedication to the ideals and fundamentals upon which our liberties rest. Citizens of this country must again develop a proper respect for law and order and constituted authority, if our Nation is to survive. We cannot continue to allow our colleges and universities and other revered institutions that give vitality and strength to our Nation to be subjected to intimidation, coercion, and subversion as is presently happening at many of our highest and most revered institutions of learning.

I join with Mr. Stephens in admonishing and encouraging our young people to use their abundant energies to construct a better society, not to destroy the one we have.

I ask unanimous consent that Mr. Stephens' speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

In Defense of Patriotism

(Address by W. R. Stephens, at Harding College, Searcy, Ark., Apr. 8, 1969)

Dr. Ganus, Distinguished Guests of the Head Table, Students of Harding College, Ladies and Gentlemen:

It is a pleasure to share this evening with you and particularly with you young men and women, the hope of humanity. It is to you that I shall address the bulk of my remarks.

It was a privilege to be here today, Dr. Ganus, and to have the occasion to record some of my life's experiences and opportunities for your Library. I am grateful for the honor you bestow upon me tonight.

America by tradition has been a vibrant nation—blessed with strong, innovative people who have been dedicated to the ideals and beliefs set forth in the Declaration of Independence. It has been a nation built upon the sacrifice and the achievements of patriotic people. Until recently patriotism was a conviction in this nation—but today patriotism seems to be a vanishing virtue.

I consider myself most fortunate to have been born in this great country and in this blessed state. My parents were people of the soil. Throughout my lifetime I have known poverty as well as wealth. As my Father often remarked, "Poverty is nothing to be proud of or ashamed of, but it is certainly something to get shut of just as quickly as conveniently possible." I could have done this only in a free America.

The moral training imparted to me by my parents has contributed more to what success I have attained than any other influence. The opportunities present in a free, unfettered society made my achievements possible, but the love, the guidance and the understanding given by a patriotic American family have been the gifts that have sustained me the most. My father, who is 89, and my mother, who is 85, taught me to believe in and live by the teachings of God, with a respect for the views and rights of all. I thank God they taught me to appreciate the wisdom of age and the efforts and deeds of others.

The true strength of America lies in its beginnings and in its people, for people are its greatest asset. I think it rather interesting to compare the records of the United States and Mexico. America was founded by people who sought freedom of opportunity and freedom of worship. Mexico was founded upon a search for gold. Look at the history of the nations since their foundings, and no doubt should arise as to which goal has returned the greater yield.

America, dedicated to the dignity of man, has received bountiful blessing and today our nation, sprung from thirteen diverse colonies, has grown and flourished to where it is the strongest, most affluent country in the world, and its people enjoy the highest standard of living known to mankind.

Our growth as a nation has not come easily, It has fought for its existence virtually since its inception as thirteen separate colonies. First the Indians and the French, then the British during the American Revolution. In 1812 and 1813, we once again took on the British to show the world we had the right to the use of the seas. We fought against Mexican raids on our lands in 1846, and brother fought brother in the Civil War—in defense of what each felt the American ideals were. In 1898, we fought on behalf of the Cuban people, who were seeking freedom from the yoke of Spanish cruelty. You are all familiar with America's response to the Central Powers and to the Axis in the first and second World Wars. In 1950, we answered the invasion of South Korea by Communist forces and today we are involved in Vietnam. Throughout all of these conflicts America as a nation has responded with patriotic greatness to the call for defense of country and ideals.

Citizens have often been in disagreement and their dissent has been manifested in many ways over American involvement. Riots occurred during the Civil War.

Today America faces another paradoxical situation. On the one hand, we are a nation which sees itself wracked and divided over problems of poverty, riots, race, slums, unemployment, crime and the war in Vietnam. On the other hand, we are a nation which is clearly enjoying high prosperity, rapid economic growth, and a steady diffusion of affluence at a rate almost unimaginable a decade ago. This is our America, still with differences, still beset with problems, but the American goals of justice and freedom never change, and America will continue to exist as long as these ideals guide us. "Our Country, however bounded or described, to be cherished in all our hearts, to be defended by all our hands."

Never before in history have we witnessed the contempt shown by youths burning their draft cards—of 63,000 young men deserting the armed forces, or of youths leaving the country to avoid the draft and service for their country.

Youth is courageous, but courage is not inveterate objection; courage is not flaunting the Constitution. It may take real courage to accept a commitment or decision and live with it. Courage may mean honest compromise. True moral courage is intelligent, foresighted, reasonable, and it never appears except as a part of the greater entity called character. You young people are at a vital stage in your character development. You ultimately are the architects of your own character—your home, this college, your church, men around you, may strive to help develop your character, but they seek not to determine your character. That is your challenge and responsibility. Character is the diamond that scratches every other stone.

This moment, in this great America, half our population is now under 25 years of age. What an asset this can be for our country.

With cynicism, Mark Twain said, "What a shame youth is wasted on the young." I beg you—don't waste it.

Youth is imagination, youth is energy, youth is enthusiasm, youth is creativity, youth is impatience, youth is strength, youth is impassioned love of country, youth is dedication. Imagine what you can contribute. Do not hesitate to dream a new dream, but do not destroy the old until the new has been tested.

David, in his hour of greatest tribulation and sorrow—when he put his hands on the Ark of the Covenant—prayed not just for his people, but for his youth. He knew, as do we, that the souls of youth dwell in the house of tomorrow. As my father has often reminded me, "Be not the first to try the new, nor the last to bid the old adieu."

I have previously expressed my concern for that segment of our youth that has mistaken "freedom for license" and in so doing are not only destroying themselves, but misleading large groups of impressionable young people who are malcontent, aimless followers. This dissident minority, who believes that "freedom in politics is license to overthrow or advocate the overthrow of the very government that insures them their freedom," is completely ignorant of what freedom truly means. Freedom is a right of doing whatever the law permits. If a citizen could do what law forbids, he would no longer be possessed of freedom because all his fellow citizens would have the same power to disobey.

The right to dissent does not imply the denial of the rights of others. Those students who object to the Vietnam War or who advocate social justice and equal rights, have no license to attempt to cripple a great university such as Harvard or Columbia. Those who would oppose our participation in Vietnam exceed their rights when they threaten to disrupt the volunteer ROTC programs at our colleges and universities. I am appalled at the rationale and lack of courage of faculty and university leaders who, under the guise of academic freedom, downgrade "patriotic service" in defense of our country. The actions of universities in deprecating the ROTC programs make a mockery of patriotism.

Men who have fought in previous wars and those who stand guard today have and are giving of their youth, and often the most precious gift of all—life itself—to sustain the dreams of their forefathers and to preserve their own way of life and that of fellow humans seeking freedom. Would you youth let freedom die anywhere for fear of dying yourselves?

Americans who castigate our leaders, downgrade democracy and give solace and comfort to those who would destroy our way of life, fail to realize that the very leadership they criticize has met the challenge of 200 years most successfully. Today's youth has more bodily comforts, more intellectual advantages, more leisure for sports and pleasure, more exposure through communications to every view of life on this planet, even longer life expectancy. This generation will live nineteen years longer than those who have preceded them. They have been granted extra time to solve the problems of this nation and this world.

Much of youth today feel they seek a cause, a change, a way of life. What they really seek is power to influence decision which affect their lives. To do this, youth must earn this privilege. They must first become masters of themselves before they can be entrusted with the power that will affect the lives of others. The students at Rice University, who protested the hiring of a president by the University Board of Trustees, failed to give cognizance to the fact that those men who selected the new president had built the University. As students attending they had done nothing to increase the stature of Rice or to enhance it in any substantive way. Yet they wanted a voice in selecting the man who would administer that great University, and being denied that voice forced his withdrawal from the college.

Many years ago, in 1857, the eminent Thomas Babington Macauley, forecast the failure of the Democracy that Jefferson gave to this country. Macauley espoused his belief "that institutions, purely democratic must, sooner or later destroy liberty or civilization or both." He predicted famine, despoilation, and exploitation of the masses by a few wealthy. Twentieth Century barbarians would plunder and lay waste this republic as the Roman Empire was destroyed by the vandals in the Fifth Century. "Then a Caesar or Napoleon would seize the reigns of our government," he said. His fateful predictions have not yet come true, because he failed to credit the nobility of the human soul and the patriotism born in the American dream.

One does not need to look far to view the lives of great men who, laboring within the system, have wrought beneficial changes and continued realization to Jefferson's dream.

Both of Arkansas' last two Lieutenant Governors, the Honorable Nathan Gordon and Maurice Britt, won the Congressional Medal of Honor, the nation's highest award, fighting for the life and blood of their country.

Here in White County, you gave birth to the Honorable John E. Miller, who served his country in the United States Senate and who today serves as a United States Federal Judge, and has honored the democratic processes and the security we enjoy today.

Dr. George Benson, former president of the University and today still associated with you as head of the American Freedom Foundation, has been a bulwark of altruistic devotion, of continuing efforts to create a finer America and a great institution here. Today you enjoy the fruits of his labor.

Senator John L. McClellan and Kensett's own, the Honorable Wilbur D. Mills, are recognized among our nation's greatest leaders. Their whole lives have been devoted to the service of their country, without great recompense and often with unwarranted criticism for their concern for the welfare of their fellow citizens.

This nation could have no finer citizen than Searcy's Truman Baker, who has devoted so many years in service on the Highway Commission of this state. The fruits of his devotion and perseverance are enjoyed by us all.

I wonder how many days each of these men have added to Jefferson's dream and put off Macauley's prediction.

And so I would say to you youth—and to all youth—don't waste your most cherished asset. To grow old successfully is among life's most difficult tasks. How tragic should you ever be like Robert Frost's hired man—"Nothing to look backward to with pride, nothing to look forward to with hope."

BYPASSING THE LAW

Mr. THURMOND. Mr. President, certain accusations have recently been propagated that southern textile firms engage in hiring practices which discriminate against Negroes.

In response to those charges, an editorial, entitled "Bypassing the Law," was published in the State newspaper on March 31, 1969. The editorial points out that if bias in hiring in this industry exists, it is in violation of the Civil Rights Act, and that any grievances which exist may be redressed thereunder. Any such action would be heard in public, and a record would be produced.

The editor suggests that perhaps those leveling the criticisms know, or should know, that nearly 17 percent of South Carolina textile workers are Negroes, that 40 percent of all recently hired employees are Negroes, and that the public airing of the evidence would reveal these facts; and furthermore, that a public hearing could show that the Equal Employment Opportunity Commission has been demanding that textile firms hire Negroes simply because of race and simply to comply with some arbitrary quota arrangement.

The article terminates with the thoughts:

> The suspicion refuses to go away that enemies of the textile industry have gone around to the back door because the front door is tightly shut.

Mr. President, because of the concern we have for the interest of this vital industry and due to the value of the author's comments, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BYPASSING THE LAW

Charges of job bias in the textile industry would be easier to believe were it not for the fact that such discrimination is against the law. Since it is against the law, the question has to be asked: How come the aggrieved job applicants haven't sought relief under the 1965 Civil Rights Act?

Instead, we find the move on to deny defense contracts to the accused textile firms, an action that can be taken without the need to hold a public hearing. If the Civil Rights Act were used, there would be a trial. The facts would become part of the public record. It is possible that this is precisely what the Equal Employment Opportunity Commission hopes to avoid?

Lack of a public record would have several obvious advantages, especially if textile firms are being urged to engage in reverse discrimination—that is, if they are being told to hire Negroes simply because of race. This is what the textile firms have said the EEOC demands; if they are right, the EEOC itself is in violation of the 1964 Civil Rights Act.

Title VII of that law—the title that governs employment practices—specifies that no employer can be required "to grant preferential treatment to any individual or to any group because of the race, color, religion, sex or national origin of such individual or group on account of an imbalance which may exist with respect to the total number of percentage of persons." In other words, textile firms cannot be made to juggle their employment policies so as to produce an "acceptable" ratio of whites and blacks.

This is what the law says. Witnesses who testified before Sen. Edward Kennedy's subcommittee last week suggested the opposite. Edward Sylvester, former head of the office that supervises contract compliance, brought with him employment figures for the two Carolinas. These statistics showed that Negroes made up 22 per cent of North Carolina's work force in 1966–67 and 39 per cent of South Carolina's during the same period.

"Yet," said Mr. Sylvester, "they comprise only 4 per cent and 5 per cent, respectively, in the textile industry."

It sounds shocking (though legal). Fortunately South Carolina's Senator Thurmond had some more recent figures that Mr. Sylvester had somehow overlooked. They showed that, at the present time, nearly 17 per cent of South Carolina textile workers are Negroes, and that Negroes account for 40 per cent of all employes recently hired. Confronted with this evidence of non-discrimination, Mr. Sylvester could only grumble that there was still room for improvement.

Indeed there is. But the need for improvement is not what the argument is all about. The charge has been made that textile companies are discriminating against Negro job applicants. Although this would be illegal, no legal charges have been brought. Instead, Washington is urged to deny government contracts to Southern textile mills, and the suspicion refuses to go away that enemies of the textile industry have gone around to the back door because the front door is tightly shut.

TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA ON CLOSING OF JOB CORPS CENTERS IN WEST VIRGINIA AND ELSEWHERE

Mr. BYRD of West Virginia. Mr. President, on April 16, 1969, I made a statement for television regarding the closing of Job Corps centers.

I ask unanimous consent that the transcript of that statement be printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Byrd Cites Job Corps Cost

The high cost of operation was given as one of the main reasons for the closing of some of the Job Corps centers in West Virginia and around the country. I am told that it costs from $7,000 to $12,000 a year to train one enrollee. And, often the training has been for jobs that do not exist. Moreover, the dropout rate was high, and there have been serious disciplinary problems in some Job Corps centers. And then, too, there has been little if any real followup to determine whether or not the trainees have been able to secure employment following their graduation, and if so, how long they have stayed in the jobs. A new and smaller community-oriented center will be established for the Huntington-Ashland area, which may better serve the needs of those who will be enrolled in it. I would certainly hope so, because the performance of the Job Corps program up to now, for the most part, has been far from satisfactory.

ADDRESS BY SENATOR HATFIELD AT UNIVERSITY OF CALIFORNIA, RIVERSIDE

Mr. CRANSTON. Mr. President, on April 8, the distinguished senior Senator from Oregon (Mr. Hatfield) delivered an address at the Riverside extension of the University of California.

Seldom have I seen such a perceptive diagnosis of this startling and troubling decade of the sixties. It began, under President John F. Kennedy, in a glow of optimism in our power to solve the persistent human and political problems which undermine human happiness. It ended in the morass of Vietnam, the alienation of our young people, and the sober realization that there is a stubborn dimension to human problems which defies statistics, and which can tragically distort our best-intentioned efforts.

The present campus unrest is in part an expression of disillusion with the discredited premise that technological progress holds the key to human well being. In part, it is the groping for a new language to speak to the spiritual and moral dilemmas which divide and isolate us.

Senator Hatfield's remarks offer hope for reconciling these new needs with our cherished values. To do so will require the younger generation, and the generation now in power, to understand and use the built-in potential of our institutions for creative change. This is the genius and the guarantee of a healthy democracy.

I ask unanimous consent that Senator Hatfield's speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

An Address by Senator Mark O. Hatfield, University of California, April 8, 1969

The current decade began with an ambitious call to get this nation moving again. And we did begin to move. We set a goal of reaching the moon before the decade expired. The Peace Corps was established. Major civil rights legislation was passed by Congress. New programs for aid to the developing nations were initiated. The two super-powers agreed to ban the testing of nuclear weapons. In short, the decade of the 60's began with a surge of vitality and activism.

During those crusading years of vision and optimism, who would have predicted that the decade would end as it now is?

Before this decade began, the late President Eisenhower utilized the National Guard to enforce the order of the Federal Courts to desegregate the school system. The army went south to support equal rights for the blacks.

And now, as this decade ends, it is commonplace for armed forces to be called into our northern cities to quell the rebellious uprisings of black communities. Exactly one year ago, the nation's capital was a garrison, torn asunder by violence and hatred that was the expression of racial hostility. That was five years after the triumphant civil rights march on Washington that culminated in the passage of the civil rights bill and predictions of racial harmony and peace in its wake.

At the beginning of the decade, idealistic students and liberals migrated south during the summers to purge those areas of their racist social structures. By the middle of the decade, they had returned north, deciding to cleanse their own communities of the effects of racial bigotry. And by the end of the decade, they were finally looking within themselves, recognizing their own need for conversion.

The first President of the decade—a "liberal Democrat"—campaigned on the assertion that our nation was threatened by a "missile gap" and promised steps to insure our military security. As the 60's draw to a close, even retired marine generals warn about the extent of "militarism" in America.

When this decade opened, there were about 600 unknown military technicians in the obscure land of Vietnam. But part of our nation's movement in the early 60's was the creation of counter-insurgency forces—the Green Berets—to quell guerrilla warfare throughout the globe. Their first major test was Vietnam. This was the beginning of an unimaginable involvement of American troops which totals more than half a million as the decade comes to an end. The loss of American lives in Vietnam—perhaps the most startling event of the decade—now comes to more than 34,000.

Students, generally apathetic during the 50's, became activistic as the 60's began, and alienated as the 60's ended.

This decade has witnessed more creative programs, government crusades, legislative efforts, and massive appropriations than any previous time in our history. Yet, polarization, unrest, and turmoil have not been abated, but rather have grown far more severe.

Why have we found ourselves in this ironic, frustrating, and threatening condition? Where have all our well-intentioned efforts brought us? How have our benevolent social programs for both our country and the world failed?

Essentially, we have failed in our understanding of man. We have not discovered how to live with ourselves.

Our nation needs more than new programs; we even need more than restructured institutions. Fundamentally, we need revitalized, renewed people.

We have not adequately understood the nature of our problems. We have looked at only the outward, material aspects of society's ills. But the real issue is the alienation felt by growing numbers of people—alienation from both society's institutions and from themselves. People today are experiencing a profound sense of personal irrelevance; they feel that what they think, say, or do really doesn't matter to anyone and cannot change their situation.

Consider our large urban areas, for instance. It is commonplace to believe that the foremost need of urban areas is massive government programs to provide jobs, education, and housing for the residents. Some go even a step further and claim that restructured institutions—such as decentralized schools—are the necessary and essential actions required to solve the urban plight. The validity and urgent need of such measures is unquestionable.

Yet, the real urban crisis is a crisis of human relationships. The most fundamental issue is the deterioration of trust. The greatest need is the restoration of concern, dignity, and hope.

(Example—Watts study after riots showing that welfare workers were the second most resented people in Watts, the police being the first.)

There will never be a final solution to the urban crisis until the attitudes and commitments of individual people are transformed—until both black and white can overcome the indifference and hostility toward each other, and take those steps of risk toward authentic human relationships, establishing bonds of trust and compassion. The confrontation and self-searching inevitably involved will be far more difficult—but far more important—than the most ambitious programs for rebuilding the physical conditions of our urban areas.

There are many other examples of how the solutions to our contemporary problems must involve the change of people's attitudes and values. The dominance of unquestioned military spending in our federal budget is not likely to be curtailed, for instance, until people value the bonds of humanity more than the barriers of ideology. In order to insure a rational use of our natural resources, people must value their relationship to nature as much as their admiration of technology. The point I wish to enforce is not that government programs have been unimportant or useless; on the contrary, I have long been a supporter of aggressive government action to meet the challenges faced by our society. But I am convinced that the true solutions to our current problems require a far deeper degree of insight—one that will understand the human dimension and recognize the essential importance of changing people.

What is required at this point in history, then, is not new programs so much as new perspectives. We must learn to interpret the events of our day with greater comprehension and deeper wisdom. To begin, we must remold our image of man.

The technological revolution has profoundly affected our view of man. The temptation to judge man according to standardized, quantitative measures has never been greater. The methodology of science and technology convinces us that man, like any other phenomenon, can be objectively studied, analyzed, and measured by empirical scrutiny until he is fully understood and completely predictable. Thus, man has become interpreted and understood through those aspects of his existence and can be easily and empirically measured.

But through this process, the passion and inner feelings of man lose their significance. The only things that count are the things that can be counted. Man's material conditions become more important than his personal experience.

Further, when social unrest or turmoil is observed, we then look for material solutions: Blacks in the inner city do not have enough money; impoverished nations of the world must simply increase their Gross National Product. When pure economic solutions do not pacify unrest, then we resort to the application of concrete force: The rebellious Vietnamese will be quelled by a sufficient number of bombs; turmoil in the cities will be halted by a massive show of strength.

But all the while, we have failed to understand the roots of man's passion, the pain of his alienation, the determination of his will, and the searching of his spirit.

We have believed the computer print-outs that have continually predicted a quick end to the Vietnam War; we do not understand what motivates the Vietnamese teenagers who stand on rooftop and shoot at our supersonic jets with World War II rifles. We are puzzled when countries like Nigeria and Pakistan—countries which we regarded as models of successful economic growth—are torn apart by internal violence. We are insulted and perplexed by Peru's defiant willingness to rupture harmonious relationships, embarrass us, and even risk the suspension of our benevolent aid.

And in our own society, when material prosperity and technological progress have reached unprecedented heights, we cannot account for the restlessness, the loss of faith, and the emptiness that so many feel; and we are confused by the frantic, exotic search by some for new forms of self-fulfillment and expression.

Some of you on our college campuses seem to understand best the plight of our time. You have led the call for new values, not just new appropriations. You have challenged the empty promises of hollow political rhetoric with the continuing, unabated realities of human suffering and misery. You have searched for a new life style, for deeper meaning and lasting commitments for your lives. You have rejected our society's hot pursuit of materialism and searched for a higher reality, for a more worthy and self-fulfilling existence. You have recognized the futility and injustice of the senseless war in Southeast Asia, and you have pleaded against the reliance on military might for the solutions to fundamentally human problems.

But while there is substantial unanimity on our campuses concerning the ills of our present society and the goals to be pursued, there is increasing discord concerning the means to be utilized.

The debates that rage in college dormitories today—arguments about violence and non-violence, confrontation and negotiation, revolution and evolution, freedom and responsibility—these touch upon the most important questions facing contemporary society. What is more, we are no longer engaged in a merely academic or theoretical consideration of these issues, but are confronted with live realities that compel us to make decisions and commitments.

The major portion of my professional life that has not been devoted to political activity has been spent on the university campus. What the university community is concerned about, I try to be concerned about. Therefore, I want to earnestly share with you my views about the dynamics of change in our universities and in contemporary society.

The revolutionary premise of change is that power will not be given up willingly by those who hold it. Therefore, it must be seized by those who, because of their assured self-righteousness, believe they should possess the power. The corollary, currently popularized by Marcuse and others, is that whenever one co-operates within present Western "democratic" structures, he is given the illusion of having some influence and voice, but is actually being "pacified." As you might expect, on the whole, I reject these premises.

Mahatma Gandhi, who led India's successful nonviolent revolution for independence, said that "the means is the end in the making." I agree.

Violent, anarchistic means to promote change, whether successful or not, will likely result in a violent end.

I am fully aware of those who protest against anyone in the "establishment" who cautions against violence. After all, they charge, the real violence in our land today in being committed by those institutions and people who carry out the war, sustain poverty, and tacitly condone racism. There is substantial truth in these charges. But I do not believe in "an eye for an eye, and a tooth for a tooth."

Those who choose to carry their protest, regardless of its virtue, to the point of aggressive, coercive disruption and destruction only invite the application of counter-force. In any resort to violence today, the side best equipped and best trained in violence will win, regardless of the relative justice of the issues involved. Further, current polls show that campus disorder is becoming the chief concern of our nation's population. I do not have to tell you how those of the reactionary right will find it difficult to resist making expedient political gain by exploiting popular feeling on this issue.

It is paramount that students today develop an effective strategy of influence. The danger I fear is that the idealism and vision of students, needed so desperately by our deteriorating society, will be rejected because of a cloak of anarchism and a glamorized faith in romanticized revolutionary myths.

Those who have changed history have known how to unify popular feeling and how to infiltrate society's power structure. The effective means of change in a post-industrial society such as ours is such unified force of public conviction combined with the impact of those who can enter into the power structure without selling out to its premises and presuppositions.

The need of this day then, is for students to speak out in unified protest against society's intolerable injustices and inequities where they exist, and to support political insurgents who will infiltrate all levels of influence and power, setting forth their alternative vision of the future. Students must remain uncompromising about their convictions and ideals. But they must also become flexible and adaptable enough to develop effective tactics that truly promote and do not inhibit, the realization of their goals.

Most revolutionaries argue that existing structures and institutions must be abolished so that new life can spring up from the ruins. I must admit that there are instances where I would concur with that premise.

For instance, the draft should be abolished.

Our paternalistic welfare system should be dismantled.

The Electoral College should be eliminated.

The power of political conventions to nominate Presidential candidates should be abolished.

And the ABM should be rejected before it is even begun.

It is clear that there are certain structures and institutions in society which cannot be reformed. After all, you do not reform inequity, you abolish it.

Let me take the draft as an example. Prominent political liberals have advocated draft reform. To me, that is like advocating slavery reform. We are asked to believe that the lottery is an equitable compromise to the present draft law. Let me ask you—what would you think of one who, during the last century, advocated replacing slavery—which was involuntary servitude—with a lottery system? Would that have changed the matter any? Would that have been a step toward justice? As far as the draft is concerned, I am a committed abolitionist. I know that during their time, abolitionists were considered too extreme, too radical; but I believe they were right. Inequity, as I said, must be abolished, not reformed.

The plight of our welfare structure is similar. Despite our well-intended social benevolence, and despite our investment of vast sums of money, our present welfare structure only deepens the dependency, hostility, and resentment of the poor toward their society. We must find new structures and avenues for creatively involving all citizens in the production and benefits of our economic abundance.

It is popularly accepted by almost everyone except many members of Congress that the Electoral College is an archaic, undemocratic institution that has no more right to exist in our modern technological society than the pony express. But I want to go further than even those colleagues of mine who have recommended electoral reform. We are told that the political conventions can be reformed and made truly democratic and responsive. (Example of Pennsylvania delegation to Democratic convention as opposed to the McCarthy strength in that state's primary.) Efforts to that end are being talked about in each party. But I remain dubious. I believe that this structure cannot be adequately reformed. There is no reason why our candidates have to be chosen by political conventions. There are many reasons why they should not be. I believe that it is time to let the people truly choose their candidates for President. Far too long the conventions have been the political brokerage firms and the people have had no controlling interest or certain influence. Let us establish a Direct National Primary Election and grant the people their true democratic voice. These are, of course, questions of political economics which would have to be resolved by such a proposal. But the real question at stake is whether we can afford democracy. Certainly, it seems the measures such as free television time for candidates and tax credits for campaign contributions could make it possible for any candidate, rich or poor, to have an equal opportunity to run for President.

As far as the "reformed" ABM system is concerned, let me give you my frank evaluation: This is the Edsel of an insane arms race. This issue should dramatically focus attention on the need for intense public scrutiny and responsible Congressional judgment of the vast sums of money—more than half of every tax dollar—that are allocated for military purposes.

Finally, there is one matter which cannot be reformed, liberalized, adapted, or modified. That is the war in Vietnam. It must be halted. It has been more than a year since President Johnson gave his March 31st speech which renewed hope for an end to this tragic chapter in our history. But since that time we have suffered more than one-third of our 34,000 casualties. Despite the formal Paris talks, the whispers exchanged over cups of tea, and the continual rumors of secret talks, we are continuing consistently on a path of firm military pressure, believing this will soon cause the enemy to give in.

The war in Vietnam was escalated and promoted by Democratic Administrations, I have firmly believed that a Republican President would be in the best position to end this conflict. I believe that President Nixon has that opportunity. But I fear that he may be reluctant to seize it, believing that if we persevere just a few months longer, we can thwart the enemy sufficiently to insure the continued existence of the present government in the South, or an only slightly modified version of it. Let me state flatly that the war will be ended only when we first decide that our military presence on the Asian mainland is contrary to our interests and should be withdrawn. The method and implementation of that withdrawal is the issue for us to decide at Paris. When the government in South Vietnam must depend on its support from the Vietnamese people rather than American soldiers, then true self-determination will be possible. And when the North becomes convinced by our deeds rather than our words that our first interest is to de-escalate the violence and implement the removal of our troops, then they will have something new and substantial to say to us in the negotiations.

In summary, there are institutions, structures, and policies in our society which we should attempt to abolish rather than reform. But such ends can be only achieved through efforts that exploit the viability of our democratic procedures for reaching decisions.

The politicalization of the nation's youth during the last election was the most encouraging sign of this decade. But it must continue into the 70's. For the present there are specific political goals which can be influenced by the concerned involvement of youth. The draft, election change, Congressional reform, military spending, the ABM, the war—these are only a few examples of pressing, relevant issues that can be dramatically influenced by student conviction and action.

Students today question whether there is either reason or wisdom in adhering to our democratic process. Your doubts have come because you best know its failures, and your hopes for its fulfillment have been stronger than any. I believe that students feel alienated from our political process not because they fail to believe in democracy, but because they do believe, and have seen it fail to function adequately.

But history has given to your generation the primary responsibility for determining most of our future. Although you feel alienated and victimized by the 60's, you have the opportunity to reshape our nation's life in the 70's.

It is my firm conviction that with the passionate involvement of youth, our structures of political life can be shaken, disturbed, and revitalized sufficiently to establish their greater relevance to people, enhancing human freedom and encouraging social responsibility during the next decade. Without you, they will fossilize, becoming the obstacle rather than the instrument of change.

The 70's can be marked by creative perspectives and a whole new understanding of our nation's priorities that will result in significant progress toward full justice, restored sanity, and even lasting peace—at home and throughout the world. But the 70's could also be the time when alienation increases, polarization becomes more severe, and the tactics of political repression are perfected.

In the decade ahead it is my hope that you will focus attention on how to change the values held by those in our society, transform the attitudes and views of individual people, and help establish authentic human relationships between the polarized segments of our society. Then, institutions can be restructured or created that will truly serve the needs and hopes of people.

During the 70's we can direct our technology toward the service of human need, replace coercive power with meaningful participation, control military force by moral strength, and embrace worthy purposes to give meaning to our lives. If the future is to be open to these possibilities, it will require the commitment of converted persons. You are the ones who must lead, for you have considered what it means to be human, you place your values in the sacredness of life, and you can discover the depth and roots of man's spirit.

THE EFFECTS OF MILITARY CONSCRIPTION

Mr. HATFIELD. Mr. President, when one considers the effect of conscription upon the citizens of this Nation, above all he must recognize the profound moral dilemma which it poses for many young men. As a country which has long been a haven for immigrants escaping the military recruitment practices of authoritarian European governments, we must take care that the policies of our Government do not disregard the conscience of our people. It is that conscience which decides whether we deserve to be called a humane or inhumane Nation.

At present, in the inconsistency of its local boards, the selective service creates innumerable ethical difficulties in the classification of conscientious objectors. Although Americans are granted by law the right to refuse to participate in war because of sincere belief, local and State draft boards by disinclination or misunderstanding commonly reject their claims. To maintain the draft needlessly, as we are doing today, is to continue to subject young Americans to unnecessary hardships.

Mr. William Plymat, in a thoughtful article for Progress magazine discusses the problems of CO classification. I commend this article, entitled "The Peril in Conscription," to the attention of the Senate, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows.

THE PERIL IN CONSCRIPTION: RIGHT OF YOUNG MEN TO BE FREE

(By William N. Plymat, Sr.)

The operation of the Selective Service System is a terrible burden to the young men of this country. Especially is it distressing to those who have been brought up in homes which have emphasized the importance of religious teachings. It is also distressing to their parents who are hard-pressed to explain the necessity to obey a system which demands that they kill and be killed when from their earliest years the concepts stressed by them have been that we should not kill, we should not do to others that which we would not want them to do to us, and we should love our brothers as ourselves.

Parents find it difficult to defend the hyprocrisy of the system. At times it almost seems there is incipient revolution in our midst if effective leadership is not developed to correct the inconsistency. Young people cannot be expected to have respect for religion or the church if such leadership does not appear. They try to develop their own type of protest and leadership but this, too, threatens to be crushed by the weight of the system itself. I think it is time for churchmen to look more deeply into the system and challenge the control it has on the thinking of people everywhere.

What can a young man do when he is trying to reconcile his religious teachings with the demands put upon him by his government? The law says he shall not be required to serve in the armed forces if he has conscientious objection, but under the administration of the law, he seldom is given this right. If his local board rejects him for reasons known only to themselves, he faces a choice of refusing induction and being sent to prison for 5 years for his acceptance of the commandment, "Thou shalt not kill" or fleeing the country and becoming an exile from what is claimed to have been "the land of the free."

The Supreme Court of the U.S. in the Seeger case adopted a very liberal position on the subject of conscientious objection, indicating it was not necessary to be formally identified with a church, etc. This caused those supporting the draft to be greatly concerned and shortly thereafter Congress negated this decision of the Supreme Court in several ways. Appeals to the courts were ended.

MAKING IT TOUGH FOR THE CONSCIENTIOUS

To state his request to his draft board that he be granted the status of a conscientious objector, a young man must first fill out the questionnaire provided for this purpose. In this he states the background for his beliefs and his reasons for making the request. He may supplement this with letters from persons who know him which testify to his sincerity. These items constitute his written file which may be read carefully by the board members (or perhaps not at all). He is entitled to a personal appearance before the board. He cannot have an attorney present and the clerk will suggest to his father or mother often that they not appear as the case load is so heavy that only a few minutes are available. Although it is urged that draft boards contain five members, many have only three and two members is a quorum, so when given his personal hearing an applicant may have personal exposure to only two members of his draft board.

To qualify for CO status the young man must convince his board of three things: (1) He must oppose all war, (2) he must base this opposition on religious conviction due to his allegiance to God above the civil authorities, and (3) he must be sincere. If he asks the board why or in what way they doubt one or more of these areas, he may be told that it is for him to say what he wants and they are not obliged to answer any questions. Then he is dismissed. The decision of the board comes not with any formal opinion, expressing finding and reasons, such as we see in a court case, but is simply a decision. No one is able to discover the basis for their decision.

Then the applicant may appeal to a state appeal board. There he is not granted a personal appearance or representation by someone to plead his case. No one appears to know how many of such appeals are taken and what percentage of them are granted. There is sort of a conspiracy of silence. If he is turned down there unanimously this is the end of the road, unless the State Selective Service director should decide to ask that he be granted an appeal. But if one member of the state appeal board dissents, he may take an appeal to a so-called "presidential appeal board" as a matter of right. Here again, he has no opportunity to be heard or represented by counsel. And the decision of this board is rendered without an opinion expressing findings and reasons. When the decision of this board has been made, the matter is closed, except for the possibility that the local board might reconsider on the basis of facts not considered before by the State Selective Service director might ask for such reconsideration.

LACK OF PUBLIC INFORMATION

It seems to me there is a great lack of public information on all aspects of the Selective Service System. Efforts have been made, I believe, to keep as quiet as possible the names of members of boards. The press says little or nothing about what is going on and reporters which seem very curious about many public issues of even minor nature ask nothing about the system. I do not think the Selective Service Act makes general information about procedures and action confidential. General actions surely must be a matter of public record, available to the public.

We can hope that the U.S. Senate will wake up soon and pass the bill to end the draft which Senator Hatfield has introduced, but it may take a long time before this happens. In the meantime, I think we can take constructive action by getting facts out into the open, which will help develop public opinion for decisive action. Leading clergymen and laymen may help by asking Selective Service directors for the following information:

(1) The number of CO requests that have been made during the previous calendar year to the local boards of the state.

(2) The number that have been granted and the number denied by local boards.

(3) The number that have been appealed to the state appeal board, and the number denied and the number granted.

(4) The number that have appealed to the presidential appeal board, and the number denied and the number granted.

(5) The number of cases reopened by local board later by request of the state director or on their motion, and the number of these that have been granted on reconsideration.

If the State Selective Service director does not have the information, he should be asked to seek it on the local board level by polling the local boards.

It seems to me that any concerned layman or clergyman could ask for this information in his own state, but it would perhaps be best if such person did not have a personal involvement of his own at the time. It is probable that a request from a denomination head might be considered more seriously as he would have facilities for widely publicizing the information or refusal to supply the information. If a group of denominational leaders were to ask for the information jointly, it would undoubtedly be considered even more seriously.

GO TO BAT

If such information became available, and it revealed a most unhealthy situation, it could stimulate actions of many kinds. Inquiry could also be made to determine the religious faiths of those being granted CO status, to see if rumors are correct that only those belonging to so-called "peace churches" are granted CO status. I know of some young men who wish to seek CO status who feel that the effort would be hopeless because the particular church in which they grew up has not been recognized officially as a "peace church." Such information could also provide much help to the drive for a total end of the draft.

I am concerned for all young men who have deep religious convictions against killing and who are sincere conscientious objectors, whether they be active church members or not, and no matter what their family religious affiliation may be. I feel the church should "go to bat" so to speak for these young men. This, I believe, would do much to dispel the dissillusion and violence we see and hear around us today.

HUMAN RIGHTS: THE CONVENTION ON POLITICAL RIGHTS FOR WOMEN

Mr. PROXMIRE. Mr. President, in March 1953, the United Nations signed a convention insuring that women shall enjoy political equality. The right to run for and hold office, the right to vote in all elections on an equal basis with men, and the right to hold membership in any publicly elected body were extended to women as well as men. The United States, 16 years later, still has not ratified this Convention on Political Rights for Women.

At this time, women are equal politically under the law here in the United States. This has not always been true. This equality was gained only after a long struggle culminating at the end of the progressive era with the adding of the 19th amendment to the Constitution.

Suffrage was first extended to women in America during prerevolutionary days in the Colony of New Jersey. Before the Colonies achieved independence, this privilege had been lost. Women remained relatively inactive in politics until the women's suffrage movement was born in the 1840's and gathered strength during the rest of the century. The movement was aided by increasingly wider participation of women in other areas of American life and the equalitarian practices on the Western frontier. Wyoming earned the distinction of being the first State to grant its women the right to vote in 1890. By 1914 12 States had extended suffrage to women. In 1916 the first woman to serve in the House of Representatives was elected from the State of Montana. The 19th amendment, providing for universal women's suffrage, which was proposed by Susan B. Anthony as early as 1869, after lying dormant in Congress for 41 years, was recommended for approval by Congress in June of 1919 and was declared ratified on August 26, 1920.

The right to vote proved to be the key to increased freedom for women. During this century they have entered nearly every field and profession.

In this country women enjoy every privilege outlined under the United Nations Convention on Political Rights for Women. Yet the convention languishes in committee. Mr. President, I fail to see any reason why this measure should not be adopted. I call for the ratification of the Convention on Political Rights for Women.

ISRAEL'S ANNIVERSARY

Mr. PERCY. Mr. President, this week, on the occasion of Israel's 21st anniversary, it is appropriate to pause and remember those who died for the establishment of Israel, and in its defense, as well as the millions of Jews who died when there was no Jewish state to take them in.

A nation born in war, with her back to the sea, and confronted on three sides by hostile neighbors who refuse to recognize her existence, Israel nevertheless has made remarkable advances, politically, economically, and technologically. Israel has demonstrated that with intelligence, industry, and perseverance, a people can develop a democratic society and make the desert bloom.

Today I join with all friends of Israel in saluting the Israeli people. I pray that the day will soon come when peace will be established in the Middle East, so that both Israeli and Arab may live in security and work together for the benefit of the entire region.

INTERVIEW OF FORMER VICE PRESIDENT HUMPHREY

Mr. McGEE. Mr. President, the Sunday picture magazine of the Minneapolis Tribune for April 20, 1969, contained an excellent feature on a well-known university professor. It is revealing in many ways, for it brings out the essential qualities of Hubert Humphrey, including his insights on today's students. Of them he is quoted as saying:

> They're well-informed, socially sensitive, not afraid to ask any kind of question.
>
> I've teased them a little bit. I think they ought to have a little better sense of humor.
>
> There's a tendency on the part of a few to become terribly concerned to a point of anger. Well, an angry man over a period of time generally doesn't get much done.

The violence of those few has, in his view, unfortunately overshadowed a more important development; that being the reexamination of the colleges and universities and their role in our society.

Mr. President, I ask unanimous consent that the interview of our former Vice President be printed in the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

PROFESSOR HUMPHREY

It was only the second day of lectures at the University of Minnesota for Prof. Hubert Humphrey when he became the victim of a diabolical plot. He was persuaded to try a "student-style lunch" from the vending machines.

Along with a few students and faculty members, Humphrey walked down from his second-floor office in the Social Science Tower to the basement of nearby Blegen Hall.

Some of the students in the milling crowd stared or smiled at him, but many didn't know he was there.

A faculty colleague surreptitiously asked a student what was the worst sandwich in the machine, then suggested to Humphrey that he try ham salad. He bought one.

Next the former vice-president opted for chicken soup. It was sold out, but the machine kept his dime.

Undaunted, he moved on to the ice cream vendor. A strawberry ice cream sundae looked tempting.

The machine wouldn't take his quarter. He tried with exact change, 15 cents. No luck.

A cup of coffee perhaps? Nope. Sold out.

"Why hasn't there been a student uprising about these machines?" cried Humphrey.

A sympathetic student offered him a cup of Dr. Pepper, which was accepted with thanks. "It's the least I can do," the student explained.

The experience with the balky vending machines was not lost on Humphrey, either. Several days later, in recalling the incident, he talked to an interviewer about the effect of environment on students' attitudes and actions.

Students are a big part of Hubert Humphrey's life nowadays. He is still a political man and he is certainly not ignoring politics, but he is channeling much of his nonpolitical energy into education.

He is a part-time lecturer at Macalester College and at the university, a trustee of Brandeis University, chairman of the board of consultants and a director of Encyclopedia Britannica Educational Corp., and chairman of the Board of Regents of the Woodrow Wilson International Center for Scholars, "a sort of reverse Fulbright program" founded by Congress and now being established in Washington, D.C.

He will lecture from time to time at other colleges. And he will give commencement addresses at four colleges, including Augsburg in Minneapolis.

Why the concentration on education?

"Because I like it. And I feel there's a great revolution taking place. There's an explosion of knowledge, and if you're not involved in it, it passes you by."

Humphrey likes to emphasize that he is no stranger to campuses, having made more than 100 college appearances as vice-president. And, of course, 25 years ago he was a popular visiting professor at Macalester.

Nevertheless, he admits, he had to go through a "period of readjustment." At first, students tended to regard him as a government official, and he tended to respond like one.

Then, too, his first days at Macalester were characterized by much attention from the press, a situation which he regretted and some students resented.

Those problems have passed, however, "I think things have gone extraordinarily well," he says, admitting he may have been a trifle nervous at the start.

Humphrey describes his educational role as a "supplement", not a substitute for other teachers. He serves as a guest lecturer for various classes—from constitutional law to marine biology, a subject he became familiar with as chairman of the U.S. Oceanography Council.

He also talks to informal seminar groups, and prefers this to formal class lectures.

In the classroom he is the political pragmatist, challenging theory with reality and experience.

He told one class that as a senator he often wished there were three possible votes: "yea, nay and maybe." Most of the time, he said, he would have voted maybe—"but you don't get that choice."

"I try to bring my political experiences, my legislative experiences into the classroom to enliven the regular material or to add an extra dimension," he explains.

To one class, for example, he described the bargaining he did as Senate majority whip with the colorful conservative Sen. Everett Dirksen to pass the 1964 Civil Rights Act. He talked about the personalities involved and he topped it off with an imitation of Dirksen's sonorous voice that brought a roar of laughter from the students.

As a presidential candidate, Humphrey was not exactly the overwhelming favorite on the campuses. His Vietnam stand was about as popular as higher tuition, and the battles at the Chicago convention did not help him.

As a faculty member, however, he seems to have quieted many of his critics. His lectures have been lively, and the reaction to him on both campuses has been generally favorable.

For his part, Humphrey has also reacted favorably to what he has seen of today's college students.

Speaking of his classroom and seminar experiences, he says:

"They're well-informed, socially sensitive, not afraid to ask any kind of question.

"I've teased them a little bit. I think they ought to have a little better sense of humor.

"There's a tendency on the part of a few to become terribly concerned to a point of anger. Well, an angry man over a period of time generally doesn't get much done."

He has also lamented the decline of the art of debate, "which is practically extinct," and has said he hopes to help revive it.

"We need to be able to see the other fellow's point of view," he told a group at Macalester, in an obvious reference to the attitude of some student activists. "And the only way I know to is to get a respect for argument."

But student activism, he says, is not just "an exercise. I see students being able to do many things and cause changes.

"I happen to believe that students have been responsible for activating our government in extending some aid to Biafra."

Students also have caused the Democratic party to change, he adds. Humphrey makes it clear that he opposes campus violence, but when it occurs it should be dealt with by university authorities, he says.

Violence, he says, has unfortunately overshadowed a more important development—the fact that colleges and universities are being challenged and re-examined.

Students are "asking those who are in charge to take a look at what they're in charge of . . . they're asking teachers to teach and administrators to listen.

"I happen to believe we're going to get better universities out of this—unless administrators and faculty just collapse before the most militant and violent reaction of a few students.

"Most students are asking for reform, not destruction."

So-called "disadvantaged students" are a "test of university administrators," says Humphrey, because universities are going to have to adjust to those students instead of expecting the students to adjust to the university.

All in all, the new professor seems to enjoy his role.

"I try to work at it hard. I'm only here a few days each month but I pack it in. I start at least at 9 and go to 5, and usually there's a seminar at night."

He is at Macalester and the university on a joint appointment at $30,000 a year—all from private funds. Macalester has furnished him a pleasant, four-office suite on the second floor of creaky Old Main.

He spends about six days a month on his teaching chores. The rest of his time is split up: some politicking in Washington (where he retains an office and small staff, and tends to Democratic party affairs) and elsewhere, speeches and lectures, several days a month for Encyclopedia Britannica. He is writing a newspaper column, which appears on The Minneapolis Tribune's Sunday editorial pages, and plans to write one or more books.

There are few idle days on his calendar. His April schedule called for: "Some political stuff" in Mississippi for the Freedom Democratic Party (later canceled because of President Eisenhower's death and funeral), a United Jewish Appeal speech in Chicago, an address to the National Congress of American Indians, and two days of meetings at Encyclopedia Britannica.

A speech at Adams State College in Colorado, two days of teaching at Macalester and the university, several days of lecturing at MIT and the University of Massachusetts, an appearance on "Meet the Press."

The opening baseball game in Washington, an Adlai Stevenson memorial lecture at Normal, Ill., teaching at the university for two days, an appearance at Concordia College, Moorhead, Minn., more teaching at Macalester, two days at Pace College, New York City.

It is a busy schedule, to be sure, but for the first time in years Hubert Humphrey is finding some time to do what he never could do in public office—to read and inquire on a broad range of subjects, or as he puts it, "to fill my mind."

"I imagine I've read more in the last two months than in the last five years," he says.

Instead of government reports, congressional bills and news magazines, his list now includes "The Second Federalist Papers," as background for lectures on the Constitution, and "a lot of reading on Afro-American studies."

"I've had to be a practical, pragmatic man for a long time, and I think I know how to do that. This new pattern of life will give me a chance to fill my mind with new ideas and try them out.

"For once in my life I have a chance just to have it poured into me, not to worry whether I can convince you or whether we can pass it.

"So we'll kind of fill up the well.

"I've been pumping it dry for a long time."

LEGISLATION TO ASSIST SMALL BUSINESS UNDER FEDERAL DEADLINES

Mr. SPARKMAN. Mr. President, I was pleased to join with the chairman of the Select Committee on Small Business (Mr. BIBLE) and other Senators on April 1 in introducing a resolution and bill designed to assist small meat processors and other small business firms which are required to modernize their plant, equipment, or procedures pursuant to deadlines established by Federal statutes.

Following the passage of the Wholesome Meat Act in December 1967, it came to our attention that the strict standards of Federal meat inspection must be extended from the 1,500 large-scale facilities presently under Federal inspection to the nearly 15,000 smaller firms in the meat industry. The law states that there must be compliance by December 15 of this year, or by December 15, 1970, at the latest, if a special exemption is obtained.

Because of this, we have reason to believe that pressure and hardship on these small firms will mount to either make new investments, which may be substantial compared to their size, or else to go out of business.

IMPACT IN ALABAMA

In my own State of Alabama, for instance, more than 60 companies in the meat processing industry will be affected. Although the majority of these firms are small, many are major factors in the economy of their towns and counties. According to information furnished to me by the Alabama Meat Packers Association, these firms employed more than 4,000 workers; last year accounted for $14.8 million in wages and $121.3 million in the purchase of raw materials; and made about $7.2 million in capital investments and improvements.

In addition, these firms are a source of a basic food which is important to the life and health of our people. It is thus apparent that the meat processing industry is important to the economy of Alabama in many ways and that the advent of the new method of operation for these firms may have a significant effect.

As Senator BIBLE and I have been pointing out, many of the firms affected are located in small towns. They may not have the volume or regularity of operations which are immediately compatible with the Federal system of daily and continuous inspection. They have not previously been subject to the rigorous and detailed requirements covering construction, layout, materials, sanitation, and cleaning which the Federal Government demands of larger firms engaged in interstate commerce.

Because of our concern, we introduced Senate Resolution 290 during the 90th Congress in an attempt to assess the impact of these new standards on the thousands of small firms in this industry.

CONSEQUENCES OF COMPLIANCE

It is my impression that the firms in this industry earnestly desire to comply with the new standards. Perhaps more than anyone else, it is the meatpacking firms themselves who desire safe, wholesome, and attractive products because they have the most to gain from public acceptance of these commodities. I know that the firms and trade associations of Alabama have a positive attitude and have taken positive steps in this area.

It seems to me that eventually many small firms in Alabama and elsewhere will have to make capital improvements. The extent of these changes and their cost cannot be fully determined until the firms affected are ready to proceed with this work. However, the possibility exists that the outlay in a State such as Alabama would be far above the $7 million level of last year. A further consequence follows from the level of interest rates, which are now at historic highs. The prime rate is at 7½ percent and it is well known that smaller firms must pay rates that are scaled upward a point or more beyond the prime. With the additional factor of a deadline in this picture, a small firm is even in a weaker position in negotiating the interest rates and terms of a loan which may be vital for the continuance of its operations.

As a result, when these deadlines roll around, we may see hundreds of small firms threatened with severe economic hardship or even going out of business.

We in the Senate feel that we should not stand by and let these deadlines overtake us. Once a small firm of this kind closes its doors, its accounts will go elsewhere for their current requirements, and much, if not all, of its trade will be permanently lost. It seems to us that the time to prepare for the emergency is before it becomes acute. The day that a business is closed down is too late.

THE NEED TO GATHER INFORMATION

Because the Wholesome Meat Act, and similar Federal statutes, are recent and far reaching, we have found that there is no agency of the Federal Government that can predict the consequences of these deadlines. We therefore need to collect facts and figures that will spell out the difficulties which may be confronting small businessmen as they seek to comply with these laws. This is the purpose of the resolution we have introduced.

It calls upon the Small Business Administration to survey a sampling of the companies affected by the Wholesome Meat Act and to invite them to furnish information that will permit a judgment about whether they are running into trouble. It will, of course, be entirely voluntary as to whether the small businesses contacted wish to reply. However, I am encouraged by the willingness of the Alabama meatpacking organization to cooperate in this venture and I hope that other associations of small and independent meat processors will similarly be interested. I can assure the small business community that any data obtained will be helpful to all who are concerned with assisting small business in resolving the problems that arise as they seek compliance with the Wholesome Meat Act. The information will enable us to make informed judgments on what if any steps the Department of Agriculture, the SBA, or Congress ought to be taking in response to this situation.

OTHER DEADLINE STATUTES

As we got deeper into this subject, we soon discovered that the Wholesome Meat Act was not the only Federal statute imposing a deadline on small business. In recent years, we have seen a series of congressional statutes which create new Federal health and safety standards for the general public, and which require businessmen to upgrade their facilities. This has become something of a pattern. To the extent that capital investments must be made within a short period of time, this development would appear to fall most heavily upon small businesses, which are in the position of least financial strength.

We have compiled a list of several of these statutes, and I ask unanimous consent that they be included in the RECORD following my remarks. Such quality control laws are desirable. We need protection of consumer products and our natural resources. But there are also side effects as small businesses attempt to adjust. We hope the introduction of this legislation will contribute to the solution of these problems.

POSSIBILITY OF SBA ASSISTANCE

The study called for by our resolution would be one element in determining the nature and extent of any difficulties facing small business as a result of this deadline compliance.

It is hoped that there will be other efforts by private, local, State, and Federal bodies to bring out information enabling all concerned to gain a better grasp of the problems occurring under all of these statutes.

If it appears that action is called for, the bill proposed by Senator BIBLE, myself, and other Senators offers one alternative for such action.

This bill would authorize the Small Business Administration, pursuant to its disaster loan program, to make emergency loans to small firms which are seeking to comply with a Federal deadline, but cannot obtain the necessary capital from any other source. There would be proper safeguards to assure that the firms worthy of assistance would be given every opportunity to qualify, and that those which had access to other sources of capital made use of them. The interest rate of such disaster compliance loans would be at the cost of money to the Federal Government plus one-fourth of 1 percent. The terms should be of sufficient length to enable the firms concerned to repay the loan out of their earnings.

ROLE OF STATE PROGRAMS

The authors of this legislation envision that a firm seeking to comply with a State program equivalent to the required Federal program would stand on the same footing regarding eligibility for such assistance. The rationale of this is that the Federal Government originally created the deadline and therefore the necessity to act. However, any State which desires to adopt its own equivalent program, under any of the applicable statutes, should be given every incentive to do so.

WELCOMING OTHER POSSIBILITIES

In making these proposals, we certainly do not mean to imply that they are the only aproach to small business problems created by Federal deadlines. We do hope that further thinking will be stimulated, and that discussion among the various levels of government and private industry will take place before the problems become a crisis. We would, of course, welcome any suggestions that would improve these measures, or would devise others that alone or in combination with others would be adequate to cope with the difficulties involved.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

RECENT FEDERAL LEGISLATION ESTABLISHING DEADLINES FOR SMALL BUSINESSES

Name of the act	Date of approval	Deadline
Wholesome Poultry Products Act	Aug. 18, 1968	60 days.
Natural Gas Pipeline Safety Act of 1968	Aug. 12, 1968	1 year.
Wholesome Meat Act	Dec. 15, 1967	Dec. 15, 1969 (1 additional year if exemption obtained).
Air Quality Act of 1967	Nov. 21, 1967	Issuance of regulations, May 21, 1969; implementation, Nov. 21, 1969.
Fair Packaging and Labeling Act	Nov. 3, 1966	July 1, 1967.
National Traffic and Motor Vehicle Safety Act of 1966	Sept. 9, 1966	1 year from order entered by Secretary of Commerce.
Motor Vehicle Air Pollution Control Act	Oct 20, 1965	Upon public order of appropriate secretary.
Water Quality Act of 1965	Oct. 2, 1965	June 30, 1967.

Source: Legislative Reference Service, Library of Congress.

AMERICAN OF THE CENTURY: DWIGHT DAVID EISENHOWER

Mr. GRIFFIN. Mr. President, an article published in the April issue of Reader's Digest contains this passage:

> Well, I for one refuse to become pessimistic about America's future. Granted the storm signals are up. I believe nevertheless that as a people we have the good sense to place patriotism and human understanding above the arrogance of prejudice—that we can solve peacefully the problems that beset us. I believe that we will do so through our traditional reliance upon the philosophy of moderation—or Government by Common Sense.

Those words of faith and confidence were written, shortly before his last illness, by the most admired, the most beloved American of this century—Dwight David Eisenhower.

The United States and the world are much better places in which to live today because of the dedicated life and services of Dwight David Eisenhower.

Military strategist, educator, and statesman, General Eisenhower was all of these—and much more. In the hearts and minds of people everywhere, he was a soldier who hated war and fought unceasingly for peace. His quest for peace was as intense during the 8 important years when he occupied the White House as it was during wartime when he commanded the most powerful armies in history.

Unwavering in his faith in America and the future, he was the very symbol of the Nation's spirit. In his state of the Union message on January 5, 1956, he said:

> Our resources are too many, our principles too dynamic, our purpose too worthy and the issues at stake too immense for us to entertain doubt or fear. . . .

In the twilight years of his life, General Eisenhower wrote that his greatest regret, when leaving the White House, was that he had not achieved greater success in reducing world hostility and making progress toward global disarmament.

Then he added:

> But though, in this, I suffered my greatest disappointment, it has not destroyed my faith that in the next generation, the next century, the next millenium these things will come to pass.

If and when world peace and order does come, it will be due, in no small measure, to the inspiring, dedicated efforts of Dwight David Eisenhower and his devotion to the principles of freedom with justice for all.

In this century there have been other great statesmen and other great soldiers, but Dwight David Eisenhower had no peer in the hearts of the people. He was a most exceptional man.

Perhaps that feeling is summed up best in what started out to be only a political slogan. In time, the slogan—"I like Ike"—became a phrase of affection heard round the world.

The wisdom and counsel of Dwight David Eisenhower will be sorely missed. But his lifetime of service to the world and the country he loved so much will remain as a monument of inspiration for all.

THE COLLEGE REVOLT MOVEMENT

Mr. TALMADGE. Mr. President, we have been witnessing throughout the country a radical and revolutionary movement which everyday increases in numbers, in violence, in damage, and in insults to law-abiding citizens and young people who are conscientiously trying to get an education.

Rioting and disorder on our college campuses have taken the country by storm. Such is their intensity and widespread frequency that I believe they pose a serious threat to the security and well-being of our Nation.

The college revolt movement has grown and flourished, and virtually each day we read about another college campus that has been overrun by rebellious and lawless students. I submit that this movement has prospered so because of the unwillingness of some public officials to stand up and enforce the law, because many university administrators and professors have demonstrated an astounding disregard for law and order, and no doubt because there are some parents who think their youngsters are involved in some kind of college prank and will not try to exercise any disciplinary control over their offspring.

The Atlanta Journal publishes a daily bit of wisdom in the guise of a letter to the editor, allegedly written by someone called Piney Woods Pete. I read to the Senate what he wrote on April 17:

> DEAR MR. EDITOR: I see in your paper where the faculty at Harvard is taking the middle ground. It won't side either with the students or the administration.
>
> Professors who don't know which side to be on when the schoolhouse is on fire ain't got sense enough to wipe their noses when they have a bad cold.
>
> Yours truly,
>
> PINEY WOODS PETE.

That is exactly how I feel. That is exactly how an overwhelming majority of the American people feel.

Also, in the April 24 edition of the Washington Post, the well-known humorist, Art Buchwald, discussed campus rioting in his column. He portrayed an imaginary college professor who had been beaten up and thrown down the stairs by rioting students, and who dismissed it all as just youthful exuberance or as the lawful expression of dissent. I realize that Mr. Buchwald's column was satire, but I found it an almost totally accurate portrait of some of the college teachers and administrators that we have been reading about in the papers.

There are increasing pressures from the public and from several Members of Congress for more Federal action to curb campus rioting, perhaps even for making it a Federal offense to participate in such unlawful demonstrations. I am not certain of the wisdom or necessity of such a law. Before passing judgment, I would first like to know what is wrong with the laws and the university regulations we already have, and why they are not being enforced.

It is still against the law in every State that I know of to abduct college officials, to hold them hostage, to verbally and physically abuse them, and to make them sign so-called "amnesty" papers at gunpoint, as students did at Cornell University in New York. It is still against the law to take over and destroy public property and to hurl bricks and bottles at people.

Before we start thinking about additional Federal legislation, I for one would like to know why it is that local laws are not being enforced as they should be. I would like to know why disorderly students who violate university regulations are not summarily expelled, and why students who break the law are not arrested, prosecuted, and punished—just like everyone else.

I invite the attention of the Senate to Mr. Buchwald's column and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 24, 1969]

PROFESSOR'S STAND IS FIRM—BUT BRIEF

(By Art Buchwald)

One of the things that impresses people about the student demonstrations is the strong stand that some members of the faculty are taking on the issues.

I was on the campus of Northamnesty University and ran into a professor who was trying to stop his nose from bleeding. His clothes were torn up and he was walking with a pronounced limp.

"What happened, professor?" I asked, as I helped him search for his glasses.

"The militant students just took over my office and threw me down the stairs."

"Why, that's terrible," I said.

"From *my* point of view it is, but I think we have to look at it from *their* point of view. Why did they throw me down the stairs? Where have we as faculty failed them?"

"Are you going to press charges?"

"On the contrary. If I pressed charges, I would only be playing into the hands of the repressive forces outside the University who would like nothing better than to see the students arrested for assault."

"But they did assault you?"

"Yes. I have to admit I was surprised about that. But there was one heartening note. As they threw me down the stairs, one of my students yelled, 'It isn't you, professor. It's the system.' "

"That must have made you feel better."

"As I was tumbling down, the thought did occur to me that at least there was nothing personal in it."

"Say, Professor, isn't that the Philosophy Building going up in flames?"

"I believe it is. Now, why did they have to go and set fire to the Philosophy Building?"

"I was going to ask you that."

"I'm not quite sure, because I haven't seen any of the students since they threw me down the stairs. My guess is that it probably has to do with something the administration and the students are at odds about."

"But that's a terrible thing to do."

"I don't think we should make judgments until all facts are in. I would say burning down a philosophy building could be interpreted as an unlawful act. At the same time, there are moments when an unlawful act can bring about just reforms."

"But the books, the records, the papers are all going up in smoke. Shouldn't we at least call the fire department?"

"I don't believe the fire department should be called until the faculty has met and voted on what course of action should be taken. There are times when a fire department can only inflame a situation. We should also hear from the students who started the fire and get their side of it. After all, they have as much at stake in the University as anyone else, and if they don't want a philosophy building, we should at least listen to their arguments."

"I never thought of it that way," I admitted. "Professor, I know you can't see very well without your glasses, but I believe the militant students over at the quadrangle are building a scaffold. They wouldn't hang anyone, would they?"

"They haven't before," the professor said. "But it's quite possible that this is their way of seeking a confrontation with the establishment."

As we were talking, a group of students rushed up and grabbed the professor. "We got one here," the ringleader shouted. "Get the rope."

"Don't worry, Professor," I shouted as I was pushed away by the mob. "I'll get the police."

"I wish you wouldn't," he said calmly as the students led him toward the scaffold. "If we don't let the students try new methods of activism, they'll never know for themselves which ones work and which ones are counterproductive."

TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA ON PROTECTION OF U.S. AIRCRAFT

Mr. BYRD of West Virginia. Mr. President, on April 19, 1969, I made a statement for television regarding protection of U.S. aircraft.

I ask unanimous consent that the transcript of that statement be printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Protection of U.S. Aircraft

The attack on our EC–121 aircraft was a flagrant violation of international law and an act of premeditated provocation. Now, I did not advocate military retaliation in the case of the *Pueblo*, nor do I advocate military retaliation, at the moment, in this instance. But I do think that if such reconnaissance is vital to the security of our 56,000 men located in South Korea, and to our position there, then the reconnaissance effort should be continued, and the President has so decided. However, in continuing it, the men who are asked to perform such dangerous missions should be supplied with whatever protection is feasible under the circumstances, and the President has so decided that they will have such protection. I am glad to see that our Nation has vigorously protested this attack, and I think that the North Koreans should be clearly warned that further unprovoked and unwarranted attacks will invite swift and sure and adequate retaliation. We cannot expect to maintain the respect of other nations and our own self respect if we permit a country like North Korea to continue its acts of war against our forces operating where they have every night to be under international law.

ECONOMICS OF AGING—I

Mr. WILLIAMS of New Jersey. Mr. President, on March 28 a distinguished task force prepared for the U.S. Senate Special Committee on Aging a report called "Economics of Aging: Toward a Full Share in Abundance." That working paper provided weighty documentation showing that the retirement income problems of today—and of the next few decades—require prompt national attention. As chairman of the Committee on Aging, I have called hearings on April 29–30 to consider many of the issues raised in the task force study, and I am looking forward to receiving testimony by experts from government and elsewhere at that time.

I am also able to report that the committee will be guided by direct information from many older persons who are sharing with us their own experiences as they attempt to make both ends meet while trying to stretch their retirement resources over the years in the face of rising expenses.

Their letters are arriving at the committee office, and they bear out—in very direct and personal terms—the conclusions reached in the tables, charts, and evaluations offered in the task force working paper. I will, therefore, in the days before the hearings, offer excerpts from several of the letters sent voluntarily in response to news articles telling of the task force report. In very personal terms the individual letter-writers make the statistics come to life.

For example, the task force study said:

Three out of 10 people 65 and older—were living in poverty in 1966, yet many of these aged people did not become poor until they became old. Even with the important protection of Medicare, many older people have mounting medical bills that must be paid out of pocket.

One of the letters, written by a man from Westfield, N.J., poignantly makes these points. In his words:

I retired from the Department of Defense in 1957 on a disability. At that time I was a Grade 13 and received an annual salary of about $10,000. After some months of convalescence, I secured a job with industry and worked on this job until I reached the age of 65 and under the rules of my employer, I was forced to retire. With the civil service pension and social security I believed our income was sufficient to live normally.

About three years ago my wife became ill and after consultation with many doctors, both medical and psychiatric, her illness was diagnosed as arteriosclerosis. I hired household help and kept her with me until I was forced to place her in a nursing home. Unfortunately, her illness is not covered under Medicare so since last December I have been paying about $600 a month for her care which is more than my combined pensions. I have been using my meager savings and within a few months I will have to depend on charity.

I have tried to secure employment but because of my age, now 70, I cannot find an employer who would consider hiring me. As another alternative I placed an advertisement in the Wall Street Journal trying to start a business of my own. To date, I have had no results from this ad. So, it appears to me that I have about reached the end of the line and this is very sad as we will have been married fifty years in June of this year.

INTEREST RATE ON FEDERAL MONEYS UTILIZED FOR WATER-RELATED PROJECTS—RESOLUTION BY OKLAHOMA LEGISLATURE

Mr. HARRIS. The Oklahoma State Legislature recently enacted Enrolled House Concurrent Resolution 1016 memoralizing Congress to reduce the interest rate on Federal moneys utilized for water-related projects. This resolution was enacted as a result of recent action by the National Water Resources Council in increasing the interest rate from 2½ to 4⅝ percent on water resource development projects. I have long been opposed to an increase in the interest rate on water resource development projects, and I have strongly advocated that if such an increase in interest rate is put into effect a corresponding increase in the evaluation of benefits should be instituted. I still feel that the action of the Water Resources Council has thrown the benefit-cost formula out of balance because it has substantially increased the cost evaluation of vital resource benefits without giving equal consideration to benefits resulting from the development of our water resources. Mr. President, the resolution adopted by the Oklahoma State Legislature is timely and deals with a matter of vital concern to us all; therefore, I ask unanimous consent that it be printed in the Record.

There being no objection, the concurrent resolution was ordered to be printed in the Record, as follows:

H. Con. Res. 1016

A concurrent resolution memorializing Congress to reduce the interest rate on Federal monies utilized for water related projects; and directing distribution

Whereas, hearing and final action was taken on or about December 18 and 19, 1968, by the National Water Resources Committee, Stewart Udall, Executive Chairman, increasing the interest rate on all federal monies utilized for water related projects; and

Whereas, the rate was raised from 2½ percent to 4⅝ percent, effective immediately; and

Whereas, additionally, beginning in 1970 further increases of ¼ of 1 percent per quarter were ordered; and

Whereas, these increases would bring the total interest rate to 5⅝ percent beginning on January 1, 1971; and

Whereas, water related projects are of great importance to Oklahoma both from a mandatory and utilitarian standpoint; and

Whereas, even though projects now underway still retain the use of 2½ percent money, many watershed detention, navigation and irrigation projects in Oklahoma are only now in the feasibility study stage; and

Whereas, this increase in interest will likely have an enormous impact on the portion of the feasibility studies concerned with payout of return; and

Whereas, this increased drain on payout will undoubtedly affect the overall feasibility of many needed projects; and

Whereas, this denial of needed projects will work an unnecessary hardship on Oklahoma and many of her sister states.

Now, therefore, be it resolved by the House of Representatives of the first session of the thirty-second Oklahoma Legislature, the Senate concurring therein:

Section 1. That the Congress of the United States be and is hereby respectfully memorialized to come to the aid of the states in the conservation of water related projects by reducing the now high interest rate on federal monies utilized on water related projects.

Sec. 2. That duly authenticated copies of this resolution, after consideration and enrollment, be transmitted to the office of the Congress of the United States and to the members of the Oklahoma Congressional Delegation.

Adopted by the House of Representatives the 6th day of March, 1969.

Rex Privett,
Speaker of the House of Representatives.

Adopted by the Senate the 12th day of March, 1969.

Finis Smith,
President Pro Tempore of the Senate.

EDUCATION PROBLEMS OF INDIANS

Mr. MURPHY. Mr. President, as a member of the Subcommittee on Indian Education, I naturally am concerned with the education problems of the American Indian.

President Nixon in his acceptance speech at the Republican National Convention spoke of the need for those "small but splendid" efforts that are needed by private individuals to make our Nation a better place in which to live.

One such effort is being made by Mr. Jonathan Winters, the noted comedian, on behalf of the American Indian. Mr. Winters has spent the past year visiting Indian reservations throughout the country. He has seen firsthand the difficulties and conditions of the American Indian. After this examination, he reached the conclusion that the answer to the needs of the Indians will be found in education.

Thus, he established the Jonathan Winters American Indian Scholarship Fund. To raise funds for this worthwhile objective, he organized and headlined a benefit concert in Los Angeles last year with all the proceeds going directly to the newly established scholarship program. Since then he has made numerous other public appearances to raise money accepting no payments for himself—his only reward being a personal satisfaction that is derived from knowing that his work will immeasurably benefit persons in need.

Mr. President, I commend Mr. Winters for his efforts.

THE CLOSING OF JOB CORPS CENTERS

Mr. HUGHES. Mr. President, last Friday, Mr. John Belindo, executive director of the National Congress of American Indians, testified before the Subcommittee on Employment, Manpower, and Poverty regarding the closing of Job Corps centers throughout the United States. In the course of his testimony, he read a letter to the President from Miss Fay White Calf, an Indian girl who is a trainee at the Women's Job Corps Center, Clinton, Iowa. It is such an eloquent testimony of the benefits that young people from minority and disadvantaged groups have received from Job Corps training that I ask unanimous consent that it be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Clinton, Iowa.

President Nixon: I doubt if you will ever see my letter, since it is one of many to be placed in a category. But I have something to say and I hope I say it for a lot of people.

Job Corps and other organizations have furnished us with another chance. I shudder to think where I would have been if it hadn't been for Job Corps. I have discovered talents in myself I didn't know I had. I've learned to understand and get along with people of other races; something I had never done before. I've learned to appreciate the modern conveniences of life and I now have the desire to work for them instead of waiting for them. I've learned that there are people in this world that can be trusted; something I think more people should have the chance to learn; then perhaps the world would be a better place to live. I don't claim to be a saint now, nor do I claim that everybody that comes to Job Corps learns these things. Some just aren't willing to learn. They have been hurt too bad to change. But there are those of us who are very much willing to learn. Not just to better ourselves, but to give what knowledge we've acquired to our parents and others who are connected with us.

I really dread the day when the Job Corps will close. Because if it closes before I have the chance to get what I came here for, I know I will be a disgrace to my family when I go back to the way I was living before.

Well, there have been good times and bad times in our centers. But the good is never publicized. Perhaps it should be. Well, our futures are in your hands and at your disposal. If your mind is already made up, I suppose no amount of talking will change your mind. But I just had to say what I felt.

Sincerely yours,

Fay White Calf.

ROLE OF COMMUNISTS IN COLLEGE CAMPUS DISTURBANCES

Mr. MURPHY. Mr. President, Mr. Robert Betts, of the Copley News Service, recently wrote a penetrating series of articles dealing with the Communists' role in our college campus disturbances. I think that a careful reading of this material would do much to clarify some of the influences behind these disturbances which frankly have not had, in my opinion, enough of an airing in the press or by television which has focused so much attention on student unrest.

Mr. Betts, a native of London, England, was a Royal Air Force pilot during World War II and was a prisoner of war for 3½ years after being shot down over Germany. He became an American citizen a year ago. Already widely traveled throughout the United States, his work on this series took him to 16 college campuses.

I ask unanimous consent that this series, reprinted from the San Diego Union, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Actions Reveal Reds—Busy Role in Youth Protests

(By Robert Betts)

Americans do not have to look for Reds under the bed.

They can be seen almost any night on television—leading a college riot or mingling in the melee like extras in a movie crowd scene.

They are not all card-carrying members of the Communist party. They are defined not by whether they pay party dues, but by their actions, their vocabulary and the way they always manage to be where trouble is.

Those who keep close, continuing watch on the unfolding pattern of subversion in this country can pick them out easily.

The average American sees only turmoil and shakes his head over the "impetuousness of youth."

Educators tell him—between frequent fires, bombings and other acts of sabotage and terrorism—that the young people have many legitimate grievances and that they need "patience and understanding."

Others oversimplify the problem and play into the hands of these who ridicule "Red-baiters," by attributing all criticism and protest to "the Communist conspiracy."

A bewildering assortment of youth protest movements add to the confusion—the Third World Liberation Front, Progressive Labor Movement, New Left Forum, W.E.B. DuBois clubs, Students for a Democratic Society, Young Socialist Alliance, Young People's Socialists League, Student Non-Violent Coordinating Committee and dozens of others.

Communist activity inside such groups is so subtle and diversified that it is not always easy to distinguish between real enemies and well-meaning, misguided, would-be-reformers.

Whatever the radicals call themselves, democratic-socialist or Marxist-Leninist, progressive-laborite or Trotskyite, Stalinist or Maoist, white Castroite or black militant, so far as the Federal Bureau of Investigation is concerned, they are all the same color underneath—Red.

Distinction between such labels is irrelevant, Director J. Edgar Hoover of the Federal Bureau of Investigation points out, "because the basic objective of both New Left and old-line Communist and their adherents in our society is to completely destroy our form of government."

The leaders of campus violence make no secret of it. They travel from campus to campus making speeches and distributing literature calling for the overthrow of "bourgeois America."

Peter Camejo, 29-year-old nonstudent leader of the Socialist Workers party, who has loomed large at every demonstration of consequence over the last four years, recently told the Third World Liberation Front in San Francisco: "Your is but part of a world struggle against the ruling class of the United States. Your victory will be the victory of oppressed peoples around the world."

Camejo, who faces a conspiracy trial for his part in the seizure of Moses Hall, Berkeley, last October, was writing from Cuba. Police list him as a "Trotskyite-Communist professional agitator."

Another familiar face is that of Tom Hayden of the Students for a Democratic Society, whose members call themselves "professional revolutionaries" committed to the destruction of imperialism and capitalism by organized sedition and guerrilla force."

Hayden, 29, helped found the SDS in 1961 when he was a University of Michigan student. Today he is SDS tactical chieftain. He visited Hanoi in 1965 with top U.S. Red strategist Herbert Aptheker. He also has consorted with Red bigwigs in Moscow, Peking and Havana.

Last year he went to Paris to confer with North Vietnamese delegates, then came home to lead a student crusade against the draft.

He was also at Columbia last May, helping local SDS man Mark Rudd, another delegate to Cuba, to organize the assault on the university buildings.

THE MAN IN A BANDANA MASK

Two months later Hayden, disguised this time with dark glasses, pulled-down hat and bandana mask, was among the 8,000 Chicago demonstrators during their confrontation with the police. Still later, he showed up for the troubles at San Francisco State College.

The task, says Hayden, is to "create more 'Chicagos' in our cities, more 'Columbias' on our campuses."

Also on the picket line recently at San Francisco State was Arthur Goldberg, one of the organizers of the Free Speech Movement which in 1964 put the blight on Berkeley.

Other FSM instigators who have been busy before and since include:

Steve Weissman, who graduated from Berkeley and went on to Stanford to be a ringleader in the troubles there.

Bettina Aptheker, Communist daughter of Herbert. Having at the tender age of 16 suffered three broken ribs during a rowdy "peace" demonstration in New York, Bettina is not such an ardent advocate of the violent method. She prefers the strategy of "going limp," a fashion she set during the Berkeley riots.

Mike Myerson, former chairman of the early Berkeley radical group SLATE, delegate to the Eighth World Communist Youth Festival in Helsinki, who went on to found, with Bettina and others, the DuBois clubs for bringing together Communist youth. On a visit to Hanoi in 1965, Myerson was proclaimed an "honorary nephew" of Communist leader Ho Chi Minh. He has participated in demonstrations in this country wearing a Viet Cong cap and a ring he claims was made from the wreckage of an American plane.

Karen Wald, or Liberman, who reportedly went from Berkeley to Cuba, on to Moscow, back to New York in time for the Columbia uprising, then back to Berkeley for the latest disturbance there.

Jerry Rubin, now in prison for his part in the Chicago disorders. In a letter to friends asking for contributions to the "Rubin Defense Committee," Rubin wrote: "To challenge the courts is to attack American society at its roots. In campus rebellions, the most revolutionary demand, the demand that can never be granted by the administration, is the demand for amnesty . . . An offensive against the courts and jails—including direct action and direct legal and financial aid to the victims of the system—would be the most immediate link that a white movement could possibly make with blacks and poor whites . . . As a beginning let's organize massive mobilizations for the spring, nationally coordinated and very theatrical, taking place near courts, jails and military stockades."

Others who will not be appearing on television for a while are Eldridge Cleaver, 33, in hiding after a parole violation in connection with charges stemming from a gun battle with police, and Huey Newton, 26, Black Panther "minister of defense," now serving 2 to 15 years for manslaughter of an Oakland policeman.

Both men were defended by Charles Garry, a San Francisco lawyer identified as a Communist by a former fellow member in testimony before the House Committee on Un-American Activities in 1957.

A member of the Communist-organized National Lawyers Guild which, it is said, forms the "legal bulwark of the Communist party," Garry is one of several called on to defend Communists in court, as well as to play a leading role as public speakers and lobbyists against federal and local government security programs.

Garry is also one of the defense attorneys in the trial of the seven Oakland radicals arrested during "Stop the Draft" week in October, 1967.

Among the seven is Terry Cannon, who recently met comrades of the National Liberation Front in Budapest.

"The NLF could not understand why we did not have a single revolutionary organization like them in this country, one organization with a strategy for the liberation of America," he recently told fellow students. "We tried to explain that we were new at this business, we were experimenting, we were still trying to find the revolutionary tactic that would bring this country down."

When it does come down, Cannon thinks, it will be through "some massive combination of leaflets, sit-downs, strikes and fighting in the streets—all of them together."

Another one of the seven is Steve Hamilton, a well known Berkeley troublemaker, listed on file in the dean of students' office as chairman of Campus Progressive Labor, president of the May 2 Movement, chairman of the Medical Aid Committee (formed to give aid to wounded demonstrators).

Hamilton told the House Committee on Un-American Activities in 1966: "I joined with other people who are fighting for a just and socialist society and I became a member of the Progressive Labor party and became a Marxist-Leninist."

Some Negro groups have steered clear of the Communists. Their leaders are experienced, sincere men concerned only to right the wrongs that Negroes have undeniably suffered down the years. They are conducting a responsible, worthwhile campaign for better facilities for their people and, in schools, more courses tailored to what they regard as their own needs. Above all, they want recognition for the black people as people with pride in their own heroes, history and culture.

Some black groups, however, have fallen under the Communist spell. For all the venomous anti-white invective, it is never anti-Red. The Red line is followed. The same language is used. Communists provide the causes, the propaganda and much of the funds. To call for "Negro rights" have been added slogans like "imperialist warmongers," "capitalist scum" and others supplied by the Reds.

Nor is the campaign confined to hate words and obscenities. The threat of physical violence—beating, knifing, shooting—is also used to deter opposition.

Black Panther "minister of education" George Murray, former Oakland elementary schoolteacher, education coordinator for San Francisco State's Summer Youth Work program and lately part-time English teacher at the college, has told students: "America represents slavery, America represents hell."

REVILEMENT FOR FLAG

He calls the American flag "a piece of toilet paper" and says it should be "flushed down the toilet and burned in the sewers."

Murray claims he was victimized by suspension from the college for urging the students to "carry guns to protect themselves." His actual words at the campus rally left little doubt what he meant. "What we want to do," he said, "is use guns and force to liberate black people, as our brothers all over the world are doing against American imperialism."

Murray is an old-time Marxist. The Communist party publication in Cuba, which he also has visited, gave him 2½ pages. He was quoted as saying: "Every time a guerrilla knocks out a U.S. soldier this means one aggressor less against those who fight for freedom in the United States." The Detroit riot, he said, kept National Guardsmen busy so they could not even be considered for duty in Vietnam.

Many student demonstrators, both black and white, deride suggestions of Communist connection with their movements.

"Marx? Lenin? Those old fuddy-duddies," one young Berkeley demonstrator chuckled through his beard. "Communists are square, man. They wear collars and ties—just like you!"

Square or not, the Communists are past masters in the art of mob manipulation. They have had 60 years experience of organizing peasant and worker uprisings around the world.

"Fronts are things of the past—we don't need them," said Gus Hall, secretary of the Communist party, U.S.A.

He was right, No operation of subversive forces in this country has been more bold, direct or blatant than the Communist takeover of the youth protest movement.

"We've got the DuBois Clubs, the Student Non-Violent Coordinating Committee, the Students for a Democratic Society," Hall boasted. "We have them going for us and they are not fronts in the usual sense of the word."

He could have listed several more.

The Communists have made great headway since 1961 when they started their plan to capitalize on the energies, resourcefulness, idealism and inexperience of young American hotheads.

On Jan. 20, 1961, Hall told his national committee: "The party must give much higher priority for the work among youth in all fields of endeavor."

A national organizing committee was set up to form a national network of dissident youth groups, tying in the Marxist and socialist-oriented groups that already were springing up.

Contact was made with groups that were not, like SLATE and Advance, already Communist fronts. The idea was to give them every encouragement and help to feed them promise, to supply them with more funds.

Where local leaders were not considered active or militant enough, trained leaders were dispatched to the area. Their job was to build up the group by recruitment among the rootless intellectuals and loudmouthed malcontents, to make more impact on the community and stir up more resentment.

Liberal movements, calling themselves non-Communist or even anti-Communist, were also marked for infiltration. While concealing his Communist connections, the agent was to exploit existing grievances, arouse members to protest other "wrongs," and use his own persuasive personality either to be elected or eventually to take over as spokesman for the group. Activities thereafter were to be directed along channels that served the ends of the party.

College campuses were particularly fertile soil. Fidel Castro's victory in Cuba in 1959 had shown what could be achieved by a small group of young, dedicated followers.

Castro's deeds had stirred the imagination of American students already touched with revolutionary fever. They were ripe for indoctrination by Communist, pro-Communist and liberal professors. There were plenty of these around ready to talk about the "evils" and "injustices" of imperialism, capitalism and the American system, and the plight of oppressed peoples around the world.

Back-up was provided from outside by Communist party functionaries, including Hall himself, making speaking tours of the campuses.

Other vehicles of indoctrination were open forums, rallies and teach-ins. The teach-ins were a technique developed from the earlier Communist front "study group" to reach larger audiences.

Dressed up to look like fair debate, the "teach-in" was in fact carefully planned, timed and supervised by specially picked "discussion leaders" to give the organizers the advantage over the invited opposing speakers. Planted strategically about the hall were hecklers armed with prepared questions and statements, versed in the art of stifling the opposition and swaying an audience.

FREE SPEECH TO FREE SEX

It also was no longer necessary to confine activities to the old secret Communist "cells." Radical students and non-student radicals were enlisted to organize college chapters of new national organizations formed under various banners—civil rights, "fair play for Cuba," "end the war in Vietnam," "stop the draft," "academic freedom"—everything from free speech to free sex.

One of the first, and most radical, was the Progressive Labor Movement, formed in 1962 by two long-time Communists who wanted action according to the teachings of Red Chinese leader Mao Tse-tung.

This movement organized student trips to Cuba, arranged karate classes and established arms caches in the New York area. Mortimer Scheer, a former member of the New York State Committee of the Communist party, later founded Progressive Labor's West Coast chapter in San Francisco. He was active in the Free Speech Movement and the Vietnam Day Committee at the University of California campus at Berkeley and since has been busy at most of the big Berkeley demonstrations.

West Coast organizer for the Progressive Labor group today is Steve Cherkoss, who was assigned by the VDC to head the anti-draft committee. He also led anti-draft demonstrations at Berkeley High School and at Garfield Junior High in Berkeley, where he recruited 12- and 13-year-olds for a Junior Vietnam Day Committee.

The Students for a Democratic Society was the new name given to the student affiliate of the socialist League for Industrial Democracy. Although SDS originally repudiated communism as an authoritarian system and excluded Communists from its membership, Communist agents sat in on meetings and coached organizers almost from the start.

As a result, the 1965 SDS convention repealed a constitutional stipulation barring Communists from membership. Subsequently, Communist party leaders quietly told members they "could work through SDS." Today they control several chapters.

By mid-1968, SDS claimed to have 6,300 dues-paying members with another 35,000 unregistered participants in 250 chapters across the country, all under the direction of SDS headquarters in Chicago.

SDS members now openly embrace the Red cause, wave Viet Cong flags, display portraits of Marx and Mao, denounce "capitalist exploiters" and "the Al Capones who run this country," and shout slogans like, "Lenin won, Castro won, and we will win too!" They have been in the thick of the disruption and violence that has exploded on campuses from Berkeley to Columbia.

The latest SDS statement, appearing in one of the underground student papers which serve as organs of Communist propaganda, says: "The notion that we must remain simply 'an anti-imperialist student organization' is no longer viable. The nature of our struggle is such that it necessitates an organization that is made up of youth and not just students, and that these youth become class conscious. This means that our struggle must be integrated into the struggles of the working people."

SDS organizers are told that they should "direct the focus of their energies to organizing on campuses of working-class colleges, community schools, trade schools and technical schools as well as high schools and junior colleges."

Following SDS came the W.E.B. DuBois Clubs, named for the founder of the National Association for the Advancement of Colored People. DuBois joined the Communist party at the age of 93. He died in Ghana.

The first club was established at the University of Wisconsin in 1964. One of the founders was Eugene Dennis Jr., son of a former national secretary of the party. Another was Bettina Aptheker, daughter of Herbert Aptheker, the party's leading theoretician.

Other chapters quickly sprang up across the country. The UC Berkeley chapter was one of the prime movers behind the 1964 Berkeley riots.

By May, 1965, the Communists were boasting openly, in their party newspaper, of other DuBois achievements. They said: "The DuBois Club of New York, a socialist youth organization, is proud to say that, along with hundreds of others on campuses and in communities throughout the country, have sponsored teach-ins, sit-ins, rallies, marches and the huge demonstration of over 25,000 Americans in Washington, D.C., last April 17 to protest the war in Vietnam.

Some party members originally had suggested that a major effort should be made to bring all student radicals together inside a single national organization. The wily, more experienced leaders knew this would not work.

"The kids are too erratic to sustain any popular front," they said. "They're unpredictable and they go from one cause to another. Better to let them choose their own labels, while we do the prompting from behind the scenes."

Local organizers—dedicated volunteers as well as paid, full-time agents—worked to build up cooperation between those students supporting different causes. They arranged for the distribution and exchange of literature appropriately sympathetic to the other's complaints, suggested they share meeting places and other facilities as well as some of the functions such as handbill distribution and fund-collecting.

PROTESTERS JOIN

Thus, students who originally were interested mainly in civil rights, or a greater say in domestic university matters, were conned into demonstrating, marching and rioting in common cause with others protesting everything from "capitalistic exploitation" to the draft.

Said Inspector Tom Fitzpatrick, director of the San Francisco Police Department's intelligence unit:

"It is no mere coincidence that most of the leaders in recent demonstrations either are or were members of the Communist party or some revolutionary organization.

"Nor is it without significance that the pattern of agitation and action neatly conforms to procedures carried out by Communists or revolutionaries elsewhere and at other times."

HOW MOBS ARE PLANNED

For all that has been said about the impetuousness of youth and the so-called "generation revolt," few campus riots are spontaneous. Most are the result of careful planning and organization.

Communists call it "mob manipulation." They have had long practice at it. About the only new method they have introduced is the use of the two-way radio for the ringleaders to keep in touch with each other.

The operation is carried out in six stages:

Stage 1: Infiltration of any group already protesting some grievance. Agents also are moved into strategic position where they can aggravate some real or imagined wrong and form a new protest group.

Stage 2: Meetings are arranged, on or off campus, to discuss an issue and what should be done about it. Small contributions are sought to help the cause. Attention is drawn to some article in one of the underground student newspapers that carry Red propaganda which "happens to deal with this very subject." Volunteers are enlisted to distribute leaflets and posters.

Stage 3: Bigger, public meetings are organized, rallies and forums are held to call wider attention to the grievance. Other "injustices" are aired and the charge made that they are all the result of "exploitation and oppression."

Supporting speakers are invited from outside. Their Communist connections are not advertised. The word "Communist" is generally avoided.

Allusions are made rather to such universal aspirations as "freedom," "peace," "civil liberties" or—a sure winner on campuses—"students' rights."

Neither is it made apparent, at least not in the early stages, that there is any connection or cooperation with other radical groups parading under different banners but using similar slogans.

The aim is to draw sympathy, break down trust in this society's established traditions and ways of keeping order, appeal to malcontents and restive youths eager to join in any defiance of authority.

If such agitation succeeds in recruiting more adherents to the cause and building up the hard-core membership, so much the better. The main intention, however, is to stir up as much discontent as possible and win enough sympathizers to stage an impressive demonstration.

It is also at this stage that support is enlisted from liberal faculty members. Some professors already are party members. A lucid professor who is popular with students can be of enormous help to the cause and add dignity to the proceedings.

Stage 4: Matters are forced to a head by getting members and sympathizers to agree on a list of demands to be presented to the university authorities. They may be demands for changes in campus rules, better cafeteria food, more black admissions or a stop to on-campus recruiting by industrial firms contributing to the war effort. It does not really matter, so long as it has the support of several dissident groups and discomfits the authorities.

If the authorities yield the organizers prepare new demands. The strategy is to keep adding issues until the authorities call a demand impossible and refuse to yield.

Stage 5: The issue is dramatized by calling a mass meeting or demonstration and appealing for active support from other groups.

A ringleader climbs on the stand and makes an impassioned but well-prepared speech about "our just rights" and "the hidebound bullies who are trying to deny them."

FOES ARE JUST STOOGES

The stand is yielded to others who back up the main speaker. They also introduce wider issues like "civil liberties" and the "unjust war in Vietnam" to convey the impression that these are all connected and all due to the same hateful cause—"capitalist exploitation."

University authorities are represented as "hired lackeys of the system," "stooges of the military-industrial complex," upholders of racism and the real enemies of truth and justice.

Anyone who tries to speak in opposition is lumped with them.

An emotional frenzy is worked up by contrasting hate words with rousing slogans like "freedom now," "we shall overcome," "let's show 'em," and "let's march."

Chanted repeatedly to the accompaniment of waving banners, these have an effect similar to the repeated suggestions at a hypnosis session.

Stage 6: This is the direct confrontation. It calls for violation of campus rules or civil laws to "force the issue" and to challenge the authorities to take disciplinary action.

Students who sympathize with the dissidents but who don't go along with violence by now have been drowned out. Anyone who has the courage to stand up and call for "further negotiations" is ridiculed and shouted down.

Faced with incidents which escalate from strikes and sit-ins to outright assault on college buildings, the authorities finally must choose between yielding to "student power" or calling the police.

The riot organizers prefer the latter. The appearance of police on campus—even to many who have not swallowed all the incessant Communist propaganda—is seen as the ultimate crime that a university administration can commit. It stirs up a heady feeling of revulsion against these ultimate symbols of authority and of sympathy for the demonstrators.

"Police brutality" and "pigs" are terms that have been used by Communists in other riots long before police ever appeared on U.S. campuses. It is taken up by other students as policemen, goaded by obscene insults and flying bricks and challenges to use their nightsticks, try to quell what has by now become a full-scale riot.

The riot organizers also welcome television cameras, especially if one can give a close-up of a policeman standing over a student with a bloodied head. It is good propaganda and costs nothing.

The ringleaders are not necessarily the riot manipulators. These are less obtrusive. They direct operations, keeping in touch with each other by means of hand signals, runners and two-way radio.

"The ability to manipulate people through violence and the mass media has never been greater, the potential for us radicals never more exciting than now," proclaimed a speaker at a meeting of the Students for a Democratic Society, a Communist-backed organization which has been behind many college riots.

The SDS and other radical groups under Communist direction have worked up demonstrations and riots at San Francisco State College, at the Universities of California, Texas, Georgia, Chicago, Wisconsin, Princeton, Brandeis, Howard and many other colleges. They also have organized many riots off campus,

In the name of defending such issues as "free speech," "better cafeteria food," allowing girls in men's dormitories, draft deferment, no on-campus recruiting, more black studies, etc., they have launched rampages of looting, brawling and arson. Carrying the red flag of Communist revolution and the black flag of anarchy, they have stormed buildings, held people captive, beaten up opponents, erected barricades and fought pitched battles with the police, deploying radio-directed students as shock troops.

The Columbia riot was directed by an SDS "high command" which set up headquarters in one of the occupied college buildings, and coordinated activities through a network of 40 walkie-talkies, telephones and runners. The same kind of organization has been observed at Berkeley and elsewhere.

IV

"University reform can only be a means to revolution, never a revolutionary end in itself. Once you secure the campus you have just begun."

So asserts Lee Felsenstein, who calls himself "military editor" of the Berkeley Barb.

The Barb is one of nearly 50 underground newspapers circulating in the United States and sold on many campuses. They are joined in a syndicate, which includes others in Canada, Latin America and Europe.

They freely use each other's material. Much of it is virtually indistinguishable in tone from the anti-American outpourings from Moscow, Peking and Havana.

Such publications serve only as organs of Red propaganda, they also are used to transmit directives to party members and others working for the same cause. Detailed subversive tactics are worked out locally at secret meetings, but there is no secrecy about the over-all mission and the objectives.

Under the heading "Commune-ism Can Win" the Barb piece outlines a plan for setting up "revolutionary communes, each consisting of from 10 to 30 people who live near each other."

Such communes, Felsenstein says, could form a "decentralized revolutionary organization which is so vital for sustained militancy. It would be a substantial and yet invisible organization, capable of explosive activity or dormancy as the situation demanded."

Since several groups of this nature are already known—at least by the Federal Bureau of Investigation—to be in existence, such articles can only have the purpose of building up the network.

"Some of us should move into factories and shops as well as into working class communities," the Communist-backed Students for a Democratic Society proclaims through the underground press. "We should move into the liberation struggle now being fought inside the armed forces and take an active part."

Educators used to shrug off the SDS as just an unruly bunch of impetuous youngsters until a congressional report last year charged it with having given "open support to guerrilla warfare in the United States."

A BOAST OF SEDITION

The SDS makes no bones about it. "We're working to build a guerrilla force in an urban environment," it states. "We're actively organizing sedition," boasted national secretary Greg Calvert.

Recruiting for revolution reaches down to high schools, junior high and even lower.

One SDS pamphlet urges young school radicals to exploit tensions and potentialities existing in the American high school setup. Suggested ways for creating disorder at the junior level include starting trash can fires, setting off false fire alarms, organizing mass protests on such issues as dress regulations, attendance, even education itself.

"We have much to learn from SLATE, the Berkeley campus political movement," the SDS lectures its up-and-coming agitators. SLATE, an early Communist front organization, helped structure the Free Speech Movement which disrupted Berkeley in 1964.

At San Francisco State College, student rebels were given specific instructions on how to make bigger and better Molotov cocktails and how to make use of sodium, potassium or white phosphorus, which could be obtained from the college's chemistry department.

Another statement put out by the SDS during the San Francisco State trouble was headed, "The Need to Fight the Cops." It exhorted:

"The weapon that the rulers always fall back on when others fail is their armed might. In this case it was the police forces from San Francisco and surrounding counties. (President S. I.) Hayakawa thought if he used enough police terror we would quit and give up the strike, but instead of rolling over and playing dead we fought back. We met their clubs with Mace and rocks and bottles. Several plainclothesmen were beaten up when they were discovered. This was a big step forward for many of the white students. They overcame their awe and fear of the pigs and helped defeat every attempt to smash the strike."

How are radicals who helped the Reds financed?

Said Inspector Tom Fitzpatrick, director of San Francisco Police Department's intelligence unit: "We know they take up collections, charge dues or solicit contributions from well-heeled fellow travelers, of whom there are many. But all these sources put together couldn't come up with the money it takes to run their operations.

"Some of them, for instance have been able to commute between Havana, Hanoi and even Moscow, like well-to-do globetrotters, not to speak of frequent transcontinental trips."

Proceeds from the sales of underground publications, plus profits from the salacious commercial ads and personal "want" columns, make up only a small part of the revenue to finance the youth subversion program.

Membership dues to various radical groups are used to subsidize the propaganda campaign. For every paid, full-time worker there are dozens of volunteers—canvassing, fund-raising or busy in makeshift offices near the campus, cranking out mimeographed sheets, letters and notices of forthcoming meetings.

In some cases where radicals control the student body, part of the student body fees are channeled off to leftist causes. The California Education Code specifically prohibits grants of student funds (which are compulsory college fees) to racist organizations. This may keep out Ku-Kluxers all right but not their opposite numbers.

Outraged students at San Francisco State College sent Gov. Reagan and Atty. Gen. Thomas Lynch a letter showing how these fees had provided money for a number of radical groups including the Third World Liberation Front ($15,339) and the Black Students Union ($22,073). The attorney general's investigation of the San Francisco State budget revealed that one speaker had quietly returned a $400 student government speaking fee to the Black Students Union and that an officer of the Black Students Union had bought a sniper rifle with a telescopic sight with a $150 student government check.

Public money also is misdirected into Communist causes by New Left students and others who have worked their way into influential positions of various off-campus projects financed under the War on Poverty. Local office facilities have been used for printing and distributing propaganda.

An investigation by an Office of Economic Opportunity auditing team showed that over $6,000 of federal funds had been expended in promoting various rallies and demonstrations in San Francisco, events having nothing whatsoever to do with the War on Poverty.

Summer youth camps have also been occasions for Red indoctrination. A San Francisco mother complained that her son returned from one weekend outing laden with Communist propaganda literature. He told of having lectures on Marxism and Maoism.

Investigators found that chartered buses were taking 60 to 70 youngsters at a time from around that area to a camp owned and operated by Willie and Else Beltran, longtime functionaries of the Communist Party. Manager was Virginia Proctor, wife of Roscoe Proctor, righthand man of Mickie Lima, who heads the Northern California branch of the Communist Party U.S.A. Buses, lodging and other costs were paid for out of War on Poverty funds.

Other so-called "youth leaders," some carrying the title of "reverend" but identified as working for Communists, have participated in similar projects.

FUND-RAISING PORNOGRAPHY

Other big money raisers are admission fees to private pornographic plays and movies which have lately been making the rounds of more and more campuses. The proceeds from sales of pornographic books and drugs, as well as from organized looting and robbery, are documented according to cases on file with the FBI.

Also on file is evidence of funds supplied from Communist sources abroad. The Progressive Labor Party obtained $43,000 in Peking, money that had been changed into U.S. currency. It was picked up at the Mexican City National Bank in Mexico City by a girl University of California student, who brought it to Berkeley and, according to House Committee investigation, delivered it to PLP leaders Mortimer Scheer and Lee Coe.

Testimony was given in Washington a few months ago by breakaway members of the PLP and Trotskyite Social Workers Party.

They told how activity had been financed by money sent from Peking by way of Havana. It was brought into the United States in the diplomatic pouches of the United Nations Mission from Cuba. Agents picked up the briefcases in New York.

The nationwide network of subversion is made up of old-time "cells"—groups meeting in private houses or "clubs"—front establishments like private schools, summer camps and hotels which are really training and indoctrinating schools—plus many groups openly calling themselves Communist, pro-Communist, leftist or New Left.

The main "knots" in the network are New York in the East, Chicago in the interior and San Francisco in the West.

One of San Francisco's earliest Communist front establishments was the California Labor School. After the U.S. Justice Department put it on the subversive list as a Communist indoctrination center and closed it down, organizers moved out into other subversive activities, where they are still busy today, some of them on college campuses.

BEHIND SHUTTERED WINDOWS

West Coast source of much Red propaganda material is 55 Colton Street, one of a shabby, broken-down block of buildings with closed doors and shuttered windows off San Francisco's Market Street. It is headquarters for the Third World Liberation Front and the Vietnam Day Committee, and command post of Asher Harar, reportedly the No. 3 Trotskyite in the United States and No. 1 man west of the Mississippi River. It also is the hangout of the Black Panthers and other revolutionary groups.

There the office mimeograph machines run late turning out anti-police, anti-establishment, pro-revolutionary propaganda.

One of the directives that went out coast to coast said: "If you are working for a defense plant engaged in making munitions, you want to see that that munition proves to be a dud when it gets there. If you are working for a food plant making K ration, do whatever you can to contaminate that food so it will be nonedible when it gets there."

San Francisco was chosen as the launching place for subversion in the West because of its cosmopolitan population, the climate of liberalism that already existed, and chiefly, because it was also the home of one of the greatest, most influential centers of learning in the world—the Berkeley campus of the University of California.

The wave of disorder and violence that has swept U.S. universities and colleges was set in motion at the Berkeley campus of the University of California in 1964.

Few people are aware of the full significance of the "Battle of Berkeley." It was no spontaneous student uprising. It was planned and organized by Communists, with the help of the so-called "New Left" and others committed to the destruction of this country's system of government.

They won an historic victory. Berkeley became the beachhead from which to try to launch a revolution across the nation's campuses.

Today's Communists or pro-Communists control some of the positions of authority within the faculty and administrative offices. They dominate at least 10 important departments of the university.

The result is "a great and continuous barrage of propaganda at Berkeley denouncing this nation and its foreign policies. It has nothing to do with a youth movement. It is the effect of the subversion of youth."

The words are those of a Berkeley professor concerned enough to utter public warning of what has happened and is happening there. He is Dr. Hardin P. Jones, no wild-eyed Red-baiting fanatic.

Professor of medical physics, assistant director of the Donner Laboratory and an internationally respected scientist, he is a tall, dignified, quiet-mannered man with more than 30 years' close contact with Berkeley, beginning when he was a student.

"No one any longer speaks out effectively in the faculty or administration at Berkeley for the important concepts basic to our free society or to retain the excellences of our past social achievements, even though such identified excellences are usually regarded as the core material for an education," said Jones.

Several professors, including some who had considered themselves liberal, have left Berkeley in disgust.

Sociology Prof. William Peterson, who left to become research professor at the Institute of Human Sciences, Boston College, said:

"The University of California, still the nation's greatest public institution of higher learning, is in rapid disintegration. The university has a dark prospect; and the reason is that there has been no one with the will, intelligence and courage to administer it."

Dr. Lewis S. Feuer, who moved on to become sociology professor at the University of Toronto, said:

"Berkeley has become a symbol for the world. To many Americans, it stands for studentry in senseless rebellion; to the Communist government of North Vietnam it is a faithful ally whose demonstrations against the United States government are the most valued propaganda."

The greater political awareness of the modern generation is widely acknowledged. Its members feel critical of society, condemning poverty, racism and war as weaknesses which they are impatient to correct. Many are ready to protest and demonstrate without Communist coaxing.

A small but determined group had been working to undermine the university's academic structure and "politicize" it long before the 1964 outburst over "free speech."

In 1957, a small student coalition called SLATE sought to gain the political advantage of claiming to utter their extremist political views in the name of the 20,000 registered students.

Its platform was that the student government "should take stands on national and international issues," contrary to the principle embodied in the university's charter that the university and its subdivisions should be "free from political influences."

SLATE was defeated. After repeated defiance of authority it became an off-campus organization, continuing to press radical demands. Communists held leading positions.

FAITHFUL ALLY TO REDS

In the summer of 1964, SLATE issued a manifesto calling for revolution on the campus to match and support political revolution in the world. It urged students "to begin an open, fierce and thoroughgoing rebellion on this campus . . . start a program of agitation, petitioning, rallies, etc., in which the final resort will be to civil disobedience."

It exhorted them to "organize and split this campus wide open! If such a revolt were conducted with unrelenting toughness and courage, it could spread to other campuses across the country."

The SLATE slogans became the battle cry of the Free Speech Movement, whose organizers included the Red functionaries of SLATE.

For all the Free Speech Movement protesting, free speech was never a real issue. As a Berkeley professor, Nathan Glazer, put it:

"Berkeley was one of the few places in the country, I imagine, where in 1964 (pre-FSM) one could hear a public debate between the supporters of Nikita Khrushchev and Mao Tse-tung on the Sino-Soviet dispute. There were organized student groups behind both positions."

It was not free speech, but freedom to organize political action and collect funds on campus that was the immediate issue in the dispute that broke out two weeks after the SLATE manifesto was distributed to students.

FSM victory depended upon a hard core of about 200 members of the faculty who were in sympathy with the movement from the beginning and whose leaders were in touch with FSM leaders.

Some radical professors abused their position of academic authority to help the FSM leaders. They called off classes to make the student strike more effective and spoke in support of the strikers.

"I am aware," said Jones, "that activists on the faculty at Berkeley regard the Free Speech Movement and its political offspring as the greatest event ever in American education. With no de facto restraints on speech, the major characteristic of Berkeley became that of a political war, including violence, against American and Western society."

Though most university students might try to ignore or reject indoctrination aimed at the unqualified denial of the established principles of American society, there are few who could spend four or more years on campus without being affected by the deluge of propaganda.

Gradually the smaller political cliques that had been given freedom to campaign on campus formed themselves into larger, more cohesive groups which organized and led a series of activities on and off campus—stopping troop trains, encouraging defiance of the Selective Service system, handing out pamphlets on "How to Beat the Draft," upholding "filthy speech" and "free sex."

Warnings by alarmed professors and other concerned citizens that the Berkeley situation would be the precursor of other university eruptions were soon justified.

LIKE BUFFALOES BEING SHOT

According to Prof. John R. Searle, who supported the FSM at Berkeley, "Many college administrations in America don't yet seem to perceive that they are all in this together.

"Like buffaloes being shot, they look on with interest when another of their number goes down, without seriously thinking that they may be next."

Beneath the flood of revolutionary propaganda and exhortations to violence aimed at today's youth is an undercurrent of filth which goes far deeper than most Americans realize.

For parents to be shocked at youthful pranks is nothing new.

What is sinister, however, about the present student preoccupation with sex, drugs and perversion is that, unlike "panty raids" and other student frolics, it is largely the result of planning and organization.

It is the most sinister aspect of the Red youth subversion program—one part of the East-West psychological warfare which is practically one-sided, because little is being done on this side to combat it.

The discovery of the "conditioned reflex" by the Russian physiologist Ivan Pavlov had an important influence on all of Russian biological and social sciences. Few Westerners are aware of how widely Communists have used the principle to condition political behavior.

"American scientists have tended to neglect this area of study," said Dr. Hardin B. Jones, professor of medical physics and physiology and assistant director of the Donner Laboratory at the University of California at Berkeley. "American politicians have made comparatively little use of its capabilities because, until now, the politics of this country were very stable."

On the other hand, Jones said, "the leaders of world communism have relied heavily on the social methodology developed from Pavlov's principle of conditioning.

"It is a way in which satisfaction of animalistic human needs such as food, affection, discipline and sexual activities can be controlled so as to condition a person to actions and beliefs without intellectual evaluation."

Communists and radical Socialists used the principle for political purposes by seeking to subvert German youth movements in the 1930s. The animalistic mob culture they helped develop was taken over by Adolf Hitler. Through mass meetings, social activities and organized sexual contacts, the Hitler Youth was turned into a political army—unthinking, obedient, conditioned to give prompt reflex responses such as Pavlov studied. Elite members of the Nazi SS were introduced to abnormal sexual activities as part of the conditioning process to break down their attachment to traditional moral values.

Indoctrination through perversion came later to the United States as a weapon in the cold war. Young people, particularly university students, were the main targets. This came at the same time the universities were marked for political subversion and revolution.

The Vietnam Day Committee, also directed by Communists, followed by sponsoring on-campus plays which mixed politics with pornography. These and other indecent shows and activities to which students were invited helped as fund raisers for antiwar, antidraft demonstration, civil rights marches and related projects.

Four-letter vulgarities have become the stock-in-trade of campus radicals.

So have the obscene badges and open enticements of "sex" clubs and "sexual freedom" groups. So have the lurid language in the "underground" and many student newspapers which mix anti-American propaganda with titillating articles and pictures about drug-taking, sex and sex perversion. There also are columns of personal ads which leave nobody in doubt as to the prurient interests of the advertisers. These are but surface signs of the poison to which young minds today are being exposed.

Portraits of Lenin, Mao, Castro or Che Guevara, "Pig Brutality" and other "anti-imperialist" wall posters are an important part of the "scene." So are psychedelic art containing pornographic symbols, and "way out" music with its frenzied rhythmic beat, shrieking, hysterical voices and frequently lewd lyrics.

Veteran investigators into the underworld of dope and vice have a hard time holding onto their stomachs, as well as their sanity, when they look into some of the practices to which novices of the so-called New Left are introduced.

It goes far beyond "making love, not war." The narcotics in use today make the old dope dens look like dreary joss houses.

Neither are obscenity and pornography confined to the backroom "pads" of bearded, long-haired dirty-toed boys and their radical girl and boy-girl friends.

They are introduced into the theater and made part of student courses of instruction.

Performances of which "sick" might be considered too mild a description, have made the rounds of campuses. Either they are condoned by the "liberal" section of the faculty or are not objected to for fear of infringing rights of free speech. Some professors have even helped in publicizing and promoting them.

The "heroes" of these "dramas" are usually depicted as Socialist "revolutionaries." The villains are "capitalist pigs." Actors, sometimes naked or near-naked, portray characters in lustful, sadistic, brutish attitudes.

The coupling with political propaganda of blasphemous, sacrilegious and vulgar sexual terms used with regard to religious themes and family relationships is a deadly weapon, blatantly used to demoralize and destroy.

Another part of the same weapon is "sensitivity training," now being promoted on a massive scale in the United States, including on some campuses, notably the University of California.

The training consists of creating physical awareness of other persons. It is highly related to such physical contacts as between mother and infant and sexual feelings between persons. The idea is to become aware of the other persons through touch and other forms of direct contact. Classes often are conducted in the nude.

"Sensitivity training," Jones said "is a powerful form of Pavlovian conditioning by which sexual-emotional types of response can be substituted for intellectual consideration of any proposition common to the group, developing a surge of animalistic mob response."

This conditioning, he stresses, has been developed "by the Communoid forces, who apply these techniques to control of group behavior."

Many of those interested in sensitivity training and its "group dynamics" are well-intentioned. They believe these emotional responses can be applied to increase a feeling of brotherly love in the anti-war movement and to generate similar feelings of affection and admiration between whites and blacks.

Jones warns, however: "To the extent we begin to be influenced by animalistic tendencies and mob psychology, we certainly lose the structure of a society based on solving its problems rationally."

A WARNING FROM HISTORY

More than 100 years ago British historian Lord Macaulay wrote this warning to an American friend: "Your republic will be fearfully plundered and laid waste by barbarians in the 20th Century as the Roman empire was in the 5th, with this difference—that the Huns and Vandals will have been engendered within your own country, by your own institutions."

THE 21ST ANNIVERSARY OF THE STATE OF ISRAEL

Mr. SPONG. Mr. President, I congratulate and commend the State of Israel on the occasion of its 21st anniversary. Twenty-one years ago yesterday, on April 23, 1948, President Harry S. Truman sent word to Dr. Chaim Weizmann, the Zionist leader, that, if the Jewish state would proclaim its independence following the end of the British mandate, which was scheduled for May 15, then the United States would formally recognize the State of Israel. On May 13, 1948, Dr. Weizmann notified President Truman that Israel would proclaim its independence the next day, and on that day, May 14, 1948, the United States officially recognized the Israeli State.

During February, I had the pleasure of traveling in the Middle East and of visiting in Jerusalem and Tel Aviv. During this time I had the opportunity to speak with many Israelis from all stations of life. I was impressed with the spirit and determination of the citizens of Israel. The resolve and fortitude they displayed was quite admirable.

I was able to tour the Weizmann Institute of Science and Tel Aviv University. These modern, progressive institutions are symbolic of the development which the Israelis have brought to the area they occupy at the eastern end of the Mediterranean. They are part of the many achievements of which the Israeli people can be so proud.

My trip took me to the Wailing Wall, across the Jordan River, and to many of the shrines which are so significant to the Judeo-Christian heritage.

Israel officials arranged for me to visit reclamation projects, atomic energy projects, and similar endeavors which have contributed so greatly to Israel's industrial and scientific progress and her prosperity.

While so many internal problems of growth and development have been met in the past 21 years, solution of the major foreign problem—gaining peace and security for the Middle East—remains elusive. I would take this occasion to urge—as I have before—that the nations of the area proceed to negotiate a settlement to the conflicts which plague the Middle East, and threaten major conflagration for the world.

ON ISRAEL'S 21ST ANNIVERSARY

Mr. WILLIAMS of New Jersey. Mr. President, today I wish to express my congratulations to and deep respect for the State of Israel on her 21st birthday.

Twenty-one years ago the creation of the new nation of Israel captured the hearts of America and won America's hope and commitment. Common historic experience, common devotion to democracy are reinforced in the relations between our two countries by strong links which are of the spirit. It is no ordinary people—this people of Israel—whom the American people have so long admired and respected. They have done a remarkable job with their small piece of land. The Israelis have watered the strip of desert allocated to them by the family of nations—U.N.—made it blossom, defended it, raised their children there and turned it, in 21 short years, into almost an oasis. If given the chance, Israel could share her knowledge—agricultural, medical, and educational—with her neighbors.

Certainly the maintenance of the democratic State of Israel must be paramount in importance. Our commitment to the preservation of the national integrity of Israel dates back to President Truman's recognition of this nation as an independent state on May 14, 1948. It took President Truman only 4 minutes to make that decision and I believe this Nation was the first to recognize the independent status of Israel.

We, the United States and Israel, must maintain our historical friendship as we move toward the unfulfilled objectives which we hold in common. We hold in common a vision of peace between Israel and her Arab neighbors. I am hopeful that these two kindred peoples, who contributed so greatly to the thought and spirit of mankind will again unite their strength for the defense and progress of the East Mediterranean and revive upon its shores the full glories of ancient and medieval times.

The administration has supported the present four-power peace talks. I strongly feel that a settlement can never be imposed. The Arab States must recognize the sovereign rights of Israel and that mutual understanding can only be accomplished by the two parties involved. There can be no peace by proxy. We have seen the consequences of such action in 1948 and 1956. A contractual agreement must be made between the parties directly involved if it is to be binding. Abba Eban, Israel's Foreign Minister, stated the plea so eloquently when he addressed the Arab States in the U.N. General Assembly on October 8, 1968:

> For you and us alone the Middle East is not a distant concern, or a strategic interest or a problem of conflict, but the cherished home in which our cultures were born, in which our nationhood was fashioned and in which we and you and all our posterity must henceforth live together in mutuality of interest and respect. The hour is ripe for the creative adventure of peace.

I pray Mr. Eban is right. The land of Israel is the land of youth and hope and courage and tenacity. It is a land that can only grow if given the chance. In 39 days I will be stepping off the plane in the land of Israel and at that time I shall personally say my message. But until that time, I wish you H'ag Sameyah—Happy Birthday. May you live a long, prosperous, and peaceful life.

THE PESTICIDE PERIL—I

Mr. NELSON. Mr. President, I wish to outline recent developments regarding pesticides and their effects on the environments, fish, birds, animals, and man.

There is growing concern among distinguished scientists, research investigators, conservationists, and public officials about the increasing pollution of our total environment by pesticides. Residues of pesticides, especially the very persistent DDT, have infiltrated the atmosphere, the land, the water, and the tissues of most of the world's creatures, including man. They are pushing some, such as the peregrine falcon and the bald eagle, to the brink of extinction.

The path of DDT has been traced to the dust above the Indian Ocean, the reindeer of Alaska, and the penguin of the Antarctic.

It was 1 month ago when the Food and Drug Administration announced the seizure of 28,150 pounds of Lake Michigan Coho salmon that contained a high concentration of DDT and dieldrin residues. The initial reports indicated DDT residues of 19 parts per million in the whole fish. More recently, Secretary of Health, Education, and Welfare Robert Finch has cited levels of 20 to 30 parts per million in the Lake Michigan salmon.

Previous to this seizure, the FDA and other food officials had occasionally seized vegetables, fruit, and other commodities which had been the recipient of direct application of pesticides.

However, the Coho salmon incident was the first instance when such a high pesticide concentration had been discovered after traveling hundreds of miles through the atmosphere and water and through the food chain of up to a half dozen organisms. This is ample proof of the tremendous persistence of hard pesticides such as DDT.

At last year's Lake Michigan Water Pollution Conference, a spokesman for the U.S. Bureau of Commercial Fisheries testified that the concentration of pesticides in Lake Michigan could reach a level lethal to both man and aquatic life if the use of pesticides was continued at such a heavy rate in the Lake Michigan watershed.

The discovery of the pesticide-contaminated Coho salmon substantiated that testimony. The future of all the Great Lakes will be imperiled unless action is taken soon to stop this poisoning of our waters by these pesticides.

Last spring, pesticides were also blamed for the death of nearly 1 million Coho salmon fry. This finding has raised a serious question about the future of salmon reproduction in the waters of Lake Michigan.

There is also growing concern among scientists that the reproduction capabilities of other fish may be harmed. This is especially the case with the lake trout, which spend 6 or 7 years in the water before sexual maturity as compared with only about 2 years for the salmon.

The FDA action was followed by a report from the New York State Health Department that very high concentrations of DDT are being found in lake trout in New York's central and northern lakes.

The Department officials stated that the DDT is so concentrated in some lakes that it has completely halted reproduction of the lake trout. The pesticide concentrations in the New York trout were reported to be close to 3,000 parts per million of DDT in the fatty tissues of the fish. Since pesticide residues tend to concentrate in the fat of animals and fish, the concentration in the whole fish would be considerably lower.

On April 1, I reintroduced legislation to prohibit the interstate sale and shipment of DDT. This measure is similar to proposals that I have advocated since the 89th Congress to place sanctions on the use of this persistent pesticide.

Thus far, Sweden and the States of Arizona and Michigan have taken steps to ban the use of DDT within their borders. I am presently contacting every State in the country to determine the present level of use of DDT and other persistent pesticides and the status of any pending local or State action on this matter.

I have also recently proposed the establishment of a permanent National Commission on Pesticides to evaluate the dangers of pesticides to the environment, wildlife and man.

Under the provisions of this bill, the Commission would examine current pesticide use and present labeling requirements, monitor the buildup of pesticide residues in the environment and living creatures, conduct basic research on pesticide degradability and develop less persistent, less toxic pesticides.

The Commission, appointed by the President, would include representatives of Government agencies, scientific and medical professions, conservation groups, farm organizations and private industry.

The panel would make annual recommendations to the President and the Congress concerning improved restrictions on pesticide use and present potential hazards to wildlife and human health.

Earlier this week, Secretary Finch named a Commission on Pesticides and Their Relationship to Environmental Health. I believe that the appointment of this departmental committee is symbolic of the increasing awareness of the public and Government of the growing perils of pesticides.

However, it would be reassuring to hear from the Chairman of the Commission, Dr. Emil Mrak of California, that he does in fact approach this very critical task without having any prejudgment which could influence the outcome of the Commission's recommendations.

In 1963, Dr. Mrak testified before a Senate subcommittee hearing on Federal pesticide regulatory activities that he supported the position that no evidence is presently available that there is danger of anyone being poisoned by pesticide residues in food.

At the 1963 hearing, Dr. Mrak also took issue with a President's Scientific Advisory Committee report of that year which stated:

> Although they (pesticides) remain in small quantities, their variety, toxicity, and persistence are affecting biological systems in nature and may eventually affect human health.

Dr. Mrak said:

> This statement is contrary to the present body of scientific knowledge available to our people.

I would hope that Dr. Mrak will issue a public statement clarifying his position on this issue.

On the day following the announcement of the departmental Commission, Secretary Finch established tolerance levels of DDT residues in fish moving in interstate commerce. Five parts per million were cited as the maximum amount of DDT residues allowed in fish that can cross State lines. Fish with concentrations exceeding that figure will be subject to seizure by the FDA.

The steps that Secretary Finch has taken are solid and responsible. He deserves a great deal of credit for moving swiftly and conscientiously on this issue.

There is much more to be learned about the effect of pesticides on the environment, fish and wildlife, and human health. With the total commitment of the Department of Health, Education, and Welfare, the answers we seek will certainly come more rapidly.

The Progressive magazine, published in Madison, Wis., featured an article last month on the pesticide issue, entitled, "Pesticides: Potions of Death."

This is a highly respected publication whose circulation reaches every corner of the country and world. Under its editor, Morris Rubin, it has continued to carry out the traditions and causes of its great founder, U.S. Senator Robert LaFollette.

I ask unanimous consent that the text of the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PESTICIDES: POTIONS OF DEATH

(By J. George Butler[1])

Rachel Carson, whose *Silent Spring* shocked the world when it was published in 1962, died April 14, 1964. Just weeks before her death, she left a legacy to the American people that, to date, has not been appreciated. In what was to be her valedictory, she appeared before a committee of the U.S. Senate considering pesticides and public policy and made six recommendations which she earnestly asked the committee to act upon to lessen the menace from pesticides. Five years later, not one of these proposals has been enacted into law.

In recent months, newspapers have carried stories of pesticide disasters in Colombia, in Tijuana, Mexico, in Florida, and in California. In all these cases, the chemical involved was parathion, one of the most widely used agricultural pesticides.

In Colombia, flour was contaminated when a pint container of the poisonous liquid broke during a hundred mile truck journey from Bogata to the hinterland. A hundred persons were killed, hundreds more made violently ill.

In Tijuana, seventeen or more died when the poison was accidentally mixed with sugar. In Florida seven young people were killed by pesticide poisoning.

In California, a trailer truck overturned, spilling parathion over the highway, causing the main artery between California and Arizona to be closed. Orders were issued to rip up the concrete and bury it in the atomic waste burial ground in the desert, but this proved impractical. State health officials then recommended flushing the highway with a neutralizing agent. A captain of the state highway patrol warned that the pesticide would pose a hazard to anyone walking or driving over the area.

The same day the Tijuana story broke, another news item reported the death of a woman in the Bronx, New York, who committed suicide with parathion. Recently, in Kansas, suit was brought in behalf of a five-year-old boy reported stricken for a fifteen-month period after parathion was sprayed from an airplane to combat insects in the wheat crop.

Were Miss Carson alive, she might well say: "I told you so." In 1962, she described parathion as one of the most powerful and dangerous of the organic phosphate pesticides. Organic phosphate pesticides are supposed to be safer than others because they are readily soluble in water and break down quickly, as opposed to chlorinated hydrocarbons, such as DDT, dieldrin, aldrin, endrin, toxaphene, lindane methoxychlor, chlordane, heptachlor, and the like which persist for years. Miss Carson described a chemist who sought to learn just how toxic parathion was by the most direct method possible. Carefully preparing antidotes, he swallowed a minute amount, .00424 of an ounce. He was paralyzed so quickly that he died before he could reach the antidotes he had prepared.

The greatest danger to man, however, is not in accidents such as these—and many might have been avoided had her suggestions been carried out. The greatest danger comes from the insidious, long-range poisoning man is systematically inflicting on himself and his environment. Despite Miss Carson's pleas, pesticide formulations have proliferated. Over the past decade, 60,000 pesticide preparations have been registered with the Department of Agriculture. Most fall into two broad classes; the so-called "safe" ones, organic phosphates such as malathion, phosdrin, TEPP, and parathion. Even though they decompose rapidly, they are deadly poisons, as the world now knows. Malathion and parathion, members of this group of allegedly "safe" pesticides, are now highly recommented as garden and fruit sprays by the Department of Agriculture.

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[1] J. George Butler describes himself as "a dirt farmer in Vermont" and a free lance writer.

The other group, comprises the long-lasting, even more poisonous chlorinated hydrocarbons, of which DDT is the most familiar.

An official U.S. Government document shows how the use of pesticides has grown to almost unbelievable proportions. In 1964, pesticide industry sales totaled more than a billion dollars; trade sources predict a two billion dollar market by 1975. "In 1964," the Fish and Wildlife Service reported, "the U.S. chemical industry produced 783 million pounds of pesticides, of which three-quarters were for domestic use. Insecticides, rodenticides, and fumigants accounted for 444 million pounds; herbicides 226 million, fungicides, 113 million. . . . One acre in ten in the continental United States—69 million acres—produces crops requiring insecticides—corn, rice, cotton, vegetables, fruits and nuts. Grain and cotton seed often need chemical treatment for the prevention of plant disease. Weed killers (herbicides) are used on all types of cropland and on an increasing percentage of the more than one billion acres of forage and grazing land. Pestisides also are used on a part of the 758 million acres of forest land."

Although the Federal Government has cut its use of pesticides so that it now uses less than five per cent of all pesticides in the United States, nevertheless, in 1965, the Federal Committee on Pest Control approved Agriculture Department pest control projects against the boll weevil on cotton in Texas and New Mexico; grasshoppers on rangeland in Western and Central states; cereal leaf beetle in Indiana, Michigan, and Ohio; gypsy moth on hardwood forests in the Northeast; Douglas-Fir tussock moth in Oregon, California, and Idaho; fall cankerworm in Pennsylvania; Great Basin tent caterpillar in Arizona; and other projects in Western and Southern states.

These massive programs leave fantastic amounts of pesticide residue, in some cases more than 170 pounds per acre. The universality of soil and water contamination is shown by the statement from the Fish and Wildlife Service that there is not a major river system in the United States that does not contain one or more of these poisons. The effect on the wildlife of the country is carefully documented. To quote the Fish and Wildlife Service again:

"Often, fish do not die immediately or at the site of the pesticide exposure. In one recorded case, fish started dying three months after DDT was applied, and death reached downstream nearly one hundred miles from the treatment site.

"Laboratory tests reveal that some pesticides in fantastically small amounts kill crabs and shrimp. One part of DDT in a *billion parts* of water will kill blue crabs in eight days. (One part per billion is about the relationship one ounce of chocolate syrup would bear to 1,000 tank cars of milk.) . . ."

Dr. Charles F. Wurster, Jr., a biochemist at the State University of New York, claims: "If an organism has nerves, DDT can kill it."

When aldrin was applied in a Government program for grasshopper control at two ounces per acre, nearly a third of the young waterfowl in the treatment area were killed. Usually, however, the effects are more indirect and more subtle, affecting the food chain and taking more time to become apparent. The Fish and Wildlife Service points out: "Wildlife may die after eating insects, fishes, or other kinds of animals that have been poisoned. Nonfatal doses of some chemicals may reduce reproductive capacity or survival of the young. Another indirect effect is the depletion of the food supply of wildlife."

Some Government scientists dismiss such damage to the food chain by saying that the food chain is broken when land is cleared and cultivated. They write: "Ninety-nine per cent of all the species which ever lived are now extinct; so the 'preservation of nature' actually involves extinction and dynamic, progressing change."

Apparently, Government policy has been set by the President's Science Advisory Committee, which in 1963 said that though there were "apparent risks," there were "great merits" in the use of insecticides. It felt, Rachel Carson and the mountain of evidence presented by some government bureaus to the contrary, that we still did not know the facts, and it was unwilling that any new legislation be enacted to curb the use of pesticides. The Department of Agriculture did step up its search for "natural controls," such as useful parasites, predators, sex lures, and male sterilants. Using the technique of sterilizing male insects, the screwworm fly was wiped out in the Southeast and Texas.

This past year, four gallons of ladybugs were released in a twenty block area of Riverside Park, New York City, because they thrive on aphids and a wide variety of similarly destructive lice, scales, and borers and their eggs. Significantly, however, these ladybugs, 300,000 of them, were released not by the U.S. Department of Agriculture, but by a new private group, Citizens for Clean Air, which is opposed to the use of chemical pesticides.

After a damning indictment of the way man is polluting the earth and water, the Fish and Wildlife Service report in 1966 concluded that the same bland statement of the President's Science Advisory Committee of 1963 that chemical should be used for pest control only after carefully considering their use in terms of need, anticipated results, and possible harmful effects. Safety, rather than cost, should be the primary consideration in choosing materials, and pesticide treatment should be limited to the target areas and the contamination of water courses avoided. Minimum dosage rates should be used, and large-scale use of persistent pesticides that are known to concentrate in living organisms discontinued.

Most people are simply not aware of what man in his fiendish ingenuity is doing to his environment. Poisoning the air he breathes, he also poisons the earth and water so that birds and fish can no longer survive.

National Wildlife magazine in 1967, quoting the Bureau of Sport Fisheries and Wildlife, reported that the death of songbirds in Minneapolis and other midwestern cities that year was caused by DDT. The story concluded: "Major losses to urban bird populations have resulted from widespread use of DDT in programs to control Dutch Elm disease." Other long-lived chlorinated hydrocarbon chemicals were also implicated—toxaphene, dieldrin, and heptachlor.

On Long Island in Suffolk County, naturalists in the spring of 1967 counted only several active osprey nests of 100 sighted. They pointed to the massive DDT aerial spraying programs, carried out for mosquito control, as the cause. The Fish and Wildlife Service says only: "The sublethal effects of exposure to these chemicals are not yet known, and we can not state definitely that pesiticides are the cause of a decline in their reproduction. We, therefore, believe it would be premature at this time to recommend legislation to further curtail the use of persistent pesticides."

It is this same Government bureau that reported in an official publication: "From 1960 to 1963, of fifty-six bald eagles found dead or incapacitated in twenty states and two Canadian provinces, all but one (found in Alaska) contained DDT."

The Duke of Edinburgh observed in an address last summer that pesticides, poisons, and pollution have wiped out more wildlife in a few years than man as a hunter has in millions of years. By affecting the capacity to breed and by interfering in the food chain, these agents are exterminating whole populations and species.

The home gardener, who accounts for fifteen per cent of the consumption of pesticides, is up against it if he wishes to protect birds and animal life. What can he use that will not poison and pollute and kill indiscriminately? The Acting Deputy Administrator of the U.S. Department of Agriculture, responding to a query, recommended malathion to control aphids, scale insects, bagworms, grasshoppers, Japanese beetles, and leafhoppers. He reassured the writer: "Malathion residue is rapidly destroyed by rainfall and very little persists more than a week after the orchard is sprayed." One asks: "What happens to birds during that week? What happens in periods of drought when there is no rainfall to break down the poison?"

Four Government Departments—Agriculture, Defense, Health, Education and Welfare, and Interior—now form the Federal Committee on Pest Control. The weakness of the FCPC is that it lacks the very authority it is supposed to exercise. Even its monitoring of pesticide residues in foodstuffs is inadequate. Each year, samples of 25,000 shipments of food in interstate commerce are taken. Each year, however, there are approximately 2,500,000 such shipments. That is, one per cent are monitored, 2,475,000 pass unchecked.

Congress should be urged to enact into law Miss Carson's legacy of 1964. These are the major points in the program she pleaded before the Congressional committee:

That, in view of "the right of a citizen to be secure in his own home against the intrusion of poisons applied by other persons," there be "a legal requirement of adequate advance notice of all community . . . spraying programs, so that all interests involved [might] receive hearing and consideration before any spraying is done . . ."

That support be provided for "new programs of medical research and education . . ."

That the "sale and use of pesticides . . . [be restricted] to those capable of understanding the hazards and of following directions . . ."

That "the registration of chemicals [be] made a function of all agencies concerned rather than of the Department of Agriculture alone . . ."

That "new pesticides [be] approved for use only when no existing chemical or other methods will do the job."

That research be supported on other than chemical approaches to pest control, looking to the elimination of chemical methods.

The FCPC has stepped up its research program. In 1966 it spent nearly eighteen million dollars on chemical research and forty-five million dollars on non-chemical pesticide research, yet it is significant that the first issue of the FCPC's *Pesticides Monitoring Journal*, published in June, 1967, told only of what action the committee *hoped* to take in monitoring pesticide residues in food, people, fish and wildlife, water and soil. To allow the unrestricted sale and use of these poisons is to invite disaster.

The delayed action of many poisons is well known. While leukemia developed among survivors of Hiroshima in the relatively short space of three years, generally much longer periods of latency are the rule. For instance, bone cancers among women workers who painted luminous figures on watch dials in the 1920's did not become apparent until fifteen to thirty years later.

Pesticides came into general use in the early 1950s. It is only now that we are beginning to see some of their effects. Deaths from all types of blood and lymph malignancies in the United States totaled 25,400 in 1960, a sharp increase from the 16,690 figure of 1950, according to the National Office of Vital Statistics. Rachel Carson noted in *Silent Spring* in 1962: "Such world famous institutions as the Mayo Clinic admit hundreds of victims of these diseases of the blood-forming organs. Dr. Malcolm Hargraves and his associates in the Hematology Department at the Mayo Clinic report that almost without exception these patients have had a history of exposure to various toxic chemicals, including sprays which contain DDT, chlordane, benzene, lindane, and petroleum distillates."

Amazingly, it was not until last February that the Food and Drug Administration and the Department of Agriculture belatedly "proposed" to reduce the tolerance of DDT residues on thirty-six fruits and vegetables from the present seven parts per millon to 3.6 parts per million for the 1968 growing season. The Department of Agriculture "suggested" that for the 1969 season, it might well reduce the tolerance to one part per million. Why? Because seven parts per million was "higher than necessary for adequate pest control when DDT was used according to label directions."

Were the public aware of the dangers confronting it, the indiscriminate use of pesticides could easily be controlled. The mechanism for such action already exists. Counties have agricultural agents. They could be thoroughly trained in pesticide procedures and dangers. The poison registry laws already covering drug stores could be extended to control use of agricultural poisons. Every drug store is required by law to keep a registry of those buying poisons such as strychnine, oxalic acid, or even iodine. Control over the dispensing of pesticides could be placed in the hands of the county agent. Those pesticides that are absolutely necessary could thus be obtained by his prescription alone. The FCPC, not just the Department of Agriculture, should oversee such prescriptions to make certain that poison, like dangerous drugs, is not handed out indiscriminately.

County agents should be required to hold classes to educate farmers and home gardeners in proper pesticide procedures, even as they now hold classes for other farm problems.

To help prevent accidental disasters caused by the mixture of pesticides with foodstuffs, stores selling food for human consumption ought to be banned from handling agricultural poisons. Inadvertent contamination is a concern in the petroleum industry, where stringent regulations govern the transportation of oil and gasoline. Why should not the same stringent regulations be applied to the shipment of food and poison?

As Senator Gaylord A. Nelson, Wisconsin Democrat, who has taken the lead in proposing remedial legislation, has pointed out:

"Dangerous environmental contamination is occurring at a rapid and accelerating pace. We are literally heading toward environmental disaster. It is no longer the question—will it happen? It is happening now. The question is—will we temporize with this issue until it is too late? Until, in fact, the land, the water and the air are polluted and all the living creatures in it are dangerously compromised. That is the issue we face.

"Through this massive, often unregulated use of highly toxic pesticides, such as DDT and Dieldrin, the environment has been polluted on a worldwide basis. In only one generation, these persistent pesticides have contaminated the atmosphere, the sea, the lakes, and the streams, and infiltrated the tissues of most of the world's creatures, from reindeer in Alaska to penguins in the Antarctic, including man himself."

To continue to allow pesticide manufacturers to push their wares in search of bigger and bigger profits, without adequate controls in the public interest, is inexcusable neglect and folly. The tragedies from these potions of death are multiplying. Congress has a moral obligation to act promptly to protect the public against the ravages of poisoning by pesticide.

THINKING THE UNTHINKABLE

Mr. HART. Mr. President, the Secretary of Agriculture issued a press release April 17 announcing that the Department of Agriculture and District of Columbia government would make a "dual attack on malnutrition in the District of Columbia."

Special food packages are to be distributed to pregnant women, new mothers, infants and young children. Lunches are to be provided needy children during the summer months in connection with recreation programs.

In the course of this press release, Secretary Hardin was quoted as saying:

> It is unthinkable that hunger, protein deficiencies and other forms of malnutrition should be permitted to endanger the physical and mental development of children in this land of abundance.

Taking the Secretary of Agriculture at his word, it is clear that someone in the executive branch of our Government has been thinking the unthinkable.

Administration recommendations on the budget were submitted to Congress last week.

The recommendations did not propose to increase the amount provided for food for hungry people one thin dime over the Johnson budget.

The only increase over the Johnson budget in this whole area was $15 million for nutrition aides to Agricultural Extension Services to teach the poor, as Senator George McGovern commented:

> What they should eat if they ever get anything to eat.

The Johnson budget provided about $200 million more for food for the hungry in fiscal 1970 than in fiscal 1969. A large part of that was simply meeting directives previously adopted by Congress. It also included a reduction of $104 million in the special school milk program, recommended by the old administration and now by the new, which Congress did not direct.

I am advised that the budget documents supporting the new recommendations, while keeping dollar amounts for food items at virtually the same overall level, do propose to reduce by $45 million the funds earmarked for free school lunches for children who cannot buy them. Fifty million dollars would then be added to the withdrawals from section 32 funds, $10 million of this for the school milk program in schools where the breakfast or the lunch is not served. Instead of adding funds to assure that all hungry children are fed, the budget shifts funds from one group of needy children to another group.

Someone was obviously thinking the unthinkable when that budget recommendation was prepared and sent to Congress.

Let me read from the press release again:

> "It is unthinkable," Secretary Hardin said, "that hunger, protein deficiencies, and other forms of malnutrition should be permitted to endanger the physical and mental development of children in this land of abundance."

The man or the men who sent the new budget proposals to Congress had to be thinking of doing exactly that; the budget makes a choice, not to see that every child has what is necessary for him to eat, but a choice between which children should get enough, or partly enough nutritious food, and which children are to get none at all.

Mr. President, the new Secretary of Agriculture, whom I knew and admired when he was at Michigan State University, is a fine man. We all know that members of the Cabinet are all but powerless when the Budget Bureau cracks the whip in the budgetmaking process.

The Secretary of Agriculture has done a fine job of jumping into the breaches exposed by the McGovern Select Committee on Nutrition and Human Needs with free food stamps for two South Carolina counties, a new program for Collier County in Florida, and now a dual attack on child hunger in the District. An appearance of quick response has been given, but it is a pitifully inadequate response—four or five tiny areas spotlighted by the Senate committee are going to get expanded, although inadequate programs, with accompanying headlines, while hundreds and even thousands of areas in the Nation, and millions of malnourished not visited by Senator McGovern and his group, are required to accept the "unthinkable."

I agree with Secretary Hardin's public statement 100 percent. But I plead with him to make his observation in an internal memorandum directed to his boss and his colleagues and that he add a postscript to it which says: "It is also unthinkable that we should permit helpless, older people, teenagers, or adults—all of them human beings and nearly all disadvantaged by age, by handicaps acquired in childhood or subsequently, and many by economic and social forces beyond their control—to live out half lives of suffering and lethargy due to inability to get a few morsels of food out of our bulging storehouses."

Mr. Robert Choate, consultant to Secretary of Health, Education, and Welfare Robert Finch, said on television recently that at least a billion dollars more should be added to food budgets this year, and that anything less than $500 million would be a fraud.

There are reports that a proposal to add $10 to $50 million to some emergency food item is under consideration yet—a sort of band-aid job.

If it is true, I hope the administration will read Secretary Hardin's statement before it is proposed, for it would amount to a second instance of "thinking the unthinkable"—doing much less than we should and permitting millions of children, to say nothing of other hungry people, to go without food essential to healthy minds and bodies.

CONDITIONS AND WAGES OF FARMWORKERS

Mr. MURPHY. Mr. President, last Tuesday evening, an excellent editorial written by James J. Kilpatrick was published in the Washington Evening Star.

The working conditions and wages of farmworkers have been a matter of increasing concern during the past few years and are being exhaustively reviewed by the Subcommittee on Labor at this time. The accounts of living conditions and earnings of those who work on our Nation's farms have been distorted in many instances by the press and other news media.

Mr. Kilpatrick's writing tells the story of the union effort and the conditions in the fields as they really are. I hope that Senators will take the time to read it, as I feel it will give them a different perspective on the subject.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Grape Boycott in Delano Perpetrates a Hoax

(By James J. Kilpatrick)

Delano, Calif.—The grapevines stand in trellised ranks, green-sleeved, precisely spaced, as disciplined as troops in close-order drill. Their cross-pieces are angled at right shoulder arms; they make of the flat brown earth a crowded battlefield.

It is for the possession of this battlefield that California's table-grape growers and an AFL–CIO union are struggling. The conflict long ago stretched beyond the Delano community.

For the past 3½ years, well-meaning liberals across the country—not to mention a number of politicians on the make—have been giving full-hearted support to the "grape boycott" urged by Cesar Chavez and to the supposed grape strike" behind it. Chavez is director of the United Farm Workers Organizing Committee, AFL–CIO. When it comes to recruiting union members, Chavez is a flop; his UFWOC has recruited amazingly few. But when it comes to mounting a publicity campaign, the man is an undoubted genius. He turned up recently with a bylined piece in Look extolling his non-violent piety.

His "boycott" bumper stickers blossom on half a million Volkswagens. In dozens of parochial schools, such is the gullibility of the nuns, little children compose insulting letters to grape growers as exercises in English. Hippies, Yippies, priests, professors, political figures, and housewives with time on their hands—all of them are whooping it up for the downtrodden grape pickers of Kern County, Calif.

It is a hoax, a fantasy, a charade, a tissue of half-truths and whole fabrications. Within the past 10 days, since Chavez blundered into his first big public relations error, the union's effort has become something more—a brazen, ugly, and undisguised bid for "closed shop" power over the lives of farm workers everywhere.

To swallow the Chavez line, you must believe that grape workers in the Delano area are miserably paid, wretchedly housed, and cruelly treated. You are urged to help feed "hungry children," the victims of the system that denies men a living wage. "At present rates," says an UFWOC handout given to me last week, "a farm worker who is fortunate enough to work 40 hours a week, 25 weeks a year, would earn $2,386."

This is moonshine. The reporter who checks payrolls, goes into the fields, talks with workers, visits their homes, inspects the labor camps, and otherwise covers the story, gets an entirely different picture. The going base wage for grape workers is $1.65 an hour. At 40 hours a week, 52 weeks a year, this would produce annual earnings of $3,432. Yet the hypothetical example has no meaning. This is not how grape workers work.

The typical Delano worker—if there is any such being—is a middle-aged Mexican-American, with little formal education and few skills beyond those of grape and vegetable culture. He has a wife and two or three teenaged children. As a resident alien of 10 years' standing, he must register annually with the Immigration Service. Otherwise, he is free to live his proud, humble, independent life as others do.

Such a worker may have a dozen different employers during the year. He goes where the work is, from one vineyard to another. Thus, there is no such thing as an ordinary "bargaining unit," for the workers move around freely. George A. Lucas, a middle-sized grower, sent out 3,500 W–2 forms on workers last year.

In summer, the work is hard and hot; at other times, it is picnic-pleasant. Families take their lunches to the fields. Last week, I talked at length with one such family of four. With the base wage, plus incentive supplements, they expected to earn about $325 for the week. At harvest time, this doubles. They drive a 1968 stationwagon. A son is in college.

Out in the fields, the workers speak of the Chavez union with fear and contempt. They tell of threatening telephone calls at night, of repeated acts of vandalism and intimidation. They are fearful that beleaguered growers, anxious to end the nationwide boycott, may yet sell them like so many heads of lettuce to the UFWOC, which thereafter would control when and where they worked.

It is this press-gang power that Cesar Chavez is seeking. He wants his union to become the sole source of agricultural workers, under contracts that would forbid the growers to hire any non-union man. This is what the fight is all about and it is incredible that liberals, professing a love for the little fellow, should be helping him toward his goal.

DRUG DETAIL MEN

Mr. McINTYRE. Mr. President, the Washington Post of March 17, 1969, contained an article written by Mr. Morton Mintz concerning the landmark decision of the St. Louis court of appeals in which it held that a drug company's salesmen—better known as detail men—who pay personal calls upon physicians must tell them the bad news about the drugs they are selling as well as the good.

Federal Judge Fred J. Nichol stated:

> Because detail men are the most effective method of promoting new drugs, they also are the most effective method of warning the doctor about recent development in drugs already employed by the doctor.

The court held that the manufacturer in this case knew but failed to use its detail men to tell doctors that the drug involved could cause blindness—and that therefore the company had failed to give a "proper warning."

This judgment concurs with that of the great majority of medical experts who have testified to date before the Senate Small Business Committee's Monopoly subcommittee. In its continuing study of problems in the drug industry the record shows that substantial numbers of physicians are misled by the drug companies' salesmen and by their promotional activities. The sad truth is that the failure on the part of these salesmen to properly inform physicians of the serious adverse side effects of the drugs they are selling has often led to dire consequences and sometimes to needless deaths.

The case pointed out in this article is just one illustration of the dangers in this situation. The committee has hundreds of such examples involving the drug chlorampnenicol, more commonly known under the Parke, Davis trade name of Chloromycetin, on which it has held 9 days of hearings thus far. This potent antibiotic has caused agony and death to untold numbers of people unnecessarily. The drug has been widely overprescribed and misprescribed for any number of nonindicated conditions because, according to the testimony the committee has received, physicians have been misled by the representations of Parke, Davis' salesmen as well as the firm's promotional activities. One heart-rending case which was brought to the attention of the committee was that of a physician who testified that he had given Chloromycetin to his 10-year-old son solely on the basis of the assurances he had received from the drug company's detail man that the drug had no adverse side effects. The boy subsequently developed aplastic anemia and died after a long period of agonizing illness during which he begged his father to pray for his death rather than his life. The committee's files are full of letters indicating this tragic situation has been repeated time after time.

The record is clear: The burden for the misuse of this and many other drugs lies with the drug companies' failure to make certain that the representations of their salesmen and their promotional activities stress the dangers of the use of drugs clearly and strongly.

The health and welfare of the American people must be protected. If the drug industry and/or the medical profession are unwilling or unable to insure that all representations concerning drugs are objective, accurate and competent, then I believe it is time for the Government to act in the public interest.

The findings in this case are significant. They place the spotlight upon one of the most serious problems the subcommittee has encountered to date. I ask unanimous consent that Mr. Mintz's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Salesmen Must Tell Bad Effects of Drugs

(By Morton Mintz)

In a landmark decision affecting patients, physicians and the pharmaceutical industry, the U.S. Court of Appeals in St. Louis held last week that a drug company salesman who calls on doctors must tell them the bad news as well as the good news about the medicine he promotes.

The ruling upheld a $180,000 judgment to a woman who said she was blinded by an arthritis drug.

Ultimately, the decision, which is expected to be carried to the Supreme Court, may change doctor-salesman relationships in ways that will bring a more judicious use of potent prescription drugs.

For years, critics from Capitol Hill and the medical community have complained that drugs potent enough to injure and kill often are prescribed casually and even carelessly because of excessive reliance by the medical profession on detailmen, as the salesmen usually are referred to.

The Appellate Court affirmed a lower court decision that it was not enough for a drug manufacturer to warn of serious side effects in an array of printed materials with which the industry has "inundated" doctors.

Because detailmen are "the most effective method" of promoting new drugs, Federal Judge Fred J. Nichol said. They also would be "the most effective method of warning the doctor about recent developments in drugs already employed by the doctor."

The manufacturer in the case knew—but did not use detailmen to tell doctors—that a preparation called Aralen could cause irreversible blindness. For that reason, it failed to give "a proper warning," Nichol held.

He awarded—and the Eighth Circuit Court of Appeals upheld—a judgment of $180,000 to the victim, Irene M. Yarrow, a Sioux Falls, S.D., mother of four boys who is 50.

Since the fall of 1964, he said in his opinion, "she has been unable to read, sew, cook, drive a car, watch television, or recognize people, or even her loved ones, as she did before."

Aralen is Sterling Drug Co.'s tradename for chloroquine phosphate. The drug won fame as a devastating weapon against malaria. The problems with blindness have involved not the relatively short-term use connected with malaria, but long-term use by victims of other diseases—principally rheumatoid arthritis and a serious skin disorder in which it also has been found useful.

Mrs. Yarrow had an arthritic condition. Starting in January, 1958, she took Aralen, on a doctor's prescription, for 6½ years. In October, 1964, an examination showed a degeneration of cells in the retina of the eyes that resulted in an 80 per cent loss of vision. "The testimony showed that the blindness was caused by a side effect of the drug Aralen," Judge Nichol said.

The record also showed, he said, that as early as 1957, medical publications had suggested a connection between the use of cholorquine and retinal changes that Sterling subsequently reflected this in its literature and in a warning letter to doctors in 1963, and that Sterling "knew or had reason to know that some persons would be injured. . . ."

Saying that Sterling should have used its detailmen to warn doctors, the Judge pointed out that one of the firm's salesmen had introduced Mrs. Yarrow's physician to Aralen in late 1957 or early 1958, and called on him at intervals of four to six weeks thereafter, but "did not bring the side effects of Aralen to his attention."

After Sterling appealed the award to Mrs. Yarrow, the Pharmaceutical Manufacturers Association filed a friend-of-the-court brief saying that Judge Nichol's ruling appears to require drug manufacturers to use their detailmen "to notify personally each of the Nation's 248,000 practicing physicians of newly discovered drug warning information.

"Such a requirement is not feasible or even possible of timely accomplishment by any manufacturer," has "no foundation in law" and would "seriously and adversely" affect each of its members, the PMA told the Court of Appeals. The Association represents manufacturers of more than 90 per cent of the prescription drugs produced in the United States.

Although the Food and Drug Administration has been able to regulate ads in journals and other printed promotional materials, it has no way to monitor the hundreds of thousands of conversations that take place annually between doctors and detailmen to see if the salesmen deviate from the official labeling.

Sen. Gaylord Nelson (D-Wis.), who has held hearings since May, 1967, on prescription drug problems, has put major responsibility on detailmen for Parke, Davis for the continuing massive use of chloramphenicol, a potent antibiotic that has caused a fatal blood disease in hundreds of patients.

Expert witnesses testified that in almost all of the cases the drug, trade-named Cholromycetin, was not prescribed for the uses approved in the official labeling.

At a hearing last September, Nelson said that "the hard, cold, sad fact" is that physicians "in substantial numbers" are "misled by promotional advertising and detailmen, and the proof is in the record abundantly."

THE PROBLEMS OF LOCAL SCHOOL SYSTEMS

Mr. TALMADGE. Mr. President, we who believe very strongly in local school control are not unmindful of the multitude of problems—both education and social—that confront school systems today. Nonetheless, these are problems that should be handled at the local level of government. This is where they can best be resolved in the best interests of everyone concerned.

Federal Government cannot and should not run the business of local schools from Washington. Federal courts cannot do it either without creating more problems than they set out to treat.

Dr. Carl F. Hansen, former Superintendent of Schools in the District of Columbia, knows this just about as well as anyone in the country. He has written for U.S. News & World Report an excellent article entitled "When Courts Try To Run the Public Schools." To bring it to the attention of the Senate, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHEN COURTS TRY TO RUN THE PUBLIC SCHOOLS

(By Carl F. Hansen, former Superintendent of Schools, Washington, D.C.)

(NOTE.—Dr. Carl F. Hansen guided the integration of Washington, D.C., schools in 1954. His work in the transition drew wide praise, in subsequent years, Negro enrollment gained overwhelming predominance. A Negro filed suit, charging "inequalities." A federal judge ordered changes considered dangerous by Dr. Hansen, who chose to retire rather than comply.)

If you live in a small Nevada town—or in one in Iowa or Ohio, for that matter—and your schools are mostly white, you may actually be flouting a court ruling that says that racially imbalanced schools run against the Constitution of the United States.

If your schools have all-white faculties, you may someday be ordered to hire 13 per cent black teachers to make the percentage fit in with the ratio of blacks to whites in the national population.

If you live in a city like Washington, D.C., or Chicago, you may someday have to see to it that the proportion of the poor in any school does not exceed the percentage of the poor in the entire city.

If you refuse to attempt to get a balance between the poor and the nonpoor in your schools through voluntary exchanges across school-districts and even State lines, you may find yourself in contempt of court.

You may find your own child someday inexplicably "volunteering" to ride a bus out of your neighborhood for the kind of social and racial integration some of the nation's leaders think is best for everybody—except possibly for themselves.

If not already current realities, these requirements may ultimately result from the emergence of the doctrine of *de jure* integration.

A new and rather pervasive body of law is being generated by the courts and a limited number of school boards and State legislatures. The effect of this action is to make homogeneous schools either illegal or unconstitutional. In order to reduce homogeneity in school populations, school boards are being required by law to produce plans for increasing racial and social balance in their classrooms.

For much too long this nation lived with *de jure* segregation. Under this immoral and inhumane doctrine, children—and in some cases teachers—were told: "You may not enter this school or that one because of your race." The law stood guard at classroom doors, sifting out blacks from whites and sending each into prescribed educational areas.

Now comes a counterpart rule—that of *de jure* integration. The effect is the same as in the case of *de jure* segregation: The laws again stands guard, admonishing the black child to enter a designated school because his dark skin will improve racial balance there, or instructing a white child to transfer into a black school for the same reason.

One of the more difficult problems about assigning pupils to schools by race is deciding who is white and who is black. For this, someone ought to devise a skin scanner capable of computing racial dominance by measuring skin shade.

In today's admonition against homogeneous schools, you have to think beyond simple race differentials; you are required to weigh the purses of schoolchildren to determine whether they belong to the poor or to the affluent segments of American society. If you are going to enforce mixing of pupils by social and income class, you must find out about the financial condition of their families.

At the base of the doctrine of *de jure* integration is the assumption that homogeneous schools are bad for children. If you want to raise a nasty question, simply ask: "What is the proof that schools with fairly similar enrollments are inferior? Why is an all-white school arbitrarily suspect, or an all-black school written off as worse than useless?"

The earliest example of *de jure* integration is found in the 1954 action of the New York City board of education when it declared that "racially homogeneous public schools are educationally undesirable," and then placed upon itself the responsibility of preventing "further development of such schools" and achieving racial balance in all of its schools.

The action was taken on the advice of social theorists who reasoned that segregation by fact—that is, resulting from the free choice of people—was as bad as segregation by law.

The action of the New York City board of education was followed up in 1960 by the New York board of regents. On the premise that homogeneous schools impair the ability to learn, the regents ordered the New York State department of education to seek solutions to the problem of racial imbalance. It declared:

"Modern psychological knowledge indicates that schools enrolling students largely by homogeneous ethnic origin may damage the personality of the minority-group children. . . . Public education in such a setting is socially unrealistic, blocks the attainment of the goals of democratic education, and is wasteful of manpower and talent, whether this situation occurs by law or fact."

Three years later, the then New York State commissioner of education, Dr. James E. Allen, Jr., now United States Commissioner of Education, sent a memorandum to all State school officials requiring them to take steps to bring about racial balance in their schools. The commissioner defined racial imbalance as existing where a school had 50 per cent or more black children enrolled.

The legislative development of the concept of *de jure* integration has continued: California, Massachusetts, New Jersey, Wisconsin and Connecticut have declared in executive or judicial statements that racial isolation in the schools has a damaging effect on the educational opportunities of the Negro pupils.

In 1965, for example, the Massachusetts legislature enacted a Racial Imbalance Act. Schools with more than 50 per cent nonwhites were required to file with the Massachusetts State board a plan for correcting the condition.

It would be a serious mistake to overlook the role of the courts in establishing the rule that homogeneous schools must be abandoned.

The *de facto* school-segregation decision in *Hobson v. Hansen* explicitly instructed the Washington, D.C., board of education to submit plans for the reduction of imbalance in the schools.

By clear definition, Judge J. Skelly Wright included social class along with race as factors of concern. For the first time a court spoke not only on the unconstitutionality of racial imbalance but of social imbalance as well:

"Racially and socially homogeneous schools damage the minds and spirit of all children who attend them—the Negro, the white, the poor and the affluent—and block the attainment of the broader goals of democratic education, whether the segregation occurs by law or by fact."

Judge Wright overrode the conclusions of at least eight federal courts that had ruled consistently that it is not the duty of a board of education to eliminate *de facto* segregation, provided there is no evidence suggesting the maintenance of *de jure* segregation.

The sweeping Wright decision, however, went far beyond the more common legislative view in such States as New York and Massachusetts that blacks suffer from attendance in predominantly black schools. The jurist in *Hobson v. Hansen* added social-class homogeneity as a factor detrimental to democratic education. In addition, he enunciated the opinion that all children are hurt by homogeneity. In all-white, predominantly affluent schools, therefore, the minds and hearts of the pupils are being damaged for about the same reasons the black children suffer in schools peopled by their own race.

If the rule requiring integration by social class prevails, every public school in the nation is subject to its effect. Even predominantly Negro school systems like the Washington, D.C., unit will be confronted with a redistribution of its pupils along social lines, if the literal meaning of the Wright opinion is observed. In the nation's capital, with about 94 per cent Negro public-school enrollment, more than 10,000 secondary-school students were reassigned in one year to bring about better social balance in the schools. Thus, *de jure* integration by class as a doctrine is already in partial effect in at least one major school system.

The conclusion that socially homogeneous schools must be destroyed rises from an increasing stress upon the theory that social class determines the quality of education. If the only way to improve achievement among lower-social-class pupils is to integrate them with higher-income pupils, a vast manipulation of school populations is in prospect. It would require a kind of despotism the world has not yet experienced, for enforcement is inevitable where the people do not volunteer.

It is difficult to believe that freedom can survive when government seeks to control the social and racial dispersement of the people—speaking, as it does so, the line: "This may hurt, but it will be good for you."

The judicial movement toward full development of the *de jure* integration doctrine was accelerated by the United States Supreme Court in three decisions issued in May, 1968. These are the Kent County, Va., the Gould, Ark., and the Jackson City, Tenn., opinions requiring the school boards in these communities to abandon their freedom-of-choice plans for desegregating their schools.

In these opinions, the Supreme Court declared that, in States where the schools were previously segregated by law, school boards must assume an affirmative responsibility to disestablish segregation.

In Jackson City, Tenn., for example, it was not enough to set up school zones on the neighborhood principle, at the same time allowing pupils to choose to attend schools outside those zones if space existed in them. Under this plan, formerly all-white schools received significant numbers of black students. Because, however, white students refused to attend or to elect to attend all-Negro schools, the Court was dissatisfied with the freedom-of-choice plan. The presence of all-Negro schools became clear evidence of intent to preserve segregation as it existed before 1954.

Not only must the Jackson City school authorities by the force of law require white children to attend formerly all-Negro schools, but they must also enforce faculty mixing by arbitrary assignment of personnel on racial lines.

The Supreme Court's disestablishment doctrine is the principle of *de jure* integration applied to those States in which segregation by law existed prior to the 1954 *Brown* decisions. This position—quite heavily burdened with patent discrimination against a group of States—is after all only one step removed from a decision requiring all States to disestablish segregation, whether this occurs by law or fact.

De jure integration, in summary, applies currently in those States and in those school districts where the local legislative bodies have enacted legislation establishing the new doctrine. It applies specifically to the District of Columbia, where the Wright opinion required the board of education to prepare plans to reduce homogeneity by race and social class.

Directly and unequivocally, the doctrine has been invoked by the Supreme Court of the United States in its disestablishment ruling applicable to jurisdictions formerly segregated by law. As has been said here, this step is the precursor of a ruling requiring local and State boards of education to disestablish *de facto* segregation as well.

"A THREAT TO PUBLIC EDUCATION"

The most damaging aspect of the *de jure* movement is that its proponents must discredit predominantly white schools—of which there are many throughout the country—and predominantly black schools, whether they exist in large cities like New York or small ones like Drew, Miss. Out of the attack on public education needed to establish an enforced abandonment of homogeneity by race or class has come a threat to public education that promises to bring down the walls of this primary citadel of democracy.

Hardly a school system anywhere with racial imbalance has escaped a scathing attack by those bent on achieving a millennium through the simplistic step of requiring racial balancing either by legislative or judicial action. Trace the anti-public-school sentiment in recent years to its source: You will discover—as in the case of the Washington, D.C., story—a sequence of attack, discredit, weaken; a strategy for imposing racial and social-class mixing through the winning of legislative and judicial support.

The danger in the drive for legislative and court actions to make integration the law of the land—here meaning the artificial management of persons to establish racial and social-class mixing—is the imminent destruction of confidence in public education.

As important as the hazard to public education is the fact that, in any case, *de jure* integration does not work.

The policy of the New York City board of education requiring racial balance produced overwhelmingly negative results. It left a trail of school disruptions, protests, boycotts and sit-ins. In the meantime, whites left the schools at an increasing rate.

In 1964, an official study group stated:

"No act of the board of education from 1958 through 1962 has had a measurable effect on the degree of school segregation. . . . Not a single elementary or junior high school that was changing toward segregation by virtue of residential changes and transfers of whites into parochial and private schools was prevented from becoming segregated by board action."

Four and a half years ago, the New York City board of education paired two schools—one mostly white, the other Negro. The promise made to the parents was that a race ratio of 65 per cent whites and 35 per cent blacks would be maintained in each school. Today—that is, in early 1969—the white enrollments are down to about 35 per cent in each of the two schools.

The Gould, Ark., experience is further proof of the futility of attempting to apply the doctrine of *de jure* integration. The community paired its two small schools last autumn. As a result, all but 50 of 250 white pupils withdrew. The authorities there estimate that in the coming school term the white enrollment will fall to no more than 20 pupils.

Washington, D.C., is an example of very rapid changes in race ratios over a period of a few years. From 1950 to 1967, the white school membership dropped from 46,736 to 11,784, while the black membership jumped from 47,980 to 139,364.

Enrollment figures show that formerly all-white Washington, D.C., public schools invariably moved to 75 per cent black membership two years after the 50 per cent point was reached. In each such school, the black membership quickly moved thereafter to 99 per cent.

The new and important discovery was that when a formerly all-white school approached 30 per cent black membership, the rate of change increased. Within two years, the black membership reached the 50 per cent point, from which it moved to 75 per cent within the next two years. The important finding is that the starting point for rapid white exodus is 30 per cent.

A police state with unlimited enforcement power will be needed to implement integration if it is required by law.

It is inviting to speculate about the ultimate possibility of an enforced integrated society. The next step may be to set up quotas for neighborhoods, so that the number of poor will be proportionate to their total number in the community. New homes funded by federal loans may, under a policy of social integration, be sold on schedules determined by the ratio of whites and blacks, Jews and non-Jews, Protestants, Catholics, agnostics and atheists in any community.

Out of the intervolutions from which the doctrine of *de jure* integration comes, two findings emerge with clarity:

One is that palpable preservation of *de jure* segregation anywhere—whether in schools, employment or housing—is morally wrong. The counterpart of this principle is that *de jure* integration is equally questionable.

CREATING "THE HOMOGENIZED CITIZEN"

The second main finding resulting from an analysis of the enforced mixing of people by race and class is that what is most desired is the "integrated man" made up of proportionate parts of every ethnic group and of the several religious and cultural components of American society. The homogenized citizen thus created is a dangerous change from the historic individualism which, with its supportive pluralism, has been this nation's major source of strength.

The melding, blending process inherent in the concept of *de jure* integration may destroy the dream of a free society. A development of such significance, therefore, deserves the most careful study and evaluation.

INVESTIGATION OF WILDLIFE ON SAN MIGUEL ISLAND FOR EFFECTS OF OIL POLLUTION

Mr. CRANSTON. Mr. President, many Californians were saddened and angered recently by stories of elephant seals and sea lions dying on the beach of San Miguel Island, apparently the victims of the oil scourge which has afflicted the California coast at the Santa Barbara Channel. Because the various reports were often contradictory, the California office of the American Humane Society requested my assistance in sending a veterinary specialist to inspect San Miguel. The island is operated by the U.S. Navy and is not open to the public. With the cooperation of the Commander of the Pacific Missile Range at Point Mugu, Calif., Dr. James L. Naviaux, Director of the National Wildlife Health Foundation, headed an inspection team to the island on Wednesday, April 16.

Mr. President, I ask unanimous consent that Dr. Naviaux's report on his findings be printed in the RECORD. I was delighted with his finding that the marine mammals he inspected on San Miguel showed no signs of injury from the oil pollution. Apparently the deathlike repose of the pinnipeds confused the less skilled observers who were reported in the earlier stories.

This good report should not diminish our concern with the disastrous effects of the oil slick. The Santa Barbara Channel remains a tragic chapter in the story of man's mismanagement of nature.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Subject.—San Miguel Island Wildlife Evaluation—April 16, 1969.

Purpose.—To survey and evaluate the condition of the wildlife on the Island as to the effect of the crude oil water pollution from the Santa Barbara Channel for a report to Senator Alan Cranston's Office, Washington, D.C.

Party.—Dr. James L. Naviaux, Director, National Wildlife Health Foundation, Pleasant Hill, California; Mr. Donald E. Hansen, Veterinary Student and assistant Davis, California; Mr. Mel L. Morse, President, Humane Society of the United States, Washington, D.C.

This party was joined by the following government officials at Pt. Mugu and accompanied to San Miguel Isl.

Mr. Vernon Appling, Chief Ranger, Channel Island National Monument, Oxnard, California; Dr. John Simpson, Veterinarian attached to Navy Undersea Research Pt. Mugu, California; Mr. William Russell, U.S. Navy Public Affairs Office Point Mugu, California.

Method.—The party was transported to San Miguel Island via a Navy helicopter, landing near the Northwest Coast of the Island at approximately 1100 hrs. This was the area where the heaviest concentration of oil pollution to the beach had occurred. The day was clear and sunny, with only a slight cool breeze. The three veterinary personnel then proceeded towards the beach and in about 100 yards came upon large groups of elephant seals (Mirounga sp.) in groups of 25 to 150 each. We then proceeded in among the animals to observe them for signs of oil pollution and/or indication of illness or signs of stress. While many of these elephant seals made slow continuous movements of flipping sand up over their bodies as they lay quietly in the sand, many lay quite motionless as in a deep sleep. In order to determine their alertness and general state of well-being, many were gently prodded by foot to evaluate their response to this stimulus. The typical response would be the reluctant opening of the eyes and turning back in a threatening, open mouth motion, but with little indication of desiring active aggression. When prodding was pursued to further evaluate their ability to respond, the animals would make further aggressive gestures or would move away in an up and down undulating movement across the sand. In an attempt to obtain further clinical evidence of the general condition of these animals, approximately ten were tested for body temperature, rectally, with an electric thermometer. The individuals selected for this testing either appeared in a very deep sleep (6), ill (1) or had evidence of oil pollution on their bodies (3). Only the one male (approx. 300 lbs.) that clinically appeared sick and lethargic had a variation from the normal body temperature of 95 degrees, which had a temperature of 100 degrees. This animal had many small bite wounds and an injured cornea. He was treated with antibiotics by injection and the eye was treated with an antibiotic eye ointment. The six sleeping elephant seals gave very little resistance to the temperature taking procedure, but were quite able to move out when stimulated to do so.

Of the three tested that were polluted with oil, one had approximately 65% of its body covered with oil (only a light coat), none had any variation from the normal body temperature nor did any show any signs of distress from what oil they had on them. In the course of our approximate three hour visit to the Island, most all of the oil-fouled Northwest coast area was walked to note any and all wildlife there.

Observations.—No sick or dying animals were found except the one noted and treated with bite wounds. Approximately 15 dead elephant seals were found along the beach area, none of which were fresh. Some evidence of oil was seen on them, but this number of dead does not seem above what might be expected among such a population. Only two dead California sea lions (Zalophus sp.) were seen, but a very large number (75–100) of aborted fetuses were noted among the rocks and along the beach. This would constitute an "abortion storm" in any other species and would indicate the need for some research into the problem. Mr. Appling verified that such abortions had been noted in prior years. A fetus was brought back to Pleasant Hill for studies. Most of the sea lions observed immediately entered the water as they were approached, would swim actively and showed no evidence of any problem, though there was still a sign of a light oil slick out off shore where many sea lions were swimming. The beaches and rocks that were observed in the affected area showed only a thin coating of crude oil and not the thick gooey coating as was previously reported earlier in the same area. A small number (4) of sea gulls were noted with very light pollution. No dead birds were observed.

Conclusion.—From the observations made, there is no evidence that any of the wildlife at San Miguel Island are showing harmful effects from the crude oil at this time. However, one can only conjecture to what real damage the crude oil has done in terms of stress factors, total mortality and disruption of the ecology of this pinniped habitat. Because of the Foundation's interest in conservation and wildlife, we greatly appreciated this opportunity to make this first-hand observation of conditions there at San Miguel Island and to treat the one individual that needed some help. We would also be more than happy to offer our services and medical help in any future problem affecting the health of wildlife.

INTELLIGENCE-GATHERING PLANES

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD columns written by Carl T. Rowan and Max Lerner and published in the Evening Star of April 23. Both articles deal with the recent incident involving the loss of an EC–121 intelligence-gathering plane over the Sea of Japan.

With these writers, I applaud the restraint shown by our President in response to this provocation, agreeing that such intelligence work must go on because it provides necessary information.

There being no objection, the articles were ordered to be printed in the RECORD as follows:

[From the Washington (D.C.) Evening Star, Apr. 23, 1969]

SPY PLANES HARVEST CRUCIAL ENEMY DATA

(By Carl T. Rowan)

With about as much grace as possible. President Nixon has swallowed his campaign braggadocio about what he would do if "a fourth-rate military power" like North Korea confronted him with a Pueblo attack.

Nixon has made it clear that the shooting down of an unarmed U.S. reconnaissance plane was actually a more brazen affront than was the seizure of the USS Pueblo. He told a press conference Friday of two basic differences in two incidents: 1. There were doubts for some time as to whether the Pueblo had entered North Korea's territorial waters, but there was no doubt whatsoever that the plane was always at least 40 miles from North Korea. 2. The North Koreans had warned previously about operations of the Pueblo, but there had been no warnings about the flights although 190 of them had occurred previously this year.

Why, then, did the President not order a military reprisal for an attack that he characterized as "unprovoked, deliberate, and without warning"? Why did he gulp down the bold words he used in ridiculing President Johnson's "weak" response to the Pueblo seizure, covering it only with the lame hint that he might still respond militarily?

The answer is simply that Nixon felt he could not risk reopening the Korean war when his top priority chore is to extricate the United States from the Vietnam war. He sensed that he would not have solid U.S. backing for military retaliation, not only because Americans don't want another war in Asia, but also because millions of Americans have misgivings about sending out "spy ships" and "spy planes."

Since Francis Gary Powers' U2 plane was shot down over Russia in 1960, millions of Americans have harbored notions that these missions are merely dangerous cloak-and-dagger activities by fools and warmongers. Nixon listed "protection of 56,000 American boys in Korea" as his reason for ordering surveillance flights resumed around North Korea. It is too bad he or someone does not tell the American people more of the whole truth about why such "spy flights" are necessary.

The public has never been told the true significance of the U2 flights in that extraordinary venture that was code-named Project Chalice.

Some Americans still ask why the Eisenhower administration "blundered" by authorizing the ill-fated Powers flight of May 1, 1960, only a fortnight before Eisenhower was to meet with Soviet Premier Khrushchev.

The truth is that previous U2 flights had provided some crucially important information about the Soviet military posture.

Powers had flown 28 successful U2 missions prior to his ill-starred flight, only two of which had been directly over the Soviet Union. These flights, plus "Mission 4155" which was flown on April 16, 1960, caused the American government to revise completely its "national estimates" as to the military capability of Russia.

After U.S. experts analyzed the U2 photographs they concluded that they had been grossly wrong as to the location and number of Soviet military bases, aircraft, and missiles.

The Strategic Air Command did a complete re-targeting of the Soviet Union on the basis of the more accurate information provided by the U2s.

Thus these flights contributed immeasurably to the security not only of the United States but of Western Europe, which felt directly threatened by Soviet rockets.

Why the ill-fated Powers mission? Earlier flights had revealed three Soviet military installations about which the United States felt an urgent need for more information.

So, after the U2 flight of April 16, U.S. military and intelligence experts gave top priority to a Soviet installation known as Polarnyy Ural, second priority to an installation known as Kysthyn-Kola, and third priority to a Soviet base in the Carpathians.

Francis Gary Powers was out to get new vital information on any or all of these installations when his plane was rocketed down, creating an international furor that was to last for years.

Spy satellites now gather much of the data that the U2s provided. But there is still a vital role to be played by ships and planes loaded with fantastically sensitive electronic data. That is why the Soviets keep electronic trawlers around the U.S. and in other key parts of the world.

Sometimes the information gathered helps to maintain peace in periods of stress. During the June war of 1967 President Nasser of Egypt and King Hussein of Jordan issued a false report that U.S. aircraft were helping the Israelis—a report probably designed to bring the Soviet Union into the fray. But because of their intelligence gadgets, the Russians knew that Nasser and Hussein were lying. So they stayed out of the war, as did the United States.

Planes like the one shot down can provide the kind of information about "enemy" missile shots and aircraft takeoffs that add up to the "intelligence" that a country must have in deciding issues like whether to build an antiballistics missile system. They provide frequency information essential to jamming enemy radars should we ever have to try to get "second strike" bombers in.

So the spy flights will continue—because the President has concluded that they are worth whatever risk, whatever crisis, may be involved.

EC121: Caution Served With Crow

If Richard Nixon has a feel for irony (which you'll have to answer for yourself) it must be registering pretty strongly at this moment of history. Anyone who was at the Miami Beach convention will recall how the Republican presidential nominee sent the American eagle screaming at Lyndon Johnson's craven betrayal of the Flag in failing to act swiftly and strongly on the *Pueblo's* seizure.

The trouble with being in power, instead of on the outside, is that it takes a fireman, and all too often in global politics the fireman gets to the scene after the fire is over. That is what happened when the EC121 "reconnaissance" plane—call it an intelligence interceptor craft, an air version of the *Pueblo*—was shot down in the Japan Sea by the North Koreans. During the campaign Nixon promised there would be no fire next time, and if there were he would put it out posthaste. Well, there was, and he couldn't and didn't.

I'm not complaining about Nixon's caution. In fact, I like it in this case. I just hope the irony of it, and the cheeky brazenness of all the spread-eagle campaign drivel, isn't lost on the nation. Caution in reacting to Communist provocations like this one makes sense, especially when you can't do anything fast without overacting, and also if the caution is linked to boldness in trying to end the larger Vietnamese war whose priority has made the caution necessary.

To the families of the 31 crewmen who died, it won't be any consolation to be told that while they were serving a Great Power it can exact no redress or revenge because even a Great Power is helpless in the sea of world circumstance. That is one of the facts of life that all of us must live with.

Was the North Korean act a mindless provocation, a natural response to intolerable espionage from the air, or quite simply a calculated gamble? We won't know until we have more facts about the EC121's mission and how much sense it made, and especially whether the plane was (as Washington has claimed) at least 50 miles from the Korean air space.

If it was in fact that closer to that air space, then Nixon and his military decision-makers must take the consequences that every espionage system must take—of getting caught. If in fact it was far outside Korean air space, then shooting it down was a provocative act.

Assuming it was such an act, what makes the North Koreans so rancorous, almost to the point of savagery? No nation likes to be spied upon, whether by agents or electronics, but most governments have made their peace with it, or at least an armed truce. What really bugs Pyongyang, if I may risk the play on words, is not the actual bugging but the knowledge that the Seoul regime to the South is getting stronger every year and the South Korean prosperity greater.

No insult is deeper than the spectacle of a hatred rival flourishing. In the cankered joyless world in which the more fervent and fanatical Communists live, the support of the anti-Communist Seoul regime by Americans is a continuous provocation in itself, and the very fact of the immensity of American power is an obscene reversal of the world as it should be.

Seen from this angle every American "reconnaissance" plane is fair game. Shooting one down and sending its freight of human beings to the bottom of the sea is a way of shooting a barb into the tough or tender skin of the American colossus.

Shooting, moreover, with relative impunity. That is what Americans will have to live with for some time, and if they want to minimize their grief and frustration they had better demand a restructuring of the military intelligence services.

If a diplomat (as we are told) is sent abroad to lie for his country, then a "reconnaissance" plane is one sent abroad to spy for its country. A lumbering propeller-driven plane like the EC121 becomes a kamikaze plane, on a suicide mission, unless it is itself watched over by speedier fighters. Either these missions ought not to be attempted, or they ought to have their risks reduced. If this plane was in fact on a "routine" mission, then the routine had better be revised to include air cover.

While a weak nation may have the privilege of being rash (as State Secretary Rogers has told the American people) it doesn't follow that a strong nation must give its military bureaucracy the privilege of being sloppy.

NOMINATION OF MARSHALL GREEN AS ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS

Mr. PELL. Mr. President, I believe the United States is particularly fortunate in having Marshall Green appointed as Assistant Secretary of State for East Asian and Pacific Affairs.

I say this not just because he has been a respected friend of mine for almost 30 years, but because he has an expert knowledge, sensitivity, and judgment for the area of which he has been charged.

I have heard him give a briefing that was in my view the best briefing we have ever received in the course of my years in the Senate.

His appointment is an excellent one, and the administration is to be congratulated on it.

THE 25TH ANNIVERSARY EDITION OF MAGAZINE HUMAN EVENTS

Mr. THURMOND. Mr. President, the magazine Human Events, the well-known journal of political commentary, has celebrated its 25th anniversary with a special issue filled with interpretative articles on the current scene. This anniversary is a remarkable one because it indicates the durability of the principles for which Human Events stands. For 25 years, this magazine has unswervingly dedicated itself to the ideals of constitutional government and conservative political action. It is no secret that over this period Human Events has been bucking the trend in the world of journalism and atuning itself more to the philosophy of the grass roots of the American people than to the supposedly sophisticated power centers of politics.

The anniversary issue is illustrative of the high quality of Human Event's journalism. Its editors and publishers can be proud of their record and can look forward to a brighter future.

Mr. President, the Charleston News and Courier recently published a special salute to Human Events in the form of the lead editorial on that newspaper's distinguished editorial page. The News and Courier says:

> Twenty-five years of pioneering by conservatives such as the editors of *Human Events* is beginning to pay off in a more thoughtful public approach to politics and ideas.

Mr. President, I am pleased that one of the leading newspapers of my State has paid this tribute to Human Events. I ask unanimous consent that the editorial, entitled "Human Events At 25," published in the Charleston News and Courier of Thursday, April 10, 1969, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Human Events at 25

Publication of a special 25th anniversary issue of Human Events, a magazine of political commentary, serves as a reminder of the rebirth of American conservatism in the last quarter century.

The conservative outlook has deep roots in American history, having such diverse 19th century spokesmen as John C. Calhoun of South Carolina and Fisher Ames of Massachusetts. By 1944, when Human Events was founded as a Washington newsletter, conservatism seemed to be going the way of the dodo bird. Franklin D. Roosevelt had been elected to an unprecedented third term as president. Contemporary spokesmen of intelligent conservatism were few, and almost without outlets. Liberalism in all its forms, from the mild socialistic variety to varieties closely identified with Marxism, was blooming.

Today, a vastly different situation exists. The man in the White House, if not a full-fledged conservative on every issue, is strongly influenced by conservative ideas. The White House staff includes at least one well known young conservative theoretician, Dr. Richard V. Allen. Whereas conservatives hardly would have been allowed in the White House a few years ago, today they are welcome.

M. Stanton Evans, editor of The Indianapolis News, chronicles "The New Conservative Era: A Generation of Growth," in the 25th anniversary issue of Human Events.

"Political change," he notes, "is seldom unilinear and neat, and the Republican-conservative transformation since '44 has occurred as a series of ebbs and flows rather than as a single decisive thrust."

But there is abundant evidence of conservative growth and influence.

California, the most populous state in the Union, has a strongly conservative chief executive in Ronald Reagan. The Republican Party has had a major transfusion of Southern conservatism. Conservative youth groups, such as Young Americans For Freedom, are flourishing.

Perhaps the most important long-range development is emergence of conservative journalists and thinkers, authors such as William F. Buckley Jr., James J. Kilpatrick, Dr. Russell Kirk, Holmes Alexander and John Chamberlain—several of them contributors to The News and Courier as well as to Human Events.

As yet, conservatives don't predominate on college campuses. They don't play a leading role in the New York book world. But conservatives can no longer be safely ignored by liberals. The liberal presidential candidate failed last November.

In the battle for the mind of the rising generation, conservatives aren't faring badly, though peaceniks and militants grab the headlines. The middle class is continuing to move along the conservative path. Members of the big industrial unions are beginning to act more and more conservative.

Twenty-five years of pioneering by conservatives such as the editors of Human Events is beginning to pay off in a more thoughtful public approach to politics and ideas.

EXPERIMENT IN FREE FORM EDUCATION

Mr. TYDINGS. Mr. President, perhaps the "School for Beggars" in Peter Wiell's "Three Penny Opera" was not the most highly accredited or the most prestigious school in 18th century London. But then again it may have been the most relevant and practical school in its time. The disparity between material taught in high schools and colleges and the knowledge that is needed to meet the exigencies of life in America today is clearly one of the underlying causes of the turmoil and disturbance on college campuses and in high schools. This very problem of making learning relevant and applicable to modern life is reshaping our concepts of both the purpose and the procedures of education. Technological education, language labs, work-study programs, oversea seminars, computerized classrooms, and educational television are all attempts to solve this problem of making education meaningful to the students.

A most creative and successful experiment involving students and teachers in new learning situations was recently conducted at Walt Whitman Senior High School in Montgomery County, Md. The project, which was called "EFFE" short for Experiment in Free Form Education, was created, planned, and organized by students of Walt Whitman High.

The weeklong program that ran from March 24 to March 28 gave each student the option of spending the 5 days working in one of three different programs. The first phase of the program consisted of a regular study schedule but the regular classes were replaced by 140 courses that included subjects as "Comparative Religion," "Electronic Music," "Marine Biology," "Nuclear Reactor Technology," or a weeklong French seminar in Quebec, Canada. Students were able to chose courses that interested them or they could remain home if they liked.

The second possibility open to the students was an independent study program to be designed and executed by the individual students. One girl spent the time building a harpsichord, two boys rebuilt a Volkswagen, several others conducted chemistry experiments, and other worked on term papers.

The third phase of the Experiment in Free Form Education was called the work experience. The EFFE committee arranged 60 different weeklong job experiences with newspapers, research companies, schools, and community action programs. As part of this phase, four girls spent 3 weeks working in my office, from March 24 to April 11. Joan Bailey, Betsy Dotson, and Joyce Hoke are juniors at Walt Whitman, and Debby Marney is a senior. They all agree that the EFFE has been the best part of the school year. The girls hope the success of the experiment will encourage similar programs in following years and that the school's curriculum, scheduling, and teaching techniques will be influenced by the experiment.

In appreciation to the girls who worked in my office and in hopes that other schools will try similar experiments, I ask that an article published in the Washington Evening Star of March 25, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RELEVANCE IS THE WHITMAN "CLASSWORD"

(By Barry Kalb)

Here's a very contemporary riddle: What do sex education, world protest, the hazards of night driving, current trends in the Catholic church, the stock market, the draft, Balkan Kolo dancing, marijuana and the way a football game should be watched have in common?

A very contemporary answer: They're all relevant.

At least the students at Walt Whitman High School in Bethesda think they're all relevant to the students at Walt Whitman High School.

Among complaints that have cropped up most frequently in student protests of late are that the current course offerings—such as earth science and trigonometry—have no meaning for the student, or that they are just plain boring.

Whitman students were given the opportunity to outdo professional curriculum designers. The result of their efforts, including the above courses, began yesterday and will run through Friday under the title, "An Experiment in Free Form Education."

But this is no protest, and the students had the full blessing of the administration, faculty, PTA and county school board in their endeavors.

"We didn't sit down and say the school system is tearing us down, and hurting our minds, and we hate it, and therefore we're doing this," explains Lance Dublin, a student and prime mover behind the program.

"Obviously, the school has done something for us, or we wouldn't have this," he continued.

The whole thing began back in October with a few students and a couple of teachers talking about new ideas in education. The idea for EFFE quickly took shape, Dublin says, and in December, the school was presented with a proposal for the experiment. Students were polled as to what courses they would like to have taught, teachers were recruited to help plan and eventually teach the experimental courses, and parents—"the parents were fantastic," Dublin says—pitched in with advice and special parttime jobs.

The courses are of two major types: Those that are completely new, such as the seminar on "What It's Like to Be a College Professor," and regular courses that "aren't being taught the way they are normally."

In addition, 268 of Whitman's 2,200 students are spending the week on special work study programs, doing such things as teaching school, working for United States congressmen, learning how a newspaper is put together, and working at the Montgomery County Board of Education in Rockville.

Courses are non-graded and attendance is optional.

In the class called "Honest to God Debate," a visiting priest—Dublin says more than 250 outsiders volunteered as teachers and speakers—was asked by a boy:

"Can I ask you a question, sir? When you say 'God,' what do you—I'm not asking you to defend your faith—but when you say 'God,' what do you mean?"

In "Four Modern Underground Writers," a young teacher with a beard and muddy boots and a peace symbol around his neck instead of a tie read excerpts from Norman Mailer's "The Siege of Chicago," and told his students:

"If you remember that as a human being you have the potentialities to do harm to people or to concur in doing harm to people, you may not be so quick to condone some of the atrocities that are committed in your name."

REPEAL OF TITLE II, EMERGENCY DETENTION PROVISION, INTERNAL SECURITY ACT OF 1950

Mr. MURPHY. Mr. President, as a cosponsor of S. 1872, I am pleased to support the measure, which would repeal title II, the emergency detention provision, of the Internal Security Act of 1950. Under title II of this act, the President of the United States is given the power to declare an "internal security emergency" when any of the following events occur: First, an invasion of the United States; second, a congressional declaration of war; and, third, an insurrection within the United States in aid of a foreign enemy.

After the occurrence of one of these events the President makes the act operational by proclaiming an internal security emergency. Thereafter, the Attorney General may apprehend and detain any person where there are "reasonable grounds to believe that such person will engage in or probably will conspire to engage in acts of espionage or sabotage." While title II, enacted in 1950, obviously was not responsible for, it nevertheless reminds us of one of the sorriest chapters in all of American history. I am, of course, referring to the relocation of 110,000 American residents, 70,000 of whom were U.S. citizens by birth, during World War II. Their sole crime was their Japanese parentage. These Japanese-American residents and citizens were apprehended and moved from their homes to "relocation centers." This action was contrary to America's tradition and its constitutional procedures. Yet, Japan had made its "infamous" attack on Pearl Harbor, the United States was at war and emotions, not reason, were the order of the day. Certainly, both history and hindsight without doubt reveal that the facts did not justify the actions.

Japanese-American residents were loyal citizens. In fact, the record of the all-Nisei famous go-for-broke, 442d regimental combat team in Europe during World War II, in writing one of the outstanding and courageous chapters in our military annals and our Nation's history, stands in marked contrast to the sorry and dark chapter our Government was writing in connection with the go-for-broke combat team's family, friends and relatives in the United States. Similarly, the Japanese-Americans served with distinction in the Pacific Theater. Here, we are told, they did primarily "combat intelligence work." Reportedly, Gen. Douglas MacArthur said that the Japanese-American's service in the Pacific shortened the war by 2 years and thus prevented the loss of many additional American lives.

Despite this unjust and regrettable treatment, Japanese-American citizens today are not bitter. They still have faith and pride in the American way of life. Senator INOUYE, the author of this amendment, certainly is a good example of the accomplishments of American citizens of Japanese ancestry. After a distinguished war record, he was elected to represent the State of Hawaii in the U.S. Senate. Thus, the accomplishments of Japanese-Americans in all areas of American life show they have won equal treatment and respect that our Government disgracefully denied them in World War II.

So, Mr. President, title II of the Internal Security Act clearly is not needed. It should never have been placed on the books in the first place.

I am most optimistic that we have a good chance of repealing title II this Congress. It is my understanding that the Senate Judiciary Subcommittee on Internal Security has unanimously recommended its repeal to the full Judiciary Committee. This action by the Judiciary Committee, coupled with the interest as evidenced by the measure introduced today, will, in my judgment, result in title II's repeal.

While this experience indicates that government abuse may occur even with a great free government like ours, nevertheless, it also reveals the strength of our system and its ability to correct abuse. California was the home of this controversy. In California today, however, there is no better example of the distance we have come since the wartime discriminating treatment against Japanese-Americans. Japanese-Americans today are among California's most distinguished citizens. They hold public office, they are successful in business, in education, in science, in the health professions, and in all other areas of human endeavor. They are an important part of California and California is an important part of them.

That the suspicion, that the hostility that existed, can be erased in such a short span is encouraging to a nation that has people problems, and to a world that so desperately wants and searches for peace and understanding.

EQUALITY IN EMPLOYMENT IN FEDERAL AGENCIES

Mr. CURTIS. Mr. President, I invite the attention of the Senate to a highly commendable approach which Federal agencies located or headquartered in Nebraska have been taking to achieve equality in employment within their own establishments.

The Equality in Employment Committee of the Federal Executive Association of Omaha and Lincoln has been working diligently and constructively for several years to increase minority employment in the association's member agencies.

The efforts have received wide cooperation within the agencies but have not been heralded publicly.

They have been conducted in close harmony with minority groups located within the area served.

The committee has just published a report which summarizes the work done and the achievements made by each agency.

I believe the report reflects an approach which sets an example for Federal agencies in their activities throughout the Nation. For this reason, I ask unanimous consent to have printed in the RECORD the text of the report, to show not only what has been accomplished in Nebraska but what can be accomplished everywhere through such efforts throughout the entire Federal Establishment.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

HIRING AND UTILIZATION OF THE MINORITIES BY THE FEDERAL AGENCIES IN THE OMAHA-LINCOLN AREA

I. FOREWORD

The need for a summary of the job opportunities for minorities in our area is self-evident. Federal executives are well aware of the struggle in this nation to find tolerance and opportunity for our underprivileged. This report tells us how we stand today. I believe any knowledge gained by summarizing the work situation of our minorities in the Omaha-Lincoln area can be useful to all administrators, whether they work in private industry or government.

Aside from the facts and figures and the success stories in this booklet, this report is a way to show that the federal agencies have a deep commitment to leadership in the recognition of the fact that every American should have a fair and equal chance to gainful and productive employment.

"Employment and Utilization of the Minorities by the Federal Agencies in the Omaha-Lincoln Area" was prepared by the Federal Executive Association Equality in Employment Committee. Contributions to the report were made by Federal Executive Association members on a strictly volunteer basis. (Colonel William H. McKenzie III, Omaha-Lincoln Federal Executive Association President.)

Statement by the Chairman of the Equality in Employment Committee:

"It has been a distinct pleasure for me and members of my staff to develop a clear picture of the Federal equal employment opportunity program in the Omaha-Lincoln area. I am a firm believer in and an active promoter of the idea of total equality for all Americans."

Equality in Employment Committee

The Equality in Employment Committee of the Omaha-Lincoln Federal Executive Association is composed of Colonel Edward A. Crouchley, Base Commander, Offutt Air Force Base, Nebraska; Thomas E. Mason, Executive Officer of the Interagency Board of U.S. Civil Service Examiners, Civil Service Commission, Omaha; and Dr. J. Melvin Boykin, Director, Veterans Administration Hospital, Lincoln.

II. AGENCY REPORTS

Civil Service Commission, Omaha

Interagency Board of U.S. Civil Service Examiners

The Civil Service Commission office, located in the Federal Building in downtown Omaha, is responsible for recruiting and examination for all executive branch agencies in Nebraska and Pottawattamie County, Iowa. The Commission office also houses the District Interagency Board of U.S. Civil Service Examiners which has the legal responsibility under an executive order for overseeing the Equal Employment Opportunity Program for federal employees in the area. With responsibility for seeing to minority hires, Interagency Board officials attended countless meetings with minority group representatives and federal agencies. Two of the five full-time members of the Interagency Board are minority group employees.

Department of Agriculture

Agriculture Stabilization and Conservation Service

With very few Negro farmers from which to recruit in the Midwest, Department of Agriculture agencies operating in the State of Nebraska have experienced difficulties in making extensive hires of minority group employees. In an effort to improve the situation, the Agriculture Stabilization and Conservation Service office in Lincoln has contacted minority group organizations in the Omaha and Lincoln area to tell of employment opportunities, qualifications for employment and information concerning examinations. The Agriculture Stabilization and Conservation Service has set an inner-office goal for hiring minority employees, and in the future will participate in the Youth Opportunity Corps Program in an effort to develop qualified employees. There are no minority group employees on the payroll.

Soil Conservation Service

The Soil Conservation Service office for the State of Nebraska in Lincoln has had success in hiring minority group employees. The Soil Conservation Service for Nebraska has an Equal Employment Opportunity plan of action entitled "The Annual Plan of Progress." The Lincoln Soil Conservation Service also makes use of the Civil Service Commission's Maximum Ultilization of Skills and Training (MUST) Program. Under the MUST Program, the Lincoln-based office reports re-engineering two positions at the trainee level for minority group members including one civil engineer and one office machine operator. Minority group employees constitute two percent of the total workforce.

Department of Air Force

Offutt Air Force Base, Nebraska

Civil Service employees at Offutt Air Force Base, Nebraska, work shoulder-to-shoulder with uniformed members of the United States Air Force to help carry out the Strategic Air Command mission of preserving world peace by deterring aggression. With over 2500 employees, Offutt utilizes a number of programs aimed at insuring that each individual, regardless of race, creed, color, or national origin, be given equal employment opportunity. Members of minority groups comprise 13.5% of the total civilian workforce.

The RLN Program

In a special and unique program aimed at attracting minority group college students, Offutt Air Force Base has hired a dozen young men now attending the Universtly of Nebraska at Omaha. The students are working as draftsmen, billeting clerks, in the Personnel Office, in the Base Recreation Program, and in the Commissary while pursuing a Bachelor's Degree. As a follow through to the plan devised by Base Personnel Officer Ronald L. Nelson in July 1966, the University of Nebraska at Omaha students will be offered permanent jobs on completion of their undergraduate studies.

The MUST Program

By the most recent count, 72 positions at Offutt have been re-engineered under the "Maximum Utilization of Skills and Training (MUST)" Program. The re-engineered positions include the following: Aircraft Attendants, Equipment Specialists (Electronics), Warehousemen, Library Technicians and Office Clerks.

Offutt EEO Committee

The Offutt Air Force Base Equal Employment Opportunity Committee is comprised of over 100 members drawn from private industry, local government and high echelon base personnel headed by Base Commander Edward A. Crouchley. The recommendations of the committee are used in connection with the Offutt Plan in EEO. The Air Base also participates in a number of civic and Federal programs aimed at employing and utilizing the minority including the following: the Title I Program, a high school work-study venture; Neighborhood Youth Corps, Youth Opportunity Campaign; the ACT, Armour Coordinating Team; and Operation YES, the Youth Employment Service, a nationally known summer program for underprivileged youth. Offutt also participates in and furnishes instructors for the Civil Service training seminars in Equal Employment Opportunity.

Project REC

During the Summer of 1968, Offutt Air Force Base in a coordinated effort with the City of Omaha and the United Community Services played host to 1,200 disadvantaged youths. The program which ran ten weeks, was aimed at helping children from areas lacking recreational facilities. Both civilian and military personnel took part in the REC Program which included Recreation, Employment, and Counseling for the disadvantaged youths.

Department of Army

Omaha District Corps of Engineers

The Omaha District of the Army Corps of Engineers is responsible for planning, designing, and building military and civil work projects in all or parts of the States of Nebraska, Iowa, North Dakota, South Dakota, Colorado, Montana, and Wyoming. The office, headed by FEA President Colonel William H. McKenzie III, employs 1,470 civilians. This figure includes employees in field offices. Minority group employees presently constitute 4.16% of the total workforce. The policy of the Omaha District Corps of Engineers is to strive for equal employment opportunity for the underprivileged through a series of active and continuing programs.

Youth Opportunity With the Corps

During the summer of 1968, the Omaha District Corps of Engineers established 45 jobs to provide work experience and training for disadvantaged youths. The youngsters, who ranged in age from 16 to 21 years, worked in clerical jobs, mathematics, accounting, drafting, engineering, mapping, and in the Corps of Engineers printing plant. In addition, engineer speakers made frequent trips to Negro areas within the City of Omaha. Their topics included Afro-American history and motivation of continued education.

Operation HELP

Engineering employees were called on during the last year to become more personally involved in ways to help disadvantaged youths improved themselves. In response, they assisted in directing recreational activities on Omaha's Near North Side at the Gene Eppley Boys' Club. They also volunteered as teachers at the Omaha Opportunity Industrialization Center. These volunteer teachers tutored disadvantaged youngsters in reading, communication, arithmetic, job seeking, personal grooming, and typing.

The Equal Employment Opportunity Committee

The Corps has established an EEO Committee composed of 21 high level staff members and minority group employees. This committee is responsible for the development, execution and implementation of the EEO plan of action. The Committee hears guest lecturers from minority groups and meets quarterly. It is chaired by the District Engineer.

Department of Commerce

U.S. Weather Bureau

The Environmental Science Service Administration Weather Bureau Office in Omaha retains 18 Civil Service employees in providing weather information on a 24-hour a day basis. The Omaha Weather Bureau with a small staff makes use of its regional office's plan for equal employment opportunity.

The Bureau participates in summer hiring programs directed at training minority employees in business and government office work, and lectures high school and college groups regarding careers in weather bureau and government service in connection with recruiting minority employees. There are no permanent minority group employees on the Omaha Weather Bureau payroll.

Department of Health, Education, and Welfare

It is the policy of the Social Security Administration District Office in Lincoln to promote the full realization of Equal Employment Opportunity through a positive, continuing, affirmative action program. Minority individuals working for the Omaha and Lincoln offices comprise 2% of the total workforce. Minority employees make up 9% of the Lincoln Social Security Administration Office staff where grades range from GS–3 to GS–9. The Nebraska-based Social Security Administration Office has participated since 1965 by providing summer employment for disadvantaged and minority group individuals. Recently, the Nebraska Social Security Administration has expanded its program to include Neighborhood Youth Corps enrollees.

Department of Justice

U.S. Attorney, Omaha

The Office of the U.S. Attorney, State of Nebraska, serves as sole legal representative for the U.S. Government in all matters which go to court in the State of Nebraska or are appealed from Nebraska to the U.S. Circuit Court in St. Louis, Missouri. The office located in Omaha employs thirteen Civil Service personnel and reports no minority employees. The U.S. Attorney's office, however, has been involved in enforcing Federal laws in the Civil Rights field, including the processing of complaints on discrimination because of race, creed, or national origin in employment. The Omaha office, with its small staff has not prepared an individual equal employment opportunity plan of action, but subscribes to the Equal Employment Opportunity plan of action prepared by the Department of Justice in Washington, D.C.

Department of Navy

Naval Personnel Training Center

The Navy way

The United States Navy retains 110 Civil Service employees at Fort Omaha. 8.3% of this total workforce is made up of minority group members. Policy governing Civil Service employees is generated by what the Navy calls a "Central Civilian Personnel Public Policy Committee." Each command at Fort Omaha is represented on this committee by key personnel. Information and suggestions on implementing Equal Employment Opportunity programs are devised and passed on to the commitee of the whole by a subcommittee on Equal Employment Opportunity. The advice of the sub-committee is then passed on to the various tenant commands as is necessary.

Department of Treasury

U.S. Savings Bonds Division

With a small office force, the Nebraska State Office of the U.S. Savings Bonds Division has participated in the Youth Opportunity Campaign Program, and attended seminars in Omaha and Washington, D.C., on the subject of equal employment opportunity. The Omaha office reports no minority group employees working on its staff of six persons.

Federal Aviation Agency

Safety is the Bible

The primary mission of the Federal Aviation Agency in Omaha is the safe control of aircraft using Epply Airfield or Offutt Air Force Base. The 102 people working for the Federal Aviation Agency in Omaha are employed as aircraft controllers, electronic technicians, electrical mechanics, equipment repairmen, material specialists, secretarial and management positions. The Federal Aviation Agency reports that some 8.5% are minority group employees.

Internal Revenue Service

Department of Treasury

Imagination is the key word in the management of the Equal Employment Opportunity Program in the Omaha District Office of the Internal Revenue Service. The Internal Revenue Service in Omaha employs 270 people with a minority employment rate of three per cent. Faced with a need to recruit at a professional level, the Omaha Internal Revenue Service has developed an Equal Employment Opportunity plan which includes a career counseling program for high school students.

Equal Employment Opportunity Committee

The Internal Revenue Service has turned to an informal committee on Equal Employment Opportunity in contrast to the structured appointive committee in use by other agencies. The informal committee consists of three Negro employees and an equal number of white people from a Civil Service Pre-Management Career Program. This voluntary mixed-group concept is exploring the extent to which people in an unstructured situation would be willing and able to discuss their attitudes and feelings and then present in planning and developing appropriate action projects. The Internal Revenue Service Director reports that the adhoc group has developed into an open and constructive forum.

National Park Service

Midwestern Regional Office—Omaha

The Midwestern Regional Office of the National Park Service provides administrative and technical support and coordinates the efforts of the parks, national monuments and recreation areas in the states of Nebraska, Iowa, North Dakota, South Dakota, Colorado, Wyoming, Kansas, Minnesota, Missouri, and Montana.

The Omaha Office employs 82 Civil Service workers with a minority group representation of 4%. With administrative responsibility for forwarding the EEO program within its widespread region, the Park Service Regional Office has encouraged the employment of Indians and Negroes. As an example, the Park Service Office at the Jefferson National Expansion Memorial employs 10 minority group persons out of a complement of 30. The Office also participates in the Title V Program of the Economic Opportunity Act of 1964 and has minority group employees from the "Back to School" Program. The payroll of the Park Service on a region-wide basis ranges from 500 permanent employees to 2200 employees during the summer.

Postal Department

Lincoln

The Lincoln Post Office has an active Equal Employment Opportunity Committee consisting of the Assistant Postmaster, one supervisory employee and three lower grade employees. The Equal Employment Opportunity Committee at the Lincoln Post Office submits written recommendations to the Postmaster when committee members feel there is a potential for discrimination complaints. With 365 employees, minority groups presently total 3.6% of the workforce. The Lincoln Post Office reports contacts with Lincoln and Omaha Community Action groups and use of the Opportunities Unlimited Civil Service Commission announcement and register for minority and underprivileged people.

Omaha

Administrative Policy on Equal Employment Opportunity: The Omaha Post Office policy is to support every facet of the Equal Employment Opportunity Program which prohibits discrimination because of race, color, creed, national origin or sex; and to insure genuine equality of opportunity for all employees to participate fully in all organizational units, occupations, and levels of responsibility within the Omaha Post Office.

Self-Development

The Omaha Post Office has also participated in Job Corps and self-development programs for employees. For example, in 1968 over 200 postal employees participated, on their own time, in a study effort to prepare themselves for the beginning level supervisory examination. A large number of participants were minority group employees.

Postmaster's Advisory Committee

The Omaha Post Office uses a committee called "The Postmaster's Advisory Committee" to spearhead equal employment opportunity work. The committee of six was formed to "create an environment to improve efficiency in the postal service, complete equality or employment opportunity for all races, colors, religious or national origins and to enhance the postal image among groups in the community."

Rapport

The Advisory Committee recently sponsored a program entitled "Rapport Between Supervisors and Employees." The goal of the Rapport Program was to inform postal supervisors that community involvement could bring better understanding toward minority employees and their problems. Guest speakers have included the following: Jack Clayter, Executive Director, Urban League; Reverend James Hargelroad, Calvin Memorial Presbyterian Church; Barry Goodlett, Executive Director, Omaha Industrialization Center; and Joe Ramirez, Omaha Urban League.

Selective Service System

Lincoln-Omaha

The Nebraska Selective Service System with statewide responsibility for administering the draft employs 108 civilians with offices in county seats. 77 of the Selective Service System civilians man one-employee offices, and of the total employment, 1.85% are minority group employees. The Selective Service System has made contacts with the NAACP in Lincoln and operates through the U.S. Civil Service Commission Interagency Board in Omaha in their efforts to recruit minority group personnel.

Farmers Home Administration

The Farmers Home Administration, with offices in Omaha, Lincoln, and Scottsbluff, Nebraska, now employs four minority group persons. The office, under the direction of Heasty W. Reesman, also participates in the Youth Opportunity Campaign by hiring minority group trainees.

Veterans Administration

Veterans Administration Regional Office, Lincoln: The Veterans Administration Regional Office in Lincoln has been active in contacting and working with Lancaster County in the City of Lincoln civic groups in connection with Equal Employment Opportunity. The contacts have included the Lincoln Chamber of Commerce "Forward Lincoln Community" (on social action); the Lincoln Committee of 1,000; the Lancaster County Public Welfare Office; and an organization called "Brother." With 101 employees, the Veterans Administration Regional Office reports a minority group work force of 7.5%. Veterans Administration Regional Office does not have an equal employment opportunity committee as such, but the office manager and his staff act as a committee on Equal Employment Opportunity. The Veterans Administration Regional Office staff is augmented by minority group members of the office when a question involving equal employment opportunity is up for discussion. The Lincoln Veterans Administration Regional Office has re-engineered three jobs in its Administrative Management Division to the trainee level for minority or disadvantaged persons and has also participated in the Summer Youth Campaign by hiring three minority group persons. Veterans Administration Regional Office will participate this spring in a meeting of Lincoln Federal agencies intended as a follow-up orientation of members of the minority community. This meeting will stress the skills needed in training.

Veterans Administration Hospital, Lincoln

The Veterans Administration Hospital in Lincoln, with 293 employees, has an active Equal Employment Opportunity Committee which holds scheduled and on-call meetings. The Veterans Administration Hospital report indicates that the Committee is made up of leading employees of the Hospital. The Lincoln Veterans Administration Hospital Equal Employment Opportunity Committee has submitted a number of recommendations to hospital management including a suggestion for a questionnaire survey on Equal Employment Opportunity to all major divisions and services in the Hospital. The Hospital has conducted several courses on equal employment opportunity and uses social workers for counseling and assisting minority and underutilized employees. Lincoln Veterans Administration Hospital officials have been active participants in a number of local programs including the Board of Directors of the "Lincoln Action" program; the Board of Directors of Malone Center, a Neighborhood Community Welfare Agency; and the Vice Chairman of the NAACP. Future plans for the Lincoln, Nebraska Veterans Administration Hospital in the Equal Employment Opportunity field include formal reviews of appointment and promotion actions regarding recruitment, evaluation techniques, job requirements, interviewing methods and reasons for non-selection.

Veterans Administration Hospital, Omaha

The latest count shows that 27% of the workforce at the Omaha Veterans Administration Hospital are minority employees. They are employed in such positions as nurse; chemist, GS–11; medical photographer, GS–8; social worker, GS–9; pharmacist, GS–10; dietitian, GS–9; clerical positions and a number of wage board employees.

Equal Employment Opportunity Committee

The hospital Equal Employment Opportunity Committee represents a cross-section of the total employee group. Lower graded are included on the committee so that they may have an opportunity to give the opinions of the rank-and-file employee. The committee receives and evaluates quarterly reports from all operating elements at the hospital and makes its recommendations directly to the hospital administration.

Plans for Progress

The Equal Employment Opportunity Committee also drafts or reviews the hospital's Plan of Action for hiring and utilizing minority group employees. The Plan, entitled "Plans for Progress" currently includes a program under which a list of classes available at local schools and universities is published so that minority group employees have an opportunity to participate in promotional opportunities as a result of continuing education.

III. THE SPECIAL PROBLEM OF WOMEN

Women represent approximately 27% of the Federal workforce; 80% of the women are employed below GS–8; half are employed at GS–1 through GS–4. Only one per cent of American women make $10,000 a year or better.

A Long Struggle for Equality

Women have been employed in the Federal government since 1800 (first woman postmaster). However, it wasn't until 1923 when the Classification Act system was established that women received equal pay for equal work. In 1965, Congress repealed the law of 1870 (this law gave "permission" to pay equal salaries, but few chose to do so) and as a result, Federal departments could no longer specify "sex" except when filling a very few special positions approved by the Civil Service Commission.

Study Group

A study group of careers for women comprised of Federal Women's award winners was established in 1966 at the direction of President Johnson. This group recommended: (1) Executive Order reinforcing existing programs to advance status of women (E.O. 11873, Oct. 1967, added discrimination because of sex to the other forms of discrimination prohibited in Federal government); (2) development of statistical system to keep the Civil Service Commission apprised of upward (or lower) trends in employment of women; (3) establishment of part-time employment programs; and (4) annual review of each agency's program. The Civil Service Commission recently published specific instructions to strengthen the Federal Women's Program including establishment of a formal agency "Plan of Action" and designation of a Federal Women's Progress Coordinator within each agency, to insure equal opportunity in every personnel management policy and practice including recruitment, selection, placement, counseling, training, career development and promotion.

Omaha-Lincoln Federal executive association

The Omaha-Lincoln Federal Executive Association was founded May 1, 1965, under the leadership of Mr. Richard P. Vinal, Director of the Internal Revenue Service for Nebraska. There are presently 65 active members, made up of agency heads or their certified representatives. The purpose of the Omaha-Lincoln Federal Executive Association is to create a better public image of the Federal Civil Servant; to provide liaison between business and industry in the Federal government; to promote better relations between city, county, state and federal groups on matters of mutual interest; to sponsor Federal participation in humanitarian campaigns, dedications, and other public ceremonies; and to participate as an associate of community affairs.

The Omaha-Lincoln Federal Executive Association has long been concerned with promoting more equitable hiring practices for the minority groups in our area. The Equality in Employment Committee of the Federal Executive Association has sponsored a number of nationally known speakers on the subject of the minorities in recent years, including Mr. Gerald Christensen, Vice Presidential Advisor on the Equal Employment Opportunity Council under the Johnson administration; and Mr. Al Sonntag, Director of the St. Louis Region Civil Service Commission. As Regional Director, Sonntag is responsible for the coordination of the Equal Employment Opportunity Program for all Federal agencies in Nebraska and a number of other midwestern states.

YOUTH WEEK

Mr. MURPHY. Mr. President, it is a pleasure to join as a cosponsor of the resolution to proclaim the week beginning May 1 as "Youth Week" and thereby associate myself with the outstanding efforts of the Benevolent and Protective Order of Elks in setting aside that period to honor America's junior citizens.

I would also like to take this opportunity to offer a must sincere commendation to the Elks for their efforts in behalf of our youth.

It has been said that "there is a feeling of eternity in youth," and there is no nobler work than that performed by those who recognize this eternal quality within our young men and women and guide it toward morality, responsibility, integrity, and self-esteem.

For their impressive accomplishments in this respect, I congratulate the Elks and wish them all possible continued success.

May they take justifiable pride in the knowledge that the fruits of their labors will benefit untold generations to come.

INEFFICIENCY AND WASTE IN THE PENTAGON

Mr. PERCY. Mr. President, we are currently engaged in a great debate on nuclear arms control, the outcome of which could well determine whether millions of people are to live or to die.

A wise scholar once said:

> Those who cannot learn from the mistakes of the past are forced to repeat them.

Surely, then, we have much to learn from our previous mistakes in military contracting and particularly from several previous efforts to deploy a defensive screen against the striking power of the Soviet Union.

In our present decade, the United States has spent another $20 billion on ABM research and development. But the Pentagon has abandoned emerging defense systems when it became obvious that, years before they could possibly be deployed, the hardware and electronic controls had been rendered useless by new strides in Soviet offenses and penetration technology. All admit now that if we had deployed Nike-Zeus at an estimated cost of an additional $20 to $40 billion it would have been a waste of resources. Of course, I do not question the dedication of the military to their task. But they are not infallible in their judgment.

The Pentagon's defense budget requests have risen from $13.8 billion in 1950 to $40.8 billion in 1960 to $81 billion in the current fiscal year. And year after year Congress has granted these requests in full, and has even increased them, often after only the most perfunctory debate on the Senate floor.

Mr. President, two of the most astute reporters in the Washington press corps, William McGaffin and Robert Gruenberg, of the Chicago Daily News, after many weeks of research and interviews, have recently completed a 19-part series on the military-industrial-academic complex.

They have looked in depth at the budgeting of dozens of complex weapons systems and have presented us with a catalog of abandoned projects, all major mistakes of judgment or technology. Their report presents compelling reasons for Congress to review military spending plans more carefully than heretofore has been the case.

I am particularly interested in one of their articles, which deals at length with the links between the Pentagon and the academic community. The writers reveal that defense contracts to nonprofit institutions have risen from $432 million at the time that the late General Eisenhower warned us about the military industrial complex to $772 million in 1968.

The series published in the Chicago Daily News will be helpful in providing the basic data that is needed to find ways to cut the national defense budget from its present staggering $81 billion level—the same dollar figure as at the height of the Second World War. Since I commend the series to be read by Senators, I ask unanimous consent that the McGaffin-Gruenberg articles be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CASE. Mr. President, the issues confronting us with respect to the claims of the defense establishment on the Nation's resources cannot be resolved without the aid of an informed public. As demonstrated by the open hearings of the Subcommittee on Disarmament as well as the Committee on Armed Services on the proposed deployment of an antiballistic-missile system, the "facts" presented in its behalf turn out to be much less certain than we might have assumed before closer examination. We need to increase substantially the flow of information to the public. It is a pleasure, in that connection, to join the Senator from Illinois (Mr. Percy) in calling to the Senate's attention the informative series of articles written by William McGaffin and Robert Gruenberg, of the Chicago Daily News, that are placed in the Record today. They have made a significant contribution to public understanding of the complex problems facing us today in assessing the true security needs of the Nation.

Exhibit 1

Is Pentagon "Buying" Disaster?

(By William McGaffin and Robert Gruenberg)

Washington.—"In the councils of government we must guard against the acquisition of unwarranted influence, whether sought or unsought . . ."

This was Dwight D. Eisenhower, President, general and educator, speaking on Jan. 17, 1961, three days before the end of his eight-year Presidency.

To a nation that appeared largely unlistening, America's greatest contemporary soldier—who served his people from the Normandy beaches to the Little Rock streets—was warning them about the "military-industrial complex."

That warning underlies a historic confrontation now building betwen the American public and the military and industrial planners, spenders and policymakers.

The confrontation—triggered by the Vietnam war, the antiballistic missile debate and other recent crises—may make the Eisenhower farewell as historically memorable and important as the farewell of our first soldier-President, George Washington.

"The potential for the disastrous rise of misplaced power exists and will persist," Eisenhower said of the military and industrial forces that has become—with a 3,500,000-man defense establishment—a permanent part of the American experience.

"We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted.

"Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together."

In the plush, carpeted headquarters of a leading aerospace contractor here, an executive, reminded of Eisenhower's words, snapped:

"That damned speech!"

That speech warned of a military-industrial complex that has now become an all-embracing conglomerate, reaching into virtually every corner of American life.

It is, at once, a system, an attitude, a giant dynamo of men, machines and money. It has in two decades enveloped the American life and economy in: .

Billions of dollars in waste.

Airplanes that don't fly, missiles touted in words as empty as the space they are to fly in and giant trucks that never roll.

Congressmen who vie for a slice of the defense pie (color it green) so constituents from the red clay land of Georgia to the antiseptic suburbs of Southern California can keep working.

Lawmakers, not a few with Pentagon-awarded commissions, voting with little or no opposition the billions the military asks.

An aerospace industry that underpins a considerable share of the nation's economy—estimates run from 10 to 30 per cent of the working force—which is dependent on ever-increasing, more sophisticated arms development.

A university-scientific-technological community, hand-maidens to the industry, drawing their sustenance, too, in large part from the Pentagon's billions.

That is, they say, the military-industrial complex, overlay upon overlay, expanding each year.

That is also, according to its defenders, the price of the nation's security. Its proof, they say, is that no nation has dared attack the United States since World War II.

This is undeniably true. But the critics of the military-industrial complex point to developments in the national life that they say are undermining it from within—the mingling of politics with the influence of industrial giantism.

None explained it better, perhaps unwittingly, than Lyndon B. Johnson at the March 2, 1968, rollout ceremony at Marietta, Ga., for the giant C–5 cargo plane, built by Lockheed Aircraft Corp., the nation's No. 1 defense contractor.

"I would have you good folks know there

are a lot of Marietta, Georgias, scattered through our 50 states," said LBJ.

"All of them would like to have the pride that comes from this production . . . but all of them don't have the Georgia delegation."

He specifically cited the influential Sen. Richard B. Russell and former Rep. Carl Vinson, at that time chairmen of Senate and House Armed Services committees.

In 1968, Georgia was second only to Mr. Johnson's Texas in capturing prime contracts for airframes, assemblies and parts. Together the states accounted for nearly half the U.S. production.

Today so many military bases and defense installations dot the Georgia landscape that an unknown Pentagon wit is often quoted, "One more in the state will sink it."

The "unwarranted influence" that Eisenhower warned about travels with the Pentagon brass after retirement, the critics say.

In 1959, an investigation by Paul H. Douglas, then senator from Illinois, revealed that 88 of the 100 top defense firms had 721 retired officers of colonel (or Navy captain) rank or higher on their payrolls. Ten companies employed 372—more than half.

Pentagon figures, dug out of the Defense Dept. by The Daily News and disclosed for the first time in 10 years, show that 2,076 former officers now are working for 98 of the top 100 companies. The top 10 firms have 1,065 former officers.

"I do not claim nor even suggest that any conspiracy exists between the military and the 100 largest defense contractors," said Sen. William Proxmire (D.-Wis.), one of the military-industrial establishment's sharpest critics.

"But what we have here is almost a classic example of how the military-industrial complex works.

"It is a question of what can be called the 'old boy' network, or the 'old school tie.' "

While retired officers get their chances to go to industry, legislators at the same time hold military commissions themselves.

One hundred of the 435 House members and 39 of the 100 senators have officer ranks as high as major general, the Daily News learned from Pentagon files. They are on the active, inactive and retired lists.

A number of Senate and House members said they could not see a "conflict of viewpoint" in holding the commissions and simultaneously voting on military appropriations.

The military-industrial combine extends beyond mere contracting with each other. It embraces the nation's educational institutions. Some schools are listed by the Pentagon among the "top 100" of the nation's defense contractors.

Last year educational and nonprofit institutions held $772,000,000 in research contracts, $16,000,000 more than in 1967. High on the lists were the Massachusetts Institute of Technology, in 10th place with $119,000,000, and Johns Hopkins University, 22d with $57,600,000.

More than all this, say the critics, is a foreboding that the nation has become inured not only to military influence in managing its civilian affairs but to "conflicts of interest" in sensitive positions.

This was highlighted recently by the appointment of David M. Packard as assistant secretary of defense. Packard is co-founder of the Hewlett-Packard Co. of Palo Alto, Calif., electronics systems and computer manufacturer.

In the 12 months ending last Oct. 12, his firm's sales to the Pentagon, other federal agencies and defense contractors totaled $100,685,000.

The Senate, confirming Packard's appointment, overrode the protest of Sen. Albert Gore (D.-Tenn.), who calls it approval of "a conflict of interest that is clear on its face."

But Sen. John Stennis (D.-Miss.), new chairman of the Senate Armed Services Committee, argued in behalf of Packard.

Packard has, said Stennis, "the very talent we would like to see."

For all the wealth and talent it commands, however, the military-industrial complex has, through the years, made some big, big mistakes.

PENTAGON'S $10 BILLION BLUNDER

(By William McGaffin and Robert Gruenberg)

WASHINGTON.—The Pentagon recently compiled a list of 68 major weapons systems that cost nearly $10 billion.

That sum is slightly more than all the money the government proposes to spend for education in the year beginning July 1.

The $10 billion list was typed on plain, white paper, not the usual blue-topped Defense Department publicity releases. And it was available only to those who knew of its existence and asked for it.

This modesty, although unusual, was understandable. For the $10 billion list was a catalog of abandoned projects that included mistakes and misjudgments on weapons systems fit only for the museum or the scrap heap.

The list was also a forceful reminder that the nation's military-industrial complex—now facing an unprecedented challenge—is hardly infallible.

The military-industrial complex is the name hung by the late President Eisenhower on a combination of forces which critics say has acquired too great an influence in America's economic, political—and even educational—life.

Weapons development—and their failures—are only one aspect of it.

None of the weapons on the Pentagon's confidential list included the strategic staples of the U.S. arsenal.

Omitted were the solid-fueled intercontinental ballistic missile (ICBM), the nuclear-powered submarine, the Polaris missile—all of which the United States developed first and which "work."

The Pentagon cites this new generation of missiles with pride—hailing them in elaborate brochures and publicity releases as a deterrent to war.

Nevertheless, the average of "successes" does not appear too good, in view of the expertise, the time and the money assigned to all of the projects together.

Yet the wisdom of the military-industrial combine has not been seriously challenged since World War II.

It is virtually a truism that whatever the military—backed up by the defense industry—demands from Congress, it gets, despite occasional trims in appropriations.

For being "against defense" is not a position that could be popularly held—or so it was thought.

Just how much money was needlessly added to the huge defense bill may never be known. But some examples on the Pentagon's closely-held, uncirculated list may provide a clue.

The largest item is the nearly $1.5 billion devoted by the Air Force to a new, manned bomber, the B-70, which ended up a museum piece.

Another big one is the $511,000,000 the Air Force invested in a futile attempt to build a nuclear-powered airplane.

But this is an understatement of the cost. The figure does not include $500,000,000 that the Atomic Energy Commission poured into it, and the $14,000,000 the Navy contributed.

Birds, animals, fish, Indians, Greek gods and press agentry words provided the names given to some $4 billion worth of hardware that went nowhere.

There was $2.7 billion in Air Force missiles: Navaho, Snark, Rascal, Skybolt, Talos, mobile Minuteman, Q-4 Drone, Goose and Crossbow.

Another $993,000,000 for Navy missiles: Sparrow I and II, Regulus II, Petrel, Corvus, Eagle, Meteor, Rigel, Dove, Triton, Oriole and Typhon.

The Air Force's version of a mobile Minuteman ballistic missile that could be fired from a train shuttling across the Western plains cost $108,000,000.

It also sent $405,000,000 into the wild blue yonder on Dynasoar, a spacecraft that was supposed to land like a plane.

The Navy spent $361,000,000 on Seamaster, a jetpowered flying boat designed for reconnaissance and mine-laying but which ended in disaster with two test model crashes.

It also channeled $64,000,000 into Big Dish, a super-ear that was supposed to hear radio emanations from outer space and whose most notable feature was that it was being designed while it was being built!

Yet the list has many omissions of other abandoned projects.

One is a 'small item" of $27,000,000, spent by the Navy to take the New Jersey, a World War II battleship, out of mothballs and send it to Vietnam.

It was the brainchild of Sen. Richard Russell (D-Ga.), chairman last year of the Senate Armed Services Committee and whom the brass did not dare offend.

The New Jersey went out to Vietnam in mid-1968 and is scheduled to return home shortly. During its brief Tonkin Gulf stay, it has tossed shells into enemy positions—a function already being handled by bombers, artillery and smaller warships.

One of its most recent, publicized exploits was wiping out a machinegun nest with a mighty, 1900-pound shell from one of its 16-inch guns.

In pre-military-industrial complex days the job was handled more cheaply—and probably more efficiently—by infantry and artillery action.

Also unmentioned in the closely-held Pentagon list is a $300,000,000 Army missile system whose details, including a description of it, are still secret.

The one non-secret fact, disclosed by the General Accounting Office, gadfly of wasteful government spenders, is that the weapon was so defective that army field units asked for older weapons instead, saying the secret one was "not suitable" and "could serve only as a training weapon."

The Army kept on buying the weapon "despite knowledge that it was unsuitable for tactical use," the GAO said. A Daily News request to Army Sec. Stanley Resor for more information about the weapon has gone unanswered.

The list also neglects to mention the $600,000,000 down the drain for the F-111B, the Navy version of the controversial TFX fighter-bomber abandoned as a failure.

And one searches in vain for mention of the $60,000,000 the Army spent early in the nuclear age to build 60 atomic cannons. Some of these million-dollar-a-copy monsters were deployed in western Germany.

They were 84 feet long, weighed 85 tons and were so cumbersome they needed tractors fore and aft to move them. A series of accidents in the narrow streets of old-world Germany preceded their phaseout as obsolete.

But atomic cannons are still in the American arsenal. Instead of the giant atomic shell which the old monsters fired, the technicians have produced a much smaller nuclear shell to be fired from weapons such as the 175-mm. gun and the 8-inch howitzer.

Three of the original 60 atomic cannons are left. They are on display at Rock Island Arsenal, Rock Island, Ill.; Aberdeen Proving Ground, Aberdeen, Md., and the Artillery Center at Fort Sill, Okla.

The other 57 have been sold for scrap, says the Army.

The two largest items on the Air Force list of "terminated" missile projects are the Navaho and the Snark. The Air Force spent $667,400,000 on the first and $678,900,000 on the second. Total: More than $1.35 billion.

They were jet-propelled, intercontinental "air-breathing" missiles—that is, they could not go higher than the Earth's atmosphere because, like a jet plane, they were unable to fly in "thin" air. This was considered their biggest drawback.

The Snark, carrying either conventional or nuclear warheads, traveled between 650 and 700 miles an hour over a 5,500-mile span, and beginning about 1947, a squadron was actually deployed at Presque Isle Air Force Base, Maine.

The Navaho, started in 1954, could fly somewhat faster than the Snark, over 700 miles an hour. But it was canceled in 1957, before the first prototype had been completed.

The Snark and Navaho became obsolete when the Pentagon perfected the ballistic missile that could soar hundreds of miles into space, crossing oceans at 15,000 miles an hour.

In a letter to Rep. James B. Utt (R-Cal.), on July 25, 1957, the Air Force "regretfully" explained that "unfortunately" there was "no basis for continuing the Navaho program."

Because an ICBM was "now well along in development" and "should now be available earlier than the Navaho, the Navaho project was terminated," said Maj. Gen. Joe W. Kelly, director of Air Force legislative liaison.

But Gen. Kelly failed to spell out why the Air Force decided to go ahead with the costly Navaho program in the first place. The Air Force already had a missile similar to the Navaho in the Snark—and it was aware that a flashy replacement, the ballistic missile, was already in the works.

A $1.5 Billion Flop: One B–70 Crashed, the Second Flew to Museum—Now Air Force Is Pushing New Superplane

(By William McGaffin and Robert Gruenberg)

Washington.—Two planes and 1½ billion dollars.

To all but its Air Force supporters, the B–70—or "Valkyrie" as it was called at first—is the monumental failure of the weapons-breeding, military-industrial machine, a lesson in waste and bad judgment never to be forgotten.

That machine, which the late President Eisenhower warned against in 1961, is the amalgam of industry, labor, politics, the military and even a generous part of the world of education—all held together by the payout of Pentagon billions.

The influence of the military-industrial complex on American life is now under challenge with a questioning of arms spending only one aspect of this.

When the B–70 program began with a $500,000 appropriation in 1954, the Air Force envisioned a 200-bomber fleet of massive, six-engine monsters that would cost more than $10 billion.

But the program got into so many cost troubles that finally only two of the bombers were built. One of these was destroyed in a crash with a fighter plane in June, 1966, on a picture-taking publicity mission. Two pilots died.

The other B–70 ended up as an exhibit in the Air Force Museum at Dayton, Ohio.

It was Robert S. McNamara, the sometime-stand-up-and-talk-back defense secretary of the Kennedy-Johnson years, who ended the B–70 program. He did so against great pressures—from Capitol Hill to the aerospace industry.

To experts who have watched the Pentagon over the years, this was one of the first clear significant victories of the civilians over the generals.

It was a bitter blow to the "big bomber" men of the Strategic Air Command who had publicized their bird with a romantic name and some high-flown press releases.

The Valkyrie, they said, was named after "a maiden of great beauty who roamed the skies, deciding the outcome of battles." Afterwards "she would also choose heroes from the fallen and conduct them to Valhalla. . . .

"There, with Odin (like Valkyrie, a Norse god) they would come alive again and continually prepare for ultimate warfare against the enemies of gods and men, a war which would be known as the Frost War."

But far from fighting a "Frost War" or becoming a sky-roaming beauty, she became a bird who had difficulty during her development in making her wings stick to her body and could hardly feed herself from the fuel tanks.

But, despite her failure, the Valkyrie—like still another mythical god—is rising from the ashes. She is called AMSA now, an acronym for Advanced Manned Strategic Aircraft.

Accepting the Air Force argument on the need for it. Defense Sec. Melvin R. Laird not only has given the "go-ahead" signal for the AMSA bomber—estimated to cost between $5 billion and $10 billion—but has increased research and development spending.

Since 1965, Congress has approved almost $173,000,000 for it and a Johnson administration request for $77,000,000 this year was boosted by Laird to more than $100,000,000.

With the B–70 adjudged a bust, why is the Air Force so intent on building a manned bomber in the missile age?

It is for essentially the same reason that it pushed so hard for the B–70 in the early period of missile building. "In those days," recalled Jack P. Ruina, former director of the Pentagon's Advanced Research Projects Agency, "we were not quite ready to put all our eggs in the ballistic missile basket."

The Air Force today still is concerned with how to prepare for the worst, how to achieve 100-per cent security. A manned bomber, the Air Force argues, is a necessary hedge in case our missiles are knocked out or don't reach their targets.

To the critics, however, this reflects a common military characteristic—the "never-have-enough" psychology.

The B–70 was to have cruised at 70,000 feet, traveling more than 2,000 miles an hour (faster than a high-powered rifle bullet) and it was to have carried the largest nuclear weapon as well as air-launched missiles over vast, intercontinental distances without refueling.

But seven years and $786,000,000 after the initial 1954 research funds were allocated, it was evident the B–70 was in production trouble.

The late Air Force Maj. Gen. John K. Hester argued strongly for continuing the program when he testified in March, 1961, before the House Armed Services Committee.

The program had already been cut back to the production of three planes on an experimental basis, but Hester argued that the Air Force is "firmly convinced that for the foreseeable future the manned aircraft is an element of our strategic force."

The B–70, he said, "is the most advanced . . . the state of the art permits and is technically feasible and producible."

A year later, however, McNamara called the B–70 "a very doubtful proposition, with the weight of competent, scientific, technical and military opinion against it for many years.

"In fact," he added, "the only consistent supporter of this program was the Air Force itself."

It was a position that was to draw fire upon him from military protagonists and Air Force defenders, including the Air Force Space/Digest, the "magazine of aerospace power."

On March 5, 1964, McNamara issued orders to reduce the B–70 program from three aircraft to two.

"The program is already some 18 months behind schedule," he said. "The first airplane is not completely assembled. To date some $1.5 billion has been allocated . . . with the prospect that more would be required to complete three planes."

But money was not the chief reason for the cutback, he made clear.

Technical problems, research on other projects and a change in "the concept of manned strategic bombers" accounted for the cut, he said.

He had referred to the B–70 in the past as a "manned missile" that, he added, compared poorly with intercontinental ballistic missiles and was not as flexible as ordinary, manner bombers.

On Sept. 21, 1964, almost two years beyond its scheduled date, the first of the giant planes—rechristened the XB–70, got into the air. The second flew 10 months later.

The epitaph for the remaining B–70 was written last Feb. 7. The Air Force issued an announcement saying it had flown from Edwards Air Force Base (Calif.) to Dayton, completing the 2,000 miles in a little more than three hours.

And there it sits in the open air museum—trophy of a lost campaign that cost $1.5 billion. That is about equal to all the federal money spent in 1967 for housing the nation's poor.

Now AMSA is on the way. What would it do?

It would carry short-range attack missiles (now well along in development), decoy missiles and nuclear and conventional gravity bombs. This description comes from the Defense Industry Bulletin, a Pentagon publication of limited circulation that provides military suppliers with "guidance concerning official policies."

AMSA could even serve as a useful come-on for Air Force recruiting in an age of missiles plugged in ground silos.

Said a former Pentagon official, only half in humor:

"Suppose a poster said, 'Join the Air Force—go down in a hole in the ground and study for a year.' Then another poster said, 'Join the Air Force and fly the most modern machine available.'

"Which do you think would be more effective?"

Missile Competition: How $200 Million Was Lost in Army-Air Force Rivalry

(By William McGaffin and Robert Gruenberg)

Washington.—Courage in the corridors of the Pentagon can be a sometime thing.

It is put to severe test when it collides with the interservice rivalry on which the military-industry complex thrives.

None can tell it better than Austin W. Betts, who as a young colonel back in the 1950s was not as much interested in promotion or decoration as in how to save millions of dollars in defense waste.

He fought a losing battle.

Now a lieutenant general and chief of research for the U.S. Army, he recalled how he tried to put a stop to the costly race between the Army and Air Force over who would build the first ballistic missile.

Contributing to his defeat was the hysteria generated in the nation as a result of the Soviet Union being first to launch an artificial satellite, called "Sputnik."

And part of that excitement was contributed by the senator who then headed the Senate Preparedness subcommittee, Lyndon B. Johnson.

Betts, soft-spoken, wearing his three stars with a casual bearing, recalls how, as a colonel, he recommended cancellation of the Army's Jupiter missile program in January, 1957.

This would have left the field to the Air Force's Thor and would have saved $200,000,000, Betts estimates.

He had not yet moved into 3-E-412, the large office he occupies in a "prestige" section of the Pentagon. And he was overruled by higher officials.

Even today, more than a decade later, the Jupiter-Thor story of how competing services can waste millions is like rubbing salt in an open wound to many old Pentagon hands.

But Betts says it's one of his favorite stories.

From beginning to end, an estimated $3 billion was spent on these two missiles. As so often happens, they soon became obsolete. After a couple of years of service, they were replaced by something bigger and "better."

It may seem odd that Betts, wearing an Army uniform in 1957 as he does now, should have tried to kill the Army's entry in this missile-building race. He did not feel, however, that he was being disloyal to his service.

He was not serving with the Army at the time, but was on the defense secretary's staff as an assistant to the late Eger V. Murphree, the secretary's "missile czar," an oil industry scientist and executive.

Both Jupiter and Thor, named after mythical deities, were liquid-fueled and had an intermediate range—1,500 miles. The big "difference" between them was that Jupiter was the Army's baby and Thor the Air Force's pride and joy.

But Betts considered it his responsibility to give the best advice he could summon on the issue and, impressed with the Air Force's progress on Thor, he thought it capable of performing the job.

There's "no question" but that interservice rivalry greatly boosted the cost of this missile program, says Betts. The rivalry grew so hot that Charles E. Wilson, ("Engine Charlie") then Defense Secretary and former president of General Motors Corp., finally appointed a special committee to settle it.

The Wilson-appointed committee was empowered to try to end the interservice dispute by combining the best features of each missile into a single one. But it was not a solution that either service would accept if it could be avoided.

Betts said Murphree had two reasons for turning down his advice that Jupiter be canceled, a decision sustained by the Pentagon brass.

"First, he wanted the Wernher von Braun team, which had been employed by the Army in the original development of Jupiter at Redstone Arsenal, to build a back-up missile in case Thor did not succeed," said Betts.

"Second, he knew the Navy wanted a shipboard ballistic missile and Thor could not be configured (adapted) for firing from a ship."

The Navy, however, soon decided for its own reasons to concentrate on developing a solid-fueled missile (in contrast to the liquid-fueled Jupiter and Thor) for its nuclear-powered Polaris submarine.

So no missile was developed out of the Jupiter-Thor program for the Navy.

But an extra $200,000,000 was spent in the expensive flight test program of the Jupiter, which duplicated Thor's equally expensive program, according to Betts.

Another defense secretary came into the Jupiter-Thor program on Oct. 9, 1957. He had a reputation for issuing orders and making decisions.

Defense Sec. Neil H. McElroy, a former National Guard private first class who became president of the Procter & Gamble soap company, took office and in 24 hours announced postponement of a final choice between Jupiter and Thor.

The special Wilson committee, which could not make up its mind, had recommended that tests on both rockets be continued for several months and this is what McElroy proposed to do.

Meanwhile, an ominous event—or so it seemed then—took place Oct. 4: The Soviet sent Sputnik aloft.

That precipitated, in Betts' words, "a panic reaction" in the United States.

A few weeks later Sen. Johnson opened his subcommittee's investigation.

Americans had believed "we were well ahead of Russia in science," Sen. Johnson declared, "but the satellites that are whistling above our heads demonstrate that we have lost an important battle in technology."

Sen. Johnson made his pronouncement Nov. 25; two days later, on Nov. 27, McElroy announced "full production" on both missiles.

In the atmosphere that prevailed, observed Betts, it was considered imperative to build as many of these missiles as possible and deploy them with utmost speed.

Douglas Aircraft Corp. built the Thor. Total costs, an estimated $952,000,000. Chrysler Corp. built the Jupiter. Tab, $881,000,000.

Because the missiles had only a 1,500-mile range they had to be deployed in Europe in order to reach Soviet targets. Sixty Thors were sent to England in the winter of 1959–60. Thirty Jupiters were stationed in Italy in June, 1961. Fifteen more were positioned in Turkey in July, 1962.

With the advantage of 20-20 hindsight, the whole Jupiter-Thor program loses its urgency.

"We had the ocean-spanning, intercontinental ballistic missile coming along them," says Betts. "But we went into Jupiter and Thor to get faster deployment of a ballistic missile even though its range was limited."

Both missiles were "phased out" as obsolete and vulnerable, of course, when Atlas, the first ICBM, became available. The Pentagon estimates $3 billion—from conception through removal—went into the program.

Three billion dollars is roughly comparable to all the federal money spent in 1964 on health services, including medicare, medicaid and prevention and control of health went into the program.

Betts has a number of regrets.

One is that the Defense Department did not do as he asked at the time and inaugurate a study on "lessons learned from this program."

Among other reasons, it would cost too much, he was told.

Influence Feared: $772 Million Links Pentagon, Colleges

(By William McGaffin and Robert Gruenberg)

WASHINGTON.—In the nation's current challenge to the tax-eating, weapons-making, politics-prone "military-industrial" complex, there are two common targets.

The first is the Pentagon itself, with a budget that consumes more than 40 per cent of the country's revenue. The second is its arms-making corporate might, especially in the aerospace and electronics industries.

Generally overlooked is the role of the American universities, whose largesse from government—although far smaller than that for industry—is virtually as significant.

According to Pentagon records, schools and nonprofit institutions received $772,000,000 in defense funds last year for research, development and other work.

To many of them it meant a substantial portion of financial support.

It was Dwight D. Eisenhower, soldier, President and—forgotten to many Americans—educator, too, who warned in his famous 1961 farewell address of the dangerous involvement of the universities in the military-industrial combine.

Discussing the "technological revolution during recent decades," he declared:

"In this revolution, research has become central; it also becomes more formalized, complex and costly. A steadily increasing share is conducted for, by, or at the direction of the federal government.

"Today the solitary inventor, tinkering in his shop, has been overshadowed by task forces of scientists in laboratories and testing fields.

"In the same fashion, the free university, historically the fountainhead of free ideas and scientific discovery, has experienced a revolution in the conduct of research.

"Partly because of the huge costs involved, a government contract becomes a substitute for intellectual curiosity. For every old blackboard, there are now hundreds of computers.

"The prospect of domination of the nation's scholars by federal employment, project allocations and the power of money is ever present and gravely to be regarded."

At the time Eisenhower spoke, defense awards to schools and nonprofit institutions totaled about $432,000,000.

Since then they have risen steadily each year, reaching the $772,000,000 mark in 1968.

The Pentagon finances thousands of individual research projects in the engineering, physical and environmental sciences; also the biological, medical, behavioral and social sciences.

New weapons ideas are sometimes born in university laboratories, said a former high Pentagon official, who also added pointedly that many military-developed ideas are also put to peacetime uses.

Research, of course, is carried on over more fronts than the school. Former Defense Sec. Clark M. Clifford, presenting his 1969–1970 defense budget proposals to Congress shortly before leaving office, emphasized the need for the Pentagon's entire $8 billion research effort and explained:

"The effectiveness of our weapons system a decade from now depends on maintaining a balanced research effort across the entire spectrum of science and technology.

"The Defense Department is the largest user of research output in the nation and must emphasize those areas most likely to be of military benefit in the future.

"The research program also provides a link between the department and the academic community, a vital tie which keeps open a unique source of new ideas and technologies."

The schools' research budget of more than $750,000,000 hardly compares to the $40 billion in prime contract awards made in 1968.

But within that "minibudget" are found some of the nation's largest defense contractors—exceeding in contracts awards even the giant aerospace, electronic and general manufacturing corporations.

This year, the Massachusetts Institute of Technology, with $119,000,000 in contract awards, is the 10th largest among the Pentagon's list of 500 top defense contractors.

It ranks ahead of such well-known names as Aerojet-General Corp.; Raytheon Co.; Pan American World Airways; Grumman Aircraft Engineering Corp. and even General Motors Corp.

Johns Hopkins University, Baltimore, is 22d in rank, with $57,600,000; Stanford Research Institute in California—with branch operations in Ethiopia and Thailand—is 36th among the 500 largest, with $28,000,000 in contracts.

In the Chicago area, the University of Chicago ranks first with $1,360,000 and is 219th nationally. It is followed by the Illinois Institute of Technology, with $988,000, and Northwestern University, $588,000.

The University of Illinois has $8,583,000 in contracts, all of it, except for $89,000, concentrated at Urbana.

Buried among the 260 million-dollar-and-over contracts listed in the Pentagon's January issue of the Defense Industry Bulletin, a limited circulation publication that says "suggestions from industry representatives concerning possible topics for future issues are welcome", were three university awards.

Descriptions of the projects were brief to the point of saying almost nothing.

One award, for $9,000,000, went to the University of Rochester "for research of problems associated with the mission of the Navy." A second, for $1,200,000, went to the University of Alaska, at College, Alaska for "additional research in Arctic problems."

But the third for $1,000,000, went to MIT, for "design and development of advanced instrumentation of missiles."

Adam Yarmolinsky, a special assistant to former Defense Sec. Robert S. McNamara and now a Harvard Law School faculty member, does not see a "threat" to the university in acceptance of Defense money. Harvard University has $2,500,000 in contract awards.

"I really don't think universities are significantly influenced or affected," he says.

While many universities receive a broad range of federal funds, he added, "by and large these are not from the Defense Department." Only about 4 per cent of funds for social and behavioral science research comes from federal sources, and only one-tenth of that amount is from the Pentagon, he said.

Government research money goes to universities that are "big and rich, not poor and small," said Yarmolinsky, because the former have the facilities to conduct the research.

But, he acknowledged:

"The fact that Defense Department funds are used at all has an unfortunate divisive effect within the community."

The recent one-day "strike" of professors at a number of universities was a good example of this, he agreed.

"Some were opposed to Defense Department-sponsored research and others were against the Vietnam war and the size of the military budget," he said.

This, as well as other similar demonstrations of disaffection at schools, reflects the "serious divisions within the country over the Vietnam war and the priorities of spending."

Another high official of an Eastern university, neck-deep in Pentagon money, discussing the military-industrial complex, its faults and—as he saw them—its virtues, made a revealing comment:

I must be careful of what I say, I have millions in research I'm in charge of. Now, that's off the record."

BIG DISH: $63 MILLION FIASCO

(By William McGaffin and Robert Gruenberg)

WASHINGTON.—Sugar Grove (pop. 75) lies in the beautiful eastern Appalachians, seemingly the last place on earth to be involved in the military-industrial complex.

But this West Virginia hamlet on the South Fork of the Potomac became just that—the site of a dispute between the Defense Department and the dollar-conscious General Accounting Office that cost the taxpayers $63,000,000.

To 75-year-old Ben Mitchell, a Sugar Grove native, the sight of earthmoving machines back in 1958 leveling hills and filling in hollows and the relocation of roads was a welcome one.

The U.S. Navy was coming to Sugar Grove with some kind of a project. Whatever it was, the increased population and money to be spent was sure to bring good times to all of surrounding Pendleton County.

But in 1962 Defense Sec. Robert McNamara called a halt to it all.

"They had worked quite a while and then they pulled up. It left us in a pretty bad way. They would have brought us lots of revenue and business," observed Mitchell, who also is county assessor.

The Sugar Grove story is one of the first that GAO officials cite if anyone asks about military spending and waste.

The project was Big Dish, a huge, naval radio research station, its main feature a 600-foot-diameter reflector (the Big Dish).

It was to reach more than 60 stories in height and turn full circle horizontally or tilt completely vertical as it listened to radio emanations from galaxies billions of light years off.

Certain highly classified military needs also were to be met, said GAO, mainly—added Defense officials—connected with "estimating Soviet technical progress in certain areas."

Big Dish was to maintain its exactitude to within a fraction of an inch tolerance under all conditions—wind gusts, icing and distortion caused by cloud shadow.

In short it was to have been the largest movable, land-based structure ever built anywhere. Its initial estimated cost: $20,000,000.

But by July 18, 1962, when McNamara killed it, the costs were projected at 10 to 15 times that amount—up to $300,000,000.

As it was, about $63,000,000 had been poured into it, according to the Navy.

Just about every planning error in the book was made on Big Dish, according to Joseph Campbell, U.S. controller general in 1964.

It was badly underestimated from the beginning, he said in a report. Until the original architectural engineering team—three firms on a "joint venture"—was dropped by "mutual consent," Big Dish's history was "one of a series of design failures," he said.

But the Navy thought the military urgency of the project so great that it went ahead asking for structural design bids and bought steel "even though the validity of the . . . design had not been verified."

A new architectural-engineering firm had also been selected—a subcontractor to the original team—and it decided that the total re-analysis and design were required. The cost of the earlier design effort was set at between $2,000,000 and $5,000,000.

But all hands decided to take what was called a "calculated risk"—to design and build the project at the same time!

The decision was taken, said Campbell, "although it was known that major scientific and technological developments were necessary" for its success.

Adm. Frank L. Johnson, then of the Office of Chief of Naval Operations, explained to the Senate Armed Services Committee in 1962:

"This facility is so important that the Navy decided instead of designing and testing the various components . . . before actual construction, we would design and construct it simultaneously in order to save about roughly—three or four years."

One result of this policy was that Big Dish's super structure weight was considerably greater than that provided for in the already partially-built supporting elements. Instead of cutting down on a recognized problem of overweight, it had the opposite effect.

By early 1960 the Navy was caught in a revolving door of cost increases due to increased steel needs, caused by increased design work, said Campbell.

By June, 1961, a special committee named to explore Big Dish's troubles told then Navy Sec. John B. Connally:

"The present construction status at the Sugar Grove site appears confused. . . ." It went on to emphasize the need for "each phase of the project to be complete and practical before proceeding too far with another."

Campbell also charged in his study that the Navy's construction agency, then called the Bureau of Yards and Docks, "almost completely eliminated effective participation . . . by scientific personnel until it became very clear . . . that (their) assistance was essential to solve several of the scientific problems."

The security classification of Big Dish was responsible for much of this, he said, as well as "actions of bureau personnel."

Meanwhile, costs spiraled. From a 1957 estimate of $20,000,000 they went to $52,000,000 in 1958; as military capabilities were added to the requirements they went to $79,000,000. In September, 1961, Congress set a limit of $135,000,000.

It was after the Navy decided that $195,700,000 would be needed, even with omissions from the project, that it was halted.

Big Dish was vigorously defended by Eugene G. Fubini, then deputy director of defense research and engineering.

Monday morning quarterbacking was fine, he hinted in a reply to Campbell, but GAO's "oversimplification" failed to consider "the tenor of the international situation in the years, 1956 to 1962."

In some of those coldest of the cold war years, he acknowledged, wrong decisions and judgments were made, but they were "on the basis of the experience and background of those responsible" for research and development work.

He said the $20,000,000 initial estimate "may be" a "misunderstanding." This envisioned only a "limited use research instrument," he said. The GAO should use $79,000,000 as a "base" to figure cost escalation.

The temper of the late 1950s also made it necessary, he argued, that planning and building be carried on simultaneously, adding:

"It is often necessary to make a decision that accepts high technical risks in the expectation of getting very valuable returns, although the probability of achieving these returns is not as high as one would normally like."

And there is no guarantee that the Big Dish story won't happen again, Fubini warned.

"It has been the case and will continue to be the case that occasional high-risk developments will have to be undertaken because the value of the information obtained is also very high."

MILITARY-INDUSTRIAL COMPLEX: IKE'S HISTORIC 1961 WARNING

(By William McGaffin and Robert Gruenberg)

WASHINGTON.—It happened one day during the quiet well-regulated life in the White House when Dwight D. Eisenhower was President.

Malcolm C. Moos, the President's speech writer, had been perusing a batch of aerospace journals brought in by a White House aide.

"I recall looking at one where there were some 26,000 different aerospace firms supplying different things to the aerospace industry," Moos said.

"And I thought, 'God, what a network this is!'

"Then there was the field of Congress and politics," mused Moos, now the president of the University of Minnesota.

"I was constantly impressed with the test of wills going on in Congress—about taking a military installation away from this or that state and what it would do to the economy and the fighting back and forth."

In addition, Moos said, he was concerned about the "early retirement, the phasing out of colonels and generals—men in the middle forties," who wound up on the boards of defense industry firms.

Moos said he discussed these concerns a number of times with Ralph Williams, another White House speech writer, a Navy captain who "has a head full of technical facts, a good factual inventory in his noggin."

Williams, now an official in the Department of Interior, also provided "a great deal of help on such things as the State of the Union message," according to Moos.

Moos' give-and-take with Williams, as well as his own observations built up over the years, germinated the idea for that now-famous farewell speech Eisenhower delivered Jan. 17, 1961, three days before John F. Kennedy took office.

"In the councils of government we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex," said the soldier who had been friend to generals and corporation leaders.

"The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted."

Nor did Eisenhower forget -as have so many others who cite only the "military-industrial" phases—the scientific and technological community's part in the "complex."

"In holding scientific research and discovery in respect, as we should, we must be alert to the equal and opposite danger that public policy could itself become the captive of a scientific-technological elite."

The language was strong as any soldier-President was capable of using. It caused experienced heads in the military and aerospace industry here to wag, recalls one veteran. They asked each other:

"Was it really Ike speaking, or did someone 'get' to him?"

"People thought it incongruous for Ike to be saying something like that," Moos acknowledged. However, a number of times afterwards the President expressed pride in the speech, and its "importance as a warning," Moos added.

Moos was uncertain exactly how the phrase, "military-industrial complex" originated. "It just seems to me a logical phrase to describe exactly what was happening in the effervescence of American politics," he said.

Years later, he recounted, Library of Congress research experts told him they had hunted two years in vain for an earlier reference to the "military-industrial complex."

At the time he served Eisenhower, the tall, spare university official, now 52, was a political scientist and historian on leave from Johns Hopkins University in Baltimore.

One of his casual practices was to jot down "stray ideas" on pieces of paper and toss them in a drawer. "H. L. Mencken taught me that. He said, 'Moos, you've got to have a dustbin.'

"In my own teaching at Johns Hopkins I had stressed constantly that after 1945 we entered a new stage of our existence in this troubled country," Moos said.

"It was the first time we had a permanent, huge peacetime military establishment . . . and it was bound to have an enormous impact. It was totally unprecedented in the 179 or 180 years of this republic's lifetime."

Thus, the "dustbin" had been collecting ideas steadily when, in late 1958, Moos said he showed Eisenhower a book on great presidential decisions and the speeches accompanying them. There were "15 or 20," beginning with George Washington's Farewell Address, which some authorities believe was "ghostwritten" by Alexander Hamilton.

Ike said to Moos, "I want you to be thinking about something that I want to say, and say very much, when I leave the White House. I want you to be thinking and putting together materials," Moos recalled.

About three weeks after the Kennedy victory in November 1960, Moos and Williams wrote the first draft of the farewell speech.

It was submitted by Eisenhower knowing that the President's "first impressions were not always the best index of what he thought."

Moos said Eisenhower, after reading the speech, called him into his office the next day, and said, "I think you've got something here. Let me sleep on it."

"I think another two or three days went by and he said, 'Yes, you've got something.'" He told Moos to take the speech to Dr. Milton Eisenhower, the President's brother and president of John Hopkins. Eisenhower often consulted him on important matters.

Milton Eisenhower liked the speech, Moos said, and the three men went to work on it for final delivery. There was discussion among the White House staff over whether Eisenhower should deliver it before Congress, thus making certain that it would receive concentrated national coverage.

But Eisenhower vetoed this, Moos said. He recalled the President saying, "I'm more interested in how it reads a generation from now than I am in the comment it gets in the headlines."

The speech was delivered over nationwide television from the White House. Like another great speech, delivered at Eisenhower's own Gettysburg 98 years earlier, it kindled little public fire.

Eventually the news media did "discover" it. There was some consternation but, one aerospace industry spokesman recalled here, Eisenhower was "too sacrosanct" to attack.

Today the "military-industrial complex" is part of the national debate.

Moos still thinks that the military-industrial complex is a threat to the nation.

"President Eisenhower delivered a timely warning. I feel strongly that it may have helped alert people to its danger—but I don't think we are past that threat, by any means," he said.

Pentagon Offers Congressmen High Ranks

(By William McGaffin and Robert Gruenberg)

WASHINGTON.—"I had only been a corporal in the Army, but after I came here and was appointed to the Armed Services Committee, the Army offered to make me a colonel."

The speaker was an important legislator on a congressional committee that recommends the spending of millions of dollars on defense hardware.

But he was not interested in making unnecessary enemies—neither among his colleagues nor the military—so his remarks were "not for attribution."

What he said, however, echoed what had long been spoken of quietly on Capital Hill: the Pentagon's practice of trying to win important Senate and House friends by offering them military commissions.

It is one of the strands in the fabric of the military-industrial complex, a fabric that some critics say can become a shroud.

Giving commissions to congressmen is only one example of the politics in big military spending.

Another is the "pork barrel" race among senators and House members to win weapons and defense service contracts or military installations for their states or home districts.

And then there is the pressuring by the Pentagon's own $4-million-a-year force of 339 lobbyists, more than one for every two members of Congress.

Defense officials say this force is necessary because the congressmen as well as the constituents are continually seeking more information.

Finally, there are the defense industry's own lobbyists, now called "strategic systems salesmen," backed by the military associations, their service journals and other military publications.

As the bill for the national defense goes up each year (it is now about $80 billion) the politics, porkbarreling and lobbying gets more intense, and taxpayers many rightly wonder whether there is a relationship among them all.

The unorthodox promotion system employed by the military with members of Congress was disclosed in a check into the manner in which a number held commissions—sometimes listed in the Congressional Directory, sometimes not.

The criterion is not necesarily the legislator's military background or experience. It is, in many cases, his membership on a key committee such as Armed Services or Appropriations where the fate of much of the huge defense budget is often decided.

Of the 535 Senate and House members, 139—or 26 percent—are in the active, inactive and retired reserve, according to Pentagon records dug out by The Daily News.

These ranks range from BM–3 (Boatswain's Mate, 3d Class) to MG (Major General).

Sen. John G. Tower (R-Tex.) is a BM–3 in the active standby reserve, according to the Pentagon list. A Tower aide denied it, saying the senator is in the inactive enlisted reserve.

Why does he maintain his standing?

"As a factor in breaking ice . . . to talk to the troops," replied the Tower spokesman. The senator has visited Vietnam and domestic bases, he said.

"For instance, he may go to the enlisted men's mess or the club, and he can say, 'I'm one of you boys' and get a real, personal 'feel' as to what worries them."

Sen. Strom Thurmond (R-S.C.) is an MG. His assistant is Col. K. Kipling Cowan, who says he is retired and refers to himself as "Mr. Cowan." He is on the senator's "personal staff," not his office payroll, says Cowan.

Asked if Thurmond's service as a retired reserve general on the Armed Services Committee represented a conflict of interest, Cowan replied:

"He has nothing to gain by it. He knows the problem cf the military. His integrity and character and experence are unquestioned.

"Because of his experience and knowledge the country is well served by people like him. We are lucky to have him."

The defense budget has grown so huge that each of the 50 states feel its effects. And while all are equal, some are "more equal" than others and so get more of the pork.

A speech 10 years ago by Rep. Ken Hechler (D-W. Va.) shows how the system works. "I am firmly against the kind of logrolling that would subject our defense program to narrowly sectional or selfish pulling and hauling," he said.

"But I am getting pretty hot under the collar about the way my state of West Virginia is shortchanged in Army, Navy and Air Force installations. . . ."

Hechler vowed to "stand up on my hind legs and roar" until West Virginia "got the fair treatment she deserves."

Four years later his state's share of military contracts had gone from $36,000,000 to $162,000,000.

The Ken Hechlers may have their troubles in getting their share of the pie. But this is not a worry to the chairmen of the House and Senate armed services and appropriations committees.

A good example is L. Mendel Rivers (D-S.C.), the House Armed Services Committee head. He is from Charleston. There are in Charleston and several neighboring counties an air base, an Army depot, a missile plant, a mine warfare center, a naval station, a shipyard, a major Polaris submarine base and two hospitals.

A chairman of a committee dealing with the Pentagon may find that he is "appreciated" more than other Congressional Committee chairmen.

The Pentagon recently held an "appreciation dinner" for Sen. John Stennis (D-Miss.), the new Senate Armed Services Committee chairman, in his home town of Jackson.

Among the Pentagon officials attending were Defense Sec. Melvin R. Laird, four of the five members of the Joint Chiefs of Staff, the Navy secretary, the Coast Guard commandant and the commander-in-chief of U.S. forces in the Pacific.

Also flown to Jackson at taxpayer expense, was the entire Armed Services Committee membership, other congressional VIPs and the evening's entertainment.

New Probe Slated: TFX Airplane "Classic Case" of Politicking

(By William McGaffin)

WASHINGTON.—The "classic example" of lobbying and political infighting for huge defense contracts is the TFX case—and in a few weeks Washington may get a re-run of this acrimonious case.

It will be re-opened by Sen. John L. McClellan (D-Ark.), The Daily News was informed.

McClellan who conducted the original investigation into the highly controversial TFX (Tactical Fighter, Experimental), will conduct a series of hearings that will review the case from its beginning, then close it out with a summarizing report.

The final phase of the sessions will concentrate on the shortcomings of the plane, which was later known as the F-111. Three of the F-111s were lost in less than a month in Vietnam, at $13,000,000 per copy.

Critics of former Defense Sec. Robert S. McNamara say it was one of his biggest mistakes.

Nowhere in the final report, it may be predicted, will there be a full discussion of the geographical favoritism that was charged during the dispute over the award: Texas and New York against Kansas and the state of Washington.

Some in Washington prefer to think of it as Lyndon B. Johnson against Sen. Henry (Scoop) Jackson (D-Wash.).

"You could never get anybody to talk on the record about these things," said an old congressional hand.

It was in November, 1962, that the Pentagon awarded the TFX contract to the General Dynamics Corp. after one of the fiercest behind-the-scenes political battles ever fought here.

It was a tough fight because the prize being dangled in front of the defense industry was the biggest since World War II. As originally drawn up, it called for a whopping 1,700 planes at an estimated cost of $6.5 billion.

Competing for the prize also was the Boeing Co., which—according to the nearly unanimous recommendation of the military technicians at the Pentagon—should have been given the contract.

When it went to General Dynamics, instead, McClellan held a 10-month investigation—from February to November, 1963. The case has been in limbo since.

If the politics of the case does not appear in the final McClellan report, neither will there be any discussion of the relative prosperity of General Dynamics and Boeing at the time the contract was awarded.

"It's common knowledge that had a lot to do with the award of the TFX contract," said a knowledgeable Capitol Hill source who has been close to the conflict for years.

One of the important factors influencing the decision in favor of General Dynamics, he said, was that it needed the business more than Boeing.

"The way they reasoned is that it was necessary to keep General Dynamics prosperous, too, in case this big contractor might be needed in some future emergency."

The geographical battle lines were drawn from the start—Boeing, with headquarters in Seattle planned to build the flying machine in its Wichita (Kan.) plant, while General Dynamics, headquartered in New York, planned—and finally did—the work in Texas and Long Island.

Its Texas plant, the Convair division, is at Fort Worth. Its main subcontractor was Grumman Aircraft Corp., on Long Island.

One politics-sharp congressional source commented:

"An election was coming up (the 1964 presidential election) and there were obviously a lot more electoral votes to be gathered in New York and Texas than in Kansas and Washington state.

"But naturally you could never get McNamara or Johnson to admit this."

A Texas Democratic congressman, did go on record about what the contract meant in dollars to General Dynamics and Fort Worth:

"It meant the difference between employment or unemployment for thousands of my constituents."

Rep. Jim Wright (D-Tex.) was describing a problem typical of scores—if not hundreds—of congressmen whose home economies are dependent on defense industry.

As a member of the Texas delegation headed by then Vice President Johnson, he worked hard to win the contract for General Dynamics, and he did not try to conceal this fact.

"I talked about this subject with everybody I could get to listen," he said, "both military and civilian officials. That does not, in my judgment, amount to undesirable political influence. The same sort of things was being attempted by the other side.

Boeing had its political champions, too.

The investigation into the TFX contract award was made at the instigation of Sen. Jackson (D-Wash.), sometimes called "the senator from Boeing." Jackson held a post on the subcommittee that looked into TFX.

One of Boeing's most fervent supporters was Rep. K. William Stinson (R-Wash.), whose 7th District included that part of Seattle in which Boeing's main headquarters is located. In the bitter aftermath of the TFX award, Stinson, who served from 1963 to 1965, rose in the House one day and in acid tones, said:

"This very, very valuable TFX (was) sometimes known as the LBJ aircraft."

Support for the military-industrial complex is bipartisan and Boeing had it.

Besides Warren Magnuson, the other Democratic senator from Washington state, there was a trio of Kansas legislators, all Republicans: Sen. James B. Pearson, then-Sen. Frank Carlson and Rep. Garner E. Shriver.

The latter three went to then-Air Force Sec. Eugene Zuckert, arguing that Boeing could do a better job than General Dynamics, and besides, that Boeing's Wichita plant needed the work.

As did the Kansas trio, then-Sen. Mike Monroney (D-Okla.) made a case for an idle defense facility in his state. He reminded Zuckert that the government owned a big plant in Tulsa, that it had large unused machinery and manpower resources.

Sen. Stuart Symington (D-Mo.), a former Air Force secretary himself, hoped that Missouri defense plants could get TFX subcontracts—from either competitor.

But the potent forces working for General Dynamics prevailed. These included not only Vice President Johnson and Rep. Wright, but John B. Connally, a good friend of Mr. Johnson and Navy secretary early in the John F. Kennedy administration who had moved on to become governor of Texas.

There was also Fred Korth, the Texas banker who became Navy secretary after Connally.

The McClellan investigation disclosed—among other things—that General Dynamics, the TFX winner, kept its checking account in the Fort Worth bank that Korth headed before coming to Washington.

GIANT CARGO PLANE FAR PAST ESTIMATED COST

(By William McGaffin and Robert Gruenberg)

WASHINGTON.—Lockheed Aircraft Corp., No. 1 among the nation's top 500 defense contractors, is building the "Versatile Giant."

That's Lockheed's description of the C-5 Galaxy, a gargantuan cargo plane that Lockheed hopes the Air Force will turn into a nuclear-powered aircraft that can stay aloft for weeks.

A nuclear-powered plane project was killed in 1961 by President John Kennedy after 15 years of research and more than $1 billion had been spent by the Air Force, Navy and Atomic Energy Commission.

But the C-5 is proposed by Lockheed now as the plane that can do it. This is one way new weapons are born.

The "Versatile Giant" rates high among the colossal creations of the nation's mushrooming post-World War II military-industrial combine.

Aside from its size and advanced technical developments, the C-5 is already a rarity by Pentagon contracting standards: It flew on schedule last June 30, a date fixed three years earlier.

The plane, a monster with 28 landing wheels, has a tail more than six stories tall (workers at Lockheed's Marietta (Ga.) plant wear mountain climbers' ropes). It is almost a football field in length.

At an average speed of 506 miles an hour it will span oceans and continents, carrying helicopters, tanks, trucks, jeeps, ammunition trailers and even mobile bridges. With 75 soldiers and 20 airmen, in addition, there are enough men and materiel for a small invasion.

It is, says Lockheed, the "world's largest airplane," and the Air Force wants 120 of them.

But testimony before the Joint Economic Committee has left critics wondering whether it also will become the world's largest airplane bill.

Neither the Defense Department, nor Lockheed, nor Congress can estimate its ultimate cost.

"I don't have the foggiest notion," said a Lockheed spokesman, adding it will be subject to the contract's provisions after the last plane is delivered.

But the cost will be big, all agree, and Lockheed is accustomed to bigness. Last year it and its subsidiary, Lockheed Shipbuilding Construction, received $1,870,000,000 in military contracts, about 5 percent of the total awarded.

That's 10 times the amount in the proposed 1969–70 federal budget for consumer protection.

A. E. Fitzgerald, deputy for management systems, office of the assistant secretary of the Air Force, reported to the Joint Economic Committee that the C-5 probably will cost $2 billion more than the original contract ceiling of $3 billion.

"The Air Force itself admits that the cost 'overrun' will amount to at least $1.2 billion," adds Sen. William Proxmire (D-Wis.), committee chairman.

Three of the airplanes have been produced. But the significant delivery date, June, 1969, when the planes were to join Air Force operations, has now been delayed to December.

The Air Force "had not bothered to tell anyone" about the extra costs, said a Proxmire aide, "until after the hearings discovered them."

Proxmire wanted to get the Defense Department to delay ordering 57 of the planes, approximately the latter half of the number sought by the Air Force.

He hoped a new price could be negotiated, and he scheduled hearings on the C-5 for the afternoon of Jan. 16. But that morning he was notified by then Defense Sec. Clark M. Clifford that the Air Force had "exercised the option" to buy 23 of the 57 planes.

"Having reviewed all the facts, including cost escalation, I concluded it was in the national interest to authorize the action," Clifford told Proxmire in a letter.

"I felt it appropriate to take this action before Jan. 20; otherwise the new administration would have had only 11 days in which to review and make a decision in this complex matter."

The Air Force denies a $2 billion "overrun." Its cost data breakdown, headed "flyaway costs," says it is $882,000, or 25 per cent more than the October, 1964, estimate when the program began.

At that time the Air Force estimated the cost to be $3,110,000,000 (close to Proxmire's $3 billion), based on a smaller craft than Galaxy. But by October, 1965, when Lockheed received "contract go-ahead", the cost was $3,460,000,000. Since then, it has gone to $4,340,000,000.

"Economic inflation has been the biggest single cause for the price rise, amounting to an estimated $500,000,000," says the cost date memo furnished by the Pentagon.

Also, in 1965 changes in specifications caused "considerable redesign." In 1966 wind tunnel tests revealed "significant excess drag," forcing more redesigning. The plane also was found to be overweight, forcing introduction of "new and more costly materials."

Lockheed's backlog of other aerospace business, and the booming airplane manufacturing market also caused "sharp unpredictable increases" in production costs as well as knocking schedules awry.

"The cost growth currently projected . . . has not been the result of inefficiency, but rather it has been caused by normal development problems associated with complex weapons, compounded by normal escalation in the economy and disruption of the aircraft market," added the Pentagon spokesmen.

A Lockheed official was extra sensitive about discussing final costs and Proxmire's $2 billion "overrun" predictions.

"Anyone who predicts is just . . . well . . . predicting," he said in irritation. "But I'm not in the business of wanting to be quoted these days. I don't want to fan the fires."

Lockheed officials envision their "Versatile Giant" as no ordinary workhorse, hauling soldiers and equipment. In their public statements they see it doing more sophisticated jobs.

"An intricate electronics and communications system permits Galaxy to serve as an "airborne command post," they say. Or it could "loiter far beyond" U.S. borders, armed with air-to-air missiles, providing "advance warning and control."

It also could serve as an airborne fuel tanker or an advanced reconnaissance plane, firing missiles at the after end and through the top. They also see it serving as an airborne aircraft carrier, catching and launching small fold-wing planes and helicopters.

Finally, it could "go nuclear." For, says the firm, "a reactor, with all necessary shielding, can be contained in the center of the fuselage. For the first time an airplane exists that is large enough to make this approach practicable.

"Nuclear-powered C–5s would carry significant payloads for essentially unlimited range."

Do industry and the military plan new weapons systems together at an ever-escalating pace?

"We do not have a group of men from the Pentagon and industry sitting around thinking up new ways to 'do in' the American taxpayer," said Jack P. Ruina, former director of the Pentagon's Advanced Research Projects Agency in the Robert S. McNamara era.

"On the other hand (they) very naturally believe strongly in the importance of their mission. This is no different from what we have in any other field. . . ."

As for Lockheed's attempt to convince the Pentagon of the value of its "Versatile Giant," he added:

"I believe it is perfectly in order and very useful for Lockheed to be as inventive as it can be to find uses for its product. But the government must on its part examine the merits of the case dispassionately and resist sales pressure."

Pentagon Infighting: Quiet War Being Waged Over Military Waste; $9.2 Billion in "Fat" Can Be Cut, Says Ex-Aide

(By William McGaffin and Robert Gruenberg)

Washington.—Open skirmishing, sometimes with rifles and often with blunderbusses, has been under way for some time on Capitol Hill against military waste.

Less known, and probably surprising to many critics, is that a similar, although "quiet," war has also been going on in the Pentagon, citadel of the military-industrial establishment.

Attention has focused this year on whether military spending has run away with other national priorities. It was brought to public debate not only by the mounting costs of Vietnam but in the argument over deploying antiballistic missiles at a cost speculated at $5 billion and up.

National defense costs, currently at about $80 billion a year—the same level as the height of World War II—are, for the first time being looked at with a view toward serious cutting.

Robert S. Benson, former official in the Pentagon's office of the controller, writing recently in the Washington Monthly, says that about 90 per cent of the major weapons systems the Pentagon buys cost twice as much as he originally estimated.

More than $9.2 billion in "fat" can be slashed from the Pentagon's budget, says Benson, without affecting national security or reducing funds for the Vietnam war.

The cuts can be made in the so-called "core" programs and in areas where "weapons systems are either duplicated or outmoded, where an enemy threat is no longer credible in today's political and technological environment, or where money is being lost through grossly inefficient performance."

He suggested:

Eliminating the Manned Orbiting Laboratory (MOL), an Air Force project "duplicative and wasteful" of the National Aeronautics and Space Administration's program: Savings, $576,000,000.

Instituting a "more flexible" Army basic training program, shortening it in some cases for certain troops: $50 million.

Reducing by 25 per cent the number of changes in officer assignments, with consequent reduction of moving and transportation costs: $500,000,000.

Eliminating the extra "cushion" of manpower demanded by the Pentagon to compensate for men on leave, in the hospital and in schools. Require, instead—as does industry—that the absences be "absorbed" by the work units: $450,000,000.

Eliminating the close-to-shady practices, the "sheer inefficiency" and other sloppy administration in Pentagon purchasing. This would require "no dramatic breakthrough in management techniques." Saving: $2.7 billion.

Taking a new look at the Navy's use of tactical aircraft carriers as against the use of ground air bases now scattered around the globe augmented by the Navy's "vital" Polaris-Poseidon ballistic missile submarine fleet. Savings in eliminating five carriers: $400,000,000.

Reconsidering the use of Marine Corps amphibious assault tactics, especially in the light of an enemy's tactical nuclear weapons employment. Keep the marines, but "phase out a proportionate share of assault ships": $100,000,000.

Reducing over-all shipping defenses to a "sensible" level instead of expanding them at a time when destroying the ships of an enemy would, in any event, almost certainly mean a nuclear war: $600,000,000.

Making a "realistic" cut-back from the 300,000 U.S.-NATO troops in Europe (with 200,000 dependents) to 125,000 troops, with 50,000 on U.S. soil for "contingencies": $1.5 billion.

Converting the SAGE-Air Defense Command from a full anti-bomber defensive system (outmoded when "the balance of terror rests on an offensive missile strength") to a purely warning system: $600,000,000.

Halting the Sentinel ABM, "a misguided attempt to provide protection": $1.8 billion.

Benson is now among the top officials of the Urban Coalition, a group of national leaders dedicated to tackling realistically and directly the problems of the cities. Antagonists may thus charge him with special pleading.

However, similar estimates from "neutral," as well as military sources caused an "in-house" furor last summer at the five-sided fortress on the Potomac.

In fact, these savings estimates were even higher than Benson's $10.8 billion.

They were disclosed in an indepth investigation by the Congressional Quarterly, the fact-finding, record-searching Washington research organization with a reputation for reliability.

Based on interviews with numerous defense-industry experts, civilian and military officials, CQ's lists differed only in a few details from Benson's estimates.

Critics of Defense Department spending practices are also concentrating fire on other cost-cutting methods. For instance:

Of the 500 personnel in the Budget Bureau, only about 50, or 10 per cent, are assigned to scrutinize military spending, Sen. William Proxmire (D-Wis.), said recently.

One explanation is that the Budget Bureau considers that any attempt by it to subject defense spending to rigorous examination would force it into the field of military strategy and national security.

Rep. William S. Moorhead (D-Pa.) says that one result of the Pentagon's control over the Budget Bureau's experts is that the budget director must ask the President to overrule the defense secretary in any controversy.

Other Cabinet secretaries do not enjoy the power possessed by the defense secretary. They must ask the President to overrule the budget director in any dispute affecting their agency.

The sheer size of the Pentagon and its operations, the lack of competitive bidding in favor of negotiated contracts, the lack of uniform accounting standards (now under study by the General Accounting Office), the military-industrial links, the secrecy of audits—all these, and more—contribute to the uncontrollability of the Pentagon say the critics.

Ralph Lapp: Pentagon Gadfly—A Nuclear Expert and Relentless Arms-Race Foe Warns the United States Is Close To Being a Prisoner of Its Own Military

(By William McGaffin and Robert Gruenberg)

Washington.—Two Presidents, Lyndon B. Johnson and Richard M. Nixon, were strongly motivated by politics to build the controversial antiballistic-missile system.

Their decision represents another in a long series of triumphs for the military-industrial complex.

With its pressures, political connections and influence stretching from Capitol Hill to small-town factory, it has contributed to the arms race and brought us to the dangerous point where we may one day become "prisoners" in a "garrison state."

These are some of the conclusions of Ralph E. Lapp, outstanding American nuclear scientist who, with other noted persons, is waging a vigorous campaign against deploying the ABM.

Lapp's credentials extend back to 1943, when he was part of the team that developed America's atomic bomb at the University of Chicago. He also has been a top adviser to defense officials.

In a wide-range interview to climax a series of Daily News articles on the influence of the conglomerate of defense, industrial, education, political and labor forces that make up the "complex," Lapp emphasized:

The military-industrial complex "needs" the ABM so it can continue its work as Vietnam spending and Apollo space program contracts taper off.

Starting with a "modest" $2 billion, the ABM costs could go as high as $72 billion—with no dollar limit really in sight.

The military-industrial influence "cuts across" both major political parties, not only because of the "dominance of the military" but because politicians are hungry to keep constituents happy in jobs, no matter what kind.

The danger exists that the military-industrial combine depends so greatly on cold-war tensions and resultant arms making that it may be tempted to promote these for selfish financial reasons.

SIGNIFICANT EXCERPTS FROM THE INTERVIEW WITH LAPP

Q. How did the ABM get started?

A. It got started toward the end of World War II as an anti-bomber defense. It was hastened by the Soviet development of an intercontinental ballistic missile and the launching of Sputnik in 1957.

Q. Were you surprised when Defense Sec. Robert McNamara announced a decision to deploy the ABM?

A. Yes, because it was a complete U-turn for him. It went against everything he had said up to then. (McNamara had long argued that the U.S. deployment of an ABM would trigger an "action-reaction phenomenon," causing the Soviets to attempt to "out-ABM" the United States, thus spiraling the arms race.)

Q. Why do you think he made that turn?

A. It seems to me there's only one place the decision could have been made—the White House.

Q. Why did the White House make it?

A. The Republicans blasted President Johnson for failure to make a decision on the antiballistic missile. He was still in the running for a second term at that time and it could become a potential defense issue. I guess you could say that warheads with mega-votes were more important than warheads with megatons.

Q. So you feel this was largely politically inspired?

A. Congress had already appropriated the money. . . . Congress was ready, the Army was ready, the Joint Chiefs of Staff had approved it, the GOP was criticizing LBJ—it seems to me the cards were all stacked one way. When you've spent $4 billion (in research) on a weapons system, it's awfully difficult not to do something about it.

Q. In the fall of 1966, the Russians were beginning to deploy a limited ABM around Moscow. Did that figure in it?

A. This was certainly a factor. The matching of weapons is the oldest of military traditions. No matter what the Russians develop you have to go ahead and develop the same thing. But McNamara had already anticipated that, and in 1961 and 1962 we took steps to develop the multiple warhead for our missiles—which if deployed would give us an advantage over the Soviets.

Q. What else figured in it?

A. There's also the military-industrial component. Nothing promises so many dollars to the major aerospace concerns as the ABM. Once you start on it, it's a narcotic. You're hooked and you'll never get off it.

Q. Do you think the military-industrial complex was active in pressuring and lobbying for this?

A. Oh, very definitely. But I deny it is a conspiracy, because a conspiracy takes coordination. However, if people think alike you don't have to have a conspiracy.

Q. If the ABM is deployed, what would it mean for the arms race and the money to be spent?

A. The Soviets must look on an ABM defense as being an effective one. They have no choice, because as a military man, you must always assume the worst. It would start another round in the arms race.

The cost of the present program is estimated at $2.1 billion, for partial protection for about one-third of the bases. To protect all the missiles sites would cost about $18 billion, and an equal amount to protect cities would bring it to $36 billion. Then with elaborate "point defenses" it could go up possibly twice as high.

Q. Why did President Nixon go ahead with it?

A. This dramatically altered program to defend missiles instead of cities reflects pressure in the Pentagon itself. People in the Army who had been trying to sell this system for a long time pushed very hard. And Defense Sec. Melvin Laird, being a "hard-liner," decided to accept that. Now Mr. Nixon is in an unenviable position of having to battle it out with congress.

Q. Would Mr. Nixon have been as inclined to proceed with the ABM had he not inherited it from the Johnson administration?

A. Mr. Nixon in his campaign had come out strongly for increasing our national security. A week before he was elected he made a very strong radio broadcast in this connection. And I think that his political constituency, which is the more conservative type, would be pleased with this.

There's also the point of George Wallace in the picture. If he did not go ahead with an ABM program, he would be handling a security issue to George Wallace.

Q. How do the antiballistic missile question and the military-industrial complex involve the political parties?

A. So far as the "complex" is concerned, it dosen't make any difference which party is in power. It will support or put pressure on either one.

Q. If, as you say, both parties are involved, what are Americans to do about it?

A. Americans must turn in the direction of rationality. McNamara, at the end of that September, 1967, speech, said we must begin to seek kinds of strategic agreements with the Russians. I think our safety will lie more in limitation of nuclear arms than senseless increases.

Q. Doesn't having more nuclear weapons provide more security?

A. The American people have never quite absorbed the new dimension of nuclear weapons. They tend to think in terms of sheer numbers—more tanks, more airplanes, more battleships, more security.

But when with 200 nuclear weapons you have the capacity to knock the Soviet Union out of the 20th Century, and you have 10,000 warheads available, it seems to me we have enough of something.

Q. Why should both parties be more or less in agreement on this?

A. Because of the traditional dominance of the military in our government.

Q. What do you mean?

A. The "hard core" (fact) of the military-industrial complex is that the Defense Department spends so much money. Money is power. With $80 billion, it has extended its influence into the very heart and mind of America. Millions of Americans owe their livelihood to the Defense Department and so do many thousands of contractors. Some completely depend on Pentagon contracts.

A triangular complex

Q. Is it just the military and industry?

A. It's a triangular figure—the Defense Department on one side, contractors on the other and, at the base, the funding agency, Congress.

Q. Is that all?

A. We have a closed cycle here, tied together by the fact that defense plant workers are also voters. This is the glue of it. And we're not talking only about laborers—but scientists, engineers, technicians, universities. It's a kind of second government.

Q. So what's wrong with it? Jobs are provided. Industry pays taxes, builds roads, etc.

A. The thing that is wrong is that we come to an arms economy. We become prisoners of the military. What happens when the fortunes of General Dynamics or Lockheed Aircraft start to sag?

Q. How does this affect social problems; the cities, for instance?

A. We have constantly deferred doing something about our cities. It's the old "guns-vs.-butter" argument, and we have allowed the butter to go rancid.

Q. Are you saying that the American defense industry and the U.S. economy depend on keeping the Cold War going?

A. I can't help but think that when you see full-page ads . . . on the latest missiles and bombers in the trade press, that this does have some effect on the Cold War. What really worries me is that if the aerospace industry gets into trouble, as it is now, that some of these people in the business may actually turn into being promoters of the Cold War.

Slaves to security

Q. Could we become a garrison state in which most of our money is devoted to arms? Could we one day have a military coup?

A. I don't think it's anything so dramatic as a military coup. I think it's more a question of our total program being nudged over by the military—unquestioning subservience to national security without asking what we get for it. No less an authority that Gen. Dwight D. Eisenhower raised the very issue of the military-industrial complex converting us into a kind of garrison state.

Q. What does this mean to the individual?

A. This eventually penetrates into the core of a person. It comes back to the whole question of the nature of our country—where we're moving—and should we not be spending more on the works of man, rather than the arts of destruction?

AMERICA'S MUSEUMS

Mr. PELL. Mr. President, I am pleased to invite the attention of the Senate to the publication of a report describing the needs and conditions of the museums in America. It is entitled "America's Museums: The Belmont Report." The message from this report comes through all too clearly: museums are in trouble. Stated simply, museums cannot afford to continue offering widespread cultural and educational services without Federal support.

The report grew out of the Federal Council on the Arts and Humanities' thorough study of the status of America's museums, their unmet needs, and their relationship to other educational and cultural institutions. Serving as Chairman of the Federal Council, S. Dillon Ripley called upon the American Association of Museums to assist in the study of these needs. The American Association of Museums appointed a distinguished special committee consisting of the following persons:

W. D. Frankforter, director, Grand Rapids Public Museum, Michigan.

Frank H. Hammond, director pro tem, American Association of Museums.

Louis C. Jones, director, New York State Historical Association, Cooperstown, N.Y.

Sherman Lee, director, the Cleveland Museum of Art.

George E. Lindsay, director, California Academy of Sciences, San Francisco.

Thomas M. Messer, director, the Solomon R. Guggenheim Museum, New York City.

Charles Parkhurst, director, the Baltimore Museum of Art, and former president of the American Association of Museums.

H. J. Swinney, director, the Adirondack Museum, Blue Mountain Lake, N.Y.

Frank A. Taylor, director, U.S. National Museum, Smithsonian Institution.

Evan H. Turner, director, Philadelphia Museum of Art.

Bradford Washburn, director, Museum of Science, Boston.

E. Leland Webber, director, Field Museum of Natural History, Chicago, and chairman, Committee on Museum Needs of the American Association of Museums.

John B. Davis, Jr., superintendent of schools, Minneapolis, Minn.

John R. Fleming, writer, Chevy Chase, Md.

Nancy Hanks, executive secretary, special studies, Rockefeller Bros. Fund, New York City.

J. Newton Hill, director, Karamu House, Cleveland, Ohio.

This committee met initially at Belmont House, Maryland, outside of Baltimore, to outline the general areas of museum needs and conditions in this community. The American Association of Museums committee continued gathering information and statistics throughout mid-1968. In the later part of 1968, it submitted a final document to the Federal Council. In turn, the Federal Council, then chaired by Roger Stevens, submitted its final report to President Johnson on November 25, 1968.

Basically, there are three types of museums; those specializing in art, those in history, and those in science. Nonprofit in nature, and charged with the responsibility of collecting, preserving, and exhibiting our Nation's treasures, museums have long served the public without adequate compensation. They have brought cultural and educational advantages to people of all ages. They have performed research for the scientific advancement of the entire Nation. They have preserved our cultural heritage, made it possible for us to study the past. In the past, the financial burdens of these important tasks have been borne by private citizens or local governments. The book, "America's Museums: The Belmont Report," explains that now the cost of these efforts have outstripped the abilities of private fortunes and local governments.

If all the museums in America were to close tomorrow, the public would soon be demanding to know something of our past, to see the objects which brought mankind to the present day. In a short time, we would be opening buildings for the very purposes that museums now serve. We would soon be training and hiring people to conserve these objects of art, history, and science and exhibit them for the public to see. The ever-increasing popularity of museums is witnessed by the fact that many of them have over 1,000,000 visitors per year. This is no mere fad. The growth in new museums and the expanding use of all museums has been continuing for years, and it continues because the public recognizes and demands their cultural, educational benefits.

However, these benefits cost money. With growth in popularity, the cost of museum services become more and more expensive. And it must be noted that it costs more to maintain exhibition space for 1,000,000 visitors than for 500,000, salaries are higher, more sophisticated humidity controls are needed, and of great importance, acquisition costs are higher. And these costs have grown as the financial base of museums has remained constant.

Much of what I have just related can be found in the letter which Roger Stevens wrote upon transmittal of the Belmont Report to President Johnson.

I ask unanimous consent that Mr. Stevens' letter, with its eloquent discussion of the report and the problems faced by our museums, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES, FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES,
Washington, D.C., November 25, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On behalf of the Federal Council on the Arts and the Humanities, I am privileged to forward you the enclosed report, "The Condition and Needs of America's Museums".

On June 20, 1967, you asked the Federal Council to study thoroughly the status of America's museums, to assess their present condition and unmet needs, to identify their relationship to other educational and cultural institutions, and to recommend ways to support and strengthen these unique repositories of scientific, artistic, and historical wealth.

The report was the subject of continuing discussions at quarterly meetings of the Federal Council and was the subject of many meetings of the Council's museum subcommittee. It drew upon the knowledge and insights of the most distinguished directors, curators and other museum professionals as well as educators, foundation officials, and public-spirited citizens. It drew, too, upon virtually all of the rather limited museum literature presently available. Given the limitation brought about by the shortage of relevant data, the Council believes the report to be the most comprehensive and significant assessment of America's museums presently available.

It is the view of this Council that the report documents the broad scope of museum services and makes it abundantly clear that the nation's museums play an authentic and major role in the nation's cultural and intellectual life. The report makes clear, too, that a pervasive and insistent financial crisis confronts these institutions.

A strong case can be made for federal support. It is in the national interest to protect our cultural heritage as other countries have effectively done for many years. Collectively the nation's museums preserve, exhibit, and interpret the irreplaceable treasures of America, and of man. Together with schools and libraries they represent the communities'—and the nation's—resources for educating tomorrow's citizens. If the present financial dilemma were not a source of serious concern, these functions of museums alone would commend a sustained federal interest to a nation increasingly concerned with the quality of our national life.

Faced, as are all of America's cultural institutions, with a demand for greater service to their community and nation and experiencing a relative decrease in traditional sources of funds, it is apparent on the basis of information presently available that additional resources will be required to meet these expanding demands, or in some cases, to prevent further reduction in existing services.

But a reduction of museum services at the very time when millions of Americans are looking eagerly to them—and to other cultural institutions—to give added dimension and meaning to their lives must not come about through inaction or inadvertence. Steps can be taken now to meet specific serious needs. Further steps should be taken in the near future to insure continuing support which will provide federal resources while encouraging increased support from traditional sources.

The Federal Council urges consideration of the following steps which may be taken now without major legislative change and within the framework of existing law:

1. A number of existing federal agencies, by outstanding authorizations, could make funds available for needs of museums directly. In the Council's judgment these programs would be effective temporarily in meeting such needs and would be in the public interest. While they are helpful, they lack the funds to make them fully effective. For example, the National Endowment for the Humanities conducts programs of museum internships and fellowships to increase the professional competence of museum professional staffs and through its research program, supports museum-based projects which will contribute to new knowledge in the humanities. The National Endowment for the Arts has conducted programs to disseminate art museum holdings to broader audiences, supported museum purchases of living American artists, and supported specific museum exhibitions. The Office of Education supports, through its Arts and Humanities Branch, museum programs which encourage and assist museums in performing better the educational function. The National Science Foundation has, as the report recognizes, been a leader in museum support, most of it in the form of awards for basic research but some for capital improvement. Yet the National Science Foundation could, with adequate funds, support a much broader spectrum of activities: research training and technical training programs, education, operational support, equipment and facilities. The full funding of such programs could have immediate beneficial impact on the nation's art, history and science museums, and the Council strongly urges such a step.

2. Under the authority of the National Museum Act the Smithsonian Institution is authorized to cooperate with museums and their professional organizations, to carry out programs of training for career employees in museum practices, to support museum publications, undertake research on the development of museum techniques and to cooperate with government agencies concerned with museums. Yet that authorization, approved in October, 1966, has not yet received any of the appropriations authorized for fiscal years 1968 and 1969. The Council recommends appropriations for fiscal year 1970 and subsequently.

3. Some federal agencies administer educational and cultural programs for which museums do not qualify as direct grantees. Although careful thought should be given to qualifying museums as direct grantees through amending present law, the Council believes that museums could, as indirect grantees, play a larger role than is presently given them and urges appropriate administrative directives to that end. The Council urges that efforts be made to extend to museums opportunities for equal participation in federally funded activities and that state educational agencies be urged to implement requirements for full compensation and effective joint planning under the Elementary and Secondary Education Act.

4. Careful consideration should be given to changes in the treatment of museums for tax purposes which would extend to them the benefits available to other educational institutions.

Beyond these immediate steps the Council believes the national interest requires major, comprehensive and sustained programs in support of the nation's museums. These programs should be directed particularly toward helping meet construction and operating costs and should be so designed that present sources of funds, both public and private, be not only continued at present levels, but substantially increased through a matching program. Perhaps an amended Library Services and Construction Act would be an appropriate start. However, to achieve the goals mentioned in the report, significant amendment of existing law or entirely new legislation is required. The formulation of such legislative proposals is beyond the authority of the Federal Council, but the Council here notes its readiness to participate fully in any such work.

In addition the Council urges these further recommendations:

1. Because there presently exists no standards against which the all-around excellence of individual museums might be measured and since broad federal support such as that envisaged above should be restricted to those institutions which have attained a level of quality commensurate with accepted standards, the profession should be strongly urged to establish such standards throughout the museum field.

2. The report's description of museum functions and demands, its account of their present condition, and its identification of unmet needs should be of wide interest to the nation's museums, museum-goers, and those concerned with American culture. The Council recommends, therefore, that the report be widely circulated as a means of soliciting and focusing the views of all interested citizens. A broad critique of the report could initiate that extensive public dialogue which is essential to the responsible commitment of public funds.

Respectfully,

THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES.
ROGER L. STEVENS, *Chairman.*

Mr. PELL. Mr. President, public support on a national level is, therefore, needed to sustain many of America's finest museums. This report, "America's Museums: The Belmont Report," published by the American Association of Museums, provides us with the basis for providing this support. I urge my colleagues to review it. It will jar the complacent notion that we can take our museums for granted. It will make us realize, as I have come to realize, that museums are in great need of Federal help.

RESIDENCY REQUIREMENTS FOR PUBLIC ASSISTANCE

Mr. ALLEN. Mr. President, the U.S. Supreme Court has nullified the statutes of 40 States, including one in Alabama, which prescribe minimum residence requirements as a condition of eligibility for public assistance. The Supreme Court now asks the American people to believe that the Constitution of the United States not only guarantees every citizen a living at public expense but also that it creates a constitutionally protected right in an individual to pick and choose a place in which to draw benefits based on a consideration of which community offers the highest standard of living at public expense. This is a further effort to strike down State lines as well as States rights.

The Supreme Court may know, but it did not say, where the last decision will take us. On the other hand, Secretary Finch seems to know. The Washington Post of April 22, 1969, reported:

> Secretary Robert H. Finch was quick to say the ruling advanced the drive for minimum welfare standards, a goal he has long favored and which he now considers "inevitable."

Mr. President, who is prepared to support with evidence the contention that national welfare standards are preferable to State selected standards? Who is prepared to say that no minimum residency requirement, as decreed by the Supreme Court, is preferable to a 12 months residence requirement as fixed by State legislatures? Who can reasonably claim to foresee the ultimate consequence of this last judicial decision?

In this connection I am reminded of an observation of Max Lerner who wrote:

> Relative to our needs, understanding of the connection between action and result is rapidly deteriorating. We are being forced to formulate long-range policy as a response to present issues with little knowledge of where such decisions ultimately will take us.

These words could have been spoken to Congress. In any event, the observation is relevant to the present issue presented by the Supreme Court.

The result is that Congress must now undertake to formulate a realistic response to the problem. That means that Congress must discover the facts and try to anticipate the consequences without benefit of or resort to judicial sophistry and untenable arguments from negatives. If the U.S. Supreme Court continues to legislate, perhaps we ought to provide it with power to conduct hearings and to get the facts.

Mr. President, it is generally agreed that the decision establishes national policy and that such policy will have a tremendous impact on many communities throughout the Nation. Some State welfare budgets simply cannot absorb the additional cost. In some States the taxpaying public will be asked to assume an even heavier tax burden to meet the new obligation or in the alternative to spread its limited resources even thinner among needy and most deserving citizens of the State. In turn, it is reasonable to expect that such States and localities will raise a hue and cry for greater Federal financial assistance and, as anticipated by Secretary Finch, we can expect to hear anguished cries for the establishment of national minimum welfare standards to alleviate the effects of the policy.

Mr. President, if regional minimum welfare standards are established by Congress, it is almost certain that countless thousands of welfare "clients" will hit the road and set up camp in States where low cost of living will add to the purchasing power of welfare payments. Relatively lower costs of living is characteristic of States which can ill afford to assume the cost of additional welfare burdens. Under such circumstances we can expect to see persons living on public largess enjoying a higher standard of living than their next door neighbors who work and pay taxes and strive to support themselves and families.

Mr. President, this is a grave injustice, which gives rise to a concern that aggrieved taxpayers may mount a massive revolt against increased taxation even for needed and necessary services of State and local governments.

Before leaving the subject of possible consequences of the Supreme Court "no residency requirement" decree, we cannot avoid comment on the clear implication in the decision that the Court may next strike down State prescribed residency requirements for voting in elections. If that eventually comes to pass, we may well witness a return of the practice of transporting indigent voters from State to State and from jurisdiction to jurisdiction as a means of swinging closely contested elections. Such was the practice of previous national "reformers" in the South.

One last comment on this point: It is from the eminent historian Alexander Fraser Tytler, who wrote during the time when we were still colonies of Great Britain. In commenting on the fall of the Athenian Republic he said:

> A democracy cannot exist as a permanent form of government. It can only exist until the voters discover they can vote themselves largess out of the public treasury. From that moment on, the majority always votes for the candidate promising benefits from the public treasury with the result that democracy always collapses over a loose fiscal policy, always to be followed by a dictatorship.

The same conclusions led Plutarch to say:

> The real destroyer of the liberties of the people is he who spreads among them bounties, donations and benefits.

Mr. President, the American people for years have been complacent beyond anything I thought possible in the face of increased taxes. They have trusted institutions of Federal Government far beyond what I imagined possible in spite of repeated misgivings. But, Mr. President, the Supreme Court of the United States now seems to be deliberately thumbing its collective nose at the people. I believe that the people are about ready to say that they have had enough.

Mr. President, this last decision demonstrates once again the pressing need for judicial reforms. Such reforms must include, as a bare minimum, some sort of assurance that prospective Supreme Court Justices know the difference between legislative and judicial powers—that they accept the proposition that a Constitution is the law that governs government and that such law can not be changed except in the manner prescribed by the Constitution; and accordingly will agree not to exercise clear and unmistakable legislative powers, contrary to the law of the Constitution.

PROTECTION OF U.S. RECONNAISSANCE FLIGHTS

Mr. THURMOND. Mr. President, it is encouraging that the President has taken positive action to protect U.S. reconnaissance flights off North Korea. I heartily endorse the President's action to provide this combat patrol cover in the future. For the men who were lost and their families, however, I regret the protection was too late.

Mr. President, I also announced at the time that the United States should move with combat strength into the Sea of Japan. It is reassuring to learn that the President has issued such orders. It is my firm hope that Task Force 71 is instructed to retaliate in any future attack on any of our intelligence reconnaissance of North Korea. Immediate retaliation against the actual criminals when they attack is the only way to stop this piracy. Our men must have unequivocal support wherever they serve. The loss of our 31 men is another bitter sorrow that has raised the anger and emotions of every red-blooded American.

It is my hope that the President's action will put a stop to these savage attacks in international space and in international waters. The President is to be congratulated for his calm, deliberate and measured reaction when the Nation's emotions are running high. A great nation cannot be guided by anger.

Mr. President, North Korea is one of the most belligerent Communist countries in the world. It is an outlaw government that respects neither international law nor international custom. North Korea is another country that looks to the Soviets for leadership and will cooperate with the Soviets' goal of Communist domination of the world. It has a large army and an effective air force. I am relieved that the President recognizes this threat and the cruel and irrational North Korea leaders. I hope our forces are prepared to deal with them on a moment's notice if they dare to venture another attack.

Mr. President, the day this atrocity was committed by North Korea, I made a press release which expressed my view of this shocking incident. I ask unanimous consent that my news release of April 15, 1969 be printed in the Congressional Record following my remarks.

There being no objection, the news release was ordered to be printed in the Record, as follows:

A News Release From the Office of U.S. Senator Strom Thurmond, Republican of South Carolina, April 15, 1969

Washington, D.C.—North Korea's destruction of a U.S. Navy unarmed aircraft in the free skies over international waters is another act of dastardly aggression by the communists. The military power of the U.S. can no longer be made a mockery by North Korea. This malicious act in violation of international law cannot be accepted. It is time we use our power to protect our men and our national interests.

It is most disturbing to me that the United States did not provide fighter aircraft to protect this reconnaissance flight in such a sensitive area. Apparently, this Navy flight was a "flying Pueblo." I would think by this time that we would have learned a tragic lesson in dealing with North Korea which has been committing provocative acts of aggression for years against our forces and South Korea. I would like to know why this "flying Pueblo" was not protected.

I am hopeful that current search and rescue operations for the crew of 31 are successful. However, it is most distressing to learn that the U.S. is sending only one search aircraft and two destroyers for the search. The U.S. Navy and Air Force should move in appropriate strength to the Sea of Japan in search of the crew. It should be an all-out search with maximum combat forces. If North Korea attacks this rescue force, then our forces should be under orders to destroy all attackers.

THE DUBCEK OUSTER

Mr. THURMOND. Mr. President, 2 weeks ago I stood in the streets of Prague and watched the expressions on the faces of the Czechoslovak people, hungry for freedom. I said then that it was my hope that the Czechoslovak people would enjoy the same freedoms which we enjoy in the United States.

At that time, those of us in the delegation did not know that First Party Secretary Alexander Dubcek had already been designated to be removed from his office. That very day, Marshal of the Soviet Union, A. A. Gretchko, was in conference with Dubcek, giving him his orders from Moscow.

Dubcek was out, Gustav Husak was in. Stalinism was once more triumphant in Czechoslovakia, as it must be triumphant wherever communism exerts its rule. We did not know then nor did the world until the following week that Dubcek was being removed by Soviet orders, but it was obvious that Dubcek would remain in office only as long as the Soviets thought it necessary to exterminate all their opposition.

Mr. President, the State newspaper has ably summed up the contrast between Dubcek and Tito in their editorial "Goodbye to Dubcek." The State says:

> Free inquiry must of necessity lead to rejection of Communism as a system of economics and it is this system on which the state is built. Tito, for all his corruption of Communist economics, has never been so foolish as to suggest that dangerous ideas should not be suppressed and their proponents punished.

This, in essence, sums up the meaning of communism and Soviet rule.

Mr. President, I ask unanimous consent to have printed in the Record the editorial entitled "Goodbye to Dubcek," published in The State for April 20, 1969.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Goodbye to Dubcek

The Czech reformer, Mr. Alexander Dubcek, has been relieved of his public duties and now will have time, if he lives, to reflect on the error of his ways. Chief among his missteps, as Dubcek must recognize better than anyone else, was the attempt to mix oil and water—that is to say, Communism and freedom.

This is a nearly impossible task under the best conditions, and it was Dubcek's miscalculation to attempt it under the worst. Even had he been able to reconcile the contradictions at home, the Russians would have prevented it. They understand what Dubcek allowed himself to forget: To cure the disease of Communist totalitarianism is to kill the doctor.

Economists—even Communist economists—long have recognized the fallacy of Marxism and its Labor Theory of Value. Pure Marxism, which dismisses the function of profit, is incapable of assigning priorities to investment and disinvestment and consequently cannot work. But the pretense is maintained. It has to be maintained, for without the excuse of Marxist economics the need for state management ceases to exist.

This is fundamental to an understanding of why the most permissive Communist governments require rigid censorship. They may fudge on the economics of Communism—slyly instituting the profit motive by some other name, as in Yugoslavia, Romania and even the Soviet Union. But they cannot allow the unfettered freedom of speech and scholarship that free nations accept as a matter of course.

Add to this the danger that nationalism represents to Moscow's military complex in Eastern Europe and it is easy to see why Dubcek failed. He was doomed from the start. As long as the Western nations keep hands off the satellites—which is likely to be a good, long while—the Russians always will snuff out such rebellions as jeopardize the purity of fictive Communism among the Soviet dependents.

Optimism was sustained in Dubcek's case only because of the failure in the West to understand or accept the necessarily repressive nature of Communism. It was thought that Czech Communism could be liberalized, the press unshackled, scholars cut loose from their straitjackets, critics set free to probe the Marxist superstition. This appears to have been Dubcek's misapprehension, too, although in the early stages of reform he was moved to warn against any attempt to challenge the Communist theology.

This very warning underscores the Dubcek error. Free inquiry must of necessity lead to rejection of Communism as a system of economics, and it is this system on which the state is built. Tito, for all his corruption of Communist economics, has never been so foolish as to suggest that dangerous ideas should not be suppressed and their proponents punished.

Tito has survived. Dubeck has not. And free men will contemplate this lesson in survival without enjoyment.

THE OTEPKA APPOINTMENT

Mr. THURMOND. Mr. President, in recent weeks, the New York Times has published three articles and editorial attacking the judgment of President Nixon in appointing Otto Otepka to the Subversives Activities Control Board.

While everyone has a right to an opinion on this topic, the New York Times has been less than candid in acknowledging its own conflict of interest in this affair. Readers who read the recent editorial attacking Mr. Otepka's integrity would have found no clue indicating that one of the principal names in the Otepka case was printed at the top of the newspaper masthead. I am referring, of course, to Mr. Harding F. Bancroft, executive vice president of the New York Times.

Mr. Bancroft's name was one of six individuals submitted to Mr. Otepka for evaluation from a security and suitability standpoint. His name was among those who were judged to require further investigation under law and regulations before the appointment could be made. In other words, because of certain material of a security nature which Mr. Otepka found in their files, the regulations of the State Department under Executive Order No. 10450 required that a full investigation would be necessary. This is not to say that Mr. Otepka labeled Mr. Bancroft as a security risk or made any allegations whatsoever about his character. He merely said that the same regulations should apply to Mr. Bancroft as would apply to any other citizen of the United States under such circumstances.

Instead of accepting Mr. Otepka's recommendation, the State Department chose to appoint Mr. Bancroft on a waiver, thereby taking the case out of Mr. Otepka's hands. This action later became a central issue in Mr. Otepka's testimony before the Senate Internal Security Subcommittee when he cited it as an example of declining respect for security regulations. When his superiors denied that this action had been taken, Mr. Otepka furnished for the subcommittee his memorandum protesting the waivers as evidence that his superiors had lied.

Today we find, then, that Mr. Bancroft is now the executive vice president of the newspaper which is leading the attack against Mr. Otepka. I repeat that Mr. Otepka never attacked Mr. Bancroft but merely said he should be subject to the same security regulations as any other U.S. citizen. Now, 8 years later, Mr. Bancroft's newspaper is leading the vendetta against Mr. Otepka. It is hard to believe that there is not some element of retaliation in this instance.

It is also interesting that Mr. Bancroft's expressed views on security were contrary to the security policies under which Mr. Otepka was operating. After Mr. Bancroft was hired on the basis of a security waiver, he participated in a report for the State Department, recommending that U.S. citizens employed by the United Nations should not be made the subject of regular security precautions. The report of this Commission also became one of the cases investigated by the Senate Internal Security Subcommittee as evidence of the degenerating security system at the State Department.

Mr. President, I ask unanimous consent that pertinent excerpts from the published testimony before the Senate Internal Security Subcommittee be printed in the Record at the conclusion of my remarks. I also ask unanimous consent that two columns by Paul Scott reporting on Mr. Bancroft and the New York Times campaign be printed in the Record at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibits 1, 2, 3, 4, 5, 6, 7, 8, and 9.)

Exhibit 1

State Department Internal Correspondence Leading Up To Issuance of Security Waivers for Harding Bancroft, et al.

DEPARTMENT OF STATE, REFERENCE SLIP, FEBRUARY 4, 1963

Office of the Deputy Assistant Secretary for Security

Routing: Mr. Otepka.

Subject: Loyalty Investigation of U.S. Citizens Employed by International Organizations.

Would you look into this please and may I have your views by February 8?

Attachment: Copy of MEMO FOR OIA—Mr. Hefner re subj dtd 1–27–63.

From: John F. Reilly.

January 27, 1963.

Memorandum for: OIA—Mr. Hefner.

Subject: Loyalty Investigations of U.S. Citizens Employed by International Organizations.

It seem to me the subcommittee has made a sufficiently strong case for changing the policy on loyalty investigations, to justify our pushing right ahead with a recommendation for the change.

I take it that the essential change (to provide that non-professional employees, employees in P–1 slots, and persons employed for less than two years, should be cleared on the basis of a check without full field investigation) could be accomplished through a change in the Executive Order without a change in basic legislation involved. This would also be true of the other recommendation, that professional employees be cleared, with a full field investigation *after* they have been hired, could also be done by Executive Order, but I doubt if we would want to do this without full consultation on the Hill, notably with Senator Stennis.

You already have the original of a memorandum from the Legal Adviser. Would you please work with L in developing a recommendation to the Secretary, which should also be cleared with Mr. Orrick and Mr. Dutton?

IO—Harlan Cleveland.

CC: Mr. Wallner
Mr. Gardner
Mr. Chayes
Mr. Orrick
Mr. Dutton

February 8, 1963.

Mr. Reilly: As requested by you, I have looked into this matter fully and have obtained significant information which I am ready to discuss with you today at your convenience. (I wil be at an ICIS meeting in Justice from approximately 1:45 p.m. to 4:00 p.m.)

Otto F. Otepka.

Attachments:

1. Copy of Memorandum for OIA—Mr. Hefner re Loyalty Investigations by International Organizations, dated January 27, 1963

2. Mr. Reilly's chit to Mr. Otepka of Feb. 4, 1963

[Confidential]

September 17, 1962.

IO—Mr. George M. Czayo
O/SY—John F. Reilly [initialed J.F.R. in ink].
Processing of Appointments of Members of the Advisory Committee on International Organization Staffing.

Reference your memorandum of July 6, 1962 which furnished a copy of Mr. Harlan Cleveland's memorandum dated July 3, 1962 to Under Secretary Ball describing a proposal to establish an advisory committee that would undertake a study with respect to fiscal policy and staffing of international organizations. Mr. Cleveland's memorandum expressed his concern that posts available to the United States and to other non-Communist countries in the UN agencies be properly staffed in order to effectively combat Soviet subversive designs on those agencies.

In a memorandum dated August 7, 1962 addressed to PER–EMD—Mr. Simpson (copy to SY) you requested that the proposed members of the Committee be entered on duty as employees by a security waiver and indicated that each proposed member would comply with the Department's regulations by supplying completed processing forms.

As of this date full security clearances have been issued for Arthur Larson and Francis O. Wilcox. Mr. Sol Linowitz's will also be issued shortly. As to the others, forms have been received for all except Harding Bancroft, Joseph Pois and Karney Brasfield which, it is understood, are forthcoming.

Mr. William H. Orrick, Jr., Deputy Under Secretary for Administration, has issued a memorandum expressing his reluctance to recommend to the Secretary that he sign any further waiver unless there was a genuine urgency and an ample justification for the person's services.

In view of the fact that the full Committee shall not meet again until sometime in November and that five of the individuals proposed for membership on the committee have data in their files developed by prior investigation that is not entirely favorable, I am not recommending that waivers be granted.

O/SY: DIBelisle [initialed in ink]: mc Dist.:
Orig & 1 addressee
cc subjectfile
cc chron cc OFO chron

Exhibit No. I–a

[Handwritten note at top of memo: "Sent to Reilly for signature, 9/13/62."]

IO—Mr. George M. Czayo
O/SY—John F. Reilly
Processing of Appointments of Members of the Advisory Committee on International Organization Staffing

Reference is made to your initial memorandum of July 6, 1962, addressed to SY—Mr. Otepka with which you furnished a copy of Mr. Harlan Cleveland's memorandum dated July 3, 1962, to Under Secretary Ball describing a proposal to establish an advisory committee that would undertake a study extending over a period of about six months with respect to fiscal policy and staffing of international organizations. I have particularly noted in Mr. Cleveland's memorandum his concern that posts available to the United States and to other non-Communist countries in the U.N. agencies be properly staffed in order to effectively combat Soviet subversive designs on those agencies.

In your initial memorandum you indicated that the members of the committee would need to be appointed to the Department as Consultants and each would require a security clearance predicated on a full field investigation. Also, you requested a security clearance to allow the proposed members to participate in the first meeting of the committee to be held on July 25, 1962 in which classified data would be discussed. With the understanding that the participants (except those who were already State Department employees) would have controlled access to classified data through Secret as necessary for the meeting and with the further understanding that the services they contributed would not then constitute employment by the Department, SY granted an "access" clearance to these participants. Subsequently, these and other proposed members of the committee were granted the same level of clearance by SY for a second meeting in the terms of the same understanding as for the first meeting. Such clearances are permitted by Section 7, E. O. 10501 for persons not actually employed by the Federal Government who may need to be consulted occasionally in some specialized field.

In a second memorandum dated August 7, 1962 addressed by you to PER/EMD—Mr. Simpson (copy to SY) you requested that the proposed members of the committee be entered on duty as employees by a security waiver (i.e. an emergency clearance signed by the Secretary pursuant to 3 FAM 1914.2). You indicated that each proposed member would comply with the Department's regulations by supplying completed processing forms (applications for employment, security questionnaires, fingerprint charts, etc.).

In résumé, as of this date full security clearances under E. O. 10450 for employment in sensitive positions have been issued by SY to PER/EMD for Arthur Larson and Francis O. Wilcox. Their security history satisfied the requirements of E. O. 10450 without the necessity of either person furnishing any processing forms for SY use and without resorting to a waiver. As to the others, forms have been received for all except Harding Bancroft, Joseph Pois and Karney Brasfield which, it is understood, are forthcoming.

I have been informed that the full committee shall not meet again until some time in November. I share Mr. Cleveland's concern with regard to one objective to be achieved from the committee's study, namely, the defeat or minimising of Soviet subversive tactics. For these and the following reasons I would like to urge you to withdraw your request for a security waiver:

1. An emergency clearance does not allow SY to take the maximum precautions prescribed by regulations for the security of the Department's operations. When a person is permitted to occupy a sensitive position before he is adequately investigated and where

he must have access to highly classified information in the course of his duties, post appointment investigations may develop derogatory information thereby creating a question as to whether the Department's security interests have been damaged by disclosing vital data to a potentially undesirable person.

2. The frequent, and perhaps excessive use in the recent past of emergency clearances for officer personnel caused Mr. Orrick to issue a memorandum clearly expressing his reluctance to recommend to the Secretary that he sign any further waiver unless there was a genuine urgency and an ample justification for the person's services.

3. Five of the individuals proposed for membership on the committee have data in their files developed by prior investigations that is not entirely favorable. These investigations are either not current or are incomplete, or both. On the basis of the provisions in E. O. 10450, some, if not all of this information must be carefully reconsidered under a broad security standard which can best be done if a supplementary and current investigation is completed before those persons enter on duty as employees.

4. SY believes that if the meetings of the committee are not to be resumed until November we can provide the necessary investigation of each case that should fully resolve any presently existing question. We cannot, of course, predict the final outcome, but we believe it is not in the Department's best interest to "invite" any derogatory case into the Department before a full investigation has been completed and an impartial and thorough assessment has been made based on all of the facts.

5. SY is prepared soon to add the full clearance of Sol Linowitz to those granted to Mr. Larson and Mr. Wilcox.

Distribution:
Orig and 1 addressee
cc—chron file
cc—subject file
cc—chron file (Mr. Reilly's)
O/SY/E:OFOtepka:ebp, 9–13–62.

EXHIBIT No. I-b

DEPARTMENT OF STATE REFERENCE SLIP,
SEPTEMBER 13, 1962

To: Mr. Belisle [initial in ink].
Mr. Reilly.

[for] (X) Approval. (X) Signature.

Remarks or additional routing:

Dave, re your note appended to my memorandum of September 10, 1962 as result of my conversation with Czayo who said committee would not meet again until November, I prepared a memorandum from JFR to Czayo which I think will dispense with the necessity of taking this up with Orrick along the lines you suggested.

Attachment: Suggested memorandum to Mr. Czayo drftd. by Mr. Otepka.

OTTO F. OTEPKA.

EXHIBIT No. I–c

Handwritten memo to Mr. Otepka:

OTTO: Pls. prepare a memo for Mr. Orrick relating the reasons for our recommendations that we not grant the waiver.

You will have to summarize the info rather than referring to the Tabs.

Suggest you follow this procedure rather than the memo from SY/E to SY. This will eliminate unnecessary typing and work on your part.

/s/ BELISLE.

9–11–62.

Handwritten marginal note: "Not necessary. See subsequent memo to IO. Czayo. OFO 9/13/62"

EXHIBIT No. I–d

Handwritten memo on margin of copy sheet.

3x5 "chit," handwritten, from Belisle to Reilly re Otepka's draft of 9/13/62.

JACK: I agree with the conclusions—however, we sure go thru a h—l of a lot of words. If you concur, I'm going to start knocking these down—short and concise.

/s/ D.

Handwritten memo on bottom of copy sheet: "Reilly's note said 'I agree. Let's start with this one'."

EXHIBIT No. I–e

Department of State, Washington.
Interdepartmental Reference.
Referred to: Otto, Office of Security, Division of Evaluations, September 20, 1964.
Comments: I am returning your orig along with copy sent to rewrite.

Please make memos short—concise and to the point. Your orig was too verbose and contained too much detail.

/s/ BELISLE.

EXHIBIT No. I–f

[Confidential]

SEPTEMBER 10, 1962.

O/SY—Mr. John F. Reilly.
SY/E—Otto F. Otepka—F [initialed in ink]

Francis O. Wilcox, Arthur Larson, Lawrence Finkelstein, Marshall D. Shulman, Andrew Cordier, Ernest Gross, Harding Bancroft, Sol Linowitz.

On August 7, 1962, IO—Mr. Czayo submitted a request to PER/EMD concerning emergency clearance for each of the above individuals pursuant to 3 FAM 1914.2 indicating therein that immediate interim clearance be processed for Shulman and Finkelstein and that subsequent requests for emergency clearance would follow for the others. PER/EMD forwarded Mr. Czayo's memorandum to SY on August 8, 1962 accompanied by a specific request for an immediate "waiver" on Shulman and Finkelstein.

Acting on the basis of information provided by IO that it was necessary for Assistant Secretary Cleveland urgently to utilize Wilcox, Larson, Finkelstein, Shulman, Cordier, and Gross on the Advisory Committee on International Organization Staffing with the understanding that they (a) would have only limited and controlled access to certain data relating to these operations (b) would not enter into any formal employment relationship and (c) would not be compensated for their services, SY granted those six persons *clearances for access* to classified data through Secret (as permitted by Section 7, E. O. 10501) to enable them to participate in two initial meetings of the Committee. It was stated by IO that formal employment of these persons would take place at a later date.

In the meantime SY continued to process the usual preliminary inquiries which are conducted on proposed emergency appointees. While these were in process Mr. Orrick issued his memorandum of August 21, 1962 expressing his reluctance to further recommend any emergency clearance to the Secretary unless amply justified and also indicating that he would insist on full field investigations, including completion of processing forms and personal interviews, before a clearance would be granted for employment in a sensitive position.

I have examined the SY files and other records on all of the eight individuals. I found that the investigative and clearance data in the cases of Wilcox and Larson is adequate to issue a full security clearance without further investigation and without these persons having to submit SF–86 and SF–87. I am concerned, however, with the others on whom I submit the following résumé:

LAWRENCE FINKELSTEIN

There was no pertinent derogatory information developed in the preliminary checks. However, it was revealed Finkelstein was a research employee of the Institute of Pacific Relations (1949–51) and a contributor to its publications. At that time the IPR was under active investigation by the Senate Internal Security Subcommittee. Though not a Communist organization, subject's activities on behalf of the IPR should bear scrutiny before (not *after*) appointment to determine if subject was under the influence of the inner core directorate of IPR whom the Internal Security Subcommittee found to be Communist or pro-Communist. [One sentence deleted: reference to medical record.]

There is only meager investigative history regarding Finkelstein.

MARSHALL D. SHULMAN

Shulman was considered for an emergency appointment in January 1958. Pertinent information regarding this proposal is set forth in the underlying Tab A. Other significant information appears as Tab B. SY was informed by SCA in February 1958 that Mr. Shulman "was not available for appointment." In November 1961 S/S reviewed Shulman's SY file following a request that an inquiry be initiated by SY with respect to the proposed appointment of Shulman as a Consultant to Under Secretary Ball. On November 13, 1961 S/S informed SY it would have no immediate use for Shulman's services.

I do not recommend the emergency clearance of Shulman. It is my view he should be thoroughly investigated prior to appointment for the reasons indicated in Tab A.

ANDREW CORDIER

Cordier was employed by the UN from 1946 to 1961. He was Executive Assistant to Secretary General of the UN, Dag Hammarskjold, from 1957 until the latter's death in 1961. Cordier then retired from the UN. Cordier was cleared by the Civil Service Commission under E. O. 10422 in 1953 after appropriate investigation conducted under the provisions of that Executive Order. A summary of the investigative data developed appears in underlying Tab C. Following that investigation Povl Bang-Jensen, a Danish employee of the UN, accused Cordier of pro-Soviet views and charged that Cordier brought about his (Bang-Jensen's) dismissal by the UN because Bang Jensen refused to turn over the names of Hungarian Freedom Fighters to the UN where the Soviets would have access to them. Bang-Jensen later was found dead under mysterious circumstances in Central Park, New York City. In 1960 the Senate Internal Security Subcommittee published a report on the Bang-Jensen case which prominently mentioned Cordier. Detailed information about Cordier is in the Bang-Jensen file and this data needs to be fully coordinated with the SY file on Cordier.

I do not recommend the emergency clearance of Cordier. His SY file together with the findings of the Internal Security Subcommittee reflects far too many unresolved matters which in the best interests of the Department should be clarified before his appointment.

ERNEST GROSS

Gross is a former Presidential appointee having served as a U.S. Delegate to UNGA, successively in 1950–53. He served the Department in other high capacities from 1946 to 1949. He was cleared for those appointments under the then existing standards. He has not been investigated since 1953. In 1958 Gross became employed as a legal adviser to Secretary General Dag Hammarskjold of the UN and reportedly represented the Secretary General in the Bang-Jensen matter. In 1958 Bang-Jensen asserted Gross was friendly with Alger Hiss. There is no pertinent data in SY files explaining the significance of this information.

I recommend that the foregoing matters reagrding Gross be clarified by investigation before he re-enters on duty in the Department of State in a sensitive position.

HARDING BANCROFT

Bancroft is a former employee of the Department. He left in 1953 when he accepted an appointment in Geneva with the International Labor Organization. He was considered for reappointment to the Department in 1955 at which time his case came up for readjudication under the standard of E. O. 10450 in connection with his re-employment rights. The case was closed without decision when Bancroft failed to exercise his re-employment rights. A rough draft summary prepared at that time (Tab D) covers the substantive data in his file. He has not been investigated since 1954.

On the basis of the above information I recommend a supplementary investigation under E. O. 10450 before Bancroft is reemployed by the Department.

SOL LINOWITZ

There is no previous investigative data on Linowitz in SY files. Preliminary record checks in files of other agencies are pending.

Unless IO submits a justification indicating that Linowitz's services are essential to the immediate needs of the Committee I would feel that he should be investigated before appointment and according to the terms specified in Mr. Orrick's memorandum of August 21, 1962.

I discussed with Mr. Czayo on September 6, 1962 the provisions in Mr. Orrick's memorandum of August 21, 1962 and also pointed out to him generally the difficulty for SY in rendering judgment for an interim security clearance in the cases of Finkelstein, Shulman, Cordier, Bancroft, and Gross where there is unresolved derogatory information. I said that in such cases there are far more problems generated in attempting to clarify the information after appointment than there would occur if the Department carried out the requirements prescribed by its regulations, i.e., assuring the maximum security of its operations and personnel by obtaining current and satisfactory full field investigations before appointment.

I told Mr. Czayo that the substantive data in the five cases (Finkelstein, Shulman, Cordier, Gross and Bancroft) would be brought to Mr. Orrick's attention and suggested that perhaps Mr. Cleveland might wish to discuss them with Mr. Orrick to determine whether the investigations should proceed on a preappointment or post appointment basis in the light of the urgency of the needs of the Department in regard to the functions of the Advisory Committee on International Organization Staffing.

You may wish, therefore, to bring this matter to Mr. Orrick's attention orally. If more written staffing data is desired please let me know.

Attachments: A, B, C, and D.

(Editor's Note.—Attachments not printed because they were not furnished.)

August 7, 1962.

Memorandum: EMD—Mr. Simpson.
(Attention: Mrs. Selvig).
Subject: Request for Waiver, Advisory Committee on International Organization Staffing: Ernest A. Gross, Marshall D. Shulman, Andrew W. Cordier, Harding Bancroft, Lawrence Finkelstein, Francis O. Wilcox, Arthur Larson.

Assistant Secretary Harlan Cleveland, with the concurrence of Mr. Ball and after general discussion with the Bureau of the Budget has initiated a management study on the strengthening U.S. influence in the financial management and staffing policies of international organizations. A survey staff, composed of AID, Bureau of the Budget, and State employees, headquartered in the New State Building, are responsible for fact-finding, analysis and preparation of recommendations. An advisory group of private citizens will come in from time to time for consultations and meetings relative to United States strategy in the United Nations.

The first meeting of the advisory group took place on July 25, 1962, and access clearance was granted for this meeting. It is Mr. Cleveland's desire to employ the individuals who comprise the advisory group as either WOC or WAE consultants, depending on the amount of the allocation the Department of State will receive from the Management Improvement Appropriation. This will be determined when the position descriptions are prepared and formal request for employment made on DS–1031.

Mr. Otepka's memorandum of August 1, 1962, a copy of which was sent to your office, indicates that no investigation is required of two of the members—Francis O. Wilcox and Arthur Larson.

I understand that security clearance is in process on Marshall D. Shulman at the request of INR, who intend to appoint Mr. Shulman as Consultant. Completed employment forms are attached herewith for Lawrence Finkelstein. I request that a security waiver be processed for these two in order that they may be cleared for a series of meetings which are planned for early September.

We have sent employment forms to Ernest Gross, Andrew Cordier and Harding Bancroft and will forward them to you as soon as they are received with a similar request for security waiver. Access clearance for the July meeting was not granted Harding Bancroft because he was in Europe and was not available for that meeting.

IO—George M. Czayo.

Exhibit 2

Excerpts From Report Prepared by Harding Bancroft, et al., Recommending Reduced Security Requirements for U.S. Citizens Employed at U.N.

Senator Dirksen. Then without objection and by agreement, this copy which has been authenticated by Mr. Reilly will be made a part of the record, as previously ordered.

Mr. Sourwine. Thank you, Senator.

(Editor's note: The document referred to above is a report (with a foreword) of the Advisory Committee on Management Improvement, dated March 1963, on the subject of "Staffing of International Organizations," which bears the date of February 19, 1963. At the beginning of this report is a short "Foreword" apparently signed by 12 members of the Advisory Committee. The cover page bears the date of March 1963. On top of this were three pages captioned "Staffing International Organizations Summary of Recommendations," and bearing the date of February 25, 1963. All portions of the document, in the order in which they were stapled together when received by the subcommittee, are reproduced here.)

STAFFING INTERNATIONAL ORGANIZATIONS

Summary of recommendations

1. The United States should alter its attitude toward the staffing of international organizations which has been, during a period of time, somewhat laissez faire to one of objective alertness. It has an obligation under the U.N. Charter to seek to improve the quality of personnel and of personnel administration in the international agencies.

2. The President should announce a policy in respect to staffing of international organizations which envisions much fuller use of all U.S. Government departments and private organizations in this effort. The policy statement should be accompanied by a move to set up a U.S. Government Advisory Council composed of representatives of private agencies in the fields of international relations, education, business, labor, and agriculture to support Government efforts to nominate highly qualified personnel for this purpose.

3. It is recommended that the position of Special Assistant to the Assistant Secretary for International Organization Affairs be set up with the function of developing and directing the execution of a single U.S. recruiting policy utilizing all appropriate Government resources and available private resources. The incumbent of this position would serve as a central information and record point, would evaluate the effectiveness of U.S. recruiting efforts, and would coordinate the efforts of U.S. missions abroad. Actual recruitment would be decentralized to U.S. Government agencies which are counterparts of the U.N. agencies. In those cases where counterpart U.S. agencies do not exist, responsibility for recruitment should rest with an international recruiting service within the State Department. A. U.S. Government coordinating committee for international recruitment should be formed to facilitate access to the total personnel operations of the Government, as needed.

4. To serve total U.S. purposes, arrangements should be made to facilitate the cooperative use of AID and State of the U.S. AID recruiting and placement mechanisms for bilateral aid and the counterpart U.S. mechanisms for multilateral aid. The needs of both organizations can be met more expeditiously by full cooperation and there should be a definite U.S. policy that promotes the idea the service in either multilateral or bilateral aid organizations is a part of the career ladder for all U.S. technical assistance personnel.

5. It is recommended that Executive Order 10422 be amended to eliminate the requirement for a full field investigation for U.S. citizens recommended for employment through the P–1 grade and for all persons of any grade being considered for employment for a period of 2 years or less and that only a national agency check be used for those people. A full field investigation after employment is recommended for those above the P–1 level being considered for extended employment. The national agency checks would be completed, however, before U.S. citizens are recommended for employment by international agencies. No clearance procedure should be required for U.S. Federal Government employees who have been cleared and are in good standing in their agencies. Funds for all such checks and investigations should be appropriated to the Department of State and it should be permitted to use any investigative agency it chooses.

6. The United States should sponsor a study of emoluments for U.S. and U.N. personnel serving in headquarters overseas and in technical assistance positions in order to establish comparability of information for employment purposes. In addition, the United States should sponsor a coordinated policy for emoluments for all U.N. agency personnel, including the International Monetary Fund and the World Bank.

7. In order to perform the job of staffing international organizations more expeditiously, the United States needs regular and nearly uniform information on the vacancy situation. The obtaining of vacancy information should be incorporated in the reporting instructions to be issued to U.S. missions to international agency headquarters.

8. It is recommended that a current directory of U.S. personnel serving in international organizations be maintained by the International Recruitment Service in the Department of State. The maintenance of such a directory will serve a variety of useful purposes.

9. In its general recruitment procedure the U.S. Government should pay particular attention to the recruitment of junior officers to the extent that career opportunities for them in international service are known to exist.

10. It is recommended that amendment to Public Law 85–795 be sought to permit as-

signment of Foreign Service officers to international organizations when appropriate, and that the necessary administrative steps be taken to facilitate assignments.

11. The United States should adopt a program of orientation for U.S. personnel selected for service in international organizations. This program should deal with the importance which the United States attaches to their assignments and with the favorable influence which effective international service can have on the U.S. posture in the international scene.

12. It is both desirable and proper that U.S. missions overseas and in New York accord appropriate recognition to American nationals who are contributing to international amity through service in international organizations.

13. There is need for all U.S. agencies concerned with the activities of international organizations to contribute to the identification of major posts. Those are not necessarily the highest ranking positions but include those posts which are concerned with the development of policy and program, which require superior technical capacity and initiative, and which require ability to contribute to the solution of complex problems of general administration. A special responsibility devolves upon U.S. missions to headquarters of the U.N. agencies to give this advice on a continuing basis.

14. It is recommended that the Department revise standing instructions to missions to international organizations to include an assignment of responsibility in the area of staffing and personnel administration and to provide that the responsibility be placed with a single top level officer in the mission. In connection with this role, the U.S. mission should be given the responsibility for identifying well-qualified foreign nationals for service in international organizations.

15. Appropriate efforts should be made from time to time to inform the American public of the importance the U.S. Government attaches to service in international organizations.

A REPORT OF THE ADVISORY COMMITTEE ON MANAGEMENT IMPROVEMENT TO THE ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS, MARCH 1963

FOREWORD

In his report of June 25, 1962, to the 87th Congress on U.S. contributions to international organizations, estimated at about $312 million for the 1962 fiscal year, the Acting Secretary of State pointed out that:

"The United Nations and the other organizations and programs to which the United States contributes carry out activities which support one or both of the basic aims of U.S. foreign policy: First, the promotion of peace and security; second, the promotion of economic and social growth, which may well be one of the best ways to achieve peace and security in the long run.

"The concept of multilateral cooperation and action has been actively supported by the United States as one of several means of achieving a better world in which to live. These international organizations, most of which were established after World War II, are emerging from their infancy and are gradually gaining the capability to handle international tasks of greater dimensions. Their capacity to act benefits both the United States and the rest of the world."

It is against this background of the traditional and whole-hearted U.S. support of international organizations and of the potentiality of these organizations that the Advisory Committee on Management improvement makes this report on staffing.

As the responsibilities of the international organizations increase in quantity, complexity, and significance, the greater becomes the need for an active concern about improving the human resources which the organizations require to carry out their tasks. How can the best qualified and best trained persons be obtained? How can the most effective personnel management be accomplished? Such a concern, motivated by a genuine desire for effective multilateral machinery, must be worldwide, and those member states which are committed in fact to making it possible for international organizations to meet the challenge they face, should lead the way. The Advisory Committee, therefore, believes that the United States must extend its historic policy of political and financial support to include support for improving the quality and management of the staffs of international organizations. It believes, also, that this country can and should do more to discharge its own responsibility to make available highly qualified candidates as they may be required and to encourage specific improvements in personnel administration. The following report is directed toward these ends.

Harding F. Bancroft, Karney Brasfield, Andrew Cordier, Lawrence S. Finkelstein, Ernest A. Gross, Arthur Larson, Sol M. Linowitz, Joseph Pois, Marshall D. Shulman, Francis O. Wilcox, John W. Macy, Jr., Robert Amory.

STAFFING INTERNATIONAL ORGANIZATIONS

* * * * *

6. GOVERNMENT CLEARANCE OF CANDIDATES FOR INTERNATIONAL ORGANIZATION EMPLOYMENT

Under Executive orders a loyalty clearance on the basis of a full field investigation is required for all U.S. citizens considered for employment by international organizations. Investigations are made by the Civil Service Commission with referral to the FBI when loyalty information is uncovered. Findings are reviewed by a loyalty board in the Commission and advisory opinions are furnished the international organizations through the State Department. Started in 1953 the program has cost $5.2 million. It has resulted in the denial of employment to 5 persons and in the termination of 11 persons employed at the outset of the program because of adverse loyalty findings. In addition, suitability information secured during investigations which might affect employment is called to the attention of the organizations, although this is not provided for by the Executive order. The number of candidates not selected for suitability reasons is unknown.

The Committe has taken note of the fact that this domestic clearance requirement is operating to prevent the selection of well-qualified Americans for international organization posts. Time is the most important factor. Faced with a choice, for example, an international organization is likely to select an immediately available foreigner in preference to an American who perhaps will be given a clearance by his Government after an investigation of several months. Many Americans, moreover, cannot remain candidates for an indefinite period while the clearance process takes place. The Committee believes a screening program should be continued, but that it should be put on a par with that now in effect for Government employees. It must be recognized, moreover, that the sensitivity aspects of U.S. agencies are not present in the case of international organizations, that international organizations generally require a probationary period of service for extended appointments and that employment may be terminated for cause.

The Committee recommends that the Executive order be amended to require a national agency check only (not a full field investigation) for persons considered for nonprofessional employment, for the P–1 grade, and for persons at any grade being considered for employment for a period of 2 years or less.

There would be a full investigation for those in the professional categories above the P–1 level being considered for extended employment, but it could be made after employment. The record checks, however, would be completed before the persons were recommended for employment. No clearance procedure should be required in the case of a Federal Government employee who has been investigated and cleared and is in good standing in his agency.

The substantial savings that will result from these modifications of the clearance process should be used to permit advance national agency and reference checks of potential candidates.

The Committee also believes that it should be possible to use whatever Federal investigative agency can most expeditiously make a full field investigation at a particular time, rather than relying solely on the Civil Service Commission, and that the method of funding should be changed so that the State Department obtains funds and reimburses the investigative agency.

EXHIBIT 3

TESTIMONY OF JOHN F. REILLY, APRIL 30, 1963, RELATING TO PROPOSALS OF HARDING BANCROFT, ET AL., TO REDUCE SECURITY REQUIREMENTS FOR U.S. CITIZENS EMPLOYED AT U.N.

Mr. SOURWINE. Are you familiar with the demand for elimination of the United Nations clearance procedure that was made by Leonard Boudin in his capacity as counsel for the Emergency Civil Liberties Committee?

Mr. REILLY. I have seen the—I believe there was a letter to the New York Times.

Mr. SOURWINE. Yes.

Mr. REILLY. Yes, I have seen this letter.

Mr. SOURWINE. Mr. Chairman, I do not have that letter with me but may I ask that a copy of it go in the record at this point?

Senator DODD. Yes, without objection, so ordered.

(The letter referred to follows:)

"[From the New York Times, July 30, 1962, p. 22]

"SCREENING U.N. EMPLOYEES

"*McCarran committee's authority over Americans challenged*

"To the EDITOR OF THE NEW YORK TIMES:

"In an otherwise excellent story published July 15, 'U.N.'s Fiscal Plight,' Thomas J. Hamilton seriously errs in referring to '11 American members of the United Nations who had been dismissed on charges of disloyalty to the United States.'

"These staff officials, some of whom I represented as counsel had been dismissed as a result of U.S. governmental pressure when they declined, under the first and fifth amendments, to answer questions put by the McCarran Internal Security Subcommittee.

"Both the validity and propriety of the committee's authority were most doubtful in view of the independence of the international Secretariat and the total lack of legislative purpose. Nevertheless, yielding to manifest political discretion, the first Secretary General dismissed these staff officials and the second preferred to pay damages rather than comply with the U.N.'s administrative tribunal's decision that the staff had been unlawfully discharged.

"*Loss of services*

"I write for two additional reasons:

"First, the public is not aware that the careers of many devoted and brilliant international civil servants were destroyed in the hysteria of the 1950's. The loss of their services was also a grievous blow to the United Nations.

"Second, your recent thoughtful editorial on Andrew Cordier's resignation should remind us that the U.S. Government is still enforcing President Truman's and President Eisenhower's Executive orders which screen, on political grounds, American employees of the United Nations and other international organizations.

"The expressed criteria include membership on the Attorney General's list; the sources include derogatory information in congressional committee files; the procedures are based upon undisclosed evidence.

"Such screening is inconsistent with the charter's principle in article 100 of the independence of the organization. An International Organizations' Employees Loyalty Board in our Civil Service Commission makes no sense. There is no security problem in employment by the United Nations. Hence, the Association of the Bar's Special Committee on the Federal Loyalty-Security Program recommended in its 1956 report that this Board and the program be terminated.

"The U.S. Government to its credit has sought in other respects to strengthen the United Nations. The present administration would now score a major achievement if it were to adopt, although belatedly, the committee's advice to eliminate its so-called loyalty program in the international field.

"LEONARD B. BOUDIN.

"NEW YORK, *July 24, 1962.*"

Mr. SOURWINE. Do you know who drafted the draft report or how it come to be drafted, who had responsibility for its drafting, the February draft report, which was along the lines of Mr. Boudin's recommendation?

Mr. REILLY. No; I do not, sir. I have no knowledge on that.

Senator DODD. Off the record.

(Discussion off the record.)

Mr. SOURWINE. Did you recognize this recommendation of the report with respect to the elimination of the United Nations clearance procedure for American nationals, when you saw it in the report, as coinciding with the demands which had been made by Boudin?

Mr. REILLY. That was one of the things Mr. Otepka brought to my attention.

Mr. SOURWINE. Oh, you had not seen the Boudin article before that time?

Mr. REILLY. No, I had not, I was not—we were not at that time—I was not personally involved in the International Organizations' Employees Loyalty Board, since that is outside the Department of State.

Senator DODD. Did I understand that you did not know anything about Boudin? Did Otepka call his name to your attention?

Mr. REILLY. Oh, I had known about Boudin——

Senator DODD. You have known about him before?

Mr. REILLY. For a long period of time; yes, sir.

Senator DODD. And you had read the draft of the report before Otepka called your attention to the Boudin recommendation?

Mr. REILLY. Yes; I read the draft report before I handed it to Mr. Otepka; yes, sir.

Senator DODD. My point is, did you notice it yourself or didn't you notice it until Otepka called it to your attention?

Mr. REILLY. Well, I was not familiar with the position taken by Mr. Boudin in the New York Times letter until Mr. Otepka brought that article to my attention.

EXHIBIT 4

TESTIMONY OF OTTO OTEPKA WITH REGARD TO MISSTATEMENTS OF JOHN F. REILLY CONCERNING OTEPKA'S HANDLING OF CASES OF HARDING BANCROFT, ET AL.

TESTIMONY OF OTTO F. OTEPKA, CHIEF DIVISION OF EVALUATIONS, OFFICE OF SECRETARY, DEPARTMENT OF STATE, MONDAY, AUGUST 12, 1963

Senator Hugh Scott presiding.

Also present: J. G. Sourwine, chief counsel, and Frank W. Schroeder, chief investigator.

(Mr. Otepka was previously sworn.)

* * * * *

Mr. SOURWINE. Mr. Otepka, are you aware that Mr. John Reilly, in his testimony before this committee, controverted many statements previously made by you when you testified?

Mr. OTEPKA. Yes; I was given to understand that he did.

Mr. SOURWINE. Did you have an opportunity to examine Mr. Reilly's testimony, the transcript of his testimony?

Mr. OTEPKA. Yes, sir.

Mr. SOURWINE. Did I furnish you with a copy of this testimony and ask you to prepare a memorandum of reply covering point by point all of those instances in which you felt Mr. Reilly's testimony was inaccurate or untrue?

Mr. OTEPKA. Yes, sir.

Mr. SOURWINE. Did you prepare such a memorandum?

Mr. OTEPKA. I did, sir.

Mr. SOURWINE. You prepared it yourself?

Mr. OTEPKA. Yes, sir; I did.

Mr. SOURWINE. Is this it?

Mr. OTEPKA. That is the memorandum I prepared.

Mr. SOURWINE. That memorandum is accompanied by certain exhibits, Nos. 1 through 13?

Mr. OTEPKA. Yes, sir; which were intended to be used by me.

Mr. SOURWINE. The exhibits were furnished by you in connection with the memorandum for the records of this committee?

Mr. OTEPKA. The exhibits were intended to be used to refresh my recollection in connection with my forthcoming testimony before this committee of which I have previously been apprised.

Mr. SOURWINE. Mr. Otepka, are any of these exhibits classified?

Mr. OTEPKA. There is one exhibit which is—which bears a classification, but the classification was assigned to it only because it was—there was an accompanying document that was classified. However, that particular exhibit which I have there does not have the classified memorandum.

Mr. SOURWINE. Are you referring specifically to the exhibit No. I–f which deals—which consists of a memorandum to Mr. Reilly from you respecting emergency clearance of eight named individuals?

Mr. OTEPKA. Could you give me the date of that memorandum, sir?

Mr. SOURWINE. This one?

Mr. OTEPKA. Yes, sir.

Mr. SOURWINE. And you say that, although this memorandum has what appears to be a "secret" classification, it also has a marking that upon removal of the attachments it will be considered "confidential" only.

Mr. OTEPKA. The marking on that document was placed there by me as a classifying officer. I am authorized to classify documents.

Mr. SOURWINE. Did you classify this document initially as "secret" with the attachments on it?

Mr. OTEPKA. That document is "secret" only with the attachments.

Mr. SOURWINE. But this was your classification?

Mr. OTEPKA. That was my classification.

Mr. SOURWINE. And with the attachments off it was no longer "secret"?

Mr. OTEPKA. That is correct.

Mr. SOURWINE. And you did not supply the attachments to the committee?

Mr. OTEPKA. No, sir.

Mr. SOURWINE. There is no reason why, then, all these exhibits should not go in our record along with this memorandum, is there?

Mr. OTEPKA. Based on my knowledge of the contradictions of Mr. Reilly in his testimony, I feel that I am entitled to submit that material for the record.

Mr. SOURWINE. Mr. Chairman, I ask that all of this material may be ordered into the record at this point.

Senator SCOTT. Without objection it may be so received.

Mr. SOURWINE. And I ask permission to retain it temporarily in the counsel's files, because I propose to ask questions about some of the points that are raised there.

Senator SCOTT. Very well.

COMMENTS REGARDING TESTIMONY OF JOHN REILLY ON MAY 21, 22, AND 23, 1963

TESTIMONY OF MAY 21, 1963

Pages 584–585 pencil mark 1 (ending with line 13)*

Otepka received from Reilly a note dated February 4, 1963,[1] with enclosure consisting *only* of a copy of a memorandum dated January 27, 1963, from IO[2] Harlan Cleveland addressed to OIA[3] Mr. Hefner.[1] Reilly's note to Otepka included *no report* of the Advisory Committee on International Organization Staffing. Since Otepka realized immediately that he did not have all the facts available on which he could prepare an intelligent appraisal of the proposal in the Cleveland memorandum of January 27, 1963, Otepka called Paul Byrnes in IO and asked him what additional information was available. Byrnes advised Otepka that a report was being drafted on which he, Byrnes, had already prepared comments. Otepka asked for and received from Byrnes the latter's own comments which, in general, coincided with Otepka's initial views. Otepka's views were based then only on the meager data available. Otepka sent a note February 8, 1963,[1] to Reilly and advised Reilly orally that SY[4] should oppose any attempt to eliminate full field investigation of UN personnel. Reilly did not, on this occasion nor thereafter, indicate to Otepka that he had known of or received a copy of the February 19, 1963, report of the Advisory Committee. The fact is that Otepka himself, after his discussion of February 8, 1963, with Reilly, obtained copies of the February 19, 1963, report from Byrnes. Otepka sent a copy of the February 19, 1963, report to Reilly under cover of Otepka's written comments prepared on March 18, 1963, for Reilly's signature.[5]

On several occasions after March 18, 1963, Otepka inquired orally of Reilly as to whether Reilly had had an opportunity to examine these comments and whether he would approve them. On such occasions Reilly gave Otepka the same answer: that he had not had the opportunity to review Otepka's draft comments. To this date, Reilly has not indicated to Otepka his approval or disapproval of Otepka's draft of March 18, 1963.

On May 14, 1963, Otepka answered Belisle's note of May 13, 1963, whereby Belisle had attached a new report of the Advisory Committee (copies of pertinent correspondence are attached and are self-explanatory[6]).

The statement by Reilly (page 585) that the February 19, 1963, report came down to *him* from Orrick's office apparently is not true.

Questions for Reilly

When did he receive the report of February 19, 1963, from Orrick's office? Did he see it before Otepka sent it to him on March 18, 1963? Why did he not say he got it from Otepka, who had not obtained it from Orrick's office but was furnished it directly by a member of Cleveland's staff?

(*Page 585—pencil mark 2, see also pencil mark 3, page 586 which is a contradictory statement by Reilly*)

Reilly's statement (2) is not correct. The consultants were granted a clearance for access to classified data by Otepka. This clearance was limited only to each specific meeting of the Committee. The clearances were renewed upon requests made by IO for every successive meeting of the Committee. The clearances were predicated upon the express written statement of IO that the Committee members would see only a limited number of

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Footnotes at end of article.

documents as necessary for the meeting attended. Also IO specifically advised SY that the information would be carefully controlled and the consultants were not in any sense employees of the Federal Government. They were merely contributing their special talents and their time without compensation on an *ad hoc* basis to study international organization staffing problems. Their clearances in his [this] sense would not extend beyond the stated purposes of the meeting. IO was informed *they would be given regular clearances permitting them more levity* (sic) *only after they had been fully investigated, fingerprinted and had completed all required processing forms.* None of the consultants was given building passes until after they had been fully cleared.

Page 586–587—pencil mark 4 and 5

Reilly's statement is not true. Otepka furnished Reilly with a comprehensive sketch of the derogatory background data at the very outset of the initial request received from IO. Moreover, Otepka prepared a memorandum addressed to the Executive Director, IO, in which Otepka detailed both the procedural problems involved as well as the substantive questions. Belisle returned the memorandum to Otepka with a terse note saying Otepka's draft was verbose and that Otepka used "a hell of a lot of words." Belisle eliminated that part of Otepka's memorandum containing statements about the background of the individuals, and prepared his own memorandum to IO about the procedural problem, showing only himself (Belisle) as the drafting officer but using Otepka's almost identical words.[7]

Further, on the above point, after the full field investigations had been completed for the purpose of formally appointing the individuals to the employment rolls and determining at the same time if their clearance for access to classified data could be extended, Otepka forwarded to Reilly *before the clearance notifications were sent to the Employment Division* the cases of Ernest Gross, Harding Bancroft and Andrew Cordier. In the case of Gross, Otepka said he would not object on *security* grounds to Gross' employment by the Department but he (Otepka) felt the contents of the investigative reports should be examined by the Employment Division under suitability standards. Reilly approved the security clearance but declined to send the reports to the Employment Division. In the case of Bancroft, Otepka wrote a memorandum to Reilly expressing Otepka's concern about the fact that Loy Henderson had described Bancroft as pro-Soviet and also Otepka's concern that Bancroft long defended Alger Hiss and Bancroft relented (but not fully) only after Hiss had been sent to jail. Otepka indicated that he was clearing Bancroft with reservations, saying that the clearance was being granted based on Otepka's understanding from IO that these consultants dealt only with a limited number of classified documents which were described to Otepka as having no significant impact on the national security.

Exhibit 5

Statement of Otto Otepka to FBI During Interrogation Ordered by State Department, With Excerpts From Description of Documents Furnished to Senate Internal Security Subcommittee

Washington, D.C., *August 15, 1963.*

I, Otto F. Otepka, make the following voluntary statement to Carl E. Graham and Robert C. Byrnes, who have identified themselves as Special Agents of the Federal Bureau of Investigation. No threats or promises of any kind have been made to me to make this statement and I know it can be used against me in a court of law. I have been advised of my right to have legal counsel before making any statement whatsoever.

Mr. Byrnes informed me in general that the FBI was conducting an investigation with respect to myself concerning an allegation that had been received that I had furnished classified information to an unauthorized person. In the course of our discussion it was made known to me specifically that the alleged unauthorized person was the Chief Counsel of the United States Senate Committee on the Judiciary. His name is Julien G. Sourwine. I shall hereinafter for the purposes of this inquiry identify such documents which were furnished by me to the Chief Counsel of this Committee. It is important to me at the outset that it be known for the record that I am a member of the classified or competitive Civil Service and that I am now and have been a career member of that service for over 27 years.

The circumstances in regard to which I am alleged to have furnished documents or information to the said Chief Counsel relate to an investigation which was being conducted by the Internal Security Subcommittee of the Committee of the Judiciary beginning in November, 1961. I first appeared before that Committee at its request and with the express permission of the Department of State together with two other members of the Bureau of Security and Consular Affairs, and I responded to the questions of its Chief Counsel frankly and truthfully to the best of my knowledge and ability. Subsequently I reappeared before that Subcommittee once in April, 1962, also at the Committee's request and with the permission of my superiors. Also appearing at or about that time were my superiors. In November, 1962, the Committee publicly released the transcripts of my testimony and that of other Department of State personnel together with a report of the Committee containing the Committee's conclusions and recommendations with respect to the security practices and procedures of the Department of State.

Beginning in March 1963, and during April 1963, I appeared before the same subcommittee in accordance with its request and with the knowledge of my superiors, for a total of four times. I was given to understand that the Committee was seeking to ascertain from the Department of State whether or not the Department of State had implemented the Committee's recommendations to improve certain security practices found by the Committee to be deficient. During May, 1963, my immediate superior, Mr. John F. Reilly, also testified before the Committee on three separate days. Prior to his appearances and at his own personal request I obtained from the Chief Counsel of the Committee, Mr. Sourwine, the stenographic transcripts of my testimony of March and April, 1963, and furnished those transcripts to Mr. Reilly. Mr. Reilly indicated to me he had not read my transcripts before. I do not know the reason why.

Following the first appearance of Mr. Reilly, which I believe was on May 21, Mr. Reilly personally came to my office and informed me that Senator Thomas J. Dodd, the presiding chairman of the Subcommittee, had given him, Mr. Reilly, "a bad time" on that day. Mr. Reilly related to me that he had told the Subcommittee that I had voluntarily disqualified myself from the evaluation of the case of William A. Wieland. Mr. Reilly asked if I could "straighten out" Mr. Dodd on this matter. I said I did not know Mr. Dodd but were I to be again questioned by the Subcommittee I would be very happy to state for the record what had transpired between myself and Mr. Reilly when on a prior occasion he discussed with me at his request my future role in the re-evaluation of the Wieland case. I prepared for the record and have in my possession a memorandum indicating the exact nature of my discussions with Mr. Reilly on any prior occasion concerning what function I should play as Chief of the Division of Evaluations in the Wieland case.

Following the conclusion of Mr. Reilly's testimony, Mr. Julien Sourwine, the Chief Counsel of the Subcommittee, requested that I come to see him, which I did, after working hours on the day of his request. To the best of my recollection this was on May 23. Mr. Sourwine voluntarily informed me that there were contradictions in my testimony and the testimony of Mr. Reilly. He offered to let me read the stenographic transcripts of Mr. Reilly's testimony and upon doing so he said I should give him a memorandum that would answer point by point all of the instances in which I felt Mr. Reilly's testimony was inaccurate or untrue. After carefully reading the transcripts of Mr. Reilly's testimony I was both shocked and amazed. I therefore prepared a memorandum consisting of 39 double-spaced pages annotated by exhibits which I shall identify below, and I furnished a copy of this memorandum to Mr. Sourwine together with copies of the exhibits mentioned therein. This memorandum was intended to serve as my reference in rebuttal, explanation, or clarification of statements made by Mr. Reilly in my future appearance before the Committee which had already been made known to me.

At this point I would like to state for the record that what particularly concerned me in regard to Mr. Reilly's testimony was that he made statements to the Subcommittee concerning my personal character and performance. As a knowledgeable and experienced career civil servant, I know that one's superior owes one primary duty especially to his subordinate. That is: if the subordinate's performance is or has been deficient that subordinate should first be so told by the superior. The superior should not derogate the employe's performance before a legislative body or any organization outside the employee's place of employment without fulfilling his first duty to his subordinate. Mr. Reilly never expressed to me his dissatisfaction with my performance nor did he ever let me know that he had anything but a favorable opinion concerning my character. However, neither Mr. Reilly nor his predecessor has given me an annual efficiency report as required by the Department's regulations since October, 1960, almost three years. Not only did I request such efficiency reports from Mr. Reilly but I succinctly informed his Executive Officer on several occasions that these reports were long overdue. Mr. Reilly, of course, is entitled to his explanations for this delinquency. The fact is I still do not have any efficiency reports for those three years. Furthermore, I wish this record to bear out that my whole history of performance in the Department of State reflects not only the most satisfactory comment by those officers who have rated me but that prior to my entering on duty in the Department of State in June, 1953, I was the recipient for six successive years preceding my appointment to the Department of State of "Excellent" efficiency ratings. Such an adjective rating was the highest attainable.

In considering the request made to me by Mr. Sourwine to identify inaccuracies or untrue statements by Mr. Reilly, I was already cognizant of the following provision in Section 652, Title 5, of the United States Code. This is a law enacted by the United States Congress. It reads as follows:

> "The right of persons employed in the Civil Service of the United States, either individually or collectively, to petition Congress or any member thereof or to furnish information to either house of Congress or to any Committee or member thereof shall not be denied or interfered with."

It was my honest belief and conviction in the light of contradictions in the record of the Senate Internal Security Subcommittee

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Footnotes at end of article.

that I should support my refutation of Mr. Reilly's statements concerning me with such necessary information as would establish that my own statements were truthful and accurate. I carefully observed in the transcript of Mr. Reilly's testimony that he had entered selected documents into the record relating to me.

The documents herein involved which were furnished by me to the Chief Counsel of the Senate Committee on the Judiciary as an appendage to my prepared written comments are as follows:

EXHIBIT 1

(1) This included a memorandum dated January 27, 1963, for Mr. Hefner, OIA, from Harland Cleveland, IO, on the subject of "Loyalty Investigations of United States Citizens Employed by International Organizations."

(2) Routing slip dated February 4, 1963, of Department of State to Mr. Otepka from Mr. John F. Reilly on the subject of "Loyalty Investigations of United States Citizens Employed by International Organizations" with the notation "Would you look into this please and may I have your views by Feb. 8?"

(3) One page memorandum to Mr. Reilly from Mr. Otepka dated February 8, 1963.

EXHIBIT 2

(1) Thirty-two page document entitled "Staffing International Organizations, A Report of the Advisory Committee on Management Improvement to the Assistant Secretary of State for International Organization Affairs" dated March, 1963. A three page cover memorandum to this document is also attached and which bears the title of "Staffing International Organizations, Summary of Recommendations."

(2) Five page memorandum dated September 10, 1962, from Mr. Otepka to Mr. Reilly on the subject of "Francis O. Wilcox; Arthur Larson; Lawrence Finkelstein; Marshall D. Shulman; Andrew Cordier; Ernest Gross; Harding Bancroft; Sol Linowitz." This document bears a classification of "Secret" but with a stamped notation at the bottom stating that the document would be considered "Confidential" upon removal of attachment. At the conclusion of the fifth page there is a notation that the attachments were "tabs A, B, C and D." These attachments were *not* furnished to Sourwine. Attached to this document at the conclusion is a one page memorandum dated September 17, 1962, from Mr. Reilly to Mr. Czayo on the subject "Processing of Appointments of Members of the Advisory Committee on International Organization Staffing" classified "Confidential."

EXHIBIT 3

(1) Thirty-six page document entitled "Staffing International Organizations, A Report of the Advisory Committee on International Organizations", published by the Department of State, Washington, D.C., April 22, 1963 (a public document). Attached to this document are Appendices I and II consisting of six pages.

(2) Routing slip from Mr. Belisle to Otepka dated May 13, 1963. Attached to this routing slip is a one page memorandum dated May 6, 1963, to Mr. Reilly from Gladys P. Rogers on the subject "Staffing International Organizations—A Report of the Advisory Committee on International Organizations."

(3) ?Undated routing slip from Belisle to Otepka. Attached to this routing slip is a three page memorandum from Mr. John F. Reilly to Mr. George M. Czayo on the subject "Processing of Appointments of Members of Advisory Committee on International Organization Staffing." This three page memorandum bears a stamped security classification of "Confidential"

(4) One page memorandum dated August 7, 1962, to Mr. Simpson, EMD, to attention of Mrs. Solvig with copy for Mr. Otepka, captioned "Request for Waiver, Advisory Committee on International Staffing: Ernest A. Gross, Marshall D. Shulman, Andrew W. Cordier, Harding Bancroft, Lawrence Finkelstein, Francis O. Wilcox, Arthur Larson". This was a nonclassified memorandum with two attached routing slips; one dated September 13, 1962, from Otepka to Mr. Belisle and to Mr. Reilly. The other routing slip was from Belisle to Otepka, addressed to "Otto", dated September 11, 1962.

(5) One page memorandum dated May 14, 1963, to Mr. Belisle from Mr. Otepka. The memorandum indicates there is an attachment of "Report of the Advisory Committee on International Organizations."

EXHIBIT 6

EXCERPT FROM NOTICE OF PROPOSED ADVERSE ACTION SENT TO OTTO OTEPKA BY STATE DEPARTMENT, INCLUDING CHARGES THAT HE HAD TRANSMITTED INFORMATION CONCERNING HARDING BANCROFT, ET AL., TO SENATE INTERNAL SECURITY SUBCOMMITTEE

DEPARTMENT OF STATE,
Washington, September 23, 1963.

MR. OTTO F. OTEPKA,
Office of Security,
Department of State.

DEAR MR. OTEPKA: This is a notice of proposed adverse action in accordance with the regulations of the Civil Service Commission.

You are hereby notified that it is proposed to remove you from your appointment with the Department of State, as Supervisory Personnel Security Specialist, GS–15, in the Office of the Deputy Assistant Secretary for Security, thirty (30) days from the date of this letter.

On August 16, 1963, at Washington, D.C., you executed a voluntary sworn statement, dated August 15, 1963, before Carl E. Graham and Robert C. Byrnes, Special Agents of the Federal Bureau of Investigation. A copy of this statement is attached as Exhibit A. Information contained therein will be referred to specifically in some of the charges listed below.

Furthermore, during the period March 13, 1963, to June 18, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, caused the following procedures to be instituted:

(*a*) Mrs. Joyce M. Schmelzer, Secretary to Mr. Frederick W. Traband, Supervisory Personnel Security Specialist, periodically observed your classified trash bag (hereinafter referred to as "burn bag") which was in the possession of your secretary, Mrs. Eunice Powers. Mrs. Schmelzer and Mrs. Powers were located in the same room and across from one another.

(*b*) When Mrs. Schmelzer saw that your burn bag was full, she would ask Mrs. Powers if she wanted her (Mrs. Schmelzer) to take your burn bag to a Department Mail Room with Mr. Traband's.

(*c*) When Mrs. Powers accepted Mrs. Schmelzer's offer, Mrs. Schmelzer would inform Mr. Traband of this fact. Mr. Traband would then call Mr. Rosetti, Supervisory Security Specialist, or Mr. Shea, Supervisory General Investigator, if Mr. Rosetti was not available, and inform him that your burn bag was being delivered to the Mail Room.

(*d*) While carrying your burn bag and Mr. Traband's to the Mail Room, Mrs. Schmelzer would mark your burn bag with a red "X" (with a crayon or pencil mark) and deposit both burn bags in the Mail Room, Room 3437.

(*e*) Mr. Rosetti or Mr. Shea, and on one occasion Mr. Robert McCarthy, Supervisory Security Specialist, would obtain your burn bag from the Mail Room within five to ten minutes after Mrs. Schmelzer left it there and would turn it over to Mr. Reilly or Mr. Belisle (Special Assistant to the Deputy Assistant Secretary for Security), in their office, Room 3811. (On one occasion when Mrs. Powers herself took your burn bag to the Mail Room, Messrs. Rosetti and Shea picked it up from the Mail Room immediately after Mrs. Powers deposited it there.) Your burn bag was then transferred to Mr. Reilly's brief case.

(*f*) Mr. Reilly's brief case was then taken by Mr. Shea to Room 1410, 2612A or 3811 for examination of its contents. Your burn bag was inspected by Mr. Shea either alone or with Mr. Belisle and/or Mr. Rosetti.

(*g*) The contents of your burn bags were carefully examined. All carbon paper or copies were read by turning the carbon side toward the light thus allowing the paper to be read from the back. Torn pieces of paper were grouped together and then pieced together to make readable documents. One-time typewriter ribbons were also read on occasion.

During the course of inspecting the contents of your burn bag on May 29, 1963, a typewriter ribbon was retrieved. This ribbon has been read and the contents are reproduced as Exhibit B. Information contained therein will be referred to specifically in some of the charges listed below.

(1) *You have conducted yourself in a manner unbecoming an officer of the Department of State.*

Specifically: You furnished a copy of a classified memorandum concerning the processing of appointments of members of the Advisory Committee on International Organization Staffing to a person outside of the Department without authority and in violation of the Presidential Directive of March 13, 1948 (13 Fed. Reg. 1359). This Directive provides:

> "* * * all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

You were reminded of the prohibition contained in this Directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, Assistant Secretary of State, to Senator Eastland, Chairman of the Senate Committee on the Judiciary, dated March 20, 1963. A copy of this letter, indicating that you "noted" it, is enclosed as Exhibit C.

In your sworn statement, referred to above and enclosed as Exhibit A, you stated on pages 7 and 8 that you gave a copy of a classified memorandum entitled "Francis O. Wilcox, Arthur Larson, Lawrence Finkelstein, Marshall D. Shulman, Andrew Cordier, Ernest Gross, Harding Bancroft, Sol Linowitz", to Mr. J. G. Sourwine, Chief Counsel, United States Senate Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws, of the Committee on the Judiciary. This memorandum concerns "the loyalty of employees or prospective employees" of the Department within the meaning of the Presidential Directive of March 13, 1948.

This is a breach of the standard of conduct expected of an officer of the Department of State.

(2) *You have conducted yourself in a manner unbecoming an officer of the Department of State.*

Specifically: You furnished a copy of a classified memorandum concerning the processing of appointments of members of the Advisory Committee on International Organizations Staffing to a person outside of the Department without authority and in violation of the Presidential Directive of March 13, 1948 (13 Fed. Reg. 1359). This Directive provides:

> "* * * all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

You were reminded of the prohibition contained in this Directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, to Senator Eastland, dated March 20, 1963. A copy of this letter, indicating that you "noted" it, is enclosed as Exhibit C.

In your sworn statement, referred to above and enclosed as Exhibit A, you stated on page 9 that you gave a copy of a classified memorandum entitled "Processing of Appointments of Members of the Advisory Committee on International Organizations Staffing" to Mr. J. G. Sourwine. This memorandum concerns "the loyalty of employees or prospective employees" of the Department within the meaning of the Presidential Directive of March 13, 1948.

This is a breach of the standard of conduct expected of an officer of the Department of State.

EXHIBIT 7

EXCERPTS FROM RESPONSE OF OTTO OTEPKA TO CHARGES OF STATE DEPARTMENT THAT HIS CONDUCT WAS UNBECOMING OF A STATE DEPARTMENT OFFICER

(EDITOR'S NOTE.—Mr. Otepka's answer to the charges preferred by the Department was ordered into the record at this point and reads as follows:)

WHEATON, MD., *October 14, 1963.*

Hon. JOHN ORDWAY,
Chief, Personnel Operations Division,
Department of State,
Washington, D.C.

DEAR MR. ORDWAY: This is my answer to the charges preferred against me by your letter of September 23, 1963.

CHARGE 1 AND CHARGE 2

Before turning to the specific charges, a general statement of the background of this entire matter is in order.

I have been an employee of the U.S. Government for 27 years. From 1936 until 1942 I occupied minor positions in the Farm Credit Administration and the Bureau of Internal Revenue, and for 3 years during that period attended law school. In 1942 I was appointed an investigator and security officer with the U.S. Civil Service Commission. I served in that capacity until 1943, when I entered the U.S. Navy as an apprentice seaman. I served in the Navy from 1943 until 1946, being discharged with the grade of petty officer first class. Returning to the Civil Service Commission in 1946, I served there as an investigator and security officer until 1953 when I came to the Department of State as a security officer. I have been with the Department ever since 1953.

My efficiency ratings at the Civil Service Commission for the years 1948–53 were all "excellent," the highest ratings attainable under the system then in effect. During my service in the Department of State, all of my efficiency reports have been highly favorable. For example, for the year 1959–60, when I served as Deputy Director of the Office of Security, my efficiency report contained the following comment by the Director of that office, Mr. Boswell:

"He has had long experience with and has acquired an extremely broad knowledge of laws, regulations, rules, criteria, and procedures in the field of personnel security. He is knowledgeable of communism and of its subversive efforts in the United States. To this, he adds perspective, balance, and good judgment, presenting his recommendations and decisions in clear, well reasoned, and metriculously drafted documents. He has brought these attributes to bear during periods totaling almost 4 months when he has been Acting Director in my absence and throughout the rating period as the State Department representative on an intragovernmental committee concerned with security matters."

In April 1958 I received a Meritorious Service Award signed by Secretary of State John Foster Dulles for sustained meritorious accomplishment in the discharge of my assigned duties. The justification for this award included the following statement: "He has shown himself consistently to be capable of sound independent judgment, creative work, and the acceptance of unusual responsibility."

It may be noted that I have received no efficiency report since September 1960, although the regulations require that each employee receive such a report annually, and I have on several occasions requested my superiors to give me my efficiency reports. However, until recently none of my superiors ever complained to me about my performance of duty.

Beginning in November 1961 an investigation into certain security practices of the Department of State was conducted by the Internal Security Subcommittee of the Committee on the Judiciary of the U.S. Senate. I first appeared before that committee at its request and with the express permission of the Department of State, together with two other members of the Bureau of Security and Consular Affairs. I responded to the questions of Mr. J. G. Sourwine, the subcommittee's chief counsel, frankly and truthfully to the best of my knowledge and ability. Subsequently, in April 1962 I reappeared before the subcommittee also at the committee's request and with the permission of my superiors. Also appearing at or about that time were my superiors. In October 1962 the committee publicly released the transcripts of my testimony and that of other Department of State personnel, together with a report of the committee containing the committee's conclusions and recommendations with respect to the security practices and procedures of the Department of State.

Beginning in February 1963, and during March 1963, I appeared on four occasions before the same subcommittee in accordance with its request and with the knowledge of my superiors. I was given to understand that the committee was seeking to ascertain from the Department of State whether or not the Department had implemented the committee's recommendations to improve certain security practices found by the committee to be deficient. During April and May 1963 my immediate superior, Mr. John F. Reilly, testified before the committee on five occasions. Prior to his first appearance, and at his request, I obtained from Mr. Sourwine the stenographic transcripts of my testimony of February and March 1963 and I furnished those transcripts to Mr. Reilly. Mr. Reilly indicated to me he had not read my transcripts before. I do not know the reason why, as the transcripts had been available to him through regular Department channels.

Following the appearance of Mr. Reilly, he came to my office and informed me that Senator Thomas J. Dodd, the presiding chairman of the subcommittee, had given him, Mr. Reilly, "a bad time" on that day. Mr. Reilly related to me that he had told the subcommittee that I had voluntarily disqualified myself from the evaluation of the case of William A. Wieland. Mr. Reilly asked if I could "straighten out" Mr. Dodd on this matter. I said I did not know Mr. Dodd but were I to be again questioned by the subcommittee I would be very happy to state for the record what had transpired between me and Mr. Reilly when on a prior occasion he discussed with me, at his request, my future role in the reevaluation of the Wieland case.

Following the conclusion of Mr. Reilly's testimony, Mr. J. G. Sourwine, the chief counsel of the subcommittee, requested that I come to see him, which I did, after working hours on the day of his request. To the best of my recollection this was on May 23, 1963. Mr. Sourwine voluntarily informed me that there were conflicts between my testimony and the testimony of Mr. Reilly. He offered to let me read the stenographic transcripts of Mr. Reilly's testimony and said that when I had done so, I should give him a memorandum that would answer point by point all of those portions of Mr. Reilly's testimony which conflicted with my testimony or which I found inaccurate or untrue. After carefully reading the transcripts of Mr. Reilly's testimony I was both shocked and amazed. I therefore prepared a memorandum consisting of 39 double-spaced pages annotated by exhibits, and I furnished a copy of this memorandum to Mr. Sourwine together with copies of the exhibits mentioned therein. This memorandum was furnished to Mr. Sourwine as the chief counsel, and authorized representatives of the subcommittee. It was intended to serve as my reference in rebuttal, explanation, or clarification of statements made by Mr. Reilly, in any future appearance I made before the committee. I was told that I would be recalled to testify again before the committee.

I was especially disturbed by two statements made by Mr. Reilly in his testimony which was shown to me by Mr. Sourwine. First, Mr. Reilly testified, concerning eight prospective appointees to the Advisory Committee on International Organizations, that there was no substantial derogatory information respecting any of the prospective appointees, and that the case of only one of them had even been brought to his attention prior to their appointment. This testimony I knew to be incorrect, for on September 10, 1962, before the appointments were made I had submitted to him a memorandum with respect to each of the individuals in question. This memorandum strongly recommended that certain of the prospective appointees not be cleared without further investigation. On September 17, 1962, Mr. Reilly himself directed a memorandum to Mr. George M. Czayo in the office of Mr. Harlan Cleveland with respect to these cases, and this document reflected that Mr. Reilly was familiar with my memorandum of September 10.

I gave to Mr. Sourwine a copy of my memorandum of September 10, 1962 and a copy of Mr. Reilly's memorandum of September 17, 1962. While these documents were classified "Confidential"—the one of September 10 having been classified by me—they contained no investigative data. The only substantive data contained in my memorandum of September 10 consisted of references to certain matters which had been mentioned in published reports or hearings of the Senate Internal Security Subcommittee or which were otherwise in the public domain. The Reilly memorandum of September 17 contained no substantive data whatever with respect to the prospective appointees, but related for the most part to the procedural steps involved in their clearance.

Charge 1 in your letter is based upon my action in giving a copy of my memorandum of September 10, 1962, to Mr. Sourwine. Charge 2 relates to my action in giving Mr. Sourwine a copy of Mr. Reilly's memorandum of September 17, 1962. You allege that my actions were in violation of the Presidential directive of March 13, 1948 (12 Fed. Reg. 1359) which forbids the disclosure, except as required in the efficient conduct of business, of "reports, records, and files relative to the loyalty of employees or prospective employees."

It is a familiar rule that regulations, like statutes, must be interpreted with commonsense, that a thing may be within the letter of a regulation and yet not within the regulation, because not within its spirit, nor within the intention of its makers. This has been the law for centuries. Poffendof mentions the judgment that the Bolognian law which enacted "that whosever drew blood in the streets should be punished with the utmost severity," did not extend to the surgeon who opened the vein of a person that fell down in a street in a fit. Plowden cites the ruling that the statute of 1st Edward II, which enacts "that a prisoner who breaks prison shall be guilty of a felony," does not extend to a prisoner who breaks out of prison when the prison is on fire "for he is not to be hanged because he would not stay to be burnt." See *Church of the Holy Trinity* v. *United States* (143 U.S. 457).

Applying this doctrine to the present case, and assuming without conceding that the memoranda of September 10 and September 17, 1962, fell within the letter of the Presidential directive of March 13, 1948, I submit that those memorandums were not within the spirit of the directive, nor within the intention of its author. As President Truman stated in his letter to the Secretary of State, dated April 2, 1952, the purpose of the directive was "to preserve the confidential character and sources of information, to protect Government personnel against the dissemination of unfounded or disproved allegations, and to insure the fair and just disposition of loyalty cases." The memorandums of September 10 and September 17, 1962, referred to no confidential information, disclosed no confidential sources, and made no allegations. My memorandum of September 10, 1962, merely referred to matters of public record and recommended that these matters should be investigated. There was no loyalty case, pending, or contemplated, involving any of the individuals mentioned. In short, in the context of the Presidential directive of March 13, 1948, the two memorandums were completely innocuous and clearly not the kind of papers that the directive was designed to protect.

My interpretation of the Presidential directive of March 13, 1948, is apparently in harmony with the interpretation placed upon the directive by Secretary of State Rusk. Thus, the statement of Senator Thomas J. Dodd, appended to the report of the Senate Subcommittee on Internal Security in the matter of State Department security, published in 1962, contains the following:

"Subsequent to the preparation of this report, I had occasion to discuss the Wieland case with Secretary Rusk and to *examine certain documents which he showed me in confidence*.

"On the basis of these conversations, I am satisfied that, prior to September 15, 1961, Secretary of State Rusk had examined the material pertaining to the Wieland case in considerable detail, including reports of the Federal Bureau of Investigation * * *" [Italic supplied.]

See Senate report, State Department security, the case of William Wieland, etc., 87th Congress 2d session—page 197. The intendment of Senator Dodd's statement is that Secretary Rusk disclosed to him documents from the security file of Mr. Wieland, in order to establish that the Secretary did examine this material prior to September 15, 1961. It seems obvious that, in the judgment of Secretary Rusk, a reasonable and commonsense interpretation of the Presidential directive did not prevent the disclosure of the security material to Senator Dodd. If it was proper for Secretary Rusk to show such material to a member of the Internal Security Subcommittee, then it was proper for me to disclose the innocuous memorandums of September 10 and September 17, 1962, to an authorized agent of that subcommittee in order that the committee might know the truth and to refute unwarranted and scandalous charges against me and my record.

Mr. Reilly's testimony that the cases of the prospective appointees had not been brought to his attention seriously disparaged my performance of duty and impugned my integrity. In other words, had I failed to bring such matters to his attention. I would have been guilty of a dereliction of duty. In this context, I submit that I had not only the right but the duty to defend myself, to correct the committee's record, and to support my oral testimony by the memorandums of September 10 and September 17, 1962.

The provisions of the United States Code, title 5, section 652(d) plainly gave me the right to respond to the request of the Senate committee and to answer Mr. Reilly's attacks upon me. That statute provides:

"(d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress or to any committee or member thereof, shall not be denied or interferred with. As amended June 10, 1948, c. 447, 62 Stat. 354; 1949 Reorg. Plan No. 5, eff. Aug. 19, 1949, 14 F.R. 5227, 63 Stat. 1067".

If the provisions of the directive are construed to prohibit the disclosure by me of the memorandums here involved, under the circumstances of this case, then I submit the directive is in violation of the statute.

It must be emphasized always that I gave the memorandums in question to Mr. Sourwine, not as an individual, but as the authorized agent of a committee of the U.S. Senate; and I gave them to him only to be used as exhibits in connection with my forthcoming testimony before that committee in executive session.

EXHIBIT 8

THE SCOTT REPORT

(By Paul Scott)

WASHINGTON, April 4.—A dramatic new chapter, with far-reaching implications for the future security of the U.S., is developing in the Otto Otepka case.

Opponents of the former Deputy Chief of Security at the State Department are preparing an all out campaign to block a Senate vote on his nomination to the Subversive Activities Control Board (SACB), an independent government security agency.

Otepka, after five years of persecution and vilification by the State Department, was nominated last month to the SACB by President Nixon.

The nomination, now pending before the Senate Judiciary Committee, was a partial victory for Otepka who had been stripped of security duties and demoted by Dean Rusk, former Secretary of State, for cooperating with a Senate Committee exposing security lapses in the State Department.

The nerve center for the new onslaught against Otepka, scheduled to begin after the Easter congressional recess, is the prestigious New York Times Washington Bureau.

Neil Sheehan, the newspaper's controversial Defense Department correspondent, has been given the assignment to write a series of articles designed to indirectly link the veteran security officer with right-wing groups—none of which Otepka had ever been a member or actively supported.

Significantly, Sheehan is the former bureau chief for the United Press International in Saigon who openly worked during the early '60s for the downfall of South Vietnam's anti-communist President Diem.

Pierre Salinger, press secretary for both Presidents Kennedy and Johnson, assailed Sheehan as one of a trio of American newsmen that "announced to one and all in Saigon that one of the aims of their stories . . . was to bring down the Diem government."

More recently in a panel discussion in New York on "The Peace in Asia," Sheehan presented the following view on communism:

"We might abandon the idea that communism is our enemy in Asia. We must be willing to tolerate their enmity. I am suggesting that in some countries a communist government may be the best government."

CASTING THE SHADOW

Insiders at the New York Times say Sheehan's anti-Otepka series was scheduled to begin earlier this week but the death of President Eisenhower and his state funeral temporarily delayed their appearance.

Several of the persons involved in the volunteer raising of funds for Otepka's costly and long-drawn out legal battle for vindication report that they have already been badgered by Sheehan about their political affiliations.

In one case, Sheehan spent more than 45 minutes on long distance phone grilling James Stewart, of Palatine, Ill., Director of American Defense Fund which raised money for Otepka's legal defense, on whether he was ever a member of the John Birch Society.

When Stewart argued the question was irrelevant and offered to discuss the issues of the Otepka case with Sheehan, the correspondent changed the subject, asking for the names of all the contributors to Otepka's defense fund.

On being told that more than 4,000 persons had contributed, Sheehan said he wanted "only the names of the big contributors." This Stewart refused on the grounds he needed approval of the individuals to give out their names.

THE BOSTON RALLY

Sheehan also quizzed Stewart at length about his group's fund-raising stand for Otepka at the New England Rally for God, Family, and Country, held in Boston in July, 1968, and attended by more than 1,000 persons.

"I have reports that Otepka manned a fund-raising booth at the Boston rally and solicited funds for his case," stated Sheehan. "Is not this true?"

"No, and you know it," replied Stewart. "Otepka had nothing to do with that stand."

What Sheehan didn't mention to Stewart was that another New York Times reporter had turned in the same negative report earlier. After spotting Otepka and his wife among the spectators at the Boston meeting, the reporter kept a watch on Otepka only to learn that he had nothing to do with the fund-raising stand.

Other persons involved in the fund raising for Otepka's legal defense, which cost the veteran security officer nearly $30,000, have also been intensely questioned by Sheehan.

Sheehan has been in contact with aides of several Senators, including William Proxmire (D., Wis.) and Jacob Javits (R., N.Y.), who plan to use his forthcoming stories to try to block Otepka's nomination.

Several State Department officials, who helped influence Secretary of State William Rogers to bar Otepka's return to that Agency, also have been in contact with Sheehan.

THE BIGGER ISSUE

While Otepka will be the central target of the coming attack, many congressional security experts see the campaign as having a much broader objective.

One memorandum being circulated among these experts, warns:

"The coming campaign against Otepka is designed to prevent, by smear and attack, efforts to strengthen the Subversive Activities Control Board, through the appointment to it of strong, conscientious securities specialists, and so bring about its destruction.

"The campaign will follow the pattern of the highly successful one by which the Eisenhower-Nixon program to train Americans in red tactics through civilian-military seminars was destroyed, through using General Walker as the target.

"Now, Otto Otepka is the target, and the objective is the nipping in the bud of the restoration of a strong security staff and operation within the government."

Thus, the battle lines are being drawn for a historic security showdown that could rattle a lot of windows in the national capital.

EXHIBIT 9

THE SCOTT REPORT

(By Paul Scott)

WASHINGTON, April 11.— * * *

THE OTEPKA CASE

The New York Times campaign to block Senate confirmation of Otto Otepka as a member of the Subversive Activities Control Board is being sparked by a former State Department employee.

The anti-Otepka strategist is Harding A. Bancroft, the Times' executive Vice President who once was under investigation by Otepka for his close association with Alger Hiss, the former high-ranking State Department official convicted of perjury.

State Department insiders report that Bancroft has actively opposed Otepka's return to government security work since the veteran security officer was suspended in 1963. At that time, Otepka provided two documents to the Senate Internal Security Subcommitte to support his testimony about lax security in the handling of clearances for several persons, including Bancroft, for important State Department posts.

Bancroft was being sponsored for a key State Department position by Harlan Cleveland, then assistant Secretary of State for International Organization, and former Secretary of State Dean Rusk.

Otepka, the State Department's top authority on government security regulations, insisted that before Bancroft was given a sensitive State Department assignment that "several matters" in his security file be resolved by a full-scale FBI investigation.

Instead, Bancroft's friends who were Otepka's superiors in the State Department waived the investigation. The Senate Internal Security Subcommittee, which was conducting an inquiry into the Department's lax security practices, quizzed Otepka about the Bancroft matter.

OTEPKA'S TROUBLE BEGINS

As a result of Otepka's cooperation with the Senate Subcommittee, the veteran security official was suspended and charged by the Department with giving classified information to the Senate probers.

Otepka, after five years of fighting the charge, was nominated last month by President Nixon to the Subversive Activities Control Board, an independent government security agency.

Hearing on Otepka's nomination is now scheduled for Tuesday, April 15 before a Senate Judiciary Subcommittee. Since the Otepka nomination was submitted to the Senate, the New York Times under Bancroft's direction has blasted the nomination editorially.

Also, Neil Sheehan, the newspaper's controversial Defense Department correspondent, was given the assignment to try to link the veteran security officer with extremist groups—none of which Otepka had ever been a member or actively supported. One of Sheehan's articles already has appeared.

FROM THE RECORD

Testimony and documents gathered by the Internal Security Subcommittee provide an insight into Bancroft's opposition to Otepka.

These records show that Bancroft was first employed in the State Department in 1946 on the recommendation of Alger Hiss in the office of Special Political Affairs (later renamed the Office of United Nations Affairs), which Hiss headed.

While in the Department, Bancroft became involved in a bitter dispute with Loy Henderson, Director of the Office of Near Eastern and African Affairs, a veteran diplomat and staunch anticommunist.

Bancroft insisted that the Soviets be permitted to retain units of the Red Army in Iran (Persia) beyond March 2, 1946, despite the fact that this would be in violation of a Treaty of Alliance to respect Iran's territorial integrity. Great Britain and the U.S. already had withdrawn their forces after the end of World War II.

In one of his great decisions, former President Truman disregarded the Bancroft recommendation, and decided to force the Soviets to withdraw their troops immediately. He did this by threatening strong U.S. action if there was no Russian pullout. The Russians withdrew.

Bancroft also tried to get Robert Alexander, a highly respected and knowledgeable official in the State Department's Visa division, fired. He recommended his ouster after Alexander told a Congressional Committee that the United Nations headquarters in New York was a haven for alien communists and espionage agents.

Although Alexander's testimony later was confirmed publicly by statements of FBI Director J. Edgar Hoover, his career was ruined by Department officials who entered into his records a stiff reprimand for telling the truth.

In the case of Cordier, Otepka recommended to Reilly that additional investigation be conducted before further consideration was given to the granting or denial of a clearance. Belisle *overruled* Otepka and Reilly concurred with Belisle. As the result, Cordier was granted a full clearance for appointment to the Department.

FOOTNOTES

*"Pages" cited throughout this document refer to typed transcripts of Reilly testimony before the Senate Internal Security Subcommittee.

[1] See Exhibit I at p. 1721.

[2] IO: Assistant Secretary for International Organization Affairs.

[3] OIA: Office of International Administration.

[4] SY: Office of Security.

[5] Typed note at bottom of page: "Copy given to Sourwine on May 23, 1963."

[6] A typed line at the bottom of typed page 2 reads as follows: "Given to Sourwine on May 23, 1963." (The correspondence referred to read as follows:)

MAY 14, 1963.

Mr. BELISLE: Reference is made to your handwritten note of May 13, 1963, on the subject "Staffing International Organizations," requesting my comments on the attachments by noon, May 14.

The report of the Advisory Committee on International Organizations which is dated April 22, 1963, and appended to OM—Mrs. Rogers' memorandum of May 8, 1963, was given to the press about two weeks ago. A brief account appeared in local newspapers. I did not see the actual report itself until you sent it to me yesterday.

The Advisory Committee on International Organizations Staffing previously drafted a report dated March 1963 on the staffing of international organizations. I discussed with Mr. Reilly my views on the contents of that report. Thereafter, on March 18, 1963, I submitted to Mr. Reilly for his signature a proposed memorandum drafted by me personally addressed to Mr. Orrick containing detailed written comments with respect to Section 6 regarding "Loyalty Investigations of U.S. Citizens Employed by International Organizations."

I note that the new report of the Committee has eliminated in its entirety the Committee's previous comments and recommendations that investigations of Americans employed by UN agencies be conducted on a post appointment rather than a preappointment basis. The new provisions, now designated as Section 8 and captioned "Government Clearance of Candidates for International Organization Employment" merely contains an observation that the problem clearance is a difficult one and should be given careful consideration in the immediate future. The present report advocates more simplified procedures to appoint qualified Americans when they are needed but it does not specify the types of procedures desirable.

I see no objection to the revised provision. However, any new procedures proposed in the future should take into account the matters which I discussed in detail in my comprehensive comments of March 18, 1963 I have received no indication as to the approval or disapproval of my previous observations and recommendations. I would appreciate being informed of their disposition for my future guidance.

OTTO F. OTEPKA.

[Pencilled note]

MAY 13, 1963.

Subject: Staffing Int'l Org.

To Mr. Otepka:

Please let me have any comments by noon May 14.

Thanks.

BELISLE.

DEPARTMENT OF STATE,
ASSISTANT SECRETARY,
May 6, 1963.

Subject: Staffing International Organization—A Report of the Advisory Committee on International Organizations.

To: SY—Mr. John F. Reilly.

O has asked OM (Office of Management) to staff out the attached. Could we have any SY views sonnest (by telephone—Extension 4381—if you prefer). The item you may be most interested in is marked at pages 24 and 25.

OM—GLADYS P. ROGERS.

Attachment: A Report of the Advisory Committee on International Organizations. (The April 22, 1963, draft of the Report on International Organizations staffing accompanied the above request.)

[7] Copies of pertinent memorandums supplied by Mr. Otepka were marked "Exhibit No. I" and are printed at p. 1721.

THE COURTS AND THE PUBLIC SCHOOLS

Mr. THURMOND. Mr. President, every Monday millions of Americans fearfully scan their newspapers to find the latest edicts of the Supreme Court. The Court has in recent years put its own peculiar brand of sociology on many facets of our daily lives, but there is no more blatant example than its rulings in the area of education.

Dr. Carl F. Hansen, former superintendent of schools for Washington, D.C., has written an excellent article entitled "When Courts Try To Run the Public Schools," published in U.S. News & World Report for April 21, 1969, which should be read by all of us. It may be recalled that Dr. Hansen was hailed by many throughout the Nation for his pioneer work in the city of Washington in response to the 1954 Brown decision.

Mr. President, as an educator, Dr. Hansen is well qualified to illustrate the dangers inherent in the Court's decisions affecting education; and as one who has been deeply involved in the issue, he knows better than most lawyers the effects of the Court's rulings on the public school system.

Mr. President, with the hope that this article may provide some much-needed information in an area of vital concern to all of us, I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article

was ordered to be printed in the RECORD, as follows:

WHEN COURTS TRY TO RUN THE PUBLIC SCHOOLS

(By Dr. Carl F. Hansen, former Superintendent of Schools, Washington, D.C.)

(NOTE.—Dr. Carl F. Hansen guided the integration of Washington, D.C., schools in 1954. His work in the transition drew wide praise. In subsequent years, Negro enrollment gained overwhelming predominance. A Negro filed suit, charging "inequities." A federal judge ordered changes considered dangerous by Dr. Hansen, who chose to retire rather than comply.)

If you live in a small Nevada town—or in one in Iowa or Ohio, for that matter—and your schools are mostly white, you may actually be flouting a court ruling that says that racially imbalanced schools run against the Constitution of the United States.

If your schools have all-white faculties, you may someday be ordered to hire 13 per cent black teachers to make the percentage fit in with the ratio of blacks to whites in the national population.

If you live in a city like Washington, D.C., or Chicago, you may someday have to see to it that the proportion of the poor in any school does not exceed the percentage of the poor in the entire city.

If you refuse to attempt to get a balance between the poor and the nonpoor in your schools through voluntary exchanges across school-district and even State lines, you may find yourself in contempt of court.

You may find your own child someday inexplicably "volunteering" to ride a bus out of your neighborhood for the kind of social and racial integration some of the nation's leaders think is best for everybody—except possibly for themselves.

If not already current realities, these requirements may ultimately result from the emergence of the doctrine of de jure integration.

A new and rather pervasive body of law is being generated by the courts and a limited number of school boards and State legislatures. The effect of this action is to make homogeneous schools either illegal or unconstitutional. In order to reduce homogeneity in school populations, school boards are being required by law to produce plans for increasing racial and social balance in their classrooms.

For much too long this nation lived with de jure segregation. Under this immoral and inhumane doctrine, children—and in some cases teachers—were told: "You may not enter this school or that one because of your race." The law stood guard at classroom doors, sifting out blacks from whites and sending each into prescribed educational areas.

Now comes a counterpart rule—that of de jure integration. The effect is the same as in the case of de jure segregation: The law again stands guard, admonishing the black child to enter a designated school because his dark skin will improve racial balance there, or instructing a white child to transfer into a black school for the same reason.

One of the more difficult problems about assigning pupils to schools by race is deciding who is white and who is black. For this, someone ought to devise a skin scanner capable of computing racial dominance by measuring skin shade.

In today's admonition against homogeneous schools, you have to think beyond simple race differentials; you are required to weigh the purses of schoolchildren to determine whether they belong to the poor or to the affluent segments of American society. If you are going to enforce mixing of pupils by social and income class, you must find out about the financial condition of their families.

At the base of the doctrine of *de jure* integration is the assumption that homogeneous schools are bad for children. If you want to raise a nasty question, simply ask: "What is the proof that schools with fairly similar enrollments are inferior? Why is an all-white school arbitrarily suspect, or an all-black school written off as worse than useless?"

The earliest example of *de jure* integration is found in the 1954 action of the New York City board of education when it declared that "racially homogeneous public schools are educationally undesirable," and then placed upon itself the responsibility of preventing "further development of such schools" and achieving racial balance in all of its schools.

The action was taken on the advice of social theorists who reasoned that segregation by fact—that is, resulting from the free choice of people—was as bad as segregation by law.

The action of the New York City board of education was followed up in 1960 by the New York board of regents. On the premise that homogeneous schools impair the ability to learn, the regents ordered the New York State department of education to seek solutions to the problem of racial imbalance. It declared:

"Modern psychological knowledge indicates that schools enrolling students largely of homogeneous ethnic origin may damage the personality of the minority-group children. . . . Public education in such a setting is socially unrealistic, blocks the attainment of the goals of democratic education, and is wasteful of manpower and talent, whether this situation occurs by law or fact."

Three years later, the then New York State commissioner of education, Dr. James E. Allen, Jr., now United States Commisisoner of Education, sent a memorandum to all State school officials requiring them to take steps to bring about racial balance in their schools. The commissioner defined racial imbalance as existing where a school had 50 per cent or more black children enrolled.

The legislative development of the concept of *de jure* integration has continued: California, Massachusetts, New Jersey, Wisconsin and Connecticut have declared in executive or judicial statements that racial isolation in the schools has a damaging effect on the educational opportunities of the Negro pupils.

In 1965, for example, the Massachusetts legislature enacted a Racial Imbalance Act. Schools with more than 50 per cent nonwhites were required to file with the Massachusetts State board a plan for correcting the condition.

It would be a serious mistake to overlook the role of the courts in establishing the rule that homogeneous schools must be abandoned.

The *de facto* school-segregation decision in *Hobson v. Hansen* explicitly instructed the Washington, D.C., board of education to submit plans for the reduction of imbalance in the schools.

By clear definition, Judge J. Skelly Wright included social class along with race as factors of concern. For the first time a court spoke not only on the unconstitutionality of racial imbalance but of social imbalance as well:

"Racially and socially homogeneous schools damage the minds and spirit of all children who attend them—the Negro, the white, the poor and the affluent—and block the attainment of the broader goals of democratic education, whether the segregation occurs by law or by fact."

Judge Wright overrode the conclusions of at least eight federal courts that had ruled consistently that it is not the duty of a board of educaion to eliminae *de facto* segregation, provided there is no evidence suggesting the maintenance of *de jure* segregation.

The sweeping Wright decision, however, went far beyond the more common legislative view in such States as New York and Massachusetts that blacks suffer from attendance in predominantly black schools. The jurist in *Hobson v. Hansen* added social-class homogeneity as a factor detrimental to democratic education. In addition, he enunciated the opinion that all children are hurt by homogeneity. In all-white, predominantly affluent schools, therefore, the minds and hearts of the pupils are being damaged for about the same reasons that black children suffer in schools peopled by their own race

If the rule requiring integration by social class prevails, every public school in the nation is subject to its effect. Even predominantly Negro school systems like the Washington, D.C., unit will be confronted with a redistribution of its pupils along social lines, if the literal meaning of the Wright opinion is observed. In the nation's capital, with about 94 per cent Negro public-school enrollment, more then 10,000 secondary-school students were reassigned in one year to bring about better social balance in the schools. Thus, *de jure* integration by class as a doctrine is already in partial effect in at least one major school system.

The conclusion that socially homogeneous schools must be destroyed rises from an increasing stress upon the theory that social class determines the quality of education. If the only way to improve achievement among lower-social-class pupils is to integrate them with higher-income pupils, a vast manipulation of school populations is in prospect. It would require a kind of despotism the world has not yet experienced, for enforcement is inevitable where the people do not volunteer.

It is difficult to believe that freedom can survive when government seeks to control the social and racial dispersement of the people—speaking, as it does so, the line: "This may hurt, but it will be good for you."

The judicial movement toward full development of the *de jure* integration doctrine was accelerated by the United States Supreme Court in three decisions issued in May, 1968. These are the Kent County, Va., the Gould, Ark., and the Jackson City, Tenn., opinions requiring the school boards in these communities to abandon their freedom-of-choice plans for desegregating their schools.

In these opinions, the Supreme Court declared that, in States where the schools were previously segregated by law, school boards must assume an affirmative responsibility to disestablish segregation.

In Jackson City, Tenn., for example, it was not enough to set up school zones on the neighborhood principle, at the same time allowing pupils to choose to attend schools outside those zones if space existed in them. Under this plan, formerly all-white schools received significant numbers of black students. Because, however, white students refused to attend or to elect to attend all-Negro schools, the Court was dissatisfied with the freedom-of-choice plan. The presence of all-Negro schools became clear evidence of intent to preserve segregation as it existed before 1954.

Not only must the Jackson City school authorities by the force of law require white children to attend formerly all-Negro schools, but they must also enforce faculty mixing by arbitrary assignment of personnel on racial lines.

The Supreme Court's disestablishment doctrine is the principle of *de jure* integration applied to those States in which segregation by law existed prior to the 1954 *Brown* decisions. This position—quite heavily burdened with patent discrimination against a group of States—is after all only one step removed from a decision requiring all States to disestablish segregation, whether this occurs by law or fact.

De jure integration, in summary, applies currently in those States and in those school districts where the local legislative bodies have enacted legislation establishing the new doctrine. It applies specifically to the District of Columbia, where the Wright opinion required the board of education to prepare plans to reduce homogeneity by race and social class.

Directly and unequivocally, the doctrine has been invoked by the Supreme Court of the United States in its disestablishment ruling applicable to jurisdictions formerly segregated by law, as has been said here, this step is the precursor of a ruling requiring local and State boards of education to disestablish *de facto* segregation as well.

A THREAT TO PUBLIC EDUCATION

The most damaging aspect of the *de jure* movement is that its proponents must discredit predominantly white schools—of which there are many throughout the country—and predominantly black schools, whether they exist in large cities like New York or small ones like Drew, Miss. Out of the attack on public education needed to establish an enforced abandonment of homogeneity by race or class has come a threat to public education that promises to bring down the walls of this primary citadel of democracy.

Hardly a school system anywhere with racial imbalance has escaped a scathing attack by those bent on achieving a millennium through the simplistic step of requiring racial balancing either by legislative or judicial action. Trace the anti-public-school sentiment in recent years to its source: You will discover—as in the case of the Washington, D.C., story—a sequence of attack, discredit, weaken; a strategy for imposing racial and social-class mixing through the winning of legislative and judicial support.

The danger in the drive for legislative and court actions to make integration the law of the land—here meaning the artificial management of persons to establish racial and social-class mixing—is the imminent destruction of confidence in public education.

As important as the hazard to public education is the fact that, in any case, *de jure* integration does not work.

The policy of the New York City board of education requiring racial balance produced overwhelmingly negative results. It left a trail of school disruptions, protests, boycotts and sit-ins. In the meantime, whites left the schools at an increasing rate.

In 1964, an official study group stated:

"No act of the board of education from 1958 through 1962 has had a measurable effect on the degree of school segregation. . . . Not a single elementary or junior high school that was changing toward segregation by virtue of residential changes and transfers of whites into parochial and private schools was prevented from becoming segregated by board action."

Four and a half years ago, the New York City board of education paired two schools—one mostly white, the other Negro. The promise made to the parents was that a race ratio of 65 per cent whites and 35 per cent blacks would be maintained in each school. Today—that is, in early 1969—the white enrollments are down to about 35 per cent in each of the two schools.

The Gould, Ark., experience is further proof of the futility of attempting to apply the doctrine of *de jure* integration. The community paired its two small schools last autumn. As a result, all but 50 of 250 white pupils withdrew. The authorities there estimate that in the coming school term the white enrollment will fall to no more than 20 pupils.

Washington, D.C., is an example of very rapid changes in race ratios over a period of a few years. From 1950 to 1967, the white school membership dropped from 46,736 to 11,784, while the black membership jumped from 47,980 to 139,364.

Enrollment figures show that formerly all-white Washington, D.C., public schools invariably moved to 75 per cent black membership two years after the 50 per cent point was reached. In each such school, the black membership quickly moved thereafter to 99 per cent.

The new and important discovery was that when a formerly all-white school approached 30 per cent black membership, the rate of change increased. Within two years, the black membership reached the 50 per cent point, from which it moved to 75 per cent within the next two years. The important finding is that the starting point for rapid white exodus is 30 per cent.

A police state with unlimited enforcement power will be needed to implement integration if it is required by law.

It is inviting to speculate about the ultimate possibility of an enforced integrated society. The next step may be to set up quotas for neighborhoods, so that the number of poor will be proportionate to their total number in the community. New homes funded by federal loans may, under a policy of social integration, be sold on schedules determined by the ratio of whites and blacks, Jews and non-Jews, Protestants, Catholics, agnostics and atheists in any community.

Out of the intervolutions from which the doctrine of *de jure* integration comes, two findings emerge with clarity:

One is that palpable preservation of *de jure* segregation anywhere—whether in schools, employment or housing—is morally wrong. The counterpart of this principle is that *de jure* integration is equally questionable.

CREATING "THE HOMOGENIZED CITIZEN"

The second main finding resulting from an analysis of the enforced mixing of people by race and class is that what is most desired is the "integrated man" made up of proportionate parts of every ethnic group and of the several religious and cultural components of American society. The homogenized citizen thus created is a dangerous change from the historic individualism which, with its supportive pluralism, has been this nation's major source of strength.

The melding, blending process inherent in the concept of *de jure* integration may destroy the dream of a free society. A development of such significance, therefore, deserves the most careful study and evaluation.

THE ABM: ANOTHER VIETNAM

Mr. TYDINGS. Mr. President, at this time I wish to discuss one of the most crucial matters to come before the Congress in this decade: the administration's decision to deploy the Safeguard antiballistic-missile system. For more is at stake than an enormously expensive complex of military equipment. We are being asked to make a decision which could easily affect our national security, the course of the arms race, as well as the very nature of our society in the years ahead.

Therefore, it is my intention to explore this matter this afternoon in as much depth and detail as time permits.

One of the most important checks and balances built into our system of government by the Constitution is the power of the purse vested in the Congress. It is the grave responsibility of those who exercise this power to insure that the taxpayer's money is expended on public programs that meet the most rigorous criteria of effectiveness and efficiency, and are consistent with the Nation's priorities. In the field of domestic legislation, the Congress has honored its obligation, proceeding with prudence and caution. Members of the Senate and House of Representatives closely examine the content and costs of new programs, demanding assurances regarding their actual performance and cost effectiveness. In fact, we have often been subject to criticism for being overly circumspect, demanding unrealistic guarantees of innovative new programs in the health, education, and welfare category. But no one can validly accuse us of being profligate.

THE "UNTOUCHABLE" MILITARY BUDGET

Such, however, has not been the case with regard to military appropriations. Since the onset of the cold war in the years immediately following World War II, Pentagon requests have been treated as sacrosanct on Capitol Hill. Few Congressmen have dared to boldly question and debate programs bearing the label "national security."

As a result our defense budget has expanded at an incredible rate to the point where military and defense-related expenditures consume more than two-thirds of every American income tax dollar. Congressional failure to carefully analyze and evaluate defense spending has permitted much waste and duplication. Our distinguished colleague, the Senator from Missouri (Mr. SYMINGTON), former Secretary of the Air Force and now a member of the Senate Armed Services Committee, recently pointed out in this Chamber that more than $23 billion in public funds have been spent on developing missile systems that were never operative or quickly became obsolete.

Given the unpredecented inflation we are experiencing, the growing burden of the American taxpayer, and the implacable urgency of our domestic problems, this "buy whatever the generals want" attitude toward military spending is a luxury we can no longer afford.

This is not to say that the importance of insuring the national security should be diminished in any way. Diverting money to domestic programs at the price of military vulnerability is foolhardy and unthinkable in the nuclear age. Our strategy for deterring World War III and the destruction of mankind rests on an unquestioned capacity to destroy any adversary who would contemplate a nuclear attack.

However, the advance of nuclear weaponry has introduced a new factor into the strategic calculus: beyond a certain point additional military appropriations and equipment may not be translatable into increased national security or useful political power. In other words, since both the Soviet Union and the United States have sufficient nuclear power to start a nuclear attack and then to destroy the attacker's society with a second strike, additional dollars spent on weapons do not necessarily enhance our strength or security. With the aid of expert advice from the military, from our scientists, and from our diplomats, it is the responsibility of Congress to determine which funds are needed to preserve our military position and which could best be allocated elsewhere.

It is within this framework, Mr. President that I wish to discuss the recent decision by the administration to proceed with the deployment of an anti-ballistic-missile system.

The PRESIDING OFFICER (Mr. Spong in the chair). The Senator's time has expired.

Mr. TYDINGS. Mr. President, I ask unanimous consent to proceed for an additional 15 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

UNCONVINCING PENTAGON CLAIMS FOR ABM

Mr. TYDINGS. Let us begin with a careful examination of the Defense Department's reasons for requesting the money for an ABM system. Though the justifications for deploying an ABM have shifted with the political winds during both this administration and the last, Secretary of Defense Laird offered three principal reasons for constructing the Safeguard system during recent congressional hearings:

First, to defend against a possible Chinese nuclear missile attack;

Second, to defend against a "light" irrational or accidental attack by the Soviet Union;

Third, to protect a portion of our offensive missile forces for a second-strike capability against a possible Soviet attempt to develop the potential to destroy our offensive forces through a massive preemptive nuclear attack.

At the same time, spokesmen for the Defense Department indicated what the ABM was not supposed to do:

First, it was not to be a defense of our cities against an all-out attack, for this was deemed beyond our present technological capabilities;

Second, it was not to provoke the Soviets into reacting, thereby setting off another expensive round in the arms race;

Third, it was not to undermine in any way our chances of reaching agreements with the Soviets on arms control and limitation.

Mr. President, I feel that these arguments for the ABM simply do not hold water. To begin with, the case made by the Pentagon for the deployment of ABM installations around our Minutemen sites in Malmstrom, Mont., and Grand Forks, N. Dak., is rife with inconsistencies and contradictions.

If the Chinese ever chose irrationally to attack—and it should be remembered that they still do not possess a deliverable nuclear attack capability—it would surely consist of a suicidal nuclear bombardment of our cities, and not a strike against two isolated missile bases in Montana and North Dakota. For the Chinese will not have a sufficient number of warheads in the foreseeable future to attempt to destroy our second-strike capability; that is, our ability to absorb a nuclear attack with enough of our missiles intact to devastate China in response.

CITIES UNPROTECTED

The proposed ABM system is simply not designed to defend cities. The contemplated ABM system consists of two different types of missiles: the Spartan missile which is designed to intercept enemy missiles before they reenter the earth's atmosphere and which has a range of approximately 400 miles; and the smaller Sprint missile, with a range of 25 to 30 miles, which is supposed to pick up enemy projectiles that penetrate the Spartan defense and disarm them 100,000 feet above their targets.

Given the location of the two ABM installations proposed for initial construction by the administration, the only one of the Nation's 25 largest cities that would receive even theoretical protection against a Chinese attack would be Minneapolis. The rest of our urban population would remain as vulnerable as before.

Would this situation be remedied by deploying missiles in the 10 additional sites the Pentagon is reportedly contemplating? I think not. According to scientists both in and out of Government, it is relatively easy to deceive the radars which guide the Spartan missiles with decoys and other deception devices. It is not until objects actually reenter the atmosphere on this side of the globe that radars can reliably differentiate the decoys from the real thing. At this point, it falls to the Sprint to provide the ultimate protection.

But the Pentagon has announced its intention to place its ABM sites a considerable distance from our cities, which would place our major population centers outside the range of the Sprints. Thus, with a little ingenuity and the technical proficiency which the Soviets now have and the Chinese will likely soon possess, they could penetrate our Spartan defense and devastate our cities.

Why don't we move our Sprints closer to the cities? Because then we would have the "damage-limiting" system the Pentagon claims is impractical and which it believes will provoke the Soviets into increasing their own offensive capacity.

In other words, the justification of the ABM as protection against a Chinese nuclear attack simply defies the facts.

The argument that the ABM would provide useful protection against a less than "all-out" irrational or accidental attack by the Soviets is hardly more convincing.

A Soviet missile attack on the United States would be "irrational" because it would be suicidal. Regardless of the destruction wreaked on the United States, the U.S.S.R. would also be obliterated in the process. However, to assume that such a Soviet attack might also be "irrational" enough to be less than "all-out" defies reason. Why should any Soviet leader send only a few missiles over when he knows the United States will retaliate with its full second-strike force? Even men as mad as Hitler were never guilty of such thoughtless accommodation to their enemies. If the Soviets did attack, it would certainly be with full force, which by the Pentagon's own reckoning would render the proposed Safeguard system useless.

As for accidental attack, I assume it would consist of one or two missiles that unintentionally "got away." Since all missiles are programed to specific destinations, it is clear that such a missile would either be directed toward a large city or toward a missile site.

If the former were the case, the Safeguard system would only protect Minneapolis theoretically and might even prove inadequate here owing to the fact that this city is beyond the range of our Sprints. If this enemy missile were targeted at a missile site, at most we would simply lose a few of our 1,000 ICBM's, and few lives would be lost. It is hardly worth the vast expense of an ABM system to insure against the loss of a few drastically less expensive ICBM's.

REFUTING CHARGE OF VULNERABILITY

The final justification offered by the Pentagon in support of the Safeguard is the most serious. It is based on the claim that our second-strike capability is being threatened by the Soviets and that measures must be taken to protect portions of our second-strike force.

If in fact our retaliatory capability is in question, we must act immediately to restore it. The Soviets must never doubt our ability to inflict unacceptable damage to their society in response to a preemptive attack. This is the very substance of our deterrent strategy. If our retaliatory capability is in question, additions to our offensive forces, not dubious defensive missiles, ought to be our strategy.

However, there is no evidence that our second-strike capability is being threatened or that Moscow doubts its effectiveness.

Last month, before the Senate Foreign Relations Subcommittee on Disarmament, Secretary of Defense Laird declared that the Russians "are going for a first strike capability—there is no question about that." This came as a shock to those of us in Congress who are acutely interested in this Nation's defense posture. Only 2 months before, outgoing Defense Secretary, Clark Clifford, had announced:

> The U.S. "shall continue to have, as far into the future as we can now discern, a very substantial qualitative lead and a distinct superiority in numbers . . . and overall combat effectiveness of our strategic offensive forces."

He added that the "most pessimistic" military estimates credit the U.S. with the ability to destroy 40 percent of the Soviet population and 75 percent of their industry even after an all-out attack by the "highest expected threat" the Soviets could launch in the future. And presumably by "future," he meant more than the 8 weeks between the time of his leaving and Mr. Laird's testimony before Congress.

The National Intelligence Estimate—the consensus view of the Defense Intelligence Agency, the State Department, and the Central Intelligence Agency—denies the existence of any first-strike plans on the part of the Kremlin or any signs that such plans are in the making. In addition, the Secretary of State of this administration, Mr. Rogers, reconfirmed this view in a recent press conference, declaring that he was not aware of any Soviet intentions to develop a first-strike capability.

The arithmetic of the situation casts further doubts on Mr. Laird's contention. Both we and the Soviets each have slightly in excess of 1,000 operational ICBM's. Let us suppose that Moscow initiated a preemptive strike against the United States and destroyed everyone of our Minutemen in their hardened and dispersed sites—a virtual impossibility given what we know about the launch probabilities, megatonnage and accuracy of Soviet missiles. This hypothetical exercise also requires the further doubtful assumption that we chose not to launch our ICBM's in retaliation during the grace period after our radars detected this massive Soviet assault and before the enemy missiles actually struck.

Our retaliatory forces would still contain 656 submarine-launched Polaris missiles that are invulnerable to enemy attack and 480 B–52 bombers each carrying four nuclear bombs and a nuclear-tipped Hound Dog missile with a range of 700 miles once it is launched from the parent plane. This is a total of more than 3,000 nuclear warheads. According to former Secretary of Defense McNamara's estimates, it would take no more than 400—not 3,000—nuclear warheads to damage the Soviet Union beyond recognition and repair.

MR. LAIRD CRIES "WOLF"

Mr. Laird bases his claims about Soviet intentions to develop a first-strike capability on the deployment of 200 Russian SS9 missiles. We have known about these missiles with large warheads for several years, and our intelligence evaluations have considered them part of the Soviet second-strike force designed to destroy our cities in a retaliatory attack. Suddenly, without explanation the Secretary of Defense has decreed that they are now first-strike weapons.

Even accepting this questionable turnabout, the SS9 provides no reason for deploying an anti-ballistic-missile system in this country. Assuming these missiles possess the accuracy and launch probability estimated for our own Minutemen missiles, all 200 SS9's with huge multimegaton warheads would destroy only 90 of our 1,000 land-based ICBM's. The Soviets would require more than 2,000 of these SS9's armed with 20 megaton warheads to destroy our entire Minutemen force—and this would still leave us with 656 submarine-launched missiles and our intercontinental bombers with their 2,400 nuclear warheads with which to retaliate.

Finally, the credibility of Mr. Laird's contention that Moscow has first-strike designs is undermined by his recommended response. He is calling for a limited ABM system that will not "provoke" the Soviets. If, in fact, the Soviets are intent on developing the capability to destroy us and our ability to retaliate, and if the ABM is a workable system, a workable defense, should we not proceed immediately with a "heavy system" to protect our people and all our missiles? Why are we worried about provoking a nation which supposedly already has decided to go all out to annihilate the United States? How can they be further provoked?

In addition, spokesmen for the administration have indicated U.S. readiness to abandon the Safeguard if the Russians will give up their limited ABM deployment around Moscow. Secretary of State Rogers informed the Foreign Relations Committee only several weeks ago:

> Suppose we started our talks in a few months and the first thing that's said by the Soviet Union is, "Let's do away with defensive missiles." We'd have no problem. We'd be delighted.

These are Secretary of State Rogers' words.

If we truly believed the Soviets were forging ahead with the development of a first-strike capability, such a concession would be suicidal. We would be playing directly into Moscow's hands. One is forced to conclude that Mr. Laird does not take his own cries of "wolf" as seriously as he would have us receive them.

In summary, the Pentagon's claim that the Safeguard is necessary to preserve our second-strike capability is unconvincing.

Thus, a careful examination of the three principal justifications for an ABM system offered by the administration—to protect us against a Chinese attack, to defend against a light irrational or accidental Soviet attack, and to counter Kremlin designs to develop a first-strike capability—yields little reason to support deployment. Indeed, the Pentagon's own contradictory and inconsistent defense of the system provides a persuasive case for its rejection. It appears that the Safeguard will not do that for which it is intended while doing that which is not needed.

However, it is conceivable that a proposal may possess merit though it will not do what its proponents claim. Therefore, I believe there are several other questions that should be raised before a responsible decision on deployment can be reached.

SCIENTISTS DOUBT ABM EFFECTIVENESS

The most obvious is whether or not the Safeguard system will actually disarm enemy missiles before they destroy their targets. That is, will it work? The weight of the scientific evidence presented before Congress to date indicates that the ABM will not work.

Safeguard's technology is essentially the same as that of Nike X, which was rejected as inadequate when it was developed. The last five science advisers to the President, the President's Science Advisory Committee, and hundreds of scientists across the country have entertained serious questions about the technical difficulties an ABM system would encounter. Most of their questions, such as those concerning radar blackout, computer programing, saturation, fallout, and command and control links, remain unanswered. In fact, many can only be answered with confidence under actual combat conditions, when it is too late to correct system failures.

There is also the problem of early obsolescence. Our scientists are confident we could render a Soviet ABM system ineffective by relatively simple countermeasures. Enemy radars could be deceived or debilitated with devices such as large numbers of lightweight decoys, nuclear explosions, electronic jammers, and widely dispersed metal chaff.

There is every reason to believe the Soviets and Chinese would develop these deception techniques, leaving us with a multi-billion dollar missile system that might be totally obsolete even before it is installed. Would we consider funding a poverty program with similar prospects?

ESCALATING THE ARMS RACE

So far we have focused on what the Safeguard's proponents say it will do—on its potential benefits. A balanced appraisal, however, requires an evaluation of possible costs resulting from deployment.

First, we must consider the impact of constructing an ABM system on the arms race and international stability.

The President contends that because the Safeguard system is "thin" and its avowed purpose is defensive, deployment will not provoke the Soviets into expanding their own missile forces. While the absence of a Soviet reaction would be welcome, it seems highly unlikely.

Why should the Russians, with their obsession for defense conditioned by two World Wars, exercise more restraint than we, ourselves, have managed? After all, the Pentagon's decision to proceed with the Safeguard was partially in response to the Kremlin's deployment of a very limited system around Moscow. In addition this small Soviet ABM system "provoked" us into developing multiple-independently - targeted - reentry - vehicles (MIRV's) for our own missiles to insure our capacity to penetrate any anti-ballistic-missile system.

At a minimum, the Soviets could be expected to increase their offensive forces sufficiently to saturate our Safeguard defenses in Montana and North Dakota, thereby preserving their ability to strike our missile bases. More likely, given the action-overreaction pattern that has characterized the arms race since the fifties, they would feel compelled to increase their offensive missile forces, to expand their ABM system, and to begin to develop their own MIRV's.

Once both nations begin to deploy ABM systems and MIRV's, the history of the strategic arms race will have entered a disastrous new phase from which there might be no escape. Massive new levels of expenditure and danger will be imposed on both peoples with no gain of security for either.

PENTAGON PARADOX: BILLIONS FOR INSECURITY

The key to the current strategic balance and hopes for eventual arms control is the ability of each nation to accurately calculate the missile strength of the other. For only with such information can we and the Soviets be certain that our second-strike capabilities are adequate.

A combination of MIRV's and ABM's destroys such certainty. The MIRV is a weapon system which permits the independent firing of a number of nuclear warheads from a single missile. Since these warheads are concealed in the nose cones of the missiles from which they are fired, there is no way of knowing how many warheads another nation could unleash in time of war.

The ABM merely increases this uncertainty. Since it is impossible to know how effective an anti-missile system would be during an actual nuclear exchange, it is impossible to ascertain with any certainty how many of your own missiles would be needed to penetrate it.

Since we and the Soviets could no longer accurately estimate either the offensive or defensive capabilities of the other, both nations would be condemned to add continuously to their armaments, to guarantee that neither could attain a first-strike capability. In addition to being incredibly expensive, this endless arms race would produce a permanent strategic instability that would invite miscalculation and a heightened possibility of nuclear exchange.

In other words, deployment of the ABM and its antidote, the MIRV, would place us in the paradoxical position of purchasing insecurity at a very dear price. All we would have to show for the hundreds of billions in defense appropriations would be considerably less national security than we currently enjoy.

Furthermore, the opportunity to negotiate meaningful arms controls with the Soviets would be lost. The only way to determine the number of MIRV's in a missile is to open the nose cone and count them. Given the longstanding Soviet opposition to onsite inspection, no workable arrangement with Moscow to limit or decrease nuclear warheads would be possible. We would become the permanent prisoners of our own ingenious technology.

COST OF THE SAFEGUARD: HIGHER TAXES, MORE INFLATION

Next, there is the matter of opportunity costs. Every government, business, and household must weigh intended spending against the benefits that would be derived from alternative uses of the money.

Determining how much the Safeguard system would cost is difficult. The Pentagon has provided an estimate of $7 billion. However, according to a recent Brookings Institute study, U.S. weapons systems consistently cost taxpayers 300 to 700 percent more than initial Defense Department estimates. Therefore, at a minimum we are contemplating an expenditure of between $21 and $49 billion.

If we assume Soviet reactions to the Safeguard will cause us to expand it into a heavy system, we find ourselves committed to a military bill ranging in the hundreds of billions of dollars. Senator SYMINGTON recently estimated that the cost of a heavy anti-Soviet ABM system could conceivably run over $400 billion—which is more than double our entire present Federal budget.

A tripling of the Federal budget over a short period would obviously triple Federal taxes and exacerbate the dangerous inflation we are fighting. Given that per capita taxation in this country is already in excess of $1,000 and that our dollar is currently losing a nickel in buying power each year, a radical increase in Federal spending hardly would be a welcome development.

DOMESTIC NEGLECT

More importantly, increases in military spending would render impossible the needed reordering of the national agenda. Though we are the most affluent of nations, resources in the public sector remain limited. In reality, we have not been able to afford both guns and butter. The war in Vietnam and a burgeoning defense budget have compelled us to ignore pressing domestic problems.

Our central cities are in an advanced stage of deterioration. Slums spread and businesses providing jobs and services flee to the more inviting suburbs.

The poverty that grips these blighted areas shatters families and breaks men's spirits. Adults and children are driven to drugs and crime. Failure and frustration explode into riots and bitter disillusionment with the American dream. Millions of Americans in our urban slums and rural shantytowns continue to struggle for survival ill housed, ill clothed, ill fed. Our war on poverty has turned into a decidedly dovish affair for lack of funds.

A situation that places the solution of such problems at the bottom of the list of national priorities is unacceptable. We must not become so preoccupied with defense that we lose sight of what is being defended.

A budget that devotes two-thirds of all Federal funds to military and defense-related items threatens to militarize our foreign policy, our economy, our entire culture. Without weakening our ability to deter war, we must find ways to cut defense spending, not increase it.

For if we fail to reorder our priorities and restore some balance to Federal activities, we will no longer need to worry about the balance of power and enemy first-strike capabilities; we will meet devastating disorders at home.

CONCLUSION

The evidence against deploying the Safeguard system at this time is compelling. It would not defend us against a Chinese or Soviet attack on our cities; the Soviets would still be able to strike our missile sites by means of deception devices or by simply saturating our defenses with more missiles than we could handle; there is strong reason to doubt the Safeguard would actually work; the Soviet response to deployment would likely trigger an incredibly expensive new round in the arms race that would destroy any hopes for disarmament or arms control; the development of ABM's and MIRV's would upset the current strategic balance of power and introduce uncertainties that would leave us less secure than we are today; Safeguard might cost as much as $400 billion at a time when taxes are rising and inflation is reducing the value of the American dollar; an assessment of opportunity costs suggests that tax dollars would be better invested in solving urgent domestic problems instead of purchasing more military hardware which is unneeded to preserve our national security.

Therefore, I shall vote against the deployment of the Safeguard system at this time, though I do not oppose continued research and development as a precautionary measure. When the Pentagon is wrong, Congress must have the courage to stand up and say "No."

PROPOSED CLOSINGS OF THREE FEDERAL ACTIVITIES IN MAINE

Mrs. SMITH. Mr. President, 8 years ago at this time Democratic President John F. Kennedy and his Secretary of Defense Robert S. McNamara announced their decision to close the Snark missile Air Force base at Presque Isle, Maine. I immediately took the position that I would not oppose such closing caused by the rapidly changing character of the security and defense of our country even though the closing would have a detrimental effect on the economy of the area and cause dislocation. I was the first Member of the U.S. Senate to take such a position on closings.

I refused to oppose the decision to close that base because to do so would be submitting to the economic philosophy that our National Defense Establishment and our national security program must be operated for the economy locally. I said that to do otherwise would be against the interests of national security and the taxpayers. I expressed my confidence that the citizens of the Presque Isle area were of such admirable self-reliance that they would meet the impact well and successfully.

They did so—and so remarkably well that they have been held up as an example for others to follow nationally.

Now, 8 years later, a Republican President has announced the decisions to close three Federal activities in Maine—the Air Force station at Topsham, Maine, the Job Corps Center at Poland Spring, Maine, and the Job Corps activity at Acadia National Park.

Now my position is the same as it was 8 years ago. I cannot oppose such closings by a Republican President any more than such closing by a Democratic President. I am equally confident that the citizens of the Topsham-Brunswick area, the Poland Spring-Lewiston area, and the Acadia-Bar Harbor area are of such admirable self-reliance that they will meet the impact well and successfully. I shall do what I can to help them absorb the economic impact of these unpleasant decisions.

I have tried to be nonpartisan in my position on these closings. I supported a Democratic President 8 years ago and I support a Republican President now in accepting in good faith their decisions on these closings and their beliefs that such closings are in the best interest of our Nation and our citizens.

The bipartisan nature of the closings at Topsham and Poland Spring should not be overlooked. The decision to close the Air Force station at Topsham was made originally by the Democratic administration last year in its determinations on the proposed 1969–70 budget.

It was a Democrat who made the key recommendation that the Women's Job Corps Center at Poland Spring be closed—an appointee of a Democratic President, the then Acting Director of the Office of Economic Opportunity, who made the recommendation that this Job Corps Center be closed. In a letter dated April 10, 1969, to the Secretary of Labor, Acting OEO Director Bertrand M. Harding wrote:

> For at least the past two years, we have had serious managerial problems with the contractor at Poland Spring. These problems have raised serious questions as to whether the center should be continued under any circumstances . . . it is our collective judgment in OEO that in determining between

the two centers, closure of the Poland Spring facility would be the more constructive move.

I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF ECONOMIC OPPORTUNITY,
Washington, D.C. April 10, 1969.

Hon. GEORGE P. SHULTZ,
Secretary of Labor,
Washington, D.C.

DEAR MR. SECRETARY: This is in response to your request for our judgment in the selection for closure of a seventh Women's Job Corps Center.

We recognize that the statistical data furnished you as a guide to ranking the various centers ranks the center at Poland Spring very slightly above those at Albuquerque, Guthrie, and Tongue Point. Using that data alone could lead to the conclusion that there is justification for closing any one of these centers. However, I want to call your attention to another factor which, in our judgment, would weigh the equation in favor of closing Poland Spring. For at least the past two years, we have had serious managerial problems with the contractor at Poland Spring. These problems have raised serious questions as to whether the center should be continued under any circumstances. While, to be fair, the contractor has been making serious efforts in recent months to up-grade the quality of the center operations, I nevertheless feel that the difficult problems which have become inherent in that situation are such that they will not be easily corrected. Therefore, it is our collective judgment in OEO that in determining between the two centers, closure of the Poland Spring facility would be the more constructive move.

I hope this information will be helpful to you in making these difficult decisions.

Sincerely,

BERTRAND M. HARDING,
Acting Director.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

PROPOSED LEGISLATIVE RECOMMENDATIONS OF THE INTERSTATE COMMERCE COMMISSION

A letter from the Chairman of the Interstate Commerce Commission, transmitting four drafts of legislative recommendations on the following subjects: Motor Carrier Through Routes and Joint Rates; Suspension and Revocation of Motor Carrier Operating Authority; Delegation of Authority to Qualified Individual Employees; and Revision of Procedures for Judicial Review of the Commission's Proceedings (with accompanying papers); to the Committee on Commerce.

PROPOSED LEGISLATION DEALING WITH THE PEACE CORPS

A letter from the Acting Director of the Peace Corps, transmitting a draft of proposed legislation concerning the appropriation authorization of $101.1 million for the Peace Corps in fiscal 1970, and amendment of the Peace Corps Act to provide that Peace Corps Volunteers be deemed Government employees for purposes of the Act of October 21, 1968, which authorizes the waiver of claims arising from erroneous payments to Government employees (with an accompanying paper); to the Committee on Foreign Relations.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States transmitting a report on the opportunity to use excess foreign currencies to pay transportation expenses of returning Peace Corps volunteers, dated April 23, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting a report on a survey of the economic opportunity loan program administered by the Small Business Administration, under title IV of the Economic Opportunity Act of 1964, dated April 23, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting a report on the administration and effectiveness of the work experience and training project in Lake County, Indiana, under title V of the Economic Opportunity Act of 1964, Department of Health, Education, and Welfare, dated April 24, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting a report on potential savings by improving evaluation of competitive proposals for operation and maintenance contracts awarded by the Department of the Air Force, dated April 25, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting a report on the administration and effectiveness of the work experience and training project activities carried on in Maricopa County, Arizona, under title V of the Economic Opportunity Act of 1964, Department of Health, Education, and Welfare, dated April 22, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting a report on improvements needed in the management of the urban renewal rehabilitation program by the Department of Housing and Urban Development, dated April 25, 1969 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Commerce:

"SENATE JOINT MEMORIAL 8

"A joint memorial requesting that the Congress of the United States amend Public Law 89–387, being the "Uniform Time Act of 1966"

"Whereas, the United States congress passed the "Uniform Time Act of 1966" which required that the states of the nation observe daylight saving time unless their legislatures voted to reject it, and

"Whereas, the New Mexico legislature did not reject the provisions of Public Law 89–387 requiring daylight saving time, and

"Whereas, the law requires that daylight saving time be observed from the last Sunday in April until the last Sunday in October, and

"Whereas, it appears that although the majority of the people approve of daylight saving time, objection has been made to its six-months' duration, and

"Whereas, a four-month period, commencing on the last Sunday in May and ending on the last Sunday in September would be more desirable for, and more acceptable to, the majority of the people;

"Now, therefore, be it resolved by the Legislature of the State of New Mexico that the congress of the United States be requested to amend Public Law 89–387, being the "Uniform Time Act of 1966" to provide for a four-month period of daylight saving time, and

"Be it further resolved that copies of this memorial be sent to the President pro tempore of the United States Senate, to the Speaker of the United States House of Representatives and to the New Mexico congressional delegation.

"Signed and Sealed at The Capitol, in the City of Santa Fe.

"E. LEE FRANCIS,
"President, New Mexico Senate.
"DAVID L. NORVELL,
"Speaker, House of Representatives."

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Post Office and Civil Service:

"HOUSE CONCURRENT RESOLUTION NO. 1048

"A concurrent resolution memorializing the Congress of the United States in regard to legislation pertaining to the conduct of a census.

"Whereas, A census of the entire population of the United States will be taken in the year 1970; and

"Whereas, The residents of the state of Kansas are vitally concerned with the census that will be conducted; and

"Whereas, The proposed census questionnaire for 1970 contains a great number of questions, many of which are of a very personal nature, and such questionnaire will prove to be quite cumbersome and burdensome; and

"Whereas, Legislation has been introduced in the 1969 session of the congress of the United States which would remedy this problem by limiting the categories of the census questionnaire to six items; and

"Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature of the state of Kansas respectfully petitions the congress of the United States to give serious consideration to the legislation which is now before such body in reference of a census. Such considerations should take into account a thorough review of the proposed census questionnaire for the year 1970 which contains a tremendous number of items, many of which are of a strictly personal nature. There is now a bill before the 1969 congress, which is House Resolution 20, which would limit the categories and items that a census would be concerned with to six in number. The legislature of this state respectfully requests that the members of the 1969 congress study this problem and direct their attention toward the legislation now before the congress or to other legislation of a similar nature and import.

"Be it further resolved: That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the secretary of the Senate of the United States, the clerk of the House of Representatives of the United States and to each member of the congress from this state.

"I hereby certify that the above Concurrent Resolution originated in the House, and was adopted by that body April 7, 1969.

"CALVIN A. SWERIG,
"Speaker of the House.
"D. HAZEN,
"Chief Clerk of the House.

"Adopted by the Senate April 10, 1969.

"G. SMITH,
"President of the Senate Pro Tem.
"RALPH E. ZERKER,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of Nevada; to the Committee on Interior and Insular Affairs:

"SENATE JOINT RESOLUTION NO. 20

"Senate Joint Resolution—Memorializing the Congress of the United States to establish a national cemetery in Nevada.

"Whereas, An increasing number of military personnel are spending their retirement years in Nevada; and

"Whereas, The inaccessibility of existing national cemeteries makes it impossible for the families of western veterans to provide for the interment of their loved ones in a cemetery fitting as a remembrance to the career pursued; and

"Whereas, Nevada is an ideal location for the establishment of a national cemetery; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of Nevada, jointly,* That the legislature of the State of Nevada hereby respectfully memorializes the Congress of the United States to establish a national cemetery in Nevada; and be it further

"*Resolved,* That copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives and each member of the Nevada congressional delegation."

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. McGee, from the Committee on Post Office and Civil Service, with amendments:

H.R. 7206. An act to adjust the salaries of the Vice President of the United States and certain officers of the Congress (Report No. 91-131).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ANDERSON (for himself and Mrs. Smith) (by request):

S. 1941. A bill authorizing appropriations for the National Aeronautics and Space Administration; to the Committee on Aeronautical and Space Sciences.

By Mr. COTTON (for himself, Mr. Allott, Mr. Baker, Mr. Boggs, Mr. Cook, Mr. Curtis, Mr. Dirksen, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Fong, Mr. Hansen, Mr. Javits, Mr. Jordan of Idaho, Mr. Mundt, Mr. Murphy, Mr. Pell, Mr. Scott, Mrs. Smith, Mr. Thurmond, Mr. Tower, and Mr. Tydings):

S. 1942. A bill to amend the Internal Revenue Code to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deductions, or amortization over a period of 1 to 5 years, of such expenditures; to the Committee on Finance.

(See the remarks of Mr. Cotton when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 1943. A bill for the relief of Arie Abramovich; to the Committee on the Judiciary.

By Mr. PACKWOOD:

S. 1944. A bill to provide that the Secretary of the Interior, in consultation with the Governor of the State of Oregon, shall investigate and report to the Congress on the advisability of establishing a national park or other unit of the national park system in the central and northern parts of the Cascade Mountain region of the State of Oregon; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

S. 1945. A bill to amend the Internal Revenue Code of 1954 to include losses caused by termites as casualty losses; to the Committee on Finance.

By Mr. ERVIN (for himself and Mr. Fannin):

S. 1946. A bill to further protect the rights guaranteed to employees by section 7 of the National Labor Relations Act (20 U.S.C., sec. 157) by prohibiting the imposition by labor organizations of fines or other economic sanctions for the exercise thereof, and for other purposes, viz; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. HATFIELD:

S. 1947. A bill to provide that the Secretary of the Interior shall investigate and report to the Congress on the advisability of establishing a national park or other unit of the national park system in the central and northern parts of the Cascade Mountain region of the State of Oregon; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hatfield when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 1948. A bill for the relief of Wong Kam Cheung; to the Committee on the Judiciary.

By Mr. INOUYE (for himself, Mr. Fong and Mr. Stevens):

S. 1949. A bill to amend section 620 of title 38 of the United States Code to permit the Administrator of Veterans' Affairs to share with public or private persons the cost of nursing home care for veterans in Alaska and Hawaii; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Inouye when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 1950. A bill for the relief of Wan Wai Chung, Chan Sau Chui, and Wong Yi Fun; to the Committee on the Judiciary.

By Mr. METCALF:

S. 1951. A bill to establish certain rights of professional employees in public schools operating under the laws of any of the several States or any territory or possession of the United States, to prohibit practices which are inimical to the welfare of such public schools, and to provide for the orderly and peaceful resolution of disputes concerning terms and conditions of professional service and other matters of mutual concern; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH (for himself, Mr. Hart, Mr. Hartke, Mr. McGee, Mr. Moss, Mr. Nelson, Mr. Tydings, and Mr. Yarborough):

S. 1952. A bill to establish in the Executive Office of the President an independent agency to be known as the Office of Executive Management; to the Committee on Government Operations.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLINGS:

S. 1953. A bill for the relief of Chan Yuk Pan; and

S. 1954. A bill for the relief of Liu Yam Wah; to the Committee on the Judiciary.

By Mr. McGEE:

S. 1955. A bill for the relief of Lydia Ann Barot; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 1956. A bill for the relief of Miss Ilva John; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Mr. Magnuson, and Mr. Hartke) (by request):

S. 1957. A bill to provide an improved and enforceable procedure for the notification of defects in tires; to the Committee on Commerce.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS:

S. 1958. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS (for himself, Mr. Javits, Mr. Hart, Mr. Mondale, Mr. Inouye, Mr. Yarborough, Mr. Young of Ohio, Mr. Williams of New Jersey, Mr. Brooke, Mr. Tydings, Mr. Ribicoff, Mr. Nelson, Mr. McCarthy, Mr. Kennedy, Mr. McGee, Mr. McIntyre, and Mr. Muskie):

S. 1959. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; and

S. 1960. A bill to amend the Social Security Act so as to revise certain provisions thereof relating to public assistance which were enacted or amended by the Social Security Amendments of 1967, to improve the program of aid to families with dependent children established by title IV of such act, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Harris when he introduced the above bills, which appear under a separate heading.)

By Mr. MONDALE:

S. 1961. A bill for the relief of Mr. Ji-Chia Liao, wife Su-Wan Chow Liao, child Shih-Fan Liao; to the Committee on the Judiciary.

By Mr. MONDALE (for himself, Mr. McCarthy, Mr. Burdick, Mr. Mansfield, Mr. Moss, Mr. Nelson, Mr. Randolph, Mr. Ribicoff, Mr. Young of Ohio, and Mr. Eagleton):

S. 1962. A bill to authorize the establishment of the Voyageurs National Park in the State of Minnesota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McINTYRE:

S. 1963. A bill for the relief of WU Hip; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 1964. A bill for the relief of James Douranakis; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 1965. A bill to remit a share of Federal tax revenues to State and local governments, and to establish a Commission for Federalism to allot such revenues and to report on their use to the Congress; to the Committee on Finance.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. PERCY:

S. 1966. A bill to provide for research into safer methods of mining and preparing coal; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Percy when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself, Mr. Dodd, Mr. Aiken, and Mr. Bayh):

S. 1967. A bill to supplement the antitrust laws of the United States by providing for fair competitive practices in the termination of franchise agreements; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 1968. A bill to authorize the Secretary of the Interior to permit the removal of the Francis Asbury statue, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PELL:

S. 1969. A bill to amend the Higher Education Act of 1965 to provide for basic educational opportunity grants and for cost of instruction allowances, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 1970. A bill for the relief of Liu Yu-Tech; to the Committee on the Judiciary.

By Mr. TYDINGS (for himself, Mr. BIBLE, and Mr. EAGLETON):

S. 1971. A bill to provide for the election of members of the District of Columbia Council, and for other purposes; and

S. 1972. A bill to provide an elected mayor and city council for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. TYDINGS when he introduced the above bills, which appear under a separate heading.)

By Mr. TYDINGS:

S. 1973. A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judiciary Procedure", and amending title 26 of the United States Code, "Internal Revenue Code", to provide for concurrent jurisdiction of the United States Tax Court and the United States district courts over civil tax refund suits and deficiency redeterminations, and for other purposes;

S. 1974. A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure", and amending title 26 of the United States Code, "Internal Revenue Code", to make the United States Tax Court an article III court, to provide for exclusive jurisdiction of the United States Tax Court over civil tax refund suits and deficiency redeterminations in taxes imposed by subtitle A, B, C, or D of title 26 of the United States Code, to create a Small Claims Division of the United States Tax Court, and for other purposes;

S. 1975. A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure", and amending title 26 of the United States Code, "Internal Revenue Code" to provide for exclusive jurisdiction of the United States district courts over civil tax refund suits and deficiency redeterminations, and for other purposes;

S. 1976. A bill to improve judicial machinery by amending title 28 of the United States Code, section 93 of the Act of January 12, 1895, and the Internal Revenue Code of 1954, by establishing a United States Court of Tax Appeals, and for other purposes;

S. 1977. A bill to improve the judicial machinery by amending title 28, United States Code, to establish a revised procedure for litigating tax disputes, and for other purposes;

S. 1978. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure", to provide for appeals from decisions of the Court of Claims, and for other purposes;

S. 1979. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure", to provide that the Court of Claims should no longer have jurisdiction over civil tax refund suits and to provide that the Court of Claims shall have jurisdiction to review orders of the Renegotiation Board;

S. 1980. A bill to improve judicial machinery by providing Federal jurisdiction for certain types of class actions and for other purposes;

S. 1981. A bill to improve judicial machinery by repealing the provisions of section 41 of the Act of March 2, 1917, as amended, concerning the United States District Court for the District of Puerto Rico, and for other purposes;

S. 1982. A bill for the relief of Lewis, Levin, and Lewis, Incorporated;

S. 1983. A bill for the relief of Commander Frederick J. Lewis, Junior, United States Navy (retired);

S. 1984. A bill for the relief of Alice E. Ford; and

S. 1985. A bill for the relief of Randall L. Talbot; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the first nine above mentioned bills, which appear under separate headings.)

By Mr. SCOTT:

S. 1986. A bill for the relief of Panagiotis Koutsouros; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 1987. A bill to amend section 837, title 18, United States Code, to prohibit certain acts involving incendiary devices; and

S. 1988. A bill to amend the Internal Security Act of 1950 to prohibit certain obstructive acts and practices; to the Committee on the Judiciary.

(See the remarks of Mr. THURMOND when he introduced the above bills, which appear under separate headings.)

By Mr. PELL:

S. 1989. A bill for the relief of Jose Soares Figueiredo; to the Committee on the Judiciary.

By Mr. MURPHY (for himself and Mr. CRANSTON):

S. 1990. A bill to authorize the Secretary of the Interior to approve an agreement entered into by the Soboba Band of Mission Indians releasing a claim against the Metropolitan Water District of Southern California and Eastern Municipal Water District, California, and to provide for construction of a water distribution system and a water supply for the Soboba Indian Reservation; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MURPHY when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY (for Mr. MATHIAS) (for himself and Mr. GOODELL):

S. 1991. A bill to provide an elected Mayor, City Council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. PROUTY when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE (for himself, Mr. ANDERSON, Mr. BENNETT, Mr. BIBLE, Mr. BURDICK, Mr. BYRD of Virginia, Mr. CANNON, Mr. CURTIS, Mr. DODD, Mr. EASTLAND, Mr. ERVIN, Mr. FONG, Mr. GOODELL, Mr. HANSEN, Mr. HARTKE, Mr. HRUSKA, Mr. JACKSON, Mr. LONG, Mr. METCALF, Mr. MILLER, Mr. MUNDT, Mr. MURPHY, Mr. PASTORE, Mr. PELL, Mr. RANDOLPH, Mr. SCOTT, Mr. THURMOND, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YOUNG of Ohio, and Mr. YOUNG of North Dakota):

S.J. Res. 100. A joint resolution to proclaim the week beginning May 1, as "Youth Week"; to the Committee on the Judiciary.

By Mr. TYDINGS:

S.J. Res. 101. A joint resolution to authorize the President to issue a proclamation designating the last full calendar week in April of each year as "National Secretaries Week"; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the above joint resolution, which appear under a separate heading.)

S. 1942—INTRODUCTION OF A BILL TO PROVIDE TAX INCENTIVES FOR AIR AND WATER POLLUTION CONTROL EXPENDITURES

Mr. COTTON. Mr. President, in the last Congress our esteemed former colleague, the distinguished Senator from Kansas, Frank Carlson, introduced a bill, S. 734, to insure a continued strong drive against air and water pollution. I refer to the bill to provide an incentive tax credit for companies which invest in Government-approved pollution control facilities.

Because I believe that control of environmental pollution is among the greatest challenges facing the Nation today, I am reintroducing for appropriate reference the legislation proposed by former Senator Carlson, for myself and the following Senators: Mr. ALLOTT, Mr. BAKER, Mr. BOGGS, Mr. COOK, Mr. CURTIS, Mr. DIRKSEN, Mr. DOMINICK, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. HANSEN, Mr. JAVITS, Mr. JORDAN of Idaho, Mr. MUNDT, Mr. MURPHY, Mr. PELL, Mr. SCOTT, Mrs. SMITH, Mr. THURMOND, Mr. TOWER, and Mr. TYDINGS.

Mr. President, while the bill we propose might appear to be directly related to the administration's new tax proposals which are now under review, I would point out that its thrust is quite different.

While we are all concerned about inflation and equitable taxation, and I may say that the objectives stated by the President in his tax message will have my earnest consideration, it is my conviction that Government and industry must cooperate—now, not sometime in the future—to clean up our air and water. It is my further conviction that such effective cooperation is not possible when this pressing problem is approached piecemeal and indirectly in a variety of bills. In short, if we are to ask industry to build nonproductive facilities to prevent pollution, we must provide definite Government assistance programs. Certainly we cannot treat this subject legislatively on a "now you have it, now you don't" basis. This simply will not work.

This legislation is vital to a real social priority: cleaning up our air and water. It provides a 20-percent credit in any taxable year to a company which cooperates with municipal or other governmental entities by spending for State and federally approved facilities to curb air and water pollution.

We all share a keen interest in improving and protecting the health of our Nation, and we all know the population explosion makes it urgent that we lick the pollution control dilemma. The problem is that while we know where the trouble is and how to attack it, the cleanup costs a bale of money. Financing is the big problem for pollution control programs all across the Nation.

It is not my purpose to argue the merits of the administration's investment tax credit policy announced this week, but I do believe the White House announcement makes this an especially appropriate time to consider the need for incentives confined to pollution abatement alone.

Pollution control expenditures are in a class by themselves. Precisely because the Government has decided to discontinue incentives for capital investments I believe that something should be done so that companies can continue their expenditures for pollution control.

If we do not do this, I am afraid that costs of staying competitive will force companies to channel limited capital resources into productive facilities and create a financial drought among many pollution projects that are just beginning to sprout.

In a telegram to the President about the proposed cutback of the investment credit which I have received, Mr. C. William Verity, Jr., president of Armco Steel Corp., and one of the country's leading industrial voices, makes the following point:

> In the case of Armco and many other companies, the investment tax credit is crucial to our efforts to control air and water pollution.

I have served a long time on the Committee on Commerce and have seen plenty of evidence of the concern which businessmen feel about this problem. They do not deserve any special credit for this. We all have the same concern but there can be no doubt the business community is sincere about alleviating pollution. Industry is spending billions for scientific personnel and equipment to help find the answers and correct the problem.

In his wire, Mr. Verity makes reference to the fact that for several years Government tax policy has encouraged businessmen to plan large long-term commitments for control of pollution. This represents expensive alterations to production facilities.

I believe that there is strong sentiment in Congress supporting the need for continuance of cooperative planning between Government and industry. Let us not let a cloud come over this great effort just as we are beginning to see sunshine through the mists. I am glad to reintroduce the bill proposed in the 90th Congress by our respected former colleague, Mr. Carlson, which I am sure reflects the intent of the Congress that a tax incentive for air and water pollution control expenditures is essential.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1942) to amend the Internal Revenue Code to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deductions, or amortization over a period of 1 to 5 years, of such expenditures, introduced by Mr. Cotton (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

S. 1946—INTRODUCTION OF A BILL TO PROHIBIT UNION FINES FOR EXERCISING STATUTORY RIGHTS UNDER THE TAFT-HARTLEY ACT

Mr. ERVIN. Mr. President, on behalf of Senator Fannin and myself, I introduce, for appropriate reference, a bill to further protect the rights guaranteed to employees by section 7 of the National Labor Relations Act by prohibiting the imposition by labor organizations of fines or other economic sanctions for the exercise thereof.

Section 7 of the Taft-Hartley Act grants employees equal right to join in, or to refrain from joining in collective action to support their interests. Other sections of the act give teeth to this magna carta of the American workingman by making unfair labor practices of efforts by both management and unions to interfere with those rights.

Recently, I called to the Senate's attention the fact that the Supreme Court and the National Labor Relations Board have largely annulled section 7 by failing to prevent unions from imposing fines on members who exercise the rights Congress granted by that section. Since the Labor Board and the Supreme Court nullified the chief objective of the Taft-Hartley Act in the Allis-Chalmers case, unions have imposed fines on members, which in some cases have run to as high as $20,000. In the Allis-Chalmers case and in other instances, these fines have been imposed for working during a strike. Now, in the Scofield case, the Supreme Court has ruled that it is not an unfair labor practice for a union to impose a fine for exceeding union-imposed production quotas—which is the same as union-imposed quotas on the amount of money a man can earn.

It is long past time for Congress to restore the original meaning to the Taft-Hartley Act which the Board and the Supreme Court have disregarded. This bill is designed to make crystal clear Congress' position in this matter. It is not intended to create new policy, but rather to reaffirm and restore a policy first declared in 1947, but which has now been nullified by case decisions.

I introduced an amendment last year during the civil rights debate similar to the bill I introduce today. The Senate was unable to act on it at the time because cloture had been voted and the amendment was not germane to the pending bill. Bills have been introduced for years seeking to reverse the decisions which permit union fines, but so far no hearings have ever been held or even scheduled by the responsible committees. I now propose yet another alternative to those which have been introduced in the past.

The Subcommittee on Separation of Powers last year heard considerable testimony on the Allis-Chalmers issue and on many other problems in labor law which demand legislative action. These hearings, which were in the form of a legislative review of the National Labor Relations Board, run over 1,600 pages in printed form. They document in detail many areas where there is a pressing need for legislation. I hope that the committees concerned will be able to schedule hearings on these proposals in the very near future so that the Senate will be able to consider necessary remedial legislation.

I ask unanimous consent that the text of the bill be printed in full in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1946) to further protect the rights guaranteed to employees by section 7 of the National Labor Relations Act (29 U.S.C. Section 157) by prohibiting the imposition by labor organizations of fines or other economic sanctions for the exercise thereof, and for other purposes, viz, introduced by Mr. Ervin (for himself and Mr. Fannin), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 1946

A bill to further protect the rights guaranteed to employees by section 7 of the National Labor Relations Act (29 U.S.C. 157) by prohibiting the imposition by labor organizations of fines or other economic sanctions for the exercise thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8(b)(1)(A) of the National Labor Relations Act (29 U.S.C. 158(b)(1)(A)) is amended by striking out the semicolon at the end of the proviso and inserting in lieu thereof a colon and the following: "*Provided further,* That it shall be an unfair labor practice under this section for a labor organization to impose any fine or other economic sanction against any person for exercising any rights under section 7 of this Act or for invoking any process of the Board;".

Mr. ERVIN. Mr. President, I also ask consent that an editorial on the Scofield case by Jesse Helms of WRAL–TV, Raleigh, N.C., be included in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Raleigh (N.C.) WRAL–TV Viewpoint, Apr. 7, 1969]

(By Jesse Helms, executive vice president and vice chairman of the board)

Four members of a labor union in Milwaukee had been fined by their union leaders for working too hard. Specifically, the four men had produced more goods than their union bosses had wanted them to produce. The men had offered as their defense their belief that if they worked for a company, they ought to work as efficiently and productively as possible. They refused to pay the fine, and appealed their case to the courts.

Finally the dispute reached the Supreme Court. And in a seven-to-one decision handed down last Tuesday, the U.S. Supreme Court upheld the union bosses. The high court, according to brief news reports, said that labor unions have a "legitimate interest" in trying to hold down production.

It's too bad that there is not some higher authority to require the Supreme Court to explain its definition of the word "legitimate". Moreover, the public has a vested interest in this absurdly dangerous decision. There is an obvious economic principle involved. If workers are to be penalized for doing their best, then obviously there will be a widespread tendency to do *less* than their best. That means higher production costs, and therefore higher prices which consumers—and that includes everybody—must pay. And the name of *that* game is further inflation.

The Supreme Court has prated a great deal about "freedom" during the past ten-to-fifteen years. It has upheld the bloody hands of criminals, it has sanctioned the disruption of the country. Now it declares that employees of a company do not have the freedom to do their best, most productive work for their employer. In other words, if the union bosses say "loaf", then the workers must loaf—or be jacked up and be made to pay a fine.

This decision by the Supreme Court is an announcement that labor unions may henceforth do as they please in controlling not only their members, but production as well.

It is an alarming development, for other matters involving labor union bosses are on the way to the Supreme Court.

Out in California, for example, 24 rank-and-file employees of the McDonald-Douglas Corporation have gone to court in an effort to protect their right to hold a job without joining a union.

These employees, who have never belonged to a union, contend that their being required to join a union in order to hold a job is a violation of their civil rights. They have cited the First, Fifth and Ninth Amendments of the Constitution. They contend that freedom works two ways: That the right to speak is accompanied by a right to keep silent; the right to assemble embraces a right to stay away; the right to vote carries with it a right not to vote. Therefore, they reason, one man's right to join a union, if he wishes, surely must be balanced by another man's right *not* to join if he doesn't want to.

Of course, what these employees seek is something that the leftwingers—on the Supreme Court and elsewhere—have repeatedly opposed. That is: freedom of choice. It has become fashionable in this country—and in the name of "freedom," mind you—to deny citizens their right to make up their own minds about how to run their lives and businesses, operate their schools, and in countless other matters. Freedom of choice, all of a sudden, has become taboo.

So now, another freedom has gone down the drain—the freedom to work as hard as you wish. This is scarcely the kind of principle that forged this nation ahead to a position of leadership in the world. Many more decisions like this, and the Supreme Court will have set America on an irreversible course towards mediocrity. And the next step beyond that is inferiority.

S. 1947—INTRODUCTION OF A BILL AUTHORIZING THE SECRETARY OF THE INTERIOR TO INVESTIGATE AND REPORT TO CONGRESS ON ADVISABILITY OF ESTABLISHING A NATIONAL PARK IN THE CASCADE MOUNTAIN REGION

Mr. HATFIELD. Mr. President—

> It is a magnificent sight. Behind the sharp, splintered uplifts of Mount Washington and Three Fingered Jack, Mount Jefferson rises in architectural perfection, complemented by the distant snowy cone of Mount Hood. Nearby, their fires only recently stilled, the Middle and South Sisters lift massively against the skyline. Beyond . . . many-summited Diamond Peaks . . . the calderal blue of Crater Lake.
>
> These are the shining mountains. Glacier-sheathed, they dominate a living wilderness of near-rain forests, volcanic wonders, calm lakes, rushing streams and flashing waterfalls, varied wildlife, and a diversified flora.

So wrote David Simons in 1959, describing the Oregon Cascades. Nominated for national park status as early as 1916 in the State's travel promotion and revered by Oregonians everywhere, these lands deserve the utmost care and protection.

I believe, Mr. President, that a detailed, impartial study of these lands in the Oregon Cascades should be made to determine whether portions thereof are of national park caliber. Therefore, I introduce today for appropriate reference a bill directing the Secretary of the Interior to study the scenic, scientific, recreational, educational, wildlife and wilderness values of the Oregon Cascades from the northern boundary of Crater Lake National Park to the Columbia River. Within 1 year of the enactment of the bill, after the detailed, impartial study has been completed, the Secretary of the Interior would make his report to Congress.

The bill is not a proposal to create a national park over such a large area. But realistically the whole area must be studied to determine which parts thereof should be included in a national park. In any event, the study will provide guidelines to protect this extraordinary area of "shining mountains."

Mr. President, I ask unanimous consent that the bill which I introduce be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1947) to provide that the Secretary of the Interior shall investigate and report to the Congress on the advisability of establishing a national park or other unit of the national park system in the central and northern parts of the Cascade Mountain region of the State of Oregon, introduced by Mr. HATFIELD, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1947

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of evaluating fully the potentiality for establishing therein a national park or other unit of the national park system, the Secretary of the Interior shall make a comprehensive study of the scenic, scientific, recreational, educational, wildlife, and wilderness values of the central and northern portion of the Cascade Mountain Range in the State of Oregon, lying generally between the northern boundary of Crater Lake National Park and the Columbia River.

SEC. 2. Within one year after the date of enactment of this Act, the Secretary of the Interior shall report to the Congress the results of such study and his recommendations concerning the advisability of establishing a national park or other unit of the national park system within the region generally described under the first section of this Act, and the lands desirable for inclusion therein.

SEC. 3. The Secretary of the Interior is authorized, in his discretion, to utilize the services of any nongovernmental group in conducting the study provided for under the first section of this Act and for that purpose to enter into a contract or other agreement with such group.

S. 1949—INTRODUCTION OF A BILL TO AMEND THE VETERANS' ADMINISTRATION REGULATIONS

Mr. INOUYE. Mr. President, during the 90th Congress, a bill was passed to permit veterans in Hawaii and Alaska to be furnished nursing home care. Since Hawaii and Alaska have no VA hospitals, their veterans were not eligible to be placed in a nursing home following their hospitalization. Public Law 90-612 corrected this situation; however, following the passage of this bill, it was found that $16.50, which is the maximum allowable rate for nursing home care paid by the Veterans' Administration, did not cover the cost of the care in Hawaii's nursing homes.

There are a number of cases in Hawaii which no longer require hospital care, but do still require skilled nursing care. Therefore, placement in a nursing home would be an ideal solution. However, no qualified nursing home in Hawaii will accept the $16.50 per diem rate presently authorized by the Veterans' Administration.

Therefore, I am introducing a bill to correct this situation. Rather than raise the per diem rate allowed by the Veterans' Administration, my bill would amend Veterans' Administration regulations to permit the veteran himself or a third party to supplement the maximum allowable rate of $16.50. The veterans of Hawaii have waited a long time to obtain nursing home care; however, the law as passed in the 90th Congress does not permit them to utilize this provision. I urge speedy consideration of this measure to correct this inequity.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1949) to amend section 620 of title 38 of the United States Code to permit the Administrator of Veterans' Affairs to share with public or private persons the cost of nursing home care for veterans in Alaska and Hawaii, introduced by Mr. INOUYE (for himself, Mr. FONG, and Mr. STEVENS), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 1951—INTRODUCTION OF A BILL TO ESTABLISH CERTAIN RIGHTS OF PROFESSIONAL EMPLOYEES IN PUBLIC SCHOOLS

Mr. METCALF. Mr. President, today I am introducing a bill to provide a Federal "Professional Negotiation Act for Public Education." This bill will establish a Professional Education Employees Relations Commission, as an impartial agency within the Department of Health, Education, and Welfare, to mediate disputes between boards of education and organizations of teachers within the school systems throughout the United States. The bill also provides recourse to the Commission by educational employees or boards of education if either party refuses to negotiate with the other.

The recent phenomenon of strikes by teachers has caused great concern to the people of the United States and to Congress. I believe that the answer to these teacher strikes lies in providing a mechanism for the settlement of legitimate grievances which, when unsettled, lead to teacher walkouts. There are always two sides to every dispute. Both teachers and boards of education will welcome the creation of a mediation agency which can serve impartially in resolving the differences.

Strife between boards of education and their professional employees, which interferes with the normal flow of commerce, can be avoided or substantially minimized if such boards and employees each recognize under law one another's legitimate rights in their relations with each other. They must also recognize that neither has any right in its relations with any other to engage in acts or practices which jeopardize the public health and safety.

The inequality of negotiating power between professional employees who do not possess full freedom of association or actual liberty of contract and boards of education substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in the national economy and by preventing the stabilization of competitive wage rates and working conditions in such economy.

Such boards of education and their professional employees have an obligation to the public to exert their full and continuing efforts to achieve the highest possible education standards in the institutions which they serve. This requires establishment and maintenance of an educational climate and working environment which will attract and retain a highly qualified professional staff and stimulate optimum performance by said staff.

Under this act, therefore, the rights of professional education employees to form, join, and assist employee organizations to confer, consult and negotiate with boards of education over the terms and conditions of professional service and other matters of mutual concern are guaranteed.

Early enactment and full implementation of this act will be in the best interests of the schoolchildren of the United States. It is for this reason that I introduce it today.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1951) to establish certain rights of professional employees in public schools operating under the laws of any of the several States or any territory or possession of the United States, to prohibit practices which are inimical to the welfare of such public schools, and to provide for the orderly and peaceful resolution of disputes concerning terms and conditions of professional service and other matters of mutual concern, introduced by Mr. METCALF, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1951

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Professional Negotiations Act for Public Education, 1969."

DECLARATION OF POLICY

SEC. 2. It is the purpose and policy of this Act, in order to promote the full flow of commerce, to prescribe rights and obligations of boards of education operating under the laws of any of the several States or of any territory or possession of the United States and their professional employees, and to establish procedures governing relationships between them which are designed to meet the special requirements and needs of public education.

It is the policy of the United States to recognize the rights of professional employees of boards of education to form, join, and assist employee organizations, to confer, consult, and negotiate with such boards of education over the terms and conditions of professional service and other matters of mutual concern through representatives of their own choosing, to engage in other activities, individually or in concert, for the purpose of establishing, maintaining, protecting and improving terms and conditions of professional service and other matters of mutual concern, and to establish procedures which will facilitate and encourage amicable settlement of disputes.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "person" means one or more individuals, organizations, associations, corporations, boards, committees, commissions, agencies, or their representatives, including those established or created under the laws of any of the several States or of any territory or possession of the United States.

(b) The term "board of education" means any board committee, commission, or agency authorized under the laws of any of the several States or of any territory or possession of the United States to direct a public educational system or institution, or a school, college, or university which is either tax-supported or operated under contract with any of the several States or any territory or possession of the United States, and any person acting as an agent thereof.

(c) The term "professional employee" means nay person employed in a professional educational capacity by a board of education, except the superintendent of schools or other chief executive officer.

(d) The term "professional employees' organization" means one or more organizations, agencies, committees, councils or groups of any kind in which professional employees participate, and which exist for the purpose, in whole or in part, of conferring, discussing and negotiating with boards of education over the terms and conditions of professional service and other matters of mutual concern.

(e) The term "representative" means any professional employees' organization or person it authorizes or designates to act in its behalf.

(f) The term "professional negotiation" means meeting, conferring, consulting, discussing and negotiating in a good faith effort to reach agreement with respect to the terms and conditions of professional service and other matters of mutual concern, and the execution, if requested by either party, of a written document incorporating any agreements reached.

PROFESSIONAL EDUCATION EMPLOYEE RELATIONS COMMISSION

SEC. 4. (a) There is hereby created within the Department of Health, Education, and Welfare, an agency of the United States, the "Professional Education Employee Relations Commission" (hereinafter to be known as the "Commission"), which shall consist of five members who shall be appointed by the President by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds. Commission members shall be eligible for reappointment. The President shall designate one member to serve as Chairman of the Commission. Any member of the Commission may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission, and three members of the Commission shall, at all times, constitute a quorum. The Commission shall have an official seal which shall be judicially noticed.

(c) Members of the Commission shall not engage in any other business, vocation or employment. The Chairman of the Commission shall receive an additional $1.500 a year. The Commission shall point an Executive Director, and a General Counsel and may appoint State or regional directors, attorneys, mediators, arbitrators, and such other persons as it may from time to time find necessary for the proper performance of its functions and as may from time to time be appropriated for by the Congress. Attorneys appointed under this section may, at the direction of the Commission, appear for and represent the Commission in any case in court.

(d) All of the expenses of the Commission, including all necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Commission under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Commission or by any individual it designates for that purpose.

(e) The principal office of the Commission shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place, and may establish and operate State and regional offices. The Commission may, by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the United States. A member who participates in such an inquiry shall not be disqualified from subsequently participating in a decision of the Commission in the same case.

(f) The Commission is authorized to issue. amend and rescind, in the manner prescribed by subchapter —— of chapter 5 of title 5 United States Code, such rules and regulations as may be necessary to carry out the provisions of this Act and is expressly empowered and directed to prevent any person from engaging in conduct in violation of this Act. In order to carry out its functions under this Act, the Commission is authorized to hold hearings, subpena witnesses, administer oaths, take the testimony or deposition of any person under oath, and in connection therewith, to issue subpenas to require the production and examination of any State or Federal governmental or other books or papers relating to any matter pending before it and to take such other action as may be necessary.

(g) (1) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(54) Chairman, Professional Education Employees Relations Commission."

(2) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(92) Members, Professional Education Employees Relations Commission."

RIGHTS OF PROFESSIONAL EMPLOYEES AND PROFESSIONAL EMPLOYEES' ORGANIZATION

SEC. 5. (a) Professional employees shall have the right to form, join, or assist professional employees' organizations, to participate in professional negotiation with boards of education through representatives of their own choosing and to engage in other activities, individually or in concert, for the purpose of establishing, maintaining, protecting or improving terms and conditions of professional service and other matters of mutual concern.

(b) Professional employees' organizations shall have—

(1) access at reasonable times to areas in which professional employees work, the right to use institutional bulletin boards, mail boxes, or other communication media, subject to reasonable regulation, and the right to use institutional facilities at reasonable times for the purpose of meetings concerned with the exercise of the rights guaranteed by this Act: *Provided*, That if a representative has been selected or designated pursuant to the provisions of section 6 of this Act, a board of education shall deny such access and usage to any professional employees' organization other than such representative until such time as a lawful and timely challenge to the majority status of the representative is raised pursuant to the provisions of section 6 of this Act; and

(2) the right to have deducted from the salary of professional employees, upon receipt of an appropriate authorization form which shall not be irrevocable for a period of more than one year, the fees and dues required for membership: *Provided*, That if a representative has been selected or designated pursuant to the provisions of section 6 of this Act, a board of education shall deny such deduction to any professional employees' organization other than such representative.

REPRESENTATIVES AND NEGOTIATING UNITS

SEC. 6. (a) The representative designated or selected for the purpose of professional negotiation by the majority of the professional employees in an appropriate negotiating unit shall be the exclusive representative of all the professional employees in such unit for such purpose and a board of education shall not negotiate over matters covered by this Act with any other representatives: *Provided*, That nothing contained herein shall be construed to prevent professional employees, individually or as a group, from presenting grievances informally to a board of education, and from having such grievances adjusted without the intervention of the representative designated or selected by the majority of the professional employees in the unit of which they are a part, as long as such representative is given an opportunity to be present at said adjustment and to make its views known, and as long as the adjustment is not inconsistent with the terms of an agreement between the board of education and the representative which is then in effect: *And provided further*, That such employees shall not be represented by an officer or agent of any professional employees' organization other than the representative.

(b)(1) Any professional employees' organization may file a request with a board of education alleging that a majority of the professional employees in an appropriate negotiating unit wish to be represented for the purposes of professional negotiation by such organization and asking such board of education to recognize it as the exclusive representative under subsection (a) of this section. Such request shall describe the grouping of jobs or positions which constitute the unit claimed to be appropriate and shall include a demonstration of majority support through verified membership lists. Notice of such request shall immediately be posted by the board of education on a bulletin board at each school or other facility in which members of the unit claimed to be appropriate are employed.

(2) Such request for recognition shall be granted by the board of education unless—

(A) the board of education has a good faith doubt as to the accuracy or validity of the evidence demonstrating majority support in an appropriate unit or as to the appropriateness of the claimed unit;

(B) another professional employees' organization files with the board of education a competing claim of majority support within ten calendar days after the posting of notice of the original request and submits as evidence of its claim of majority support verified membership lists demonstrating support of at least thirty per centum of the professional employees in the appropriate negotiating unit;

(C) there is currently in effect a lawful written agreement negotiated by the board of education and another professional employees' organization covering any professional employees included in the unit described in the request for recognition; or

(D) the board of education has, within the previous twelve months, lawfully recognized another professional employees' organization as the exclusive representative of any professional employees included in the unit described in the request for recognition.

(c) A petition may be filed with the Commission, in accordance with such rules and regulations as it may prescribe for such filing, asking it to investigate and decide the question of whether professional employees have selected or designated an exclusive representative under subsection (a) of this section, by—

(1) a board of education alleging that it has received a request for exclusive recognition from a professional employees' organization and has a good faith doubt as to the accuracy or validity of the evidence demonstrating majority support in an appropriate unit or as to the appropriateness of the claimed unit;

(2) by a professional employees' organization alleging that it has filed a request for recognition as exclusive representative with a board of education and that such request has been denied or has not been acted upon within thirty days after the filing of said request; or

(3) by one or more professional employees or a professional employees' organization asserting that the professional employees in an appropriate unit no longer desire a particular professional employees' organization as their exclusive representative: *Provided*, That such petition is supported by signed statements to that effect from at least 30 per centum of the professional employees in the appropriate negotiating unit.

(d)(1) Upon receipt of such a petition the Commission or its agents shall conduct such inquiries and investigations or hold such hearings as it shall deem necessary in order to decide the questions raised by the petition. The Commission's determination may be based upon the evidence adduced in such inquiries, investigations, or hearings as it or its agents shall make or hold, or upon the results of a secret ballot election as it shall direct and conduct if deemed necessary; *Provided*, That the Commission shall dismiss, without determining the questions raised therein, any petition filed pursuant to subsections (c) (2) or (3) of this section if—

(A) the petition filed by a professional employees' organization is not supported by credible evidence in the form of verified membership lists that at least 30 per centum of the professional employees in the unit described therein are members in good standing of the organization seeking recognition;

(B) there is currently in effect a lawful written agreement negotiated by such board of education and a professional employees' organization other than the petitioner covering any professional employees included in the unit described in the petition, unless (1) such agreement has been in effect for more than three years, or (2) the request for recognition is filed less than sixty days prior to the expiration date of such agreement or such greater number of days prior to said expiration date as the Commission may determine is reasonable because of the budget making procedures of the board of education; or

(C) the board of education has, within the previous twelve months, lawfully recognized a professional employees' organization other than the petitioner as the exclusive representative of any professional employees included in the unit described in the petition.

(2) If the Commission decides that it is necessary to direct and conduct a secret ballot election in order to resolve the questions raised by such petition, it shall order such election held, but in no event shall the name of any intervening professional employees' organization appear on such ballot unless it has submitted to the Commission credible evidence in the form of verified membership lists demonstrating that at least 30 per centum of the professional employees in the appropriate unit are members in good standing of such organization.

(e) In each case where the appropriateness of the claimed unit is in issue, the Commission shall decide the question on the basis of the community of interest between and among the professional employees of the board of education, their wishes, and their established practices including, among other things, the extent to which such employees have joined a professional employees' organization, which latter factor shall not be by itself controlling, whether the unit appropriate for the purposes of professional negotiation shall consist of all persons employed by the board of education who are engaged in teaching or performing other duties of an educational nature or some subdivision thereof: *Provided*, That a unit including classroom teachers shall not be appropriate unless it includes all such teachers employed by the board of education.

IMPASSE IN NEGOTIATION OVER THE TERMS AND CONDITIONS OF PROFESSIONAL SERVICE AND OTHER MATTERS OF MUTUAL CONCERN

SEC. 7. (a) Either a board of education or the representative selected or designated pursuant to the provisions of section 6 of this Act may declare that an impasse has been reached between the parties in negotiation over the terms and conditions of professional service and other matters of mutual concern, and may request the Commission to appoint a mediator for the purpose of assisting them in reconciling their differences and resolving the controversy on terms which are mutually acceptable. If the Commission determines that an impasse exists, it shall, in no event later than five days after the receipt of a request, appoint a mediator in accordance with rules and procedures for such appointment prescribed by the Commission. The Commission may, on its own volition, declare an impasse and appoint a mediator in any particular negotiation. The mediator shall meet with the parties or their representatives, or both, forthwith, either jointly or separately, and shall take such other steps as he may deem appropriate in order to persuade the parties to resolve their differences and effect a mutually acceptable agreement: *Provided*, That the mediator shall not, without the consent of both parties, make findings of fact or recommend terms of settlement. The services of the mediator, including, if any, per diem expenses, and actual and necessary travel and subsistence expenses, shall be provided by the Commission without cost to the parties. Nothing in this subsection shall be construed to prevent the parties from mutually agreeing upon their own mediation procedure and in the event of such agreement, the Commission shall not appoint its own mediator unless failure to do so would be inconsistent with carrying out the objectives of this Act.

(b) If the mediator is unable to effect settlement of the controversy within fifteen days after his appointment, either party may, by written notification to the other, request that their differences be submitted to advisory arbitration. Within five days after receipt of the aforesaid written request, the parties shall select a person to serve as arbitrator and obtain a commitment from said person to serve. If they are unable to agree upon an arbitrator or to obtain such a commitment within said time, either party may request the Commission to designate an arbitrator. The Commission shall, within five days after receipt of such request, designate an arbitrator in accordance with rules and procedures for such designation prescribed by the Commission. The arbitrator so designated shall not, without the consent of both parties, be the same person who was appointed mediator pursuant to subsection (a) of this section.

(c) The arbitrator shall, within ten days after his appointment, meet with the parties or their representatives, or both, forthwith, either jointly or separately, and may make inquiries and investigations, hold hearings, and take such other steps as he may deem appropriate. For the purpose of such hearings, investigations and inquiries, the arbitrator shall have the power to issue subpenas requiring the attendance and testimony of witnesses and the production of evidence. The several departments, commissions, divisions, authorities, boards, bureaus, agencies, and officer of the United States or of the State, territory or possession affected, or any political subdivision or agency thereof, including any board of education, shall furnish the arbitrator, upon his request, with all records, papers and information in their possession relating to any matter under investigation by or in issue before the arbitrator. If the dispute is not settled within thirty days after his appointment, the arbitrator shall make findings of fact and recommend terms of settlement, which recommendations shall be advisory only, unless the parties have agreed in writing prior thereto to make such recommendations binding in which case they shall be binding. All findings of fact and recommended terms of settlement shall be submitted in writing to the parties and the Commission privately before they are made public. Either the Commission, the arbitrator, the board of education or the professional employees' representatives may make such findings and recommendations public if the dispute is not settled within ten days after their receipt from the arbitrator. The costs for the services of the arbitrator, including per diem expenses, if any, and actual and necessary travel and subsistence expenses, and any other mutually incurred costs, shall be borne equally by the board of education and the professional employee's representative. Any individually incurred costs shall be borne by the party incurring them.

DISPUTES OVER THE INTERPRETATION, APPLICATION, OR VIOLATION OF AGREEMENTS

SEC. 8. (a) An agreement between a board of education and a representative selected or designated pursuant to the provisions of section 6 of this Act which covers terms and conditions of professional services and other matters of mutual concern, may include procedures for final and binding arbitration of such disputes as may arise involving the interpretation, application or violation of such agreement or of established policy or practice of such board of education affecting terms and conditions of professional service and other matters of mutual concern.

(b) In the event that such agreement does not include procedures of the type provided for in subsection (a) of this section, either party to the agreement may submit such disputes to final and binding arbitration pursuant to rules and procedures prescribed for such purpose by the Commission.

(c) Where a party to such agreement is aggrieved by the failure, neglect or refusal of the other party to proceed to arbitration pursuant to the procedures provided therefor in such agreement or pursuant to subsection (b) of this section, such aggrieved party may file a complaint in the appropriate district court of the United States or the appropriate court of any of the several States or of any territory or possession of the United States for a summary action without jury seeking an order directing that the arbitration proceed pursuant to the procedures provided therefor in such agreement or pursuant to subsection (b) of this section.

(d) Unless the award of an arbitrator is deficient because—

(1) it was procured by corruption, fraud or other misconduct;

(2) of partiality of the arbitrator;

(3) the arbitrator exceeded his powers or so imperfectly executed them that a final and definite award upon the subject matter was not made;

such award shall be final and binding upon the parties and may be enforced by the appropriate district court of the United States.

STRIKES

SEC. 9. (a) Except as otherwise expressly provided in subsection (b) of this section, nothing in this Act or in any other law of the United States, of any of the several States or of any territory or possession of the United States shall be construed to interfere with, impede or diminish the right of a representative selected or designated pursuant to the provisions of section 6 of this Act to engage in a strike for the purpose of establishing, maintaining, protecting or improving terms and conditions of professional service and other matters of mutual concern, or of a public employee to participate in such a strike.

(b) A restraining order or temporary or permanent injunction may be granted in a case involving a strike engaged in for the purpose of establishing, maintaining, protecting or improving terms and conditions of professional service and other matters of mutual concern by a representative selected or designated pursuant to the provisions of section 6 of this Act, only on the basis of findings of fact made by the appropriate district court of the United States or appropriate court of any of the several States or of any territory or possession of the United States after due notice and hearing prior to the issuance of such restraining order or injunction that—

(1) the commencement or continuance of the strike poses a clear and present danger to the public health or safety which in light of all relevant circumstances it is in the best public interest to prevent: *Provided,* That any restraining order or injunction issued by a court for this reason shall prohibit only such specific act or acts as shall be expressly determined in said findings of fact to pose such clear and present danger; or

(2) the representative has failed to make a reasonable effort to utilize the procedures provided in section 7 of this Act for the resolution of impasse in negotiation: *Provided,* That any restraining order or injunction issued by a court for this reason shall indicate the specific act or acts which the representative has failed to perform and shall remain in effect only until said act or acts shall have been performed.

(c) Nothing contained in this subsection shall prevent a court from enforcing any lawful provision of an agreement covering terms and conditions of professional service and other matters of mutual concern.

UNLAWFUL ACTS

SEC. 10. (a) It shall be unlawful for a board of education to—

(1) impose or threaten to impose reprisals on professional employees, to discriminate or threaten to discriminate against professional employees, or to otherwise interfere with, restrain or coerce professional employees because of their exercise of rights guaranteed by this Act:

(2) deny to professional employees' organizations rights guaranteed to them by this Act; or

(3) refuse or fail to negotiate in good faith with the representative selected or designated pursuant to the provisions of section 6 of this Act if requested to do so.

(b) It shall be unlawful for—

(1) a professional employee or a professional employees' organization to cause or attempt to cause a board of education to engage in conduct in violation of the provisions of section 10(a) of this Act: *Provided,* That this paragraph shall not impair the right of a professional employees' organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or

(2) a representative selected or designated pursuant to the provisions of section 6 of this Act to refuse or fail to negotiate in good faith with a board of education if requested to do so.

PREVENTION OF UNLAWFUL ACTS

SEC. 11. (a) The Commission is empowered, as hereinafter provided, to prevent any person from engaging in any unlawful act set forth in section 10 of this Act. This power shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, law, or otherwise.

(b) Whenever it is charged that any person has engaged in or is engaging in any such unlawful act, the Commission or any agent or agency designated by the Commission for such purpose, shall have the power to issue and cause to be served upon such person a complaint stating the charges in that respect, and containing a notice of hearing before the Commission or a member thereof, or before a designated agent or agency, at a place therein fixed, not less than five days after the serving of said complaint: *Provided,* That no complaint shall issue based upon any unlawful act occurring more than six months prior to the filing of the charge with the Commission and the service of a copy thereof upon the person against whom such charge is made unless the person aggrieved thereby was prevented from filing such charge by reason of service in the Armed Forces, in which event the six-month period shall be computed from the day of his discharge. Any such complaint may be amended by the member, agent, or agency conducting the hearing or the Commission in its discretion at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. In the discretion of the member, agent, or agency conducting the hearing or the Commission, any other person may be allowed to intervene in the said proceeding and to present testimony. Any such proceeding shall, so far as practicable, be conducted in accordance with the provisions of subchapter 11 of chapter 5 of title 5, United States Code.

(c) The testimony taken by such member, agent, or agency or the Commission shall be reduced to writing and filed with the Commission. Thereafter, in its discretion, the Commission upon notice may take further testimony or hear argument. If upon the preponderance of the testimony taken the Commission shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unlawful act, then the Commission shall state its findings of fact and shall issue and cause to be served upon such person an order requiring such person to cease and desist from such unlawful act, and to take such affirmative action, including reinstatement of employees with or without back pay, as will effectuate the policies of this Act: *Provided*, That where an order directs reinstatement of an employee, back pay may be required of the Board of Education, or professional employees' organization, as the case may be, responsible for the discrimination suffered by him. Such order may further require such person to make reports from time to time showing the extent to which it has complied with the order. If upon the preponderance of the testimony taken the Commission shall not be of the opinion that the person named in the complaint has engaged in or is engaging in any such unlawful act, then the Commission shall state its findings of fact and shall issue an order dismissing the said complaint. No order of the Commission shall require the reinstatement of any individual as an employee who has been suspended or discharged, or the payment to him of any back pay, if such individual was suspended or discharged for cause. In case the evidence is presented before a member of the Commission, or before an examiner or examiners thereof, such member, or such examiner or examiners, as the case may be, shall issue and cause to be served upon the parties to the proceeding a proposed report, together with a recommended order, which shall be filed with the Commission and if no exceptions are filed within twenty days after service thereof upon such parties, or within such further period as the Commission may authorize, such recommended order shall become the order of the Commission and become effective as therein prescribed.

(d) Until the record in a case shall have been filed in a court, as hereinafter provided, the Commission may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

(e) The Commission shall have power to petition any court of appeals of the United States, wherein the unlawful act in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall file in the court the record in the proceedings, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Commission. No objection that has not been urged before the Commission, its member, agent, or agency, shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Commission with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive. If any person shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Commission, its member, agent, or agency, the court may order such additional evidence to be taken before the Commission, its member, agent, or agency, and to be made a part of the record. The Commission may modify its findings as to the facts, or make new findings by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order. Upon the filing of the record with it, the jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the Supreme Court of the United States upon writ of certiorari or certification provided in section 1254 of title 28, United States Code.

(f) Any person aggrieved by a final order of the Commission granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States in the circuit wherein the unlawful act in question was alleged to have been engaged in or wherein such person resides or transacts business, or in the United States Court of Appeals for the District of Columbia, by filing in such court a written petition praying that the order of the Commission be modified or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Commission, and thereupon the aggrieved person shall file in the court the record in the proceeding, certified by the Commission, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall proceed in the same manner as in the case of an application by the Commission under subsection (e) of this section, and shall have the same jurisdiction to grant to the Commission such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Commission; the findings of the Commission with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall in like manner be conclusive.

(g) The commencement of proceedings under subsection (e) or (f) of this section shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part an order of the Commission, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the provisions of section 20 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes" approved October 15, 1914, as amended (27 U.S.C. 52), or the provisions of the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932 (29 U.S.C. 101–115).

(i) Petitions filed under this Act shall be heard expeditiously, and if possible within ten days after they have been docketed.

(j) The Commission shall have power, upon issuance of a complaint as provided in Subsection (b) of this section charging that any person has engaged in or is engaging in an unlawful act, to petition any district court of the United States (including the District Court of the United States for the District of Columbia), within any district wherein the unlawful act in question is alleged to have occurred or wherein such person resides or transacts business, for appropriate temporary relief or restraining order. Upon the filing of any such petition the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction to grant to the Commission such temporary relief or restraining order as it deems just and proper.

(k) (1) For the purpose of all hearings and investigations which the Commission determines are necessary and proper for the exercise of its powers under this Act, the Commission, or its duly authorized agent or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. The Commission, or any member thereof, shall upon application of any party to such proceedings, forthwith issue to such party subpenas requiring the attendance and testimony of witnesses or the production of any evidence in such proceeding or investigation requested in such application. Within five days after the service of a subpena upon any person requiring the production of any evidence in his possession or under his control, such person may petition the Commission to revoke, and the Commission shall revoke, such subpena if in its opinion the evidence whose production is required does not relate to any matter under investigation, or any matter in question in such proceedings, or if in its opinion such subpena does not describe with sufficient particularity the evidence whose production is required. Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any territory or possession thereof, at any designated place of hearing.

(2) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any territory or possession, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, or the District Court of the United States for the District of Columbia, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(4) Complaints, orders, and other process and papers of the Commission, its member, agent, or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Commission, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the person taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

(5) All process of any court to which ap-

plication may be made under this Act may be served in the judicial district wherein the defendant or other person required to be served resides or may be found.

(l) Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its agents or agencies in the performance of duties pursuant to this Act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than one year, or both.

APPLICABILITY OF THIS ACT

SEC. 12. This Act shall be the exclusive method for regulating the relationship between boards of education and their professional employees in regard to all matters covered herein: *Provided*, That if any of the several States or any territory or possession of the United States shall by law establish a system for regulating the relationship between boards of education and their professional employees which is substantially equivalent to the system established by this Act, said State, territory or possession may apply to the Commission for an exemption from the provisions of this Act. If the Commission determines that the system of regulation established by said state, territory, or possession is substantially equivalent to the system established herein, it shall grant the requested exemption, to take effect on a date fixed by the Commission. Any State, territory, possession or person aggrieved by the decision of the Commission granting or denying the request for an exemption may obtain a review of such decision in the same manner as provided under section 11(f) of this Act.

MISCELLANEOUS

SEC. 13. (a) Except as otherwise expressly provided herein, nothing in this Act shall be construed to annul, modify, or preclude the renewal or continuation of any lawful agreement entered into prior to the date of enactment of this Act between a board of education and a professional employees' organization covering terms and conditions of professional services and other matters of mutual concern.

(b) All laws or parts of laws of the United States, of any of the several States or of any territory or possession of the United States inconsistent with the provisions of this Act are modified or repealed as necessary to remove such inconsistency. Except as otherwise expressly provided herein, nothing contained in this Act shall be construed to deny or otherwise abridge any rights, privileges, or benefits granted by law to professional employees.

(c) If any provision of this Act shall be held invalid, other provisions of this Act shall not be affected thereby.

S. 1952—INTRODUCTION OF A BILL ESTABLISHING AN OFFICE OF EXECUTIVE MANAGEMENT FOR THE EXECUTIVE OFFICE OF THE PRESIDENT

Mr. BAYH. Mr. President, I introduce, for appropriate reference, the Federal Executive Management Act of 1969, a bill to establish in the Executive Office of the President an independent agency to be known as the Office of Executive Management.

The establishment of this office has been needed for a long time. Present Federal executive agency management is too often characterized by highly inadequate program organization, extensive duplication of efforts, substantial overlaps of functions, widespread diffusion of program management responsibilities, major conflicts in agency policies for individual program areas, and basic deficiencies in interagency and intergovernmental program coordination.

While a number of legislative proposals providing for review of Federal executive management and organization have been introduced during the present session of Congress, none of these would provide the necessary continuing, systematic, and detailed review and evaluation of Federal executive management that current circumstances demand. The Hoover type commission generally advocated in the majority of the bills introduced to date, as well as the blue-ribbon type Presidential Advisory Council recently proposed by President Nixon, could be highly useful devices. This is particularly so with respect to the examination of long-range problems which have been neglected by Federal agencies as a result of constant pressures to deal with more immediate short-range matters. However, both of these approaches have the basic weakness of being "one shot" actions, whereas the problems involved require a continuing, multifaceted effort. It is also important to remember that the most severe and troublesome executive management and organization problems facing our Nation today are those of an immediate nature which should not await the establishment, convening, and reporting of a new Hoover Commission or a Presidential Advisory Council.

The nature of organizational, program, and administrative management problems and deficiencies in executive branch operations has been thoroughly documented and publicized in recent years. Numerous articles analyzing Federal program conflict, overlap, duplication, and a host of other indicators of woefully inadequate management policies and practices have been circulated through various media.

The Senate Executive Reorganization Subcommittee hearings of 1968 on the then proposed Department of Consumer Affairs helped to focus attention on the specific extent and degree of Federal executive disorganization and mismanagement problems. For example, it was indicated that—

> More than 400 Federal Government programs require a thorough examination.

Statements attributed to President Nixon which have appeared recently in the national press have referred to numerous duplications of effort and widespread overstaffing in many agencies. On February 17, 1969, the President also issued a memorandum to agency heads commenting on the "overstaffing in many activities and excessive overhead in almost all agencies and departments." As recently as March 27, 1969, President Nixon, in describing the need to overcome executive branch inertia with regard to organizational and management reform, stated:

> Many of the disappointments of the last several years can be blamed on the fact that administrative performance has not kept pace with legislative promise.

Incidentally, it is interesting to note that the Republican Party platform of 1968 pledged to establish not only a new Efficiency Commission "to root out the unnecessary duplication and overlapping," but also a "Presidential Office of Executive Management to assure follow-through."

The management deficiencies of the executive branch were further emphasized in the data obtained by the Civil Service Commission from a recent questionnaire directed to young professional Federal executive branch employees. The 2,882 individuals who replied—out of a total of 3,536 receiving questionnaires—listed their "organization's management" as the one factor out of 14 separate job aspects which gave them the greatest amount of "dissatisfaction" and the least amount of "satisfaction."

Probably the best summation of the nature, extent, and ramifications of the Federal executive organization and management problem was made by Stephen K. Bailey in a recent Brookings Institution publication entitled, "Agenda for the Nation." The opening paragraphs of that article are so pertinent to my discussion today that I ask unanimous consent to have the excerpt printed at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

AGENDA FOR THE NATION

(By Steven K. Bailey)

The President of the United States faces a crisis of public confidence in the capacity of the federal government to manage itself and to carry out with efficiency, equity, and dispatch its own legislative mandates.

The seriousness of this issue can hardly be overstated. In question is the capacity of an eighteenth century constitutional arrangement of widely diffused and shared powers and a nineteenth century system of political pluralism to deal effectively with twentieth century problems of technological, social, and economic interdependencies—at home and abroad.

Unless the President devotes substantial attention to making the system work—an effort involving persistence and the employment of high political skills—the consequences for the future of the American polity could be serious in the extreme.

The programs and policies of the government of the United States are currently carried out by a diverse collection of political, administrative, and judicial systems. (The last of these is not treated in this paper.)

The descriptive and taxonomic problems alone are almost grotesque in their complexity. One may list and classify the obvious. The federal government of 1968 contains: three constitutional branches—legislative, executive, and judicial; an Executive Office of the President with a half dozen major constituent units and scores of minor councils and committees; four operating agencies exclusively responsible to the Congress, which itself is divided into two houses, forty standing committees, and more than two hundred subcommittees; twelve cabinet departments; fifty independent agencies, nine of which are independent regulatory commissions with both quasi-legislative and quasi-judicial authority; fifty-statutory interagency committees; 2.8 million civilian employees, 90 percent of whom are employed in federal field offices outside of the Washington, D.C., area; and 3 million military employees.

This gross breakdown suggests the magnitude and diversity of the enterprise, but it is only the tip of the iceberg. For federal policies are today carried out through a bewildering number of entities and instrumentalities: subdepartmental and subagency offices, branches, divisions, units—headquarters and field; hundreds of nonstatutory, but more or less permanent, intra-agency and interagency committees and commissions; grants-in-aid to fifty-five state and territorial governments and their hundreds of subdivisions, including tens of thousands of local governments, with more than 20,000 local school districts; a growing number of quasi-public, nonprofit corporations; scores of international and regional organizations; and myriad contracts to private industries, universities, professional groups, and charitable institutions.

Many of these subsidiary agents have their own separate identities, legal bases, and agenda of priorities apart from their instrumental (and often incidental) role in federal policy implementation.

This almost limitless diffusion presents internal problems of communication and control and often makes terms like "accountability" and "responsibility" words of art to cover a kaleidoscope of administrative fragmentation.

Even if the scene were not so cluttered, even if the formal structure of executive departments, agencies, and personnel were exclusively responsible for the implementation of federal policy, our constitutional system of shared powers and the pluralistic and oligarchical nature of political parties and interest groups would interfere with any neat model of hierarchical loyalty and public accountability. Elmer E. Schattschneider once commented that the history of the federal government could be written in terms of a struggle between the President and the Congress for control of the bureaucracy. But even this is too simple. For the struggle is not just between the President and the Congress: within the Congress, committee and subcommittee chairmen, often allied with powerful private group interests, exercise extraordinary control over the policies and administrative arrangements of subdepartmental and subagency units of the bureaucracy.

If we lived in a simpler and less apocalyptic age, such a complex arrangement might be tolerated without fear of untoward disruptions to basic social values. But this is not the case. The American national government is confronted with unprecedented factors that place an absolute premium upon improved managerial competence in the public sector:

Government decisions involve increased stakes and risks, while mistakes are much harder to retrieve.

Science and technology have penetrated national security, environmental, and social strategies in a way that imposes acute moral and philosophical burdens upon public policy.

The dimensions of public spending require a modern President to monitor spending, taxing, and wage-price relationships with unprecedented precision, and to take stabilization actions without regard to the costs to his political credit balances; he is now obliged to be a conscientious student of economics.

"People" problems no longer lend themselves to straight-line solutions, and a President finds that he must work overtime to compensate for failures of administrative response and to teach a new administrative style to reluctant bureaucrats and congressmen.

Shortened decision intervals and reaction times drive a President to form his calculus of stragey on the run, as it were, placing a premium on accurate and adequate information systems and analytic support.

The modern President lives with a relentless social criticism that generates dissatisfactions with the quality of life and leadership and tends to force his timing and priorities.

In this kind of world, the President, by the logic of his position, must have two overriding managerial concerns:

How can the federal government identify, mobilize, train, and release the energy of the most impressive talent in the nation for developing and carrying out federal policy?

How can staff and line arrangements in the executive branch contribute to more rational and imaginative policy inputs to political decision making, and how can they contribute to more effective and coordinated policy implementation?

These two concerns must be specifically related to the modern President's inevitable preoccupations in the field of public policy: national security, economic stability and growth, environmental management and control, and human resource development.

Concretely, in national security affairs modern Presidents cannot afford a series of "Bay of Pigs" episodes, nor can they afford contradictions between diplomatic and military initiatives. In domestic affairs, they cannot afford to allow brave legislative responses in the fields of environmental management and control and human resource development to be blunted by ineptness and confusion in implementation, as has been the case with much of the Great Society legislation of 1964–65. In economic affairs, Presidents cannot afford to return to earlier days when the varying power centers of economic stabilization policy making (notably key congressional committees, the Budget Bureau, the Council of Economic Advisers, the Treasury, and the Federal Reserve Board) went their separate ways. To do so would be to invite economic disaster.

The difficulty is that the magnitude of the political as well as administrative tasks in assuring some modicum of competence and coherence in these preeminent areas of public policy is staggering. For there are no organizational gimmicks capable of overcoming the enormous centrifuge of governance in our pluralistic society.

An attack upon the managerial inadequacies of the federal government should encompass at least the Executive Office of the President, the departmental and agency structure, the federal field office structure, the devolution system for the transfer of federal funds and functions to nonfederal agencies, and the federal personnel system.

Mr. BAYH. As indicated in the above analysis, the effort which will be required to bring about a sound and effective organization and management program is indeed staggering. However, it is a function that the executive branch must take on and take on immediately. The Nation can no longer tolerate the lack of substantive, effective effort to establish a meaningful and efficient program of administrative management. Indeed, the Congress must see to it that the executive branch not only meets this obligation but also has adequate tools and resources to do so.

It has often been said that management in the executive branch cannot and will not be improved until there is a reward for good management. Present executive management philosophy, and organizational structure neither offers nor provides such reward. The "by-guess and by-gosh" approaches too often utilized by the Bureau of the Budget in its limited efforts for program evaluation, organization and management review, and manpower studies, as well as by the Civil Service Commission in the administration of supergrade positions, have been largely ineffective in improving administrative management. Instead, these approaches have often contributed to the problem. Long standing executive branch policy of recommending across-the-board percentage cuts in program operations, budgets, and manpower without regard to varying circumstances has often served, as suggested by Budget Bureau Director Mayo, in his February 18, 1969, memorandum to agency heads, to punish the lean, efficient organization, and, in effect, to reward the overstaffed, inefficient organization.

Based on past experience, there is considerable doubt that the Bureau of the Budget or a Presidential Advisory Council on Executive Management could perform the necessary overview role in Federal executive organization and management. Previous failures and deficiencies with regard to Federal executive organization and management clearly indicate that, if an effective program is to be instituted in this area, the task should be entrusted to some other organizational entity. Roger Hilsman's observation on organizations, which were set forth in his book "To Move a Nation," would seem to apply in this case. Hilsman's point, simply put, is that in order to change policy, it is necessary to change organization. The Federal Executive Management Act of 1969 would provide for this essential organizational change.

Weaknesses of the Bureau of the Budget in Federal executive organization and management appear to stem largely from the fact that the Bureau's principal orientation is toward budget examination process. Therefore, it tends to lack an adequate understanding of appreciation for the significant role that an effective executive organization and management review program should play in the budgetary process and cost-reduction efforts.

Since 1939, Congress has provided the President with substantive authority to propose reorganizations of the executive branch. During the early years this authority was used extensively and the great majority of such reorganizational proposals were sustained by Congress. However, since 1953, a period in which an unprecedented expansion and proliferation of Federal programs has occurred, utilization of this executive reorganization authority has averaged less than three times a year. Moreover, the great majority of these proposals have not involved major, substantive actions.

Our distinguished colleague from Connecticut, Senator RIBICOFF, chairman of the Senate Executive Reorganization Subcommittee, vividly portrayed the Budget Bureau's deficiencies in the area of executive reorganization during the 1968 hearings on the Hoover Commission proposal. The chairman indicated:

> I told the Bureau of the Budget, time and time again, that this [sub]committee would give the highest priority to any reorganization plan that it would bring up. But I find that it is very slow in bringing forth reorganization plans. There is a lack of imagination. It lacks forethought, and the list of duplications and multiplications of agencies . . . cited here today indicates that it has been derelict in its duty to come up with reorganization plans and eliminate unnecessary agencies.

During this same hearing, Senator RIBICOFF further observed:

> Instead of acting as a coordinating agency they [BOB] seem to be playing one department against the other. By doing this the

> Bureau of the Budget then becomes the actual czar or boss of the entire Federal establishment.

Senator Ribicoff then asked the logical question whether the President should not have "someone besides the Bureau of the Budget to be the coordinating arm of the executive branch, to bring all the diverse problems of the Federal establishment together to eliminate the duplication and waste and inefficiency that we have?"

Unfortunately, these same "duplications and multiplications" are still with us today, but in even larger numbers and involving a greater variety of functions. To cite only one example, let us consider the area of consumer affairs. For several years some 33 Federal departments and agencies have been administering approximately 260 consumer affairs programs in an organizational context and management style which has been characterized as a haphazard combination of appendages carrying out programs which are often duplicative and contradictory in nature and which require the agencies to serve a multiplicity of constituencies whose basic interests are in direct conflict.

Since 1959, numerous proposals have originated in Congress for the establishment of a Department of Consumer Affairs or some other appropriate device for consolidating or coordinating executive branch consumer affairs programs. Several proposals for new consumer protection programs also have originated in the Congress each session. However, in spite of the executive branch's extensive responsibility and authority for internal organization and management, the Congress has had to look to its own devices with regard to executive management and organization in the area of consumer affairs. And, to this date, despite great public and congressional concern over Federal consumer affairs programs, the Congress has yet to hear any suggestions from the Bureau of Budget with respect to executive organization and management in this vital area.

In all fairness to the Bureau of the Budget, it may well be that it has been asked to assume too large a role in too extensive a variety of functional activities in view of the limitation on the Bureau's staffing and areas of expertise. Prof. Rufus Miles, of Princeton University, who formerly was Assistant Secretary of Health, Education, and Welfare for Administration, indicated as much during the 1968 hearings on the proposed Hoover Commission when he stated:

> We have asked the Bureau of the Budget to do entirely too much. They cannot in a single agency do as much as they should be doing.

During the recent hearings on the proposed Department of Consumer Affairs, Ralph Nader ascribed the failure of many Federal agencies to meet their consumer protection responsibilities as stemming from a lack of effective internal review and evaluation of program and administrative management. Mr. Nader also indicated that the complete lack of external review and evaluation of agency activities by the Executive and Congress left the agencies without a "goad" to spur their efforts. The Federal Executive Management Act of 1969 would provide such a "goad."

Former Presidential Assistant McGeorge Bundy aptly described the current situation with regard to Federal executive management in the second of his three Godkin Lectures at Harvard University on March 12, 1968. Mr. Bundy characterized the executive branch as "dangerously weak in its own internal capacity for sustained, coordinated, and energetic action. It more nearly resembles a collection of badly separated principalities than a single instrument of Executive action."

If this is an accurate description of the current status of Federal executive management, and the available evidence indicates that it is, one wonders what functions are being performed by the 9,560 management analysts and technicians who were on various agency payrolls as of October 1967. This figure does not include several thousand executive branch systems analysts, program analysts, operations research analysts, management information specialists and a host of other management specialty positions, including in-house and contract consultants.

During the 1968 hearing on the Hoover Commission proposal Professor Miles remarked:

> Much too much emphasis has been placed on how to divide the work instead of how to plan it and coordinate it.

In view of the large number of executive branch management specialists and the lack of evidence of any substantive, effective activity to bring about needed executive branch organization and management improvements, Professor Miles may have provided us with a clue as to where the efforts of these personnel have been directed.

Mr. President, I firmly believe that there is ample proof of the necessity and desirability for the establishment of an Office of Executive Management in the Executive Office of the President. Such an Office was proposed by the first Hoover Commission in 1949. Testimony offered during the 1968 hearings on the proposal for a third Hoover Commission also indicated broad support on the part of the members of the Senate Executive Reorganization Subcommittee, Members of the Congress in general, and representatives of the academic and public administration communities, for the management concept which I offer today.

Some may contend that what is being proposed by this bill would result in more, not less, bureaucracy. However, if we are ever to treat the causes rather than the symptoms of administrative organization and management problems, then the Executive must be given adequate tools and manpower to get at these problems. To some degree, blue ribbon panels and advisory commissions are really symptomatic of the American governmental and public administration syndrome for responding to problems by appointing committees and conducting long-range policy level studies. Executive organization and management problems are immediate and bureaucratic in nature. Through the establishment of an appropriate and responsible office within the bureaucracy, it would be possible for the executive branch to institute the necessary organizational and management reforms to adequately propose reorganization and/or elimination of unnecessary agencies. Just as importantly, this proposal would in no way alter or effect the historic authority and responsibility of the Congress in reviewing and approving proposed reorganizations of the executive branch.

If a third Hoover Commission had been established, it seems likely that one of its major if not principal recommendations would be to call for the creation of an Office of Executive Management. Specific organizations have already been established to meet administrative requirements for budget, personnel, and general services; there is certainly a need for a similar organizational entity which could deal with the most important Federal administrative function of all: executive management.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1952) to establish in the Executive Office of the President an independent agency to be known as the Office of Executive Management, introduced by Mr. Bayh (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

S. 1957—INTRODUCTION OF A BILL TO PROVIDE AN IMPROVED AND ENFORCEABLE PROCEDURE FOR THE NOTIFICATION OF DEFECTS IN TIRES

Mr. NELSON. Mr. President, on behalf of the chairman of the Senate Commerce Committee (Mr. Magnuson), the chairman of the Surface Transportation Subcommittee (Mr. Hartke), and myself, I am introducing legislation to require the establishment of a system for recalling safety-related defective tires from dealers and users.

This bill is a revision of one I introduced in the Senate first on November 8, 1967 (S. 2638), and again this year on January 27 (S. 661). It was prepared by the Department of Transportation under former Secretary Alan Boyd and sent to the Senate Commerce Committee in January. However, it was not introduced before the previous administration left office.

The new administration has reviewed the legislation and has now given its official endorsement to the bill in a statement by Francis Turner, Administrator of the Federal Highway Administration, before Senator Magnuson's committee on April 15. I ask unanimous consent that a copy of Mr. Turner's statement, along with the text of the bill, be printed in the Record following my remarks.

This bill would simply extend to tire manufacturers the responsibility already imposed on the automobile manufacturer under the National Traffic and Motor Vehicle Safety Act of 1966, to notify vehicle owners of safety-related defects in their cars, and to provide for their repair.

Under the automobile recall provision, more than 12 million potentially defective automobiles have been recalled for inspection. Officials at the National Highway Safety Bureau feel strongly that this provision is at the very heart of the Nation's effort to combat the highway death toll. Its value to the consumer is incalculable.

There is no similar provision which applies to tire manufacturers. But the need for one is very clear.

Recent tests of tires by the National Highway Safety Bureau for compliance with the minimum Federal tire safety standards have shown that a disturbingly high rate of these tires—about 9 percent—have failed the tests.

At that very high rate of failure, it is probable to assume that out of 220 million tires sold in 1 year, hundreds of thousands, and perhaps millions, do not meet the minimum Federal standards and should be recalled.

However, under the present system, not only are tire manufacturers not required to recall these tires, but when they do try, as several have, they find that effective recall is impossible because they do not know where the tires are.

At the present time, the tire companies do not keep records on where their tires go after they leave the factory. Also when recall is attempted they have no sure way of reaching the individual user, and even sometimes the dealer.

In addition to placing the same responsibility upon tire manufacturers which automobile manufacturers must now meet, this bill would require the tire manufacturers to develop procedures for keeping track of their tires from the factory to the dealer to the purchaser so that they are able to recall when the need arises.

The recent recall attempts by Mohawk and General Tire Co. have proven beyond a doubt the need for a uniform system of identification and notification to facilitate recall. Mohawk's attempted recall of 10,000 Airflo tires—7.35–14—which did not meet the Federal standard for endurance brought back only 300 tires from users in the first 3 months, and 2,300 from dealers. General Tire Co.'s recall of 42,000 of their 9.00–15 Safety Jet tires which failed the standards for endurance and strength, produced less than 550 in the first month of the campaign. Nine weeks after the campaign was initiated, the company announced that a total of 9,060 tires had been returned, but they had no breakdown between individual users and dealers.

The National Highway Safety Bureau had been deeply disappointed in the poor rate of return in these recalls. And it is clear that if additional recalls are initiated as a result of the Bureau's further testing, as they most certainly will be, there is little chance of reaching more than a token percentage of the defective tires.

There is almost unanimous agreement among safety officials in and out of the Government, and among many in the tire industry that this significant loophole in the law should be closed.

I want to commend the administration for its forthright endorsement of this bill. In what may be their first major consumer decision, they have clearly come down on the side of increased protection and safety for the American consumer. It is also gratifying that the tire companies are working together to develop a practical system for identifying tires and notifying customers. With this preliminary work, a workable system can be quickly effected as soon as this bill becomes law—a law which would make a significant contribution to tire and highway safety and to the consumer cause in general.

I ask unanimous consent that an editorial from the New York Times entitled "Tire and Auto Safety" be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, statement, and editorial will be printed in the Record.

The bill (S. 1957) to provide an improved and enforceable procedure for the notification of defects in tires, introduced by Mr. Nelson (for himself, Mr. Magnuson and Mr. Hartke), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 113 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1402) is amended by:

(1) striking subsection (a) thereof and inserting in lieu thereof the following:

"(a) Every manufacturer of motor vehicles or tires shall furnish notification of any defect in any motor vehicle or motor vehicle equipment produced by such manufacturer which he determines, in good faith, relates to motor vehicle safety, to the purchaser (where known to the manufacturer) of such motor vehicle or motor vehicle equipment within a reasonable time after such manufacturer has discovered such defect."

(2) striking the first sentence of subsection (d) thereof and inserting in lieu thereof the following:

"(d) Every manufacturer of motor vehicles or tires shall furnish to the Secretary a true or representative copy of all notices, bulletins, and other communications to the dealers of such manufacturers or purchasers of motor vehicles or motor vehicle equipment of such manufacturer regarding any defect in such vehicle or equipment sold or serviced by such dealer."

(3) adding at the end thereof the following new subsections:

"(f) Every manufacturer of motor vehicles or tires shall maintain records of the names and addresses of the first purchaser (other than a dealer or distributor) of motor vehicles or tires produced by that manufacturer. The Secretary may establish by order procedures to be followed by manufacturers in establishing and maintaining such records.

"(g) For the purpose of this section the term manufacturer of tires includes the retreader in the case of retreaded tires."

EFFECTIVE DATE

Sec. 2. This Act shall take effect six months after enactment unless the Secretary finds, for good cause shown, that a later effective date is in the public interest and publishes his reason for such finding, except that the provisions of section 113(d) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1402(d)), as amended by this Act, shall take effect on the date of its enactment. In no event, however, shall the Secretary postpone the effective date of this Act to a date more than one year after enactment.

The statement and editorial, presented by Mr. Nelson, are as follows:

SUPPLEMENTARY STATEMENT ON TIRE DEFECT NOTIFICATION BY F. C. TURNER, FEDERAL HIGHWAY ADMINISTRATOR, DEPARTMENT OF TRANSPORTATION, BEFORE THE COMMITTEE ON COMMERCE OF THE U.S. SENATE, APRIL 14, 1969

Mr. Chairman and members of the Committee, under present law, where the Secretary determines the existence of safety related defects, section 113(e) of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1402(e)) provides authority for the Secretary, after informal administrative proceedings, to require both vehicle and tire manufacturers to initiate defect notification campaigns. In addition, the present law obliges the *manufacturer of a motor vehicle* to notify new vehicle purchasers of any safety-related defects *it* discovers, including those on original equipment tires. However, the Act imposes no parallel obligation on the *tire manufacturer* to notify tire purchasers of defects it discovers in its own products sold directly to the public. (See section 113(a), 15 U.S.C. 1402(a).)

In other words, if a motor vehicle manufacturer discovers a tire defect in original equipment tires, the Act imposes a duty on that vehicle manufacturer to notify vehicle purchasers. If a tire manufacturer discovers such a defect, no similar obligation to notify consumers is imposed on him. This is very significant for by far the largest proportion of tires manufactured are sold by the tire companies as replacements for the original ones supplied with the vehicle. To be specific, last year more than 225 million motor vehicle tires were produced; less than 58 million of these were delivered as original equipment. As a result, there is a serious gap in the safety protection afforded by the Act; the absence of a legal requirement on tire manufacturers to notify the consumers—or for that matter the Secretary—of safety-related defects they discover in their own tires.

Recent tests sponsored by the Department for checking compliance of tires with Federal safety standards have led to several large recall campaigns by manufacturers. Through these campaigns, the manufacturers will seek to replace tires sold to the public from the production runs which the Government tests discovered produced tires with safety defects. Because of the thousands of tire manufacturer locations and retail outlets, it is impossible for the Government, through its compliance testing program, to discover *all* safety-related defects on tires. In fact, most of the defects were first known to the manufacturers through customer complaints.

Another serious aspect of tire defect recalls is in the present methods whereby the tire manufacturer notifies the consumer that he has purchased a defective tire. Most tire manufacturers as yet do not maintain records of the names and addresses of tire purchasers. Consequently, in the recent recall campaigns the manufacturers had to notify the public by press release rather than by "certified mail" to individual purchasers. The public response to these campaigns has so far been extremely disappointing. The Administration, accordingly, has taken under consideration regulations that would require appropriate records to be maintained. It is of prime importance if tire safety programs are to be effective that the manufacturer be able to reach the consumer who has purchased a defective tire to advise him of the potential hazard.

We urge that the Act be amended to remedy the problems I have just outlined. First, the obligation to notify purchasers of safety-related defects in their products, now required only of the motor vehicle manufacturers, should be extended to tire manufacturers. Second, the Secretary should establish appropriate procedures for the manufacturers to follow to keep track of tire purchasers so that the warnings can be effectively passed on.

We note that Senate Bill 661 was introduced this session with these ends in mind. A draft bill containing a similar proposal was prepared by the Department and transmitted to Congress by former Secretary Boyd on January 16th of this year. That draft was referred to this Committee for its consideration (a copy is attached for your convenience).

We favor the Department's proposal for the reasons detailed in the letter of explanation which accompanied it. In particular, the Department's proposal would give the Secretary six months—extendable to one year—to set up effective record keeping and notification procedures. S. 661 would only allow six months to accomplish this. That inflexibly shorter period, in our view, may not prove adequate. The tire defect notification problem is complicated by tire production in excess of two hundred million annually distributed through a multitude of small retail outlets. While we are mindful of the safety problem, sufficient time must be allowed for consultation with all affected groups before settling on a particular procedure. Only in this way can we insure that the notice procedures adopted will have maximum effectiveness without being unnecessarily burdensome.

We think this expansion of the defect notification program to tire manufacturers will definitely increase tire safety protection for American motorists.

[From the New York Times, Jan. 29, 1969]

TIRES AND AUTO SAFETY

Many motorists are inspecting their tires closely—for something other than low air pressure—as a result of Senate charges that nine manufacturers have not met Federal safety standards. Since two of every three new tires sold may have serious defects, this complaint represents the first major consumer challenge to the Department of Transportation since the change in Administration.

Unfortunately, a recall program similar to that instituted by car manufacturers is virtually impossible to achieve with the tire manufacturers. Careful records of tire ownership are not kept. But surely the National Highway Safety Bureau, a Federal agency, should take steps to publicize trade names, lines and sizes of tires that may be dangerous on the road. And civil suits should be started under the law.

The National Traffic and Motor Vehicle Safety Act deserves to be implemented. We agree with Senator Gaylord Nelson, chairman of a Small Business subcommittee, that Secretary of Transportation John A. Volpe should support requests for more funds to enable Federal testing of every brand of tires. A system should be established that would keep track of tires with flaws before they ever reach the motorist.

This month also marked the compulsory introduction of added safety equipment on all 1969 models. The most important of all the improvements are headrests. They will save lives and lessen neck injuries in whiplash accidents following collisions.

Under the National Traffic and Motor Vehicle Safety Act, the Department of Transportation should press for used-car safety standards, too. The recent hearings on old car service and new car warranties indicated that guidelines are badly needed. The hearings disclosed not only that mechanics overcharged for imperfect work but—even more shocking—that the manufacturer and his dealer often disowned the owner of a car once he left the showroom.

A Federal Trade Commission staff study shows that better assembly-line inspection and testing could eliminate many warranty problems before they appear. The F.T.C. also says dealers ought to make their own inspections before accepting "lemons" for sale.

The public should not be kept in the dark about products that may stand between life or death on the road. And it is up to the Department of Transportation to show its concern for the American motorist by strict policing of auto and tire manufacturers.

(NOTE.—Senator Nelson wrote to Transportation Secretary John Volpe on January 26 listing 33 brands of tires which do not meet the federal tire safety standards. He urged the Secretary to inform the public about these dangerous tires and to institute legal action against those tire manufacturers who are violating the Traffic Safety Act. Senator Nelson is also the author of a bill to make it mandatory for tire manufacturers to recall defective tires from consumers, as automobile manufacturers are now required to do under the Traffic Safety Act.)

S. 1958—INTRODUCTION OF THE PREVAILING WAGE RATE DETERMINATION ACT OF 1969

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, the Prevailing Wage Rate Determination Act of 1969. The purpose of this legislation is to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees.

This bill is of vital concern to one-fourth of all employees of the Federal Government. It directly affects their wages, their individual rights and obligations as well as the rights and obligations of their union representatives who are bargaining for them and who will represent them on the various wage board committees established by this act.

Basically, my bill is intended to organize and to standardize the Federal Government's procedures for fixing the rates of pay of employees working under the so-called prevailing rate system. Information I have indicates a discrepancy between rates of pay for wage board employees and others performing identical functions within the same community.

This bill would reduce such a possibility of inequity.

While remedying abuses, the bill will preserve, nonetheless, the concept and procedures of the "prevailing wage" system. It thus is not a modification of the wage board system itself but simply a measure to eliminate injustice and inequity by providing new mechanisms to establish basic regulations, to conduct wage surveys, and to adjudicate or arbitrate differences.

The most important single improvement in my bill over the present arrangement is that it will give a statutory foundation to improved procedures for wage board rate determinations. The principal instrumentality provided by the bill to assure that such a policy is pursued is a newly created standing committee within the Civil Service Commission, to be known as the "National Wage Policy Committee."

Composed of 11 members, the National Wage Policy Committee will have as its chairman a person who shall be from outside the Federal service and who shall be appointed directly by the President and shall hold no other office in the Federal service during his tenure as chairman.

To assure that the chairman is objective, my bill provides that he will serve exclusively at the pleasure of the President of the United States and that his compensation will be $75 for each day spent in the work of the policy committee.

In addition, the policy committee will have five Federal employee union representatives and five management representatives.

The Federal employee union representatives will be appointed as follows:

Two by the president of the AFL–CIO; and one each appointed respectively by the president of the Federal employee union representing the first largest, the second largest and the third largest number of Federal employees subject to this act.

The five employer representatives shall be appointed to the National Wage Policy Committee as follows:

Two management representatives will be appointed by the Secretary of Defense, at least one of whom shall be appointed on a rotational basis for a period of 2 years from the Department of the Army, the Department of the Navy, and the Department of the Air Force;

One management representative from the Veterans' Administration will be appointed by the Administrator of Veterans' Affairs;

One management representative from the Civil Service Commission will be appointed by the Chairman of the Civil Service Commission; and

One management representative will be appointed, on a rotational basis for a period of 2 years, by the Chairman of the Civil Service Commission from Federal agencies which are leading employers of employees subject to this act.

In addition to establishing the National Wage Policy Committee, my bill will require each Federal department or independent agency designated by the National Wage Policy Committee to establish an Agency Wage Committee, composed of five members. The role of the Agency Wage Committee will be to assure the implementation within the agency of the wage surveys through the functioning of the local wage survey committees.

A most important feature of my bill is the inclusion under its wage rate system of all employees who are now paid from so-called nonappropriated funds. These employees will no longer be considered outsiders to the wage board, or prevailing wage rate, system. They will be assured equity and justice in the same manner as if they were receiving their pay from appropriated funds. Certainly, it is improper that an employee should receive less money for his work simply because his employer or manager draws his checks on a different bank account.

As with all legislation, I realize that this bill may emerge in somewhat different form when it is finally enacted. However, on the basis of my experience, I am sure that the final statute will not be very much different in its essentials than the bill which I introduced today.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 1958) to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees, introduced by Mr. HARRIS, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 1959 AND S. 1960—INTRODUCTION OF BILLS TO AMEND THE SOCIAL SECURITY ACT

Mr. HARRIS. Mr. President, last year the late Senator Robert F. Kennedy and I introduced two separate bills to repeal the retrogressive measures contained in the Social Security Act Amendments of 1967 and to initiate needed improvements in our welfare policy. A majority of these measures passed the Senate but were dropped in conference. Today I reintroduce those identical measures, unchanged except for the even more urgent need for passage that a year's delay has brought.

As Senator Kennedy said last year:

> By enacting these restrictions, Congress has decided to punish the children of the poor without making any fundamental change in the present unsatisfactory status of the welfare system.

I do not like our welfare system; the prosperous do not like it; and certainly many of the poor find it almost intolerable. But, we cannot even begin to fashion a just system that will promote the true meaning of welfare until these regressive measures are repealed.

The first bill I am introducing provides for a repeal of the freeze on the level of Federal contribution to State AFDC programs which is otherwise to become effective July 1, 1969.

Without action by us, Federal reimbursement to the States after July 1, 1969, will be based on: First, average expenditures for all children in need because of the death, disability, or unemployment of a parent; but, second for those with an absent parent only up to the number determined by the first quarter ratio of children in category; third, to the total child population.

Since the States are required to accept all who qualify for welfare, the States will have the choice of spreading the benefits, already inadequate, to greater numbers; barring families from the welfare rolls; or raising the additional money themselves.

The last alternative, when States are already in dire financial distress, is unlikely to happen; Governors have unanimously voiced objection to the freeze. The first two alternatives are likely, but should be unthinkable. Depending on the alternative selected, as many as 300,000 children could be dropped from the AFDC rolls.

The Senate and Finance Committee have twice voted to do away with the freeze. I urge immediate repeal of the freeze.

The measures in the second bill have common aims—to preserve the dignity and independence of individuals in our welfare system, to strengthen the family unit, and to increase incentive and ability of families to achieve self-support. One important measure I am proposing is to require each State to participate in the AFDC-UP program by July 1, 1970. This requirement has once been adopted by the Senate as a floor amendment.

Two desirable objectives would be accomplished by requiring each State to participate in the AFDC-UP program. First, in those States which are not presently participating, it would be instrumental in solving the major problem of disintegration of families partly brought about the regulations in many States which have the practical effect of making the father live out of the home before aid will be given. Second, the possibility of gainful employment would improve; the father would have to register for work with his State employment service office and participate in the work-training program provided for in the Social Security Act.

The cost of this program has been estimated to be approximately $60 million to the Federal Government and between $30 to $35 million to States. Long-range costs should be lower as many of these families become self-sustaining. What cannot be estimated in dollars are the future benefits to children growing up in a home with a father and where the atmosphere is one of success and not failure.

The family unit is further strengthened by a measure in the bill providing for a more realistic payment of $20 per week for participants in the new work-training programs, instead of the $30 per month adopted, along with a more attractive incentive to AFDC recipients to seek and retain employment by permitting them to retain $50 and one-half of amount earned rather than $30 and one-third of the amount earned.

The extra income which a working father would receive would provide a greater incentive for him to stay in the work training program or to seek and retain employment—necessary steps toward financial independence. Measures are also contained in the second bill to eliminate certain undesirable legal barriers for assistance based on factors other than legitimate need.

One undesirable legal barrier which would be eliminated is the requirement that a father have six calendar quarters of work or have been entitled to uneemployment compensation as a condition to eligibility to assistance under the special AFDC unemployed parents program. The Senate last year voted to repeal these requirements, but the conference committee dropped the provisions.

The young family head with little or no previous employment experience may have the greatest need of assistance. His employment record would serve as proof of his need, not cause a denial of it.

Another undesirable legal barrier of the 1967 amendments is the provision which denies AFDC aid in any amount to an unemployed worker's family if he is receiving unemployment compensation in any amount. The Finance Committee accepted this measure last year; however, the conference committee modified it to prohibit payment to a family for any week rather than any month that unemployment compensation is received.

A repeal of this requirement would simply put the States back in the same position they were in prior to the 1967 amendments and permit them to decide how much, if any, aid the worker should receive.

The bill also contains two measures designed to eliminate certain undesirable features of our present law relating to employment.

One measure would require that the Federal minimum wage be enforced in jobs which people are assigned to in the work-incentive program. This would not entail additional costs, for, as Senator Robert F. Kennedy clearly set forth, "the welfare recipient would simply work fewer hours to 'work off' his welfare, and be compensated more adequately, therefore, for his work."

A second measure would make Federal aid available to supplement the earnings of working fathers whose income happens to be below the State AFDC standard. The importance of this proposal depends in part on how HEW defines "unemployed." If defined to include part-time and seasonal workers, as interpreted in the past, few workers would be covered. But under the earning exemption of 1967, a person on welfare might go to work and have a combined income from work and welfare which would exceed the income of a coworker who never applied or qualified for welfare. The amendment I offer would permit the coworker to receive aid according to the same formula as the AFDC recipient under the earnings exemption. This would be helpful to fathers who are living with their families and attempting to support them. It is another measure aimed at eliminating some of the present features of our welfare system that lead to desertion of families by fathers in order that their families can qualify for welfare when they are unable to make a living wage.

Jobs for the unemployed are vital. But I think one failure of our welfare laws has been the philosophy that a job is an end in itself. When a man secures work, our unemployment figure goes down. We are satisfied. But a job is a means to an end—that of freedom through self-support. Work which does not have prospect of attaining this goal brings no adequate economic benefits to the family or real achievement to the wage earner. Asking a man to work long hours for less than a minimum wage or for wages below the State AFDC standard can only deepen the feeling of the worker that he cannot support his family. Any incentive of rehabilitation or incentive to retain the family unit is lost.

Most of the measures just discussed were intended to ensure and promote the father's place in the home. I think we all agree that the psychological and emotional health of a family is bettered when the father is present. By what logic do we then conclude that a family without the presence of a father is better off without even the mother's care. There are approximately 900,000 mothers of children receiving welfare. How can we possibly use their economic plight to force them away from their children. We do not have the right to make that decision.

The bill contains a provision allowing mothers caring for one or more children of pre-school age, or caring for one or more children under the age of 16 who are attending school to be exempt from work except during school hours. In addition, the States under this section, would have the authority to make other exemptions where appropriate.

Parental care and supervision under the circumstances set forth in the exemptions are obviously compelling, and the law as it presently stands should be repealed. This provision was offered as a floor amendment in 1967 and passed the Senate, but was dropped by the conference committee.

Another proposal is to eliminate the requirement that payments be made to a third party or parties rather than directly to the parents in those instances where the parent or parents refuse to participate in the work incentive program.

The proposal I am offering would simply leave such a decision to the States and therefore would lend more flexibility to the system and would permit decisions to be reached on a case-by-case basis. Under the present law, an automatic judgment is made that the parent is unable to handle money without regard to special circumstances that the States should be permitted to take into consideration.

This bill also alleviates a serious discrimination that is involved in the ceiling on Federal reimbursement for medicaid. The law presently limits Federal reimbursement to the States for medical assistance to families with incomes not in excess of 133⅓ percent of the actual level of AFDC payments in the State to a family of that size. The emphasis should be on the States' definition of minimum family need rather than actual level of AFDC payments in the State due to the fact that in many States the actual level of AFDC payments is far below the State's definition.

For example, in one State a year ago the State was paying only 22.8 percent of its own minimum need definition. The State defined minimum need for a family of four at $2,340 a year but paid only $600. Applying the 133⅓ percent limitation to the actual payment, the medical assistance ceiling would be $800 or only about 30 percent of the State's own definition of minimum need.

The final provision would authorize the Secretary of Health, Education, and Welfare to conduct a broad study of our welfare system, assess its failures and successes, and produce recommendations for its general restructuring.

You cannot visit with families on welfare and believe that they do not share the same wish. But our system is failing. Welfare assistance for too many has become a closed circle of dependency and despair for succeeding generations. If we are to break this cycle, we must be prepared to make sweeping changes. Affirmative action now on these two bills would be a beginning and a pledge of our future intentions.

The entire welfare system must be changed. We must federalize the system; States cannot continue to fund the increasing costs of both education and welfare. Legislation is being prepared toward this end. Until it can be enacted, however, the bills I introduce represent a base minimum of what must be done to make the present system more decent and humane.

Mr. President, I ask unanimous consent to have a summary of these bills printed at this point in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the summary will be printed in the RECORD.

The bills (S. 1959) to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; and (S. 1960) to amend the Social Security Act so as to revise certain provisions thereof relating to public assistance which were enacted or amended by the Social Security Amendments of 1967, to improve the program of aid to families with dependent children established by title IV of such act, and for other purposes, introduced by Mr. HARRIS (for himself and other Senators), were received, read twice by their title, and referred to the Committee on Finance.

The material, presented by Mr. HARRIS, follows:

SUMMARY OF BILLS

BILL TO REPEAL FREEZE

This bill amends Title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to when Federal payments may be made under the program of aid to families with dependent children.

BILL TO REPEAL CERTAIN PUNITIVE MEASURES OF 1967 AMENDMENTS TO SOCIAL SECURITY ACT

Sections 2 and 3 permit AFDC recipients to retain $50 and ½ of amount earned rather than $30 and ⅓ of amount earned.

Sections 4 and 5 repeal the requirement that a father have 6 calendar quarters of work or have been entitled to unemployment compensation as a condition for eligibility to assistance under the special AFDC—Unemployed Parents program.

Section 6 permits States to determine if aid will be denied when unemployed worker is receiving unemployment compensation.

Section 7 provides that the AFDC-UP program be mandatory in each state by July 1, 1970.

Section 8 provides for payment of $20 per week for participants in the work training program, instead of $30 per month. Also increases Federal participation under this program to 90% from 80%.

Section 9 provides for an increase from 30 to 60 days in any 12-month period as used to define term "emergency assistance to needy families with children."

Section 10 provides for the amendment of certain sections to make certain that eligibility for and the extent of aid under the plan will be determined in a manner consistent with simplicity of administration and the best interest of the recipients.

Section 11 provides for a study of the welfare system to be conducted by the Secretary of HEW to determine how the system can be improved.

Section 12 provides for:

a. the exemptions of mothers from coercion to work;

b. the reinsertment into the work incentive program a protection for children whose parent or parents refuse to participate in the program; and

c. the compensation of people in the work incentive program on the basis of the Federal minimum wage applicable to newly covered workers.

Section 13 amends the program of aid to dependent children of unemployed fathers by making Federal aid available to supplement the earnings of working fathers whose income is below the State AFDC standard.

Section 14 provides for the Federal reimbursements to States for medicaid on the basis of 133⅓% of the State's definition of minimum need rather than on the basis of 133⅓% of the actual level of AFDC payments.

Section 15 provides for the effective date of the amendments, except in those instances where specifically provided, to be January 1, 1970.

S. 1965—INTRODUCTION OF A REVENUE SHARING BILL TO HELP STATES AND POLITICAL SUBDIVISIONS MEET BURGEONING RESPONSIBILITIES

Mr. TYDINGS. Mr. President, for more than a decade, the Congress has debated the virtues and vices of sharing Federal revenues with the States and localities on a block-grant basis. The record of our deliberations documents the urgent need for a massive infusion of funds into State, county, and city coffers if the demise of our federal system of government is to be prevented. Therefore, I am introducing a revenue-sharing bill today designed to help the States and their political subdivisions meet their burgeoning responsibilities.

As you may recall, I was one of the active opponents in the Senate of the "rotten borough" amendments aimed at emasculating the Supreme Court's "one-man, one-vote" reapportionment decisions. It was my contention that, until State legislatures truly represented all groups and localities in their States, they would never be responsive or responsible.

Under the old system of urban and suburban underrepresentation, the financially hardpressed cities were compelled to turn increasingly to Washington for succor and support. The inability and unwillingness of many State governments to confront the problems of the mid-20th century were subverting the maintenance of a vigorous, effective federal system.

"Federalism" was becoming part of the hollow political cant invoked at campaign rallies and in July 4th speeches. Everyone endorsed it in principle, but little was being done to preserve the integrity of the States and localities as equal partners in our system of government.

Reapportionment has been a major step in the restoration of our federal system. Legislatures which for years were the exclusive preserves of isolated rural representatives and powerful special interests are struggling to respond to the problems of poverty, substandard housing, inferior education, air and water pollution, law enforcement, and traffic congestion that are threatening to strangle our cities and suburbs. In short, State governments have become responsive; they want to be responsible.

However, the principal obstacle currently preventing most States from effectively fulfilling their responsibilities is a lack of adequate resources.

As Walter Heller, one of the early proponents of revenue-sharing, put it:

> Prosperity generates demands for better schools, roads, and parks, for new and better services . . . faster than it produces added state-local revenues.

Despite an increase of more than 125 percent in State and local tax receipts over the past decade, expenditures continue to outdistance revenues. A recent study by the Brookings Institute forecast State and local expenditures growing at a rate of 7 percent a year while revenues rise by only 5 percent. By next year, this will produce an annual fiscal gap of at least $15 billion, a gap which will widen as we move into the 1970's.

Most States, counties, and cities will be unable to raise sufficient revenues to close this gap without considerable Federal assistance. The traditional sources of State and local funds, the property and sales taxes, cannot be exploited further in most areas without working severe hardship on low- and middle-income taxpayers. Owing to their regressivity, property and consumer levies fall most heavily on those who can least afford them. In addition, these two principal supports of our State and local fiscal system respond relatively poorly to economic growth.

State and local governments are caught in a bind. Interstate competition for industry constrains the revenue-raising potential of the rich States, while an inadequate tax base limits the poorer States and most large cities.

The best device for collecting needed new revenues is unquestionably the graduated income tax. It is scaled according to ability to pay and it is relatively elastic with respect to economic growth.

However, despite its use by 35 of the States, it has been largely preempted by the Federal Government. As a result, the Federal income tax currently accounts for approximately two-thirds of the public revenue raised in this country.

Herein lies the cardinal cause of the fiscal imbalance in our federal system. While the most rapid growth in the demand for public goods and services is occurring at the State and local level, the fastest growing source of revenue is controlled by Washington.

The fecundity of the Federal income tax has led economists to forecast the emergence of a Federal surplus or "fiscal dividend" when the war in Vietnam is finally brought to a close. Those concerned over the growing insolvency of the States and their political subdivisions have proposed using a portion of this dividend to finance a revenue-sharing program.

I fully support this proposal. However, I do not believe we can afford to postpone a block grant program for the States several more years in the hope that this Federal surplus materializes. Our States and cities need assistance and they need it now.

Therefore, I suggest funding a tax-sharing program at the present time out of the additional Federal revenues that would result from a thoroughgoing reform of our tax system.

Billions of dollars in potential Federal tax receipts slip through the loopholes in our tax system each year into the pockets of the special interests. I intend to introduce legislation shortly which would close a large number of these loopholes. This would provide enough new revenue to permit a drastic slash in the surtax and enable us to initiate a revenue-sharing program with the States this year.

Thus, the average taxpayer would have his Federal taxes reduced, and the States and localities would be able to improve their services without a commensurate hike in property and sales taxes.

The revenue-sharing plan I am introducing today would provide the States with $2.5 billion in block grants in fiscal year 1971, $3 billion in fiscal year 1972, and $3.5 billion in fiscal year 1973.

These grants are designed to give the States greater fiscal flexibility to meet their growing responsibilities. No strings are attached to the money from Washington, save the requirement that each State pass a substantial share of its portion through to its cities and urban counties with populations of more than 50,000. The State and local governments would be free to determine how the money is spent.

The bill allocates this shared revenue among the States according to a formula based on population and tax effort. The tax effort factor is the ratio of all State and local taxes collected within a State to the total personal income for that State. Including a tax-effort factor providing incentives to the States to maintain or increase their own revenue-raising rates.

Since it is imperative that a portion of this revenue reaches the cities and counties with the greatest needs, a "pass through" provision is included. The formula was developed by the National Advisory Commission on Urban Problems, chaired by former Senator Paul Douglas of Illinois.

Under the formula, a State is required to pay a portion of its revenue-sharing grant to a city or urban county which is determined by the latter's size and local tax ratio. A city's or urban county's local tax ratio is the ratio of its revenues from its own local sources to the total revenues from all State and local taxes in the State. In other words, it is a measure of the percentage of the total revenue in that State raised by the locality from its own tax base.

Each State would be required to "pass through" to urban counties and cities the following portion of its revenue-sharing payments.

First. To each city or urban county with a population of 100,000 or more, two times its local tax ratio; and

Second. To each city or urban county of 50,000 to 99,999 population, the product of its local tax ratio times the percentage by which the local government's population exceeds 50,000.

The use of this "pass through" formula insures that the largest share goes to the most populous and active city and county governments, and that proper account is taken of the variation in State-local fiscal arrangements throughout the country.

Mr. President, it is being said that tax reform's "time" has come on Capitol Hill. The Congress is prepared to repair our loophole-riddled tax system.

By tieing revenue-sharing with the States to tax reform, it is my hope that we can induce action on a matter whose "time" it has been for nearly a decade: block grant assistance to our States and localities. No less than the survival of our Federal system of government is at stake.

Mr. President, I ask unanimous consent that the text of my bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1965) to remit a share of Federal tax revenues to State and local governments, and to establish a Commission for Federalism to allot such revenues and to report on their use to the Congress, introduced by Mr. Tydings, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 1965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

COMMISSION FOR FEDERALISM

Section 1. There is hereby established a Commission for Federalism (hereinafter referred to as "the Commission"), which shall consist of five Commissioners, appointed by the President by and with the advice and consent of the Senate. The first Commissioners appointed shall continue in office for terms of three, four, five, six and seven years, respectively, the term of each to be designated by the President, and their successors shall be appointed for a term of seven years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he shall succeed.

The President shall designate one among the Commissioners as Chairman of the Commission. The annual rate of basic compensation for the Chairman, and the other Commissioners, shall be equivalent to that provided by level III and level IV, respectively, of the Federal Executive Salary Schedule (5 U.S.C. 2211(c)(d)).

No more than three Commissioners shall be members of the same political party. The Commission is authorized to employ such personnel as, in its judgment, shall be required to carry out its functions.

APPROPRIATIONS

Sec. 2. In order to provide for a sharing with the States and their political subdivisions of receipts from Federal income taxes, there is hereby appropriated out of the Treasury to the Commission $2.5 billion for the fiscal year ending June 30, 1971, $3.0 billion for the fiscal year ending June 30, 1972, and $3.5 billion for the fiscal year ending June 30, 1973.

REVENUE-SHARING PAYMENTS

Sec. 3. The revenue sharing under this Act shall be carried out by the Commission through payments under section 4 to all qualified States. The aggregate of such payments to a State shall be the "revenue-sharing payment" for that State.

ALLOTMENT TO STATES

Sec. 4. (a) The Commission shall each year make a payment to each State which, under section 5, is qualified for a revenue-sharing payment in an amount which bears the same ratio to the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's tax-effort ratio (as determined under subsection (b)), bears to the sum of the corresponding products for all the States which are qualified for a revenue-sharing payment.

(b) The "tax-effort ratio" for a State shall be the ratio between the sum of all taxes collected in the State by the State and its political subdivisions and the total personal income for the State. Determinations under this section by the Commission shall be based on the most recent data available from the Department of Commerce.

STATE UNDERTAKINGS

SEC. 5. (a) In order to be qualified for a revenue-sharing payment under this Act a State shall undertake—

(1) to assume the same responsibility for the fiscal control of and accountability for revenue-sharing payments as it has with respect to State funds derived from its own tax resources;

(2) to enact a graduated State income tax if such a tax has not yet been enacted in the State;

(3) to make the distribution out of the revenue-sharing payments received by it to certain cities and urban counties as provided under subsection (b);

(4) to make available to the Commission all of the data and information it requires to meet its obligations under section 7.

(b) A state shall distribute in each fiscal year out of its revenue-sharing payments—

(1) To each city or urban county (as defined in subsection (c)) within its boundaries having a population of one hundred thousand or more, an amount not less than the product of—

(A) the revenue-sharing payment made to the State under section 4;

(B) twice the local tax ratio (as defined in subsection (c)) of such city or urban county; and

(2) To each city or urban county (as defined in subsection (c)) within its boundaries having a population between fifty thousand and ninety-nine thousand nine hundred and ninety-nine an amount not less than the product of—

(A) the revenue-sharing payment made to the State under section 4, and

(B) a fraction representing the product of (i) twice the local tax ratio (as defined in subsection (c)) of such city or urban county, and (ii) the population ratio (as defined in subsection (c)) of such city or urban county.

Such distributions shall be made by the State to such cities and urban counties with no restrictions imposed on the use thereof which are not applicable to the use of funds which such cities or urban counties derive from their own resources. Determinations under this subdivision shall be made by a State on the basis of satisfactory data from the most recent year available, which data shall be provided by the Commission.

(c) For purposes of this section—

(1) the term "urban county" shall mean a county having a population of fifty thousand or more, at least 50 percentum of the population of which was classified as urban population in the most recent United States census;

(2) the term "local tax ratio" of a city or urban county shall mean the ratio between (A) the total receipts from all taxes imposed by such city or urban county and (B) the total receipts from all taxes imposed by the State and all its political subdivisions; and

(3) the term "population ratio" of a city or urban county having a population between fifty thousand and ninety-nine thousand nine hundred and ninety-nine shall be the ratio between (A) the amount by which the population of such city or urban county exceeds fifty thousand, and (B) fifty thousand.

Section 6. Under the following two conditions, a State may substitute its own plan for distributing revenue-sharing payments to certain cities and urban counties for the plan contained in Section 5—

(a) Where the State plan would provide more funds to the cities and urban counties designated in Section 5 than would the plan contained in Section 5; and

(b) When the State plan is approved by formal resolution of the governing bodies of the cities and urban counties that would receive, in combination, at least ⅔ of the money that would be distributed by the State under the plan in Section 5.

PLANS AND REPORTS

SEC. 7. (a) Before receiving an allotment under section 4, each State shall each year submit to the Commission a comprehensive plan indicating the purposes for which the sums to be allotted will be expended and the relationship of those purposes to the overall development of the State.

(b) The Commission shall have no power to disapprove or to revise any portion of a plan submitted, pursuant to subsection (a) of this section, by a State. The Commission may, however, from time to time consult, in an advisory capacity, with each State regarding the preparation or implementation of a plan.

(c) The Commission shall annually report to the Congress, after the conclusion of the fiscal year beginning July 1, 1971 regarding the implementation of this title and, in particular, the Commission shall give its evaluation of the purposes for which and the manner in which the sums allotted under this title have been expended. The Commission is authorized to require, from time to time, reports from States, for purposes of carrying out this subsection.

SEC. 8. (a) The provisions of title VI of the Civil Rights Act of 1964 shall be deemed applicable to any activity, program, or service provided solely or in part from any allotment received under this title by a State or authorities governing a metropolitan area.

(b) All laborers and mechanics employed by contractors or subcontractors on projects assisted by funds alloted under this title shall be paid in wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority functions set forth in the Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended.

SEC. 9. For purposes of this act (except section 5(c)) the term "State" includes the District of Columbia.

S. 1966—INTRODUCTION OF A BILL PROVIDING FOR RESEARCH INTO SAFER METHODS OF MINING AND PREPARING COAL

Mr. PERCY. Mr. President, we all recall that on November 30 of last year, after 10 days of anxiety and constant vigil, the decision was reluctantly made to seal the Mountaineer Coal Co.'s mine No. 9, near Farmington, W. Va., entombing the bodies of 78 miners. Once again a tragic disaster of major proportions has struck the coal mining community; and, justifiably shocked, the social conscience of the American public was once again aroused from its traditional apathy to the miner's lot.

One reflection of the public outcry succeeding Farmington is S. 1300, a bill to improve mine health and safety standards. It was introduced by Senator JAVITS and is now being considered by the Committee on Labor and Public Welfare.

I am pleased to be a cosponsor of this proposed legislation. If the standards contained in this bill are properly enforced, it will go a long way to reducing the accident and health dangers to which miners are exposed today. This bill would establish more rigorous safety standards and inspection procedures aimed at preventing all types of both underground and surface mine accidents—not just the major disasters toward which the present laws are directed. Equally important, it would set standards for permissible levels of coal dust—the cause of pneumoconiosis—the dreaded black lung. This legislation is urgently needed. I am hopeful of its passage this session. It is urgently needed.

However, we should bear in mind that even this proposed act is palliative in nature. By the time it is enacted it will in some respects already be "outdated." Coal mining will still be this Nation's most dangerous major industry. Increased mechanization will generate more coal dust—the cause of "black lung"; the necessity to go deeper underground where coal gas is under greater pressure will increase the danger of violent explosion; in brief, even with all its refinements, coal mining will continue to be performed with the same potential hazards as it has had for hundreds of years. Secretary Hinkel emphasized this in his recent testimony, saying:

> The technique of coal mining, already complex and sophisticated, will become even more so as the years pass * * *. Environmental problems * * * will also become more serious unless the ways in which we mine coal are carefully calculated to minimize them.

The proposed legislation, therefore, is not a permanent remedy to the coal miner's problem and should not be viewed as such. We should not be deceived by the assumption that this legislation is all that is needed for the future; and the future of coal mining is a long one, with coal reserves estimated as adequate for another 3,000 years.

In my own State of Illinois, our soft coal reserve is over 137 billion tons—greater than that of any other State. Mr. Merle C. Reice, the chairman of one of the leading coal producers of Illinois, the Peabody Coal Co., has said:

> Coal will be the dominant source of energy for the generation of electric power in this country, and it is also obvious that new uses for coal promise an even-brighter future.

Ten of the country's largest coal-mine producers are in my home State, and new mines are being opened, both to meet demands for coke in the production of iron and steel and particularly to meet the increasing requirements for electric utilities which presently use over two-thirds of the State's 63 million tons annual production.

The coal industry has snapped out of the doldrums in which it found itself immediately after World War II, and the future of the industry looks brighter than ever before. We must make sure that the future of the coal miner is equally bright.

To do this we need to immediately go beyond the bounds of the legislation presently being considered which is concerned with what may be termed "protective technology." That is, it deals with the mining process as it is, and after identifying and defining dangerous and potentially dangerous situations, provides systems of safeguards.

This approach, which accepts a situation as given, and works basically by inspection and enforcement of regulations is not alone adequate for the future. What is also needed is an emphasis on what the mining process should become; a research approach aimed at developing a whole new mining technology that will permit the miner to work under both safe and productive conditions.

The Director of the Bureau of Mines recognized this fact in a recent statement when he said:

> Better health and safety standards, rigorously enforced, will permit immediate control of conditions and practices that urgently require such control. But research, properly directed and adequately funded, can yield real and lasting solutions to most of the health and safety problems now encountered in coal mining. Research can give us a coal mining technology that is even more productive than today's and is, at the same time, far less hazardous to the life and health of the coal miner.

In a very interesting paper entitled "New Technology Can Make Coal Mining Safer," the Director of Mining Research said that—

> Our effort should be directed far beyond what is normally considered health and safety research, such as work on dirt control, permissibility, protective equipment, warning devices, and the like. It must be a fundamental approach to the process of production seeking *new* ways of accomplishing the various steps required to get coal or ores out of the ground—new ways that avoid the dangers of the old.

We have been successful in such research efforts in other areas. I recently witnessed the results of such research in the undersea launching of a Polaris missile from the S.S. *LaFayette*. With a crew of 130 men this nuclear submarine, and 40 others like it, can cruise for months underwater with its position unknown to anyone outside the officers and crew. The launching I witnessed sent a Polaris missile 1,200 miles down-range and within extremely close proximity to its target.

The lessons learned in the development of the total Polaris system—which began with only a desired end product and through systems and cost analysis created the necessary preconditions for its successful operation—have been adapted and applied to many other research and development programs. They can be adapted and utilized in developing a new, more efficient and safer coal mining technology.

Basically, research in a new technology should be aimed at achieving two goals. The first of these is the creation of mechanical devices and mechanized total systems which would enable many extractive and transporting operations to be performed by surface control; thus, precluding the present necessity of sending large groups of miners underground for lengthy periods of time. I am convinced that until such time as we can accomplish a significant amount of mining operations from surface control, miners will continue to face possible death and injury every time the mine elevator gate closes behind them.

The second area of research should be directed toward the development of artificial underground environments which can assure that those miners who must still continue to perform underground operations can subsist in a healthful and protected environment for sufficiently long periods of time. My recent experience, which I earlier referred to, convincingly demonstrates how we have accomplished this in the normally hostile underwater environment. The experiences taking place now with both Sealab and Tektite are even more remarkable examples of how technological resources can enable man to not only exist, but perform productively within an atmosphere wholly foreign to his nature. Perhaps the best example familiar to all of us is the formerly unimagined success of both Apollo 8 and 9. If we are able to direct the best scientific talent of Government, industry, and private research groups toward this end, I have no doubt but what we can realize our goal in a much shorter period of time than we might imagine.

I have talked of two areas of research in the scientific fields. Although I feel that these are the basic two avenues of approach, I do not question that, as we make further progress, new scientific approaches may need to be taken; and I would already suggest one area of "social"—as contrasted with "scientific"—research where I feel we should place both emphasis and priority. That is in developing and initiating effective programs for instilling in the individual miner a greater concern for strict adherence to safety and health precautions. Most miners are both concerned and conscientious about the safety and welfare of themselves and their fellow workers. All are not, however, and it takes only one lighted cigarette in a gallery where methane is present to snuff out a score or more lives. We should turn more of our attention to this aspect of health and safety if the bills before us now are to be as effective as desired once enacted into law.

Work on these research approaches will have to be done by the Federal Government. After careful consideration, I have concluded that the most effective office for carrying out this work is the Office of Coal Research. The Office has already established the necessary contacts with the broad spectrum of competent and interested research organizations which can devote their attention to these areas. I feel that its responsibilities should be enlarged to permit it to assume this new role. The present statement of functions and responsibilities of this Office, authorized by the act of July 7, 1960, which established it, reads: "to develop, through research, new and more efficient methods of mining; preparing, and utilizing coal." I am therefore today introducing legislation to expand the statement "new and more efficient methods" by the addition of the clause: "develop through research, safer methods of mining and preparing coal." This should be interpreted to apply to the promotion of miners' health as well as to the improvement of the safety conditions of their work area. Naturally, this added research will necessitate additional funds. I am therefore also proposing that for the coming fiscal year an additional $5 million be specifically authorized for this particular area of research. I think that this is both a reasonable and adequate amount. It is indeed small in terms of the potential benefits, both to the coal operator and the coal miner.

As I said earlier, I will strongly support S. 1300, but I do not feel that an approach which basically relies on attempting to prevent disease and accident by regulation of the mining process as it exists is sufficiently promising for the future. I will, therefore, press for this new approach and ask for the support of other Members of the Senate in working together in the interests of the American coal miner.

I ask unanimous consent to have my bill printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred and, without objection, the bill will be printed in the Record.

The bill (S. 1966) to provide for research into safer methods of mining and preparing coal, introduced by Mr. Percy, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 1966

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to encourage and stimulate the production and conservation of coal in the United States through research and development by authorizing the Secretary of the Interior to contract for coal research, and for other purposes", approved July 7, 1960 (74 Stat. 336), is amended by inserting immediately after clause (1) thereof the following new clause:

"(A) develop through research, safer methods of mining and preparing coal;"

Sec. 2. Subsection (b) of section 8 of the Act of July 7, 1960 (74 Stat. 336), is amended to read as follows:

"(b) (1) Subject to the provisions of paragraph (2) of this subsection, there are authorized to be appropriated for each fiscal year beginning after June 30, 1961, such sums as may be necessary to carry out the purposes of this Act.

"(2) There is authorized to be appropriated the sum of $5,000,000 to be used to carry out the purposes of clause (1A) of section 2 of this act for the fiscal year commencing July 1, 1969.

S. 1967—INTRODUCTION OF A BILL PROVIDING FOR FAIRNESS IN FRANCHISING

Mr. HART. Mr. President, for myself, Senators Dodd, Aiken, and Bayh, today I introduce the fairness-in-franchising bill.

We live in a time when our economy is becoming increasingly concentrated; when 200 corporations control almost two-thirds of all manufacturing assets; when most of our major industries are heavily concentrated. This means that to a significant extent, the giants are able to insulate themselves from market forces. And to the consumer it means he must pay higher prices than if the markets were more competitive.

But where is this competition to come from? It seems to me that the smaller independent businessman—the efficient and resourceful smaller entrepreneur—

is absolutely essential to keep the giants competitive—to help bring prices down.

This is true particularly in the field of distribution. Historically, the distribution field has been much more competitive than that of manufacturing. It is at this level that true price competition actually may exist. Therefore, it seems particularly important to resist efforts by manufacturers in concentrated industries to expand their economic power into distribution.

One method by which this appears to be happening is through franchising. In the past 10 years franchising—as a form of distribution—has mushroomed.

It now accounts for 20 percent of all retail business equaling $80 billion in annual sales.

Franchising has been heralded as the "last frontier" of the independent businessman. The hearings I have held in this area for the Antitrust and Monopoly Subcommittee indicate that, too often, franchising has been the cheapest method for economically powerful franchisors to move into distribution. And they have the best of all worlds. The franchisee uses his own money, assumes most of the legal responsibilities, and the franchisor gets an efficient distribution system. It is a distribution system in which the so-called independent franchisee may be no more than a branch manager taking orders from a parent corporation. Except, of course, this branch manager has laid his own money on the line for the privilege of taking orders.

At these hearings we heard repeated examples of franchisors who required price fixing, exclusive dealing, territorial allocations, full-line forcing, requirement contracts and other practices which are treated extensively in most antitrust textbooks.

Perhaps even more important, we heard repeated examples of franchisors reserving the best customers for themselves; competing unfairly with their own franchisees by selling to potential or current franchisee customers at prices below those available to the franchisee himself. Further, we heard about franchisors who let the franchisee build up a good territory and good customers, then moved in and took the territory of customers away.

Why cannot the franchisee ignore the orders and fight for his own customers? Generally, he cannot because of the economic muscle of the franchisor. The result, of course, is the double standard of independence I have been talking about.

When those hearings had been concluded, I firmly believed something needed to be done. It seemed to me that the crux of the power of the franchisor was his ability to whip the franchisee into line by threat of termination or cancellation.

How then to correct this inequity without wedding a franchisor to a franchisee for the rest of his life? Divorce needs to be possible but as in most divorce cases, some equitable settlement is in order. When one has devoted a part of his life to an economic partner, he deserves something better than a kind word when through no fault of his own the relationship is broken off.

The purpose of the fairness-in-franchising bill is to take some sting out of concellation and termination and, therefore, make the partners to the franchise agreement more equal than is presently the case. If a franchisee has suffered damages because of a termination or cancellation, the bill will give him the opportunity to ask a court for assistance. Or if he has suffered from illegal dual distribution practices, he will have the same opportunity. Of course, if the franchisee has acted in bad faith or has failed to comply with an essential and reasonable provision of the franchise agreement, then the franchisor will have a complete defense to the law suit—not unlike the "wronged" partner in that divorce action.

The bill also seeks to encourage arbitration arrangements in franchise agreements. It does this by providing that the law will not apply if the franchise contract contains an arbitration clause which includes the damages allowable in the bill. The hearings themselves have already resulted in several franchisors including arbitration clauses in their newest franchise agreements.

The emphasis of the bill is on self-help. This I feel is a far better way to help solve the problems than either by Government edict or by having to depend on a Government agency. It attempts to make general principles of fairness and equity apply to the franchise agreement. I would hope that the many Senators, so concerned about the bigness of Government, would recognize this approach as effective in making it easier for the independent businessman to help himself.

This bill certainly will not solve all the problems inherent in the franchise relationship. But it is a good start toward equalizing the bargaining positions between franchisor and franchisee; toward equalizing the present double standard of independence.

The basic purpose of this legislation is to help keep the distribution system independent and free from concentration; to keep the independent businessman as an integral and essential part of our free enterprise system.

The subcommittee held legislative hearings during the last session of Congress on two proposals aimed at achieving this goal. A total of 23 witnesses were heard, including representatives of the franchisor and franchisee, as well as academicians, arbitration experts and attorneys who have developed expertise in this area of distribution.

Specific objections were raised to the proposal introduced by Senator MAGNUSON and myself focusing on the fact that that bill was so broad as to include all buy-sell relationships, regardless of whether there was a real franchiser-franchisee situation involved. Additionally, we were told that the bill would prohibit the franchisor from canceling even the very worst franchisee without fear of legal action. In general, it appeared that our first effort was, in fact, weighted too much on the side of the franchisee and would not offer sufficient protection for the franchisor's legitimate interests. Much of the same objections that were raised with respect to the Hart-Magnuson proposal were also raised with respect to the Eastland bill. It also appeared from testimony received that certain sections of that proposal might have anticompetitive results.

As a consequence of these hearings, I asked the staff to redraft the bills to meet the legitimate objections that were raised. The staff, in following this direction, met with many and varied representatives of industry, including trade associations, and the U.S. Chamber of Commerce in order to determine what type of bill would do equity to all concerned. Additionally, staff met with various franchisees and other parties interested in the subject of franchising. Out of these meetings and numerous redrafts comes the present proposal. This bill represents, I believe, a reasonable compromise which will protect against arbitrary termination while at the same time safeguard the franchisor's right to cancel for cause. Here is a brief explanation of the bill, attempting to show the manner in which it differs from my previous efforts in this area.

Section 2(a) defines "person" as a sole proprietor, partnership, corporation, or any other form of organization.

Section 2(b) of the proposal establishes certain criteria which must be met before a franchise is recognized under this act. Thus, there must be a commercial relationship of definite duration or continuing indefinite duration involved; there must be granted to the franchisee the right to offer, sell, and distribute goods or services to the extent that they are manufactured, processed, distributed, or, in the case of services, organized and directed by the franchisor; the franchisee as an independent business must constitute a component of the franchisor's distribution system; the operation of the franchisee's business franchise must be substantially associated with the franchisor's trademark, service mark, trade name, advertising, or other commercial symbol designating the franchisor; and the operation of the franchisee's business must be substantially reliant on the franchisor for the continued supply of goods or services. This definition is more restrictive than the criteria set forth in the old S. 2321 introduced in the 90th Congress because it automatically excludes from coverage those casual buy-sell relationships which do not, in fact, encompass the mutual obligations and responsibilities of a franchise agreement.

Section 2(c) simply defines the term "goods."

Section 2(d) defines "commerce." This definition would exclude from coverage under the bill those franchises which domestic companies may have in foreign nations, but would include domestic franchises operating within this country under a franchise received from a foreign corporation.

Section 3 provides that it shall be a violation of this act for any franchisor engaged in commerce directly or through any officer, agent, or employee to terminate, cancel, or fail to renew a franchise for any reason whatsoever without having first given written notice of at least 90 days in advance of such termination, cancellation, or failure to renew. This section was not included in the old bill and is an attempt to recognize the fact that a franchisee should have ample opportunity to prepare himself for the eventuality of cancellation, termination, or failure to renew a franchise. One can easily imagine the hardships placed upon any businessman in closing up a business and it seems extremely reasonable that he be given 90 days to wind up the affairs of business.

Section 4 provides that notwithstanding the terms, provisions, or conditions of any franchise, and except as provided in section 5, it shall be a violation of this act for any franchisor engaged in commerce, directly or through any officer, agent, or employee to terminate, cancel, or fail to renew a franchise except that it shall be a complete defense under this act for the franchisor to prove that the cancellation was for good cause. Proof of good cause in canceling the franchise would be a complete defense available to the franchisor.

Sections 4(a) and 4(b) spell out what "good cause" shall be for the purpose of this act; namely:

> Failure by the franchisee to substantially comply with those requirements imposed upon him by the franchise, which requirements are both essential and reasonable or use of bad faith by the franchisee in carrying out the terms of the franchise.

This section differs from the old bill in that the only defense available under that proposal would have been the conscious malfeasance or willful failure of the franchisee to perform adequately, competently, and in good faith the lawful duties imposed upon him by the franchise contract. The change was in recognition of the fact that a franchisee might for any number of reasons not be properly carrying on the business even though this action would not constitute "conscious malfeasance" or a "willful failure." The section as presently written is an attempt to provide the franchisor with the avenue of cancellation or termination in those needed instances and at the same time afford protection against arbitrary or capricious cancellation.

Section 5 of the bill provides that the provisions of section 4 shall not apply to a written contract containing arbitration provisions either pursuant to the rules of the American Arbitration Association or other similar rules governing disputes concerning those items contained in section 4 providing that certain criteria are met; namely, that the criteria for determining whether good cause existed shall be no less than outlined in section 4 and providing that allowable compensation shall be no less than that provided in the damage section of the bill. This section is very similar to the arbitration section in the old bill and should encourage the fair arbitration of differences by franchisor and franchisee without resorting to the courts.

Section 6 provides that it shall be a violation of this act for any franchisor engaged in commerce directly or through any officer, agent, or employee to engage directly or indirectly in methods of competition with any franchisee that constitute unfair methods of competition within the meaning of the Federal Trade Commission Act. This section, in effect, provides a private action for the use of unfair methods of competition, which action had previously been available only to the Federal Trade Commission. The Commission in its enforcement of section 5 of the Federal Trade Commission Act has established precedents which could be followed in a civil action. This section was not contained in the previous bill and is a substitute for a section of that bill which would give a right of action to a franchisee in those instances wherein the franchisor preempted the sale of goods or services to customers previously sold by the franchisee without the consent of the franchisee. Under the present provision such a preemption would only be actionable in those instances where it was accomplished by an unfair method of competition.

Section 7 sets forth the cause of action for violation of the act and provides for provable damages. This section differs from the old bill in that it would have provided for a liquidated-type damage based upon factors such as the value of certain tangible and intangible items, including good will. Under the present damage provision, the franchisee must make an affirmative showing of the damages sustained but is not limited by any arbitrary formula.

The remaining sections are housekeeping provisions.

Mr. President, this proposal represents in my thinking a good and fair compromise between positions which have in the past been opposed. Hopefully my colleagues will agree that this is a good step to help the small businessman.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1967) to supplement the antitrust laws of the United States by providing for fair competitive practices in the termination of franchise agreements, introduced by Mr. Hart (for himself, Mr. Dodd, Mr. Aiken, and Mr. Bayh), was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1969—INTRODUCTION OF A BILL TO AMEND THE HIGHER EDUCATION ACT OF 1965

Mr. PELL. Mr. President, I introduce, for appropriate reference, a bill to amend the Higher Education Act of 1965 to provide for a program of basic educational opportunity grants and for cost-of-instruction allowance to institutions of higher education. I ask unanimous consent that the bill be printed in the Record following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

Mr. PELL. Mr. President, the strength or richness of our country or, in fact, of any country is directly related to the sum total of the skills and character of its people; and these skills and character are determined by the education of its people.

This is why our Nation gained so much from the investment in the education of veterans under the GI bill of rights. That investment returned more than $2 in taxes for every dollar spent on veterans' education. This is why it is such a tragedy that, while almost half of our college students come from families in the upper quarter of the income brackets, only 7 percent of them are from families in the lowest quarter. Some method must be found to enlarge the percentage of college students from low-income families.

It is my belief that it is imperative for the Congress to examine our national priorities and goals in postsecondary education, the needs and desires of the American people for that education, and the crucial role that education plays in our Nation's society and economy. Indeed, the improvement of educational opportunity and the quality of education is so necessary for the continued strength and vitality of the Nation that education should probably be recognized as an element of national security in the same manner as the military. Our Nation's problems and its future cannot be dealt with unless our institutions of higher education produce the human resources able to solve them.

Education has always played a vital role in our democratic society. Thomas Jefferson foresaw this when he stressed the necessity of a well-educated citizenry to the well-being of the Republic.

Elementary and secondary school systems were established across the country with a view toward universal education at those levels. Increased knowledge, the new technology, the intellectual aspirations of the people, and the complexity of our society demand that this same universal approach to education be elevated to the postsecondary level. The time when high school can be considered a terminal level for a person's education program has passed.

We cannot simply expand our public approach to secondary education to higher education. The diversity we have in our public and private colleges and universities is fundamental to our higher education system and should be encouraged. Therefore, a new approach must be devised.

The question of how to finance postsecondary education in the United States has been the subject of numerous discussions and several major studies during the past years. Although there is no consensus with respect to the best approach to the financing of higher education, there is almost total agreement that some kind of postsecondary educational opportunity should be available to all who desire it. Some would argue even further that such opportunity should be a matter of right, and that making the opportunity available is a public obligation. I would support such a philosophic approach.

In December of 1968 and in January of 1969, two very significant special reports with recommendations on the financing of higher education were made public. The first was issued by the Carnegie Commission on Higher Education and recommended that Federal support for higher education be increased by $10 billion a year by 1976 through a variety of programs, most of which are already in existence. The second was made in January by the Secretary of Health, Education, and Welfare, Wilbur Cohen, to President Johnson. The HEW report called for an increase of Federal funding for higher education, excluding research, by $7.3 billion a year by fiscal year 1976.

A study of these reports and various other proposals has prompted me to develop a new approach to the problem.

To better understand my proposal it may be helpful to review some of the ideas already advanced which would bring about greater Federal support of higher education. The proposals most often offered have been those which would make tax credits or deductions available for expenditures on higher education. Aside from the question of whether tax credits or deductions should be used as a means to carry out social policy, there are some very real questions as to whether a tax credit or deduction system could provide the means by which we can provide universal higher educational opportunity to all qualified students. In fact, a person must have enough income on which to pay taxes before he may gain the benefit of a deduction or of a credit against those taxes. Therefore, tax credits or deductions would provide substantial subsidies to upper and middle income families with children in college, but would provide little or no benefit to students from families whose income is so low they pay little or no taxes or who are working their way through school. Indeed, it has been estimated that almost half the benefits of tax credits would flow to families with income levels in the top quarter income bracket.

Another proposal is for the Federal Government to establish some type of massive loan program through which students could borrow the money needed to finance higher education. While recognizing the value of a loan program to supplement college financing, I question the fairness of a Government-sponsored program which will cause the full burden of finances to shift to the student. Is not the public divesting itself of its responsibility to train the future leaders of the country? And, is it in our best interests to have a citizenry which starts out its productive life saddled with debt? Would this not in effect be an economic discrimination? In my mind the answer to all these questions is "yes," and therefore I find it difficult to support such a loan program as the only method of financing higher education.

More recently a number of proposals have been advanced which would provide for direct grants to colleges and universities to assist in their maintenance and operation costs. True, such an approach would alleviate the heavy dependence on tuition to cover the cost of instruction; however, there are many unanswered questions concerning these so-called institutional grants. Would the institutions be forced to lower tuition and other fees in relation to the grant so that low-income students are able to benefit and attend classes? Would not the present disparities between availability of private versus public education and their relevant costs to students continue under such a program? And inversely, would publicly supported private institutions really continue to be private? Again, I find that the answers to my questions do not meet the task given—the making available of higher education as a matter of right to those qualified and desirous of it.

The bill I am introducing today is designed to focus our attention on these problems and offer a proposal which may meet some of the objections I have lodged against the foregoing proposals.

My measure would amend the educational opportunity grant program to provide for two types of educational opportunity grants, and initiate a program of cost-of-instruction allowances. The present educational opportunity grants would continue for students of exceptional need, but they would be renamed "supplementary educational opportunity grants."

The basic thrust of our Federal aid to higher education would be through a new type of grant—the "basic educational opportunity grant." Every qualified student would, as a matter of right, be eligible for a direct grant for each year of undergraduate work in college. That grant would be $1,200 minus the amount of individual income tax paid by him or, if he is included as a dependent on the income tax return of his family. If the income tax paid is $1,000, the grant would be $200; if the tax is $800, the grant would be $400; and, if the tax is $200, the grant would be $1,000. And if he paid no taxes, he would receive the whole basic educational opportunity grant of $1,200.

The basic grant program would provide a minimum for all students while the renamed supplementary grants would be available for additional payments based on the particular needs of students, needs which are not met by the basic grant or by other sources of support.

This basic educational opportunity grant program would aid those in the lowest income groups the most, while making some assistance available at the middle-income level.

Actually, depending on family size and deductible expenses, students from families having an income as high as $10,000 would be eligible for at least a portion of the maximum basic grant; that is, $1,200 less the income tax paid by the student or his family.

The bill also provides for cost-of-instruction allowances to institutions of higher education. The cost-of-instruction allowance feature follows the precedent of similar allowances provided in the fellowship programs under title IV of the National Defense Education Act and title V of the Higher Education Act. Each institution would receive a grant of $1,000 for each holder of a basic or supplementary educational opportunity grant attending that institution. The grant would be reduced by the amount of tuition charged to the grant holder.

The foregoing is a discussion of a proposal which I believe may meet the needs of the United States today. It is time for us to recognize the role our Government must take to insure that a higher education is available to all who are capable of assimilating it. In the past, education bills have been called everything but education measures in an attempt to get them enacted. Perhaps the crisis presently being experienced by qualified young people who wish to go on to college, but do not have the means to do so, will be sufficient to make passage of legislation, such as I have proposed, a viable hope.

The bill (S. 1969) to amend the Higher Education Act of 1965 to provide for basic educational opportunity grants and for costs-of-instruction allowances, and for other purposes, introduced by Mr. PELL, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1969

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part A of title IV of the Higher Education Act of 1965 (Public Law 89-329) be amended to provide for a program of basic educational opportunity grants and for cost of instruction allowances to institutions of higher education as provided hereafter in this Act.

SEC. 2. (a) (1) Section 401(a) of the Higher Education Act of 1965 is amended to read as follows:

"SEC. 401. (a) It is the purpose of this part to assist in making available the benefits of higher education to qualified high school graduates by providing, (1) basic educational opportunity grants (hereinafter referred to as 'basic grants') to all eligible high school graduates and (2) supplementary educational opportunity grants (hereinafter referred to as 'supplementary grants') to those high school graduates of exceptional need who for lack of financial means of their own or of their families would be unable to obtain such benefits without a supplementary grant."

(2) (A) Section 401 of such Act is amended by redesignating subsection (b) thereof, and all references thereto, as subsection (c) and by inserting after subsection (a) the following new subsection:

"(b) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1971, and for each of the succeeding fiscal years ending prior to July 1, 1975, such sums as may be necessary for basic grants under this part."

(B) Subsection (c) of such section 401 (as designated in this section (A)) is amended by striking out "educational opportunity" each time it appears therein and inserting in lieu thereof "supplementary".

(b) (1) Section 402 of such Act is amended to read as follows:

"BASIC EDUCATIONAL OPPORTUNITY GRANTS AND SUPPLEMENTARY EDUCATIONAL OPPORTUNITY GRANTS: AMOUNTS AND DETERMINATIONS

"SEC. 402. (a) (1) The Commissioner shall pay to each student who is in good standing at an institution of higher education (according to the prescribed standards, regulations, and practices of that institution) for each academic year during which that student is in full-time attendance (as determined by the Commissioner by regulation) at that institution, as an undergraduate, a basic grant in the amount for which that student is eligible, as determined under paragraph (2).

"(2) (A) The amount of the basic grant for which a student is eligible under this part for any academic year shall be 1,200, less an amount equal to the amount of the tax imposed for the tax year by chapter I of the Internal Revenue Code of 1954 on the taxpayer.

"(B) For the purposes of this paragraph, the term—

"(i) 'tax year' means the taxable year used by the taxpayer for the purposes of subchapter A of chapter I of the Internal Revenue Code of 1954 which ends prior to the beginning of the academic year for which the basic grant is awarded; and

"(ii) 'taxpayer' means the individual upon whom the student receiving a basic grant is dependent for the purposes of section 152 of the Internal Revenue Code of 1954 or, in the case of such a student who is not so dependent upon another individual, the student.

"(b)(1) Each eligible institution which awards a supplementary grant to a student under this part shall pay to that student for each academic year during which he is in need of such a grant to pursue a course of study at the institution an amount determined by the institution for such student with respect to that year, in accordance with paragraph (2).

"(2) The amount of a supplementary grant under this part shall not exceed the lesser of $1,000 or one-half the sum of the amount of student financial aid (including assistance under other parts of this title and compensation paid under a work-study program assisted under part C of this title) provided such student under any scholarship program established by a State or a private institution or organization, as determined in accordance with regulations of the Commissioner. If the amount determined under paragraph (1) for any academic year is less than $200 for a student, no payment shall be made for a supplementary grant for that year.

"(3) The Commissioner shall, subject to the limitations of this subsection, prescribe, for the guidance of participating institutions, basic criteria or schedules (or both) for the determination of the amount of any such supplementary grants, taking into account the objective of limiting supplementary grants to students of exceptional financial need and such factors, including the number of dependents in the family, as the Commissioner may deem relevant.

"(4) Payments to students for supplementary grants under this section shall be made from funds received by the institution under an agreement pursuant to section 407 and shall be made only in accordance with the terms of such agreement."

(2) Section 406 of such Act is amended to read as follows:

"APPLICATIONS; ALLOCATIONS OF ALLOTMENTS OF FUNDS TO INSTITUTIONS

"Sec. 406. (a) The Commissioner shall from time to time set dates by which eligible institutions and students must file applications for funds under this part.

"(b)(1) Each student desiring a basic grant for any year must file an application therefor containing such information and assurances as the Commissioner may deem necessary to enable him to carry out his responsibilities under this part.

"(2) If the appropriations pursuant to section 401(b) for any fiscal year are insufficient to pay the full amount of the basic grants for which all students are eligible in that year, the payment to each student shall be ratably reduced, except that if such payment is reduced to an amount less than $200 for any student no payment shall be made to that student.

"(c)(1) The eligible institutions of each State desiring funds for supplementary grants must file an application for an allocation to such institutions of funds from the allotment to that State (including any reallotment thereto) for any fiscal year pursuant to section 405 to be used for the purposes specified in the first sentence of section 401(c). The Commissioner shall allocate the allotments in accordance with equitable criteria which he shall prescribe in order to achieve such distribution of funds among eligible institutions within a State as will most effectively carry out the purposes of this part.

"(2) The Commissioner shall further, in accordance with regulations, allocate to eligible institutions, in any State, from funds apportioned or reapportioned pursuant to section 405(b), funds to be used for supplementary grants specified in the third sentence of section 401(b).

"(3) The Commissioner shall, subject to the limitations of this subsection, prescribe, for the guidance of participating institutions, basic criteria or schedules (or both) for the determination of the amount of any such supplementary grant, taking into account the objective of limiting supplementary grants to students of exceptional financial need and such other factors, including the number of dependents in the family, as the Commissioner may deem relevant.

"(d) Payments under this section shall be made in accordance with regulations promulgated by the commissioner."

(3)(A) The caption heads of sections 403, 404, and 405 of such Act are each amended by striking out "EDUCATIONAL OPPORTUNITY" and inserting in lieu thereof "SUPPLEMENTARY".

(B) Such sections 403, 404, 405, and 407 are each amended—

(i) by striking out "educational opportunity" wherever it appears before "grant" or "grants" and inserting in lieu thereof "supplementary"; and

(ii) by striking out "section 406" wherever it appears and inserting in lieu thereof "section 406(c)".

(c)(1) Part A of title IV of such Act is amended by redesignating section 409, and all references thereto, as section 410 and by inserting after section 408 the following new section:

"COST OF INSTRUCTION ALLOWANCES

"Sec. 409. In addition to the amounts paid to institutions for supplementary grants, the Commissioner shall pay to each eligible institution a cost of instruction allowance for each student in attendance at such institution who is a recipient of a grant under this part. No cost of instruction allowance paid under this section shall exceed $1,000, less any tuition charged to the student for whom the allowance is paid."

(2) Section 401 of such Act is amended by adding at the end thereof the following new subsection:

"(d) There are authorized to be appropriated for the fiscal year ending June 30, 1971 and for each of the succeeding fiscal years ending prior to July 1, 1975 such sums as may be necessary to carry out the purposes of section 409."

S. 1971 AND S. 1972—INTRODUCTION OF BILLS ON HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, today, on behalf of myself, Senator Bible, and Senator Eagleton, I am introducing two bills relating to self-government for the citizens of the District of Columbia.

One bill is a comprehensive home rule bill which provides for an elected mayor-and-council government with the powers appropriate to govern the local affairs of the District of Columbia. This comprehensive bill is an updated version of the comprehensive home rule bill passed by the Senate in 1965. The revised bill retains all essential features of that 1965 Senate-passed bill, with technical revisions to take into account legislative and executive changes in the District of Columbia government organization since 1965.

The second bill is a much narrower bill, one which is really the minimum possible step forward toward home rule. It would not alter the present structure or powers of the District of Columbia government, but would provide for election of the members of the City Council. At present, Council members are appointed by the President and confirmed by the Senate. The elected Council bill I am introducing is modeled very closely on the election provisions of the elected school board bill enacted by Congress last year.

The Senate District of Columbia Committee will consider both these bills at its home rule hearing next Wednesday. In addition, I understand the President's home rule proposal will be available by that time.

The position of most of the public and the Congress on the home rule question is clear. The Senate held comprehensive hearings on home rule in 1965 and the committee unanimously reported and the Senate passed the bill I have introduced today. The great majority of District residents and organizations support home rule.

This issue is above partisanship and politics. I invite cosponsorship of this bill from both sides of the aisle. I believe that with the President's support home rule could become a reality in this session of Congress.

Our hearing Wednesday will be to bring the home rule record up to date. I hope thereafter to report the home rule measure—be it one of these I introduce today, the President's proposal, or a combination of bills—whichever seems most likely to produce home rule progress during this Congress.

Two years ago I had the opportunity to present the case for home rule in an article which appeared in the American University Law Review. That article considers, and I believe answers, the most frequently asked questions about home rule. I ask that that article, entitled "Home Rule for the District of Columbia: The Case for Political Justice," be reprinted at the conclusion of my remarks.

Mr. President, the outstanding former chairman of this committee, our distinguished colleague, Senator Bible, has asked me to insert in the Record his own remarks in favor of this legislation. I am pleased to do so. I ask unanimous consent that his remarks be printed in the Record as if they had been read at the conclusion of my own remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bills will be received and appropriately referred.

The bills (S. 1971) to provide for the election of members of the District of Columbia Council, and for other purposes; and (S. 1972) to provide an elected Mayor and City Council for the District of Columbia, and for other purposes, introduced by Mr. Tydings, were received, read twice by their titles and referred to the Committee on the District of Columbia.

The material, furnished by Mr. TYDINGS, follows:

HOME RULE FOR THE DISTRICT OF COLUMBIA: THE CASE FOR POLITICAL JUSTICE

(By Joseph D. Tydings*)

Foremost among the traits which historically have characterized the American people are a sense of justice and a firm and expansive belief in popular sovereignty. It is sadly ironic that in our nation's capital, which should symbolize American ideals, these two are starkly contradicted.

Denial of self-government to the District of Columbia mocks every democratic principle this country represents. Our Declaration of Independence declares that governments derive "their just powers from the consent of the governed," [1] yet the laws which govern the District of Columbia deprive more than three-quarters of a million Americans of the fundamental right to select those who govern them.[2] Why should the citizens of the ninth-largest city in the United States,[3] who pay their full share of federal taxes and a heavy load of local taxes,[4] and who are permanent residents of Washington,[5] be deprived of the elemental American heritage of a voice in their local government?

Three arguments are customarily advanced against granting home rule to the District of Columbia: (1) Congress lacks power to delegate home-rule authority to the District and must, by force of the federal constitution, govern it itself; (2) The federal interest in the District as the seat of the national government ought to bar home rule; (3) The people of the District of Columbia are incapable of home rule.

The first two of these arguments are frequently and vociferously advanced by home rule opponents.[6] The third, probably the key argument for many home rule opponents, generally exists only as an undertone. All three are invalid.

CONSTITUTIONAL AUTHORITY TO DELEGATE

Some home rule opponents assert that Congress is constitutionally incapable of delegating authority to a local government to conduct the affairs of the District of Columbia. They base their contention on Article I, section 8 of the Constitution:

"The Congress shall have Power . . . To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square), as may, by Cession of particular States, and the Acceptance by Congress, become the seat of the Government of the United States. . . ."

But the argument that this clause prohibits home rule will not bear analysis. It is refuted both by history and by judicial decision.

The Founding Fathers quite clearly envisioned a popularly-elected municipal form of local government for the federal enclave they provided for in Article I, section 8. In discussing the proposed federal district in *The Federalist Papers*, Madison stated that, "a municipal legislature for local purposes, derived from their own sufferages, will of course be allowed them." [7] The political history of the District affirmed Madison's assertion in fact for nearly a century following its creation. At the time Maryland and Virginia ceded the ten-mile-square territory of the District of Columbia, it contained not only the territory it now covers, but also the portion of northern Virginia which is now Arlington County.[8] Operating within the boundaries of the District at its creation were at least two separate and independent cities, each with popularly-elected governments: the city of Georgetown on the Washington side, and Alexandria on the Virginia side.[9]

Washington itself was not incorporated until 1802. Prior to that time the District was governed by three commissioners authorized by the legislation of 1790,[10] though the government was not actually to be moved to Washington until 1800.[11] The incorporation legislation of 1802 created a mayor-council form of local government, with the Mayor appointed annually by the President and the twelve-member Council elected by the people.[12] The Council elected five from among its membership to serve as an upper chamber.[13]

In 1812, Congress abandoned the mayor-council system and replaced it with a popularly-elected eight-member Board of Alderman and a popularly-elected twelve-member Common Council.[14] The Council members and Aldermen, meeting in joint session, elected the Mayor annually by majority vote.[15]

Congress revised the government again in 1820, retaining both branches of the popularly-elected legislature, but providing for popular election of the Mayor to serve a two-year term.[16] District government continued in this form into the 1870's, when mismanagement, accompanied by political and racial strife, stirred Congress gradually to amend away and finally to eliminate home rule in the District.

First, in 1871, Congress repealed the separate charters of Georgetown and the City of Washington, and merged them into a municipal corporation of the entire District, to be governed in the territorial form by a presidentially-appointed Governor and a two-house legislature consisting of a presidentially-appointed eleven-member Council and a twenty-two member popularly-elected House of Delegates.[17] Then, in 1874, Congress put the District government in the hands of three presidentially-appointed Commissioners.[18] This system ultimately was confirmed three years later in the Organic Act of the District of Columbia, which is the law under which the District is governed today.[19]

Thus ended three quarters of a century of popular participation in the government of the District of Columbia. Even the end of popular government, however, did not mark the end of congressional delegation of legislative authority to the District government. In both 1887 and 1892, Congress authorized the Commissioners to make and enforce public regulations,[20] authority which they still possess today.[21]

So it must be seen that if Congress lacks constitutional authority to delegate legislative responsibility to the District of Columbia home-rule government, then it acted unconstitutionally in 1802, 1812, 1820, and even as late as 1871 in providing for popularly-elected legislatures to rule the District. And, if Congress cannot delegate its legislative function to the District, then Congress is acting unconstitutionally today (and has been doing so since 1887) in providing that the District Commissioners can, without reference to Congress or resort to the President, "make and enforce all such reasonable and usual police regulations . . . as they deem necessary for the protection of lives, limbs, health, comfort and quiet of all persons and the protection of all property within the District of Columbia." [22] There have been few complaints about that delegation. One of them, however, reached the Supreme Court in 1953. In *District of Columbia* v. *John R. Thompson Company* the Court held, *inter alia*, that there is no constitutional barrier to delegation by Congress to the District of Columbia of full legislative power, except to the extent that such delegation would be subject to constitutional limitations pertinent to all lawmaking and to the power of Congress at any time to revise, alter, or revoke the authority granted.[23]

The *Thompson Company* decision arose out of a criminal prosecution involving alleged violations of the Acts of 1872 and 1873 passed by the then half-appointed, half-elected legislative Assembly of the District of Columbia.[24] The Municipal Court of the District quashed the information on the ground that the Acts of 1872 and 1873 had been repealed by implication through the enactment of the Organic Act of 1878.[25] The Municipal Court of Appeals found that while the Act of 1872 had been repealed, the Act of 1873 had not, and therefore reversed on the latter point. On cross-appeal, the Court of Appeals held that the Acts of 1872 and 1873 were both unenforceable and that the entire information should be dismissed.[26]

The Supreme Court in an unanimous opinion, reversed as to the 1873 Act and held that "the Congress had the authority under Art. I, § 8, cl. 17 of the Constitution to delegate its lawmaking authority to the Legislative Assembly of the municipal corporation which was created by the Organic Act of 1871," [27] and that the Acts of 1872 and 1873 survived all subsequent changes in the District government and were presently enforceable.[28] In reaching its decision, the Court specifically rejected the argument so frequently advanced by home rule opponents that the word "exclusive" in the constitutional grant of power to Congress "to exercise exclusive legislation" [29] in the District renders the legislative function non-delegable. The Court said, "it is clear from the history of the provision that the word 'exclusive' was employed to eliminate any possibility that the legislative power of Congress over the District was to be concurrent with that of the ceding states." [30]

In short, the argument that Congress lacks authority to delegate its legislative authority to a local government in the District, including a popularly-elected government, stands refuted by 166 years of delegation, fifty of which involved delegation to a wholly popularly-elected local government.

The barrenness of this legal argument serves to emphasize the fact that the question of home rule for the nation's capital is not really a constitutional matter at all, but rather a political, social, and moral one. The really decisive arguments against home rule fall into two general categories already noted: (1) the federal interest in the District of Columbia makes home rule unwise; (2) the people of the District are incapable of prudent self-government.

THE FEDERAL INTEREST

What is there about the federal interest in the District which bars home rule? Is it the mere size of the governmental establishment? Is it the District's character as the federal government's headquarters? Or is some undefinable mystical principle controlling here?

Certainly "the federal presence" in the District is very significant. The present boundaries of the District of Columbia enclose an area of 43,677 acres, of which 4,404 are under water and 8,627 are devoted to streets and alleys.[31] Of the remaining 30,646 acres, only 14,162, or 46.2 percent, represent taxable private property. The balance amounting to 16,484 acres, or 53.8 percent, are exempt from taxation either because they belong to the United States (43.3 percent), to the District government, to foreign governments, or to tax-exempt private organizations.[32]

The presence in the District of so much federally-held, tax-exempt land makes it clear that the financial success of a home rule government would depend, just as the present government system does, on a fair federal contribution to local government in lieu of the taxes the District does not collect on federal property.[33]

But does the wisdom or justice of *granting* home rule bear any logical relationship to the mere size of the federal establishment?

Is there something about the character of the government establishment in Washington which bars home rule? The headquarters of a great number of federal agencies and their top personnel are located here. But other agencies are headquartered in other jurisdictions (*e.g.*, the Department of

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Footnotes at end of article.

Defense in Virginia and the Atomic Energy Commission and Social Security Administration in Maryland) without causing the slightest embarrassment to the government of the United States.

The Chief Executive also lives and works in the District of Columbia. But every President since Franklin Roosevelt has supported home rule. Every President from Adams to Grant lived and worked while in office in some form of home-ruled Washington.

Some home rule foes envision such spectres as the Secret Service having to apply to a home-ruled District government for permission to hold an inaugural parade. Quite aside from the fact that far more elaborate arrangements must actually be made with the District government at inaugural time, the notion of the federal government being centered in a home-ruled city seems far less humiliating than the thought of the Congress of the United States demeaning itself, wasting its time and energies, by debating such burning issues as the regulation of podiatry in the District, or the rental of office space to a veterans group. Yet each of these bills was considered and passed by one or both houses of the United States Congress during the past two years.[34]

COMPETENT CITIZENRY

One must look beyond the legal and "federal interest" arguments to find the basic reason why six Senate-passed home rule bills have been blocked by the House of Representatives: the often unspoken belief that the predominantly Negro population of the District of Columbia cannot be trusted to govern itself.

This belief arises in part out of sheer racial prejudice which, needless to say, lends itself to no manner of rational argument or analysis.

A more rational, though no more valid, argument is that, if the popular government in power during the post-Civil War period so managed its affairs that Congress abolished home rule, what assurance is there that such mismanagement will not recur? Aside from the fact that most major cities of Washington's 166-year age have experienced periods of embarrassing mismanagement at some point in their history, what many "it-could-happen-again" critics ignore is that most of the mismanagement complained of in the 1870's occurred after the popularly-elected mayor-council system was abolished and home rule virtually eliminated by the Act of 1871.[35] Moreover, current home rule proposals contain many adequate safeguards against the possibility of mismanagement. For example, the latest Senate-passed home rule bill provides for presidential veto of *any* legislation enacted by the home rule government and recognizes, as the Constitution requires, an undiluted power in Congress to revise in whole or in part, or to repeal home rule altogether, at any time.[36]

Do the people of the District of Columbia want home rule? They voted about nine-to-one in favor of home rule in a special referendum held in conjunction with the presidential-primary elections of 1964.[37]

The argument that the people of the District cannot be trusted to govern themselves represents what is perhaps the last unbridled expression of autocracy in America. It reflects the last vestiges of the fear of popular government which Jackson assailed when he demanded: "Let the People Rule!"

The Senate on six separate occasions since 1949 has affirmed its belief, that the motto "no taxation without representation" and the phrase "governments derive their powers from the consent of the governed" are not mere antiqual slogans, to be consigned to the attic of history. They are fundamental touchstones of the American political system, which have undergirded the continuing expansion of democratic popular government and the franchise in America, from the earliest days of the Republic through the granting of statehood to Hawaii and Alaska and the passage of the Voting Rights Act of 1965.

The question of home rule for the District of Columbia does involve important moral, political and social issues. But Americans have always believed these issues should be resolved in favor of democratic, popularly-elected government—not against the people.

FOOTNOTES

[*] United States Senator from Maryland.

[1] Declaration of Independence.

[2] The Act of June 11, 1878, ch. 180, § 2, 20 Stat. 102, 103, provides for the appointment rather than the election of all District Government officials.

[3] United States Bureau of the Census, Statistical Abstract of the United States 19 (1964).

[4] A District of Columbia family of four owning a house and car, for example, bear a higher burden of federal, state, and local taxes than their counterparts in several of the suburban counties adjoining the District, or in San Francisco, Seattle, Cleveland, or New Orleans. *Hearings Before the Senate Committee on the District of Columbia on the District of Columbia Revenue Bill*, 89th Cong., 2d Sess. 63–64 (1966).

[5] A survey conducted in 1966 by Mr. Louis Harris for the Washington Post indicates that 16% of all District residents are natives, 69% have lived in the District longer than ten years, and 78% have lived in the District five years or longer. The Washington Post, Oct. 3, 1966, p. A8, col. 2.

[6] See CONGRESSIONAL RECORD, vol. 111, pt. 19, p. 25347.

[7] The Federalist No. 43, at 209 (Cooke ed. 1961) (Madison).

[8] Act of March 3, 1791, ch. 17, 1 Stat. 214.

[9] Commissioners of the District of Columbia, The Government of the District of Columbia 116–17 (1964).

[10] Act of July 16, 1790, ch. 28, § 2, 1 Stat. 130.

[11] Act of July 16, 1790, ch. 28, §§ 5 and 6, 1 Stat. 130.

[12] Act of May 3, 1802, ch. 53, §§ 2 and 5, 2 Stat. 195, 196.

[13] Act of May 3, 1802, ch. 53, § 2, 2 Stat. 195, 196.

[14] Act of May 4, 1812, ch. 74, § 1, 2 Stat. 721.

[15] Act of May 4, 1812, ch. 75, § 3, 2 Stat. 721.

[16] Act of May 15, 1820, ch. 104, § 3, 3 Stat. 583, 584.

[17] Act of Feb. 21, 1871, ch. 62, §§ 2 and 5, 16 Stat. 419, 420–21.

[18] Act of June 20, 1874, ch. 337, § 2, 18 Stat. 116.

[19] Act of June 11, 1878, ch. 180, § 2, 20 Stat. 102, 103.

[20] Act of Jan. 26, 1887, ch. 49, 24 Stat. 368; Act of April 6, 1892, J. Res. No. 7, 27 Stat. 394.

[21] See, *e.g.*, D.C. Code § 1–226 (1961).

[22] D.C. Code § 1–226 (1961).

[23] District of Columbia v. John R. Thompson Co., 346 U.S. 100, 109.

[24] *Id.* at 102–03.

[25] *Id.* at 103.

[26] *Id.* at 103–04.

[27] *Id.* at 110.

[28] *Ibid.*

[29] U.S. Const. art. I, § 8.

[30] District of Columbia v. John R. Thompson Co., *supra* note 23, at 109.

[31] Commissioners of the District of Columbia, The Government of the District of Columbia 4 (1964).

[32] *Ibid.*

[33] The "Federal Payment" to the District Government in lieu of taxes was $43 million in 1966, compared to $269.2 million raised by the District Government by local taxation and service charges. *Hearings Before the Senate Committee on the District of Columbia on the District of Columbia Revenue Bill*, 89th Cong., 2d Sess. 27 (1966).

[34] See, *e.g.*, CONGRESSIONAL RECORD, vol. 111, pt. 2, p. 2114; and pt. 8, p. 10118.

[35] See Whyte, the Uncivil War: Washington During the Reconstruction 1865-1878 (1958).

[36] S. Rep. No. 381, 89th Cong., 1st Sess. (1966).

[37] *Hearings Before the Senate Committee on the District of Columbia on District of Columbia Home Rule*, 89th Cong., 1st Sess. 156 (1965).

Mr. BIBLE. Mr. President, I join my colleague the distinguished senior Senator from Maryland today as a cosponsor of two bills providing for home rule in the District of Columbia.

Legislation to establish self-government for the District of Columbia is not new to the Senate. In fact, this year marks the 20th year that some sort of measure has been debated by this body. The 81st, 82d, 84th, 85th, 86th, and 89th Congresses have seen the Senate pass home rule bills. On each occasion they died in the House. In 1965 my own bill, similar to those introduced here today, had the support of the President and came close to passage after it was forced out of the House committee. But even with the impetus of the President of the United States, the measure that finally came to conference fell far short of its original objectives.

My own record is abundantly clear on the subject of home rule for the District of Columbia. As a member of the Senate District Committee and as its chairman for 10 years, I have sponsored or cosponsored a total of seven home rule bills, four of those having passed the Senate. In this same period the committee held 37 days of hearings and heard testimony from literally hundreds of witnesses, the vast majority of them in favor of home rule for the Nation's Capital.

Mr. President, the results of our past efforts should not deter the Senate from again making a formidable effort to provide some measure of self-government for the nearly 1 million residents of the Nation's Capital.

It is my best judgment that the District of Columbia cannot continue to meet its growing need by the present system of halfway government where all of its housekeeping and municipal legislative problems are weighed on the national scale by a Congress whose concern should not be focused on the city's daily activity, but on those of the Nation and the world.

If Washington is truly to become a model city for the Nation, then we cannot tolerate the contradiction of denying its citizens the basic right exercised by citizens throughout the country. The right of self-government is one which is to be cherished and exercised with responsibility and discretion, and it is my firm belief that the residents of the District of Columbia are capable of dealing with the issues that confront them if given the opportunity.

Responsibility is a two-way street, and the Congress must make it abundantly clear to those charged with the task of dealing with the affairs of the District that they be answerable for their actions. This government has established the ballot box as the method of making governmental officials responsible to the people. We must allow the citizens of the

District of Columbia this same method for vigilance over the actions of those now appointed to serve them.

As former chairman of the Committee on the District of Columbia, I believe I know something of the problems of this great city. It is a city caught in the social upheaval that plagues most of our large metropolitan areas. It is a city which must now attempt to solve its problems through a maze of governmental agencies within the District and the Federal Government. And it is a city with a great potential for development into a place where all of its citizens can pursue their individually charted course of life. The denial to these citizens of the right to control their own destiny has manifested itself in higher crime rates, social unrest, and violence.

Mr. President, we can no longer afford the luxury of academic discussion on the question of home rule for the District of Columbia. Through six previous Congresses there has been enough discussion. What is called for now is action, and that action can begin with prompt consideration of the measures introduced here today.

S. 1973, S. 1974, S. 1975, S. 1976, S. 1977, S. 1978, S. 1979—INTRODUCTION OF BILLS TO REFORM THE STRUCTURE OF THE FEDERAL TAX STRUCTURE

Mr. TYDINGS. Mr. President, I am reintroducing today seven measures designed to reform the structure of the Federal tax litigation system. When they were initially submitted near the end of the second session of the 90th Congress, I explained at some length the difficulties with the existing system that give rise to the need for change. Today, I will merely summarize those problems.

The shortcomings of the present system became evident in the course of hearings held by the Subcommittee on Improvements in Judicial Machinery on S. 2041, a bill in the 90th Congress giving article III constitutional status to the U.S. Tax Court. S. 2041 was favorably reported by the subcommittee during the second session, but the Judiciary Committee did not have an opportunity to act upon it prior to the end of the 90th Congress. The subcommittee heard testimony from the Tax Court judges, from representatives of the Justice Department, the Internal Revenue Service, and the tax section of the American Bar Association, law professors and others. While this testimony did not produce unanimity as to the direction change should take, it did reveal overwhelming agreement as to the need for change.

As presently constituted, the tax litigation system is grossly discriminatory. It acts to the benefit of the wealthy taxpayer who can afford to prepay his taxes, then sue for a refund, and to the detriment of the moderate income and poor taxpayers who cannot afford to be out of pocket the contested amount for the duration of a course of litigation. We cannot tolerate a system in which justice is determined by the size of a person's bankroll.

At the heart of this problem is the trifurcation of the existing tax litigation structure. Trial of tax disputes is divided among three separate forums: the U.S. district courts, the Tax Court, and the Court of Claims. The allocation of jurisdiction among these courts, where jurisdiction is not concurrent, is primarily a result of their historical development and not of a rational design. This division breeds diverse interpretation and application of the tax laws, delays resolution of conflicts, encourages forum shopping, and contributes significantly to the strain on our overburdened judicial system.

Lack of uniformity in interpreting and applying the Federal tax laws is a significant problem with broad ramifications at both the trial and appellate levels. The greater possibility for conflicting opinions does much to encourage litigation. Conflict naturally arises where there are three systems of trial courts, and where the Supreme Court is the only appellate body whose decisions are equally binding on all of them.

The U.S. district courts are subject to review by the courts of appeals for their respective circuits and are bound to follow the decisions of those circuit courts. There are, however, 11 circuit courts and only the Supreme Court can ultimately assure that they will agree as to the resolution of a given problem.

Next, we have the Tax Court deciding cases at a trial level. Although its decisions are subject to review by the courts of appeals for the various circuits, the Tax Court has given indication in the past that it does not consider itself bound to follow the views of those appellate courts, even when those views were expressed in the process of reversing a prior Tax Court decision on the same issue.

Finally, there is the Court of Claims, which is subject to review only by the Supreme Court on writ of certiorari. In the last 20 years such review has been had on the average of one case per year. Hence, the Court of Claims plays an important role in the gamemanship of tax litigation under the present system. Once the Court of Claims has decided against the Government on a particular issue, that question is virtually foreclosed—at least when it arises with taxpayers who can afford the price of admission to the forum.

This unique potential for differing resolutions of the same question among trial level courts and in the appellate courts results in unusually protracted litigation and uncertainty. Often as much as a decade will pass before a disagreement among the courts as to interpretation of a specific section of the Internal Revenue Code is resolved. Meanwhile, resolution of any individual dispute will frequently depend only on the forum in which it is brought.

Here the discriminatory character of the present system creates its greatest injustice. In income, estate and gift tax cases—and excess profit cases—the full-payment rule, as stated by the Supreme Court in *Flora* v. *United States*, 362 U.S. 145 (1960) requires a taxpayer to pay the full amount claimed due by the Internal Revenue Service for the periods in issue before he can obtain a jury trial. The same full-payment rule bars access to the Court of Claims for the taxpayer unable to pay in advance. If payment in advance cannot be made, only the Tax Court is available. Hence, only the wealthy taxpayer has an absolute choice among forums.

The problem is compounded by the differing institutional characteristics and procedures among the three forums in the actual litigation of cases. As an example of institutional differences, the district courts are local in character, with trial held in the judicial district where the taxpayer resides, while the Tax Court and Court of Claims are essentially national in character. While the Tax Court does hold trials in many of the major cities of the nation, it does not sit in every judicial district or, within the districts where they do sit, in every place where the district court sits. A taxpayer who does not live in one of the major cities may suffer considerably more inconvenience and expense if he ends up in the Tax Court than he would have incurred had he brought suit in the district court. The Tax Court judge is ordinarily available to the parties only at the time of trial, and they are expected to prepare the case for trial without his assistance. The trial is conducted by a single Tax Court judge, operating under special Tax Court rules. A tentative opinion is drafted by one Tax Court judge—who conducted the trial—and is submitted to the chief judge of the Tax Court. The chief judge will then either refer the opinion to the entire Tax Court for en banc consideration or will permit the opinion to be issued without review. In an en banc consideration of a decision, the original opinion may be completely changed. Occasionally, the judge who originally tried the case and who had an opportunity to observe the witnesses may dissent, with the result that the majority opinion and findings are prepared by another judge, who did not try the case.

The Court of Claims is, like the Tax Court, a national tribunal. Cases are initially heard throughout the country by trial commissioners who report to the court, usually in the form of findings of fact and conclusions of law. The judges of the Court of Claims sit only in Washington, do not hear the evidence, and seldom have any contact with the parties to the suit. In effect, the Court of Claims case requires a full trial to a trial commissioner followed by an "appellate review" by the judges of the court.

The availability of discovery procedures is a significant procedural difference among the three forums. In the district court we have the familiar discovery procedures provided for by the Federal Rules of Civil Procedure. The Court of Claims has some discovery procedures available, but they are considerably more circumscribed than those of the district court. The Tax Court has no procedure by which parties can obtain information for the purposes of discovery as distinct from use as evidence.

In sum, the inconsistency in application of the law, the protracted conflicts as to interpretation, the discrimination in availability of various forums, and the diversity of procedures employed in the various forums persuaded me that reform was necessary. In trying to determine what direction this reform should take, I sought the views of numerous interested parties to supplement the efforts of my own staff. The result of these efforts was a series of bills offering several possible solutions to the problems I have been discussing. Some were complementary, while others were inconsistent with each other and must therefore be taken as alternative proposals.

I emphasize here, as I did then, that all of my proposals are premised on Article III constitutional status having been conferred upon the Tax Court. I do not believe that any reform could be successfully implemented unless the Tax Court were to be given article III status. I have placed myself on record wth respect to this question many times, and will not reiterate my reasoning at this point.

When I first introduced these measures at the end of the last Congress, I indicated that I hoped to elicit comments and suggestions from Members of Congress, the public generally, and any organizations especially interested in the subject matter, from which I could determine which of the potential directions for change I was suggesting would be most desirable. In the interim since the end of the 90th Congress, I have submitted my proposals for evaluation by members of the Federal judiciary, by tax professors in many of our Nation's leading law schools, by interested members of professional organizations, and others. The response was most encouraging because it indicated that there is a widespread interest among all of these groups in the project at hand.

Still, there is no unanimity as to what direction change should take. But there remains as a common ground the conviction that there must be change.

The tax section of the American Bar Association considered the bills at its February meeting in Atlanta, Ga. A distinguished panel of lawyers and professors, including Luther J. Avery, Jerry M. Hamovit, John B. Jones, John S. Sexton, M. Albert Figinski, and Profs. Alan W. Polasky and Richard H. Pugh, moderated by Bruce S. Lane and C. W. Wellen, presented views on the advantages and disadvantages which would be obtained under each measure. I am most interested in the recommendations which will be forthcoming from the tax section, and expect that they will be presented when hearings are held on the bills.

It is my hope that hearings on these issues will begin in the very near future, in order that we may begin to move toward reform during the 91st Congress.

Mr. President, I ask unanimous consent that the bills be printed in the RECORD at this point.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills (S. 1973) to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judiciary Procedure," and amending title 26 of the United States Code, "Internal Revenue Code," to provide for concurrent jurisdiction of the U.S. Tax Court and the U.S. district courts over civil tax refund suits and deficiency redeterminations, and for other purposes; (S. 1974) to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure," and amending title 26 of the United State Code, "Internal Revenue Code," to make the U.S. Tax Court an article III court, to provide for exclusive jurisdiction of the U.S. Tax Court over civil tax refund suits and deficiency redeterminations in taxes imposed by subtitle A, B, C, or D of title 26 of the United States Code, to create a Small Claims Division of the U.S. Tax Court, and for other purposes; (S. 1975) to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure," and amending title 26 of the United States Code, "Internal Revenue Code" to provide for exclusive jurisdiction of the U.S. district courts over civil tax refund suits and deficiency redeterminations, and for other purposes; (S. 1976) to improve judicial machinery by amending title 28 of the United States Code, section 93 of the act of January 12, 1895, and the Internal Revenue Code of 1954, by establishing a U.S. Court of Tax Appeals, and for other purposes; (S. 1977) to improve the judicial machinery by amending title 28, United States Code, to establish a revised procedure for litigating tax disputes, and for other purposes; (S. 1978) to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," to provide for appeals from decisions of the Court of Claims, and for other purposes; (S. 1979) to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," to provide that the Court of Claims should no longer have jurisdiction over civil tax refund suits and to provide that the Court of Claims shall have jurisdiction to review orders of the Renegotiation Board, introduced by Mr. TYDINGS, were received, read twice by their titles, and ordered to be printed in the RECORD, as follows:

S. 1973

A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure", and amending title 26 of the United States Code, "Internal Revenue Code", to provide for concurrent jurisdiction of the United States Tax Court and the United States district courts over civil tax refund suits and deficiency redeterminations, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Tax Litigation Act".

SEC. 2. Title 28, United States Code, "Judiciary and Judicial Procedure", is amended to read as follows:

(a) Section 1340 is amended to read as follows:

"§ 1340. Internal revenue; customs duties

"(a) The district court shall have original jurisdiction of any civil action arising under any Act of Congress providing for internal revenue, or revenue from imports or tonnage except matters within the jurisdiction of the Customs Court.

"(b) The district courts shall have original jurisdiction of any civil action under section 6213(a) of title 26 of the United States Code against the United States for the redetermination of a deficiency in any tax imposed by subtitle A, B, C, or D of title 26 of the United States Code."

(b) Section 1346 is amended to read as follows:

"§ 1346. United States as defendant

"(a) The district courts shall have original jurisdiction, concurrent with the Tax Court, of any civil action against the United States for the recovery of any internal-revenue tax alleged to have been erroneously or illegally assessed or collected, or any penalty claimed to have been collected without authority or any sum alleged to have been excessive or in any manner wrongfully collected under the internal-revenue laws;

"(b) The district courts shall have original jurisdiction, concurrent with the Court of Claims, of:

"(1) Any other civil action or claim against the United States, not exceeding $10,000 in amount founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, for liquidated or unliquidated damages in cases not sounding in tort;

"(2) Subject to the provisions of chapter 171 of this title, the district courts, together with the United States district court for the district of the Canal Zone and the district court of the Virgin Islands, shall have exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on and after July 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place or omission occurred.

"(c) The jurisdiction conferred by this section includes jurisdiction of any setoff, counterclaim, or other claim or demand whatever on the part of the United States against any plaintiff commencing an action under this section.

"(d) The district court shall not have jurisdiction under this section of any civil action or claim for a pension.

"(e) The district courts shall have original jurisdiction of any civil action against the United States provided in section 7426 of the Internal Revenue Code of 1954."

(c) Section 1402 is amended to read as follows:

"§ 1402. United States as defendant

"(a) Any civil action brought in a district court against the United States under subsection (b) of section 1340 of this title, or subsection (a) of section 1346 of this title, or subsection (a) of section 6213 of title 26, may be prosecuted only—

"(1) except as provided in paragraph (2) in the judicial district where the plaintiff resides;

"(2) in the case of a civil action by a corporation under subsection (b) of section 1340, or subsection (a) of section 1346, or subsection (a) of section 6213 of title 26, in the judicial district in which is located the principal place of business or principal office or agency of the corporation; or if it has no principal place of business or principal office or agency in any judicial district (A) in the judicial district in which is located the office to which was made the return of the tax in respect to which the claim is made, or, (B) if no return was made, in the judicial district in which lies the District of Columbia. Notwithstanding the foregoing provisions of this paragraph, the district court, for the convenience of the parties and witnesses, in the interest of justice, may transfer any such action to any other district or division.

"(b) Any civil action on a tort claim against the United States under subsection (b)(2) of section 1346 of this title may be prosecuted only in the judicial district where the plaintiff resides or wherein the act or omission complained of occurred.

"(c) Any civil action against the United States under subsection (e) of section 1346 of this title may be prosecuted only in the judicial district where the property is situated at the time of levy, or if no levy is made, in the judicial district in which the event occurred which gave rise to the cause of action."

(d) Section 1491 is amended to read as follows:

"§ 1491. Claims against United States generally; actions involving Tennessee Valley Authority; actions involving recovery of any internal revenue tax or penalty

"The Court of Claims shall have jurisdiction to render judgment upon any claim against the United States founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort.

"Nothing herein shall be construed to give the Court of Claims jurisdiction in suits against, or founded on actions of, the Tennessee Valley Authority, nor to amend or modify the provisions of the Tennessee Valley Authority Act of 1933, as amended, with respect to suits by or against the Authority; nor shall anything herein be construed to give the Court of Claims jurisdiction in any civil action against the United States for the recovery of any internal-revenue tax or penalty under subsection (a) of section 1346 of this title."

(e) Section 2402 is amended to read as follows:

"§ 2402. Jury trial in actions against United States

"Any action against the United States under section 1346 shall be tried by the court without a jury, except that any action against the United States brought in a district court under section 1346(a) shall, at the request of either party to such action, be tried by the court with a jury."

Sec. 3. Title 26, United States Code, "Internal Revenue Code", is amended to read as follows:

(a) Section 6211 is amended to read as follows:

"Sec. 6211. Definition of a Deficiency.

"(a) In General.—For purposes of this title in the case of income, estate, gift, employment, and excise taxes imposed by subtitle A, B, C, or D, the term 'deficiency' means the amount by which the tax imposed by subtitle A, B, C, or D, exceeds the excess of—

"(1) The sum of—

"(A) the amount shown as the tax by the taxpayer upon his return, if a return was made by the taxpayer and an amount was shown as the tax by the taxpayer thereon, plus

"(B) the amounts previously assessed (or collected without assessment) as a deficiency, over—

"(2) the amount of rebates, as defined in section (b) (2), made.

"(b) Rules for Application of Subsection (a).—For purposes of this section—

"(1) The tax imposed by subtitle A and the tax shown on the return shall both be determined without regard to payments on account of estimated tax, without regard to the credit under section 31, and without regard to so much of the credit under section 32 as exceeds 2 percent of the interest on obligations described in section 1451.

"(2) The term 'rebate' means so much of an abatement, credit, refund, or other repayment, as was made on the ground that the tax imposed by subtitle A, B, C, or D, was less than the excess of the amount specified in subsection (a) (1) over the rebates previously made.

"(3) The computation by the Secretary or his delegate, pursuant to section 6014, of the tax imposed by chapter 1 shall be considered as having been made by the taxpayer and the tax so computed considered as shown by the taxpayer upon his return.

"(4) The tax imposed by subtitle A and the tax shown on the return shall both be determined without regard to the credit under section 39, unless, without regard to such credit, the tax imposed by subtitle A exceeds the excess of the amount specified in subsection (a) (1) over the amount specified in subsection (n) (2)."

(b) Section 6212 is amended to read as follows:

"Sec. 6212. Notice of Deficiency.

"(a) In General.—If the Secretary or his delegate determines that there is a deficiency in respect of any tax imposed by subtitle A, B, C, or D, he is authorized to send notice of such deficiency to the taxpayer by certified mail or registered mail.

"(b) Address for Notice of Deficiency.—

"(1) Income, gift, employment, and excise taxes.—In the abesnce of notice to the Secretary or his delegate under section 6903 of the existence of a fiduciary relationship, notice of a deficiency in respect of a tax imposed by subtitle A, C, or D of chapter 12 if mailed to the taxpayer at his last known address, shall be sufficient for purposes of subtitle A, chapter 12, and this chapter even if such taxpayer is deceased, or is under a legal disability, or, in the case of a corporation, has terminated its existence.

"(2) Joint income tax return.—In the case of a joint income tax return filed by husband and wife, such notice of deficiency may be a single joint notice, except that if the Secretary or his delegate has been notified by either spouse that separate residences have been established, then, in lieu of the single notice, a duplicate original of the joint notice shall be sent by certified mail or registered mail to each spouse at his last known address.

"(3) Estate tax.—In the absence of notice to the Secretary or his delegate under section 6903 of the existence of a fiduciary relationship, notice of a deficiency in respect of a tax imposed by chapter 11, if addressed in the name of the decedent or other person subject to liability and mailed to his last known address, shall be sufficient for purposes of chapter 11 and of this chapter.

"(c) Further Deficiency Letters Restricted.—

"(1) General rule.—If the Secretary or his delegates has mailed to the taxpayer a notice of deficiency as provided in subsection (a), and the taxpayer files a petition with the Tax Court or a complaint with a proper district court within the time prescribed in section 6213(a), the Secretary or his delegate shall have no right to determine any additional deficiency of income, employment or excise tax for the same taxable year, of gift tax for the same calendar year, or of estate tax in respect of the taxable estate of the same decedent, except in the case of fraud, and except as provided in section 6214(a) (relating to assertion of greater deficiencies before the Tax Court or a district court), in section 6213(b) (1) relating to mathematical errors), or in section 6861(c) (relating to the making of jeopardy assessments).

"(2) Cross references.—

"For assessment as a deficiency notwithstanding the prohibition of further deficiency letters, in the case of—

"(A) Deficiency attributable to change of election with respect to the standard deduction where taxpayer and his spouse made separate returns, see section 144(b).

"(B) Deficiency attributable to gain on involuntary conversion, see section 1033(a) (3) (C) and (D).

"(C) Deficiency attributable to sale or exchange of personal residence, see section 1034(j).

"(D) Deficiency attributable to war loss recoveries where prior benefit rule is elected, see section 1335."

"(c) Section 6213 is amended to read as follows:

"Sec. 6213. Restrictions Applicable to Deficiencies; Petition to Tax Court or Complaint With District Court.

"(a) Time for Filing Petition or Complaint and Restriction on Assessment.—Within 90 days, or 150 days if the notice is addressed to a person outside the States of the Union and the District of Columbia, after the notice of deficiency authorized in section 6212 is mailed (not counting Saturday, Sunday, or a legal holiday in the District of Columbia as the last day), the taxpayer may file a petition with the Tax Court or file a complaint against the United States with the proper United States district court under section 1402(a) of title 28, for a redetermination of the deficiency. Except as otherwise provided in section 6861 no assessment of a deficiency in respect of any tax imposed by subtitle A, B, C, or D and no levy or proceeding in court for its collection shall be made, begun, or prosecuted until such notice has been mailed to the taxpayer, nor until the expiration of such 90-day or 150-day period, as the case may be, nor, if a petition has been filed with the Tax Court or a complaint with the proper district court, until the decision of the Tax Court or district court has become final. Notwithstanding the provisions of section 7421(a), the making of such assessment or the beginning of such proceeding or levy during the time such prohibition is in force may be enjoined by a proceeding in the proper court.

"(b) Exceptions to Restrictions on Assessment.—

"(1) Mathematical errors.—If the taxpayer is notified that, on account of a mathematical error appearing upon the return, an amount of tax in excess of that shown upon the return is due, and that an assessment of the tax has been or will be made on the basis of what would have been the correct amount of tax but for the mathematical error, such notice shall not be considered as a notice of deficiency for the purposes of subsection (a) (prohibiting assessment and collection until notice of the deficiency has been mailed), or of section 6212(c) (1) (restricting further deficiency letters), or section 6512 (a) (prohibiting credits or refunds after petition to the Tax Court or complaint with the proper district court), and the taxpayer shall have no right to file a petition with the Tax Court or a complaint with a proper district court based on such notice, nor shall such assessment or collection be prohibited by the provisions of subsection (a) of this section.

"(2) Assessments arising out of tentative carryback adjustments.—If the Secretary or his delegate determines that the amount applied, credited, or refunded under section 6411 is in excess of the overassessment attributable to the carryback with respect to which such amount was applied, credited, or refunded, he may assess the amount of the excess as a deficiency as if it were due to a mathematical error appearing on the return.

"(3) Assessment of amount paid.—Any amount paid as a tax or in respect of a tax may be assessed upon the receipt of such payment notwithstanding the provisions of subsection (a). In any case where such amount is paid after the mailing of a notice of deficiency under section 6212, such payment shall not deprive the Tax Court or a proper district court of jurisdiction over such deficiency determined under section 6211 without regard to such assessment.

"(c) Failure To File Petition or Complaint.—If the taxpayer does not file a petition with the Tax Court or a complaint with the proper district court within the time prescribed in subsection (a), the deficiency, notice of which has been mailed to the taxpayer, shall be assessed, and shall be paid upon notice and demand from the Secretary or his delegate."

(d) Section 6214 is amended to read as follows:

"Sec. 6214. Determinations by Tax Court or District Court.

"(a) Jurisdiction as to Increase of Deficiency, Additional Amounts, or Additions to the Tax.—The Tax Court or United States district court shall have jurisdiction to redetermine the correct amount of the deficiency even if the amount so redetermined is greater than the amount of the deficiency, notice of which has been mailed to the taxpayer, and to determine whether any additional amount, or addition to the tax should be assessed, if claim therefor is asserted by the Secretary or his delegate at or before the hearing or a rehearing.

"(b) Jurisdiction Over Other Years.—The Tax Court or district court in redetermining a deficiency of income tax for any taxable year or of gift tax for any calendar year shall consider such facts with relation to the taxes for other years as may be necessary correctly to redetermine the amount of such deficiency, but in so doing shall have no jurisdiction to determine whether or not the tax for any other year has been overpaid or underpaid.

"(c) Final Decisions of Tax Court or District Court.—For purposes of this chapter and subtitle A, B, C or D, the date on which a decision of the Tax Court or a district court becomes final shall be determined according to the provisions of section 7481 or section 7490."

(e) Section 6215 is amended to read as follows:

"Sec. 6215. Assessment of Deficiency Found by Tax Court or District Court.

"(a) General Rule.—If the taxpayer files a petition with the Tax Court or a complaint with a proper United States district court, the entire amount redetermined as the deficiency by the decision of the Tax Court or district court which has become final shall be assessed and shall be paid upon notice and demand from the Secretary or his delegate. No part of the amount determined as a deficiency by the Secretary or his delegate but disallowed as such by the decision of the Tax Court or district court which has become final shall be assessed or be collected by levy or by proceeding in court with or without assessment.

"(b) Cross References.—

"(1) For assessment or collection of the amount of the deficiency determined by the Tax Court or district court pending appellate court review, see section 7485 or section 7492.

"(2) For dismissal of petition by Tax Court or district court as affirmation of deficiency as determined by the Secretary or his delegate, see section 7459(d) or section 7489(b).

"(3) For decision of Tax Court or district court that tax is barred by limitation as its decision that there is no deficiency, see section 7459(e) or section 7489(c).

"(4) For assessment of damages awarded by Tax Court or district court for instituting proceedings merely for delay, see section 6673.

"(5) For treatment of certain deficiencies as having been paid, in connection with sale of surplus war-built vessels, see section 9(b)(8) of the Merchant Ship Sales Act of 1946 (60 Stat. 48; 50 U.S.C. App. 1742).

"(6) For rules applicable to Tax Court proceedings, see generally subchapter C of chapter 76.

"(7) For proration of deficiency to installments, see section 6152(c).

"(8) For extension of time for paying amount determined as deficiency, see section 6161(b)."

(f) The titles of sections 6213, 6214, and 6215 in the table of sections for subchapter B of chapter 63 of subtitle F of the Internal Revenue Code of 1954 are amended to read as follows:

"Sec. 6213. Restrictions applicable to deficiencies; petition to Tax Court or complaint with district court.
"Sec. 6214. Determinations by Tax Court or district court.
"Sec. 6215. Assessment of deficiency found by Tax Court or district court."

(g) Paragraph (1) of subsection (a) of section 6503 is amended to read as follows:

"(1) General rule.—The running of the period of limitations provided in section 6501 or 6502 on the making of assessments or the collection by levy or a proceeding in court, in respect of any deficiency as defined in section 6211 (relating to income, estate, and gift taxes), shall (after the mailing of a notice under section 6212(a)) be suspended for the period during which the Secretary or his delegate is prohibited from making the assessment or from collecting by levy or a proceeding in court (and in any event, if a proceeding in respect of the deficiency is placed on the docket of the Tax Court, or is filed in a proper United States district court under section 6213(a), until the decision of the Tax Court, or district court, becomes final), and for 60 days thereafter."

(h) Section 6512 of the Internal Revenue Code of 1954 is amended to read as follows:

"Sec. 6512. Limitations in Case of Petition to Tax Court or Complaint With District Court.

"(a) Effect of Petition to Tax Court or Complaint With District Court.—If the Secretary or his delegate has mailed to the taxpayer a notice of deficiency under section 6212(a) and if the taxpayer files a petition with the Tax Court or a complaint with a proper United States district court for a redetermination of the deficiency within the time prescribed in section 6213(a), no credit or refund of income, employment, or excise tax for the same taxable year, or gift tax for the same calendar year, or of estate tax in respect of the taxable estate of the same decedent, in respect of which the Secretary or his delegate has determined the deficiency shall be allowed or made and no suit by the taxpayer for the recovery of any part of the tax shall be instituted in any court except—

"(1) As to overpayments determined by a decision of the Tax Court or a district court which has become final; and

"(2) As to any amount collected in excess of an amount computed in accordance with the decision of the Tax Court or a district court which has become final; and

"(3) As to any amount collected after the period of limitation upon the making of levy or beginning a proceeding in court for collection has expired; but in any such claim for credit or refund or in any such suit for refund the decision of the Tax Court or district court which has become final, as to whether such period has expired before the notice of deficiency was mailed, shall be conclusive.

"(b) Overpayment Determined by Tax Court or District Court.—

"(1) Jurisdiction to determine.—If the Tax Court, or district court finds that there is no deficiency and further finds that the taxpayer has made an overpayment of income, employment, or excise tax for the same taxable year, of gift tax for the same calendar year, or of estate tax in respect of taxable estate of the same decedent, in respect of which the Secretary or his delegate determined the deficiency, or finds that there is a deficiency but that the taxpayer has made an overpayment of such tax, the Tax Court or district court shall have jurisdiction to determine the amount of such overpayment, and such amount shall, when the decision of the Tax Court or district court has become final, be credited or refunded to the taxpayer.

"(2) Limit on amount of credit or refund.—No such credit or refund shall be allowed or made of any portion of the tax unless the Tax Court or district court determines as part of its decision that such portion was paid—

"(A) after the mailing of the notice of deficiency, or

"(B) within the period which would be applicable under section 6511(b)(2), (c), or (d), if on the date of the mailing of the notice of deficiency a claim had been filed (whether or not filed) stating the grounds upon which the Tax Court or district court finds that there is an overpayment."

(i) The title of section 6512 in the table of sections for subchapter B of chapter 66 of subtitle F of the Internal Revenue Code of 1954 is amended to read as follows:

"Sec. 6512. Limitations in case of petition to Tax Court or complaint with district court."

(j) Section 6673 is amended to read as follows:

"Sec. 6673. Damages Assessable for Instituting Proceedings Before the Tax Court or a District Court Merely for Delay.

"Whenever it appears to the Tax Court or a United States district court that proceedings before it under section 6213 (a) have been instituted by the taxpayer merely for delay, damages in an amount not in excess of $500 shall be awarded to the United States by the Tax Court or district court in its decision. Damages so awarded shall be assessed at the same time as the deficiency and shall be paid upon notice and demand from the Secretary or his delegate and shall be collected as part of the tax."

(k) The title of section 6673 in the table of sections for subchapter B of chapter 68 of subtitle F of the Internal Revenue Code of 1954 is amended to read as follows:

"Sec. 6673. Damages assessable for instituting proceedings before the Tax Court or a district court merely for delay."

(l) The titles of sections 6861 and 6862 in the table of sections for part II of subchapter A of chapter 70 of subtitle F are amended to read as follows:

"Sec. 6861. Jeopardy assessments of taxes imposed by subtitle A, B, C, or D.
"Sec. 6862. Jeopardy assessments of taxes other than those imposed by subtitle A, B, C, or D.
"Sec. 6863. Stay of collection of jeopardy assessments.
"Sec. 6864. Termination of extended period of payment in case of carryback."

(m) The title of section 6861 and subsections (c), (d), (e), (f), and (g) are amended to read as follows:

"Sec. 6861. Jeopardy Assessment of Taxes Imposed by Subtitle A, B, C, or D.

"(c) Amount Assessable Before Decision of Tax Court or District Court.—The jeopardy assessment may be made in respect of a deficiency greater or less than that notice of which has been mailed to the taxpayer, despite the provisions of section 6212(c) prohibiting the determination of additional deficiencies, and whether or not the taxpayer has theretofore filed a petition with the Tax Court or a complaint with a United States district court under section 6213(a). The Secretary or his delegate may, at any time before the decision of the Tax Court or district court is rendered, abate such assessment, or any unpaid portion thereof, to the extent that he believes the assessment to be excessive in amount. The Secretary or his delegate shall notify the Tax Court or district court of the amount of such assessment or abatement, if the petition is filed with the Tax Court or the complaint with a district court before the making of the assessment or is subsequently filed, and the Tax Court or district court shall have jurisdiction to redetermine the entire amount of the deficiency and of all amounts assessed at the same time in connection therewith.

"(d) Amount Assessable After Decision of Tax Court or District Court.—If the jeopardy assessment is made after the decision of the Tax Court or district court is rendered, such assessment may be made only in respect of the deficiency determined by the Tax Court or district court in its decision.

"(e) Expiration of Right To Assess.—A jeopardy assessment may not be made after the decision of the Tax Court or district court has become final or after the taxpayer has filed a petition for review of the decision of the Tax Court or an appeal from the decision of the district court.

"(f) Collection of Unpaid Amounts.—When the petition has been filed with the Tax Court or the complaint with a district court and when the amount which should have been assessed has been determined by a decision of the Tax Court or district court which has become final, then any unpaid portion, the collection of which has been stayed by bond as provided in section 6863(b) shall be collected as part of the tax upon notice and demand from the Secretary or his delegate, and any remaining portion of the assessment shall be abated. If the amount already collected exceeds the amount determined as the amount which should have been assessed, such excess shall be credited or refunded to the taxpayer as provided in section 6402, without the filing of claim therefor. If the amount determined as the amount which should have been assessed is greater than the amount actually assessed, then the difference shall be assessed and shall be collected as part of the tax upon notice and demand from the Secretary or his delegate.

"(g) Abatement if Jeopardy Does Not Exist.—The Secretary or his delegate may abate the jeopardy assessment if he finds that jeopardy does not exist. Such abatement may not be made after a decision of the Tax Court or district court in respect of the deficiency has been rendered or, if no petition is filed with the Tax Court or complaint with a district court, after the expiration of the period for filing such petition. The period of limitation on the making of assessments and levy or a proceeding in court for collection, in respect of any deficiency, shall be determined as if the jeopardy assessment so abated had not been made, except that the running of such period shall in any event be suspended for the period from the date of such jeopardy assessment until the expiration of the tenth day after the day on which such jeopardy assessment is abated."

(n) Section 6862 is amended to read as follows:

"Sec. 6862. Jeopardy Assessment of Taxes Other Than Imposed by Subtitle A, B, C, or D.

"(a) Immediate Assessment.—If the Secretary or his delegate believes that the collection of any tax (other than the taxes imposed by subtitle A, B, C, or D) under * * *"

(o) Subsection (b) of section 6863 is amended to read as follows:

"(b) Further Conditions in Case of Certain Taxes.—In the case of taxes subject to the jurisdiction of the Tax Court or a United States district court under section 6213(a)—

"(1) Prior to petition to tax court or complaint with district court.—If the bond is given before the taxpayer has filed his petition or complaint under section 6213(a), the bond shall contain a further condition that if a petition or complaint is not filed within the period provided in such section, then the amount, the collection of which is stayed by the bond, will be paid on notice and demand at any time after the expiration of such period, together with interest thereon from the date of the jeopardy notice and demand to the date of notice and demand under this paragraph.

"(2) Effect of tax court or district court decision.—The bond shall be conditioned upon the payment of so much of such assessment (collection of which is stayed by the bond) as is not abated by a decision of the Tax Court or district court which has become final. If the Tax Court or district court determines that the amount assessed is greater than the amount which should have been assessed, then when the decision of the Tax Court or district court is rendered the bond shall, at the request of the taxpayer, be proportionately reduced.

"(3) Stay of sale or seized property pending tax court or district court decision.—

"(A) General rule.—Where, notwithstanding the provisions of section 6213(a), a jeopardy assessment has been made under section 6861 the property seized for the collection of the tax shall not be sold—

"(i) if section 6861(b) is applicable, prior to the issuance of the notice of deficiency and the expiration of the time provided in section 6213(a) for filing petition with the Tax Court or complaint with a district court, and

"(ii) if petition is filed with the Tax Court or complaint with a district court (whether before or after the making of such jeopardy assessment under section 6861), prior to the expiration of the period during which the assessment of the deficiency would be prohibited if section 6861(a) were not applicable.

"(B) Exceptions.—Such property may be sold if—

"(i) the taxpayer consents to the sale,

"(ii) the Secretary or his delegate determines that the expenses of conservation and maintenance will greatly reduce the net proceeds, or

"(iii) the property is of the type described in section 6336.

"(C) Applicability.—Subparagraphs (A) and (B) shall be applicable only with respect to a jeopardy assessment made on or after January 1, 1955, and shall apply with respect to taxes imposed by this title and with respect to taxes imposed by the Internal Revenue Code of 1939."

(p) Section 6871 is amended to read as follows:

"Sec. 6871. Claims for Certain Taxes in Bankruptcy and Receivership Proceedings.

"(a) Immediate Assessment.—Upon the adjudication of bankruptcy or any taxpayer in any liquidating proceeding, the filing or (where approval is required by the Bankruptcy Act) the approval of a petition against, any taxpayer in any other bankruptcy proceeding, or the appointment of a receiver for any taxpayer in any receivership proceeding before any court of the United States or of * * * imposed by subtitle A, B, C, or D upon such taxpayer * * *

"(b) Claim Filed Despite Pendency of Tax Court Proceedings.—In the case of a tax imposed by subtitle A, B, C, or D, claims for the deficiency * * * in pursuance of a petition to the Tax Court or a complaint with a district court under 6213(a); but no petition * * * with the Tax Court or with a district court under 6213(a) after the adjudication * * *"

(q) Subsections (a) and (b) of section 6902 are amended to read as follows:

"(a) Burden of Proof.—In proceedings before the Tax Court the burden of proof shall be upon the Secretary or his delegate and in proceedings before a United States district court under section 6213(a) the burden shall be upon the defendant to show that a petitioner or a plaintiff is liable as a transferee of property of a taxpayer, but not to show that the taxpayer was liable for the tax.

"(b) Evidence.—Upon application to the Tax Court, a transferee of property of a taxpayer shall be entitled, under rules prescribed by the Tax Court, to a preliminary examination of books, papers, documents, correspondence, and other evidence of the taxpayer or a preceding transferee of the taxpayer's property, if the transferee making the application is a petitioner before the Tax Court for the redetermination of his liability in respect of the tax (including interest, additional amounts, and additions to the tax provided by law) imposed upon the taxpayer. Upon such application, the Tax Court may require by subpena, ordered by the Tax Court or any division thereof and signed by a judge, the production of all such books, papers, documents, correspondence, and other evidence within the United States the production of which, in the opinion of the Tax Court or division thereof, is necessary to enable the transferee to ascertain the liability of the taxpayer or preceding transferee and will not result in undue hardship in the taxpayer or preceding transferee. Such examination shall be had at such time and place as may be designated in the subpena. This subsection shall not restrict any right of a transferee of property to discovery in proceedings before a district court under section 6213(a)."

(r)(1) Subsection (e) of section 7422 is amended to read as follows:

"(e) Counterclaims for Deficiency.—If the Secretary or his delegate prior to the hearing of a suit brought by a taxpayer in a district court or the Tax Court for the recovery of any income, estate, gift, employment, or excise tax mails to the taxpayer a notice that a deficiency has been determined in respect of the tax which is the subject matter of taxpayer's suit, the United States may counterclaim in the taxpayer's suit for the amount of deficiency, including penalties and interest. The taxpayer shall have the burden of proof with respect to the issues raised by such counterclaim of the United States except as to the issue of whether the taxpayer has been guilty of fraud with intent to evade tax. This subsection shall not apply to a suit by a taxpayer which, prior to the date of enactment of this title, is commenced, instituted, or pending in a district court or the Court of Claims for the recovery of any income tax, estate tax, or gift tax (or any penalty relating to such taxes)."

(r) (2) Section 7442 is amended to read as follows:

"Sec. 7442. Jurisdiction.

"The Tax Court shall have original jurisdiction, concurrent with district courts, of:

"(a) Any civil action brought under section 6213(a) of this title for the redetermination of a deficiency in any tax imposed by subtitle A, B, C, or D of this title; and

"(b) Any civil action against the United States for the recovery of any internal-revenue tax alleged to have been erroneously or illegally assessed or collected, or any penalty claimed to have been collected without authority or any sum alleged to have been excessive or in any manner wrongfully collected under the internal-revenue laws."

(s) Chapter 76 of subtitle F of the Internal Revenue Code of 1954 is amended by redesignating subchapter E as subchapter F, by redesignating sections 7491, 7492, and 7493 as sections 7496, 7497, and 7498, respectively, and by inserting after subchapter D a new subchapter E reading as follows:

"Subchapter E—Redetermination Proceedings in District Courts

"Sec. 7488. Burden of proof in fraud and transferee cases.
"Sec. 7489. Decisions.
"Sec. 7490. Date when district court decision becomes final.
"Sec. 7491. Courts or review.
"Sec. 7492. Bond to stay assessment and collection.
"Sec. 7493. Refund, credit, or abatement of amounts disallowed.

"Sec. 7494. Conflict with Tax Court jurisdiction.

"Sec. 7488. Burden of Proof in Fraud and Transferee Cases.

"(a) Fraud.—In any proceeding before a United States district court under section 6213(a) involving the issue whether the plaintiff has been guilty of fraud with intent to evade tax, the burden of proof in respect of such issue shall be upon the defendant.

"(b) Cross Reference.—

"For provisions relating to burden of proof as to transferee liability, see section 6902(a).

"Sec. 7489. Decisions.

"(a) Date of Decision.—A decision of a United States district court in a proceeding under section 6213(a) (except a decision dismissing a proceeding for lack of jurisdiction) shall be held to be rendered upon the date that an order specifying the amount of the deficiency is entered in the records of the district court. If the district court dismisses a proceeding for reasons other than lack of jurisdiction and is unable from the record to determine the amount of the deficiency determined by the Secretary or his delegate, or if the district court dismisses a proceeding for lack of jurisdiction, an order to that effect shall be entered in the records of the district court, and the decision of the district court shall be held to be rendered upon the date of such entry.

"(b) Effect of Decision Dismissing Complaint.—If a complaint for a redetermination of a deficiency has been filed by the taxpayer, a decision of the district court dismissing the proceeding shall be considered as its decision that the deficiency is the amount determined by the Secretary or his delegate. An order specifying such amount shall be entered in the records of the district court unless the district court cannot determine such amount from the record in the proceeding, or unless the dismissal is for lack of jurisdiction.

"(c) Effect of Decision That Tax Is Barred by Limitation.—If the assessment or collection of any tax is barred by any statute of limitations, the decision of the district court to that effect shall be considered as its decision that there is no deficiency in respect of such tax.

"(d) Penalty.—

For penalty for taxpayer instituting proceedings before Tax Court or district court merely for delay, see section 6673.

"Sec. 7490. Date When District Court Decision Becomes Final.

"The decision of a United States district court in a proceeding under section 6213(a) shall become final for purposes of this title but not for purposes of section 1291 of title 28 of the United States Code (relating to appeals from final decisions of district courts)—

"(1) Timely notice of appeal not filed.—Upon the expiration of the time allowed for filing a notice of appeal, if no such notice has been duly filed within such time; or

"(2) Decision affirmed or appeal dismissed.—

"(A) Petition for certiorari not filed on time.—Upon the expiration of the time allowed for filing a petition of certiorari, if the decision of the district court has been affirmed or the appeal dismissed by the United States Court of Appeals and no petition for certiorari has been duly filed; or

"(B) Petition for certiorari denied.—Upon the denial of a petition for certiorari, if the decision of the district court has been affirmed or the appeal dismissed by the United States Court of Appeals; or

"(C) After mandate of supreme court.—Upon the expiration of 30 days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the decision of the district court be affirmed or the appeal dismissed.

"(3) Decision modified or reversed.—

"(A) Upon mandate of supreme court.—If the Supreme Court directs that the decision of the district court be modified or reversed, the decision of the district court rendered in accordance with the mandate of the Supreme Court shall become final upon the expiration of thirty days from the time it was rendered, unless within such thirty days either the Secretary or his delegate, the United States, or the taxpayer has instituted proceedings to have such decision corrected to accord with the mandate, in which event the decision of the district court shall become final when so corrected.

"(B) Upon mandate of the court of appeals.—If the decision of the district court is modified or reversed by the United States Court of Appeals, and if—

"(i) the time allowed for filing a petition for certiorari has expired and no such petition has been duly filed, or

"(ii) the petition for certiorari has been denied, or

"(iii) the decision of the United States Court of Appeals has been affirmed by the Supreme Court, then the decision of the district court rendered in accordance with the mandate of the United States Court of Appeals shall become final on the expiration of thirty days from the time such decision of the district court was rendered, unless within such thirty days either the Secretary or his delegate, the United States, or the taxpayer has instituted proceedings to have such decision corrected so that it will accord with the mandate, in which event the decision of the district court shall become final when so corrected.

"(4) Rehearing.—If the Supreme Court orders a rehearing, or if the case is remanded by the United States Court of Appeals to the district court for a rehearing, and if—

"(A) the time allowed for filing a petition for certiorari has expired and no such petition has been duly filed, or

"(B) the petition for certiorari has been denied, or

"(C) the decision of the United States Court of Appeals has been affirmed by the Supreme Court, then the decision of the district court rendered upon such rehearing shall become final in the same manner as though no prior decision of the district court has been rendered.

"(5) Definition of 'mandate'.—As used in this section, the term 'mandate,' in case a mandate has been recalled prior to the expiration of thirty days from the date of issuance thereof, means the final mandate.

"Sec. 7491. Courts of Appeals.

"(a) Jurisdiction.—The United States Court of Appeals and the Supreme Court of the United States shall have jurisdiction of appeals from decisions of United States district courts in proceedings under section 6213(a) in the manner provided in title 28 of the United States Code.

"(b) Power To Impose Damages.—The United States Court of Appeals and the Supreme Court shall have power to impose damages in any case where the decision of the district court is affirmed and it appears that the appeal was filed merely for delay.

"Sec. 7492. Bond To Stay Assessment and Collection.

"(a) Upon Appeal.—Notwithstanding any provision of law imposing restrictions on the assessment and collection of deficiencies, the appeal under section 7491 shall not operate as a stay of assessment or collection of any portion of the amount of the deficiency determined by the United States district court unless an appeal in respect of such portion is duly filed by the taxpayer, and then only if the taxpayer—

"(1) on or before the time his notice of appeal is filed with the district court a bond in a sum fixed by the district court not exceeding double the amount of the portion of the deficiency in respect of which the notice of appeal is filed, and with surety approved by the district court, conditioned upon the payment of the deficiency as finally determined, together with any interest, additional amounts, or additions to the tax provided for by law, or

"(2) has filed a jeopardy bond under the income or estate tax laws. If as a result of a waiver of the restrictions on the assessment and collection of a deficiency any part of the amount determined by the district court is paid after filing of the appeal bond, such bond shall, at the request of the taxpayer, be proportionally reduced.

"(b) Cross Reference.—

"For deposit of United States bonds or notes in lieu of sureties, see U.S.C. 15.

"Sec. 7493. Refund, Credit, or Abatement of Amounts Disallowed.

"In cases where assessment or collection has not been stayed by the filing of a bond, then if the amount of the deficiency determined by a United States district court is disallowed in whole or in part by the court of review, the amount so disallowed shall be credited or refunded to the taxpayer, without the making of claim therefor, or, if collection has not been made, shall be abated.

"Sec. 7494. Conflict With Tax Court Jurisdiction.

"Nothing contained in section 6213(a) shall be construed to impair the jurisdiction of the Tax Court or to prevent a taxpayer from filing a petition with the Tax Court for a redetermination of a deficiency under such section. The filing of a petition with the Tax Court under such section for a redetermination of a deficiency shall be a bar to the commencement of an action in a United States district court under such section for a redetermination of such deficiency, and the commencement of an action in a United States district court under such section of a redetermination of a deficiency shall be a bar to the filing of a petition with the Tax Court under such section for a redetermination of such deficiency."

(t) Subsection (a) and (d) of section 534 are amended to read as follows:

"(a) General rule.—In any proceeding before the Tax Court or in any proceeding before a United States district court under section 6213(a) involving a notice of deficiency based in whole or in part on the allegation that all or any part of the earnings and profits have been permitted to accumulate beyond the reasonable needs of the business, the burden of proof with respect to such allegations shall—

"(1) if notification has not been sent in accordance with subsection (b) be on the Secretary or his delegate, or

"(2) if the taxpayer has submitted the statement described in subsection (c), be on the Secretary or his delegate with respect to the ground set forth in such statement in accordance with the provisions of such subsection.

"(d) Jeopardy Assessment.—If, pursuant to section 6861(a) a jeopardy assessment is made before the mailing of the notice of deficiency referred to in subsection (a), for purposes of this section such notice of deficiency shall, to the extent that it informs the taxpayer that such deficiency includes the accumulated earnings tax imposed by section 531, constitute the notification described in subsection (b), and in that event the statement described in subsecion (c) may be included in the taxpayers' petition to the Tax Court or complaint to a district court."

(u) This Act shall take effect thirty days after its enactment.

S. 1974

A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure," and amending title 26 of the United States Code, "Internal Revenue Code", to make the United States Tax Court an article III court, to provide for exclusive jurisdiction of the United States Tax Court over civil tax refund suits and deficiency redeterminations in taxes imposed by subtitle A, B, C, or D of title 26 of the United States Code, to create a Small Claims Division of the United States Tax Court, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Federal Tax Litigation Act".

TITLE I—UNITED STATES TAX COURT

SEC. 101. (a) Title 28, United States Code, "Judiciary and Judicial Procedure," is amended by adding immediately following section 255 thereof the following new chapter:

"Chapter 12.—TAX COURT

"Sec.
"271. United States Tax Court.
"272. Chief judge; designation.
"273. Precedence of judges.
"274. Tenure and salaries of judges.
"275. Divisions; assignment of judges; trials; quorum.
"276. Principal seat and places of trial.
"277. Sessions.
"278. Publication of opinions.

"§ 271. United States Tax Court

"(a) The Tax Court of the United States shall be a court of record, consisting of sixteen judges, and shall henceforth be known as the United States Tax Court. The judges of the United States Tax Court shall be appointed by the President, by and with the advice and consent of the Senate: *Provided, however,* That a judge of the Tax Court of the United States established under section 7441 of the Internal Revenue Code of 1954 in office on the effective date of this Act shall serve as a judge of the United States Tax Court until his term expires, he resigns prior to the expiration of his term, he is separated or removed from office in accordance with law. or he retires under section 7447 of such Code, except as provided in section 294 of this title.

"(b) When no active or retired judge of the Tax Court of the United States can serve, or be recalled for service as a judge, the United States Tax Court shall be a court established under article III of the Constitution of the United States.

"§ 272. Chief judge; designation

"The United States Tax Court shall, at least biennially, designate a judge of such court to act as chief judge.

"§ 273. Precedence of judges

"(a) The chief judge of the United States Tax Court shall have precedence and preside at any session of the court which he attends.

"(b) The other judges shall have precedence and, in the absence of an order of designation by the chief judge, shall preside according to the seniority of their commissions. For purposes of this section, the date of the commission of each judge of the United States Tax Court who has become such by virtue of his being a judge of the Tax Court of the United States in office on the effective date of this Act shall be the date of his first commission as a judge of the Tax Court of the United States. Judges whose commissions are of the same date shall have precedence according to seniority in age.

"§ 274. Tenure and salary of judges

"(a) Each judge of the United States Tax Court shall hold office during good behavior, except as otherwise provided in section 271 of this title.

"(b) Each judge shall receive a salary of $30,000 per annum.

"§ 275. Divisions; assignment of judges; trials; quorum

"(a) The chief judge may from time to time divide the United States Tax Court into divisions of one or more judges (including a division for small claims), assign the judges of the court thereto, and in case of a division of more than one judge, designate the chief thereof, and he may authorize the trial and determination of cases and other matters by any such division. If a division, as a result of a vacancy or the absence or inability of a judge assigned thereto to serve thereon, is composed of less than the number of judges designated for the division, the chief judge may assign other judges to the division or direct the division to proceed with the transaction of business without awaiting any additional assignment of judges thereto.

"(b) A majority of the judges of the United States Tax Court or of any division thereof shall constitute a quorum for the transaction of the business of such court or of the division, respectively. A vacancy in the court or in any division thereof shall not impair the powers nor affect the duties of such court or division nor of the remaining judges of such court or division, respectively.

"§ 276. Principal seat and places of trial

"The principal seat of the United States Tax Court shall be in the District of Columbia, but such court or any of its divisions may sit at any place within the United States.

"§ 277. Sessions

"The times and places of the sessions of the United States Tax Court and of its divisions shall be fixed by the chief judge with a view to securing reasonable opportunity to taxpayers to appear before the court or any of its divisions, with as little inconvenience and expense to taxpayers as is practicable.

"§ 278. Publications of opinions

"The United States Tax Court shall provide for the publication of its opinions at the Government Printing Office in such form and manner as may be best adapted for public information and use, and such authorized publication shall be competent evidence of the opinions of the court therein contained in all courts of the United States and of the several States without any further proof or authentication thereof. Such opinions shall be subject to sale in the same manner and upon the same terms as other public documents."

(b) Title 28, United States Code, is amended by inserting the analysis of part I, preceding chapter 1, after the item

"11. Customs Court .... 251"

the following new item:

"12. United States Tax Court .... 271".

(c) Section 93 of the Act of January 12, 1895 (providing for the public printing, binding, and distribution of public documents) (ch. 23, 28 Stat. 623; 44 U.S.C. 117) is amended by inserting immediately before the words "or the Library" the following: "the United States Tax Court," and by inserting immediately before the words "or the Librarian" the following: "chief judge of the United States Tax Court,".

SEC. 102. Title 28, United States Code, section 292(d), is amended by striking out the words "Appeals or the Customs Court" and inserting in lieu thereof the following: "Appeals, the Customs Court, or the United States Tax Court".

SEC. 103. Title 28, United States Code, section 293, is amended by adding at the end thereof the following new subsection:

"(e) After the United States Tax Court becomes a court under article III of the Constitution of the United States in accordance with section 271, the Chief Justice of the United States may designate and temporarily assign any judge of the United States Tax Court to perform judicial duties in a court of appeals or in a district court in any circuit upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises. Judges designated or assigned shall be competent to sit as judges of the court."

SEC. 104. Title 28, United States Code, section 294, is amended by adding at the end thereof the following new subsection:

"(f) Any judge who is receiving retired pay under section 7447(d) of the Internal Revenue Code of 1954 or compensation (in lieu of retired pay) under section 7447(c) of such Code (whether or not he served as a judge on the United States Tax Court) may be called upon by the chief judge of the United States Tax Court to perform for such court judicial duties in accordance with section 7447(c) of such Code: *Provided, however,* That five years after the enactment of this Act, no retired judge who was not appointed to hold office during good behavior shall be subject to recall. Judges excluded from recall by reason of this proviso shall continue to receive compensation as though they were serving subject to recall. Any act, or failure to act, by a retired judge performing such judicial duties shall have the same force and effect as if it were the act (or failure to act) of a judge of such court. Any retired judge performing such judicial duties shall have the same powers under section 2651 of this title as a judge of the United States Tax Court."

SEC. 105. (a) Title 28, United States Code, section 331, is amended by inserting after "Appeals," in the first sentence thereof the following: "the chief judge of the United States Tax Court,".

(b) Title 28, United States Code, section 331, third undesignated paragraph, second sentence, is amended by striking out "or the chief judge of the Court of Customs and Patent Appeals" and inserting in lieu thereof the following: "the chief judge of the Court of Customs and Patent Appeals, or the chief judge of the United States Tax Court".

SEC. 106. (a) Title 28, United States Code, section 372(a), is amended by striking from the third undesignated paragraph the words "or Customs Court," and inserting in lieu thereof "Customs Court, or United States Tax Court".

(b) Title 28, United States Code, section 372(a), is amended by striking from the fifth undesignated paragraph thereof the words "or Customs Court" and inserting in lieu thereof "Customs Court, or United States Tax Court".

(c) Title 28, United States Code, section 372(b), is amended by striking "or Customs Court" both places where it appears in the first sentence thereof and inserting in lieu thereof in both places the words "Customs Court, or United States Tax Court".

SEC. 107. (a) Title 28, United States Code, is amended by insering immediately after section 376 the following new section:

"§ 377. Service for the Tax Court of the United States

"(a) For purposes of sections 371 to 376, inclusive, the years of service of a judge of the United States Tax Court holding office during good behavior shall include all service by him on the United States Tax Court and the Tax Court of the United States.

"(b) Sections 7447 and 7448 of the Internal Revenue Code of 1954 shall continue to apply to any judge of the United States Tax Court who became such a judge by reason of his service as a judge on the Tax Court of the United States unless and until such judge takes office by reason of an appointment to hold office during good behavior. If he is so appointed, such sections 7447 and 7448 shall not apply to him after he takes office under such appointment.

"(c) For purposes of section 376(a) of this title, the date on which a judge who previously served on the Tax Court of the United States takes office shall be the date on which he takes office by reason of an appointment to hold office during good behavior. If a judge electing to bring himself within the purview of such section 376 had made deposits under section 7448 of the Internal Revenue Code of 1954, the amount he would be entitled to receive under section 7448(g) of such Code, if he had terminated his service at the time of filing his election, shall be transferred to the credit of the 'judicial survivors annuity fund' established by such section 376, and shall be subject to the provisions applicable to such fund. The amounts so transferred shall be credited as deposits to the individual account of the judge making such an election. No amount is includable in the gross income of the judge by reason of such transfer of deposits."

(b) The analysis of chapter 17, immediately preceding section 371, title 28, United States Code, is amended by adding at the end thereof the following new item:

"377. Service on the Tax Court of the United States."

(c) Title 5, United States Code, section 8331, paragraph (1), is amended by inserting immediately before the semicolon in clause (i) thereof the following: ", except for a judge of the United States Tax Court who is holding office under a term appointment".

(d) Section 7447 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(h) Service on the United States Tax Court.—For purposes of this section and section 7448—

"(1) the years of service of any judge of the Tax Court of the United States shall include any service by him as a judge of the United States Tax Court under a term appointment;

"(2) the term 'Tax Court' or 'Tax Court of the United States' includes the 'United States Tax Court';

"(3) the term 'chief judge' or 'judge' includes a chief judge or judge of the United States Tax Court; and

"(4) the term 'judge's salary' includes the salary of a judge received under section 274 of title 28, United States Code."

Sec. 108. (a) Title 28, United States Code, section 451, second undesignated paragraph is amended by inserting immediately after "the Customs Court" the following: ", the United States Tax Court.".

(b) Title 28, United States Code, section 451, fourth undesignated paragraph is amended by adding at the end thereof the folllowing new sentence: "Such term also includes the judges of the United States Tax Court.".

(c) Title 28, United States Code, section 451, is amended by adding at the end thereof the following new undesignated paragraph:

"The term 'Tax Court' means the United States Tax Court except when otherwise indicated."

Sec. 109. Title 28, United States Code, section 454, is amended by adding at the end thereof the following new sentence: "This section shall not apply to a judge of the United States Tax Court who has retired under the provisions of title 5, chapter 83, United States Code, or under section 7447 of the Internal Revenue Code of 1954."

Sec. 110. Title 28, United States Code, section 456, second undesignated paragraph, is amended by inserting immediately after "and United States District Court for the District of Columbia" the following: "and the United States Tax Court,".

Sec. 111. (a) Title 28, United States Code, is amended by inserting immediately after section 526 the following new section:

"§ 527. Conduct of litigation before the United States Tax Court

"Notwithstanding sections 516 through 519 or section 547 of this title, in all proceedings before the United States Tax Court, the Secretary of the Treasury or his delegate shall be represented by the Chief Counsel for the Internal Revenue Service or his delegate in the same mannner as he has heretofore been represented in proceedings before the Tax Court of the United States."

(b) The analysis of chapter 31, immediately preceding section 501, title 28, United States Code, is amended by adding at the end thereof the following new item:

"527. Conduct of litigation before the United States Tax Court."

Sec. 112. Title 28, United States Code, section 569(a), is amended by striking the word "and" immediately before "of the Customs Court" and by inserting immediately after "New York," the following: ", and of the United States Tax Court holding sessions in his district,".

Sec. 113. Title 28, United States Code, section 610, is amended by striking "and the Customs Court" and inserting in lieu thereof "the Customs Court, and the United States Tax Court."

Sec. 114. (a) Title 28, United States Code, is amended by adding immediately after section 873 the following new chapter:

"Chapter 56.—United States Tax Court

"Sec.
"911. Commissioners.
"912. Clerk of the court and employees.
"913. Marshal and employees.
"914. Law assistants and secretaries.
"915. Transferred employees.

"§ 911. Commissioners of Small Claims Division

"(a) Appointment.—The United States Tax Court may appoint, without regard to the civil service laws and regulations, such number of Commissioners, not exceeding twenty, as may be necessary to carry out the functions of the Small Claims Division. Each Commissioner shall be a member in good standing of the bar of the United States Supreme Court or of the highest court of any State or territory or of the District of Columbia. Commissioners shall be subject to removal by the United States Tax Court.

"(b) Compensation and Allowances.—Each Commissioner shall receive the same compensation, travel, and subsistence allowances, retirement and other benefits as are now or hereafter provided by law for commissioners of the United States Court of Claims.

"§ 912. Clerk of the court and employees

"(a) The United States Tax Court may appoint, and shall fix the duties of, a clerk and an assistant clerk who shall be subject to removal by the court.

"(b) The clerk may employ, with the approval of the chief judge, deputies, clerical assistants, and other employees as may be authorized by the court. Such deputies, clerical assistants, and other employees shall be subject to removal by the clerk, with the approval of the chief judge.

"(c) The clerk shall serve the court under the direction of the chief judge. All fees and costs collected by the clerk shall be deposited in the Treasury under the administrative procedures of the court.

"§ 913. Marshal and employees

"(a) The United States Tax Court may appoint, and shall fix the duties of, a marshal and an assistant who shall be subject to removal by the court.

"(b) The marshal may employ, with the approval of the chief judge, other officers and employees as may be authorized by the court. Such other officers and employees shall be subject to removal by the marshal, with the approval of the chief judge.

"(c) The marshal shall serve the court under the direction of the chief judge. Under regulations prescribed by the Director of the Administrative Office of the United States Courts, the marshal shall pay the salaries, office expenses, and travel and subsistence allowances of the judges, officers, and employees of the court, pay judges retired pay and survivors annuities, and shall disburse funds appropriated for all expenses of the court. All fees collected by him shall be deposited in the Treasury under the administrative procedures of the court.

"§ 914. Law assistants and secretaries

"Each judge of the United States Tax Court may continue to employ two law assistants, a secretary, and a secretarial assistant, each of whom shall be subject to removal by the judge.

"§ 915. Transferred employees

"Nothing contained in this chapter shall be construed to deprive any person serving on the date of enactment of this chapter as an officer or employee of the Tax Court of the United States of any rights, privileges, or civil service status, if any, to which such person is entitled under the laws of the United States or regulations thereunder."

(b) The analysis of part III—Court Officers and Employees, immediately preceding chapter 41, title 28, United States Code, is amended by inserting after the item

"55. Customs Court------------------ 871"

the following new item:

"56. United States Tax Court--------- 911."

Sec. 115. (a) Title 28, United States Code, is amended by inserting the following new section immediately after section 1294:

"§ 1295. United States Tax Court decisions

"(a) The courts of appeals shall have exclusive jurisdiction to review on appeal the decisions of the United States Tax Court in the same manner and to the same extent as decisions of the district courts in civil actions tried without a jury; and the judgment of any such court shall be final, except that it shall be subject to review by the Supreme Court upon certiorari, in the manner provided in section 1254 of this title.

"(b)(1) Except as otherwise provided in paragraph (2), such decisions may be reviewed by the court of appeals for the circuit in which is located—

"(A) in the case of a petitioner seeking redetermination of tax liability other than a corporation, the legal residence of the petitioner, or

"(B) in the case of a corporation seeking redetermination of tax liability, the principal place of business or principal office or agency of the corporation, or, if it has no principal place of business or principal office or agency in any judicial circuit, then the office to which was made the return of the tax in respect of which the liability arises.

If for any reason neither subparagraph (A) nor (B) applies, then such decisions may be reviewed by the United States Court of Appeals for the District of Columbia. For purposes of this paragraph, the legal residence, principal place of business, or principal office or agency referred to herein shall be determined as of the time the petition seeking redetermination of tax liability was filed with the United States Tax Court.

"(2) Notwithstanding the provisions of paragraph (1), such decisions may be reviewed by any court of appeals which may be designated by the Secretary of the Treasury or his delegate and the taxpayer by stipulation in writing.

"(c)(1) Upon such review, such courts shall have power to affirm or, if the decision of the United States Tax Court is not in accordance with law, to modify or to reverse the decision of the United States Tax Court, with or without remanding the case for a rehearing, as justice may require.

"(2) Rules for a review of decisions of the United States Tax Court shall be those prescribed by the Supreme Court under section 2072 of this title."

(b) The analysis of chapter 83, immediately preceding section 1291, title 28, United States Code, is amended by adding at the end thereof the following new item:

"1295. United States Tax Court decisions."

Sec. 116. (a) Title 28, United States Code, is amended by adding immediately following section 1583 the following new chapter:

"Chapter 96.—UNITED STATES TAX COURT

"Sec.
"1621. Jurisdiction.

"§ 1621. Jurisdiction

"The United States Tax Court and its divisions shall have all the jurisdiction conferred upon the Tax Court of the United States and its divisions by the Internal Revenue Code of 1954, by chapters 1, 2, 3, and 4 of the Internal Revenue Code of 1939, by title II and title III of the Revenue Act of 1926, or by laws enacted subsequent to February 26, 1926, and by section 1346 of this title.

"For purposes of this section—

"(1) any reference to any such laws to the 'Tax Court', to the 'Tax Court of the United States', or to the 'Board of Tax Appeals' shall be construed as including a reference to the 'United States Tax Court';

"(2) any reference in any such laws to the chief judge or presiding judge of the Tax Court or of the Tax Court of the United States or to the Chairman of the Board of Tax Appeals shall be construed as including a reference to the chief judge of the United States Tax Court; and

"(3) any reference in any such laws to a judge of the Tax Court or of the Tax Court of the United States or to a member of the Board of Tax Appeals shall be construed as including a reference to a judge of the United States Tax Court."

(b) The analysis of part IV—Jurisdiction and Venue, immediately preceding chapter 81, title 28, United States Code, is amended by adding at the end thereof the following new item:

"96. United States Tax Court-------- 1621".

Sec. 117. (a) Title 28, United States Code, is amended by adding the following new section immediately after section 1696:

"§ 1697. United States Tax Court; service of process

"Service of any pleading decision, order, notice, or process in proceeding before the United States Tax Court may be made personally or by registered or certified mail, except as provided in section 1783 of this title."

(b) The analysis of chapter 113, immediately preceding section 1691, title 28, United States Code, is amended by adding at the end thereof the following new item:

"1697. United States Tax Court; service of process."

Sec. 118. (a) Title 28, United States Code, is amended by adding the following new section immediately after section 1825:

"§ 1826. Payment of United States Tax Court witnesses

"(a) Witnesses for the Secretary of the Treasury or his delegate in proceedings before the United States Tax Court shall be paid by the Secretary of the Treasury or his delegate out of any moneys appropriated for the collection of internal revenue taxes, and may be paid in advance.

"(b) Other witnesses in such proceedings shall be paid in accordance with the rules of the United States Tax Court by the party at whose instance the witness appears or makes deposition."

(b) The analysis of chapter 119, immediately preceding section 1821, title 28, United States Code, is amended by adding at the end thereof the following new item:

"126. Payment of United States Tax Court witnesses."

Sec. 119. (a) Title 28, United States Code, is amended by adding the following new section immediately after section 1929:

"§ 1930. United States Tax Court fees

"(a) The United States Tax Court may impose a fee not in excess of $10 for the filing of a petition.

"(b) The United States Tax Court may fix reasonable fees for preparing, comparing, and certifying transcripts of record, and a copy of any record, entry, or other paper; such fees shall not exceed comparable fees prescribed by the Judicial Conference for district courts."

(b) The analysis of chapter 123, immediately preceding section 1911 of title 28, United States Code, is amended by adding at the end thereof the following new item:

"1930. United States Tax Court fees."

Sec. 120. Title 28, United States Code, section 2072, is amended by striking out the words "Tax Court of the United States" and inserting in lieu thereof the words "United States Tax Court."

Sec. 121. Title 28, United States Code, section 2107, second undesignated paragraph is amended to read as follows:

"In any such action, suit, or proceeding in which the United States or an officer or agency thereof is a party, the time as to all parties shall be sixty days from such entry; except that the decision of the United States Tax Court may be reviewed by a court of appeals if an appeal for such review is filed by either the Secretary of the Treasury (or his delegate) or the taxpayer within ninety days after the decision is rendered. If, however, an appeal from a decision of the United States Tax Court is so filed by one party to the proceeding, an appeal from such decision may be filed by any other party to the proceeding within one hundred and twenty days after such decision is rendered."

Sec. 122. (a) Title 28, United States Code, is amended by adding the following new chapter immediately after section 2642:

"Chapter 170.—UNITED STATES TAX COURT PROCEDURE

"Sec.
"2651. Powers of United States Tax Court generally.
"2652. Rules of practice, procedure, and evidence.
"2653. Jury trial denied.
"2654. Burden of proof.
"2655. Special rule in transferee proceedings.
"2656. Review of findings and opinions of divisions.
"2657. Rehearing after trial.
"2658. Publicity of trials and records.
"2659. Entry and rendition of decisions.
"2660. Effect of certain decisions.

"§ 2651. Powers of United States Tax Court generally

"The United States Tax Court and each judge thereof shall possess all the powers of a district court of the United States for preserving order, compelling the attendance of witnesses, and the production of evidence. These powers, however, shall be nationwide.

"§ 2652. Rules of practice, procedure, and evidence

"(a) The trials and other proceedings of the United States Tax Court and its divisions and commissioners shall be conducted in accordance with such rules of practice and procedure as the court may prescribe. The court shall adopt the Federal Rules of Civil Procedure to the extent that they are not incompatible with the operations of the court.

"(b) The rules of evidence applicable in civil actions tried without a jury in the United States District Court for the District of Columbia shall be applied in trials before the United States Tax Court and its divisions and commissioners.

"(c) Notwithstanding the provisions of subsections (a) and (b), the United States Tax Court may prescribe separate rules of practice, procedure, and evidence applicable to trials and other proceedings before a small claims division of the court.

"§ 2653. Jury trial denied

"Any case before the United States Tax Court shall be tried by the court without a jury.

"§ 2654. Burden of proof

"(a) In any case before the United States Tax Court involving an addition to tax under section 6653(b) of the Internal Revenue Code of 1954, the burden of proof in respect of such issue shall be upon the Secretary of the Treasury or his delegate.

"(b) In any proceeding before the United States Tax Court for the redetermination of the liability of a transferee, the Secretary of the Treasury or his delegate shall have the burden of proving that a petitioner is liable as a transferee of a taxpayer's property, but not that the taxpayer was liable for the tax.

"§ 2655. Special rule in transferee proceedings

"Upon application of a transferee of a taxpayer's property, who is a petitioner before the United States Tax Court for a redetermination of his liability with respect to any tax (including interest, additional amounts, and additions to tax) imposed upon the taxpayer, the United States Tax Court may, in its discretion, order the production, and preliminary examination and duplication by such transferee, of any books, papers, documents, correspondence, and other evidence of the taxpayer or of a preceding transferee of such taxpayer's property.

"§ 2656. Review of findings and opinions of divisions

"(a) The findings of fact and opinion of a division of the United States Tax Court shall become the findings and opinion of the court unless within thirty days after such determination by such division the chief judge orders a review by the court, or unless he orders such review by the court as a result of a motion for review by the court filed by either party within thirty days after service upon such party of the findings of fact and opinion.

"(b) If the findings of fact and opinion of a division are reviewed by the court, the opinion of the court shall reveal the identity of the judges in the majority.

"(c) The findings of fact of a division shall be a part of the record in all cases, except where the judge or judges who made such findings join the majority or where the findings of such division are not inconsistent with the majority opinion in cases reviewed by the court.

§ 2657. Rehearing after trial

"After trial before a division of the United States Tax Court, neither the petitioner nor the respondent shall be entitled to be heard before the court upon review, except upon a specific order of the chief judge.

"§ 2658. Publicity of trials and records

"(a) Trials before the United States Tax Court and its divisions and commissioners shall be open to the public.

"(b) The testimony and, if the court so requires, the argument at trials shall be stenographically reported. The court may employ verbatim reporters or may negotiate contracts without advertising (by renewal of contract or otherwise) for the verbatim reporting of such trials or any other proceedings, and in such contracts fix the terms and conditions under which transcripts will be supplied by the contractor to the court and to the parties and the public.

"(c) All findings of fact and opinions of the court, and all evidence received by the court and its divisions and commissioners, including a transcript of the stenographic report of the trials or proceedings, shall be public records open to the inspection of the public except that, subject to rules prescribed by the United States Tax Court for the protection of the parties, members of the public, or national security, the court may, upon its own motion or upon the motion of any person, impound all or any part of such evidence and transcript.

"(d) Notwithstanding the provisions of subsection (c) of this section, after the decision of the court in any case has become final, the court may, upon motion of any party, permit the withdrawal by the party entitled thereto of originals of books, documents, and records, and of models, diagrams, and other exhibits, introduced in evidence by such party before the court or any division or commissioner; or the court may, on its own motion, make such other disposition thereof as it deems advisable.

"§ 2659. Entry and rendition of decisions

"(a) In each proceeding before it, the United States Tax Court shall find the facts specially and state separately its opinion thereon. Judgement shall be entered pursuant to the United States Tax Court's rules. The court may provide for omissions from the official published reports of the court the findings of fact and opinion in any case which it determines not to have precedential value.

"(b) A decision of the court (except a decision dismissing a proceeding for lack of jurisdiction) shall be held to be rendered upon the date that an order specifying the amount of the deficiency is entered in the records of the court.

"(c) If the court dismisses a proceeding for reasons other than lack of jurisdiction and is unable from the record to determine the amount of the deficiency determined by the Secretary of the Treasury or his delegate, or if the court dismisses a proceding for lack of jurisdiction, an order to that effect shall be entered in its records, and the decision of the court shall be held to be rendered upon the date of such entry.

"§ 2660. Effect of certain decisions

"(a) If a petition for a redetermination of a deficiency has been filed by a taxpayer, a decision of the United States Tax Court dismissing the proceeding, other than for lack of jurisdiction, shall be considered as its decision that the deficiency is the amount determined by the Secretary of the Treasury or his delegate. An order specifying such amount shall be entered in the records of the court unless the court cannot determine such amount from the record in the proceeding.

"(b) If the assessment or collection of any tax is barred by any statute of limitations, the decision of the court to that effect shall be considered as its decision that there is no deficiency in respect of such tax."

(b) The analysis of part VI, immediately preceding chapter 151 of title 28, United States Code, is amended by inserting after the item

"169. Customs Court procedure ------- 2631"

the following:

"170. United States Tax Court procedure ----------------------- 2651".

Sec. 123. Except as provided in section 294 of title 28, United States Code, the tenure, rights, obligations, and duties of the judges of the Tax Court of the United States in office, or retired pursuant to section 7447 of the Internal Revenue Code of 1954, on the effective date of this Act shall not be affected by its enactment but each judge now in office shall continue to serve on the United States Tax Court until the expiration of his present term, or until he retires or resigns prior to the expiration of such term. Each judge now retired or hereafter retired under such section 7447 and subject to recall pursuant to subsection (c) thereof shall continue to be entitled and obligated to perform the same judicial duties with the United States Tax Court until or unless illness or disability precludes the performance of such duties. No loss of rights, interruption of jurisdiction, nor prejudice to matters pending in the Tax Court of the United States on the effective date of this Act shall result from its enactment. No loss or diminution of any right or privilege granted by sections 7447 and 7448 of such Code shall result from the enactment of this Act and such sections shall remain in full force and effect as specifically modified by this Act. The employment of any employee serving as a member of the staff of a judge of the Tax Court of the United States at the time of enactment of this Act shall not be terminated by reason of such enactment.

Sec. 124. The taxpayer shall be represented before the United States Tax Court in accordance with rules of practice prescribed by such court. All persons admitted prior to the effective date of this Act to practice in the Tax Court of the United States shall be recognized by the United States Tax Court as entitled to represent taxpayers before the court, subject to the rules of the court generally applicable to persons appearing before it.

Sec. 125. (a) Sections 6902, 7441–7446 (except 7443(f) with respect to judges serving on the Tax Court of the United States), 7451–7463 (except 7456(b)), 7471–7474, 7482, 7483, 7485(b)(1), and 7487 of the Internal Revenue Code of 1954 are repealed.

(b) Section 7485(a) of the Internal Revenue Code of 1954 is amended by striking "under section 7483" and inserting in lieu thereof "of a United States Tax Court decision".

Sec. 126. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

TITLE II—FEDERAL TAX LITIGATION

Sec. 201. Section 1340, title 28, United States Code, is amended to read as follows:

"§ 1340. Internal revenue; customs duties

"(a) The district court shall have original jurisdiction of any civil action arising under any Act of Congress providing for internal revenue, or revenue from imports or tonnage, except matters within the jurisdiction of the Customs Court and matters within the jurisdiction of the United States Tax Court."

Sec. 202. Section 1346, title 28, United States Code, is amended to read as follows:

"§ 1346. United States as defendant

"(a) The United States Tax Court shall have original jurisdiction of any civil action against the United States for the recovery of any internal revenue tax imposed by subtitle A, B, C, or D of title 26, United States Code, alleged to have been erroneously or illegally assessed or collected, or any penalty claimed to have been collected without authority or any sum alleged to have been excessive or in any manner wrongfully collected under the internal revenue laws;

"(b) The district court's shall have original jurisdiction, concurrent with the Court of Claims, if:

"(1) Any other civil action or claim against the United States, not exceeding $10,000 in amount, founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort; and for the refund of taxes or penalties imposed by subtitle E of title 26, United States Code, alleged to have been wrongfully or illegally assessed or collected, regardless of amount.

"(2) Subject to the provisions of chapter 171 of this title, the district courts, together with the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands, shall have exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on and after January 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

"(c) The jurisdiction conferred by this section includes jurisdiction of any setoff, counterclaim, or other claim or demand whatever on the part of the United States against any plaintiff commencing in action under this section.

"(d) The district courts shall not have jurisdiction under this section of any civil action or claim for a pension.

"(e) The district court shall have original jurisdiction of any civil action against the United States provided in section 7426 of the Internal Revenue Code of 1954."

Sec. 203. Section 1491, title 28, United States Code, is amended to read as follows:

"§ 1491. Claims against United States generally; actions involving Tennessee Valley Authority; actions involving recovery of any internal revenue tax or penalty

"The Court of Claims shall have jurisdiction to render judgment upon any claim against the United States founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort.

"Nothing herein shall be construed to give the Court of Claims jurisdiction in suits against, or founded on actions of, the Tennessee Valley Authority, nor to amend or modify the provisions of the Tennessee Valley Authority Act of 1933, as amended, with respect to suits by or against the Authority; nor shall anything herein be construed to give the Court of Claims jurisdiction in any civil action against the United States for the recovery of any internal revenue tax or penalty under subsection (a) of section 1346 of this title."

Sec. 204. Section 2402, title 28, United States Code, is amended to read as follows:

"§ 2402. Jury trial in actions against United States

"Any action against the United States under section 1346 shall be tried by the United States Tax Court without a jury, except that any action against the United States brought in a district court under section 1346(b)(1) shall, at the request of either party to such action, be tried by the court with a jury."

Sec. 205. Section 6211(a) of the Internal Revenue Code of 1954 is amended to read as follows:

"Sec. 6211. Definition of a Deficiency.

"(a) In General.—For purposes of this title in the case of income, estate, gift, employment, and excise taxes imposed by subtitles A, B, C, and D, the term 'deficiency' means the amount by which the tax imposed by subtitle A, B, C, or D, exceeds the excess of—

"(1) The sum of—

"(A) The amount shown as the tax by the taxpayer upon his return, if a return was made by the taxpayer and an amount was shown as the tax by the taxpayer thereon, plus

"(B) The amounts previously assessed (or collected without assessment) as a deficiency, over—

"(2) The amount of rebates, as defined in section (b)(2), made."

Sec. 206. Section 6212 (a) and (c) of the Internal Revenue Code of 1954 are amended to read as follows:

"Sec. 6212. Notice of Deficiency.

"(a) In General.—If the Secretary or his delegate determines that there is a deficiency in respect of any tax imposed by subtitle A, B, C, or D, he is authorized to send notice of such deficiency to the taxpayer by certified mail or registered mail.

"(c) Further Deficiency Letters Restricted.—

"(1) General rule.—If the Secretary or his delegate has mailed to the taxpayer a notice of deficiency as provided in subsection (a), and the taxpayer files a petition with the United States Tax Court within the time prescribed in section 6213(a), the Secretary or his delegate shall have no right to determine any additional deficiency of income, employement or excise tax for the same taxable year, or gift tax for the same calendar year, or of estate tax in respect of the taxable estate of the same decedent, except in the case of fraud, and except as provided in section 6214(a) (relating to assertion of greater deficiencies before the United States Tax Court or a district court), in section 6213(b)(1) (relating to mathematical errors), or in section 6861(c) (relating to the making of jeopardy assessments)."

SEC. 207. Section 6213(a) is amended to read as follows:

"SEC. 6213. RESTRICTIONS APPLICABLE TO DEFICIENCIES; PETITION TO UNITED STATES TAX COURT.

"(a) TIME FOR FILING PETITION AND RESTRICTION ON ASSESSMENT.—Within 90 days, or 150 days if the notice is addressed to a person outside the States of the Union and the District of Columbia, after the notice of deficiency authorized in section 6212 is mailed (not counting Saturday, Sunday, or a legal holiday in the District of Columbia as the last day), the taxpayer may file a petition with the United States Tax Court for the redetermination of the deficiency. Except as otherwise provided in section 6861 no assessment of a deficiency in respect of any tax imposed by subtitle A, B, C, or D, and no levy or proceeding in court for its collection shall be made, begun, or prosecuted until such notice has been mailed to the taxpayer, nor until the expiration of such 90-day or 150-day period, as the case may be, nor, if a petition has been filed with the United States Tax Court, until the decision of the United States Tax Court has become final. Notwithstanding the provisions of section 7421(a), the making of such assessment or the beginning of such proceeding or levy during the time such prohibition is in force may be enjoined by a proceeding in the proper court."

SEC. 208. Section 6214(c) of the Internal Revenue Code of 1954 is amended to read as follows:

"(c) FINAL DECISIONS OF UNITED STATES TAX COURT.—For purposes of this chapter and subtitle A, B, C, or D, the date on which a decision of the Tax Court becomes final shall be determined according to the provisions of section 7481."

SEC. 209. Section 6512(b) of the Internal Revenue Code of 1954 is amended to read as follows:

"(b) OVERPAYMENT DETERMINED BY TAX COURT.—

"(1) JURISDICTION TO DETERMINE.—If the United States Tax Court finds that there is no deficiency and further finds that the taxpayer has made an overpayment of income, employment, or exicse tax for the same taxable year, of gift tax for the same calendar year, or of estate tax in respect of the taxable estate of the same decedent, in respect of which the Secretary or his delegate determined the deficiency, or finds that there is a deficiency but that the taxpayer has made an overpayment of such tax, the United States Tax Court shall have jurisdiction to determine the amount of such overpayment, and such amount shall, when the decision of the United States Tax Court has become final, be credited or refunded to the taxpayer."

SEC. 210. Section 6871 of the Internal Revenue Code of 1954 is amended to read as follows:

"Sec. 6871. CLAIMS FOR CERTAIN TAXES IN BANKRUPTCY AND RECEIVERSHIP PROCEEDINGS.

"(a) IMMEDIATE ASSESSMENT.—Upon the adjudication of bankruptcy of any taxpayer in any liquidating proceeding, the filing or (where approval is required by the Bankruptcy Act) the approval of a petition of, or the approval of a petition against, any taxpayer in any other bankruptcy proceeding, or the appointment of a receiver for any taxpayer in any receivership proceeding before any court of the United States or of any State or territory or of the District of Columbia, any deficiency (together with all interest, additional amounts, or additions to the tax provided by law) determined by the Secretary or his delegate in respect of a tax imposed by subtitle A, B, C, or D upon such taxpayer shall, despite the restrictions imposed by section 6213 (a) upon assessments, be immediately assessed if such deficiency has not therefore been assessed in accordance with law.

"(b) CLAIM FILED DESPITE PENDENCY OF TAX COURT PROCEEDINGS.—In the case of a tax imposed by subtitle A, B, C, or D, claims for the deficiency and such interest, additional amounts, and additions to the tax may be presented, for adjudication in accordance with law, to the court before which the bankruptcy or receivership proceeding is pending, despite the pendency of proceedings for the redetermination of the deficiency in pursuance of a petition to the Tax Court; but no petition for any such redetermination shall be filed with the Tax Court after the adjudication of bankruptcy, the filing or (where approval is required by the Bankruptcy Act) the approval of a petition of, or the approval of a petition against, any taxpayer in any other bankruptcy proceeding, or the appointment of the receiver."

SEC. 211. Section 7422(e) is amended to read as follows:

"(e) COUNTERCLAIMS FOR DEFICIENCY.—If the Secretary or his delegate prior to the hearing of a suit brought by a taxpayer in the United States Tax Court for the recovery of any income, estate, gift, employment, or excise tax mails to the taxpayer a notice that a deficiency has been determined in respect to the tax which is the subject matter of taxpayer's suit, the United States may counterclaim in the taxpayer's suit for the amount of deficiency, including penalties and interest. The taxpayer shall have the burden of proof with respect to the issues raised by such counterclaim of the United States except as to the issue of whether the taxpayer has been guilty of fraud with intent to evade tax. This subsection shall not apply to a suit by a taxpayer which, prior to the date of enactment of this title, is commenced, instituted, or pending in a district court for the recovery of any income tax, estate tax, or gift tax (or any penalty relating to such taxes).

TITLE III—SMALL CLAIMS DIVISION

SEC. 301. The analysis of chapter 12, immediately preceding section 271, title 28, United States Code, is amended by adding before the item:

"271. United States Tax Court."

the new item:

"Subchapter I—In general."

SEC. 302. Title 28, United States Code, "Judiciary and Judicial Procedure," is amended by adding immediately following section 278 thereof the following new subchapter:

"SUBCHAPTER II.—SMALL CLAIMS DIVISION

"§ 279. Authorization; jurisdiction

"(a) AUTHORIZATION.—There is hereby established within the United States Tax Court, a Small Claims Division.

"(b) JURISDICTION.—

"(1) DEFICIENCIES.—Any taxpayer to whom is sent a notice of deficiency authorized in section 6212 in respect of any tax imposed by subtitle A or B may file a petition directed to the Small Claims Division for a redetermination of the deficiency if the amount of the deficiency placed in dispute by the petition (excluding interest and penalties) for each taxable year does not exceed $1,500 in the case of income or gift tax, or does not exceed $1,500 in the case of estate tax. The Small Claims Division shall not have jurisdiction to determine a deficiency or an overpayment (excluding interest and penalties) in excess of $1,500 of income or gift tax, for a single taxable year, or $1,500 of estate tax.

"(2) REFUNDS.—Any taxpayer who has filed with the Secretary or his delegate a claim for refund required under section 7422 of any tax imposed by subtitle A or B and whose claim has not been allowed in full may, within the period prescribed in this paragraph, file a petition with the Tax Court directed to the Small Claims Division for the determination of an overpayment of tax if the amount of such claim or of the part disallowed does not exceed $1,500 (excluding interest and penalties). The petition shall be filed within 90 days after whichever of the following first occurs—

"(A) six months from the date of filing the claim for refund with the Secretary or his delegate, or

"(B) the date of mailing by certified mail or registered mail by the Secretary or his delegate to the taxpayer of a notice of the disallowance of the part of the claim for which the petition was filed. The Small Claims Division shall have jurisdiction to determine the amount of any overpayment not in excess of $1,500 (excluding interest and penalties).

"§ 280. Commissioners of Small Claims Division

"(a) DUTIES.—Under the supervision of the United States Tax Court and the chief judge of the Small Claims Division, Commissioners, appointed under section 911, shall conduct all proceedings before the Small Claims Division, and shall perform such other duties as the United States Tax Court may from time to time direct.

"(b) ASSIGNMENT.—Each Commissioner shall, to the extent possible, be assigned by the chief judge of the Small Claims Division to conduct all proceedings in a geographical area. Each Commissioner shall maintain his principal office in such area.

"§ 281. Reports and decisions

"(a) REQUIREMENT.—A decision shall be rendered by the Commissioner immediately upon completion of the hearing or as soon thereafter as practical. A written notice of decision shall promptly thereafter be mailed to the taxpayer and the Secretary or his delegate.

"(b) INCLUSIONS OF FINDING OF FACT OR OPINIONS.—The Commissioner shall not be required to prepare findings of fact or to issue an opinion or memorandum opinion unless required by the United States Tax Court.

"(c) FINALITY OF DECISIONS.—Unless reviewed by the United States Tax Court under section 7480(b), such decision shall, when entered, be the decision of the United States Tax Court and there shall be no review of, or appeal from, any decision of the Small Claims Division.

"(d) PRECEDENT.—No decision under section 281 or section 282(b) shall be treated as precedent for any other case.

"§ 282. Removal and review

"(a) REMOVAL.—

"(1) SUBSTANTIAL QUESTION.—If a petition under section 279 raises a substantial question relating to the validity or meaning of a provision of this title or of the regulations thereunder, the Secretary or his delegate may file with the United States Tax Court at any time before answer is filed a motion for removal from the Small Claims Division without prejudice. The United States Tax Court shall have jurisdiction to grant or deny such motion, and there shall be no review of, or appeal from, such a grant or denial.

"(2) NEW MATTER.—If at any time the total amount (excluding interest and penalties) in dispute in a proceeding instituted before the Small Claims Division exceeds the jurisdictional limit prescribed in section 279, the jurisdiction of the Small Claims Division shall cease, without prejudice, upon issuance of an order by the chief judge of the Small Claims Division.

"(3) Effect in deficiency cases.—In the case of a petition for redetermination of deficiency, upon the grant by the United States Tax Court of a motion for removal under paragraph (1) or the issuance of an order under paragraph (2) the petition shall be considered as having been filed with the United States Tax Court without direction to the Small Claims Division.

"(4) Costs.—If after the granting of a motion under paragraph (1) further proceedings are carried on pursuant to paragraph (3) or if the taxpayer commences a suit or proceeding for recovery of tax based on the errors alleged in the petition, the United States shall be liable for all of the taxpayer's costs and expenses including a reasonable fee to any person or persons representing the taxpayer in such proceeding or suit.

"(5) Additional rules.—The United States Tax Court may prescribe rules of practice and procedure requiring additional pleadings in proceedings under paragraph (3) and may otherwise provide for such cases.

"(b) Review.—

"(1) Application.—Within twenty days after the notice of decision authorized by section 281(a) is mailed by the Small Claims Division to the parties, either party may file an application for review of the decision with the United States Tax Court. The United States Tax Court shall have jurisdiction to review the decision of the Commissioner and upon such review shall affirm or, if the decision is not in accordance with law or if the findings of fact are clearly erroneous, modify or reverse the decisions, with or without remanding the case. The United States Tax Court shall not be required to include findings of fact, opinion, or memorandum opinion.

"(2) Record.—The review by the United States Tax Court shall be limited to a review of the record of the proceedings before the Small Claims Division including any findings of fact, opinion, or memorandum opinion required by the Tax Court under section 281(b). Neither oral arguments nor briefs shall be permitted, except as otherwise ordered by the United States Tax Court. Review shall be conducted in accordance with such rules of practice and procedure as the United States Tax Court may prescribe. The provisions of part II of this subchapter shall apply only to the extent provided in such rules.

"(3) Finality of decision.—The decision of the United States Tax Court shall, when entered, be final, and such decision shall not be subject to further review or to appeal.

"(4) Fee.—The United States Tax Court shall impose a fee in the amount of $25 for the filing of an application for review.

Sec. 303. The analysis of chapter 12, immediately preceding section 271, title 28, United States Code, is amended by adding after the item:

"278. Publication of opinions."

the following new items:

"SUBCHAPTER II.—SMALL CLAIMS DIVISION

"Sec.
"279. Authorization; jurisdiction.
"280. Commissioners of Small Claims Division.
"281. Reports of decisions.
"282. Removal and review."

Sec. 304. Title 28, United States Code, section 275 is amended by adding at the end thereof the following new subsection:

"(c) The chief judge shall from time to time assign a judge of the United States Tax Court to act as chief judge of the Small Claims Division."

Sec. 305. Subsection (a) of section 6512 of the Internal Revenue Code of 1954 is amended to read as follows:

"(a) Effect of Petition to Tax Court.—

"(1) General rule.—If—

"(A) the Secretary or his delegate has mailed to the taxpayer a notice of deficiency under section 6212(a) (relating to deficiencies of income, estate, and gift taxes) and if the taxpayer files a petition with the Tax Court within the same time prescribed in section 6213(a); or

"(B) the taxpayer files a petition for the determination of an overpayment of tax within the time prescribed in section 279(b)(2).

no credit or refund of income tax for the same taxable year, or gift tax for the same calendar year, or of estate tax in respect of the taxable estate of the same decedent in respect of which the petition was filed shall be allowed or made and no suit by the taxpayer for the recovery of any part of the tax shall be instituted in any court.

"(2) Exception.—Paragraph (1) shall not apply with respect to the following—

"(A) As to overpayments determined by a decision of the Tax Court which has become final; and

"(B) As to any amount collected in excess of an amount computed in accordance with the decision of the Tax Court which has become final; and

"(C) As to any amount collected after the period of limitation upon the making of levy or beginning a proceeding in court for collection has expired; but in any such claim for credit or refund or in any such suit for refund the decision of the Tax Court which has become final, as to whether such period has expired before the notice of deficiency was mailed, shall be conclusive; and

"(D) As to any case where the taxpayer filed a petition for the determination of an overpayment of tax and the Tax Court either granted a motion for removal under section 282(a)(1) or the jurisdiction of the Tax Court has ceased by reason of an order issued under section 282(a)(2)."

Sec. 306. Section 6532 of the Internal Revenue Code of 1954 is amended by adding to subsection (a) the following new paragraph:

"(5) The running of the period of limitations provided for in paragraph (1) shall be suspended during the period commencing with the filing of a petition under section 7476 and ending four months after the grant of a motion under section 7480(a)(1) or the issuance of an order under section 7480(a)(2)."

Sec. 307. This Act shall take effect on the thirtieth day after the date of enactment of this Act.

S. 1975

A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure", and amending title 26 of the Untied States Code, "Internal Revenue Code" to provide for exclusive jurisdiction of the United States district courts over civil tax refund suits and deficiency redeterminations, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Tax Litigation Act."

Sec. 2. Title 28, United States Code, "Judiciary and Judicial Procedure", is amended as follows:

(a) Section 1340 is amended to read as follows:

"§ 1340. Internal revenue; customs duties

"(a) The district court shall have original jurisdiction of any civil action arising under any Act of Congress providing for internal revenue, or revenue from imports or tonnage except matters within the jurisdiction of the Customs Court.

"(b) The district courts shall have original jurisdiction of any civil action under section 6213(a) of title 26 of the United States Code against the United States for the redetermination of a deficiency in any tax imposed by subtitle A, B, C, or D of title 26 of the United States Code."

(b) Section 1346 is amended to read as follows:

"§ 1346. United States as defendant

"(a) The district courts shall have original jurisdiction of any civil action against the United States for the recovery of any internal revenue tax alleged to have been erroneously or illegally assessed or collected, or any penalty claimed to have been collected without authority or any sum alleged to have been excessive or in any manner wrongfully collected under the internal revenue laws;

"(b) The district courts shall have original jurisdiction, concurrent with the Court of Claims, of:

"(1) any other civil action or claim against the United States, not exceeding $10,000 in amount, founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort;

"(2) Subject to the provisions of chapter 171 of this title, the district courts, together with the United States district court for the district of the Canal Zone and the district court of the Virgin Islands, shall have exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on and after January 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place or omission occurred.

"(c) The jurisdiction conferred by this section includes jurisdiction of any setoff, counterclaim, or other claim or demand whatever on the part of the United States against any plaintiff commencing an action under this section.

"(d) The district courts shall not have jurisdiction under this section of any civil action or claim for a pension.

"(e) The district courts shall have original jurisdiction of any civil action against the United States provided in section 7426 of the Internal Revenue Code of 1954."

(c) Section 1402 is amended to read as follows:

"§ 1402. United States as defendant

"(a) Any civil action brought in a district court against the United States under subsection (b) of section 1340 of this title, or subsection (a) of section 1346 of this title, or subsection (a) of section 6213 of title 26, may be prosecuted only—

"(1) except as provided in paragraph (2) in the judicial district where the plaintiff resides; and

"(2) in the case of a civil action by a corporation under subsection (b) of section 1340, or subsection (a) of section 1346, or subsection (a) of section 6213 of title 26, in the judicial district in which is located the principal place of business or principal office or agency of the corporation; or if it has no principal place of business or principal office or agency in any judicial district (A) in the judicial district in which is located the office to which was made the return of the tax in respect to which the claim is made, or, (B) if no return was made, in the judicial district in which lies the District of Columbia. Notwithstanding the foregoing provisions of this paragraph, the district court, for the convenience of the parties and witnesses, in the interest of justice, may transfer any such action to any other district or division.

"(b) Any civil action on a tort claim against the United States under subsection (b)(2) of section 1346 of this title may be prosecuted only in the judicial district where the plaintiff resides or wherein the act or omission complained of occurred.

"(c) Any civil action against the United States under subsection (e) of section 1346 of this title may be prosecuted only in the judicial district where the property is situated at the time of levy, or if no levy is made, in the judicial district in which the event occurred which gave rise to the cause of action."

(d) Section 1491 is amended to read as follows:

"§ 1491. Claims against United States generally; actions involving Tennessee Valley Authority; actions involving recovery of any internal-revenue tax or penalty.

"The Court of Claims shall have jurisdiction to render judgment upon any claim against the United States founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort.

"Nothing herein shall be construed to give the Court of Claims jurisdiction in suits against, or founded on actions of, the Tennessee Valley Authority, nor to amend or modify the provisions of the Tennessee Valley Authority Act of 1933, as amended, with respect to suits by or against the Authority; nor shall anything herein be construed to give the Court of Claims jurisdiction in any civil action against the United States for the recovery of any internal-revenue tax or penalty under subsection (a) of section 1346 of this title."

(e) Section 2402 is amended to read as follows:

"§ 2402. Jury trial in actions against the United States

Any action against the United States under section 1346 shall be tried by the court without a jury, except that any action against the United States brought in a district court under section 1346(a) shall, at the request of either party to such action, be tried by the court with a jury."

Sec. 3. Title 26, United States Code, "Internal Revenue Code", is amended to read as follows:

(a) Section 6211 is amended to read as follows:

"Sec. 6211. Definition of a Deficiency.

"(a) In General.—For purposes of this title in the case of income, estate, gift, employment, and excise taxes imposed by subtitles A, B, C, and D, the term 'deficiency' means the amount by which the tax imposed by subtitles A, B, C, or D, exceeds the excess of—

"(1) The sum of

"(A) The amount shown as the tax by the taxpayer upon his return, if a return was made by the taxpayer and an amount was shown as the tax by the taxpayer thereon, plus

"(B) The amounts previously assessed (or collected without assessment) as a deficiency, over—

"(2) The amount of rebates, as defined in section (b)(2), made.

"(b) Rules for Application of Subsection (a).—For purposes of this section—

"(1) The tax imposed by subtitle (A) and the tax shown on the return shall both be determined without regard to payments on account of estimated tax, without regard to the credit under section 31, and without regard to so much of the credit under section 32 as exceeds 2 percent of the interest on obligations described in section 1451.

"(2) The term 'rebate' means so much of an abatement, credit, refund, or other repayment, as was made on the ground that the tax imposed by subtitles (A) or (B) was less than the excess of the amount specified in subsection (a)(1) over the rebates previously made.

"(3) The computation by the Secretary or his delegate, pursuant to section 6014, of the tax imposed by chapter 1 shall be considered as having been made by the taxpayer and the tax so computed considered as shown by the taxpayer upon his return.

"(4) The tax imposed by subtitle A and the tax shown on the return shall both be determined without regard to the credit under section 39, unless, without regard to such credit, the tax imposed by subtitle A exceeds the excess of the amount specified in subsection (a)(1) over the amount specified in subsection (a)(2)."

(b) Section 6212 is amended to read as follows:

"Sec. 6212. Notice of Deficiency.

"(a) In General.—If the Secretary or his delegate determines that there is a deficiency in respect of any tax imposed by subtitles A, B, C, or D, he is authorized to send notice of such deficiency to the taxpayer by certified mail or registered mail.

"(b) Address for Notice of Deficiency.—

"(1) Income and gift taxes.—In the absence of notice to the Secretary or his delegate under section 6903 of the existence of a fiduciary relationship, notice of a deficiency in respect of a tax imposed by subtitle A or chapter 12 if mailed to the taxpayer at his last known address, shall be sufficient for purposes of subtitle A, chapter 12, and this chapter even if such taxpayer is deceased, or is under a legal disability, or, in the case of a corporation, has terminated its existence.

"(2) Joint income tax return.—In the case of a joint income tax return filed by husband and wife, such notice of deficiency may be a single joint notice, except that if the Secretary or his delegate has been notified by either spouse that separate residences have been established, then, in lieu of the single notice, a duplicate original of the joint notice shall be sent by certified mail or registered mail to each spouse at his last known address.

"(3) Estate tax.—In the absence of notice to the Secretary or his delegate under section 6903 of the existence of a fiduciary relationship, notice of a deficiency in respect of a tax imposed by chapter 11, if addressed in the name of the decedent or other person subject to liability and mailed to his last known address, shall be sufficient for purposes of chapter 11 and of this chapter.

"(c) Further Deficiency Letters Restricted.—

"(1) General rule.—If the Secretary or his delegate has mailed to the taxpayer a notice of deficiency as provided in subsection (a), and the taxpayer files a complaint with a proper district court within the time prescribed in section 6213(a), the Secretary or his delegate shall have no right to determine any additional deficiency of income, employment or excise tax for the same taxable year, of gift tax for the same calendar year, or of estate tax in respect of the taxable estate of the same decedent, except in the case of fraud, and except as provided in section 6214(a) (relating to assertion of greater deficiencies before a district court), in section 6213(b)(1) (relating to mathematical errors), or in section 6861(c) (relating to the making of jeopardy assessments).

"(2) Cross references.—

"For assessment as a deficiency notwithstanding the prohibition of further deficiency letters, in the case of—

"(A) Deficiency attributable to change of election with respect to the standard deduction where taxpayer and his spouse made separate returns, see section 144(b).

"(B) Deficiency attributable to gain on involuntary conversion, see section 1033(a)(3)(C) and (D).

"(C) Deficiency attributable to sale or exchange of personal residence, see section 1034(j).

"(D) Deficiency attributable to war loss recoveries where prior benefit rule is elected, see section 1335."

(c) Section 6213 is amended to read as follows:

"Sec. 6213. Restrictions Applicable to Deficiencies; Complaint With District Court.

"(a) Time for Filing Complaint and Restriction on Assessment.—Within 90 days, or 150 days if the notice is addressed to a person outside the States of the Union and the District of Columbia, after the notice of a deficiency authorized in section 6212 is mailed (not counting Saturday, Sunday, or a legal holiday in the District of Columbia as the last day), the taxpayer may file a complaint against the United States with the proper United States district court under section 1402(a) of title 28, for a redetermination of the deficiency. Except as otherwise provided in section 6861 no assessment of a deficiency in respect of any tax imposed by subtitle A, B, C, or D and no levy or proceeding in court for its collection shall be made, begun, or prosecuted until such notice has been mailed to the taxpayer, nor until the expiration of such 90-day or 150-day period, as the case may be, nor, if a complaint has been filed with the proper district court, until the decision of the district court has become final. Notwithstanding the provisions of section 7421(a), the making of such assessment or the beginning of such proceeding or levy during the time such prohibition is in force may be enjoined by a proceeding in the proper court.

"(b) Exceptions to Restrictions on Assessment.—

"(1) Mathematical errors.—If the taxpayer is notified that, on account of a mathematic error appearing upon the return, an amount of tax in excess of that shown upon the return is due, and that assessment of the tax has been or will be made on the basis of what would have been the correct amount of the tax but for the mathematical error, such notice shall not be considered as a notice of deficiency for the purposes of subsection (a) (prohibiting assessment and collection until notice of the deficiency has been mailed), or of section 6212(c)(1) (restricting further deficiency letters), or section 6512(a) (prohibiting credits or refunds after complaint with the proper district court) and the taxpayer shall have no right to file a complaint with a proper district court based on such notice, nor shall such assessment or collection be prohibited by the provisions of subsection (a) of this section.

"(2) Assessments arising out of tentative carryback adjustments.—If the Secretary or his delegate determines that the amount applied, credited, or refunded under section 6411 is in excess of the over-assessment attributable to the carryback with respect to which such amount was applied, credited, or refunded, he may assess the amount of the excess as a deficiency as if it were due to a mathematical error appearing on the return.

"(3) Assessment of amount paid.—Any amount paid as a tax or in respect of a tax may be assessed upon the receipt of such payment notwithstanding the provisions of subsection (a). In any case where such amount is paid after the mailing of a notice of deficiency under section 6212, such payment shall not deprive a proper district court of jurisdiction over such deficiency determined under section 6211 without regard to such assessment.

"(c) Failure To File Complaint.—If the taxpayer does not file a complaint with the proper district court within the time prescribed in subsection (a), the deficiency, notice of which has been mailed to the taxpayer, shall be assessed, and shall be paid upon notice and demand from the Secretary or his delegate."

(d) Section 6214 is amended to read as follows:

"Sec. 6214. Determinations by District Court.

"(a) Jurisdiction as to Increase of Deficiency, Additional Amounts, or Additions to the Tax.—The United States district courts shall have jurisdiction to redetermine the correct amount of the deficiency even if the amount so redetermined is greater than the amount of the deficiency, notice of which has been mailed to the taxpayer, and to determine whether any additional amount, or addition to the tax should be assessed, if claim therefor is asserted by the Secretary or his delegate at or before the hearing or a rehearing.

"(b) Jurisdiction Over Other Years.—The district court in redetermining a deficiency of income tax for any taxable year or of gift tax for any calendar year shall consider such facts with relation to the taxes for other years as may be necessary correctly to redetermine the amount of such deficiency, but in so doing shall have no jurisdiction to determine whether or not the tax for any other year has been overpaid or underpaid.

"(c) Final Decisions of District Court.—For purposes of this chapter and subtitle A, B, C, or D, the date on which a decision of the district court becomes final shall be determined according to the provisions of section 7481 or section 7490."

(e) Section 6215 is amended to read as follows:

"Sec. 6215. Assessment of Deficiency Found by District Court.

"(a) General Rule.—If the taxpayer files a complaint with a proper United States district court, the entire amount redetermined as the deficiency by the decision of the district court which has become final shall be assessed and shall be paid upon notice and demand from the Secretary or his delegate. No part of the amount determined as a deficiency by the Secretary or his delegate but disallowed as such by the decision of the district court which has become final shall be assessed or be collected by levy or by proceeding in court with or without assessment.

"(b) Cross References.—

"(1) For assessment or collection of the amount of the deficiency determined by the district court pending appellate court review, see section 7485 or section 7492.

"(2) For dismissal of complaint by district court as affirmation of deficiency as determined by the Secretary or his delegate, see section 7459(d) or section 7489(b).

"(3) For decision of district court that tax is barred by limitation as its decision that there is no deficiency, see section 7459(e) or section 7489(c).

"(4) For assessment of damages awarded by district court for instituting proceedings merely for delay, see section 6673.

"(5) For treatment of certain deficiencies as having been paid, in connection with sale of surplus war-built vessels, see section 9(b)(8) of the Merchant Ship Sales Act of 1946 (60 Stat. 48; 50 U.S.C. App. 1742).

"(6)) For rules applicable to Tax Court proceedings, see generally subchapter C of chapter 76.

"(7) For proration of deficiency to installments, see section 6152(c).

"(8) For extension of time for paying amount determined as deficiency, see section 6161(b)."

(f) The titles of sections 6213, 6214, and 6215 in the table of sections for subchapter B of chapter 63 of subtitle F of the Internal Revenue Code of 1954 are amended to read as follows:

"Sec. 6213. Restrictions applicable to deficiencies; complaint with district court.

"Sec. 6214. Determinations by district court.

"Sec. 6215. Assessment of deficiency found by district court."

(g) Paragraph (1) of subsection (a) of section 6503 is amended to read as follows:

"(1) General Rule.—The running of the period of limitations provided in section 6501 or 6502 on the making of assessments or the collection by levy or a proceeding in court, in respect of any deficiency as defined in section 6211 (relating to income, estate, and gift taxes), shall (after the mailing of a notice under section 6212(a)) be suspended for the period during which the Secretary or his delegate is prohibited from making the assessment or from collecting by levy or a proceeding in court (and in any event, if a proceeding in respect of the deficiency is filed in a proper United States district court under section 6213(a), until the decision of the district court, becomes final), and for 60 days thereafter."

(h) Section 6512 of the Internal Revenue Code of 1954 is amended to read as follows:

"Sec. 6512. Limitations in Case of Complaint With District Court.

"(a) Effect of Complaint With District Court.—If the Secretary or his delegate has mailed to the taxpayer a notice of deficiency under section 6212(a) and if the taxpayer files a complaint with a proper United States district court for a redetermination of the deficiency within the time prescribed in section 6213(a), no credit or refund of income, employment, or excise tax for the same taxable year, or gift tax for the same calendar year, or of estate tax in respect of the taxable estate of the same decedent, in respect of which the Secretary or his delegate has determined the deficiency shall be allowed or made and no suit by the taxpayer for the recovery of any part of the tax shall be instituted in any court except—

"(1) As to overpayments determined by a decision of a district court which has become final; and

"(2) As to any amount collected in excess of an amount computed in accordance with the decision of a district court which has become final; and

"(3) As to any amount collected after the period of limitation upon the making of levy or beginning a proceeding in court for collection has expired; but in any such claim for credit or refund or in any such suit for refund the decision of the district court which has become final, as to whether such period has expired before the notice of deficiency was mailed, shall be conclusive.

"(b) Overpayment Determined by District Court.—

"(1) Jurisdiction to determine.—If a district court finds that there is no deficiency and further finds that the taxpayer has made an over payment of income, employment, or excise tax for the same taxable year, of gift tax for the same calendar year, or of estate tax in respect of the taxable estate of the same decedent, in respect of which the Secretary or his delegate determined the deficiency, or finds that there is a deficiency but that the taxpayer has made an overpayment of such tax, the district court shall have jurisdiction to determine the amount of such overpayment, and such amount shall when the decision of the district court has become final, be credited or refunded to the taxpayer.

"(2) Limit on amount of credit or refund.—No such credit or refund shall be allowed or made of any portion of the tax unless the district court determines as part of its decision that such portion was paid—

"(A) after the mailing of the notice of deficiency, or

"(B) within the period which would be applicable under section 6511 (b)(2), (c), or (d), if on the date of the mailing of the notice of deficiency a claim had been filed (whether or not filed) stating the grounds upon which the district court finds that there is an overpayment."

(i) The title of section 6512 in the table of sections for subchapter B of chapter 66 of subtitle F of the Internal Revenue Code of 1954 is amended to read as follows:

"Sec. 6512. Limitations in case of complaint with district court."

(j) Section 6673 is amended to read as follows:

"Sec. 6673. Damages Assessable for Instituting Proceedings Before a District Court Merely for Delay.

"Whenever it appears to a United States district court that proceedings before it under section 6213(a) have been instituted by the taxpayer merely for delay, damages in an amount not in excess of $500 shall be awarded to the United States by a district court in its decision. Damages so awarded shall be assessed at the same time as the deficiency and shall be paid upon notice and demand from the Secretary or his delegate and shall be collected as a part of the tax."

(k) The title of section 6673 in the table of sections for subchapter B of chapter 68 of subtitle F of the Internal Revenue Code of 1954 is amended to read as follows:

"Sec. 6673. Damages assessable for instituting proceedings before a district court merely for delay."

(1) The titles of sections 6861 and 6862 in the table of sections for part II of subchapter A of chapter 70 of subtitle F are amended to read as follows:

"Sec. 6861. Jeopardy assessments of taxes imposed by subtitle A, B, C, or D.

"Sec. 6862. Jeopardy assessments of taxes other than those imposed by subtitle A, B, C, or D.

"Sec. 6863. Stay of collection of jeopardy assessments.

"Sec. 6864. Termination of extended period for payment in case of carryback."

(m) The title of section 6861 and subsections (c), (d), (e), (f) and (g) are amended to read as follows:

"Sec 6861. Jeopardy Assessment of Taxes Imposed by Subtitle A, B, C, or D.

"(c) Amount Assessable Before Decision of District Court.—The jeopardy assessment may be made in respect of a deficiency greater or less than that notice of which has been mailed to the taxpayer, despite the provisions of section 6212(c) prohibiting the determination of additional deficiencies, and whether or not the taxpayer has theretofore filed a complaint with a United States district court under section 6213(a). The Secretary or his delegate may, at any time before the decision of the district court is rendered, abate such assessment, or any unpaid portion thereof, to the extent that he believes the assessment to be excessive in amount. The Secretary or his delegate shall notify the district court of the amount of such assessment or abatement, if the complaint is filed with a district court before the making of the assessment or is subsequently filed, and the district court shall have jurisdiction to redetermine the entire amount of the deficiency and of all amounts assessed at the same time in connection therewith.

"(d) Amount Assessable After Decision of District Court.—If the jeopardy assessment is made after the decision of the district court is rendered, such assessment may be made only in respect of the deficiency determined by the district court in its decision.

"(e) Expiration of Rights To Assess.—A jeopardy assessment may not be made after the decision of the district court has become final or after the taxpayer has filed an appeal from the decision of the district court.

"(f) Collection of Unpaid Amounts.—When the complaint with a district court and when the amount which should have been assessed has been determined by a decision of the district court which has become final, then any unpaid portion, the collection of which has been stayed by bond as provided in section 6863(b) shall be collected as part of the tax upon notice and demand from the Secretary or his delegate, and any remaining portion of the assessment shall be abated. If the amount already collected exceeds the amount determined as the amount which should have been assessed, such excess shall be credited or refunded to the taxpayer as provided in section 6402, without the filing of claim therefor. If the amount determined as the amount which should have been assessed is greater than the amount actually assessed, then the difference shall be assessed and shall be collected as part of the tax upon notice and demand from the Secretary or his delegate.

"(g) Abatement if Jeopardy Does Not Exist.—The Secretary or his delegate may abate the jeopardy assessment if he finds that jeopardy does not exist. Such abatement may not be made after a decision of the district court in respect of the deficiency has been rendered or, if no complaint with a district court, after the expiration of the period for filing such petition. The period of limitation on the making of assessments and levy or a proceeding in court for collection, in respect of any deficiency, shall be determined as if the jeopardy assessment so abated had not been made, except that the running of such period shall in any event be suspended for the period from the date of such jeopardy assessment until the expiration of the tenth day after the day on which such jeopardy assessment is abated."

(n) Section 6862 is amended to read as follows:

"Sec. 6862. Jeopardy Assessment of Taxes Other Than Those Imposed by Subtitle A, B, C, or D.

"(a) Immediate Assessment.—If the Secretary or his delegate, believes that the collection of any tax (other than the taxes imposed by subtitle A, B, C, or D) under * * *".

(o) Subsection (b) of section 6863 is amended to read as follows:

"(b) Future Conditions in Case of Certain Taxes.—In the case of taxes subject to the jurisdiction of a United States district court under section 6213(a)—

"(1) Prior to complaint with district court.—If the bond is given before the taxpayer has filed his complaint under section 6213(a), the bond shall contain a further condition that if a complaint is not filed within the period provided in such section, then the amount, the collection of which is stayed by the bond, will be paid on notice and demand at any time after the expiration of such period, together with interest thereon from the date of the jeopardy notice and demand to the date of notice and demand under this paragraph.

"(2) Effect of district court decision.—The bond shall be conditioned upon the payment of so much of such assessment (collection of which is stayed by the bond) as is not abated by a decision of the district court which has become final. If the district court determines that the amount assessed is greater than the amount which should have been assessed, then when the decision of the district court is rendered the bond shall, at the request of the taxpayer, be proportionately reduced.

"(3) Stay of sale of seized property pending district court decision.—

"(A) General Rule.—Where, notwithstanding the provisions of section 6213(a), a jeopardy assessment has been made under section 6861 the property seized for the collection of the tax shall not be sold—

"(i) if section 6861(b) is applicable, prior to the issuance of the notice of deficiency and the expiration of the time provided in section 6213 (a) for filing complaint with a district court, and

"(ii) if complaint with a district court (whether before or after the making of such jeopardy assessment under section 6861), prior to the expiration of the period during which the assessment of the deficiency would be prohibited if section 6861(a) were not applicable.

"(B) Exceptions.—Such property may be sold if—

"(i) the taxpayer consents to the sale,

"(ii) the Secretary or his delegate determines that the expense of conservation and maintenance will greatly reduce the net proceeds, or

"(iii) the property is of the type described in section 6336.

"(C) Applicability.—Subparagraph (A) and (B) shall be applicable only with respect to a jeopardy assessment made on or after January 1, 1955, and shall apply with respect to taxes imposed by this title and with respect to taxes imposed by the Internal Revenue Code of 1939."

(p) Section 6871 is amended to read as follows:

"Sec. 6871. Claims for Certain Taxes in Bankruptcy and Receivership Proceedings.

"(a) Immediate Assessment.—Upon the adjudication of bankruptcy of any taxpayer in any liquidating proceeding, the filing or (where approval is required by the Bankruptcy Act) the approval of a petition against, any taxpayer in any other bankruptcy proceeding, or the appointment of a receiver for any taxpayer in any receivership proceeding before any court of the United States or of * * * imposed by subtitle A, B, C, or D upon such taxpayer * * *

"(b) Claim Filed Despite Pendency of District Court Proceedings.—In the case of a tax imposed by subtitle A, B, C, or D, claims for the deficiency * * * in pursuance of a complaint with a district court under section 6213(a); but no petition * * * with a district court under section 6213(a) after the adjudication * * *"

(q) Subsections (a) and (b) of section 6902 are amended to read as follows:

"(a) Burden of Proof.—In proceedings before a United States district court under section 6213(a) the burden shall be upon the defendant to show that a plaintiff is liable as a transferee of property of a taxpayer, but not to show that the taxpayer was liable for the tax.

(r) Subsection (e) of section 7422 is amended to read as follows:

"(e) Counterclaims for Deficiency.—If the Secretary or his delegate prior to the hearing of a suit brought by a taxpayer in a district court for the recovery of any income, estate, gift, employment, or excise tax mails to the taxpayer a notice that a deficiency has been determined in respect of the tax which is the subject matter of taxpayer's suit, the United States may counterclaim in the taxpayer's suit for the amount of deficiency, including penalties and interest. The taxpayer shall have the burden of proof with respect to the issues raised by such counterclaim of the United States except as to the issue of whether the taxpayer has been guilty of fraud with intent to evade tax. This subsection shall not apply to a suit by a taxpayer which, prior to the date of enactment of the title, is commenced, instituted, or pending in a district court or the Court of Claims for the recovery of any income tax, estate tax, or gift tax (or any penalty relating to such taxes)."

(s) Chapter 76 of subtitle F of the Internal Revenue Code of 1954 is amended by redesignating subchapter E as subchapter F, by redesignating sections 7491, 7492, and 7493 as sections 7496, 7497, and 7498, respectively, and by inserting after subchapter D a new subchapter E reading as follows:

"Subchapter E.—Redetermination Proceedings in District Courts

"Sec. 7488. Burden of proof in fraud and transferee cases.
"Sec. 7489. Decisions.
"Sec. 7490. Date when district court decision becomes final.
"Sec 7491. Courts of review.
"Sec. 7492. Bond to stay assessment and collection.
"Sec. 7493. Refund, credit, or abatement of amounts disallowed.
"Sec. 7494. Conflict with Tax Court jurisdiction.

"Sec. 7488. Burden of Proof in Fraud and Transferee Cases.

"(a) Fraud.—In any proceeding before a United States district court under section 6213(a) involving the issue whether the plaintiff has been guilty of fraud with intent to evade tax, the burden of proof in respect of such issue shall be upon the defendant.

"(b) Cross Reference.—

"For provisions relating to burden of proof as to transferee liability, see section 6902(a).

"Sec. 7489. Decisions.

"(a) Date of Decisions.—A decision of a United States district court in a proceeding under section 6213(a) (except a decision dismissing a proceeding for lack of jurisdiction) shall be held to be rendered upon the date that an order specifying the amount of the deficiency is entered in the records of the district court. If the district court dismisses a proceeding for reasons other than lack of jurisdiction and is unable from the record to determine the amount of the deficiency determined by the Secretary or his delegate, or if the district court dismisses a proceeding for lack of jurisdiction, an order to that effect shall be entered in the records of the district court, and the decision of the district court shall be held to be rendered upon the date of such entry.

"(b) Effect of Decision Dismissing Complaint.—If a complaint for a redetermination of a deficiency has been filed by the taxpayer, a decision of the district court dismissing the proceeding shall be considered as its decision that the deficiency is the amount determined by the Secretary or his delegate. An order specifying such amount shall be entered in the records of the district court unless the district court cannot determine such amount from the record in the proceeding, or unless the dismissal is for lack of jurisdiction.

"(c) Effect of Decision That Tax Is Barred By Limitation.—If the assessment or collection of any tax is barred by any statute of limitations, the decision of the district court to that effect shall be considered as its decision that there is no deficiency in respect of such tax.

"(d) Penalty.—For penalty for taxpayer instituting proceedings before Tax Court or district court merely for delay, see section 6673.

"Sec. 7490. Date When District Court Decision Becomes Final.

"The decision of a United States district court in a proceeding under section 6213(a) shall become final for purposes of this title but not for purposes of section 1291 of title 28 of the United States Code (relating to appeals from final decisions of district courts)—

"(1) Timely notice of appeal not filed.—Upon the expiration of the time allowed for filing a notice of appeal, if no such notice has been duly filed within such time; or

"(2) Decision affirmed or appeal dismissed.—

"(A) Petition for certiorari not filed on time.—Upon the expiration of the time allowed for filing a petition for certiorari, if the decision of the district court has been affirmed or the appeal dismissed by the United States Court of Appeals and no petition for certiorari has been duly filed; or

"(B) Petition for certiorari denied.—Upon the denial of a petition for certiorari, if the decision of the district court has been affirmed or the appeal dismissed by the United States Court of Appeals; or

"(C) AFTER MANDATE OF SUPREME COURT.—Upon the expiration of thirty days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the decision of the district court be affirmed or the appeal dismissed.

"(3) DECISION MODIFIED OR REVERSED.—

"(A) UPON MANDATE OF SUPREME COURT.—If the Supreme Court directs that the decision of the district court be modified or reversed, the decision of the district court rendered in accordance with the mandate of the Supreme Court shall become final upon the expiration of 30 days from the time it was rendered, unless within such 30 days either the Secretary or his delegate, the United States, or the taxpayer has instituted proceedings to have such decision corrected to accord with the mandate, in which event the decision of the district court shall become final when so corrected.

"(B) UPON MANDATE OF THE COURT OF APPEALS.—If the decision of the district court is modified or reversed by the United States Court of Appeals, and if—

"(i) the time allowed for filing a petition for certiorari has expired and no such petition has been duly filed, or

"(ii) the petition for certiorari has been denied, or

"(iii) the decision of the United States Court of Appeals has been affirmed by the Supreme Court, then the decision of the district court rendered in accordance with the mandate of the United States Court of Appeals shall become final on the expiration of 30 days from the time such decision of the district court was rendered, unless within such 30 days either the Secretary or his delegate, the United States, or the taxpayer has instituted proceedings to have such decision corrected so that it will accord with the mandate, in which event the decision of the district court shall become final when so corrected.

"(4) REHEARING.—If the Supreme Court orders a rehearing; or if the case is remanded by the United States Court of Appeals to the district court for a rehearing, and if—

"(A) the time allowed for filing a petition for certiorari has expired and no such petition has been duly filed, or

"(B) the petition for certiorari has been denied, or

"(C) the decision of the United States Court of Appeals has been affirmed by the Supreme Court, then the decision of the district court rendered upon such rehearing shall become final in the same manner as though no prior decision of the district court has been rendered.

"(5) DEFINITION OF 'MANDATE'.—As used in this section, the term 'mandate', in case a mandate has been recalled prior to the expiration of thirty days from the date of issuance thereof, means the final mandate.

"SEC. 7491. COURTS OF APPEALS.

"(a) JURISDICTION.—The United States Court of Appeals and the Supreme Court of the United States shall have jurisdiction of appeals from decisions of United States district courts in proceedings under section 6213 (a) in the manner provided in title 28 of the United States Code.

"(b) POWER TO IMPOSE DAMAGES.—The United States Court of Appeals and the Supreme Court shall have power to impose damages in any case where the decision of the district court is affirmed and it appears that the appeal was filed merely for delay.

"SEC. 7492. BOND TO STAY ASSESSMENT AND COLLECTION.

"(a) UPON APPEAL.—Notwithstanding any provision of law imposing restrictions on the assessment and collection of deficiencies, the appeal under section 7491 shall not operate as a stay of assessment or collection of any portion of the amount of the deficiency determined by the United States district court unless an appeal in respect of such portion is duly filed by the taxpayer, and then only if the taxpayer—

"(1) on or before the time his notice of appeal is filed has filed with the district court a bond in a sum fixed by the district court not exceeding double the amount of the portion of the deficiency in respect of which the notice of appeal is filed, and with surety approved by the district court, conditioned upon the payment of the deficiency as finally determined, together with any interest, additional amounts, or additions to the tax provided for by law, or

"(2) has filed a jeopardy bond under the income or estate tax laws. If as a result of a waiver of the restrictions on the assessment and collection of a deficiency any part of the amount determined by the district court is paid after the filing of the appeal bond, such bond shall, at the request of the taxpayer, be proportionately reduced.

"(b) CROSS REFERENCES.—

"For deposit of United States bonds or notes in lieu of sureties, see section 15 of title 6, United States Code."

"SEC. 7493. REFUND, CREDIT, OR ABATEMENT OF AMOUNTS DISALLOWED.

"In cases where assessment or collection has not been stayed by the filing of a bond, then if the amount of the deficiency determined by a United States district court is disallowed in whole or in part by the court of review, the amount so disallowed shall be credited or refunded to the taxpayer, without the making of claim therefor, or, if collection has not been made, shall be abated."

(t) Subsections (a) and (d) of section 534 are amended to read as follows:

"(a) GENERAL RULE.—In any proceeding before a United States district court under section 6213(a) involving a notice of deficiency based in whole or in part on the allegation that all or any part of the earnings and profits have been permitted to accumulate beyond the reasonable needs of the business, the burden of proof with respect to such allegation shall—

"(1) if notification has not been sent in accordance with subsection (b), be on the Secretary or his delegate, or

"(2) if the taxpayer has submitted the statement described in subsection (c), be on the Secretary or his delegate with respect to the grounds set forth in such statement in accordance with the provisions of such subsection.

"(d) JEOPARDY ASSESSMENT.—If pursuant to section 6861(a) a jeopardy assessment is made before the mailing of the notice of deficiency referred to in subsection (a), for purposes of this section such notice of deficiency shall, to the extent that it informs the taxpayer that such deficiency includes the accumulated earnings tax imposed by section 531, constitute the notification described in subsection (b), and in that event the statement described in subsection (c) may be included in the taxpayer's complaint to a district court."

(u) Subchapters C and D of chapter 76 of the Internal Revenue Code are repealed.

(v) This Act shall take effect thirty days after its enactment.

S. 1976

A bill to improve judicial machinery by amending title 28 of the United States Code, section 93 of the Act of January 12, 1895, and the Internal Revenue Code of 1954, by establishing a United States Court of Tax Appeals, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United States Court of Tax Appeals Act of 1969".

SEC. 2 (a) Title 28, United States Code, "Judiciary and Judicial Procedure," is amended by adding immediately after section 216 thereof the following new chapter:

"CHAPTER 10.—UNITED STATES COURT OF TAX APPEALS

"Sec.
"231. Appointment and number of judges.
"232. Precedence of judges.
"233. Tenure and salary of judges.
"234. Divisions; assignment of judges; hearings; quorum.
"235. Principal seat and places of hearing.
"236. Sessions.
"237. Publication of opinions.

"§ 231. Appointment and number of judges

"The President shall appoint, by and with the advice and consent of the Senate, a chief judge and eight associate judges who shall constitute a court of record known as the United States Court of Tax Appeals. Such court is hereby declared to be a court established under article III of the Constitution of the United States.

"§ 232. Precedence of judges

"The chief judge of the United States Court of Tax Appeals shall have precedence and preside at any session of the court which he attends.

"The associate judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age.

"§ 233. Tenure and salary of judges

"Judges of the United States Court of Tax Appeals shall hold office during good behavior. Each shall receive a salary of $33,000 a year.

"§ 234. Divisions; assignment of judges; hearings; quorum

"(a) The chief judge may from time to time divide the United States Court of Tax Appeals into separate divisions, each consisting of three judges, assign the associate judges thereto, designate the chief thereof, and authorize the hearing and determination of cases and other matters by any such division. Such divisions shall sit at the times and places and hear the cases and controversies assigned as the chief judge directs.

"(b) Cases and controversies shall be heard and determined by a division of three judges, unless a hearing or rehearing before the court en banc is ordered by a majority of the judges of the court who are in regular active service. A court en banc shall consist of all judges in regular active service. A judge who has retired from regular active service shall also be competent to sit as a judge of the court en banc in the rehearing of a case or controversy if he sat in the court or division at the original hearing thereof.

"(c) A majority of the member of judges authorized to constitute a court or division thereof, as provided in paragraphs (a) and (b), shall constitute a quorum.

"§ 235. Principal seat and places of hearing

"The principal seat of the United States Court of Tax Appeals shall be in the District of Columbia, but the United States Court of Tax Appeals or any of its divisions may sit at any place within the United States.

"§ 236. Sessions

"Terms or sessions of the United States Court of Tax Appeals and of its divisions shall be held annually. The times and places of the sessions of the United States Court of Tax Appeals and of its divisions shall be fixed by the chief judge with a view to securing reasonable opportunity to taxpayers to appear before the United States Court of Tax Appeals or any of its divisions with as little inconvenience and expense to taxpayers as is practicable.

"§ 237. Publication of opinions

"The United States Court of Tax Appeals shall provide for the publication of its opinions at the Government Printing Office in such form and manner as may be best adapted for public information and use, and such authorized publication shall be competent evidence of the opinions of the United States Court of Tax Appeals therein contained in all courts of the United States and of the several States without any further proof or authentication thereof. Such opinions shall be subjected to sale in the same manner and upon the same terms as other public documents."

(b) Title 28, United States Code, is amended by inserting in the analysis of part I, preceding chapter 1, after the item

"9. Court of Customs and Patent Appeals ....211"

the following new item:

"10. Court of Tax Appeals.............231".

(c) Section 93 of the Act of January 12, 1895 (providing for the public printing, binding, and distribution of public documents) (chapter 23, 28 Stat. 623; 44 U.S.C. 117) is amended by inserting immediately before the words "or the Library" the following: "the United States Court of Tax Appeals," and by inserting immediately before the words "or the Librarian" the following: "chief judge of the United States Court of Tax Appeals,".

Sec. 3. Title 28, United States Code, section 292(d), is amended by striking out the words "Appeals or the Customs Court" and inserting in lieu thereof the following: "Appeals, the Customs Court, or the United States Court of Tax Appeals".

Sec. 4. Title 28, United States Code, section 293, is amended by adding at the end thereof the following new subsection:

"(e) The Chief Justice of the United States may designate and assign temporarily any judge of the United States Court of Tax Appeals to perform judicial duties in a court of appeals or in a district court in any circuit upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises."

Sec. 5. (a) Title 28, United States Code, section 331, is amended by inserting after "Appeals," in the first sentence thereof the following: "the chief judge of the United States Court of Tax Appeals".

(b) Title 28, United States Code, section 331, third undesignated paragraph, second sentence, is amended by striking out "or the chief judge of the Court of Customs and Patent Appeals" and inserting in lieu thereof the following: "the chief judge of the Court of Customs and Patent Appeals, or the chief judge of the United States Court of Tax Appeals".

Sec. 6. (a) Title 28, United States Code, section 372(a), is amended by striking from the third undesignated paragraph the words "or Customs Court," and inserting in lieu thereof "Customs Court, or United States Court of Tax Appeals".

(b) Title 28, United States Code, section 372(a), is amended by striking from the fifth undesignated paragraph thereof the words "or Customs Court" and inserting in lieu thereof "Customs Court, or United States Court of Tax Appeals".

(c) Title 28, United States Code, section 372(b), is amended by striking "or Customs Court" in both places where it appears in the first sentence thereof and inserting in lieu thereof in both places the words "Customs Court, or United States Court of Tax Appeals".

Sec. 7. (a) Title 28, United States Code, section 451, second undesignated paragraph is amended by inserting immediately after "the Customs Court" the following: ", the United States Court of Tax Appeals".

(b) Title 28, United States Code, section 451, fourth undesignated paragraph is amended by inserting immediately after "Customs Court" the following: ", the United States Court of Tax Appeals".

Sec. 8. Title 28, United States Code, section 456, second undesignated paragraph is amended by inserting immediately after "Patent Appeals," the following: "the United States Court of Tax Appeals,".

Sec. 9. (a) Title 28, United States Code, is amended by inserting immediately after section 526 the following new section:

"§ 528. Conduct of litigation before the United States Court of Tax Appeals

"Notwithstanding section 516 through 519 or section 547 of this title, in all proceedings before the United States Court of Tax Appeals in which a decision of the Tax Court of the United States is under review by appeal, the conduct of litigation is reserved to the chief counsel for the Internal Revenue Service or his delegate as representative for the Secretary of the Treasury or his delegate."

(b) The analysis of chapter 31, immediately preceding section 501, title 28, United States Code, is amended by adding at the end thereof the following new item:

"528. Conduct of litigation before the United States Court of Tax Appeals."

Sec. 10. Title 28, United States Code, section 569(a), is amended by striking the word "and" immediately before "of the Customs Court" and by inserting immediately after "New York," the following: "and of the United States Court of Tax Appeals holding sessions in his district,".

Sec. 11. Title 28, United States Code, section 610, is amended by striking "and the Customs Court" and inserting in lieu thereof "the Customs Court, and the United States Court of Tax Appeals".

Sec. 12. (a) Title 28, United States Code, is amended by adding immediately after section 713 the following new chapter:

"CHAPTER 48.—UNITED STATES COURT OF TAX APPEALS

"Sec.
"731. Clerks and employees.
"732. Law clerks and secretaries.
"733. Criers, bailiffs, and messengers.

"§ 731. Clerks and employees

"(a) The United States Court of Tax Appeals may appoint a clerk who shall be subject to removal by the court.

"(b) The clerk, with the approval of the court, may appoint necessary deputies, clerical assistants, and employees in such number as may be approved by the Director of the Administrative Office of the United States Courts. Such deputies, clerical assistants, and employees shall be subject to removal by the clerk with the approval of the court.

"(c) The clerk shall pay into the Treasury all fees, costs, and other moneys collected by him and make returns thereof to the Director of the Administrative Office of the United States Courts under regulations prescribed by him.

"§ 732. Law clerks and secretaries

"The judges of the United States Court of Tax Appeals may appoint necessary law clerks and secretaries.

"§ 733. Criers, bailiffs, and messengers

"(a) The Unied States Court of Tax Appeals may appoint a librarian and necessary library assistants who shall be subject to removal by the court.

"(b) The United States Court of Tax Appeals may appoint a crier and such messengers as may be necessary, all of whom shall be subject to removal by the court.

"The crier shall also perform the duties of bailiff and messenger.

"(c) The United State marshal of the district in which the United States Court of Tax Appeals or a division thereof is sitting or in which a judge is present in chambers, may, with the approval of the court, division, or judge, employ necessary bailiffs. Such bailiffs shall attend the court, preserve order, and perform such other necessary duties as the court, division, judges, or marshal may direct. They shall receive the same compensation as bailiffs employed for the district courts."

(b) The analysis of "Part III—Court Officers and Employees", immediately preceding chapter 41, title 28, United States Code, is amended by inserting after the item

"47. Courts of Appeals.............. 711"

the following new item:

"48. Court of Tax Appeals............ 731".

Sec. 13. (a) Title 28, United States Code, is amended by adding immediately following section 1583 the following new chapter:

"CHAPTER 97.—UNITED STATES COURT OF TAX APPEALS

"Sec.
"1631. Powers generally.

"§ 1631. Powers generally

"(a) Notwithstanding sections 1291, 1292, and 1294 of this title, the United States Court of Tax Appeals shall have exclusive jurisdiction to review on appeal the decisions of the district courts of the United States, the Tax Court of the United States, and the Court of Claims in all Federal tax cases, except Federal criminal tax decisions, and except as provided in section 1254 of this title, in the same manner and to the same extent as decisions of the district courts are reviewed by the courts of appeals in civil actions; and the judgment of such court shall be final, except that it shall be subject to review by the Supreme Court upon certiorari, in the manner provided in section 1254 of this title.

"(b) Upon such review, such court shall have power to affirm or, if the decision of the district court is not in accordance with law, to modify or to reverse the decision, with or without remanding the case for a rehearing, as justice may require.

"(c) Rules for review of decisions of the district courts shall be the Federal Rules of Appellate Procedure as far as practicable.

"(d) The Court of Tax Appeals and the Supreme Court shall have power to impose damages in any case where the decision of the district court is affirmed and it appears that the petition was filed merely for delay."

(b) The analysis of part IV—Jurisdiction and Venue, immediately preceding chapter 81, title 28, United States Code, is amended by adding at the end thereof the following new item:

"97. Court of Tax Appeals........... 1631".

Sec. 14. Title 28, United States Code, section 2072, is amended by striking out "courts of appeals" and inserting in lieu thereof the following: "United States Court of Tax Appeals".

Sec. 15. Title 28, United States Code, section 2107, second undesignated paragraph is amended to read as follows:

"In any such action, suit, or proceeding in which the United States or an officer or agency thereof is a party, the time as to all parties shall be sixty days from such entry; except that the decision of the Tax Court may be reviewed by the United States Court of Tax Appeals if an appeal for such review is filed by either the Secretary of the Treasury (or his delegate) or the taxpayer within three months after the decision is rendered. If, however, an appeal is so filed by one party to the proceeding, an appeal from the decision of the Tax Court may be filed by any other party to the proceeding within four months after such decision is rendered."

Sec. 16. Title 26, United States Code, section 7481, is amended by inserting "tax" before "Appeals" on each and every occasion where "United States Court of Appeals" appears.

Sec. 17. (a) Title 26, United States Code, section 7482(a), is amended to read as follows:

"§ 7842. Court of review

"(a) Jurisdiction.

"The United States Court of Tax Appeals shall have exclusive jurisdiction to review on appeal the tax decisions of the Tax Court, except as provided in section 1254 of title 28 of the United States Code, in the same manner and to the same extent as decisions of the district courts are reviewed by the courts of appeals in civil actions; and the judgment of any such court shall be final, except that it shall be subject to review by the Supreme Court upon certiorari, in the manner provided in section 1254 of title 28 of the United States Code."

(b) Title 26, United States Code, section 7482(b) is repealed.

(c) Title 26, United States Code, section 7482(c)(1), is amended by striking out "such courts" and inserting in lieu thereof the following: "the United States Court of Tax Appeals".

(d) Title 26, United States Code, section 7482(c)(4), is amended by inserting "Tax" before "Appeals".

Sec. 18. Title 26, United States Code, section 7483, is amended by striking out "a United States Court of Appeals" and inserting in lieu thereof the following: "the United States Court of Tax Appeals".

Sec. 19. This Act shall take effect thirty days after its enactment.

S. 1977

A bill to improve the judicial machinery by amending title 28, United States Code, to establish a revised procedure for litigating tax disputes, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Tax Litigation Act".

Sec. 2. Section 1340 of title 28, United States Code, is amended—

(1) by inserting immediately before the text thereof the subsection designation "(b)":

(2) by inserting immediately before the word "civil" in subsection (b), as designated by this section, the word "other"; and

(3) by inserting immediately before the text of subsection (b), as designated by this section, the following new subsection:

"(a) The district courts shall have original jurisdiction, concurrent with the Tax Court of the United States, in any civil action for a tax credit or refund of overpayment or for a redetermination of tax deficiencies.".

Sec. 3. Section 1346 of title 28, United States Code, is amended—

(1) by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively, and

(2) by striking out subsection (a) and inserting in lieu thereof the following:

"(a) The district courts shall have original jurisdiction, concurrent with the Tax Court of the United States, in any civil action against the United States for a tax credit or refund of overpayment or for a redetermination of tax deficiencies.

"(b) The district courts shall have original jurisdiction, concurrent with the Court of Claims, of any other civil action or claim against the United States, not exceeding $10,000 in amount, founded upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort.".

Sec. 4. Section 7442 of the Internal Revenue Code of 1954 is amended by inserting after "jurisdiction" a comma and the phrase "concurrent with the district courts (as defined in section 451 of title 28, United States Code),".

Sec. 5. (a) Subsection (a) of section 7482 of the Internal Revenue Code of 1954 is amended to read as follows:

"(a) Jurisdiction.—

"(1) Court of claims.—The Court of Claims shall have exclusive jurisdiction to review the decisions of the Tax Court in any civil action for a tax credit or refund of overpayment or for a redetermination of tax deficiencies, except as provided in section 1255 of title 28 of the United States Code, in the same manner and to the same extent as decisions of the district courts in civil actions tried without a jury are reviewed by the United States Courts of Appeals; and the judgment of such court shall be final, except that it shall be subject to review by the Supreme Court of the United States upon certiorari, in the manner provided in section 1255 of title 28 of the United States Code.

"(2) Courts of appeals.—The United States Courts of Appeals shall have exclusive jurisdiction to review all other decisions of the Tax Court, except as provided in section 1254 of title 28 of the United States Code, in the same manner and to the same extent as decisions of the district courts in civil actions tried without a jury; and the judgment of any such court shall be final, except that it shall be subject to review by the Supreme Court of the United States upon certiorari, in the manner provided in section 1254 of title 28 of the United States Code.".

(b) Subsection (b) of such section is amended—

(1) by striking out "(1) In general" in the paragraph heading and inserting in lieu thereof "(1) United States Courts of Appeals";

(2) by striking out "such decisions may be reviewed by" in the introductory matter preceding clause (A) of paragraph (1) and inserting in lieu thereof "the court of appeals which may review decisions under subsection (a)(2) is"; and

(3) by striking out "such decisions" in paragraph (2) and inserting in lieu thereof "decisions reviewed under subsection (a)(2)".

(c) Subsection (c) of such section is amended—

(1) by striking out paragraph (2) and inserting in lieu thereof the following:

"(2) To make rules.—Rules for review of decisions of the Tax Court in civil actions for a tax credit or refund of overpayment or for a redetermination of tax deficiencies shall be those prescribed by the Court of Claims. Rules for the review of other decisions of the Tax Court by the courts of appeals shall be the Federal Rules of Appellate Procedure."; and

(2) by inserting immediately after "United States Court of Appeals" in paragraph (4) thereof a comma and "the Court of Claims,".

Sec. 6. Section 1491 of title 28, United States Code, is amended—

(1) by striking out the word "The" at the beginning of the first full paragraph and inserting in lieu thereof the following: "(a) Except as otherwise provided under subsection (b), the"; and

(2) by adding at the end thereof the following new subsections:

"(b) The Court of Claims shall not have original jurisdiction in any civil action against the United States for a tax credit or refund of overpayment or for a redetermination of tax deficiencies.

"(c) Except as provided in section 1255, the Court of Claims shall have exclusive jurisdiction of appeals from all final decisions of the Tax Court of the United States and of the district courts of the United States, including the district courts for the Canal Zone, Guam, Puerto Rico, and the Virgin Islands, in any civil action for a tax credit or refund of overpayment or for redetermination of tax deficiencies.

"(d) The Court of Claims shall have exclusive jurisdiction of appeals from interlocutory decisions of the district courts of the United States, including the district courts for the Canal Zone, Guam, Puerto Rico, and the Virgin Islands, in any civil action for a tax credit or refund or for a redetermination of tax deficiencies.".

"(e) When a judge of the district court or of the Tax Court, in making in any civil action for a tax credit or refund of overpayment or for redetermination of tax deficiencies, an order not otherwise appealable under this section, shall be of the opinion that such order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation, he shall so state in writing in such order. The Court of Claims may thereupon, in its discretion, permit an appeal to be taken from such order, if application is made to it within ten days after the entry of the order: *Provided, however,* That application for an appeal hereunder shall not stay proceedings in the district court unless the district judge or the Court of Claims or a judge thereof shall so order.".

Sec. 7. (a) Section 1291 of title 28, United States Code, is amended by striking out the word "The" and inserting in lieu thereof the following: "Except for final decisions by district courts or the Tax Court of the United States in any civil action for a tax credit or refund of overpayment or for a redetermination of tax deficiencies, the".

(b) Section 1292 of such title is amended by striking out "(a) The" and inserting in lieu thereof the following:

"(a) Except for appeals from interlocutory decisions of the district courts or the Tax Court of the United States in any civil action for a tax credit or refund of overpayment or for a redetermination of tax deficiencies, the".

Sec. 8. Section 2402, title 28, United States Code, is amended by striking out "section 1346(a)(1)" and inserting in lieu thereof "section 1346(a)".

Sec. 9. Section 7453 of the Internal Revenue Code of 1954 is amended—

(1) by striking out the word "The" and by inserting in lieu thereof the following:

"(b) Other.—All other"; and

(2) by inserting before subsection (b), as designated by this section, the following new subsection:

"(a) Tax Matters.—The proceeds of the Tax Court in any civil action for a tax credit or refund of overpayment or for a redetermination of tax deficiencies shall be conducted in accordance with such rules of practice and procedure as the Tax Court may prescribe. Such rules shall conform as nearly as practicable with the rules of civil procedure for the district courts of the United States.".

Sec. 10. (a) Subsection (c) of section 7422 of the Internal Revenue Code of 1954 is amended by inserting immediately after the phrase "Tax Court" each time it appears the words "or district court".

(b) Subsection (e) of such section is amended to read as follows:

"(e) Stay of Proceedings.—If the Secretary or his delegate prior to the hearings of a suit brought by a taxpayer in a district court or the Tax Court for the recovery of any income tax, estate tax, or gift tax (or any penalty relating to such taxes) mails to the taxpayer a notice that a deficiency has been determined in respect of the tax which is the subject matter of the taxpayer's suit, the proceedings in the taxpayer's suit shall be stayed during the period of time in which the taxpayer may file a petition, with the same court in which he has instituted his suit for a tax credit or refund of overpayment, for a redetermination of the asserted deficiency, and for 60 days thereafter. If the taxpayer files such a petition for a redetermination of the asserted deficiency, the United States may counterclaim in the taxpayer's suit, or intervene in the event of a suit as described in subsection (c) (relating to suits agains officers or employees of the United States), within the period of the stay of proceedings notwithstanding that the time for such pleading may have otherwise expired. The taxpayer shall have the burden of proof with respect to the issues raised by such counterclaim or intervention of the United States except as to the issue of whether the taxpayer has been guilty of fraud with intent to evade tax.".

(c) Subsection (e) of such section, as originally enacted or amended by this Act, shall not apply to a suit by a taxpayer which, prior to the date of enactment of the Internal Revenue Code of 1954, is commenced, instituted, or pending in a district court or the Court of Claims for the recovery of any income tax, estate tax, or gift tax (or any penalty relating to such taxes). Subsection (e) of such section, as it existed on the day prior to the date of enactment of this Act, shall apply to a suit commenced, instituted, or pending in the Tax Court, a district court, or the Court of Claims during the period from the date of enactment of the Internal Revenue Code of 1954 through the day prior to the date of enactment of this Act.

SEC. 11. Subsection (c)(1) of section 6212, sections 6213 and 6214, subsections (a) and (b)(1) and (b)(4) of section 6215, and subsection (a)(1) of section 6503 of the Internal Revenue Code of 1954 are amended by inserting immediately after the phrase "Tax Court" each time it appears the words "or district court".

SEC. 12. The section heading and the first sentence of section 6673 of the Internal Revenue Code of 1954 are amended to read as follows:

"SEC. 6673. DAMAGES ASSESSABLE FOR INSTITUTING PROCEEDINGS BEFORE THE TAX COURT OR DISTRICT COURT MERELY FOR DELAY.

"Whenever it appears to the Tax Court, or the district court in any civil action for a tax credit or refund of overpayment or for a redetermination of tax deficiencies, that proceedings before it have been instituted by the taxpayer merely for delay, damages in an amount not in excess of $500 shall be awarded to the United States by the court in its decision.".

SEC. 13. (a) The analysis of chapter 76 of the Internal Revenue Code of 1954, immediately preceding section 7401, is amended by striking out

"Subchapter D. Court review of Tax Court decisions."

and inserting in lieu thereof

"Subchapter D. Court review of tax decisions.".

(b) The analysis of subchapter D of such chapter, immediately preceding section 7481, is amended by striking out

"Subchapter D—Court review of Tax Court decisions"

and inserting in lieu thereof

"Subchapter D—Court review of tax decisions".

SEC. 14. (a) Paragraph (2)(A) of section 7481 of the Internal Revenue Code of 1954 is amended by inserting immediately after "United States Court of Appeals" the phrase "or the Court of Claims, as the case may be.".

(b) Paragraph (2)(B) of such section is amended by inserting immediately before the semicolon the following: "or the Court of Claims, as the case may be".

(c) Paragraph (3)(B) of such section is amended—

(1) by striking out "of the Court of Appeals" in the caption thereof;

(2) by inserting immediately after "United States Court of Appeals", in the introductory matter preceding clause (1), the phrase "or Court of Claims, as the case may be"; and

(3) by inserting immediately after the phrase "United States Court of Appeals" each time it appears in clause (iii) thereof the words "or the Court of Claims".

(d) Paragraph (4) of such section is amended by inserting immediately after the phrase "United States Court of Appeals" each time it appears the words "or the Court of Claims".

"SEC. 15. Section 7483 of the Internal Revenue Code of 1954 is amended by inserting immediately after "Court of Appeals" the phrase "or Court of Claims, as the case may be,".

SEC. 16. Section 7484 of the Internal Revenue Code of 1954 is amended by inserting immediately after "Tax Court" the phrase "or district court".

SEC. 17. Section 7485(a) of the Internal Revenue Code of 1954 is amended—

(1) by inserting immediately after "Tax Court" in the introductory matter preceding clause (1) the words "or district court"; and

(2) by striking out "Tax Court" each time it appears in clause (1) and the last sentence of such section and inserting in lieu thereof "court".

SEC. 18. Section 7486 of the Internal Revenue Code of 1954 is amended by inserting immediately after "Tax Court" the words "or district court".

SEC. 19. Section 171 of title 28, United States Code, is amended by striking out "six" and inserting in lieu thereof "eight".

SEC. 20. Section 175 of title 28, United States Code, is amended—

(1) by striking out the subsection designations "(a)", "(b)", "(c)," "(d)", "(e)", and "(f)" and inserting in lieu thereof "(2)", "(3)", "(4)", "(5)", "(6)", and "(7)", respectively;

(2) by inserting before paragraph (1), as redesignated by this section, the following new language:

"(a)(1) The provisions of this subsection shall apply to a proceeding before the Court of Claims except an appeal from the Tax Court of the United States or a district court arising out of a claim for a tax credit or refund of overpayment or for a redetermination of tax deficiencies."; and

(3) by adding at the end thereof the following new subsection:

"(b)(1) The provisions of this subsection shall apply to an appeal before the Court of Claims from the Tax Court of the United States or a district court arising out of a claim for a tax credit or refund of overpayment or for a redetermination of tax deficiencies.

"(2) The chief judge shall divide the court into panels of three judges, which shall sit at such times and places and hear such cases and controversies as the chief judge determines will afford a taxpayer a reasonable opportunity to appear with minimum expense. The court shall, however, sit en banc to hear or rehear a case whenever a majority of the judges so decide.

"(3) Two judges shall constitute a quorum of a panel; four judges shall constitute a quorum of a court en banc.

"(4) A majority of the judges who actually sit on the panel or court en banc must concur in any decision.".

SEC. 21. Section 1255 of title 28, United States Code, is amended—

(1) by inserting immediately before the text thereof the subsection designation "(a)";

(2) by inserting immediately after the word "Cases" in subsection (a), as designated by this section, the words "of original jurisdiction"; and

(3) by adding at the end thereof the following new subsection:

"(b) Cases in the Court of Claims on appeal may be reviewed by the Supreme Court in the same manner as provided for courts of appeals under section 1254 of this title.".

SEC. 22. Section 2107 of title 28, United States Code, is amended—

(1) by inserting after "appeals" in the section caption the words "and Court of Claims"; and

(2) by inserting after "court of appeals" in the first full paragraph the phrase "or the Court of Claims, as the case may be,".

SEC. 23. The provisions of this Act shall not be applicable to any proceeding commenced prior to the date of enactment of this Act.

S. 1978

A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure", to provide for appeals from decisions of the Court of Claims, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That this Act may be cited as the Federal Tax Litigation Act.

SEC. 2. Title 28, United States Code, "Judiciary and Judicial Procedure", is amended as follows:

(a) Section 1255 is repealed.

(b) Section 1291 is amended to read as follows:

"§ 1291. Final decisions of district courts and Court of Claims

"The courts of appeals shall have jurisdiction of appeals from all final decisions of the district courts of the United States, the United States District Court for the District of the Canal Zone, and District Court of Guam, the District Court of the Virgin Islands, and the Court of Claims, except where direct review may be had in the Supreme Court."

(c) Section 1292(a)(4) is amended to read as follows:

"(4) Judgments of such district courts and the Court of Claims in civil actions for patent infringement which are final except for accounting."

(d) Section 1292(b) is amended to read as follows:

"(b) When a district judge or the Court of Claims, in making in a civil action an order not otherwise appealable under this section, shall be of the opinion that such order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation, the district judge or the Court of Claims shall so state in writing such order. The court of appeals may thereupon, in its discretion, permit an appeal to be taken from such order, if application is made to it within ten days after the entry of the order: *Provided, however,* That application for an appeal hereunder shall not stay proceedings in the district court or the Court of Claims unless the district judge, the Court of Claims, or the court of appeals or a judge thereof shall so order."

(e) Section 1294 is amended to read as follows:

"§ 1294. Circuits in which decisions reviewable

"Appeals from reviewable decisions of the district and territorial courts and the Court of Claims shall be taken to the courts of appeals as follows:

"(1) From a district court of the United States, to the court of appeals for the circuit embracing the district;

"(2) From the United States District Court for the District of the Canal Zone, to the Court of Appeals for the Fifth Circuit;

"(3) From the District Court of the Virgin Islands, to the Court of Appeals for the Third Circuit;

"(4) from the District Court of Guam, to the Court of Appeals for the Ninth Circuit;

"(5) from the Court of Claims, to the court of appeals for the circuit in which is located—

"(a) in the case of a plaintiff other than a corporation, the legal residence of the plaintiff,

"(b) in the case of a corporate plaintiff, the principal place of business of the corporation.

If for any reason neither subparagraph (a) nor (b) applies, then such decisions may be reviewed by the Court of Appeals for the District of Columbia. For purposes of this paragraph, the legal residence or principal place of business referred to herein shall be determined as of the time the petition was filed with the Court of Claims."

(f) Section 1504 is repealed.

(g) Chapter 91 is amended by inserting after section 1506 a new section 1507 reading as follows:

"§ 1507. Review of decisions

"Decisions of the Court of Claims may be reviewed by a court of appeals as provided in sections 1291, 1292, and 1294 of this title."

(h) Section 2107 is amended to read as follows:

"§ 2107. Time for appeal to court of appeals

"Except as otherwise provided in this section, no appeal shall bring any judgment, order, or decree in an action, suit, or proceeding of a civil nature before a court of appeals for review unless notice of appeal is filed, within thirty days after the entry of such judgment, order, or decree.

"In any such action, suit, or proceeding in which the United States or an officer or agency thereof is a party, the time as to all parties shall be sixty days from such entry.

"In any action, suit, or proceeding in admiralty, the notice of appeal shall be filed within ninety days after the entry of the order, judgment, or decree appealed from, if it is a final decision, and within fifteen days after its entry if it is an interlocutory decree.

"The district court or the Court of Claims may extend the time for appeal not exceeding thirty days from the expiration of the original time herein prescribed, upon a showing of excusable neglect based on failure of a party to learn of the entry of the judgment, order, or decree.

"This section shall not apply to bankruptcy matters or other proceedings under title 11."

(i) Section 2110 is repealed.

(j) Section 2511 is amended to read as follows:

"§ 2511. Accounts of officers, agents, or contractors

"Notice of suit under section 1494 of this title shall be given to the Attorney General, to the Comptroller General, and to the head of the department requested to settle the account in question.

"The judgment of the Court of Claims in such suit, or of the court of appeals or the Supreme Court upon review, shall be conclusive upon the parties, and payment of the amount found due shall discharge the obligation.

"The transcript of such judgment, filed in the clerk's office of any district court, shall be entered upon the records, and shall be enforceable as other judgments."

(k) Section 2516(b) is amended to read as follows:

"(b) Interest on judgments against the United States affirmed by the courts of appeals or the Supreme Court after review on petition of the United States shall be paid at the rate of 4 per centum per annum from the date of the filing of the transcript of the judgment in the Treasury Department to the date of the mandate of affirmance. Such interest shall not be allowed for any period after the session or term of the court of appeals, or the term of the Supreme Court, at which the judgment was affirmed."

(l) This Act shall take effect thirty days after its enactment.

S. 1979

A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," to provide that the Court of Claims should no longer have jurisdiction over civil tax refund suits, and to provide that the Court of Claims shall have jurisdiction to review orders of the Renegotiation Board

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 28, United States Code, "Judiciary and Judicial Procedure," is amended to read as follows:

(a) Section 1346 is amended to read as follows:

"§ 1346. United States as defendant

"(a) The district courts shall have original jurisdiction of—

"(1) Any civil action against the United States for the recovery of any internal revenue tax alleged to have been erroneously or illegally assessed or collected, or any penalty claimed to have been collected without authority or any sum alleged to have been excessive or in any manner wrongfully collected under the internal revenue laws; and

"(2) any other civil action or claim against the United States, not exceeding $10,000 in amount, founded either upon the Constitution or any Act of Congress, or any regulation of an executive department, or upon any expressed or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort.

"(b) Subject to the provisions of chapter 171 of this title, the district courts, together with the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands, shall have exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on and after January 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

"(c) The jurisdiction conferred by this section includes jurisdiction of any set-off, counterclaim, or other claim or demand whatever on the part of the United States against any plaintiff commencing an action under this section.

"(d) The district courts shall have jurisdiction under this section of any civil action or claim for a pension.

"(e) The district court shall have original jurisdiction of any civil action against the United States provided in section 7426 of the Internal Revenue Code of 1954."

(b) Section 1491 is amended to read as follows:

"§ 1491. Claims against United States generally; actions involving Tennessee Valley Authority; actions involving recovery of any internal-revenue tax or penalty

"The Court of Claims shall have jurisdiction to render judgment upon any claim against the United States founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort.

"Nothing herein shall be construed to give the Court of Claims jurisdiction in suits against, or founded on actions of, the Tennessee Valley Authority, nor to amend or modify the provisions of the Tennessee Valley Authority Act of 1933, as amended, with respect to suits by or against the Authority; nor shall anything herein be construed to give the Court of Claims jurisdiction in any civil action against the United States for the recovery of any internal revenue tax or penalty under subsection (a) of section 1346 of this title."

SEC. 2. Title 28, United States Code, "Judiciary, and Judicial Procedure", is amended by adding section 1507, which shall read as follows:

"§ 1507. Renegotiation of contracts

"The Court of Claims shall have jurisdiction to review orders of the Renegotiation Board in the manner and to the extent provided in title 50, Appendix, United States Code, section 1218."

SEC. 3. Title 50, Appendix, United States Code, "War and National Defense", is amended to read as follows:

(a) Section 1215(a) is amended to read as follows:

"§ 1215. Renegotiation proceedings

"(a) PROCEEDINGS BEFORE BOARD.—Renegotiation proceedings shall be commenced by the mailing of notice to that effect, in such form as may be prescribed by regulation, by registered mail or by certified mail to the contractor or subcontractor. The Board shall endeavor to make an agreement with the contractor or subcontractor with respect to the elimination of excessive profits received or accrued, and with respect to such other matters relating thereto as the Board deems advisable. Any such agreement, if made, may, with the consent of the contractor or subcontractor, also include provisions with respect to the elimination of excessive profits likely to be received or accrued. If the Board does not make an agreement with respect to the elimination of excessive profits received or accrued, it shall issue and enter an order determining the amount, if any, of such excessive profits, and forthwith give notice thereof by registered mail or by certified mail to the contractor or subcontractor. In the absence of the filing of a petition with the Court of Claims under the provisions of any within the time limit prescribed in section 108 (sec. 1218 of this appendix), such order shall be final and conclusive and shall not be subject to review or redetermination by any court or other agency. The Board shall exercise its powers with respect to the aggregate of the amount received or accrued during the fiscal year (or such other period as may be fixed by mutual agreement) by a contractor or subcontractor under contracts with the departments and subcontracts, and not separately with respect to amount received or accrued under separate contracts with the departments or subcontracts, except the Board may exercise such powers separately with respect to amounts received or accrued by the contractor or subcontractor under any one or more separate contracts with the departments or subcontracts at the request of the contractor or subcontractor. By agreement with any contractor or subcontractor, and pursuant to regulations promulgated by it, the Board may in its discretion conduct renegotiation on a consolidated basis in order properly to reflect excessive profits of two or more related contractors or subcontractors. Renegotiation shall be conducted on a consolidated basis with a parent and its subsidiary corporations which constitute an affiliated group under section 141(d) of the Internal Revenue Code (sec. 141(d) of title 26) if all of the corporations included in such affiliated group request renegotiation on such basis and consent to such regulations as the Board shall prescribe with respect to (1) the determination and elimination of excessive profits of such affiliated group, and (2) the determination of the amount of the excessive profits of such affiliated group allocable, for the purposes of section 3806 of the Internal Revenue Code (sec. 3806 of title 26), to each corporation included in such affiliated group. Whenever the Board makes a determination with respect to the amount of excessive profits, and such determination is made by order, it shall, at the request of the contractor or subcontractor, as the case may be, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination. Such statement shall not be used in the Court of Claims as proof of the facts or conclusions stated therein."

(b) Section 1215(b)(1) is amended to read as follows:

"(b) METHODS OF ELIMINATING EXCESS PROFITS.—

"(1) GENERAL PROCEDURES.—Upon the making of an agreement, or the entry of an order, under subsection (a) of this section by the Board, or the entry of an order under section 108 (section 1218 of this appendix) by the Court of Claims, determining excessive profits, the Board shall forthwith authorize and direct the Secretaries or any of them to eliminate such excessive profits—

"(A) by reductions in the amounts otherwise payable to the contractor under contracts with the departments, or by other revision of their terms;

"(B) by withholding from amounts otherwise due to the contractor any amount of such excessive profits;

"(C) by directing any person having a contract with any agency of the Government, or any subcontractor thereunder, to withhold for the account of the United States from any amounts otherwise due from such person or such subcontractor to a contractor, or subcontractor, having excessive profits to be eliminated, and every such person or subcontractor receiving such direction shall withhold and pay over to the United States the amounts so required to be withheld;

"(D) by recovery from the contractor or subcontractor, or from any person or subcontractor directed under subparagraph (C) (of this subsection) to withhold for the account of the United States, through payment, repayment, credit, or suit any amount of such excessive profits realized by the contractor or subcontractor or directed under subparagraph (C) (of this subsection) to be withheld for the account of the United States; or

"(E) by any combination of these methods as is deemed desirable."

(c) Section 1215(b)(2) is amended to read as follows:

"(2) INTEREST.—Interest at the rate of 4 per centum per annum shall accrue and be paid on the amount of such excessive profits from the thirtieth day after the date of the order of the Board or from the date fixed for repayment by the agreement with the contractor or subcontractor to the date of repayment, and on amounts required to be withheld by any person or subcontractor for the account of the United States pursuant to paragraph (1)(C) (of this subsection), from the date of payment is demanded by the Secretaries or any of them to the date of payment. When the Court of Claims, under section 108 (section 1218 of this appendix), redetermines the amount of excessive profits received or accrued by a contractor or subcontractor, interest at the rate of 4 per centum per annum shall accrue and be paid by such contractor or subcontractor as follows:

"(A) When the amount of exessive profit determined by the Court of Claims is greater than the amount determined by the Board, interest shall accrue and be paid on the amount determined by the Board from the thirtieth day after the date of the order of the Board to the date of repayment and, in addition thereto, interest shall accrue and be paid on the additional amount determined by the Court of Claims from the date of its order determining such excessive profits to the date of repayment.

"(B) When the amount of excessive profits determined by the Court of Claims is equal to the amount determined by the Board, interest shall accrue and be paid on such amount from the thirtieth day after the date of the order of the Board to the date of repayment.

"(C) When the amount of excessive profits determined by the Court of Claims is less than the amount determined by the Board, interest shall accrue and be paid on such lesser amount from the thirtieth day after the date of the order of the Board to the date of repayment, except that no interest shall accrue or be payable on such lesser amount if such lesser amount is not in excess of an amount which the contractor or subcontractor tendered in payment prior to the issuance of the order of the Board."

(d) Section 1216(a)(6) is amended to read as follows:

"(6) any contract which the Board determines does not have a direct and immediate connection with the national defense. The Board shall prescribe regulations designating those classes and types of contracts which shall be exempt under this paragraph; and the Board shall, in accordance with regulations prescribed by it, exempt any individual contract not falling within any such class or type if it determines that such contract does not have a direct and immediate connection with the national defense. In designating those classes and types of contracts which shall be exempt and in exempting any individual contract under this paragraph, the Board shall consider as not having a direct or immediate connection with national defense any contract for the furnishing of materials or services to be used by the United States, a department or agency thereof, in the manufacture and sale of synthetic rubbers to a private person or to private persons which are to be used for nondefense purposes. If the use by such private person or persons shall be partly for defense and partly for nondefense purposes, the Board shall consider as not having a direct or immediate connection with national defense that portion of the contract which is determined not to have been used for national defense purposes. The method used in making such determination shall be subject to approval by the Board. Notwithstanding section 108 of this title (section 1218 of this Appendix), regulations prescribed by the Board under this paragraph, and any determination of the Board that a contract is or is not exempt under this paragraph, shall not be reviewed or redetermined by the Court of Claims or by any other court or agency; or"

(e) Section 1218 is amended to read as follows:

"§ 1218. Review by the Court of Claims

"Any contractor or subcontractor aggrieved by an order of the Board determining the amount of excessive profits received or accrued by such contractor or subcontractor may—

"(a) if the case was conducted initially by the Board itself within ninety days (not counting Sunday or a legal holiday in the District of Columbia as the last day) after the mailing under section 105(a) (section 1215(a) of this Appendix) of the notice of such order, or

"(b) if the case was not conducted initially by the Board itself within ninety days (not counting Sunday or a legal holiday in the District of Columbia as the last day) after the mailing under section 107(e) (section 1217(e) of this Appendix) of the notice of the decision of the Board not to review the case or the notice of the order of the Board determining the amount of excessive profits, file a petition with the Court of Claims for a redetermination thereof. Upon such filing, such court shall have exclusive jurisdiction, by order, to determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor, and such determination shall not be reviewed or redetermined by any court or agency except as provided in section 108A (section 1218a of this Appendix). The court may determine as the amount of excessive profits an amount either less than, equal to, or greater than that determined by the Board. A proceeding before the Court of Claims to finally determine the amount, if any, of excessive profits shall not be treated as a proceeding to review the determination of the Board, but shall be treated as a proceeding de novo. In the case of any witness for the Board, the fees and mileage, and the expenses of taking any deposition shall be paid out of appropriations of the Board available for that purpose, and in the case of any other witnesses shall be paid, subject to rules prescribed by the court, by the party at whose instance the witness appears or the deposition is taken. The filing of a petition under this section shall operate to stay the execution of the order of the Board under subsection (b) of section 105 (section 1215(b) of this Appendix) only if within ten days after the filing of the petition the petitioner files with the Court of Claims a good and sufficient bond, approved by such court, in such amount as may be fixed by the court. Any amount collected by the United States under an order of the Board in excess of the amount found to be due under a determination of excessive profits by the Court of Claims shall be refunded to the contractor or subcontractor with interest thereon at the rate of 4 per centum per annum from the date of collection by the United States to the date of refund."

SEC. 4. Section 1219, title 50, United States Code, is hereby repealed.

SEC. 5. This Act shall take effect thirty days after its enactment.

S. 1980—INTRODUCTION OF THE CLASS ACTION JURISDICTION ACT

Mr. TYDINGS. Mr. President, today I introduce, for appropriate reference, a bill designed to make consumer rights meaningful by providing a judicial forum in which they can be effectively protected.

It is a commonplace observation that effective consumer remedies have not kept pace with the increasing recognition of consumer rights. Despite the intensified campaign in recent years against those who defraud and deceive consumers, despite movements in many States to set up consumer councils, such as the Department of Consumer Protection which I proposed for the District of Columbia in the Retail Installment Sales Act, and despite the increasing awareness of consumer problems, the defrauded consumer has very little chance of obtaining satisfactory relief.[1]

Neither administrative regulation nor individual private law suits adequately protect consumer rights. A classic example of their ineffectiveness is provided by the lengthy career of the Holland Furnace Co. Complaints about high-pressure tactics were made against the company as long ago as the early 1930's. In December 1936, the company agreed to a Federal Trade Commission consent order against certain misleading advertising claims. Although complaints against the company continued, a second proceeding was not initiated by the Federal Trade Commission until 1954. Four years later a cease-and-desist order was issued prohibiting Holland "from engaging in a sales scheme whereby its salesmen gain access to homes by misrepresenting themselves as official 'inspectors' and 'heating engineers' and thereafter dismantling furnaces on the pretext that this is necessary to determine the extent of necessary repairs."[2] Holland Furnace Co. ignored the court decree enforcing the cease-and-desist order. Finally in 1965 the company was heavily fined for contempt of court.

The 29 years which it took the Federal Trade Commission to bring the Holland Furnace Co. to task demonstrates the danger of overdependence on administrative agencies for consumer protection. Administrative budgets and personnel are limited and, in some cases, the statutory structure or powers of an agency may inhibit its effectiveness. It is also noteworthy that Holland Furnace Co. continued its depredations notwithstanding a number of instances in which it was successfully sued for common-law fraud by individual homeowners, and a number of other instances in which individual homeowners successfully defended contract actions by Holland Furnace Co. on the ground that their contracts had been induced by fraud.

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[1] See Comment, "Translating Sympathy for Deceived Consumers into Effective Programs for Protection," 114 U. Pa. L. Rev. 395, 396–97 (1966).

[2] 55 F.T.C. 55, 91 (1958) aff'd, 295 F2d. 302 (7th Cir. 1961).

The Holland Furnace saga also illustrates the effect on interstate commerce of widespread consumer frauds. The company did business in some 45 States and had over 15 million customers. In view of the fact that consumer frauds have been estimated to involve several billion dollars worth of purchases annually, it is hardly surprising that fraudulent practices materially affect interstate commerce.

This impact on commerce makes it desirable to have effective remedies for widespread consumer abuses. However, in many instances the financial loss to an individual consumer is not large enough to make individual litigation practicable. A New Jersey lawyer has observed:

> The sad thing is that those people that get cheated often have the legal right to get a judgment against the company. The problem is how to enforce those rights. Since in New Jersey the paperwork for a $150 claim is the same as for a $10,000 claim I just have to turn people down who have lost small amounts.[3]

Very often only one well-heeled finance an individual consumer fraud enough to litigate for principle can suit. Although OEO neighborhood legal service attorneys provide some legal assistance to poor consumers, OEO attorneys are overworked, understaffed, and confined to representing persons below the poverty line.

But while an individual suit is costly, many individuals acting as a defrauded class could afford to enforce their individual rights. A consumer class action compensates for individual consumer's inability to litigate small individual losses by enabling one or more representatives of a group of consumers with similar injuries to place the group injury in issue. The aggregate group claim is generally large enough to make it possible to obtain private counsel on reasonable terms. A number of courts have, therefore, acknowledged that the consumer class action is necessary to prevent a denial of justice to consumers.[4]

It is also worth noting that the mere existence of an effective class action remedy may serve to deter fraudulent conduct. The potential defendant is forced to consider not only the possible economic loss from a class action but also the visibility, publicity, and public reaction which could result.[5]

Although class actions appear to be an indispensable weapon in the consumer protection arsenal, the class action procedure of a number of States is outmoded and archaic. The New York cases, for example, require a unity of interest among the members of a class which approximates the test for compulsory joinder of parties. The result of this restrictive view is that consumer class actions are summarily dismissed in New York. Hall against Coburn Corp.[6] is the case in point.

Hall against Coburn Corp. was a consumer class action against a finance company which had allegedly violated the New York Retail Installment Sales Act by using contracts printed in less than 8-point type. The NAACP legal defense fund sought refund of the service charge, a statutory penalty, on behalf of all consumers who had signed small-type contracts prepared and repurchased by Coburn Corp. within the period of the statute of limitations. However, the action was dismissed on two grounds: First, aside from the request for identical damages caused by identical conduct, the class was not united in interest; second, maintenance of the class action would deprive members of the class of other remedies which they might prefer to pursue against the defendant or against the merchants with whom they had dealt.

Neither of these grounds is compelling. The fact that identical damages are sought for identical conduct makes a case appropriate rather than inappropriate for class action treatment. Furthermore, class members' interests in pursuing other remedies can be preserved by limiting the scope of the judgment in a class action to the remedies that are actually sought. Hall against Coburn Corp. is bad class action law, but, unfortunately, it is typical of the law of a number of States.

The Class Action Jurisdiction Act which I am introducing today, was drafted with the aid of Richard F. Dole, Jr., associate professor of law at the University of Iowa, and Philip G. Schrag, a graduate of the Yale Law School and a former summer legal intern in my office. It is designed to counterbalance restrictive State attitudes toward consumer class actions by permitting class actions based on violation of State consumer protection law to be brought in Federal courts regardless of the domicile of the parties. The act contains no jurisdictional amount. If it did its value would be minimal since the Supreme Court recently held that the claims of a class cannot be aggregated to meet amount in controversy requirements.[7] Federal court jurisdiction makes available the refinements of contemporary Federal court practice, including Federal Rule of Civil Procedure 23, the most modern class action procedure in the United States. The Class Action Jurisdiction Act also makes clear what was already implicit; namely, that class actions are permissible under Federal consumer protection laws which contain private remedies, such as the Consumer Credit Protection or Truth-in-Lending Act.

The Class Action Jurisdiction Act is based on the Federal commerce power. Congress may, in the furtherance of national policy, give the Federal courts jurisdiction to adjudicate State claims which arise in areas subject to congressional regulation.[8] There is a well-established Federal policy in favor of consumer protection.[9] The Class Action Jurisdiction Act of 1969 furthers this Federal policy by insuring that class actions can be maintained for violations of Federal and State laws that are intended for the protection of consumers.

Mr. President, I ask that the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1980) to improve judicial machinery by providing Federal jurisdiction for certain types of class actions and for other purposes, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1980

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Class Action Jurisdiction Act."

SEC. 2. Title 28 of the United States Code is hereby amended by adding thereto a new section as follows:

"§ 1363. Consumers' class actions

"(a) DECLARATIONS.—

"(1) Congress finds that in recent years there has been a desirable increase in the protection of consumers under Federal and State statutes and under the decisions of the courts but that the remedies available to consumers have not kept pace with the rights that are in theory theirs.

"(2) Congress finds further that patterns or practices which violate Federal and State consumer protection laws affect commerce, and that interstate commerce will be fostered by providing an effective remedy for violations of those laws.

"(3) Congress finds further that class actions are an essential remedy for the protection of consumers, because consumer actions usually involve sums too small to justify individual litigation, whereas it is economical and just to try essential identical claims together in one representative action.

"(4) Congress finds further that by consolidating numerous claims in one proceeding, class actions promote sound judicial administration.

"(5) Congress finds further that state class action proceedings are in many instances inadequate to provide consumers with redress.

"Wherefore it is the purpose of Congress to provide a judicial forum in which class actions may be utilized to obtain redress for violations of consumers' rights.

"(b) The district court shall have original jurisdiction, regardless of the amount in controversy or the citizenship of the parties, of civil class actions brought by one or more consumers or potential consumers of goods, services, realty, or intangibles on behalf of themselves and all other consumers similarly situated, where—

"(1) the action involves the violation of consumers' rights under State or Federal statutory or decisional law for the benefit of consumers;

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[3] Comment, supra, note 1 at 409.

[4] See *Eisen* v. *Carlisle and Jacquelin*, 391 F. 2d 555, 563 (2d Cir. 1968); *Daar* v. *Yellow Cab. Co.*, 67 Cal. 2d 695, 433 P. 2d 732, 746 (1967).

[5] See Dole, *Consumer Class Actions Under the Uniform Deceptive Trade Practices Act*, 1968 Duke L. J. 1101, 1103.

[6] 160 N.Y.L.J., No. 28, p. 2 (Sup. Ct. Bronx County 1968), aff'd mem. (1st Sept. 1969), appeal pending.

[7] Snyder v. Harris, No. 109 (filed Mar. 25, 1969).

[8] See *Osborn* v. *Bank of the United States*, 22. U.S. 9. (Wheat.) 738 (1824); *Textile Workers Union* v. *Lincoln Mills*, 353 U.S. 448 (1957); Mishkin, *The Federal "Question" in the District Courts*, 53 Colum. L. Rev. 157, 184–96 (1953).

[9] "Informed consumers are essential to the fair and efficient functions of a free market economy." 15 U.S.C. § 1451.

"(2) the action is brought on behalf of numerous consumers or potential consumers of goods, services, realty, or intangibles who were or will be injured by the defendant(s) in substantially the same manner; and

"(3) the alleged violation affects interstate or foreign commerce or occurred with respect to goods, services, realty, or intangibles moving in or affecting interstate or foreign commerce.

"(c) The Federal Rules of Civil Procedure govern the conduct of these actions.

"(d) The district courts may award consumers the relief to which they are entitled under the governing substantive law.

"(e) If the court determines that an action brought pursuant to this section may not properly be maintained as a class action under the Federal Rules of Civil Procedure, it shall dismiss the action without prejudice to reinstitution as an individual action in the district courts under other provisions of law or as an individual or a class action in a State court of competent jurisdiction.

"(f) If a class of consumers prevails in a class action, the court shall award to the attorneys representing the class a reasonable fee based on the value of their services to the class. If the action has resulted in an award of damages or financial penalties to members of the class, the attorney's fee shall equal 10 per centum of the total judgment, unless the court determines that justice dictates the award of a greater or a lesser amount. Attorneys' fees may be awarded from damages or penalties which the defendant owes to members of the class who cannot be located with due diligence.

SEC. 3. The analysis of chapter 85 of title 28, United States Code, is amended by adding at the end thereof a new item as follows:

"Sec. 1363. Consumers' class actions."

S. 1981—INTRODUCTION OF A BILL DEALING WITH JURISDICTION AND ADMINISTRATION OF THE U.S. DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO

Mr. TYDINGS. Mr. President, I am reintroducing today a measure which I placed before the Senate near the end of the last session for the purpose of repealing section 863 of title 48, United States Code. That you may better understand the problem which this bill is intended to deal with, I should like to reiterate the remarks I made upon its initial introduction. Section 863 of title 48, United States Code is a special provision covering several diverse aspects of the jurisdiction and administration of the U.S. District Court for the District of Puerto Rico. In most facets it is now duplicated in other sections of the United States Code, and in those areas in which it is not duplicated I believe that we should revise the jurisdiction of the district court.

This action has the suppport of the Judicial Conference of the United States, which in 1967 recommended repeal. The Conference Report, to which I fully subscribe, was as follows:

> The Conference agreed to recommend to the Congress the repeal of Section 41 of the Act of March 2, 1917, as amended by Section 20 of the Act of June 25, 1948 (c. 646, 62 Stat. 989, 48 U.S.C. 863). This section of the statute has four separate parts, three of which are regarded as obsolete or fully supplied by other statutes and the fourth not only obsolete but also confusing and unnecessary. The provision with respect to the naturalization jurisdiction has been superseded by Section 310 of the Immigration and Nationality Act of 1952 (8 U.S.C. 1421) which expressly confers upon the district courts of the United States, including the Puerto Rico District Court, jurisdiction of naturalized persons as citizens of the United States. The payment of salaries of the judges and officials and other expenses of the court are now made directly by the Director of the Administrative Office of the United States Courts pursuant to Section 604 of Title 28, United States Code. Authorization for payment is given in several sections relating to court personnel in Title 28, all of which apply to the District Court for the District of Puerto Rico as they do to any other district court of the United States. The provision of the designation by the President of a judge of the Supreme Court of Puerto Rico as a temporary judge of the District Court in the case of the death, absence or disability of the district judge antedates the full integration of the District of Puerto Rico into the Federal judicial system by Sections 41, 119, 132, 133 and 134 of Title 28, United States Code. The provision for special diversity jurisdiction antedates the enactment of 28 U.S.C. 1332 which confers diversity jurisdiction and is applicable to the District Court for Puerto Rico in common with all the other district courts of the United States. By the passage of Public Law 89-571 the Congress has now amended 28 U.S.C. 134(a) so as to confer the same life tenure upon the United States district judges in Puerto Rico as is provided for other United States district judges and thus the last remaining barrier to the full and complete integration of the District Court in Puerto Rico into the federal constitutional judicial system has been eliminated.
>
> The Conference, therefore, agreed that the courts of Puerto Rico should handle so much of that special jurisdiction as is not comprehended within the general diversity jurisdiction granted to all United States district courts by 28 U.S.C. 1332, and that direct action cases should be handled by the local courts as they are now required to be in Louisiana and Wisconsin.[1]

As the last paragraph of the report indicates, the jurisdictional grant of section 863 is slightly broader than the general diversity jurisdiction grant found in section 1332 of title 28. Further, when the jurisdictional amount prerequisite for diversity jurisdiction in section 1332 was revised upward from $3,000 to $10,000,[2] no reference was made in the amendatory bill to increasing the $3,000 minimum found in section 863, and the Federal courts have accordingly construed it as being unaffected.[3] Finally, no reference to section 863 was made when section 1332 was amended to exclude from the diversity jurisdiction direct action suits against insurance companies, and such suits are still entertained by the Puerto Rican District Court.[4] Hence, in three respects it is possible for litigants in the District of Puerto Rico to gain access to a Federal forum where litigants in any of the other districts of the United States could not. The continued existence of this jurisdiction in the Federal court is an anomaly, working to the advantage of a limited class of litigants who, so far as I can see, have no basis upon which to claim this preferential treatment.

The Court of Appeals for the First Circuit, which has appellate jurisdiction over the U.S. District Court in Puerto Rico has, understandably, expressed doubt as to the wisdom af this distinction. As Chief Judge Aldrich stated:

> It may be that in the present social and political development of Puerto Rico, the extent of the diversity jurisdiction of the district court should be reconsidered. However, this is a legislative, not a judicial function.[5]

My purpose is to fulfill that function.

Litigants who are no longer able to bring suit in the Federal court will still have access to the insular courts of Puerto Rico, where they are afforded procedures basically similar to those employed in the Federal courts. I submit that the insular courts are fully capable of handling the cases that will devolve upon them as a result of this amendment. Thus, I am proposing that we establish equality of treatment among litigants in an area where no jurisdiction for diverse treatment exists.

I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1981) to improve judicial machinery by repealing the provisions of section 41 of the act of March 2, 1917, as amended, concerning the U.S. District Court for the District of Puerto Rico, and for other purposes, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1981

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 41 of the Act of March 2, 1917 (c. 415, 39 Stat. 965), as amended (48 U.S.C. 863) be and hereby is repealed.

S. 1987—INTRODUCTION OF A BILL TO AMEND TITLE 18 OF THE UNITED STATES CODE, DEALING WITH EXPLOSIVES

Mr. THURMOND. Mr. President, I introduce a bill which corrects an oversight in section 837, title 18, of the United States Code. In the prohibition of certain acts involving explosives, the present United States Code omits to prohibit incendiary devices among other explosives. In other words, the use of molotov cocktails is not clearly included in the prohibition under the law. This bill would insert the words "or incendiary devices" in the appropriate places. The growing use of such devices in campus violence and other violence makes it necessary for the law to be explicit on this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

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[1] Reports of the Proceedings of the Judicial Conference of the United States 18–19 1967).

[2] 72 Stat. 415 (1958).

[3] *Ritchie* v. *Heftler Const. Co.*, 367 F. 2d 358 (1 Cir. 1966); *Compagnie Nationale Air France* v. *Castano*, 358 F. 2d 203 (1 Cir. 1966); *Firpi* v. *Pan American World Airways, Inc.*, 175 F. Supp. 188 (D.P.R. 1959).

[4] *Lavergne* v. *U.S. Cas. Co.*, 259 F. Supp. 425 (D.P.R. 1966); see Guerra & Fuster, The Development of Federalism in the Commonwealth of Puerto Rico: A Proposal to Annul the Special Diversity Jurisdiction of the U.S. District Court in Puerto Rico, 37 Sobretiro de la Revista Juridica de la Universidad de P.R. 1 (1968).

[5] *Ritchie* v. *Heftler Const. Co.*, *supra*, at 360.

The bill (S. 1987) to amend section 837, title 18, United States Code, to prohibit certain acts involving incendiary devices; introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1988—INTRODUCTION OF THE ACADEMIC FREEDOM PROTECTIVE ACT OF 1969

Mr. THURMOND. Mr. President, I introduce a bill entitled "The Academic Freedom Protective Act of 1969." Everyone is aware of the grave disruptions which are now affecting our universities throughout the land. Most of these disruptions constitute an organized attempt at the subversion of the ordinary conduct and administration of our educational institutions by a small determined group whose motive is anarchy and social disruption. There is no question but what these disruptions are the result of a planned and organized campaign by a radical group designed to involve hundreds of thousands of more or less moderate students who would not otherwise engage in such antisocial actions.

For some reason, there has been a peculiar reluctance by the administration of several of the universities to take proper steps to insure that law and order prevail so that the proper atmosphere conducive to the free play of ideas and contemplation of the truth prevails. We have seen in the past weeks several disgraceful incidents where administrations have given in to blackmail and threats. In some cases, the faculty has not backed the administration and in other cases the administration has not backed the faculty.

Whatever the reasons for this failure of will, the fact remains that thousands of innocent students and teachers are being deprived of their rights to engage in the ordinary pursuit of studies. Last September, the Director of the FBI, Mr. J. Edgar Hoover, warned that this disruption was being planned. He said:

> It is vitally important to recognize that these militant extremists are not simply faddists or "college kids" at play. Their cries for revolution and their advocacy of guerrilla warfare evolve out of a pathological hatred for our way of life and a determination to destroy it. The workshops they hold on sabotage and how to use it to further their objectives are grim forebodings of serious intent.

Mr. Hoover went on to predict the coming disruptions. He said:

> The New Left leaders plan to launch a widespread attack on educational institutions this fall. They are relying on collegiate dissidents and militants to bolster and accelerate this drive. It would be foolhardy for educators, public officials, and law enforcement officers to ignore or dismiss lightly the revolutionary terrorism invading college campuses. It is a serious threat to both the academic community and a lawful and orderly society.

The accuracy of his prediction can be seen by anyone who reads the newspapers. Since September 1968, there have been demonstrations at over 200 colleges and universities. More than 2,000 students have been arrested. There have been 25 cases of arson or bombings on university campuses. All in all, at least a million dollars in property damage has resulted. These statistics show the accuracy of the FBI Director's predictions. Many of our larger universities have been affected, such as the University of California at Berkeley, the University of Wisconsin, American University, Howard University, Harvard University, the University of Oregon, the University of Colorado, Cornell University, not to mention others which may have come under seige this morning.

Since the Federal Government has become deeply involved in the financing of universities and university programs and scholarships, it is obvious that the Federal Government has a significant stake in the orderly operation of these programs. The Federal Government cannot continue to provide such funds without also taking the responsibility to insure that the funds are spent in an orderly manner. I have therefore drafted legislation which would provide for a fine of $5,000 or imprisonment of up to 3 years for any of those who interfere with the orderly administration or operation of a federally assisted institution or conspire with any other persons for such interference.

Mr. President, I ask unanimous consent that the statement of Mr. J. Edgar Hoover of September 1, 1968, from the FBI Law Enforcement Bulletin be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MESSAGE FROM THE DIRECTOR TO ALL LAW ENFORCEMENT OFFICIALS

Millions of college students are returning to campuses throughout the country to begin the fall semester. They represent both the hope and the shape of the future. From the standpoint of educational opportunities and intelligence, they are far better equipped than any preceding generation to participate constructively in developing solutions to the many complex problems confronting our Nation.

It can be expected that most of these young people will fulfill the promise they represent to us. In so doing, they will join hands with the millions of Americans of good will who actively seek meaningful solutions to our social life. If our joint progress in this regard is impeded and deterred, much of the trouble will come from a growing band of self-styled revolutionaries who are using college campuses as a base for their destructive activities. This comparatively small group of arrogant, hard-core militants have contempt for the majority and our democratic processes. They regard themselves as the nucleus of an elite dictatorial ruling class of the future.

These extremists openly avow that their aim is to overthrow the existing order. Under the guise of academic freedom and freedom of speech, they profess to seek a dialog, when actually what they seek is a confrontation with established authority to provoke disorder. Through these confrontations, they expect to smash first our educational structure, then our economic system, and finally our government itself.

It is vitally important to recognize that these militant extremists are not simply faddists or "college kids" at play. Their cries for revolution and their advocacy of guerrilla warfare evolve out of a pathological hatred for our way of life and a determination to destroy it. The workshops they hold on sabotage and how to use it to further their objectives are grim forebodings of serious intent.

This New Left movement, as it is known, is growing both in numbers and varied forms of violence. Last spring, major disorders precipitated by the revolutionary adherents of the movement occurred on a number of college campuses. In the violent uprising at Columbia University, militant students and outsiders took over several buildings and committed senseless and deliberate destruction. The incident triggered similar disturbances on other campuses. Changes may be necessary and improvements in any institution can be made, but this is not the way to do it.

Encouraged by their "success" at Columbia, the anarchists in the New Left movement are boldly spreading the word that they intend to "create two, three, many Columbias," in the manner of one of their "heroes," Che Guevara, the Cuban revolutionary who cried "create two, three, many Vietnams!"

The main thrust of the New Left movement arises from the concerted efforts of the Students for a Democratic Society. Many of its members and some of its national leaders openly profess their faith in communist concepts and their determination to "restructure" our society. One of the militant spokesmen of this group stated, for example, that "perhaps 25 universities linked to the movement would be too much for the police—for the dominant class—and we would get what we demand."

The New Left leaders plan to launch a widespread attack on educational institutions this fall. They are relying on collegiate dissidents and militants to bolster and accelerate this drive. It would be foolhardy for educators, public officials, and law enforcement officers to ignore or dismiss lightly the revolutionary terrorism invading college campuses. It is a serious threat to both the academic community and a lawful and orderly society.

SEPTEMBER 1, 1968.

J. EDGAR HOOVER,
Director.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1988) to amend the Internal Security Act of 1950 to prohibit certain obstructive acts and practices; introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1990—INTRODUCTION OF A BILL TO APPROVE AN AGREEMENT ENTERED INTO BY THE SOBOBA BAND OF MISSION INDIANS, THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, AND THE EASTERN MUNICIPAL WATER DISTRICT

Mr. MURPHY. Mr. President, in behalf of my distinguished colleague, Senator CRANSTON, and myself, I introduce, for appropriate reference, a bill which would authorize the Secretary of the Interior to approve the agreement reached by the Soboba Band of Mission Indians, the Metropolitan Water District of Southern California, and the Eastern Municipal Water District resolving their long dispute over interference with the underground water resources of the Soboba Indian Reservation resulting from the construction of the MWD's Colorado River aqueduct in the 1930's.

In the early 1960's a settlement was

finally reached between all concerned parties. It was approved by MWD's board of directors in 1962 and by the Sobobas in 1965. It now requires the approval of the Secretary of the Interior. This bill would authorize the Secretary to approve the settlement and would further authorize the construction of the water distribution system envisioned by the settlement.

The Sobobas have a claim pending before the Indian Claims Commission. The bill provides that any money expended by the Federal Government for construction of the planned water facilities for the Sobobas be offset against any judgment obtained by the Soboba Indians from the Indian Claims Commission.

It is a pleasure to sponsor such a measure. This settlement is evidence of the good faith negotiations between the water districts and the Soboba Indians of California. It definitively resolves a longstanding dispute and it will undoubtedly serve the interests of all parties concerned.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1990) to authorize the Secretary of the Interior to approve an agreement entered into by the Soboba Band of Mission Indians releasing a claim against the Metropolitan Water District of Southern California and Eastern Municipal Water District, California, and to provide for construction of a water distribution system and a water supply for the Soboba Indian Reservation, introduced by Mr. MURPHY (on behalf of the Senator from California (Mr. CRANSTON) and himself), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1991—INTRODUCTION OF A BILL TO PROVIDE AN ELECTED MAYOR, CITY COUNCIL, AND NONVOTING DELEGATE TO THE HOUSE OF REPRESENTATIVES FROM THE DISTRICT OF COLUMBIA

Mr. PROUTY. Mr. President, on behalf of the junior Senator from Maryland (Mr. MATHIAS), and at his request, I introduce a bill which is a proposal to enact home rule for the District of Columbia. Senator MATHIAS' proposal embodies the concept of an elected Mayor and City Council, and it would also create the position of a nonvoting delegate from the District of Columbia to the House of Representatives.

Mr. President, I am introducing this bill at the request of the junior Senator from Maryland because he is unavoidably absent from the Senate today.

I know he is deeply interested in the matter of home rule for the District and it is imperative from his point of view that this bill be introduced today so that it might be available in printed form on Monday next.

Mr. President, Senator MATHIAS had intended to introduce this bill himself, and he had prepared remarks to make at that time. I have here a statement by Senator MATHIAS which he would have made, and I ask unanimous consent that it might be included in the RECORD at this point, relating as it does specifically to the introduction of this bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Mr. MATHIAS. Mr. President, since I am necessarily absent from Washington, Senator Prouty has kindly consented to introduce, at my request, a bill to provide full home rule for the District of Columbia.
>
> I am glad to have this bill introduced today, so that it will be printed and available before the Senate Committee on the District of Columbia begins its hearings on home rule next week Wednesday.
>
> This bill would grant the people of Washington the local self-government which the residents of all other American cities have traditionally enjoyed.
>
> At the same time, it would preserve the Constitutional power of the Congress to oversee the operations of the District government and to legislate directly for the District. It would also provide for a Presidential veto of local acts which adversely affect a Federal interest.
>
> The bill introduced today is essentially an updated version of the comprehensive home rule legislation which I sponsored in the House of Representatives in 1965, and which was passed by the Senate in the same year. It would grant the citizens of Washington the power to elect their own Mayor, an 11-member District Council, and a non-voting Delegate to the House of Representatives. It would give that elected Mayor and Council full powers to administer the day-to-day affairs of the city, to legislate in local matters, and to shape and carry out annual District budgets.
>
> The financial provisions of the legislation are essentially those which were so carefully developed and so extensively debated in 1965. In brief, the bill provides for the automatic annual appropriation of the Federal contribution to the District of Columbia, a Federal payment determined by a formula and reflecting the additional burdens placed on the city by the extensive Federal holdings and operations here which are not subject to local taxation.
>
> In terms of electoral provisions, the bill sets forth machinery for the election of the Mayor, the District Council, and the non-voting Delegate to the House. All elections would be on a non-partisan basis and would follow the general procedures already established for election of the Board of Education. In accord with that model, the Chairman and two other members of the Council would be elected at large, and eight members of the Council would be chosen from the eight wards now being used for election of the Board of Education.
>
> The term of the Mayor would be four years; the Council and the Delegate to the House would serve two-year terms.
>
> I feel that the power to elect at least a delegate to the House of Representatives is an important aspect of home rule and full citizenship for the people of Washington. Ultimately, of course, I believe that Washington's residents should have the full elected representation in both houses of Congress which all other Americans enjoy, and have introduced a proposed Constitutional amendment toward this end. Election of a delegate would be a very constructive interim step, one which I have advocated since 1961.
>
> Let me emphasize that I am having this bill introduced today to re-assert my personal commitment to home rule, and to set before the Congress and the public, for full discussion, the most comprehensive home rule legislation which has been developed in recent years. I do believe that all alternatives and possibilities should be fully analyzed and debated this year, and congratulate the President for his expressed interest in home rule and in early Congressional attention to it.
>
> I trust that this Congress may be the one which, finally, delegates to the people of Washington the local self-government which I believe is fully in accord with the Constitution, with American traditions of democracy, and with the full realization of the potential of Washington as a great city and the nation's capital.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1991) to provide an elected Mayor, City Council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes introduced by Mr. PROUTY (on behalf of the Senator from Maryland (Mr. MATHIAS), for himself and Mr. GOODELL), was received, read twice by its title, and referred to the Committee on the District of Columbia.

SENATE JOINT RESOLUTION 101—INTRODUCTION OF JOINT RESOLUTION ON NATIONAL SECRETARIES WEEK

Mr. TYDINGS. Mr. President, for several years during this third week of April, we have observed Secretaries Week for the special purpose of recognizing the important contributions of secretaries to virtually all organizations and professions.

Secretaries Week, which has traditionally been acknowledged by State and local governments, was initiated in 1952 by the National Secretaries Association, International, in cooperation with the U.S. Department of Commerce.

I propose that it be accorded the distinction of a Presidential proclamation and be fixed on the calendar of national observances that are thus proclaimed each year. For that reason, I introduce for appropriate reference Senate Joint Resolution 101 and ask that it be printed in the RECORD at the conclusion of my remarks.

The purposes served by an annual observance of Secretaires Week are several. First and most obvious, it serves as a reminder to busy employers to recognize good service, proficient work, and dependability within their own offices. It is a human failing that we tend to take these qualities for granted, noticing and commenting instead upon office problems as they may arise. National Secretaries Week will afford a special occasion on which to give credit where credit is due and make clear one's appreciation for the day-to-day efficiency of a good secretarial staff.

Moreover, an annual observance of National Secretaries Week will draw to the profession well-deserved attention. We have a shortage of secretarial talent in this country and we need to encourage young people to enter the profession. National Secretaries Week can be the occasion for vocational workshops and seminars, public appearances at schools and civic groups, award ceremonies and office visits for secretaries in training.

Many of these activities are conducted by the National Secretaries Association now and are available to members and nonmembers alike. I think it is important that they be continued and expanded. Many young people facing a career choice

do not have a clear idea of the wide variety of experience and responsibility that can be open to them in a secretarial career. In that connection, I think it is worthwhile to state here the definition of the role used by the National Secretaries Association :

> A Secretary shall be defined as an executive assistant who possesses a mastery of office skills, who demonstrates the ability to assume responsiblity without direct supervision, who exercises initiative and judgment, and who makes decisions within the scope of assigned authority.

These are the people who keep an office running smoothly and immeasurably lighten the burden of the men and women with whom they work.

This week is Secretaries Week, and Wednesday was highlighted as Secretaries Day. And so, while I am proposing that the President proclaim National Secretaries Week during this week in April each year in the future, I also want to emphasize this week's observances this year. To my colleagues and to employers everywhere, may I suggest that you pause today to think about the contributions of your secretaries to the orderly working of your offices and to your own efficiency. And say, as Hamlet did, "For this relief much thanks."

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 101) to authorize the President to issue a proclamation designating the last full calendar week in April of each year as "National Secretaries Week," introduced by Mr. Tydings, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 101

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Whereas the position of a secretary in any enterprise is one of major importance to the orderly functioning of that organization; and

Whereas the skills of a qualified secretary must be acquired through intensive training and practice; and

Whereas the prevailing shortage of trained secretaries indicates that greater national recognition should be accorded the responsibilities and opportunities of a secretarial career: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the indispensable nature of the secretarial profession, and the inestimable contributions of secretaries to their communities and the nation, the President is authorized and requested to issue annually a proclamation designating the last full calendar week in April in each year as "National Secretaries Week," and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. TYDINGS. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Kentucky (Mr. Cooper) and the Senator from Maryland (Mr. Mathias) be added as cosponsors of the bill (S. 881) for the relief of Comdr. Edward White Rawlins, U.S. Navy, retired.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Illinois (Mr. Percy) be added as a cosponsor of the bill (S. 1300) to improve the health and safety conditions of persons working in the coal mining industry of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania (Mr. Scott) be added as a cosponsor of the bill (S. 835) to amend the Act of September 5, 1962 (76 Stat. 435), providing for the establishment of the Frederick Douglass home as a part of the park system in the National Capital.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Arizona (Mr. Goldwater) be added as a cosponsor of the bill (S. 1478) for the establishment of a Commission on Revision of the Antitrust Laws of the United States.

The PRESIDING OFFICER. Without objecton, it is so ordered.

Mr. TYDINGS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Massachusetts (Mr. Kennedy) be added as a cosponsor of the bill (S. 1506) to provide for improvements in the administration of the courts of the United States, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 1519) to establish a National Commission on Libraries and Information Science, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Minnesota (Mr. Mondale), I ask unanimous consent that, at its next printing, the name of the Senator from Tennessee (Mr. Gore) be added as a cosponsor of the bill (S. 1788), to assist in removing the financial barriers to the acquisition of a postsecondary education by all those capable of benefiting from it.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from North Dakota (Mr. Burdick) be added as a cosponsor of the bill (S. 1851) to enable honey producers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for honey.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from Pennsylvania (Mr. Schweiker) be added as a cosponsor of the bill (S. 1611), to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin (Mr. Nelson), I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey (Mr. Williams) be added as a cosponsor of the bill (S. 1799) to establish a National Commission on Pesticides, and to provide for a program of investigation, basic research, and development to improve the effectiveness of pesticides and to eliminate their hazards to the environment, fish and wildlife, and man.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from North Carolina (Mr. Jordan) be added as a cosponsor of the bill (S. 1864), to amend the Food Stamp Act of 1964.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Hawaii (Mr. Inouye), I ask unanimous consent that, at its next printing, the names of the Senator from Washington (Mr. Jackson) and the Senator from Hawaii (Mr. Fong) be added as cosponsors of the bill (S. 1872) to repeal the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, at the request of the junior Senator from Kentucky (Mr. Cook), I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. Yarborough) be added as a cosponsor of the joint resolution (S.J. Res. 91), establishing the Federal Committee on Nuclear Development.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR—CORRECTION OF COSPONSORSHIP

Mr. SPARKMAN. Mr. President, I rise to ask unanimous consent that, at its next printing, the name of the Senator from Wyoming (Mr. Hansen) be added as a cosponsor of the bill (S. 1832) which I introduced recently.

Unfortunately, the Record of the date of introduction, shows the wrong number; therefore I now ask, first, that the permanent Record be corrected; and, second, that at its next printing the name of the Senator from Wyoming (Mr. Hansen) be added as a cosponsor of the bill (S. 1832) to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 183—SUBMISSION OF A RESOLUTION TO EXPRESS THE SENSE OF THE SENATE IN OPPOSITION TO THE SHUTDOWN OF THE JOB CORPS INSTALLATIONS BEFORE CONGRESSIONAL AUTHORIZATION AND APPROPRIATION ACTION

Mr. CRANSTON. Mr. President, I ask unanimous consent that I may be permitted to proceed for 15 minutes.

The PRESIDING OFFICER (Mr. SPONG in the chair). Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, I am submitting today, for appropriate reference, a resolution to express the sense of the Senate in opposition to the shutdown of Job Corps installations before congressional authorization and appropriation action.

I am joined in this resolution by 23 cosponsors whom I will name later.

On April 11, Secretary of Labor George Shultz announced that the Job Corps would be integrated into the Labor Department, and that 59 of the 106 Job Corps centers and conservation camps were to be closed—to yield an estimated $100 million savings in fiscal year 1970.

The origins of this action are laudatory. They come from the President's desire to cut spending, to arrest inflation, and to balance the budget. But the results, I believe, are highly dubious in this particular place. These closings would eliminate more than 17,000 openings for hard-core disadvantaged young persons in comprehensive, live-in, job training centers.

At the same time, Secretary Shultz announced that 30 inner-city and near-city skill centers are planned to offer 4,500 new training openings.

But since those skill centers are not yet authorized or funded, the some 4,500 openings should not be considered now as reducing the 17,000 figure.

The House Education and Labor Committee has already held several hearings on the Job Corps, and has scheduled a number more on the total poverty program over the next few weeks.

Senator NELSON's Subcommittee on Employment, Manpower, and Poverty has also conducted 2 days of hearings on the Job Corps program, and has held 2 days of hearings on Senator NELSON's recently introduced poverty bill, S. 1809.

Both House and Senate bills authorize a continuation of the $280 million appropriation for the Job Corps—the fiscal year 1969 level.

At the Poverty Subcommittee hearings on Friday, April 18, Mr. Louis Harris testified at length about his firm's very extensive study of the Job Corps—based on over 10,000 interviews. That study was ordered by the Government, and it cost approximately a quarter of a million dollars. Yet, the Government proceeded to decide what to do about the Job Corps without waiting to receive that report.

After hearing the testimony, based upon that report, I announced my intention to introduce this resolution to prevent what might well be irreparable damage to many lives and futures, as well as attitudes, until Congress could act on the proposed cutbacks through its normal legislative processes—without undue haste and with careful consideration.

The Harris study undeniably shows a substantial positive impact of the Job Corps training.

Whether or not the program should be continued—in what form, and at what level, and at what cost—is another question, which I believe Congress should have an opportunity to answer without being confronted with a fait accompli.

Sterile manpower statistics do not tell the story of these shutdowns.

It is very difficult for the statistician to measure despair and hopelessness.

It is equally difficult to quantify bitterness and alienation.

I fear that in time these shutdowns may engender a great deal of discontent and hostile reactions.

I have just come from hearings where Secretary of Labor Shultz pledged that every corpsman who wanted to be transferred to another training program would be transferred. But upon questioning, it became plain that he was relying mainly upon hopes; that there were not necessarily programs at the same level, for the same skill, available for transfer from those camps where young men and women will be closed off from their present training.

It was made plain, also, that there will now be a total shutdown of interviewing, even though some young men and women were on the verge of going to some Job Corps training center. That opportunity has now been suspended.

The Secretary's pledge overlooks two very critical factors:

First. After the disruptions of the shutdowns, we must realize that many of these young people will be prone to lose the will to keep trying, even though they were making progress in their present centers.

Second. The basic reason most corpsmen are in the Job Corps is their need for concentrated, comprehensive, residential facilities that put them in new environments and remove them from unfortunate family situations.

Hence, transfers to Labor Department manpower programs which do not offer these services will, in many instances, be unworkable and unacceptable.

Moreover, it has been authoritatively estimated to me that there will be no room in those remaining Job Corps centers to receive as many as 4,000 present Job Corpsmen whose training will not be completed by July 1.

Even assuming that the Labor Department programs are adequate for many Job Corps enrollees, I have been advised that there are no openings in Department of Labor manpower programs in the vicinity of western regional office Job Corps centers.

A particular problem is posed in California, where, I gathered from what Mr. Shultz had to say today, it may be found necessary now to send people from California, I think, at wasteful expense, to Oregon, Washington, Utah, or farther away, to complete training they are presently receiving in California.

Given the difficulty of placing youths with this background initially, it takes little imagination to conceive of the problems in relating to, and maintaining contact with, an enrollee whose first real-life opportunity to make it was rudely and cruelly torn from him.

We have undertaken an obligation toward those to whom we have held out the hope of the Job Corps.

Though they may have been without hope before and may not be materially worse off when they are abandoned and hope is pulled back, the detriment to their spirit may be far greater than had society never offered them a chance in the first place.

Added to these unrealized expectations are the promises of other placements which will now be held out and, inevitably in many instances, will not materialize.

We must not risk piling broken promises on top of broken promises.

Secretary Shultz and his manpower people have presented a great many figures and statistics.

Let us examine a few which show the casualties of these shutdowns.

I have mentioned the 17,000 fewer beds in Job Corps facilities, for that is the most commonly heard figure.

But what is actually involved is 34,000 fewer opportunities for Job Corps-type training for disadvantaged young people, since the average enrollee stay is about 6 months.

We are also talking about the dismissal of thousands of dedicated employees from many of the centers. They have learned this particular work; they are devoted and dedicated to it; and now they are told, "We no longer need you."

And, what about the Forest Service and Department of Agriculture employees who have run conservation camps, many of whom have become deeply involved in the lives and aspirations of their corpsmen?

For them it is a return to some desk, or to some hastily contrived job that has little relevance to the fundamental problems of our society, with which many of them had become intimately involved for the first time.

Then there is the more than $65,000,000 worth of federally financed facilities which will be wasted by the shutdowns, to say nothing of the cost of constructing some 30 new substitute facilities.

This hardly seems good economics in this time of competition among important Federal programs for the nondefense tax dollar.

It seems an especially dubious switchover, since the one present Job Corps Inner-City Skill Center in Baltimore has been a tragic failure due to astronomically high absenteeism.

I see on the floor at the present time the Senator who is well aware of that particular center, because that unhappy experience occurred in his State.

Since the Louis Harris & Associates study casts significant doubt on whether the administration's view of the lack of success of conservation camps is correct, I ask again, as I did in my April 9, 1969, letter to the President:

Why not proceed with the four new skill centers already planned and authorized within the fiscal year 1969 appropriations, see how they work out over the next year and then, after having administered the full Job Corps program for a year, make decisions for any orderly phaseouts and switchovers which then seem warranted?

On April 21, a special assistant to the President responded to my April 9 letter by stating that my comments were being shared with others concerned, and that I would be further advised shortly.

This further advice was apparently provided this morning by Secretary Shultz who wavered not a bit in his determination to proceed with the shutdowns and who, incredibly to me, found nothing in the Harris study to give him pause.

So I initiate this last-ditch effort to have the Senate express its sense of opposition to the lack of careful thought and study, that has lead to the shutdown decision.

Our prior efforts have unfortunately been in vain—efforts including an April 10 telegram to the President, prepared by the Senator from Wisconsin (Mr. Nelson) and signed by all 14 of the cosponsors of this resolution as well as 12 Congressmen; my April 9 letter to the President; and an April 18 telegram sent when I learned of the immediacy of the shutdown actions being directed.

Mr. President, I ask unanimous consent that the documents referred to above be printed in the Record at this point.

There being no objection, the documents were ordered to be printed in the Record, as follows:

April 10, 1969.

As members of Congress, we were deeply disturbed to read in today's newspapers that the Administration plans to close a large number of Job Corps camps on short notice. This decision appears to have been reached without consulting the Congress and also without consulting those presently responsible for administering Job Corps camps.

Sudden closing of camps is bound to spread disillusionment among recruits whose training is abruptly terminated, and to disappoint thousands of community leaders who have worked to make camps in their area a success.

Members of Congress are concerned, just as we know you are, that Job Corps programs, along with other programs to fight poverty, should be as efficient and effective as possible. A number of studies have recently been completed which make recommendations on how these programs can be improved. We believe that Congress could make a valuable contribution in a cooperative effort with the Administration in improving those programs in the light of the experience of the past four years.

We would surely hope that the Administration would delay any final decision on closing Job Corps camps until Congress has had an opportunity to make this contribution. We would certainly hope that some solution could be developed which would not abruptly terminate the training of those already enrolled, and send them back to their disadvantaged environments.

We would hope that a clearer picture could be developed of the role the Office of Economic Opportunity can be expected to play in poverty programs which are delegated to other agencies. We feel the course of action we suggest would be consistent with your Feb. 19 message to the Congress which proposed that the present anti-poverty program be extended temporarily to give the Administration and Congress an opportunity to consider long range improvements with "full debate and discussion.

Gaylord Nelson, Ralph Yarborough, Walter F. Mondale, Alan Cranston, Harold E. Hughes, Thomas F. Eagleton, Claiborne Pell, Edward M. Kennedy, Lee Metcalf, Edward W. Brooke, Harrison A. Williams, Jr., Philip A. Hart, George S. McGovern, Edmund S. Muskie, Joseph M. Montoya, U.S. Senators.

Alvin O'Konski, William L. Clay, David Obey, Carl Perkins, Louis Stokes, Hastings Keith, Frank Thompson, Patsy Mink, Arnold Olsen, William D. Hathaway, Kenneth J. Gray, Carl Albert, U.S. Congressmen.

U.S. Senate,
Washington, D.C., April 9, 1969.

Hon. Richard M. Nixon,
The President,
The White House.

Dear Mr. President: I have been deeply disturbed by the reports that a very substantial number of Job Corps Centers will begin to be closed in the next week or so to prepare for a June 30 final shut-down date. On the basis of all the information available to me, this seems a premature move at this time for the reasons I will set forth below, and I very much hope you will reconsider any decision you have made on this question.

First, I wish to make clear that I fully appreciate that significant changes may well be in order for the Job Corps program on the basis of recommendations in the recent General Accounting Office report, the Office of Economic Opportunity's response and the upcoming report of Louis Harris & Associates. But I find totally unacceptable the notion that fully informed and enlightened decisions on such changes can be made—as I understand they have—by those who have not been directly involved in the management of the program. I recognize, of course, that decisions such as these cannot be made entirely by the managers, but they should be directly involved and consulted.

And I find equally unacceptable the making of such sweeping decisions—adversely affecting the otherwise largely hopeless futures of over ten thousand disadvantaged young men and women each year, resulting in the loss of an estimated six thousand jobs by dedicated Center employees and the waste of seventy-five million dollars worth of federally-financed facilities—before receipt of and an opportunity to review the Harris report.

This report, based on ten thousand interviews with Job Corps graduates and one thousand six hundred references is, I understand, by far the most complete report yet compiled on the Job Corps—it is many times more extensive than the special GAO report—and apparently does not support any broadside closure of facilities and reduction of Job Corps members.

To the extent that the appeal of a one hundred million dollar savings by such actions is a motivating factor, I deplore an ordering of priorities which somehow finds billions for armament and expansions of the nuclear weapons race at the expense of rushed reductions of fractions of those billions for expenditures to help hard-core unemployable youth.

In any event, this is false economy in most respects, for the costs of reaching young people through the Job Corps is returned over the years as they become productive wage-earning members—rather than destroyers—of society. Given your recent decision regarding funds to assist cities in rebuilding riot-torn areas, I should think that the economics of this situation would be clearly in mind.

It also seems questionable economic tactics not to take the fullest advantage of the Harris in-depth study of the Job Corps, for which over a quarter of a million federal dollars have already been spent, and which may well support the present level—or an increase—of expenditures for the program.

I have heard that there are plans to open large numbers of urban skill centers in lieu of many conservation camps. I doubt the efficacy of such a large switch-over at this time, especially in light of what I understand are at best marginal results at the one skill center now operating—in Baltimore. Why not proceed with the four new skill centers already planned and authorized within the FY 1969 appropriation, see how they work out over the next year and then, after having administered the full Job Corps program for a year, make decisions for any orderly phase-outs and switch-overs which then seem warranted?

In this regard, I have the greatest trepidation about our reneging so substantially on the promise of Job Corps opportunities for our disadvantaged young people who have only recently begun to receive the attention and concern they so badly need. I hope it will not be necessary, if you proceed with any phase-out now, to disrupt or interrupt the training of present Job Corps members; such an action could have a highly damaging effect on them and a similar multiplier effect when they return to their communities.

Nor do I think that transfers to other Centers are any answer. Young people participating in Job Corps training cannot by definition be expected to have the personal resiliency to make such an adjustment effectively. Such a stop-gap measure will, I think, cause great alienation and waste of efforts and dollars already expended.

For these reasons, I ask you not to make any drastic cuts or changes in the Job Corps until your Administration has actually faced the practical problems entailed in operating the program for a fair period of time and had the opportunity to fully consider all the available studies and reports on this very vital program.

Sincerely,

Alan Cranston.

April 18, 1969.

I understand that telegrams have been sent today to seven Job Corps Installations terminating contracts, effective immediately, and that on Monday shutdown notices will go to the Departments of Agriculture and Interior regarding 45 Conservation Camps and to one Men's Center in California. Thus, beginning immediately, job corps enrollees will be told that they are to be moved out of the Job Corps or transferred to another center.

I announced today at the Senate Employment, Manpower and Poverty hearings my intention to introduce next week a Senate resolution that no action to close any job corps installation be taken until the Congress has had an opportunity to complete action on the authorization and appropriation bills for this program.

The resolution will be intended to prevent possibly irreparable damage to the lives and futures of thousands of disadvantaged young people, along with the waste of tens of millions of dollars in federal facilities.

If these installations are precipitously closed, if thousands of enrollees are transferred out and dedicated employees dismissed, the Congress will be powerless to remedy the damage if it decides that the Job Corps should continue at its present level, or be expanded.

The Congress and the American people deserve a full and fair opportunity to be heard on this vital issue and have time to consider the important findings of the Louis Harris Report, and other evidence relating to the Job Corps.

I respectfully ask that you rescind the shutdown notices already sent, and cancel those which are planned so that the Congress can proceed meaningfully with its consideration of this vital matter.

ALAN CRANSTON,
U.S. Senator.

Mr. CRANSTON. Mr. President, I deeply regret that despite these and many other appeals, the administration felt compelled to move ahead and to send out notices to almost all of the 59 centers to begin shutdown procedures immediately.

As a result, at this moment corpsmen around the country are leaving centers, some with the hope of other opportunities, which may well prove to be illusory, and others already in despair.

I truly deplore this cattle-shute mentality of the manpower people.

Their lack of concern or compassion for the individuals they propose to herd about in this callous fashion now leads me to have grave doubts about whether the Job Corps program should be permitted to be switched to the Labor Department.

The Job Corps program was never devised as a manpower program as that term is commonly used.

Its impact on numbers of subjects is far too modest. Rather, it is an attempt to reach some of the most hopeless of our disadvantaged young people in a carefully developed and individually attentive program providing a comprehensive range of services.

This requires a very personal-type of approach, and I wonder at the future of such a program in the hands of the manpower brokers of the Labor Department.

For the past several weeks we have witnessed a tragic spectacle.

Budget men told program men, who knew little or nothing about the program in question "cut $100 million from that program."

Then these so-called program men, who seem to be only statisticians and computer programers in disguise, scurried about to devise so-called objective measures to determine which facilities to eliminate.

They based their decision on the best statistics available—but everyone, including the data-gatherers themselves, admitted the figures were incomplete and that some were demonstrably unreliable.

Despite the insufficiency of data, the decisionmakers chose not to wait even a few weeks for the findings of a Government-ordered quarter of a million dollar study which contains the best performance data ever gathered on the program.

The decision was made without consulting with the Job Corps administration about which centers to close, and without any attempt to get a picture of the operational and personnel difficulties that may have skewed the statistics used.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield.

Mr. TYDINGS. Does the Senator agree that the handling of the proposed Job Corps center shutdowns, the conservation camp shutdowns, is an example of bureaucracy at its worst? Would that be a fair statement?

Mr. CRANSTON. Yes; I really think it was because there was no consultation and there was no waiting for the facts. There was simply faithless bureaucracy pushing and shoving individuals around and tagging them as mere statistics.

Mr. TYDINGS. I would appreciate the comments of the Senator on the proposed closing of a Conservation Corps center at Catoctin, Md. Admittedly, that center has one of the best achievement records in the Nation, a per enrollee cost of $1,500 below the national average, and an annual budget of $600,000. At the same time it produces capital improvements in the parks, forests, playgrounds, and schools in Maryland, Virginia, and the District of Columbia, valued at $500,000 a year.

Would the Senator agree that the shutting down of a camp such as this, which has made a major contribution to three States, is illustrative of the really slipshod, bureaucratic, nonsensical approach that the Department of Labor has taken to the entire Job Corps problem?

Mr. CRANSTON. I would most certainly agree with the distinguished Senator from Maryland, whose interest is devoted not only to the Job Corps program in his State but to this program all over the country. He may or may not be aware of the fact, which we discovered in committee sessions, that those who ordered shutdowns did not consult the Job Corps itself as to which centers were doing the best job, as to which centers should be kept open and which should not be kept open. The procedure followed in the shutdowns is incredibly wasteful of taxpayers' money.

Mr. TYDINGS. Mr. President, a great many people across the Nation are indebted to the Senator from California for his leadership in proposing a resolution which I hope will be agreed to by the Senate shortly, and for bringing to the attention of the American people the incredible stupidity and blundering of the Secretary of Labor in the Job Corps center shutdowns.

To pick on the Conservation Corps centers, which are making a great contribution to the preservation of our forests, parks, and playgrounds across the Nation, to pick on the rural Job Corps centers, and to arbitrarily shut them down without any regard to whether or not they are doing a good job, without regard to whether or not they are more efficient than those programs in the cities, without even consulting the very Job Corps people who operate the entire program, seems to me to be the most irresponsible type of bureaucracy.

I wish to say to the distinguished Senator from California that a great many people in our State of Maryland are grateful to him for taking the lead in this fight. It is a fight for the entire Nation. I sincerely hope the Senator's resolution will be promptly agreed to.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CRANSTON. I ask unanimous consent that I may proceed for 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. CRANSTON. Mr. President, first, I wish to thank the Senator from Maryland for his generous comments.

Second, I wish to add that I talked last night with the director of the facility to which the Senator just referred, and to two men, one black and one white, who have been taking training there. The director is deeply devoted to this work. He feels a great sense of loss in what he has accomplished because of the order to shut down. The two young men working there both feel they have found themselves and they say there are others at that Center whose training will be interrupted and who will be back on the streets of Baltimore or elsewhere because they are being cast adrift.

Mr. TYDINGS. I wish to ask the Senator if it is not a fact that a great many of these young men who are in the rural Job Corps centers are young men with criminal and prison records who will return to the streets without the completion of their training or without a job. They might very well become a ward on society, and in the long run this will cost communities many, many more dollars than the cost of continuing these rural conservation Job Corps programs.

Mr. CRANSTON. The Senator is absolutely correct. It seems to me to be totally out of line to have a great war on crime, which is necessary, announced at the very time there is this cutback on something that goes to the roots and causes of crime.

Mr. TYDINGS. Would the Senator agree with me that the arbitrary decision to shut down these Job Corps centers might have a very material relation to the problem of crime and law enforcement in the cities and urban areas from which these young men came and from which future young men would be enrolled?

Mr. CRANSTON. I agree. It could lead to more young men being placed in prison instead of becoming productive members of our society.

Mr. President, I should like to refer to a specific camp. The director of the Fenner Canyon conservation camp stated his views to the Los Angeles Times on April 21, and I ask unanimous consent that the story written by Jack Jones be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Apr. 21, 1969]

JOB CORPS CLOSINGS BAD NEWS TO YOUTHS AT PALMDALE CENTER

(By Jack Jones)

The chill of Big Rock Creek carrying the melting snow down from Mt. Baden-Powell past the Fenner Canyon Civilian Conservation Center near Palmdale may not be as icy as the chill the camp's Job Corpsmen feel in the runoff from Washington, D.C.

"These kids are concerned about what's going to happen to them," said Robert Lucy, a U.S. Forest Service carpentry instructor at the center which is among those Labor Secretary George P. Shultz has announced will be shut down. "You can't blame them."

"I loved it here," said Henry Thomas, a 19-year-old Negro corpsman from Cuthbert, Ga., who arrived a year ago barely able to read and write. "I learned more in Job Corps than I ever did in school."

Thomas did, indeed learn, Fenner Canyon camp officials say. He progressed so rapidly that he became a corpsman leader and was being considered for permanent staff employment—if the center were to remain open.

NO DENIAL OF TRAINING

In disclosing that 59 of the nation's 106 Job Corps centers will be scrapped with a shift in emphasis from conservation work to urban vocational education facilities, Secretary Shultz said no enrollees will be denied training—somewhere.

But he insisted that the conservation centers cost too much to operate, are unable to keep enrollees in the program, do not adequately improve reading and math skills and do not place enough graduates in jobs.

Training, he suggested, should be in the cities, closer to the youths who need the program and closer to potential jobs. "Long-distance hauling of trainees from cities to remote camps, he said, contributes to a high dropout rate.

He said three out of 10 enrollees drop out between signup and arrival at camp. Of the arrivals, 38% drop out within 90 days, he added.

But Stanley Lynch, 49, U.S. Forest Service professional who has been director of the 4-year-old Fenner Canyon center since last summer, said he cannot agree that transporting young men from city slums and ghettos to the clean air isolation of conservation camps is not worth the money.

NEED SOCIAL GRACES

"Removal from the environment is a big thing," he said. "A lot of these boys have never been treated with kindness and respect before. When they get there, many aren't socialized. They have to learn to get along with people . . . and that all adults are not against them."

In the city, he pointed out, "they would still be in their old neighborhoods with all the same old distractions and influences. Who's going to get them to show up at the training center every day?"

While Lynch and his staff are convinced the dropout rate for city training centers would be higher than at the Forest Service-administered Fenner Canyon camp and other conservation centers, homesickness and the feeling of isolation do take a toll of incoming trainees.

Eugene Norris, counselor and placement officer for Fenner Canyon, agreed that about one-third leave for home within the first 90 days, "but once a boy gets past the first few weeks, he'll probably stick it out."

Lynch hastened to note, "Remember that all of these boys have dropped out of school in their home towns. They are the very kind who have to learn to finish what they start."

A similar point was made last Thursday in Washington by pollster Louis A. Harris, who told a congressional committee that a massive study of Job Corps for the Office of Economic Opportunity showed the program has had a positive impact on the employment and earnings capabilities of "bottom-of-the-barrel" youths.

Harris said the survey also showed that Negro youths "can make it" in society if given an equal opportunity with whites and added that any evaluation of Job Corps must take into consideration the type of person it is dealing with.

HIGHER EARNINGS

The annual earnings of the enrollees who completed training were $1,147 higher six months after leaving Job Corps than they had been before training, Harris said. But he noted that earnings gains trail off later—possibly because the ex-trainee finds himself back in "the same world of disadvantage, discrimination and don't care" he once left.

As for one of the other objections raised by the Department of Labor as it takes Job Corps over from the Office of Economic Opportunity, Lynch said he is "very proud" of Fenner Canyon's educational program.

Corpsmen spend about half their time in a remedial program that stresses reading and math with each being taught individually at his own pace. The goal is to get him to pass a high school equivalency test.

Lynch said the average enrollee makes about three times the reading and math progress at Fenner Canyon than he would make in a city school. In nine months, he advances three full years.

Fenner Canyon corpsmen generally do conservation work—cleaning trails, building campgrounds and the like—only during the first 30-to-60-day prevocational training period. Once in vocational training, they are not out on the trail work crews.

PART-TIME STUDENT

The vocational training program includes automotive servicing, masonry and bricklaying, culinary services, heavy equipment operating, carpentry and welding. Each corpsman must go through standard steps to reach apprentice level.

In the meantime, he is spending half his time learning to read and do math, being taught the attitudes expected of him by the "world of work," handwriting, language skills and the simple business of how to study.

Lynch pointed out that since the Fenner Canyon center opened in June, 1965, early stage trainees have done $592,800 worth of improving in that part of the Angeles National Forest—public campgrounds, trails, water systems and reforestation, among other things.

"We couldn't have done all this without them," commented Lynch. "A lot more people are using the forest than ever before and we just don't have enough campgrounds."

Winter rains and flooding downed so many trees and eroded so many roads that "we have more work to do now than we can handle. If they close the camp, it's going to take a lot longer."

More than 650 young men from the poverty neighborhoods of the nation have completed the course (several months to a year, depending upon individual advancement) at Fenner Canyon since 1965.

Although figures on those who went on to become steadily employed taxpayers are not easy to compile, placement officer Norris said 75 of the 126 who have been graduated since August, 1967, have gone on to advanced training at urban centers, to specialized conservation centers and heavy-equipment training programs operated by unions.

Thirty-three of the 126 have been placed in jobs in the Los Angeles and Antelope Valley areas or have gone into military service.

Tracking down the employment status of those who left Southern California is next to impossible, but in June, 1967, the Job Corps said 53% of those finishing training had gone on to jobs. (That figure, however, included urban centers—many of those for women—as well as conservation camps.)

Lynch said the national figure for the graduates who have gone to jobs is now 72%.

Although the Fenner Canyon staff has yet to receive official notice that the center will shut down (presumably about July 1), reports of the Labor Department's intentions produced an immediate reaction among the 132 corpsmen now there.

"They just don't want to go back to their home environments," Lynch said. "They felt something had been taken away from them. We explained that we'll probably be able to place them in other training programs . . . but they had been told before that this was their last chance."

DETERMINED TO STAY

Surprisingly, the news did not trigger any sudden surge of dropouts. Norris said there was, instead, an apparent determination by the corpsmen to hang on.

One approached Lynch and pleaded for more time each day in his concrete block-laying training so the center could not close before he had enough ability to find himself a job.

In the mess hall, a 16-year-old Negro from Ft. Gibson, Miss., said he had been at Fenner Canyon only a week and was hoping that he can be transferred to an urban center to get into computer training.

Speaking with polite shyness, he said he had seen a science class film about computers while still in high school ("I was starting to mess up in school and knew I had to go someplace to learn").

He wants to stay in Southern California, he said, because his chances of getting such training in Mississippi would not be good.

LIKES THE PLACE

Joe Almarez, 16, of Huntington Park, had been at Fenner Canyon three weeks and had been looking forward to learning to operate heavy equipment. "I like this place," he said. "You feel like learning something."

Lynch said his 29-member staff is more concerned about the program than about their own jobs (many would simply move to other U.S. Forest Service posts) "because they've put so much of themselves into this place."

Looking over the scattering of dorms and vocational shops, the education building and the gymnasium—a complex built from scratch—he drew on his pipe and said:

"It really make me want to cry when I think of the waste. That's what really hurts."

Mr. CRANSTON. Mr. President, despite the shutdown actions already taken, I believe there is still time for the Senate to accomplish much good by adopting this resolution.

I have solicited bipartisan support in the same spirit which was portrayed on this floor a wee bit ago by the Senator from Montana (Mr. MANSFIELD) and the Senator from New York (Mr. JAVITS), who were speaking with a bipartisan approach concerning the ABM system and the impending battle thereon, I have, in the same way, sought bipartisanship support for this effort which I think is, in every sense of the term, a bipartisan issue, in seeking responsible treatment for thousands of young men and women. I will continue to seek—and will, of course, welcome—the broadest possible support.

The resolution is now cosponsored by 23 other Senators, including the distinguished chairman of the Labor and Public Welfare Committee, the Senator from Texas (Mr. YARBOROUGH); the distinguished chairman of the Employment, Manpower, and Poverty Subcommittee, the Senator from Wisconsin (Mr. NELSON); and all of the remaining Democratic members of the Labor and Public Welfare Committee, Senators RANDOLPH, WILLIAMS of New Jersey, PELL, KENNEDY, MONDALE, EAGLETON and HUGHES.

We 10 of the Labor and Public Welfare Committee are joined by the distinguished chairman of the pertinent Appropriations Subcommittee, the Senator from Washington (Mr. MAGNUSON), and by 12 other colleagues: Senators BAYH, BROOKE, GORE, HART, INOUYE, MCGEE, MCGOVERN, METCALF, MOSS, MUSKIE, RIBICOFF, and TYDINGS.

These cosponsoring Senators represent every region of this country, demonstrating the grave nationwide concern felt about this precipitous decision.

I have stressed the 23 cosponsors of the resolution and their geographical

spread because I think that the submission of a resolution with that substantial degree of support, gathered over the past few days, should by itself convey an urgent message to the President; namely, to reconsider the potentially disastrous course that has been chartered.

Mr. President, I close by reading a few lines from a letter sent me by one of my constituents—the mother of a high school dropout son who has been a Job Corps enrollee at the Parks Job Corps Center in California, one of the 59 to be closed.

I ask unanimous consent that the full text of the letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CRANSTON. Mr. President, this lady writes:

> For the first time in years, my son is happy and *wants to* learn. He says, "Mom, I have chosen electronics and boy am I fascinated with everything here. I really like this place. I am really happy here. I am learning to get along with all kinds of people here.
>
> Our instructors care about us and help us when we don't understand something."

For the first time—

The mother says of her son—

> He is beginning to show respect for authority, whereas before, authority was a threat to him. This, in turn, has made us very proud of him. My son will be a taxpayer, in a few short months if given the chance to learn the skill he has chosen now, instead of a potential thug on the streets, with nothing to do. Do you know why there are so many crimes? It's because people are not given the chance to live.
>
> A person, to sustain himself, must work and receive wages so that he can make his purchases, whatever they may be, instead of roaming the streets and stealing from innocent people.
>
> Do you want my son to be that way?
>
> There is nothing worse than for a boy to be a vegetable and a parasite.
>
> Can you imagine what will happen to the next generation if the centers are closed down? There will be thousands upon thousands of useless boys on the streets.
>
> I really can't believe that closing down this center will help the budget. I can tell you right now, if anything, it will be more expensive because these thousands and thousands of boys are likely (to) get into trouble because they cannot get work. They will take their anger and frustrations out into society by robbing banks, injuring innocent people, damaging public property, and filling our prisons as a result of their crimes. These boys have one chance to get out of their ruts and better themselves, but that chance will be taken away.
>
> This is their only chance to be something and they will be proud to say, "I have been given a chance to do for myself instead of depending on someone else, and I want to show my gratitude by going out into society and work with what skill I have been trained for." They will help build our economy, not destroy it.
>
> This will be a great fulfillment in every sense of the word.

Mr. President, I earnestly hope that the Senate will heed these very poignant sentiments, and will adopt the resolution I introduce today in order to demonstrate our concern for the individual and our rejection of calculated decisions made and implemented in such a way as to overlook the impact in human terms.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 183) which was referred to the Committee on Labor and Public Welfare, is as follows:

> Whereas the current administration has announced its intention and taken steps to begin immediately to shut down 59 Job Corps centers and camps; and
>
> Whereas the Congress has under active consideration bills regarding the continued authorization of the Job Corps program; and
>
> Whereas recent studies of the Job Corps program have produced apparently conflicting findings; and
>
> Whereas irreparable damage to the future lives of many thousands of disadvantaged young men and women and substantial depletion of available trainers and instructors for such programs will be caused by the closing of Job Corps installations if Congress decides they should be retained: Now, therefore, be it
>
> *Resolved*, That it is the sense of the Senate that any action to shut down any Job Corps installation be suspended until the Congress has had an opportunity to review the Job Corps program and decide upon extension of the Economic Opportunity Act of 1964, as amended, and appropriations for that program.

Mr. CRANSTON. Thank you, Mr. President, and may I make an additional request. The Senator from Texas (Mr. YARBOROUGH), the distinguished chairman of the Labor and Public Welfare Committee, has asked me to have printed in the RECORD a statement in support of my resolution. I ask unanimous consent that it appear in the RECORD after my statement and the material I have inserted.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXHIBIT 1

APRIL 11, 1969.

DEAR MR. CRANSTON: Please do not let Mr. Nixon close down the Parks Job Corp Center. The boys are in dire need of this training center. As my Senator, I am pleading with you to do everything in your power to stop him.

My son, who has dropped out of school because he was bored to death with the Jefferson High School system in Daly City, California, is now given a second chance to be productive instead of destructive.

He had no motivation while going to Jefferson High and was increasingly frustrated with the school and home conditions. He was in trouble most of the time. In working with his Juvenile Officer, we decided to send him to the Job Corp.

For the first time in years, my son is happy and *wants* to learn. He says, "Mom, I have chosen electronics and boy am I fascinated with everything here. I really like this place. I am really happy here. Everyone are nice and I am learning to get along with all kinds of people here. Our instructors care about us and helps us when we don't understand something.

For the first time, he is beginning to show respect for authority whereas before, authority was a threat to him. This, in turn, has made us very proud of him. My son will be a taxpayer in a few short months if given the chance to learn the skill he has chosen now. Instead of a potential thug on the streets, with nothing to do. Do you know why there are so many crimes? It's because people are not given the chance to live. In order for one to live, that person must have sustenance. In order for a person to sustain himself, he must work and receive wages so that he can make his purchases whatever they may be. Instead of roaming the streets and stealing from innocent people.

Do you want my son to be that way? He has a good head but we must all work together to help him be a man. There is nothing worse than for a boy to be a vegetable and a parasite. A boy's stand in this world must be strong more so than a girl's. We, who do not have much money, need a training center like this. Mr. Nixon wants a cut in the budget—the answer is—*Stop the Vietnam War and the out of Space Explorations!* He must come down to earth and tend to the people here and now. There is absolutely no reason enough to close the centers down.

I am sure a great deal of the boys at Parks Job Corp Center have had the same problems as my son but are now on the road to recovery, so to speak. As you know, the California School System is very lacking in many ways. The children are not learning. They have very little stimulation, if any at all. The teachers are not to blame. They try their utmost but it's the system that needs overhauling.

All that money going to Vietnam and outer space should have gone to stop this Narcotic Invasion. Can you imagine what will happen to the next generation if the centers are closed down? There will be thousands upon thousands of Useless boys on the streets. And I really don't have to tell you what this can mean.

I earnestly believe that every state in the union should have a Job Corp Center and I know it's about time we get together both you, the lawmakers, and we, the citizens, and work for the benefit and betterment of all. Who will benefit by the closing down of the centers? No one! We will all lose out. It will be a tragic mistake if the center is closed down and the result of its closing will be turmoil, there is no doubt in my mind at all.

Why is Mr. Nixon allowed to spend billions of dollars on the ABM system??? Does he think that by doing this, he is cutting down on inflationary cost????? What a hyprocrite! How shrewd can he be? Does he think that he is fooling us????? Definitely not! He must be stopped!!

I really can't believe that Mr. Nixon thinks that closing down this center will help the budget. I can tell you right now, if anything, it will be more expensive because these thousands and thousands of boys, who are more likely than not, will get into trouble because they cannot get work. They will take their anger and frustrations out into society by robbing banks, injuring innocent people, damaging public property, and filling our prisons as a result of their crimes. Is this what Mr. Nixon wants? How unreasonable can he be? These boys have one chance to get out of their ruts and better themselves, but that chance will be taken away if Mr. Nixon succeeds.

This is their only chance to be something and they will be proud to say I have been given a chance to do for myself instead of depending on someone else (which is very depressing in itself when one has to depend on someone else) & I want to show my gratitude by going out into society and work with what skill I have been trained for. They will help build our economy, not destroy it.

This will be a great fulfillment in every sense of the word.

Please, Mr. Cranston, by emphasizing the need for these training centers in the Senate, you can help these boys. A great number of these boys come from poor homes like ours, please don't let Mr. Nixon take this opportunity from them. Please give them a chance to see that life can be beautiful and that they can be part of that beauty. And that life does not have to be forever dismal.

As one boy said on the news today, "If the center is closed down, it will be like having a car with all of its wheels taken away, you just can't make it go."

Please let me know your feelings and opinion on this subject. I will be most anxious to hear from you as soon as possible. I thank God for people like you, Mr. Cranston. On behalf of our boys, I beg of you to try your utmost to show Mr. Nixon how ridiculous he is and what a grave mistake he will be making.

Respectfully yours,

———, ———

The statement of Mr. YARBOROUGH is as follows:

I am pleased to join with the junior Senator from California in co-sponsoring his resolution which indicates that it is the sense of the Senate that the Administration should take no action to shut down Job Corps Centers until this body has had a chance to evaluate the Job Corps and the Administration's proposals for change.

On February 19, 1969, President Nixon outlined his views on the poverty program in a message to Congress. At the time I was hopeful that a close working relationship would develop in this area, since the message indicated:

"How the work begun by OEO can best be carried forward is a subject on which many views deserve to be heard—both from within Congress, and among those many others who are interested and affected, including especially the poor themselves. By sending my proposals well before the Act's 1970 expiration, I intend to provide time for full debate and discussion."

During the first weeks of April there were press reports that the Administration was considering closing certain of the Job Corps Centers, thereby making some of the very decisions which the President indicated were to be subject to full debate and discussion. However, since Congress was in recess and since hearings on the entire poverty program were just about to begin after the recess, I was hopeful such closing actions would be delayed.

On April 11, 1969, the Administration announced the closing of 57 Job Corps Centers. I do not believe that full debate and discussion are possible when the operative decisions over which debate is to occur has already been taken. I am, accordingly, co-sponsoring this resolution in the hope that the Administration will reconsider its decision to close these Job Corps centers and allow proper hearings by the Congress on the scope and size of the Job Corps program.

Mr. TYDINGS. Mr. President, again I should like to take this opportunity to commend the distinguished freshman Senator from California (Mr. CRANSTON) on his very fine statement.

Last Monday, with the Senator from Wisconsin (Mr. NELSON) and the Senator from Iowa (Mr. HUGHES), I spent the day at a rural Job Corps conservation camp at Catoctin, Md. In many respects, it was just like the old CCC camps in the 1930's. when so many young men were literally saved during the depression.

The facts which we gathered at the Catoctin camp substantiate in every detail the eloquent message just delivered by the distinguished Senator from California.

Young men were there, both black and white, from the inner city and rural areas. These men are being trained in welding, mechanics, carpentry, and in building. They recently constructed 9 miles of fence around the Gettsyburg battlefields, a capital improvement of $120,000. They have built two major buildings in the Catoctin area for the Department of the Interior's teaching programs, valued at almost one-quarter of a million dollars.

They have also helped to fight fires, to build recreational areas and playgrounds in the schools of Maryland, Virginia, and the District of Columbia.

They work 1 week on conservation projects, go to school for another week, and then repeat the process.

The average reading level of these young men when they arrived at the camp was less than third grade. Yet, by the time they had left, they were able to read above an eighth grade level. This was accomplished in less than a year.

Therefore, in every respect, I think it is a tragedy, a tragic blunder, to close these rural conservation Job Corps centers without any regard to how effective they are, or how economical they are, just because some bureaucrats who have never even visited these centers made a decision based on scanty and weak facts gathered by statisticians who themselves have never visited any of these camps.

Mr. President, this is like going in reverse to meet the problems of crime in our cities.

Again, I congratulate the distinguished Senator from California for his leadership in this area, and I can assure him that he can count on my full support every step of the way.

THE PRICE IS TOO HIGH

Mr. HART. Mr. President, I recently met with students at several colleges in Michigan.

While their questions were varied, their basic concern was the weakness of the Nation's, or more specifically, the establishment's commitment to act on the ills which afflict our society.

Mr. President, I could do little to erase those doubts, for in all candor I share the same concern.

And now, unfortunately, with the announcement that 59 Job Corps centers are to be closed in the name of economy and the fight against inflation, the establishment has added strength to those doubts and numbers to the ranks of the doubters.

The wisdom of the decision is open to serious doubt even if viewed just in terms of cold economic figures.

The administration estimates the closings will save $100 million.

Does that figure include the cost of closing and maintaining the facilities? The Government has an investment of $2 million to protect in two Michigan facilities alone.

Does the savings include the loss of income to the areas in which the centers are located? For example, it has been estimated that closing of the Ojibway Civilian Conservation Center near Marenisco, Mich., will take $1 million out of the local economy which, incidentally, is already economically depressed. It should not be difficult to guess what the people think of an establishment which makes an economically depressed area pay the price of fighting inflation for an affluent society.

Does the saving include the value of work which now will not be done by corpsmen to upgrade national forests and recreation areas? And how about the loss of the revenue which might have been generated by visitors who would have been attracted had these facilities been upgraded?

Ojibway corpsmen alone will not be able to carry out $750,000 in recreation improvements.

But, Mr. President, while it may be possible to measure the economic effect in dollars and cents, how does one measure the price of the decision in terms of broken commitments to corpsmen, shattered dreams of self-improvement and growing cynicism among our youth and disadvantaged about the worth of the establishment's word to help the poor?

Mr. President, a letter from a job corpswoman at the women's center located on the campus of Northern Michigan University suggests how dear the price of this decision is in human terms for participants in the program.

I ask unanimous consent that the letter as it appeared in the Marquette Mining Journal be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EDITOR'S MAIL—FROM JOB CORPSWOMAN

NMU JOB CORPS,
Marquette.

SIR: The enrollees of the Northern Michigan Women's Job Corps Center feel in many ways as I do. We feel that Job Corps is the best thing that could have come to us and the best opportunity that has been offered to us. We have come from homes that were not the best of homes, but our homes. We have come from places that were not the most desirable of places, but we are from these places. We have had to encounter problems that the average 50-year-old man or woman may have never known existed, but we've had to face these problems. We have had to climb over the hills of trials and tribulations, things that have been beyond the face of belief.

Many of us have dropped out of school and found that life wasn't as easy as we thought it would be. But the opportunities of a new life were revealed through the Job Corps. We have come here and been able to obtain our high school diplomas and to get a vocational skills that will help us a great deal in the future.

Meanwhile, while we are here getting our high school diplomas, we have learned to live with girls of different races, from all parts of the United States. We've talked among ourselves and decided that our problems weren't bad after all or that we weren't the only ones with these problems.

Here at Northern things have gone well for us. It means a lot to be the only one of 17 Women Job Corps centers located on a university campus. Just being here has inspired many of our girls to seek a college education. We have many different activities and are presently being taught such fine arts as drama, modern dance, drawing, weaving, poetry and sculpting and many more. These arts are being taught by volunteer teachers from the university. In case any one is wondering, the girls are very happy and pleased to see that these people are interested enough in us that they would leave their families to come and help us and be patient with us.

Our staff at our school is just wonderful. The way they've helped us is remarkable. They've helped us to gain the confidence that some of us never knew we had.

But we can't understand the people in the community, the university staff and whoever is really trying to put us out in the "streets." We have something here that we love and we want it to stay. Now after we thought we were over the biggest of our problems, we are confronted all over again with the type of things we thought we had left behind. Yes, we love our Job Corps center and we want to stay.

SHERRY LEE.

Mr. HART. The letter states the case for the men and women of the Job Corps.

The case for our youth who question the sincerity of our commitment to eliminating inequities in our society may well be stated by increased disdain for our established institutions. They may well, with justification, view the decision as another example of how the government can promise something, then snatch it away.

For those who think we can measure the effect of programs such as the Job Corps in terms of money alone, I urge that they consider the thoughts of at least one woman who attends one of the centers and ponder what the reaction of our youth might be.

Mr. President, even if the closings of the Job Corps centers actually save $100 million, I suggest that the price of that decision in terms of broken commitments, shattered dreams among the poor, and increased cynicism among our youth is too high.

It is for that reason that I have cosponsored the resolution just introduced by the able junior Senator from California (Mr. CRANSTON) urging the administration to halt all steps to close Job Corps Centers until Congress has had a chance to review the program. I have listened to Senator CRANSTON's remarks as he introduced the resolution. His remarks are most compelling and I hope we will adopt the resolution very soon.

It has been brought to my attention that the center at Marquette will be closed in 3 weeks.

Mr. President, if the center were to remain open until at least June 30, 100 of the 218 participants could complete their program, thereby eliminating the cost of reassigning them.

In taking away the promise of a new start, the administration undermines confidence in any future commitment it may make to aid the poor.

The poor will be hesitant to sign up.

The concerned citizen willing to work with the poor will think twice before investing time in antipoverty programs.

The cost of the decision to close Job Corps centers is high indeed.

Mr. President, I have received many letters from people—educators, Job Corps participants, and interested citizens from all economic levels and from many parts of the country—all of them concerned about the closing of the Job Corps centers. I ask unanimous consent that these letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

APRIL 16, 1967.

DEAR SENATOR HART: Please fight to save the Job Corps Centers and the Headstart program. They are needed desperately.

Sincerely,

HENRY C. NORRIS.
EMILIE M. NORRIS.

MARQUETTE, MICH.,
April 17, 1969.

Hon. PHILIP HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: As a citizen of Marquette, Michigan, I must vigorously protest the removal of the Women's Job Corps Center from Northern Michigan University.

The decision to close this Center was one not based on objective information. Rather, it was closed over social issues for which it was designed to remediate. Yes, there were objections to this program, but so have there been to the A.B.M. Program.

I urge you to do all you can to see that this decision be reconsidered.

Sincerely,

CHARLES M. MYRBACH.

MARQUETTE, MICH.,
April 16, 1969.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: This letter is an appeal to you to use your powers as a member of the United States Senate to provide for the continuation of the Job Corps at its present strength. I am against the closing of some sixty centers and replacing them with day-school vocational training in big city classrooms.

One of the most important concepts in the Job Corps program is getting underprivileged young men and women away from their former environments into a new atmosphere which fosters acceptable social and personal values as well as giving a basic education and vocational training. Only in a residential program can these goals be accomplished. To replace existing centers with day-school training is to destroy the program totally.

These are arguments that can be read in any newspaper. However, my feelings are backed by a year's work experience as a Resident Leader with the Job Corps. I am 23 years old, and I work as a residential counselor within the dormitory which houses the enrollees. Each day I have the opportunity to see these young women achieve various kinds of success. Each day I can see signs that a young woman has been learning and growing into a fine citizen with a useful vocation to contribute to society. Each graduation warms my heart when I consider what these girls were when they first came to the Job Corps Center and what they are as graduates.

The closing of Job Corps Centers will save tax money, but what about the problems of poverty and lack of education that this money was being used to alleviate. These problems are still here, and they cannot be ignored. If the centers are closed, then a better solution must be offered. No one has proposed such a solution.

Today's youth are this country's hope for the future. We must equip them, all of them, to meet this challenge. Believe me, the Job Corps enrollees deeply appreciate perhaps their only chance.

Sincerely yours,

SUSAN BOHN.

NORWAY, MICH.,
April 19, 1969.

Senator PHILIP HART,
U.S. Senate, Washington, D.C.

DEAR SENATOR HART: The decision to close some 59 or so Job Corps Centers has disturbed me greatly. In particular, I feel it would be a mistake to close the Center operated by the Public Services Division of Northern Michigan University at Marquette, Michigan—I am familiar with the accomplishments of this center.

Establishing vocational training centers near large cities certainly will not do for these young people what the Job Corps does. It is an established fact that generation after generation remains on the welfare rolls and taking these young people out of that environment and giving them an opportunity to learn to live in a different environment while they are also learning trades and skills with which to support themselves, should break that chain.

The situation we are facing at this time with our young people certainly indicates the need to start this generation on the right road.

Closing these centers will certainly save "War on Poverty" funds but what does it do for the problems the "war on poverty" was established to alleviate?

It isn't necessary for me to list some very excellent means of cutting the Federal budget—cuts which will not cut off help for the poor and needy but which will neither "hurt" those affected. It is rather disillusioning to know where and how so much money is spent and then have funds cut where a start had been made to help those who need it badly.

Very truly yours,

SERENA BOHN.

MARQUETTE, MICH., *April 19, 1969.*

DEAR SENATOR HART: As an instructor at NMU, I have been exposed to the pros and cons of the current Job Corps pull-out controversy. There are two aspects of the proposed changeover to a "Skills Center" setup which concern me.

First, if the students are returned to their homes, the Skills Centers will face all the difficulties which now plague the ghetto schools. The students will be expected to learn while at Michigan University.

Sincerely,

DOROTHY KAHLER.

NEGAUNEE, MICH.,
April 21, 1969.

Hon. PHILIP HART,
Senator from Michigan,
Washington, D.C.

DEAR MR. HART: I feel that Northern Michigan University's Job Corps Center should continue to operate indefinitely. Statistics regarding graduates of the Center, paint a false picture, in that some trainees are transferred for further training and are not then listed as graduates at the NMU Job Corps.

It seems unlikely that the number of city-based centers suggested as Job Corps replacement will provide continuity of training for those now reached by Job Crops.

I hope you will find it possible to influence favorably a decision to retain NMU Job Corps.

Sincerely,

E. MIRIAM CARTER.

APRIL 22, 1969.

DEAR SENATOR: I am writing to you to appeal to you to see if there is anything you can do to stop Mr. Nixon from closing the Job Corps Centers.

We are people with an income of a low bracket. These young men and women in the Job Corp are from families of even lower income.

The young people are learning a trade, getting schooling so very important in this day and age.

Now it seems our tax dollars have to go for bigger missiles etc. to keep ahead of other countries. Seems wasted tax dollars to me.

Money spent on job training and education of our young people seems to me to be no waste what so ever.

Please try to help these young people that are willing to learn and help themselves.

Thank you sir for the time you took to read my letter.

Most sincerely,

MRS. NORBERT G. RAY.

SCOTTVILLE, MICHIGAN.

HUNTINGTON WOODS, MICH.,
April 21, 1969.

DEAR SENATOR HART: This note is to say that we oppose the ABM system and are distressed by plans to close Job Corps Centers.

Sincerely yours,

STANLEY AND JUDI FISHER.

SOUTHFIELD, MICH.,
April 14, 1969.

Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: A recent news report stated that with the transfer of the Job Corps Program from the Office of Economic Opportunity to the Labor Department a drastic curtailment of the program would be undertaken. This is a disturbing report. We hope it is not true. We request that you make every effort to assure continuance of this needed program.

Much of the criticism of the program comes from those who either live near Job Corps Centers or object to the cost. If the program were to run smoothly causing the surrounding communities no trouble then it would seem that the program was not reaching the right kids. It is not so much how these kids behave when they start but rather how it affects their lives after they finish.

It has been said that it costs less to send a boy to Harvard than to train a Job Corps recruit. It's true, and why shouldn't it? Look at the raw material and the finished product in both cases. Also, look at the alternatives. Without Harvard, the same boy would have little trouble finding success in a state university. Without the Job Corps this boy or girl often costs society more in welfare, unemployment, crime, etc., than Job Corps does.

We hope that you will be able to at least block the proposed reduction if not increase the number served.

Thank you.

Sincerely,

GEORGE I. S. CORCORAN.

YOUNGSTOWN, OHIO.

DEAR SENATOR HART: My name is Constance Saddler. I live in Detroit, Michigan. But I'm now in Youngstown, Ohio, on Job Corps extention program here at the YWCA. I'm a graduate from Clinton Job Corps Center in Clinton, Iowa. This is my last month in J.C.

I would like to express my experience and my feel toward Job Corps. I was in Job Corps for a year and two months. I'm a nurses asst. I had work in the States Hospital here for more experience. I'm not a high school graduate. But I have one more year of school. I feel you get out away from home and try to have your own responsibility. I need get away because I wasn't getting along with my mother and couldn't fine a job. I always want to be a nurse but I didn't know how to go about. I need some one help me fine my way in life and Job Corps help me. I'm a Negro. But I learn in Job Corps. There all nationality. We all learn to get along with one another.

I learn going out and having good times is not having fun. I learn to try and get education, and a good job. You can all your fun I feel that if they close now down job. They are stopping the young people from getting ahead. Some peoples needs a helping hand, and that's what a Job Corps is. The only thing I can say is thank you, Job Corps and the people who help me on the right road. Thank you very much. I hope other young ladies and men will be able to experience Job Corps.

Thank you for taking time to read this letter, and please excuse my mistake.

Sincerely yours,

CONNIE.

TRAVERSE CITY, MICH.,
April 22, 1969.

Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.

HON. SENATOR HART: Thank you for your news report of April, "More on ABM." I am in complete agreement with your views and meant to write almost a year (or more?) ago when you first presented them. (In Traverse City Record-Eagle item from Washington, D.C.) There does seem to be a more alert attention to military expenditures and a more sane approach to political solutions than before . . . hope this becomes a majority opinion!

Now, if you can also convince your colleagues that cutting back on the anti-poverty programs such as the Job Corps is foolish, and the voters informed that the War on Poverty is our real concern, perhaps the young, under-privileged (a sad commentary in these affluent times to admit having in U.S.A.) and rebellious could help restore the image of an American Idea—the worth of the individual.

There may be better programs for training the unemployed on the drawing board, but the closing of the now existing Centers would be another disillusionment. Maybe when these new—mini-skill centers?—are operating, we can afford to cut back on some of the Job Corps Centers we now have. However, unless long range planning and budgets can be realized, there is bound to be discouragement and inefficiency.

As immediate past president of the local League of Women Voters of Grand Traverse County, I can report that most of us are concerned in this cut-back in programs and funds.

Yours truly,

ESTHER WILLMAN.

DETROIT, MICH.,
April 21, 1969.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: I respectfully ask that you give some attention and efforts to keep open the job corps centers which strive to show girls that there is something better in life for them.

We the "Women in Community Services" (known as W-I-C-S) are somewhat gratified that many girls have returned to the cities as graduates from these centers and are filling creditable positions.

Moreover, these centers are training and inspiring girls to attain the things so necessary for their survival in our society.

Therefore, these doors of opportunity must be kept open and we earnestly ask your help to see to it that the job corps centers are maintained.

With all goood wishes,

Very truly yours,

MRS. JOHNNIE MAE KENDRICK.

MARQUETTE, MICH.,
April 22, 1969.

Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.:

Urge continuation of Women's Job Corps program at Northern Michigan University. If this is not possible strongly urge 90 day extension beyond June 30, 1969 to enable majority of enrollees to complete their occupational training.

J. R. ROMBOUTS,
Chairman, Human Relations Commission.

MIDLAND, MICH.,
April 18, 1969.

Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: I am greatly concerned about the closing of numerous Job Corps Centers, as well as the Head Start programs, which are considered a failure, according to government studies and mass communication.

I am the project director of the Midland WICS (Women in Community Service). WICS is sponsored by the Church Women United, the National Council of Catholic Women, the National Council of Jewish Women and the National Council of Negro Women, with national headquarters in Washington. WICS recruits and screens women, 16–21 years of age, for the Job Corps Training Centers in cooperation with the Office of Economic Opportunity.

Senator Hart, I can well understand some of the protests that these programs have been a waste of the taxpayers' money to some extent, unproductive in some cases and problems have occurred. But, where in our socelty and American history, have not such circumstances arisen? I am convinced that we expected a miracle instantly, without knowing and understanding the backgrounds of these poor, uneducated young people. I firmly believe that the Job Corps and Head Start programs are wonderful and excellent in that they have given opportunity, an education and training and moral philosophy to the many youth who are deprived of a favorable home environment and background, resources and are severely underprivileged in many areas. Too many of us have taken for granted our democratic society—life, freedom and happiness—and have become apathetic to our poorer classes.

However, there are many things I do not know or understand. When citizens demand services, someone must be willing to pay for them. To say a program is wasteful or the failure outweighs success, without giving consideration that the Job Corps program is relatively new and the number of men and women that are successful through this opportunity, is unrealistic. I believe this program and the Head Start project need improvement; they should not be discontinued and new programs initiated in their stead.

If all citizens would become more involved in issues, not only through study, but active participation and would weigh the pros and cons objectively, instead of emotionally, we would have a society that is willing to better itself and its neighbors. We are most apt to criticize when it comes to money we have to pay for the betterment of others.

Senator Hart, I can see and understand closings of some of the conservation centers, due to lack of job opportunities, but to close so many of them and how do we explain the girls' centers that have been closed? I believe the success of their program has been close to 80%. Am I correct?

Also, how was Michigan chosen to have all three (3) centers closed? What criteria was used to decide which centers should be open? What is the comparison of cost, quality and performance by which we decide what is the best program to serve the needs of all people, especially in deprived circumstances?

My dear Senator Hart, I would like some answers as to why this particular measure was taken? If reports are available on the Job Corps centers and Head Start programs, may I please have a copy of the situation, pro and con?

The proposed "skill centers" have been mentioned in the newspapers. Could I have more details about them? What will they provide that could not have been accomplished through improvements in the Job Corps program? How will transportation be provided? This is a problem in the Midland area. One great advantage of the Job Corps program is removing the youth from the home situation, which was unbearable in many cases. How will this problem be met through the skill centers?

I love my God, my country and all its people, Senator Hart, and I want to do as much as I am able through constructive action, not reaction.

Thank you for listening to my problems and questions. I, certainly, would appreciate information on the Job Corps and Head Start programs at your convenience.

Sincerely,

MRS. EDWARD P. DURIS.

WOMEN IN COMMUNITY SERVICE,
Detroit, Mich., April 18, 1969.

Hon. PHILIP HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: We have written to the Chairman of the House Education and Labor Committee and to Senator Yarborough of the Senate Labor and Welfare Committee concerning the President's edict to close seven Women's Job Corps Centers and to establish Mini-centers instead. You have great influence in the Senate and House and we ask you to work for the best interest of those who need these programs. The administration is putting the reduction of the budget before the needs of people. Reductions could be made in other areas of governmental spending, armaments, space, roads, to name a few. People are still our most important product.

We, who have been working with the girls, are disturbed by this ruthless decision and believe that the Congress which represents the people should be helping to make these decisions which have frightening implications and will affect thousands of human beings. Is money or people most important to our government? Does it really save dollars by closing existing Centers if this is replaced by tax cuts to business and the opening of new Mini-centers?

We must be sure that our girls are not summarily dismissed from their training Center, but are transferred automatically to another Center, even if that means keeping the Centers open longer so that a systematic phasing-out process can take place. Our girl comes from the ghetto and considers herself a failure. If she is terminated without completion of her training, she may never again try to achieve a better life. Her government has broken a promise to her, which we consider a dishonest act, and as a result she may despair, lose faith in her government, and no longer respect any authority.

This period of crisis is a good time for reassessment of Job Corps. Residential Centers are the answer for the girls from the inner-city who need to be removed from a crippling environment in order to be able to achieve their training. The proposed mini-center can be the answer for the girl whose home conditions are fair or who does not want to leave her child or her home. We urge that the proposed mini-center for Detroit be planned for Women. Detroit is a heavily industrialized city, and the automobile companies and other private enterprises offer training programs and jobs for men. However, there are only limited and scattered opportunities for women, (we presently have 300 names in our files to fill a Center today.)

We urge that the mini-centers open as soon as possible, but that the program be most carefully planned to meet the needs of the total person. We offer the following suggestions:

1. Use the trained personnel from the closing Centers, they already have the experience in working with the hard-core girl. It will not be necessary then to spend additional funds for recruitment of personnel.

2. Along with skill and basic educational training, there should be included group counseling, home and family guidance, grooming techniques, on-the-job training, and recreation.

3. Tie-in with big business in the city for training possibilities.

4. Have carefully thought-out screening procedures for both residential and mini-centers. Increase the age limit to 25 for mini-centers.

5. Use existing centers and equipment. (If Chicago is closed as a residential center, it can be used as a mini-center with existing facilities and staff.)

We urgently request the Congress to support effective training programs for our inner-city youth and to keep these in the hands of creative persons. Congress holds the keys for responsive government.

We in Detroit W.I.C.S. are ready to continue screening and to assist in the mini-center in any way possible on a volunteer basis. The girl is our main concern. She needs to be assured a hope that it is possible for her to control her own life and a faith that people in government and in the community are working for her welfare and will sustain her until she can assume her rightful place in society.

Sincerely,

MRS. DONALD TRACY,
Project Director—Detroit.

THE SISTERS OF ST. PAUL
DE CHARTRES,
Marquette, Mich., April 18, 1969.

DEAR MR. HART: I am writing in protest of the closing of the Job Corps Center on the campus of Northern Michigan University. There are approximately 300 girls here who will be affected by this decision.

I propose that you work for the retention of this Job Corps Center at least until the new type of training center proposed by the President is built and ready to use. Also, in the event that this administration wishes to discontinue the Job Corps program, as such, completely, I urge you to work for the utilization of the facilities on this campus for the purpose of educating and training some of the poor people (especially Indians) in the Upper Peninsula of Michigan.

Sincerely yours,

Sister RONALD JOSEPH.
Sister COLUMBIA.
Sister MICHAEL PAUL.

APRIL 15, 1969.

DEAR SENATOR HART: I'm writing in regard to the President's recent cut back in our nation's budget. I feel he is cutting out a most important and vital program, that being the Job Corps.

I am a student at Northern Michigan University, which is located in Marquette, Michigan. There is a Job Corps Center located on our campus. This Center like all others should not be closed. These girls are taking advantage of this wonderful opportunity to better themselves. This Center has brought a realization of the need to educate these girls to the university students. We want this Job Corps Center to remain open.

Training and educating them today will keep them out of the welfare lines of tomorrow.

This is not a program to cut out, it will only postpone the problem of educating the poor. The longer this problem is postponed the greater the tensions shall become.

Many of these girls, if this Center is closed, will have no home to return to. They have no families, no education, no training. What will become of them? Surely the remaining forty some Centers and the promised Urban Centers can not compensate all of the young men and women now in the Centers.

This program must be continued not only for the benefit of the men and women involved, but for the betterment of the nation. Here on campus an understanding is being built between races and economic classes, a break in the wall of prejudice, a door has been opened for this people, a door of opportunity we have no right to slam that door in their faces.

With these thoughts in mind I trust you will not hesitate to do all you can to make sure the Job Corps program is not eliminated from our nation's budget.

With Great Sincerity

SYLVIA WASSON.

DETROIT, MICH.,
April 18, 1969.

Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: I have served as a volunteer for WICS (Women in Community Service) for four years. Church Women United are happy having a part in helping disadvantaged girls go to a Training Center through Job Corps.

We are greatly concerned about the new stories of serious cutbacks on the Job Corps Program.

Our several years' experience in recruiting girls for Job Corp has convinced us of the value of a residential training program.

We have seen girls' lives dramatically changed because they were able to have the living as well as training experience that Job Corps has brought them.

I hope you will give careful and prayerful consideration to a continuation of residential program for youth from poverty areas.

Thanking you, I am

Sincerely yours,

(Mrs. Earl) MYRTLE I. WILLOUGHBY.

CARLETON, MICH.,
April 1969.

Senator PHILIP A. HART: I am enrolled in a U.S. Government course adult continuing education, and I understand that the Government threatens to discontinue O.E.O. and cut back in O.E.O. funds. Is this true? I think this is a great opportunity for the less fortunate people in the U.S. Could you give me a personal reply on this subject, please? I am trying to go to these classes O.E.O. is offering for a better education and understanding, and also I would like to know what could be done about prejudice in a State-employed job such as Ypsilanti State Hospital cultenary department of Ypsilanti, Mich. It is bad. I wish someone could investigate the Y.S.H. cultenary dep. and make the heads stick to the rules that the state put out, for everyone no matter what the color of a person's skin may be.

Truly yours,

ZEPHREE ADAMS.

WAKEFIELD, MICH.,
April 11, 1969.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

Closing of the Ojibway Civilian Conservation Center was announced today in the Daily Glove. In view of the service being performed for the youth of our Nation and the economic benefits to Wakefield and surrounding areas, I urge that you do everything possible to keep Ojibway in operation.

JOSEPH P. CLOON.

BROTHERHOOD OF PAINTERS, DECORATORS AND PAPERHANGERS OF AMERICA, AFL–CIO,
Washington, D.C., April 15, 1969.

To: All Cabinet Members; All Members of the Congress.

I previously wrote to many of you in a much happier vein, informing you of our joint participation with the Job Corps in preparing disadvantaged youth for gainful employment in the Painting and Decorating Industry, with the ultimate goal of fitting this group into the mainstream of our society as employed taxpayers rather than having them face a future as recipients of welfare doles or prison rehabilitation. This appears to no longer be the goal of this Administration.

It saddens and alarms me to see that we are again turning our backs on a major segment of our population; for while we do not like to believe it, we still must recognize that this hardcore, disadvantaged does exist.

We must not stand idly by and see our most precious resource, the youth of this country, wasted from lack of opportunity. It is my studied opinion that one of the very best and most practical ways to refine this flow of undereducated, disadvantaged, raw youth into our machine of progress is through the Job Corps Civilian Conservation Centers Program. This is practical on the job training for a practical job and no substitute has ever been found for this method by any administration since the dawn of the world.

Now is the time to search our conscience as representatives of our people and ask ourselves some basic questions. Is it really more costly to prepare a youth for employment than to keep him in prison, or on the public welfare rolls along with his future family and their future families ad infinitum? I know what my answer and the answer of the membership I am privileged to represent is to this, and hope that you are of the same mind.

Therefore, on behalf of the 210,000 members which I have the honor of representing, I ask that you exercise your influence to have this most critical decision on the part of the Administration either rescinded or modified. I would indeed hate to see the Great American Dream be turned into a nightmare for these now forgotten and disillusioned youth.

With best personal regards, I remain,

Sincerely,

S. FRANK RAFTERY,
General President.

MARENISCO SCHOOL DISTRICT,
Marenisco, Mich., April 16, 1969.

Hon. PHILIP HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: By resolution, the Marenisco Board of Education went on record opposing the closing of the Ojibway Civilian Conservation Center located in this township.

It was the feeling of the board that while the program has some defects it has accomplished a great deal, and with some changes it could accomplish more.

We urge you to support the program both to help the boys concerned and also to help the area which is still trying to recover from the effects of the closing of the iron mines on the Gogebic Range.

Yours truly,

ROBERT GRIVICICH,
Secretary, Board of Education.

MARENISCO SCHOOL DISTRICT,
Marenisco, Mich., April 16, 1969.

Hon. PHILIP HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: I urge you to use your influence to oppose the closing of the Ojibway Civilian Conservation Center which is located in this township.

As an educator I have been particularly interested in this program, as they have been using the latest in educational techniques and we have studied them for possible use in our own program and have adopted those adaptable to our situation. I feel that the Center has done an outstanding job and its closing would be a great loss.

I had often used the word illiterate but until I came in contact with some of these boys at the Center, it was quite remote because in our district the dropout rate is negligible and even those few who have dropped out can read and write. So the people teaching at the Center often have to start at the lowest level.

I see that to replace these centers "Skill Centers" are being proposed in or near the so called ghetto areas. Since many of the problems of these boys are caused by their environment and as they have failed in this environment, I seriously question if they will do any better in a "Skill Center" in the same environment, and these kids really need help.

The cost of these conservation centers is high but measured against a possible life time of welfare support, the cost is small indeed.

It seems a little bit foolish after the huge capital investment the government had made to close these camps on what seems to me to be political grounds.

The closing of this Center would also adversely affect this area which is still trying to recover from the closing of the iron mines on the Gogebic Range.

Again I urge you to use your influence to oppose the closing of these centers.

Yours truly,

THOMAS M. WALIN,
Superintendent.

[From the Duluth (Minn.) News Tribune, Apr. 12, 1968]

FIFTY-NINE JOB CORPS CENTERS TO BE CLOSED OUT

(By Ernie Hernandez)

WASHINGTON.—Asserting the government shouldn't "spend good money after bad," Labor Secretary George P. Shultz Friday announced scrapping of 59 of the nation's 106 Job Corps centers.

The 59, which represent an investment of $65 million, should be closed by July 1, said Shultz. However, closeout might take a little longer, and he stressed "none will be denied training because of the closings."

The closeout is part of a plan, approved by President Nixon, to integrate the five-year-old Job Corps of the Office of Economic Opportunity (OEO) into the Labor Department's Comprehensive Manpower Program.

Shultz said there will be a shift in training emphasis from conservation work to industrial occupations and job placement. To accomplish this, he announced the eventual establishment of 30 in-city or near-city training centers. As in the Job Corps, trainees reside in some of these centers.

The 59 include two large men's centers, seven women's centers and 50 conservation camps. Shultz was unable to say how much it would cost to close them, but said he's considering how best to dispose or put to other use the equipment so far invested in them.

The labor secretary said the centers essentially were failures in that they were too costly, they were unable to keep enrollees in the program, they didn't adequately improve trainee's reading and mathematic skills, and most important, they didn't result in jobs.

He pointed to a profile of corpsmen in residence and noted that only 28 per cent came from metropolitan areas. This suggested to him, he said, that training should be moved to the "in-city, ghetto" areas where the need is greatest.

Shultz said three out of 10 enrollees drop out between signup and arrival at camp. Of those who stay, 33 per cent drop out within 90 days, he noted.

"The notion of long-distance hauling has something to do with the dropouts," he said. "Also, job placements are more difficult."

Schultz made it clear that he didn't—and wouldn't—submit to congressional pressures in the decision to close the 59 centers.

(DEAR CONGRESSMAN: I did have the impression that when we elected you that you would have some say in government operations.

THOMAS M. WALIN.)

Noting that the department set a record for phone calls from congressmen because of newspaper reports of the closeouts, he said the centers were closed because they weren't successful and some remained open because of merit.

Earlier news accounts set the number of centers closing from 57 to 63, but until Shultz' press conference, the only Labor Department statement was that those accounts were "inaccurate".

Shultz said the integration of Job Corps with the manpower program and establishment of 30 new centers will result in a program cost in fiscal year 1970 of $189 million—$100 million less than projected by President Johnson.

* * * * *

MUSKEGON PUBLIC
SCHOOLS, MUSKEGON AREA
SKILL TRAINING CENTER,
Muskegon, Mich., April 15, 1969.

Hon. PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR MR. HART: It has been brought to our attention the government is planning on closing Job Corps Centers throughout the nation and the implementation seems to be that Manpower Programs will be used more extensively.

We would urge that you continue to work for more funds for the State of Michigan and Muskegon, for institutional training in Skill Centers.

As you know the Muskegon Skill Center is near the completion of its fourth successful training program. When you are in the area we would like very much to have you visit our Skill Center.

Sincerely yours,

FRED ROYS, *Director.*

DEERTON, MICH.,
April 15, 1969.

SIR: Closing of Job Corps Centers will certainly save dollars in the war on poverty, but will not help win the war being fought by unskilled people. I urge your support to help keep the Job Corps Centers open.

Yours truly,

GLENN BOODY.

IRONWOOD, MICH.,
April 14, 1969.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: It has been announced that the Ojibway Civilian Conservation Center near Marenisco in Gogebic County, Michigan, will be closed on July 1.

This Center has been in operation for over three years. It is my feeling that the staff at Ojibway has done a good job in educating and training the young men who have been assigned to the Center. They have also completed a number of needed conservation projects on the Ottawa National Forest such as in Sylvania and Black River Harbor as well as numerous projects in the surrounding communities.

In addition to helping the young men, the Ojibway Center has provided a number of jobs for our local people. Expenditures for the operation of the camp have also made a considerable contribution to our local economy.

I urge that all possible action be taken to reverse the decision to close the Ojibway Center. Your help in this matter is asked.

Sincerely yours,

VICTOR F. LEMMER,
Past President, Michigan Historical Society.

DETROIT, MICH.,
April 15, 1969.

Hon. PHILIP A. HART,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR HART: Please do all you can to save the job corps, I consider it to be the most important of poverty programs.

What I do not understand is, how can the Nixon administration be so willing to spend billions on a questionable ABM system—which I hope that you will continue to oppose—and while, at the same time, unwilling to invest a few measly millions to train many thousands of poor Americans for gainful employment.

I am very unhappy, thus far, over the Nixon administration methods being used to battle inflation—higher unemployment, less money for vitally needed domestic programs—to name a few items.

I am also deeply concerned with all this hunger in America, I would also urge you help formulate legislation programs that will aid the starving Americans. I can think of nothing that is horrible as human beings dying of starvation, as I recently witnessed on the NBC Today Show.

With very warm regards, I am,

Very truly yours,

Fred D. Jordan.

International Union of
Operating Engineers,
Washington, D.C., April 10, 1969.

Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Sir: Recent news stories regarding proposed cutbacks in the Job Corps program have caused serious concern among the members of our union. Our membership of 360,000 has supported the concept of a "latter-day CCC" since first proposed in Congress a number of years ago. We were very pleased to see the idea become a reality in the Job Corps Civilian Conservation Centers.

Not only have we supported the Job Corps in principle, we have supported it in action. Since 1966, our International Union has provided training as heavy equipment operators for sixty-five to seventy Corpsmen annually at Jacobs Creek, Tennessee. In July of 1968, we extended this program to the Conservation Center at Anaconda, Montana where we have a trainee census of about fifty. We have placed almost all of the Jacobs Creek graduates in union jobs across the country, and anticipate placing some one hundred more graduates from Jacobs Creek and Anaconda this summer. I am attaching typewritten copies of several of the many letters received by the Center staff from young men who have gone to work and become taxpayers instead of "tax eaters."

While not all Job Corps graduates can tell as significant a story, there is one overriding reason that this program should remain intact. About sixty per cent of the Job Corps Civilian Conservation Center entrants have reading achievements below grade level 3.5, making them—for all intents and purposes—functionally illiterate. Where will they go? Our society cannot afford to carry them forever and they are not capable of caring for themselves.

I earnestly solicit your assistance in maintaining the conservation centers so that we, along with others, may continue to help these youngsters who want to help themselves.

Very truly yours,

Hunter P. Wharton,
General President.

Gary, Ind.,
November 6, 1967.

Dear Sir: This is a short brief letter to you and the heavy equipment staff and Corps. I don't know how to start it, but I hope you know how I feel about Jacobs Creek. It was very wonderful there taking the training with the fellows. Take a little advice—stay there and get all you can because you will need it. Don't be a high school drop-out and then go to Job Corps and be the same thing. I dropped out of school but I tried to better myself and I did. It was hard, but I stayed with it so why don't you do that.

I don't have much to say. Smokey, you were something special to the Corps. You were so kind and understanding and you articulated yourself very nicely.

I will close for now. I should have written before now, but I guess it is one of those things—you know—having fun Smokey. We are in Local 150, making $5.00 an hour on a 40-hour week. It is very cold up here. We are on a dirt moving job. To me, I wish we were on a road job. Is there any chance for us to go to Florida to work for the winter? We haven't missed a day of work and we don't intend to.

Yours truly,

John W. Thomas.

Selma, Ala.,
September 24, 1968.

Dear Smokey: How are you and the Heavy Equipment Corpsmen at Jacobs Creek doing?

That's where it's at—a little push gave me a big start and I owe it to all of the instructors at the Center. I know that there were many times that I wanted to leave, but nice people like you changed my mind. You know more about me than I know myself, because you knew what I needed and showed me how to get it.

I am making $4.35 an hour, ten hours a day, with two hours overtime, and working six days a week. Last week, I made $290. Before I same to the Job Corps, I was making $24.50 a week—now, I get more than that in a day. The Job Corps did more for me in a year than I did for myself in 20. I am not in the union yet—looks like they don't want me. (smile)

Well, so long for now.

Sincerely from,

Willie.

New Haven, Conn.,
July 28, 1968.

Dear Smokey: While sitting here thinking of you, I decided to let you hear from me. I would have written earlier but I thought I was going to get to call you. When I got off work its too late to call. Well, how is everything going down there. I got started to work the next day after I got here. I went to work on a backhoe and worked two days and got laid off, but I also got a check for $70.00. I went back to the hall Monday and they sent me on a job operating a scraper. I like operating an electric scraper.

I am working for Cosgrove Construction Company building an airport. I didn't know it got so tiresome sitting in that seat all day. I was making more money an hour operating the backhoe than I was the scraper and that scraper work was the hardest. I am well satisfied with my job. The people up here are very nice. They are willing to help you any way they can. I haven't had any trouble getting to work. They assigned a man to take care of me until I get straightened out and he does a good job of it. He let me use his truck for four days to get to work and I have been catching my way to work every day since then with some guys on the job. I have been saving my money for this occasion. When I got here, I called my mother and told her to send me $400 to buy me a car because I had to get to my job. In about four days she sent me a check. I bought me a '60 Ford in good shape for $300. I paid him cash for it, so now I can go to work in my own car. I have two checks that I never cashed and don't need them for anything. I don't know how to thank you, the Job Corps and the people at Jacobs Creek for what they have done for me and I will never forget it. I am coming to see you when it gets too bad to work. I am going to save every penny I own. The contractor told me he didn't know that they taught us to move dirt like that. They all stand and watch me when I come in the cut and when I get loaded dirt is falling at the side. I move more dirt in a week than I moved at Jacobs Creek in a year. I also found Eli Lampton. He lives about three blocks from me. I go over to his house all the time. He's been married for 9 months. He told me he was going to call you when he got a chance. I went over in my car and we went riding, learning the way around. We went on the beach Sunday and stayed all day. I like the seashore out here, it stays cold all the time. This lady I rented the apartment from treats me like a son. When I leave, I have to tell her I'm going and when I'm coming back. She's a very nice lady to live with. I pay $20 a week for the apartment and all I have to buy is my food. I guess you're saying I am going to write ten pages, but I just want to let you know I appreciate everything you did for me. There's plenty of work up here. You ought to send some more guys up to work. I think they would like it up here. I think I have talked enough. Tell all of the instructors I said hello. So, I will bring this letter to a close.

Sincerely yours,

Walt Mitchell.

September 24, 1967.

Hi Rusty: I am sorry I didn't write sooner, but I smashed up my car and I've had to go through a lot of trouble.

I am still trying to find out who the lady is that ran into me.

I got a job 5 days ago as a mechanic helper. I am making $3.70 an hour. I am doing all right except we are working on a caterpillar—the part we never got in. And that is the final drive. We had the whole track off, and the steering clutch out, and the final drive apart, because a bearing rode up the inside of the final drive. We just got it together today.

And now we have got to take the engine out of a cat scraper and put a clutch plate in it, so I guess I am going to be pretty busy for a while.

I am working in Edina, Minnesota for a Mr. Carl Kraul. I am renting a place about 20 miles from there called Hopkins, Minnesota.

But I want you to write to my home address because I don't know how long I am going to stay here in Hopkins.

The rent is cheap here—$28 a month. So bye for now. Write soon.

As always,

Wilfred J. Hilton.

Cleveland, Ohio,
September 28, 1967.

Mr. Jack Kelly.

Dear Mr. Kelly: Just a few lines to let you hear from me. This leaves me well and hope when these few lines reach your hand it will find you in the best of health.

Mr. Kelly, I am sorry it took so much time to write, but I have been working hard and now I got use to the work, I am o.k. Tell all the boys to stick with it at J. C. because in the long run it pays off. If they think we are lying, we will be there in two months and we can tell them ourselves. I say we, that is Tift, Pat McCary and me, we all are working now nice and hard. I make $5.22 an hour, and .50 an hour, that is why I say it pays off. Tell Maxwell hello and I miss him, and tell Smokey I thank them for all they taught me, and tell Big Clee hello and I want to write him, but I lost my wallet and I don't have his address. Tell all the guys hello and stay with it at Jacobs Creek.

From,

Earthel Alford,
as (Slick).

Marienville, Pa.

Senator Hart,
Senate Office Building,
Washington, D.C.:

I have just heard that Blue Jay Job Center may be closed. As a faculty member of Clairton State College, Clairton, Penn., Special Education Dept. and as a supervisor of student teachers who are now and have been getting very valuable experience at Blue Jay

Job Corps Center, I wish you would do all in your power to have this Job Corps Center re-evaluated before a decision to close it is acted upon. Thank you.

L. D. Sauvage,
Associate Professor of Special Education.

Church Women United of Detroit,
Detroit, Mich., April 14, 1969.

Hon. Philip Hart,
The Senate,
Washington, D.C.

Dear Senator Hart: As you probably know Church Women United is one of the four sponsoring agents which formed Women In Community Service (WICS). We contract voluntarily to screen and recruit Girls for Job Corps.

We are very distressed at President Nixon's actions as well as the actions of the Department of Labor in the proposed closing of some 65 centers.

Besides all the ideas that I know you have about this—we wish to stress that we are interested in the total personality of the girl—which is unique in the present Job Corps centers and for local industry to just stress skills—this negates part of the uniqueness of Job Corps.

Thanks for your help and interest.

Sincerely,

Winefred K. Alberti,
Chairman, Action Committee.

P.S.—As a WICS visitor myself I am deeply concerned personally—our Detroit School leaves so much to be desired! These kids need something!

Southfield, Mich.,
April 14, 1969.

Senator Philip A. Hart,
Senate Office Building,
Washington, D.C.

Dear Senator Hart: A recent news report stated that with the transfer of the Job Corps Program from the Office of Economic Opportunity to the Labor Department a drastic curtailment of the program would be undertaken. This is a disturbing report. We hope it is not true. We request that you make every effort to assure continuance of this needed program.

Much of the criticism of the program comes from those who either live near Job Corps Centers or object to the cost. If the program were to run smoothly causing the surrounding communities no trouble then it would seem that the program were not reaching the right kids. It is not so much how these kids behave when they start but rather how it effects their lives after they finish.

It has been said that it costs less to send a boy to Harvard than to train a Job Corps recruit. It's true and why shouldn't it. Look at the raw material and the finished product in both cases. Also, look at the alternatives. Without Harvard, the same boy would have little trouble finding success in a state university. Without the Job Corps this boy or girl often costs society more in welfare, unemployment, crime etc., than Job Corps does.

We hope that you will be able to at least block the proposed reduction if not increase the number served.

Thank you.

Sincerely,

George I. S. Corcoran.

United Brotherhood of Carpenters and Joiners of America,
Washington, D.C., April 14, 1969.

Hon. Philip A. Hart,
U.S. Senate, Washington, D.C.

My Dear Senator Hart: We have been advised that a severe curtailment of the Job Corps Program is being considered.

Since May of 1968, we have had the opportunity of working very closely with the Job Corps Conservation Centers Program through the Department of Agriculture Forest Service and more recently with the Department of Interior in the operation of seven (7) Carpentry Programs, wherein we are providing related and manipulative experience to sixty (60) of the underprepared and underprivileged youth in each of the seven (7) centers.

Although none of our programs have run the full cycle, we have already placed fifty two (52) young men that we were able to qualify into our Apprenticeship Programs throughout the country and we expect to place all of the young men now in our programs in the industry upon the completion of their program, some of which will be completed in June, 1969 and others in July, 1969.

Therefore, we request that serious consideration be given to the continuance of the Job Corps Conservation Centers in that we feel an excellent job is being done in the training and placement of young men in gainful employment who will take their place in their community as active citizens and workers in the industry, who, otherwise, will be a burden, as well as a problem, for society.

If curtailment is essential of some of the Conservation Centers, it should be done on a selected basis after full investigation of the quality of training and job placement that has been accomplished at each center.

Sincerely yours,

M. A. Hutcheson,
General President.

Cadillac, Mich.,
April 15, 1969.

Hon. Philip A. Hart,
Senate Office Building,
Washington, D.C.:

The following resolution was adopted by the city commission Cadillac, Michigan.

"Whereas, the administration in Washington has decided to close the Hoxey Civilian Conservation Center at Hoxeyville,

"And, whereas, said Job Corps center has 131 young men and 36 staff members at its facility and has been a substantial contribution to the economy of the area since 1965,

"And, whereas, the work performed in training young men to assume employment and become responsible citizens is so vital to the young men and the country as to preclude its importance being measured in dollars, the people of the city of Bessemer oppose the closing of the Ojibway Job Corps Center, Marenisco."

Please do everything in your power to keep this Job Corps Center open.

Elmer V. Sandin,
Mayor, City of Bessemer, Mich.

Township of Watersmeet,
Watersmeet, Mich., April 11, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: I have just heard that not only are the appropriations for the Job Corps program being drastically cut, but that many of the existing Centers are to be closed by July 1. Included in the list to be closed was the Ojibway Job Corps Center, located at Marenisco in Gogebic County, Michigan.

The Ojibway Civilian Conservation Center has done a good job in educating and providing work skills to the young men fortunate enough to have been assigned there. They have completed many worthwhile projects including a number of benefit to this community. In addition to the primary purpose, of aiding these young men, the Ojibway Center has provided employment for a number of local people and its expenditures for operation have been a help to our local economy.

I am hopeful that this worthwhile program and any cuts in it will be carefully considered. Should the closing of some Centers become necessary, we urge that the Ojibway Center remain in operation.

Sincerely yours,

Frank Basso,
Township Supervisor.

Chamber of Commerce,
Watersmeet, Mich.,
April 8, 1969.

Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Mr. Hart: A recent article in the Ironwood Daily Globe indicates that a deep cut in funds is being considered for the Job Corps program. If this cut in funds is put into effect many of the existing centers would be closed.

Our Ojibway Civilian Conversation Center at Marenisco in Gogebic County, Michigan has been operated for three years. I have visited this center and seen the good job they are doing in educating and providing work skills to the young men assigned to it. In addition they have completed many worth while projects, of benefit to our community and for the benefit of the thousands of tourists who visit our area each year. I am particularly pleased with the help they have provided in the development of our Sylvania Recreation Area and Black River Harbor. In addition to the many benefits to these men our Ojibway Center has provided employment for our number of local citizens. Expenditures for the operation of the center has made a significant contribution to our local economy.

We are all hopeful that the necessity for cuts in the Job Corps progam will be carefully considered. Should the closing of the center become necessary we urge that the Ojibway Center remain in operation.

Sincerely yours,

Jay B. Shifra,
President, Chamber of Commerce.

Gladstone, Mich.,
April 11, 1969.

Hon. Philip A. Hart,
Senate Office Building,
Washington, D.C.

Dear Senator Hart: The recent developments in the status of the Job Corps Program are of considerable concern to me. During the Lenten season the congregation which I serve in Gladstone, Michigan, conducted a sound, though not exhaustive, study of the Marquette Job Corps Center for Women. Based on information received and on personal contact with individual enrollees, the program has earned my support.

It is my opinion that the government has chosen a relatively safe, although not particularly intelligent approach to decreased spending. The Job Corps is not tremendously popular on the national scale; it does not appear critical; it does not demonstrate immediate and spectacular benefits. Its démise will probably not create an outcry from respective constituencies.

The Labor Department's announcement should, however be very upsetting. The Basic philosophy of the Job Corps is sound. People who are trained and hence capable of working are healthier people, personally and nationally, than are people on welfare. The types of training the Job Corps offers are useful to the economy and offer the trainee some self-respect. This type of "building from the bottom" program marks the area in which we should be studying, experimenting, and developing more comprehensive help programs.

I fear that the planned closures will result in a diminished, rather than an increased, concentration on one of the most rational and realistic social developments in recent years. Perhaps the Job Corps should not continue in its present form. As a step in the right direction it should be varied, expanded, studied, and improved—not dumped. I urge you to support the Job Corps and to resist the withdrawal of funds from this area of need.

In response to demands for funds in other areas, I feel this way. The strength of our nation is in the people who love it and are treated well by it, not in military muscles flexed hither and yon. The nation's defense depends more on the building of firm foundations than on thin missile defense systems built to protect what may not exist. Our cosmic responsibility is to cure curselves before we spread our particular concern of prejudice and dis-respect to the entire solar system.

Thank you for your consideration of a letter which turned out longer and more involved than I had intended. I cannot apologize, because the issue is crucial.

Respectfully yours,
The Rev. PHILIP J. NANCARROW.

PAINESDALE, MICH.,
April 14, 1969.

Hon. PHILIP HART,
U.S. Senator, Michigan,
Washington, D.C.

SIR: I ask you to work and fight for the continuation of the Ojibway Civilian Conservation Center, located in the heart of our Ottowa National Forest, in the Upper Peninsula of Michigan.

Staffed by dedicated administrators, teachers, work project engineer, this on the job training program has opened the door to a new way of life for hundreds of 16–18 year old youth, by fostering, through a carefully planned program, the hidden talents, the abilities as well as alerting the enrollees of the importance of working to perpetuate and preserve the precious natural resources found in a National Forest, such as ours, in the Water Wonderland of Michigan.

Should we allow the "cancelling out" of a center, such as this, thus shattering a ripening of the much needed, energetic young man power in our conservation area of the Upper Peninsula?

Should we, sit back and allow our voice in the Senate and Congress "wipe out" a pertinent issue of our home area, the Job Corp or the school drop-out, the disadvantaged, the undesired, the training, so well and meaningly established, in a natural classroom, which has proven to them to be "something of value" found in living on God's good earth?

Dare we permit, the acclaimed economist to send back to our bulging cities, to the same conditions which we so loudly claim where the instrument which contributed to the youth's unrest, during their vibrant growing years?

Do we dare allow our future generations to read our records of 1969–70, when we sanctioned the "throwing to the winds" these youth whose greatest need was to be needed, while we were content with a "balanced budget" and the showing of a "surplus" at the end of a fiscal period?

Let us give more than lip service when we advocate aid to the underprivileged on one hand, and at the same time employ experts, at great costs, to present programs of every conceivable nature, yet to be proven, to be what is claimed to be a more stable economy?

We have been generous with our tax money in raising the scale of living for those who work for us in our government, on all levels, yet we continually quibble and hesitate and become complacent, as we allow, often, the "nays" and "yeas" to cut from "the least of these" a small share in our professed abundance.

I feel humble, indeed, when I think of those men and women, young and old, who worked together to raise a great nation from a wilderness, and through their forsight and writing created our constitution, thus carving and opening a door for a government "of the *people*, by the *people* and for the *people*."

Let us not "rip out" Ojibway where so much has been done, for so many, in such a short time among whom are those, who we were told about ages ago, "we'll always have with us." Let us not "tear down the entrance" of a key to the youth, who are willing to study and work for a new way of life and replace the sign with "closed because of a cut-back" which would add another frustration to the problemed youth of our country, not excluding those from our Upper Peninsula. Let us not allow the needs of our dependent youth to be "cut down or cut out."

We ask those who represent the final authority in this most important issue to come and see for themselves the program in action at Ojibway Civilian Conservation Center, in the Ottawa National Forest of the Upper Peninsula of Michigan, where they will witness, I think, the most successful tool yet conceived in helping the 16–18 years olds to better help themselves.

Thank you.

Sincerely yours,
MRS. VALL DUNSTAN,
An interested citizen.

MARQUETTE, MICH.,
April 21, 1969.

Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.:

I want to express my strongest personal and institutional objection to the announcement indicating the possibility of closing the Marquette Job Corps Center prior to June 30, 1969. This would be an injustice to the enrollees who should be given maximum time to complete as much of their program as possible. It is an injustice to the dedicated staff members in our program who should be given the opportunity and courtesy to seek new employment for next year. Several have already taken positions for next year but would not have financial resources prior to July 1. Your support for the continuation of the program through June 30, 1969 and its orderly phasing out by that date is very important to the integrity of the program.

JOHN X. JAMRICH,
President, Northern Michigan University.

SENATE CONCURRENT RESOLUTION 20—SUBMISSION OF A CONCURRENT RESOLUTION EXTENDING TO THE HONORABLE HARRY S. TRUMAN, 33D PRESIDENT OF THE UNITED STATES, THE BEST WISHES OF CONGRESS ON HIS 85TH BIRTHDAY

Mr. MONTOYA submitted a concurrent resolution (S. Con. Res. 20) which was referred to the Committee on the Judiciary, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States hereby extends to the Honorable Harry S. Truman, 33d President of the United States, its best wishes on the occasion of his 85th birthday, May 8, 1969.

SEC. 2. The Congress expresses its appreciation to President Truman for his distinguished service as United States Senator, as Vice President of the United States and as President of the United States during the period from 1935 to 1953.

SEC. 3. The Congress expresses its appreciation for President Truman's determined and firm policies in respect to foreign affairs which, with invaluable bipartisan support, (1) helped in the immediate years after World War II to reconstruct a ravaged and weakened Western Europe; (2) firmly set the face of the United States against aggression in both Europe and Asia; and (3) provided desperately needed technical aid and other assistance in the best tradition of American generosity to developing nations struggling to create free and prosperous and democratic conditions for their peoples.

SEC. 4. The Congress further recognizes that President Truman no less heeded the plight of all Americans whom prosperity and justice had passed by and that he boldly advocated programs designed to translate the promise of a bountiful America into fulfillment for each and every American.

SEC. 5. A copy of this concurrent resolution of the Congress of the United States shall be promptly transmitted to the distinguished "Man from Independence," Harry S. Truman.

S. RES. 182—RESOLUTION AUTHORIZING THE PRINTING OF A SUMMARY REPORT OF SOUTH VIETNAMESE LAND REFORM AS A SENATE DOCUMENT

Mr. PACKWOOD submitted the following resolution (S. Res. 182); which was referred to the Committee on Rules and Administration:

S. RES. 182

Resolved, That the summary report on land reform in South Vietnam, prepared by the Stanford Research Institute for use by the United States Agency for International Development, be printed as a Senate document.

SENATE RESOLUTION 183—SUBMISSION OF A RESOLUTION TO EXPRESS THE SENSE OF THE SENATE IN OPPOSITION TO THE SHUTDOWN OF THE JOB CORPS INSTALLATIONS BEFORE CONGRESSIONAL AUTHORIZATION AND APPROPRIATION ACTION

Mr. CRANSTON (for himself, and Mr. BAYH, Mr. BROOKE, Mr. EAGLETON, Mr. GORE, Mr. HART, Mr. HUGHES, Mr. INOUYE, Mr. KENNEDY, Mr. MAGNUSON, Mr. McGEE, Mr. McGOVERN, Mr. METCALF, Mr. MONDALE, Mr. MONTOYA, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. RANDOLPH, Mr. RIBICOFF, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, and Mr. YARBOROUGH), submitted a resolution (S. Res. 183) to express the sense of the Senate in opposition to the shutdown of Job Corps installations before congressional authorization and appropriation action.

(See the above resolution printed in full when submitted by Mr. CRANSTON.)

AMENDMENT OF THE FEDERAL MOTOR VEHICLE AND HIGHWAY SAFETY ADMINISTRATION—AMENDMENT

AMENDMENT NO. 14

Mr. RIBICOFF. Mr. President, I submit for appropriate reference an amendment intended to be proposed by myself and Senator NELSON, to S. 1245, the National Traffic and Motor Vehicle Safety Act of 1969, and ask that it be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendment will be received, appropriately referred and printed; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 14) was referred to the Committee on Public Works, ordered to be printed, and printed in the Record, as follows:

On page 3, after line 5, insert the following new section:

"THE FEDERAL MOTOR VEHICLE AND HIGHWAY SAFETY ADMINISTRATION

"Sec. 5. (a) section 3(e)(1) of the Department of Transportation Act (80 Stat. 931; 49 U.S.C. 1652(e)(1)) is amended by inserting after 'Federal Railroad Administration' in the first sentence thereof a semicolon and the words 'Federal Motor Vehicle and Highway Safety Administration'.

"(b) Paragraph (1) of section 3(f) of such Act is amended to read as follows:

" '(1) The Secretary shall, through the Federal Motor Vehicle and Highway Safety Administration, carry out (A) the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718), (B) the provisions of the Highway Safety Act of 1966 (80 Stat. 731), (C) the provisions of chapter 4 of title 23, United States Code, and (D) his functions relating to motor carrier safety conducted through the Bureau of Motor Carrier Safety of the Department.'

"(c) Paragraphs (2) and (3) of section 3(f) of such Act are hereby repealed.

"(d) Paragraph (4) of section 3(f) of such Act is amended by striking out the designation '(4)' and inserting in lieu thereof '(2)'.

"(e) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new clause:

" '(54) Administrator, Federal Motor Vehicle and Highway Safety Administration.'

"(f) Clause (125) of section 5316 of such title 5 is hereby repealed."

Mr. RIBICOFF. Mr. President, I also ask unanimous consent that my testimony before the Commerce Committee proposing this legislation and a strengthening of the Federal traffic safety program be printed immediately following the text of the amendment.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Mr. Ribicoff. Mr. Chairman, just three years ago I testified before this Committee in support of the first national traffic safety legislation. After a long struggle, the time for meaningful action had arrived. In the spring of 1966 we had great hope of reversing the rising trend of highway deaths and injuries.

This Committee reported an excellent bill which passed the Senate unanimously and became law in September, 1966. We believed that Congress and the Executive had made a firm commitment to improve traffic safety.

I regret to say it today—but we were wrong. The record of the past three years is disappointing. Though some progress has been made, the hard facts are that in 1968, 2,500 more people were killed and over 100,000 more injured than in 1966.

We do not have to look far to find the causes of failure in the traffic safety program. Lack of funds, personnel freezes and organizational difficulties have prevented the program from realizing its potential. And the American people have had to pay the price in higher deaths and injuries.

Mr. Chairman, there are three essential ingredients in any successful program—adequate funds, sufficient personnel and good organization. The Highway Safety Bureau is lacking all three.

Congress authorized a total of $51 million for motor vehicle safety in FY 1967–69. The Administration requested only $36.4 million however, and just $27.4 million was appropriated. Thus the Bureau received only 53 percent of the amount we believed was necessary to carry out this program.

The outlook for the future is little brighter. It was reported last week that President Nixon will support the previous Administration's recommendations of $23 million for FY 1970, but will cut the request for FY 1971 by $5 million.

Since it began, the safety program has been operating under a yellow caution light of budgetary restraint, far below its potential. Now is the time to give it the green light to proceed at full speed with its efforts to save lives. I urge you to increase the funds for this program by at least 50 percent, as Dr. Haddon recently recommended.

The problems of traffic safety are solvable. Vehicle defects *can* be detected and corrected before they cause accidents. New safety equipment *can* reduce the death toll and minimize injuries. But this requires more funds. There are no bargain basement solutions.

The Safety Bureau has also suffered from severe restrictions on the size of its staff. Right now it has only 87 full time professional employees engaged in motor vehicle safety work. Ten of these are assigned to defect review. But 10 people cannot ferret out the safety defects in the 20 million cars produced since the safety law took effect. It is not surprising then that major defects, like those which caused the recall of 4.9 million General Motors cars recently, go unnoted for long periods of time.

Major divisions, such as Motor Vehicle Inspection and School Bus Safety, have only one professional employee. The office of Cost and Lead Time Analysis, which my Subcommittee on Executive Reorganization was told would be established last year, is without a single employee, it exists only on paper.

Mr. Chairman, the American people are not getting their money's worth from the Safety Bureau. They think their hard earned tax dollars are buying an effective program, but they are not. The Bureau has issued only 28 safety standards, many of them minor or calling for no real change. Just two new standards and two amendments are scheduled to become effective on January 1, 1970, none is a significant safety innovation.

The plain fact is that the Bureau has lost the initiative on vehicle safety development to the industry and one reason is that it does not have enough personnel to do the job. Ultimately, it is people who must do the work—or it doesn't get done. In the Bureau the work has not been done. The Bureau has been severely handicapped by budgetary or employment restrictions for 17 of the 29 months of its existence, so its performance is understandable, if not excusable.

This situation must not continue. Like the authorization, the staff of the Bureau should be increased by 50 percent. Then, I believe we will see real advances in vehicle safety.

Beyond money and personnel, there must be organizational changes if the Bureau is to function effectively. Presently, the Safety Bureau is part of the Federal Highway Administration, along with the Bureau of Public Roads and the Bureau of Motor Carrier Safety. The Bureau of Public Roads far overshadows the other two agencies. It will administer about $4 billion in highway construction funds in fiscal 1969. By contrast, the Safety Bureau has a budget of $26.5 million and the Bureau of Motor Carrier Safety—which regulates interstate carriers—about $2 million.

In this organization the voice of traffic safety is muffled by those whose interest is building roads. Safety is a secondary concern in the Federal Highway Administration. The primary interest is simply extending the road network of the Nation.

The organization of the Highway Administration has interfered with the operation of the Safety Bureau. For example, the regional offices of the Highway Administration are under the control of the Administrator. These regional offices have advised officials in many states that they need not comply with the standard requiring a safety inspection of all registered vehicles once a year. They have told the states that a random inspection program would be acceptable. Despite repeated pleas by the Safety Bureau, the Administrator has failed to support the established standard.

Mr. Chairman, the Highway Administration cannot be trusted to enforce the safety laws in a satisfactory manner. Its interests are just too different from those of the Bureau.

The remedy for this organizational conflict is to separate the Safety Bureau and the Bureau of Motor Carrier Safety from the Bureau of Public Roads. A Highway Safety Administration should be formed, with an Administrator reporting directly to the Secretary of Transportation.

The new Administration should be composed of a headquarters unit and a group of regional offices, each headed by a regional administrator.

The headquarters staff would be responsible for establishing national safety policy, goals, and standards; providing specialized technical guidance and support; reviewing the adequacy of State highway safety program plans; performing technical and fiscal audits of State program performance; and planning and carrying out the research, development, and training programs.

The regional offices would have full responsibility and authority within their assigned geographic areas to implement the program, including the approval of grant applications and providing technical advice and assistance to the States in the carrying out of their programs.

This would give highway safety the voice and status it deserves in the Department of Transportation. The new Administration would have clear jurisdiction and authority to deal with all the human and vehicular aspects of traffic safety. Its work would be coordinated with that of the Bureau of Public Roads by the Office of the Secretary. I believe this is the most effective and efficient way to organize our highway safety program.

Accordingly, I shall soon introduce legislation to establish a separate Safety Administration in the Department of Transportation. I hope that you will give it favorable consideration.

Mr. Chairman, these hearings are a reflection of the furious debate over our national priorities. Some talk about "guns or butter". But I think it is more aptly described as lives verus hardware. For what is at stake here is how many people will be killed and injured on our highways in the next few years. Some deaths and injuries are unavoidable, but many can be prevented. The resources we devote to traffic safety will directly affect the accident roll.

None of us know what will happen in the trouble spots of the world tomorrow. But we do know what will happen on our streets and highways. I urge you to put the health and safety of our people first.

NEW STATUS FOR TRAFFIC SAFETY

Mr. NELSON. Mr. President, I am pleased to join with Senator Ribicoff today as a cosponsor of his amendment to create a separate Motor Vehicle and Highway Safety Administration in the Department of Transportation.

Senator Ribicoff's proposal would lift the National Highway Safety Bureau, which administers the traffic and highway safety programs authorized by Congress in 1966, out of the Federal Highway Administration and give it independent status, reporting directly to the Secretary of Transportation.

Today, the National Highway Safety Bureau is at a critical crossroads. The fact is that the Bureau has made very little substantive progress in the 3 years of its existence in combating the highway death toll. One of the major reasons is that it has been severely hampered in administering the law by the law status accorded it in the Department of Transportation.

To function effectively, the National Highway Safety Bureau must have the freedom to act and react quickly, to make policy decisions and legal judgments independently, and to deal openly and honestly with the Congress and the public.

Under the present structure, this does not seem possible.

Today, the Bureau is buried deep in the Department of Transportation. It is one of three entities in the Federal Highway Administration. The others are the Bureau of Public Roads, by far the largest with a $4 billion annual budget and overwhelmingly dominant, and the Bureau of Motor Carrier Safety.

The National Highway Safety Bureau must rely on the FHA for all its legal, public information, administrative, and policy planning services.

Dr. William Haddon, former Director of the Bureau, strongly indicated in his testimony before Congressman Moss' subcommittee in the House, that this administrative setup was totally unworkable. And since his departure, it has been complicated by the establishment of a management council which is ruling as a troika on all policy matters concerning the Safety Bureau. The independence of the Bureau and the authority of its Director, who is outnumbered on the council by two FHA officials, have been severely reduced by this action.

The Bureau cannot possibly function effectively when it must rely on FHA for all its legal and policy planning services, and when every minor policy decision must be scrutinized by an administrator whose program very often conflicts with the Bureau's goals.

Many people in the Bureau feel strongly that the effectiveness of the Bureau lies in its independence and that the importance of its work demands that it be a separate entity reporting directly to the Secretary of Transportation. It was never the intent of Congress to include the Bureau in FHA. And now that it has proven clearly unworkable, it is time to remove it and upgrade its status to where it was originally intended.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Shiro Kashiwa, of Hawaii, to be an Assistant Attorney General, vice Clyde O. Martz, resigned.

Robert K. Fukuda, of Hawaii, to be U.S. attorney for the district of Hawaii for the term of 4 years, vice Yoshimi Hayashi, resigning.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, May 2, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, May 2, 1969, at 10 a.m., in room 2228, New Senate Office Building, on the nomination of William E. Schuyler, Jr., of Maryland, to be Commissioner of Patents, vice Edward J. Brenner.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Michigan (Mr. Hart), the Senator from North Dakota (Mr. Burdick), the Senator from Pennylvania (Mr. Scott), the Senator from Hawaii (Mr. Fong), and myself as chairman.

NOTICE OF HEARING

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, May 2, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

George E. MacKinnon, of Minnesota, to be U.S. circuit judge for the District of Columbia circuit, vice Charles Fahy, retired.

Roger Robb, of the District of Columbia, to be U.S. circuit judge for the District of Columbia circuit, vice John A. Danaher, retired.

Thomas A. Flannery, of Maryland, to be U.S. attorney for the District of Columbia for the term of 4 years, vice David G. Bress.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi (Mr. Eastland), chairman; the Senator from Nebraska (Mr. Hruska), and myself.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Victor R. Ortega, of New Mexico, to be U.S. attorney for the district of New Mexico for the term of 4 years, vice John F. Quinn, Jr.

Thomas F. Turley, Jr., of Tennessee, to be U.S. attorney for the western district of Tennessee for the term of 4 years, vice Thomas L. Robinson.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, May 2, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ANNOUNCEMENT OF HEARING ON NOMINATION OF EDWARD E. JOHNSTON TO BE HIGH COMMISSIONER OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS

Mr. MANSFIELD. Mr. President, on behalf of the chairman of the Committee on Interior and Insular Affairs (Mr. Jackson), I wish to announce that the committee has scheduled a hearing on the nomination of Mr. Edward E. Johnston, of Hawaii, to the post of High Commissioner of the Trust Territory of the Pacific Islands. The hearing will be held at 9:30 a.m., Wednesday, April 30, in room 3110, New Senate Office Building.

I ask unanimous consent that a biographical sketch of the nominee be included at this point in the Record.

There being no objection, the biographical sketch was ordered to be printed in the Record, as follows:

Biographical Information

I. Personal: Name, Edward E. Johnston; spouse's name, Clare; home address, 4924 Waa Street, Honolulu, Hawaii; zip code, 96821; home telephone, 373–3412; business telephone, 536–2777; place and date of birth, Jacksonville, Ill., 1/3/18; marriage date, 8/26/50; children, Janice, 16, born May 24, 1952; Karen, 13, born October 21 1965; resident of Hawaii since 1946.

II. Education: Illinois College Jacksonville, A.B. in psychology and economics, 1939; Phi Beta Kappa; Active on debate teams both high school and college; State High School Champion of Illinois 3 years; reached final round of National Forensic Tournament in 1934 and 1935.

III. Business: Advertising, newspaper and radio fields prior to World War II. In insurance industry in Hawaii since 1948. President and general manager of the 50th State Insurance Associates, Inc., 1960–66; Merged into Hawaiian Insurance and Guaranty, Ltd., 1966, and became vice president of the firm.

IV. Military: United States Air Force, Private to Captain, 1942–48; Captain to Major, 1951–52.

V. Political: Chairman, Honolulu County Committee, 1955–58; National Convention—Delegate 1960 and 1968; Alternate Delegate, 1964; Chairman, Republican Party of Hawaii, 1965.

VI. Government: Secretary of Hawaii (Lieutenant Governor), 1958–59; chairman, Hawaii State Board of Economic Development, 1960–63.

VII. Civic: President, Hawaii Chapter of Chartered Property and Casualty Underwriters; Director and former president, Easter Seal Society; Honorary member of the Ala Moana Kiwanis Club; Member of the Waialae Iki Community Association; Pacific Club; and Member of the Central YMCA.

ORDER FOR ADJOURNMENT UNTIL TUESDAY, APRIL 29, 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Tuesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES DURING ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the President of the United States during the adjournment of the Senate until Tuesday, April 29, 1969, and that they may be appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS

Mr. BYRD of West Virginia. Mr. President, I also ask unanimous consent that, during that same period of time, all committees may file reports, together with individual, minority, or supplemental views.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE 85TH BIRTHDAY OF FORMER PRESIDENT HARRY S. TRUMAN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House on House Concurrent Resolution 216 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The Chair lays before the Senate House Concurrent Resolution 216, which the clerk will read by title.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 216) that the Congress of the United States hereby extends to the Honorable Harry S. Truman, 33d President of the United States, its best wishes on the occasion of his 85th birthday anniversary, May 8, 1969.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BYRD of West Virginia. Mr. President, I wish to comment briefly that the distinguished junior Senator from New Mexico (Mr. MONTOYA) has submitted a similar resolution, but, for the purpose of convenience and in order to expedite final action, we have decided to proceed with the resolution which has already received approval in the other body.

The PRESIDING OFFICER. The question is on the adoption of the concurrent resolution.

The concurrent resolution (H. Con. Res. 216) was unanimously agreed to, as follows:

H. CON. RES. 216

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States hereby extends to the Honorable Harry S. Truman, 33d President of the United States, its best wishes on the occasion of his 85th birthday, May 8, 1969.

SEC. 2. The Congress expresses its appreciation to President Truman for his distinguished service as United States Senator, as Vice President of the United States and as President of the United States during the period from 1935 to 1953.

SEC. 3. The Congress expresses its appreciation for President Truman's determined and firm policies in respect to foreign affairs which, with invaluable bipartisan support, (1) helped in the immediate years after World War II to reconstruct a ravaged and weakened Western Europe; (2) firmly set the face of the United States against aggression in both Europe and Asia; and (3) provided desperately needed technical aid and other assistance in the best tradition of American generosity to developing nations struggling to create free and prosperous and democratic conditions for their peoples.

SEC. 4. The Congress further recognizes that President Truman no less heeded the plight of all Americans whom prosperity and justice had passed by and that he boldly advocated programs designed to translate the promise of a bountiful America into fulfillment for each and every American.

SEC. 5. A copy of this concurrent resolution of the Congress of the United States shall be promptly transmitted to the distinguished "Man from Independence," Harry S. Truman.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination at the desk, which was reported earlier today.

There being no objection, the Senate proceeded to consider executive business.

DEPARTMENT OF TRANSPORTATION

The PRESIDING OFFICER. The nomination will be stated.

The legislative clerk read the nomination of Walter L. Mazan, of Vermont, to be Assistant Secretary of Transportation.

The PRESIDING OFFICER. Without objection, the nomination is considered; and, without objection, it is confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCHWEIKER in the chair). Without objection, it is so ordered.

AMERICAN DESERTERS IN SWEDEN

Mr. BYRD of Virginia. Mr. President, in a private conference today with the President of the United States, he showed me a letter he had received from a resident of Xenia, Ohio. She is Mrs. Richard F. Keyer, Sr.

In her letter to the President, Mrs. Keyer stated that her son had been killed in Vietnam; and she ended with this sentence:

> We are most proud of our son and pray his life was not taken in vain.

What prompted Mrs. Keyer's letter was a letter she had received from the American Deserters Committee in Sweden.

Mr. President, to desert one's country in time of war is a very grave offense, but I do not know of anything more contemptible than for those who desert their country, those who run away from battle, to write to the mothers of those who have been killed in action, serving their country, and to tell those mothers that their sons have died in vain.

Mr. President, I speak as one who from the beginning of the war in Vietnam felt that it was a grave error of judgment to become involved in a ground war in Vietnam. But our country has sent to Vietnam hundreds of thousands of American troops, and I say that those troops, so long as they are there, must have full support.

President Nixon replied to this letter from our fellow citizen of Ohio. The President's letter is dated April 21, and he begins this way:

> I have read your letter with both sadness and admiration: sadness that the mother of a slain American soldier was subjected to the further distress of being made the unwilling recipient of such a letter as the one you received from the "American Deserters Committee," and admiration for the spirit you showed in responding as you did.

The letter signed by President Nixon, addressed to Mrs. Richard F. Keyer, Sr., of Xenia, Ohio, I feel, is beautifully handled. It shows not only a tenderness and a sensitivity for the feelings of those who have lost sons in combat, but also, it shows a deep concern for those men who are even now fighting the battles of Southeast Asia.

I ask unanimous consent, first, that the text of the letter addressed to the President of the United States by Mrs. Keyer, of Xenia, Ohio, be printed in the RECORD, immediate following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that following that letter, the reply to her, signed by the

President of the United States, be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. BYRD of Virginia. Finally, I ask unanimous consent that the message which was sent to Mrs. Keyer by the American Deserters Committee in Sweden be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. BYRD of Virginia. In conclusion, Mr. President, I want the Record to show that when the President showed these letters to me today, I asked, and he readily gave his consent, that Mrs. Keyer's letter be made available for publication in the Record, and that his reply to her letter also be made available for printing in the Record.

Exhibit 1

Xenia, Ohio,
April 9, 1969.

Hon. Richard M. Nixon,
President of the United States,
Washington, D.C.

My Dear Mr. President: In this morning's mail, much to my dismay, I received a letter from the American Deserters Committee, Stockholm, Sweden. Enclosed is a copy of same. The letter speaks for itself.

What I would like to know is how and from whom they received our names and address? Who is responsible? What makes these "so-called" men, believe we would do anything to help them get back to this country. Personally, I have no sympathy for these men whatsoever.

Mr. President, our son believed in this Country and in what he was doing. He was not ordered, but was a volunteer. He was very close to the South Vietnamese people. He was a fine young man. The one truth in their letter is the loss of the "cream of the crop" of young men.

I have no answer for ending the war in Vietnam, but I am positive our government shall find a way in given time.

The many times I have seen our Flag desecrated sickens me. If we cannot believe in our Country and in a merciful God, then I ask—what shall we believe in? Certainly not American deserters!

Most of all, I resent the intrusion of my privacy in my home by these people. Certainly, they must have thought this was the right time to write us. Our son, Dennis, was killed in Vietnam on May 1, 1966. We are most proud of our son and pray his life was not taken in vain.

Hoping you may give some of the answers, I remain,

Respectfully yours,
Mrs. Richard F. Keyer, Sr.

Exhibit 2

April 21, 1969.

Mrs. Richard F. Keyer, Sr.,
Xenia, Ohio.

Dear Mrs. Keyer: I have read your letter with both sadness and admiration: sadness that the mother of a slain American soldier was subjected to the further distress of being made the unwilling recipient of such a letter as the one you received from the "American Deserters Committee," and admiration for the spirit you showed in responding as you did.

Next to the men whose own lives have been lost, the heaviest burdens of the war are borne by the persons, like yourself, who loved those who have been lost. Other Americans, whatever their feelings about the war, should at least respect the privacy of grief.

We live in an age of great uncertainties, of a clash of faiths and ideologies, and of great impatience. In their zeal for one cause of another, people often become impatient not only of time, but also of such ordinary decencies as respect for the other person's rights, willingness to listen to his point of view, and consideration for his feelings.

I can understand the feelings of those who cry out against war, and demand its end now; I can also understand your feelings in writing that you pray your son's life was not lost in vain. It was not. Your own letter is evidence that the things he died to defend are still alive and vital: the love of country, the great humane traditions, the thoughtfulness of others that is the true cement of civilization.

One of the greatest tragedies of mankind is that so often, through the centuries, the best of our young have been called on to die in the defense of those values. But as we look back over history, we see that it was their sacrifice that kept those values alive.

You write: "If we cannot believe in our Country and in a merciful God, then I ask—what shall we believe in?" I think you have provided the answer yourself. If we begin with belief in a merciful God; if we proceed to belief in our Country—not merely because it is ours, but because its ideals are precisely those that mankind has strived through the centuries to achieve—and if we round this out with belief in the essential goodness and dignity of man himself, then I think we have the elements of a faith which can withstand the assaults even of those who would intrude on a mother's grief.

You can be proud of your son. And I am sure that he would be proud of you.

With every good wish,

Sincerely,
Richard M. Nixon.

Exhibit 3

A Message to the People of the United States

Stockholm, Sweden.

We, the American Deserters in Sweden, having been compelled by conscience to temporarily forsake our homeland in protest against the senseless war conducted by our country against a small Asian nation, appeal to you, the American People, to take action to force our government to cease and desist in the bloody war in Vietnam and aggression against the Vietnamese People.

We are addressing our appeal to you, the Gold Star Mothers of America, surviving widows, as well as other relatives, since you have directly suffered a tragic loss. A loss which is made even more tragic since it resulted from a futile and senseless war which our government refers to as "our cause," and against an innocent people whom our government claims are "our enemies." The senseless War of Aggression conducted by the United States in Vietnam is causing untold suffering to millions of Vietnamese, including women and children, who at no time, nor even now, pose a threat to the United States. Tens of thousands of young Americans, who either lose their lives in the wild jungles of Vietnam, or who return home maimed, mutilated, marked for the rest of their lives, are paying the price of this senseless war in Vietnam. Despite our unanimous opposition to the Vietnamese conflict we deeply grieve the loss of our fallen comrades. Comrades, who although having serious doubts about the sense of this war fulfilled orders given them, and in so doing died for a cause which is entirely alien to the best traditions and ideals of America.

We are all too aware that assignment to Vietnam means, "kill or be killed." Is this a true expression of American patriotism? We do not desire that throughout the world the term "American" be automatically connected with aggression in Vietnam, and the slaughtering of the Vietnamese population by Napalm and other modern weapons of destruction. Resistance toward the senseless policies of our government in Vietnam is growing throughout the world; anti-American sentiment is increasing in Asia and Latin America, and in Europe they look upon us with growing criticism and skepticism. The recent recognition of North Vietnam by the Swedish government and intentions of other countries to follow is a direct consequence of this situation.

Convincing evidence of this resistance among other things, is the generous and prompt support which we, the American Deserters and opponents of the war in Vietnam, are receiving here in Sweden. We, who found in ourselves sufficient courage and determination to refuse to obey the commands of our government which are in opposition to all humanitarian principles, and whom favorable circumstances enabled to carry out our decision. Although compelled to seek asylum, support and work here in Sweden, we would prefer to live in our homeland provided we could live and work there peacefully, as here.

It is within your power to change this tragic lot of the young people of the United States. Even more so, it is your moral responsibility to preclude additional thousands of American families from suffering the tragic loss of fathers, husbands, sons, and brothers, similarly as you have. Only your decisiveness and civic courage can help put an end to the unjust war in Vietnam, and thereby enable thousands of American soldiers to return home. Eventually, this might enable even us to return home.

Write to your Representatives and Senators in Congress and demand that they decisively act to put an end to the Vietnamese conflict. Similarly, turn to President Nixon with the request that he stop the war in Vietnam, thereby showing the same resoluteness of decision as did President Eisenhower during the Korean conflict.

Write to your newspapers, convince your friends and acquaintances of the senselessness and futility of the war in Vietnam, which is robbing America of thousands of young men, the cream of her manhood, and undertake all further steps which you consider appropriate and which are within your means, in order to achieve this goal. It is the most effective means by which you can fulfill the legacy of your dear departed one, and also that of other young Americans who have perished on the battlefields of far-off Vietnam.

American Deserters Committee.

CAMPUS DISORDERS

Mr. BYRD of Virginia. Mr. President, the faculty and administration of Cornell University have done our Nation a grave disservice. What occurred there—and how it was handled—is almost unbelievable.

Militant students seized one building on the New York State campus, armed themselves with rifles and shotguns, and when threatened with discipline, threatened further violence.

But however badly the militant students acted, the officials of the university acted even more outrageously.

The faculty and administration capitulated to every demand of the student radicals, guaranteeing to nullify all charges against the militants. They even offered the university's legal assistance in case any civil charges might be brought against the dissidents by outraged taxpayers.

The university agreed that it would not even issue a reprimand to the armed militants.

I share the disgust of Prof. Walter Berns, of the Cornell faculty, who resigned his post and called the university's action "abject surrender." Some of Dr. Berns' colleagues offered a sickening contrast to his own firm stand: at one point, incredible though it may seem, a group of faculty members actually threatened to seize a building themselves if the militants were not granted all their demands and full amnesty for their unconscionable actions.

What is our Nation coming to?

Not only did most of the faculty, the president, and the administrators of Cornell University display a complete lack of courage, but, in my judgment, a complete lack of commonsense.

Yes, commonsense—the most elemental commonsense should tell any college official that supine capituation to the demands of any armed group can only lead to more outrageous demands and more chaos.

Cornell has achieved no peace, no victory. It has achieved only a Munich. It has said to the students, "The way to get what you want is to obtain shotguns and rifles and seize a building."

Now there is a ray of hope at Cornell. Reports today indicate that the surrender to armed force is bringing about a faculty rebellion. Several professors have resigned and others are petitioning for firm action against the student rebels.

But Cornell remains, as of today, a tragedy. It is not an isolated incident—except for the presence of rifles and shotguns. It is but one of hundreds of campus disorders.

At the same time that the Cornell affair was in the headlines, the news from campuses in the Washington area was also full of strife: a building seized at George Washington University, another at American University, and a boycott at Howard University.

I was pleased to hear that George Washington University is bringing action against those who brought on the disorder there.

And in my own State of Virginia, Hampton Institute was closed after students seized the administration building.

Perhaps it is significant that it was students who ejected the militants from the seized building at American University, and that shortly afterward a band of students at the University of Maryland prevented a takeover of a building there by forming a wall and keeping out the militants.

These students were taking the law into their own hands, and that is a dangerous business. But it is hard to blame them, when college officials fail to act to uphold the order and rule of reason that are the soul of any academic community.

Maintaining order on campus is not the responsibility of students. And it is not the responsibility of the Federal Government.

Ultimately, the officials of the Nation's colleges are going to have to show some courage. The alternative is the destruction of our educational system.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TUESDAY, APRIL 29, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Tuesday next.

The motion was agreed to; and (at 3 o'clock and 16 minutes p.m.) the Senate adjourned until Tuesday, April 29, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate April 23, 1969, under authority of the order of the Senate of April 22, 1969:

U.S. Circuit Judges

George E. MacKinnon, of Minnesota, to be U.S. circuit judge for the District of Columbia Circuit vice Charles Fahy, retired.

Roger Robb, of the District of Columbia, to be U.S. circuit judge for the District of Columbia Circuit, vice John A. Danaher, retired.

Atomic Energy Commission

Theos J. Thompson, of Massachusetts, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1971, vice Gerald F. Tape, resigned.

In the Air Force

The following cadets, U.S. Air Force Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284, title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

Abbott, James R.
Abbott, Richard L.
Adams, Richard B.
Adkins, Alfred L.
Aldrich, Charles L.
Alexander, Robert D.
Alexander, William L.
Allen, Edward H.
Allen, Robert W., Jr.
Allen, Thomas L.
Ambrose, David E., III
Andersen, David B.
Anderson, James E.
Anderson, James N.
Anderson, Terrance M.
Andrus, Burton C., III
Arn, Robert M.
Arnold, James L.
Astle, David L.
Baer, Howard S.
Bailey, Maxwell C.
Bailey, Roger W.
Baker, Hab, III
Baldwin, Charles G.
Ball, Gerald D.
Balven, Terry L.
Banbury, John Q., II
Barnett, Steven D.
Bassi, Richard A.
Bauer, David L.
Baumgardner, Thomas R.
Bear, Jonathan R.
Beavers, Jessie K.
Becker, Michael L.
Beezley, Michael J.
Belden, Richard P., Jr.
Bell, Robert G.
Bench, Patrick S.
Bendjebar, Ralph H.
Bennett, George M.
Bennett, Robert W.
Bennett, Robert W.
Berg, Walter R.
Berry, Allison S.
Berry, Carlis G., Jr.
Bigler, John M.
Bitterman, Thomas L.
Black, Thomas J., III
Blonshine, Brandon P.
Boesche, Gerald V.
Bogusch, Roy J.
Bond, Ronald L.
Bolme, Gerald D.
Bond, Ronald L.
Bone, Gary M.
Bonelli, George W.
Boon, Thomas S.
Bose, Clarence M.
Bottomly, Roc
Bower, Jeffrey H.
Boyd, Norris D., Jr.
Boyer, Charles A.
Boyer, John P.
Bradley, Donald M., Jr.
Brady, Terrence J.
Brau, James Edward
Brewer, Dwight C.
Brieschke, Larry R.
Brothers, Kenneth G.
Brown, Gerald E.
Brown, Ronald K.
Brown, Russell A.
Bruce, Karl N.
Brummitt, John D.
Buchanan, Edwin C.
Buckingham, William A., Jr.
Buckner, John H., Jr.
Bunton, Clark J.
Burmeister, Michael D.
Burns, John J., Jr.
Busching, Richard K.
Byington, Kent L.
Cain, Donald D.
Callen, Ronald C.
Cameron, George C.
Camm, John A., Jr.
Camp, Gene P.
Campbell, Donald G.
Campbell, James C.
Campbell, Jeferey S.
Cargill, Lance R.
Carlton, Paul K., Jr.
Carney, Robert J.
Carrier, Michael H.
Carter, Stephen P.
Caruthers, Timothy D.
Case, Thomas R.
Cavato, Marty J.
Censullo, Francis X.
Chapman, Frank W.
Chase, James A.
Cherry, Clyde S., Jr.
Chipman, Michael A.
Chisholm, Robert H.
Clark, Dwight E.
Clark, Ernest S.
Clark, Nathan B.
Clemmensen, Charles E.
Cline, Barry P.
Collier, Thomas W., Jr.
Collins, Richard C.
Colvin, Dennis P.
Combs, Gary D.
Cook, Daniel B., Jr.
Cook, David C.
Cook, Michael J.
Coppinger, Roy W.
Corbett, Philip J.
Cornella, Robert P.
Countryman, Frank W., Jr.
Courington, Timothy H.
Creighton, Barry F.
Crittenden, Burr L., Jr.
Croft, Frank C.
Crowder, George E., Jr.
Crutchfield, Clifton D., Jr.
Cummings, James B.
Curetmendez, Juan A.
Curtis, Christopher L.
Daeke, Lynn E.
Dalecky, William J.
Dallager, John R.
Daly, Robert P., II
Daniel, David S.
Daves, George L.
Davidson, John A., II
Davis, Daniel R.
Davis, Gary K.
Davis, Jack W.
Davis, John M.
Davis, Robert C.
Dawson, Donald E.
Deaustin, Bradley J.
Deaver, Maurice A., Jr.
Defilippi, George, Jr.
Degroot, Douglas A.
Delcavo, Anthony
Delvecchio, Philip, Jr.
Demmert, Paul F.
Denault, Richard K.
Denney, William A.
Dessert, Donald M., Jr.
Devenger, Denny J.
Deweese, Garrett J.
Dewitte, Michael D.
Dezonia, John M.
Diehl, Ronald L.
Dodson, Thomas L., III
Doherty, Thomas J.
Dolan, Kevin
Donnelly, James L.
Dowell, William J.
Downes, Earl R.
Downey, James W.
Doyle, Richard B.
Dryden, James A.
Dunham, Alan D.
Dupre, David R.
Dyer, Leslie R., III
Dyer, Stephen L.
Dyre, Rulin T.
Early, Charles L., Jr.
Eaves, James B.
Eberhardt, James A., Jr.
Edelman, Steven H.
Edwards, John O., Jr.
Ellis, William H., Jr.
Enger, James M.
English, Lewis W.
Erickson, James A.
Erickson, Ronald C.
Evans, Elmo A., Jr.
Evans, John H., III
Evans, Thomas H.
Fagerson, Thomas D.
Farrell, Paul W., II
Fenno, Donald K.
Fischer, Mark W.
Fitzpatrick, John D.
Fleming, Thomas D., Jr.
Fletcher, Dennis A.
Forsythe, Hugh H.
Foster, Eugene A.
Foster, James A.
Fratt, Robert D.
Freeman, Michael S.
Freeman, Ralph H., Jr.
French, Craig S.
Freshwater, Kenneth B., Jr.
Froehlich, Ralph A.
Fuller, George A.
Galli, Paul Jr.
Gardner, Guy S.
Garrard, Walter E., Jr.
Garrison, Donald L.
Garvey, Robert P.
Gattie, Jeffrey L.
Gemignani, Robert J.
Giffard, Kenny N.
Gillette, Stephen C.
Gillig, Michael G.
Goettler, Stephen J., II
Golart, Craig S.
Goldfain, Gary D.

Gonzales, James J.
Goode, Michael L.
Gorman, Charles D.
Graham, John F.
Grandjean, Richard L.
Gray, Terry D.
Green, William V., IV
Grenard, Michael R.
Griffith, William M.
Grime, Jeffrey R.
Gukich, Michael R.
Guyote, Michael F.
Haas, Richard J., Jr.
Haber, William F.
Hagelin, Richard H., III
Hagins, Ralph T., Jr.
Hakeman, Thomas G.
Hallenbeck, Ralph G.
Hallett, John W., Jr.
Halvonik, Peter P., Jr.
Hamilton, David
Hamlin, Goeffrey R.
Hamlin, Kenneth E.
Hammond, Charles H., Jr.
Hammond, Stephen O.
Hammond, Terry A.
Haney, William R.
Hannah, Steven R.
Hansen, James G. R.
Hanson, Robin H.
Harrington, Steven
Harris, Lawrence H., II
Harris, Robert H.
Hart, Robert L.
Hartman, Roger D.
Hartmann, David H.
Hasek, Joseph
Havrilla, Robert J.
Haygood, Ray
Haynes, Michael L.
Head, Charles W., III
Hefner, Richard S.
Hendrix, Dale A.
Henkelman, Alan W.
Henry, David T.
Henry, William C.
Herbert, Randy P.
Herklotz, Robert L.
Herrington, Clarence O., Jr.
Herrington, Norman L.
Hewitt, James U.
Hinchey, John A.
Hindmarsh, George R.
Hinman, Craig G.
Hodges, Terry B.
Hoe, Gary L.
Hogan, Jimmy D.
Holder, Ronald C.
Honaker, Raymond R.
Hope, Christopher
Hokpins, Stephen V. C., III
Hopper, John D., Jr.
Horacek, Jack W.
Hoskins, James A.
Hosmer, Charles R.
Howe, Gary S.
Howe, Robert M., Jr.
Howell, Lawrence D., Jr.
Howland, Walter T.
Huber, Benedict E., Jr.
Huber, Thomas P.
Hughes, David E.
Humphreys, Elton R.
Hunt, Allan R.
Huntley, Jerry S.
Ingersoll, Howard J.
Ingram, Scott D.
Jackson, Charles A.
Jackson, Michael B.
Jaeger, Warren P.
Jarvi, Kenneth T.
Jenkins, William T.
Johannes, William E.
Johnson, Christopher W.
Johnson, Lee S.
Jones, Dennis D.
Jones, Edward R.
Jones, Robert R.
Jones, Thomas D., Jr.
Joyal, George W.
Judas, Robert A.
Justin, Joseph E.
Kaiser, Carl F., Jr.
Kalmus, Dennis E.
Kamnicky, George W.
Kane, Glen J.
Katnik, Dana R.
Kay, Steven A.
Kaylor, Michael H., III
Keating, Raymond
Keck, Philip W.
Keck, Thomas J.
Keil, Carl R.
Kells, Richard E.
Kendall, Thomas R.
Kennedy, William S.
Keyserling, Steven
Kieffer, William R.
Kile, Raymond L.
Killeen, Joseph M.
Killian, Kirby L.
King, Randall B.
Kirby, Stephen W.
Kirkpatrick, Robert J., Jr.
Kleiner, Eric J.
Klindt, Michael J.
Kline, David R.
Knox, Norman H., III
Koerner, William S.
Kohlmyer, Kenneth J.
Kohn, Robert A.
Kolet, Steven A.
Kolodzinski, David C.
Kotti, George H.
Kronberg, Gergory M.
Kruppa, Joseph N., Jr.
Kubicz, Lawrence
Kudiac, Milton P.
Kula, James D.
Kumabe, Bert T.
Lacey, Michael R.
Lake, Peter G.
Land, Edward C., II
Larkins, Richard D.
Laws, Harry F., II
Laws, Warren P., II
Leatherbee, William E.
Lee, Charles W.
Leland, Alanson H.
Lempke, Roger P.
Lenny, William H., III
Lesberg, Martin J.
Leuthauser, James L.
Lewis, Joseph B., Jr.
Lindner, Gary L.
Lisowski, Ronald J.
Little, Kenneth H.
Loberg, James C.
Lobritz, Richard W.
Lockhart, George B.
Louden, Larry C.
Lough, John M.
Love, James E.
Love, Ronald H.
Love, Tommy L.
Lovejoy, John H.
Luallin, Gerald D.
Luders, James R.
Lumme, Terry A.
Lutterbie, Thomas P.
Lykins, Thomas W.
Lynch, Theodore D.
Lynn, David K.
Mabry, Charles E.
Macaluso, Kenneth B.
Magill, William S., III
Maher, Joseph P.
Maisey, William A., III
Malinovsky, Raymond A.
Mang, Douglas K.
Marcotte, Ronald C. J.
Mars, Stanley E.
Marsh, Cary R.
Martin, Douglas K.
Martin, John W., Jr.
Martin, Michael E.
Martin, Victor M.
Marvel, William M.
Mason, Timothy H.
Materna, Robert D.
Matheson, Scott W.
May, Michael G.
Mays, Denton L.
McBride, James W.
McCarthy, Dennis T.
McCormick, Joel C., III
McCracken, Ronald W.
McCree, William A., III
McDonald, James M., Jr.
McElmurry, Thomas T.
McGalliard, Michael R.
McGrain, Thomas R.
McGrath, William J.
McGuirk, Dennis P.
McKellar, Larry W.
McKenzie, Burton E. Jr.
McMurphy, Michael A.
McNally, Edward
McNaught, William, III
McNear, Alan B.
McSwain, Donald L.
Medlin, Kenneth A.
Meece, Jeffrey W.
Mellor, Guy L.
Melly, Peter J.
Merell, John C.
Metts, Richard D.
Metzler, Douglas L.
Mikolajcik, Thomas R.
Miller, Glenn O.
Miller, James E., Jr.
Miller, John C.
Miller, William T.
Mitchell, Douglas J.
Mobley, Michael W.
Modzelewski, Michael F.
Monico, Paul D.
Moore, Lynn H.
Moore, Richard P.
Moore, William F.
Moorhead, Glen W., III
Morehouse, Merl A.
Morgan, John R.
Morrison, Wade B.
Morton, Larry E.
Mosley, Thomas W.
Mraz, Mark A.
Mueller, Timothy A.
Mumme, David
Munninghoff, Paul
Murawski, Robert
Murphy, Terance P.
Musholt, Michael J.
Nadolski, John M.
Nall, Robert H.
Nelson, Brian W.
Nelson, David A.
Nelson, Jon L.
Nelson, Ronald E.
Nenninger, Joseph C.
Neumann, Robert W.
Nielsen, David J.
Nielsen, Ronald A.
Noltensmeyer, David G.
Nuss, Kenneth C.
Ogg, Robert K.
Ogilvie, James W.
Ohagan, Richard B.
Olafson, Frederick K.
Olds, Ronald L.
Oliver, Thomas W.
Orgeron, James J.
Ortmeier, Richard H.
Orzechowski, Sigmund
Osterthaler, Robert T.
Osthoff, William M.
Ottofy, Frank B., III
Overstreet, Jack C., Jr.
Ownby, Harrold K.
Padlo, Richard A.
Page, Martin L.
Paglia, Ralph F.
Paine, Robert L.
Park, Tom N., Jr.
Parker, Roy E., II
Parris, Howard L., Jr.
Parsons, Julius C., Jr.
Paul, Craig A.
Paulson, Christopher R.
Pavel, Arthur L.
Pavel, Richard A.
Percy, James R.
Personnett, Joseph A.
Petek, James M.
Peterson, Ronald J.
Phillips, Robert D.
Pierce, Ronald L.
Pillari, Thomas
Pittman, Stephen R.
Platt, Peter R.
Polnisch, Arthur B., Jr.
Posner, Jeffrey M.
Powell, Ralph E., Jr.
Powell, William M.
Praser, Donald E.
Prenger, Larry B.
Puryear, Armistead D.
Quinn, Francis J., Jr.
Raab, Henry S.
Rakestraw, Don W.
Ransdell, Stephen J.
Reddy, John A.
Reed, Roy L., Jr.
Reiter, Berwyn A.
Rhodes, Tracy
Richards, John A.
Rifenburg, Gerald L.
Riley, John E., Jr.
Rittenmeyer, Kenneth A.
Rivers, Richard F.
Roberts, Earl E., III
Roberts, Lance W.
Robinson, James N.
Robinson, King S.
Rose, Michael T.
Rosen, Stanley G.
Ross, William D., II
Rue, Robert C.
Ruth, Robert L.
Ryan, John H.
Ryan, Patrick W.
Ryan, Robert E.
Rydlewicz, John M.
Ryll, Dennis L.
Salas, Jesus T.
Salmon, Thomas J.
Sammonds, Ronald F. Jr.
Samuel, Thomas H.
Santillo, Vincent J., II
Savage, Bryan J.
Savage, James W., Jr.
Schaffer, Harold A.
Schaller, Robert N.
Schilling, David A.
Schlabs, Glenn H.
Schmeer, Franklin C.
Shuckemoehl, John A.
Schott, Douglas W.
Schreck, Ronald L.
Schutt, Robert C., Jr.
Schwalier, Terryl J.
Schwall, Arthur W., Jr.
Schwartzel, Gerard D.
Schwarze, Frederick C., Jr.
Scott, Val L.
Scyocurka, Mark L.
Seltzer, Stanley R.
Sezna, Edward W.
Shinoskie, John J.
Shortridge, Dennis L., Jr.
Shumway, Thomas R.
Sicilio, Lee
Simons, James R.
Sisson, Patrick L.
Skinner, Ernest M.
Skorupa, John A.
Smiley, Jeffrey L.
Smith, Joel A.
Smith, Joel A.
Smith, Niles E.
Snapp, Elbridge L., III
Snead, Joseph K.
Snyder, Jeffrey L.
Solomon, Tommy D.
Sonnenberg, Scott B.
Soteropoulos, Steve M.
Speace, Lyle M., Jr.
Spears, Daniel I., Jr.
Spencer, David O.
Spooner, Richard E.
Spradling, William O., Jr.
Stake, Terry L.
Stanicar, David
Starr, Benjamin F., III
Stavely, Johnny A.
Stearns, Michael L.
Stellmon, Lawrence E.
Stephenson, Blair Y.
Stephenson, Thomas J.
Stevenson, Kenneth E., Jr.
Stewart, Fredric G.
Stewart, Kirk D.
Stober, Mell J.
Storey, James
Stowe, Stephen D.
Sturm, Steven R.
Sullivan, Ronald J.
Sullivan, William G.
Summers, Wilson, IV
Sutter, Robert J.
Swanson, Richard E.
Taggart, David A.
Talladay, Keith R.
Tambone, Victor J.
Taraska, Joseph M., Jr.
Tausch, Hans J., Jr.
Taylor, Gregory F.
Taylor, James R.
Telizyn, James G.
Terhune, James A.
Tetlow, Lewis J., III
Thiessen, Michael R.
Thode, Paul T.
Thompson, Steven A.
Thompson, William C., III
Tibbetts, Daniel M.
Tobolski, Jeffrey J.
Toews, Robert H.
Toops, Thomas A.
Topper, Dennis R.
Toth, Robert S.
Tousley, George H., III
Travers, Samuel S., Jr.
Trenton, Jefferson E.
Troy, Robert W.
Tsetsi, Steven M.
Tucker, Barton C.
Turco, John A.
Turner, David C.
Turner, Henry M., Jr.
Tuttle, William T.
Tyre, Larry W.
Upton, Craig P.
Utter, Harry W.
Vanderhorst, Daniel R.
Vandoren, Alan S.
Vanmeter, Robert H.
Vanzelfden, Eugene A., Jr.
Vollmer, Charles D.
Vreeland, Alan D.
Wade, Billy K.
Wade, Richard G.
Wagner, David J.
Wagner, Hans E.
Waldron, Matthew B.
Waldrop, James M.
Walinski, Carl O.
Walker, Robert A.
Waller, William C., Jr.
Walls, Donald W.
Walti, James R.
Walton, Larry K.
Walts, Gregory L.
Ward, Malcolm R.
Warner, John J.
Warren, Wayne W.
Wax, Charles J.
Weinert, Charles L.
Wiese, Edward W.
Wetterer, Michael T.
Weyermuller, Arthur P.
Whalen, Eugene R.
Whitcomb, Darrel D.
White, Roy M.
Wieringa, Ross W.
Wigle, Richard L.
Wilkins, Richard G.
Willett, Thomas E.
Williams, James E.
Wilson, Ralph W.
Wise, Jeffrey L.
Wiseburn, Lawrence P.
Wittwer, Leon A.
Wood, Frank R.
Wood, George W.
Wood, John J.
Wood, Rodney W.
Yost, Robert D.
Young, John H.
Younghanse, John M.
Zier, George S.
Zimmerman, Donald A.

The following cadets, U.S. Military Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284, title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

Andrews, John M.
Blay, Barry C.
Champagne, John A.
Crenshaw, Kent R.

Dunaway, David W.
Fell, Frank B., III
Fly, Hugh G., III
Fowler, Richard T.
Funderburke, Charles R.
Goff, Lerop R., III
Hatch, Andrew M.
Himes, David A., Jr.
Hozier, George C., Jr.
Jarman, Richard S.
Kirby, David D.
Logan, Henry R., III
Marshall, Douglas W.
McDermott, David W.
Morrill, Brian E.
Murr, Paul E.
Neeley, Patrick F.
Nigro, Arthur J.
Nix, Warren S.
Payne, John B.
Seiler, James R., Jr.
Turk, Charles F.
Walkenbach, James E.

Executive nominations received by the Senate April 24, 1969, under authority of the order of the Senate of April 22, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Guilford Dudley, Jr., of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

COMMUNICATION SATELLITE CORP.

George Meany, of Maryland, to be a member of the Board of Directors of the Communications Satellite Corp. until the date of the annual meeting of the corporation in 1972. (Reappointment.)

TRUST TERRITORIES, PACIFIC ISLANDS

Edward E. Johnston, of Hawaii, to be High Commissioner of the Trust Territory of the Pacific Islands.

Executive nominations received by the Senate April 25, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Francis J. Galbraith, of South Dakota, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Indonesia.

Robert H. McBride, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico.

Sheldon D. Vance, of Minnesota, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo.

U.S. ATTORNEYS

Lincoln C. Almond, of Rhode Island, to be U.S. attorney for the district of Rhode Island for the term of 4 years vice Edward P. Gallogly.

David J. Cannon, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin for the term of 4 years vice James B. Brennan, resigned.

Ira De Ment, of Alabama, to be U.S. attorney for the middle district of Alabama for the term of 4 years, vice Ben Hardeman, resigned.

Sherman F. Furey, Jr., of Idaho, to be U.S. attorney for the district of Idaho for the term of 4 years vice Sylvan A. Jeppesen, resigned.

U.S. MARSHALS

Harry D. Berglund, of Minnesota, to be U.S. marshal for the district of Minnesota for the term of 4 years vice William F. Melchow.

Victor Cardosi, of New Hampshire, to be U.S. marshal for the district of New Hampshire, for the term of 4 years vice Paul G. April, resigning.

Thomas K. Kaulukukui, of Hawaii, to be U.S. marshal for the district of Hawaii for the term of 4 years vice Wesley H. Petrie.

IN THE ARMY NATIONAL GUARD

The Army National Guard of the United States officers named herein for promotion as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3392:

To be major general

Brig. Gen. John R. Carson, O1574211.

To be brigadier generals

Col. Jack W. Blair, O376496, staff specialist corps.

Col. Larry C. Dawson, O370754, Artillery.

Col. John N. Owens, O1558670, Armor.

Col. Alberto A. Pico, O386119, Infantry.

IN THE ARMY

The following-named person for reappointment in the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be colonel

Goodhand, O'Glenn, O51511.

The following-named persons for appointment in the Regular Army, by transfer in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294:

To be captains

Harrington, George S., O89660.
Labat, Roger J., O91307.
Metz, Leon B., Jr., O96295.

To be first lieutenants

Berliner, Daniel S., OF108457.
Dalton, Bruce A., OF106289.
Ficara, Anthony J., OF105950.
Goodloe, Samuel Jr., OF105411.
Kingry, Roy L., O98794.
Kramer, Kenyon K., OF103430.
Seglie, Floyd R., OF106016.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be lieutenant colonel

Pezzelle, Roger M., O1326875.

To be majors

Blanton, Duane H., O4010445.
Blasingame, Robert M., O2003016.
Butler, Alman I., O4006419.
Cronen, James S., O2265196.
De Shields, William A., O4004758.
Gentry, William R., O4056195.
Lippert, Gerald D., Sr., O4030703.
Marett, James D., O4023646.
Martina, John R., Jr., O1890633.
Moore, Clyde F., O1930173.
Orr, Clyde H., O1939660.
Peachey, William N., O4005342.
Reaser, Clarence L., O2288965.
Stevens, Ronald J., O4010093.
Treuer, Warren L., O2272277.
Williams, Allen C., O1877173.
Wood, Theodore D., O4006712.

To be captains

Alton, Carlly L., O4026349.
Bibbins, George L., O5205432.
Biegel, Alfred, O5008930.
Blanford, Raymond V., O2289306.
Boger, James A., O5413744.
Bruns, James D., O5502400.
Burnett, Lewis G., O5408169.
Calderone, Joseph E., O5227690.
Carroll, William P., O5002134.
Erickson, Ralph D., O2315435.
Estes, Ernest F., .O5309941.
Fechner, Martin A., O5330228.
Felder, Ned E., O5308144.
Flemming, Herbert M., O2311216.
Flippen, Edward A., Jr., O2307695.
Gardai, La Vern W., O2313364.
Hanft, John W., O2319227.
Hart, Michael N., O2320751.
Higgins, John J., O5516885.
Hines, Eugene D., MN2298106.
Hoh, David W., O5501506.
Hopkins, David G., Jr., O5540586.
Hrabal, Teddy H., O5401419.
Hudnall, William R., O5215620.
Hunt, Dennis R., O2319717.
Irwin, David S., O2325504.
Jesmer, David G., O5704036.
Johnson, Howard W., O2317366.
Johnston, Carl F., O3021588.
Lacaprucia, Anthony W., O2284748.
Lauck, Lawrence P., O5706417.
Lawrence, Ronald A., O4010853.
Lebeau, Richard L., O5703915.
Lerman, Robert H., O2325538.
Lister, Robert C., O2325795.
Little, Clarence D., O5412648.
Marlor, Gordon E., O5315381.
Menking, Hugh M., O5404287.
Miller, Murray J., O5540610.
Morris, Jerry J., O5325913.
Nass, Bernard F., O5501755.
Parker, Ellis D., O4063813.
Parmesano, Vincent, O4069609.
Plank, Harold E., O5518031.
Plooster, Orin D., O4041521.
Prescott, Donald P., Jr., O4052741.
Price, Edward E., O2305894.
Puopolo, Anthony D., O5245055.
Rodman, Orlando G., Jr., O5239913.
Rose, Harold L., O2273888.
Ruben, Harvey L., O5541817.
Schumacher, John W., O5519030.
Sims, Emmett W., O1939877.
Smith, Byrd, O5304648.
Stivison, James R., O5205540.
Tate, George W., O5309676.
Thompson, Flora G., L2299927.
Todd, Robert A., O5712945.
Vanderburgh, Daryl C., O5501715.
Van Horn, John T., O5502373.
Walker, Conrad N., O5500422.
Warren, Daniel C., O5232354.
Williams, David W., O5220222.
Wootton, Robert J., Jr., O2317425.

To be first lieutenants

Anderson, Lewis C., O5326183.
Arturo, Louis A., O2323992.
Bailey, Harvey E., O2317939.
Behlendorf, Jack R., O2320816.
Beidleman, Robert T., O5318129.
Bell, Richard A., II, O5414540.
Brick, Samuel T., Jr., O2337381.
Canar, Robert B., O5536392.
Cape, James W., O5324428.
Casalengo, Roger W., O5329615.
Clements, Kenneth B., O5319720.
Close, Dale H., O2334464.
Cole, Robert A., O5012090.
Cole, William C., O5519838.
Creel, Joe C., O5328116.
Dalton, Robert B., O5406285.
Dombrowski, Robert J., O2311025.
Endress, James R., O2323929.
Fike, John A., O3203265.
Franklin, Jerry L., O5421196.
Frye, Richard H., O5406962.
Gaskins, Philip W., O5304895.
Goodman, Michael J., O5423538.
Greenberg, Stanley I., O2331745.
Guenther, Raymond, O4045050.
Gunn, Wilburn J., O5326894.
Gunton, Joseph A., Jr., O5419022.
Handley, William M., Jr., O5317239.
Harvill, Daniel O., Jr., O5327711.
Hedgpath, Donald R., O2312294.
Heuple, Larry W., O5707676.
Hickok, Philip J., O5011760.
Hicks, Lewis P., O5260405.
Hilliard, Henry C., Jr., O5206827.
Hobbs, Charles H., O2321876.
Johnson, Charles W., O3177462.
Johnson, Joyce G., N5519472.
Johnson, Judd R., O5225090.
Jordan, Ernest A., Jr., O5331449.
Kahn, David S., O5323689.
Kaplan, Michael P., O5326727.
Kelly, David S., O5406063.
Kirbo, Thomas L., III, O5327887.
Kohler, William F., Jr., O5224669.
Kraus, Kenneth L., O5531703.
Larson, Roy L., O5713454.
Lees, Matthew N., O5534259.
Lomonaco, Lawrence J., O5021239.
Mack, John S., O5530398.
Magee, Douglas M., O5318059.
Martin, Bonnie E., J5422069.
Martin, Robert J., Jr., MN2325725.
Mayer, Frank H., O5406344.
McCann, Don B., O5325132.
McCannel, Michael K., O5318378.

McKinney, James H., O5309601.
McMonigle, James D., O5312168.
Meade, Dillard W., O5318231.
Miller, Joe D., O2335459.
Mittag, Carl F., O5707973.
Moch, Ronald W., O2325330.
Mohr, Richard J., O2332035.
Mulroy, Patrick D., O5535312.
Murray, George T., O5703774.
Nebergall, Allen V., O5312959.
Norris, James R., O5328276.
Oney, Jerry T., O5227915.
Palmer, James E., O5331212.
Pape, Dean G., O5535215.
Pape, John C., O5326955.
Pearce, Maurice C., MN2315673.
Peterson, Jon M., O2311441.
Phillips, Stephen N., O5329256.
Pipkin, Marvin L., O5327560.
Ray, Max A., O5412217.
Reid, Wilbur R., O5318076.
Reiman, Lawrence N., O5417009.
Rinaldo, Richard J., O5016186.
Roche, John J., O5205334.
Rose, Richard J., O5418174.
Segler, Roger L., O5406393.
Shaw, Michael L., O5417987.
Shirley, Bobby G., O2313662.
Slapkunas, Raymond, O5013727.
Stephens, Charles D., O5414201.
Trowbridge, Joseph W., O5414467.
Ward, Franklin M., O2302464.
Wolcott, Charles H., O5417588.
Woodard, Larry H., O2307892.
Wylie Alexander C., O5016742.
Wyrosdick, James D., O5323610.

To be second lieutenants

Anderson, Charles W., O5326181.
Barham, Edgar D., O2320856.
Batistoni, Joseph M., O5254258.
Bendele, James C., O5403534.
Berkley, Nathan R., O5000750.
Bijold, Gerald P., O5420209.
Bischoff, Jerome F., O2327517.
Boswell, Robert E., O5337208.
Campbell, Robert W., Jr., O5340420.
Crews, Gerald L., O5233488.
Evans, John M., Jr., MN5265153.
Evans, Richard A., O5338629.
Gauthier, Alfred T., O5427568.
Hobrle, John W., O2316927.
Huckabee, Robert H., O5343582.
Jacks, Clyde E., Jr., O5334564.
Johnson, Richard C., O5335260.
Karpman, Lawrence I., O5341082.
King, Roger S., O5424825.
Lancaster, Henry W., O5426807.
Long, Dallas L., Jr., O5257059.
Nixon, Woodard L., O5332057.
Rand, James T., O5424958.
Redding, James K., O2319545.
Rhame, William F., Jr., O5351874.
Spencer, Robert W., O5714426.
Strabel, Edward W., O5338550.
Swanson, Walter W., Jr., O5419668.
Thomas, John H., O5713042.
Todd, James C., O5235734.
Trahey, John H., O5261960.
Weinberg, Michael H., O5242616.
Wieczorek, Robert L., O5240313.

The following-named scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Alexander, Richard B.
Alvarez, Encarnacion Vicen A.
Barber, Frank A.
Bassham, Lanny R.
Borgen, Mack W.
Brownback, Peter E., III
Carpenter, Fred V.
Carrese, Francis P.
Carter, Victor S., Jr.
Caryl, Michael R.
Crane, Edward P., II
Daniels, Lawrence R.
Donnelly, Terence M.
Dowell, David R.
Dunegan, Michael W.
Durgin, Chesley F., Jr
Ebertz, David C.
Ferrell, Richard J.
Frye, Phillip R.
Greer, Jason H.
Hall, John B.
Hansen, Chris J.
Hargus, Patrick K.
House, George W.
Howe, Stephan D.
Kaukl, Douglas J.
Kiesling, Victor J., Jr.
Knapp, Dennis R.
Knight, Sammie S.
Madden, John J., Jr.
Martinez, Carlos G.
Merrill, Charles F., III
Midgette, Hallas C., II
Mills, Warren E.
Mortimer, Evan E.
Mote, Doyle K.
Neitzke, Walter C.
O'Cain, James M.
Oetgen, William J.
Palmer, Charles M.
Pendlyshok, Charles A., Jr.
Petterson, Maurice E.
Phillips, George L., Jr.
Piacente, David A.
Rank, John T.
Rathofer, Steven A.
Rupp, James A.
Sauer, John G.
Slay, Robert D., Jr.
Smith, Steven R.
Stevens, Gary L.
Sutton, Ernest L.
Taylor, Vaughn E.
Thrasher, Warren A., Jr.
Vagt, Robert F.
Vickery, Arnold A.

The following-named cadets, graduating class of 1969, U.S. Air Force Academy, for appointment in the Regular Army of the United States in the grade of second lieutenants, under the provisions of title 10, United States Code, sections 3284 and 4353:

Griffin, Riley T.
Thrasher, Jack H.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Abbott, Lloyd M., Jr.
Abbott, Wayne E.
Adkins, Glenn D.
Aldridge, Marion J., Jr.
Alfieri, Ronald J.
Allen, James H.
Anderson, Richard T.
Armstrong, Robert B.
Arner, Mark C.
Bailey, John D., IV
Balding, Larry D.
Ballenger, John P.
Banks, John T.
Barber, Dana Q.
Barnett, Thomas H., II
Bartell, Frank J., III
Bass, Selman L.
Battin, James D.
Bauer, William T.
Bauslaugh, George C.
Beach, Donald W.
Beck, Steven R.
Bell, David M.
Beller, Robert E.
Benowicz, William E.
Berry, Edmund F.
Besozzi, Paul C.
Bezpaletz, Reuben D.
Bicad, Jesse A., Jr.
Black, Donald C.
Blegen, Jon A.
Bliss, Thomas C.
Blood, Leigh J.
Bobb, Arthur L.
Boucek, William C., II
Bowers, William T.
Boyer, Craig S.
Braddy, John R.
Bradford, Ralph E.
Brandt, William M.
Braud, Gerald R.
Brillon, Joseph L.
Briscoe, Charles A.
Brown, Chandler R., Jr.
Brown, James D.
Brown, Peter L.
Bryant, James K.
Bryant, John L.
Bryant, Robert B.
Buckley, John S.
Burdulis, Darryl J.
Busa, Joseph L., Jr.
Butler, Larry K.
Butler, Victor D.
Cafarelli, John T.
Cardwell, Barry E.
Carpenter, Daniel E.
Carpenter, Michael E.
Case, Steven T.
Cassidy, John J.
Cassidy, Richard P.
Cates, Robert W.
Chamberlain, William N.
Chapin, Beverly R.
Chase, Harry J.
Chenault, Thomas D.
Christensen, Alan B.
Cloyd, Walter L., III
Colby, William H.
Cole, Charles R.
Coling, James H.
Collins, Rollins J.
Comstock, James W.
Connallon, Peter F. Jr.
Cook, Phillip A.
Coram, Henry G.
Cornwell, Ronnie J.
Costner, Gerald R.
Cowden, John W.
Creek, James H.
Cregler, Anthony L.
Croswhite, Timothy L.
Cruz, Juan A.
Curry, Robert A.
Dahlgren, Steven L.
Dalby, Garry M.
Dalelio, John A.
Dashawetz, Stanislaus
Daugherty, Stanley A.
Dean, Joseph S.
Deeker, Donald L.
Degenova, Ben A.
Delaney, Michael F.
Delong, Robert F.
De Los Santos, Arthur
Delpizzo, Dennis J.
Dent, Samuel R.
Depew, Richard L.
Desanzo, Louis R.
Dessel, Gregory F.
Dickinson, Rollie M.
Dohanos, Dennis W.
Donegan, George M.
Dorsey, John E.
Douglas, Edward E., III
Dow, Steven H.
Draganac, John R.
Drake, Randall V.
Drusendahl, Robert J.
Duggan, Dennis
Dugger, James D., Jr.
Dunn, Michael D.
Durham, Jesse C., Jr.
Dwyer, John T.
Dyer, David R.
Dyer, Joseph C.
Eaton, Gary H.
Emig, Calvin L.
Engel, James L.
Englisby, John M.
Evans, Ronnie D.
Fairchild, William V.
Fender, Keith M.
Ferrell, James C.
Fine, Gregory L.
Finnell, Martin W.
Fiorito, Michael J.
Fisher, John S.
Fortune, John O.
Frank, Larry S.
Freehan, Richard T.
Fullenkamp, Daniel R.
Furnish, Kenneth N., Jr.
Galbraith, Patrick J.
Gardner, Philip G.
Garwood, Charles E., III
Gatza, Daryl W.
Gehring, Frederick C.
Geis, John P.
Gerlich, Mark S.
Gfeller, Larry D.
Givin, Robert J.
Goff, Stephen L.
Gordon, Wilson J., III
Gossett, Warren C.
Griffin, John C.
Griffin, Troy D., Jr.
Griswold, Terry A.
Grochowski, Gerald W.
Grodi, Kenneth D.
Gronemeyer, Steven A.
Gunst, Richard F.
Haburchak, David R.
Hagy, James T.
Hall, Richard W.
Hallen, Dale W.
Halverson, Francis D.
Hand, William M.
Hand, William T., Jr.
Hanna, George M.
Hanson, Richard M.
Hardison, Stanley I.
Harris, Aubrey L., Jr.
Harris, Joseph R., Jr.
Harsh, Michael K.
Hatley, Curtis D.
Hatton, Sam E.
Hays, William J., Jr.
Helsing, Roy M.
Hendel, Gregory A.
Henslee, Don R.
Henson, Leonard A.
Heringer, Wayne L.
Herzer, William A.
High, Blanco T., II
Hightower, William E., III
Hill, Bruce G.
Hill, Frederick W.
Hillis, Lee E., Jr.
Hogan, Gary F.
Hokana, Warren R.
Holmes, John J.
Houser, Richard F.
Houston, Donald A.
Howe, Gregory A.
Hurt, Duane F.
Ingrum, John D.
Ives, Warren C.
Jacobs, John C., IV
Jagger, John F.
Jaudzimas, Walter J.
Johns, Richard C.
Johnston, James R.
Kahlert, Thomas A.
Kain, John M.
Kaminski, Dennis J.
Keeler, Russell L., Jr.
Keller, John B., Jr.
Keller, Larry R.
Keller, Raymond L.
Kelly, Craig S.
Kline, Michael C.
Kozlowski, Michael M.
Krieger, Donald A.
Kriz, Joseph R.
Kuklok, James G.
Lamb, Donald W.
Leddicotte, George C.
Lee, Bernard N., Jr.
Leighty, Joseph W., Jr.
Lewis, Robert R.
Lindsay, Jerome A.
Linebarger, James D.
Lowrey, Gerald B., Jr.
Lyle, William D.
Lynch, Stephen W.
Lynd, Patrick A.
MacPherson, John R.
Magruder, Lawson W. III
Makriyianis, Panos
Mallory, James E.
Marron, John F.
Martin, Edward T.
Martin, George K., Jr.
Mason, Kent A.
Maurer, Henry H.
Maxfield, Roger A.
McBrayer, Craig V.
McCabe, Tommy L.
McCathern, Rody L.
McGrew, Gary L.
McKendrick, John T.
Melton, John C.
Metzger, Stephen L.
Middleton, Richard L.
Miller, Charles E.
Miller, Gary R.
Miller, John F.
Miller, Ralph I.
Millis, Philip J. III
Mitchell, Robert A.
Mitchell, Thomas E.
Montgomery, Vernell T.
Moore, Harold D.
Muniz, Victor
Morgan, Jerry L.
Morrison, James E., Jr.
Munn, Raymond S.
Murphy, Joseph L.
Musgrove, Howard W.
Nabonne, Ronald P.
Nahay, Stephen A., Jr.
Nakanishi, Calvin T.
Nelson, Paul R.
Nessler, John P.
Norwood, James A.
Nosse, Richard L.
Oestreich, Henry B., Jr.
Olson, Marc R.
Onks, Paul F., Jr.
Ostrom, Wilson S.
Owens, James H., Jr.
Owsley, Seth C.
Page, Clarence W.
Parel, Robert J.
Pasko, Chester E.
Peiser, Robert S., Jr.
Perry, Michael A.
Petersen, Phillip A.
Peterson, Coleman H.
Peterson, Kenneth M.
Peyton, Virgil B.
Pichon, Gary W.
Pinkson, Reuben G.
Powell, Terry E.
Preston, Kenneth A.
Price, James C.
Puryear, James A.
Pyrek, John F., Jr.
Quaintance, John C.
Rader, Gilbert D.
Rakauskas, Vincent T.
Raybourn, Robert D.
Redmon, Alonzo L. II

Reierson, Richard C.
Reinhardt, Nelson K.
Retson, Nicholas P.
Reynolds, George D.
Reynolds, Richard W.
Reynolds, Robert Y.
Rindt, John W.
Robbins, Calvin L., Jr.
Robinson, Stanley L.
Rodrigues, Alfred B.
Rodriguez, Federico J.
Rose, Robert G.
Rowe, Stephen F.
Rowton, Joe R.
Roy, James W., Jr.
Rusk, James E.
Rystrom, Robert E.
Sandoval, Saul
Sandoz, Clark A.
Schepker, Lawrence W.
Scherer, William M.
Scherrer, Richard B.
Schmus, Donald J.
Schnittker, Gerald L.
Schroeder, Gerald A.
Schroeder, Waldo, Jr.
Schwan, Carlton F., II
Schwankl, David N.
Scott, Harry A.
Scott, James M.
Scott, Robert W., Jr.
Seymour, John F.
Shaw, David L.
Shea, Michael C.
Shelton, Travis D.
Shoemaker, Mark R.
Short, Earl H., III
Short, Noal S.
Shrouds, Robert H.
Slack, Rinner
Slade, Randall E.
Smith, Brian K.
Smith, Charles T.
Smith, David O.
Smith, Dean E.
Smith, Dean T.
Smith, Frederic F.
Smith, Rayburn L., III
Smylie, Robert P.
Snyder, Linden E.
Snyder, Shelton G.
Soff, Jeffery L.
Soriano, Edward
Southall, Valentine W.
Spevak, James A.
Sprout, James P.
Starr, Kenneth J.
Stavinoha, Raymond J.
Stebbins, David N.
Stephens, Thomas M.
Stephenson, George M.
Stone, Michael P.
Stroh, Timothy J.
Stump, Joseph E.
Suchke, Robert K.
Sullivan, Daniel B.
Sullivan, John K.
Sykes, Fred L.
Taff, George T., Jr.
Taylor, Thomas W.
Tharp, John R.
Thede, Peter J.
Thompson, Eugene E.
Thompson, Larry D.
Tibbetts, Carlos C. J.
Timmons, David W.
Torres, Ramul E.
Trinidad, Antonio J.
Trinidad, Wilfredo
Trounson, James W.
Tucker, Ray A.
Underhill, Carl J.
Uzzell, Rudyard S., III
Vaxmonsky, Albert L., Jr.
Verity, James E.
Vogas, James L.
Voss, Larry D.
Walker, Lewis H., Jr.
Walker, Marshall R.
Wall, William J.
Warlow, John D.
Warnke, Fred W.
Warren, James C., II
Washington, Darryl M.
Weatherholtz, Ruben E. III.
Webster, James M., Jr.
Weinnig, Albert F.
Weller, Michael P.
Welles, Reginald T.
Welsh, Frederick L.
Wharton, Paul D.
Wheeler, James A., Jr.
Whitlow, William D.
Wight, Michael G.
Wilcox, Thomas M.
Williams, Alfred E.
Williams, Barry O.
Williams, Michael L.
Wilson, Raymond W.
Wingeld, Maurice A., Jr.
Woelfer, Carl W.
Wolf, Curtis R.
Wolz, James P.
Wonnell, Donn T.
Wood, Ernest E., Jr.
Woodard, Robert R.
Wyss, John A., Jr.
Wozniak, Timothy A.
Yonz, Leroy A.
Young, Randolph S., III
Youngblood, Lloyd A.
Zink, Francis E., Jr.
Zunka, John W.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 25, 1969:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Harold B. Finger, of Maryland, to be Assistant Secretary of Housing and Urban Development.

INDIAN CLAIMS COMMISSION

Brantley Blue, of Tennessee, to be a Commissioner of the Indian Claims Commission.

DEPARTMENT OF THE TREASURY

Dorothy A. Elston, of Delaware, to be Treasurer of the United States.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Lewis Butler, of California, to be an Assistant Secretary of Health, Education, and Welfare.

Robert C. Mardian, of California, to be General Counsel of the Department of Health, Education, and Welfare.

DEPARTMENT OF TRANSPORTATION

Walter L. Mazan, of Vermont, to be an Assistant Secretary of Transportation.

EXTENSIONS OF REMARKS

SHADOWS OVER HOMECOMING

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. WYMAN. Mr. Speaker, I wonder what the boys—now men—who have been fighting for us in Vietnam would do with the youthful punks and yellowbellies back home if they were free to do so. It must be one heck of a note to lie in the jungle over 10,000 miles away from home facing enemy mortar fire, snakes, malaria, and what have you, only to learn about certain young people back home throwing Molotov cocktails and invading faculty offices to prevent Reserve officer training courses.

Physical beating would be as inadequate as temporarily satisfying. Perhaps conscription and assignment to Vietnam would help. Once there, the men might form a special division for these SDS-type draftees and give them the option of a gun or a flower. Facing the enemy, whether Vietcong or North Vietnamese, it would be interesting to see what those, who protest back home an unwillingness to stand up for their country, would do. Slavery in a Communist nation is not a pleasant prospect, yet this once again would be their option, just as on a broader basis it is world option at this time. Stand up and fight for freedom or lie down and lose everything else sacred among mankind since the beginning of civilized society. In this connection a recent column by James Kilpatrick appearing in the Washington Star speaks volumes:

SAILOR'S RETURN HOME PUNCTUATED BY DISORDER

(By James J. Kilpatrick)

SAN FRANCISCO.—The aircraft carrier Coral Sea left Alameda, Calif., bound for Vietnam, on Sept. 7, 1968. She returned this past Friday, a great gray bulk of a ship, her fourth tour of combat duty behind her. Her aging hull was stained with rust, but her flags were flying as happily as so many tropical birds.

As combat cruises go, Coral Sea's last tour on Yankee Station offered no more than a footnote to the chronicles of war. She had been on the line only a few weeks before bombing was halted north of the 17th parallel. The rest of the time was spent in ground support, reconnaissance, and routine patrol.

To the 4,500 officers and men, the tour was a tour of duty—hard and exhausting duty, performed under constant tension. The steam catapults were forever pounding and the jet engines screaming for release. There was danger and there was death: Marvin Naschek, Tom Bitter, and Norman Ridley, dead; Quinlin Orell, James Hunt, and Larry Stevens, missing in action.

When a great ship comes into port, especially to its own home port, the crowds turn out. So it was on Friday morning. By 8 o'clock, they had begun to gather, wives and parents and children, bearing their hand-lettered signs: "Scott says 'Howdy'" . . . "Welcome Eddie Schofield from Dalles, Ore." . . . "Hi, Jerry Schur" . . . The 12th Navy District band gave forth; gulls figure-skated on the sky; balloons, like airborne tulips, flowered above the pier.

A little before 9 o'clock, the ship could be seen beyond Golden Gate Bridge, an unmistakable speck on the sea. It would be an hour before she docked, There was time for a visiting father to glance at the papers.

Student militants at Stanford University called off their nine-day occupation of the Applied Electronics Laboratory today, amid indications that the university administration would yield to demands that war-related research be halted . . .

On Pier 3, Lorette Harvey of Lisbon, Maine, pushed a stroller back and forth. Before long, her husband, Aviation Supplyman Raymond Harvey, would see his newborn baby Kevin. Phil Duncan's mother was there from San Jose to meet her sailor son, just as she used to meet her husband 20 years ago.

Meanwhile, at Merritt College in Oakland, thirty members of the faculty Senate were locked in a conference room by angry students demanding a "retraction." The students, aroused by conflicting reports on the development of a Mexican-American Studies Program, kept the professors imprisoned for three and a half hours . . .

By 9:20, Coral Sea was plainly coming in. You could see the sailors lined in dress blues on the flight deck. The whole Vinton family had come from Medway, Mass., to meet Petty Officer Donald Vinton—father, mother, brother, girl friend. Mrs. Charles Brinegar was there; her husband, a chief in aviation ordnance, has served his country for 22 years.

At Harvard, agreement was reached on a plan to reduce the university's Reserve Officer Training Corps program to an extracurricular activity. The agreement represents a victory for student militants who last week seized a university building. In New York, 200 young men, demanding an end to the university's program for training Naval Reserve officers, held a seven-hour sit-in . . .

Now the ship was nudging her 63,000 tons against the pier, and the moment of reunion was close at hand—the moment when man and woman, mother and son, father and child, could cling to one another. We scanned the crowded decks, searching for a single face.

A radical student at Stanford University pleaded to have the group continue the sit-in until troops or police were ordered in. At that point, he said, the students could abandon the laboratory to wage some form of guerrilla warfare on campus. . . .

High in a crow's nest, 75 feet above the flight deck, a slim young sailor skimmed his white cap toward the pier. It landed with fine precision right at this reporter's feet. I looked up, and he waved. Even from a distance, you could tell: He had lost weight, and grown a little older, but the old grin was there. Son Chris was home from Vietnam.

HON. ERIC I. WEILE, OF PRINCE GEORGES COUNTY, MD.

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Friday, April 25, 1969

Mr. TYDINGS. Mr. President, Maryland and Prince Georges County are particularly honored to have among our delegates to the Maryland General Assembly Eric I. Weile, a man whose life has been an example of the opportunities that this Nation provides to those who come to its shores and not only enjoy the fruits of our way of life, but also become involved personally in public service.

Mr. Weile came to this country many years ago and has been a successful businessman in Washington, and now in Prince Georges County. He now serves as a representative of Prince Georges County in the Maryland General Assembly and is vice chairman of its Committee on Tourism. Mr. Weile has some outstanding ideas relating to the plans for celebrating the 200th anniversary of the Nation that have been reported in a recent editorial.

I ask unanimous consent that the editorial, entitled "Thinking Big on Tourism," published in the Prince Georges Sentinel, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Prince Georges Sentinel, July 3, 1968]

THINKING BIG ON TOURISM

Eric I. Weile, ebullient Prince George's County delegate to the Maryland General Assembly, is to be commended for thinking big on the subject of tourism here.

In a Page One story in the Sentinel, Delegate Weile outlined a tourism program that would take advantage of the county's existing unique attractions and create some new ones—for example, a mammoth convention hall near the proposed new airpark and a pageant similar to Williamsburg's "The Common Glory."

The whole program would reach a climax in 1976, when the United States celebrates its 200th birthday and when millions of visitors will be pouring into the nation's capital. The program would, as Weile said, "have staggering potential."

While the delegate's proposal certainly would be a big project, it does not seem out of reach. New York City, which rapidly was turning into neither a nice place to live or visit, managed to become "Fun City" through some foresighted planning and promotion. Norfolk, which has only a few more attractions than Upper Sandusky, Ohio, has made a big success out of the Norfolk Tour.

So why couldn't Prince George's become "Fun County"? It could be the site of scores of delightful happenings during the tourist season—a pageant with colorful Revolutionary War uniforms at Fort Washington, reenactment of famous duels at the Bladensburg Dueling Grounds, tours of the many historical buildings, the tobacco auction, the races and the Beltsville Agricultural Center.

These events would not draw visitors from across the country, but they would surely be a welcome change of pace for Washington tourists who became glassy-eyed from looking at monuments and government buildings. The benefits to the county's economy would be large.

Delegate Weile, it should be mentioned, is no stranger either to tourism or to thinking big. His ice cream shop in Langley Park, with its many unusual and sometimes bizarre dishes, is a local tourist attraction of sorts. And the shop has one dish called "The Lincoln Memorial" that takes 24 hours to prepare and costs in the neighborhood of $25.

The fact that he frequently has orders for it should give pause to anyone who thinks Weile's big tourism program won't work.

TOCKS ISLAND

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. RODINO. Mr. Speaker, in my highly urbanized State of New Jersey there are some, but not many, areas of natural beauty that remain relatively untouched by human incursions. Sunfish Pond in the Tocks Island hydroelectric development proposal is one of those areas. I favor preserving Sunfish Pond as a recreation area and it has come to my attention that the northern New Jersey branch of the Sierra Club recently testified before a Senate subcommittee on this important matter. The following is the text of their statement:

STATEMENT OF THE NORTHERN NEW JERSEY GROUP, SIERRA CLUB, U.S. SENATE SUBCOMMITTEE ON FLOOD CONTROL—RIVERS AND HARBORS, TUESDAY, MARCH 18, 1969

Mr. Chairman, we submit that pumped storage generation of electrical power should not be authorized for the Tocks Island dam and reservoir in the Delaware Water Gap National Recreation Area, and we appreciate this chance to present our reasons.

The building of pumped storage facilities would involve the use of the Sunfish Pond property, and in the midst of the many conflicting arguments concerning this property, three major facts stand out clearly.

(1) The Sunfish Pond area is within a national park—the Delaware Water Gap National Recreation Area.

(2) The DWGNRA is on the very edge of the giant, rapidly developing northeastern megalopolis, and most of it is in New Jersey, the most densely populated state in the nation.

(3) The construction proposed by the power companies requires large earthwork dikes and a recreationally-useless reservoir over a large part of the Sunfish Pond area, which is now one of the most beautiful mountainous regions within the DWGNRA.

One would think that, in this day and age, and in this region, no one would dare to propose such a massive commercial intrusion into a national park. Yet that is precisely what the power companies' proposal—stripped of its "compromises," landscaping plans and other elements that tend only to confuse the main issues—amounts to.

There is but one conceivable reason for permitting the sacrifice of the area to pumped storage: an irresistibly large monetary advantage in the face of a pressing public need for power that could not be met in any other way. And the power companies have not proved or even substantiated this point. They have offered no evidence that pumped storage in the Sunfish Pond area is less expensive than alternative methods of generating power. They have merely made claims to this effect, with no details. However, evidence presented in the nearby and similar Storm King case suggests that such economic savings from pumped storage are at best debatable, and that in any event the supposed savings are a small percentage of total costs. Attempts to provide convincing proof of the advantage of pumped storage, since they involve many economic variables and estimates, seem to be straining the limits of accuracy of economic analysis.

In such situations, we say, let's give nature the benefit of the doubt. This would be true in any natural park. It is especially true in the northeast, where every last bit of open space and greenery is becoming more and more precious to us as more and more of it passes under the blade of the bulldozer.

In northeast N.J. alone it is estimated that some 30,000 to 50,000 acres per year of open space succumbs to housing and commercial developments, industry and highways. There are only 4.8 million acres of land in all of New Jersey. And over 7 million people.

What, then, will the region be like ten, twenty years from now? At present rates of growth the population of N.J. will exceed 10 million, and that of the New York metropolitan area will reach 30 million, by the end of this century. Where will people from the pressure-cooker environment of this giant urban complex go to see trees and lakes in their natural settings? Will there be any places like the Sunfish Pond area left, or will there be only high-usage, playground type parks with bumper-to-bumper picnic tables? Is this the kind of environment we really want? Is it the kind industry wants?

In our headlong rush for more highways, more jetports, more tax ratables and more everything else of a material nature, the developing controversy over the Sunfish Pond area is symptomatic, we believe, of a growing concern with the quality of life in the crowded regions of this country. We are beginning to challenge the doctrine of the need for unlimited, exponential economic growth. We are becoming less concerned with the gross national product and more concerned with how good that product is, and how much natural resource we are sacrificing to get it. Saving the Sunfish Pond area for future generations will serve notice that the time has come to halt at least the most flagrant abuses of the land.

The thought has been phrased very effectively by Mr. Thomas Ritter in his August 17, 1967 testimony before the Delaware River Basin Commission:

"In the sense that we need history books and museums to measure the present and future against the past," said Mr. Ritter, "we need places like Sunfish Pond for yardsticks to compare man's folly against the wisdom and sanity of creation. There should be some places a father can take his children and say, 'This was the way it was in the day of the Indians.' "

In a March 27, 1968 letter, Mr. Samuel W. Laird, Public Information Director of the Jersey Central and New Jersey Power and Light Companies, referred to members of the Sierra Club as wishing "to persuade themselves—contrary to the actual facts—that Sunfish Pond is a wilderness area." Yet at the July 24, 1968 N.J. Senate hearings on Sunfish Pond, the attorney for the power companies Mr. James B. Liberman said, in answer to a question as to whether the reservoir dikes might be built close to the shore line of the Pond: "What is sacrosanct here is the wilderness setting of Sunfish Pond, and we will preserve it." Thus, in four short months the power companies were led to change their minds and recognize that the area has wilderness value. May we hope that their education will continue and that eventually they will get out of the national park altogether?

The power companies can destroy the Sunfish Pond area in a few hours. They could never recreate it in a thousand years. We say, as Time magazine put it on May 10 of 1968, that mankind had better be careful, that he "is so aware of his strength that he is unaware of his weakness—the fact that his pressure on nature may provoke revenge."

We can pave, pollute and develop only to a limited extent. We may industrialize New Jersey beyond our fondest dreams, only to find that we have created a third-rate environment in which the resident's chief ambition will be to leave.

Attached for the record are two additional statements by the Sierra Club on this matter.

The first is a commentary on U.S. Public Law 89–158 establishing the Delaware Water Gap National Recreation Area. We believe that this Act prohibits the type of extensive commercial use proposed by the power companies.

The second is a copy of our testimony before the N.J. Senate committee investigating the Sunfish Pond situation, dated July 24, 1968. This testimony covers certain legislative, judicial and engineering matters that we believe bear on this question.

Thank you.

In addition, the Sierra Club has stated 10 reasons why Sunfish Pond should be preserved.

The 10 reasons follow:

(1) The Worthington family sold the land in question to the State of New Jersey to save it from commercial exploitation, only to have the State turn around and sell 715 acres to the power companies for a paltry $300,000. Is this the way to get cheap electrical power, by selling priceless land for less than $500 an acre?

(2) The Act establishes the Delaware Water Gap National Recreation Area (Public Law 89–158, 9/1/65) prohibits such usage. A fair reading of the DWGNRA Act shows an unquestionable intent to prevent just such massive commercial intrusion into the park.

(3) The federal authorization for the Tocks Island dam within the DWGNRA includes no provision for pumped storage electrical power. The power companies' plans call for this type of power generation to be closely tied in with conventional "over-the-dam" water power—a usage not authorized.

(4) The power companies have offered no evidence, not even to the Delaware River Basin Commission, which must pass judgment on their plans, that pumped storage power is less expensive than power generated by other available methods. However, testimony in the nearby, and similar, Storm King case in New York shows that there are other economical ways of generating power for peak electrical loads, and that the cost differential in favor of pumped storage, if any, is at best a very small, and very debatable, percentage of the total costs for the various alternatives.

(5) In the judgment of power experts, hydroelectric power is on its way out as a generating method in the northeast, to be superseded by other methods well before the end of the century. At best, therefore, the power companies' plan calls for destroying the natural scenic values of the Sunfish Pond area for all time, in return for a decade or two of electrical power.

(6) The National Park Service, in their analysis of the Sunfish Pond area, concluded in their Master Plan for the DWGNRA (p. 4) that a power reservoir would "deface the landscape and create a barrier across Kittatinny Ridge between Catfish Pond and the Water Gap."

(7) The National Hiking Trails Act of 1968 provides protection for the Appalachian and other trails, whereas the power companies' plans will push the Appalachian Trail off the top of the Kittatinny ridge and thus destroy much of its scenic value in that area.

(8) In New Jersey, the most crowded state in the nation, approaching an average of 1,000 people, 500 motor vehicles and 5 miles of roadway for every square mile of land, the desecration of a beautiful mountaintop area, especially within a national park, is an action in callous disregard of the nonmaterial human needs of future generations.

(9) As evidence of the irreplaceable natural values of the Sunfish Pond area, the New Jersey Audubon Society a few years ago designated it as one of the ten most scenic treasures of the State, among the last remaining in this rapidly developing region.

(10) The New Jersey State Assembly in 1968 passed, by a vote of 65 to 1, a bill calling for the re-acquisition of the 715 acres sold to the power companies. This is a clear indication of popular support for the preservation of the area. Other indications are the editorial support of the great majority of newspapers and of outdoor, recreation and nature groups.

(NOTE TO EDITOR.—The bill mentioned in point (10) is N.J. Assembly Bill A-268 sponsored by Assemblyman Thomas H. Kean and others. It is again currently before the State Assembly and further action may be expected.)

WHAT EVERY EMPLOYER SHOULD KNOW ABOUT THE HANDICAPPED

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Friday, April 25, 1969

Mr. BOGGS. Mr. President, on May 2, the national winner of the 21st annual "Ability Counts" essay contest will be chosen from 50 finalists, representing each State.

Each State contest is entered by high school students and the winners are chosen by the Governor's Committee on Employment of the Handicapped in their respective States. Each winner will spend 2 days, May 1 and 2, in Washington and the national winner will be selected by the President's Committee on Employment of the Handicapped.

Delaware will be represented by 16-year-old Miss Judi Roberts, daughter of Mr. and Mrs. R. M. Roberts, Wilmington. Miss Roberts is a junior at Mount Pleasant High School. Every year since the contest began in Delaware there has been a winner from that high school, and in 3 separate years students from the school have swept all five places in the competition.

In her well-written and thoughtful essay, Miss Roberts describes "What Every Employer Should Know About the Handicapped." I ask unanimous consent that the essay be printed in the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

WHAT EVERY EMPLOYER SHOULD KNOW ABOUT THE HANDICAPPED

Today, when people talk about equal rights and equal job opportunities, one assumes they are discussing racial discrimination. There is, however, another group entitled to equal job opportunities—the handicapped. The general public and companies of this nation need to be educated on what being handicapped really means because they may then see that these persons have potential ability, real willingness, and great ambition to hold responsible positions and become useful, productive citizens.

There are very few people who are not handicapped in some way. Most people manage to do their work without too much thought to their disabilities. The handicapped can operate in the same way if they are given a chance. Today, almost every job can be performed by a handicapped person if a few conditions are taken into consideration.

When hiring a handicapped worker, the employer should know the worker's abilities. Matching a job and an applicant is hard work whether the employer is hiring either a disabled worker or an able-bodied one. Jobs, however, should not have to be created for the handicapped. These people should be interviewed just as other job applicants are, and the interviewer should look for the same qualities in the handicapped as he does in the non-handicapped person. Above all, the attitude of management is important. The worker should not feel he is being hired for charity's sake but for the realization that the handicapped wants to earn his own living—and can do so.

An effective safety program can and should be set up. Necessary alterations will be more than paid for by the service the companies will get from the handicapped. Such safety precautions as wider hallways, ramps adjacent to stairways, and railings should be installed so that the handicapped can keep their present record of fewer accidents than those of regular workers.

The mentally and physically handicapped are usually found to be people of much stronger will than people with no impairment. They are ambitious and very grateful for any small favor. Recently, I heard a story about a man with paralyzed legs. He applied for a job and was rejected. Determined to succeed, the man learned to handle a portable wheel chair, found a way to get it in and out of a car, and learned to drive the car, using hand controls. When he returned for another interview, the company realized that he would make a good employee and hired him. This case is just one of many in which a handicapped person learned to compensate for his disability.

In the area of mental retardation as a disability, progress may be slower but is definitely coming along. A seventeen-year-old resident of Wilmington, Robert John Patterson, went to work at W. T. Grant's in 1965 and, as a result, changed the company's policy with a breakthrough in the employment of the mentally retarded. Grant's practice of hiring the mentally retarded in the Wilmington store earned for it the first annual Employer of the Year award sponsored by NARC. Robert has an impressive record at Grant's, having earned three pay raises and a promotion from September to June of his first year. He, no doubt, will go on to bigger and better things.

The nation's handicapped truly desire to take part in the business and industry of today. They want to be more self-reliant and to contribute something to the society in which they live. The handicapped who have been given the opportunity have shown this desire by being dependable in attendance, by demonstrating loyalty to their companies, and by working safely in countless jobs. If more are given a chance, companies will profit in the end; and the handicapped will be given a feeling of importance and security which every person needs.

CRIMINALS ON MAGAZINE SALES COMPANY PAYROLLS POSE HAZARD TO PUBLIC SAFETY IN DISTRICT OF COLUMBIA AREA AND ACROSS THE NATION

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, several weeks ago I inserted in the CONGRESSIONAL RECORD a news article which appeared in the Globe newspapers of Fairfax County, Va., relative to police records of magazine subscription salesmen who engaged in sales activities in the county this past winter.

Because fraud and deception are commonplace in the sales practices of many magazine subscription sales companies, a subject about which I have commented on numerous past occasions, I was particularly concerned about the situation in Fairfax County. As a result, I wrote to Col. William L. Durrer, Fairfax County Chief of Police, to request additional details regarding the police records of magazine salesmen.

Colonel Durrer was extremely cooperative and has supplied me with a large sampling of police records, selected at random, from among the 567 persons who registered as magazine salesmen with Fairfax County police during a 12-month period ending March 1, 1969. The information is startling and should serve as a warning to every consumer—particularly housewives—who answers the magazine salesman's knock at the door.

The list will speak for itself—bank robbers, hold-up men, burglars, thieves, carriers of concealed weapons, sex criminals, fugitives—are touring the country, knocking at the doors of homes in thousands of communities, gaining entrance to the homes of unsuspecting citizens and selling magazines, often by deception, fraud, or intimidation. Many have committed lists of offenses which span two or three pages of police records.

These convicted criminals sell magazines to housewives in Fairfax County one week and may move on to Maryland or West Virginia or North Carolina or any other State in the Nation the following week. If they are employed by a sales company which maintains membership in the magazine publisher-sponsored central registry of magazine subscription solicitors, these convicted criminals probably will carry the credentials of central registry to convey the impression that they are respectable citizens engaged in an honest day's work as door-to-door salesmen. In reality, they may very well be fugitives from justice in some other community, keeping on the move, and casing new neighborhoods for their next burglary or auto theft or assault.

Mr. Speaker, what manner of business activity shows less regard for American customers than the magazine subscription sales companies—whether they be cash companies or long-term subscription companies—when they employ individuals of such poor character as their public representatives and contacts? Can a business, which obviously does not question the character of an employee who has been convicted of 10, or 15, or 20 law violations, possibly be sincerely concerned about the manner in which its sales activities are conducted?

I am convinced, Mr. Speaker, that a magazine subscription sales company which will allow criminals to serve as their public representatives can be expected also to condone fraud and deception and intimidation to sell its wares.

Mr. Speaker, I should like to insert in the RECORD at this point, the letter I have received from Police Chief Durrer of Fairfax County and the random sampling of police records of 74 magazine salesmen who visited homes in Fairfax County from March 1, 1968, to March 1, 1969.

In addition, I should like to include in the RECORD several additional related articles published by the Globe newspapers of Fairfax County and by the Evening Capitol newspaper of Annapolis, Md. The Evening Capitol article makes reference to an escapee from a North Carolina prison who was selling magazines for Subscriptions Bureau Limited, 919 North Kansas Street, Arlington, Va., when arrested in Anne Arundel County. At the time of his arrest, police recovered a .38-caliber revolver and loot from two break-ins from the salesman.

All of this material, I believe, is further evidence that a congressional investigation is in order and that effective Federal legislation must be enacted to clean up the magazine subscription sales industry.

COUNTY OF FAIRFAX,
Fairfax, Va., April 7, 1969.

Hon. FRED B. ROONEY,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN ROONEY: This letter replies to your correspondence dated April 1, 1969, in which you request data concerning registered solicitors in Fairfax County.

The information you desire is currently being compiled and I will forward a report to you within the next seven days. You may be assured that we in Fairfax County are as concerned as you regarding character background of magazine solicitors.

Sincerely yours,

WILLIAM L. DURRER,
Colonel, Chief of Police.

COUNTY OF FAIRFAX,
Fairfax, Va., April 18, 1969.

Hon. FRED B. ROONEY,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN ROONEY: In accordance with your request of April 1, 1969, the enclosed data is submitted for your information and guidance. The data reflects the more serious types of offenses committed by those persons who seek to register as magazine solicitors in Fairfax County.

The technique used by most magazine solicitors is to concentrate their activities with a ten (10) day period, moving on to another jurisdiction at the end of that time. More often than not, they have accomplished their mission and are out of the County before record checks are returned to the police department.

I trust the foregoing information will be of value in your study of the problem.

Sincerely yours,

WILLIAM L. DURRER,
Colonel, Chief of Police.

Between March 1, 1968 and March 1, 1969, a total of five-hundred and sixty-seven (567) persons registered with the Fairfax County Police Department for the purpose of engaging in magazine solicitation in Fairfax County. The following is a review of criminal record transcripts selected at random, concerning the criminal records of magazine solicitors.

Male Subject No. 1: Unauthorized Use of an Automobile, Four (4) Counts of Robbery, Fugitive from Justice, Grand Larceny and Escape from Custody, Four (4) Counts of Possession of Narcotics, Four (4) Counts of Bank Robbery.

Male Subject No. 2: Vagrancy.

Male Subject No. 3: Trespassing, Soliciting without a License.

Male Subject No. 4: Vagrancy, Carrying a Concealed Weapon.

Male Subject No. 5: 3rd Degree Assault.

Male Subject No. 6: Four (4) Counts of Grand Larceny, Theft of an Automobile, Two (2) Counts of Petty Larceny, Possession of Heroin, Four (4) Counts of Possession of Heroin and Armed Robbery.

Male Subject No. 7: Three (3) Counts of Burglary, Felonious Assault, Manslaughter by Motor Vehicle, Two (2) Counts of Carrying a Concealed Weapon.

Male Subject No. 8: Three (3) Counts of Vagrancy, Soliciting Magazines without a License.

Male Subject No. 9: One (1) Count Grand Larceny, Forgery, Receiving Stolen Property, Concealed Weapon, Resisting Arrest, Investigation of Swindle.

Male Subject No. 10: Three (3) Counts of Burglary, Narcotics Prescription Forgery, Carrying Concealed Weapon.

Male Subject No. 11: Three (3) Counts of Breaking & Entering in Nighttime, Two (2) Counts of Assault to do Great Bodily Harm.

Male Subject No. 12: Investigation of Indecent Exposure, Two (2) Counts of Assault on a Female.

Male Subject No. 13: Burglary, Attempt Burglary, Unlawful Entry.

Male Subject No. 14: Two (2) Counts of Robbery, Two (2) Counts of Grand Theft, Automobile, Vagrancy, Four (4) Counts of Burglary, Four (4) Violations of the Dyer Act.

Male Subject No. 15: Forgery, Assault with Intent to Murder, Forced Entry into an Automobile.

Male Subject No. 16: Two (2) Counts of Soliciting for Lewd Conduct in Public, Two (2) Counts of Aggravated Assault with a Knife, Two (2) Counts of Forgery and Investigation of Burglary.

Male Subject No. 17: Two (2) Counts of Theft of Government Property, Petty Larceny on Government Reservation, Rape, Two (2) Charges of Grand Larceny, Postal Law Violation, Entering without Breaking.

Male Subject No. 18: Vagrancy, Fugitive Deserter from Military.

Male Subject No. 19: Two (2) Counts of Armed Robbery, Theft of a Gun, Assault with a Deadly Weapon, Two (2) Counts of Assault and Battery with Intent to Rob, Larceny from an Automobile, Four (4) Counts of Breaking & Entering with Intent to Steal.

Male Subject No. 20: Two (2) Counts of Robbery, Attempt Hold-up and Armed Robbery, Assault with Intent to Rob with Deadly Weapon.

Male Subject No. 21: Burglary of a Residence, Possession of a Stolen Vehicle, Contributing to the Delinquency of a Minor Child, Theft from an Automobile.

Male Subject No. 22: Five (5) Counts of Robbery, Assault with a Dangerous Weapon.

Male Subject No. 23: Larceny of an Automobile, Two (2) Counts of Vagrancy, Two (2) Counts of Attempt Breaking & Entering.

Male Subject No. 24: Possession of a Counterfeit License and Illegal Possession of Narcotics and Drugs.

Male Subject No. 25: Three (3) Counts of Robbery and Violation of Parole.

Male Subject No. 26: One (1) Count Carnal Knowledge, Two (2) Counts of Assault.

Male Subject No. 27: Statutory Burglary and Possession of Burglar's Tools.

Male Subject No. 28: Theft of an Automobile and Breaking & Entering.

Male Subject No. 29: Auto Larceny.

Male Subject No. 30: Felonious Assault and Assault with Intent to Rob.

Male Subject No. 31: Three (3) Counts of Breaking & Entering, Carrying a Deadly Weapon (gun) and Forgery of a Narcotics Prescription.

Male Subject No. 32: Assault & Robbery.

Male Subject No. 33: Assault on a Female.

Male Subject No. 34: Two (2) Counts Petty Larcey, one (1) County Grand Larceny.

Male Subject No. 35: Theft and Felonious Theft.

Male Subject No. 36: Assault & Battery.

Male Subject No. 37: Carrying a Deadly Weapon (gun).

Male Subject No. 38: The Dyer Act.

Male Subject No. 39: Night Prowling.

Male Subject No. 40: Tampering with an Automobile.

Male Subject No. 41: Breaking & Entering with Criminal Intent to Commit Larceny.

Male Subject No. 42: Concealing Stolen Property.

Male Subject No. 43: Three (3) Counts of Robbery, Purse Snatching.

Male Subject No. 44: House Breaking.

Male Subject No. 45: House Breaking and Unauthorized Use of a Vehicle.

Male Subject No. 46: Assault on a Federal Agent.

Male Subject No. 47: Interstate Transportation of a Motor Vehicle (stolen).

Male Subject No. 49: Burglary & Bad Checks.

Male Subject No. 49: Breaking & Entering.

Male Subject No. 50: Assault.

Male Subject No. 51: Carrying a Concealed Weapon (razor) and Illegal Possession of a Syringe.

Male Subject No. 52: Larceny of a Motor Vehicle.

Male Subject No. 53: Grand Larceny.

Male Subject No. 54: Two (2) Counts of Assault & Battery, Three (3) Counts of Assault and Resisting Arrest and Violation of Probation for Burglary.

Male Subject No. 55: Two (2) Counts of Larceny, One (1) 2nd Degree Forgery, One (1) Charge of Obtaining Magazine Subscriptions on Government Property.

Male Subject No. 56: Theft.

Male Subject No. 57: 3rd Degree Assault.

Male Subject No. 58: Petty Theft and Investigation of Grand Theft.

Male Subject No. 59: Vagrancy.

Male Subject No. 60: Larceny over $100.00, Attempt Breaking & Entering, Bad Checks.

Male Subject No. 61: Vagrancy.

Male Subject No. 62: Assault & Battery, Threaten to do Bodily Harm (Two Counts), Soliciting without a License.

Male Subject No. 63: Petty Larceny.

Male Subject No. 64: Theft of an Automobile.

Male Subject No. 65: Two (2) Counts of Soliciting for Prostitution and One (1) Charge of Automobile Theft.

Male Subject No. 66: Possession of a Dangerous Drug, Felonious Assault with a Knife, Burglary and Grand Larceny.

Male Subject No. 67: Three (3) Counts of Breaking & Entering in the Nighttime, Two (2) Counts of Assault to do Bodily Harm.

Male Subject No. 68: Assault, Violation of License Requirements for Solicitors.

Male Subject No. 69: Carrying a Deadly Weapon (gun).

Female Subject No. 1: Larceny under $100.00.

Female Subject No. 2: Theft.

Female Subject No. 3: Soliciting without a License, Fraud.

Female Subject No. 4: Theft, Two (2) Counts of Soliciting without a License and Fraud.

Female Subject No. 5: Felonious Assault with a Loaded Firearm.

[From the Springfield Globe, Mar. 6, 1969]

TRANSIENT SALESMEN PROBLEMS

(By Anthony J. Sterago)

Fairfax County is not the only place having trouble with transient magazine salesman, Frederick A. Babson told the County Board of Supervisors yesterday.

The situation is so bad in some parts of the country that Federal Trade Commissioner Philip Elman said "there is no question that something should be done about it."

Babson told the Board that Congressman Fred B. Rooney, of Pennsylvania in a speech before the House of Representatives on Tuesday, called for a Congressional investigation and also asked the FTC to reopen an investigation of magazine subscription sales practices it conducted several years ago.

The magazine salesman problem was brought to the attention of the Board of Supervisors after an investigation by a Globe Reporter revealed that many of the salesmen had criminal records.

Fairfax County police had been getting complaints from housewives about the door-to-door transient magazine solicitors. Two housewives in the Annandale area were intimidated to a point where they were forced to take a magazine subscription in order to get rid of the solicitor.

Police said they were not getting complaints involving the local people who sell newspaper subscriptions or the high school youngsters who also sell magazine subscriptions.

Most of the complaints result from the visits of the sales people who work a particular area and then leave the county.

For example, one Mt. Vernon housewife reported that she had allowed one of these out-of-town magazine solicitors to come in her house and after he had been in the house for a while he asked to use the bathroom. When he left the lady went to look for a five dollar bill that she had put on a dresser in the living room to give to her daguhter but it was gone. She said she knew it was there because she had placed it there before the salesman came in so that she wouldn't forget to give it to her daughter. She said, "When he left, so did my five dollars. I'm sure of that."

Fairfax County Police Chief, Col. William Durrer said that his hands are tied and that there's "nothing I can do because the county ordinance doesn't give us enforcement powers."

Col. Durrer agreed that many of these magazine salesmen have criminal records and should be "kept out of the county."

He also said that he rarely has had any problems with the young people who sell newspaper subscriptions because we know that on many occasions portions of the subscription monies goes to a charitable group in the county.

He indicated that soon the Fairfax Police Youth Club will start its drive for funds and that the boys will sell subscriptions for a local newspaper.

"We are concerned, not with these kids, but with the ones who come into our county and have criminal records, and leave before we find out that they have records," he concluded.

The Colonel said that he would like to see the local ordinance strengthened to a point where the solicitors who come in to the county would file an application then have a waiting period so that they could be checked out. If they have any criminal record, then police would be aware of it and could refuse to give them a permit.

Fairfax County is the only Northern Virginia jurisdiction that has not strengthened its door-to-door salesmen ordinance which was passed back in 1958.

All other jurisdictions require a waiting period after filing an application after which when approved are given a permit to "work the area."

The Board of Supervisors indicated that they would look into the matter and see if the ordinance couldn't be strengthened.

[From the Globe Newspapers, Mar. 13, 1969]

COUNTY BOARD REQUESTS TIGHTER CONTROL ON TRANSIENT SOLICITORS

(By Anthony J. Sterago)

The Fairfax Board of County Supervisors requested County Attorney Donald Stevens to prepare an ordinance that would, in the words of Board Chairman Frederick A. Babson, "at least make it difficult for the phoney solicitor lawfully to go out and solicit" in the county.

Donald Stevens, the County Attorney, told the Board at last week's session that he could prepare the ordinance. But, he said, "whether it would be as effective as it's evidently required will be another question. Our powers to regulate door-to-door solicitation . . . are extremely limited."

He maintained that in spite of the criminal element allowed to solicit in the County under the present ordinance, the County can do nothing about it until the General Assembly approves enabling legislation.

Dranesville Supervisor, Harriet Bradley, asked whether under the new proposals for a county charter as outlined in the constitutional changes "might free us to do more in this kind of an area."

Stevens replied, "There's no question about it."

Chairman Babson replied, "That's two years away." He proposed that the Board take action.

He suggested that anyone wanting to solicit in the County be required to file an application with the police department. After the application is filed, the police should have sufficient time to "check the applicant out with the proper authorities."

If they're cleared, they can be issued a permit for a year or even two years. A fee could be charged in both instances.

Mt. Vernon Supervisor Herbert Harris said the Board had talked about this matter before, and added, "I have a notion that we had something in the mill on it. I do think it is absolutely essential . . . these people have clear identification."

Harris went on to say that he had requested some time ago that "all solicitors be required to have a badge, front and back, that was 60 inches by 40 inches or something modest like that." The Board roared with laughter and Harris asked Stevens if there wasn't something in the mill on this point. Stevens replied, "Not on this point."

Babson then remarked "Well let's get it in the mill."

At yesterday's meeting, Stevens told the Board he had not had time to prepare the ordinance; however, he said he would have it just as soon as possible.

The Chairman then concluded, "We have a real responsibility to do something if we can, especially with the good weather coming on."

Police figures show that the heaviest influx of magazine solicitors is during the spring and summer months.

Babson's remarks were directed primarily at the magazine transient solicitors who find it difficult to operate in surrounding jurisdictions, and therefore filter into Fairfax County because of its lack of a strong ordinance.

The County's present ordinance, which was passed in 1958, merely requires any door-to-door solicitor or peddler to register with the police department.

After they comply with the present local ordinance they can have the run of the County.

In some parts of the United States the magazine solicitors situation has gotten so bad that Congressman Fred B. Rooney of

Pennsylvania has called for a Congressional investigation.

Last week an Assistant Attorney General of Maryland was relieved of his duties because of his involvement with one of the magazine companies whose salesmen had been talking housewives into extremely high contracts.

Local police officials in the County say that after a solicitor registers, his application is forwarded to a Federal law enforcement authority for "check out." By the time the information is returned—which can be anywhere from two to three weeks—the person "is long gone," even if he does have a criminal record.

Neighboring jurisdictions fret out such information as to whether the persons have ever been convicted of a crime and if they have, the nature of the violation. Also, the applicants are required to wait a period of time before receiving a permit.

Both Arlington and Alexandria have strict ordinances. "I see no reason why we shouldn't," Babson said.

[From the Evening Capital, Mar. 7, 1969]

Police Back Door-to-Door License Bill—Fee to Solicitors Would Pay Cost

County police are backing a bill, now being drafted, that would require licensing of all door-to-door solicitors.

The need for legislation of this nature was pointed out yesterday by Deputy Police Chief Ashley Vick who said that the department receives numerous complaints about door-to-door solicitors.

Monday county police arrested an escapee from a North Carolina prison who was working as a magazine salesman for an Arlington, Va., based company.

When captured, police recovered a .38 caliber revolver from the man and loot taken from two breakins in the Edgewater area. The man, convicted of armed robbery, had only been employed for the company one day.

"You can see the value of such a law from what happened in that particular case," Vick said. "If he had gotten away, we would have never cleared the case up."

Anne Arundel County does not have a law requiring door-to-door salesmen to register with the police or even let them know they are operating in the area.

The bill, being drafted by the department of inspections and permits and the budget office, will probably be patterned on similar laws in neighboring jurisdictions.

Fees for the license will probably be set to cover the cost of the program, said Douglas T. Wendel, management analyst for the budget office.

WE MUST STAND FIRM FOR ISRAEL

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Friday, April 25, 1969

Mr. SCOTT. Mr. President, on April 23, I had the pleasure of addressing the American-Israel Public Affairs Committee in Washington on the occasion of Israel's 21st birthday.

I ask unanimous consent that those remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

I enlisted in the struggle for Israel's existence in the beginning—as far back as 1942, when I signed a statement celebrating the 25th anniversary of the Balfour Declaration—and I am a veteran in support of all of Israel's wars.

I have been doing most of my fighting over here in Washington. But our record over here is not as good as that of Israel's army. That army has always won its wars. Over here, on the political and diplomatic front, we have failed to win the peace for Israel.

In 1948, again in 1956, and again in 1967, Israel won decisive victories against Arab governments which have been in a state of war with her. Locally, when a country wins a war against aggressive neighbors, that country is entitled to insist on a peace settlement. Not so, Israel. Somehow great power diplomacy invariably intervenes to deny her that right.

In 1948, the Arab states, Egypt, Jordan, Lebanon, Syria and Iraq were the avowed aggressors against the UN 1947 partition resolution. The United States and the Soviet Union both called them that in the U.N. and the Arabs don't deny it. They invaded Palestine, they prevented the establishment of the independent Arab state envisaged in the U.N. Partition resolution. They tried to destroy Israel. They tried to seize as much of the territory for themselves as they could. That is how Transjordan came to acquire the West Bank. That is how Eqypt grabbed Gaza. Both tried to enter and hold Jerusalem and Transjordan did manage to seize control of the Old City and East Jerusalem.

Now no one in the U.N. then offered a resolution ordering Transjordan to go back to the East bank of the Jordan River, where her forces came from. No one told Egypt to get out of Gaza. All that the U.N. could do was to tell the parties to stand still. The U.N. equated aggressor and defender. It was neutral.

The U.N. adopted a truce resolution freezing the Israelis, the Egyptians, the Syrians and the Transjordan Arab Legion in their positions. It did not last very long. The truce was broken, there was more fighting, and then finally armistice negotiation. But never real peace.

Now instead of pressures on the Arabs to make peace, there were pressures on Israel to go back and to yield some of the territory won in that fighting, in which Arabs were aggressors. That was so in 1948, and as long as I can remember, this has been a perennial admonition.

Thus in 1948 there was a new U.N. proposal that Israel give up the southern Negev and reduce herself to a handkerchief state. That would please the Arabs. Not that it would win their agreement to peace with Israel. It was believed that it might win their affection for Washington and London. But it didn't. The plan was killed because Israel did not want to become a mini-state and the Arabs were not even willing to let her be that.

The Arabs always claim that Israel is expansionist. Yet a recent State Department document tells us that there are now 18 Arab countries in an area of 4,600,000 square miles. Yet they still insist that tiny Israel must withdraw from Israel itself.

I do not want to go into a long recital of the diplomatic blundering of the last decades. No administration, no political party is immune from criticism. But throughout this period, our diplomats seemed to think that Israel should be willing to make some concessions to buy a peace; to agree to become smaller, to accept Arab threats, boycotts, blockades, and terrorism as normal and reasonable, and to refrain from any counter action. The Israelis were asked to endure it all in silence. And there are some diplomats who believe that Israel really started the 1967 war because she frightened the Arabs by talking back to the terrorists.

Now if I were an Israeli I would find it difficult to understand the West. As long as the Arabs insisted on a state of war, as long as the Arab governments encouraged terrorists to attack, I would want to put as much space between the Arab states and myself as possible. I would see little logic and far less security in withdrawing my forces and permitting the Arab terrorists to occupy the suburbs of Tel Aviv, Jerusalem and Haifa.

It is frequently said that Arabs are irrational on the question of Israel, and that it is difficult to deal with them because of their unwillingness to face the facts and to accept reality. But I submit that our own diplomats have themselves acquired a vast mythology—and that our policies are often based on illusion.

Some Americans seem to operate on the dubious theory that American interests are strengthened if the one pro-Western state in the Middle East is made smaller and weaker, if we join the Soviet Union in a program to rehabilitate President Nasser and permit him to reconstitute a Soviet propaganda and power center in the Middle East. But we must avoid procedures and policies which aggrandize Soviet status and power in the Near East. Thus we must not weaken Israel.

One of the ancient myths in our Middle East policy is that Nasser and his fellow Arabs really don't mean their threats and that they would like to be peace loving, but don't dare because their people would not stand for it. From this arises the simplistic and incredible doctrine that Arab diplomats like to lie to their own people and that they confide the truth in the ears of foreign diplomats.

Perhaps the most glaring example of this was the 1956–57 Suez-Sinai disaster. You remember that the Administration pressured Israel to withdraw from Suez, from Sharm el-Sheikh and Sinai and from Gaza. There were assurances that Israel shipping would be free to transit the Straits of Tiran and the Suez Canal. There was the expectation that Nasser would not return his forces to Gaza. Perhaps the Administration was justified in offering such assurances to Israel because Nasser misled us. But if we had read the Arab press and listened to what Arab leaders were telling their own people, we would have known that Nasser had no intention of making any concessions at all.

Some of us learned a lot from the Suez affair. Very early in that debate, I took the initiative and organized a group of more than 40 Republican congressmen to try to alert the Administration to the danger of pressuring Israel to withdraw from Sinai and Sharm el-Sheikh and Gaza without adequate guarantees. Others joined us. One of them was Lyndon B. Johnson and if he took a strong and positive course in resisting Soviet-Arab pressures in 1967 it was because he was one of the leading critics of our 1957 policies.

Now I accepted this invitation here today because I believe that we may be facing a recurrence of the 1957 crisis. I hope that this is not the case. The Administration has embarked on four power talks in the hope of ending the stalemate and bringing about a settlement. In the light of the 1957 experience I can understand Israel's apprehension and anxieties. We are veterans of that collision and we have a right to be fearful.

The Israelis themselves fear that they will be under great pressure to yield back territory to the Arab states without a real peace settlement. They learned in 1967 that guarantees based on assumptions are ephemeral and melt away in a storm.

The Israelis now know that they can rely on no one to come to their defense. They must stand on their own feet. Under such circumstances, they will not lightly surrender any territorial vantage points.

This time, there must be real peace, and the Arabs must freely and sincerely obligate themselves to keep it. Now I believe that the Administration understands that. The President has himself declared that we cannot expect Israel to give up territories without a genuine peace. The President has said that the United States will not attempt to impose a peace. I do have confidence in the Administration's good faith and I believe that this confidence will be vindicated.

But I would like to add my own promise. As a Republican congressman, I did not hesitate to criticize a Republican administration in 1956 and 1957, and I will not hesitate to do so today and tomorrow if I believe that it is embarking on a dangerous course, prejudicial to a peace in the Middle East and inimical to the best interests of our own country.

I see nothing to be gained by making Israel smaller, weaker, more vulnerable. I do not believe that any of the boundary lines in this area have any special sanctity.

Boundaries in this part of the world were determined by Great Power imposition.

If Egypt has the Sinai, she owes it in large measure to the British, who wanted to be on both sides of the Suez Canal.

If Jordan has the East Bank, she certainly owed it to the British. Indeed, there would have been no Transjordan if Winston Churchill had not decided to provide a throne for King Abdullah, Hussein's grandfather.

The boundaries between Syria, Lebanon and Palestine were fixed by the British and French.

If Israel is a state, she, too, owes it in part to Britain—to Lord Balfour's Britain. But if she holds more territory today, she owes it, not to the British, but to the courage of her gallant young soldiers. Indeed, Israel's territorial claims in this area go back many centuries, long before there was a British Empire.

But territory is not the real issue in the Middle East today. The issue is the Arab war against Israel. Boundary lines are not an insurmountable problem where there is friendship and cooperation between neighbors. The demarcation lines between Israel and her Arab neighbors should serve as a highway rather than a wall.

And I am convinced that these boundary lines can be swiftly determined—indeed that every issue can be resolved—if the parties meet in good faith and with honest intention.

Let us resolve to struggle for a real Arab-Israel peace in 1969. Let us hope that we will meet next year, not to count casualties nor to assess new dangers, but to celebrate a new dispensation for Israel. It is time that this heroic and courageous people were granted the right of all member nations of the UN—the right to live in peace.

VIRGINIA'S EIGHTH DISTRICT RESPONDS TO QUESTIONNAIRE

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. SCOTT. Mr. Speaker, some weeks ago I sent a questionnaire to every home in the Eighth District of Virginia, 158,000 homes, and received responses from more than 30,000 homes. The views of my fellow Virginians are helpful to me and I am hopeful will be of interest to my colleagues. The tabulation of the results on a percentage basis are as follows:

	Yes	No	No opinion
1. Should the method of electing the President and Vice President be changed to provide for—			
(a) Direct popular vote?	73	23	4
(b) Representation in the electoral college by congressional district rather than by State?	37	53	10
(c) Binding the States' electors to vote for the candidate who receives the most votes?	48	45	7
(d) Retain present system?	15	79	6
2. Should the Post Office be reorganized—			
(a) By placing all appointments and promotions under the merit system?	82	13	5
(b) By changing it to a nonprofit public corporation?	57	33	10
(c) By private industry taking over postal functions?	35	55	10
(d) Retain present system?	17	74	9
3. Should the Hatch Act be amended to permit Federal employees to participate in partisan politics?			
(a) Locally?	64	23	13
(b) At the State level?	45	43	12
(c) At the Federal level?	31	57	12
(d) Retain present law?	53	36	11
4. Should the 1970 census—			
(a) Be limited to approximately 10 basic questions?	70	18	12
(b) Be continued as in past years?	39	49	12
(c) Be expanded to provide additional information?	33	52	15
5. To reduce poverty in the country, do you favor—			
(a) A guaranteed minimum annual income?	16	78	6
(b) Government employment of relief recipients on public works projects?	87	9	4
(c) Tax incentives to businesses that hire and train unemployed?	73	22	5
(d) Federal welfare programs be retained as they are?	10	82	8
(e) Federal welfare programs be expanded?	11	81	8
(f) Federal welfare programs be abolished?	50	42	8
6. Should the Federal Constitution be amended to provide a uniform law throughout the country authorizing 18-year-olds to vote?	47	51	2
7. Should the temporary surtax be—			
(a) Continued at 10 percent?	37	52	11
(b) Reduced to 5 percent?	29	59	12
(c) Terminated at the end of the fiscal year?	75	17	8
8. Should the right to bail be restricted when a person accused of a felony is already on bail in connection with a prior crime?	93	5	2
9. Should military draft be—			
(a) Abolished?	25	65	10
(b) Restricted to wartime?	52	40	8
(c) Amended to determine military service by lot?	56	32	12
10. Should foreign aid—			
(a) Be restricted to friendly nations?	77	17	6
(b) Consist only of military assistance?	11	77	12
(c) Consist only of economic assistance?	45	46	9
(d) Be abolished?	33	59	8
11. Should the District of Columbia have—			
(a) Local self-government?	62	30	8
(b) A nonvoting delegate in the House of Representatives?	31	56	13
(c) Representatives in both the House and Senate similar to the States?	62	31	7
12. Should persons convicted of Federal crimes be given additional mandatory sentences if a firearm was used in the commission of the crime?	87	9	4

REASON FOR FAILURE OF ADOPTION OF NEW MARYLAND CONSTITUTION

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Friday, April 25, 1969

Mr. TYDINGS. Mr. President, on May 14, 1968, almost a year ago, the people of Maryland rejected the proposed new constitution by a vote of 366,575 to 283,050. The new constitution, drafted by a specially elected, bipartisan constitutional convention, was considered a model for the Nation.

Its defeat left many both in Maryland and in other States surprised and disappointed.

The Baltimore Sun termed the rejection a "defeat for progress." The Washington Post saw it as a vote against "State leadership" and for "increasing Washington's control over the country."

Of the many analyses of the defeat of the new constitution, one of the best is an article entitled "Why the Proposed Maryland Constitution Was Not Approved," published in the winter 1968, edition of the William and Mary Law Review. Its author is Thomas G. Pullen, Jr., president of the University of Baltimore and a member of the constitutional convention from the First Legislative District of Baltimore County.

Mr. Pullen has had a distinguished record of service to Maryland and is one of the State's leading citizens.

His article is excellent.

He describes, as some of the explanations for the rejection of the constitution, the probable mistake of indicting an entire existing constitution, and the need to make clear to the voters the need for the new document. And toward the end of the article Mr. Pullen offers a very useful list of "do's and don'ts" for those proposing a new State constitution.

Since the modernizing of our State governments is an urgent priority, I think we could all profit from a close reading of Mr. Pullen's article: those of us in Maryland to see where we went wrong, those who live outside the State to benefit from our experience.

I ask unanimous consent that Mr. Pullen's article be reprinted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY THE PROPOSED MARYLAND CONSTITUTION WAS NOT APPROVED

(By Thomas G. Pullen, Jr.*)

The people of Maryland simply did not want a new constitution so they went to the polls on May 14, 1968, and turned down the proposed constitution by a majority of more than 80,000. The apathy of the voters toward a new constitution was really expressed in the election held on September 13, 1966, when they approved the calling of a constitutional convention by a vote of 166,617 "for" and 31,692 "against," while in a concurrent primary election the vote was 609,747 of a total voter registration of 1,396,060. Obviously, interest in a new constitution was relatively slight.

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*President, University of Baltimore (Md.), Delegate to the 1967–68 Constitutional Convention of Maryland, Superintendent of Schools of Maryland from 1942 to 1964.

One of the most serious mistakes made by the proponents of a new constitution was to hold the vote on calling a constitutional convention at the same time as a primary election. The proponents probably thought the people would vote in greater numbers for the constitutional convention if they were at the polls in a popular election; however, the converse was true. Through some legal device, it was ruled that actually these were two separate elections even though they were held simultaneously. But the people were suspicious of the arrangement and undoubtedly expressed their hostility, or lack of interest, by refusing to vote on the issue in any great numbers. In all probability, had there been a single election on the issue of calling a constitutional convention as there was supposed to be, the vote would have been about as adverse numerically as it was upon the final product of the constitutional convention.

Naturally, one asks why the people of Maryland did not want a new constitution. We find the answer, of course, in the thinking of the people. The climate today is not favorable to the entire revamping of state constitutions. The present unfavorable attitude among the people in respect to new constitutions is not peculiar to any part of the nation. Several states have turned down proposed constitutions.

The first reason for the attitude in Maryland was normal resistance to change, especially if the change involves something that has been of great importance for a long time. To argue obsolescence because a document is a hundred years old is not psychologically sound; the Bible is two thousand years old. The last Maryland constitution was written in 1867, but the Federal Constitution was written in 1787. Secondly, the people objected to wholesale change. Possibly, proposals for amendments that would have accomplished some proposed changes, including eliminations, would have been acceptable. However, the public feared that it would not have time to understand what had been done in a wholesale proposal until it was too late and then it would be left with the new document for another hundred years. Specious arguments have a way of haunting!

The average citizen did not find too much fault with the present constitution. He did recognize that certain parts needed changing, that there ought to be certain deletions, and that certain provisions, clearly statutory in nature, were in the province of the General Assembly to change; but he could not subscribe to the position that every phase of the document had to be overhauled. Here again, the proponents made another serious mistake; they indicted practically the entire present constitution, which is as untenable as indicting a whole people.

In a democratic society constitutions are considered sacred, and, psychologically, changing one is something like making new translations or interpretations of the Bible to a religious people. Many educated and far-seeing individuals do not understand that what the people think is far more powerful than facts. The place to begin making changes of any consequence, in any field or endeavor is in ideas; once there is acceptance, the practicalities then follow rather rapidly. Huxley wrote this statement in the preamble to the constitution of UNESCO: ". . . since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed."[1]

Frequently, legislative and governmental actions move ahead of or contrary to the thinking of the people, and the results are not always pleasant. A constitution for Virginia was written immediately after the Civil War and, as in Maryland and other southern states, under the unsheathed bayonets of federal troops. The Virginia constitution had some good features, yet it did not satisfy the citizenry. Since it was not actually a part of the conquered South, Maryland was more fortunate in its Constitution of 1867. In 1902, thirty-three years after its "decreed" constitution, Virginia held a constitutional convention of its own, whose purpose was to constitutionalize the controls the people of the commonwealth had regained since Reconstruction. Everyone knew why an entirely new document was to be written and agreed to its need; therefore, the new constitution was approved by the people.

In 1967 there was no such acceptance in Maryland; moreover, despite all the Madison Avenue publicity and pressure, the people did not understand why an entirely new constitution was so urgent and gave no real approval of a wholesale change. The average citizen today is better educated and, while he may not understand all the facts and the technical aspects of government, he is fairly certain that many of the political scientists do not either. He does know how changes affect him. Therefore, he is skeptical and suspicious more than ever of public officials, public institutions, business, and even religion; he has to be shown!

Let Joseph R. L. Sterne, one of the more able and astute of the reporters of The Baltimore Sun, explain what is happening in the thinking of people regarding public affairs:

"There is little doubt that from the vantage point of future history, the scholars will decide that the arch-antagonists of 1968 occupied a certain amount of common ground. Both are thoroughly disillusioned with the two major parties, which they feel are unresponsive to immediate needs and pressures. Both distrust the intellectual establishment, with the "new left" loathing the educational administrators as fervently as the "new right" distrusts the professors. Both remain suspicious of the news media of the business community, of the government bureaucracy."[2]

The people are not going to support "tampering" with the instrument of their freedoms, rights, and liberties, even by individuals for whom they have respect and in whom they have confidence and whom they believe to be sympathetic to the problems of all citizens. Sidney Smith spoke of the good judge as being ". . . well inclined to the popular institutions of his country . . ."[3] People want political leaders who are well disposed to the common and comprehensive good, not those who preach simple governmental efficiency which is often accomplished only by autocratic power and meticulous judicial interpretations.

Neither race nor religion played too large a part in the people's thoughts about the proposed Maryland constitution. People who had moved to the suburbs generally objected to annexation by a larger and financially needy unit and to the combining of units of unequal taxability; let the state, they suggested, make the necessary financial adjustment where it is needed locally. Race may have played a part in the objection to easy annexation and to the combining of local governmental units for certain functions; actually, the people feared that political units combined for certain functions would become organic political units.

It is possible that the attributing of the defeat of the proposed New York Constitution to its very liberal provisions for financial aid to religious and other nonpublic schools had an effect upon the Maryland constitutional convention regarding the religious issue, but this is doubtful. Maryland is a "highly civilized" community and a more homogeneous unit than New York, and the relationship among the various religions and between the public and nonpublic school systems over the years helped to avoid a public issue on this point. There was general agreement among the public and nonpublic school officials as to the method of handling the situation. It is true, I believe, that blockbusting and the possible pushing of minority groups out into the suburbs had a bearing on the thinking respecting the local government issue.

Let us look a bit more closely at this distrust of the people of government, business, industry, education, and religion. The Supreme Court decisions involving race; the right of the individual as related to due process; the involvement of government in business, not only with the consent but with the connivance of business; the marriage of higher education and government after the Kennedy administration; the generally liberal attitude of the Court respecting the accused as against the victim (the dissension among lawyers and even among judges as to judicial actions); violence and mayhem in the streets and a general breakdown of law and order attributed to the liberalism or weakness of the judiciary or charges of laxity or brutality of the police, whichever position you may wish to take; the methods of handling the news; and the building up of non-whites into figures of prominence by the news media, have all played a part in developing the distrust of which Mr. Sterne speaks.

Back in the mind of the average citizen everywhere there is a feeling that politicians, especially the ones in the higher brackets, are striving to gather power unto themselves by the simple expedient of controlling legislation and the budget and to establish a dynasty. Let Mr. Jefferson speak upon this point:

"It would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights; . . . confidence is everywhere the parent of despotism—free government is founded in jealousy, not in confidence; it is jealousy and not confidence which prescribed limited Constitutions, to bind down those whom we are obliged to trust with power . . . our Constitution has accordingly fixed the limits to which, and no further, our confidence may go".[4]

Twice before, within the last two or three decades, Maryland citizens voted to hold a constitutional convention, but in each case their expression was thwarted by the legislature. In each case, however, the vote was comparable with the latest expression, that is, it apparently did not register the will of the great majority of the voters but only a majority of those voting in the election.

In brief, then, the desire for a new constitution in Maryland was not of the people; it had no wide support, and its sponsors represented special interests in the minds of the people. Who were its strongest proponents? The answer is: the newspapers generally; the chambers of commerce; certain governmental organizations within and without the state, such as the National Municipal League; the League of Women Voters and other such groups which had no special or vested interest; and groups of so-called liberals. The politicians were not interested as a rule—actually antagonistic when expressing themselves privately—and the majority of the population was apathetic or hostile. The idea of any necessity did not take root, and so the proposed constitution failed in passage.

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[1] Huxley, Preamble to the Constitution of UNESCO (1945).

[2] Stan, *Wallace and the Other Candidates*, Baltimore Sun, Oct. 13, 1968 (Sunday supplement "Perspective"). Used by author with permission of the publishers of the Baltimore Sun.

[3] S. Smith, The Judge Who Smites Against the Law.

[4] Kennedy Resolution (1798).

FEARS OF THE VOTERS

What were the specific aims of the proponents of a new constitution? In this discussion I shall refer not only to the preconvention fears of the people, but shall refer to certain actions of the convention that proved the reasons for these fears.

There was a feeling that certain interests, specifically business, the press, and some socially-minded groups, wished speedy social, economic, and business changes in government and, therefore, sought to establish the office of an all-powerful chief executive, who would bring about the changes they desired almost by edict. Maryland, thanks to the powerful Governor Ritchie, established constitutionally an extreme executive budget, constitutionalized it, and made it the most effective instrument of control by a governor of any state in the nation. To illustrate, under the constitution of Maryland, the governor can personally control, in effect, the salary of every top state administrative official, except that of some elected ones; moreover, he can cut the budget of practically any agency, including all public higher education, to the minimum. Literally, the governor has the power to destroy certain governmental functions. The General Assembly can only cut the Governor's budget; if it wishes to increase it for any reason, it has to pass an act providing new taxes to pay the increase desired—an almost impossible task. The only agencies protected against such arbitrary action by the governor are the legislative, the judicial, and the public schools, thanks to an intelligent constitutional provision. The present Maryland constitution provides that the chief executive must accept the estimates of the State Board of Education for the support of public schools, in accordance with the laws of the state, and put these estimates into the budget without revision, furthermore, the budget, when passed by the General Assembly, shall become law without the signature of the governor. This provision irks most governors, especially the inept ones, and also some legislators who would like to cut the public school budget. But the governor can cut the budget of the State Department of Education as well as those of the University of Maryland and of the state colleges, the departments which render social services, and all others. Again, the governor of Maryland under a constitutional amendment can cut every departmental budget up to twenty-five per cent in a state of emergency, except those of the public schools, the legislature, and the judiciary.

In addition to his budgetary powers, the governor of Maryland generally appoints most judges and all sorts of other officials. In the thinking of the public, there was the fear that the governor would be given even greater power by the proposed constitution and would consolidate state departments, hire innumerable assistants, and take on the characteristics of a dictator. While the proponents did not emphasize this point, it was obvious from the beginning that the attempt to create a more powerful chief executive was one of their major aims, and the popular reaction was not favorable.

The philosophy of certain political scientists that we need strong executives is an absurdity to many who have had experience in the practicalities of government. If our governmental executives were selected by competent men for their executive ability, the situation would be different; but to assume for one moment that an individual elected to high office immediately becomes a capable executive is quite another thing. The administrative ineptitude of too many elected officials at all levels is apparent even to the least educated layman.

The second great fear of the Maryland voters involved the judiciary. Unfortunately, several attempts had been made in the General Assembly in years past to bring about changes in the judiciary that were probably sound, but the efforts wére unsuccessful. The major focal point in the constitutional convention concerned judiciary changes. Unfortunately, in the constitutional convention, to gain the point desired, serious attacks were made upon the competence of the judiciary, including the specific qualifications of some of the judges. A major part of the entire convention was consumed in this battle, with many hard feelings.

In the legal profession, as in most professions, there is a major battle going on over the control of the profession. Control is sought by indirection in some cases. The struggle in the legal profession is between the practicing lawyer (the American Bar Association and other groups) and a relatively small number of law schools for the control of teaching the law. The Association of American Law Schools is attempting to eliminate all but highly restricted law schools with limited enrollment, to abolish night law schools, and to make the law an intellectual discipline. There is a feeling, especially in Maryland in the legal profession, that a few prominent law firms, organized somewhat along corporation lines, wish to control the profession within the state and that, if the present system of selecting judges is changed as was proposed, the average practitioner would never have a chance to be a judge. This feeling was possibly not justified, but it unquestionably existed to a great degree and had a decided effect upon the vote in the constitutional convention and even more in the general election on the constitution.

An attempt was made to professionalize the entire judiciary by abolishing the magistrates court and setting up courts administered by lawyers, but the veil of suspicion was cast over the entire matter because of other provisions, including too much power for the chief judge of the court of appeals. I suspect that many lawyers, judging from my wide acquaintance among them, voted against the constitution because of the judiciary provisions.

One of the greatest fears of the public was the possible breakdown of the separation of powers of government, which obviously would happen if the powers of any one of the three branches of government were unduly strengthened or lessened. The constitutional convention conveniently accommodated this fear, as did the draft commission. They strengthened the power of the chief executive (the General Assembly which, in my judgment, should have received the most support for greater power had the least) and the powers and the authority of the judiciary. The Governor, for example, under the proposed constitution, upon assuming office, could have changed every appointed board controlling an agency of the state, except those dealing with public education, and the latter would have been included except for strong opposition. Every administrative state board would have become entirely political.

In any civilized state the intelligent people do not want the politicians to control the education of their children or, for that matter, any function of government that concerns their well-being. Political rapacity, however, knows no limits except the power and authority of an aroused public.

The convention's position on the separation of powers offered the greatest opportunity for attack from the strongest opponents of the proposed constitution, the Save Our State Committee, headed by the wife of a judge of the court of appeals of the state.

Further, the people generally feared the elimination of certain local officials whose offices have long since become impotent, but for whom the people could vote locally. Here again the constitutional convention disregarded the thinking of the people. They eliminated the magistrates and certain other local and minor officials in the name of efficiency, and these officials and their friends rebelled strenuously against the action. The officials in themselves were not so important, but they represented a concept of government; that is, the doctrine of locally elected officials. There could have been a far more graceful and effective method of liquidation, but the constitutional convention did not find it.

In the elimination of offices, the great fight in the constitutional convention occurred over the offices of attorney general and state comptroller. It is useless to go into a discussion as to whether the attorney general of a state or commonwealth and the fiscal officer should be elected or appointed by the governor. The debate on this question was one of the most useless of all discussions in the entire convention. The question was simple: Is the attorney general the representative of the people's interests or is he the "governor's man" as certain proponents stated? The convention could not quite accept the idea that the attorney general should be the "governor's man," and his office was kept elective. The comptroller was not so fortunate; his office was retained but with reduced powers. A major change was the assigning of his auditing powers to the legislature.

The attorney general and the comptroller are popular men. Their offices are considered public offices accountable to the people rather than adjuncts of the governor's office; therefore, the attempt of the proponents to eliminate these offices must have had quite an adverse effect upon the vote on the constitution.

There were other fears—some important, some not so important. One fear, never answered satisfactorily, was whether or not new language and a new constitution would open up entirely new litigation on the whole constitution. If so, some opponents said, it would take another hundred years to know exactly what the new constitution means.

REASONS FOR DEFEAT OF THE PROPOSED CONSTITUTION

The constitutional convention as a whole was a well-organized, well-regulated, and well-directed enterprise. Committee chairmen were selected for their willingness to cooperate with the "establishment". The technical aspects of the convention were beautifully run. It was apparent that the convention was geared to pass the draft constitution in as near its original form as possible. The closely knit overall organization was so well developed and so rigidly run that some of the committees were not as effective as they should have been. My own committee was a good example of this procedure. The convention was managed as rigidly and efficiently, as far as approval of proposals was concerned, as a meeting of the chamber of commerce or a Bible class. It was a beautiful operation, but the patient died.

What were some of the mistakes of the constitutional convention as a body that led to defeat of the proposed constitution? First of all, it passed too many controversial matters by too small a majority. The work of the constitutional convention was divided among eight committees: Committee on Personal Rights and the Preamble; Committee on Suffrage and Elections; Committee on the Legislative Branch; Committee on the Executive Branch; Committee on the Judicial Branch; Committee on Local Government; Committee on State Finance and Taxation; and Committee on General Provisions. Each section of each article was voted upon separately, and then the entire article was voted upon as a whole. In each of the major articles there were some very controversial points, such as the power of the governor to assume control of all administrative boards as soon as he came into office, the right of negotiation, the organization of the courts, the referendum, and many others.

Several very controversial issues were decided by a bare majority vote. When the entire article was voted upon, however, those in the minority on the controversial issues voted for the entire article. But every controversial section won by a narrow margin cost many votes in the general election!

Secondly, the leaders gave the impression to some of the members and to the public that the proposed document was a "holy vessel;" that it was being prepared by the elect and should not be defiled in any way; and that it was the result of a great crusade by valiant warriors inspired by very lofty ideals, a conquest of good over evil! Phychologically, it is quite likely that a sort of paternalistic atttude, which became almost patronizing on the part of the convention, had as much to do with the adverse vote on the constitution as any other factor. This was most unfortunate as the members of the constitutional convention were about as fine a group of citizens as I have ever known. However, for the most part they were inexperienced in the ways of politicians and legislators, and consequently they lived on a very high plane, so high at times they were not conscious of the realities of political sanction.

Thirdly, too much effort was expended in trying to preserve the draft constitution, not a particularly well-devised document. The authors of this document were a group appointed by the governor to draft a statement to expedite the work of the constitutional convention. It generated needless controversy in the convention. It was no coincidence that the chairman of the draft commission became head of the constitutional convention. A man of ability and integrity, high standing in his profession, the chairman was possibly too committed to passage of the draft constitution, which became apparent a brief time after the opening of the constitutional convention. It was unfortunate that the machinery of the convention was set up to accomplish this purpose. Committee chairmen obviously were selected for their loyalty to the convention authorities, and, although in the main they were competent individuals, they demonstrated too often their loyalty to a predetermined plan, frequently by voting alike.

My own committee was disorganized most of the time by the loyalty of our chairman who kept close to the establishment. Our committee was able to come out with a report only because one night several of the members got together, wrote on a blackboard every proposal that had been made by any member of the committee, voted upon each one, and finally came up with a majority report. It was not entirely satisfactory, but it was the best we could get. Of the fifteen members of the committee, only nine were left at the end of the meeting. When our report was made to the constitutional convention, it had to be presented by the vice-chairman of the committee, as the chairman would not go against what he thought was the position of the leaders of the constitutional convention in respect to our report.

In the discussion of the proposals of our committee, largely dealing with education, the chairman requested that we limit our discussion to two hours and limit every speaker to two questions (the lawyers had debated for weeks on the judiciary). Our minority report was presented by the committee member who reported regularly to the chairman. I objected on the floor to the unseemly haste and unfair decision to limit debate on this important matter, and the late night session was closed with a date set for full consideration. In the interim, a compromise was worked out. The important point here is that leaders had preconceived ideas as to what should come out of the constitutional convention and endeavored to accomplish their purpose; a constitutional convention must be unlimited and deliberate in its discussions. No constitutional convention should go into deliberations with preconceived ends in view. There should be free, unlimited, and uninhibited debate as well as a clear-cut resolution on every point.

Fourthly, another mistake of the constitutional convention, which was reflected in the adverse vote at the polls, was the unwillingness to place a clear-cut, definitive line between what is constitutional and what is statutory. This was especially obvious in the deliberations of the committee on the judiciary, which was the chief offender in this respect until it rescinded several of its acts with the consent of the constitutional convention at the last moment. The first judiciary proposals which were approved spelled out salaries, pensions of judges and even the pensions of widows, and many details that anyone could see were not constitutional in nature. The reason, of course, was that the judiciary feels, improperly in my opinion, that it cannot get justice in the General Assembly. The proponents overlooked the fact that most of the members of the General Assembly are lawyers, most of whom hope to be judges, and they are anxious to make their future as attractive as possible. Of course, there are always some frustrated legislators who have been passed over for the judgeships, and they inveigh and work against fair pay and retirement.

I am no lawyer, but I am confident that a large percent of the proposals of our constitutional convention could have been provided by statute; possibly fifty to sixty percent of the total.

To give an idea of the attention paid to the various articles of the constitution, I am citing the number of pages devoted to each:

Article 1 Rights, 3;
Article 2 Suffrage and elections, 3;
Article 3 Legislative, 7;
Article 4 Executive, 10;
Article 5 Judiciary, 9;
Article 6 Finance, 5;
Article 7 Local Government, 3;
Article 8 Education, ½;
Article 9 General Provisions, 3; and
Article 10 Effect and Amendment of Constitution, 2½.

In spite of the final large majority of the members voting for the proposed constitution in the constitutional convention, I suspect that at least one-third of them did not vote for it in the election. The odor of sanctity was so pervading in the convention hall that few dared to defile the temple of obstructionism!

CONCLUSION

In closing I should like to make a few gratuitous comments about constitutional changes, based upon my limited experience as a member of the Constitutional Convention of Maryland from the First Legislative District of Baltimore County:

1. It is a waste of time, effort, and money to hold a convention to draft a new constitution unless the great majority of the people want it and have had a chance to express this approval by voting on the issue by itself.

2. The people will not accept the idea of a new constitution unless it has proper sponsorship, which must be representative of all segments of the population. Sponsorship by certain vested interests may get temporary approval of a convention but not of a constitution. The opponents of any new constitution in Maryland did not become vocal until after the proposed constitution was published, although there were considerable rumblings after the draft constitution was made public.

3. In trying to "sell" the idea of a new constitution do not:

a. argue that a constitution is obsolete merely because it is a hundred years old;

b. plead for an entirely new constitution because there is some reference to dueling and similar trivialities in the old one;

c. employ young "experts" from out of the state to present such arguments—use local public leaders whose opinions the people respect;

d. bring in too many outside professional organization workers with ready-made reports on every phase of government, model constitutions, model statutes, and advice as to methods that have been successful in some states, especially in those states whose level of civilization or sophistication does not rate "triple A" in the local state (at times, from the arguments, I felt as though I was voting on an issue in Missouri, Texas, or some other state);

e. confine leadership in the campaign to a few segments of the population or only a few businesses and professions (after all, a constitution is the one aspect of government that is supposed to be the common element for every citizen, and everyone should share in its preparation);

f. have a draft constitution prepared by an appointed group and then submit it to an elected group for consideration; if you should make this mistake, do not permit the drafters to be of the elected group (obviously, if there is a carry-over of personnel, you have a ready-made controversy to begin with!);

g. fail to make entirely clear to the voters the basic reasons why a new constitution is needed—be specific as to what changes you proposed.

4. Some positive suggestions:

a. It is probable that an entirely new constitution is not needed, only some important amendments. Make all changes by amendments rather than by complete constitutional change if possible. If the desired amendments are sound, the people will accept them. People can understand needed changes even if they cannot comprehend the technical details, but they become suspicious when a whole document is toyed with.

b. In talking about a new constitution, make clear and definite the changes desired. Uncertainty as to what was intended helped to turn the people of Maryland against a new constitution even before the convention met.

c. Have supporters broadly representative of all segments and facets of the population and enterprises.

d. Have the draft proposals prepared by a committee of the elected constitutional convention—not by others. Recess the convention for months if necessary to await a draft proposal. The psychology of drafting by others than elective members is bad.

e. Allow the constitutional convention plenty of time to deliberate.

f. By all means, allow each committee of the constitutional convention equal time to debate if equal time is necessary.

g. Define clearly and unequivocally what is constitutional and what is statutory and allow no exceptions. The proposed Maryland constitution was possibly fifty per cent statutory in nature.

h. By all means avoid giving the public the idea that the constitutional convention considers its documents a holy thing—a sine qua non. State that what is proposed is an improvement, a better working document, not earth-shaking but sound. And this is what the proposed Maryland constitution was!

i. The constitutional commission, appointed to advise as to the advisability of a constitutional convention, should clearly define the points to be covered, the constitutional changes that are desirable, and then clearly indicate what is statutory or constitutional. If the constitutional changes recommended can be achieved by amendments, they can be recommended to the legislature for referral to the people in the form of constitutional amendments. If they are statutory, they can be referred to the legislature for action. It is quite possible that a constitutional convention is not necessary to accomplish all the desirable constitutional changes.

One hopeful observation: I am confident that many of the constitutional changes proposed in our convention will be put into effect as statutes enacted by the General Assembly of Maryland. The serious need for some of these changes was clearly demonstrated by the discussions in the constitutional convention, and in time the people will want them. When the people really want them, the General Assembly will act and as expeditiously as the people desire.

Out of my very pleasant experience as a member, I feel confident that the Constitutional Convention of Maryland of 1967–68 justified itself by throwing into bold relief, for the people of Maryland, problems and suggested solutions in respect to state and local government. The issues were clear cut. Within a reasonable time, I am confident that these problems will be settled by the General Assembly either through statutes or by referral of constitutional amendments to the people.

THE VOICE OF IRISH LIBERTY WILL NOT BE STILLED

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. PODELL. Mr. Speaker, I have been shocked at the sight of religious extremists, whipped into a frenzy of hate, violently disputing the right of Catholics of Northern Ireland to enjoy the most elementary human freedoms. To me, it seems these citizens have been deprived of many basic rights as part of a deliberate policy on the part of some of the authorities of Northern Ireland.

Certainly there is no reason in the world to violently prevent peaceful protests on the part of Ulster's Catholic population. Certainly there is no excuse for some of the sights we have seen and words uttered against these Catholic Irish. Further, I am more than a little surprised that modern Great Britain would allow such behavior and outright discrimination in this day and age.

Wherever England's banner has flown in battle, the Irish have helped hold it high, advancing it in many a common battle against Nazism and other evils. The blood of many fine Irish boys has flowed freely in defense of democracy. Are they then to be denied elementary privileges in their own land in the name of religious extremism? Are they to be penalized because they happen to be Roman Catholics by religious faith? Such policies do no honor to Great Britain.

I could not help but be much moved by recent actions and words of Miss Bernadette Devlin, the 21-year-old young lady who moved the British Parliament so deeply in her maiden speech. Few finer or more eloquent words have been uttered in modern times on behalf of the cause of human liberty and dignity of the individual. I believe she highlighted an intolerable situation that harms non-Catholics in Northern Ireland as much as their Catholic fellow citizens.

It is degrading to see political figures encourage religious bigotry in order to perpetuate political control. All the Ulster Catholic population seems to be asking for is the principle of one-man, one-vote in local elections. Such a principle seems to me to be worthy of the support of the British Government.

Ireland has given the Western World much. Her sons and daughters have enriched our land. Her genius has a special place in millions of hearts. Her torment is not to be suffered in silence.

HOW ABOUT US?

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. FLOWERS. Mr. Speaker, many Members of Congress, including myself, have introduced legislation to raise the personal tax exemption from its current unrealistic level of $600. We are much encouraged by the statements made in the last few days by the chairman of the Ways and Means Committee that his committee will not be limited by the "partial package" proposed by President Nixon, but will press toward an overall tax reform measure this year.

The Greene County Democrat is a weekly newspaper published at Eutaw in Greene County, Ala. For over three quarters of a century it has served its readers well, and Mr. Richard K. Martin, the present editor and publisher, has contributed greatly in this tradition of service with his news and editorials.

I would like to share one of his editorials with my colleagues and others by inclusion in the RECORD at this time. It seems to me that this editorial clearly places before us one of these much-needed areas for tax reform:

HOW ABOUT US?

It was thirty years ago this year that Uncle Sam very confidently set a price tag on our kids. Uncle said $600, and since 1939 that has been the figure established by the Internal Revenue Code. That is what the government allows us for each dependent child, as a deduction on our income tax.

Now there appears in the press a report that welfare recipients are campaigning for a minimum annual handout of at least $4,400. That, the dole-takers say, is the rock bottom income which would insure their dignity and relief from harassment.

Might that be a proper new deduction for a man and wife filing a joint federal income tax return?

There are across this land several million man and wife taxpayers who were not yet born in 1939. Yet they are feeding, clothing and educating children under that ridiculous and antiquated $600 deduction per dependent. When Uncle Sam looked at the problem of establishing dependency "allowances" within programs more modern than the income tax he chose to be infinitely more generous.

We are allowed $50 a month deduction for each of our kids. But the Aid to Dependent Children program subscribes upwards of $800 a year for the upkeep of an illegitimate child. Refugees from Cuba are allowed a minimum of $1,200 a year, and generous Uncle budgets an additional $1,000 a year for each Cuban refugee child enrolled in school.

Job Corps personnel have been costing the government upwards of $7,000 a year. The most recent figures we find for the Vista program (Volunteers in Service of America) indicates that more than $15,000 a year per trainee was provided. Surely there are a few million parents who would like to have that sum available to finance college expenses for their offspring.

Still, come April 15, the man from Uncle will insist that the $600 deduction is the law of the land. And if you suggest that the cost of food, shoes, doctor bills, church and school activities have risen somewhat since 1939, you'll prompt a condescending smile.

Congressmen gratefully accepted an 88 percent increase in salary over the last five years. We poor taxpayers haven't had an increse in the standard deduction in 30 years. How about us?

AMERICAN UNIVERSITY STUDENTS OUST SDS

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. WATSON. Mr. Speaker, this week a group of hale and hardy students at American University showed the best method of freeing a campus building taken over by the so-called Students for a Democratic Society. Instead of trying to negotiate and then turning around and weakly accepting ridiculous SDS proposals as too many school officials are doing, these dedicated, conscientious, and brave students physically ousted SDS creeps who illegally took over one of their campus buildings.

Mr. Speaker, in one fell swoop, a group of students showed college administrators how it is done. You do not negotiate with SDS or do a series of backflips and knee jerks when they attempt to take over the campus; you crack the whip and get tough.

In a way, it is really a shame that students who are struggling to get an education have to take matters in their own hands just to be able to attend classes without fear of harassment and intimidation. Over 90 percent of our students realize the value of higher educational training, and they are working long and hard to realize worthy goals. They are justifiably sick and tired of these leftist militants who are seeking to disrupt the educational processes, and I predict that more and more students in future weeks are going to follow the lead of their contemporaries at American University and eject the rascals from their schools. After all, exam time is rapidly approaching for most students, and this is a serious and traumatic period for them.

I applaud the students at American University for their forthright action. They are to be commended. I only hope that other schools will follow their lead. Only then will our campuses be safe for the purpose in which they were established in the first place—centers of learning in which students prepare themselves for tomorrow's challenges—instead of meccas of anarchy.

VOID IF DETACHED

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. RODINO. Mr. Speaker, the town of Montclair, a progressive suburban city in my district, is currently blessed by the great leadership of its mayor, Matthew Carter. Mayor Carter was recently honored by the Bankers National Life Insurance Co. of Montclair with its 1969 distinguished service award. The following editorial from the Montclair Times states very clearly and eloquently the ideals that have made Mayor Carter such a deserving recipient of this award:

[From the Montclair Times, Apr. 10, 1969]

VOID IF DETACHED

Mayor Matthew G. Carter, in accepting the 1969 Distinguished Service Award last week from Bankers National Life Insurance Company of Montclair, delivered a brief but forceful address on the topic, "Void If Detached."

The Mayor noted that he, as an individual, would be void if he were detached from his family and friends in the same manner that most things in life are void if they are detached from sockets or connections. He also related the word "appliances" to characterize many of these things to the fact that we as individuals are void if we do not apply ourselves.

An extension of Mayor Carter's theme might include the fact that Montclair as a community would become a void if it were to be detached from the individuals and groups working for the betterment of the town.

Bringing this thesis to the level of the individual, it might be said that the selfish individual who sees happenings only within the sphere of his own restricted area is likely to become void since he has detached himself from others in the community whose differing viewpoints may well contain the solution to problems encountered by this iconoclastic person seemingly so secure in the ivory tower of self-love with which he has walled himself.

Nor would a discussion of a talk by an ordained minister and a dedicated YMCA worker be complete without the statement that all of us live in nothing but a void if we remain detached from the all-knowing and all-loving presence of God.

The Times extends its congratulations to Mayor Carter on this latest in a long list of honors he has received in a past which antedates both his selection in 1968 as Mayor of Montclair and his choice as a member of the Board of Commissioners in 1964.

HOUSE OF REPRESENTATIVES—*Monday, April 28, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Fear God and keep his commandments; for this is the whole duty of man.—Ecclesiastes 12: 13.

O God of love and Father of mercy, we rejoice and our hearts take courage when we realize that Thou art always with us, available for every need and ready to help when we turn to Thee.

Each day at this noontide moment of prayer we seek Thy sustaining presence because we are meeting problems beyond our wisdom to solve and managing responsibilities beyond our strength to carry.

Give to our President, our Speaker, every Member of this body, and those who work with them a clear sense of Thy guiding spirit as they endeavor to master the difficulties that beset our country.

In all our efforts to do what is right and good for all may we maintain a faith that never falters, a courage that never fails, and a good will that never fades.

Bless our Nation with Thy favor and make us ever eager to participate in the adventure of leading man and nations into the glorious light and life of liberty.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, April 24, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 216. Concurrent resolution extending to the Honorable Harry S. Truman, 33d President of the United States, the best wishes of Congress on the occasion of his 85th birthday.

PRESIDENT RENÉ BARRIENTOS ORTUÑO, OF BOLIVIA

(Mr. FASCELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FASCELL. Mr. Speaker, all of us, I am certain, were shocked by the untimely death this past weekend of President René Barrientos Ortuño, of Bolivia.

According to news reports reaching Washington, President Barrientos perished in the crash of a helicopter which he was piloting himself.

Forty-nine years of age, the President was a pilot and headed the Bolivian Air Force before becoming President in 1964.

Elected to a 4-year term as constitutional President by an impressive majority in 1966, President Barrientos had shown himself to be an able, energetic chief executive, committed to the implementation of fundamental economic and social reforms resulting from the 1952 revolution in his country.

During his tenure, President Barrientos overcame a number of serious and disparate crises, including the difficulties which arose from Communist guerrilla insurgency led by Ché Guevara, of Cuba.

In the death of President Barrientos his country has lost an able and dedicated leader and the world indeed has lost a man of vision.

As chairman of the Subcommittee on Latin America, I join with other Members of Congress and executive branch officials in extending our condolences to the Government and people of Bolivia.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join with the distinguished gentleman from Florida in this note of sadness over the loss not only of a great Bolivian but a great American and a great man. I extend to his family, his country, and to both continents in the Western Hemisphere and to all liberty-loving people my own condolences over his tragic death.

Mr. FASCELL. I thank the gentleman.

GENERAL DE GAULLE

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I thought it might be worthy of comment to note that Mr. Nixon's recent trip to Europe to genuflect at the altar of General de Gaulle was a wasted motion because the French people finally caught up with De Gaulle and he is not there any more.

NEW LEFT NOTES

(Mr. CEDERBERG asked and was given permission to address the House for 1 minute.)

Mr. CEDERBERG. Mr. Speaker, I placed two documents by the misnamed SDS—"Students for a Democratic Society"—in the April 24 RECORD. These two documents are blueprints for the creation of disorder on the college campuses of our Nation as well as within the business and labor areas.

Today I am placing in the body of the RECORD an SDS document entitled "New Left Notes," which was distributed at a basketball game at East High School in Denver, Colo., the last week of February 1969.

The main titles of this document are: "Minimum Definition of Revolutionary Organization"; Sex Relationship Inventory," which is an obvious attempt to pollute the minds of these young people; and "A Series of Formulas and Techniques for Explosive, Incendiary Devices."

I was pleased to note that our colleague, the gentlewoman from Oregon (Mrs. GREEN) plans to call some of these revolutionary leaders before her subcommittee. This organization and its aims must be exposed.

I have written the Attorney General requesting that he use whatever legal power he has available to curb this group's activities.

Also, I have suggested to the gentleman from Missouri (Mr. ICHORD), the chairman of the House Internal Security

Committee, that this group should be the subject of an investigation.

RATS AND REDTAPE

(Mr. DICKINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKINSON. Mr. Speaker, those of us who were in the House 2 years ago and participated in the "rat debates" might be interested in the remarks that appeared recently—as a matter of fact, in the April 23 issue of the Washington Daily News on the editorial page. The editorial states as follows:

> RATS AND REDTAPE
>
> Nearly two years ago the House of Representatives struck from an appropriation bill a sum the Johnson Administration had requested to exterminate rats in city slums.
>
> This led to a spectacular rhubarb and President Johnson, blaming Republicans, charged the Congressmen with preferring rats to children.
>
> The House had turned down the appropriation because, some of the members said, it was mainly a local problem and besides they didn't think much would come of a Federal program other than spending money.
>
> An example of what the House members feared is now on display right under their noses—in the District.
>
> Under pressure from LBJ, the House has reversed itself and funds finally were authorized. A grant of $1 million went to the national capital. But up to now, no rat even has been threatened, although more than a third of the money was earmarked for a large staff, which has been hired.
>
> The main trouble: Redtape and quibbling among agencies.
>
> Don't send a boy to do a man's job? Rats! Don't send a government.

INVITATION TO THE SAN FELIPE DE NERI PARISH FIESTA OF SAN JOSE DE DURANES

(Mr. LUJAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUJAN. Mr. Speaker, a part of the heritage in my part of the country, in the State of New Mexico, is the fiesta. It is an honorable, and ancient, and colorful festival. The particular festival to which I call your attention is the San Felipe de Neri Parish Fiesta of San Jose de Duranes. The dates this year are June 6, 7, and 8.

I wish to invite any Member of the House, or any constituent of any Member of the House, to attend the San Felipe de Neri Parish Fiesta for an experience he will long remember.

CHICAGO IS AHEAD IN JOURNALISM

(Mr. DERWINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Speaker, a dramatic new development in newspaper publishing rolled off the press with this afternoon's debut of Chicago Today American, serving the Chicago metropolitan area.

The slogan, "Best of Today—and Tomorrow," adopted by Chicago Today dramatizes the spirit with which it will strive to serve the vast Chicagoland metropolitan area.

I am pleased to point out, Mr. Speaker, that the Chicago area is served by four major daily newspapers who in total provide coverage clearly surpassing any other metropolitan region in the country. With the innovations commencing this afternoon with the first publication of Chicago Today, newspaper readers of Chicagoland will benefit from even greater news service.

The new Chicago Today will be a lively, diversified, eye-catching publication, very convenient to read, and produced by the most modern and advanced printing technology.

Under the direction of its publisher, Lloyd Wendt, and its editor, Luke Carroll, the Chicago Today will develop its stories with its readers in mind recognizing the obligation to the complex area it serves.

The newspapers across the country are watching this development with great interest as Chicago Today establishes a new concept in journalism and dramatizes the vitality and spirit of our freedom of the press.

The Sunday edition of Chicago Today will contain special innovations in its supplements and overall coverage in an effort to provide its readers with a totally comprehensive source of news and information.

Mr. Speaker, with this afternoon's debut of Chicago Today, Chicago can properly claim to be the "newspaper center of the United States."

STUDY OF EDUCATIONAL PROGRAMS

(Mr. MARTIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARTIN. Mr. Speaker, today I am introducing a resolution which is cosponsored by the able gentlewoman from Oregon (Mrs. GREEN) and the distinguished gentleman from Minnesota (Mr. QUIE) which will deal with a most important problem—education.

Today we are spending billions of dollars at the Federal level in the field of education. It is estimated that there are at least 200 Federal educational programs scattered throughout almost every department of the Government. In many of the larger agencies there is not even, at a central point, complete knowledge of all of the educational programs they administer. Because of the great proliferation of educational programs there is undoubtedly much duplication of effort. My resolution sets up a select committee of seven members, appointed by the Speaker to delve into this complex subject.

This committee would make a complete listing of all Federal educational programs and should give us answers to the following question. First, how well and effectively is this aid being administered? Second, is there overlapping in some areas? Third, is the best possible return being received for the dollars spent? Fourth, are there urgent needs in other educational areas? Fifth, is it in the national interest for the Federal Government to help meet them?

This is a pressing problem and I hope that prompt action will be taken to approve the resolution to set up this select committee. With the billions of dollars now being spent at the Federal level on educational programs, this is an urgent matter which needs the immediate attention of a thorough and exhaustive study by a select committee.

DE GAULLE'S EXIT

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINDLEY. Mr. Speaker, President de Gaulle's latest exit, undoubtedly his last, was in the grand De Gaulle tradition. He went down fighting for a cause. It is difficult for me to imagine him leaving office in any other circumstance.

Time and again in his long career he played big stakes, risking his personal position and prestige on issues he considered crucial.

He usually won. His big gambles kept the French empire from Vichy control during World War II, forced Allied Powers to recognize his Free French provisional government, saved postwar France from Communist domination, closed down the Algerian war, gave France political stability through a new Constitution, and established the independence of French military forces.

He frequently irritated the American people, but in every major crisis he always stood without hesitation with the United States. His service to the cause of liberty is matched by few men in all history.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate today.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. BOGGS asked and was given permission to address the House for 1 minute.)

Mr. BOGGS. Mr. Speaker, I wish to add to the list of bills unanimously reported from the Committee on Ways and Means, which will be considered subsequently, the bill (H.R. 8654) providing combat pay income tax treatment for the crew of the U.S.S. *Pueblo*.

THE LATE HONORABLE HARRY RICHARD SHEPPARD

(Mr. SISK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SISK. Mr. Speaker, it is my sad duty to announce to the House the passing of a very distinguished American and longtime dean of the California delegation, former Congressman Harry Sheppard, who departed this world this morning, leaving his wife, Kay, and a multitude of friends to mourn his passing.

I would say at this time that Harry Sheppard served for 28 years in this House with a very distinguished record.

It is the desire of the California delegation that a day be set very shortly in which all Members of the House will have an opportunity to pay tribute to our former colleague and friend.

DISTRICT OF COLUMBIA BUSINESS

The **SPEAKER.** This is District of Columbia day. The Chair recognizes the gentleman from South Carolina (Mr. McMillan).

EXPANSION OF CANINE CORPS

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 254) to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

H.R. 254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia, acting through the Chief of Police of the Metropolitan Police force of the District of Columbia, are authorized to acquire, train, and maintain as many dogs as may be necessary to be used in connection with law enforcement in the District of Columbia.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Commissioner of the District of Columbia is authorized to acquire, train, and maintain as many dogs as may be necessary to be used in connection with law enforcement in the District of Columbia."

Mr. McMILLAN. Mr. Speaker, I move to strike the last word.

BACKGROUND

Mr. Speaker, the purpose of this bill is to authorize the Commissioner of the District of Columbia to maintain and expand the Canine Corps of the Metropolitan Police Department as may be necessary to protect the peace, quiet, and safety in the Nation's Capital.

The use of dogs in urban police work originated in Belgium more than 50 years ago. It has since spread to many other countries. In the United States, there are more than 40 police departments which use dogs in patrol work, and the number of cities using trained dogs is increasing rapidly.

The Canine Corps was first etsablished in the District of Columbia in December 1959. The first six handler and dog teams went into service on the streets of the city April 19, 1960. During 1960, the number of teams increased to 20. By 1966, the number of handlers and dog teams, trained and in training, reached a total of about 90 with an average of about 80 teams active and on the streets. Due to the promotion of some of the handlers and the resignation of others, the effective strength of the corps at this time is about 64 teams.

CANINE CORPS PERFORMANCE IN LAW ENFORCEMENT

The Canine Corps man-dog teams are used for a variety of assignments as a law enforcement arm of the Metropolitan Police Department. The following statistical tables indicate the activities of the Canine Corps for an average of 64 teams during the 6-month period, August 1968 through January 1969. Canine Corps teams responded to 12,312 calls during this period.

CANINE CORPS HANDLER AND DOG 8-HOUR DUTY TOURS

There are 258 foot patrol tours, 3,524 cruiser patrol tours, 1,332 special assignment tours, and 449 dog training tours.

TYPE OF WORK PERFORMED BY DOGS

	Assignment	Arrests
Tracking	164	21
Open seeks	226	23
Building seeks	815	56
Chasing	24	13
Deterrent	50	23
Other	15	1

The following table shows the number of felony arrests by canine corps officers and the number of cases in which dogs were used in the course of effecting the arrest:

Offense	Arrests		
	Dogs used	Dogs not used	Total
Burglary—I	3	12	15
Burglary—II	142	119	261
Robbery	176	77	199
Assault	21	29	50
Larceny	10	42	52
Carrying deadly weapons, rape, assault on police officers, and other felony offenses	137	555	69

From these figures it is seen that a high percentage of the arrests made in connection with these crimes were accomplished with the aid of dogs.

In addition to their actual participation in these arrests, the dogs of the Canine Corps have proved invaluable on many other occasions by the deterrent effect of their mere presence at the scene of actual or potential trouble. The dogs' keen sense of smell enables them to locate fugitives hiding in buildings, junkyards, and other places where the policemen would otherwise have a most difficult and dangerous task in apprehending them.

DRUG TRAFFIC DETERRENT

An important new use for dogs in the control of crime is in the field of drug suppression. In recent months it has been discovered that dogs have a high degree of acuity in seeking marihuana. If the preliminary experience in this type of police work proves valid, the use of dogs on a major scale may provide a real benefit in breaking up the traffic in that drug. Trained dogs seem effective in finding the drug in buildings, airports, warehouses, and detecting its presence on persons.

In view of the reported significant increase in the use of drugs in the District of Columbia, particularly among juveniles, expansion of the Canine Corps trained for detection of this drug could have an important effect on preventing its use and progression to other drug addiction and development of incorrigible criminals. The Canine Corps has just received its first dog trained for such work and anticipates expanding the training program in this activity rapidly.

ACQUISITION AND TRAINING PROGRAM

Our committee was informed that for several reasons any program of expansion of the corps cannot be made to proceed too rapidly. First, the recruitment and selection of the dogs must be accomplished carefully and deliberately. Then the training itself takes 14 weeks, and the nature of the training work forbids too large groups. In this connection also, each dog is assigned to one particular man, and this patrolman and his dog must be trained together. In addition, each man-dog team in service must be brought back for 1 day of refresher training every 2 weeks. For these reasons, the Police Department estimates that no more than 25 new dogs can be acquired, trained, and added to the corps each year.

Thus far, all the dogs in the Canine Corps have been donated, and thus have cost the Police Department nothing. However, if the contemplated program of expansion necessitates the purchase of any of the new dogs, it is estimated that they may cost as much as $250 each. An item of expense is involved in the fact that the policemen who handle these dogs must transport them daily in their own cars, and also must keep the dogs at their homes. This calls for fenced yards and extra cleaning. Also, most of the work of these policemen must be performed at night. For these reasons, these men are paid additional compensation in the amount of $580 per year. With the exception of a few sergeants who perform this duty, all the officers who serve as dog handlers are grade 2 technicians.

The cost of training and adding a man-dog team to the Canine Corps is presently estimated at about $2,500. This includes the handler's extra compensation, the food, and veterinary care for the dog, but does not include any cost for purchase of a dog.

Enactment of this proposed measure would provide legislative authorization for the maintenance and expansion of this corps, which has proved to be an invaluable asset to law enforcement in the District of Columbia, to the extent future needs may dictate.

This bill is the same in substance as H.R. 1935 of the 88th Congress, House Report 76; H.R. 1064 of the 89th Congress, House Report 19; and H.R. 824 of the 90th Congress, House Report 198; all of which bills passed the House.

CALL OF THE HOUSE

Mr. **SPRINGER**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 48]

Adair
Anderson, Ill.
Andrews, Ala.
Annunzio
Ashbrook
Barrett
Bates
Bell, Calif.
Biaggi
Bingham
Boland
Bolling
Brasco
Brock
Broomfield
Broyhill, Va.
Buchanan
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Celler
Chappell
Chisholm
Clancy
Clark
Clay
Collins
Conte
Conyers
Corbett
Cramer
Cunningham
Daddario
Delaney
Diggs
Donohue
Dulski
Dwyer
Edwards, La.
Fallon
Fish
Ford, William D.
Gallagher
Gettys
Gray
Green, Oreg.
Gubser
Halpern
Hathaway
Hawkins
Hébert
Helstoski
Henderson
Hosmer
Howard
Hull
Jarman
Jonas
Jones, Ala.
Jones, N.C.
Kirwan
Kuykendall
Landrum
Lipscomb
Long, La.
Lukens
Mann
Matsunaga
Mikva
Mollohan
Monagan
Moorhead
Morton
Murphy, N.Y.
Nedzi
Nix
O'Neill, Mass.
Ottinger
Philbin
Powell
Pucinski
Quillen
Randall
Rees
Reifel
Rivers
Ronan
Rooney, Pa.
Rostenkowski
Roudebush
Rumsfeld
St. Onge
Sandman
Scherle
Scheuer
Sikes
Smith, Calif.
Smith, N.Y.
Stanton
Steiger, Wis.
Stephens
Stuckey
Symington
Teague, Calif.
Teague, Tex.
Van Deerlin
Waggonner
Watkins
Watson
Watts
Weicker
Whalley
Wilson, Bob
Wolff
Wydler
Zion

The **SPEAKER**. On this rollcall, 315 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXPANSION OF CANINE CORPS

The **SPEAKER**. The gentleman from South Carolina (Mr. McMILLAN) is recognized.

Mr. **McMILLAN**. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. NELSEN).

Mr. **NELSEN**. Mr. Speaker, I would only supplement what has already been said about the unanimous action of the committee on the proposal which is now brought before the House, and I join with the gentleman from South Carolina in asking support for the bill.

The **SPEAKER**. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VOLUNTARY ADMISSION OF PATIENTS TO DISTRICT INSTITUTION (FOREST HAVEN) PROVIDING CARE, EDUCATION, AND TREATMENT OF MENTALLY RETARDED PERSONS

Mr. **McMILLAN**. Mr. Speaker, I yield to the gentleman from Texas (Mr. DOWDY).

Mr. **DOWDY**. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 4182) to authorize voluntary admission of patients to the District of Columbia institution providing care, education, and treatment of mentally retarded persons, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4182

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The first four sections of the Act entitled "an Act to provide for commitments to maintenance in, and discharges from the District Training School, and for other purposes", approved March 3, 1925, is amended as follows:

(1) The first section of such Act (D.C. Code, sec. 32–601) is amended—

(A) by striking out "feeble-minded" and inserting "mentally retarded",

(B) by striking out "Board" and inserting "Department", and

(C) by striking out "The District Training School" and inserting "Forest Haven".

(2) Section 2 of such Act (D.C. Code, sec. 32–603) is amended to read as follows:

"SEC. 2. For the purposes of this Act, the term 'mentally retarded persons' means of persons afflicted with mental defectiveness from birth or from an early age, so pronounced that they are incapable of managing themselves and their affairs, and who require supervision, control, and care for their own welfare, for the welfare of others, or for the welfare of the community, and who are not insane nor of unsound mind to such an extent as to require their commitment to a hospital for the mentally ill."

(3) Section 3 of such Act (D.C. Code, sec. 32–604) is amended—

(A) by striking out "Board" and inserting "Department",

(B) by striking out "inmates" and inserting "patients", and

(C) by striking out "board" each place it appears and inserting "Department".

(4) Section 4 of such Act (D.C. Code, sec. 32–605) is amended—

(A) by striking out "Board" and inserting "Department",

(B) by striking out "feeble-minded" and inserting "mentally retarded", and

(C) by striking out "board" and inserting "Department".

SEC. 2. (a) Chapter 11 of the District of Columbia Code (relating to commitment and maintenance of feeble-minded persons) is amended as follows:

(1) Such chapter is amended by striking out "feeble-minded" each place it appears in sections 21–1102 through 21–1108, 21–1110, 21–1111, 21–1113 through 21–1115, 21–1118, and 21–1123 and inserting in each such place in those sections "mentally retarded".

(2) Such chapter is amended by striking out "the District Training School" each place it appears in sections 21–1102, 21–1108 through 21–1113, 21–1116, and 21–1118 through 21–1122 and inserting in each such place in those sections "Forest Haven".

(3) (A) Such chapter is amended by inserting after section 21–1108 the following new section:

"§ 21–1108A. Voluntary admission to Forest Haven

"(a) The Director of Public Welfare (hereinafter in this section referred to as the 'Director') may admit to Forest Haven as a patient any adult who has been a resident of the District of Columbia for one year next preceding the date of application or any child under the age of twenty-one whose parents or legal guardian has been a resident of the District of Columbia for one year next preceding the date of application. A person may be admitted to Forest Haven as a patient under this section only if—

"(1) such person is certified by the Director of Public Health to be mentally retarded and in need of care at Forest Haven;

"(2) such person either by himself, his parents, his spouse, or his legal guardian makes written application for admission to Forest Haven; and

"(3) any contract required by subsection (d) has been executed.

"(b) Any person admitted to Forest Haven purusant to subsection (a) of this section shall be released therefrom no later than five days after receipt by the Superintendent of Forest Haven of a written request for release, except that if within such five-day period a petition concerning such person, as provided by section 21–1103, is filed in the United States District Court for the District of Columbia, such person shall be detained until a final judgment is entered by the court upon such petition.

"(c) The Director may discharge any patient of Forest Haven admitted under this section if the Director is satisfied that such discharge will not adversely affect the welfare or interests of the mentally retarded person, the community, or others.

"(d)(1) If the Director finds that any person with respect to whom an application for admission to Forest Haven has been made, as provided in this section, or any parent, spouse, adult child, or legal guardian of such person, is able to pay all or any part of the cost of maintenance and care of such person, the Director shall not admit such person unless a contract for payment, satisfactory to the Director, is executed by such person, parent, spouse, adult child, or legal guardian.

"(2) The Director is authorized to enter into any agreement he deems necessary with any applicant to become a patient in Forest Haven, or with his parent, spouse, adult child, or legal guardian, for payment to the District of Columbia of all or part of the cost of such maintenance and care. Upon default of payment provided by any contract entered into under this section, the Director is authorized to discharge the patient of Forest Haven with respect to whose cost of maintenance and care the contract was entered into, and, in addition, he may utilize the procedures provided for in sections 21–1110 and 21–1111 to secure payment.

"(e) The Director, with the approval of the Commissioners of the District of Columbia, shall prescribe such rules and regulations as he may deem necessary to carry out the provisions of this section.

(B) The table of sections for such chapter is amended by inserting after the item relating to section 21–1108 the following:

"21–1108A. Voluntary admission to Forest Haven."

(4) Section 21–1101 is amended to read as follows:

"§ 21–1101. Definitions

"For purposes of this chapter—

" 'Forest Haven' means the institution established pursuant to section 32-601, and designated 'Forest Haven' by section 32-602, or any successor to that institution; and

"'mentally retared person' means any person afflicted with mental defectiveness from birth or from an early age, so pronounced that he is incapable of managing himself and his affairs, and who requires supervision, control, and care for his own welfare, for the welfare of others, or for the welfare of the community, and who is not insane nor of unsound mind to such an extent as to require his commitment to a hospital for the mentally ill."

(5) The first sentence of section 21-1110 is amended by inserting immediately after "as a public patient" the following: "or when a person is admitted to Forest Haven as a patient under section 21-1108A".

(6) The first sentence of section 21-1111 is amended by striking out "and finds" and inserting "or when a person is admitted to Forest Haven as a patient under section 21-1108A, and the court finds".

(7) Section 21-1117 is amended by striking out "in feeble-mindedness" and inserting "initiated by a petition filed under section 21-1103".

(8) Section 21-1121 is amended by striking out "and inmate" and inserting "a patient".

(9) The section heading for section 21-1102 and the item relating to such section in the table of sections for such chapter is amended by striking out "District Training School" and inserting "Forest Haven".

(10) The section heading for section 21-1103 and the item relating to such section in the table of sections for such chapter is amended by striking out "feeble-mindedness" and inserting "mental retardation".

(11) The section heading for section 21-1108 and the item relating to such section in the table of sections for such chapter is amended by striking out "District Training School" and inserting "Forest Haven".

(12) The section heading for section 21-1114 and the item relating to such section in the table of sections for such chapter is amended by striking out "feeble-minded" and inserting "mentally retarded".

(13) The section heading for section 21-1117 and the item relating to such section in the table of sections for such chapter is amended by striking out "of feeble-minded cases" and inserting "of cases brought under section 21-1103".

(14) The section heading for section 21-1118 and the item relating to such section in the table of sections for such chapter is amended by striking out "feeble-minded" and inserting "mentally retarded".

(15) The section heading for section 21-1121 and the item relating to such section in the table of sections for such chapter is amended by striking out "inmates" and inserting "patients".

(16) The section heading for section 21-1122 and the item relating to such section in the table of sections for such chapter is amended by striking out "inmate'" and inserting "patients'".

(17) The chapter heading for such chapter is amended by striking out "FEEBLE-MINDED" and inserting "MENTALLY RETARDED".

(b) The table of chapters for title 21e of the District of Columbia Code is amended by striking out in the item relating to chapter 11 "Feeble-Minded" and inserting "Mentally Retarded".

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Dowdy: On page 3, line 9, after "Chapter 11", insert "of title 21".

(Mr. DOWDY asked and was given permission to extend his remarks at this point in the Record.)

Mr. DOWDY. Mr. Speaker, the purpose of this bill is to accomplish the following:

First, to authorize voluntary admission of mental patients to the District Training School, whose name is changed to Forest Haven;

Second, to require that a prerequisite to such voluntary admissions be a financial arrangement with the District of Columbia on behalf of such patients when they or their relatives are financially able to pay for all or a part of the expenses involved; and

Third, delete certain archaic terminology in the present law and substitute modern terminology in its place.

BACKGROUND

The District Training School, Forest Haven, is an institution at Laurel, Md., operated by the District of Columbia Department of Public Welfare for mentally retarded citizens of the District, where such persons are not only cared for but are given such education and training as their mental capacities will permit.

Under present law, admission to the District Training School, Forest Haven, can be accomplished only by court order, the issuance of which must be preceded by a petition to the court and a hearing. It is the opinion of this committee that families could well be spared the emotional ordeal involved in bringing their mentally retarded relatives before the court, and that the time of the court could more profitably be used for other purposes. In this connection, we are informed that these petitions are nearly always uncontested.

H.R. 4182 would provide, in addition to this present system of admission to the District Training School, Forest Haven, by court order, for voluntary admission in cases where the District of Columbia Director of Public Health determines that the applicant is eligible for admission, and where the patient expresses no objection to being admitted.

A patient voluntarily admitted would have the privilege of petitioning for his own release, and would be discharged 5 days after filing his petition with the superintendent of the training school, unless during this period the Director of Public Welfare petitions the district court to detain the patient for court hearing. In this event, the patient would be retained until the court has disposed of the case.

This bill provides further that where the term "District Training School" occurs in the present law, the more commonly used title "Forest Haven" shall be substituted. Similarly, the more humane term, "mentally retarded," would replace "feeble-minded," and the word "patient" would be inserted in lieu of "inmate." This committee feels that these changes in terminology would serve to a degree to spare the feelings of the families of these retarded persons and thus lighten the burden upon them.

HEARING

At a public hearing conducted on July 26, 1963, the Administrator of the District of Columbia Children's Center, of which the District Training School—Forest Haven—is a part, testified that the Department uses a scale similar to the public assistance scale in determining what amount the families of patients admitted to the training school should be required to pay. Such payment is then stipulated in the court order authorizing the admission. However, changes in the families' financial circumstances frequently occur during the patient's period of residence at the Training School, which may make them able to pay substantially more than was originally stipulated, or unable to pay as much. In either case, present law requires the Department of Public Welfare to go back into court for any change in the original agreement. The Department is very much in favor of the provision in H.R. 4182 which would authorize them to handle the financial arrangements with the families directly, as this would facilitate frequent review and adjustment of charges when altered circumstances indicate a need for such changes.

The former District of Columbia Board of Commissioners originally requested this legislation, approval of which also has been expressed by the District of Columbia Department of Public Health. No opposition to its enactment has been expressed.

The progenitor of this legislation is H.R. 7440 of the 88th Congress, which passed the House on August 26, 1963—House Report No. 704. It was repeated in H.R. 1700 of the 89th Congress, approved by the House on February 8, 1965—House Report No. 23—and also in H.R. 3371 of the 90th Congress, passed by the House on March 13, 1967—House Report No. 118.

The SPEAKER. The question is on the amendment offered by the gentleman from Texas (Mr. Dowdy).

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO EXEMPT PUBLIC INTERNATIONAL ORGANIZATIONS FROM THE DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 9526) to amend the District of Columbia Unemployment Compensation Act to provide that employer contributions do not have to be made under that act with respect to service performed in the employ of certain public international organizations, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 9526

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b)(5) of section 1 of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-301(b)(5)) is amended—

(1) by striking out the period at the end of clauses (P) and (R) and inserting at the end of such clauses a semicolon, and

(2) by adding after clause (S) the following new clause:

"(T) service performed after April 1, 1962, in the employ of a public international organization designated by the President as entitled to enjoy the privileges, exemptions, and immunities provided under the International Organizations Immunities Act (22 U.S.C. 288—288f–1)."

(Mr. DOWDY asked and was given permission to extend his remarks at this point in the RECORD.)

BACKGROUND

Mr. DOWDY. Mr. Speaker, the purpose of the bill H.R. 9526 which was requested by the State Department, is to exempt certain public international organizations, which have headquarters or regional offices in the District of Columbia, from registering with the District of Columbia Unemployment Compensation Board and from the payment of the unemployment compensation tax required by the District of Columbia Unemployment Compensation Act—District of Columbia Code, title 46, section 301.

The international organizations exempted by the bill would only be those designated by Executive order of the President as entitled to enjoy the privileges, exemptions, and immunities provided under the International Organizations Immunities Act—22 U.S.C. 228–288f–1.

Section 288 of that act defines an "international organization" as "a public international organization in which the United States participates pursuant to any treaty or under the the authority of any act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designated by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities provided" in the United States Code.

Under the International Organizations Immunities Act, it is further provided that where the United States participates in a public international organization either by treaty or by act of Congress authorizing an appropriation therefor, the President may designate that organization as being entitled to certain privileges and immunities, such as exemption from payment of taxes, inviolability of its records and property, and exemption of its non-American employees from U.S. income taxes, and from process as to their official actions.

Similar legislation passed the House in the last Congress.

PRECEDENTS

The State Department advised your committee that with the exception of the United Nations organization, located in New York City, and the Pan American Union, located in Washington, most public international organizations have their headquarters abroad, in Geneva, Switzerland, or other locations. However, some of these organizations do have small regional offices in Washington, which act as clearinghouses for information channeled to their main offices abroad.

Many such public international organizations with regional offices in the District, such as the International Bank for Construction and Development, are already exempt by treaty from local taxes.

There are only a few small regional offices in the District not so exempt, as the United Nations Information Center, the International Labor Organization, and the Food and Agriculture Organization, employing a total of but 75 to 100 persons.

H.R. 9526 would give these remaining public international organizations the same exempt status as others now enjoy, and your committee recommends the bill be approved by the House.

ENDORSEMENT OF LEGISLATION

Not only is the bill requested and urged by the State Department but it was approved by the Board of Commissioners of the District of Columbia and by the Federal Bureau of the Budget. No opposition to the bill has been expressed to your committee.

Mr. GROSS. Mr. Speaker, I move to strike the necessary number of words.

Mr. Speaker, I take this time to ask the gentleman what the cost of this will be in terms of the tax exemption?

Mr. DOWDY. Mr. Speaker, if the gentleman will yield, this bill was requested by the State Department and approved by the District of Columbia government. Most public international organizations are located probably in Europe and one or two in New York, and there are some very small regional offices in the District that are not so far exempt. They employ a total of about 75 to 100 persons.

This bill puts all these international organizations under the same rule, and they can be exempted by orders of the President if he finds they come under the provisions of the International Organizations Immunities Act, which is 22 U.S.C. 288.

Mr. GROSS. Mr. Speaker, is there no estimate as to the loss of revenue to the District of Columbia by virtue of this tax-exempt status?

Mr. DOWDY. No. I do not believe we have that. It would be a trifle and would amount to only a few hundred dollars.

Mr. GROSS. Would this apply to individuals as well as organizations?

Mr. DOWDY. No. This applies only to unemployment compensation tax. This is all.

Mr. GROSS. Is this reciprocal for citizens of the United States? Do organizations representing the United States get this treatment in foreign countries?

Mr. DOWDY. Yes; that is my understanding. It is done by treaty, I will tell the gentleman.

Mr. GROSS. Of course, this is not being done by treaty.

Mr. DOWDY. No. The organizations this applies to are the regional offices here in the District of Columbia; the United Nations Information Center, the International Labor Organization, and the Food and Agriculture Organization. Those are small regional offices. That is all that are here.

Mr. GROSS. Who finances those offices?

Mr. DOWDY. The U.S. Government and other governments finance them. They are international organizations.

Mr. GROSS. The gentleman is not sure that this is reciprocal insofar as the United States is concerned, say, for an office located in Switzerland or in France?

Mr. DOWDY. They do the same thing over there.

Mr. GROSS. They give these organizations a tax exempt status; is that correct?

Mr. DOWDY. That is correct. I believe it to be correct, or otherwise I would not say it. They have alien employees as well as domestic. Of course, the gentleman understands that when they bring in temporary employees here as aliens they are not subject to our taxes. And this bill applies only to the unemployment tax, which the employer pays.

Mr. GROSS. Is this going to exempt any U.S. citizens from the payment of taxes?

Mr. DOWDY. Does the gentleman mean income taxes? No. This applies only to the employers on the unemployment compensation tax. That is all it applies to. It does not involve the income tax at all.

Mr. GROSS. I thank the gentleman.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TITLE IV SCHOOL DESEGREGATION PROGRAM

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. EDWARDS of California. Mr. Speaker, before the Nixon administration assumed office on January 20, the Office for Civil Rights of the Department of Health, Education, and Welfare—like many other Federal agencies—prepared transition papers on its responsibilities to help interpret them for officials in the new administration and to facilitate the transition from one administration to another. One of the OCR papers was on the status of the school desegregation program—where we are today, how the program has developed, and where we go from here.

The paper clearly indicates how the various court decisions relate to the title VI school desegregation program and shows how consistent the administration of the program has been to the rulings of the courts—particularly the Supreme Court.

The document also points out questions—now settled by the courts, the Congress, or both—which in the past have been at issue in efforts to eliminate the vestiges of the unconstitutional dual school system. It shows the progress which has been achieved under the title VI program and the further progress we can anticipate, assuming the requirements, the policies and the procedures in this carefully developed program remain substantially intact and are followed in the future.

When the OCR transition paper was prepared and presented to incoming officials at HEW, the most recent available figures on school desegregation were those released last year reflecting the situation at the start of school in the fall of 1967. Since the preparation of the paper, the fall 1968 figures on desegregation in 11 Southern States have been compiled and released. These figures show a 6-percent increase over the desegregation figures of a year earlier and represent almost a twentyfold increase since 1963 when the desegregation figure in the South stood at about 1 percent. Most of the progress has come about through the program carried out under title VI of the Civil Rights Act of 1964 and administered by the Office for Civil Rights at HEW.

As Members of Congress are well aware, the title VI program has been very much in the news recently—during last fall's campaign, the post-campaign period and particularly since January 20 of this year. It occurs to me that other Members of Congress might find the OCR transition paper as interesting as I have.

Mr. Speaker, I include as part of my remarks the transition paper to which I referred as well as the press release issued recently by the OCR reporting the school desegregation figures for the 11 Southern States:

ENFORCEMENT OF TITLE VI OF THE CIVIL RIGHTS ACT: SCHOOL COMPLIANCE PROGRAM ADMINISTERED BY HEW

THE CIVIL RIGHTS ACT OF 1964

In 1964 the Congress of the United States passed the Civil Rights Act. Title VI of that Act specifically and unequivocally prohibits racial discrimination in federally assisted programs; and it also requires Executive agencies to end Federal support of any program in which discrimination is practiced.

Title VI is based on the concept that services and benefits provided by Federal tax dollars collected from all Americans should be available without discrimination on the basis of race, color, or national origin to all Americans. The basic assumption is that the Federal Government should not financially support or underwrite racially discriminatory practices. While this proposition is eminently fair, it is nevertheless a fairly recent concept in the administration of Federal grant programs.

Title IV of the 1964 Civil Rights Act instructed the Executive Branch to provide technical assistance to those local educational agencies requesting such aid during the process of desegregation. Title IV also empowered the Attorney General to initiate legal action, but under severe limitations: he must first receive a written complaint from a parent or group of parents to the effect that their children were "being deprived by a school board of the equal protection of the laws" and he must certify the suit would materially further the orderly achievement of desegregated public education.

Another section of the Civil Rights Act—Title IX—gave the Attorney General the authority to intervene in school desegregation and other cases, if he could certify that the cases were "of general public importance."

In assessing the impact of the 1964 Civil Rights Act during the past few years, there can be no question that its greatest significance has been the desegregation of elementary and secondary schools in the South.

This is a brief account of the Federal efforts to utilize the mandate of 1964 in ending segregation in public education through the orderly processes of government. Certain principles have been firmly established in administration, law, and educational practice during the past four years. Chief among these are the following:

The right of every citizen to "equal protection of the laws", as provided by the 14th Amendment to the Constitution is consistent with the requirements for desegregation under the Civil Rights Act (the Title VI compliance section). School officials are obligated to take affirmative action toward providing equal educational opportunity, both under the Constitution and under the Civil Rights Act compliance provisions.

When dealing with school systems formerly segregated by law, the courts have said that "desegregation" and "integration" mean the same thing. The courts have made clear their intention that every dual school system—every system set up by law or local policy to segregate the races—be eliminated and that students and faculty in schools of these systems be assigned in ways that bring about integration.

The Federal Government has a role to play in bringing about school integration through technical assistance, administrative enforcement, and litigation. Both the Congress and the courts clearly have recognized the responsibility of the Executive Branch in this effort.

Delays in the implementation of desegregation plans will no longer be tolerated. The Supreme Court has said: "The burden on a school board today is to come forward with a plan that promises realistically to work, and promises realistically to work *now*." (Emphasis supplied by the Court.) The doctrine of "all deliberate speed" has been replaced by "forthwith." So-called "freedom of choice" desegregation plans have been invalidated by the Courts when they did not effectively and immediately satisfy the Constitutional requirement to eliminate segregation in the schools. The Supreme Court has ruled that "freedom of choice" is constitutionally unacceptable if it does not result in the elimination of the dual school system. HEW's desegregation policies are consistent with the position of the Courts.

School desegregation has occurred in substantial numbers of communities in all parts of America. The process has gone forward, not without controversy, but for those school districts that have moved ahead, much of the controversy is behind them. They do not want the racial issue reopened.

WHAT THE "BROWN" DECISION MEANT

In May 1954, the U.S. Supreme Court ruled that segregated education was unconstitutional. During the ten years following the *Brown* decision, the Federal Government provided nothing in the way of financial and technical assistance and service and did not require desegregation as a condition for receiving Federal funds.

The primary burden for taking legal action for desegregation rested with the Negro community and civil rights organizations. The Attorney General of the United States did not have the authority to institute school desegregation cases. However, between 1954 and 1964, the Attorney General did take part in a number of cases as *Amicus Curiae*, beginning with the *Brown* case itself. In addition, the Department of Justice directed the enforcement of Federal court orders, as in the desegregation of Central High School in Little Rock, Arkansas, the University of Mississippi, and the University of Alabama.

In the 1963–64 school year, about 2500 of the country's 28,000 operating school districts officially maintained dual systems based on race. In the 11 Southern States, 99 percent of the Negro students remained in segregated classrooms taught by Negro teachers. The Department of Justice, without specific authority to initiate action, had built up only limited experience in school cases. The Department of Health, Education, and Welfare—with no statutory authority or financial leverage—played virtually no role at all. However, Congressional enactment in 1964, 1965, and 1966 of a variety of measures substantially increased the flow of Federal aid to schools: the Economic Opportunity Act, the Elementary and Secondary Education Act, the Higher Education Act, and amendments to the Higher Education Facilities Act, the Vocational Education Act, and other education legislation. These enactments gave the principal leverage for securing compliance (the sanction of terminating funds in the absence of voluntary compliance) a new and important significance.

COMPLIANCE ACTIVITIES IN THE SOUTH

The key strategy for the enforcement of Title VI has been to develop a forward momentum of voluntary compliance by school districts throughout the South, and while there were innumerable policy decisions concerning the implementation of Title VI, the one basic and overriding decision has been that school districts violating the Constitution are not eligible to receive Federal funds. HEW adopted the policy that if a school district is violating the Constitution as defined and interpreted by the Federal Courts, the school district is not eligible for Federal funds. In fact, HEW announced that its administrative policy would be in tandem with the judicial standard established by the courts.

In 1964, the court decisions and the legislative history of Title VI indicated that public school systems with a dual structure should have a period of time to desegregate their schools. Accordingly, the Title VI program began by permitting the 2500 school systems still maintaining a dual structure to come into compliance with the nondiscrimination requirements of Title VI gradually under the provisions of a desegregation plan.

Systems which had been ordered to desegregate by a Federal Court could satisfy the requirements of Title VI by submitting to HEW the desegregation plan ordered by the court. One-hundred-eighty systems did so. For these systems, the challenging party and the court, and not HEW, remained primarily responsible for assuring that the plan was in accord with current law and carried out by the school officials.

However, approximately 2300 school systems were not subject to a court order. In order for these systems to qualify for Federal assistance, they were required to submit to HEW an acceptable desegregation plan. It was HEW's hope that with the Congressional mandate reflected in Title VI, most of these systems would take meaningful steps to desegregate on their own initiative. Many did. During the first half of 1965, 300 systems advised HEW that their dual structures would be eliminated when school opened in the fall.

A great many more systems, however, indicated that they would do nothing to desegregate until they were told exactly what was required for compliance with Title VI. Accordingly, HEW issued guidelines in April 1965, based upon then current court decisions, describing acceptable desegregation plans.

Under the voluntary plans which HEW negotiated with 1950 school systems that year, there was a start—albeit a token start—toward the desegregation of students in nearly every district. These systems also agreed to teacher desegregation in principle, but since the plans did not require it, few actually changed teacher assignments.

Few of these communities were ready to accept the end of separate schools for Negroes. Most of the desegregation plans accepted by HEW were based upon "freedom of choice". They made parents responsible for choosing the school their children would attend. Many communities adopted "freedom of choice" because it would satisfy the Federal requirements and still give them a means of keeping Negro students in "their" schools. Some local officials did not honor the choices of Negro parents. Harassment and intimidation of Negroes was commonplace. In many cases the landowner, the employer, the creditor or the Negro principal, who was afraid his school would be closed, prevailed upon Negro parents to withdraw their choice of white schools. Even without these kinds of pressures, however, most Negroes chose Negro schools.

Based on this experience and consistent with the current court decisions, HEW revised its policies in March 1966 after consultation with school officials and civil rights leaders. The new "guidelines" made it clear that the law was not satisfied merely by giving Negro students a "free choice" of the white or Negro school they wished to attend. The new policies stated that if "freedom of choice" did not establish a unitary school system, then local officials would have to come up with another plan that did. In addition to the position on "freedom of choice", the new policies emphasized desegregation of school faculties.

To carry out these policies, HEW Title VI compliance staff routinely visited systems which were making the least progress to examine the free choice procedures. Where free choice had been ineffective, HEW staff conferred with local officials about steps that could be taken to accelerate progress. Usually this meant the abandonment of free choice, a step most communities were reluctant to take.

Early in 1967 the Court of Appeals for the Fifth Circuit upheld the HEW policies, and the Supreme Court refused to hear an appeal. Then in May 1968, the Supreme Court held (in the *Green* decision) that a freedom of choice school desegregation plan is acceptable only if it leads to prompt and effective elimination of the dual structure.

Congress has faced the issue of "freedom of choice" and has rejected proposals which would have required HEW to accept "freedom of choice" plans regardless of whether they are effective in eliminating unconstitutional dual school systems. As a result, HEW retains the authority to require alternative plans where free choice has proved to be ineffective. Thus, the Executive, Judiciary, and Legislative Branches of the Federal Government have a consistent position of opposition to ineffective "freedom of choice" plans. In March 1968, again after consultation with school officials, civil rights leaders, and members of Congress from all parts of the country, HEW issued new compliance policies requiring, by September 1969 the elimination of dual school systems. Nearly 300 school districts have responded since that time and have come forth with acceptable plans to achieve the announced objective. (If new school construction is involved or if the district has a Negro student majority, the deadline may be delayed to September 1970.) HEW is still negotiating with another 340 districts to work out acceptable voluntary plans to eliminate the dual structure—14 years after *Brown*.

The Federal Government focused primary attention following the enactment of the Civil Rights Act of 1964 on compliance of districts organized on a dual, racially-segregated basis. The record indicates that change has taken place. In 1963, prior to the enactment of the Civil Rights Act, only 1.17 percent of Negro students in the 11 Deep Southern States were attending school with whites. The most recent computation shows that this percentage increased to 13.9 percent as of September 1967. (For districts operating under plans approved by HEW the figure was 19 percent as compared to 9.5 percent for districts desegregating under court orders.) The September, 1968 enrollment figures will be available early in 1969. Nearly all school districts with white and Negro teachers have begun the process of faculty desegregation.

NORTHERN COMPLIANCE PROGRAM

The March 1968 compliance policies were not restricted to problems with dual-system school districts. Four months before, in December 1967, the Congress passed amendments to the Elementary and Secondary Education Act. Among these was a provision that HEW's Title VI compliance program be uniformly applied and enforced throughout the fifty States." Statistical data on the the distribution of minority students and faculty—Spanish-surnamed, Oriental, and Indian, as well as Negro—have subsequently been collected from Northern and Western school districts. HEW's Office for Civil Rights, following a directive in the 1969 Appropriations Act for HEW, has balanced its staff so that as many personnel are involved in reviewing the data from Northern and Western schools as are involved with the Southern school compliance program. More than 30 preliminary reviews of school systems have taken place in 13 Northern and Western States. Full reviews are being carried on in five of those States.

In 1968 the Department of Justice began its Northern and Western litigation program, with suits initiated under Title IV of the Civil Rights Act of 1964 against South Holland and East St. Louis, Illinois, and Indianapolis, Indiana school districts. (The Court of Appeals for the 17th Circuit upheld the district court in South Holland, Illinois decision requiring the school district to desegregate both faculty and students.) It has also intervened against the Pasadena, California School District in a major suit under Title IX of the Civil Rights Act of 1964. A number of investigations and negotiations are being carried on in other districts where there are indications that racial discrimination may exist in the schools.

In a very real sense, the Nation is at a turning point in its efforts to bring alive the principles of equality and justice in its schools. A great deal of energy has been expended in the South, with the record showing steady—albeit slow—progress. The sphere of activity has been expanded by the Congress and the Executive Branch to all educational agencies in the Nation: elementary, secondary, and higher education. (A HEW questionnaire has been circulated among the 2300 colleges and universities receiving Federal assistance; they are also subject to the compliance provisions of Title VI of the Civil Rights Act, including systematic reviews.)

A preliminary examination of the Northern and Western school data shows that many Negro, Puerto Rican, Indian and Mexican-American students and faculty in those districts may be denied equality of educational opportunity on the basis of their race, color, or national origin.

SUMMARY

The key issue facing the new Administration is whether it will, by administrative policy, support and implement the decision of the Supreme Court and other courts, or whether it will choose to adopt a lower standard of administrative policy than enunciated by the Supreme Court. The Courts and HEW have said that free choice is an acceptable desegregation plan provided it is effective in disestablishing the dual school system.

Protracted consideration of the basic policy issue or a reversal of present administration policy would have a disastrous effect on the progress of education throughout the country. If the policy were reversed, hundreds of school officials who have already moved into compliance would be forced to reconsider their decision in light of the new Federal policy. Many school districts would be forced by local pressures to resegregate their schools by reinstituting a freedom of choice plan.

The reopening of the issue by a shift in Federal policy would drag the race issue back into school board meetings, PTA meetings, the classroom and local elections. A shift in Federal policy would significantly undercut the leadership of moderate Southern white educators, businessmen and political leaders, and would even more significantly weaken the leadership of moderate Negroes in the South who have kept faith in the goal of integration and equal educational opportunity.

Clearly, the Title VI compliance program is not a panacea. It is but one of a variety of instruments of national public policy to assure equal opportunity in the field of education. Aid to education, Head Start, poverty programs, are also very important. But firm enforcement of Title VI of the Civil Rights Act has been—and should continue to be—an indispensable ingredient in the total Federal approach to equal educational opportunity.

Release of U.S. Department of Health, Education, and Welfare, Office of the Secretary, January 16, 1969

Preliminary analysis of the 1968 data on school desegregation in the 11 States of the Deep South shows that 20.3 percent of the 2.5 million Negro students in these districts or a total of 518,607 Negro children are attending schools with white children (*Table 1*). This figure compares with 13.9 percent for the 1967–68 school year.

At the same time, the data reveals that in the school districts desegregating under the requirements of Title VI of the Civil Rights Act of 1964, 25.6 percent of the one million Negro children in those districts or 272,281 are attending schools with white children.

The overall desegregation figure, 20.3 percent, includes districts desegregating under court orders as well as those desegregating under voluntary plans.

The voluntary plans under which the districts are desegregating have been developed locally and have been submitted to the Office for Civil Rights of the Department of Health, Education, and Welfare.

The 25.6 percent figure, contained in survey data released today by the Office for Civil Rights, HEW's Title VI compliance agency, compares with the 19 percent or 202,794 Negro children reported in desegregated schools in the same districts during the 1967–68 school year. The districts are in the following States: Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia

All of the school districts in the 11th Deep South State, Alabama, are desegregating under court order.

A comparison of the voluntary plan desegregation progress in the 10 Deep South States for 1966–67, 1967–68 and 1968–69 is shown in Table 2. A desegregated school is defined, as in 1967–68, as one attended by minority group children in which at least 50 percent of the students are white.

Preliminary analysis also showed that:

1. Desegregation progress in Deep South school districts desegregating under court orders was sharply below the voluntary plan desegregation figure. Data from court order districts showed that only 11.5 percent or 149,000 of the Negro students in those districts are attending school with white children. (Table 3.)

2. In those school districts in the 10 Deep South States which have submitted forms certifying they have eliminated their dual systems (Form 441), 51.6 percent of the Negro students are attending schools with white children.

These preliminary figures account for approximately 85 percent of the students attending schools in the 11 Deep South States. The reports were to be completed and returned to HEW by October 15, but school districts which account for approximately 15 percent of the students in these States failed to return reports or returned incomplete information.

The only large system which has not yet reported data is Dallas, Texas. Dallas is under court order.

A breakdown of the extent of school desegregation in the 11 Deep South States for all types of school districts (voluntary plan, 441, court order) is shown in Table 4.

TABLE 1.—ALL DISTRICTS REPORTING, FALL 1968—PUPIL DESEGREGATION IN 11 SOUTHERN STATES

State	Districts reporting	Enrollment		Desegregation[1]	
		Total	Negro	Negro students	Percent Negro students
Alabama	89	588,639	204,365	15,039	7.4
Arkansas	173	376,470	94,791	22,048	23.3
Florida	57	1,160,644	282,226	67,961	24.1
Georgia	144	883,287	268,044	38,196	14.2
Louisiana	50	774,140	299,152	26,354	8.8
Mississippi	100	398,725	193,602	13,839	7.1
North Carolina	143	1,120,602	330,449	92,028	27.8
South Carolina	76	486,509	196,203	29,198	14.9
Tennessee	120	843,525	140,187	34,098	24.3
Texas	501	2,264,881	306,648	119,259	38.9
Virginia	115	992,047	236,023	60,587	25.7
Total	[2] 1,568	9,889,469	2,551,790	518,607	20.3

[1] The Office for Civil rights estimates that the data on which the 1968 preliminary analysis is based accounts for 85 percent of the estimated 11,677,684 public school students in the 11 Southern States.

[2] Includes all districts with total enrollment over 3,000 students and a sampling of districts with less than 3,000 students enrolled.

TABLE 2.—VOLUNTARY PLAN DISTRICTS[1]—PUPIL DESEGREGATION IN 10 SOUTHERN STATES (3-YEAR COMPARISON)

State and year	Districts reporting	Enrollment		Desegregation[2]	
		Total	Negro	Negro students	Percent Negro students
Arkansas:					
1966	99	173,130	73,545	6,058	8.2
1967	124	217,378	82,215	13,832	16.8
1968	97	179,755	66,199	14,417	21.8
Florida:					
1966	47	296,344	81,917	11,018	13.5
1967	41	264,273	76,226	14,213	18.6
1968	42	297,726	78,772	25,253	32.1
Georgia:					
1966	114	543,254	149,117	11,081	7.4
1967	125	588,291	141,208	19,128	13.5
1968	115	567,991	146,739	26,975	18.4
Louisiana:					
1966	3	20,482	4,301	454	10.6
1967	3	19,502	3,853	623	16.2
1968	3	20,351	4,168	1,001	24.0
Mississippi:					
1966	34	133,234	52,459	2,200	4.2
1967	35	150,058	59,898	3,768	6.3
1968	40	161,588	65,322	7,842	12.0
North Carolina:					
1966	102	774,225	244,770	31,339	12.8
1967	97	836,452	243,081	40,236	16.6
1968	90	724,322	232,896	63,554	27.3
South Carolina:					
1966	72	467,868	180,922	9,433	5.2
1967	57	349,835	143,975	10,257	7.1
1968	70	459,043	182,987	28,207	15.4
Tennessee:					
1966	40	171,802	23,466	7,699	32.8
1967	43	160,457	30,223	11,550	38.2
1968	31	155,674	25,240	12,051	47.7
Texas:					
1966	334	886,046	166,341	47,936	28.8
1967	323	989,704	177,798	63,008	35.4
1968	177	850,013	142,071	62,374	43.9
Virginia:					
1966	50	371,386	107,311	18,410	17.2
1967	54	431,799	117,148	26,190	22.4
1968	53	370,799	119,676	30,607	25.6
Total:					
1966	895	3,837,771	1,033,693	145,628	14.1
1967	902	4,007,749	1,075,625	202,794	18.9
1968	718	3,787,262	1,064,070	272,281	25.6

[1] The Office for Civil Rights estimates that the data on which the 1968 preliminary analysis is based accounts for 86 percent of the estimated 10,846,023 public school students in the 10 Southern States. (All districts in the State of Alabama are under Federal court order to desegregate.)

[2] For 1966, a desegregated school was defined as one which had 5 percent or more white enrollment. For 1967 and 1968 this definition was changed to schools which had 50 percent or more white enrollment.

TABLE 3.—COURT ORDER DISTRICTS[1]—PUPIL DESEGREGATION IN 11 SOUTHERN STATES (2-YEAR COMPARISON)

State	Districts reporting	Enrollment		Desegregation[2]	
		Total	Negro	Negro students	Percent Negro students
Alabama:					
1967	113	690,393	232,021	12,528	5.4
1968	89	588,639	204,365	15,039	7.4
Arkansas:					
1967	10	60,055	20,426	3,516	17.2
1968	10	61,503	21,427	3,629	16.9
Florida:					
1967	16	766,494	164,894	30,507	18.5
1968	12	617,412	143,881	31,149	21.6
Georgia:					
1967	4	163,121	83,564	5,730	6.9
1968	10	251,367	114,169	8,966	7.9
Louisiana:					
1967	43	644,041	255,784	16,771	6.6
1968	47	753,789	294,984	25,353	8.6
Mississippi:					
1967	36	131,176	78,998	2,405	3.0
1968	55	226,811	126,002	5,408	4.3
North Carolina:					
1967	14	186,697	59,041	10,496	17.8
1968	18	214,199	71,807	17,286	24.1
South Carolina:					
1967	2	14,549	6,473	401	6.2
1968	6	27,466	13,216	991	7.5
Tennessee:					
1967	25	365,166	124,571	11,365	9.1
1968	19	302,125	100,992	9,495	9.4
Texas:					
1967	13	445,928	124,903	12,163	9.7
1968	11	429,178	116,836	18,975	16.2
Virginia:					
1967	22	240,653	96,681	12,961	13.4
1968	20	215,699	91,381	12,709	13.9
Total:					
1967	300	3,708,273	2,273,127	118,843	9.5
1968	297	3,688,188	1,299,060	149,000	11.5

[1] The Office for Civil Rights estimates that the data on which the 1968 preliminary analysis is based accounts for 85 percent of the estimated 11,677,684 public school students in the 11 Southern States.

[2] For 1966, a desegregated school was defined as one which had 5 percent or more white enrollment. For 1967 and 1968 this definition was changed to schools which had 50 percent or more white enrollment.

TABLE 4.—TOTALS BY CATEGORY FALL 1968—PUPIL DESEGREGATION IN 11 SOUTHERN STATES

Category	Districts reporting	Enrollment		Desegregation[1]	
		Total	Negro	Negro students	Percent Negro students
Voluntary plan	718	3,787,262	1,964,070	272,281	25.6
441's[2]	553	2,414,019	188,660	97,326	51.6
Court orders	297	3,688,188	1,299,060	149,000	11.5
Total	[3] 1,568	9,889,469	2,551,790	518,607	20.3

[1] For purposes of this fall 1968 tabulation, Negro students are considered to be enrolled in a desegregated school only when the white population of that school is at least 50 percent.

[2] Includes all districts with total enrollment over 3,000 students and a sampling of districts with less than 3,000 students enrolled.

[3] The Office for Civil Rights estimates that the data on which the 1968 preliminary analysis is based accounts for 85 percent of the stimated 11,677,684 public school students in the 11 Southern States.

TRADE RELATIONS BETWEEN THE UNITED STATES AND JAPAN AND SECURITY CONSIDERATIONS

(Mr. HANNA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANNA. Mr. Speaker, it is a great honor, a privilege and a pleasure for me to be a part of the small delegation welcoming committee for an economic mission from Japan to the southern part of the United States.

Mr. Speaker, I think it is of great

significance that not only has Japan been growing economically, but it has been growing in terms of its responsibilities, particularly in view of the level of impact which their cooperative participation has had in the economic development of Southeast Asia. But in regard to that I think it is quite timely in the presence of the gentlemen here in Washington that we look with an increasingly concerned eye at some of the problems that lie just ahead for our two nations. Within a very short span of time, Mr. Speaker, we are going to have to face the Okinawan situation and determine what the new relationships between ourselves and this small island are going to be and, of course, the Japanese have a particular political problem to solve in relation to our decision. But it is my opinion that these gentlemen who are here looking for greater trade opportunities and wider cooperation between our two nations will be able to take back to the Japanese people the concern that free trade can only exist in a world where there is some measure of security. In the statement of purpose for their mission the Japanese have stated they seek improved markets in an open world. But if there is to be an open world there must be present a sufficient deterrent to discourage those who seek to close it. As the Japanese Constitution is now written there are substantial limitations on their own ability to provide assurance that the doors of the present free world will remain open.

Further, Mr. Speaker, it is my opinion that in this sense our Japansese friends have a very definite and important stake in the present Okinawa—defense potential. Regardless of change of political status it would be in everyone's interest to retain this potential.

Mr. Speaker, just recently in Korea it has been brought to our attention by the Foreign Minister, Choi, that they are seriously concerned about Okinawa in terms of maintaining the security of Korea. They have pointed out that if it were not for the bases on Okinawa, during the Korean conflict, the present map of free Korea would certainly have been altered. The Koreans have a stake in our decisions on Okinawa; the whole of Southeast Asia has a stake in what we decide. I would hope that the great wisdom which has been displayed on so many occasions in the past relationships between the Japanese and ourselves will be generously exercised as we negotiate the new status and new relationship for Okinawa. I would hope that the Ryukus Islands could move into the full political family life of the Japanese nation while still retaining, through pragmatic and acceptable treaty arrangements, such base operations in Okinawa as will provide a security balance in east Asia. Only with this security can the open doors for an open world of free and expanding trade be maintained at this point in history for the Pacific.

Let us assure our friends in Japan and our present adversaries in North Vietnam, in North Korea and in mainland China that we seek in the full sense an open world—open to all including each of them and their people. We stand ready to cooperate for peaceful settlement of the problems that presently separate us. All of Asia needs, for our times, policies on both sides of open minds; of open hearts and of open doors; of culture and ideas. While we seek these we will not allow others to close doors which we have so painfully opened.

THE TREMENDOUS TASK FACED BY CONGRESS IN DEALING WITH MONETARY AND TAX POLICIES OF THE UNITED STATES

(Mr. BURLESON of Texas asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. BURLESON of Texas. Mr. Speaker, as a member of the House Ways and Means Committee, I am greatly impressed with the tremendous task faced by the Congress in dealing with the monetary and tax policies of the United States.

One of the most urgent problems facing America today is the question of how to deal with the ever-increasing Federal budget. For some time I have felt that we should return to the States the responsibility for administering and financing certain programs that are gradually being taken over by the Federal Government. I believe, for example, that the financing and control of certain welfare programs and elementary and secondary education should be returned to the State and local governments. The recent expansion of welfare programs and the indicated expansion of Federal aid to elementary and secondary schools underscore the need for a change in direction. I am sure we are all aware that with Federal funds go Federal control—more Federal funds, more Federal control.

With this in mind, I am introducing legislation designed for taxpayers to receive certain credits against their Federal income tax liabilities for State, corporate, and individual income taxes and general sales taxes paid. The objective of this bill is to provide sufficient funds to cover the cost of returning full responsibility for welfare and secondary and elementary education to State and local governments. This policy would be accomplished through tax credit to individuals and corporations, to be used by the States to provide the tax base secondary for State and local governments to assume the full authority and responsibility for costs and administration of these programs.

I realize that this is a far-reaching proposal and am convinced, Mr. Speaker, that if we are to get control of the ever-increasing Federal expenditures, we must return to the States some of the programs which are moving more and more toward Federal financing and control.

I would hope that at the conclusion of these hearings that we could begin hearings on some of these more far-reaching proposals designed to deal effectively with our tax problem.

Mr. Speaker, I will include, following these remarks, a table showing Federal payments to State and local governments and individuals and private institutions, by State, for elementary and secondary education and general welfare. These figures are for the year 1967, the last statistics available.

I will also include a table showing State revenues from selected tax sources from each State of the Union for the year 1967.

At intervals during the next few weeks I hope to offer for the RECORD an explanation of each section of this proposal.

The material referred to follows:

FEDERAL PAYMENTS TO STATE AND LOCAL GOVERNMENTS AND INDIVIDUALS AND PRIVATE INSTITUTIONS BY STATE FOR ELEMENTARY AND SECONDARY EDUCATION AND GENERAL WELFARE, 1967

State	Education	Welfare	Total
All States	$1, 621, 592, 839	$4, 148, 232, 582	$5, 769, 825, 421
Alabama	40, 271, 762	93, 937, 500	134, 209, 262
Alaska	13, 770, 995	1, 964, 749	15, 735, 744
Arizona	16, 088, 037	23, 809, 000	39, 897, 037
Arkansas	26, 297, 190	63, 676, 324	89, 973, 514
California	163, 512, 624	818, 615, 973	982, 128, 597
Colorado	25, 006, 462	54, 594, 421	79, 600, 883
Connecticut	12, 845, 343	44, 061, 124	56, 906, 467
Delaware	3, 208, 872	6, 102, 320	9, 311, 192
District of Columbia	13, 726, 853	13, 284, 693	27, 011, 546
Florida	48, 383, 795	103, 087, 348	151, 471, 143
Georgia	53, 944, 817	100, 449, 816	154, 394, 633
Hawaii	13, 618, 182	11, 282, 359	24, 900, 541
Idaho	6, 046, 634	12, 698, 709	18, 745, 343
Illinois	58, 358, 296	171, 624, 225	229, 982, 521
Indiana	20, 243, 696	35, 156, 965	55, 400, 661
Iowa	18, 422, 771	37, 559, 769	55, 982, 540
Kansas	13, 036, 388	36, 372, 702	49, 409, 090
Kentucky	35, 588, 719	95, 595, 846	131, 184, 565
Louisiana	39, 988, 281	153, 373, 716	193, 361, 997
Maine	7, 760, 199	18, 711, 281	26, 471, 480
Maryland	40, 030, 471	52, 689, 847	92, 720, 318
Massachusette	30, 645, 593	143, 487, 869	174, 133, 462
Michigan	45, 278, 796	129, 888, 432	175, 167, 228
Minnesota	25, 780, 764	75, 834, 935	101, 615, 699
Mississippi	26, 237, 990	51, 684, 978	77, 922, 968
Missouri	$34, 425, 790	$105, 694, 253	$140, 120, 043
Montana	8, 241, 976	8, 080, 792	16, 322, 768
Nebraska	12, 145, 188	23, 533, 294	35, 678, 482
Nevada	4, 345, 136	5, 074, 552	9, 419, 688
New Hampshire	3, 922, 189	6, 438, 014	10, 360, 203
New Jersey	34, 632, 039	68, 006, 263	102, 638, 302
New Mexico	22, 702, 763	25, 819, 121	48, 521, 884
New York	147, 654, 898	444, 024, 082	591, 678, 980
North Carolina	57, 658, 878	79, 745, 610	137, 404, 488
North Dakota	7, 650, 861	12, 200, 545	19, 851, 406
Ohio	56, 084, 754	127, 223, 159	183, 307, 913
Oklahoma	31, 020, 884	139, 719, 051	170, 739, 935
Oregon	13, 685, 828	26, 913, 085	40, 598, 913
Pennsylvania	64, 107, 211	170, 563, 483	234, 670, 694
Rhode Island	8, 426, 410	22, 446, 312	30, 872, 722
South Carolina	37, 124, 320	27, 704, 877	64, 829, 197
South Dakota	9, 497, 605	11, 156, 060	20, 653, 665
Tennessee	32, 449, 780	68, 822, 970	101, 272, 750
Texas	100, 691, 130	192, 677, 454	293, 368, 584
Utah	10, 689, 736	19, 285, 508	29, 975, 244
Vermont	2, 484, 834	8, 725, 000	11, 209, 834
Virginia	61, 550, 370	31, 803, 427	93, 353, 797
Washington	24, 709, 551	63, 849, 857	88, 559, 408
West Virginia	14, 053, 968	41, 465, 126	55, 519, 094
Wisconsin	20, 019, 380	63, 996, 684	84, 016, 064
Wyoming	3, 523, 830	3, 719, 102	7, 242, 932

STATE REVENUES FROM SELECTED TAX SOURCES BY SOURCE AND STATE, 1967

[In thousands of dollars]

State	General sales or gross receipts [1]	Individual income	Corporation net income	Total, 3 sources
All States	8,924,409	4,909,140	2,226,633	16,060,182
Alabama	170,801	58,082	29,949	258,832
Alaska		22,692	3,450	26,142
Arizona	103,666	26,481	14,407	144,554
Arkansas	88,644	31,200	25,131	144,975
California	1,061,491	499,470	452,574	2,013,535
Colorado	98,765	78,388	25,799	202,952
Connecticut	145,636		80,071	226,507
Delaware		54,296	12,723	67,019
Florida	300,873			300,873
Georgia	241,784	100,562	64,608	406,954
Hawaii	104,309	63,512	10,525	178,346
Idaho	32,772	31,227	9,579	73,578
Illinois	712,946			712,946
Indiana	300,881	158,475	14,462	473,818
Iowa	113,555	106,120	11,974	231,649
Kansas	118,160	71,028	23,931	213,119
Kentucky	135,322	80,620	40,450	256,392
Louisiana	146,006	35,758	34,446	216,210
Maine	54,669			54,669
Maryland	135,974	181,807	25,663	343,444
Massachusetts	128,106	268,052	[2] 56,070	452,228
Michigan	680,360			680,360
Minnesota		247,939	69,604	317,543
Mississippi	128,732	10,405	16,977	156,114
Missouri	256,142	95,484	15,127	266,753
Montana		24,224	7,608	31,832
Nebraska				
Nevada	23,381			23,381
New Hampshire		2,708		2,708
New Jersey	208,312	10,845	48,479	267,636
New Mexico	67,981	11,580	6,460	86,021
New York	604,326	1,527,087	443,738	2,575,152
North Carolina	201,642	188,563	98,494	488,690
North Dakota	23,238	11,086	3,335	37,659
Ohio	367,282			367,282
Oklahoma	75,760	32,433	21,510	129,703
Oregon		153,317	32,190	185,507
Pennsylvania	637,386		244,503	881,889
Rhode Island	48,955		17,485	66,440
South Carolina	113,812	62,694	43,395	219,901
South Dakota	30,905		583	31,488
Tennessee	188,445	8,973	43,278	240,696
Texas	259,435			259,435
Utah	55,846	39,946	11,000	106,792
Vermont		25,065	4,902	29,967
Virginia	87,079	192,662	49,340	329,081
Washington	425,822			425,822
West Virginia	127,302	27,119		154,421
Wisconsin	97,727	369,240	102,813	569,780
Wyoming	20,178			20,178

[1] Excludes motor fuel and other selective taxes.
[2] Excludes portion paid on corporate excesses.

Source: The Book of the States, 1968–69, Council of State Governments.

UNITED MINE WORKERS' WELFARE AND RETIREMENT FUND

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, on April 7 I asked for a congressional investigation of the financing, investments and benefits of the United Mine Workers' welfare and retirement fund.

Mr. Speaker, there are 145 employees at the headquarters of this fund in Washington, D.C., drawing salaries of over $10,000 a year, and 37 employees drawing salaries of over $20,000 a year. I point this out not to criticize the salaries but, rather to raise the question as to whether it would not be possible at these salaries to hire individuals of the competence to explain clearly to the beneficiaries of the fund and to the American people the nature of the income, investments, and benefits, and why the rules seem to be arbitrary and unfair.

Mr. Speaker, I have written the chairman of the respective labor committees in both bodies, under their current authority, to conduct an investigation of this fund.

I am advised that under the terms of House Resolution 200, passed by the House of Representatives on February 19, 1969, investigative authority is conferred on the House Committee on Education and Labor to conduct such an investigation within the jurisdiction of the committee. Rule XI, clause 6(m) of the Rules of the House of Representatives specifically confers jurisdiction over "welfare of miners" to the House Committee on Education and Labor. House Resolution 273, passed by the House of Representatives on March 26, 1969, funds $769,600 to finance such investigations. I have been asked whether or not I intended to introduce a resolution for an investigation of the United Mine Workers' welfare and retirement fund, and I have not done so because the authority for such an investigation clearly exists without a specific resolution.

Mr. Speaker, a very well-researched and clearly documented letter written by Ralph Nader to the Honorable RALPH YARBOROUGH, chairman of the Senate Labor Committee, was released this morning. I might mention that I have already received a response from Chairman YARBOROUGH to my request for an investigation of the United Mine Workers' welfare and retirement fund. On April 24, Chairman YARBOROUGH informed me that he had referred my letter and request to the chairman of the Senate Labor Subcommittee, the Honorable HARRISON A. WILLIAMS of New Jersey.

Mr. Speaker, I believe the letter from Ralph Nader contains some interesting information which deserves attention and investigation by the House of Representatives and by the Senate.

Mr. Speaker, I ask unanimous consent to have included with my remarks my April 7 remarks on this issue, as well as the text of Mr. Nader's letter to Senator RALPH W. YARBOROUGH.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The documents referred to follow:

STATEMENT BY REPRESENTATIVE KEN HECHLER

WASHINGTON, D.C.—Rep. Ken Hechler, D-W. Va., today called for a "full-scale Congressional investigation of the United Mine Workers Welfare and Retirement Fund."

The West Virginia lawmaker stated that "such an investigation is necessary to insure that all retired and disabled coal miners and their widows and families as well as miners now working, are receiving now and will in the future receive the fullest benefits to which they are entitled."

Congressman Hechler charged that many inequities had apparently developed in the way the Fund was being used. "I think it is necessary to clear up a lot of questions which have been raised about this gigantic Fund, and whether or not its rules are applied fairly to all coal miners. Many West Virginia miners have told me that their pensions or health and medical cards have been arbitrarily cut off without explanation. Many questions have been raised about the accounting of the Fund, how its money is invested, and whether the Trustees are adequately serving the hundreds of thousands of working and retired miners whose blood and sweat have helped create the Fund. It is difficult to obtain clear and complete information about the inner workings of this Fund, how its money is spent, how its rules are made, and how the rights of the coal miners themselves are being protected.

"I acknowledge that many benefits have reached the miners as a result of payments which have been made. The building and maintenance of the miners' hospitals, and the current contribution of $7½ million annually to these hospitals is a godsend to many miners. Some officials of great integrity, like Dr. Lorin E. Kerr, assistant to the Executive Medical Officer, lend prestige to the Fund's work. But still the gnawing questions remain: are the working and retired coal miners really getting a fair break out of the vast sums which are collected from the 40-cent-a-ton royalty on every ton of coal mined? Does an auditing and accounting of the Fund reveal precisely how these millions of dollars are actually being spent and invested? What must be done to insure that every active and retired coal miner and his family is really protected and fairly compensated?

"What kind of salaries or other payments are being made to the officers and Trustees of the Fund? How do the pensions of some of the top officials compare with the pensions given to the workers in the coal mines?

"These and other questions must be answered and cleared up by a Congressional investigation," Rep. Hechler said.

LETTER FROM RALPH NADER

APRIL 26, 1969.

Hon. RALPH YARBOROUGH,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR YARBOROUGH: Last year, the tragic epidemic of black lung disease became news to millions of Americans who were not aware of the physical toll exacted of coal miners working in this country's most hazardous occupations. Black lung (coal miner's pneumoconiosis) was not a new disease. It has existed for decades as the major depletion of coal miners' health. It has become more serious with the onset of mine mechanization in the years following World War II. It has been documented in the medical literature of Europe during the Thirties. Yet to this day, there are no coal dust standards for U.S. coal mines and, with the exception of Pennsylvania, virtually no workmen's compensation for disability from this disease. With some outstanding and active exceptions, the medical profession in the coal miner regions have disgraced their calling by refusing to recognize this disease and by misrepresenting medical records of miners struggling for breath through lungs deteriorated by hardened clusters of coal dust. Well over 150,000 miners, active and retired, have advanced black lung disease; tens of thousands more are affected to one degree or another.

That it took until 1968–69 before this epidemic was recognized officially and considered for legislative policymaking reflects on institutions of government, industry and labor—and very adversely so. An observer of the scene is wont to ask again and again: where were these alleged guardians of the public interest in labor and governmental circles? The continuance of the black lung epidemic over the years without attention, prevention or remedy parallels another disease—that afflicting the United Mine Workers of America (UMWA) leadership.

The UMWA is the control center of a authoritarian private government that affects the livelihood, safety and welfare of thousands of miners and their families. The other two institutions of this triology of oppression are the National Bank of Washington (736,944 out of 1,000,000 shares are owned by the UMWA) and the UMWA Welfare and Retirement Fund (legally independent of the UMWA but dominated by the UMWA). A number of labor laws are supposed to apply to the workings of the UMWA and the UMWA Welfare and Retirement Fund. It is within this context and pursuant to the purpose of a legislative committee to monitor the adequacy of legislation—administration and to inform the public (in particular the union members in the coal mine areas), that I request a comprehensive investigation by your Committee of the UMW and the UMWA Welfare and Retirement Fund.

The following information is submitted by way of preliminary material outlining some of the major problems and abuses:

1. Reports coming from coal miners and delegates at the 1964 and 1968 UMWA convention indicate irregularities and violations of both the UMWA Constitution and the labor laws. There are at least 400 "bogey locals," as they are known, composed either entirely of pensioned miners or without the required number of active miners (ten) under the Constitution of the union. Convention proceedings have involved shouting down of dissenters and wholesale violations of the union's own procedures. Some delegates from locals have never been heard of by members of the local. For example the UMWA local in Longacre, West Virginia was represented by one Paul K. Reed of Venice, Florida—a delegate unknown to miners in that local. Obviously the secret ballot requirement in such cases has not been complied with in local elections.

2. The UMWA cultivates close ties with the coal industry while perpetuating a remoteness and non-responsiveness with its rank and file that is staggering in its scope. UMWA leaders regularly meet in secret with coal corporation executives and the Bituminous Coal Operators Association to decide about various degrees of inaction on coal mine health and safety. In plain language, each year, union leaders and industry leaders made closed door deals which led year after year to no proposals to Congress for strengthening safety and health legislation and no proposals at the state level. The UMWA leaders knew all along about the widespread violations of regulations and the safety requirements in the union-industry contract (tabulated by the Bureau of Mines to a substantial degree) but did nothing to correct the situation. UMWA leaders knew of the practice of state and federal inspectors tipping off in advance the mine operator that they were coming, yet these leaders did nothing. Union conspiracy with industry has become a way of life. Last year a federal jury in Kentucky decided that the UMWA has been conspiring since 1956 with the large Consolidation Coal Co. to violate the Sherman Antitrust Act against other smaller coal operators.

The UMWA leadership is also deeply involved with the coal industry in the National Coal Policy Conference—a lobbying group which opposes air pollution controls, and which is funded in part by an annual UMWA grant of $75,000. W. A. Boyle, president of the UMWA, is at present the chairman of the Conference.

Keeping the rank and file member in the dark is the function of the UMW Journal which comes out twice a month in an attempt to show miners that the leadership cares for them. The Journal is filled with extended praises of the union leaders, particularly its President, W. A. Boyle. Next come the sorrowful descriptions of mine disasters due to conditions so long ignored by these leaders. Then a few recipes for the ladies. Recently, the Journal has been filled with news about proposed safety legislation and testimony by Mr. Boyle and others associated with the Union. Before a few individuals brought the health and safety issue to public attention last year, and before the Farmington disaster, the Journal was strangely silent on the atrocious hazards in the mines and the need to correct them. In fact, prior to 1968, one reads in vain year after year of the Journal's issues to find any mention of the black lung epidemic raging through the coal regions. It is a clear fact that the Union leaders never took any initiative on the black lung matter until the issue was joined by physicians and others outside the Union beginning early last year. The Journal brooks no dissent from its members. There is no space for letters to the editors and articles disagreeing with the Union leaders' policies are not permitted. In its style and content, the Journal is the classic prototype house organ of an autocratic system. This is a most serious matter inasmuch as the Journal is the chief communication link with and between the union membership.

3. Only one state in law and reasonably consistent practice affords disabled workers workmen's compensation for black lung disease. That state is Pennsylvania and even there such compensation is less than five years in operation. Other coal mining states have yet to recognize in practice that the disease is entitled to be compensated for, although West Virginia recently passed a moderate law to that effect because of coal miner pressure, not UMWA leadership. Even worse, where workmen's compensation is required for injuries, apart from black lung, there is inadequacy and violation rampant. For example, according to little known data gathered by the Kentucky Department of Labor, about 1400 Kentucky coal mines are in clear violation of the workmen's compensation laws of that state. Until April 1966, there was not even a ban on coal corporations or operators issuing policies on their workers' lives with themselves named as beneficiaries. Again pressure for action by the Kentucky Attorney General against such violations came from outside the UMWA. Incredibly enough, the UMWA leadership consistently ignored the absence of workmen's compensation or its inadequacy or the violation of these laws by coal operators.

Other abuses of mine workers pass the UMWA's desks without attention. One UMWA District in Kentucky knows of government mine inspectors who had decided to close mines on the grounds of violation of state and federal safety laws but then declined to do so in the face of physical threats directed toward them by coal operators. The UMWA kept this information to itself.

Even in its most elementary obligation, the UMWA fails its members. The recent contract negotiated with the industry could almost have been negotiated unilaterally by the industry—so little were the benefits gained. The 40 cent per ton of coal royalty which is deposited in the UMWA Welfare and Retirement Fund has not been increased since 1952. Between 1952 and 1969, the coal industry has vastly increased its productivity and is attaining record profits; yet the 40 cent per ton remains the same. Union leaders could not even negotiate the placement of chemical toilets in the mines so that the men could relieve themselves in a decent and sanitary manner.

Against this lack of performance, it is not surprising that Mr. Boyle has been most reluctant in visiting his miners in the field. Only after the unusual passage of a resolution by 3000 West Virginian miners requesting that he come and address them in West Virginia, has Mr. Boyle relented and begun to make some carefully planned visits. Admittedly, Mr. Boyle is in a difficult position; how can he explain the presence of two pension funds—one for the rank and file and one for the union elite which produces such results as a $50,000 a year pension for Mr. Boyle when he retires and only a $1,350 a year pension for miners, many of them disabled, if they qualify under the pension fund's shifting criteria.

4. The UMWA Welfare and Retirement Fund is a labyrinth of arbitrariness toward retired miners and mismanagement largely attributed to the Union which controls it in fact. First, the Union has milked the fund in order to expand the operations and profits of the National Bank of Washington which is owned by the Union. The National Bank of Washington receives the bulk of the Fund's liquid resources with around $70 million in a non-interest bearing checking account. This alone deprives the Fund of over $3 million in interest annually. Other deposits, one ranging around $50,000,000 receives interest. The UMWA is clearly in a conflict of interest position here and exploits that conflict to a substantial degree. It manipulates the funds resources, deposited at the National Bank at Washington to a grossly disproportionate degree, at the same time that the Fund has been stripping thousands of sick, disabled and aged miners of their meagre pension rights. Eligibility rules were changed unilateraly by the Fund's three trustees in 1953 which prevented older miners from counting work years toward the 20 year total needed for a pension if these work years occurred 30 or more years before pension age. Other cessation of aid programs to widows and children were terminated at the "trustees' discretion" in the Fifties. Miners applying for their pension come up against a host of technical obstacles designed to discourage any likelihood of success. One favorite "eligibility requirement" of the Fund is that the applicant cannot obtain a pension if he was working at a nonunion mine at the time he retires. Thus, if a miner works 30 years in a union mine and one year at the end in a nonunion mine (often the only employment available in the area), he is denied the pension. Just this Thursday (April 24, 1969), U.S. District Court Judge, Alexander Holtzoff called this an "arbitrary and capricious" regulation and ruled it void. This pioneering case, which will be appealed by the Fund, could open up a large area for denied coal miners to pursue their rights vis-a-vis the Fund. Basic to the Fund's operation is the denial

of due process to applicants (the trustees may grant a hearing at their discretion, for example) contained in the hitherto unrestricted "discretion" held by the trustees. Secrecy envelops the Fund's operations, other than the meagre information filed under the Welfare and Pensions Plans Disclosure Act. The trustee-Director has refused to answer any questions asked by the press or other parties. Although existing common law may well go along way in countering the mismanagement and abuse of trust by the UMWA and the Fund's managers, a more comprehensive legislative inquiry is needed. For a Fund pleading penury as an excuse, the salaries of some of its employees are unjustifiably ample.

5. The Union itself appears infected with mismanagement, padded payrolls and nepotism of the most pristine variety. Data appended raise questions. For example, the UMWA President, W. A. Boyle, has his brother and daughter on the Union payroll. R. J. Boyle, district president, Billings, Montana, and member of the Executive Board, is listed at a salary of $25,000 plus $8,975 for expenses for the year 1967. Antoinette Boyle, listed as an Attorney, receives a salary of $40,000 plus expenses in 1967 of $3,288. She also resides in Billings, Montana. This $40,000 salary equals the salary of the Vice President of the Union. Even the General Counsel of the Union does not exceed Miss Boyle's salary. While it is incumbent upon all individuals to be good to their children, it is fair to ask what Miss Boyle does to earn this salary. The same inquiry can be put to the work of R. J. Boyle. Consider the scene at Billings. The UMW office in Billings is composed of 4 small rooms with only one lady—not Miss Boyle—in attendance. From all appearances, neither Miss Boyle nor R. J. Boyle have much to do with this office. District 27, based in Billings, includes Montana, Alaska, North and South Dakota and northern Wyoming. But there is little coal mining in these areas—some 4000 laborers and 3000 pensioners. There is no organizing going on, according to Union sources. In fact, the lady in charge of the office declares there is little of anything to be done in Billings. There is only the rarest need for any legal advice or work. Miss Boyle, who is considered a capable young lawyer in Billings, has her own practice or work that occupies her and is not connected with District 27.

The afore-mentioned descriptions only sketch the malaise and irresponsibility of the UMWA leadership. Anyone who has talked with union members in the coal mining regions receives clear impressions of overwhelming dissatisfaction and resentment against Mr. Boyle and other union leaders. The mass coal miner movement in West Virginia, in clear disregard of the leadership, is evidence that the miners are at the limits of their patience. Union headquarters in Charleston were booed by the marching union miners earlier this year. No political pundit is needed to predict that if a free election were held, Mr. Boyle would be doing well to receive 25% of the vote. In West Virginia, his support would be even less. But miner resentment at the Union leadership is accompanied by a feeling of impotence to change the situation, an absence of organization and the lack of any public agency providing these miners with a voice for their grievances. The grip of the Union bureaucracy is well financed and supported by the very coal industry that is abusing the rank and file, failing to correct mine hazards and denying the employees their rights. Against a Union bureaucracy-industry interlock, what countervailing force is left? Where there is so little hope for reform, a Congressional Committee's role is crucial. I urge you to commence an inquiry into the UMWA and provide hope for the stilled voices of the coal miners. To permit the present situation to continue is to sully even further the humanitarian principles of organized labor as a key institution in a democratic system.

Sincerely yours,

RALPH NADER.

NEED FOR ESTABLISHMENT OF OFFICE FOR CIVILIAN PROJECTS IN DEPARTMENT OF DEFENSE

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, it is with great interest that I note a recent speech delivered by the new Secretary of Defense, the Honorable Melvin Laird, at St. Leo's College in Florida, in which he points out the need for the establishment of an Office for Civilian Projects in the Department of Defense.

According to Secretary Laird, it is the proposed intention of this new office to coordinate community-oriented, socially beneficial activities of the Department of Defense which can be sponsored within the scope of the Department's present activities in communities throughout the country.

Unfortunately, Mr. Speaker, I have had the opportunity to have extended dealings with the Department of Defense and the Department of the Army in the very area in which Secretary Laird promises the cooperation and services of the Department of Defense. In the summer of 1967, while the U.S. Army had jurisdiction over the facilities of Camp Perry, Ohio, I endeavored to get the Department of the Army to permit the use of Camp Perry for a summer camp facility for urban area children during such time as the camp was not being used for the National Rifle Association marksmen matches which were being subsidized at a cost of the Federal taxpayer of millions of dollars. At that time, the Department of Defense made absolutely no effort to recognize the social advantages to simply permit the use of the facilities of the camp during such times as it was not being utilized by the Department of the Army for the support of the national rifle matches.

Thereafter, I endeavored to see if some small part of the 26,000-acre Ravenna Arsenal site could be used for such a camp facility. At that time, I was advised that the storing of ammunition bunkers within a small portion of this vast domain would preclude the use of the site for this important social purpose. The Ravenna Arsenal site is fully equipped with swimming pools, buses, barrack facilities, and countless other military facilities lying vacant and dormant. It appears that the Department of the Army preferred to keep its claim to the facility by retaining certain ammunition storage within the depot instead of consolidating this storage in other areas.

Although the Ravenna Arsenal site was not available for any social purpose, it is an excellent place for hunting—provided you can get a permit. However, a special permit is available to high-ranking military officers and executives in the Government service. It seems tragic that this 26,000-acre domain used only slightly for military purposes should be preserved as a "special privilege" domain.

My experiences with the Department of Defense are not good with respect to the utilization of military facilities for any nonmilitary purpose. The Secretary's new program is encouraging but it can never be a substitute for eliminating waste and unnecessary procurement by the Department of Defense.

THE LAST GIANT TOPPLES

(Mr. PODELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PODELL. Mr. Speaker, General de Gaulle has been defeated by the French people and has resigned.

No Member of this House has uttered stronger words against the general in past months. Nor will I unsay a word at this time. Nonetheless, it is true that the last of the towering giants of Europe has fallen. We shall never see his like again.

France and the French people have always been dear to my heart personally. Her heritage and message to the world have always quickened my pulse and uplifted my spirit. Her culture and bravery are second to none. All the more reason to feel bitterness when she temporarily wanders away from her true path, for there are those who hold her to a higher standard. In this case, it was the general's decision to aid the Arabs in their determination to destroy Israel and her people. Denying aid to the embattled Israelis caused me to speak out against the general. My strong words were uttered as much in grief as in indignation. So it is my fond hope that France will abandon the general's pro-Arab policy now, and return to her hallowed role of aiding liberty and those who would live in the sunlight of democracy as free men. Truly no nation reveres or emulates France's love of liberty more than does Israel.

For it has ever been known of France that whenever she has lost her way, she has inevitably found it once more. From the Terror to the time after Dreyfus, she has always embraced what is finest in man. Fondly do I hope that this will be the case now. Other nations hide their error. France atones for them.

A further word about General de Gaulle is in order. When France was laid low in the dust of defeat, it was De Gaulle who said:

> France has lost a battle, but she has not lost a war.

His words and leadership led Free France to a rebirth. An entire world thrilled to his sublime courage when he walked unarmed and unguarded into Algerian mobs screaming for his life's blood. An entire nation gathered itself together to follow him toward a higher road when he took over leadership of his nation.

In all these actions he showed he was in the tradition of those incredible men we have known as the great Europeans. His dreams swept across the ages and political boundaries. His leadership never descended into the abyss of dictatorship. In many ways, he epitomized all that has been finest in French history.

No one wishes France and her people well any more than I. Nor can anyone begrudge or deny the general his place in history—for certainly he will loom large.

It is only sad that a cleavage had to develop between those who loved and admired him and his country the most over an issue that symbolizes and means so much. Were any man to go into the fury of battle, he could ask no more than to be led by a De Gaulle. Fit companion for all of France's mighty heroes, surely, he ranks as one of the bravest of the brave.

A worthy member of those who fought the beast from the pit in the name of all the Western World, he is one of that tiny elite company of men who tower because of what they are and do as well as because of their physical stature. One cannot but wish him well.

Above all, one cannot help but wish his beloved country well, too. Jean Racine wrote in act II of "Andromaque" the following words:

> I loved him too much not to hate him at all!

Let those who can read into that what they will.

SECRECY AND CHEMICAL AND BIOLOGICAL WARFARE

(Mr. McCARTHY asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. McCARTHY. Mr. Speaker, one of the most disturbing aspects of our chemical and biological warfare policies and practices is the secrecy that shrouds even the most basic public policy aspects of the program. One cannot help thinking that this secrecy is imposed more to keep the information from the American people than it is to keep any potential enemy from learning about our activities.

We know, for example, the basic policies that govern the possible use of our nuclear missile arsenal. The number of missiles that we have is public knowledge; the conditions under which they would be used is made unmistakably clear. This is the essence of a deterrent, a retaliatory capability.

In the field of chemical and biological warfare, we are told by the Department of Defense:

> It is the policy of the U.S. to develop and maintain a defensive chemical-biological capability so that our military forces could operate for some period of time in a toxic environment if necessary; to develop and maintain a limited offensive capability in order to deter all use of CB weapons by retaliation in kind.

In other words, our CBW capability is supposed to be a deterrent. Yet Congress does not discuss, nor does the public evaluate, just what constitutes a limited offensive capability. Does the potential enemy know what our capability is?

It becomes clear, after analyzing the material that is available that there are other reasons for the shroud of secrecy. U.S. Army Regulation No. 11–17, issued on May 3, 1967, prior to the Skull Valley sheep kill, was issued to insure that each Army base involved in chemical or biological warfare would exercise strict safety precautions in handling chemical and biological agents. It goes on to say:

> Certain CB agents and munition systems present problems in reconciling the requirements of safety and security with the requirements for assurance of continual operational responsiveness. These problems are further complicated by *the possible political and psychological implications of an accident/incident exposure.* (Emphasis added.)

This regulation admits by implication that the activities of the Army in chemical and biological warfare might not meet the approval of the American people. So the shroud of secrecy is apparently designed to keep the American people in ignorance. As such, I believe that it is unacceptable. A public discussion of our policies and practices in the field of chemical and biological warfare is needed.

For the information of my colleagues, I am including in the RECORD an article by Mr. Seymour Hersh, one of the individuals who has performed a public service by bringing this issue to the fore, appearing in the May issue of Progressive magazine. This article, "Silent Death," throws some additional light on this secrecy-shrouded part of our defense activities:

SILENT DEATH

(By Seymour Hersh [1])

America's heavy investment in chemical and biological warfare (CBW) traditionally is a taboo subject in Washington. CBW is not mentioned in the Secretary of Defense's annual report to Congress on the nation's military posture, and all important references to it are censored out of Congressional testimony. In the late 1950's the generals of the Army Chemical Corps decided to make a public plea for more understanding, plus more money, and turned to a public relations firm for guidance. "Operation Blue Skies" thus emerged, complete with heavily publicized promises of "war without death" and dire warnings about the Soviet Union's preeminence in all things chemical and biological.

The effort produced more money, but with it the beginnings of a protest movement against the development of CBW weapons. The Army went underground again and probably would have remained there, but the use of gases and chemicals in Vietnam and in the ghettos and campuses of America has ended the dreams of obscurity for the CBW generals. CBW has been under increasing assault from a public rapidly becoming more aware of the Frankenstein monster in its midst. Recent network television shows, at least two books, and many more magazine and newspaper stories have pointed out some of the obvious pitfalls of spending millions of dollars where it is not only not needed, but is highly dangerous.

Precisely how much is being spent each year on CBW is a military secret. Recently the Pentagon gave a group of Congressmen and Senators as classified briefing on CBW and admitted it was spending about $350 million annually, far more than the Federal Government spent last year to subsidize all forms of cancer research. But even this amount, high as it might appear to most citizens, seems inaccurate. In 1963, the last year in which the cost of CBW was provided to Congress on an unrestricted basis, the Government was spending nearly $300 million. Since then, costs have soared for the tear gases and anti-crop chemicals used in South Vietnam. Expenditures at the Edgewood Arsenal, Maryland, the military's main chemical purchasing center, were more than $420 million in fiscal year 1969, according to a McGraw-Hill investment newsletter, and that base is only one of five major CBW facilities in the nation.

In the arsenals of the Pentagon (and in at least thirteen other nations) are chemical poisons—never agents such as the recently widely publicized GB—so toxic that one fiftieth of a drop, about one milligram, can be lethal in minutes; it was a nerve gas that was responsible for the death of 6,400 sheep in a Utah ranch in March, 1968, after an errant test near the Dugway Proving Grounds, a CBW research base.

Biological agents are potentially even more deadly: In 1960 the head of the Army Chemical Corps told Congress that ten aircraft, each carrying 10,000 pounds of a dry disease agent such as plague or anthrax, could kill or seriously disable as many as thirty per cent of America's population—about sixty million people.

Congress and the nation were aroused recently when it was revealed that the Army was regularly shipping 300-gallon containers of the deadly GB and similar lethal agents around the country by rail, a grave hazard in the event of an accident.

It is relatively as easy for CBW scientists to produce 10,000 pounds of a disease agent as it is for pharmaceutical houses to produce a similar amount of vaccines and antibiotics. Gas and germs can be delivered in combat situations by hand grenades, airplane spray tanks, bombs, shells, rockets, and missiles.

Since the early 1960's when CBW spending trebled within a few years, the aerospace industry has been increasingly involved in CBW research. Along with it has come a reliance on sophisticated computer techniques and equipment in meteorology, biomathematics, aerobiology, and other necessary disciplines.

The heavy use of defoliants and herbicides in Vietnam (some $100 million worth last year) has been increasingly questioned by scientists concerned about the long-run ecological dangers. There also is considerable evidence that the "riot control" gases used in Vietnam can be lethal to the weak, sick, and undernourished civilians exposed to them. One of the so-called "non-lethal" gases now in wide use in Vietnam is Adamiste, an arsenic-laden chemical that will kill upon ten minutes' exposure to concentrations of one ten-thousandth ounce per quart of air. One of the anti-crop chemicals also in wide use is Cacodylic acid, which is fifty-four per cent arsenic, enough to make systemic arsenical poisoning a lethal threat to civilians living near sprayed areas.

In the past few years criticism of the CBW program has become increasingly led by scholars. The Army's main biological research center at Fort Detrick, Maryland, which has held many pseudo-scientific academic conferences in subject areas close to its needs—such as defoliation and genetics—suddenly found itself picketed by a small group of biologists and microbiologists at its session in April, 1968. The fact that at least sixty colleges and universities are currently involved in CBW research has also spawned scores of protests, with more to come.

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[1] Seymour M. Hersh, currently Washington correspondent for The National Catholic Reporter, is the author of "Chemical and Biological Warfare: America's Hidden Arsenal," published in hardcover by Bobbs-Merrill in 1968. It will be available in paperback in June from Doubleday Anchor Books. Mr. Hersh has covered the Pentagon for the Associated Press and has worked for United Press International. He was press secretary for Senator Eugene McCarthy in the 1968 Presidential campaign, and his articles have appeared in The New York Review of Books, The New Republic, and War/Peace Report.

But the experience of waging an unpopular war in Southeast Asia for the past nine years has taught the military's public relations representatives some lessons. Instead of ducking the blows, the Pentagon apparently has decided to counter the criticism of CBW with demonstrations of its concern with public reaction, and more openness about America's CBW efforts.

Thus, after a group of scientists complained last summer that something like 100 billion lethal doses of nerve gas were stored above ground on a CBW base near Denver, the Army announced it was going to move the gas. Most, but not all, of the gas was shipped to Utah. Enough remains stacked in steel storage tanks less than two miles from the runways of nearby Stapleton Air Field, Denver's main airport, to provide death for everyone in Denver and the vicinity, given the proper wind and weather conditions. Along with such moves, the Pentagon has embarked on a new program of carefully arranged disclosures to curb protest. "We're in the process of changing the public's mind," a Pentagon official recently told me. "We're trying to acculturate the public to deal with reality—this is the Government's responsibility."

Last fall, the Columbia Broadcasting System enjoyed the privilege of having an Air Force Captain, representing the Defense Department's Office of Public Affairs, open the doors for a CBS television unit, headed by veteran correspondent Mike Wallace, to three highly secured military installations devoted to chemical and biological warfare research and testing. Once inside, the television crew was allowed to film employes at work and interview a number of key personnel.

The network had been trying for years to film a news report on CBW: Just twelve months earlier the Pentagon had refused a similar request. CBS, however, paid a high price for the Pentagon's cooperation, a price it did not reveal to the estimated ten million persons who watched the report (shown in separate segments October 8 and October 22 on *Sixty Minutes,* a one-hour news show which the network describes as a "magazine of the air"). A few weeks before the first broadcast, more than fifty Government officials, representing twelve agencies, were given an advance screening of the completed shows in a Pentagon studio. The officials suggested some factual changes, which were made, and offered other objections to the editorial content—not all of which were entertained by the network. In return for its courtesy, the network was permitted to televise previously unavailable films.

At the outset of the two-part series, Wallace told viewers that "the Government undertook a major policy change in granting our request to show what these weapons can and cannot do . . . This change of policy indicates an effort by the Pentagon to dispel the public horror that surrounds these weapons." One civilian in the Pentagon told me why CBS was permitted to get the rare film of biological facilities: "Our goal is to bring CBW into the sphere of rational discussion—sort of delousing it, or debugging it, like kids learning there aren't any ghosts." The official said he was delighted with the fact that the public responded only feebly to the show—fewer than a dozen letters, he said, were received, most of them asking for more information.

Shown for the first time by CBS on television (or anywhere else in public, for that matter) were some films apparently made at the Army's main biological production laboratories at Pine Bluff, Arkansas, where a ten-story, $90 million laboratory was built fifteen years ago. The footage, supplied by the Pentagon, showed the facilities America has created for the massive production of diseases such as anthrax, plague, and tularemia, all top potential biological warfare agents. Large concentrations of frozen germs were shown rolling off an assembly line device—apparently a huge, sophisticated fermentation machine. Neither the base, or the equipment, was identified, although such facilities are known to exist at the Pine Bluff Arsenal.

Scenes also were shown of the research facilities at Fort Detrick. As the screen depicted scientists determined to find and produce better killers than are available in nature, television viewers were told how easy it is to produce hundreds of gallons of an infectious organism within a few hours. Yet it is what commentator Mike Wallace did not say that is truly alarming, although the average viewer could not have known how much information was not supplied him. Wallace did not report that there are at least 251 cold-storage earth-covered vaults, known as igloos, on the Pine Bluff facility, many of them used to store biological warfare agents. The CBS programs did not tell of the sophisticated weapons assembly lines at the Arsenal, capable of filling hundreds of 750-pound bombs within hours with diseases considered to be worldwide scourges, nor of the detailed military procedures and plans for the distribution of these weapons to Army and allied units around the world. CBS did not mention the more than 3,300 accidents, half of them in laboratories, in an eight-year period at Fort Detrick, involving infection of more than 500 men and three deaths—two from anthrax.

Many of the questions left unanswered by CBS were answered by the National Broadcasting Company when that network broadcast its special report on CBW February 4 on *First Tuesday*, NBC's response to CBS' *Sixty Minutes*. NBC correspondent Tom Pettit carefully told viewers that the show had not been prepared in consultation with the Pentagon, and millions of viewers were left stunned by scenes of laboratory experiments involving rabbits and mice, and views of the Utah sheep being bulldozed, dead, into huge pits.

Much emphasis was placed on NBC's finding that a Smithsonian Institute project was being used by Fort Detrick to locate a proper site for a biological warfare test; viewers were casually told that tularemia "once was routinely suggested for use in Vietnam. The suggestion was turned down." After this scary development of CBW, NBC concluded the hour-long show by saying that the "United States today does not have germ weapons ready to go at the push of a button [a patent lie]. We know how to build them; we have tested the stuff, but so far at least there has been no order to go into mass production. And until there is an order, the U.S. biological capability will remain only a paper tiger. Of course we don't know about Russia and Red China. It was a cop-out. The United States suddenly emerged from the hour of squalor as Mr. Clean, threatened by the Commies once again.

Because of the muddled direction, the show's most telling point was nearly wasted. NBC reported that the Smithsonian Institute had received more than $2.5 million over six years to investigate the migratory pattern of birds on one-mile-square Baker Island, an obscure uninhabited island belonging to the United States, 1,700 miles southwest of Honolulu. Former Senator Joseph S. Clark of Pennsylvania told NBC that, as he understood it, "under the screen of the Smithsonian Institute in a bird-banding project, they were looking for a relatively safe place to conduct chemical and biological warfare testing. . . . It is my understanding that they are now on their way to do some testing there."

The NBC charge that the Smithsonian project was being used as a coverup for tests was incorrect and misleading; the Army does not need the Smithsonian to travel to an island and release germs—all it wants to know is where to go.

There is no evidence that a major large-scale test of a virulent and lethal biological agent has ever been conducted by the military, although many small laboratory and simulated tests are constantly under way. But one rare insight into the thinking of the managers of CBW was given in an unusually candid interview that Archie Penney, head of Canada's CBW efforts, gave to the *Montrealer Magazine* in September, 1967. Asked if there is a point at which a simulated test cannot give proper results and a live agent must be used, Penney replied:

"You sound like the scientists who are working on the job. This is exactly their problem. There comes a time when you say, 'Look, it's no good playing with the model railroad. We have to use the whole railroad.' You've hit on a very delicate and sensitive problem. There are very few areas in the world in which you can do it."

Congressional hearings on the CBW program are held every year, but by a sympathetic subcommittee of the House Appropriations Committee. The hearings are usually chaired by Representative Robert L. F. Sikes, Florida Democrat, a former Major General in the Army Chemical Corps. The hearings, which are heavily censored and attract little press coverage, never touch on these questions:

Why is there a need for the heavy security blanketing CBW efforts, security so stringent that even Congress has not been told publicly since 1963 how much money is being spent in this area? Even the recent disclosure of $350 million a year was off the record, but could be confirmed by a recent Library of Congress Study.

Why will only $175,000 be spent by the Arms Control and Disarmament Agency this year to study the basic disarmament problems connected with treaty enforcement, with no immediate increase in spending anticipated by ACDA officials, while vast sums are poured into CBW?

Why has the United States not ratified the 1925 Geneva Protocol outlawing the use of lethal chemical and biological weapons? The Soviet Union, Communist China, and even Cuba have agreed to the Protocol, along with more than sixty other nations.

Is the heavy spending on CBW justified? How serious is the Soviet threat, details of which have never been made public by the military? The claim of a Soviet threat has not moved U.S. officials to take any significant steps toward civil defense against a CBW attack. There are about 20,000 gas masks stored throughout the nation for civilian use, one for every 10,000 residents.

Where are the CBW agents being stored and tested overseas? The Army is known unofficially to be field-testing its agents in Panama, Hawaii, and Greenland, and also sponsors CBW research in Japan, Malaysia, and Germany. It also supplies nerve agents in quantity to its NATO allies. Chemical defoliation agents are field-tested in Thailand before use in South Vietnam.

How the nation's CBW programs might develop under President Nixon and Secretary of Defense Melvin Laird is uncertain. Laird's specific views on CBW are not known. Mr. Nixon told a Cambridge, Massachusetts, rally during his 1960 campaign against John F. Kennedy that he was all for continued research, but his current views have not been made public.

The Nixon Administration's approach to CBW could not be much worse, however, than that of his immediate predecessors. While doing research for a book on CBW in 1967, I had a score of interviews with past and present Pentagon and Kennedy and Johnson Administration officials. They produced little evidence that there had been any serious thinking about the strategic, political, or moral implications of CBW in the Defense Department or anywhere else. When asked why CBW disarmament studies were not being emphasized, one White House official told me: "There's just a hell of a lot of more important things. CBW is far down the list of criticality."

Yet William C. Foster, then director of the Arms Control and Disarmament Agency, told a House Appropriations Subcommittee at about the same time that CBW would pose the next major threat to world peace after a full nuclear agreement was reached.

In its television series, the best justification CBS could find for the vast U.S. CBW effort came from Albert Hayward, a relatively low-level Pentagon research and development manager for CBW. "If chemical or biological weapons are used against a nation," Hayward said in an interview filmed at the Pentagon, "and its only option is to accept defeat, or to respond with nuclear weapons, then, in fact, another nation has the ability to force you into initiating nuclear war. I think this is another reason for having our chemical and biological capability so that we are not faced with a choice of fighting a chemical-equipped enemy with conventional weapons or escalating to nuclear war."

This sort of reasoning, left unchallenged and unpursued on the television shows, ignores the fact that CBW agents only increase the number of weapons systems and possibilities available for war. Any nation that now dares to attack America with a chemical or biological agent risks retaliation with nuclear weapons and instant removal to the Stone Age; the deterrence is far greater now than if America was prepared to respond to a gas attack with more gas.

Given the military's and the executive's lack of public concern for this eventuality, the burden falls to Congress. Senator Gaylord Nelson, in a recent Senate speech, raised several vital questions regarding CBW. Among them were:

"What are the official policies for the use of CB weapons in the event that they are used first by a foreign aggressor against us? Who makes the decision to deploy anthrax, the plague, or a lethal nerve gas? What are the ground rules? What have they been in the case of Vietnam? What are the deterrent factors in a program of chemical and biological preparedness? How do we militarily defend against a CB attack? If the purpose of our preparedness is to prevent surprise, what specific steps have been taken to detect a surprise?"

Staff members of Senator J. William Fulbright's Foreign Relations Committee have been investigating CBW in preparation for hearings sometime this year, but as of this writing no final decision has been made, nor is the world waiting for U.S. action.

Last December the General Assembly of the United Nations approved a resolution asking Secretary General U Thant to prepare a full-scale report on the effects of possible use of CBW weapons. The resolution calls for broad international cooperation in the preparation of the report; wide public distribution of the conclusions, to be presented by July 1, 1969, if possible; and observance by all states of the 1925 Geneva Protocol prohibiting the use of poisonous gases and bacteriological warfare. The United States has agreed to participate in the study.

Last August the British government proposed reconvening the 1925 Geneva meeting to work out a supplementary agreement calling for a ban on the research and development of biological warfare agents. The British proposal would call upon each nation to destroy its stocks of such agents and equipment intended for their production. The proposal, on the other hand, would not deal similarly with chemical agents, because of their use in the past and the belief by some countries that they are necessary for future use.

Gas warfare already has broken out in at least two countries within the past six years—South Vietnam and Yemen. Many Administration officials, particularly in the State Department, are dubious about the legality of the U.S. use of riot control and harassing agents in Vietnam.

The chance of a serious accident involving CBW agents seems to be higher than many experts thought; the incident involving the sheep in Utah surprised many Army gas warfare experts, according to one source, because of the extreme effectiveness of the nerve agent. Ironically, an order issued May 3, 1967, nearly a year before the accident, sharply tightened the military's safety conditions for CBW handling and testing. The order noted that "the problems are further complicated by the possible political and psychological implication of an accident-incident exposure." The order was not made public.

Along with the accident problem, the chance of gas warfare among smaller nations has been increased because of the heavy World War II munitions stockpiles deposited all over Europe and Asia. The Egyptian use of mustard gas early in the Yemen War was prompted, according to English sources, by the discovery of an old World War II gas weapon depot by the Egyptians. A similar discovery was made in 1966 somewhere in India, according to sources here, when a civilian construction firm digging a highway found a cache of American mustard gas shells. After a frantic flurry of classified cables, a U.S. military team was sent to recover the shells. Details of the incident have yet to be made public.

Unilateral disarmament in CBW has few official supporters, but Congress could take a major step by urging the military to make public essential facts about CBW spending, weapons, and other information that is given out with ease about America's nuclear arsenal.

"What is the United States now doing," asked Senator Nelson in his Senate speech on CBW, "to insure that this totally destructive and little understood aspect of the arms race is reduced? . . . Congress should make it its business to look immediately into this matter. . . . We will need to review the entire scope of chemical and biological warfare. . . . What is significant is the cloak of secrecy which has surrounded our activity in CBW research. This cloak of secrecy must be removed."

Such a full-scale investigation by Congress might well be the first step toward withdrawing these terrifying agents of silent death from the world's overstocked arsenal of weapons.

SCANDAL AT SBA

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, last week I was informed that a small businessman in San Antonio was subjected to a shakedown attempt by the special assistant to the administrator of the Small Business Administration.

The complaint was filed with the San Antonio office of the Federal Bureau of Investigation on April 22; I received an affidavit containing the complaint on April 24.

In this case, the small businessman needed a loan to expand and continue his business. The special assistant to the Administrator offered his help, and even had a study made of the prospects of the company. When the loan was approved the special assistant and others asked the businessman to incorporate and to pledge 49 percent of the company to them. This is a serious allegation, and I have every reason to believe that it is true; in fact one of the participants admits its substance. I believe, and have so informed the Administrator of the SBA that this matter warrants the immediate suspension of the special assistant, Mr. Albert Fuentes.

Mr. Speaker, I include for the RECORD a copy of the affidavit I received, a copy of the feasibility study aforementioned, and a copy of a telegram I sent the Administrator of the SBA:

State of Texas, County of Bexar:

Before me, the undersigned authority, on this day, personally appeared Emanuel Salaiz, who, after being by me duly sworn, upon his oath, stated the following:

"My name is Emanuel Salaiz, I am the owner and operator of E & S Sales, San Antonio, Texas. Since early 1967, I have been attempting to obtain a loan from SBA in order to improve and continue my business. I was finally approved for a loan from SBA in the amount of $10,000 in February, 1969. Many people intervened for me during these years and when I finally was approved by SBA I was of the opinion that the successful efforts in my behalf were made by Mr. Eddie Montez and Mr. Albert Fuentes. I reached this opinion because Mr. Montez and Mr. Fuentes never let me forget it. When I was approved for the $10,000 I was instructed along the following lines by Eddie Montez and Albert Fuentes, 'Let us complete the research and then we will talk to you about your business loan. Don't accept the $10,000 until we talk to you.'

"I did not accept the $10,000 and I waited until the 'research was complete.' I was called to a meeting in the office of Mr. Tom Guardia on a Sunday, one week before Easter. At this meeting, the following were present: Tom Guardia, Eddie Montez, G. J. Gonzales, myself and Albert Fuentes and a Mr. de la Rose who runs the Alameda Restaurant. At this meeting I was advised by Mr. Montez that it was a personal meeting before but now it was strictly business. At this meeting I was handed a research on survey report allegedly by one W. J. Garvin, Assistant Administrator, United States Government Small Business Administration, Washington, D.C., dated March 20, 1969. The report is hereto attached and made a part of this statement for all intents and purposes. Albert Fuentes told me that this report would help in obtaining for me a larger sum of money. He told me that it would be necessary for me to incorporate and to pledge to them 49 per cent of the corporation, that Mr. Tom Guardia would set up the corporation and take care of distribution of the 49 per cent. When I asked if this was legal, Mr. Fuentes assured me that it was; Mr. Montez assured me that Mr. Guardia would set up the 49 per cent properly and that Mr. Fuentes' share would be set up in trust.

"Mr. Fuentes then told me, 'I'm not going to be here very long and when I get out I have to have something to fall back on.' They told me that if I did not incorporate there would be no loan of the type as suggested in the research on survey report. I told all of them I would send my lawyer, Tom Joseph, to talk to Mr. Guardia and I left. Mr. Joseph referred me to Mr. Rudy Esquivel, Chairman of the SBA Council. I worried for about a week and finally talked to Mr. Esquivel on Friday, April 18, 1969. When I advised Mr. Esquivel about the possible conflict of interest involved here he advised me that the investigating arm of the government was the FBI. I went to the FBI and made a statement to Agent Miller in the San Antonio, Texas office."

"I have made this statement of my own free will and every statement of fact herein contained is true and correct."

EMANUEL SALAIZ.

Sworn to and subscribed before me on the 24th day of April, 1969 to certify which witness my hand and seal of office.

JESSE B. CAMPOS,
Notary Public.

U.S. GOVERNMENT SMALL
BUSINESS ADMINISTRATION,
Washintgon, D.C., March 20, 1969.

Reply to Attention of:E.
Subject: E. & S. Sales Co.
To: Mr. Albert Fuentes, Special Assistant to the Administrator.

As previously reported we have continued our analysis of the market outlook for a capital needs of this company and now believe that we have pursued the matter as far as we profitably can from this distance.

The Market Outlook: Excellent prospects for the immediate and foreseeable future, both for specialized, custom type ornamental hardware and for more standardized high volume output. A well managed firm should prosper and grow in this location.

Capital Needs: We have analyzed several alternative types of manufacturing facility which might be considered. The two best choices seem to be:

a. *Moving the existing business* out of the garage into a manufacturing facility, with expanded output but no basic change in operations. That is, the company would continue to design its unique ornamental hardware, contract with an outside foundry for casting services, and perform the finishing work in its own building. This would require:

A building with about 5000 feet of floor space (costing $10,000 to $12,000 plus land unless leased space is available.

About $20,000 worth of equipment.

Working capital of up to $20,000 for an annual sales volume of $100,000 to $150,000.

Thus total investment requirements would be on the order of $40,000 for leased facilities and $50,000 to $60,000 for purchased facilities. The advantages of this choice are:

It could be set up quickly.

It would make best use of the specialized skills of the existing company.

It can expand, to keep pace with the market.

It could later be developed into a more integrated operation doing its own foundry work.

b. *Going immediately into an integrated operation:* This is basically the choice indicated by Mr. Salaiz. This would be a complete design, casting and finishing operation in a large manufacturing facility. Industry experts and our own research indicates total initial capital requirements (including working capital) to be at least $200,000. It would need to reach an annual sales volume of up to $1 million for efficient operations.

The principal advantage of this choice is that it would expand employment opportunities and contribute significantly to community development. It would need to move more towards standardized, mass produced hardware rather than the present custom type. It would also take at least a year before operation could begin.

Recommendation: I recommend alternative in (a)—the smaller, more specialized facility—as the most promising immediate source of action. Alternative in (b) would not be ruled out as an eventual solution. If the business is as successful as I believe it could be, expansion into an integrated operation could well be undertaken through a local development company or a small business investment company.

Other considerations: I have given the data on the E & S bid on the defense order for door handles to Mr. Bothmer. I have also been advised that several score volunteers could be made available at nominal costs to assist in management training and counseling. Finally, Mr. Salaiz does not have a good accounting system and—according to reports—could not be pursuaded to furnish cost and sales data needed to support a loan application. An expanded operation would require installation of an efficient accounting system.

W. J. GARVIN,
Assistant Administrator.

APRIL 24, 1969.

Mr. HILARY SANDOVAL,
Administrator, Small Business Administration, Washington, D.C.:

Affidavits in my possession and on file with the Federal Bureau of Investigation show that there is serious reason to believe Albert Fuentes has engaged or attempted to engage in shakedowns of SBA loan applicants. I believe that this warrants your immediately suspending Fuentes pending a full investigation.

HENRY B. GONZALEZ,
Member of Congress.

A MEANS OF HALTING ILLEGAL SEIZURES OF U.S. FISHING BOATS

(Mr. PELLY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PELLY. Mr. Speaker, today I am introducing new legislation to try to bring the Peruvians and other Latin American countries that illegally seize American fishing boats on the high seas to negotiations.

This bill would cut off imports of fish and fish products from these countries in the event of future seizures. In the case of Peru, such imports amount to a substantial dollar figure. Commerce Department figures indicate that in 1968, Peru exported $62.1 million to the United States.

However, Mr. Speaker, such a cutoff would not be effective while discussions were going on. Let me emphasize that my bill is not to punish anyone, but rather to have disputes arising from seizures of our fishing vessels off their coasts taken to the negotiation table and to achieve some understanding.

We do not have to argue over their claim of 200 miles or over our claim of 12 miles. All we ask is that these countries honor our historic rights the same as Canada, Mexico, and the United States honor historic rights of other nations to fish in their fishing zones.

Meanwhile, I am fearful that our fishing dispute has been put aside during the discussions on the problem of Peru's expropriation of an oil plant, and I want to be assured that American fishermen are heard during the meetings now being held or to be held shortly between the United States and Peru.

However, Mr. Speaker, I have a greater fear, and that is that within the next few weeks there will be additional seizures off the Latin American coast, and as I informed my colleagues last Thursday, the International Longshoremen's Union has passed a resolution which could lead to their refusing to unload ships from any country illegally seizing U.S. fishing vessels. This, I would like to prevent, Mr. Speaker, and I feel that a law such as would be provided by the legislation I am introducing today would accomplish this by Government rather than by union action.

Time is important as we face the start of another fishing season off Latin America, and I urge swift consideration of this new legislation I am introducing today.

THE GOVERNMENT SHOULD PAY 100 PERCENT OF CIVIL SERVICE EMPLOYEES' HEALTH BENEFITS COSTS

(Mr. HOGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOGAN. Mr. Speaker, I am today introducing legislation—H.R. 10593—to require the Federal Government to pay 100 percent of health benefits costs for Federal employees.

I believe that the Government has an obligation to be in the forefront in providing fringe benefits and good working conditions for its employees rather than trailing behind private enterprise as has been the case. Today, many enlightened firms pay all of the health benefits costs of their employees. Surely, the time has come for the Federal Government to take this enlightened step.

Originally, the health benefits law provided that the Civil Service Commission would establish the Federal contribution within a specified dollar range, but not more than 50 percent of the least expensive low-option plan offered by one of two Government-wide carriers. Due to the increasing costs of the high option plans, the Government's share of the total premiums was down to less than 30 percent by 1966.

Public Law 89–504 increased the Government's contribution rate, restoring it to the 1960 level of 38 percent of the total premiums, and eliminated the tie-in of the Government contribution to the low option rates. However, due to subsequent rate increases, the Government's contribution has since fallen to about 32 percent of the total premium costs. Congress should act promptly to rectify this inequity.

There have been several proposals in past Congresses and in the current Congress to have the Government assume varying percentages of employee health benefits premiums. In fact, during the 90th Congress, the Subcommittee on Retirement, Insurance, and Health Benefits of the Post Office and Civil Service Committee, under the leadership of the distinguished gentleman from New Jersey (Mr. DANIELS) on whose subcommittee I am privileged to serve, held public hearings on legislation calling for the Government to pay 100 percent of employee health benefit premiums.

After considering these bills, the subcommittee noted:

> Aside from the cost, were the Government to pay the total premium, employees would naturally choose the more expensive plans and options that provide the richest benefits, so that the only competition among health plans would be in the amount and kinds of benefits provided. Ultimately, every plan might be not only covering 100 percent of all medical expenses but exploring the inclusion of other types of related expenses.

I believe that this was a valid objection to the proposals that have been made in the past. However, my plan would meet this objection. It would set a limit on the types of coverage to which the Government would contribute, and it would retain the competition that now exists among the 36 different plans serving Federal employees.

Essentially, my plan would have the Government pay 100 percent of the cost of certain specified benefits which would be provided for all employees, annuitants and their families. In effect, this would become the low-option plan which each carrier would make available at no cost to the employee. Each carrier would then be free to offer such additional benefits as it chose, with the employee paying all of the additional cost.

The bill—H.R. 10593—which I am introducing today includes the following benefits for which the Government would pay the entire cost:

Up to 180 days' hospital coverage for each confinement;

Surgical benefits as outlined in the set schedule of fees with a maximum of $500 for any one confinement.

Medical visits to be reimbursed at $10 per hospital visit; $8 per home visit; and $6 per office visit;

Diagnostic services as provided for in a set schedule of fees;

First-aid treatment in full within 72 hours after an accident;

Maternity benefits to be treated as regular hospital benefits plus up to $200 for doctor's charges;

Nursing care up to $20 per 8-hour shift for up to 180 days a calendar year;

Alcoholism and drug addiction for up to 30 days per calendar year;

Mental and nervous disorders for up to 30 days per calendar year:

Dental and cosmetic surgery shall be covered only when necessary for prompt repair of injury caused by an accident.

Mr. Speaker, I want to make it clear at this point that there is certainly nothing sacred about these specific benefits that I have included in my bill. Further consideration may demonstrate that these benefits should be curtailed, eliminated, or expanded to include additional benefits. However, I do believe that this legislation is a necessary starting point which can be refined later on to establish the Federal Government as a model employer and to make Government service more attractive.

I am confident that the basic idea of this approach to providing health benefit coverage for Federal employees is sound. I feel it merits the prompt attention of the Post Office and Civil Service Committee and, indeed, every Member of Congress.

NIXON ADMINISTRATION SUPPLYING ARMS TO JORDAN

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, I was distressed last Friday by the report that the Nixon administration has approved the sale of $30 million worth of arms and equipment to Jordan, including another squadron of F–104 jet interceptors.

It would appear that this administration intends to continue the already discredited policy of supplying arms to the so-called moderate Arab States in the hope of exercising some influence on these countries.

Has the administration forgotten that, in attacking Israel in June 1967, Jordan used arms and equipment, including tanks, provided by the United States?

The inclusion of a squadron of F–104 jet interceptors constitutes an especially grave threat to peace, for these jets will further bolster the increasing Arab military power and embolden their determination to destroy Israel.

We all know that Jordan has been a base for terroristic attacks on Israel which have continued unabated since the 6-day war. For what imaginable purpose would Jordan use these jets and other military equipment except to attack Israel?

In addition, Mr. Speaker, I am concerned by the fact that the Department of Defense is continuing to train Jordanian pilots and army personnel and other Arab pilots and army personnel in this country. The Department of Defense has advised me in a letter dated April 22 that 94 air force personnel and 74 army personnel from Jordan are being trained in U.S. service schools during fiscal year 1969. First we equip, and then we train, the Royal Jordanian Air Force.

No matter what the history of the Middle Eastern conflict demonstrates, the same stale policies continue to be implemented. The administration continues to arm Jordan in the face of every indication that these weapons will be used against Israel, to which we have a long-standing commitment. It should also be remembered that the vaunted "influence" which this policy was supposed to insure in the past was destroyed when King Hussein and other "moderate" Arab leaders placed their forces under the control of Nasser in the 6-day war. What is there to insure that these weapons will not become an addition to Nasser's developing stockpile of weapons again—to be used when the Arabs believe they have sufficient arms to finally annihilate Israel?

Has the U.S. Government learned nothing from the bloody and tragic war that took place less than 2 years ago?

I have called upon the President of the United States to rescind immediately the sale of these weapons to Jordan and to publicly disavow any intention of approving any further agreements which would subsidize the Arabs' hostile military intentions. My telegram of April 25 to the President follows:

APRIL 25, 1969.

The PRESIDENT OF THE UNITED STATES,
The White House,
Washington, D.C.:

As one who has long opposed the United States providing any military support whatsoever to the Arab States, I strongly protest the decision of your administration to sell $30 million worth of arms and equipment to Jordan. The inclusion of a squadron of 18 F–104 jet interceptors constitutes an especially grave threat to prospects for peace in the Middle East.

The public pronouncements of Arab leaders on their continued determination to annihilate Israel make it clear that the receipt of these weapons will only encourage the Arabs to persist in their refusal to begin direct negotiations with Israel on outstanding issues, thereby prolonging the conflict in the Middle East.

I call upon you to immediately rescind the sale of these weapons to Jordan and to publically disavow any intention of approving any further agreements to subsidize the Arabs' hostile military intentions.

WILLIAM F. RYAN,
Member of Congress.

CONTINUE OEO

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, we have in recent months heard and read much about the Office of Economic Opportunity, about the specific programs it administers, about its worth—or lack of worth, about its future. From some critics we have heard that OEO has not been adequately doing the job of fighting poverty and that therefore it should simply be undone this year and done away with the next. Others agree with that diagnosis but call for a different cure: reorganization—they want OEO to function merely as an innovating agency in charge primarily of new, experimental programs which would presumably be transferred to other agencies if they were successful and dropped if they were not. While such an idea may have a certain appeal to social scientists, we who live in the world of political reality know that when Congress is in a budget-trimming mood, an agency without a permanent set of programs—and the concomitant protection of a set of interested participants—is about as secure as a turkey in November.

I should like to know why—amidst all the recent talk about the future of OEO—no one points to its past. The OEO is not yet 5 years old—surely that is a very short time in which to eradicate an age-old evil such as poverty. The OEO has consistently been underfunded by the Congress—surely it is difficult to judge the effectiveness of a war on poverty if it is fought with limited weapons. Despite handicaps such as these, however, OEO has managed to accomplish a great deal: Community action, Headstart, Upward Bound, neighborhood health centers, legal services, foster grandparents, VISTA—these names do not stand for failures but for solid successes; they are now part of the national vocabulary. But to the poor themselves, these programs are more than just familiar names; they are reasons for activity in place of idleness, expression instead of silence, hope in place of what at best was apathy and at worst was despair. What happens to the poor themselves if the life of OEO is crippled or cut off? The OEO is their agency, their voice in official Washington; it must not be allowed suddenly to fall silent.

Amid all the recent talk about OEO, we seem to have heard little or nothing either from the poor themselves or from those who are often closest to the poor—the regional OEO workers. I should like to make known their opinions on this subject. Accordingly, I should like, Mr.

Speaker, to place into the RECORD a resolution drafted by community action officials from OEO's northeastern region.

> On March 7, 1969, the Northeast Region State Economic Opportunity Office Directors, the Community Action Agency President from each State in the Region, and Community Representatives Advisory Council members from each State met in Hartford, Connecticut. After a discussion of the basic philosophies of the Federal anti-poverty program, the Office of Economic Opportunity, and its future, the following statement was unanimously adopted by all three groups present:
>
> We do not approve at this time the dismemberment of OEO or the spinning off of programs such as Head Start, Upward Bound, Job Corps, VISTA, Foster Grandparents, or Health Centers.
>
> We urge the Administration and Congress to support the philosophy of the Economic Opportunity Act of 1964, as amended, the Community Action Agencies, the Community Action process, and particularly the principle of maximum feasible participation of residents of the area and members of the groups to be served. This statement is generated in part by the position taken by Head Start Parents, Upward-Bound students, Neighborhood Youth Corps participants and other community residents throughout the country in support of these principles.
>
> We further support the principle of extending Maximum Feasible Participation of the people served, as developed by the Office of Economic Opportunity, to all Federal service programs, including but not limited to programs of the Departments of Agriculture, Health, Education, and Welfare, Housing and Urban Development, Justice, Commerce, and Labor, starting with the representation of the poor on Department advisory councils.

CHICAGO TODAY

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. ROSTENKOWSKI) is recognized for 10 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, it gives me great pleasure to call to the attention of the House of Representatives the presence of something new and significant in the city of Chicago.

For many years, countless thousands of Chicagoans, middlewesterners, and others throughout America have read the Chicago's American. They have undoubtedly begun to notice a change. However, beginning today, the Chicago's American will appear in compact form and be known as Chicago Today.

This newspaper, both new in format and name, will include new features and new writers as well as its established favorites whom readers have enjoyed so long in Chicago's American.

Under this new format, Chicago Today will incorporate 200 more columns of new space each week, thus enabling it to keep its readers even better informed. With this, the writing style will be more concise thus enabling the new format to present more and better stories. As part of presenting its expanding coverage, Chicago Today will have complete stock market tables in virtually all editions as well as the closing markets in the final edition.

In line with the new format, aimed at the "now" group, the paper has a section called "now," which in effect is a directory of where to go, what to do and how to have fun in Chicago which should be of great benefit to its readers. There will be a new feature called Focus which will enable Chicago Today's talented writers to examine in depth, the most important issues of our time both nationally and in Chicago.

Chicago has a reputation nationwide as a good newspaper town. The fact that it has four daily newspapers has made it one of the most competitive news towns in the country and this helps the readers. This newspaper will contribute to the fact that this is a "good newspaper town."

A PROPOSAL FOR RELIEVING LOW-INCOME ELDERLY CITIZENS—HOMEOWNERS OR RENTERS—OF PART OF THEIR LOCAL PROPERTY TAX BURDEN

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, I introduce today, for appropriate reference, H.R. 10615, the Property Tax Relief Act of 1969.

H.R. 10615 is designed to ease the property tax burden on those low-income elderly persons whose local property taxes are excessively high in relation to their total income by allowing them a credit against the Federal income tax for that portion of the property tax that is determined to be excessive.

The bill is modeled after Wisconsin's highly successful Homestead Relief Act, which allows a credit against the Wisconsin State income tax.

Poor elderly homeowners often have great difficulty in paying their property taxes. Frequently the homes they live in were purchased many years before, when property taxes were low and job income was coming in regularly. But now property taxes have risen drastically, especially in urban areas, and these elderly homeowners are retired and living on small fixed incomes, depleted by inflation and supplemented inadequately if at all by social security payments. The thought of moving is not a welcome one; there is often a sentimental attachment to the old familiar home and, beyond this, the task of moving is a burdensome one for the elderly.

To meet this problem, the bill provides property tax relief to those over 65 with a total yearly income of $3,500 or less. To insure that only truly needy persons receive relief, applicants must list all forms of money income, including nontaxable income such as social security, veteran's disability benefits, public assistance payments, and railroad retirement benefits.

The credit extends to elderly renters as well as homeowners—for renters it is assumed that 25 percent of the rent payment is in effect payment for property taxes.

For those eligible persons whose income is so low that they pay no Federal tax, a direct cash refund is substituted for the credit.

The refund or credit is intended to offset only that portion of the property tax that is well in excess of what is normal. It works like this.

Property taxes are considered unusually high if they exceed a certain percentage of household income. These percentages are increased as household income increases. After determining the amount of the tax which is excessive, a percentage of this excessive part is relieved. For households with incomes over $1,000, there is a refund or a credit for 60 percent of the excessive part; for those with incomes under $1,000, the refund or credit is 75 percent of the excessive part.

In addition, H.R. 10615 limits the amount of property taxes that can be used in computing relief to $300. Thus, if a householder has property tax payments of $400 he can only use $300 of that in computing his refund or credit.

As one might expect, the upshot of all this is a rather complicated formula. For those who are curious, the formula is in section 1603 of the bill, the text of which follows. The following table lists the size of the credit or refund which is available in some representative cases:

	Total household income	Credit or refund
Property tax:		
$100	$1,000	$67.00
$200	1,000	142.00
$300	1,000	213.30
$100	2,000	9.10
$200	2,000	69.10
$300	2,000	126.10
$100	3,000	0
$200	3,000	0
$300	3,000	43.50

Because the bill is modeled so closely after Wisconsin's Homestead Relief Act, a brief look at some aspects of Wisconsin's experience with the law might be helpful.

The Wisconsin law was passed in 1964 and liberalized in 1966. In 1967, it provided tax relief of over $6.3 million to 69,400 low income elderly families owning or renting their homes, for an average payment of $90.78. The total relief granted came to only around 1 percent of total property tax collections in the State.

Very few of those eligible for the program have incomes high enough to make them subject to the State income tax, so that in some 98 percent of the cases property tax relief is in the form of a direct cash refund rather than a credit against income tax. In 1966, $5 million of the $5.1 million in relief granted came in the form of direct cash refunds. In this respect, the Wisconsin law is a kind of negative income tax, but restricted to those past their working age.

The main objective of the Wisconsin law is to relieve the low income elderly of excessive property tax burdens. But the law has also had important side effects.

A serious problem with the property tax is that, especially at low income levels, it tends to be regressive—that is, those with low incomes pay a higher percentage of their income in property taxes than those with higher incomes. The Wisconsin Homestead Relief Act has reduced this regressivity substantially.

The law has also had a beneficial effect on income distribution, since it transfers income from the general taxpaying population to those persons who are very poor, and since the poor tend to live together, to those jurisdictions that are very poor.

The Wisconsin experiment has been so successful that the Advisory Commission on Intergovernmental Relations has recommended that all States follow Wisconsin's lead in giving relief to elderly low-income homeowners and renters. See ACIR, State and Local Finances: Significant Features, November 1968, page 5. But there is no need to wait for all State legislatures to act; we can make this relief available now by using the Federal income tax system.

If this bill was passed, States like Wisconsin which have such property tax relief laws might wish to continue them as a supplement to the Federal credit.

The text of H.R. 10615 follows:

H.R. 10615

A bill to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) subtitle A of the Internal Revenue Code of 1954 (relating to income taxes) is amended by adding at the end thereof the following new chapter:

"CHAPTER 7—PROPERTY TAX RELIEF FOR THE LOW-INCOME ELDERLY

"Sec. 1601. Definitions.
"Sec. 1602. Claim allowable as credit or refund.
"Sec. 1603. Amount allowed as claim.
"Sec. 1604. Special rules.
"Sec. 1605. Administration.

"SEC. 1601. DEFINITIONS.

"For purposes of this chapter—

"(1) INCOME.—The term 'income' means the sum of adjusted gross income, support money, cash public assistance and relief (not including any amount received under this chapter), the gross amount of any pension or annuity (including railroad retirement benefits, all payments received under the Social Security Act and veterans disability pensions), nontaxable interest received from the United States, a State, or an instrumentality of either, workmen's compensation and the gross amount of 'loss of time' insurance. Such term does not include gifts from nongovernmental sources, or surplus food or other relief in kind supplied by a governmental agency.

"(2) CLAIMANT.—The term 'claimant' means a person who has filed a claim under this chapter and was both domiciled in the United States and 65 years of age or over during the entire taxable year preceding the year in which he files claim under this chapter. When two or more individuals of a household meet the qualifications for a claimant, or when a homestead is occupied by two or more individuals and more than one such individual is able to qualify as a claimant, and some or all such qualified individuals are not related as determined under paragraph (3), the person or persons entitled to make a claim under this chapter shall be determined under regulations of the Secretary or his delegate.

"(3) HOUSEHOLD.—The term 'household' means a claimant and the spouse of the claimant.

"(4) HOUSEHOLD INCOME.—The term 'household income' means all income received by all persons of a household in a taxable year while members of such household.

"(5) HOMESTEAD.—The term 'homestead' means a dwelling in the United States, whether owned or rented, and so much of the land surrounding it, not exceeding one acre, as is reasonably necessary for use of the dwelling as a home, and may consist of a part of a multidwelling or multipurpose building and a part of the land upon which it is built. (Such term also includes a vendee in possession under a land contract and of one or more joint tenants or tenants in common.) Such term does not include personal property such as furniture, furnishings, or appliances.

"(6) RENT CONSTITUTING PROPERTY TAXES ACCRUED.—The term 'rent constituting property taxes accrued' means an amount equal to 25 percent of the gross rent actually paid in cash or its equivalent in a taxable year by a household solely for the right of occupancy of its homestead in such taxable year.

"(7) GROSS RENT.—The term 'gross rent' means rental paid at arms-length, solely for the right of occupancy of a homestead, exclusive of charges for any utilities, services, furniture, furnishings or personal property appliances furnished by the landlord as a part of the rental agreement, whether expressly set out in the rental agreement or not.

"(8) PROPERTY TAXES ACCRUED.—

"(A) GENERAL RULE.—The term 'property taxes accrued' means State and local property taxes (exclusive of special assessments, delinquent interest and charges for service) which accrue with respect to a claimant's homestead in a taxable year.

"(B) OWNERSHIP BY MORE THAN ONE HOUSEHOLD.—When a homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more such persons or entities is not a member of claimant's household, 'property taxes accrued' is that part of property taxes accrued with respect to such homestead as reflects the ownership percentage of the claimant and his household.

"(C) OWNING AND RENTING IN SAME TAXABLE YEAR.—When a claimant and his household own their homestead part of a taxable year and rent the same or a different homestead for part of the same year 'property taxes accrued' means only taxes accrued with respect to the homestead when both owned and occupied as such by claimant and his household, multiplied by the percentage of twelve months that such property was owned and occupied by such household as its homestead in such year.

"(D) OCCUPANCY OF MORE THAN ONE HOMESTEAD.—When a household owns and occupies two or more different homesteads in the same taxable year, property taxes accrued shall relate only to that property occupied by the household as a homestead for the greatest portion of such year.

"(E) HOMESTEAD PART OF A LARGER UNIT.—Whenever a homestead is an integral part of a larger unit such as a farm, or a multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value, except that the claimant may use the total property taxes accrued for the larger unit, but not exceeding forty acres of land, except as the limitations of section 1603(b)(2) apply.

"SEC. 1602. CLAIM ALLOWABLE AS CREDIT OR REFUND.

"(a) ALLOWANCE OF CLAIM.—Subject to the limitations provided in this chapter, a claimant may claim as a credit against taxes imposed by chapter 1 for a taxable year property taxes accrued for such taxable year, or rent constituting property taxes accrued for such taxable year, or both. If the allowable amount of claim exceeds the amount (if any) of taxes imposed by chapter 1 for the taxable year (less the aggregate amount of credits allowable under part IV of subchapter A of chapter 1 for the taxable year) the amount of such excess after audit by the Secretary or his delegate, shall be paid to the claimant. No interest shall be allowed on any payment made to a claimant pursuant to this chapter.

"(b) TIME FOR FILING.—A claim under subsection (a) for a taxable year shall be filed on or before the time prescribed by law for filing an income tax return for such taxable year (taking into account any extension of time).

"SEC. 1603. AMOUNT ALLOWED AS CLAIM.

"(a) DETERMINATION OF AMOUNT.—The claim allowable to a claimant under this chapter for a taxable year shall be determined in accordance with the following table, on the basis of the household income of the claimant's household and of such household's eligible property taxes and rent (as defined in subsection (b)) for the taxable year:

"I		II	III	IV	V
If household income is—		Then the allowable claim is the product of—	times the amount by which eligible property taxes and rent exceed the sum of—	plus—	of household income in excess of—
At least	but not more than—				
0	$500	0.75	0	0%	-----
$500	1,000	.75	0	3%	$500
1,000	1,500	.60	$15	6%	1,000
1,500	2,000	.60	45	9%	1,500
2,000	2,500	.60	90	12%	2,000
2,500	-----	.60	150	15%	2,500

"(b) ELIGIBLE PROPERTY TAXES AND RENT.—For purposes of subsection (a), the term 'eligible property taxes and rent' means the lesser of—

"(1) the sum of property taxes accrued plus rent constituting property taxes accrued, or

"(2) $300.

"(c) SET OFF AGAINST OTHER TAX LIABILITY.—The amount of any claim otherwise payable under this chapter for a taxable year may be applied by the Secretary or his delegate against any liability of the claimant with respect to taxes imposed by this title, or against such liability of any other individual who was a member of his household in the taxable year.

"(d) ONE CLAIMANT PER HOUSEHOLD LIMITATION.—Only one claimant per household per taxable year shall be entitled to relief under this chapter.

"SEC. 1604. SPECIAL RULES

"(a) RENTALS NOT AT ARM'S LENGTH.—In any case in which a homestead is rented by a person from another person under circumstances deemed by the Secretary or his delegate to be not at arms-length, he may determine rent constituting property taxes accrued as at arms-length, and, for purposes of this chapter, such determination shall be final.

"(b) MOBILE HOMES.—Under regulations of the Secretary or his delegate, a mobile home shall be treated as a homestead for purposes of this chapter.

"(c) CLAIMANTS HAVING DIFFERENT TAXABLE YEARS.—In the case of a household consisting of two claimants who do not have the same taxable year, household income, rent constituting property taxes accrued, and property taxes accrued shall be determined (1) on the basis of an annual period prescribed by regulations of the Secretary or his delegate, and (2) with such adjustments as may be required by such regulations.

"SEC. 1605. ADMINISTRATION.

"(a) FORMS AND TABLES; COMPUTATION OF CLAIM BY SECRETARY.—In administering this chapter, the Secretary or his delegate shall make available suitable forms with instructions for claimants, including a form which may be included with or a part of the individual income tax form. The Secretary or his delegate shall by regulation prescribe tables under which claims under this chapter may be computed to the nearest 10 cents. The claimant may elect not to record on his claim the amount claimed by him, in which case the Secretary or his delegate shall compute the claim and notify the claimant by mail of the amount of his claim under this chapter.

"(b) INFORMATION.—Every claimant under this chapter shall supply to the Secretary or his delegate, in support of his claim, reasonable proof of age, rent paid, property taxes accrued, changes of homestead, household membership, household income, size, and nature of property claimed as the homestead and a statement that the property taxes accrued, on the basis of which his claim is made, have been or will be paid by him and that there are no delinquent property taxes on the homestead.

"(c) RIGHT TO FILE CLAIM ON BEHALF OF CLAIMANT.—The right to file a claim under this chapter shall be personal to the claimant and shall not survive his death, but such right may be exercised on behalf of a claimant by his legal guardian or attorney-in-fact. When a claimant dies after having filed a timely claim the amount thereof shall be disbursed to another member of the household, under regulations of the Secretary or his delegate. If the claimant was the only member of his household, the claim may be paid to his executor or administrator, but if neither is appointed and qualified within two years of the filing of the claim, no amount shall be paid with respect to the claim.

"(d) REDETERMINATION OF CLAIM.—Whenever on the audit of any claim filed under this chapter the Secretary or his delegate determines the amount thereof to have been incorrectly determined, the Secretary or his delegate shall redetermine such claim and notify the claimant of such redetermination and the reasons therefor. Such redetermination shall be final unless appealed to the Tax Court within 30 days of notice thereof.

"(e) RECOVERY OF FRAUDULENT CLAIMS.—In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full, and, if the claim has been paid or a credit has been allowed against income taxes otherwise payable, the credit shall be canceled and the amount paid may be recovered by assessment as income taxes are assessed and such assessment shall bear interest from the date of payment or credit of the claim, until refunded or paid, at the rate of 1 percent per month. The claimant in such case, and any person who assisted in the preparation or filing of such excessive claim or supplied information upon which such excessive claim was prepared, with fraudulent intent, shall be guilty of a misdemeanor. In any case in which it is determined that a claim is or was excessive and was negligently prepared 10 percent of the corrected claim shall be disallowed and if the claim has been paid, or credited against income taxes otherwise payable, the credit shall be reduced or canceled, and the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed and such assessment shall bear interest at one percent per month from the date of payment until refunded or paid.

"(f) APPEAL TO TAX COURT.—Any person aggrieved by the denial in whole or in part of relief claimed under this chapter (except when the denial is based upon a redetermination of rent constituting property taxes accrued as at arms length) may appeal such denial to the Tax Court by filing a petition with such court within 30 days after such denial."

(2) The table of chapters for subtitle A of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"CHAPTER 7. Property tax relief for the low-income elderly."

(b) (1) Section 40 of the Internal Revenue Code of 1954 (relating to cross references) is amended to read as follows:

"SEC. 40. CROSS REFERENCES.

"(1) For credit against the tax imposed by this subtitle for overpayments of tax, see section 6401.

"(2) For credit against the tax imposed by this chapter with respect to State and local property taxes of the low-income elderly, see section 1602."

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 40. Cross references."

(c) (1) Subchapter A of chapter 65 of the Internal Revenue Code of 1954 (relating to abatements, refunds, and credits) is amended by adding at the end thereof the following new section:

"SEC. 6408. PAYMENTS TO LOW-INCOME ELDERLY WITH RESPECT TO STATE AND LOCAL PROPERTY TAXES.

"For authority to make payments to low-income elderly with respect to State and local property taxes, etc., see section 1602."

(2) The table of sections for such subchapter is amended by adding at the end thereof the following new item:

"Sec. 6408. Payments to low-income elderly with respect to property taxes accrued."

SEC. 2. Section 164 of the Internal Revenue Code of 1954 (relating to deduction for taxes) is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

"(g) DISALLOWANCE IN CASE OF TAXES WITH RESPECT TO WHICH CREDIT OR PAYMENT ALLOWED UNDER CHAPTER 7.—Under regulations of the Secretary or his delegate, no deduction shall be allowed for a tax with respect to which a claim is allowed under chapter 7 (relating to property tax relief for low-income elderly)."

SEC. 3. The amendments made by this Act shall apply with respect to property taxes accruing and rent paid on or after January 1, 1970.

REFORM OF MILITARY CODE

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I am today introducing legislation to reform the Military Code so that a repeat of the Presidio Stockade incident could not occur. My legislation would make the distinction between mutiny and the lesser charge of disobeying an order much clearer. It would also require prior approval by the Secretary of the particular armed forces before prosecution could take place for an offense carrying the death penalty.

I introduce this legislation because I do not believe the Presidio incident should be allowed to pass without remedial action being taken. This legislation deals with the two fundamental aspects of that incident—the failure of the commanding officer to employ a proper and accepted interpretation of the term mutiny, and the proper disagreement of Pentagon officials with this action. They, unfortunately, had no legal recourse. If either of these aspects had been different, the Presidio incident, as we know it, could not have occurred.

It was Gen. Stanley Larsen's failure to heed the recommendation of the pretrial hearing examiner that "the charge of mutiny does not apply to the facts of October 14, 1968," which precipitated this gross injustice. There have been other cases of sitdowns in the Army; yet, to my knowledge, only cases involving force were prosecuted for mutiny. This legislation, by making the already commonly accepted definition of mutiny clearer in the law, should deter future ill-advised judgments of this nature.

The fact that the Judge Advocate General of the Army moved in less than 24 hours of General Larsen's confirmation of the first Presidio defendant's sentence to apply a rarely used clemency power suggests that high officials of the Army also were upset by this gross injustice. This combination of events is no accident. My conversations with Pentagon officials confirm this. Yet, under military law, there was nothing they could do prior to prosecution. My bill, while serving to preserve the decentralized character of the Armed Forces, would serve to reassert a greater sense of legal authority in the field of military law, at least in capital cases.

What concerns me even more than the gross injustice perpetrated against these 27 young men in this single incident is that it may not have been an isolated incident. It may have been motivated by political considerations, and had the object of cracking down on antiwar behavior as well as to discriminate in the handling of military infractions on the basis of imputed or actual political motivations behind infractions. Whether it applies to civilian or military, this does not appear to be justice to me.

RECESS

The SPEAKER. The Chair is informed by the distinguished gentleman from Michigan, GERALD R. FORD, that the President is sending a message to the Congress which is expected to arrive very shortly. In view of this and in a spirit of cooperation, if there is no objection——

Mr. GROSS. Mr. Speaker——

The SPEAKER. Under the circumstances the Chair will recognize the gentleman from Iowa.

Mr. GROSS. Would the distinguished Speaker be able to say how long it will be before this message may be received?

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, of course.

Mr. GERALD R. FORD. I was assured by the staff of the President that the message would be here sometime between 1 and 1:30 p.m. On the basis of that information given to me I spoke to the distinguished Speaker and he agreed to ask for a recess under those circumstances.

The SPEAKER. If there is no objection, the House will stand in recess subject to the call of the Chair. The bells will be rung 15 minutes before the House reconvenes.

There was no objection.

Accordingly (at 1 o'clock and 12 minutes p.m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 35 minutes p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

DISTRICT OF COLUMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-108)

The SPEAKER. The Chair lays before the House a message from the President of the United States.

The Clerk read as follows:

To the Congress of the United States:

Carved out of swampland at our country's birth, the Nation's Capital city now sets a new test of national purpose. This was a city that men dared to plan—and build by plan—laying out avenues and monuments and housing in accordance with a common rational scheme. Now we are challenged once again to shape our environment: to renew our city by rational foresight and planning, rather than leaving it to grow swamp-like without design.

At issue is whether the city will be enabled to take hold of its future; whether its institutions will be reformed so that its government can truly represent its citizens and act upon their needs.

Good government, in the case of a city, must be local government. The Federal Government has a special responsibility for the District of Columbia. But it also bears toward the District the same responsibility it bears toward all other cities: to help local government work better, and to attempt to supplement local resources for programs that city officials judge most urgent.

My aim is to increase the responsibility and efficiency of the District of Columbia's new government, which has performed so ably during its first perilous years. Early in this Administration, we recommended proposals that would increase the effectiveness of local law enforcement and provide the resources needed by local officials to begin revitalizing the areas damaged during the civil disturbance. Those proposals, however, cover only a part of the program which will be essential for the District Government to respond to the wishes of its people.

I now present the second part of this program, worked out in close consultation with the District Government, and based upon the needs articulated by the Mayor and the City Council.

This program will provide:

- —An orderly mechanism for achieving self-government in the District of Columbia.
- —Representation in Congress.
- —Added municipal authority for the City Council and the Mayor.
- —Additional top management positions to bring new talents and leadership into the District Government.
- —A secure and equitable source of Federal funds for the District's budget.
- —An expanded rapid rail transit system, linking the diverse segments of our Capital's metropolitan region.

CALL OF THE HOUSE

Mr. LENNON (during the reading). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. ALBERT). Evidently a quorum is not present.

Mr. MILLER of California. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 49]

Adair
Annunzio
Arends
Ashbrook
Ashley
Barrett
Bates
Bell, Calif.
Betts
Biaggi
Bingham
Blackburn
Blatnik
Bolling
Brasco
Brown, Calif.
Broyhill, Va.
Byrne, Pa.
Cahill
Carey
Celler
Chappell
Chisholm
Clancy
Clark
Clay
Collins
Colmer
Conte
Conyers
Corbett
Corman
Cunningham
Daddario
Diggs
Donohue
Dulski
Dwyer
Edmondson
Edwards, La.
Evins, Tenn.
Fallon
Fish
Gallagher
Gettys
Green, Oreg.
Halpern
Hansen, Wash.
Hathaway
Hawkins
Hébert
Heckler, Mass.
Helstoski
Holifield
Hull
Ichord
Jarman
Jones, Ala.
Karth
Kirwan
Kuykendall
Landrum
Lloyd
Long, La.
Lukens
McDonald, Mich.
Mann
Mikva
Mizell
Monagan
Moorhead
Morton
Murphy, N.Y.
Nedzi
Nix
Ottinger
Philbin
Poff
Pollock
Powell
Pucinski
Quillen
Randall
Reifel
Roberts
Ronan
Rooney, Pa.
Rostenkowski
Roudebush
Rumsfeld
St. Onge
Sandman
Scheuer
Scott
Smith, N.Y.
Stanton
Steiger, Wis.
Stephens
Symington
Taft
Teague, Calif.
Teague, Tex.
Van Deerlin
Waggonner
Watkins
Watson
Watts
Whalley
Widnall
Wolff
Wydler

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 321 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DISTRICT OF COLUMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore. The Clerk will continue the reading of the message.

The Clerk read as follows:

The Federal Government bears a major responsibility for the welfare of our Capital's citizens in general. It owns much of the District's land and employs many of its citizens. It depends on the services of local government. The condition of our Capital city is a sign of the condition of our nation—and is certainly taken as such by visitors, from all the states of the Union, and from around the globe.

However, this Federal responsibility does not require Federal rule. Besides the official Washington of monuments and offices, there is the Washington of 850,000 citizens with all the hopes and expectations of the people of any major city, striving and sacrificing for a better life—the eighth largest among the cities of our country.

SELF-GOVERNMENT

Full citizenship through local self-government must be given to the people of this city: The District Government cannot be truly responsible until it is made responsible to those who live under its rule. The District's citizens should not be expected to pay taxes for a government which they have no part in choosing—or to bear the full burdens of citizenship without the full rights of citizenship.

I therefore ask Congress to create a Commission on Self-Government for the District of Columbia, to be charged with submitting to Congress and the President a proposal for establishing meaningful self-government in the District.

In order for any government to be accountable to the people, responsibilities must be clearly pinpointed, and officials must have the powers they need to carry out their responsibilities. The Commission would recommend how best to augment and allocate the legislative and executive authorities with respect to governing the city.

The members of this Commission would be partly appointed by the President, partly designated by the Congress, and partly chosen in a city-wide election by the citizens of the District. They would be given an adequate but strictly defined time period to formulate their plan. I would hope that the Commission would be established promptly, so that its report could be submitted to Congress and the President in time for the 1970 legislative session. With adequate funding, they would be able to draw on the wisdom of consultants throughout the country—men who know firsthand the art of the possible, as well as those who study government—in addition to their own staff.

The Commission members must give thorough consideration to the many alternative plans for self-government which have been presented over the years. But they must also make use of new knowledge we have gained about the problems of existing local governments around the country—in finance, management, urban development, citizen participation and many other areas. They must seek the sentiment of the District's citizens from the earliest stages of their work.

There also is a Federal interest that must be respected. The normal functions of the Federal agencies must be guaranteed and their vital operations protected. There must be continued Federal jurisdiction over public buildings and monuments and assurance of well-being for the men and women who work in them or come to visit. The rights of the national government must be protected, at the same time as the rights of the city's residents are secured. There must be respect for the responsibilities with regard to the District which the Constitution places in the Congress.

To establish a new government in so diverse and active a city as the District is certainly no easy task. There are dangers in setting up new governments, as well as opportunities. Congress has been rightly concerned that the plan for self-government must insure responsible elections, effective executive leadership, protection of individual liberty and safeguards for District of Columbia employees. Self-government must be extended in a timely and orderly manner.

It is especially important that the Commission go beyond the issue of self-government as such, and concern itself with the effective functioning of government in the District of Columbia. Under the existing government structure the City Council finds itself without the power to deal with many crucial problems because of the conflicting and divided authorities that now reside in independent agencies.

But there is no cause for delay: Self-government has remained an unfulfilled promise for far too long. It has been energetically supported by the past four Presidents—Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, and Lyndon B. Johnson. The Senate approved measures to provide it during the 81st, 82nd, 84th, and 86th Congresses. We owe the present lack of local elections to the Reconstruction period, when Congress rescued the District from bankruptcy but suspended the voting franchise. Congress established a Commission form of government in 1874 as a temporary "receivership," but the Commissioners' government persisted for over 90 years—and today, even after reorganization in 1967, the District remains under Federal control.

The history of failure for self-government proposals shows the need for a new plan strong enough to stand up against the old questions or criticisms. Myriad different plans have been offered—and will be offered again this year. But each will have its own doubters as well as its supporters. A Commission must examine all of them, combining old and new ideas in a proposal that will at last win the broad-based respect necessary for final acceptance, and that will carry the authority of a disinterested group of men whose vocation is government—jurists, political leaders and scholars, as well as other citizens, investing the wisdom of their life's work in a truly new government.

Recognizing both the solemn right of the District's citizens to self-government and the Federal interest, I ask Congress to act promptly on proposed legislation to establish a *Commission on Self Government for the District of Columbia*, which will be transmitted shortly.

CONGRESSIONAL REPRESENTATION

I also urge Congress to grant voting representation in Congress to the District of Columbia. It should offend the democratic senses of this nation that the 850,000 citizens of its Capital, comprising a population larger than 11 of its States, have no voice in the Congress.

I urge that Congress approve, and the States ratify, an amendment to the Constitution granting to the District at least one represenative in the House of Represenatives, and such additional representatives in the House as the Congress shall approve, and to provide for the possibility of two Senators.

Until such an amendment is approved by Congress and ratified by the States, *I recommend that Congress enact legislation to provide for a non-voting House delegate from the District.*

STRENGTHENING THE CITY COUNCIL AND MAYOR

While working for self government and Congressional Representation for the future, I recommend that Congress take certain measures this session to strengthen the present District Government, in both authority and efficiency.

The Reorganization Plan which established the present government left to Congress many mundane municipal functions which are burdensome chores to it but important functions for good local government. At present, Congress must allot a portion of its legislative calendar to setting ordinances for the District of Columbia, in effect performing the duties of a local City Council for the Capital. It thus deals with matters which are of little or no importance to the nation as a whole—the setting of a fee, for example, to redeem a dog from the city pound. The concerns of the District are frequently shunted aside to allow for higher-priority legislative business. "No policy can be worse than to mingle great and small concerns," argued Augustus Woodward, one of the founders of our city, when Congress considered establishing a territorial form of government in 1800. "The latter become absorbed in the former; are neglected and forgotten."

Legislation will be proposed to transfer a number of specific authorities to the District Government—including authority to change various fees for user charges now fixed by statute, waive license fees for new businesses, for persons whose businesses have been burnt out in a civil disturbance, and modernize the licensing of various businesses, occupations and professions.

In addition, I recommend that the Mayor be given certain local responsibilities now exercised by Federal departments or agencies. Reorganization plans will be submitted in the coming weeks to transfer local functions now operated by the Federal Government—and frequently paid for by the District—to the Executive Branch of the District Government. Local services should be operated by local government. Such responsibilities are only an extra burden for the Federal departments, which should rightly devote their energies to the welfare of the entire nation.

I will also submit other reorganization plans to transfer certain independent or quasi-independent District agencies to the Mayor's jurisdiction. These actions will strengthen the executive direction of the City's administration and complement the continuing reorganization and strengthening of the District's administrative structure.

Granting new authority to the Mayor and City Council would in no way prejudice the ultimate form or degree of Self Government. It would provide them with powers which any good local government, however chosen, should exercise. By initiating this process now, we thus build the strength of local institutions even as we make them more responsible, formally, to their citizens.

MORE HIGH LEVEL CIVIL SERVANTS

Good government is the product of able and dedicated people working together. The District Government needs the very best urban managers and experts this nation has to direct the Capital's growth and apply its resources, and it must be able to attract such public servants at realistic salary rates.

Adding to the number of top management positions is vital to the effective carrying out of District Government reorganization—the creation of new departments recently announced by the Mayor, and other steps planned for the future. Such reorganization, streamlining the chain of command, is one of the most promising achievements of the Mayor's first years.

Accordingly, I urge Congress to enact legislation to increase the number of supergrade positions available to the District Government.

THE FEDERAL PAYMENT

The District of Columbia cannot achieve strong and efficient government unless it has ample and dependable sources of financing. Sound financing can be achieved only if the Federal Government pays its appropriate share.

I therefore recommend that the Congress authorize a Federal payment formula, fixing the Federal contribution at 30 percent of local tax and other general fund revenues.

This formula would equitably reflect the Federal interest in the District of Columbia at this time with respect to:

—the 217,000 Federal employees who work in the District, about one-third of the local work force.

—the more than 10 million Americans who visit their Nation's Capital each year.

—the embassies and nationals of the foreign governments.

—the land and buildings owned by the Federal Government which cannot be taxed but comprise more than 40 percent of the District's land value.

Enactment of a formula approach would be a significant step toward effective government in the District. It would tie the level of Federal aid to the burden of local taxes on the District's citizens. It would also provide the District with a predictable estimate for use in the annual budget process, thus allowing it to plan its expenditures more accurately and imaginatively for the growing needs of its population. A similar formula, dealing with District borrowing authorization, was enacted by the Congress more than a year ago—and has already proven its worth in improved budgetary planning.

The proposed Federal payment formula would not involve an automatic expenditure of Federal funds. The Federal payment would still have to be appropriated by Congress.

By authorizing the Federal payment at 30 percent of all District general fund revenues, the Congress would allow a payment of $120 million in fiscal 1970, an increase of $30 million above the present fixed authorization. This payment is incorporated in the District's 1970 budget request.

BALANCED TRANSPORTATION SYSTEM

The National Capital needs and deserves a mass transit system that is truly metropolitan, unifying the central city with the surrounding suburbs. As a part of its responsibility for the National Capital Region, the Federal Government should support deliberate action, based upon effective planning, to meet the future transportation needs of the Region. The surrounding areas in Maryland and Virginia, as Congress rightly recognized, include the most rapidly growing areas of population and job opportunities, potentially of rich benefit to the inner city.

Mass transit must be part of a balanced transportation network. A subway will not relieve local governments of the duty to modernize and improve their highway systems and other forms of transportation, so that all citizens have an adequate choice as to how they travel. Clearly, the impasse that has arisen between proponents of road and rail transportation in the Washington metropolitan area has contributed little to the progress of either. There are, however, hopeful signs that a fair and effective settlement of these issues will be reached in the near future. It is in the interest of all those involved—central city dwellers, suburbanites, shoppers, employees, and visitors alike—that this be done.

The Washington Metropolitan Area Transit Authority, in consultation with the District Government and other local jurisdictions, has prepared legislation which would extend the presently authorized 25-mile rapid rail transit system to a 97-mile regional system. The expanded system would provide rapid transit between the downtown and outlying areas. It would facilitate the free flow of resources and labor, and would benefit all eight jurisdictions involved in its planning and approval.

The proposed legislation fulfills the Congressional mandate in a 1966 Act, which directed the Washington Metropolitan Area Transportation Authority to plan, develop, finance and provide for the operation of a full regional rapid rail system for the National Capital area.

The 97-mile system would relieve downtown congestion; increase employment; make educational, cultural and recreational facilities more accessible; reduce air pollution; stimulate business, industry, and tourism; broaden tax bases; and promote orderly urban development of the Nation's Capital.

The cost of the expanded system is estimated to be some $2.5 billion. Fare box receipts would pay for $835 million. The remaining cost of $1.7 billion (the net project cost) would be divided equitably among all the governments concerned on a ⅔-⅓ sharing basis between Federal and local governments.

The local governments concerned have already passed bond referenda or taken other appropriate action to finance their contributions of $347 million. But action by Congress is needed to authorize grants sufficient to cover the $1.1 billion Federal (⅔) share of the net project cost and capital contributions of $216 million for the District's portion of the local (⅓) share.

I urge that Congress promptly appropriate the necessary authorizing legislation for the 97-mile system.

PENNSYLVANIA AVENUE

Finally, we come to the Washington that so many millions flock to visit; the Washington that stands as a proud physical symbol of our Nation's liberties and its hopes.

Pennsylvania Avenue should be one of the great Avenues of our Republic—as in the original version of our Capital City—and will be so if the Pennsylvania Avenue Commission presses forward with its present plans. Already, in accordance with the Commission's plans, construction of the Presidential Building at 13th Street has been completed; construction is continuing on the new Capital Reflecting Pool, as well as buildings for the Federal Bureau of Investigation and the Labor Department. Planning is going forward for the Federal Triangle, a new Municipal Center at Judiciary Square, and an extension of the National Gallery. Our ultimate goal must be the Avenue of L'Enfant's Plan, a grand route connecting the Congress and the President's House, the vital center of the City, monumental in importance but designed for the Citizens of this Nation to enjoy at all hours for work or pleasure. I will encourage the development of this plan and submit legislation at the appropriate time.

One of the most significant additions to Pennsylvania Avenue will be an international center for scholars, to be established as a living memorial to Woodrow Wilson in the area just north of the National Archives. There could hardly be a more appropriate memorial to a President who combined a devotion to scholarship with a passion for peace. The District has long sought, and long needed, a center for both men of letters and men of affairs. This should be, as it was first proposed, "an institution of learning that the 22nd Century will regard as having influenced the 21st."

The renewal of Pennsylvania Avenue is an enterprise which two Presidents have supported. Their vision was the great vision of Pierre L'Enfant, George Washington, and Thomas Jefferson, whose plans embodied the ageless ideal of a Capital City. It is a vision which links Presidents, as it links the citizens of the District, in the love of this city. And I am proud to join them.

A GREAT ENTERPRISE

It is a noble aim—this planning of a Capital City. It encompasses a drive which must apply to areas of rebuilding beyond a single Avenue, and to areas of need beyond physical renovation. It infuses our knowledge of human want with a new urgency. It tests our vision of man, and of the future of his cities.

I ask the Congress, and the American people, to join in this great enterprise, knowing that if we govern with wisdom in this Capital City, it will be a proud symbol of the quality of American life and the reach of America's aspirations.

RICHARD NIXON.

THE WHITE HOUSE, *April 28, 1969.*

The message was, without objection, referred by the Speaker pro tempore (Mr. ALBERT) to the Committee of the Whole House on the State of the Union and ordered to be printed.

FUNERAL SERVICES FOR THE LATE HONORABLE HARRY R. SHEPPARD

(Mr. HOLIFIELD asked and was given permission to address the House for 1 minute.)

Mr. HOLIFIELD. Mr. Speaker, I want to add some further information. I know there has been an announcement on the floor today of the death of the Honorable Harry R. Sheppard, this morning at 5 o'clock.

I have just received this further information: that the funeral services will be held Thursday morning, at 10 a.m., at the Robert Pumphrey Home at 7557 Wisconsin Avenue in Bethesda. The interment of the body will be at the National Memorial Park, on Lee Highway, 1 mile west of Falls Church.

OUTSTANDING TEACHER AWARD TO MISS BARBARA GOLEMAN, OF FLORIDA

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Mr. Speaker, I am delighted to join with my distinguished colleague from Florida in paying tribute to Miss Goleman, who received, as indicated, the outstanding teacher of the year award for the entire United States. I wish to say how proud we are throughout the State of Florida, and as I am sure is true throughout the Nation, of the great contributions being made by dedicated schoolteachers such as Miss Goleman.

In this instance this particular lady has shown outstanding ability in the best tradition of a great profession.

I was proud to join with the contingency at the White House today in paying tribute to her, and I thought it was particularly fitting that the three students who were in attendance with her are such outstanding students and represent such a diversified group of the fine individuals who are being instructed in the schools of the United States of America.

I am proud to join with my colleague in paying this tribute to Miss Goleman and to those students.

POSTAL RATE INCREASE—KEY TO POSTAL REFORM

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DON H. CLAUSEN. Mr. Speaker, as one who has advocated taking politics out of the Post Office Department and reforming this great Department so it can be run on a business-like basis, I am troubled by this cycle of higher and higher postal deficits and the ever more frequent requests for new postal revenue.

I am convinced, Mr. Speaker, that if our postal service were efficiently organized we could achieve savings of about $1 billion a year. But, turning this Department—with its 730,000 employees—around will take years.

This is why I am disturbed by those holding out the hope that postal reform will solve our rate problems in this session of the Congress.

I believe that if we fail to increase postal rates—if we let the postal deficit grow—it will become even more difficult to transform the existing Post Office Department into a business-like agency of Government.

Mr. Speaker, I believe that those favoring postal reform should support President Nixon's proposal on postal rates. If we cannot keep this big Department on a sound fiscal basis today, it will be even harder in future years for mail users to stand on their own feet.

This is why, Mr. Speaker, this Congress cannot let the Department slip into an even greater deficit if we are to bring fundamental reform to the postal service, and reduce this drain upon the Federal budget. We must create the kind of organizational structure that will retain dedicated, efficient, and experienced postal employees and enhance their opportunities for job security and advancement with proportionate reward for initiative, production, and efficiency.

EXPLAINING THE PROCEDURES OF CONGRESS

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from New York (Mr. CONABLE) is recognized for 20 minutes.

Mr. CONABLE. Mr. Speaker, the tourist season is now in full swing and from now until the end of August the American public will be traveling and many will be coming here to Washington among other things to observe the sessions of the House of Representatives in this building.

I am concerned about the manner in which we treat the traveling public here. This building belongs to the people of America. When it was built it was not built to accommodate the large numbers of visitors the motorcar has made possible. For this reason and for reasons relating to the image of Congress as a body, I would like to make some suggestions today as to how we can improve in the eyes of the traveling public the opportunities for learning about representative government during visit to the chamber of the House.

It seems to me that most of us in this body have had the experience of sitting in the galleries with constituents who are visiting Washington and explaining what is proceeding on the floor of the House, pointing out the various figures of public interest as they struggle with the legislative process here in our regular meetings. It is my impression that anyone who does receive some advice from a Member of the House as events transpire on the floor gets a great deal more out of a visit to the Chamber than someone who simply wanders in, listens, and leaves, sometimes dismayed at the apparent chaos on the floor. We all know that we have here a procedure that has developed through the years which has served the Nation well.

We all know that sometimes, superficially, we create the appearance of disorder and of inattention and that our procedures are not immediately comprehensible to people who are not instructed in them.

For this reason, it seems to me that we should do something to make a visit to the gallery a more instructive process.

Now, Mr. Speaker, there are a number of ways in which this can be done. I do not pretend that I have the ultimate answer. I suggested about 2 years ago that it might be desirable to glass in the galleries—those galleries to which visitors come. I did not include the Press Gallery in this suggestion, but by glassing in the galleries we could very much improve the acoustics in this room, and I suspect that it would provide many opportunities for improvement of a visitation to the galleries.

Mr. Speaker, I know there are objections to such a suggestion. One is the esthetics. There is no question that by glassing in the galleries we would damage the appearance of this Chamber. Also there is some objection to a barrier or a fixed shield of glass between the people in the galleries and the Representatives on the floor of the House. The argument runs that this is a representative place and there should be no barriers between the people and their Representatives.

But I think the benefits far outweigh the problems which would be encountered by glassing in the galleries.

For instance, if we do it, it would be possible for us to install earphones and have a concurrent commentary for those who wish to listen to it whereby someone knowledgeable in the procedures of the House could say, for instance, "The gentleman has just risen to make a point of order that a quorum is not present; bells will ring throughout Capitol Hill and the Members who wish to be recorded as present will enter the Chamber."

For that sort of concurrent commentary, earphones, I think, would add inestimably to the appreciation of what is transpiring on the floor of the House. It would also permit the identification of the speaker who is talking who is now only identified by the State from which he comes. It would present an opportunity for an occasional elucidating comment about the type of bill that is being considered. Such a concurrent commentary, of course, would be only brief. It would interrupt the speaker, perhaps, and to that extent it would be undesirable. But I think it would make the entire process much more comprehensible. Earphones could be made even more beneficial by using a two-course circuit, permitting some selection by those who are in the galleries to make it possible to hear also a descriptive or historical statement, recorded or oral, about the Chamber itself. After glassing in the galleries, these earphones would be necessary also for a good hearing of what is going on on the floor of the House. Even now, we do not speak, except over microphones, and it would be easy then to pick up our voices and carry them to the galleries. The acoustics in the galleries are now very bad; people would be able to hear better with earphones. This method would have the added premium of cutting off occasional floor noises or additional gallery noises and, in my opinion, would improve the audibility of what is transpiring here for everyone.

Now, Mr. Speaker, there are many variations of such a plan, of course. One would be to eliminate the historical lecture about the Chamber from the earphones and to simply pass out, as I understand the Senate does, a small four-page pamphlet describing the House Chamber and giving something of its history—including, for instance, the fact that the center aisle divides the parties and that the tables are for committee use, and so forth.

In other words, I am here suggesting with respect to glassing in the galleries and their separation by a glass pane from the rest of the Chamber, that it would provide an opportunity to make a visit to the galleries a great deal more educational than it is at the present time for those who do not have the good fortune to have a Congressman sit with them and explain what is happening on the floor, and why we are doing what we are doing.

It seems to me also, Mr. Speaker, that we could improve the use of the galleries if we did not limit the galleries in their usage. I find it very difficult to justify, for instance, having one gallery reserved entirely for men. I realize that some galleries are reserved for women, and that men may accompany women into the women's gallery. I realize there is a diplomatic gallery, and that some galleries are also reserved for touring groups who come in.

It seems to me, though, a great shame at times when there are a large number of tourists here, that we have some sections of the gallery completely empty, while some people are waiting in line outside. This is hard to justify, and I believe it could be corrected. I realize there may be some reasons for some people to have preference in their attendance in the galleries, but I believe we could give them a preference card, and make available the galleries with the understanding that if people are waiting outside they may be required to leave after a certain time, unless they have a preference card entitling them to stay. It would certainly improve the use of the galleries if we did not earmark them, and I wish this could be considered.

A third point that I would like to make about the galleries—and I believe this also is an unfortunate limitation on their use—has to do with the restrictions on the taking of notes in the galleries. We know that many students come here. We know that many people like to record their impressions of what is going on. I cannot see any real justification for the prohibition of the taking of notes. Presumably this was intended originally to preserve the rights of the Members to revise and extend. Of course, this right is a limited one anyway. The press is always present. And if we hope to protect our right to revise and extend, we certainly have a great deal more to fear from the press than we do from the visiting public.

I believe that students, particularly, would be grateful for the opportunity to take notes. I fail to see why such a limitation makes sense in terms of our modern day. Therefore I would urge that this particular rule be changed as well.

Before I leave the subject of the galleries, I would like to add that glassing them in and separating the galleries in that way from the rest of the Chamber would also provide added security for the House. I must say that this is not a serious problem in my view. We have had very few interruptions from the galleries in the 4 years that I have been here. However, security could become a problem, and certainly to have some sort of glass partition would increase the security of the House for those Members who might feel this was necessary.

I do not wish to make a great point of that, because my concern is not so much that of security as it is the making of a visit to the House a more educational matter.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. CONABLE. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I thank the gentleman for yielding.

That very suggestion on security is the very reason that I want to endorse what the gentleman has said about glassing in the galleries. I would remind the gentleman in the well that it was through that door that a number of years ago these Puerto Ricans, who were in the category of radicals, actually came in the gallery and fired into the Chamber.

An example of their action is right here at the minority leader's station where there is still a bullet hole in existence which reminds us of the fact that each one of us sitting here in the Chamber is in fact a sitting duck for that radical type of person who does not appreciate the freedom of our society for what it is intended to be.

Mr. CONABLE. Mr. Speaker, I thank the gentleman from California for his contribution.

I am sure there is a point to be made there—I would not deny it. But this was not the purpose in my urging the closing in of the galleries. In passing, I agree that added security is another advantage of enclosing the galleries.

I would like to move on to another subject and that is the use of electronic aids to reduce the possibility of error in recording the votes here in the House.

I am not one of those who favor the so-called instantaneous voting systems. I do not see how it could work for us, particularly in view of our other responsibilities which we have to our constituencies and in our committee assignments.

I think it is almost essential that when we have a quorum call or vote on the floor of the House that we use a system which will provide ample time for a Congressman to get to the floor to be recorded.

If we go to the instantaneous electronic system of voting, it is inevitable that we are going to have to spend a great deal of our time on the floor of the House, regardless of how germane we may consider a particular discussion, simply to avoid being marked absent.

I do think ours is a complex job requiring other responsibilities than simple attendance and listening sometimes to a rather long debate. Certainly I personally find I have a great deal of time to spend as a member of the Committee on Ways and Means, and I consider it more important in some instances than listening to every word of debate on the floor of the House. So I am in favor of taking some steps in the way of electronic checking relative to a vote—such things as a tote board, for instance, if that can be done without damaging the appearance of the Chamber too much and creating more problems than we would solve. Such a thing would reduce the requirement for checking constantly on how we voted or how other people voted and how the vote is going.

I think this could be done and I think also it would be of assistance to the visiting public if they were able to keep track of such things through the use of electronic devices as well as at the same time assisting the Congressmen themselves.

Mr. Speaker, I am concerned about the impasse which is continuing as to the rebuilding or extension of the west front of the Capitol. I do not wish to intrude into that debate at this point because I do not know its exact status. But I am concerned about the west front of the Capitol not being rebuilt, repaired or extended.

If it is necessary to decide this by a vote of the House, we should do it. I have no opinion which I wish to express at this time about whether the west front should be repaired in its present location or extended, but we had better get at it and we had better get at it pretty soon.

I do not believe it reflects well on our body to have the west front of the Capitol braced up with temporary wooden braces. It seems to me it should be within our power to resolve this impasse.

If the decision is made to extend the west front of the Capitol, I would hope that the extra space made available would be made available primarily to the public. We have adequate facilities for the Congressmen themselves. I acknowledge that a building as old as this is has its imperfections. But I am concerned primarily that we should furnish for the public better restaurant space, better restroom space and perhaps better information services than they now have available to them.

I realize that we have taken a step in the direction of helping the traveling public by the creation of a visitors' center. There is a problem about the visitors' center, as I understand, although I do not have the details of it, relating to the ability of the railroads to borrow the $17 million that is needed for the improvement of the Union Station as a Visitors' Center.

I hope whatever that difficulty is we are keeping track of it and we are assuring ourselves that the Visitors Center will proceed. As I recall, when we authorized the Visitors Center, we authorized a substantial amount of parking space. Certainly parking space is a great problem for those who come to Capitol Hill without reserved parking, and frequently drive around for hours trying to find a place to park.

The Visitors Center is a step in the right direction. I am told that it is not likely to be finished for at least 3 years, and I am afraid it may be longer unless the financing problems attendant on the lease are resolved.

I do not think the Visitors Center is a full solution to the entire problem. For that reason, if the decision is made that we can, with architectural soundness, extend the west front of the Capitol. I hope the added space available will be dedicated to the use of the visiting public. This is their building, after all.

Mr. Speaker, I am well aware that there is likely to be resistance to any effort to do over any part of the Capitol, and particularly the Chamber of the House where the business of the House is transacted. There may be some concern about the cost of improvements I have suggested. I do not know what it would cost: someone more expert than I in estimating such things would have to make an analysis of that. I suspect, however, that the cost of glassing-in the galleries and installing an earphone system for the purpose of a current commentary, for purposes perhaps of the recorded history of the Chamber, or for whatever other purposes, would make a visit to the Chamber more instructive—I suspect that the total cost would be considerably less than is spent by the agencies of the executive department in 1 day to explain their programs, to advocate them and to advance them. We have very little interest in public relations as an institution here in this bastion of representative government, the House of Representatives. We have an interest in public relations with respect to ourselves and our relations with our constituency. Many of us are concerned about improving our communication with our constituency as individual Representatives, but I do not believe that we translate that concern into a concern about Congress as an institution. Representative government exists in the sprawling Federal establishment only here, and we have done very little to get our best foot forward.

I think the way to get our best foot forward is to help people to understand our process. What I have suggested constitutes only a minor step in that direction, but I hope my colleagues will agree that since representative government is worthy of support we must be willing to concern ourselves with small details as well as great principles.

RACISM IN SOUTHWEST TEXAS

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 15 minutes.

(Mr. GONZALEZ asked and was given permission to extend his remarks and to include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, on at least two previous occasions I have taken this floor to acquaint this House, and through this forum the constituencies throughout the United States, of an ominous development in our section of the country in southwest Texas. It has to do with what I call the new racism, though actually it is just a new form of an old and potent poison.

It has to do with the development in a most disturbing section of our people—the young, those who have benefited from the programs, from the freedom, from the opportunities that this Nation has made possible because of the sacrifice of the men who fought through two world wars, men who survived the depression in between, and men who after the world wars continued to fight in behalf of freedom in those sequelae known as Korea and Vietnam. Even now men are dying so these very same people can be preaching a doctrine of divisiveness and a poisonous view of dissension based on racial hatred—that is new because of its new advocacy.

To be specific, there has emerged in our midst a group that calls itself the Mexican-American Youth Organization. It has a self-styled leader and some members who affect the Castro manner—berets, beards, fatigues, and so on.

Through the spokesmanship of their self-styled leader, who is approximately 25 years of age—and this man is a good example of the benefits that our country has to offer, being a graduate with a degree from a State-supported college in Texas and presently working on his master's degree at a private university in San Antonio, and helped and funded by the efforts of poverty programs and some related programs—this organization says that the low position of what he calls the Mexican-American is entirely and completely due to what he calls the gringo establishment—the gringos.

He says the gringo must be killed. Repeatedly he has inflamed and whipped up passions by saying:

> We have got to eliminate the gringo, and what I mean by that is if the worst comes to the worst we have got to kill him.

These are strange words in this day and time. Some people have reacted after they were informed of this. They were people who at first were skeptical that such things were going on. In fact, one State senator said, "I see no evidence of hate literature." So within a day we presented to him a full half-page newspaper account of systematic dissemination of hate literature that had been spread in my area and surrounding areas for 1 year. Most of it had been done through moneys coming from the Ford Foundation, of which I will speak later and at length.

Naturally, somebody speaking this way is going to be challenged. I was among others, but principally in the initial stages I took him on and challenged his group. Most people were skeptical until the proof through the newspapers was presented. Even then there was skepticism until this youth himself called a news conference, at which time all elements of the media were there, including radio and TV and newspapers in San Antonio. This was in the week of April 11. Then, to the shock of all present, the young man repeated his statements and advocated violence and advocated killing and had no compunction about it and enlarged upon it at great length. It was covered profusely in the local press of San Antonio.

This engendered a public reaction that finally, last week, caused this young man to crawfish somewhat and attempt to backtrack a little bit, principally in order to save the face of some politicians who found themselves alined with him.

Last Tuesday, at Kingsville, he was saying:

> Kill the gringo. What I mean is we must kill the gringo economically and politically but not necessarily physically unless, of course, the worst comes to the worst.

He still left that escape hatch.

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield to my colleague from Texas.

Mr. FISHER. Mr. Speaker, since my colleague has referred to the so-called MAYO organization, which is the Mexican-American Youth Organization, and since that same outfit has operated in the district I represent, up the border from San Antonio, I believe it appropriate that I call attention to some of their activities at Del Rio, which got into the news rather prominently a few weeks ago.

Mr. GONZALEZ. It certainly did.

Mr. FISHER. For the information of the House, I have in my hand here a copy of a release put out by the people the gentleman is now speaking of, those who created, originated and are now sponsoring this MAYO organization. This release was passed around promiscuously and freely among the high school students in Del Rio a few weeks ago.

Without taking too much of the gentleman's time on the point he was making, which is so vital, let me read just a sentence or two from this release, from the people who had the news conference. Indeed, many of the statements contained in this are word for word identical with other expressions by the same source. This release says:

> It is the Gringo who we need to fight. He is the real enemy and cause of our miserable plight.

Now, this includes the announced purposes of the MAYO organization, At another point it says:

> We have to be revolutionary in our demands and make every sacrifice necessary, even if it means death, to achieve our goals. The name of the game is miletancy [sic] in our actions.
>
> There you have it fellow brothers [sic]. If it turned you on, we of MAYO think its great. If it didn't, ay se va, but here it is again: MAYO is 110% for La Raza. We will fight the gringo and his superiority complex in a militant way with no holds barred [sic]—

They did not say "economic way." They said:

> in a militant way with no holds barred. He has put it to us for over 100 years, so now we are prepared to put it to him through una Raza Nueva, through una Raza unida. We are prepared to eliminate the problem.

I appreciate the gentleman's yielding to me. I believe he will agree with me, because he is quite familiar with the area I refer to, Del Rio, that for years and years and years we have felt, both Mexican-Americans and Anglo-Americans, that that community was more of a model of good race relations.

The mayor of the city, who has the support of many of the Anglos, is a distinguished Mexican-American. One of the important members and highly respected members of the county commissioner's court is a Mexican-American, who represents most of the city of Del Rio itself. Members of the city commission are likewise identified with the same race.

When the Palm Sunday demonstration occurred, attended by these radical MAYO leaders and sponsored by them, and they invaded Del Rio, I have been told on good authority there were a total of 25 local people who participated in that parade, including 10 members of one family.

I appreciate the gentleman's yielding to me for this comment.

Mr. GONZALEZ. I thank the gentleman from Texas from the 21st District, because he also has been outspoken, though it has not been easy to do so, politically speaking. He does represent a good segment of this geographical area which is registering this type of disturbing activity, which makes it far more ominous. When we go into the matter thoroughly we find this is not the action of a flamboyant, spontaneous sort of unplanned type of individual.

This is the work of a well-trained and highly educated cadre of young men who have patterned their speech, behavior, and intentions on the well-established procedures and tactics of the militant revolutionary in other sections of the country and of the world. Some of them openly say that their symbol is Che Guevara and Castro. They openly say even in their manifesto which they issued at Del Rio, which was referred to by my distinguished colleague, that they blame the establishment for everything that is wrong. However, there is method to their madness. None of this was done in this fashion until the Ford Foundation money came into their hands. Some money even indirectly came from Castro himself. Even the State Department of this country had to suspend the visas of several of the Cuban delegates to the United Nations recently because of their sponsoring and financing of militant revolutionaries and students of this country into making trips to Cuba which were 100 percent subsidized by the Cuban Government and resulted in propaganda and other activity of that sort.

Some of them consisted of a number of what are described as young Mexican-American students who have been making regular trips to Cuba and coming back with a lot of propaganda and in some instances money, and some of them have found their way to Texas directly and indirectly. The tactics are the same. So is the approach. The thing which is basically wrong with them is that they are so wholly and completely unrealistic that they think they can transfer from the controlled atmosphere of the campus to the general population the kinds of leanings that they think are equivalent to that found in other countries such as Cuba. This is a sad mistake. I can assure my colleagues in this House and the country that at this time—and I may say parenthetically I believe the best time to kill a snake is before it begins to rattle—at this time they represent only a minute minority within a minority. The overwhelming number of people, such as those I see day in and day out in my own district, are ashamed that these men have arrogated to themselves a right, so they say, to be the spokesmen for a conglomeration of people for whom they really do not speak. They are even rejected in the areas where they say they are going in to work in an attempt to help them. This is a matter, Mr. Speaker, that should not be minimized. That is the reason why I have spoken out. I have seen what has happened in other parts of our Nation, and I do not want to see it repeated in our section of the country.

Mr. KAZEN. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I am delighted to yield to the gentleman from the 23d district.

Mr. KAZEN. The thing that gets me in all of this conversation we have heard and all of these arguments that have been made and some of the statements that have been read is that there are people who profess to speak for and to be the spokesmen for the Latin Americans. Do you know of any particular person or group that has the credentials to speak for all of the Latin Americans in the southwestern part of the United States?

Mr. GONZALEZ. My illustrious colleague served with me in the State Senate of Texas. There was many a day when we dwelt on that point. We have many times disassociated ourselves from the descriptive phrase of being a Latin American spokesman or a Latin American leader, because this is a pluralistic group. We cannot be the spokesmen for such a large group.

Mr. KAZEN. The gentleman is correct. In this country there should be nothing but first-class Americans. Those who do not agree with this are the ones who are causing the harm. Hate and prejudice should have no place in American life. The American system is based on law and order. Our system is the finest that the mind of man has yet devised. The very laws which guarantee our freedoms and upon which every American can rely were drawn up within our American system and they are guaranteed by that system.

And, Mr. Speaker, let us not make any mistake about it. I tell these people who act in this manner that this country is the finest country on the face of the earth and if this were not so, thousands of people all over the world would not be waiting in line every day to enter our borders, and many more would not risk the loss of their lives every day getting out of countries where the rule of law is violence. I believe that this is what these people fail to recognize.

I want to take this opportunity to commend my colleague in the well for the position he has taken in denouncing the purveyors of hate and prejudice whoever they may be. I have worked with the gentleman over a period of many years and I know that he has always championed causes which have been beneficial to the Mexican-American population of Texas and I want him to know that I have no patience with those who now accuse him of betraying the best interest of that segment of our population. He has been a true leader of his people and I commend him for the position which he has taken against violence and for law and order.

The SPEAKER pro tempore (Mr. OLSEN). The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. GONZALEZ was allowed to proceed for 5 additional minutes.)

Mr. KAZEN. Mr. Speaker, will the gentlemen yield further?

Mr. GONZALEZ. I yield further to my distinguished colleague.

Mr. KAZEN. I do not wish to take further time of the gentleman and I thank him for yielding.

Mr. GONZALEZ. I thank the gentleman and my colleague who served many, many years in behalf of the areas involved and knows those areas intimately and the people thereof and know whereof he speaks.

I want to say that I do not think we should wait until we have a situation which some of these young, irresponsible revolutionaries, self-styled, do what they say they are intending to do.

Mr. Speaker, on January 6, 1968 at the time of the threatened sabotage of the Air Force base in which one of these revolutionaries advocated the destruction of certain computers and thereby disrupting the operations, this shows clearly what they have in mind and intend to do. Well, if this is La Raza, if it is symbolic of what they propose to do, in my opinion, as once a Senator said, I think we cannot wait here to see a symbolic bullet put into a symbolic citizen because a man wanted to carry out his wishes against the people of a symbolic citizenry.

In fact, Mr. Speaker, the danger which existed in my district has been very great. Less than 3 weeks ago plans were afoot, which I fully exposed through the local press in San Antonio, and which appeared to tone down the threats of this young man, the law-enforcement officials prevented a serious happening, because the group had planned systematically to disrupt, through the use of tough tactics, the annual fiesta. I warned the local police, whom I fully advised as to all the facts I had at hand and all of the law enforcement authorities who took extra careful precautionary measures and as a result thereof the violence which did occur a week ago last Monday was minimal and controllable.

Mr. Speaker, I think this is an issue that we must not minimize and not try to treat as something insignificant, as just a rumbling or an idle threat or something of that nature. This is more insidious. Once we allow the first violent act to be registered in our part of the country, it will take generations to heal and repair the wounds.

Mr. Speaker, we have been witnessing in other areas of this country exactly what can happen and what would happen even though the warning signals were clear and even though the acts of these individuals were irresponsible and misguided. But the signals of this activity were clearly evident long before the actual violence.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I shall be delighted to yield to my distinguished friend from south Texas.

Mr. DE LA GARZA. Mr. Speaker, I appreciate very much the gentleman bringing this matter of such importance to our Nation and especially to our area of south Texas.

I speak, perhaps, a little selfishly, because my family has been in that area of what is now south Texas before there was even a United States. I love this area and eventually hope to go back there sometime. When I die I hope to be buried there.

I believe that I would like to have my children continue to grow up there. All that the gentleman in the well is bringing to our attention indicates the dire consequences to the kind of life that I wish for my family, for my friends and my relatives in this area of south Texas.

The hate and racism which we are experiencing is probably an idiotic and insane type of hate, because as the gentleman in the well has brought out, these people shout about the gringos and the gringo establishment. However, in the last few days in my district in Kingsville, Tex., it was not the lives of the gringos that were threatened, but their own people with Spanish surnames who happened to disagree with these zealots, as they speak out of one side of their mouths with their wrath and hatred, and this is now to be vented upon their own kind. And if you read and study the countries which have succumbed to communism such as Czechoslovakia, Cuba, and Red China, you will find that the Communists come to the young people, and the very youngest in the group in Kingsville were from a junior high school, and they are instilling in them the insidious hate against anything and anyone they do not understand, or whom they consider different from themselves. They are driving them away from their church, from their religion—although in the Communist countries now this has been changed and maneuvered around, and we can see a similar semblance of that type of thing where, as they attempt to instill in their people the thought that there is no God they have found out that man, the human, rebels against this ideology and now they cloak some of their actions through the use of misguided or renegade members of the cloth, thus trying to give sanctity to the hatred they preach.

Unfortunately, members of the cloth participate and join in this activity.

Mr. Speaker, I would like to bring out another facet in this dissertation, and the gentleman has also brought this out, and that is that responsible people within our Government—and on this I would like to warn all of our colleagues here that these militants come with hatred in their eyes and with hatred in their hearts, but so long as they say "I am a member of a minority," then we have even included among our own colleagues those who immediately open their hands and embrace what they have been doing, and who will introduce any bill or any resolution these individuals might bring around, simply because they say "I am for a minority."

So these individuals are taking great advantage of the situation, even among our colleagues in the Congress, and also among public officials throughout the area.

Mr. Speaker, this is really illustrated by the example of the demands which they bring to those schools. And one who should have known better, and who is a member of the Texas Legislature, came into my district chastising the school board over something that the school board had no control or jurisdiction over, as to what is put in the textbooks. The local school board has no jurisdiction over this whatsoever. As I say, it was gross ignorance on the part of the member of the State legislature, to say the least, to do this. Yet the young ones who know no better will follow that because they say, "Well, he is a respected member—supposedly—of the State legislature".

I would like to stress the point also that because one is a public official does not necessarily mean that he is advocating that which is right.

I would also like to bring out the fact that people are succumbing to this pressure for no other reason except that it is the easiest thing to do. So I would commend the gentleman in the well, because he is the first one to raise his voice against this insidious kind of hate which these people are trying to instill in our people, especially those who are very young.

I would like to quote from a wire service report with reference to Bayard Rustin who is a well known Negro civil rights leader. I quote the New York AP as follows:

> NEW YORK.—Bayard Rustin, a Negro civil rights leader, says educators should "stop capitulating to the stupid demands of Negro students" and "see that they get the remedial training they need."
>
> "What the hell are soul courses worth in the real world?" asked Rustin, who organized the civil rights march on Washington in 1963. "In the real world, no one gives a damn if you've taken soul courses. They want to know if you can do mathematics and write a correct sentence."

I think that is exactly what is happening in our area by bringing demands upon school boards on things which they have no control of.

Then I would like to make one last point as to civil rights legislation and equal employment legislation and all of the other legislation that we have enacted here trying to correct injustices of the past and one does not deny that there were such injustices.

But now these people are turning it around to the point where they do not want justice, but they want to bring about injustice upon those who they feel brought it to them in the past.

Mr. Speaker, this is just racism in reverse and it is something that we cannot condone.

Mr. Speaker, I again thank the gentleman for bringing this to our attention. Let us all join with the gentleman in condemning this sort of thing wherever it happens and by whoever this kind of action is done. And remembering the words:

> Whatsoever you do for the least of my brothers, you do unto me.
>
> We cannot cure injustice by hate, we cannot undo evil with evil. We cannot, we must not allow this type of action to continue, for it is against the laws of God and the laws of man to take your brothers life, and this is what these misguided individuals preach.

Mr. GONZALEZ. The gentleman is quite right and I thank the gentleman.

In fact, with reference to one of the last points he mentioned, it is very true that these people do not want justice. They do not want equality—they want to get even—not to get equal—and this is a different matter.

With reference to the demonstration in Del Rio, the man who organized it is a distinguished physician in Del Rio and he now complains bitterly and says, "My Gosh—those radicals took over. We did not invite them. I did not ask them to take part in handling this. They took over. They took the whole show over."

This, of course, is a lesson of the 20th century. I think at this time it is absolutely binding upon us and it is our manifested duty and our obligation is a clear one that we at least speak out.

Let the people judge. If we are in error, then everyone of us serving in this House have to stand up for reelection every 2 years and the people in that way have a chance to judge. But the people cannot possibly review the unlimited Ford Foundation funds where they come in and disrupt and divide and destroy a community and then they can pull out—and they have no continuing responsibility to that community.

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman.

Mr. FISHER. Since the Ford Foundation has been mentioned, I think the gentleman would be interested in this quotation from a newspaper dated April 24 from our hometown paper of San Angelo which quotes a Del Rio leader of this radical group whose name I do not need to incorporate in the RECORD. He said here:

> Foundation money has become "tight" because of recent criticisms from United States Representative Henry B. Gonzalez of San Antonio.

All of a sudden they have become very tight. They often in the past gave out money for things other than chicano needs.

Mr. GONZALEZ. I thank the gentleman. I hope they do succeed not only in tackling it but also in completely stopping it because this is very irresponsible and most dangerous.

I never heard of anybody in or out of a foundation providing an amount exceeding over $110,000 to a 25-year-old person who never had the experience of even holding a regular job.

This has led to murder. It has led to homicide. People were shocked when I say this, but I have the facts and I have the pictures here.

Because it would be one of these half-baked projects in San Antonio funded through this organization and from the Ford Foundation that established what they called the Universidad de los Barrios, that is the university of the neighborhoods and the collegio de los batos, that is the college of the punks.

It was in that place, right inside the threshold of that place, that a 17-year-old was stabbed to death and another was seriously stabbed. Of course, it is all this irresponsible activity that has led to this as well as to this other manifestation that has enabled a zealot, misguided and as wrong as sin, to have this tremendous amount of money in an attempt to disturb the public peace and order of this community and other communities.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield to my colleague from Texas.

Mr. PICKLE. I thank the gentleman for yielding, and again I wish to commend the gentleman for the leadership he is giving in bringing this discussion before the House. It is obvious that the new militancy is groping for leadership and direction. Perhaps in some instances their cause is just or their intent is real, but the methods of achieving those goals are misdirected, particularly when they criticize my colleague, HENRY GONZALEZ, I think that direction is wrong, because the gentleman in the well, as much as any other man in Texas, has led the fight for decent wages and decent housing, not only for Americans with surnames similar to his, but for all impoverished people. There is a strange irony in the attacks on the gentleman from Texas (Mr. GONZALEZ).

By the leftwing militant he is branded a conservative. The conservative fears him as being left of the militant. He has been attacked from both sides or both ends. Both of those theories are erroneous. These claims and counterclaims are emotional overreactions and harsh criticism of a man who fairly represents his district.

More than a million and a half people living in Texas have Spanish surnames. They have blessed our culture with a rich flavor inherited from Mexico. Traditionally they have joined all other Texans in contributions to our welfare and not destruction. These militants would have us believe that another blood bath is in the making. Well, I think not, and I sincerely hope not. But if lines are to be drawn, which is a form of discrimination which these militants themselves protest, I predict the lines my colleague in the well has drawn will prevail.

All of this points out, more than in any other way, the misdirection sometimes of foundation money, though well intended, if put in the hands of the wrong people.

The militants would have us believe another bloodbath is in the making. I think not and I sincerely hope not. If lines must be drawn, which is a form of discrimination the militants themselves protest, then I predict Mr. GONZALEZ will prevail.

Congressman GONZALEZ has criticized the influx of foundation money into militant causes and I find it hard to disagree

with him. Time after time, he has apprised this body of misused foundation money in San Antonio, the core of his district.

The theories behind foundation participation are sound; the management of their money down in the barrios is not. To me, this proves, Congress must take another look at some sort of control over these foundations.

The House Ways and Means Committee is investigating the tax-exempt status of foundations, which represent an estimated $20 billion in assets. I am not advocating wholesale curtailment of the theory behind foundation work, many have made valuable contributions to society which, if left untended, would fall the Government's responsibility. However, the truth is that one man's or one organization's tax exemption is usually another man's tax burden. I am concerned with the abuses of the 1917 congressional enactment which gage major tax exemptions to foundations. It is disturbing that the present law is faulty enough to be tempting.

On a broad scale, opponents to the foundation exemptions point out that many represent concentrations of vast wealth that exercise considerable impact on the overall economy. Treasury records indicate that 200 of the more than 30,000 foundations have two-thirds of the $20 billion in assets.

Tighter revision of existing laws dealing with tax-exempt foundations is in order. It is overdue.

In the case of the troubled and excited Mexican-Americans, the foundation money that should have gone toward eliminating the barrios has gone instead to inciting the passions of yet another group of hard-core militants.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that Members who participated in this discussion be permitted to revise and extend their remarks.

The SPEAKER pro tempore (Mr. OLSEN). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I conclude by incorporating as a part of the RECORD my press conference statement of today, April 28:

REVERSE RACISM

It is virtually impossible for any man of reason, intelligence and sensitivity not to see every day the destructive and corrosive effects of racism. It is virtually impossible for any man who has seen and acknowledges the existence of racism and its terrible results not to fight against it.

Racism is based on feelings that are beyond my power to fathom; it is fear, hatred and prejudice combined into a poison that divides men who under their skin are identical; it causes some to believe that they are superior to others, simply because they are one thing and others are not; and racism has given us all a burden of dishonor, guilt and grief.

The passions of racial hatred have been fanned high by fanatics and demagogues long since gone, but the poisons they disseminated remain with us still. Who can forget the contorted, hateful faces of people attacking innocent children who sought nothing more than to obtain equal educational opportunity, to enter schools freely without regard to the color of their skin? And who can forget the shameful defiance of law by George Wallace's stand in the doors of a great university, or the deadly riots at the University of Mississippi? And who can forget the fire hoses of Birmingham? Who among us did not feel shame on the day of the incident at Selma bridge? The passions that fueled those incidents, and that have bombed schools and churches, and that have created night riders and slick demagogues are with us still. The fears that created Jim Crow are still around, and we are burdened yet with the disaster that frightened *Plessy versus Ferguson;* dozens of court decisions and hundreds of judicial orders have yet to erase the stain that decision placed on our legal system.

There is in physics a series of laws having to do with motion. There is a law of inertia, which states that a mass that is headed in a given direction is inclined to continue in that direction until its force is spent or some superior force deflects or overcomes it. There is another law that states that for a given force there is an equal and opposite force; for every action there is an equal and opposite reaction. In the laws of civilizations gone by we can observe these same kinds of phenomena; and injustice will continue until its force is spent or until society rectifies it; and an injustice on one side may lead to another injustice on the other. Even as the poisons of racism are with us still, though its legal foundations be destroyed and gone for all time to come, so too can racism produce an equally deadly, opposite poison that can only be called reverse racism. I say it can produce that opposite effect, for the laws of politics are not so precise as the laws of physics; in social interaction there are no immutable laws. It is true that inertia exists in political and social systems, much as it does in physics, but an opposite action, a reaction, will occur only when the force of inertia is so great that on legitimate force can change it.

I believe that we are attacking the forces of hate and bigotry, and I believe that however slowly and painfully we may be doing it, our country is overcoming the forces of racism. I believe that the impetus of racism is spent, or very nearly so, and that it is possible that justice in this land can be achieved within legitimate means.

VIOLENCE NOT ANSWER

I do not believe that violence is necessary to obtain justice, and I do not believe that hatred is necessary either; I do not believe that there is any reason why despair should be so great that reverse racism can be justified. Yet reverse racism, and reverse racists exist and their voices are loud, if largely unheard.

No man ought to either practice or condone racism; every man ought to condemn it. Neither should any man practice or condone reverse racism.

Those who would divide our country along racial lines because they are fearful and filled with hatred are wrong, but those who would divide the races out of desire for revenge, or out of some hidden fear, are equally wrong. Any man, regardless of his ambitions, regardless of his aims, is committing an error and a crime against humanity if he resorts to the tactics of racism. If Bilbo's racism was wrong—and I believe that it was—then so are the brown Bilbos of today.

Fifteen years ago as a member of the City Council of the city of San Antonio, Texas, I asked my fellow Council members to strike down ordinances and regulations that segregated the public facilities of the city, so as to end an evil that ought never to have existed to begin with. That Council complied, because it agreed with me that it was time for reason to at long last have its day. Eleven years ago I stood almost alone in the Senate of the State of Texas to ask my colleagues to vote against a series of bills that were designed to perpetuate segregation, contrary to the law of the land. I saw the beginnings then of a powerful reaction to racist politics, and I begged my colleagues to remember: "If we fear long enough, we hate. And if we hate long enough, we fight." I still believe this to be true. Since then there has been vast progress in Texas. I do not know how to describe to you the oppression that I felt then; but I can tell you that the atmosphere today is like a different world. Injustices we still have aplenty, but no longer is there a spirit of blatant resistance to just redress of just grievance. Yet despite this change in the general atmosphere, despite the far healthier tenor of public debate and public action today, I felt compelled almost exactly a year ago to address the United States House of Representatives on the continuing and alarming practice of race politics, and what I chose to call the politics of desperation.

TACTICS OF CONFRONTATION

There are those in Texas today—and I suppose elsewhere as well—who believe that the only way that the problems of the poor, and the problems of the ethnic minorities, will be solved, is by forcing some kind of confrontation. This confrontation can be economic, or it can be direct and personal, but whatever form it may take, the object is to state in the most forceful possible terms what is wrong, and to demand immediate and complete corrective action. This tactic leaves no room for debate and often no room for negotiation, however, reasonable that might be. It is the tactic of drawing a line and saying that it is the point where one system ends and another begins. This may not sound unreasonable in itself, and in fact the tactics of confrontation may be a place in political life. But the problem is that this deliberate and very often sudden confrontation might or might not be reasonable, and the demands presented might or might not be legitimate. The fact is that the tactic deliberately attempts to eliminate alternatives to violence, and it is therefore risky at best and at worst it can lead to disaster. This sort of politics is only one step removed from rebellion.

When the politics of race are added to the politics of confrontation, the makings of tragedy are abundantly clear. Race politics is itself highly unstable, and the same is true of the politics of confrontation. When the potent mixtures of long held passions are met on a hard line, but with justice obscured or perhaps lost in the mists of empty slogans, then great and perhaps irreparable damage can result.

There are those in Texas who believe that reverse racism can be mixed with the politics of confrontation, and that the result will be justice—or if not justice at least revenge. One cannot be certain whether the new racists want justice or revenge; only one thing is certain and that is that you cannot have both.

THE NEW RACISM

Probably the leading exponent of the new racism in Texas is the current president of the Mexican-American Youth Organization. This young man is filled with passions that may be obscure even to himself; he is ready to accuse anyone who does not help him of being a "turncoat" and anyone who opposes him of having "gringo tendencies" and concludes that most of the citizens of Texas are racists. Indeed, if he is opposed, he says, ". . . within a few years I will no longer try to work with anybody." He is not certain of what he wants, except that he does not want to "assimilate into this gringo society in Texas." He wants to be "Mexicano" but not "Mexican." He wants to expose and eliminate "gringos," and by that he means killing if "it doesn't work." Of course, I am told that this young man never meant to make such threats, though he clearly uttered them. But those who utter threats and who clearly mean them, must be prepared to be challenged. And I do not believe that anyone who claims any position of responsibility, or anyone who pretends to leadership can make threats of killing and still be expected to be called responsible.

This young man and his followers have attempted to find settings in Texas to practice their militance, and in particular to test out their theory of confrontation.

They distribute literature that is replete with hatred, and which builds on the supposed romance of revolution; too often one finds a photo of Juarez running alongside a photo of Che Guevara in MAYO literature. It would be hard to find a broader appeal than that to build a myth based on Guevara. They print such patent nonsense as "there is no bad luck, just bad gringos." They like to label enemies; "if you label yourself a gringo then you're one of the enemy." They give the overall impression that anyone the MAYO leadership disapproves of is either a gringo or has "gringo tendencies" or is a "turncoat." Only one thing counts to them: loyalty to *la raza* above all else, and MAYO next. Of course they reserve the right to judge who is loyal and who is not.

Filling people with the bright phrases of revolution and the ugly phrases of race hate, MAYO seeks to find a confrontation. They sought it at Del Rio, Texas on Palm Sunday, but did not find it. Some of them sought it at Denver that same weekend, but did not find it. When they do, they have every likelihood of doing great harm to themselves and the cause they supposedly are trying to advance. The fuel of tension and the flame of passion make a dangerous mix.

I do not favor repression, because I do not believe that order is something that can be forced, at least not in an open and free society. I believe that there is enough good will and enough determination in this country that justice will prevail, and without resort to violence on one side or the other.

The young racists want to promote and exacerbate fears that already exist; they want to destroy what they perceive as an equilibrium, or a stalemate, that militates against their perception of justice. I do not think that they will succeed. I believe that most Americans believe, as I do, and as Sandburg did, that:

> "Across the bitter years and howling winters
> The deathless dream will be the stronger
> The dream of equity will win."

This is no land of cynics, and it is no land of demagogues; it is a land wherein I believe reason can prevail; if it cannot succeed here it can succeed nowhere.

I oppose this new racism because it is wrong, and because it threatens to destroy that good will, that sense of justice that alone can bring ultimate and lasting justice for all of us. This new racism threatens divisions that cannot soon be healed, and threatens to end whatever hope there may be—and I think that hope is considerable—of peaceful progress toward one country, indivisible, with liberty and justice for all."

I do not want to see in Texas riots and burned buildings; and I do not want to see men beaten, men killed, and fear rampant. I have seen it happen in other cities; I have seen fear and hate and violence destroy that essential impetus toward full justice. I have seen the ugliness of division and violence, I do not want to see it again, and I do not want again to have to fight against blind, unreasoning intolerance. It is not necessary, and it is not inevitable.

RETROGRESSION, DESTRUCTION

But the fruit of racism is not prejudice, fear and distrust. There can be no benefit from it, no matter how you color it with romance or the new techniques of confrontation. There can only be tragedy from it. If MAYO gets its confrontation, it will not "crush any gringo who gets in (the) way" "squashing him like a beetle" and it will not "kick the door down." It will only find itself beaten in the end, and with it, the hopes of many innocent people who follow their false banner.

The new racists, if they succeed in their divisive efforts, will in the end only unloose destructive forces that may take generations to control, for those who plumb the wellsprings of hate and break the dams of passion always learn too late that passions and hatreds are far easier to open than they are to close. It is not possible to pursue a just cause with unjust tactics, and it is not possible to justify cruel and deceitful actions by the end hoped for. It is not possible to expect sympathy or justice from those whom you threaten with hatred and destruction, and it is self-deluding to think that there is no alternative to inviting violence.

I stand for justice, and I stand for classless, raceless politics. I stand for action, and I stand for freedom. I stand against violence, racism, and anyone or anything that threatens our ability in this land to govern ourselves as a free people.

RESTRUCTURING OF JOB CORPS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Texas (Mr. BUSH) is recognized for 10 minutes.

Mr. BUSH. Mr. Speaker, it has become increasingly clear over the past 5 years that the Job Corps, as presently set up, is not providing the best possible service to disadvantaged American youth.

If we are to achieve our longstanding goal of equal opportunity for all, it is most essential that we expand and retool the Nation's manpower program.

I, therefore, am extremely heartened by the sound and effective plan that Secretary of Labor George P. Shultz has devised for integrating the Job Corps into a comprehensive manpower effort.

As Secretary Shultz said in House testimony:

> We do not anticipate the demise of the Job Corps, rather we seek to improve its quality and relevance to the realities of the labor market.

The need for the restructuring of the Job Corps, for shifting the program's emphasis from conservation training to training for the large number of industrial jobs, is quite evident.

By keeping the very best conservation centers and by opening inner-city and near-city centers, we will take a major step toward helping reduce today's alarmingly high youth jobless rate.

I urge every Member of the 91st Congress to support this wise decision to integrate the Job Corps into the total manpower effort and to provide better services to those youths most in need.

OTEPKA-STATE MYSTERY UNFOLDS

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, many Americans continue to ponder over the Otepka-State Department affair.

Now that Mr. Otepka has left State, more of the mystery of executive privilege unfolds.

As if a mysterious manipulator pushed a button, the American people are being told that recognition of Red China is suddenly vital to the peace interests of the world community.

The usual groups of public opinion conditioners points up organization and a well-financed program to attain their goal of a "new China policy." Reappearing with the new policy is an old identity of the Joe McCarthy era—none other than John Patton Davies—a man whose former role at State is linked to the present situation of two Chinas with 800 million individuals enslaved under a mainland Communist dictatorship.

Why the sudden reinterest in John Patton Davies? Who wants John Patton Davies rehabilitated? For what purpose? Was this why Otto Otepka had to be removed from the State Department?

Mr. Speaker, I include a most informative report on the Otepka removal from the Government Employees Exchange, April 6, 1969; a report on John Patton Davies from the Washington Post, April 27, and related clippings from the local Washington papers:

[From the Government Employees Exchange, Apr. 16, 1969]

OTEPKA WAS MAJOR ROADBLOCK IN TAKEOVER BY A "NEW TEAM": NEW YORK TIMES LINKED TO CIA PLOT ON OFFL.

The Central Intelligence Agency's "New Team," including such "outsiders" as Harding A. Bancroft, now the Executive Vice President of *The New York Times*, played a critical role in the final decision of Attorney General Robert F. Kennedy to press Secretary of State Dean Rusk to proceed with the dismissal of Otto F. Otepka as the State Department's top Security Evaluator, a former Ambassador associated with CIA Director Richard Helms informed this newspaper on April 11.

According to the source, Mr. Bancroft played a role because of his liaison and coordinating work involving the use of the organization and facilities of *The New York Times* on behalf of the CIA and the "New Team."

Other persons who had a role included William H. Brubeck who had been the recipient of the 1960 "leak" of Top Secret information from the State Department to the campaign headquarters of John Kennedy which contributed significantly to Mr. Kennedy's narrow victory at the election polls. After Mr. Kennedy's victory, Mr. Brubeck received complete information about Mr. Otepka's role in tracing this "leak", the former Ambassador revealed.

Other members of the "New Team" were McGeorge Bundy and his brother William Bundy, who had moved from the Central Intelligence Agency to become the Assistant Secretary of State for East Asian and Pacific Affairs, including Vietnam.

"THE NEW TEAM"

The "New Team" at the Central Intelligence Agency was being planned by Attorney General Robert Kennedy even before the Bay of Pigs "fiasco" in 1961. In fact, the former Ambassador said, the Attorney General had a special group of his own "monitoring" the Bay of Pigs operation to determine which persons, not yet projected for the "New Team", would "pass the test".

Although the "Bay of Pigs" was a national disaster, the source said, Robert Kennedy exploited it within the Government to accelerate building the "New Team."

NEW TEAM GOALS

The "New Team" goals were set by the "personality" of Robert Kennedy and the "philosophy" of President John Kennedy and Secretary of Defense Robert McNamara, the source revealed. The main exponent of this "philosophy" was Major General Maxwell Taylor, assisted by McGeorge Bundy and Walt Whitman Rostow, the former Ambassador said.

The mission of the "New Team" was to contest the Soviet penetration of the "Third World," the so-called nonaligned countries through "paramilitary, parapolitical and paradiplomatic" means. To do this, the "New Team" was to be a "paragovernment", performing for the United States "the same kind of functions" which the Central Committee of the Communist Party of the Soviet Union performed for the Soviet Union, the former Ambassador revealed.

This required the "New Team" to penetrate every department and agency of the Executive Branch dealing with foreign policy by inserting "trusted members" of the "New Team" into key positions. Among these were the Offices of Security of the State Department, the military services departments, the United States Information Agency and the Agency for International Development, the source added.

"NEW TEAM" MEMBERS

Besides Robert Kennedy and Maxwell Taylor, other members of the "New Team" were General Marshall S. Carter, who replaced General Charles B. Cabell as Deputy Director of the CIA. Very early "recruits" to the "New Team" were Richard Helms, today the Director of the CIA, and Cartha "Deke" Deloach, the second man in charge of the Federal Bureau of Investigation. Together with Robert McNamara and Dean Rusk, the "New Team" acting under the control of Robert Kennedy began the "infiltration" of the State Department and the Defense Departments with Central Intelligence Agency personnel. "Counterinsurgency" projects sprung up in every agency dealing with foreign affairs.

OUTSIDE "INSIDERS"

Besides key persons officially already in the Government, the "New Team" selected persons in leading banks, law firms and foundations for the penetration of the "non-governmental" apparatus of the United States, the former Ambassador revealed. Because of the paramount role of *The New York Times* in Amercian life and because of the "black" assignments which it might be asked to perform for the CIA, great care was taken to select a person who had full access to every office in *The New York Times* and yet could conceal his own operations. This was especially important because "gray" operations, involving special background briefings for such top *New York Times* representatives as James Reston and Tom Wicker were already going on, and top *New York Times* reporters were in an especially good position to "uncover" the "black" operations.

BANCROFT'S PAST

Harding Bancroft had been originally introduced into the State Department by Alger Hiss, and, after Mr. Hiss became the head of the Carnegie Endowment for International Peace, Mr. Bancroft served under Dean Rusk as a member of the Department's Office of Special Political Affairs, renamed the Office of United Nations Affairs. Subsequently, he took the post of General Counsel to the International Labor Organization in Geneva and then went to *The New York Times*, eventually to be named Executive Vice President.

During the Eisenhower administration, Harding Bancroft worked closely with Dean Rusk, President of the Rockefeller Foundation, maintaining close liaison with John Foster Dulles and with Allen Dulles, the Director of the Central Intelligence Agency.

BANCROFT'S COVER

Because Mr. Bancroft's liaison role at *The New York Times* required meeting with top CIA and State Department officials, especially on matters of "Personnel", it was decided to provide him with "cover" by designating him a "member" of the newly created State Department Advisory Committee on International Organization Affairs, whose task was to recommend the "best qualified Americans" for those international organization positions in which they could make important contributions.

Although the Advisory Committee eventually prepared a "Report", which was itself controversial in its original draft form, the basic role of the Committee was to provide a "cover" for the "New Team," the source revealed.

"ROADBLOCK" OTEPKA

One of the major "roadblocks" to the "infiltration" of the State Department by the Central Intelligence Agency New Team was Otto F. Otepka, its top Security Evaluator. Mr. Otepka had already "annoyed" the Central Intelligence Agency by his "uncovering" the activities of the Central Intelligence Agency in using "double agents" in the Warsaw "sex and spy" scandals. Subsequently, Mr. Otepka "annoyed" Robert Kennedy and Dean Rusk by insisting, in December 1960, that Walt Whitman Rostow would need a "full field FBI investigation" before he could be "cleared" for employment in the State Department. Mr. Rostow had just completed in December a "secret" mission in Moscow for President-elect John Kennedy. The mission was "cleared" by CIA Director Allen Dulles. Previously, Mr. Rostow had established the CIA channels at the Massachusetts Institute of Technology, in Cambridge, Massachusetts. Harvard University professors maintained their own CIA "black" ties with Washington through the Institute, the former Ambassador asserted.

[From the Washington (D.C.) Post, Apr. 27, 1969]

JOHN PATON DAVIES: THE LONG STRUGGLE BACK

(By Michael Kernan)

If Tolstoy could have seen the John Paton Davies family getting its picture taken, complete with dog, he would have nodded sagely and repeated himself (in the way of novelists) with the comment that all happy families are alike, and he would have been wrong, wrong, wrong.

While five of the seven children, churned around the living room of the comfortable red brick house on Cumberland street, Davies and his wife and her mother cheerfully arranged themselves where the photographer wanted them.

"Tiki just got word that she's been accepted by the Smithsonian children's theatre festival for the summer," said Mrs. Davies. Tiki, or Patricia, a University of Maryland student, beamed and corralled a speeding small girl.

Eventually the girls simmered down, even 10-year-old Jenny, who is the violin-playing "captain" of what her father calls the junior varsity. Davies and his mother-in-law, Mrs. Henry Grady, visiting from San Francisco, chatted quietly. Mrs. Davies told about the time Debby was arrested at the ago of 7 at the zoo for passing out McCarthy buttons (one would like to know more about the arresting officer) and discussed the health of Weinie, the longhair daschund.

"She has to have aspirin all winter because she gets rheumatism in her paws," she said, and the children laughed gaily, and Davies smiled with hooded eyes, looking—despite the corduroy jacket and the pipe—vaguely like a mandarin.

This is not surprising for Davies was born in Szechwan, western China, in 1908, and as a veteran of the U.S. Foreign Service from 1931, the year he graduated from Columbia, he qualifies as an "old China hand."

It was his expertise on China and Asia that brought him in the early 1950s, into the sights of the late Joseph R. McCarthy, the Senator who made a career out of innuendo and rode to power on his claim of "Communists in Government."

In a State Department memorandum, Davies had challenged the prevailing notion that world Communism was an all-powerful monolith: The "devil theory" in which the noted psychiatrist Dr. Jerome Frank was later to detect a national case of paranoia. The possibility that Russia and China might be considered separately, that Chiang Kai-shek might not be able to clear the Communists out of the Chinese mainland, was so disturbing to McCarthy and others that Davies became a target.

Summoned from Lima, Peru, where he had become counselor and charge d'affaires in 1953, he went through nine security investigations. None produced any evidence of disloyalty, perjury or Communism. The first eight security boards cleared him of all charges.

The ninth, late in 1954, discovered something new, a "lack of judgment, discretion and reliability," enabling Secretary of State John Foster Dulles to dismiss him.

Thus he became one of the victims of the McCarthy era, of whom there were many. Some are still picking up the pieces of their lives. Some have long since quit trying. A few not only have survived but have returned. This takes time, for governments do not admit to mistakes. It also takes character. John Paton Davies Jr. won his vindication three months ago.

Walter Sterling Surrey, an attorney whose firm has handled many Government loyalty cases, cleared Davies' name by having him apply for a consultant post (with the Arms Control and Disarmament Agency) requiring security checks. He got it just days before the Johnson Administration broke up.

"Anyone who goes through one of these cases, even if they win it," said Surrey—"you have no idea what happens. Any little thing becomes monstrous, something you did when you were a kid. You stay awake thinking . . ."

The first thing Surrey has such a client do is write out a personal dossier recounting everything he can possibly remember that makes him feel guilty or that might be construed in some detrimental way.

"We have them get it all out," he said, "to clear the air. You'd be amazed at the stuff."

Surrey noted with some irony the ingenuity of an accusation that covered the very years during which the State Department gave Davies increasingly responsible posts in China, Russia and Germany, culminating in FSO–1, the top rank outside career ambassador and career minister.

"He was due to become an ambassador on his next assignment," said the lawyer. "He was supposed to lack judgment all that time?

"Certainly he was hurt, and not only in his career. But I never heard a word of bitterness or anything but his usual humor and pleasant sarcasm. And his wife—I never heard her question his judgment. Before he went in to Dulles he was urged to resign, so he could have had all his retirement benefits and everything, but he said they would have to fire him or retain him. She never questioned that decision, though it must have meant a lot, with her father an ambassador. I think it meant a great deal to her."

Both of them, said Surrey, "had the attitude that it was the other people who had the problems, and if someone wanted to snub them, they would keep away, and if someone wanted to talk about the case but was hesitant, they would bring it up themselves. They would help him.

"A few people called me to ask if it was okay to see him. You know. If it was safe. I told them no. I figured he didn't need them."

It is easy to get Davies to talk about "those days," for as he says, "I'm a very open person." But the story that comes out is not, perhaps, what one might expect:

"When I was called up from Lima, I had an idea what it might be. I wasn't the only one, after all. My friends were falling away like autumn leaves. In fact, the statement I read I had prepared beforehand in Lima."

Returning to his wife, Patricia, and their four small children in Lima, he took stock for a month or two, living on savings. The son of a Baptist missionary, he had no business background. He decided, finally, on the advice of a friend at Sears Roebuck, to manufacture furniture.

Starting with mass-market items, he gradually shifted to high-quality work in hard tropical wood. With the help of his wife, who is an interior-design consultant, he produced furniture that won awards from the American Institute of Interior Designers.

"We made every mistake known to man," said Mrs. Davies, "plus a whole lot we invented ourselves."

Eventually, State began sending him a fraction of his pension, and life in Lima, surrounded by cultured Americans and the pre-Columbian art in which he took a passionate interest, was comfortable.

"Remember, I didn't feel ostracized," he added. "We got all kinds of letters of support. And we have always taken a positive attitude about things. Of course, it was most unpleasant, disagreeable, no doubt about that, but we never sat around holding our heads."

(What Surrey described as "a terrible automobile accident that Patricia was in" became in her telling the casual remark that "I went through a windshield when I hadn't planned to." Her husband calls that being stoical; some would call it gallant.)

A few years ago the quality furniture market dried up, so Davies brought his family back to Washington to seek his vindication and with it some $17,000 in back pay and pension, withheld because he had refused to sign a release form.

John Davies sat in the living room letting the interview happen at its own pace. On the walls were rubbings of steles from the Han period. A spray of magnolia blossoms burst from a superb early Chinese apple-green vase. Two ancient Wei figurines graced the mantle. Flanking the fireplace were a pair of tall ladderback chairs that somehow combined purity and delicacy of line with an impression of wiry strength.

"We used black palmwood," he said, loading his pipe with latakia tobacco and lounging in a comfortable but light armchair. "It's fantastically strong."

"These arms"—he stroked the smooth curve of his chair's arm, less than half an inch thick—"are made with four laminates. You put it in a mold for a week, and the glue holds it to the shape. It could have been even thinner, but you have the problem of fitting the legs into it."

To cover the place where the dowel penetrated the arm, he used a silver medallion with a pre-Columbian Chimu design. The effect was stunning. Across the room stood a large coffee table with black leather jacketing on the ends and a lyrical Peruvian design inlaid on the top.

"There's enormous variations in tropical woods," he observed. "The Indians use this for arrowheads and for bows, too."

Since his return to Washington he has been working daily on a new book, about China, Russia and America, "I'm only about a year over the deadline," he said drily. He works in an office (smelling of old books and wood-smoke) off the living room, surrounded by shelves of volumes on everything from archaeology to politics. There are also paintings, rubbings and some of his own large, curiously embossed woodcuts, made by a process that Davies playfully refuses to divulge.

The conversation veered around to Walter Surrey's work in arranging his vindication. "I won't say reversal because governments don't reverse themselves—except in the case of Mr. Otepka," he smiled ironically. "State began to study it a year ago, and I thought nothing in the world would happen."

Suddenly he was out of his seat, pacing restlessly before the fireplace. "But dear Walter kept after them—he was the conscience of the Government—until State finally came up with the all clear . . . largely through Katzenbach . . . I've been very lucky, had an extremely able lawyer, and one with some influence in the Government. You have to, to get justice."

The people close to John Davies add to the picture of what he calls his stoicism. His father, John Davies Sr., of Alexandria, is not only alive, at 91, but keeps so busy he is a hard man to catch. His grandchildren think he is cool.

"It puts iron in your blood, an experience like that," he said. "John grew up with Chinese children and servants. Even much later, he used to send back money to his old Chinese amah [nurse]. In the early days we had oil lamps and traveled by ricksha, had a little garden, and if you wanted milk the cow would be brought to your door and milked in your presence. We were comfortable.

"John was the oldest (a brother, Donald, lives in Washington), a studious boy, very thoughtful. Self-contained, but he always attracted friends. We never used physical force on him—it was a Christian home, a well-regulated life, and he was not easily upset."

The frontier life gave young Davies an appetite for adventure, and the first time he crossed Asia on the Trans-Siberian railway, in 1930, he went hard class, surviving on black bread and candy bars.

He picked up languages easily in his travels through Mukden and other volatile spots in the era of the Sino-Japanese war and in Moscow, where he came to know George Kennan. "I studied Russian," he said, "and I speak a passable coolie Spanish, but Chinese is my language."

Even Mandarin, however, was no help in 1944, when he had to bail out of a C–46 going over the Hump and landed in the jungle among Naga headhunters.

"We came by such a miraculous way that it was okay. If we had come in by foot they would have taken our heads. There were five or six of us in our group. We finally hiked to a village and got out."

Commentator Eric Sevareid was in the group, too. He broadcast a piece about it. ". . . In such circumstances men learn truly to know one another—who is weak, who is afraid, who is impetuous and who is strong and calm and prudent. As the time passed the GIs and I began to recognize the civilian with the carefully guarded dispatch case as one among us with a calm and natural courage, as one who would never panic, who never complained. He was the one we chose, for common sense and discretion, to deal with the touchy and dangerous Naga. . . . I have known a great number of men . . . none who seemed more the whole man . . . in all that a man should be—in modesty and thoughtfulness, in resourcefulness and steady strength of character. . . ."

Davies won the Medal of Freedom for that incident.

It was his wife who had the most to say about the firing and the long struggle back. She said they never discussed it between themselves. As she talked he watched her steadily from across the room.

"It's like standing in Rotterdam being bombed," she said. "When you are the target, your problems are tremendously simple. Like the Jews under the Nazis, the problem was to survive. It's harder for the people near you; they have the moral dilemmas about whether they should resign, should they have done more, things like that, all kinds of trauma. It was very different for us. Maybe they should have resigned, but for us the only way we could fight was by not resigning.

"But we don't dwell on all that. Our lives are full. We live very much in the present."

[From the Washington (D.C.) Evening Star, Apr. 27, 1969]

MRS. OTEPKA RECALLS ORDEAL

(By Vera Glaser)

Mrs. Otto F. Otepka is a quiet-spoken school teacher who is married to one of the most controversial figures in public life today.

Her dark hair is turning gray, but her steely resolve has helped her husband weather a five-and-a-half year, headline-studded battle to keep his job as a State Department security officer.

In an exclusive interview, her voice trembling with emotion, Mrs. Otepka compared their ordeal to "something that might have happened in Russia or Nazi Germany. My husband only told the truth, but we were forced to act like criminals."

VINDICATION

When President Nixon recently named Otepka to the Subversive Activities Control Board, some hailed it as complete vindication. The nomination may run into trouble in the Senate because, among other things of a recent news story linking Otepka to the ultra-right John Birch Society.

Otepka's tough security evaluations of State employes in the early '60s ran afoul of the late Robert Kennedy, then Attorney General, and Secretary of State Dean Rusk. Otepka was charged with passing confidential documents to a Senate subcommittee.

During that period, Mrs. Otepka recalled, "We were harassed. Men watched our house with binoculars. Otto was locked out of his office. They tapped his phone and we were afraid to use our home phone for fear that was bugged, too. I had to go down to the shopping center when I wanted to talk to Otto."

Sitting in the living room of their neat-as-a-pin home in suburban Silver Spring, Mrs. Otepka stroked her two enormous cats, Inky and Barney, recalling the highlights of a case that has made her husband the symbol of the clash between "liberals" and "conservatives" on how the national security should be protected within the government.

For her, "the Otepka case" began on a summer evening in 1963 when her husband came home and said his superiors had lied to the Senate Internal Security Subcommittee, then probing State's security practices.

"Otto couldn't have lived with himself if he hadn't given those documents to the committee," she said, describing his action as necessary to verify his own testimony and refute that of his superiors.

She learned how very serious her husband's situation was the following September when she switched on a radio news report to hear, "State Department security officer charged with passing documents to the Senate!"

"You expected them to say, 'to Russia,'" she said, noting that 13 charges were leveled at Otepka at the time. Ten were dropped after his superiors confessed to tapping Otepka's phone, scrutinizing his office trash, and committing perjury before the committee.

"Otto has never been accused of lying or being unfair," his wife said.

The former Edith Simon, Mrs. Otepka was born on a Maryland farm and reared as a Christian Scientist, but now belongs to Grace Episcopal Church. She met Otepka, a Chicagoan of Czech extraction, shortly after she began teaching in the District of Columbia schools. He held a minor government job while studying law at night.

THE 91ST PSALM

After their marriage, they lived modestly, stayed out of debt, and planned for the college education of their one daughter Joanne, now 23, in 1957 Mrs. Otepka quit teaching. In 1965, as her husband's troubles with the State Department dragged on, she went back to work and they mortgaged their home.

The couple decided early that keeping busy would help them weather the storm. He bought a boat and took up fishing. She studied art and did church work.

"I kept reading the 91st Psalm," Mrs. Otepka recalled, "especially the part about 'His truth shall be thy shield and buckler.' Last summer I painted the bedrooms and bathroom. It's healthy to be busy. I can't stand self-pity."

Otepka spent long hours in his basement office organizing material on his case which fills several file cabinets. The walls are hung with mementos and State Department citations for outstanding work, one signed by former Secretary of State Dulles.

Mrs. Otepka maintains her husband's resolve never wavered but friends say they both showed signs of strain. At times the Otepkas seemed to wonder if it was worth-while to give up years of potentially productive activity to pursue the fight. Once Mrs. Otepka wrote her husband a "chin up" note which he has saved.

Occasionally they laughed about their troubles. "We'd say 'why watch television? We've got our own show'," Mrs. Otepka reminisced.

In February 1966, three years after he had been charged, Otepka crossed the path of Richard Nixon, who had not yet decided to run for the Presidency. "Stay in there," he told Otepka, "and some day the worm will turn."

"It's true Otto was blocking some Kennedy Administration appointments," Mrs. Otepka said. His job was to follow the security rules laid down by the intelligence agencies. When word came back to us that Bobby had inquired about the possibility of having Otto charged with violation of the espionage act, that did it. We knew then we'd fight it out."

[From the Manchester (N.H.) Union Leader, Apr. 24, 1969]

NEW YORK TIMES "DISCLOSURES" ARE AMUSING: LEGAL DEFENSE DIALOG

(By Holmes Alexander)

WASHINGTON.—That was quite an editorial in the N.Y. Times, April 8, titled "Otepka and the Birchites," and it deserves some dialogue.

N.Y. Times: "The disclosure that Otto Otepka received $22,000 from a fund with extreme right-wing associations should be enough to kill his nomination to the Subversive Activities Control Board."

Answer: But Otepka tells me he received not a penny. Rather it was his attorney, Roger Robb, now a nominee for the U.S. Court of Appeals, who got the bundle. Even when he made personal appearances before libertarian groups (composed of both political conservatives and political liberals), Otepka refused all except his expenses.

N.Y. Times: ". . . Senators of conscience cannot vote to confirm Mr. Otepka in a $36,000 job where his work, if any, will be to judge the loyalty of American citizens and organizations."

A: Oh, come on. Otepka will be one of a five-member board which examines only those cases sent by the Attorney General of the United States. The "Birchites" aren't named in the editorial, but the head of the Defense Fund which paid Mr. Robb is James Stewart of Ohio. Otepka never asked Stewart about a possible membership to the John Birch Society, but in all the official lists of subversive organizations which Otepka has seen in his line of work, the JBS never appeared.

N.Y. Times: ". . . Mr. Otepka's link to the Birchites is no youthful indiscretion."

A: That's right. Otepka tells me, "I don't belong to anything except the American Legion and the Catholic Church."

N.Y. Times: ". . . Evidently he violated no law in accepting money from Birchite sources to meet the legal costs of his unsuccessful fight as the State Department's chief security evaluator."

A: What do you mean "evidently"? I say "evidently" the N.Y. Times is not in the pay of a foreign government, and "evidently some of its editors are not bigamists. It's public policy that poor people in the clutches of the law are supplied with legal counsel, and I don't suppose that the murderers of Martin Luther King and Bob Kennedy are paying legal fees from their own pockets.

SEGREGATE PLASMA?

If "Birchite sources" are tainted, then we ought to segregate Birchite blood-plasma to make sure it doesn't get into the Red Cross blood banks. If that sort of dollars is bad, that sort of corpuscles must be worse. Not only the Birch Society, allegedly, came to Otepka's aid, but so did the American Civil Liberties Union which spent its members' money investigating and deploring the wiretap used by the State Department against Otepka. And a subcommittee of the U.S. Senate expended money and man-hours in exposing the violation of Otepka's civil rights. Are they all tainted?

N.Y. Times: "But his warped concept of Americanism disqualifies Mr. Otepka from sitting in judgment on subversion."

A: Well, the "warped concept" isn't described, but there were two State Department officials caught in lies during the Internal Security subcommittee's investigation, and neither of them was named Otepka. He did not, as insinuated, "spy" on his colleagues, but they spied on him. In obedience to the Senate subcommittee's counsel's request, Otepka turned over objective documents which showed that some of his superiors were not complying with the laws.

MISSPENT DECADES?

If Otepka isn't "qualified for sitting in judgment on subversion," then he must have misspent two decades of work as a Civil Service investigator. He must have fooled those superiors who gave him citations for meritorious achievement. He must have fooled President Nixon who nominated him for an important post.

N.Y. Times: "The evidence is overwhelming that the Senate should reject this nomination."

A: This statement is the exact opposite of the truth, but let's defend with our lives the right to make it.

[From the Washington (D.C.) Star, Apr. 27, 1969]

RECOGNIZE RED CHINA, VOTERS LEAGUE PROPOSES

The League of Women Voters of the United States today called on the U.S. government to "initiate" policy changes which will lead to recognition of the Communist Chinese government and cease opposition to its seating in the United Nations.

The league's policy position on U.S.-China relations climaxes a three-year study by the 157,000 member organization.

In announcing the position, Mrs. Bruce B. Benson of Amherst, Mass., national league president, emphasized that reports from local leagues in every part of the country "overwhelmingly" indicated agreement that "present U.S. policies of isolation and containment of China are invalid."

"You can't ignore a country with 800 million people," Mrs. Benson told a press briefing earlier this week. At the same time, Mrs. Benson said she saw no conflict between present U.S. support of the Taiwan government and the league's proposal it recognizes the mainland China government.

"We have not said what we think ought to be, or is, or should be the government of the island of Taiwan," she said in answer to a question challenging the league's exclusion from its policy statement of its position on Taiwan. "Regardless of what the solution to the Taiwan issue is, we are saying that it is quite clear that the People's Republic of China is the government of continental China."

TUESDAY SESSION

The league's policy statement, which will be discussed at the Tuesday afternoon session of its week-long National Council meeting opening tomorrow at the Mayflower Hotel, reads in full:

"The League of Women Voters advocates U.S. initiatives which would facilitate participation by the People's Republic of China in the world community and relax tensions between the United States and Mainland China.

"Policies should be established which would encourage normalization of U.S. relations with the Chinese mainland, including travel, cultural exchange, and unrestricted trade in non-strategic goods.

"The United States should withdraw its opposition to representation of the Chinese People's Republic in the United Nations. The United States should move toward establishing diplomatic relations with the People's Republic of China."

The league adopted U.S.-China relations as a major part of its foreign policy program at its 1966 convention. Since then, members of the 1,200 local leagues throughout the country have been involved in extensive study and discussion as well as conferences with China experts from universities, government and the press.

Both non-league and league material was used as background material. More than 100,000 copies of the league's 30-page booklet, "The China Puzzle," have been sold.

IN DEPTH STUDY

The book, which is an in-depth study of China's historical and political development with emphasis on U.S.-China relations from their inception with the New England clipper trade in the 18th century, concludes:

"Reexamining attitudes or positions inherited from the past is never easy; reevaluation of a foreign policy issue as complex and controversial as China promises to be no exception.

"A current complicating factor is the spillover of strong feelings aroused by the Vietnam war. Communist China's vehement attacks on the United States continue to add to the already overcharged atmosphere in this country. Yet for any constructive consideration of the China problem, emotionalism is out of order."

Mrs. David G. Bradley, of Durham, N.C., chairman of the league's Foreign Policy Committee, commenting on the China position, declared:

"The league is now in a position to urge changes in basic U.S. policies which have cut this nation off from communication or cooperation with the People's Republic. We want a U.S. policy designed to invite a peaceful response from the People's Republic, welcoming her participation in the family of nations."

At the Tuesday meeting, league leaders from 50 states will discuss ways to bring about changes in U.S. policy on the basis of the league's China position.

MURDER AT NEW BETHEL BAPTIST CHURCH

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the tragic murder of a peace officer at the Bethel Church in Detroit provokes serious inquiry.

What were the armed secessionists try-

ing to conceal or who were they shielding the officers from observing?

The religious news edition of the Herald of Freedom, April 18, 1969, and clippings from the New York Times for April 21 and the Washington Post of April 26 point out some very interesting information and raises the question, When are the American people going to cease financing violence in our country?

The material referred to follows:

[From the Herald of Freedom, Apr. 18, 1969]

CLERGY AND COURT HELP BLACK REVOLUTION

The role of clergymen in the ever-increasing tempo of the Black Revolution was never more evident than in the aftermath of a gun battle Saturday, March 29, 1969 between Detroit police and armed black militants. Police were forced to storm the New Bethel Baptist Church into which black ambushers fled after killing one policeman and wounding another when they stopped to question a dozen Negroes carrying rifles and carbines outside the church. The church, it developed, had been used by a black nationalist group, the Republic of New Africa, which was winding up a four-day national convention. This is the group which is plotting to take over five southern states in a series of well-planned steps, the first of which is to arm the black communities of the North and West. They plan to start their take-over with Mississippi, shipping in about a million well-armed blacks to seize the local government by ballot. They will then move on to Alabama, Louisiana, Georgia and South Carolina and repeat the process.

The incident was described as follows by the N.Y. Times:

"Reviewing the Saturday incident, Commissioner Spreen said that as the black nationalist meeting was breaking up in the church, the slain policeman and his partner saw men with rifles next to the church and stopped their scout car.

"They had not drawn their guns and were immediately fired upon as they left their scout car on Linwood Avenue, he said. Patrolman Czapski was hit five times, staggered to the sidewalk next to the church and collapsed.

"His partner, struck once in the leg and twice in the back by rifle fire, Commissioner Spreen said, managed to clamber back into the scout car and radio for help."

The police reinforcements, who arrived in response to the call for help, fired "at least 84 rounds into the pews, walls, pulpit and doors of the church" and arrested 147 persons. The shooting up of the church has become a central issue in the affair with Rev. Ralph Abernathy, successor to M. L. King as head of the Southern Christian Leadership Conference, being quoted as stating sanctimoneously: "There should be no obscuring of the fact that police powers were misused in trampling, shooting and wreaking havoc in God's holy temple." It might be suggested that the pastor responsible for the church should have been a bit more careful of the type persons allowed to make use of it.

The pastor of the New Bethel Baptist Church used by the Negro militants is Rev. C. L. Franklin, associated with the Southern Christian Leadership Conference. A two-hour conference was held between Rev. Abernathy and other clergymen, police officials and the mayor of Detroit, Jerome P. Cavanagh. The mayor stated that the police "conclusively believe and know" that members of the black nationalists' armed "Black Legion" had fired from inside the building at entering police officers. Rev. C. L. Franklin, however, "defied" the police commissioner to show any evidence that bullets had been fired from within the church. City Councilman Nicholas Hood, Jr. toured the church and came to the conclusion that the police had "overreacted." The fact remains that a policeman is dead and a shot from somewhere killed him.

The most amazing result of the shooting was the treatment of those arrested by what passed for a "court." All but two of the 147 arrested were freed promptly by a Negro judge who obviously got up in the middle of the night to do so, setting up an impromptu "court" in a sideroom of the police station. When the county prosecutor attempted to hang on to one of his prisoners, the judge ordered him held in contempt of court.

The judge is an expert on "contempt of court" from the contempt side, that is—as he himself was sent to Federal prison after having been found guilty of contempt of court when he represented the Communist side in the trial of the top Communists in the United States before Judge Harold Medina who suffered almost unbelievable harassment from the Communists and their lawyers.

The judge in question is George William Crockett, Jr., judge of Detroit's Recorders (Criminal) Court. The N.Y. Times, calling him a "Controversial Judge," stated: "At 5:30 Sunday morning the judge marched into police headquarters in downtown Detroit and asked for a list of the 147 Negroes arrested hours earlier after a gun battle with black separatists in which one patrolman was killed. He could not get it, and within an hour . . . Crockett . . . had turned a stationhouse room into an impromptu court and he began releasing prisoners. When the county prosecutor ordered one man held anyway the judge charged the prosecutor with contempt of court.

"A few hours later he rejected the prosecutor's request to keep eight men jailed for another 24 hours despite indications that some might have fired weapons during the battle."

Crockett was born in Jacksonville, Fla., fifty-nine years ago and graduated from the University of Michigan Law school. He worked for the U.S. Department of Labor in an executive position and then went to work for the United Automobile Workers in Detroit. He left the union to set up private practice and is a partner in the law firm of Goodman, Crockett, Robb & Philo of Detroit. He has been married for thirty-five years to Dr. Ethelene Jones Crockett, who received her medical degree after the birth of their three children: Mrs. Richard Hicks, a Los Angeles school-teacher; George W. Crockett 3rd, a lawyer, and Mrs. John Jones, a doctor . . . no underprivileged people in this Negro family.

The Congressional Record has contained much information on George W. Crockett, Jr. In the Congressional Record, volume 110, part 13, page 16595, we read:

"Recently the National Lawyers Guild (a cited Communist-front—Ed.) sent representatives into Mississippi to open offices there, quite openly for the purpose of meddling into the problems of the State of Mississippi.

"One of those involved in this effort is George Crockett.

"Those people are directing the agitators in the State. Many of the people involved are young people, but most of them are old hands, with long Communist affiliations.

"And who is George Crockett? He is a Nergo lawyer from Detroit, a member of the National Lawyers Guild, and the attorney who represented the chairman of the Michigan Communist Party in the New York City Smith Act trial. He was one of those placed in contempt of court by Judge Medina at the conclusion of that famous trial of Communist leaders, for his arrogant, provocative, and flagrantly contumacious conduct during the course of the trial.

"Crockett was accompanied, in setting up his Mississippi headquarters for the legal defense of the invaders, by Mr. Benjamin Smith of New Orleans. This Benjamin Smith has long been associated with the Southern Conference Educational Fund, with Mr. James Dombrowski and with Carl and Anne Braden, whose associations and activities are well known. (The Bradens and Dombrowski are identified Communists—Ed.) This Benjamin Smith, like Victor Rabinowitz, is registered under the Foreign Agents Registration Act as an agent of Fidel Castro."

Also in the Congressional Record, we find the following from a statement by Sen. James Eastland concerning "Communist Forces Behind Negro Revolution in This Country:"

"Let me name some of the other well-known nonresidents of the State of Mississippi who have been publicly identified with the organization of the so-called Freedom Democratic Party, and tell something about them.

"One of these individuals is George William Crockett, Jr., a Negro, long active in the Detroit chapter of the National Lawyers Guild, and who has been on its advisory board. Crocket was designated as co-chairman of a committee of lawyers who would spend a period of 12 weeks in Mississippi, after the Guild in 1964 inaugurated a lawyers peace call program involving the recruiting of attorneys to devote their time for defense of individuals involved in Mississippi civil rights cases.

"George William Crockett, Jr., is a partner in the law firm of Goodman, Crockett, Robb & Philo, of Detroit, Mich. He has defended Communists in various Smith Act cases. . . . Judge Medina held in contempt of court and sentenced him to 4 months' imprisonment on each of nine specific contempt charges. Crockett sought relief from a higher court, but the U.S. Supreme Court denied his petition for certiorari, and Crockett and other attorneys similarly sentenced in the same proceeding served their sentences in 1952.

"In 1962 Crockett went to Mexico, where he associated with individuals known as among the more active members of the American Communist group there. In 1964 Crockett was registered under the Foreign Agents Registration Act as an agent of the Cuban Communist Government of Fidel Castro."

In U.S. Hearings on "Communist Political Subversion," an identified Communist took the Fifth Amendment concerning his association with George W. Crockett, Jr. On Page 6530 we read the testimony of Stanley Nowak (accompanied by counsel, George W. Crockett, Jr.) who had been identified as a member of the Communist conspiracy by Stephen J. Schemanske:

"Mr. ARENS. Mr. Nowak, do you know your counsel in any capacity other than the capacity of attorney and client?

"Mr. NOWAK. Yes. . . .

"Mr. ARENS. Did you ever serve in the Communist Party with him? (The witness confers with his counsel.)

"Mr. NOWAK. First of all, this is an improper question.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

"Mr. FRAZIER. You are directed to answer the question.

"Mr. NOWAK. Mr. Chairman, may I again say this is an improper question and that is why I refuse to answer improper questions on the grounds of the fifth amendment."

In the index of the appendix to these hearings, which is practically a "Who's Who" of members of the American Communist Party, George W. Crockett, Jr. is listed as appearing on thirteen separate pages. On page 7102 is an article concerning Crockett appearing in the Lamp (publication of the American Committee for Protection of the Foreign Born—a cited Communist-front): "Crockett Joins Legal Defense in the Case of Claudia Jones":

"George W. Crockett, Jr., noted Negro attorney of Detroit, has joined Carol King (identified Communist—Ed.), general counsel of the ACPFB, in serving as co-counsel in the case of Claudia Jones. Crockett, one of the defense attorneys in the trial of the 11 leaders of the Communist Party, is a graduate of the University of Michigan. In 1939, he served in Washington with the Department of Labor and later with the President's Committee on Fair Employment Practices. In 1944 he founded the CIO Auto Workers Fair Employment Practices Committee and served as its executive director for two years. Since 1948, he has served as local counsel for the ACPFB in Detroit. Claudia Jones, 35, a native of the British West Indies, is secretary of the Women's Committee of the Communist Party."

On page 7117 of the Hearings on Communist Political Subversion is another item concerning Crockett appearing in the Lamp (under "Organizational Activities"):

"The Hungarian American Defense Committee has translated and published in pamphlet form the ACPFB folder, 'The Rights of Foreign Born Americans,' by George W. Crockett, Jr., of Detroit."

On page 7119 was another mention of Crockett in the Lamp; on page 7157 was a summary of proceedings of a conference held October 27, 1951, at Ford Local 600 Auditorium, under auspices of Michigan Committee for Protection of Foreign Born and Detroit Chapter, National Women's Appeal for the Rights of Foreign Born Americans, in which we read:

"George W. Crockett, Jr., noted Detroit attorney, reviewed the history of the fight for bail and pointed to the victory won locally when the Federal Courts agreed to accept bail money from the Civil Rights Bail Fund when the Immigration Dept. tried to cancel bail. He called for a struggle by all to defend the rights of the American people."

On page 7222 is a summary of the proceedings of the Michigan Conference To Repeal the Walter-McCarran Law and Defend the Rights of Foreign-Born Americans, held in the Hotel Tuller, (Detroit), Sunday, November 22, 1953, which read in part:

"The morning session, chaired by Mrs. Margarett Nowalk, heard a report on the work and accomplishments of the Michigan Committee for Protection of Foreign Born by the Executive Secretary, Mr. Saul Grossman. Attorney George Crockett gave a comprehensive analysis of some of the current legal problems facing those under attack by the Walter-McCarran Law."

On page 7640 was Exhibit No. 312A, a press release of the Michigan Committee for Protection of Foreign Born, 920 Charlevoix Building, Detroit 26, Michigan, Saul Grossman, Executive Secretary, concerning the above conference. Referring to Crockett:

"Speakers at the Conference included George W. Crockett, Jr., who is defending many of the 68 local victims of the Walter-McCarran Law; Saul Grossman, Executive Secretary of the Michigan Committee for Protection of Foreign Born, sponsors of the Conference; and Carl Marzani, author and film producer, who received a standing ovation at the end of his fighting speech which hailed the tremendous scope of the anti-McCarthy movement."

On page 7672 was a Special Bulletin of the Michigan Committee for Protection of Foreign Born, 142 Griswold Street, Detroit 26, Michigan, announcing, among other things, "New Folders: We have just received 5,000 copies of George Crockett's excellent new booklet: 'Rights of Foreign Born Americans.'" Page 7691 contains Exhibit No. 331A, an invitation to a "Gala Banquet Saturday" from the Michigan Committee for Protection of Foreign Born, stating:

"Honor the 21 who refused to sign the fascist-like bail conditions demanded by the Justice Department! Valiant fighter for the rights of the people, Stanley Nowak, facing loss of his citizenship!

"Hear noted speakers: Prof. John F. Shepard, nationally-known educator and psychologist; and George W. Crockett, Jr., leading civil rights attorney....

"Bring your families and friends! Saturday, April 25, 7:00 p.m., Jewish Cultural Center, 2705 Joy Road...."

On page 7692 was a letter concerning the banquet, mentioning the fact that Crockett was to be a speaker and stating that at the banquet a drive was being launched to raise the necessary funds to continue with the fight against the Walter-McCarran Law; "Obviously, this fight against the Walter-McCarran Law is the responsibility of every American and needs the support of all. Thousands of dollars are needed every month, just for defense activities."

Page 7709 lists a "Partial List of Conference Sponsors" of the Michigan Conference to Repeal the Walter-McCarran Law and Defend the Rights of Foreign Born Americans. In the list is the name of George W. Crockett, Jr. along with the usual quota of clergy; Rev. Paul J. Allured, Rev. Charles A. Hill, Rev. Henry Lewis, Rev. C. M. Metcalf, Rev. Henry Powers, Rabbi Joshua S. Sperka, Rev. Carlyle F. Stewart.

Page 7726 contains Exhibit No. 357, an article from the official Communist newspaper, The Daily Worker, of November 8, 1949, bragging about a Communist victory: "Victory Hailed Through Nation." Following are statements from notables here (Detroit) on the granting of bail to the 11 Communist leaders ...

"Lawyers Harry S. Anbender, Morton Eden, Ernest Goodman, Jack Tucker, N. L. Smokler, Benjamin J. Safir, associates of George Crockett, Jr.:

"'Every supporter of democracy will welcome this reversal of Judge Medina's refusal to respect the constitutional rights of the defendants, as a much-needed vindication of the Bill of Rights.

"'The same type of vindication must now be extended to our associate George Crockett and his colleagues, Isserman, McCabe, Sacher, and Gladstein, whose fearless championship of the rights of their clients will in due time inspire the admiration of the great body of fair and conscientious attorneys throughout the country.'"

On page 7812 George W. Crockett, Jr. is listed among the sponsors of the 6th Annual Conference of the Midwest Committee for Protection of Foreign Born, Sunday, May 16th, 1954 at the Midwest Hotel, 6 N. Hamlin Ave., Chicago, Ill. Finally on page 8217 Crockett is listed among those interested in the campaign to stop the deportation of Hazel Wolf. Others interested, according to the Northern Light, publication of the Washington Committee for Protection of the Foreign Born, were California attorneys, Robert W. Kenny and A. L. Wirin; N.Y. attorney Royal W. France and Harriet Bouslog of Hawaii, among others. The support of "many Methodist ministers" was also being drummed up by Rev. John W. Caughlan.

Its friendly interest in (now Judge) Crockett continuing to the present time, the Communist paper Daily World (successor to the Worker) headlined the gun-battle incident: "Did Detroit Cops Plan Assault? Stormtroop tactics used; cops harass Judge Crockett." On February 20, 1965 Crockett chaired a meeting in the Central Methodist Church and introduced as guest speaker Herbert Aptheker of the National Committee of the Communist Party. On December 9, 1960 Crockett was a guest speaker for Global Books Forum, a Red propaganda outfit headed by avowed Communist Helen Winter. He spoke in glowing terms about his visit to the Soviet Union and the Soviet system of "justice."

Judge Crockett, who was able to win election to his important position in spite of his left-wing background, was criticized for his handling of the arrested militants by the Detroit Police Officers Association which stated that Judge Crockett either "abused his discretion and went far beyond the limits of the law" or that the state laws "which allow a judge the unquestioned power to interfere with and disrupt accepted arrest procedures in cases of armed uniformed insurrectionists must be changed immediately." The president of the association reportedly said the judge's action "had given people a free license to shoot policemen . . . without fear of punishment."

The black revolution marches on—with the help of the clergy and the courts.

An informed insider's view or the clergy: From the article "Reds and Our Churches," by J. B. Matthews:

"The largest single group supporting the Communist apparatus in the United States today is composed of Protestant clergymen.

"Since the beginning of the First Cold War in April, 1948, the Communist Party of this country has placed more and more reliance upon the ranks of the Protestant clergy to provide the party's subversive apparatus with its agents, stooges, dupes, front men . . ."

[From the New York Times, Apr. 21, 1969]

POVERTY FUNDS LINKED TO FOUR CHARGED IN CLEVELAND POLICE SLAYINGS

CLEVELAND, April 20.—Four men charged with the killing of three Cleveland policemen and one civilian last summer received $7,000 from Cleveland: Now!—a program to aid the disadvantaged—according to a witness at the trial of one of them.

The Rev. De Forest Brown, a witness at the trial of Fred (Ahmed) Evans, one of the four men, testified last week that Mr. Evans and his African Cultural Shop received the money early in July. Mr. Evans received $150 a week as a director of the summer youth program, according to Mr. Brown, who is the director of the Hough Area Development Corporation.

Program money also was given to Lathan Donald, Leslie Jackson and John Hardrick, who also are facing first-degree murder charges arising out of the killings on July 23, and to Sidney Taylor, Leroy Mansfield Williams and Bernard Donald, who were slain during the gun battle with the police. Mr. Brown, a Baptist minister, testified. These six men also were connected with the shop.

Cleveland: Now! payments to Mr. Evans and the rest were reported to have stopped after the July shootings in the city's Glenville section.

Testimony so far showing the distribution of the money has covered part of it as follows:

Six hundred dollars to Mr. Evans to buy a used station wagon; $300 to refurnish the African Cultural Shop, and the rest in salaries for the first week of the program. Mr. Evans received $150, Lathan Donald $125, Mr. Jackson $100 and Mr. Hardrick $100. Mr. Taylor, Mr. Williams and Mr. Donald each received $100.

In addition, Linda Hardrick, Sandra Hardrick, Anita Scott, Sharon Moore, Jean Saunders and Sandra Hart, who have not figured in the trial, each received $75, apparently for working in the store. James Taylor, indicted for setting off explosives, also received $75.

AVOWED BLACK NATIONALIST

Mr. Evans, 37-years-old, a self-proclaimed black nationalist, is the first of those charged in the slayings to stand trial. He is charged with seven counts of first-degree murder, and has pleaded not guilty to all of them.

The trial began March 24, but the selection of a jury of five men and seven women, as well as three alternates—two women and one man—was not completed until April 10. All members of the jury and alternates are white. Testimony began the following day.

The trial, at the Cuyahoga County Criminal Courts Building, is being conducted under strict security procedures. Common Pleas Judge George J. McMonagle, who is hearing the case, has barred all cameras and recording apparatus and has ordered all persons searched each time they enter the court.

On Friday, Judge McMonagle dismissed a motion by the defense attorneys, Stanley E. Tolliver and Charles W. Fleming, to eliminate all discussion of Cleveland: Now! funds. The lawyers said the discussion was irrelevant.

County Prosecutor John T. Corrigan said the testimony was relevant, and the judge agreed.

The Cleveland: Now! effort—a $1.5-billion project based on recommendations made in the Report of the National Advisory Commission on Civil Disorders and designed to run 10 years—was started by Mayor Carl B. Stokes last year to provide programs in jobs, housing and health. Local business groups and private citizens put more than $11-million into it as seed money.

Earlier last week, testimony by representatives of the county coroner's office showed that two of the three slain policemen had been drinking the night of the disturbance.

Dr. Lester Adelson, chief deputy county coroner, said he had evaluated the autopsy reports on Patrolman Willard Wolff and Patrolman Louis Golonka and said they were "far from 100 per cent of being capable of their normal duties." It would be "more dangerous than if they were sober" for either of them to carry or fire guns, he said. The third policeman, Lieut. Leroy Jones, had not been drinking, witnesses testified.

The prosecutors have introduced as evidence a collection of high-powered rifles and more than 2,000 rounds of ammunition, which they said Mr. Evans and several other men had purchased shortly before July 23.

Walter Beach, a former defensive back for the Cleveland Browns, who is now an aide to Mayor Stokes, told the court that City Hall had been aware of impending trouble hours before the shootings broke out.

Mr. Beach, now coordinator of the Mayor's Council on Youth Opportunity, said he and a city councilman, George Forbes, visited Mr. Evans at his apartment on July 23 and saw Mr. Evans and an unidentified man wearing ammunition bandoliers and brandishing rifles.

[From the Washington (D.C.) Post, Apr. 26, 1969]

FIGHT IN ROCHESTER: BLACK OWNERS OF FACTORY PLAN TO PUT PROFITS INTO HOUSING, EDUCATION, JOBS, DAY CARE

(By William D. Tammeus)

ROCHESTER, N.Y.—Just a few blocks from the site of Rochester's 1964 riots, a factory described as "more militant and more radical than all the riots put together" has begun operations in an abandoned clothing plant.

It's called Fighton, Inc., and it is black-owned and operated. Fighton, which turned out its first product early this year (an industrial vacuum cleaner for the Xerox Corp., assembled from pre-made parts) is a child of the FIGHT organization, a broad-based community group which has been getting under white Rochester's skin since Saul Alinsky's Industrial Areas Foundation helped organize it after the 1964 riots. FIGHT stands for "Freedom, Independence, God, Honor, Today."

HELPED BY XEROX

Fighton was the product of months of discussion between FIGHT and the Xerox Corp., which agreed to purchase $500,000 worth of products from the plant over its first two years, as well as lend its technical assistance. In addition, Fighton received a $444,677 U.S. Department of Labor training grant.

A new local group of businessmen known as the Rochester Business Opportunities Corp. (RBOC) bought the 32,000-square-foot plant, which formerly housed Timely Clothes Inc., for $35,000, remodeled it for $240,000 and leased it to Fighton. FIGHT owns Fighton.

One of the sidelights to the founding of Fighton is that RBOC grew out of a lengthy dispute between FIGHT and the Rochester-based Eastman Kodak Co.

Besides talking about hiring Negroes, Kodak and FIGHT had discussed the establishment of an inner-city business. But they reached no agreement. However, in January 1968, Kodak announced a plan by which major Rochester industry could provide markets, financing and technical help to foster inner-city business run by minority-group members.

That proposal led to the formation of RBOC, which has helped provide seed money and negotiate bank and Small Business Administration loans for some 40 businesses, of which Fighton is by far the largest.

Fighton employs 32 persons and plans to have at least 100 on the payroll by this time next year. Fighton general manager DeLeon McEwen, former president of FIGHT and a one-time barber, says most of those working for the firm did not have jobs when hired and would not have been employable by traditional industrial standards.

McEwen says his workers make between $80 and $100 a week, with an hourly minimum of $2.05. He'd like to raise that to be more competitive, but thinks that will come in time.

PROBLEMS, SUCCESSES

He's working with "ex-convicts and reform-schoolers," he says, and admits to both problems and successes in getting people to work on time and conforming to the routine of a regular job.

Fighton, in addition to assembling the vacuum cleaners, will produce electrical transformers and metal stampings as its first products. It also will have the capacity to do some welding and light assembly work.

For the Rev. Franklin D. R. Florence, president of both FIGHT and Fighton, the new factory means that "we're nearing our goal of community control" a drum FIGHT has been beating hard this year.

Florence says Fighton profits will be turned over to FIGHT and the "black community for housing programs, education, rehabilitation, jobs, day care, and all the things the black community needs."

It will mean, the black-power advocate says, that FIGHT will help provide "economic strength and stability in the black community."

The agreement between Xerox and FIGHT did not come suddenly. "Nobody approached us with open arms" a FIGHT officer says. But both Xerox and FIGHT acknowledge a willingness to deal and learn and work together.

A Xerox spokesman puts it this way: "The proposal from FIGHT to establish a black business was something that immediately made sense." But FIGHT was talking about a business which would employ 400 to 500 people, the same figure it had discussed with Kodak. Xerox says it pointed out that businesses do not grow that way, and so negotiations got under way. Some day, Fighton does hope to have as many as 500 on the payroll.

Eventually FIGHT and Xerox decided they needed a factory that would produce something Xerox could purchase; a product which required a minimum of capital to start and which could provide plenty of jobs to persons without many skills.

Now FIGHT is branching out. It recently proposed that it develop $15.8 million worth of housing, commercial and recreation centers in the city's predominantly black Third Ward Urban Renewal project. The plan, with full architectural models, was a "complete bombshell" to the city's Urban Renewal director, but neither he nor anyone else ruled out the possibility that FIGHT actually could be named developer.

So, despite the achievement of the new factory, FIGHT is not about to let this city of 300,000 (about 45,000 of whom are Negroes) rest easily.

YOUTH NEEDS A SPOKESMAN IN THE CABINET

(Mr. GIBBONS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GIBBONS. Mr. Speaker, in the Sunday, April 20, issue of Parade magazine, there appeared an article written by my good friend and distinguished colleague, CLAUDE PEPPER, concerning the need for making Government more responsive to the ideas and ideals of the Nation's young people.

In the article, entitled "Youth Needs a Spokesman in the Cabinet," Mr. PEPPER wrote of his proposal and that of 15 cosponsors to create a Cabinet Department of Youth Affairs so that the Nation's youth might have a spokesman to present directly to the President and to Congress the concerns, problems, aspirations, thoughts, and suggestions of its younger Americans.

It is with a great deal of pleasure that I submit the text of this interesting and informative article for publication in the RECORD.

YOUTH NEEDS A SPOKESMAN IN THE CABINET

(By Representative CLAUDE PEPPER, Democrat, of Florida)

The evidence is all around us that young Americans are growing disillusioned and disaffected. An angry minority no longer believes in peaceful protest. Rather than discuss grievances, they lay siege to campuses. They can attract more attention, they have found, by throwing rocks than by writing letters. In five hectic days, as I was preparing this article, 14 campuses erupted in violence. Virtually no area of the country went untouched.

All this has produced a stern reaction against student disorders and in favor of harsh repression. Government authorities, goaded by outraged public opinion, have threatend to take away from students and educators the right to control our college campuses. When Congress voted to require universities to cut off federal aid to students convicted of campus disturbances, four out of five persons polled by Gallup approved. Now President Nixon has thrown the weight of the federal government against disruption on the campus.

Apologists hasten to point out that only the hard-core militants, a small fraction of the student population, capture the classrooms and headlines. However, we should not confuse the responsible refusal of the vast majority to rush to the barricades as tacit complacency. For this new generation is bringing with it the winds of change.

Distressed as I am over the violent confrontations between students and authorities, I am heartened that we have a literate, articulate, vocal younger generation to challenge us to sit up and pay heed. It may be time for a sweeping reappraisal, for example, of the way our young adults are educated beyond high school.

Our academic communities today have become small cities. More than 28,000 are registered at the University of California at Los Angeles. Yet the attitudes and relationships are still patterned after the cloistered, ivy-grown campuses of an earlier era.

We know the quality of our students has been improving, but I am not so sure this holds true of the instruction they receive. Many classroom professors, if student complaints are to be believed, would do better in the research laboratory. Student demands aren't necessarily unreasonable just because their elders may have been more complacent and conforming back in the "good old days."

Should students be allowed to grade their instructors? Are student grievances getting attention in the front offices? What recourse do students have who are confronted with administrative callousness and stubbornness? Certainly violence should not be necessary to get a legitimate hearing, and violence by militant groups simply bent upon disruption cannot be tolerated. Yet if there are no other effective ways of getting action on just grievances, we cannot rule out violence.

There is a need to study the student avenues for redress at our major colleges and universities. Let us find out which doors are barred to legitimate complaints. Going beyond the campuses, our young people are also entitled to a voice in the national decisions that will shape their future.

Half of the U.S. population next year will be under 25. Every day decisions are made at all levels of government which determine the rules that young people are expected to follow. Yet their voices are but distant shouts, ignored or unheard at the policy-making level.

Our government has established the Labor Department to speak for the workers. The farmers can take their problems to the Agriculture Department, and businessmen can get a hearing for their views at the Commerce Department. Small businessmen have another special advocate in the Small Business Administration.

Yet none of these favored groups is as populous or as problem-plagued as the under-25 generation. Certainly the youth of the nation deserve a voice at the Cabinet level, a department which would concern itself solely with their problems, aspirations, thoughts and ideas. This compelling conclusion grew out of a discussion I had in Florida many weeks ago with Mrs. Malvin Englander of Miami Beach, a concerned state Democratic committeewoman. She and I agreed that the young people needed a spokesman to present directly to the President and to the Congress the concerns of young America.

Accordingly, I have introduced a bill, H.R. 6259, which would authorize a Department of Youth Affairs, a person at the uppermost level of government—who would represent the young in the nation's policy-making councils. He would serve not only as a spokesman but an ombudsman for the 50 percent of our population under 25.

YOUTH CAN SERVE

The Department of Youth Affairs would also coordinate and expand government programs which draw principally upon the talent and energy of the nation's youth. The Peace Corps, VISTA and National Teacher Corps, for example, would be transferred to the new department. These three agencies rely heavily upon the active, selfless participation of young people.

That each is almost universally regarded as a solid success is dramatic proof of what the youth of America can accomplish. It is little short of astounding what changes in attitude, opportunity and environment a relatively small number of young men and women (some 12,000 in all) are achieving in these three volunteer programs. I fiercely believe there are many more thousands of young adults in this country who are eager to join in the attack against poverty and other social ills.

The Department of Youth Affairs would be primarily concerned with the young person as a citizen and individual, rather than as a charge of his parents, his doctor and his teacher. As I envision it, the heart of the department would be an office of youth participation, which would open the way for young men and women to exercise substantial influence on programs at the policy-making level.

This office would actively attempt to recruit persons under 24 for appointment to responsible positions in the higher pay grades. Young people would be sought from a broad range of background, experience, educational attainment and geographical distribution.

The office of youth participation would be empowered to establish and administer a program of grants-in-aid to public agencies and non-profit organizations which, on the local level, would recruit, select, train and employ youths up to age 24. They would serve as paid and volunteer workers in social and economic programs benefiting their communities.

I believe most young adults—given their expanding levels of education, their willingness and eagerness to work hard, long hours—are ready for such a challenge. I may not be able to verify this to the satisfaction of every doubter. But the preponderance of evidence (I refer to exhaustive studies by doctors and educators) suggests that young adults today possess a sophistication and intelligence superior to that possessed by their parents and grandparents at the same age.

The Secretary of Youth Affairs, who would be appointed by the President and approved by the Senate, need not necessarily be a young man—although young men have shouldered great responsibilities in the past. Thomas Jefferson wrote the Declaration of Independence at age 33. John Rutledge was a leader of the Southern delegates at the Second Continental Congress, which declared our independence, at age 26. And every Frenchman knows that Napoleon Bonaparte was commander of the entire French Army in Italy at age 27.

What is important for a Secretary of Youth Affairs is that he be tuned in on young thoughts. He might be someone like John Gardner, the former Secretary of Health, Education and Welfare, who understands and identifies with the aspirations and concerns of young people.

INVITE THEM IN

Those of us who have occupied this planet a little while longer should be careful not to spurn the thoughts of youth. Rather we should welcome and encourage them. We should concern ourselves with the varied and peculiar problems encountered by young adults growing to maturity in an age of automation and impersonalization. We should provide a place where they can become involved, influentially and constructively, in the affairs and responsibilities of government.

Would it not increase the morale and the confidence of youth in our system to know that their national government is sufficiently concerned to create a department at the highest level to hear their grievances and to give them a meaningful place? Would this not discourage violence and encourage the overwhelming majority of our young citizens who are interested in constructive change and correction of abuses rather than in blind disruption?

The need is urgent to bridge the gap between the generations. Personally, I don't believe we will find any chasm too wide to bridge. I am reminded of an eloquent phrase spoken during the recent campaign by one of the presidential contenders:

"We are as old as our despairs, as young as our hopes; as old as our fears, as young as our faith; as old as the doubts we harbor, and as young as the ideals we sustain."

IF YOU SUPPORT TAX REFORM, NIXON'S PACKAGE IS WEAK

(Mr. GIBBONS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GIBBONS. Mr. Speaker, the Ways and Means Committee begins marking up a tax reform bill this week. I am sure many Members will find of interest an article in the Washington Post of April 27 entitled "If You Support Tax Reform, Nixon's Package Is Weak," by Joseph A. Pechman. Dr. Pechman is director of economic studies of the Brookings Institution and is author of the book "Federal Tax Policy."

The article follows:

IF YOU SUPPORT TAX REFORM, NIXON'S PACKAGE IS WEAK

(By Joseph A. Pechman)

The Nixon tax reform package was unveiled last week with the fanfare that usually accompanies a major presidential tax recommendation. First, a presidential message proclaimed that "reform . . . is long overdue" and outlined in general terms a series of ten proposals. The next day, Treasury officials read to the Ways and Means Committee an inch of technical papers describing in great detail 16 proposals which, they emphasized, are only a "first step in reshaping the Federal tax system to make it fair and efficient."

Chairman Mills and his colleagues listened carefully to the testimony, complimented the Treasury for its diligence, suggested that the package is a bit timid even for a first step, but cautiously avoided committing themselves.

All this was in response to pressures for tax reform which had been building up since it became evident that President Nixon would be forced to propose extension of the surtax to fight inflation. Congress accepted the surtax last year only after attaching to it a requirement that the President submit a tax reform plan by the end of the year. President Johnson balked, partly because he regarded this as an infringement of presidential prerogatives and partly because he isn't a tax reformer at heart anyway.

But Assistant Secretary of the Treasury Stanley S. Surrey took the Congressional mandate seriously. As his last official will and testament, he left behind a tax reform plan which was later transmitted to Congress by the new Treasury.

Armed with this ammunition, Congressional tax reformers served notice that the surtax would not be extended unless it was accompanied by a "real" reform. This movement has a lot of steam behind it because there is simply no way to answer the argument that the surtax penalizes those who already pay taxes, while those who escape paying in one way or another go scot-free.

The Surrey package is a skillful blend of a large number of tax changes which would distribute $1.7-billion of individual income tax revenue—out of a $75-billion total—from those with incomes of more than $15,000 to those below this level. The showpieces of the package are an increase in the minimum standard deduction which would remove 1.25 million families from the income tax rolls; taxation at capital gains rates of capital gains transferred through bequests and gifts (which are not now subject to income tax) before calculating the amount of property subject to estate or gift tax; a device to disallow personal deductions in proportion to the percentage of tax-exempt income received by taxpayers; and a minimum income tax levied at half the regular income tax levied at half the regular rates on a comprehensive income tax base which would include most, but not all, of nontaxable income.

In the light of the grave deficiencies in the tax law, the Surrey package is really quite modest. In fact, it fails to do anything about the most important and expensive "special provisions" in today's tax structure—most notably, percentage depletion, tax-exempt interest, the defintion and rates of capital gains tax, and the favored treatment of married couples through income splitting.

All told, these provisions cost the Treasury at least $20-billion annually at present tax rates. Surrey would recover less than a billion of this amount by the minimum tax and the allocation of deductions between taxable and nontaxable income sources.

Edwin S. Cohen, Surrey's successor in the Treasury, is also well versed in the intricacies of the Internal Revenue Code. His problem was to satisfy the demand for tax reform and, at the same time, differentiate his product. The package he puts together for President Nixon is a work of art, even if it is not the Mona Lisa of tax reform.

Cohen carried over a few of Surrey's proposals with little or no change (example: elimination of multiple surtax exemptions for large corporations that break up into hundreds of small corporations each of which is worth $6,500 in reduced taxes); went further than Surrey in some respects (example: tighter rules for foundations and other tax-exempt organizations); and discarded several of the proposals most likely to meet political resistance (example: imposition of a capital gains tax on gains transferred at gift or death).

The eye-catching change made by Cohen concerns the taxation of the poor. Surrey's hike in the minimum standard deduction would have left three-quarters of a million poor families on the income tax rolls. As a substitute, Cohen devised a new "low income allowance" which raises the minimum taxable income level by a flat $1,100 above the per capita exemptions and happens to duplicate almost to the dollar the official "poverty lines" at this year's prices. To limit the revenue loss, the low income allowance is tapered off by 50 cents for each dollar of income tax above the present minimum taxable levels so that the allowance disappears rapidly (at $3,300 for a single person, $3,700 for a married couple, and $4,500 for a family of four).

This device permits Cohen to claim, correctly, that he has eliminated virtually all the poor from the income tax rolls at far less cost than the corresponding minimum standard deduction. (Of course, the heaviest federal tax on the poor is the payroll tax—not the income tax—but the burdensomeness of the payroll tax is ignored because it is legally earmarked for social security.)

The most controversial feature of the Cohen package is the new limit on tax preferences (LTP), a substitute for the minimum tax. The theory of LTP is that no one should be permitted to exclude more than 50 per cent of his income from the tax base. For example, an individual with a $100,000 salary and $300,000 of tax preferences would be taxed on half of the $400,000 total, or $200,000, instead of on $100,000 as he is now.

But the effectiveness of LTP depends on the definition of the term "tax preference." Cohen omitted two items in Surrey's list which are crucial to any attempt to limit tax preferences—tax-exempt interest and long-term capital gains. As a result, Cohen would pick up only $8-million from his LTP, a far cry from the $420-million yield of Surrey's minimum income tax which is also a pittance when compared with the huge benefits that present tax preferences provide.

Many tax experts do not regard the Surrey plan as earth-shaking, and the Cohen plan is even weaker. In the past, the high water mark of tax reform has been the Administration's bill, but things are different this year. Congress may surprise everybody by passing a tougher bill than either the Surrey plan or the Cohen plan. It all depends on the flak congressmen will get from their constituents. If you believe in tax reform, write your congressman and senators!

FIRST AID AWARDS, JOHNSTOWN, PA.

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, on Saturday, April 19, I had the distinct honor of presenting awards to the winning teams competing in the 50th annual first aid meet of Bethlehem Steel Corp.'s Johnstown plant. The demonstrations by plant teams, and Girl Scout and Boy Scout teams in first aid skills was an impressive event. The meeting was naturally dedicated first of all to safety, but in the words of the plant's acting general manager, Mr. J. W. Colbert:

> We want you . . . to share with us our pride in these teams and the conviction that safety is for the whole community; for everyone—all the time.

I think Mr. Colbert put his finger on the heart of the matter when he said that safety is for the whole community. Safety awareness is what first aid meets are designed to stimulate, and this one certainly did. Again, in Mr. Colbert's words:

> We, individually and collectively, must be more concerned about safety—we must mount an attack and work at it—at work, at home, at play, and on the highway. We must be doers, not disinterested observers; and each of us must set an example.

Mr. Speaker, the members of the 19 plant teams that took part in the demonstrations were setting an example for all of us. The problems presented to them were involved and tough, and there was a minimum amount of time for them to accomplish their tasks. To give you an idea, I include the statement of the problems that each team had to face:

PROBLEM NO. 1

An Electrician was in a hurry to get a job done before quitting time, and violated three (3) safety rules in the performance of the job by working from a metal ladder, not securing the ladder against movement, and not properly cutting the current and flagging the switch. The top end of the ladder accidentally slid sideways and contacted a hot electrical line, resulting in the workman falling about 15 feet to the floor.

He is immediately found by his co-workers, laying face down, unconscious and not breathing.

He also received the following injuries:

A compound fracture of the left kneecap with blood oozing from a three-inch wound on the kneecap.

A three-inch wound on the outer side of the left leg, midway between the ankle and knee.

A two-inch wound on the outer side of the left ankle.

A three-inch wound in the left groin.

A burn two inches wide and six inches long on the right hip.

A compound fracture of the right foot with blood seeping very slowly from a two-inch wound on top of the righ foot.

Revive the workman by three (3) members of the team giving artificial respiration, back press arm lift, for one (1) consecutive minute each. The change of operators is to be made without breaking rhythm. The workman regains consciousness at the end of artificial respiration, but suffers from physical shock throughout the problem.

Reading Time: 3 Minutes.

Treat and Prepare for Transportation.

Working Time: 10 minutes.

PROBLEM NO. 2

A Mill Crew finished rolling large rounds and was making preparations for rolling another type of section. In order to make final adjustments, the mill rolls were running at idle speed. One of the men completed a change on the delivery side of the stand and started to walk to another area. For some reason, the man decided to make a final check on the adjustment to the guides. He lost his balance and fell forward toward the rolls. When found by his co-workers, one forearm was in the revolving roll and his face was pressed against the rotating top roll. Pressure on mill stand released and man removed. (Demonstrate rescue).

He was suffering from the following injuries:

Arterial bleeding from a two-inch wound on the palm of the right hand.

A dislocated left ankle.

A two-inch wound on the forehead.

A two-inch wound on the chin.

A compound fracture of the left forearm, midway between the wrist and elbow, with the ends of the bones protruding through the outside of the forearm, and blood spurting from a three-inch wound on the forearm.

He is conscious, and suffers from physical shock throughout the problem.

Reading Time: 3 Minutes.

Treat and Prepare for Transportation.

Working Time: 10 Mins.

PROBLEM NO. 3

A six-man crew was stocking 115-pound rails in an area in the Franklin Division. The rails were transported to the site on a utility handtruck. Two bars were used to form skids for the rails to slide from the truck to the ground. Suddenly, the handtruck upset, causing a rail to whip outward and strike one of the men, knocking him backward against a column.

He is found unconscious, and laying on his back, with the following injuries:

A fracture of the pelvis.

A simple fracture of the right collarbone.

A compound fracture of the skull with slight bleeding from a two-inch wound on the center of the forehead, which is also the location of the compound fracture.

Two (2) fractured ribs on the right side; and blood oozing from a three-inch wound at the same location where the ribs are fractured.

A compound fracture of the right foot with slight bleeding from a two-inch wound on the bottom of the foot, and the bones are protruding through the bottom of the right foot.

A two-inch wound on the back of the left hand, and a three-inch wound on the outer side of the left thigh.

The workmen is suffering from physical shock, and remains unconscious until arrival at the hospital.

Reading Time: 3 Minutes.

Prepare for Transportation.

Working Time: 10 Minutes.

Mr. Speaker, after reading those problems, it is hard to believe that there were three teams that achieved a perfect score of 300, and the next two teams scored 298 points each. In order to determine the winners of the first three teams, the time for completion of the problem was included. There was a time-spread of less than 1 minute between the three top teams. There was only a time spread of 3.96 minutes between the first and fifth teams. You can understand, Mr. Speaker, why I feel I was honored to present the awards to the winners of the competition.

The first place award went to the electrical department for a score of 300, in 22.88 minutes. Members of that team included. R. J. Farrell, captain; K. D. Donaldson; O. E. Gates; J. A. Panek; G. C. Amigh; and R. P. Sanders. The team was under the supervision of G. F. Shumaker.

The second-place award went to plant protection with a score of 300, in 23.29 minutes. Members of that team included: R. W. Cale, captain; F. L. Stevens; J. B. Simons; H. F. Thomas; R. M. Vargo; and G. T. Mandrick. The team was under the supervision of D. E. Suppes.

The third-place award went to steelmaking for a score of 300, in 23.64 minutes. Members of that team included: L. J. Sebastian, captain; G. Zelinsky; W. C. Hoffman; G. G. Spaid; P. Prozialeck; and G. W. Heming. The team was under the supervivsion of J. T. Sefcheck.

Winners of the fourth-place award was the wheel plant team with a score of 298, in 25.82 minutes. Members of that team included; L. E. Wissinger, captain; D. L. Snyder; R. Galayda; C. A. Kist, L. E. Flickinger, Jr.; and J. E. Lepus. The team was under the supervision of T. N. Crowley.

Winner of the fifth-place award was the car department with 298 points, in 26.84 minutes. Members of that team included: J. W. Gaydos, captain; J. Pileski; W. M. Brown; J. E. Jedrzejek; F. R. Mikesic; and R. R. Todero. The team was under the supervision of W. B. Bickley.

The entire, successful program of the 50th annual meet was under the direction of Mr. R. E. Taylor, management's representative, of the industrial relations department of the Johnstown plant.

Mr. Speaker, I believe that all the winners, contestants, judges, and especially, the members of the safety division of the Bethlehem's Johnstown plant, are to be commended for this outstanding meeting, but more important, all deserve our accolades for helping us to remember that safety should be everyone's everyday job.

INTEREST RATES FORCE CONSUMER PRICES UP AGAIN

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PATMAN. Mr. Speaker, the cost of living continues to rise at near astronomical rates.

The Consumer Price Index released by the U.S. Department of Labor's Bureau of Labor Statistics last Thursday showed that the Consumer Price Index rose 0.8 percent in March—the largest monthly increase since February 1951.

Mr. Speaker, the two items showing the largest increase were housing and used cars. These are the two items where interest charges have the greatest effect. The increases in these items are the direct result of high interest rates.

In fact, Mr. Speaker, much of the recent inflation and the increase in consumer prices can be traced back to high interest rates. High interest rates are reflected in the price of every item on the shelf. High interest rates are inflationary.

For example, the release by the Bureau of Labor Statistics shows that homeownership costs were up 1.6 percent in the month of March, or double the average consumer price increase for that month. And the Bureau of Labor Statistics, which is usually hesitant to talk about interest rates, conceded that more than half of the increase could be attributed to the boost in mortgage interest charges on VA and conventional loans.

Likewise, the price of used cars jumped almost 6½ percent during the month of March and, again, this is an item where high-interest rates are immediately felt.

Mr. Speaker, I think the figures released by the Bureau of Labor Statistics again refute the theory that high-interest rates fight inflation. High-interest rates themselves are obviously inflationary. And again, I say that raising interest rates to fight inflation is just like pouring gasoline on a fire.

Mr. Speaker, I regret that the Bureau of Labor Statistics' consumer price index does not do a more adequate job of breaking down the interest charges which contribute to the increases in prices of consumer items. These interest charges should be calculated and reported fully in each months' price index.

This would do much to dramatize how destructive these high-interest rates are for the average American consumer.

JERRY VOORHIS DESCRIBES HIGH INTEREST RATES AS THE WORST KIND OF INFLATION

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, former Congressman Jerry Voorhis is continuing to serve the public interest.

Mr. Voorhis was a great Congressman from the State of California and after leaving the House he distinguished himself as the executive director of the Cooperative League of the U.S.A. and as one of the Nation's foremost champions of the consumer.

Jerry Voorhis is continuing his great work. I have just read a newspaper column entitled, "The Human Side of the Market Place," in which Mr. Voorhis discusses the injustices of our monetary and tax policies. He points out that high interest rates are the Nation's worst kind of inflation.

Mr. Speaker, Jerry Voorhis' words should be heeded by all Members of this House. I place a copy of this column in the RECORD:

TODAY'S INTEREST RATES: THE WORST KIND OF INFLATION

(By Jerry Voorhis)

Everybody is worried about "inflation"—many of us without knowing exactly what the word means.

Except that *price* inflation makes everything we buy more costly. And while inflation does hurt people who depend on fixed incomes, it also keeps the economy humming and tends to increase employment.

The worst—and most inexcusable—feature of our present inflation is the usurious interest rates that are now being charged. They affect every other price in the entire market place, and until those interest rates are brought down inflation will get worse and worse. Already the exorbitant interest rates have caused over half the American people to be priced clear out of the market for homes. And good homes at costs they can afford are, today, the greatest unmet need of the American people.

At 7½% interest on a 30-year mortgage a home-buyer must pay twice as much in interest as he pays for the land, bricks, woodwork, plumbing, finishing, labor, contractor's profit—everything else that goes into that home.

The financial "wizards" are taking a toll from the people's pockets that is unprecedented in modern times.

Another and equally evil reason for our present inflation is the military budget which takes about two-thirds of all government revenues. It's high time those expenditures were drastically reduced.

It is frequently—and truly—pointed out that taxes are a way of curbing inflation.

This is true because, *properly* and *fairly* and *wisely* levied, taxes can put a damper on demand and thus cause prices to stop rising.

The trouble is that our taxes at present are *not* being levied either properly, fairly or wisely.

The newspapers and the hearings of the House Ways and Means Committee have recently been full of stories about the number of super-millionaires who do not pay any taxes at all. The 27½% oil-depletion allowance has been a scandal for many decades. But nothing is done about it.

But let's look at a little tax history.

Taxes were reduced in 1963. But they were reduced in a very unjust way. Income taxes in the lowest brackets were reduced only 4½% while people with incomes of $200,000 and more got a 21% reduction. Families with $2,000 income got $90 added to their expendable incomes, while people with incomes of $1 million got about $200,000 freed from taxes.

The 10% surtax is equally unjust. While the rich taxpayer pays more in actual dollars, he gives up far, far less of what he needs than does the poor taxpayer. A single man with an income of $4,000 has to pay $551 in taxes instead of $503. That hurts. But if a single man has an income of $100,000, the addition of 10% surtax does not really hurt him at all.

The 10% across-the-board increase in taxes favors the rich and hurts the poor. It is a tax levied not in accordance with ability to pay at all.

If that tax is continued after June 30, nothing else is likely to be done to reform our tax system.

And it needs it. Some companies are making extortionate profits out of the Viet Nam war. Others are making equally unjustified profits out of other military and space contracts.

Have we forgotten all about the excess profits taxes that have been levied in time of war and national need?

Corporation profits in 1951 were $44 billion. In 1968 they were $90 billion. In 1951 we had an excess-profits tax. If we had that same tax today it would raise $8 billion of revenue—the same amount as the 10% surtax on individuals and families is calculated to raise.

Why not take some of the profit out of war contracts and make our tax system, which *is* a cure for inflation, a just and humane one?

ADDRESS BY HON. MELVIN R. LAIRD, THE SECRETARY OF DEFENSE, BEFORE THE ST. LEO COLLEGE COMMENCEMENT, ST. LEO, FLA.

(Mr. CRAMER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CRAMER. Mr. Speaker, it is my privilege to bring to the attention of my colleagues an address delivered by Secretary of Defense Laird at the commencement exercises of St. Leo College, St. Leo, Fla., on April 26.

I believe the Congress will find the Secretary's address of very real interest in that it contains an outline of the areas in which the Defense Department plans to move toward assisting in resolving some of this Nation's pressing domestic problems.

I heartily recommend a careful reading of this outstanding and innovative speech:

ADDRESS BY HON. MELVIN R. LAIRD, THE SECRETARY OF DEFENSE, BEFORE THE ST. LEO COLLEGE COMMENCEMENT, ST. LEO, FLA., APRIL 26, 1969

I am honored to be among the distinguished company participating in your commencement exercises today. I congratulate the graduates on their achievement. Having children of college age myself, I feel a special word is due the parents of the graduates whose emotions on a day like this can be appreciated only by another parent—a mixture of pride and bewilderment from the realization that his son or daughter has accomplished so much, that the years have gone by so quickly, and that the relationship between you and this child suddenly become man or woman can never be quite the same again because he no longer needs you as he once did.

Let me also express my heartfelt appreciation to the whole college community of St. Leo's—faculty, administration, and students for inviting me to deliver the commencement address and for conferring on me an honorary degree. It is a privilege to become an honorary alumnus of this young college with a name and a sponsorship that dedicate it to the defense of the highest values of our civilization. The order of St. Benedict was the defender of learning which kept the light of civilization burning through Europe's dark ages. The holy man after whom your school is named, Pope Leo the Great, was the defender of peace who spared Rome from the attacks of Attila's barbarians.

I have always felt considerable dissatisfaction with commencement addresses. For one thing, it seems to me to amount to cruel and unusual punishment to inflict one more lecture on those who have just sat through four years of lectures. Further, the commencement speaker is very likely to devote his remarks either to things the graduates already know such as that the world they now enter is beset by problems or to things they are not interested in hearing such as how the speaker overcame great obstacles to get where he is today.

Despite my qualms, there are things about education, youth, and the role of the Defense Department today that I want to say.

My credentials, when I talk about youth, might be challenged. Obviously I do not belong to the long-haired generation. But I do have some credentials to talk about education.

During the course of 16 years of service in Congress, I was intimately involved in the problems of education. In my present position as Secretary of Defense, my interest in education continues, and my involvement in educational matters has become more direct.

Of the 10 Cabinet departments and 15 other Federal agencies which support or conduct education, training, and related programs, the Department of Defense ranks as the second largest agency. Last year $2.2 billion of the Defense budget was devoted to education, not including specialized military instruction such as recruit and pilot training. This $2.2 billion, incidentally, amounted to 20 per cent of the total Federal expenditure in the field of education.

This year 800,000 servicemen will receive formal schooling in some kind of school conducted by the Department of Defense and another 160,000 will attend military dependent schools overseas. That makes me the Superintendent of one of the largest school systems in the United States. Each year 90,000 servicemen also earn the equivalent of a high school diploma through courses conducted by the United States Armed Forces Institute.

These facts suggest something of the dimensions of the activities of the Department of Defense that bear directly on the solution of the urgent domestic problems vexing the nation. I need not go through the catalogue of these problems for this audience—problems that include poverty, discrimination, hunger, lack of opportunity.

If there is any single key that will open the door of opportunity to those who now find it locked, that key is education. So I speak with pride about what our armed forces are doing in this field. Millions of young Americans have secured through service in the armed forces the chance to learn that was denied them in civilian life. Millions, who entered the armed forces without skills or adequate schooling, leave them equipped to pursue successfully a civilian occupation or with the basic education required for continuation of their education in civilian institutions. In short, for millions of young Americans, the promise of equal opportunity has been made real as a result of their military service.

In addition to the area of education, I also feel that the Defense Department can play a significant role in solving problems that affect our urban areas. Neither President Nixon nor I feel that enough is now being done. Therefore, I have created a new Domestic Action Council composed of high level officials from the Office of the Secretary of Defense, Joint Chiefs of Staff, and Military Services to insure a widespread, coordinated approach to the Department's domestic action programs. This Council will have a small permanent staff which will assist in planning and implementing proposals, monitor progress, and insure communication with the President's Urban Affairs Council and the civilian community. This Council will report directly to me, thereby permitting me to appraise constantly the Department's contribution to domestic action.

As a starter, permit me to outline six general areas in which I believe the Department of Defense can do more toward resolving our domestic problems.

Procurement—I believe that the Department of Defense's annual purchases of approximately 40 billion dollars can be effectively directed to produce auxiliary social and economic benefits. We are already setting aside portions of contracts to assist areas of concentrated unemployment.

Manpower—Currently the Armed Services are composed of 3½ million men and women. We must insure that any person who enters military service is better prepared to serve society and has the essential skills to attain personal accomplishment when he leaves service than when he enters the military. We have several programs in this area now. One is Project Transition which this year will provide 60,000 departing servicemen with needed civilian skills. We are also starting Project Value which is aimed at providing gainful employment for 5,600 disadvantaged youth. This summer, we plan to hire 50,000 youngsters with 75% in the disadvantaged category. Our aim here is to provide meaningful employment so that these young people can spend the summer gainfully and then return to school and finish their education.

Transfer of Knowledge—The Department of Defense has a remarkable history of developing technological advances and transferring knowledge to the civilian sector. We plan to find better methods to insure that Defense advances rapidly find use in the civilian economy.

Assets—The Department of Defense has vast resources in plants, facilities and equipment. We need to insure that when bases are closed or relocated and when equipment is declared surplus, that the economic benefits of such actions are fully realized.

Community Relations—The effective participation of the Department in problem areas cannot be totally initiated from the Pentagon. It is essential that the personnel at every military facility become actively involved in contributing to a better society. I have asked our military commanders to assist Mayors' Youth Councils and similar groups in providing facilities and assistance in support of their youth programs—again insuring that these actions do not interfere with our primary military missions.

Discrimination—Although the Department of Defense has pioneered in insuring equal rights and opportunities for our servicemen, we cannot rest on our laurels. We must continue to make every effort to insure that all Defense personnel receive the full benefits which our society promises.

All that the Defense Department does will be done with deepest concern for the taxpayers of the nation. I assure you that I will not permit Defense to make any greater demand on them than is required by the Department's primary responsibility—providing for the security of the nation. When I envisage a more active role for the Defense Department in meeting the problems of our society, I am not proposing a bigger Defense budget. On the contrary, I plan to get double duty from the dollars allocated for defense.

I promised earlier to speak about youth. What I have to say will be brief. In these remarks I am speaking not to the students in the audience but to the older generation of parents and grandparents, aunts and uncles. And I am speaking not about the disruptive minority that captures headlines, but about the responsible majority who are genuinely concerned about the shortcomings of our society and eager to make our beloved country a better land for all its people.

Admittedly, young people are not always easy to get along with. They are questioning the dogmas and the values, the institutions and the customs of their elders. They are asking particularly why there is a gap between what we practice and what we preach. They have, I think, better developed minds and better developed consciences than we did at a comparable age. They have a lively awareness of injustice and a deeper concern for others than we did when we were their age. They are more inclined to seek the reason for things, less ready to accept answers that rest on faith or authority.

Uncomfortable as they make the older generation feel, these attitudes are good. They reflect in many ways nobility of spirit. They prompt service to others to dispel ignorance and to eliminate harsh conditions under which many live.

To those who ask the perennial question of an older generation, "What are these youngsters coming to?" I answer they are coming to grips with problems too long ignored, injustice too long tolerated, suffering too long overlooked.

And I suggest that you and I of that older generation should make common cause with them in their effort to make good on the promise of America, eloquently stated by Thomas Wolfe in these words:

"So, then, to every man his chance—
To every man, regardless of his birth
His shining, golden opportunity—
To every man the right to live,
To work, to be himself, and to become
Whatever thing his manhood and his vision
can combine to make him—
This . . . is the promise of America."

REVOLUTIONARY AIMS OF SDS

(Mr. CEDERBERG asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CEDERBERG. Mr. Speaker, the following document entitled "New Left Notes" was distributed by what I call the Students for the Destruction of a Democratic Society at a basketball game at East High School in Denver, Colo., during the last week of February 1969.

This document clearly sets forth the revolutionary aims of this group. It also attempts to pollute the minds of our young people by including a sexual relationship inventory.

It further includes detailed instructions with diagrams that cannot be placed in the RECORD—on how to prepare and use explosive and incendiary devices.

I was pleased to note that our colleague, Mrs. GREEN of Oregon, plans to call some of these revolutionary leaders before her subcommittee. This organization and its aims must be exposed.

I have written the Attorney General requesting that he use whatever legal power he has available to curb this group's activities.

I have also suggested to the chairman of the House Internal Security Committee, Mr. ICHORD, that this group should be the subject of an investigation.

The document follows:

[Passed out at basketball game at East High School in Denver during the last week of February 1969]

NEW LEFT NOTES

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MINIMUM DEFINITION OF REVOLUTIONARY ORGANIZATION

Since the only purpose of a revolutionary organization is the abolition of all existing classes in a way that does not bring about a new division of society, we consider any organization as revolutionary which purposefully, meaningfully, pursues the international realization of the absolute power of the Workers' Councils. That power has been outlined in the experience of the proletarian revolutions of this century—Russia 1905, Kronstadt 1921, Asturias 1934, Spanish revolution 1936. It is power without mediators.

Such an organization makes a unitary critique of the world, or is nothing. By unitary critique is understood a global, a total critique of all geographic areas where various forms of separate socio-economic powers exist, as well as a critique of all aspects of life.

Such an organization sees the beginning and end of its own program in the complete decolonization, the complete liberation of daily life. It aims not at the self-management, the autogestion by the masses of the existing world, but at the uninterrupted transformation of this world.

Such an organization embodies the radical critique of political economy, the transcendance of commodity and wage-labor. It refuses to reproduce within itself any of the hierarchical conditions prevailing in the world that dominates us. The only limit to participating in its total democracy is that each member recognize and appropriate for himself the *coherence of its critique*. The coherence has to be both in the critical theory and in the relationship between the theory and practical activity. The aim is theoretico-practice. A revolutionary organization radically criticizes every ideology as *separate power* of ideas and as *ideas of separate power*. It is at the same time the negation of any remains of religion and of the prevailing social spectacle which, from news-media to mass culture, monopolizes all communication between men around a unilateral reception by men of the images of their alienated activity. The organization dissolves any "revolutionary ideology" by revealing it to be the sign of the failure of the revolutionary project, as the private property of new specialists of power, as the imposture of a new *representation* which erects itself above the real proletarianized life.

The category of totality, of the global critique, is one last judgment of the revolutionary organization, so the organization is, in the end, a critique of politics: it must aim explicitly through its victory at the dissolution of itself as a separate organization.

SEX RELATIONSHIP INVENTORY—PLACE A CHECK IN THE APPROPRIATE COLUMN(S)

	Yes	No	Don't understand
1. Have you ever had a date?			
2. Have you ever gone steady?			
3. Have you ever French kissed?			
4. Has petting involved sexually touching upper body areas?			
5. Has petting involved sexually touching lower body areas?			
6. Has petting involved touching the genitals of other sex?			
7. Have you experienced heavy petting to a degree of high stimulation?			
8. Have you experienced complete sexual intercourse?			
9. Have you used a contraceptive?			
10. Do you consider yourself a virgin?			
11. How many persons have you been involved with sexually this year?			
12. How many persons have you had sexual intercourse with?			

UNDERSTANDING IDEAS INVOLVED WITH SEXUAL RELATIONSHIPS—TRUE OR FALSE—T OR F

.... 1. Pregnancy will not occur if you use a contraceptive.
.... 2. Pregnancy will not occur if penis only touches vagina.
.... 3. Pregnancy will not occur if penis is removed before climax.
.... 4. Pregnancy will not occur if you take a thorough bath when you go home.
.... 5. Pregnancy will not occur if you use Saran wrap.
.... 6. Pregnancy will not occur if you take a birth control pill.
.... 7. Pregnancy will not occur if you douche or wash vagina with 7-Up.
.... 8. You are most likely to get pregnant during the time just before menstruation.

RATE THE EFFECTIVENESS OF THE FOLLOWING CONTRACEPTIVES AND CHECK KNOWLEDGE OF SAME

	Good fair poor	Have used or participated in use	Have seen	Have heard of	Don't understand
1. Condom or rubber	....	....	....	....	....
2. Birth control pill	....	....	....	....	....
3. Diaphragm	....	....	....	....	....
4. Rhythm method	....	....	....	....	....
5. Douche or wash	....	....	....	....	....

In a revolutionary situation some materials are available and some must be made. The following is a series of formulas and techniques for explosive and incendiary devices.

Thermite: creates an extremely hot flame, can melt through steel such as railroads, gas tanks and oil storage tanks. Mix 50% iron oxide and 50% powdered aluminium. Requires high temperature for ignition. For this gun powder or magnesium ribbon may be used. Iron oxide is simply rust and may be filed from rusty iron or steel. Aluminium may be filed or ground into a powder, or is sometimes available in art supply stores.

Spontaneous combustion: Moisten rags with a mixture of 30% turpentine and 70% linseed oil. To ignite pour on any commercial paint dryer. Fire starts as dryer evaporates.

Fulminate of mercury: A high explosive may be packed into a cartridge case to make a blasting cap, 25% ethyl alcohol, 25% nitric acid, 50% mercury. First mix alcohol & nitric acid, then pour on mercury. Use *very* small volumes, no mixing with mercury is necessary. What is left, a powder is the explosive. Powdered copper or lead may be used but will produce a weaker explosive.

Dynamite: Mix sodium nitrate or ammonium nitrate 80% with 20% nitro glycerin. Ammonium nitrate is a commercial fertilizer.

Plastic explosive: 60–70% ground dynamite mixed with 30–40% putty. Use blasting cap.

Nitro glycerin: Use 100% nitric acid, if necessary distill to reach 100% level. To make nitric acid mix 50% sodium nitrate and 50% sulfuric acid and distill. Sulfuric acid is available in auto supply shops for filling new batteries. Buy glycerin in drug stores. Mix nitric acid and sulfuric acid and glycerin. Filter through caustic soda to neutralize. Put caustic soda on a screen and pour nitro gently through into beaker.

Ammonium nitrate fuel oil explosive: Ammonium nitrate of 8/20 mesh can be detonated in holes 3 inches or larger in diameter when mixed with No. 2 fuel oil. Use blasting cap.

Gun cotton: Cut cellophane, as from cigarette packs, into bits. Mix with nitric acid then add sulphuric acid and pour through caustic soda or starch on screen to neutralize. For less strength use more cellophane. Use blasting cap.

Potassium chlorate: For use in incendiary time bomb. Potassium chlorate ($KClO_3$) is available in chemical supply houses, but not drug stores. It would not be advisable to buy this chemical in a revolutionary situation. However the process for making it as described below requires the use of other chemicals which would not be of a suspicious nature and are readily available. Also described is the procedure for preparing the primary ingredient for $KClO_3$ (which is Potassium Chloride, KCl).

Required equipment for preparation of $KClO_3$: 1 automobile battery, 6 or 12 volts, 2 carbon rods (from dry cell batteries), 1 set of battery cables and clamps, 1 non-metal (glass or enamel lined) pot, 1 pound table salt (non-iodized), 1 pound KCl (Potassium Chloride). If not available, see preparation instructions, 1 hot plate or gas or electric stove, 1 wooden spoon or paint paddle for stirring.

Fill pot with water and dissolve as much table salt as possible in the water until a nearly saturated solution is obtained. Heat the solution but do not boil. Add as much salt as will dissolve but no more. Connect the battery to the carbon electrodes and insert both electrodes into the hot salt solution. Do not immerse the cables and do not boil the solution. Do not breathe the gases being given off by one or both electrodes, but rather stir the solution vigorously. As the reaction proceeds add small amounts of KCl crystals or KCl solution to the hot salt solution. You should see a finely divided solid come out of solution and settle to the bottom. Turn off heat and allow the solution to cool. As the solution cools, more and more solid $KClO_3$ should settle out of solution. The solid $KClO_3$ may be filtered out through a very fine cloth or better yet coffee filter paper. Work with plenty of ventilation as one of the gases given off is poisonous and the other explosive, but both are not in heavy concentrations and this a very safe reaction with a minimum of care. If KCl is not available a KCl solution may be prepared by treating KOH (Potassium Hydroxide or Potash or sometimes called Caustic Potash) with HCl (Hydrochloric acid). This leaves KCl in solution with water and this solution may be added as KCl in place of commercially available crystals. There would be no questions asked if a person wanted to buy KOH, HCl or KCl. All the other ingredients are available at home. As is probably apparent, this procedure is a bit troublesome for a non-chemist and since it would be much easier to buy prepared $KClO_3$ from a chemical supply house the above procedure should be used only when it is felt that direct purchase would be unadvisable or when it is found that it may not be purchased through normal channels. Explosives may always be purchased through underground or illicit sources or on the black market. $KClO_3$ is not an explosive of itself and is easily stored. It is an ingredient in some explosives and reacts with other elements in violent reactions.

Gun Powder may be purchased in sporting goods stores. Military powder is the most powerful.

SABOTAGE

Molotov cocktail—A bottle is filled with ⅔ gas and ⅓ oil. A fuze is inserted and the bottle corked. The fuse is lighted and the bottle hurled at objective. On breaking the contents will ignite. The enemy will be unable to extinguish it with water.

(There appears at this point an illustration of a molotov cocktail indicating the various parts.)

A lighted cigarette is placed in a book of matches and left on combustible material.

(There appears at this point a match book illustrated with a lighted cigarette showing the method used.)

Hand grenades: A fuze of 5 or 6 seconds length is inserted into a can filled with dynamite and scraps of iron, nails, screws, etc.

(There appears at this point an illustration of a grenade indicating the construction of the various parts.)

Bangalore torpedo: Consists of lengths of pipe filled with sticks of dynamite. Sealed at the ends, and joined in the middle by couplings thus permitting the torpedo to be of varying lengths. The cap on one end has a hole which permits insertion of fuse and detonator.

(There appears at this point the illustration of a pipe showing the various parts of a bangalore torpedo.)

These torpedoes are very effectively used in destroying concrete columns, culverts, etc.

(There appears at this point an illustration showing the method to be utilized in destroying walls and columns with the bangalore torpedo.)

This torpedo is used to destroy walls, ramparts, large wooden or iron doors.

To sabotage automobiles: Nails, tacks, clamps, etc., are spread on the streets and road at night to impede traffic. They should be black in color so as not to reflect light.

(There appears at this point an illustration of nails placed so as to damage automobile tires.)

Booby traps: How to prepare a book to explode when moved. An opening cut in pages of book so wood chip between contacts is concealed.

(There appears at this point an illustration of a book prepared as a booby trap showing the various parts including the electrical mechanism.)

(There appears at this point an illustration of a door prepared as a booby trap including all of the various electrical and explosive mechanisms.)

(There appears at this point an illustration of a land mine prepared to discharge when it is run over by an automobile.)

(There appears at this point an illustration of a bottle prepared to blow a precisely determined hole in roadways over culverts and viaducts.)

Bombs used to sabotage motors, dynamos, electric installations, generators, machinery, etc.: A piece of cord, soaked in gasoline or alcohol, is tied around the bottle and ignited which will cut the bottle in two. The bottom part of the bottle is then filled with dynamite, a fused detonator is inserted into the dynamite and the bottle sealed. It is placed on whatever is to be damaged and secured in any appropriate manner. When it explodes there will be a perforation up to six inches with the diameter of the hole dependent on the cone of the bottle.

Destruction of iron and steel beams:

(There appears at this point an illustration of the method to be used in the destruction of an iron or steel beam through the use of an explosive charge including methods of securing the charge to the beam.)

The setting of explosive charges to blow up columns or steel beams is clearly explained in these diagrams.

(There follows illustrations of various methods for the destruction of beams and pillars designed to support bridges and road ways.)

Above drawing indicates how to place charges to demolish the pillars which support the bridge. The dynamite can be placed under the water in the same manner and exploded electrically.

Action against tanks, light tanks, armored cars, etc., on roads and in cities:

(There follows at this point the illustration of the various traps described in the accompanying statements:)

Tree trunks, pieces of railway track and iron beams sunk in the roadway detain light tanks, assault cars and jeeps. Occasionally large tanks may be stopped. In any event they are slowed to the point of making them good targets for hand grenades, bazookas, molotov cocktails, etc.

Tank trap: a hole 3 yds deep, 9 yds long and 7 yds. wide is covered with weak planks and disguised with dirt and rubble.

Trucks, over turned in the streets with wheels removed and loaded with stones are effective against light tanks, assaultors.

Train mines (electric): The mine is buried two ft. below and between railroad tracks. It explodes when the train passes over the contacts which close the electric circuit.

(There appears at this point a series of illustrations showing the precise placement of train mines including the various electrical connections.)

You should use between 25 and 50 sticks of dynamite for each mine. The positive pole is fixed to the track the negative contact remains 2 inches above the rail without touching it!

A mine is placed at point "A." Several miles from "A" two others are placed without attaching the negative pole to the track, when "A" explodes, the other mines are armed so as to destroy repair trains.

SABOTAGE OF HIGHWAYS

(There appears at this point an illustration which portrays the following description.)

An obstruction is placed in the road at point "A." When traffic is backed up to points "B" and "C," these points are blown up so as to bottle up traffic on both sides of point "A."

(There appears at this point an illustration of a gunpowder charge prepared for use according to the following description.)

A compact gunpowder charge is placed in can or paper box. Magnifying glass in lid uses sun's rays to detonate charge.

Pocket incendiary bombs: Place these incendiary bombs in movies, cars, files, mail boxes, next to inflammables, once acid begins action, one leaves quickly.

(There appears at this point an illustration of small incendiary bombs showing the various parts and methods of placement.)

Incendiary mix: A glass or cellulose tube is filled with potassium chlorate ($KClO_3$) sugar mix. The fuze is a small tube of conc. sulfuric acid, plugged with Cork or paper inserted in large tube, plug up, invert bomb to activate.

Incendiary time bomb: Bomb to be used against cars, trucks, etc.

(There appears at this point illustrations of various bombs to be used according to the accompanying descriptions.)

To destroy railways: destruction of railways in various locations paralyzes traffic and forces the enemy to divert men and material for repairs and guard duty.

A cardboard or iron tube is filled with a mixture consisting of ¾ potassium chlorate and ¼ sugar and is sealed. A glass vial is filled with sulphuric acid and stoppered with paper. To arm the bomb, you insert the vial, stoppered end down, into the tube, the acid will eat thru the paper and ignite the potassium chlorate-sugar mixture.

During the night, a greased steel cable which does not reflect light is strung diagonally across the road—about a foot and a half high. When a vehicle hits the cable, it will slide off the road.

(There appears at this point an illustration showing the precise placement of the cable described in the above commentary.)

(There appears at this point an illustration of a road way booby trap designed to be triggered by contact with a moving automobile.)

Movement of wire will pull out chip of wood. Electric circuit will be complete—explosion will follow.

The "nipple": The nipple is made by filling a piece of pipe or tube with dynamite TNT, or gunpowder and capping both ends, insert fuse through hole in cap dimentions, vary "nipple" time bomb.

(There appears at this point an illustration of the "nipple" bomb showing each of the various parts and indicating the different explosives to be used.)

The nipple time bomb is activated and detonated in the same manner as the incendiary bomb.

Mines used to blow up autos, trucks, and light tanks:

(There appears at this point an illustration of various mines including their placement so as to effect the greatest damage.)

(There appears at this point five pages of illustrations showing various types of mines, their placement, and the different methods of discharge including. all of the electrical connections which are necessary.)

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Mailliard, for the remainder of this week, on account of official business.

Mr. Byrne of Pennsylvania (at the request of Mr. Dent), for Monday, April 28, 1969, on account of official business.

Mr. Cunningham (at the request of Mr. Gerald R. Ford), on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Corman (at the request of Mr. Boggs), for 60 minutes, on May 1; and to revise and extend his remarks and include extraneous matter.

Mr. Conable, for 20 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Holifield, for 1 hour, on April 30; and to revise and extend his remarks and include extraneous matter.

Mr. Gonzalez, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Halpern (at the request of Mr. Ruth), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Burlison of Missouri) and to revise and extend their remarks and include extraneous matter:)

Mr. Rostenkowski, for 10 minutes, today.

Mr. Reuss, for 30 minutes, today.

Mr. Farbstein, for 15 minutes, on April 28, 29, 30, and May 1.

Mr. Diggs, for 1 hour, on April 29.

Mr. Bush, for 10 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Gross and to include extraneous matter.

(The following Members (at the request of Mr. Ruth) and to include extraneous matter:)

Mr. Gubser in two instances.
Mr. Findley in two instances.
Mr. Ashbrook in two instances.
Mr. Pelly in two instances.
Mr. Denney in two instances.
Mr. Price of Texas.
Mr. Hansen of Idaho.
Mr. Hosmer.
Mr. Hastings.
Mr. Harvey.
Mr. Gude.
Mr. Halpern.
Mr. Zwach.
Mr. Reid of New York.
Mr. Winn.
Mr. Snyder.
Mr. Schwengel in three instances.
Mr. Utt.
Mr. Brotzman.
Mr. Bob Wilson.
Mr. Pettis.
Mr. Mize in three instances.
Mr. Duncan.
Mr. Wyman in two instances.
Mr. Jonas.

(The following Members (at the request of Mr. Burlison of Missouri) and to include extraneous matter:)

Mr. Adams.
Mr. Rivers.
Mr. Boland.
Mr. Diggs in four instances.
Mr. Natcher.
Mr. Anderson of California in four instances.
Mr. Edwards of Louisiana.
Mr. Fascell in three instances.
Mr. Celler.
Mr. Rarick in four instances.
Mr. Kastenmeier.
Mr. Johnson of California.
Mr. Gonzalez in three instances.
Mr. Rogers of Florida in five instances.
Mr. Eilberg.
Mr. Pickle in two instances.
Mr. Nichols.
Mr. Flood.
Mr. Evins of Tennessee in two instances.
Mr. Donohue in six instances.
Mr. Hathaway.
Mr. Feighan in four instances.
Mr. Flowers in two instances.
Mr. Burlison of Missouri.

(The following Members (at the request of Mr. Gonzalez) and to include extraneous matter:)

Mr. Dingell.
Mr. Hanna.
Mr. Brown of California.
Mr. Tunney in two instances.
Mr. Stuckey in two instances.
Mr. Ryan in three instances.
Mr. Burton of California.
Mr. Roybal in six instances.
Mr. Rodino.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on April 25, 1969, present to the President, for his approval, a bill of the House of the following title:

H.R. 3832. An act to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active duty strength of the Marine Corps exceeds 200,000.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 29, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

703. A letter from the Comptroller General of the United States, transmitting a report on the administration and effectiveness of work experience and training project in Lake County, Ind., under title V of the Economic Opportunity Act of 1964, Department of Health, Education, and Welfare; to the Committee on Education and Labor.

704. A letter from the Secretary of Defense, transmitting the annual report of the American National Red Cross for the year ended June 30, 1968, together with the combined statement of income and expenditures for the same period, pursuant to the provisions of the act of January 5, 1905 (33 Stat. 599); to the Committee on Foreign Affairs.

705. A letter from the Comptroller General of the United States, transmitting a report of potential savings by improving evaluation of competitive proposals for operation and maintenance contracts, Department of the Air Force; to the Committee on Government Operations.

706. A letter from the Comptroller General of the United States, transmitting a report on improvements needed in the management of the urban renewal rehabilitation program, Department of Housing and Urban Development; to the Committee on Government Operations.

707. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to implement the Convention on Offences and Certain Other Acts Committed on Board Aircraft, and for other purposes; to the Committee on Interstate and Foreign Commerce.

REPORT OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS. Committee on Ways and Means. H.R. 8654. A bill to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone, with amendment (Rept. No. 91-167). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 10578. A bill to provide that disabled individuals entitled to disability insurance benefits under section 223 of the Social Security Act or to child's or widow's insurance benefits on the basis of disability under section 202 of such act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 10579. A bill to prohibit the use of Federal funds for sex education in elementary and secondary schools; to the Committee on Education and Labor.

By Mr. BURLESON of Texas:

H.R. 10580. A bill to amend the Internal Revenue Code of 1954 to permit taxpayers in qualified States to claim a credit against Federal income tax for 40 percent of the net cost of State income taxes and State general sales taxes, to transfer to the several States the responsibility for certain Federal education and welfare programs, and for other purposes; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 10581. A bill to amend the Juvenile Delinquency Prevention and Control Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments; to the Committee on Education and Labor.

H.R. 10582. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments; to the Committee on the Judiciary.

By Mr. CARTER:

H.R. 10583. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 10584. A bill to amend section 4356 of title 39, United States Code, relating to certain mailings of State departments of agriculture; to the Committee on Post Office and Civil Service.

By Mr. COHELAN:

H.R. 10585. A bill to enlarge the Redwood National Park in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS of California:

H.R. 10586. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. EDWARDS of Louisiana:

H.R. 10587. A bill to amend the Communications Act of 1934 to establish orderly procedures for consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. EILBERG:

H.R. 10588. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 10589. A bill to amend the Uniform Code of Military Justice to provide that no charge alleging an offense punishable by death may be referred for trial until approved by the Secretary concerned, and for other purposes; to the Committee on Armed Services.

By Mr. FOREMAN (for himself, and Mr. Rhodes, and Mr. Burton of Utah):

H.R. 10590. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 in order to make assistance available to the Navajo Indian Reservation and other Indian reservations which are located in more than one State; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 10591. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

By Mr. HICKS:

H.R. 10592. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mr. HOGAN:

H.R. 10593. A bill to amend title 5, United States Code, to provide that the entire cost of certain minimum health benefits for employees and their families shall be paid by the United States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HORTON:

H.R. 10594. A bill to amend the act, entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. KLEPPE (for himself, Mr. Andrews of North Dakota, Mr. Brotzman, Mr. Price of Texas, Mr. Sebelius, Mr. Winn, Mr. Berry, Mr. Denney, Mr. Shriver, Mr. Skubitz, Mr. Mize, Mr. Martin, Mr. Camp, Mr. Wold, Mr. Purcell, Mr. Evans of Colorado, Mr. White, Mr. Burleson of Texas, Mr. Fisher, and Mr. Olsen):

H.R. 10595. A bill to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program; to the Committee on Agriculture.

By Mr. LLOYD:

H.R. 10596. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Codes; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 10597. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. McMILLAN:

H.R. 10598. A bill to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity; to the Committee on the District of Columbia.

H.R. 10599. A bill to amend the Policemen and Firemen's Retirement and Disability Act of 1916, as amended by the act approved August 21, 1957, as amended; to the Committee on the District of Columbia.

By Mr. MATSUNAGA:

H.R. 10600. A bill to prohibit the leasing of submerged lands under the Santa Barbara Channel, Calif., for exploration, development, and removal of minerals, and to rescind all such existing mineral leases; to the Committee on Interior and Insular Affairs.

H.R. 10601. A bill to amend the Internal Revenue Code of 1954 to authorize a tax credit for certain expenses of providing higher education; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 10602. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. MESKILL (for himself and Mr. Kyl):

H.R. 10603. A bill to further secure personal privacy and to protect the constitutional right of individuals to ignore unwarranted governmental requests for personal information; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 10604. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. NICHOLS:

H.R. 10605. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 10606. A bill to increase to 5 years the maximum terms for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

By Mr. PELLY:

H.R. 10607. A bill to amend the act of August 27, 1954 (commonly known as the Fishermen's Protective Act), to strengthen the provisions therein relating to the protection of U.S. vessels on the high seas; to the Committee on Merchant Marine and Fisheries.

By Mr. PIRNIE:

H.R. 10608. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

H.R. 10609. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 10610. A bill to amend the Higher Education Act of 1965 to base the amount of an educational opportunity grant on the student's expenses for tuition and books, to increase the maximum annual grant to $2,000, and for other purposes; to the Committee on Education and Labor.

H.R. 10611. A bill to amend the Public Health Service Act to assist in the establishment of programs designed to provide for the advancement of medical knowledge with respect to the causes and effects of malnutrition, and to facilitate the detection and treatment of malnutrition and conditions resulting therefrom; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE of Texas:

H.R. 10612. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, to restrict the exhibition of movies or other presentations harmful to such persons, and to increase the criminal penalties for violation of this section; to the Committee on the Judiciary.

By Mr. RARICK:

H.R. 10613. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 10614. A bill to provide for the issuance of a special postage stamp in honor of Gen. Douglas MacArthur; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H.R. 10615. A bill to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds; to the Committee on Ways and Means.

By Mr. RHODES:

H.R. 10616. A bill to provide for national cemeteries in the State of Arizona; to the Committee on Veterans' Affairs.

By Mr. ROBERTS (for himself and Mr. Cabell):

H.R. 10617. A bill to amend title 18, United States Code, to prohibit the disruption of the administration or operations of federally assisted educational institutions, and for other purposes; to the Committee on the Judiciary.

By Mr. RODINO (for himself and Mr. Cahill):

H.R. 10618. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 10619. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. STEED:

H.R. 10620. A bill to amend title IV of the Public Health Service Act to provide for the establishment of a National Lung Institute; to the Committee on Interstate and Foreign Commerce.

By Mr. TIERNAN:

H.R. 10621. A bill to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs, and for other related educational purposes; to the Committee on Education and Labor.

By Mr. UTT (for himself, Mr. Don H. Clausen, Mr. Mailliard, Mr. Gubser, Mr. Talcott, Mr. Teague of California, Mr. Smith of California, Mr. Del Clawson, Mr. Lipscomb, Mr. Bell of California, Mr. Hosmer, Mr. Pettis, Mr. Bob Wilson, and Mr. Mathias):

H.R. 10622. A bill to provide full Federal financing of payments made under the public assistance provisions of the Social Security Act to recipients who do not meet the duration-of-residence requirements of the applicable State plan, where such payments must nonetheless be made because of court determinations that such requirements are unconstitutional; to the Committee on Ways and Means.

By Mr. WAMPLER:

H.R. 10623. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 10624. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. WATSON:

H.R. 10625. A bill to provide a uniform allowance for certain motor vehicle maintenance employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. WHITEHURST:

H.R. 10626. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 10627. A bill to provide full Federal financing of payments made under the public assistance provisions of the Social Security Act to recipients who do not meet the duration-of-residence requirements of the applicable State plan, where such payments must nonetheless be made because of court determinations that such requirements are unconstitutional; to the Committee on Ways and Means.

H.R. 10628. A bill to amend the Internal Revenue Code of 1954 to provide that percentage depletion shall not be allowed in the case of mines, wells, and other natural deposits located in foreign territory; to the Committee on Ways and Means.

By Mr. WRIGHT:

H.R. 10629. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. WYATT:

H.R. 10630. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniform services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. YATES:

H.R. 10631. A bill to amend the Internal Revenue Code of 1954 providing for percentage depletion rates for oil, gas, and certain other minerals; to the Committee on Ways and Means.

H.R. 10632. A bill to amend the Internal Revenue Code of 1954 providing for gains from the disposition of depreciable realty; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 10633. A bill to strengthen voluntary agricultural organizations, to provide for the orderly marketing of agricultural products, and for other purposes; to the Committee on Agriculture.

By Mr. ADAMS:

H.R. 10634. A bill to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salary of employees from withholding for tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence; to the Committee on Interstate and Foreign Commerce.

By Mr. BLATNIK:

H.R. 10635. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. BROCK:

H.R. 10636. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. DENNEY:

H.R. 10637. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 10638. A bill to provide for improved development of public airports and related facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER (for himself and Mr. Blatnik):

H.R. 10639. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 10640. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. JACOBS:

H.R. 10641. A bill to amend the Railroad Retirement Act of 1937 as so to permit certain individuals retiring thereunder to receive their annuities while serving as an elected public official; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 10642. A bill to provide for the establishment and administration of a national wildfire disaster control fund; to the Committee on Agriculture.

By Mrs. MAY (by request):

H.R. 10643. A bill relating to voting rights of members of the Yakima Tribe; to the Committee on Interior and Insular Affairs.

By Mr. PURCELL:

H.R. 10644. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 10645. A bill to amend the Internal Revenue Code of 1954 to provide for the valuation of a decedent's interest in a closely held business for estate tax purposes; to the Committee on Ways and Means.

H.R. 10646. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness; to the Committee on Ways and Means.

H.R. 10647. A bill to amend the Internal Revenue Code of 1954 to grant an additional income tax exemption to a taxpayer supporting a dependent or dependents who have intellectual limitations to the extent that ability to learn and to adapt to the demands of society is impaired; to the Committee on Ways and Means.

H.R. 10648. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 10649. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 10650. A bill to limit payments to farmers, increase the authorization for food stamps, and increase water-sewer grant authority for rural communities; to the Committee on Agriculture.

By Mr. RYAN:

H.R. 10651. A bill to provide that the Secretary of Health, Education, and Welfare shall not approve any grant to assist a construction project under the Public Health Services Act, the Mental Retardation Facilities Act, or the Community Mental Health Centers Act unless he has obtained adequate and enforceable assurances that the recipient of the grant will provide relocation assistance for persons displaced as a result of such project; to the Committee on Interstate and Foreign Commerce.

H.R. 10652. A bill to amend section 203(a)(7) of the Immigration and Nationality Act to authorize the issuance of conditional entries to refugees from Northern Ireland; to the Committee on the Judiciary.

By Mr. SPRINGER:

H.R. 10653. A bill to amend the Federal Seed Act (53 Stat. 1275), as amended; to the Committee on Agriculture.

By Mr. ZABLOCKI:

H.R. 10654. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MATSUNAGA:

H.J. Res. 676. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. RIVERS:

H.J. Res. 677. Joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969; to the Committee on Armed Services.

By Mr. TIERNAN:

H.J. Res. 678. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.J. Res. 679. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. LENNON:

H.J. Res. 680. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

By Mr. BROCK:

H. Con. Res. 218. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. BUTTON:

H. Con. Res. 219. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. CARTER:

H. Con. Res. 220. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. GILBERT:

H. Con. Res. 221. Concurrent resolution proposing a multilateral treaty to bar all military installations from the seabed; to the Committee on Foreign Affairs.

By Mr. HOSMER:

H. Con. Res. 222. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. MATSUNAGA:

H. Con. Res. 223. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. OLSEN:

H. Con. Res. 224. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. PELLY:

H. Con. Res. 225. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. TIERNAN:

H. Con. Res. 226. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. WAMPLER:

H. Con. Res. 227. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. ZWACH:

H. Con. Res. 228. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. BROTZMAN:

H. Res. 375. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

By Mr. FULTON of Pennsylvania:

H. Res. 376. Resolution creating a select committee to conduct an investigation and study of all aspects of crime in the United States; to the Committee on Rules.

By Mr. MARTIN (for himself, Mr. Quie, and Mrs. Green of Oregon):

H. Res. 377. Resolution creating a select committee to conduct an investigation and study of programs for support of education by the Federal Government; to the Committee on Rules.

By Mr. UDALL (for himself, Mr. Button, Mr. Cunningham, Mr. Daniels of New Jersey, Mr. Derwinski, Mr. Hamilton, Mr. Hanley, Mr. Henderson, Mr. Lukens, Mr. Nix, Mr. Tiernan, and Mr. Waldie):

H. Res. 378. Resolution establishing a Select Committee on Congressional Mailing Standards; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

138. By Mr. ALBERT: Memorial of the House of Representatives of the first session of the 32d Oklahoma Legislature, memorializing Congress to establish November 11 as Veterans Day and May 30 as Memorial Day in each year; to the Committee on the Judiciary.

139. By the SPEAKER: Memorial of the Legislature of the State of California, relative to Federal assistance to storm- and flood-damaged businesses; to the Committee on Banking and Currency.

140. Also, memorial of the Legislature of the State of California, relative to offshore oil and gas operations; to the Committee on Interior and Insular Affairs.

141. Also, memorial of the Legislature of the State of Kansas, relative to designating the week of August 1 through August 7, 1969, as "National Clown Week"; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CORMAN:

H.R. 10655. A bill for the relief of Marina Hernandez Portillo; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 10656. A bill for the relief of Bernardo Calamba Sy; to the Committee on the Judiciary.

By Mr. HOGAN:

H.R. 10657. A bill to direct the Secretary of Agriculture to make a conveyance of certain real property in the Agricultural Research Center, Beltsville, Md.; to the Committee on Agriculture.

By Mr. JACOBS:

H.R. 10658. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Philip J. Fichman; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 10659. A bill authorizing the payment of retired pay to Lawrence E. Ellis; to the Committee on Armed Services.

By Mr. OLSEN:

H.R. 10660. A bill for the relief of Lauren F. Teutsch; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 10661. A bill for the relief of Mario Monaco; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 10662. A bill for the relief of Walter L. Parker; to the Committee on the Judiciary.

By Mr. WHITEHURST:

H.R. 10663. A bill to provide private relief for certain members of the U.S. Navy recalled to active duty from the Fleet Reserve after September 27, 1965; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 10664. A bill for the relief of Hoo Sun Chang; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII:

97. The SPEAKER presented a petition of Henry Stoner, Madison, Wis., relative to honoring deceased Congressmen; to the Committee on House Administration.

EXTENSIONS OF REMARKS

PAN AMERICAN WORLD AIRWAYS EXPANDS AIR TIES WITH LATIN AMERICA

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. FASCELL. Mr. Speaker, the well-being of the Americas is a profound concern of mine. Ever since the charter of Punta del Este establishing the Alliance for Progress within the framework of Operation Pan American we have been struggling with the problem of bringing the people of the Americas accelerated economic progress.

Much progress can be recorded since August 5, 1961. Much more needs to be done. In all our conversations we have constantly stressed how we, the United States and our Latin American neighbors, could build together—how we could help each other—and how we could bring about closer ties with our Latin American brothers.

Not all of this effort need be borne by the American taxpayer. If we are to be really successful we need the total commitment of the business community as Government's partner in the task of building a sounder economy in Latin America.

American business has done much over the years in opening up new business opportunities and new economic horizons. One such company that has consistently been involved in the growth of South America has grown to the point where it is today the world's most experienced airline—Pan American World Airways. This American corporation has been so closely wedded to the ever-increasing development and growth of the South American people that its very name directs your thoughts to Latin America.

On October 28, 1927, a Pan Am Fokker F-7 appropriately listed as Pan Am Flight No. 1 taxied down a Key West, Fla., runway and flew to the Caribbean. This was the first U.S. International Air Service in scheduled operation. By 1928, Pan American had blazed a trail to the cities of the South American continent.

On April 27 this year Pan American demonstrated that it is still blazing the Latin American trail when it inaugurated service between New York, Washington, and Guatemala City. These flights are significant since they not only will establish a very vital link with Central America but also because they will establish a connecting network of transportation to such other places as San Salvador, Managua, San Jose, Panama City, Caracas, Sao Paulo, Rio de Janerio, and Brasilia.

I am certain the House recognizes the significance of this new service and the tremendous potential for further exchange of thought, people, and economic progress. I am also confident that the establishment of this vital route to Central America will bring a new dimension of friendship with the people of Guatemala and serve as a bridge of our common hope for our people and our common futures.

This new Central American service to Guatemala will increase opportunities for exporters of the Americas to ship by air freight and therefore bring their needed markets much closer to the products since each of these flights will offer approximately 17,000 pounds of cargo capacity.

I believe this latter fact strengthens our trade ties and serves as another step in strengthening the economy of all countries involved.

PAUL CLAIBORNE, FOUNDER OF INTERNATIONAL 20-30 CLUB, GREW UP WITH HISTORY IN THE MOTHER LODE

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. JOHNSON of California. Mr. Speaker, funeral services for Paul Claiborne, a poor boy who made good but never lost touch with reality and civic duty, were conducted last week in Auburn, in the heart of California's Mother Lode country.

Paul Claiborne and his family moved to Roseville in 1910, my family arrived in 1907, and all of my life, Paul has been my great and good friend. He has made a contribution to all those lives which have touched his, and the entire community will miss his guidance and good will.

The man, who as a young 20-year-old businessman founded the International 20–30 Club, was a living example of the opportunities which are available to all in this wondrous land.

Paul Claiborne had a strong sense of heritage, which is appropriate for a man whose family has been a factor in American history since 1631 when William Claiborne served as secretary to the colony of Virginia. The Claiborne family moved West with the pioneers, first to Tennessee and then more than a century ago, on to California where the Claibornes settled in Grizzly Flat, a small El Dorado County community. Paul's father moved from the hills to my hometown of Roseville in 1910, where he lived until retirement after 25 years as a railroad worker.

In the words of W. K. Bixler's book entitled "A Dozen Sierra Success Stories":

> That was the humble, honorable heritage young Paul Claiborne looked back on as a small lad. It was at that early age when his sense of enterprise began to take shape. Being the oldest child of "quite a large brood," he always seemed to have odd-jobs. In those days, his father's wage for a nine-hour day would be $2.70. And therefore, everything the boys brought in was welcomed.

In his younger years Paul and his younger brother, Silas, proved their enterprise in many ways: selling fruit to travelers at the railroad depot, selling vegetables, fruit and milk from the family's home garden plot, delivering all the newspapers read in the city of Roseville, and still finding time to go to school.

Prevented from completing high school because of family financial difficulties, Paul followed his father's footsteps to the railroad, working first as a car cleaner, later as a "wiper" and during World War I as an engine crew dispatcher.

Still in his teens, Paul Claiborne returned to business college in Sacramento. Upon graduation, he became a reporter for the mercantile firm that later became known as Dun & Bradstreet. Subsequently he joined the Retailers Credit Association in Sacramento, an association with which he stayed, except for brief excursions into the advertising business, selling life insurance and operating a Star automobile agency, until 1946 when he organized and became first president of the Placer Savings & Loan Association.

It was during his early days with Retailers Credit that Paul—still not old enough to vote, gave birth to the International 20–30 Club, which today has some 4,500 members belonging to 233 chapters. Even at the age of 20, Paul expressed a great dedication to community service.

This is reflected in the goals set forth by Paul Claiborne and his fellow 20–30 Club organizers—Charles McBride, M. A. "Mike" Page, Earl Casey, and Al Franke:

> To develop, by precept and example, a more intelligent, aggressive, and serviceable citizenship; to provide a practical means of forming enduring friendships, of rendering altruistic service, and of building better communities.

At an early 20–30 Club organizational meeting, Paul explained it this way:

> Our aim is to make the young businessman feel his responsibility to his city while he is making his way, and not wait until he has made his money in the town before he realizes his civic and social obligation to it.

Paul Claiborne lived his lifetime by these words. Few civic projects have been carried out in Auburn and the surrounding area without his guidance and leadership.

His contributions were many, but his most proudest work was through the Savings and Loan Association which he founded. Bixler, in his book on the leaders of the Mother Lode, quotes Paul Claiborne as saying:

> In a very real sense, we (the Savings and Loan Association) help people in two ways. We encourage thrift and we help them obtain a home of their own. I've had people thank me with grateful tears in their eyes, which proves to me the importance of a home as a basis for our way of life.

This was a man who believed in the blessings of this land of ours. This was a man who was convinced that the citizen had to work and contribute to the Nation in order to earn these blessings, and no one worked harder or contributed more than Paul Claiborne. Along with his great dedication to this Nation, Paul Claiborne held a great love for his fellow man. He cared about people. He spent a lifetime doing things for them. We will miss Paul Claiborne. He was one of God's greatest people, but this world is a better place for his having lived here.

Our love and our prayers are with his wonderful wife, Mary, and all the family of Paul Claiborne, Sr.

Mr. Speaker, on April 17, the Auburn Journal carried an excellent account of the life of Paul Claiborne. I ask unanimous consent that it be inserted in the RECORD at this point:

PAUL CLAIBORNE DIES SUDDENLY OF HEART ATTACK

(By Joe Carroll)

Funeral services for Paul Claiborne, a poor boy who made good but never lost touch with reality and civic duty, were conducted yesterday at the Chapel of the Hills.

Mr. Claiborne, president and manager of Placer Savings and Loan Association and the founder of the International 20–30 Club, died Sunday evening at a local hospital after suffering an apparent heart attack at his home, 174 College Way. He was 67.

Members of Eureka Lodge No. 16, F. & A.M., officiated at the rites which were followed by burial in the New Auburn District Cemetery.

A native of Indiana, Mr. Claiborne was two years old when his parents moved to California, settling first in Sacramento, then El Dorado County and finally, in 1910, in Roseville.

His Horatio Alger-like career took shape in Roseville where as a youth he helped support his parents by holding dozens of odd jobs, hustling fruit to travelers at the railroad depot and delivering newspapers. Conditions were such that he had to quit high school and concentrate on earning a living, although he later managed to attend Heald's Business College.

In 1922, when he was 20 and working in a Sacramento business house, he saw the need for young persons in community service. In later years he explained the club's purpose:

"Our aim is to make the young businessman feel his responsibility to his community while he is making his way and not wait until he has made his money in the town before he realizes his civic and social obligation to it."

In 1926 Mr. Claiborne settled in Auburn—"the friendliest place in the world," he reflected to friends only the other day—and started the retailer's credit association here. He later operated the Placer Land Company and in 1946 organized Placer Savings and Loan Association, an immensely successful venture.

But despite his rise in the business world, Mr. Claiborne never lost sight of his civic responsibilities. He was a "doer" and not merely a "talker."

The suddenness of his death shocked hundreds of persons here and across the nation. Among the first to wire condolences to his family were President and Mrs. Richard M. Nixon, who said in part: "We have lost a dear and old friend, and no words can convey how deeply he will be missed."

Resolutions honoring him were approved by the Legislature on motions by Assemblyman Eugene Chappie and Senator Stephen P. Teale. The Placer County Board of Supervisors adjourned in his memory this week as did the Auburn City Council, which he served for many years as a planning commissioner.

Mr. Claiborne's interests and affiliations were legion. He was a charter member of the Auburn Dam Committee, a member and past president of the Mother Lode Golden Chain Council, a past president of the Tahoe Council of the Boy Scouts, a past secretary of the Auburn Area Chamber of Commerce, a charter member and past president of the Sierra View Country Club, a past president of the Auburn Rotary Club and a past district governor of Rotary International.

A former member of the board of trustees of the Auburn Elementary School District, he was a longtime member and past chairman of the Placer County Republican Central Committee, a member of the Placer County Board of Realtors and a member of the Tahoe Club.

In addition to Eureka Lodge No. 16, his Masonic affiliations included membership in the Placer Shrine Club, Ben Ali Temple of the Shrine, the Royal Order of Jesters, the Knights Templar and the Royal Arch Masons. Fraternally, he belonged to the Elks and the Eagles.

VICE PRESIDENT AGNEW: COOL, IMPRESSIVE, AND SELF-ASSURED

HON. CHARLES RAPER JONAS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. JONAS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an editorial appearing in the April 18, 1969, edition of the Charlotte Observer which is highly complimentary of the Vice President.

Following is the complete editorial:

VICE PRESIDENT AGNEW: COOL, IMPRESSIVE, AND SELF-ASSURED

(By David E. Gillespie)

WASHINGTON.—Vice President Spiro T. Agnew in person is cool, poised, relaxed and impressive in speech and looks. He is taller and more slender than he looks on television or in newspaper photographs. He is an immaculate dresser, highly masculine and has a ready smile that crinkles and brightens his face.

The Vice President exuded confidence Thursday morning as he sat in his Executive Office Building quarters and talked informally for half an hour with news and editorial executives of Knight Newspapers. His answers to questions came with calm self-assurance and an attractive sense of humor.

Press secretary Herb Thompson (a native of Chadbourn, N.C., who was educated at Wake Forest) met the Vice President's visitors and ushered them into Mr. Agnew's office. The decor is off-white and * * * by a low coffee table at one end of the office.

NO GOLF, JUST TENNIS

Chairs were arranged in a circle around the table. The Vice President seated himself in one and the others were occupied by John S. Knight, editorial director of Knight Newspapers; Lee Hills, publisher of The Detroit Free Press; Mark Ethridge Jr., editor of The Free Press; Ben Maidenburg, publisher of The Akron Beacon Journal; Don Shoemaker, editor of The Miami Herald; Robert Boyd, chief of the Knight Newspapers Washington Bureau; and The Charlotte Observer's representative.

A white-jacketed steward served coffee as the conference got under way. Mr. Knight remarks that the Vice President appeared to have lost weight and asked him about his golf game.

The Vice President laughed. "I've given up golf," he said. "I got so disgusted with my score. I'm playing some tennis.

Mr. Agnew wore a smartly fitted dark suit with cuffless pants. His shirt was light blue with a silk handkerchief to match in his breast pocket. His diagonally striped tie in two shades of blue was subdued. His shoes were buffed to a high gloss. In conversation he uses his hands expressively. The ring finger of his left hand held an unusually wide wedding band.

Mr. Knight began the questioning by asking him about his reaction to critical news stories and editorials in the presidential campaign. How had abrasive comments affected him personally?

HARD TO TAKE

The Vice President answered quickly. It was "hard to take" he said because he had always enjoyed a good press and a good relationship with members of the press as governor of Maryland.

"I began to feel," he said, "that there was an inordinate amount of interest in the 'fluff' and not enough on the issues of the day."

He added that he did not feel that certain reporters were out to get him in the campaign. "It was not that simple," he said. He did get the impression that some reporters had made up their minds about the election and were not averse to showing him in a bad light when they got a chance to do so.

Mr. Agnew said that while he may have been harmed somewhat by the press, the impression that he was being picked on could have crystallized some support for him that "might have gone in another direction."

"Personally," he said about the criticism, "I didn't like it. My family held up very well under it. Even among the children there was never any real problem."

REWARDS GREATER THAN EXPECTED

How does he feel personally about the job after three months?

Mr. Agnew said it is "more rewarding than I ever envisaged . . . mainly because the President, having been through the job and knowing the weaknesses and strengths, saw fit to reinforce the positive side."

Smiling, he added, "The Vice President can be a forgotten man, you know. I don't feel that way at all. I am a member of every important Cabinet committee—vice chairman, in fact, of those committees."

He cited his duties in the areas of intergovernmental cooperation, the Space Council and the Marine Sciences Council as being of special interest. "My only impediment," he said, "is time, and if it were true that this job is unimportant, I wouldn't be able to joke about it." He estimated that he puts in a work day of 12 to 14 hours.

"The 'on-the-job' training is constant. There are frequent meetings at the Cabinet level. I would estimate that in the first three months there have been well over 70 of these lasting from an hour to two and a half hours each. In addition to my own staff, I have access to the President's staff in getting prepared for my duties."

"There is no danger," the Vice President said, that he would ever be in the uninformed position of President Harry Truman at the time of the death of President Roosevelt.

"Truman began the new attitude toward the vice presidency," he said. "The staff prepares vital information for me which I read every morning, including the classified information essential for the meetings I attend."

URBAN PROBLEMS PRESSING

Mr. Agnew spoke feelingly of his work with the Urban Affairs Council. He parried any hint of disagreement within the administration on either urban affairs or defense matters. "At this point," he said, "I know of no friction in this administration. I suppose there will be, but not now."

Explaining his views on the problems of the cities, Mr. Agnew said, "The most frustrating thing is getting a handle on these problems." He is inclined to feel that the nation has gotten off the track in placing so much emphasis on the socioeconomic aspects of urban problems when the basic problem is "environment."

"The environment (ghettoes, poverty, ugliness, etc.) is not conducive to yielding the kind of results from the seed money put into it," he said. He cited the great personal distractions of adults and children under slum and poverty conditions where population density is high.

"These people need a place to live that is pleasant," he said. "We can't talk about curing the problems by talking only about the physical boundaries of the city. We need total environmental planning. The Model Cities program needs to focus more on the entire metropolitan area—not just the city. We need more planned industrial-residential 'new towns' with low, medium and high cost dwellings. It seems to me we must attack the problem of density . . . You can't expect a man, regardless of job training, to go home and sleep in a cold room with rats, flashing neon signs, 20 or 30 distractions, and do anything. It's the same with a child, regardless of Head Start, nutrition or hot breakfast, if he doesn't have a place to live where he can learn or study."

ABM—"ONLY PROTOTYPE"

Mr. Agnew offered a calm defense of President Nixon's decision on the Safeguard Anti-Ballistic Missile System, describing it as "only an R&D (research and development) prototype."

"I was unalterably opposed to a thick (ABM) system," he said, "and even to a thin system that would grow into a thick system. But there is nothing about the nature or cost of the President's program that is irreversible if the facts change. I don't see any real resemblance between the Safeguard system and the Sentinel system (of the Johnson administration).

"All the President has said is, 'Don't tie my hands at this point.'

"If at the end of a year or so considerable progress has been made on détente (with the Soviet Union) we can take a new look."

The Vice President said he shared some of his associates' concern about the Soviet Union's missile intentions. He said the Russians have closed the gap until there is near parity in intercontinental ballistic missiles and that Russian development of the SS–9 missiles with 25-megaton warheads does not represent a defensive effort.

He said he was concerned with two things about the Russians—their invasion of Czechoslovakia and their speed in building offensive missiles.

Mr. Knight wanted to know about the replacement of Republican Party Chairman Ray Bliss with Representative Rogers Morton of Maryland. In view of Bliss' pragmatic, unifying approach to the job, he asked couldn't Morton's more vocal position on issues lead to division within the party?

"Yes," said Mr. Agnew. "There could be splits, but these were probably inevitable whether Bliss stayed or not." He said he has great admiration for Morton, to whom he gave credit for first urging him to run for the governorship in Maryland. He said Morton would make a good party chairman.

GOP IN SOUTH

As for the Republican Party in the South, the Vice President said he did not want the party to be viewed only "as a refuge for every alienated Democrat" but as a party that could effectively represent the American people and solve the nation's problems.

He implied that he does not feel the party would be built soundly in the South on racial or radical-right grounds, although, "I guess the first instinct of a person alienated from his own party . . . is immediately attracted to the other party, whether the other party seeks him or not."

The Vice President paused at one point in his remarks to explain noisy pounding going on outside his office. "I sent a secretary out to see what the noise was," he said, "for it was hard to work in here. She said a small office was being added for the President's convenience. I now find that sound very compatible."

In exactly a half hour after we entered, the interview was over. Vice President Agnew shook hands all around and bid us goodby near a painting of Andrew Jackson.

For all the lampooning he has gotten, Mr. Agnew comes off as a man who has risen to the demands of the job so far. And in his calm, reasoned demeanor and firm handshake there is evidence of a bit of "Old Hickory" in his own makeup.

CALL TO ACTION

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. GROSS. Mr. Speaker, on April 15, 1969, some 97 Iowa Farm Bureau women came to Washington by charter plane and during the course of their stay in the Nation's Capital they gave a dinner honoring the members of the Iowa congressional delegation and their wives.

Following the dinner, one of the principal addresses of the evening was given by Mrs. Herbert Johnson, State chairman of the Iowa Farm Bureau Women, and herself the wife of a farmer living near Charles City, Iowa.

While I differ with the Farm Bureau policy of international free trade, I wholeheartedly support Mrs. Johnson and her organization in support of constitutional government and the private enterprise system. As Mrs. Johnson so well points out:

> The amazing productivity of American agriculture hinges on this system.

To the end that others may have the opportunity to read Mrs. Johnson's excellent remarks on this occasion, I hereby submit them for printing in the CONGRESSIONAL RECORD:

Distinguished Guests and Farm Bureau Friends: We appreciate the presence of our esteemed Congressmen and their wives here this evening. We are grateful for the high calibre of our representatives in our Nation's Capitol. We wholeheartedly support your efforts to further the interests of Iowa Citizens, for the country as a whole, and the world.

Why did this group of Iowa women leave their homes and families to make the trip to see the federal government in action, guiding the affairs of our great and beloved country? We are homemakers and mothers. As such, we are women concerned about the future of our country and children. Years ago the law making role of a woman was limited to laying down a few rules in her home. Now more and more women are interested in working for good government, willing to take time for discussion, study, and solid thinking. The stakes are worth it! In addition to our role as homemaker and mother, we are wives of farmers. Farmers and business people engaged in the biggest business in the world, agriculture. As their wives, we find ourselves in the role of business partner and financial adviser. We are deeply concerned over the part the federal government plays in the conduct of this immense business enterprise. I am convinced that deliberate misconceptions spread about the importance of the part federal farm policies play, and can reasonably be expected to play, in making or breaking us as farmers, have caused much of the wheel-spinning in agriculture. We in our organization believe in supply management by farmers. Time has proven to us that the answers to most of our farm problems are at our doorstep, if we but look for them. Farm Bureau members have long been on record as determined to control the supplies of food and fibre they produce, rather than handing over this responsibility to government, or to labor, or to anyone else outside of agriculture. We do realize the need for government help in expanding markets, one of the most important functions, to promote economic cooperation through trade and the free flow of capital. This is a must if agriculture is to avoid very serious trouble. A healthy and expanding world trade will aid the developing nations to increase their strength, as well as keeping our own economy healthy. We in Farm Bureau feel that international trade should be as free as is practicable. We should do everything we can to reduce tariff barriers, quantitative restrictions, and other interventionist devices. International commodity agreements should be vigorously opposed. The critical needs of the less developed countries are greater capital investment and improved know-how. We Farm Bureau members feel that the private enterprise system, self-reliance, and freedom of farm people to make their own decisions are the ingredients of our nation's continued abundance of food. They are the ingredients of a healthy national economy. Agriculture has outdone all other industries in Iowa, indeed in the nation, in terms of production, with much of the nation's economic growth made possible because of an efficient agriculture. Our agricultural production is the envy of most of the world. Food is high priority as a human need!

You will note that I have been referring to *members* of Farm Bureau, rather than *leaders* of Farm Bureau. Why do I use that term? For two reasons, (1) because of the procedure our organization uses to develop its policy, (2) because of the integrity of Farm Bureau leaders and staff in abiding by, and doing their best to carry out the policies which stem from the men on the land. I have participated in every step of our policy-making so think I can tell it like it is.

Farm families discuss issues. They talk problems over in the community and make recommendations. County resolutions are adopted and recommendations made to the State Farm Bureau. Adopted state resolutions become policies for dealing with state problems and recommendations to the American Farm Bureau Federation for dealing with national and international issues. It is "farmers speaking for farmers". Information is vital to analysis and discussion. A large part of Farm Bureau's activities consists of informing members by way of voluntary leaders, county and state bulletins and publications, national publications, and, in Iowa, our own Farm Bureau Spokesman, distributed weekly to all members. Many booklets, leaflets and special studies are used as discussion materials in neighborhood, community, and county meetings which are held to develop understanding and arrive at solutions to problems. Usage of the media of radio and TV is being stepped-up. We have found that once volunteer citizens have the facts they operate with effective strength. More than 40,000 persons annually participate in developing the policy of the Iowa Farm Bureau. Much effort is directed toward increasing this participation. We know of no other organization that tries this hard to represent the viewpoint of a majority of its members.

I indicated earlier that Iowa Farm Bureau women are vitally concerned for the future of our nation. We are well aware that each generation has to work to keep the Republic established by our forefathers. Our importance as individuals can be best measured by our willingness to participate actively in the effort to preserve freedoms. The theme of the American Farm Bureau women for 1969 is Progress Through Participation. Being concerned simply isn't enough. We feel we must be involved if we are to make progress.

There are few areas in which women can and will do so much work, and work so effectively, as in the area of Political Education. It is activity women like to do, and they do it well.

They make supreme efforts to be informed on issues, and to help others inform themselves. I guess you could say that our members are "issue oriented." We feel that it is essential to avoid "tunnel vision" as we seek to deal with various public policy issues. By "tunnel vision" I refer to the human tendency to become preoccupied with only that part of the issue that hits us directly. We in Farm Bureau try hard to employ the wide angle vision a basketball player demonstrates when he watches every member on both teams as he serves the basketball down the court. We want to know that our actions will not adversely affect our whole economy.

Our most desperate concern is to prevent further erosion of the private Enterprise system. The amazing productivity of American agriculture hinges on this system. We farm people operate on so-called "Venture capital," which we might consider the very life-blood of the Free Enterprise System. We live with the fact that with such investment of capital into the land or equipment required to operate our enterprise we take a very real risk of losing all or part of our money. In return, however, there is also a chance for maximum gain or profit as our investment. The most productive farming requires people who save money from their earnings, often by frugal living, and are willing to risk it on expansion or new ventures. This is freedom of enterprise. Obviously, one motive is the possibility of realizing a significant profit. There are some people who would have you believe that profit in and of itself, objectionable, and that the individual or business enterprise which earns a profit has done so at the cost of sweat and blood and tears of other human beings. Actually, without profits, there will be no Free Enterprise system, which has given Americans the highest standard of living the world has ever known, even for these people at the so-called "poverty level." Most of them have a TV, a radio, the opportunity to avail themselves of our tax-supported public education system, and many other benefits.

Incidentally, I want to remind us that profits are the life-blood of any system of government based on taxation. We hear much about excessive profits, but is there any such thing? When the Free Enterprise System is permitted to perform its legitimate function, any excess profit is automatically self-correcting. Any enterprise realizing an unusually high profit attracts other capital to the same field, the same activity, to the same market, until such profit, through the force of competition, drops to the level that capital is earning generally. For example: The manufacture of nitrogen fertilizer has been extremely profitable for many years. Production has now increased and bargain prices prevail. In other words, this so-called excessive profit directs the flow of capital into these areas where there is an obvious need, and, conversely, when the profit factor becomes ordinary, the flow of capital will be directed to other areas and activities. The level of profit, however, is merely the signal. The consumer, is what is collectively known as the market place, actually determines the price and consequently level of profit.

We would take the Ford Motor Company as a specific illustration. When, in the early part of this century, Ford came out with a standardized product, a high volume, at a price within reach of many consumers, they unearthed a huge demand for automobiles. They began to realize unusually high profits, based on volume. As a result, a tremendous amount of capital flowed into the automotive industry, hundreds of corporations were established, and competition for Ford sprang up everywhere. Eventually, when the need was supplied, the profit rate in the automotive industry sank back to normal levels. During this time 100's of different automobiles were marketed, of which 90% failed and disappeared from the market. When competitors flock in this way to supply the same need, they are forced to refine the product, improve the service, and better satisfy the consumer's need. In my mind, this is the basic reason we have in the U.S. the biggest supply of the best food at the lowest percentage of the consumer's income of any country in the world. AFBF President Shuman has said that if we believe in progress we must accept competition. Protection by government for these in competition will soon destroy competition, and then progress and prices.

We fear the loss of this system which has worked so well for us for so many years. We may lose it because we fail to realize that we cannot have the superficial attractive benefits of a Welfare State, and at the same time, maintain and expand our economy in a sound manner. Even worse we must recognize that if we destroy our Free Enterprise System, we destroy our democratic system of government. One cannot exist without the other. We expect you to approach the problems facing us as citizens in a statesmanlike way. We assume and ask you to help our Free Enterprise System and our Democratic Form of Government.

BERKELEY OPPOSES ABM

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. COHELAN. Mr. Speaker, the question of whether the United States should construct an antiballistic missile is one of increasing national concern.

Not only are we in Washington aware of the enormous costs, the risks of escalation in the arms race, and the questionable efficiency of the ABM system, but, in my hometown of Berkeley, Calif., the city council has, by resolution, stated its strong opposition to the construction of an anti-ballistic-missile system.

I heartily concur in this opposition, and I ask unanimous consent to include the text of this resolution in the RECORD at this point.

The resolution follows:

RESOLUTION OPPOSING DEVELOPMENT AND INSTALLATION OF PROPOSED ANTI-BALLISTIC-MISSILE SYSTEM BY THE U. S. GOVERNMENT

Be it resolved by the Council of the City of Berkeley as follows:

Whereas, the Berkeley City Council adopted a resolution in August, 1967, stating that "it is the belief of this Council that the greatest task of the City and of our nation is to correct the ills of our society: unemployment, underemployment, poverty, undereducation and discrimination"; and

Whereas, the construction of the proposed anti-ballistic missile system with its estimated cost of ten (10) to one hundred (100) billion dollars would seriously hinder the pursuance of that task; and

Whereas, an installation such as that planned for the San Francisco Bay Area would place its neighboring communities in jeopardy of accidental nuclear explosions as well as make them a prime target in a nuclear attack; and

Whereas, there is great doubt among experts as to the effectiveness of such an antiballistic missile system in protecting our nation.

Now, therefore, Be it Resolved that the Berkeley City Council opposes the development and installation of the proposed antiballistic missile system by the United States Government.

Approved as to form:

ROBERT ANDERSON,
City Attorney.

YALE'S POSITION

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. REID of New York. Mr. Speaker, in light of the current events taking place on campuses across this country, I believe that Members will be interested in a reasoned exchange of letters between John Perry Miller, dean of the Graduate School of Arts and Sciences at Yale University, and Kingman Brewster, Jr., the president of Yale.

This correspondence reflects, in my judgment, Yale's concern for close communication between faculty, students, and administration and is a timely statement of a forthright university position.

Under unanimous consent, I include President Brewster's and Dean Miller's letters in the RECORD at this point.

GRADUATE SCHOOL OF
ARTS AND SCIENCES,
April 2, 1969.

KINGMAN BREWSTER, Jr.,
President, Yale University.

DEAR KINGMAN: While you were away Secretary Finch reminded all colleges and universities about the legislation which withdraws federal aid from students found to have violated criminal laws during student disruptions. He also asked for further discussion on all campuses about both the protection of dissent and the prevention of disruption.

The Corporation made it clear last fall that it did not intend to treat students on federal funds any differently from those on other funds or on their own. Also, you have made it clear that Yale intends to continue the protection of dissent, no matter how radical. Finally, your recent Annual Report and other public statements have made it clear that disruption at Yale should expect to be met by suspension or dismissal.

In view of Secretary Finch's letter, do you plan to make any further formal statements?

Sincerely,

JOHN PERRY MILLER,
Dean.

YALE UNIVERSITY,
April 6, 1969.

JOHN PERRY MILLER,
Dean, Graduate School of Arts and Sciences.

DEAR JOHN: Thanks for your note about Secretary Finch's letter concerning the withdrawal of federal aid from disruptive students.

I had not planned to add to the statements I have already made; but your letter prompts me to give you my own current thinking.

First of all, I am sure we were right to respond to the legislation which seeks to discipline disrupters by withdrawing their federal loans and grants by saying that Yale students would be disciplined by Yale standards wherever their financial support came from. In all likelihood we would have suspended or dismissed any student whose action involved criminal liability for campus violence or disruption anyway, but the fact he was on federal funds shouldn't affect either his rights or our decision. Also I have stated on several public occasions that the effort to use loans and scholarships to regulate local conduct seems to me repugnant to the spirit of the United States Constitution. I don't think that the spending power should be used as a subterfuge for extending the federal police power. In the particular case of educational institutions there is the special concern about academic freedom and institutional autonomy. While I wish President Nixon had opposed this kind of legislation, I was glad to see that his recent statement put the responsibility for campus government on the institution not in Washington.

So, if it is up to us, what are we going to do about it? We have thus far followed two lines, and I think we shall continue to do so.

First, we have not only protected but we have encouraged controversy and have indulged dissent no matter how extreme, whether by students, faculty, or visitors. This has applied to all forms of verbal demonstration, protest, and criticism, whether directed at national or local policy or at Yale. When Yale policy has been at issue we have done our best to make it possible for the message to get through to and be responded to by the person whose ideas or actions were in question. Often the criticism or suggestion has found resilient response, especially in the case of curricular flexibility, course load, grading system, and the development of experimental programs such as African-American Studies. While I think the faculty has to have the right to meet alone on academic and appointments matters if they are to be uninhibited in their job of setting and maintaining standards for degrees and for their own ranks, I think that we do have to continue to experiment with ways in which the great variety of student views can be taken into account, even on such matters. Also I am increasingly aware that there has to be some protection of professional legal, financial, and architectural advisors against being second-guessed by amateurs or neophyte professionals if the University is to get on with its administrative decisions competently. Nevertheless, those most directly affected by an action based on professional advice should have a chance to make their views and interests known, not as professional advisors but as parties directly affected.

Finally, the more opportunity for basic reappraisal of the ends and means of a University, the better it will be, both for the education of our students and for the quality of Yale.

So, proposition one is the encouragement of controversy, no matter how fundamental; and the protection of dissent, no matter how extreme. This is not just to permit the "letting off of steam" but because it will improve Yale as a place in which to be educated.

Proposition number two is a convincing intention to deal speedily and firmly with any forcible interference with student and faculty activities or the normal use of any Yale facilities. Lest anyone should be surprised at this "hard line" approach to disruption, I affirmed it explicity in my Annual Report. More important, I have encouraged Deans to call this policy to the attention of any individual students or groups who seemed disposed to risk possible resort to disruption.

I see no basis for compromise on the basic proposition that forcible coercion and violent intimidation are unacceptable means of persuasion and unacceptable techniques of change in a university community, as long as channels of communication and the chance for reasoned argument are available. The principle involved is so basic that I could not imagine trying to discharge my responsibility as presiding trustee and chief executive officer if I were required to stand aside while any of Yale's activities or facilities were forcibly interfered with, even if the rest of the University might, as a practical matter, continue to operate.

At the same time I am quite aware that the faculties have a special responsibility to be sure that students are not disciplined unfairly as a result of administrative pique or under political or alumni pressure. Even though only the trustees can, legally, confer a degree of the University and invite a student or faculty or staff member to use its funds and facilities, no ultimate disciplinary action should ever be taken without giving presumptive weight to the recommendation of the faculty involved.

So, the dilemma is how to act speedily and firmly; hopefully to prevent, at worst to bring to a stop, any forcible disruptive interference with Yale activities or facilities, and at the same time honor the faculty's crucial role in any final disposition of sanctions against a student or faculty member.

I have been reluctant to spell out any "scenario." First, Yale's almost unique good fortune in the avoidance of any resort to violence or disruption makes me reluctant to stir up the atmosphere. Almost anything I might say would to someone seem either provocative, defensive, or smug. Also, I am quite aware that no amount of forethought will ever anticipate the event, and intuitive reaction is part of the risk of responsibility. Also, we learn by our own experience and thought as well as by the experience of others.

Subject to these caveats, however, my present instinct would be to react as follows in the event of a forcible interference with Yale activities or facilities.

First, I would make a clear and precise invitation to meet with the disrupters at some stated place and some stated time in the immediate future where discussion could be held without limit of time and without interfering with the conduct of any University activity or access to any useful facility.

Second, assuming this invitation is spurned, I would inform the disrupters that if they did not desist within a stated short period of time they would be subject to immediate suspension. This suspension would remain in effect until terminated, modified, or extended; or superseded by dismissal on recommendation of the appropriate faculty. If I had a definite view about the appropriateness of suspension or dismissal as the ultimate disposition, I should in fairness try to inform the disrupters of what I proposed to recommend to the appropriate faculty.

I would hope that a brief time to ponder this prospect would persuade those involved to abandon their wilful persistence in disruption.

Third, if the wilful and forcible interference persisted after such warning, I would declare the suspension of those involved and feel under an obligation to use whatever University or public legal resources seemed necessary to enable the activities and facilities of the University to be restored to their normal course and use. If legal authority were to be invoked, a court order might be obtained first. The resources of the campus police would be exhausted before considering, as a last resort, any request for assistance from authorities outside the University.

Fourth, each faculty whose students or colleagues were involved would be asked immediately to proceed to make their own recommendation about how the interim suspension should be disposed of. Obviously this would involve a review of the appropriateness of the interim suspension and a consideration of the administrative recommendation for ultimate disciplinary action. Whatever the procedure traditionally resorted to by the particular faculty it would obviously be necessary to assure those whose cases were under review full opportunity for a fair hearing.

I am not unaware of the risks of this way of proceeding. It focuses the burden on me for swift and decisive response, subject to the second guessing of a more calm and deliberative process later on. It is even possible that a faculty reversal of a President's judgment would seriously impair the President's usefulness and fitness to continue. I personally find that risk much more acceptable than the risk of being unable to take speedy and unambiguous interim action against anyone who would wilfully persist in trying to intimidate Yale into following his will by seeking to disrupt its normal activities.

Also, of course, to the extent it seemed appropriate I might delegate any of the powers involved in any stage of these proceedings to a fellow officer or dean; except that resort to public legal authority, I think, should be reserved to the officers of the University in order to be sure that such unwelcome resort is clearly a last resort.

Throughout this letter I have talked about what I would do. Obviously this is no one man band. Most important, the Yale Provost is a Deputy President in the full sense. Charlie and I have talked about this a lot. Any powers I can exercise, he can too. I know he would take exactly the same position, not only in principle, but in detail. (Although being an English Professor he might state it with more felicity than can be expected of a Law Professor.)

Sincerely,

KINGMAN BREWSTER, Jr.,
President.

MUCH AT STAKE IN TOBACCO BATTLE

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. NATCHER. Mr. Speaker, in our second congressional district, Mr. L. L. Valentine is the president and general manager of the Franklin Favorite in Franklin, Ky., and I consider it a privilege to call your attention to the editorial which appeared in the April 24 edition of that newspaper:

CUTTING THROAT TO CLIP WART OFF OF NOSE

Nobody yet, has contended that by smoking, in any degree, the smoker has found that universally sought but ever elusive fountain of everlasting youth.

Neither has anybody nailed down positive proof that smoking cigarettes causes lung cancer or any other disease. Statistical, or purely circumstantial evidence, points an accusing finger at smoking. But when did we begin executing suspects without proof of guilt?

When cornered and pinned down to facts, even the crusaders against tobacco admit they have found no direct causative link. The purely circumstantial evidence they have points not to smoking—but to excessive smoking.

Of the millions who smoke, comparatively few smoke excessively. And it's to the heavy smokers that the health crusaders essentially direct their warnings. Heavy smokers need and should heed the warnings. So should people who haven't formed the habit.

But now the health crusaders have recruited, or joined, a new ally, the opponents of price supports. Both camps know, of course, that without price supports and crop controls tobacco growers will stifle themselves with over production. And the battle against smoking has changed to a war on the crop.

On purely circumstantial evidence, the opponents of smoking, whatever their cause may be, would rob the nation of a $10 billion industry and rob millions of their jobs and income because a relatively few people smoke excessively.

Who but taxpayers will cough up the $3½ billion which the federal government collects annually from tobacco taxes?

In Kentucky, the state derives $7 million annually from taxes on tobacco. Who but the taxpayers—in the form of other taxes—will make up the loss?

In Kentucky, 450,000 people work in tobacco, producing the crop, marketing it and processing it. Where will these workers find jobs to replace the ones they will lose?

How will Kentucky farmers replace the 77 per cent of their income which they will lose if the crop is lost?

Getting down to the nitty-gritty of the question, to protect the few who smoke heavily, the antitobacconists would penalize the many, with heavier taxes, loss of jobs by millions, and rob them of income it takes to pay grocery bills.

More people than tobacco growers have a stake in this battle.

TO FIGHT PORNOGRAPHY

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. PRICE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, today I am introducing a bill which I believe will be effective in keeping pornographic material out of the hands of minors and in keeping minors away from obscene movies.

The U.S. Post Office Department estimates that more than $500 million worth of obscene material is sold to young people through the mail each year. J. Edgar Hoover, Director of the Federal Bureau of Investigation, warned more than a year ago:

> The publication and sale of obscene material is big business in America today . . . It is impossible to estimate the amount of harm to impressionable teenagers and to assess the volume of sex crimes attributable to pornography, but its influence is extensive.

FBI statistics show that sexual violence is increasing at an alarming pace, and Mr. Hoover states that pornography in all its forms is a major cause of sex crimes, aberations, and perversions.

A factor complicating the legislative attempts to deal with the increasing flow of pornography has been the uncertainty in the law caused by the U.S. Supreme Court decisions in the area of antiobscenity legislation. State legislatures do not know, and the U.S. Supreme Court has not stated with certainty what statutory regulations will be upheld.

Since obscenity is not protected by the first amendment of the Constitution, and since Congress has a responsibility to protect the public interest, I believe there are compelling reasons for Congress to take the initiative and deal with the problem. It is for these reasons that I am introducing legislation today to suppress traffic in obscenity, particularly pornographic material that is sent to young people through the mail.

My bill makes it a Federal crime to disseminate through interstate commerce or the mails obscene matter to minors under the age of 18. Moreover, to protect families, my bill prohibits the unsolicited mailing of obscene material to people with minor children living with them. To enforce its provisions, the bill provides a penalty which is higher than in similar bills introduced by many of my colleagues. A penalty of not less than $1,000 nor more than $5,000 and imprisonment for not less than 1 year nor more than 5 years is provided for the first offense. For each additional offense, the penalty is not less than $3,000 nor more than $20,000 and imprisonment for not less than 3 years nor more than 10 years.

My bill would further bar Federal courts from hearing appeals of local jury finding of fact in obscenity cases. Thus, under this provision, if a movie, theatrical production, or publication were found obscene by a jury under local law, no appeal could be taken to the Federal courts. This provision still retains the right of appeal on questions of law to protect "due process." Moreover, the Congress is clearly within its constitutional powers in so limiting the appellate jurisdiction.

I am hopeful that committee action can soon be taken on this proposal so that the youth can be protected from the ever-increasing traffic in obscene materials in this country.

REVENUE SHARING

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. SCHWENGEL. Mr. Speaker, the Muscatine Journal featured an editorial earlier this year endorsing the concept of revenue sharing; and in particular, my bill H.R. 663. The earlier editorial appears in the CONGRESSIONAL RECORD for January 28, 1969, at page 2049. Last week the Journal featured another editorial on this subject, indicating the growing support for this proposition throughout the country. Under unanimous consent I insert this editorial in the RECORD:

REVENUE SHARING

It appears that more and more hard-pressed governors and mayors are lining up behind proposals for revenue sharing as a means of fiscal salvation for the nation's cities and states.

They are arguing that revenue sharing might help replace a federal grant system of unbelievable complexity.

At last count 21 federal agencies with some 400 regional and field offices were administering at least 160 major programs based on more than 400 congressional authorizations. And the aid they dispense has grown from $5-billion in fiscal 1958 to an estimated $25-billion for fiscal 1970.

On the receiving end, are more than 80,000 state and local government jurisdictions, including 3,049 counties, over 35,000 municipalities, towns and townships, some 20,000 independent school districts, and as many special districts for water supply, sewerage, road building and other functions.

Revenue sharing is the process by which the federal government—which receives two-thirds of all taxes collected—automatically would turn over to the states and localities a portion of its yearly revenues. Revenue sharing, say its advocates, fosters the kind of decentralized decision-making that would reinvigorate the local governments. Grants, by contrast, are rarely discretionary.

More than ninety bills having to do with one form of revenue sharing or another were introduced during the 1967 session of Congress. President Nixon endorsed revenue during his campaign and recently Governor Nelson Rockefeller of New York proposed that the federal surtax be retained and its revenues given to the states.

While revenue sharing admittedly has some flaws, it certainly has more merit than any of the other proposals presented to date for the solution of urban crises.

AGRICULTURAL HALL OF FAME A CONSERVATION SHOWCASE

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. MIZE. Mr. Speaker, one of the most interesting attractions in the entire Nation is the Agricultural Hall of Fame and National Center located in my district at Bonner Springs, Kans.

The Agricultural Hall of Fame is a nonprofit, independently supported center administered by a board of directors and managed by Mr. Del Hinninger. For over 200,000 visitors each year, it is an opportunity to witness the progress in American agriculture from the very beginnings of the Republic. For the entire Nation, it is a testament to the inventiveness and commitment to excellence of farming in America.

But the National Center is more than a museum displaying the tools and methods of the past. It is also a living, working exhibition of the most modern and forword-looking concepts of soil and water conservation. The Center provides a demonstration to each visitor of what must be accomplished across the Nation if we are to preserve the priceless heritage that is our land and water.

In order to fully inform each Member of the work in conservation being undertaken at the Agricultural Hall of Fame, I wish to insert in the RECORD an article from the April 1969 issue of Soil Conservation, published by the U.S. Department of Agriculture. The article by Mr. F. DeWitt Abbott, the Kansas State Resource Conservationist, follows:

AGRICULTURAL HALL OF FAME A CONSERVATION SHOWCASE

(By F. DeWitt Abbott, State resource conservationist, SCS, Salina, Kans.)

The Agricultural Hall of Fame and National Center, Bonner Springs, Kans., with its 275 acres under conservation land use and treatment, will provide visitors with an opportunity to view firsthand and at close range conservation practices on the land.

It is not unusual for more than 1,500 people to visit the center on summer weekends. Many of these people are from nearby cities, and many are from all over the United States.

Conservation is being featured on the land for several reasons: The land needs conservation treatment. Conservation fits in with the nonprofit Agriculture Center's aim to exhibit the past, present, and future of agriculture and agribusiness, as provided in its Congressional charter, and it will give thousands of people a chance to observe conservation work.

With technical help from the Soil Conservation Service through the Wyandotte Soil Conservation District, the board of directors of the center has developed a conservation plan for the acreage involving a wide variety of conservation practices and treatments.

Some of the conservation work includes healing gullies with grassed waterways; building a multipurpose dam near the main exhibit hall to function as a small flood-detention and grade-stabilizing structure, a 2-acre pond for providing stockwater, a diversion channel to bring storm runoff into the pond, and an access highway; and reserving a 114-acre smooth brome meadow for planned exhibit buildings.

Forty-five acres of cropland with waterways and graded parallel terraces will be used to grow adapted crops, such as corn, sorghum, soybeans, wheat, and alfalfa-grass in rotation and on the contour.

A few head of domestic livestock will be kept on 24 acres of brome pasture where gullies will be smoothed and seeded, grazing regulated, land fertilized, and a field border of multiflora rose planted.

Other plans call for 12 acres of rangeland to have brush control, range seeding, and a grade-stabilizing structure; 27 acres to be in smooth brome for hay; a wooded area of 28 acres to have hiking trails, woodland management, and evergreens; trees and shrubs along the trails labeled; and a pond in a 22-acre wildlife area rebuilt by deepening and reshaping the edges. It and the multipurpose pond will add to the scenic beauty of the Agriculture Center's grounds.

Also an acre below the wildlife dam will be planted to trees and shrubs for wildlife habitat; 2 to 5 acres will be kept in grass for nesting cover; a three-row windbreak will be planted near residential buildings; and several other measures applied for the encouragement of wildlife throughout the property.

The Agriculture Center directors are determined to set up an outstanding demonstration of conservation of soil and water. They realize how important it is to remind all who come that way of the need for land protection and wise use for a permanent and productive agriculture and national economy.

LET THE WORLD KNOW

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. ADAMS. Mr. Speaker, I wish to share with my colleagues the following poem written at the time of the tragic assassination of Senator Robert F. Kennedy by Mr. Leo Lipp, author and poet of Seattle, Wash.

LET THE WORLD KNOW

(By Leo Lipp)

A dark cloud spread its wings over the nation,
The cloak of death enwrapped one more toll.
His life was robbed by an assassin;
Was this the last of the assassin's goal?

Or will there be more who will fall victims
To the assassin's bullet for the ideas they unshakeably believe?
Must human blood be the price for progress
Before mankind can freedom and equality achieve?

Are darker days forging ahead now?
Mankind, prepare to meet them when they come.
Don't extinguish the torch which lights the way
To freedom; the road is long and may be tiresome.

Freedom from oppression should be priceless to all,
Though it become costly to mankind day by day,
Life will be given, and some will be taken,
But this darkness must vanish; it cannot stay.

Yet, who can tell what fate holds now
For each and every one in store,
When a smiling face and sparkling eyes
Succumb to an assassin's bullet on a kitchen floor?

Robert Kennedy fell martyr. Why? Was it for his idea,
"Love for mankind," which he believed was right?
To bring peace and freedom to a world of turmoil,

This was his aim—it shone with the brightness of light.
He spoke freely of his ideas to friend and foe alike.
Kindness and compassion he had for everyone in life.
His ambition and desire was to lighten man's burden.
This would wither away hatred and strife.
But his life was extinguished like the flame of a candle,
The work left unfinished he eagerly wanted to pursue,
Bringing equality and justice to mankind in this world,
Was this a reason for an assassin? Man of conscience, I am asking you!

DR. DAVID M. BROTMAN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. ANDERSON of California. Mr. Speaker, I rise today to pay tribute to Dr. David M. Brotman of Beverly Hills for his outstanding achievements in the field of medicine, hospital planning and hospital construction in southern California.

The 20th century has brought extraordinary advances in science. Today we are preparing to put men on the moon. Today, with miracle drugs, we can cure illnesses that not too long ago were often fatal. With our ever-increasing knowledge of the human body and the diseases that strike it, we are able to provide healthier, more productive lives for millions of Americans. Yet all the advances in medicines, treatment techniques and diagnostic procedures would be worthless if modern hospitals and skillfully trained physicians were not available. Dr. Brotman has done much to assure that both of these are available to the people of southern California.

In 1959, Dr. Brotman created the Brotman Foundation, a nonprofit organization devoted to assisting physicians doing research and study in their medical fields. One of the major programs of the foundation is the scientific seminar, conducted annually at the Memorial Hospital of Southern California in Culver City and the New Memorial Hospital in Gardena. These seminars draw outstanding medical specialists from all over the country for a week-long series of lectures, held in the two ultramodern hospitals, both planned and built by Dr. Brotman's foundation.

The Brotman Foundation has also been instrumental in financing research grants for physicians for research projects in their specific fields, and has donated equipment to hospitals in southern California for use in the diagnosis and treatment of cancer and heart diseases.

In addition to these projects, the foundation conducts a continuous schedule of education programs in cooperation with governmental and educational institutions. These programs offer student training for various professions such as nurses aides, licensed vocational nurses and surgical technicians.

Still another contribution of the foundation is the development of volunteer programs in the area hospitals. Several hundred adults and teenagers in the community now take part in this program and work on a volunteer basis in nearby hospitals.

In undertaking all these projects, including the construction of the two hospitals in Culver City and Gardena, Dr. Brotman has at no time asked for any government funds—Federal, State, county, or local. Such an outstanding record, achieved without outside help, should be an inspiration and source of pride to us all.

Dr. Brotman is truly a man of vision who has served his community and our district unselfishly and well. It is a privilege for me to salute this man and his notable achievements.

THE NEED FOR TAX REFORM

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. BOLAND. Mr. Speaker, April 15 is still a keenly painful memory for most Americans. Taxes—Federal, State, local—are moving upward at a dizzying pace. Caught between governments' demands for revenue and the economy's restless inflationary trends, the average American is witnessing the slow but steadying erosing of his paycheck's buying power. Taxpayers are fed up—and justifiably so. They are all too acutely aware of the Federal income tax system's tyranny: The poor are overtaxed; the rich are undertaxed; the average citizen is yoked to a tax percentage schedule that makes him carry far more than his just share of the burden.

The fundamental principle underlying our income tax system is—putatively, at least—"the ability to pay." Yet we are witnessing alarming violations of this principle at both ends of the income scale. At the lower end of the scale there are 2.2 million families with incomes below the poverty level who are required to pay Federal income taxes. The recent Treasury Department tax proposals define poverty income levels for 1969 as ranging from $1,735 for a single person to $5,755 for a family of seven or more. In addition to the Federal taxes many of the poverty stricken must pay, they are also hard hit by the taxes imposed at State and local levels. Sales taxes or necessities and property taxes incorporated into rent charges are regressive, placing the heaviest burden on those least able to pay.

At the upper end of the scale we have the recent astonishing revelation that there were 155 individuals with incomes in excess of $200,000 who paid no Federal income tax at all in 1967. Legal avoidance by wealthy taxpayers has been going on for some time, but public awareness has been accelerated by the upward movement of taxes at all levels of government—particularly State and local. These increases in taxes plus the implacable rise in the cost of living have made it difficult for the low- to middle-income taxpayer to make ends meet. Naturally, when he learns of these flagrantly unfair examples, he becomes angry, and so do I.

Equity in the tax structure calls for similar effective tax rates for those of similar incomes and unequal tax rates for those of dissimilar incomes. Instead, we find that people with almost identical levels of income pay taxes in widely varying amounts, and people of vastly different incomes are paying at comparable rates.

For taxpayers above the poverty levels up to the middle-high brackets, there is a considerable range of effective tax rates—taxes actually paid as percent of income—because of variations in their itemized deductions and marital status. Sixty-eight percent of the taxpayers at an income level of $3,000 and below pay from zero to 5 percent of their income in taxes. From an income level of about $3,000 up to $20,000 most taxpayers pay from 15 to 20 percent of their income in taxes.

Similar effective tax rates for those of similar incomes begin to erode at an adjusted gross income level of $20,000 and worsen until we reach the extreme cases of the 21 millionaires who paid no tax at all. Approximately half of all taxpayers reporting adjusted gross incomes of $100,000 and over pay an effective tax rate of 30 percent and under. And the percentage paying a higher rate declines as incomes rise above $100,000.

These figures demonstrate that the progressive nature of the income tax structure is becoming badly distorted. The more wealthy the taxpayer, the more opportunities there are to take advantage of special tax treatment. The amount of income open to this special treatment goes up in about direct proportion to a taxpayer's increase in income. It is the 35 million taxpayers in the $7,000 to $20,000 adjusted gross income level who pay more than half of all the individual income taxes the Treasury receives—and who are paying taxes at the "full ordinary rates" called for in the rate schedule. There are very few areas of special tax treatment for these individuals, whose incomes are mostly derived from wages and salaries. Theoretically, they are only required to pay their fair share. But because others with more income often pay far less than their fair share, they must bear an inequitably heavy burden.

Many of these special tax provisions through which the wealthy either avoid taxation altogether or pay at a lower rate than their income would indicate were originally justified as necessary or desirable to achieve some specific economic or social objective. But unintended benefits or "loopholes" have developed over the years. It has been 15 years since the Internal Revenue Code has been overhauled, and it has been 10 years since a major study of the tax structure has been undertaken.

It is absolutely imperative that we close loopholes through which the wealthy taxpayer escapes his fair share of taxes and through which badly needed revenue is lost to the Federal Government. But real tax reform must also assure that the tax load be eased for those who have for too long borne the brunt of the inequities of the tax structure.

Revenue gains and losses cannot be the only criteria.

In this connection I have introduced legislation to increase the personal exemption from $600 to $1,200. The cost of living has increased almost 50 percent since the $600 personal exemption was adopted in 1948. There appears to be no end in sight. In March 1959, we experienced the steepest monthly rise in the cost of living in 18 years. A $1,200 personal exemption will eliminate Federal taxation altogether for most of those living in poverty and will also reduce the taxable income of those low- to middle-income taxpayers who presently bear a disproportionately high share of the tax burden.

I have also introduced two bills to provide relief for the expenses of higher education. One bill, H.R. 994, provides a tax credit based on the first $1,500 paid for tuition, fees, books, and supplies for any student at an institution of higher education.

The second bill, H.R. 9005, provides a Federal income tax deduction up to $1,200 annually for the cost of higher education. It allows a deduction for certain costs of tuition and fees for the taxpayer, his spouse, and his dependents.

No one today can realistically consider a college education a luxury and yet costs for a low- to middle-income family are prohibitively high. The U.S. Office of Education estimates that the average charges for tuition, fees, and room and board for a full-time resident, undergraduate student in a public 4-year institution for the 1968–69 school year will total $1,114. In a private 4-year institution the cost for the year is estimated to be $2,297.

Investment in education is the best investment this country can make. The Government will be more than compensated in the long run by revenue from the additional taxes generated by the increased earning power of these individuals resulting from a college education. It is estimated that on the average an individual with a college education earns some $200,000 more in a lifetime than a high school graduate. The gains to the individual himself and to society as a whole cannot be measured solely in monetary terms.

In my opinion, meaningful tax reform cannot be accomplished without revising the present tax treatment of the oil and gas industry—especially the percentage depletion allowance. I have introduced two bills which will take a major step toward closing this most notorious of all loopholes through which many wealthy individuals and corporations escape their fair share of taxes.

In principle, the deduction for depletion of natural resources for the extractive industries is comparable to the depreciation deduction taken by other industries which permits the gradual writeoff of capital costs over the life of the investment. However, by using the 27.5 percent depletion allowance—the largest percentage for any natural resource—oil and gas producers are permitted to make annual deductions as long as the property produces; these deductions usually exceed their original investment many times over. The Treasury Department estimates that the annual revenue loss due to the excess of percentage depletion over cost depletion for all industries is $1.3 billion. My bill, H.R. 998, would reduce the percentage depletion allowance for oil and gas to 15 percent.

The second bill, H.R. 9896, would eliminate the percentage depletion allowance on oil produced outside the United States. Many U.S. companies operating abroad pay little or no Federal tax on their foreign operations even though their incomes exceed hundreds of millions of dollars, partially because of foreign taxes and royalty payments, but primarily because of the percentage depletion allowance.

It does not benefit the consumer by enabling him to buy the foreign product at a lower price—oil import quotas have seen to that. The primary beneficiary is the oil industry. When the 23 largest oil companies pay an average Federal income tax of less than 10 percent, these special tax privileges border on the outrageous.

I find it particularly regrettable that the tax reform proposals just submitted by the present administration do not directly attack these provisions. I am also sorry that the administration's tax reform package is considered to be "interim," with comprehensive proposals for revision of the tax structure scheduled for submission by November 30, 1969. We have four volumes of just-published tax reform studies and proposals prepared by the Treasury Department under the previous administration available now. Surely, they are sufficient. The momentum for tax reform is at its peak. The time for study is over. Relief is urgently needed today. The time for action is now.

The Springfield, Mass., Daily News has published an editorial pointing out that the administration's tax reform proposals constitute only a modest first step toward the kind of comprehensive reform we need. With permission, Mr. Speaker, I put this editorial in the RECORD at this point:

TAX REFORM LONG OVERDUE

Most Americans will agree with President Nixon that taxes cannot be made popular, but they will rejoice a bit that he is initiating efforts to make them fairer.

After getting through with the annual squaring of accounts with the Internal Revenue Service, the average taxpayer cannot be blamed for feeling that the system is designed to get the most out of him and the least out of those who can best afford to pay. Those 155 persons who earned $200,000 or more in 1967 and paid no taxes emphasize the point.

The Internal Revenue Code of 1954 is a maze of special exemptions and allowances that works to the advantage of the wealthy. Back at the office and the factory, the average taxpayer never sees his tax money. Withholding is supposedly painless.

The President's proposal to limit to 50 per cent the amount of personal income that may be exempted from taxation is particularly commendable. The general taxpayer would get some relief in the proposed reduction of the surtax from the present 10 per cent to 5 per cent on Jan. 1.

Much of tax income lost through the latter would be regained by immediate repeal of the 7 per cent tax credit. This provision is regarded as the most controversial of Nixon's proposals. Spokesmen for business and industry claim it is necessary to encourage plant modernization. Others assert the tax credit fuels inflation.

The plan to remove some 2.2 million persons below or near the poverty level from the tax rolls is both wise and humane. It makes no sense to tax these people on the one hand and give them public assistance on the other.

While talking tax reform has become something of a national pastime, acting on tax reform is something else. Former Sen. Paul H. Douglas, recalling 18 frustrating years as one of the Senate's leading tax reformers, observed that, despite some changes, "the big loopholes and truckholes remained." Observers agree with Douglas that not more than one out of a hundred citizens working on proposed tax legislation represents the general public.

In the past, politicians have shown little inclination to deny special interests their tax havens. The oil depletion allowance is an example.

The President's tax reform proposals are just a beginning. More needs to be accomplished in matters such as oil depletion allowances, capital gains, tax-exempt foundations, estate and gift taxes, bonds, personal deductions and hobby farming for tax "loss" purposes.

The public is demanding reforms. They are long overdue.

THE OIL TANKER: BEACH POLLUTER

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. ANDERSON of California. Mr. Speaker, recently the Los Angeles Times had an excellent editorial entitled "The Oil Tanker: Beach Polluter." The editorial points out that part of the problem of oil coming ashore onto the beaches of southern California lies with a hitherto unknown and elusive culprit, the commercial oil tanker.

This is a problem that we believe will be taken care of through the passage of H.R. 4148, the Comprehensive Water Quality Improvement Act of 1969, which would impose stiff penalties on owners or operators of vessels who willfully or negligently discharge oil into the water. The House passed this bill on April 16, 1969, after being favorably reported out of the House Public Works Committee. I am very hopeful now that the Senate will also see fit to pass this important measure.

This editorial gives added impetus to the urgency of enacting the Water Quality Improvement Act of 1969 as soon as possible.

The editorial follows:

THE OIL TANKER: BEACH POLLUTER

(ISSUE.—Oil tankers continue to pollute local beaches by dumping oil at sea. How can this illegal practice be halted?)

Swimmers and sun bathers along Southland beaches are on special alert these days for any signs of oil or tar.

With the recent Santa Barbara Channel oil platform rupture fresh in mind, the immediate tendency is to blame visible pollution on such drilling leaks.

But the State Department of Fish and Game, the area's most effective enforcement agency, links most of the current and past beach oil to a more elusive source—the oil tanker.

Although some Santa Barbara crude undoubtedly has drifted south, investigators contend recent damage was caused by illegal discharge of bunker and bilge oil in off-shore waters. Natural seepage from submarine fields and leaks and spills from oil drilling platforms are other contributors.

But the principal local offender, investigators insist, is the commercial oil tanker. They feel this unnecessary polluter can be curbed with the help of the public, the federal government and some self-policing on the part of the oil transport industry.

Under an international agreement signed by 48 nations in 1961, oil dumping is prohibited within 50 miles of the California coast. But enforcement remains practically impossible.

Under pressure to operate cheaply, tankers continue to flush residue oil at sea instead of going through a costly and time-consuming process of utilizing dockside disposal facilities.

The Coast Guard, on the rare occasion it spots an offending vessel in the act, can crack down on American Flag tankers. Foreign flag offenders present a more difficult problem. The only resort is a usually fruitless State Department protest to their governments.

Also hampering local enforcement is lack of a government lab to "fingerprint" the oil source, a necessity if the fast-moving offender is to be traced. Currently, this service is provided free by major oil firms. Enforcement agencies, understandably, would prefer their own facility.

Despite obvious handicaps, fish and game officials believe tanker dumping must be curbed. The department asks:

Reports from the public of slicks or heavy beach oil.

Expansion and enforcement of the international pact.

Federal funds for a local marine laboratory.

Certainly, it is not asking too much of the public and the federal government for this minimum cooperation. The price is small; our beaches are priceless.

SALUTE TO OUTSTANDING MARENGO CITIZENS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. SCHWENGEL. Mr. Speaker, the Marengo Pioneer-Republican recently carried an editorial saluting Mr. and Mrs. R. R. Schroeder for their many civic contributions. The tribute is well deserved, for these folks are indeed outstanding, public-spirited citizens, to say nothing of the fact they they are very dear friends of mine. I insert in the RECORD the editorial detailing the many contributions of the Schroeders:

COMMUNITY SPIRIT SHOWS IN ACTIVITIES

While R. R. Schroeder will continue on a limited basis with the Iowa County Savings Bank, he has turned over the presidency to Kenneth Crow. Schroeder, who has been in the banking business 40 years and was instrumental in the start of this bank, will continue with the bank, visiting customers, particularly farm ones.

Marengo has an Interstate 80 interchange thanks to Rudy Schroeder's persistence. When I-80 plans showed none at this location though it had been planned earlier, he went to Washington to intercede on this city's behalf. So it is that Marengo, as well as those due north as well as south, has a direct route to I-80. Certainly it has much to do with attraction for business as well as local convenience and is a necessity if future industry should settle here.

Schroeder has long taken an active interest in this community. A member of the Iowa County Historical Society, he was instrumental in having the log cabin moved from Iowa township to its place one block north of the city square. It's a part of local history where children may learn, and it attracts numerous visitors, which we point out is not only good for history, but also for local merchants.

He has provided for the bachelor's cabin next to the main cabin, also located originally in Iowa township, the simulated old open well on the grounds, as well as for the picket fence, picked particularly for its authenticity. One of his projects this spring may be to paint the fence.

Driving by St. John's Lutheran church during good weather, one may often see Schroeder trimming or caring for shrubbery on the church grounds. At Christmas time he sets up the nativity scene which is arranged on the church site. He also serves on the church board.

A past president of the Iowa Bankers Association, Schroeder has long been active in that organization. Locally as a Rotarian he has had his hand in on numerous projects too. He has served on several school advisory councils also. Chamber of Commerce and its activities has also been benefited by his membership and interest.

Schroeder and the bank have sponsored the annual 4-H breakfast, and he is usually on hand for it.

Mrs. Schroeder, who is president of the Marengo Library board, has been instrumental in guiding the remodeling and redecorating of that public facility. She has spent many hours on the project, coordinating efforts as well as doing a considerable amount of the work itself, as, for example, the refinishing of book shelves. She has had a long range plan which has up-graded the library in service and appearance.

A gardener whose home reflects her touch, she has served as president of the Cedar Rapids garden club. That group has been consulted on landscaping plans for the Herbert Hoover park, West Branch.

She too is active in several other organizations though probably the library and garden ones take precedence.

We salute the Schroeders many efforts to improve the city of Marengo. We hope they will certainly enjoy the rewards of fewer pressures and demands on everyday life. While Rudy has stepped down from many of the business demands, we trust his many civic interests will continue.

We welcome Ken Crow and Elgin Morris, the new bankers to Marengo. They will find many places for business and civic interests. Their response may well direct the future of our city!

IMPROVEMENT IN THE EMPLOYMENT SITUATION IN URBAN POVERTY NEIGHBORHOODS

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. HANSEN of Idaho. Mr. Speaker, a significant decline in unemployment in the poverty neighborhoods of the Nation's 100 largest cities has been reported by the Labor Department.

During the first quarter of 1969 the unemployment rate in these neighborhoods was 5.6 percent. This is a distinct improvement over the 7 percent rate reported in the first quarter of 1968 and represents a decline of 100,000 in the number of unemployed in urban poverty neighborhoods.

For Negroes the rate dropped from 8.7 to 7 percent, while the white rate declined from 5.7 to 4.6 percent.

Labor Department officials pointed out that Government and private efforts to train and place unemployed workers have been increasingly focused in residents of urban poverty neighborhoods. I am pleased to observe that these efforts are showing positive results.

The details of the improved employment rate in our urban poverty neighborhoods are as follows:

THE EMPLOYMENT SITUATION IN URBAN POVERTY NEIGHBORHOODS: FIRST QUARTER 1969

The unemployment rate in the poverty neighborhoods of the Nation's 100 largest cities was 5.6 percent in the first quarter of 1969, the Labor Department's Bureau of Labor Statistics reported today. That was an improvement over the 7.0 percent rate reported for the first quarter of 1968.

Over-the-year drops in the urban poverty neighborhood unemployment rate have exceeded over-the-year declines in the national unemployment rate over the past four quarters.

The number of unemployed workers in urban poverty neighborhoods declined by 100,000 from the first quarter 1968 to the first quarter of 1969. This accounted for about two-fifths of the 250,000 decline in total unemployment in the Nation during the period.

WHITES AND NEGROES

Both whites and Negroes shared about equally in the unemployment decline between the first quarters of 1968 and 1969. For whites, the jobless rate fell from 5.7 to 4.6 percent, while the Negro rate dropped from 8.7 to 7.0 percent. Despite the decline, the Negro jobless rate remained half again as great as that for white urban poverty neighborhood residents.

In the other urban neighborhoods of the 100 largest cities, the Negro jobless rate also declined over the year, from 6.5 to 5.2 percent. The unemployment rate for these workers, however, continued to be higher than that of white workers living in poverty neighborhoods.

In the first quarter of 1969, there was an average of 170,000 white workers and 190,000 Negro workers who were unemployed and living in urban poverty neighborhoods. Slightly more than half of all unemployed Negro workers living in these metropolitan areas resided in poverty neighborhoods, compared to only about 14 percent of all white unemployed workers.

UNEMPLOYMENT BY AGE AND SEX

Of the 360,000 unemployed workers living in poverty neighborhoods during the first quarter of 1969, approximately 45 percent were men, 31 percent women, and 24 percent teenagers. This contrasts with other urban neighborhoods where a smaller proportion of the unemployed were men (36 percent) and larger proportions were women (37 percent) and teenagers (27 percent).

Adults accounted for three-fourths of the 100,000 drop in unemployment in poverty neighborhoods between the first quarters of 1968 and 1969. The jobless rate for women fell from 6.2 to 4.8 percent over the year, a greater decline than for women in other neighborhoods.

The unemployment rate for men in poverty neighborhoods dropped from 5.5 to 4.4 percent. The jobless rate for men from poverty neighborhoods continued at 2.4 times the rate for men in other parts of these cities.

Jobless rates for both Negro and white adults from poverty neighborhoods were significantly lower than a year ago.

The unemployment rate for teenagers in poverty neighborhoods averaged 16.7 percent, more than 3.0 percentage points lower than in the first quarter of 1968. The rate for teenagers in other neighborhoods was unchanged at 11.4 percent. Negro teenagers accounted for most of the over-the-year decline in teenage unemployment in poverty neighborhoods, and their rate of unemployment declined sharply from 27.3 to 20.9 percent.

NOTE.—The poverty neighborhood classification used in this report was developed by the Bureau of the Census and is based on a ranking of census tracts according to 1960 data on income, education, skills, housing, and proportion of broken families. The poorest one-fifth of these tracts in the Nation's 100 largest metropolitan areas are considered poverty neighborhoods. The poverty neighborhood statistics probably include some middle- and upper-income families and also exclude some poor families who live in other urban neighborhoods. In 1967, for example, only about one-third of the nonwhite families living in poverty neighborhoods had incomes below the poverty level as defined by the Social Security Administration. These data, therefore, do not represent the exact dimensions of the employment problems of all poor people but are instead minimal estimates of the adverse conditions of residents in these specific poverty neighborhoods.

TABLE 1.—EMPLOYMENT STATUS OF PERSONS 16 YEARS AND OVER, IN URBAN POVERTY AND OTHER URBAN NEIGHBORHOODS[1] BY COLOR

[In thousands]

Employment status	Total		White		Nonwhite	
	1st quarter, 1969	1st quarter, 1968	1st quarter, 1969	1st quarter, 1968	1st quarter, 1969	1st quarter, 1968
Total United States:						
Civilian labor force	78,868	77,065	70,218	68,556	8,650	8,509
Unemployment	2,848	3,097	2,297	2,463	551	634
Unemployment rate	3.6	4.0	3.3	3.6	6.4	7.5
Urban poverty neighborhoods:						
Civilian labor force	6,417	6,575	3,734	3,853	2,683	2,722
Unemployment	361	457	127	220	189	237
Unemployment rate	5.6	7.0	4.6	5.7	7.0	8.7
Other urban neighborhoods:						
Civilian labor force	38,210	36,877	35,089	33,991	3,122	2,886
Unemployment	1,188	1,253	1,024	1,064	164	189
Unemployment rate	3.1	3.4	2.9	3.1	5.2	6.5

[1] Pertains only to standard metropolitan statistical areas (SMSA's) with populations of 250,000 or more.

TABLE 2.—EMPLOYMENT STATUS OF PERSONS 16 YEARS AND OVER, IN URBAN POVERTY AND OTHER URBAN NEIGHBORHOODS[1] BY COLOR, SEX, AND AGE

[In thousands]

Employment status, sex, and age	Total		White		Nonwhite	
	1st quarter, 1969	1st quarter, 1968	1st quarter, 1969	1st quarter, 1968	1st quarter, 1969	1st quarter, 1968
Males 20 years and over:						
Urban poverty neighborhoods:						
Civilian labor force	3,589	3,668	2,185	2,271	1,404	1,396
Unemployment	163	201	86	114	78	88
Unemployment rate	4.5	5.5	3.9	5.0	5.6	6.3
Other urban neighborhoods:						
Civilian labor force	22,432	22,063	20,788	20,481	1,643	1,555
Unemployment	435	511	384	445	51	66
Unemployment rate	1.9	2.3	1.8	2.2	3.1	4.2
Females, 20 years and over:						
Urban poverty neighborhoods:						
Civilian labor force	2,321	2,366	1,265	1,270	1,056	1,096
Unemployment	112	148	48	61	64	87
Unemployment rate	4.8	6.2	3.8	4.8	6.1	7.9
Other urban neighborhoods:						
Civilian labor force	13,009	12,272	11,732	11,122	1,279	1,150
Unemployment	436	448	372	373	64	75
Unemployment rate	3.4	3.7	3.2	3.4	5.0	6.5
Teenagers 16 to 19 years:						
Urban poverty neighborhoods:						
Civilian labor force	507	542	285	312	222	230
Unemployment	85	108	38	45	46	63
Unemployment rate	16.7	19.9	13.5	14.4	20.9	27.3
Other urban neighborhoods:						
Civilian labor force	2,769	2,569	2,568	2,389	201	180
Unemployment	317	294	268	247	48	47
Unemployment rate	11.4	11.4	10.5	10.3	23.9	26.1

[1] Pertains only to SMSA's with populations of 250,000 or more.

TOGO

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. DIGGS. Mr. Speaker, I wish at this time to extend my personal congratulations and those of this assembly to the African state of Togo, which on April 27 will celebrate the ninth anniversary of its independence. During the postindependence period, the Republic of Togo has made great strides toward economic progress. Under its energetic President, Gen. Etienne Eyadema, Togo has remained a peaceful country, maintaining a forward-looking and reasoned posture in foreign affairs.

Relations between the United States and Togo are warm and friendly, thanks in good part to the skillful hands of Dr. Alexandre Ohin, Ambassador of Togo to the United States. It is through such collaboration that ties between the United States and Africa draw closer, in a spirit of self-respect and constructiveness.

ANOTHER ACT OF BARBARISM—ANOTHER INSULT UNANSWERED?

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. UTT. Mr. Speaker, former California Senator Bill Knowland, in an editorial in his Oakland Tribune, clearly delineates the responsibility for the recent and tragic loss of our reconnaissance plane and its crew. Realizing that one one has the full scope of information available to the President, he makes no specific suggestions for action at this time, but does most effectively detail what we should not do. Mr. Speaker, I place the editorial in the Extensions of Remarks in the RECORD:

ANOTHER ACT OF BARBARISM—ANOTHER INSULT UNANSWERED?

Our nation today is once again gripped in the agonizing dilemma of how a respond to a murderous and barbarous act by the belligerent Communist regime in North Korea.

North Korea is scornfully boasting to the world that on Tuesday it downed "with one stroke" a United States Navy reconnaissance plane with a crew of 31 men aboard.

The Pentagon says two bodies, but no survivors, have been found.

Our plane, a lumbering, 300-m.p.h. propeller-driven surveillance aircraft laden with six tons of electronic equipment, was clearly defenseless—in fact, shockingly defenseless under the circumstances.

The kill—apparently by two sophisticated Communist MIG jets—was as simple to achieve as it was cowardly.

Ours was a routine reconnaissance flight—the sort of flight which has been common over the Sea of Japan for 20 years, the sort of reconnaissance activity, in fact, carried on today by every world power.

The North Koreans contend the U.S. plane violated their air space—as if, even if it were true, this fact alone could somehow make right a homicidal skeet shoot in the sky with 31 defenseless American airmen as the target.

Our government flatly denies any such air space violation. The Pentagon insists the plane was lawfully traveling only in international corridors. The recovery by rescue ships of the bodies and portions of the plane's wreckage 120 miles off the North Korean coast points ominously to a blatant North Korean lie.

Our nation, of course, has been here before—just 15 months ago when the USS Pueblo was seized by North Korea, with one of its crewmen killed and the remainder ignominiously imprisoned, tortured and subjected to extracted "confessions."

We responded then with a weakness unbefitting our role as the leading defender of freedom and democracy against the dictators and tyrants of not only the Far East but of the entire planet.

When the Pueblo was seized we should have immediately proceeded to blockade Wonsan and other North Korean ports. No vessels should have been allowed to leave or enter until the Pueblo and its crew were back under United States jurisdiction.

But we didn't. Perhaps the argument could have been made then that to do so would have jeopardized the lives of the Pueblo crewmen. No such claim can now be made.

The words and warning of Thomas Jefferson at an earlier date in our history haunt us today.

In a letter to John Jay, Jefferson urged not only the establishment of a strong U.S. naval force but also prompt retaliation against any

> aggressor seizing or harassing U.S. ships on the high seas.
>
> Speedy retaliation, Jefferson declared, was necessary because—as he put it—"An insult unanswered is the parent of many others."
>
> We shall not be so presumptuous as to suggest what specific course of action our President should now take. No citizen does or can have the information available to a President. None of us can know all the implications of this latest, and obviously deliberate, Communist diversionary tactic.
>
> But we can suggest what ought not be the limit of our response. We ought not merely express our outrage. We ought not be satisfied with merely a "strong diplomatic protest." We ought not let the matter repose in a new round of "negotiations" with sullen and smug tin-horn tyrants. We ought not settle for only the ultimate issuance of some debasing and self-degrading mutual "statement"—as we did in the Pueblo incident.
>
> For, as surely as the unanswered insult of the Pueblo's seizure was the parent of Tuesday's bloodthirsty attack on our unarmed reconnaissance plane, just as surely will this latest insult—if unanswered—be the parent of yet further insult and tragedy to our nation.

COLLEGES AND ROTC

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. NICHOLS. Mr. Speaker, as an ROTC commissioned officer who served in World War II, it grieves me deeply to see the controversy which is presently going on in our country today over this program. While the student opposition to the program is bad enough, I am also disturbed at the lack of support ROTC is getting from other sources.

I was pleased, however, to see the following editorial in the Birmingham Post-Herald which expresses some of my own thoughts on this very important matter:

COLLEGES AND ROTC

> It is singular, at least, that 29 independent college newspapers all would publish an identical editorial, simultaneously, demanding that the Reserve Officers' Training Corps be abolished from all campuses.
>
> Most editors, perhaps college editors in particular, would prefer to write their own opinion, even if they agreed with the others.
>
> If nothing more, this sudden unanimity arouses some wonder about the organizing effort that went into this "spontaneous" outburst—especially, since eliminating ROTC is a major aim of the riot-making, destructive outfit calling itself Students for a Democratic Society.
>
> On the other hand, if it can be presumed that the organizers of the all-of-one-mind collegiate opinion offered the same canned editorial to all schools giving ROTC training their batting average was pretty low. At last count, 353 colleges had ROTC units—and 335 more have applied to the Defense Department for units.
>
> This year the military services expect to get some 25,000 officers from college ROTC advanced courses—all of which are optional with the students. This suggests that, despite the college paper editorial and the SDS, there still are a substantial number of students interested in this type of training.
>
> The campaign against ROTC is intemperate and inconsistent. It is not, or shouldn't be, up to one group of students to decide what courses other students should take. It is no more "democratic" to demand that ROTC be eliminated than to demand that courses in psychology or history should be abolished.
>
> ROTC is compulsory for the first two years on some campuses, but not at many others, such as Harvard where recent disturbances have focused on this issue. Those students who don't want it don't have to attend a college which requires the basic training or take the training at schools where it is optional.
>
> The 29 college editors have made themselves patsies for a maneuver which misses the whole point of democratic processes—and they have tainted their independence as well. In maturity, they may think better of their subservience.

PRESIDENT NIXON TAKES COURAGEOUS STEPS TOWARD FISCAL SANITY

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. DENNEY. Mr. Speaker, Sunday marked the third month that President Richard Nixon has been in office as 37th President of the United States. In these days and weeks, the President has taken courageous and noteworthy steps to insure the economic strength of our Nation.

In part, I speak of the recent moves by Mr. Nixon charting a path out of the fiscal morass in which the previous administration left this country. Last week, a series of budget amendments began coming to the Congress from downtown. The message is bleak. Without substantial reductions in Federal expenditures in nearly every area, the cruel inflationary trend will continue.

I join with many of my colleagues in the Congress in wishing that these reductions need not be so stringent in some areas. But wishing will not solve the problem of inflation. And that is why I hope that there is a community of opinion in this House and in the other body favoring in large measure what the President has requested. For the economic health of the Nation, we can do no less.

Monday, President Nixon sent another message to the Congress, this one further outlining his approach to regaining fiscal sanity and integrity on our home front. Extension of the surtax with reduction to 5 percent in January of 1970, a restructuring of the tax system to lighten the burden of the overtaxed and increase the taxes of those undertaxed, and repeal of the 7-percent investment tax credit are proposals that deserve and will receive laborious attention.

The priorities that President Nixon has set for the future are seen in the figures of the budget amendments, evident from his messages such as today's, and felt from the calm and confident approach he has undertaken to our many problems. As President Nixon moves into the second quarter of his first year in office, I speak on behalf of the Chief Executive, a man that deserves singular commendation for his contribution to our economic well-being.

NEEDED: A STANDING COMMITTEE OF THE ENVIRONMENT

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. BROTZMAN. Mr. Speaker, there are historians who believe that the 20th century will be recalled primarily as the dawn of the nuclear age. Others believe it will be noteworthy as that point in time when man was first able to break the fetters of gravity and travel to the stars. Still others are of the opinion that future generations will regard genetic and medical discoveries as the greatest contribution of our generation to the mainstream of civilization.

However, Mr. Speaker, I believe we have the opportunity to achieve, in our time, a distinction which would be more important to the future of mankind than any of these.

We can become that generation in which men, for the first time, are wise enough to leave the earth, its waters, and its atmophere in better condition than we found it.

Perhaps "opportunity" is misstating the challenge. More accurately, it is mandatory that we gain a positive and perpetual control over those byproducts of civilization which are destroying our physical environment.

Since the dawn of history man has regarded the natural environment as a great bank from which to draw for his physical needs. He has also used it as a repository for his waste products.

Until relatively recent times man tended to regard the ability of the environment to sustain these functions as infinite.

Today we know that every component in what we collectively term "the environment" is not only finite—in some cases we are tragically near depletion or, as the case may be, irreversible despoilment.

I do not think it is necessary to document here the diverse catastrophes which has occurred and are occurring on the land, in the waters, and in the atmosphere of our planet. I think all of us would agree in principle with the proposition that we have fouled our own nest.

Insofar as the magnitude of the threat to future generations is concerned, I cite the following stark word picture, set forth by Dr. David M. Gates, director of the Missouri Botanical Gardens, as part of a congressional colloqium last summer:

> A future earth populated by half-starved, depressed billions gasping for air, depleted of oxygen and laden with pollutants, thirsting for thickened eutrophic water, struggling to avoid the constant presence of one another, and in essence continuing life at a degraded subsistence level.

Mr. Speaker, I believe the time has come to attack the factors which are degrading our environment, systematically and as a matter of the highest national priority.

I do not imply that either the executive branch or the Congress have been blind to the threats or negligent in stepping out to meet them. The aforementioned colloqium—which was sponsored by the House Committee on Science and Astronautics and the Senate Committee on Interior and Insular Affairs—was held to discuss establisment of a national policy for the environment. It graphically demonstrated a high level of awareness in the Federal Government of the magnitude of the problems.

But I do believe that insufficient human and material resources have been brought to bear. Furthermore, I think that the problems are so interrelated and complex that it is going to require a "systems management" approach, such as we employ in our most sophisticated space-age industries, to be equal to the challenge.

It is incumbent upon Congress, in my view, to take a singleminded approach in providing the enabling legislation, the funding and—perhaps most important of all—eternal oversight as the environmental salvage efforts proceed.

We are not talking in terms of a few years or even a decade of environmental therapy, Mr. Speaker. It may well take 100 years or more of research and applied science to restore clean air, with a proper balance of carbon dioxide and oxygen. Or to rescue bodies of water such as Lake Erie, San Francisco Bay, and the Potomac River from their current status as open sewers. Or to learn how to dispose of our solid wastes and our chemical and radiological poisons without having them turn up to bedevil our children and grandchildren like Biblical plagues. Or to learn how to control insect and plant pests without killing our wildlife and upsetting our ecological balances.

Today, I am introducing a resolution which would establish a Standing Committee on the Environment.

This committee would have jurisdiction over many—although not all—of the environmental problems which today beset us.

Initially, I would recommend that the Committee on the Environment be vested with such areas of concern as water quality, air quality, weather modification, waste disposal of all kinds, pesticides and herbicides, and acoustic problems.

In introducing this legislation, Mr. Speaker, I want to state very clearly that I do not minimize the excellent work which has been done by a number of our present committees in these very areas.

But I do claim that some of these problems currently are under the scrutiny, irregularly, of two, three, and even four different committees, a situation which is neither efficient nor conducive to the coordinated leadership which the Nation and the world so desperately need for the environmental quality crusade.

Nor am I the first Member to propose special emphasis by Congress on the problems of the environment.

During the 90th Congress a Senate Select Committee on Technology and Human Environment was proposed.

A Joint Committee of Congress for Marine and Atmospheric Affairs was suggested.

Also, an unofficial Ad Hoc Committee on the Environment was formed, with 87 Senators and Representatives as signators.

All of these efforts are praiseworthy. However, it is my opinion that they simply do not go far enough, considering the magnitude and the insidiousness of the problem. Neither a select committee, a joint committee limited to the seas and the atmosphere, nor an ad hoc committee would provide—in my opinion—enough "horsepower" for the job at hand.

I firmly believe that a standing committee of the House—matched, I would hope, by an equivalent standing committee in the other body of Congress—is sorely needed to forge some of the landmark legislation which will be needed in the decades ahead.

Such a committee would enable Members to apply themselves squarely to environmental problems—with the assistance of a professional staff which could include ecologists, physiologists, biologists, agronomists, meteorologists, and other environmental specialists.

I envisage the Committee on the Environment as potentially one of the most prestigious assignments in the Congress. Certainly I could think of no greater responsibility than assuring a high quality of life for current and future generations.

BRINGING UP CHILDREN

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. FLOOD. Mr. Speaker, recently I received what I consider to be a most thoughtful letter on a most important subject—the proper way to rear children. In order that more of our citizens may receive the benefits of this correspondence, I take pleasure in submitting the letter I received from one of my constituents, Cantor Aaron Horowitz, of Wilkes-Barre, who has written to me previously on this subject. Cantor Horowitz' letter follows:

WILKES-BARRE, PA.,
April 11, 1969.

HON. DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FLOOD: Because of the controversy over the great problem what to do to stop the trouble of the rebellion of children against their parents, teachers and schools, I take the liberty to write to you about my letter which you inserted in the daily Congressional Record, Volume 107, No. 30, dated February 21, 1961, starting at Page A1094 about bringing up children.

In that letter my advice was not to hit children, because it is harmful to their health, both physically and mentally. The only way is love. When children have love for their parents they never do anything that would cause their parents harm.

In the first place, I wish to say something about the bad effect on the health of the child from bodily punishment. On the spot of the slap or blow there is a bruise; you see a gathering of blood. It results in a deleterious effect on the nervous system, interfering with the normal processes of the stomach, liver and other organs of the body.

The mental effect is even worse. The child is embarrassed and ashamed, as well as resentful, over the spanking, and the capacities of his thinking are diminished. I feel certain that many young men and women are prisoners in jails because of these effects.

So, you will ask, what shall we do when children commit bad acts?

I say a parent should teach them, with infinite patience and kindness, NOT to do such things. The parent should tell them: "Your action is bad and it makes me ill. Do you want me to be ill?"

Here is one episode, a fact. A group of people and I were passengers in an automobile. The driver was from out of town and had with him his little boy, about five years old. The boy acted up quite badly in the car. The father told him many times to stop, to sit still, but to no avail. The father then informed him that he would be spanked when they came home. The boy didn't care. He continued his misbehavior.

So I said to the boy: "Would you like to hear a nice story?"

"Yes," he said.

The boy listened quietly. When I had finished, he asked me: "Do you have another story?"

He had changed entirely, and everyone was pleasantly surprised.

The point is, parents in general do not know better; they have been punished by their parents, and continue to do the same with their own offspring.

Here is another episode. There was a large gathering of women and children on Hancock Street, at the school yard. I was passing by, and a child, a boy, was jumping up and down on the sidewalk in front of me. His mother said: "Let the man pass by." The child obeyed, and let me pass by. But, nevertheless, the mother reached over and struck him on the back.

I stopped, and asked her: "Why did you spank him?"

She turned to me indignantly and said: "I am his mother!"

Just these days we read in the paper, a mother killed her 3-year-old child. And just the other day there was a report a step-father killed his 3-year-old baby.

I say we have to stop the old tradition of hitting children.

It is no excuse that the mother or father is tired, or busy, or has no patience to act lovingly with the children. Those same parents were not too busy to make love and procreate their children.

The advice I give them—patient, kindly, non-violent *teaching*—requires more time and effort, that's all. Parents merely take the shortest way, in slapping their child; it helps quickly only for the moment. For the child repeats his mischiefs, and they have to strike him many times during the day.

I would like to tell you another example about the way of love to children in producing the best results.

When we had our Hebrew School on East Northhampton Street in Wilkes-Barre, there were a number of Hebrew teachers, all of them fine people and good instructors.

But one of them, Mr. Eskolsky, knew how to create a way of love with his disciples; and all of them—many of them now prominent lawyers, businessmen and civic leaders—admire Mr. Eskolsky for the wonderful influence he was on them, in acquiring knowledge about Judaism, in acquiring knowledge about life. The love and respect he gave them, elicited love and respect, and a lifelong admiration, for him.

Incidentally, Mr. Eskolsky was a brother-in-law of today's President of Israel, President Shazar.

I am writing this to you, Congressman Flood, in the hope that you might have these remarks placed in the Congressional Record as a guide to parents.

I also feel that you would be doing another fine service to your constituents (another of so many you have done) if my original letter to you, which you had placed in the Congressional Record, could be reproduced and sent by you as a guide to mothers and fathers wherever possible to send them.

With best wishes for continued success in the splendid job you are doing for all the people, I remain

Very sincerely,

Cantor AARON HOROWITZ.

PAPERMILL BEGINS WORK ON POLLUTION ABATEMENT

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. HATHAWAY. Mr. Speaker, the abatement of water pollution and conservation of our water resources are matters of high priority among Members of Congress and all thoughtful Americans.

Responsibly, we have undertaken a commitment to reclaim polluted lakes and streams, to end practices of waste disposal which pose a threat to our environment.

Federal funds have been provided to aid industries and municipalities to build waste treatment plants and other facilities to reduce water pollution. Unfortunately, the funds available have fallen far short of what is needed to accomplish our goal and many industries and local governments have delayed action.

It is my pleasure today to pay respect to a firm that did not wait for Government funds and chose not to delay. The Georgia-Pacific Corp., in connection with its operations at Woodland, Maine, recently started construction of a pollution control plant for their papermill, a project that will cost them $4.5 million.

I submit for the RECORD a press clipping which describes the Georgia-Pacific project, a project which has earned the praise of Maine's Governor, Kenneth M. Curtis, as well as my own.

The article follows:

[From the Bangor (Maine) News, Apr. 15, 1969]

PAPER MILL BEGINS WORK ON POLLUTION ABATEMENT

WOODLAND.—Ground was broken here Monday afternoon at the Georgia-Pacific Paper Co. mills by Gov. Kenneth M. Curtis for a new $4.6 million pollution abatement plant, which, when completed, will eliminate the major source of industrial pollution in the St. Croix River.

Construction of the plant is expected to begin at the end of the week and a completion date has been set for late December of this year.

In essence, the highly automated plant will remove objectionable colors from chemicals and suspended solid wastes from the pulp and paper mill operation. It will also eliminate biochemical oxygen demands required in the Georgia-Pacific process.

The pollution abatement plant will process 30 million gallons of water each day, which is sufficient to supply water to a city of 330,000 people daily, according to General Manager Edward G. Wilson.

Arriving at 4:30 p.m., Gov. Curtis spoke before a gallery of onlookers, including several other state department heads, figures in the Canadian government, local community leaders, mill workers, and residents of area communities.

Curtis praised the firm's decision, "Because it was made when opportunities existed for delay." He suggested also that, "The primary lack of progress against water pollution is a lack of sufficient federal funds which hampers progress in two ways. First, absence of money. Secondly, the excuse it provides for certain groups to drag their feet or refrain from any action."

He also said that Georgia-Pacific's action is setting a "healthy example for the state." Maine's water pollution problem, industrial and sanitary, will cost an estimated $320 million to cure. The Georgia-Pacific abatement plant will take $4.6 million of this.

Georgia-Pacific and other forward-looking companies are investing in Maine's environment, as well as in Maine's economy, the governor said.

Among those in attendance at the groundbreaking ceremonies were: James E. Keefe, head of the Department of Economic Development; Donaldson Coombs chairman of the Water and Air Environmental Improvement Commission; Calais City Manager, Louis Ayoob; Richard Burgess, president of the Calais Chamber of Commerce.

Fred Nicholson, president of the St. Stephen, N.B. Board of Trade; Erwin Brown, mayor of St. Stephen, N.B.; Sam Wheelock, chairman of the St. Stephen Water Commission; C. Arnold Brown, Washington County Commissioner; Alfred Bowden, president of the Charlotte County, N.B. Board of Trade; John Driscoll, mayor of Milltown, N.B.

AIR TRAFFIC CONTROL

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. HARVEY. Mr. Speaker, at a time that we are increasingly concerned about the adequacy of our own domestic air traffic control system, I would like to bring to the attention of my colleagues the article on "Eurocontrol" which appears in the March issue of European Community.

Eurocontrol will affect the safety of the daily flights of American commercial airlines in Europe, and it will be to the benefit of hundreds of thousands of Americans who will fly to or in Europe aboard carriers of any nationality. The European achievement in planning, development, and coordination should be encouraging to all of us. I am pleased to note the cooperation of the United States.

The article follows:

EUROCONTROL: AIR SAFETY IN THE SEVENTIES

(NOTE.—The United States and 11 European governments are working to prevent air jams in Europe of the kind New York experienced last fall. To coordinate their airspace control systems, in 1963 they formed Eurocontrol, the European Organization for the Safety of Air Navigation, with headquarters in Brussels near those of the European Community.)

Rapid increases in the numbers, size, and speed of aircraft since the last war has created air traffic problems. The crowded sky is rapidly growing more congested. Transatlantic traffic forecasts suggest that passenger traffic will increase four times by 1975, and cargo traffic is likely to increase even more quickly. Within Europe, too, the trend will be the same.

Massive increases in passenger and freight traffic will not mean a proportionate increase in the number of aircraft used, because bigger aircraft will be in service. Long-haul "jumbo jets," seating 400 or 500 passengers, will become common in the early 1970's. Over shorter distances, airbuses will carry 250 passengers. Nevertheless, experts forecast that in 1975 air traffic control services will handle twice as many planes as they do today. Control problems will multiply because much of the new traffic will be assigned altitudes above 20,000 feet, the upper airspace that has long been reserved for military aircraft. The coordination of civilian and military aircraft movements will therefore have to be intensified.

EUROCONTROL FORMED ON EUROPEAN INITIATIVE

Because of the nature and scale of modern air traffic problems make it impossible for any single country to solve them alone, the ministers responsible for civil and military aviation in the Benelux countries, France, Britain, and Italy began in 1960 to prepare what was to become the Eurocontrol Convention.

They decided to form an organization under the guidance of a Permanent Commission and the administration of an executive body, the Air Traffic Services Agency. Eurocontrol came into existence on March 1, 1963. A year later, the safety of air navigation in the upper airspace of Western Europe was entrusted to it. After participating in preparatory studies for the Convention, Italy withdrew from the group of founders, but later signed a cooperation agreement. Ireland joined the Organization in 1965; and the United States, the Scandinavian countries, Switzerland, and Portugal have also signed individual agreements.

The Agency's task is to coordinate upper airspace traffic control systems for the member countries and to install the facilities required to operate these services satisfactorily. To discharge this task, it works closely with the military authorities and can, with the Eurocontrol Commission's approval, open research and experimental centers and schools for advanced and specialized personnel training. The Agency is financed directly by the member states, whose contributions are calculated on the basis of their gross national product.

FIRST ACHIEVEMENTS

The Eurocontrol Commission has so far decided to install control centers in Luxembourg and near Maastricht in the Netherlands, and to open an experimental center at Brétigny, near Paris.

The first international control center, Maastricht, will control flights in the Benelux-North Germany area of 80,000 square miles. With computers and other modern equipment, 180 controllers will be responsible for the safety of 23,000 miles of air routes. Building began in October 1966, and the center is scheduled to become operative in 1972. Each control team will be able to handle 16 aircraft, instead of six as is customary today.

Eurocontrol is preparing the equipment, personnel, and procedures it will need at the Brétigny experimental center. The installation includes one of the most powerful high-capacity control simulators in the world, which will enable technicians to monitor 300 flights in a region covered by six radar stations, equivalent to what would be found in a dense traffic area of about 20,000 square miles. The simulator is an ideal tool for planning supersonic aircraft arrivals in crowded airlanes and calculating their holding patterns.

Safety and economy justify the international public service performed by Eurocontrol. In a few years, one error in navigation could cause the crash of an aircraft with five hundred persons on board. By functioning around the clock, Eurocontrol will enable airlines to operate at any time instead of only in daylight and favorable weather conditions.

Eurocontrol should help ensure the smoothest flow of traffic at each aircraft's optimum altitude and lowest operating costs. If not, detours, delays, increased fuel consumption, and unforeseen stops will result, all of which mean greatly increased costs. It costs between $3,000 and $3,600 an hour to keep a Boeing 707 in the air, and over $1,200 an hour for a *Caravelle*.

SENATOR DOLE'S SPEECH AT KANSAS STATE UNIVERSITY OUTLINES WAYS TO DEAL WITH PROBLEM OF MALNUTRITION

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. MIZE. Mr. Speaker, Kansas is a leading State in the production of food. It is appropriate, therefore, that the distinguished junior Senator from Kansas, the Honorable Bob Dole, has been assigned to membership on the Senate Select Committee on Nutrition and Human Needs.

Senator Dole is uniquely qualified for this important post. While a Congressman, he served for 8 years on the House Agriculture Committee. As one of the most imaginative and dedicated Members of the House, Mr. Dole authored an important amendment to Public Law 480 which ultimately was signed into law by the President. The Dole amendment provides "farmer to farmer" assistance to underdeveloped nations in their efforts to produce adequate food.

After intensive study and personal observation of nutritional deficiencies in Africa and Asia, Congressman Dole was convinced that the rapidly increasing populations of those emerging areas desperately needed technical assistance from American farmers and scientists to avert widespread famine before the end of this century.

His amendment was an appropriate response to this challenge.

Americans are fortunate that a humanitarian of the stature of Senator Dole has been assigned to the Senate Select Committee on Nutrition and Human Needs. His broad background in the general area of the committee's concern provides elements of expertise which any Congressional committee must have to function effectively.

Senator Dole recently spoke to the All-University Open House Convocation at Kansas State University at Manhattan, Kans. His remarks were directed to the problems of malnutrition in America.

Senator Dole stressed the essential role that local authorities and private enterprise must play in any successful effort to remove the disgrace of malnutrition from this Nation, with all its wealth.

Because of the national interest in this problem and because I feel Senator Dole's views will be of benefit to all concerned Members, I insert his remarks in the Record at this point:

Remarks of Hon. Robert Dole at All-University Open House Convocation, Kansas State University, Manhattan, Kans., April 12, 1969

I appreciate participating in this All-University open house convocation of Kansas State University and welcome the opportunity to meet with you. It is very important that there exists a continuing dialogue between those of us in government and the university community. The primary mission of government should be to maintain and try to improve the environment and quality of life for all our people. To you, individually, this may involve your education and the contribution you can make subsequent to graduation.

As a community, it requires the university to become increasingly involved in the complex array of seemingly insoluble problems of our time—problems which must be solved if we are to continue to enjoy life as we recognize it.

For the past one third of this century, we have worried about the economic imperative—who received what share of the economic pie. For the last one third of this century, we must also be concerned with the environmental imperative—pollution, land use, transportation, and our greatest problem, the disadvantaged, whether they be in an urban ghetto or the rural areas of our Nation. In the years ahead, the solutions to these matters will require the thought and the energies of all of us, both in and out of government. As Mark Twain once observed, "life is just one damned thing after another."

The wonder of science and technology has raised the hopes of the disadvantaged that they will soon be able to improve their lot. With the ever increasing ability of our farmers to produce bigger yields and better quality food products, it is now possible to relieve man of want: It is to this point that I wish to address myself today.

The existence of widespread malnutrition in America has been brought to public attention in the past 12 months. At present, the Senate Select Committee on Nutrition and Human Needs, of which I am a member, is compiling testimony and making personal investigations throughout the country in an attempt to identify the problem and arrive at recommendations for remedial legislation and possible administrative action.

DEFINITIONS

Before proceeding, it might be well to define the conditions to which I will refer throughout this discussion. Hunger, the term most commonly used when talking about this problem, has both a quantitative and qualitative definition. Webster's 7th new Collegiate dictionary describes hunger as "a craving or urgent need for food or a specific nutrient". The extremes of hunger create the condition of starvation which may result in death.

The malnutrition that so many Americans suffer from is inadequacy of a substance or substances required "to promote growth" and necessary "to repair the natural wastage of organic life".

Hunger exists and starvation may occur as a result, but the overriding problem is the extent of malnutrition among the poor.

There are many causes of malnutrition—ignorance of the need for or what constitutes an adequate diet, unsatisfactory housing and sanitation that results in parasitic infestation, as well as those factors that can be determined clinically and that may occur in people at all economic levels. But there are numerous people in this affluent country who suffer from malnutrition because they have been unable to afford the right kinds of food.

PRESENT PROGRAMS

This audience should know more about food assistance programs—the accomplishments and the unmet needs.

There are two basic programs to provide families food to prepare and eat in their homes—the Commodity Distribution Program and the Food Stamp Program. In addition, there is a new program to provide special supplementary foods for pregnant and nursing mothers and small children based on medical determinations.

SCHOOL LUNCH PROGRAM

The other major group of programs is designed to provide nutritious meals in group situations to children, both in school and out of school. In this category is the National School Lunch Program, which has been in operation since 1946. More recently, under the Child Nutritions Act of 1966, Federal assistance provides for breakfast programs in qualified schools. The 90th session of Congress approved legislation providing for Federal assistance to feeding programs in non-school situations such as child care centers and settlement houses for young children and group feeding programs during the summer months for children high school grade and under.

The National School Lunch Program is improving the nutrition of all children regardless of their family's income. This program is designed to not only provide at least one-third of the child's daily requirements of the basic nutrients, but teach the children good nutrition through becoming accustomed to eating well-balanced meals.

The Federal Government prescribes meal-type requirements for these programs that insure nutritionally adequate meals; provides technical assistance to the States and to the schools in many forms and more directly, cash reimbursement for meals served, donated commodities, and this year for the first time, substantial funds to assist the schools in obtaining necessary lunch room equipment.

The Congress has provided that lunches be served free or at reduced price to those children who cannot afford to pay. However, the fact is that there are millions of poor children who are not participating in the program. We have passed legislation to help correct this, and the newer programs under the child nutrition act and the provision for group feeding in non-school situations have been aimed toward reaching these poor children.

COMMODITY DISTRIBUTION PROGRAM

A second program provides for commodity distribution. This program is operated through agreements with State agencies, the Federal Government buys the commodities and delivers them in carload lots to points within the States. The States are responsible for ordering commodities and accounting for them and supervising the operation of the program in the local areas. The local government, usually the county, is responsible for determining eligibility and actually distributing the commodities.

The supplemental food program I mentioned earlier operates through health facilities serving the poor, and is based on medical determinations that the mothers and young children need supplemental foods.

FOOD STAMP PROGRAM

The food stamp program is designed to reach the same group with essentially the same eligibility standards as commodity distribution. Under this program the Federal Government provides the coupons, including the full cost of the subsidy as well as about one-third of the local cost of administering the program. Again, this program is operated through agreements with State public welfare agencies who assume full responsibility for operation within the State. However, the Department of Agriculture assumes responsibility for supervision.

In general, under this program the families pay about what they would spend for food each month in the absence of the program and receive food coupons or stamps that are worth considerably more than they pay. On a national average of all incomes and family sizes they pay on the ratio of about $6 for $10 worth of coupons.

As an example, the general schedule governing eligibility in Kansas for a four-person family is as follows:

Income	User's contribution	Food stamps worth
$20	$2	$52
$30 to $40	14	56
$60 to $70	28	66
$110 to $120	48	82
$200 to $220	68	92

By law, the commodity distribution program cannot be utilized in areas where the food stamp program is in effect.

Recently, the Secretary of Agriculture, Clifford M. Hardin, offered a pilot program to South Carolina to provide food stamps without cost to families who have very little or no income in Jasper and Beaufort Counties. Although these counties had previously had a food stamp program, the families paid 50 cents per month per person, to get food stamps worth $58.

THE 1970 BUDGET

The FY 1970 budget provides for substantially increased appropriations for the child feeding programs for low income families for this current year. In the past few years the local communities have inaugurated the school lunch program in additional schools, and are now operating in schools that represent about 80 percent of the national average daily school attendance. Last year there were about 19 million children participating in the school lunch program with about 2.3 million of these children receiving their meals free or at reduced cost.

With increased funds for this year the program will go into more schools and will be serving about 1 million more needy children lunches at free or reduced prices. At the same time the breakfast program has been growing. A very high proportion of these breakfasts are free and the others served at very nominal cost—10 or 15 cents.

I have gone into detail here to show the progress which has been made. Nevertheless, many needs remain and the problems of meeting these needs are great.

A major problem is the motivation of and securing support from the local communities. Regardless of the mechanism in the last analysis, success of these programs in meeting the unmet need depends on the local community.

Although there is now either a food stamp or commodity distribution program in every one of the 1,000 lowest income counties, there is a substantial problem in making the programs available to those who need this assistance. Unfortunately, there are over 450 counties and independent cities left in the country which have no family food assistance although residents of these areas would otherwise be eligible.

Wherever there are people who would be eligible for one of the programs, it is the responsibility of the local authorities to take affirmative action to implement the appropriate program.

KANSAS

Here in Kansas as of February 1969 there were 3,060 people participating in the food stamp program in 8 counties. Since that time, 3 other counties have been designated for the food stamp program and Neosho County will enter by May. Additionally, on April 2, the Department of Agriculture received a request from the Kansas State Department of Social Welfare requesting Harvey and Montgomery Counties be admitted to the program.

At the same time, the food stamp program is operating, 11,088 people in 14 counties in Kansas are participating in the commodity donation program.

It would appear from these statistics that the State and local officials in Kansas are attempting to make these programs available to a greater number of eligible families.

IDENTIFYING PROBLEM

As an aid to local, State, and Federal officials in identifying the problem, a national nutrition survey is being conducted by the Public Health Service of the U.S. Government. This is a survey of thousands of families in the lowest quarter income brackets in 10 widely scattered States, conducted by specially trained medical personnel. Preliminary results have disclosed that:

About one third of the pre-school children examined exhibit signs of anemia such as fatigue, listlessness, an inability to perform.

Growth retardation, often companion to permanent brain damage, is common.

33% of the children examined under 6 show signs of vitamin A deficiency, unknown to any child who simply drinks enough milk.

There are children in this country who have rickets and scurvy and beriberi, marasmus and kwashiorkor. These are diseases common in developing countries and usually associated with famine.

This national nutrition survey and my personal experience indicate malnutrition is a very real problem in America. (*Discuss*)

IMPORTANCE OF PROTEIN

Protein deprived children do not learn as well in their formative years as their well-fed counterparts. There is evidence that their mental capacity, because of retarded brain growth, is permanently impaired. Added to this is the impact of maternal malnutrition. Dr. John A. Churchill of the National Institute of Neurological Diseases and Blindness says that maternal malnutrition may be the single most important cause of a host of subtle birth defects, from lower intelligence to speech and hearing impediments.

Protein malnutrition is condemning future generations to poor performance. The most pernicious cycle is that where people are too poor to eat well, they develop poorly. Unable to achieve, they possibly get poorer. Obviously, if personal and national goals are to be achieved, this cycle must be broken. Protein malnutrition is a block to national development.

FORTIFIED FOODS

Many groups, including international as well as individual Government agencies and private organizations, have developed food formulas to meet this problem of protein malnutrition. Such a food preparation must meet stringent standards of nutritional quality, and at the same time be available in large quantities at low cost. The food must be transportable without problems, easily prepared for use, and readily acceptable by the children.

The United States milling and bulgur industries have formulated such a food product based on wheat. It is precooked and designed for use as a beverage gruel, soup or dessert. It is called wheat soya blend. Another of the low cost, high protein foods is C.S.M.—a corn-soya-milk blend. Kansas may play an important part in the development of such food products, as bulgur is already being produced in Hutchinson by the Farmers Cooperative Association.

OUR EFFORTS

We must exploit to the fullest these new capabilities of our food sciences to help attain better nutrition. As part of this effort, I urged in a meeting with Secretary of HEW, Robert H. Finch, and Secretary of Agriculture, Clifford M. Hardin, that we fully explore the role of the private sector in domestic development, marketing and distribution of fortified foods. Pursuant to that meeting, I joined my Republican colleagues on the nutrition and human needs committee in urging the appointment of a "private sector task force" composed of representatives of universities, food companies and other interested groups and organizations to study this matter in depth. To assist in identifying our problems in Kansas and make recommendations on possible legislative action, I am appointing a committee to be chaired by former Senator Frank Carlson, which will report to me within the next 3 months.

In eliminating malnutrition, the combined Federal, State, local, and private voluntary resources must be marshaled to provide nutrition education and homemakers training in buying, preparing and serving nutritious meals. Kansas State University, through its cooperative extension service is making a valuable contribution in this area. Special U.S. Department of Agriculture funds were offered to Kansas to "help families get more for the dollars they spend for food and other necessities."

The K.S.U. extension aides will work directly with limited income families in their own neighborhoods by suggesting ways to improve skills in shopping, selecting food, planning meals, and using available commodities.

PRESIDENT'S POSITION

I want to assure you that President Nixon recognizes the complexity and the gravity of the problem I have discussed with you today. On February 3, 1969, in talking to the top levels of USDA employees, he said:

"But I know that all of you are aware, as I am, that those surpluses are a great bounty for the United States of America. It means that we can effectively deal with the problems of hunger in this country and help with the problems of hunger in the world because we are able to produce so much.

"So that presents the challenge to the men and women in this room, the leaders of this Department, those upon whom the Secretary is going to rely to obtain the advice so that we can effectively use this tremendous productive capacity which this Department has helped to build through the years; so that we can effectively use it in a scientific way to attack the problems of hunger, of malnutrition and all of its assets in this Nation, and thereby also to set perhaps an example to other nations in the world.

"It is an exciting problem. It is one in which I have asked the secretary to assume a special responsibility in the meetings in the cabinet and in the other various groups in which he sits and which I am also present. We are going to work on this problem."

CONCLUSION

Certainly, improvements have been made and will continue to be made. We need the concerned interest of everyone here. But what contributions can you make in meeting this new fresh challenge? As students of science, economics, sociology, and all the other specialization, there is room for new suggestions—new leads. How can we use our limited budgets most constructively in this effort to save and improve lives? Nutrition is a key to a better future.

To you men and women, this is a domestic challenge worthy of your talents and involvement.

WHO WILL SIGN?

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. SNYDER. Mr. Speaker, an editorial in the Milwaukee Sentinel on April

23, 1969, serves as a reminder that there is a discharge petition on the clerk's desk to bring H.R. 7778 out for a vote. Members are urged to sign the petition. The editorial follows:

WHO WILL SIGN?

Those congressmen who accepted a 41% pay increase over what they said was their personal opposition, are now going to have a chance to prove their sincerity.

Rep. M. G. Snyder (R-Ky.) is filing a petition in the house calling for a vote on a bill "to rescind the pay increases for members of congress and other federal officials."

Although the senate voted for the pay increases, the house never did, and they became effective automatically. Asserting that "your constituents have a right to know where you stand," Snyder is urging his colleagues to sign the discharge petition which will force his bill to a vote.

It will require the signatures of a majority—at least 218—of the members to bring the bill to the floor. On the behalf of irritated taxpayers, we intend to watch closely to see who signs the Snyder discharge petition.

SUPPORT FOR THE COMPREHENSIVE WATER QUALITY IMPROVEMENT ACT OF 1969

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. ANDERSON of California. Mr. Speaker, I wish to bring to the attention of my colleagues a recent resolution passed unanimously by the Los Angeles County Board of Supervisors expressing their endorsement and support of H.R. 4148 and H.R. 7734, the Comprehensive Water Quality Improvement Act of 1969, of which I was a coauthor. We were all very pleased when this bill passed the House on April 16, 1969, and hope that this much-needed legislation will now pass the Senate and be enacted into law. With water pollution such an urgent national problem, Congress and the President have a responsibility to the people to clean up our waters now and protect our environment before it is too late.

The resolution follows:

RESOLUTION

On motion of Supervisor Hahn, unanimously carried, it is ordered that the following resolution be and it is hereby adopted:

"Whereas, the availability of adequate water supply in Southern California is essential to the very life of our people and the growth of our commerce and industry; and

"Whereas, a source of water is the reclamation of waste water through scientifically designed treatment processes which can return high quality water free from pollutants to underground basins thereby restoring in large measure the rapidly diminishing natural water; and

"Whereas, it is necessary to strengthen the control of discharges of potential water pollutants and provide penalties for the violation of water quality control laws;

"Now, therefore, be it resolved, that the Board of Supervisors of the County of Los Angeles endorse proposed amendments to the Federal Water Pollution Control Act contained in H.R. 4148 and H.R. 7734, in order to improve water quality by making it possible for municipalities and other agencies to finance the high cost of construction treatment facilities;

"Be it further resolved, that the Executive Officer of the Board of Supervisors be directed to send a copy of this resolution endorsing the bills to Congressman Glen M. Anderson, co-author of the bills, to Senators Murphy and Cranston and to the Los Angeles County Congressional Delegation."

STATE OF CALIFORNIA,
County of Los Angeles, ss:

I, James S. Mize, Executive Officer-Clerk of the Board of Supervisors of the County of Los Angeles, do hereby certify that the foregoing is a full, true and correct copy of the Original Minutes of Board Order No. 170 of April 1, 1969 on file in the office of the Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

In witness whereof, I have hereunto set my hand and affixed the seal of the County of Los Angeles this 2nd day of April, 1969.

JAMES S. MIZE,
Executive Officer-Clerk of the Board of Supervisors of the County of Los Angeles.

CHAIRMAN RAND DIXON OF THE FEDERAL TRADE COMMISSION CITES OUTSTANDING RECORD ON CONSUMER WORK AND SERVICES OF THIS COMMISSION

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. EVINS of Tennessee. Mr. Speaker, Chairman Paul Rand Dixon of the Federal Trade Commission in a recent statement outlined the outstanding record of accomplishments by the FTC under his direction, particularly in the field of consumer affairs. Among other things, Chairman Dixon cites his pioneering with respect to the matter of cigarette smoking, pointing out that "the Federal Trade Commission tried to do something about this problem before anyone else was willing to act."

The FTC has also done an outstanding work in protecting consumers from deceptive business practices and in efforts to curb mergers and economic concentration.

A number of important economic reports have been issued in many important areas, including food retailing, automobile tires, baking, gasoline retailing, and automobile warranties, among others. Other studies are underway and industry-wide proceedings were initiated in an effort to achieve broader results in the area of consumer protection. Antitrust proceedings involving price fixing resulted in savings of millions of dollars for the American consumer.

These are examples of the important work of the Federal Trade Commission under the direction of Chairman Dixon, who has endeavored to achieve maximum results with innovation and resources available.

Because of the interest of my colleagues and the American people in this most important matter, I place in the RECORD herewith Chairman Dixon's recent statement before the Subcommittee on Executive Reorganization of the Committee on Government Operations of the Senate.

The statement follows:

STATEMENT OF PAUL RAND DIXON, CHAIRMAN, FEDERAL TRADE COMMISSION

Mr. Chairman, members of the Subcommittee, I appreciate the opportunity to appear here today and testify on S. 860, a bill to establish a Department of Consumer Affairs. With your permission, I'd like to begin by outlining very briefly the general purposes and the statutory responsibilities of the Federal Trade Commission.

As you know, the Commission has responsibilities in both the antitrust and the antideception areas. Our organic statute, the Federal Trade Commission Act of 1914, as amended by the Wheeler-Lea Act, itself puts us squarely into both of these fields. Its single substantive provision, a section with only 19 words in it, reads as follows: "Unfair methods of competition in commerce, and unfair or deceptive acts or practices in commerce, are hereby declared unlawful." This language has been interpreted over the years as conferring a broad antitrust jurisdiction on the Commission, one under which we have brought hundreds of cases in the antimonopoly area, including cases involving such traditional antitrust offenses as price fixing, boycotts, sales below cost and the like. Another way to explain our jurisdiction here is to note, as the Supreme Court has said from time to time, that any conduct that violates the older Sherman Act—any collusive restraints of trade or efforts to monopolize trade—automatically violates Section 5 of the Federal Trade Commission Act.

In addition to this general mandate in the antitrust area, the Commission shares, with the Antitrust Division of the Department of Justice, responsibility for the enforcement of the Clayton Act of 1914, as amended by the Robinson-Patman Price Discrimination Act of 1936 and the Celler-Kefauver Anti-Merger Act of 1950. That statute, the Clayton Act, thus deals with four rather specific business practices: (1) price discrimination; (2) exclusive dealing; (3) mergers; and (4) interlocking directorates.

One thing that distinguishes the statutory authority conferred on our agency by the Federal Trade Commission Act from, say, the Sherman Act (which is enforced exclusively by the Justice Department) is that it has been repeatedly held to prohibit not merely *existing* restraints of trade but "incipient" ones as well, those that have not yet reached the magnitude of full-blown Sherman Act violations. It is important to understand this "preventive" character of our statutes and of the remedies we are authorized to employ. We have no punitive powers. While we're authorized to issue "cease-and-desist" orders requiring a party to abandon an unlawful practice in its *future* business dealings, we enforce no criminal laws that exact punishment for *past* violations. This was neither oversight nor, in my opinion, indifference on the part of the Congress that passed the original FTC Act. The reasoning was that, if criminal penalties were attached to violations of that law (as they had been to the Sherman Act), the courts of the day would have construed it so severely as to effectively emasculate it, whereas with only civil remedies involved, the courts would probably interpret it more liberally and thus give it real meaning.

A host of other statutes have been added to the Commission's responsibilities over the years. These include: The Wool, Fur, Flammable Fabrics, and Textile Products Acts; the Export Trade Act; the Lanham Trade-Mark Act; the Insurance Act; the Federal Cigarette Labeling and Advertising Act; the Fair Packaging and Labeling Act; and, most recently, the Truth in Lending Act, among others.

Perhaps the most significant thing to understand about the scope of the Commission's statutory duties is that we exercise a *general* jurisdiction, not a narrowly special one. We are expected to assure that all firms engaged in interstate commerce, excepting only those in the so-called exempt or "regulated" industries, conduct their business "fairly," with no objectionable aggression against either their suppliers, their competitors, or the approximately 200 million consumers that are their ultimate customers. Our "beat," in short, is virtually the whole of this approximately $900 billion economy of ours.

I would be less than candid, Mr. Chairman, if I told you I was completely satisfied with the Commission's success in carrying out the numerous missions assigned to it by the Congress. I am not. But I am proud of my agency and its personnel, and I am confident that you will be hard put to find another agency in government where so few accomplish so much for the public interest at so low a cost to the taxpayer.

Perhaps I can be of most assistance to the members of this Committee in their deliberations concerning S. 860 if I shared with you today some of the experiences and problems faced by the Commission in carrying out its various missions.

The truly critical point to understand in all of these questions, Mr. Chairman, is one that centers around the idea of what other witnesses here have aptly characterized as the weighing of National "priorities." It should be fairly clear to all that a tiny agency such as ours, one with just over 1,100 employees, cannot effectively police a $100 billion economy, with over 5 million business firms in it. We simply cannot proceed against *every* "unfair" business act or practice committed in this broad land of ours on the resources the Congress has seen fit to give us. And of course the moment we concede we cannot proceed against *all* of them, we must begin to think about *which* we will select, and which we must pass over, not out of indifference but out of a realistic recognition of the physical constraints imposed on us from the outside.

Now, tightly bound up with this point, Mr. Chairman, is another I would like to make with you, namely, the fact that there is a closer connection between our antitrust work and our antideception work than is generally recognized by those interested in protecting the consumer's interest. First of all, there is the fact that those two classes of cases compete for our time, attention, and limited number of dollars available for enforcement work. If one knows that it will take, say $50,000 to conduct an investigation and litigate a certain "deceptive practices" case, one that is estimated to be costing consumers, say $1,000,000 per year, and if one also knows that it would cost exactly that same number of dollars to investigate and litigate a giant *merger* case, one with potential benefits to the consumers that could ultimately run into *many millions* of dollars (in terms of high prices and lost output in later years), it becomes very clear that the two sides of our work are hardly as "independent" as they appear at first glance.

Nor does the connection between the two end there, Mr. Chairman. There is a tendency, when cataloging "consumer" matters, to think solely and exclusively of cases involving fraud and deception. In fact, however, *antitrust is a "consumer" matter* in precisely the same sense as antideception, namely, it is concerned with economic injury (aside from health and safety cases)—with, to put it bluntly, a lightening of the consumer's pocketbook. The former causes the consumer economic injury by persuading him to (a) buy a product he would not have bought at all if he had known the truth about it, or (b) pay *more* for a product than he would have paid if he had known the truth about it. In much the same fashion, monopoly, price-fixing, and all the other antitrust practices, by lessening the intensity of the competition that otherwise would have prevailed, compel the consumer to (a) accept, for sheer lack of alternatives, a product he would not have purchased at all if there had been more favorable options to turn to, or (b) pay *more* for the product than he would have had to pay for it if competition had been effective.

In other words, Mr. Chairman, the "success" or lack of it of a deceptive-practice scheme is measured in exactly the same terms as the "success" or lack of it of a monopolization or price-fixing scheme, namely, by the number of dollars it extracts from the consuming public over and beyond what it would have been able to claim in the absence of those unlawful acts or practices. Whether the public was in fact deceived, and by *how much*, is thus measured in terms of how much *extra* they were parsuaded to pay for a product because of the false information they were given. A *deception* that costs the public $10 million annually should logically be accorded the same degree of attention that a *monopoly* costing the public $10 million per year in overcharges receives no more, and we hope, no less.

In some cases, deception and monopoly are in fact simply opposite sides of a single coin. The economists who specialize in these matters now advise us that the *increasing concentration* we are all so concerned about is in fact occurring most rapidly in precisely those industries where the more subtle forms of apparently misleading advertising are being applied most heavily. That is to say, massive, advertising is apparently capable of "concentrating" all or substantially all of the sales of a given product in the hands of one or a handful of very large sellers, thus imposing on the consuming public not merely a *false impression* of the product but the *higher prices* and other disadvantages of buying from a monopolist or small group of tight-knit oligopolists. In other words, Mr. Chairman, it is becoming increasingly difficult, when attempting to make some rough assessment of the overcharge being paid by the consumer for a product that is sold by some form of deceptive advertising, to separate out that part of it that stems from the deception, as such, and that part that stems from the fact that it is being sold by a firm with great market power, one that operates in a highly concentrated market in which genuine competition has ceased to exist in any form that is particularly beneficial to the consumer. In a number of industries, in short, the deception and the monopoly power have been fused into one, each supporting the other, protecting and preserving it from the inroads of would-be competitors.

If I might, Mr. Chairman, I would like to give you a rather concrete example of why we consider our antitrust work to be as squarely within the "consumer protection" field as our antideception program. In 1961, the Commission issued a complaint charging some 50 bread bakers and a large supermarket chain with conspiring to fix the price of bread in Seattle, Washington, and the surrounding area. Hearings were held before one of the Commission's hearing examiners, evidence was received from both the respondents and counsel supporting the complaint, and an initial decision was handed down by the examiner. On appeal to the Commission, the agency found that price fixing was going on and issued a "cease-and-desist" order.[1] This was in December 1964.

An economic analysis of bread prices in Seattle during the period of the conspiracy—from 1955 to 1964—uncovered some very interesting facts. As you can see in Figure 1, bread prices in Seattle were approximately the same as the national average prior to 1954. Beginning in the middle of that year, however, the Seattle price started to climb higher and higher above the national average, ultimately exceeding it by some 3 to 4 cents per 1-lb. loaf, or nearly 20%. Then, a few weeks after the Commission's final December 1964 cease and desist order was entered, the Seattle price started to fall, and has remained at or below the national average since late 1965.

Now in this case, Mr. Chairman, we have a very interesting example of how much a price-fixing conspiracy was costing Seattle consumers and thus how much, in dollars, our work on this case has saved those consumers. We estimate that the added cost to consumers in the Seattle-Tacoma area alone amounted to approximately *$3.5 million per year*, or approximately $35 million in the 10-year period of the conspiracy, 1954–64. The savings to the consumer in the four years since our order was entered, 1965–1969, thus amounts to some $14 million.

In our view, Mr. Chairman, it would be very difficult to imagine a clearer example of a "consumer protection" case. Or, for that matter, a more successful one.

Unfortunately, of course, it is not always possible to measure precisely the savings to consumers from our work. It is my conviction, however, that in the long run, vigorous antitrust enforcement provides our strongest shield against exploitation of consumers.

It is very important, it seems to me, Mr. Chairman, to understand that the problem of law enforcement in the consumer area is not simply a matter of passing stringent laws and staffing the administering agencies with energetic zealots. This has been generally acknowledged, of course, for many decades. Were it otherwise, we would not be here today pondering the problem; some past administration, properly sensitive to the prospects of facing a grateful consumer-electorate, would have long since taken the cue.

As several of the prior witnesses have mentioned, the performance of the federal consumer agencies has been the subject of a running criticism from the very beginning. Indeed, the Federal Trade Commission itself was created in 1914 out of Congressional dissatisfaction with the performance of the Antitrust Division of the Department of Justice. The Commission, in turn, was subjected to a book-length criticism as early as 1924 by a scholar named Gerard C. Henderson (*The Federal Trade Commission*, Yale University Press, 1924). In 1949, there was the highly critical report by the Hoover Commission. Later, in 1961, a similarly critical report on our agency and others was made to President Kennedy by the Landis Commission. Again, none of this is to deny that the problems pointed to by these critics existed then or exist now, or to excuse the failure of the agencies over the years to solve them; rather, it is to emphasize that, as is illustrated by the fact that they *do* span many decades, they obviously go much deeper than the personal sobriety and work habits of any particular group of men that might happen to occupy the agencies' supervisory posts at any given time.

Mr. Chairman, the past eight years have been a time not of complacency at the Federal Trade Commission, but a time of searching, of seeking for better ways of doing things than those that had been used and found wanting in the past. Our agency had traditionally used what was called the case-by-case approach, one in which you simply brought as many cases of the traditional type as you could bring on the budget you were given. And of course this effort to maximize the number of cases necessarily meant that you gave the matter a great deal of thought before you took on a so-called "big case," one that would drastically bring down your statistical "average" for the year. It was my feeling in 1961 when I became Chairman of the agency, and I think it fair to say that it was the feeling of the other commissioners we had then as well, that the time had come to stop bringing lawsuits just for the sake of bringing lawsuits, and to try to analyze exactly what it was we wanted to accomplish. We wanted ultimately, of course, the "biggest bang for our consumer buck," the largest, most widespread *law observance* program we could get, given the size of our budget.

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[1] *In the Matter of Bakers of Washington, Inc., et al.*, Dkt. 8309 (December 1964). This order was subsequently affirmed in *Safeway Stores, Inc., et al.* v. *Federal Trade Commission*, 366 F. 2d 795 (9th Cir. 1966). The Supreme Court subsequently denied certiorari in this matter, 386 U.S. 932.

We went through some sharp re-aligning of our priorities. We started substituting industrywide proceedings for the "one-at-a-time" approach; we set up a procedure for giving advice and guidance to businessmen who genuinely wanted to comply with the requirements of the law, not just subpoenas; and we set up a program for settling more cases by what we called "voluntary assurances" of discontinuance, a procedure that, of course, substantially reduced the number we had to resolve in the hearing room.

Some persons have criticized these procedures because they result in fewer lawsuits. I am assured however, Mr. Chairman, that of the literally hundreds of law violations we correct yearly under these procedures, *virtually none are repeated*. Now if we can get everything our laws permit us to claim in this simple, inexpensive way—if we can free the victims of these violations from their effects immediately rather than after the five or ten years of delay the court processes normally impose on us—then I am at a loss as to why we should insist on bringing formal lawsuits that, in the words of our economist-friends, have such a low "marginal return." There is, of course, an appropriate role for the formal lawsuit—to deal with recalcitrants, to give credibility to our less rigorous processes, to develop new law, to explore economic relationships that have been only imperfectly understood in the past, and the like—but the fact remains that an insistence on litigating *all* matters brought to our attention would result in *less* law enforcement, not more. The thesis that *no* business firms will bring themselves into compliance with the requirements of our consumer protection laws without a full-scale trial and the assessment of fines or penalties is simply not true.

Nor is it true, Mr. Chairman, that the Commission has devoted itself in the past eight years to small matters in insignificant industries. When I came to the agency as chairman in 1961, there was a tremendous *backlog* of cases, many of which were indeed of something less than earth-shaking significance to the consumer. The Commission was rather obviously being tied up in knots by what one scholar has aptly called "the universal Gresham's Law of Administration—that small matters with close deadlines push aside important matters with no fixed deadline."[2] The delay resulting from the backlog was most keenly felt, in short, in precisely those cases where it was capable of doing the most damage to the public interest, the "big" cases, those that affect the largest number of consumers in the broadest possible ways. Justice delayed, we felt, was justice denied, and accordingly gave the very highest priority to devising simpler, more expeditious ways of resolving the less significant matters that were interfering with work on the larger ones.

This preoccupation of the Commission in those earlier years "with small matters with close deadlines" is nowhere so evident, of course, as in the decline of one of the most vital aspects of the agency's work, its making of in-depth *economic* inquiries and preparing long-range economic reports. In the 9-year period prior to 1961, only 4 such economic reports had been issued. One of the first steps I took upon becoming Chairman was to begin building what has since come to be recognized as one of the most outstanding economic staffs in Washington. In the past 3 years alone it has prepared such important economic inquires as: *Economic Report on the Structure and Competitive Behavior of Food Retailing* (January 1966); *Structure of Food Manufacturing* (June 1966); the *Economic Report on Mergers and Vertical Integration in the Cement Industry* (April 1966); the *Economic Report on the Manufacture and Distribution of Automotive Tires* (March 1966); the *Economic Report on Webb-Pomerene Export Trade Associations* (June 1967); the *Economic Report on the Baking Industry* (November 1967); *Staff Report on Automobile Warranties* (1968); the *Economic Report on the Use of Games of Chance in Food and Gasoline Retailing* (December 1968). We currently have underway a broadscale economic study of conglomerate mergers which will doubtless play a central role in the development of future policy in this critical area. In addition, the Commission has been asked by the Department of Transportation to undertake two large studies of the automobile insurance industry.

In addition to this enrichment of the economic side of our work, the Commission has decided and brought a series of truly big anti-trust cases. In our antimerger work, some of the more significant cases include: *Foremost Dairies*, Dkt. 6495 (1965); *Procter & Gamble*, 386 U.S. 568 (1967); *Beatrice Foods*, 1967 Trade Cases, Par. 72,124 (CA–9, 1967); *Dean Foods*, 384 U.S. 497 (1966); *National Tea*, Dkt. 7453; *General Foods*, Dkt. 8600, 386 F. 2d 936 (CA–3, 1967). In 1968, the Commission issued the first complaint involving an enormous conglomerate merger, the acquisition of Peabody Coal Co. by the Kennecott Copper Co. (Dkt. 8765). In early 1969, it issued another complaint involving two large conglomerates, the attempted takeover of Allis Chalmers by White Consolidated (Dkt.). In our general restraint of trade work, our more significant cases include *American Cyanamid, et al.*, 363 F. 2d 757 (CA–6, 1966); *Bakers of Washington*, 366 F. 2d 759 (CA–9, 1966); *Brown Shoe*, 1966 Trade Cases, Par. 71,785 (Sup. Ct., 1966).

On the antideception side, important Commission cases include: *Colgate-Palmolive (Shaving Cream) and Ted Bates*, 380 U.S. 374 (1965); *J. B. Williams Co.* (Geritol), 381 F. 2d 884 (CA–6, 1967); *Libbey-Owens-Ford and General Motors*, 352 F. 2d 415 (CA–6, 1965).

As you know, Mr. Chairman, the Federal Trade Commission has brought literally hundreds of formal cases in the past eight years, not to mention the hundreds of other law violations it has resolved by the informal procedures I mentioned earlier. And, of course, the names of the respondents we've brought lawsuits against include many industrial firms that rank at the very top of the nation's corporate heirarchy. We've won most of our cases, and have lost a few, but I can assure you that we have not let the size or any other characteristic of a proposed respondent deter us from bringing a suit we thought was important to the public interest.

None of this is to suggest, of course, that there are no constraints on us that prevent us from dealing with a number of matters we would like to deal with. But those constraints that hem us in are not, as some have suggested, a failure of either our energy or our will. And, if I might be permitted a very small bit of immodesty on behalf of my supervisory staff, I do not believe we have been constrained by a lack either of zeal for the public interest or of general economic or legal capacity.

To be perfectly frank, Mr. Chairman, one of the chief constraints that face us emanates from the Congress itself. It has not hesitated to exercise that ancient legislative device of (a) satisfying the public's demands for relief from an unhappy situation by passing a law, while simultaneously (b) satisfying the demands of special industry groups for freedom from real regulation by the simple expedient of appropriating only token amounts of money for the actual *enforcement* of the law in question. We are sometimes cut quite thin indeed by these twin blades of the Congressional scissors. I believe others have testified here that the Federal Trade Commission ought to be given a *ten-fold* increase in its appropriations. Let me assure you that I have been fairly immodest over the years in my requests for more funds for the FTC. But in no year since 1962 has the Bureau of the Budget given the Commission a significant increase, and what little it did recommend was invariably cut by the Congress. As a result, the Commission staff has remained almost unchanged for the past six years despite an enormous growth in its workload.

This is not new, of course. From 1939 until 1961 the size of the Commission staff remained about the same despite the passage of several new consumer protection laws, plus the Celler-Kefauver merger act of 1950. As each of these laws was passed, the Commission was thus forced to divert resources from its already existing missions.

Nor is it any secret to the members of this group that the Congress imposes other constraints on the actions of agencies such as ours. In 1962, for example, we instituted an inquiry to gather some highly significant economic information from the 1,000 largest corporations in the United States. Had that inquiry been allowed to proceed, the Commission would have been much better equipped to deal with the enormous merger wave that now threatens to engulf us. What did Congress do? It not only deprived us of the funds that the Budget Bureau had approved for the inquiry, but also tacked a "rider" on our appropriations bill for three years running. It said, in substance, "No part of this appropriation may be used for a study of the intercorporate relations of the 1,000 largest corporations."

In 1965, the Commission attempted to initiate a body program to do something about the massacre that goes on in this country under the name of cigarette smoking. We did some very careful work in the area and came up with an industrywide rule that would have required affirmative disclosure of the health hazards associated with cigarette smoking. Before the rule could become effective, the Congress intervened, passing a bill that expressly prohibited us from doing anything about cigarette advertising on TV. The American Cancer Society estimates that 300,000 more Americans have died since 1965 from illnesses connected with cigarette smoking. All I can say, gentlemen, is that the Federal Trade Commission tried to do something about this problem before anyone else was willing to act. My friends in other regulatory agencies, as well as most consumer advocates have commended this effort of the Commission as an act above and beyond the call of duty. I don't really think so. We were doing our job as we saw it. In all candor, I think that when a history of this episode is written, it will be concluded that we were right and the Congress was wrong. But that's the way the game is played in this town, and I'm used to taking hard knocks.

I mentioned earlier, Mr. Chairman, that the past several years have been a period of considerable ferment and excitement at the Commission. Within the past year, for example, we have set up an organization for transmitting to the Chairman the best and boldest thinking of the younger members of the staff, an organization called the Young Professional Committee, one composed of all attorneys and other professionals that have been with the agency for three years or less. I welcome the idea of these young people. Evening courses in trial work and related subjects are a regular part of our continuing educational program. And just over a year ago, the Commission set up a training program for the staff in the economics of consumer protection work, one that takes our lawyers into some of the most complex and sophisticated forms of economic analysis.

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[2] Dr. William G. Shepherd, "Conglomerate Mergers in Perspective," *2 Antitrust Law & Economics Review* 17 (Fall 1968).

We have not yet been able, Mr. Chairman, to come up with even a reasonably accurate estimate of just how many dollars the work of the Federal Trade Commission saves the American consumer each year. But I think any fair critic will agree that, in the aggregate, the annual "return" from our efforts is many times the amount of our total budget. I think the Federal Trade Commission is one of the American consumer's "best buys." I mention this not to suggest that we are anywhere near the maximum figure we would like to reach, but simply to give you some notion of what is involved in some of the suggestions you have heard here, particularly the suggestion that the Congress consider abolishing the Commission and creating a new, presumably stronger agency in its stead. I am certain it is a well-meaning suggestion, Mr. Chairman, but I'm equally sure I don't have to tell the members of this Subcommittee that it is always a great deal easier to pass a new law reshuffling or tearing down existing institutions than to perfect them. And should the suggested new agency fail, the patient that would suffer is, of course, once again the consuming public. It would have been deceived into believing it was getting a new and better product when in fact only a new brand or wrapping had been placed on an old one.

I am therefore against S. 860, Mr. Chairman. Creation of a new department will not, in my view, solve any of the really fundamental problems we have been struggling with. The need is for more resources and for a more powerful and sympathetic constituency up here on "the Hill." Let me say categorically that it is time to stop kidding ourselves and the American public by passing consumer protection laws without also providing enough money to enforce them in a meaningful way. Passing a new law creating a new department would simply give the public once again the illusion that something was being done that in fact wasn't being done. If Congress wants to do something, it could begin by giving us the resources we need to do our job, by taking care of such chores as providing a statutory basis for the office so ably occupied by Esther Peterson and Betty Furness, and—above all—by giving us moral and other kinds of support through such Congressional oversight committees as this one.

In closing, Mr. Chairman, I would like to add, if I might, a somewhat personal note. As you know, I came with the Federal Trade Commission as a young man, just out of law school, and have been there continuously over the past 30-odd years except for a stint in the military during World War II and another with Senator Kefauver's (now Senator Hart's) Antitrust and Monopoly Subcommittee. I have seen, both as a Commission trial attorney and as general counsel for the Monopoly Subcommittee, some long and lonely fights against what I considered some very powerful private interests, including the drug industry, the automobile industry, the steel industry, the cigarette industry, and all the other giants. It was pretty lonely there at times, especially during some of those years when being for the consumer wasn't really the most respectable cause to be for. I must confess it's more comfortable being part of a crowd.

SIERRA LEONE'S EIGHTH ANNIVERSARY

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. DIGGS. Mr. Speaker, April 27 marks the eighth anniversary of the independence of Sierra Leone. I am pleased to extend to Acting Governor General Tejan-Sie and the people of Sierra Leone congratulations and best wishes for the coming years. I have every hope for a continuance of the friendliness that characterizes the relations between Sierra Leone and our country.

SURPRISING PHILADELPHIA TAKES A SUMMER FLING

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. EILBERG. Mr. Speaker, my home city, Philadelphia, has been the subject of more bad jokes than I care to recall. Some have even suggested that the lights went out in Philadelphia shortly after the War of Independence.

We have been trying for years to put to rest these false canards. Leading us in this fight has been Abe S. Rosen, now president of the Philadelphia Convention and Tourist Bureau, formerly city representative and director of commerce and always Philadelphia's first booster.

He and his able director of tourism, Alvin S. Hornstein, have put together a package of summer activity which may stem the annual lemming-like rush to the New Jersey shore.

To prove that Philadelphia can be more fun than New York and more surprising than Amsterdam, Mr. Rosen's bureau has put together a package of free summer recreation and labeled it Philadelphia Fling.

To point up the fact that Philadelphia is not only birthplace to the Republic but to a whole galaxy of 20th Century show business celebrities, the bureau has established the Ed Wynn Award. The first recipient is Comedian Joey Bishop.

W. C. Fields also was a Philadelphian and the award could have been named for him, but we all know what he had to say about his hometown.

I enter for the RECORD descriptions of Philadelphia Fling and the Ed Wynn Award:

"Philadelphia Fling," a new concept of excitement, free entertainment, and unusual events and activities in center city, has been announced by the Philadelphia Convention and Tourist Bureau as its theme and format of a summer-long program in "Surprising Philadelphia".

The new program, being developed through cooperation of the Bureau with the City Recreation Department, Office of the City Representative, and the Philadelphia Area Council on Tourism, will feature at least "50 Days of Fun" during the noon-hour at John F. Kennedy Plaza, plus a kaleidoscope of free entertainment in the evenings at Kennedy Plaza, Rittenhouse Square, the Judge Lewis Quadrangle on Independence Mall and Independence Square.

Abe S. Rosen, president of the Philadelphia Convention and Tourist Bureau, announced "we want to make the Summer of 1969 the most fantastic season of fun, entertainment and activities ever to be seen on the East Coast. Through the cooperation of all the above agencies, and many others, we hope to attract visitors from all over the nation and world to Surprising Philadelphia to experience one of the most unusual and different programs in our history."

A schedule of June 1 to Labor Day events is being put together now for Kennedy Plaza by the Bureau and the Recreation Department. This will include musical aggregations, dance, ballet, fashion shows, sports events, athletic demonstrations, guest celebrities, and a number of surprises. Each of 50 days will include a "Salute to the States," another phase of the Tourist Bureau's Discover America tourist promotion program. The Bureau's popular Miss Welcome Girls who visited the 50 states in 1968 to promote this program, will participate in the Kennedy Plaza schedule.

In the evenings, free action and entertainment will be divided into three areas, with the Center City Residents Association combining with the City to put on dance, theatre, ballet and concerts at Rittenhouse Square Mondays and Wednesdays; the Mummers String Bands performing Tuesday evenings at Kennedy Plaza, and 10 Friday nights at Independence Mall. Six nights a week at Independence Square, the sound and light production of "The American Bell" will be presented free of charge.

In addition, this Summer will find such new attractions as the opening of Old Fort Mifflin as a tourist site; the first monorail in a zoo at the Philadelphia Zoo; thoroughbred racing at Liberty Bell Park; resumption of the Naval Base tours; new Gray Line tours of the Liberty Trail, the new five-county motor tour created last year by the Tourist Bureaus of Philadelphia, Bucks, Chester, Delaware and Montgomery Counties; plus many other new events and activities.

To entice more visitors to the "Philadelphia Fling," new and attractive hotel-motel sightseeing-entertainment package plans have been developed by the Bureau and Gray Lines, offering complete three-day, four-day packages for couples, individuals and entire families. These package plans include rooms, champagne and breakfast at hotels, sightseeing, dining out, nite life entertainment at some of the area's top spots and cultural events.

New folders and literature on the "Philadelphia Fling" and the new package plans are available, along with all information on "Surprising Philadelphia," by writing to the Tourist Center, 1525 John F. Kennedy Blvd., Philadelphia, Pa. 19102. Ask for "Philadelphia Fling" package.

Joey Bishop was recently named the first recipient of the Ed Wynn Award by the Philadelphia Convention and Tourist Bureau, and was presented with the Award Citation and Trophy on his ABC-TV network show Friday, April 25 by Abe S. Rosen, president of the Bureau.

The new award, created by the non-profit Bureau to recognize a native Philadelphian or an "adopted" son who has enhanced the city's image and prestige, was named in memory of Ed Wynn—comedian, actor and Philadelphian.

The Ed Wynn Award will be presented annually to the entertainer or personality who best exemplifies the tradition, loyalty and dignity for Philadelphia as did the late, great beloved "perfect fool" Ed Wynn. Rosen explained that it has been his desire for some time to honor the countless numbers of entertainers or public figures who bring fame and honor to our city. "It is fitting," Rosen said, "that the Convention and Tourist Bureau, dedicated to attracting visitors, conventions and business to town, establish such an award in the name of one of Philadelphia's most beloved personalities—Ed Wynn."

Rosen made the presentation in Los Angeles on the Joey Bishop show aired Friday, April 25.

The Citation to Bishop reads:

"There is a thin line between great humor and pathos and the late beloved Ed Wynn walked that line unerringly throughout his career. He recognized the truism in that fact and turned it to his advantage in his career first as a comedian, then an actor. He called himself the 'perfect fool' but brought dignity to the field of comedy in the finest tradition.

"Ed Wynn was a native Philadelphian. Wherever his long career took him, he never relinquished the title of 'Philadelphian.' He was a genuine example that you can take the man out of Philadelphia, but you can't take Philadelphia out of the man. So it is with Joey Bishop, who has been selected to be the first recipient of the Convention and Tourist Bureau's annual Ed Wynn Award. A great comedian who follows in the footsteps of his noted predecessor by retaining his dignity and respect for his fellow man, Joey Bishop wears his crown of success with humility and appreciation.

"Joey Bishop is an actor in the truest definition, performing with skill, style and talent to bridge the comedy of the theatre and the tragedy of life. And most important to Philadelphia, Joey Bishop is a native son who never has and never will forget that Philadelphia is his home.

"It is because Joey Bishop has enhanced the image of Philadelphia as one of the greatest birthplaces of America's outstanding theatrical talents; because he has brought prestige and fame to his native city through his own reflected glory; because Joey Bishop is perpetuating the title of 'comedian', 'actor' and 'Philadelphian' according to the definition symoblized by the man in whose memory it has been created, that the Philadelphia Convention and Tourist Bureau so bestows upon him the honor and title of the first recipient of the Ed Wynn Award."

The Citation is signed by Ralph W. Pitman, chairman of the Bureau's Board of Directors and Rosen.

NOTABLE CAMPUS HAPPENING

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. DENNEY. Mr. Speaker, the novelty of campus disorder has worn away leaving in its wake uncontrollable students, confused and indecisive administrators, and an irate citizenry.

In the midst of this holocaust, the University of Nebraska has taken a logical and admirable step toward preventing any such disorder at their institution.

I have before me an editorial written by one of our outstanding newspapers, the Lincoln Evening Journal, which describes this "Notable Campus Happening." Mr. Speaker, I have no doubt that the university's policy will be very beneficial to other institutions. For this reason, I insert the editorial in the RECORD immediately following my remarks:

[From the Lincoln (Nebr.) Evening Journal, Apr. 18, 1969]

NOTABLE CAMPUS HAPPENING

The most notable happening on the University of Nebraska campus this week was not the very orderly presentation of concerns by black students, but the adoption by the Faculty Senate of a policy statement on campus disorders.

The statement says, in effect, that free expression is to be honored on the campus but that police force should be called upon if necessary to prevent violence or to insure the normal operation of the institution.

More noteworthy than this entirely logical guideline is the fact that the statement also has the backing of the student governing body and of the administration.

More than anything else, perhaps, it has been the failure to state a definite course of action, endorsed by all elements on the campus and well publicized in advance of any trouble, that has fostered the devastating clashes at some of the nation's great universities.

It is only a coincidence of timing that has brought the University of Nebraska statement of policy to the fore at about the time representatives of the Afro-American Collegiate Society are demonstrating for their "concerns."

These students have made their suggestions with respect and the administration has received them with interest. This should permit some accord in good spirit.

If the time ever comes when such matters cannot be handled amicably, the foresight and responsibility of the student body, faculty and administration, in joining in an advance understanding of eventualities, will be more fully appreciated.

REMARKS OF JAMES W. SYMINGTON AT THE JACKSON DAY BREAKFAST, APRIL 26, 1969, AT SPRINGFIELD, MO.

HON. BILL D. BURLISON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. BURLISON of Missouri. Mr. Speaker, each year Missouri Democrats celebrate, at Springfield, Mo., the birthday of one of our Nation's great Presidents, Andrew Jackson. The keynote speaker at the Young Democrats breakfast on Saturday morning, April 26, was the Honorable JAMES W. SYMINGTON. As a result of his many years of experience on the Washington scene and his outstanding dedication and ability, Mr. SYMINGTON is receiving recognition that is indeed rare for a freshman Congressman. I have acquired a copy of the speech he delivered, and for the edification of my colleagues and the President of the United States, wish to insert it at this point in the RECORD:

REMARKS OF JAMES W. SYMINGTON AT THE JACKSON DAY BREAKFAST, APRIL 26, 1969, AT SPRINGFIELD, MO.

We celebrate today the son of an immigrant linen draper—born in His Majesty's Province of North Carolina. He entered the stage of American history with a British sabre cut on his head. Years later his wife explained a family epidemic by saying—"The General kicked the kivers off and we all cotch cold."

Andrew Jackson indeed kicked away the wrappings of vested interest and colonial paternalism enabling our political spirit to take wing.

Some would like to see it fold its wings and creep back in. But the lesson of this vivid teacher is that all cobwebs and cocoons are fair objectives for the broom of common sense and new thinking. And we have plenty in our time, hanging from the rafters of myth and obsolete policy.

Jackson was laid to rest 124 years ago. If he could kick off the covers of that sleep and join us again, I have no doubt we would find ourselves in the throes of daring innovation in foreign and domestic affairs. Would he stand mesmerized while the Soviet Union sends emissaries to Nationalist China, or would he conclude, in the light of this and other manifestations, that our posture of austere detachment from the other China had outlived its usefulness? We tend to forget that the diplomacy of our founding fathers was no less hostile to the idea of permanent hostilities than of binding alliances.

A frontier soldier-turned-statesman himself—and not of the refined sort—would he find it untimely or impossible to converse with a fatigue-clad revolutionary 90 miles from the Floridas he seized from Spain—or would he, as we do, look southward with a fixed and glassy stare waiting for something worse to happen so he could twitch helplessly in his chair?

At home, given his populist background and understanding, would he isolate himself from the restless currents of demand from the emerging new voices among us—asking a chance to share in plotting the country's course—and the world's history? Would he hide his stern countenance from the outrageous excesses of any such demand? Would this first Democrat confine education and job training programs within the strict budgetary limits prescribed by the purse-keepers, but dismiss the purse-keepers when generals enter the parlor to court his favor—and approval for expeditions that cost 30 billions a year, and additional nuclear deterrent of 6 or more billions, and a new bomber for upwards of 12 billions?

One suspects that Andrew Jackson would have brought a certain cold—and healthy—skepticism to the task of analyzing the nation's resources, and the priorities for their application. Would he have done so in a partisan spirit? Very likely! Yet listen to the words he wrote to President-elect Monroe:

"The chief magistrate of a great and powerful nation should never indulge in party feelings. His conduct should be liberal and disinterested, always bearing in mind that he acts for the whole and not a part of the community. By this course you will exalt the . . . national character, and acquire for yourself a name as imperishable as monumental marble. Consult no party in your choice; pursue the dictates of that unerring judgment which has so long and so often benefitted our country and rendered conspicuous its rulers. These are the sentiments of a friend. They are the feelings—if I know my own heart—of an undissembled patriot."

We may smile at this post-lude of the Jackson Presidency. But in my view any President can be great if he would but do great things. We can put down, or otherwise survive the militant dissent in America, but when the forces of law and dissent are pitted against one another, they are both wasted. If we would not be mere horrified spectators in that arena, we must conceive ways to involve both forces in common causes that pull our own imaginations and efforts on the field as well. Great Presidential decisions can accomplish this. They are things which catch the conscience of the people.

We don't want a Hamlet in the White House. We are not as interested in the play within the play, as we are in the play itself. And we want to be part of the drama of bold reality—on our side of the footlights.

Nor are we content to see through an unctuous, protective editorial darkly, the supposed reflections of the loneliest man in the world. We didn't elect him to be lonely, but to force us to share with him the crushing burden he bears. To listen to us, yes, but to tell us, too, not through public or private intermediaries, but personally to tell us what we need to know and to do to play the proper role of a great free people.

Our new President began to tell us. On the threshold of occupying the mansion of our hopes, he told us he would "open doors" and "keep no nation large or small in angry isolation." Tell us more. Don't wait for a divine consensus to emerge from our troubled confusion. Tell us how we can, as legislators, businessmen, farmers, workers, educators and students, open doors and help each other come out of our angry isolation. When we have done so at home, we can do it abroad.

Presidents have the big key. It should be used when it's new. Four years can rust it. Andrew Jackson used it on the locks of his time, and in doing so he set not just a good, but a necessary example.

VOICE FROM VIETNAM

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. SCHWENGEL. Mr. Speaker, Mr. J. S. Kimmel, Jr., of Davenport, Iowa, recently provided me with a copy of a poem written by Mr. Cornelius Vanderbreggen. Mr. Vanderbreggen's poem expresses so clearly the frustration which we all have with respect to Vietnam. Let us all hope that President Nixon's current efforts will result in an early end to the war:

THE VOICE I HEAR FROM VIETNAM

You said you sent me here to fight.
That is a lie.
I answered duty's call and came.
I soon may die.
Because of your absurd decree,
"You may not win!"
You call it "building bridges" or "restraint."
I call it sin!
You spend your country's sons in vain.
I see them fall.
Each day by scores, they're killed or maimed.
That is not all.
At home, their dads and mothers, stunned,
Bow low in grief.
From all this senseless, needless loss
Comes no relief.
No orders from headquarters,
"Rise and fight!"
How this has caused me many a tortured day
And sleepless night!
But now the explanations clear.
Solved is my plight!
While held your slave on Asian soil
I've seen the light!
No longer need I seek the answer.
Now I know, as shackled here I wait for death.
You are my foe!

You who pretend to lead the brave and free,
But won't resist our godless enemy!
You who possess the suave and pious gall,
To mourn the foes of freedom when they fall!
You who stand idly by, while anarchy,
Burns down this land God gave to you and me!
You are my foe!

I soon may die,
If so, I'll be with God on high,
Rejoicing in the love
That He doth show His own, and
Knowing there, that when I lived
On earth below,
Not I my land's blest heritage
Did e'er betray,
Not I for anti-Christs vile rule
Did pave the way.
But like our noblest patriots
I did gladly die,
For freedom's persecuted cause,
Which you've denied!

CORNELIUS VANDERBREGGEN.

CITIZENSHIP AND THE ROLE OF THE AMERICAN STUDENT

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. GUDE. Mr. Speaker, I had the opportunity last Wednesday night to participate in the honoring of 10 high school students who had distinguished themselves as good citizens. The Civitan Club of Silver Spring, Md., has for 21 years encouraged the young people of that community to submit essays on citizenship and to live in such a way that their examples would merit their selection for citizenship awards. Last week six young people were declared citizenship award winners and four were named citizenship essay winners. I am pleased to have an opportunity to make known the names of these people to my colleagues, and also to share with you the top-prize-winning essay.

I find it particularly impressive that on the 1-year anniversary of the Columbia University disruptions, which event has evoked much criticism of our youth, we had the singular honor of acknowledging the meritorious contributions these young people are making to their Nation. It is important for us to make every attempt to retain a perspective with regard to the status of America's youth; it has become too easy to assume a negative stance in light of the bombardment of pejorative reports we hear daily. I am therefore heartened both at the occasion which permits me to be able to make these remarks and at the substance of those remarks. Accordingly, I submit to the attention of my colleagues the names of those students who were honored and the winning essay written by Miss Sheryl Ann Spencer:

Citizenship award winners: Nancy Moore, Academy of the Holy Names; Joseph G. Stephens, The Bullis School; Christine Simpson, Montgomery Blair High School; Mark Stein, Montgomery Blair High School; June Lyon, Takoma Academy, and Benjamin Ling, Takoma Academy.

Citizenship essay winners: Michael Stein, Montgomery Blair High School; Michael Murphy, The Bullis School; Joan Fuchs, Academy of the Holy Names, and Sheryl Ann Spencer, top prize, Takoma Academy.

CITIZENSHIP AND THE ROLE OF THE AMERICAN STUDENT

The American student, to be a conscientious and involved American citizen, must think of himself as an example to the student citizenry of his country and of other countries. He is not necessarily a young politician, and he definitely is not a fanatical demonstrator. He may be in the public eye, or he may be primarily his conscientious self in his own academic sphere.

He is, first of all, right with himself. He quietly and purposefully recognizes the greatness and potentials of his nation and his personal responsibilities to those conditions. He maintains a personal interest in knowledge and achievement as it relates to his own life and the lives of others, and he devotes himself to personal accomplishment in the light of national need. He is a visionary, yet not a dreamer. He asks questions, yet not idly. His life is governed by a sense of right and wrong. He is not afraid to speak up for the "old" morality. He views the clean life as an important personal factor in his role as a good citizen. He seeks a healthy body, an unclouded mind, and nobility of soul. He is fearless, except in the face of evil. He is self-disciplined.

Furthermore, his attitude toward citizenship involves the quality of personal reformation, rather than public demonstration, riots, and sit-ins. He may be actively interested in the local and national political scene, but he is primarily involved in campus and community betterment projects. He has a keen concept of duty and is aware of the necessity of performing every task well. He considers all current events of enormous importance to himself because the individual makes up the community and the community makes up the nation. It is therefore obvious to him that if each individual is a successful citizen, the nation as a whole will succeed.

The student citizen who loves his country shares the excitement of patriotism with his countrymen, and does his best to help keep it alive in the Amercan heart. He not only honors his country, but also cherishes the principles of the Constitution on which it was founded. He never loses his sense of wonder. He loves the natural beauties of the land and the specific characteristics of the American people, which are these: the pioneer spirit, love of life, recognition of the individual, imagination, and friendliness.

He makes himself conscious of human problems. As he studies the conditions in the world and sees the misfortune in his community, he keeps an open eye to pain and need and suffering. He does what he can, personally, to alleviate starvation, despair, and the loss of personal dignity. He knows that in this sense he is doing his part to ease the tensions of the world.

A good student citizen is sensitive to the feelings of others, and determines that no personal gain is worth breaking the spirit of another in an effort to achieve it. He does not use his fellowmen as a ladder on which to climb to his own pedestal. He tries, early in life, to know what he is striving for and what he believes in. This effort gives meaning to his life and helps him reach whatever lofty goals he has set for himself.

The role that the student plays in American citizenship becomes, therefore, a magnificent combination of self-improvement as it relates to the betterment of the ever-widening circle of humanity—his own academic society, the neighboring community, all fellow Americans, and the individuals of other nations.

TRIBUTE TO SENATOR E. L. (BOB) BARTLETT

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. EVINS of Tennessee. Mr. Speaker, permit me to join with other colleagues in paying a brief but sincere tribute to the memory of the late Senator E. L. "Bob" Bartlett of Alaska, who passed away while Congress was in recess.

I was indeed saddened to learn of the passing of Senator Bartlett who exhausted and expended his energies in dedicated service to his beloved State of Alaska and the Nation. This fine public servant served in the House and in the Senate with great distinction.

Bob Bartlett made a distinct contribution to the new and great State of Alaska—he left his mark on the history of his State and he will be long remembered.

Mrs. Evins joins me in extending sympathy to Mrs. Bartlett in his passing.

HON. EDWIN EDWARDS PRESENTED TIE BY STUDENTS

HON. EDWIN W. EDWARDS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. EDWARDS of Louisiana. Mr. Speaker, the blue and gold tie which I wear today was given to me by the patriotic 100-percent American students of Washington High School of Lake Charles.

I had the honor of speaking at the Washington High School Honors Day program on April 18, 1969, and I was most impressed by the demeanor and attention and interest of the students of Washington High. It is refreshing to visit a school where the students are interested in academic pursuits, exhibit a respect for professors and elders and a love and reverence for our country and its flag.

In a day and age where a small minority of loud-mouthed, unhappy, disgruntled students on college and high school campuses command national attention by their disruptive activities, I thought it appropriate to say here that the vast majority of American young people are honest, loyal, sober and patriotic. I believe, too, that the unwashed few who disrupt and cause trouble and show disrespect for our Nation represent but a small minority who seem to be able to command prime time on the national television networks. I believe we should spend more time with the sober, industrious students of America who represent the true spirit of the American student and the young people of America and we should do more toward publicizing the sober comings and goings of these industrious and patriotic young people. It is these who will protect and preserve our Nation in the generations to come. My faith and confidence is in them and I am satisfied we will leave our Nation in good hands in spite of the disgruntled few who capture the news media and falsely pretend to represent America's youth.

I wear the tie these wonderful young people gave me with pride and humility, for the gift handed me as a token of appreciation by the student body of Washington High School represents in my mind a bond of mutual respect and admiration. There is no generation gap between us and I am convinced that we understand and respect each other.

Thank God for fine young Americans such as these and all others that this group so well typifies.

U.S. JAYCEES HONOR VIETNAM WAR DEAD AS PROPOSED BY THE KANSAS CITY, KANS., AREA JAYCEES

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. WINN. Mr. Speaker, the Kansas City, Kans., area Jaycees, have launched a new community service program which has met with great response from community leaders and citizens, and has subsequently been adopted by the national Jaycees organization.

The project was launched locally last January by project chairman and originator of the idea, William J. Kersten, and the response was so good that members decided to try to make it a national Jaycee project.

By searching, the Kansas City, Kans., Jaycees found that when a local young man lost his life while serving his country in Vietnam, the community hears about the loss, reads about it, and soon forgets it. There is no local organization that pays special tribute to the local hero, loved and remembered by his friends and family.

The Jaycees, in a special ceremony, present to the family of the deceased, a framed citation which shows the appreciation of the local Jaycee chapter, and all the citizens of the community. It is signed by the mayor of Kansas City, Kans., and the Kansas City, Kans., Jaycee president. In addition, a beautifully engraved plaque in memory of the young man is made to the parents of the deceased and, if the young man is married, an identical presentation is made to his widow. Special emphasis is placed on a large ceremony with news media coverage, showing the family the community as a whole appreciates the contribution of their loved one.

I want to personally commend Mr. William Kersten for developing this worthwhile and patriotic project, the Kansas City, Kans., Jaycees for implementing it, and the national Jaycee organization for adopting the program.

KCMO Broadcasting paid deserved tribute to the Jaycee Vietnam war dead project in a recent editorial which I would like to bring to the attention of my colleagues:

TO HONOR VIETNAM WAR DEAD

It may not be much, but a new strain of national pride is starting in Kansas City, Kansas. With a tidal wave of talk and demonstrations about the war in Vietnam, we may sometimes forget the sacrifices by young American men in this controversial war. A new program of recognition has been launched by the Junior Chamber of Commerce in Kansas City, Kansas, to honor those who died in the fighting. First of the honor citations was delivered to the parents of James M. Montemayor, of Kansas City, Kansas.

Although the citation is not fancy or elaborate, it shows deep appreciation of those who gave their lives for the United States under military service in Vietnam. So often we hear of comments by combat servicemen questioning the loyalty of the American people, questioning the impact of the riots and demonstrations, wondering whether the fighting men are nothing more than paid soldiers.

The Kansas City, Kansas Jaycees hope to have the National Jaycees adopt their program to make it a nation-wide effort. We can think of nothing finer unless it would be participation by all civic and patriotic organizations in all the states. Our soft life at home does not come by chance. Someone must fight for it.

GUN CONTROL LAWS WOULD BE COSTLY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. ASHBROOK. Mr. Speaker, in his April 4 column of "Outdoor Notes," Ken Gookins in the Newark, Ohio, Advocate, supplies some very pertinent information and observations on the continuing controversy of gun control legislation. Entitled "Gun Control Laws Would Be Costly," Columnist Gookins cites the misuse of statistics by proponents of gun legislation, along with the astronomical cost of such programs at a Federal or State level. As a good example, the case of New York City is cited:

> Knowing that it costs the city of New York $72.87 to process each application for a pistol permit, you can imagine what the astronomical figure would be for federal registration where machines, personnel, millions tons of paper, filing cabinets, office space, new buildings, etc., would be involved.

Mr. Gookins reviews other arguments of the gun legislation advocates which have been offered in the past, in an attempt to stampede citizens into supporting and demanding gun restrictions. His comments on this thorny issue are worthy of consideration, and for that purpose I ask that the column, "Gun Control Laws Would Be Costly," from the April 4 issue of the Newark Advocate be inserted in the RECORD at this point:

[From the Newark (Ohio) Advocate, Apr. 4, 1969]

GUN CONTROL LAWS WOULD BE COSTLY

(By Ken Gookins)

A couple of columns ago James Lannan of 887 Terrace Dr. in Heath, dropped me a note and a pamphlet. Noting he was too busy writing his state and federal legislators to do justice to a letter, Lannan, president of the Ohio Trapshooting Association, checked off some of the pamphlet points.

I promised to delve into the topic in a later column. This is it.

Lannan directed my attention to the Trap and Field publication's comments on the relation between guns and crime and accidents.

A question raised was: Probably very restrictive gun laws would cut down some on crimes of impulse, does this make sense?

The comment: If, as so often stated, even one life saved makes such laws and the accompanying impediments worthwhile, then to be consistent, we would have to ban swimming, football and non-essential activities and especially all pleasure driving. This is obviously not going to be done. There is a calculated risk in all things.

It also noted that: The gun accident rate decreased 50 per cent from 1930 to 1965 and is now about 2,200 a year.

Proponents of gun legislation insist on misquoting available facts. They infer in veiled statements that 17,000 people a year are shot to death and then further infer that by licensing gun owners and registering guns, the nation's crime rate would decrease.

This makes the statement a bald lie. The 17,000 shooting deaths per year include 2,200 accidental shootings and 9,500 suicides. The latter would use poison, gas, a high cliff or some other means to end it all, if guns were not available.

The Police Gazette erroneously reported: 18,000 murders are committed annually by criminals with guns.

Two religious magazines quoted: 17,000 are accidentally shot each year.

Readers Digest noted that "17,000 are killed by guns," written in a manner to suggest they were deliberately shot.

Discount the 2,200 accidental shooting deaths and the 9,500 suicides and you have 5,300 gun slayings. This is a far cry from 17,000. However, I do not infer this is a pleasant figure. But then, neither is the 50,000 automobile deaths which our nation racks up each year, along with the maiming and crippling of three times that number.

Automobiles and their drivers are licensed. The killing continues. The same would happen in the case of licensing gun owners and registering guns. But, the main point to remember is that criminals will not register their guns, will steal one when they want a weapon and only the honest sportsmen will be bound up in the red tape of registration.

Furthermore, if you look at the present gun law, recently enacted, you will discover registration is already there. The sporting gun dealer must register every transaction, identify the owner and keep records to this effect. So far it is less costly to do it this way, although it will have no bearing on crime.

If the registration proponents beat down all the sensible arguments against restrictions and pass a federal or state registration bill, you will see one of the biggest messes in history.

A federal registration bill would create a computer nightmare and set up another bureaucratic octopus which probably never could be killed.

The giant computer complex necessary to handle such a registration program would be second only to the Social Security and income tax systems in overall size and complexity.

The problem would require the solving of at least five completely unique systems problems; data collection, data communications, data storage, data dissemination and data conversion.

It would take at least two years to complete the project and would involve a staff of several hundred people. It would require a team of qualified experts at least six months to devise a workable system.

Based on estimates that there are 200 million guns in the United States and three million new guns are purchased each year, the computer registration would require more than 130 characters.

In addition, each time a gun would be bought and sold, or an owner moved, the information would have to be changed and updated.

Knowing that it costs the city of New York $72.87 to process each application for a pistol permit, you can imagine what the astoromical figure would be for federal registration where machines, personnel, millions of tons of paper, filing cabinets, office space, new buildings, etc., would be involved.

And for what? Absolutely nothing, because the whole project is supposedly based on the need to stop crime in the United States and such a massive registration would not prevent one single gun crime that now is looming on the horizon of the future.

If you are among that uninformed army of people who accept all the half-truths spouted by registration proponents and don't care how much money is wasted on the impending boondoggle, just sit on your hands and it will come to pass.

If you are a thinking person who knows that the criminals not only will not register, but will not be allowed to register because of the interpretation of the Fifth Amendment and that only sportsmen will suffer, get off your hands and write your state and federal legislators.

Be polite, be firm and be quick. Skip the petitions. One petition is one piece of mail. Fifty letters from gun club members mean 50 pieces of mail and carries 49 times the weight.

One New York City policeman testified under oath that in one case where a pistol application required some checking, the actual cost of processing the application amounted to $500. This is figured on time expended by investigators, etc.

How silly can it get? The answers are noted above. Think and act, or be smothered in another—possibly the greatest hoax of the century.

JOB CORPS CENTER CLOSINGS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. BOB WILSON. Mr. Speaker, it is time that some the nonsense about the Job Corps center closings is dispelled. I have seen news dispatches quoting youngsters in these centers to the effect that they are about to be thrown out in the streets or drafted and sent to Vietnam. I have also heard that President Nixon plans to "wreck" the Job Corps.

Let me hasten to assure this House that none of it is true. No one will be thrown out on the streets or sent to Vietnam as a result of the closings of some of the Job Corps centers. We have the word of Secretary of Labor George P. Shultz in testimony before Congress that the number of youths served by the Corps, and other training programs under his jurisdiction, will actually be increased—not diminished.

During this fiscal year the Job Corps and the other training programs will serve 362,900 young men. Under President Nixon's 1970 budget, the total is expected to reach 368,600—an increase of 5,700.

The Job Corps centers scheduled to close are mostly rural centers devoted typically to conservation work. There were two things wrong with this idea. First, according to Mr. Shultz, many of the youngsters dropped out from simple homesickness. Second, they were not learning marketable skills. Conservation is badly needed—but not in the cities where trainees will look for jobs. Another point—the Job Corps programs were not sufficiently integrated with other, excellent, departmental manpower training programs.

President Nixon's plan is to correct these mistakes by closing most of the rural centers, substituting inner-city training centers, and integrating the Job Corps program with the other training programs.

That is the sum and substance of the Job Corps story. It is nonpolitical, though some are trying to play politics with it. It is not a story of indifference to the needs of youth. It is not a budget-cutting story. Above all, it is a plan to improve the Job Corps, not wreck it.

PRESIDENT TO DECIDE ROLE TVA WILL PLAY IN FUTURE

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. DUNCAN. Mr. Speaker, today—April 28, 1969—I read in the Washington Post an extremely interesting article on the Tennessee Valley Authority. Marquis Childs, in a few paragraphs, give us insight into TVA and its accomplishments, and I would like to recommend to my colleagues this material:

PRESIDENT TO DECIDE ROLE TVA WILL PLAY IN FUTURE

(By Marquis Childs)

DECATUR, ALA.—A big piece of the excitement at the start of a new Administration 33 years ago was the Tennessee Valley Authority, which under the tutelage of Franklin D. Roosevelt and Sen. George Norris began the rehabilitation of a region plagued by all the ills of poverty.

Today most Americans take TVA for granted as a piece of political archaeology out of the New Deal age. A job finished that can be put away in the files.

A tour of the region shows it to be very much alive and expanding, performing services for the seven states, with beneficial consequences for most of the rest of the country and with an impact on every part of the world. It is America's outstanding example of what can be done in a partnership between Government and private enterprise, which is why each year some 600 foreign visitors come to study this successful adventure in planning for a whole region and its river system.

TVA, at its inception as a New Deal agency, was regarded by Republicans as a diabolical device to inflict socialism on the nation. They fought it tooth and toenail in Congress and the courts.

When Gen. Dwight D. Eisenhower became President in 1953 he cherished the conviction that this experiment in socialism, as he saw it, must somehow be restrained. He appointed another retired general, Herbert D. Vogel, to be one of TVA's three directors.

But Vogel, after a thorough examination of the authority and its works, became more catholic than the Pope—that is, more pro-TVA than some of the Democratic appointees to the board. This is said to have been a deep disappointment to the first Republican to occupy the White House in 20 years.

Now TVA is subject to the ministrations of a second Republican President. In the interval, however, a lot has changed and TVA's status in the valley, if not also in the nation, is stronger than ever. That was evident during Richard M. Nixon's campaign in Tennessee last September.

He was accompanied by Sen. Howard Baker of that state, a Republican, who is one of TVA's staunch allies. After uttering some kind words for the transformation TVA has worked, Mr. Nixon had an hour's briefing by Chairman A. J. Wagner of TVA's board. Demonstrating one of his conspicuous talents, the ability to listen and learn, Mr. Nixon asked Wagner this question:

"Do you think that TVA could be helpful in furthering the effort to control air and water pollution?"

With more extensive practical research on water pollution than any other agency in the country and with extensive studies in air pollution growing out of TVA's own steam plants, this is just what TVA is doing today. A close relationship has been established with the Federal Air Pollution Center, and TVA is carrying out studies for the center.

At the National Fertilizer Development Center in Muscle Shoals the partnership between Government and private enterprise is seen in its most-flourishing form. Growing out of the original commitment to create nitrates for soil improvement, the center has developed new and far more potent fertilizers. The latest is urea-ammonium phosphate, which on the basis of extensive tests promises dramatic increases in food production.

Each new development is patented by TVA and then the process is made available to commercial companies free of charge.

The late Gordon Clapp, one of TVA's most effective chairmen, once said, "If you're consequential you're controversial." TVA would not be TVA without a lusty scrap in Congress relating to progress. The latest has been touched off by conservationalists—preservationalists might be a more accurate word—accusing the authority of spoiling the landscape for yet another dam.

No less an old-time New Dealer than Associate Justice William O. Douglas has charged that, by building a dam on the Little Tennessee, TVA is ruining one of the nation's finest trout streams, desecrating what were many years ago the happy hunting grounds of the Cherokee Indians and blotting out a fine piece of scenery.

Chairman Wagner replies that the lake to be created in the valley of the Little Tennessee will have its own beauty and, far more important, the development will provide employment and an attractive way of life for several thousand families who now have a marginal life.

"The work of TVA will never be over," John F. Kennedy said in a speech on TVA's 30th anniversary, only a few months before his assassination. "There will always be new frontiers for it to conquer in the minds of men the world over."

Wagner, whose terms expires next month, is in the great tradition of Clapp and David Lilienthal. He knows the whole region as intimately as a householder knows his front hall. He was endorsed the other day by the Knoxville Chamber of Commerce, which can scarcely be considered a revolutionary body. His colleagues kid him about this new badge of respectability. Whether he is reappointed will be an interesting test of the Republican Administration.

BOYSTOWN OF FLORIDA

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. FASCELL. Mr. Speaker, many Americans are familiar with the outstanding work of Father Edward Joseph Flanagan, who founded Boys Town, Nebr., more than 50 years ago. Father Flanagan's motto was "There is no such thing as a bad boy," and under his inspirational guidance, new life and hope were brought to thousands of boys. Father Flanagan died in 1948, but his work goes on—not only in Nebraska, but in south Dade County, Fla.

Boystown, Fla., was founded in 1964, under the inspiration and direction of Archbishop Coleman F. Carroll of the Miami Catholic Diocese. Father James Henry, a priest who was the first Catholic chaplain assigned to the State penal institution at Okeechobee, directed Boystown. Now the director is Father Neil Flemming, and the administrative director is Mr. John L. Perrotti.

Located on 153 lovely wooded acres at Southwest 137th Avenue and 114th Street, Boystown was built on the site of Camp Matecumbe, a former summer camp for children. Its goal is to mold mature, responsible, contributing citizens of the community by creating an atmosphere as close as possible to a normal family situation.

Boystown of Florida is a home for dependent boys between the ages of 13 and 18 who have no other home. Here, they find that somebody cares. Coming from all walks of life, the boys find real friends in the counselors who guide them through their problems and help them grow into the citizens of tomorrow.

A planned educational and recreational program is an important part of Boystown. There are fine facilities, including comfortable dormitories and an Olympic-sized swimming pool. The dormitories are heated and air conditioned, and the beds are comfortable. The food—as well as the chores—is designed to put muscle on growing boys.

As director of Boystown, Father Flemming is uniquely qualified to win the trust and faith of his dependent youngsters. His natural interest in helping boys who have lost their parents through desertion, divorce, or other means, is bolstered by his enthusiasm for flying—a hobby which attracts the admiration and respect of most teenage boys. Father Flemming took up flying when he was 17 and won a private license. The priesthood followed, but after a hiatus of more than 15 years he again climbed into the cockpit.

Flying "whenever I get the chance," Father Flemming is often found on weekends at the controls of a rented or donated aircraft. A number of Boystowns' youths have taken a training program in aviation and soloed on their own, while others have expressed an interest in airline work such as becoming pilots or mechanics.

Through such means, Father Flemming and the staff work with their charges in a friendly, informal atmosphere. From the first day of admission, Boystown begins to plan with the parents for future rehabilitation of the broken home from which the boy came, when and if that is possible. The hope is that the family will eventually be reunited.

Privately maintained through contributions from individuals, Boystown of Florida deserves the support of every citizen. Its work is truly an outstanding contribution to the community. When it first opened its doors, five boys found a home. Now, it is attempting to provide a homelike environment for 50 teenage boys of all races, colors, and creeds.

Unlike Boys Town of Nebraska, Boystown's program is community oriented. It attempts to provide the proper vehicle to mold mature, responsible, and contributing citizens of the community. Naturally, the degree of success is hard to measure until after the boys leave. This year alone, success and sadness have been twofold—two of the boys were killed in Vietnam.

I congratulate the directors and supporters of Boystown for their immense achievement in helping their fellow man. For its leading part in service to the entire area, "Boystown of Florida" fully merits our confidence and assistance. Its address is: Post Office Box 336, Olympia Heights Station, Miami, Fla. 33165.

In an outstanding manner, Boystown of Florida lives up to its standard: "Our boys of today—your citizens of tomorrow."

FORESTER MILTON M. BRYAN STATES THAT WISE AND BALANCED USE OF LAND IS CONSERVATION IN ITS NOBLEST FORM

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. SIKES. Mr. Speaker, this year the Seaboard Coast Line Railroad Co. held its cooperative field forestry program in Madison County, Fla. Some 400 business and industrial leaders from throughout the Nation and Canada and representatives from six foreign countries left Jacksonville, Fla., at 8:15 a.m., April 17, on a special SCL train. Gov. Claude Kirk, members of the State legislature, other State officials, State Forester C. H. Coulter, and over 700 landowners, students and timber operators were already assembled at a longleaf pine woodland area on U.S. 90 between the Suwannee River and Lee, Fla.

Representatives DON FUQUA, in whose district the woodland is located, and BILL CHAPPELL, JR., were on hand to meet and welcome the visitors to Florida.

Governor Kirk, State Forester Coulter, Gene C. Brewer of New York State Director of Agricultural Education C. M. Lawrence, George C. McManis of Trailmobile were key speakers. Milton M. Bryan, representing the Forest Service of the U.S. Department of Agriculture, Washington, D.C., spoke on the pressures of land use in America. His speech is so timely that it merits the attention of all conservation groups throughout our Nation, and I submit it for reprinting in the CONGRESSIONAL RECORD.

PRESSURE ON LAND USE

Last month, both the Senate and House held hearings to determine why commercial timberlands weren't providing enough timber to meet a sudden surge in demand for lumber.

Then, just last week, the Secretary of Agriculture and the Chief of the Forest Service were named as defendants in an injunction suit asking that a planned sale of timber near a possible Colorado wilderness be stopped. In Oregon, more than 1,000 petitioners have asked that an area in which some selective logging is planned should be withdrawn from logging because scenic values might be damaged.

These events dramatically underscore one of the nation's major problems which affect each of us here today—the conflicting pressures for use of our greatest national resource, our land.

The pressures cited are not limited to government managed land. Private landowners find they aren't immune from the demands of conflicting interest either.

It's a sign of our times, basically related to population increases and the changing interests and activities of people. More people have more money to buy the products of the land. More people have more leisure time available to them. Greater mobility has awakened an awareness of the miracles of nature, leading to strong public movements to preserve land masses in their natural state. More highways, more suburbs, more reservoirs are gobbling up great chunks of land.

I am not finding fault with these various uses of the land. I'm only saying they are, in combination, elements of conflicting pressures which will definitely continue to grow.

What can we do about it?

Our gathering here at Seaboard Coast Line Railroad Co.'s cooperative field forestry day is one of the ways to help turn the key. The speeches and demonstrations on today's program reflect the extensive work which is already being done to get more from the land—to make it more productive for more people.

It is an active testimonial to the concept of multiple use of the land resource. I believe multiple use is the one answer developed so far that offers a resolution to the problem of a growing population on an unchanging land base.

The recent lumber price hearings in Congress and the establishment of a special committee of Cabinet members to study timber supply problems are responsible for the tremendous demands for production from the forests. Last year's legislation for establishment of the North Cascades National Park and the Redwood National Park show just as clearly the strength of demands to preserve land in its natural state. The growing list of recreation areas, natural areas, monuments and other single-use areas reflect the demands of still another segment of the population.

Each of these demands must be measured against the yardstick of multiple use so we can secure the greatest good for the nation from our lands. And this applies to all lands, public and private, forested and unforested, bottomland and mountaintop, urban and rural. This doesn't mean that each acre of land must have many uses. But it does mean that wise use of land is a balanced use. We cannot have all of the proposed wilderness and national parks without production of timber being affected. We cannot have megalopolises and vast highway networks without wildlife, scenery, and productive farmland being affected.

We must become evangelists for the cause of wise and balanced use of land—conservation in its noblest form.

The growing scramble for land and its products can lead to disaster if the planning processes are dismissed without consideration of land use in its broad national context. No longer is there enough land to allow every special interest group to have the unlimited land classification it wants. No longer can we say there are still millions of acres beyond the mountains. There just aren't.

Now we must look again to see just how our land can be used to do the most good for the bulk of America's population. We want—and need—wilderness, recreation areas, national parks and monuments. But we also want—and must have—producing forests for the homebuilder. And we need minerals, forage, clean water, and other products.

We must be able to show that all interests can be recognized, but not to an unlimited degree. "All interests" must be considered—and they can be—but only in a wise and balanced way.

Our continued greatness as a nation may well depend on it.

BROADCASTER REPLIES TO FIDEL CASTRO

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. FASCELL. Mr. Speaker, the thousands of loyal, freedom-loving Cubans who have fled Fidel Castro's Communist dictatorship continue to believe that someday honor and justice will return to their homeland. I, too, support this goal. In the meantime, exiled Cuban patriots monitor the failures of the Communist puppet who rules their island, and take note of the increasing bluster and trumpeting Castro uses to mask his disastrous economic and social defeats.

One victim of Castro's tirades is Manuel J. Reyes, a veteran Cuban broadcaster who left his native country when communism suppressed all freedom of speech and press. Because Mr. Reyes gained wide public identity and support during his many years with CMQ in Cuba, Castro has felt it necessary to attack him as a public figure and as an individual. Mr. Reyes, now the outstanding Latin American news director with WTVJ in Miami, has broadcast a reply to Havana's Red Radio venom, and for the benefit of my colleagues I make his reply part of the CONGRESSIONAL RECORD:

BROADCASTER REPLIES TO FIDEL CASTRO

Just a few days ago, on March 11, 1969 to be exact, a Havana Communist radio station dedicated a 20 minute short-wave program to attack me, not only as public figure but also as an individual. But this is a well known trait of Communists, used when they feel powerless to face the truth.

The attack was motivated by my editorial "Answer to Fidel Castro," presently circulating throughout Cuba, in which I actually answered Castro's speech of Sept. 28, 1968.

It should be pointed out that this was not Radio Havana's first one such attacks. On Feb. 18, 1969, the same radio station had attacked my statement to the Assoc. Press in which I revealed that 10,000 copies of the "Declaration of Liberty" (proclaimed at Key West, by over 1,500 Cubans on Jan. 23, 1966) had been sent and released in Cuba and that 10,000 additional copies were on their way to the captive island.

After carefully analyzing both attacks, particularly the one of March 11th, I decided it was necessary to reply, with serenity but firmly, and unmask the true author of such an insult.

First, I must say that there is not a trace of animosity in myself against the radio announcer who read each one or both articles before the microphones of Red Cuba radio stations. I do not know who did it. But if they knew the 22 years during which I worked for C M Q, ever since I was 13, back in Feb. 18, 1938. . . . they must have felt terrible while reading the deceptive sheet of paper they were given. I sincerely excuse them, knowing as I do that they were forced by terror. Being also a Cuban, I understand the ordeal of these radio announcers when the Red overseer makes them read, before a microphone, something repudiated by their innermost feelings.

That is why, practicing the democratic right to reply which, by the way, is prohibited in Cuba, I address myself to the true author of that attack. . . . Fidel Castro, who, repeating the same tactics he used at the Sierra Maestra (hiding inside a cave to keep himself away from combat and aiming only with telescopic gun-sight to be able to do it from the rear guard) hides, this time behind a microphone, to get rid of his hatred, his frustration and resentments by attacking me with mile-long demagogic lies.

Today, I address myself directly to you Fidel Castro, in defense of our people's liberty and decorum, but specially in defense of the young people of our country, those whom you have been unable to penetrate with your ten-year-long indoctrination. They rebuff you and rebel against you from one end to the other of the island and in so doing are giving proof of your enormous failure.

Today I am going to give you a few facts; they will teach you that you can not impunely attack honest and decent people. Besides, it is high time you start getting used to the bitter taste of defeat.

You forced the radio announcer to say that I had started working at CMQ as a child-prodigy, singing and acting in "Cafe Pilon Show." In your resentment you have uncovered your own lies. You have said and repeated that Cuban poor people never had a chance to better themselves. Nevertheless, when you say that I started at CMQ as a child, you admit that poor people did have a chance in Cuba, previous to your disastrous take-over, since I come from a very hard-working family but a very poor one as well. Back in 1931, while you were in Oriente province, enjoying the comfort of a wealthy family, I was in Havana with my parents, helping them make a living by selling penny-a-piece candy at the Polvorin public market, right across the street from the Presidential Palace. This is the truth but you would not dig it out because it would shatter your own demagoguery. This is the truth but you would not dare facing it, so you force others to read your lies. Everyone knows I started to work since I was 13, and gave 22 consecutive years of my life to only one enterprise: CMQ. First, while still located at Monte and Prado, under the management of unforgetable Angel Cambo and Miguel Gabriel; then from 1943 on, under the direction of the Mestre brothers. During those 22 years of daily work, I was also studying and struggling to finish my career. You said that it was difficult for me to obtain my degree as an Attorney. You forgot to mention that I also hold a Master's degree in Consular Diplomacy. Yes . . ., it was not easy for me to get those two degrees . . . it was difficult . . . but you also forgot to mention that it was . . . economically difficult. I had to work to pay for my own career and my grades were obtained through hard studying.

You, who never held a job, who do not know what it means to earn a quarter by working for it, were also attending the University; but your family was paying for your career and your grades were obtained by tortuous means. You were never a true student. You spent most of your time trying to become Delegate or President of your course and even President of Law School, just to create privileges and exemptions which you condemn today but through which you made your way up year by year.

I remember seeing you, quite frequently, at the University's Plaza Cadenas, a gun at your side, intimidating your fellow students with your bully attitude. I will never forget the day when, in the company of several of your followers, you halted a local bus at the San Lazaro square; every passenger was forced down at gun-point, then you drove the bus to the Alma Mater, there you sprinkled it with gasoline and set it on fire as a protest for a raise on the fare. And just the same way you burned that bus you have also burned and destroyed our beloved Cuba. No one can be a Statesman on the basis of fire and destruction. And you do not know how to build.

I received my Attorney's degree in 1949 and started to practice right away without giving up my job at C M Q. You received yours in 1951 if I'm not mistaken. Nevertheless, I never saw you at our homeland's Courts of Justice, practicing the right to defend people of which you brag so much. I saw you only once at the old Havana Courthouse, in back of the Supreme Court of Justice, you were there trying to get some votes at the Lawyer's Hall, where my good friend Larrea was caretaker. You were then running for Representative for the province of Havana on the Orthodox Party ticket. And now you complain about politicians!

But, why should I keep insisting on facts like these. Your fate is already decided. It is written on the Bible: "He who lives by the sword shall perish by the sword".

The only thing I really want to stand-out is the fact that I shall continue to defend the young people of my country, the same ones you are trying to enslave.

Those powerful, noble and good young people that you are trying to poison with foreign doctrines, stranger to our country, like Marxism-Leninism. As long as there is a breath in me, I shall defend the Cuban young people, our fatherland's New Gold; they represent our best reserve . . . and your end! Have no doubt, Fidel Castro; they will ultimately overthrow you and, united in true brotherhood with those in exile, under the principles of God, Fatherland and Home, they will rebuild the new Cuba that was our forefather's dream. You have betrayed their blood, because traitor is he who has again put together for Europe the yoke that from Europe came and was shattered last century in Cuba, at the expense of enormous sacrifice and precious lives.

Since you brag so much about your young fellowers, why is it precisely the Cuban young people who are the ones brandishing the "Declaration of Liberty", pasting it on doors and walls as a symbol of their defiance and their rejection to your regime?

If it is truth that the Cuban young people feel satisfied with your system, why do you force them, a bayonet to their backs, to go to the fields and perform the so called "voluntary labor"?

If you feel so sure about Cuban young people, why do you prevent them from going to church and Sunday school? If they really follow you, why are they not permitted to speak freely before microphones, without having to give an account of what they intend to say?

If Cuban young people do not oppose you, why are the jails of our country full of Cuban youths?

If Cuban young people are loyal to your so-called revolution . . . why did you, on your speech of March 13, 1969, insulted them . . . why did you offend them . . . why did you call them "hopeless delinquents" and why, assuming a Hitler-like pose did you threaten to exterminate them all?

You want to enslave young people. . . . I want them to be free.

You take them away from their families. I want to see them go back to their parents.

You threaten them with destruction. I want them to live. I want to save them! Even the few ones that might still be on your side . . . that might still believe in you . . . for they have grown hating enemies they do not even know; for they have been the victims of your abominable indoctrination; for they have never seen the light of truth.

I want them also to be saved; for in spite of your communistic venom, they are before and above everything else . . . Cubans.

And to prove the truthfulness of what I say, this answer to your insult shall go to Cuba . . . it shall be brandished, from one end to the other of the island, by Cuban youngsters as a sign of future hope they do not have with you . . . as a sparkle of liberty, which was banished from Cuba by your treason.

This answer is not only my duty as a defender of the young people of Cuba, it is also the answer deserved by those who dare insulting honest men with lies and demagoguery.

BILL SMALLWOOD RETIRED AS SECRETARY-TREASURER OF THE COMMUNICATIONS WORKERS OF AMERICA

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. BURTON of California. Mr. Speaker, recently, one of the very fine labor leaders and a pioneer in the effort to organize American working men and women retired as secretary-treasurer of the Communications Workers of America.

Bill Smallwood for 43 years worked at active union building and untold numbers of men and women have had their lives bettered by his efforts.

On the occasion of his retirement, Bill Smallwood looked back on those years.

I should like to take this opportunity to wish him well in the years ahead, and to share with my colleagues his remarks:

Ladies and gentlemen, Joe, fellow officers and very distinguished guests, I detected a few raised eyebrows when I spoke of "fellow officers" so I want to remind each of you that my retirement doesn't officially become effective until midnight tonight—and you're going to have to put up with me until then!

Don't panic . . . I don't plan to speak more than an hour.

Please try to understand that a man has an opportunity like this possibly only once in a lifetime—and this is my opportunity, with a captive audience—and I'm going to take proper advantage of you . . . I mean *it*.

So, sit back and relax, friends.

I want to look back a few minutes . . . before we look ahead.

First, let me make it clear that when I started to work in the "communications industry" in 1929 I didn't even have a dream that I would ever have such a grand, sumptious opportunity to say "thank you" to so many dignified, delightful people.

One of the most precious privileges my work with CWA has given me has been the opening of doors that permitted me to travel extensively and meet and work with so many wonderful people in the labor movement, the political and civic world and many are here tonight.

Rather, my thoughts in 1929, centered on "making it" . . . and, I don't mean making it the way teen-agers use that phrase today . . . very simply, I mean I was worried about holding my job and having enough money to pay the room and board.

Remember, that was on the eve of the great depression . . . a rough time for millions of people, including me, it was a long time ago . . . so long ago that Joe Beirne was only 18 years old and hadn't even bought his first car—one with a rumble seat.

Yes, it was long ago but I remember it well because the depression in those years created the fertile soil from which we ploughed out the modern labor movement as it exists today.

Keep in mind that in those days—the waning days of prohibition when none of us youngsters—not even Joe—could legally buy a drink—as well as the days of the depression—people were stone sober and worried . . . I mean worried about their jobs . . . and about enough food . . . and about a roof over their head. And, most of us "common folk" had cause to worry because people were being hired and fired as fast as it takes to snap your fingers. Job turnover—to use a polite phrase—certainly hit a peak in the early 1930s.

So, now you know what I was thinking and worrying about 40 years ago—roughly speaking.

Three years later brightness came into my life and she's here tonight and I want her to stand and when she does, I want you to have the thought in your mind that she is the one who should be honored tonight, rather than me.

Hazel, stand up, please. (She sits down again.)

I met Hazel while she was a traffic operator and I was a toll central office repairman—and I want you to know that as my wife she should take a big, big part of the credit for making Bill Smallwood the man he is today.

And, in the same vein, she should receive a big part of the credit for bringing real trade union representation to telephone workers in the south because she was there. She worked—like a lot of us—around the clock, at times.

It sometimes seems that men get too darned much credit, so I want to say here and now that Hazel Smallwood—and thousands of other women like her—paid the price and made the sacrifice that was necessary to build the Communications Workers of America to the great stature that it holds today.

To all the women like Fran Smith, Anne Benscoter, Nancy Franks—and the men—the Jake Schachts, Joe Beirnes, John Crulls and the literally thousands of others who have made this union and my participation in its growth possible—I would like to say "thank you" in a million languages—if I could.

But, I've been too busy doing other things to ever learn a million languages, so I'm limited to saying it in English. But, even for that, I'm grateful—grateful for having been born in the United States, grateful for having had the opportunity to be a part and particle of what I consider one of the truly great organizations in America—and I'm grateful, too, for the kind attention and warmth you have shown me here tonight.

For those of us who have been around for 40 years, it's wonderful to see younger leadership moving into an active role. Some of the changes in our own headquarters office you all know about. I'd also like to mention the upward move of John Hazel, as he begins a leave of absence from his office duties to take on a full-time union job as business agent with his union.

. . . When a person retires, he selfishly hopes that things will go on unchanged . . . unchanged because he helped to make them the way they are and he feels comfortable with them.

I too must confess to this tinge of selfishness.

But, overriding this self-serving personal feeling is a strong hope on my part—a hope that CWA will go on making changes and growing—a hope that CWA will always be a strong and vibrant organization—ever responsive to the needs of the members and the community.

So, to every person in this grand room, I say thank you—and keep up the good work!

A STAR IS BORN

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. PUCINSKI. Mr. Speaker, in an impressive ceremony attended by more than 400 of Chicago's top civic, business, political, church, education, and labor leaders a star was born with the emergence of a new newspaper, to be known as Chicago Today.

Those at the breakfast meeting heard a personal message from President Nixon wishing this new publication success in its exciting venture.

Mayor Richard Daley and Governor Ogilvie joined in this inaugural of Chicago's newest addition to journalism.

Throughout this entire impressive ceremony, there was a laudable theme: while all over America newspapers are going under, Chicago sees the emergence of a new and exciting daily publication.

The Chicago Tribune Co., parent organization of Chicago Today, and the men and women who are responsible for this new, creative idea in journalism deserve the highest commendation.

The emergence of its new format for Chicago's American brings to the people of Chicago an exciting new venture in American journalism.

I wish to join in congratulating Lloyd Wendt, publisher, and Luke P. Carroll, editor, of the new publication which we will hereafter learn to know as Chicago Today.

I am particularly excited about the new compact format of Chicago Today. It is a work of typographic excellence; the news stories are easy to read; the makeup is pleasing to the eye, and I believe that Chicago Today will meet with great acceptance not only by those who have been reading with great pleasure Chicago's American, but I am sure among the vast array of new readers who will be attracted by this very compact and convenient method of getting their news during the day.

The emergence of Chicago Today dramatizes another highwater mark in Chicago journalism. We have always had the good fortune in Chicago of having people in journalism who brought to our city a keen sense of competition and an impressive sense of responsibility. Chicago Today is the newest development in an illustrious history of Chicago journalism. I believe all of the employees from copy boy on through publisher can be proud of this new concept which they are bringing to the people of Chicago.

I am convinced that the more convenient and more easily readable size of Chicago Today is in keeping with the trend toward compactness in the journalism needs of American readers.

The exciting array of columnists, feature writers, photographers, and the many, many impressive features in the new format place Chicago Today in the forefront of America's most exciting and modern newspapers.

I wish Chicago Today a great deal of success in this new venture and I am certain the public response will prove most rewarding to those who have conceived this new format for Chicago's American. The format is new but the same high quality of journalism which has made Chicago's American one of the most exciting newspapers in the world remains intact, and in this marriage of quality and progress Chicagoans will find an exciting adventure in journalism. We rejoice with all of the people of Chicago on this historic day.

PRIORITIES AND BUDGET CUTTING—CARL ROWAN CITES THE DISCREPANCY

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. CLAY. Mr. Speaker, I have long been an admirer of Carl Rowan and I respect his ability to communicate a message so clearly in so few words. Once again, he has sorted out the facts from the fiction in summing up for us the meaning of the budget cuts effected by President Nixon.

Members of Congress and citizens who share my concern for the people who must absorb the impact of these budget cuts will fully appreciate the insight of Mr. Rowan and his willingness to shed some badly needed light on the subject of "Priorities and Budget Cutting."

The following commentary was aired on WTOP television April 17, 1969. I commend it to the attention of my colleagues:

(By Carl T. Rowan)

The headlines say that President Nixon has given top priority to helping the poor and the cities in his budget for the coming fiscal year.

The headlines are a bit misleading. What is true—and somewhat heartening—is that in cutting back on the Johnson administration's budget Mr. Nixon did not cut as deeply into funds for social programs as he did in other areas.

In reducing Johnson's estimates by 4 billion dollars, Nixon cut the Defense Department 1.1 billion.

The fact is, however, that the 100 million dollar cut in Job Corps funds is much more meaningful than the 1.1 billion cut at Defense. At Defense, this is a bit of cream off the top that the military men may very well get back before the year is out.

But the 100 million dollar cut means death for much of the Job Corps program.

Similarly, a billion dollars of Mr. Nixon's savings come from increasing social security benefits much less than Johnson proposed. A billion dollar cut here is much more painful to the aged, the widow, the retired than is a similar cut to the Pentagon.

In cutting funds for farm price supports and for the space agency Mr. Nixon has done his trimming where the big money has been and where cuts could be made without maiming any basic programs.

Many Americans will be pleased to see the emphasis put on helping the poor residents of our city slums. But the headlines ought not mislead anyone into thinking there has been a colossal commitment of resources to this problem. Nor should anyone jump to the conclusion that America's priorities have been put in order.

The basic picture is still one of a vastly disproportionate part of the nation's wealth going for military expenditures and a relative pittance being devoted to the problems of hunger, ignorance and illness.

This is Carl Rowan in Washington.

BOLSA ISLAND REVISITED

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. HOSMER. Mr. Speaker, 2 years ago the Congress authorized participation by the Interior Department and the Atomic Energy Commission in an exciting project to construct a nuclear-powered sea water desalting plant off the coast of southern California.

The project collapsed last summer for a variety of reasons, but the principal one being cost escalation. The total price tag for the 1,800-megawatt electrical, 150-million-gallons-per-day facility jumped from the $444 million estimate of 1965 to $765 million.

The interesting history of this project was reviewed recently by Mr. Henry J. Mills, general manager of the Metropolitan Water District of Southern California, at the Western States Water Council meeting in Lubbock, Tex.

In his remarks, Mr. Mills indicates that nuclear-powered desalting may still become a reality in southern California, hopefully soon. He notes that it is absolutely essential that MWD have a large desalting plant in operation not later than 1980, and present planning has that as an objective.

Mr. Mills' talk follows:

THE BOLSA ISLAND NUCLEAR POWER AND DESALTING PLANT

During the past four years, the study of a dual-purpose sea water desalting and electric power plant has been the subject of a major effort by representatives of the electric utilities of Southern California, the Federal Government and The Metropolitan Water District of Southern California. This facility, known as the Bolsa Island Project, has received great publicity not only throughout the United States but also throughout the world.

Although the electric utilities elected to terminate their participation in the Metropolitan-Utilities Agreement effective last September 30, Metropolitan's Board of Directors on December 10 voted to go ahead—but on a delayed basis—with plans for such a sea water desalting plant. Only by building and operating a plant can we acquire the knowledge we must have to know the role desalting should play in our long-range planning.

In my remarks today, I want to give you some of the history of this project which, in turn, should give you an understanding of why construction of this great project apparently will not proceed for some years to come.

In recognition of its responsibilities to the 10,000,000 people of Southern California that it serves, the Metropolitan Water District is continually searching for possible new sources of water. In view of the steadily rising costs of imported water, primarily because of the greater and greater distances involved, it has been necessary to include consideration of methods of desalting sea water in our over-all planning. The unlimited source of supply represented by the Pacific Ocean is very evident to all who live in Southern California. It is a challenging reminder to engineers, metallurgists and chemists that in some way, somehow, there must be a method for producing potable water from the sea at reasonable cost. Because of the atmospheric pollution problems in the Los Angeles Basin, the attention of the District has been especially directed to the use of smog-free nuclear power as a source of heat for desalting.

Ten years ago the District authorized the Fluor Corporation of Los Angeles to make an analysis of a nuclear-fueled desalting plant. Fluor's projection of the cost of desalted water, with a desalting plant operating in 1972, was $102 per acre-foot, or 31¢ per thousand gallons based on 1959 pricing. Fluor also found that a dual-purpose nuclear desalting plant—one that produced power both for its own needs and for sale, using its own steam for the desalting portion of the plant, was capable of producing desalted water at even lower costs.

After further studies and reports by the staff, the District's Board in April, 1964, adopted a motion that the staff investigate the possibilities of acquiring a site appropriate for a sea water conversion plant and that the staff be authorized to consult with the appropriate Federal agencies and with qualified engineering firms in regard to a District-sponsored sea water conversion project.

In mid-1964, the District's Board authorized the execution of a contract with the Department of the Interior and the Atomic Energy Commission for an engineering and economic feasibility study and the preparation of a preliminary design of a combination nuclear power and desalting plant. The plant using the multi-stage flash distillation method was to produce in the range of 50 to 150 million gallons of water per day and 150 to 750 megawatts of electric power. On August 18, 1964, this contract was signed by all three parties, each to bear one-third of the cost. The study was to be made by a subcontractor employed by the District.

On December 15, 1964, the District named Bechtel Corporation as the subcontractor. This feasibility study was to be conducted in three phases, namely, Phase I, Preliminary Survey, Phase II, Detailed Investigation, and Phase III, Preliminary Design and Detailed Analysis.

Shortly after the start of this study, initial discussions were held with representatives of the Southern California Edison Company and the Los Angeles Department of Water and Power concerning the possibilities of marketing the electric power to be produced by the proposed plant. These electric utilities showed a strong interest in the project and submitted a joint proposal to Metropolitan. A third utility was then included, the San Diego Gas & Electric Company. In this proposal, they suggested that the utilities build and operate the nuclear power plants and supply steam for the desalting plant. Metropolitan would be charged only the incremental cost of the dual-purpose power plant over the cost of an equivalent electric generating plant producing power only. This proposal was accepted for consideration in developing the conclusions of the feasibility study.

Early in 1965, Bechtel prepared a list of economic ground rules for the plant. For all estimating purposes, the capital costs were to be based on constant January 1, 1965, dollars with no allowance included in this estimate for future escalated cost changes. The 1965 costs were to be escalated when a construction schedule had been established. Construction labor costs were to be based on the then prevailing pay scales and interest during construction was to be based on a rate of 3½ percent for the District's share of the cost.

In June, 1965, Bechtel transmitted copies of the Phase I and Phase II portion of the feasibility report incorporating the ground rules noted above. Bechtel determined that the production of 150 million gallons per day of desalted water at a coastal location within practicable range of the District's filtration plant in Orange County was technically feasible. The cost of desalting water at such a sea coast site was estimated to be $70 to $96 per acre-foot, depending on the size of the power plant. The cost of conveying the water inland to a point where it would be mixed with other supplies was estimated to be $15 per acre-foot for a total cost of water of $85 to $111 per acre-foot, all based on 1965 prices.

Bechtel further indicated that the lowest water cost and the minimum capital investment for the District would result from participation in a nuclear power and desalting plant along the lines of the electric utilities' proposal and recommended that the proposal be carried into Phase III of the feasibility study. Bechtel also recommended that a 40-acre man-made island site, a half-mile offshore from Bolsa Chica State Beach in Orange County, be analyzed further as a specific site for the Phase III portion of the study. Also technically feasible for nuclear-power desalting plant sites were two shoreline locations in Orange County. However, the island was deemed to be the most economical of all the sites considered, particularly because of its proximity to a usable distribution point. The District's Board approved a recommendation that the concluding phase of the Bechtel study relate to the man-made island as a first choice site. The scope of the study was again expanded later to include test drilling on the ocean floor at the island location.

In the last week of December, 1965, Bechtel delivered copies of Phase III of the feasibility study. The general conclusions derived from the Phase III study, were: (a) confirmation of the feasibility of a 150-million-gallons-per-day nuclear power and desalting plant; (b) the man-made island site offshore from Bolsa Chica State Beach was an acceptable and practicable site for the plant, offering a lower overall project cost to the participants, and (c) the estimated cost of desalted water at the island site was $71 per acre-foot. Delivered in land for distribution, the cost of water would be $88 per acre-foot, based on 1965 prices.

Bechtel Corporation, after reaching these conclusions, recommended that the Bolsa Island site be used as the plant location and that the offer of the electric utilities to participate in the dual-purpose plant be accepted as a basis for negotiation of a definitive contract. Total cost of the project was then estimated at $444 million, without an allowance for cost escalation during the construction period. Parenthetically, it can be noted that in mid-1966 Metropolitan's staff advised the Board that the District's share of this total cost had already gone up $44 million because of escalation of the then anticipated completion date.

In May, 1966, the Department of the Interior, with the full concurrence of the Atomic Energy Commission, appointed a committee of ten experts in seismology, geology, soil mechanics, and seismic design to evaluate Bechtel's recommendations concerning the Bolsa Island site. This "Blue Ribbon" Committee, as it was frequently called, was convened in San Francisco the following month and subsequently held numerous meetings.

In early 1967, hearings were held by Congressional committees and subsequently financial participation of the Federal Government in the project was approved by both the Senate and the House. An authorization bill covering Department of the Interior participation in the amount of $57.2 million was signed by President Johnson on May 9 of that year. Atomic Energy Commission participation in the amount of $15 million had been authorized earlier as part of a general bill covering AEC operations.

In August of 1967, a first draft of the Department of the Interior Site Advisory or "Blue Ribbon" Committee report was received. The committee reviewed all the investigative work that had been done at the site and reported favorably on the findings. However, it recommended much higher earthquake design criteria than had been contemplated, including a recommendation that Class I structures be designed to withstand a sudden surface displacement of from 5 inches to 10 inches. The concerns of the committee regarding a tsunami (seismic sea wave) and liquefication of the island fill under the reactors were also emphasized.

The recommendations gave rise to a conviction that acceptance of these new requirements would be made a condition to the obtaining of a construction permit from the Division of Reactor Licensing of the Atomic Energy Commission. Later investigations by Bechtel showed the financial impact of these added requirements on the total cost of the project.

The contract negotiating teams drafting the District-Government Contract and the District-Utilities Agreement worked almost constantly for a nine-month period in 1967 to arrive at language satisfactory to all parties. On September 12 of that year, the District Board of Directors authorized the General Manager to execute both contracts on behalf of the District. Both documents were executed on November 20 at a ceremony attended by numerous civic leaders as well as representatives of the contracting parties.

In the meantime, the utilities had received bids on the nuclear steam supply systems, which were approximately 30 to 40 per cent higher than had been expected. This fact coupled with the complicated nature of the bids caused a severe problem in trying to arrive at a joint decision as to the successful bidder.

The Agreement between the District and the Utilities contained an "escape clause" which allowed any participating owner to terminate the agreement by written notice on or before December 31, 1967, if prices for equipment were such as to make such owner's participation in the project uneconomical. The Utilities and Metropolitan agreed that more time was needed to review the nuclear steam supply system bids and the project costs. With Government concurrence, the time for possible termination was extended to March 31, 1968.

During January, February and March of 1968, Metropolitan and the Utilities were at work analyzing the new cost data available to them and preparing an up-to-date estimate of the cost of the portion of the project to be constructed by each of them. No decision was possible by late March and a second 90-day extension of the contract termination date was agreed upon to June 30, 1968. During the period from January to June inclusive of 1968, numerous meetings were held involving the staffs of the participants, the Project Management Board and Metropolitan's own Special Advisory Committee on Nuclear Power and Desalting Plant.

In February, 1968, the Bechtel Corporation was requested to upate its cost estimate of the project with costs escalated to completion in 1974. The new estimate with changes of scope of work included, was $750,000,000. An additional $15,000,000 was added for further contingencies, making the total $765,000,000.

The cost changes from the 1965 estimate to the new estimate predicated on 1974 completion and the main reasons for them are summarized as follows:

First, for the desalting plant the new estimate was $166 million against the previous estimate of $108 million, or an increase of $58 million; this was caused by escalation almost exclusively.

Second, for the power components and related facilities, including the back pressure turbine, the new figure was $436 million against $235 million, or an increase of $201 million; this was explained by the increases in the costs of nuclear power plant equipment, the new AEC design criteria, and escalation.

Third, for construction of the island and causeway, the new estimate was $44 million against the former figure of $24 million, or an increase of $20 million; two reasons were given for this—the new seismic sign criteria and escalation.

Fourth, for the water conveyance facilities the new figure was $42 million against $33 million, or an increase of $9 million; escalation again was the cause for this increase.

Fifth, for power transmission facilities, the new figure was $77 million against the previous one of $44 million, or an increase of $33 million; escalation accounted for part of this and the decision to have underground cables instead of overhead transmission made up the reminder.

The new total cost for the project for all participants, as I said earlier, was $765 million against the 1965 figure of $444 million, which contained no provision for escalation, or an increase in the total cost of some 70%. On the basis of the new cost estimate, the price of water at the plant was calculated to be approximately $120 an acre-foot or 37¢ a thousand gallons. Delivered 25 miles inland for distribution, these costs were estimated to be $143 an acre-foot or 44¢ a thousand gallons. The lowest cost for any existing plant is 85¢ a thousand gallons at the plant (in the United States).

In a special District Board of Directors meeting on June 20, 1968, the Board voted to proceed with the Bolsa Project as initially conceived. However, the Southern California Edison Company during the previous several weeks had voiced the opinion that it would not be able to proceed with the project because of excessively high estimates of cost.

Because long range policy decisions were obviously necessary by each of the participating owners, a third extension of both the Metropolitan-Utilities Agreement and the Metropolitan-Government Contract to September 30, 1968 was agreed to by all parties.

On July 23 and 24, 1968, meetings were held in Washington, D.C. At these meetings, the Southern California Edison advised the Government representatives orally that the Bolsa Project, as then constituted, was so much more costly than other available energy resources that Edison could not continue its participation in the project. Effective September 30, 1968, the Metropolitan-Utilities Agreement was formally terminated by the three electric utilities for the reason that the project was no longer economical.

Finally, last December the District's Board approved recommendations by me which included the following:

1. Advise the electric utilities that the District intends to adhere to the dual-purpose nuclear power and desalting concept at the Bolsa Island site.

2. Continue active participation with the utilities and the Government in the matter of nuclear power-desalting plant studies.

3. Acquire sufficient land for access corridors for power cables, pipeline, switchyard and related facilities inland from the beach.

4. Proceed with the basic planning for a 50-million-gallons-per-day expandable plant which would be producing water not later than 1980. Construction would be started in the mid-1970's.

In my letter to the Board, I made several statements and, in closing today, let me repeat what I said then.

First, I made plain our hope that, as coastal sites for nuclear power plants become more scarce or unavailable, a new partnership arrangement may be worked out by the District with the electric utilities regarding Bolsa Island. At the same time, I did not rule out the possibility that at some future time Metropolitan might undertake this venture on its own. We also intend, of course, to explore the possibilities of again obtaining financial participation by the Federal Government in the new program, whatever exact form it may take.

Finally, I emphasized to the Board the very great problems that we face in meeting the future water requirements of a steadily growing Southern California population and economy. In fulfilling our responsibilities, we must constantly review and evaluate the respective merits of additional importation of water from long distances, local reclamation of waste water, management of ground water storage and, of course, processes, proven and unproven, for the desalting of the waters of the Pacific Ocean. In that final regard, I believe that the Board of Directors of the District shares fully with me the conviction that, in planning for our needs of the long-range future, it is absolutely essential that Metropolitan have a large demonstration desalting plant in operation not later than 1980. And, as I have said, our present planning has that as our definite objective.

POINT REYES NATIONAL SEASHORE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. COHELAN. Mr. Speaker, last week Mr. Richard H. Harris, general manager of KPIX, in San Francisco, called public attention in several editorial reports, to the urgency of acquiring the remaining land designated by the Congress in 1962 for the Point Reyes National Seashore.

There is pending before the Congress now, with bipartisan sponsorship, a bill I have introduced to increase the authorization, so this unique Pacific shoreland can be purchased and added to the public domain as part of the national park system.

Mr. Speaker, I insert the text of Mr. Harris' editorial, and I call attention of my colleagues to its important message:

POINT REYES PARK

Congress can't afford to play a waiting game with the purchase of additional land for the Point Reyes National Seashore.

Delay wouldn't just be costly. It could very well mean curtains for the magnificent park envisioned when it was established in 1962.

The government already owns about 23,000 acres. Now there's a bi-partisan effort underway in Congress to authorize a higher ceiling on spending for more park land.

But so far, no hearings are scheduled.

It's absolutely vital that Congress act soon on the Pt. Reyes purchase. Action is especially needed in the case of one 2,500-acre parcel, now in private hands. The Sierra Club describes this section as not only the most beautiful unacquired parcel, but as one of the most necessary for a completed park.

But there's the real threat that unless funds are appropriated, the 2,500 acres will be sold to other private interests and be subdivided.

There's another reason for urgency. Land values keep soaring. Inflation will make purchases even costlier in the future.

Legislation providing $57.5 million for additional Pt. Reyes land is before both the Senate and House Interior and Insular Affairs Committees.

KPIX urges you to write your congressman and request prompt hearings on the Pt. Reyes measure.

Purchase of additional lands represents an investment in natural beauty. Once that's gone, it can't be bought at ANY price.

ORANGE COUNTY POLITICAL DIRECTORY

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. HANNA. Mr. Speaker, I would like to call the attention of my honorable colleagues and of the newspapers and teachers associations in their various States and communities to an outstanding civic service rendered by the Orange County Evening News of Garden Grove, Calif., and the Garden Grove Education Association.

These two public-spirited enterprises periodically update and republish an Orange County political directory wall chart. This instructional aid lists every political officer for which any citizen in Orange County votes, from the members of the local school boards to the President of the United States. Their terms of office are also provided.

In the case of State and Federal executives and legislators, the directory gives brief biographical information, mailing addresses and excellent line-drawing portraits. For California and national lawmakers, committee assignments are offered as well.

These directories, researched and prepared for publication by the Garden Grove Education Association, are published as a public service by the Orange County Evening News. The newspaper makes them available to the public free for the asking. They are placed in every library reference room, most civics classrooms, and almost every city clerk's office in Orange County. In the case of the last edition, 5,600 were given to graduating students at all the high schools in the Garden Grove Unified School District and the Huntington Beach Union High School District.

This, I believe, is a magnificent project. Certainly, Larry Collins, Jr., publisher of the Orange County Evening News, should be commended for the generous effort that newspaper makes in support of better citizenship.

Surely, the 1,850-member Garden Grove Education Association—eighth largest chapter of the California Teachers Association—merits high praise for the impressive work it does to make this project a success. Thanks are due its courageous, far-sighted 1968–69 president, Mr. James Boxx, and its imaginative and hard-working 1968–69 Political Education and Concerns Committee Chairman, Mr. James Wicker.

I want to express special appreciation to GGEA Executive Director Galal Kernahan, who conceived, designed and produced the first of these Orange County political directories. I value him not only for this fine innovation in teaching our American form of government, but for many other ways in which he has sought to help me in my vigorous support for local schools including his assignment by the National Education Association to serve in a liaison capacity with my office.

Everyone can be certain that, as soon as the May 15, 1969, Orange County political directory reaches me here in Washington, D.C., it will immediately and proudly be hung on my office wall.

COLLEGE STUDENT SPEAKS OUT AGAINST UNIVERSITY UPRISINGS

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. COLLIER. Mr. Speaker, in these trying times, when we are sick at heart at what is happening in our institutions of higher learning, we must bear in mind that only a small percentage of the college and university students are revolutionists and that much of the anarchistic activity is promoted by people who are not students on the campuses they are disrupting. I am convinced that the overwhelming majority of those attending our institutions of higher learning would like to see firm action by both the college and university authorities and the various agencies of government, so that the rank and file of the student body can get on with the serious business of getting an education.

I recently received a very encouraging letter from a young lady in my district, Miss Ruth Ann Sommer, who is representative of the majority. We have heard altogether too much from the revolutionists, anarchists, and other destructive and subversive elements—now let us hear from the decent, law-abiding students, of which there are a vast nonvocal number for a refreshing change.

Under leave to extend my remarks in the RECORD, I include Miss Sommer's letter:

MARCH 24, 1969.

DEAR MR. COLLIER: This past weekend I read some very disturbing "news," and I felt that this was the time to let off some steam.

Enclosed is an article from the Bradley University Scout, the school's newspaper, entitled the "Winter-Spring Offensive" proposed by the SDS. Now, I am sick and tired of reading about what the SDS has done, and will be doing, and I am wondering why the U.S. Government does not do anything about it. At least I have not heard or read of any measures being taken. Everyone seems to think that the hippies, yippies and other radicals are a "minority"—however, I do not agree. I feel that these groups are farther along than many people think. Being a conservative person, I have been subject to the "liberal ideals" professed by many college instructors. In fact, I had a professor at Bradley that condemned everything the U.S. Government did. After suffering through his class for a semester, I decided that his brainwashing was not for me. But, his "preachings" affected other students. When I refer to liberals, I mean those leaning to the left, not, for example, a liberal Democrat.

I would really like to know if any measures are being taken against these radicals—other than cutting off their loans by the Federal Government. I am very proud to be an American and I want my country to be free so that my children will know what freedom really is.

Thank you kindly,
Sincerely,
RUTH ANN SOMMER.

PILOT TRAINING: EXPERIENCE IS THE BEST TEACHER

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1969

Mr. STUCKEY. Mr. Speaker, the people of Georgia and the Eighth District take pride in Moody Air Force Base and its air training program.

I would like to insert the following article which appeared in the April issue of the Air Force magazine. This article is an excellent indication of the advantages of having experienced pilots used for the training of our student pilots:

PILOT TRAINING: EXPERIENCE IS THE BEST TEACHER

(By T. Sgt. Gerald O'Hara, U.S. Air Force)

Most people think of today's US Air Force pilot as a dashing and debonair young man.

Some do fit this description. But, in the aerospace age, the sometimes forgotten "old man" in the cockpit still has a firm hold on his place as one of the most significant factors in keeping USAF strong and professional.

These older pilots—men in their mid-thirties to late forties—have been flying all types of aircraft in the Air Force arsenal worldwide—during peace and war. They not only have been tested under enemy fire, but their vast over-all experience in flying all types of equipment provides a valuable reservoir of knowledge for new pilots to draw on.

These combat-tested experienced pilots are helping to see that newcomers to flying receive the best possible training through the Air Training Command's Undergraduate Pilot Training (UPT) program at nine bases in the United States.

At Moody AFB, Ga., more than one-third of the T–37 instructor pilots (IPs) of the 3552d Pilot Training Squadron and about as many T–38 IPs from the 3553d PTS have seen combat in Vietnam. Others are Korean War veterans. Some have had combat experience in both conflicts.

Many of these instructor pilots have several thousand flying hours and more than ten years of flying experience in various aircraft—irreplaceable credentials for those teaching the techniques of flying to student pilots, many of whom will end up at the controls of some of the most sophisticated aircraft in the world.

Such a sprinkling of older instructor pilots among the younger ones sets the pace in today's Air Force UPT program.

Moody IPs who fly the 400-mph T–37 primary jet trainer average thirty years of age, and instructor pilots using the more advanced supersonic T–38 average twenty-nine.

PUTTING EXPERIENCE TO WORK

One of the "older heads" who has served as a T–38 IP flight commander at Moody since his return from Vietnam in April 1967 is Maj. J. D. Tindall. He was thirty-five when he flew 100 F–105 Thunderchief fighter-bomber missions against some of the most heavily defended targets in North Vietnam and during his career has accumulated more than 3,600 flying hours—250 of them in combat—in T–28, T–33, F–84E, F–86F, F–100, and F–105 aircraft.

"My total flying experience helps me quickly recognize the abilities of student pilots," says Major Tindall, who now is Chief of the Standardization Evaluations Section of the 3553d PTS.

Although Major Tindall does not see combat experience as a necessity for instructor pilots, he believes an instructor's over-all flying experience makes him a more accomplished pilot and thus better able to provide the student with the best possible training.

Moody IPs have a combined total of more than 313,000 hours of flying experience, including 17,874 combat hours, in numerous types of aircraft. The individual averages are 114 combat hours and about 1,955 flying hours for each IP.

The 3553d's Commander, forty-year-old Lt. Col. Walter D. Moss, Jr., says his instructor pilots can fly any aircraft and mission the Air Force can come up with . . . with no problem whatsoever. "Today, the efficiency level is reached and maintained by instructor pilots so the product—trained pilots—has to be better," declares Colonel Moss, a veteran of fifty-five B–26 combat missions in Korea during 1952.

"They're fine pilots, and the knowledge they maintain is fantastic," the Colonel says. "The quality of pilot training has increased—no comparison with that of fifteen years ago."

With eighteen years of military service, Colonel Moss himself has logged more than 8,739 flying hours in prop-driven and jet trainers and in cargo and bomber aircraft.

During this time, in which he spent nine years with Air Training Command, Colonel Moss has worked with thousands of student pilots.

He rates today's student pilots as twice as good and with twice the knowledge of those of the early 1950s era.

The Colonel points out that several students completing the Moody UPT program have gone directly into the front seat of two-seat RF–4Cs, F–4Cs, and single-place F–105s—three of the Air Force's finest aircraft—as aircraft commanders . . . a tribute to the kind of training student pilots receive.

FOUR HUNDRED PILOTS PER YEAR

Moody graduates nearly 400 student pilots each year after completion of the twelve-month UPT school. As one class completes its training, another takes its place so there is a continous cycle of eight classes annually.

No longer do students seek to win their commissions as second lieutenants and their wings at the same time—all have earned their commissions as officers before they start flight training. And, unlike many of their predecessors, all student pilots hold a four-year college degree.

Air Force student pilots include graduates of the Air Force Academy, Air Force Reserve Officers Training Corps programs at many of the leading colleges and universities in the country, and Air Force Officer Training School (individuals who had previously been graduated from a college or university). Air National Guard officers (from reserve units) and a limited number of officers of the US Marine Corps are also trained at Moody.

In addition, a limited number of military personnel from allied nations are trained under the Military Assistance Program, some to learn to fly and others for technical training.

Most of today's students have had no previous flight experience when they come to Moody for what may be the most demanding year of their life.

UPT students receive three weeks of preflight, which consists of physical training, principles of flight, aircraft engineering, aviation physiology, and military subjects. The newcomers then receive about thirty hours of training in the lightweight, propeller-driven T-41A aircraft.

This phase of the training is given at the Valdosta (Ga.) Municipal Airport under civilian contract prior to advancing to jet aircraft training on base in the T-37 and T-38.

The changeover to jet aircraft introduces students to a combination of the Air Force's finest jet trainers and experienced teachers, which together provide the highest caliber training in history.

Fledgling pilots receive ninety hours of primary jet training in the T-37 and then begin 120 hours of final-phase training in the supersonic T-37.

"The students are well motivated," says Maj. Charles A. Boatwright, "and they give 105 percent effort to the program."

Major Boatwright, a thirty-three-year-old T–37 flight commander in the 3552d, flew 214 AC–47 "Puff the Magic Dragon" missions in Vietnam before coming to Moody in June 1967. He feels beyond question that his combat experience helps in teaching student pilots.

An instructor with combat experience or one with vast amounts of flying time in various aircraft has four or five ways to teach, while IPs with only a short time in the cockpit have only the textbook approach, Major Boatwright points out.

On one occasion, Major Boatwright's AC–47 was shot down on takeoff from Bien Hoa AB, Vietnam. One engine was hit by enemy ground fire. The Major was able to land in a field near the runway. All seven crew members escaped serious injury. "Such an experience can easily be applied in teaching," he says. "In some cases, students learn more from a real-life experience than from the textbook approach."

HEAVY WORK SCHEDULE

The heavy work schedule of student pilots includes 236 hours on officer subjects, consisting of leadership responsibility, heritage, career development, drills and ceremony, physical development and conditioning, marksmanship, and counterinsurgency.

About 357 hours are also devoted to academic subjects, including aircraft engineering in the T–37 and T–38 aircraft, aviation physiology, principles of flight, flying safety, navigation, airmanship, oral and visual code weather.

As demanding as the student pilot training is, the work schedule of IPs is just as demanding and at times exasperating, says Lt. Col. Lou E. Bretzke, Commander of the 3550th Student Squadron.

"One of the prime qualifications for an IP is dedication," Colonel Bretzke observes. He is a forty-one-year-old, nineteen-and-one-half-year service veteran who has logged a total of more than 3,750 flying hours.

The students have to be dedicated, too. T–38 training includes comprehensive instruction in formation, contact—traffic patterns and acrobatics—flying, instruments, and navigation. Of the normal nine-hour student work day, an average of seven hours is spent with a T–38 IP, who works with three to four students each day. Briefings, debriefings after flights, and classroom study are part of the daily routine.

During training in the three UPT aircraft at Moody, students learn to judge speed and how to adjust to it. Once this is done, students should be able to fly any aircraft in the inventory.

IPs agree that their work requires patience, an understanding of people, and a friendly but firm relationship in dealing with absolute fairness with students.

The training job has its rewards. Maj. John T. McCambridge, the Operations Officer for the 3552d PTS, says simply, "I love my work." And when he adds, "There's no better way to serve my country," you know he means it and that it sums up the feelings of most IPs.

But most satisfying of all is the finished product—students who are no longer students, but qualified pilots read to begin flying the combat- and support-type aircraft employed by operational Air Force units around the world.

MICHIGAN DEPARTMENT OF NATURAL RESOURCES URGES ESTABLISHMENT OF NATIONAL LAKESHORE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD a letter just received by me from the Michigan Department of Natural Resources urging the early establishment of the Sleeping Bear Dunes National Lakeshore.

I hope my colleagues will join the people of the State of Michigan, our Department of Natural Resources and the Members of our congressional delegation who enthusiastically support the preservation of this magnificent area for the benefit and enjoyment of all of the people.

STATE OF MICHIGAN, DEPARTMENT
OF NATURAL RESOURCES,
LANSING, MICH., *April 11, 1969.*

NOTICE

The Natural Resources Commission of the State of Michigan has taken formal action unanimously approving the enclosed resolution urging legislation to establish the Sleeping Bear Dunes National Lakeshore. The resolution was adopted at the April 10, 1969 meeting held at the Jack Tar Hotel, Lansing, Mich.

The Chairman of the Commission has instructed me to bring this urgent matter to your attention for your kind consideration and support.

Sincerely,

SAMUEL A. MILSTEIN,
Acting Secretary to the Commission.

RESOLUTION URGING LEGISLATION TO ESTABLISH THE SLEEPING BEAR DUNES NATIONAL LAKESHORE, APRIL 10, 1969

Whereas, Legislation to establish the Sleeping Bear Dunes National Lakeshore has been continuously considered by the Congress of the United States since 1960: and

Whereas, the Sleeping Bear Dunes area should be preserved for the benefit, inspiration, education, recreational use, and enjoyment of the public; and

Whereas, public values of obvious national significance such as portions of our diminishing shoreline are among our most important outdoor resources; and

Whereas, the Sleeping Bear Dunes areas is one of the few remaining natural scenic and scientific areas on the Great Lakes shoreline and ranks high among the remaining shoreline opportunities in the entire country; and

Whereas, the 91st Congress has the opportunity to continue the momentum of conservation achievements by taking action to establish the much needed Sleeping Bear Dunes National Lakeshore; and

Whereas, previous objections to proposed legislation have been resolved to protect the legitimate rights of property owners and residents; and

Whereas, the Natural Resources Commission has consistently endorsed and unequivocally supported the establishment of the lakeshore; and now therefore be it

Resolved, That the Michigan Natural Resources Commission urges the 91st Congress to enact legislation establishing the Sleeping Bear Dunes National Lakeshore; and be it further

Resolved, That copies of this resolution be sent to the appropriate elected officials of the United States Congress and Great Lakes States.

NATURAL RESOURCES COMMISSION,
AUGUST SCHOLLE, *Chairman.*
CARL T. JOHNSON, *Member.*
E. M. LAITALIA, *Member.*
ROBERT C. MCLAUGHLIN, *Member.*
HARRY H. WHITLEY, *Member.*

POSTAL REFORM SHOULD PRECEDE A RATE INCREASE

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, the message received from the President requesting a postal rate increase is both ill-timed and ill-advised. During last fall's campaign, the President spoke of the need for postal reorganization and reform, while frequently citing what he is now calling "the cycle of greater and greater postal deficits and more and more rate increases" as being signs of mismanagement and poor policy on the part of past administrations. Yet Mr. Nixon's first proposal for congressional action on post office matters is to attempt to pile still another increase on the spiraling scale of postal rates. What has happened to the promised revamping and modernization program which were to have cut costs and increased efficiency?

The Kappel Report, hailed last year as a thorough and comprehensive evaluation of the postal service, has evidently been forgotten for the present by this administration. Those of us on the Post Office and Civil Service Committee who have begun the task of determining methods of achieving a more stable and economically sound Post Office Department have been told that the administration's proposals on this subject should not be expected until after the first of June. But we are asked to go ahead immediately with a rate increase which is neither based on the findings of a comprehensive investigation nor the realities of a reformed, modernized post office such as we have begun working toward. The American people ought not to be asked to pay higher postal rates until after their postal service has been streamlined and improved, not before. This is an unfortunate case of putting the cart before the horse.

It is also regrettable that Mr. Kappel has not chosen, thus far, to appear before our committee to assist in the effort to determine what effective legislation can be drafted to improve the post office. His counsel would be most valuable and I would hope that he will appear sometime during our hearings.

The President stresses his belief that "further improvements will take time—and during that time it is essential that financial pressures should not impair or reduce available services." It seems to me, Mr. Speaker, that available services will be best insured by moving ahead with a decisive program for postal reform. Correcting a financially sick institution is done by attacking the causes of the sickness, not merely by pumping cash into a festering wound.

In attempting to defend this increase, the Postmaster General has suggested that the Johnson administration budget did not take into account the postal pay increase which takes effect this July. Postmaster General Blount, therefore, concludes that it was actually President Johnson who created the need for a rate increase. What is conveniently forgotten here is the fact that postal revenues and wages go into and come out of the Government's general fund, which pays for most Government operations. Government agencies are not expected to make a profit; the Post Office is only one of many departments intended to perform a service and it is certainly not the only department which runs at a loss or which must contend with a pay increase in July. I respectfully submit that the Postmaster General's reasoning is a bit faulty.

Mr. Speaker, I sincerely hope that we will be able to progress steadily in our efforts to reform and reorganize the Post Office for a more modern, efficient operation. Once this project is completed and legislation is passed, then, and only then, should we consider a fair and necessary rate scale to balance our postal budget for the future.

SOLDIER EARNS BRONZE STAR

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. GAYDOS. Mr. Speaker, one of our fine young men from my district, 1st Sgt. Albert J. Halucha, has been recently awarded the Bronze Star for meritorious service in Vietnam where he has served for the past 10 months. Prior to his Vietnam tour, he served 3 years in Alaska and 18 months in the Korean conflict.

It is indeed gratifying in these days of rebellious youth, to have our faith in the younger generation reaffirmed by the devotion to duty and heroic exploits of our brave fightingmen.

I commend Sergeant Halucha for his courageous action, and submit for the RECORD the following article:

> SOLDIER EARNS BRONZE STAR
>
> First Sgt. Albert J. Halucha, son of Mr. and Mrs. Albert P. Halucha of 606 Wall St., has been awarded the Bronze Star for meritorious service in Vietnam.
>
> Sgt. Halucha received the nation's fourth highest medal for service with the 101st Army Airborne Division during the period from last July to this February.
>
> He was involved in ground operations against hostile forces in the Republic of South Vietnam. He entered the service in 1960 after graduation from Glassport High School and intends a career in the service.
>
> He has served as a member of the special forces in Vietnam where he has served the past 10 months. He served in Korea for 18 months and in Alaska for three years.
>
> The young serviceman is married to the former Mary Elizabeth Conners who resides with her parents in Boston, Mass. They are the parents of three children. A brother, Sgt. Raymond Halucha, is currently serving with the U.S. Air Force in California.

VISTA OF A BETTER COMMUNITY

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. DADDARIO. Mr. Speaker, contributions from 20 of the leading business firms of Greater Hartford, Conn., are backing the Nation's first effort by private enterprise to develop a massive program of total community development.

In concept, it is a $2 million program to work out over the next 2 years a model of the kind of region its people want. Phase lines have been drawn to set targets for the plan, and the president has described their group as tremendously excited about rebuilding an existing community and region.

Said Wilson C. Jainsen:

> We believe that such a program is uniquely possible in greater Hartford because we have here talents out of all proportion to our size plus a spirit of cooperation and substantial economic resources, thanks to the fact that the region houses the home offices of many national corporations.

The plan has drawn the enthusiastic response of the community, and I offer for the RECORD an editorial which appeared in the Hartford Courant, describing its hopes:

> VISTA OF A BETTER COMMUNITY
>
> The announcement that some 20 of the largest business corporations and companies in this area will launch a $2 million study to draft a massive design for total community development, is plainly of outstanding importance.
>
> The reasons that make the formation of the Greater Hartford Corporation—the working name for the group—so landmark, are easily counted. Number One, it will be the first effort of its kind by private enterprise in the country. It comes about, as its president, Wilson C. Jainsen says, "in one sense as a response to the new Administration" which has urged private enterprise to invest in regional development.
>
> But this investment, as represented in the study or "model" planned by the Greater Hartford Corporation, is not just in a financial or economic sense, important and urgent as this is. It is also a commitment to civic responsibility—a renewed commitment indeed, for both here at home and now on an ever larger national scale, Hartford corporations have become steadily more involved in helping solve or lighten the vast problems facing the country.
>
> It is also a commitment of corporate brainpower to these problems. And since on all sides the prosperity of the business community here may be monumentally seen in quite a literal sense, the value of such acumen and energy is more than obvious.
>
> Details of the two-year study, in which the American City Corporation will work with the Greater Hartford Corporation, are given on The Courant's front page today. They are too complex to rehearse here. In general the study aims at producing a concept of how a city that is healthy and workable can operate in the areas of shelter, employment, education, mental and physical health, recreation, communication and transportation. The finished plan will describe commitments and capacities that will be required of governmental agencies, community institutions and voluntary associations. And it will bring together these products and processes to afford insights, information, motivation and innovations applicable to Greater Hartford, or other American cities.
>
> Or, as Mr. Jainsen puts it, the plan envisioned by the Greater Hartford Corporation will seek to define what kind of region (for the study will consider the total region) people here want to live in, and what specific steps must be taken to produce it.
>
> That many urban, suburban and regional problems in this area are being coped with and studied by numerous agencies, public and private, is of course a long-time fact. The thrust of most of them has been at some one specific problem, and mighty important is the work being done, too. The Greater Hartford Corporation study, in cooperation with many groups already involved, will attempt to relate all problems and programs whatever their specific aims, and systematically attack them in their interrelation as well as their special frames of reference. As the American City Corporation puts it in its proposal, the study will be a search for an over-all strategy to achieve victory in the development of the kind of city and region people here want to live in.
>
> It is plain this is a vast vision. It will take the ultimate doing of many agencies and persons beyond the Greater Hartford Corporation. But the Corporation is initiating the search, the action—to say nothing of the financing of the model study—and even at the outset is worthy of the admiration as well as cooperation of those who wish a finer life for all roundabout.

WELCH FOODS, INC., CENTENNIAL OBSERVANCE

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. HASTINGS. Mr. Speaker, a milestone marking the successful combination of American ingenuity, American industry, and American agriculture is being observed this year as the centennial of one of the leading companies of our food processing industry.

The 100 years of progress and change that have made Welch Foods Inc., successful are continuing today, and those of us concerned with the production and marketing of our agricultural commodities take inspiration from the story of the success that this occasion recalls.

On the eve of its centennial year, the Welch Grape Juice Co., Inc., became Welch Foods Inc. The new name more accurately reflects the operations and products of the company that has introduced eight new fruit-based products in the past year. Needless to say, the world-famous Welch's trademark remains unchanged.

The founding of this company, in 1869, was far more than just the beginning of a new business. It was, as I shall relate, the origin of an entire industry.

The concord grape is an American variety developed by Ephraim Bull of Concord, Mass., between 1843 and 1849. The grape was subsequently patented, and it was honored in 1865 by Horace Greeley, the noted publisher, who accorded it a Greeley Prize.

Dr. Thomas Bramwell Welch, of Vineland, N.J., was a communion steward for his church in the 1860's. He objected to the use of wine in the communion service, and suggested that unfermented grape juice should be substituted.

Dr. Welch applied the principle of pasteurization to grape juice and thus produced the world's first concord grape juice that could be preserved and packaged for year-round use.

It was on September 23, 1869, that Dr. Welch, his wife, and their young son, Charles, pressed, pasteurized, and bottled the first concord grape juice. Its introduction into the church's communion service was an immediate success and Dr. Welch soon was selling the "unfermented wine" to neighboring churches in southern New Jersey and southeastern Pennsylvania.

As the business grew, the son, Charles Edgar Welch, took over the business on a part-time basis while he followed his father's career in the study of dentistry.

Demand for "Dr. Welch's Grape Juice," as it came to be known, continued to flourish and by 1896, Dr. Charles Welch was devoting his full time to the processing and production of grape juice. He moved the processing plant from New Jersey to Watkins Glen, N.Y., in 1896, nearer to the vast concord grape growing areas along the southern shore of Lake Erie.

A year later, the business was again moved, this time to the Chautauqua County community of Westfield, N.Y., where the company has been headquartered to this day. Westfield is the hub of the entire concord grape industry, and since it is in my district, I am particularly conscious of the importance of the industry that has grown and prospered since that time.

As the popularity of Welch's Grape Juice continued to grow, enhanced in the early 1900's by several fortitudinous endorsements by Secretary of State William Jennings Bryan and Secretary of the Navy Josephus Daniels, the company continued a sustained advertising program in major publications of the day.

In 1910, Welch purchased a plant at North East, Pa., and followed this with the opening of a plant in Lawton, Mich., in 1919. In 1923, a plant was constructed in Springdale, Ark.

During World War I, Welch introduced a concord grape jam that was sold exclusively to the U.S. Army. It was an American doughboy who suggested the name be "Grapelade," and to this day the product carries that name.

The concord grape industry has not been without its troubled times, and the successful combination of a farmer-owned cooperative and the Welch Company are largely responsible for the success of the industry as a whole.

During the depression and on into the early 1940's, the Welch Grape Juice Co. was static, as was the grape industry. In 1928, the family-owned company was sold to a group of outside investors. At this same time, concord grape growers had a very weak and unstable market for their grapes, as indicated by the fact that concord grape production in the Chautauqua and Erie Grape Belt—that portion of New York State, Pennsylvania, and Ohio near Lake Erie and the Finger Lakes—had fallen from a high of 84,000 tons to approximately 35,000 tons, in 1944.

Against this background, National Grape Cooperative Association, Inc., was incorporated in 1945 as a marketing organization for its members' grapes, hopefully to strengthen the market and increase the returns to growers through an arrangement with National Grape Corp., of Brockton, N.Y., which was an important processing company whose management supported formation of the cooperative.

Shortly after the end of World War II, J. M. Kaplan, owner of National Grape Corp., purchased the controlling interest in the Welch Grape Juice Co. and merged the two companies with Welch as the surviving company. At this time, Welch's sales were in the neighborhood of $6 million.

Immediately after the merger, an extensive modernization program of the Welch plants was begun, with modern stainless steel storage tanks replacing the 5-gallon glass carboys that since the founding of the company had been used to store the pasteurized juice.

The Welch Co. pioneered the manufacture and marketing of frozen concord grape juice concentrate in the late 1940's and expanded its operations by acquiring a plant at Grandview, Wash., in 1950. Three years later, Welch purchased the Church Grape Juice Co., of Kennewick, Wash., a firm that had been bottling grape juice since 1907.

Through the encouragement of J. M. Kaplan, who as owner of National Grape Corp., had brought about the merger with Welch, the directors of National Grape Cooperative looked for a way to acquire the Welch Co.

This was to be accomplished by a business relationship unique in our history. In 1952 the Welch Co. and the cooperative signed an agreement which gave National Grape Cooperative Association an option to acquire Welch.

By 1956, the combination of National, the exclusive supplier of U.S. No. 1 quality grapes, and Welch, the processing company, had become so successful that the cooperative's board of directors exercised the option to buy the company. At this point, National had accumulated $15,000,000 toward the purchase of the company and assumed a mortgage of $13,400,000 covering the value of acquisitions and capital improvements made by Welch between 1952 and 1956, and other net assets.

In just 3 years, the cooperative paid off the mortgage and became the sole owner of the company, including Welch's famous trademark and its plants in New York, Pennsylvania, Arkansas, Michigan, and Washington.

Welch sales at the time the option agreement was signed in 1952 totaled almost $26 million and by 1961, that figure had risen to more than $50 million.

To support the steady increase in sales, modernization of the company's plants continued at a rapid rate. The agricultural progress fostered by the formation of National Grape Cooperative continued too, and in the late 1950's, work was begun on development of a mechanical grape harvester.

Cornell University and private equipment manufacturers worked closely with National's staff of trained viticulturists in the development of a complex harvesting machine, that would harvest the delicate grapes.

This investment began paying off as more than 10,000 tons were harvested mechanically in 1968. This fall, the total tonnage of grapes harvested mechanically by members of National alone is expected to be in the magnitude of 60,000 to 70,000 tons.

Quality has always been a paramount requirement of the grapes grown by members of National and delivered to Welch plants. In the early days of the cooperative ownership of the company, a sugar-solids scale for determining the acceptability of grapes for processing was developed, and also as the basis for payments which rewarded growers for higher quality grapes.

So it is today that the nearly 2,500 farmer members of National Grape Cooperative and the 1,300 employees of Welch Foods Inc., combine to produce and market the highest quality Concord grape products at an ever-increasing rate.

As I mentioned earlier, the company has diversified to include other products. In 1927, for example, tomato juice became a part of the product line, and in recent years, other fruit jams, jellies, and drink products have been developed and marketed.

This joint effort has resulted in a stabilized market for the products of the grower-members of National, and a strong company which during the last fiscal year recorded net sales in excess of $65 million.

I congratulate Welch on its centennial year, and salute this combination of industry and agriculture that has made it the leader that it is today.

AFRICAN CULTURE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. RARICK. Mr. Speaker, many who follow developments in Africa are amazed to learn of the retrogressive policies of strong-armed revolutionary governments.

Now that the Tanzanian Red dictatorship has announced that there will be no elections on Zanzibar for at least 60 years, we of the free world can but hope that the chiefs of other emerging nations on the black continent are not led to follow this precedent by suppressing their subject's right to a francise.

Where is the cry for "one man, one vote" from the UNO.

Under unanimous consent I submit a UPI release from Dar-Es-Salam, Tanzania for inclusion in the CONGRESSIONAL RECORD, as follows:

TANZANIANS TOLD OF ELECTION BAN

DAR-ES-SALAM, April 26 (UPI).—Tanzanians celebrated five years of nationhood today with dances, parades and mass meetings. But the government dampened the festivities by saying no elections would be held on Zanzibar for at least 60 years.

Tanzania's first vice president and head of government, Sheikh Abeid Karume said elections were "imperialist tools" and therefore unnecessary.

Asked to review the five years since Tanganyika and Zanzibar merged, Karume said, "It is unpleasant to look back, as we inherited a lot of filth which we have had to clear up."

COTTON PRODUCERS ASSOCIATION DEDICATE NEW SOYBEAN PLANT IN VALDOSTA, GA.

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. STUCKEY. Mr. Speaker, one of my prime concerns since it has been my privilege to represent the Eighth Congressional Disrtict of Georgia has been the development of my district which is predominantly rural and which has a low per capita income and high unemployment.

I am presently developing legislation which I plan to introduce soon which would provide incentive for industry to locate in rural areas such as my district.

Whenever industry moves into our Eighth District it means more jobs and less reason for our people to crowd into the cities seeking a livelihood. Recently the Cotton Producers Association built such industry which will provide more jobs and which will be a shot in the arm of our economy. We in the Eighth District are proud of the new soybean plant which was built by CPA.

I traveled to Georgia to dedicate this new plant, as it was a special day in Valdosta. Under unanimous consent I submit a copy of a news story which was released on the dedication of this new plant for inclusion in the CONGRESSIONAL RECORD, as follows.

NEW SOYBEAN PLANT DEDICATED IN VALDOSTA

VALDOSTA, GA.—Representative W. S. (Bill) Stuckey, Jr., addressed the Cotton Producers Association and guests upon the dedication of the CPA's new $6 million soybean plant in Valdosta, Georgia.

Representative Stuckey commended the Cotton Producers Association and Mr. D. W. Brooks, Chairman of the Board for their leadership and for moving Georgians ahead for the past 25 years.

"These new facilities which we are here to dedicate are tangible symbols of progress in rural Georgia," Representative Stuckey said.

"This $6 million plant which will process 1,500 tons of soybeans per day is proof positive that the agriculture industry is a creator of employment."

Mr. Stuckey said that the agriculture industry is one of the nation's largest industries and that it is composed of approximately 13 million producers. He pointed out that the agricultural industry has become so efficient—"one hour of farm labor today produces more than 6 times as much food and other products than it did in 1919 to 1921."

Representative Stuckey told the crowd of some 1,500 gathered for the dedication that they could count on continued change in the agricultural industry.

"While the agricultural industry continues to progress," Stuckey said, "We will continue to find more and more job opportunity right here in our own rural Georgia."

"Our young people are going to find less need to wander into the urban areas seeking a livelihood and our rural poor who have been forced to leave the farms will be able to find new opportunity and new life in this rural area."

"All this makes the dedication of this fine plant even more important. We are most fortunate that Lowndes County is such a suitable locality for the new plant which will create additional employment opportunity here in our 8th District."

"This is the type of agricultural industry we need more of," Stuckey continued.

The 8th District Representative said the fact that Georgia livestock and poultry producers used 34 million bushels of soybeans and yet only 13 million bushels were produced in Georgia during the year 1967 was a clear sign that there is a growing demand in this relatively new area. "With the continued research of the Cotton Producers Association, there is little doubt in my mind that the demand for soybean production and processing is going to continue to increase," he said.

"In addition to the new jobs created within this new industry, the new market facilities now available will create a demand for the production of more soybeans."

"The work of the Cotton Producers Association and their new industry and their contribution to building for a better future must and will stand as an example to us."

Mr. Stuckey urged that with this example as a foundation it was up to citizens of the 8th District to work together in encouraging more such industry to locate and expand in the District.

JOHN J. CASSIDY: A GREAT PUBLIC SERVANT WITH A GREAT HEART

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. GUBSER. Mr. Speaker, within the next few months Mr. John Joseph "Jack" Cassidy, who has headed the San Jose Social Security Administration Office since it opened on October 18, 1938, will be retiring because he has reached the mandatory retirement age of 70.

For the past 17 years I have referred hundreds of social security matters to Mr. Cassidy and I can state that I have dealt with no person in the Federal Government who has shown more compassion, efficiency, and desire to help his fellow man than has John Cassidy.

Mr. Cassidy has been completely nonpartisan in his approach to his job and has done everything possible to give the highest type of service to the tax-paying citizens with whom he deals. He has been so prompt in handling cases which I referred to him that I seriously doubt that any request I made of him ever remained on his desk more than 24 hours without becoming the subject of some form of constructive action.

Frankly, I am sorry to see men like John Cassidy leave Government service and I wish it were possible for him to be retained in some manner to continue the implementation of some of the fine programs which he has pioneered to acceptance in his 31 wonderful years of Government service.

Probably the best description of John Cassidy I have ever heard was in a letter from a constituent who stated that in his opinion Mr. Cassidy is "a practical idealist who implements congressional mandate with a minimum of redtape. He is an exception to Parkinson's law."

Mr. Speaker, the distinguished political reporter for the San Jose Mercury, Mr. Harry Farrell, recently wrote an article entitled "That's Jack Cassidy, a Different Bureaucrat." Mr. Farrell paid a well-deserved tribute to Mr. Cassidy which should be reprinted in the CONGRESSIONAL RECORD. I will only add this statement: We will all miss Jack Cassidy from Government service. If his successor is half as efficient and half as much a humanitarian, he will be a resounding success.

The article follows:

THAT'S JACK CASSIDY, A DIFFERENT BUREAUCRAT

(By Harry Farrell)

Let's start off today with a little quiz for the old-timers.

What major public administrator in this area has been in office continuously longer than any incumbent member of the San Jose City Council, of the Board of Supervisors, of the entire State Assembly, or the entire State Senate?

What local public official has held his job longer than any Californian now serving in either house of Congress?

What official has a span of service covering the federal administrations of Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, and Richard M. Nixon?

What official has held his job during the governorships of Frank F. Merriam, Culbert L. Olson, Earl Warren, Goodwin J. Knight, Edmund G. Brown and Ronald Reagan?

Reilly?—If you've been around a long time, you may think we're talking about George Reilly, the perennial 1st District member of the State Board of Equalization.

If so you're wrong, because Reilly, although meeting almost every test encompassed in the foregoing quiz, flunks on one of them. According to our records, his term of office is exactly matched by one state senator, Randy Collier from Yreka. Both Reilly and Collier first took office in January, 1939.

The gentleman we're thinking about was on the job here about three months earlier than that.

He is John Joseph (Jack) Cassidy, who has headed the San Jose office of the Social Security Administration since it opened on Oct. 18, 1938.

This October, after 31 years on the job, Cassidy will retire, on reaching the mandatory quitting age of 70.

Different—In the traditional definition of the word, we suppose, Jack Cassidy is a bureaucrat. But from here to Washington, he is recognized as a bureaucrat with a difference.

Too often in dealing with a public official, the citizen feels he is in a losing fight against overpowering forces of government boondoggling. This has been true with the Social Security Administration as well as other agencies.

But here in San Jose, when a genuinely aggrieved citizen is fighting the system, he finds Cassidy fighting on his side—not the bureaucracy's.

We have not been on our job as long as Cassidy has been on his, but over the years we remember him in the newspaper office time after time, always to spread some bit of publicity that would unsnarl red tape, speed up official action, or right a wrong.

Cassidy's superiors know him for the fighter he has always been.

A few years ago we had occasion to deal with Social Security Administration officials all the way up to the headquarters in Baltimore, in connection with a news story. We found that all of them knew Cassidy. Many had felt his wrath.

When Cassidy took over Social Security here in San Jose, he had a staff of three, working out of the Post Office Building at First and St. John streets.

Expansion—He originally had a four-county jurisdiction—Santa Clara, Santa Cruz, San Benito and Monterey.

Today, with geographic responsibility that does not even embrace all of Santa Clara County, he has 53 employees working at 500 S. 1st St. The advent of Medicare enormously enlarged his operation.

Just a few days ago, Cassidy gave us permission to divulge his role in tipping off the papers a couple of years ago when Medicare payments were hopelessly snarled. The result was a major publicity blast that shook the Social Security Administration from top to bottom, and achieved at least temporary improvement.

"I don't care who knows it now," Cassidy said. "I only have six months to go, and even if they wanted to fire me, it would take 'em six months to prepare the papers."

There's one great irony in the approaching retirement of Jack Cassidy. He has a government pension, of course, but as a U.S. employe—he isn't eligible for social security.

ISRAEL MUST NOT BE ANOTHER CZECHOSLOVAKIA

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. HALPERN. Mr. Speaker, an address of historical significance has been made by the distinguished minority leader of the House of Representatives, the gentleman from Michigan, Congressman Gerald R. Ford. It is a brilliant analysis of the developing situation in the Middle East and the relevance of Israel to the national security interests of the United States.

The address very correctly assesses the Communist attempts to exploit Arab-Israeli tensions. Mr. Ford has come to the conclusion that "Israel must not become another Czechoslovakia."

His address is perhaps the most masterful survey of the Middle East problem offered in a long time by a Member of the Congress. It is as timely as today's last-minute headlines and must be read by all who seek a deeper understanding of events in the Middle East:

STATEMENT BY REPRESENTATIVE GERALD R. FORD, REPUBLICAN OF MICHIGAN, REPUBLICAN LEADER, U.S. HOUSE OF REPRESENTATIVES, AT THE AMERICAN-ISRAEL PUBLIC AFFAIRS COMMITTEE LUNCHEON

I firmly believe that the fate of Israel is linked to the national security interests of the United States. I therefore cannot conceive of a situation in which the U.S. Administration will sell Israel down the Nile.

Concern has been expressed that the Soviet Union and France may prevail at the current Big Four talks on the Middle East. I can assure you that your government will not permit this to happen. We are conscious of Soviet ambitions.

Israel may enter its 21st anniversary confident of its manhood. Israel's record of achievement and courage makes the state worthy of that status. Israel can feel certain that Americans are aware of her dedication to freedom and of basic affinity linking Israel with the United States.

I join with those who are concerned about overall Soviet designs on the Middle East and Mediterranean. One need only follow the news reports of Operation "Dawn Patrol," the NATO naval maneuvers now in progress in the Mediterranean. We are aware of the unprecedented Soviet naval build-up in that region. We know that the Russians are trying to exert pressures in the Mediterranean at a time when we are preoccupied in the Far East.

Your government is not naive. Nor are the members of Congress. Let me state one fact simply and directly: Israel must not become another Czechoslovakia.

I have no illusions about Soviet policy and the attempts by the Kremlin to create a sphere of influence in the Middle East that would undermine vital American security interests and threaten the entire southern flank of NATO. The game being played by the Russians, exploiting Arab hostility against Israel, is transparent.

It is my conviction that American policy will not seek to "impose" a settlement as a result of the present Big Four Conference or outside the context of such talks.

President Nixon has pledged that Israel's vital interests will be preserved and that withdrawal can occur only by consent of the parties directly concerned, based upon a contractual agreement establishing a peace involving recognized, defensible, and just boundaries.

American participation in the Big Four Conference is consistent with efforts to test the Soviet Union's professed desire to preserve peace and to avoid a nuclear confrontation. But no accord will be purchased at the expense of Israel. As I have said, we are well aware of Soviet aims and attitudes. We are also mindful of the continuing brutal suppression of Czechoslovakia, as denounced only last Friday by President Nixon.

The U.S. Government is aware that the Soviet-made MIG's that treacherously attacked an unarmed U.S. reconnaissance plane in international airspace off the Korean coast represented the same type of aircraft and weapons systems supplied to the radical Arab states.

Our Government must therefore continue to maintain the military combat and deterrent capacities of Israel through the earliest possible supply of Phantom jets and other military hardware requirements. I am pleased to note that Israeli air and ground crews to man the Phantoms are presently receiving special training at a U.S. Air Force Base in California. The Phantoms will be ready for shipment at a time coinciding with the completion of training—a matter of months. Many of the Phantoms will be in service in Israel before the end of 1969.

We appreciate Israel's isolated geographic position, surrounded as she is by enemies. Her very life depends on airpower and civilian air links with the free world. In this connection, one must note with regret that attacks on unarmed aircraft have escalated worldwide from the hijacking of American commercial airlines to Cuba, to attacks at various European airports on Israeli airliners by Arab terrorists armed with Russian weapons, and now the criminal attack by Communist North Korean MIG–21's on an unarmed American plane in international airspace.

Are the Russians sincerely seeking a relaxation of tensions or have they merely relegated their dirty work to the fanatics and fourth-rate despots of the world?

We have heard the Kremlin profess great concern about Middle Eastern peace. But we have watched them pour naval forces into the Mediterranean. We have heard them demand American withdrawal. We have watched them build up the war potential of radical and irresponsible Arab States that refuse to enter into real peace negotiations with Israel.

Moscow is attempting to achieve indirectly what Communist and Arab pressure have failed to accomplish by military pressure and threats. They have sought to roll back the Israelis from the cease-fire lines of June, 1967, without a meaningful peace settlement. Thus they would keep the sore open, restore the intolerable situation that existed immediately before the outbreak of the Six-Day War, and exploit any retreat by Israel and her friends to push further against free world interests.

The Soviet Union has not clarified her policy to my satisfaction. Indeed, they seem to have a variety of policies, to suit their convenience. They have one policy in the Middle East, another in Czechoslovakia, and yet another in North Korea. In North Korea they help us one week to search for possible survivors of the plane shot down by the MIG's they provided. Then, the very next week, they protest because we send a Naval force to protect our reconnaissance flights and our right to use international waters and airspace.

An assessment must be made at American-Soviet bilateral talks on the Middle East and at the Big Four meetings. It is whether Moscow is sincere in seeking a reduction of tensions or whether Russia is trying to exploit the fear of war in hope of turning a complex situation to her advantage.

Not only the Soviet Union but also Communist China is fishing in the troubled waters of the Middle East. Arab terrorists are being trained in Peking. Chinese "button" mines, mortars, rockets, and other weapons used against U.S. forces in Viet Nam have emerged in the Arab guerrilla assaults against Israel. Arab guerrilla leaders have openly proclaimed that they will reject any peace settlement that might be reached by the Big Four or signed by King Hussein or President Nasser.

Citing Chairman Mao of Communist China as their inspiration, in the Arab terrorists have proclaimed a so-called war of national liberation in the Middle East. Their aim is the liquidation of Israel and all pro-Western Arab regimes.

There is evidence that the leading Arab terrorist movement, El Fatah, is working through Arab students at various American colleges and universities to build up U.S. support for an Arab "'national liberation front" similar to the campus underground mobilized for the Viet Cong National Liberation Front. Indeed, we now find that some Arabs here on student visas are working with the U.S. Committee to Aid the National Liberation Front (Viet Cong); the youth arm of the pro-Peking Workers World Party known as Youth Against War and Fascism, and its front group, the Committee to Support Middle East Liberation.

Indications of the flow of trained agitators from the Middle East have been revealed in contacts between the Arabs and the Black Panthers, the Students for a Democratic Society (S.D.S.), and other anti-democratic groups.

Our nation already is beset by disruption at our institutions of higher learning. We have no need of agitators from abroad.

I am confident that the Department of Justice will carefully examine the activities of the estimated 10,000 Arab students in the United States to ascertain possible violations of visa requirements. If they are abusing our hospitality in an unlawful manner, there should be some immediate administrative action.

We are painfully aware of how the Middle East conflict has already spilled over to our shores in the case of the convicted murderer, Sirhan Sirhan. This nation will not tolerate assassination and terrorism.

Let me reiterate that the Republican leadership of the House of Representatives identifies with your concerns. We are committed to the growth of Israel-American friendship. We share your aspirations for the preservation of freedom and justice for all.

SCIENTISTS SAY ABM ENDANGERS NATIONAL SECURITY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. BROWN of California. Mr. Speaker, orthodox views of the contemporary scientists often picture a white-smocked individual hidden among the test tubes, isolated from the outside world. The scientist is seen as removed from subjective value judgments, maximizing solutions once initial decisions are made by outside forces.

However true that picture may be—and, of course, in some cases it is—alongside the orthodox scientist always there have been those men and women who actively strive for intertwining the scientific community with the political process. For example, after World War II, the Federation of American Scientists figured in a long and futile struggle to retain civilian control of nuclear energy.

As the military-industrial-political-educational complex has risen, it has tended to draw science more and more into the political arena. For the most part, the relationship has been mutual, with the establishment supporting science and the scientific community providing the technological advances needed to advance the schemes of the establishment.

In doing so, however, the role of the scientist as a critic of the complex often was muted. Scientists were drawn into a dangerous system; security, tenure, prestige, and future became dependent upon unbridled support of the establishment.

Lately, for the first time since Korea, the military complex is coming under extremely heavy criticism from many sources. Costs of military adventurism are being measured against costs of domestic turmoil and internal decay.

Among the active participants in the current debate over our national directions are an impressive and growing list of professors and scientists, many of them with extensive backgrounds of research and consultation to the system they now severely question.

Today and tomorrow I am host for one such group, the Boston-based Union of Concerned Scientists. UCS has just completed a study of the Safeguard ABM proposal, and concluded that deploying the system would seriously endanger national security. The report—which I have distributed to each Member of the House—also raises important questions about testing the MIRV warhead system.

As one of the earliest critics of any ABM system, I fully support the conclusions reached in the UCS study. Under unanimous consent I submit the report, "ABM—ABC" for inclusion in the RECORD at this point:

ABM—ABC

DWIGHT D. EISENHOWER, January 18, 1961: **"We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and political machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together."**

We believe that any concerned citizen can follow President Eisenhower's advice, and acquire enough knowledge to evaluate the implications of ABM for national security. Our purpose in preparing this pamphlet is to provide the necessary information and our own conclusions.

CAMBRIDGE, MASSACHUSETTS, April 15, 1969.

Curtis G. Callan, Assistant Professor of Physics, Harvard University.

Jerome I. Friedman, Professor of Physics, M.I.T.

Louis B. Friedman, Graduate Student in Aeronautics and Astronautics, M.I.T.

Kurt Gottfried, Professor of Physics, Cornell University, presently Visiting Professor of Physics, M.I.T.

Sorel Gottfried.

Robert A. Guyer, Assistant Professor of Physics, Duke University.

Roman Jackiw, Society of Fellows, Harvard University.

Kenneth A. Johnson, Professor of Physics, M.I.T.

Gladys Johnson.

Marian Low, Assistant Professor of Chemistry, Boston University.

Robert T. Luise, Graduate Student in Chemistry, M.I.T.

Paul C. Martin, Professor of Physics, Harvard University.

Colleen Meier, Graduate Student in Physiology, Harvard Medical School.

Irwin Oppenheim, Professor of Chemistry, M.I.T.

Leo Sartori, Associate Professor of Physics, M.I.T.

Jane Zoba, Secretary, M.I.T.

The basic questions that we have asked in our study of ABM are:

Will the deployment of an ABM system make nuclear war less likely?

To what extent will the proposed ABM system increase our security in case of attack?

The first question can only be answered by evaluating our nuclear weapons policy as a whole. On examining this policy we conclude that simultaneous installation of ABM and multiple-warhead missiles (MIRV) would seriously escalate the arms race, and make the balance of terror more precarious. Nuclear war would become more likely, and the resulting devastation could be even more catastrophic than if war broke out today. These grave dangers far outweigh any marginal protection ABM might provide—particularly since the system would be so unreliable.

Arms control offers the only escape from the terrifying treadmill of escalation and counter-escalation. With our imposing nuclear superiority we can safely refrain from further weapon deployment while we vigorously pursue existing opportunities for negotiation.

NUCLEAR ARSENALS

An appraisal of ABM must begin with a description of the nuclear arsenals held by the great powers. Each of the superpowers has about 1000 land-based intercontinental ballistic missiles (ICBMs), but the US has many more strategic bombers and ICBM-carrying submarines than Russia. Our total number of deliverable warheads exceeds Russia's by more than three to one.

The destructive power of these arsenals defies comprehension: the total explosive power of our strategic nuclear forces is roughly 200,000 times as large as the bomb dropped on Hiroshima. Defense Department estimates of deaths in nuclear war, which run into many tens of millions, only refer to fatalities directly due to nuclear explosions. Untold millions would die from fallout, from disease, and from starvation. The fabric of civilization would be torn to shreds, and large areas would be uninhabitable.

In the foreseeable future, neither the US nor Russia will have the ability to destroy the other's nuclear forces in a pre-emptive strike (first-strike capability). Both powers have second-strike capability, the ability to ride out a first strike and then devastate the attacker. Secretary of Defense Laird's claim before the Senate on March 21 that "the Soviets are going for a first-strike capability, and there is no question about it" is totally without foundation. Just one of our 41 submarines can launch 16 large thermonuclear warheads, which could destroy as many as 16 Soviet cities. A Soviet first strike would require the simultaneous destruction of our submerged submarines, of our ICBMs in their concrete silos, and of our strategic bombers. Russia does not have the capacity to carry out even one of these acts. If anything, it is the US which is closer to a first-strike capability. Our means of delivery are more diversified, numerous and sophisticated than are Russia's. This disparity will swing even further in our favor as we proceed with deployment of MIRV, a missile that carries several thermonuclear warheads aimed at widely separate targets. The significance of MIRV is that the overall striking power of a missile force is largely determined by the total number of independent warheads, not by the total megatonnage. It is generally acknowledged that we are well ahead of Russia in the development of MIRV.

As for China, she has yet to test an ICBM, but she has carried out thermonuclear explosions. The Defense Department estimates that China will only have 20–30 ICBMs in the mid-1970s. Our first-strike capability, and China's lack of a deterrent, will be maintained for at least a decade.

THE SAFEGUARD SYSTEM AND ITS MISSION

The basic components of the system, and their functions, are described in the Appendix. The system combines two concepts: an area-defense which employs the large, long-range Spartan missile, and a terminal-defense that uses the small short-range Sprint missile. Radars and computers track the enemy's incoming warheads, and launch and guide the intercepting defensive missiles.

In the Safeguard deployment announced by the President on March 14, the first two ABM sites will be at ICBM bases in North Dakota and Montana. The complete system calls for 10 other sites spread throughout the country (see map). [Not printed in the RECORD.]

On March 14 President Nixon stated that Safeguard has two purposes: to provide a partial defense of our deterrent forces in case of a Russian attack, and a thin defense of our population against an accidental or Chinese attack.

PENETRATION AIDS

An enemy can use a wide array of countermeasures in an attempt to incapacitate or penetrate an ABM system. The US has devoted a great deal of effort over many years to develop a host of penetration aids. These include fake warheads, missiles that can jam enemy radar, and other ingenious devices. A high-altitude nuclear explosion can also be used to produce an opaque region between the ABM radar and incoming warheads. (This is called blackout.)

RUSSIAN ATTACK

For the foreseeable future a Soviet first strike would spell disaster for Russia. Despite this universally accepted fact, detailed public discussions of a Russian attack have become very fashionable.

Everyone agrees that the proposed Safeguard system could not defend our population against a massive Russian attack. The Soviet Union must be expected to increase her ICBM force to compensate for any decrease of her deterrent caused by our ABM, just as we reacted to the rudimentary ABM system surrounding Moscow.

With our 1000 ICBMs in underground silos, and our 656 submarine-based missiles, our deterrent will need no defense for many years. Finally, Russia could never be certain that we would not respond to a massive attack by immediately launching our Minutemen.

CHINESE ATTACK

Our overwhelming superiority would make any Chinese attack totally irrational. While China's propaganda has sometimes been very bellicose, her foreign policy has been exceptionally cautious. Nevertheless, there are those who fear a suicidal Chinese attack. Though we do not understand this fear, we shall examine Safeguard as a defense against a Chinese ICBM attack on our cities. In a very light attack—say 5 warheads, Safeguard could be effective. But by the mid 1970's, when China is expected to have 20–30 missiles, she presumably will have some penetration aids. If all these warheads were then to be concentrated in a skillful attack on one or two cities that do not have terminal defense (say New York and Chicago), we would have to expect that one or two would penetrate and utterly devastate their targets. To repeat, China lies completely at the mercy of our vast retaliatory forces.

ACCIDENTALLY LAUNCHED MISSILES

If the system is to be effective against an accidentally launched ICBM, it will have to be on alert 24 hours a day. Because a decision to use ABM must be taken in less than 15 minutes, complete presidential control of nuclear weapons will be eroded. A complex system in continuous operation is also prone to false alarms. These could be caused by computer failure, or by mistaking one of the numerous orbiting pieces of "spacejunk" for a warhead. Cheaper and safer methods than ABM could and should be devised to deal with the problem of accidental attack.

SAFETY HAZARDS

There has been much concern that our ABM missiles could explode accidentally on the ground and thereby kill great numbers of civilians in the vicinity. We feel that this fear is exaggerated. The only significant hazard arises if a Spartan is erroneously fired (see preceding paragraph). The light flash from the nuclear explosion could then cause permanent eye damage to persons as much as hundreds of miles away—most likely to Canadians.

TECHNICAL CRITICISMS

The ABM system is probably the most complicated engineering feat ever undertaken. To make matters worse, any ABM system suffers from the severe handicap that it cannot be tested under realistic conditions. The components can be tested separately, and relatively simple attacks can be simulated. But common decency—and the Test Ban Treaty—preclude a test under the conditions of an actual nuclear attack. Systems far simpler than ABM have rarely operated reliably without many tryouts. The Apollo program has required numerous tests, even though the moon's orbit cannot be modified by the tactics of a clever adversary. Remember also that Apollo flights have day-long countdowns with interruptions for unexpected adjustments.

Finally there is the radar blackout of the area defense for which no satisfactory countermeasure has yet been presented.

Small wonder that there has been unprecedented opposition to ABM by leading scientific advisors to the Defense Department, and that all the former Science Advisors to Presidents Eisenhower, Kennedy and Johnson have opposed deployment.

Confidence in the comprehensive technical review recently undertaken by the Defense Department has been shaken by the revelation that the views of two eminent scientific advisors (Drs. W. Panofsky and H. York) were misrepresented by Undersecretary of Defense Packard in his testimony before the Senate's Disarmament Subcommittee.

ABM, MIRV, AND THE ARMS RACE. THIS TOPIC IS THE HEART OF THE WHOLE ISSUE

In a first strike attempt an attacker will concentrate virtually his whole strength on the victim's strategic forces; there is no point in wasting weapons on a helpless population. If the aggressor also has an effective heavy population defense, his attack need not be perfect because a weak retaliatory strike will then be ineffective. Thus it is a bitter truth that in the Atomic Age a heavy population defense tends to be provocative and will therefore arouse a response. This point has been recognized by President Nixon in his March 14 press conference.

In the nuclear arms race every threatening action produces an excessive reaction. The reasons for this are the need to assume (a) that the enemy's new weapon will work according to design, and (b) that the execution of countermeasures will take years of design and development work. Even when the threat turns out to be illusory, the counter-weapon is often deployed extensively.

The present rapid growth of the Soviet ICBM force is probably the long-delayed response to the enormous expansion of our missile force during the Kennedy Administration.

If we simultaneously deploy MIRV and ABM, Soviet planners would have to respond. They could not take on faith the announcement that we are only installing a thin ABM defense of our cities, particularly since many of our military and Congressional leaders have been vigorous advocates of shelters and a thick ABM system. A thin system in being makes the step to a thick system that much shorter, and Russia could view a thick city defense in combination with MIRV as a potential first-strike threat. This assertion may seem puzzling in view of all the technical criticism of ABM. But the Soviet military—though well aware of all the flaws of ABM—will have to regard a thick city defense as a serious threat to their deterrent, and strengthen it.

If the Senate approves Safeguard, and MIRV deployment proceeds on schedule, we can be sure that Soviet efforts will accelerate, and that we shall expand our arsenal in turn. The level of devastation in case of war could then be even more horrendous than if war broke out today. This danger far exceeds any short-term security we might conceivably gain from ABM. We must recognize that a sequence of small and superficially prudent steps can lead to disaster.

With our imposing nuclear superiority we can safely refrain from further weapon deployment while we vigorously pursue existing opportunities for negotiation. The time for negotiations is not unlimited, because MIRV deployment will seriously impair satellite surveillance of an arms control agreement. If this fleeting opportunity for arms control negotiation is lost, we shall move onto a higher and more dangerous plateau in the arms race.

COST OF SAFEGUARD

The Administration estimates the cost of the whole system at about $7 billion. On the basis of past experience it is probable that this cost will more than double before completion. Further expense will surely result from numerous technical modifications during and after deployment. Above all, one must expect enormous pressures to expand the system beyond its present level. Thus Mr. McNamara was concerned that the relatively small system that he proposed would eventually grow until its cost would exceed a minimum of $40 billion (Aviation Week, October 23, 1967). Mr. Eisenhower had the same worry when he said, "It would buy a pilot establishment, nothing more. And then we would have to go on and on until we had 'The Work'." (VISTA, Jan.-Feb. 1968.)

1. TECHNICAL SPECIFICATIONS

Components

The major components of Safeguard are the same as those of its two predecessors, Sentinel and Nike-X: two sophisticated radars, called PAR and MSR; two nuclear missiles, Spartan and Sprint; and associated computers.

PAR (Perimeter acquisition radar) detects and tracks incoming objects at distances up to about 2000 miles; computers calculate where the object is headed and transfer the information to the appropriate MSR.

MSR (Missile site radar) picks up the tracking of the incoming object and attempts to decide whether it is a missile or a decoy (or some natural object, such as a meteorite). It controls the firing of the defensive missile (either Spartan or Sprint), and then guides it to intercept the attacker. The MRS can therefore be called the heart of the ABM system. If it is put out of action, the whole system collapses. The range of MSR is several hundred miles.

Both PAR and MSR are aimed electronically; the antenna does not have to be turned mechanically to look in a different direction, as did the older radars in the Nike-Zeus system. This means the radar can scan the entire sky in a small fraction of a second, which makes it possible for a single instrument to track many incoming objects and guide many defensive missiles simultaneously. It is this feature that makes ballistic missile defense even remotely feasible.

The Spartan missile is the interceptor in the "area defense" concept (see figure) [not printed in RECORD]. It has a warhead of about two megatons (roughly 100 times the Hiroshima bomb), and a range of approximately 400 miles. At this range interception takes place high above the atmosphere (100-200 miles). The explosion of even a megaton weapon at such altitude poses no serious danger to the population below (except possibly eye damage to someone looking directly at the explosion; this is discussed elsewhere). The Spartan explosion releases a huge burst of x-rays, which can disable enemy missiles at distances up to several tens of miles. Thus a single Spartan could dispose of more than one attacker if they are close together.

The Sprint missile has a much shorter range than Spartan (about 25 miles) and is used for terminal interception (see figure). Sprint carries a warhead of some kilotons (about the same as the Hiroshima bomb, or perhaps somewhat smaller). It can reach a very high speed very quickly. This means that if an attacking missile has managed to elude the Spartans, a Sprint can be fired at practically the last moment and still manage to intercept. Because of the small yield, the explosion must occur quite close to the enemy missile. Interception takes place at a 10–20 mile altitude. The Sprint explosion itself is not dangerous at this altitude, but if the heavier enemy warhead should detonate, it would cause serious ground damage. The Sprint kills primarily with neutrons. It is supposed to destroy the enemy missile without causing the warhead to detonate, unless the enemy has purposely designed the warhead to explode upon interception.

Cost estimates are roughly 100 million for each radar installation, about 3 million per Sprint missile, and 4 million per Spartan.

Deployment

The Sentinel system proposed by the Johnson Administration was a thin area-defense system. It consisted of 15 installations, each containing an MSR and Spartan missiles; most (but not all) the sites were to have Sprints, and 6 of them (all in the north) were to have PARs. (Six PARs are sufficient to give complete coverage of the northern perimeter.) The site locations were such that every point in the country would be within Spartan range of at least one site. Of course only a small fraction of the country (the area immediately surrounding each site) would be within Sprint range. The number of missiles was not officially announced, but was estimated at about 30 Spartans per site, and a somewhat larger number of Sprints. With a total cost estimate of $5.5 billion, the numbers could not be much larger.

The Nixon-Laird modification of Sentinel, now called Safeguard, differs in the location of sites and in the stated objective. Except for one near Washington, D.C., the twelve sites presently proposed are remote from major cities. Each site is to have an MSR, Spartans, and Sprints; seven of them will include PARs (see map). The number of missiles involved must be comparable to that of Sentinel, since the announced total cost is not very different.

The stated main purpose of Safeguard is to protect our ICBM sites and thus assure the preservation of our retaliatory capability in case of a first strike by the Russians. The first two sites in the deployment plan, in North Dakota and Montana, are close to ICBM installations that contain about a third of our present Minuteman force. Since the twelve Safeguard sites still cover practically the entire country, the new system would, it is claimed, provide about the same protection against a Chinese attack or an accidental launching as Sentinel. As with Sentinel, there is no claim to provide a defense of cities against a massive Soviet attack.

Effectiveness

The effectiveness of ABM has been challenged on three grounds:

1. Reliability
2. Vulnerability of components
3. Susceptibility to penetration aids, and radar blackout

Reliability

How likely is the system to perform "as advertised" even if the attacker employs no penetration aids? At the Kwajalein test site it has been demonstrated that a missile can indeed intercept another missile. But the exceedingly complex system has not been tested (nor can it be) under the much more challenging conditions it would face in a real attack: many weapons exploding within a short time, a horde of objects to be tracked, perhaps a temporary loss of communications (see blackout section below). And there will be no time for adjustments: any simple "bug" which develops, even one which could be rectified by a small correction that takes ten minutes, could prove disastrous. In view of this, many critics (for example, Dr. Jerome Wiesner, Science Advisor to President Kennedy and a long-time radar expert) contend that the likelihood of the system performing properly the first time it is called on, under attack conditions, is small.

If the attacker employs penetration aids, the reliability of the system becomes even more questionable. The computers and radars will have to distinguish the true warheads from a swarm of decoys. The computer programs—which will be of unprecedented complexity—will have to incorporate a response to all possible tactics of the offense. Human judgment will have no time to intervene if the attack uses an unexpected tactic.

Malfunctioning of complex defensive systems is not unheard of. For example, some years ago the radar early warning system mistook the rising of the moon for a massive Russian attack.

Vulnerability

Missiles can be put in hardened silos where they can survive a megaton explosion less than half a mile away. However, the MSR installation is nowhere near as hard; it is therefore the most vulnerable part of the system. As it is also the most crucial component, it will draw the heaviest enemy fire in case of an attack. The defense must concentrate a large number of Sprints around the radar to offer it maximum protection. Another possibility is to have stand-by radar, but radars are so expensive that this is not incorporated in the present plans.

Penetration aids

Many stratagems and devices are available to the offense in its attempt to overcome ABM defenses.

Above the atmosphere the flight-path of a body does not depend on its weight, and a light and inexpensive object can be used as a fake warhead. These decoys must have approximately the same appearance to the radar as a true warhead. The incoming missile can also eject a swarm of wires (called chaff) that will confuse the ABM radar. One can also enclose the warhead in a metal-coated balloon, and accompany it with numerous empty balloons. The area defense will not be able to distinguish these decoys from the true culprit, but this disadvantage is partly offset by the large kill-radius of the Spartan.

Once the warhead and its host of decoys enter the atmosphere, the latter will rapidly be left behind, and the warhead will become clearly identifiable. The longer one can wait before committing the Sprint defense, the surer this identification. Because of this the remarkable acceleration possessed by Sprint is essential.

The US is carrying out research and development on various devices to fool a terminal defense. For example, warheads that do not have ballistic trajectories after entering the atmosphere are being studied. There are even studies of decoys that simulate such maneuvering re-entry vehicles.

The offense can also try to jam the defensive radar with transmitters attached to missiles. (The PAR frequency will presumably be known to the Soviets because it can be measured by vessels in international waters.) The offense could possibly devise a warhead that homes on the ABM radar—the US has done research on such devices.

Radar blackout

An additional serious problem for the Safeguard system is the phenomenon of radar blackout. When a nuclear explosion occurs in the upper atmosphere a large number of electrons are produced. The electron cloud can cover a wide area, can have substantial thickness, and can last for several minutes. These electrons bend and absorb radar waves to such an extent that an object behind them might not be seen by the defensive radar. This is known as radar blackout. It is particularly damaging to the long range, long wave PAR radar which is used in conjunction with the Spartan missiles.

The nuclear explosion may be due either to one of the Spartan missiles which has intercepted an incoming missile, or to an attacking missile which has been purposely exploded at high altitude. The former is called self-blackout. It may be possible to phase an attack so that the defense will be forced to black out its own radar.

While there is some controversy about how damaging radar blackout would be and about how easy it would be to redesign the Safeguard system to mitigate the effects of the blackout, it is clear that it would reduce the effectiveness of the area defense to a substantial extent.

2. THE STRATEGIC BALANCE

Here we shall summarize the information pertaining to the balance of strategic forces at this time. Projections into the future are discussed in the section entitled "ABM, MIRV and the Arms Race." FOBS and SS–9 are treated in a separate section.

Our land-based ICBM force consists of 1000 solid-fueled Minutemen, and 54 liquid-fueled Titans IIs. All of these weapons are in deep reinforced concrete holes called silos. The Minuteman series—there are two models—carry a warhead of about one megaton (50 times Hiroshima), while the Titan has a payload in excess of 5 megatons. In October 1968 the Soviet land-based missile force consisted of about 900 ICBMs, in the megaton range, of which the great majority are liquid fueled. Not all of these are in silos. Solid fueled boosters are far more reliable, and can be fired on very short notice (30–40 seconds for Minuteman); we have therefore phased out essentially all our liquid fueled strategic weapons.

Our Strategic Air Command (SAC) has about 650 intercontinental bombers, 40% of which are on 15 minute alert. Each can carry several warheads in the megaton range. The Soviets have about 150 long range bombers. Our bombers are also equipped with missiles having nuclear warheads (SRAM) that can be launched while the plane is over 50 miles from the target and outside the most severe anti-aircraft fire. Plane-launched missiles with a range of over 1000 miles have been developed (SCAD), and the Air Force is pressing for their deployment.

The US has 41 missile launching submarines, each of which carries 16 solid fueled Polaris missiles with a warhead of about one megaton. In October 1968 the Soviets had similar submarines equipped with 45 launchers and carrying a total of about 80 missiles. This is to be compared with the 656 Polaris missiles on our submarines. At this time production of Soviet submarines is proceeding at a rate of about 6–7 per year. Our fleet is not expanding, but is being re-equipped with the Poseidon missile, which has MIRV capability.

The total number of deliverable warheads (and not the total megatonnage) is usually considered to be a rough measure of over-all strategic strength (see Sections on Arms Race and SS–9). At this time we have roughly 4500 warheads to Russia's 1400. Beyond this numerical superiority, it is virtually certain that the US also has a very imposing superiority in the quality of its weapons systems. This is hardly surprising if one considers the vast difference in sophistication between the US and Soviet electronics and computer industries, or our widening lead in the space program. As an example of this, we point out that we are on the verge of deploying a third generation of solid-fueled Minutemen, while the Soviets are only beginning to deploy solid-fueled missiles. Each new generation of Minutemen has incorporated very significant improvements in engines, guidance, and survivaiblity against ABM; Minuteman II can carry penetration aids, and Minuteman III is MIRVed.

In his recent Senate testimony Mr. Laird has hinted that our submarine fleet might become vulnerable within a few years. There are no hard facts in the public record concerning this. The maneuvering of the current Geneva talks on disarming the ocean floors would appear to indicate that we are well ahead of the Soviets in submarine detection devices. In a speech on April 8 Senator Kennedy stated that in 1968 the Chief of Naval Operations had "given strong testimony" that our submarine fleet was not vulnerable (N.Y. Times, Apr. 9, 1969).

Both the U.S. and Russians have large arsenals of tactical nuclear weapons—weapons intended for "normal" warfare, missiles that can be launched from Europe or Asia into Russia (or vice versa), and supersonic bombers of more limited range than the B–52 that can carry a bomb in the megaton range. These tactical forces are far from negligible—we have some 7,000 tactical nuclear weapons in Europe alone. Many knowledgeable people consider these tactical forces to be a very credible deterrent in themselves.

Russia has deployed a rudimentary ABM system. Known as Galosh, it appears to be of Nike-Zeus vintage (see below). Moscow is surrounded by 67 ABM launchers, but further deployment has not been reported for sometime. GALOSH is not considered by our military to be a significant obstacle to our

Minutemen (see McNamara's 1968 Posture Statement, p. 55).

It is not possible to compare the overall strategic arms balance in really precise terms. Our population is more concentrated than Russia's, and many of our most important cities are near sea coasts. This makes them more vulnerable, and the strategic balance is therefore not as much in our favor as the bald numbers might indicate. But refined calculations are hardly needed. The essential fact is that all estimates show that at this time both sides have "assured destruction capability," which is the official jargon for the ability to instantly destroy upwards to ⅓ to ½ of the enemy's population following an enemy's first strike.

The data on the strategic balance can be found in the annual Posture Statements presented by the Secretary of Defense to the Senate Armed Services Committee:

Robert S. McNamara, "The Fiscal Years 1969–1973 Defense Program and the 1969 Defense Budget," January 22, 1968.

Clark M. Clifford, "The 1970 Defense Budget and the Defense Programs for Fiscal Years 1970–1974," January 16, 1969.

These may be obtained from the Office of the Assistant Secretary of Defense for Public Affairs.

3. ABM, MIRV, AND THE ARMS RACE

Let us consider the basic "laws" that appear to govern the arms race. First there is the so-called "conservative" military tradition: [1] ". . . we must be 'conservative' in all our estimates of both a potential aggressor's capabilities and his intentions. Security depends upon taking a 'worst plausible case'—and having the ability to cope with that eventuality."

This tradition has been reinforced by the vast destructive power of nuclear weapons, and by the blood-curdling policy of deterrence, which Secretary McNamara defined as follows:

"It means the certainty of suicide to the aggressor—not merely to his military forces, but to his society as a whole."

The long time span—the "lead-time"—required to develop modern strategic weapons hardly requires documentation. Our ABM effort is more than a dozen years old, and even the system's supporters agree that it is far from perfect.

Weapons systems are frequently deployed even if the enemy threat that led to their development turns out to have been an overestimate:

"There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry. If a weapon system works—and works well—there is strong pressure from many directions to produce and deploy the weapon out of all proportion to the prudent level required."

Even when an enemy's move turns out to be illusory, deployment marches on. Thus the Russians appear to have developed the extensive Talinn air-defense system against our B–70 bomber; their deployment of this system continued long after we cancelled the B–70 program.[3] The "missile gap", which was known to be non-existent by early 1961, led to a vast expansion of our ICBM force in the ensuing years. Mr. McNamara recounted this episode in 1967: ". . . in the course of hedging against what was only a theoretically possible Soviet buildup, we took decisions which have resulted in our current superiority . . ."

Furthermore, he points out that this superiority "is both greater than we had originally planned, and is in fact more than we require."

The action-reaction cycle can even proceed within one country's defense establishment. Our own extensive program to develop penetration aids was in large measure a response to our own ABM research. An outgrowth of this research is our present lead in MIRV technology; MIRV is to be viewed as the ultimate penetration aid: every decoy has become a warhead. The U.S. development of MIRV was presumably spurred by Russia's deployment of Galosh, but it was not a response to that deployment. Indeed, our large scale deployment of MIRV is about to begin, even though the Soviets have until now restricted their rather primitive Galosh system to Moscow.[3]

Let us now turn to the future—a future in the company of ABM and MIRV. By converting a portion of our missile force to MIRV, we are rapidly increasing the number of warheads, and losing some megatonnage. The logic behind this is that—

"The most meaningful and realistic measurement of nuclear capability is neither gross megatonnage nor the number of available missile launchers but rather the number of separate warheads that are capable of being delivered with accuracy on individual high-priority targets with sufficient power to destroy them."

Why? Because the destruction wrought by an explosion is not proportional to the megatonnage. It is far more effective to have two warheads of one megaton than one of two megatons, provided they each have the same accuracy.

The preceding graph [2] shows how the number of US warheads will grow as Minuteman III and Poseidon are installed into our silos and submarines, respectively. Both have MIRV capability; Minuteman III can carry 3 warheads, Poseidon from 8 to 10. The shaded region indicates the uncertainty in this projection.

We do not know how Russia will respond to this rapid growth of US strategic strength. There is a well-established folk-lore in the Defense Department that Soviet ICBMs are considerably less accurate than Minutemen (see, for example, N.Y. Times, April 14, 1969), and that the Soviet propensity for huge warheads is dictated by the need to compensate for this inaccuracy. Knowledgeable sources often indicate (N.Y. Times, April 4, 1969) that the Soviets trail the US in MIRV development. If we assume that our MIRVed missiles are roughly as accurate as Minuteman II and Polaris, we shall gain rapidly in destructive capability in the coming years. A technological breakthrough in our MIRV targeting accuracy could have profound consequences for the strategic balance, especially if it is indeed true that Russia is already trailing badly.

Even if our lead over Russia suddenly expands, we shall not have first-strike capability. Nevertheless, the Soviets would surely respond by rapidly increasing their submarine fleet, or installing mobile land-based ICBMs, or both. Their response would be even more vigorous if we were developing a potential thick population defense by deploying a thin ABM system, and "the arms race would rush hopelessly on."

Not only would the arms race rush on, but the entire strategic balance would be more precarious. This is largely due to the uncertainties that ABM and MIRV introduce into the whole equation: No one can really know how effective an ABM system is, short of war, while satellite reconnaissance cannot tell whether a silo has a MIRVed missile, nor how many warheads it carries. Aside from any particular characteristics of ABM and MIRV, it is clear that rapid and profound transformations in military technology are bound to bring large uncertainties—and uncertainty spells danger. During a time of relative tranquillity, this simple adage may not apply, but it most surely does in a time of extreme tension and crisis, and it is only at such a time that nuclear war is likely.

It is essential that we take advantage of the Soviets' professed willingness to negotiate an arms agreement. The time for negotiations is not unlimited, because MIRV deployment will impair satellite inspection of an arms control agreement. Furthermore, if our lead becomes too substantial, Russia will refuse to negotiate, just as she did in the decade following World War II. To increase the prospects for successful negotiations, we should refrain from installing offensive and defensive nuclear weapons systems at this time.

If this fleeting opportunity for arms control negotiation is lost, we shall all move onto a higher and more dangerous plateau in the arms race. "The road from the axe to the ICBM seems to run in a single direction." We must reverse that direction.

4. SS–9 AND FOBS

In recent testimony about the Soviet nuclear arsenal, two items—the SS–9 and FOBS—have attracted special attention. The first is a large liquid-fueled missile with a 25 megaton warhead comparable to our Titan II. The second is a fractional orbiting ballistic missile system that permits attack from different directions and shortens the time an ABM has to respond.

The public first learned of the deployment of the SS–9 in 1966. In an address on April 8 Senator Kennedy stated that the existence of SS–9 has been known to US intelligence since 1962 (N.Y. Times, Apr. 9, 1969). According to Secretary Laird the Soviet has now installed more than 200. Clifford and Laird, using the same intelligence reports, make different predictions on the number of future deployments. Although some doubt has been cast on the intelligence estimates, the most dire prediction is that the USSR will have deployed 500 SS–9s by 1975. The SS–9 is capable of carrying multiple warheads. No one has suggested that the Russians have warheads that can be independently targeted.

It is important to recognize that the 25 megaton SS–9 would not be 25 times as effective as a 1 megaton missile. A 1 megaton blast produces the same destruction at ⅓ mile as does a 25 megaton blast at one mile. Thus a single SS–9 would only be able to knock out one of our thousand Minutemen, unless it were equipped with multiple warheads. If it were MIRVed, the accuracy of the warheads would have to be greatly enhanced. Furthermore, as a first strike weapon it would have to reliably knock out more than 80% of our Minutemen if we had no other retaliatory weapons. This would require assigning at least two warheads to each of our missiles.

It is unreasonable to believe that the SS–9 has this mission. Our Titan II's are tagged for retaliatory strikes against large population centers, and Dr. Enthoven, former Asst. Sec. for Systems Analysis, has testified that the SS–9 has a similar purpose. The other mission to which the SS–9 is ideally suited is radar blackout of an ABM defense. For this purpose the large weapon need not be accurate.

FOBS carries a smaller warhead and is less accurate than a conventional missile with the same booster. It was discarded by the US some years ago but it might be resurrected against some future Russian ABM.

5. CHINESE AND ACCIDENTAL ATTACK

In the summary we discussed the possibility that the Chinese would launch their meager ICBM arsenal against us. Even though an ABM defense might be effective against such an attack, we would not be immune from irrational attack by the Chinese. If the Chinese are determined to commit suicide by attacking us, there are many ways they could do so other than with ICBMs. A nuclear weapon smuggled onto a neutral ship, a submarine-launched torpedo, or a biological weapon carried in a suitcase and dropped into a city's water supply are but a few of the possibilities. It is almost impossible to protect oneself completely against a determined assassin who is not concerned with

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Footnotes at end of article.

the consequences, as recent history unhappily testifies.

As for the security offered by ABM against an accidentally launched missile better protection could be obtained in cheaper and safer ways. For example ICBMs could be equipped with a device that would permit them to be disarmed by radio after launching. The Hot Line could even be used to transmit the code required to disarm an accidentally launched missile.

6. EYE DAMAGE

The possibility that the light flash from a Spartan explosion at high altitude would cause permanent eye damage to persons on the ground was first brought to public attention by Dr. G. Kistiakowsky formerly Science Advisor to President Eisenhower (N.Y. Times, March 12, 1969). This was immediately denied by Dr. John Foster, the Defense Department's Director of Research and Engineering. Dr. Foster stated that Spartan would be detonated at a sufficiently high altitude to preclude retinal burns to persons on the ground. The Defense Department's official publication [8] "The Effects of Nuclear Weapons" unambiguously contradicts Dr. Foster's pronouncement.

On August 1, 1958, a nuclear device called TEAK was detonated about 50 miles above Johnston Island in the Pacific. We quote from page 574 of the document:

"In order to obtain data concerning the possibility of eye injury, rabbits were exposed to the radiation from the TEAK shot of a megaton-range weapon at an altitude of 252,000 feet. Under nighttime conditions, chorioretinal burns occurred at slant distances up to about 345 miles; however, no measurements were made at greater distances and so this cannot be considered as a threshold range for eye damage."

On page 360 of the same document a lengthy analysis of radiation effects concludes with the statement:

"In fact, it is possible that a high-altitude nuclear explosion in the megaton range could produce effects on the eye at all distances up to the line of sight permitted by the earth's curvature."

One might think that the TEAK test is not relevant to the much higher (100–200 miles) Spartan explosion. This is not the case. The degree of absorption by the atmosphere does not increase significantly in going from an altitude of 50 miles to 200 miles. The only relevant quantity in the test is the distance of 345 miles from the explosion.

There is no way of estimating how many people would suffer eye injury. Under many circumstances there would be no injuries. The number would depend on atmospheric conditions and the time of day. Clouds need not diminish the effect; they could possibly act as diffuse reflecting devices. If two Spartans were to be assigned to intercept the incoming object, the number of injured could be very substantial, because the first burst would draw many eyes to the dangerous portion of the sky.

7. A CAPSULE HISTORY OF ABM

The United States had developed nuclear weapons and acquired considerable expertise in many aspects of strategic bombing by the end of World War II. From 1945 to 1955 it was possible for the US to deliver nuclear weapons against the Soviet Union without fear of retaliation.[1] Not until 1955 did the Soviet Union obtain the weapons and delivery capability to balance this inequality. It developed the atomic bomb in 1949, the hydrogen bomb in 1953, and intercontinental bombers in 1954–55. Since then it has been impossible for us to engage the Soviet Union in a nuclear war without severe damage to our people and territory.

The Soviet Union launched the first earth satellite in 1957. At that time the US and Russia were developing IRBMs (intermediate-range ballistic missiles, having a range of 1000–2000 miles), ICBMs, and ABMs. Both countries were shifting the emphasis in their strategic planning from bomber to missile delivery. During this period (1955–1960) our strategic weapons doctrine was that of "massive retaliation." [4]

By 1960 the Soviet Union had 700–800 IRBMs targeted on Western Europe, and an unknown but small number of ICBMs; the US had IRBMs on the periphery of the Soviet Union, and 28 ICBMs. Both countries had large bomber forces.[3, 5]

In the 1960 campaign John F. Kennedy repeatedly raised the possibility of a "missile gap." But a careful reappraisal of the entire defense establishment at the outset of the Kennedy Administration revealed that there was no such gap. Nevertheless, the Administration embarked on a rapid expansion of our ICBM force, and an accelerated and expanded Polaris submarine program. During this time it was briefly believed that we could achieve "first-strike" capability against Russia. However, by 1963 it was clear that [6] . . . it would become increasingly difficult, regardless of the form of the attack, to destroy a sufficiently large portion of the Soviet nuclear forces to preclude major damage to the US regardless of how large or what kind of strategic forces are built."

Once it became apparent that a first-strike capability could not be achieved, the Defense Department shifted to an "assured destruction" posture. The same doctrine appears to underlie Soviet strategic planning. Both superpowers have built strategic forces which—in the words of Mr. McNamara [7]—have ". . . an ability to inflict at all times and under all foreseeable conditions an unacceptable degree of damage upon any single aggressor, or combination of aggressors, even after absorbing a surprise attack."

(The present "assured destruction" postures of the US and the Soviet Union are described in the section entitled "The Strategic Balance".)

As one might expect, the history of missile defense is closely linked to that of missile offense. The concept of ballistic missile defense became an integral part of the thinking of defense planners when it became clear that ICBMs would take over the task of nuclear weapons delivery from manned bombers. (This has never deterred the Air Force from advocating a variety of manned bombers more sophisticated than the B–52.) From 1954 to 1958 the Army and the Air Force competed for control of our ABM program. The Nike-Zeus and Wizard ABM systems were developed by the Army and Air Force respectively. In late 1956 the Defense Department assigned to the Army responsibility for terminal or point defense systems, and to the Air Force responsibility for area defense systems. A later decision by the Defense Department (1958) to attempt point defense against ballistic missiles gave the primary ABM responsibility to the Army.

During 1958–1960 the Army designed and tested a preliminary version of the Nike-Zeus system. At the same time (1959) they strongly urged that we budget immediately for production and deployment of the system. It was to be operational in 1964. In 1959 the Army estimated that the proposed Nike-Zeus system was 25% reliable against Russians ICBMs of the 1959 variety. [8]

The decision on deployment of Nike-Zeus was left to the incoming Administration by President Eisenhower. The Defense Department, headed by Robert McNamara, decided not to build the Nike-Zeus system because there were doubts as to whether it would work, and even more serious qualms about the whole concept of point defense against ICBMs. In his recent testimony before the Senate, Dr. G. Kistiakowsky, President Eisenhower's Science Advisor, made the following remarks about the Nike-Zeus episode: [9]

"It is interesting to contemplate that, had the deployment of Nike-Zeus been authorized in 1960–61, we would have just about now the full system in operational readiness, after spending what was then estimated as $20 billion and could have been, judging by analogy with other large weapons systems, twice as much. Considering the current numbers and sophistication of offensive missiles now being deployed by the superpowers it is technically certain that the Nike-Zeus ABM system would now be of little value. It would be obsolescent or even obsolete, . . ."

The basic concept in missile defense planning shifted from point to area defense during the period 1960–1965. The abandoned Nike-Zeus point defense used mechanical radar scanning. The new area defense, which acquired the name Nike–X, became feasible with the advent of high-speed electronic scanning, because this technique permits the simultaneous tracking of numerous incoming warheads. Another important and new feature in Nike–X was the ultra-high acceleration Sprint interceptor. Both the Sentinel and Safeguard deployments use the Nike–X components. It is important to remember that Nike–X was conceived and designed as an area (or population) defense.

Both the Kennedy and Johnson Administrations decided not to deploy the Nike–X system, which was intended as a population defense against a Soviet attack. There were two reasons for this:

1. The measure of protection it afforded against a given Soviet ICBM force could be off-set by changes in that force which cost less than the protection. The offense-defense cost-exchange ratio favors the offense.

2. The strategic arms standoff which is essential to the operation of the "assured destruction" concept acquires stability when both sides possess and know their opponents possess an "assured destruction" capability. The steps which we or the Russians would take in response to ABM deployment would lead to an accelerated arms race whose new equilibrium, if one is achieved, will be far less stable than the present one.

In early 1967 the Soviet Union began deploying a defensive system around Moscow. It consists of 67 ABM launchers, and its radars are said to be of the Nike-Zeus vintage (mechanical scanning). It has not been extended to any other Russian city.

The lengthy debate inside the government on ABM deployment finally came into full public view when Sec. McNamara announced the decision to deploy the Chinese-oriented Sentinel system in a remarkable speech delivered in San Francisco on Sept. 18, 1967.[10] Concerning the Soviet ABM, Mr. McNamara points out that ". . . it does not presently affect in any significant manner our assured destruction capability. It does not impose such a threat because we have already taken steps to assure that our . . . forces have the required penetration aids."

He then warns that ". . . we are facing a situation analogous to 1961" . . . i.e., the non-existent missile gap, and that we must not over-react lest we trigger a senseless spiral upwards of nuclear arms."

He then turns to the Chinese threat: ". . . despite the shrill and raucous propaganda directed at her own people that 'the atomic bomb is a paper tiger', there is ample evidence that China well appreciates the destructive power of nuclear weapons. China has been cautious to avoid any action that might end in a nuclear clash with the United States—however wild her words."

Having built what seems to be a watertight case against ABM deployment, he makes the astonishing announcement that "... there are marginal grounds for concluding that a light deployment of ABMs against this possibility is prudent", where "this" refers to a Chinese attack. This is the Sentinel decision. He immediately goes on to warn that—

Footnotes at end of article.

"The danger in deploying this relatively light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet oriented ABM system. We must resist that temptation firmly —."

The San Francisco speech ends with an eloquent and impassioned appeal for a negotiated end to the "foolish and feckless" nuclear rat-race.

On reading the speech as a whole one is left with the indelible impression that Mr. McNamara was acting against his better judgment, and bowing to the well-known pressure from within the Democratic party for a "Republican-oriented" ABM in an election year. The pressure for expansion which he feared was not long in coming. Indeed, on the following day Tom Wicker reports in the New York Times that "influential members of Congress—backed by powerful military voices" were advocating a Soviet-oriented expansion.

The Sentinel decision aroused intense and unprecedented opposition from eminent scientific advisors to the Defense Department. Eventually, strong grass-roots opposition grew up in the Chicago, Seattle, and Boston areas, which had been slated for early ABM sites. The furor finally led to President Nixon's comprehensive review, and the modification of Sentinel now known as Safeguard. The new deployment, as announced by the President on March 14, removes all ABM sites from cities (with the exception of Washington). According to Mr. Nixon, the new rationale has several components: (1) It would be less provocative to the Soviet Union because it provides a weaker city defense than Sentinel (2) it provides the beginnings of a point defense of our ICBM bases (3) it provides a thin China-oriented population defense. Mr. Nixon buttressed his stated desire not to provoke Russia by saying that—[11]

"I would also point this out—an interesting thing about Soviet military and diplomatic history; they have always thought in defensive terms, and if you read their history—not only their political leaders but their military leaders—the emphasis is on defense. . ."

This interpretation of Soviet intentions is completely at odds with that of Mr. Laird and Mr. Packard. In pressing the Pentagon's case for ABM deployment these officials have repeatedly stated that Russia is seeking a first-strike capability. Strangely enough, the outgoing Sec. of Defense, Clark Clifford, using the same intelligence data, concluded only two months earlier that[12] "we shall continue to have, as far in the future as we can now discern, a very substantial qualitative lead and a distinct superiority in the number of deliverable weapons. . ."

8. DOMESTIC FACTORS

In view of the many technical and strategic objections to the proposed system, a short examination of some political, economic, and pschological factors seems in order.

One serious political consideration is the vulnerability of a candidate who has refused to deploy a new weapons system. Together with Sputnik, the valid refusal of the Eisenhower administration to deploy Nike-Zeus made possible the "Missile Gap" scare of the 1960 campaign—a false scare on which Nixon's narrow defeat could be blamed. It is generally conceded that the 1967 Johnson Sentinel decision which startled even DOD planners was based on his desire "to deprive Administration critics of a comparable issue." (Aviation Week and Space Technology, August 12, 1968, p. 77) Nixon cannot have been oblivious to this political consideration when he called for "restoration of nuclear superiority" in his successful 1968 campaign and when he recommended deployment of Safeguard.

Although political exploitation of the fear of insufficient defense against foreign attack is difficult to measure, the economic significance of Safeguard is not. Since 1958, missile sales have amounted to about $5 billion annually with relatively small fluctuations. Using the most conservative Defense Department estimates; this spending rate would rise by 40 percent. This figure does not include the increase anticipated for Poseidon and Minuteman III deployment and MIRV. (Aviation Week and Space Technology, March 10, 1969, p. 41) If Safeguard were the first step in the thick system many ABM proponents advocate, the ultimate annual missile expenditure would triple. In discussing these cost estimates several other factors should not be overlooked: 1) During the past ten years the cost of the typical weapons system has exceeded the pre-production estimate by 200 to 300 percent. 2) If Safeguard is deployed advocates agree that it will continually require expensive and extensive remodeling. 3) The decision to begin production does not insure that the system will function acceptably or that it can be modified to function acceptably. The Defense Department estimates that more than $20 billion have been spent on systems (Boston Globe, March 13, 1969) that were never completed or are obsolete. Had Nike-Zeus been deployed—at an additional cost of $14 billion—Secretary McNamara has testified that "it would have had to be torn out and replaced almost before it became operative." He continued, "By the same token other technological developments in offensive weapons in the next seven years may make obsolete the system presently envisioned."

The pressure for military spending exerted by the aerospace industry arises in part from its economic inflexibility. Selling a custom product to a single customer (DOD) at an assured profit, the industry is committed to the military business. Like other industries, it has analyzed how its customer makes decisions and how to influence them. The industry would seriously consider conversion only "if government provided the risk capital, if the product contained enough technology or patentable elements to close out competition, and if the product could be marketed." Unsuccessful forays into the civilian economy have reinforced this policy. As a result, each increase in the industry work force tends to increase political pressure for continued defense spending.

In addition to economic considerations, the desire for power and influence play a role. The Army's only major space age mission is ballistic missile defense. The Army has therefore vigorously urged deployment of every version of the Nike-Zeus and the present Nike-X system. The Navy, which mans the Polaris submarines, and the Air Force, which handles the ICBMs, are less enthusiastic about Safeguard than the Army. Last year, the Air Force Secretary argued before Congress that an active army ABM defense would be less effective than superhardening of ICBM silos by the Air Force (Aviation Week and Space Technology, May 13, 1968, p. 32). Air Force spokesmen also press for the Air Force satellite missile system, and for new offensive aircraft systems, AMSA, and SCAD. The Navy extols its submarine launched ABM systems, SABMIS.

Potent political pressure can be mounted by the military establishment. In describing the McNamara-Kennedy decision to multiply our missiles by three (many years before a compensating Russian increase was undertaken) Arthur Schlesinger writes that "McNamara, already engaged in a battle with the Air Force over the obsolescent B–70, felt he could do no more without risking public conflict with the Joint Chiefs and the vociferous B–70 lobby in Congress. As a result the President went along with the policy of multiplying Polaris and Minuteman missiles." It is interesting to observe that some U.S. intelligence sources believe that the Russian decision to deploy the Talinn antiaircraft system was apparently taken by civilian leadership "as the price for support on other political matters."

Pressure is not generated solely by the military. The challenge of new and difficult technical problems, and the opportunity for advancement and distinction also stimulate scientists and engineers.

In the face of these pressures, the nature of the decision making process cannot be totally ignored. In the case of Safeguard-Sentinel the task of re-evaluation was delegated to Secretary of Defense Melvin Laird, who says he believes that his mandate is to represent the views of his department, and to Undersecretary David Packard, whose continuing ties with the aerospace industry were the subject of Congressional concern when his nomination was confirmed some months ago.

It is the constitutional responsibility of Congress, and in particular of the Armed Services Committee, to review the proposals and expenditures of the Defense Department. It is therefore disturbing to read (Boston Globe, March 9, 1969) of "appreciation parties"—Defense Department "fly-ins" of the type that marked the elevation of John Stennis to the chairmanship of this committee. With Defense Department funds, twenty-five to thirty plane loads of military brass (4 of the 5 Joint Chiefs), civilian leaders including Laird, and all three service bands were flown to Jackson, Mississippi, to celebrate his ascension. We read that former Air Force Secretary Stuart Symington, who once favored large bombers but now opposes the deployment of Safeguard has been deprived of a subcommittee chairmanship his seniority called for. (Boston Globe, March 22, 1969).

Evidence that the committee is performing its watchdog function is more difficult to find. Indeed it is reported that despite widespread concern about blackout and its effect on ABM, no member of the Armed Services Committee was aware of the problem when it was raised by Senator Cooper at a secret debate on Oct. 14, 1968. It also emerged from these hearings that the Armed Services Committee had only heard testimony from Pentagon witnesses before recommending deployment of the Sentinel system (N.Y. Times, Feb. 9, 1969).

9. ARGUMENTS FOR BALLISTIC MISSILE DEFENSE

Recently two noted Defense Department consultants from the Hudson Institute have testified in favor of BMD systems. Donald G.. Brennan has not argued for Safeguard but for a thick system which he believes should precede any arms control.[13] Herman Kahn's support of Safeguard deployment, and its eventual expansion to a thick system, does not stem from fear of a future Soviet nuclear superiority. He points out that[14]

"From possessing somewhat more than fifteen hundred or so targetable warheads available for immediate launching, the U.S. would have about five times as many alert nuclear weapons, or about seventy-five hundred. If this is so, and the MIRV is reasonably accurate and flexible, it might easily provide the U.S. with an annihilating 'first-strike capability' against even one or two thousand Soviet ground-based missiles. Thus even though the Soviets have, in recent years, doubled or trebled the number of deployed missiles, the introduction of MIRV greatly increases their vulnerability to U.S. attack."

Kahn advocates that we consider the possibility of a "limited" nuclear war. He argues that in such a war a thick, or even a thin BMD system would be useful. Moreover, the belief in the defensive capability of the system, whether warranted or not, would permit a country to take additional risks and make additional threats in a game of nuclear brinksmanship. We leave it to each citizen to consider whether he wishes to make it more attractive for his government to take additional risks in such a nuclear game.

Footnotes at end of article.

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The drawings and map are taken from the official Department of Defense press release of March 14, 1969.

FOOTNOTES

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[1] All quotes in this section are from the address by Robert S. McNamara, in San Francisco, Sept. 18, 1967. Printed in full in the New York Times, Sept. 19, 1967.

[2] G. W. Rathjens "The Dynamics of the Arms Race," Scientific American, April 1969.

[3] "The Effect of Nuclear Weapons," S. Glasstone, editor. Prepared by the Department of Defense, published by the U.S. Atomic Energy Commission, April 1962. (Government Printing Office, $3.00)

[3] Kintner, Wm. R.; Peace and the Strategy of Conflict, Prager (New York, 1967).

[4] John Foster Dulles in a speech before the Council of Foreign Relations, Jan. 12, 1954.

[5] McNamara, Robert S.; The Essence of Security, Harper and Row (New York, 1968).

[6] Statement of Secretary of Defense Robert S. McNamara before the House Armed Services Committee on the Fiscal Year 1964–1968 Defense Program and 1964 Defense Budget, Jan. 30, 1963, p. 29.

[7] McNamara, Robert S.; 1968 Posture Statement, see Foreign Affairs, 47, 433.

[8] Aviation Week and Space Technology, October 23, 1967.

[9] Statement to the Subcommittee on Disarmament of the Senate Committee on Foreign Affairs, March 11, 1969.

[10] The full text of this speech appears in the New York Times, Sept. 19, 1967.

[11] New York Times, March 15, 1969.

[12] Clark M. Clifford, "The 1970 Defense Budget and the Defense Programs for Fiscal Years 1970–1974", January 16, 1969. Quoted in the New York Times, March 21, 1969.

[13] This argument is summarized in D. G. Brennan, "The Case for Missile Defense", Foreign Affairs, April 1969.

[14] H. Kahn, "Some Current Nuclear War issues", Hudson Institute Report HI-1175/2-P, prepared for the House of Representatives Foreign Affairs Committee, March 18, 1969.

SOVIETS DENY MINORITY RIGHTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. RARICK. Mr. Speaker, unrest in the Soviet Union continues as a result of discrimination among her minorities.

Along with the persecuted Ukrainians, Georgians, and the Byelorussians is the Crimean Tartars.

Many Americans who are aware of the violent suppression of various nationalities and minorities in Russia are appalled that our administration continues diplomatic recognition, cultural exchange, and economic encouragement without demanding basic human rights for all Soviet citizens.

What is the difference between minority suppression in Russia from apartheid, used to justify economic sanctions and promote violence against Rhodesia and South Africa?

I insert a Moscow report from the Chicago Tribune of April 26 and a clipping from the Washington, D.C., Post of April 28:

[From the Chicago Tribune, Apr. 26, 1969]

TARTARS PUSH FIGHT AGAINST RUSSIAN BIAS—CIVIL RIGHTS EXIST ONLY AS SCRAP OF PAPER

(By Frank Starr)

MOSCOW, April 25.—Eighteen months ago the soviet government quietly published in several central Asian newspapers two decrees restoring full rights to one of this country's 100 national minorities.

Today the Crimean Tartars, legally relieved of a 25-year-old condemnation cast upon them by Stalin, are still underground conducting one of the sharpest civil rights struggles anywhere.

The struggle's main feature is careful and detailed recording of the recurring repression, arrests and convictions, mass deportations, and harassment under way since long before their formal rehabilitation.

RISKY RESISTANCE

A risky, tho tenacious resistance, it also involves reproduction and distribution of protest literature, lobbying of goverment officials, and peaceful demonstrations.

[*The London Observer reported that a document reporting a sharpening struggle by the Tartars for rights has reached sources outside Russia.*]

Its aim is to achieve in actuality what was provided in one of the decrees, the right to return to the Crimea from which they were forcefully deported during World War II and which is now inhabited by Russians and Ukrainians.

A Turkic people numbering less than half a million, they were rounded up en masse in the winter of 1943, accused of collaboration with the Nazis, and shipped to soviet central Asia.

LAST GROUP REHABILITATED

In September, 1967, they became the last of seven nationalities thus deported to receive official rehabilitation by decree which said that the collaboration of a certain section of the Tartar population had been "unjustifiably used to blame the entire" population. A second decree gave them the right to live anywhere in the Soviet Union including the Crimea.

But the first returnees reported nothing changed. Officials still refused them jobs, apartments, or the registration necessary for residence.

Two families, according to Tartar records, left Tashkent for the Crimea on Sept. 17, ten days after the decree, one with five children aged 6 to 15 and a 78-year-old grandmother, the other with five children aged 2 to 12.

REFUSED WORK

The two fathers were immmediately refused work at a state farm despite a labor shortage. Also refused shelter they spent the night in an abandoned bakery.

In the morning, the families reported, a state prosecutor arrived with eight policemen who drove them out of the wrecked building with such force that an 8-year-old girl received a brain concussion.

They spent another 10 days in tents at the edge of the village until police again arrived and loaded them into a truck for deportation.

Convincing the driver to let them off in Simferopol, they went to the local party headquarters to protest and recorded the following answer:

"The decree of 5 September does not give you the right to return to the Crimea. There will never be room for you here. We'll drive you off this peninsual with the force of the police."

After six more days spent in the Simferopol train station the two families reported they were shipped out of the Crimea in a police truck.

A group of 21 Tartars seeking to protest to a party official that local authorities had refused to register them for residence were arrested without being admitted to the officials' officer, Tartars reported.

SENTENCED FOR HOOLIGANISM

Eleven were sentenced to 15 days for petty hooliganism and the other 10 put on an airplane for the central Asian city of Dushanbe nearly 1,800 miles away and in which none of them had ever lived.

Another group of families which were given housing reported being routed from their sleep at 4:45 a.m. the next day by police to be hustled onto trucks and shipped out.

It was reported recently that since publication of the two decrees on rehabilitation 12,000 Tartars have been driven out of the Crimea.

WELL-KNOWN INCIDENT

One of the best known incidents involves the right of assembly provided in the soviet constitution and an effort of the Tartars living in the central Asian town of Chirchik to celebrate Lenin's birthday a year ago this month.

Having been denied official approval for a rally, a crowd which gathered in a city park on Sunday morning April 21, 1968, for games and national songs, was dispersed by water cannon, and more than 300 were arrested in a battle which lasted from noon to sundown.

The majority of the arrested were sentenced to 15 days for petty hooliganism while 10 persons accused as organizers were tried and sentenced to terms of up to three years.

None of these incidents has ever been mentioned in the soviet press.

In keeping with the official position that Tartars have the right to return to their homeland, authorities last summer launched a plan under which 148 families were repatriated.

However, Tartar representatives say it became immediately clear that the plan was organized by the soviet security services to circumvent a mass return planned by the Tartars themselves. Only families that had had no connection with the Tartar movement were selected, they said.

By last May the permanent lobby of Tartars in Moscow had grown to more than 650. On May 16 units of police, soldiers, and plain clothes men filled the square on the north side of the city where most lived in friends' apartments and began rounding them up. By the next evening more than 300 were put on a train for Tashkent.

TARTARS GAIN SYMPATHY

But the Crimean Tartars have gained the sympathy and assistance of Moscow's intellectual dissidents, among them a voceriferous spokesman, former army Maj. Gen. Pyotr Grigorenko.

Despite repeated convictions for spreading "anti-soviet fabrications" the Tartars have no quarrel with the soviet state, and vow firm loyalty to Lenin, its founder, who also founded in 1921 the "Tartar autonomous republic which Stalin abolished.

But their prolific protests, nevertheless drawing attention to the acute discontent of a soviet minority, are a source of continuing embarrassment to soviet leaders deeply engaged in convincing the world of their reasonableness.

[From the Washington Post, Apr. 28, 1969]

SOVIET UNION SIGNS AGREEMENTS TO ATTRACT MORE U.S. TOURISTS

(By William H. Jones)

Two agreements announced last week between the Soviet Union's state travel organization, Intourist, and American companies indicate Moscow's desire to attract more tourists and more foreign currency.

Hertz International a wholly-owned subsidiary of Radio Corp. of America, reached an accord with Intourist under which Hertz will act as the Russian agency's overseas representative for car rentals.

Diners Club International announced that effective June 1, it will be the first credit card company to make it possible for its members to use their cards in the U.S.S.R.

Both agreements were unprecedented and some observers predicted that similar arrangements may be negotiated between Intourist and non-Russian organizations that would make Soviet tourism more attractive and convenient. A Hertz spokesman noted that its agreement with Intourist had no "exclusive" clause that would prevent the Soviet agency from making additional business deals.

The Hertz-Intourist agreement provides that although Hertz will have no offices in the Soviet Union, its familiar sign will be displayed on the Intourist counters in three cities—Moscow, Leningrad and Kiev—and some Black Sea resorts. At these counters, reservations for car rentals in other countries can be made through the worldwide Hertz communications system.

Hertz and Intourist officials both emphasized that the Russian agency would do the actual renting in the Soviet Union—providing the cars and staff to customers. In addition, Hertz spokesmen denied a statement attributed anonymously to Hertz in one report that eventually Intourist counter girls would wear yellow-and-black Hertz uniforms.

Some personnel will be exchanged, however, on a temporary basis for observation and training. Intourist and Hertz will also exchange technical data and cooperate on promotional materials.

Soviet-made cars will be available on a drive-yourself and chauffeur-driven basis. A Moskovich, for example, would rent (without chauffeur) for about $5 a day plus 6 cents a kilometer (five-eighths of a mile), with rates decreasing a bit after ten days. The renter pays for gasoline.

Matthew Lifflander, Hertz vice president and corporate counsel, said a potential American tourist to Russia could make reservations at Hertz branches, using Hertz forms. Payment would be made to Intourist, in rubles, after the American had arrived on Soviet soil and after dollars had been exchanged. On rental reservations made in Russia for overseas travel, Hertz would likewise accept the payment abroad and later settle with Intourist.

The Diners Club cards will be honored at all Intourist facilities in the Moscow area at first, and can be used for air, rail and boat tickets. Expansion to other cities is expected on a gradual basis, according to Gwynn Robinson, Diners Club president.

THE FIRST MAJOR EXHIBITION BY THE RENOWNED AMERICAN ANTIQUARIAN SOCIETY

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. DONOHUE. Mr. Speaker, the American Antiquarian Society of Worcester, Mass., is the first national and the third oldest historical society in the United States.

The society was founded in 1812 in my home city of Worcester, Mass., by Isaiah Thomas, who fled Boston in 1775 to save his press and types from the British. It is dedicated to the collection, preservation, and dissemination of our country's early printed record, a true personal history of the United States.

The society's shelves contain more than three-quarters of all books and pamphlets printed in the United States between 1640 and 1821, comprising 750,000 volumes, as well as an equal amount of caricatures, posters, menus, sheet music, greeting cards, maps, telegraph forms, broadsides, prints, and over 1 million newspapers.

On last April 16, the society opened an exhibition of their collection at the Grolier Club in New York City, which is the first time that the society has ever held a major public showing. I know that the society's 300 extremely rare and impressive holdings from its extensive collection of American history, literature, and culture will be of major interest to the viewing public.

The city of Worcester and our entire Commonwealth are, indeed, very proud of the scholarly efforts and objectives of the American Antiquarian Society, and we are pleased, indeed, that the society has now seen fit to display a significant portion of its extraordinarily fine collection to the general public.

The New York Times of April 14, last, contained a very pertinent and most interesting article about the operation and exhibition of the American Antiquarian Society which I would like to include at this point:

ANTIQUARIANS BREAK OUT OF WORCESTER

(By McCandlish Phillips)

The American Antiquarians Society, that astonishing archive of Worcester, Mass., has decided, for the first time in its 157 years, to venture as far west as New York for a semiannual meeting. It has never met outside of Massachusetts.

In coming to New York, the society is shattering more than one precedent. Though it possesses a collection of immense historical worth, it has never held a major public showing.

That omission will be repaired on Wednesday when the society will open an exhibition at the Grolier Club, 47 East 60th Street. The semiannual meeting will be held at the Morgan Library tomorrow.

In the afternoon Frederick R. Goff, chief of rare books for the Library of Congress, will speak on "Rubrication in American Books of the 18th Century," and James Franklin Beard, professor of English at Clark University, will speak on "The Metamorphosis of Leatherstocking." Mr. Beard's address will trace the development of the character of Natty Bumppo, the frontiersman hero, through five stories by James Fenimore Cooper.

Tomorrow evening's session will hear Henry Steele Commager, the historian, on "The Past as an Extension of the Present." Clifford K. Shipton, director emeritus of the society and a biographer of its founder is also on the program.

The society was established in 1812 at Worcester, which at the time seemed so far west as to put it safely out of reach of invading foreign troops.

Since its staggeringly broad mission is to collect the whole printed record of the country's early years—its policy is to obtain "everything printed in America before 1821"—and to preserve it for the ages, inaccessibility to enemy attack seemed a matter of importance.

YEAR OF EXPANSION CHOSEN

The society uses 1821 as its pivot year, because that is about the point at which printing expanded from a craft to an industry. It also collects, more selectively, in the period from 1821 to 1876.

Worcester is not now so invulnerable as it once was. For a society whose collection is national in scope, coming to New York is not an act of wild impropriety.

"We've tended to hide our light under a bushel," Marcus A. McCorison, director and librarian, acknowledged while browsing through some of the 300 items in the exhibition.

"We've never made any effort to show the breadth of what we are about to show the public. We're very well known among the scholarly community, and that, of course, is our real constituency. But we think it's important for the educated public to know something about us. That's why we're here."

The society, whose approach is roughly as broad as that prescribed for the Army recruit—"If it moves, salute it; if it doesn't move, paint it"—collects with an acquisitive zeal that might be caught in a phrase: "If it was printed in America before 1821, buy it."

Its collection of early Americana extends to telegraph forms, valentines and circus posters.

The society's library at Worcester is a vast depository stuffed with rare and early books (including fiction, children's books, schoolbooks, cook books), almanacs, newspapers, broadsides, caricatures, maps, sheet music, Federal documents, menus—750,000 volumes and an equal number of other printed items. It claims No. 1 rank as collector of American novels and of older newspapers. The library has five miles of shelves for the newspapers alone.

Choice items have been brought to New York under the exhibition title, "A Society's Chief Joys."

The exhibition includes John Cleves Symmes' work. "To All The World! I declare the earth is hollow, and habitable within" and a volume with a curious credit, "By Harrison Berry. The Property of S. W. Price, Covington, Georgia." Berry was a slave who wrote in defense of slavery, under who knows what editorial encouragement by his owner.

Refus Porter's Revolving Almanac of about 1820 is an ingenious device that is still useful today. "Porter was an interesting man, founder of the Scientific American, and the almanac is an engraved disc with some rather complicated instructions which, if you line up the right holes over the right places, gives you an accurate calendar for the month," Mr. McCorison said. "We've got it set for April, 1969."

Most of the society's 18,000 almanacs were of the annual, rather than the perennial, variety, and they include some of the Nathaniel Ames almanacs, said to be "the most popular almanacs of 18th-century America."

At almost every point, the first word off Mr. McCorison's tongue was "first."

He spoke of "the first book of genealogy printed in this country," "the first American book on aviation" (by balloon), "the first compilation of American revival and camp-meeting hymns," the "first American medical book," and "the first known book on American horsemanship," titled, "Ten Minutes Advice to Every Gentleman Going to Purchase a Horse Out of a Dealer, Jockey, or Groom's Stables."

"The first published cookbook by an American" is Amelia Simmons' "American Cookery, or the Art of Dressing Viands, Fish, Poultry and Vegetables," printed at Hartford in 1796. It contains a recipe for "A Nice Indian Pudding" that the cook had to "boil 12 hours."

James Hodder's book of "Arithmetick: or, that Neceffary Art Made moft Eafy" must have been rather casually put together because the 25th edition (1719) by Henry Mose boasted that it was augmented and revised with "above a Thousand Faults Amended."

"Pity the poor scholar," Mr. McCorison said.

The society's library is a sedate Georgian building of red brick with white marble trim, set off by an ample margin of grass, situated on a gentle slope on the outskirts of the Worcester business district.

The library welcomes serious scholars and graduate students. Its founder, Isaiah Thomas, a newspaper editor and book publisher, fled Boston with his press and types in April, 1775, to save them from the British. The fiery young patriot's Massachusetts Spy paper was rabidly anti-Crown.

The exhibition here will be free to the public from 10 a.m. to 5 p.m. on weekdays and from 10 a.m. to 3 p.m. Saturdays from April 16 through May 31.

EDITOR DITT McCORMICK SCORES POVERTY PROGRAM

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the greatest area of my congressional district is rural in nature. Within this rural area flourish a number of weekly newspapers whose editors are daily in touch with the pulse of the people within their circulation area. One of these is the Blooming Grove Times, Blooming Grove, Tex., whose editor and owner, Mr. Ditt McCormick, I count as one of my many friends in the area. He has recently written an editorial which I think provides food for thought of many of us in this body as to what direction this great Nation of ours is traveling. I commend the following editorial to my colleagues:

NOT VICE VERSA

(By Ditt McCormick)

In many parts of our nation, including our own state of Texas, those who live on Welfare are forming organizations which will develop into strong political groups, wielding power as a solid-vote entity. Their purpose is to get more of everything—money, food, almost luxuries—from the government at absolutely no cost to themselves. They are now brazen enough to say it's the duty of the government to support them. Some of these people have made, and more are making, this Welfare thing their way of life. Many of them have never worked for a living, and every day many more are refusing to work at jobs that go begging.

Welfare, or Relief, as it was originally called, was to help people between jobs, or those who were in need through no fault of their own. It was not intended as a way of living as many people try to make it today, in this time when there is work for all.

Many office-holders indicate by their actions that they believe the influence of the conservative citizen is fast disappearing, and that the political strength of the future lies with herds of voters in Welfare groups. I am beginning to wonder if that is true. It surely may be. This catering to the Welfare element, this effort to win the support of the gimme crowd, may be the sure way for the politician to stay in office. More and bigger federal hand-outs are terrible things to contemplate, but it seems to me that more and bigger office-holders are crawling on their bandwagon.

There are about 1000 Community Action Programs scattered over the country. They have developed into big business—not one person in 100 in this area realizes how big the thing is right here among us. Very few private enterprises in Navarro County, and I'm talking about retail and wholesale establishments, manufacturers, builders, and all the others, are as big as the local Power House of Poverty. These poverty boys have vehicles running in every direction, big trucks and little trucks, cab overs and pickups, sedans and stationwagons, panel jobs and all the rest. The people hired to head-up the many so-called programs they have going are the owners of some very high sounding titles. I was told yesterday that the poverty boys are putting in a Drivers School in Frost.

Some folks talk about the high cost of operating our public schools. It might amaze these folks to know that the poverty boys in Navarro County spend as much money as do the school districts of Frost and Big Grove put together. The budget for the Navarro County Action Committee is about the same as the combined budgets of two schools that are in the business of educating and training literally hundreds of boys and girls; schools conducted by dozens of men and women with college degrees, some of them have two or three, dedicated, intelligent, valuable citizens who are required to continually up-grade their professional training; schools that are administered by trustees chosen by free elections and who are responsible directly and day by day to the taxpayers; schools which are held strictly accountable for every act of omission or commission, real or imagined.

The poverty boys have available as much money as is used for the educational needs of every school child from White's Chapel to Mertens and beyond, from Navarro Mills to Emhouse, from Silver City to the Ellis County line.

I fervently wish I could hear just one tenth as much criticism of the Poverty Power House as I do of the School House.

THE MEDIEVAL TORTURE OF RUDOLPH HESS

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. GUBSER. Mr. Speaker, at the request of my constituent, Mr. Julius Epstein, a research fellow at the Hoover Institution on War, Revolution, and Peace, at Stanford University, I submit herewith an article written by Mr. Epstein which was recently published through the facilities of the North American Newspaper Alliance and advocates the release of Rudolf Hess, a prisoner in Spandau Prison in Berlin. The article follows:

THE MEDIEVAL TORTURE OF RUDOLF HESS

(By Julius Epstein)

STANFORD, CALIF.—Spandau was one of the chief garrison towns of Prussia. Within its fortifications it contained the imperial war treasure. Today there is no more Prussia, and no imperial treasure rests within the confines of this Berlin suburb. Only a prisoner is kept here—Spandau's last prisoner—whose continued incarceration is an international scandal.

That prisoner is Rudolph Hess, one-time deputy leader of the Nazi Party, second in command to Adolf Hitler.

On May 10, 1941, flying alone in a Messerschmitt–110 fighter plane, Hess, the personal confidant of Der Fuehrer, secretly left Germany, landing his plane in Scotland. (The man chosen by Hitler to succeed Hess was Martin Bormann.)

Ever since his flight from Germany, Hess has spent most of his time in prisons—first in England, then in Nuremberg and, from 1946 to the present, in Spandau.

There are several legally valid reasons for his immediate release. One of the lesser known reasons is the fact that Hess was declared insane by two different psychiatrists.

British psychiatrist Dr. J. R. Rees examined Hess shortly after he fled Germany in 1941. At that time, he diagnosed schizophrenia and declared him insane. Seven years later, in Spandau, Hess was examined by an American psychiatrist, Dr. Maurice Walsh. Unaware of the Rees diagnosis, Dr. Walsh declared that Hess suffered from schizophrenia and was insane.

Both psychiatrists were strictly forbidden to reveal what they considered to be the truth in their official reports. Dr. Rees was forced to falsify his official report on Hess by Prime Minister Sir Winston Churchill; Dr. Walsh received a similar order from the surgeon of the American garrison in Berlin, Col. Chamberlain.

Churchill did not want to expatriate Hess to Germany. For one thing, Hitler had given orders that Hess was to be executed the moment he set foot again on German soil. For another thing, Churchill wanted Hess to remain in England so that he could stand trial as a war criminal after the war ended. Col. Chamberlain did not want to contradict or embarrass the Soviets, who insisted that Hess was sane and should therefore serve out his life sentence in Spandau.

Whether the diagnoses of Drs. Rees and Walsh were correct, however, is really immaterial. What matters is the fact that the diagnoses represent the official opinion of the experts of Great Britain and the United States. Under the assumption of its veracity, the incarceration of Hess is a violation of Western law and civilized tradition.

It is also a violation of Soviet law.

Today, the Soviets frequently declare intellectuals insane who protest too much against Soviet oppression or the invasion of Czechoslovakia, and lock them up in institutions in order to avoid a public trial that could backfire.

Even if Hess should be completely sane, as most people believe—especially based on his public letters to his wife—he should now be released. He has been too long imprisoned.

At the Nuremberg trial, Hess had been acquitted on two counts out of the three for which he was indicted—War Crimes and Crimes Against Humanity. On the third count he was found guilty—he waged an "aggressive war."

"Aggressive war," however, was no statutory crime at the time Hess had committed it. His indictment on this charge—and his subsequent life imprisonment because of it—is a classic example of an ex post facto law condemned by all civilized nations and outlawed by the Constitution of the United States—one of Hess' jailers.

The Western powers, represented at Nuremberg, never wanted Hess to serve more than twenty years. This corresponds to Western tradition. For this reason, the three powers—the United States, Britain and France have repeatedly demanded the release of Hess from Spandau.

They constantly pointed out to the Soviet Government that the continued imprisonment of the man who at one time was deputy fuhrer, was meaningless. But the Soviets would not relent. Because of their steadfast position, Hess, imprisoned under the Four-Power Administration, cannot be officially released. All four governments must give their consent—only the Soviet Union has withheld consent.

In 1967, an organization, "Freedom for Rudolf Hess," was founded in Germany. Its appeal for the release of Hess has been signed by more than 800 people, among them Nobel Prize winners, distinguished statesmen, well-known lawyers, humanitarians, writers and scholars.

The following is but a partial list of those who support "Freedom for Rudolf Hess":

Jean Anouilh, author (Paris); Seften Delmer, publicist (England); Andre Francois-Poncet, former French Ambassador to Germany (Paris); Prof. Dr. Otto Hahn, Nobel Prize winner (since deceased); Dr. Kurt Hiller, author (Germany); Prof. W. Heisenberg, Nobel Prize winner (Germany); Ernest Junger, author (Germany); Bishop D. Dr. Lilje (Germany); Dr. Martin Niemoeller, Lenin Peace Prize winner (Germany); Francis Noel-Baker, Member of Parliament (England); Lord Robertson of Oakridge, House of Lords (England); Lord Russell of Liverpool (England); Lord Sanford, House of Lords (England); Dr. Frank Thiess, author (Germany); A. J. P. Taylor, historian (England); Friedrich Franz von Unruh, author (Germany); Dr. Giselher Wirsing, Editor (Germany); and Bishop of Woolwich (England).

Aside from the 800 people who signed the appeal, the following jurists, who had indicted and sentenced Hess in Nuremberg, have publically called for his release.

Sir Hartley Shawcross, British Chief Prosecutor at the First Nazi War Crimes trial at Nuremberg; the Rt. Hon. Lord Trevetin and Oaksey——former Lord Justice, Lawrence, President of the International Military Tribunal at Nuremberg who pronounced the life sentence against Hess on October 1, 1946.

On January 8, 1968, he wrote to Wolf Ruediger Hess, son of the imprisoned Hess:

"I have on several occasions expressed my opinion that Rudolph Hess has suffered enough and should now be released. I will once more express these feelings to the appropriate authorities and hope very much that it may be of some avail."

Finally, the late American judge at the International Military Tribunal at Nuremberg and former Attorney General of the United States, Francis B. Biddle, also demanded Hess' release.

And it is a matter of public record that the late Sir Winston Churchill long ago felt that the continued imprisonment of Hess served no purpose.

In consideration of all these facts, I wrote, on October 28, 1968, to Soviet Premier Alexei Kosygin, urging him to reconsider his government's steadfast opposition to the release of Rudolf Hess. I suggested that the release of Hess would be an appropriate gesture in 1968, the year designated by the United Nations as "Human Rights Year."

Kosygin's reply finally came in the closing days of February, 1960. It was written by Alexander Evstafiev, Press Counselor of the Soviet Embassy in Washington. His answer, on behalf of Kosygin, ignores all humanitarian considerations and misrepresents the case. The letter states.

"In its statement of December 24, 1964, the Soviet Government pointed out that the FRG (Federal Republic of Germany), being one of the successors of the former Hitler Reich, is legally responsible to punish every war criminal. And nobody can free the FRG from this responsibility. The Nazi criminals who plunged mankind into the catastrophe of World War II and spilled a sea of man's blood must not be given a chance to evade justice."

Mr. Evstafiev's answer is completely meaningless as far as Hess is concerned. He has never been the responsibility of the Bonn Republic. He was, and still is, a Four-Power liability of the United States. Great Britain, France and the Soviet Union.

They alone are responsible for Hess—they alone can free him.

It is time that the Western powers combine their efforts to prevent the Soviets from letting Hess die in Spandau. Prolonged confinement of the 74-year-old Hess is nothing less than medieval torture.

WISTFUL GENERAL WESTMORELAND

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. DERWINSKI. Mr. Speaker, a column by John Chamberlain, a penetrating observer of the Washington scene, appeared in the Chicago's American, Saturday, April 26, editorial page, and I believe it is a very timely commentary on the military history of the Vietnam conflict. It follows:

WISTFUL GENERAL WESTMORELAND

Gen. William S. Westmoreland's report on his four years as United States commander in Viet Nam is, if the published parts are representative, a wistful apologia of a man who had, over the entire period, to repress everything taught him about generalship. We, as a nation, did not allow him to let his victories run; he couldn't follow for the kill across the borders into Cambodia, Laos, and the demilitarized zone; we forbade him to blockade the ports that kept food and armaments flowing to the enemy; we did permit him to bomb certain routes and concentration areas in North Viet Nam and Laos, but always with distinct limitations lest we scare a civilian; and then we wondered why, in the end, he kept asking for more men.

STILL DID WELL

Even tho he was denied the opportunity to use any of the classic arts of generalship. Westmoreland did well. He built up American power on an intensive, inside-the-circle basis to such an extent that he thought only a "suicidal" enemy would try to oust him. But the enemy, at last year's tet, crossed him up by staging an offensive, counting on the local populace to rise to throw out the United States and its supposed "puppet" government. The populace didn't rise [instead, it looked upon the Viet Cong breach of the tet vacation-time truce as a tasteless horror].

When you don't let your generals use their skills, and when you use the draft to raise the soldiers to fight a war under conditions where it would take 50 years for even a genius to win against an enemy who is ready to spend a century or more to reform his lines, you are up against an impossible proposition.

The kids in the colleges, reading the Westmoreland report, aren't going to be edified by the glories of serving one's country with one hand tied behind one's back.

COUNTRY WON'T ACCEPT IT

Nobody can really believe that you can win a war by letting your enemy up off the floor every time you have him down. President Nixon might as well realize it: the country isn't going to continue fighting a war that way.

When the Red Chinese started coming over the Yalu river from Manchuria into North Korea, Gen. Douglas MacArthur asked for permission to bomb the bridges. He was denied that permission.

In an off-the-record interview with Bob Considine, Ike Eisenhower said he wouldn't have asked Washington's permission to go after the Red Chinese in their own sanctuary: He would simply have done it as a military necessity.

President Nixon has beautifully eulogized Gen. Eisenhower. But did he think of the Considine interview when he read the wistful accounting of Gen. Westmoreland's four years in Viet Nam? Westmoreland always had to ask permission, and he never once had permission to outmaneuver his enemy.

HOSPITAL MODERNIZATION AND IMPROVEMENT ACT OF 1969

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. HALPERN. Mr. Speaker, our Nation's hospitals are desperate for help. One third of them have already been judged "intolerably obsolete," while the other two-thirds are struggling to maintain a balance between ballooning costs of medical services and the pressing need for up-to-date education and research facilities.

Even today's prohibitive costs for rooms and services have not been able to stem the tide. And the fact that one-third of our hospitals are already woefully inadequate is only a warning of what will come if we do not take action.

Therefore, I have introduced legislation which is designed to save the Nation's hospitals from further deterioration: The Hospital Modernization and Improvement Act of 1969, a measure which would guarantee up to $400 million in loans for the modernization of hospitals and other health facilities during each of the next 3 years, and which would provide Federal payment of up to 3 percent of the interest charges on these loans.

The estimated cost of the program to the Federal Government in its first year would be $12 million with a maximum cost of $36 million in the third.

Mr. Speaker, this proposal represents a concerted effort to save our Nation's hospitals at a minimum cost to the Federal Government. If we ignore the problem now, we will have it to face next year—only then it will cost more. Hospital modernization costs are rising at a rate of 7 percent per year. Thus, if we postpone acting on this legislation even 1 year, we will need another $719 million to accomplish the same amount of work.

This problem is not new. President Johnson, in a final budget message to the Nation advocated a program of hospital modernization based on loan guarantees and interest subsidies.

At the same time, the 1968 Republican platform pledged support for programs to finance hospital modernization. The bill which I have introduced is in accord with both of these proposals, and is in accord with the needs of our hospitals at this time. I, therefore, urge the Congress to take immediate action.

FOUR-STAR SCAPEGOATS

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. RIVERS. Mr. Speaker, with all the hullabaloo that has been raised recently about the military-industrial complex, I am pleased to call to the attention of the House an editorial that appeared in the

Wall Street Journal on April 24, 1969, entitled "Four-Star Scapegoats."

I commend the Wall Street Journal for pointing out that "there is plenty of room to criticize the generals' incoherent answer to the problems of limited war, but many of the most decisive mistakes were made by civilians," with respect to the war in Vietnam.

I think it is also time that everyone endorse the Wall Street Journal's comment that "for the foreseeable future an effective military force will remain absolutely essential to national survival."

I also commend the last sentence of the editorial which says:

> What gets lost . . . is the first truth about the actual menace of a military-industrial complex—the danger is not that the generals will grab but that the civilians will default.

This applies to civilians in all walks of life:

[From the Wall Street Journal, Apr. 24, 1969]

FOUR-STAR SCAPEGOAT

The "military-industrial complex" has become an increasingly fashionable bogeyman, and indeed the notion is spreading that the generals have created nearly all our national ills by running up defense spending and involving us in Vietnam. These problems are certainly serious, but making the generals scapegoats for them obscures the actual lessons to be learned.

The international climate being what it is, the garrison state remains a real enough long-term danger, though it ought to be plain that at the moment military influence is not burgeoning but plummeting. This long-run danger surely will not be solved by turning military officers into a parish class, as much as that would please those intolerants whose personality clashes with the military one. The danger requires a far more sober diagnosis, and this would find that many of the present complaints should be directed not at the generals but at their civilian superiors.

We tend to agree, for example, with the complaints that the Pentagon budget is swollen. But it tells us nothing to observe that the officers press for more funds for their department; in this they are no different from any bureaucrat anywhere. Indeed, the same people who think the generals malicious for requesting large funds would find it quite remiss if, say, the Secretary of Health, Education and Welfare failed to make similar demands for his concerns.

Choosing among competing budget demands is the responsibility of civilians, in the Pentagon, at the White House and in Congress. Part of the Current problem seems to be that in the ballyhoo about "scientific" management of the Pentagon, the old-fashioned unscientific Budget Bureau review was relaxed. More generally, it needs to be recognized that the problem of fat in the budget is due less to the generals' greed than to a want of competence or will in civilian review.

Much the same thing is true in Vietnam. There is plenty of room to criticize the generals' incoherent answer to the problems of limited war, but many of the most decisive mistakes were made by civilians.

Take the failure to understand the escalation of our commitment implicit in supporting the coup against Ngo Dinh Diem. After we had implicated ourselves in overthrowing the established anti-Communist government, we could not with any grace walk away without a real effort to salvage the resulting chaos. Reasons of both honor and international credibility left us vastly more committed than before, and it was almost solely the work of civilians.

Or take the fateful decision to have both guns and butter, made in 1965 when the U.S. part of the ground fighting started in earnest. It was a civilian—and in no small part political—decision to avoid mobilization, to build the armed forces gradually, to expand the bombing of North Vietnam at a measured rate, to commit the ground units piecemeal. All of this is in direct contradiction to the thrust of military wisdom. And if the generals did favor defeating the Communists, the little public record available also suggests they favored means more commensurate with that goal.

The point is not that the generals necessarily should have been given everything they wanted. The point is that the civilians decided to do the job on the cheap. They would have been wiser to listen when the generals told them what means their goal required, then to face the choice between allocating the necessary means or cutting the goal to fit more modest means. This discord between means and goals is in a phrase the source of our misery in Vietnam, and primary responsibility for it rests not on military shoulders but civilian ones.

Blaming the generals for these problems maligns a dedicated and upstanding group of public servants. More than that, it obscures the actual problem with the military-industrial complex itself. For the real long-term danger is that the garrison state will evolve through precisely the type of failing that led to fat in the budget and trouble in Vietnam.

For the foreseeable future an effective military force will remain absolutely essential to national survival. An effective force depends on generals who think and act like generals. If they worry about funds for defense and Communist advances in Asia, it is because that is what we pay them to worry about.

That the nation needs people to worry about such things certainly does release potentially dangerous forces that need to be controlled. The military's responsibility for controlling them is passive, to avoid political involvement, and our officer corps has a splendid tradition in that regard. The more difficult task of active control is essentially a civilian responsibility, and the modern world makes it a terrible responsibility. But make no mistake, civilian control depends squarely on the will and wisdom of civilian leaders.

This simple but crucial understanding gets lost in the emotional anti-militarism growing increasingly prevalent. What gets lost, that is, is the first truth about the actual menace of a military-industrial complex—the danger is not that the generals will grab but that the civilians will default.

YOUNG GENERATION IN WAR

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. PICKLE. Mr. Speaker, without question, the war in Vietnam has touched a nerve in all Americans. Unfortunately, many of these nerve endings surface in protest marches and antiwar headlines, while the majority of long-suffering Americans go ahead and do the job that must be done.

I, too, am antiwar. Never could I condone the brutality, the horrors, and the cruelties of war. But I am not anti-American. I am not against old-fashioned patriotism. Yet I am saddened that the peaceniks, well intentioned or not, have emerged with such vocal and headline strength. I wager the ideologists and the theorists and the iconoclasts will rue the day that they attempted to divert the United States from our leadership in the free world.

All intellectual reasoning and rationale combined does not equate with the young soldier in the jungle with the hammer cocked for the live round in the chamber of his M–1. The American youngster in the rice paddies and the jungles is the flesh and blood stuff this country is made of. Always it has been and always it will be the ready response of Americans to the call to arms that keeps this Nation strong. In the words of George Washington:

> If we are to secure the peace it must be known at all times that we are ready for war.

Frankly, I am weary of reading about blood baths in filing cabinets, draft escape routes to Canada or Sweden, and bonfires of draft cards. I am tired of the SDS attempts to control our college campus by violence or force. Protest is nothing new; this country was founded on protest. But the headline space does not reflect the true spirit of America and probably never has. Abraham Lincoln once said:

> We live in the midst of alarms; anxiety beclouds the future; we expect some new disaster with each newspaper we read.

Fortunately, a reflective voice is now being heard. Wick Fowler, a veteran Texas newspaperman, is in Vietnam as a war correspondent. Wick is no stranger to wars, past and present. This is his second tour of duty in Vietnam.

Wars consume young men, both soldiers and writers, but Wick Fowler is not a young man. He is a lumbering, overweight, middle-aged journalist who writes from experience and maturity. He is not content to sit in a headquarters war office to receive handouts and bulletins. Wick gets out with the men in the ill-defined lines of battle. He sweats with them from heat and fear.

And he writes his stories of individuals, not massive manuevers. Today, I want to share with you Wick's observations from Duc Pho. He gives a vivid account of how our fighting men react to the stress of battle and propaganda and yet rally from their hidden reservoirs of strength. This article, which appeared recently in the Austin-American, gives us the true perspective on our younger generation:

[From the Austin (Tex.) American, Apr. 22, 1969]

YOUNG GENERATION IN WAR

(By Wick Fowler)

DUC PHO, VIETNAM.—This embattled country has revealed so vividly the real character of the generation of young people which we oldsters feared might someday lead our nation downhill.

Maybe we oldsters should chastise ourselves for some derelictions in maintaining the good qualities of a great nation turned over to us years ago. This oldster has no qualms about the future of our country when it is turned over to the type of youngster fighting in Vietnam for the survival of our generation and those to follow.

The kid over here in the uniform of our country dislikes war even more than the one who escaped to Canada or Sweden to avoid military service. But he demonstrates heroic manliness that brings tears to the eyes of commanders, who can trace their own fighting careers back to World War II. The youngster, usually 18 or 19 years of age, is, in many cases, a high school dropout. In a brief period over here he has grown up matured and is educated to the realistic facts of life and survival.

He can lead his squad with high quality in judgment, courage and ability when the squad leader is knocked out. He braves the worst type of heavy enemy fire to attempt the rescue of those fellow Americans or allies who have been wounded or trapped by the vicious, tricky Communist enemy.

His pay is small by comparison with jobs back home. But he pitches money into a pot gladly for the rebuilding of a school or for an orphanage of young Vietnamese children. He shares his rations with them when he enters a village where the enemy has murdered and terrorized the civilians.

In a field of fire, the wounded call out the word "medic." There is instant response. Take it from a combat platoon leader.

"We were lying flat behind some rocks under heavy fire," he recounted. "Not far away came the call of 'medic.' The kid lying next to me ran toward the voice. He was killed. Another moved over to the area. He made it."

Every commander pays high tribute to the men he commands.

So many voluntarily request extended tours of fighting in Vietnam. They go home for 30 days of leave and then return. Why? They believe in what they are doing, even though most had no idea where Vietnam is located or how our country became committed to its survival from the murderous surge of a Communist ideology dedicated to taking over control of the world.

From a hilltop at this brigade base close to the sea, this reporter can recall clearly the nearby beach where Operation Double Eagle sent thousands of Marines ashore in January 1966. Other military forces fought toward them from the interior to entrap the tricky enemy. Here, they are still fighting an enemy that is dug into hillside bunkers and caves, difficult to reach even when artillery shells and jetted bombs pound the hillside.

Just an hour ago a battalion commander was flying overhead in a helicopter. It banked for a sharp turn. Three ground shots hit the colonel. His battalion quickly heard the sad news and the men he had commanded sought approval of immediate assault of the suspected enemy positions without waiting for big bombs to go in first.

No wonder that a commander's eyes moisten when he talks about the kids fighting over here.

And there is also that sense of humor among the youngsters that relaxed the boys fighting in World War II when tension held the upper hand.

He seeks relaxation. Mail from home, funny cartoons, comics, music, sports, occasional movies and entertainment groups add so much to the passing of time.

One of the men handed this oldster a propaganda pamphlet distributed by North Vietnam. There were quotes from a speech opposing the Vietnam war which they claimed was made by a US senator in 1967. The other side showed a photograph of an antiwar demonstration in a big US city. The purported speech maker was defeated at the polls.

Seldom do you hear the Paris peace talks mentioned. The youngsters know they will be here until their duty tours are ended. They know that occupation will continue, as in Korea.

There is a question. What kind of Texas, or any of the other 49 states, are these young men going to find? Will the anti-war demonstrators have the guts to face them? They do not have the nerve to come over here with their signs and shouts. Will criminals and reckless drivers greet their return?

Also, there are a couple of conscientious objectors serving here as medics, whom this oldster met. They had been taught to believe that learning to use a weapon breeds premeditated murder. They are noncombatants who work under enemy fire and difficult circumstances to help save life and limb.

But they said their views have been changed by what they have experienced and witnessed. One is learning to fire the M-16 rifle. The other said he would do anything he could to keep a soldier from being wounded. He realizes what the Communists would do if they took over the world.

CONGRESSMAN ROSENTHAL DELIVERS ADDRESS BEFORE NATIONAL MASS MERCHANDISING RETAIL FOUNDATION CONVENTION

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. KASTENMEIER. Mr. Speaker, more than ever in our expanding economy the consumer is increasingly faced with more numerous and complex choices as to what to buy. Lacking effective representation within the Federal Government to protect their interests, our Nation's consumers often find themselves in a quandary in determining whether they are getting good value for their money. Earlier this session it was my privilege to cosponsor a bill calling for the establishment of a Department of Consumer Affairs. The sponsor of this laudable and sorely needed piece of legislation was my close friend and colleague, Congressman BEN ROSENTHAL, who has long been a champion of the American consumer.

Mr. Speaker, I request unanimous consent for inclusion in the RECORD of a speech delivered by Congressman ROSENTHAL on consumer issues before a businessmen's convention on April 21. Congressman ROSENTHAL was introduced that day by the former Governor of Massachusetts, Endicott Peabody, whose remarks I also include in the RECORD:

INTRODUCTION BY FORMER GOV. ENDICOTT PEABODY FOR CONGRESSMAN BENJAMIN ROSENTHAL AT THE NATIONAL MASS MERCHANDISING RETAIL FOUNDATION CONVENTION IN THE TRAYMORE HOTEL, ATLANTIC CITY, N.J., APRIL 21, 1969

Ladies and gentlemen, when Ollie Cohen and Murray Candib of King's Department Stores, Inc. asked for my assistance in securing Congressman Rosenthal's presence today, I was more than happy to help bring you the foremost leader in Congress who exemplifies your motto for this convention: "Progress through Dedication to Shopper and Community."

From the beginning of his career in Congress, when as a Congressman from Queens, he served on the Agriculture Committee of the House, his initiative and drive enabled him to use this as a forum, not for higher prices for the farmers, but for lower prices for the consumers. Soon after this, he became a member of the Committee on Government Operations and despite the fact that he was so junior in service, he has become early in his career the Chairman of the Subcommittee on Special Inquiries on Consumer Representation in the Federal Government. He is a member of the National Council on Food Marketing and recently completed a brilliant report on supermarkets.

As the principal sponsor of bills filed this year to create a Department of Consumer Affairs which has been cosponsored by Senator Gaylord Nelson of Wisconsin, Congressman Rosenthal is not only respected by his colleagues but admired as well. He has established a brilliant record in the short space of six years and if his future matches his past, he is going to be a great deal more involved in the roles of our country and in its industries.

Congressman, while we know that you are familiar with your audience, let me introduce them to you. The Mass Merchandising Retail Foundation has a membership of 2,500 discount department store leaders in the country. In a short time, it has blazed a trail of success, unusual even for a country like the United States.

Promoting progress through dedication to shopper and community has resulted in markup reductions of almost fifty percent (50%) with consequent large gain to the consumer. As a result, the industry is credited with annual sales approaching 20 billion dollars in the United States alone where it employs three quarters of a million people serving the consumer. This group of retail leaders is never content to stand still or to rest on its laurels. Through their own initiative and through this foundation, many new techniques and methods are being evolved to meet the dynamics of the new market. They are rendering a service as you are in the Congress of the United States. I am happy to have brought such excellent together in one room.

I proudly present to you your speaker, Congressman Benjamin Rosenthal.

STATEMENT OF CONGRESSMAN BENJAMIN S. ROSENTHAL, OF NEW YORK, BEFORE THE NATIONAL MASS MERCHANDISING CONVENTION, TRAYMORE HOTEL, ATLANTIC CITY, N.J., APRIL 21, 1969

I greatly appreciate this chance to address the Fourth National Convention of the Mass Merchandising Retail Foundation. I am always grateful for the opportunity to talk to responsible businessmen about consumer issues.

Although the Willie Mae Rogers appointment as Special Consultant to the President for Consumer Affairs has provided official Washington with its fair share of laughter, the reasons behind that appointment provide some answers to these important questions: Why has the evolution towards consumer rights been so difficult and painful a process; and why has American business resisted, to the extent it has, legislative reforms so necessary to the establishment of consumer justice in the American marketplace?

Those advisors to President Nixon who recommended Miss Rogers' appointment—many of them ex-businessmen—fell prey to the mistaken belief that what is good for American business is good for the U.S.A. and that a wealthy industrial society is necessarily a great society. The business community frequently refuses to accept its responsibilities to its consumers because it has a misconceived responsibility to its stockholders. The business community cannot dispel the distrust of consumers and their spokesmen in and out of government, because it cannot divest itself of the false logic that, because business depends on consumer acceptance for its survival, all of its actions are necessarily in the consumer's best interest.

What renders this "logic" false, is the incredible effectiveness of motivational research and mass advertising technique in manipulating public tastes; the inability of consumers to make rational judgments in an overwhelmingly complex marketplace; and, most importantly, the fact that competitors are similarly preoccupied with a single-minded concern for profit.

Were General Motor's loyalties with the consumer or the stockholders when it continued to design cars for style and speed and not safety, in the face of 50,000 auto deaths annually on our highways?

Were the loyalties of some of our largest drug companies with their consumers or with their stockholders when they falsified safety data to physicians and to the Food and Drug Administration and insisted on earning unconscionable profits?

Is the loyalty of Greyhound with the consumers or stockholders when it resists the installation of seat-belts in its busses?

Where is the loyalty of our nation's railroads when they deliberately permit the deterioration of passenger service in order to justify to the Interstate Commerce Commission their abandonment of the passenger business?

Where is the loyalty of our biggest food processors when they continue to flaunt the spirit of the Fair Packaging and Labeling Act and when they subtly reduce the net contents of food packages without an accompanying reduction in price?

Where is the loyalty of our supermarket chains and oil companies when they continue to feature games and gimmicks instead of price and quality?

Is the loyalty, finally, of TV and appliance dealers with their customers or with their bank accounts when they sell old "model year" goods and advertise them as "new in cartons"?

And so, quite candidly, while the theme of this convention—"Progress Through Dedication to Shopper and Community" represents an admirable idea, it will most likely be translated by the majority here into a dedicated program of profit boosting with the conscience-salving belief that for every satisfied stockholder there are a thousand satisfied customers. Or, in the language of the program for this convention "Profits . . . Progress . . . Productivity". But the fact is that the consumer interest and the producer interest are not always synonymous. The fact is that the buying habits of the type of satisfied consumer that I envisage, or a Ralph Nader envisages, would not always result in the highest profits for all business ventures. Conversely, increased profits do not necessarily mean satisfied consumers.

The free enterprise system with its give and take in the market place is essentially healthy and constructive. But it sometimes appears to me that businessmen at all levels—from producers to retailers—are involved in a gigantic bait and switch scheme: today's typical consumer is tempted into the marketplace by promises of product perfection. But the system that produces, promotes, sells and services that product can more accurately be characterized by the reality of planned obsolescence and poor quality control; by the fanciful, frivolous or deceptive advertising it permits; by the withholding of unfavorable performance data from the public; by the absence of meaningful and understandable warranties and guarantees; by the promotion of irrelevant product endorsements; by the existence of underpaid and underinformed salesmen on the showroom floor; by the omnipresence of unreliable auto, TV, or appliance repairmen. And so, the great free enterprise promise all too often proves an illusion!

What can we all do, government and industry together, to make the free enterprise system not merely efficient and profitable, but also equitable and just to all those involved in its operation—consumers, workers, and businessmen?

We can begin by debunking some old myths and by reciting some new realities:

Myth Number One is that the American consumer is the best protected and most effectively represented consumer in the world. The reality is that almost every nation in Western Europe administers consumer laws and programs that are far more responsive to consumer needs than those available in the United States. The existence of Cabinet-level Departments of Consumer Affairs, government testing of consumer products, consumer-oriented codes for advertising content, and comprehensive labeling of products are commonplace in the European economic system. None exist here.

Myth Number Two is that the American consumer is the best educated, most sophisticated and informed consumer in the world. The reality is that while many Americans are knowledgeable about purchases in the marketplace, the great proliferation and diversity of products and their increasingly exotic nature, make it almost impossible to identify the "best buy" generally or the most useful purchase for an individual consumer.

Myth Number Three is that the free enterprise system is somehow the private domain of the businessman and, concomitantly, that government should stay out. The reality is that the consumer, along with the producer and the worker, is an indispensable part of the free enterprise triumverate. *All* share its risks and *all* are entitled to its rewards. Government—federal, state, and local—has a responsibility to protect and represent consumers to the same extent and with the same vigor that the interests of commerce and labor are protected.

Would those who oppose a Cabinet-level Department of Consumer Affairs in this country also renounce the Department of Commerce and its representation of American business interests here and abroad? Would those who regard truth-in-lending and packaging, auto safety and other consumer laws, as improper legislative interference, also reject the right of Congress to enact laws erecting trade barriers for the protection of U.S. industries? Would those who would deny the right of the U.S. government to make public the results of its product testing—kindly stop advertising that your products are approved by the government or meet U.S. standards!

Myth Number Four is that U.S. products compete in a highly competitive marketplace and that consumers are thereby shielded from unworthy goods or serices. The reality is that the most meaningful form of competition in our marketplace is not between Ford products and General Motor's products or between Kellogg's products and General Mill's products, but rather, between their advertising agencies. Product competition is not a toe-to-toe confrontation on the merits, performance feature for performance feature, but is too often a contest between competing slogans, endorsements, and advertising mumbo-jumbo. Ask yourself this: What would an oil company rather have—the best gasoline or the exclusive rights to the only service station game on the market?

Myth Number Five may very well be the most cruel and most crucial of all. It is that the only valid consumer protection interest exists in combating the unconscionable door-to-door salesman, the disreputable ghetto merchant, or the fly-by-night home repair operator. The reality, however, as recent disclosures have shown and as I have attempted to demonstrate, is that the plight of the consumer is a 24-hour-a-day, 365 days-a-year phenomenon and involves some of our largest industries and producers.

Not all businessmen, it must be said, ignore their responsibilities to the American consumer. The business community is not a monolith in its relations with the consuming public. Leadership in the struggle for consumer rights will most likely come from business organizations, such as yours, whose members deal directly with the consuming public.

There exists between retailers and consumers an unusual community of interests not found elsewhere in the marketplace. Let me name some of these common interests:

First, the consumers' fight for lower prices from retailers is your fight for lower prices from manufacturers and wholesalers;

Second, the consumers' wish for more understandable, meaningful guarantees and warranties is your wish to avoid liability and blame for defective products that you sell;

Third, the consumers' goal for more information to make better choices is your interest in preventing the return of merchandise by dissatisfied customers.

A plan to overcome this "information gap" is currently being tried on a large scale in Great Britain; and, at my prompting, on a much smaller experimental basis by Federated Department Stores in America. It is the "Tel-Tag" program whereby performance criteria are established for a given consumer product and then different brands of that product are performance tested against those common criteria. Federated Department Stores is now in the process of establishing such performance standards for electric percolators, steam/spray irons, and kitchen blenders.

Apart from the obvious advantages this labeling system will offer to confused shoppers, consider its public relations value to Federated. Or consider the public relations value to the small Chicago supermarket chain that lists the on-the-shelf prices for each of its food products by unit weight, that makes it unnecessary for the consumer to figure out on his feet that the 28 ounce jar of Skippy peanutbutter for 99c is slightly less expensive per ounce than the 18 ounce jar at 67c.

The discount department store industry, because of its direct dealing with consumers, because of its desire to sell good quality products at a reduced price, and because of its basic neutrality regarding which brand is sold, is in a unique position to make a major contribution to business-consumer relations.

Not only can the discount department store operator emulate the example of Federated Stores by making it easier for the customer to know what he is actually buying, you can insist that—

(1) Advertising claims are truthful. Don't sell two pairs of $10 shoes for $15, and call it a "One-Half Price Sale";

(2) You can insist that your service repairmen are scrupulously honest;

(3) You can plainly show on your billing statement the true interest rate on the unpaid balance;

(4) You can identify which of the goods you carry meet Federal flammability or other product labeling standards;

(5) You can put maximum pressure on suppliers to keep their costs and prices down;

(6) You can testify constructively before Congressional Committees which consider consumer legislative proposals;

(7) And, of course, you can refuse to ease up on your store-wide discount after customer loyalty has been established.

But let us not believe that even the most enlightened industry initiatives can ever completely replace constructive governmental consumer programs and activities in Washington. Because the consumer interest, like commerce itself, is frequently interstate in character, it is inevitable that the consumers' fortunes are likely to be affected, for good or for ill, by Federal programs, practices, and procedures. After several years experience on the House Government Operations Committee, and as Chairman of its Special Consumer Inquiry, I am convinced of two things:

First, there is no continuing, even-handed and effective representation of consumers' interest in the councils of government. Spokesmen who are committed exclusively to the consumer interest either don't exist at all or have little control over the decision-making processes of government.

Second, efforts to improve the quality of consumer-protection at the Federal level must be directed, in the main, to structural and organizational deficiencies in the existing consumer-protection apparatus. If a sense of direction is to be brought to the many consumer programs of the government, if meaningful coordination is to be achieved so that program duplications and gaps can be eliminated, a greater degree of central control must be estabilshed.

A better coordinated and more efficent Federal consumer-protection apparatus is not only of importance to consumers—it is important to businessmen as well. Those of you who oppose the creation of a centralized statutory Federal agency for consumers might consider that you will likely have a more objective and balanced hearing before such an agency on matters of interest to you than in an aroused national press or before a Congress reacting hastily to a thalidomide tragedy or a similar industry abuse.

Let me give you some examples:

(1) While it may be impossible for consumers to locate the one correct Federal agency out of the nine that now handle Truth-in-Lending matters, it might be inconvenient or confusing for businessmen as well;

(2) While it may be necessary for consumers to canvass the Commerce Department, the Food and Drug Administration, and the Federal Trade Commission on a fair packaging and labeling problem, businessmen, too, might be caught up in any inconsistent policies;

(3) While the purposes of the Flammable Fabrics Act might be thwarted by the division of responsibility between the Commerce Department, the FTC, and the FDA, it will likely be the business reputation of some manufacturers who will suffer the most;

(4) The Public Health Services' failure to properly implement the Radiation Control Act in the face of recent reports of excessive x-radiation emission of TV sets on Long Island may ultimately pose a greater danger to the sales of color TV sets than to the health of the viewer;

(5) The difficulty experienced by industry in working with one or more of the five federal agencies concerned with consumer problems of the poor certainly works a hardship on the ghetto resident; but it almost certainly will also defeat the theme of this convention—"Dedication to . . . Community".

I am confident that present-day muckrakers—we now call them consumer spokesmen—will live to see their efforts accepted or even praised by the businessmen who today fear legislation which might interfere with their historical laissez faire prerogatives.

What, then, is the future of consumerism? Let me first say that its future is not tied to the fate of any one President or any one political party. The "consumer interest" is not a politician's dream or a man-made phenomenon any more than the "producer interest" is a publicist's dream or a Madison Avenue-made creation. The consumer interest is a real and vital economic force with growing political appeal.

The consumer may not be a king or a queen in the marketplace but he will be heard through other more articulate and more effective spokesmen in the future. For the Upton Sinclairs, the Lincoln Steffans, and other muckrakers of our parents' generation are being replaced by individuals and groups which will match in influence, sophistication and organization the best of American business.

What does all this mean for an organization like yours? I am asking you to join ranks with the consumer movement when you can and oppose them only when you must. If industry delays or thwarts the legitimate rights of consumers, the Federal Government may be forced to act sooner or more drastically. Don't force the consumer to choose between industry and the Federal Government. If you do, both the consumer and industry will lose. Instead, join the consumer in furthering his legitimate goals. He may still go to Washington with his problems, but he will go less frequently and with an improved understanding of your special problems and your good will. The ultimate result will be a better economic system and a better society.

FINANCIAL STATEMENT OF REPRESENTATIVE RICHARD D. McCARTHY

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. McCARTHY. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit for public information the following statement of my personal finances:

THE 1968 FINANCIAL STATEMENT OF REPRESENTATIVE RICHARD D. McCARTHY

As of December 31, 1968, my assets consist mainly of two homes; one in Buffalo and one in Bethesda, Maryland. I estimate my equity in these at $17,500.

My personal property consists of a 1965 Ford automobile, miscellaneous personal property including furniture and clothing with a total value of $13,000. In addition I have cash and other family assets of $9,900.

Aside from mortgage debts on both homes, I have no major outstanding indebtedness. All gifts valued over $8.00 were returned. I have no other business except that of 39th District Representative. During 1968, I took no trips outside the United States at government expense.

My income in 1968 was as follows:

Salary	$30, 000. 00
Rent from home in Buffalo	1, 300. 00
Articles written for publication	500. 00
Total income	31, 800. 00

Itemized listing of expenses incurred in the conduct of Congressional duties which were not paid by the federal government:

Travel:	
To, from, and within the 39th District	$3, 137. 62
Factfinding trip to Europe—airfare and expenses	774. 00
Total	3, 911. 89
Washington office expenses:	
Equipment	498. 24
Recording	534. 62
Tapes	67. 42
Total	1, 100. 28
Subscriptions to newspapers and periodicals	351. 11
Dues	268. 00
Entertainment	849. 68
Miscellaneous (small contributions, flowers, etc.)	77. 48
Total	1, 546. 27
Total expenses	6, 558. 44

No member of my family serves on my paid Congressional staff.

Members of Congress receive annual allowances for stationery, stamps, telephone, telegraph and for their Washington and home offices. They are also reimbursed for one trip to and from their home districts for each month that Congress is in session plus one round trip at the beginning of each session. However, for me, and I assume I am like most members in this respect, the allowances are not sufficient to cover expenses actually incurred.

My 1968 taxes (Federal, State of New York, City of Buffalo, Erie County and Montgomery County, Md.) totaled $5,568.12.

My net 1968 income, after expenses and taxes, on which my wife, five children and myself lived, was $19,673.44.

DECLARATION FOR PEACE IN THE MIDDLE EAST ON OCCASION OF ISRAEL'S 21ST BIRTHDAY

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. CELLER. Mr. Speaker, the following is the text of a declaration for peace in the Middle East signed by 226 Members of Congress on the occasion of Israel's 21st birthday:

DECLARATION FOR PEACE IN THE MIDDLE EAST

On the occasion of Israel's 21st birthday, we offer our congratulations to the people of Israel on their progress; the absorption of more than 1,250,000 refugees and immigrants; the reclamation of the land; the development of their economy; the cultivation of arts and sciences; the revival of culture and civilization; the preservation and strengthening of democratic institutions; their constructive cooperation in the international community.

On this 21st anniversary we express our concern that the people of Israel are still denied their right to peace and that they must carry heavy defense burdens which divert human and material resources from productive pursuits.

We deeply regret that Israel's Arab neighbors, after three futile and costly wars, still refuse to negotiate a final peace settlement with Israel.

We believe that the issues which divide Israel and the Arab states can be resolved in the spirit and service of peace, if the leaders of the Arab states would agree to meet with Israelis in face-to-face negotiations. There is no effective substitute for the procedure. The parties to the conflict must be parties to the settlement. We oppose any attempt by outside powers to impose halfway measures not conducive to a permanent peace.

To ensure direct negotiations and to secure a contractual peace settlement, freely and sincerely signed by the parties themselves, the United States should oppose all pressures upon Israel to withdraw prematurely and unconditionally from any of the territories which Israel now administers.

Achieving peace, Israel and the Arab states will be in a position to settle the problems which confront them. Peace will outlaw belligerence, define final boundaries, end boycotts and blockades, curb terrorism, promote disarmament, facilitate refugee resettlement, ensure freedom of navigation through international waterways, and promote economic co-operation in the interest of all people.

The U.N. cease fire should be obeyed and respected by all nations. The Arab states have an obligation to curb terrorism and to end their attacks on Israel civilians and settlements.

We deplore one-sided U.N. resolutions which ignore Arab violations of the cease fire and which censure Israel's reply and counteraction. Resolutions which condemn those who want peace and which shield those who wage war are a travesty of the U.N. charter and a blow to peace.

The United States should make it clear to all governments in the Near East that we do not condone a state of war, that we persist in the search for a negotiated and contractual peace, as a major goal of American policy.

Gordon Allott of Colorado; Birch Bayh of Indiana; Wallace F. Bennett of Utah; Alan Bible of Nevada; Edward W. Brooke of Massachusetts; Quentin N. Burdick of North Dakota; Robert C. Byrd of West Virginia; Clifford P. Case of New Jersey; Marlow W. Cook of Kentucky; Norris Cotton of New Hampshire; Alan Cranston of California; Barry L. Goldwater of Arizona; Charles E. Goodell of New York; Albert Gore of Tennessee; Edward J. Gurney of Florida; Fred R. Harris of Oklahoma; Philip A. Hart of Michigan; Vance Hartke of Indiana; Spessard L. Holland of Florida; Henry M. Jackson of Washington; Jacob K. Javits of New York; Edward M. Kennedy of Massachusetts; Warren G. Magnuson of Washington; Charles McC. Mathias of Maryland.

Gale W. McGee of Wyoming; George McGovern of South Dakota; Thomas J. McIntyre of New Hampshire; Lee Metcalf of Montana; Jack Miller of Iowa; Walter F. Mondale of Minnesota; Joseph M. Montoya of New Mexico; Frank E. Moss of Utah; George Murphy of California; Edmund S. Muskie of Maine; Gaylord Nelson of Wisconsin; John O. Pastore of Rhode Island; Claiborne Pell of Rhode Island; Charles H. Percy of Illinois; William Proxmire of Wisconsin; Abraham Ribicoff of Connecticut; William B. Saxbe of Ohio; Richard S. Schweiker of Pennsylvania; Hugh Scott of Pennsylvania; Theodore F. Stevens of Alaska; Joseph D. Tydings of Maryland; Harrison A. Williams, Jr., of New Jersey; Ralph Yarborough of Texas; Stephen M. Young of Ohio; signatories of Members of the U.S. Senate.

Watkins M. Abbitt of Virginia; Brock Adams of Washington; Joseph P. Addabbo of New York; Carl Albert of Oklahoma; Bill Alexander of Arkansas; Glenn M. Anderson of California; Frank Annunzio of Illinois; Thomas L. Ashley of Ohio; William H. Ayres of Ohio; William A. Barrett of Pennsylvania; J. Glenn Beall, Jr., of Maryland; Mario Biaggi of New York; Edward G. Biester, Jr., of Pennsylvania; Jonathan B. Bingham of New York; Benjamin B. Blackburn of Georgia; Ray Blanton of Tennessee; John A. Blatnik of Minnesota; Edward P. Boland of Massachusetts; John Brademas of Indiana; Frank J. Brasco of New York; W. E. (Bill) Brock of Tennessee; William S. Broomfield of Michigan; Clarence J. Brown, Jr., of Ohio; Garry Brown of Michigan; Joel T. Broyhill of Virginia; John Buchanan of Alabama; James A. Burke of Massachusetts; Phillip Burton of California; James A. Byrne of Pennsylvania.

Hugh L. Carey of New York; Elford Cederberg of Michigan; Emanuel Celler of New York; Frank M. Clark of Pennsylvania; Del Clawson of California; Jeffery Cohelan of California; Harold R. Collier of Illinois; Barber B. Conable, Jr., of New York, Silvio O. Conte of Massachusetts; Robert J. Corbett of Pennsylvania; James C. Corman of California; R. Lawrence Coughlin of Pennsylvania, Wm. C. Cramer of Florida; Glenn Cunningham of Nebraska; Emilio Q. Daddario of Connecticut; Dominick V. Daniels of New Jersey; James J. Delaney of New York; John H. Dent of Pennsylvania, Samuel L. Devine of Ohio; Charles C. Diggs, Jr., of Michigan; W. J. Bryan Dorn of South Carolina; Thaddeus J. Dulski of New York; Florence P. Dwyer of New Jersey; Don Edwards of California; Joshua Eilberg of Pennsylvania; Frank E. Evans of Colorado.

George H. Fallon of Maryland; Leonard Farbstein of New York; Dante B. Fascell of Florida; Michael A. Feighan of Ohio; Hamilton Fish, Jr., of New York; O. C. Fisher of Texas; Daniel J. Flood of Pennsylvania; Gerald R. Ford of Michigan; Donald M. Fraser of Minnesota; Samuel N. Friedel of Maryland; James F. Fulton of Pennsylvania; Richard Fulton of Tennessee; Cornelius E. Gallagher of New Jersey; Edward A. Garmatz of Maryland; Joseph M. Gaydos of Pennsylvania; Tom S. Gettys of South Carolina; Robert N. Giaimo of Connecticut; Sam Gibbons of Florida; Jacob H. Gilbert of New York; Henry B. Gonzalez of Texas; Kenneth J. Gray of Illinois; William J. Green of Pennsylvania; Martha W. Griffiths of Michigan; Gilbert Gude of Maryland.

Seymour Halpern of New York; James J. Hanley of New York; Richard T. Hanna of California; Julia Butler Hansen of Washington; James Harvey of Michigan; Wayne L. Hays of Ohio; Margaret M. Heckler of Massachusetts; Henry Helstoski of New Jersey; Chet Holifield of California; Frank J. Horton of New York; James J. Howard of New Jersey; William L. Hungate of Missouri; Edward Hutchinson of Michigan; Charles S. Joelson of New Jersey; Robert W. Kastenmeier of Wisconsin; Edward I. Koch of New York; Peter N. Kyros of Maine; Delbert L. Latta of Ohio; Clarence D. Long of Maryland; Allard K. Lowenstein of New York; Donald E. Lukens of Ohio.

Richard D. McCarthy of New York; Robert McClory of Illinios; John W. McCormack of Massachusetts; Joseph M. McDade of Pennsylvania; John J. McFall of California; Martin B. McKneally of New York; Torbert H. Macdonald of Massachusetts; Clark MacGregor of Minnesota; James R. Mann of South Carolina; Thomas J. Meskill of Connecticut; Abner J. Mikva of Illinois: George P. Miller of California; Joseph G. Minish of New Jersey; Patsy T. Mink of Hawaii; William E. Minshall of Ohio; Chester L. Mize of Kansas; William S. Moorhead of Pennsylvania; F. Bradford Morse of Massachusetts; Rogers C. B. Morton of Maryland; John E. Moss of California.

Robert N. C. Nix of Pennsylvania; Thomas P. O'Neill, Jr., of Massachusetts; Richard L. Ottinger, of New York; Edward J. Patten, of New Jersey; Thomas M. Pelly, of Washington, Claude Pepper, of Florida; Jerry L. Pettis, of California; J. J. Pickle, of Texas; Alexander Pirnie, of New York; Bertram L. Podell, of New York; Melvin Price, of Illinois; Roman C. Pucinski, of Illinois; Tom Railsback, of Illinois; Thomas M. Rees, of California; Henry S. Reuss, of Wisconsin; Howard W. Robison, of New York; Peter W. Rodino, Jr., of New Jersey; Byron G. Rogers, of Colorado; Paul G. Rogers, of Florida; Daniel J. Ronan, of Illinois; Fred B. Rooney, of Pennsylvania; John J. Rooney, of New York; Benjamin S. Rosenthal, of New York; Edward R. Roybal, of California; William F. Ryan, of New York; Fernand St Germain, of Rhode Island; William L. St. Onge, of Connecticut; James H. Scheuer, of New York; Garner E. Shriver, of Kansas; B. F. Sisk, of California; Henry P. Smith III, of New York; J. William Stanton, of Ohio; Sam Steiger, of Arizona; Robert G. Stephens, Jr., of Georgia; Louis Stokes, of Ohio; Samuel S. Stratton, of New York; Leonor K. Sullivan, of Missouri.

Robert Taft, Jr., of Ohio; Fletcher Thompson of Georgia; John Tunney of California; Morris K. Udall of Arizona; James B. Utt, of California; Lionel Van Deerlin, of California; Charles A. Vanik of Ohio; Joseph P. Vigorito of Pennsylvania; Jerome R. Waldie of California; G. Robert Watkins of Pennsylvania.; John C. Watts of Kentucky; Charles W. Whalen, Jr., of Ohio; William B. Widnall of New Jersey; Lawrence G. Williams of Pennsylvania; Bob Wilson of California; Lester L. Wolff of New York; Chalmers P. Wylie of Ohio; Sidney R. Yates of Illinois; Gus Yatron of Pennsylvania; Clement J. Zablocki of Wisconsin; signatories of Members of the U.S. House of Representatives.

DON'T LOOK NOW, BUT—

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. ASHBROOK. Mr. Speaker, at times in the past one felt like a voice in the wilderness when criticizing the Federal Government for its vast spending programs, usurpation of State, local, and individual functions, informational blackouts, to name a few issues. Consequently, when members of the opposition party or ideological opposites echo some of the themes, it is a bit satisfying, to say the least. As author John D. Lofton points out in the Periodical Review of March 26, 1969, a trio of prominent Democrats have recently come forth "with some amazingly candid comments, admissions and predictions," taking to task the Democrat Party. Unfortunately, according to Mr. Lofton, the root cause was not discussed: "the bankruptcy of modern liberalism as manifested in our two-party system by the Democrats."

The above-mentioned article by John D. Lofton entitled "D - - - - Those Democrats" appearing in the March 26 issue of Periodical Review follows:

D - - - - Those Democrats: A Biased Look at Liberal Articles

(By John D. Lofton, Jr.)

In a recent trilogy of articles appearing almost simultaneously in three different Liberal magazines, a trio of prominent Democrats have taken an unusually introspective look at their party and come forth with some amazingly candid comments, admissions and predictions.

Writing in "The Nation's" magazine, former speaker of the House of the California State Legislature Jesse (Big Daddy) Unruh, has examined the much-discussed old Democratic coalition and found it to be on its deathbed.

"The old, dependable power blocs are deteriorating, and they are not being replaced," laments Unruh.

"This process of deterioration has been going on for many years and has been ignored by Democrats. Now we have reached the point where Richard Daley cannot deliver Illinois, and Texas as the only Southern state to vote Democratic. . . . "It is not so much that the New Deal coalition has left the Democratic Party as the goals of the Democratic Party have changed in response—if in sluggish response—to the changing needs of society, and the blocs in the old coalition do not share these new goals."

Unruh noted that long Democratic incumbencies in many statehouses and in Washington, and an erroneous belief that, come what may, certain large groups, of citizens will support Democrats anyway, have led to a breakdown of communication with the voters.

"But American voters in the mass have demonstrated a growing ability to split their tickets with great sophistication, especially when offices at stake have high visibility," he said, "party loyalty cannot sustain the Democrats over the long haul; we shall have to start explaning what we advocate and why."

Sic transit gloria mundi.

Unruh also criticized the Johnson-Humphrey Administration in an area in which he has special knowledge: Federal-State relations. Viewed from the state level, he said, the great failing of this Administration was its Big Government approach to the problems. "Apparently in its continuing fascination with the New Deal, the Administration insisted upon the central governments superior ability to formulate and administer programs."

This failure to allocate control for maximum effect will loom large in the next few years. Unruh predicts.

Lastly, Unruh spoke openly on a subject of hyper sensitivity to Democrats everywhere: The Credibility Gap.

"The Democratic Party must commit itself to complete honesty, both in the formulation and execution of policy and its day-today functioning as a political apparatus . . . We must start by telling the truth during election periods."

Writing in this same vein in an article in "The Atlantic" magazine, former White House Press Secretary, Bill Moyers, very perceptively observed that while Hubert Humphrey's "bucket pail program" stirred the old depression-recession fears for one more hurrah, this type of appeal is one that probably cannot be warmed over again in 1972.

"Old coalition voters, however, will in themselves not be enough. The deep South is lost, possibly for good. Older factions are dribbling off. The farmers who nudged Truman to victory in 1948 went for Nixon in 1968 . . . Younger union members cannot be taken for granted," he said.

Moyers also took issue with the often advanced argument that the ultimate salvation of the Democratic Party lies with the emergence of a new upper middle class.

"Consider youth," he writes. "Voters under 25 still fall short of the more than 19 million registered Americans who are 65 and over . . . For all the sound and fury from the Left in early 1968, Nixon and Wallace took more than half of the under-30 vote in November.

"The affluent and college educated have exceptional voter turnout records, but this is a mixed blessing for Democrats. It may prove just a Liberal conceit that their numbers inevitably swell as education levels rise; last year Nixon attracted 54 percent of the college educated."

Then in a remarkable moment of candor, Moyers conceded the truth of candidate Nixon's remarks last year that the Democrats invariably preach more than they can practice.

"Liberals tend to be apocalyptic at heart and in speech," he admitted, "and Richard Nixon was justified in accusing Demorcats of promising far more than they could produce in social welfare."

In a touching little aside, Moyers related just how bad things have gotten by telling how even his own father last year seriously considered defecting to the enemy.

"And so my own father . . . felt constrained to explain in apologetic tones to me why he was distressingly tempted to vote Republican: 'I can't vote for Wallace because he's a hater, but my own party doesn't seem to understand how to keep the country from falling apart, or that that is what some of the people want to happen.'

"We lost millions like him last year," says Moyers, "who felt, not without some cause, that Democratic compassion for the underdog . . . has in latter days evoked a bewildered tolerance of extremism."

Democrat number three to weigh in with his assessment, is Gus Tyler, vice president of the International Ladies Garment Workers Union (ILGWU). Tyler, writing in the "New Leader" magazine, believes that despite the GOP's being in control of the White House and thus historically at a disadvantage as far as off-year election gains are concerned, there is still a good chance of Republican advances in 1970.

"In the marginal districts (where House members won by less than 10 in 1968) the GOP holds 28 seats, the Democrats 41, leaving the Democrats more exposed in hotly contested areas," says Tyler. "Only 14 percent of the GOP delegation is marginal, while about 20 percent of the Democratic delegation is in the risk zone."

Tyler feels that a Republican victory in 1970 would be more than a refutation of a political theory. It would prove that the American people did not fail the Democrats in 1968 out of pique or confusion, but rejected the party out of deep-seated anger.

"Such a public demonstration," Tyler concludes, "would strongly suggest that we are on the threshold of a Nixon era."

Now I happen to believe that the most interesting and salient thing about these articles is not that we see the spectacle of Democrats criticizing Democrats but rather that in all the thousands of words of criticism none of the three address themselves to the principal reason for the dissolution of the old Democratic coalition: the bankruptcy of modern Liberalism as manifested in our two party system by the Democrats.

News commentator David Brinkley put it best last year when he told a Johns Hopkins University audience that a swing to Conservatism was inevitable because Liberalism had abandoned its basic princple: "to keep the people free from a domineering, hard-nosed government always pushing us around."

The two mainstays of the Liberal movement, labor and the Federal government, Brinkley charged, have become arrogant, self-serving and forgetful of the people it had been designed to serve.

In short, he said, "Liberals are losers."

THE UNO PEACE ARMY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1969

Mr. RARICK. Mr. Speaker, a renewed move for an international military force to be commanded by the UNO—subject, of course, to a Russian veto—has been reinstituted by a panel of some 26 Americans including Charles W. Yost, present U.S. chief delegate to the UNO. All the more reason for adoption of my bill, House Resolution 169.

Under unanimous consent I submit a U.N. special report from the Sunday Star of April 27 and the text of House Resolution 169 for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Washington (D.C.) Sunday Star, Apr. 27, 1969]

PANEL OF U.S. EXPERTS REVIVES IDEA OF U.N. PEACE ARMY

(By William R. Frye)

UNITED NATIONS, N.Y.—Is the prospect of a U.N. army to keep the peace really dead?

A panel of 26 Americans headed by Yale President Kingman Brewster Jr., does not think so. Even the Soviet Union might be persuaded a U.N. army would be in its interest, the experts believe.

The panel's reasoning was contained in a 55-page report issued today by the United Nations Association of the United States. The report is the result of nearly a year's study.

Charles W. Yost, now chief U.S. delegate to the United Nations, was on the panel until he was assigned to his present post.

DANGEROUS DECADE SEEN

The group starts from the premise that the decade of the 1970s will be so explosively dangerous, and that the prospect of direct U.S. involvement in many of the likely wars will be so distasteful ("no more Vietnam," in their words) that almost any reasonable price should be paid for an alternative U.N. authority to keep the peace.

The price the panel suggests Washington pay, in terms of concessions to the Soviet Union, is large. It consists of two essential parts:

1. Agreement to Russia's basic demand that U.N. peacekeeping efforts be placed under the Security Council veto.

The panel hedges a bit on this, proposing that the option of relying on the veto-free General Assembly be kept open (and saying Russia might be glad of this opportunity, too, if Red China were to get veto power).

The group similarly would hedge by keeping appropriations power veto-free and by leaving executive command in the hands of the secretary general.

But for all other essential purposes, and especially for the purpose of deciding when to dispatch a U.N. army, the five great powers would be given control.

This, the panel argues, would not necessarily be a disadvantage, since there could be times when the United States would wish to block U.N. action.

DUES ARREARS CITED

2. Willingness by the United States to help pay off Soviet and French dues arrears for past peace armies. The panel suggests that once Moscow and Paris were to cough up two-thirds of the money they owe, Washington put in the other third.

This would be a hard pill for many Americans to swallow, but the panel says in effect that it is the only way the United Nations will ever get an army.

Much of this program would have the effect of ratifying and rendering irreversible the Soviet victory of 1964–65 in the so-called "Article 19 crisis," the struggle in which Russia and France successfully fought off demands that they help pay for U.N. peace armies of which they disapproved.

They would never again be asked to do so. But the panel said it could envisage circumstances in which Russia, as well as the West, might be glad to have a U.N. army available.

There would be Communist troops available, among others in the proposed 20,000 to 25,000-man army (plus 15,000 reserves).

These troops would not come from any of the great powers; rather they would be drawn from medium-sized countries, of which more than 30 already have had experience in serving in U.N. forces.

Private soundings taken with Soviet diplomats are known to have elicited indications of affirmative interest in this kind of project.

Indeed, the Russians have said publicly that they are willing to revive negotiations, dormant since 1947, for a U.N. army under Article 43 of the Charter—which would put it under the veto.

Among the group which made the study, in addition to Brewster and Yost, were Gen. Matthew B. Ridgway, former NATO and Korea commander; Cyrus R. Vance, Vietnam, and Cyprus peace negotiator, and Ernest A. Gross, former deputy U.S. delegate to the United Nations.

H. RES. 169

(Mr. RARICK submitted the following resolution; which was referred to the Committee on Foreign Affairs)

Resolved, That it is the sense of the House of Representatives that, under any circumstances which may arise in the future pertaining to situations in which the United States is not already involved, the commitment of the Armed Forces of the United States to hostilities on foreign territory for any purpose other than to repel an attack on the United States or to protect United States citizens or property properly will result from a decision made in accordance with constitutional processes, which in addition to appropriate executive action, require affirmative action by Congress specially intended to give rise to such commitment.

SENATE—*Tuesday, April 29, 1969*

The Senate met at 12 o'clock noon, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

God of our fathers, and our God, whose mercies are new every morning, impart to Thy servants who labor in this house the grace of the One who said, "Whoever would be greatest among you, let him be the servant of all."

Be with all the people, but especially wilt Thou attend the youth of this land that as they pursue new ways they may be mindful of their heritage and seek to fulfill all worthy aims under Thy sovereignty, in the spirit of ordered freedom, ever respectful of their fellow man and of his property. Graciously attend the youth of our Nation in communities of learning, on missions of mercy, on errands of peaceful service abroad, and in the Armed Forces, guarding them in moments of temptation and strengthening them in hours of peril, that they may honor Thee in all their ways and ever advance Thy kingdom.

In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, April 25, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORT ON THE ADMINISTRATION OF THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966—MESSAGE RECEIVED FROM THE PRESIDENT DURING ADJOURNMENT (H. DOC. NO. 91–110)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, received on April 28, 1969, under the authority of the Senate of April 25, 1969, which was referred to the Committee on Commerce:

To the Congress of the United States:

Pursuant to the provisions of section 120 of the National Traffic and Motor Vehicle Safety Act of 1966, I am transmitting herewith for the information of the Congress the Second Annual Report on the administration of the Act.

The report covers the period January 1 through December 31, 1968.

RICHARD NIXON.

THE WHITE HOUSE, *April 28, 1969.*

REPORT ON THE ADMINISTRATION OF THE HIGHWAY SAFETY ACT OF 1966—MESSAGE RECEIVED FROM THE PRESIDENT DURING ADJOURNMENT (H. DOC. NO. 91–109)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, received on April 28, 1969, under the authority of the Senate of April 25, 1969, which was referred to the Committee on Public Works:

To the Congress of the United States:

Pursuant to the provisions of section 202 of the Highway Safety Act of 1966, I am transmitting herewith for the information of the Congress the Second Annual Report on the administration of the Act.

The report covers the period January 1 through December 31, 1968.

RICHARD NIXON.

THE WHITE HOUSE, *April 28, 1969.*

PROPOSED CHANGES IN DISTRICT OF COLUMBIA GOVERNMENT—MESSAGE RECEIVED FROM THE PRESIDENT DURING ADJOURNMENT (H. DOC. NO. 91–108)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, received on April 28, 1969, under the authority of the Senate of April 25, 1969, which was referred to the Committee on the District of Columbia:

To the Congress of the United States:

Carved out of swampland at our country's birth, the Nation's Capital city now sets a new test of national purpose. This was a city that men dared to plan—and build by plan—laying out avenues and monuments and housing in accordance with a common rational scheme. Now we are challenged once again to shape our environment: to renew our city by rational foresight and planning, rather than leaving it to grow swamp-like without design.

At issue is whether the city will be enabled to take hold of its future: whether its institutions will be reformed so that its government can truly represent its citizens and act upon their needs.

Good government, in the case of a city, must be local government. The Federal Government has a special responsibility for the District of Columbia. But it also bears toward the District the same responsibility it bears toward all other cities: to help local government work better, and to attempt to supplement local resources for programs that city officials judge most urgent.

My aim is to increase the responsibility and efficiency of the District of Columbia's new government, which has performed so ably during its first perilous years. Early in this Administration, we recommended proposals that would increase the effectiveness of local law enforcement and provide the resources needed by local officials to begin revitalizing the areas damaged during the civil disturbance. Those proposals, however, cover only a part of the program which will be essential for the District Government to respond to the wishes of its people.

I now present the second part of this program, worked out in close consultation with the District Government, and based upon the needs articulated by the Mayor and the City Council.

This program will provide:

—An orderly mechanism for achieving self-government in the District of Columbia.

—Representation in Congress.

—Added municipal authority for the City Council and the Mayor.

—Additional top management positions to bring new talents and leadership into the District Government.

—A secure and equitable source of Federal funds for the District's budget.

—An expanded rapid rail transit system, linking the diverse segments of our Capital's metropolitan region.

The Federal Government bears a major responsibility for the welfare of our Capital's citizens in general. It owns much of the District's land and employs many of its citizens. It depends on the services of local government. The condition of our Capital city is a sign of the condition of our nation—and is certainly taken as such by visitors, from all the states of the Union, and from around the globe.

However, this Federal responsibility does not require Federal rule. Besides the official Washington of monuments and offices, there is the Washington of 850,000 citizens with all the hopes and expectations of the people of any major city, striving and sacrificing for a better life—the eighth largest among the cities

SELF-GOVERNMENT

Full citizenship through local self-government must be given to the people of this city. The District Government cannot be truly responsible until it is made responsible to those who live under its rule. The District's citizens should not be expected to pay taxes for a government which they have no part in choosing—or to bear the full burdens of citizenship without the full rights of citizenship.

I therefore ask Congress to create a Commission on Self-Government for the District of Columbia, to be charged with submitting to Congress and the President a proposal for establishing meaningful self-government in the District.

In order for any government to be accountable to the people, responsibilities must be clearly pinpointed, and officials must have the powers they need to carry out their responsibilities. The Commission would recommend how best to augment and allocate the legislative and executive authorities with respect to governing the city.

The members of this Commission would be partly appointed by the President, partly designated by the Congress, and partly chosen in a city-wide election by the citizens of the District. They would be given an adequate but strictly defined time period to formulate their plan. I would hope that the Commission would be established promptly, so that its report could be submitted to Congress and the President in time for the 1970 legislative session. With adequate funding, they would be able to draw on the wisdom of consultants throughout the country—men who know firsthand the art of the possible, as well as those who study government—in addition to their own staff.

The Commission members must give thorough consideration to the many alternative plans for self-government which have been presented over the years. But they must also make use of new knowledge we have gained about the problems of existing local governments around the country—in finance, management, urban development, citizen participation and many other areas. They must seek the sentiment of the District's citizens from the earliest stages of their work.

There also is a Federal interest that must be respected. The normal functions of the Federal agencies must be guaranteed and their vital operations protected. There must be continued Federal jurisdiction over public buildings and monuments and assurance of well-being for the men and women who work in them or come to visit. The rights of the national government must be protected at the same time as the rights of the city's residents are secured. There must be respect for the responsibilities with regard to the District which the Constitution places in the Congress.

To establish a new government in so diverse and active a city as the District is certainly no easy task. There are dangers in setting up new governments, as well as opportunities. Congress has been rightly concerned that the plan for self-government must insure responsible elections, effective executive leadership, protection of individual liberty, and safeguards for District of Columbia employees. Self-government must be extended in a timely and orderly manner.

It is especially important that the Commission go beyond the issue of self-government as such, and concern itself with the effective functioning of government in the District of Columbia. Under the existing government structure the City Council finds itself without the power to deal with many crucial problems because of the conflicting and divided authorities that now reside in independent agencies.

But there is no cause for delay: Self-government has remained an unfulfilled promise for far too long. It has been energetically supported by the past four Presidents—Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, and Lyndon B. Johnson. The Senate approved measures to provide it during the 81st, 82nd, 84th, and 86th Congresses. We owe the present lack of local elections to the Reconstruction period, when Congress rescued the District from bankruptcy but suspended the voting franchise. Congress established the Commission form of government in 1874 as a temporary "receivership," but the Commissioners' government persisted for over 90 years—and today, even after reorganization in 1967, the District remains under Federal control.

The history of failure for self-government proposals shows the need for a new plan strong enough to stand up against the old questions or criticisms. Myriad different plans have been offered—and will be offered again this year. But each will have its own doubters as well as its supporters. A Commission must examine all of them, combining old and new ideas in a proposal that will at last win the broad-based respect necessary for final acceptance, and that will carry the authority of a disinterested group of men whose vocation is government—jurists, political leaders and scholars, as well as other citizens, investing the wisdom of their life's work in a truly new government.

Recognizing both the solemn right of the District's citizens to self-government and the Federal interest, I ask Congress to act promptly on proposed legislation to establish a Commission on Self Government for the District of Columbia, which will be transmitted shortly.

CONGRESSIONAL REPRESENTATION

I also urge Congress to grant voting representation in Congress to the District of Columbia. It should offend the democratic senses of this Nation that the 850,000 citizens of its Capital, comprising a population larger than 11 of its States, have no voice in the Congress.

I urge that Congress approve, and the States ratify, an amendment to the Constitution granting to the District at least one representative in the House of Representatives, and such additional representatives in the House as the Congress shall approve, and to provide for the possibility of two Senators.

Until such an amendment is approved by Congress and ratified by the States, *I recommend that Congress enact legislation to provide for a non-voting House delegate from the District.*

STRENGTHENING THE CITY COUNCIL AND MAYOR

While working for self government and Congressional Representation for the future, I recommend that Congress take certain measures this session to strengthen the present District Government, in both authority and efficiency.

The Reorganization Plan which established the present government left to Congress many mundane municipal functions which are burdensome chores to it but important functions for good local government. At present, Congress must allot a portion of its legislative calendar to setting ordinances for the District of Columbia, in effect performing the duties of a local City Council for the Capital. It thus deals with matters which are of little or no importance to the nation as a whole—the setting of a fee, for example, to redeem a dog from the city pound. The concerns of the District are frequently shunted aside to allow for higher-priority legislative business. "No policy can be worse than to mingle great and small concerns," argued Augustus Woodward, one of the founders of our city, when Congress considered establishing a territorial form of government in 1800. "The latter become absorbed in the former; are neglected and forgotten."

Legislation will be proposed to transfer a number of specific authorities to the District Government—including authority to change various fees for user charges now fixed by statute, waive license fees for new businesses, for persons whose businesses have been burned out in a civil disturbance, and modernize the licensing of various businesses, occupations, and professions.

In addition, I recommend that the Mayor be given certain local responsibilities now exercised by Federal departments or agencies. Reorganization plans will be submitted in the coming weeks to transfer local functions now operated by the Federal Government—and frequently paid for by the District—to the Executive Branch of the District Government. Local services should be operated by local government. Such responsibilities are only an extra burden for the Federal departments, which should rightly devote their energies to the welfare of the entire Nation.

I will also submit other reorganization plans to transfer certain independent or quasi-independent District agencies to the Mayor's jurisdiction. These actions will strengthen the executive direction of the City's administration and complement the continuing reorganization and strengthening of the District's administrative structure.

Granting new authority to the Mayor and City Council would in no way prejudice the ultimate form or degree of Self Government. It would provide them with powers which any good local government, however chosen, should exercise. By initiating this process now, we thus build the strength of local institutions even as we make them more responsible, formally, to their citizens.

MORE HIGH LEVEL CIVIL SERVICE

Good government is the product of able and dedicated people working together. The District Government needs the very best urban managers and experts this Nation has to direct the Capital's growth and apply its resources, and it must be able to attract such public servants at realistic salary rates.

Adding to the number of top management positions is vital to the effective carrying out of District Government reorganization—the creation of new departments recently announced by the Mayor, and other steps planned for the future. Such reorganization, streamlining the chain of command, is one of the most promising achievements of the Mayor's first years.

Accordingly, I urge Congress to enact legislation to increase the number of supergrade positions available to the District Government.

THE FEDERAL PAYMENT

The District of Columbia cannot achieve strong and efficient government unless it has ample and dependable sources of financing. Sound financing can be achieved only if the Federal Government pays its appropriate share.

I therefore recommend that the Congress authorize a Federal payment formula, fixing the Federal contribution at 30 percent of local tax and other general fund revenues.

This formula would equitably reflect the Federal interest in the District of Columbia at this time with respect to:

- —The 217,000 Federal employees who work in the District, about one-third of the local work force.
- —The more than 10 million Americans who visit their Nation's Capital each year.
- —The embassies and nationals of the foreign governments.
- —The land and buildings owned by the Federal Government which cannot be taxed but comprise more than 40 percent of the District's land value.

Enactment of a formula approach would be a significant step toward effective government in the District. It would tie the level of Federal aid to the burden of local taxes on the District's citizens. It would also provide the District with a predictable estimate for use in the annual budget process, thus allowing it to plan its expenditures more accurately and imaginatively for the growing needs of its population. A similar formula, dealing with District borrowing authorization, was enacted by the Congress more than a year ago—and has already proven its worth in improved budgetary planning.

The proposed Federal payment formula would not involve an automatic expenditure of Federal funds. The Federal payment would still have to be appropriated by Congress.

By authorizing the Federal payment at 30 percent of all District general fund revenues, the Congress would allow a payment of $120 million in fiscal 1970, an increase of $30 million above the present fixed authorization. This payment is incorporated in the District's 1970 budget request.

BALANCED TRANSPORTATION SYSTEM

The National Capital needs and deserves a mass transit system that is truly metropolitan, unifying the central city with the surrounding suburbs. As a part of its responsibility for the National Capital Region, the Federal Government should support deliberate action, based upon effective planning, to meet the future transportation needs of the Region. The surrounding areas in Maryland and Virginia, as Congress rightly recognized, include the most rapidly growing areas of population and job opportunities, potentially of rich benefit to the inner city.

Mass transit must be part of a balanced transportation network. A subway will not relieve local governments of the duty to modernize and improve their highway systems and other forms of transportation, so that all citizens have an adequate choice as to how they travel. Clearly, the impasse that has arisen between proponents of road and rail transportation in the Washington metropolitan area has contributed little to the progress of either. There are, however, hopeful signs that a fair and effective settlement of these issues will be reached in the near future. It is in the interest of all those involved—central city dwellers, suburbanites, shoppers, employees, and visitors alike—that this be done.

The Washington Metropolitan Area Transit Authority, in consultation with the District Government and other local jurisdictions, has prepared legislation which would extend the presently authorized 25-mile rapid rail transit system to a 97-mile regional system. The expanded system would provide rapid transit between the downtown and outlying areas. It would facilitate the free flow of resources and labor, and would benefit all eight jurisdictions involved in its planning and approval.

The proposed legislation fulfills the Congressional mandate in a 1966 Act, which directed the Washington Metropolitan Area Transportation Authority to plan, develop, finance and provide for the operation of a full regional rapid rail system for the National Capital area.

The 97-mile system would relieve downtown congestion; increase employment; make educational, cultural and recreational facilities more accessible; reduce air pollution; stimulate business, industry, and tourism; broaden tax bases; and promote orderly urban development of the Nation's Capital.

The cost of the expanded system is estimated to be some $2.5 billion. Fare box receipts would pay for $835 million. The remaining cost of $1.7 billion (the net project cost) would be divided equitably among all the governments concerned on a ⅔–⅓ sharing basis between Federal and local governments.

The local governments concerned have already passed bond referenda or taken other appropriate action to finance their contributions of $347 million. But action by Congress is needed to authorize grants sufficient to cover the $1.1 billion Federal (⅔) share of the net project cost and capital contributions of $216 million for the District's portion of the local (⅓) share.

I urge that Congress promptly enact the necessary authorizing legislation for the 97-mile system.

PENNSYLVANIA AVENUE

Finally, we come to the Washington that so many millions flock to visit; the Washington that stands as a proud physical symbol of our Nation's liberties and its hopes.

Pennsylvania Avenue should be one of the great Avenues of our Republic—as in the original vision of our Capital City—and will be so if the Pennsylvania Avenue Commission presses forward with its present plans. Already, in accordance with the Commission's plans, construction of the Presidential Building at 13th Street has been completed; construction is continuing on the new Capitol Reflecting Pool, as well as buildings for the Federal Bureau of Investigation and the Labor Department. Planning is going forward for the Federal Triangle, a new Municipal Center at Judiciary Square, and an extension of the National Gallery. Our ultimate goal must be the Avenue of L'Enfant's Plan, a grand route connecting the Congress and the President's House, the vital center of the City, monumental in importance but designed for the Citizens of this Nation to enjoy at all hours for work or pleasure. I will encourage the development of this plan and submit legislation at the appropriate time.

One of the most significant additions to Pennsylvania Avenue will be an international center for scholars, to be established as a living memorial to Woodrow Wilson in the area just north of the National Archives. There could hardly be a more appropriate memorial to a President who combined a devotion to scholarship with a passion for peace. The District has long sought, and long needed, a center for both men of letters and men of affairs. This should be, as it was first proposed, "an institution of learning that the 22nd Century will regard as having influenced the 21st."

The renewal of Pennsylvania Avenue is an enterprise which two Presidents have supported. Their vision was the great vision of Pierre L'Enfant, George Washington, and Thomas Jefferson, whose plans embodied the ageless ideal of a Capital City. It is a vision which links Presidents, as it links the citizens of the District, in the love of this city. And I am proud to join them.

A GREAT ENTERPRISE

It is a noble aim—this planning of a Capital City. It encompasses a drive which must apply to areas of rebuilding beyond a single Avenue, and to areas of need beyond physical renovation. It infuses our knowledge of human want with a new urgency. It tests our vision of man, and of the future of his cities.

I ask the Congress, and the American people, to join in this great enterprise, knowing that if we govern with wisdom in this Capital City, it will be a proud symbol of the quality of American life and the reach of America's aspirations.

RICHARD NIXON.

THE WHITE HOUSE, *April 28, 1969.*

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations of the Executive Calendar, with the exception of Calendar No. 298.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations on the Executive Calendar will be stated, as requested by the Senator from Montana.

POST OFFICE DEPARTMENT

The bill clerk read the nomination of Henry Lehne, of Massachusetts, to be an Assistant Postmaster General.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

The bill clerk read the nomination of Ronald B. Lee, of Maryland, to be an Assistant Postmaster General.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

DIRECTOR OF PUBLIC ROADS

The bill clerk read the nomination of Ralph R. Bartelsmeyer, of Illinois, to be Director of Public Roads.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

CIVIL SERVICE COMMISSION

The bill clerk read the nomination of L. J. Andolsek, of Minnesota, to be a Civil Service Commissioner for the term of 6 years expiring March 1, 1975.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

NEW ENGLAND REGIONAL COMMISSION

The bill clerk read the nomination of Stewart Lamprey, of New Hampshire, to be Federal cochairman of the New England Regional Commission.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Proposed Legislation To Implement the Convention on Offences and Certain Other Acts Committed on Board Aircraft

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation, to amend the Federal Aviation Act of 1958, to implement the Convention on Offences and Certain Other Acts Committed on Board Aircraft, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Proposed Legislation To Establish a Working Capital Fund for the Department of the Treasury

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation, to establish a working capital fund for the Department of the Treasury (with an accompanying paper); to the Committee on Finance.

Report of the Department of State on Its Activities Under the Federal Property and Administrative Services Act of 1949

A letter from the Secretary of State, transmitting the 16th annual report of the Department of State on its activities under the Federal Property and Administrative Act of 1949 (Public Law 81–152), for the year 1968 (with an accompanying report); to the Committee on Government Operations.

Proposed Concession Permit Under Which John R. Woodside Will Be Authorized To Continue To Operate the Cinnamon Bay Camp

A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession permit under which Mr. John R. Woodside will be authorized to continue to operate the Cinnamon Bay Camp, and provide related facilities and services, in the Virgin Islands National Park, for the period January 1 through December 31, 1969 (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Legislation in the Control of Illegal Gambling

A letter from the Attorney General, transmitting a draft of proposed legislation entitled the "Illegal Gambling Business Control Act of 1969 (with accompanying papers); to the Committee on the Judiciary.

PETITION

A petition was presented to the Senate, and referred as indicated:

Resolution adopted by the Deep East Texas Development Association endorsing the establishment of a Big Thicket National Park or Monument; to the Committee on Interior and Insular Affairs.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. TOWER:

S. 1992. A bill for the relief of William H. Brady; to the Committee on the Judiciary.

By Mr. CASE (for himself, Mr. Hart, Mr. Hatfield, Mr. Javits, Mr. Mathias, Mr. Proxmire, Mr. Spong, Mr. Tydings, Mr. Cook, and Mr. Saxbe):

S. 1993. A bill to promote public confidence in the integrity of Congress and the executive branch; to the Committee on Rules and Administration.

(See the remarks of Mr. Case when he introduced the above bill, which appears under a separate heading.)

By Mr. BIBLE (for himself and Mr. Church):

S. 1994. A bill to authorize the use of facilities at the U.S. Public Health Service Owyhee Indian Hospital to provide certain medical care to non-Indians; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Bible when he introduced the above bill, which appears under a separate heading.)

By Mr. SPARKMAN (for himself and Mr. Allen):

S. 1995. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Alabama; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1996. A bill to authorize appropriations for the fiscal years 1970 and 1971 for the purpose of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of "motor vehicle equipment" in the National Traffic and Motor Vehicle Safety Act of 1966; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Moss, Mr. Baker, Mr. Bayh, Mr. Bible, Mr. Brooke, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Church, Mr. Cooper, Mr. Dodd, Mr. Fannin, Mr. Goldwater, Mr. Goodell, Mr. Gravel, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Hollings, Mr. Inouye, Mr. Kennedy, Mr. Magnuson, Mr. Mathias, Mr. McCarthy, Mr. McGee, Mr. Miller, Mr. Mondale, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Packwood, Mr. Pell, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Schweiker, Mr. Scott, Mr. Stevens, Mr. Talmadge, Mr. Thurmond, Mr. Tydings, Mr. Williams of New Jersey, and Mr. Young of Ohio):

S. 1997. A bill to provide for the more effective prevention and treatment of alcoholism; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 1998. A bill to amend section 1682 of title 38, United States Code, so as to modify the requirements for the farm cooperative program under such section; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 1999. A bill to amend the Land and Water Conservation Fund Act of 1965; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bennett when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 2000. A bill to establish the Lyndon B. Johnson National Historic Site; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. DOMINICK:

S. 2001. A bill to amend section 310 of title 37, United States Code, to authorize special pay for members of the uniformed services assigned to aircraft and naval vessels engaged in intelligence gathering activities in Asia; to the Committee on Armed Services.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER:

S. 2002. A bill to amend chapter 19 of title 38, United States Code, in order to provide for the automatic reinstatement of servicemen's group life insurance in the case of members of the uniformed services who are returned to duty after an absence without leave of more than 31 days; to the Committee on Armed Services.

(See the remarks of Mr. Cooper when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG:

S. 2003. A bill to provide a special Government life insurance program for veterans of the Vietnam era; to the Committee on Finance.

(See the remarks of Mr. Long when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE:

S. 2004. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Commerce.

(See the remarks of Mr. Pastore when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE (for himself, Mr. Bayh, Mr. Boggs, Mr. Cooper, Mr. Eagleton, Mr. Montoya, Mr. Metcalf, Mr. Randolph, Mr. Spong, Mr. Yarborough, and Mr. Young of Ohio):

S. 2005. A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 2006. A bill to amend the Internal Revenue Code of 1954 to provide for the nonrecognition of gain on certain transfers of property pursuant to a decree of divorce or of separate maintenance or a written separation agreement; to the Committee on Finance.

By Mr. PROXMIRE:

S. 2007. A bill to amend chapter 137, title 10, United States Code, to limit, and to provide more effective control over, the use of Government production equipment by private contractors under contracts entered into by the Department of Defense and certain other agencies, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2008. A bill to amend the Agricultural Adjustment Act of 1938 to permit individual determination of time of diversion of wheat acreage; to the Committee on Agriculture and Forestry.

S. 2009. A bill to provide that the Dulles International Airport in Chantilly, Va., shall be renamed "The Dwight David Eisenhower International Airport" in honor of the late President of the United States and general of the Army; to the Committee on Commerce.

(See the remarks of Mr. Yarborough when he introduced the above bills which appear under separate headings.)

By Mr. MOSS:

S. 2010. A bill for the relief of Blanca Gloria Monge-Mejia; and

S. 2011. A bill for the relief of Ping Chan, Nang Cheng, Tin Pui Chui, Fuk Yu Wong, Ho Shing Yim; to the Committee on the Judiciary.

By Mr. EAGLETON:

S. 2012. A bill for the relief of Rogelio Belandres; and

S. 2013. A bill for the relief of Dr. Rajendra Kumar Khama and his wife, Dr. Savitri Bhama; to the Committee on the Judiciary.

By Mr. McGOVERN (for himself, Mr. Bayh, Mr. Burdick, Mr. Church, Mr. Cranston, Mr. Dodd, Mr. Eagleton, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Hollings, Mr. Hughes, Mr. Inouye, Mr. Jackson, Mr. Kennedy, Mr. Magnuson, Mr. McCarthy, Mr. McGee, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Randolph, Mr. Ribicoff, Mr. Stevens, Mr. Tydings, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio):

S. 2014. A bill to amend the Food Stamp Act of 1964, and other acts, to provide adequate food and nutrition among low-income households, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. McGOVERN:

S. 2015. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 2016. A bill for the relief of Antonio G. Punzalan;

S. 2017. A bill for the relief of Pedro C. Carag; and

S. 2018. A bill for the relief of George Lung-Te Hsu; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 2019. A bill for the relief of Dug Foo Wong; and

S. 2020. A bill to permit a home mortgage loan by a federally insured bank to a bank examiner; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 2021. A bill to authorize the Secretary of the Army to make certain adjustments in lands or interests therein acquired in connection with the Navarro Mills Reservoir, Tex.; to the Committee on Public Works.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA (for himself, Mr. Eastland, Mr. McClellan, Mr. Dirksen, and Mr. Mundt):

S. 2022. A bill to permit the Federal Government to further assist the States in the control of illegal gambling, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. MURPHY:

S. 2023. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 2024. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 2025. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 2026. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 2027. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California; and

S. 2028. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Murphy when he introduced the above bills, which appear under a separate heading.)

By Mr. HART (for himself, Mr. Javits, Mr. Scott, Mr. Kennedy, Mr. Brooke, Mr. Case, Mr. Cranston, Mr. Dodd, Mr. Eagleton, Mr. Fong, Mr. Goodell, Mr. Gravel, Mr. Hatfield, Mr. Harris, Mr. Hughes, Mr. Inouye, Mr. Jackson, Mr. Magnuson, Mr. Mansfield, Mr. Mathias, Mr. McCarthy, Mr. McGovern, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Muskie, Mr. Nelson, Mr. Percy, Mr. Proxmire, Mr. Ribicoff, Mr. Schweiker, Mr. Tydings, Mr. Williams of New Jersey, and Mr. Young of Ohio):

S. 2029. A bill to provide improved judicial machinery for the selection of juries, to further promote equal employment opportunities of American workers, to authorize appropriations for the Civil Rights Commission, to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S.J. Res. 102. A joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

(See the remarks of Mr. Yarborough when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. COOK (for himself and Mr. Bayh):

S.J. Res. 103. A joint resolution to authorize the President to issue a proclamation designating the period beginning June 14, 1969, and ending June 21, 1969, as National Painting and Decorating Week"; to the Committee on the Judiciary.

By Mr. STENNIS (for himself and Mrs. Smith):

S.J. Res. 104. A joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969; to the Committee on Armed Services.

(See the remarks of Mr. Stennis when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. GOODELL:

S.J. Res. 105. A joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

(See the remarks of Mr. Goodell when he introduced the above joint resolution, which appear under a separate heading.)

AUTHORIZATION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO EXTEND TIME UNTIL JULY 31, 1969, TO FILE REPORTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent, on behalf of the Senator from Arkansas (Mr. McClellan), that the Committee on Government Operations be authorized to extend the time until July 31, 1969, to file reports of its Permanent Subcommittee on Investigations. These reports are as follows:

"Riots, Civil and Criminal Disorders in Houston, Tex., and Nashville, Tenn."

"Riots, Civil and Criminal Disorders in Plainfield, N.J."

"Riots, Civil and Criminal Disorders in Detroit, Mich."

"Riots, Civil and Criminal Disorders in Newark, N.J."

"Riots, Civil and Criminal Disorders, OEO Grant to the Woodlawn Organization, Chicago, Ill."

"Riots, Civil and Criminal Disorders, OEO Grant to Wilmington Youth Emergency Action Council, Wilmington, Del."

The VICE PRESIDENT. Without objection, it is so ordered.

S. 1993—INTRODUCTION OF A BILL TO REQUIRE FULL PUBLIC DISCLOSURE OF PERSONAL FINANCIAL INTERESTS BY MEMBERS OF CONGRESS AND TOP EXECUTIVE OFFICIALS

Mr. CASE. Mr. President, on behalf of Mr. Cook, Mr. Hart, Mr. Hatfield, Mr. Javits, Mr. Mathias, Mr. Proxmire, Mr. Saxbe, Mr. Spong, Mr. Tydings and myself, I introduce a bill to require full public disclosure of the personal financial interests, all sources and amounts of income, assets and liabilities, gifts and liabilities, gifts and transactions in real and personal property by first, each Member of Congress, candidates for Congress, congressional officials and staff receiving $18,000 or more; and, second, top officers and officials in the executive branch at the $18,000 level and above.

Introduction of the bill comes as a new Senate rule adopted last year goes into effect: the requirement that members of the Senate and staff earning $15,000 or more, submit a copy of their income tax return and a statement identifying their financial interests, assets, and liabilities to the Comptroller General. Regrettably, this submission is contained in a sealed envelope to be opened only by order of the Senate Committee on Standards and Conduct in the event of an investigation for alleged violation of the rules.

In addition to the confidential report, each of us has filed or will file with the Secretary of the Senate a report of all contributions received under rule 42 and the amount and source of honorariums of $300 or more. These reports will be available for public inspection.

Interestingly enough, the House of Representatives which also amended its rules last year, took an almost opposite approach. The Senate requires fairly full disclosure of personal finances but reports are withheld from the public; the House requires public disclosure of substantial business interests, professional fees, and capital gains but the details are provided in confidential reports. With regard to political contributions the Senate restricts their use to elections and so-called office expenses; the House sets no limitation on their use provided donors have been told of the intended use of their contributions.

Finally, the Senate requires that reports of political contributions and honorariums be open to public inspection; the House requires no public accounting of political—as distinguished from campaign—contributions.

There is one broad similarity between the two sets of rules, however. In their specifics they almost invite avoidance, not to say evasion, of their ostensible purpose.

Taken together they point up the piecemeal, almost haphazard and contradictory approach taken by the Congress as a whole in dealing with the need to maintain public confidence in the integrity of the legislative process. I suggest that the cleanest, most effective way to cut through the tangle of partial disclosure and obscure distinctions such as those between "office," "campaign," and "political" expenditures, is to require full public disclosure as set out in our bill. Our bill does not require the inclusion of income tax returns which do contain personal information, for example, medical expenses, which are not relevant to the purpose of the bill.

Our bill would apply a uniform requirement not only to the House as well as the Senate but to the executive arm of the Government as well.

The arguments for a full disclosure requirement have appeared over many years in the pages of the Congressional Record and I only summarize them here.

First, it is preventive. The knowledge that one's financial activities and interests will become known is the best possible "stop and think" signal—the surest way to sharpen awareness of any possible conflict of public and private interests.

Second, it is automatic in operation. When the facts are on the table, the press and the public can make their own judgment.

Third, disclosure will strengthen the people's right to elect whom they wish by giving them full knowledge of the personal financial interests of those who present themselves as candidates for election or reelection.

For years congressional committees have required top executive officials to disclose specific financial interests at the time of their confirmation. It is high time that Congress applies the same principle to itself and does away with the double standard so long followed.

Disclosure does involve intrusion into privacy but those of us who have done it regularly believe it is a small price to pay for the privilege of public service. And the cost becomes insignificant, compared to the great public good which would be served.

It is my hope that now that the limited reporting requirements have become operative, the demand for wider public disclosure will mount and Congress will take the necessary action to provide it.

It is not so many years ago that the mention of public disclosure was treated almost as a dirty word or a cause for ridicule. But 2 years ago, in connection with the election reform bill, it came within four votes of adoption by the Senate. And last year when we were debating the new rules, it again failed by only four votes. Among the new Members of the Senate, several have already indicated their support and 1969 will, I hope, be the year that it is finally passed.

Mr. President, I ask unanimous consent that the bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1993) to promote public confidence in the integrity of Congress and the executive branch, introduced by Mr. Case (for himself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the Record, as follows:

S. 1993

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each Member of the Senate and the House of Representatives (including the Resident Commissioner), each civil or military officer and each employee of the executive or legislative branch of the Government of the United States or any department or agency thereof who is compensated at a rate in excess of $18,000 per annum shall file annually, and each individual who is a candidate of a political party in a general election for the office of Senator or Representative, or Resident Commissioner in the House of Representatives but who, at the time he becomes a candidate, does not occupy any such office, shall file within one month after he becomes a candidate for such office, with the Comptroller General a report containing a full and complete statement of—

(1) the amount and source of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by him or by him and his spouse jointly during the preceding calendar year which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, and other facilities received by him in kind;

(2) the value of each asset held by him, or by him and his spouse jointly, and the amount of each liability owned by him, or by him and his spouse jointly, as of the close of the preceding calendar year;

(3) all dealings in securities or commodities by him, or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction during the preceding calendar year; and

(4) all purchases and sales of real property or any interest therein by him, or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction, during the preceding calendar year.

(b) Except as hereinbefore provided, reports required by this section (other than reports so required by candidates of political parties) shall be filed not later than April 30 of each year. In the case of any person who ceases, prior to such date in any year, to occupy the office or position the occupancy of which imposes upon him the reporting requirements contained in subsection (a) shall file such report on the last day he occupies such office or position, or on such later date, not more than three months after such last day, as the Comptroller General may prescribe.

(c) Reports required by this section shall be in such form and detail as the Comptroller General may prescribe. The Comptroller General may provide for the grouping of items of income, sources of income, assets, liabilities, dealings in securities or commodities, and purchases and sales of real property, when separate itemization is not feasible or is not necessary for an accurate disclosure of the income, net worth, dealing in securities and commodities, or purchases and sales of real property of any individual.

(d) Each report required by this section shall be made under penalty for perjury. Any person who willfully fails to file a report required by this section, or who knowingly and willfully files a false report under this section, shall be fined $2,000, or imprisoned for not more than five years, or both.

(e) All reports filed under this section shall be maintained by the Comptroller General as public records which, under such reasonable regulations as he shall prescribe, shall be available for inspection by members of the public.

(f) For the purposes of any report required by this section, an individual shall be considered to have been a Member of the Senate or House of Representatives, a Resident Commissioner, or an officer or employee of the executive or legislative branch of the Government of the United States or any department or agency thereof, during any calendar year if he served in any such position for more than six months during such calendar year.

(g) As used in this section—

(1) The term "income" means gross income as defined in section 61 of the Internal Revenue Code of 1954.

(2) The term "security" means security as defined in section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b).

(3) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2).

(4) The term "dealings in securities or commodities" means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security or commodity.

Sec. 2. Section 5 of the Administrative Procedure Act (5 U.S.C. 1004) is amended by inserting at the end thereof the following new subsection:

"(e) Communications to agency: All written communications and memoranda stating the circumstances, source, and substance of all oral communications made to the agency, or any officer or employee thereof, with respect to such case by any person who is not an officer or employee of the agency shall be made a part of the public record of such case. This subsection shall not apply to communications to any officer, employee, or agent of the agency engaged in the performance of investigative or prosecuting functions for the agency with respect to such case."

Mr. SPONG. Mr. President, today I join with Senator Case and other Members of the Senate in the introduction of legislation that would require full public disclosure of the personal financial interests and income of Members of Congress, their top aides, and certain officials of the executive branch.

Public confidence in the integrity of those who make our laws and run our Government has been in serious decline in recent years. It is essential to the operation of our system of government that the public believe in the integrity of the laws and of those who make and administer them. Without this respect the rule of law is undermined.

Part of the blame for the disorder and violence so prevalent in our society today can be traced to the belief by many of our citizens that laws are not made and administered impartially and for the good of all, but the special benefit of the few.

Congress must act to restore the public's faith in our Government. Full public disclosure of the income and assets of those who run our Government is an important first step.

The public disclosure of a public servant's or a political candidate's personal financial interests not only will discourage wrong-doing and conflicts of interest, but will allow the people to act with knowledge in choosing those who would represent them in the Congress of the United States. Such disclosure would eliminate doubt and suspicion about the activities of those who run our Government and would restore the faith of the people in the honest operation of the law.

During the last Congress, I introduced a bill that would have required such disclosure and twice voted for amendments that would have provided for disclosure. Unfortunately these amendments failed by narrow margins.

In the absence of disclosure legislation, I have at the beginning of each year that I have been in office made available to the public through the Congressional Record, a statement of my personal finances.

The time for Congress to act in this area is past due.

S. 1994—INTRODUCTION OF A BILL TO PROVIDE CERTAIN MEDICAL CARE TO NON-INDIANS

Mr. BIBLE. Mr. President, on behalf of myself and the Senator from Idaho (Mr. Church), I introduce, for appropriate reference, a bill to authorize the use of facilities at the U.S. Public Health Service Owyhee Indian Hospital to provide certain medical care to non-Indians.

The Owyhee Hospital is located on the Duck Valley Indian Reservation in Nevada and Idaho, in a remote and sparsely settled region of both States. There are some 650 non-Indians within a 50-mile radius of this hospital. When they need medical assistance—even routine care—they must travel over 100 miles to reach a medical facility.

Medical service must be made more readily available to these people. I think the need is obvious. The measure I am introducing today would authorize and direct the Secretary of Health, Education, and Welfare, subject to the consent of the Indian tribes involved, to take such action as may be necessary in order to utilize the Owyhee Hospital for the purpose of providing nonemergency medical care to non-Indians living within approximately 50 miles of the hospital. Such care would be provided on a fee-for-service basis.

The Shoshone Paiute Business Council of the Duck Valley Reservation passed a resolution in June 1968 supporting this proposal. I ask unanimous consent that the resolution be printed in the Record following my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BIBLE. Mr. President, this legislation will serve a dual purpose. It will humanely enable non-Indians living in this remote part of our country to more readily obtain necessary medical attention. It will also help assure that this facility will be adequately utilized, and the fees paid by non-Indians will contribute to the financial support of the hospital.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1994) to authorize the use of facilities at the U.S. Public Health Service Owyhee Indian Hospital to provide certain medical care to non-Indians, introduced by Mr. Bible (for himself and Mr. Church), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXHIBIT 1

RESOLUTION OF THE SHOSHONE PAIUTE TRIBES OF THE DUCK VALLEY INDIAN RESERVATION

Be it resolved by the Shoshone Paiute Tribes of the Duck Valley Reservation:

Whereas, the Shoshone Paiute Business Council realizes that medical care is a very important factor in daily living, and that the Owyhee Indian Hospital is doing an excellent job of caring for the medical needs of the Indian population of the Duck Valley Reservation, and

Whereas there are approximately 650 non-Indians within a 50 mile radius of Owyhee that have to travel 100 miles each way, sometimes taking a full day off work to seek medical attention, sometimes only to learn that a common drugstore remedy would satisfy the need, and

Whereas these non-Indians have expressed an interest in receiving routine, non-emergency medical care in letters to Senator Bible and Congressman Baring during 1961 and the Superintendent of the Elko County School District asked Senator Bible to intercede for the non-Indian teachers and their families employed in the Owyhee School, and

Whereas the cost of operation per patient per day of the Owyhee Indian Hospital was double that of the average in the Phoenix Area, which is directly related to the size of the hospital and the number of people it serves: Now, therefore be it

Resolved, That the Shoshone Paiute Business Council hereby requests Public Health Service to make every attempt to cause proper legislation to be enacted so that our non-Indian neighbors may receive routine, non-emergency medical care at the Owyhee Indian Hospital, and the Shoshone Paiute Business Council recognizes that fact that congress will have to authorize this request, so be it further

Resolved, That the Shoshone Paiute Busi-

ness Council requests all non-Indians in a 50 mile radius of Owyhee to make their interest in this matter known to Public Health Service and to members of Congress and Be it further

***Resolved*, That the Shoshone Paiute Business Council will solicit the approval of the County Medical Society and the State Medical and Hospital Associations and all surrounding medical facilities.**

S. 1995—INTRODUCTION OF A BILL TO PROVIDE FOR STRIKING OF MEDALS IN COMMEMORATION OF THE 150TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ALABAMA

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, for myself and the junior Senator from my State (Mr. ALLEN), a bill to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Alabama. This year, on December 14, the State of Alabama will celebrate its sesquicentennial anniversary of her admission to the Union as the 22d State.

The history of Alabama, first as a territory and later as a State, is a long and very colorful one. The State's modern day history began in 1540 with exploration of Hernando De Soto, who was the first civilized man—as we consider civilization today—to enter upon the soil now known as the State of Alabama. But the history of this area predates De Soto by literally thousands of years. Artifacts reveal the primitive life of cave-dwelling hunters; of the temple moundbuilders' highly developed culture existing in our State some 8,000 years ago. And it is an acknowledged fact from archeological study of burial mounds outside the town of Moundville, Ala., that Indians, perhaps migrating from Asia across the Bering Straits, inhabited the land encompassed by the boundary lines of the State of Alabama for hundreds and hundreds of years before De Soto made his journey through our fertile fields in his quest for gold. And we in Alabama are proud of the heritage we have derived from the Creeks, the Cherokees, the Chickasaws, and the Choctaws.

The first permanent settlement in our great State was in 1702 and was located near what is today Mobile, one of the busiest and best seaports on the Gulf of Mexico. From the first settlement onward, Alabama has continued to grow and those who advocated statehood for the young territory of Alabama have been justified by the rapid growth of the State.

In 1817 the Alabama territory was created by an act of Congress, and, as I have already said, on December 14, 1819, Alabama was admitted as the 22d State of the Union. Thus, a land area over which four flags had sometimes flown became one of the stars in the flag of this great Nation.

When I think of my State, I think of it as 51,000 square miles of economic opportunity, and it is just that. We are extremely fortunate. We have unlimited natural resources. We have unlimited human resources; we have forests and minerals; we have water; we have a great seaport; we have a great steel center; and we have a great missile center. We have a population of over 3.5 million of the finest people in the world.

In fact, the vast natural resources of Alabama are estimated to be 10 percent of the Nation's total. In addition to coal, iron ore, limestone, marble, and building stone, oil has recently been discovered in quantities sufficient to start a small boom. Other minerals, including salt, are found in great abundance in our State.

It is no wonder then that the cry of the Indians when first viewing the land that is now our State was "Alba Amo" which meant: "This is a goodly land—clear of thickets—plant the seed—here we rest."

We are planning great things in our State to celebrate our 150 years of Statehood.

Let me give you a few examples of some of the things that we plan to do.

The Governor has signed a special executive order establishing a sesquicentennial commission to supervise and plan this tremendous celebration.

Chambers of commerce, civic leaders, and county administrators, as well as State officials, are all working toward making 1969 one of the greatest years in Alabama's history.

The sesquicentennial celebration was kicked off at the halftime show at the Senior Bowl football classic in Mobile on February 11, and I am told that this show was one of the greatest extravaganzas ever to be presented in halftime annals.

A great boat armada will start on the Tennessee River at Pickwick Dam and travel to Guntersville during the month of July. At the same time this is taking place, on the other navigable waters in our great State—which are many—other flotillas will be porting at communities along the streams to set off local celebrations.

The Post Office Department has already printed impressions of a special sesquicentennial stamp, and this stamp will go on sale for the first time on August 2 in Huntsville, Ala.

The National Peanut Festival, which is an annual event in my State, will feature the Alabama Sesquicentennial in its activities.

School, public, college, and State libraries are suggesting the reading of the colorful history of the State, and, in addition, all the garden clubs throughout the State agreed to decorate public places with official sesquicentennial flowers.

The list of other plans are far too numerous to mention here. In fact, there are over 227 separate events to be held in Alabama during this sesquicentennial year in honor of our statehood.

Issuance of a commemorative medal as would be authorized by the bill which we have introduced will be one of the major events in the State during this celebration.

Truly, few States could surpass my State in having such a glorious and colorful history and few States have potential for development that Alabama does. I feel that the issuance of a commemorative medal would enhance this very important celebration in the history of my State.

Mr. President, I ask unanimous consent to have the bill which I am introducing for myself and for my colleague from Alabama printed in the RECORD following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1995) to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Alabama, introduced by Mr. SPARKMAN (for himself and Mr. ALLEN), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1995

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundred and fiftieth anniversary of the founding of the State of Alabama, the Secretary of the Treasury is authorized and directed to strike and furnish to the Alabama Sesquicentennial Commission five thousand silver and fifty thousand bronze medals with suitable emblems, devices, and inscriptions to be determined by such Commission subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by such Commission, but no medals shall be made after January 1, 1970. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes as shall be determined by the Secretary of the Treasury in consultation with the Alabama Sesquicentennial Commission.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. PASTORE. They have a marvelous Senator from Alabama, too.

Mr. BIBLE. I was going to say the same thing.

Mr. SPARKMAN. I thank both Senators. I am happy to yield to them even though my time has expired.

S. 1996—INTRODUCTION OF A BILL AUTHORIZING APPROPRIATIONS TO CARRY OUT THE PROVISIONS OF THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966

Mr. MAGNUSON. Mr. President, at the request of the Secretary of Transportation, I am introducing a bill to authorize appropriations for the fiscal years 1970 and 1971 for the purpose of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of "motor vehicle equipment" in the National Traffic and Motor Vehicle Safety Act of 1966.

I ask unanimous consent that the letter of transmittal and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter of transmittal and bill will be printed in the RECORD.

The bill (S. 1996) to authorize appropriations for the fiscal years 1970 and 1971 for the purpose of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of "motor vehicle equipment" in the National Traffic and Motor Vehicle Safety Act of 1966, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1996

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Traffic and Motor Vehicle Safety Act of 1969".

AUTHORIZATIONS

SEC. 2. There is hereby authorized to be appropriated for the purpose of carrying out the provisions of titles I, II, and IV of the National Traffic and Motor Vehicle Safety Act of 1966, as amended (80 Stat. 718; 15 U.S.C. 1381, et seq.), not to exceed $23,000,000 for fiscal year 1970 and $35,000,000 for fiscal year 1971.

SEC. 3. For the purposes of carrying out the provisions of Title III of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 729), there is hereby authorized to be appropriated $10,000,000, to remain available until expended, for planning and design of highway safety research and test facilities, including engineering studies and site surveys.

DEFINITION OF MOTOR VEHICLE EQUIPMENT

SEC. 4. Section 102(4) of Title I of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718; 15 U.S.C. 1391(4)) is amended to read as follows:

"(4) 'Motor vehicle equipment' means any system, part, or component of a motor vehicle as originally manufactured or any similar part or component manufactured or sold for replacement or improvement of such system, part, or component or as any accessory, or addition to the motor vehicle, and any device, article, or apparel not a system, part, or component of a motor vehicle, which is manufactured, sold, delivered, offered, or intended for use wholly or in part to safeguard motor vehicles, drivers, passengers, and other highway users from risk of accident, injury, or death."

The letter, presented by Mr. MAGNUSON, follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., April 2, 1969.
Hon. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Department of Transportation submits herewith as a part of its legislative program for the 91st Congress, 1st Session, a draft of a proposed bill: "To authorize appropriations for the fiscal years 1970 and 1971 for the purpose of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of 'motor vehicle equipment' in the National Traffic and Motor Vehicle Safety Act of 1966."

1. The National Traffic and Motor Vehicle Safety Act of 1966 contained initial authorizations to implement the motor vehicle safety standard provisions in Title I of the Act as follows: $11,000,000 for fiscal year 1967, $17,000,000 for fiscal year 1968, and $23,000,000 for the fiscal year 1969. The Act also authorized funds to carry out the tire safety provisions of Title I and Title II in the amount of $2,900,000 for fiscal year 1967, $1,450,000 for fiscal year 1968, and $1,450,000 for fiscal year 1969.

The proposed bill would authorize appropriations from the general funds in the Treasury to continue the implementation of the Act. Section 2 would authorize the appropriation of $23,000,000 and $35,000,000 for fiscal years 1970 and 1971, respectively, for this purpose. These authorizations will be used to seek appropriations for the operating expenses of the National Highway Safety Bureau of the Federal Highway Administration in carrying out the provisions of Titles I, II, and IV of the 1966 Act. Title I relates to motor vehicle safety standards, including necessary safety research and development; Title II relates to tire safety; and Title IV relates to the National Driver Register.

The authorizations provided in the 1966 Act established a pattern of modest growth during the first three years as the operation of the traffic and motor vehicle safety program evolved. The authorizations requested for fiscal years 1970 and 1971 follow the same general pattern of modest increases. These sums are urgently needed to enable the National Highway Safety Bureau to continue its program under the Act. Existing authorizations for appropriations expire on June 30, 1969. Enactment of section 2 of this bill will, in our view, assure steady and continued improvement in traffic and motor vehicle safety. Failure to do so will mean the end of this effort as a function of the Department of Transportation after June 30, 1969.

The traffic and motor vehicle safety program, though still in the early stages of development, offers encouragement that the toll of human life and injuries resulting from traffic accidents can be reduced. The new energy absorbing steering assemblies now required by Federal standards on all new cars, for example, appear to have reduced fatalities in certain crashes by as much as 70 percent. It has been established that if all cars had such devices, as many as 12,000 lives per year might be saved. Other safety standards under consideration relating to crash prevention properties (braking and steering are examples), crash survivability properties (relative ease of entry into wrecks to remove occupants, for example) offer promise of substantially reducing the carnage and maiming caused by traffic accidents.

The authorization in section 2 of the bill also includes funds for the tire safety program (Title II). The major effort in this program is devoted to the development of a uniform quality grading system for motor vehicle tires. Under this system, tires will be graded based on performance with respect to high speed capability, endurance, strength, traction, and tread wear. The initial standard to be issued in fiscal year 1969 will cover passenger vehicles only. During fiscal years 1969 and 1970, it is planned to move our efforts to truck and bus tires and to regroooved and retreaded tires.

The National Driver Register (Title IV) is now being converted to a disc file operation which will enable optional use of the current processing system. State contributions of records to the Register's master file are increasing in volume, and the States are sending an increasing volume of inquiries to the Register. Continued funding is required to convert information submitted by certain States into a form suitable for automatic data processing.

2. Section 3 of the bill authorizes the appropriation of $10,000,000 out of the general funds of the Treasury to remain available until expended to be used for planning and design of contemplated highway safety research and test facilities, including engineering studies and site surveys. The sum requested is in accordance with the recommendations in the report submitted to Congress pursuant to Title III of the National Traffic and Motor Vehicle Safety Act of 1966, section 302 (80 Stat. 729). The two volume report, entitled "Requirements for Motor Vehicles and Highway Research Test Facilities", submitted on October 7, 1968, outlines a master plan for providing the facilities needed to bring to bear the full potential of modern science and technology on the national goal of reducing deaths and injuries on the Nation's highways.

The primary objective of the master plan is to provide highway safety research and testing facilities by complementing existing facilities, either by expanding installatons at their present sites or, when no alternative is available by construction at new locations. The planning will consider the needs of the other agencies within the Department and, through cooperative arrangements with them, will provide for such needs where those needs can be accommodated consistently with the primary purposes of the highway safety research and testing facilities.

The plan depicted in the report to Congress was based on engineering studies and a survey of existing facilities to determine the minimum requirements to carry out the provisions of the highway safety legislation. Two major new safety facilities, a vehicle and highway safety proving ground with certain supporting laboratories and a driving simulation laboratory, will be required in addition to modifications of existing facilities where it is economically feasible to do so and where the facility once modified can become an effective element of the overall required complement of safety research and test facility. The proving ground will be the foundation for the entire facilities program. It will consist of test tracks and supporting laboratories in which a wide variety of test and measurements can be conducted on interrelated problems of vehicle performance characteristics, driver skills, highway design, and other environmental features. The driving simulation laboratory will be used to investigate a variety of driver judgments and risk taking behaviors in a number of realistic and safe simulations of high hazard conditions of actual driving.

The estimate of $10 million for planning these facilities is broken down as follows:

[In millions of dollars]

Modifications of existing facilities: To develop plans and cost estimates for permanent modifications of existing Federal facilities where it is economically feasible and where the facility, once modified, can become an effective element of the overall complement of research and test facilities	2.0
Vehicle and highway safety proving ground: To develop detailed engineering plans and cost estimates for the proving ground, the requirements for which cannot be provided with any existing Federal facility	6.2
Driving simulation laboratory: To develop detailed engineering plans for the laboratory which is a basic requirement that is not available anywhere today	1.8
Total	10.0

Because the initial motor vehicle safety standards were based, as the Act contemplated, on preexisting standards from design performance criteria, the absence of appropriate laboratories and field testing capabilities did not present a serious handicap at that time. As work proceeds into more complex areas of standards-setting, however, sophisticated facilities are essential. The facilities are needed to support the development of standards relating to present types of motor vehicles. In addition, trends in motor vehicle transportation indicate that, in the course of the next decade or two, substantial changes will occur in motor vehicle design. These changes can result in safer vehicles. To insure this result, however, their introduction will have to be anticipated by performance standards and prerequisite laboratory and field tests. The enactment of section 3 of this bill will provide the authorization necessary to begin planning the modern research and test facilities which are needed if we are to be in a position to insure that the automobiles of the future will be safe ones.

No proposed authorization to construct the planned facilities has been included in this proposal. When the planning and design effort which would be authorized by our proposal has matured to the point that more precise further estimates can be made, the necessary additional authorization will be requested for site acquisition and construction including any modifications of existing facilities.

DEFINITION OF MOTOR VEHICLE EQUIPMENT

3. Section 4 of the proposed bill concerns motorcyclist headgear. The laws of 39 States now require these protective helmets to be worn by motorcycle drivers and riders. This requirement has been included among the Highway Safety Program Standards issued by the Department under the Highway Safety Act of 1966 in order to upgrade highway safety in all the States. The initial evidence of this standard's effectiveness makes it likely that additional States will put motorcycle helmet requirements into effect in the foreseeable future. States implementing the headgear requirement show an overall decrease of 30 percent in motorcycle death rates.

Unless a helmet is properly designed and manufactured it will not afford much protection to one who wears it. At present there is no uniform standard governing these protective devices so that the motorcycling public can be certain it is getting the protection it is paying for.

Most States do not have research and testing facilities designed or equipped to evaluate the effectiveness of the "crash" helmets presently being marketed. Understandable confusion, therefore, exists among the public, the States and the industry over what constitutes an "approved" helmet.

This is an obvious safety problem which could be eliminated by issuance of a uniform Federal motor vehicle safety performance standard. Unfortunately, the Secretary apparently lacks authority to do so because the language of the Traffic Safety Act was drafted without this safety problem in mind. Thus, while the Secretary was authorized to set safety standards for items of "motor vehicle equipment" generally, that term is defined in section 102(4) of the Act as meaning: ". . . any system, part, or component of a motor vehicle as originally manufactured or any similar part or component manufactured or sold for replacement or improvement of such system, part, or component or as an accessory, or addition, to the motor vehicle." (80 Stat. 718, 15 U.S.C. 1391(4))

Helmets, however, are designed for and worn by the driver and passengers. They are neither a "system", "part", or "component of" nor "an accessory or addition to" the vehicle. As a consequence, they appear to be outside the definition of "motor vehicle equipment"; thus the Secretary lacks authority to establish a uniform Federal safety standard applicable to these articles.

This is an unfortunate and inadvertent gap in the traffic safety legislation. To close it, we recommend the broadening of the Act's definition of motor vehicle equipment to include devices, articles or apparel which, though not directly "a system, part, or component of" or "any accessory or addition to" a motor vehicle, are nonetheless manufactured and sold to the public for the purpose of safeguarding vehicle drivers, passengers, and other highway users from risk of accident, injury or death.

Section 4 of the bill appended to this statement was drafted to accomplish this purpose.

The steadily mounting number of motorcyclists make this proposal one of immediate significance. Motorcycle registrations nearly quadrupled between 1960 (574,080) and 1967 (1,953,022) and the trend continues. The numbers of dead and injured mirror the increase in the motorcycle population. During the 5 years preceding 1967 motorcycle deaths increased roughly 200 percent.

Not only would this proposal provide additional crash protection to the motorcycling public by allowing them to know and buy safety equipment which meets meaningful standards, it would also have the additional advantage of creating uniformity, thereby eliminating the present situation which requires manufacturers and vehicle operators to conform to differing State standards. For these reasons, we strongly urge its enactment.

The Bureau of the Budget has advised that enactment of this proposed legislation would be consistent with this Administration's objectives.

Sincerely,

John A. Volpe.

S. 1998—INTRODUCTION OF A BILL TO MODIFY THE REQUIREMENTS FOR THE FARM COOPERATIVE PROGRAM

Mr. YARBOROUGH. Mr. President, I introduce for appropriate reference a bill amending the cold war GI bill.

It affects the farm training provisions, by restoring the essential features of the Korean veterans program for farm training. The present cold war GI bill is more restrictive of farm training than were the GI bills of World War II and the Korean war, and the opportunities of veterans of the cold war to learn to become professional agriculturists is thereby lessened. This bill would restore to on-the-farm training the opportunities given to farm training under the Korean GI bill. I ask unanimous consent that the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1998) to amend section 1682 of title 38, United States Code, so as to modify the requirements for the farm cooperative program under such section introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 1998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1682 (d) of title 38, United States Code, is amended to read as follows:

"(d) (1) An eligible veteran shall be entitled to the benefits of this chapter while enrolled in a full-time 'farm cooperative' program which provides for institutional and on-farm training and which has been approved by the appropriate State approving agency in accordance with the provisions of this subsection.

"(2) The State approving agency may approve a farm cooperative training course when it satisfies the following requirements:

"(A) The course combines organized group instruction in agricultural and related subjects of at least two hundred hours per year (and of at least eight hours each month) at an educational institution, with supervised work experience on a farm or other agricultural establishment.

"(B) The eligible veteran will perform a part of such course on a farm or other agricultural establishment under his control.

"(C) The course is developed with due consideration to the size and character of the farm or other agricultural establishment on which the eligible veteran will receive his supervised work experience and to the need of such eligible veteran, in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanism, conservation of resources, food conservation, farm financing, farming management, and the keeping of farm and home accounts.

"(D) The eligible veteran will receive not less than one hundred hours of individual instruction per year, not less than fifty hours of which shall be on such farm or other agricultural establishment (with at least two visits by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction and shall include instruction and home-study assignments in the preparation of budgets, inventories, and statements showing the production, use on the farm, and sale of crops, livestock, and livestock products.

"(E) The eligible veteran will be assured of control of such farm or other agricultural establishment (whether by ownership, lease, management agreement, or other tenure arrangement) until the completion of his course.

"(F) Such farm or other agricultural establishment shall be of a size and character which (i) will, together with the group-instruction part of the course, occupy the full time of the eligible veteran, (ii) will permit instruction in all aspects of the management of the farm or other agricultural establishment of the type for which the eligible veteran is being trained, and will provide the eligible veteran an opportunity to apply to the operation of his farm or other agricultural establishment the major portion of the farm practices taught in the group instruction part of the course, and (iii) will assure him a satisfactory income for a reasonable living under normal conditions at least by the end of his course.

"(G) Provision shall be made for certification by the institution and the veteran that the training offered does not repeat or duplicate training previously received by the veteran.

"(H) The institutional on-farm training meets such other fair and reasonable standards as may be established by the State approving agency."

Sec. 2. The amendments made by this Act shall become effective on the first day of the second calendar month following the month in which this Act is enacted; but any veteran enrolled in a farm cooperative course under section 1682(d) of title 38, United States Code, prior to such effective date may continue in such course to the end of the current academic year under the same terms and conditions that were in effect prior to the effective date of the amendments made by this Act.

S. 1999—INTRODUCTION OF A BILL TO AMEND THE LAND AND WATER CONSERVATION FUND ACT OF 1965

Mr. BENNETT. Mr. President, I introduce, for appropriate reference, a bill which would amend the Land and Water Conservation Fund Act of 1965 to allow the construction of weather protective buildings specifically equipped to provide year-round recreational activities free from uncertain weather conditions.

The need for such an amendment was demonstrated recently when the city of Midvale, Utah, was preparing its application for Federal matching assistance funds to build a swimming pool which could be used the year round.

Their plan appeared to qualify under the development plan previously presented by the Utah Outdoor Recreation Assistance Agency to the Bureau of Outdoor Recreation of the U.S. Department of Interior. However, their initial investigation disclosed an apparent policy of the Bureau of Outdoor Recreation against assistance in the construction of indoor swimming pools. Assistance was available for outdoor pools but not for pools which are covered so that they might be used during winter months.

In States such as Utah, outdoor swimming pools have a very limited utility. I was in Salt Lake City on Friday of last week, April 25, and it was snowing.

The cost of covering a swimming pool while it is being constructed would be small in comparison with the extended usefulness we would gain in a cold climate such as Utah.

In response to my inquiry on behalf of the Midvale City Corp., Lawrence N. Stevens, Acting Director of the Bureau of Outdoor Recreation, replied:

> The questions of funding covered pools has been examined by our Solicitor in the past, and we are advised that the Fund Act is so written as to provide assistance only for outdoor recreation facilities.
>
> However, we do, of course, recognize the need for enclosed pools during periods of cold or inclement weather. The solution is for the city to apply for assistance in building the pool itself, without a cover. The city can then, with its own funds, construct a cover that can be opened or removed to expose the pool to the out-of-doors. It is necessary that the swimming pool be designed primarily as an outdoor facility and be used for that purpose whenever possible.
>
> We know this sounds illogical and apologize for the inconvenience to the city, but the Fund Act is, unfortunately, rather narrow in this regard. Special legislation would be necessary to amend the outdoor recreation requirement.

Mr. President, I agree this is illogical. Under the present situation, only a few States can benefit by the act, and little thought seems to have been given to States with cold climates, such as Utah. My amendment would make it feasible for such States to make swimming pools usable all year by including covered pools.

I hope the Senate will act quickly to rectify this inequitable situation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1999) to amend the Land and Water Conservation Fund Act of 1965, introduced by Mr. BENNETT, was received, read twice by its title and referred to the Committee on Interior and Insular Affairs.

S. 2000—INTRODUCTION OF A BILL ESTABLISHING THE LYNDON B. JOHNSON NATIONAL HISTORIC SITE

Mr. JACKSON. Mr. President, I introduce for appropriate reference, a bill to establish as a national historic site the birthplace and boyhood home of the 36th President of the United States, Lyndon Baines Johnson, who for so long was our able, highly respected colleague on both sides of the Hill.

As all Members of the Senate know, there is ample precedent for the action proposed by my bill. We have designated as national historic sites the birthplaces or homes of several former Presidents, including those of George Washington, both the Adamses, Abraham Lincoln, Theodore Roosevelt, Herbert Hoover, Franklin D. Roosevelt, and John F. Kennedy.

Also, at the present time, there is pending before the Interior Committee, Senate Joint Resolution 26, a resolution I sponsored for the development of the Eisenhower National Historic Site at Gettysburg.

Mr. President, the office of President of the United States is the most important office in the free world. The holder of that office has more power to affect the lives of greater number of mankind than has had the holder of any office in the history of the world.

No one can anticipate the judgments that history will make of the 36th President. He was called to that office by fate and entered upon it in an hour of tragedy. He met the challenge of leadership, and rallied our Nation in a time of shock and sorrow. Time alone can tell us if his actions and his methods were the best ones for the times and circumstances.

But regardless of whether we always agreed with Lyndon Johnson in his methods of accomplishing his great social and economic goals, all of us would agree that he was one of the most dynamic, most vigorous, and most warmly human of all of our great leaders of recent times. No man has understood better than he the political life of this country and the role of Government.

And few can disagree with his goals: Lyndon Johnson battled, and battled mightily, to replace human futility with human opportunity—discrimination with justice—disease with health—destruction of our land and resources with conservation—indifference about the neglect and despoilation of our national heritage in our countryside and cities with restoration and beauty—danger with security—and the incessant threat of imposed tyranny with the blessings of liberty in one of the most dangerous and, at the same time, exciting, ages that mankind has experienced. Lyndon Johnson fought these battles throughout his public life, and he led them during his Presidency.

President Johnson was uniquely a "Man of the people," perhaps more so than any other President since Andrew Jackson and Abraham Lincoln. He descended from hardworking, spirited, men and women who braved the dangers and rigors of the frontier and earned their daily bread through their own toil. They exemplified a basic aspect of the foundation and growth of the American way of life.

Therefore, in designating his birthplace near Hye, Tex., and his boyhood home in Johnson City as a national historic site, we are honoring and commemorating also those basic American characteristics of courage, hard work, and thrift.

I commend my bill to the prompt consideration of the Senate. I might add that there will be no acquisition cost to the Government for the property which will be included in the site. Upon inquiry I have been advised that the Johnson City Foundation, which now owns the land in question, would be most pleased to donate the necessary property to the United States. This practice has been followed almost uniformly with respect to the establishment of this type of national historic site, and I commend the foundation for its generosity in this instance.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2000) to establish the Lyndon B. Johnson National Historic Site, introduced by Mr. JACKSON, was received, read twice by its title and referred to the Committee on Interior and Insular Affairs.

S. 2001—INTRODUCTION OF A BILL TO AUTHORIZE SPECIAL PAY FOR MEMBERS OF THE UNIFORMED SERVICES ASSIGNED TO AIRCRAFT AND NAVAL VESSELS ENGAGED IN INTELLIGENCE GATHERING ACTIVITIES IN ASIA

Mr. DOMINICK. Mr. President, I introduce, for appropriate reference, a bill to provide that hostile fire pay be awarded to U.S. servicemen who are assigned to aerial or naval intelligence gathering duty on the continent of Asia or the waters immediately adjacent.

I realize that we are now providing air support for these missions. However, as past events have shown, these men are on the front lines and in just as dangerous a position as men actually in the combat zone.

If we are going to ask our servicemen to subject themselves to the dangers inherent in such duty as the EC-121 surveillance flights or the intelligence gathering missions of ships like the U.S.S. *Pueblo*, then we should compensate them for the obvious risks involved. My bill would provide these servicemen an additional $65 a month while they are assigned to such duty.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2001) to amend section 310 of title 37, United States Code, to authorize special pay for members of the uniformed services assigned to aircraft and naval vessels engaged in intelligence gathering activities in Asia, introduced by Mr. DOMINICK, was received, read twice by its title and referred to the Committee on Armed Services.

S. 2002—INTRODUCTION OF A BILL TO PROVIDE FOR AUTOMATIC REINSTATEMENT OF SERVICEMEN'S GROUP LIFE INSURANCE

Mr. COOPER. Mr. President, I introduce for appropriate reference, a bill to amend chapter 19 of title 38 of the United States Code, which will provide for the automatic reinstatement of servicemen's group life insurance in the case of members of the services who are returned to duty after an absence without leave of more than 31 days.

At present when a member of the armed service is absent without leave more than 31 days, his insurance is discontinued and he must submit an application for reinstatement of such insurance. Many men are unaware of this, are not informed, or do not realize the importance of reapplying for the insurance.

I have had reported to me a number of very sad cases where the serviceman had been absent without leave, was then returned to duty, and later killed in action, leaving his family with no insurance.

This bill will correct this situation by automatically reinstating such insurance when the member of the armed service is returned to duty after a period of absence without leave.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2002) to amend chapter 19 of title 38, United States Code, in order to provide for the automatic reinstatement of servicemen's group life insurance in the case of members of the uniformed services who are returned to duty after an absence without leave of more than 31 days, introduced by Mr. COOPER, was received, read twice by its title and referred to the Committee on Armed Service.

S. 2003—INTRODUCTION OF A BILL TO PROVIDE A SPECIAL GOVERNMENT LIFE INSURANCE PROGRAM FOR VETERANS OF THE VIETNAM ERA

Mr. LONG. Mr. President, I am introducing today the Vietnam Era Veterans' Life Insurance Readjustment Benefit Act. This bill would provide low-cost GI insurance for Vietnam servicemen upon their discharge from active duty.

We provided U.S. Government life insurance for World War I veterans. We provided national service life insurance for World War II veterans. We provided veterans' special life insurance for Korean war veterans. It is high time, Mr. President, that we provide similar low-cost GI insurance for our returning Vietnam veterans.

We offer servicemen on active duty up to $10,000 in servicemen's group life insurance. I applaud this program, and in fact I have recently introduced legislation to provide double indemnity insurance for servicemen on active duty in combat areas. But the discharged serviceman who leaves active duty in good health does not benefit from the servicemen's group life insurance program; he is merely able to purchase commercial insurance at ordinary commercial rates—just as any nonveteran in good health could. Only if the serviceman is disabled is the servicemen's group life insurance program of benefit to him, for it guarantees that he may buy commercial insurance at the same rates as if he were in good health. Even in this case, the commercial rates are higher than they would be under GI insurance.

The bill I am introducing today would in no way affect the servicemen's group life insurance provisions of law. Since it would only be for veterans, it would not affect servicemen on active duty—unless a veteran later returned to active duty. In addition, the veteran could continue, as under present law, to purchase commercial insurance after his discharge through the servicemen's group life insurance program. Purchase of Vietnam era veterans' life insurance would in no way interfere with this.

Now, Mr. President, I would like to outline the major features of the insurance program I am recommending.

My bill would add a new subchapter to the veterans insurance laws establishing Vietnam era veterans life insurance. The face value of Vietnam era veterans life insurance could be as high as the maximum insurance under the present servicemens group life insurance program for servicemen on active duty. Under present law, that amount is $10,000. There have been several proposals to increase servicemens group life insurance, and the bill I am introducing today would permit a veteran to purchase Government life insurance protection at least equal to the protection available to servicemen on active duty.

Vietnam era veterans life insurance would not be available on a term insurance basis, but it could be issued under a modified life plan or any other kind of permanent plan. What this means is that the premium would be the same during the entire life of the veteran. We are finding under the national service life insurance program that veterans who still hold term insurance are faced with substantial increases in their premiums as they enter their fifties and sixties. In some cases, the rates become prohibitive. While these veterans had the right to convert to permanent insurance, they were unable to or did not choose to do so. Faced with sharply increased premiums in their term insurance, many older veterans find it difficult to understand the increasing cost of insurance protection, and they criticize the Congress for rate increases which are based on sound actuarial calculations. Under my bill, there would be no problem of rising premiums, since a permanent lifetime premium rate would be set at the time of purchase or conversion to a new insurance plan. The modified life insurance my bill would provide would be almost as inexpensive as term insurance; though the premium would remain constant throughout the beneficiary's life, the face value of the insurance policy would drop by half when he reached his 65th birthday. Under my bill, a modified life policy could be converted into any of the other more expensive kinds of permanent insurance whenever the veteran so desired.

Like national service life insurance, Vietnam era veterans life insurance would be participating insurance. This means that veterans would receive dividends under the insurance program. These dividends would automatically be applied against the next year's premium unless the veteran requested payment in cash. This way we would be able to insure that Vietnam era veterans life insurance would be offered veterans at the lowest possible cost. I might note that the veterans special life insurance offered Korean war veterans, unfortunately, is nonparticipating. The extra funds which have accrued over the years are not returned to the veterans who paid them.

To assure that the premium rates are reasonable my bill would require that the rates be based on fairly recent mortality experience. In addition, the premium rates would have to assume an annual interest rate of 3¾ percent. This is higher than the 3½ percent interest rate written into the law for the most recently enacted GI insurance, but it is the rate used by the Chief Actuary of the Social Security Administration in his most conservative long-range estimate of the interest yield on Government securities. These are the same kind of securities that the Vietnam era veterans' life insurance trust fund would be required to invest in. I believe we can put our confidence in the actuarial estimates that serve as the basis for the Congress' actions to finance the social security program which offers protection to more than 90 percent of our population.

If a veteran who has a Vietnam era veterans' life insurance policy reenters active duty, he may either surrender his policy for its cash value or retain it and continue to pay the premiums. Even if he does decide to surrender the policy, certain rights are preserved. Without being required to have a medical examination, he may within 120 days of discharge either take out a new Vietnam era veterans' life insurance policy, or if he prefers, he may reinstate his earlier policy by paying back the reserve and the premiums which had not been paid since his policy was surrendered.

I have incorporated in the Vietnam era veterans life insurance program several other features of the national service life insurance program. A veteran would be able to purchase disability insurance in addition to life insurance; if he became totally disabled, he would receive a monthly payment of $10 for every $1,000 of Vietnam era veterans life insurance held. Even if he did not wish to purchase this type of disability insurance, he would be eligible for a waiver of his life insurance premium if he became totally disabled. In other words, he would not have to pay for life insurance protection while totally disabled. Similarly, servicemen who become totally disabled while on active duty would be eligible for Vietnam era veterans life insurance on a waiver of premium basis after their discharge. General fund appropriations would repay the Vietnam era veterans life insurance trust fund for the cost of both excess mortality and waiver of premiums which are due to service-related disability.

The new Vietnam era veterans life insurance program would generally be available to veterans whose active duty service included service during the Vietnam era, defined in law as beginning on August 5, 1964.

Mr. President, I ask unanimous consent that the text of the bill appear in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2003) to provide a special Government life insurance program for veterans of the Vietnam era, introduced by Mr. LONG, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2003

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Vietnam Era Veterans' Life Insurance Readjustment Benefits Act".

SEC. 2. Chapter 19 of title 38, United States Code, is amended by redesignating subchapter IV as subchapter V; by renumbering sections 781 through 788 as section 791 through 798, respectively; and by inserting after subchapter III a new subchapter as follows:

"SUBCHAPTER IV—VIETNAM ERA VETERANS' LIFE INSURANCE

"§ 781. Definitions

"For the purpose of this subchapter—

"(1) The term 'insurance' means Vietnam Era Veterans' Life Insurance.

"(2) The term 'widow' or 'widower' means a person who was the lawful spouse of the insured at the maturity of the insurance.

"(3) The term 'child' means a legitimate child, an adopted child, and if designated as beneficiary by the insured, a stepchild or an illegitimate child.

"(4) The terms 'parent', 'father', and 'mother' means a father, mother, father through adoption, mother through adoption, persons who have stood in loco parentis to a member of the Armed Forces of the United States at any time before entry into active service for a period of not less than one year, and a step-parent, if designated as beneficiary by the insured.

"(5) The term 'eligible veteran' means a veteran who (A) served on active duty for a period of more than 180 days any part of which occurred during the Vietnam era and who was discharged or released therefrom under conditions other than dishonorable, or (B) was discharged or released from active duty, any part of which occurred during the Vietnam era, for a service-connected disability.

"§ 782. An applications for Vietnam Era Veterans' Life Insurance

"Any eligible veteran may, within one hundred and twenty days after his discharge from active military, naval, or air service and (1) upon written application to the Administrator, (2) payment of the required premium, and (3) without meeting any requirement of good health, be granted insurance by the United States against the death of such veteran occurring while such insurance is in force.

"§ 783. Amount of insurance

"Insurance shall be issued in any multiple of $500 and the amount of insurance with respect to any eligible veteran shall be not less than $1,000 or more than the maximum amount of insurance authorized under section 767 for persons insured under subchapter III of this chapter. No eligible veteran may carry a combined amount of Vietnam Era Veterans' Life Insurance, National Service Life Insurance, and United States Government Life Insurance in excess of such maximum amount authorized in such section 767.

"§ 784. Plans of insurance

"(a) Insurance under this subchapter may be issued on the following plans: modified life, ordinary life, twenty-payment life, thirty-payment life, twenty-year endowment. endowment at age sixty, and endowment at age sixty-five. All insurance issued under this subchapter shall be participating insurance.

"(b) Under such regulations as the Administrator may promulgate, a policy of insurance of any type issued under this subchapter may be converted or exchanged for any other type insurance issued under this subchapter. Whenever a policy of insurance issued under this subchapter is converted or exchanged for a policy issued on the modified life plan, the face value of the modified life policy shall be automatically reduced by one-half, without any reduction in premium, at the end of the day preceding the sixty-fifth birthday of the insured.

"(c) Any insured whose modified life insurance policy is in force by payment or waiver of premiums on the day before his sixty-fifth birthday may upon written application and payment of premiums made before such birthday be granted insurance under this subchapter on an ordinary life plan without physical examination in an amount of not less than $1,000, in multiples of $500, but not in excess of one-half of the face amount of the modified life insurance policy in force on the day before his sixty-fifth birthday. Insurance issued under this subsection shall be effective on the sixty-fifth birthday of the insured. The premium rate, cash, loan, paid-up, and extended values on the ordinary life insurance issued under this subsection shall be based on the same mortality tables and interest rates as the insurance issued under the modified life policy. Settlements on policies involving annuities on insurance issued under this subsection shall be based on the same mortality or annuity tables and interest rates as such settlements on the modified life policy. If the insured is totally disabled on the day before his sixty-fifth birthday and premiums on his modified life insurance policy are being waived, as provided in section 712 of this title, or he is entitled on that date to waiver, as provided in such section, he shall be automatically granted the maximum amount of insurance authorized under this subsection and premiums on such insurance shall be waived during the continuous total disability of the insured.

"§ 785. Terms and conditions; premium rates

"Insurance granted under this subchapter shall be issued upon the same terms and conditions as National Service Life Insurance, except (1) five-year level premium term insurance may not be issued; (2) the net premium rates shall be based on the 1958 Commissioners Standard Ordinary Basic Mortality Table, increased at the time of issue by such an amount as the Administrator determines to be necessary for sound actuarial operations; (3) an additional premium to cover administrative costs to the Government as determined by the Administrator at times of issue shall be charged for insurance issued under this subchapter and for any total disability income provision attached thereto; (4) all cash, loan, extended and paid-up insurance values shall be based on the 1958 Commissioners Standard Ordinary Basic Mortality Table; (5) all settlements on policies involving annuities shall be calculated on the basis of the Annuity Table for 1949; (6) all calculations in connection with insurance issued under this subsection shall be based on interest at the rate of 3¾ per centum per annum; (7) the insurance shall include such other changes in terms and conditions as the Administrator determines to be reasonable and practicable; and (8) all insurance issued under this subchapter shall be on a participating basis.

"§ 786. Surrender of policy for cash value upon reentry into military service; insurance after separation; waiver of premiums

"(a) Any person in the active military, naval, or air service, who has an insurance contract under this subchapter, may elect to surrender such contract for its cash value. In any such case the person, upon application in writing made within one hundred and twenty days after the expiration from active service, may be granted, without medical examination, insurance under this subchapter, or may reinstate such surrendered insurance upon payment of the required reserve and the premium for the current month.

"(b) Waiver of premiums under this subchapter shall not be denied in any case of issue of insurance under this subchapter or reinstatement of insurance under this section in which it is shown to the satisfaction of the Administrator that total disability of the applicant commenced prior to the date of his application.

"§787. Vietnam Era Veterans' Life Insurance Fund

"(a) There is created in the Treasury a permanent trust fund to be known as the Vietnam Era Veterans' Life Insurance Fund. All premiums paid on account of Vietnam Era Veterans' Life Insurance shall be deposited and covered into the Treasury to the credit of such fund, which, together with interest earned thereon, shall be available for the payment of liabilities under such insurance, including payment of dividends and refunds of unearned premiums. Payments from this fund shall be made upon and in accordance with awards by the Administrator.

"(b) The Administrator is authorized to set aside out of such fund such reserve amounts as may be required under accepted actuarial principles to meet all liabilities under such insurance; and the Secretary of the Treasury is authorized to invest and reinvest such fund, or any part thereof, in interest-bearing obligations of the United States or in obligations guaranteed as to principal and interest by the United States, and to sell such obligations for the purposes of such fund.

"§788. Vietnam Era Veterans' Life Insurance Appropriation

"There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this subchapter, to be known as the Vietnam Era Veterans' Life Insurance Appropriation, for the payment of liabilities under Vietnam Era Veterans' Life Insurance. Payments from this appropriation shall be made upon and in accordance with awards by the Administrator.

"§789. Applicable provisions

"The provisions of section 706, 707, and the first sentence of section 708; the provisions of sections 709 through 711; the provisions of subsections (a), (b), and (c), and the last two sentences of subsection (d) of section 712; the provisions of sections 713 through 715; and the provisions of sections 717, 718, and 721, all of this title, shall be effective in the same manner and to the same extent with respect to Vietnam Era Veterans' Life Insurance issued under this subchapter as such provisions are applicable to National Service Life Insurance. References in section 721 of this title to the National Service Life Insurance Fund and to the National Service Life Insurance Appropriation shall be deemed for purposes of this subchapter to refer to the Vietnam Era Veterans' Life Insurance Fund and the Vietnam Era Veterans' Life Insurance Appropriation, respectively."

SEC. 3. Section 795 of title 38, United States Code, as redesignated by section 2 of this Act, is amended by striking out "section 784" and inserting in lieu thereof "section 794".

SEC. 4. The table of sections at the beginning of chapter 19 of title 38, United States Code, is amended by striking out the heading "Subchapter IV—General" and everything below such heading, and inserting in lieu thereof the following:

"SUBCHAPTER IV—VIETNAM ERA VETERANS' LIFE INSURANCE

"781. Definitions.
"782. Applications for Vietnam era veterans' life insurance.
"783. Amount of insurance.
"784. Plans of insurance.

"785. Terms and conditions; premium rates.
"786. Surrender of policy for cash value upon reentry into military service; insurance after separation; waiver of premiums.
"787. Vietnam era veterans' life insurance fund.
"788. Vietnam era veterans' life insurance appropriation.
"789. Applicable provisions."

SEC. 5. This Act shall become effective on the first day of the third calendar month following the month in which it is enacted. In any case in which an eligible veteran is discharged prior to such effective date, he shall, for purposes of section 782 of title 38, United States Code, be deemed to have been discharged on the effective date of this Act.

S. 2005—INTRODUCTION OF THE RESOURCE RECOVERY ACT OF 1969

Mr. MUSKIE. Mr. President, there was a time in this country when material of any kind was known to be scarce and expensive. String and wax drippings were saved, and bent nails were pounded straight.

In those days, most Americans were producers of food and goods for their own use. They lived in rural areas, and they understood what waste meant: It was simply the negligent use of scarce materials. "Waste not, want not," was more than a moral or religious precept. It was a law of American economic life.

But today, most of us live in urban areas. And most of us make our living from providing services rather than producing food or goods.

In our current view, materials are relatively cheap. We buy, we use, and we throw away.

I think that Austin C. Daley, chief of the division of air pollution control of the Rhode Island Department of Health, accurately summarized our national attitude during a hearing before the Senate Subcommittee on Air and Water Pollution at Boston on April 10. Mr. Daley remarked:

> We are a nation of users, not consumers.

Most Americans would be astonished by how much we use but do not consume. The national solid wastes survey of the Department of Health, Education, and Welfare reported that Americans soon will discard each year more than 30 million tons of paper, 4 million tons of plastics, 48 billion cans, and 26 billion bottles; more than 3.5 billion tons of solid wastes are being thrown away in this country every year. The annual cost of handling and disposing these wastes amounts to $4.5 billion; and during the past 30 years, more than 20 billion tons of solid wastes have been deposited by mining, milling, and processing. These wastes have covered or damaged 7,000 square miles of land.

Mr. President, at the recent hearing held by our subcommittee in Boston, the Honorable John F. Collins, the former mayor of that city, gave us a keen insight into the problems we are facing in solid wastes disposal. He reminded us that there are basically two ways to manage solid wastes effectively.

> The first is to attack the problem at its source—

Mayor Collins said—

> by reducing the generation of solid wastes and changing their nature and composition. The other method—

He added—

> is to increase vastly the efficiency of application of current technology and managerial techniques.

We are a long way from effective management of solid wastes. Public commitment to the solution of this problem is inadequate. Local governments remain primarily responsible for collecting, processing, and disposing of solid wastes. The States still pay a very minor role.

The Federal Government did not even enter the field until 1965. Until that time there had been slight awareness of the problem, little innovation in our approaches, and little cordination of our efforts.

Congress passed the solid waste disposal act in 1965 and placed the Federal Government in direct contact with the growing problems of solid wastes for the first time. The act set up a 3-year program of grants for demonstrations of new technologies, for planning of State and local solid waste management programs, and for technical assistance to solid waste agencies. In 1968, the program was extended for an additional year.

These pilot programs have been successful, but they have been limited in their approach. If our efforts in this field are to offer any hope in light of the dimensions of the problem, the Congress must sustain the progress made thus far and expand our efforts in new directions.

We must begin to consider some way to attach the cost of solid waste disposal to the value of the products we use but do not consume. Incentives for effective solid wastes management should be related to the persistency of the product in the environment. For example, paper products which degrade rather quickly would have a low recovery value. But cans, bottles, and plastics would have increasingly higher recovery values.

So that we may move toward the goals I have described, I introduce for myself and Senators BAYH, BOGGS, COOPER, EAGLETON, METCALF, MONTOYA, RANDOLPH, SPONG, YARBOROUGH, and YOUNG of Ohio, the Resource Recovery Act of 1969. This bill amends, strengthens, and extends for an additional 4 years the Solid Waste Disposal Act of 1965; it also contains two new provisions:

First, the Secretary of Health, Education, and Welfare is directed to conduct studies and report to the President and the Congress on economical means of recovering useful materials from solid wastes, recommended uses of such materials for national and international welfare, and the market of such recovery; recommended incentive programs—including tax incentives—to assist in solving the problems of solid waste disposal; and recommended changes in current production and packaging practices to reduce the amount of solid wastes.

The Secretary also would be authorized to carry out demonstration projects to test and demonstrate the recovery techniques developed by these studies.

Second, the Secretary would be authorized to make grants to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal facilities, with incentives for new and improved methods for dealing with solid wastes.

Mr. President, I ask that the text of the bill, a summary of its provisions, and the texts of the remarks of Mayor Collins and Mr. Daley at the Boston hearing on April 10 be printed in the RECORD at the conclusion of my statement.

I offer this legislation because I do not believe that America can continue indefinitely to burn, bury, or throw away the solid wastes generated by its people. There simply are not enough resources, enough land area, or enough clear air and clear water to permit the mere refinement of existing approaches to solid waste management.

If future generations of Americans are to inherit adequate, economical supplies of our natural resources, we must move now to find new ways of reusing solid wastes. If we are to preserve and enhance the quality of our environment, we must find ways to reduce the sheer quantities of solid wastes and to lessen the burden on our air and water resources.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, summary of its provisions, and text of the remarks of Mayor Collins and Mr. Daley at the Boston hearing, will be printed in the RECORD.

The bill (S. 2005) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 2005

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Resource Recovery Act of 1969".

SEC. 2. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

"(7) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes."

SEC. 3. (a) Subsection (a) of section 204 of the Solid Waste Disposal Act is amended by striking out all beginning with "the development and application" through the end of such subsection and inserting in lieu thereof the following: "the reduction of the amount of such waste and unsalvageable waste materials, and the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering usable materials from solid waste (including devices and facilities therefor)."

(b) Such section 204 is further amended by striking out subsection (d).

SEC. 4. The Solid Waste Disposal Act is amended by redesignating sections 205 and 206 as sections 206 and 207, respectively, and by inserting after section 204 a new section as follows:

"SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL MATERIALS

"SEC. 205. (a) The Secretary of Health, Education, and Welfare shall as soon as practicable carry out an investigation and study to determine—

"(1) economical means of recovering useful materials from solid waste, recommended uses of such materials for national or international welfare, and the market impact of such recovery;

"(2) appropriate incentive programs (including tax incentives) to assist in solving the problems of solid waste disposal;

"(3) practicable changes in current production and packaging practices which would reduce the amount of solid waste; and

"(4) practicable methods of collection and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse or disposal of wastes.

The Secretary shall report the results of such investigation and study to the President and the Congress.

"(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate recovery techniques developed pursuant to subsection (a).

"(c) The authority contained in section 204 for the purpose of carrying out research and demonstration projects shall be applicable to the provisions of this section."

SEC. 5. Section 207 of the Solid Waste Disposal Act, as redesignated by the previous section of this Act, is amended to read as follows:

"GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

"SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701 (g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of a single municipality, and not to exceed 75 per centum of the cost in the case of an area including more than one municipality, of (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and (2) developing solid waste disposal plans as part of regional environmental protection systems for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites, and not to exceed 50 per centum of the cost of overseeing the implementation, including enforcement, and modification of such plans.

"(b) Grants pursuant to this section shall be made upon application therefor which—

"(1) designates or establishes a single agency as the sole agency for carrying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs;

"(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

"(4) provides for submission of a final report of the activities of the agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

"(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with, and not duplicative of, other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954."

SEC. 6. The Solid Waste Disposal Act is further amended by redesignating the last four sections in such Act as sections 211 through 214, respectively, and by inserting after section 207, as redesignated by this Act, the following new sections:

"GRANTS FOR CONSTRUCTION

"SEC. 208. (a) The Secretary of Health, Education, and Welfare is authorized to make grants pursuant to this section to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal and resource recovery facilities, including completion and improvement of existing facilities.

"(b) Any such grant—

"(1) shall be made for a project only if it is consistent with any State or interstate plan for solid waste disposal, is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and is consistent with any standards developed pursuant to section 209;

"(2)(A) shall be made in amounts not exceeding 25 per centum of the estimated reasonable cost of the project as determined by the Secretary in the case of a project serving a single municipality and not exceeding 50 per centum of such cost in the case of a project serving an area including more than one municipality, and only if the applicant is unable to obtain such amounts from other sources upon terms and conditions equally favorable;

"(B) Notwithstanding any other provision of this paragraph, the Secretary may increase the amount of a grant made under (A) by an additional 50 per centum of such grant for any project which utilizes new or improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, recovery of resources, or recycling useful materials.

"(3) shall not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project after completion;

"(4) shall not be made unless such project is consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act; and

"(5) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

"(c) In determining the desirability of projects and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of the project to the public interest and to the public necessity for the project, and the use by the applicant of comprehensive regional or metropolitan area planning.

"(d) Not more than 15 per centum of the total of funds appropriated for the purposes of this section in any fiscal year shall be granted for projects in any one State. In the case of a grant for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant which is chargeable to the percentage limitation under this subsection for each State into which such area extends.

"RECOMMENDED STANDARDS

"SEC. 209. (a) The Secretary of Health, Education, and Welfare shall, in cooperation with appropriate State, interstate, and regional and local agencies, within eighteen months following the date of enactment of this section, recommend to appropriate agencies standards for solid waste collection and disposal systems (including systems for private use) which are consistent with health, air, and water pollution standards and can be adapted to applicable land use plans.

"(b) Further, the Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act."

SEC. 6. (a) Subsection (a) of section 214 of the Solid Waste Disposal Act, as redesignated by this Act, is amended by striking out "not to exceed $19,750,000 for the fiscal year ending June 30, 1970." and inserting in lieu thereof the following: "not to exceed $46,000,000 for the fiscal year ending June 30, 1970, not to exceed $83,000,000 for the fiscal year ending June 30, 1971, not to exceed $152,000,000 for the fiscal year ending June 30, 1972, not to exceed $216,000,000 for the fiscal year ending June 30, 1973, and not to exceed $236,000,000 for the fiscal year ending June 30, 1974. The sums so appropriated shall remain available until expended."

(b) Subsection (b) of such section 214 is amended by striking out "not to exceed $12,250,000 for the fiscal year ending June 30, 1970." and inserting in lieu thereof the following: "not to exceed $15,000,000 for the fiscal year ending June 30, 1970, not to exceed $17,500,000 for the fiscal year ending June 30, 1971, not to exceed $20,000,000 for the fiscal year ending June 30, 1972, not to exceed $22,500,000 for the fiscal year ending June 30, 1973, and not to exceed $25,000,000 for the fiscal year ending June 30, 1974."

SEC. 7. The amendments made by this Act shall be effective for fiscal years beginning after June 30, 1969.

The material, presented by Mr. MUSKIE, follows:

RESOURCE RECOVERY ACT OF 1969 SUMMARY OF PROVISIONS

1. Definition.

2. Addition to existing research provision to emphasize development of new methods to reduce, re-use and recycle wastes.

3. Authorization of special study of (a) economical means resource recovery, (b) incentives to assist in solving solid waste problems, (c) changes in production and packaging techniques to reduce unused by-products of consumption, (d) methods of containerization and collection of wastes to facilitate disposal.

4. Authorizes grants and contracts to test and demonstrate methods developed pursuant to the special study.

5. Expands existing planning grant authority to provide grants for implementation, including enforcement, and modification of solid waste disposal plans.

6. Authorizes grants for construction of local and regional solid waste disposal and resource recovery facilities; authorizes 25% grants for single community facilities and 50% grants for regional programs with 50% increase in the amount of any construction grants for application of new or improved technology.

7. Authorizes the Secretary of Health, Education, and Welfare to recommend standards for solid waste disposal and collection systems and to develop model codes, ordinances and statutes for effective implementation of solid waste disposal programs.

8. Authorizes $733 million for 5 years to carry out Department of Health, Education, and Welfare activities under the Act and authorizes $100 million to carry out Department of Interior activities.

STATEMENT OF AUSTIN C. DALEY, CHIEF OF THE DIVISION OF AIR POLLUTION CONTROL, RHODE ISLAND STATE DEPARTMENT OF HEALTH, BEFORE HEARING OF U.S. SENATE SUBCOMMITTEE ON AIR AND WATER POLLUTION, UNDER CHAIRMANSHIP OF SENATOR EDMUND S. MUSKIE, AT BOSTON CITY HALL COUNCIL CHAMBER, APRIL 10, 1969

My name is Austin C. Daley. I am the Chief of the Division of Air Pollution Control of the State of Rhode Island. Prior to my present position for seven years I was Director of the Air Pollution Control Department of the City of Providence, Rhode Island. I am a registered professional engineer in Rhode Island and a Diplomate in the American Academy of Environmental Engineers. I have been a member of the Air Pollution Control Association for 20 years.

First, I would like to express my appreciation to Senator Muskie and the Senate Subcommittee on Air and Water Pollution for the honor of receiving an invitation to testify here today.

The problems in solid waste disposal in Rhode Island are basically no different from any other Atlantic coastal state. They are growing rapidly and will soon reach nightmare proportions. At present the two most satisfactory methods of disposing of this waste are by means of the sanitary landfill and by the reduction of combustible waste by incineration. Unfortunately, there are very few municipal incinerators in this country that do not cause air pollution, and the residue from these incinerators also has to be deposited in a landfill. Lack of space, particularly in congested urban areas, makes it apparent that the landfill is not a long-range solution, and science will have to come up with a breakthrough in research as to a satisfactory method of disposal. Since private industry has not been successful in devising solutions, greater support for this research must be given to the Solid Wastes Program of the United States Public Health Service and to the universities which are working on solid waste disposal projects. It is imperative that we come up with answers before our urban society chokes in its own solid waste.

In our efforts to cope with this problem it is important that we recognize two basic facts: first, we can neither create nor destroy matter and, second, we are a nation of users, not consumers.

However, while waiting hopefully for the needed breakthrough in solid waste disposal, whether it be in recycling and re-use of material or a more efficient reduction process, we must meanwhile make a greater effort to improve conditions with the means we have at hand. One of the most serious solid waste disposal problems is created by the nation's largest industry, i.e. junked car bodies. Millions of them are being left on our streets and open spaces annually.

On October 9, 1968 the Rhode Island Division of Air Pollution Control sponsored a conference on the disposal of junked car bodies which was well attended by scrap metal dealers, including out-of-state people, a representative from the Institute of Scrap Iron and Steel in Washington and many state and federal health officials. We were told that this was the first conference of such scope ever held in this country. We offered several plans for cooperation among the scrap metal dealers. These schemes included a big nuisance-free incinerator financed on a cooperative venture by members of the industry. Such cooperative arrangements have been worked successfully by dairy farmers and fishing fleets for years. To our disappointment very little enthusiasm was manifested by those in attendance. Today many still continue to strip car bodies and dispose of components by clandestine open fires, usually burning after dark. For obvious reasons this arrangement is bad, particularly when it is realized that the junked car dealers, in picking up these abandoned cars, are performing a useful solid waste disposal function.

The automobile industry should be induced and encouraged to work out with the scrap metal dealers a coordinated, efficient and inoffensive system of processing these junked cars for steel reclamation. Similar steps should be taken to encourage the manufacturers of glass and plastic bottles and containers and aluminum cans to assist in devising means in the proper disposal of the solid waste they create. We are confident that this committee has heard these views expressed before, but we in Rhode Island want to add our voice to those in other states as to the urgency of the solid waste problem confronting this country.

Those of us engaged in fighting air and water pollution and tackling solid waste problems have found that our activities overlap, and we are in fact members of a team battling for environmental survival. Because of the interstate travel of pollution, the role of the federal government in combating it has, of necessity, been increased, and we in Rhode Island appreciate both the financial and professional assistance we have received from federal agencies. However, we would like to point out, particularly in two great undertakings of the federal government, some activities creating serious solid waste problems that are not being handled properly.

The Department of Transportation pays for 90 percent of the interstate highway program costs, and this road construction frequently entails the removal of miles of trees and brush and hundreds of buildings in the path of a new highway. In Rhode Island the contractors clear this brush by burning it. Since they claim the brush is green, even in winter, they always lace it with old auto tires to sustain combustion. The resulting heavy pollution is visible for miles.

We have repeatedly protested against this pollution but our state law does not give us authority over this type of open burning. It is under the authority of the municipality where it takes place and, although nearby residents often complain, no city or town has ever made a move to stop it. We have suggested that a logging and wood chipping program be inaugurated. These chippers can handle logs up to eight inches in diameter and wood chips make excellent mulch. So far our suggestions have been fruitless and it is particularly frustrating, after the pavement is poured, to witness the arrival of truckloads of expensive wood chip mulch to be spread on the banks for highway beautification. We believe that to chip the brush and store it at the site would not only eliminate air pollution, but would result in considerable savings. We also object to the open burning of buildings that have to be removed from the path of the highways, but we will offer our proposed solution for this problem in our discussion of urban renewal demolition.

Virtually all of Rhode Island's 39 municipalities have present or future plans to participate in urban renewal programs under the Department of Housing and Urban Development grants, which provide from two-thirds to three-quarters of total project cost. This will necessitate the razing of approximately 1,900 buildings in the next five years in our little state. Sometimes these buildings are burned on the site. Our colleagues in the Massachusetts Air Use Management Division can tell you about the evils of this practice. A few years ago scores of buildings were burned down for urban renewal clearance at this very spot where we are meeting today. The Boston urban renewal people were interested solely in creating this present attractive downtown complex. Vast quantities of poisons and dust entering the atmosphere were of no concern to them. This same attitude is frequently displayed by the people building our interstate highways.

Since these two activities, interstate highway construction and urban renewal, are so heavily financed by federal agencies, we feel that the Department of Transportation and HUD have a responsibility to make arrangements for decent waste disposal as part of their projects when they are in the planning stages. In a broad sense, these two government agencies are engaged in manufacturing and all manufacturing processes generate waste. We cannot ask the Rhode Island city of Central Falls, with 19,000 people in its 1.27 square mile area, to find room to dispose of the rubble and timber from a cluster of buildings demolished in the path of a highway or urban renewal. The same situation holds true for most of our congested cities.

We feel that when all the interstate highway programs and urban renewal projects are on the drawing boards, a Solid Waste Program expert from the U.S. Public Health Service should be included as an integral member of the planning team, and he should stay with each project until its completion. His duties would be to plan for the proper removal and disposal of all solid waste. In the highway projects he would arrange for the logging and chipping of brush and the carting of rubble and timber from demolished buildings to a proper disposal site. The disposal of demolition debris would be coordinated with urban renewal waste disposal.

For demolition debris disposal the solid waste disposal engineer would select sites for a defined region which could conceivably cover an area as large as Rhode Island and southeastern Massachusetts. All demolition debris would be trucked in suitable vehicles without spillage to the disposal site where adequate personnel and equipment would work the landfill. If the disposal sites have sufficient area, municipalities could deposit other solid wastes there on a fee basis.

This would cost money but comparatively little when computed as a proportionate cost of the entire project. And air pollution is costing us more than money today. It is a sad commentary on our affluent society when we permit these vast, polluting open fires to vitiate our atmosphere because of economics. Solid waste disposal is a vital function in any urbanized community, and it should not be neglected because it costs money. Soap, hot water, towels, toothpaste and brushes cost money but, because of this, should we discard personal hygiene? Since the activities of federal agencies create some of our biggest solid waste problems, these departments should set the pace in decent solid waste disposal. By doing so, they would be offering a splendid example for our states and municipalities to follow. The U.S. Public Health Service Solid Waste Program has the experts to provide the know-how as planning team members for all future highway and urban renewal projects. Let us put these people to work immediately.

AN OVERVIEW OF THE SOLID WASTE MANAGEMENT PROBLEM

(Remarks by Hon. John F. Collins, visiting professor of urban affairs, Massachusetts Institute of Technology, Cambridge, Mass., before the Subcommittee on Air and Water Pollution, Committee on Public Works, U.S. Senate, Senator EDMUND S. MUSKIE, chairman, Boston, Mass., April 10, 1969.)

INTRODUCTION

The solid waste problem is becoming increasingly severe in our major metropolitan areas. The efficient management of solid wastes is important not only because of its high cost, but also because of its significant impact on other crucial problems of the urban environment. These other problems include the deteriorating quality of the visual environment in our central cities; the potential pollution of our air, water and land resources; the need for gainful employment and business opportunities for disadvantaged groups; the scarcity of land in urban areas; and the severely limited amount of municipal human and capital resources. Solid waste management must pay attention to these important urban problems if we are to avoid exacerbating the urban crisis still further.

The problem of solid waste management in urban areas is very much like other problems of urban environmental management: our advanced technology and growing enocomy have created ever greater volumes of wastes and ever greater problems of proper waste disposal, but at the same time our technology and managerial skills also offer the hope of solving these problems, if only we have the skill and the wisdom to utilize them properly.

One of the most neglected paths to solving our porblems is more efficient management of exsiting technology. Too often, we have falsely laid our hopes on technological solutions to what are essentially managerial problems. As is the case in other urban problem areas, our institutions are not designed to enable our technical and managerial resources to serve us properly. The boundaries of the solid waste problem unfortunately do not coincide with the boundaries of our political jurisdictions.

Improved management, regional cooperation in solid wastes handling, and several new collection and disposal technologies offer the opportunity of cost savings on the order of twenty-five percent or more. In urban areas, municipal expenditures for solid waste collection and disposal are exceeded only by outlays for education and roads. We desperately need all of the scarce resources which we can free from an essentially non-productive activity such as waste management. We need also to begin to modify our generation of wastes so that we can more efficiently recycle and reuse our waste products, as part of a national policy of resource conservation.

Finally, we must pay particular attention to the effects of poor waste management on the quality of our urban environment. We are all well aware of the visual and aesthetic blight caused by improper and careless waste disposal methods. More subtle environmental interactions are the air pollution from incinerators and open dumps; the virtually unknown effects on marine ecology of ocean disposal of wastes, both solids and liquid; stream and river pollution caused by drainage from poorly designed and maintained landfills and dumps, and by agricultural runoff; and pollution of the groundwater, caused by leaching and infiltration of noxious substances from landfills and sumps. Clearly, if solid wastes are not properly treated and disposed of, they may undermine all of our other efforts to improve environmental quality.

THE URBAN SYSTEM AND THE SOLID WASTE PROBLEM

In examining the solid waste problem in metropolitan areas, we are dealing with a large and complex system permeated by subtle and far-reaching interactions between wastes, their management, other urban activities, and the natural and man-made environment. The methodology of systems analysis is particularly applicable to these types of problems and is used in this paper to provide an overview of urban solid waste management.

To make the analysis, we must consider, first, both the urban and the solid waste systems and their important interactions. We must then define the objectives of solid waste handling and disposal. With these in mind, available solutions can be examined and evaluated against the objectives, and the operable constraints on using particular solutions can be used to reduce the range of alternative solutions. More detailed studies can then pinpoint both the optimal waste management solution in a given urban area and the benefits to be derived from changes in the constraints.

Finally, problems of implementation of appropriate solutions must be considered, and an appropriate role for the apparatus of government and for public policy must be defined.

THE NATURE OF THE PROBLEM

Man's economic activities provide a wide variety of goods and services and an almost equally large assortment of residues, in the form of solid, liquid and gaseous substances as well as heat and noise. In looking at the solid waste problem, we should remember that these residues can be transformed into one another by various processes, so that "solid" wastes may appear in liquid form, as in the case of sewage solids, and they may be transformed into other gaseous, solid, liquid, heat or noise residues. Thus, we must initially consider the entire spectrum of wastes in looking at the solid waste problem.

Today's urban solid waste problem is directly a function of our ever-increasing population, of continued high densities and crowding in metropolitan areas, and of the crazy pattern of urban and suburban sprawl which characterizes the American metropolis. The problem has been exacerbated by our affluence, resulting in a steadily increasing per capita use and production of waste materials, and by the "packaging revolution" to which this affluence has given rise and which it openly fosters and promotes. The packaging revolution and our increasingly complex industrial processes produce a variety of exotic substances which natural processes are scarcely designed to degrade and assimilate. In thinking about solid wastes in the urban environment, we would do well to remember that, sooner or later, everything that goes into a metropolitan area will either be degraded, reclaimed or appear again as a waste product or residue.

The magnitude of municipal wastes has been estimated at five pounds per person per day, or a billion pounds a day for the United States! Not included in this total are the solid wastes in our liquid and gaseous effluents, which amount to roughly three pounds daily per capita. Thus, municipal wastes total almost 200 million tons annually. To this total must be added the unknown hundreds of millions of tons of industrial wastes produced annually and the approximately 700 million tons of agricultural wastes generated yearly. Thus, we produce something over a billion tons of waste materials every year—it is a tribute to the assimilative capacity of the environment that our solid waste disposal problems are not much worse!

The nature of solid wastes is extremely varied. Municipal wastes consist basically of rubbish and garbage, and occasional household bulk wastes thrown in. Municipal wastes also include construction and demolition wastes which are often very difficult to dispose of. Industiral production wastes constitute an extremely heavy burden on the assimilative capacity of the environment, especially such dangerous substances as nuclear wastes. At the present, they are normally disposed of privately or on-site, so that they are as yet not a heavy burden on municipal facilities. Nonetheless, they must be considered in any solid waste disposal analysis because they must be disposed of by someone. Agricultural wastes consist largely of feces and soiled straw and constitute an extremely heavy potential pollution load and are also a disease potential. As agricultural production comes more and more to resemble industrial processes, the solid wastes will become more concentrated and we will not be able to ignore them as cavalierly as we have to date. In addition, the cemetery functions occupy more space per unit weight than any subject yet discussed. Many of our major cities will run out of currently allocated cemetery space in the next decade or two, and we must certainly begin to come to grips with this problem.

We must begin to evaluate the effects of the pattern of urban activities on present and future waste loads. We need to improve our forecasting powers, so that future waste handling and disposal will be done as efficiently as possible. Wastes are increasing in volume at the rate of 4% annually; half of this is caused by population growth and half is attributable to the growth in per capita consumption which leads to waste products. We should remember the principle that steady economic growth produces an ever increasing annual volume of wastes. To forecast future waste loads we need to know more about waste generation. We will also need to engage in technological forecasting, which will have to be used in conjunction with the notion of regional mass or materials balances, in order to forecast accurately the future temporal and spatial pattern of waste generation.

THE SOLID WASTE SYSTEM

In order to adequately understand and properly deal with the problems of solid wastes handling and disposal, it is important that we have an accurate picture of the entire solid waste system. The solid waste system begins with the input of energy and materials into the urban environment, which then metabolizes them and outputs them into the waste generation part of the system. The wastes are then collected by a fleet of vehicles, usually no more complicated than a compaction device in a closed truck, and transported to an intermediate or final processing and disposal site. The waste may be modified in the interim by volume reduction, as in incineration, or by a change of form, as when solid wastes are piped as a slurry. Storage may be provided at the site of generation or disposal, or at intermediate transfer stations. It should be noted that wastes may be recycled at any point in the system. Recycling usually consists of separation, processing, recovery and reuse, although this routine may be circumvented, as when agricultural wastes are returned directly to the land.

Our techniques for solid waste collection and disposal have not changed much in this century. Even though we are currently investigating a wide variety of new technologies, we still rely on hand pick-up and truck transport in the collection system. In disposal, we sometimes barge solid wastes to sea or salvage them, but for the most part we still rely on the venerable technologies of incineration and landfilling. Incineration accomplishes volume reduction and land disposal consists basically of putting back into the ground what we originally took out of it. After disposal, there is relatively little volume reduction over time for any but the most biodegradable wastes. It should be noted that the assimilative capacity of the land is much more manipulable than that of the water or air environments and therefore we can be more creative in our use of that capacity.

THE SOLID WASTE PROBLEM IN THE URBAN PERSPECTIVE

In the urban setting, the solid waste problem has basically three aspects: its impact on environmental quality, the large costs expended and scarce resources utilized, and the interactions with other important urban problems.

The lists of environmental quality effects includes pollution of the air, water and land resources and from the noise and heat residues. It should be noted that pollution should be distinguished from environmental impacts, since the former is defined into existence by the politically expressed preferences of the people, while the latter is intrinsic to the natural setting. Here the terms are used somewhat loosely and interchangeably. Air pollution may result from particles, gases and odors emanating from improperly maintained incinerators, uncollected solid wastes, and burning trash dumps. Water pollution can result from surface and subsurface drainage from waste piles and from improper disposal of agricultural and industrial wastes. Noise pollution may arise from collection vehicles and waste processing equipment. Incineration of wastes adds heat to the environment. These last two effects are extremely localized in extent. Finally, there is the visual and aesthetic pollution caused by uncollected trash and debris, rusting auto bodies, and the like.

The costs of solid waste disposal are large and on the increase. Municipal waste disposal currently costs about $3.5 billion annually, or about $17.50 per capita per year. This figure amounts to $70 per year for a household of four persons. Looked at another way, about ten cents out of every municipal tax dollar goes to solid waste collection and disposal, making it the third largest municipal expenditure, behind education and highway construction. This fact alone justifies our concern with the topic. Some people have estimated that New York City could reduce its annual solid waste collection and disposal bill of $140 million by 50% if the private capacity were available and willing; these cost savings could be used to supply $500 worth of extra education to 140,000 disadvantaged children, or free school lunches to about 500,000 children. Clearly, we should do our utmost to eliminate any unnecessary solid waste disposal costs, through the adoption of cost-reducing new technologies and modern management methods. We should also be aware that 75%–85% of the total costs of disposal occur during the collection and transportation of wastes to the disposal site, and that most of these costs are labor costs. Basically, our concern here is that large amounts of scarce municipal resources are employed in what is essentially a non-productive activity.

One of the major impacts of the solid waste problem is on the other urban problem areas mentioned in the introduction. One of the most important impacts is on the environmental quality of inner-city living. There is an intense need for sanitation services in the central city, even outside the neighborhoods usually thought of as slums or ghettos. There are a number of reasons for this need. Waste loads are more dense, because the population density is higher. Garbage grinders and other forms of disposal are almost non-existent in older buildings, and thus garbage is a major inner-city problem. Older buildings often lack refuse storage facilities and are consequently overloaded. This implies that a higher frequency of collection in the inner city (than elsewhere in the city) is desirable. Further, the necessity of taking garbage and refuse cans out to curbside and of leaving them there opens the way to excessive spillage, as well as creating the ugliness of row upon row of trash cans, sitting in the street for days. Another inner-city solid waste problem is the heavy load of bulk wastes from a large number of abandoned cars, from demolition activities, and from the high relocation rates of core city residents and businesses. Also, excessive traffic congestion blocks efficient street sanitation and garbage and trash collection. Uncollected wastes serve as a breeding ground for rodents and vermin, such as rats and flies, who are noted primarily for their nuisance value (largely biting) rather than for disease transmission or death. Finally, it is important to remember that the inner-city population makes use of the streets for outdoor living and for recreation, especially during the summertime, with the result that cleanliness (in the form of absence of solid wastes) is doubly important, because of its high visibility and because of the heightened sensitivity of the residents to garbage and refuse.

Another important urban interaction is with employment and business opportunities. Although minority group members no longer want to be regarded as garbage collectors, they remain drawn to the job by the relatively high pay and opportunities for the unskilled to gain training and gainful employment.

Perhaps we should create the concept of a "public works competence," so that the trash collector may be employed in other public works areas, such as sewage treatment plant operation, road building and maintenance, equipment repair and maintenance, and other similar activities. In some places, individual entrepreneurship (such as one-man businesses) is being fostered, where trash collectors are assigned routes, own their own trucks, and essentially hire themselves out to a disposal company on a commission basis. This arrangement leads to salaries in excess of $12,000 for good routes in the Boston area, for example; is highly motivating; and may lead to reduced overall costs of disposal. The increased recovery and reuse of solid wastes would open the doors to new business and jobs in salvage activities. We should recognize, however, that new technologies and more efficient management may reduce the number of jobs available to unskilled and semi-skilled workers and, in this context, the idea of training them for other public works jobs makes eminent good sense, especially given the shortage of trained workers in other public works areas.

Another municipal problem is the scarcity of land in the major metropolitan areas in this country. Although land reclamation from solid waste disposal by sanitary landfills is an accomplished fact, such reclaimable land may not be available in urban areas, and, therefore, land disposal may use up extremely valuable land, thus making the real social costs of solid waste disposal much higher than the actual dollar costs. Further, improperly maintained disposal sites may depress surrounding property values. This land scarcity also means that the central city should actively pursue cooperative disposal activities with surrounding, suburban communites. Such cooperation, given the economies of scale existing in transportation and disposal, might easily result in lower total costs to all parties concerned. (Another problem of land use is the vast area required for cemeteries, roughly twenty-five square feet per person, or about one acre for every 1600 bodies. Most of our available cemetery space will be gone in a very few years and we can only guess at the clamor which will be raised unless we make more efficient use of our existing cemetery capacity.) We should be careful further to evaluate the efficacy of long-distance transport and disposal of wastes to such places as abandoned strip mines. There is substantial potential for groundwater pollution from such activities. This type of pollution potential is one which was not carefully enough evaluated prior to the inception of the City of Philadelphia-Penn Central Railroad rail-haul disposal program.

The solid waste problem also demands regional action, and an adequate solution to solid waste problems is hampered by the same jurisdictional and institutional problems which inhibit the efficient solution of other urban environmental management problems. Regional cooperation and planning can help to encompass all of the external effects which make solid waste disposal in metropolitan areas so difficult. Finally, there is a pressing need for the introduction and application of new technology and modern management techniques to relieve some of the burden of solid waste disposal from the increasingly empty municipal pocketbook.

SOLID WASTE MANAGEMENT OBJECTIVES

Similarity to other environmental management problems

One of the first things which should be realized is that solid waste management exhibits more similarities to other environmental waste management problems, such as air and water resources management, than it does differences. The waste materials are basically the same; only the receiving environment and possibly the state of the material are different. This implies that the set of management and policy tools and objectives which have been developed for, and applied to, air and water pollution control, can be modified to fit the needs of solid waste management. It also implies that our objectives will be just as hard to quantify and to apply consistently as in the other two cases mentioned. Finally, we find that improved managerial efficiency is much more the needed panacea than new technology, but that there are also a few very promising technological innovations on the horizon, which will substantially improve the efficiency of our managerial institutions.

The dimensions of solid waste management

The basic concerns of solid waste management are with the residuals from urban production processes, their efficient processing, and their harmless or even beneficial return to the environment. The range of management activities necessary to accomplish these concerns should be understood to include research and data collection; planning and systems analysis; financing; the design and construction of facilities; operation of collection, treatment and disposal systems and attendant facilities; the establishment and enforcement of quality standards to be maintained in operating the system; the regulation and monitoring of operation and management activities; the development of economic incentive systems, including assessing waste effluent fees and charges, and providing direct subsidies; and the development of appropriate procedures, regulations and legislation.

The objectives of management

In examining the proper objectives of solid wastes management, we must consider that we are trying either to maximize net social benefits from this activity, or to minimize the costs of disposal (including re-use) subject to appropriate constraints on environmental quality. We need also to consider the relationship between planning and the nature of management objectives.

If we desire to maximize the net social benefits from the residuals cycle, we are faced with several problems. The concept of social benefits is not a very operable one; for example, how do we measure the impact of inefficient solid wastes management on the other urban problem areas discussed above? Further, we would need to quantify a number of subtle and intangible benefits, which may not be possible. We can do somewhat better in quantifying costs, especially when comparing collection and disposal alternatives and in looking at the economics of separation and re-use. Also, we would need to include the generation of wastes in the management system to capture the external effects of generation. Finally, the benefit maximization must be made subject to the constraints of available technology, and these technologic production functions may be hard to write.

Perhaps the only reasonably operable objective is to minimize the costs of maintaining a given level of environmental quality, while still handling the total amount of wastes generated and subject to the limitations of available technology and our institutions. This implies that we need to clearly specify the relevant constraints and that we will have to develop standards and criteria to define the quality objectives. Further, we need to consider all of the costs, including the impact of solid waste management on the other areas of the urban environment mentioned earlier. Also, we can use the constraints to estimate the benefits which they ascribe to environmental quality objectives, since the cost of increasing an operable constraint by one unit is equivalent to the marginal benefit of that quality objective, if we are trying to develop optimal policies. We can then examine the benefits ascribable to the various quality objectives and revise the set of constraints accordingly. Using the concept of minimizing the cost of solid waste handling and disposal, we can then develop sets of policies and procedures to allow us to approximate this goal.

Finally, we should be clear about the interplay between solid waste planning and the nature of our objectives. It should be recognized basically that planning is a creative process, and that planning for environmental management defines many of the objectives of management during the planning process itself. That this is indeed the case is clearly seen when we consider that the public's preferences for environmental quality objectives is rather ill-defined and subject often to a large degree of manipulation. Hence, planners must often guess the public's reaction to explicit or implicit environmental quality objectives during the planning process and this makes further complicated the task of producing good solutions.

AVAILABLE SOLUTIONS

There are basically two ways to effectively manage solid wastes. The first is to attack the problem at its source, by reducing the generation of solid wastes and changing their nature and composition. The other method is to vastly increase the efficiency of application of current technology and managerial techniques. Within the binding realms of political and economic feasibility, a major assault on the current structure of solid waste production may not be possible, and it may be more prudent to devote our efforts substantially to improving the efficiency of the existing solid waste management system.

Reduce waste generation

Reducing waste generation basically would consist of decreasing the amount of waste created and increasing the reuse and recycling of items we presently discard. It should be noted that unless re-use occurs before collection and transportation is done, we will be unable to substantially reduce the costs of solid waste management, since it will be recalled that 75%–85% of total disposal costs are attributable to these preliminary activities.

Clearly, the social, political and economic costs of significantly modifying our existing waste generation system would be enormous. Instead of prohibiting the manufacture of hard-to-dispose-of aluminum cans, for example, we might concentrate our efforts on developing aluminum-degrading bacteria.

Many exotic plastics could probably be modified to be biodegradable, as was done with detergents. One thing is clear, however: at the present time, most producers have no economic incentive to consider problems of disposal in designing their products and packages. The development of such incentives or of standards for degradability is a prerequisite to any comprehensive attack on the waste generation problem. In considering incentives, we would do well to avoid depending heavily on the consumer, since his cost saving likely would be rather small and, in this affluent society perhaps not worth the effort. Incentive systems will have to combat this familiar tendency for the benefits of environmental management to be small to the individual (although large to the total community) and the costs to be concentrated on a single producer or industry. It might be possible, however, to levy a charge on the consumer proportional to the amount of waste produced (an effluent charge of a sort) and thus indirectly provide incentives to producers to make packaging more re-usable.

It is evident that we must begin to restructure our private and industrial incentive system, one which seems, rather perversely, to place a premium on generating large quantities of solid wastes and ones which are difficult to easily collect and dispose of. We should investigate the same types of industrial and private incentives which have been considered in the fight against water pollution, particularly incentives to waste-reducing, beneficial process change by producers. Incentives to scrap utilization should be extensively investigated since this may be a great deal cheaper in the long run than improving the technology and management of solid waste collection, handling and disposal.

As a first step in reducing the generation of wastes, we will need to carefully examine the factors influencing the production of solid wastes. We will need especially to monitor, not the aggregate amount of solid waste appearing at the town dump, for example, but the generation of residues by individual sources, over a period of time.

Finally, we will need to prepare for extensive recovery and re-use of wastes, if waste generation is to be substantially reduced. It should be noted that we can't hide the overall problem by putting residues into the waste water system, for example. Garbage grinders eventually transform the waste solids into sewage sludge, which should be considered a solid waste, and which is extremely expensive and difficult to dispose of. An example of this mentality, which tries to solve the problem by shifting the burden to another form of waste management, is a federally sponsored project to create a glass container which will dissolve in water upon being broken; this would eliminate the solid waste problem of glass bottle disposal, but it will not eliminate the solids in the glass, and these will appear as waste products in another part of the environment. It may be either beneficial or harmful to shift our residues from one part of the environment to the other, but common sense dictates that we make a careful study of the benefits and costs of so doing.

In examining problems of re-use, we must be conscious of the fact that separation is intimately tied to re-use and that economical re-use must precede any real attempts at separation. We should further be conscious of the fact that separation normally requires large on-site storage space, a commodity in short supply in our inner cities. Re-use should be looked at as providing factor inputs to industrial production processes. This indicates that we must be cognizant of re-use from the very beginning of the production process because the characteristics of the original product often clearly determine the extent to which recycling is possible and the degree of reprocessing necessary to make re-use possible. One way out of the separation problem is to concentrate efforts on separation of the aggregate waste material, after volume reduction, for example, to eliminate the costs and inefficiencies of expensive hand-sorting of refuse.

Clearly, if we fail to pay attention to reducing waste generation, we will be forced to rely solely on increasing the efficiency of managerial and technological solutions to the solid waste management problem. We will fall increasingly behind our massive generation of wastes, cost reductions will likely be only temporary, and environmental quality will be unable to rise above its current low levels.

Increase waste management efficiency

Current solid waste management is incredibly inefficient. Opportunities for large cost savings lie in the rationalization of existing collection and disposal systems. The role of systems analysis and the mathematical optimization techniques of operations research in the optimal design of these systems has barely begun to be explored. There is also an important role in managerial efficiency for new technologies, which cut down on high labor costs and which increase production efficiency tremendously. One of the most promising of these is a new and improved compaction and shedding refuse collection truck, about to be demonstrated in New York City, which offers excellent possibilities for substantial cost reduction in solid waste management systems since it can handle almost all of the municipal bulk refuse which now requires expensive special pick-up. There are a number of outstanding foreign technologies which await introduction into this country. If we are really interested in increasing the efficiency of solid waste disposal, we should not discriminate against these technologies on the sole basis of foreign origin. Finally, there is a pressing need for more research on the collection and transportation of solid wastes, on new disposal techniques and technologies, and on the environmental effects, both short-term and long-term, of our current disposal methods.

CONSTRAINTS

In considering the solid waste management problem, it is extremely important that we clearly understand the nature and scope of the constraints on our ability to efficiently manage our solid wastes. Constraints help to define and limit the range of acceptable solutions to a given problem, they limit the maximum obtainable efficiency of the system, and they indicate the necessary directions that changes for the better must take. Changing the constraints on the operation of municipal public services is the only way to achieve breakthroughs to optimal long-run solutions. We should recognize especially that solid wastes and other residues result from a complex system of social and economic processes, and that the operation of these processes itself constrains our ability to deal adequately with the waste management problem.

Constraints may be thought of as falling into four basic categories: jurisdictional and legal; economic and financial; social and cultural; physical and technological. The definitions are fairly obvious. Jurisdictional and legal constraints form part of the old problem that the efficient problem-solving dimensions do not correspond to the boundaries imposed by the institutional system. There are large economies of scale possible in the operation of regional solid waste disposal systems and we must extend our efforts to promote regional cooperation, since this kind of institutional constraint is one we can modify with federal policy. Another reason for regional wastes management is the need to bring adequately under the management system the external effects of solid waste disposal, so that these will be adequately accounted for in future planning efforts.

Economic constraints include our current system of industrial incentives, which hinders rather than promotes our attempts to attack the generation of solid wastes. We must realize that, for reasons beneficial to other aspects of our modified free-enterprise economy, industry is basically in an adversary position *vis-a-vis* the solid waste problem and we should structure our incentive systems accordingly. Another major constraint is the financial dilemma of most of our urban areas, which inhibits major capital investments in new waste management technologies and processes, and favors paying initially lower operating expenses for existing inefficient equipment and products, even though this may be a more expensive longrun solution.

One of the hardest constraints to deal with is that which may be termed social or cultural. As we have become more affluent, we have become more wasteful, and have demanded more and more to be relieved of the burden of salvage and re-use of materials. A typical soft-drink bottle used to make 25 trips between producer and consumer before being discarded. Probably no one here now bothers to return a bottle even once. We might think differently if the deposit was a dollar instead of three cents, but such an incentive might prove difficult indeed to establish. Basically, we are not a very future-oriented society, and it may be nearly impossible to change this attitude to one which would be willing to sacrifice a little convenience to help resolve a tremendous problem such as solid wastes. We will not get very far in our attack on this problem until we come to grips with the difficulties inherent in altering people's deep-seated consumption and disposal habits. Finally, we must be aware of the physical and technological constraints on the solutions we propose. A fundamental physical constraint is conservaiton of matter: we can shove wastes all around our environment, manipulate them, decrease their volume, and change their state, but we cannot ultimately destroy most of our waste residues. The solid waste problem will not disappear through any technological miracles. Lastly, we must be aware more exactly of the technological constraints imposed by currently available processes. Here there is much room for improvement.

It is a surprising and distressing fact that most solid waste managers are not really aware of the range of technological opportunities available to them and are not really trained or motivated to keep up with our rapidly advancing technology. Perhaps a major effort in explaining the concepts, benefits and possibilities of modern technology and management would help to bridge this technical skills gap and would substantially increase the efficiency of existing systems.

CHOOSING AMONG ALTERNATIVE SOLUTIONS

When we are finally ready to make a decision as to which technological and managerial alternatives we will favor for solid waste management, it is important that we consciously and conscientiously bring economics to bear on the analysis of alternative solutions. The need for careful economic analysis is evident from the large expenditures involved and from consideration of the impacts of solid waste management on the efficiency of other aspects of urban management. Economic analysis will aid us in achieving a high degree of efficiency in the allocation of our scarce urban human and capital resources. In this regard, the use of cost-benefit analysis is imperative in any comparison of the relative merits of alternative solutions. But we must be careful to recognize that there are many benefits and costs which cannot be quantified, and we must be aware of the consequent danger of ignoring them in benefit-cost calculations. We may find, for example, that two-shift refuse collection is an efficient procedure in cities, but it is clear that the dollar costs for trucks and labor in no way measure, for example, the social cost of the noise from the type of trucks presently used in cities. One way to get around the problem of non-quantifiable benefits and costs is to set standards and constraints to ensure that intangible values are adequately represented in the benefit-cost calculations.

Clearly, the range of economic considerations must include not only dollar costs, but also the external impact costs such as the effect of solid wastes management on urban land uses and land values, on problems of air pollution control and sewage sludge disposal, and on the quality of the environment in our inner cities. There are certainly large social costs associated with further exacerbating core-city tensions by maintaining environmental blight, and these costs must be kept in mind by our solid-waste managers. Economic considerations, on the national level, must extend to questions of the economics of waste separation, processing, recycling and re-use; and the necessary economic incentives to industry to reduce the magnitude and nature of industrial and municipal solid wastes. These incentives might take the form of direct subsidies, effluent charges, tax incentives or direct regulations and standards. The establishment of efficient incentive schemes deserves careful study and consideration and early implementation. Finally, we must conduct our other urban management activities with a careful eye toward their impact on solid waste management. These considerations include sewage sludge disposal, street congestion, urban sprawl, land scarcity, the proliferation of governmental jurisdictions, urban renewal and the deterioration of the central city.

PUBLIC POLICY CONSIDERATIONS

The need for regional cooperation in solid waste management, the requirement for more efficient management of the solid waste effort, the inadequate financial capability of many communities, and the development of an appropriate incentive structure for waste management present policy makers with a set of tasks which require legislation.

Because of the substantial economies of scale associated with regional waste management, because of the need for technologic know-how to develop materials more suitable for disposal and re-use, and because of the benefits derived from considering the solid wastes problem as a total system in terms of the production of materials, the collection of wastes and the effects of alternative disposal methods on the environment, new legislation at the federal level is required. The federal government should explore the feasibility of incentive plans to encourage producers of packaging materials and wastes to deal with this problem at its source, if studies show this to be efficient.

In making recommendations for public policy at the national level, to increase the efficiency of solid-waste management in this country, we have basically two alternatives: we can focus our attack on the generation of wastes, that is, we can attack the problem at its source; or we can focus on the collection and disposal aspects of the problem; that is, we assume that the quality and the nature of the solid waste are given to us as fixed amounts and then it is up to us to dispose of them in the most efficient manner possible. If we attempt to attack the problem at its source, that is, if we focus on the generation of wastes, then one recommendation that immediately follows is that we need to know more about the factors influencing waste generation. We need to know this information to aid in our future planning efforts and to aid in developing incentives to industry to reduce the generation of waste. We also need to understand waste generation because of the importance of this understanding in the question of promoting re-use of waste. The initial product must be designed so that it can be removed from the waste cycle, reprocessed and reintroduced as a factor in the production process. Only if re-use is considered in the initial stages of production can we ever insure that we will get efficient and adequate recovery and recycling of our waste products.

If, on the other hand, we focus on the management of the great quantities of solid wastes, over which we assume we have no control, then we must be sure that we attack this problem at crucial junctures. In particular, we must be careful not to focus strictly on *disposal* of solid wastes, which only constitutes 20% to 25% of the total cost of the entire solid-waste management system, but rather we must instead focus special attention of *collection* systems. If the focus is on collection systems, then we will need to bring to bear on the problem all of our managerial and technical resources. In particular, we will need to use systems analysis and operations research in a much greater way than at present to rationalize the management of our solid wastes. Further, we will need to introduce cost-saving and efficiency-promoting new technology into our management efforts and into our efforts to re-use waste products. In particular, we must be careful to assure ourselves of an adequate supply of new technology, and in particular, we must be careful that we take full advantage of the opportunities afforded by major advances in other countries in various technological areas. We must make sure that we provide all of the necessary technical and financial assistance to local communities to take advantage of new technology and managerial methods. This is certainly a top-priority item for consideration at the federal level. Further, we must promote and encourage and extend our research and development efforts to encompass all promising new technologies and all available management methods. But we must be particularly careful to focus our research and development efforts on those aspects of the solid-waste system which promise the greatest reduction of cost and the greatest increase in efficiency. This is not being done consciously at present. One change which is drastically needed is to remove our focus from disposal methods and concentrate on understanding the factors influencing the generation of waste, and further focus major attention on improving the efficiency of existing collection and transportation systems. Finally, it should be federal policy to foster regional cooperation in solid waste management through granting of planning financial aid only to those organizations which represent groups of communities acting together for the common good. An evaluation component should also be inserted into federal grant programs to ensure this result.

Mr. SPONG. Mr. President, the Nation's urban areas are rapidly running out of places to dispose of huge amounts of solid wastes that are the unwanted residue of our mounting production and consumption.

The population of the Nation is so distributed that no convenient dumping grounds, streams, or air masses exist which are not also the natural resources of others.

The bill being introduced today by the distinguished Senator from Maine seeks to alleviate the problem of solid waste disposal by calling for a study of possible means of recovering and reusing materials that are thrown away. In addition, it provides for an expanded grant program to interstate, State, and local agencies for developing solid waste disposal plans, including plans for the reuse of solid waste disposal areas.

I join in sponsoring this measure with the realization that man is pouring wastes into the environment at a rate faster than nature can reprocess them. The evidence that we have exceeded nature's assimilative capacity shows up in the form of polluted rivers, algae-covered lakes and smog-fouled atmosphere.

Today's mass production techniques have led to rapid, even planned obsolescence. Component parts of many or our manufactured goods are no longer repaired when they fail to work. Instead, they are discarded and replaced with new units. Our technology has developed such new disposal packaging methods as plastic containers which are impervious to weather or bacterial destruction, rust-proof aluminum cans, and countless bottles. Many of the latter are no longer returnable for deposit refunds, but are thrown out.

The development of kitchen garbage disposal units has not stemmed the tide. The immensity of the solid waste problem is demonstrated by a recent estimate that we generate 800 million pounds of garbage, rubbish, street refuse, and industrial and agricultural wastes every day. Moreover, the volume of waste is increasing at an estimated annual rate of 4 percent.

Because of the rapid growth in the Nation's urban areas, and the lack of disposal space, it is clear that the problem of waste disposal soon will be on the same scale as the problems of human transportation and food and water supply.

Existing waste disposal programs too often involve methods that are unhealthy and unsightly. Sanitary landfills and incineration have many obvious shortcomings.

The time has come to develop new and improved methods of solid waste disposal, and the legislation being introduced today would authorize the research necessary to achieve that purpose.

Mr. President, the extent of the problem and the steps being taken to alleviate it is discussed in an article entitled "Engulfed in Garbage," by Mr. Thomas Fleming. The article was published in the April 20, 1969, issue of This Week magazine, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ENGULFED IN GARBAGE

(By Thomas Fleming)

(NOTE.—Thomas Fleming has written many books. His most recent is "West Point, the Men and Times of the U.S. Military Academy," published by William Morrow & Co.)

"You people have been spoiled for 50 years. Rain or shine or earthquake, your little pail of garbage has been picked off your doorstep every Tuesday or Thursday. Until recently, you didn't give a damn what happened to it after that."

Are you listening? That is the voice of a modern garbage man. His name is Leonard Stefanelli and he was speaking to a group of fellow San Franciscans. But he might well have been speaking to the entire nation, warning Americans that they are in danger of being engulfed in garbage.

His is by no means the only ominous voice. Dr. Philip R. Lee, Assistant Secretary of Health, Education, and Welfare, says, "We have been running to keep pace with the growth of the . . . problem, and we are losing the race." Professor Ross E. McKinney of the University of Kansas warns, "We have already allowed the problem to exceed the solution."

There are some prophets around the country predicting that by the year 2000, garbage collection may dwarf civil rights, national defense, and crime in the streets as our No. 1 political problem.

It is by no means a fanciful prediction. Recent reports indicate that Americans are already spending $4,500,000,000 a year for refuse collection and disposal services—a sum that is exceeded only by expenditures for schools and roads.

Why is garbage becoming so big and costly a problem? Approximately 500,000 tons of residential, commercial and industrial wastes, or 5.3 pounds per person, are generated in America each day. In an average year, a family of six creates 3,860 pounds of trouble for the garbage man. Of this, 990 pounds is genuine garbage—leftover food scraps and the like, what the experts call "putrescent matter"—and 2,870 pounds is rubbish.

This last statistic is the real explanation for the garbage crisis. In earlier decades, Americans carried most of their food home in paper bags. Practically everything today's supermarket shopper buys is enclosed in plastic or cardboard or glass containers.

It doesn't really matter where the junk comes from. The problem is how to collect it efficiently and what to do with it once it's collected. To the citizen, collection would seem the most important facet of the problem. Garbage strikes have threatened a half dozen American cities with disease and social chaos in the last year or so.

Sanitation experts are far more worried, however, about what to do with the stuff once it is collected. They note that 85 per cent of the money we are spending on garbage is currently going into collection (yet a startling 12 per cent of the residential population, receives no formalized collection service) and only 15 per cent of our cash is being spent on disposal.

Many people are under the impression that most garbage is burned in incinerators. Actually, there are only about 300 incinerators in the entire nation, most of them in large cities. Most of our garbage goes to what is familiarly known as the *dump*. There are 12,000 of these *land disposal sites*, as the experts call them, and a recent report of the Public Health Service declared that 94 per cent of them were "unnacceptable and represent disease potential, threat of pollution, and land blight."

Nor should incinerator owners start congratulating themselves. The same government experts condemn 75 per cent of these as inadequate, either because they fail to burn enough of the garbage shoved into them or because they pour unhealthy amounts into the atmosphere as air pollution.

Aside from the disgraceful condition of most dumps, there is the blunt fact that we are running out of room for them. New York will run out of space altogether in four to eight years. Philadelphia has been trying to burn 90 per cent of its wastes for well over a decade. San Francisco has had a running battle with surrounding communities over where to put refuse.

All this adds up to what might be called, The Lament of the Garbage Man. "People make jokes about garbage men," Eugene L. Pollock, editor and publisher of *Solid Wastes Management*, a national magazine for the sanitation industry, says. "They tend to think of them as people of little standing in the community. They don't seem to realize they are talking about the fifth largest service industry in the country. Nor do they seem to realize that a lot of these so-called garbage men are executives running multimillion-dollar operations, often using computers." He also notes several major schools grant Ph.D.s in refuse disposal techniques.

Leonard Stefanelli is typical of the new breed of garbage executive. He is president of the Sunset Scavenger Co., one of the two private contracting firms which handle refuse collection and disposal in San Francisco. A good-looking, well-dressed 33-year-old, Stefanelli told a gathering of San Franciscans last year, "You people think of us garbage men as donkeys with strong backs and weak minds. But the fact is that we have spent tremendous amounts of money on modern research and development to try and reduce the bulk of waste as much as possible before disposing of it."

Most people know that garbage men feel underpaid. But few realize a more significant item in the garbage man's tale of woe. It is very dangerous work. The National Safety Council recently reported that their accident rate is highest in the country.

A great deal, however, is being done. A number of ingenious solutions are being tested or toyed with by scientists and sanitation experts around the country. One of the problems of the open dump is being solved by sanitary landfill—one of the best and cheapest methods of disposal now available. Usually it involves shredding, milling and compacting the refuse into an indistinguishable mass, which is dumped in trenches scooped out by bulldozers. It is then covered with seven or eight feet of earth, and natural decomposition over the next 25 years converts it into normal soil.

Landfill not only eliminates the old smoking, rat infested dump, it can also create new recreational sites for land-short cities and suburbs. Virginia Beach, Va., is building an outdoor theater on a 15-year-old landfill site. The Borough of Etobicoke in metropolitan Toronto has built a ski hill out of what they call "selected sanitary waste"—1,500,000 cubic yards of old refrigerators, stoves, bed springs, lumber, chemicals—everything but food wastes. The twin-peaked hill is expected to be 130 feet high when completed. Other communities have constructed golf courses, baseball and football fields and even swimming pools on landfill sites.

Around our larger cities, land is simply too scarce and too valuable to put garbage in it. San Francisco and Philadelphia are about to begin experiments in shipping their garbage 200 to 300 miles away by railroad.

Philadephia has hired a private firm to lug the stuff out to the central part of the state, and dump it into abandoned strip mines. The cost will be $5.39 a ton, a big saving over the current $7.50 a ton for incineration. Rhode Island University, under a grant from the National Center for Urban and Industrial Affairs, is studying the possibility of burning garbage at sea in huge incinerator ships and tossing the residue overboard at selected dump sites.

The inventive Japanese have come up with another idea, a giant compacter said to reduce trash to 10 percent of its original volume. The Japanese at first claimed that the resulting hard blocks of garbage could be used for construction work. But experts quickly demolished this idea. As garbage decays, it emits methane gas, and if you sealed these bricks inside a concrete building, within a year or so there could be an explosion.

The fondest dream of the modern sanitation expert is making garbage profitable. In the old days farmers paid for the privilege of collecting and removing garbage from Philadelphia. Today collectors get up to $8.33 a ton for this work—plus the refuse itself—and the price is considered to be a real bargain. Paper was once salvaged for the production of cardboard. Now it is stored until a private collector comes and picks it up—at a charge of $100 a month for this service. Some people have experimented with burning garbage to produce steam which, in turn, would run electric turbines. The Town of Hempstead on Long Island has an incinerator that drives a 2,500-kilowatt electric power plant and a 420,000-gallon-a-day water desalting plant. But neither here, nor anywhere else, has anyone made such operations profitable.

The brightest hope in this department has been composting. For over 25 years, various countries—Israel, Holland, Scotland, and the United States—have experimented with pulverizing and reducing the garbage to manageable brick form and selling the stuff to farmers to enrich the soil. A few years ago, a *Fortune Magazine* story grandiosely announced the opening of a composting plant in St. Petersburg, Fla., operated by the International Disposal Corp. The $1,500,000 plant lasted from July, 1966 until the early months of 1968, when it was closed as a public nuisance because of an odor problem. But after remodeling it is expected to start again soon.

The Florida plant joined a long line of composting plants, stretching from Scarsdale, N.Y., through McKeesport, Pa., Mobile, Ala., Norman, Okla., Phoenix, Ariz., and Houston, Tex.—most of which are already closed or closed part of the year. The reason lies in that earlier statistic about the preponderance of rubbish in today's garbage. Plastic bottles, aluminum cans, paper and glass are not very soil enriching.

Yet the composting idea has value. "These commodities we are throwing away today may someday be in seriously short supply," says Dr. Walter R. Hibbard, former director of the Bureau of Mines. Dr. Athelstan Spilhaus, president of the Franklin Institute in Philadelphia, argues that we ought to "bank" potentially valuable wastes until we know how to get at their ingredients economically.

Still another solution would be the creation of self-destructive bottles and cans. Jerome Gould, the noted industrial designer, is working on such a project, as is Samuel F. Hulbert of Clemson University in South Carolina. Hulbert says his bottle will have the same basic elements as glass but when it breaks it will become soft and greasy and melt away.

Back on the practical, everyday level, some people are trying to take the minor headaches out of the garbage problem. Some companies have recently perfected a garbage can with a bottom made of rubber cement, that thuds instead of rattles in the early dawn. New Haven, Conn., is experimenting with the use of kitchen sink grinders in a high-rise apartment complex. The reduced garbage is piped to a central building for disposal.

All these changes, experiments and improvements point toward one conclusion. The garbage crisis can and must be solved.

The alternative may well be the policy currently being pursued in the state of Zulia, Venezuela. The government had to declare martial law and send in National Guard troops to suppress rioting stemming from a strike of sanitation men which left four dead and dozens injured. To prevent a repetition of the upheaval, authorities hastily passed several laws which clearly demonstrate the dangers of uncollected garbage in a free society. One of the laws stipulates that no couple will be allowed to marry unless they both produce certificates proving they are up-to-date in their refuse collection payments.

S. 2007—INTRODUCTION OF A BILL TO ELIMINATE VAST AMOUNT OF GOVERNMENT EQUIPMENT IN HANDS OF PRIVATE CONTRACTORS

Mr. PROXMIRE. Mr. President, well over a year ago the Economy in Government Subcommittee of the Joint Economic Committee learned that nearly $15 billion worth of federally owned production equipment, materials, tooling, and test equipment was being held and used by private contractors. Although the original purpose of this practice—to permit businesses to use equipment they could not afford to buy for one-shot Federal contracts with a high defense priority—was praiseworthy, it was obvious that the program had gotten out of control.

The General Accounting Office, in a landmark investigation performed at my request, found that several contractors among the random sample of 23 defense contractors it studied were using Government-owned equipment for the performance of their own commercial production work without adequately reimbursing the Government and, in some instances, without the required approval of the Office of Emergency Planning—OEP.

This practice gave such contractors an unfair competitive advantage over their industrial compatriots in the marketplace who had not been similarly blessed by taxpayer largesse.

One large defense contractor, the GAO found, was given an 8,000-ton mechanical forge press costing $1.4 million in late 1961 because the company's 4,000-ton presses, also Government-owned were not considered efficient enough to handle all of the orders the Government had placed with the company for jet engine midspan blades. Yet, during the following 3-year period, the 8,000-ton press was used 78 percent of actual production time for commercial work without advance OEP approval while the majority of Government procurement of midspan blades was processed on the less efficient 4,000-ton presses.

Although rental was charged for private use of such equipment, the ways of computing rentals were multitudinous and did not reflect the interests of the taxpayer and his Government. Rentals most often were far less than they should be.

It was quite evident, also, that many giant corporations, such as General Electric, General Dynamics, Douglas, and Lockheed, some of which do well over half of their business with the Federal Government, could well afford to purchase this equipment outright—particularly in view of the fact that follow-on contracts from the Government enabled them to use much of this equipment for many, many years.

Consequently, last year I introduced a bill to bring about far-reaching improvements in the Government's management of privately held equipment. Although the bill resulted from meetings with the Defense Department and the GAO and has the general approval of those agencies, it did not pass the Congress. Accordingly, I am once again introducing my proposal to limit sharply the amount of federally owned production equipment in private hands.

In doing so, I am aware that the Department of Defense has taken administrative steps to improve the management of this production equipment. On June 10 of last year, 3 months and 2 days after I introduced my bill, the Department issued new guidelines which made a number of significant improvements. For example, the new regulations: first, required the contractor to state, in writing, his unwillingness or financial inability to buy the equipment with his own money before the Defense Department could provide federally owned equipment; second, stopped the practice of supplying items of equipment costing less than $1,000; third, increased rental rates on equipment less than 3 years old used on nondefense work; and, fourth, tightened up prior approval requirements for the use of production equipment on nondefense work.

However, the measure I reintroduce today would codify a number of requirements that are essential if we are to avoid further waste in the handling of this equipment. Furthermore, it would apply to equipment outside the purview of the Defense Department.

My bill provides the following:

First, it would prohibit outright the future placing of federally owned production equipment in the hands of private contractors unless, first, the production equipment were to be set aside for emergencies as part of a duly authorized mobilization plan; second, the defense contractor was a small business and was so recognized by the Small Business Administration; or third the head of the appropriate agency made a determination in writing that the contractor's needs are urgent and cannot be met in any other way or that the provision of equipment is in the public interest.

Second, it calls for a uniform rental system, contractor maintenance of adequate inventory records, and the prompt return of production equipment to the Government when no longer needed.

Third, it would permit the sale of equipment and special tooling to contractors already holding the equipment at not less than a fair and reasonable price on a negotiated sale basis. Such sales could be made subject to the proviso that the property will be available on a priority basis for the performance of Federal contracts where necessary.

Heretofore, sales of this equipment have been on a competitive bid basis. The taxpayer has been the loser because the competitive bid system often results in one very low bid from the corporation holding the equipment—the only bidder in a position to know the condition of the equipment and to use the equipment without incurring costly moving expenses. Thus, the system is anything but competitive, and the single bid usually received is far below fair value.

To the degree that this provision expedites the sale of production equipment to private contractors, it will lift a substantial burden from the shoulders of those running the program and sharply reduce the costs of administration. It will also bring additional dollars back to the Federal Treasury from higher realized sales prices.

Finally, my bill will act as a safeguard against frivolous decisions by the Department of Defense, the National Aeronautics and Space Administration, and the Coast Guard, all covered by my proposal, to make exceptions to the general prohibition against the use of federally-owned equipment by private contractors. It will do so by providing Congress with an annual report on all decisions to place property having an acquisition cost in excess of $10,000 in private hands because of urgent need or an overriding public interest. A report to Congress will also be made annually on negotiated sales of equipment having an original acquisition cost of $25,000 or more, thus guarding against abuse of this authority.

Approximately $2.5 billion of the $15 billion in Federal plant and equipment in private hands is production equipment. By placing more stringent controls over the use and expediting disposal of this equipment, my bill, if passed, would not only make sure that additional funds are not wasted but would also set a pattern for future legislation covering the remaining $12.5 billion. I urge its early passage.

Mr. President, I introduce the bill and ask that it be appropriately referred, and I ask unanimous consent that the text of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the text of the bill will be printed in the RECORD.

The bill (S. 2007) to amend chapter 137, title 10, United States Code, to limit, and to provide more effective control over, the use of Government production equipment by private contractors under contracts entered into by the Department of Defense and certain other agencies, and for other purposes, introduced by Mr. PROXMIRE, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 2007

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 137, title 10, United States Code, is amended by—

(1) inserting, at the end of the chapter analysis thereof, the following new item:

"2315. Government production equipment"; and

(2) adding at the end of that chapter the following new section:

"§ 2315. Government production equipment

"(a) It is the policy of Congress that maximum reliance will be placed on the use of privately owned production equipment in connection with the performance of purchases and contracts made under this chapter. No agency named in section 2303 may hereafter acquire production equipment for the purpose of furnishing it to a contractor by lease or contract, for use other than in a Government-owned contractor-operated plant or by a nonprofit organization, unless the furnishing thereof is necessary—

"(1) to meet mobilization requirements under a duly authorized mobilization plan;

"(2) to permit the obtaining of supplies or services by such agency from a contractor which has been determined by the Administrator of the Small Business Administration to be a small business organization which is unable to procure such production equipment through the use of its own resources, and no alternate means of obtaining the needed supplies or services is practical; or

"(3) to meet an urgent need for supplies or services which the head of the agency has determined cannot be met by any other practical means, or in the public interest as determined by the head of the agency.

Determinations under paragraph (3) of this subsection shall be made in writing. The power to make such determinations shall be delegable only in accordance with regulations promulgated under subsection (b).

"(b) The Secretary of Defense for the Department of Defense, the Administrator of the National Aeronautics and Space Administration for that Agency, and the Secretary of Transportation for the Coast Guard shall promulgate uniform regulations for the effective control of all production equipment which is the property of each such agency and which is or hereafter may be furnished by such agency by any means to a contractor. Such regulations shall include—

"(1) a uniform system for the determination of the amount of the rental which shall be paid by such contractor for the use of any such production equipment for commercial use;

"(2) a requirement for the maintenance by such contractor of inventory records concerning all production equipment so furnished to it, and records and reports with respect to the nature and the extent of the use of such equipment, such records to be maintained and reports made as prescribed by the regulations; and

"(3) such other requirements as may be determined necessary for (A) the effective maintenance and control over all such production equipment so furnished by any agency named in section 2303 during the time which such production equipment is in the custody of any such contractor, and (B) subject to the provisions of subsection (c) of this section, the prompt return of such production equipment to the custody of such agency when there is no need therefor by such contractor for the furnishing of property or services to any department or agency of the United States. Such returned equipment if no longer required to meet the mobilization or other needs of the United States shall be promptly disposed of under other law.

"(c)(1) Under such regulations as may be prescribed by the Administrator of General Services, the Secretary of a military department or the head of a defense agency, or of any other agency named in section 2303, may sell to a contractor items of production equipment and special tooling and special test equipment which are owned by the United States and under the control of that department or agency and which are located at the facility of the contractor.

"(2) Sales under this section shall be made at not less than a fair and reasonable price, and in the case of equipment used or planned for use in the development or production of supplies for, or the furnishing of services to, the United States, upon such terms as to assure that for a reasonable period after the sale the property or its replacement will be available, on a priority basis, for the performance of contracts of the United States or subcontracts thereunder.

"(3) Proceeds of a sale under this section may be used to pay the cost or expenses incurred in connection with that sale or to reimburse the appropriation or fund from which that sale cost was paid. Proceeds of such a sale that are not so used shall be covered into the Treasury as miscellaneous receipts.

"(4) An explanatory statement of the circumstances of each sale under this section of property having an original acquisition value in excess of $25,000 shall be prepared and a copy thereof preserved in the files of the department or agency making the sale.

"(d) The head of each agency named in section 2303 shall transmit to the Congress annually a report of each determination made under subsection (a)(3) involving an acquisition cost of $10,000 or more and of each sale made for more than $1,000 under subsection (c) during the preceding year.

"(c) As used in this section—

"(1) 'Production equipment' means any tool, machine, or similar equipment, used or designed for use in the manufacture, production, or furnishing of property or supplies, but does not include special tooling or special test equipment.

"(2) 'Special tooling' means all jigs, dies, fixtures, molds, patterns, taps, gages, other equipment and manufacturing aids, and replacements thereof, which are of such a specialized nature that, without substantial modification or alteration, their use is limited to the development or production of particular supplies or parts thereof, or the performance of particular services.

"(3) 'Special test equipment' means electrical, electronic, hydraulic, pneumatic, mechanical, or other items or assemblies of equipment, which are of such a specialized nature that, without modification or alteration, the use of such items (if they are to be used separately) or assemblies is limited to testing in the development or production of particular supplies or parts thereof, or in the performance of particular services.

"(4) 'Nonprofit organization' means any corporation, foundation, trust, or institution operated for scientific educational, or medical purposes, not organized for profit, no part of the net earnings of which inures to the benefit of any private shareholder or individual."

SEC. 2. The amendments made by this Act shall take effect on the first day of the fourth month beginning after the date of enactment of this Act.

S. 2008—INTRODUCTION OF A BILL TO PERMIT INDIVIDUAL DETERMINATION OF TIME OF DIVERSION OF WHEAT ACREAGE

Mr. YARBOROUGH. Mr. President, I am introducing, today, a bill to amend the Agricultural Adjustment Act of 1938 to permit individual determination of time of diversion of wheat acreage. This law, as amended, requires that wheat farmers divert a certain acreage of land, for a certain period of each year in order to be eligible for wheat marketing certificates.

At present, the Department of Agriculture determines how much land shall be diverted and for what part of each year. This year, land must be diverted from May 1 to October 1, 1969, in some areas and from May 15 to October 15, 1969, in other areas.

My bill would permit the individual wheat farmers to determine which consecutive months of each year to divert acreage. I feel that this determination is better made by the farmer who is familiar with conditions in his area than by an agency far away in Washington. It seems to me that my approach is fairer and more reasonable than that now used and I urge prompt adoption of my proposal.

I request unanimous consent that the bill be printed in full at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2008) to amend the Agricultural Adjustment Act of 1938 to permit individual determination of time of diversion of wheat acreage, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 2008

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938 be amended to read as follows:

SECTION 1. At the end of Section 339(a)(3) add the following paragraph:

"(4) The farmer shall be permitted to determine which consecutive months wheat acreage shall be diverted for grazing purposes."

Sec. 2. This provision shall be effective when signed by the President of the United States.

S. 2009—INTRODUCTION OF A BILL TO CHANGE THE NAME OF DULLES AIRPORT TO THE DWIGHT DAVID EISENHOWER INTERNATIONAL AIRPORT

Mr. YARBOROUGH. Mr. President, we were all saddened by the recent death of one of our greatest statesmen and military figures, Dwight David Eisenhower. General Eisenhower's career was a distinguished one, first as leader of the victorious Allied armies in Europe, then as President of Columbia University, as NATO Commander, and finally, as President of the United States. He devoted his entire life to the service of his country and we are all diminished by his passing.

All that remains now, is for his countrymen to find some fitting way to honor his memory; his life and his accomplishments brought honor to his name. It was during President Eisenhower's term as President that this airport was conceived and construction on it begun. I believe it proper that this airport, a major gateway to the United States and the Nation's Capital, now stand as a monument to General Eisenhower and a testimony to the admiration and the genuine affection his fellow Americans felt for him. Also, there is another reason, perhaps less idealistic but certainly more practical. Many times I have heard in airport waiting lines, confusion between the name of the Dulles Airport and the Dallas Airport. I think that a change is necessary to eliminate this kind of confusion.

It is for these reasons that I introduce this bill to change the name of Dulles Airport to the Dwight David Eisenhower International Airport.

I request unanimous consent that the bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2009) to provide that the Dulles International Airport in Chantilly, Va., shall be renamed "The Dwight David Eisenhower International Airport" in honor of the late President of the United States and General of the Army, introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2009

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the John Foster Dulles International Airport in Chantilly, Virginia shall be re-named "The Dwight David Eisenhower International Airport" in honor of the late President of the United States and General of the Army, Dwight David Eisenhower. Any reference to such airport in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such airport as "The Dwight David Eisenhower International Airport."

S. 2015—INTRODUCTION OF A BILL TO AMEND THE AGRICULTURAL ADJUSTMENT ACT, AS REENACTED AND AMENDED BY THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937, AS AMENDED

Mr. McGOVERN. Mr. President, I welcome the opportunity to introduce a bill designed to promote economic strength and progress for the dairy industry.

Today, U.S. milk producers face serious economic problems. These include rising costs of production; new competition in the marketplace—such as ersatz white drinks made to look like cream, or even milk, but lacking their true, nutritional qualities; and, generally, too small a share of our Nation's growth and prosperity.

OBJECTIVES OF LEGISLATION

Based upon the principle of self-help, the proposed legislation provides a mechanism by which the dairy industry could promote greater sales of milk and dairy products; strengthen the dairy economy; expand research and development projects for new products, marketing techniques, and other essential research, including more effectively meeting nutritional needs of consumers; promote consumer education to insure maximum nutritional benefit from food dollars; reduce the cost of the Federal price support program through expanding sales and consumption of dairy products; and, generally, advancing the economic strength and well-being of the dairy industry.

The attainment of these objectives serves the best interests of America's dairymen, our more than 200 million consumers, and the national economy.

I request unanimous consent to have an explanatory statement on the operation of the program followed by a copy of the bill printed at this point in the Record.

There being no objection, the statement and bill were ordered to be printed in the Record, as follows:

How It Works

The proposed legislation is an amendment to the Agricultural Marketing Agreement Act of 1937. This is the basic authority for Federal Milk Marketing Orders. My amendment would authorize dairy farmers to initiate programs for expanding market development projects, such as advertising, sales promotion, education, research and related programs. It would operate as follows:

1. The proposed legislation would provide authorization for *voluntary—not mandatory*—action by milk producers in a Marketing Order area to adopt such a program; and, if adopted, it would require participation on a market-wide basis.

2. The plan would be supported by funds from the milk pool of the Marketing Order area according to a formula approved in the referendum.

3. The plan would be "tailored" to meet needs and objectives of producers in a specific Marketing Order.

4. Expenditures under a plan would be supervised by milk producers; and would be used only for designated purposes.

5. Adoption of a plan would require approval of two-thirds of producers voting in a separate referendum in a marketing order area. Cooperatives—established to serve producers—could vote on behalf of their members.

6. The separate referendum—either adopting or rejecting a plan—would not affect the basic provisions of the Marketing Order, itself.

7. Although adoption of a plan would require approval of two-thirds of producers voting in a referendum, it could be terminated by 51 percent of producers at any time.

A similar amendment to the Agricultural Marketing Agreement of 1937 was passed by the Senate in the 90th Congress, but was excluded from the 1968 Farm Bill in Conference.

This measure—it should be stressed—is a self-help measure. It would require no expenditures of government funds. It should receive early consideration by the Senate. I am informed that similar legislation will be considered by the House.

S. 2015

A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended, by adding at the end of subsection 8c(5) the following new subparagraph (I):

"(I) Establishing or providing for the establishment of research and development projects, and advertising (excluding brand advertising), sales promotion, educational, and other programs, designed to improve or promote the domestic marketing and consumption of milk and its products, to be financed by producers in a manner and at a rate specified in the order, on all producer milk under the order. Producer contributions under this subparagraph may be deducted from funds due producers in computing total pool value or otherwise computing total funds due producers and such deductions shall be in addition to the adjustments authorized by subparagraph (B) of subsection 8c(5). Provision may be made in the order to exempt, or allow suitable adjustments or credits in connection with, milk on which a mandatory checkoff for advertising or marketing research as required under the authority of any state law. Such funds shall be paid to an agency organized by milk producers and producers' cooperative associations in such form and with such methods of operation as shall be specified in the order. Such agency may expend such funds for any of the purposes authorized by this subparagraph and may designate, employ, and allocate funds to persons and organizations engaged in such programs which meet the standards and qualifications specified in the order. All funds collected under this subparagraph shall be separately accounted for and shall be used only for the purposes for which they were collected. Programs authorized by this subparagraph may be either local or national in scope, or both, as provided in the order, but shall not be international. Order provisions under this subparagraph shall not become effective in any marketing order unless such provisions are approved by producers separately from other order provisions, in the same manner provided for the approval of marketing orders, and may be terminated separately whenever the Secretary makes a determination with respect to such provisions as is provided for the termination of an order in subsection 8c(16)(B). Disapproval or termination of such order provisions shall not be considered disapproval of the order or of other terms of the order."

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2015) to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; introduced by Mr. McGovern, was received, read twice by its title and referred to the Committee on Agriculture and Forestry.

S. 2021—INTRODUCTION OF A BILL TO MAKE CERTAIN ADJUSTMENTS IN LANDS OR INTERESTS ACQUIRED IN CONNECTION WITH THE NAVARRO MILLS RESERVOIR, TEX.

Mr. YARBOROUGH. Mr. President, today I am introducing in the Senate a bill to assure that all owners of property acquired for the Navarro Mills Reservoir in Texas will receive equal treatment.

The power of eminent domain is an awesome power indeed. Without it we could not bring to fruition the many water conservation projects so necessary to the growth and well-being of this Nation. But the exercise of that power produces one of those dilemmatic instances in government when the public interest is in conflict with traditional individual rights.

No right is more basic to the fabric of our political-economic system than the right to own property. When this right is suspended for the benefit of the public generally, as it is when property is acquired to build highways, construct dams and lakes, and erect the many facilities necessary to the proper function of our Government, the acquisition should be carefully limited to taking only that property which is absolutely essential to the project. Moreover, the acquisition must be accomplished with equal and fair treatment to all property owners affected by the project. With this principle, there can be no compromise.

Unfortunately, in the acquisition of property for the construction of the Navarro Mills Reservoir, some property owners were allowed by the Army Corps of Engineers to retain their mineral rights and some were not. These lands were acquired between 1959 and 1961. At that time, the Army's stated policy was not to acquire mineral, oil, and gas rights "where the owner objects or where a substantial additional cost would be involved." For some reason, however, the Army purchasing agents did not generally follow this policy at Navarro Mills. While it is true the mineral rights involved little or no additional cost to the Government, the landowners did ask to reserve their minerals and strongly objected to their loss. Nevertheless, the Government agents represented that all of the mineral interests were being acquired for the project, that all landowners were being treated alike, and that if voluntary sales were refused, the Government would take the minerals through condemnation.

Most of these landowners were small farmers in their sixties and seventies, both Negro and white, who lived in Navarro and Hill Counties the major part of their lives. Most had limited formal education. The mineral rights taken from them underlie some 80 tracts of land ranging in size from 22.4 to 320 acres. At the time of the land acquisiton program, most of the landowners did not have lawyers. They simply could not afford the cost of protracted condemnation proceedings to protect the small current value of their mineral interests.

As residents of one of the oldest oil-producing areas in Texas, however, they were well aware of the potential value of such rights to their children and grandchildren. They made clear their desire to keep their mineral rights, but believing that all landowners were losing their mineral interests, felt they had no choice but to voluntarily yield them to the Government.

Later they discovered that certain notable exceptions had been made. Among those permitted to retain their minerals were a retired Air Force general. These exceptions came to light only after the land acquisition program had been completed and the great majority of landowners had surrendered their minerals. In several cases, the Government allowed minerals either to be reserved or revested in tracts side by side with, and surrounded by, other tracts whose owners were denied the same privilege.

This bill authorizes the Army Secretary to reconvey the mineral rights whenever he determines they are not required for the efficient operation of the reservoir. Reconveyances would be subject to such terms, conditions, reservations, and restrictions as he deems necessary to protect the Federal interest. These, of course include pollution safeguards, operating and structural controls, and if necessary, a requirement for directional drilling. Sales would be at a price equal to the acquisition cost, less the value of any conditions attached and rentals received by the Government during the interim, and grantees would bear the administrative costs.

In short, this bill would simply restore the status quo to the former owners whose mineral rights were taken and assure them the same treatment that other owners received when they were initially permitted to retain or were revested with their mineral interests.

Mr. President, those whom this bill will directly affect may not be large in number, but the principle involved is indeed important. In this sensitive area of Government action, the Congress has an extraordinary responsibility to see that such injustices do not go unrectified.

I ask unanimous consent that text of my bill to insure equal treatment to property owners affected by the Navarro Mills Reservoir project be printed in full at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2021) to authorize the Secretary of the Army to make certain adjustments in lands or interests therein acquired in connection with the Navarro Mills Reservoir introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 2021

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to provide adjustments in the lands or interests in lands heretofore acquired for the Navarro Mills Reservoir, Texas, the Secretary of the Army (hereinafter referred to as the "Secretary") is authorized to reconvey all or any part of the mineral rights in any such lands or interests in lands to the former owners thereof whenever he shall determine that such mineral rights are not required for the efficient operation of such reservoir.

(b) Any such reconveyance of any mineral rights shall be made only after the Secretary has received an application for the reconveyance of such mineral rights from such former owner in such form as he shall by regulation prescribe. Such application shall be made within a period of one year following the date of enactment of this Act.

(c) Any reconveyance of mineral rights made under this Act shall be subject to all valid existing leases permits, licenses, or contracts issued under the Mineral Leasing Act for Acquired Lands, approved August 7, 1947 (61 Stat. 1913; 30 U.S.C. 351–359), and such reconveyance shall contain an assignment of all right, title, and interest of the United States in and to such lease, permit, license, or contract, including the right to all rentals, royalties, and other payments accruing under such lease, permit, license, or contract after the effective date of such reconveyance. Nothing contained in this Act shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder.

(d) Any reconveyance of mineral rights made under this Act shall be subject to all valid existing agricultural and public facility leases, easements for public roads, highways, public utilities, and pipelines, and the perpetual right and easement of the United States to overflow, flood, and submerge the mineral interest reconveyed.

(e) The Secretary may include in any such reconveyance such terms, conditions, reservations, and restrictions as he determines to be necessary for the proper operation and maintenance of the reservoir project and to protect the interests of the United States.

(f) Any mineral rights reconveyed under this Act shall be sold to such former owner for an amount determined by the Secretary to be equal to the price for which such mineral rights were acquired by the United States, adjusted to reflect any decrease in value thereof resulting from (1) any reservation, exception, restriction, or condition to which the reconveyance is made subject, and (2) any rentals, royalties, and other payments received by the United States prior to the effective date of such reconveyance. In addition, the administrative costs of surveys, if any, title evidence, preparation of legal documents, and recordation necessary as an incident of such reconveyance shall be borne by the grantee.

(g) As used in this Act, the term "former owner" means the person from whom the land, or interest therein, was acquired by the United States, or if any such person is deceased, his heirs, representatives, or assigns.

(h) Any reconveyance of mineral rights made under this Act shall be in such form as to release and quitclaim, without warranty, all the right, title, and interest of the United States in and to such mineral rights to the former owners thereof if living on the effective date of such reconveyance, and if not living, then to the heirs, representatives and assigns of such former owners. After such reconveyance, such heirs, representatives, and assigns shall establish their title to such reconveyed mineral rights as provided by the laws of the State of Texas, at their own expense, and without further responsibility by the Secretary.

(i) Any reconveyance of mineral rights made under this Act shall be in the same shares, proportions, and interests in which the grantees or their predecessors in title owned the same when it was acquired from them by the United States.

(j) Any proceeds from reconveyances made under this Act, shall be covered into the Treasury of the United States as miscellaneous receipts.

SENATE JOINT RESOLUTION 102—INTRODUCTION OF A JOINT RESOLUTION TO GIVE 18-YEAR-OLD CITIZENS THE RIGHT TO VOTE

Mr. YARBOROUGH. Mr. President, I am introducing, today, a Senate joint resolution containing a proposed amendment to the Constitution of the United States to give 18-year-old citizens the right to vote. We demand of these young men and women all of the duties of citizenship, yet we deny them its most basic right—the right to vote.

Taxes are steadily rising; these young men and young women must pay them, yet they have no voice whatsoever in the process of levying them. This is done in a Nation which was founded on the principle of "no taxation without representation."

We criticize young men and women in our colleges for causing disturbances; we tell them to be responsible and to express their dissent through established and acceptable channels, yet we close to them the most obvious, the most effective, the traditional channel for expressing dissent—the ballot box.

More important, in these troubled days when our military commitments virtually span the globe, from the banks of the Elbe to the banks of the Mekong, from the steamy jungles of Southeast Asia to the frozen wastes beyond the Arctic Circle, we are asking our young men to answer their country's call without giving them any chance to say what that call shall be.

What could be more hypocritical? I ask all of you to recall that twice we have gone to war—once in revolution and once again in defense—against a nation trying to enforce upon our people, laws in the enacting of which they had no voice. We rebelled against Great Britain in part for taxing us without first gaining our consent. Then again, we went to war with Great Britain in 1812 for impressing our sailors into their Navy. What is the difference between the actions of the British King in those days and the actions of this Nation today when it levies taxes and enforces military service on our young people without first gaining their consent? Is it any wonder that some of them have taken to the streets in frustration? And what is the legitimate way for them to dissent?

Our Nation has become so large and the issues which confront it so complex, that even the voter has precious little say about the laws which govern him. But his lot is far better than that of the youth who must give up the best and most productive years of his life and perhaps his life itself without being given even the chance legitimately to register his opposition to that decision which so adversely affects him.

I believe that it is long past time to rectify this injustice, Mr. President. This proposed constitutional amendment will do that. I urge its prompt adoption.

I ask unanimous consent that my joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older be printed at this point in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 102) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 102

Resolved by the Senate and House of Representatives of the United of America in Congress assembled, That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The right of any citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of age if such a citizen is eighteen years of age or older. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of is submission to the States by the Congress."

SENATE JOINT RESOLUTION 104—INTRODUCTION OF A JOINT RESOLUTION PERMITTING THE REAPPOINTMENT OF THE JOINT CHIEFS OF STAFF

Mr. STENNIS. Mr. President, by request, for myself and the senior Senator from Maine, I introduce, for appropriate reference, a joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969.

I ask unanimous consent that the letter of transmittal requesting the consideration of the legislation and explaining its purpose be printed in the RECORD immediately following the listing of the joint resolution.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the letter of transmittal will be printed in the RECORD.

The joint resolution (S.J. Res. 104) to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969, introduced by Mr. STENNIS (for himself and Mrs. SMITH) was received, read twice by its title, and referred to the Committee on Armed Services.

The material, presented by Mr. STENNIS, follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., April 21, 1969.

Hon. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft Joint Resolution "To authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of one year, the officer serving in that position on April 1, 1969."

The proposal is a part of the Department of Defense Legislative Program and the Bureau of the Budget advises that its enactment would be in accord with the Program of the President. Early favorable consideration is requested.

The purpose of the proposal is to permit the President to nominate General Earle G. Wheeler, United States Army, for reappointment, with the advice and consent of the Senate, to serve an additional term of one year as Chairman, Joint Chiefs of Staff. General Wheeler was initially appointed to the post of Chairman of the Joint Chiefs of Staff effective July 3, 1964. He was reappointed for a second consecutive term which began on July 3, 1966. Following enactment of a Joint Resolution (Public Law 90–342, approved June 15, 1968), General Wheeler was reappointed for an additional term of one year which began on July 3, 1968.

Under existing law, the Chairman is appointed with the advice and consent of the Senate, serves at the pleasure of the President for a term of two years, and may be reappointed in the same manner for only one additional two-year term except in time of war. The proposed Joint Resolution, as was the case in 1968, would represent an exception to that rule in the case of General Wheeler, since it would authorize his appointment for an additional period of one year beginning July 3, 1969, and would not otherwise affect the existing permanent law.

The President, as Commander in Chief of our Armed Forces, and the Secretary of Defense, believe that retaining General Wheeler in his present position would be in the best interest of the nation. General Wheeler's intimate knowledge of our overall military posture and requirements, including operations in Southeast Asia, acquired during his tenure as Chairman of the Joint Chiefs of Staff, make it prudent and wise to retain his invaluable experience and counsel during the current and impending period of operations and negotiations affecting Southeast Asia.

Sincerely,

MELVIN R. LAIRD.

SENATE JOINT RESOLUTION 105—INTRODUCTION OF A JOINT RESOLUTION PROPOSING A CONSTITUTIONAL AMENDMENT TO LOWER THE VOTING AGE TO 18

Mr. GOODELL. Mr. President, I rise to propose an amendment to the Constitution which would lower the voting age to 18 in all elections at the Federal, State, and local levels.

National action to lower the voting age is another one of those issues on which we have had too much talk and too little action. Our young men and women have already shown that they should play, and indeed are playing, a major role in determining the Nation's future.

Looking at the facts before us, I cannot comprehend why we have not yet acknowledged the right of an 18, 19, or 20-year-old to participate in the political process. Certainly, this is only a logical extension of youth's role in society.

Why do we establish 18 as the age for compulsory military service—and then not permit our youth to have any say in determining the policies upon which their lives may depend?

Why do we make such a prodigious effort to support higher education, and then deny those we are educating the right to put this knowledge to actual use?

Why do we encourage young people to develop a sense of responsibility, to take jobs or go to college, to live away from home, to marry and raise families, and then draw the line at exercising political responsibility?

It is unrealistic to suppose that the older generation can better represent the interests of young people in the political process than the young can themselves.

It is unrealistic to assert that youth has not earned a voice in society. Young people have shown that they are vitally interested in participating in our decisionmaking process. Their role in the 1968 election campaign is proof enough. We must acknowledge that their contribution to improving the quality of our lives has been constructive and imaginative. They are making us listen, not because we have to, but because we want to hear what they have to say.

It is unrealistic to point to excessive actions by a handful of young extremists as reasons for denying the vote to millions of young Americans. It surely is better to channel the great political energies of the young in the democratic channels of participation in the elective process, than to leave young people alienated and without a voice in government.

I urge the Senate to take action on this amendment as soon as possible. We can all benefit from its prompt passage.

Mr. President, I ask unanimous consent that the text of this joint resolution be printed in the Record.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 105) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older, introduced by Mr. Goodell, was received, read twice by its title, and referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 105

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"Article —

"Section 1. The right of any citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of age if such a citizen is eighteen years of age or older. The Congress shall have power to enforce this article by appropriate legislation.

"Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. TALMADGE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Washington (Mr. Jackson) be added as a cosponsor of the bill (S. 1851) to enable honey producers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for honey.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New York (Mr. Javits) and the Senator from Maryland (Mr. Mathias) be added as cosponsors of the bill (S. 335) to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Oklahoma (Mr. Harris), the Senator from Washington (Mr. Jackson) and the Senator from South Dakota (Mr. Mundt) be added as cosponsors of the bill (S. 1832) to provide for more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey (Mr. Case) be added as a cosponsor of the bill (S. 338) to amend section 1677 of title 38, United States Code, relating to flight training, and to amend section 1682 of such title to increase the rates of educational assistance allowance paid to veterans under such sections.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I ask unanimous consent that, at its next printing, the name of the distinguished Senator from California (Mr. Murphy) and the distinguished Senator from Oregon (Mr. Packwood) be added as cosponsors of the bill (S. 845) to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Oklahoma (Mr. Harris), the Senator from Montana (Mr. Metcalf), the Senator from New York (Mr. Javits), and the Senator from Michigan (Mr. Hart) be added as cosponsors of the bill (S. 1189) to improve educational quality through effective utilization of educational technology.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico (Mr. Montoya), I ask unanimous consent that, at its next printing, the name of the Senator from Wyoming (Mr. McGee) be added as a cosponsor of the bill (S. 1054), to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to $1,000.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wisconsin (Mr. Nelson) be added as a cosponsor of the bill (S. 309) to provide for improved employee-management relations in the postal service, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent, on behalf of the Senator from Connecticut (Mr. Ribicoff), that at its next printing, the name of the Senator from New York (Mr. Goodell) be added as a cosponsor of the bill (S. 809), to provide Federal leadership and grants to the States for developing and implementing State programs for youth camp safety standards.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Nevada (Mr. Cannon), the Senator from Pennsylvania (Mr. Schweiker), and the Senator from California (Mr. Murphy) be added as additional cosponsors of the bill (S. 1519), to establish a National Commission on Libraries and Information Science, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 1400) to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Tennessee (Mr. Gore) be added as a cosponsor of the bill (S. 1849) to amend title 19 of the Social Security Act to permit States greater flexibility in establishing and modifying medicaid plans.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut (Mr. Ribicoff), I ask unanimous consent that at its next printing, the name of the Senator from Oklahoma (Mr. Harris) be added as a cosponsor of the bill (S. 1402), to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. Murphy) be added as a cosponsor of the bill (S. 718) to provide for educational assistance for gifted and talented children.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New York (Mr. Javits) be added as a cosponsor of the bill (S. 1795), to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GRAVEL. On behalf of the Senator from Washington (Mr. Magnuson), I ask unanimous consent that, at its next printing, the name of the Senator from North Dakota (Mr. Burdick) be added as a cosponsor of the bill (S. 1400) to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Michigan (Mr. Hart) and the Senator from North Dakota (Mr. Burdick) be added as cosponsors of the bill (S. 1589) to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GRAVEL. On behalf of the Senator from Washington (Mr. Magnuson), I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania (Mr. Scott) be added as a cosponsor of the bill (S. 1280) to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McGEE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. Yarborough) be added as a cosponsor of the bill (S. 1772) to provide that the Federal Government shall pay one-half of the cost of health insurance for Federal employees and annuitants.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GRAVEL. Mr. President, on behalf of the Senator from Indiana (Mr. Hartke), I ask unanimous consent that, at its next printing, the names of the Senator from Indiana (Mr. Bayh), the Senator from Rhode Island (Mr. Pell), the Senator from Texas (Mr. Yarborough), and the Senator from Wyoming (Mr. McGee) be added as cosponsors of the bill (S. 1896) to amend title XVIII of the Social Security Act to include dental care, eye care, dentures, eyeglasses, and hearing aids among the benefits provided by the insurance program established by part B of such title.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GRAVEL. Mr. President, on behalf of the Senator from Indiana (Mr. Hartke), I ask unanimous consent that, at its next printing, the names of the Senator from Montana (Mr. Metcalf) and the Senator from Nevada (Mr. Bible) be added as cosponsors of the bill (S. 1938) to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GRAVEL. Mr. President, on behalf of the Senator from Indiana (Mr. (Hartke), I ask unanimous consent that, at its next printing, the names of the Senator from Nevada (Mr. Bible) and the Senator from Wisconsin (Mr. Nelson) be added as cosponsors of the bill (S. 1933) providing for Federal railway safety.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GRAVEL. In behalf of the Senator from Washington (Mr. Magnuson) I ask unanimous consent that, at its next printing, the name of the Senator from Michigan (Mr. Hart) be added as a cosponsor of the bill (S. 1297) to amend the Civil Service Retirement Act so as to permit retirement of employees with 30 years of service on full annuities without regard to age.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, it is my privilege to announce to the Senate that a total of 62 of my colleagues have joined me in cosponsoring S. 1613, a bill to rename Glen Canyon Dam in honor of former President Dwight D. Eisenhower.

This response from the Senate is a high tribute to our former President and military commander and I am very optimistic that we will have early passage of this important legislation.

On March 20 together with Senators Fannin and Goldwater of Arizona I introduced the proposal which originally began with my friend and former colleague from Utah, Senator Arthur V. Watkins. It was Senator Watkins, together with President Eisenhower, who were in the forefront in the big battle for passage of the upper Colorado River storage project of which Glen Canyon Dam is a participating unit.

Later after the death of President Eisenhower I invited the entire Senate to join us in cosponsoring the bill. Today's total is 62 which, incidentally, is the largest number of cosponsors it has ever been my privilege to have on one of my bills.

All of us, Mr. President, feel that the name change would be a fitting memorial to General Eisenhower's long and distinguished career as President, military leader, and world statesman. It would also be a lasting testimonial to his faith in the development of the Upper Colorado River Basin.

Glen Canyon Dam is on the Colorado River in northern Arizona, some 12 miles downstream from the Utah-Arizona border.

In taking the floor today for this proud task I also would like to point out once again that Glen Canyon Dam was not named after any individual or national hero. The word "glen" is a descriptive word for the geographical-type formation through which the Colorado River passes in vicinity of the dam.

Once again let me thank my colleagues who saw fit to join me in paying this lasting and living tribute to one of our great Americans, Dwight D. Eisenhower.

Mr. President, on behalf of the senior Senator from Arizona (Mr. Fannin), the junior Senator from Arizona (Mr. Goldwater), and myself, I ask unanimous consent that, at its next printing the names of the following Senators be added as cosponsors of the bill (S. 1613) to designate the dam commonly referred to as the Glen Canyon Dam as the Dwight D. Eisenhower Dam:

Senators Aiken, Allen, Allott, Baker, Bayh, Boggs, Brooke, Cannon, Cook, Cooper, Cotton, Curtis, Dirksen, Dodd, Dominick, Metcalf, Miller, Mundt, Fong, Fulbright, Goodell, Griffin, Gurney, Hansen, Hartke, Hatfield, Hollings, Hruska, Hughes, Inouye, Jackson, Javits, Jordan of Idaho, Long, Mansfield, McClellan, McGovern, Murphy, Nelson, Packwood, Pastore, Pearson, Prouty, Randolph, Ribicoff, Schweiker, Scott, Smith, Sparkman, Spong, Stennis, Stevens, Symington, Talmadge, Thurmond, Tower, Tydings, Williams of Delaware, and Young of North Dakota.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the Record a joint resolution of the 38th Legislature of the State of Utah requesting Congress to change the name of Glen Canyon Dam to Eisenhower Dam; an editorial endorsing the name change which appeared in the Washington Post on April 4; and an editorial from the Salt Lake Tribune on April 13, all be inserted in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Senate Joint Resolution 21

A joint resolution of the 38th Legislature of the State of Utah memorializing the Congress of the United States to change the name of the Glen Canyon Dam to the Dwight D. Eisenhower Dam.

Be it resolved by the Legislature of the State of Utah:

Whereas, on March 31, 1953, the Interior Department made its report of findings on the proposed Upper Colorado River Storage Project, and

Whereas, the following press release was issued by President Dwight D. Eisenhower on March 20, 1954:

"STATEMENT BY THE PRESIDENT

"The White House.—I have today approved recommendations for the development of the upper Colorado River Basin.

"The general plan upon which these recommendations are based has been prepared by the Secretary of the Interior. The Secretary's recommendations have been reviewed by the Bureau of the Budget. Legislation embodying the administration's recommendations as being prepared for introduction in the Congress.

"This is a comprehensive, well-planned development of a river basin. The close Federal-State cooperation upon which the Secretary's plan is based also carries out this administration's approach to water-resource development.

"The development will conserve water, enabling the region to increase supplies for municipal uses, industrial development, and irrigation. It will develop much-needed electric power.

"The development calls for sound financing. The legislation now being drafted will set up a fund for the entire project so that it will be constructed and paid for as a basin program.

"Construction of the Echo Park and Glen Canyon Dams, two of the large projects in the basin plan, is recommended. These dams are key units strategically located to provide the necessary storage of water to make the plan work at its maximum efficiency.

"The legislation being drafted will authorize a number of projects which will put to use the waters of the upper Colorado. This authorization will become effective following further consideration by the Secretary of the Interior, with the assistance of the Secretary of Agriculture, of the relation of these projects to the wise use and sound development of the basin.

"I am deferring my recommendation on the Shiprock unit of the Navajo project until the Secretary has completed his study.

"I hope the Congress will give early consideration to enactment of the administration's legislative proposal. I firmly believe development of the upper Colorado River Basin, in accordance with its provisions, is in the national interest."

Whereas, this was regarded as a precedent setting statement by the President: A strong opponent of the project wrote:

"No one in Washington seemed to recall that a President ever before had gone to such lengths to approve a western reclamation project. Many presidents had signed reclamation bills into law, but when, if ever, had a president given his personal endorsement to a single project with such unqualified support and in such a public manner? None could say."

Whereas, the President in a State of the Union message to Congress urged the enactment of legislation authorizing the construction of the project and the appropriation of funds to get it under way.

Whereas, fierce opposition to the project from some interests developed immediately and continued until they were finally defeated by the passing of the enabling legislation in 1956. Against all opposition, President Eisenhower steadfastly supported the proposed legislation until the fight for it was won. He approved it on April 11, 1956.

Whereas, President Eisenhower's budget request for the project which was granted for the most part kept construction going during his two terms as President.

Whereas, in view of the foregoing statements and other items not mentioned, it appeared that it was doubtful that this giant reclamation project would or could have been authorized without the President's hearty support.

Whereas, the large body of water behind the dam has been named in honor of one of its most remarkable pioneers, explorer-scientist John Wesley Powell, who made a bold exploration of the upper Colorado River area in 1869. This year a national centennial will be held in his honor. It would seem to be highly proper to name the dam which helps create Lake Powell in honor of a distinguished war hero and leader of World War II, President, and statesman, who has done so much to help harness the turbulent Colorado and put it to work for the benefit and enjoyment of mankind.

Whereas, former Senator Arthur V. Watkins in a letter to the President of the Senate, Speaker of the House of Representatives, and all members of the legislature, has recommended this resolution.

Now, therefore, be it resolved that the 38th Legislature of the State of Utah, both houses concurring therein, does hereby memorialize the Congress of the United States to change the name of Glen Canyon Dam to the Dwight D. Eisenhower Dam.

Be it further resolved, that the Secretary of State of Utah shall send copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and to the Senators and Representatives representing the State of Utah.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State of Utah at Salt Lake City, this fourteenth day of March 1969.

Clyde L. Miller,
Secretary of State.

[From the Washington (D.C.) Post, Apr. 4, 1969]

Tribute to Ike in the Southwest

The erection of a suitable memorial to President Eisenhower will require extensive discussion and deliberation. Because of his great service as leader of the victorious Allied armies in World War II, in addition to his two terms as President, the country's memorial to him should be not only unique; it should also reflect his highest qualities. As thought about him and his career ripens in the years ahead no doubt an appropriate means of commemoration will emerge. There is no need for the impulsive haste that the country seemed to feel after the assassination of President John F. Kennedy.

Meanwhile, however, there is one appropriate tribute that could be paid now without any extended research, debate or expenditure of funds. A few weeks before the General's death the legislature of Utah at the suggestion of former Sen. Arthur V. Watkins of that State, passed a resolution asking Congress to change the name of the Glen Canyon Dam in the Colorado River to the Dwight D. Eisenhower Dam. Such a gesture would be especially appropriate because President Eisenhower recommended construction of the dam while he was President and fought for the authorization and funds to make it a reality.

Many dams and other national projects have been named for Presidents less intimately associated with them than was Ike with the development of the Upper Colorado River Basin. The magnificent lake behind the dam has already been named for John Wesley Powell, the explorer-scientist who brought the country a new consciousness of the mighty Colorado just a century ago. No one, we surmise, would wish to disturb this highly appropriate appellation. But the dam could properly bear the name of the man who, probably more than any other, was responsible for its construction.

[From the Salt Lake City (Utah) Tribune, Apr. 13, 1969]

Persuasive, but Not First

Proposals for honoring Dwight D. Eisenhower are multiplying as was inevitable. One of the most recent comes from Joel T. Broyhill, R-Va., who envisions a $25 million multipurpose arena built on the Capitol Mall in Washington, D.C.

This suggested memorial would seat 18,000 for sports events and 24,000 for political conventions, convocations and other similar gatherings. By most accounts it would fill a need long recognized in the nation's capital.

Rep. Broyhill makes a good case, recommending the building also house the headquarters for the District of Columbia Recreation Department as well as national offices or the President's Council on Physical Fitness.

"This is not a fantastic, wild, boondoggle thing," the congressman says, "but something that's needed, a workable project that would provide Washington with much needed additional facilities and be in keeping with Mr. Eisenhower's keen interest in sports, for which he was well known."

Gen. Eisenhower certainly deserves the kind of perpetual appreciaton that permanent monuments represent. Rep. Broyhill's idea is worth consideration. However, direct federal grants for commercial sports facilities are prohibited.

Before plunging into a plan requiring complicated policy making, Congress could more easily act on a bill already before it that entails no such trouble. The memorial is completed, all that's needed is an official name change—from Glen Canyon Dam to Dwight D. Eisenhower Dam.

Mr. BAKER. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Arizona (Mr. Goldwater) be added as a cosponsor of the resolution (S.J. Res. 93) proposing an amendment to the Constitution of the United States enabling citizens of the United States to change their residences to vote in presidential elections.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Indiana (Mr. Bayh) and the Senator from Maryland (Mr. Mathias) be added as cosponsors of the joint resolution (S.J. Res. 100) to proclaim the week beginning May 1 as "Youth Week."

The VICE PRESIDENT. Without objection, it is so ordered.

STATEMENT ON PEACE IN MIDDLE EAST

Mr. BYRD of West Virginia. Mr. President, last Friday, 46 Senators joined the Senator from Pennsylvania (Mr. Scott) and the Senator from Connecticut (Mr. Ribicoff) in signing a statement expressing strong support for meaningful efforts toward peace in the Middle East.

At the request of the Senator from Connecticut (Mr. Ribicoff), I ask unanimous consent that the name of his colleague (Mr. Dodd), be added to the list of signers.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 184—RESOLUTION ON THE DEVELOPMENT AND USE OF BIOLOGICAL WEAPONS

Mr. NELSON. Mr. President, I am submitting today a resolution which would make it the official policy of the U.S. Government never to resort to the use of biological weapons in warfare.

The capability of this Nation to wage conventional warfare is unparalleled in the annals of history and second to none in this modern age. Our nuclear capability is vast; we now have sufficient firepower to destroy any adversary. In light of this fact, it hardly seems necessary that this Nation devote much of its energy and resources to the further development of the weapons of biological warfare. Since we already have at our disposal the means to kill every man, woman, and child in the world many times over, it is madness to expend our resources in the effort to turn medicine inside out so that we might add to our ability to wage ever more destructive warfare.

It has often been said that biological weapons present a credible deterrent to any enemy who might contemplate an attack upon this country with biological agents. However, judging from the information that has slipped through the curtain of secrecy surrounding the whole subject of biological warfare, these weapons are notoriously unreliable as a deterrent. They are patently unpredictable.

Not only are they technically unpredictable, but they are certainly of dubious tactical or strategic value when one considers the possibility and the great danger inherent in any use of these weapons. It is more than a mere possibility that the use of biological weapons could release upon mankind epidemics of massive proportions, epidemics which could strike down friend and foe alike, combatants as well as innocent civilians, neutral countries as well as friendly populations. In this event, who then would be the victor and who would be the victim?

Our Nation has long prided itself on its efforts to make the world a place where men can live out their lives free from the scourge of pestilence and disease. But we are now working with pneumonic plague, anthrax, botulism, Venezuelan equine encephalonyelitis, tularemia, Q-fever and many other diseases which have been the bane of mankind for centuries.

Some contend that our work in this area is of a purely defensive nature and is done for humanitarian reasons. Yet the irony of this position is clearly shown by the fact that we are also working in the field of offensive delivery systems, the sole purpose of which is to enable us to use these diseases against human beings as weapons of war.

It seems clear to me that we must take positive action now, before it is too late, to see that delivery systems and the organism they are to carry will never be used. It is for this reason that I urge that we make it the official policy of this Nation that we shall never use the agents of biological warfare under any circumstances whatsoever.

We stand to lose nothing, for we abandon a weapons system of less than dubious value. We stand to gain the admiration and respect of those who so clearly see the uselessness and the madness of our pursuits in the field of biological warfare.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 184) which reads as follows, was referred to the Committee on Armed Services:

S. RES 184

> Whereas the use of biological weapons has been justly condemned by the general opinion of the world;
>
> Whereas the Geneva Protocol prohibiting the use of biological agents of warfare has been ratified by 42 countries;
>
> It is hereby understood to be the sense of the United States Senate that the United States shall abandon the development of delivery systems of biological agents and shall not resort to the further development or the use of biological agents as weapons for war.

ADDITIONAL COSPONSOR OF A RESOLUTION

Mr. CRANSTON. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Idaho (Mr. CHURCH), the Senator from North Dakota (Mr. BURDICK), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Minnesota (Mr. McCARTHY), and the Senator from Ohio (Mr. YOUNG) be added as cosponsors of the Senate resolution (S. Res. 183) to express the sense of the Senate in opposition to the shutdown of Job Corps installations before congressional authorization and appropriation action.

The VICE PRESIDENT. Without objection, it is so ordered.

EXEMPTING FROM ANTITRUST LAWS CERTAIN COMBINATIONS AND ARRANGEMENTS NECESSARY FOR THE SURVIVAL OF FAILING NEWSPAPERS—AMENDMENTS

AMENDMENTS NOS. 15 AND 16

Mr. BROOKE submitted two amendments intended to be proposed by him to the bill (S. 1520) to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers, which were referred to the Committee on the Judiciary, and ordered to be printed.

(See reference to the above amendments when submitted by Mr. BROOKE, which appears under a separate heading.)

EXEMPTING FROM ANTITRUST LAWS CERTAIN COMBINATIONS AND ARRANGEMENTS NECESSARY FOR THE SURVIVAL OF FAILING NEWSPAPERS—AMENDMENTS

AMENDMENTS NOS. 15 AND 16

Mr. BROOKE. Mr. President, I rise today because of my concern over a problem that is significant and important to us all. It is so significant that the forces of both the national judiciary and Congress have been brought to bear on its resolution; and it is important because it involves the primary source of information for responsible Americans. I speak of the so-called failing newspaper problem, an issue of tremendous implications for the freedom and vigor of the American press.

Few will deny the independent spirit that has characterized the continuing growth of our great Nation and the competitive quality that has stimulated development of this Nation's economic complex. Competition and relative independence have not only been responsible for technological advances but have provided us additionally with the assurance that the available alternatives have been explored. Any administrative policy, judicial doctrine, or legislative enactment that operates as a restraint on these fundamental forces of legitimate endeavors deserves the closest scrutiny by us all. This is especially true when we are concerned with the integrity of the information process upon which the vast majority of Americans formulate their opinions.

It would be helpful to take a brief look at the history of events that culminated in the Supreme Court's recent decision in Citizen Publishing Co. et al, against United States. Since 1933, 44 newspapers located in some 22 cities have entered into joint newspaper-operating arrangements, ostensibly on the basis of economic considerations. While the agreements vary from city to city, each basically strives to combine all of the business and mechanical functions under some form of joint control while maintaining editorial independence. In theory it permits a community to benefit from competing news and editorial viewpoints even though it cannot economically support more than one newspaper.

In 1965, the Justice Department challenged the validity of one of these arrangements between the Citizen Publishing Co. and the Arden Publishing Co. in Tucson. On March 10, of this year, the Supreme Court affirmed the decision of the District Court for the District of Arizona which will require a divestiture of interests between the two publishing companies. Legislation has now been introduced which would provide an exemption to the antitrust acts for "failing newspapers," as defined very broadly in the bill.

The contentions of the Government and the decisions of the respective courts are based on legislative enactments whose overriding purposes are not in question. Among other things, the antitrust acts strive to keep alive the sparks of competitive endeavor.

At this point, it is worth noting the declaration of policy set out in the proposed Newspaper Preservation Act introduced by our esteemed colleague, Senator INOUYE. That bill states:

> In the public interest of maintaining the historical independence of the newspaper press in all parts of the United States, it is hereby declared to be the public policy of the United States to preserve the publication of newspapers in any city, community, or metropolitan area where a joint operating arrangement has been or may be entered into because of economic distress.

When you couple the underlying principles of the antitrust acts with the present judicial doctrine which permits the "failing company defense" in antitrust actions and compare it with this stated declaration it would seem that the proposed legislation and the present judicial policy are not working at cross-purposes. It follows, I believe, that legislation in this area should seek to reconcile differences in the application of the law while adding clarity and certainty to the standards guiding the actions of those newspapers which anticipate entering into some form of joint operating arrangements.

With these thoughts in mind, I would like to express my general support for the legislation that has been suggested by my able colleagues. However, I would like to submit two amendments for consideration by the appropriate committee.

The first amendment is designed to clarify the definition of a "failing newspaper." The present definition in the bill does not, in my view, lend itself to the establishment of a clear standard. Rather than defining such a publication as one which "regardless of its ownership or affiliations, appears unlikely to remain or become a financially sound publication," I suggest that a failing newspaper be defined as a "newspaper publication which cannot be continued in operation as a separate and independent business enterprise for the following reasons: First, in its newspaper publication operations it has sustained substantial financial loss for an extended period of time; second, its financial resources are substantially depleted; third, its prospect of financial rehabilitation by the proprietors or shareholders thereof is so remote that it is confronted with grave probability of business failure; fourth, its failure as a business enterprise will result in substantial financial loss to its proprietors or shareholders and substantial injury to the community in which such newspaper publication is published; and, sixth, active efforts made in good faith by the managers thereof to obtain a purchaser of such newspaper publication who is willing and able to continue it in operation as a separate and independent newspaper publication have been unsuccessful."

This definition is similar to the one found in the case of *International Shoe Company, Inc.* v. *F.T.C.* (280 U.S. 291). A basic difference exists between the International Shoe case definition as it was applied by the Court in the recent Citizens Publishing Co. case and the one that I have proposed. In my view, the majority opinion placed undue emphasis on the requirement concerning other prospective purchasers when it said:

> The failing company doctrine plainly cannot be applied in a merger or any other case unless it is established that the company that acquires it or brings it under dominion is the only available purchaser.

This places a very heavy burden on a company, and does so with regard to a standard that is by no means an adequate measure of economic distress. The definition that I have suggested provides the assurance of good faith while retaining certain flexibility in an area that may be largely conjecture.

One point is of special importance in this connection. The Court's decision in the Citizen case is not an absolute prohibition of joint newspaper operating arrangements. It may be that some or most of the other arrangements; namely, those in 21 cities across the country, will stand under the Court's doctrine. It is by no means clear that present application of the "failing company" doctrine would rule out all such schemes. Indeed, while I think the Court's extension of the International Shoe criteria is unduly onerous, and while I believe further legislation is appropriate to clarify the antitrust standards in this field, it is important to realize that the Court already has considerable latitude to take account of the special circumstances bearing on each joint arrangement.

We need to be careful not to open undue loopholes in antitrust law. My amendments are designed to meet these concerns.

The second amendment is designed simply to place a time limit on when prior judgments in this limited area may be examined. As the measure stands now, it is technically possible for judgments to be opened up that were handed down prior to 1900. I believe we should explicitly limit this possibility to the period after 1933, when the oldest of the current joint operating arrangements came into being.

It is my hope that the committee and the Senate will favorably consider these amendments to the Newspaper Preservation Act and that the bill will pass. It represents a serious effort to provide relief in an area where sufficient justification exists for legislative action.

Our country has always encouraged diverse thought and opinion. Its legitimate expression is paramount to our continued growth and development. This amended measure will help preserve a vigorous press, one of the essential elements in the life of our Nation.

The VICE PRESIDENT. The amendments will be received, appropriately referred and printed.

The amendments (No. 15 and No. 16) were referred to the Committee on the Judiciary, and ordered to be printed.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

William F. Clayton, of South Dakota, to be U.S. attorney for the district of South Dakota for the term of 4 years, vice Harold C. Doyle;

Sherman F. Furey, Jr., of Idaho, to be U.S. attorney for the district of Idaho for the term of 4 years, vice Sylvan A. Jeppesen, resigned;

Thomas K. Kaulukukui, of Hawaii, to be U.S. marshal for the district of Hawaii for the term of 4 years, vice Wesley H. Petrie.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, May 6, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARINGS ON S. 1072 AND S. 1090 SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Mr. MONTOYA. Mr. President, I wish to announce that on May 1 and May 14 the Subcommittee on Economic Development of the Committee on Public Works will hold hearings beginning at 10 a.m. in room 4200 on S. 1072 and S. 1090, legislation extending for 2 years the authority of the Appalachian Regional Commission and of the five regional commissions established under title V of the Public Works and Economic Development Act of 1965.

The Federal Cochairman of the Appalachian Regional Commission, Hon. John Waters, has asked to testify on May 1 with respect to S. 1072 as it relates to Appalachia. Hon. Robert A. Podesta, Assistant Secretary of Commerce, and the several regional cochairmen will appear before the subcommittee on May 7.

The subcommittee welcomes the testimony of all Members of the Senate and any interested public witnesses. Those wishing to appear are requested to call Stewart McClure, professional staff member of the subcommittee, extension 6176.

NOTICE OF HEARING

Mr. TYDINGS. Mr. President, the Subcommittee on Improvements in Judicial Machinery will continue its hearings on S. 952 and related bills to provide additional United States District judges, on May 6 and 7, beginning each day at 10 a.m. in room 6226.

THE ABYSS OF CHAOS

Mr. TALMADGE. Mr. President, in the April 25 edition of the Wall Street Journal appeared an excellent editorial on the wave of campus rioting and disorder that has swept the Nation in recent months. It is in fact one of the finest and most forceful statements on the subject I have read.

As this editorial points out, the issue involved in campus revolts is academic freedom—freedom of American colleges and universities to teach and instruct those who want to learn and to maintain law and order at our educational institutions.

The line has now been drawn. There is room for freedom of speech, and there must be a forum for students to seek a redress of whatever grievances they may have. But most of the students we have heard about in these situations do not seem very interested in talking. They are bent on destruction and on creating chaos, and unfortunately, thus far they have done very well at it. University officials must take charge. And there must be more local law enforcement.

I bring this excellent editorial to the attention of the Senate, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ABYSS OF CHAOS

The issue is academic freedom, not to mention a few other fundamental American rights such as freedom of speech and assembly. The question is whether the nation's colleges and universities are going to let neo-fascistic minorities, Negro and white, dangerously devalue the quality of higher education or indeed destroy the institutions themselves.

The question has poignancy as well as bitterness: Think of the parents now going through the spring agony of acceptance at a good school for their son or daughter; they are prepared to sacrifice to pay $8,000, $10,000, $15,000 for the four years but now must wonder whether the youngster will get an education worth having or one at all. Think also of the parents who look back on their own college years as a time of hard study but of tranquility as well; the spectacle today is utterly disgusting.

It is a spectacle, needless to say, that has no place on the American scene. The essence of the American political experiment and experience is that one's own rights, one's own freedoms, depend on respect for the rights of others. And that is so because the history of the ages hammers the message that without tolerance liberty is lost.

Yet here we have these totalitarian students, unfortunately with not a few sympathizers and fellow-activists on the faculty, forcibly preventing the majority from getting an education, doing assault to persons and property, in the case of Cornell strutting around armed to the teeth.

Why?

Most Americans have granted from the start that students do have certain legitimate grievances, that a lot is wrong with the structure and conduct of the contemporary university. Very well; grievances can be discussed, defects put right. But these student (and non-student) fascists are not interested in remedies. They are interested in destruction. Given the power they seek, they would not know what to do with it except to destroy the academic tradition, emphatically including academic freedom.

Somewhat paradoxically, it seems to us, the violence they are perpetrating stems from the sentimentality that has imbued much of the nation's political and sociological thinking for a generation or more. In this view, the child is to be "developed" but rarely disciplined (progressive education), the adult's individual responsibility is held to be minimal (society is to blame for aberrant or criminal behavior), and the people generally are to be shepherded and subsidized (the welfare state).

This is not just an instinctual development; it has been preached from many platforms, not least the very colleges and universities now in turmoil. It is not altogether surprising, therefore, that a number of young people flout authority and heap scorn on the pervasive sentimentality that lets them get away nearly with murder. They, you can be sure, are a much tougher breed.

In the special case of attitudes toward Negroes, some administrators and faculty members have expressed the sentimentality in an excess of guilt, trying to do literally anything to make up for past wrongs. Yet, as S. I. Hayakawa of San Francisco State has observed, it is one thing to accept responsibility for the consequences of slavery; it is quite another to go overboard on guilt for what our ancestors did. Guilt, unlike responsibility, can easily become a neurotic emotion.

The whole aura of sentimentality, emotionalism and romanticism helps explain the pusillanimous reaction to the violence on the part of many educators. Confronted with "non-negotiable" demands, they eagerly set up "black studies" courses, even acknowledging that the result is bound to be a double standard for Negroes and whites—what a service to the Negroes to give them an inferior education. Equally eagerly, they cave in to the demands of white militants.

It helps explain; it does not excuse. Those capitulating administrators and professors have demonstrated their abysmal inadequacy. Consider Cornell, where a majority of the faculty have reversed themselves and nullified disciplinary action against five law-breaking Negro students. What kind of way is that to run a university? In the pitiful words of one professor, "We felt we had to draw back from the abyss of chaos."

The abyss is at hand, all right, but capitulation is not how to escape it. The obvious, right, procedure is to keep the classes going, with the aid of police if necessary, and to suspend, expel or otherwise discipline the campus fascists who are making life hell, and education all but impossible, for the many more numerous serious students.

Unless the nation and its educators can overcome their emotionalism and return to common sense, not only the present but the future is full of peril. Education is not everything in life, but in our society it is a great deal.

If America lets the quality of its academic institutions be degraded or destroyed, it will become a second-rate nation, a nation of near-incompetents in the arts and sciences and all else that makes for civilized existence.

PRESIDENT NIXON'S RECONSIDERATION OF DR. LONG TO BE DIRECTOR OF NATIONAL SCIENCE FOUNDATION

Mr. MANSFIELD. Mr. President, President Nixon's personal reconsideration of Dr. Franklin Long, of Cornell University, to be the Director of the National Science Foundation is commendable. I was not shocked at the earlier decision regarding the directorship of the National Science Foundation. That is not to say, however, that I was not concerned. I am impressed now by the fact that the President conceded that he had been wrong not to appoint Dr. Long earlier because of the latter's alleged opposition to the ABM.

It is my understanding that the President, through intermediaries, asked Dr. Long last week whether he would care to have his name submitted for the post of Director of the National Science Foundation. Dr. Long evidently refused because he felt that he did not wish to see the matter reopened which, of course, was his right.

The significant point in this situation is that the President of the United States was prepared to acknowledge an error. Such an admission on the part of the President can, at times, serve as a tonic for what is most human and reasonable in the Nation. The admission helps to clear the decks and promises a great deal in the way of better understanding in the future.

Mr. President, if I may become personal, I knew nothing of the possibility of Dr. Long being considered for the directorship of the National Science Foundation. However, I have known Dr. Long and his family for a good many years. He was born in Great Falls, Mont. He was raised in Eureka in Lincoln County in the northwestern part of the State. In my opinion he is one of the most outstanding scientists on the American scene today.

I again commend the President for what he has done and I think it makes him a bigger man, as well.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SCOTT. Mr. President, with reference to the very fine statement which has just been made by the distinguished Senator from Montana, may I observe that to err is human and to forgive is democratic.

THE FIRST 100 DAYS OF PRESIDENT RICHARD M. NIXON

Mr. SCOTT. Mr. President, it has been the fashion for the past 36 years to size up each new American President as he reaches his 100th day in the most awesome job in the world. Now, we assay the first 100 days of Richard M. Nixon, and one could well question why it should be done, since the times are so different and the needs which the President moves to satisfy are so different from what they were in depression-weary 1932.

Comparisons of the times and the men are difficult. But comparisons will be made, and a first 100 days will be analyzed, characterized, and otherwise explored no matter how we in the Senate may restrain ourselves.

We all recall President Nixon before he was elected, as a sporting candidate on a lively television show looking out at America and asking, "Sock it—to me?" Well, he knew that winning the Presidency just sets a man up to have it socked to him—problems at home, crises abroad, challenges of administration, and worst of all, scores of unfounded attacks. We can help to raise a shield against the undeserved attacks, by merely observing aloud just how Richard Nixon has begun his Presidency. There is value in such a review, as long as the right comparisons are made, and the record is faithfully displayed.

To begin to look at this administration, we must examine what met President Nixon's eyes as he took possession of the White House. It was not a pretty picture. In the 8 years since the late and beloved President Eisenhower left office, there had been some good accomplished, but there had been much that was bad which by all odds should have been avoided or turned to good.

On the homefront, there was outrageous inflation which had been accelerating in the past several years, so that a pair of shoes costing $17.50 3 years ago, cost $21 today. The aged and those on fixed incomes were hardest hit. A budget surplus announced by the Johnson administration—designed to curb inflation—was overstated by well over $1 billion. There was no firm belief that Government meant what it said, so few if any voluntary inflation curbs were initiated—or observed when requested.

A rising crime rate and the increasing use of violence as a means of solving problems had so inspired fear in the American people, that a disciple of repression like George Wallace, could garner a horrifying number of popular votes, even in the North, for the Presidency. Government had somehow conveyed an impression of helplessness before the criminal onslaught.

Overeas, America's onetime staunch allies had fallen into disarray and in some cases were distinctly unallied with us. We found ourselves bound up in an Asian land war which grew more horrendous every time we were sure it should abate.

As bad as any of it was the malaise of the spirit. Discontent and distrust reigned. It was fed by a lack of candor over the war situation and budgets, and by overstated promises of goodies at home—some of them impossible to deliver from the outset, and others undeliverable with the machinery of Government asked to do the job. It was sometimes hard, in previous Presidential pronouncements, to separate the needs of the country from the needs of the spokesmen for this or that pressure conglomerate. It all conspired to create a state of low national morale and lack of confidence in Government as it was then conducted.

The job, then, was to restore confidence in Government, create an atmosphere of trust. The job began with the inaugural, and the promise to speak softly enough for words to be heard. There was no promise of drama, but we had, it seemed to most, enough drama to last a long time. Movement, yes. Accomplishment, definitely, and in the accomplishment may lie pleasant surprises instead of the usual disappointment, and thus a drama inherent in its quiet forward movement.

A runaway government makes little progress for the nation it serves. The power of administration must be harnessed, or it will be dissipated and destructive of morale, if not of programs.

Aware of this, the President said even before Inauguration Day, "Let's get organized," and he set out to do it with the orderly manner which is his. He shaped the tools of executive Government to fit his hand, and added tools to meet the repair and construction job he saw before him.

He created an Urban Affairs Council, and within it, a policy for the Nation's cities is evolving. It is a policy that looks ahead, and makes certain that myriad city-oriented cabinet departments and lesser agencies work together under that policy. If there is not enough money for a program today, then the planning of today will make wiser use of the money that is available tomorrow.

In a move close to my heart, the President formed an Office of Intergovernmental Affairs. I am the author of several bills to study and reorganize the complex dealings between Federal, State, and local governments, and to decide who does what with whose money. Thus, I have long recognized that one of the keys to the successes of this Nation will be the way in which President Nixon showed he knew this need, not by rhetoric, but by creating this new office, and putting the Vice President in charge of it. Recognition of a problem, and the willingness to confront it, is the beginning of the end of a battle.

Surely one of the best developments of the new administration's organizational phase is creation of what I call the Herb Klein place. It means a whole new manner in which the news of Government—bad as well as good—has been let out for the public to see and judge. There is, from time to time in any administration, a small embarassment, as one official contradicts another, or as some carefully planned announcement leaks out ahead of time. While previous administrations have limited their information services largely to promoting accomplishments and to guarding against such embarassments, this administration has gone well beyond that requirement to a whole new philosophy of truly open Government. The Wall Street Journal noted in a front page article recently:

> Herb Klein has needled agencies to release facts they have been accustomed to sitting on. He is making good on his . . . modest pledge to "get more information out."

We have every indication from the early moves that the organizational phase is not just another exercise on paper. News stories only 5 days ago suggested that the President might appoint a civil rights coordinator in the White House—a need not apparent until after the proliferation of civil rights laws and administrative rulings, all overdue and critically important, came to be enforced by this administration. Civil rights actions cut across Cabinet departments and require the same overview that urban affairs do, so I hope the President will seriously consider such a move. In doing so, the President will demonstrate a quality that others of his first 100 days' moves have: A willingness to stop and observe a need, then meet it.

President Nixon is a man who deeply believes that an overwhelming and complex job can only be done by assigning priorities to the various parts of the job, and then taking them on in one, two, three order. The alternative is to have events, rather than the President, manage the administration's moves.

It is broadly agreed that President Nixon feels we can move ahead at home only after disengaging ourselves abroad in Vietnam. Thus, priorities led the President to see where America stood among other nations and in Vietnam before looking inward. The early moves reflect this order. While other Presidents of the past 36 years, except perhaps Presidents Eisenhower and Truman, spent their early Presidential days working up legislative boxscore packages to be sent to the Hill, President Nixon looked and moved abroad.

After ordering a thorough review of the Vietnamese situation, the President was off to Europe. The aim was to rally the allies we have, to engage in constructive dialog the allies we have lost, and to open the way for better communication with the Soviet Union. The President's many years of global travel gave him insights that no other new President could have brought to bear on such a trip. Indeed, it was a daring move for a new President, and he carried it off in a way that made Americans take pride in new leadership.

In the recent past, too much of the Nation's foreign policy has been a matter of reaction to crisis, rather than initiative. The President took the initiative with the European trip, in such a way that merely by sticking to his plan to fly to Berlin, he helped to turn aside a potential crisis there. He brought a sense of quiet sincerity to Europeon leaders, and they responded well to it.

The difficult question of Vietnam is not susceptible to the quick and easy solution some are quick to suggest. The hope of settlement would appear to rest with either the public or the private talks in Paris, talks which President Johnson sacrificed his political future to help start. It means that we must reach an understanding with the Government of South Vietnam as to the respective defense roles of our countries and the bargaining stance we will maintain at peace negotiations. There is every sign that President Nixon has made solid moves to achieve the necessary understanding with South Vietnam. He has kept the talks in Paris alive. To have expected an end to the war in 100 days is to expect more than any man could pretend or promise. I believe progress toward the end of fighting has been made, but proof must wait for coming days.

Every nation would like to plan its every move, of course, but sometimes even the most powerful are forced to react to another's reckless push. Currently, the world's foremost unreasoning outlaw nation is North Korea. The outrage of the *Pueblo* incident in the last administration was matched and even excelled by the evil deed perpetuated against the EC–121 reconnaissance plane earlier this month, when 31 technicians and crewmen were killed. Of the options, to scream and bellow and transform the Nation's rage into war, or to show a strong determination to continue reconnaissance, or to back down entirely, President Nixon chose the course commonsense and the deepest mood of the American people urged him to take: The middle course. President Nixon passed a test insolently administered by the rogue nation of North Korea, but graded by a world that judges powerful nations by the restraint they show.

On the foreign front, Richard Nixon is moving with a confidence and skill which is unmatched in a new chief executive since the early days of this century, when a balance of power was reasonably easy to calculate, was easier to manipulate, and was the only key to international relations. Today, with a United Nations still struggling to find its role, with foreign aid still finding its way, with world trade and money exchange an art in itself, and with developing nations playing big powers off one against the other, foreign affairs is hell. We are lucky to have Richard Nixon watching over it.

After organization of his mighty office, and attention to foreign matters, President Nixon felt able to turn toward domestic needs. In this area, the first 100 days have shown the President a leader of order and organization, but with a compassionate feeling for what America needs, and with the rare courage to do what he must. The President moves ahead on the basis of experience, informed expert advice and his own sense of the country's necessities and expectations, rather than on the basis of the noisiest pressures exerted. Indeed, he has begun to bring doubters and some critics into his camp with some of his courageous moves coupled with the persuasion of logic.

President Nixon is very much aware that he faces a Democratic majority of both Houses of Congress and chairmen of the committees. Therefore, he must be more certain that his programs compel a following in Congress on their merits, rather than as a matter of party loyalty or fear. This lends a certain value to his programs from the outset.

President Nixon's moves against inflation reflect an agonizing inner debate over the need to keep the American economy whole and the dollar sound on the one hand, and the humanitarian needs of the United States on the other. He finally cut Federal spending by $4 billion. In the process, he proposed to continue a controversial $307 million program of aid to families with dependent children, and cut out some favorite congressional spending programs. It took courage to present such a budget, but the President knows that good works cannot be accomplished with bad dollars.

The decision to keep the surtax in effect was another difficult one, but realism demanded it, and the President did what he must.

In this connection, it is my fervent hope that legislative packages which have been sent up in a body near the end of the 100 days, and the others which will follow in days to come, will not be pecked apart, with component limbs left to rot and wither. For it is the whole body which will attract support in many cases.

Take tax reform. It is the reform of taxes which will make the American people believe in the good faith and the genuine intentions of the administration when it asks to keep the odious surtax for the inflation fight. I found myself yielding points on the tax reform package, simply because I believe the package must stay whole, in order to sustain the validity of the argument against inflation.

I believe many Americans joined me in rejoicing at the strong anticrime steps the President has already taken. He has asked for more judges and more policemen for the District of Columbia. He has outlined a major attack on organized crime, which I, as a member of the Senate Judiciary Subcommittee on Criminal Laws and Procedures, can only cheer about. On March 9, 1967, I called for a statute to permit the U.S. Attorney General to grant immunity from prosecution to a witness who could provide testimony essential to the conviction of the accused. This measure could be a valuable aid in cracking the conspiracy of silence enforced by organized crime leaders, and last Wednesday, President Nixon urged its adoption.

Probably the best measure of the President's commitment to fight back at crime, is the fact that the only Department which will have a larger budget by $16 million, than the Johnson budget allowed, and will hire more people instead of cutting back manpower for economy, is the Justice Department, the Nation's chief law-enforcement arm. With more dollars and more manpower committed, there is little reason why we cannot see progress in this war within the next year or so. Congress, I am certain will respond, and will provide initiatives of its own as well. I have, for example, joined to cosponsor Senator MIKE MANSFIELD's bill to increase prison sentences for those guilty of committing crimes with a gun.

If inflation and crime are the two most obvious targets of President Nixon's domestic program in the early days, they are not, by a long shot, the only concerns.

To meet the gnawing poverty which stands out in stark contrast to the general affluence of America, President Nixon is moving deliberately and without fanfare or inflated promises in several directions. His tax reform package asks not only that every wealthy American pay a minimum tax, but that the poor not be made to pay any tax at all.

A shift in priorities has put new emphasis on programs for the child of 5 years and under. An Office of Child Development was set up at the Department of Health, Education, and Welfare to begin pulling together existing programs for the very young, and to initiate new ones. The hope is to break the cycle of poverty, poor education and health, unemployment and dependence on the State, by concentrating on those who can be helped and trying to avoid the "too little, too late," approach that most welfare and care programs currently promote. If this is pragmatism, it is humane pragmatism, and I give it every chance of success.

For many of such programs as child development, the Nixon approach will be to try several programs at once on a low-funding, experimental basis, then expand them if they work. It is caution, but it is the kind of caution that yields results rather than disappointment.

To fight hunger, the President made free food stamps available in South Carolina, and thus committed himself to action where earlier administrations had only voiced concern.

In trying to cure the myriad ills of the cities, the administration is frank to say it does not have the money to do the job it would like to. Indeed, financing is the toughest part of the formula for the cities. It would be my hope that there can be more savings found in the area of defense spending, and more diversion of that money into the cities. But it is unrealistic to look for windfalls while there is a Vietnam war in progress, and while inflation eats away the edge of every dollar bill.

Until more funds are available, there will have to be much planning done for that day, and the President has shown himself behind these efforts. There is much that can be done to streamline the terrible tangle of grant-in-aid programs. There are proposals to let more local governments plan more of how they will use the money they get from the Federal Government. The President has indicated in these first 100 days that he favors such plans. In anticipation, I have already joined one bill to get $3 billion a year of the giant Federal tax bite back to States by 1972, with a portion guaranteed to be passed on to the cities.

Shocked by Federal inaction in cleaning up the rubble of the city riots of the past several years, President Nixon pledged $200 million to restore riot-torn areas in 20 cities. It is an example of the action-not-words approach of the President, and it provides America with a chance to see President Nixon push a brick-and-mortar program to completion. Here again, he has set himself a test, and I am confident of a successful result.

The administration has begun to fight a host of domestic battles, not confined to any one region, over programs which touch nearly everyone.

In education, he is emphasizing preschool work and is experimenting with large "education centers," which will serve the community from prekindergarten through the grades and on to vocational and adult education and college.

In transportation, he has indicated he will propose a comprehensive airport, airways and mass transit bill. Airways legislation particularly interests me, especially since the two crashes in Bradford at the turn of the year, which killed 31 persons and tragically highlighted the need for instrument landing systems in many of our Nation's airports now lacking them.

In conversation, the President has shown a stronger hand in dealing with the Santa Barbara oil leak, with poachers of rare animals and with other matters of wilderness preservation, than most had anticipated. At part of the fight against pollution, the administration signed, in my office last week, a contract to train 80 waste-treatment plant operators to man water pollution control plants in Pennsylvania, 40 in Pittsburgh and 40 in Philadelphia. It is the sort of effort I intend to encourge with legislation I offered, to train about 9,000 such operators, recruited from lower income areas.

In all, the President has begun strongly and surely. He has shown courage in the decisions he has made. Here is the Senate, my Democratic colleagues in the leadership have stated that the early Nixon days were marked by "care, caution, and competence." That is a nice observation. To it, I would add the obvious signs in these 100 days of strength, courage, and quiet imagination. It is a good combination for the first 100 days, and not bad, either, for the remaining days.

We can expect, of course, that there will be harsh critics at work—some we saw only 10 days into the new administration. But we hope the President will let some of us answer such charges. He should not have to consume his time in defensive rhetoric, but should, instead, continue as he has begun.

He has begun well.

VIEWS OF ADM. H. G. RICKOVER ON ABM SYSTEM

Mr. PASTORE. Mr. President, I ask unanimous consent to proceed for 15 minutes.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

Mr. PASTORE. Mr. President, our people are justifiably confused because of the varying points of view of many of our responsible and respected leaders as to our security—the so-called balance of military power in a turbulent world—the closing of the military gap on the part of our adversaries—the need for an ABM system—and the credibility of our deterrent power in order to avert a nuclear catastrophe.

I want to make it abundantly clear

at the outset that there has been considerable soul searching and sincerity on the part of the proponents and the opponents of these grave issues. For my part, having been intimately concerned with these questions because of my senatorial responsibilities, I sought the views of Adm. H. G. Rickover, a distinguished and dedicated American and father of our nuclear Navy, who in the strict sense of the word is not a militarist—and indeed a man of peace. In fact he has often been critical of the military establishment, so he therefore cannot be characterized as a conformist.

In answer to my inquiry, Admiral Rickover wrote me the following letter which I should like to read in the Record. The purpose of this is merely to bring to the attention of our people the views of a responsible and learned citizen. I do not intend in doing this to change anyone's mind or to convince anyone to any particular point of view. I do it merely to bring to our country's attention facts and opinions upon which they themselves can formulate their own independent judgment.

Mr. President, the letter reads as follows:

April 25, 1969.

Dear Senator Pastore: In your letter of April 15th, you asked me to give an estimate and an opinion as to where we are and where we are going and what needs to be done in a military way in these times of turmoil and peril. There is, as you point out, a division of opinion among the American people regarding the necessity of reinforcing our military strength.

The first point I would like to make is that in judging between conflicting views on this matter, the deciding factor must be their relevance to the world as it is, not as we would wish it to be. Granted the hideousness of modern war, can we deduce therefrom that mankind is now wise enough to forgo recourse to arms? A look at history should put us on guard against those who claim that humanity has now reached a state where the possibility of armed aggression can be safely disregarded in formulating national policy.

I am reminded of the intense opposition to the Navy's 15-cruiser bill in 1929. It was argued by many that with the signing of the Kellogg Peace Pact the year before, it was no longer necessary to build new warships. And this in light of the lessons of World War I which erupted despite the various Hague Peace Treaties! These ships were of inestimable value in helping us win World War II. The war itself was prolonged because Congress—heeding the "merchants of death" argument—in 1939 prohibited shipment of war materials to Britain and France.

Then, too, weight must be given to the credentials of those propounding opposite views. Are they public servants charged with the awesome responsibility to secure our country against foreign conquest, or are they private individuals not accountable for the consequences of their opinions, who feel free to express their personal abhorrence of war and to agitate for a reduction of the financial burden military preparedness imposes on the taxpayer? Would the majority of the electorate accept their arguments that given our unmet domestic needs, we cannot afford an effective defense position vis-a-vis our potential adversaries? Or that war is so horrible that it is better to suffer defeat than to fight?

As for the high cost of preparedness, it is in fact no greater proportional to total U.S. output than 10 years ago—8.8% of total U.S. goods and services. Omitting the costs of the Vietnam War and allowing for inflation, our armed forces have less buying power today than a decade ago. In the Soviet Union, on the other hand—according to the Annual Report of the Congressional Subcommittee on Foreign Economic Policy issued last June—resources have been diverted from the farm sector to defense, where outlays rose dramatically in 1966–67, after remaining static since 1962. The Report talks about their new preoccupation with national security. And you must bear in mind that actual war costs absorb but a small portion of their expenditures while we are spending some two and a half billion dollars a month in Vietnam.

If history teaches anything it is surely that weakness invites attack; that it takes but one aggressor to plunge the world into war against the wishes of dozens of peace-loving nations if the former is militarily strong and the latter are not. Yet there are those who deprecate the need to maintain military supremacy or at least parity with the communist empires, on the grounds that other nations have accepted a decline from first to second or third rank and that we ourselves for most of our history were militarily a second-rate power yet secure enough within our borders. They forget that we then profited from the *Pax Britannica*, even as the former great powers of Europe who have lost their defense capability enjoy political freedom today only because we are strong enough to defend them and ready to do so. What it means to be weak and without American protection should be evident to all as we observe the tragic drama of Czechoslovakia "negotiating" with Russia the continuing subjugation of her people.

As a lawyer, you are familiar with Blackstone's statement that security of the person is the first, and liberty of the individual the second "absolute right inherent in every Englishman." Just so, the first right of every American is to be protected against foreign attack, and the first duty of government is to keep our nation alive. Given the world situation, this calls for maintenance of a defense capability which is adequate to discourage potential aggressors. Said President Nixon, in discussing the Cuban missile crisis, "It is essential to avoid putting an American President, either this President or the next President, in the position where the United States would be second rather than first or at least equal to any potential enemy. . . . I do not want to see an American President in the future, in the event of any crisis, have his diplomatic credibility be so impaired because the United States was in a second-class or inferior position. We saw what it meant to the Soviets when they were second. I don't want that position to be the United States' in the event of a future diplomatic crisis."

There can surely be no doubt that the overwhelming majority of the American people are opposed to relinquishment of our design capability, recognizing full well that there will then be no one left to prevent the takeover by communist power. Whether one takes the optimistic view that a permanent East-West detente can be negotiated, or the pessimistic view that ultimately we shall have to fight for our liberties, this nation has no future if it allows itself to be outmatched militarily.

To turn now to specific matters currently in dispute. There is the ABM system which is under heavy fire on grounds that it (a) will escalate the arms race and (b) will not work. It should be stressed that the Soviets have had their own version of the ABM for several years without inducing us to expand our military power. Just as the Soviet ABM version has not added to the Soviet threat, so our own ABM would not add to ours. The Russians have been singularly silent in this respect; the outcry has come mostly from those in this country who habitually apply a double standard when adjudging military developments in the U.S. and the U.S.S.R. One must ask how can our defensive capability be considered provcative, while theirs is not? Is there not something deeply disturbing when one observes scientists, formerly holding responsible positions in government, advocate policies directly contrary to those they supported when in office? It must not be forgotten that many of our most prestigious scientists were bitterly opposed to development of the H-bomb. Where would we be today had not the Congressional Joint Committee on Atomic Energy and President Truman—who had the responsibility for the safety of the U.S.—disregarded their advice?

As for the assertion that the ABM cannot be made to work, I must disagree. If there is one lesson I have learned in the many years I have devoted to the development of nuclear propulsion plants, it is that, given the soundness of a theoretical concept, it can, with drive and imaginative engineering be *made* to work.

Contrariwise, for a theoretical concept to be translated into reality, it must be *worked* on. Research alone—no matter how prolonged—will not do it. The very act of developing the concept through detailed engineering work produces improvements in the original concept—improvements which would have been neither obvious nor possible without such actual engineering work.

The Soviets are just as adept in research and development as we are. They have amply proved this by their progress in space, in missiles, in aviation, in military equipment, in nuclear submarines. They know full well from their own experience that with research alone—without development engineering—our ABM system or any other system would not be meaningful and could be discounted. For this reason we must guard against those claiming that we can limit ourselves to research—that research alone will suffice.

You also asked me to comment on what needs to be done in these times of turmoil and peril. As I am more familiar with the threat posed by the Soviets to our naval power, I would like to confine myself to this area, and specifically to submarines. But what I say here is valid for our land, sea, and air power as well.

The Soviet Union—

And this is important, Mr. President—

The Soviet Union is embarked on a program which reveals a singular awareness of the importance of sea power and an unmistakable resolve to become the most powerful maritime force in the world. They demonstrate a thorough understanding of the basic elements of sea power: knowledge of the seas, a strong modern merchant marine, and a powerful new Navy. They are surging forward with a naval and maritime program that is a technological marvel.

At the end of World War II, the Soviet Union had a fleet of 200 diesel-powered submarines. They then embarked on a massive building program, producing over 550 new submarines through 1968, at least 65 of which are nuclear-powered. During the same period, the United States built 99 submarines, 82 of them nuclear-powered. The Soviets have scrapped or given away all their World War II submarines as well as some built since. They now have a new submarine force of about 375; we have 143, which includes 61 diesel submarines most of which are of World War II vintage. Thus the Soviets have a net advantage of about 230 submarines. It is estimated that by the end of 1970 they will have a numerical lead in nuclear submarines.

To achieve this the Soviets greatly expanded and modernized their submarine building facilities. Just one of their numerous submarine building yards has several times the area and facilities of all U.S. submarine yards. They use modern assembly-line techniques under covered ways, permitting large-scale production regardless of weather conditions.

In the single year 1968, the Soviets put to sea a new type ballistic missile submarine as well as several new types of nuclear attack submarines—a feat far exceeding anything we have ever done. In looking to the future, it is estimated that by 1974 they will add about 70 nuclear-powered submarines to their fleet, whereas we will add but 26—further increasing their numerical superiority. In the case of the ballistic missile submarine the Soviets have undertaken a vigorous building program to surpass our Polaris fleet of 41. They have completed seven of the new Polaris-type submarines, and have the capability to turn out one a month. We have no Polaris submarines under construction or planned. We must assume that by the 1973–74 time period they will be up to us.

Numerical superiority, however, does not tell the whole story. Weapon systems, speed, depth, detection devices, quietness of operation, and crew performance all make a significant contribution to the effectiveness of a submarine force. From what we have been able to learn during the past year, the Soviets have attained equality in a number of these characteristics and a superiority in some.

In order to achieve the results so far attained in all areas of modern technology the Soviets had to develop their most important resource—technical and scientific personnel. The Soviet educational program enjoys highest national priority. The statistics on the total numbers of Soviet degree graduates are extremely impressive. The U.S. National Science Foundation data indicates that in 1966 alone, 168,000 engineers were graduated; the U.S., on the other hand, produced but 36,000. With specific application to the Navy, the Leningrad Shipbuilding Institute, just one naval institute of several, had over 7,000 students in 1966 studying naval architecture and marine engineering. I doubt we had over 400 enrolled in these subjects in all U.S. colleges.

While we cannot specifically count the number of Soviet scientists and engineers devoted to naval work, it is apparent that they have created a broad technological base. They have committed extensive resources to support development of their naval forces. The steady build-up of the Soviet submarine Navy from an ineffective coastal defense force at the end of World War II to the world's largest underseas navy today deserves admiration; also it should deeply worry every American. By the end of this year we face the prospect of losing the superiority in nuclear submarines we have held for many years. The threat posed by their submarine force—with their new ballistic and cruise missile launchers and new attack types, is formidable. If more sophisticated types are added in the near future, as is likely considering their large number of designers and their extensive facilities, the threat will rapidly increase.

The Soviets have frequently announced their intent to be the pre-eminent world power. Why do we not believe them? Hitler in Mein Kampf plainly announced his intent to dominate the world. We did not believe him either—until it was nearly too late. Admiral Gorshkov, Commander in Chief of the Soviet Navy, said recently: "The flag of the Soviet Navy now flies proudly over the oceans of the world. Sooner or later, the U.S. will have to understand that it no longer has mastery of the seas." And just a few days ago the Russians announced a projected 50% increase in the size of their merchant fleet. These facts should be weighed when assessing the judgment of those who argue for a reduction of American military power while the Soviet military power is rapidly expanding.

The bearer of bad news is always punished. In ancient times, he might be put to death. Today he becomes "controversial" and unpopular. But if there is one subject on which the American people must know the truth, however unpalatable, it is our military position vis-a-vis the Soviets. I believe no one can better inform them than members of the Congress—who have such close ties to their constituents.

I suggest that by keeping secret our knowledge of Soviet strength at this time we may lose more than by confiding the truth of the danger we face to the American people.

Respectfully,

H. G. RICKOVER.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. PROXMIRE. I commend the distinguished Senator from Rhode Island for reading the letter into the RECORD. It is an extremely significant letter and it comes, as the Senator has said so well, from a military expert who is not a militarist, a man who has remarkable knowledge of the needs of this country in terms of education and in every other way.

I do not agree with Admiral Rickover on the ABM. However, I must say that what the Senator has given us on the Soviet's submarine fleet deeply disturbs the Senator from Wisconsin and is a point about which all Members of Congress should be concerned.

As I understand it, the Russians are putting their navy under the oceans, where it is likely to be far less vulnerable to attack.

As the Senator has pointed out so well—and I did not realize it fully until he read it into the RECORD—the Russians are building up their navy with great effectiveness and great force.

I am most grateful to the Senator from Rhode Island for calling the matter to our attention.

Mr. PASTORE. I thank the Senator. Mr. President, I shall not take any more time, except to say this: One criticism I have made time and time again that we keep so many of the facts which should be known by the American public undercover, by designating them as classified. Many of those things should be told, because there is no other country in the world where public opinion is so effective as in our own democracy. Public opinion is very effective in guiding the destiny of this Nation and protecting its security. I think the American people need to know and must know what the facts are, and then let them judge.

I do not care who is for the ABM and who is against it. I have positive views of my own, and I spoke out on this subject in September of 1967, long before Secretary McNamara or anyone else discussed the question of the need for the ABM.

All I am trying to do is impress the Senate, the Congress, and the people of the United States that there are many facts which should be better understood by the people, and then we should let them make their judgment.

S. 1997—INTRODUCTION OF THE ALCOHOLISM CARE AND CONTROL ACT OF 1969

Mr. JAVITS. Mr. President, I introduce, for myself, the Senator from Utah (Mr. Moss), and 43 other Senators from both parties, the Alcoholism Care and Control Act of 1969 to undertake a concerted drive against alcoholism, the Nation's fourth more serious health problem.

This bill would:

First. Establish a Division of Alcoholism and Alcohol Problems within the National Institute of Mental Health with broad responsibilities in areas of research, education, coordination, prevention, and support for community treatment and rehabilitation programs.

Second. Provide incentive grants for the construction, staffing, and operation of facilities for the prevention and treatment of alcoholism in order to encourage the establishment of such programs. For this purpose for the next fiscal year, $15 million would be authorized.

Third. Provide grants for alcohol education directed at the general public, school-age children, and special high-risk groups. For the next fiscal year $200,000 is authorized for this purpose.

Fourth. Provide special purpose grants for the development of specialized training programs or materials for the prevention and treatment of alcoholism; research relating to current and project personnel needs in the field of alcoholism; surveys to evaluate the adequacy of programs for the prevention and treatment of alcoholism; and field trials and demonstration programs for the prevention and treatment of alcoholism, such as detoxification programs, court-supervised programs for alcoholics and programs in correctional institutions and aftercare programs for alcoholics. There is $1.25 million authorized for the next fiscal year.

Fifth. Provide fellowship grants to professional personnel for training in alcoholism and alcohol-related problems in order to overcome critical shortages of trained people. There is a $200,000 authorization for the next fiscal year.

Sixth. Establish regional centers for research in alcoholism and alcohol-related problems in order to overcome the longstanding neglect in this field. For fiscal year 1970, $3 million is authorized.

Cosponsoring the bill with Senator Moss and myself are Senators HOWARD BAKER, BIRCH BAYH, ALAN BIBLE, EDWARD BROOKE, QUENTIN BURDICK, ROBERT BYRD, HOWARD CANNON, FRANK CHURCH, JOHN SHERMAN COOPER, THOMAS DODD, PAUL FANNIN, BARRY GOLDWATER, CHARLES GOODELL, MIKE GRAVEL, PHILIP HART, VANCE HARTKE, MARK HATFIELD, ERNEST HOLLINGS, DANIEL INOUYE, EDWARD KENNEDY, WARREN MAGNUSON, EUGENE MCCARTHY, GALE MCGEE, CHARLES MCC. MATHIAS, JR., JACK MILLER, WALTER MONDALE, GEORGE MURPHY, EDMUND MUSKIE, GAYLORD NELSON, ROBERT PACKWOOD, CLAIBORNE PELL, CHARLES PERCY, WINSTON PROUTY, JENNINGS RANDOLPH, ABRAHAM RIBICOFF, RICHARD SCHWEIKER, HUGH SCOTT, TED STEVENS, HERMAN TALMADGE, STROM THURMOND, JOSEPH TYDINGS, HARRISON WILLIAMS, JR., and STEPHEN YOUNG.

Ten of the measure's sponsors are members of the 17-man Committee on Labor and Public Welfare, to which the bill will be referred.

The bill has the active support of the North American Association of Alcoholism Programs, the organization representing State and local government groups dealing with alcoholism, and the National Council on Alcoholism, composed of citizen organizations throughout the Nation in the field of alcoholism.

This legislation is designed to undertake a concerted attack upon what the U.S. Public Health Service and the Crime Commission have described as the Nation's fourth most serious health problem ranking behind only heart disease, mental illness, and cancer. Alcoholism afflicts an estimated 5 million Americans and roughly 250,000 persons join the ranks of alcoholics each year.

As Dr. Stanley F. Yolles, the distinguished Director of the National Institute of Mental Health, has stated:

> The misuse of alcohol represents a public health problem of major significance.

The costs of alcoholism run high. It has been estimated that the cost to business and industry from absenteeism, inefficiency, and accidents due to alcoholism runs to some $2 billion annually, earning the label "industry's $2 billion hangover." Today, more than 200 major American companies maintain programs to deal with alcoholism.

Taxpayers, too, bear a burden. One in every seven new patients admitted to a State mental hospital is an alcoholic, an 18-percent increase in 10 years. And in nine of our States, alcoholism leads all single diagnoses in mental institutions.

The Crime Commission reported that in 1965 one out of every three arrests—some 2 million—were for public drunkenness, thus placing a heavy burden on the courts, the police, and the penal system, all of which are already heavily overburdened with the burgeoning crime rates. Lest these sad statistics be misunderstood, it should also be noted that only between 3 to 8 percent of all alcoholics are the so-called skid row types, homeless men without family ties, jobs, or an accepted place in the community.

Traffic accidents cost the Nation some $9 billion annually in property damage, wage losses, medical expenses and overhead costs of insurance, according to the National Safety Council. Alcohol is reliably believed to play a major role in this tragic toll, as the Public Health Service has pointed out, for half of all fatal motor vehicle accidents have some association with alcohol.

Finally, it is estimated that the life expectancy of the alcoholic is approximately 10 to 12 years less than the average.

But incapable of measurement by statistics is the cost of alcoholism to the family and friends of the unfortunate afflicted individual.

This bill, by providing for research and training grants, alcoholism treatment centers, demonstration projects and education programs fulfills recommendations contained in the report, "Alcohol and Alcoholism," submitted by the National Center for Prevention and Control of Alcoholism of the National Institute of Mental Health, Department of Health, Education, and Welfare. It provides, as present law does not, special incentives for community health centers for expanding their facilities and service to include alcoholism care and treatment programs, as this is a new function to be added onto their other facilities. Also, due to acute shortage in almost all areas of health manpower and the pressing need for persons qualified in the treatment of alcoholism, this bill fills a need with an intensified program of manpower and staff training and the improvement of skills of persons already in the health care field. Dr. Marvin A. Block, chairman of the AMA's Committee on Alcoholism states:

> With only a few exceptions, most schools devote less than two hours out of a four-year curriculum to the study of normal and abnormal drinking and the treatment of alcoholics.

Thus, students spend more time learning about rare diseases which they may never encounter in their practice than about the Nation's fourth greatest health menace.

Finally, the bill strikes at the very root of the problem through preventive educational programs. There is indeed a need to comprehend the pervasive and deleterious influence of alcoholism in American life and the immeasurable cost to individuals.

Abraham Lincoln, in 1842 said:

> In my judgment such of us who have never fallen victim [to alcoholism] have been spared more by the absence of appetite than from any mental or moral superiority over those who have. Indeed, I believe if we take habitual drunkards as a class, their heads and their hearts will bear an advantageous comparison with those of any other class.
>
> There seems ever to have been a proneness in the brilliant and warm-blooded to fall into the vice—the demon of intemperance ever seems to have delighted in sucking the blood of genius and generosity.
>
> The victims should be pitied and compassioned, just as are the heirs of consumption and other hereditary diseases. Their failing should be treated as a misfortune, and not as a crime, or even as a disgrace!

Mr. President, I ask unanimous consent that a section-by-section analysis of the bill be printed in the RECORD as part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis will be printed in the RECORD.

The bill (S. 1997) to provide for the more effective prevention and treatment of alcoholism introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The section-by-section analysis presented by Mr. JAVITS is as follows:

ALCOHOLISM CARE AND CONTROL ACT OF 1969

SECTION 1—SHORT TITLE: ALCOHOLISM CARE AND CONTROL ACT OF 1969

SECTION 2—DIVISION OF ALCOHOLISM AND ALCOHOL PROBLEMS

A Division of Alcoholism and Alcohol Problems is authorized to be established within the National Institute of Mental Health to ensure appropriate attention and to bring about a more coordinated attack on the problem of alcoholism. This Division is to have broad responsibilities in areas of research, education, coordination, prevention, and support for community treatment and rehabilitation programs.

SECTION 3—GRANTS FOR THE PREVENTION AND TREATMENT OF ALCOHOLISM

The Community Mental Health Centers Act is amended to authorize incentive grants for the construction, staffing and operation of facilities for the prevention and treatment of alcoholism in order to encourage professionals and communities to establish programs for the treatment and prevention of alcoholism.

The maximum Federal participation in the costs of construction of facilities for the treatment and rehabilitation of alcoholics is increased from 66⅔ percent to 90%. Operation and maintenance (as well as staffing) costs are made eligible for Federal funding. Currently, only staffing costs are eligible. The maximum percentage and length of time for Federal participation are increased to 90% of the eligible costs of operation, staffing and maintenance for the first two years, and 75% of such costs for each of the next six years. For general community mental health center support, the maximum participation in staffing costs is 75% for the first fifteen months, 60% for the next year, 45% for the third year, and 30% for the fourth year.

An appropriation of $15 million for FY 1970 is authorized for construction, staffing, operation and maintenance grants for alcoholism programs. Although the authority for appropriations under the Community Mental Health Centers Act ends June 30, 1970, it is anticipated that the Act will be renewed and that the following sums will be authorized for the construction, staffing, operation and maintenance of community facilities for alcoholics: $20,000,000 for FY 1971; $27,500,000 for FY 1972; $37,500,000 for FY 1973; and $50,000,000 for FY 1974.

SECTION 4—GRANTS FOR ALCOHOL EDUCATION

The Secretary is authorized to make grants and contracts to public or nonprofit private agencies for (1) the collection and dissemination of educational material, and (2) for the development and testing of programs of alcohol education. These programs will be directed at the general public, school-age children and special high-risk groups. Grants and contracts that deal with the development and testing of alcohol education programs shall be made only after consultation with appropriate State and local agencies.

The following is authorized for grants and contracts for alcohol education: $200,000 for FY 1970; $500,000 for FY 1971; and $700,000 for FY 1971 and FY 1974.

SECTION 5—GRANTS FOR SPECIAL PURPOSES

The Secretary is authorized to make grants and contracts to public or nonprofit private agencies for (1) the development of specialized training programs or materials for the prevention and treatment of alcoholism and for the training of personnel to administer such programs and services; (2) research and study relating to current and projected personnel needs in the field of alcoholism (such a study would include research on the adequacy of education and training resources in the alcoholism field and the availability of specialized training for persons such as physicians and law enforcement officials who deal with alcoholics); (3) the planning and conducting of surveys to evaluate the adequacy of programs for the prevention and treatment of alcoholism; and (4) field trials and demonstration programs for the prevention and treatment of alcoholism (for example, detoxification programs, court-supervised programs for alcoholics, programs in correctional institutions and aftercare programs for alcoholics). These grants for demonstration projects shall be made only after appropriate consultation of State and local agencies.

The following is authorized for grants and contracts for special purposes: $1,250,000 for FY 1970; $2,000,000 for FY 1971; $3,000,000 for FY 1972; $4,000,000 for FY 1973; and $6,000,000 for FY 1974.

SECTION 6—SPECIAL FELLOWSHIP PROGRAM

The Secretary is authorized to make fellowship grants to professional personnel for training in relation to alcoholism and alcohol-related problems in order to overcome the critical shortage of professional and scientific personnel trained to deal with alcoholism and alcohol-related problems. Each applicant shall present a plan for his training that will include appropriate information regarding the participation of the institutions or agencies that would provide the training. Fellowship grants may be made only upon recommendation of the National Advisory Mental Health Council.

The following is authorized for carrying out this fellowship program: $200,000 for FY 1970; $500,000 for FY 1971; and $700,000 for FY 1971 and FY 1974.

SECTION 7—ESTABLISHMENT AND SUPPORT OF REGIONAL CENTERS FOR RESEARCH ON ALCOHOLISM

The Secretary is authorized to make grants for the establishment of regional centers for research in alcoholism and alcohol-related problems in order to overcome the long-standing neglect of this field. Grants under this Section may be made only upon recommendation of the National Advisory Mental Health Council.

The following is authorized for the establishment of regional research centers on alcoholism: $3,000,000 for FY 1970; $5,000,000 for FY 1971; $6,000,000 for FY 1972; $7,000,000 for FY 1973; and $8,000,000 for FY 1974.

SECTION 8—DEFINITIONS

The two terms "alcoholic" and "alcoholism", are defined.

Mr. MOSS. Mr. President, it is a pleasure to again join with the distinguished Senator from New York (Mr. JAVITS) in the introduction of a bill to provide a sound program to combat alcoholism. We are gratified that 42 of our colleagues from both sides of the aisle have joined us in this attack on one of the Nation's most severe medical-social problems.

We made some progress last session when several portions of S. 1508 were included in the amendments to the Community Mental Health Centers Act, and were in the bill which the President signed. Yet we have only begun to do what we must do if we are to provide a strong public health aproach to the growing problem of alcoholism.

I am sure it is impossible for any one person to assess the size and impact of alcoholism on this Nation. We estimate that there are 5 million Americans who are alcoholics. For each alcoholic, several other persons, such as relatives, friends, police, and court workers, are affected. We estimate that more than 10 percent of our population is directly involved in some way with problems of alcoholism. Everyone, of course, is at least indirectly involved. But there will never be a way to assess fully the amount of suffering, heartbreak, crime, child abuse, juvenile delinquence, poverty, divorce, or other problems which can be directly traced to alcoholism. Nor can we ever know in concrete terms the extent of our economic loss from job absences of chonic alcoholics or the impact generally on the community.

In this regard, it is regrettable that the administration's proposed 1970 fiscal year budget does not provide funds for implementation of the Alcoholic Rehabilitation Act of 1968. The community health threat posed by alcoholism and alcohol-related problems has been neglected over the years, and it was through enactment of Public Law 90-574, which includes the Alcoholic Rehabilitation Act, that Congress took a historic first step toward alleviating the social and human distress caused by this disease.

Indeed, while other diseases have been given priority attention by Federal, State, local, and private agencies in this country, alcoholism has now emerged as our third largest health menace.

We have long since launched gigantic programs to find out how to control—and possibly prevent or cure—cancer and heart disease and other chronic illnesses. We spend billions to go to the moon, and we now plan to spend billions more on an anti-ballastic-missile deterrent whose effectiveness will be highly questionable—to say the least. The time is certainly here to step up our efforts to meet and control the tragic medical and social problem which is alcoholism.

Therefore, I urge the President and the Secretary of Health, Education, and Welfare to reconsider the omission of budgetary funding for alcoholism treatment and services as contained in Public Law 90-574.

Our challenge is simply not to treat those who are already the victims of alcoholism, although methods of treatment and facilities in States and communities in which to give this assistance must be of high priority. But to undertake to treat at once all of today's alcoholics with presently known methods would flood our hospitals and clinics and take up practically all of the time of our doctors.

The eventual control of alcoholism must depend primarily on the prevention of alcoholism, and before it can be prevented it must be understood. We must fill in great gaps in our knowledge. We must research the physical, phychological, and social reasons for alcoholism.

Equally as important, we must keep the public informed on what we are finding out. We must particularly tell our young people what we know about alcoholism and the causes of it. We must then know what are the signs that a person may be a potential alcoholic—to the extent that we can define these signs. We must learn more about them, and explain them.

The bill we are introducing today attempts to do some of these things on a scale which will eventually be productive of the results we are seeking. Its cost over a 5-year period—in terms of the cost of other programs we are undertaking and of the results we seek—is modest indeed.

I am proud that in 1965 I introduced specific legislation on alcoholism in the U.S. Senate as a forerunner of the bill we introduce today. That was S. 2657, introduced October 15, 1965. But my interest in the alcoholic and his problems predates by some years my election to the Senate. I sat as a city judge in Salt Lake City, and one of my jurisdictions was the criminal court, the court before which anyone charged with drunkenness is brought for sentencing. During those years, alcoholism, from a legal standpoint, was treated like any other antisocial behavior problem. Many of us realized that it was an illness, but we had no machinery for treating it. All we could do was give anyone who was picked up on a charge of drunkenness a jail sentence.

The two famous court decisions—Driver against Hinnant and Easter against the District of Columbia—which established the principle that an alcoholic is a person suffering from a disease which should be treated medically were very heartening to me. I have been convinced for years that an alcoholic is not a criminal, but a sick man who should properly be the responsibility of health officials, and not the law enforcement officials.

So I repeat, it is a particular pleasure for me to join in sponsoring this bill which we are introducing today. It is one of several bills dealing with alcoholism which I have introduced since I came to the Senate and it undoubtedly is the most realistic and most comprehensive approach which has been made.

I am most hopeful that, in view of the progress we made last session, the growing awareness in the country of the need to combat alcoholism, and the splendid support of our colleagues who have joined us in the cosponsorship of this bill, Senator JAVITS and I will be able to get early action on it in the 91st Congress.

S. 2004—INTRODUCTION OF A BILL TO MODIFY PROCEDURES FOR RENEWAL OF FEDERAL COMMUNICATIONS COMMISSION LICENSES

Mr. PASTORE. Mr. President, I introduce, for appropriate reference, a bill, which has to do with the Federal Communications Act. What it amounts to is an effort to remove the sword of Damocles from over the heads of licensees at renewal time.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2004) to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses, introduced by Mr. PASTORE, was received, read twice by its title, and referred to the Committee on Commerce.

Mr. PASTORE. Mr. President, when the Federal Communications Commission was before the Subcommittee on Communications on March 4 and 5 numerous questions were raised with regard to harassment of licensees at the time they file their applications for renewal of their licenses. I questioned the Commission about this disturbing trend and stated at the time that it was my deep-seated conviction that public service is not encouraged nor promoted by placing the sword of Damocles over the heads of broadcasters at renewal time.

A broadcaster must invest considerable sums of money in equipment and qualified professional personnel in order to properly serve the public.

Consequently, if he lives up to the promises and representations he makes to the FCC at the time the license is granted, and abides by the letter and the spirit of the Communications Act and the communication policies of the Commission, he should not—and I repeat—he should not be placed in jeopardy at renewal time and have his license put up for grabs.

This—to me—is nothing more than equity in justice.

If he has not done the things required of him, then the Commission should take appropriate action and in the event the license is revoked, then and only then should it be made available to all comers.

The reason for this is very simple, in my opinion.

Today, television is a very costly and expanding enterprise. Broadcasters must maintain the best and the most modern equipment and gather together highly qualified professional personnel in order to best serve the public interest.

Therefore, in order to carry out this responsibility the broadcasters must have reasonable assurance that if he does his job—and does it well—that his license will be renewed and that his investment will not go down the drain.

I stated the very same thing to the broadcasters when I spoke at the convention of the National Association of Broadcasters on March 24.

I want to make it perfectly clear that this legislation does not give the broadcaster a license in perpetuity. He must file, as he does today, an application for renewal at the expiration of his license which must be at least once every three years. The burden is his to prove to the Commission that his record conforms to the promises he made and that his representations for future operations are sufficient to satisfy the Commission that a renewal will serve the public interest.

To carry out this purpose, I am today introducing a bill which will accomplish this purpose.

EXPANSION OF CAPITOL REEF AND ARCHES NATIONAL MONUMENTS

Mr. MOSS. Mr. President, when President Johnson issued his proclamations expanding the boundaries of the Capitol Reef and Arches National Monuments in southern Utah, I introduced bills to establish these expanded areas as national parks so that congressional hearings could be held where Utah people could express themselves on the proposals and Congress could have the benefit of these views. It should be noted that President Johnson recommended that these two monuments be made into national parks.

Subsequent to the introduction of these bills (S. 531 and S. 532), I made a study of the monuments as set out in the presidential proclamation and visited the area personally.

Governor Rampton and I flew over both monuments, carefully observing the terrain with the help of the superintendent of each monument. We also pored over maps of the area and have viewed many color slides and pictures. Based on this intensive overlook and review, I now believe that the boundaries can be adjusted in a way which will exclude a number of acres now being used for grazing, as well as acres upon which there may be recoverable minerals. In one or two instances, I believe the boundaries should be extended to include areas of scenic and geological significance left out in the Johnson proclamations.

I plan, therefore, to introduce amendments in the near future to both my Capitol Reef National Park and Arches National Park bills adjusting the boundaries to exclude areas which can be eliminated without doing violence to the scenic and scientific values of the national parks and to add three small tracts where remarkable formations fully worthy of national park designation were not included in the President's proclamation.

At Capitol Reef, the new boundaries which I propose will eliminate 56,000 acres, and will add 29,000 acres, for a net decrease of 17,280 acres. At Arches, the new boundaries will add 1,600 acres, and take out 10,560 acres, for a net decrease of 8,960 acres.

The areas to be added at Capitol Reef include the Temple of the Sun and the Moon, spectacular cathedrals located in a barren and rocky terrain with little or no grazing, and Deep Creek Canyon, where there are remarkable Indian paintings. Capitol Reef extensions will also extend down the Waterpocket Fold to where it passes into the Glen Canyon Recreation Area.

The areas which would be removed from Capitol Reef include the Mount Pennell Quadrangle, deleting 7½ sections of grazing land east of the Waterpocket Fold; the Wagon Box Mesa quadrangle, which will enable the ranchers in the area to keep enough winter grazing in the area to continue operations, and on the west side of which there are some bituminous sands which may have economic value in the future, a total of 18 sections; the Notom quadrangle, where 10 sections which are the center of grazing on the east side of the Waterpocket Fold are excluded.

At Capitol Reef the area which will be deleted also contains the old traditional winter trail for cattle and sheep, used for many years by Utah stockmen, and essential to their operations.

At Arches, the deletions take out a dry mesa used for grazing and two small areas where there are potash claims.

These amendments remove much of the land under grazing permit in both Arches and Capitol Reef which has been the subject of controversy since the proclamations were issued. However, there are still some grazing lands which cannot be deleted without losing important scenic and geologic values, so I shall propose an amendment containing the same grazing provisions of my original bill to establish Canyonlands National Park—that the grazing permits held at the time the acts establishing Arches National Park and Capitol Reef National Park are signed may be continued and be renewed during the lifetime of the holder and the lifetime of his immediate family.

Mr. President, both Arches and Capitol Reef National Monuments are becoming more and more popular with Utahans and with tourists. The number of visits to them increases each year. As now enlarged both are fully qualified for national park status.

Interstate Highway 70, which is scheduled for completion in late 1972, will cross the central part of Utah and bring thousands of tourists every year within close proximity of both Arches and Capitol Reef, as well as other southern Utah scenic wonders. We must authorize the building of scenic park roads which branch off from Highway 70 and take people in and out of the parks. We must make sure also that the road which winds in and out of Capitol Reef along the Waterpocket Fold is improved and kept in good shape, as well as the road which runs parallel to Arches, and has ingress to the monument at several points.

Mr. President, I believe that both Arches and Capitol Reef have national park potentials, and that their spectacular scenery and unusual geologic features in them should be preserved for posterity. But we must be careful not to take away the means of livelihood from many residents of southern Utah in so doing. The amendments I will introduce within a few days will make the best use of all of the land involved—the best scenic use and the best economic use.

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may be permitted to continue for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADVICE AND CONSENT

Mr. PROXMIRE. Mr. President, on January 29 I appeared before the Senate Judiciary Committee concerning the nomination of Mr. Jerris Leonard, of Wisconsin, to be Assistant Attorney General for the Civil Rights Division.

I did not oppose Mr. Leonard's confirmation. But I did say that I thought the committee should ask the nominee a series of questions and that their decision should be based on how well Mr. Leonard answered those questions. I felt that a man going into the position Mr. Leonard was nominated for, should have a very high level of concern and commitment to the job. In the end, Mr. Leonard answered those questions both to the satisfaction of the committee and myself.

I mention this because at that time the senior Senator from Nebraska (Mr. HRUSKA) challenged me when I raised these issues and questions. I informed the Senator from Nebraska (Mr. HRUSKA) that I would make the speech this morning. The Senator was on the floor, but I think he had to leave to attend the Republican policy luncheon.

It was said that such questions should really not be raised. The President has a right to his own men if he wants them, I was told. As my colleague had been in the middle of the fight against President Johnson's nomination of Justice Abe Fortas for Chief Justice, that sounded like a strange argument.

I was told that we should not obstruct the new administration in choosing the men it wants to hold office. Other arguments, essentially to the point that we should raise few or no questions at all, were made. As the Senator from Nebraska said at the time:

> The question is not whether the nominee is someone that a particular Senator or a majority of the Senate would nominate. Rather, the question is whether the person nominated possesses those attributes which will permit the Senate to consent to his appointment.

The Senator continued:

> Some of those attributes, are honesty, integrity, loyalty, absence of any conflict of interest, and a reasonable degree of competence in his field.

And then the Senator from Nebraska made his principal point, namely:

> Beyond this, it is for the President to determine the particular type of man he wants in the position.

Mr. President, I would like to make one or two points about this matter of advice and consent.

One hundred days have now gone by since President Nixon took the oath of office. Congress has been in session since January 3. In this period according to the best estimate we can make, the Senate has received some 26,971 names for it to confirm for positions in the executive or judicial branches. At the beginning of this week, the Senate had confirmed 19,659 men and women for positions in the executive and judicial branches of the Government. The names of 469 had been withdrawn. Some 6,851 were yet to be confirmed.

If one examines the nominees for civilian posts, 1,761 names had been received. Of these 1,602 were confirmed, 17 withdrawn, and 142 not yet acted upon.

I mention these figures to point out several things. First of all, I personally have hardly been an obstructionist. In the case of Mr. Leonard, I supported his nomination. I have voted against only two of the 19,659 nominations which have been confirmed since January 3.

In the case of one of them, Secretary Walter Hickel, I think that my vote and those of my colleagues, have done more for the cause of conservation than any single act this year.

In the second case, that of Mr. Henry Kearns, there was, in my judgment, the worst case of a direct conflict of interest I have seen in over 12 years in the Senate. Therefore, I think I can say for myself and for my Democratic colleagues in the Senate, that we have not been obstructionists. We have been most generous in confirming those whom the President has proposed. And in only a very limited number of cases have we even raised a question about the nominee's fitness to hold office. Perhaps we have been too uncritical rather than overly zealous in this matter.

But as I collected these figures on the number of nominees we have confirmed in the first 100 days and as I pondered their significance, there was one very striking aspect which thrust itself to the center of my attention.

As I reviewed in my mind the treatment accorded the President's nominees or those whom it was said he was going to propose, it occurred to me that most of the opposition had come from the President's own party and the President's own leaders.

There is the case of the proposed nomination of Dr. John Knowles to be Assistant Secretary of HEW for health and scientific affairs. I am told that the Secretary of HEW wants him. I have heard that the President thinks well of him.

In line with the Senator from Nebraska's admonition "that we can only go so far as Senators. Then we must accord to the President those things which he should take into consideration as President," should his name not be sent to the Senate and confirmed?

So while we on this side of the aisle have accorded the President, in almost every case, the right to have whomever he proposes, there seems to be some difficulties with his own side of the aisle. There are other names which came to my mind as I thought about this matter.

I am told that the nomination of Dr. Franklin Long to head the National Science Foundation was blocked by leading Senators from the President's own party. So far as I know he was not blocked by those from this side of the aisle. As the President said yesterday to a delegation of scientists, he now regrets that he gave in to the pressure.

I am told that the Nixon administration gave very serious consideration to continuing the services of Mr. William J. Driver as head of the Veterans' Administration until members of the President's own party objected to his continuation in that job.

Mr. Driver, who everyone says did an admirable job as head of the Veterans' Administration, was, as we all know, promoted through the ranks on merit to become head of that great agency.

Some of us have been following the advice of the Senator from Nebraska, that beyond determining that a nominee has certain personal attributes and no conflicts of interest "it is for the President to determine the particular type of man he wants in the position."

But it appears that this advice of the senior Senator from Nebraska has not been followed from his own side of the aisle.

The Senator from Wisconsin will watch with continuing interest as names come to the Senate or fail to come to the Senate, to see just how far the President is allowed to choose those he wants to work with him. And it will be especially interesting to note who it is—those from this side of the aisle or from the other side of the aisle—who objects to those the President wants, either before their names arrive here or after their names arrive here.

The Senator from Wisconsin has voted against only one nominee in every 9,829 who have been confirmed since the first of the year.

That, I submit, adheres, perhaps more closely than it should, to the admonition of the Senator from Nebraska, that Senators "have a limited participation in the formation of the Government and that applies to members of both parties."

This Senator, after 100 days of the new administration, can say that it applies to the members of his party. Only the Senator from Nebraska can tell us if it equally applies to his colleagues on the other side of the aisle.

CAMPUS DISORDERS

Mr. ALLEN. Mr. President, the people of Alabama are shocked, perplexed, and disgusted by events taking place on many college and university campuses throughout the Nation. I share this feeling of deep concern. For my part, I am fed up not only with campus riots but also with the excuses, evasions, and the abdication of responsibility by some college and university administrators, and with their mealymouthed excuses for surrendering their prerogatives under intimidation and threats of force and violence and disruption by revolutionaries.

Mr. J. Edgar Hoover has made it unmistakably clear that Communists, anarchists, and other disciples of violence are playing a dominant role in most of these disturbances. Under the circumstances, it is a sorry state of affairs when this Government, which pretends to a competence to regulate our daily lives, from the cradle to the grave, suddenly rolls over and plays dead when it comes to doing something about ridding college campuses of hard-core revolutionaries and troublemakers.

Mr. President, I have much faith in the commonsense judgment of the vast majority of college and university administrators of our Nation. And I have infinite faith in the good sense and sound judgment of the vast majority of college students throughout our Nation. But administrators must assume a responsibility.

To combat these rebellions, the college administrators must adopt stern measures, call in the police where necessary, expel rioters, and show the rioters that the college administration and not the anarchists are running the school. Disloyal faculty members should be fired. Parents should warn their children not to participate in these riots. Students desiring an education should make it clear that they do not sympathize with these rebellions. There should be no giving in to demands of rioters.

In addition thereto, the Federal Government should step in—not to interfere in the administration of institutions of higher education, but to restore the power and authority of the administrator where that is necessary, by ridding campuses of riot leaders who conspire to violate and who do violate existing Federal antiriot statutes. Yes, Mr. President, Federal statutes are being violated and the Executive has a duty to step in and enforce the law and let the ax fall where it may, on student riot leaders or on faculty riot leaders, as the case may be.

Mr. President, it is time for Congress to demand action. It is time that we tell the Department of Health, Education, and Welfare to get off its collective hands and start now—today—to take steps to deny public assistance to student rioters. It is time that we demand that the Attorney General vigorously enforce and prosecute violators of Federal antiriot legislation. It is time that the Executive demonstrate forceful, positive, leadership to end campus rebellions, for the purpose of restoring to college and university administrators their rightful authority over their institutions.

In this connection, Mr. President, the universally admired Bob Hope has contributed a commonsense commentary on the subject of campus disorders. His remarks were made in a commencement address delivered at Miami University, Oxford, Ohio, and reported in the Washington Evening Star of April 28, 1969. The wisdom of his remarks and their relevance to the problem under discussion leads me to request unanimous consent that his comments be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

USE SENSE IN DISSENT, HOPE TELLS STUDENTS

OXFORD, OHIO (UPI).—Comedian Bob Hope, addressing commencement exercises at Miami University here, called for "sense in dissent."

Hope told a crowd of about 11,000 at John D. Millett Assembly Hall yesterday, "It's time for the passive majority to assert itself, to speak up and say, 'We've come to school for an education.'

"It's also time for teachers to say, 'We've come here to teach without being bullied, harassed and threatened.' "

THE PLIGHT OF MIGRANT WORKERS—A NATIONAL DISGRACE

Mr. YOUNG of Ohio. Mr. President, the compelling plight of migrant laborers in the United States is a national disgrace that we can no longer afford to ignore. They live in a twilight world of hunger, abject poverty and lack of opportunity in the midst of plenty.

More than 115,000 migrant farmworkers are today laboring in fields across America. That number will swell to almost a quarter million as summer approaches, and before the end of the year 1 million people—men, women and children—will have been so employed. They will work in all of the States and will harvest the crops that will feed Americans for the coming year. They and frequently their wives and children engage in the hardest sort of "back breaking" manual labor.

Migrant farm laborers work an average of 85 days a year and they average a meager total salary of only $922. Their pitiful income is in shabby contrast to the average earnings of American factory workers. Clothing and food consume all of their meager paychecks and more.

In my State of Ohio more than 33,000 migrant workers labor in 24 counties from May through November. For the most part, they harvest tomatoes and sugar beets working long hours on their hands and knees for the lowest wages paid to any sizable economic group in the State. They work an average of 92 days and earn an average of but $980 a year.

In all, nationwide, more than 2 million men, women, and children are caught in this dismal web of poverty and degradation in the midst of plenty.

The real crime is what such an existence does to the children of these hapless, helpless men and women. There is no one to care for them while their parents are toiling in the fields, so many of them work also. Being constantly on the move, the children cannot stay long enough in one place to receive an adequate education. Thirty percent of all migrant children have less than 8 years of education; 40 percent, less than 11 years. If they survive their early childhood they are virtually doomed to repeating the dismal life of their parents.

The fact is that 17 percent of migrant workers today are functional illiterates. Half are under 25 years of age and one-fourth of them are between 14 and 17. Because of their youth or lack of education, most migrant workers and their youngsters have no awareness or interest in the political process. They move from county to county, and from State to State. They have no representatives or senators in the State legislatures or in the U.S. Congress to whom they can turn for help. Theirs are the unheard voices of misery and despair.

Unlike most other labor groups in our Nation agricultural migrant workers are totally lacking in either political or economic power. In contrast to the economic and political weakness of the migrant workers and their families stands the economic and political power of the agricultural growers and processors who purchase their labor. Further legislation by this Congress is necessary to attempt to equalize these two groups.

In the past, only local remedies were sought. State and local governments and private organizations have in many instances acted to aid these people. However, because of the great number of migrant workers and because of their constant movement their plight is a national problem of concern to all Americans.

While the Congress has enacted legislation to alleviate some of the problems afflicting these people, additional action must be taken to allow them and their children to share in the benefits of our society.

First and foremost, migrant workers urgently require coverage under the National Labor Relations Act. They must have the right to utilize the collective bargaining process to improve their economic and social status as industrial workers have for more than 30 years.

In many localities there are legal restrictions against providing public services to nonresidents, therefore, barring the migrant farmer and his family from most of the health and welfare services offered to other citizens. One worker at an Ohio camp had a child who was seriously ill. He was told by local welfare officials to take the child to a public clinic which was open only on Thursday and Friday. Unfortunately, the child was dying on Saturday.

One of the most critical needs of the migrant agricultural worker and his family is for decent housing and sanitation. Programs must be developed to assist in the construction of adequate housing facilities for these workers and their dependents.

The migrant worker faces unemployment with no reserve in the form of unemployment compensation which the industrial worker has long taken for granted. Our unemployment insurance laws must be amended to provide benefits for workers employed on large commercial farms.

At the present time a farmworker is eligible for social security if he receives $150 in cash wages from his employer during the year or if he works for the same employer for cash wages for 20 days or more during the year. Because of their constant movement, short periods of employment, and low rate of compensation, most migrant workers do not meet the requirements to be eligible for social security benefits. Our social security law should be amended by reducing from $150 to $50 the amount which must be earned from a single employer each year by farmworkers. In that one act social security benefits would thereby be extended to 500,000 farmworkers, the great majority of them migrant laborers.

Mr. President, while these proposals recognize the problems of migrant workers and, to some degree, will correct their wretched working and living conditions, they by no means completely solve the problem of bringing the living standard of these forgotten people to the level enjoyed by most other Americans.

In this Congress, as in previous Congresses, leadership in this task has been undertaken by the distinguished junior Senator from New Jersey (Mr. WILLIAMS). I am proud to be cosponsor of legislative proposals which he has introduced to cure many of the ills afflicting migrant workers.

If these proposals are enacted by Congress, we will have removed a system of virtual peonage from our society. In doing so America will once again prove that it is a nation where no one is forgotten, where the young have faith and their elders have hope.

S. 2014—INTRODUCTION OF A BILL—FOOD STAMP REFORM ACT OF 1969

Mr. McGOVERN. Mr. President, for 4 months, the Select Committee on Nutrition and Human Needs have been studying the problem of hunger and malnutrition in the United States. This study long overdue, is being carried forward as rapidly as possible. The committee is instructed by the Senate to complete its work and make its final recommendations before the end of this year. This kind of careful investigation is essential to the development of a full food program adequate to the Nation's needs. There are, however, certain steps we can take now to reduce hunger and malnutrition while the committee continues its studies.

We have already seen more than enough to know that many Americans are hungry now. They have been hungry for years. We can wait until the end of the year for final recommendations which would doubtless mean a delay until 1971 before we actually had an effective program in operation. But if we wait, we should know the price of waiting. Thousands of youngsters will continue to die at birth, many thousands more will suffer irreparable brain damage and stunted overall growth. The inescapable fact is that millions of our fellow citizens are caught in the grip of malnutrition now. The cost to our society in blighted lives, in billions of dollars of lost manpower, in more billions of dollars of chronic welfare costs—these costs and others too vast even to estimate are weakening both our economy and our social fabric. We cannot afford any longer the high cost of malnutrition. Considerations both of economy and morality demand that we take steps now to put an end to this enormous waste of life and treasure.

There is one overriding cause of hunger and malnutrition—inadequate income. Eight million Americans now live in families whose total income, including welfare payments, is less than half the Federal poverty level and less than the amount which their own Government estimates they need to meet their food needs alone. Some of these 8 million—no one knows how many—are served by present food programs. None are served adequately. Some scavenge or beg; they are all undernourished. Surely it requires no further study to discern that a person who does not have enough money to buy food is going hungry. Such people live in every part of our country. They live in urban ghettos where high rents and low welfare payments squeeze the food budget. They languish on our Indian reservations or in Alaska. They live in migrant labor camps where backbreaking toil brings them wages far too low to provide a diet adequate to the hard physical labor which they must perform. They live in Appalachia where a changing economy has deprived them of jobs and money. And they live all over a nation whose social security payments are so low that its elderly citizens are often malnourished.

Our present first line defense against this most fundamental cause of malnutrition, lack of money to purchase nutritious food, is the food stamp program. Unfortunately this defense is far too thin. In theory, the food budget supplements which it provides are aimed directly at the problem of insufficient income. In fact, the existing food stamp program is itself suffering from undernourishment. It encourages the poor to hope that their children may receive the food which they so badly need, then dashes this hope on the rocks of legislative restriction, rigid administration and penurious appropriations.

To correct these major deficiencies in our food stamp program I am today introducing the Food Stamp Reform Act of 1969. This bill will amend the Food Stamp Act of 1964 so that it can provide a much more adequate diet for the hungry and malnourished among America's poor.

This bill is not by any means the complete or the only answer to problems of malnutrition. It is not intended to prejudge any issue which the Select Committee on Nutrition is now studying, including the ultimate value of the food stamp program as the answer to the problems of hunger and malnutrition. What it is intended to do is to insure through the use of our current first line of defense against hunger, that no American citizen must go hungry while our studies continue.

It is the declared policy of the Congress that the food stamp program should "safeguard the health and well-being" of the Nation's poor by providing them with "adequate levels of nutrition." This is one "safeguard" system that is desperately needed for the Nation's security and for the proper functioning of our citizenry. Yet, hearings before the select committee have made it perfectly clear that the food stamp program does not effectuate this policy. Studies conducted by both the Agriculture Department and the Public Health Service have shown that the overwhelming majority of those requiring food assistance are not reached by the food stamp program and that those who are reached still are not afforded the resources necessary to purchase a minimum adequate diet.

The reasons for this failure are not hard to find. Any program which hopes to provide adequate levels of nutrition for those in need must meet three obvious requirements. The present program meets none of these.

The first of these requirements is that benefits should be provided on the basis of need. Under the present program, benefits depend on whether or not a hungry person happens to live in a county where local officials have requested the program. The Food Stamp Reform Act will eliminate the patent inequity of this situation. It will strongly encourage local officials to operate a food stamp program, but where the need is clear and where local officials will not accept or properly administer a program, it will permit the Secretary of Agriculture to use private local agencies or other governmental agencies to operate the needed program.

The second obvious requirement of any effective food stamp program is that stamps be provided at a cost which the poor can pay. Under the present program we ask a poor family to pay 30 to 50 percent of its meager income for food stamps, and we require this payment in an "all or nothing" monthly or twice-monthly lump sum. This requirement is in sharp contrast to the 17 percent of personal income which the average American pays in small installments each time he goes to the grocery store. These unrealistic purchase requirements are a major factor in the abysmal participation rates which are characteristic of our existing food stamp program.

The Food Stamp Reform Act will correct this problem by providing stamps at a price which poor families can afford, by providing free stamps for those whose incomes are so low they cannot begin to meet their food needs, and by permitting families to purchase less than a full month's supply of stamps at times and places convenient to them.

The third prerequisite to an effective food stamp program is that it must enable those who do participate to purchase an adequate diet. Under present regulations the very poorest of our citizens are entitled to less than half the stamps which the Department of Agriculture itself says they need in order to obtain a healthy diet.

The Agriculture Department has established the cost of a low-budget diet at about $1 a day for each person in a four-member family. The Army feeds each of its men in uniform at a cost of $1.32 a day. Yet the members of a food stamp family of four with an income of less than $60 a month are expected to eat for 50 cents a day.

Worse yet, we discriminate against the poorest of the poor. The same food stamp family is allowed 83 cents per person each day if its income is $320 a month. The poorer the family, the less it is entitled to eat. The Food Stamp Reform Act will guarantee that every participant in the program receives stamps equal in value to the cost of purchasing a low-cost diet. This will insure that every participant has the opportunity to eat properly and will end the grossly unjust assumption that the very poor can nourish themselves with less than half the food required by the moderately poor.

Mr. President, the authors of the food stamp program promised that it would be a "safeguard" to the health and well-being of the American citizen. It is time for us to fulfill this promise by building a truly effective food aid program around the basically sound concept of stamps as a supplement to the family food budget.

I am well aware that the reforms which I propose do not come free. Safeguard systems never do. But the cost of continued malnutrition is far greater. I have no doubt that even on a dollar and cents basis, it is costing us at least 10 times as much to perpetuate malnutrition as it would cost to end it.

Until last week I hoped that the present administration shared this belief. I was encouraged by the President's statement that "this administration will never turn its back on the growing needs of the American people," by his promise of "vigorous, innovative" action against hunger, and by Secretary Hardin's statement that "we cannot accept hunger as a way of life for millions of our people."

I had hoped that the administration's verbal commitment to the battle against hunger would be followed by strong new programs and funds to combat hunger. But now we find no new initiatives, and not a single additional dollar for the hungry in the President's new budget. We find only the barest nod to the hungry—an increase of $15 million for nutrition aides to teach the poor what to eat. But not one additional dollar to help the poor secure the food they need.

I am well aware of the budgetary problems faced by the President. I agree that peace and an end to inflation should be top priority problems. I have devoted my major energies in the Senate for 6 years arguing that peace must be our first priority. I recognize, too, that runaway inflation could render increases in spending for social welfare meaningless. But I see no reason whatever why these considerations need deter us from providing immediate assistance to any American who is unable to feed his family properly.

Certainly our first objective, peace, need not absorb the funds needed to combat malnutrition. An administration dedicated to peace can and should reduce military expenditures by at least $10 billion this year. Some of these cuts can be made in Vietnam, where a less aggressive strategy looking toward a political solution of the war would free billions of dollars.

But more important, these cuts must be made in the endlessly expensive military hardware which the Pentagon demands every year. Unless we are willing to curb the Pentagon's insatiable dollar lust, we will find that every penny now being spent in Vietnam has gone to satisfy the military's craving for ever newer, more costly, and highly doubtful weapons systems. Nothing in Mr. Nixon's new budget is more depressing than the fact that 80 percent of the modest reduction he has recommended in Vietnam expenditures will be absorbed by new defense projects. A continuation of this trend will be disastrous. On the other hand, the long delayed arms talks could be encouraged and our domestic needs met if we would put an end to excessive military expenditures. Such a budget would be taken as earnest of our expressed desire for peace. At the same time, it would free moneys which could go to feed our hungry citizens.

Are we to believe that our Nation can afford 11 trips to the moon, a new multibillion dollar manned bomber, and a dubious anti-ballistic-missile system, but that we cannot afford a penny more to feed hungry children because this would cause inflation? This is nothing less than disgraceful—the use of the threat of inflation to persuade a person who is suffering from hunger to wait a few more years for food. To put it bluntly, the budget which President Nixon has sent us taxes the middle income citizen and denies our poor the help they need while preserving an $80 billion defense budget with all its inflationary pressures.

In 1968 the average American was taxed $402.08 for arms. This same American was taxed $2.52 to provide food and nutrition for his fellow citizens. Can it really be argued that the military is more than 150 times as important to our security and well-being as an adequate diet for our citizens?

After years of rising welfare costs and near rebellion in our cities, and at a time when the tragic connection between infant malnutrition and adult dependency is increasingly clear, it should be obvious that military preparedness alone can never guarantee a nation's security. I fear, Mr. President, that the United States is falling into a trap which has brought down some of history's most wealthy and powerful empires—a trap set by overdependence on armed force at the expense of social justice. A nation which falls into this trap will find itself drained of the resources required to preserve its true sources of greatness and strength.

An end to hunger in America will not guarantee this Nation's security. But an end to hunger which stunts the growth of our poor children, robbing them and us of their full potential, will increase our security and preserve our future far more than additional billions of dollars for dubious military hardware or ill-fated ventures into the affairs of the people of Asia.

The food stamp reforms which I am introducing today will increase the cost of the food stamp program by about $1.5 billion in fiscal year 1970, making the total cost of the program approximately $1.8 billion. Of this $1.5 billion would go to provide free food stamps for families earning less than two-thirds the cost of purchasing a minimum adequate diet. There are presently 5.2 million Americans living in such families. The least we can do is provide an adequate diet for these millions whose yearly income is less than the equivalent of $960—$80 a month—for a family of four. This I submit is a minimum prerequisite to any serious attack on hunger. Anyone familiar with the costs of providing housing, clothing, medical care, and all the other needs of a growing family, knows that $80 a month cannot possibly cover these needs and still leave anything for food.

The other $300 million the bill would require during fiscal 1970 would go to raise the face value of stamps issued to all participants to an amount equal to the cost of purchasing a minimum adequate diet. This, too, seems to me to be a minimal requirement of any serious effort to end malnutrition.

In future years, the remaining participants, those who will still be required to pay for their stamps, will be charged as much for their stamps as they can realistically afford to pay. If we are to take all that they can afford to spend for food, then surely we must provide in return stamps which will permit them to fill their minimum food needs. The inability of the existing food stamp program to meet these minimum needs is one of its most serious failures. If we perpetuate this failure we will guarantee continued hunger and malnutrition.

There is just no escaping the fact that nutrition requires food and that food costs money. It is this hard fact which some weeks ago led me to label the present administration's reported $100 million food plan "halfhearted tinkering with the needs of the poor." Now we find that the administration has cut this reported $100 million package to $15 million.

I very much hope that President Nixon will eventually present a food aid program which faces the hard reality of cost. My plan is neither the only, nor the full answer to the problems of hunger and malnutrition. I will be the first to support any vigorous, innovative food assistance effort which is adequate to meet the needs of our hungry citizens. I am not wedded to the specifics of my bill or to having my name on any bill, but I am wedded to the belief that we must open a serious attack on hunger now.

Mr. President, I ask unanimous consent that a brief explanation of the Food Stamp Reform Act of 1969, a section-by-section analysis of the bill, and the text of the bill, which I sent to the desk for appropriate reference, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the brief explanation, the section-by-section analysis, and the text of the bill be printed in the Record.

The bill (S. 2014) to amend the Food Stamp Act of 1964, and other acts, to provide adequate food and nutrition among low-income households, and for other purposes, introduced by Mr. McGovern (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S. 2014

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Food Stamp Reform Act of 1969

Sec. 2. The Food Stamp Act of 1964 is amended as follows:

(1) Section 2 is amended to read as follows:

"Sec. 2. It is hereby declared to be the policy of Congress, in order to promote the general welfare that the Nation's abundance of food should be utilized cooperatively by the States, the Federal Government, local governmental units, and other agencies to the maximum extent to safeguard the health and well being of the Nation's population and provide adequate levels of food consumption and nutrition among low income households. The Congress hereby finds that increased utilization of foods in establishing and maintaining adequate levels of food consumption and nutrition will tend to cause the distribution in a beneficial manner of our agricultural abundances and will strengthen our agricultural economy, as well as result in more orderly marketing and distribution of food. To effectuate the policy of Congress and the purposes of this Act, a food stamp program, which will permit those households with low incomes to receive a share of the Nation's food abundance sufficient to provide them with adequate levels of food consumption and nutrition, is herein authorized."

(2) Subsection (b) of section 3 is amended by adding at the end thereof a new sentence to read as follows:

"The term 'food' also means such products as the Secretary may determine to be necessary for personal cleanliness, hygiene and home sanitation."

(3) Subsection (j) of section 3 is amended to read as follows:

"(j) The term 'State' means the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the Facific Trust Territories."

(4) Subsection (a) of section 4 is amended by striking out the first sentence and inserting in lieu thereof the following: "The Secretary is authorized to formulate and administer a food stamp program under which eligible households within a State will be provided with coupon allotments of sufficient monetary value to enable them to purchase a nutritionally adequate diet. Such program shall be carried out in any State at the request of the appropriate State agency of such State or pursuant to section 15(c) of this Act."

(5) Subsection (b) of section 4 is amended to read as follows:

"(b) Nothing in this or any other Act shall be construed as prohibiting the Secretary from distributing federally owned foods, under any other federally authorized program, to households in any area in which a food stamp program is in effect."

(6) Section 5 is amended to read as follows:

"Sec. 5. (a) Participation in the food stamp program shall be limited to those households whose income is determined, as provided in this subsection, to be insufficient to permit them to purchase a nutritionally adequate diet. The Secretary shall prescribe, not less often than once a year, the minimum level of income a household must have in order to purchase a nutritionally adequate diet for the members of such household and be financially able to meet the other normal living expenses of a household. He shall prescribe such level of income for households composed of varying numbers of individuals; but in no case shall the minimum income level prescribed by the Secretary be less for any household than three times the amount necessary to purchase a nutritionally adequate diet determined as provided in section 7(a) of this Act. In prescribing minimum income levels for households under this subsection the Secretary shall take into consideration such relevant factors as he deems appropriate but may not consider the availability or expected availability of appropriations to carry out this Act. Any household with an income below the minimum level prescribed by the Secretary for a household of comparable size shall be eligible to participate in the food stamp program. Notwithstanding the foregoing provisions of this subsection, if the Secretary determines that funds are insufficient for the fiscal year ending June 30, 1970, to permit an increase in participation in the food stamp program by eligible households whose income is greater than two-thirds of the current amount necessary to purchase a nutritionally adequate diet prescribed by the Secretary under this section (7(a) of this Act), he may, by regulation, limit the number of such households which may participate in the program in such fiscal year to the extent that funds are available; but in no case shall the participation of any household be discontinued under authority of this sentence if such household is participating in the program.

"(b) In complying with the limitation on participation set forth in subsection (a) above, each State agency shall establish standards to determine the eligibility of applicant households. Such standards shall include income limitations consistent with the minimum income levels determined by the State agency to be the minimum income required to enable eligible households to purchase an adequate diet at prices currently prevailing in the political subdivision served by the State agency or with the minimum income levels for eligible households prescribed by the Secretary under subsection (a) of this section, whichever minimum income level is higher. Such standards shall also place a limitation on the resources to be allowed eligible households, but such limitations shall apply to the income, if any, realized from such resources and not to any income which might be realized through liquidation of such resources. The standards of eligibility to be used by each State for the food stamp program shall be subject to the approval of the Secretary.

"(c) Minimum income limitations prescribed under this section shall be revised annually to reflect any increase in the cost of living, as determined on the basis of the Consumer Price Index (all items United States city average) published monthly by the Bureau of Labor Statistics, Department of Labor."

(7) Section 6 is amended by adding at the end thereof a new subsection as follows:

"(d) Any household making application for the benefits of this Act shall be certified for eligibility solely by execution of an affidavit, in such form as the Secretary may prescribe, by the members of such household making application. If an error is found in in the income level specified in the affidavit, the level of assistance to which such household is entitled shall be properly adjusted in accordance with the standards of this Act and regulations issued thereunder and no further penalty of any kind shall be imposed on any member of such household."

(8) Subsections (a) and (b) of section 7 are amended to read as follows:

"(a) Except as hereinafter provided in this subsection, the face value of the coupon allotment which is issued to any household certified as eligible to participate in the food stamp program shall be not less than an amount necessary to purchase a nutritionally adequate diet for the members of such household. The amount necessary to purchase a nutritionally adequate diet for households composed of varying numbers of individuals shall be determined by the Secretary and shall be revised annually by the Secretary when necessary to reflect any increase in the cost of living (determined as provided in section 5(c) of this Act). In determining the amount necessary to purchase a nutritionally adequate diet for any household the Secretary shall take into consideration such relevant factors as he deems appropriate but may not consider the availability or expected availability of appropriations to carry out this Act. In no event shall the amount determined by the Secretary to be necessary to purchase a nutritionally adequate diet for a household be less than the equivalent of $120 a month for a household composed of four persons. A household may, if it so elects, purchase any amount of coupons less than the full coupon allotment it is entitled to purchase. The amount charged any household for any portion of a coupon allotment less than the full coupon allotment shall be an amount which bears the same ratio to the amount which would have been charged such household for the full coupon allotment as such portion of the full coupon allotment bears to the full coupon allotment such household was entitled to purchase.

"(b) Households shall be charged such portion of the face value of the coupon allotment issued to them as is determined to be equivalent to their normal expenditure for food, except that (1) any eligible household whose income is less than two-thirds the current amount necessary to purchase a nutritionally adequate diet prescribed by the Secretary under section 7(a) of this Act shall not be charged any amount for such coupon allotment; (2) any eligible household whose income is less than the full amount necessary to purchase a nutritionally adequate diet prescribed by the Secretary under section 7(a) of this Act but greater than two-thirds such amount shall not, after June 30, 1970, be charged for such coupon allotment an amount greater than an amount equal to 15 per centum of the income of such household; and (3) in no case, after June 30, 1971, shall any eligible household be charged an amount greater than an amount equal to 25 per centum of the income of such household for such coupon allotment. The Secretary shall implement the provisions of clauses (2) and (3) of the preceding sentence prior to the dates specified therein to the extent that funds are available for such purpose."

(9) Section 10(a) is amended to read as follows:

"SEC. 10. (a) The food stamp program shall be administered to insure that participants are afforded the opportunity to receive at schools, at approved retail food stores, in their homes, or at other appropriate places convenient to participants such instruction and counseling as will best assure that they are able to use their increased purchasing power to obtain those nutritious foods most likely to insure that they receive a nutritionally adequate diet. The food stamp program shall also be administered to insure that all households eligible to participate in the program are informed of its existence and given such assistance as may be required to enable them to make application for the benefits of this Act. In addition to such steps as may be taken administratively, the voluntary cooperation of existing Federal, State, local, or private agencies which carry out informational and educational programs for consumers shall be enlisted for the purpose of providing nutrition counseling and home economics services for eligible low-income households using such authorities as may be available to the Secretary, or in cooperation with other agencies of the Federal Government or private agencies. The Secretary is specifically authorized to use the educational potential of the national school lunch program and its extension to introduce better eating patterns and better nutrition to eligible households under this Act."

(10) Subsection (b) of section 10 is amended by striking everything following the colon and inserting in lieu thereof the following:

"*Provided*, That the State agency shall comply with the requirements of clauses (2) and (3) of section 10(e) of this Act."

(11) Subsection (e) of section 10 is amended by striking "(3)" and "(4)" and inserting in lieu thereof "(4)" and "(5)", respectively, and by striking clause (2) and inserting in lieu thereof the following:

"(2) that the State agency shall make every possible effort to insure that all households who meet the eligibility requirements set forth in this Act are certified to participate in the food stamp program; (3) that the State agency shall arrange for the issuance of coupons to eligible households and for the collection of sums required from eligible households as payment therefor through the facilities of United States Post Offices directly or by mail, through the facilities of participating retail food stores or in such manner as shall best insure participation of eligible households."

(12) Subsection (f) of section 10 is amended to read as follows:

"(f) If the Secretary determines that in the administration of the program in any area there is a failure by the State agency to comply with the provisions of this Act, or with the regulations issued thereunder, or with the State plan of operation approved by the Secretary, he shall inform such State agency of such failure and if such failure is not immediately corrected he shall directly administer the program in such area or administer it through any private nonprofit organization or through any Federal, State, or county agency he deems appropriate."

(13) Section 14 is amended by adding at the end thereof a new subsection as follows:

"(e) No person shall be charged with a violation of this Act or of any regulation issued thereunder or of any State plan of operation on the basis of any statements or information contained in an affidavit filed pursuant to section 6(d) of this Act."

(14) The second sentence of section 15(a) is amended by striking out "in subsection (b)" and inserting in lieu thereof "in subsections (b) and (c)."

(15) Subsection (b) of section 15 is amended to read as follows:

"(b) The Secretary is authorized to pay to the State agency of a State any amount not exceeding the total cost of carrying out the administrative responsibilities under this Act in any political subdivision if he determines that such payment is necessary to enable such political subdivision to conduct a food stamp program for eligible households living in such political subdivisions."

(16) Section 15 is further amended by adding at the end thereof a new subsection as follows:

"(c) Notwithstanding any other provision of this Act, the Secretary is authorized, in any political subdivision of a State, to administer a food stamp program in such political subdivision through any private nonprofit organization or through any Federal, State, or county agency he deems appropriate, if (1) the appropriate officials of such political subdivision or the State fail to request a food stamp program for such political subdivision after the Secretary has made an offer of Federal payments authorized by subsection (b) of this section, or (2) he determines that such a program is necessary in such political subdivision to accomplish the purposes of this Act or to alleviate severe undernutrition or malnutrition."

(17) Section 16(a) is amended to read as follows:

"(a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. Such portion of any such appropriation as may be required to pay for the value of the coupon allotments issued to eligible households which is in excess of the charges paid by such households for such allotments shall be transferred to and made a part of the separate account created under section 7(d) of this Act."

(18) Subsection (b) of section 16 is amended to read as follows:

"(b) Upon written notification to the Congress of his intent to do so, the Secretary is authorized in any fiscal year to obligate sums in excess of the sums appropriated for such fiscal year pursuant to subsection (a) of this section, if such excess obligations are necessary to meet unanticipated increases in participation as the result of a change in economic conditions, or as the result of other unforeseeable circumstances, as determined by the Secretary. In no event shall the amount of excess obligations in any fiscal year exceed an amount equal to ten per centum of the sums appropriated for such fiscal year pursuant to subsection (a) of this section. The amount of any excess obligation incurred in any fiscal year shall be paid for out of funds appropriated to carry out this Act in the succeeding fiscal year."

The material, presented by Mr. McGovern, follows:

Brief Explanation of Food Stamp Reform Act of 1969

The bill would make the following major reforms in the Food Stamp Act:

Free food stamps would be made available to the lowest income families.

The purchase price of stamps would be lowered for those who pay.

The total stamp value would be increased so that all participants are able to purchase an adequate diet.

PARTICIPATION, PURCHASE PRICE AND BONUSES

Participation in the program and the value of stamps received by participants are both based upon the fact that an American family must have a certain amount of money to spend in a year in order to purchase an adequate nutritious diet.

The Secretary of Agriculture would first prescribe, each year, the minimum cost of a nutritionally adequate diet. This could be not less than the equvalent of $120 per month for a family of four (the amount presently set by the Department of Agriculture under its low-budget food plan).

Participation in the Food Stamp Program would be limited to households whose income is less than three times that amount. For example, if the Secretary established the cost of a nutritionally adequate diet at the stated minimum of $120 per month for a family of four or $1440 per year, participation would be limited to households earning less than $4320 per year.

The State, however, could establish a higher maximum income for participation than that prescribed by the Secretary. Present State limits run as high as $5400 for a family of four.

All participants in the program would receive stamps having a face value equal to the prescribed cost of a nutritionally adequate diet.

The provisions for free stamps and the lowering of purchase prices are phased into operation during the next three fiscal years so that the new formula is designed to help the poorest of the poor first.

In Fiscal Year 1970, those families whose income is less than ⅔ the cost of a minimum adequate diet will receive their stamps free. Thus, for example, if the cost of a nutritionally adequate diet for a family of four prescribed by the Secretary is set at the $120-a-month minimum, or $1440 per year, and the family's income is less than $960 per year, it will receive free food stamps.

In Fiscal Year 1971, participating families whose income is less than the prescribed minimum cost of a nutritionally adequate diet but more than ⅔ that cost would be charged no more than 15% of their income. Therefore, again using the same example, a family whose income is between $960 and $1440 a year would pay no more than 15% of their income for stamps.

In Fiscal Year 1972, all other families, those whose incomes are above the prescribed minimum cost of a nutritionally adequate diet would be charged no more than 25% of their income for food stamps.

PURCHASE OF LESS THAN FULL AMOUNT OF STAMPS

Any family required to pay for their stamps would have the option of purchasing less than the full amount for which they are eligible. A proportionate reduction in total stamp value would then be received by the family.

COMMODITIES IN FOOD STAMP COUNTIES

The Secretary would be authorized to distribute surplus commodities in any area in which a food stamp program is in effect thus permitting a commodity distribution program and a food stamp program in the same county.

PURCHASE OF SOAPS AND OTHER SANITATION PRODUCTS

Recipients of food stamps would be permitted to purchase products necessary for personal cleanliness, hygiene and home sanitation.

COUNSELING, OUTREACH AND AVAILABILITY OF STAMPS

All participants would be given an opportunity to receive instruction and counseling on the purchasing and use of food. Administering agencies would be required to insure that eligible households are informed of the program; and stamps would be made available through the mails, at grocery stores or in some other manner to assure continued participation of certified households.

STATE AND LOCAL ADMINISTRATION

While the bill retains existing requirements that food stamp programs be operated through State and local welfare departments, the Secretary would be authorized to administer the program in any area through any Federal, State or county agency or through a private non-profit organization if he finds the State has failed to comply with the Act or regulations under the Act, if the State or local officials fail to accept a food stamp program, of if necessary in a particular area to accomplish the purposes of the Act or to alleviate severe undernutrition or malnutrition.

FINANCING

There would be authorized to be appropriated such sums as necessary to carry out the Act. The Secretary would be authorized to obligate an amount equal to 10% of the amount appropriated in any fiscal year to meet unanticipated increases in program participation.

COSTS

In order to implement the provision for free food stamps to the lowest income families and to raise food stamp values for all participants in Fiscal Year 1970, an appropriation of approximately $1.8 billion would be necessary. This is approximately $1.5 billion above the present level of food stamp program expenditures. This amount would enable every family eligible for free food stamps to participate in the program (2.3 million households). It would also enable all present participants in the food stamp program not covered by the free food stamp provision to continue to participate at present purchase requirements but with the increased stamp value sufficient to enable them to purchase an adequate diet.

Total participation in Fiscal Year 1970 could be as many as 8 million persons (3.6 million who are presently on food stamps plus 4.4 million new persons not now participating but eligible under the bill for free stamps).

FISCAL YEARS 1971 AND 1972

Additional appropriations required after Fiscal Year 1970 will depend upon the number of households and persons eligible to participate at the various income levels. This, in turn, would depend upon the income eligibility levels prescribed by the Secretary of States. the number of households with incomes below that level, participation in the commodity distribution program and other economic and program factors. These variables make it impossible at this time to estimate costs for 1971 and 1972. However, with a reasonable increase in participation each year by households paying for their stamps as the price of stamps is lowered, increased appropriations of between $500 million and $1 billion could be anticipated.

Section-by-Section Analysis of the Food Stamp Reform Act of 1969

(1) This amendment declares that it is the policy of Congress that the food stamp program should provide adequate levels of food consumption and nutrition to this nation's low income households. It amends the present law which aims only to "raise" levels of nutrition among low income households.

(2) This amendment permits participants to use their food stamps to purchase items necessary for "personal cleanliness, hygiene, and home sanitation." Present law permits purchase of food items only.

(3) This amendment would extend the food stamp program to Puerto Rico, Guam, and other Territories over which the United States has direct authority.

(4) This amendment provides for the issuance of coupon allotments of sufficient monetary value to permit recipients to purchase a nutritionally adequate diet. Under the present law, coupon allotments need only provide recipients with "an opportunity more nearly to obtain a nutritionally adequate diet."

(5) This amendment removes the existing limitation on distribution of federally owned foods in areas where the food stamp program is being operated.

(6) This amendment contains the following provisions respecting eligibility to participate in a food stamp program:

(a) State agencies retain their authority to establish income standards for the purpose of determining eligibility to participate in the program. In setting these standards the State agency is to consider income levels required to permit a household to purchase a minimum adequate diet at currently prevailing local prices.

(b) The Secretary is directed to establish a national income standard. This standard is to be no less than three times the cost of purchasing a minimum adequate diet. All households whose incomes fall below this standard would be eligible to participate in the food stamp program. Participation standards set by the State agencies must permit participation by all households whose incomes fall below the standard set by the Secretary, but may permit participation by households whose income is above this standard. The Secretary is required to make an annual revision of the income standard to reflect changes in the cost of living.

These changes are designed to guarantee that no needy family shall be denied the opportunity to participate in a food stamp program, while retaining local authority to establish eligibility requirements consistent with local conditions.

(7) This amendment provides that certification of eligibility to participate in the food stamp program shall be granted upon execution of an affidavit by a member of the applicant household. Any error subsequently found in this affidavit will result only in an adjustment of the assistance granted to the applicant household.

(8) This amendment makes the following provisions concerning the face value of coupon allotments and the charges to be made for these allotments:

(a) The Secretary is directed to establish the minimum cost of purchasing a nutritionally adequate diet which must be not less than $120 per month for a family of four (or its equivalent for families of varying sizes). All participating households are entitled to receive a coupon allotment equal in value to this cost.

(b) Households are permitted to purchase all, or any portion of the coupons to which they are entitled. Should they purchase less than their full allotment the purchase price will be reduced proportionately. This provision is designed to permit a family which is temporarily unable to pay the cost of its full coupon allotment to receive some benefits by purchasing as much of their allotment as they can afford.

(c) The price to be paid by a household for its coupon allotment is determined as follows: Any household whose income is less than two-thirds of the minimum cost of purchasing a nutritionally adequate diet will receive its coupon allotment free; no household whose income is less than the minimum cost of purchasing a nutritionally adequate diet will pay over 15% of its income for its coupon allotment (effective 6/30/70); no participating household will pay over 25% of its income for its coupon allotment (effective 6/30/71).

These changes are designed to insure that every needy household is able to participate in a food stamp program at a price which it can actually pay and that each household will receive stamps which will permit its members to meet their minimum food needs.

(9) This amendment requires that maximum effort be made to insure that needy persons are enabled to participate in the program and that participants in the food stamp program receive the instruction they require to insure that they are able to purchase nutritious foods with the coupons they receive. These efforts are to be undertaken by the administrators of the food stamp program in cooperation with other Federal, State, local, and private agencies.

(10), (11) These amendments strengthen #(9) by authorizing the issuance of coupons, and the collection of charges for coupons, through the facilities of the United States Post Office or through the facilities of participating retail food stores.

(12) This amendment permits the Secretary to administer any food stamp program where the local administering agency has failed to comply with the provisions of the Act. The present law punishes the poor for the failures of a State agency by terminating any program which does not comply with the law.

(13) This amendment gives effect to #(7).

(14) (15) These amendments authorize the Secretary to reimburse a State agency for costs incurred in the administration of a food stamp program if the Secretary determines that such payments are necessary to the operation of that program.

(16) This amendment permits the Secretary to operate a food stamp program directly or through any private, local, State, or Federal Agency if local officials refuse to operate a program after being offered the payments to which they are entitled under #(13) and (14) above. Under the present law, local officials, either because they oppose a program, or because they cannot afford to operate one, can deny needy residents of their area the opportunity to participate in a food stamp program.

(17) This amendment authorizes the appropriation of such sums as may be necessary to carry out the provisions of this Act. It removes the present dollar ceiling on appropriations for Fiscal 1970 and the first half of Fiscal 1971.

(18) This amendment permits the Secretary to obligate up to 10% more than the amount appropriated during any Fiscal Year. This excess must be repaid during the following year. It provides the flexibility needed to meet unanticipated costs which could arise out of relatively minor changes in the unemployment rate.

FOOD STAMP REFORM ACT OF 1969

Mr. WILLIAMS of New Jersey. Mr. President, I am pleased to join in the sponsoring of the Food Stamp Reform Act of 1969 which is being offered today. We are no longer free to ignore or even be ignorant of the plight of hungry Americans. We must face up to and remedy our "Biafran conditions" at home. We spend billions of dollars on space research which includes the manufacturing of synthetic food for astronauts. Yet, we spend only tokens on real food for our people here on earth. And while millions go hungry, we pay our farmers not to grow food.

We must now come to grips with this outrageous situation and accept Margaret Mead's challenge before the Select Committee on Nutrition and Human Needs:

> We need to face the simple facts: the American people are less well-nourished as a whole than they were 10 years ago. Those with the fewest resources and least education, those who live in the worst areas and belong to the most disadvantaged groups, are suffering the most. Their need is urgent. The national need is urgent.

Recent studies have shown that only 45 percent of the families presently receiving aid to dependent children under the welfare program are receiving food stamps or commodities. Even in the relatively few areas where food programs are available, only 50 percent of families living in those areas receive such assistance. The amount of money received is blatantly inadequate. For instance, some families receive only $8 or $10 per month for each child and there is not a soul who could live on such a meager sum, yet many try to struggle by at these miserable levels.

The poverty index classifies a family of four with less than $2,200 as "hard-core" poor. There are an estimated 12 to 15 million hard-core poor in our country. Minimal food needs are at least $1,100 per year for a family of four and $700 per year for housing the high costs of living. And even for the very poor, these living costs are getting higher every day. Therefore, it is easy to visualize the frustration and desperation this group of people must feel.

Mr. President, the distinguished junior Senator from South Dakota (Mr. McGovern) has championed the causes of the poor in America with a passion and dedication which will not soon be forgotten. He has shown us the need and now it is our job to show that we care. The hard-core poor are located in every State in almost every county of our country. So the problem is far from regional. Testimony has revealed that New Jersey has up to 500,000 hard-core poor and yet in January 1969 only 75,870 people received any sort of food stamp at all.

We should not allow public assistance programs to cover only 40 percent of the poor. The Food Stamp Reform Act of 1969 will provide: free stamps to poor families with incomes of less than $50 a month; lower the purchase price of stamps for poor families earning over $80 a month by 15 to 30 percent; raise to the value of $120 per month—which reflects the Department of Agriculture's estimated cost of a nutritionally adequate diet for a low-budget family—the value of stamps received by all participants; authorize distribution of surplus commodities to families where the food stamp program is in operation; provide for the administration of local voluntary agencies to administer the food stamp program where State or local welfare departments fail to accept responsibility for administering the program. Under this bill, even the poorest of families will be assured purchasing power for enough nutritional food.

During the past 10 years, while I was chairman of the Senate Migratory Labor Subcommittee, I saw hunger among the poor. That is one reason I feel so deeply that we must arrest the injustices of malnutrition and hunger. It is one of the most terrible footnotes to the American epic to see a litle girl of 10 whose teeth have already started to corrode, or a young man whose hands are disfigured from malnutrition. And yet this is what I saw on the numerous field trips I made. For example, on one trip to my own home State of New Jersey, within sight of the Princeton University towers, I saw a migrant labor camp with families gravely underfed and malnourished.

The real strength of our country is in the health, intelligence, and skill of our citizens. If we are willing to spend billions for defense, we must recognize that no better defense expenditure can be made than to improve the abilities of the people of this country. If we are willing to spend millions on welfare, we must realize that adequate food is a prerequisite to success in employment, housing, education, and health.

Because the existence of hungry Americans represents a strain on the self-respect of the Nation, we must act immediately to end this stigma. Because malnutrition is such a stubborn link in the poverty cycle, we must work hard to break this link. Because of the great return resulting from a small investment in health and nutrition programs, we must help reduce social dropout rates and enable hungry people to make the contributions of productive citizens. Because the real costs of our inaction are a high infant mortality rate, birth diseases, physical disabilities and a shortened life expectancy, our action is long overdue. Because we can expect that an individual who is hungry will be listless, apathetic, distrustful, frustrated, and alienated, we must act before the injustice of hunger in this rich land produces social unrest and chaos.

Michael Harrington asserted in his troubling book, "Another America," that there are two Americas: one made up of the middle and upper classes and "another" America of the poor and the indigent. The middle and upper classes are comfortably sheltered and are rarely aware of the poor and indigent America. They have their modern highways which conveniently by-pass the ghetto areas. They have their suburbs which neatly avoid the migrant farm areas. And they have their immaculate high rise apartments and shopping centers which have clearly forced the relocation of shacks. But how long can the existence of 22 million poor be systematically denied?

Mr. President, the solution cannot be found by turning away to a more pleasant question. We can no longer tolerate "another America" if we are to be a strong and healthy country. Freedom depends on free people, but hunger and malnutrition will keep our poor in bondage unless we act now to end the crisis.

DEATH OF REPRESENTATIVE ROBERT A. EVERETT, OF TENNESSEE

Mr. EASTLAND. Mr. President, the 91st Congress lost an outstanding Member in the passing of Robert A. Everett on January 26, 1969.

The middle South, the area he knew and loved so well, will miss him, for he epitomized public service and the cause of good government in its finest sense.

He visited me in my Senate office on January 4. It was the last time I was to see and talk with him. Even then, his zest for life made a deep impression on me.

His congressional service had its mark of greatness: concern for the disabled veterans, flood control from Minnesota to Louisiana, cotton research—and the tireless, devoted service to the needs of constituents will long be remembered.

I shall remember his smiling face, booming voice, counsel, and good fellowship.

To his wonderful mother I extend my deep and heartfelt sympathy.

It was that which he sought for others, that which he found, and that which he shared as he made his way to God.

ABM CAN HELP ARMS CONTROL NEGOTIATIONS

Mr. JACKSON. Mr. President, as the Senate is aware, the Committee on Armed Services, under the chairmanship of the distinguished Senator from Mississippi (Mr. STENNIS), conducted public hearings last week on the antiballistic-missile defense system. These hearings were held in connection with the yearly legislation authorizing funds for fiscal year 1970 for the procurement of aircraft, missiles, ships, and research and development.

On April 22, Hon. Paul H. Nitze, former Deputy Secretary of Defense and now chairman of the advisory council at the Johns Hopkins School of Advanced International Studies, expressed to the committee the view that in negotiations with the Soviet Union on the limitation and control of offensive and defensive weapon systems, the executive branch has the best chance of arriving at an agreement satisfactory to the United States if Congress approves the administration's request for authorization and appropriation for the ABM Safeguard system.

I commend Mr. Nitze's opening statement before the Armed Services Committee to the attention of Senators, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE HONORABLE PAUL H. NITZE, BEFORE THE U.S. SENATE COMMITTEE ON ARMED SERVICES, APRIL 22, 1969

Mr. Chairman: It is a privilege to appear again before this Committee on a matter of national importance, the ABM issue.

My first involvement with the nuclear question was in 1945. At that time, as Vice Chairman of the U.S. Strategic Bombing Survey, I was charged with the supervision of the group of scientists and engineers who conducted a survey of the effects of the nuclear weapons used at Hiroshima and Nagasaki.

In 1949 I participated in the reevaluation of U.S. policy which followed on the first testing of a nuclear device by the Soviet Union.

In 1958 I was one of the co-authors of a study entitled "The Impact of Technology on Foreign Policy," done at the request of the Senate Foreign Relations Committee.

In 1961 and 1962 I participated in the work of the Executive Branch on the Berlin and Cuban missile crises.

In 1963 I was among those involved in the successful effort to arrive at a limited test-ban treaty with the Soviet Union.

In 1967 I participated with Mr. McNamara in the development of the Sentinel Program.

In 1968 I testified before the Senate Foreign Relations Committee in favor of the nuclear non-proliferation treaty.

Since January 20th of this year I have been enjoying the freedom of a private citizen.

I wish today to support two propositions: The first is that negotiations be entered into promptly by the Executive Branch with the Soviet Union on the limitation and control of offensive and defensive nuclear weapons systems. The second is that the Congress support the request of the Executive Branch for Fiscal Year 1970 authorization and appropriation in the amount of $490 million Total Obligation Authority for investment in the Safeguard system. I believe these two propositions are not in conflict and, in fact, are mutually supporting.

It is my view that just as the world would be a far better place if nuclear weapons had not been technologically possible, so it would be a better world if neither MIRV's nor ABM's were technologically feasible. Unfortunately they are feasible.

It is also my view that the U.S.–U.S.S.R. relationship is not symmetrical. The Soviet Union has professed to be on the political offensive in respect to the non-communist world. The West has been, and is on, the political defensive. During the years when the United States was the only nation to possess nuclear weapons, we offered to share them with other nations under the Baruch plan. That plan was rejected by the Soviet government. At no time was our monopoly of nuclear weapons a threat to the integrity of other states. I am not one who believes that the reverse situation, one in which the Soviet Union is assumed to have held a monopoly on nuclear wepaons, would have had the same result.

Once the Soviet Union developed a substantial nuclear force it became evident that the relationship between us could develop in a more, or in a less, dangerous manner depending on the course which the United States followed. In the 1958 study on the impact of technology on foreign policy, to which I referred earlier, we emphasized the desirability of striving for a U.S. deployment which contributed to the stability of the nuclear relationship rather than to instability. We believed this could be done by developing mobile, dispersed or hardened systems which would not be excessively vulnerable to a first, or a pre-emptive, strike. This program was subsequently carried out with the deployment of the Polaris system, hardened Minuteman ICBM's and dispersed or air alert bombers.

I find it useful to look at the U.S.-Soviet nuclear relationship since 1957 in two distinct time periods. The first period was that from 1957, the year in which the Soviet Union launched Sputnik, to 1962, the year of the Cuban missile crisis. The second period is that from the Cuban missile crisis to the present time. During the first period the United States was deeply concerned that Soviet technology had in some important respects over-leaped that of the West. Great efforts were made, with the full support of the scientific community, to develop rapidly the secure second strike nuclear deterrent capabilities to which I earlier referred.

The Soviet Union, on the other hand, relied more on claims of technological progress and a wide ranging series of threats of nuclear destruction against other nations. Their actual deployment of ICBM's, as opposed to medium and intermediate range missiles largely directed against Europe, turned out to be slower than had been estimated by the intelligence community. At the time of the Cuban missile crisis the United States had, and the Soviet Union knew the United States had, a clear predominance in land based ICBM's and submarine based missiles, as well as long-range bombers. This fact, coupled with local superiority in the immediate vicinity of Cuba on the part of the United States, enabled President Kennedy to take a firm position in the Cuban missile crisis and caused Chairman Khrushchev to withdraw.

During the period since 1962 the United States has continued to perfect its second strike deterrent capabilities. The U.S.S.R. has, however, changed its declaratory policy; that policy has no longer been characterized by threats and unsubstantiated claims of technological progress. The Soviet Union's action policy, however, has been to increase greatly its efforts in the nuclear field. The result has been to change the situation from that existing in 1962 to one approaching overall parity.

A matter of particular concern to the United States has been Soviet developments in the ABM field. They started in 1962 with the deployment of a first generation ABM system around Leningrad and ABM related nuclear tests just prior to the limited nuclear test-ban treaty. The Soviets continued with a second generation system around Moscow and with the Tallinn system, which was considered by U.S. experts to have limited ABM capabilities. They are continuing development work on a more advanced system.

The Leningrad system was abandoned. The Tallinn system is now believed to be primarily directed against bombers but it is not certain that it cannot be upgraded so as to have an ABM capability. The Moscow system by itself does not appear to be a serious threat to our deterrent capabilities; it can be penetrated with high assurance provided a sufficient number of weapons are allocated to this purpose. The major concern is a more advanced Soviet ABM system deployed in large numbers for city protection. The Poseidon and Minuteman III programs are, in my view, of high urgency to protect our deterrent against this possibility. The lead time between first obtaining evidence that a more advanced ABM is being deployed, and a substantial deployment in being, is so short that long lead time systems, such as Poseidon, cannot safely be delayed.

The more difficult issue is whether the United States should now abandon work on any deployment of an ABM system. In Fiscal Year 1968 the Congress authorized and appropriated funds for the deployment of such a system. Further authorizations and appropriations were included in the Fiscal Year 1969 budget. To terminate the program now and restart it again at a later time would involve a delay of one or two years from the date it was decided to resume and an extra expenditure of several billion dollars. In my view a long term relationship in which the Soviet Union proceeded with successive generations of ABM's and we did not could well result in an unstable situation with consequent grave dangers not only to the United States but to the rest of the world.

It is of the utmost importance that a way be found to halt the further evolution of strategic armaments. I see no way in which that can be done other than through reciprocal or parallel action by the Soviet Union as well as ourselves. The assumption that if we refrain from taking an action, the Soviets, in the absence of an agreement to do so, will refrain from taking a similar action is not supported by any experience we have had in the past or any reasonable forecast of Soviet action in the future. I see no alternative to taking all the actions necessary to give us unquestioned assurance of deterrence in the absence of an agreement with the Soviet Union for reciprocal limitations on offensive and defensive nuclear systems.

At the time of the Glassboro Conference in 1967, Mr. Kosygin was not prepared to initiate discussions. Subsequently, after the decision to go forward with the Sentinel system, the Soviet Union indicated it was prepared to initiate talks. The announcement of agreement to talk was to have been made on the day that the Czechoslovakian invasion took place.

Agreement now to initiate talks would not have the effect of appearing to condone the Czechoslovakian invasion. As I understand it, the Executive Branch believes it would be in a much stronger position in any talks on limitation of offensive and defensive systems if it had the backing of the Legislative Branch on its Safeguard program. I believe that position has merit. Negotiations with the Soviet Union are always difficult, long drawn out, and the subject of the most careful examination of all possibilities for relative advantage. If our negotiators are faced with a situation where the Soviet negotiators believe time is running on the Soviet side, our negotiators may be up against extremely adverse odds.

To arrive at successful and mutually advantageous agreement will, in any case, be extremely difficult. Under our Constitution the President is charged with the conduct of foreign affairs. I strongly urge the Legislative Branch to put him in the position he believes to be best to conduct those negotiations.

In Summary: I believe the Executive Branch should promptly enter into negotiations with the Soviet Union on the limitation and control of offensive and defensive nuclear weapon systems. I believe that the Executive Branch has the best chance of arriving at an agreement satisfactory to the United States in negotiations which are bound to be of extreme difficulty if the Legislative Branch has approved the request being made for authorization and appropriation for the Safeguard system.

ARMS CONTROL

Mr. CASE. Mr. President, when the Secretary of State appeared before the Committee on Foreign Relations last month and was questioned about the wisdom of deploying an ABM system at this time, I observed that "our biggest concern is with its effect on the escalation of the arms race itself and bringing us to a higher level of armaments on both sides." The reason for this concern, I said to Mr. Rogers:

> We will then be much less able to negotiate effective arms limitations because at a higher and more sophisticated level of armaments on both sides we will be unable to be sure, without the kind of inspection that the Russians will never permit, that they are abiding by their agreements.

We who have opposed ABM deployment at this time are no less concerned by the implications for arms control of another impending development—the deployment of Multiple Independently Targetable Reentry Vehicles, or MIRV's. Deployment of these multiple warheads may well be the "point of no return" in the arms race, at which time we might be unable to trust to national inspection systems to verify compliance with a strategic arms freeze. And when I recently asked the Secretary of Defense how soon we might reach this "point of no return," he replied:

> Not in the too distant future.

The urgency of this matter was underscored last week by the junior Senator from Massachusetts (Mr. Brooke) in a most lucid and forceful address to the American Newspaper Publishers Association. I commend his analysis to the attention of all Senators. I very much hope that his suggestion for a negotiated freeze now on further MIRV air tests will be given the full and quick consideration by the administration that it deserves. I ask unanimous consent that the full text of the address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

A Choice of Risks: The Dilemmas of National Security

(Statement of Senator Edward W. Brooke, American Society of Newspaper Publishers, New York, April 24, 1969)

I am pleased and honored to be with you today. This is a welcome and appropriate forum to discuss a question of supreme importance to the future well-being of the American people and the prospective tranquality of the world at large. That question concerns the likely course of the global arms race, and that course depends heavily on the actions which the United States and the Soviet Union, as the principal nuclear powers, elect to follow in the next few months.

These issues are esoteric and controversial. They evoke passionate comment more often than reasoned analysis. But if the United States is to exert the enlightened leadership which these issues require, we in government, you in journalism, and the citzens of this country are going to have to do a better job of understanding precisely what is at stake and what the options are in this complex area. It can never be said too often that, in matters of high policy, emotion is no substitute for insight, and commitment to an ideal is no guarantee of competence in reaching it.

Decisions on strategic weapons are inherently complicated. The relevant information is often classified or too voluminous for most of us to digest, even if it is not beyond our comprehension.

Still more important, these decisions are never static. They depend on what other countries have done and will do, and the decisions themselves will influence the behavior of those other countries. Largely because of this interdependence, strategic decisions are marked by extreme uncertainty, uncertainty about what effects they will have, about what actions potential adversaries may be able to take, about whether they will take steps of which they are known to be capable, and about a host of other factors which bear directly on the wisdom or unwisdom of the particular decision.

For these reasons decisions on strategic policies pose an extraordinary challenge to a democracy. How can a nation be said to govern itself if its people are unable to make a meaningful judgment on such paramount issues? The only answer I can conceive of is that the people's representatives, especially those in Congress, must devote the utmost energy and intelligence to probing strategic problems. Without critical and diligent evaluation by both the Executive and Legislative branches, the tendency of technology may well be to sustain that "mad momentum" of the arms race which Robert McNamara so vividly described.

Too often in the past it seems that military technology has been allowed to proceed without adequate political guidance. Vast programs have been undertaken too hastily and with too little scrutiny. Dangerous and unreliable innovations have been begun without sufficient appreciation of their likely consequences.

These concerns, together with the conviction that imperative investments at home will be delayed or curtailed until we get better control of the defense budget, prompted me to seek assignment to the Senate Armed Services Committee. In my first weeks on the Committee, I have become increasingly aware of the decisive significance of the strategic decisions which we and the Soviets are now making. It is no exaggeration to assert that these decisions, even more than the outcome of the struggle in Vietnam, will shape this country's vital interests for years to come. As horrendous as the costs of the war in Southeast Asia have been, in both human and material terms, they will seem paltry indeed if mis-steps in the Soviet-American strategic relationship should lead to a breakdown in stable nuclear deterrence.

I say this not to dramatize my remarks but to stress the necessity for a proper perspective on relations between Moscow and Washington. Our preoccupation with Vietnam, however justifiable, must not lead us to neglect the impending issues between the United States and Russia. We must overcome the familiar tendency for the urgent to displace the important.

We have reached a unique juncture in the arms race between ourselves and the Soviets. We face a crisis in the dual sense conveyed by the Chinese symbol for the that term, a symbol suggesting a condition of both danger and opportunity.

A combination of political and technological developments has brought us to an unprecedented situation. It is now clear that the great powers will either devise ways of limiting the growth of nuclear arsenals or they will plunge ahead into a costly and dangerous competition in strategic weapons with unforeseeable consequences for the peace and stability of the world.

There have been previous escalations of the arms race, to be sure, but not quite like the one now looming. For the first time both sides have expressed serious interest in seeking to limit additional deployments of strategic forces. The leaders of the Soviet Union have now come to recognize what responsible officials in this country have long declared, that there can be no winner in a nuclear war and that a rampant arms race will leave both countries much poorer but also less secure. Whatever else may be said of Nikita Khrushchev, he brought essential realism to the Soviet Government when he abandoned the Marxist-Leninist doctrine of the inevitability of war between Capitalism and Communism.

Furthermore, the prelude to the present dialogue has seen substantial achievements in more limited realms of arms control. The Partial Nuclear Test Ban, the Treaty prohibiting deployment of weapons of mass destruction in outer space, the Non-Proliferation Treaty, the "hot line arrangement", and other measures of restraint have shown that the Soviet Union and the United States can carve out significant areas of agreement in such difficult and delicate areas. These are historic accomplishments. They augur well for further efforts to find mutually acceptable means of insuring both nations' security.

Of equal importance is the fact that the last few years have seen the evolution, through a combination of U.S. restraint and continued growth in Soviet missile forces, of a kind of rough strategic equality between the two sides. The most astute students of Soviet behavior have welcomed this development, because of the evident reluctance of the Soviets to enter wide-ranging arms limitation arrangements so long as they were militarily inferior.

A central factor in the less heated strategic atmosphere which has emerged durng the nineteen sixties has been the rapid advance of the technology of surveillance. Both major powers, but especially the United States, have devised unusually effective means for observing and monitoring the strategic inventories of the other side. Rising confidence in these techniques for determining force levels in the Soviet Union has permitted the United States to avoid repeating the massive over-expansion of offensive weapons in which it engaged in the early sixties.

These new technologies have also afforded hope that compliance with certain arms control agreements could be verified without the kind of local inspection to which the Soviet Union has consistently objected. It has seemed possible that we might escape that cycle of suspicion which Roswell Gilpatric once characterized by saying that "the Soviets are forced to react to what they *know* we are doing in response to what we *think* they are doing."

These were some of the trends which began to give a degree of assurance that the balance of terror might become less delicate, and that meaningful arms control was more than merely conceivable. Unfortunately, other trends have been at work to frustrate these hopes.

Contrary to widespread opinion, deployment of anti-ballistic missile systems is by no means the most significant of these trends. In fact, while ABM is hardly a trivial matter, it is clearly a subordinate part of the larger strategic problem. The more sinister elements in the situation, the ones which pose the gravest threats to the stability of the strategic balance and to the possibility of effective arms limitations, are pending innovations in the offensive forces of both sides. Developments now under way on both sides raise the likelihood that the level of offensive weaponry available to the Soviet Union and the United States will rise rapidly in the next few years.

I refer, of course, to the multiple warhead technology on which both the United States and the Soviet Union are working. The so-called MIRV concept, in which a number of independently targetable warheads are mounted on a single launcher, is undoubtedly the most disturbing breakthrough in strategic weapons since the advent of intercontinental ballistic missiles. Not only does it mean that a given rocket force may be modified to throw several times as many warheads, but it creates what could be insurmountable problems for inspection of an arms control agreement.

Together with the possible development of mobile land-based missiles, a technology of special interest to the Soviet Union, the deployment of MIRV systems would open large opportunities for evasion of any arms agreement which did not provide for extensive, on-site inspection. Disagreements over inspection of that kind have always been a major barrier to successful negotiations. But, if MIRV is actually deployed by either side, it will be virtually impossible to rely exclusively on the means of national verification which otherwise might be adequate to monitor a freeze on strategic forces.

What this means is that the present opportunity for strategic arms control is highly perishable. Indeed, it is measured in months. It now appears that, however justified the last Administration may have felt in postponing the arms negotiations with the Soviet Union, however outraged we and our allies may have been over Soviet ruthlessness in Czechoslovakia, the delay in the arms talks has been most adverse to their chances for success.

That sober view is based on the conclusion that, if MIRV is not controlled prior to deployment, it will probably not be controlled at all. And if MIRV is not controlled, other limitations will be even more difficult to achieve than otherwise.

In my judgment the most urgent task is to limit further operational testing of multiple warhead missiles. Once testing of these provocative systems is completed, it will be unlikely that either side will believe the other is not deploying them.

On the other hand, there are several major factors suggesting the desirability and feasibility of controlling test activity of this kind. First of all, without extensive tests it is doubtful that either side would have sufficient confidence in these complex systems to deploy them heavily. Secondly, unlike a ban on deployment, an understanding to forego operational tests of this kind lends itself to verification by the kinds of surveillance capabilities which both sides already possess. In addition, there is much to be said for seeking an exchange of observers at the small number of facilities where such full-scale tests could be conducted. Since such an exchange would not involve the widespread intrusion required by more elaborate schemes, an agreement might be facilitated. An exchange of this kind could be invaluable in providing experience in mutual observation and could help lay the foundations of trust which will be essential if more extensive inspection arrangements are to be accepted.

Obviously, any suspension of operational tests of MIRV is at best a stop-gap. It can only buy time for more elaborate arrangements to be negotiated. A ban on MIRV tests, as a means of impeding deployment of such dangerous systems, can only stand if both parties respect it and if they promptly move forward on a number of other agreements. For example, such a suspension must be conditional upon mutual limitation of ABM deployment and an understanding on the total number and size of strategic launchers which both sides will have. If ABM defenses for cities were deployed without limitation, or if the number of delivery vehicles continued to grow much beyond the present levels, there would be irresistible pressure to proceed with MIRV either as a penetration device or as a means of multiplying retaliatory capacity in general.

But an initial suspension of MIRV tests could be the critical lever on the arms race. By curbing the immediate need for deployment of both new offensive systems and ABM, it could create an environment for success in the more detailed and elaborate arms control discussions which must follow.

I believe there is a growing appreciation of the perils of further delay in the proposed arms talks and the need for prompt and bold action to initiate them. Secretary Rogers struck a heartening note when he announced that the talks should begin in the next two or three months. If they are not begun quickly, mankind's technological capacity will once more have outstripped its political capacity to build a safer and more rational world.

The President's proposal to deploy a modified ABM system must, of course, be evaluated in this larger context. And in that context I believe it should be seen for what it is, a dependent variable.

I have voted against every appropriation for ABM deployment. I remain skeptical. In the Armed Services Committee I am developing the most intensive interrogation I can concerning the so-called Safeguard system. There are a great many technical, political and strategic questions which would have to be answered satisfactorily before I could consider supporting deployment at this time.

Yet I believe it is vital that the President have a fair hearing for his recommendation before the Congress and the country exercise their responsibility to pass judgment. This is a matter in which we need to muster the most balanced and objective view of which we are capable.

I find it distressing that the President's recommendation was caught up in a flood of opinions and emotions related to the earlier Sentinel proposal. The ABM discussion had already acquired such momentum that it has been difficult to examine the new recommendation strictly on its merits. The result has been as Meg Greenfield so well portrayed it in the Washington Post, "a ragged non-debate on the ABM." If the nation is to make the hard decision which this question deserves, it will have to examine what the President has in fact proposed—not what others say he has proposed, not what his predecessor proposed, not what some wish he had proposed.

In particular it just will not do to have this matter descend into a narrow political contest, in which either partisan or personal advantage becomes a consideration. Whatever others may imply, I do not for a moment believe such factors influenced the President's decision. In fact, had they done so, he had every incentive to postpone or reject an ABM deployment. I am utterly confident that Mr. Nixon did not make his proposal on this basis. Those who charge that the President's decision was politically inspired reveal more about their own motives than about his.

Nor will it do merely to ignore the potential vulnerabilities which intense technological competition may create for strategic forces. Some observers have blithely proposed that the simplest and most effective way to deal with a potential threat to Minuteman would be to adopt a "launch on warning" policy. That is, if the radar screens showed what appeared to be an attack, the Minuteman force should be fired in a volley.

Apart from the technical uncertainties of such a scheme, this ill-conceived proposal completely ignores the requirements of stable deterrence. The entire effort of the past decade has been to construct secure second-strike forces which did not have to be launched on warning. It has been recognized by both the United States and the Soviet Union that the creation of such hair-trigger forces is a sure recipe for heightened tensions and fears, and for increasing the propensity to nuclear war at times of extreme crisis. I urge those who have been attracted to such a proposal to consider the implications of what they are suggesting. I, for one, do not propose to replace a strategy of questionable wisdom with one of obvious lunacy.

My plea today is that we get our priorities straight. The over-riding strategic problem of our time is to limit the multiplication of offensive weapons which increase the chance that a nuclear exchange might actually be initiated, not so much through a calculated first strike out of the blue as through a preemptive strike generated by fears that multiple warhead technology and other devices might be used to destroy or defeat a country's retaliatory capability. As I have stressed, the next few months are especially critical and the problem of controlling further development and deployment of multiple warhead technology is especially vital. Only by pressing forward urgently with strategic arms control efforts to deal with these problems will we find a lasting means of preventing or limiting ABM deployment.

The risks of an uncontrolled arms race are frightening to contemplate. They include not only increased danger of a nuclear holocaust, though that is ample reason to seek to curb this deadly competition; but the profound dangers of continued neglect of social needs in this country and elsewhere. Even a small fraction of the nearly 200 billion dollars which the world is spending on armaments could make an inestimable contribution to relieving hunger, rebuilding cities, educating children, and to performing all the other humane missions which are now desperately starved for resources. Unless we can begin to reduce international tensions and to substitute programs of security through negotiation for the elusive quest for security through competition, the prospects for meeting the human needs of this planet are dim indeed.

These, then, are the real stakes in the decisions we and the Soviets face in the coming months. More than at any time in the postwar period, it may be possible for us and the Soviets, acting together, to choose the risks we will bear, to ease the strains on our societies by reducing the burdens and hazards of unending strategic competition. The moment is opportune, and the opportunity is too precious to lose.

CONSUMER PROTECTIONS

Mr. MAGNUSON. Mr. President, a recent issue of the CWA News, the official national newspaper of the Communications Workers of America, AFL–CIO, contained a comprehensive roundup of consumer protections that this Congress must face up to. Interest in these issues is widespread—and it should be, for they directly affect every citizen. I ask unanimous consent that the article, entitled "Let the Buyer Be Protected," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Let the Buyer Be Protected

(Note.—The beginning of 1969 brought a new President, a new Congress and presumably new attitudes in many corners of the U.S. But the nation's interest in one old thought—consumer protection—was heightening.

(Almost certainly, the old axiom of Caveat Emptor, "Let the Buyer Beware," will be removed from American usage. Aroused U.S. citizens will not suffer much more abuse.

(Action may not be swift. But as long as pressure is kept on via public exposure, action will come.

(The last days of 1968 brought two examples of the kind of commentary that will keep the pressure on:

(Betty Furness, President Johnson's adviser on consumer affairs, wrapped up her work with a parting blast at manufacturers' warranties, which she described as "more garbage than guaranty." She also decried the apparent attitude of President-elect Nixon, who, "in effect said he felt consumer protection should go back to each of the Federal agencies. In theory, that's a marvelous idea, but in practice that isn't the way it works."

("Nader's Raiders," a group of seven young lawyers assembled by Ralph Nader, a guiding light in exploration of consumer protection, released a study made last summer of the Federal Trade Commission. It amounted to a scathing denunciation of the FTC and its chairman Paul Rand Dixon in such terms as "inept" and "anachronistic." Such charges as "cronyism" have been refuted by Dixon, but even if the truth lies somewhere between, the report still has the effect of focusing attention on consumers' needs.

(While support of consumer protections is wholly predictable from such sources as Betty Furness and Ralph Nader, support also came from surprising sources, such as George R. Vila, chairman and president of Uniroyal Inc.

(Implying that industry was getting what it deserved, Vila laid part of the blame on intensive TV and other advertising. As a result, Vila said, "The consumer—already suffering from a sense of alienation—is constantly bombarded by 72 fiercely competing advertising claims. Is it any wonder he winds up with a feeling of hostility and suspicion?

("We cannot ignore what is happening," Vila concluded. "We care not to merely confront it with blind resistance. Consumerism will not disappear.")

TAX REFORM

Perhaps fundamental to the whole question of the U.S. consumers' needs is the right to an equitable tax structure which leaves the U.S. working men and women paying their fair share—but only their fair share—of the costs of operating the Federal, state, and local governments.

The benefits from a redistribution of the tax load are many and obvious. First, a fair redistribution would leave the working man more money. Second, the increased revenue when previous freeloaders assumed their fair share would provide the kind of expanded services the working man has a right to expect, all the way from highways to low-interest housing loans.

But, unfortunately, the U.S. tax system is not equitably distributed. Even the National Observer, a weekly newspaper published by the Wall Street Journal—credentials that hardly qualify the Observer as a friend of the working man—has gotten on the bandwagon, citing these glaring examples of inequity:

—A wealthy widow with an annual income of $1.5 million in interest from tax exempt municipal and state bonds pays nothing in federal income tax—in fact, she doesn't even file a return. Yet her gardener, who makes $5,000 a year, must pay $350 in income taxes.

—An apartment building owner has earned $7.5 million in personal income in the past seven years. This should put him in the 70 percent tax bracket, or about $5 million income taxes. But by carefully using the "fast depreciation" loophole, he paid only $800,000 over the seven years. That's the same rate, 11 percent, paid by a man with a $10,000 a year income and two children.

—A man purchased $10,000 worth of stock, which he kept until his death, when it was worth $100,000. It passes to his heir and there will be no income tax—then or ever—on the $90,000 in capital gains. That case history of a loophole was cited by Rep. Henry Reuss (D-Wis.), who estimates that $2.5 billion is lost in Federal income taxes each year because of failure to tax inherited gains.

Other examples are legion. Some of the foremost examples of tax loopholes feature depletion allowances on oil and other minerals, exemptions for charitable deductions and tax-free "non-profit" foundations.

The charitable contributions can be experty employed. For instance, one aspect of the Federal law provides that if in 8 of the previous 10 years a person's charitable contributions plus his federal income tax payments add up to 90 percent of his taxable income, he can deduct an unlimited amount for contributions to charity in the present year.

The tax-free state and local government bonds may be the most galling to the working man of all the tax loopholes. Originally intended to help state and local governments provide schools and other public services, studies by the AFL–CIO reveal that in many instances, "This federal subsidy has been perverted into a tax loophole promoting plant piracy, enticing runaway shops when many communities used tax-free bonds to build plants for private use and private profit."

Obviously, the plugging of just a few of the more glaring loopholes would allow raising of the current $600 per dependent exemption to $1,000.

AUTO INSURANCE

One of the hottest items in the current consumer cauldron is the issue of inordinate rates paid by U.S. drivers for often inadequate amounts of automobile insurance protection.

For the long run, the issue evolves around the Keeton-O'Connell plan. Strongly endorsed by the CWA Executive Board when it was first introduced, the Keeton-O'Connell plan calls for the elimination of the long and costly process of establishing blame in auto accident cases with losses of under $10,000. Devised by two young law professors, the plan would revolutionize the whole concept of auto insurance—and drastically reduce costs to the consumer.

Meanwhile, such groups as the Ohio State AFL–CIO have come up with some startling inadequacies in current protections. For instance, the Ohio AFL–CIO study shows that auto insurance rates have risen a startling 25.8 percent in the past three years. That compares with an over-all increase in the state's economy (consumer price index) of barely 11 percent.

And what are auto owners getting for the increased premiums?

Not much, according to the AFL–CIO findings in Ohio.

A December report revealed case after case of policy holders being canceled without apparent cause, then being re-classified as high risks, with astounding premium increases. In the case of one 27-year-old Youngstown man, it meant annual premiums of $700 instead of the $110 he had paid before the cancellation.

A startling, uncomplicated answer on just how the insurance companies can get away with such a stunt emerged last summer from hearings conducted by Sen. Philip Hart's Senate Antitrust and Monopoly Subcommittee.

The crux is that insurance companies can get away with premium hikes as long as the company shows small profits. The trick, Sen. Hart revealed, is that the companies mix their figures to show only profits and payments on underwriting auto liability insurance. Massive profits from investing the premium money don't show.

"What bothers me most is the plea of poverty based on underwriting results only," Sen. Hart says. "For instance, the underwriting and investment income results of the Stock Property and Casualty Industry from 1958 to 1967 show a statutory underwriting loss of over $731 million, which, when adjusted becomes a $413 million profit.

"During this same period, their net investment income was over $7 billion. When someone turns one pocket inside out to show you how empty it is, but has $7 billion in the other pocket, it is difficult to take their claim of poverty too seriously," Sen. Hart concludes.

The big stock companies, such as Aetna, Travelers, etc., have been losing money to the mutual and direct-writing companies such as Allstate and State Farm, which have lower rates. Naturally, the stock companies are willing to overhaul the system.

Their group, the American Insurance Association, has come up with such an overhaul plan—and it's similar to the Keeton-O'Connell plan to eliminate fault.

INTEREST RATES

The Truth-in-Lending Bill passed by Congress in 1968 was a milestone in consumer legislation, culminating eight years of work by trade unions and others since former Sen. Paul Douglas (D-Ill.) first introduced the measure.

The 1968 bill, which goes into effect July 1, 1969, calls for a clear statement of finance charges in both dollars and cents and in percentage on any rate where the charge is $7.50 or more. It calls for the same disclosures on revolving credit accounts offered by department stores and central credit agencies.

In 1968 one state went a constructive step further—to limiting the amount of interest—when the Washington State Labor Council, AFL–CIO, spearheaded the passage of Initiative 245. It was a year-long effort from the gathering of signatures on the petition to the eventual 90,000-vote victory on Nov. 5.

Initiative 245 limits the maximum retail credit interest rate to 12 percent. That sounds like a modest limit, but it's a major achievement in view of the fact 18 percent was the previous maximum rate in the state and that 18 percent, disguised as 1½ percent per month before the disclosure required by Congress, is the going rate for retail credit across the country.

One comment by Joe Davis, Washington AFL–CIO President, after the victory, makes an interesting point for all consumer affairs. "We might not have won," Davis said, "if it weren't that the opposition, conservative papers and business concerns, really committed overkill. They spent far too much on the campaign to stop us."

Davis' analysis suggests that the opposition really helped, simply by calling more attention to Initiative 245. Almost anyone would vote for such a measure if he were aware of it—it's apathy, not the public's judgment, that keeps many other constructive consumer measures from passing.

MEAT INSPECTION

Fish are next.

First came the Meat Inspection Bill in 1967, which gave states three years to come up to the tougher U.S. inspection standards. Previously, the U.S. inspected only meat that crossed state lines, leaving the states to regulate meat raised and consumed within one state.

Next came the Wholesome Poultry Products Act, the intra-state loophole after studies showed up to 30 percent of the poultry raised and consumed within one state did not meet federal meat inspection standards. The new law took in about 1.6 billion pounds of poultry products that are sold every year but do not cross state lines.

A measure to cover fish died without action in 1968 after a subcommittee of the Senate Commerce Committee held hearings on a bill that would give authority to the Secretary of the Interior to set sanitary standards for fish similar to those enacted for red meat. Since virtually no fish inspection exists, there are high hopes that the legislation will be revived in the 91st Congress.

AUTO REPAIRS

A natural outgrowth of automobile safety—one of the daddies of the current upswing in consumer awareness—the cost of auto repairs has come under close scrutiny from a Senate subcommittee.

One shocking revelation was that the cost of auto parts increased 52 percent between 1960 and 1967. As a result of various increases as well as out-and-out gouging by repairmen, U.S. car owners now spend $20 billion to $25 billion a year for repairs.

That compares with $29 billion annually for the purchase of brand new cars.

If anything, the costs are increasing even more rapidly. Last year, consumers spent $1 billion more on auto repairs than in the previous year.

POWER RATES

Thanks to the work of Sen. Lee Metcalf (D-Mont.), more and more power company overcharges for electricity are coming to the public eye. (Overcharge is the title of the comprehensive book on subject co-authored by Sen. Metcalf).

Since power companies are a public trust, they are subject to a regulatory commission, the Federal Power Commission. The FPC sets rates of fair return on utilities.

"Theoretical 'allowed' rates of return are meaningless," the Senator says. "One must look at the actual earnings to arrive at the facts."

Look he does. And instead of finding the "reasonable rate" of 6 percent prescribed by the FPC, he finds rates of 12.15 percent in New Mexico, 12.14 in New Orleans, 10.66 in Montana, 10.43 in North Carolina, 10.29 in Texas, 10.15 in Massachusetts, 10.13 in Iowa, 10.01 in Rhode Island and 14 more companies in seven states with rates of 9.0 or better.

MEDICAL-DRUG COSTS

"There is not a major industry in the United Stats that is more socially irresponsible than the large pharmaceutical manufacturers who promote the sale of brand name prescription drug products."

That statement by the AFL–CIO Executive Council in February, 1968, typified the outrage felt in many quarters by the price mark-ups on drugs.

The staggering mark-ups, sometimes over 1,000 percent of the cost of production, were revealed soon after the documentation of how much doctors fees and other medical costs have risen since the advent of Medicare four years ago.

Unfortunately, the sky-high prices of prescription drugs remained a major unresolved issue in the 90th Congress.

OTHER

Among the many other measures to protect the U.S. consumer on which discussion and/or action has been taking place:

Warranties—All the way from tooth brushes to automobiles, most current warranties many of them highly bally-hooed, put the burden of proof of defects, time of purchase, etc., on the consumer instead of on the manufacturer. As a result, countless obstacles and requirements often block the effectiveness of such warranties.

Door-to-door sales—An AFL–CIO-supported bill would protect consumers from high-pressure salesmen by allowing the customer to cancel a sale within two days afterwards.

TV radiation—A law to set safety standards for television sets to protect viewers from radiation emission was enacted last year, but failed to include protection for workers who make the sets and face the greatest potential danger.

HINDSIGHT AND FORESIGHT IN THE WORLD ECONOMY

Mr. KENNEDY. Mr. President, the current issue of Columbia Forum contains an eloquent article written by Miss Barbara Ward. It raises a number of broad questions about international economic development and the adequacy of existing programs for assistance to undeveloped nations.

In the course of her article, Miss Ward draws some interesting parallels between world conditions today and conditions in France, Russia, and China before their revolutions. She emphasizes, however, that as a matter of history, national development has taken place not only by violent revolution but also by peaceful evolution, and that the factors for peaceful change in society have often been rooted in enlarged economic opportunity.

Miss Ward's message is clear. She asks the developed nations of the Atlantic community to recognize that the basic principles of their own domestic economic progress can and should be validly applied to world development. She urges the Atlantic community to initiate a coordinated program of joint economic assistance to underdeveloped nations. It is through this sort of "international Marshall plan," she suggests, that we can avoid the severe economic and political crises that threaten to engulf the world in the decade of the seventies and beyond.

Mr. President, I believe that Miss Ward's remarks will be of special interest to all of us in Congress and elsewhere as we seek to establish new priorities for our economic and social programs, both at home and abroad. I therefore ask unanimous consent that her article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Hindsight and Foresight in the World Economy

(By Barbara Ward)

(Note.—Barbara Ward is Albert Schweitzer Professor in Humanities at the Columbia University School of International Affairs.)

It is difficult to read the pre-history of any great catastrophe without wondering why the protagonists were so blind or, if not blind, so powerless to act. How could the ministers of Louis XVI hope, in 1789, to summon a peaceful and cooperative Estates General with the political system undermined by almost a century's radical criticism, the country in the grip of a severe economic crisis and the peasantry in a mood of violence and despair? How could the Czarist Government delay so long in granting reforms to a countryside which, half liberated by the abolition of serfdom in 1860, had still discovered no workable or acceptable pattern of peasant farming nearly half a century later? The portents were there—protests from the intellectuals, explosions of violence, a steady growth in the blind, undirected resentment of the masses. But in the vast revolutionary upheavals that followed, one has the irresistible impression of men overcome by events, of remedies applied too late, of initiatives taken just half a decade beyond the chance of effectiveness. In fact, it is precisely this contrast between policies that might have worked if applied in time and the gathering onslaught of uncontrollable events that gives to the great explosions of history a tragic Greek sense of human fallibility and ineluctable fate.

But in the Atlantic world today, we should probably not spend too much time wondering why our forefathers lacked skill and foresight. It would be more profitable to ask whether we ourselves may not be working up to another of the vast blind explosions that convulse human history and whether once again men of intelligence, insight, and resources are not failing to discern the portents of disaster and failing to act upon them far beyond the point of political no-return. There are, after all, a number of facts about our contemporary situation which might be thought to be as evident and inescapable to present observers as was the condition of

French society in the late eighteenth century or of Russia before the First World War.

In the first place, the whole of humanity is engaged in the process of transforming all of its methods of producing, working, and indeed living, by the application of science and technology. No one escapes. Either as actors or as passive receivers and sufferers, all the earth's people are drawn into the new system. But within this material, if not moral, neighborhood, the processes of change go forward at unequal speeds. The developed nations, largely around the North Atlantic, have sufficiently mastered the workings of their new scientific and technological system to be reasonably sure of increasing their already considerable wealth by some 4 per cent a year and often by more. The two thirds of humanity still living in pre-technological societies face, on the contrary, the prospect of stagnation or even progressive impoverishment as birth rates of 2 or 3 per cent surpass attainable growth rates in the local economy and humanity edges up toward the limits of currently available supplies of food.

Between rich and poor, therefore, the gap is widening. This fact already stirs emotional protest among peasants and peons, among fellahs and coolies, among Negro migrants and ghetto dwellers. It already underlies the violence of post-colonial protest in Southeast Asia and Arabia, or the anti-feudal stirrings in Central America and along the Andes. It has already been absorbed into the latest Maoist version of the Marxist faith and appears as Lin Piao's challenge to the world's poverty-stricken rural masses to encircle and destroy the White urban citadel of bourgeois-revisionist wealth stretching from Los Angeles to Vladivostock.

All these are obvious, incontrovertible facts that can be picked up from any tabloid newspaper or news program on television. They are more rather than less obtrusive than the facts of proximity, injustice, and protest that preceded open violence in France or Russia. But, on the evidence available today, future historians, looking back on our generation, will have to marvel all over again at man's blindness, at his inertia, complacency, and inability to act in time.

For consider the nature of our present response. Little or nothing has been done to apply the recommendations made at the U.N. Trade and Development Conference in New Delhi. The commercial bias against the developing world and the tilting of the whole system of international trade toward the interests of the rich have not changed. The tariffs affecting them are not much lower, in spite of the Kennedy Round; nor is their discrimination against manufactured exports from poor countries. Apart from coffee, sugar, and some first steps for cocoa, no new agreements to give greater stability to primary prices have been negotiated. Nor have European governments lessened internal taxes on coffee or cocoa or tea. The developing world has been rigidly excluded from all discussions of world liquidity. Such promising initiatives as the Stamp Plan or the modifications of the Triffin Plan, designed to give poorer countries first access to new working capital for world trade, have withered under the austere orthodoxy of the Group of Ten who accept added incomes from primary producers only when they appear as the uncontrollable by-product of war—long recognized, of course, as mankind's most "orthodox" activity.

Above all, the pledge given by the rich governments in Geneva in 1964 and again at New Delhi in 1968 to try to bring up the levels of genuine economic assistance to one per cent of their national income now looks simply laughable. Every year, since 1964, the Atlantic nations have *added*, on the average, about $50 to $60,000 millions to their national incomes. In round terms, they are about $300,000 millions better off than when the Geneva pledge was made. But the level of genuine economic assistance has stuck fast at about $6,000 millions a year and the average percentage of aid-giving is now not above 0.5 per cent of national income. The wealth of the Atlantic world has thus grown steadily. Its help to the poor nations has not. One is reminded irresistibly of the occasion when Marie Antoinette remarked: "Let them eat cake."

The analogy is not irrelevant. What nations do is determined by what nations think and many of the attitudes that paralyzed effective action before earlier catastrophes can be discerned in Western public opinion today. The Marie Antoinette class in our Western society are the indifferent who, absorbed in the new expanding wealth of the mass consumption economy, simply do not see the misery piling up beyond the charmed frontiers of their Atlantic citadel. The fact that at least half the citizens in the Atlantic world now enjoy better health, food, and comfort than the aristocrats of two centuries ago only makes the spread of indifferent affluence more all-embracing and deprives radical protest of much of its local pressure.

Our contemporary failure to discern the times is not only the result of callousness or indifference. It can also come from misjudging the full scope of the crisis. Men of good will can be mistaken too. In 1789, among the lawyers, the solid citizens with positions and titles in the Civil Service, the heirs of Diderot and Voltaire who answered the summons to the Estates General, there were many who were neither illiberal nor unconcerned. On the contrary, they believed themselves to be legislating an outmoded aristocracy into oblivion and declaring a new dispensation of human rights and dignity. Like the anti-colonialists and the anti-imperialists of Europe and America after the Second World War, they genuinely sought to redress old wrongs, liberate mankind, and achieve a new birth of freedom. But the chief reason why the euphoria of 1789 had degenerated into a bloodstained Terror within a couple of years lay above all in the disproportion between political hopes and economic realities.

With "liberty, fraternity, and equality" replacing an incompetent monarchy and a fading feudalism, society should, in the minds of the people, have been working better—with more jobs, more opportunities, brighter hopes. But in fact it was worse. The economy had collapsed. Credit was exhausted, the coffers were empty, capital had gone underground. Workless, breadless men streamed into Paris where demagogues turned them first into the implacable mob and then into the irresistible army. Liberals died on the guillotine not for any lack of faith in liberty but for their complete inability to revive the economy. Once again, can we be sure, as the old imperial powers withdraw from their colonies all round the world in the name of liberty and equality, that the anger and disillusion of the vast colored majority may not turn to violence if all the glorious dawn of independence brings is fewer jobs, less food and fading hopes?

We can, of course, reassure ourselves with our overwhelming military strength. But the Americans do not find Vietnam a costless war. Nor have we yet seen the potential havoc of nuclear mini-bombs in the hands of desperate men. It is not alarmist to point to such risks. It is not Cassandra-type gloom to ask whether the sixties may not be just a peaceful lull between the liquidation of Empire and the full onslaught of disillusion in the post-colonial continents. On the contrary, such warnings spring from a realistic sense of how history has dealt with similar crises in the past. For, as Santayana once reminded us: Those who will not learn from history are destined to repeat it.

There is another reason why historical experience is relevant to a fuller understanding of the world's creeping crisis. In the last 150 years, the upheaval of moving from a static, pre-technological society into a modern dynamic market system has not always been accompanied by revolutionary breakdown. There are success stories, too, and they, surely, are relevant to the world's search for peaceful transition in the still unmodernized sectors of the planet. The British survived the Luddite protest in the 1820s and the Chartist movement of revolt in the Hungry Forties by widening the franchise, providing poor relief, shortening working hours, improving conditions in factories and mines, and beginning the policy of cheap food through free trade. Thereafter they widened the franchise further, introduced compulsory education, put public money into houses and health, introduced the income tax and, in the twentieth century, moved on to the formal pursuit of full employment.

One can follow a similar rolling adjustment to the pressures of the new system across the Atlantic. It is, of course, true that the United States is a very special case. It began life as a liberal state without feudal encumbrances. Only in the South did slavery represent the attempt to adapt a pretechnological institution to modern needs and there, significantly, war was needed to break the obstacle. Elsewhere, vast physical resources, free land, a good climate and large-scale immigration made for unprecedented conditions for rapid modernization.

Even so, American society bore strong marks of crisis toward the end of the nineteenth century. Anarchism grew among the labor unions, the farmers of the West turned to radical Populism; riots in the cities and violence on the farms seemed to be increasing and nervous property-owners cried out that the Republic was in danger. But in fact safety valves were at work. America's tradition of public education helped to give the country a better trained, skilled, and hence rewarded labor force than in any other community. The Homestead Act had opened the land to the small farmer and had defeated attempts to set up a new landed feudalism of large financiers and railway magnates. And after 1900, first Theodore Roosevelt, then Woodrow Wilson, curbed industrial power, introduced federal income tax, and laid the foundations of later social advance in the New Deal, the New Frontier and the Great Society.

In Western Europe, in spite of the desperate waste of war and the right-wing revolutions of Fascism and Nazism, a long view over the century and a half of modernization reveals something of the same pattern of continual readjustment—through popular education, the recognition of unions, growing welfare, income tax, social insurance and finally, since 1945, the acceptance of full employment.

One can even follow something of the same pattern in Japan's forced-draught modernization in which a complete abolition of feudalism, a doubling of farm income, and the introduction of universal education were critical factors in the early breakthrough to economic growth.

In other words, the kind of revolutionary explosion induced by the forces of change in France, Russia and China is not inevitable. Societies have coped with the problems of transition by other means and recent history does not give us only warnings. It gives us examples as well. We can, if we will, learn from them some of the ingredients in successful strategies for growth and change. And then, if we have the wisdom and vision, we can apply them to the two thirds of our world still standing hopefully but impatiently on the other side of the threshold of modernization.

One can argue that in all the success stories the essential ingredient has been the enlargement of opportunity—morally and intellectually through education, politically through wider enfranchisement and, underpinning both, economically through the growth of *shared* resources. It is surely significant that the first really radical critic of the new technological society, Karl Marx—who prophesied its downfall in a series of French-type revolutionary catastrophes—based his forecast on the structural inability of early industrialism to extend the opportunities and purchasing power of the mass of the workers. Under private ownership, he maintained, wealth must be channeled to the privileged few and the new system's massive and growing powers of production would never be matched by an equally massive extension of purchasing power. Constant crises of "overproduction"—which would be in reality crises of underconsumption—would rattle the whole system to destruction and collapse.

But in the century since *Das Capital*, three profound changes have nullified the Marxist critique. All of them have, in one way or another, increased economic resources and hence social and political elbowroom. Income tax, steadily rising to higher levels in the developed West, has transferred wealth from rich to poor and hence indirectly increased mass consumption. Its use for education and health has directly increased energies, and hence earning capacity and skills.

This in turn has affected the second change—the end of subsistence wages. Rising payment for rising productivity, trade union defense of bargaining positions, enlightened management's realization that well-paid, well-educated workers contribute more to profits—in short, the whole revolution in the distribution of purchasing power through the market system of which Mr. Henry Ford, paying five dollars a day and selling his cars to his wage-earners, was an early and revolutionary symbol. A foreshadowing of the future mass market of high consumption could be seen in America in the 1920s and it spread to Europe after the Second World War.

The reason for its extension brings us to the third element in Marx's miscalculation. He believed the government would not intervene to widen the economic opportunities of its people, since it was itself a prisoner of wealth and privilege—"the managing committee of the bourgeoisie." In fact, the critical discovery of the mid-twentieth century, made largely in the wake of the vast arms effort of the Second World War, is that government *can* help, by wise fiscal and monetary policy, to secure rising demand and thus balance the machines' fabulous productivity with rising purchasing power. "Demand Management," the effective commitment to full employment, has been practiced not only by Atlantic governments acting separately but also in new collective action. Twenty years ago, the Americans successfully applied its principles to European recovery by supplying essential purchasing power through the Marshall Plan. From it flowed the Common Market and the pursuit of a joint strategy of growth. As a result, depressions and slumps—the old crises of "overproduction"—have been brought to an end and the Atlantic world has achieved its steady 4 per cent growth rate for over two decades.

Thus taxes redistributing income, the market sharing it more widely, and public policy ensuring adequate and rising demand make up a trinity of policies which have converted the old crisis-ridden Atlantic economy into the wealthy stable community of today.

Thus history has its victories. There are successful patterns inside domestic society which a functioning international system can follow. A cataclysm in the seventies, bred of world-wide despair and envy, is not inevitable. On the contrary, each of the tactics that have made a strategy of growth in the Atlantic world is fully applicable to our wider planetary economy.

1. Economic assistance could become a world development tax, beginning, say, at the level of one per cent of national income, contributed through international agencies—the World Bank, the IDA—through regional banks and multilateral consortia to the appropriate elements of a development strategy. Education, health, power, transport, agricultural extension and credit, industrial investment—the mixture of these elements will vary from region to region. But the fundamental aim—that of completing the modernization of the planet—would be the same.

2. Better distribution through the market could be secured by stabilizing primary prices, giving the poor nations easier access to developed markets and a wider share in the earnings of foreign investment, and the "middleman services" such as banking, insurance and shipping.

3. Last of all, a Kenynesian concept of demand management on a world scale might be introduced if the developing nations received, in economic assistance and in early access to new sources of liquidity, the flow of resources needed to balance the world's growing capacity to produce goods, particularly the capital goods demanded by all large-scale transformations of transport, power, farming, and manufacture.

Thus if history is any guide—and have we any other?—the Atlantic world today is poised between two variants of its own future. It can follow the route of drift indifference, complacency, and inaction, and watch the world's crises slip beyond the point at which rational solutions can still be applied. This is a perfectly possible route. The past is strewn with the wreckage of regimes that followed it. Or the Atlantic powers can take thought and action in time, looking carefully at the policies and expedients that have helped them to avoid disaster in the past and adopting the strategies that permit human society to secure control of its own destiny. This, too, is a possible route, since in spite of all its past errors and disorder, the Atlantic world today is more stable, more open to human opportunity, wealthier, more competent than would have seemed conceivable even 20 years ago.

But which route will be taken? In 1969 it is a matter of choice just as it was, 22 years ago, when in 1947 the United States Government, through General Marshall, made its first tentative commitment to European recovery and 19 European nations responded with the effort to look at their problems jointly and to make joint recommendations—through the Franks Report—for a cooperative and coordinated program. In 1947, the Americans could have decided not to act, the Europeans not to respond. In which case, the next historical catastrophe would undoubtedly have occurred in Europe.

In 1969, the potential shape of crisis takes the new form of the gap between developed North and aspiring, poverty-stricken South. Its pattern is clear, its threats increasing, its locus could be the whole of human society. What is lacking is any sign of a new "Recovery Program" to give the next 20 years the vigor, direction, and success of the last.

LOYALTY DAY A TIME FOR REDEDICATION

Mr. RANDOLPH. Mr. President, springtime is traditionally a time of renewed vigor as the earth begins to come back to life after the long winter's hibernation. The stirrings in the soil are encouragement to us to renew our faith in the eternal continuity of mankind.

It is also proper that this is a time for all Americans to renew their dedication to their country and the principles on which it was founded and on which it has grown strong.

On May 1, Mr. President, we will observe Loyalty Day, a yearly opportunity for this reaffirmation of faith. Loyalty Day was started several years ago by the Veterans of Foreign Wars as an American counter to the May Day celebrations of Communist nations.

It has now become a major event on our calendar, a time for vigorous American patriotism to bloom anew along with the spring flowers.

Loyalty Day is a reminder that we as Americans must be ever mindful of our heritage and jealous to guard our freedoms and rights. True patriotism is more than flying flags and marching bands, although these demonstrations of patriotic feeling can be a proper part of the expression of devotion to country.

Loyalty Day reminds us that we can practice meaningful patriotism every day of the year by making adherence to the precepts of Americanism the foundation on which we build.

The positive patriotism advocated by the Veterans of Foreign Wars in its Loyalty Day observance is an admirable starting place for renewing our love for our country.

PRESIDENT NIXON'S MESSAGE ON ORGANIZED CRIME

Mr. MUNDT. Mr. President, I invite attention to one part of the President's excellent message on organized crime. I refer to the section dealing with the new proposed legislation which I am cosponsoring.

Organized crime is a topic which can call forth quite a bit of emotional fervor. But emotional fervor, as we have seen, is not enough. Rational and deliberate legislative action is also needed. It is in this area that I am convinced the President has made his greatest contribution to the war against crime. The proposals dealing with witness immunity, wagering tax amendments, corruption of law-enforcement officials, and illegal gambling businesses are, it seems to me, needed and worthy of the attention of Congress and of the American people.

It is, after all, law that is the issue in the fight against organized crime. It is fitting that the legislative process, embodying as it does reason and trust and openness and concern for human dignity, should be a major part of a battle against the elements in our society which mock those qualities and seek to destroy them. The legislative program presented by the President is, in my opinion, a worthy one. I know it will meet with the approval of Congress.

ADDRESS BY SENATOR RANDOLPH AT THE MINING ENVIRONMENTAL CONFERENCE

Mr. EAGLETON. Mr. President, my distinguished colleague and chairman of the Public Works Committee, Senator JENNINGS RANDOLPH, visited my home State of Missouri last week to speak on the enormous problem of environmental pollution.

Speaking to the Mining Environmental Conference at the University of Missouri-Rolla last Wednesday, Senator RANDOLPH vividly illustrated the problem when he stated:

We are reaching the limits—and in many areas have dangerously passed the limits of our environment to absorb and assimilate the wastes of man's activities. It is estimated that at the present rate of population and industrial growth, by 1980, the pollution load will consume, during the low-flow summer months, all the available oxygen in all of the river systems of America. This is an appalling prospect, and the trend must be sharply reversed *now* if we are going to maintain an environment suitable for human life.

To do this will require a massive commitment from private and public enterprises and from government at every level. This is the challenge to each of us. If we meet this challenge, we will have the gratitude of our children and future generations.

I would like to echo Senator RANDOLPH's sentiments and express my gratitude for his fine speech.

I ask unanimous consent that the remarks of Senator RANDOLPH be entered into the RECORD at this time.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NEW TASKS AND NEW CHALLENGES

(Keynote address by Senator JENNINGS RANDOLPH, chairman, Senate Committee on Public Works, before the Mining Environmental Conference, the University of Missouri, Rolla, Mo., April 16, 1969)

It is a privilege to be in the "Show me" State. Senators Stuart Symington and Thomas Eagleton are my friends—one for many years in the Congress and the other as a newcomer to the Hill. In fact, Tom is a valued member of the Public Works Committee. Stuart is giving service of the highest order to his State and Nation.

And I know your fine Governor Warren E. Hearnes. The Lt. Governor is here today, and we are grateful for the presence of William S. Morris.

The productive power of industry and the variety of goods and services produced in our economy attest to the achievements of the engineering profession in America. These are achievements in which you can take justifiable pride.

The engineer has been the problem solver in industry. It has been your function to develop new methods and new processes for producing goods. It has not been your concern to think of the social consequences of some of the technologies you have devised. Today, however, the quality of our life is seriously threatened by the waste products of the same productive system that has made possible the marvels of modern civilization. We are fouling the air we breathe, the water we drink, and the land on which we live.

Today's United States population of 200 million probably will grow to 250 million by 1980, and likely will grow to 320 million or more by the year 2000. With the continuing trend of urbanization, our present 145 million urban residents probably will increase to nearly 200 million by 1980. And, unless trends are radically altered there will be perhaps as many as 270 million persons on little more than one percent of our land area only 30 years hence.

Speaking of only one of the many important facets of the future of the American society, in order to meet the energy demands of the population as projected, and to meet the requirements of an expanding technology, electric power generation, for example, must triple by 1980 and double again by the end of the century. Even if nuclear sources of power generation expand to provide half of the generating capacity, we still will have a three-fold increase in the combustion of fossil fuels.

The minerals and fossil fuels industries must expect equivalent increase in their production if they are to keep pace with our population growth in a constantly expanding technology.

The massive increases in production will require evermore stringent efforts to prevent and abate pollution of our environment. Even today, the minerals industry generates approximately 1.1 billion tons of solid waste annually—or some 30 pounds per person per day. Not only does this mounting pile of waste scar the landscape, but it is a major contribution to water pollution in many areas. For example, acid mine drainage from underground and surface mines as well as strip mines, from coal mines and copper mines, pollutes some 11,000 miles of streams. We may expect the problem of preventing water pollution from the solid wastes of the mining industry to become even more aggravated in the future. For as the ingenuity of your industry is expressed in an advancing mining and minerals processing technology, we see the mining and processing of increasingly lower grade ores. Thus, the amount of waste per ton of refined ore is greater than it was in a more primitive technology. For example, in the copper industry ores averaging 15 pounds of copper per ton are frequently mined and smelted. The mining process produces 2 tons of waste per ton of copper. Therefore, approximately 400 tons of waste material are produced per ton of copper. As I mentioned earlier, this is not merely a problem of solid waste and pollution of the landscape, but unless preventive measures are taken it also becomes a major factor in water pollution.

It is apparent therefore that modern technology increasingly has the power to disrupt and destroy the natural environment and the ecological balance on which much of life, and possibly even human life, depends.

We have recently witnessed a dramatic example of this in the oil well blowout in Santa Barbara. Though that was a relatively low producing well, we will not know for some time what the effects of the oil spill have been on the local marine ecology. And one hardly dares to contemplate the effects of a major off-shore oil well blowout.

In testifying before our Senate Subcommittee on Air and Water Pollution shortly after the Santa Barbara incident, Secretary of the Interior Walter Hickel referred to a major gas well blowout that occurred on the Alaskan Continental Shelf while he was Governor of Alaska. The Secretary stated that it took 14 months to extinguish the fire, which could be seen from a distance of 150 miles. The Secretary then publicly speculated on what the results would have been, had this blowout been a major oil producing well of 10,000 or 15,000 barrels a day. As he stated before our Subcommittee "we would have oil from the Arctic to the Antarctic." This is but one of the most dramatic of the potential dangers of our advancing technology. Perhaps of greater real danger to the quality of our environment are the less dramatic but more pervasive contributions to water pollution.

What are some of the specific pollution areas in the minerals industry of which mining engineers must become more aware, and toward which we must make greater efforts at pollution prevention and control?

Copper mining and processing;

Uranium mining and mill wastes;

Phosphate extraction and the consequent danger of overenrichment or eutrophication;

Oil field wastes from well drilling, brine disposal, and oil pipelines;

Taconite in Wisconsin and Upper Michigan;

Disposal of solid, liquid and gaseous wastes and dredging of wastes from steel mills, for instance;

Salt loads involved in mining;

Potential pollution and wastes from oil shale development.

I would particularly make reference to the problems of oil shale development, because since the gasoline shortage during the early part of World War II, I have maintained a keen interest in the development of our western oil shale lands. It is my understanding that it is not yet commercially feasible to develop these oil shale lands, but I have little doubt that at some time in the future the United States will need to turn to this as a source of energy. And the potential pollution problems of mining and processing oil shale make our present problems minute by comparison. This is an instance of where we must, in order to prevent total ruination of the environment, solve the pollution problems of oil shale mining before rather than after commercial development begins.

Let me assert certain basic principles which should guide our efforts in preventing and controlling environmental pollution. First, man is a part of nature and must learn to live in harmony with nature, with the recognition that any industrial activity to some degree despoils the natural environment and this despoilation must be minimized to the greatest degree possible; second, the Nation's water resources are a valuable national asset, subject to many uses, and that the whole Nation has a vital interest in their protection and enhancement; third, that our water resources are being degraded and that this degradation poses a threat to the wellbeing to the Nation and to our potential for long-term economic growth.

Acknowledgment of these principles brings us to recognition of the need for a three-pronged effort in the conservation and enhancement of the quality of our water resources.

First, reducing our water withdrawals keeps pollutants at a minimal level in our lakes and rivers. Such reduction of withdrawals applies not only to industry but to agricultural and municipal uses as well and may require reduction of the right to withdrawal in certain areas. For example, irrigation use in the southwest United States is the largest consumptive use of water in the area, and with the expanding population of that region municipal and industrial uses may in the future require higher priority than agricultural uses.

Secondly, we must maximize the use of that water which is withdrawn by developing industrial processes of more intensive use and reuse of water. The pulp and paper industry, and certain segments of the steel industry have made dramatic strides in this respect and I would hope that the minerals and minerals processing industry would do the same.

Finally, we must reduce to an absolute minimum the discharge of contaminated effluents into our water courses, and this requires not only greatly expanded plant treatment facilities but also greater effort toward developing in-process changes which reduce pollutants.

With respect to the minerals industry, acknowledgment of these principles must specifically concentrate a greater effort on the design and construction of mining sites to prevent soil erosion, disposal of mine spoil, use of impoundments and backfill, and prevention and control of acid mine drainage through water flow by recontouring and grouting and by flooding and air sealing.

I am aware that the mining industry is engaged in research in some of these areas of activity, and that certain of the suggestions I have made are considered matters of good mining practice. However, such practice is generally on a voluntary basis and is followed with varying degrees of diligence.

The Water Quality Standards Act of 1965, which was drafted in large measure by our Senate Subcommittee on Air and Water Pollution, will make these practices more uniform. In the last two years the States have submitted to the Department of the Interior the water quality standards which were required by that Act, and the Secretary has approved most of the standards and the Department is now reviewing the exceptions.

In order to extend the technology of prevention of acid mine drainage, I authored an amendment to the Water Quality Act of 1968. This legislation died in the closing days of the 90th Congress, but it had been incorporated in the separate water pollution control measures passed in both the Senate and the House of Representatives. Consequently, my acid mine drainage provisions are incorporated in the pending legislation in both the Senate and the House of Representatives in the 91st Congress. These provisions would establish a demonstration program to test the technological and economic feasibility of controlling mine pollution within an entire watershed or drainage area. The program would be funded at a level of $15 million on a 75–25, Federal and State matching basis. Our Senate Subcommittee on Air and Water Pollution will meet in Executive Session this week on S. 7, the Water Quality Improvement Act of 1969, which incorporates my amendment. The Committee on Public Works of the House of Representatives has already reported similar legislation, and we anticipate House action this week. I am hopeful that the acid mine drainage demonstration program authorized by this legislation will be the basis for new advances in pollution abatement technology in the minerals industry.

There is another provision for research and development in existing water pollution control legislation to which I would draw your attention. In the Clean Waters Restoration Act of 1966 we established a new program of contract and grant research to develop more efficient and economic techniques and technology for pollution control and prevention. This program authorizes grants to industry, totalling $20 million a year, to aid in finding new and improved ways to treat and prevent industrial wastes, with a maximum Federal share of 70 percent of project costs. I am led to believe that the applications for research grants and contracts from the mining industry have not been overwhelming in number. I urge those of you representing both private and public enterprises to give consideration to this provision of the existing statute.

We are reaching the limits—and in many areas have dangerously passed the limits of our environment to absorb and assimilate the wastes of man's activities. It is estimated that at the present rate of population and industrial growth, by 1980, the pollution load will consume, during the low-flow summer months, all of the available oxygen in all of the river systems of America. This is an appalling prospect, and the trend must be sharply reversed *now* if we are going to maintain an environment suitable for human life.

To do this will require a massive commitment from private and public enterprises and from government at every level. This is the challenge to each of us in this room. If we meet this challenge we will have the gratitude of our children and future generations.

BOHLEN WARNS ON SOVIET INTENTIONS

Mr. DODD. Mr. President, for almost three decades Charles E. Bohlen was considered one of the foremost experts in our Foreign Service on the Soviet Union and Communist affairs. He has served as counselor of the Department of State, Ambassador to Moscow, and Ambassador to France; and when he retired this last January 20, he was the highest ranking career diplomat in the Foreign Service.

Mr. Bohlen, moreover, has had a consistent reputation as a moderate in the field of foreign policy and as one who believes that we should do everything in our power to reach meaningful agreements with the Soviet Union. Indeed, there were many who felt that he was, if anything, too prone to believe the best about the Soviet Union and to urge concessions in the interest of detente.

That Mr. Bohlen still hangs on to certain vestiges of his previous attitude is clear from the fact that he believes our bombing of North Vietnam was a mistake. However, it appears that Mr. Bohlen has recently taken a harder look at the Soviet Union, based on his many years of experience and, no doubt, on numerous disappointments.

I invite the attention of Senators to the report of a lecture which Mr. Bohlen delivered at Columbia University on April 12. According to the report, Mr. Bohlen said that the Soviet Union is still in the grips of a Stalinist system and that it will move toward meaningful detente only when the Communist Party is removed from power.

He also said that the present Soviet regime is just as bent on conquest as it was in the days of Stalin.

I ask unanimous consent that the report on Mr. Bohlen's speech, published in the Washington Post of April 13, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET UNION STILL STALINIST TO BOHLEN

(By Jim Hoagland)

NEW YORK, April 12.—Icicles still hang on his words when Charles E. Bohlen talks about the Cold War. The Soviet Union is still in the grips of a Stalinist system, he feels, and will move toward meaningful detente only when the Communist Party is removed from power.

In an unusual public review of his 40 years as a key figure in American-Soviet relations, Bohlen last week rejected reports of the demise of the Communist monolith, and depicted it as alive, well and bent on conquest.

Bohlen, who was the highest ranking career diplomat in the Foreign Service when he retired Jan. 20, made these assessments in three lectures at Columbia University.

The diplomat's lectures dwelt on Yalta, Potsdam and other events that occurred before many of the students were born. The questions they asked him after the final lecture centered on Vietnam, the "military-industrial complex" and arms control.

Bohlen referred only briefly to Vietnam, but his remarks on Soviet intentions there stood in contrast to his otherwise unrelieved condemnation of the Russians for provoking conflict with the West.

It was American bombing of North Vietnam that drew the Soviet Union into a heavy involvement that "was not really in the Soviet interest," said the former Ambassador to the Soviet Union and France.

He raised the "inference" that it was only after the bombing was halted that the Russians "felt free to use any influence they had" to get Hanoi to talk peace.

"It would have been simplest for the Soviet Union to stay out" of Vietnam, Bohlen said. But the Russian decision to send Hanoi $1 billion a year in supplies "was entirely dictated by ideological considerations" stemming from the bombing.

"Once we began to bomb North Vietnam, they decided to go in. . . . From the Communist point of view, if the Soviet Union turned its back on a small nation" fighting the U.S., the Russians "would have lost considerable standing."

Some other points Bohlen made in the lectures, sponsored by Columbia's School of International Affairs, and which are due to be published in book form:

There is "very little chance" that the U.S. will be able to reduce military spending, because the Russians show no sign of reducing theirs.

The Nixon Administration should "hurry up" on arms control talks, to test Soviet intention on disarmament.

THE BREZHNEV DOCTRINE

Mr. TOWER. Mr. President, last summer we saw the dissolution of the popular image of Soviet mellowing. The illusion of detente was resoundingly shattered by the armed aggression of the Soviet Union against the people of Czechoslovakia. The right of a sovereign state to self-determination has been seriously abused and peace in Europe has been threatened. I, for one, am not content to let this unconscionable act pass without notice. This resolution firmly states the opposition of the United States to this flagrant exhibition of tyranny.

President Nixon has said:

> America's correct reaction to the Soviet thrust against Czechoslovakia is not some rash response—but rather a realistic reappraisal of the assumptions and the premises that underlie American policy toward the Soviet Union.

The resolution introduced here today serves as a reminder of recent events in Eastern Europe and, while appealing to the Soviet leaders to reconsider their course, advises our caution in future dealings with them.

The Brezhnev doctrine, calling for Soviet intervention in any socialist country when conditions in that country pose a threat to the cause of socialism, sets a precedent with grave and far-reaching implications for the political independence and the territorial integrity of the nations of Eastern Europe. The ursine shadow of Soviet Russia has darkened the prospects of freedom and self-determination which were just beginning to come to light in Czechoslovakia. We must make it very clear that we do not accept the Brezhnev doctrine, that we hold the implementation of that doctrine to be a gross breach of international law and a threat to peace and national sovereignty wherever it is carried out.

Only by clearly delineating our views in regard to the aggressive policies of the Soviet Union can we begin to negotiate with that government from a position of strength and solidarity.

RURAL JOB DEVELOPMENT ACT DRAWS BROAD SUPPORT

Mr. PEARSON. Mr. President, I am continually impressed and very much gratified by the attention and the favorable public support which has been accorded the Rural Job Development Act since it was first introduced in 1967. The bill's objective—the expansion of job opportunities in rural areas providing those who prefer to do so the freedom to remain in the smaller communities without being forced to migrate to the already overcrowded, overburdened cities—is widely endorsed by rural and urban groups alike. Mr. President, an article published in the April 15 issue of Farmland analyzes the bill, its support, and its prospects. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Interest Rekindled in Proposal To Create More Rural Jobs

(By Jay Richter and Martin Schubkegel)

The landscape of rural America is due for a facelifting if the Rural Job Development Act of 1969 becomes law. The Act aims to breathe new life into small towns by providing business with the needed incentives to settle there—investment credits on machinery and equipment (double the 7% now in effect) . . . accelerated depreciation allowances . . . and tax write-offs for employee-training equal to 50% of wages paid.

The big idea is to slow the forced migration of country folks to urban centers, where growing population pressure—perhaps more than any single factor—has spawned the urban crisis. More than 20 million persons since World War II have gone this path out of economic necessity. Meanwhile, surveys report fully half of our city dwellers would prefer country living if it offered the same economic and social opportunities.

The implications for farmers aren't clear-cut, but indications are they would be helped more than hurt by spurred business activity locally: a bigger demand for their products, perhaps higher net income.

Author of the Rural Job Act, Sen. James B. Pearson of Kansas, thinks industry currently faces real deterrents to getting established in rural areas. He cites the high transportation costs to market, shortage of skilled manpower, and inadequate and expensive public services.

"We don't attempt to claim this bill would change this," he says, "but it will at least serve to stimulate a new questioning and debate among the directors of private enterprise."

Given that initial encouragement, they might be stirred to find the ways to overcome the glaring obstacles, the senator feels.

The link between urban problems and waning rural economies came into sharp focus during the demonstrations in Watts, Los Angeles, a few years back, Sen. Pearson told Farmland.

"A great proportion of the rioters consisted of migratory farm workers in search of jobs . . . but not prepared to do anything."

Pearson in 1967 drafted his first Rural Job Development Act, which was not much different from this year's proposal. Companion legislation—to rectify the situation in cities—was concurrently being presented in a bill to Congress by the late Sen. Robert Kennedy.

The Rural Job Act never even got to hearings. The chief reason, say the proponents, was that Congress was in no mood to make concessions to business at a time when a tax surcharge was being hotly debated.

"That surcharge overwhelmed the Rural Job Act," said a spokesman for Sen. Fred Harris of Oklahoma, who joins Pearson in promoting the bill in the Senate. "But attitudes have changed," he added. The 1969 version has 36 sponsors in the Senate plus broad-based support of rural/urban organizations and state officials. In the House the bill has been introduced separately by at least six Congressmen.

Pearson is "hopeful" for hearings on his bill this year, but this "is keyed on whether the administration finds the bill to be acceptable."

President Nixon, from every indication, favors some kind of program to stimulate economic growth in the countryside. "Almost everything has conspired to prevent the creation of jobs in rural areas," he said recently.

Atop the list, he put federal farm programs and the diminished requirements for farm labor; next, deficiencies in the communities, and an urban-minded industry that "has not sought sufficiently to decentralize."

Solutions Nixon sees: comprehensive land use plans; local, state and national tax policies to provide economic incentives; dispersal of government contracts into rural areas; and better education and job training.

At presstime Secretary of Agriculture Hardin hadn't yet taken a position. A USDA official, however, said Pearson's bill "is being studied." USDA endorsement is thought to be vital to getting the bill into law, inasmuch as it is USDA that's been charged with the details of administration.

The Secretary of Agriculture would first designate the rural areas qualifying under these criteria:

A county which has no city of more than 50,000 population, and at least 15% of families with incomes under $3,000.

If not meeting the 15% requirement, a county with employment declining by 5% or more during the past five years, or which stands to lose population due to curtailment of defense expenditures.

Indian reservations, with the approval of the Secretary of Interior.

Besides a 14% investment credit for machinery and equipment, the bill gives a 7% credit on land and buildings. In both cases, the credits are increased by 3 percentage points if the job area has fewer than 25 persons per square mile.

Accelerated depreciation is for two-thirds of normal, useful life for machinery, equipment, and buildings. All credits, along with deductions for employee training programs, may be carried forward for 10 years or backward for 3 years.

Not any business can accrue the benefits.

The enterprise must create at least 10 new jobs at the beginning of the operation, and must show a "reasonable" ratio between capital invested and jobs created.

At least half of the original working force must be residents of the area or within easy commuting distance.

The employer must maintain the same working force he began with.

Senator Pearson emphasizes, "This is not a rural poverty program as such. We're not talking about slum or ghetto situations, rather about depressed areas." He wants to keep his bill clear of the "catch-all programs that are suffering in popularity among members of Congress."

He looks askance at some relief programs now operating. The Job Corps, e.g., in his view "isn't working well and is not making a good record" based on costs to train the participants.

Why delegate major responsibility to USDA to administer the law as opposed to, say, Health, Education, and Welfare or the Department of Labor? Replied the Senator, "We ran into flak on this one," mainly a resistance to an activity not related directly to agriculture. But, in the end, "the USDA people seemed to be the only ones making an endeavor in this area."

USDA, in Washington, D.C., operates a Plant Location Center as part of its Rural Community Development Service. Any businessman wishing to settle in a rural area can get statistics on the nation's smaller cities, towns, and countryside—the services available, taxes, markets, etc.

Says Plant Location Center's chief, John R. Fernstrom, "The truth is that industries are not easily lured by communities these days. Decisions to build are often based on considerations that cannot be factually stated." Attitudes of the people in the community, for instance, are just as important.

Some of Fernstrom's correspondence comes from people who write merely to show their concern over the migration to the cities. "This is a personal thing with them" he says. Families write that they don't want to break up and ask USDA to create opportunities to make staying at home possible for their children.

Fernstrom has strong convictions about the conservation of human resources, which he feels "are the most neglected and most poorly utilized." People invest a third of their incomes in raising children, he explained, "Then this human material, much of which is produced in rural America, is exported to the cities."

The Rural Job Act, along with bipartisan backing of legislators in Congress, has been endorsed by a special task force of the GOP Coordinating Committee, state directors of economic development, the National Rural Electrification Association, the National Farmers Union, and more.

But the powerful American Farm Bureau Federation has reservations. At its last annual convention, the stand adopted on tax incentives to rural business is that they are preferable to grants or loans. Yet, "this is an area to be approached with caution," believes AFBF. The Bureau called for more analysis . . . or else, a spokesman told Farmland, "if we once begin to use tax credits widely, we might have to increase tax rates."

Major opposition to anything like the Rural Job Act revolves around its cost to taxpayers and the Treasury. Nobody, including Sen. Pearson, seems in a position to estimate the charges, which would depend on numbers of industries participating, jobs created, etc. Pearson, though, stresses that the 1964 tax cut and various tax incentive programs "all presented growth of revenues in the final analysis."

Outright critics think the net effect will be rising real estate prices that would make farming an uneconomic proposition. But USDA's Fernstrom says "It's a buyers' market." Attempts by communities to ask unreasonable prices would cause the interested industry to bypass the community asking the prices. "The only real threat is to the community with a motive of speculation," he said.

What about competition for workers between farm owners and industry?

Although labor costs would trend to rise, there would also be some offsets, say the proponents of tax incentives. Overall economic growth in the communities would accelerate the demand for food, possibly result in better prices to farmers and higher net incomes. Supplies for farmers would become more available—and cheaper to buy—owing to agribusiness locating near point-of-production. And, over the long pull industry would be training workers for agriculture—at no charge.

The Rural Job Development Act offers but one approach to revitalizing rural America. Sen. Karl Mundt of South Dakota, for example, advocates a National Committee on Balanced Economic Development. Its main task would be in analyzing and evaluating development schemes and the conditions for development. Seventeen Senators are cosponsoring Mundt's bill, which he says "has strong support from every corner of the United States."

Two years ago former Secretary of Agriculture Orville Freeman called for studies on tax incentives for rural industry. "The whiplash of economic necessity which today," he said, "relentlessly drives desperate people into our huge cities must be lifted from the bleeding back of rural America."

PLAIN DEALER POINTS OUT NEW OIL TAX LOOPHOLE

Mr. PROXMIRE. Mr. President, I am pleased that crusading journalism is not dead. The Cleveland Plain Dealer in a series of articles has exposed the manipulations of the oil companies in their incessant and successful quest to escape taxation. In effect, the Plain Dealer, at great financial risk, is standing up to the oil companies' great power.

Few reporters could do justice to a complex tax loophole such as carved out production payments used by the oil companies to avoid paying taxes.

I commend Don Barlett of the Plain Dealer for his courage and perception. To quote the Plain Dealer:

> It is particularly important to present such an analysis at a time when Congress is engaged in the most extensive overhaul of the federal income tax system in history.

Only through public understanding and public pressure will these loopholes be closed. It is through the courage of the press that this public understanding and pressure will occur.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Oil Firms Carve Out New Tax Loophole

(By Donald L. Barlett)

Washington.—The petroleum industry has zeroed in on a loophole in the nation's federal income tax laws that opens the door to a billion dollar tax dodge.

Once perfected, the loophole—virtually unknown outside the minerals industry—can enable an oil company to avoid payment of all federal income taxes.

The tax gimmick already is being used by some oil companies to escape the brunt of the 10% surcharge and income taxes running into the hundreds of millions, a Plain Dealer investigation disclosed.

The loophole involves a transaction known as a carved out production payment.

It is used in a complex bookkeeping system in which income is shifted from one year to another to create special tax advantages.

The accounting device gives a company an inflated income one year and a self-induced loss the following year.

Unlike the long controversial 27½% oil depletion allowance, a tax-saving benefit that was granted by Congress, the production payment is a tax-avoiding device.

When used in conjunction with the depletion allowance, the production payment allows an oil company to:

Increase the value of the depletion allowance above the level intended by Congress when the depletion law was enacted.

Create self-induced paper losses through bookkeeping manipulations that reduce and eliminate federal income tax liability.

Lower the income tax payments of other businesses owned by the oil company, giving these firms a subsidized advantage over competitors.

Growing use of production payments was found in a continuing Plain Dealer inquiry into the federal income tax status of the oil industry.

Although aware of the tax-avoidance technique, federal agencies are just beginning to compile figures on the scope of production payment sales.

U.S. Treasury aides call the payments a "tax abuse" and Congressional tax reformers label them a "tax dodge."

A production payment is similar to a loan, with the oil in the ground serving as collateral. The oil company borrows money from a lending institution and repays the loan as oil is produced and sold.

It is a transaction that is unique to the petroleum and minerals industry in that the proceeds of the loan are treated as income for tax purposes by the oil company. This may sound like a disadvantage but it works to the company's benefit at a later time.

This special tax treatment stems from court decisions and private rulings issued by the Internal Revenue Service (IRS).

The Treasury Department, in its preliminary study, estimates the government lost a minimum of $350 million in tax revenue in 1966 as a result of the production payment loophole.

A Capitol Hill tax expert places the potential loss to the government at more than a billion, noting that oil companies started using production payments to escape income taxes only in the last few years.

The practice is spreading—on a much smaller scale—to other mineral businesses such as coal and cement.

The only government statistics available on the subject are based on a limited Treasury survey.

These figures show that the sale of carved out production payments soared 150% from 1965 to 1966, rising from $214 to $540 million.

But the Treasury figures appear to be on the conservative side.

A Plain Dealer study showed that:

Ten large and small oil companies alone sold production payments totaling $217.4 million in 1967—the last year for which complete statistics are available.

Of the 10 companies, four reported owing no federal income tax at all, while recording combined profits of nearly $140 million.

A projection of production payment sales, based on these 10 companies, places the total for 1967 in excess of $1 billion. There are dozens of major and large independent companies, thousands of smaller firms, partnerships and individuals—all eligible to sell production payments.

Preliminary figures for 1968—based on company reports still being issued—indicate a continuing rise in sales.

Use of production payments is widespread, with a sizable majority of the major and large independent oil companies reporting the transactions.

Some oil companies conceal the actual production payment figure, lumping it with other income in their financial statements.

A production payment may be compared with a home mortgage loan transaction in which an individual borrows money from a bank to purchase a house.

The bank, in return for the money it lends, receives a claim (mortgage) against the property.

In the case of the production payment, the oil company obtains a loan from the bank, which receives a claim against the company's untapped oil reserves.

The loan usually is for one year, at a fixed rate of interest, and repaid out of the income from oil or gas produced and sold in the following 12 months.

Unlike such dealings in any other business production payment is considered as income rather than a loan.

The courts have ruled the buyer is purchasing an economic interest in the mineral in the ground—making the income of the production payment subject to the 27½% depletion allowance.

This inflates an oil company's income for one year, causing a mismatching of income and expenses over two years—a bookkeeping practice frowned upon by many professional accountants.

The mismatching occurs when the company reports the income from the production payment one year and the expenses incurred in extracting the oil the following year.

Under the depletion allowance, a company pays no federal income tax on 27.5% of its income from wells.

But the tax-free sum—according to the depletion statute—may not exceed 50% of a company's net income.

By selling a carved out production payment, the oil company bypasses the 50% limit imposed by Congress.

Using a fictitious firm, here is how the percentage depletion allowance was intended to work:

Cuyahoga Oil Co.'s income from wells was $10,000,000 for the year. Deductions for business expenses and costs totaled $8,000,000, leaving a net taxable income of $2,000,000.

Income from wells	$10, 000, 000
Business expenses	−8, 000, 000
Net income	2, 000, 000

The depletion allowance is based on gross income from the wells—27½% of $10,000,000. This represents $2,750,000 in tax free income.

Income from wells	$10, 000, 000
Depletion allowance	×.275
Tax free income	2, 750, 000

However, this deduction may not exceed 50% of the company's net taxable income, which in this case is $2,000,000. Fifty percent of this figure is $1,000,000.

Net income	$2, 000, 000
Depletion limitation	×.50
Allowable depletion	1, 000, 000

The maximum allowable depletion deduction then is $1,000,000, or $1,750,000 less than the full depletion allowance.

Net income	$2, 000, 000
Allowable depletion	−1, 000, 000
Taxable income	1, 000, 000

This leaves $1,000,000 on which Cuyahoga Oil Co. must pay federal income tax. At the corporate rate of 52.8%, the company pays $528,000 in income tax.

Taxable income	$1, 000, 000
Corporate tax rate	×.528
Federal income tax owed	528, 000

Using the same figures over a two-year period, Cuyahoga Oil Co. would pay a total of $1,056,000 in federal income taxes.

Through a carved-out production payment, the company avoids federal income taxes in the following manner:

The company sells a production payment to a bank, foundation, insurance company or some other lending institution.

In this case, the production payment amounts to $8,000,000.

Added to Cuyahoga Oil Co.'s original $10,000,000, this increases the firm's income from wells to $18,000,000 in the first year.

Deductions for business expenses remain the same as before, $8,000,000, but now the net taxable income is $10,000,000.

Income from wells	$18, 000, 000
Business expenses	−8, 000, 000
Net income	10, 000, 000

The depletion allowance is based on gross income from the wells—or 27½% of $18,000,000. This represents $4,950,000 in tax-free income.

Income from wells	$18, 000, 000
Depletion allowance	×.275
Tax free income	4, 950, 000

Now Cuyahoga Oil Co. may deduct the full depletion allowance because it does not exceed 50% ($5,000,000) of its net taxable income.

Net income	$10, 000, 000
Tax-free income	−4, 950, 000
Taxable income	5, 050, 000

Taxed at the corporate rate of 52.8%, the company pays $2,666,400 in federal income tax in the first year.

Taxable income	$5, 050, 000
Corporate tax rate	×.528
Federal income tax owed	2, 666, 400

The following year the company's income from wells remains the same—$10,000,000. However, the company deducts as an expense, the funds used to satisfy the production payment (loan) of $8,000,000 leaving a balance of $2,000,000.

Income from wells	$10, 000, 000
Production payment	−8, 000, 000
Balance	2, 000, 000

The company's business expenses for the year still total $8,000,000, creating a self-induced paper loss of $6,000,000 and eliminating any federal income tax liability for the year.

Balance	$2, 000, 000
Business expenses	−8, 000, 000
Self-induced loss	(6, 000, 000)

Cuyahoga Oil Co. then applies the $6,000,000 loss in the second year as an operating loss carryback, collecting a refund from the government of the $2,666,400 paid in federal income taxes in the first year.

The $6,000,000 paper loss offsets the $5,050,000 income the first year, leaving $950,000 to be carried forward or back to other years.

Self-induced loss	$6, 000, 000
Prior taxable income	−5, 050, 000
Unused loss	950, 000

Thus Cuyahoga Oil Co. eliminates payment of federal income taxes over the two years totaling $1,056,000 ($528,000 each year if no production payment), while showing a book profit of $2,000,000.

The company may repeat this cycle every two years, perpetually avoiding payment of any federal income tax.

The unused loss of $950,000 also may be used to reduce the tax liability of subsidiary businesses.

HOW CARVE OUTS CUT TAXES

[Dollar amounts in thousands]

	Production payments sold	Net income before taxes	Federal income tax owed	Percent of profit owed in tax	Profit after taxes
Atlantic Richfield Co	$56, 325	$145, 259	None	0	$130, 005
General Crude Oil Co	609	5, 500	None	0	5, 500
Aztec Oil & Gas Co	2, 200	2, 516	None	0	2, 510
Wilshire Oil Co. of Texas	284	392	None	0	392
Amerada Petroleum Corp	8, 407	103, 979	$887	0. 9	58, 461
Pennzoil Co	28, 000	16, 296	337	2. 1	15, 959
Union Oil Co. of California	26, 626	163, 820	10, 400	6. 3	144, 963
Sinclair Oil Co	18, 500	130, 017	10, 585	8. 1	95, 372
Tenneco, Inc	71, 541	159, 812	13, 604	8. 5	146, 208
Continental Oil Co	4, 900	241, 362	30, 031	12. 4	148, 962
Total and tax average	217, 392	968, 953	65, 844	6. 8	748, 332

Note: This table is based on financial information obtained from reports filed with the U.S. Securities and Exchange Commission in Washington, D.C. The table, for the year 1967, shows value of carved out production payments sold, net income before taxes, Federal income tax owed, the tax rate and profits of 10 large and small oil companies. In some cases, the above figures for production payments sold are lower than the actual amounts because the companies reported the sales net of deferred income tax.

For example, Cuyahoga Oil Co. may own a publishing firm that reports net taxable income of $3 million.

The $950,000 paper loss is deducted from the $3 million. Instead of paying income tax on $3 million, the publishing company pays tax on $2,050,000.

This procedure is followed when the oil company files a consolidated tax return that includes all its subsidiaries.

One of the issues raised by production payment critics is the unorthodox accounting system that mismatches income and expenses over the two years.

The oil companies are so sensitive to the unique accounting procedure that it is never made public.

An oil company reports the mismatching of income and expenses only on its tax return—a secret document.

In its annual report to stockholders—a public record—the company lists the income from the production payment in the same year the oil is produced.

The dual income reporting system means two sets of financial books: one for the tax man and one for the public.

The use of production payments to elude payment of income taxes has received little publicity outside the petroleum and securities industries.

Even some members of Congress, who profess to be familiar with petroleum tax laws, seem to be unaware of the tax-avoiding potential.

Last February, Sen. William Proxmire, D-Wis., alluded to a tax loophole (production payments) which permits an oil company to use the depletion allowance to offset income from other sources.

His statement brought an immediate response from a colleague who observed that he was certain Proxmire was mistaken and added:

"It is (my) understanding . . . that the percentage depletion deduction is only available with respect to oil properties, or the income from oil properties. . . . I would have to have powerful evidence to the contrary.

"Before I came to the Senate I prepared tax returns involving oil operating interests and never have I heard that percentage depletion could be offset against anything except oil production.

"Furthermore, as the Senator (Proxmire) has accurately pointed out, it cannot exceed 50% of net income, and that net income is from the oil property or the oil income and not from other income.

"This is a technical area of the tax law and I can understand how one could be confused over it."

As one tax reformer put it:

"This is a very complex issue and most people don't understand it.

"It was only a few years ago, after some court and IRS rulings, that the tax lawyers found the loophole and said, 'Oh, boy, here we go.' "

A Treasury aide told The Plain Dealer that some farsighted oil companies sold production payments to reduce or eliminate the impact of the 10% surcharge.

The companies shifted income from 1968—the year the surcharge went into effect—back into 1967.

This was accomplished by selling a huge carved out production payment in December 1967.

The Plain Dealer study of production payments showed that oil companies from the smallest to the largest utilize the tax dodging technique.

The amounts of the production payments sold varied widely.

Aztec Oil & Gas Co. of Dallas, with a net income of $2.5 million, sold a production payment for $2.2 million—nearly the full amount of its profit in 1967.

In the same year, Atlantic Richfield Co. of New York had a net income of $145.2 million and sold future production amounting to $56.3 million.

Atlantic Richfield reported owing no federal income tax from 1962 to 1967—while registering total profits of nearly a half-billion dollars.

Complete financial statistics are available only for 1967. But incoming reports for 1968 indicate another increase in production payment sales.

General Crude Oil Co. of Houston—another firm that has owed no income tax in recent years—sold a production payment for $609,000 in 1967. In 1968, the figure rose to $6 million.

The Signal Companies, Inc., Los Angeles, sold a $7.7 million production payment in 1967 and a $19.8 million payment in 1968.

Observes a Congressional tax reformer:

"Sales of production payments are increasing in geometrical proportions each year.

"As more people learn how to use production payments, they eventually will result in a greater tax loss than the depletion allowance.

"It's another example of the oil companies finding a crack in the tax laws and widening it until it reaches the proportions of a chasm."

TIGHTER TAX LAWS FAVORED

A majority of 300 top corporation executives surveyed by a leading business magazine favor closing of loopholes in the nation's federal income tax laws.

Results of the survey—published this month by "Dun's Review Magazine," showed that most business leaders favor:

Reducing tax shelters such as the 27½% oil depletion allowance.

A closer look at some of the exemptions currently enjoyed by tax-free foundations.

Eliminating some deductions now used by individuals and a lowering of the over-all tax rate.

Taxing at least half the income of every individual—regardless of the source of the income.

Commenting on the poll, the magazine stated:

"Amid this swelling bipartisan support for an overhaul of the tax laws, perhaps the most surprising aspect of the survey of business leaders is the growing sentiment it discloses for reducing the availability of tax shelters."

OIL FIRMS LOST BATTLE, WON WAR

WASHINGTON.—The government tried to plug a petroleum industry income tax loophole back in 1958 and the big loser was the U.S. Treasury.

The reason:

In a successful legal battle to close one loophole, worth a few million dollars to oilmen, the government opened another loophole worth an estimated billion dollars or more to the same oilmen.

Looking back on the legal proceedings, a Capitol Hill tax expert says:

"It is the most expensive victory the government ever won."

The unusual victory came in a decision handed down April 14, 1958, by the U.S. Supreme Court in a case known as the P. G. Lake Case.

For the oil industry, it was a landmark decision that opened the door to a billion dollar tax dodge through the use of carved out production payments.

The issue then before the court was this:

Should the proceeds of a production payment be taxed at the low capital gains rate of 25% or at the ordinary income tax rates that ranged up to 91%?

Until 1958, lower courts and the U.S. Tax Court had held that the sale of a carved out production payment constituted the transfer of a capital asset.

Using this interpretation of a production payment, the lower courts said the proceeds from the transaction should be taxed as a capital gains.

The Lake case was a consolidation of five separate cases, four involving oil production payments and one dealing with sulphur.

The lower courts had sustained the taxpayer's argument that the production payment represented the sale of a capital asset and thereby the lower tax rate.

In appealing the case to the Supreme Court, the government contended that the payments were merely an assignment of future income subject to taxation as ordinary income and not capital gains.

The Supreme Court upheld the government, moving The New York Times to report the following day:

"The Supreme Court held unanimously that payments for rights to future oil profits are taxable as ordinary income, not as capital gains.

"The ruling was a blow to what has become a widespread practice in the oil industry, so-called 'in-oil payments.'

"Forty-three cases are pending before the Internal Revenue Service and officials have said 'many millions' in tax revenue are at stake.

"In the government's view, the disputed practice was a way to anticipate future income and avoid paying full income tax on it."

As a result of the court's decision, the production payment device has been used by the oilmen not to "avoid paying full income tax"—but to avoid paying any income tax, as explained.

The decision paved the way for an oil company to create self-induced paper losses that may be used to reduce or eliminate the income tax payments of not only the oil company but its subsidiaries.

In the Lake case, the legal issues considered by the Supreme Court were quite narrow and did not involve the propriety of selling production payments to reduce taxes.

But the Tax Court, other lower courts and the Internal Revenue Service (IRS) all have issued similar opinions on techniques employed to lower income taxes.

Typical is a decision handed down by the U.S. Court of Appeals, Fourth Circuit, which states:

"The legal right of the taxpayer to decrease the amount of his taxes, or altogether to avoid them by means which the law permits, cannot be doubted.

"If, upon careful scrutiny, the transaction has real substance and is not a sham, it matters not whether the taxpayer's aim was 'to avoid taxes or to regenerate the world' . . ."

In private rulings, the IRS has expressed the same opinion on production payments, saying they are proper as long as there is a bona fide transaction.

There is nothing new about the sale of carved out production payments—only the purpose of the transaction has changed over the years.

The use of production payments in the petroleum industry dates back to the turn of the century—years before the United States had an income tax.

At that time, a wildcat oil operator would grant a production payment to a landowner in exchange for the right to drill on his property.

This concept later was expanded and the wildcatters gave the production payments to drilling companies—instead of cash—for their services.

The final refinement came in the last few years when tax experts found a way to reduce and often eliminate an oil or minerals company's federal income tax liability through the sale of a production payment.

ABM NEEDED TO PROTECT U.S. DETERRENT

Mr. JACKSON. Mr. President, as Senators know, the Committee on Armed Services, under the able chairmanship of the Senator from Mississippi (Mr. STENNIS), held 2 days of public hearings last week on the proposed anti-ballistic-missile defense system. The hearings were held in connection with the yearly legislation authorizing funds for fiscal year 1970 for the procurement of aircraft, missiles, ships, and research and development.

On April 22 the distinguished scientist, Dr. William G. McMillan, professor of chemistry at the University of California at Los Angeles and noted specialist on such strategic nuclear matters as reentry vehicle vulnerability, penetration aids, nuclear weapons effects and missile vulnerability, expressed to the committee his views in support of early deployment of the Safeguard ABM system as an essential part of maintaining the viability and credibility of our strategic deterrent.

I wish to commend to the attention of this body Dr. McMillan's opening statement given before the Armed Services Committee and ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY DR. WILLIAM G. MCMILLAN, BEFORE THE SENATE ARMED SERVICES COMMITTEE, APRIL 22, 1969

Mr. Chairman, and members of the Committee, your invitation has provided me a welcome opportunity to offer my views on the issue of ballistic missile defense.

Since this is my first appearance before your committee, I thought I should begin by sketching my technical background and experience.

BACKGROUND AND EXPERIENCE

I received my doctorate at Columbia University during World War II in that hybrid field known as chemical physics. Immediately thereafter I joined the Columbia University branch of the Manhattan Project as a member of the Chemistry Division, where we were deeply involved in the design of the gaseous diffusion plant for the production of U^{235}. After the war, I spent a year as a Guggenheim Postdoctoral Fellow in theoretical physics at the University of Chicago. In 1947 I joined the faculty of the Department of Chemistry at UCLA, where latterly I served six years as Department Chairman. I have also taught at Harvard and Columbia Universities.

During the 50's I served as consultant to the Engineering Department of Brookhaven National Laboratory and to the Lawrence Radiation Laboratory in Livermore. Since 1954 I have been a part-time member of the Physics Department of the Rand Corporation, where my work has been concerned primarily with such strategic nuclear matters as reentry vehicle vulnerability, penetration aids, underground nuclear testing and test detection, nuclear weapons effects and missile vulnerability.

In mid-1961 in anticipation of the Soviet abrogation of the nuclear test moratorium I was charged with forming the Scientific Advisory Group on Effects to advise the Director of Defense Research and Engineering and the Defense Atomic Support Agency. This group played a large role in designing the U.S. nuclear test programs aimed at exploring many of the strategic nuclear problems mentioned above.

In 1963 I was asked to chair a study group on missile vulnerability for DDR&E, the Air Force and the Navy. This group, which is still in existence, greatly extended our understanding of missile vulnerability and sponsored far-reaching changes in the design of our strategic missiles.

With the support of DDR&E and the Advanced Research Projects Agency, I founded in 1964 the Defense Science Seminar aimed at getting new young scientific talent in the Defense advisory business. This seminar ran for three successive summers, with a total attendance of about 120 individuals. In 1965 I helped establish the Defense Intelligence Agency Scientific Advisory Committee, which I have since served as Vice Chairman. Also in 1965 I chaired a study for the JCS on the technical-military implications of possible extensions of the Limited Nuclear Test Ban Treaty. In 1966 I participated in a related study for the Arms Control and Disarmament Agency. Most recently from October 1966 through December 1968, I served in Viet Nam as Science Advisor to COMUSMACV.

THE THREAT

As Mr. Nitze so ably described, the intransigence of the Soviet Union after World War II left us no alternative to the development of a strong nuclear deterrent. The hope that the Soviets would join with us under the Baruch plan for sharing the great potential of the nuclear age was shattered with the first Soviet atomic explosion in 1949. Similarly the national debate over the decision to develop thermonuclear devices was punctuated emphatically by the first Soviet thermonuclear explosion in 1953.

Our policy of nuclear deterrence, which came to maturity under President Eisenhower, has I believe served us well. There are, however, two current Soviet developments that threaten the survivability and credibility of our deterrent: their ballistic missile defense systems; and their counterforce efforts.

For some years I have followed closely the growth of the Soviet ABM systems. By my reckoning there have been three systems involved: the first, partially deployed around Leningrad and then apparently abandoned; the second, deployed around Moscow and now approaching operational status; and the third or Tallinn system, very extensively deployed throughout the Soviet Union, and which appears to me likely to have a considerable ABM potential.

I find very unpersuasive the argument that the Soviets are building in the Tallinn development yet another SAM antiaircraft system to the neglect of a defensive system aimed at what they must surely regard as the more current threat of ICBM's and SLBM's.

By the counterforce effort I refer to the current Soviet development of multiple warheads for their SS–9 missile. To me the evidence as I understand it points very strongly, if not unequivocally, towards a MIRV—i.e., a multiple independently targeted reentry vehicle-system designed against the U.S. land-based Minuteman system.

To impart some feeling for the strength of my conviction on these two Intelligence issues, I would strongly support spending a substantial fraction of our Defense budget to assure that neither of these Soviet developments be allowed to degrade our strategic deterrent.

Put differently, I am most certainly not willing to gamble the survival of our Minuteman force that such an interpretation is wrong.

In addition to the question of capability, Intelligence must concern itself with the question of intent. Here the writing of such high-level Soviet military planners as Marshal Sokolovsky abound with references to the need for a preemptive strategic first-strike capability. They tell themselves they must develop it, and now we see that development in progress. How much more notification do we need?

In this focussing on the survivability of Minuteman one often encounters the rebuttal—"Well, there is always Polaris." This seems to me a hazardous position. The whole point of the mix of strategic weapons systems—Minuteman, Polaris, Poseidon, B52 Bombers—is to have such diversification that our deterrent could never be totally negated. I am sure that if we are willing to write off Minuteman as a component of our deterrent forces, we would not have any difficulty inducing the Soviets then to focus their full counterforce genius against our submarine and bomber forces. In fact, I fully expect there has already been long established a Soviet group charged with developing specific means of countering each element of our deterrent. To them, Polaris may not look like 600 missiles, or 6,000 warheads ~~if~~ given a ten-fold MIRV multiplication, ~~but~~ rather as only 41 boats to be neutralized. Certainly we know the Soviets are engaged in large-scale ASW developments. And our 600 B–52 bombers may be viewed as a much smaller number of airfields to be attacked—for which they may think their Fractional Orbital Bombardment System (FOBS) is well suited.

Turning to the Chinese Peoples Republic, it is no secret that their progress in the development of atomic and thermonuclear weapons has been spectacularly rapid. While their missile program has been less spectacular, there can be little doubt that they are striving to achieve an ICBM capability. Now who will those ICBM's be aimed at? It should be a sobering thought that no Chinese ICBM's would be necessary if only the Soviet Union were their target.

As to intent of the CPR, we have the wonderfully-candid statement of Marshal Lin Piao, Minister of Defense, in September of 1965. This document developed the theme that the U.S. nuclear capability is a paper tiger, and "cannot save U.S. imperialism from its doom." It also laid out a blueprint for what Marshal Lin euphemistically termed "peoples wars of national liberation," a blue-print that is being followed by the North Vietnamese in their invasion of South Viet Nam.

Thus, while I had no part even as an advisor in the Sentinel deployment decision, which occurred while I was on overseas assignment, it did seem to me a prudent move to anticipate a CPR ICBM threat.

TECHNICAL FEASIBILITY

It has been argued that even if there were a sound military requirement for the Safeguard ABM System it wouldn't work anyway. The technical reasons adduced for this view include:

1. It is too complicated.
2. There is insufficient reaction time for human decision-making.
3. It was designed for another purpose ("thin" defense of cities against a CPR attack) and is thus unsuited for the defense of Minuteman.
4. The radars can be blacked out.
5. Cheap and simple decoys can saturate the defense.

Before commenting on these points I must emphasize that I have no special expertise in the engineering of either missiles or radar—although I have studied Professor Panofsky's excellent book on Electromagnetic Theory. But we have all seen some other fairly complicated systems built by our aerospace industrial complex that work, and work well; for example, the Exployer, Surveyor and Mariner space shots, topped by the magnificent performance of the Christmas round-the-moon Apollo excursion. The use of solid state electronic components, which were invented only a few short years ago, has made possible a vast improvement in reliability. It would, of course, be folly to expect no difficulties, no start-up bugs in any new system. But both the Spartan and Sprint missiles have been successfully flown many times. At Kwajalein there has been constructed a Missile Site Radar (MSR) that will soon be tested in operational launches, and somewhat later in actual ICBM reentry-vehicle intercepts. Already in operation are numerous phased-array radars employing the same basic principles as the Perimeter Acquisition Radar (PAR). The computer required is well within the state of the art. The nuclear warheads are either already developed or can be tested underground. In other words there is a justifiably high confidence that each and every component is completely feasible.

The short time in which an ABM system must react is indeed a severe problem. But it seems to me far better to place that burden upon a defensive system which would not trigger a nuclear exchange, rather than upon our ICBM's which certainly would if they had to be launched on warning.

Since the new Safeguard deployment has brought into question the rationale behind the original Sentinel deployment, I believe it may be useful to quote an important part that seems to have been overlooked in Secretary McNamara's San Francisco address on 18 September 1967. He said,

"Further, the Chinese-oriented ABM deployment would enable us to add—as a concurrent benefit—a further defense of our Minuteman sites against Soviet attack, which means that at a modest cost we would in fact be adding even greater effectiveness to our offensive missile force and avoiding a much more costly expansion of that force."

This statement is, of course, borne out by the proposed Sentinel deployment, in which 4-face MSR's along with complements of both Spartan and Sprint missiles were to be collocated at both Grand Forks and Malmstrom, the same two Minuteman bases to be given priority protection under the Safeguard proposal. In other words, the difference between the two deployments is more one of emphasis than of kind.

Of course, many other approaches to hard-point defense have been examined, but precious—perhaps even critical—years would be lost in starting over at this point.

A blackout attack, like that of a direct attack upon the radars—the eyes and ears of the ABM system—is of course a possible enemy option, but is neither simple, guaranteed to work nor cheap in ICBM's and nuclear warheads. To be sure, any defensive system can be burned through with enough concentration by the offense, but this absorbs time that would upset a concerted attack, and absorbs warheads that could have caused great casualties elsewhere.

Any nation, like the CPR, who can produce ICBM's and nuclear warheads can of course also develop penetration aids—given time. In my view we can only hope to buy time, time to give our political colleagues and their foreign counterparts an opportunity to realize a workable arms control agreement based upon mutual concern, mutual restraint and mutual dedication.

ALTERNATIVE COURSES

In his San Francisco speech, Secretary McNamara made clear that intensive consideration was being given to others means of protecting our land-based deterrent: mobility, super-hardening, etc. It is strange to find some of those individuals who most strongly oppose ABM deployment because of the risk of escalating the arms race now advocating proliferation of our Minuteman system to assure its survivability.

In previous hearings of this Congress some have even suggested launching the Minuteman force on warning as a tenable course, or undertaking a preemptive strike against the CPR if their ICBM threat becomes intolerable.

I want to go on record as unalterably opposed to any intentional action—or intentional lack of action—that would maneuver the United States into such a position that only a strike-first option remained.

INTERNATIONAL OVERTONES

One of the most often expressed arguments against ABM is that it will inaugurate a new cycle of escalation in the arms race. Some of this fear may have been allayed by the reorientation of Safeguard to the defense of our deterrent forces. But it is noteworthy that the Soviets first formally announced their interest in arms limitation shortly after the U.S. decision was reached to deploy the Sentinel System. The Safeguard deployment in no way reduces the deterrence inherent in the Soviet retaliatory capability. That the Soviets understand the desirability and innocuousness of such a defense is illustrated by Premier Kosygin's declaration that their ABM system is a threat to no nation and does not contribute to an arms race.

Personally I should be sorry to see even the thin city defense permanently rejected. I believe such a defense might serve to dampen an unwelcome CPR adventurousness, and thus to maintain for us a wider class of options and more room for political maneuver.

Finally, I believe the maintenance of the credibility of our deterrent—to which Safeguard would contribute—is absolutely essential in our relations with NATO and our other allies around the world.

CONCLUSION

There are two additional reasons, which may even be the strongest of all for an early deployment of the Safeguard system. First, a review of the Soviet ABM programs indicates that they have for a number of years been gaining operational experience from actually deployed systems, whereas we have not. We can ill afford to allow an important gap to develop in the learning process concerning such an important capability. Second, it is only through the actual deployment of the major system elements that we can learn with certainty how to cope with the problems that will surely arise in command, control, communications and the inter-action and internetting of the radars with each other and with the rest of the system.

I believe that the great majority of the American people, with their down-to-earth commonsense, are having as great a difficulty as I am in swallowing the sophisticated arguments that conclude it is somehow bad to defend ourselves. I simply do not understand why it is provocative for the U.S. to deploy an ABM system as we are here considering today, but not provocative of the Soviet Union to have already deployed two ABM systems; nor why it would be provocative of us to defend our Minuteman forces against a developing Soviet preemptive first-strike capability, whereas it is not provocative of the Soviets to develop that destabilizing capability. We are told, in effect, to stop our provocative action of punching the Soviets on their fist with our eye. I sincerely hope that such an inverted Alice-In-Wonderland view of the world will not be allowed to prevail.

In summary, I support the early deployment of the Safeguard system as an essential part of maintaining the viability and credibility of our strategic deterrent.

Thank you, Mr. Chairman.

INDUSTRY MAKING MAJOR EFFORT IN POLLUTION CONTROL

Mr. RANDOLPH. Mr. President, the pollution of our air and water is accepted as one of the major problems facing the United States today.

The growth of our population and the resulting increasing in the industry and services necessary to sustain it has made the control of pollution more essential than ever before. In recent years, enlightened industry has joined with all levels of government in an effort to return our environment to a state of cleanliness and purity.

In the space of 5 years air pollution control expenditures by the Federal Government have jumped from $4.1 million to $91 million. This year the Government plans to spend $133 million.

A beginning has been made, Mr. President, but we have considerably more to do. Yes; much to do.

American industry recognizes the need to continue antipollution work and has itself made constructive contributions to the campaign in both talent and money.

The very nature of the business makes the American steel industry deeply involved in pollution problems, and there are notable examples of success in reducing the amount of waste material loosed in the atmosphere and streams.

Our steel industry last year spent $222 million to improve air and water quality, almost evenly divided between the two. This was in addition to expenditures in the preceding 16 years totaling $600 million.

Steel spokesmen affirm that the job in reducing pollution is going forward. They are dedicated to continue high-level spending on antipollution projects.

There are many outstanding examples of new techniques and revolutionary methods being applied to the problems of combating pollution of the air and water.

In our State of West Virginia, for example, a new $100 million plant at Weirton Steel Co. has been called the "mill of the future," combining in a new facility many modern antipollution devices in addition to modern steel-producing equipment.

And a new electric power plant near Moundsville, W. Va., the Mitchell plant owned by American Electric Power Co., has a stack 1,206 feet tall to carry waste gases high into the atmosphere and away from the ground. This is approximately three times as tall as the average.

The electric power industry as a whole spent $98 million to abate pollution in 1967. During the same year, the chemical industry was spending $87 million, petroleum $47 million and coal $18 million fighting these problems in their own spheres.

So, while we may sometimes think that little is being done to purify our environment, there is ample proof that industry, as well as government, is making a determined effort to create and keep clean air and water in America.

S. 1717—A BILL TO INCREASE THE INCOME TAX EXEMPTION, SUPPORTED BY JACK BOSTICK, VICE PRESIDENT OF INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

Mr. YARBOROUGH. Mr. President, recently I introduced a bill, S. 1717, to increase the personal income tax exemption from $600 to $1,200. As I said at the time I introduced my bill, I feel that we have waited far too long to take such action.

Recently, I received a letter from my good friend Jack Bostick, vice president of the International Association of Fire Fighters. Mr. Bostick is a fellow Texan and lives in Fort Worth, Tex. He enclosed with his letter a resolution which was recently adopted by the IAFF in convention. Because the resolution pertains "to the spirit, if not the letter" of my bill, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION NO. 86

Re increase in exemption for dependents from $600 to $1800 for each dependent for income tax purposes.

Whereas in the past number of years the cost of living has risen steadily and in many instances wages have not kept pace with the rapid rise, and

Whereas for the above reason the cost of supporting a family and dependents has increased greatly, and

Whereas the present $600.00 exemption for a dependent is no longer a realistic figure: Therefore be it

Resolved, That the International Association of Fire Fighters strive for Federal legislation to increase the $600.00 exemption for a dependent to an $1800.00 exemption for each dependent for income tax purposes; and be it further

Resolved, That the International Association of Fire Fighters solicit the aid of all organized labor and pursue this legislation with a united front.

Submitted by: Local Union No. 344, Detroit Fire Fighter Association, Earl L. Sanders, Secretary.

SENATOR NELSON FIGHTS FOR TIGHTER TRUTH IN PACKAGING STANDARDS

Mr. PROXMIRE. Mr. President, an editorial published in the May issue of Wisconsin's nationally known The Progressive magazine, edited by Morris Rubin, tells of the frustrations and confusion confronting the housewife in performing her routine but important task of shopping for the family groceries.

In 1966, Congress passed the Truth in Packaging Act, aimed at removing deceptively packaged products from the supermarkets. However, consumer studies conducted before and after enactment of this law have proved that the Truth in Packaging Act has not accomplished all that it set out to do.

Our distinguished colleague and my fellow Senator from Wisconsin (Mr. NELSON), has long been a vigorous spokesman for the consumer. We are all familiar with his outstanding achievements in investigating the high costs of prescription drugs and in assuring the highest safety standards in automobiles and automobile tires. Now Senator NELSON has introduced an amendment to the 1966 Fair Packaging and Labeling Act which would require the price per unit to be placed on the label of consumer commodities, including food, household goods, drugs and cosmetics.

The Progressive's editorial is just one of the many voices urging Congress to take action on this important legislation, S. 1424. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHEAPER BY THE POUND

Three years ago this spring—before Congress enacted the "truth-in-packaging" bill—we reported in these columns on an Eastern Michigan University survey involving thirty-three college-educated housewives who were turned loose in a supermarket with identical shopping lists. Confronted by a staggering variety of sizes and deceptive labeling of grocery and household goods, these shoppers were misled into spending an average of $10 for purchases that could have been made for $8.90.

Food industry lobbyists successfully persuaded Congress to pass only a diluted truth-in-packaging law in 1966. As a result, confusion still reigns in packaging. Senator Gaylord Nelson, Wisconsin Democrat, recently pointed out that "consumers today still must be mathematicians before they can select the best bargain from among the vast variety of odd-sized packages on the market."

He cited two consumer tests conducted in California, one before and one after the Federal law was enacted. In a 1962 test five college-educated housewives were asked to buy a total of seventy items at the lowest unit costs. The women made thirty-four incorrect choices and thirty-six correct ones.

In an identical test made after the law went into effect, the women made thirty-eight incorrect choices—four more than before the law was operative—and only thirty-two correct ones.

Senator Nelson proposed that the 1966 Fair Packaging and Labeling Act be amended to require that a per unit price be placed on the labels of commodities, including food, household goods, drugs, and cosmetics. Thus, a package of pancake mix containing forty-two ounces and priced at sixty cents would show not only the sixty cent price but a price of twenty-three cents per pound. This would enable housewives who see on the grocery shelves "thirty-two different choices of pancake mix in thirteen different size packages at twenty-one different prices," as the Senator described it, to judge value by comparing the price per pound.

Products would be priced per ounce or pound for solid commodities, by the pint or quart for fluids, and per unit for packages of napkins and similar items.

The principle is not new, said Nelson, since the practice of printing the price per pound has long been used in supermarkets on packages of meat, fish, and poultry. His proposal would permit housewives to get the best buy for their money without requiring a slide rule or calculating machine.

The lack of unit price information which caused housewives in the 1966 Michigan study to pay twelve per cent more than they should have, is probably even costlier in dollars and cents today because of sharp price rises in the past few years. Inflation has made it more urgent than ever that Senator Nelson's amendment be made part of a strengthened and updated truth-in-packaging law.

QUESTIONS CONCERNING U.S. INVOLVEMENT IN VIETNAM

Mr. FULBRIGHT. Mr. President, an editorial published recently in the Paragould, Ark., Daily Press asks some sobering and important questions about our continuing involvement in Vietnam. Referring to the more than 33,000 Americans who have been killed there, the editorial points out that these questions become "more urgent with every casualty."

These are urgent questions. I ask unanimous consent to have the editorial entitled "Question" printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

QUESTION

The Congressional Record of March 25 contains 31,379 names—162 from Arkansas—captioned "List of Casualties Incurred by U.S. Military Personnel in Connection with the Conflict in Vietnam."

Each casualty is listed by name and hometown.

The hometowns: Paragould, Jonesboro, Leachville, Rector, Marked Tree, Walnut Ridge, Trumann, Blytheville, Colt, Hoxie, Corning, Little Rock, Camden, Wynne, Dell, to name a few. Paragould is listed twice, Timothy Eugene Clark and Teddy Gene Whitton.

The names listed are all of those killed by hostile action from the very beginning of the war through the end of January 1969.

Congressman Paul Findley of Illinois caused these names to be printed in the Congressional Record to raise some "sobering questions:

"What advantage to our national interest has been secured by the death of the men listed on the following pages?

"Were sacrifices of this magnitude justified by events and issues in Vietnam?"

"The listing," Findley opined, "is especially appropriate this week because, making adjustment for the Department of Defense's 1-week lag in reporting those killed in action, it is clear that Vietnam deaths have now surpassed Korea. Nearly one-third occurred since the peace offensive' began last March 31."

One hundred twenty-one solid pages are taken up with triple rows of names, listed alphabetically by states, and branch of service.

Findley, in his accompanying remarks, made this essential point:

"The men who have died in this mistaken conflict nevertheless deserve every recognition and honor. The fact that misguided national leadership, in which I freely acknowledge my own share of the blame, erred in sending them to war diminished in no way whatever their heroism, made no easier their sacrifice, and lessened not at all the anguish of their relatives."

He went on in this vein:

"Questions that inevitably will be asked are: Would withdrawal dishonor those who have died? Would it be a camouflaged surrender unworthy of our nation? Perhaps the best answer is another question: Will additional casualties alone rectify mistaken war policy?

"If the premise is accepted—as I believe it must be—that our military policies have been based on false assumptions all along, then the best way to honor the war dead is to take steps to assure that the casualty lists stop growing.

"To waste additional lives simply because of previous deaths is rationalization so warped as to dishonor every noble sentiment attached to the name America."

Findley, who admitted to coming to his view "relatively late" yielded the floor at one point to his "leader," Rep. Tim Lee Carter of Kentucky, who described the list as a "roll of honor, consisting almost entirely of men between 19 and 24 years of age."

Carter also said, "we must recall when this started it was not in 1963 or 1964. This was first escalated in 1961 when 17,000 men were first placed over there. Later, in 1964, about the time of the Tonkin Bay resolution, we were told that our vessels, the destroyers, *Maddox* and the *C. Turner Joy* were under attack by North Vietnamese vessels. Hearings . . . have shown beyond doubt the commanders of those vessels today know not whether they were attacked or not, and will not state whether they were attacked at that time.

". . . And still we are in this ceaseless, tireless war, where our men are mangled and multilated, and in which 33,000 have now been killed, over 200,000 have been wounded, and $100 billion has been blown away."

This is precisely the problem which the Nixon Administration has inherited. One may disagree with the conclusions of Findley and Carter, but can we continue to justify more casualties primarily through appeals to national vanity?

The questions raised by Findley, too, become more urgent with every casualty.

FARMWORKER COLLECTIVE BARGAINING

Mr. BENNETT. Mr. President, currently the Subcommittee on Labor of the Committee on Labor and Public Welfare is conducting hearings on S. 8, which would authorize farmworkers to organize for purposes of collective bargaining. I ask unanimous consent that the testimony of Reed Larson, executive vice president of the National Right To Work Committee, regarding S. 8 be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF REED LARSON, EXECUTIVE VICE PRESIDENT, NATIONAL RIGHT TO WORK COMMITTEE, BEFORE THE SENATE SUBCOMMITTEE ON LABOR

Mr. Chairman and Members of the Committee: We appreciate the opportunity to appear before you today and to present our views on the important legislative matter under consideration.

My name is Reed Larson. I am the Executive Vice President of the National Right to Work Committee, a single-purpose citizen's organization dedicated solely to the protection, for every worker, of the free choice to join or not to join a union. Our members and supporters represent a cross-section of persons from all walks of life, including professional people, rank-and-file wage-earners—both union and non-union—businessmen, and others. Like most Americans, and certainly like every member of the Committee, we are anxious to see that every working man has the greatest possible opportunity to utilize his talents to the maximum extent of his ability. The concern expressed by members of the Committee for the plight of migrant workers is, indeed, an integral part of a broader fight for freedom and opportunity for all Americans. Our organization is concerned with a particular facet of this struggle for equal opportunity—and we believe one of the most important facets.

Experience has shown repeatedly that, while the right to organize and bargain collectively can be an important tool for the working man in achieving justice the widespread practice of compulsory unionism has increasingly perverted this tool into an instrument of political and economic repression.

We believe that passage of S. 8, as presently drafted, would be a step in the wrong direction—a step toward restricting rather than enhancing the opportunities available to farm workers throughout America.

We neither advocate nor oppose the extension of representation elections and mandatory collective bargaining to farm workers. However, we strongly believe that adoption of the provisions of this bill which provide for compulsory unionism will work against the public interest and the interests of working people everywhere.

I think all of us would agree that one of the factors which has led to the introduction of this legislation and has helped to focus attention on this question is the widely-publicized effort by the AFL–CIO's United Farmworkers Organizing Committee to curtail the sale of California grapes by our nation's food stores. The stated purpose of the boycott promoters is to pressure grape growers into holding employee elections to determine whether or not employees which to be represented by unions. The facts indicate this may not be their real objective. As we have stated publicly many times, the real boycott objective is "to compel employers to compel their employees to join a union in order to work."

However, if we accept at face value the stated objectives of Mr. Chavez, his superiors in the AFL–CIO, and the many concerned citizens who have become involved in this controversy, there is very little room for disagreement. A bill can be drafted to carry out those objectives which would meet almost no opposition. We certainly do not object to giving farm workers an opportunity to vote on union representation. From what I have read, most of the growers are agreeable to such a provision—and surely the overwhelming majority of Members of the Congress will agree. So, there is no problem unless the real objective of the AFL–CIO and their Mr. Chavez is something other than that which they publicly say it is. We say they want compulsory unionism. AFL–CIO officials say they don't. As recently as February 8, in a signed Washington Post news-service story, Mr. Chavez denounced our organization by saying, ". . . the Right to Workers smear the boycott by saying that the issue is 'compulsory unionism' and that the boycott is to try to force unionism on workers who really don't want it . . . the only demand is that the companies agree to sit down and discuss ways and means of recognizing the union and then make plans to enter into negotiations . . ."

Our proposal to this Committee provides a simple test of the truthfulness of those who are promoting the grape boycott—who say that their only objective is representation elections for farmworkers. We are asking simply that you remove from this bill all provisions which will subject farm workers to compulsory unionism, thereby leaving them with the full protection of the National Labor Relations Act in selecting their desired bargaining agent.

As Senator Williams said when he introduced the bill, "The bill provides an orderly process for the conduct of elections by the NLRB to permit employees freely to choose whether they wish to be represented by a union. Should a majority wish union representation, the employer and the majority representative are thereafter both obligated to bargain collectively and discuss grievances." We see nothing objectionable in that statement, and ask only that the hidden menace of compulsory unionism be clearly prohibited—that employees be protected from being forced to pay money to a union which they feel is doing them no good.

An event which occurred just eight days ago, on April ninth casts further doubt on the credibility of Mr. Chavez and the organization which he represents, the AFL–CIO. In an abrupt reversal of his alleged objective Mr. Chavez admitted to a Delano press conference exactly what we have contended for many months—that his real objective is not representation election, but compulsory unionism. Mr. Chavez denounced the plan to put farm workers under the National Labor Relations Act and freely admitted that his real objective is a closed shop for farm workers. In so doing, he implies that he now doubts whether he could win the support of workers if a representation election were held. By this performance, I believe it is clear that Mr. Chavez and his sponsors, the AFL–CIO, can no longer be taken seriously by those who earnestly seek a way to improve the fortunes of farm workers. Furthermore, Mr. Chavez has left high and dry thousands of his well-intentioned supporters who had followed him in the earnest belief that his real aim was that of securing representation elections for farm workers.

The respected San Francisco Examiner in an April 11 Editorial effectively expresses the outrage and disappointment which must be felt by those who had mistakenly looked to Mr. Chavez and the AFL–CIO for leadership in seeking solutions to the problems of farm laborers:

"THE NEW CHAVEZ, A LABOR BOSS

"*The Many Politicians*, clergymen and others who have sanctified Cesar Chavez as a Moses leading farm workers out of bondage should have red faces today. Suddenly their Moses has taken on the visage of a hard-boiled labor boss.

"For a year the pleaders of the Chavez cause have been criss-crossing the nation, promoting his grape boycott as a holy crusade and demanding, over and over and over again, that the National Labor Relations Act be extended to cover farm workers.

"They said that Chavez and his AFL–CIO United Farm Workers Organizing Committee could force recognition upon benighted farm employers if only they were given the same NLRA protection to organize and bargain collectively that all other kinds of workers enjoy.

"But yesterday Chavez, speaking at his Delano headquarters, exploded all that. He denounced the NLRA because, if brought under it, he would also become subject to the Taft-Hartley and Landrum-Griffin Acts. His grape boycott then would become unlawful as a secondary boycott. And he could not force a closed shop.

"He said farm workers deserve special treatment from Congress.

"That is to say, he is not content to operate under the legal rights accorded all other American workers. He wants more.

"He wants not only the privileges and protections of the NLRA but also the right to force farm employers, through the boycott, into recognizing his union as bargaining agent.

"That means he wants farm workers handed over to him without the formality of an impartial NLRA election in which the workers could vote for his union, another union or no union. And he wants the closed shop, under which employers would be forced to help him keep his membership.

"The only conclusion we can draw from this is that Cesar Chavez doesn't think he would win the farm workers to his side in an NLRA election, despite the many restrictions such an election places on employers.

"*Let Us Remind* readers that The Examiner has supported in the past—and still supports—the right of farm workers to organize and bargain collectively under the NLRA. But we believe also that no worker should be compelled to join a union against his will.

"The new Chavez is talking the language of forced, compulsory unionism. That is why the man so lavishly praised as a labor idealist has emerged, we repeat, as a hard-boiled labor boss."

One very important point has been missed by the Examiner, however. The bill being considered today, unless the compulsory unionism provisions are removed, would establish the very conditions which are denounced so vigorously in this Editorial.

We ask therefore, that the provisions of S. 8 which establish prehire agreements, the seven-day union shop, and the hiring hall, be deleted from the proposed bill. This bill as now drafted, would permit union officials to extract dues from hundreds of thousands of unwilling farm workers without a vote by even a single worker. It would allow union officials to obtain compulsory union shop agreements with employers even before anyone goes to work. Under that agreement, all workers would be obtained through a union hiring hall and all would be compelled to join a union within seven days or would lose their jobs. These provisions are not only unfair, undemocratic, and discriminatory: they also are unnecessary to establish, as Senator Williams says, "an orderly process for the conduct of elections by the NLRB to permit employees to freely choose whether they wish to be represented by a union."

In its place, we recommend that this Committee insert language which will protect every farm worker from being compelled to pay money to a union in order to get or keep a job.

In his introduction of S. 8 on January 15 the Honorable Senator Harrison Williams of New Jersey said, "farm workers today, believing that collective bargaining is an essential self-help device for improving their economic and social status, are striving vigorously for elections and other means to obtain union recognition."

But the National Committee submits that these words have no meaning in terms of providing effective legislation to protect and help the migrant farm worker in this country UNLESS words are included in the legislation making compulsory union membership illegal, words guaranteeing the individual farm worker the Right to Work whether or not he decides to join a labor union.

The California farm worker has indicated he understands this point. After three years of intense organizing efforts, the expenditure of many millions of dollars by the AFL–CIO (the United Farm Workers Organizing Committee recently said that they now have 500 full-time paid men and women criss-crossing the country in support of "collective bargaining rights" and "free elections"), and most recently a nationwide product boycott . . . despite all of this less than two per cent of California's farm workers have joined Cesar Chavez's United Farm Workers Organizing Committee.

In conclusion, I appeal to the members of the Committee to use your wisdom and enormous influence on behalf of the interests of the individual farm worker, providing him with legislation which will protect him from unfair treatment both at the hands of professional union organizers and at the hands of employers.

SCIENTISTS AND YOUTH IN REVOLT

Mr. JAVITS. Mr. President, I have recently read an article entitled "Scientists and Youth in Revolt" written by Eugene Rabinowitch, the magazine's editor-in-chief, published in the April 1969 issue of Bulletin of the Atomic Scientists. The article pleads most eloquently and persuasively for "customary ideas about the relative importance of conflicting interests of individual nations and common interests of all mankind must change, permitting new rules of international behavior to be generally accepted." It is the author's view that only a new mode of political organization can free us from the power and compulsions of the arms race.

"Scientists and Youth in Revolt" is a provocative article, worthy of reading by Senators. I ask unanimous consent that its text be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Bulletin of Atomic Scientists, April 1969]

Scientists and Youth in Revolt

(By Eugene Rabinowitch)

On March 4, following an appeal by 46 members of the faculty of the Massachusetts Institute of Technology, a large number of research scientists at this school—one of the most prestigious academic research institutions in the country—left their laboratories to participate in a discussion of burning problems of science and public affairs. The debate included addresses by two Nobel prize winner—Hans Bethe of Cornell University (physics) and George Wald of Harvard (biology). This gathering, paralleled by similar ones at several other academic institutions, was intended to express the concern of the scientific community with the misuse of science by government for the prosecution of war and escalation of the arms race, and the failure to make full use of its beneficent, constructive possibilities. Scientists all over the world are alarmed by the inability of society to answer the challenges of the scientific age.

The appeal of MIT scientists singled out, as two prime reasons for their discontent, the continuing war in Vietnam and the planned deployment of anti-ballistic missiles (ABMs). However, the distress of scientists has much broader reasons, and much wider implications.

The Vietnam war may be but an extension of traditional power politics into the era when America has become a foremost world power. The deployment of ABMs may be but a logical continuation of the race for military supremacy which has dominated world politics for several centuries. Like other citizens, scientists may disagree as to whether, in the context of these accustomed policies, the decisions leading to the Vietnam confrontation and to the ABM race were right or wrong, wise or otherwise. More fundamental is the fact—which few scientists will dispute—that the challenges of the scientific revolution cannot be answered adequately by any decisions not transcending the traditional framework of international relations.

RADICAL CHANGES NEEDED

Of course, as long as the inertia of power politics continues, arguing for moderation in the arms race and restraint in the use of force in international affairs is necessary and important. But something much more radical than such tactical rearguard fights is needed to make mankind viable in the age of nuclear rockets.

Almost a year ago, the Vietnam conflict moved, at least in part, to the negotiating table. The deployment of ABMs in the neighborhood of American cities has been suspended, as of this writing, pending a review by the new Secretary of Defense. A skeptical observer may well entertain little hope for a Vietnam settlement emerging from Paris negotiations, and even less hope for the suspension leading to permanent avoidance of an ABM race between the United States and the Soviet Union. But even if this skepticism should prove exaggerated, the fundamental contradiction between the dynamics of the scientific revolution and the inertia of an obsolete international system will remain unresolved.

Only a radical new beginning in international relations can reverse—rather than merely delay—mankind's trend towards the catastrophe of a nuclear war.

COLLECTIVE EXISTENCE

The dilemma is simple. The biological evolution of the human species, and the social evolution that followed it, have led to the organization of mankind into a number of self-centered communities, each devoted to the pursuit of its own group interests, and commanding allegiance unto death of its members in conflicts with other communities, which this self-centered behavior of all of them inevitably engenders.

This system of collective existence has done well by mankind. First, it has permitted it to become the dominant animal species on earth. In more recent stages of man's development, it has given a succession of communities (tribes, states, nations), leadership in wealth and power, while reducing other communities to poverty and servitude, if not total disappearance. Some believe—although this is more arguable—that elimination of the weaker and strengthening of the stronger communities has served, however crudely, the advancement of the species as a whole.

Be this as it may, the scientific revolution has made the continuation of this process—which one could call "evolution by intraspecific aggression"—impossible, as well as unnecessary. Impossible, because continued power contests between communities aspiring to leadership are now bound to bring about the destruction of all of them. Unnecessary, because science has taught man how to create new wealth instead of fighting for the limited amounts of available natural wealth. Yet competition for limited wealth was the main source of intraspecific conflicts in all history. It has led to establishment of patterns of aggressive group behavior which, once they became dominant, have caused fighting to erupt also in conflicts not related to the division of wealth.

In contrast to the division of natural wealth, which is a "zero sum game" where the win of one group is the loss of all others, production of new wealth by science and technology is a game in which "everybody wins." This is a fundamental change in the human condition, but organized societies continue to move in the accustomed grooves, following tradtional collision courses—even though all of them are aware that this behavior is dangerous and may be suicidal. No nation has yet found the way to fit its national existence safely into the new habitat which science has created for man.

What is needed is no less than a revolution in the attitudes and behavior of societies—not a revolution against dominant classes or political parties in several nations, but an international revolution against the worldwide establishment of sovereign nations.

Customary ideas about the relative importance of conflicting interests of individual nations and common interests of all mankind must change, permitting new rules of international behavior to be generally accepted.

This may appear to be a wishful dream, but upon sober thought, it is the only realistic basis for long-range optimism in our time. If the revolt of scientists is not to exhaust itself in futile rear-guard actions, it must be committed to the broad aim of bringing about a radical change in the international system.

AN INTERNATIONAL FORCE

There is one asset scientists can bring to this task: their capacity for international understanding, based on common factual knowledge and on respect for facts, without which nobody can become a successful scientist. Another movement has claimed this asset before—the international labor movement. A proletarian, Marx and Engels said in the Communist manifesto, has no fatherland. The first world war proved, however, that the ties binding the working classes to their own national societies were much stronger than bonds of international solidarity.

The founders of the Soviet Union had dedicated it, in 1917, to utter, reckless internationalism. But when the anticipated westward spread of the revolution failed to materialize, the pioneer community they had hoped to create became transformed into a rigidly centralized national state, ruthlessly pursuing its special interests, as the recent occupation of Czechoslovakia has once again demonstrated. And communist China, despite its vague commitment to leadership in the fight of the colored "world village" of the South against the white "world city" of the North, seems to be from its very beginning, even more self-centered than the Soviet Union has become after 50 years of embattled existence.

Scientists, like workers, have strong national ties. Nevertheless, their scientific training facilitates, to some extent, understanding between them even outside their professional fields of interest, particularly in situations where science and technology provide important ingredients. In a world dominated by the threats of a scientific war (and of a runaway population), scientists are brought together not only by their professional interests, but also by common horror of science becoming an agent for the demise of mankind, and a common belief, that constructively applied, science could make a decisive contribution towards making life satisfactory for all men on earth. Academician Sakharov, in his much noticed "manifesto," (discussed in the November *Bulletin*), has revealed the far-reaching similarity between the apprehensions and hopes of Soviet scientists and those of their colleagues in the West.

The need to overcome international anarchy is much more compelling now than it was in 1914 and 1939. Despite the new wave of nationalism rising all over the world, psychological conditions are much more favorable now than they were in the past for wide acceptance of the priority of common interests of mankind over self-centered interests of separate nations.

The next step scientists should plan, after the demonstration of March 4, should therefore be international is scope. A worldwide "science for peace" day could be this next step.

STUDENT UNREST

A most remarkable aspect of the present unrest among student youth is its almost simultaneous occurrence in widely separated parts of the world. Special grievances undoubtedly exist in various countries and in different schools, but obviously, at the base of all these events, there is a widespread conviction that something is fundamentally wrong with society as it now exists, particularly in the technologically advanced, prosperous areas of the globe. The most vocal spokesmen of the radical students blame the older generation for bequeathing to youth a political and economic system that denies free choice and negates creative existence. Many of them declare the intention to destroy the whole fabric of this society—even if they have as yet no clear idea as to what they would build up on its ruins.

One of the specific grievances of dissatisfied youth is that society has used science and technology to create a leviathan that deprives the individual of all chance for self-determination.

The scientific-technological revolution has in fact complicated immensely the human environment. For a vast majority, individual productive effort has become practically impossible. Kenneth Galbraith has offered, as a kind of substitute for economic autonomy of the individual vicarious participation in decision-making in the largest modern corporations. Contrary to the "classical" views, the making of decisions, he insists, has ceased to be the prerogative of the owners, and has been distributed among an increasingly wide membership of the "technostructure": engineers, scientists, economists, sales managers, every one bringing in his own unique contribution. But these are not the kind of decisions, affecting one's own life, which rebellious students claim should be returned to the individual.

CAN WE HOPE?

It is a problem of utmost gravity: how in an increasingly widely educated generation can the desires of individuals for a free, meaningful choice of creative activity be realized, despite increasing technological complexity of the productive process? Certainly not in the way spiritual descendants of Rousseau and Thoreau hope for—opting out of the technological society and choosing a field in which a man still can be his own master. This will be possible only for a steadily dwindling minority.

The increasing mechanization and automation of production calling for organization and planning on an increasingly large scale, is not a process than can be reversed by the new generation. Mechanized production cannot be subdivided into meaningful individual activities. Yet giant, complexly mechanized production provides the only possible basis for the prosperous way of life which we in the West—including the majority of rebellious students—now take for granted. It alone offers some hope for spreading this prosperity not only to the islands of poverty in our own midst, but to the two-thirds of mankind now living in conditions of malnutrition and squalor of the pre-scientific age. It alone permits us to look forward, with a modicum of hope, to the time close at hand when two or three times as many people than there are now—six or seven billion by the turn of the century—will live on this earth.

Those in the new generation who want to assume an active role in shaping the future of mankind, have no choice but to build this future in the framework of the scientific-technological civilization—not outside it, and not on its ruins.

There is, however, one field in which the discontent of youth with the technological establishment is in tune with the time. The scientific-technological revolution has engendered, in addition to its legitimate offspring—an enormous, complex, mechanized, and automated production apparatus—a bastard child. This is the scientific machinery of destruction, the "military-industrial complex," creator and operator of a destructive power of unimaginable violence. A five-star general-President was impelled to warn, in his farewell to the nation, against the growing influence of this complex in national affairs. It deprives nations of constructive use of tens of billions of dollars, and constructive employment of hundreds of thousands of men in their most productive age. It diverts the creative energy of nations from the vital tasks posed to them by the scientific age. While the young generation must seek outlets for independent and creative life in cooperation with, rather than outside, the scientific-technological society, it is right in trying to destroy the illegitimate child of the technological revolution, the swollen military-industrial establishments dominating the scene in today's world.

This task which the technological revolution has put before the coming generations can be achieved only by coordinated international effort. Attempts of individual nations to minimize unilaterally their own military establishments have often enough ended with their destruction at the hands of a more aggressive power, or with a last-minute frantic effort to recreate a force sufficient to withstand aggression. And the nature of modern weapons is such that the 1940 Battle of Britain can never be repeated.

Those opposing unilateral weakening of the military establishment of any nation will quote the experience of 1914 and 1939 as convincing proof that weakness only invites aggression.

The impossibility of any nation postponing rearmament until a war is at hand or has already broken out, is the reason for the unprecedented violence of the arms race in our time. It has led to a precariously unstable system of responses in which hundreds of billions are being spent annually, all over the world, to create and deploy weapons which can threaten any potential enemy with utter destruction—without the hope of protecting one's own country from a similar fate. The nightmarish nonsense of this incredibly wasteful system must be obvious to everybody. Consciously or subconsciously it oppresses the mind of every thinking man in the world. It alone fully justifies the feeling of the rebellious youth that something is fundamentally wrong with the world.

Scientists and youth are two international forces which could contribute to the liberation of mankind from the incubus of war that rides the back of the prosperous West. As scientists must use their worldwide community to mobilize against the misuse of science for the maintenance of an unstable balance of terror, so youth all over the world must come together in common opposition to the international establishment of sovereign states, against useless preparation for an unthinkable nuclear war.

The military-industrial establishments of the world are not creations of evil men pursuing their own interests, or motivated by a sadistic wish for wholesale destruction. They are honorable successors to military establishments of the past when war was a legitimate part of international existence. These men are trying to do what their predecessors could achieve, but which, by the force of events, they cannot achieve. They cannot give their own nations security through increased power in a world of competing powers.

If the worldwide system of competing sovereignties is not changed, rebellion against the military-industrial establishment in every individual country will remain futile, and opposition to any specific decision in the arms race or in actual war will be at best a delaying action without permanent effect.

LIBRARIAN OF CONGRESS ENDORSES AMERICAN FOLK LIFE BILL (S. 1591)

Mr. YARBOROUGH. Mr. President, the Library of Congress has been active for over 40 years in the concerns of American folk life. In 1928 the Archive of Folk Song was established in the Music Division to meet "a pressing need for the formation of a great centralized collection of American folksongs." The Archive has contributed a great deal to the area of folk music, and has served as an invaluable resource in the folk life field.

Dr. L. Quincy Mumford, the librarian of Congress, has notified me of the Library's support for S. 1591, my bill to establish an American Folklife Foundation in the Smithsonian Institution. He states:

> The proposal for the formation of an American Folklife Foundation as outlined in pending bill S. 1591, would appear worthy of serious and favorable consideration. I would be happy to serve as an *ex officio* member of the Foundation and you can be assured, of course, of the Library's cooperation in this matter.

Mr. President, I am deeply grateful for this endorsement from Dr. Mumford and the Library of Congress. I am pleased to know that my bill elicited such a favorable response from those who have worked so hard to preserve our American folk heritage.

I ask unanimous consent that the letter of Dr. Mumford of the Library of Congress, dated April 21, 1969, on S. 1591, my bill to establish an American Folklife Foundation in the Smithsonian Institute, be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Library of Congress,
Washington, D.C., April 21, 1969.

Dear Senator Yarborough: This is in answer to your recent request for the Library's views on S. 1591, a bill to establish an American Folklife Foundation. As you know, for over forty years the Library of Congress has been active in the concerns of American folklife, particularly through the efforts of the Archive of Folk Song, which was established in the Music Division in 1928 to meet "a pressing need for the formation of a great centralized collection of American folksongs." The accomplishments of the Archive are well-known, and its scope has broadened to include representative traditional musics from all continents, as well as extensive documentation of all genres of American folklore, in its broadest sense.

In keeping with our long-standing activity in the field, we would welcome the formation of a national center for the support and encouragement of the collection, investigation, teaching, and presentation of American folklife. We realize that but minimal support for these endeavors has been forthcoming from our National Science and Arts and Humanities Foundations, as these organizations must necessarily confine their attention to the mainstreams of American culture. In addition, folklore, and its extension folklife, have been the concern of both the social sciences and the humanities thereby diffusing any potential focusing of attention by existing national foundations.

The proposal for an American Folklife Foundation comes at an opportune time because an increasing number of colleges and universities are offering programs in folklore and folklife, several on the graduate level. In addition, the recent formation of the Ethnic Culture Survey of the Pennsylvania Historical and Museum Commission, and the Study Commission on Maryland Folklife, point to an awareness of folklife problems at the state level, which could well be encouraged in other States through a national Folklife Foundation.

As for the proposed structure for an American Folklife Foundation, the Smithsonian Institution would appear an appropriate choice for administrative affiliation in several respects, by virtue of that agency's experience in the handling of material culture, its concern with the ethnology of the American Indian, and its recent activities in folk instrument collection, folk craft sales, and folklife festival programing.

For our part, we believe the Library of Congress could be of assistance to an American Folklife Foundation in a number of areas, particularly as the national repository for sound recordings obtained through its auspices. Over twenty years ago the bulk of the recorded sound collections assembled over the years by the Smithsonian Institution, particularly by their former Bureau of American Ethnology was transferred to the Library of Congress. Similar transfers of sound recordings have been implemented from the White House, National Archives, Bureau of Indian Affairs, Pan American Union, Office of Education, Treasury Department, Armed Forces Radio (and Television) Service, Marine Band, and the former War Department, Office of War Information, Works Progress Administration, and Farm Security Administration.

The services of other custodial and subject-matter divisions in the Library could prove beneficial to an American Folklife Foundation. For example, large collections of pertinent materials are already maintained in the form of manuscripts, photographs, and motion pictures, and our holdings of published folklore and folklife documentation and research are extensive.

The proposal for the formation of an American Folklife Foundation as outlined in pending bill S. 1591 would appear worthy of serious and favorable consideration. I would be happy to serve as an *ex officio* member of the Foundation and you can be assured, of course, of the Library's cooperation in this matter.

Sincerely yours,

L. Quincy Mumford,
Librarian of Congress.

ADDRESS TO STUDENTS BY PRESIDENT LEO W. JENKINS, OF EAST CAROLINA UNIVERSITY

Mr. ERVIN. Mr. President, during the last year the American people have witnessed a multitude of unlawful demonstrations and riots on our college campuses. Judging from a recent Gallup poll, most hard-working American taxpayers find these student activities appalling, particularly at the State institutions which the taxpayers are subsidizing. Equally frustrating to the taxpayer has been the response of many university administrators to the student's challenge. All too often, we have seen college presidents capitulate to student demands after they have vandalized school buildings, destroyed research papers representing years of effort, and rifled personal files and correspondence.

It was with a great deal of relief that I noticed a speech to students the other day by the president of East Carolina University, Dr. Leo W. Jenkins. In his speech, Dr. Jenkins went to great pains to define the perimeters of student behavior which the university would tolerate. He said that:

> This campus will not become a rest haven for the indolent, a correctional institution for the undisciplined, a remedial institution for the untrained, and most emphatically it will not become a sanctuary for the lawless. . . . The few individuals on this campus who have intimated that buildings might be burned should hear this and hear it clearly. Force will be met with force, and lawlessness shall be prosecuted to the full extent of the law.

Dr. Jenkins pointed out that every student at East Carolina University received a taxpayer's scholarship of at least $801 and that of the 67 students who were immediately petitioning the university with a wide range of "demands," 45 received additional financial aid ranging from $300 to $1,846 per year.

Dr. Jenkins did not close the door to change, but he made it clear that problems would be considered "only through the regular and democratic channels of this university."

Mr. President, I recommend the speech of Dr. Jenkins to all Members of the Senate and those interested in the future of our higher educational system. By warning the students that they will be held responsible for their actions, I believe that he has taken the only sensible course of action. After all, students are young adults who are in need of our training, guidance, and control. Only by being frank and fair, as Dr. Jenkins has been, can we expect the chaos in our colleges and universities to come to an end.

I ask unanimous consent that the text of the speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Speech to Students by Leo W. Jenkins, East Carolina University, March 31, 1969

Fellow members of the community of East Carolina University. I have invited you here today for two reasons: to describe for you the manner in which I propose to deal with the demands which were presented to this University on March 3 and to acquaint you with what has transpired since that date.

In a sense, the problem we face today is exactly like the problems we face everyday. It is different only because those who have presented it want to have it solved in extraordinary ways.

I know that you agree with me when I say that this institution is not perfect; but we have, for decades, been trying to improve it; and in doing this, we have developed democratic procedures for solving our difficulties. In evolving these procedures, we have favored the development of the Faculty Senate and the Student Government Association so that they might be effective bodies capable of participating responsibly in the government of this University. For we hold that basic academic problems involve all of us. They are problems which must be faced by all segments of our university community and not by top administrative officers, by some faculty members, or by a few students. These problems must be faced by all of us and all of us must bear the responsibility of resolving them.

We often have requests from various sources for changes in academic programs and curriculums. We welcome these requests, for all good programs of instruction are constantly under revision. Such is our means of improvement and we will continue to use it. But when I talked with representatives of our Black students, I made the point that they must present their grievances in an orderly fashion, and that we will consider them by using the democratic procedures which we have all sought for so long to maintain. I know that these procedures of democratic government are valid; I do not intend them to be subverted or destroyed; I know that most of you agree with me in believing that they should be preserved. All of us have worked mightily for this University; it is a valuable institution in this society and it is worth preserving. If its democratic procedures or reasoned and deliberate search for the proper course of action are destroyed, the University itself will be destroyed, for it will then be merely an assembly of people pursuing conflicting and selfish aims under the eyes of professional policemen rather than a community of scholars seeking truth and justice. Let there be no mistake about it! I will not, by force or by fiat, order changes without following regular and orderly procedures. It is in this sense that I stated at the outset that the problems raised by the current demands are like all the other problems we face. We have and will continue to consider them only through the regular and democratic channels of this University.

A university proceeds best by the force of reason. We who live on the campus are not equipped to enforce the peace. Our function is to educate. The order that exists on this campus is accomplished by the willingness of each of us to respond to reasonable rules and procedures. There is no place in this academic community for non-student, professional, or amateur rabble-rousers. When reason fails and disorder results, the regular agencies of law enforcement are our only recourse. This campus will not become a rest-haven for the indolent, a correctional institution for the undisciplined, a remedial institution for the untrained, and most emphatically, it will not become a sanctuary for the lawless, I think it is very important that this be understood clearly. That is why I want to talk with you a few minutes regarding the procedures that will be followed if our orderly processes of discussion degenerate into unacceptable action.

In this period when small groups of students across the nation, often joined by professional agitators, have resorted to such forceful action as seizure of buildings, disruption of educational programs, interference with the activities of other students, and destruction of property, it was inevitable that universities found themselves forced to resort to reliance on the police. This is not the way these universities would have preferred to operate, but they had no choice. Neither shall we! The few individuals on this campus who have intimated that buildings might be burned should hear this and hear it clearly. Force will be met with force, and lawlessness shall be prosecuted to the full extent of the law.

What I have said, however, does not apply to Black students alone; it applies equally to white students, faculty, and administration. For it is imperative that others in this community listen seriously to all suggestions for change and weigh them carefully, accepting only those which enhance the growth of this great University. It is also imperative that those who present suggestions have patience and understanding while the appropriate groups in this University consider them. A casual perusal of daily newspapers will reveal that we have not shunned responsibility nor shown fear of assuming difficult obligations, and we shall not shun such responsibility nor show such fear today.

I promised to give you some accounting of what we have already done.

We have met several times with those Black students who have presented demands. In the first meeting, when the list was presented, we noted then that some, such as requests for increased pay for maintenance workers and more financial aid for Black students, dealt with matters outside our institutional control. Federal and state monies come to us with definitely prescribed stipulations which govern their use and which we cannot violate. In all fairness to the officials on this campus who administer these funds, I would like to point out that of 67 petitioners, 45 receive financial aid ranging from $300 to $1,846 per year. Other items were sent to those persons and committees who could best deal with them. For example, some, such as the request for funds so that Black students could travel to meetings, the request that staff privileges to extracurricular events be extended to our maintenance workers, and the request that "Dixie" not be played at University functions, were referred to the Student Government Association, for it is this agency that has responsibility for these matters. These and all other aspects of student life are the proper concern of student government. For the University administration to interfere unduly in student affairs would be a denial of all that the administration, faculty, and students have helped to shape in the way of democratic procedures at this University. The Black students were told that this institution has no reluctance to employ Black professors. We have sought the best minds available and have never been concerned with origin, religion, or color. But the Black American Ph. D. is in short supply and in great demand. As a matter of fact, I asked the Black students to assist us in seeking such people, and we are presently negotiating with two. But we cannot, and no good institution can, accept the idea of a pro rata number to match certain religions, colors, or places of origin.

After that initial meeting, copies of the requests were sent to all faculty members to acquaint them with the problem and to solicit their reactions and suggestions. No faculty vote was taken, but the informal response of the faculty indicated an accord with the basic position I have developed for you today and a willingness to continue to discuss these propositions in the reasonable and regular democratic manner.

In a second meeting with representatives of the Black students, we were joined by officers of the administration, the chairman of the Faculty Senate, and the President of the S. G. A. I assured the Black students that the administration will follow up any specific complaints that are reported dealing with discrimination by professors because of race. At the suggestion of several faculty members, I asked the Faculty Senate to consider the establishment, on a permanent basis, of a senate committee, perhaps with student members to hear all complaints of unfairness by a professor. Let me say, however, that only two professors have been specifically accused of discrimination. One of these is no longer with us, and the other is leaving at the end of this year. But certainly two out of a faculty of almost six hundred is not a bad record. This institution and its faculty do not stand on trial today; our record is good.

At that second meeting, Vice President Duncan reported that he was presently looking for two Black supervisors for employment in two new buildings that will be in use by next fall, and the school's policy on student recruitment was explained. We stressed that recruitment personnel are sent to any and all schools within the State, upon request, regardless of racial makeup. I see no reason for not continuing this policy.

Subsequent discussions between the Black students and the administration have been helpful, but their insistence that change be instituted by executive decree will not be honored. Their demands must be handled by the established machinery of this University. This procedure may appear to some to be slow, but you must understand the unreasonable ingredients of the situation. I am presented with demands which call for immediate solutions, when immediate solutions are next to impossible. In the meeting of March 19, I also stressed that all parties would have to exhibit mutual courtesy if progress is to be made. I am pleased that recent meetings have proceeded in a polite fashion, and I feel certain that if this pattern continues, further progress will be made.

Now let us for a few minutes consider our own personal responsibilities in this matter. Each of us, in the administration, the faculty, and the student body, must weigh carefully the consequences of his words and actions to assure that they do not threaten this institution. All of us must take care that our words do not provoke destructive action on the part of others, and all of us must refrain from actions that disrupt the orderly processes of reasoned debate and democratic decision. This applies to our conversations and to our actions toward one another as well as to whatever words and deeds that may be directed to the University administration. I call upon all of you students to reject emphatically the brazen, assumed leadership of outside, non-student agitators who seek to influence your actions for their selfish purposes. I say this because this is your University; that which you would build, they would destroy. In like manner, caution in your relationships with other students in much more critical than your relationship with the administration. We in the administration have exercised great forbearance. We have already ignored grossly rude language, recognizing it for what it was. But we know full well that in student insult against student, words may lead to ill-conceived action and riot.

When rumors and provocations become common on a campus, we can expect people to make errors in passing on facts to others. You all know that a taunt, delivered in jest and light spirit, or a joke carelessly offered, can be taken as a serious provocation. We must all make a serious effort to question the validity of a rumor and not pass it carelessly on. We must be especially conscious that thoughtless words can be taken seriously. A little caution on our part would be good insurance against hard feelings and disorder.

I extend this plea for caution to people of the State outside the limits of the University halls. This is a plea for a delay of judgment on the part of some who do not have within their view *all* the difficult, pertinent factors inherent in any complex situation—the factors which administrators with direct responsibility must necessarily weigh. We are not asking not to be judged, but we hope for judgments rendered out of a fair acquaintance with facts.

No citizen or student in this University, black or white, should want to damage this institution that strives so valiantly to improve everyone's chances for a better life. Any group who would say or do anything that leads to disruption and disorder on this campus cannot have the best interest of this community at heart.

Let me emphasize again my devotion to the principles of democratic resolution of our problems. Our system requires that we deliberate on these matters and resolve them in an orderly fashion. The structure of our state government and the organization of our society requires that some issues cannot be solved by us here on the campus alone but requires decisions by other agencies of state and federal government. This is as it should be, for East Carolina University is not an island. The people of Greenville, of Pitt County, and the State of North Carolina are concerned with our actions and have control over some of them.

They have a right to this control, for every student here, without exception, is given a taxpayer's scholarship of at least $801. In addition to this, the taxpayers during the past six years alone have made possible 15 million dollars of capital improvements on this campus and employ the faculty and staff of this University. I must emphasize that this means no student, faculty member, or administrator has an inherent right to be associated with this University.

We will settle what we can here, but on matters requiring a broader consensus, we must be patient and we must take into consideration that we do not get everything we want. I am aware that this may be taken as a statement for the maintenance of the status quo in a time of change. But you are well aware that I do not have the reputation of a defender of the status quo. Most emphatically, I am not suggesting to you that there should be no change here. I believe that inequities suffered by any student or group of students on this campus must be rectified. As I have said to you on many occasions, we must consider an affront to the least protected of us as an affront to all of us.

As we struggle for excellence here in this campus, we must continue to use words and logic and reason rather than force and abusive language. Let us move away from that which approaches the nonsensical and get down to the seriousness which is in keeping with the American tradition.

I stress that this system requires that minority groups and majority groups limit themselves to peaceful procedures. I also admonish all students to consider in all seriousness the possibilities of fitting these demands into the broader pattern of campus life. In a free society we must make every effort to do this, for majority rule does not preclude respect for minorities. We must always weigh the pleasure of our own actions against the pain and frustration they bring to others. Fair men do not gain pleasure from actions which give pain to others.

Think soberly on what I have said. I have said it with all the candor at my disposal and the best interest of this institution in my heart. You owe it to this great university, and—most of all—to yourselves to consider the current situation just as candidly and just as seriously. I feel certain that you will, and that you will settle for nothing less.

I am asking for restraint and moderation, for democratic procedures, and for goodwill; and I think, therefore, that in closing it is entirely appropriate that we all stand for a moment of silent meditation in honor of Dwight David Eisenhower, a great and courageous leader, who exemplified the qualities we need to display here on our campus.

TRIBUTE TO HENRY J. STEINBERGER, DONNYBROOK, N. DAK.

Mr. YOUNG of North Dakota. Mr. President, in Minot, N. Dak., on April 10, Mr. Henry J. Steinberger, of Donnybrook, N. Dak., was the honored guest at an appreciation dinner attended by leaders of the five major North Dakota organizations who are closely involved in water resources development.

Mr. President, Henry Steinberger is no ordinary man. During most of his lifetime he has devoted practically all of his energy, talent, and imagination to the important cause of sound soil and water resources conservation and development. Because of this, he richly deserved all the honors and tributes that came his way during this testimonial banquet.

Mr. President, the Minot Daily News, one our State's leading newspapers, published a fine editorial about Henry Steinberger, in which his remarkable contributions and achievements are called to public attention. I request that this editorial be published in the Record as part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Tribute Well Earned

Only a tiny segment of the population has the capacity to spread itself over a wide number of pursuits and do justice to all of them.

Henry J. Steinberger of Donnybrook is such a man. He was honored by five separate water and soil conservation and development organizations at a testimonial dinner a few nights ago and deserved every bit of the praise of each. In fact, the five groups represent only about half of the organizations to which he has contributed large amounts of leadership and enthusiasm.

Spokesmen for each of the five organizations expressed amazement that the guest of honor could have had time for the others and for his Donnybrook farm operations, too.

Mr. Steinberger has a secret—a two-part formula. The first is the acquired talent for the dissemination of inspiration. That accomplished, the load no longer was his alone but divided among many disciples.

The other involved throwing the eight-hour day into the wastebasket. No day was too long if it were being spent in the furtherance of causes he felt were advancing the lot of the state he loves so dearly.

"Complete selflessness," said one speaker in describing the guest of honor. "He gave so much of himself," said another, "that North Dakota is better because of him."

Pretty strong language but not too strong to properly describe Henry Steinberger, given the title of "Mr. Conservation" by those who knew him best.

POLISH CONSTITUTION DAY

Mr. YARBOROUGH. Mr. President, the history of Poland is marred with invasions and occupations by foreign armies. The people of Poland have more than once seen their dreams of liberty, their desire for freedom crushed beneath the boots of an invading army.

While the history of Poland has had its dark days, it has its bright days, too. One of the brightest of those days will be celebrated this weekend. May 3 is Constitution Day for Poland. In 1791, just 2 years after the United States adopted its present Constitution, Poland, through internal reform, not revolution, produced a liberal constitution which became an example of liberalism for other European countries.

The great document the Poles wrote in 1791 reads as if it came from the same fountain of inspiration as our own Constitution. The Polish Constitution says:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society on an equal scale and on a lasting foundation.

The constitution was a great step forward for the people of Poland, but this great document could not prevent other nations from coming in and partitioning the country. In 1795 Russian and Prussian soldiers invaded Poland and the country was divided among Russia, Prussia, and Austria.

Despite that partitioning of Poland so shortly after the country wrote its constitution and despite later invasions and occupations, the Polish people have retained a love for liberty.

We can see that love for liberty among Poles expressed in this country in the Polish-American Congress. The congress is celebrating its 25th anniversary this May.

The Polish-American Congress has kept alive among Americans of Polish descent a pride in the history of their forefathers and the traditions of Poland. The Polish-American Congress keeps alive the spirit of the May 3 Constitution, and their love of liberty.

ELECTRICITY LIGHTS A NEW DAY

Mr. MONTOYA. Mr. President, the majority of Americans today cannot conceive of everyday living without electricity. The appliances we use in the home; the machines and tools so vital to running our businesses and industry; the public conveniences and municipal services we enjoy—it is virtually impossible for us to contemplate how we would fare without them on a regular basis.

Nevertheless, there are areas of this great Nation which do not know the joys of living with electricity—areas where life is shortened by darkness, and existence is a greater struggle.

Until last month, Mr. President, one of those areas was located just 25 miles from the capital of my home State of New Mexico. But thanks to the dedication of the Mora-San Miguel Electric Cooperative, electricity was finally brought in to the residents of the 200-year-old village of Lower Colonias, N. Mex.

Mr. President, the story of how electricity came to Lower Colonias is extremely well told in two recent news articles, one published in the March 10, 1969, edition of the Las Vegas, N. Mex., Optic, the other in the March 1969 edition of Enchantment magazine, published by the distinguished New Mexico Rural Electrification Cooperative Association. I ask unanimous consent that both articles be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Las Vegas (N. Mex.) Optic, Mar. 10, 1969]

One Hundred Attend "Turning-On" Ceremony at Colonias

Lower Colonias.—The lights went on here Friday evening, bringing with them far-reaching changes for this 200-year-old village.

And lights brought expressions of wonder from a tiny tot, apprehension from some adults and praise for progress from others.

"This is the greatest day I can recall in the history of Lower Colonias," said Julian Rodriguez, a life-long resident of the town.

"I thought I would not live to see this day," exclaimed 71-year-old Ramon Roybal.

And from two-year-old Melvin, the son of Mr. and Mrs. Julian Rodriguez, his first sight of a light bulb in his home, suddenly aglow, brought a question: "Daddy, did God move the sunlight inside?"

More than 100 persons, including Gov. and Mrs. David F. Cargo and officials of the Mora-San Miguel Electric Cooperative, travelled near impassable seven miles of snow-covered dirt road to attend the "turning-on" of the lights at Lower Colonias.

Originally it had been planned to turn the lights on Christmas Eve. But weather and construction problems prevented this. Several other dates had to be postponed.

Then when it appeared that a new snow storm would cause cancellation of the ceremony once again, Manager John DeFoor of the Mora-San Miguel Electric Cooperative issued an emphatic "No."

The work on the line to Colonias was to be completed earlier Friday. So DeFoor issued this statement:

"These people have waited too long for electricity. The lights go on tonight whether anyone shows up or not.

"After all, the residents of Lower Colonias must travel this road every day to work; the children must be driven over it every day to get their educations. So the least we can do is to go over the road and help them observe this great event."

It looked for a time as if no one but townspeople and a few cooperative workers and officials would turn out for the ceremony. But earlier in the day the Youth Corps helped clear snow from part of the road and the Forest Service provided four-wheel drive vehicles to transport folks from Pecos to Lower Colonias.

"While the 'turning-on' was a great event for Lower Colonias, it also was a great day for officials of the Mora-San Miguel Electric Cooperative.

The Co-Op purchased the old Pecos Power and Light Co., on April 1, 1968. The first chore was to completely re-build the antiquated system serving the Pecos-Glorieta-Cowles area. That work started late last summer under contract to the Buck Construction Co., of Lubbock, Tex. It is scheduled to be completed in June.

The work is being financed with a loan from the Rural Electrification Administration.

[From Enchantment magazine, March 1969]

IT WAS A FINE NIGHT AT LOWER COLONIAS

On the snowy evening of March 7, a resident of a tiny mountain village did what he has done his entire life: he cupped his hand over the glass chimney of a kerosene lamp, blew gently and the flame went out. But, unlike on those countless previous occasions, the room did not go dark. Electricity had arrived at Lower Colonias in the hills of western San Miguel County, just 25 miles from the state capital.

The blowing out of the flame symbolized the arrival of electricity to the 200-year-old village and more than 100 persons were present in the church of Santo Nino for the occasion. The group included Gov. and Mrs. David F. Cargo and officials of the Mora-San Miguel Electric Cooperative, which had brought electricity to the village.

Outside the ground was covered with several feet of new snow and the air had turned brittle cold with the setting of the sun. But this did not chill the spirits of the dozen or so families at Lower Colonias or the many persons who had come over a near impassable road to attend the event.

"I thought I would never live to see this day," said 71-year-old Ramon Roybal, a lifetime resident of the village.

Eloy Rodriguez could only comment: "This is a great day for us."

For 11-year-old Christine Rodriguez, who knows electricity from school, it was still a thrill to pull a string and see a light go on in her own home.

And to 2-year-old Melvin Rodriguez, awakening from a nap to see an electric light on, his first thought was, "Daddy, did God move the sun indoors?"

The arrival of electricity meant different things to different persons. To some of the eight school children who are bussed in a four-wheel drive vehicle to attend school in Pecos each day, lights meant reading and homework and possibly even television. A teen-age girl mentioned a hair dryer. Several women wanted refrigerators first—"so we don't have to keep driving to town for food in the summer . . . it spoils now if we don't eat it right away."

One woman marveled at the brightness of her kitchen for a few moments and then went around turning the lights off. It was a big day, but one still must be thrifty.

Another woman complained when the lights went on. One bulb was illuminated; another was not. When a cooperative employee pulled the chain on the dark bulb, and the light suddenly went on, the woman jumped. It took reassurance before she would also pull the chain herself.

The lights went on, but only after years of attempts by townspeople to get lights and only after a rural electric cooperative-Mora San Miguel purchased an old private power company.

The entire system in the Pecos-Glorieta-Cowles area east of Santa Fe has had to be completely rebuilt. This was made possible by a low-interest, long-term loan from the Rural Electrification Administration. Part of the agreement for such a loan is to serve anyone who does not have electricity—where feasible. Manager John DeFoor and engineers decided it was feasible to serve Lower Colonias and about 100 other homes in the system who have not had electricity.

But it has been a rugged job. Construction troubles, mainly caused by bad weather, has plagued Buck Construction Co., of Lubbock, which is doing the work. Initially, plans were to turn the lights on Christmas Eve. But a blizzard moved in and work had to be stopped.

Several other dates had to be cancelled. The work was completed earlier March 7. But another storm had moved in. And when one decides to travel the seven miles from Pecos to Lower Colonias, that twisting, turning road must be considered.

Some wanted to delay the event once more.

"No," said DeFoor emphatically. "The lights go on tonight whether anyone shows up or not. These people have waited too long. And, after all, some of them must travel that road every day to work . . . the kids must go over it every day to school. The least we can do is travel over it to turn the lights on."

So, with the help of vehicles from the cooperative and four-wheel drive station wagons furnished by the Forest Service, many visitors travelled the road to see the lights go on.

One was Governor Cargo. And he was shown, on the trip in, where the school bus had gone off the road in a snow storm a year earlier.

He is now a firm booster for a new road into Lower Colonias. One is scheduled soon, thanks to the Forest Service.

The ceremony was brief. There were a few remarks from townspeople and the governor. Bert Garcia, president of Mora San Miguel, presented a lineman's hard hat to the governor. And the governor received that kerosene lamp as a reminder of the day the lights went on at Lower Colonias.

Villagers also contributed four lamps, which went out of service that night, to be given the Congressional delegation in Washington.

One resident, commenting on the high cost quoted to them in previous years to have electricity, could only marvel at the cooperative system.

All it costs each member is a $5 membership fee and an agreement to use a minimum amount of electricity each month—less than $3 worth.

So the lights were on. It continued snowing, but the group moved outdoors where the cooperative had prepared barbecued pork, cooked in an open pit, along with chili, posole and frijoles.

It was a nice night at lower Colonias.

ALASKA NATIVE LAND RIGHTS

Mr. GRAVEL. Mr. President, I ask unanimous consent to have printed in the RECORD a presentation made by John Borbridge, Jr., before the Anchorage Press Club March 19 of this year on the subject "Alaska Native Land Rights." Mr. Borbridge is an Alaska native of the Tlinget tribe and is the first vice president of the Alaska Federation of Natives, the powerful statewide organization which represents ably Alaska's Indians, Aleuts, and Eskimos. Mr. Borbridge's presentation puts in succinct terms the affinity of Alaska's native people for the lands they have occupied and used since time immemorial. His presentation outlines clearly the position of Alaska's native people with respect to the case which can be made for their full and beneficial ownership of the lands they claim. Proposed legislation has been introduced and hearings held in the Congress in the past on the issue of Alaska native land claims. Proposed legislation has again been introduced in the 91st Congress, and hearings have been scheduled in the Senate on April 29 and 30. I believe that Mr. Borbridge's presentation is required reading for Members of this body, for this issue is one of national significance upon which Congress must act.

Like a voice out of the dusty pages of history, Alaska's native people are asking Congress to recognize their right to the lands they have used beyond memory and to compensate them for lands already taken from them. The Alaskan natives have never by treaty or otherwise ceded their rights to land to the United States. Thus, we have a situation which parallels that of our Nation's earliest contacts with American Indians, without of course the bloodshed on both sides which so shamefully characterize our early efforts to obtain Indian lands.

With the presentation of their case before Congress and their request for justice and equity, the Alaskan native people offer the 91st Congress a unique opportunity to add a glorious page of human enlightenment and fairness to our Nation's history of its dealings with our first citizens—the American Indians.

There being no objection, the presentation was ordered to be printed in the RECORD, as follows:

ALASKA NATIVE LAND RIGHTS

(By John Borbridge)

THE NATURE OF OUR CLAIMS

The Natives of Alaska (Eskimos, Indians and Aleuts), who are estimated to number approximately 54,000, today use and occupy extensive areas in Alaska for hunting, trapping, fishing and other purposes. These are the same lands which they used and occupied for many centuries prior to the coming of the first Europeans.

Today, the descendents of these Native groups still continue to hold, by "rights of aboriginal occupancy," the great bulk of the same territory.

Today, Alaska, the last great frontier and wilderness region of our nation, is the sole remaining part of the United States which includes extensive areas still used and claimed by the indigenous inhabitants, based on *rights of aboriginal occupancy*. Except for these large areas in Alaska, the Indian or Native title to lands of our nation has, over the years, been acquired by the Federal Government.

As repeatedly held by the Supreme Court of the United States, aboriginal Indian title to lands embraces the *complete beneficial ownership based on the right of perpetual and exclusive use and occupancy*. Such title also carries with it the *right* of the tribe or native group *to be protected fully by the United States in such exclusive occupancy against any interference or conflicting use or taking by all others, including protection against the state governments*. In short, as declared by the Supreme Court, aboriginal Indian ownership is as sacred as the white man's ownership.

THE STRENGTH OF OUR CLAIMS

The established law is that *only* the United States may extinguish aboriginal Indian ownership. It is true that, during times of emergency or stress in periods of our earlier history or through unfortunate mistakes, the United States, on occasion, did extinguish or appropriate Indian title lands in the absence of the consent of the tribal occupants and without paying any compensation. However, the Congress of the United States recognized the serious injustice of these uncompensated takings of Indian title lands and adopted remedial measures. First, by a series of special Jurisdictional Acts pertaining to particular tribes, and later by the general Jurisdictional Act of 1946, known as the Indian Claims Commission Act, the Congress gave to the Indian tribes and groups the right to bring suit against the United States and to obtain compensation for tribal lands taken from them.

By these enactments, Congress has given force and effect to the declaration that Indian title is as sacred as the white man's ownership. The essential meaning of the Congressional actions and policy is that Indian occupancy rights—though they may not be covered by the due-process clause of the constitution—should be fully protected by the Federal Government and held inviolate from interference by all others. Furthermore, as has been noted, for the purpose of providing a remedy in those regrettable instances during our earlier history when Indian title lands were taken without payment of compensation, Congress provided the machinery whereby the tribes might have access to the Courts and obtain compensation based on the fair market of the lands as of the time they were taken.

HISTORIC BACKGROUND

We, the Natives of Alaska, have trust and confidence that Congress will adhere to the same honorable national policy and just principles which have uniformly guided it in dealing with aboriginal occupancy rights in all other parts of the country, ever since the founding of our nation.

The keynotes of our federal policy from the beginning have been honor and protection of the aboriginal occupancy rights of the native groups.

The underlying principles have been that native occupied lands should be acquired by the United States only with the *voluntary consent* of the native groups and for a fairly negotiated price.

These keynotes and principles are embodied in a consistent course of legislative acts of Congress, treaties made with the Indian tribes, executive agreements made with Indian tribes and approved by both houses of Congress, executive proclamations, and in a long series of decisions of the Supreme Court.

The federal policy to respect and protect native occupancy rights, indeed, antedated the Constitution.

In 1783, the Congress of the Confederation prohibited all persons from making settlements on lands "inhabited or claimed by Indians." Again, in the Ordinance for the Northwest Territory the Congress for the Confederation directed that the land and property of the Indians "shall never be taken from them without their consent; and in their property, rights and liberty, they shall never be invaded or disturbed * * *."

The first session of Congress to meet under the Constitution enacted a law, approved by President Washington, which prohibited trespass upon Indian lands. The protections of aboriginal occupancy rights in this law were amplified in a series of later statutes which are in force today as fundamental principles of Federal Indian law.

It is not suggested that our country's dealings with native groups are without blots. However, the record shows that when Congress has been apprised of mistakes or unfair or inequitable transactions, it has sought to provide appropriate restitution or other remedies, including the vesting of jurisdiction in tribunals, such as the United States Court of Claims and the Indian Claims Commission, to hear and determine the claims of injured native tribes or groups.

In considering the various legislative proposals to deal with the land occupancy rights of the Alaska native groups, it is worthwhile to remind ourselves of certain basic historical facts.

During our early history, the rapid population growth gave impetus to drives to acquire additional lands for purpose of increasing the resources and wealth of our nation and for the use of our pioneering settlers, who, in ever-rising numbers, were migrating westward. Conflicts broke out between the settlers and the Indians. These were periods of great stress.

The Federal Government was denounced for trying to protect Indian lands.

Complaints were made that Indian occupancy of lands was hindering the progress of the nation.

It was asserted that a policy of honoring tribal occupancy rights and purchasing Indian lands would impose vast liabilities on the Federal Government.

It was argued that Indian occupancy of lands created no valid right; and proposals were advanced to expropriate the Indian lands against the will of the Indians and without payment of any compensation.

However, Congress firmly stood by its policy of respect for the land occupancy rights of the Indians. In acquiring lands for the expansion of the nation and the use of the settlers, Congress recognized the just principle of voluntary purchase and sale for a negotiated price in its dealings with the Indian tribes.

Thus, up to 1871 the Federal government pursued a program of negotiating and making treaties with the Indian tribes, whereby portions of ancestral tribal lands were retained by the tribes as "reservations", and the Indian title to the balance of the lands was "extinguished" by voluntary cessions by the tribes and upon payment by the United States of agreed prices.

After 1871, the Federal government acquired Indian lands by executive agreements which were subject to ratification by both houses of Congress.

By such treaties and agreements made with Indian consent, the United States purchased the great bulk of the lands of the Indian tribes of the first 48 States at prices which, in the aggregate, having conservatively been estimated to exceed 800 million dollars—indeed a vast sum considering the national budgets of those early years of our nation's history.

Further, despite the loss of many millions of acres during the years 1880-1934, by reason of improvident governmental policies, it has been estimated that more than 50 million acres of lands of these States have been retained to this day in tribal or individual Indian trust ownership.

TODAY

Once again, now, in this sixth decade of the 20th Century, when the matter of dealing with the existing land occupancy rights of the Native groups of Alaska has come to the fore, we are hearing from some quarters the same baseless and inequitable arguments and the same discredited assertions and complaints which were advanced during earlier periods of our nation's history and which Congress has repeatedly rejected.

Some argue that the claims by the Native groups of Alaska of land occupancy rights are invalid.

Our answer is that our land occupancy rights are the same as the occupancy rights of the Indian tribes of the first 48 States. Our occupancy rights are entitled to the same respect, honor and protection that have been uniformly accorded to such rights under federal policy and laws.

Further, we answer that if there is any serious doubt about the validity of our occupancy rights, we ask only that Congress give us our day in Court so that we may have a judicial determination of the validity, scope and extent of our existing occupancy rights, and then afford to us full federal protection of such rights as are judicially established.

SPURIOUS COMPLAINTS OF IMPEDED PROGRESS

From some lips fall the familiar complaints that Native occupancy of lands is impeding the economic development and progress of the State of Alaska.

Our answer is that though we have the right of complete beneficial use of our aboriginally occupied lands and all the resources of such lands, we have been prevented and restrained from exercising our rights to deal with and develop such lands and resources. We say that only after we have been permitted the reasonable opportunity to exercise such rights a judgment may fairly be made as to whether our occupancy is hampering the economic development and progress of Alaska.

We believe that we have sufficient leadership ability to direct the development of our lands and resources.

We believe that we have the capacity—at least equal to the Federal and State bureaucracies—to make wise selection of experts and technicians to assist us, including engineers, geologists, foresters, managers, investment advisors, accountants, economists and lawyers.

Some argue that since the discoveries of valuable oil and gas resources on the Native lands have been recent and since the Natives in their aboriginal way of life did not exploit their lands for oil and gas, the Natives have no basis for complaint if the Federal government permits the Natives to continue to use the lands solely for hunting, trapping and fishing purposes, or if the Federal government appropriates the lands and compensates the Natives only for the value of the lands for such aboriginal uses without regard to the oil and gas values.

This is an argument which has been repeatedly rejected by the Supreme Court and the Court of Claims in cases involving Indian tribal lands.

By a parity of poor reasoning, it may be suggested that if Senator Jackson or Congressman Aspinall owned a 5,000 acre tract of mountain lands in his home state, which he used exclusively for hunting and for enjoying its beauty, and then valuable mineral deposits were discovered on the land, the Federal government could, lawfully and in good conscience, appropriate the tract and pay Congressman Aspinall only for its value for hunting purposes and for its beauty.

NATIVE LAND RIGHTS AND THE STATEHOOD ACT

Many have suggested that since the Alaska Statehood Act gave to the State of Alaska the right of selection of some 103 million acres of land, a serious dilemma has been created in that the exercise of such right by the State would necessarily require the selection of much land presently held by the Alaska Natives.

Our answer is that Congress was fully aware of this problem when the Statehood Act was passed. In accordance with the uniform federal policy to honor and protect lands held by aboriginal occupancy rights, Congress explicitly required the State of Alaska in the Statehood Act to "forever disclaim" all right or title to any lands held by Indian, Eskimo and Aleut groups.

We say that any State selection of lands which are held by Native aboriginal title is violative of the terms, intent and spirit of the Statehood Act and contrary to other acts of Congress as well as federal policy.

History shows that on the occasions when other States were earlier admitted to the Union, the acts of admission included provisions substantially identical to the "disclaimer" clause of the Alaska Statehood Act. Following the admission of such States, the Federal government by agreement with the Indian tribes acquired such Indian title lands as were committed to the newly admitted State. The same procedure is applicable to Alaska.

During the debates on the bill that became the Alaska Statehood Act, a number of distinguished statesmen, particularly the Honorable Ed Edmondson, advocated amendments to the bill so as to provide a mechanism for resolving the problem of any State selection of lands which might conflict with Native occupancy rights. However, Congress in its wisdom, decided to postpone the final resolution of this problem to a later day. We trust that the day is now and that in its resolution of the problem the Congress will act fairly and honorably as it has in the past.

Some complain that for the Congress to deal with the Native groups to acquire the Native lands in order to fulfill the commitment to the State of some 103 million acres would result in a great drain on the Federal Treasury, considering the oil, gas and other valuable resources of the lands. It is further argued that since lands held by Native title are not constitutionally protected against a taking by the United States, and for purpose of avoiding such a drain on the Treasury, Congress should expropriate the Native lands or pay a unilaterally fixed amount far below the value of the lands.

These are akin to the arguments of our earlier histroy which sought to place a dollar sign on national honor and integrity and which Congress rejected when it purchased the lands of the Indian tribes of the first 48 States.

CONCLUSIONS

Alaska Natives have assumed a statesmanlike posture, reflective of a conscientious awareness of the welfare of all citizens by their expressed willingness to negotiate on a political or legislative solution through the United States Congress. We, who are the first Alaskans, desire the development of our home State. We only ask that justice and equity be done and that, in the future, Alaska's Native people may become active participants in Alaska's development.

Although Alaska Natives have agreed to negotiate politically and are, therefore, not making recourse to the courts, we must emphasize that we are negotiating from a position of right and strength. We stress the fact that while we eschew the litigatory route, we still choose to retain the right to define our substantive legal rights, for therein lies the strength of our bargaining position and the basis of our negotiating effectiveness. Nevertheless, *litigation is a viable alternative, which we have, thus far, chosen to avoid*.

We Alaska Natives envision that provisions of an equitable settlement of the land claims will enable us to uplift the qualities of life for our people. Recognizing that frustrations may be derived from a minority status due to ethnic origin and economic powerlessness, we anticipate our ability to exercise the *prerogative of choice* within the context of our needs, our goals, and our desires. We will recognize that many of our people will choose life in the villages, because it is, for them, a fulfillment and a satisfaction, while others, desirous of projecting themselves into a competitive society, will have the means to do so.

Economic and industrial development activities will bring untold financial and other development benefits to the state as we administer the lands and compensation forthcoming in satisfaction of our land claims. Essential to the success of this phase of our operations will be the inclusion, within the terms of the settlement, of maximum opportunities for self-determination; the Dept. of the Interior *must* be restricted to a nonpolicy role to the fullest extent possible.

Please note, we do not ask that we Alaska Natives be *given* land and compensation. We ask that our valid legal rights be recognized and that our right to retain that which *is* ours and our right to be compensated for that which we give up be implemented.

I am proud to state my belief that there is no nation on earth which has, during its history, set so high standards of dealing with native aboriginal peoples as the United States and no nation which has been more willing to rectify situations when it has fallen from those high standards.

It also gives me pleasure to state my belief that our country has, in its best traditions, sought consistently to act fairly and equitably in matters pertaining to the original native occupants of the lands of this country.

BIG THICKET STORY BY DEMPSIE HENLEY DESCRIBES THE LONG STRUGGLE TO SAVE TEXAS' LAST REMAINING WILDERNESS

Mr. YARBOROUGH. Mr. President, the famous Big Thicket of southeast Texas once sprawled from southwest Louisiana west almost to the Brazos River and north through east Texas almost to Shreveport, La. These 3½ million acres contained a wide variety of wilderness, woodlands, and river bottoms, and were steeped in natural beauty and historical significance. However, now this vast formerly mysterious land has dwindled to a mere 300,000 acres, and is rapidly vanishing from existence altogether.

Mr. Dempsie Henley, a lifelong resident of the Big Thicket area, former mayor of Liberty, Tex., and leader of the Big Thicket Association, has written an informative and interesting book entitled "The Big Thicket Story," which describes the background of the Big Thicket and the efforts to save it from further exploitation. The January 1969 edition of the Florida Naturalist contains a fine review of Mr. Henley's book, ably written by Dr. P. A. Y. Gunter of the University of Tennessee.

Not only does this article by Dr. Gunter outline "The Big Thicket Story"; it also points out why my bill, S. 4, to establish a Big Thicket National Park of not less than 100,000 acres, should receive immediate consideration by the Senate.

I ask unanimous consent that the review by Dr. Gunter entitled, "The Big Thicket Story" from the January 1969, issue of the Florida Naturalist be printed in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

[From the Florida Naturalist, January 1969]

THE BIG THICKET STORY

(By Dr. P. A. Y. Gunter, University of Tennessee)

Though *The Big Thicket Story* is engagingly written and contains much of interest to students of nature, its author is neither a naturalist nor a professional writer. Dempsie Henley is instead, assuming that so complex a man can be neatly typed, a unique statesman, a self-taught strategist in the politics of conservation. His book describes the long struggle to save one of Texas' last remaining wilderness areas from the power saw and the bulldozer. As the results show, the politics of conservation can be as frustrating as any other kind of politics.

Henley begins his chronicle with personal reminiscences of life in rural southeast Texas during the 1920's and '30's. In the course of these reminiscences the nature, location, and prospects of the wilderness area he defends become clear. The Big Thicket (or The Big Woods, which the Indians called it) once sprawled from southwest Louisiana west almost to the Brazos River and then back through east Texas almost to Shreveport, Louisiana. Within its three million acres lay a wide variety of wilderness, from canebrakes and cypress swamps along its southern border to beech forests and rolling hills in the north. Indians, who journeyed there from as far away as New Mexico to hunt its abundant game, traveled there by canoe only, and never stayed long. There were no paths by land, and no permanent settlements. Pioneers, attempting in the 1820's to penetrate the dense undergrowth, were forced to turn back and find new routes west. They called the unknown region The Big Thicket, and made every attempt to avoid it. In spite of ferocious legends and very un-legendary hardships. The Big Thicket came gradually to be settled. Around its settlers' cabins and sandy crossroads, however, wilderness remained, ready to grow back and capture what had been taken from it. Well into the twentieth century the region was to remain remote and isolated, a last refuge for bear, panther, and hunted men, a place where travelers ventured at their risk.

Early pioneers, like the lumbermen who followed them, had little love of wilderness, and few notions of conservation. There was much in The Big Thicket that was unique, however, and much that should have been conserved. The fractional remainder of The Thicket that exists today (about 300,000 acres), in spite of prolonged pillage, contains an imposing list of significant natural features. Foremost among these is the area's plant life, primarily its spectacularly large trees. In or near The Thicket are the world's largest holly, yaupon, eastern redcedar, Chinese tallow, black hickory, planertree, sparkleberry, common sweetleaf, and silver bell trees, also the world's tallest cypress. The botanical diversity of the region is even more impressive than the sheer size of its vegetation. Eastern and Western plant species mingle here, mesquite alongside magnolia, yucca beside palmetto palms. Twenty-two varieties of orchids are found in The Thicket, together with hundreds of acres of wild jasmine, and the same area also contains plant growth patterns that are found in the temperate climate of the Appalachian Highlands. An attentive naturalist will find that the phrase, "The Biological Crossroads of North America," is well merited by The Thicket.

This phrase, however, is equally deserved by the animal life of the region. Over two hundred bird species are year-round Thicket residents, including the Bald Eagle (now reduced nearly to extinction), the rare Bachman's Sparrow, the Red-cockaded Woodpecker, and the Ivory-billed Woodpecker, which was previously thought to be extinct. Many more birds rest here on annual migration flights. The baygalls, cypress swamps, and marshes of The Thicket contain an almost unsurpassed variety of water birds: Little Blue Heron, Black-crowned Night Heron, Yellow-crowned Night Heron, Roseate Spoonbill, Snowy Egret, kingfisher, Wood Duck, Common Egret, Green Heron, Anhinga or Water Turkey and a recent immigrant, the North African Cattle Egret.

The four-footed citizens of the area are less easy to classify than the birds, precisely because several species have been virtually driven out or killed. Poachers have drastically reduced the number of alligators, while once numerous bear and panther are now reported only rarely.

There have been many attempts by conservationists beginning with the 1920's, to protect the remaining wilderness areas of The Thicket. After flurries of speechmaking and letterwriting, their efforts had always lapsed, while the region continued to be pillaged. It was not until the early 1960's that conservationists began seriously to consider the possibility of a Big Thicket Park, and when the public began to wake up to some of the area's unique features. Unfortunately, Henley laments, the first important politician (Governor Price Daniel) to make The Thicket a campaign issue failed to be re-elected, and plans for a Big Thicket Park were made to appear a mere political gimmick. With the failure of his campaign, conservationists seemed to be farther from their goals than ever.

The first lesson of *The Big Thicket Story*, however, is that defeat must never be accepted at face value. It was up to Henley to pick up the pieces, one by one, and start over, beginning with the new governor John Connally and a newly reorganized Big Thicket Association, and with persistent efforts to influence soured public opinion. Opposition to The Big Thicket Association and its proposed park was not soon to die away. Wild rumors circulated by the opposition caused consternation, if not sheer panic, among those who might otherwise have supported the conservationists' goals. It was believed, for example, that if The Thicket were made into a park, all old people would lose their homes and farms, schools would be immediately closed, and newly reintroduced bear and panther would eat local children. Meanwhile an "investigator" made the rounds of local establishments attempting to buy incriminating evidence (forged checks, adulteries, ties with secret Communist organizations) against Big Thicket Association members. When questions began to be raised as to what interests were paying the gentleman to carry on his investigations, the man quietly and quickly left the area, not to be seen again for over a year.

Amidst the difficulties, however, conservationists continued to work doggedly on. A detailed study of The Thicket was made, and a report presented to the governor of Texas, who made many mellifluous and polite statements concerning it. The report asked for a minimal park of 25,000 acres (a 10,000 acre Big Thicket State Forest, and a 15,000 acre Wildlife and Wilderness Area), structured to take account of the interests of oil, lumber and land companies, but even these reduced demands provoked no reply from the state legislature, or the ever mellifluous governor. There was, however, more than one way to skin a cat:

"We concluded that if we were to get any cooperation out of some of the major lumber companies, and if we were to obtain any support and action from the 'let private enterprise do it' group or the 'state's righters', we would have to create a great deal of competition between the state and federal governments, a calculated move that I hoped would eventually force an opening . . ."

To force a fight between state and federal governments in Texas meant to increase the already intense friction between Texas conservatives (led by Connally) and Texas liberals (led by Senator Ralph Yarborough). Perhaps friction could accomplish what persuasion could not.

The upshot of these later efforts resulted in well-publicized visits to the region by United States Senator Yarborough and Supreme Court Justice William O. Douglas. Some of *The Big Thicket Story's* best passages describe the travels of the senator and the judge through remote portions of the region:

"The dim, long, narrow logging road that winds through this part of the Thicket is completely covered overhead for several miles by huge trees, shrubs, and plants that form a perfect tunnel. It is a weird but rich experience to travel several miles through a botanical wilderness with a complete umbrella of rare plants overhead. The road is very narrow and winding, and several times we had to chop logs, fallen brush and vines out of the vanishing trail."

If Yarborough and Douglas found much to appreciate, they also found much to protest. For example: a thousand year old magnolia drilled in five places and poisoned with arsenate of lead; a clear, cold trout stream polluted by oil refinery waste; a cutting program instigated by big lumber companies, apparently aimed at making the wilderness unfit for inclusion in the national park system; new vacation subdivisions built in the heart of the wilderness—built to capitalize on the publicity which The Big Thicket Association had created!

More than local publicly, however, resulted from the interest of these men. Douglas' book, *Farewell To Texas,* was to contain a long chapter pleading for the preservation of the region, while Senator Yarborough was to introduce a bill to create a Big Thicket National Park. The introduction of Yarborough's bill marks the high point of *The Big Thicket Story*, and the high-water mark of the conservationists' struggle. There are low points, however. One might mention Governor Connally's visit to the region in an airplane owned by the East-Tex lumber company! More threatening is the announcement of a Southeast Texas Resource and Development Project, dedicated to bulldozing The Big Thicket, and replacing it with rice farming and cattle raising. *The Big Thicket Story* thus ends in suspense. Can the Senator head off the U. S. Department of Agriculture or can The Big Thicket Association persuade the lumbermen? This, Henley concludes somberly, "depends entirely upon what our citizens and those in public office do *now* before it is eternally too late."

The *Big Thicket Story* is not a perfect book. Misspelled words and repetitions detract from its impact, while the author's literary style lends itself to rambling superlatives. But these are minor faults. In following Henley through misty, backwoods and cypress swamps, and sitting with him in general stores and settlers' cabins, one comes gradually to know a unique wilderness area, its plant and animal life, and its people. In observing the moves and countermoves of conservationists and economic interest groups, one comes to understand the nature, and the *necessity* of the "politics of conservation." Politics may not be so beautiful as the great out-of-doors, but if conservationists are to keep any of the great out-of-doors to admire, they will have to turn to "politics," and soon. *The Big Thicket Story* provides an interesting education in what kind of politics is required.

TAX SHARING ACT OF 1969

Mr. BAKER. Mr. President, on March 24 I introduced, along with 20 additional cosponsors, the Tax Sharing Act of 1969, a measure which would require the regular distribution of a specified portion of the Federal individual income tax to the States primarily on the basis of population with virtually no conditions attached.

The bill calls for an appropriation of one-fourth of 1 percent of the Federal individual income tax base for fiscal year 1971, which would yield an estimated $875 million. The bill further provides for a rate increase to one-half of 1 percent in fiscal 1972 and to 1 percent in fiscal 1973. The Library of Congress has prepared a table indicating the portion of an $875 million appropriation that each State would receive under the formula set forth in my bill. I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

ALLOCATION BY STATE OF $875,000,000 UNDER THE ALLOCATION FORMULA IN THE PROPOSED BAKER TAX SHARING ACT OF 1969

State	Total State allotment (thousands)	Per capita State allotment
Alabama	$15, 553	$4. 39
Alaska	1, 650	6. 07
Arizona	9, 122	5. 58
Arkansas	9, 470	4. 81
California	95, 398	4. 98
Colorado	10, 426	5. 28
Connecticut	9, 905	3. 39
Delaware	2, 345	4. 48
District of Columbia	3, 302	4. 08
Florida	29, 714	4. 96
Georgia	19, 288	4. 28
Hawaii	3, 997	5. 41
Idaho	3, 735	5. 34
Illinois	36, 751	3. 37
Indiana	21, 286	4. 26
Iowa	13, 380	4. 86
Kansas	11, 381	5. 00
Kentucky	14, 249	4. 47
Louisiana	20, 678	5. 65
Maine	4, 257	4. 38
Maryland	13, 032	3. 54
Massachusetts	23, 371	4. 31
Michigan	35, 187	4. 10
Minnesota	19, 374	5. 41
Mississippi	14, 249	6. 07
Missouri	17, 898	3. 89
Montana	3, 735	5. 33
Nebraska	6, 256	4. 36
Nevada	2, 172	4. 89
New Hampshire	2, 433	3. 55
New Jersey	25, 631	3. 66
New Mexico	6, 517	6. 50
New York	94, 790	5. 17
North Carolina	21, 634	4. 30
North Dakota	4, 170	6. 53
Ohio	35, 536	3. 40
Oklahoma	12, 772	5. 12
Oregon	9, 645	4. 82
Pennsylvania	42. 834	3. 68
Rhode Island	3, 389	3. 77
South Carolina	11, 208	4. 31
South Dakota	4, 084	6. 06
Tennessee	15, 813	4. 06
Texas	44, 484	4. 09
Utah	5, 213	5. 09
Vermont	2, 085	5. 00
Virginia	17, 290	3. 81
Washington	14, 596	4. 73
West Virginia	7, 733	4. 30
Wisconsin	19, 983	4. 77
Wyoming	1, 999	6. 35
Total	875, 000	4. 42

Mr. BAKER. Mr. President, the March 22 issue of the Saturday Review contains an article entitled "Should the Government Share Its Tax Take?" written by Dr. Walter W. Heller. Dr. Heller was Chairman of the Council of Economic Advisers under Presidents Kennedy and Johnson and was the first exponent of the concept of Federal tax sharing. I ask unanimous consent that his article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Saturday Review, Mar. 22, 1969]

SHOULD THE GOVERNMENT SHARE ITS TAX TAKE?

(By Walter W. Heller)

Washington *must* find a way to put a generous share of the huge federal fiscal dividend (the automatic increase in tax revenue associated with income growth) at the disposal of the states and cities. If it fails to do so, federalism will suffer, services will suffer, and the state-local taxpayer will suffer.

Economic growth creates a glaring fiscal gap; it bestows its revenue bounties on the federal government whose progressive income tax is particularly responsive to growth, and imposes the major part of its burdens on state and local governments. Closing that gap must take priority over any federal tax cuts other than the removal of the 10 per cent surcharge. And even this exception may not be valid. For, as New York Governor Nelson A. Rockefeller has proposed, the revenue generated by the surcharge can easily be segregated from other federal revenue and earmarked for sharing with the states. So perhaps even the taxpayer's "divine right" to get rid of the surcharge may have to give way to the human rights of the poor, the ignorant, the ill, and the black.

For when the state-local taxpayer is beset with—and, indeed, rebelling against—a rising tide of regressive and repressive property, sales, and excise taxes, what sense would it make to weaken or dismantle the progressive and growth-responsive federal income tax? Whether our concern is for justice and efficiency in taxation, or for better balance in our federalism, or, most important, for a more rational system of financing our aching social needs, there is no escape from the logic of putting the power of the federal income tax at the disposal of beleaguered state and local governments.

Calling for redress of the fiscal grievances of our federalism is, of course, far from saying that state-local government has reached the end of its fiscal rope. The taxpayer's will to pay taxes may be exhausted, but his capacity is not:

Our overall tax burden—roughly 28 per cent of the GNP—falls far short of the 35-to-40 per cent levels in Germany, France, the Netherlands, and Scandinavia. Small solace, perhaps, but a strong suggestion that the U.S. taxpayer has not been squeezed dry.

Untapped and underutilized tax sources still abound in state and local finance. For example, fifteen states still have no income tax, and six still have no sales tax. If all fifty states had levied incomes taxes as high as those of the top ten, state income tax collections in 1966 would have been $11 billion instead of $5 billion. The same type of computation for state and local sales taxes shows a $5-billion add-on. As for that sick giant of our tax system, the property tax, the aforementioned top-ten standard adds $9.3 billion to the existing collection of $24.5 billion.

It is only fair to point out, however, that states and localities have not been exactly reticent about tapping these revenue sources. In spite of taxpayer resistance and the frequent political penalties that go with it, the fifty states have been doing a land-office business in new and used taxes. In the past ten years, the six major state taxes (sales, personal and corporate income, gasoline, cigarette, and liquor) were the subject of 309 rate increases and twenty-six new adoptions. Instead of slowing down, the pace has speeded up; in 1967–68, the states raised major taxes on eighty occasions and enacted seven new levies. Meanwhile property tax burdens have risen faster than anyone thought possible ten years ago.

Yet, this effort has all the earmarks of a losing battle. Economic growth generates demands for new and better services while leaving a massive problem of water, air, land, and sound pollution in its wake. Population growth, especially the rapid rise of taxeaters relative to taxpayers (the number of Americans in the school-age and over-sixty-five groups is increasing more than twice as rapidly as those in-between), is straining state-local budgets. And inflation—which increases the prices of goods and services bought by state-local governments about twice as fast as the average rate of price increase in the economy—also works against state-local budgets.

In trying to meet these spending pressures, state and local governments are inhibited by fears of interstate competition, by limited jurisdiction, by reliance on taxes that respond sluggishly to economic growth, and by fears of taxpayer reprisals at the polls. But it would be a mistake to assume that the case for federal support rests wholly, or even mainly, on these relentless fiscal pressures and handicaps. Far from being just a fiscal problem—a question of meeting fiscal demands from a limited taxable capacity—the issue touches on the very essence of federalism, both in a political and in a socio-economic sense.

Indeed, it is from the realm of political philosophy—the renewed interest in making state-local government a vital, effective, and reasonably equal partner in a workable federalism—that much of the impetus for more generous levels and new forms of federal assistance has come. The financial plight of state-local government cannot alone explain the introduction of some 100 bills in Congress for various forms of revenue sharing or unconditional block grants since 1954, when my proposal for apportioning taxes was first made public and converted into a detailed plan by the Presidential task force headed by Joseph A. Pechman.

In this connection, I have been amused by how often the following sentences from my *New Dimensions of Political Economy*, published in 1966, have been quoted, especially by surprised conservatives: "The good life will not come, ready made, from some federal assembly line. It has to be custom built, engaging the effort and imagination and resourcefulness of the community. Whatever fiscal plan is adopted must recognize this need." In expressing similar thoughts publicly for a quarter-century, I have not been alone among liberals. Yet, the statement is now greeted as if the power and the glory of decentralization has just been revealed to us for the first time. May I add that when we are embraced by those "who stand on their states' rights so they can sit on them," we may be forgiven for wincing.

Moving from the political to the economic, one finds strong additional rationale for new and expanded federal support in the economic—or socioeconomic—theory of public expenditures. It is in this theory that our vast programs of federal aid to state and local governments—projected to run at $25 billion in fiscal 1970 (triple the amount in 1960)—are firmly anchored. All too often, they are thought of simply as a piece of political pragmatism growing out of two central fiscal facts: that Washington collects more than two-thirds of the total federal, state, and local tax take; and that nearly two-thirds of government public services (leaving aside defense and social security programs) are provided by state-local government. Throw in the objective of stimulating state-local efforts through matching provisions, and, for many people, the theory of federal grants is complete.

FEDERAL AID TO STATE AND LOCAL GOVERNMENTS

[Selected fiscal years, 1949–69; in millions of dollars]

	1949	1959	1967	1968 [1]	1969 [1]
Agriculture	86.6	322.5	448.0	599.4	644.0
Commerce and transportation	433.6	100.6	226.3	431.7	618.6
Education	36.9	291.3	2,298.7	2,461.9	2,398.2
Health, labor, welfare	1,231.5	2,789.7	6,438.0	8,207.1	9,135.0
Housing community development	8.6	188.4	768.3	1,185.2	1,812.5
Highway and unemployment trust funds		2,801.2	4,501.7	4,773.1	4,796.7
Other	5.5	319.7	1,120.2	1,239.9	1,418.0
Total	1,802.7	6,813.4	15,801.2	18,898.3	20,823.0

[1] Data estimated.

Source: Bureau of the Budget.

In fact, it is only the beginning. Consider the compelling problems of poverty and race and the related problems of ignorance, disease, squalor, and hardcore unemployment. The roots of these problems are nationwide. And the efforts to overcome them by better education, training, health, welfare, and housing have nationwide effects. Yet, it is precisely these services that we entrust primarily to our circumscribed state and local units.

Clearly, then, many of the problems that the states and localities tackle are not of their own making. And their success or failure in coping with such problems will have huge spillover effects far transcending state and local lines in our mobile and interdependent society. The increasing controversy over the alleged migration of the poor from state to state in search of higher welfare benefits is only one aspect of this. So, quite apart from any fiscal need to run hat in hand to the national government, states and cities have a dignified and reasonable claim on federal funds with which to carry out national responsibilities. Only the federal government can represent the totality of benefits and strike an efficient balance between benefits and costs. Therein lies the compelling economic case for the existing system of earmarked, conditional grants-in-aid. Such grants will, indeed must, continue to be our major mechanism for transferring funds to the states and localities.

But the interests of a healthy and balanced federalism call for support of the general state-local enterprise as well as specific services. It is hard to argue that the benefits of sanitation, green space, recreation, police and fire protection, street maintenance and lighting in one community have large spillover effects on other communities. Yet, in more or less humdrum services such as these lies much of the difference between a decent environment and a squalid one, between the snug suburb and the grinding ghetto.

Given the limits and inhibitions of state-local taxation and the sharp inequalities in revenue-raising capacity—compounded by the matching requirement in most categorical grants, which pulls funds away from non-grant activities—too many of the states and the cities are forced to strike their fiscal balances at levels of services well below the needs and desires of their citizens. The absence of a system of federal transfers to serve the broad purpose of upgrading the general level of public services, especially in the poorer states, is a serious gap—both economic and political—in the fiscal structure of our federalism. Tax sharing could fill it.

The core of a tax-sharing plan is the earmarking of a specified share of the federal individual income tax take for distribution to states and localities, on the basis of population, with next to no strings attached. The so-called Heller-Pechman plan has the following main elements:

The federal government would regularly route into a special trust fund 2 per cent of the federal individual income tax base (the amount reported as net taxable income by all individuals). In 1969, for example, this would come to about $7 billion, roughly 10 per cent of federal individual income tax revenues. This amount would be channeled to the states at fixed intervals, free from the uncertainties of the annual federal appropriation process.

The basic distribution would be on a straight population formula, so much per capita. Perhaps 10 per cent of the proceeds should be set aside each year as an equalization measure—to boost the share of the seventeen poorer states (which have 20 per cent of the nation's population).

To insure that the fiscal claims of the localities are met, a minimum passthrough—perhaps 50 per cent—to local units would be required. In this intrastate allocation, the financial plight of urban areas should be given special emphasis.

The widest possible discretion should be left to the state and local governments in the use of the funds, subject only to the usual accounting and auditing requirements, compliance with the Civil Rights Act, and perhaps a ban on the use of such funds for highways (for which there already is a special federal trust fund).

How well does the tax-sharing plan (also called revenue sharing, unconditional grants, and general assistance grants) measure up to the economic and sociopolitical criteria implicit in the foregoing discussion? Let me rate it briefly, and sympathetically, on six counts.

First, it would significantly relieve the immediate pressures on state-local treasuries and, more important, would make state-local revenues grow more rapidly, in response to economic growth. For example, a 2-percentage-point distribution on a straight per capita basis would provide, in 1969, $650 million each for California and New York, $420 million for Pennsylvania, $375 million for Illinois, $140 million each for Mississippi and Wisconsin, $125 million each for Louisiana and Minnesota, and about $65 million each for Arkansas and Colorado.

The striking growth potential of this source of revenue is evident in two facts: 1) had the plan been in effect in 1955, the distribution of 2 per cent of the $125-billion income-tax base in that year would have yielded a state-local tax share of about $2.5 billion; and 2) by 1972, the base should be about $450 billion, yielding a $9-billion annual share.

Second, tax sharing would serve our federalist interest in state-local vitality and independence by providing new financial elbow room, free of political penalty, for creative state and local officials. Unlike the present grants-in-aid, the tax-shared revenue would yield a dependanble flow of federal funds in a form that would enlarge, not restrict, their options.

Third, tax sharing would reverse the present regressive trend in our federal-state-local tax system. It seems politically realistic to assume that the slice of federal income tax revenue put aside for the states and cities would absorb funds otherwise destined to go mainly into federal tax cuts and only partly into spending increases. Given the enormous pressures on state-local budgets, on the other hand, tax shares would go primarily into higher state-local expenditures and only in small part into a slowdown of state-local tax increases. Thus, the combination would produce a more progressive overall fiscal system.

Fourth, tax sharing—especially with the 10 per cent equalization feature—would enable the economically weaker states to upgrade the scope and quality of their services without putting crushingly heavier burdens on their citizens. Per capita sharing itself would have a considerable equalizing effect, distributing $35 per person to all of the states, having drawn $47 per person from the ten richest and $24 per person from the ten poorest states. Setting aside an extra 10 per cent for equalization would boost the allotments of the seventeen poorest states by one-third to one-half. Thus, the national interest in reducing interstate disparities in the level of services would be well served.

Fifth, the plan could readily incorporate a direct stimulus to state and local tax efforts. Indeed, the Douglas Commission (the National Commission on Urban Problems), like many other advocates of tax-sharing plans, would adjust the allotments to take account of relative state-local tax efforts. In addition, they propose a bonus for heavy reliance on individual income taxation.

A more direct stimulant to state and local efforts in the income tax field would be to enact credits against the federal income tax for state income taxes paid. For example, if the taxpayer could credit one-third or two-fifths of his state and local income tax payments directly against his federal tax liability (rather than just treat such taxes as a deduction from taxable income, as at present), it would lead to a far greater use of this fairest and most growth-oriented of all tax sources.

Ideally, income tax credits should be coupled with income tax sharing and federal aid in a balanced program of federal support. But if relentless fiscal facts require a choice, the nod must go to tax sharing because (1) credits provide no interstate income-level equalization; (2) at the outset, at least, much of the federal revenue loss becomes a taxpayer gain rather than state-local gain; and (3) since one-third of the states still lack broad-based income taxes, the credit would touch off cries of "coercion." Nevertheless, it is a splendid device that ought to have clearcut priority over further tax cuts.

Sixth, and finally, per capita revenue sharing would miss its mark if it did not relieve some of the intense fiscal pressures on local, and particularly urban, governments. The principle is easy to state. The formula to carry it out is more difficult to devise. But it can be done. The Douglas Commission has already developed an attractive formula that it describes as "deliberately 'loaded' to favor general purpose governments that are sufficiently large in population to give some prospect of viability as urban units." I would agree with the Commission that it is important not to let "no-strings" federal aid sustain and entrench thousands of small governmental units that ought to wither away—though I still prefer to see the tax-sharing funds routed through the fifty state capitals, rather than short-circuiting them by direct distribution to urban units.

Supported by the foregoing logic, espoused by both Democratic and Republican platforms and candidates in 1968, and incorporated into bills by dozens of prestigious Senators and Congressmen, one would think that tax sharing will have clear sailing as soon as our fiscal dividends permit. Not so. The way is strewn with obstacles and objections.

For example, tax sharing poses threats, or seeming threats, to special interest groups including all the way from top federal bureaucrats who see tax sharing's gain as their agencies' and programs' loss; through the powerful lobbyists for special programs such as housing, medical care, and pollution control programs, who recoil from the prospect of going back from the federal gusher to fifty state spigots; to the Senators and Congressmen who see more political mileage in tax cuts or program boosts than in getting governors and mayors out of their fiscal jam.

But, of course, opposition goes far beyond crass self-interest. It also grows out of philosophic differences and concern over the alleged shortcomings of tax sharing. There is the obvious issue of federalism versus centralism. A strong contingent in this country feels that the federal government knows best, and that state and local governments cannot be trusted. Others fear that revenue sharing or unrestricted grants will make state-local government more dependent on the federal government—a fear for which I see little or no justification.

On the issues, some would argue that it is better to relieve state-local budgets by taking over certain burdens through income-maintenance programs like the negative income tax; while others feel that too much of the revenue-sharing proceeds would go down the drain in waste and corruption. Here, one must answer in terms of a willingness to take the risks that go with an investment in the renaissance of the states and the cities. Some costs in wasted and diverted funds will undoubtedly be incurred. My assumption is that these costs will be far outweighed by the benefits of greater social stability and a more viable federalism that will flow from the higher and better levels of government services and the stimulus to state-local initiative and responsibility.

In sum, I view tax sharing as an instrument that 1) will fill a major gap in our fiscal federalism; 2) will strengthen the fabric of federalism by infusing funds *and* strength into the state-local enterprise; and 3) will increase our total governmental capacity to cope with the social crisis that confronts us. The sooner Congress gets on with the job of enacting a system of tax sharing, even if it means postponing the end of the 10 percent surcharge, the better off we shall be.

HOME HEATING PROBLEMS EAST OF THE ROCKIES

Mr. CRANSTON. Mr. President, as one who enjoys the pleasant and temperate climate of California, I am nevertheless not indifferent to the home heating problems of millions of Americans east of the Rockies.

Senators, Representatives, and Governors of the six New England States have urged the Foreign Trade Zones Board to approve the pending application of the State of Maine for a foreign trade zone in Portland and a subzone at Machiasport. Granting the request would permit the building of a refinery in Machiasport which they believe would lower fuel prices for New England consumers. The proposal is under heavy fire from a number of major oil companies.

Because of the controversy generated, it is especially important that all the points of view have a proper hearing. I believe that the attached statement by the distinguished chairman of the board of Occident Petroleum Corp., Armand Hammer, is a useful contribution to a full and balanced presentation of the issues. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

LET'S KEEP THE RECORD STRAIGHT ON MACHIASPORT

INTRODUCTION

The Machiasport oil refinery project of the State of Maine has the bi-partisan support of the 12 New England Senators, the 6 New England Governors, all New England Congressmen, virtually the entire business, banking and academic community and practically all citizens of the region. The project will bring relief to the 11 million people of New England, who are paying the highest prices in the nation for home heating oil, and will strengthen the security of the entire country.

The project is opposed by most of the large oil companies and the petroleum refining and producing associations, which they dominate.

Every argument made by and on behalf of the opponents to this project was made at full hearings of the Examiners Committee of the Foreign Trade Zones Board, held in Portland, Maine, and Washington, D.C., in October, 1968. The arguments were fully presented in written briefs and testimony before representatives of the Department of Commerce, Department of the Treasury, Department of the Army, and their counsel. The published record of these hearings numbers approximately 1400 pages. Among those who testified, or who submitted written material in opposition to the project, were Esso, Shell, Gulf, Sinclair, Standard of Indiana, Tidewater and Continental.

In January, 1969, under the Johnson administration, the Examiners Committee unanimously recommended approval of the application of the State of Maine for a foreign trade zone in Portland and a subzone at Machiasport. In February, 1969, under the Nixon administration, the Committee of Alternates of the Foreign Trade Zones Board, consisting of the Assistant Secretaries of Commerce and Treasury and a representative of the Army, reviewed this recommendation and unanimously approved it, leaving only the final stamp of approval by the Foreign Trade Zones Board, made up of the Secretary of Commerce, Secretary of the Treasury, and Secretary of the Army. In 27 years, there has never been a case where the members of the Foreign Trade Zones Board have failed to affirm the recommendations of their Alternates.

It should be noted that the Hearings Examiners permitted complete latitude to the opponents of this project to present their evidence, which mainained that the granting of the foreign trade zone *itself* would destroy the Oil Import Control Program, thereby endangering our national security.

Is it believable that these responsible government officials, including representatives of the Defense Department, under the administration of two Presidents would jeopardize our national security by approving this application? The mere recitation of the question betrays the desperate tactics of those opposing the project.

Perhaps the real motive of our opponents is best summarized by the introductory statement of a Gulf Oil Corporation brochure published recently, as follows: "Gulf Oil Corporation, one of the 'major oil companies' engaged in selling fuels and lubricants in New England, opposes this application *only* because it provides for Occidental Petroleum to import petroleum products into the United States as a special privilege not available to all refiners." (Emphasis added.) As an afterthought, the Guf statement adds, "The use of foreign-trade zones, as proposed in this application, would lead to the destruction of the Oil Import Control Program which we believe essential to our national security."

Stripped of pretense about national security interests, the oil company opponents to Machiasport are really motivated by strictly economic considerations. They don't want to move over and share part of the oil import quota subsidy with a new competitor. They don't want to give up control of prices, and they don't want to lose any share of their market position. All this is understandable, but it should be labeled for what it is, and not paraded as concern for the national security.

Let's review the facts

In 1963, the Maine Legislature authorized the Maine Port Authority to apply to the Foreign Trade Zones Board for permission to operate a foreign trade zone in Maine. For some time, the State tried unsuccessfully to interest oil companies and other groups in placing a refinery in a trade zone.

In May of 1968, Occidental Petroleum Corporation was first asked by the State of Maine to make the project possible by building a refinery in Machiasport, and agreeing to reduce prices to New England consumers. In July of 1968, Occidental agreed to take over Business Development Fund, Inc., and New England Refiners, Inc., which had initiated the project some time before, but lacked the financial strength to carry it out.

Occidental cannot ignore the many misleading statements made about it and about the project in an attempt to divert attention from the actual merits of Machiasport. We have, at all times, tried to be careful and factual in our presentation. Unfortunately, the opposition has not.

Our position has been made clear at the public hearings, referred to above, as well as on a number of other occasions but, in view of the recent rash of misleading and erroneous statements, letters and brochures that have been published by oil interests opposing Machiasport, we believe it essential to set the record straight.

OIL IMPORT PROGRAM ISSUES

Occidental will not receive "a windfall of profits"

It has been repeatedly charged that the Maine project would create a tremendous windfall of profits for Occidental. This contention is false. Much worse, it is a charge from those who have already enjoyed large windfalls. The fact is that the value of the oil import quotas for 1969 to the twenty largest oil companies is approximately $225 million, or a total of $2.5 billion over the last ten years.

Insofar as Occidental is concerned, every barrel of oil, under the import quota, will be worth about $1.25, as it is for all the other oil companies. But, unlike the other companies, which keep the entire $1.25, Occidental has undertaken to give back approximately $1.00 of it by reducing prices to the consumer, and by making other contributions in the public interest. Thus, the net value of Occidental's import quota request would be reduced to approximately $9 million per year. Therefore, if the Machiasport project is approved, Occidental will be only 13th on the list of companies in terms of value received by United States oil importers under the Import Program. Yet, Occidental is the 6th largest American producer of foreign crude oil.

In sum if keeping $.25 out of $1.25 (after building a $140 million refinery) is a windfall, what kind of windfall goes to those oil companies who keep the entire $1.25?

Some measure of the fallacy of the opponents' windfall argument can be seen from the wide disparity of figures they quote to support their claim. At one extreme, Shell Oil, in a letter to former Secretary of the Interior Udall, claimed that Occidental's project would result in cash income before taxes of $66 million annually. Last fall, in a similar letter to former Secretary Udall, Esso charged that Occidental's windfall profit would be $35 million annually. Esso has now apparently re-studied its computations, and in its most recent statement on the subject has now placed the profit at $22 million. Gulf Oil pegs the "subsidy" at about $32 million per year.

Senator Long of Louisiana, a large oil producing state, in a recent speech on the Senate floor, claimed at one point that Occidental's windfall was "$1 billion." Later, in the same speech, however, the Senator admitted that, after allowing for Occidental's commitments to reduce prices and make other contributions to the public interest, its "windfall" would be only $12 million.

Occidental's import request does not give it a preferential position

Senator Long and others have stated that the Machiasport project will give Occidental 53% of the total oil import allocation in the 43 state area east of the Rocky Mountains. Simply stated, this is untrue. The total permissible oil import allocation in 1969 is 1,152,412 barrels daily. Occidental's import quota request (100,000 barrels daily) will equal only 9% of the total oil import allocation for this area. This 9% equates with the 9% of United States oil consumed in New England. In other words, the project would give New England its fair share in comparison with all other regions of the country.

In order to make Occidental's quota application seem disproportionately large, opponents have eliminated from their oil import allocation figures all imports from Canada and Mexico, as well as oil import allocations for chemical use. They do this although they themselves are the principal beneficiaries of these import allocations since they are large importers of Canadian and Mexican crude oil, as well as large importers of oil used by their chemical affiliates.

Some opponents even argue that Occidental is seeking a quota for 300,000 barrels daily of oil imports into the United States. This is inaccurate. The 300,000 barrel daily figure is for crude oil to be used in the foreign trade zone, which is legally outside the United States. From the zone, Occidental has asked for a quota to ship 100,000 barrels daily of products under oil import controls into the United States. Of the balance of oil refined in the foreign trade zone at Machiasport, some 75,000 barrels daily would be entitled under existing regulations (available to all companies) to enter the United States without quota as low sulphur residual fuel oil (under 1% maximum sulphur). Of the remaining production, it is planned that some 125,000 barrels daily will be exported in part to foreign countries, and in part sold to the United States Defense Department for use overseas.

Machiasport strengthens rather than threatens the national security

Virtually all of the companies opposing Machiasport have contended that approval of the project will result in a proliferation of foreign trade zone oil refineries, which will destroy the Oil Import Control Program and, thus, weaken United States security.

There can be no threat to United States security if the 12.2% formula of the Oil Import Proclamation is maintained. That is what we propose. It is not our desire to weaken the Oil Import Control Program.

Allocation can be granted to Occidental without breaching the 12.2% formula and without reducing the allocations to any present recipient. This can be done by allocating a portion of the annual increase in total imports allowable under the 12.2% formula (over the past two years, the allowable imports into Districts I-IV have increased about 100,000 barrels daily).

The argument has been made that if the Machiasport project is approved, other applicants for a foreign trade zone will also demand similar approval. We believe that each application should be acted upon on its own merits. If special conditions warrant an increase in the oil import quota from that usually permitted a new refinery, this, too, should be considered by appropriate Government officials. Because Occidental was the first to agree to build a refinery in New England and to apply for an oil import quota for use in a foreign trade zone to be established there, after other oil companies had turned down the opportunity, the cry of unfair competition is indeed a strange one. Occidental has never taken the position that other areas should be denied a foreign trade zone or that other companies should be denied the right to build refineries wherever it is legally permissible.

On the issue of national security, it should be emphasized that the size of the refinery, plus its domestic location, will give U.S. armed forces an added measure of supply security in the event of emergency. The plant's location in Maine will help achieve another strategic goal—that is, the dispersal of the nation's refining capacity, now heavily concentrated along the U.S. side of the Gulf of Mexico. Defense authorities have warned that just two nuclear bombs, one on Houston and one on Baton Rouge, could destroy 35% or more of our total present refinery capacity.

According to Defense Department studies, Machiasport is one of the few areas in the United States that would remain relatively free of radioactive contamination in the event of a full-scale nuclear attack on our East Coast.

The refinery would also provide an enormous quantity of reserve storage capacity. In an emergency situation this could prove of vital strategic value.

Small producers and refineries will not be adversely affected by Machiasport

In the recent brochure published by Gulf Oil, there is a statement that small oil producers and refiners would be hurt most by the elimination of oil import controls. In supporting this assumption, Gulf notes that there were "27,084 sole proprietorships; 12,467 partnerships; and 6,726 corporations engaged in crude petroleum, natural gas, natural gas liquid production and services." The inference in Gulf's pamphlet is that all of these people would be hurt by Machiasport. What Gulf doesn't say is that none of these proprietorships, partnerships or corporations qualify for oil import quotas, which go only to petroleum refiners. Thus, whether Occidental or some other oil company gets a given oil import quota within the system makes no difference whatsoever to these oil and gas producers, providing the system itself is retained. Occidental has never asked that the system be changed, nor does it have to be if this application is granted.

The Gulf publication also notes that import allocations were made to 122 different refiners in the last half of 1968, and that many of these were small refiners. Again, the inference from Gulf's remarks is that the large oil companies do not get the lion's share of the oil import quota rights. In fact, in 1969, over 75% of all oil import quota rights specifically assigned to companies were assigned to the 20 largest oil companies.

Occidental will not receive an unfair economic advantage

Gulf Oil has contended that "one of the key principles of the present Oil Import Control System is the equitable distribution of quotas." Gulf then contends that "it is not equitable" for Occidental to be allowed to import one-third of the products manufactured at Machiasport while running all foreign crude, while "a U.S. refinery of comparable size is permitted to import only 5% of his runs."

Gulf's logic sounds plausible, but it doesn't correspond to the facts. Actually, the average East Coast refiner currently imports almost 50%—not 5%—of his total refinery runs from foreign countries, and all of that is sold in the United States. Moreover, there are a number of refineries in Puerto Rico and the Virgin Islands that operate 100% on foreign crude oil and are allowed to import a sizeable portion of the products refined into the U.S. customs territory.

Finally, Occidental intends to distribute its products through independent terminal operators who now depend for supplies on the same oil companies against whom they must compete. Thus, the so-called economic advantage will flow to these independents who are now placed at a considerable disadvantage in the competitive arena.

CONSUMER BENEFITS

The truth about high New England home heating oil prices

As part of a co-ordinated attack on the Machiasport project and Occidental, a number of so-called "studies" have been issued recently, designed to "prove" that the prices paid by New Englanders for their oil purchases were not out of line with prices in other parts of the country. One such "study" was published by Gulf Oil, another was contained in a letter to Maine's Governor Curtis from the National Petroleum Refiners Association and a third was issued by the Independent Petroleum Producers Association.

All of these studies distort the figures to support the preconceived conclusion they seek to prove. All lean heavily for their justification on tables and charts dealing with gasoline prices. Gasoline prices, of course, have never been a matter of issue in New England.

New England's case is based on the fact that the oil companies have been charging unnecessarily high prices for home heating oil. This is a sensitive matter for New England, because it uses more home heating oil than any other oil product. In fact, New England consumes more heating oil than gasoline; throughout the rest of the country, of course, gasoline is by far the prime sales product.

Many of the studies which have dealt with home heating oil prices at all have glossed over the facts and distorted them by lumping heating oil prices into 5-year "averages." In this way, no one examining the figures can see what price trends have been from year to year. Far more serious is the statistical manner in which these industry studies have loaded the dice against New England. Studies which have indicated any source or reference material usually quote prices published in *Fuel Oil & Oil Heat* Magazine. That publication normally lists prices in 28 cities around the U.S. In making their case, these studies compared the prices in 5 New England cities to those in the other 23 cities listed without reference as to how much oil was consumed in those other areas.

The critical point is that 7 of the latter cities, and the states in which they are located, together account for only 3% of home heating oil consumed in the U.S. while New England consumes 22%. Comparing prices in New England to those in Jacksonville, Florida, or Washington, D.C., is, therefore, a meaningless exercise.

The only valid way to analyze the price discrimination suffered by New England is to compare New England price data with data for other comparable sales—that is, states and areas that consume large volumes of home heating oil. In this regard, the following two facts are significant:

The 43 states east of the Rocky Mountains (Districts I–IV, to which our basic Oil Import Control Program applies, use more than 96% of all the home heating oil consumed in the U.S.

Within Districts I–IV, 93% of the home heating oil is used in only 20 states. The other 23 states combined consume only 7%.

It is clear from these facts that any price analysis of New England's home heating oil prices should center on the 20 states which use the oil. New England, incidentally, accounts for 6 of these 20 states.

An analysis of price trends in these 20 states shows, beyond doubt, that price discrimination against New England not only exists, but is growing worse year by year. We have made such a year-by-year analysis, which shows the following trends:

Retail prices for home heating oil in New England are higher than in any other comparable region. In 1968, New England paid 57¢ per barrel—1.4¢ per gallon—above the average price paid in other comparable regions of Districts I–IV.

New England retail prices for home heating oil have risen faster over the last five years than in any other region and now stand 92¢ per barrel—more than 2¢ per gallon—higher than in 1964. This price rise is 42¢ per barrel greater than the average rise in the other 14 large consuming states.

Wholesale prices for home heating oil, which were next-to-lowest of any region in 1964, are now highest in the nation. Altogether, wholesale prices have risen 79¢ per barrel—nearly 2¢ per gallon. This price rise is 20¢ per barrel greater than the average rise in the other 14 large consuming states.

Nearly all (86%) of the retail price increases in New England is due to the increase in wholesale prices, paid to the oil companies, not increases in dealer margins—as Gulf and others have claimed. Of the 2.19¢ per barrel retail price increase 1.88¢ per barrel is attributable to an increase in wholesale prices.

Price reductions will be passed along to consumers

It has been contended that our promise to reduce prices would be worth far less to consumers than the $22 million we claim. In his recent speech on the Senate floor, for example, Senator Long asserted that, since New England prices are already discounted on the average of 5%, our 10% reduction "from posted prices would be only a 5% reduction from actual prices." A close reading of our commitments in this regard will clear up this question quickly. We have specifically pledged to reduce home heating oil prices at least 10% below the prices actually paid the previous winter season.

In other words, our reduction will be a real one—off the going market prices—not off some theoretical posted price. A 10% reduction on products from Machiasport can have a major anti-inflationary impact—through savings of $18–20 million per year in home heating oil and $4 million per year in gasoline. If prices are correspondingly reduced by other suppliers, the savings to New England could reach $50–60 million annually.

Occidental's pricing is not dependent on Libyan tax levels

It has been charged that our price concessions are somehow dependent upon the position of the Libyan Government. It is argued that, if Libya raises taxes or royalties, Occidental would raise its price to consumers in order to maintain its profit margin. Our agreement to lower prices in New England has no such condition attached to it. It cannot and will not affect the price reduction pledges we have made in our application for an oil import quota.

Machiasport will help avert oil shortages

Gulf Oil has stated that there have been "no real shortages" of home heating oil in New England in recent winters. Actually, there were severe dislocations and perilously low supplies of home heating oil during the winters of 1966–1967 and 1967–1968. The situation was so severe that even some large integrated oil companies were forced to borrow supplies on an emergency basis to stay in business. The petitions and decisions of the Oil Import Appeals Board in 1967 and 1968 give ample evidence of the threat posed to New England by short supplies. Three separate times in the last two years, the Oil Import Appeals Board has granted *emergency* import quotas to independent terminal operators because these companies could not obtain adequate supplies from their traditional suppliers.

The Machiasport refinery would provide large-scale secure supplies of home heating oil, thus preventing a recurrence of the shortages that plagued New England in recent winters. Needless to say, such a large source of new supplies will also operate to keep prices down in the future.

OTHER NATIONAL ISSUES

Machiasport will utilize Venezuelan crude oil

It has been contended that Machiasport is a "threat to the Venezuelan lifeline". Occidental, which is negotiating with the Venezuelan Government for exploration rights, would be the last one to injure that Government's opportunities. Occidental, in fact, has been interested in Venezuela for several years, and held talks with that Government regarding exploration possibilities as early as 1964. We have repeatedly stated that we shall maximize the use of Venezuelan crude oil in the Maine refinery. We have committed ourselves to use 20% to 50% Venezuelan oil. The Venezuelan oil will be blended with practically sulphur-free Libyan oil, so that the heavy industrial residual fuel manufactured will have less than 1% sulphur level. Thus, Machiasport will result in an increase instead of a decrease in the use of Venezuelan oil in the United States.

Machiasport will not be a "captive market" for Libyan crude oil

It has been stated that Occidental's prime motive in Machiasport is to secure a "captive market" for its Libyan crude oil. This is untrue. The natural market for Libyan crude oil is Europe, where nearly all of Occidental's Libyan oil is now being sold under long-term contracts.

Machiasport will reduce air pollution

It has been argued by Senator Long and others that air pollution reduction should be achieved by desulphurizing heavy fuel rather than by approval of the Machiasport project. This is a surprising argument for Senator Long to make, since, under current regulations designed to give incentives to desulphurizing heavy fuel, the ceiling on permissible crude oil imports would be raised. Under Occidental's Machiasport project, by contrast, the refinery can operate within the existing 12.2% ceiling on imports. In any event, no one can deny that Occidental's undertaking to manufacture large volumes of 1% maximum sulphur residual fuel oil will make a major contribution to our nation's effort to fight air pollution.

Machiasport will increase use of the U.S. merchant marine

Shell Oil and Standard Oil of Indiana have argued in letters to the U.S. Interior Department that the Maine project will result in a reduction in the use of American flag tankers. In fact, the U.S. Merchant Marine will be aided by the Maine project. By statute, oil, including residual fuel oil, shipped from Maine to the customs territory of the U.S. must use U.S. flag tankers. At present, however, some 90% of residual fuel used in New England is imported from foreign sources in foreign flag tankers. Thus, the Machiasport project will actually cause a displacement of foreign flag vessels with U.S. flag ships. We estimate that between 4 and 6 new U.S. flag tankers of T-2 type will be required if the Maine project becomes a reality. These will be net additions to the U.S. flag fleet.

Machiasport will not violate the purposes of the Foreign Trade Zones Act

Gulf Oil has argued that the clear intent of Congress in providing for foreign trade zones is ". . . to promote exports or re-exports". It is true that the encouragement of exports is one of the purposes of the Foreign Trade Zones Act, but it is also clear that the law anticipates, and the operation of the existing foreign trade zones proves, that both exports and imports results from the establishment of foreign trade zones. In fact, one whole chapter of the customs regulations covering foreign trade zones deals exclusively with customs duties on merchandise shipped from foreign trade zones into the United States.

The unanimous recommendations by the Hearings Examiners Committee and the Committee of alternates, the Federal officials responsible for the implementation of the Foreign Trade Zones Act, illustrate just how spurious Gulf's arguments are in this regard.

Machiasport aids U.S. balance of payments

A number of opponents to Machiasport have contended that the proposed refinery would be harmful to this country's balance of payments. Shell Oil, for example, argued in a letter to the U.S. Secretary of Commerce, Chairman of the Foreign Trade Zones Board, that Machiasport would result in a negative impact on the U.S. balance of payments of some $60 million annually. Similarly, in its recent publication, Gulf Oil stated that Machiasport would be "likely to have an adverse effect." In attempting to support its position, Gulf cited testimony given at the Portland Hearings by John G. Buckley, an oil consultant who has worked on the Machiasport project. Quite to the contrary, Mr. Buckley's testimony, which included a detailed analysis of the product flow, proved that Machiasport would have a favorable impact on the U.S. balance of payments of some $50 million annually.

Gulf Oil also states that the favorable balance of payments resulting from Machiasport will not be realized because it is ". . . largely based on the assumption that naphtha will be exported." Gulf goes on to argue that, by Occidental's own admission ". . . the naphtha would be used at the refinery to make chemicals for importation into the U.S. market." Consequently, Gulf concludes, these chemical imports ". . . would have an adverse effect on the balance of payments considerably in excess of the beneficial effect of Occidental's exports."

It is true that the State of Maine hopes that the availability of low-priced naphtha in the Machiasport foreign trade zone will encourage chemical companies to set up operations there to manufacture a wide variety of chemical products. It is not true that such an industrial development would have an adverse impact on the U.S. balance of payments. In fact, if chemical plants materialize at Machiasport, they will have an additional favorable impact on U.S. balance of payments over and above the salutary effect of the oil refinery operations.

This is so because a number of the chemical products manufactured from naphtha cannot be shipped into the United States because of an almost prohibitive tariff rate. These chemical products would be exported to foreign markets and, because of their high value, would result in dollar earnings far in excess of those anticipated by Occidental for the export of its lower price raw naphtha. If all the naphtha resulting from the refinery is utilized to make chemicals, we estimate there will be an additional favorable balance of payments contribution of some $20 million annually, thereby making the total contribution from the project some $70 million annually.

Some of the chemicals manufactured, of course, could and would be sold in the United States. These are chemicals which are currently allowed free entry, or entry at low tariff rates. If Occidental engages in such trade, it will not be seeking special consideration of any kind, since all companies will be able and, indeed, do import such chemical products from a wide variety of foreign sources.

In studying the State of Maine's application, the U.S. Treasury Department member of the Committee of Alternates undertook a special study of the balance of payments impact of Machiasport. In announcing a unanimous and favorable decision on Maine's application, the Committee of Alternates subsequently stated that, if there was to be any balance of payments effect from Machiasport, it would be favorable. Certainly, the U.S. Treasury Department is the more competent authority to judge balance of payments questions.

REGIONAL AND LOCAL ISSUES

Occidental will not have, nor does it seek, exclusive rights to occupy the Machiasport trade zone

It has been charged that the Machiasport project is simply a device to give Occidental exclusive rights to build a refinery in the foreign trade zone proposed by Maine. This is untrue. As the Governor of Maine stated at the Foreign Trade Zones Board Hearing in Portland, on October 10, 1968, the proposed trade zone will, as required by law, be operated as a public utility. Any company is free to apply for permission to operate a refinery or any other type of business within the zone.

Applications, including Occidental's must be judged on their merits and financial viability. Contributons, in the form of price reductions to consumers, or other benefits to the public to be provided by each applicant will, of course, be a factor in reaching a decision.

Occidental is the only applicant which has provided Maine with detailed financial information relating to the proposed refinery operation.

By their opposition, the oil companies are thwarting the construction of any oil refinery in New England

The National Petroleum Refiners Association and Gulf Oil have both stated that they do not object to a refinery in New England. But they insist they cannot support any project unless it is operated under current Oil Import Regulations. This is the same as saying that there will never be a refinery in New England since, under the current rigid rules of the Oil Import Program, it is uneconomic to build such a refinery. However, the Oil Import Control Program, as instituted by President Eisenhower in 1959, provides for certain flexibility in special cases. Occidental's application for an oil import quota properly asserts that this is a situation that justifies the use of such flexibility.

Because foreign oil imports are strictly controlled, refiners naturally choose to build new capacity in the areas that are close to domestic supplies which they must use. This eliminates the necessity of moving the domestic crude over long supply routes in high cost U.S. flag tankers. This economic factor, in turn, explains to a large extent why East Coast refining capacity has declined by almost 200,000 barrels daily, while in Texas and Louisiana it has risen by almost 1,250,000 barrels daily during the ten year period in which the Oil Import Program has been in existence.

To support its claim that it favors refining in New England, Gulf Oil notes that ". . . we had agreed to a processing arrangement with Commerce Oil Refining Corporation, who made an attempt to build a refinery at Jamestown, Rhode Island, in 1956." Gulf went on to elaborate, saying "A lawsuit by local residents against construction of the refinery resulted in a decision by the U.S. District Court that the refinery would be a nuisance. Consequently, the plan for a New England refinery was abandoned."

Gulf seems to have a short memory of the Commerce Oil refinery venture. What actually happened is that the U.S. District Court decision cited by Gulf was reversed by the

U.S. Circuit Court of Appeals and, at the end of the litigation, there was no legal impediment to building the proposed refinery. By that time, however, the U.S. Oil Import Control Program had been promulgated by President Eisenhower in 1959. As a result, Gulf Oil notified Commerce Oil that it could no longer go ahead with its processing arrangement since it had to use its oil import quotas to supply its own affiliates. Thus, it was the Oil Import Program, not any court case, that doomed the Commerce Oil venture and has prevented any new refineries from being built in New England or elsewhere on the East Coast since that time.

Machiasport—Economic stimulus for a depressed area

One subject the opponents to Machiasport have never contested is the fact that it will bring new economic life to a seriously depressed area—Washington County, Maine. But this important facet of the project should not be overlooked. For if America is ever to solve the pressing problem of rural poverty, imaginative industrial projects like the Machiasport proposal must succeed. In Maine, the Machiasport proposal offers an end to the vicious cycle of economic stagnation, unemployment and out-migration of talented youth which has so persistently plagued the area in recent years.

During the last decade unemployment in Washington County has been triple the national average. Some 30% of the families in the county have incomes under $3,000 annually.

During both the construction and operational phases, the projected industrial complex will provide literally thousands of jobs. The operation force for the refinery alone will be close to the 350 mark. In addition, some 300 to 500 ancillary jobs will be created. Many additional employment opportunities will be provided by other industries attracted to the area.

Machiasport and marine and ocean research

The opponents to Machiasport have paid scant attention to yet another facet of the project; the creation of a nonprofit marine resources foundation. Yet, this aspect of the project is important to New England, which has a long maritime tradition, and cares deeply about its lakes, rivers and green areas. What Occidental proposes to do is contribute 20¢ for each and every barrel of oil import quota it receives. On the basis of its quota application, Occidental has committed itself to contribute $7.3 million annually to the foundation, which will be administered by the six New England Governors. These funds will be used at the complete discretion of the Governors to do such things as acquire and preserve wet lands used by wildlife, engage in oceanographic and marine research, develop agriculture and to clean up New England's rivers and estuaries which are polluted, while keeping forever clean those which are not.

CONCLUSION

It is unfortunate that Machiasport has become so controversial. Now it is viewed as a symbol for consumer protection not only in an area inhabited by 11 million people who need relief from unreasonably high prices for heating oil, so vital to their cold climate, but also in every oil consuming state. If a proposal embodying the merits of Machiasport cannot succeed, consumers outside New England may well find themselves in a similar prejudiced position in the future.

We cannot over emphasize the fact that the citizens of New England may well be exposed to yet another cold winter of high oil heating prices and possible shortages if they are forced to await the determination of the pending governmental review of the entire Oil Import Control Program. Thus, we are heartened by the recent statement of the Secretary of Labor George P. Shultz, the Chairman of the Cabinet level task force, that the Machiasport question ". . . falls outside the scope of our work." We were encouraged, too, by Secretary Schultz' observation that he did not know of any decision to delay a ruling on the controversial Machiasport, Maine refinery proposal until his task force reports.

Occidental welcomes the assumption of "full responsibility" by President Nixon for this country's oil policy. We stand ready to abide by his judgment which we know will be in the national interest. If the President concludes that the Machiasport project can best be expedited for the welfare of the New England region through an adjustment in the terms of Occidental's application for an oil import quota, then we are willing to compromise for the best interests of the region and the nation.

All we ask is that Machiasport be judged on its merits; once it is, we are confident that it will become a reality.

ISRAEL ANNIVERSARY STATEMENT

Mr. DODD. Mr. President, I am pleased to join the distinguished Senator from Connecticut (Mr. RIBICOFF) and the distinguished Senator from Pennsylvania (Mr. SCOTT) in endorsing the statement which they are sponsoring in connection with Israel's 21st anniversary.

There is one point, however, on which I would like to further clarify my own position because the language of the statement itself is not altogether clear.

I am in fundamental agreement on the points that Israel and the Arab States should deal with each other directly and that any effort by outside powers to impose a settlement will not work and must be opposed. However, since the peace of the entire world may be involved in the Middle East crisis, I do believe that it is proper and useful for the four interested powers to discuss the situation and to use all the influence they have to assist the Arabs and Israelis in reaching a settlement.

I, therefore, sign the statement in the conviction that it is not intended to imply a repudiation of the four-power conference, but is intended rather as a call for a negotiated settlement between Israel and the Arab States which does not rule out the interested assistance of the big four powers or the United Nations.

THE INEQUALITY OF WOMEN

Mr. PROXMIRE. Mr. President, in every age, glorious or grotesque, the inequality of women has persisted. That lethal enemy of reason and decency—discrimination—has been visited upon women throughout recorded history. No nationality, no religious sect, no race, no people in history has been subjected to the oppressive and dehumanizing discrimination that has been visited upon women. At the time of the signing of the United Nation Charter, women were granted political rights in only half of the sovereign countries of the world. This is a disgrace in a world populated with women just as famous, just as unselfish just as able as many men.

We in America have seen the wisdom and the inherent value of full equality of women attested to—by women as jurists, Representatives, Senators, university presidents, scientists, and ambassadors. In American the constitutional equality of women has been established—but we have not lived up to the promise of that principle. We have failed to ratify the U.N. Convention on the Political Rights of Women. Seemingly ages ago, President Kennedy sent this treaty to the Senate, asking for ratification. We, a Nation which has disclaimed and disdained almost the last vestige of discrimination from our statutes, have again remained internationally mute on one of the vital issues of the day. Can we not look beyond small pursuits and affirm our principles by ratifying the Convention for the Political Rights of Women?

REST AND RECREATION IN HAWAII FOR SERVICEMEN IN VIETNAM

Mr. INOUYE. Mr. President, in 1962, the Office of the Secretary of Defense and the Department of State initiated a program of rest and recreation for our servicemen in Vietnam.

In 1966, Hawaii was designated as one of 10 rest and recuperation areas in Asia and the Pacific. Since the initiation of the program in Hawaii, thousands of servicemen have enjoyed a 6-day respite from the combat zone on American soil.

I know that Senators will be happy to learn that 3 years later—April 3, 1969, to be exact—Hawaii unrolled its red carpet to welcome with a warm aloha four special servicemen, one from each branch of the service, who collectively represent the millionth serviceman to enjoy rest and recreation leave.

The four men were Army S. Sgt. L. Roger Hudson, of Point Pleasant, W. Va.; Navy GM3c. Thomas A. Bruemer, of St. Louis, Mo.; Air Force Sgt. Joseph O. Durrance, of Lake City, Fla.; and Marine Sgt. Richard L. Jaramillo, of Salt Lake City, Utah.

These four men winged their way from Vietnam to Hawaii for a special rest and recreation union with their wives. Besides enjoying a specially planned vacation compliments of Hawaii's tourist industry, they appeared before the Hawaii State Legislature, visited with the Governor of the State of Hawaii, John A. Burns, and the mayor of the city and county of Honolulu, Frank F. Fasi, and dined with Senate President David C. McClung and House Speaker Tadao Beppu.

The happy faces of these four men and their wives represented the thousands of happy servicemen on rest and recreation leave from Vietnam who have been reunited with their wives and sweethearts in Hawaii. Their happy faces testify to the wisdom of the Department of Defense in designating Hawaii as a rest and recuperation area for our servicemen in Vietnam.

CHEMICAL AND BIOLOGICAL WARFARE

Mr. PROXMIRE. Mr. President, an article of considerable interest entitled "Silent Death," written by Seymour Hersh, was published in this month's issue of the Progressive.

The subject is chemical and biological warfare, a matter recently brought to our attention by my colleague from Wisconsin (Mr. NELSON).

The article points out:

> America's heavy investment in chemical and biological warfare (CBW) traditionally is a taboo subject in Washington.

I think it is rather appropriate that Senator NELSON asked Congress to take a serious look at the Defense Department's activities in this matter. Indeed, Congress has been all too silent in this regard. We can ill afford to give the military a free rein on something so important.

With the use of chemicals in Vietnam, it is all the more crucial that the legality and morality of CBW be exposed to public discussion. The result has been another instance of skyrocketing expense without Congress or the Nation having taken the opportunity for debate and deliberation.

Mr. Hersh noted that Congress has failed to touch on several basic questions pertaining to our Government's CBW policy. Specifically, he asked:

> Why is there a need for the heavy security blanketing CBW efforts, security so stringent that even Congress has not been told publicly since 1963 how much money is being spent in this area? Even the recent disclosure of $350 million a year was off the record, but could be confirmed by a recent Library of Congress Study.
>
> Why will only $175,000 be spent by the Arms Control and Disarmament Agency this year to study the basic disarmament problems connected with treaty enforcement, with no immediate increase in spending anticipated by ACDA officials, while vast sums are poured into CBW?
>
> Why has the United States not ratified the 1925 Geneva Protocol outlawing the use of lethal chemical and biological weapons? The Soviet Union, Communist China, and even Cuba have agreed to the Protocol, along with more than sixty other nations.
>
> Is the heavy spending on CBW justified? How serious is the Soviet threat, details of which have never been made public by the military? The claim of a Soviet threat has not moved U.S. officials to take any significant steps toward civil defense against a CBW attack. There are about 20,000 gas masks stored throughout the nation for civilian use, one for every 10,000 residents.
>
> Where are the CBW agents being stored and tested overseas? The Army is known unofficially to be field-testing its agents in Panama, Hawaii, and Greenland, and also sponsors CBW research in Japan, Malaysia, and Germany. It also supplies nerve agents in quantity to its NATO allies. Chemical defoliation agents are field-tested in Thailand before use in South Vietnam.

Mr. Hersh went on to emphasize some important questions raised by Senator NELSON. I wish to commend my colleague for his efforts in impressing these questions upon us. Some of them are:

> What are the official policies for the use of CB weapons in the event that they are used first by a foreign aggressor against us? Who makes the decision to deploy anthrax, the plague, or a lethal nerve gas? What are the ground rules? What have they been in the case of Vietnam? What are the deterrent factors in a program of chemical and biological preparedness? How do we militarily defend against a CB attack? If the purpose of our preparedness is to prevent surprise, what specific steps have been taken to detect a surprise?

I ask unanimous consent that Mr. Hersh's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SILENT DEATH

(By Seymour Hersh)

(NOTE.—Seymour M. Hersh, currently Washington correspondent for The National Catholic Reporter, is the author of "Chemical and Biological Warfare: America's Hidden Arsenal," published in hardcover by Bobbs-Merrill in 1968. It will be available in paperback in June from Doubleday Anchor Books. Mr. Hersh has covered the Pentagon for the Associated Press and has worked for United Press International. He was press secretary for Senator Eugene McCarthy in the 1968 Presidential campaign, and his articles have appeared in The New York Review of Books, The New Republic, and War/Peace Report.)

America's heavy investment in chemical and biological warfare (CBW) traditionally is a taboo subject in Washington. CBW is not mentioned in the Secretary of Defense's annual report to Congress on the nation's military posture, and all important references to it are censored out of Congressional testimony. In the late 1950's the generals of the Army Chemical Corps decided to make a public plea for more understanding, plus more money, and turned to a public relations firm for guidance. "Operation Blue Skies" thus emerged, complete with heavily publicized promises of "war without death" and dire warnings about the Soviet Union's preeminence in all things chemical and biological.

The effort produced more money, but with it the beginnings of a protest movement against the development of CBW weapons. The Army went underground again and probably would have remained there, but the use of gases and chemicals in Vietnam and in the ghettos and campuses of America has ended the dreams of obscurity for the CBW generals. CBW has been under increasing assault from a public rapidly becoming more aware of the Frankenstein monster in its midst. Recent network television shows, at least two books, and many more magazine and newspaper stories have pointed out some of the obvious pitfalls of spending millions of dollars where it is not only not needed, but is highly dangerous.

Precisely how much is being spent each year on CBW is a military secret. Recently the Pentagon gave a group of Congressmen and Senators a classified briefing on CBW and admitted it was spending about $350 million annually, for more than the Federal Government spent last year to subsidize all forms of cancer research. But even this amount, high as it might appear to most citizens, seems inaccurate. In 1963, the last year in which the cost of CBW was provided to Congress on an unrestricted basis, the Government was spending nearly $300 million. Since then costs have soared for the tear gases and anti-crop chemicals used in South Vietnam. Expenditures at the Edgewood Arsenal, Maryland, the military's main chemical purchasing center, were more than $420 million in fiscal year 1969, according to a McGraw-Hill investment newsletter, and that base is only one of five major CBW facilities in the nation.

In the arsenals of the Pentagon (and in at least thirteen other nations) are chemical poisons—nerve agents such as the recently widely publicized GB—so toxic that one fiftieth of a drop, about one miligram, can be lethal in minutes; it was a nerve gas that was responsible for the death of 6,400 sheep on a Utah ranch in March, 1968, after an errant test near the Dugway Proving Grounds, a CBW research base.

Biological agents are potentially even more deadly: In 1960 the head of the Army Chemical Corps told Congress than ten aircraft, each carrying 10,000 pounds of a dry disease agent such as plague or anthrax, could kill or seriously disable as many as thirty per cent of America's population—about sixty million people.

Congress and the nation were aroused recently when it was revealed that the Army was regularly shipping 300-gallon containers of the deadly GB and similar lethal agents around the country by rail, a grave hazard in the event of an accident.

It is relatively as easy for CBW scientists to produce 10,000 pounds of a disease agent as it is for pharmaceutical houses to produce a similar amount of vaccines and antibiotics. Gas and germs can be delivered in combat situations by hand grenades, airplane spray tanks, bombs, shells, rockets, and missiles.

Since the early 1960's when CBW spending trebled within a few years, the aerospace industry has been increasingly involved in CBW research. Along with it has come a reliance on sophisticated computer techniques and equipment in meteorology, biomathematics, aerobiology, and other necessary disciplines.

The heavy use of defoliants and herbicides in Vietnam (some $100 million worth last year) has been increasingly questioned by scientists concerned about the long-run ecological dangers. There also is considerable evidence that the "riot control" gases used in Vietnam can be lethal to the weak, sick, and undernourished civilians exposed to them. One of the so-called "non-lethal" gases now in wide use in Vietnam is Adamiste, an arsenic-laden chemical that will kill upon ten minutes' exposure to concentrations of one ten-thousandth ounce per quart of air. One of the anti-crop chemicals also in wide use is Cacodylic acid, which is fifty-four per cent arsenic, enough to make systemic arsenical poisoning a lethal threat to civilians living near sprayed areas.

In the past few years criticism of the CBW program has become increasingly led by scholars. The Army's main biological research center at Fort Detrick, Maryland, which has held many pseudo-scientific academic conferences in subject areas close to its needs—such as defoliation and genetics—suddenly found itself picketed by a small group of biologists and microbiologists at its session in April, 1968. The fact that at least sixty colleges and universities are currently involved in CBW research has also spawned scores of protests, with more to come.

But the experience of waging an unpopular war in Southeast Asia for the past nine years has taught the military's public relations representatives some lessons. Instead of ducking the blows, the Pentagon apparently has decided to counter the criticism of CBW with demonstrations of its concern with public reaction, and more openness about America's CBW efforts.

Thus, after a group of scientists complained last summer that something like 100 billion lethal doses of nerve gas were stored above ground on a CBW base near Denver, the Army announced it was going to move the gas. Most, but not all, of the gas was shipped to Utah. Enough remains stacked in steel storage tanks less than two miles from the runways of nearby Stapleton Air Field, Denver's main airport, to provide death for everyone in Denver and the vicinity, given the proper wind and weather conditions. Along with such moves, the Pentagon has embarked on a new program of carefully arranged disclosures to curb protests. "We're in the process of changing the public's mind," a Pentagon official recently told me. "We're trying to acculturate the public to deal with reality—this is the Government's responsibility."

Last fall, the Columbia Broadcasting System enjoyed the privilege of having an Air Force Captain, representing the Defense Department's Office of Public Affairs, open the doors for a CBS television unit, headed by veteran correspondent Mike Wallace, to three highly secured military installations devoted to chemical and biological warfare research and testing. Once inside, the television crew was allowed to film employes at work and interview a number of key personnel.

The network had been trying for years to film a news report on CBW: Just twelve months earlier the Pentagon had refused a similar request. CBS, however, paid a high price for the Pentagon's cooperation, a price it did not reveal to the estimated ten million persons who watched the report (shown in separate segments October 8 and October 22 on *Sixty Minutes*, a one-hour news show which the network describes as a "magazine of the air"). A few weeks before the first broadcast, more than fifty Government officials, representing twelve agencies, were given an advance screening of the completed shows in a Pentagon studio. The officials suggested some factual changes, which were made, and offered other objections to the editorial content—not all of which were entertained by the network. In return for its courtesy, the network was permitted to televise previously unavailable films.

At the outset of the two-part series, Wallace told viewers that "the Government undertook a major policy change in granting our request to show what these weapons can and cannot do. . . . This change of policy indicates an effort by the Pentagon to dispel the public horror that surrounds these weapons." One civilian in the Pentagon told me why CBS was permitted to get the rare film of biological facilities: "Our goal is to bring CBW into the sphere of rational discussion—sort of delousing it, or debugging it, like kids learning there aren't any ghosts." The official said he was delighted with the fact that the public responded only feebly to the show—fewer than a dozen letters, he said, were received, most of them asking for more information.

Shown for the first time by CBS on television (or anywhere else in public, for that matter) were some films apparently made at the Army's main biological production laboratories at Pine Bluff, Arkansas, where a ten-story, $90 million laboratory was built fifteen years ago. The footage, supplied by the Pentagon, showed the facilities America has created for the massive production of diseases such as anthrax, plague, and tularemia, all top potential biological warfare agents. Large concentrations of frozen germs were shown rolling off an assembly line device—apparently a huge, sophisticated fermentation machine. Neither the base, or the equipment, was identified, although such facilities are known to exist at the Pine Bluff Arsenal.

Scenes also were shown of the research facilities at Fort Detrick. As the screen depicted scientists determined to find and produce better killers than are available in nature, television viewers were told how easy it is to produce hundreds of gallons of an infectious organism within a few hours. Yet it is what commentator Mike Wallace did not say that is truly alarming, although the average viewer could not have known how much information was not supplied him. Wallace did not report that there are at least 251 cold-storage earth-covered vaults, known as igloos, on the Pine Bluff facility, many of them used to store biological warfare agents. The CBS programs did not tell of the sophisticated weapons assembly lines at the Arsenal, capable of filling hundreds of 750-pound bombs within hours with diseases considered to be worldwide scourges, nor of the detailed military procedures and plans for the distribution of these weapons to Army and allied units around the world. CBS did not mention the more than 3,300 accidents, half of them in laboratories, in an eight-year period at Fort Detrick, involving the infection of more than 500 men and three deaths—two from anthrax.

Many of the questions left unanswered by CBS were answered by the National Broadcasting Company when that network broadcast its special report on CBW February 4 on *First Tuesday*, NBC's response to CBS' *Sixty Minutes*. NBC correspondent Tom Pettit carefully told viewers that the show had not been prepared in consultation with the Pentagon, and millions of viewers were left stunned by scenes of laboratory experiments involving rabbits and mice, and views of the Utah sheep being bulldozed, dead, into huge pits.

Much emphasis was placed on NBC's finding that a Smithsonian Institute project was being used by Fort Detrick to locate a proper site for a biological warfare test; viewers were casually told that tularemia "once was routinely suggested for use in Vietnam. The suggestion was turned down." After this scary development of CBW, NBC concluded the hour-long show by saying that the "United States today does not have germ weapons ready to go at the push of a button [a patent lie]. We know how to build them; we have tested the stuff, but so far at least there has been no order to go into mass production. And until there is an order, the U.S. biological capability will remain only a paper tiger. Of course we don't know about Russia and Red China." It was a cop-out. The United States suddenly emerged from the hour of squalor as Mr. Clean, threatened by the Commies once again.

Because of the muddled direction, the show's most telling point was nearly wasted. NBC reported that the Smithsonian Institute had received more than $2.5 million over six years to investigate the migratory pattern of birds on one-mile-square Baker Island, an obscure uninhabited island belonging to the United States, 1,700 miles southwest of Honolulu. Former Senator Joseph S. Clark of Pennsylvania told NBC that, as he understood it, "under the screen of the Smithsonian Institute in a bird-banding project, they were looking for a relatively safe place to conduct chemical and biological warfare testing . . . It is my understanding that they are now on their way to do some testing there."

The NBC charge that the Smithsonian project was being used as a coverup for tests was incorrect and misleading; the Army does not need the Smithsonian to travel to an island and release germs—all it wants to know is where to go.

There is no evidence that a major large-scale test of a virulent and lethal biological agent has ever been conducted by the military, although many small laboratory and simulated tests are constantly under way. But one rare insight into the thinking of the managers of CBW was given in an unusually candid interview that Archie Penney, head of Canada's CBW efforts, gave to the *Montrealer Magazine* in September, 1967. Asked if there is a point at which a simulated test cannot give proper results and a live agent must be used, Penney replied:

"You sound like the scientists who are working on the job. This is exactly their problem. There comes a time when you say, 'Look, it's no good playing with a model railroad. We have to use the whole railroad.' You've hit on a very delicate and sensitive problem. There are very few areas in the world in which you can do it."

Congressional hearings on the CBW program are held every year, but by a sympathetic subcommittee of the House Appropriations Committee. The hearings are usually chaired by Representative Robert L. F. Sikes, Florida Democrat, a former Major General in the Army Chemical Corps. The hearings, which are heavily censored and attract little press coverage, never touch on these questions:

Why is there a need for the heavy security blanketing CBW efforts, security so stringent that even Congress has not been told publicly since 1963 how much money is being spent in this area? Even the recent disclosure of $350 million a year was off the record, but could be confirmed by a recent Library of Congress Study.

Why will only $175,000 be spent by the Arms Control and Disarmament Agency this year to study the basic disarmament problems connected with treaty enforcement, with no immediate increase in spending anticipated by ACDA officials, while vast sums are poured into CBW?

Why has the United States not ratified the 1925 Geneva Protocol outlawing the use of lethal chemical and biological weapons? The Soviet Union, Communist China, and even Cuba have agreed to the Protocol, along with more than sixty other nations.

Is the heavy spending on CBW justified? How serious is the Soviet threat, details of which have never been made public by the military? The claim of a Soviet threat has not moved U.S. officials to take any significant steps toward civil defense against a CBW attack. There are about 20,000 gas masks stored throughout the nation for civilian use, one for every 10,000 residents.

Where are the CBW agents being stored and tested overseas? The Army is known unofficially to be field-testing its agents in Panama, Hawaii, and Greenland, and also sponsors CBW research in Japan, Malaysia, and Germany. It also supplies nerve agents in quantity to its NATO allies. Chemical defoliation agents are field-tested in Thailand before use in South Vietnam.

How the nation's CBW programs might develop under President Nixon and Secretary of Defense Melvin Laird is uncertain. Laird's specific views on CBW are not known. Mr. Nixon told a Cambridge, Massachusetts, rally during his 1960 campaign against John F. Kennedy that he was all for continued research, but his current views have not been made public.

The Nixon Administration's approach to CBW could not be much worse, however, than that of his immediate predecessors. While doing research for a book on CBW in 1967, I had a score of interviews with past and present Pentagon and Kennedy and Johnson Administration officials. They produced little evidence that there had been any serious thinking about the strategic, political, or moral implications of CBW in the Defense Department or anywhere else. When asked why CBW disarmament studies were not being emphasized, one White House official told me: "There's just a hell of a lot of more important things. CBW is far down the list of criticality."

Yet William C. Foster, then director of the Arms Control and Disarmament Agency, told a House Appropriations Subcommittee at about the same time that CBW would pose the next major threat to world peace after a full nuclear agreement was reached.

In its television series, the best justification CBS could find for the vast U.S. CBW effort came from Albert Hayward, a relatively low-level Pentagon research and development manager for CBW. "If chemical or biological weapons are used against a nation," Hayward said in an interview filmed at the Pentagon, "and its only option is to accept defeat, or to respond with nuclear weapons, then, in fact, another nation has the ability to force you into initiating nuclear war. I think this is another reason for having our chemical and biological capability so that we are not faced with a choice of fighting a chemical-equipped enemy with conventional weapons or escalating to nuclear war."

This sort of reasoning, left unchallenged and unpursued on the television shows, ignores the fact that CBW agents only increase the number of weapons systems and possibilities available for war. Any nation that now dares to attack America with a chemical or biological agent risks retaliation with nuclear weapons and instant removal to the Stone Age; the deterrence is far greater now than if America was prepared to respond to a gas attack with more gas.

Given the military's and the executive's lack of public concern for this eventuality, the burden falls to Congress. Senator Gaylord Nelson, in a recent Senate speech, raised several vital questions regarding CBW. Among them were:

"What are the official policies for the use of CB weapons in the event that they are used first by a foreign aggressor against us? Who makes the decision to deploy anthrax, the plague, or a lethal nerve gas? What are the ground rules? What have they been in the case of Vietnam? What are the deterrent factors in a program of chemical and biological preparedness? How do we militarily defend against a CB attack? If the purpose of our preparedness is to prevent surprise, what specific steps have been taken to detect a surprise?"

Staff members of Senator J. William Fulbright's Foreign Relations Committee have been investigating CBW in preparation for hearings sometime this year, but as of this writing no final decision has been made, nor is the world waiting for U.S. action.

Last December the General Assembly of the United Nations approved a resolution asking Secretary General U Thant to prepare a full-scale report on the effects of possible use of CBW weapons. The resolution calls for broad international cooperation in the preparation of the report; wide public distribution of the conclusions, to be presented by July 1, 1969, if possible; and observance by all states of the 1925 Geneva Protocol prohibiting the use of poisonous gases and bacteriological warfare. The United States has agreed to participate in the study.

Last August the British government proposed reconvening the 1925 Geneva meeting to work out a supplementary agreement calling for a ban on the research and development of biological warfare agents. The British proposal would call upon each nation to destroy its stocks of such agents and equipment intended for their production. The proposal, on the other hand, would not deal similarly with chemical agents, because of their use in the past and the belief by some countries that they are necessary for future use.

Gas warfare already has broken out in at least two countries within the past six years—South Vietnam and Yemen. Many Administration officials, particularly in the State Department, are dubious about the legality of the U.S. use of riot control and harassing agents in Vietnam.

The chance of a serious accident involving CBW agents seems to be higher than many experts thought; the incident involving the sheep in Utah surprised many Army gas warfare experts, according to one source, because of the extreme effectiveness of the nerve agent. Ironically, an order issued May 3, 1967, nearly a year before the accident, sharply tightened the military's safety conditions for CBW handling and testing. The order noted that "the problems are further complicated by the possible political and psychological implication of an accident-incident exposure." The order was not made public.

Along with the accident problem, the chance of gas warfare among smaller nations has been increased because of the heavy World War II munitions stockpiles deposited all over Europe and Asia. The Egyptian use of mustard gas early in the Yemen War was prompted, according to English sources, by the discovery of an old World War II gas weapon depot by the Egyptians. A similar discovery was made in 1966 somewhere in India, according to sources here, when a civilian construction firm digging a highway found a cache of American mustard gas shells. After a frantic flurry of classified cables, a U.S. military team was sent to recover the shells. Details of the incident have yet to be made public.

Unilateral disarmament in CBW has few official supporters, but Congress could take a major step by urging the military to make public essential facts about CBW spending, weapons, and other information that is given out with ease about America's nuclear arsenal.

"What is the United States now doing," asked Senator Nelson in his Senate speech on CBW, "to insure that this totally destructive and little understood aspect of the arms race is reduced? . . . Congress should make it its business to look immediately into this matter . . . We will need to review the entire scope of chemical and biological warfare. . . . What is significant is the cloak of secrecy which has surrounded our activity in CBW research. This cloak of secrecy must be removed."

Such a full-scale investigation by Congress might well be the first step toward withdrawing these terrifying agents of silent death from the world's overstocked arsenal of weapons.

DETENTION CAMPS OPPOSED

Mr. INOUYE. Mr. President, I was shocked and dismayed to read a recent statement attributed to Deputy Attorney General Richard Kleindienst in an article published in the Atlantic Monthly. During a discussion of recent student unrest Mr. Kleindienst stated:

> If people demonstrated in a manner to interfere with others, they should be rounded up and put in a detention camp.

This statement will further fuel the fires of those dissidents in America who fear that concentration camps are being readied for those who hold unpopular views and beliefs. While it is expected that reason will prevail over this approach to America's problems, there is no question that statements of this sort erect barriers of trust between our Government and some of our citizens.

I recently introduced S. 1872, a bill to repeal title II of the Internal Security Act of 1950. Title II contains a section that states that of following the declaration of a national emergency, the President or his agent would have the power to arrest and detain persons in detention camps. I therefore urge the speedy consideration of this measure.

I may add that the Department of Justice has denied that Deputy Attorney General Kleindienst made such a statement; however, the mere fact that it has been reported is, in my opinion, further reason for speedy action.

REFORM OR ABOLITION OF THE DRAFT

Mr. HATFIELD. Mr. President, in the course of policy discussions on reform or abolition of the draft, Congress and the American public have been subjected to a great deal of information, opinions, claims, and counterclaims. Out of these we seek to extract the accurate and relevant points and reject the others.

Probably one of the most frequently used arguments against proposals for a voluntary military is the cost estimate of a 1964 Pentagon study which suggested that an additional $4 to $17 billion expenditure for wage increases would be necessary. The research behind this figure and the basis for such a claim have only obliquely been discussed. In a recent letter to Science magazine, however, Dr. Willard Rodgers, Dr. John Sonquist, and Dr. Frank Stafford, of the Survey Research Center, Institute for Social Research, at the University of Michigan, discredit the rationale and methods of computation which resulted in this bloated figure. Dr. Rodgers is presently engaged in a research project for the Department of Defense "Project Volunteer" study.

I wish to emphasize, as the letter states, that the cost estimates of the study were based on wage increases alone necessary for securing sufficient men for a volunteer force.

However, it must be recognized that pay is not the most important factor in joining or not joining the Armed Forces. My bill—S. 503—for a voluntary military acknowledges this in provisions requiring improvements in promotional formulas, personnel management, education and social benefits, and other provisions, as well as wage increases.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INSTITUTE FOR SOCIAL RESEARCH,
THE UNIVERSITY OF MICHIGAN,
Ann Arbor, Mich., April 15, 1969.

EDITORS, SCIENCE,
Washington, D.C.

DEAR SIRS: In Wallis's editorial "Abolish the Draft" (16 Jan., p. 235), he makes estimates of the cost of abolishing the draft ranging from $3 to $13 billion. The wide range reflects lack of definitive evidence concerning what a volunteer army would actually cost. Estimates that have been made probably only add to the confusion.

It is frequently pointed out in discussions of the feasibility of eliminating the draft that Pentagon estimates of the cost range from $4 to $17 billion per year, with implied or direct emphasis often placed on the higher figure. Analysis of the basis of these estimates raises a serious question as to whether they deserve any credence. A further question is the interpretation of any such figure quite apart from its accuracy.

The estimates were derived from a study carried out in 1964 by the Economic Analysis Section of the Department of Defense Study of the Draft.[1] By making several assumptions, such as the size of the military force required, it is concluded that in the absence of a draft, enlistment rates would have to be increased by from 58 to 88 per cent (depending on civilian unemployment rates) over what could be expected under present pay scales. Some of these assumptions are, of course, open to criticism, but this is not central to the argument presented here.

The problem then was to estimate how much salaries would have to be increased to raise enlistment rates to an acceptable level. (Again, it is assumed that only pay scales or bonuses are open to change, and educational opportunity variables or other social variables are ignored.) Since direct data on this question were not available, indirect data were utilized: the enlistment rates in nine regions of the country were compared to civilian pay and unemployment rates for men aged 16–21 in these regions. (The use of short-term pay expectancy for a single alternative to military service is quite arbitrary and limited in meaningfulness. Enlistment decisions are based on longer term expectancies and on availability of other alternatives, such as college or apprenticeships.) Since military pay is constant from one region to the other, boys from a region in which they could expect low civilian pay would be attracted by military pay scales. From this regional data, the economists conducting the study derived an elasticity equation relating expected enlistment rates to the ratio of military pay to civilian pay and to unemployment figures on a national level. It is this procedure that we wish to call into question.

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[1] Altman, S. H., and Fechter, A. E., "The Supply of Military Personnel in the Absence of a Draft," *American Economic Review*, May, 1967, 57, pp. 19–31; "Cost Estimates for an All-Volunteer Force," in Review of the Administration and Operation of the Selective Service System, Hearings before the Committee on Armed Services, House of Representatives (June 22–30, 1966), pp. 9952–9959.

It is true that, overall, regions in which civilian pay is lower tend to have higher enlistment rates. However, this is a long way from saying that they have higher enlistment rates *because* of the discrepancy between civilian and military pay. Other factors may be confounding the results. Specifically, the three regions of the country that have the highest enlistment rates (non-draft motivated) are the South, the South Atlantic, and the Western South. These three regions also have the lowest civilian pay for young men. If these three regions are excluded from the analysis, the relationship between civilian pay and enlistment rates disappears. In particular the "elasticity" or responsiveness of enlistments changes drastically indicating the tenuous nature of their results. Thus, the finding of a relationship between relative military pay and enlistment rates is really the finding that young men in the southern regions of the country enlist at a higher rate than young men in the rest of the country. It may be true that the civilian pay in these regions is lower than in the rest of the country, but this certainly does not prove that relative military pay *causes* a certain level of enlistment rates. One could more plausibly attribute the relationship to the more limited educational opportunities and/or the military tradition in the South, for example. Far less is this the sort of data on which a quantitative estimate of the cost of a volunteer army should be made. Yet this is exactly what seems to have been done.

However, there is more figure juggling to be played on the data. Based on the above regional data, the best estimates of the cost of providing an adequate volunteer military force were from $5.4 to $8.3 billion per year, depending on civilian unemployment rates.[2] Where, then, does the estimate of $4 to $17 billion come from? Because of the nature of the data, and because the estimate is based on data grossly aggregated into a very small number of cases (the nine regions of the country), the standard error of the above estimates are huge, especially on the high end. $17 billion is one standard error above the upper limit of the best estimate of the cost of a volunteer army. Instead of admitting that an estimate with such monstrous unreliability is useless, the Pentagon concluded that a volunteer army could cost from $4 to $17 billion. But even if the reliability of the estimate is disregarded, the fact remains that the best estimate from the data used in this study is $5.4 to $8.3 billion, and it is deceptive to cite $17 billion without specifying what is meant by it. No one predicted that a volunteer army would cost that much; yet this figure has been used to frighten people away from a volunteer army. Moreover, if a volunteer army did in fact cost $17 billion, this magnitude would reflect the previous indirect claim of the military to this value of real economic resources whether or not this is a part of the ordinary budgetary accounting.

Finally, the bearing of an estimate of the cost of eliminating the draft on the preference one holds for taking that step depends on his values; the sword cuts both ways. The economic cost is more hidden now, since it comes about by coercion on a limited, largely disenfranchised segment of the population; but it is probably at least as great as the cost of an all-volunteer army, a cost that would be shared more widely.[3] Perhaps it is more than a coincidence that opposition to the current war is greatest in that group asked to bear a disproportionate share of the cost.

WILLARD RODGERS.
JOHN SONQUIST.
FRANK STAFFORD.

THE THREAT OF CORPORATION FARMING

Mr. MONDALE. Mr. President, the effect of corporation farming on small businesses and family farms has been the subject of an investigation of the Subcommittee on Monopoly, of the Select Committee on Small Business, for the past year.

Under the chairmanship of the Senator from Wisconsin (Mr. NELSON), the subcommittee has conducted two field hearings in Nebraska and Wisconsin. They have documented the fact that large conglomerate corporations and other nonfarm absentee interests are acquiring vast tracts of agricultural land once owned and farmed by family farmers. Witnesses have testified that corporation farming has resulted in the depletion of soil and water resources through intensive operations and massive irrigation projects. Civil leaders and businessmen outlined how rural communities suffer when they lose family farm patronage.

In a Washington Post article earlier this week, entitled "Corporations Going Back to the Land," Spencer Rich summarizes the corporation farm issue and describes the tax advantages that are attracting many companies to agriculture. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 21, 1969]

CORPORATIONS GOING BACK TO THE LAND—SPECIAL TAX ADVANTAGES SPUR INVESTMENT IN GIANT FARMS

(By Spencer Rich)

Gates Rubber Co., American Cyanamid and Gulf & Western Industries aren't the kinds of names you expect to see posted on the barnyard fence.

But according to witnesses before Sen. Gaylord Nelson's Senate Small Business Monopoly Subcommittee, the three are among the firms that are leading what has come to be called the "corporate invasion of agriculture."

Nelson, Sen. Lee Metcalf (D-Mont.), Sen. George S. McGovern (D-S.D.) and others have been citing some impressive statistics to make the point that big companies, armed with special tax benefits, excellent sources of credit and the capacity of a corporation to wait long periods of time before reaping profits on some of its operations, are moving into farm operations in a big way.

OPERATE 53 MILLION ACRES

For example, a recent Agriculture Department survey of 47 states—not including California where corporation farming is believed to be above average—show that corporations operate farms with 53 million total acres. Fifty-four per cent of the corporations were formed since 1960. And figures based on corporate tax returns from 1965 indicate that sales at that time of the 18,500 farming corporations were about $4.9 billion a year.

Not all the corporations engaged in farming come from "outside"—that is, many such corporations simply represent farmers who, for various reasons, have incorporated themselves. But the way a non-farm corporation moves into agriculture was described in last year's Nelson subcommittee hearings, which the Wisconsin Democrat said will be resumed.

The Gates Rubber Co., a diversified Denver firm that makes V-belts and tires, according to witnesses, began buying up land in Wyoming and Colorado a few years ago. It developed a cattle ranch with 180,000 head of stock.

Gates also developed a farm with 420,000 chickens, making it one of the nation's leading egg producers.

WRITE-OFF ADVANTAGE

Witnesses said that corporations, particularly those from "outside," have one enormous advantage over normal family-run farms; they can write off profits from non-farm enterprises against any farm losses, thereby minimizing the farm losses and permitting them to operate until the day when they can turn a profit. Even these profits, witnesses said, would be taxed at the low capital gains rate.

An Agriculture Department official said a typical tax gimmick would be as follows: a corporation would buy up a herd of beef cattle and maintain it for five years without selling off any of the cattle. Each year, expenses of herd maintenance would be deducted as a farming loss and would thereby reduce the corporation's tax liability on its profits from other sources. At the end of five years the entire herd would be sold and the profits taken as capital gains, taxed at a maximum rate of 25 per cent.

The average small-to-medium farm just would not have the resources to do this.

Nelson and the National Farmers Union, which for years has been the chief critic of "corporate farming" and a champion of what it likes to call "the family farm," find such possibilities disturbing.

DRAWBACKS SEEN

Nelson, in an interview, said the trend to corporation farming could lead to undesirable social consequences. He said it could lead to the further shrinking of the already small farm population (there were about 3.2 million farms in 1967) as corporate farms with few employees take the place of family-run farms; a consequent disappearance of the small towns whose merchants depend on farmers; the possibility that conglomerate operations would be able to dominate the farm markets and manipulate prices—to the ultimate detriment of the consumer and excessive control over rural land—where many new cities and industries will be located—by big corporations.

A National Farmers Union spokesman said corporation farming wasn't the only development that could present these threats.

For many years, he said, there has been a trend toward increased "integration" in agricultural operations: effective control by one giant company of the whole chain of operations beginning with on-the-farm production and extending through marketing, processing, distribution and even retailing of the commodity.

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[2] This includes an estimate for the necessary increase in officer salaries, which is based on different data; this may be open to much the same criticism as that presented above, but is not presented in sufficient detail to be sure. The proportion of the increased salaries to be given to officers is only 5 to 10 percent of the total increase, so is not as critical.

[3] See Hansen, W. L. and Weisbrod, B. A., "Economics of the military draft," *Quarterly Journal of Economics*, 1967, 81, 395–421, for a discussion of the implicit economic transfer from draftees to the public at large.

With economic power and effective control of the farm market place, big companies can whipsaw the farmer on payments for his products and control the retail price to the consumer, taking enormous profits for themselves, he said.

DOMINANT IN POULTRY

The most frequently cited examples are in poultry, sugar, and vegetables for canning. An Agriculture Department official said that about 90 per cent of the broiler chickens produced in the U.S. come from integrated operations, with 13 organizations—led by Ralston-Purina and Swift—processing one-third of the nation's broilers. In some cases the company provides the baby chicks, the feed and other items used on the farm, processes the birds, markets them at wholesale and may even have a retail tie-in to a supermarket chain.

Sugar beets are also heavily integrated, with nearly all U.S. production done on farms owned by beet processors or farms working under seasonal contracts. The companies then process the beets and market and package the finished sugar.

INFLUENCE DISPUTED

The Farmers Union and some of the Senators who see corporate farming and integration as a threat have various proposals to block it: Barring corporations from deducting farm losses against non-farm profits; limiting the participation of corporations in agriculture (a few states like Kansas and North Dakota have such laws).

The fear of corporate farming and integration is not universal. Agriculture Department officials who have been studying corporate farming say the cited figures can be misleading. The 45 million acres operated by corporate farms, for example, constitute only about 7 per cent of the land in farms. Corporate farm sales, they say, are a slightly higher percentage. And the number of corporate farms is only about 1 per cent of total commercial farms.

But even more to the point, an Agriculture Department official said, a large number of the corporations in farming—more than two-thirds—are simply incorporated family businesses, and another 12 per cent are one-man corporations.

What this means is that most of the farm corporations are simply farmers who have taken out incorporation papers for inheritance or business handling purposes.

The American Farm Bureau Federation, the big archrival of the Farmers Union, does not believe corporate farming or integration constitute the kind of threat to farm life that the NFU foresees.

"We are concerned with integration and we have moved to form bargaining and marketing associations of farmers," an AFBF official said. "But the idea of limiting the flow of a certain type of capital into farming and of arbitrarily demarcating who is a farmer and who is not a farmer and shall not be allowed to farm is simply unacceptable," he said.

ECONOMICS OF AGING—II

Mr. WILLIAMS of New Jersey. Mr. President, I have stated previously that I intend to offer excerpts from several of the letters sent to the Special Committee on Aging, in response to news articles telling of that committee's task force report entitled "Economics of Aging: Toward a Full Share in Abundance."

A letter received from a 63-year-old widow of Independence, Mo., touches on practically every aspect of the problems of retirement income and, therefore, I am offering the entire text of that letter today. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 28, 1969.

Senator HARRISON A. WILLIAMS,
Chairman, Special Committee on Aging, the Senate, Washington, D.C.

DEAR SIR: I am a widow 63 years old. My husband passed away almost ten years ago. He had been employed by a power and light company 28 years. Therefore, I was covered by his Social Security for widow's pension ultimately (at a reduced rate) at age 60. His pension plan had no provision for widows before the employee's retirement. My husband passed away at 54 years. The shares we paid into the pension plan were returned to me. Those paid into the plan by the company for employees, I guess, return to the general fund. Of course, there was life insurance and life savings. I went to work for a few years and got along financially very well. Age 58, I had a nervous breakdown and was hospitalized two months—returned to work for a year or so—had another relapse and was hospitalized another two months. After returning home from the hospital this time I was still on the payroll on a leave-without-pay basis for several months. I did not qualify for disability basis but still felt unable to work so resigned and subsequently took my widow's pension at age 60.

Needless to say, the drain on my savings was considerable immediately, and continues to be about $100 a month above my income even with very close accounting.

I own my own home. This year taxes on my property have increased, services to the home and appliances, upkeep and insurance, have taken dramatic increases. Before long, I will face the necessity of selling my home and renting (using the proceeds to supplement my Social Security).

I realize I am fortunate (provident might be a better word) to have had resources to see me through, but I am faced with ultimate poverty through circumstances far beyond my control, should I live long enough.

It will be a year-and-a-half before I qualify for Medicare. My private Blue Cross-Blue Shield health insurance jumped from $12.50 per month to $18.05 per month last month. Of course, the coverage is better, but there was no choice and I cannot afford to be without it. That is but one example of a sudden increase and on a widow's pension (Social Security only) it is considerable.

My experience is legion.

Long before I became a widow I felt a widow's benefit under Social Security should be commensurate with her husband's benefits. The Social Security tax came from her pocket the same as her husband's. In my circumstances, I felt I should not work outside the home, with children and an aged father to take care of.

I, therefore, am urging you as Chairman of the Senate Special Committee on Aging to consider increasing the Widow's Benefit to that of her deceased husband's.

Naturally, there should be some kind of increase-in-living-costs increase across the board. Groceries, utilities, taxes, etc. are constantly spiraling.

I am one 63-year-old woman who looks forward to becoming 65. Then I will qualify for Medicare. That will help considerably on spiraling health care.

The rich retired can care for themselves.

The poor retired are provided for, but those of us in between are rapidly becoming poor. I have never been indigent and indeed came from an upper middle class home, and the thought of a dependent old age is repugnant to me.

Thank you.

A VOLUNTARY MILITARY SERVICE

Mr. HATFIELD. Mr. President, in the course of public debate over the proposed replacement of the draft with a voluntary military, there were some fears expressed by various observers that this change might result in the creation of a predominantly black army.

Recently, in a brief, direct statement on this question, two political scholars have returned the issue to its proper perspective. "Notes on the Color of the Voluntary Army," by William O. Freithaler and Robert D. Tollison, members of the faculty of the University of Virginia, substantially discredits the charges of a possible racial imbalance, and also suggests other reasons for instituting a voluntary military. It is a perceptive, well-presented statement which will be a positive contribution to the discussion regarding the draft. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NOTES ON THE COLOR OF THE VOLUNTEER ARMY

(By William O. Freithaler and Robert D. Tollison)

I

In recent months the volunteer army concept has moved from the realm of polemics to the national policy arena. It is therefore imperative that the major issues involved in the debate over this proposal be carefully scrutinized in order to clarify their implications. This paper specifically examines the widely publicized argument that a volunteer army would be manned in the main by economically disadvantaged minorities, especially Negroes.[1]

II

It will be useful to begin by reviewing the racial composition of the population segments from which the volunteer army might draw its recruits. Critics of the volunteer concept imply that these would consist primarily of lower income groups in which Negroes are disproportionately represented. It should be noted, however, that even in the lowest (i.e. under $3,000) income brackets, white families outnumber blacks in absolute terms by very substantial margins, and that these margins expand rapidly as one ascends the income scale. For example, in 1966, 32 per cent of all Negro families had incomes of less than $3,000 while only 13 per cent of all white families fell in that category. Nevertheless, the number of white families in this income bracket outweighed that of the Negroes by a factor of approximately 5.72 to 1.57 millions. Moreover, in the $3,000–$4,999 category, the ratio of white to Negro families (6.16–1.18 millions) was even higher.[2]

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[1] For representative statements of this argument see Harry A. Marmion, *Selective Service: Conflict and Compromise* (New York: John Wiley and Sons, 1968), pp. 64–65; Morris Janowitz, "American Democracy and Military Service," *Transaction* (March, 1967), p. 9; Editorial, *Wall Street Journal*, February 24, 1969, p. 14.

[2] Roughly similar disparities appear even if one considers only the racial composition of unemployed adults. These findings are derived from data presented in a joint publication of the U.S. Department of Commerce, Bureau of the Census, and the U.S. Department of Labor, Bureau of Labor Statistics, entitled, "Social and Economic Conditions of Negroes in the United States," *Current Population Reports*, Series P–23, No. 24, and BLS Report No. 332, pp. 18, 22.

It seems reasonable, therefore, to estimate that the potential supply of white volunteers is significantly larger than that of their black counterparts.

In spite of this preponderance of potential white volunteers, however, a predominantly black army could still emerge under the volunteer system if the propensity of Negroes to enlist were much greater than that of whites. Recent data on the racial composition of first-term enlistees provides the best available evidence bearing on this issue. These data indicate that a markedly higher proportion of draft-age whites than Negroes (5.7 vis-a-vis 3.7 per cent) are volunteering to serve at current wage levels. This, in part, reflects the fact that a higher percentage of Negroes than whites (58 vis-a-vis 35 per cent) fails to qualify for military service in pre-induction examinations.[3] Moreover, the higher pay scales of the volunteer army would probably attract proportionately greater numbers of whites than Negroes into military job markets.[4] In any case, the foregoing data clearly indicate that Negroes would face substantial competition for jobs in a volunteer army from a much larger group of qualified whites.

The analysis of this subject would also be grossly inadequate, however, if some attempt were not made to consider the impact of forcible immersion in free labor markets on military hiring practices. Various studies of military manpower policies have asserted that our armed forces tend to employ labor intensive productive processes over a wide range of their activities because the draft provides the services with various grades of labor at below market wages.[5] This represents a rational adjustment to the present economic situation. An economist would expect to find a military warehouse, cafeteria, motor pool or maintenance facility employing a greater amount of labor (and lesser quantities of other resources) than a private firm would use to produce the same outputs.

Abolishing the draft would eliminate this labor cost advantage and should tend to promote the adoption of labor saving processes throughout the military establishment. Capital equipment, in particular, would displace labor in many processes of production.[6] The ubiquitous box-lifting, trench-digging, footweary infantryman, for example, should be displaced by fork lift trucks, trench-digging machines, and smaller numbers of ultramobile space age warriors employing more expensive and sophisticated weapons systems. In short, a well managed volunteer army could not afford Beetle Bailey.

This adjustment to higher priced labor would obviously affect both the number and kinds of job openings available in the military establishment. To achieve a given overall level of defense capability, it would imply a general reduction in total military employment.[7] In addition, it would probably result in an upward revision of the minimal labor skills and educational achievements demanded of recruits by the military. A proportionately greater number of jobs would exist, for example, for operators and maintainers of modern military equipment and fewer jobs would be available to high school dropouts and unskilled workers. Negroes, of course, are grossly overrepresented in the ranks of our unskilled and undereducated workers. This factor would further reduce their chance of successfully competing for a disproportionate share of the jobs in a peacetime volunteer army.

Under the current system of military manpower procurement, the proportion of Negroes in the armed services is on the order of 9 per cent, while their representation in the total population is about 11 per cent.[8] However, because of their generally disadvantaged backgrounds, Negroes, once in the military, tend to be allocated in disproportionate numbers to combat operations.[9] If a settlement should be reached in Southeast Asia, it seems reasonable to assume that the combat units of the armed forces would be deactivated most rapidly. Military employment opportunities for Negroes would therefore probably be reduced in a post-Viet Nam context even if the draft were not abolished. This effect would be compounded by a shift to a volunteer basis since, as noted above, such a system would require a smaller and more highly skilled military labor force.

III

An exhaustive manpower study would have to be made to predict precisely the racial and socioeconomic composition of our armed forces if the draft were replaced by a peacetime volunteer army. Critics of the volunteer concept have simply asserted that an "all black" (or predominantly black) army would emerge. Our preliminary analyses of the relevant theoretical issues and empirical data indicate that this assertion is implausible. Two basic and complementary lines of reasoning have led us to this conclusion.

One concerns the nature of manpower requirements that would evolve under an all volunteer system. As the wages of military labor rose toward competitive levels, the rational economic reaction of the armed forces would be to mechanize and otherwise reduce the labor intensivity of their various productive processes. The "Beetle Bailey effects" of the draft would be eliminated and smaller numbers of more highly skilled servicemen would be sought by the military establishment.

The other line of reasoning pursued the question of how the Negro job seeker would fare in these restructured military job markets. Undoubtedly, a substantial number of Negro workers would find these higher paid peace-time military billets attractive. This is essentially irrelevant. The decisive factor would be their ability to compete with a much larger group of whites who find it easier to qualify . . .

This job competition might well be intensified by shifting to a volunteer system, with predicted detrimental effects to the military employment prospects of Negroes and other disadvantaged groups. If this should develop in practice, critics of the volunteer army concept might still find themselves in the position of objecting to its racial composition, but on the grounds that it is "too white" rather than "all black."

HUNGER NEXT DOOR

Mr. McGOVERN. Mr. President, I have seldom seen a more moving account of the terrible human costs of poverty than that written by Nancy Munro for the March edition of Redbook. Mrs. Munro is nutritionist for the Headstart program in Missoula, Mont. Her experiences are a vivid reminder that the crippling effects of malnutrition are felt by poor children in every part of our country.

The article does not describe an urban slum or a poverty stricken Southern community. Missoula is located in beautiful "ranch and forest country" thousands of miles from these so-called centers of hunger and malnutrition. But in Missoula, as in Mississippi, New York, and every other State, there are children whose lives are being irreparably damaged because their parents just do not have enough money to feed them properly.

Nancy Munro's story tells us what hunger means to the children whom it affects. I ask unanimous consent that her article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A YOUNG MOTHER'S STORY—HUNGER NEXT DOOR

(By Nancy Munro, Missoula, Mont.)

This is not the usual story of a problem solved by one young mother. It is the story—still without a solution—of too many young mothers throughout our country.

(It is easy to become immune to the fact of poverty. Most of us have no experience with it. When our children are hungry, there is always food to feed them. The poor, hidden away in the slums of large cities or in "poverty pockets" in rural areas, are only statistics. The details of their lives, no matter how much we read about them, do not touch ours. This is an article by a woman—a mother of five—to whom the poor are people. Their lives have touched hers. In Montana, where she lives and works as a nutritionist, Mrs. Munro has found out what happens to young mothers and their families who have only 17 cents a day with which to feed each child.—THE EDITORS.)

Missoula, Montana, is a community of 50,000 people with many advantages. We live in ranch and forest country in the valley of five rivers bordered by majestic mountains. We have the culture and the stimulation of a university and the convenience of being the shopping center of western Montana. We do not have a slum area or a minority slum culture. Negroes in Missoula are either university students or working people with salaries above the poverty line. Very few Indians live in the community; most remain on a reservation 20 miles from town.

We do have poverty. Six thousand Missoulians live on annual incomes below the minimum subsistence level as estimated by the Federal government ($2,500 for a family of three; more or less for larger or smaller families). Of these, 2,000 are elderly, 2,000 are poor because of unemployment and 2,000 are poor because of underemployment.

Our poor do not live in a visible slum. For the most part they live next door to affluence. They do live in substandard housing, but you must go inside to see the holes in the walls or, in one case I know of, the dirt floor.

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[3] *Ibid.*, p. 82.

[4] Milton Friedman has asserted that in this regard present levels of pay are *comparatively* more attractive to Negroes that the higher levels of pay of a volunteer system would be. This indicates that the majority of Negroes who would be affected by a wage differential between the civilian and military sectors have already responded to the differential and are already in the armed services. If Friedman's assertion is correct, the above analysis is further strengthened because the response of Negroes to the higher levels of pay in a volunteer system would be proportionately less than whites. Milton Friedman, "Ar. All Volunteer Army," *New York Times Magazine*, May 14, 1967, p. 118.

[5] For example, see W. L. Hansen and B. A. Weisbrod, "Economics of the Military Draft," *Quarterly Journal of Economics*, LXXXI (August, 1967), p. 402.

[6] This tendency would of course be accentuated if the volunteer army enjoyed more success than its predecessor in procuring capital equipment at truly competitive prices.

[7] Complementing this relative movement away from labor-intensive processes would be the various manpower economies which could be achieved under the volunteer system in its training operations. These economies would result because the lower personnel turnover of the volunteer army implies a smaller commitment of manpower to training functions. On this point, see Hansen and Weisbrod, *op. cit.*, p. 402.

[8] These data, reflecting conditions in June of 1967, are drawn from: U.S. Department of Commerce, *op. cit.*, p. 83.

[9] *Ibid.*, pp. 83–84.

Some families live in log cabins. A cabin looks picturesque beneath the pines on the mountainside, but if it cannot be kept warm and dry, it is substandard housing. We even had one mother and her four preschool children living in a leaking tent. She was not camping out; she couldn't afford to pay rent. Her husband had left her. With a hammer and crowbar she had torn apart two condemned houses and started building a new house with the salvaged lumber. She stopped working on the house when she could not figure out how to install a fuse box. She was fired from her barmaid job. She remarried, but her second husband left her. Then she gave up and settled for the tent.

As a nutritionist in Missoula, I must see that the 117 children enrolled in our Head Start program eat properly. Head Start was funded by the U.S. Office of Economic Opportunity and launched in 1965 as a preschool program for children from low-income families. It is designed to give them—to some degree, at least—the benefits that most middle-income families are able to give their children as a matter of course—educational, medical and social benefits that prepare children physically and mentally to learn.

At the four Head Start centers in Missoula, the children eat one meal and a snack each day. But I soon discovered that many of them suffered from malnutrition. They were vulnerable to pneumonia, anemia and other diseases of debilitation. From our meetings with parents and visits to individual families I learned that many of the children don't eat nourishing foods at home. It is not because their parents neglect them; their parents just can't afford to buy the kinds of food they should eat.

Of Missoula's poor, about 15 per cent receive public assistance. The welfare rolls include a few disabled fathers and their families, but most of the recipients are "solo" mothers—widowed or divorced or those whose husbands do not live with them. There are 105 such families in Missoula, about 500 individuals; they receive a type of welfare assistance known as Aid to Dependent Children. It is people like these, and other poor families who are not on welfare, that Head Start is geared to help.

Our Head Start families average six members. Their incomes average $1,000 below the poverty line—that's $1,000 less than the amount estimated nationally as a standard for bare subsistence. But in Missoula we know at first hand that it costs more than the national average to survive Montana's cold winters and short garden-growing seasons.

Jane is one of Head Start's solo mothers. She is a blue-eyed, gray-haired, divorced mother of four children. She did not finish high school and had no way to support her family except by raising a large vegetable-and-strawberry garden. (She gave three gallons of strawberries to Head Start.) She was so shy and felt so unworthy that if a neighbor said, "How do you do?" she didn't know what to answer. What do you say to the well-dressed woman who looks scornfully at your worn clothes? Jane is acutely aware of "middle-class values." She lives down the road from them.

When Jane's youngest boy enrolled in Head Start, she came as a volunteer to serve lunches at the center, which she did capably. She came to parents' meetings in a neighbor's house. At one of those meetings, during my first year with Head Start, we discussed a nutrition plan based on the four basic foods—meat, milk, fruits and vegetables, cereals. The plan was devised by the U.S. Department of Agriculture to keep people healthy. It recommends daily two servings of meat of two or three ounces each; two cups of milk, four one-half-cup servings of fruits and vegetables and four half cups of cereal. We had to abandon this plan. Mothers like Jane could not afford it.

The following year, at our first parents' meeting, I described another plan, specifically designed to help low-income families eat healthy meals at minimum cost. This was the Department of Agriculture's Low Cost Food Plan, which suggests 11 types of food needed by various members of the family on a weekly basis. It costs about $100 a month for a family of four.

But we found that Jane and 75 per cent of our families had less money to spend on food than the Low Cost Plan required. If they had bought food as recommended, they would have had to spend 55 per cent of their income on it. That would have left 45 per cent for all other essentials: clothing, rent or taxes, house repairs, fuel, doctors' bills. By contrast, most middle-class families in the United States need to spend only 20 per cent of their income to eat very well indeed—too well, some nutritionists point out.

Then I found the Department of Agriculture's Economy Food Plan, recommended only for short emergency periods. By eating oatmeal instead of dry cereal, baking bread at home, drinking reconstituted dry milk, eating beans six times a week and rationing half an orange a day to each person, optimum nutrition can be bought for $75 a month—for the 67 cents a day that welfare gives an adult for food. I thought I had solved the food problem for Jane and most of the other mothers.

Jane showed no enthusiasm for this plan. I felt frustrated because my expert adivce was not accepted, but she protested that she would consider herself lucky to have $50 a month for food. For her family of four children, that was 33 cents a day per person.

Jane drove Head Starters to school in her car. One cold morning the car would not start; the children didn't get to class. The next night was 20 degrees below zero. She went outside every hour all night, started her car and warmed the engine so the children could get to class in the morning.

The next summer Jane was hired as a Head Start cook. As I worked with her, I came to know her better and gained increased respect for her ability and character. Still, it was several months before I learned I had not heard her right. She had said she would feel lucky if she had $50 a month to spend on food. Actually she had $35 a month—23 cents a day a person. No matter how I figured, I could not find any way adequate nutrition could be bought for 23 cents a day.

We carefully went over her monthly budget of $187 from Aid to Dependent Children. Missoula has no public transportation; Jane must have a car because she lives several miles outside town. Missoula has long, cold winters. Jane lives in a log cabin and chops wood for fuel ("It's no job for a woman, but the girls and I do it"). Oil for a space heater costs as much as $50 a month in subzero weather ("I couldn't make it if we had to pay that"). Children need snowsuits and boots and mittens. We all need more food just to keep our bodies warm. Missoula has no lunch program, not even a milk program, in the elementary schools. Missoula is a difficult place for the poor.

Last September I conducted a 24-hour-recall diet survey. Mothers reported what their Head Starters had eaten during the previous 24 hours. Jane said that her son Jim had eaten one and a half hot cakes, four slices of homemade bread, three cups of reconstituted dried milk, one cup of bean salad and three apples. That's a good 20-cent-a-day diet. But it's not sufficient. This year Jim's preschool physical examination indicated that he has anemia.

Jane has changed considerably since we at Head Start first knew her. She has learned that she is an effective, respected person; she can now meet her neighbors with dignity. She has attended high-school evening classes passed her high-school equivalency tests, studied bookkeeping and is now enrolled in a typing class. She works for Head Start as a bus driver and project aide. Next year, she hopes, she will be able to support her family.

But Jane is tired. Her children are sick frequently. Not all of them are doing well in school. Though she and her family have never gone hungry, inadequate food handicaps their struggle against apathy, fatigue and irritability. Jane knows the value of the four basic food groups; she simply cannot buy them.

Jane and other low-income families might have been able to improve their diets somewhat three years ago if Missoula had had a food stamp program, under which they could exchange the money they normally spend for food for Federal coupons worth more at grocery stores. At a parents' meeting in 1966 Ed, a Head Start father (a carpenter on vocational rehabilitation because of a disabled arm), wondered aloud why Missoula had no such program. Encouraged by the Head Start social worker, a group of parents organized to learn more about the program. They wrote letters of inquiry to communities in Montana that did have food stamps; they met with consultants from the U.S. Department of Agriculture and the Montana State Welfare Department. After their investigation, they circulated a petition for food stamps in Missoula and finally met with the commissioners of Missoula County to present the petition. The county commissioners applied to the Federal government. There was no action on the application.

In 1967 an enlarged citizens' committee was organized. Several local politicians joined the group. The commissioners again applied. They were told by the U.S. Department of Agriculture that no funds were available for Missoula. Letters to senators and congressmen failed to get food stamps for the community, and Missoula's poor continued their high-starch, low-nutrition diets for another year. Things look a little brighter today. A few months ago the county's application for inclusion in the program was approved, and food stamps became available in Missoula in January, 1969.

Half our Head Start families have a father in the home. Five families have more than ten children each. That is a lot of children for a man to feed and clothe, even when he's working.

Bob is a responsible, hard-working man. Placid and plump Bettina, his wife, has a sweet smile and a sweet face that fits her affectionate way with her children. She was president of her neighborhood women's club and Bob is active in many community programs. Last year he earned $5,520. It would cost $4,940 to feed his family of 13 children according to the Low Cost Food Plan. Bob and Bettina actually spend $936 a year on food—17 cents a day per person.

Bread is a luxury they can afford just once a day—in school lunches. Bettina finds cake immediately satisfying to her hungry children. Her cakes, made of sugar, lard and flour, are a cheap source of calories. For 17 cents a day she can't hope to give the children much more than calories.

In 24-hour recall, Bettina reported that her Head Starter had eaten dry cereal with sugar for breakfast, cake and a glass of milk for lunch, plain spaghetti and a glass of milk for supper.

Bob and Bettina's children have multiple problems. Some have repeated grades in school. Some are anemic. Some are withdrawn. They are losing the struggle against fatigue, apathy and sickness.

Alice and Allen, parents of another Head Starter, do not appear to be struggling against apathy, fatigue and sickness. They appear to have given up. Alice is thin. She droops with tiredness. She is saving money by rolling her own cigarettes. Allen is the only Head Start father who apparently is able to work but does not.

Their income two years ago was $900 for

a family of five children. The Welfare Department would not support a family in which the father should be able to work. Yet Alice and Allen needed help, so last year Welfare supplemented their income, bringing the total to $1,300. To feed their family of by-then-six children adequately would require $2,137 a year. Alice spends 16 cents a day per person for food.

When she shops, Alice first buys her "basics": a sack of white flour, a can of lard and a sack of potatoes. If she has any money left over, she buys candy and pop to please the kids. She has logical reasons for giving her children candy and pop; our advertisers tell us that candy supplies quick energy and things go better with pop. And her children do not have many things just for fun; it is understandable that she does not deprive them of "fun foods." The food industry might help her by promoting low-cost, high-nutrition foods as "fun foods."

Alice reported in 24-hour recall that her Head Starter had had bread and water for breakfast, macaroni and water for lunch and corn and potatoes for supper. When he first entered Head Start two years ago, he grunted like an animal. His "communication skills" were limited to pointing, taking and hitting. After several months his speech could be understood by a patient listener. This year when Welfare learned what Alice and Allen's family was eating, the department increased their allotment.

Why doesn't Allen work? He has been called lazy. "Lazy" doesn't define causes and reasons. I don't know the efforts and failures he has experienced. I do know that white flour and potatoes are a deficient diet. Malnutrition causes apathy, fatigue and irritability; these handicap attitudes and efforts. I don't know how many years of failure and a white diet it would take for me to reject the system from which they were received.

Food was given to Alice's family by a woman who promised to give more if the food was used; she didn't want to give what was not wanted. At the end of the first week the carrots were still in the refrigerator. (The electricity had been turned off, but the refrigerator was still the storage place.) The dried milk was unopened. The peanut butter was half eaten. At the end of the second week the donation was stopped. Did Alice feel that the donated food implied criticism of her? Was it difficult to change habits? Were apathy and fatigue so great that Alice could not make the effort to wash carrots, mix milk and spread peanut butter?

In two months four of Alice and Allen's children have been in the hospital at a cost of over $5,000 to Missoula County. One was burned; others suffered from diseases of debilitation and medical neglect. Their son Pete—the boy who was in my Head Start group—died last year. He had had repeated attacks of pneumonia and asthma. While he was in Head Start he had received good medical care. But last year Pete entered the first grade, and because Missoula has no follow-up medical program for former Head Starters, his precarious health failed.

An intensive program under the direction of a skilled homemaker who worked in their home might train Alice and her family in different habits. An adequate supply of low-cost, high-nutrition foods would help too. But Alice and Allen have not asked for that kind of help, and the neighbors would protest "personal maid service" for two able-bodied parents.

The majority of the poor in Missoula, as we see them in Head Start, are struggling against multiple handicaps. Many are in marginal situations. They could cope adequately with their problems if they had help; additional stress could precipitate defeat. What kind of help do they need? Realistic food programs, minimum wages for all occupations, welfare payments geared to Missoula's high cost of survival, public medical and dental clinics, public transportation, hot-lunch programs in the schools and low-cost, adequate housing.

The Janes and Bettinas and their families would not then have preventable handicaps like malnutrition. The poor who have been able to stay off welfare would be able to continue to do so—even to pay taxes. And a certain percentage of those receiving public assistance would be able in time to remove themselves from the welfare rolls. Welfare would then become what it is intended to be—adequate assistance to those who need help so that ultimately they can support themselves.

The alternative is to run the risk of producing increasing numbers of Alices and Allens. For the 117 Head Starters and their 516 brothers and sisters in Missoula, the future is now forming. The same is true for the poor all over the United States, in rural counties and cities alike.

THE ELECTORAL PROCESS

Mr. BAKER. Mr. President, on April 15 I introduced three proposals designed to strip away conditions to full participation in the electoral process. These measures would provide for a system of 50 State Presidential primaries—Senate Joint Resolution 92—allow transients the right to vote in national elections—Senate Joint Resolution 93—and establish a uniform 24-hour voting period for all Presidential and congressional elections—S. 1817. Earlier I introduced a proposed constitutional amendment to extend the right to vote to all those between the ages of 18 and 21 in Federal elections—Senate Joint Resolution 38—and I am a cosponsor of the proposed constitutional amendment—Senate Joint Resolution 1—that would provide for the direct election by the people of our President and Vice President.

An address entitled "Science and Democratic Progress" by Dr. Frank Stanton, the distinguished president of the Columbia Broadcasting System, has recently been called to my attention. In his remarks Dr. Stanton discusses our anachronistic electoral processes and sets forth the reforms that in his view are necessary to make democracy workable in this age of unprecedented scientific and technical advancement. I ask unanimous consent that Dr. Stanton's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SCIENCE AND DEMOCRATIC PROGRESS

(An address by Frank Stanton, president, Columbia Broadcasting System, Inc., delivered at the commencement exercises, California Institute of Technology, June 11, 1965)

FOREWORD

A matter of deep and constant concern to every institution of learning dedicated to the advancement of science is the social uses to which new scientific discoveries and new technical devices can be put for the betterment of mankind. This has been a subject of particular interest to us at Caltech and has taken concrete expression in the recently expanded program in the humanities.

Dr. Frank Stanton, President of the Columbia Broadcasting System, in his commencement address at Caltech in June, gave new emphasis to the need for social progress and scientific progress to move in concert. In calling attention to the outmoded systems and obsolete mechanisms by which we go about the business of running our elections, Dr. Stanton presented a specific case of the broadest public significance—rather than an abstract argument—to demonstrate the pressing need for a more realistic application of the instruments and methods made possible by science to a solution of the problems of modern life.

In his provocative remarks, Dr. Stanton pointed out that our self-governing society today functions under enormous pressures, both internal and external, not envisioned by the architects of our political institutions. Our fundamental decision-making process is now so complex, and world events move so fast, that we need to use all the knowledge and skill at our command to make democracy workable in this age of unprecedented scientific and technical advance.

Dr. Stanton's talk puts the case for bringing our election procedures in step with both the capacities and the needs of our eventful times so forcefully that it ought to be read by everyone concerned with scientific progress and democratic fulfillment.

LEE A. DUBRIDGE,
President, California Institute of Technology.

It is always a privilege to be allowed to join the graduates of a great institution in their commencement exercises. In the case of the California Institute of Technology, it is also a very great compliment. As one who has some California associations—an occasional neighbor of yours—I have come to know Caltech and to respect and admire its high standards.

You who are receiving degrees here today will be entering a company of educated men whose post-collegiate and post-doctoral careers reveal an exceptionally serious sense of purpose and breadth of interests. Of last year's degree recipients, a very impressive majority remained in academic work: 85 percent of the bachelors of science and 53 percent of the masters went on to further study, and 58 percent of the doctors returned to colleges and universities for teaching or research or both. And it is revealing of the wide scope of professional activities of the alumni that Professor Weir reported, in his survey last February, that "two-thirds of our alumni, all highly trained in engineering, science, or mathematics, are actually devoting a large portion of their working hours to problems of human and organizational relationships."

All this directs our attention to a central reality of the scientific world today: profound and irresistible social forces have invaded the seminar room and the laboratory, and they never again are going to leave the scientist in the comfort and silence of a solitude that shuts out the day-to-day affairs of mankind. Ironically enough, the mainspring behind this permanent invasion was not the resolute action of outside intruders but the broadening and deepening concerns of the men of science themselves.

IMPORTANCE OF PROGRAMS TO BRIDGE THE SCIENCES AND THE HUMANITIES

To bring higher education into accord with this overriding fact of modern life, the faculty and trustees of Caltech moved with boldness and imagination when they announced the new baccalaureate programs this spring. The construction of a curriculum leading to degrees in the humanities, but with an unusally strong foundation in the sciences, is a logical and highly useful counterpart of the growing purpose—advanced notably both here and at such sister institutions as the Massachusetts Institute of Technology—of providing a scientific education with a strong foundation in the humanities. Caltech's action seems to me to reflect, in a most practical way, both the wisdom of the past and the promise of the future.

Higher education in America generally, and our political institutions certainly, have their roots in one of the great eras of mankind, the Age of Reason. I have never thought it an accident of history that the Age of Reason was concerned equally with the sciences and with society. It was David Hume, whose thought in many ways epitomized his times, who pronounced the scientists of all ages inseparable from the societies that bred them. In words which must be no less flattering, even if a little more disconcerting, to you today than to his Edinburgh contemporaries, he said: "Though the persons who cultivate the sciences with such astonishing success as to attract the admiration of posterity be always few in all nations and all ages . . . the mass cannot be altogether insipid from which such refined spirits are extracted."

Hume's brilliant contemporaries roamed the whole field of knowledge, inquiry, and speculation, staking out the broad avenues, both of learning and of the social order, that we still follow and prize today. In the Age of Reason we had a common source of a new realism and a new freedom, a new philosophy of law and a new approach to government, a new scientific method based on analysis and experimentation, and a wholly new concept of mass education. In its renewed emphasis on the kinship of the sciences and the humanities, then, Caltech is, in a very real sense, reasserting its heritage. It is also looking realistically to the future. For one of the essential tasks of the generations ahead, as well as our own, is to put to broad social uses the scientific discoveries and technical innovations that have proliferated so fast in our time that their uses lag far behind their capacities.

CONDUCT OF POLITICAL AFFAIRS HAMPERED BY INADEQUATE USE OF SCIENCE AND TECHNOLOGY

Nowhere is this more apparent, I think, than in our basic political processes as a democracy. Political institutions and procedures exist for no other purpose than to administer the affairs and advance the interests of the members of the body politic and to make sure that ultimate power rests there. Yet, unlike the men of the Age of Reason, we are often inclined so to venerate political institutions and procedures for their own sake that, in our failure to improve their methods and to modernize their tools, they tend to deflect rather than to fulfill their high purposes. Industry, the professions, business, even such an individualized field as the arts—all are eager to utilize the new methods, new materials, and new instruments made possible by scientific knowledge today. But the political world is still peering cautiously around the corner of the nineteenth century, pausing only to look back over its shoulder occasionally to the eighteenth. It takes no social historian to observe that if we ran our factories, conducted our communications, and nurtured our health at the same rate of scientific and technical advance as we conduct our political affairs, we would still be taking weeks to make a pair of shoes, delivering the mail by Pony Express, and treating pneumonia by bloodletting.

The gap between scientific and technical progress on the one side and the fullest realization of our political capacities on the other is, in an age of vast, speedy, and complex events, a growing and unnecessary threat to the inevitably precarious business of self-government. In the basic process of the self-governing society, the election of its leadership, our methods and procedures are, in most cases, substantially the same as when the chief tools of communication were the quill and a piece of paper.

ELECTORAL PRACTICES: LARGELY ARCHAIC AND OBSTRUCTIVE

In 1634, Massachusetts abandoned the old English system of voting by voice and adopted the paper ballot. In 1965, over three hundred and thirty years later, it is possible to register the most complex information electronically and process it and store it in split seconds. But in 1965, the 2038 voting precincts of Massachusetts' 351 cities and towns were, for the most part, still using the paper ballot. And so were the majority of the nation's 175,756 precincts.

In 1800, communities and states were so isolated from each other that cumbersome voter registration procedures with, among other things, length-of-residence requirements, were introduced to prevent voting by undetected "repeaters" from other areas. In 1965, one hundred and sixty-five years later, for income and social security tax purposes, a system of instant numerical identification of virtually every adult in the United States has been adopted. But in 1965, one state still requires a person to be a resident for two years before he can register to vote, 35 states require one year's residence, and 14 states require six months.

In 1845, "the Tuesday next after the first Monday in November" was chosen by Congress as Election Day, largely because public sentiment was against traveling on Sunday and it was necessary to allow an entire day and night for many voters to get, by horse and buggy, to the polls. In 1965, one hundred and twenty years later, you can travel from California to New York in four hours. But in 1965, "the Tuesday next after the first Monday" is still Election Day.

The cost in time and money of these anachronistic practices has been made very clear by several counties in California that have adopted electronic voting systems. Orange County, for example, spent $235,869 on the June 2, 1964 primary, at which 273,756 ballots were cast and tabulated without the electronic system. On General Election Day, 1964, Orange County used an electronic system encompassing both the voting and counting. The cost, with 416,136 votes cast, was $118,428. The saving here was $117,441—cutting the bill in half, even without allowing for the greatly increased number of votes cast. Actually, the cost per ballot cast declined by over two-thirds, from 90 cents to 28 cents.

ADVANTAGES OF AN ELECTRONIC VOTING SYSTEM

An operational comparison between the general elections of 1962, with paper ballots, and 1964, with an electronic system, shows that the advantages of using twentieth century tools go far beyond the financial. In San Joaquin County, in 1962, for example, 14,777 of the 88,921 voters—17 percent—failed to finish the ballot; in 1964, this drop-off was reduced to 4,753 of the 97,515 voting, or less than 5 percent. And although the polls did not close until 8 p.m. in 1964, as compared to 7 p.m. in 1962, the last precinct checked in with its vote shortly after midnight in 1964, as compared to 7:15 the next morning in 1962. The average close-out in 1964 was two hours after polling ceased, compared to nearly eight hours in 1962. And the total man hours of election workers were reduced from 27,015 in 1962 to 2,423 in 1964.

But the great tragedy of archaic and obstructive electoral practices, stubbornly turning their backs on scientific and technical progress, is in the sapping of the vitality and health of the democratic process itself in this country. No mists of self-deception, no blasts of political polemics, no maneuvers of mathematics can deny the results: a disgraceful record of participation in our general elections. The United States, whose literacy rate of 97.8 percent is excelled only by that of the Scandinavian countries, consistently has a worse turnout, a lower percentage, of citizens voting than any democracy in Europe.

OBSTRUCTIVE VOTING PRACTICES SAP THE VITALITY OF THE DEMOCRATIC PROCESS

Only 62 percent—roughly three out of five—of those over 21 in this country voted in last year's election. Among European democracies, without compulsory voting, 87 percent voted in Denmark, 85 percent in Finland, 83 percent in Sweden, 79 percent in Norway, 77 percent in Great Britain, and 72 percent in France. The best of these records shows a 25 percentile point better turnout than ours, and even the worst is 10 percentile points better than we are.

In Asia, Japan had a 71 percent turnout, Israel 81 percent, and Pakistan, 83 percent of whose people are illiterate, had a voting record of 80 percent for presidential electors last fall.

In off-year Congressional elections, our record is even worse, never even having reached 50 percent—a low to which the parliamentary elections of no other democracy on earth descend.

VOTING: DIFFICULT, VEXATIOUS, AND INCONVENIENT

Now, obviously, there is something drastically wrong with the way we are doing things here. What is wrong seems to me perfectly clear: from primitive registration procedures right down to the casting of the ballot, we make voting as difficult, vexatious, and inconvenient for the citizen as we can. By a determined avoidance of any of the instruments or techniques or methods that science has brought about, we have done little to facilitate this basic democratic act and much to obstruct it.

We need to recast this decrepit, self-defeating system all along the line. We need to do it soon and we need to do it thoroughly. There is no better time to start than right now, in a non-election year when no one can claim that his particular ox is being gored.

And we need to involve the scientific community as directly and as effectively as we have in the development of our weapons systems. For the security of our fundamental political institutions—the ultimate guarantors of our freedoms—is no less pressing than the security of our lives and property.

VOTER REGISTRATION: A HODGEPODGE OF IRRATIONALITIES, INCONSISTENCIES, ANACHRONISMS, AND HARASSMENTS

There may be some constitutional impediments, not susceptible of early correction, around which we will have to work. Voter registration and the administration of national elections are still state functions. But our ingenuity is not so bankrupt, nor our concepts so rigid, that we cannot, even without constitutional reform, achieve an enormous improvement. In voter registration, for example—wholly aside from any of the justly aroused concern over racial discrimination—it must be clearly apparent to anyone taking the trouble to look that the whole system is a hodgepodge of irrationalities, inconsistencies, anachronisms, and harassments. Along with convicts, hundreds of thousands of Americans last year could not cast a ballot for President of the United States, just because they had moved from one state to another within the previous two years, or one year, or six months. Yet ours is an increasingly mobile society, and in a two-year period nearly 12 million people in this country—most of them of voting age—move from one state to another. Many of these are young people who, in just beginning their careers, necessarily move about a great deal. Many are from the highest educational levels engaged in the kind of work that involves occasional changes of residence.

For national elections, we need and ought to have an interstate, permanent registration, making full use of modern electronic equipment. Moreover, we need to make voter registration easier, more automatic, and more systematically inclusive. In Canada, registrars canvass every house—just as our census takers do—and register everyone eligible. Significantly, four out of five Canadians voted in their last general election compared to three out of five here. In Idaho, which follows the Canadian system, the proportion of citizens voting in 1964 was 75.3 percent—20 percent higher than our national average.

There is convincing further evidence of the repressive effect of our obsolete registration procedures on voting. In the 1870's, for example, before intricate registration steps were generally required, 85.8 percent of eligible voters cast their ballots. But at the present time, while there is a population of 114 million over 21, there are only 87 million registered voters. As a matter of fact, the major reason why the U.S. voting record is so bad is that only 76 percent of adult citizens are registered. Thus, although official sources put the number of registered voters who voted at 81 percent and although a recent study revealed that the correct figure, after compensating for people still on the lists who had moved away or died, might be over 90 percent, the the fact still remains that only three out of five of our total population over 21 voted—or were enabled by restrictive registration laws to vote—in 1964.

FOR NATIONAL ELECTION: AUTOMATIC, PERMANENT, NATIONALLY VALID REGISTRATION

The most efficient voting system in the world, the most articulate and provocative candidates, the most acute sense of urgency about the issues—none of these are of any avail in stimulating voter interest if we persist in making registration difficult and often impossible. Automatic, permanent, nationally valid registration of voters in national elections is long overdue. Italy has it. West Germany has it. The United States ought to have it.

The second step of the electoral process—the casting of ballots—is no less antediluvian. Polling places are grimy and inaccessible. Polling hours are too brief and end too soon. Ballots are long, confusing, and cluttered. Waiting lines are long and slow-moving.

Check-in and check-out procedures are dilatory, fumbling, and snail-paced. Costs are unnecessarily high. Personnel is unnecessarily numerous. Processing time, both for polling and tabulating, is unnecessarily slow.

There is not a single one of these problems that cannot be solved by introducing the instruments and techniques that science has made available and that have become everyday apparatus in other areas of our national life.

FOR NATIONAL ELECTIONS: NATIONWIDE SIMULTANEOUS BALLOTING

Polling places, for example, have traditionally closed early to allow time for counting the votes. But computer ballots can be tabulated in a matter of seconds. Moreover, they eliminate human errors always likely in all-night counting sessions by unskilled election workers, and they minimize the possibility of fraud. Technically, it is entirely possible for all the polls in this country to be open for 24 hours and for the total result to be known within minutes of the closing. And because modern communications have wiped out all barriers of distance and time in the nation, those 24 hours ought to be uniform and simultaneous across the country. The widely divergent time frames for voting in individual polling places and the widely divergent opening and closing hours create inexcusable inequities for our citizens. The differences in time zones add to the chaos that has become a characteristic of our Election Day. If we had a common opening time everywhere, regardless of the clock hour in any one place, and a common closing time everywhere 24 hours later, we could have the real advantages both of nationwide, simultaneous balloting and of results becoming available on a nationwide rather than a regional or local basis. This uniform, or real-time, 24-hour voting day would permit anyone anywhere to vote at any time of day and night.

ELECTION DAY: A NATIONAL LEGAL HOLIDAY

And combining the uniform 24-hour voting day with the use of electronic vote-tabulating equipment would permit results to be known clearly and promptly—without turning every election into a cliff-hanger, which in some cases has lasted for days and even weeks. The national uniform voting day should also be a national legal holiday. This would free thousands to vote at their convenience, rather than attempting to squeeze it in before work or at lunch time or on the way home. Absentee balloting could be standardized and made easy for those who cannot be at home on Election Day.

The social scientist of the future might well marvel at the reluctance of this most powerful democracy in world history to reform its backward electoral practices, to conform not only with the changed conditions of life but also with the remarkably applicable scientific advances of this age. The only explanations that he comes across will impress him more for their speciousness than for their persuasiveness.

SCIENTIFIC TECHNIQUES: NO DISTORTION OF THE ELECTORAL PROCESS

A common complaint is that the use of modern scientific techniques would somehow distort the electoral process. We heard last year an insistence that the early reporting of election returns would influence late voters. Despite these claims, independent and authoritative surveys found no indication that voters changed their intentions to vote for one candidate or the other, nor did they find an indication that voters who planned to go to the polls stayed home, as a result of having heard returns on the balloting elsewhere.

LEGISLATIVE CONCERN AND LEGISLATIVE ACTION TO ASSURE PROGRESS

Another familiar reaction is that the use of modern techniques in election proceedings is somehow unconstitutional—or that "there ought to be a law against it." In 1964, the best, the most accurate and the promptest reporting of Presidential election returns in American history was accomplished by electronic journalism making full use of computer equipment combined with disciplined reporting. Perhaps one of the most valuable by-products of this operation was the light it threw, by way of contrast, on our electoral processes themselves. Far from bringing those processes up to date, the immediate reaction in some quarters was to exclaim that there ought to be a law prohibiting the use of such reporting techniques and forbidding electronic journalism to do its job until the last tired election workers closed the last remote poll and began the counting by hand of the paper ballots. If anything was unconstitutional in all this, according to a report that Senator Kuchel asked the Law Division of the Library of Congress to make, it was the inverted legislative remedy of stopping the clock of scientific progress while the dilapidated old election machinery our great-grandfathers contrived for another age creaked on. There should be legislative concern and legislative action about the fundamental democratic processes in this country. But it should be directed not at preventing progress but at assuring it.

PROPOSED REFORMS WILL NOT INCREASE ELECTION COSTS

The third complaint we hear is that to bring our most basic self-governing function fully into the modern scientific age would cost too much, that to keep the polls open long enough for all to vote would cost too much, that to have a national uniform voting day would cost too much. Of course, it would if we merely extended the use of our antiquated systems. It would also cost too much to make an automobile if we used the methods and tools used to make the buggy. But if we make use of all the implements and methods that science has given us, we cannot only improve greatly our electoral machinery but we can do it at no increase in cost—and probably at an ultimate saving. Estimates of the cost of elections per registered voter have ranged as high as $2.31. A major factor of this sum by far goes to personnel handling and tabulating paper ballots. In Los Angeles County, for example, about half the election costs of $3.5 million goes to over 100,000 precinct workers. In other words, in order to conduct a paper ballot election, one out of every 68 people in Los Angeles County with its 6.8 million people is a paid worker of the Election Board on Election Day. By contrast the Borough of Manhattan, using only voting machines and with a population of 1.7 million—one-quarter of Los Angeles County's—has only 4584—or less than one-twentieth of its election workers.

An excellent case history, which wholly destroys the notion that elections employing electronic equipment for polling places open for 24 hours would be prohibitively costly, is that of Contra Costa County here in California. Contra Costa introduced an electronic voting and tallying system for the November, 1964, election. As a result, the county reduced the number of precincts from 1164 to 720, election personnel from 7384 to 2880, the election payroll from $127,797 to $73,870, and the man-hours tabulating the vote from 52,573 to 5871—all this despite the fact that the vote cast rose from 76 to 90 percent.

It seems to me obvious that the penny-wise, pound-foolish refusal to bring the electoral process of this country fully into step with scientific progress because of allegedly high costs is without foundation.

COMPULSORY VOTING VIOLATES U.S. TRADITIONS

Unless we do bring the democratic method and our scientific capabilities in league with one another, it is unlikely that we will have any major gain in citizen participation in elections. The only other approach—adopted by some other democracies—is compulsory voting, providing it could also overcome the difficulties of registration. But this goes entirely against the grain of the American people, and it violates our traditions, our values, and the nature of our institutions. On the other hand, applying every technical innovation and every scientific discovery to realize more fully our potential as a free and self-governing society fully accords with our present temperament and our historical genius as a people. Instead of dragging our feet on such an elementary democratic principle as using scientific methods to make the electoral system work better, we should be moving beyond that to thoughts of nationwide electronic plebiscites on grave questions of public policy for the guidance of our government.

A COMMITMENT: TO SPEAK OUT TO THE POLITICAL LEADERSHIP AND PUBLIC OPINION

None of this, it seems certain, is going to come about spontaneously. The community of trained scientists—particularly those, like you, immersed in the humanities—will have to speak out with a strong voice and press it upon the awareness of our political leadership and upon public opinion. We may do well to remember that in that distant, far-off day before atomic weapons, it was the letter of a great scientist to a political leader that introduced us to the inevitability of a new and awesome era. On August 2, 1939, Albert Einstein wrote Franklin Roosevelt that he felt it "my duty to bring to your attention the following facts and recommendation." There are fewer higher duties to which you can commit yourselves than forcefully to call the attention of your national, state, county, and local political leadership to the pressing need and technical feasibility of modernizing our election procedures.

Towards the end of a long and uniquely productive life, a great mathematician who became a giant in the humanities, Alfred North Whitehead, said, ". . . the techniques of living have changed faster and more between 1861 and 1944 than they did, going backward, between 1861 and . . . 61 B.C. . . . Furthermore the effects of these new techniques are interactive. Their alterations in our ways of daily living affect our moral ideas, and the alterations in our ways of thinking in turn react upon the uses to which we put our new techniques. . . ."

You have the power, the opportunity, and the urgent need to help turn the new techniques of our day to the highest social use known to man—the preservation and strengthening of the democratic process and, therefore, of his freedom. I know that you will achieve it.

SECRETARY FINCH SAYS GUIDELINE TO BE ENFORCED

Mr. MONDALE. Mr. President, as one who has been critical on occasion in the recent past about certain statements and actions with respect to the title VI school desegregation program, I am pleased today to call to the attention of my colleagues an excerpt from a press conference on Monday, April 21 by Secretary Finch. The Secretary, in response to a question, stated clearly and unequivocally that the current school desegregation guidelines are going to be enforced.

The Secretary's press conference statement is the strongest I have seen attributed to him, and I commend it to the attention of all who are interested in the school desegregation program carried out under title VI of the Civil Rights Act of 1964. So long as Secretary Finch maintains the firm position indicated in his press conference statement, he can depend upon my consistent support.

Mr. President, I congratulate the Secretary for his strong statement and ask that the excerpt from his press conference be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PRESS CONFERENCE BY THE HONORABLE ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, MONDAY, APRIL 21, 1969

Question: Mr. Secretary, in spite of everything that has been done by your office, there are still numerous questions about school desegregation and the guidelines, within this Administration. For the hundredth time, could we ask you what is your position on the guidelines?

Secretary FINCH. The guidelines which are in existence are going to be enforced. The only change that will be brought about is when the Court speaks, as they said, for example, they will speak in June on the question there of whether the faculty mix should reflect that of the surrounding community.

But I fail to understand why there is any question in terms of the way I have handled every case that has come before me, and I suppose the only way somebody would say I would be more sincere would be to withhold funds from more schools.

What we are trying to do is to bring the schools into compliance and keep them open, and I think we are doing a pretty good job. I am very satisfied, and indeed, I think Leon Panetta is doing an excellent job. But why there is constant discourse about wavering, I just don't understand it.

COLLEGE CAMPUS UNREST

Mr. RIBICOFF. Mr. President, the course is Logic 1-A. Here is the problem: A 42-year-old man holds up a bank in Bridgeport. Therefore, all 42-year-old men in Bridgeport are bank robbers.

Right or wrong?

Wrong, of course—but all too many Americans are applying this same kind of dubious logic to another college subject.

The subject is college itself—and everybody is concerned about the unrest and division on campuses all over America.

There are irresponsible students, causing violence and discord, at colleges from Boston to Berkeley.

But we cannot—we must not—conclude that they are typical of the majority of young men and women in college today. Nor can we dismiss the grievances that responsible students express.

It does not require a Ph. D. in history to know that young America is our hope for the future.

If we despair of our young people, we, in fact, despair of ourselves—of all that we hoped for and planned for and made sacrifices for.

For years—through the 1950's, anyway—we complained of apathy on the university campus.

Now the students are apathetic no more—and we tell them to grow up and start behaving like kids again, to swallow gold fish, cram themselves into phone booths, and organize panty raids. Just leave the important questions to us grownups.

But a lot of the students do not think the grownups have handled the important questions very well.

Maybe they are right. Maybe they are wrong. That is not the point.

The point is that they have opinions and we should respect them and listen to them.

Let us look beyond the small minority who threaten violence and talk of revolution.

Let us address ourselves to the majority of students—to the best of them—and try to understand what they are saying to us.

I believe they sincerely want to improve their country and they want to begin by improving the one institution that is closest to them—the college itself.

They want the university to return to what it once was—a place where seekers after truth gather at the feet of wise men to learn and debate and find wisdom.

They want teachers who are full-time teachers, not high-priced consultants to Government and industry.

They want administrators who care about the students and their problems, who talk and confer with them about the management of the college.

They want their university, their studies, their teachers; they want to be relevant to the world they live in.

Above all, they want schools to be for students.

You know something? They may have a point.

And maybe we should be proud of them. After all, they are our kids.

CAN WE LIMIT DEFENSE SPENDING?

Mr. HARTKE. Mr. President, every week brings new rumors and alarms about the course of future defense spending which we can expect after the end of the Vietnam conflict. We are being given to understand that the $30 billion a year currently being spent in Vietnam will barely meet the alleged "needs" of the military for new weapons systems. And every device of the public relations man's art is being used to sell the Congress and the people of America on the rationality and justice of continuing indefinitely to devote over half our total national budget to funding Defense Department operations and procurement.

Many of us had hoped that the new administration would be able to rise above its own campaign rhetoric and move effectively to cut back on post-Vietnam military spending. Those hopes now appear to have been in vain. All indications—and most notably President Nixon's decision to deploy an ABM system—are that this administration has neither the will nor the desire to resist the budgetary claims of the Pentagon.

Consequently, Mr. President, the responsibility now rests with us in the Congress for curbing defense spending and for reallocating our national resources in such a way as to meet genuine national needs. The task will not be easy to accomplish. We have, I fear, too long evaded our constitutional mandate to check and balance the Executive in the areas of foreign and defense policymaking. But the Nation can no longer afford our comfortable evasions. We must take the initiative that is properly ours to reduce military spending to a level more consonant with our true priorities.

How Congress might most effectively act to achieve this goal was the subject of a recent newspaper article written by the brilliant young journalist, Mr. Joseph Kraft. I would hope that his recommendations will receive the most serious consideration of this body. I ask unanimous consent that the text of Mr. Kraft's essay be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOP NO BETTER THAN JOHNSON AT CURBING DEFENSE SPENDING

(By Joseph Kraft)

Hard-nosed anti-inflationary Republican skinflints turn out to be no better at controlling defense spending than the unbuttoned loose livers of the Johnson Administration. That is the basic message of the revised 1970 budget now being submitted to the Congress by the Nixon Administration.

Accordingly, even sophisticated men with an aversion to the indiscriminate must now consider the possibility that the only way to control defense spending is through the favorite crudity of the Congressional conservatives. That is by putting an arbitrary ceiling on defense spending for next year.

The Nixon budgetary revisions offer a particularly good measure of just how monstrous the defense spending monster really is. For it is possible to compare directly cuts made in non-defense projects as against cuts made in military spending.

On the non-defense side, the Nixon Administration has recommended cuts of $2.9 billion—which is nearly three times what is coming out of the defense hide. Moreover, some of the non-defense cuts raise serious questions of equity, while others raise political risks.

Old people, for example, are probably the principal victims of the inflation the present budgetary cuts are supposed to arrest. But one of the major cuts now recommended comes from a reduction in the scheduled rise in Social Security payments.

Substantial reductions are also recommended for the Departments of Agriculture and Transportation. These cuts will adversely affect two of the most potent political forces in the country—the farmers and the roadbuilders.

Set against the suggested cuts in non-defense spending, the effort to make economies in the military field is pathetic. A little less than half the $1.1 billion cut recommended in military expenses is real. The biggest chunk—an estimated $600 million—comes from a reduction in B–52 sorties flown in Vietnam that will be very difficult to sustain.

Left intact in the defense budget are a vast range of dubious expenditures that were in fact sharply questioned by the Budget Bureau in the course of the most recent review of military spending. Billions, for example, are spent on diesel submarines that do not serve to meet any conceivable threat, and on fighter planes that come at several million dollars apiece whereas the Soviet planes they would presumably oppose cost about $800,000 each.

The upshot of this unsavings program can perhaps best be felt when Vietnamese costs are abstracted from military spending. For while reductions are being made in Vietnamese spending, and virtually everything else in the budget is either being held or reduced, non-Vietnamese defense spending will go up this year—by nearly $6 billion.

It would be nice to think that there are available good, sophisticated ways to control the defense budget that the Nixon Administration would apply in time. But it is not easy to see Defense Secretary Melvin Laird using those tools. On the contrary, he seems bent on currying favor with the military brass, and in whittling down the clout of the civilian skeptics in the offices of Systems Analysis and International Security Affairs.

Neither is there any sign that the White House has the stomach for a confrontation on military spending. And without White House backing, the Bureau of the Budget, with all due respect, is not potent.

If a leash is going to be applied, it will have to be done by the Congress. For practical purposes that means an alliance between the liberals who want to cut defense spending to get funds for domestic purposes, and the conservatives who oppose virtually all government spending.

It just happens that the conservatives have invented a device for chopping expenditures. It is the device of the arbitrary ceiling, which was enforced against the Johnson Administration last year as the price for putting through the surtax by Chairman Wilbur Mills of the House Ways and Means Committee, and Sen. John Williams, the Republican Scrooge from Delaware.

This year President Nixon has to go to the Congress for renewal of the surtax. And if they are serious about cutting defense, the liberals should be thinking hard about striking an alliance with the conservatives to make the Administration accept a flat ceiling on defense spending—a ceiling that might, appropriately, be set at pre-Vietnam levels.

TIRE INDUSTRY ENDORSES RECALL BILL

Mr. NELSON. Mr. President, last Friday I introduced a bill (S. 1957) on behalf of the administration to provide for the recall of safety-related defective tires. This bill is a revision of one I introduced first in 1967 and again this January. Senators MAGNUSON and HARTKE cosponsored the proposal.

Almost immediately, the Rubber Manufacturers Association, representing 16 of the country's 19 tire producers, issued a press release endorsing the bill and calling it "a constructive step toward a practical tire recall program."

The industry's public support for this bill is a real step forward, and I think they should be complimented for taking this stand. I have relayed my feelings to Mr. Ross R. Ormsby, president of the Rubber Manufacturers Association, in a letter today. I ask unanimous consent that the text of that letter, along with the RMA's release of Friday, April 26 and two news articles from the New York Times and the Washington Post commenting on this development, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON LABOR
AND PUBLIC WELFARE,
Washington, D.C., April 29, 1969.

Mr. ROSS R. ORMSBY,
President, Rubber Manufacturers Association, New York, N.Y.

DEAR MR. ORMSBY: I want to commend the Rubber Manufacturers Association for its prompt endorsement of the tire recall bill which I introduced in the Senate last Friday. This is a significant step toward greater public safety for which the entire tire industry should be congratulated.

The industry's interest in establishing a tire recall procedure and their own work to develop a workable procedure was an important factor in securing Administration support for the bill. And, of course, the industry's firm and open endorsement of the bill will almost assure Congressional approval.

With representatives from the tire industry, members of Congress and officials from the Department of Transportation working together, I am certain that this proposal can be quickly enacted and put into effect.

And I look forward to continuing this very valuable working relationship in the months ahead in trying to develop a meaningful quality grading system for tires, and in working to upgrade the minimum tire safety standards.

Sincerely yours,

GAYLORD NELSON,
U.S. Senator.

[From the Washington Post, April 27, 1969]

TIRE-RECALL BILL IS GIVEN ENDORSEMENT OF INDUSTRY

(By Morton Mintz)

The tire industry has given a surprise endorsement to a tire-recall bill introduced by Sen. Gaylord Nelson (D-Wis.) and thus brightened its prospects for enactment.

The bill is "a constructive step toward a practical tire-recall program," the Rubber Manufacturers Association said in a statement Friday.

The legislation, which is backed by the Nixon Administration, would require manufacturers to notify purchasers when safety-related defects are found.

Such a requirement was imposed for new automobiles and their component parts by the auto safety law of 1966. Tire makers were exempted by what Nelson has called "a legislative oversight." Their recalls, relying on publicity rather than individual notifications, have reached only small proportions of the owners of the tires sought.

The second major provision of the bill gives the Secretary of Transportation 6 to 12 months to set up record-keeping and notification procedures for manufacturers to follow.

Ross R. Ormsby, president of the Rubber Manufacturers Association, said that tire makers already are completing a mechanism for recalls on which they have worked for more than a year.

Ormsby differed with Nelson on how many defective tires may be in use.

In testimony before the Senate Commerce Committee on April 14, Nelson said that about one new tire in 10 fails Department of Transportation tests for compliance with safety standards that are mainly the industry's own.

Ormsby, however, said that "it can be misleading" to use the Federal "laboratory tests of a few tires as the basis for any projection as to the number of defective tires that might be in use."

Contending that projections from the Federal findings "are not supported by the evidence from actual use on the road," Ormsby cited a California Highway Patrol study showing an involvement of tires in less than 1 per cent of 60,000 accidents.

Most of the tire disablements could not be blamed on a basic fault in the tires, Ormsby said. In more than half of the disablements, he said, the tires were worn below the minimum safety requirement for a tread depth of $\frac{1}{16}$ of an inch.

[From the New York Times, Apr. 26, 1969]

TIRE MAKERS BACK BILL FOR RECALLS: SAFETY MEASURE PASSAGE IN CONGRESS NOW EXPECTED

(By John D. Morris)

WASHINGTON, April 25.—The tire manufacturing industry, in a surprise move, threw its support today to legislation for the mandatory recall of tires with suspected safety defects.

An Administration-backed recall bill was introduced by Senator Gaylord Nelson, Democrat of Wisconsin, and the Rubber Manufacturers Association promptly endorsed it. The development appeared to assure favorable Congressional action.

The measure would require manufacturers to notify owners by letter of any suspected safety defects in their tires and to replace the tires.

Several companies have announced the recall of tires in the last few months, but with little success because no records are kept of the buyers. Under the bill, manufacturers would have to set up a record-keeping system so that owners could be notified directly.

SHIFT FROM EARLIER STAND

The Rubber Manufacturers Association represents 16 of the country's 19 tire-producing companies, including the six largest ones. The member companies account for about 95 percent of the country's tire production.

The association's endorsement of mandatory recall legislation was generally surprising to members of Congress because of the industry's earlier insistence that it was able and willing to establish an effective voluntary system.

In introducing the bill, Senator Nelson said that about 9 percent of the tires recently tested by the National Highway Safety Bureau had failed to meet Federal Safety standards.

"At that very high rate of failure," he said, "it is probable to assume that out of 220 million tires sold in one year, hundreds of thousands, and perhaps millions, do not meet the minimum Federal standards and should be recalled."

This was challenged in a statement issued by Ross R. Ormsby, president of the Rubber Manufacturers Association.

"It can be misleading," he said, "to use Department of Transportation laboratory tests of a few tires as the basis for any projection as to the number of defective tires that might be in use.

"Projections based on such findings are not supported by the evidence from actual use on the road."

Mr. Ormsby called the Nelson bill "a constructive step toward a practical tire recall program." He added:

"The tire industry will cooperate fully with the Department of Transportation and other Government agencies in setting up a program in line with the proposed legislation. In fact, tire companies are just completing the mechanics of such a recall system on which they have worked for more than a year."

The system, according to the association, will establish an identification code for all tires and provide for recording the names and addresses of all new tire buyers. The information will be stored in computer banks.

"The program can be put into practice just as soon as tire molds can be changed to include the coding system," Mr. Ormsby said.

The National Highway and Motor Vehicle Safety Act of 1966 requires automobile manufacturers to recall vehicles and parts, including tires sold with the vehicles, when safety related defects are detected. By an apparent oversight, Congress did not include tires sold to replace those supplied with the vehicles.

The Nelson bill, drafted by the Johnson Administration, was endorsed last week by the Nixon Administration. Senator Nelson, long an outspoken critic of the tire industry's safety record, praised the new Administration's action.

"In what may be their first major consumer decision," he said, "they have clearly come down on the side of increased protection and safety for the American consumer."

The bill is co-sponsored by Senator Warren G. Magnuson, Democrat of Washington. Mr. Magnuson is chairman of the Senate Commerce Committee, which has jurisdiction.

WASHINGTON, D.C., April 25.—The Rubber Manufacturers Association today described a bill introduced by Sen. Gaylord Nelson as "a constructive step toward a practical tire recall program," but questioned his estimates of the number of new tires that do not meet federal standards.

The tire industry will cooperate fully with the Department of Transportatin and other government agencies in setting up a program in line with the proposed legislation, Ross R. Ormsby, RMA President, said.

In fact, he pointed out, tire companies are just completing the mechanics of such a recall system on which they have worked for more than a year.

"We do feel, however, that it can be misleading to use D.O.T. laboratory tests of a few tires as the basis for any projection as to the number of defective tires that might be in use," Ormsby said.

"Projections based on such findings are not supported by the evidence from actual use on the road," he said.

Ormsby said the most comprehensive study available on the road performance of tires is one that was conducted by the California Highway Patrol. That study noted that while tires were involved in less than one percent of some 60,000 accidents investigated, most of the tire disablements could not be blamed on any basic fault of the tires.

In more than half of the cases, the tires were worn below the minimum safety requirement of one-sixteenth of an inch tread depth, and one out of four of these were found to be worn through the tire cords, according to the California report.

The voluntary recall system on which the industry has been working will provide an identification code for all tires, names and addresses of all new tire purchasers; computer record storage of this information, readily accessible in the event that a recall is necessary; and a means of locating tires at warehouses and dealer locations across the country.

The program can be put into practice just as soon as tire molds can be changed to include the coding system, Mr. Ormsby said.

Full details of this program will be presented to the Senate Commerce Committee in the event that hearings are held on the recall bill.

NEW FORMAT FOR COMPETITION

Mr. MURPHY. Mr. President, the April issue of Nation's Schools, contains an interesting article. The article explains an intellectual pursuit of excellence that is taking place with the high schools of Orange County, Calif.

Patterned after the Olympic decathlon, 29,300 students took an all-day examination in 10 general achievement areas. In view of the great press that is given to the bad that goes on, I thought that this rather interesting event, which incidentally has been unanimously endorsed by the California Assembly, should be brought to the attention of the Senate.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ACADEMIC DECATHLON SPURS NEW FORMAT FOR COMPETITION

(By Dr. Calvin Grieder, professor of school administration at the University of Colorado, Boulder)

Late last November, six students from each of the 50 high schools in Orange County, Calif., participated in an unusual, new Academic Decathlon. It takes its name of course, from the decathlon of ten track and field events of the Olympic Games, but it recognizes intellectual rather than physical prowess.

This seems to be the first undertaking of its kind, and it affords a welcome example of how the increasing overemphasis on interscholastic, competitive athletics can be counterbalanced. It is refreshing to see a large-scale, well organized effort, such as the Orange County Academic Decathlon (OCAD), encourage and recognize outstanding performance in other school pursuits besides physical superiority.

EVENTS COVER THE FIELD

The ten events of the OCAD are designed to test general achievement along with communication skills. These major areas are:

(1) esthetics (visual arts, music); (2) conversation; (3) essay writing; (4) extracurricular activities; (5) literature and current affairs; (6) mathematics; (7) practical arts; (8) formal speech; (9) science; and (10) social science.

Written tests were used for all items except 2, 4 and 8; for item 4, a rating scale was devised to score participation.

Students competed with others at their own level. On November 29, 300 students, selected from volunteers at the 50 high schools, put in a full day from 8 to 5.

That OCAD is not merely a spur of the moment gesture is attested by the detailed planning and preparation that were done. It was conceived by Dr. Robert D. Peterson, Superintendent of Orange County, nearly two years ago.

After developing the main features of an academic decathlon with associates, he enlisted the support of a group of 12 business leaders, who now comprise the executive committee, and 16 other leaders in various walks of life who make up the civic committee.

Both groups have given time and money to the formation of the OCAD Association and have received extensive cooperation from others throughout the county. While financial support has come entirely from private sources, I think the expenditure of tax funds for an academic endeavor of this kind would be fully justifiable.

After a trial run last May, when students from four high schools took part, a detailed evaluation (about 130 pages) was prepared. A number of improvements were recommended on the basis of this report and a decision was made to schedule the decathlon for the Saturday after Thanksgiving.

The intervening six months were used for the preparation of tests, reading lists for students, scheduling of rooms, assignments of participants during the competition, orientation meetings for helpers, publicity and detail work—such as parking, lunch, snack breaks, rest rooms, etc.

OUTSIDERS BOOST OCAD

The Assembly (lower house) of the California legislature gave a big boost to OCAD in July by unanimously adopting a resolution, sponsored by 70 members, endorsing the event. It commended the OCAD Association and invited the top students of the November competition to be guests of the Assembly and receive public recognition of their achievements. The local newspapers (including the *L.A. Times*) not only gave generous coverage but cited OCAD as one of the most exciting developments in education in many a year.

There may be some pretty strong arguments against an academic decathlon, but I have not been able to come up with any.

I should think that many school systems would be interested in conducting such a "tournament of minds." If they are, they can get full information from OCAD Board of Directors, 1910 West St. Andrews Place, Santa Ana, Calif., 92704. There is just about time enough to prepare for a trial run next fall in your schools.

WYOMING'S PROGRESSIVE CAMPUS

Mr. DIRKSEN. Mr. President, on behalf of the distinguished Senator from Wyoming (Mr. HANSEN), I ask unanimous consent to have printed in the RECORD a statement prepared by the Senator from Wyoming, together with an insertion.

There being no objection, the statement and insertion were ordered to be printed in the RECORD, as follows:

WYOMING'S PROGRESSIVE CAMPUS

Mr. HANSEN. Mr. President, a number of colleges and universities in the United States have been plagued with unfavorable publicity brought about by small bands of lawless students and nonstudents.

Action by this undesirable leadership has closed classrooms to the hard-working students who want an education. The students most hurt by the closing of classrooms are the poor, who have a substantial investment in tuition, books and the cost of living while at school.

This is a national problem, when the progress of many of our youth is delayed.

The University of Wyoming is one of many institutions of higher learning where students have been able to maintain a responsible attitude. Such students as we have at

Wyoming do not resort to the primitive means of accomplishing progress, which is violence.

The *Daily Times*, an excellent newspaper published in Rawlins, Wyoming, has sought to analyze the reasons a good atmosphere exists on the Wyoming campus. I would like to offer the editorial of the *Times* for the *Congressional Record*, so that administrators at the troubled campuses might consider these techniques.

[From the Rawlins (Wyo.) Daily Times, Apr. 22, 1969]

UNIVERSITY OF WYOMING STUDENTS ADMIRE PRESIDENT; PRESIDENT CARLSON ADMIRES THEM

It is not inconceivable that the University of Wyoming at Laramie may one day be the center of student unrest and turmoil, but for the present, the Cowboy school has set a fine example of administration-student cooperation.

Saturday, according to the UW News Service, Student Body President Carl Sandberg, Albin, delivered high praise to UW President William D. Carlson, members of the board of trustees, and the administration, "for the work they have done with the student senate . . ."

Sandberg cited the President's Advisory Council meetings (where students have met informally with President Carlson at his home) and the several informal coffees held on campus for students and administrators to talk together.

"During the coffees, students could meet with the administration informally, present their problems, and receive support," Sandberg said.

"I personally feel communications have been excellent this year," he added. "Dr. Carlson and the administration have been very cooperative and sincerely interested in the students."

And, Dr. Carlson repaid the compliments.

"Students of the 'New Generation' are the finest in America's history," he said Friday night.

Carlson told the students that it is the responsibility of the University, the professors, the trustees, the governor and the legislature to make opportunities available to them.

TRUSTEE TELLS WHY

One member of the board of trustees, Eph U. Johnson of Rawlins tells why he thinks the University of Wyoming has escaped serious problems of conflict between administration and students:

"I think the high caliber of Wyoming kids and their training at home is the main reason we haven't had any trouble," Johnson said.

He said he thinks Wyoming residents train their children to believe when they enter the University of Wyoming, they enter for one reason—to get an education.

The trustee said a strong athletic program also contributes to the low conflict rate. Johnson estimates 80 per cent of the student body supports athletic events, for one of the highest averages in the nation.

"Dr. Carlson is doing a good job in keeping in constant communication with the students," Johnson pointed out. "And Carl Sandberg is a real fine young man. We are proud to have him as an ex-officio member of the board."

WE TALK TO THEM

Also opening the door to better communications is the board of trustees' policy of meeting students where the students meet—in cafeterias, in campus buildings, and even allowing the students to meet in the board's meeting room.

"When we eat on campus, we eat in the cafeterias to see if the food is as good as it should be," Johnson said.

"We talk to the students, that's the main thing." he continued.

Above all, Johnson expressed pride in the students at UW.

"I have great confidence in our student body," he concluded.

What is the solution to student unrest across the nation?

"The student body will solve it themselves," the trustee believes. He said where the minority is now causing a vast part of the trouble, soon the majority will correct that situation.

The residents of Wyoming can be proud of their only four-year college and the rest of the nation can look to UW as an example of a university where the administration is proud of its students and the students are proud of their school—OS.

NATIONAL TRAILS ACT

Mr. NELSON. Mr. President, some of the legislative history of the National Trails Act passed by the 90th Congress has been assembled by Fred Madison, a former legislative assistant in my office. Mr. Madison is now special assistant to the acting Federal cochairman of the Upper Great Lakes Regional Commission.

The Potomac Appalachian Trail Club Bulletin for January–March 1969 contains this report, noting:

> The legislative struggle lasted 4 years and passed through several phases.

The passage of the National Trails Act was somewhat eclipsed by the signing on the same day, October 2, 1968, of the redwoods bill, the North Cascades bill, and the wild and scenic rivers bill. But the trails legislation is noteworthy in itself for several reasons.

First, The trails bill draws heavily on the work of many volunteer citizens from Georgia to Maine, who have maintained the 2,000-mile length of the Appalachian Trail.

Second. The bill notes that the recreational needs of the American people are growing so that the demand for additional trails throughout the Nation requires a national system of trails.

I ask unanimous consent that the complete text of the Madison article be printed in the RECORD:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRAILS ACT INSPIRED BY SUCCESS OF APPALACHIAN TRAIL CONFERENCE

(By Fred Madison)

October 2, 1968, was a landmark day for conservationists all across the country. That afternoon, President Johnson capped the brilliant conservation achievements of his administration by signing into law four vital conservation measures—the Redwoods bill, the North Cascades bill, the Trails bill, and the Wild and Scenic Rivers bill.

For a variety of reasons, public attention was focused on the highly controversial Redwoods and North Cascades proposals while the Trails bill and the Rivers bill were relegated to the back of the bus. This was unfortunate for these two measures represent perhaps the most significant conservation achievement of the 90th Congress.

The establishment of national systems of hiking trails and wild and scenic rivers signifies an important and much needed, diversification of our national recreational system. Not only are more Americans participating in outdoor recreational activities each year, but also they are seeking a wider variety of activities. Watching Old Faithful erupt every hour is no longer enough! Outdoor enthusiasts today are interested in canoeing, sailing, hiking, camping—in short, they are interested in doing all that is to be done in the outdoors.

The new National Wild and Scenic Rivers System will open great new vistas for recreation-seeking Americans, and the System represents a Congressionally recognized alternative use of our Nation's water resources.

The new National Trails System will offer Americans a unique and thrilling recreational experience, and the System provides stimulus for the establishment and development of State and local hiking trails systems.

Completion of Congressional action on the National Trails bill signified the end of a long struggle which began legislatively on May 20, 1964, with the introduction by Senator Gaylord Nelson of a bill to protect the Appalachian Trail. The struggle really began over 40 years ago when people like Benton MacKaye, Arthur Perkins, and Myron Avery conceptualized and implemented the development and preservation of the Appalachian Trail.

The legislative struggle lasted 4 years and passed through several phases. First, there was the Appalachian bill in the 88th Congress; then in the 89th Congress, there were the Appalachian bill, the first National Trails bill (also introduced by Senator Nelson) and ultimately, a National Trails bill which included the Appalachian Trail. This latter bill was reintroduced in the 90th Congress; it was this bill, modified significantly by the House Interior Committee, which the President signed into law.

The sequence of events here is important for early actions set the tone for later developments. It was the need to protect the Appalachian Trail, which was threatened by highway development and urban encroachment, that stimulated Senator Nelson to introduce his first legislation in 1964. It was the success of the Appalachian Trail Conference that convinced the Congress that not only should the Appalachian Trail be protected but also that other trails across the country should be developed and protected in a similar way. The Appalachian Trail Conference showed that it could be done and its experience should show the way to the Park Service and the Forest Service as those agencies move forward in the development of the National Trails System.

It is worth noting here that as the Congress deliberated this legislation constant reference was made to the Appalachian Trail. As a matter of fact, the Trails bill which was passed by the House on July 15, 1968, proposed protection for the Appalachian Trail only. In a way, we were back in 1964 with the original legislation. This was unfortunate for a great deal of progress had been made since the introduction of the first trails legislation.

Introduction of that bill started the ball rolling and over the years an important concept evolved—that of setting up a National Trails System made up of the Appalachian Trail and several others. It was important this concept not be lost, and so ultimately the Pacific Crest Trail was included in the initial National System. Throughout all the negotiations, the idea first and foremost in the minds of the principals involved was the protection of the Appalachian Trail—a great tribute to those who have been involved with the Appalachian Trail Conference over the years.

HIGH QUALITY, LOW COST ADDITION

A careful reading of Public Law 90–543 should be an interesting experience for any member of the Appalachian Trail Conference. There should be an immediate recognition, a familiarity, a kind of "at home" feeling. This is as it should be for the Congress relied heavily on the experiences of the Appalachian Trail Conference when it worked on the legislation.

Basically, the Trails System was viewed as a low cost, high quality addition to our national recreational system. The Appalachian Trail has been maintained over the years by volunteers, and the Congress saw no reason why this principle couldn't be applied on other trails across the country.

People today, both individually and as organizations like the Boy Scouts and various conservation groups, are asking what they can do to participate in the conservation movement and to play a part in the restoration of the quality of our environment. How about maintaining a segment of one of our national trails? For young people, what better way to learn about nature and at the same time to be involved in a constructive project in the outdoors?

Interested groups of citizens could be lined up all along our national trails and given responsibility for the maintenance of specific segments of the Trail. Planning and tools could be provided by the administering Federal agency. This approach can work. The work of many of the Conservation Centers of the Jobs Corps provides ample evidence of the kind of job that can be done.

The National Trails proposals elicited initially an unfortunate bureaucratic response. What was originally presented to the Nation as a low cost project came back to Capitol Hill from the agencies as an expensive program involving extensive land acquisition and even more extensive development. This was not anybody's intent.

The intention of the original sponsors of the legislation was that footpaths be established and maintained, that the trails be appropriately marked, and that shelters and other such facilities be provided as needed. Quite obviously, there will be sections of the Trails that will be used for horseback riding; this is consistent with the purpose of the legislation.

It was not intended that the national trails be merely wide swaths cut through the woods.

There was a great deal of concern expressed during deliberations on the legislation about the construction of trails through wilderness areas. The simple concept of a trail as a footpath—simply marked and with a minimum of development—is not inconsistent with the principles of wilderness preservation.

ADVISORY COUNCILS REQUIRED

The legislation requires the establishment of advisory councils for both the Appalachian and Pacific Crest Trails. This is in a way a sophistication, if you will, of the Appalachian Trail Conference. The idea for these councils is based on the ATC and the point was made during Congressional deliberations on the bill that members of these councils ought to serve without compensation—an obvious effort to capitalize on the spirit that has been an integral part of the ATC over the years.

It would seem that the members of the advisory council must play a major role—far beyond what is described in the legislation—in the development of the national trails. To these people will fall much of the responsibility for mobilizing local support for trail maintenance and development. The advisory council can, if it wants, set the tone for the program.

The legislation also stresses the idea that land is to be acquired only if all else fails. It is hoped that agreements can be worked out with landowners to provide the necessary rights-of-way. Not only is this approach cheaper, but also there are distinct advantages in having the consent and cooperation of people along the trail.

Condemnation authority is contained in the legislation but it is somewhat restricted. (There is to be no condemnation on the Pacific Crest Trail.) Condemnation is to be used in those areas where the integrity of a segment of the trail is threatened by development or urbanization or whatever. What authority there is was granted primarily to deal with problems on the Appalachian Trail.

In principle, at least, it would be nice to think of these national trails as continuous trails running for many hundreds of miles. In reality, there will probably be some breaks in the trails; but it is hoped that breaks and dislocations can be kept to a minimum.

Initially, two trails were included in the National System and another 14 were recommended for study for possible future inclusion in the system. There probably will never be more than six or eight trails in the system, but actually that is all that is needed to build the framework for a vast network of State and local trails. Ultimately, there ought to be a national trail running through every State to serve as the backbone for State and local trail systems.

The trails legislation in its recognition of National Recreational Trails takes the first step in encouraging the development of trails systems both to complement and supplement the National Hiking Trails. The requirement that these recreational trails be accessible to urban areas is vital for it will get trails into those areas where the demand is the greatest.

Likewise, the development of connecting and side trails on Federal lands associated with components of the National System is important, for this, too, will contribute to the building up of vast trails systems.

STATES NEED PRODDING

Encouraging the States to plan for State and metropolitan trails unfortunately is not enough. The legislation suggests that either HUD or LAWCON (Land and Water Conservation) funds be used for this. The problem is that, as the States allocate their LAWCON funds, the development of hiking trails will most probably receive very low priority. One of the early Nelson trails bills authorized funds specifically for this purpose. Unfortunately, that provision did not survive the legislative process.

At any rate, here is another challenge for trail enthusiasts: somebody must keep after State and local officials to see to it that trails programs move forward steadily and that they are not merely placed on the back burner.

Trails legislation started with the Appalachian Trail Conference and now it has come back to roost. The Appalachian Trail is the model on which the legislation was based; it is the prototype for the National Trails System. From the experience of those who have worked on the A.T. over the years will come the principles for the development and preservation of trails all across the country.

The National Trails System should be what it was supposed to be: a high quality, low cost addition to our national recreational system. It should offer to everyone who is interested both an unequaled recreational opportunity and a chance to participate in the building of an outdoor recreational program. This has been the heart of the experience of the Appalachian Trail Conference; this should be the basic premise in the development of the National Trails System.

TIMES FARM CAMP

Mr. RIBICOFF. Mr. President, the Times Farm Camp in Andover, Conn., is a summer camp for disadvantaged youngsters.

For 49 years, the Times Farm Camp has performed an important role in teaching boys and girls the beauty and vitality of their Connecticut countryside.

The camp's goals and activities reflect a high sense of community responsibility—and a keen awareness of the needs of our young people.

The camp is financed by an independent corporation and receives support from friends throughout the State of Connecticut.

But this support, generous as it is, is not enough, and annually the Hartford Times helps to raise money for the camp through a Times Camp Fund campaign.

This year, camp officials estimate that some $44,000 will be required in new contributions.

The camp's officers have published a brochure on the history, program, and goals of the Times Farm Camp. Other Senators may be interested in this brochure. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

THE TIMES FARM CAMP

WHAT IS IT?

Located in the historic and scenic town of Coventry, Connecticut, the Times Farm Camp is a well-established resident camp for less-privileged boys and girls from the Greater Hartford area—ages 8 through 12. Made possible by the many people and organizations who sustain it with their donations of time and money, the camp is equipped with the necessary recreational facilities and is dedicated to providing an opportunity to help our less fortunate youngsters grow into tomorrow's healthy and respected citizens.

The camp is sponsored by The Hartford Times and operated by the Almada Lodge-Times Farm Corporation—a tax-exempt charitable corporation.

In 1967 the camp served 416 boys and girls. The total now is 480—64 more needy children who will be rewarded with an unforgettable 12-day camping experience at no cost to the family.

HOW MANY CHILDREN AND HOW ARE THEY SELECTED?

Campers are selected on a quota basis by more than 20 agencies that work with children. Each of the participating agencies has a thorough knowledge of the people they serve, and they are thus able to select intelligently on the basis of need.

In addition to the regular summer program, the camp has, for several years, conducted 2-day outings in the fall as well as 1-day visits in the winter and spring. These events are for the guests of the previous summer. The expansion program includes winterized facilities, off-season programs, youth seminars and winter vacation camping.

WHAT FACILITIES DOES IT HAVE?

The Times Farm Camp occupies 175 acres of some of Connecticut's finest woodland. The camp complex is made up of 32 permanent buildings including screened sleeping cabins, dining hall, recreation hall, staff headquarters, infirmary, shower house and swimming pool. There are also a barn for the donkeys and equipment, the Almada Lodge (the original 2½ story farmhouse), the Director's home and several service buildings. The Skungamaug River running through the camp grounds provides ample boating and fishing opportunities. The natural rolling terrain has many winding, wooded roads that lead to secluded clearings used for overnight campouts. For many of the children who attend the Times Farm Camp it is the first time they have fished, boated, camped, been swimming or even seen the woods.

WHAT IS THE PROGRAM?

The program is designed to give the children the rewarding experience of living with others in a natural out-of-doors setting. The boys and girls receive plenty of restful sleep and three nourishing meals prepared by an experienced chef. Each day brings many new and exciting adventures, all designed to provide wholesome recreation. There is plenty of swimming (including instruction), boating, exploring nature, Indian lore, handicrafts, games and sports, cookouts and picnics, campfire programs, storytelling, stunt nights, visits to nearby farms and camp songs.

Those responsible for the program and the curriculum work diligently throughout the year to provide as many children as possible with as much as possible in the short twelve days that any one boy or girl is at camp.

WHAT ABOUT THE STAFF?

The camp is directed by a year-round experienced camp director. In addition, it takes a staff of 32 to operate during the summer. The staff is made up mostly of college students and older high school boys and girls. Most of them have been connected with scouting or have a background of youth work.

Many of the staff have future plans which center around social work, and because of this they show exceptional interest and enthusiasm toward their work in the camp. In addition to counselors, there are a full time nurse, chef, waterfront director, unit leaders, grounds keepers and donkey handler. All of these dedicated people are under the leadership of the camp director. A week's training program is conducted before camp opens to orient the staff to the facilities, terrain and the responsibilities of each member.

WHERE IS IT?

The Times Farm Camp is 18 miles east of Hartford in the Skungamaug River valley, in the towns of Coventry and Andover. Leave Hartford on route 84 East, which joins route 15 in East Hartford; continue thru Manchester to Bolton Notch to route 6; take right hand fork on 6 to Andover and Willimantic.

Turn left off the highway at the camp sign, which is 2.9 miles after leaving Bolton Notch. The camp is one half mile from the highway.

HOW IS IT FINANCED?

The camp operation is financed through voluntary gifts to the corporation, most of which are a result of appeals in The Hartford Times to its readers to support this well-established and much-needed work with the children. Extremely helpful and increasing in numbers each year are the bequests being left by thoughtful citizens as endowment funds or memorials. This has helped assure an annual income for the camp. Volunteer groups have given of their time and labor toward maintenance of the buildings and grounds. These efforts have been most helpful in keeping costs down.

Bequests may be addressed to the Almada Lodge-Times Farm Camp Corporation (legal corporate title) and addressed c/o The Hartford Times, 10 Prospect St., Hartford, Conn. 06101.

BRIEF HISTORY

The Times Farm Camp began in 1910 when Mrs. Elizabeth S. Ayers, superintendent of the Union for Home Work on Market Street and an intimate friend of the family of the late Harrison B. Freeman, was given the use of Almada Lodge, the Freeman summer home in Andover. The camp began under her direction with 20 children and continued for ten years giving summer vacations until the Union could no longer physically or financially continue the work. In 1920 Mrs. Ayres appealed to The Harford Times to raise the funds and continue the work. This they did, and the response was immediate and generous. In a very short time a dining hall and two dormitories for sixty children were built. In 1931, the Freeman family deeded 65 acres and a 2½ story farmhouse over to a charitable corporation. The Times likewise deeded over all buildings and equipment and improvements that it had made, to the new tax-exempt corporation. From 1931 on the camp grew and expanded to a point where it now accommodates 120 campers at a time—480 for the eight-week summer period. Nearly a million dollars has been given since 1920 to build, maintain and operate the camp.

WHO IS BEHIND IT?

The affairs of the corporation are handled by a Board of Directors elected annually. The offices of President, Vice President, Secretary, Treasurer and Assistant Treasurer are elected from among the members of the Board. All are experienced in their special fields of endeavor and serve without pay. Their interests cover newspaper publishing, insurance, advertising, sales, banking, law, building, architecture, education, and social work.

The present officers are: President, Herbert R. Bland; Vice President, Robert R. Eckert; Secretary-Treasurer, Latham B. Howard; Assistant Treasurer, Connecticut Bank & Trust Co.; Camp Director, Edward F. Turn.

Directors: Francis T. Ahearn, Jesse M. Bailey, Herbert R. Bland, Philip W. Breux, Frederick U. Conard, Jr., Robert R. Eckert, H. Crowell Freeman, Charles N. Gilbert, Jonathan Goodwin, Richard J. Hartford, Latham B. Howard, Charles L. Munigle, James S. Peters II, Richard B. Redfield, Norman Ruderman, G. Frank Sweet, Miss Ruth A. Thomson, and Crampton Trainer.

IDENTIFICATION IN A POLICE LINEUP

Mr. HART. Mr. President, the current sharp criticism of certain decisions of the Supreme Court is not a phenomenon unique to the second half of the 20th century. In the history of the Court, criticisms often have been sharp; sometimes thoughtful.

One of the criticisms currently aimed at the Court is of its requirement that identification in a police lineup, to be admitted, must be based upon a lineup that has been fairly organized, with opportunity provided the suspect to have an attorney. Erle Stanley Gardner, the popular detective storywriter and lawyer, makes clear in his article "The Eyes Don't Always Have It" why criticism of the court in this instance should be restrained and measured. The article, describes several actual cases where incredible mistakes in identification have been made. I wish very much that the Congressional Record could include photographs which accompanied the Gardner article. The two men photographed could hardly be more dissimilar in appearance, the guilty man's shoulders coming to just about the elbow of the tall man who was mistakenly accused.

I ask unanimous consent that the article, which appeared in the This Week issue dated April 20, 1969, be included in the Record at the conclusion of my remarks. A study of Mr. Gardner's work will remind all of us that the testimony of eyewitnesses, particularly of the eyewitness identification of someone who is a complete stranger to him at the time the crime was committed, is anything but the solid, reliable evidence which too often is assumed to be the case.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Eyes Don't Always Have It

(By Erle Stanley Gardner)

A merchant in a Southern California city was held up and robbed at the point of a gun. A short time later two other merchants were robbed.

The police, acting on a tip which was not fully disclosed, went to a rooming house in Los Angeles and picked up a man who was out of work. They took him to the city where the holdups had occurred, and the three victims were unanimous in their identification. They identified him by build, complexion, voice, gestures—the works.

The man protested his innocence, but was convicted of armed robbery and sentenced to prison. While in prison the man continued to insist that he was innocent, but this was an old story to the prison officials, just another "bum beef."

However, some of the convicts heard about it and one convict, in particular, was concerned. He knew that his cellmate was the man who had actually committed the three robberies. After having been apprehended on another crime, this man had been sent to the same prison as the innocent man.

Enough pressure was brought to bear so that finally the convict who had actually robbed the merchants confessed. But did the authorities receive the confession with enthusiasm?

Before they would believe the prisoner making the confession, he had to disclose all of the details of the crimes, showing that he was familiar with every small detail. Then he had to take a lie detector test, and then the man who had been convicted for the crimes had to take a lie detector test. Then a lot of red tape had to be unwound before the innocent man was finally released a few months ago.

This brings up the question of just how good eyewitness identification actually is.

Of course, if John Doe commits a crime in front of Richard Roe, and Richard Roe knows John Doe, the identification is very good indeed. But if John Doe is a stranger and the witness sees him under the tensions which accompany a period of excitment, the chance that the identification will be worth anything is very slim. Here is a case in point.

A businessman was driving home in one of the Eastern cities, when he saw a couple of girls beckoning frantically to a policeman on a motorcycle. The businessman pulled off the road to let the motorcycle officer swing past him to reach the girls. Then he drove on.

A few moments later the officer on the motorcycle stopped his car, asking for his driver's license and registration card. Then another policeman came up and the businessman was taken to the precinct station where he saw the two young girls studying him intently and nodding their heads.

The businessman found he was charged with indecent exposure. He was subsequently put in a so-called lineup where at least two of the other men were detectives, none of them being near the age of the businessman. He was promptly identified by the two girls.

This businessman had held the rank of commander in the United States Naval Reserve, he had had over 15 years' experience as a high-school teacher, and he had a spotless record. All of this did him no good.

Despite his efforts and those of his attorneys, he was found guilty. Sentencing was postponed for 30 days, but it was apparent that there was no hope for the businessman unless his attorneys could somehow find the man who was actually guilty. This they tried desperately to do. In the meantime, the newspapers were having a field day with big headlines: "Church Trustee Guilty of Sex Offense."

Then one day a man telephoned and said that he was the real culprit and that he had sent a letter to the prosecutor. Two such letters were received. The police "investigated," but their investigation consisted of an attempt to link the businessman with the letters, which had been written in longhand and were unsigned. The prosecution even took the surprising position that the letters had been written by the businessman's daughter.

Eventually, the real culprit came forward and confessed. As the businessman later stated, "I was amazed at the lack of resemblance between us. His age appeared to be at least 10 years less than mine, and he was four inches taller."

It is a peculiar thing that in these cases of mistaken identification, it quite frequently happens that there is absolutely no resemblance between the person accused and the actual offender.

A very good example of this appears in a story that was published in the San Francisco papers and that was later commented on by the internationally famous criminologist, Dr. LeMoyne Snyder, who is both a doctor of medicine and a doctor of law.

Dr. Snyder has had many years of experience on the firing line and I was fortunate enough to be associated with him in the so-called Court of Last Resort for a long period of time. He is a scientist and a thinker. His book, "Homicide Investigation," which has run through heaven knows how many printings, has been translated into Japanese, German and other languages, and is pretty much of a bible for law-enforcement officers. Here is the case he relates in his book:

A young woman was manacled in chains by a pervert. The police arrested a suspect, who was positively identified by a store clerk as being the purchaser of the manacles which apparently had been used in the crime. The victim also positively identified the suspect as being the man who had assaulted her.

Then, in connection with a narcotic investigation, the police picked up another man who turned out to be the man who had really been guilty of the assault on the young woman.

In Dr. Snyder's book, photographs of the two men are shown side by side. It is a revelation to study these photographs; the men could hardly be more dissimilar in appearance. The guilty man's shoulders just about come to the elbow of the tall man who was mistakenly accused.

The dangerous part of most cases of mistaken identification is that the witness is so completely sincere in his belief. He is the victim of autosuggestion and sometimes of what has, in more modern times, been described as *brainwashing*.

This brainwashing begins when a witness is taken to the police station to look through the *mug shots* of offenders who have a record of having committed crimes of the same nature. Perhaps the witness picks out one photograph that he decides is somewhat similar to the culprit that he saw commit the crime.

Later on, the police come to him and say triumphantly, "We've got the man that did it in custody." Then they show mug shots of the man they are holding. If the witness is a little bit dubious, the police are all too apt to say, "Now, don't try to make a positive identification from a photograph. Don't let your mind be influenced one way or another. Simply keep an open mind until you see this man in a lineup."

Then the next morning the witness is taken in to see the lineup. It is surprising how many times the witness is "accidentally" given a chance to see the defendant as he is pushed into the lineup cage. Having studied the mug shots of the suspect and seen, or at least glimpsed him in the custody of the police, the witness is very apt to point a finger at the unfortunate suspect and say, "That's the man."

Before the witness gets to court, the prosecuting attorney may also do a little coaching, "Now, don't let this defense attorney make a monkey out of you. Remember that if he can get you to say that you have even the slightest doubt in your mind about your identification, the case will be thrown out of court and you will be the laughingstock of the courtroom."

An interesting problem in the case of eyewitness identification took place some years ago in the trial of Willie (the Actor) Sutton.

Willie Sutton was badly wanted by the police, and the FBI had distributed photographs of him in different cleaning establishments. One Arnold Schuster, riding on the subway, looked across at a fellow passenger and immediately recognized him as Willie Sutton from the photograph which had been hanging in his cleaning establishment.

Schuster went to the police; pointed out Sutton, and Sutton was arrested. Shortly thereafter Arnold Schuster was brutally murdered in what had every appearance of being a gangster "contract." Things being as they were, it was popularly assumed that Sutton had taken his revenge on Schuster.

Subsequent developments indicated that Sutton had absolutely nothing to do with the murder of Arnold Schuster. But in the tense atmosphere of a courtroom where Sutton was later being tried for a bank robbery case, it was virtually impossible for the jury to separate the murder of Schuster from the question of Sutton's guilt in the bank robbery.

One of the officials of the bank that had been held up was put on the witness stand and positively identified Sutton as one of the men who had entered the bank. He stated that he had had an opportunity to observe Sutton for rather a short time but that he was a banker and was trained to remember faces. Sutton's attorney took the man on cross-examination, and it was one of the most brilliant pieces of cross-examination that I have ever witnessed.

Sutton's attorney asked the witness when he next saw Willie Sutton and it turned out he had seen him at the jail. How had the witness been taken to the jail? He had been driven by a detective. How long had he been with the detective in the automobile? Some 30 minutes or more. And then, how did he get home? Why, the detective had driven him home. Did the witness remember the detective's name? He did not.

"All right," Sutton's attorney said, "look around this courtroom and see if you can pick out the detective who drove you home . . . Now, no help from the audience, please. I want everyone to look straight ahead, no faintest signal."

The witness, unaccustomed to all of this publicity and somewhat flabbergasted by the aggressive nature of the cross-examination, groped his way around the courtroom, looking from face to face. He finally admitted that he was unable to recognize the detective.

The attorney, now more sure of his ground, threw him a harpoon, "Come now, Mr. Banker, you are trained to remember faces. You were with Willie Sutton a matter of seconds, yet you were with this detective for over an hour and you saw him *after* you saw Willie Sutton. Do you want this jury to understand that you can't pick out this detective?"

The witness had to give up.

How good is eyewitness identification? It is as good as the man who makes the identification, and it depends very largely on the extent to which he has been brainwashed. That is the reason that the Supreme Court of the United States has now laid down the rule that, in order to have an identification in a lineup, the lineup must be fair and the suspect is entitled to have his attorney with him.

Some years ago I wrote a Perry Mason book, "The Case of the Moth-Eaten Mink" and dedicated it to my friend, Dr. Russell S. Fisher, who is now the Medical Examiner of Baltimore, Md., and one of the leading forensic pathologists in the world. In the book's foreward, I referred to a case so bizarre that it would seem to be utterly impossible if it weren't for the fact that it is thoroughly documented. It happened more than 30 years ago.

Three young men were riding in a car on the streets of Baltimore when a car being driven by a Negro youth cut in on them—or at least the three white youths *thought* he had cut in on them. They took after the Negro and crowded his car against a curb. Then, bent on vengeance, the three youths got out of their car.

The Negro, determined to protect himself, jumped from his own car and advanced to meet his assailants. The white youth in the lead stepped belligerently up on the sidewalk, fists ready, and met the Negro youth, who was also ready.

Suddenly, the white boy fell, struck his head and was unconscious. He was taken to a hospital where he died. Several eyewitnesses claimed the Negro had landed the first punch, hitting the white youth on the chin just as he was stepping up on the curb.

Dr. Fisher went to work on an autopsy, making a more careful examination than most doctors would have done under the circumstances. He found that the youth had died from a cerebral hemorrhage; but, more puzzling, he found that the hemorrhage had been caused by the spontaneous bursting of any aneurysm in the portion of the brain known as the Circle of Willis.

It sometimes happens that when there is an aneurysm in the Circle of Willis it can rupture if, under the influence of rage, the person's blood pressure suddenly goes up. Since a careful study of the body revealed no sign of the impact of any blow on the jaw, the puzzled pathologist became convinced that there had been no blow.

However, the eyewitnesses who had testified they had seen the Negro boy strike the victim said they were positive.

Dr. Fisher took them one by one. He explained the circumstances to them, and a remarkable thing happened. It turned out that none of the eyewitnesses had actually seen the blow delivered. They had seen the action indicating that a blow was to be struck; they had seen the victim falling just as he would have fallen if he had been struck; and, when they were called as witnesses, they sincerely felt that they actually had seen the blow struck.

After talking with Dr. Fisher, all of the witnesses rather sheepishly concluded that they had not actually seen a blow delivered.

Further, Dr. Fisher was able to show conclusively by cross-examining one witness, that if a blow had been struck, he couldn't have seen it from the position in which he was standing.

Human nature being what it is, the testimony of eyewitnesses should always be carefully scruitnized. And this is particularly true of the eyewitness identification of someone who was a complete stranger to the eyewitness at the time the crime was committed.

A NATIONAL HERO FROM WYOMING

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Wyoming (Mr. HANSEN), I ask unanimous consent to have printed in the RECORD a statement prepared by the Senator from Wyoming, together with an insertion.

There being no objection, the statement and insertion were ordered to be printed in the RECORD, as follows:

STATEMENT BY MR. HANSEN

Mr. HANSEN. Mr. President, I would like to say a few words in tribute to the courage of Bob Minchow, a 21-year-old Marine from Casper, Wyoming.

Mr. Minchow sustained three separate wounds in our country's stand against Communism in Viet Nam. In addition to the three Purple Hearts, he holds the Silver Star for valor—for falling on an enemy grenade to protect comrades. He also has received a Navy Commendation Medal.

Mr. Minchow is a national hero. We are proud of him in Wyoming.

The Star-Tribune, a newspaper published in Bob's home town, has published an excellent article about this young man. I would like to see this article printed in the RECORD so that the students who are going to be his future classmates will know that Bob Minchow would not think kindly of anyone or any group that might seek to deprive him of his educational benefits earned under the GI Bill.

[From the Casper (Wyo.) Star-Tribune, Apr. 22, 1969]

I WAS SCARED, BUT I FEEL GOOD THAT I DID MY PART

(By Phil McAuley)

"Oh, yes, I was scared. If you weren't scared, you were crazy. Somebody was watching out for me. But I feel good that I went over and did my part instead of staying back here and burning my draft card and protesting."

So remarked a young Casper Marine who received the Silver Star, the nation's third highest award for heroism, for falling on a hand grenade in Vietnam.

Bob Minchow, 21, of 1028 South Poplar, received the Silver Star and his third Purple Heart following the July 16, 1967 mortaring of Da Nang, when 12,000 North Vietnamese prisoners of war escaped.

"We were going around a bend checking on the dead," Minchow recalled. "Two of them came at me and either my rifle jammed or I ran out of ammunition. There were five or six people behind me so I ran into the water. They threw a grenade and that's the last thing I remembered."

The young Marine went into a coma which lasted until Aug. 15. The Marine Corps sent for his father, an Army Chief Master Sergeant stationed in Hawaii, to be with him at the hospital in the Philippines. The father stayed with his son until he regained consciousness.

The grenade fragments opened Minchow's stomach, broke seven or eight ribs, and blew out a portion of his stomach, which had to be replaced with plastic. He spent 21 months in the hospital.

That was the third time Minchow was wounded. He was first wounded on Jan. 1, 1967, when he was hit by shrapnel in the legs. He was wounded again, a gunshot wound in the arm, on May 28, 1967.

The most shocking incident Minchow recalled from Vietnam was when he first saw somebody killed. It was a very close friend of his, his squad leader, who was shot through the heart at the age of 21.

Other incidents etched in his memory result from the backwardness of the Vietnamese people.

"It's a pitiful sight to see how backward the people are," said Minchow. "Even in Da Nang, the second largest city in Vietnam, the people lead a cruel, backward life. They never heard of things like us. The way they farm . . . their only food is fish and rice . . . they don't live too long . . . they age so fast."

Asked if he would do it again, Minchow replied:

"It had to be done. It's a question of whether you want to fight in somebody else's homeland or our own. I think we're winning the war but it's really hard to tell . . . we're not losing it, that's for sure."

Minchow reports the morale in Vietnam is "great, fabulous," and accounts for it in large measure as resulting from rest and recuperation leaves.

"You live for R&R," said Minchow. The leaves last seven days and I went twice. A lot of the Marines went to Hawaii to meet their wives and families.

The rioting going on in this country he considers "terrible."

"If they actually knew what was going on —what we are actually fighting for—they couldn't be going on like this," he said.

Minchow is a native Casperite but graduated from high school in Grand Forks, N.D. He married a nurse, the former Mary Catherine Even, of San Antonio, Tex., who took care of him after he was wounded the third time. They have one daughter, Jennifer Ann, two months.

Minchow is staying in Casper with his grandparents, Mr. and Mrs. John W. Minchow of 1028 South Poplar. He plans on attending St. Mary's University in San Antonio, Tex., where he will study law.

ANDY GRANATELLI: DISTINGUISHED SPORTSMAN, ENGINEER, HOOSIER

Mr. HARTKE. Mr. President, yesterday I had the privilege of visiting with a man whom I regard as a citizen of my home State of Indiana. He resides in my State only 1 month each year—the month of May when we prepare for the famous 500 miles of Indianapolis but he contributes as much to the progressive public image of Indiana, I must say, as do many who reside here all year long. This man is Anthony "Andy" Granatelli and, although his home and his business are in the constituency of my colleague, Senator EVERETT DIRKSEN, of Illinois, I feel that Andy Granatelli is as much a Hoosier as he is a resident of Illinois.

Mr. Granatelli is an automobile man, the president of a company that relates to the automotive aftermarket, which is a fancy way of describing that industry which keeps cars running well and safely after they are built and sold.

He is an advocate of and a development expert in the vital field of automotive safety. He has learned his subject well in the exciting enterprise of automobile racing, and I agree with him that many valuable lessons in safety are associated with high-risk enterprises. In my conversation with him, Mr. Granatelli offered the concept that safety is best designed into a vehicle rather than tacked onto it as an afterthought. He expounds such race-proved engineering principles as modern four wheel drive for better traction, braking, and overall vehicular handling. He believes in the concept of better-engineered braking and steering systems rather than minor engineering "band-aides" placed on prevailing systems. He believes in vehicular body designs with an eye to protecting the passenger by shock-absorption qualities of the chassis and body instead of trying to build girders into existing concepts. These are just a few of the large numbers of safety ideas we discussed in the meeting yesterday and I think this refreshing relationship of safety and automobile racing deserves further consideration and study. Mr. Granatelli's long fight to introduce gas turbine powered racing cars is well enough known by the American public not to mention here. I think it might be properly said, however, that by his stanch espousal of the gas turbine engine as a racing powerplant, he has done as much as or more than any other man to direct public attention to the practicability of the gas turbine engine as a vehicle powerplant. Turbines, of course, are one hopeful solution to our air pollution problem. Some indication of this fact is seen in the growing new interest in pollution-free turbines by a recently announced decision by both Ford Motor Co. and General Motors, as well as the giant Leyland Automotive Organization of England. They are planning to put turbine powered trucks into serious production durin 1970–71. An interesting sidelight is the fact that a turbine engine truck will be used by Mr. Granatelli in hauling his piston engined STP Plymouth racing car from Santa Monica, Calif., to Indianapolis. There may well be a turbine powered vehicle in the future for all of us.

Another recent move by Mr. Granatelli has been in the field of a design study on the utility of a simple steam powerplant—a study being presently encouraged by the Government through the Department of Health, Education, and Welfare as an automotive air pollution matter. Granatelli's people, teamed with Planning Research Corp. of Los Angeles, have a proposal to build a simple, 100 horsepower steam engine to power a typical six-passenger sedan. It is well known that the modern force-air combustion system that fires the boiler of a steam vehicle can provide almost complete combustion and would effectively eliminate the air pollution brought about by today's automobile engines. A notable goal, indeed, and one that should receive every encouragement.

Finally, I want to pay tribute to Mr. Granatelli today in the field of sportsmanship. He has been a strong contributor of time, money, blood, sweat, and tears to our great Indianapolis institution, the 500 mile, almost every year since 1946, as either a driver, car owner, crew chief, or in some other capacity. He has never won the coveted checkered flag with one of his racing cars despite his dogged determination, but I can think of no man in auto history who has tried more valiantly. He has been a credit to our State, to the sport of automobile racing, to his craft of engineering and the traditions of the Indianapolis "500." He has contributed much and promises to contribute far more in the years ahead.

Andy Granatelli is known to his fellow Hoosiers and to racing fans around the world as a pioneer in his field. At Indianapolis, it can truly be said, "they call him 'Mr. Five Hundred.' "

THE PESTICIDE PERIL—II

Mr. NELSON. Mr. President, today the Wisconsin State Department of Natural Resources is resuming its hearings on a citizens petition to ban the use of DDT in Wisconsin.

The petition, filed last year by the Citizens Natural Resources Association of Wisconsin and the Izaak Walton League, has stimulated the first major confrontation between the pesticide industry and concerned citizens and scientists.

At issue in the proceeding is whether the department shall issue a ruling declaring DDT to be a highly toxic persistent chemical that should be restricted in use so that it cannot enter the biological, geological, chemical, and ecological cycles of the biosphere, and also make a ruling that the use of DDT constitutes pollution.

Since the hearings began last December, the citizens groups and the Environmental Defense Fund, a Long Island, N.Y., based alliance of concerned lawyers and scientists, have presented extensive testimony outlining the growing pollution of the environment by persistent pesticides in the chlorinated hydrocarbon family. Distinguished scientists, ranging from biochemists and biologists to ecologists and toxicologists, have presented volumes of testimony supporting the petition.

On Saturday, the Washington Post published an article regarding the Wisconsin hearings, which begin today as the National Agricultural Chemical Association launches its defense of the use of DDT. I ask unanimous consent that the text of the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

> WISCONSIN IS SITE OF NEXT ROUND IN FIGHT TO BAN DDT
>
> Madison, Wis.—Another round in the fight to halt the use of DDT in the U.S. will begin here Tuesday as the Agriculture Chemical Association launches its defense of the pesticide at a Wisconsin Natural Resources Department hearing.
>
> Since the first series of hearings gained national prominence in December and January, events have escalated over the finding of DDT-contaminated Coho salmon in Lake Michigan.
>
> The Food and Drug Administration, which seized several tons of the frozen salmon, Tuesday set an interim tolerance level of 5 parts per million (ppm) in fish. Secretary Robert Finch of the Department of Health, Education and Welfare called for scientific studies before establishing a permanent tolerance level.
>
> Tolerance levels set by the FDA are used as guidelines to determine the safe limits of pesticides found in meat, dairy, fruit and vegetable products. The tolerance level for DDT in meat is 7 ppm.
>
> Meanwhile, the Agriculture Chemical Association will join farm groups here to defend DDT. Attorney Louis McLean of Chicago said the prime defense of the agri-chemical industry is the life-saving and food-production safeguard provided by DDT and a lack of evidence that current DDT uses are harmful to man.
>
> The agri-chemical industry claims DDT has been responsible for saving more than 100 million lives since World War II by combatting malaria and other diseases. DDT also is the least costly of major pesticides (DDT costs about 17 cents per pound) used by farmers against agriculture and orchard pests.
>
> On the opposing side, the Environmental Defense Fund of New York sees the Wisconsin hearings as a national forum to call attention to the hazards of DDT.
>
> It is representing the Citizens Natural Resources Association and the Izaak Walton League of Wisconsin. Both groups petitioned the Wisconsin Resources Department to ban DDT on charges it was a source of water pollution. Attorney Victor Yannaconne of Patchoque, N.Y., who is "prosecuting" DDT for the Defense Fund, has said if the battle against DDT is won here, other pesticides "will fall like dominoes."
>
> "The issue," said Robert L. Ackerly of Washington, legislature director for the agri-chemical industry, "isn't a dollar issue.
>
> "The issue is whether agriculture chemicals are to be regulated individually by the legislature or whether they should be regulated by appropriate state agencies," he said. "We can deal with scientists, these other people are lobbying us to death. There are bills in Maine, Connecticut, Wisconsin, Illinois and Washington sponsored by the Environmental Defence Fund."
>
> The agri-chemical industry in 1964, according to the latest Department of Agriculture figures, produced 457.5-million pounds of pesticides for agriculture use valued at about $500 million. In the past few years, the five U.S. manufacturers of DDT produced about 100-million tons of DDT, about 60 per cent of it being shipped overseas for malaria control and farm uses.
>
> Joseph J. Hichey, a University of Wisconsin wildlife ecologist, said at the first series of hearings in Wisconsin last December that DDT in the past several years caused dramatic reductions in bird populations, particularly the peregrin falcon and bald eagle.
>
> The pesticide is consumed by various organisms up the complex food-chain ladder with lower forms of life containing the least amount of the chemical.
>
> Charles F. Wurster Jr., of New York State University in Stony Brook, N.Y., and scientific chairman of EDF, said the chemical "will upset the insect ecology any place it is used." Therefore, he said, "there cannot be a controlled use of an uncontrollable compound."
>
> The question is "to ban or not to ban." He added.
>
> The new series of hearings are expected to last several weeks before testimony is presented to the Wisconsin Natural Resources Department for its decision on a ban.

SCOTTS BLUFF COUNTY, NEBR., JUVENILE ADVISORY COMMITTEE

Mr. CURTIS. Mr. President, I speak against a backdrop of crime, violence, and immorality heretofore unequaled in our Nation's history.

But what I am going to say is optimistic. I am not at this time going to cite statistics and speak about the perpetrators of violence, obscenity, permissiveness, or any of the other acts which threaten to tear our civilized society apart.

I praise the work of a group of people in Nebraska who are waging an effective assault on the causes of such social ills.

The work of this group illustrates what parent power can do when properly organized and guided.

The group I am talking about is the Scotts Bluff County, Nebr., Juvenile Advisory Committee.

Nearly a year ago the president of the committee, the Reverend James F. Landrum, wrote a letter to me and sent me a copy of one of his meeting reports. The report contained this paragraph about the work of a film subcommittee:

> A group of mothers and teachers were upset over the adverse effects of cartoons of violence and horror being run by network television on Saturday mornings. These persons stated that they felt these programs were contributing to a restlessness and would influence children to be violent in the future. They expressed a need for good educational film on crime prevention and narcotic education to be made available to the schools, police department, and Juvenile Advisory Committee. The group also expressed concern that the good cartoons on television were being shown at the Sunday School hour and thus children were losing a desire to attend Sunday School.

In reply to the Reverend Mr. Landrum, I wrote:

> I certainly agree with your film committee's concern over network television programs which depict violence and horror. Through the churches, schools and possibly even the police department, it might be possible to obtain and show either some good educational films or some truly good cartoons to which children of the community could be invited at competing times.
>
> A drop in the so-called ratings is the most effective way in the world of driving violence-prone programs off of television. If you decide to schedule local recreation or film activities in competition with specific violence-prone television programs, I suggest you publicize the fact and try to obtain national publicity for it. I might be able to assist you in this regard.
>
> If the so-called good cartoons on television are being shown at times which compete with Sunday School, as your report indicates, turnabout should be fair play. Furthermore, any publicity you would get in combating violence on television by this method would shake up the network decisionmakers, I'm sure.

The Scotts Bluff County committee rallied parents throughout western Nebraska to write to the television networks and to Members of Congress. Moreover, the committee successfully urged parents to turn off their television sets when children's programs depicting crime and violence are being shown. Parents set up neighborhood children's clubs in their homes for singing, story telling, story reading, and constructive audiovisual programs. In some instances, college students conducted the club meetings and led field trips, picnics, and other forms of recreation for the youngsters.

A "Big Brother and Big Sister" program was established to help wayward youngsters get back on the right track. The committee set out to expand its program to include representatives of all civic clubs, churches, and schools in the area.

Without benefit of any funds for this purpose, the committee supervises between 30 and 35 homeless children whom it has placed in foster homes. It is conducting an educational campaign against marihuana, LSD, and other drug use.

Under the committee's auspices, college students began a major extracurricular research project to measure the extent of violence and horror in television programing for children. Their reports were sent to the television networks, news media, Congressmen, the President's Commission on Causes of Violence, and the National Association of Broadcasters.

Parents were given the names and addresses of the commercial sponsors of television programs depicting crime and violence, and thus the letter-writing campaign was expended to hit the television programers in the pocketbook.

Parents from other States were asked to join in the protest movement, and they did. The Reverend H. R. Landrum described it this way in one of his recent reports:

> In an effort to bring about a nationwide protest parents in other States were asked to write letters to sponsors and networks in protesting Saturday morning programs. These persons were sent letters from the Juvenile Advisory Committee asking them to view Saturday morning cartoons, evaluate them, and if they felt that horror and violence were being over-simplified then to form neighborhood protest groups.
>
> These parental groups were also sent lists of sponsors and addresses.
>
> In October, 1968, the Scotts Bluff Juvenile

Advisory Committee began working with John Dillon, staff writer for the Christian Science Monitor. A group of thirty writers had evaluated the number of violences on television and had made these public through the news service. Mr. Dillon sent the Advisory Committee complete copies of this evaluation for the Summer and Fall programs.

The Fall programs indicated that violence on television programming had not decreased in 1968. In a news release to Congressional leaders, the National Association of Broadcasters and the Network Presidents a plea was made by the Committee for up-grading television for children. Following this a two-page letter was received by the Juvenile Advisory Committee from the National Association of Broadcasters asking the Committee to take initiative in creating and maintaining constructive interest in the television medium. The National Association of Broadcasters also invited the Juvenile Advisory Committee to not deprive the young people of the community the opportunity of education and entertainment. A group of the local parents were contemplating shutting off the television and refusing to buy sponsors' products if the situation did not improve.

In November of 1968 Senator Carl Curtis wrote the Juvenile Advisory Committee advising them that they were approaching the problem in the right manner by protesting through letters to sponsors, networks, and the use of national news media. He discussed the matters with other Senators in whose states the sponsors of Saturday morning cartoons had manufacturing plants.

The Committee also wrote other leaders throughout the nation asking their opinion on the National Association of Broadcasters Code for television regarding children. Such phrases as "no undue emphasis on violence for children," "program should reflect respect of parents," "television programs should bring about honorable behavior," and "material which is used on television should create in children no undesirable reaction" are outlined in Subparagraphs 2, 3, 5 and 7 of the Code.

At the beginning of December, NBC announced that they were going to be scrapping two Saturday morning cartoons and replacing them with a live animal show and a children's show. This cost the NBC Network $750,000. Other networks have followed in dropping similar shows and substituting comedy cartoons. However, there are still cartoons of horror and violence being shown on Saturday morning now which parents of Scotts Bluff County are still protesting. All three networks have new programs under development for the next season including some new cartoon shows. Last week CBS announced that it will present four or five original dramas on Saturday morning beginning next year on the CBS Children's Playhouse."

On March 3, the Associated Press reported the effects of parent power in an article published by the Denver Post. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Parents Draw Line on Cartoon Shows

(By Jerry Buck)

New York.—The power of the public to affect television is aptly illustrated by the changes taking place in children's programming.

Parents made known their extreme displeasure with the cartoon diet of monsters and superheroes being fed their children on Saturday morning—and the networks reacted.

"Action-adventure cartoons were highly criticized and we took them off the air," said Bud Grant, director of daytime programming at NBC.

Ed Vance, vice president for daytime programming at ABC, said, "We knew there was adverse reaction to all the networks presenting cartoons with monsters and superheroes."

As a result of the steady barrage of complaints the Saturday morning monster cartoons are all but off the air. Those remaining on the networks probably will disappear at the end of the season. In many cases, however, they are simply being replaced by comedy cartoons.

NBC initiated the first changes last summer when it installed the hour-long Banana Splits at midmorning Saturdays. The program, a kind of "happening" for kids, was an instant hit.

Grant said some neighborhood children join his 7-year-old every week to watch the show in color.

"The other day I got a phone call from a cute little girl who usually comes over and she said, 'Mr. Grant, where are the Banana Splits?' I told her we had a special on, and she said, 'Okay, I'll watch it, but if I don't like it I'll come over and punch you in the nose.' "

At midseason NBC scrapped two of its most criticized cartoon series, Birdman and Super President and replaced them with Untamed World and Storybook Squares. The former is a live animal show and the latter children's version of the adult quiz, Hollywood Squares.

It cost the network $750,000 to scrap the cartoon shows.

Last fall CBS dropped two action cartoons and substituted animated comedies. The comedies, notably Archie, proved popular and CBS is sticking with an all-cartoon format for the rest of the season.

ABC retains Spider-Man and the Fantastic Four, with the rest of the morning taken up with cartoon comedies, The American Bandstand and Happening.

All three networks have new programs under development for next season, including some noncartoon shows.

The most significant development however, was CBS' announcement last week that it will present four to five original dramas on Saturday mornings next year on the CBS Children's Playhouse. The network is commissioning writers at $10,000 a script for this new program.

Mr. CURTIS. I will issue a warning now to the moving picture industry, Mr. President. The Scotts Bluff Juvenile Advisory Committee is broadening its scope to include evaluations and, where warranted, to protest movements against the production and distribution of movies that are smutty, obscene, or violence-inciting.

I commend the committee for its fine work toward improving children's television programs, and I wish the committee well in its campaign for similar improvements in moving pictures. I think ths group has set an example for parents and communty-spirited organizations everywhere.

MINNEAPOLIS TRIBUNE ANALYZES THE DEFENSE ESTABLISHMENT

Mr. MONDALE. Mr. President, one of the signs that a newspaper is great is its sensitivity to the great issues of the day.

Time and again the Minneapolis Tribune has shown this sensitivity. And now, as we approach debate on what may be the key issue of this Congress and this decade—the anti-ballistic-missile program and our defense posture—the Tribune has reached out again to grasp the essentials of this conflict for its readers.

In a series of 13 articles published in the Tribune during the past 2 weeks, Charles W. Bailey and Frank Wright have described "The Defense Establishment," analyzed it, speculated about it, and brought it into focus in the public forum. As a Minnesota Senator, I will be privileged to enter this debate in the knowledge that my constituents understand the issue and know how important it is to the Nation—because a great newspaper has done its work.

Mr. President, "The Defense Establishment" should be widely read, and not only in Minnesota. I commend this series to Senators. I hope that they will use the perspective it provides, both for themselves and their constituents as the debate goes on.

I ask unanimous consent that the series of 13 articles entitled "The Defense Establishment," written by Charles W. Bailey and Frank Wright of the Minneapolis Tribune's Washington bureau, and published from April 13 to April 26, 1969, be printed in the Record, along with the excellent summary editorial entitled "The Defense Establishment," from the Minneapolis Tribune's Sunday edition of April 27, 1969.

There being no objection, the articles were ordered to be printed in the Record as follows:

The Defense Establishment—I: Arms Trigger an Issue

(By Charles W. Bailey and Frank Wright)

(Note.—In a few weeks Congress will plunge into its first major debate in nearly 20 years on American foreign and defense policies.

(The immediate issue is the anti-ballistic missile system. But the debate is likely to range beyond that, to raise basic questions about the nation's defense policy, its military strategy and the multibillion-dollar outlays for it.

(Congress and the country have raised questions about the wisdom and effectiveness of U.S. defense policy. Some critics have assailed the so-called "military-industrial complex" and see dangers to basic freedoms rising from that blend of political, military and economic pressures.

(The frustrations of the Vietnam war and the growing demand for federal action to deal with social and economic problems at home have given new urgency to the public's concern.

(To help readers understand the background and the issues of the debate, two members of The Minneapolis Tribune's Washington Bureau have studied the nation's defense establishment.)

Washington. D.C.—John Sherman Cooper is 67. He has been in the United States Senate for most of the past 20 years.

He is not as strong now as he once was, and the remorseless turn of the calendar's pages suggests that most of his career is behind him.

But in fact the soft-spoken, gentle-mannered Kentuckian has just begun what may turn out to be the biggest and toughest fight of his long political life, as the Republican leader of the opposition in the coming Senate debate over the anti-ballistic missile.

The ABM issue has mushroomed in the weeks since President Nixon called for construction of a "modified" system. It has become the Number One Issue of this Congress, a subject of emotional argument across the country and the opening round in what could become the first major debate in nearly two decades on American foreign and defense policies.

The talk here this spring is all about ABM. But the issue is already shaping up as a much broader one: What is the proper place of the nation's defense establishment in the government and in American society today?

Once again, as often before, an old bugaboo is being raised—the "military-industrial complex," the shorthand label for the far-reaching combination of political, military and industrial pressures which influence U.S. national security policy, military strategy, armed forces and defense spending.

Dwight D. Eisenhower first used the phrase in a 1961 farewell address drafted for him by Malcolm Moos, now president of the University of Minnesota. It was never completely clear what he meant, though it is certain that those who thought he was talking about some kind of conspiracy between generals and tycoons were guilty of gross oversimplification at best.

But now a combination of circumstances has thrust the former president's words back into the political vocabulary with more force than ever:

A war in Vietnam which has dragged on for years, and in which military victory, despite the repeated predictions of the nation's top civilian and military leaders, seems beyond our grasp.

The steady growth of military spending to the point where it swallows $80 billion a year —more than 40 cents of every dollar in the federal budget—plus the prospect that military requests for new and more costly strategic weapons will, in the long run, offset any savings that might result from an end of the Vietnam fighting.

The rising pressures for greater federal outlays to meet the domestic needs of a nation whose urban problems are multiplying, compounded by racial, social and economic stresses.

The hopes of many that now could be the time when the United States can negotiate some form of arms control with the Soviet Union that will stop the spiraling nuclear arms race and reduce the 20-year-old tensions of the cold war.

All these factors now are added to the long-submerged concern of many, in Congress and elsewhere, over the size, power and momentum of the nation's defense establishment.

The concerned voices do not sing in unison, and almost all of them not only recognize the complexities of the issue but also credit those with whom they disagree with the highest of motives.

The chorus is rising nonetheless:

"When I came back to the Senate in 1957, I noticed there was no debate on the Senate floor on military authorizations, though we had a great big defense bill," says Sen. Cooper. "The point was you couldn't get any facts. You couldn't find out anything. The (Armed Services) committee would say 'it's classified,' or 'we've gone into this already and have more information than you.' "

"The first thing I would do is repudiate any conspiracy," former Vice President Hubert Humphrey says. "It isn't as if bad men were conspiring against good people. It is that events combine to bring about a preponderant allocation of resources to defense. That preponderance inevitably affects national policies, inevitably brings a looseness of control, and feeds on itself."

"Probably the most relevant consideration is, in blunt terms, sheer power—where the muscle is," Philip S. Hughes, deputy director of the Bureau of the Budget, told a house committee last month. "And this is a very power-conscious town, and the secretary of defense and the defense establishment, are a different and more powerful group to deal with . . . than most other agencies.

"At first I thought it was just knee-jerk liberal criticism," Sen. Walter F. Mondale. D-Minn., recalls. "And I must say there are people who are just blind on this subject. But in the last four years I've become a lot more cynical than I was before about weapons spending."

One leader in the anti-ABM bloc, Sen. George S. McGovern, D-S.D., says: "I don't think there's any conspiracy between the military and industry, but it does develop a momentum . . . It has an effect. Even the clergymen know their congregations are swollen by defense installations. There's a subtle influence on labor unions, business, community groups."

Sen. Mike Mansfield of Montana, the Democratic majority leader, opposes the ABM program even though it would bring new federal money into his state. "I don't question the patriotism of anyone," he says. "I do question the judgment of creating a military-industrial-labor complex which exercises such great power . . . you have to control the money—control the spigot—and then you can get into philosophy."

The same metaphor is used by a former top official of the government, a man who—like many interviewed on this subject by The Minneapolis Tribune—would not permit use of his name: "First you have got to turn the spigot off, not just put your finger over it . . . it's a hell of a thing to say, but maybe the only way you can control them is to deny them the money."

Another man—this one a key domestic official in the new administration—is pessimistic about changing the ratio between military and civilian spending: "I make the assumption that it is not going to change too much. So that is not a problem for me. It may not be a wise or a moral position, but it is a practical one . . . the psychological stage has been set for larger defense expenditures."

Some take a darker view of the situation. One is Sen. Gaylord Nelson, D-Wis.: "The military-industrial complex is all-pervasive. The whole economy is infiltrated. We are a warfare state, not a welfare state."

Others, not so alarmist but deeply pessimistic, question whether the defense establishment is subject to congressional control. One man who served in a very high national security position during two administrations puts it this way: "The congressional (Armed Services and Appropriations) committees are more military-oriented than the military, partly because of seniority, which makes them unrepresentative of Congress as a whole—or of the country."

Another man who still serves in a critical diplomatic-military post sees the problem of congressional control this way: "When a congressman goes all-out for a defense plant in his district, he buys a piece of it—and he loses some of his standing to question overall spending."

Rep. Donald Fraser of Minneapolis, chairman of the liberal Democratic Study Group in the House, foresees a long struggle: "The ABM is only the opening round as far as post-Vietnam is concerned.

"The pressure is really on from the military to increase spending. The Defense Department is pushing for programs deferred because of Vietnam. Inter-service rivalries are beginning to crop up again; they are fighting for jurisdiction over the new stuff. We've got to find a way to combat that growth."

A parallel note is sounded by Sen. Eugene McCarthy of Minnesota, one of the first to challenge the military role in national policy-making.

"For a while," he predicts, "I think you'll see Congress challenging just specific projects, but later you may get into a general cutback. . . . You have to force the military, by giving them less money, to think of the politico-strategic aspects and not just plan for total victory everywhere in the world. When they can plan for anything, the plan too often becomes the policy—just because you have the plan, you use it."

One thing that all the critics agree on is the complexity of the problem—the sheer size of the defense establishment, the sophistication and cost of modern weapons, the difficulty of molding military force to fit established policy, and the uncertainties of world politics.

"The question is going to be oversimplified," Humphrey says. "You are going to have one group saying it's the greatest conspiracy since Hitler started killing the Jews, and the other group will say there is nothing wrong.

"You have to point up the complexities and the uncontrollables. We're not talking about devils or saints. We're talking about mortals. And if people just start hollering, we could wreck the Pentagon—and that would be wrong."

What is the "military-industrial complex"? Who is in it? Why did it grow up? What does it do—and not do? What are its effects on national policy? Are new controls needed—or possible? This series of articles will examine the nation's defense establishment in an attempt to throw light on these and other questions.

WE MUST GUARD AGAINST UNWARRANTED INFLUENCE

"A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction.

"Our military organization today bears little relation to that known by any of my predecessors in peacetime, or indeed by the fighting men of World War II or Korea.

"Until the latest of our world conflicts, the United States had no armaments industry. American makers of plowshares could, with time and as required, make swords as well. But now we can no longer risk emergency improvisation of national defense; we have been compelled to create a permanent armaments industry of vast proportions.

"Added to this, three and a half million men and women are directly engaged in the defense establishment. We annually spend on military security more than the net income of all United States corporations.

"This conjunction of an immense military establishment and a large arms industry is new in the American experience. The total influence—economic, political, even spiritual—is felt in every city, every state house, every office of the federal government. We recognize the imperative need for this development. Yet we must not fail to comprehend its grave implications. Our total resources and livelihood are all involved; so is the very structure of our society.

"In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.

"We must never let the weight of this combination endanger our liberties or democratic process. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together." (Dwight D. Eisenhower, Jan. 17, 1961.)

The Defense Establishment—II: One in 10 Linked to Complex

(By Charles W. Bailey and Frank Wright)

Washington, D.C.—One of every ten Americans who work for a living is part of the nation's defense establishment.

He may be soldier or civilian, industrialist or worker, politician or professor, philosopher or press agent, butcher or baker, young or old.

Whatever their callings, millions of men and women are part of what former President Dwight D. Eisenhower called "the military-industrial complex": that combination of industrial, political and military factors that make up the nation's defense structure.

You measure the defense establishment in terms of huge numbers. But you can also measure it in terms of individuals:

Gen. Earle G. Wheeler, U.S. Army, chairman of the Joint Chiefs of Staff and the nation's ranking military officer, who defines his task this way: "What the military has tried to do for nearly two centuries . . . is, if possible, to prevent wars, minimize the pain of peacetime defense as much as possible, and yet protect the American people so that they can live as they wish."

Edward J. Lefevre, Washington, vice-president of General Dynamics, the nation's largest defense contractor with over two billion dollars' worth of orders in the last fiscal year. "Over 90 percent of our business is military," he told a reporter recently. "We're in the business to stay."

Rep. L. Mendel Rivers, the South Carolina Democrat who is chairman of the House Armed Services Committee and the single most influential member of Congress on defense matters. His power is such that he can—and does—silence committee members whose criticism of the military displeases him.

Hugo Magnuson, mayor of Grand Forks, N.D., and the owner of a Piggly Wiggly grocery store. He recently wrote Sen. Quentin Burdick, D-N.D., urging him to vote for the ABM—because the planned site near Grand Forks would be good for business.

Retired Air Force Lt. Gen. L. C. Craigie, one of several three-star generals who have gone to work for Lockheed Aircraft Corp., the second largest defense contractor. He is a member of a large and growing group: Just over 2,000 retired officers—colonels and above—are now on the payrolls of the 100 largest defense contractors.

Howard Johnson, president of the Massachusetts Institute of Technology—which is not only one of the nation's most prestigious scientific universities, but which also happens to be one of the 100 biggest defense contractors.

Sen. Richard Brevard Russell of Georgia, former longtime chairman of the Senate Armed Services Committee who now heads the equally-powerful Señate Appropriations Committe. Russell capsuled his defense philosophy last year in backing the ABM: "If we have to start all over again with another Adam and Eve, I want them to be Americans."

Tony Downs, operator of a food processing plant in St. James, Minn., who in January 1969 received $4.1 million in government orders for army field rations.

Robert V. Coulter, an electrical workers union official who has spent a good deal of his time in the past eight years helping settle labor disputes at missile sites. He and other union representatives were called to a briefing by the Defense Department on ABM construction plans last Oct. 1—the day before the Senate voted the money for the program.

Lt. Gen. W. B. Bunker, deputy commanding general of the Army Materiel Command, who described his feelings about the defects in a new tank in this fashion: "It is an embarrassment to us to have a yardful of these things we can't deliver. We had a problem, and our optimism rose up and bit us."

Sen. Henry M. Jackson, long-time advocate of building up the nation's strategic weapons forces and a key figure in the successful fight to build the nuclear-powered ballistic missile submarine. "We have a large industrial complex that is privately owned, and we want it that way," he says. "The real problem is to maintain a private, highly competitive base, with no favoritism and with the rules clearly stated."

William M. Allen, chairman of the Boeing Company in Sen. Jackson's home state of Washington. Allen heads a firm that is the nation's seventh largest defense contractor. He also sits on the Industry Advisory Committee, which advises the Defense Department on a number of issues, including whether industry is getting adequate profits from defense contracts.

The former presidential assistant who defines the problem in the terms his boss used to make decisions: "Remember that when he is weighing priorities, a president asks himself not what this will do to the resources available to our cities, but what it will do to our capacities to meet challenges elsewhere in the world."

Willis Hawkins, who left a Lockheed vice-presidency in 1963 to become assistant secretary of the army for research and development. At the Pentagon, according to congressional critics, Hawkins participated in a two-year selection process which resulted in the award of a big contract to Lockheed to build a new helicopter. In June 1966 Hawkins resigned his government post—and returned to Lockheed.

First and last, Richard M. Nixon, President of the United States, commander-in-chief of the armed forces, the man who alone is finally responsible for the ultimate decisions that shape U.S. military forces—and who alone might, in some anguished quarter-hour, have to make the final decision to unleash the nuclear might we have stored up.

There are thousands of others in Washington, and millions across the country and around the world, who make up the defense establishment—from the secretary of state, whose foreign policies are sustained and sometimes shaped by the weight of U.S. military force, to the messengers who use bicycles to travel the endless corridors of the Pentagon.

As individuals they are, in the words of former Vice-President Hubert Humphrey, neither "devils nor saints," but "mortals." Taken together, they exert immense leverage on our government, our society—and our world.

THE DEFENSE ESTABLISHMENT—III: ECONOMIC IMPACT HITS EVERY STATE

(By Charles W. Bailey and Frank Wright)

WASHINGTON, D.C.—The U.S. Defense Department is the biggest business in the world.

Its projected expenditure of $78.4 billion for the budget year ending June 30 will be the highest since World War II. It also will be an increase of $33.7 billion over 1961, the year President Dwight D. Eisenhower in his farewell speech warned about the growth of the military-industrial complex.

In each of the two years, coincidentally, expenditures were 8.8 percent of the country's gross national product. Some would call that a tribute, perhaps, to the expanding economy's ability to absorb the cost of the Vietnam War, which now is running about $29 billion annually and is the biggest reason for the increase.

Every state—and almost every sizable community—feels the department's economic impact.

One of the best examples of its pervasiveness is the Air Force's C141 Starlifter project.

The Starlifter is a big new cargo and troop jet transport. The prime contractor is Lockheed-Georgia Co., Marietta, Ga., a division of Lockheed Aircraft Corp. But by no means all of the money for the plane is being spent in Marietta.

Lockheed-Georgia subcontracted the wing, for instance, to Avco Corp., which assembles it in Nashville, Tenn.

ALL TOLD 1,200 COMPANIES MAKE A PLANE

Avco needed a fuel pump for the wing, and bought it from Pesco, Inc., in Bedford, Ohio.

Pesco needed, among other things, a switch for the pump. The switch came from Micro Devices Co., Dayton, Ohio.

Micro made the switch with wire from Westbury, N.Y.; glass from Shanton, Conn.; electrical material from Chicago and New York City; discs and springs from Cincinnati, Ohio; ceramics from Paramoit, Calif., and Sun Prairie, Wis.; epoxy from Canton, Mass., and silver from New York City.

All told, Lockheed can count 1,200 companies involved in the C141.

In 1968 Congressional Quarterly listed the location in this country of 991 of the largest privately-owned defense plants and government-owned defense installations.

Every state had at least one. So did 363 of the 435 congressional districts.

The department has some 500 big military installations plus 6,000 smaller ones in the continental United States. Overseas it operates 400 major bases and 3,000 smaller ones in 30 foreign countries, Hawaii and Alaska.

Approximately 22,000 corporations are considered major defense contractors, and another 100,000 or so get their share through subcontracts.

LAND, LOTS OF LAND

The department controls 45,000 square miles of land in this country, enough to fill the state of Pennsylvania and leave room for one or two anti-ballistic missile sites. Overseas land holdings add another 4,000 square miles.

The land, buildings and other property of the department, including weaponry, are valued at slightly more than $200 billion, almost 200 times bigger than the Minnesota state budget.

The value of property held by the private contractors is uncalculated but would undoubtedly be even more astronomical.

More than 10 percent of the nation's workers are associated with the Defense Department.

The number of people in active military service is about 3.4 million. The department and the military also have almost a million civilian employees.

About 4.1 million men and women are employed in private industry directly or indirectly because of defense spending, an increase of more than a million in the last five years because of the Vietnam escalations.

That totals 8.5 million, or more than 1 of every 10 persons in a labor force that is close to 80 million.

Most of the defense money is spent on researching, developing and purchasing weapons and other equipment.

The figure for these purposes last year was $44 billion.

According to a 1960 congressional study, there were 38 million procurement transactions with a dollar volume of $228 billion during the decade of the 1950s. This is an average of $22.8 billion per year. Obviously, things have gotten better for defense contractors since then.

Despite the eventual dispersion of the defense dollar—as seen in the C141 project—the big prime contracts are concentrated among a relatively few companies.

FAMILIAR FIRMS IN TOP 10

The same firms appear at the top of the list year after year. Eight of 1967's top 10 also were there in the period 1958–60. Seven in 1951–53 and six as far back as World War II. Four—Douglas (now part of McDonnell-Douglas Corp.), Lockheed, General Electric Co. and United Aircraft Corp.—have been in the top 10 for every one of the past 24 years.

Last year's top 10, and the value of their contracts, were:

General Dynamics Corp.—$2.2 billion.
Lockheed Aircraft—$1.9 billion.
General Electric—$1.5 billion.
United Aircraft—$1.3 billion.
McDonnell-Douglas—$1.1 billion.

American Telephone and Telegraph Co.—$776 million.

Boeing Co.—$762 million.

Ling-Temco-Vought, Inc.—$758 million.

North American Rockwell Corp.—$669 million.

General Motors Corp.—$630 million.

The top 100 firms and their subsidiaries received $26.2 billion in prime contracts last year, 67 percent of the total.

As evidence of the defense establishment's invasion of the college campus, the list showed two schools among the top 100.

The Massachusetts Institute of Technology was 54th with $124 million. Johns Hopkins University was 85th with $58 million.

The Defense Department's role in research is described in the latest issue of the Defense Industry Bulletin, a department publication:

"DOD (governmentese for Department of Defense) is the largest user of research output in the nation and must emphasize those areas most likely to be of military benefit in the future."

DOD is spending $7.5 billion on research and development this year.

DEFENSE WORK GOES ON AND ON

Numerous companies depend on the department to keep them alive. An analysis of the 38 biggest defense contractors from 1961 to 1967 showed that 15 derived more than half their business from defense contracts.

Those most dependent were Thiokol Chemical Corp (96 percent of total business), Newport News Shipbuilding and Dry Dock Co. (90), Lockheed (88), McDonnel-Douglas (75), Avco (75), Ling-Temco-Vought (70), General Dynamics (67), Grumman Aircraft Engineering Corp. (67), Martin-Marietta Corp. (62) and Northrop Corp. (61).

The defense establishment, although it is spread around, crops up more often in some places than in others.

California, for example, gets far and away the most prime contracts. Last year firms there received $6.5 billion, one of every six defense dollars.

Texas was a distant second with $4.1 billion, about one dollar in every 10.

Former President Lyndon Johnson's enemies like to point out that his home state used to languish in sixth or seventh until he took office. Its climb, however, is due mainly to the awarding of the controversial TFX airplane contract to General Dynamics in 1962 during the Kennedy administration. Johnson was vice president then and had relatively little influence.

Others in the top 10: New York ($3.5 billion), Connecticut ($2.4 billion), Pennsylvania ($1.7 billion), Ohio ($1.6 billion), Massachusetts ($1.6 billion), Missouri ($1.4 billion), New Jersey ($1.1 billion) and Indiana ($1.1 billion).

THE DEFENSE ESTABLISHMENT—IV: MILITARY COMPLEX BORN OF WARS

(By Charles W. Bailey and Frank Wright)

WASHINGTON, D.C.—The nation's atomic-age defense establishment has grown to its immense size for many reasons. But there was only one reason for its birth: We live in a dangerous world.

Today, the halls of Congress echo with debate about military waste, sloppy contracting procedures, inadequate spending controls—and the alleged influence of a "military-industrial complex" in fattening the defense budget to its present $80 billion-a-year size.

But behind the growth of defense spending, and despite evidence that many of the current criticisms are justified, lie basic policy decisions made more than 20 years ago—decisions shaped by an unprecedented military and ideological challenge which demanded an unprecedented U.S. military response.

Men may be poles apart in the argument over current defense policy, yet agree on this one basic point. Take, for example, Sen Henry M. Jackson and retired Gen. David M. Shoup.

Jackson, long a backer of bigger and better strategic forces, sees three factors as instrumental in compelling the nation to build its first big permanent peacetime military establishment: "The expansionist drives of Soviet and Chinese communism; the historic shift of world power westward to the U.S. and eastward to the Soviet Union; and the continuing scientific and technological revolution."

Shoup, a World War II hero who became commandant of the Marine Corps only to turn into a bitterly emotional critic of the military, says the trend "was born of the necessities of World War II, nurtured by the Korean War, and became an accepted aspect of American life during the years of cold war emergencies and real or imagined threats from the Communist bloc."

Thus, while no two men could disagree more sharply on where we stand today—Shoup speaks of "our militaristic culture," while Jackson condemns such talk as "the latest version of the devil theory of history"—they both agree, in general, on the starting point.

Why did the United States abandon tradition to build a huge peacetime standing army?

At the end of World War II, the nation rushed—as it had after every other war—to dismantle its armed forces and turn its attention toward the search for the good life.

But this time things were different. The difference was the Soviet Union, which sought to expand its "dominion" and impose its Communist ideology westward across Europe and southward into Iran, Turkey and Greece. In Asia, another Communist government was coming to power, in a bitter civil war in China.

The United States hesitated—and then, in an extraordinary series of basic policy decisions, moved to check the Communists. In Greece and Turkey, in Iran, then in western Europe and finally in Asia, this country committed itself to the defense of nations threatened or attacked by Communist forces.

The rationale for it all was something called "containment"—which came to mean a U.S. commitment to meet, if necessary with armed force, any Communist encroachment on independent nations that asked for our help.

The soundness of this doctrine, and the way successive presidents have interpreted it, have come under increasing attack. But it was, and still is, the basic tenet of American foreign policy, and it required the nation for the first time to maintain a large peacetime military force.

Beyond these demands of national policy, there was another reason for the pyramiding growth—and cost—of armed forces: the scientific and technological advances of the past quarter-century.

The weapons of war became astronomically more expensive. The two billion dollars spent to produce the first atomic bomb dwindled to a drop in the bucket as the hydrogen bomb, the jet airplane and finally the intercontinental ballistic missile came into being, the successive developments spurred by continuing U.S.-Soviet rivalry.

SIMPLE WEAPONS WERE LEFT BEHIND

The new weaponry, too, was so complex that it took years to develop and build each new system; a nation committed by political decision to constant readiness for conflict could no longer wait until war began to beat its plowshares into swords.

It is all summed up by Sen. George McGovern, the South Dakota Democrat who is a leading critic of defense policy and spending:

"First, we were burned by not being prepared for the attack of the dictators in World War II. Everyone who could remember that took a pledge not to let it be repeated.

"Second, there was the fear of communism.

"Third, there is the complexity of modern military techniques.

"These combined to produce a situation where the military could get what it asked for from Congress. When you put a defense label on something, you get it through almost by calling the roll."

There are other reasons why defense spending has grown. Some of them have little to do with either high policy or the march of science.

One overriding factor is the bulk and complexity of the defense program. It is simply so big that neither the White House nor Congress has yet been able to devise a way of exercising anything like the kind of critical scrutiny that is routinely applied to domestic programs.

"The sheer mass of it is overwhelming," complains Sen. Gaylord Nelson, D-Wis. "You get the committee report five days before the floor vote, and it's a foot high. You don't even know where to look for anything. A senator doesn't have the staff."

The problem of size is compounded by the fact that it all has to do with the nation's security—a concept that sometimes boils down to an argument that "our boys" in service should get everything their commanders say they need.

"Every congressman should be interested in national security, and you can always justify a little extra," says Hubert Humphrey, recalling with a twinge his own vote years ago for a 70-wing Air Force that became obsolete before it could be built. "The sword of Damocles hangs over us all the time, and the new weaponry is very costly."

Because it has to do with national security, much of the factual data involved in the defense budget is secret—though many observers are convinced that the military often stamps a "secret" label on an item for less exalted reasons.

"The armed services committee will say 'it's classified,' or 'we've gone into this thoroughly and we have more information,' " Sen. John Sherman Cooper, R-Ky., says. He adds that he has learned from experience that the committee—on which he once served—does not always know more, and the secret information does not always change the picture.

PATRIOTISM, "PORK" AND POLITICS

And if there is patriotism involved, there is also "pork"—in defense contracts for constituents, or the economic shot in the arm provided by a big defense installation in a community. Such matters have a political impact, too, both in terms of votes and in the form of campaign contributions.

"This is the other side of the nuclear deterrent," Sen. Edmund Muskie, D-Maine, said last week. "We have become intimidated by the economic strength of our military as we have intimidated others by the might of its weapons."

There are more direct political implications, too—as McGovern discovered last year when his election opponent, backed by a retired general, suggested that the 15,000-man Air Force base at Rapid City, which adds some $10 million a year to South Dakota's economy, might be moved out of the state if McGovern were reelected.

Archie Gubbrud, McGovern's Republican opponent, told a luncheon audience that McGovern had consistently voted against funds for the B52 bomber program. "The people at the Pentagon know this," he said. "It's natural that they will stay with their friends."

And retired Gen. Neil Van Sickle, former Rapid City base commander, said that changes in weapons "coupled with weak congressional support from South Dakota could bring the closing of the air base."

All these factors play a part in the fattening of the military budget. Another element—and one with considerable leverage—is direct lobbying on Capitol Hill by the military services.

The Defense Establishment—V: Military Lobby Is Nation's Largest

(By Charles W. Bailey and Frank Wright)

WASHINGTON, D.C.—At the end of World War II the military services had five legislative agents pleading their case before Congress.

This year 339 employees of the Defense Department are assigned that task.

That means there are two legislative specialists for every three senators and representatives.

No other special interest group comes close to the size of the task force working Capitol Hill on behalf of the military.

Nor, judging from the public record, does any other single lobbying organization spend as much. The Defense Department budget this year for legislative activities is $4.1 million. During 1967, the most recent year for which the House has compiled records, the leader among private groups was the Postal Clerks Union, which reported spending $277,524—one-fifteenth as much as the military.

The military lobbyists—199 civilians and 140 armed services officers—don't limit themselves to pushing the Pentagon legislative program.

They also spend a good deal of time currying favor with congressmen on a day-to-day basis.

Almost half of the 339 Pentagon agents process congressional inquiries on such things as contracts for companies back home or problems that sons of constituents may be having in the service.

Thirty others are stationed in congressional office buildings, manning military information centers. The centers provide an on-the-scene beachhead unmatched by any other lobby group, public or private.

Among other things, they pass advance word of defense contract awards to senators and representatives, who in turn send the announcements to newspapers and radio and television stations in their state or district. The process allows some of the credit for obtaining the contract to rub off on the member of Congress.

A MIGHTY MAN WAS TED

A good example of this occurred in 1963 after Sen. Edward M. Kennedy, D-Mass., was elected on the slogan "He can do more for Massachusetts." Republican congressmen from the state complained that so many announcements were funneled through Kennedy that it looked as if he single-handedly had obtained $100 million worth of contracts for Massachusetts within a month of his election.

The information centers also can give congressmen early warning of bad news, such as the closing of military bases. In November 1964, then-Secretary of Defense Robert McNamara announced plans to close 80 military installations in this country for budgetary reasons. The military, which usually doesn't like to lose a base for any reason, spread the word so fast on Capitol Hill that McNamara's office had 169 congressional protest calls before the day was over.

The Defense Department's constant interest in the well-being of influential congressmen is demonstrated in other ways, too.

For example: the home district of Rep. L. Mendel Rivers, D-S.C., chairman of the House Armed Services Committee, somehow has acquired a glut of military installations.

At last count, the economy of the district—which includes Charleston and the surrounding area—was enhanced by an Air Force base, an Army depot, a Navy shipyard, a Marine air station, a Marine recruit training base, two naval hospitals and a naval base that includes a supply center, a weapons station and a Polaris submarine training and operations center.

GEORGIAN FLIES HIGH, WIDE AND HANDSOME

Rivers' campaign slogan is "Rivers delivers."

Sen. Richard Russell, D-Ga.—who, like Rivers, has so many bases in his state that another one, according to an old Pentagon line, would sink it—has been the frequent beneficiary of plush air transportation provided by the military.

Once recently he was attending a convention more than 2,000 miles from Washington when Senate Democratic Leader Mike Mansfield of Montana called to say an important vote was imminent.

Russell had no trouble getting back in time. He simply used the VIP jet in which the Air Force had flown him to the convention—complete with a colonel to play host, a chef to broil the steaks and a bartender to smooth out the trip.

Russell for years was chairman of the Senate Armed Services Committee. This year he gave that up—but only to switch to the chairmanship of the equally powerful Appropriations Committee.

Most of the Pentagon's top brass flew on government planes to Jackson, Miss., one night last month and attended an appreciation dinner for Sen. John Stennis, D-Miss., who has succeeded Russell as chairman of the Armed Services Committee.

Those present included Secretary of Defense Melvin Laird; Secretary of the Navy John Chafee; Gen. John McConnell, Air Force chief of staff; Gen. Leonard Chapman, commandant of the Marine Corps; Gen. William Westmoreland, Army chief of staff; Adm. Willard Smith, commandant of the Coast Guard, and others.

NO, CASEY, YOU BEAST

The government also flew in the entertainment. The Naval Air Training Command choir from Pensacola, Fla., opened the program with "The Star Spangled Banner." The 14th Army WAC band from Ft. McClellan, Ala., provided dinner music. The Air Force Strolling Strings from Washington serenaded during dessert.

The military does have its limits, however.

It once said no to an inquiry about flying Casey, the gorilla from St. Paul's Como Park Zoo, to Omaha for a mating session with a girl friend in the zoo there.

The military also can turn a cold shoulder to its foes.

The other day four Republican senators who oppose the antiballistic missile flew to Dayton, Ohio, and held a press conference in front of the XB70 bomber at the Air Force Museum. They said the ABM would be as big a white elephant as the bomber, developed at a cost of at least $1.5 billion but never put into production.

The museum is at Wright-Patterson Air Force Base, where the commander likes to roll out the red carpet—literally—for anybody who comes close to being a VIP. He is so zealous, in fact, that the base labor union recently complained that civilian workers were spending too much time handling the carpet and not enough in productive enterprise.

But when the four senators, led by Charles Goodell of New York and William Saxbe of Ohio, arrived uninvited they were met only by a shavetail lieutenant—and no carpet.

"That press conference strictly was not an Air Force function," a base spokesman said.

Goodell later said that Laird had tried to talk him out of having the conference.

A HOT LINE TO THE PEOPLE

Sometimes, when Congress is giving the Defense Department a hard time, the services try an end run and go directly to the people for support.

The current argument in the closely divided Senate over the Nixon administration's ABM proposal is an excellent example of how the process can work.

Last fall Stanley Resor, the secretary of the Army, drafted a public relations program intended to arouse public backing for the ABM.

It proposed that, at public expense, friendly scientists be persuaded to write friendly articles; that high officials visit and brief hostile members of Congress and state and local officials from proposed ABM sites; that special calls be made on editors and publishers and trips be arranged for reporters to New Mexico and Kwajalein to see test firings of ABMs; that traveling exhibits and publicity kits be prepared, and that community groups be organized in favor of the ABM.

Defense contractors on the ABM project also were to be enlisted.

The plan was classified for "national security" reasons, and the public was unaware of it until a Washington newspaper disclosed its existence in mid-February.

At that point Laird said it was being junked.

This may be so, but it also can be said that new administration efforts to win public support are under way.

WESTMORELAND IN KANSAS SECTOR

Last week Westmoreland traveled to Manhattan, Kan., and made a speech on behalf of the ABM. Kansas happens to be the home state of Sen. James Pearson, a Republican and former member of the Senate Armed Services Committee. Pearson, who usually supports the military, has been persuaded otherwise this time and is opposing the ABM.

Last Monday Laird was scheduled to plead the case for the ABM at a meeting of the Republican National Committee in Washington. But he canceled out as Democratic and Republican senators complained that the administration was trying to turn the missile issue into a partisan political fight.

Such an obviously partisan performance by a secretary of defense would have been a rarity. Only last summer Republicans complained when Dean Rusk, then secretary of state, testified before the Democratic Platform Committee. Presidents traditionally have kept both of these top Cabinet posts out of party politics.

At least part of the growth in the military budget is accounted for by the effectiveness of the Defense Department agents.

But, even so, there can be small defeats along the way:

Last August a ceremonial test raising of a Minuteman intercontinental ballistic missile from its underground silo was arranged at a North Dakota installation. The audience included voters, congressmen, top officers of the Strategic Air Command and high Pentagon officials.

Sen. Milton Young, R-N.D., top-ranking Republican on the Senate Appropriations Committee and a candidate for re-election pressed the button to summon up the big missile.

Nothing happened.

The Defense Establishment—VI: Lobbyists Avoid the Spotlight

(By Charles W. Bailey and Frank Wright)

WASHINGTON, D.C.—Milton Young of North Dakota, the senior Republican on the Senate Appropriations Committee, claims that defense industry lobbyists don't do a lot of lobbying.

Although Young is a key man on a committee that approves billions of dollars in defense spending each year, he says, "I'll bet I don't see more than three defense contractors a year. Most people probably think they lobby the hell out of you. They don't."

They do have their ways, however, and

there are plenty of them, as a glance through the lists of registered lobbyists in Congress or through the defense industry sections of the Washington telephone book will attest.

They spend little time in the spotlight.

One member of the House Armed Services Committee, asked by a reporter if a particular agent for a large aircraft manufacturer appeared often in public on behalf of his employer, replied, "He appears often in private on behalf of his employer."

Lobbying can be subtle, too, in contrast to the time-worn practices of wining and dining and asking outright for a friendly vote on an appropriations bill or a new weapon.

VOLUNTEER LOBBYISTS HELP COMPANIES

For instance, when Young was running for reelection last year he encountered some grumbling among the electorate that he "hadn't done enough for North Dakota" economically.

It wasn't long before Lockheed Aircraft Corp., the nation's second-largest defense contractor, arranged for Young to announce—in advance of the election—that the company had decided to open a parts plant in the state.

The company now is revamping a factory in Minot and is scheduled to start operations in early 1970 with a force of 100 employees that could expand to 200.

Firms find it is not always necessary, either, for them to do their own lobbying.

The economic impact of the industry is so great that it often gets volunteer help from chambers of commerce, state and municipal government officials and labor leaders who are eager to inform their congressmen or senators of the benefits that can accrue if their community lands a new military base or the local defense plant a new contract.

Two years ago a study of 27 of the prime contractors on the antiballistic missile (ABM) system underscored the potential for this kind of pressure.

The companies listed, which included Minnesota-based Control Data Corp. and several other firms that have facilities in the state, operate more than 300 plants and employ, at a conservative estimate, a million workers.

The plants were spread over 42 states and 172 congressional districts.

Thus it could be said that, along with other forces influencing them, at least 84 of the 100 members of the Senate and 172 of the 435 members of the House had some economic stake in the ABM.

ABM: A NEW ECONOMIC STIMULANT

More recently it has been estimated that some 15,000 firms, including subcontractors and suppliers, stand to benefit if the ABM system is installed.

There are those who would like to add to that number, as Sen. George McGovern, D-S.D., a leading opponent of the ABM, has discovered.

Shortly after President Nixon announced his revised Safeguard ABM plan McGovern was visited in Washington by a southwestern South Dakota delegation that "expressed some dismay over my stand because the area needs a new economic stimulant. They wanted to know, 'Why the hell didn't we get an ABM site?' They thought it was a mistake for me to sound off when the Department of Defense was picking sites."

McGovern's constituents were worked up because they and the 150 Minuteman missiles and the B52 bomber base in their part of the state were left out of the economic largesse proposed by Mr. Nixon for North Dakota and Montana, the states with missiles and bombers he designated for ABM protection.

Industry influence is felt at the Department of Defense as well as in Congress.

Because of the growing complexity of modern weapons systems, it has become increasingly difficult for the department to maintain an arms-length relationship with its suppliers.

No longer is it a matter of a general somewhere deciding that the Army has a need to fill, designing a new weapon to fill it and then advertising for somebody to build it.

John Moore, president of the Aerospace and Systems Group of North American Rockwell Corp., the ninth largest defense contractor last year, views the process as one of joint parenthood.

INDUSTRY AND MILITARY INTERACT

"A new (weapons) system usually starts," he said recently "with a couple of military and industry people getting together to discuss common problems.

"By far the largest part of the business comes from requirements established by the Defense Department . . . But it isn't a case of industry down here," he said, gesturing toward the ground, "and the government up here. They are interacting continuously at the engineering level."

There are those in industry who would go even further than Moore and say that most of the initiative indeed does come from industry, partly because the civilian technicians are more proficient than their military counterparts.

At any rate, it can be a mutually beneficial arrangement. Military men often get ahead in their careers by pushing hard for greater strategic emphasis on their specialty—missiles, tanks, planes, ships—and by being able to propose a new weapon to "advance the state of the art." Industry men often get ahead by designing new hardware that lands a contract for their firm.

The mutual interests involved have been recognized formally in a group called the Industry Advisory Council.

Created by presidential order in 1962, it consists of 21 of the top executives and business experts in the nation, most of them chosen from the biggest defense firms.

They meet three times a year under the chairmanship of the deputy secretary of defense to discuss common problems—such as improving adherence to production and delivery schedules and to procurement regulations and the adequacy of profits.

Defense officials claim the members try hard to avoid pushing their own products in the discussions.

TRADE ASSOCIATIONS HAVE INFLUENCE

Minnesota has had two members—E. W. Rawlings, a former Air Force general who was president of General Mills, Inc., at the time, and Paul Wishart, then head of Honeywell Inc., last year's 20th largest defense contractor.

Industry and the military also join hands in other ways.

One of the most influential entwinings is the trade association.

These include the Association of the U.S. Army, the Navy League, the Air Force Association, the American Ordnance Association, the Aerospace Industries Association, and the National Security Industrial Association, formerly known as the Navy Industrial Association.

In some, the members are active or retired military officers and defense company officials. The membership ranges from about 40,000 or 50,000 to more than 100,000 for the Air Force group.

In others, membership is limited to defense corporations.

The income of the associations often is high, almost $2 million annually in some cases. It comes largely from the corporations and their officials. They pay big dues, $75,000 or more for the larger firms, and advertise heavily in profitable association publications.

Last month, for example, Honeywell bought two full pages in Air Force and Space Digest, published by the Air Force Association, to tout the automatic flight control system it is building for the Air Force's new C5A jet transports.

The stated purpose of the organizations is to push for a continuing substantial role for their particular service and for the weapons to carry out that role.

QUESTIONS OF PROBITY ARISE

Another evidence of mutuality is the ease with which some men move from industry to the Defense Department—and vice versa.

For years many top civilian spots in the department have been filled by people from the defense industry, and the cases frequently have raised questions of probity.

The most celebrated cases are those of Deputy Secretary David Packard, former head of Hewlett-Packard, and two former secretaries—Robert McNamara, head of Ford, and Charles Wilson, head of General Motors.

But there are many lesser-known instances, such as that of Willis Hawkins, a vice-president of Lockheed.

He became assistant secretary of the Army for research and development in 1963, a position in which he had jurisdiction over the Cheyenne helicopter-gunship project.

During his tenure expert evaluators ranked Lockheed third in the competition for the development contract, only to be overruled by their superiors. Lockheed got the contract in March 1966. Hawkins resigned in June and returned to the company.

Rep. Otis Pike, D-N.Y., who likes to dig up that kind of information as an anti-establishment member of the House Armed Services Committee, called the chain of events "fascinating."

The same mobility applies to the military.

Sen. William Proxmire, D-Wis., reported last month that a new study had shown that . . . retired officers of the rank of colonel or above are employed by the top 100 military contractors.

This is three times the number 10 years ago.

Proxmire called it a "most dangerous and shocking condition" that "represents a distinct threat to the public interest."

The senator also disclosed that 1,065 of the officers were working for 10 of the companies, an average of more than 100 per firm. The 10 were Lockheed, 210; Boeing Co., 169; McDonnel-Douglas Corp., 141; General Dynamics, 113; North American Rockwell, 104; General Electric, 89; Ling Temco Vought, 69; Westinghouse Electric, 59; TRW Inc., 56, and Hughes Aircraft Co., 55.

The Defense Establishment—VII: Power in Hands of Congressional Establishment

(By Charles W. Bailey and Frank Wright)

WASHINGTON, D.C.—A few senior members control congressional action on defense policy and spending.

They hold this power because they have been around for a long time, have their hands firmly on the machinery of Congress and don't let other people play with it.

Four committee chairmen—all Southerners, all conservatives, all well along in years and all with over 20 years of congressional service—are the ranking barons in the Capiotl Hill defense establishment. They are:

Mendel Rivers of South Carolina, 63, a congressman for 28 years, chairman of the House Armed Services Committee.

George Mahon of Texas, 68, a congressman for 34 years, chairman of the House Appropriations Committee.

John Stennis of Mississippi, 67, a senator for 21 years, chairman of the Senate Armed Services Committee.

Richard Russell of Georgia, 71, the senior member of the Senate with 36 years service, and chairman of the Senate Appropriations Committee.

There are a few others, such as Milton R. Young, 71, the North Dakotan who is ranking Republican on the Senate Appropriations Committee, and Florida's Robert Sikes, 62, ranking Democrat on the House Military Appropriations Subcommittee. But the four chairmen hold the ultimate power.

They hold it partly because they are strong and talented men in their own right. But the primary source of their power lies in the way Congress operates.

Rivers, Mahon, Stennis and Russell sit where they do because of the seniority system, because of the way congressmen are chosen for advancement and because of the structural and jurisdictional traditions of Congress.

In the House, for example, members are limited to one "major" committee seat. Assignments to such blue-ribbon panels as Armed Services and Appropriations are tightly controlled by party leaders—who naturally like to pick men who will see things as they do.

A similar system operates in the Senate, though the strict structural rules of the Houes are somewhat softened by the smaller membership and "club" atmosphere of the Senate.

SOUTHERNERS RUN DEFENSE POLITICS

The Southern flavor of the key defense positions—one official calls it "the South's revenge in perpetuity for Gettyburg"—is a self-feeding process. Here's how it looks to Hubert Humphrey, who as senator and vice-president had ample reason to study it:

"By geography and climate, a substantial amount of military funds find their way into the Southern states, so you find that the members from those states gravitate to Armed Services and Appropriations.

"By the fact of easy reelection, Southerners gain seniority. This means that those congressmen who are ordinarily the most conservative in domestic matters really become partners—and not conservative partners, either, but generous partners—in military matters."

The power is even more tightly focused in the Senate because of multiple, interlocking committee memberships. The three top-ranking members of Armed Services—Stennis, Russell and Republican Margaret Chase Smith of Maine—also serve on Appropriations: Russell and Sen. Henry M. Jackson, D-Wash., another Armed Services stalwart, also sit on the joint Atomic Energy Committee.

Whether because of such dual memberships or merely because of parallel inclinations, the net effect of the congressional defense structure is almost always the same: Armed Services Committees approve the proposals of the military, whereupon the Appropriations Committees approve the funds to put them into effect.

The two committees in each house have other, more personal ties to the military, too. Two members of the Senate Armed Services Committee—Democrat Howard Cannon of Nevada and Republican Strom Thurmond of South Carolina—are major generals in the Air Force and Army Reserve, respectively. Sikes, who writes the annual military construction appropriations bill, is an Army Reserve major general.

(Dozens of other congressmen, on and off the "military" committees, hold reserve commissions. A survey by The Minneapolis Tribune in November 1967 turned up 32 senators and 107 representatives—or one member of Congress out of every four—with reserve officers' commissions, mostly in the "standby" or retired categories.)

"The two committees," says one former top national security official who served in two administrations, "are more military-oriented than the military . . . they are unrepresentative of either Congress as a whole or of the country."

But if this is so, why doesn't "Congress as a whole" overrule the committees?

CONGRESSIONAL JEALOUSLY IS FACTOR

The answer is complicated. Part of it is jurisdiction—the body of rules and precedents which discourages one congressional committee from sticking its nose into another's specified area of authority.

The Armed Services and Appropriations Committees guard their territory with relentless zeal; when another committee does intrude—as is currently the case in the Senate Foreign Relations Committee hearings on the antiballistic missile (ABM)—they are quick to fight back.

Another factor is the mass and complexity of defense legislation. Military authorization and appropriations bills are big not only in dollars but in pages; the hearings that support the bills often run to five or six thick volumes.

"The sheer mass of it can be overwhelming," says Sen. Gaylord Nelson, D-Wis. "You get the committee report five days before the floor vote; and it's a foot high. You don't even know where to look for anything."

Nelson recalls that when he tried to write an amendment last year to knock ABM funds out of the defense bill, he had to be rescued by an Armed Services Committee staff member who knew where to find all the references to the ABM in the voluminous bill.

"He didn't want me to be embarrassed not only by not having the votes but also by not even having an amendment that would do what I wanted it to do," Nelson says.

Even if a congressman could find time to read all the hearings, he might have difficulty getting the information he wanted. For one thing, most key defense hearings are held behind locked doors, and the testimony is censored for "security" reasons before publication.

In addition, the Armed Services and Appropriations Committees simply do not seek out witnesses who oppose military proposals, so the record tends to be lopsided. (This may change this year; Stennis has agreed to hear anti-ABM scientists, and House members opposing the project hope to testify before Rivers' committee.)

Sometimes the committees go a step beyond just not seeking anti-military testimony. A case in point is hearings by a Senate Armed Services Subcommittee in 1963 on the nuclear test-ban treaty. The Armed Services sessions, held concurrently with the formal ratification hearings by the Foreign Relations Committee, turned into a parade of Air Force officers—testifying in opposition to the treaty.

MILITARY BUDGETS HALLOWED

When it comes to appropriations bills—which provide the actual money to build planes, ships, missiles and so on—another factor operates in favor of big outlays. It is described this way by a current high White House aide:

"One problem is that you start with what you already have—that is somehow sanctified—and then you make minor adjustments based on political pressures or insights."

These words echo the complaints of such congressional critics as Sen. William Proxmire, D-Wis., who argue for "zero budgeting"—meaning that each existing military program would have to be newly justified each year before it got any more funds. Most of those who have worked closely on defense programs—including many critics of present practices—say this simply would not work; but they agree with Proxmire that the present system takes too much for granted.

"When you start a program it's hard to stop it, and when you start a big program you magnify the difficulty," says Sen. Walter Mondale of Minnesota. "Everybody can be against it, but it's still as hard to kill as moss."

Beyond all these specific reasons why Congress as a whole has a hard time challenging its "military" committees, there is one other factor that can carry more weight than all the others combined.

It is simply the fact that when a congressman votes on a proposed new weapon or an appropriation to pay military costs, he is voting on something that could involve the security of the nation and the lives of American servicemen.

Thus he may think twice before voting against a new weapons program—such as the ABM—or for a cut in the defense budget, regardless of the arguments for or against the specific item.

If this consideration is not uppermost in his mind, the wavering congressman can usually count on someone putting it there. A classic example was Rivers' remark last year in a debate over funds for buying a new Army helicopter whose cost had far exceeded the original estimates:

"There is no one on our committee," the chairman said, "who arrogates unto himself the authority to tell those experts in the department of the Army what they have to have.

"I called and talked to Gen. Westmoreland (the Army chief of staff) just this morning. He told me how badly needed these weapons systems were, and asked me please to make sure our forces got them."

As he usually does, Rivers won—by a three-to-one margin.

THE DEFENSE ESTABLISHMENT—VIII: MENDEL RIVERS GIVES MILITARY WHAT IT WANTS

(By Charles W. Bailey and Frank Wright)

WASHINGTON, D.C.—Rep. L. Mendel Rivers makes no bones about being an autocrat.

The House Armed Services Committee is his domain and, as its chairman, the 63-year-old Democrat tolerates little or no rebellion in its ranks.

His heroes are the generals and the admirals from the Pentagon, his enemies the occasional committee member or civilian witness who dares to question his customary endorsement of what the military wants.

It is not for nothing that Charleston, S.C.—which is home to Rivers, about 80,000 other persons and a dozen or so military installations—was on the original list of 25 cities to be defended by the proposed anti-missile system.

Nor is it for nothing that Rivers has received the "Minute Man" awards from the Reserve Officers Association and the Citation of Honor from the Air Force Association and has been made an honorary member of the Fleet Reserve Association, the National Guard Association and the Air Force Sergeants Association.

Rivers is a friend of those in uniform—and they know it.

His power over the money spigot is immense, largely because most committee members think as he does or, if they don't, are afraid to challenge him.

DISSENTERS ARE IGNORED

Committee members critical of the defense establishment say they have found themselves ignored by the chairman for as long as a year when they wanted to question witnesses.

One member was given 35 seconds in the committee last year to offer and argue—unsuccessfully—for an amendment cutting out of the budget $138 million for the first Cheyenne gunship helicopters destined for use in the Vietnam War.

Rivers' handling of the Cheyenne is an example of his ability to protect a costly new piece of hardware that has come under fire.

When the principal opponent, Rep. Otis Pike, D-N.Y., chairman of the committee's Tactical Air Subcommittee, asked for a congressional investigation of why the Defense Department's cost estimate kept going up, River simply said no.

After the amendment deleting the appropriation lost in committee, Pike carried the fight to the floor.

He sent to each House member a letter detailing the project's financial history, a good deal of which had been deleted—

allegedly for security reasons from the public record of the committee's closed hearings.

The $138 million would procure only 15 helicopters, at a cost of $5.8 million each, and parts for additional ones, Pike said. He called the program a "disaster" and the cost "staggering."

He said that in view of previously inaccurate Defense Department estimates of the cost of developing the aircraft, money for actual production models should be withheld until development was completed.

Pike noted that the Defense Department originally, in 1965, had estimated that 10 experimental prototypes could be produced by the developer, Lockheed Aircraft Corp., for $78 million and that Lockheed had said the cost would be less.

COST UNDERESTIMATE IS CLAIMED

As it turned out, Pike said, the figure rose to $186 million in three years.

He also complained that the Army, without waiting for Congress to appropriate the $138 million for procurement of the helicopters for field use, had gone ahead and awarded the contract for their production to Lockheed. In addition, he said, the contract failed to spell out a firm price.

Pike's arguments had little effect.

Rivers told the House that the Army "says that they need it. I had rather (they) have it than want it."

The money was approved by a vote of 121 to 47.

Congressional supporters of the project contended all along that the cost increases were due mainly to design changes—such as the addition of improved night-vision equipment—which could not be foreseen.

It now develops that there also have been expensive—and fatal—problems encountered in making the Cheyenne work properly.

A test pilot was killed March 12 when an experimental Cheyenne crashed into the Pacific Ocean near Lockheed's plants in Santa Barbara and Ventura, Calif.

Witnesses reported that three of the helicopter's four main rotor blades came off, and the craft exploded in the air before plunging into the sea.

The chairman of a government advisory committee, appointed before the crash to provide the company with counsel on rotor difficulties, said the fatal flight was ordered by Lockheed over the committee's objections.

Word of the crash did not become public until last Friday.

The mishap helps explain why the Army—in a rare action April 11—announced that it was sending to Lockheed a letter giving the firm 15 days to "satisfactorily demonstrate in writing your ability to cure your failure to make satisfactory progress" toward production of the gunship.

The Army's announcement of the letter made no mention of the crash.

The letter said that unless Lockheed can comply, "the government may terminate the contract . . . for default," an almost unheard-of step.

ARMY PLOY IS SUSPECTED

Rivers this year has been demonstrating another talent—his ability to provide more money than requested by the military or, at least on the record by industry.

The other day a $76-million military-authorization bill was approved overwhelmingly by the House.

It included $14 million as the first installment on an eventual $62-million subsidy to finance the retooling of Northrop Corp.'s Hawthorne, Calif., production lines for an improved version of the F5 fighter plane.

The United States does not use the F5, but has sold or given 725 of them to foreign countries for their defense.

The Defense Department did not ask for the money nor, says the company, did Northrup. Judging from the transcript of a closed meeting of the committee on March 12, the main proponent was Rivers.

He pushed for inclusion of the $14 million in the bill, explaining that the plane needed improving if it was to remain competitive with French aircraft being offered to the same countries.

He predicted a market of 400 to 1,000 planes, at a price of $1.3 million each, and said their sale not only would increase the ability of the recipient nations to fend off attacks by advanced Soviet jets but also would benefit the United States balance of trade.

When asked by another congressman why the taxpayers had to pay for the retooling when the market appeared to be "such a good deal," Rivers replied that "nobody" in the defense industry finances that sort of thing out of his own pocket.

"It just doesn't happen . . ." he said.

Later, on the floor of the House, Rep. Leslie Arends of Illinois, assistant Republican minority leader, sided with Rivers, saying that government controls over foreign military sales "preclude contractor investment risk to develop these markets." Arends also said the United States government eventually might recover its subsidy to Northrop.

IT JUST DOESN'T HAPPEN

The vote was 341 to 21.

Rivers now is going to bigger things—the promoting, at a time when attention is centered on missile systems, of a new Navy.

Armed with a subcommittee report that calls most of this country's fleet obsolete or almost so, he has introduced a bill to appropriate $3.8 billion during the coming year as the start of a long-range ship-building program.

The $3.8 billion is what the Navy says it wants. Civilian officials in both the Johnson and Nixon administrations trimmed the Navy request to about $2.5 billion before passing it on to Congress.

The amount provided last year by Congress was $1 billion, mostly for nuclear submarines. Rivers has crossed swords with Defense Secretary Melvin Laird several times in recent weeks over the issue.

Rivers, while looking out for the planebuilders and the Navy, is allowing critics to take picks at the Army.

He has permitted a subcommittee to probe the tank development program, which has been plagued by numerous problems, delays and cost increases.

The major criticism has been that the Army ordered hundreds of missile-firing light tank bodies even though difficulties with the ammunition and the turret had not been solved.

TANKS SITTING IN STORAGE

The Army admits that hundreds of turretless tanks now are sitting in storage, a costly testimony to its failure. It says it is continuing to seek a solution.

Those in storage are modified versions of an older tank, refitted to use the new turret whenever it is deemed ready.

Another version, called the Sheridan, is new from the ground up and has been ordered into limited production.

A few have been shipped to Vietnam and are in action there, although the list of restrictions and warnings concerning their use and the list of improvements needed is 30 pages long.

It is recommended, for example, that crews using one model of the Sheridan not be exposed to more than four missile firings a day because of carbon monoxide problems.

There also has been criticism because the tank, which is supposed to be used for reconnaissance among other missions, can be heard 3 miles away and spouts an easily identifiable "rooster-tail" exhaust.

Rivers, however, does not want the investigation overdone, as he indicated a few days ago.

After Rep. Samuel Stratton, D-N.Y., chairman of the special three-man investigating team, called the tank program a "billion-dollar booboo," Rivers told him to stop talking publicly about it.

Said Rivers: "I'm not trying to put the lid on anything. I'm simply concerned about the morale of our troops in Vietnam."

Stratton has not been heard from since.

The Defense Establishment—IX: Military Contract Waste Comes Under Fire

(By Charles W. Bailey and Frank Wright)

WASHINGTON, D.C.— The Air Force originally planned to buy 120 of its new C5A jet transports, the biggest airplanes it ever ordered, for $3 billion.

The Air Force now estimates that the planes, none of which has been delivered, will cost $5.2 billion.

Those figures tell why the C5A has become the latest Washington "horror story" of waste and inefficiency in the defense establishment.

Such stories are legion. They have been so numerous over the years that usually they sink quickly and almost without a ripple, attracting little sustained attention.

But now they are beginning to get more notice and, along with the criticism of the Vietnam War, are helping to erode the seldom-challenged idea that the Defense Department always knows what is best in time of cold war or hot crisis.

No longer would the admission of a $1-billion error in judgment on a military matter escape without a peep of protest—as happened on the floor of the Senate only last fall.

During a speech on the antiballistic missile (ABM), Sen. Richard Russell, D-Ga., chairman of the Defense Appropriations subcommittee and one of Congress's most powerful men, said: "One of the most serious mistakes I ever made was in allotting vast sums to the Navy for missile frigates before we knew we had a missile that would work on them. It was an honest mistake . . . it probably cost the taxpayers $1 billion."

The new feeling was evidenced this year by Sen. Stuart Symington, D-Mo., a former secretary of the Air Force who always had been looked upon as a faithful friend by the military.

He inserted into the Congressional Record a list of 43 missile systems which were abandoned prior to their depolyment or have been replaced because they became obsolete.

Their cost, according to Symington, was $23 billion.

Procurement waste thus eats at the innards of the defense budget, consuming billions that could be used for other purposes.

Adm. Hyman Rickover, the fiesty head of the Navy's nuclear submarine construction program, summed it up this way in a congressional hearing last fall:

"First, the laws and regulations concerning Defense procurement are toothless, loose and outmoded. They contain many loopholes that industry is able to exploit.

"Second, in procurement matters, the Department of Defense is too much influenced by the industry viewpoint.

"Third, Congress will have to take the initiative in correcting deficiencies . . . neither the Department of Defense, the Department of Commerce nor the General Accounting Office will do it. It should not be left to a self-interested defense industry to decide what is best for the American people."

RICKOVER ALLEGES MALPRACTICE

He went on to detail several examples of what he considered malpractice, most of them dealing with the ticklish question of profits:

A Defense Department official who refused to approve one of Rickover's submarine contracts, for $50 million, because the official felt the contractor should get a higher profit than he already had agreed to accept.

Another official who told Rickover he had no business negotiating a profit lower than the 8 to 10 percent maximum contained in department regulations.

The continued granting of a total of $1.2 billion in contracts to a firm over a six-year period despite the firm's failure to provide the department with cost and price information required by law.

The department's insistence that contractors do not receive unreasonably high profits, as contrasted with its refusal to require uniform accounting practices among contractors—which would make more accurate cost and profit information available—and its failure to obtain any facts at all on profits in more than 50 percent of defense contracts.

—The discrepancy between reports from a group of contractors who said they earned profits of 2 percent to 22 percent, based on cost, and reports of government audits which showed the profits actually ranged from 10 percent to 33 percent.

Rickover countered the contention of low to barely reasonable profits with a survey of his own which showed that the 35 top defense contractors in 1967 earned 12 percent more on their investment than did half of the 500 biggest industrial firms in the country.

HOW MUCH IS ACTUAL COST?

Part of the profit problem is figuring out how much is actual cost and how much is not. One of the issues here is the practice of profit pyramiding.

A Senate investigating committee found a classic example in 1962:

Western Electric Co. received more than $1.5 billion for work on the Nike missile system. The company showed profits of $112 million, a reasonable 7.9 percent of the total contract.

But it actually had done only about a quarter of the work itself, producing some $359 million worth of electrical equipment. Its $112-million profit, on that basis thus amounted to 31 percent.

The remainder of the work was subcontracted to firms which each made delivery directly to the Army.

The principal subcontractor—in the amount of $645 million—was Douglas Aircraft Co. It produced $103-million worth of aeronautical equipment and passed the mechanical and trailer subsystems on to subcontractors.

Douglas claimed a profit of $46 million, 7.6 percent of the $645 million—but 44 percent of the $103 million in work it actually performed itself.

The trailers were built by Fruehauf Corp. for $49.3 million.

Along the way, all three firms took a profit on the trailers. Fruehauf, the producer, was allowed $4.5 million; Douglas which never touched them, $3.7 million, and Western which also did nothing on them $3.3 million. The total profit on the trailers was thus $11.5 million—23 percent of their cost.

Today, the president of Western Electric is a member of the department's high-level Industry Advisory Committee, chaired by the deputy secretary of defense.

PROFITS AREN'T ONLY PROBLEM

One of the committee's current projects is a study of whether profits are adequate.

Profits, however, are far from the only problem in procurement, which covers 15 million transactions and $44 billion in expenditures this year.

For some reason, new projects always seem to cost more than originally estimated, both by the defense department and by the contractor.

"Cost increases of 200 percent and more over original estimates have become common," says a new report by Congress's Joint Economic Committee, of which Sen. William Proxmire, D-Wis., is vice-chairman.

Most of the difficulty, the report says, arises with major weapons contracts on which the department has dealt only with a single supplier from the very beginning.

Some of the excess is due to the pressure of war. When you have to get something done in a hurry, it often costs more than it otherwise might.

Case after case of this has been documented in the construction of military installations in Vietnam, for instance.

Another reason simply is inflation. Everything is going up, and it often takes five years to develop a weapon and produce it. Sometimes longer.

Another is that the Defense Department frequently changes its mind about the details of what it wants after a contract for research and development of a new item has been awarded.

This "over-design" is the real problem, in the opinion of a high-ranking budget officer. It means "you have to pay a lot more for research and development and a lot more for operations and maintenance."

Translated, he means there's too much gold plate on too many new weapons.

Another reason for the ballooning is that bidders often underestimate cost in order to get the development contract, secure in the knowledge that they probably can recover any losses later when they are awarded the production contract as well—because nobody else will be equipped to produce the new item.

NOT ALL BUSINESSES EFFICIENT

Not all businesses are run efficiently.

In the case of Lockheed and the C5A, all of these forces seem to be at work, according to government officials.

When he took office, Secretary of Defense Melvin Laird quickly became aware of the "over-run," as it is called.

In one of his first appearances before Congress he noted that he had discovered projects in which costs were exceeding estimates by upwards of $1.8 billion.

Included were Navy destroyer escort construction, the Army's Cheyenne helicopter and the Air Force's F111 bomber as well as the C5A.

Laird, the man at the top of the department, was considered rather candid about it, which is more than can be said for some of his underlings.

A Navy captain, during appropriation hearings last year, told Congress: "We do not call it cost escalation. We call it engineering judgment."

Laird indicated that in the C5A program, at least, the department might order fewer planes than originally planned, in order to keep the cost down. If that happens, it will be something new.

Says Sen. Walter Mondale, D-Minn., an opponent of the present practice: "Once you fund a military program initially, you never deny money later for the over-runs. With a human program it's different; we set ceilings."

Another issue, in addition to profits and over-runs, is whether the country and the taxpayers get a product that works as well as it ought to even when they have to pay more than perhaps they should for it.

COMPONENTS OFTEN WORK POORLY

Making the rounds now in Washington is a 41-page paper which concludes that very frequently they don't—at least not in the case of the sophisticated electronic systems that make up the heart of modern weapons.

The paper was written about a year ago by Richard Stubbing, who then was at Princeton University and who now is an examiner for the Bureau of the Budget.

The study found that often the computors, radar, gyroscopes and other gadgetry worked only a fraction as long as their developers had promised they would.

The study covered 13 major missiles and airplanes started since 1955 and costing $40 billion and 11 others begun in the 1960s.

Of those from the 1950s, only four could be counted on to function 75 percent as well as promised. Of those from the 1960s, only three reached 75 or better.

The study brought out other factors, too, indicating that the Pentagon sometimes pays well for poor performance.

North American Aviation, Inc., had only two good performers out of seven of its weapons in the study; but yet its profits were 40 percent above the average for the aerospace industry.

General Dynamics, the biggest defense contractor, also had above-average profits although none of its seven systems "measured up to expectations" in the study.

Both firms do virtually all of their business with the Pentagon.

Admits one former top Pentagon official: "They (the new weapons) never quite perform in the field as well as they do on the test range. But they always perform better than last year's systems.

"In the meantime, of course, the enemy is developing his systems, too, both in conventional war and in strategic war. So we have to keep working on these things in order to stay ahead of the game."

IS IT POSSIBLE TO REDUCE WASTE?

Is it possible to reduce waste?

Rickover and Proxmire think more can be done.

Rickover argues that $2 billion annually could be saved, just for starters, by tougher and more uniform contractor accounting procedures that would prevent the piling up costs that lead to bigger profits.

Proxmire says there is too much pressure on the Pentagon's 25,000 procurement agents and "too much reliance on their zeal" for holding costs down in negotiating contracts.

He urges that more contracts be awarded on the basis of advertised competitive bidding—only 11.5 percent was so handled last year—and fewer through competitive or noncompetitive negotiation.

Helpful as such moves might be, they really may be only tangential.

As one top former budget official put it: "You don't diddle with an F111. You can save a billion dollars here and a billion there that way.

"What you do is you go to the real guts of it—evaluating and making decisions on the underlying security posture you are willing to pay for."

The official, over the long haul, probably is correct.

But saving a billion here and a billion there has its merits nonetheless. And, given the long Santa Claus list of new projects being requested by the military, the opportunity for cutting waste certainly will continue to exist.

The Defense Establishment—X: Peace "Savings" Already Sought

(By Charles W. Bailey and Frank Wright)

WASHINGTON, D.C.—The U.S. government estimates it is spending $29 billion a year on the war in Vietnam.

With peace talks under way and the Nixon administration talking of "disengagement," the scramble is already on for this money the military won't need to spend in Vietnam when there isn't any war there any more.

Members of Congress, governors, mayors and the heads of a dozen federal domestic agencies are reaching for a chunk of that $29 billion—to say nothing of those who would like to see their tax bills trimmed a bit.

But what some optimistically call "the peace dividend" could prove to be little more than small change if the military services persuade Congress to buy all the new and improved weapons they want.

One of the pessimists on this score is a man who should know: Charles Schultze, the former director of the budget who presided over the sharp boost in military spending for Vietnam.

In a study early this year, Schultze raised two big questions about the "dividend."

First, he suggested that the $29-billion figure is inflated. He argues that some of that money would have been spent, war or no war, in one way or another, by the services.

Second, Schultze said there are enough large weapons systems already planned, approved or even being bought to push defense spending back up—after an initial postwar drop—to a level close to the present $78 billion a year.

The list of new weapons being researched, designed or already procured is long and varied. It includes:

Bigger and better land-based long-range offensive missiles to replace the existing Minuteman force.

New multiple warheads which can carry nuclear bombs thousands of miles to strike at several separate targets at once.

New antiballistic-missile defense systems—in addition to the Nixon administration's Safeguard program—that include not only land-based but also shipboard or airborne weapons.

A new and more powerful offensive missile to be fired from undersea by a new generation of nuclear-power submarines.

A new intercontinental bomber to replace the present B52 and the disappointing FB111 which was touted as its successor.

New "air superiority" fighter planes for the Air Force and the Navy.

A new navy anti-submarine plane for which $100 million is being sought this year to start what is eventually planned as a $2-billion, 200-plane program.

(This demonstrates another facet of the weapons-buying business: the initial outlay may be relatively small, but in practical terms it commits Congress to come up with a lot more money in subsequent years.)

A whole new air defense system against enemy bombers, including two kinds of airborne radar and a new interceptor plane.

New devices to help present and future U.S. bombers penetrate enemy defenses, including short-range attack missiles and flying decoys, both of which would be fired from the bombers themselves.

A new light transport plane, now in the preliminary planning stage, to combine a very short takeoff ability with a relatively heavy load capacity.

A new, bigger troop-carrying helicopter to ferry twice as many men as the familiar "Huey" used in Vietnam.

A new "heavy lift" helicopter to carry loads of from 20 to 30 tons of cargo.

The new Cheyenne fire-support helicopter, scheduled to start coming off the production line this year after a series of cost-boosting design problems and changes.

A new Army heavy tank, still in the research stage and under "reassessment" because of "development problems."

A fleet of 15 "fast deployment logistics" ships which would be able to remain at sea for long periods of time, fully loaded with heavy weapons and equipment which could be put ashore quickly to support U.S. military operations. Congress has twice rejected a 30-ship program, but the Defense Department is asking for $187 million to start a trimmed-down version of the program.

New nuclear-powered attack submarines, some designed primarily for high speed and some to combine speed and silence of operation. The Defense Department has asked for nearly $400 million to start the first three of "a substantial number" of these submarines.

Three new nuclear-powered aircraft carriers, costing something over half a billion dollars each. One is scheduled to join the fleet in two years, another two years after that, the third still later.

The manned orbital laboratory, designed to put men into space for long periods of time to find out whether there are possible military uses for space vehicles. This year's proposed installment of this project: $556 million.

There are dozens of other projects on the Pentagon "shopping list." Their abbreviations and acronyms—numbers and letters and nicknames—fill a 106-page handy little pocket glossary published by the Defense Electronics Products Division of RCA, one of the major defense contractors.

ANNUAL OUTLAY FOR RESEARCH INCREASING

One measure of the future as the defense planners see it is in the annual outlay for research and development by the Defense Department.

It's going up. In the 1965 fiscal year, the figure was just under $6.5 billion. For the coming year, the request is $8.3 billion. For "basic" research alone—work on "long-term scientific problems" and "basic natural phenomena"—this year's request is $443 million, a $65 million rise over two years ago.

Included in this "basic figure is a $33 million item for something called "Project THEMIS"—a program started in 1967 which aims at establishing, by the end of 1970, a total of 150 "additional academic centers of defense-related research."

(This was one of the issues raised by former President Dwight D. Eisenhower in his farewell address. While his warning about a "military-industrial complex" is most often cited, Eisenhower expressed equal concern about the danger of government domination of the nation's universities and research institutions.)

The appetite of the Pentagon for new weapons development evokes concern not only from traditional congressional opponents of "military waste" but also from a range of others in and out of government.

A high-level military budget specialist raises one basic question: "You have to look at the whole array of doctrines. If the Air Force is preparing to fight a 36-hour war and the Navy is preparing to refight World War II, which one do you want?"

A top domestic official in the Nixon administration cites a specific case to make a general point: "The ABM decision has a strong scientific component. Whatever the moral implications and so forth if it doesn't work, we're crazy to build it."

A former defense aide has a different kind of reservation: "If you have these things lying around, the temptation is to use them. You may be less willing to consider alternatives. This is not an argument against having weapons—but an argument for more effective control."

ABM CALLED HERALD OF FUTURE SPENDING

A number of members of Congress say they regard the ABM as a symbol of things to come—that unless it is stopped, the spending floodgates will open.

"The ABM is only the opening round as far as post-Vietnam is concerned," says Rep. Donald Fraser, D-Minn. "We've got to find a way to combat the growth."

"We should have asked more questions in the past," says Sen. Quentin Burdick, the North Dakota Democrat who opposes the ABM installation proposed for his state. "Nobody is against security, but this time it isn't security that is the real issue . . . It's the whole question of whether this thing just keeps going on and on."

When they look beyond the ABM, the critics in and out of Congress tend to point to one item above all others on the military "shopping list"—the program to put multiple warheads on the existing U.S. intercontinental offensive missiles.

This "multiple independently targeted reentry vehicle"—MIRV in the Pentagon's acronym-happy jargon—would provide a multiple boost in U.S. strategic offensive power, for it would, if it worked, allow one missile to carry three or more warheads against an equal number of separate targets.

But to men like Fraser, MIRV would be anything but an addition to this nation's security.

"MIRV is really a more serious threat to escalate the arms race than ABM," he says. "If you get it fully developed and ready to deploy, the other fellow can no longer tell but what you may have deployed it.

"Then he has to do the same to keep up. As long as it is being developed, he can trace it by following test flights. But after that, his detection systems won't tell him if it is deployed. He can't tell how many warheads are under the tip of the missile in the silo.

"Disarmament efforts may be immensely complicated by MIRV."

A former top official intimately involved in strategic weapons decisions takes an even more ominous view:

"Once the MIRV tests go past the point where we *can* deploy it, the Soviet planners will *have* to assume we have deployed them.

"In six months to a year we will have passed the point of no return—as far as the Soviets are concerned."

MULTIPLE WARHEADS INCREASE PERIL

What worries these men is the arithmetic of MIRV. If, for example, three warheads instead of one could be put in the nose cone of each of our 1,700 land-based and submarine-based offensive missiles, we could triple the number of nuclear warheads we could fire at the Soviet Union—raising the figure to 5,100.

If Soviet planners concluded the U.S. had the ability to do this, and if they were unwilling to gamble that we had not done it, they might decide they had to do the same thing. If they then put triple-warhead tips on the 1,000 intercontinental missiles we now believe they have, they could boost their nuclear warhead total to 3,000.

This process would, in one stroke, raise the total nuclear strategic arsenal of the two super-powers from 2,700 to 8,100 warheads—without the construction of a single additional missile.

And if either side found it could put more than three warheads on each missile—a development that is not at all unlikely—its planners would have to assume that the other side had the same capability. Then the ensuing build-up might involve not a three-fold, but a five- or even eight-fold increase in warhead numbers.

"The balance of terror would have been cranked up another notch," as former Vice-President Hubert Humphrey wrote recently, and the difficulties of limiting nuclear arms would not only be added to—but would be literally multiplied.

But whether the United States builds MIRVs—and many of the other new weapons proposed by the military—is a decision not yet finally made.

Gen. Earle G. Wheeler, chairman of the Joint Chiefs of Staff, told The Minneapolis Tribune that "these weapons don't belong to the military, but to the American people for their defense. We, the military, are merely the custodians or operators of them."

How, then, are decisions made in the U.S. government on defense policy, military strategy and weapons procurement?

THE DEFENSE ESTABLISHMENT—XI: OTHER OPINIONS ARE NOT HEARD

(By Charles W. Bailey and Frank Wright)

WASHINGTON, D.C.—American defense policy is shaped in many places and by many men.

The great decisions are formally made, in the end, by only one man: the president of the United States.

But those decisions are strongly influenced by others, and the coinage of presidential action is often designed and minted long before it is issued by the White House.

Proposals for U.S. foreign policy, defense policy, military strategy—and for the spending to implement them—all come together on the president's desk.

They come separately from many sources: the secretary of state, the secretary of defense, the Joint Chiefs of Staff of the military services, the staff of the National Security Council, the Bureau of the Budget and the Congress.

Each of these has statutory or constitutional authority in the defense field. Each should, in theory, contribute to an orderly policy-making process which will permit a president to select the best course of action from a set of options whose cost and consequences have been calculated in advance.

But it doesn't always—or even often—work out that way. The reasons are varied. Some are political, some are personal, some are structural and some are simply a matter of money.

The secretary of state is supposed to be the president's principal foreign policy adviser and overseer of almost all overseas U.S. government operations.

But his department is ill-equipped, according to men both inside and outside of it, to provide the kind of policy guidance a president needs—or to provide it when he needs it.

The Defense Department, on the other hand, is amply staffed ("They have full colonels over there just to handle the junk mail," grumbles one White House aide), and possesses both the resources and the expertise to provide proposals for almost any national security contingency.

One man who has served in both the Defense and State Departments offers this wry comparison of their relative strengths: "Which one has handball courts, squash courts, a bowling alley and a whole gymnasium right in the building for any junior officer to use—and which has one little rowing machine in a closet which only the secretary and two or three other guys can use?"

The Budget Bureau, which can reject the spending proposals of any other Cabinet officer and force him to bear the burden of an appeal to the president, cannot do this to the secretary of defense. Instead, it is the budget director—the president's own fiscal agent—who must appeal the decisions of the defense secretary.

In addition, while every other department is required to deliver its final budget proposal by Sept. 15 each year, the separate military services do not have to get their money requests to the secretary of defense until Oct. 1, and he does not deliver his overall proposal to the White House until late November—leaving little time for appeal before the budget goes to the printer.

The National Security Council (NSC) staff is supposed to make sure that the president hears all relevant opinions and has the widest choice of options to deal with problems before him.

But the NSC staff is small—about two dozen men—and must depend on the State and Defense Departments, and the government's intelligence agencies, for much of its basic material. Because the departments are always advocates of their own proposals, it is hard to get dispassionate papers from them; thus the NSC staff, as one of its members says, "is always flying in the face of gravity."

The Congress, under the Constitution, has great power. It alone can levy taxes and appropriate funds, it alone can "raise and support armies," and the Senate alone can consent—or refuse consent—to treaties with other nations.

But these are essentially negative powers—Congress can influence policy by refusing to tax, by limiting military strength, by refusing to approve treaties—and in any event, as previous articles in this series have indicated, congressional attitudes on defense matters have in the past been shaped by the Armed Services and Appropriations Committees, which tend to see eye-to-eye with the military services.

LOGIC SOMETIMES REVERSED

In theory, decisions should flow in an ordered sequence: first basic foreign policy; then defense policy to support it; then military strategy to implement defense policy; then military force structures to carry out strategy; and finally budget decisions to provide the needed forces.

Again, it doesn't always work out so logically. Sometimes money decisions determine force levels, these in turn affect strategy, strategy influences defense policy—and defense policy dominates foreign policy.

The major concern of those members of Congress and present or former officials of the executive branch who question the workings of the nation's foreign policy and national security machinery is that the Defense Department, and the military services, carry a disproportionate share of influence.

"What is needed," says one former top official, "is a counter to the parochially presented programs and decisions of the Defense Department. No other part of our society functions with so little check and balance. This is not a plot—it is the failure of the rest of our society to develop the expertise to permit reasoned decisions on basic policies."

A key White House assistant puts it this way: "The question is where the initiative will lie. The secretary of defense will get proposals anyway—the services are staffed to do it. So they will take the initiative.

"The State Department is notoriously weak, and it has trouble anyway because it is always arguing 'political considerations' against what the services call 'military necessities.' "

PENTAGON MAKES DECISIONS

Another former high-level official raises a question about the way basic defense policies have been decided:

"Our basic policy is to maintain forces sufficient to fight a land war in Asia, a land war in Europe and a small 'brush-fire' conflict somewhere else, all at the same time.

"This was never debated in Congress or by the public. The decision was made in the Pentagon, not in the Congress or the Budget Bureau . . . decisions in the Pentagon are not 'hidden,' but they are made. The costs of the missions are not laid out, though the costs of the weapons are."

As for the prospect of building up the Budget Bureau as a tool for controlling the Defense Department—an idea that has gained some favor in Congress—men who have served high up in government think it wouldn't help much by itself.

"You have to have leadership, but you can't expect leadership to get too far ahead of the country," says one. "The Budget Bureau is not going to take off against the Joint Chiefs without congressional support. The Budget Bureau has no political support on its own . . . I can't imagine them going over to the Pentagon and saying "it's about time to stop thinking in terms of a land war in Asia."

One present official suggests that the State Department is an unlikely controller of the Defense Department for the same kind of reason:

"The State Department has no American constituency. The Pentagon has an enormous one—in Congress, in terms of jobs, industry, and so on. That's the politics of the Pentagon—they can do things for you."

WHICH QUESTIONS WHEN?

Some see the problem as a matter of the wrong questions being asked at the wrong times. This is the opinion of one man who served several years in a top defense-related job:

"It is not basically a military judgment, for example, whether to keep forces in being to fight a land war in Southeast Asia. That's a political decision. If you say 'yes,' then you bring the military expertise in.

"The paradox is that we are more likely—in the office of the secretary of defense, or in the Budget Bureau—to question the second step than the first."

Another authority in the national security field also sees the problem as one of asking the right questions—in the wrong order:

"First, you have to ask whether a particular military force element (i.e., weapons system or military unit) is relevant to any possible conflict.

"Then, given a decision that a certain item is needed, what is its cost? If you need a certain number of air groups, for instance, can you use $4 million planes instead of $12 million ones?

"If you say as (former Defense Secretary Robert) McNamara did to the Navy, 'you can have 12 aircraft carriers,' then the Navy builds costlier carriers. If you say 'you can have X million dollars for carriers,' then they build cheaper ones so as to get the greatest possible number of ships for their officers to command."

It is not simply a matter of one department competing with another, either. Sometimes it is a matter of several departments trying to work together but failing to produce what is needed: Sometimes it is officers in one department playing the wrong roles: sometimes it is one agency being forced to fill a vacuum created by another agency's failures.

Washington is full of inter-agency working committees, and the national security field is no exception. Sometimes—as in the case of the emergency working groups set up to deal with the 1961 Berlin crisis or the 1962 Cuban crisis—they work well. Often, however, the result is what a retired senior official likens to "the Indian rope trick: it has no top and leads nowhere. You climb up the rope with your problem and both you and the problem disappear."

PERSONALITIES ARE A FACTOR

Sometimes the built-in checks and balances don't work because of the people involved. An authoritative study of the national security machinery early this year put it this way: "The civilians in the Department of Defense, who must battle daily with the joint (military) staff, are in fact often less 'military' than their colleagues in the state department."

And when a department does not produce, the system is further warped. As the same study said in discussing the growth of the NSC staff: "In those instances where the State Department response did not measure up to the president's expectations, the NSC staff moved in. The result was a slow but perceptible increase in the size and activity of the NSC staff."

Often the presence—or absence—of one man makes a difference. Deputy Budget Director Philip S. Hughes, testifying before a house committee this year, explained recent changes this way:

"The personalities have changed, and obviously relationships between personalities do not affect the balance of power within the executive branch.

"Mr. McNamara was a very able man, and he had a unique set of relationships because of his capacity and various other considerations with two presidents, and with the Congress on these matters—and these things affected his ability to act as an individual."

Freely translated, this would read as follows: McNamara had such standing with Presidents John F. Kennedy and Lyndon B. Johnson, and was such a master of detail, that he was able to hold off challenges to his authority from the military and from Congress as well.

But this very determination—some would call it "stubbornness"—got McNamara in trouble. His personality, the frustrations of the war in Vietnam and his own mistakes (above all the failure of the F111 plane, a pet McNamara project) were major factors in producing the congressional discontent which is now beginning to surface—and which may produce the first searching look in two decades at basic national security policy and the defense establishment itself.

THE DEFENSE ESTABLISHMENT—XII: HALLS OF CAPITOL ECHO DISSENT

(By Charles W. Bailey and Frank Wright)

WASHINGTON, D.C.—These are the voices of dissent in Congress:

"The illusion of national security offered by the ABM offers no sanctuary against hunger, poverty and ignorance. Hunger and poverty are more dangerous than Communism."—Senator Edmund Muskie, D-Maine.

"The proposed deployment of the ABM arouses my fear of the military-industrial complex of which President Eisenhower warned. I have . . . my doubts about its military effectiveness, enormous cost and adverse affects on possible disarmament talks."—Sen. William Saxbe, R-Ohio.

"Laird is using the missile gap in Congress the same way Kennedy did—to scare us and get more money and more weapons."—Sen. William Proxmire, D-Wis.

"First here's the cost. The ABM seems to be more a beginning of a separate weapons system, with a clearly identifiable purpose, not an extension of existing weapons. On the policy side, I am more concerned with what it would do to the arms race, to the possibility that we will ever be able to bring it under some control."—Sen. John Sherman Copper, R-Ky.

"If Congress is going to bring the ABM and military spending and policy under control, it needs outside help from the independent scientific community. This is the first time we've had it."—Sen. Quentin Burdick, D-N.D.

BASIC POLICIES FACE CHALLENGES

For several reasons—concern over effectiveness and cost, fear of accelerating the arms race, antagonism toward the tactics of Secretary of Defense Melvin Laird, fear of further growth of the defense establishment—opposition to President Nixon's proposed deployment of antiballistic missiles has mushroomed into a challenge of the country's basic domestic, foreign and military policies.

Sen. Mike Mansfield of Montana, Democratic majority leader, has expressed the hope that Congress will cut $5 billion from the Nixon administration's request for $77.6 billion in defense funds for next year.

He says those seeking the trims will have "greater strength this year" and "more cohesion" in their efforts than in the past.

The most appealing targets, he said, along with funds for deployment of the ABM, will be $187 million for fast-deployment cargo and troop ships and the general areas of overseas bases and research and development.

Sen. Walter F. Mondale, D-Minn., a young liberal in his fifth year in the Senate, sees the issue this way:

"I've watched every fiscal dividend be dribbled away. There's not a dime left for people.

"We ought to put out a book on ourselves.

"The first chapter ought to be what we think we are as white people.

"The rest should be on what we really are and what we do to people who can't defend themselves—the Indians, the blacks, the Mexican-Americans.

"And then we call them animals because they don't react right after we've beat them flat.

"If you want to destroy the defensive capacity of our nation, just keep it up the way we've been going. If these young militants on the campuses and in the political parties are going to be the leaders—and someday they are—they are not going to be interested in keeping this kind of society together."

In addition to the cost, Mondale sees these results flowing from an ABM deployment:

"You might start a war" because—with only 15 or 20 minutes at most to react to an incoming missile or what is believed to be an incoming missile—the decision to fire an ABM "devolves down from the President to a lieutenant on the line or maybe to a computer."

It strengthens "the hard liners in both camps, our side and the Russians."

You "focus society more on weapons." And, when people are "afraid in a military sense, there is *no* environment for dealing with human problems."

You "fracture" your society even further because "when there is no money for dealing with human problems" you "harden the splits."

The opposition to the ABM numbers about a third of the House and, more importantly, about half the Senate.

LARGE, MORE VOCAL OPPOSITION

Although it is conceded that the ABM will pass the House, the opposition there is expected to be larger, better organized and more vocal than ever before.

Much of it is centered around members of the Democratic Study Group (DSG), headed by Rep. Donald Fraser, D.-Minn.

Its interest is not limited to the ABM.

The DSG task force on defense matters is urging members to testify on the entire 1970 military budget before the House Armed Services Committee.

The committee, chaired by Rep. L. Mendel Rivers, D-S.C., almost never hears witnesses hostile to weapons proposals. They are not invited, and in the past seldom have asked to appear.

Fraser will be among those who will ask this year.

He said he intends to propose that some of the "lower priority military items"—such as Rivers' pet proposal for a $3.8-billion start next year on a new Navy—be dropped in favor of domestic programs.

Rivers is arguing that we need a new Navy because the existing one is getting old, and the Soviet Union rapidly is building a new one.

Others, including a former high-level official of the Defense Department, say we don't need a new fleet.

"A ship is just a platform to fire weapons from. It doesn't have to be new . . . It just has to be seaworthy," he argued.

The Senate opposition to the ABM is more solid than in the House, claiming enough votes to defeat deployment appropriations. The administration, while not conceding defeat, acknowledges the vote will be close.

SENATE WILL FEEL PRESSURE

Also, although the opposition includes Democratic floor leaders Mansfield and Edward Kennedy of Massachusetts, it is more bipartisan than in the House. Some 15 to 20 Republicans have sided with 30 to 35 Democrats against the ABM.

When the Republican administration starts to put on the pressure at voting time, it will be those 15 or 20 who will feel it most.

The question is whether they will be organized well enough to hold firm.

As in the House, the Senate challenge to the defense establishment has broadened beyond the ABM.

A subcommittee headed by Sen. Stuart Symington, D-Mo., is probing the whole structure and rationale of the vast U.S. system of more than 400 overseas military bases.

Proxmire, chairman of the economy in government subcommittee, is trying to block Defense Department plans to start work on a new manned bomber to replace the B-52, workhorse of the Vietnam war as well as our principal strategic bomber.

Efforts will be made to challenge other weapons systems, too, and, in the words of Sen. Gaylord Nelson, D-Wis., "There will be a lot tougher evaluation from now on."

Some moves also have been made to make the structure of the Senate at least a shade more flexible.

Sen. John Stennis, D-Miss., chairman of the Armed Services Committee, was persuaded to allow several scientists critical of the ABM to testify earlier this week, a most unusual procedure for a committee used to hearing only the Pentagon side of things.

And Sen. Albert Gore, D-Tenn., has moved his disarmament subcommittee, a division of the Foreign Relations Committee, onto Stennis' territory by holding his own ABM hearings.

LAIRD'S BELLIGERENCE IRKS FOES

One of the things which has hardened the opposition is Laird's occasional personal belligerence on the issue and his contention that the Russians will in a few years be able to knock out our Minuteman and Polaris retaliatory power with their SS9s.

Numerous members of Congress simply do not accept the argument that the Soviet Union by the mid-1970s could destroy in one swoop so many of our 2,000 intercontinental ballistic missiles—stashed in scattered concrete silos on land and in moving submarines at sea—that we could not fight back effectively.

"I find it incredible to be expected to believe that the Soviets could knock out our retaliatory power. It's irresponsible for Laird to claim they could," Fraser said.

"Laird is ridiculous when he says we couldn't retaliate without the ABM to protect us," Burdick said. "We'd have a second-strike capability no matter what they did."

Sen. Eugene McCarthy, D-Minn., expressed the theory that part of the attack on Laird is pent-up congressional venom left over from the days when many members felt intimidated and silenced by his predecessor, Robert McNamara.

"McNamara may have reestablished civilian control at the Pentagon, but he also established the idea that they couldn't do anything wrong over there," McCarthy said. "That made it doubly hard for Congress to get at the Defense Department.

PENTAGON INFALLIBILITY IS GONE

"It was worse than trying to lay siege to a fort. You were really trying to lay siege to a fort with a moat around it.

"With Laird it's different. People here have served in Congress with him. And there isn't anybody who doesn't think he knows at least as much about defense as Laird. The infallibility is gone. That's why he's such a good appointment," McCarthy said.

McCarthy is hopeful that Laird will permit the military services to resume the frequent public feuding over money and weapons that existed in the days before McNamara managed to confine most of it inside the Pentagon.

The senator said he thinks that public claims and counterclaims from the Army, Navy and Air Force will give Congress a chance to make better informed decisions.

"You know how the services are—each branch wants enough to not only defeat the enemy but the other two branches as well," he said.

It should be pointed out, however, that such a system depends for its success on the congressmen who oversee it. The feuding of the pre-McNamara era did not result in many cutbacks.

Help against the ABM is coming from outside Congress.

Technical information is being provided by scientists ("not one independent scientist has spoken out for deployment," says Burdick) and political support by citizens groups.

The newest and most prestigious of the latter is the National Citizens Committee Concerned About Deployment of the ABM.

Its cochairmen are Arthur Goldberg, United Nations ambassador during the Johnson administration, and Roswell Gilpatrick, deputy secretary of defense in the same administration.

THE CAMPAIGN IS UNDER WAY

Other members include Dr. Herbert F. York, director of defense research and development under Eisenhower and now chancellor of the University of California at San Diego; R. J. Miller, vice-chairman of Ford Motor Co., which ranked 19th among defense contractors last year; Whitney Young Jr., director of the Urban League; Averell Harriman, former Vietnam peace negotiator.

So, the campaign is under way.

Arthur Larson, director of the World Rule of Law Center at Duke University and former special assistant to Eisenhower, described it thus:

"The only voice in the land is no longer the one that says the boys in the Pentagon must have everything they say they need. We now are saying that the children back home must have some of the things they need, too."

It appears that the opponents have a fair chance, at least, to block the ABM.

They hope to go on from there to apply a newly critical and continuing judgment to the entire defense establishment.

The Defense Establishment—XIII: Is It Bigger Than the U.S. Government?

(By Charles W. Bailey and Frank Wright)

Washington, D.C.—Can the nation's defense establishment be controlled?

"There is a real question whether you can exercise either fiscal or policy control over it," says former Vice-President Hubert H. Humphrey, who has been involved in the process for the last 20 years.

"It is either so patriotic you can't touch it—or so semantically removed you can't even reach it," says a key official who has spent a decade in the national security field.

"It isn't a question of good against bad," Minnesota's Sen. Walter F. Mondale says. "But we have such a big defense establishment now that there's a good question if it isn't bigger than the U.S. government."

Not all the opinions are so gloomy—one former defense aide senses "a tide swinging against the military, and it may swing hard"—but a common strain of pessimism runs through the comments of the many men in and out of government who are concerned about defense policy and spending.

The question is getting more attention right now—from Congress, the public, in print and on the air, and within the defense establishment itself—than ever before.

PROPOSALS ARE LISTED

A half-dozen proposals for study of the current U.S. defense structure and its implications for future national policy are either under way, about to start or in the planning stage:

Defense Secretary Melvin Laird has announced a "blue-ribbon" committee to make "a thorough, independent and objective study of the defense community."

Deputy Defense Secretary David Packard is now directing a high-priority administration review of U.S. defense strategy and examination of both the U.S. role in the world and the military forces required to fulfill that role.

There are a number of proposals for congressional study of both short-range and long-term issues, from how to exercise continuing closer scrutiny over defense policy and spending to whether we need so many overseas military bases.

At least one major privately financed study is in process, and influential public men and private citizens are working to establish a permanent nongovernmental commission to keep a continuing watch over defense programs and policies.

Finally, and perhaps most significant, a growing number of senators and representatives are preparing to try to force a major public and congressional debate on the entire range of U.S. defense policies.

The starting point will be the Senate fight over the Nixon administration's antiballistic missile system. But, as one top White House aide says, "The Senate is not really debating the ABM. I think the issue is really our whole foreign policy and our whole scale of military spending. Some think that we have gone too far."

EVERYTHING THEY ASKED—AND MORE

The very fact that a major floor fight is brewing is itself testimony to the frustrations and failures of previous efforts to put a brake on the constantly growing defense establishment—or to influence the policies that have spurred its growth.

One factor, mentioned earlier in this series of reports, has been the readiness of the congressional Armed Services and Appropriations Committees to give the military services everything they asked for—and sometimes a little bit more.

Most of the critics see no hope of persuading these "military committees" of Congress to exercise tighter control. So they are looking to the Senate and House floors, or to the creation of some new joint Senate-House committee with ample staff and a strong grant of authority, as possible alternatives.

But some see this as an unlikely remedy. "There is no structural way Congress can control this," Mondale said. "We just have to do it politically—we just have to fight."

Others look in different, and sometimes conflicting, directions.

"We've made cuts from time to time," claimed Sen. Henry M. Jackson, D.-Wash., a powerful member of the Senate Armed Services Committee. "But the real move has to come from the head of the Defense Department."

That won't be enough, argued an aide to former Defense Secretary Robert McNamara. "Probably the best way is to build up the Bureau of the Budget . . . not so much to review or appeal on dollar amounts as to compare national needs.

Humphrey, from his own experiences in both the legislative and executive branches, agreed but sees an additional requirement:

"You have to have a strong inside White House staff, loyal only to the president, with no departmental loyalties at all."

HOW MUCH IS ENOUGH?

Another ex-official pointed to a little-noticed presidential staff office as a potential strong point of control over military policy: "I think there is a real possibility of restoring the President's Science Advisory Council to the position it had under Eisenhower. Then it was critical—in both senses: It played a key role and it provided essential defense critiques. Those are not going to be done in The Building."

(There is a hint where power lies in the fact that people who work in the Pentagon refer to its as "The Building." As one of them says, "The other place is the White House.")

But the same man goes on to argue that in the executive branch of government, it is really all up to one man: "The president has the crucial role. The White House is the real place where the buck stops."

And, in a sense, he is supported by all the others who seek tighter controls in other executive offices, for all of them—in State and Defense, in the Budget Bureau, on the president's own staff—can, in the end, only provide information and advice to the man who must decide.

The kind of question that a president—and sometimes only a president—can ask is exemplified by one former official's account of a decision on the size of U.S. missile forces:

"Once McNamara had a great fight with the Joint Chiefs over how many missiles we needed. They wanted 1,200 and he wanted 1,000. He won, and went to the President with the recommendation.

"Kennedy looked at the paper, and the first thing he said was, 'How do you know you don't only need 500?' "

ISSUES ARE FAR FROM SIMPLE

Another retired high official, recalling former President Dwight D. Eisenhower's success in holding down military spending by simply imposing a budgetary ceiling, suggesting this may be the only practical device:

"It's a hell of a thing to say, but maybe the only way you can control them is to deny them all the money they need to meet all the policy commitments."

But if it comes down to a matter of money—and most of those who wrestle with the issue agree in some form with the former White House aide who said, "Christ, yes, it's the money"—then even a determined President must rely on Congress to back him up.

As pointed out earlier in these articles, the powers of Congress in the national security field are essentially negative. While this limits congressional ability to shape policy formation, it means that in theory, at least, Congress is ideally situated to control spending—although in practice it has failed to exercise this power.

But however strong the will to control at either end of Pennsylvania Av., the underlying questions trouble men of good will no matter what their personal views.

No one would disagree with Jackson's assertion that "public officials have an overriding responsibility to the American people to make the most careful, balanced judgments on the critical issues of national safety and survival." But those issues are far from simple:

What should be the nation's priorities? Can we have both all the guns and all the butter we wish—or must we, in order to meet urgent domestic needs, cut back on our foreign policy and defense commitments? Or must we leave those commitments undiminished and meet them in full regardless of problems at home?

"The defense of the country has to have the highest priority," said Packard. ""The solution to our social problems has to have a high priority—almost as high, perhaps."

"We've got a combined domestic problem of perhaps a trillion dollars," said Mondale. "If we keep on taking weapons first, there will never be anything left."

Can defense spending be cut in the face of a continuing Communist threat to world peace? Do we dare limit our arms outlays while the Soviet Union continues to preach and—as in Czechoslovakia—to practice expansionist policies?

How big a role can the public—and the average member of Congress with only limited access to secret data—play in defense policy-making in an era of immensely complex, very expensive and awesomely destructive weapons?

Here the argument runs both ways. It is hard for the average citizen to grasp the technicalities, understand the scientific arguments or measure the destructiveness of modern weaponry. But just because of these difficulties, it may be all the more important for decisions to be made on the basis of the broadest possible participation.

What is the proper role for the United States in the world of today and tomorrow? Should the United States go back to the start and reexamine all the decisions of the 1940s which put it for the first time in a world role?

Must the United States somehow, whether because of domestic needs or changing world political circumstances, cut back its role in global peace-keeping? Or should it maintain its established policy of containing the spread of communism, by military force if necessary?

None of the answers to these questions will come easily, especially in a world where nations build great military forces not to go to war but in an effort to prevent war—a world where weapons are built, as one scholar suggested, "not to be used but to be manipulated."

But however hard the questions, they are at least being asked, some for the first time in 20 years, some for the first time ever. Upon the course of the debate, and the kind of answers that emerge, may depend the place of the United States in the next decades—or the next century.

The Defense Establishment

Enormous by any measurement—budget, destructive power, influence on American society and world politics—the defense establishment of the United States is beginning to receive public attention commensurate with its size. A series of 13 articles in The Tribune by Washington correspondents Charles Bailey and Frank Wright has examined the political and economic interrelationships which, by their number and complexity, make control of the defense establishment so difficult. As the last of those articles pointed out yesterday, "the underlying questions trouble men of good will no matter what their personal views."

The difference between 1969 and previous years is that now, for the first time, many of those underlying questions are being brought out for examination. More than at any time since the Korean War, members of Congress are showing an unwillingness to accept without question the budget proposals urged by the administration or by their own armed services committees. The questioning arises on two related but separable grounds.

One is national security policy. There seems to be no serious move to repudiate this country's role of defense leadership as one of the two nuclear superpowers. There is not much question that the United States has the industrial strength to continue and, if necessary, expand its defense spending. But there is a serious question whether national security is best served by the defense posture that has evolved in the past decade. That is, should the United States strive toward a military readiness which combines nuclear deterrence with the ability to fight limited (non-nuclear) wars anywhere in the world and the ability to provide counterinsurgency advice or special forces for friendly governments?

The answer, we suggest, lies neither in the omnipotence which an affirmative response would imply nor in such rhetoric as "No more Vietnams." Nuclear sufficiency is at hand; containment is no longer an adequate catchall policy to justify the present extent of overseas bases and commitments; but no neat list of contingencies can be drawn to cover the future. This means selectivity, not across-the-board shrinkage. There is evidence, for example, that the U.S. contribution to NATO should be increased, rather than held at present levels or diminished.

The other source of questioning is economic, the meshing of defense and domestic priorities at a time of increasing pressure to restrain the national budget, slow inflation and reverse the adverse trends in balance of payments and trade. High levels of defense spending work against all those objectives, and the growing movement for a substantial reduction in the defense budget seems to us well-founded.

If lower defense spending is a practical objective—and we think it is—two approaches are apparent. One is that old saw, "Cut out waste." The phrase is old but not obsolete. The Bailey-Wright series quoted Adm. Rickover's assertion that $2 billion could be cut simply by better management. Examples were given of excessive defense contractor profits, contrary to recent documentation offered by the industry group itself. Congress has been too prone to fund questionable projects and in some cases to exceed departmental requests. Improvements are therefore needed, but even if all defense "waste" were eliminated—a goal achieved by no other organization—only the periphery of the problem would be attacked.

The core is the political decision on national security. Budget management, congressional pressure, study commissions and public opinion can influence but not control the defense-policy decisions which, in the end, must come from the White House. Bitter critics of Vietnam or the ABM or the F111 should not be faulted for trying to correct what they see as unjust or foolhardy. Similarly the Defense Department should not be condemned for advocatihg military preparedness or failing to produce an evanescent Vietnam "peace dividend."

We believe the requirement for political decision is causing the country to re-evaluate, not retreat from, global military responsibilities. We believe it is a necessary examination and one which is leading to the conclusion that both national and international security will be served by a smaller U.S. defense budget. And we believe that President Nixon should begin now the process of selective reductions.

PRESIDENT'S MESSAGE ON ORGANIZED CRIME IS ENCOURAGING OMEN

Mr. HRUSKA. Mr. President, in another place in this issue of the Congressional Record will be found the Attorney General's transmittal letter addressed to the Senate concerning the proposed "Illegal Gambling Business Control Act of 1969," together with remarks, discussion, and text relating to it.

It is the first concrete step to implement the President's declaration of war on organized crime as set out in his message on organized crime which was received in the Congress on Friday of last week. My instant remarks will be directed to the substance and the significance of that message.

The American people will be greatly encouraged by that message because it clearly constitutes a declaration of war on organized crime. The President correctly analyzed and stated the threat which such crime poses for the Nation. He correctly called attention to the necessity that this Government undertake a concerted and persistent attack supported by the necessary funds and man power.

As we know, recent statistics have shown that serious crime has increased 17 percent. Murder has increased 14 percent, armed robbery has increased 29 percent, and larceny has increased 21 percent. We must not forget that perhaps as much as 50 percent of the street crime is a direct or indirect result of the activities of organized crime. When the President levels his guns on organized crime, then he is attacking one of the great causes of street crime.

It is the deliberate destruction of human beings, their health, and their dignity, however, that makes organized crime the heinous thing it is. Through narcotics, prostitution, gambling, loansharking, bribery, and extortion, the human toll is terrible. And it is the poor, Mr. President, crowded into our large cities who furnish many of the victims. It is easy to pick on the downtrodden. Fear is all the more a formidable weapon when used on the defenseless.

In the past, Federal and local governments have aimed their efforts at prosecuting and imprisoning the leaders of organized crime. This, of course, is an essential step. Despite the number of prosecutions and convictions, however, the fact remains that not one of the 24 known families of La Cosa Nostra has been destroyed. The reason is simple. Organized crime is a business that may gross as much as $50 billion a year. With such an incentive, there are always eager replacements, willing to take a risk of prosecution.

The assault against organized crime, then, must be two pronged. Prosecute the overlords and destroy the financial structure and stability of their empire. This is precisely what President Nixon has proposed. Although he recommends a witness immunity statute and effective laws on bribery, it is in designating gambling revenues as the prime target that the President has aimed at the jugular vein of organized crime.

It was most pleasing to me to note that President Nixon has endorsed S. 1624, the Wagering Tax Amendments of 1969, which I introduced on March 20, 1969. Identical legislation was introduced also in the other body by the distinguished Representative from Virginia (Mr. Poff).

The wagering tax bill will revitalize the provisions of the Internal Revenue Code aimed at gambling which were rendered ineffective by the U.S. Supreme Court in the Marchetti and Grosso decisions. By regulating the use of information furnished to Internal Revenue, the problems posed by the fifth amendment prohibition against compelled testimony are removed. The 10 percent tax on gross wagers will then be collectible. In addition, the fees required by operators of a gambling enterprise will be increased from $100 to $1,000.

During the presidential campaign, President Nixon called organized crime the tapeworm of American society and promised forceful action against it. In his message to Congress today, he said:

> Organized crime has deeply penetrated broad segments of American life. In our great cities it is operating prosperous criminal cartels. In our suburban areas and smaller cities, it is expanding its corrosive influence.

This is the threat that must be met. The priorities are clear. The President's decision to increase the budget for the Department of Justice by $25 million to increase the fight against crime was a necessary one. It will be the purpose of this admnistration to do everything possible to protect the lives and livelihood of the American people from the ravages of crime.

Further, the President has ordered an evaluation of the effectiveness of existing organization to fight crime. This is a wise procedure to follow. The Advisory Council on Executive Organization, can provide valuable guidance in this field.

In emphasizing the importance of permanent field offices to fight organized crime and in using the special Federal-State racket squad in New York City, the President has affirmed his willingness to organize and reorganize in any way necessary to most effectively fight organized crime.

President Nixon has covered many of the major parts of the effort against organized crime in his message. As we progress in our hearings in Congress, I am confident that additional weapons will be forged for use in this battle against this criminal conspiracy. The interest of President Nixon and Attorney General Mitchell has made it clear that the legislation now pending before Congress will receive the careful consideration and helpful recommendations of the administration.

S. 30, the omnibus organized crime bill, introduced by the senior Senator from Arkansas, has been the subject of several days of hearings in the 91st Congress. I am a cosponsor of this measure. Clearly there is agreement that a much improved witness immunity statute can be drafted. This will be a valuable tool in the Government's arsenal.

Other provisions of S. 30, including strengthening the grand jury and revising the rules against perjury are most promising. Further hearings will be held on these and the other provisions of S. 30.

In addition to the bill I introduced today entitled "Illegal Gambling Business Control Act of 1969," there are several other measures on which hearings have not yet been held which hold great promise for attacking the financial fabric of organized crime. The first of these is the Criminal Activities Profits Act, S. 1623, which I introduced on March 20. The second is the Corrupt Organizations Act, S. 1861, introduced on April 18, by the distinguished chairman of the Criminal Laws Subcommittee (Mr. McClellan), and which I also cosponsored.

S. 1623 first makes it a crime to invest money derived from criminal activities, or money which had not been reported for Federal tax purposes, in any business enterprise. Second, it authorizes civil remedies drawn from the antitrust laws, including treble damages for any private individual or governmental agency suffering financial loss due to the use of this illicit money to control businesses. It also makes available the use of civil discovery devices in such cases.

The availability of civil discovery promises to be one of the most important features of the bill. Under the rules of criminal procedure discovery is greatly limited. Rule 15 specifies that depositions may be taken only if a prospective witness:

> May be unable to attend or prevented from attending a trial or hearing, that his testimony is material and that it is necessary to take his deposition in order to prevent a failure of justice.

Contrast this with Rule 26 of the Rules of Civil Procedure.

> Any party may take the testimony of any person, including a party, by deposition . . . The deponent may be examined regarding any matter, not privileged, which is relevant to the subject matter involved . . .

In attempting to construct the illegal financial manipulations of organized crime, this tool is potentially invaluable.

The distinguished Senator from Arkansas (Mr. McClellan) has gone a step further in the use of antitrust mechanisms. In S. 1861, the remedies of criminal forfeiture or civil divestiture are proposed. In addition the bill incorporates the use of civil demand in investigations. The bill will serve as a useful vehicle for hearings. All of these ideas should be carefully explored. It is possible that the hearings will reveal constitutional problems or practical problems of enforcement. If so, the effort can be made to modify the provisions to correct the deficiency.

I do wish to emphasize that I am not wedded to any provision of these bills. As hearings progress, however, I am confident that valid, workable legislation, using some or all the suggestions contained in the proposed measure will be developed.

The chairman of the Subcommittee on Criminal Laws (Mr. McClellan) and his staff have been doing an excellent job in investigating and preparing legislation aimed at organized crime. With the support of the Nixon administration, I foresee a dynamic partnership between the legislative and executive branches which promises an effective effort against organized crime far surpassing anything done previously.

President Nixon is to be commended for his direct attack on organized crime. I call upon Senators to join in supporting the President's recommendations and in enacting, at this session, the legislation that will greatly help the executive branch to hound organized crime either into prison or out of existence.

DEATH OF HENRY MELVIN HART, JR., PROFESSOR, HARVARD LAW SCHOOL

Mr. KENNEDY. Mr. President, the death of a great scholar and teacher leaves the Nation the poorer. In the case of Henry Melvin Hart, Jr., professor of Harvard Law School, who died last month in Cambridge, the loss is of special significance to us in Congress because of his lifelong dedication to the Constitution, the legislative process, and our Federal system. His landmark case book, "The Federal Courts and the Federal System," is a continuing source of challenge and reference to lawyers and many others throughout the Nation. He was a giant of the law. So long as men search for the meaning and interpretation of the Constitution, they will find their way lighted by his knowledge and wisdom.

On March 27, Harvard Law School honored Henry Hart in a memorial service in Cambridge. At the service, three members of the law school faculty—Dean Derek Bok, Prof. Albert Sacks, and Prof. Paul Freund—spoke eloquently of Henry Hart and his contributions to the law. I believe that their remarks, which help to reveal Professor Hart's extraordinary character and achievement, will be of interest to all Members of Congress and others who have felt his influence. I ask unanimous consent that the remarks at the memorial service be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

In Memoriam: Henry M. Hart, Jr.

(Remarks of Dean Derek C. Bok at the memorial service, Harvard Memorial Church, March 27, 1969)

All of our lives have been touched in one way or another by Henry Hart. As teacher, colleague, or friend, he has moved us all. I speak for many of us in middle years who would not have undertaken the teaching of law had it not been for the example of this man. When we were law students—in that time when youth seemed more placid and conforming than today—it took real inspiration to turn a student aside from law practice, from the established firm, from the world of action. More than anyone else, Henry Hart brought the vision, the promise, the excitement to the study of law that lured so many of us into academic life.

In many ways, Henry was the purest embodiment of the values of the institution to which he devoted his life. At a time when these values are increasingly questioned, it is fitting to think back for a moment on the ways in which these virtues found expression in his life.

One value surely was an unwavering devotion to his vocation. Some are inclined to question tireless dedication of this kind and wonder whether it is not overdone; but when one remembers Henry, can one forget the magnificence of a devotion so great that it drove this man to meet his students and teach his courses until he literally lacked the physical strength to travel the scant half mile from home to classroom.

A passionate devotion to principle—perhaps no other trait so marked Henry Hart than the ardor and tenacity with which he maintained his values and held them free from compromise. One may wonder, perhaps, whether such fervor is too rigid for the quickening flux, the complexity, the doubts and questionings of our times, yet surely it is worthy of great respect that a man should care so much for his principles—surely it is cause for rejoicing that he should have managed to the very end of his life to keep his ideals so unblemished by skepticism, cynicism, and hypocrisy.

Uncompromising honesty and rigor of thought—this too is an ancient ideal that burned particularly brightly in the mind of Henry Hart. Many here will remember when he was honored by being the only member of the Faculty ever asked to give the annual Holmes Lectures. No one who was there can forget the last of those Lectures on that most difficult of all issues—the relation between fact and value—when Henry, having carefully built his argument step by step, confessed at the very end that he had been constrained on the very eve of the Lecture to recognize that the conclusions he had intended to reach were premature and that the truth he sought still lay a little bit beyond his grasp. In a period when so many in our community claim answers to so many problems, that difficult and disappointing moment in the Ames courtroom, must surely stand unequaled as an act of sheer intellectual courage.

Although these values may have been shared by many, Henry often seemed to live them with a fiercer passion than those around him could aspire to do. The difference was one of degree, though the degree was often inspiring.

Yet there was one quality which Henry held almost alone among his colleagues. In our small world of legal scholarship—where efforts are so often marked by thoroughness and rigor and so seldom by imagination and vision—Henry Hart almost alone could succed in creating an entire system of thought, a system linking all of law and legal institutions into a grand design which could define the proper role and function of each part of the legal process. To us, this was a great intellectual achievement. If it was not neatly captured in a book or an article, it nevertheless suffused his teaching, imbued his colleagues, and eventually left its traces throughout the entire field of legal education. It was the magic of this grand design that taught our generation to understand legal opinions in a different and deeper way, to see transcendent issues in the most work-a-day products of the legal system. It was this vision, in the end, that lured us to teach and write and set great and impossible goals toward which to strive. No teacher could have asked for more than this; no scholar could have wished a richer legacy.

Remark of Professor Albert M. Sacks at the Memorial Service, Harvard Memorial Church, March 27, 1969

Almost precisely twenty years ago, in my last term as a student at Harvard Law School, I came to my opening class in a seminar entitled "Legislation," and for the first time encountered Henry Hart as a teacher. His first question to the class was, "What do we mean by law, as in the phrases 'teaching law' or 'studying law'?" Then he spied me, and he added, "or, Mr. Sacks, in the term 'Law Review'?" I tried to answer and we began a dialogue which has been as rich for me as any I have ever known. The dialogue has ended, and I am impoverished, as are we all.

Henry's first question to me conveyed an accurate sense of the scope of his concerns and the reach of his mind. He viewed law as "an on-going functioning, purposive process." The study of law was a study of the process and of "the various institutions, both official and private, through which the process is carried on." Since he conceived of law as a process of doing, he drew no distinction between understanding law and developing law. To understand law was to develop it. To develop law intelligently was to understand it. The law scholar and the law doer were one.

We are insistently told today that academic study must be shifted to emphasize the "relevant." I never heard and wouldn't have expected to hear that remark directed at Professor Hart's teaching and studies. Of greatest relevance to him were the questions encountered in some form by almost any legal system in almost any era. His message was that, even as we struggle to solve the distinctive problems of our own time—and they are important and urgent—we can not overlook the universal and the timeless.

Henry Hart placed his stamp on the Harvard Law School. By his teaching, he powerfully influenced generations of students in their feeling for law and their mission as lawyers. He conveyed to students the sense that law was a good deal more than a series of frustrating and perhaps insoluble problems to be manipulated by bright mental gymnasts. The students could construct a coherent and intelligible view of the legal system; they could develop standards to test whether the system was just. The intellectual undertaking was difficult but it warranted sustained idealistic effort. Thus, he provided an exciting perspective to the student on what his legal education was about.

He taught by a method that he called one of irritatingly dogmatic assertion. But neither the method nor the precise content was crucial. The students observed a mind insistently probing questions to their roots, never content with the answers at hand. They heard a gentle man grow so indignant over unprincipled or unreasoned decisions that he would hurl verbal thunderbolts akin to those of the biblical Jehovah.

His writings, whether in articles or casebooks, were like rare gems giving off a steady, deeply penetrating light. Whether he wrote of the relations of federal and state law, the aims of the criminal law, the power of Congress over the Supreme Court's jurisdiction, or the Hohfeldian analysis, he transformed that with which he dealt.

In any law school, one finds but a few people whose impact on others is so great that they set the intellectual and moral tone. Henry Hart, with a few others, played this role. For he taught not only students who became teachers but also teachers who had never been students. Through power of mind and by force of character he has given us a rich legacy. A handful of men have played a decisive part in my intellectual development, and I count myself fortunate that Henry Hart was one. Many would say the same.

He was a warm and gentle colleague and friend, uncompromising with legal missteps, but compassionate and understanding of the personal weaknesses and foibles of others. Those who knew him admired him. Those who knew him well loved him.

Remarks of Prof. Paul A. Freund at the Memorial Service, Harvard Memorial Church, March 27, 1969

For almost forty years I have stood in the circle of enchantment woven by Henry Hart. When I first came to know him, to be sure, I saw him, the august President of the Harvard Law Review, through the awestruck eyes of a junior editor. And yet the authority of Review Presidents is not invariably bewitching, their charisma not inevitably irresistible. It was Henry Hart's formidable intellectual powers, his unswerving commitment to principle, the grace of his pen and the deep-throated charm of his utterance that in rare combination made him a supremely attractive figure and a supremely compelling force.

Two incidents, forty years apart, will tell the tale. Only a few months ago, when the class in Federal Courts knew that Professor Hart would take a currently unfashioned position espousing a canon of self-limitation on the part of judges, a group of the ablest students held a caucus and found that they, as men of the hour, were solidly hostile to that position. At the end of the discussion in class, the group caucused once more and discovered that, to their astonishment, every one of their number had been converted. They had seen opened up before them philosophical dimensions and historical perspectives that we were theretofore outside their range of vision.

I could not help recalling a similar act of conversion in those distant days when Henry Hart was President of the Review. Having received from an eminent Philadelphia lawyer an article on shareholders' preemptive rights which he thought publishable if properly reconstructed, he proceeded to tear it down and build it up, quite transforming it in form and content. When the resulting product was returned for the author's approval, the author responded by sending an explosive letter to Dean Pound demanding that Mr. Hart be removed from office forthwith. The Dean, of course, disclaimed any jurisdiction over the Review, as befitted the relation between two proud and independent sovereigns. There followed a protracted exchange of letters between editor and author, the latter slowly finding himself persuaded to agree on point after point, until finally a letter went again from author to Dean, this time urging, if not demanding, that Mr. Hart be appointed forthwith to the Faculty of the Harvard Law School. That event followed happily after a year spent in postgraduate study with Professor Frankfurter and a year's indelible experience as law clerk to Mr. Justice Brandies.

In between these episodes of tutelage, the case of the Philadelphia lawyer and that of the classroom sceptics, Justice Frankfurter (as he had become) was himself pleased to go to school to his former well-loved student, though the religious experience of conversion was in this case somewhat harder to achieve. When Henry Hart and his coauthor, Professor Wechsler of Columbia, dedicated their immensely challenging book on *The Federal Courts and the Federal System* to Felix Frankfurter, "who first opened our minds to these problems," and sent him a copy of the volume, he pened an acknowledgement that succeeded in stopping a little this side of idolatry. A copy of the message, dated October 3, 1953, is preserved in the Frankfurter papers:

"When Henry hinted the other night of the problem in truth telling presented by having the terms of your dedication take due account of my apostasy or at least obtuseness regarding questions of Federal jurisdiction since I came down here, I was prepared to read the following: 'Who first opened our minds to these problems, but in his judicial capacity closed his own.' Evidently, tenderness triumphed over candor. That is not always a wise principle but I am glad to have been its beneficiary this time . . . [Having spent a number of hours with the book] the overriding feeling that is left in me is one of profound respect for what you have done. I am very glad that I do not have to answer even a fraction of your naughty questions. . . . Nor do I give you any assurance that I shall be able to answer any of them correctly whenever they may come before the Court—correctly, that is, in the light of the Gospel of St. Henry and St. Herb. One thing I can assure you: the book will hereafter be my first resort for enlightenment on any question with which you have dealt."

It is no accident, I think, that Henry Hart's interests were centered on procedure. For, as a true disciple of Justice Brandeis, he saw the integrity and fitness of the legal process as a kind of transcendent natural law, a law above laws, standing as the scientific process does to the mutable body of science itself, and reminding us that there is indeed a morality of morality. He taught an early course on Legislation at the law school. He succeeded to Frankfurter's course on the Federal Courts. He developed the course on the Legal Process, monumentally conceived, employing telescope and microscope to match the myriad tasks imposed on the legal system against the appropriateness of the various institutions of the system for resolving each of these tasks. In an essay on "The Aims of the Criminal Law," which a distinguished trial judge thought as illuminating as volumes on criminology, Henry Hart insisted that, whatever might be the appropriate forms of post-conviction treatment, the criminal process should be brought to bear on conduct if, and only if, the conduct is deserving of moral reprobation. Of this essay, weighty beyond its modest size, and containing some acerbic comments on the insensitivity of the Supreme Court to its truths, Justice Frankfurter wrote, in 1959: "Unlike so many things one reads, it has not only given me pleasure and enlightenment but its stimulus to reflection will not have ceased with the reading of it. I shall duly ponder on the spanking you have given me. . . ."

The impact of Henry Hart on the thousands of students who came under his influence has been enormous. No one could doubt this who has heard his students speak of him as did one of them not long ago when he voiced the ultimate tribute: "I feel sorry," he said, "for any student who has not had the course in Legal Process." No one could witness the anxiety and anguish of his students in these last months as they saw him carrying on against insuperable physical burdens—no one could witness this spontaneous outflow of affection and doubt the presistence of that influence, through oral tradition, through his students who have carried his insights far and wide, and through his writings, which have the enduring quality of a luminous critical framework that long outlives its objectives.

Without contrived display, eschewing the shallow arts of showmanship, constitutionally immune to flattery as either a donor or donee, he captivated pupils and colleagues as he had made a spiritual captive of a junior editor forty years ago.

"Where the light of the life of him shines
on the generations that will live,
"Death only dies."

PESTICIDE REPORT

Mr. NELSON. Mr. President, one of the most comprehensive analyses to date on the national and world dangers from the misuse of pesticides has just been done by the Conservation Foundation in its April 25 issue of CF Letter.

To anyone concerned about the pesticide problem, a reading of the report is a must—particularly the sections which discuss the potential pesticide dangers to man.

The report takes note of current uncertainties over the effects of pesticides on human health but adds in this regard that there are "ominous signs that some long-term surprises lie ahead." Examples include a number of scientific studies that have linked pesticides and other chemical compounds with cancer; reports that suggest that pesticides are a genetic hazard to man, and questions as to the possibilities of synergistic effects when different pesticides interact in man, or when a pesticide interacts with a medical drug.

Finally, the report takes note of the fact that pesticides have brought important economic returns, but points out that "in the headlong rush to rely on expedient chemicals, many mistakes have been made and many safer alternatives have been passed up."

The CF Letter is a valuable contribution to the current national discussion of this critical issue, and it presents further evidence of the urgent need for effective action to deal with the hazards presented by the misuse of pesticides.

I might add that the CF Letter, issued on a monthly basis, has always been an extremely informative and well written publication presenting in-depth analysis of current environmental concern.

I ask unanimous consent that the April 25 report on pesticides be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

POLLUTION BY PESTICIDES—SOME NOT VERY WELL CALCULATED RISKS

(NOTE.—In this issue: The first of a two-part examination of the problem of pollution by pesticides . . . This installment covers the widespread use of pesticides, their effects on wildlife and natural systems, their possible effects on man, some ironies, and some international ramifications . . . The next issue of *CF Letter* will deal with government regulation and the politics of pesticides, and will explore alternatives.)

Pesticides, complex chemical compounds, pose a complex dilemma. They have caused incalculable damage to the world's fish and wildlife resources. They are causing serious and subtle changes in the environment. Indeed, they are under suspicion of endangering man himself. Yet man finds them tremendously useful in his struggle for health and survival.

For some 25 years, man has been concocting an astonishing assortment of synthetic chemical poisons and spreading them over the planet. In doing so, he has been taking some not very well calculated risks. He has been rebuked and warned for being careless, for not fully understanding the consequences. Some restrictions have been imposed; somewhat greater care is being taken; but man continues the liberal use of pesticides to wage war on the endless varieties of insects, bacteria, rodents and other small creatures which plague him so relentlessly—by attacking him directly, or by devouring much of his precious food and fiber supply.

To be sure, the widespread dissemination of pesticides has had extremely tangible benefits which, it is argued, would otherwise have been unattainable. Pesticides are credited with making life comfortable and nuisance-free, indoors and out. They are credited with saving countless lives through the control of malaria, cholera, typhus, Rocky Mountain spotted fever, encephalitis and other diseases. And they are credited with helping man raise and protect an extraordinarily plentiful supply of inexpensive food.

The farm and chemical industries point to the crops and livestock saved from destruction, with values measured in the billions of dollars each year. Put another way, it has been estimated that for every dollar invested in protection by pesticides, between $4 and $5 worth of production is saved.[1]

But the evidence also shows that, in the headlong rush to rely on expedient chemicals, many mistakes have been made and many safer alternatives have been passed up. There have often been unintended, damaging side effects, including heavy losses of fish and wildlife. Finally, the evidence *suggests*, at least, that man may be seriously harming *himself* in the process. Certainly he is taking risks. Dr. Robert L. Rudd, zoologist at the University of California at Davis, warned in a study for CF: "The appearance of new kinds of pesticides and of new and profound effects from those long in use has outpaced the rate at which their effects can be investigated."[2] Says Dr. William A. Niering, Connecticut College botanist: "We are obviously dealing with many biological unknowns in our widespread use of presumably 'safe' insecticides."[3]

How extensive is the use of pesticides? U.S. farmers last year spent an estimated $800 million on them. Total domestic sales this year are forecast at $1.7 billion, most for agriculture, but including $255 million for household and garden use, and another $255 million for industrial and institutional use.[4] The $1.7 billion represents a dramatic increase from the 1965 total of $1 billion.

Other indications of increasing use: the percentage of corn acreage treated for insects or disease rose from 1% in 1952 to 33% in 1966; for tobacco crop land the increase was from 47% to at least 81%.[5] In 1966, agricultural aircraft flew a million hours, spraying pesticides over 65 million acres.[6] Many additional millions of acres—roadsides and utility rights-of-way as well as crops—are treated with herbicides to stunt growth or control weeds.

There are some 900 basic chemical compounds used to formulate thousands of synthetic commercial pesticides. Classed according to purpose, these include insecticides, herbicides, miticides, fungicides and rodenticides. Most famous—or infamous—is the ubiquitous DDT. But there are many others—endrin, dieldrin, aldrin, chlordane, toxaphene, lindane, methoxychlor, heptachlor, parathion, malathion, 2,4–D, 2,4,5–T, captan, carbaryl, warfarin, etc.

There are chlorinated hydrocarbons (DDT), organic phosphates (malathion), and carbamates (carbaryl). Their properties, effects, dosage and use vary widely. The crucial questions raised by the use of a pesticide are: Is it effective on the target insect? What other organisms does it kill? Is it dangerous to fish, wildlife, man?

A pesticide may or may not be highly toxic, or poisonous, on direct contact, to various living things. It may or may not be highly persistent, or resistant to being broken down by nature into harmless components. The insecticide parathion, for example, is extremely toxic. A user who spills some on his skin can expect to die soon afterwards, as has happened to thousands throughout the world. Yet it breaks down quickly in the environment. On the other hand, DDT is considered only slightly toxic to man; but it may persist for years, with consequences unknown.

SOME EFFECTS OF PESTICIDE USE

Many ill effects of pesticides on marine life and wildlife are well documented; the literature on the subject is voluminous. A sample of the findings:

Experiments indicate that DDT in very small concentrations can reduce growth and photosynthesis in certain marine plankton. "Such single-celled algae are the indispensable base of marine food chains," says Dr. Charles F. Wurster, Jr., of State University of New York, Stony Brook. Photosynthesis by marine plankton is estimated to account for more than half of the world's oxygen supply—and some scientists theorize that we are already in an oxygen deficit situation. Wurster says that "interference with this process could have profound, worldwide biological implications."[7]

"Marine organisms, especially crustaceans," says Niering, "are extremely sensitive to the persistent pesticides. As little as 0.6 to 6 parts per *billion* (in the water) will kill or immobilize a shrimp population in two days."[8] The Interior Department's Bureau of Commercial Fisheries says tests show that "oysters stopped feeding and exhibited erratic shell movements when exposed to less than one part per million of many chlorinated hydrocarbons. Shell formation in oysters was inhibited by concentrations of a few parts per billion."[9]

Cases in which large numbers of fish have been killed are plentiful. The most celebrated, probably, were the massive kills in the lower Mississippi River from 1960–64.[10] And elaborate investigation traced the cause to endrin, apparently from a chemical plant.[11]

Nearly a million small coho salmon were killed recently because of DDT, say Dr. Howard E. Johnson and Charles Pecor of Michigan State University, who deduced that residues were accumulated in the egg yolk of adults, and their fry were poisoned during final absorption of the yolk sac.[12]

The widespread loss of robins and other birds—where elm trees are treated with DDT for Dutch elm disease—provides a simple example of "biological magnification," or the unique way in which "hard" or persistent pesticides can be concentrated in more and and more potent doses as they move up the food chain. When leaves from a sprayed elm fall, they are eaten by earthworms. The DDT doesn't harm the worms; but it accumulates in their tissues. When robins eat the worms, they accumulate it in ever larger and finally lethal doses.[1]

The magnification process also occurs when minute quantities of a pesticide accumulate in tiny marine organisms, and are transferred in ever increasing amounts to plankton-eating fish, carnivorous fish and finally birds of prey. This is possible because pesticides such as DDT are almost totally insoluble in water, but very soluble in fat. So they accumulate and are stored in the fatty tissue of birds. When fat reserves are used up rapidly, such as in migration or reproduction, the poisons enter other parts of the system, apparently attacking the nervous system. Says Dr. Ralph A. MacMullan, director of the Michigan Department of Conservation: There is "strong circumstantial evidence" that this sort of magnification is responsible for the alarming decline of many species of birds such as the bald eagle, osprey, peregrine falcon and sparrow hawk.[14]

Oddly enough, such birds are not normally poisoned directly by the toxic pesticides. It is now widely believed that *reproduction* is severely hampered, because residues of pesticide such as DDT are transferred in lethal amounts to embryo birds via the egg yolk, or because the pesticides upset liver enzyme activity and therefore calcium metabolism, resulting in eggshells so thin embryo chicks

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Footnotes at end of article.

cannot survive in them. Studies have also indicated that some birds become strangely nervous and aggressive and destroy their own eggs.

There have been innumerable cases in which frogs, snakes and birds, as well as wild and domestic animals—have been killed by pesticides, sometimes in massive numbers. Rachel Carson, in her eye-opening best-seller *Silent Spring* (Houghton Mifflin Co., 1962), cited dozens of instances. Many such kills are due to outright misuse, which of course greatly magnifies the dangers and damage of pesticides.

But knowledge, or communication of it to the right people, has not been sufficient to prevent misuse. We do not in fact yet know all the ways in which pesticide applications may be upsetting the balance of nature, though examples from the past are plentiful.

We do know that persistent pesticides are carried throughout the world by wind, water and living organisms. Often cited is the fact that even penguins in the Antarctic—so far from any pesticide use—contain residues of DDT. Dr. George M. Woodwell, an ecologist at Brookhaven National Laboratory, speaks of the "serious and subtle changes caused by continuous exposure to low levels of pesticides in the environment . . . that threaten to degrade the biota of the earth and especially the oceans in a very serious way."[15]

THE DILEMMA FOR MAN

The weight of expert opinion currently holds that humans are not *directly* harmed by careful use of pesticides. There is apparently no solid evidence of such harm. But practically every human accumulates some pesticides which, as in birds, are stored in body fat. In the U.S. the average is thought to be about 10 to 12 parts per million. (In some countries it is apparently much lower, in some much higher.) Scientists believe that man manages to get rid of pesticide accumulations over a certain level, given a reasonable amount of time.

Research on the long-term effects of pesticides on humans is virtually impossible; and it is extremely difficult to extrapolate research on animals to humans. So while there is no convincing evidence that pesticides seriously damage man, neither is there proof that they don't. In fact, there are ominous signs that some long-term surprises lie ahead. Some examples:

A number of scientific studies have linked pesticides and other chemical compounds with cancer. They have been thoroughly discussed at congressional hearings.[11] "The total number of pesticides capable of producing cancers in various organs and tissues of man and/or animals is appreciable," Dr. W. C. Hueper, former director of the National Cancer Institute, has said. He also had a comment for an industry scientist who claimed that "there is little likelihood that an epidemic-like occurence of cancers will result in 10 to 30 years":

"He is distinctly whistling in the dark. The facts already on hand do not support such a soothing prophecy."[11]

And in early March it was reported that preliminary analysis of a large-scale study of 130 such compounds—conducted for the Institute—indicates they are carcinogenic to mice (in very large doses). Pesticides are reportedly among the compounds under suspicion.[16]

Other reports suggest that pesticides are a genetic hazard to man, capable of producing mutations, which are usually harmful. Dr. James F. Crow of the University of Wisconsin says "there is reason to fear that some chemicals (including pesticides) may constitute as important a (mutagenic) risk as radiation, possibly a more serious one."[17]

Dr. Osny G. Fahmy of the Chester Beatty Research Institute in London says "the amount of pesticide chemicals man is now absorbing from his environment is enough to double the normal mutation rate."[18] He says they are capable of disrupting the DNA molecule; the effects are cumulative; and the mutations may not show up for generations.[8]

Dr. Marvin Legator of the Food and Drug Administration says the widely used and relatively nontoxic fungicide captan breaks chromosomes in mammalian cell cultures and may be capable of inducing mutations in man. Dr. M. Jacqueline Verret, also of FDA, says such chemicals can cause birth deformities in chickens. (The chemical structure of some fungicides is similar to that of thalidomide, she notes.)[19]

Medical World News has reported that a great many genetics experts are concerned about mutagenic chemicals "as either a proved or at least a potential menace to human health . . . Most believe that direct evidence of a chemical's deleterious effect on man could be difficult or impossible to obtain—and incalculable damage could already have been done before it became apparent."[20]

Dr. Richard M. Welch, a pharmacologist with the drug firm Burroughs Wellcome & Co., says sex hormones in rats are affected by enzymes activated by DDT, and the same hormones are found in man, whose residue of DDT is "within a range" to produce the same effect. "Thus, if one can extrapolate data from animals to man, then one would say that the changes in these enzymes probably do occur in man."[21]

Dr. Robert W. Risebrough of the University of California's Marine Resources Institute says consideration is not being given to the enzyme inducing ability of pesticides. "No responsible person could now get up here and say that this constant nibbling away at our steroids (sex hormones) is without any physiological effect. It would be irresponsible."[22]

Very little is known about the possibilities of synergistic effects when different pesticides interact in man, or when a pesticide interacts with a medical drug. Tests have shown that a pair of chemical compounds in tandem may be more than 100 times as toxic as either one alone. Since the symptoms of pesticide poisoning are likely to be common to other diseases, diagnosis is difficult. Stanford University's Dr. Joshua Lederberg, a Nobel Prize winner, speaks of the way in which DDT and other compounds cause changes in the metabolism of the liver, adding that man "can therefore be expected to show a changed reaction to a number of other chemicals and drugs, even under conditions where the DDT alone shows little toxic effects. The long-term effects of such combinations are poorly understood."[22]

Since pesticides interfere with drug metabolism, says Chicago pharmacologist Dr. Kenneth P. DuBois, they can have a marked effect on patients. He says that barbiturates, for example, are counteracted by DDT. "Such a counteraction has generally been written off by physicians as the patient's natural resistance to the drug."[23]

None of these scientists claims to have *proved* any mass dire effects due to pesticides. But they are warning man that he should not be blind to the possibilities.

Man was surprised, after all, when he found that the drug thalidomide could cause children to be deformed; that cigaret smoking could cause cancer; that simple X-rays could cause a skin ailment that didn't show up for decades; or that amounts of radiation presumed to be safe could apparently cause tumors in children more than 10 years later.

More obvious are the effects of pesticide poisoning in household, occupational and industrial accidents. "Each year," says a government study, "approximately 150 deaths are attributed to misuse of pesticides in the United States. About half of these occur in children who were accidentally exposed at home."[24]

It would be impossible to guess the number of non-fatal poisonings. But cases of occupational poisoning "have become more frequent," and "the adequacy of safeguards . . . is put in question by reviews of the effects of pesticides on human health."[25]

In California alone in 1964, there were some 1,328 reports of occupational disease attributed to pesticides and other agricultural chemicals.[26] This has now become a major new issue in the long, bitter strike and boycott against California's table grape growers. The union argues that many cases of poisoning are not reported, and many others are mistaken for other illnesses because the symptoms are so similar.[27] It has filed suit to halt the use of DDT in the state.

In Mexico, 17 were killed and some 600 made violently ill in 1967 when parathion contaminated bread supplies. A week later, a truck loaded with parathion overturned and spilled the deadly pesticide over a California highway. The pavement had to be ripped up to prevent death or injury.

THE IRONIES OF IT ALL

Aside from misuse and danger, the application of pesticides is likely to be fraught with irony and paradox—in fact, with failure.

In the first place, it should be noted that agriculture, particularly in the U.S., has tended to spread single crops over larger and larger areas, sometimes over thousands of acres. Such monoculture is efficient and economical. But it is also an invitation to pests which thrive on a particular crop, especially since their natural enemies may no longer find the area to their liking. Such invitations, of course, have been answered with massive invasions.

Perhaps the greatest irony in pesticide use is the destruction of beneficial insects and rodents in addition to the target species. (There has been some limited success in developing pesticides with narrow, specific effects.) Thus the victims are likely to include the very natural enemies which have been holding the target pest in check. There are many cases in which pest populations have burgeoned anew as a result.[2] Sometimes the destruction of parasites and predators simply clears the field for a surge of *several* new crop pests, compounding the problem of control.

Says Wurster: "DDT is like a drug. The more you use it, the more you need to use it."[21]

A second irony is that pests have a perverse tendency to develop resistance to the poisons man lavishes on them. Says a congressional report: "When a pest population, reproducing rapidly, is exposed to a lethal chemical, the laws of natural selection are dramatically demonstrated. The variety of genetic makeup, even within a single species, means that some insects in the population will have a biochemical mechanism for resistance and a new population will build up, unafected . . ."[28]

Then there is an inclination to increase the dosage, or shift to another, perhaps more poisonous chemical, to kill off this tougher breed. But the report cautions that "there appears to be no toxicant powerful enough to kill every member of a large population."[28]

There's another kind of "resistance." For example, Professor Walter Ebeling and Donald A. Reierson of UCLA write of cockroaches that learn to avoid hazardous insecticides even after the first contact, with the result that the most toxic substances may be the least effective.[29]

A further problem, even when spraying is done carefully, is drift. Winds frequently carry a pesticide many miles from the target area, fouling another's land. Thus, alfalfa and other crops have often been inadvertently contaminated, and many a dairyman has had his milk barred from the market because its pesticide content was too high. (Farmers in this predicament often receive indemnity payments from U.S. taxpayers.)

Footnotes at end of article.

Typical of the farmers' dilemma is this comment in the Wisconsin Farm Bureau's newspaper: "On one hand, dairymen have been penalized when a trace of the chemical (DDT) is found in milk. On the other, vegetable, field crop and fruit growers have found no substitute for the compound in assuring a crop for market."

There is a similar dilemma because many crops and orchards depend heavily on bees to pollinate them. But, says Ward Stranger, extension apiarist at the University of California: "Honey bees are exposed to a great variety of pesticides. . . . Approximately 19% (76,000 colonies) of California's bees used for pollination were killed by pesticides in 1967. This is more than twice the kill reported in 1963. In addition, hives of bees are damaged to such an extent that they are no longer productive or effective pollinators." [29]

So one farmer's meat may be another's poison.

INTERNATIONAL PROBLEMS

Foreign countries are fertile ground for the sale of pesticides. They are often desperate to increase agricultural production, or protect their crops from insects and rodents. Much of their pesticide use is to control malaria. Says Dr. Ray F. Smith of the University of California, "in many countries nearly 100% of the pesticides used go onto cotton." (In fact, half of those used in the U.S. are for cotton crops.) [13]

The United States produces an estimated two-thirds of the world's supply of pesticides. Of some 900 million pounds manufactured in 1967, more than 400 million pounds were exported. The value (at the manufacturing level) was $195.7 million, up 13% from 1966.[6]

Moreover, the chief federal law controlling the registration and labeling of pesticides in the U.S. does not apply to exports. Thus pesticides could be marketed and used abroad in varieties and doses considered unfit in this country.

The catalog of mistakes in international pest control is long. A classic case occurred in the Canete Valley in Peru where, says Professor Teodoro Boza Barducci, the progressive use of a wide variety of pesticides on the cotton crop proved to be "disastrous." For one thing, after temporary control of the primary pest insect, resistance developed and it returned along with six new insects that needed control. Damage to the crops was extremely heavy, with a 50% loss in one year.[13]

A number of experts have spoken of the great publicity and promotion used to market pesticides in foreign countries and encourage their heavy use. They also tell of the resistance of farmers to using other methods recommended by scientists. Says Smith: "This is the case everywhere in the world. They don't change until there is a crisis that forces them to do it." [18]

Then there is the problem of misuse and misapplication, perhaps more serious in underdeveloped countries because of more limited literacy and education (the fine print on labels is a challenge to anyone), fewer technical and legal safeguards, and less effective or immediate medical attention in case of exposure. As an extreme example, for a time Japan alone had several hundred fatalities a year attributed to accidental parathion poisoning. Then there was this report from Rome not long ago:

"City health workers wearing rubber suits and gas masks filled a crowded market with white, stinging insecticide spray today, poisoning 13 persons, who were sent to a hospital. Merchants who have stalls in the market said they had asked the city to spray the area but had meant after the market closed." [31]

The Russians, too, have their problems with pesticides. These have been discussed by Harry Rothman of Manchester University, who cites in particular a case in August 1966, when a wasteland area 30 miles from Yaroslav was sprayed with a herbicide to increase the amount of meadowland—despite warnings of the dangers to wildlife. The result was the death not only of many birds, but 27 rare and highly-prized elk. This and other elk kills, he indicates, have galvanized concern in the USSR.[32]

Smith warns that some cotton-growing nations in Central and South America "are on the brink of disaster through misuse of pesticides." He says "the possibilities of a cotton crop failure . . . are very great in the next year or two if current practices are not modified. The possible social and political implications are many, especially when one considers that over 30% of the export dollars for countries like Guatemala and Nicaragua come from the sale of cotton fiber. It is no exaggeration to say that pest control advice which leads to an economic calamity may topple a government." [13]

There is no telling what the future may hold. For instance, recent research indicates the possibility that the insecticide lindane, much of which is used in vaporizers, is far more toxic when exposure is linked with malnutrition, and perhaps should be used with particular care—or not at all—in countries where the diet is low in protein.[33] Other studies indicate similar links for other pesticides.

Clifton R. Wharton, Jr., vice president of the Agricultural Development Council, warns of possible dangers in the widespread use of the new highly productive varieties of grain. "Large tracts planted in one of the new varieties may be susceptible to disease and infestation which could cause massive losses. Heretofore . . . heterogeneity provided a built-in protection . . ." He also notes that such losses to thousands of farmers are "far more likely to be blamed on the producers and spreaders of the miracle seed than on Fate." [34]

Where do we go from here? What can be done to slow down the lavish use of pesticides, to protect wildlife, and to mitigate the risks to man? And, at the same time, to control harmful pests and protect valuable food and fiber? The next issue of CF Letter *will review the present state of pesticide regulation, and explore improvements and alternatives to chemical control.*

TO BAN OR NOT TO BAN, THAT'S THE QUESTION IN WISCONSIN

Rarely has there been a dispute over pesticides as hearty and full-blown as that now going on in Wisconsin. Rarely have the issues been more sharply and vigorously drawn.

The scene of the dispute is Madison, where the Department of Natural Resoruces is holding administrative hearings on a petition to ban the use of DDT in the state. The Department has jurisdiction over the state's water quality standards, and can prohibit the use of a pollutant which reaches the water and causes health problems or "acute or chronic (injury) to animal, plant or aquatic life."

The petition was filed by the Citizens Natural Resources Association, which was joined by several other conservation groups. CNRA also invited help from the Environmental Defense Fund, Inc., an organization founded in the fall of 1967 for the purpose of bringing environmental issues to a legal test. The result, at the first stage of the hearings last December and January, was a strong indictment of DDT by a formidable array of expert witnesses, bolstered by EDF's attorney, Victor J. Yannacone, Jr.

This attack, said the Wall Street Journal on March 4, "seemingly caught (the pesticides industry) off balance." But the industry expects to make a full-scale effort to rebut when the hearings resume. This is scheduled for April 29.

The anti-DDT case rested to a great extent on damage to fish and wildlife. The industry—led by a DDT task force organized by the National Agricultural Chemicals Association—has made some attempts to mock its opponents, but in its rebuttal is expected to emphasize the benefits of pesticide use and the lack of evidence that they harm man.

Though the issues are limited to Wisconsin, to DDT and to water pollution, the nature of the hearings and the publicity they have spawned have created nationwide interest. The outcome is seen as an important precedent for other states whichever way it goes. Both sides have indicated that they would appeal a loss to the courts.

(Meanwhile, on April 16, the Michigan Agriculture Commission moved to cancel the registrationn of DDT for all uses in the state. This would make the sale of DDT illegal in the state.)

FOOTNOTES

[1] *Restoring the Quality of Our Environment,* Report of Environmental Pollution Panel, President's Science Advisory Committee, 1965.

[2] *Pesticides and the Living Landscape,* University of Wisconsin Press, 1964.

[3] BioScience, September 1968.

[4] Farm Chemicals, January 1969.

[5] *Extent of Farm Pesticide Use on Crops in 1966,* Agricultural Economic Report No. 147, U.S. Department of Agriculture, October 1968.

[6] *The Pesticide Review 1968,* Agricultural Stabilization and Conservation Service, USDA, December 1968.

[7] Biological Conservation, January 1969.

[8] Garden Journal, November–December 1968.

[9] Testimony before Senate Commerce Committee, May 17, 1968.

[10] Nuclear Information, May 1964.

[11] Hearings of Senate Government Operations subcommittee on reorganization and international organizations, 1963–64.

[12] Address to 34th North American Wildlife and Natural Resources Conference, 1969.

[13] Conference on the ecological aspects of international development, sponsored by CF and the Center for the Biology of Natural Systems, Warrenton, Virginia, December 8–11, 1968.

[14] *The Case Against Hard Pesticides,* Michigan Department of Conservation.

[15] Letter to Washington Post, June 2, 1968.

[16] Washington Post, April 17, 1969.

[17] Scientist and Citizen, June–July 1968.

[18] New York Times, May 4, 1967.

[19] New York Times, May 7, 1967.

[20] Medical World News, April 26, 1968.

[21] Testimony before Wisconsin Department of Natural Resources, December 1968.

[22] Washington Post, January 4, 1969.

[23] World Medicine, January 10, 1968.

[24] *The Use of Pesticides,* President's Science Advisory Committee, May 15, 1963.

[25] *The Pesticide Problem,* Resources For The Future, 1967.

[26] *Occupational Disease in California Attributed to Pesticides and Other Agricultural Chemicals,* California Department of Public Health, 1964.

[27] New York Times, March 16, 1969.

[28] *Interagency Environmental Hazards Coordination,* Senate Report No. 1379, Senate Government Operations subcommittee on reorganization and international organizations, July 21, 1966.

[29] California Agriculture, February 1969.

[30] Congressional Record, February 24, 1969.

[31] United Press International, October 19, 1968.

[32] Journal of the Soil Association, January 1969.

[33] Archives of Environmental Health, August 1968.

[34] Foreign Affairs, April 1969. *For further information: Pesticides and Pollution,* Bureau of National Affairs, Washington, D.C., 1969, $4. Fish and wildlife legislation hearings before House Merchant Marine and Fisheries subcommittee on fisheries and wildlife conservation, March 14, 1968. *Pest*

Control, edited by Wendell W. Kilgore and Richard L. Doutt, Academic Press, New York, 1967, $19.50. *Review of the Persistent Organochlorine Pesticides,* British Ministry of Agriculture, 1964, Her Majesty's Stationery Office, London, 4s 6d. *Mass Insect Control Programs: Four Case Histories,* a CF study by William L. Brown, Jr., 1961.

CINCO DE MAYO, A GREAT HOLIDAY

Mr. YARBOROUGH. Mr. President, on May 5, our neighbor and good friend to the south, Mexico, will celebrate one of its great national holidays, Cinco de Mayo.

Cinco de Mayo commemorates the Battle of Puebla, fought May 5, 1862. It was in Puebla that the Mexican forces, under the able direction of Gen. Ignacio Zaragoza, defeated the invading French Army. It was the first defeat of a great French Army in 50 years.

The French forces later prevailed temporarily in vast areas of Mexico. However, the victory at Puebla gave the Mexican people new pride in their army, new faith in their ability to win against overwhelming odds. The spirit of Cinco de Mayo kept alive in the Mexicans the knowledge that they could win and that they would again regain their independence.

This great spirit still lives in the heart of every citizen of Mexico. This spirit helped build modern day Mexico, helped create the great nation to the south of the United States.

I come from a State having a large Mexican-American population. Many cities and towns in my State will have ceremonies in honor of Cinco de Mayo. General Zaragoza, the Mexican general who defeated the French at Puebla was born in Goliad, Tex. Just south of Goliad, we have the General Zaragoza State Park.

I believe that on the 5th of May—Cinco de Mayo—we should all pay special tribute to Mexico. I salute the people of Mexico, congratulate them for their great achievements in building a nation and say to them that we want, in the years ahead, to bring our two nations even closer together.

STUDENTS FOR A DEMOCRATIC SOCIETY

Mr. ALLOTT. Mr. President, for nearly 3 weeks now the colleges and universities in this Nation have been subjected to an unprecedented and dramatically well organized assault by the Students for a Democratic Society—SDS—and their auxiliary organizations. That assault is continuing, and indeed appears to be leading toward a climax between May 1 and 7.

Indications are that more than 30 colleges and universities may be struck with violent confrontations of varying degrees this next week.

In some cases, thanks to the actions of concerned students, SDS will not be successful. In others, due to the capitulations of university authorities, SDS will triumph.

Whatever the outcome, there is no question that SDS is "flexing its muscles" in an effort to show that it, rather than campus or community authorities, is the dominant force in our major educational institutions today.

SDS officials have been quoted as saying that they view this moment in history as one similar to the 1905 Russian revolution which, while it was temporarily crushed, established the organizational structure enabling the 1917 revolutionary efforts to succeed.

The question for educational leaders, for civil authorities, for congressional leaders, and indeed for the people is a simple one: Are we going to allow this militant and tiny minority of anarchists and revolutionaries to turn campus properties into a base for subversive and militant activities against the United States?

On March 25, 1969, I delivered a statement to the Republican policy committee in which I cited the aims and goals of SDS as outlined during a meeting in Princeton, N.J., February 1 and 2. The statement was also inserted in the CONGRESSIONAL RECORD on March 26, 1969.

Like Lenin and Hitler before them, the SDS leaders are making their plans for America abundantly clear. As indicated at the Princeton regional meeting, the SDS spring offensive has several major goals, and I quote from their own words:

> Smash the Military in the Schools.
> No ROTC.
> No war or counter-insurgency research.
> No military or war recruiting.
> No draft assemblies in high schools.
> No high school sending of names to draft.
> OFF the Pig; no police training on campus.
> No tracking in high schools.
> Open admission.

SDS promised in Princeton that it would begin its national mobilization for the spring offensive on April 12 and 13 followed by, as I noted in my speech before the policy committee, "a spring rebellion."

At a recent Texas conference, SDS put the finishing touches on its plan to culminate the "spring rebellion" with a general campus disruption between May 1 and May 7, but particularly focusing attention on May 1, which has long been a symbolic day of "solidarity" for all movements of the left.

Let us examine then, what has taken place between my earlier Policy Committee statement of March 25 and the present. Does SDS mean business?

First of all, across the Nation SDS has been moving into and organizing high school students to initiate disruptions. Whereas issues such as the Vietnam war and so-called racism are the main focal points of SDS activity at institutions of higher learning, these issues are not nearly so popular in high schools where political awareness is considerably less.

Not surprisingly, then, the "New Left" is concentrating its high school efforts in nonpolitical areas. Syndicated Columnist Alice Widener, who was one of the earliest reporters to expose the revolutionary activities of SDS, notes that there are "three levels of antiadministration sentiment to be organized and exploited" by high school SDS groups. These are: first, "dress regulations"; second, "attendance"; and, third, "the education itself."

One has only to turn to the suburbs of Washington to find that the SDS prescription is being followed to the letter. The pattern is the same everywhere, of course, including in my own State of Colorado. In fact, I have in my possession an SDS document handed out recently at a Denver East High School basketball game instructing students on how to make homemade bombs and other explosive devices. And in an obvious effort to strike a blow for immorality, SDS handed out a "Sex Relationship Inventory," the contents of which, in my judgment, would not be appropriate for insertion in the CONGRESSIONAL RECORD. I repeat, this material was passed out at a high school in Denver. I think this is quite indicative of how far SDS is willing and able to go in its revolutionary quest.

The most pronounced violence has been seen on our college and university campuses. Following the SDS regional meetings which took place in early February throughout the Nation, the clear and unmistakable pattern of violence and disruption has begun to take shape.

In March, 38 institutions of higher learning were struck. Schools, large and small, were the victims of pre-planned SDS and in some cases "Black Panther" activity.

I ask unanimous consent that a listing of the campuses where major campus disruptions occurred during the month of March be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

SCHOOL, LOCATION, AND EXECUTIVE OFFICER

Brandeis University, Waltham, Mass. 02154, Morris Abram.

Briarcliff College, Briarcliff Manor, N.Y., C. Adkins.

Buffalo State Univ., Buffalo, N.Y. 14214, Martin Myerson.

California, Univ. of Berkeley, Berkeley, Calif. 94720, Roger W. Heyns.

Chicago City College Wison Campus, Chicago, Ill. 60621, Charles R. Monroe.

Chicago State College, Chicago, Ill. 60621, Dr. Milton Byrd.

Colgate Rochester Divinity School, Rochester, N.Y. 14620, G. E. Bartlett.

Colorado, Univ. of, Boulder, Colo. 80304, J. R. Smiley.

Delta State College, Cleveland, Miss. 38732, J. M. Ewing.

Duke University, Durham, N.C. 27706, D. M. Knight.

Ferris State College, Big Rapids, Mich. 49307, V. F. Spathelf.

Florida State Univ., Tallahassee, Fla. 32306, J. E. Champion.

Harvard University, Cambridge, Mass. 02136, Nathan M. Pusey.

Hiram College, Hiram, Ohio 44234, E. Jagow.

Holy Cross, Coll. of the, Worcester, Mass. 01610, V. Rev. R. J. Swords.

Houston, Univ. of, Houston, Texas 77004, P. G. Hoffman.

Los Angeles City Coll., Los Angeles, Calif. 90029, G. Gooder.

Louisville, Univ. of, Louisvile, Ky. 40208, P. Davidson.

Minnesota, Univ. of, Minneapolis, Minn. 55455, C. M. Malcom.

Nasson College, Springvale, Maine 04083, D. C. Ziemke.

New York, City Univ. of, Queens Coll., Flushing, New York 11367, J. P. McMurray.

New York University, Grad. School of Soc. Work, New York, New York 10003, A. Rosen.

North Carolina, U. of, Chapel Hill, N.C. 27515, C. Sitterson.

North Carolina, Ag. & Tech. College of, Greensboro, N.C. 27411, L. C. Dowdy.

Oklahoma Christian Coll., Okla. City, Okla. 73111, J. O. Baird.

Pittsburgh, U. of, Pittsburgh, Penn. 16802, E. A. Walker.

Princeton University, Princeton, N.J. 08540, Robert Goheen.

Rio Grande College, Rio Grande, Ohio 45674, A. R. Christensen.

Rochester, Univ. of, Rochester, N.Y. 14627, W. A. Wallis.

Rutgers U. in Newark, Newark, New Jersey, Mason W. Gross.

San Francisco State Coll., San Fran., Calif. 94132, S. I. Hayakawa.

Sarah Lawrence Coll., Bronxville, New York 10708, Esther Raushenbush.

State U. of New York, Binghamton, Binghamton, N.Y. 13901, G. B. Dearing.

State U. of New York, Genesco State U., Genesco, N.Y. 14454, R. W. MacVittie.

State U. of New York, Potsdam State U., Potsdam, New York 13676, A. W. Thatcher.

State U. of New York, Stony Brook, Stony Brook, L. I. 11790, J. S. Toll.

Syracuse Univ., Syracuse, N.Y. 13210, W. P. Tolley.

Wagner College, Staten Island, N.Y. 10301, A. D. Davidson.

Mr. ALLOTT. Mr. President, following the self-described "national mobilization" of SDS during the second week of April, campus disorder began to escalate on a scale never before witnessed in America.

Actually, most every campus of any size has been hit with some kind of militant student activity. On some campuses, however, the authorities were firm enough, or the student support was lacking enough, that nothing more serious than a picket line was the result.

However, on our major campuses the situation has been quite different: On April 14, the Washington Post reported, 15 to 20 members of the Students Afro-American Society at Columbia University moved into the admissions office at Columbia to "protest the school's admission policies for black students."

On the same day, 250 demonstrators were occupying a Stanford University research laboratory; a student strike was called by the Oberlin College student senate in Ohio; at Purdue, a group of students began a boycott of the Memorial Union; demonstrating students flew the black nationalist "flag of liberation" from the administration building of Southern University in New Orleans; 250 students at Albright College in Reading, Pa., had control of the college library.

All of this, of course, was taking place while the student strike at Harvard, which had begun on April 9, was continuing. The Harvard strike represented one of the largest and most successful efforts of the radical groups.

The Harvard problem is still not completely settled. A few days after the problems became acute at Harvard, militants caused trouble at Princeton. The Washington Evening Star reported that fistfights broke out "when 100 members of SDS blockaded two Marine Corps recruiters into a campus building."

The following day, the Washington Post reported that student strikes had been set by students at both Columbia and Purdue.

Meanwhile, Cornell's militants staged an armed uprising, for which, I am sad to say, they were granted amnesty by the University. The New York Times of April 21 reported:

> Carrying 17 rifles and shotguns, Negro students at Cornell University marched out of the Student Union Building today, ending a 36-hour occupation.
>
> A few minutes later, rifle carrying students stood by in front of the cottage that the Negro students used as their headquarters while university officials signed an agreement. This called for the Dean of the Faculty, Robert D. Miller, to recommend to a full faculty meeting tomorrow that a judicial proceeding against five black students "be nullified."
>
> The administration also capitulated to a series of other demands by the Afro-American Society including:
>
> University legal assistance against any civil charges arising out of the occupation of the buildings.
>
> A promise that the university would press no civil or criminal charges or other forms of punishment against the occupiers and would assume all responsibility for damages to the building . . .

In recent days, within the week, we have seen student disorders here in the Washington area at American University, George Washington University, the University of Maryland, and Howard University.

Student militants had made it quite clear that they wanted to take control of the Washington area universities so that, via television coverage around the world, the message would be clear that SDS and their fellow travelers have the power to disrupt colleges right in the shadow of the Capitol.

Because, however, a long awaited reaction is beginning to set in among moderate students whose sole purpose is to obtain an education, SDS was unable to achieve its entire goal. At Maryland University, students formed a blockade and refused to allow the militants in a building they were seeking to occupy. At American University, a group of fraternity brothers and athletes formed a party and evicted the SDS crowd one at a time. Some would say, as a number of academicians at American University charged, that the moderate students took matters into their own hands. Actually this is true, but they were forced into this position by the weak and ineffective performance of university administration officials.

Frankly, I view the growing reaction among the students, and indeed the people as a whole, as a hopeful sign that we as a nation are recognizing the student revolution as a national problem, and are stiffening our backbones to meet the challenge.

However, the "Revolution in May" beginning on Thursday is still to come.

If SDS plans are successful, and there is reason to believe that on at least some campuses they will be, then we may be facing the worst week in the history of education in America.

Syndicated Columnist Paul Scott reports in a dispatch from Washington on April 25 that secret workshops held by SDS leaders have taught their followers how to use weapons and explosives, purchased with funds from Cuba, during the current offensive.

Scott says, among the items covered at the SDS workshops, the following were included:

> Firing of rifles into student crowds and at police; flushing bombs in toilets to destroy plumbing of school buildings; using sharp tripod metal instruments to halt vehicles; firing Molotov cocktails from shotguns; use of flare guns to set fires; jamming police radio equipment; dropping "thermite bombs" down manholes to destroy communications systems; use of LSD to attract high school students into violent protest.

As is evident by that recitation, we are not dealing with just discontented students who feel they have some legitimate complaints. We are dealing with trained and organized revolutionaries. They may be small in number, but they are effective. Their record since April 12 speaks for itself.

Mr. President, the time has come for responsible members of Congress to focus attention on this dangerous menace. We must talk about it. We must expose these radicals and their true aims. But we must go further than that. We must act and act constructively.

I have stated before, and I still believe, that the primary responsibility for quieting this unrest and stopping the militants rests at the local level. We have no national police force, and I hope that one never becomes necessary. Most of the statutes dealing with disorders and which enable campus administrators, if they want to, to cope with militant confrontations, have been enacted on the State and local levels.

However, we in the Federal Government have some grave responsibilities as well. Each year we contribute nearly one-half billion dollars to students through various aid programs. This is in addition to the millions upon millions of dollars which go to support university and college research, development, and even building programs.

We have the responsibility to see to it that this money is being properly spent. In addition, we in Congress, through our laws and regulations, make it possible for tax-free foundations to contribute additional millions to students. We must see to it that these foundations are not, as I believe some are, distributing tax-free money to student anarchists.

We also have jurisdiction over the activities of students who engage in interstate commerce for the purpose of initiating disorder.

Because SDS and its affiliates have set May 1 to 7 as its target, I hereby announce that on May 1, or if the Senate is not in session, at the first opportunity thereafter, I will take the floor of the Senate to suggest an appropriate approach which I believe the Federal Government should take in this field of campus disorder. I will have additional remarks at that time.

I also intend to call on all Senators, in both parties, who feel as I do on this subject, to join me in discussing various aspects of the situation, and to, if they also so choose, introduce legislation they may feel is appropriate to the situation.

Obviously we will not agree on every point, but in our own way the Senate can conduct for the American people a "teach-in" of its own which can, in my judgment, go a long way toward exposing and correcting this very serious threat to our Nation.

I ask Senators to join me in this effort. I will hold the floor for as long as Senators are present who wish to discuss the problem.

It is high time that the views of the majority in this Nation be heard with the same intensity as the views of the militant minority.

It is my hope to make a contribution toward that end.

PRESIDENT NIXON'S STATEMENT LAUNCHING THE 12TH ANNUAL NATIONAL LIBRARY WEEK

Mr. JAVITS. Mr. President, President Nixon has issued an eloquent statement launching the 12th annual National Library Week which the Nation is commemorating from April 20 to 26. As the President has noted:

> Never have our libraries played a more prominent role in our campaign against ignorance and for fullness of educational opportunity.

The three major Federal library programs already on the statute books—the Library Services and Construction Act, title II of the Elementary and Secondary Education Act, and title II of the Higher Education Act—are evidence of the Nation's acknowledgment of the library's role in the campaign against ignorance referred to by President Nixon. These programs, whose level of funding must be maintained, have proved their worth well in strengthening our national library systems.

I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> Libraries are the banks of our educational system. And they yield rich dividends in knowledge and in wisdom. They are a summing-up of past achievement and a stimulant to future progress.
>
> Never have we had greater reason than this year to celebrate National Library Week. For never have our libraries played a more prominent role in our campaign against ignorance and for fullness of educational opportunity.
>
> Change is sweeping our academic institutions. Our libraries are sensitive to the currents, responsive to the tide.
>
> Modern technology is revolutionizing our system of public information. Our libraries, with new programs and new media techniques, have become exciting and effective centers of innovation.
>
> The need to bring the benefits of better education to those who have been bypassed by existing programs is more imperative than ever. By extending their services throughout the communities of America, our libraries immeasurably advance our goal, and perform the highest public good.
>
> For these and all their selfless efforts to serve, I congratulate America's librarians—a dedicated profession of men and women who enrich their fellow citizens, their communities, and their country.
>
> RICHARD NIXON.

THE BATTLE AGAINST ORGANIZED CRIME

Mr. TYDINGS. Mr. President, last week the President sent a message on organized crime to the Congress. He outlined the considerably expanded program he intends to launch to begin dealing in a realistic sense with the challenge of organized crime to our society. As we consider this program, I think it most important that we see it in proper perspective, and that we be prepared to add creatively to the proposals before us. For these reasons, I will today discuss the immensity of the challenge we face and some proposals I have placed before the Senate to assist in coping with that challenge. My remarks are largely based upon testimony I gave before the Senate Subcommittee on Criminal Laws and Procedures with respect to S. 974, S. 975, and S. 976, three organized crime control measures I have introduced in the 91st Congress.

Concern with organized crime is not new, but because it is a problem which will require such a massive effort to overcome, and because there are no easy or readily apparent solutions, public interest waxes and wanes. Sensational headlines breed heat and emotion; public investigations raise demands for action. But the interest so generated among members of the general public lags and dies before effective measures can be implemented. One of the greatest difficulties in the battle against organized crime has been the element of time—it will require years to successfully cope with it, and it is not reasonable to suppose that public interest can be sustained for such a period of time.

It is important that we take steps to reactivate the Federal effort to combat organized crime, which appears to have lost much of its impetus. In this area perhaps more than in any other, sustained attack is essential. Here we are dealing with a virtual hydra with seemingly unlimited powers of regeneration. We must not deceive ourselves by believing that the arrest and conviction of a handful of numbers racketeers or dope peddlers has made a significant inroad into the organization. These are only the warrior ants—the so-called soldati—who are more easily replaced by the organization than they are removed from circulation by the authorities. We must literally dismember the organizations, and this is a project not easily accomplished. It will take the efforts of many people, in public and private life, over the course of many years. In the meantime we must do all within our power to focus attention and activity on organized crime, and to provide those who are combating it with better, more effective weapons for their effort.

Organized crime is one of the largest, most diversified, and most profitable industries in the United States. A complex organization, designed very effectively to shield its chiefs from successful prosecution, it has annual profits of untold billions of dollars.

Its effects are felt at every level of our society, from the harassed borrower, who feels its pinch in the usurious rates enforced by the savage and voracious loan shark, to the housewife who pays an extra cent or two for bread because of syndicate infiltration of a legitimate business or its supporting labor union.

The situation is the more unfortunate because it is so often the poor who are most directly and severely injured. The greatest single source of revenue for organized crime is its gambling activities, which net an estimated $7 to $50 billion a year.[1] According to the Intelligence Bureau of the Internal Revenue Service, persons who place illegal bets provide untaxed profits to the underworld at the rate of more than $600,000 per hour.[2] A great portion of this is gained through numbers rackets, draining from the poorest inhabitants of our ghettos and slums and their families precious dollars which should be spent for food, shelter and clothing.

Most criminal activities of the syndicate are two party transactions in which both parties are interested with successful completion of the act. The placing of a bet or delivery of a "fix" are the kinds of crime which most often go unreported. Organized criminal activity is often not so visible as so-called "crime in the streets," but its impact on the fiber of our society is certainly as great if not greater.

Even when these isolated incidents come to light, our local police forces are not really equipped to deal with them. Our law enforcement structure is unsuited to the growth of new kinds of crimes—and organized crime is, in the history of law enforcement in this country, relatively new.

It is true that we have always had some form of organized crime, if we look upon the frontier gangs of the last century as in some sense comparable to La Cosa Nostra of today. Nevertheless, the Crime Commission concluded that the "American System was not designed with organized crime in mind; and it has been notably unsuccessful to date in preventing such organizations from preying on society." The problem is further complicated, as I indicated before, by corruption of the local enforcement and political systems.

These considerations lead to the conclusion that, if we are to attain significant degrees of success, the battle against organized crime must depend heavily on Federal participation and leadership. Crime, and especially organized crime, does not respect our traditional State and local political boundaries. It reaches from center-city to suburb to rural area, and across State lines. Our attack must be nationwide. It must be spurred by the lead of the Federal Government.

The Safe Streets Act of 1968 contained provisions for funds to improve local units for dealing with organized crime. Yet if the conclusions of the Crime Commission are accurate, it is unlikely that these funds will be sought by the areas which need them most or that, if sought, they will ultimately be put to the use for which they are intended.

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[1] President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Organized Crime* 3 (1967).

[2] House Committee on Government Operations, Federal Effort Against Organized Crime: Report of Agency Operations, H.R. Rep. No. 1574, 90th Cong., 2d Sess. 6 (1968).

The Federal participation I am speaking of is the active and sustained involvement of Federal agencies, under the leadership of the Justice Department, in uncovering and prosecuting organized criminals. Federal involvement in the fight against organized crime of one form or another stretches back over half a century. But it has only been since the meeting of the Attorney General's Conference on Organized Crime in 1950, and the investigations of the Senate Select Committee To Investigate Organized Crime in Interstate Commerce that we have been committed to a sustained Federal effort. The Kefauver Committee said that, while Federal agencies cannot be substituted for State and local enforcement in dealing with organized crime, the Federal Government must provide leadership and guidance, establish additional techniques for maximum coordination of law enforcement agencies, take a positive approach in using its power to fight organized crime, and seek legislation when its powers are insufficient.[3]

In 1954 the Organized Crime and Racketeering Section of the Justice Department, a part of the Criminal Division, was organized to coordinate Federal activities in this field. At the time of the famous Appalachian meeting 3 years later, the Organized Crime Section had a staff of 10 attorneys.

As a result of the discovery of the Appalachian conference, the Attorney General appointed a special group on organized crime in April of 1958, which pursued the activities of individual attendants of the conference and conducted grand jury investigations. This group was disbanded after trial, and many of its functions transferred to the Organized Crime Section. The group also recommended that an Attorney General's Office on Syndicated Crime be established to spearhead the fight, and coordinate Federal efforts. Many of its recommendations still remain to be implemented, and some are among the legislative proposals that are being considered by the Criminal Laws and Procedures Subcommittee and being proposed by the President.

The next focus on organized crime came through the activities and investigations of Senator McCLELLAN's Select Committee on Improper Activities in the Labor and Management Field. That investigation revealed the significant and greatly disturbing extent to which organized criminals had infiltrated legitimate business enterprise and labor unions.

However, by 1960 the Organized Crime Section still had only 17 attorneys on its staff. It was not until the Attorney Generalship of Robert F. Kennedy that the Federal effort took a new direction and began to develop the staff and resources which were needed then and which must be marshaled now if we are to cope with the menace of the syndicates.

By 1963 there were 60 attorneys in the Organized Crime Section, and investigative and prosecutorial activities of the section reached unprecedented heights.[4] Unfortunately the effort was too much reliant upon the personal drive and interest of the Attorney General, and, as the statistics indicate, there was a decline in activity after his departure from the Justice Department.

Since 1966 and the presidential directives of that year, activity in the Organized Crime Section has again picked up. But it is tremendously important that we do not risk another decline in interest and activity—such relapses lose years in the drive, causing irreparable damage. We cannot any longer permit the extent of the Federal activity against organized crime to depend upon the personal interest of individuals who must necessarily allocate their time and efforts in many directions—the Attorney General and the Assistant Attorney General for the Criminal Division.

The Assistant Attorney General finds himself in a situation where he is forced to concentrate his efforts on either organized crime and racketeering or the general crime fighting activities of the Justice Department, the latter including administrative regulations, appeals, fraud, and more general crime. Yet, the two are simply too extensive for any single man to adequately handle. The Federal commitment to fight organized crime must be institutionalized so that it will survive the passage of individuals and changes of administrations.

It is for this purpose that I introduced S. 974, to elevate the Organized Crime and Racketeering Section to the status of a division. The bill accomplishes this by creating an additional position of Assistant Attorney General and designating him as the Assistant Attorney General for Organized Crime. It further adds a new section to title 28 of the United States Code defining his powers and responsibilities. Essentially these include the supervision of all investigations and prosecutions for organized criminal activities, and the supervision of the activities of the U.S. attorneys in the field of organized crime. The proposal also authorizes him to employ such additional professional personnel and specialists as he finds necessary to properly carry out his duties.

I note that both the creation of a division level operation in the Justice Department to manage and coordinate organized crime activities and a significant increase in staffing for those efforts are recommendations of the President's Commission on Crime.[5]

There are a number of reasons why the Organized Crime Section should be elevated to a division.

It is divisional in responsibilities, as I have indicated above. It is supposed to coordinate the efforts of as many as 25 Federal agencies in the overall battle against organized crime and to collect and analyze all of the information they uncover; as the result of a Presidential policy statement in 1966 and an Executive order in 1968 it is the focal point in the drive against organized crime. Yet those Presidential orders were necessary because the Justice Department, perhaps because of the lack of statutory directive or authority, had not adequately taken the lead. S. 974 makes it clear where the authority and responsibility should be. I do not believe that the Organized Crime Section can meet the responsibilities of leadership and coordination set out by the report of House Committee on Government Operations last year without divisional status and a clear statutory mandate of authority and responsibility.

All responsibility for organized crime activities of the Justice Department itself should be allocated to the division. Traditionally, the divisions have been created on an analytical basis, based on the statutes that are administered. The fight against organized crime cuts across these analytical lines, and must be dealt with on a functional basis. For example, organized crime litigation often involves tax and civil litigation as well as criminal prosecutions. Today these activities are handled on the basis of the traditional division. As a result, no one takes an overview of the entire scheme of activities with a view to doing what is best in terms of furthering the fight against organized crime.

A tax case may appear unlikely of success, and, in the view of the Internal Revenue Service and the Tax Division not worthy of pursuitive terms of the revenue or tax principles involved. But it may concern a significant, high ranking member of La Cosa Nostra, and, from the aspect of potentially removing him from active service, be worth the expenditure involved and more. The decision whether the case should be pursued should not occur without the potential impact on organized crime having been carefully assessed.

I think it most important that we realize that organized crime is a unique and particularly devastating kind of crime. As part of a concerted, on-going activity it has a significantly different impact on our society, our economy, our political way of life, and it calls for a different, more broad sighted approach on the part of our law-enforcement agencies.

It has been suggested that elevation of the Organized Crime Section to division status, parallel with the Criminal Division, would lead to conflicts of jurisdiction and duplication of efforts. Where conflicts of jurisdiction might arise, they would serve the useful function of pointing up areas where crimes should be investigated and prosecuted as part of an ongoing concerted activity rather than individual incidents. I would expect that such conflicts could be amicably resolved, just as I would expect that lines of communication between the divisions could readily be established which would prevent duplication of effort.

There are numerous functions of the Organized Crime Section which should each be managed by a section by itself. There should be an Electronic Surveillance Section to supervise operations under title III of the Safe Streets Act of 1968. This will be the more important if the Justice Department implements that title to the extent that we have been told it intends to. Another section should be created to coordinate with the State and local law enforcement units, and to conduct the training programs which the division is directed to conduct under my bill. Still another section should coordinate the collection and computerization in a central data system all of the information relating to organized crime that is collected by the numerous Federal and State agencies which have some exposure to the field.

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[3] House Committee on Government Operations, Federal Effort Against Organized Crime: Report of Agency Operations, H.R. Rep. No. 1574, 90th Cong., 2d Sess. 12 (1968).

[4] 115 Cong. Rec. p. 5883 (March 11, 1969).

[5] President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Organized Crime* 22 (1967).

Another provision of S. 974 authorizes the Assistant Attorney General to supervise the acquisition, location, and management of Federal facilities for the protective housing of persons testifying in investigations or prosecutions concerning organized crime.

I cannot emphasize too greatly the importance of this seemingly simple provision. The Crime Commission pointed out that "under present procedures too few witnesses have been produced to prove the link between criminal group members and the illicit activities that they sponsor."

The victims of organized criminal activity usually do not testify either because the crime is consensual, as I suggested above, or because they fear for their lives.

I have had to face this problem directly during my years as a U.S. attorney in Maryland. Victims did not testify then, they did not testify when my predecessor held office, and they do not testify today, for those reasons. The addict will not turn in his pusher, because he relies on that criminal for a "fix." The victim of extortion, already forced by fear to pay, will not then risk his life.

Insiders are kept quiet by an ideology of silence, underwritten by a completely realistic fear that death comes to those who talk—often not mere death, but death by torture.

Photographs of some of those grisly crimes have been shown to loan shark victims to secure repayment of their debts. Can people such as these victims really be expected to step forward to testify?

Unimplicated witnesses have been, and are now, regularly bribed, threatened, or murdered. Scores of cases have been lost because key witnesses turned up in rivers in concrete boots. Victims have been crushed—James Bond-like—along with their automobiles by hydraulic machines in syndicate-owned junkyards.

It is true that significant cases have been made by law enforcement agents, and they have been based in large part on the testimony of brave witnesses.

The Department of Justice has had the finest investigation resources in the Nation. As I suggested earlier, the Organized Crime Section is understaffed, overworked, and underpaid. But it is staffed by honest, competent, imaginative and dedicated men, as have been the FBI, IRS, and Federal Bureau of Narcotics agents assigned to organized crime.

But look at the record. Between 1961 and 1968, the number of federally secured convictions of organized criminals rose from 73 to 520. That was a real accomplishment, but it scarcely touched the principal families of La Cosa Nostra.

La Cosa Nostra has 5,000 members. Between 1961 and 1968 indictments were obtained against 290; convictions, against 147. That is 3 percent. Of the 147, the most significant portion were convicted of tax evasion. La Cosa Nostra members are learning that by declaring on their tax returns more and more under "miscellaneous income," they can avoid prosecution.

To effectively strike against organized crime, we must strike it at all levels. But it is intentionally structured to avoid conventional sources of evidence. For these reasons, Mr. President, we must take steps to encourage the giving of evidence, to enable the compulsion of evidence, and to render it less difficult to secure convictions where we do obtain evidence.

Providing physical protection for witnesses willing to testify is one of the steps we can take.

Providing immunity, so that we may constitutionally compel testimony is another. This is the purpose of S. 975, which permits the Attorney General or an Assistant Attorney General designated by him for the purpose, to approve the granting of immunity from prosecution for Federal offenses revealed in the testimony of a witness.

The final bill that I will discuss today is S. 976, a provision which gives a judge authority to commit persons who have been convicted of a crime which he finds to have been part of an ongoing scheme of organized criminal activity, to terms of up to 30 years of imprisonment.

This measure was recommended by the President's Crime Commission, and a special committee of the American Bar Association. As drafted it is based on the efforts of the American Law Institute, included as part of the Model Penal Code, and the Advisory Council of Judges of the National Council on Crime and Delinquency in the Model Sentencing Act.

These provisions were carefully drafted to meet potential constitutional objections, and I believe they will pass a constitutional muster. The circumstances under which the law can be brought to play are narrowly defined. It applies only to felony convictions, where the court finds that: the defendant is 21 years of age or older, the felony was committed as part of a continuing criminal activity in concert with one or more persons, and that because of the dangerousness of the defendant such period of confined correctional treatment or custody is required for the protection of the public.

The defendant is given the protection of a full hearing on the question of whether the provisions should be invoked, where he will be represented by counsel, and has a right to introduce evidence to resist application of the section to him.

The recent Presidential message on crime to which I adverted at the outset of these remarks was most encouraging because it reflects the emphasis the President is placing on the fight against crime and especially against organized crime. In considering this program, however, there are two factors which I think it important that we keep in mind.

The first factor is urgency. For example, the President called for a reappraisal of the internal organization of the organized crime fighting activities of the executive branch. I hope that any reorganization will include the creation of an Assistant Attorney General for organized crime such as I have proposed. While I am gratified that the need for reappraisal has been recognized, I urge that we are rapidly approaching the time for decision. We should not wait unduly, certainly not the length of time that would be required for any extensive Justice Department or executive branch reorganization. An Assistant Attorney General for organized crime is needed today, if we are to mount and coordinate a successful attack on organized crime. When any further proposals for reorganization are made, this position could be incorporated into any new scheme.

The second factor is the need for a program that will have long term affectiveness. The President's substantive program focuses primarily on gambling. It is important to go after the gambling enterprises. They are a major source of income for La Cosa Nostra, and they are particularly destructive because they prey upon the impoverished elements in our society.

But I hope that it will not become a program which is designed with a primary objective of accumulating impressive statistics to show each year to congressional committees. It is far easier to pick up a local numbers peddler and to mount successful prosecution against him, than to prosecute the major Mafia figures. But we must not permit ourselves to be deluded into believing that the success of our efforts will be measured solely in the number of convictions obtained which can be listed under "organized crime" on the fact sheets. In the long run, we must make a coordinated, more central attack on the principal families of La Cosa Nostra.

We must combat loan sharking and extortion. We must counter the infiltration of legitimate businesses. We must combat corruption of our local law enforcement and political officials, thereby freeing our local agencies to combat more evident problems like gambling. We must concentrate efforts on the leaders of the organization. These efforts will concededly not show the same quick apparent successes. But so long as the generals are permitted to continue their careers unhampered, they will be able to enlist their soldiers faster than law enforcement agencies can round them up.

ADDRESS BY SENATOR CASE ON AID TO COMMUNITY COLLEGES

Mr. JAVITS. Mr. President, the Senator from New Jersey (Mr. CASE), who introduced the legislation which initiated our Federal program of aid to 2-year colleges, returned recently to the institution which sparked his interest and prompted introduction of the legislation.

I believe Senator Case's remarks on that occasion are worthy of the attention of the Senate. I ask unanimous consent that they be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Introductory Remarks by Senator Clifford P. Case at a Seminar With High School and Atlantic Community College Students at Atlantic Community College, Mays Landing, N.J., Monday, April 21, 1969

It is a great pleasure to be here today, not only because I expect to pick up a very quick liberal education from you, but also because Atlantic Community College has a special meaning for me.

Education has always been my special "thing," you might say. But community colleges such as this one represent to me a new beginning—a beginning of widespread recognition of the need for higher education facilities close to home.

It was the problems encountered in creation of this institution which first brought into sharp focus for me the need for a federal program of assistance to community colleges. As a result of that demonstrated need, I introduced legislation in August of 1957 to provide for federal support of two-year colleges. This legislation was incorporated into the Higher Education Facilities Act in 1965.

Since that provision became law, enrollment in community colleges in this country has grown to more than 1 million. That is almost double what it was in 1965, when federal aid for community colleges first became available.

So, in a sense, Atlantic Community College is responsible for helping to make an education possible for hundreds of thousands in this country.

The Nixon Administration just last week demonstrated that it recognizes the high place that community colleges deserve among our educational institutions.

In a year in which our economic situation has led the budget cutters to spare almost no federal program, President Nixon's budget provides for interest subsidies which will make an additional $40 million in loans available for construction of new community colleges.

Added to what was proposed previously, that would make $70 million available for loans to finance construction of these institutions in the next year. The Nixon budget also proposes $43 million in direct grants for construction of community colleges, the same amount proposed in the budget of the Johnson Administration just before it left office in January.

So far, so good.

But it isn't enough.

The amount provided for grants is only about half of the amount provided in last year's budget and even that was insufficient to finance even a quarter of the eligible applications which were submitted.

In New Jersey last year, only one of four applications for federal aid was approved. And many institutions did not even file applications because they felt it was hopeless. New Jersey State Education officials estimate that 10 times as much federal aid as was available could have been used in our state alone.

New community college programs among other education bills have been introduced in the Congress this year. Many of the proposed measures are needed and I am supporting them. But it is obvious to me that our greatest need is to provide adequate funds for the programs we already have.

And as a member of the Senate Appropriations Committee, I intend to work for adequate funds for the vital educational programs we already have on the books.

I know of no better investment for the nation.

NEW THEATER OF THE ABSURD

Mr. McINTYRE. Mr. President, I ask unanimous consent that a perceptive editorial published in the April 28, 1969, issue of the New York Times be printed in the Record at the conclusion of my remarks.

Mr. President, the exchange between the distinguished Senator from Wisconsin (Mr. Proxmire) and the distinguished Senator from Louisiana (Mr. Long), served to point out the absurdity of the oil industry's position on mandatory oil import quotas and the logic of the New York Times' observation:

> If vast domestic reserves of crude oil are essential to the national security, why not take effective action to conserve them by removing the quotas on imports?

This removal would have great beneficial effects on our domestic economy. It would enable the domestic petrochemical companies to compete effectively in the world market and would lead to more jobs for American workers. For example, the proposed refinery at Machiasport would form the nucleus for untold industrial development in New England. The cheap raw material it would supply and the low cost energy would cause industry in New England to burgeon.

I recommend this editorial wholeheartedly to Senators as we consider the complex issue of oil imports. The oil companies will try to throw up a smokescreen of complexities, but all those arguments lie exposed in this exchange of views.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

New Theater of the Absurd

Senator Russell B. Long of Louisiana faithfully serves his petroleum constituency; so faithfully, in fact, that he recently brought the theater of the absurd to the floor of the Senate in a bizarre defense of the mandatory oil import quotas.

According to the argument tirelessly repeated by the oil interests, the mandatory import quotas were imposed in order to promote the "national defense," not to keep domestic prices above world levels at the expense of American consumers. Senator William Proxmire of Wisconsin punctured that oleaginous myth by pointing out that ample supplies are available from Canada in the event of an emergency. There ensued the following colloquy:

Mr. Long: ". . . How does the Senator know whether a war would not break out between the United States and Canada? . . . That could happen. Has the Senator ever heard of the War of 1812?"

Mr. Proxmire: "Is the Senator from Louisiana really serious about that?"

Mr. Long: "It is not inconceivable."

Mr. Proxmire: "Canada and the United States would engage in a prolonged war that could hold up our ability to produce oil in this country?"

Mr. Long: "It is entirely conceivable to the Senator from Louisiana."

From that Mr. Long went on to posit the possibility of a prolonged, non-nuclear war between Russia and the United States in which domestic oil would again play a pivotal role. All this brave voyaging in the nightmare world of foreign policy helped divert attention from the hard fact that oil import quotas are costing the American consumers $5 to $7 billion a year in artificially high prices on petroleum products.

Senator Philip A. Hart of Michigan, chairman of the Senate Antitrust Subcommittee, provided brilliant documentation of the case against the import quotas in a recent series of hearings. Independent experts were virtually unanimous in characterizing the import quotas as an unnecessary burden upon consumers and a deterrent to efficiency and long-run profitability in the oil industry.

Domestic interests will have an opportunity to reply at future hearings. Perhaps they can then answer a question to which Senator Long, in his thespian role, did not address himself. If vast domestic reserves of crude oil are essential to the national security, why not take effective action to conserve them by removing the quotas on imports?

OIL IMPORT QUOTAS

Mr. LONG. Mr. President, the Senator from New Hampshire has placed in the Record an editorial from the New York Times which made reference to the Senator from Louisiana. That editorial is a good example of how an editorial writer can make someone look bad by lifting his remarks out of context.

When I made my remarks referred to in the editorial, I was making the point that in the event this country becomes engaged in a war we have no assurance that we could obtain oil out of Canada. The editorial did not quote the remainder of my remarks in which I said that although one would certainly not expect that Canada would be against us, one might have said the same thing about Cuba 20 years ago. I also pointed out that there could be a number of reasons why a country might not agree with us in the event we got into a war and thus might not send us essential comodities necessary to carry on that war.

Furthermore, I can conceive of a situation where if war broke out between the United States and an unfriendly power, those in Canada might find themselves faced with some of the same problems as faces the United States today. Groups of young militants such as the Students for a Democratic Society could easily engage in highly disruptive conduct such as boycotts, or the shutting down of plants or universities. A normally friendly nation producing oil might find that for their own self interest they do not openly side with the United States or even conduct normal trade with us.

Thus there is no complete assurance that an unfriendly element in Canada would not make it difficult or even impossible for that nation to export oil to us. In addition, a foreign power could sink all of the tankers headed in our direction or they might seek to destroy the pipelines and refineries of the other country.

If this country is going to rely on Canada for fuel to fight a war, we should have a treaty which covers this subject. Today we have no such treaty. If we were to rely on that country for oil we certainly should have a commitment in which they promise to deliver oil when needed in times of war as well as peace.

Mr. President, this editorial concludes by saying that if oil is so essential to the national security, why do we not leave it in the ground here and rely on foreign imports entirely during peacetime? I think I explained in the same debate about which the writer has written why that would not work.

I believe I explained that if you want to produce oil and have no wells, the first thing you need is steel to drill the wells, you need machinery to drill the wells, and you need people to drill the wells. Any force that is attacking you, Mr. President, would be attacking the steelmills at the same time, so that you very likely could not get steel to put the wells in the ground.

Mr. President, this is the type editorial in which one lifts something out of context to make someone look absurd, which I must say is quite unlike the New York Times. Usually New York Times editorials are well taken.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

LEGISLATIVE AND JUDICIAL SALARY ADJUSTMENTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 120, H.R. 7206.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

H.R. 7206, a bill to adjust the salaries of the Vice President of the United States and certain officers of the Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Post Office and Civil Service, with an amendment, on page 2, after line 15, strike out:

Sec. 3. The amendments made by this Act shall become effective on March 1, 1969.

And, in lieu thereof, insert:

Sec. 3. Subparagraph (C) of section 225(f) of the Postal Revenue and Federal Salary Act of 1967 (Public Law 90–206; 81 Stat. 643) relating to the functions of the Commission on Executive, Legislative, and Judicial Salaries, is amended to read as follows:

"(C) justices, judges, and other personnel in the judicial branch referred to in section 402(d) and 403 of the Federal Judicial Salary Act of 1964 (78 Stat. 434; Public Law 88–426) and the judges referred to in the amendments made by paragraphs (2), (3), and (4) of section 306(i) of the Federal Executive Salary Act of 1964 (78 Stat. 431; Public Law 88–426); and".

Sec. 4. (a) Section 11–102(d) of the District of Columbia Code is amended by striking out "$29,000" and "$28,500" and inserting in lieu thereof "$38,500" and "$38,000", respectively.

(b) Section 11–902(d) of the District of Columbia Code is amended by striking out "$28,000" and "$27,500" and inserting in lieu thereof "$37,500" and "$37,000", respectively.

(c) The first sentence of the second paragraph of section 2 of the District of Columbia Revenue Act of 1937, as amended (D.C. Code, sec. 47–2402), is amended by striking out "$27,500" and inserting in lieu thereof "$37,000".

Sec. 5. (a) Sections 1, 2, and 4 of this Act shall become effective on March 1, 1969.

(b) Section 3 shall become effective upon enactment.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104 of title 3, United States Code, relating to the per annum rate of salary of the Vice President of the United States, is amended to read as follows:

"§ 104. Salary of the Vice President

"The per annum rate of salary of the Vice President of the United States shall be $62,500, to be paid monthly.".

Sec. 2. (a) The second sentence of section 601(a) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 31), relating to the compensation of the Speaker of the House of Representatives, is amended by striking out "$43,000" and inserting in lieu thereof "$62,500".

(b) The third sentence of section 601(a) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 31), relating to the compensation of the Majority Leader and the Minority Leader of the Senate and the Majority Leader and the Minority Leader of the House of Representatives, is amended—

(1) by striking out "$35,000" and inserting in lieu thereof "$55,000";

(2) by inserting "the President pro tempore of the Senate," immediately following "compensation of"; and

(3) by inserting a comma immediately following "Minority Leader of the Senate".

Sec. 3. Subparagraph (C) of section 225(f) of the Postal Revenue and Federal Salary Act of 1967 (Public Law 90–206; 81 Stat. 643) relating to the functions of the Commission on Executive, Legislative, and Judicial Salaries, is amended to read as follows:

"(C) justices, judges, and other personnel in the judicial branch referred to in section 402(d) and 403 of the Federal Judicial Salary Act of 1964 (78 Stat. 434; Public Law 88–426) and the judges referred to in the amendments made by paragraphs (2), (3), and (4) of section 306(i) of the Federal Executive Salary Act of 1964 (78 Stat. 431; Public Law 88–426); and

Sec. 4. (a) Section 11–702(d) of the District of Columbia Code is amended by striking out "$29,000" and "$28,500" and inserting in lieu thereof "$38,500" and "$38,000", respectively.

(b) Section 11–902(d) of the District of Columbia Code is amended by striking out "$28,000" and "$27,500" and inserting in lieu thereof "$37,500" and "$37,000", respectively,

(c) The first sentence of the second paragraph of section 2 of the District of Columbia Revenue Act of 1937, as amended (D.C. Code, sec. 47–2402), is amended by striking out "$27,500" and inserting in lieu thereof "$37,000".

Sec. 5. (a) Sections 1, 2, and 4 of this Act shall become effective on March 1, 1969.

(b) Section 3 shall become effective upon enactment.

Mr. THURMOND. Mr. President, I cannot support H.R. 7206, and I should like to comment briefly on my reasons for opposing this legislation.

In the last session of Congress I voted against the bill which established the Commission on Executive, Legislative, and Judicial Salaries. During this session of Congress I opposed the tremendous increase in salaries for certain members of the executive branch, the judiciary, and Members of the House and Senate. As I have stated before, our economy is still in an inflationary spiral. In order to combat this inflation and to prevent the constant increase in prices which affects all of our citizens, it is necessary that the executive branch and the Congress exercise restraint in Federal spending. I find it incomprehensible that we go to the people and ask them to economize and yet we pass huge salary increases for ourselves and other officials in Government.

Mr. President, the mail I have received from my constituents and from all over the country reflects the outrage which the citizens justifiably feel at what they consider the irresponsible actions of the Congress on this matter. I, of course, realize that the individuals covered by this bill have exceptional expenses and often are required to make financial sacrifice. Nevertheless, there seems to be no lack of applicants who are highly qualified for these positions, and I think we have an obligation to the people at this particular time to apply the same standards to high officials in our government as we must necessarily apply to various programs. I believe this whole series of tremendous salary increases is most unwise and I will continue to create difficulties as the Congress attempts to deal with the serious problems of excess Government spending.

WAIVER OF RULE VIII

Mr. THURMOND. Mr. President, I ask unanimous consent that rule VIII be waived so that I may speak at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SAFEGUARD ABM SYSTEM

Mr. THURMOND. Mr. President, during the current national debate about the Safeguard ABM system, it would be a mistake not to look at the international situation from the Soviet point of view. We frequently hear expressed sentiments of hope and confidence that the Soviet Union and the United States are slowly but surely heading toward peace and that only the remaining differences between us need to be negotiated away before confrontation completely disappears.

I doubt that there is anyone in the United States who does not sincerely hope this to be the case. From the standpoint of the United States, our intentions are honorable.

However, this hope must not be confused with reality in the way in which reality is looked upon by the Soviet Union. In Sunday's Washington Post, a dispatch from Moscow by Anatole Shub reports on a very grave pronouncement coming from the very highest levels of the Soviet Party structure. Shub points out that an article in the magazine Kommunist, the official monthly of the Soviet Communist Party Central Committee, sets forth the new Soviet line as regards nuclear war. This new Soviet line turns out to be a resurgence of the standard Marxist-Leninist doctrine of inevitable war against the capitalist nations. The article is by Gen. Alexi Yepishev, who is head of the Main Political Administration—MPA—of the Soviet Defense Ministry. He is in effect the

Chief Commissar for the Soviet Armed Forces, guaranteeing that the military stay obedient to the official party line. In this role, Yepishev's statements come right from the highest decisionmaking centers of the Soviet Union.

Yepishev says that Western attempts to brand nuclear war as such unacceptable were aimed merely "to confuse the popular masses concerning the class-political character, the true purposes of a possible war."

Yepishev says that a series of frightful clashes between communism and the West is inevitable, even though we are in the nuclear age. He says that such a war on the part of the imperialist states would be a continuation of the aggressive policies of imperialism. But from the side of the Soviet Union, it would be "a continuation of the revolutionary policies of freedom and independence of the Socialist state, a guarantee of the construction of socialism and communism, a legal and justified counteraction to aggression."

Mr. President, these statements by Yepishev and the decisionmakers in the Kremlin show clearly that the Soviet Union has not lost its desire to dominate the world. We cannot build our policies toward the Soviet Union on the basis of trust and cooperation as long as the Soviets maintain this desire. Rather, we must prepare on the basis of realism to counter any threat that they may put up. We have seen in recent weeks that the Soviets are backing up their words with significant escalations of their offensive missile systems. It is only commonsense that we should at least take measures against these systems. The President's ABM Safeguard system is purely defensive.

Mr. President, I ask unanimous consent that the article "Russian Says West Plots War, Warns It Would Be Loser," from the Washington Post of April 27, 1969, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Russian Says West Plots War, Warns It Would Be Loser

(By Anatole Shub)

Moscow, April 26.—The chief political commissar of the Soviet armed forces charged today that Western "imperialists are hypocritically preparing for a new world war," but that World War III would "guarantee the construction of socialism and communism."

Gen. Alexei Yepishev, head of the chief political administration of the Soviet Defense Ministry, made these chilling declarations in an article in Kommunist, official monthly of the Soviet Communist Party Central Committee. His remarks seem likely to arouse further anxiety in Western circles already concerned that SS-9 and other new Soviet nuclear rockets may be designed for a pre-emptive "first strike."

Yepishev declared that "certain ideologists of imperialism, political and military figures of the capitalist states, are trying to prove that the Leninist formula, characterizing war as the continuation of politics by forcible means, is 'outdated,' that it is somehow incompatible with nuclear war; that such a war would not have a class-political content, would not represent the continuation of the politics of states and various classes."

The Soviet leader declared that such Western attempts to brand nuclear war, as such, unacceptable, were aimed merely "to confuse the popular masses concerning the class-political character, the true purposes of a possible war."

According to Yepishev, "classical Leninist teaching," which holds that "a series of frightful clashes" between communism and the West is "inevitable," still applies in the nuclear age.

"A third world war," Yepishev said, "if imperialism is permitted to start one, would be the decisive class conflict between two antagonistic social systems.

From the side of the imperialist states, this war would be a continuation of the criminal, reactionary, aggressive policies of imperialism. From the side of the Soviet Union and the countries of the socialist community, it would be the continuation of the revolutionary policies of freedom and independence of the socialist state, a guarantee of the construction of socialism and communism, a legal and justified counteraction to aggression.

Yepishev's article, devoted to ideological preparation of Soviet armed forces, appeared to bring Soviet official thinking back to the Stalin line of 1948–1952, which also charged that the West was preparing a third world war. In September 1953, Georgi Malenkov, then Premier, made the first attempted break away from that view in declaring that nuclear war would "doom civilization."

However, it was not until the Soviet 20th Party Congress in February, 1956, that Nikita Khrushchev and other Kremlin leaders began seriously preaching "coexistence" and acknowledging that nuclear war was a horror far exceeding in importance the East-West political conflict.

Only during Krushchev's conflict with the Chinese, starting in 1958, did the Kremlin become explicit in recognizing that even a bad peace was preferable to a "just" nuclear war.

STRESS ON MILITARY

The post-Khrushchev administration has steadily, although undramatically, retreated from the "coexistence" line, ceased stressing the dangers of nuclear holocaust and accelerated offensive and defensive rocket development. Emphasis on negotiations between the great powers has given way to stress on strengthening Soviet military potential in the "struggle for peace."

In official slogans, the "peace-loving foreign policy" of the Soviet government gave way in 1967 to the "Leninist foreign policy." Whatever has remained of the coexistence line has been largely for export. Thus, Premier Kosygin's meeting with President Johnson at Glassboro, N.J., in August, 1967, was covered in one-paragraph dispatches on inside pages of the Soviet press.

Earlier this month, when Soviet President Podgorny and new U.S. Ambassador Jacob D. Beam exchanged speeches calling for coexistence and cooperation, not a word of either speech was reported here.

OTHER CLAIMS

General Yepishev was not the first in the Brezhnev era to charge anew that the West was "preparing for a third world war," but such claims have been rare and usually were found in the army paper Krasnaya Zvezda or other military organs.

Yepishev's espousal of the World War III thesis in the pages of Kommunist, which was approved for publication April 21, would appear to indicate sanction of the thesis by the highest Communist Party authorities.

Another article in the same issue denies that the Soviet Union has been preaching a doctrine of "limited sovereignty" with regard to its Communist neighbors, but then goes on to defend the Soviet invasion of Czechoslovakia as a means of enhancing Czechoslovak sovereignty.

SUMMIT OVERSHADOWED

Yepishev's declaration overshadowed the conclusion of a four-day summit meeting of the 8-nation Council for Mutual Economic Aid (Comecon). The session adopted a declaration pledging expansion of economic cooperation among the member states—Russia, Poland, East Germany, Czechoslovkia, Hungary, Rumania, Bulgaria and Mongolia.

However, little progress was believed to have been made toward the tight integration advocated by Kosygin and East German Party Chief Walter Ulbricht.

The last day and a half of the Comecon sessions were believed to have been devoted to informal discussions of other problems afflicting the Communist bloc—notably China and central Europe. There was no confirmation here of reports elsewhere that the Soviet authorities had agreed to reduce the occupation garrison in Czechoslovakia.

THE SUPREME COURT'S DECISION IN SHAPIRO AGAINST THOMPSON

Mr. THURMOND. Mr. President, I have spoken on the Senate floor many times in opposition to edicts of the Supreme Court so I would be less than honest if I said I was shocked by the decision of the Court in Shapiro against Thompson on April 21. Irrational decisions reflecting the whim of a majority of Justices rather than sound constitutional principles have become such a regular occurrence that I am no longer shocked by anything the Supreme Court does. It would be accurate, however, to say that I am greatly concerned that the Court is continuing this trend of setting itself up as a 20th-century version of Plato's philosopher kings who possess a monopoly on wisdom.

In Shapiro against Thompson the Court held in a 6-to-3 decision that neither the States nor the Congress is empowered to establish residency requirements as a prerequisite for receiving welfare payments. I should like to quote to you from the dissent of Mr. Justice Harlan:

> Today's decision, it seems to me, reflects to an unusual degree the current notion that this Court possesses a peculiar wisdom all its own whose capacity to lead this Nation out of its present troubles is contained only by the limits of judicial ingenuity in contriving new constitutional principles to meet each problem as it arises. For anyone who, like myself, believes that it is an essential function of this Court to maintain the constitutional divisions between state and federal authority and among the three branches of the Federal Government, today's decision is a step in the wrong direction.

Mr. President, it is apparent to me and it should be a matter of concern for all of us in this body that the Supreme Court no longer feels itself restrained by the Constitution itself or by previous interpretations of the Constitution. It is sad but, in my judgment, true that the Supreme Court is composed primarily of men with preconceived notions of what is good for our Nation and what is bad for our Nation and who take it upon themselves to give these prejudices the effect of law. In the instant case the Court determined that the judgment of Congress and of 46 State legislatures, to the effect that a residency requirement was desirable in the administration of welfare programs, has been shunted aside on the flimsiest of excuses. The majority decision rested on the very specious ground that the right to travel supercedes any interest the States or Congress might have in creating a workable system of public welfare. It has been estimated that the immediate effect of this decision will be an additional $175 million expense to the already overburdened taxpayers. Additional administrative costs will undoubtedly be extremely high.

Mr. President, Congress has refused on numerous occasions to make the change the Court made Monday, and it is apparent that the States themselves feel such a requirement is important if the welfare system is to remain manageable. The reasoning of the Court that such a requirement is an unconstitutional interference with the right to travel makes little sense when we consider that such requirements prevent no one from going anywhere and that the receipt of welfare is not a fundamental constitutional right. Furthermore, the Court must realize that many restrictions involving regulations, taxes, and other requirements now affect interstate travel.

Mr. President, aside from the immediate effect of this decision, I am most concerned about the effect it will have as a precedent in future cases. I should like to quote from the dissent of Chief Justice Warran, a man whom I rarely quote, much less praise:

> The Court's decision reveals only the top of the iceberg. Lurking beneath are the multitude of situations in which States have imposed residence requirements including eligibility to vote, to engage in certain professions or occupations or to attend a state-supported university. Although the Court takes pains to avoid acknowledging the ramifications of its decision, its implications cannot be ignored.

It is clear that this decision is part of a trend toward centralizing our Government in such a fashion that the States are merely administrative units rather than policymaking entities in which the people have the controlling voice. It has long been my opinion that the division of power at the national level and between the Federal Government and the States is at the foundation of the self-government which we enjoy. I have little doubt that while present personnel remain on the Court, this trend will continue and I feel that the result may be that the people of this country will find that they have no one to turn to except the Congress of the United States in attempting to solve the many serious problems in the manner which they prefer.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the remaining nomination on the Executive Calendar.

There being no objection, the Senate proceeded to consider executive business.

POST OFFICE DEPARTMENT

The PRESIDING OFFICER. The nomination will be be stated.

The bill clerk read the nomination of Frank J. Nunlist, of New Jersey, to be an Assistant Postmaster General.

The PRESIDING OFFICER. Without objection, the nomination is considered; and, without objection, it is confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 254. An act to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia;

H.R. 4182. An act to authorize voluntary admission of patients to the District of Columbia institution providing care, education, and treatment of mentally retarded persons; and

H.R. 9526. An act to amend the District of Columbia Unemployment Compensation Act to provide that employer contributions do not have to be made under that act with respect to service performed in the employ of certain public international organizations.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 254. An act to authorize the acquisition training, and maintenance of dogs to be used in law enforcement in the District of Columbia;

H.R. 4182. An act to authorize voluntary admission of patients to the District of Columbia institution providing care, education, and treatment of mentally retarded persons; and

H.R. 9526. An act to amend the District of Columbia Unemployment Compensation Act to provide that employer contributions do not have to be made under that act with respect to service performed in the employ of certain public international organizations: to the Committee on the District of Columbia.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I am about to suggest the absence of a quorum, but first I ask unanimous consent that at the conclusion of the quorum call, the distinguished Senator from Wyoming (Mr. McGEE), the manager of the pending business, be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE AND JUDICIAL SALARY ADJUSTMENTS

The Senate resumed the consideration of the bill (H.R. 7206) to adjust the salaries of the Vice President of the United States and certain officers of Congress.

The PRESIDING OFFICER. Before recognizing the Senator from Wyoming, which the Chair will do in a moment, the Chair requests that the clerk read the committee amendment.

The legislative clerk read as follows:

On page 2, after line 15, strike out:

"SEC. 3. The amendments made by this Act shall become effective on March 1, 1969."

And, in lieu thereof, insert:

"SEC. 3. Subparagraph (C) of section 225 (f) of the Postal Revenue and Federal Salary Act of 1967 (Public Law 90–206; 81 Stat. 643) relating to the functions of the Commission on Executive, Legislative, and Judicial Salaries, is amended to read as follows:

"'(C) justices, judges, and other personnel in the judicial branch referred to in section 402(d) and 403 of the Federal Judicial Salary Act of 1964 (78 Stat. 434; Public Law 88–426) and the judges referred to in the amendments made by paragraphs (2), (3), and (4) of section 306(i) of the Federal Executive Salary Act of 1964 (78 Stat. 431; Public Law 88–426); and'.

"SEC. 4. (a) Section 11–702(d) of the District of Columbia Code is amended by striking out '$29,000' and '$28,500' and inserting in lieu thereof '$38,500' and '$38,000', respectively.

"(b) Section 11–902(d) of the District of Columbia Code is amended by striking out '$28,000' and '$27,500' and inserting in lieu thereof '$37,500' and '$37,000', respectively.

"(c) The first sentence of the second paragraph of section 2 of the District of Columbia Revenue Act of 1937, as amended (D.C. Code, sec. 47–2402), is amended by striking out '$27,500' and inserting in lieu thereof '$37,000'.

"SEC. 5. (a) Sections 1, 2, and 4 of this Act shall become effective on March 1, 1969.

"(b) Section 3 shall become effective upon enactment."

Mr. McGEE. Mr. President, the pending legislation, which has been reported favorably by the Committee on Post Office and Civil Service, would do two things. First of all, the bill would increase the salaries of the Vice President of the United States and the Speaker of the House of Representatives from $43,000 a year to $62,500 a year. Then, the salaries of the President pro tempore of the Senate and the majority leaders and the minority leaders of both the House of Representatives and the Senate would be increased from $42,500, their present congressional salaries, to $55,000. The reason for this increase is that these salaries were not included in the salary restructuring that occurred earlier this year, which was affirmed, or accepted, by Congress in February of this year. That is the first part of the pending bill.

The second part of the pending bill has to do with a proposed salary increase for the judges of the District of Columbia. This increase is included as a part of this bill because of a jurisdictional dispute, in effect, because of an inadvertent omission from the statute of

Congress affecting the judges of the District, in that they were not included in the general Federal salary restructuring that took effect nearly 2 months ago. Therefore, in the interest of equity and agreed-upon intent on the part of everyone, we are seeking to make that correction.

As so often is the case, we are mindful of the fact that the District very often lacks a particular spokesman in this body, since they are not represented in Congress in any meaningful form. Yet there are some 22 members of the court of general sessions in the District of Columbia, six members of the District of Columbia court of appeals, and one judge on the tax court of the District of Columbia, all of whom were intended to be included, but could not be included, in the jurisdictional sense, in the previous salary increase.

Therefore, this measure would propose to amend the oversight, since in the 1967 enactment it was the intent of Congress to include them on such salary matters. In doing so we are simply correcting an oversight which was not intended to be a punishment. The hard fact is that members of the court in the District of Columbia under existing circumstances today hold court with legal officers of the Government of the United States who receive more salary than the justices themselves receive. The obvious inadvisability of that circumstance must be quite apparent.

Mr. President, these are the substantive parts of the pending legislation. I would hope that the Senate would agree to the proposal.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. McGEE. I am glad to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I understood the Senator to say that this measure would raise the salary of just one member of the Tax Court. Were the salaries of the other members of the Tax Court taken care of under provisions of the other act?

Mr. McGEE. I am advised that salaries of the U.S. Tax Court members were taken care of. There is only one Tax Court judge in the District, per se.

Mr. WILLIAMS of Delaware. Then I understand that salaries of the other judges of the Tax Court were taken care of in the previous legislation.

Mr. McGEE. They were taken care of in the earlier enactment.

Mr. WILLIAMS of Delaware. Earlier this year?

Mr. McGEE. The Senator is correct.

Mr. WILLIAMS of Delaware. I thank the Senator.

Mr. YOUNG of Ohio. Mr. President, I send to the desk an amendment to the committee amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> On page 3, strike out lines 9 through 12. On page 3, line 1, strike out "(c)" and insert in lieu thereof "(b)".

Mr. YOUNG of Ohio. Mr. President, in support of my amendment and relative to the pending bill I wish to say that I thoroughly approve of the purpose of the bill as it was approved by the House of Representatives.

The bill as passed by the House proposes to increase the salaries of the Vice President and the Speaker of the House of Representatives from $43,000 to $62,500 a year. I approve of that, and I am not offering any comment on that proposal except to express my approval.

The bill also provides that the salaries of the President pro tempore of the Senate and the majority leaders and minority leaders of the Senate and House of Representatives be increased from $42,500 to $55,000. That increase has my hearty approval.

The bill as reported by the Post Office and Civil Service Committee also proposes to increase the salaries of the judges of the District of Columbia court of appeals. I thoroughly approve of that proposal. There are six judges on the court of appeals, and they have been doing very important judicial work and rendering a fine judicial service to the citizens of the District of Columbia. A part of their work, if not their entire work, has been the reviewing of appeals from the decisions of the 22 judges of the court of general sessions of the District of Columbia.

I take a dim view of the actions and judicial procedures of many of the 22 judges of the court of general sessions. I feel that those 22 judges are very well paid at their present salaries, if they are not being overpaid. The fact is that the court of appeals has ample work to do in reviewing their decisions and frequently reversing decisions of the court of general sessions of the District of Columbia. I shall speak of them in just a moment.

Mr. President, there is one judge on the tax court of the District of Columbia, and his salary would be increased under the present bill. I do not object to that.

Mr. President, what I do take exception to is the huge salary increase for the 22 judges of the court of general sessions of the District of Columbia, as proposed by the Senate committee.

My amendment provides only for the striking out of lines 9, 10, 11, and 12 from section B on page 3. To make it crystal clear, my proposal relates only to the proposed pay increase for the 22 judges of the so-called court of general sessions of the District of Columbia. In any town in my State of Ohio, we would call them judges of the municipal court.

The city of Cleveland, where I practiced law for many years, where I have been president of the two bar associations of Cuyahoga County, and where I served as chief criminal prosecuting attorney of Cuyahoga County for some years, also has a municipal court. It is akin to the old justice of the peace courts of our towns and villages, and to the municipal court of any small city in the United States.

Mr. President, I have kept the court of general sessions of the District of Columbia under close observation, one reason being, perhaps, that my father for many years was a judge of a court of general jurisdiction in Ohio, which we term common pleas courts, the chief trial courts of our State having unlimited jurisdiction, which, of course, a municipal court, or a court of general sessions, does not have. Such courts have only a limited jurisdiction. In the city of Washington, D.C., they deal primarily with misdemeanors, not with felonies.

From my observation the judges of the court of general sessions in the District of Columbia are well paid at the present time, receiving salaries of $28,000 and $27,500. The amendment reported by the Senate committee, to which I am taking exception, would increase the salary of the presiding judge from $27,500 per annum to $37,500 per annum, and from $27,500 to $37,000 a year for the other judges. To my mind, that is too big an increase.

I began to take strong exception to the operation of the court of general sessions in January 1966, when I began to keep it under observation, and I have done so since that time.

On January 13, 1966, the Washington Post published an article entitled "Food Store Executive Charged in Crash." It reads as follows:

> Dr. George Crile Jr., 58, a prominent Cleveland surgeon, was on the critical list at Washington Hospital Center last night with injuries police said he suffered when a taxi in which he, his wife and a Washington couple were riding was in collision with another car in the 4400 block of Connecticut Avenue.
>
> Police identified the driver of the other car as Laurence D. Chappell, 42, of 5833 Marbury rd., Bethesda, and said they charged him with drunken and reckless driving, leaving the accident scene and driving without lights on the wrong side of the avenue.

Mr. President, Mr. Chappell was not a workingman. He was not a black man. No, he was a prominent business executive, a resident of Bethesda. He was the regional manager of a food store chain. He recklessly ran into a taxicab and nearly killed a number of its passengers.

I continue to read from the newspaper account:

> In the cab with Dr. and Mrs. Crile (she is the 48-year-old daughter of poet Carl Sandburg) were Andre Pacatte, 58, and his wife, Constance, 57, co-directors of the Berlitz School of Languages here.
>
> Pacatte was admitted to the hospital in satisfactory condition with head cuts and a neck injury. Mrs. Pacatte was released after treatment for neck and back injuries. The driver of their cab, Harold C. Alston, 38, of 1914 I st. ne., also was released after treatment of back, neck and leg cuts.
>
> Police said Chappell, southbound on Connecticut Avenue, swerved over into the northbound lane, sideswiped the taxi and continued on for six blocks before he was stopped by the crew of a scout car that had witnessed the accident and had radioed for an ambulance.
>
> Attendants at the Hospital Center, which included three surgeons flown in from Cleveland early yesterday, said the speed with which Dr. Crile reached medical aid probably saved his life. He underwent immediate surgery for removal of a ruptured spleen and incidental internal injury repair, attendants said, and his blood loss was heavy.
>
> Mrs. Crile suffered a broken right wrist and severe face cuts and was listed in satisfactory condition last night.

Mr. President, upon hearing of the accident a number of eminent surgeons of my home city of Cleveland flew to Washington in a chartered plane. They were friends of Dr. Crile, who was a resident surgeon of the Cleveland clinic and the author of a number of books on fiction, as well as of medical books. He had stopped in Washington en route home from Chapel Hill, N.C., where he had given a lecture at the University of North Carolina.

The first report was that he was dying from grave internal injuries which necessitated immediate surgery for the removal of a ruptured spleen. Fortunately, although he was on the critical list for nearly a week, Dr. Crile recovered. Of course, he suffered a permanent disability as a result of the criminal negligence and drunken driving of an irresponsible business executive.

What happened to that defendant? That is one reason which causes me to offer my amendment. What happened to this executive? He never served 1 hour in jail. He never served any time whatever. He was required by a judge of the court of general sessions to post a $300 bond, which, of course, he could post very readily. Then he had able lawyers to represent him, as he was entitled to have, and as he could afford to have.

After a number of continuances, his case was tried. All of that time he was out pursuing his business for his company. In the end, after numerous postponements procured by his counsel, he was dealt with leniently. Following the time I was chief prosecuting attorney of Cuyahoga County, in Ohio, I defended many criminal cases, so I have no complaint to make against the lawyers who defended him. They did a fine job for him. Had this man committed that act of violence in my city of Cleveland, he would have been fortunate, indeed, to have served in the workhouse in Cuyahoga County for less than 30 days, in addition to a stiff fine.

He was dealt with leniently by the judge of the court of general sessions. Finally, after continued postponments, he was assessed a total of $1,800 in fines. I assume the fines have been paid. If this defendant, instead of being a white man and an executive of a large corporation, had been a black man or some unemployed or workingman, I question whether his sentence would have been so lenient. I simply cite this as an example of a flagrant miscarriage of justice.

Also, when violence occurred in the city of Washington some months back, we read that time and again judges of the Court of General Sessions released under $25 bail prisoner after prisoner charged with serious offenses such as theft, and malicious destruction of property. I fervently believe now, as I did when I was chief prosecuting attorney of Cuyahoga County, Ohio, that certain punishment, like a shadow, should follow the commission of crimes of violence. If some judges had real backbones, instead of backbones like jelly fish, which some judges of the court of general sessions of the District of Columbia seem to have, I think there would be more law and order and more safety on the streets of Washington than we now find.

I know a number of the judges of the court of general sessions. There are some excellent judges on that court, but I know there are also some very mediocre judges there. I take a dim view of the operations of those judges. I feel there is no justification for increasing their salaries to the extent proposed.

I realize the potency of the argument that there are some appointive officials in the District of Columbia who no doubt are recipients of salaries of $35,000 or perhaps $37,000. If so—and I assume it is so—I do not feel it is a justification for this huge increase in the pay of the judges of the court of general sessions.

I approve of the bill in its entirety except as it relates to those 22 judges. I propose to have their salary left where it is, because I feel the judges are well paid at present.

Mr. McGEE. Mr. President, I should like to respond very quickly to my good friend and close crony from Ohio. As I understand his proposal, he has no objection to the increase in the salaries of the Vice President and the other specified officers of the House and Senate of the United States. He has no objection to the increase in the salaries of the six judges of the District of Columbia court of appeals. He has no objection to the increase in the salary of the one judge on the District tax court. His amendment would apply only to the 22 judges of the District of Columbia court of general sessions.

First, I think we should bear in mind that the proposal is no innovation on the part of the committee. Historically, the salaries of the judges of the court of general sessions in the District of Columbia have been maintained at a level, in relative terms, slightly below that of the Federal judges who serve the District of Columbia. This recommendation was borne out by the judgment of the Commission on Executive, Legislative, and Judicial Salaries that the President of the United States appointed to make recommendations. I think that body would have recommended that equity required the salaries of the judges on the court of general sessions to be increased approximately at this level but the Commission was without jurisdiction to do so.

It seems to me the case for the denial of the salary increases for the judges of the District of Columbia Court of General Sessions is open to serious question, if I may say to my friend from Ohio, first of all, because I am sure any one of us could take any of the courts in this country anywhere and decide that the court there lacked any backbone or spine when he made a decision against me or against the case that I was trying to carry forward in his court. I think it is important that we not focus on the personality, but on the job and on the dignity which we are trying to attach to a significantly important office in the District of Columbia.

I do not want to enter into a dispute over the particular case which the Senator from Ohio spelled out in detail, which, in his judgment, had a very inequitable outcome—an unfair and almost discriminatory outcome. But again I say that any judge who made a decision almost anywhere in the land could probably be hailed before the bar of public opinion. We dare not, in making a judgment on this bill, arrive at a personal criterion for meeting such judgment.

I may add as a footnote to the comments of the Senator from Ohio with reference to the case about which he pleads so strongly that, in any case, this experience suggests that we ought to have better judges. Surely, if we are going to have that kind of decision, and if it is as grevious as he says it is, we need to have better and wiser judges; and we are not going to find that type of judge in the bargain basement. The Senator from Ohio has made the best case, if we are going to deal with personalities, for getting better men to serve on the court of general sessions. We are not going to get them by paying them less than what is a fair salary.

Again, it makes good sense—and I am sure it made good sense when he served as the prosecuting officer of Cuyahoga County—that, in order to maintain the dignity and prestige of the bench, we seek men with the kind of wisdom and judgment our judiciary requires; and in doing so, it is important that the salaries be kept at the proportionate level to the salary restructuring as recommended by the President's Commission.

But in any case, we dare not let it become a legislative function of this body to legislate against an individual or to legislate against a particular judicial decision. It is the position itself that calls for the judgment of this group.

Finally, Mr. President, I think it well to remember that this proposal of $37,000 a year for judges in the District is not quite what it sounds like. It is a shocking thing for me to explain that salary in Laramie, Wyo., as I am sure it is shocking in Cuyahoga County, Ohio, though I do not know what they pay them there around Cleveland. Again, we have to deal in relative terms where the problem lies, and in the dimension in which the problems have to be worked on. Here in the District of Columbia, it would seem to me to impugn the integrity of the bench, certainly to demean it, at a time when pressure is on it for wise decisions in the realm of crime—pressure which is going to increase and become much more intense.

So I urge the Members of this body to reject the amendment of the Senator from Ohio, and that we instead accept the recommendation of the President's Commission, which viewed all of these matters in perspective and in relative terms, the one with the other, and that at the same time we likewise ratify the judgment of the committee, which felt that this measure corrected an inequity caused by an inadvertent omission from our earlier actions.

Mr. BYRD of Virginia. Mr. President, I oppose the proposed legislation as reported by the Committee on Post Office and Civil Service. I shall briefly state my reasons.

Mr. President, we are in a period of high inflation. Last year the rate of inflation was 4.7 percent, one of the highest years in history.

Last year we enacted a 10-percent surtax on all the taxpayers in the United States.

This year, when Congress convened,

the first thing it did was to double the salary of the President of the United States.

The second thing it did was to permit, by inaction, a 41-percent increase in the salaries of all Members of Congress. Together with that, it approved a 50- or 55-percent increase in the salaries of most Federal judges.

Then we come along today, not satisfied with all of that, here in the latter part of April, and are confronted with legislation to increase by 45 percent the salaries of the Vice President of the United States and the Speaker of the House of Representatives, and to provide a substantial increase for other officers—namely, the President pro tempore and the minority and majority leaders—of the House of Representatives and the Senate.

I do not need to say, Mr. President, to any of my friends who are involved in this legislation, who stand to benefit by it, that they know I am not speaking of them as individuals.

I just feel that this is the wrong time; that Congress, this whole year, has been acting unwisely, and very unwisely, in enacting these tremendous increases in salaries for the President, the judiciary, and the Members of Congress.

If we are going to get inflation under control—and I submit we have got to get it under control if the average citizen of this country is to maintain the standard of living he now has—there must be example at the top. And what sort of example are we setting here?

The major legislation enacted this session by both the House of Representatives and the Senate has been to increase—and not by just small amounts, but by tremendous percentages—the salaries of all Representatives and all Senators, and doubling the salary of the President; and today we are asked to increase the salary of the Vice President by 45 percent, and those of certain Federal judges by 55 or 60 percent.

I submit that that is no example for a legislative body such as is the Congress of the United States to set, in this time of high inflation, when the cost of living for the average citizen is going up so rapidly.

How are we going to ask the members of the labor unions or the officers of the labor unions to hold in check their demands for wage increases, and how can we expect the businesses of our Nation to hold in restraint their price increases, when Congress itself sets the example that it has set, beginning in January, and now continuing right on up until this latter part of April?

So, Mr. President, I shall vote against this proposal.

I voted against doubling the President's salary; I voted against increasing congressional salaries by 41 percent; I voted against increasing the judicial salaries by 50 to 55 percent; and I shall vote against the increases provided in this measure.

I would have been willing to support reasonable increases. But the timing of this legislation, like the timing of the legislation we considered in January, could not have been worse.

There is another feature of this proposal which I just noticed, which I think is very bad. It proposes that the salary increases be retroactive to March 1, 1969. I do not believe in the principle of making salary adjustments, whatever they might be, retroactive.

I think the proposal is most ill-timed, and for the reasons that I have suggested, in this period of high inflation, with the extent of the increases proposed, I shall cast my vote against the pending legislation.

Mr. McGEE. Mr. President, I say to my good friend from Virginia that I appreciate his deep concern over the question of the inflationary forces at work in the land. I think we are all equally moved by the complications which that portends for each one of us here in this Chamber, and certainly for our constituents.

But I point out that in this particular bit of legislation, all the committee is doing is addressing itself to the legally omitted portions of the restructuring of the salary schedules here in the Senate and the House of Representatives, which were required to be omitted at that moment only because of earlier statutory inadvertencies—not deliberate measures, but inadvertencies.

The Senate did not default on the question. We had a rollcall vote on the matter in February. Members of Congress had to stand up and be counted. We made a decision in the Senate with which the Senator disagreed. I respect him for his disagreement. However, we made a decision.

All the committee is doing now is asking that we keep that decision honest in its equity. That is all. The total involved in the proposal is obviously not going to have a serious inflationary impact, because of its small size, in terms of the Nation's economy. However, it does not invalidate the Senator's excellent warning concerning inflationary forces.

I submit that we are not here to repeal the action taken in February. We are here simply to equate the levels that were required to be omitted because of statutes and these inadvertencies which had occurred at an earlier date.

That is the reason for the retroactive provision. The provision should have been a part of the package in February. It should have gone into effect when the regular legislation went into effect. However, this is the earliest opportunity we have had to execute the correction. This is merely a corrective measure and not a new innovation in the salary realm.

I urge that Congress reject the amendment offered by the Senator from Ohio and, as far as I am concerned, I am ready to vote.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. YOUNG of Ohio. Mr. President, the senior Senator from Wyoming (Mr. McGEE), the chairman of the Committee on Post Office and Civil Service, has been my colleague in the Senate since January 1959. I admire him as one of the very great Senators in this body. I hold high affection for him as a close, personal friend.

The distinguished Senator made a magnificent argument, as he always does when he takes the floor of the Senate. He made a strong argument against my amendment.

My amendment is merely to a section of the bill that was inserted by the committee. That section was not in the bill that came from the House of Representatives. My amendment simply proposes to keep the 22 judges of the Court of General Sessions at their present salary of $27,000 instead of increasing their salary to $37,000.

The distinguished Senator stated, regarding those 22 judges, that we are not going to find competent judges in the bargain basement.

Frankly, Mr. President, I do not consider that my amendment would place the judges of the Court of General Sessions in any bargain basement. I advocate that they continue to enjoy their very adequate salary of $27,500 per annum.

I think this is an opportunity to manifest some degree of economy and good judgment. I have always voted against waste in Government spending.

I will not ask for a rollcall vote, but I do ask for a vote on my amendment. I feel that it is a meritorious amendment. It relates only to the judges of the Court of General Sessions. That is a very minor court, indeed. As I stated, in earlier times we called it a justice-of-the-peace court. Now we call it a municipal court in various cities and towns of our country.

Mr. FONG. Mr. President, I agree with the distinguished chairman of the Committee on Post Office and Civil Service in asking that the amendment offered by the distinguished Senator from Ohio be rejected.

We are trying to rectify an error which should have been remedied at the time the earlier salary increase bill was considered.

The committee bill corrects the error for the 29 judges of the District of Columbia court system. The distinguished Senator from Ohio is trying to rectify the matter for seven judges and leave it unrectified for 22 other judges.

The bill provides for a rectification of the error as to 29 judges in District of Columbia courts. They comprise all of the judges in District of Columbia courts. The distinguished Senator from Ohio wishes to give an increase to six judges in the District of Columbia Court of Appeals and one judge in the District of Columbia Tax Court, deny an increase in salary to the 22 judges in the court of general sessions.

If we were to vote for the amendment of the Senator from Ohio, we would be saying to the court of general sessions, "You will now be $9,500 behind the other judges. You do not deserve an increase." We would be compounding the error which was originally made. I think the amendment is wrong.

If we are to increase the salaries of seven judges, I believe that we should also increase the salaries of the other 22 judges. Let us make the bill apply to all 29 judges and not say to seven judges, "We will take care of your increase. However, the other 22 judges will not be taken care of."

I ask that the amendment be rejected.

Mr. YOUNG of Ohio. Mr. President, I regard the argument of the distinguished Senator from Hawaii as fallacious. The 22 judges of the Court of General Sessions serve in the lowest court in the District of Columbia. The Court of Appeals, of course, is a superior court. Obviously, members of a court of appeals should receive a larger salary. Appeals court judges do receive larger salaries throughout the country than do judges of lower courts.

The six judges on the Court of Appeals are on a superior court. They also have a real task in very frequently correcting the errors of some of the more unintelligent judges on the Court of General Sessions.

I do not know very much about the single judge on the District of Columbia Tax Court. I do not advocate an increase in his salary, but I do not object to it.

I hope very much that the Senate will agree to my amendment to a section which was inserted by the committee with reference to 22 minor judges of the District of Columbia.

Mr. FONG. Mr. President, there is no question that there is a distinction in the responsibilities between the Court of Appeals and the Court of General Sessions. Congress has noted that, and at present the salary is $28,500 for the six judges of the District of Columbia Court of Appeals. But the judges of the District of Columbia Court of General Sessions are now being paid $1,000 less—that is, $27,500, versus $28,500.

If the amendment of the distinguished Senator from Ohio is agreed to, we will be raising only the salaries of the judges on the District of Columbia Court of Appeals from $28,500 to $38,000. That would leave the salary of the judges of the District of Columbia Court of General Sessions at $27,500, or a difference of almost $10,500. At present the difference is only $1,000. This amendment would make the difference $10,500.

What we are trying to do is to maintain the historical differences in these salaries. If we set the salaries of the judges of the Court of Appeals at $38,000, the salaries of the judges of the Court of General Sessions should go up to $37,000.

This is the bill before us, and it is a very equitable bill.

Mr. WILLIAMS of Delaware. Mr. President, I join the Senator from Virginia in expressing opposition to the entire bill. I think that making the first official action of the 91st Congress the increase in the salaries of the President, Members of Congress, and the top echelon of Government, and now this bill, including a few more of the top officials of Government are most unfortunate at a time when we are having a real threat of inflation in this country. As the Senator pointed out, inflation last year amounted to 4.7 percent. Just last month we had a further increase in the cost of living of eight-tenths of 1 percent, the highest monthly rate of inflation in the last 25 years.

At the same time Congress and other top officials of the Government are in the process of raising our own salaries from 40 to 50 percent. In the case of the President it went as high as 100 percent, and it went to 60 and 70 percent for many of the top echelon in the executive branch. I do not think these increases can be justified at a time when we are telling private industry that it should hold down its prices in order to combat inflation and when we are telling organized labor not to be overenthusiastic in asking for wage increases but to try to hold such increases down to a reasonable level, not exceeding the cost of living. We tell them what to do, but we say, "We didn't mean that for ourselves. We want to have a 40-percent increase in our own salaries."

Certainly it puts us in a very poor position to tell the rest of the country what to do. I think that this Congress has been negligent in recognizing the real dangers of inflation, and I think they have been negligent downtown.

Too often we hear them talking about surpluses which are nothing more than a mirage. Our Government today is operating at a deficit rate of approximately $700 million per month, and the same rate of deficit is projected throughout fiscal 1970. All this talk about a surplus is only by virtue of using for accounting purposes the proceeds that are going into the trust funds. Not one Member of the Senate will stand up and say that the Government has any right to use those funds to defray the normal expenses of the Government, nor would any Member of the Senate support such a proposal if such legislation were introduced. Yet, those funds are being used for accounting purposes in order to deceive the American people—lull them into a full sense of security—into thinking that we as Government officials are operating with a balanced budget and a surplus when in fact we are going farther and farther into debt every day.

I think the time is long overdue when Congress, which last year passed a 10-percent surcharge to help bring the budget into balance, should face its responsibilities. Certainly we cannot justify our actions here in further raising salaries.

This is the third step. The next step will come in June. When these four steps of salary increases are fully implemented, it will mean that over one-half of the proceeds of the $9 billion of extra revenue that is coming in from the 10-percent surcharge will be used next year to defray the salary increases approved by this Congress during the first 6 months it has been in session.

Certainly we do not want to go back to our constituents and say, "When you add this 10-percent surcharge onto your tax bill just remember that half of it goes to pay the increased salaries approved by this 91st Congress."

I believe we owe them something better than that. If we mean what we say I think we should not only defeat this bill in its entirety but also repeal the law which made it possible to set up this commission, which provides that every 4 years the President will send to Congress his recommendation for salary increases. As the law now reads it takes negative action on the part of Congress to nullify these recommendations of the President's.

We went through that experience earlier this year, when the House was unable to get a vote due to the parliamentary situation. They almost jockeyed us into a position where the Senate was denied an opportunity to vote. It was only by virtue of the fact that we maneuvered a parliamentary situation whereby we could force a vote that we were able to get a vote. Yet, at the time this provision first went into effect we were told most strongly that it would work in the same manner as the reorganization plan; that if any Member introduced a resolution of disagreement with these salary increases the resolution would automatically be reported back to the Senate by a committee of Congress in order that the Senate could vote. The committee could recommend either favorable or unfavorable action. However, such a vote was almost denied to us; we had to force it.

Later, after action is taken on the committee amendments, the Senator from Virginia (Mr. BYRD), the Senator from Nebraska (Mr. CURTIS), and I shall offer an amendment to this bill which will repeal that law establishing the Presidential Commission, which requires the President every 4 years, to send to Congress his proposed revisions of Congressional, executive, and judicial salaries.

That amendment will be offered later. It will not be in order until we have disposed of the committee amendments. But I hope that we can repeal that law in order to make certain that never again will Congress be confronted with the situation we had earlier this year, in which a salary increase can be stopped only by a negative vote.

I might say for the RECORD that the Senate, as yet, has never voted on that law. It will be recalled that when this Commission was established it was included in a bill which was passed by the House of Representatives. The bill then came to the Senate and was referred to the Committee on Post Office and Civil Service. The Senator from Virginia (Mr. BYRD) introduced an amendment which would strike from the bill the section authorizing the establishment of this Commission. The committee appproved of the Byrd amendment, deleting that section; therefore it was not discussed or debated at the time, but it was put back in the bill when in conference. The Senate had only an opportunity to express an opinion on the conference report. Later there was a rollcall vote when the Senate, by an amendment to an appropriation bill, tried to appropriate $100,000 to defray the expenses of that commission. But the law itself as yet has never been voted on. Later this afternoon an amendment to repeal that law will be offered to this bill.

The Senator from Virginia (Mr. BYRD), the Senator from Nebraska (Mr. CURTIS), and I shall offer it as an amendment to this bill. I believe the bill itself should be defeated, and I shall vote against the bill. I think the least we could do would be to repeal the law which got us into this snowballing operation of raising salaries. When this circle has been completed about the end of June of this year, approximately $4.5 to $5 billion in salary increases will have been added to the salary cost of government employees.

These increases will have eaten up over one-half of the additional revenue that will be derived by extending the 10-percent surcharge for a full 12-month period.

I was the author of that bill which dealt with the surcharge and the proposal to control spending. I said then and I wish to repeat now that if we are only passing an increase in taxes or extending the surcharge for the purpose of putting more money in the Federal Treasury so we can increase our spending programs or our salaries then we will have achieved nothing in the fight against inflation. We have to cut down on some of these expenditures and we are not going to do it by the action Congress has taken so far of increasing everyone's salary by at least 40 percent to 50 percent.

I hope the amendment of the Senator from Ohio which is a small step in the right direction will be approved and after that I hope the entire bill will be defeated.

The PRESIDING OFFICER (Mr. PACKWOOD in the chair). The question is on agreeing to the amendment of the Senator from Ohio to the committee amendment.

Mr. WILLIAMS of Delaware. Mr. President does the Senator from Ohio wish to have a record vote on his amendment?

Mr. YOUNG of Ohio. I do not wish a record vote but I do want a vote on it. I am ready to have my amendment voted upon.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [putting the question].

The amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, on behalf of the Senator from Virginia (Mr. BYRD), the senior Senator from Nebraska (Mr. HRUSKA), the junior Senator from Nebraska (Mr. CURTIS), and myself, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment willl be stated.

The assistant legislative clerk read as follows:

> At the appropriate place insert a new section: That (a) section 225 of the Federal Salary Act of 1967 is hereby repealed.
>
> (b) Section 216 of such Act is amended by striking out "and subject to the operation of section 225 of this title,".

Mr. WILLIAMS of Delaware. Mr. President, the purpose of the amendment is to repeal that section of the existing law which established the Presidential Commission wherein every 4 years the President will be required to submit to Congress recommendations for salary changes for the legislative, executive, and judicial branches. Under that law as it is now functioning it is possible for the President to make these recommendations and for neither House to get an opportunity to vote on them. We discovered that just last year because the House of Representatives did not vote on the recommendations, even though proposals were introduced in the House which disagreed with the recommendations. Such a procedure was followed in the Reorganization Act in connection with the Hoover Commission reports.

I, along with others, disagreed with the proposed salary increases which were sent down by the President, and I introduced a resolution of disagreement. The committee refused to report that resolution back to the Senate. It is only by virtue of a little parliamentary maneuvering that we got this resolution to the floor of the Senate where we could force a vote. Conceivably in another year that parliamentary maneuver would be blocked, and the Senate and the House of Representatives as well as the judicial branch and the executive branch would be in the position to get salary increases with no Member of Congress having had a chance to vote on the salary increases.

Certainly no Senator wants to be a part of something like that. I say let us repeal that law and put the matter back into a position where Congress will make its own decisions.

Mr. President, I hope the amendment will be agreed to.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. McGEE. Mr. President, I wish to address myself very briefly to the pending amendment offered by the distinguished Senator from Delaware, principally, by recasting the setting of the question upon which he would seek a rollcall vote.

Mr. YOUNG of Ohio. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. McGEE. Mr. President, if I interpret the Senator's remarks correctly, he stated that the Congress, and particularly the Senate, was placed in the role of sort of conniving to pad our incomes so we would have more money to spend. I think that does a grave injustice to the integrity of the Members of this body, and it does an injustice to the facts of the case.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. McGEE. I shall yield in a moment.

Mr. WILLIAMS of Delaware. Mr. President, I did not use the word "conniving." If it has been used it has been used by the Senator from Wyoming. He is as familiar with the procedure as I am. If he thought of it as "conniving" he has the right to use the word.

Mr. McGEE. The Senator is at least familiar with the role that Congress had in accepting the increase in salary.

Mr. WILLIAMS of Delaware. The Senator can place his own interpretation.

Mr. McGEE. I withdraw the word "connive." I was trying to put it in the worst light because it is the charge we often get here. I would not associate the term "conniving" with my friend from Delaware. His forthrightness is appreciated.

Mr. President, I wish to inject in this matter that it was not the House of Representatives or the Senate that sought to raise the salaries of the Members. A Special Commission was appointed by the President to examine the entire question of the Federal salary structure. These were individuals who were to acquire an element of some expertise and certainly were outside of the pressures that are ordinarily working on Members of Congress. It was expected that this Commission would cast the matter in a perspective which we find it difficult to do sometimes, for whatever the reason might be. For instance, we might feel we should not be talking about our own salary increases or Members might have a sense of guilt because our salary is not proportionate to what someone in our hometown might make.

However, here was an attempt to look at the structure of salaries to see if they could arrive at a constructive step forward and to see if they could make a realistic salary recommendation in the meaningful legislative levels of Government. This is what the Commission did. It was not a commission composed of Senators or Members of the House of Representatives. This was an outside group that was asked to shoot straight on this question. Whether they shot straight or not was reflected in the vote of this body for, again with all due respect to the Senator from Delaware, whatever parliamentary maneuvering might have transpired even last February, may I suggest, there was no conniving, even in this regard.

The test was what the parliamentary setting would be for getting a vote. We arrived at the agreement that the best way was to hold a rollcall vote on the Senator's proposal. That vote was held. The Senate voted overwhelmingly to sustain the recommendation of the Commission and to sustain the recommendation of the President that these matters be accepted.

I am mindful of the differences that went into the votes. We are all familiar with those basic motives, but a majority of this body made that decision. That is the important thing to keep straight on the RECORD today.

The bill pending today is simply designed to arrive at a more equitable level by including only this handful of individuals who for statutory reasons had been inadvertently left out at an earlier time in the enactment of the law in 1967.

Now, in terms of the proposal of the Senator from Delaware that we repeal the legislation that set up the original Commission, section 225, in that law, Public Law 90–206, specifically establishes the Commission on Legislative, Executive, and Judicial Salaries.

Let me say to the Senator from Delaware that this is the only way, in my judgment—or, at least, the better way, that we can arrive at a less emotional, at a less pressurized, honest judgment on the relative salaries in the Government; that we are not the most objective, those of us who have to vote them, that we are not the most objective, those of us who have to undergo the heat or the pressure. We should view this not in terms of whether it raises the salary of the Senator from Delaware—who, to my regret, has decided not to run for election next time—or whether it affects the salary of GALE MCGEE from Wyoming or the distinguished Senator from Hawaii (Mr.

FONG). It should be addressed to what salary is required, what salary is dignified and significant for the job in its relation in the structure of government. That should be the focus of our intent. I think that was the focus of the intent of the Members of this body. They cast their votes and made a decision in February. There was no illusion about what that vote was all about. No one hesitated to interpret it in any other way. Therefore, this body has acted in conformity with the recommendation in this case, for which I speak here today, and believes that the existence of this Commission on Executive, Legislative, and Judicial Salaries is the wiser way, the most statesmanlike way, the better way from the standpoint of political science, to arrive at a judgment and a level on these questions, rather than to trust to the day-to-day judgments—oratory, perhaps I should say—of those of us in the Senate or in the House. For this reason, I would hope that the Senate will vote against the proposed amendment offered by the distinguished Senator from Delaware.

Mr. BYRD of Virginia. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I am happy to yield to the Senator from Virginia.

Mr. BYRD of Virginia. Let me ask the Senator who is it, in the coolness of the hour, who determines what the salary should be?

Mr. McGEE. The Commission is to review, I believe, every 4 years, the level of incomes. The President of the United States either accepts or rejects the Commission's recommendations. This then becomes the recommended procedure. Congress, in the process, retains authority to reject the President's recommendation, if he recommended a salary increase and they do not want it or do not believe it is appropriate in the new structure; or I would assume that the same process would permit them to call over the President's recommendation the recommendation of the Commission, if they failed to do so.

Mr. BYRD of Virginia. Is it not correct that the legislation states the President of the United States shall set the exact rates of pay for Members of Congress?

Mr. McGEE. I believe that is at least the outcome of the legislation, that he shall set the figure.

Mr. BYRD of Virginia. That is correct. I think the Senator from Wyoming will find they are the exact words used in the legislation.

One reason I feel that that legislation should be repealed is I do not think the President of the United States should have the power to set exact rates of pay for Members of the Congress.

Congress is giving away too much power.

Congress is saying to the President, "You take over these responsibilities. We do not want to fool with them."

I hope that the Senate will concur in the amendment now pending for many reasons, but one reason is that I have just stated, concerning the legislation we enacted last year and, as the Senator from Wyoming has stated, the Senate, on the question of salaries, did have a vote and those of us who took the position that I have taken, and the Senator from Delaware were outvoted.

That is all right. That is over with. We are not speaking of that now.

What we are speaking of is whether, for the future, we want the President, whoever he might be, to determine the exact rates of pay for Congress.

It can be said, "Well, Congress, if it does not like what the President does, it does not have to approve it."

That is a backhanded way of doing it. That is a backhanded way of giving the President power. I believe that almost everyone would agree with that.

While the Senate voted on the pay increase in January, the House did not vote on it. There was not a single vote in the House on it.

Thus, as a practical matter, what Congress has done is to turn over to the President the right to set those salaries.

I submit that as the years go by, and in some sessions of Congress there will be a close division of Senators, and perhaps Representatives in the House, the President of the United States can use a salary change as a weapon to coerce the Congress to support legislation which he advocates, or to oppose legislation which he does not like.

Thus, I think it is significant that the wording of the statute says the exact rates of pay for Members of Congress shall be set by the President.

If the amendment advocated by the Senator from Delaware is adopted, it will not affect the bill in question, nor affect any of the previous salary increases. It will not prevent those who will benefit from the bill now pending from getting that benefit.

What it will do is to say that in the future, Congress, by its normal legislative processes, shall determine the salaries, and the President of the United States will not be involved in that maneuver.

Mr. McGEE. I appreciate the views of my colleague from Virginia. I would say, in reflecting upon his perceptive comments, that we are demeaning, I think a bit, the role of the President in this operation, that the provisions under the act that the Senator from Delaware would like to repeal, together with the Senator from Virginia, provide that a private citizens' commission—the taxpayers, if you will—are asked to make the study, not the President—I assume, to add to the dignity of the individual citizens and not to be under any aura of fear of the President. I remind the Senator, then, that they form a panel of private citizens, and a specific recommendation was forthcoming.

It was transmitted to the Congress by the President when, in his judgment, it seemed to be a valid recommendation. That is another check in the process that we call responsible government.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. McGEE. Let me finish my statement. Then I will go back to the Senator.

In that process also is the role of the Congress. I do not know of any Member of this Congress who has rolled over in the face of any President, whether it is this one or one that has gone before. If they have, then I say this is certainly not the group that ought to have reposed on its shoulders the responsibility for determining the salary infrastructure in the Government of the United States. I would say that they had long since served their time.

It is my judgment that the Members of this body took a very hard look at this question. I would assume that their decision is a step or cog in a process, starting as a taxpayers' group, which is far more meaningful and statesmanlike than if the whole decision had to start with the Congress and finish with it. I would think that would be open to serious question, from the standpoint of the taxpayers, those who have to pay the bill.

Once more, it is not HARRY BYRD of Virginia or GALE MCGEE of Wyoming who is in issue here. The issue is the office of the President of the United States or a Cabinet officer or the Vice President of the United States or other high positions. That is a far bigger question. From that standpoint, I would believe the science of politics, if there is such a thing, is better served at the level of the existing act, starting with the Commission, than it would be to leave this matter to the whims, or the courage, or the lack of it, or the political uncertainties that sometimes must condition the judgments of the Members of the Congress of the United States. I think, adding it together, we are far better off, in terms of an equitable approach, we are on far higher ground, in the long pull, than we would be if we retreated to the old uncertainties of what a Congress' guess was as to what was particularly salable in a particular time. I think that does violence to the forces of change.

The Senator had another question.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. McGEE. I am glad to yield.

Mr. BYRD of Virginia. Does not the Senator agree that Congress over the years has given to the President too much authority?

Mr. McGEE. I happen to have some fundamental philosophies on that question. I think that often Congress has forfeited authority because of failure to assert its role. I am sure we have given authority to the President. I do not think this matter has been given to the President. I think the people initiated, in this process of the Commission, a judgment that is transmitted through the President, who, by the Constitution, has the executive leadership in this Government. He is not an errand boy. He has to make judgments. But there was reserved to the Congress the role of exercising judgment as to whether the President had exceeded his authority, or used wise judgment. It was ours to exercise, and we did so. I think this is all one can ask for in a representative government.

Mr. BYRD of Virginia. The Senator mentioned the citizens' Commission. I am sure he does not regard the Commission as representative of the taxpayers of the United States.

Another observation with regard to the Commission: The Commission's only right, assuming it were representative of the taxpayers, of which I think we can concede it was not representative—but assuming it was—is to recommend to the President.

The President, under the legislation, makes a recommendation as to the exact rates of pay.

If that is what the Congress wants done, the Congress has the right to give the President that authority. I personally do not think it is wise. I do not think it is wise for the Congress to give that authority to the President.

I feel we have a separation of powers. The Executive has certain powers; the judicial branch has certain powers; the legislative branch has certain powers.

The Senator from Wyoming and the Senator from Virginia do not have exactly the same philosophy in this respect, but I have been concerned that the executive and the judiciary have usurped power to which they are not entitled. I have been concerned that Congress has given the President power which he should not have. This is one of those cases, as I see it.

Mr. McGEE. I used to dabble a bit in constitutional history, in another, quieter day. I guess those days were quieter on the campus. I guess I am lucky to be here in these days of campus turmoil.

It was always worth noting in the history of our country that the Presidents who usurped power were the strong Presidents—the Jacksons, the Lincolns, the Teddy Roosevelts, the Wilsons, the Franklin Roosevelts, and so on—and that the strong Congresses were those that happened to come along when we had weak Presidents, when the trend would switch the other way a good bit. That was a give and take, an ebb and flow, in the history of politics. I have great confidence that our system and its constitutional structure makes broad amends for those differences, because they vary with personalities as well as the crises of the times which often determine the nature of the decisionmaking.

I do not see any forfeiting the role of the Congress of the United States to the Executive in the kind of judgment that is anticipated and called for under the judgments which are recommended by this Commission. In fairness to the President of the United States, the Kappel Commission, which executed this original study and made the first recommendation, recommended considerably more in the interest of equity. The President of the United States cut it back. I think the recommendation was $50,000 as the level of salaries for Members of Congress. The President, in his judgment, cut it back. So if the Senator is apprehensive lest the President runs away with the ball after a citizen's committee has made its recommendations, I think so far we have not had a record of that, but that the President exercised what he thought was judicious caution in making his recommendation. At the same time he came to terms with what obviously came as a recommendation from a citizen's group, from an act of a political science group, which was an adjustment that was in the interest of a higher caliber or type of man serving the Government.

This remains only surface fluff, because we have the whole task of structuring at the very highest level and beneath. I do not know whether it would be demeaning to the office of a Senator to have staff members consulting with other Government officials who were getting $50,000 while he was getting $25,000. There are those who could survive that, but it might make a difference in the kind of person we were trying to bring in. We are trying to work toward good Government. We are trying to work toward equitable rewards in good Government, and the Members themselves are of only passing interest. Some pass more quickly than others. Nevertheless, the issue goes to all levels of Government, and a very significant part of it is the Cabinet group, Members of the House and Senate, and others in an advisory level. I think it is important that we not let personal considerations intrude into what I think is good civics.

Mr. BYRD of Virginia. Mr. President, will the Senator permit me to make an observation?

Mr. McGEE. I am glad to yield.

Mr. BYRD of Virginia. That has been my entire observation from the beginning of this debate. That has been my view from the beginning.

It is not a question of what the salary should be. It is not a question of personalities.

It is a question of policy. How do we set the salaries?

I am not saying whether the salaries are set too low or too high. That is not the point we are arguing.

The point we are arguing is the matter of policy. It is not a question of figures. It is not a question of personalities. It is not a question of whether a Senator demeans himself or does not demean himself because he does or does not get a certain salary. That is not the point of the argument. I have never argued that.

My only point is that it is a matter of policy.

My point is whether it is wise for the elected representatives of the people to permit another branch of Government, presumably a coequal branch of Government, to take a responsibility which I believe the Senator from Wyoming will agree has been the responsibility, rightly or wrongly, of the Congress from 1789 until 1967 or 1968, whenever we passed that recent law.

Mr. McGEE. I think the Senator's point is a valid one. I am not sure its impact is valid. A great many things have changed since 1789, and we have been constantly trying to update and modernize, and live up to those changes.

I think one of the very severe taxes imposed upon the modernization of Government in our country has been the mistaken notion that somehow you can do this without trying to equate it on the level or the scale of living and costs of comparable salaries in the private sector, at the same time. This changes. The contrast between what it would require now, in the top echelons of business, are almost explosive in contrast to just 20 or 30 years ago.

The same thing is true here. I do not think there is anything sacred about the fact that George Washington may have lived at a little lower level than we live. I do not want to go back to Washington's time, with all due respect. We have to live in the here-and-now. We are not going to turn back the clock. We cannot change the process. I think in view of that fact, we have to live as wisely as we can, or all be put out of business.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. McGEE. I yield.

Mr. BYRD of Virginia. I do not want to go through all this again, but I do not want the RECORD to indicate, by any omission on my part, that the Senator from Virginia wants to go back to 1789.

That is not what I said at all.

What I said was that it has been the responsibility of Congress, under the Constitution—and the Constitution goes back to 1789—to set the salaries.

If they wanted to set them at what they were in 1789, they had the right to do that. But if they wanted to set them at what they should be in 1969, they have had that right.

I am not saying we should go back to 1787 or 1789. I think the Senator from Wyoming will concede that I am not trying to put us back into those days, though they had some pretty good men in those days. I do not think any of us want to go back that far.

And that is not what I am arguing.

I am arguing a matter of policy. I believe the Senator from Wyoming will agree that under the Constitution, which goes back to 1789, until last year, the legislative branch assumed the responsibility, had the responsibility, and exercised the responsibility for determination of its own salaries—until last year, when we gave that determination to the President, which now the Senator from Delaware, the Senator from Nebraska, and the Senator from Virginia want to give back, or take back, to the legislative branch.

Mr. McGEE. I am not mindful, may I say to the Senator from Virginia, of any serious move under way to suggest that the action of Congress in enacting Public Law 90–206 was unconstitutional. I think it was a legitimate, and was generally agreed to be a legitimate, statutory enactment by this body.

The constitutional issue here, as I understand it, is not really the central question, for the reason that we have set up a procedure by which we hope to determine more responsible action in this field. We reserve the right to exercise the final judgment on the recommendations; whether we get them from a committee of the Continental Congress, based on recommendations from its staff members, which made the process orderly, or whether we try to update the process by getting recommendations from a public commission of private citizens, which recommends to the President, who then submits the recommendations to Congress, I think it still preserves the basics of constitutionalism, and to my knowledge, no constitutional question has been raised.

It is a question of whether to step back from what I think was a step forward in the technique in trying to arrive at as fair a judgment as it is possible to arrive at in the political arena. That is difficult, I know, and the objections are often complex. It is only an attempt by this body to do it a little bit better than we used to do it. I think that does not do violence to the Consitution; in fact, I think it is a part of the secret of the strength of our Constitution. The Founding Fathers made no effort to bridle or restrain or imprison in detail the future generations of public leaders who would come along. They laid down the broad outlines; they laid down the directions; they laid down the bases of what they thought was responsible constitutional government, and each succeeding generation of political leaders has sought to interpret those intents in a meaningful way relative to the questions of its own time. That is all we did here, in this proposal. It still leaves the base with Congress, where the Constitution put it.

The law does not say only the President of the United States shall raise our salaries. That would be a seizure of power. This is simply a more sophisticated process by which an educated judgment could be made as to what we ought to be talking about. The President cut down the recommendation of the Commission; Congress had the choice to leave it where it was, to accept the President's proposal, or to reduce it further. The question is procedural and not constitutional. So I would disagree with the Senator from Virginia on his constitutional interpretation.

Mr. BYRD of Virginia. Mr. President, will the Senator yield further?

Mr. McGEE. I yield.

Mr. BYRD of Virginia. Is the Senator aware that the committee, of which he is now chairman, but of which last year and 2 years ago the distinguished former Senator from Oklahoma, Mr. Monroney, was chairman—by I presume a unanimous vote, but in any case a majority vote of the committee—eliminated from the bill this provision, in the same manner as the Senator from Delaware now seeks to eliminate it from the statute?

Mr. McGEE. Surely. I was a member of the committee at the time we held those deliberations. Our judgment at that time was that this procedure perhaps left some things to be desired. We wanted a little more time. We thought there were other alternatives, there was another process that might help us arrive at a fair judgment. Our basic interest in that case was that there had to be a better way of going about this business. We had, already, uncertainties about the procedure. We thought the political scientists might come to our rescue if we could wait a little time, to study this problem in greater depth.

Meanwhile, the House of Representatives passed it. We were confronted with it in conference. It ultimately became the law of the land. It is the law of the land right now. It is a regulation that governs this body.

Now that we have been able to go through that process, to experience its impact, I must say, as one of those who were honestly groping for a mechanism that might make this a more realistic approach than we had until then, I have failed as yet to come up with something better, and therefore I think it proper to sustain this measure, to keep it on the books, until the Senator from Virginia or someone else finds a better system to catch us up with the changing times.

That is the reason I oppose the amendment of the Senator from Delaware, and why I hope that we will vote it down, and pass the committee recommendation.

Mr. BYRD of Virginia. Will the Senator yield further?

Mr. McGEE. I am happy to yield.

Mr. BYRD of Virginia. The Senator from Wyoming mentioned the conference report, and I think that is a very important point. I ask the Senator from Wyoming to check me, to be certain that I am stating these facts accurately. I know that the Senator from Delaware, too, is familiar with them.

The Senate conferees on that bill, led by the then Senator from Oklahoma, Mr. Monroney, held out to the end. They had a very long conference—in fact, many conferences—and the Senate conferees, led by Senator Monroney, held out to the end in trying to strike out of that conference report the proposal to insert this commission plan into the legislation which came back to the Senate.

The Senate conferees were, I believe, unanimous—if they were not, I am sure that one of the conferees—I think the Senator from Hawaii was a conferee—can correct me if I am inaccurate—but I think the Senate conferees were unanimous, and the Senator from Oklahoma sat right there in that end seat, and told the Senate, "We fought right to the end. We have been fighting this battle for days, and we did not want to give in on this matter. We felt it was wrong. We felt it was wrong, but we had no recourse. The House stood firm, and we were anxious to get an increase in the junk mail rates, and we had to make a compromise. We traded off an increase in the junk mail"—and I favor that rate increase on the junk mail, incidentally.

Mr. McGEE. The Senator means he favors an increase in the costs for the junk mail, not an increase in the junk mail, I am sure.

Mr. BYRD of Virginia. I favor an increase in the cost of putting the junk mail into the mailboxes. However, in order to get that compromise or that increase in the cost of junk mail, the Senate conferees under the leadership of former Senator Monroney of Oklahoma finally, after many days of conferring, agreed to give in to the House on one proposal, and the House agreed to give in to the Senate on the junk mail increase proposal.

The chairman and the other conferees serving with the then chairman were bitterly opposed to the proposal. I heard former Senator Monroney make that statement on the floor of the Senate as well as to me privately.

I am glad that the Senator from Wyoming mentioned the conference report. I think that is very significant.

It shows the intent and the viewpoint and the determination of the Senate conferees to try to keep this piece of legislation off the statute books.

Mr. McGEE. Mr. President, I say to the Senator from Virginia that while I have only been a Member of the Senate for about 11 years, a very limited number of years compared with the length of service of many other Members of the Senate, it has occurred to me that neither house of Congress has always turned up with a monopoly on wisdom in its legislative efforts. Every once in a while the Senate seems to have more wisdom than the House. However, it is discouraging to have to say on occasions that the House seems to act more wisely than the Senate.

What the business of legislation is all about is the effort to try to find some common ground on which we might agree rather than saying, "I am right and the others are wrong." We try to arrive at a compromise, and there is a certain amount of give and take in the process.

In that particular bill it was felt that the composite package was worth the vote of the Senate even though the Senate conferees had some real misgivings about the procedure.

I have just mentioned to the Senator from Virginia that on reflecting upon it further or discussing it and studying it over this year, we are still frustrated by the absence of alternatives and other options. This in hindsight seems to be a wiser move than doing nothing. That is what we are in effect saying about the House decision at that time.

I say on behalf of our friends on the House side that the interchange between the two houses in conference is part of the business of what conferences and conferees are all about. When we have the counterchecks of the two bodies, we always have to give a little somewhere and so does the other body.

If we were to seek to repeal this now, in our judgment we would be beginning to unravel a rather complicated process. Would we go back and unravel the other agreements contained in that same conference? It is very difficult to turn back without opening up a worse can of worms than the one disturbing the Senator at the present time.

I think we have demonstrated in one orderly process that there is an unexcited, a closely objective, and a measurably constructive process in the legislation finally agreed to.

The Senate should reject the amendment of the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Wyoming suggests that if we were to go back and repeal this provision we might be opening up the whole conference report, including the decision on junk mail, and that therefore we should reject this amendment.

That is a ridiculous argument. We are talking about a section which gives the President the right to fix congressional salaries.

I mentioned earlier that under existing law it is possible—and it almost happened—for the President to fix salaries for Congress and the top echelon of the judicial and executive branches without either House of Congress having the opportunity to vote on the matter.

It happened in the House. It would

have happened in the Senate as far as the Senate committee which had jurisdiction over the matter was concerned. That committee refused to report back to the Senate the resolution of disagreement so that the Senate might vote. The committee had a right to its own opinion. However, let the RECORD show that the Senate voted on the question in spite of and not as a result of any help that we received from the Senator's committee, which had jurisdiction over the matter.

The resolution was finally brought before the Senate under rule XIV under which one may ask for immediate consideration of a resolution, and the measure then goes to the Senate Calendar without objection.

The majority leader cooperated at the time and adjourned the Senate at the close of business on that day, which made it eligible as new business the next day. It was then possible to move directly to the consideration of the resolution. Without the cooperation of the majority leader in adjourning the Senate the vote would not have been possible. Had the Senate been held in recess for 5 or 6 more days or until the Lincoln Day recess, we would not have had the opportunity to vote. The increases automatically become law in 30 days after being submitted by the President unless Congress will have taken negative action prior to that time.

I again express my thanks to the majority leader for helping to get that resolution to a vote so that the Senate could vote the matter up or down.

We may not have such cooperation from future leaders. Had we not had such cooperation there is no way under the parliamentary rules as far as I know that we could have had a vote. I spent a lot of time studying the rules to determine how to get the measure to a vote.

I say that we should repeal this law by which a President may fix salaries for Congress and the top echelon in the executive branch when there is a possibility that neither House can get a rollcall vote on the matter. This law is wrong. We ought to repeal it. I hope that we can do that today.

I am not questioning the motives of the members of the committee who rejected the resolution. That is their business. They had a perfect right to oppose the resolution. However, let the record speak for itself. The resolution was not reported out by the Senate committee as required under the Reorganization Act. If a resolution of disagreement with one of the proposed Presidential reorganization plans is introduced the committee reports that resolution to the Senate with either a favorable or unfavorable recommendation. That is not a requirement under the law dealing with congressional salaries. Some Senators thought it was at the time; however, it did not work out that way.

I think the record should show that under the parliamentary situation in the Senate it was only through the cooperation of the majority leader that we were able to get a direct vote last February. As far as the Senate Post Office and Civil Service Committee was concerned, it did not intend that the resolution get to the Senate floor.

I hope that the pending amendment can be agreed to and that we can repeal the law.

The question is whether we are going to get in the same box 3 or 4 years from now. I certainly hope that the amendment will be agreed to.

Mr. President, I yield to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. CURTIS. Mr. President, I thank the distinguished Senator from Delaware. I am pleased to join with him and the senior Senator from Virginia and my colleague from Nebraska in the pending amendment.

Mr. President, leaving the law as it is presupposes a need for a pay raise 4 years from now. It would be notice to the world of an expected continuation of the inflationary trends existing in our country, and inflationary trends are always a spiral.

Perhaps the economy would start to cool off and prices go down at this very time if it were not for the people who believe that inflation will go on and they want to get in now and buy and build and contract. By insisting that we have a commission 4 years from now look at the Government salaries, we presuppose continued inflation. That is bad financially and psychologically. It cannot be justified.

Theoretically, it sounds splendid to have an outside committee or commission make the difficult finding about what public officials should be paid. In actual practice, it is a mighty poor procedure, because in order to get men and women to serve on such a commission, the natural thing is to turn to captains of industry and to top leaders of labor unions.

Find me a commission the majority of which will say to every trial judge in the Federal judiciary, "We do not think you should have a pay increase, or not a very big one." Find me a commission the majority of which will say to the Supreme Court of the United States, "We do not think you should have a pay raise, or at least not a very big one." Where are the captains of industry who are in a position to say to the chairmen of every committee in Congress, "We have looked it over, and we do not think you should have a raise, or at least not a very big one"?

Theoretically, it is fine to have an outside group do it. In actuality, it is not good, in addition to all the questions that the distinguished Senator from Virginia has raised about the delegation of power.

Let us assume that there are those who feel that the Commission is the right procedure. Let Congress 4 years from now create a Commission. Let us not leave it here as notice to everybody that we presuppose 4 years of continued inflation.

Mr. President, I hope the amendment will be agreed to and that the present law will be repealed.

Mr. FONG. Mr. President, the fact that this law is on the statute books does not presuppose that in 4 years we will have a salary increase for the Members of Congress. At that time, the Commission—two members to be appointed by the Speaker of the House, two to be appointed by the President of the Senate, two to be appointed by the Chief Justice of the Supreme Court, and three to be selected by the President—will deliberate together and compare the salaries of the Members of Congress with those of industry and others for various positions throughout the United States.

Mr. President, I have been a member of the Committee on Post Office and Civil Service for almost 10 years. In the 10 years I have been a member of this committee, almost every year I have gone through the exercise of what can be done to give comparability to the 3 million Federal civil servants of our Nation. Almost every year we have struggled with that problem, and it is very difficult for the Members of Congress to say, "Give us an increase in salary so that we can bring up the structure of pay for the other civil servants of our country."

We know that because of the reluctance of the Members of Congress to increase their salaries, we have developed a tremendous compression of salaries in the top levels of Government; and because of this compression at top levels the Federal Government has had great difficulty in recruiting men of ability. We have not been able to pay salaries comparable to that in private industry, and we have been losing good men in Government service.

In the introduction to its report, the President's Commission which brought forth its recommendation said the following:

> The ability of our nation to meet the challenges of these troubled times depends on the leadership of those who place their talents and energies at the service of their country. It is with the maintenance of the quality of that leadership that we are concerned here.
>
> What are the incentives for able men and women to assume positions of leadership? Among them are prestige, the challenge of public service, the opportunity to help solve problems of national and international import, the sense of mission to act for the public good. All are powerfully attractive. At the same time, however, salary inducements must meet the realities of personal and family obligations. They should also reflect in some appreciable degree the level of responsibility involved in the office held.

Almost every year, in our deliberations on the salaries of the 3 million employees in Government, we have not been able to give comparability to the public servants within the lower categories of jobs. When we come to those categories in the upper grades, such as the supergrades of GS-16, 17, and 18 and in grades from GS-10 and above, we find that we are not able to pay salaries comparable to those in industry. This is because the salaries of the Members of Congress are at a certain level, and we feel that other Federal salaries should not exceed the salary of Members of Congress. Because of this one factor, the salaries of Senators, Representatives, and judges for some periods of time have remained static. I recall that for a period of probably 20 years, there had been no increase in the salary of Members of Congress because of the reluctance of Senators and Representatives to raise their own salary.

What I am talking about, Mr. President, is the salary structure of 3 million employees, not the salary structure of Members of Congress—435 Members of the House and 100 Members of the Senate. What happens to these 535 Members of Congress will reflect to a large degree on the compensation of those who are subordinate to them. Because of this, we felt it wise to establish this Commission.

This Commission has the approval of the Senate, because when the committee came back from the conference with the House in 1967, the report was agreed to by a vote of 72 to 0, to adopt the conference report and to set up the salary commission. This year, a vote was taken on the resolution of the distinguished Senator from Delaware as to whether we should approve what the President did and what the Commission had recommended; and by a vote of 47 to 34, the Senate went on record approving the work of the Commission and the recommendations of the President.

I believe that if the amendment of the distinguished Senator from Delaware is agreed to, we will be taking a step backward. Since 1962 we have promised all the civil servants in our Government that their pay will be comparable to the pay of people in industry. We have striven to give them comparability, but we have not been able to reach that comparability because of the salary structure of the Members of Congress. Only through this means will we be able to attain comparability this year, and on July 1, that comparability will be reached, based on the latest BLS figures available. If we eliminate this Commission, we will be going back to the situation in which we will again be unable to reach comparability.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. McGEE. Is it not true that the salaries of our military people, for example, are tied to the civilian level in Government?

Mr. FONG. Yes, and that would increase the salaries of another 3 million people, who will be dependent upon what we do here today.

We have 3 million men in the military service and we have 3 million persons in the Federal civil service. The salaries of those in the military service are tied to those paid the civil service. I thank the distinguished Senator from Wyoming for bringing up that point. We are talking about the salary structure for 6 million people not only 100 Senators and not only 435 Members of Congress.

I think the amendment of the distinguished Senator from Delaware is a step backward, and if adopted we will be forced to fight the battle of comparability again and again. We have now arrived at a point where we can give comparability to the 6 million people in Government service.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. WILLIAMS of Delaware. The section we propose to repeal does not affect in the slightest any of the members of the armed services nor any of those in civil service; it only affects congressional salaries and those of the top echelon of Government, so let us not talk about 6 million other people.

Mr. FONG. If the salaries of the people in the high echelons are not taken care of it will not be possible to raise the salaries of the other 6 million people in Government service.

Mr. WILLIAMS of Delaware. To the extent Congress raised its own salaries by 41 percent the Senator is correct that it cannot say "no" to civil service employees.

Mr. FONG. The reason it was raised in that way is that Members of Congress were reluctant to raise their own salaries. For years Members of Congress had not had salary increases because of that great reluctance.

Mr. WILLIAMS of Delaware. That reluctance of Senators was overcome in 1964 when they raised their salaries by 33⅓ percent. The raise this year was 40 percent on top of that 33⅓ percent. Congress has not been too bashful.

Mr. FONG. The last increase was the result of many, many years with no increases. There have been periods of up to 20 years where there was no increase. Therefore, to arrive at comparability this Commission of very learned men made that recommendation.

Mr. WILLIAMS of Delaware. Mr. President, to keep the record straight, in 1964 Congress raised its salaries by 33⅓ percent, from $22,500 to $30,000. To go back 8 or 10 years before that our salaries had been raised from $15,000 to $22,500. If one were to go back further there would be more increases.

Since I have been in Congress during the last 23 years congressional salaries have gone first in 1947 from $10,000 to $15,000, then around 1954 from $15,000 to $22,500, in 1964 from $22,500 to $30,000, and in February 1969 from $30,000 to $42,500.

Mr. President, let us face it. Members of Congress have not been reduced to the status of paupers, and I do not think we are quite eligible for the poverty program.

Mr. FONG. According to the figures I have here, we received a salary of $10,000 in 1946 and Members of Congress had waited 20 years before they got an increase of $5,000.

Mr. WILLIAMS of Delaware. It was raised effective January 1947 from $10,000 to $15,000.

Mr. FONG. But they waited another 10 years to go to $22,500, and then, another 8 years before there was another salary increase.

In the meantime Government employees received increases and if my memory serves me correctly, Federal employees have received salary increases during this period of approximately 100 percent.

Mr. WILLIAMS of Delaware. To my knowledge, and I think the Senator agrees, there was not a single candidate for Congress who when facing election told his constituency that he would only accept the job if the salary were raised by 45 to 50 percent.

Mr. FONG. We desire only to be fair to Members of Congress, all of our civil servants, and all of the men in the military. The only way we can do it, because of the reluctance of Members of Congress to raise their own salaries, is to set up this Commission which, after long hearings and comparing salaries in Government with industry, makes a recommendation to the President. This year the Senate voted 34 to 47 and said the President was correct and that the salary should be $42,500, even though the Commission had said it should be $50,000.

Mr. WILLIAMS of Delaware. The Senate should have a chance for a direct vote. In the past Congress has acted on salaries, but it is possible under the existing system that they get a salary increase without any vote.

That is what our amendment seeks to correct—we would repeal the law which makes this possible.

Mr. HRUSKA. Mr. President, I rise in support of the amendment to abolish the Commission on Executive, Legislative and Judicial Salaries of which I am a cosponsor. When this issue first came before the Senate in February in the form of salary increase recommendations I opposed it and my position is so recorded. I opposed this pay increase for two reasons. One was that I believed the raise was excessive in view of the condition of the economy. The second reasons for my opposition was that I disapproved of the method used to accomplish this raise.

Mr. President, when Congress created the Commission on Executive, Legislative, and Judicial Salaries, it surrendered one of its powers and prerogatives. This I believe was a grave error. I believe that this error can only be rectified by abolishing this Commission.

I associate myself with the arguments advanced by the distinguished Senator from Virginia (Mr. BYRD) and the distinguished Senator from Delaware (Mr. WILLIAMS). I am particularly pleased to associate myself with the comments made by my colleague from Nebraska (Mr. CURTIS). The substance of this amendment is virtually the same as the bill introduced last month by my colleague from Nebraska. I joined him as a cosponsor of that bill, for reasons which I stated on the floor of the Senate.

Mr. President, I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks the brief statement which I made in regard to the bill to abolish the Commission. It is my hope that the amendment will prevail and that the Commission will be abolished.

The PRESIDING OFFICER. Without objection, the statement of the Senator from Nebraska will be printed in the RECORD.

The statement is as follows:

Mr. HRUSKA. Mr. President, earlier this year every Member of Congress received a substantial increase in salary. I opposed that increase at the time and my position was so recorded during the rollcall vote on the issue.

The manner in which the vote was taken on this issue was most unusual. Normally in the Senate we have the right to modify a proposal either on the floor or in committee. On an appropriations bill, for example, the dollar figure can be raised or lowered. The option of lowering the proposed salary was not available to us, however. It was offered on a take-it-or-leave-it basis. This procedure was most unwise.

My distinguished colleague (Mr. CURTIS) has introduced a bill to reinstitute normal procedures in fixing salaries (S. 1538). I am most happy to join as a cosponsor of this legislation.

Mr. President, article I, section 1 of the Constitution provides that all legislative power of the U.S. Government is vested in the Congress.

The reason for this provision is obvious. The Founding Fathers wanted matters of setting national policy to be subject to open discussion under the scrutiny of the electorate.

The setting of salaries for Government officials is a legislative function of the highest order.

The setting of congressional salaries has been handled as normal legislation through the years. This method, of course, is awkward for the legislators, but I believe it is good for the electorate.

It has been pointed out on this floor that, over the years, the Congress has granted raises to its Members very begrudgingly. This is as it should be.

Mr. President, in 1967, the Congress devised a method by which its Members could get periodic raises without the usual hearings, debates and public expressions of indignation. This method was established by section 225 of Public Law 90-206, the Postal Revenue and Federal Salary Act of 1967.

Under section 225(a), a Commission on Executive, Legislative, and Judicial Salaries was established to study the compensation of officials and recommended adjustments.

Mr. President, I would have no particular quarrel with the Commission if its function was to assist the Members of Congress in their legislative functions, however, its functions are not so limited.

Under section 225, the Commission recommends salary adjustments to the President, who in turn transmits his recommendations to the Congress. Congress then has the choice of accepting or rejecting the recommendations and the lack of action by the Congress is tantamount to acceptance.

Mr. President, the Commission plan is not a new concept. It has been advocated by certain Members of the House for several years. This concept has been rejected by the members of the Senate Post Office and Civil Service Committee on at least two occasions prior to 1967. This concept was again rejected by the members of the committee in 1967.

Section 225 was added to Public Law 90-206 in conference, where the House insisted upon its inclusion. This compromise was accepted by the Senate in the closing days of the first session of the 90th Congress.

Mr. President, the Commission was duly organized, conducted its studies and reported to President Johnson who in turn, made his recommendations to Congress.

The recommendations were for pay raises for certain officials ranging from 40 percent to 100 percent.

These new pay scales went into effect on February 14 as a result of a rollcall vote in the Senate, and no action at all by the House.

I joined in the effort to reject the pay increase and I regret that our efforts were unsuccessful.

Mr. President, in deferring to the Commission and the Chief Executive, Congress has abdicated one of its most precious prerogatives.

The sequence of events leading up to the recent raise will be repeated in 4 years unless Congress asserts itself.

Mr. President, the Commission created by section 225 of Public Law 90-206 should be abolished.

Mr. ALLOTT. Mr. President, I realize that the hour is late. I do not intend to detain the Senate long, unless it is necessary to reply to numerous questions.

I cannot permit this matter to go before the Senate today without expressing myself as strongly as I can in support of the amendment offered by the distinguished Senator from Delaware. I have listened for some 2 hours to the debate on this question. I think that the present law providing for a commission to report to the President, and for the President to submit proposed salaries to Congress, is immoral. Furthermore, I think it is an abrogation of our duties and our responsibilities as Senators. No one will ever convince me otherwise.

We talk about the levels of salaries and how they influence other salaries. Much of that is true. But I think that one of the strongest arguments against the proposal is that Congress has the right to fix such salaries—or we had the right until we were such dupes as to pass the legislative salary bill, with the provisions for the commission attached to it, the year before last.

I join in the views of the Senator from Nebraska (Mr. HRUSKA). I know how strongly he feels about this particular amendment and this particular commission. I also applaud the distinguished Senator from Virginia (Mr. BYRD), who sits on the other side of the aisle and who feels so strongly about this subject. I feel just as strongly about it myself.

What have we done? We have let the Supreme Court, the President, the Members of the House, the Members of the Senate, and other people appoint persons to a commission. I suppose the members of the commission take an oath of office. It does not matter whether they do or not. They do not have any responsibility to Congress. The only responsibility they have is a tenuous advisory responsibility to the President.

This is one of the most cleverly worked out amendments that has ever been attached to a piece of proposed legislation.

The proponents knew what they were doing when they attached that to the salary pay raise bill. Exactly what many of us predicted would happen did happen. It happened. About the middle of January—I do not have the exact date before me—the President sent up a new salary schedule for the chief executive officers of the administration and Congress. Well now, this "great" commission thought that Members of Congress should have $50,000, but this was too big a fish for even some Members of Congress to swallow. So, when the President's message was sent up to Congress, he left the Supreme Court at $60,000 and the Chief Justice of the United States at $62,500. Then he cut Congress down from $50,000 to $42,500. In the latter respect, I think he was entirely right.

Mr. President, what has resulted in the interim?

We sit here in this Chamber with the Supreme Court to the east of us across the street, each Justice drawing $60,000 a year and the Chief Justice $62,500 a year—who, by the way, is also furnished with a Cadillac and a driver.

It is no secret that I have disagreed and I still disagree with many of the opinions of the Supreme Court these last few years, particularly in the area of criminal law. But, Mr. President, that is not pertinent to what I want to say now. Will anyone tell me that a member of the Supreme Court carries greater responsibilities on his back individually than any individual Member of the Senate in his committee assignments and his votes on this floor? I do not believe it. Many of us here, and there are many in this Chamber involved in the appropriations process, deal with $200 billion a year—and I must say that that is an incomprehensible figure. I do not know. I do know that the appropriations process and the spending by Congress has brought this great country into an inflationary period which may well wreck its fiscal house.

So we end up with this "wonderful, glorious" plan we have here. Nothing could be more "fair," nothing could be more "equitable" than this "wonderful" plan, this commission—an independent Commission, if you will, Mr. President, which bears no responsibility to anyone except an advisory responsibility to the President.

Thus, when the Commission came in with a recommendation to the President that he put the congressional salaries at $50,000, which is $10,000 under that of the Supreme Court—and there is not a $10,000 differentiation between the Supreme Court and Members of Congress—the President came in with that, but even he could not swallow it and he conferred, I guess, with some Members of Congress. I do not know who they were. It certainly was not with me. I surmise it might have been with the majority and minority leaders, which I presume he certainly did. But I do not know whom it was with. But, anyway, it was cut down to $42,500.

So, what do we end up with? With this "glorious," "justiciable" provision of law which we adopted a little over a year ago in the salary pay raise bill. We end up with members of the Supreme Court, who work 9 months out of the year, who enjoy a 3-month vacation in the summertime, and who have full retirement when they do retire—and who contribute not one single penny to their retirement—receiving $18,500 more a year than Members of Congress.

Mr. President, I say, upon the basis of their responsibilities, it is not justified.

We talked about this matter and we talked about it when it was before the Senate. The Senate spoke. As my good friend from Hawaii (Mr. FONG) has stated, the vote was 34 to 47—that is, 34 in favor of the resolution negating the President's action, and 47 against.

The other body had not managed, by the time the 30 days were up, even to get its committees organized to the point that it could be considered on the floor of the House. So we ended up with this body taking the only action. Since the action to negate the President's message had to take place within 30 days, nothing was done in the other body.

Now, those knowing how I feel may say, "This man is just mad at the Supreme Court." Well, I am not. I am not pleased with it, I will say that, so far as its legal opinions are concerned. They have none of the responsibilities that Members of Congress have, they do not have the responsibilities of listening to constituents and trying to solve their problems, and so forth, they are not faced with the responsibility of going home four, five, 10, or 20 times—sometimes more than that—28 times it was for me in 1966, and they are not faced with that kind of responsibility, but are able to sit here in Washington, to lead a nice, secure, and secluded life where they are not subjected to lobbying pressures that Senate and House Members are. Nevertheless, with this fine form of law which we have passed which contains so much "justice," so much "equity," they sit over there drawing $60,000 a year while House and Senate Members—who, I say, have greater responsibilities—draw $18,500 less.

Mr. President, I do not think that our salary should be higher than it is. I just object that the Supreme Court's is so high. I actually had worked out a parliamentary ploy, at the time this matter was before the Senate, to attempt to reduce their salaries, but with the size of the vote which occurred on the resolution, it was obvious to me it was an impossibility to do anything with it.

I hate to say this, but I think that some people are perhaps willing to hide behind this method. I am perfectly willing, when the time comes—if it comes—when I think our salaries should be raised, to stand up on this floor and vote for a raise; or, if I think not, then to vote against one.

This committee has the jurisdiction to introduce bills, to have hearings, and to bring in a recommendation to the Senate for such purpose. They did not do so. They did not do it last year, and, of course, there is no need to do it this year.

But it seems to me that we are missing the whole point of this question when we say that this is the only way we can do it; that the Members of Congress are unwilling to vote for their own raises in salary.

I am not unwilling to do it if it needs to be done. I am not going to do it this year, I will say, and probably not for several years to come.

But the worst part of it is that of all the powers that Congress has surrendered to the executive branch, this is the worst, in my opinion. It will bear the light of cold scrutiny the least of any power we have ever surrendered to the executive branch. And the final proof shows up in the final injustice—I will say the galling injustice—of the discrepancy between the salaries of the Supreme Court and those of the Members of Congress.

I do not think even my friend from Virginia feels more strongly than I do about this, but having gone through this one humiliating experience—and it was humiliating—in which, after we had had an opportunity, through the kind offices and good parliamentary maneuvers of my distinguished friend from Delaware, to turn down the Kappel Commission report, and to get a bill out of our own committee to fix our own salaries, I do not think we should do it again.

Here is an opportunity for every Senator to finally start the method and means of wiping the slate clean and saying that from here on we are going to be masters of our own fate; we are going to stand up and when we need to raise salaries, we will vote for them, and when we do not need them, we will vote against them. We are not going to let a group of people appointed by this court and this body and some other body fix salaries which, when they come here on the floor of the Senate, or on the floor of the House, almost have the full force and effect of law

Let me say further that had it not been for the parliamentary astuteness of the distinguished Senator from Delaware, we would not even have had an opportunity to vote upon this principle, even though the vote was certain.

In conclusion, I say this is the wrong way to do it. I sincerely hope the Members of the Senate will help the Senator from Delaware straighten this matter out once and for all and get rid of this infamous amendment, which I believe is a disgrace and shame upon all of us.

Mr. HOLLAND. Mr. President, I am glad the Senator from Delaware has offered this amendment, because it, for the first time, gives the opportunity to the Senate to vote up or down the provision of the earlier law by which this Commission was established.

May I say in the beginning that I would have little objection to the setting up of a commission to make recommendations, and even to have the President second those recommendations or amend them as they might be sent by him to the Congress, provided there was a mandatory requirement that each House of the Congress must vote upon those recommendations as they reach us.

It seems to me that the primary vice in this whole setup is that we invite a situation under which by mere inaction—which was taken by one body of Congress when the salary matter came before us some months ago—we permit to stand the recommendations of a body other than ourselves, the Congress, in which all legislation must originate and by which all legislation must be passed, according to the Constitution.

I thank the Senator from Delaware for offering this amendment, for which I propose to vote. I thank him for having taken the steps he did when the recommendations came before us earlier in the year, because they gave us an opportunity, at least so far as the Senate is concerned, to regularize what was done at that time by making it an act dependent upon the vote of the Members of the Senate. If no vote had been taken here and no vote taken in the other body, we would have been indeed in a weak—a hopelessly weak—position as having surrendered our authority and having delegated it to a commission with the intent to let them handle our legislative duties.

Mr. President, I voted for the recommendations as they reached us because I thought, in the main, they were good. I thought, insofar as the executive department and the judicial department were concerned many of them were long, long past due.

So far as the legislative department is concerned, I want to call attention now to the fact that it was not the recommendations of the Commission that prevailed, and it was not the sole recommendations of the President that prevailed, when we voted upon those recommendations, because the report of the President makes very clear what happened. I want to read this portion of his report into this debate at this time. The President used, in his recommendations to the Congress, these words:

> A proper concern for history and tradition, however, suggests that the President should consult the leaders of Congress before he makes any recommendations concerning Congressional salaries.
>
> I have done that.
>
> These discussions and consultations revealed that Congress would be reluctant to approve a $50,000 salary.

I digress to say that that was the amount recommended by the Commission.

Continuing to quote:

> When it comes to a pay increase, Congress puts its own Members last in line. Instead, an increase to $42,500 was considered preferable and more likely to receive the necessary support. I respect the desires of the leaders of Congress. I therefore now recommend a $42,500 salary for the Members of the House of Representatives and the Senate.

The President made it very clear that his recommendations were not based solely upon those of the Commission—in fact, he changed the recommendations of the Commission. They were not based solely upon his own judgment, but upon consultations between him and the leaders of both houses of the Congress.

Then the Senator from Delaware, very wisely, in order to keep the record from indicating that we had supinely delegated away all of our legislative authority, insisted upon our having a vote. We did have a vote, and I think that vote saved the Congress from being in a hopelessly weak position. I here commend the Senator from Delaware for having insisted upon our having taken that vote.

I did not vote as the Senator from Delaware did because I thought most of those provisions were very much needed, and I thought the congressional salary increase was one of the most needed in view of our having to maintain two homes and having to be elected periodically.

I have, for example, the report of the Commission showing what the officers of the State of Florida receive for their various services, all the way from $50,000 in the case of one executive officer—not an elective officer, by the way—to $36,000 for the Governor, with a mansion to live in and $29,000-plus to operate that mansion, and $34,000 for each of the six members of the cabinet, and for many others who received well above the $30,000 limitation which we were receiving at that time.

For instance, I notice that in one county, Dade County, Fla., there are four county officers receiving well above the $30,000 level—$33,000, for instance, for the superintendent of education; $32,500 for the county attorney; $32,500 for the State attorney in that county; and the other was the president of the junior college there, who received a salary well above the $30,000 level, plus other compensation. I did not regard the compensation of these Florida officials excessive—I thought we were badly underpaid.

So, Mr. President, I thought that we proceeded rather wisely in approving those particular recommendations, and that we would have been proceeding very foolishly if we had allowed them to become law without our actually voting upon them.

It is a fact that we did vote upon them. That regularized the whole proceeding, in my opinion. I would hope that the Senate would approve this amendment, and show our disapproval of the type of legislation we now have, which really invites supine inaction by both Houses, and is thus a delegation of important legislative power to others not authorized by the Constitution to exercise such legislative power.

I think that if we have a Commission again—and I have no objection to a Commission to study levels of salaries and to make recommendations—there should be included a provision requiring mandatorily a vote for each House of Congress before the recommendations of any such Commission be approved, in whole or in part.

I shall not speak longer upon this matter, but it seems to me that we have, now, the first chance that we have had to pass upon whether or not we want the present type of Commission to exist for the future. I remind the Senate that our own committee turned it down before—the committee then headed by the distinguished former Senator from Oklahoma, Mr. Monroney, with most of the other members who were on it then still on it—when the measure came over from the House of Representatives. It was an important postal rate bill, involving many millions of dollars of increased revenue for the Post Office Department, something that was absolutely needed. The committee cut off that House provision, and when we passed the measure, the provision was not in it. It went to conference, and came back with the House provision on it, and we adopted it, in my judgment, simply because the additional revenue provided in that postal increase bill was so essential.

We had no chance then, and we have had no chance since, to vote upon this particular provision as a wise or unwise legislative proposal. I welcome the chance to vote upon it now, because I do not think it is a wise legislative proposal, and I do not think we should surrender our legislative power, much less invite a situation under which, by merely sitting in our seats and appearing to be too cowardly to cope with a problem of this kind, we surrender our legislative power to others.

Mr. President, I yield the floor.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending amendment occur not later than 10 minutes to 5 today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Delaware (Mr. WILLIAMS) and other Senators. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma (Mr. HARRIS), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Montana (Mr. METCALF), the Senator from Maine (Mr. MUSKIE), the Senator from Wisconsin (Mr. NELSON), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Georgia (Mr. RUSSELL), and the Senator from Maryland (Mr. TYDINGS) are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH) would vote nay.

Mr. SCOTT. I announce that the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from Wyoming (Mr. HANSEN), the Senator from Maryland (Mr. MATHIAS), and the Senator from Illinois (Mr. PERCY) are necessarily absent.

The Senator from Vermont (Mr. PROUTY) is absent because of illness.

The Senator from South Carolina (Mr. THURMOND) is detained on official business.

If present and voting, the Senator from Wyoming (Mr. HANSEN), and the Senator from South Carolina (Mr. THURMOND) would each vote "yea."

On this vote, the Senator from Arizona (Mr. FANNIN) is paired with the Senator from Illinois (Mr. PERCY). If present and voting, the Senator from Arizona would vote "yea" and the Senator from Illinois would vote "nay."

The result was announced—yeas 49, nays 36, as follows:

[No. 25 Leg.]

YEAS—49

Aiken
Allen
Allott
Bellmon
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cook
Cooper
Cotton
Curtis
Dole
Dominick
Ellender
Ervin
Fulbright
Gore
Gurney
Hartke
Hatfield
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Mansfield
McClellan
Miller
Mundt
Murphy
Packwood
Pastore
Pearson
Proxmire
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tower
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—36

Anderson
Baker
Bayh
Brooke
Case
Cranston
Dirksen
Dodd
Eagleton
Eastland
Fong
Goodell
Gravel
Griffin
Hart
Hughes
Inouye
Jackson
Javits
Kennedy
Long
Magnuson
McGee
McGovern
McIntyre
Mondale
Montoya
Moss
Pell
Ribicoff
Saxbe
Schweiker
Scott
Stevens
Williams, N.J.
Yarborough

NOT VOTING—15

Fannin
Goldwater
Hansen
Harris
Mathias
McCarthy
Metcalf
Muskie
Nelson
Percy
Prouty
Randolph
Russell
Thurmond
Tydings

So the amendment of Mr. WILLIAMS of Delaware was agreed to.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the measure before us would raise to $62,500 the salaries of the Vice President of the United States—the President of this body—and the Speaker of the House of Representatives. I do not believe this sum to be inordinately high or excessive considering the station of the positions and the immense responsibilities involved. It also raises the salaries of other Members of the leadership of Congress, including that of the majority leader of the Senate.

As majority leader, I voted last February to increase congressional salaries along with those of Federal judges and executive branch officials.

With respect to this proposal, I find that its personal effect on me has presented a circumstance of a most difficult character. I am unable to justify an affirmative vote on this measure, however justly the Vice President and Speaker and President pro tempore and the other officers involved may deserve to have their salaries adjusted in relation to the recent changes in the entire Federal salary structure. But to vote against this bill, as I would like to and had intended to, in circumstances in which I am likely to find my pay increased in any event, would be hypocritical.

It is for these reasons that I request that the Senate permit me to record myself as merely "present" on the vote.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. PASTORE. Mr. President, I am very much disturbed about this measure. We have raised the salary of the President, and I think we should raise the salary of the Vice President and we should stop there.

I do not think it costs the Speaker any more to live in Washington than it costs me. We have already raised our salaries.

There has been a lot of criticism from the public. We in Congress have been very much criticized for voting ourselves a whopping increase at a time of inflation.

It was always my idea that when we voted for salary increases for employees under civil service, we should have given ourselves the same percentage increase. I believe we would have avoided a lot of this criticism, and we would have been approximately in the same position as we are with this increase of $12,500.

I am not saying that we are not entitled to it. I am not saying that we are not worth it. As a matter of fact, anyone who does not have an outside income needs $42,500 to maintain a home in his own State and a modest home in Washington, especially if he has a family to support and children to put through college. There is no question about that. When we realize how much must be paid back in income tax out of the increase, not too much is left.

I was one of those who thought that possibly what we should have done was to raise the $3,000 allowance that is deductible for living-in expenses, that we should have made that $5,000, and given ourselves a $5,000 raise, rather than the $12,500. But that is water over the dam.

Therefore, unless we confine the increase to the Vice President of the United States alone, I shall be compelled to vote against it.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BYRD of West Virginia. Mr. President, I voted against the bill increasing the salary of the President of the United States. I voted against the bill increasing the salaries of Cabinet members, U.S. Supreme Court judges, and Members of Congress. Therefore, I shall vote against the bill which is now before the Senate.

Mr. DOMINICK. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

Strike out the language beginning on page 1, line 9, through page 3, line 19, as follows:

"SEC. 2. (a) The second sentence of section 601(a) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 31), relating to the compensation of the Speaker of the House of Representatives, is amended by striking out '$43,000' and inserting in lieu thereof '$62,500'.

"(b) The third sentence of section 601(a) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 31), relating to the compensation of the Majority Leader and the Minority Leader of the Senate and the Majority Leader and the Minority Leader of the House of Representatives, is amended—

"(1) by striking out '$35,000' and inserting in lieu thereof '$55,000';

"(2) by inserting 'the President pro tempore of the Senate,' immediately following 'compensation of'; and

"(3) by inserting a comma immediately following 'Minority Leader of the Senate'.

"SEC. 3. The amendments made by this Act shall become effective on March 1, 1969.

"SEC. 3. Subparagraph (C) of section 225 (f) of the Postal Revenue and Federal Salary Act of 1967 (Public Law 90-206; 81 Stat. 643) relating to the functions of the Commission on Executive, Legislative, and Judicial Salaries; is amended to read as follows:

"'(C) justices, judges, and other personnel in the judicial branch referred to in section 402(d) and 403 of the Federal Judicial Salary Act of 1964 (78 Stat. 434; Public Law 88-426) and the judges referred to in the amendments made by paragraphs (2), (3), and (4) of section 306(i) of the Federal Executive Salary Act of 1964 (78 Stat. 431; Public Law 88-426); and'.

"SEC. 4. (a) Section 11-702(d) of the District of Columbia Code is amended by striking out '$29,000' and '$28,500' and inserting in lieu thereof '$38,500' and '$38,000', respectively.

"(b) Section 11-902(d) of the District of Columbia Code is amended by striking out '$28,000' and '$27,500' and inserting in lieu thereof '$37,500' and '$37,000', respectively.

"(c) The first sentence of the second paragraph of section 2 of the District of Columbia Revenue Act of 1937, as amended (D.C. Code, sec. 47-2402), is amended by striking out '$27,500' and inserting in lieu thereof '$37,000'.

"SEC. 5. (a) Sections 1, 2, and 4 of this Act shall become effective on March 1, 1969.

"(b) Section 3 shall become effective upon enactment."

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. PASTORE. Mr. President, I would like to be added as a cosponsor of that amendment.

Mr. DOMINICK. I am happy to have the Senator as a cosponsor.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, I am going to be very brief. I shall be only 2 or 3 minutes at the most. My feeling is the same as the feeling expressed by the distinguished Senator from Rhode Island.

We have been under intensive criticism throughout the country for the pay raise we gave ourselves. We failed to act when we could have. In this particular bill we are once again raising salaries of very distinguished members of whom I am very fond and also acting to raise salaries of a number of judges.

It strikes me that the purpose of this bill is to try to bring the salary of the Vice President somewhere within a normal range so that he can live the way he is entitled to live and not to give such salary raises to persons in other positions.

It is for that reason I have offered the amendment. It will leave in the raise for the Vice President and the amendment offered by the Senator from Delaware which was just agreed to, and strike out all other pay raises.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. WILLIAMS of Delaware. I would be glad to join the Senator in this amendment. I think the amendment would be a step in the right direction.

Mr. PASTORE. Mr. President, we cannot hear the Senator.

Mr. WILLIAMS of Delaware. I join the Senator in his amendment. I think this would be a constructive step for us to take at this time to show the American people we are really concerned about this problem of inflation; this is the very least that we can do. I am glad to join as a cosponsor of the amendment.

Mr. DOMINICK. I thank the Senator.

Mr. President, I ask unanimous consent that the name of the Senator from Delaware (Mr. WILLIAMS) may be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. Mr. President, upon reflecting on the measure that has now been proposed and on the deliberations in this body, I move to recommit the bill.

The PRESIDING OFFICER. The question on the motion to recommit takes precedence. The question is on agreeing to the motion to recommit [putting the question].

Mr. HOLLAND. Did the Presiding Officer rule?

The PRESIDING OFFICER. The Presiding Officer has not yet ruled.

Mr. DOMINICK. Mr. President, we have the yeas and nays ordered on my amendment. Can a voice vote on a motion to recommit wipe out the order for the yeas and nays on the previous amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. FULBRIGHT. Mr. President, regular order.

Mr. MURPHY. Mr. President, would it be proper or improper at this point to ask for the yeas and nays on the motion to recommit?

The PRESIDING OFFICER. The Senator may ask for the yeas and nays on the motion to recommit.

Mr. MURPHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. There is a sufficient second. The question is on agreeing to the motion to recommit. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma (Mr. HARRIS), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Montana (Mr. METCALF), the Senator from Maine (Mr. MUSKIE), the Senator from Wisconsin (Mr. NELSON), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Georgia (Mr. RUSSELL), and the Senator from Maryland (Mr. TYDINGS) are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH) would vote "yea."

Mr. SCOTT. I announce that the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from Wyoming (Mr. HANSEN), the Senator from Maryland (Mr. MATHIAS), and the Senator from Illinois (Mr. PERCY) are necessarily absent.

The Senator from Vermont (Mr. PROUTY) is absent because of illness.

The Senator from South Carolina (Mr. THURMOND) is detained on official business.

If present and voting, the Senator from Illinois (Mr. PERCY) would vote "nay."

On this vote, the Senator from Arizona (Mr. FANNIN) is paired with the Senator from Wyoming (Mr. HANSEN). If present and voting, the Senator from Arizona would vote "nay," and the Senator from Wyoming would vote "yea."

The result was announced—yeas 64, nays 21, as follows:

[No. 26 Leg.]

YEAS—64

Aiken
Allen
Anderson
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cranston
Dodd
Dole
Eagleton
Eastland
Ellender
Ervin
Fulbright
Gore
Gravel
Hart
Hartke
Holland
Hollings
Hughes
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Montoya
Moss
Mundt
Pastore
Pearson
Pell
Proxmire
Ribicoff
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—21

Allott
Baker
Cook
Cotton
Curtis
Dirksen
Dominick
Fong
Goodell
Griffin
Gurney
Hatfield
Hruska
Javits
Murphy
Packwood
Saxbe
Schweiker
Scott
Stevens
Tower

NOT VOTING—15

Fannin
Goldwater
Hansen
Harris
Mathias
McCarthy
Metcalf
Muskie
Nelson
Percy
Prouty
Randolph
Russell
Thurmond
Tydings

So the motion to recommit the bill was agreed to.

ORDER FOR ADJOURNMENT TO THURSDAY, MAY 1, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until noon Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate until noon Thursday next, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives, and that they may be appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I further ask unanimous consent that during this period all committees may file reports, together with individual, minority, or supplemental views.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2023, S. 2024, S. 2025, S. 2026, S. 2027, S. 2028—INTRODUCTION OF BILLS ON OWNERSHIP OF CERTAIN LANDS IN RIVERSIDE COUNTY, CALIF., AND SUBMISSION OF COMPANION RESOLUTIONS, SENATE RESOLUTIONS 185, 186, 187, 188, 189, AND 190

Mr. MURPHY. Mr. President, on March 4 of this year, I introduced S. 1303 through S. 1360, and S. 1364, and submitted Senate Resolution 103 through Senate Resolution 161, all of which pertained to the ownership of lands along the Colorado River. At the time I pointed out that the bills involved the Secretary of the Interior and lands under his control and that the resolutions, in turn, pertained directly to the bills. I then asked unanimous consent, which was granted, for all of the bills together with the accompanying resolutions to be referred to the Senate Committee on Interior and Insular Affairs. I now introduce six more bills and submit six more resolutions of the same type and again request unanimous consent that all of them be referred to the Senate Interior and Insular Affairs Committee.

The PRESIDING OFFICER. The bills and resolutions will be received and, by unanimous consent, referred to the Committee on Interior and Insular Affairs.

The bills (S. 2023) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, (S. 2024) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, (S. 2025) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, (S. 2026) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, (S. 2027) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, (S. 2028) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, introduced by Mr. MURPHY, were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs, by unanimous consent.

The resolutions (S. Res. 185) to refer the bill (S. 2024) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon; (S. Res. 186) to refer the bill (S. 2025) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon (S. Res. 187) to refer the bill (S. 2026) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for report; (S. Res. 188) to refer the bill (S. 2027) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon; (S. Res. 189) to refer the bill (S. 2028) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California"; (S. Res. 190) to refer the bill (S. 2023) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon, which read as follows, were referred to the Committee on Interior and Insular Affairs, by unanimous consent.

S. RES. 185

Resolved, To refer the bill (S. 2024) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon.

Whereas there is pending in the Senate of the United States a bill designated as S. — to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, unto Sam Biggs: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 186

Resolved, To refer the bill (S. 2025) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon.

Whereas there is pending in the Senate of the United States a bill designated as S. — to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, unto Earl A. Reynolds, Jr.: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 187

Resolved, To refer the bill (S. 2026) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon.

Whereas there is pending in the Senate of the United States a bill designated as S. — to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, unto Marg Haaker: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 188

Resolved, To refer the bill (S. 2027) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon.

Whereas there is pending in the Senate of the United States a bill designated as S. — to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, unto Woodie Coats: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 189

Resolved, To refer the bill (S. 2028) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon.

Whereas there is pending in the Senate of the United States a bill designated as S. — to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, unto E. H. Wilson: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount if any, legally or equitably due from the United States to the claimant.

S. RES. 190

Resolved, To refer the bill (S. 2023) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon.

Whereas there is pending in the Senate of the United States a bill designated as S. — to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, unto Glenn Peterson: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

THE GRAPE BOYCOTT AND FORMATION OF CONSUMERS' RIGHTS COMMITTEE

Mr. MURPHY. Mr. President, for some time we in the State of California have been plagued with widespread disputes and problems affecting farm labor. There has been a great deal in the public press about it. There have been boycotts across the Nation, some declared legal, some declared illegal. There is now a movement to have international boycotts, if you please.

This morning I had the pleasure of meeting a lady who is the only female State senator from the State of Michigan. She is the assistant majority leader in the Michigan Senate, and is chairman of a new committee that she is spearheading to protect consumers' rights. By "consumers," she means housewives, the ladies who, finally, go to the store to buy the food.

I should like to read briefly from a statement she made this morning. She states that she traveled to California at her own expense, and talked to about 150 people, all types of people, labor leaders, farmers, large growers, small family farmers, taxi drivers, storekeepers, a complete cross section. Then she said:

> Indeed, the workers I talked to expressed resentment over what they considered the false image given them by Mr. Reuther, Mr. Chavez, and other boycott organizers and supporters.

She goes on to say that included among California grape growers are thousands of small farmers who employ no labor other than members of their own families.

She points out that she discovered—which is not in keeping with the publicity that has been spread nationwide—that the farmworker in California is probably the highest paid farmworker in the United States, and that those who work in the picking of table grapes are among the highest of all in California. The average range was in the area of $2.50 an hour.

Mr. President, I ask unanimous consent that the statement made by Michigan State Senator Lorraine Beebe be inserted in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF STATE SENATOR N. LORRAINE BEEBE, ASSISTANT MAJORITY LEADER, MICHIGAN STATE SENATE AND CHAIRMAN, CONSUMERS' RIGHTS COMMITTEE, APRIL 29, 1969

I am in Washington today to announce the formation and establish the headquarters of the Housewives Consumers' Rights Committee—a national organization dedicated to solving the problem of product boycotts and interference with the free flow of food to the American consumer.

The purpose of the Consumers' Rights Committee is:

First, to enlist grass roots support, in all 50 states, for legislation which will give the Nation's farm workers the right to organize and bargain collectively, if they wish, while at the same time protecting the paramount rights of 200 million American consumers, and

Second, to work with individuals and organizations concerned about the growing national threat to the consumers' right to decide for themselves what they wish to buy or not to buy in the marketplace.

My interest and involvement in this problem—as a woman and as a State Senator—is the result of great concern expressed by housewives and other individuals and groups in Michigan about product boycotts.

In my area, as elsewhere throughout the country, boycott activities to date have centered primarily around California table grapes. These boycott activities have been especially intense in the Detroit and Wayne County, Michigan area because of the support given the grape boycott by Walter Reuther.

Indeed, considering Mr. Reuther's commitment of his union's funds and other resources to this campaign, it might be said that headquarters for the grape boycott movement is as much Wayne County, Michigan, as it is Fresno or Kern County, California.

In Wayne County, efforts to enforce the grape boycott have included acts of violence, intimidation and harassment of store owners and employees. As a result, I decided to travel to California to determine for myself the facts regarding working and living conditions in California grape-growing areas.

I made such a fact-finding trip early this month, travelling to California at my own expense, with an open mind, open eyes and no pre-conceived notions other than a belief in the paramount rights of American consumers.

I travelled through the California table grape regions, talking with officials of the United Farm Workers Organizing Committee, with farm workers in the vineyards; with small growers and large growers; with officials of city, county, State and national government; with civic leaders, ministers, businessmen and newspaper reporters in the affected areas. During my travels, I was given access to records and the conflicting viewpoints of all concerned in the dispute.

Out of this field study came several impressions and conclusions:

First, that the picture of a migratory labor force presented by John Steinbeck in his "Grapes of Wrath" more than three decades ago has no application to working and living conditions in California grape fields today. The vast majority of vineyard workers are *not* migrants. Wages, while not high, are the highest for farm workers anywhere in the United States. Housing for those workers who do not live permanently in the area range from average to excellent on the larger farms.

Second, that despite their organizing efforts, the United Farm Workers Organizing Committee and its leader, Cesar Chavez, have little support among grape workers in the fields.

Indeed, the workers I talked to expressed resentment over what they considered the false image given them by Mr. Reuther, Mr. Chavez and other boycott organizers and supporters.

Third, that included among California grape growers are thousands of small farmers who employ no labor other than members of their own families.

I would, therefore, hope that other officials of Midwestern and Eastern states—especially large city mayors like Detroit's Jerome Cavanaugh, who have found it politically expedient to endorse the grape boycott—will also travel to the California vineyard country, with open minds and open eyes, to see the facts as they are.

The implications of the grape boycott, as well as other product boycotts developing around the country, are serious and far-reaching. It is significant that the grape boycott has been placed high on the list of causes by radical New Left groups involved in campus and community disruptions throughout the country.

Thus, in my opinion, if the boycott movement is allowed to proceed unchecked, it is only a matter of time before supermarkets and grocery stores are faced with demands to remove any number of the thousands of items carried on grocery shelves: cherries from Michigan, oranges from Florida, dairy products from Wisconsin, and brand name products of all kinds.

The issue is whether food stores are to become arbiters in labor disputes involving the production of every kind of crop and food product.

The issue is whether housewives and consumers are to fear for their personal safety whenever they embark on their families' marketing.

For despite claims of "non-violence," the grape boycott has been a violent operation. In some areas, women have been threatened as they attempted to get out of their cars. In Detroit, as well as other areas, acts of vandalism have been perpetrated in stores. In New York City, five groceries have been been burned and hospitalized.

This cannot be permitted to continue—not if our free consumer economy is to survive. A solution must be reached. The fair and proper solution, in my opinion, is national legislation such as that proposed by Senator Murphy and supported by members of both parties, as well as agricultural and consumer groups and concerned citizens throughout the country.

We are talking here about an agricultural collective bargaining law which recognizes consumers' rights and the farmer's special vulnerability to strikes at harvest time and other critical growing periods. Crops, after all, can't be interrupted in production and put back on the assembly line at a later date.

Such legislation must protect the rights and interests of farmers, farm workers—and most important of all, the consuming public. And that, to sum up, will be the aim of the Consumers' Rights Committee: to protect, through fair and reasonable legislation, the right of uninterrupted access to food products from the farms of this nation to the American people.

GOVERNOR REAGAN FAVORS INCREASED FEDERAL AID TO PUPILS IN PRIVATE SCHOOLS

Mr. MURPHY. Mr. President, in the periodical "Tidings," published in Los Angeles County, Calif., under date of April 25, 1969, appeared an article relating to Gov. Ronald Reagan's comments on another matter of great importance. He spoke in defense of and paid tribute to the role of the private school in the long-enduring controversy that seems from time to time to impede the progress of the private school. The Governor said he paid tribute to the sacrifice and wisdom of the parents who endure a kind of double charge for their children's education.

I ask unanimous consent that the article which contains statements made by Gov. Ronald Reagan before the California Association of Christian Schools Spring Rally in the Anaheim Convention Center Arena be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOVERNOR REAGAN FAVORS INCREASED FEDERAL AID TO PUPILS IN PRIVATE SCHOOLS

ANAHEIM.—Governor Ronald Reagan declared here Monday that he favors increased federal aid to pupils in private schools.

The Governor was the principal speaker at the California Association of Christian Schools Spring Rally in the Anaheim Convention Center arena.

After his address he signed a proclamation designating the third week of November as Private Education Week in California.

The proclamation, adopted by the State Legislature, notes that "private education is supported by other than public funds, although the constituents of private education pay their share of taxes supporting public schools."

PARENTS DOUBLE CHARGED

The legislators "commend the teachers and administrators of all the private educational institutions in the State of California for their tireless dedication and training of the youth of this state enrolled in private schools."

Noting that private schools "always have had a tremendous role in American education, Gov. Reagan said such schools are "an educational whetstone which forces public schools to compete for excellence."

He paid tribute to "the sacrifice and wisdom of parents who endure a kind of double charge for their children's education."

"I am not unmindful of your problems," he added.

The Governor said, "We plan to petition the federal government for that kind of school aid that would not violate separation of church and state."

An income tax credit to parents for tuition paid to private schools might be a suitable way to give this aid, he said.

Gov. Reagan observed that the teaching of morality has been ruled out of the public schools at a time when "the world is hungry for morality, and none more so than our youth."

"God is not dead on your campuses," he told the 6000 Protestant school administrators, parents and students.

SPIRIT STARVING

"We are coping with a revolution that begins with an assault on the moral values of our young people. . . . Destructive cultural change is sweeping our way. Change for the sake of change is becoming the dominant philosophy. . . . We no longer can afford to starve the spirit."

Mr. MURPHY. Mr. President, I yield the floor.

S. 2022—INTRODUCTION OF THE ILLEGAL GAMBLING BUSINESS CONTROL ACT OF 1969

Mr. HRUSKA. Mr. President, I introduce, and send to the desk for appropriate reference, a bill entitled "Illegal Gambling Business Control Act of 1969." It is a measure "to permit the Federal Government to further assist the States in the control of illegal gambling, and for other purposes." Its text accompanied the message of the Attorney General received by the Senate earlier today.

Joining as cosponsors of this measure are the distinguished chairman of the Judiciary Committee (Mr. EASTLAND); the distinguished chairman of the Subcommittee on Criminal Laws and Procedures (Mr. MCCLELLAN); the distinguished ranking minority member of the Judiciary Committee (Mr. DIRKSEN); and the distinguished senior Senator from South Dakota (Mr. MUNDT), the ranking minority member of the Government Operations Committee.

In his message on organized crime, sent to the Congress this past week, President Nixon recommended that the major thrust of effort against organized crime be directed against gambling activities.

Mr. President, organized crime is not just another part of the crime picture, to be listed with poverty, or joblessness, or frustration or permissiveness as a cause of the soaring crime rate. It is not to be classed with crime on the streets. Rather it is a separate, professional, and insidious conspiracy that by its size and power seeks to constitute a government unto itself.

This conspiracy threatens, corrupts, destroys, and exploits. It cannot be dealt with by ordinary procedures.

Organized crime sees to it that American people are subjected to its own kind of special treatment. It is time the American people accord organized crime some special treatment.

One type of such special treatment is proposed by the measure here introduced.

Funds to operate the various parts of organized crime come from gambling on a grand scale. It affects the entire Nation. To combat it, this measure provides criminal penalties for the operation of illegal gambling activities and also for corruption of local law enforcement officials. Title III of the Omnibus Crime Control and Safe Streets Act of the 90th Congress is amended to permit court supervised and controlled interception of wire or oral communications which may provide evidence for conviction of offenses under this proposal.

It has often been said that one of the most formidable obstacles to be overcome in the fight against organized crime is the apathy of the public. This is very marked when the fight is directed at illegal gambling. In fact, it is more than apathy, it is tolerance and almost acquiescence.

So often the reaction to campaigns for more effective law enforcement in that area is, "So what is wrong with a $2 bet?"

The answer to that question is not simple. The man who asks it will not readily understand that his bet and his friend's bet, multiplied several billion times, give the professional criminals a weapon which furnishes support and maintenance of their organizations. It enables them to continue operations and expand them to untold new fields and numerous variations. It enables the professional criminal to fortify himself and flourish.

Far too often this process of fortification and strengthening is done by resorting to corruption which affects the life of every citizen, corruption of the public official who governs his community, corruption of the legitimate businesses on which his community depends, and corruption of the people of his community who borrow money from the loanshark or buy narcotics from the pusher on the street.

Estimates of yearly profit derived from illegal gambling range from 7 billions to 50 billions of dollars, but in truth no one can accurately judge. Nonetheless, taking even the lowest figure, this Nation simply cannot stand by while the business making greater profits than any legitimate corporation devotes its energies for a constant and alarming growth of criminal activities.

Of all forms of criminal activity, gambling should, in theory, be the easiest to detect and punish. The bookie or the numbers operator needs customers, and the customers know his business exists and where to find it.

And yet historically, gambling has flourished in cities large and small—often with little effort made at concealment.

There are two reasons for this continued growth of this gambling industry: first, the inability, and second, the unwillingness of local authorities to take action against it.

The time has now come to remedy both of these shortcomings by expanding the Federal effort into areas which, until recently, were thought to be the sole responsibility of State and local police forces. The instant bill is designed to accomplish that end.

We must begin by using a broader base for Federal criminal jurisdiction. Present law had depended upon the use of interstate facilities. The proposed legislation relies on the broader concept of effect on interstate commerce. This broader jurisdictional base will allow more effective investigation and prosecution of important gambling rings.

The suggested standard for determining that such an operation is of sufficient size to warrant Federal intervention is entirely reasonable and practicable. Any bookmaking or numbers operation which does more than $2,000 in business in 1 day or is active during any 10-day period must have a substantial adverse effect on the flow of moneys and goods in interstate commerce. It is fully within the competence of Congress to take direct action against it. This legislation will not, and is not intended to preempt the local efforts in the field, except to the extent necessary to exercise effective Federal action, but it will add to such local efforts the expertise, and the manpower, and the full resources of the Federal Bureau of Investigation, and other agencies of the Federal Government.

Equally important is the second part of the proposed statutory measure. No drive against illegal gambling can even begin to succeed in those instances where it is to be undermined and betrayed by venal law-enforcement officers—police, prosecutors, or even judges.

It is not pleasant to contemplate, but we cannot blind ourselves to the distasteful fact that some bribery and bribery attempts of law-enforcement officials at all levels have been characteristic of the presence of organized crime.

Hence, the necessity to the Congress to enact a law which makes obstruction of State and local law enforcement in such areas a Federal offense. The citizens of every State are entitled to have their laws enforced in an equal-handed manner, and that right is one protected by the 14th amendment to the U.S. Constitution.

Mr. President, I began my remarks by speaking of public apathy and I close on the same note. It is not enough that we pass laws against gambling and laws against bribery. Each citizen must recognize the danger of organized crime for what it is. Everyone must be willing to support the fight against it. He must understand that the $2 bet with the local bookie is not an innocent and harmless diversion. It is an integral part of a process which constitutes a step toward the ultimate decay of his community.

The chairman of the Subcommittee on Criminal Laws and Procedures has indicated he will include this bill in the hearings to be held at an early date in the general field of organized crime. Such cooperation is gratifying. It is to be hoped that early action in the Senate will follow.

I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, as requested by the Senator from Nebraska.

The bill (S. 2022) to permit the Federal Government to further assist the States in the control of illegal gambling, and for other purposes, introduced by Mr. HRUSKA (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2022

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Illegal Gambling Business Control Act of 1969".

FINDINGS

SEC. 2. The Congress finds that—

(a) illegal gambling involves widespread use of, and has an effect upon, interstate commerce and the facilities thereof; and

(b) illegal gambling is dependent upon facilities of interstate commerce for such purposes as obtaining odds, making and accepting bets, and laying off bets; and

(c) money derived from or used in illegal gambling moves in interstate commerce or is handled through the facilities thereof; and

(d) paraphernalia for use in illegal gambling moves in interstate commerce; and

(e) illegal gambling enterprises are facilitated by the corruption and bribery of State and local officials or employees responsible for the execution or enforcement of criminal laws.

TITLE I—OBSTRUCTION OF STATE OR LOCAL LAW ENFORCEMENT

SEC. 101. Chapter 73 of title 18, United States Code, is amended by adding thereto the following new section:

"§ 1511. Obstruction of State or local law enforcement

"(a) It shall be unlawful for two or more persons to devise or participate in a scheme to obstruct, hinder or impede the execution or enforcement of the criminal laws of a State or political subdivision thereof, with the intent to establish, promote, carry on, facilitate or conceal an illegal gambling business if:

"(1) one or more of such persons does any act to effect the object of such a scheme; and

"(2) one of the persons is an official or employee responsible for the execution or enforcement of criminal laws of such State or political subdivision; and

"(3) one of the persons operates, works in, participates in, or derives revenue from an illegal gambling business.

"(b) As used in this section, the term 'illegal gambling business' means betting, lottery, or numbers activity which

"(1) is a violation of the law of a State or political subdivision thereof; and

"(2) involves five or more persons who operate, work in, participate in, or derive revenue from the betting, lottery, or numbers activity; and

"(3) has been or remains in operation for a period in excess of 30 days or has a gross revenue of $2,000 in any single day.

"(c) As used in this section, 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

"(d) This section does not apply to any bingo game, lottery or similar game of chance conducted by an organization exempt from tax under section 501(c)(3) of the Internal Revenue Code of 1954, as amended, if no part of the gross receipts derived from such activity inures to the benefit of any private shareholder, member, or employee of such organization, except as compensation for actual expenses incurred by him in the conduct of such activity.

"(e) whoever violates this section shall be punished by a fine of not more than $20,000 or imprisonment for not more than five years, or both."

SEC. 102. The table of contents preceding chapter 73 of title 18 of the United States Code is amended by inserting after the reference to section 1510 the following: "1511. Obstruction of State or local law enforcement."

TITLE II—ILLEGAL GAMBLING BUSINESS PROHIBITIONS

SEC. 201. Chapter 95 of title 18, United States Code, is amended by inserting after section 1953, the following new section:

§ 1953A. Prohibition of illegal gambling businesses

"(a) Whoever participates in an illegal gambling business shall be fined not more than $20,000 or imprisoned not more than five years, or both.

"(b) As used in this section, the term 'illegal gambling business' means betting, lottery, or numbers activity which

"(1) is a violation of the laws of a State or political subdivision thereof; and

"(2) involves five or more persons who operate, working, participate in, or derive revenue from said betting, lottery or numbers activity; and

"(3) has been or remains in operation for a period in excess of 30 days or has a gross revenue of $2,000 in any single day.

"(c) As used in this section "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

"(d) This section does not apply to any bingo game, lottery or similar game of chance conducted by an organization exempt from tax under section 501(c)(3) of the Internal

Revenue Code of 1954, as amended, if no part of the gross receipts derived from such activity inures to the benefit of any private shareholder, member, or employee of such organization except as compensation for actual expenses incurred by him in the conduct of such activity."

Sec. 202. The table of contents preceding chapter 95 of title 18 of the United States Code is amended by inserting after the reference to section 1953 the following: "1953A. Prohibition of business enterprises of gambling."

TITLE III—GENERAL PROVISIONS

Sec. 301. Section 2516 of title 18, United States Code, is amended by adding in subparagraph (1) (c) after "section 1510 (obstruction of criminal investigations)," the following: "section 1511 (obstruction of state or local law enforcement)," and by adding after "section 1952 (interstate and foreign travel or transportation in aid of racketeering enterprises)," the following: "section 1953A (prohibition of business enterprises of gambling),".

Sec. 302. If the provisions of any part of this Act or any amendments made thereby or the application thereof to any person or circumstances be held invalid, the provisions of the other parts and their application to other persons or circumstances shall not be affected thereby.

Sec. 303. No provision of this Act shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of a State or possession, or a political subdivision of a State or possession, on the same subject matter, or to relieve any person of any obligation imposed by any law of any State or possession, or a political subdivision of a State or possession.

PROPOSED FINANCE COMMITTEE ACTION ON AMENDMENTS TO PROVIDE REDUCTION IN SERVICES OF STATE MEDICAID PLANS

Mr. LONG. Mr. President, the Daily Digest section of the RECORD for Friday, April 25, on page D312, states that the committee announced that it approved an amendment by Senators ANDERSON and GORE to repeal certain provisions of the Social Security Act which prohibit reduction in services of State medicaid plans. This amendment will be offered as a committee amendment to appropriate House-passed legislation.

I believe, Mr. President, that I should place the Senate on notice that this amendment is regarded by the committee as being of a noncontroversial but significant nature. As far as I know, there will be no objection to the amendment, but in order that it might receive early consideration, it is the intention of the committee and the Senator from Louisiana as the spokesman for the committee, to intercept an appropriate House-passed bill at the calendar, and simply to amend it and send it back to the House of Representatives, without the committee further considering the bill.

This will probably be done with a relatively noncontroversial tariff bill, which would probably pass the House of Representatives without objection on the Consent Calendar and we would expect to amend it here. I know of no objection to the amendment, nor do I believe there will be any objection to the bill which would be amended, but the procedure is not usual, and I therefore thought it proper that the Senate be on notice in the event some Senator saw fit to object.

There are certain provisions of the Social Security Act which require or have been interpreted in the past by the Department of Health, Education, and Welfare as requiring States to establish, maintain, or expand their medicaid programs beyond their fiscal capabilities. In view of the fact that medicaid costs far, far more than we ever anticipated, so much so that it is causing serious concern to the President and everyone else, it would be desirable to authorize States to make economies they deem vitally necessary rather than have them under a congressional and HEW mandate, to constantly expand and increase the size, scope, and financial burdens of their programs. The amendment does not require any State to reduce a medicaid plan nor does it cut back on Federal matching. It simply permits a State to use its best judgment as to how large a program it can afford.

The amendment has nothing at all to do with the controversial section of the amendment offered by the Senator from Louisiana last year, which was agreed to and then ran into considerable opposition of Senators from New York and certain other States. That section would have reduced the Federal matching formula with respect to medically-indigent persons. No such problem exists with regard to this amendment which will be offered on behalf of the Finance Committee.

ORDER OF BUSINESS

The PRESIDING OFFICER. What is the will of the Senate?

Mr. LONG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAVEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2029—INTRODUCTION OF THE OMNIBUS CIVIL RIGHTS ACT OF 1969

Mr. HART. Mr. President, I introduce the Omnibus Civil Rights Act of 1969, which is designed to protect the rights of citizens guaranteed by the 13th, 14th, and 15th amendments.

As has been true over the years in civil rights activity in Congress, this effort is wholly bipartisan. In introducing this bill, I am acting for the senior Senator from New York (Mr. JAVITS), the senior Senator from Pennsylvania (Mr. SCOTT), and the senior Senator from Massachusetts (Mr. KENNEDY).

Additional cosponsors are the Senator from Massachusetts (Mr. BROOKE), the Senator from New Jersey (Mr. CASE), the Senator from California (Mr. CRANSTON), the Senator from Connecticut (Mr. DODD), the Senator from Missouri (Mr. EAGLETON), the Senator from Hawaii (Mr. FONG), the Senator from Alaska (Mr. GRAVEL), the Senator from New York (Mr. GOODELL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Oregon (Mr. HATFIELD), the Senator from Iowa (Mr. HUGHES), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. JACKSON), the Senator from Washington (Mr. MAGNUSON), the Senator from Maryland (Mr. MATHIAS), the Senator from Minnesota (Mr. MCCARTHY), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Montana (Mr. MANSFIELD), the Senator from New Mexico (Mr. MONTOYA), the Senator from Minnesota (Mr. MONDALE), the Senator from Maine (Mr. MUSKIE), the Senator from Wisconsin (Mr. NELSON), the Senator from Illinois (Mr. PERCY), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Wisconsin (Mr. PROXMIRE), the Senator from Pennsylvania (Mr. SCHWEIKER), the Senator from Maryland (Mr. TYDINGS), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Ohio (Mr. YOUNG).

Mr. President, the four titles of this bill should be considered as unfinished business.

First, they are necessary if Congress is to honor its commitment made in laws already enacted to prohibit barriers to equal opportunity for all.

And, second, if it were not for the peculiarities of rule XXII of the principles embodied in this act would not be law, for a majority of both Houses have indicated support for them in previous sessions.

To refrain from completing our business because time and a rule conspired to make certain concessions necessary would be to seriously compromise the Nation's commitment to the principle of equal opportunity.

To place this bill in correct perspective, let me review briefly some recent history.

After passage of the historic and far-reaching Civil Rights Act of 1964 and the Voting Rights Act of 1965, there were many advocates of a moratorium on further civil rights legislation. Fortunately for the Nation, President Lyndon B. Johnson was not one of those advocates. While recognizing that significant progress had been made through legislative, judicial, and executive action to establish equality and justice under law, President Johnson nevertheless realized the task of establishing true justice and equality was not completed.

In his state of the Union message of 1966, he suggested several areas of concern that required congressional action. In that message he became the first President in our Nation's history to propose Federal legislation outlawing discrimination in housing. President Johnson subsequently sent the Congress a six-point legislative program embracing fair housing, Federal and State jury reform, protection from violence of persons exercising their civil rights, injunctive authority for the Attorney General to prohibit segregation in schools and public facilities, and extension of the life of the Commission on Civil Rights.

The President's program, amended but not essentially changed, passed the House by a margin of more than 100 votes, with a majority of both parties supporting it. In the Senate, however, the bill ran afoul of rule XXII. Despite clear indications that a majority of Senators supported the legislation, and despite the fact that two cloture motions on taking up the bill received constitutional majorities, Senate consideration was blocked for the 89th Congress by filibuster.

When the 90th Congress opened, the soothsayers predicted that the mood of Congress and of the Nation was such that reintroduction of this type of legislation, especially a fair housing bill, would be an exercise in futility. A Federal ban on housing discrimination, they predicted, was not possible in the foreseeable future. Disregarding these prophets of doom, the President chose once again to exercise leadership in the crusade to establish equal opportunity for all. He again sent to the Congress his six-point program with one modification. Experience with existing legislation showed that authority for the Attorney General to act in civil rights matters was rather extensive and that it was more important to strengthen the Equal Employment Opportunity Commission. He proposed giving that agency "cease and desist" authority to support its findings in the area of job discrimination.

It is a tribute to the Nation's acceptance of the concept of equality and of the maturity of Congress that two of these proposals—measures that in the past might have provoked long and acrimonious debate—passed quietly and almost as noncontroversial items. They were the Federal jury reform bill, outlawing all types of discrimination in the selection of Federal juries, and the extension of the Commission on Civil Rights. Unfortunately, the latter bill, under the ever present threat of extended debate, was somewhat diluted by having a limitation placed upon the Commission's authorization for appropriations.

The story of the passage of the two main ingredients of President Johnson's program—fair housing and protection from violence for those exercising civil rights—is too well remembered to require retelling here.

Despite such progress, the need to eliminate discrimination in all jury selection systems and to strengthen the Equal Employment Opportunity Commission, and the need to correct filibuster-induced compromises involving the Commission on Civil Rights and the Voting Rights Act of 1965, make imperative passage of the Omnibus Civil Rights Act of 1969.

Title I is concerned with the long-standing and continuing problem of State courts failing to grant equal protection of the law and due process through the existing methods of selecting grand and petit juries.

It is a sad commentary that 100 years after adoption of the 14th amendment, hardly a term of the Supreme Court passes without the reversal of a State court decision or decisions for discrimination in the jury selection process.

As then Attorney General Katzenbach pointed out in 1966, the Supreme Court has dealt with this issue at least 35 times and State courts and lower Federal courts on numerous other occasions. Recent court decisions have found jury discrimination in at least seven States. This pattern of illegality in the selection of juries indicates we cannot rely on present law and procedures for necessary reform. A Federal standard and method to guarantee equal protection and due process are required.

Title I gives litigants in State courts the same guarantee litigants in Federal courts receive under the law passed in the 90th Congress: the guarantee that a person be tried by a jury selected without discrimination based on race, creed, color, sex, national origin, or economic status, a jury selected from a true cross section of the community, a jury of their peers.

While the objective is the same as that of the Federal jury reform bill, the method of obtaining the objective is quite different. The Federal jury selection process is under complete Federal control. Title I of the bill now offered is drawn to require the least Federal intervention in the State jury selection process consistent with the necessary objective. Any State which now has, or would adopt and administer, a nondiscriminatory method of jury selection would be unaffected by the bill. If, through design or inadvertence, a State failed to provide such a system, the defects could be corrected through a suit brought by the Attorney General. Such judicial correction, however, could occur only after due notice, opportunity for correction by the State, proof of discrimination in a judicial hearing, and on terms determined by the court.

The title also requires that when a State jury selection system is challenged, jury officials must present detailed reports on the selection system and must accept the burden of proving no discrimination if the court determines there is cause to believe discrimination occurred and rules that records maintained by the State are not sufficient to determine the validity of the challenge.

It requires that jury officials of jurisdictions with more than a 10-percent nonwhite population must maintain records of the race of persons considered for jury duty and of persons removed from jury panels by preemptory challenge.

These provisions make clear that jury officials, the persons who know or should know the facts, are responsible for supplying information necessary to determine if discrimination exists.

I believe that this title not only establishes a fairer method of selecting jury panels, but also could well relieve trial courts of procedural problems arising from frequent attacks on their jury selection systems. Establishment of an objective method of selection would eliminate the basis for questioning the subjectivity and fairness of those drawing up jury panels. We note the frequency with which these issues are raised, especially in widely publicized cases. To cite one example, the defense in the trial of Sirhan Sirhan for the murder of Senator Robert F. Kennedy has alleged the jury was improperly chosen because of the exclusion of poor and young people from the jury panel. Without passing on, or even considering, the merits of this objection, one can safely predict that the resolution of the issue will require months, perhaps years, of judicial consideration.

If the Congress had adopted the State jury reform provision of the 1966 civil rights bill, this issue would not now be a matter of serious judicial concern.

Reform of State jury selection methods is long overdue. Congress can, by passing this bill, effect reform in a manner that is designed to induce rather than coerce States into initiating needed change themselves.

Title II gives the Equal Employment Opportunity Commission authority, now held by most governmental administrative agencies, to issue cease-and-desist orders judicially to enforce its findings.

The passage of title VII of the Civil Rights Act of 1964, establishing a national policy of nondiscrimination in employment and creating the Equal Employment Opportunity Commission, was a significant step forward in the struggle for civil rights. Title VII, however, had an inherent defect in failing adequately to provide enforcement authority, another unfortunate compromise resulting from the filibuster conducted against the 1964 civil rights bill. Despite this drawback, EEOC has obtained important changes in employment practices and has demonstrated its dedication to the task assigned by Congress. The Commission has discovered, as have many State and local fair employment agencies, that its ability to successfully conciliate with those guilty of discriminatory practices is greatly inhibited by its lack of enforcement authority. Practice shows that while such authority is used infrequently, its existence greatly increases an agency's chances of successful negotiation with those guilty of breaking the law.

The conditions that induced Congress to enact title VII are still with us. Even though progress has been made, job discrimination is still widespread. Lack of employment opportunity for nonwhites persists. The unemployment rate for nonwhites is double that of the national average at a minimum. In some categories, especially that of teenagers, it is drastically higher. While the bill we propose does not purport to provide a total solution to this problem, it is a necessary part of any plan substantially to alleviate the problem. If the economically disadvantaged, especially the young, are to have any faith in our statements about equal opportunity, we must prove that our policy declarations are supported by adequate enforcement provisions. If a law designed to ban discrimination in employment cannot be enforced, the person denied a job or advancement because of race is going to question seriously the strength of our equal opportunity for all. The amendments to title VII of the 1964 Civil Rights Act, which is title II of the bill I now introduce, provides such a remedy. The history of administration of title VII and the conditions that exist in our society call for the adoption of these amendments.

I have previously referred to the restriction placed upon the appropriations authorization for the Commission on Civil Rights. In extending the Commission for 5 years, the Senate adopted an amendment limiting future yearly appropriations for the Commission to the 1968 figure. This unusual procedure failed to take adequately into account normal increases needed to meet salary raises voted by Congress or inflationary factors. Because of these factors, the freezing of appropriations in effect amounts to a mandate for the Commission to cut back its activities. By applying the restriction to the whole term of the Commission's life extension, the 90th Congress sought to preclude future Congresses from considering the Commission's needs on a yearly basis, as it normally does for other such agencies.

The Commission should not be treated in this stepchild fashion. Created by the 1957 Civil Rights Act, the Commission has been a valuable institution in advancing civil rights. Its fact finding and its constructive, well-documented and sound recommendations have aided Congress and the executive branch and have helped alert public opinion to the need for social change. It has been the conscience of the nation and of government in matters of civil rights. So that it may continue to be an active conscience, this discriminatory provision should be eliminated and the Congress should authorize appropriations for the Commission on a regular basis. Title III repeals that provision.

Title IV seeks to remedy another concession forced upon the majority of this body by the use of rule XXII. The Voting Rights Act of 1965, as originally passed by the House of Representatives, provided for suspension of discriminatory literacy tests and "other tests and devices" for 10 years. To obtain cloture to end the prolonged discussion of the legislation, Senate proponents of civil rights agreed to shorten the period to 5 years. Accordingly, unless Congress acts, the States will be free again to reimpose their restrictive voting practices in August of 1970. Title IV extends the period of coverage for 5 years.

The 1965 act has worked well in extending the vote to many who had been denied the franchise. According to the most recent voting report of the Commission on Civil Rights, 1,280,000 Negroes registered to vote in the 11 Southern States between passage of the 1965 act and the spring of 1968. To cite a dramatic example, registration of nonwhites rose in Mississippi from 28,500 to 181,233. In terms of percentages of the persons of voting age, this amounted to an increase of from 6.7 to 59.8 percent. While in all Southern States Negro registration now exceeds 50 percent of eligibles, registration of nonwhites still lags considerably behind registration of whites.

To cite Mississippi again, the 59.8-percent figure must be compared with that of 91.5 percent for white voters. Figures are from 1968 CQ Almanac, pages 771–772.

The invitation extended by Congress for the formerly disenfranchised to participate in the political processes has been accepted. Not only have Negro citizens registered and voted, but they have run for governmental office and for posts in the political parties. Several hundred have been elected to State, county, and municipal offices throughout the South. They participated in unprecedented numbers in presidential party conventions and hold high party positions.

It would be tragic indeed if the Congress, through default, allowed this exercise in democracy to terminate abruptly. That, however, is what could happen unless key provisions of the 1965 Voting Rights Act are extended. We can look forward to a return to the status quo ante if Congress shows its unwillingness to meet this most pressing issue of citizenship rights.

As Attorney General Ramsey Clark pointed out in his letter transmitting this proposed legislation to the Congress, few of the restrictive laws used to deny the vote have been repealed. They are still on the books, and those who would use them for discriminatory purposes are waiting for Congress to default on its obligation to enforce the 14th and 15th amendments. If we do, a mass purge of voters could occur—a body blow to democracy. For this reason those of us introducing this bill urge prompt action so that the position of those who believe in working through the democratic processes will be reenforced and the position of those who reject those processes be undercut.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2029) to provide improved judicial machinery for the selection of juries, to further promote equal employment opportunities of American workers, to authorize appropriations for the Civil Rights Commission, to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices, and for other purposes introduced by Mr. HART (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2029

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Omnibus Civil Rights Act of 1969."

TITLE I—STATE JURY SELECTION

SEC. 101. Chapter 121 of title 28, United States Code, is amended by adding at the end thereof the following new sections:

"§ 1875. Discrimination prohibited

"It shall be unlawful to make any distinction on account of race, color, religion, sex, national origin, or economic status in the qualifications for service, or in the selection, of any person to serve on grand or petit juries in any State court.

"§ 1876. Suits by the Attorney General

"(a) Whenever there are reasonable grounds to believe that any person has engaged or is about to engage in any act or practice which would deny or abridge any right secured by section 1875 of this title, the Attorney General is authorized, after giving notice of such denial or abridgment to the appropriate State officials, and after certifying that he is satisfied that such authorities have had reasonable time to adjust the conditions alleged in such notice, to institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for an injunction, restraining order, or other order against a State, any political subdivision thereof, or any official of such State or political subdivision. In any proceeding hereunder, the United States shall be liable for costs the same as a private person.

"(b) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether any aggrieved person shall have exhausted any administrative or other remedies that may be provided by law. Any action pursuant to this section shall be in every way expedited.

"§ 1877. Appropriate relief

"If in any proceeding instituted pursuant to section 1876 of this title or any other law authorizing proceedings for injunctive relief, the district court finds that any right secured by section 1875 of this title has been denied or abridged, it may, in addition to any other relief, enter an order, effective for such period of time as may be appropriate—

"(a) prohibiting or suspending the use of any qualification for jury service or any basis for excuse, exemption, or exclusion from jury service which—

"(1) violates or has been applied in violation of section 1875 of this title, or

"(2) is so subjective as to vest in jury officials undue discretion to determine whether any person has satisfied such qualification or whether a basis exists for excusing, exempting, or excluding any person from jury service;

"(b) requiring the use of objective criteria to determine whether any person has satisfied any qualification for jury service or whether a basis exists for excusing, exempting, or excluding any person from jury service;

"(c) requiring maintenance of such records or additional records as may be necessary to permit a determination thereafter whether any right secured by section 1875 of this title has been denied or abridged; or

"(d) appointing a master to perform such duties of the jury officials as may be necessary to assure that the rights secured by section 1875 of this title are not denied or abridged.

"§ 1878. Discovery of evidence

"In any proceeding instituted pursuant to section 1876 of this title or section 1983 of title 42 of the United States Code, or in any civil or criminal proceeding in any State court prior to the introduction of any evidence at trial, or in any habeas corpus, coram nobis, or other collateral proceeding in any court with respect to a judgment of conviction entered after the effective date of this Act, wherein it is asserted that any right secured by section 1875 of this title has been denied or abridged—

"(a) The appropriate State or local officials shall furnish a written statement of jury selection information subscribed to under oath which shall contain a detailed description of the following:

"(1) the nature and location of the sources from which names were obtained for inclusion in the wheel, box, or similar device;

"(2) the methods used and the procedures followed in selecting names from the sources referred to in subdivision (1) of this subsection for inclusion in the wheel, box, or similar device;

"(2) the methods used for selecting names of prospective jurors from the wheel, box, or similar device for testing or otherwise demonstrating their qualifications for jury service;

"(4) the qualifications, tests, standards, criteria, and procedures used in determining whether prospective jurors are qualified to serve as jurors;

"(5) the methods used for summoning or otherwise calling persons for jury service and assigning such persons to grand and petit jury panels;

"(6) with respect to State courts to which section 1879 of this title applies, the number and race of persons who, during the preceding two-year period or, if the claim hereunder is filed within two years following the effective date of this Act, during the period since such effective date, (A) (i) have appeared for the purpose of testing their qualifications to serve as jurors, (ii) have appeared in response to a summons to serve as a juror, (iii) have been determined to be qualified to serve as jurors, (iv) have been assigned to a grand or petit jury panel, and (v) have served on a grand or petit jury, and (B) have been peremptorily challenged in criminal cases and whether the challenge was made by the prosecution or the defense;

"(b) the statement of jury selection information shall be filed with the clerk of the court in which the proceeding is pending, and a copy thereof shall be served upon the attorney for the complaining party. The statement of jury selection information shall constitute evidence on the question whether any right secured by section 1875 of this title has been denied or abridged: *Provided*, That the complaining party shall be entitled to cross-examine any person having knowledge of relevant facts concerning the information to be contained in such statement and to present in addition the testimony of the jury officials, together with any other evidence, and, where there is evidence of a denial or abridgment of a right secured by section 1875 of this title, any relevant records and papers used by jury officials in the performance of their duties which are not public or otherwise available;

"(c) if the court determines (1) that there is probable cause to believe that any right secured by section 1875 of this title has been denied or abridged, and (2) that the records and papers maintained by the State are not sufficient to permit a determination whether such denial or abridgment has occurred, it shall be the responsibility of the appropriate State or local officials to produce additional evidence demonstrating that such denial or abridgment did not occur. When such evidence is not otherwise available, the State shall use such process of the court as may be necessary in order to produce the evidence, including the right to subpoena witnesses;

"(d) the court may direct that the contents of any records or papers produced pursuant to subsection (b) of this section shall not be disclosed (except as may be necessary in the preparation and presentation of the case) during such period of time as such records and papers are not available for public inspection under State law: *Provided*, That parties to the proceeding shall be allowed to inspect, reproduce, and copy such records and papers at all reasonable times during the pendency of the case, and that disclosure of the contents of such records and papers by the Attorney General and his representatives shall be governed by subsection (b) of section 1879 of this title.

"§ 1879. Preservation and inspection of records

"(a) The jury officials in all State courts shall preserve the records and papers prepared or obtained in the performance of their duties for four years after the completion of service by all persons whose consideration for service as jurors was the subject of such records and papers. Any person, whether or not a jury official, who willfully steals, destroys, conceals, mutilates, or alters any record or paper required by this subsection to be preserved shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(b) the jury officials in State courts having jurisdiction over a political subdivision or subdivisions in which 10 per centum or more of the population is nonwhite according to the most recent decennial census shall (1) record on an appropriate record or paper the race of each person who (A) appears for the purpose of testing his qualifications to serve as a juror, (B) appears in response to a summons to serve as a juror, (C) is determined to be qualified to serve as a juror, (D) is assigned to a grand or petit jury panel, or (E) serves on a grand or petit jury, and (2) maintain a record of every person who is peremptorily challenged in any criminal case and of whether the challenge was made by the prosecution or the defense.

"(c) Any record or paper required by this section to be preserved shall, upon demand in writing by the Attorney General or his representative directed to the person having custody, possession, or control of such record or paper, be made available for inspection, reproduction, and copying by the Attorney General or his representative. During such period of time as such records and papers are not available for public inspection under State law, unless otherwise ordered by a court of the United States, neither the Attorney General nor any employee of the Department of Justice, nor any other representative of the Attorney General, shall disclose the contents of any record or paper produced pursuant to this title except to Congress and any committee thereof, governmental agencies, and in the preparation and presentation of any case or proceeding before any court or grand jury. The United States district court for the district in which a record or paper so demanded is located shall have jurisdiction by appropriate process to compel the production of such record or paper.

"§ 1880. Definitions

"For purposes of sections 1875 through 1880—

"(a) 'State court' shall mean any court of any State, county, parish, city, town, municipality, or other political subdivision of any State;

"(b) 'Jury official' shall mean any person or group of persons, including judicial officers, who select, summon, or empanel persons to serve as grand or petit jurors in any State court;

"(c) 'Wheel, box, or similar device' shall include a file, list, or other compilation of names of persons prepared by a jury official;

"(d) 'Political subdivision' shall mean any county, parish, city, town, municipality, or other territorial subdivision of a State."

Sec. 102. The remedies provided in sections 1875 through 1880 of title 28 of the United States Code (as added by section 2 of this Act) shall not preclude any person, the United States, or any State or local agency from pursuing any other remedy, civil or criminal, which may be available for the vindication or enforcement of any law prohibiting discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of persons for service on grand or petit juries in any State court.

Sec. 103. The analysis of chapter 121 of title 28, United States Code, is amended by adding at the end thereof the following new items:

"1875. Discrimination prohibited.
"1876. Suits by the Attorney General.
"1877. Appropriate relief.
"1878. Discovery of evidence.
"1879. Preservation and inspection of records.
"1880. Definitions."

Sec. 104. This title shall become effective one hundred and eighty days after the date of its enactment: *Provided*, That the provisions of this Act shall not apply in any case in which an indictment has been returned or a petit jury empaneled prior to such effective date.

TITLE II—EQUAL EMPLOYMENT OPPORTUNITIES ENFORCEMENT

Sec. 201. Section 706 of the Civil Rights Act of 1964 (89 Stat. 259; 42 U.S.C. 2000e–5) is amended to read as follows:

"(a) The Commission is empowered, as hereinafter provided, to prevent any person from engaging in any unlawful employment practice as set forth in section 703 or 704 of this title.

"(b) Whenever a charge is filed by or on behalf of a person claiming to be aggrieved, or by a member of the Commission, alleging that an employer, employment agency, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs has engaged in an unlawful employment practice, the Commission shall serve a copy of the charge on such employer, employment agency, labor organization, or joint labor-management committee (hereinafter referred to as the 'respondent') and shall make an investigation thereof. Charges shall be in writing and shall contain such information and be in such form as the Commission requires. Charges shall not be made public by the Commission. If the Commission determines after investigation that there is not reasonable cause to believe that the charge is true, it shall dismiss the charge and promptly notify the person claiming to be aggrieved and the respondent of its action. If the Commission determines after such investigation that there is reasonable cause to believe that the charge is true, the Commission shall endeavor to eliminate any such alleged unlawful employment practice by informal methods of conference, conciliation, and persuasion. Nothing said or done during and as a part of such informal endeavors may be made public by the Commission, its officers or employees, or used as evidence in a subsequent proceeding without the written consent of the persons concerned. Any person who makes public information in violation of this subsection shall be fined not more than $1,000 or imprisoned not more than one year, or both. The Commission shall make its determination on reasonable cause as promptly as possible and, so far as practicable, not later than one hundred twenty days from the filing of the charge or, where applicable under subsection (c) or (d), from the date upon which the Commission is authorized to take action with respect to the charge.

"(c) In the case of a charge filed by or on behalf of a person claiming to be aggrieved alleging an unlawful employment practice occurring in a State, or political subdivision of a State, which has a State or local law prohibiting the unlawful employment practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, the Commission shall take no action with respect to the investigation of such charge before the expiration of sixty days after proceedings have been commenced under the State or local law, provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State or local law. If any requirement for the commencement of such proceedings is imposed by a State or local authority other than a requirement of the filing of a written and signed statement of the facts upon which the proceeding is based, the proceeding shall be deemed to have been commenced for the purposes of this subsection at the time such statement is sent by certified mail to the appropriate State or local authority.

"(d) In the case of any charge filed by a member of the Commission alleging an unlawful employment practice occurring in a State or political subdivision of a State which has a State or local law prohibiting the practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof the Commission shall, before taking any action with respect to such charge, notify the appropriate State or local officials and, upon request, afford them a reasonable time, but not less than sixty days provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective day of such State or local law, unless a shorter period is requested, to act under such State or local law to remedy the practice alleged.

"(e) A charge shall be filed within 180 days after the alleged unlawful employment practice occurred and a copy shall be served upon the person against whom such charge is made as soon as practicable thereafter, except that in a case of an unlawful employment practice with respect to which the person aggrieved has initially instituted proceedings with a state or local agency with authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, such charge shall be filed by the person aggrieved within three hundred days after the alleged unlawful employment practice occurred, or within thirty days after receiving notice that the state or local agency has terminated the proceedings under the state or local law, whichever is earlier, and a copy of such charge shall be filed by the Commission with the state or local agency.

"(f) If the Commission determines after attempting to secure voluntary compliance under subsection (b) that it is unable to secure from the respondent a conciliation agreement acceptable to the Commission and to the person aggrieved, which determination shall not be reviewable in any court, the Commission shall issue and cause to be served upon the respondent a complaint stating the facts upon which the allegation of the unlawful employment practice is based, together with a notice of hearing before the Commission, or a member or agent thereof, at a place therein fixed not less than five days after the serving of such complaint. Related proceedings may be consolidated for hearing. Any member of the Commission who filed a charge in any case shall not participate in a hearing on any complaint arising out of such charge, except as a witness.

"(g) A respondent shall have the right to file an answer to the complaint against him and with the leave of the Commission, which shall be granted whenever it is reasonable and fair to do so, may amend his answer at any time. Respondents and the person aggrieved shall be parties and may appear at any stage of the proceedings, with or without counsel. The Commission may grant such other persons a right to intervene or to file briefs or make oral arguments as amicus curiae or for other purposes, as it considers appropriate. All testimony shall be taken under oath and shall be reduced to writing.

"(h) If the Commission finds that the respondent has engaged in an unlawful employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on the respondent and the person or persons aggrieved by such unlawful employment practice an order requiring the respondent to cease and desist from such unlawful employment practice and to take such affirmative action, including reinstatement or hiring of employees, with or without backpay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice), as will effectuate the policies of this title: *Provided*, That interim earnings or amounts earnable with reasonable diligency by the aggrieved person or persons shall operate to reduce the backpay otherwise allowable. Such order may further require such respondent to make reports from time to time showing the extent to which he has complied with the order. If the Commission finds that the respondent has not engaged in any unlawful employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on the respondent and the person or persons alleged in the complaint to be aggrieved an order dismissing the complaint.

"(i) After a charge has been filed and until the record has been filed in court as hereinafter provided, the proceeding may at any time be ended by agreement between the Commission and the parties for the elimination of the alleged unlawful employment practice, approved by the Commission, and the Commission may at any time, upon reasonable notice, modify or set aside, in whole or in part, any finding or order made or issued by it. An agreement approved by the Commission shall be enforceable under subsection (k) and the provisions of that subsection shall be applicable to the extent appropriate to a proceeding to enforce an agreement.

"(j) Findings of fact and orders made or issued under subsections (h) or (i) of this section shall be determined on the record.

"(k) The Commission may petition any United States court of appeals within any circuit wherein the unlawful employment practice in question occurred or wherein the respondent resides or transacts business for the enforcement of its order and for appropriate temporary relief or restraining order, and shall file in the court the record in the proceedings as provided in section 2112 of title 28, United States Code. Upon such filing, the court shall cause notice thereof to be served upon the parties to the proceeding before the Commission, and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power to grant such temporary relief, restraining order, or other order as it deems just and proper, and to make and enter a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part the order of the Commission. No objection that has not been urged before the Commission, its member, or agent shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Commission with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive. If any party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Commission, its member, or its agent, the court may order such additional evidence to be taken before the Commission, its member, or its agent, and to be made a part of the record. The Commission may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and its recommendations, if any, for the modification or setting aside of its original order. Upon the filing of the record with it the jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the Supreme Court of the United States as provided in section 1254 of tile 28, United States Code. Petitions filed under this subsection shall be heard expeditiously.

"(1) Any party aggrieved by a final order of the Commission granting or denying, in whole or in part, the relief sought may obtain a review of such order in any United States court of appeals in the circuit in which the unlawful employment practice in question is alleged to have occured or in which such party resides or transacts business, or in the United States Court of Appeals for the District of Columbia, by filing in such court a written petition praying that the order of the Commission be modified or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Commission (and to the other parties to the proceeding before the Commission) and thereupon the Commission shall file in the court the certified record in the proceeding as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall proceed in the same manner as in the case of an application by the Commission under subsection (k), the findings of the Commission with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and the court shall have the same jurisdiction to grant such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part the order of the Commission. The commencement of proceedings under this subsection or subsection (k) shall not, unless ordered by the court, operate as a stay of the order of the Commission.

"(m) The provisions of the Act entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes', approved March 23, 1932 (47 Stat. 70 *et seq.*, 29 U.S.C. 101–115), shall not apply with respect to (1) proceedings under subsection (k), (1), or (o) of this section, (2) proceedings under section 707 of this title, or (3) proceedings under section 715 of this title.

"(n) The Attorney General shall conduct all litigation to which the Commission is a party pursuant to this title.

"(o) Whenever a charge is filed with the Commission pursuant to subsection (b) and the Commission concludes on the basis of a preliminary investigation that prompt judicial action is necessary to preserve the power of the Commission to grant effective relief in the proceeding the Commission may, upon referral to the Attorney General, bring an action for appropriate temporary or preliminary relief pending its final disposition of such charge, in the United States district court for any judicial district in the State in which the unlawful employment practice concerned is alleged to have been committed, or the judicial district in which the aggrieved person would have been employed but for the alleged unlawful employment practice, but, if the respondent is not found within any such judicial district, such an action may be brought in the judicial district in which the respondent has his principal office. For purposes of sections 1404 and 1406 of title 28, United States Code, the judicial district in which the respondent has his principal office shall in all cases be considered a judicial district in which such an action might have been brought. Upon the bringing of any such action, the district court shall have jurisdiction to grant such injunctive relief or temporary restraining order as it deems just and proper, notwithstanding any other provision of law. Rule 65 of the Federal Rules of Civil Procedure, except paragraph (a)(2) thereof, shall govern proceedings under this subsection."

SEC. 202. Section 707 of the Civil Rights Act of 1964 (78 Stat. 261; 42 U.S.C. 2000e–6) is amended by adding a new subsection (c) as follows:

"(c) Any record or paper required by section 709(c) of this title to be preserved or maintained shall be made available for inspection, reproduction, and copying by the Attorney General or his representative upon demand in writing directed to the person having custody, possession, or control of such record or paper. Unless otherwise ordered by a court of the United States, neither the Attorney General nor his representative shall disclose any record or paper produced pursuant to this title, or any reproduction or copy, except to Congress or any committee thereof, or to a governmental agency, or in the presentation of any case or proceeding before any court or grand jury. The United States district court for the district in which a demand is made or in which a record or paper so demand is located, shall have jurisdiction to compel by appropriate process the production of such record or paper."

SEC. 203. Sections 709(b), (c), and (d) of the Civil Rights Act of 1964 (78 Stat. 263; 42 U.S.C. 2000e–8(b)–(d)) are amended to read as follows:

"(b) The Commission may cooperate with State and local agencies charged with the administration of State fair employment practices laws and, with the consent of such agencies, may, for the purpose of carrying out its functions and duties under this title and within the limitation of funds appropriated specifically for such purpose, engage in and contribute to the cost of research and other projects of mutual interest undertaken by such agencies, and utilize the services of such agencies and their employees and, notwithstanding any other provision of law, may pay by advance or reimbursement such agencies and their employees for services rendered to assist the Commission in carrying out this title. In furtherance of such cooperative efforts, the Commission may enter into written agreements with such State or local agencies and such agreements may include provisions under which the Commission shall refrain from processing a charge in any cases or class of cases specified in such agreements or under which the Commission shall relieve any person or class of persons in such State or locality from requirements imposed under this section. The Commission shall rescind any such agreement whenever it determines that the agreement no longer serves the interest of effective enforcement of this title.

"(c) Every employer, employment agency, and labor organization subject to this title shall (1) make and keep such records relevant to the determinations of whether unlawful employment practices have been or are being committed, (2) preserve such records for such periods, and (3) make such reports therefrom as the Commission shall prescribe by regulation or order, after public hearing, as reasonable, necessary, or appropriate for the enforcement of this title or the regulation or orders thereunder. The Commission shall, by regulation, require each employer, labor organization, and joint labor-management committee subject to this title which controls an apprenticeship or other training program to maintain such records as are reasonably necessary to carry out the purpose of this title, including, but not limited to, a list of applicants who wish to participate in such program, including the chronological order in which such applicants were received, and to furnish to the Commission upon request, a detailed description of the manner in which persons are selected to participate in the apprenticeship or other training program. Any employer, employment agency, labor organization, or joint labor-management committee which believes that the application to it of any regulation or order issued under this section would result in undue hardship may apply to the Commission for an exemption from the application of such regulation or order, and, if such application for an exemption is denied, bring a civil action in the United States district court for the district where such records are kept. If the Commission or the court, as the case may be, finds that the application of the regulation or order to the employer, employment agency, or labor organization in question would impose an undue hardship, the Commission or the court, as the case may be, may grant appropriate relief. If any person required to comply with the provisions of this subsection fails or refuses to do so, the United States district court for the district in which such person is found, resides or transacts business, shall, upon application of the Commission, have jurisdiction to issue to such person an order requiring him to comply.

"(d) In prescribing requirements pursuant to subsection (c) of this section, the Commission shall consult with other interested State and Federal agencies and shall endeavor to coordinate its requirements with those adopted by such agencies. The Commission shall furnish upon request and without cost to any State or local agency charged with the administration of a fair employment practice law information obtained pursuant to subsection (c) of this section from any employer, employment agency, labor organization, or joint labor-management committee subject to the jurisdiction of such agency. Such information shall be furnished on condition that it not be made public by the recipient agency prior to the institution of a proceeding under State or local law involving such information. If this condition is violated by a recipient agency, the Commission may decline to honor subsequent requests pursuant to this subsection."

SEC. 5. Section 710 of the Civil Rights Act of 1964 (78 Stat. 264; 42 U.S.C. 2000e–9) is amended to read as follows:

"For the purpose of all hearings and investigations conducted by the Commission or its duly authorized agents or agencies, section 11 of the National Labor Relations Act (49 Stat. 455; 29 U.S.C. 161) shall apply: *Provided,* That no subpena shall be issued on the application of any party to proceedings before the Commission until after the Commission has issued and caused to be served upon the respondent a complaint and notice of hearing under subsection (f) of section 706."

SEC. 6. Title VII of the Civil Rights Act of 1964 (78 Stat. 253; 42 U.S.C. 2000e) is further amended as follows:

(a) Add the phrase "or applicants for employment" after the phrase "his employees" in section 703(a)(2) (78 Stat. 255; 42 U.S.C. 2000e–2(a)(2)).

(b) Add the phrase "or applicants for membership" after the word "membership" in section 703(c)(2) (78 Stat. 255; 42 U.S.C. 2000e–2(a)(2)).

(c) Strike out "to give and to act upon the results of any professionally developed ability test provided that such test, its administration or action upon the results is not designed, intended, or used to discriminate because of race, color, religion, sex, or national origin" in section 703(h) and substitute therefor the following: "to give and to act upon the results of any professionally developed ability test which is applied on a uniform basis to all employees and applicants for employment in the same position and is directly related to the determination of bona fide occupational qualifications reasonably necessary to perform the normal duties of the particular position concerned: *Provided,* That such test, its administration or action upon the results is not designed, intended, or used to discriminate because of race, color, religion, sex, or national origin".

(d)(1) Add the phrase "or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs," after "employment agency" in section 704(a).

((2) In section 704(b), (A) strike out "or employment agency" and insert "employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs,", and (B) add the phrase "or relating to admission to, or employment in, any program established to provide apprenticeship or other training by such a joint labor-management committee," before "indicating".

(e) Amend the second sentence of section 705(a) by inserting "and all members of the Commission shall continue to serve until their successors are appointed and qualified: *Provided,* That no such member of the Commission shall continue to serve (1) for more than sixty days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted" immediately preceding the period and amend the fourth sentence of section 705(a) to read as follows: "The Chairman shall be responsible on behalf of the Commission for the administrative operations of the Commission, and shall appoint, in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, such officers, agents, attorneys, hearing examiners, and employees as he deems necessary to assist it in the performance of its functions and to fix their compensation in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates: *Provided,* That assignment, removal, and compensation of hearing examiners shall be in accordance with sections 3105, 3344, 5362, and 7521 of title 5, United States Code."

(f) Add the phrase "and to accept voluntary and uncompensated services, notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b))" to section 705(g)(1) between the word "individuals" and the semicolon.

(g) In section 705(g)(6), strike out the words "section 706" and substitute therefore the words "section 715."

(h) Insert a semicolon in lieu of the period at the end of section 705(g) and add the following subparagraph "(7)" to such section: "(7) to accept and employ or dispose of in furtherance of the purpose of this title any money or property, real, personal, or mixed, tangible, or intangible, received by gift, devise, bequest, or otherwise."

(i) Add the following new subsections at the end of section 713:

"(c) Except for the powers granted to the Commission under subsection (h) of section 706, the power to modify or set aside its findings, or make new findings, under subsections (i) and (k) of section 706, the rule-making power as defined in subchapter II of chapter 5 of title 5, United States Code, with reference to general rules as distinguished from rules of specific applicability, and the power to enter into or rescind agreements with State and local agencies, as provided in subsection (b) of section 709, under which the Commission agrees to refrain from processing a charge in any cases or class of cases or under which the Commission agrees to relieve any person or class of persons in such State or locality from requirements imposed by section 709, the Commission may delegate any of its functions, duties, and powers to such person or persons as the Commission may designate by regulation, including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting or otherwise acting as to any work, business, or matter: *Provided,* That nothing in this subsection authorizes the Commission to provide for persons other than those referred to in clauses (2) and (3) of subsection (b) of section 556 of title 5 of the United States Code to conduct any hearing to which that section applies.

"(d) The Commission is authorized to delegate to any group of three or more members of the Commission any or all of the powers which it may itself exercise."

(j) Strike out the phrase "section 111" and substitute therefor the phrase "sections 111 and 1114" in section 714.

(k) Section 715 is amended to read as follows:

"(a) If (1) the Commission determines that there is no reasonable cause to believe the charge is true and dismisses the charge in accordance with Section 706(b), (2) finds no probable jurisdiction and dismisses the charge, or (3) within one-hundred and eighty days after a charge is filed with the Commission, or within one-hundred and eighty days after expiration of any period of reference under Section 706(c) or (d), the Commission has not either (i) issued a complaint in accordance with Section 706(f), (ii) determined that there is not reasonable cause to believe the charge is true and dismissed the charge in accordance with Section 706(b) or found no probable jurisdiction and dismissed the charge, or (iii) entered into a conciliation agreement acceptable to the Commission and to the person aggrieved in accordance with Section 706(f) or an agreement with the parties in accordance with Section 706 (i), the Commission shall so notify the person aggrieved and within sixty days after the giving of such notice a civil action may be brought against the respondent named in the charge (1) by the person claiming to be aggrieved, or (2) if such charge was filed by a member of the Commission, by any person whom the charge alleges was aggrieved by the alleged unlawful employment practice. Upon application by the complainant and in such circumstances as the court may deem just, the court may appoint an attorney for such complainant and may authorize the commencement of the action without the payment of fees, costs, or security. Upon timely application, the court may, in its discretion, permit the Attorney General to intervene in such civil action if he certifies that the case is of general public importance. Upon the commencement of such civil action, the Commission shall be divested of jurisdiction over the proceeding and shall take no further action with respect thereto; *Provided*, That upon request, the court, may, in its discretion, stay further proceedings for not more than sixty days pending termination of State or local proceedings described in subsections (c) or (d) or the efforts of the Commission to obtain voluntary compliance.

"(b) Each United States district court and each United States court of a place subject to the jurisdiction of the United States shall have jurisdiction of actions brought under this title. Such an action may be brought in any judicial district in the State in which the unlawful employment practice is alleged to have been committed, or in the judicial district in which the plaintiff would have been employed but for the alleged unlawful employment practice, but if the respondent is not found within any such district, such an action may be brought within the judicial district in which the respondent has his principal office. For purposes of sections 1404 and 1406 of title 28 of the United States Code, the judicial district in which the respondent has his principal office shall in all cases be considered a district in which the action might have been brought. Upon the bringing of any such action, the district court shall have jurisdiction to grant such temporary or preliminary relief as it deems just and proper.

"(c) If the court finds that the respondent has intentionally engaged in or is intentionally engaging in an unlawful employment practice charged in the complaint, the court may enjoin the respondent from engaging in such unlawful employment practice, and order such affirmative action as may be appropriate, which may include reinstatement or hiring of employees, with or without back pay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice). Interim earnings or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the back pay otherwise allowable. No order of the court shall require the admission or reinstatement of an individual as a member of a union or the hiring, reinstatement, or promotion of an individual as an employee, or the payment to him of any back pay, if such individual was refused admission, suspended, or expelled or was refused employment or advancement or was suspended or discharged for any reason other than discrimination on account of race, color, religion, sex or national origin or in violation of section 704(a).

"(d) In any case in which an employer, employment agency, or labor organization fails to comply with an order of a court issued in a civil action brought under subsection (a), the Commission may commence proceedings to compel compliance with such order.

"(e) Any civil action brought under subsection (a) and any proceedings brought under subsection (d) shall be subject to appeal as provided in sections 1291 and 1292, title 28, United States Code.

"(f) In any action or proceeding under this title, the court, in its discretion, may allow the prevailing plaintiff a reasonable attorney's fee as part of the costs."

SEC. 206. Title 5 of the United States Code is amended as follows:

(a) Add the following new clause at the end of section 5314: "(53) Chairman, Equal Employment Opportunity Commission."

(b) Amend Clause (72) of section 5315 to read as follows: "(72) Members, Equal Employment Opportunity Commission (4)."

(c) Repeal Clause (111) of section 5316.

SEC. 207. Sections 706, 710 and 715 of the Civil Rights Act of 1964, as amended by this Act, shall not be applicable to charges filed with the Commission prior to the effective date of this title.

TITLE III—CIVIL RIGHTS COMMISSION APPROPRIATIONS AUTHORIZATION

SEC. 301. Section 106 of the Civil Rights Act of 1957 (71 Stat. 636; 42 U.S.C. 1975e) as amended, is further amended to read as follows:

"SEC. 106. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act."

TITLE IV—VOTING RIGHTS ACT EXTENSION

SEC. 401. Section 4(a) of the Voting Rights Act of 1965 (79 Stat. 438; 42 U.S.C. 1973b(a)) is amended as follows:

In the first and third paragraphs, after the words "during the," strike the word "five" and substitute the word "ten."

In the first paragraph, after the words "a period of," strike the word "five" and substitute the word "ten."

TITLE V—SEPARABILITY

SEC. 501. If any provision of this Act or the application of any provision thereof to any person or circumstance is judicially determined to be invalid, the remainder of this Act or the application of such provision to other persons or circumstances shall not be affected by such determination.

Mr. JAVITS. Mr. President, I am pleased, once again, to be part of a bipartisan effort to enact civil rights legislation. Measures of justice in this field should at all times have the interest of the Nation and especially in this time of crises and danger like the present.

The measure which we send to the desk today is designed to improve the administration of laws we have enacted in the last 5 years.

The first title extends the Voting Rights Act of 1965—due to expire next year—for an additional 5 years. The second title removes an appropriations ceiling which was imposed on the Civil Rights Commission last year, so as to enable them to meet cost increases without reducing the level of their activities.

The third title would give the Attorney General the right to initiate suits attacking jury discrimination in State courts. The Jury Selection and Service Act of 1968 provided comprehensive reform of jury selection in Federal courts, but did not authorize direct action by the Attorney General in State courts. Present law authorizes only his intervention in private suits of this nature. The proposal also prohibits any discrimination on the basis of race, color, religion, sex, national origin, or economic status in the selection of jurors in State courts.

The final title essentially, is the familiar proposal to grant the Equal Employment Commission cease-and-desist powers. The primary cosponsors of this bill have supported such a proposal since 1964 when the Commission was created. Indeed, we believe it is essential to an effective Commission.

During the 90th Congress the Labor and Public Welfare Committee, of which I am the ranking Republican member, considered more than one version of this proposal. While all were agreed on the cease and desist provisions, there was a difference of opinion—among supporters of the Commission—about other factors such as the right of aggrieved private individuals to sue, and pattern or practice suits. This is essentially a difference of opinion among lawyers over which type of legal actions would provide the most effective remedies in the circumstances.

The title as we introduce it today will come to the Labor and Public Welfare Committee and will undoubtedly be the subject of hearings there. The administration will have a proposal; civil rights organizations will propose amendments; and I may very well offer a proposal of my own. I join in sponsoring this bill today because I am committed to its essential purpose and anxious to "get the ball rolling" on a cease-and-desist proposal. I shall, however, feel free to offer amendments or to support other proposals which may be put forward which, in my judgment would strengthen the Commission's hand in this vital work.

Mr. SCOTT. Mr. President, I am one of the drafters of the omnibus civil rights bill of 1969 which was introduced today. Senators PHILIP A. HART, Democrat, of Michigan; JACOB K. JAVITS, Republican, of New York; EDWARD M. KENNEDY, Democrat, of Massachusetts, and I wrote a bill which we believe will protect and extend the civil rights gains which we helped to win in recent years.

I am urging prompt action on this important legislation by the Senate Judiciary Committee, on which I serve, and by the full Senate.

I spoke to President Nixon just this morning at the White House and urged his consideration of this new civil rights bill. President Nixon asked me to set up a meeting with the four major sponsors of the bill and Mr. Jerris Leonard, chief of the Civil Rights Division, Department of Justice. This has been done, and a report will be sent to the President.

The main purposes of the bill are as follows:

Title I extends to litigants in State courts the same protection against discrimination in selection of juries as provided in Federal courts in the Federal Jury Selection Act of 1968. The bill authorizes the Attorney General to file corrective suits only after due notice and opportunity for the State to take corrective action. States with nondiscriminatory jury selection systems would not be affected.

Title II gives the Equal Employment Opportunity Commission authority to issue cease-and-desist orders which could be judicially enforced. This authority would greatly increase the commission's effectiveness in its negotiations with those breaking the law.

Title III repeals the provision approved by the last Congress in limiting future appropriations for the Commission on Civil Rights to the 1968 level. This provision precludes annual congressional consideration of Commission needs and, in effect, forces the Commission to curtail its activities with each Government-wide pay increase or increase in the cost of living.

Title IV extends the provisions of the Voting Rights Act of 1965 for an additional 5 years. If no action is taken, States will be able to remove themselves from the provisions of the act and will be free again to use discriminatory voter registration laws.

ADJOURNMENT UNTIL THURSDAY, MAY 1, 1969

Mr. GRAVEL. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon on Thursday, May 1, 1969.

The motion was agreed to; and (at 6 o'clock and 2 minutes p.m.) the Senate adjourned until Thursday, May 1, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate April 29, 1969:

U.S. Attorneys

Dean C. Smith, of Washington, to be U.S. attorney for the eastern district of Washington for the term of 4 years vice Smithmore P. Myers, resigned.

R. Jackson B. Smith, Jr., of Georgia, to be U.S. attorney for the southern district of Georgia for the term of 4 years vice Donald H. Fraser, resigning.

CONFIRMATIONS

Executive nominations confirmed by the Senate, April 29, 1969:

Post Office Department

Henry Lehne, of Massachusetts, to be an Assistant Postmaster General.

Ronald B. Lee, of Maryland, to be an Assistant Postmaster General.

Director of Public Roads

Ralph R. Bartelsmeyer, of Illinois, to be Director of Public Roads.

Civil Service Commission

L. J. Andolsek, of Minnesota, to be a Civil Service Commissioner for the term of 6 years expiring March 1, 1975.

New England Regional Commission

Stewart Lamprey, of New Hampshire, to be Federal cochairman of the New England Regional Commission.

Post Office Department

Frank J. Nunlist, of New Jersey, to be an Assistant Postmaster General.

HOUSE OF REPRESENTATIVES—*Tuesday, April 29, 1969*

The House met at 12 o'clock noon.

Rev. William R. Barnhart, D.D., minister emeritus, Circular Congregational Church, Charleston, S.C., offered the following prayer:

O God, our help in ages past and hope for years to come, help us to learn and do Thy holy will.

Lift up our minds above the problems that perplex us. Lift up our hearts above the burdens that weight us down. Lift up our souls above the sorrows that grieve us.

May we have less pressure and more prayer, less work and more worship, less talking and more thinking.

Help us to realize the sanctity of politics and to put principles above parties and the virtue of measures above the vote of majorities. Help us to think about the next generation and not just the next election.

May we know that true greatness consists in love, service, and sacrifice. May we hear Thee say, "Inasmuch as you do it unto one of these brothers of mine, even to the least of them, you do it unto Me."

Give us the intelligent good will to match the problems of our time. May each one of us walk down the highway of life in a spirit of true nobility.

Help us to live greatly in a great age and in a great universe and under a great God and with a great aim. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on April 25, 1969, the President approved and signed a bill of the House of the following title:

H.R. 10158. An act to provide mail service for Mamie Doud Eisenhower, widow of former President Dwight David Eisenhower.

HEARINGS ON THE MODEL CITIES PROGRAM

(Mr. BARRETT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BARRETT. Mr. Speaker, the model cities legislation enacted in 1966 is one of the most important programs in our efforts to improve the lives of those in the blighted neighborhoods in our towns and cities. Local government in 150 communities of every size throughout the country have been intensively planning to use the model cities approach to eradicate slums and to provide for the health, educational, and vocational needs of their people. Just this spring, the first handful of cities received approval of their model cities programs and many more communities expect to be approved shortly.

The Subcommittee on Housing of the Committee on Banking and Currency has been planning for some time to hold hearings to review the progress and problems in the model cities program. At the same time, there have been a number of suggestions and proposals made affecting the present concept of the model cities program. Secretary Romney's statement yesterday has raised a number of questions which need to be considered as soon as possible.

The Housing Subcommittee will hold a hearing on the model cities program on Monday, May 12, to discuss with top HUD officials the status of the program and the various recommendations made in connection with it. Other hearings already planned for the balance of that week will limit us to one day at this time, but it is our intention to follow up with additional hearings on model cities at a later date.

REPRESENTATIVE FOREMAN INTRODUCES BILL AIMED AT THE ARMED REVOLTS OF STUDENTS ON AMERICAN UNIVERSITY CAMPUSES

(Mr. FOREMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOREMAN. Mr. Speaker, today I am introducing a bill aimed right at the armed revolt of students on American university campuses. This legislation amends title 18 of the United States Code, making it unlawful for any person to carry a weapon on the property of any institution of higher education, which receives or disburses Federal funds, when such person is acting in violation of a law, regulation, ordinance, or rule.

The time has come for an immediate and thorough investigation of this so-called student unrest problem. The departure to gun-carrying anarchists from card-burning leftists should not go unchallenged. We cannot allow the anarchists and subversives to destroy education in America. It is time for administrators of American colleges and universities to get firm in their handling of situations such as the armed revolt on Cornell's campus and several other universities—and we must give them the laws to back their stand. These gangsters and anarchists must be dealt with as lawbreakers and not be allowed to blackmail officials with their threats.

The vast majority of students—in fact over 90 percent—realize the value of a college education, and they should be allowed to receive it without being harassed and intimidated by a bunch of malcontents and misfits. It is time that all college officials realize that to give in to these demands—by such organizations as the Students for a Democratic Society—can only lead to the destruction of our educational system.

I urge every Member of Congress to support this legislation; and support the educational future of our Nation.

RE-REFERENCE OF HOUSE JOINT RESOLUTION 589

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of House Joint Resolution 589, and that it be re-referred to the Committee on Science and Astronautics.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ONE HUNDRED DAYS

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL. Mr. Speaker, I would like to report briefly on the new baby born last January 20 in the city of Washington, D.C. The child is now 100 days old and appears to be very healthy. The baby had an attack of nausea while viewing its inheritance for the first time, but the medicine prescribed by Dr. Nixon, the attending physician, is apparently beginning to have its effect—and the child shows signs of good growth. The baby has been put on a strict diet that will eliminate all its flabbiness and fat and turn it into a strong, healthy, and vigorous youth by the time it reaches its fourth birthday. Needless to say, as one of the physicians and accouchеurs assigned to look after this newborn, I want it to be the pride and joy of its 200 million godparents.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMEMORATING THE 200TH ANNIVERSARY OF THE FOUNDING OF DARTMOUTH COLLEGE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 114.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 114

Whereas Dartmouth College was founded in 1769 by the grant of a royal charter from King George III; and

Whereas the independence of Dartmouth College was preserved in 1819 by a landmark decision of the United States Supreme Court rendered by Chief Justice John Marshall; and

Whereas Dartmouth College, shaped by its history and nourished by its traditions, has grown and prospered to become one of the Nation's outstanding educational institutions, providing generations of young men with the finest liberal arts and professional learning: Now, therefore, be it

Resolved by the House of Representatives (*the Senate concurring*), That the Congress sends congratulations and greeting to Dartmouth College on the occasion of the two hundredth anniversary of its founding, and extends the hope of the people of the United States that Dartmouth College will continue to grow and prosper in centuries yet to come.

Mr. CLEVELAND. Mr. Speaker, I would like to take this opportunity to extend my heartiest congratulations to that "College on the Hill," Dartmouth College, on this occasion marking the 200th anniversary of its founding back in 1769. As a cosponsor of House Concurrent Resolution 114, and as the Representative of the district in which this fine college is located, these congratulations are clearly appropriate.

Legend and song has it that Eleazar Wheelock was able to keep the college going that first winter "with 500 gallons of New England rum." Fifty years later, in 1819, the independence of Dartmouth was preserved in a landmark decision by the U.S. Supreme Court. That decision not only concerned the future of Dartmouth College, but affected the development of the American university system as we know it.

Today, Dartmouth College stands as truly one of America's best small colleges. Not only has its undergraduate studies program produced generations of young men of the highest caliber, Dartmouth's business, engineering, and medical graduate schools are recognized as among the finest in the Nation. Dartmouth men have been leaders in every field of their endeavor.

In an age when there is much upheaval on our campuses, and when respect for traditional values is sometime overriden by the actions of militant minorities, I hope Dartmouth will take this occasion to again examine its history and reaffirm its traditions which have made it great. I again congratulate the Dartmouth community on its anniversary, and particularly extend my greetings to Dr. John Sloan Dickey on the eve of his retirement as president of that institution.

Mr. McCLORY. Mr. Speaker, I am grateful that the House is today considering House Concurrent Resolution 114 in recognition of the 200th anniversary of the founding of Dartmouth College. Those of us who are Dartmouth alumni, and who are sponsors of this resolution, are proud of our alma mater. We are grateful for our experiences in attending this great educational institution.

The Dartmouth College tradition began when a small college was established in New Hampshire in 1769 by grant of a royal charter from King George III. Following this, Eleazar Wheelock became the founder and first president of the college, with the principal intent of educating Indians and converting them to Christianity.

It was precisely 50 years later that Chief Justice John Marshall of the U.S. Supreme Court rendered his landmark decision in the Dartmouth College case—a case which had been argued before the Court by the then distinguished Senator from New Hampshire, Daniel Webster.

No alumni has demonstrated greater loyalty to their alma mater, nor supported their college more generously with time and money, or evinced greater pride and school spirit than the "Men of Dartmouth."

In behalf of my fellow alumni in the House of Representatives, the gentleman from Nebraska (Mr. MARTIN), the gentleman from Pennsylvania (Mr. SCHNEEBELI), the gentleman from Connecticut (Mr. MONAGAN), the gentleman from New York (Mr. SMITH), the gentleman from Minnesota (Mr. MACGREGOR), and in behalf of the gentleman from New Hampshire (Mr. CLEVELAND) in whose district Dartmouth College is located, I urge a unanimous vote in support of this congratulatory resolution on Dartmouth's 200th birthday.

Mr. Speaker, this college which was described in 1819 by Daniel Webster as "a small college—and yet there are those who love it," has grown into a great institution serving the educational needs of more than 3,000 students. Dartmouth College today has endowments valued at more than $130 million and expends more than $20 million per year for education and general operating purposes.

Dartmouth provides a wide and modern curriculum in the liberal arts. The college also includes a School of Medicine which dates back to the year 1797, the Thayer School of Engineering established in 1871, and the Tuck School of Business Administration founded in 1890.

The late Ernest Martin Hopkins, who was president of the college when many of us were students there, set forth Dartmouth's main objective when he declared that Dartmouth's concern is "not for what men shall do, but for what they shall be."

Dartmouth College has set an example in providing educational opportunities for disadvantaged young men. The so-called ABC program has demonstrated successfully that those who have an educational potential can be adequately assisted during the summer months to the point where they can enter college and receive the decided advantage of a higher education experience.

Dartmouth College has been a leader in many innovative educational programs. Indeed, under the leadership of its president, John Sloan Dickey, it has risen to a position of preeminence among the institutions of higher learning in the Nation.

The plans for Dartmouth's third century are already set forth in an ambitious program estimated to cost $51 million, most of which will be contributed by her alumni. We can expect that a display of the proverbial "Dartmouth spirit" will result in the attainment of the college's new goals.

Mr. Speaker, in terms of most State universities, Dartmouth is small, and it is my hope that it will remain so. But, while remaining small in the size of its student body, I suggest that it will continue to have a great influence on the minds of those who have the privilege of attending Dartmouth College in Hanover, N.H., on the Nation, and in the world.

Mr. MONAGAN. Mr. Speaker, I am happy to state my support of House Concurrent Resolution 114 which expresses the congratulations of the Congress of the United States on the 200th anniversary of the founding of Dartmouth College. As an alumnus of this institution of the class of 1933, I was happy to cosponsor this resolution with the other Dartmouth alumni whose names appear with mine.

Dartmouth College, created by royal charter and organized by Eleazar Wheelock, is one of the historic institutions of higher learning in our Nation. Over the last two centuries, our college has been a source of learning and inspiration and the men who have been sent forth from Hanover have left their imprint upon the life of the Nation.

Dartmouth alumni have served with distinction in public life, in education, in the ministry, and in the Nation's business enterprises. They have been characterized with a ruggedness of thought and an independence of opinion that have had their origin in their education in the hills of New Hampshire.

The success of Dartmouth's modern era can be attributed to three great presidents—President Tucker, President Hopkins, and President Dickey. I have been privileged to know the last two whose service has covered a period of 53 years. An alumnus would be ungrateful and negligent indeed who did not emphasize clearly the debt which the Dartmouth we know owes to Ernest Hopkins and John Dickey, not only for expanding the physical and intellectual resources of the college, but, also, for maintaining its balance and direction in a world of conflicting and changing ideologies.

Dartmouth today shares the turmoil that besets the acedamic world. The challenge of the revolutionaries threatens the stability and continuity of traditional liberal arts institutions such as ours. In many ways, their very receptivity to challenge and differences of opinion has made them prey to the dedicated and destructive dissidents.

As we near the celebration of Dartmouth's 200th birthday, it is my fond hope that Dartmouth will survive this challenge, that the firmness and determination which have characterized her administration in the past will continue, and that with informed management of the current crisis of our Alma Mater will in the future move forward to even greater contribution toward the maintenance of a free and just America.

Mr. SCHNEEBELI. Mr. Speaker, it is a source of great satisfaction to Dartmouth men to realize that the Congress of the United States, through the medium of House Concurrent Resolution 114, has recognized the 200th anniversary of the founding of Dartmouth College. As a graduate in the class of 1930, I was honored in being asked to cosponsor this resolution with the other Dartmouth alumni here in Congress.

The Dartmouth family is properly proud of the long tradition and fine heritage which the school has enjoyed and which has placed the college in the front ranks of the American higher education system. The continued advance being made by the independent college oganizations in this country is a healthy sign of progress toward the achievement of the American ideal. The loyal sons of Dartmouth constitute a close-knit group who continue to show the influence which this institution has left upon them.

It is recognized that much of the success of Dartmouth in the 20th century may be attributed to its three great presidents—Tucker, Hopkins, and Dickey.

I was fortunate in knowing the latter two gentlemen personally and have benefited from their sage counsel. It is encouraging to know that the people of this country, through the voice of the Members of Congress, salute and recognize the fine enduring influence which this college has brought to bear.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On page 1, strike out all "Whereas" clauses.

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the resolution just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. SPRINGER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 50]

Adair
Anderson, Ill.
Annunzio
Arends
Bates
Blanton
Blatnik
Bolling
Broyhill, Va.
Cabell
Cahill
Carey
Celler
Clark
Clay
Conte
Cunningham
Daddario
Davis, Ga.
Diggs
Edwards, La.
Fish
Fisher
Ford,
 William D.
Gallagher
Green, Oreg.
Gubser
Hagan
Hébert
Kirwan
Landrum
Lowenstein
Mailliard
Mink
Murphy, N.Y.
Nix
O'Neal, Ga.
Ottinger
Pike
Powell
Pryor
Rarick
Reid, Ill.
Reifel
Rivers
Ronan
Rumsfeld
Scheuer
Shipley
Stafford
Stephens
Symington
Teague, Tex.
Ullman
Whalley

The SPEAKER. On this rollcall 377 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

OUTSTANDING TEACHER AWARD TO MISS BARBARA GOLEMAN, OF FLORIDA

(Mr. PEPPER asked and was given permission to address the House for 1 minute.)

Mr. PEPPER. Mr. Speaker, we of the Florida delegation were very much thrilled yesterday that a lovely lady, who happens to be, I am proud to say, from my congressional district, Miss Barbara Goleman, was the recipient, in the beautiful rose garden at the White House, from the President of the United States, of the National Teacher of the Year Award.

Miss Goleman was accompanied by her mother and father. She was also accompanied by our distinguished State superintendent of public instruction, the Honorable Floyd Christian; the superintendent of public instruction for Dade County, the Honorable E. L. Whigham; and the chairman of the Dade County Board of Public Instruction, the Honorable G. Holmes Braddock.

Miss Goleman was also accompanied to the White House ceremony, attended by the members of our delegation, by three outstanding students: Kenneth Mayland, who has won a scholarship to the Massachusetts Institute of Technology; Jose Mateo, a Cuban refugee, the president of the Jackson student body, who has a scholarship to Princeton; and another young lady, Velma Rolle, a native of Bimini, an outstanding student at the Miami Jackson High School.

Miss Goleman and these students and our officials represent the finest in educational leadership in our country. We are very proud that for the first time not only for Florida but also for the South this distinguished award by our President, in the presence of our delegation, has been bestowed upon Miss Barbara Goleman, an outstanding teacher in Miami Jackson High School.

SECOND ANNUAL REPORT ON THE ADMINISTRATION OF THE HIGHWAY SAFETY ACT OF 1966—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-109)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the provisions of section 202 of the Highway Safety Act of 1966, I am transmitting herewith for the information of the Congress the Second Annual Report on the administration of the Act.

The report covers the period January 1 through December 31, 1968.

RICHARD NIXON.

THE WHITE HOUSE, *April 28, 1969.*

SECOND ANNUAL REPORT ON THE ADMINISTRATION OF THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–110)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the provisions of section 120 of the National Traffic and Motor Vehicle Safety Act of 1966, I am transmitting herewith for the information of the Congress the Second Annual Report on the administration of the Act.

The report covers the period January 1 through December 31, 1968.

RICHARD NIXON.

THE WHITE HOUSE, *April 28, 1969.*

VETERANS' BENEFITS CALCULATOR

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91–168) on the House concurrent resolution (H. Con. Res. 35) authorizing the printing of additional copies of a veterans' benefits calculator, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 35

Resolved by the House of Representatives (the Senate concurring), That after the conclusion of the second session of the Ninety-first Congress there shall be printed fifty thousand two hundred and forty copies of a Veterans' Benefits Calculator prepared by the Veterans' Affairs Committee of which two thousand copies shall be for the use of the Veterans' Affairs Committee, two thousand copies for the use of the Committee on Finance, thirty-seven thousand four hundred and eighty-five copies for the use of the House of Representatives, and eight thousand seven hundred and fifty-five copies for the use of the Senate.

With the following committee amendments:

Page 1, line 4, following the word "thousand", strike out "two hundred and forty" and insert in lieu thereof "and seventy".

Page 1, line 9, strike out "four hundred and eighty-five" and insert in lieu thereof "three hundred and fifteen".

After line 11, add the following new section:

"SEC. 2. Copies of such document shall be prorated to Members of the House of Representatives and Senate for a period of sixty days, after which the unused balance shall revert to the respective House and Senate document rooms".

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SUMMARY OF VETERANS' LEGISLATION REPORTED, 91ST CONGRESS, FIRST SESSION

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. 91–169) on the concurrent resolution (H. Con. Res. 95) authorizing certain printing for the Committee on Veterans' Affairs, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 95

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Committee on Veterans' Affairs of the House of Representatives fifty-six thousand one hundred copies of a publication entitled "Summary of Veterans Legislation Reported, Ninety-first Congress, First Session", with an additional forty-three thousand nine hundred copies for the use of Members of the House of Representatives.

With the following committee amendment:

After line 8, add the following new section:

"SEC. 2. Copies of such document shall be prorated to Members of the House of Representatives for a period of sixty days, after which the unused balance shall revert to the House document room."

The committee amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

OUR AMERICAN GOVERNMENT

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. 91–170) on the concurrent resolution (H. Con. Res. 162) authorizing the printing of the book, "Our American Goverment," as a House document, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 162

Resolved by the House of Representatives (the Senate concurring), That,

SECTION 1. With the permission of the copyright owner of the book, "Our American Government and How It Works: 1001 Questions and Answers by Wright Patman, Member of Congress", published by Bantam Books, Incorporated, there shall be printed as a House document, with emendations, the pamphlet entitled "Our American Government. What Is It? How Does It Function?"; and that there shall be printed one million eighty-four thousand additional copies of such document, of which two hundred and six thousand copies shall be for the use of the Senate, and eight hundred and seventy-eight thousand copies shall be for the use of the House of Representatives.

SEC. 2. Copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House document rooms.

The SPEAKER. The gentleman from Pennsylvania (Mr. DENT) is recognized

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DENT. I am glad to yield to the gentleman.

Mr. GROSS. I am curious to know whether in such a case, as is covered by House Concurrent Resolutions 162 and 192 whether the original authors of these publications are remunerated in any way by these publications.

Mr. DENT. No—Absolutely not. There are no royalties attached to any of them.

Mr. GROSS. I thank the gentleman.

Mr. DENT. You are welcome.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SCHOOL PRAYER HEARINGS

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration I submit a privileged report (Rept. No. 91–171) on the concurrent resolution (H. Con. Res. 183) to provide for the printing of 1,000 additional copies of school prayer hearings and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 183

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on the Judiciary, House of Representatives, one thousand additional copies each, to be printed concurrently with the publications entitled "Proposed Amendments to the Constitution Relating to Prayers and Bible Reading in the Public Schools, Hearings Befor the Committee on the Judiciary, House of Representatives, parts 1, 2, and 3", Eighty-eighth Congress, second session.

With the following committee amendment:

On page 1, lines 4 and 5, strike out the words "each, to be printed concurrently with" and insert in lieu thereof the words "each of".

The committee amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HOW OUR LAWS ARE MADE

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. 91–172) on the concurrent resolution (H. Con. Res. 192) to reprint the brochure entitled "How Our Laws Are Made," and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON RES. 192

Resolved by the House of Representatives (the Senate concurring), That the brochure entitled "How Our Laws Are Made", by Doctor Charles J. Zinn, law revision counsel of the House of Representatives Committee on the Judiciary, as set out in House Document 125 of the Ninetieth Congress, be printed as a House document, with emendations by the author and with a foreward by the Honorable Emanuel Celler; and that there be printed two hundred and thirty-nine thousand five hundred additional copies, of which twenty thousand shall be for the use of the Committee on the Judiciary and the balance prorated to the Members of the House of Representatives.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF A REVISED EDITION OF "THE CAPITOL"

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-173) on the concurrent resolution (H. Con. Res. 193) authorizing the printing as a House document of a revised edition of "The Capitol," and providing for additional copies, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 193

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document with illustrations, a revised edition of "The Capitol", compiled under the direction of the Joint Committee on Printing; and that four hundred and sixty-nine thousand additional copies shall be printed, of which four hundred and thirty-nine thousand copies shall be for the use of the House of Representatives and thirty thousand copies shall be for the use of the Joint Committee on Printing.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT ENTITLED "UNSHACKLING LOCAL GOVERNMENT (REVISED EDITION)"

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-174) on the resolution (H. Res. 185) authorizing the printing of additional copies of a House report of the 90th Congress, second session, entitled "Unshackling Local Government (Revised Edition)," and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 185

Resolved, That there be printed for the use of the Committee on Government Operations two thousand five hundred additional copies of House Report Numbered 1270 of the Ninetieth Congress, second session, entitled "Unshackling Local Government (Revised Edition)."

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DENT. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I am again curious to know what constitutes an emendation.

Mr. DENT. Extra remarks that are added to the original script. It is in the nature of a correction.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PRINT ADDITIONAL COPIES OF HEARINGS ON THE NOMINATION OF WALTER J. HICKEL TO BE SECRETARY OF THE INTERIOR

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-175) on the Senate concurrent resolution (S. Con. Res. 5) to print additional copies of hearings on the nomination of Walter J. Hickel to be Secretary of the Interior, and ask for immediate consideration of the Senate concurrent resolution, as follows:

The Clerk read the Senate concurrent resolution.

S. CON. RES. 5

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Interior and Insular Affairs five thousand copies of a compilation of parts 1 and 2 of the hearings entitled "The Nomination of Governor Walter J. Hickel, of Alaska, to be Secretary of the Interior" held January 15–18, and 18, 20, 1969.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

TO PRINT AS A SENATE DOCUMENT STUDIES AND HEARINGS ON THE ALLIANCE FOR PROGRESS

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-176) on the Senate concurrent resolution (S. Con. Res. 15) to print as a Senate document studies and hearings on the Alliance for Progress, and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 15

Resolved by the Senate (the House of Representatives concurring), That there shall be printed as a Senate document a compilation of the studies on the Survey of the Alliance for Progress prepared at the request of the Subcommittee on American Republics Affairs, Committee on Foreign Relations, and the hearings held relating thereto, with illustrations.

SEC. 2. There shall be printed three thousand additional copies of such Senate document. Such additional copies shall be for the use of the Committee on Foreign Relations.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF THE EULOGIES ON DWIGHT DAVID EISENHOWER

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-177) on the Senate concurrent resolution (S. Con. Res. 16) authorizing the printing of the eulogies of Dwight David Eisenhower, and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 16

Resolved by the Senate (the House of Representatives concurring), That there be printed as a Senate document the eulogies on Dwight David Eisenhower delivered in the Congress; the eulogy delivered by President Nixon and the benediction by the Reverend Doctor Elson in the Rotunda of the Capitol on Sunday, March 30; and the text of the funeral service, including prayers and scriptural selections read by the Reverend Doctor Elson, at Washington Cathedral, on Monday, March 31, 1969.

Resolved further, That the copy shall be prepared and bound in such style as the Joint Committee on Printing may direct.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

COAST GUARD AUTHORIZATION

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 369 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 369

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4153) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Mississippi (Mr. Colmer) is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the gentleman from California (Mr. Smith), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 369 provides an open rule with 1 hour of general debate for consideration of H.R. 4153 to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

The trend for the Coast Guard is very interesting. In 1965, the amount authorized was $85 million; in 1966, $115 million; in 1967, $103 million; in 1968, $107 million; in 1969, $90 million; and, for fiscal year 1970, the amount sought in the bill as introduced was $82.8 million. During those years the missions of the Coast Guard increased and the needs for its services have expanded. The Committee on Merchant Marine and Fisheries reported the bill amended with an increased total authorization of $142.8 million.

In the authorization for procurement, increasing capability and extension of service life of vessels, the committee increased the procurement of high-endurance cutters from one to three, and increased the authorization from $23 million to $55 million.

In the authorization for procurement and extension of service life of aircraft, the committee increased the procurement of medium range helicopters from six to nine, and increased the authorization from $11 million to $17 million.

The bill as introduced authorized $37 million for establishment or development of installations and facilities. The committee increased the number of facilities involved and increased the authorization to $57 million.

For payment to bridge owners for the cost of alteration of railroad and public highway bridges to permit free navigation, the committee increased the authorization from $9 to $12 million.

Coast Guard activities cover a wide range and it has operated through the years with unfailing efficiency.

Mr. Speaker, I urge the adoption of House Resolution 369 in order that H.R. 4153 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 369 provides for 1 hour of general debate, with an open rule, for the consideration of H.R. 4153, the Coast Guard authorization bill.

The purpose of the bill is to authorize for fiscal 1970 the Coast Guard acquisition, construction, and rivers improvement programs. The original bill called for authorizations totaling $82,800,000. After hearings, the committee increased the authorizations to $142,800,000 in the reported bill.

The bill authorizes the construction of three high-endurance cutters—the original bill authorized one. These additional two cutters increase the authorizations contained in the bill by some $21,900,000. In support, the committee notes that most of the current 33 cutters operated by the Coast Guard are greatly over age and only eight are new vessels. In such cases operational maintenance becomes as costly as new construction.

The bill also authorizes construction of one buoy tender and improvements in existing high endurance cutters to make them more up to date.

The original bill authorized $11,924,000 for aircraft procurement and improvement. The reported bill increases this authorization to $17,188,000. The increase is caused by enlarging the procurement of helicopters from six to nine. These aircraft are used primarily as rescue and recovery vehicles. Also included in the aircraft authorization is funding for the replacement of the center wing box support beam on 16 C–130 transport aircraft operated by the Coast Guard. Metal fatigue has appeared and the beams must be replaced to insure safety.

Construction authorizations are increased from $37,788,000 to a new total of $57,378,000. Some 33 projects, including a radio station, personnel facilities, navigational facilities, and general modernization and upgrading of existing facilities are authorized.

Finally, the bill increases the authorizations for bridge alterations from $9,404,000 to $12,650,000. The report notes that at the present time there is a backlog of alterations to bridges which has already been deemed to be hazardous to navigation which exceeds $40,000,000 in costs. The committee believes that work must be speeded up on these projects.

The previous administration supported the introduced bill by letter dated January 16, as did the Bureau of the Budget. The report gives no indication of the present administration's position, either to the original bill or to the reported bill.

There are no minority views.

Mr. Speaker. I urge the adoption of the rule.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. GARMATZ. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideraton of the bill (H.R. 4153) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

The SPEAKER. The question is on the motion offered by the gentleman from Maryland.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4153, with Mr. Gilbert in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Maryland (Mr. Garmatz) will be recognized for 30 minutes, and the gentleman from Massachusetts (Mr. Keith) will be recognized for 30 minutes. The Chair recognizes the gentleman from Maryland.

Mr. GARMATZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I know that I need not devote any time to calling the attention of this body to the activities of the Coast Guard. We know that they range from minimizing the effect of oil spills, through protection of our shipping from icebergs to protecting the vast number of small boat users in our country.

Over the years, not only has the number of missions assigned to the Coast Guard grown but virtually all of them have increased in size and importance.

During the past year, we have seen the Coast Guard coping with two major oil spills in Puerto Rico and California, and right at this moment they are devoting a major effort to assist victims of floods in the Middle West. Within the past 3 years, they have taken over the responsibility for removal of bridge obstructions which impede navigation on our inland navigable waters.

The exploits of the Coast Guard in Southeast Asia are too well known to require extended comment.

At the present time, there are five large cutters and twenty-six 82-foot patrol boats maintaining a vigil over the shoreline. They have compiled a tremendous record in preventing infiltration of men and materials by sea, and, unfortunately, as usual, their exploits have not received proper publicity.

The bill as presented to the committee for consideration totaled $82,800,000. The committee, after hearing the Coast Guard and considering its needs, increased the amount to $142,800,000.

I submit to you that it is not necessary to be an expert in the field of Coast Guard activities to recognize the need for greater expenditures. In the past 5 years, appropriations have averaged almost $100 million per year, but this year only $82,800,000 is sought. I think that the inadequacy of the amount is best shown by the figures on Coast Guard equipment contained in the hearings before the committee. The Coast Guard is presently operating six high-endurance cutters, average age 33 years; 13 high-endurance cutters, average age 27 years; 12 high-endurance cutters, average age 23 years; 10 medium-endurance cutters ranging in age from 24 to 43 years; one cargo and repair vessel constructed in 1945; and nine icebreakers, the newest of which was built in 1954. Its buoy tenders are as old as 37 years.

I submit to you, gentlemen, that if you were aware of the situation, you would hesitate to travel aboard any vessel as old as these. Why then should we require our Coast Guard engaged in our protection to use such vessels?

With respect to shoreside installations, the same situation prevails. We are woefully short of accommodations for Coast Guard men and their families and the organization suffers by comparison with quarters furnished men of the other armed services.

I submit that it is grossly unfair to stint this devoted organization with respect to its needs for our protection. We are not talking about money to be spent in landing a man on the moon; we are talking about providing sufficient equipment to rescue us if through bad luck or bad judgment in the operation of our small boats we get in trouble. We are talking about protecting our people from the consequences of an oil spill and we are talking about rescuing us from the consequences of major floods. These are not unusual—they are things that can happen to us any day and it is important that we provide sufficient tools to the organization devoted to protecting us from such emergencies.

I am fully conscious of the many demands upon our resources, but I feel that we are being penny wise and pound foolish in diverting money from an organization devoted primarily to lifesaving to other fields. We are permitting this great protective organization to slip backward year by year, and the time can come when our failure to supply adequate equipment can result in a very serious tragedy. I hope this does not come to pass. I shall do my utmost to prevent it by providing sufficient money for the minimum needs of the organization. I devoutly hope that the Members of this body will join me in that end.

Mr. KEITH. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I join with my committee chairman in supporting the bill H.R. 4153, which authorizes funds for the Coast Guard for fiscal year 1970. This is the first authorization bill to come before the Congress under the new administration. Some may fear it comes to us as a Trojan Horse. They might ask, "How can we stop inflation if we start right off authorizing more than the Bureau of the Budget thinks justifiable?"

It is true, of course, that we are in the middle of an inflationary cycle or spiral which is most difficult to stop or reverse; but the Coast Guard is an agency of our Government which has been historically overlooked or slighted when it comes to the time to replace our vessels, aircraft, or shore installations.

So, Mr. Chairman, I concur with the chairman of the committee. I believe as he has said that to do other than support this bill, although it is higher than Budget has recommended, would be "pennywise and pound foolish."

We have very carefully examined the proposals of the Coast Guard as reviewed by the Department of Transportation. We have, in my view, come up with a bill calling for the minimum authorization which will enable us to sustain the capability necessary to keep our Coast Guard operational.

In recent months, we have heard much about the deterioration of our Nation's sea power, both with respect to naval ships and merchant vessels. Sadly, very few of us have voiced concern over the similar deterioration of vessels operated by the Coast Guard. By restoring $60 million to this year's authorization, the committee is going on record against any further decline in this vital national service.

Let us look at the question of high endurance cutters.

The earlier appropriation would have permitted only one, while three are desperately needed. It would be false economy to deny the Nation the additional two which the Coast Guard requires. Five of the 33 cutters currently in operation are stationed in the waters of Southeast Asia to help meet our commitments in Vietnam. Of these 33 vessels, six were constructed in 1936 and three are converted World War II seaplane tenders. Except for eight new vessels, all of this class is well overage, averaging 26 years each.

And so, Mr. Chairman, many Coast Guard vessels are reaching a point of no return when they become irrevocably uneconomical to operate. What is more, by not replacing or repairing them, we are, in effect, asking men who serve in the Coast Guard to endure deplorable living conditions. As the Committee on Merchant Marine has justly noted in its report, it is our view that "substantial sums could be saved by accelerating rather than retarding the replacement program as is the present Coast Guard policy."

Mr. Chairman, as the ranking minority member of the Subcommittee on Coast Guard, and as the Representative for Cape Cod and the adjacent area—a haven of small boat activity—I am acutely aware of the need for an effective U.S. Coast Guard. I also know that the many humanitarian services performed by this agency will become less frequent unless the Congress provides adequate funding for the tools of the Coast Guard's trade—vessels, aircraft, shore and offshore facilities.

Mr. Chairman, recently a book entitled "The U.S. Coast Guard" by Capt. Walter C. Capron, U.S. Coast Guard, retired, was brought to my attention. I would like to mention one sentence which stuck in my mind. It is, and, I quote:

> Almost invariably, whenever an economy drive was started by either the Congress or the executive branch, the Coast Guard seemed to be one of the first to feel the pinch.

Today, this Congress faces the problem of budgetary limitations. However, in this bill the urgent needs of the Coast Guard are recognized, and by passing it, we will make possible the refutation of Captain Capron's observation.

Mr. MAILLIARD. Mr. Chairman, I rise to join my colleagues on the Committee on Merchant Marine in support of the Coast Guard authorization bill, H.R. 4153. This legislation is the latest in a series of annual authorization bills which the Committee on Merchant Marine has reported designed to upgrade the various tools employed by the Coast Guard to carry out its many responsibilities.

H.R. 4153 would authorize the appropriation of $142.8 million for fiscal year 1970 for the procurement and repair of vessels and aircraft, construction and renovation of various shore facilities and aids to navigation; and the alteration of bridges over navigable waters which constitute a hazard to navigation.

The Committee on Merchant Marine has consistently authorized funds for the Coast Guard in excess of the President's budget request, and this bill is no exception. While President Nixon did not reduce the amount requested by the prior administration for the Coast Guard, the members of the Committee on Merchant Marine felt that the budget request of $82.8 million was woefully inadequate, and failed to deal realistically with the urgent needs of the Coast Guard, particularly with regard to vessel replacement.

Thirteen of the Coast Guard's fleet of 33 high-endurance cutters are former Navy seaplane tenders designed for operation in protected waters as mobile tenders of Navy flying boats. Their original use dictated a shallow-draft design of relatively light construction. In contrast to this designed use, the Coast Guard has employed these vessels for years on the high seas under the most severe conditions.

It is significant to note that almost the entire fleet of these Navy seaplane tenders has been retired as having served its useful life. The Coast Guard remains the exception and is compelled to retain these 26-year-old ships. The Coast Guard vessel replacement program has averaged about two ships per year since 1964. At that rate, it will take another 7 years to replace this fleet of aged seaplane tenders.

The Coast Guard budget request, as finally approved by the Bureau of the Budget, contained funds for only one new cutter in this replacement program. At that rate, the Coast Guard would be required to retain some of these seaplane tenders in commission until they have seen well over 30 years' service. Undoubtedly, before this were allowed to come to pass, a crash program of replacement would be authorized. The only approach to the problem, however, which makes sense both financially and in terms of the Coast Guard's responsibilities is to provide for the orderly replacement of these ships before such a crisis arises.

The seaplane tenders are only part of the story, however. The Coast Guard maintains six 327-foot high-endurance cutters of the *Secretary* class with an average age of 33 years. It also utilizes twelve 250-foot, high-endurance cutters with an average age of 23 years. A review of the complete inventory of Coast Guard vessels reveals an equally discouraging picture of rapidly aging medium endurance cutters, ice breakers, buoy tenders, and lesser craft. The only bright aspect of this vessel replacement program is the high quality of dedication of the men who are required to serve on and maintain these ships. It is, therefore, our conviction that a three-ship construction program is the minimum which should be funded.

I doubt that we will ever be fortunate enough to reach a position where all of the needs of the Coast Guard can be adequately funded. There always appear to be more programs in search of funds than the Federal budget can support. It is simply a matter of priority, and unfortunately successive administrations and Congresses have failed to give the Coast Guard the high priority it deserves. I believe that the funds authorized in this bill are a step in the right direction, and I urge its overwhelming support by my colleagues. The authorization of funds is, of course, only the first step. It is essential that we continue our support of the Coast Guard and back up our awareness of its needs by appropriating the funds for the entire program set forth in H.R. 4153.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. Clark), chairman of the Coast Guard Subcommittee.

Mr. CLARK. Mr. Chairman, the Coast Guard, as one of the oldest organizations of the U.S. Government, has always played a major part in the welfare of the people whether it be in connection with protecting our shores from smugglers in the very early days, or providing prompt rescue service required by major disasters during the present. Unfortunately, the organization has always been much too modest in expressing its needs with the result that I believe that it has always had far less than the necessary minimum to provide service to our people.

An inspection of its various shoreside installations and a number of its vessels indicates that it is operating beyond reasonable safety limits, and it is unreasonable to ask the devoted officers and men of the organization to risk their lives and well-being unnecessarily in our behalf. We should provide them with adequate equipment and shelter. The fact that we are not doing so is indicated by the recurring item in our bills calling for the increase in habitability standards aboard vessels. What we are admitting thereby is that we are asking these men to live aboard vessels that by any human standards are inadequate. For some reason, we choose to spend money to upgrade vessels that are long since obsolete rather than provide new vessels that would operate more efficiently and more economically. This same approach is contained in this bill and it is my view that we should increase our efforts to provide new equipment so as to reduce this upgrading item that we report annually. There is no question but that new equipment is essential for the continued efficiency of the organization and that appropriations for the past few years have been inadequate to maintain the existing degree of obsolescence, let alone reducing it. Its vessels are getting older and shoreside installations more inadequate, and it is essential that for our own well-being, as well as the Coast Guard, that we make greater efforts to update them.

I feel that the increase reported by the committee in this bill is more than justified and it is my hope that the House will agree with me.

(Mr. DOWNING (at the request of Mr. Garmatz) was granted permission to extend his remarks at this point in the Record.)

Mr. DOWNING. Mr. Chairman, I am seriously concerned over the alarming downward trend in Coast Guard appropriations.

I am aware of the problems confronting the administration, and our Appropriations Committees in trying to meet the many demands upon the taxpayer's dollar, but I feel that economy in this particular area is very dangerous.

Every year there are more small-boat users requiring protection. I have recently read that some of the present Midwest floods are the greatest in a hundred years, and I note the increased incidence of oil spills in our waters. In each case, the Coast Guard is called upon to meet the problems, and thanks to our penny pinching policy, each year it has older and older equipment to work with.

I feel that for our own selfish sakes we should take steps to bring its equipment up to date and, consequently, I support wholeheartedly this bill, as amended by my subcommittee.

Mr. GROSS. Mr. Chairman, will the gentleman from Maryland yield for a minute or two?

Mr. GARMATZ. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I would like to ask the gentleman about the expenditure for the cost of alteration of railroad and public highway bridges. Is it normal procedure that money be authorized to the Coast Guard for the alteration of highway bridges?

Mr. GARMATZ. It comes under the Truman-Hobbs Act, which gives the Coast Guard that responsibility on inland waterways. The amount, I think, was $9 million, and we increased it to $12 million. Generally speaking, there is approximately $40 million worth of construction work that could be carried out if the money were provided.

Mr. GROSS. But is it not the responsibility of the railroads, for instance, to alter or maintain their bridges?

Mr. GARMATZ. It is a joint responsibility as far as finances are concerned.

Mr. CLARK. Mr. Chairman, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Pennsylvania.

Mr. CLARK. This was primarily done because the Corps of Engineers had had the jurisdiction at one time, but now, since the Department of Transportation has the jurisdiction, it is in our area and under our control.

Mr. GROSS. Apparently a substantial amount of money, $6.4 million, will go for alteration or whatever is being done to the Calumet River railroad bridges near Chicago. Is that not correct?

Mr. CLARK. This, ordinarily, I would say to the gentleman from Iowa (Mr. Gross), would come under the Corps of Engineers, but now it comes under the jurisdiction of the Department of Transportation.

Mr. GROSS. It is the first time I have seen this language.

Mr. CLARK. Mr. Speaker if the gentleman from Maryland will yield further, it will not be under the Corps of Engineers at any future time.

Mr. GARMATZ. It has been under the Coast Guard for the last 4 years, I would say.

Mr. GROSS. I thank the gentleman.

Mr. GARMATZ. Generally speaking, on our inland waterways the user is also paying a certain amount of the costs along with the Government.

Mr. FEIGHAN. Mr. Chairman, I urge support of the Coast Guard authorization bill, sponsored by my distinguished colleague, the gentleman from Maryland (Mr. Garmatz), chairman of the House Merchant Marine and Fisheries Committee.

H.R. 4153 authorizes appropriations for the procurement of vessels, aircraft, and construction of shore and offshore establishments for the Coast Guard. This authorization includes funds for the construction of high-endurance cutters, several of which are presently utilized by the Coast Guard as oceanic weather stations, furnishing navigational and weather data to ships and planes. The Coast Guard also has five cutters stationed in the waters around Southeast Asia.

Continuous maintenance by the Coast Guard of its ships, planes, and facilities is necessary to insure their efficient operation at minimal cost. Moneys will be spent to modernize buoy tenders and aircraft, as well as to upgrade facilities at the Coast Guard Academy, and training centers for enlisted men.

Construction of new recovery aircraft is authorized by H.R. 4153, and in response to the lack of adequate housing for Coast Guard personnel, the bill also provides for construction of new family quarters.

Responsibility for alteration of bridges over navigable waters belongs to the Coast Guard and funds are provided for the continuation of their work to eliminate existing obstructions to free navigation. A severe backlog presently confronts the Coast Guard in this area and with increasingly larger ships and greater traffic, it is imperative that the program be permitted to progress.

In recognition, too, of the Coast Guard's responsibilities for direction of cleanup operations in the event of major oil spills, funds have been authorized for increased research and development of advanced techniques so that a problem of this magnitude can be dealt with swiftly and expediently.

The Coast Guard performs a wide range of duties and it is vital to the efficacy of their performance that this legislation be approved. I urge my colleagues to support this bill.

Mr. BYRNE of Pennsylvania. Mr. Chairman, it is difficult to say too much in support of Coast Guard assistance toward all of our people.

From the Ice Patrol through the entire range of merchant marine safety, we are all better off because of the presence of the Coast Guard. By reason of its great work, we can step aboard any steamship operating under the American flag with complete confidence that it is as safe as it can reasonably be made. Countless lives have been saved by the vigilance of the Coast Guard in vessel inspection and personnel licensing.

I am proud to say that we have the best merchant marine in the world, and the Coast Guard can claim a fair share of credit for this fact.

I am heartily in support of this bill and believe that it merits the approval of every Member of the House.

Mr. DOWNING. Mr. Chairman, I submit that we must do our part to upgrade the proud traditions of the Coast Guard by supplying adequate equipment for its needs.

For the past several years, we have endeavored to upgrade its vessels but have met with indifferent success through failure to appropriate sufficient money. At the present time, high-endurance cutters, forced to operate in the rigors of the north Atlantic winters, are as much as 36 years old. We continue to spend money to upgrade these vessels and to provide decent quarters for the men who serve aboard them. Instead, we should be providing new vessels for this service.

The policy of the Coast Guard itself and of the Bureau of the Budget is one of patching and making do. It is my belief that it would be far more economical to provide modern equipment which would do the job better with possibly fewer units, and it would certainly give many of us a greater feeling of confidence to know that this service which functions primarily for our protection has adequate equipment to do its job.

Mrs. SULLIVAN. Mr. Chairman, I cannot say too much in support of this bill. We who live along the inland waterways know of the great assistance rendered to our people. We see the river channels equipped with buoys to promote safe navigation not only for commercial vessels, but also for our small boat people.

We know of the great assistance rendered to flood victims, and we see the presence of the Coast Guard in every major disaster.

As the testimony before the committee revealed all too clearly, Coast Guard equipment on the average is growing older and older. I strongly feel that unless serious attempts are made to arrest the decline, that some day we will wake up to the fact that the Coast Guard is not able to meet its responsibilities and a major tragedy will be the result.

I do not believe for a minute that this bill, as amended, will be sufficient, but it will represent a start toward adequate equipment and, therefore, it has my wholehearted support.

Mr. KASTENMEIER. Mr. Chairman, I would like to explain my negative vote today on H.R. 4153, a bill authorizing procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard. In examining the bill I note that while the original request for vessels was $23,684,000, the marked-up final version called for an additional appropriation of $31,900,000 above the original amount. Heading the procurement list we find three high endurance cutters, instead of the one originally requested. The committee report on the bill states that the Coast Guard is presently operating five high endurance cutters "in the waters of Southeast Asia." What are these cutters doing there?

Mr. Chairman, although I am not well versed in these matters, it has always been my impression that the proper role of the Coast Guard is what its name implies. In addition, I recognize the need for effective performance by the Coast Guard in furnishing navigation and weather data, in search and rescue missions, and in cooperating in various international programs to insure safety on the high seas. I do, however, question the expenditure of additional sums to support the Coast Guard's involvement in the Vietnam conflict, and to a lesser extent the modification of its own vessels to meet Navy requirements.

I have the highest admiration and respect for the Coast Guard and for the dedication of its officers and men. My vote was meant to remind my colleagues that we should not risk the diminution of the capabilities and resources of the Coast Guard needed to perform its own important tasks by unduly expanding its operations into areas and functions outside its proper scope.

Mr. RYAN. Mr. Chairman, H.R. 4153 authorizes $142,800,000 for the procurement of vessels and aircraft and construction of facilities for the Coast Guard—an increase of $60,000,000 over the original budget request of the Department of Transportation which was $82,800,000.

At a time when the Nixon administration has reduced budget requests for critical domestic programs, there is a serious question as to whether or not Congress should increase the fiscal year 1970 Coast Guard authorization. If the agency did not request the additional authorization, in view of the crisis facing our Nation, why should Congress assign a higher prioirty to this area?

The major increase in the bill is $31,900,000 for three high endurance cutters instead of one as originally requested. Five of the Coast Guard's present complement of 33 high endurance cutters are operating in the waters of Southeast Asia.

Although there are worthwhile programs authorized in this bill, including facilities for navigation aids and sewage treatment facilities, I am not prepared to support H.R. 4153 because it provides for the procurement of vessels which are to be used to carry on the war in Vietnam.

As testimony from Deputy Under Secretary of Transportation Charles Baker during the course of the hearings on H.R. 4153 makes clear, the Coast Guard acts during time of war as a supplement to the other branches of the Armed Services. Mr. Baker specified in his testimony before the Committee on Merchant Marine and Fisheries that the Coast Guard is "now providing important support to our military efforts in Southeast Asia"—hearings, page 5.

Admiral W. J. Smith, the Coast Guard Commandant, testified:

> The Coast Guard continues to contribute to the military effort with approximately 1,400 personnel, five high endurance cutters, and 26 patrol boats assigned to duty in Vietnam.
>
> These patrol boats and cutters are utilized in Operation Market Time, patrolling the coast of Vietnam to prevent infiltration and in-country redistribution of Vietcong weapons and supplies, and provide naval gunfire support." (Hearings, p. 31.)

While I regret having to oppose a bill which contains several desirable features, I believe that Congress should refuse to authorize or appropriate additional funds in support of the war in Vietnam. As I have indicated on many occasions before this body, the power of the purse is the only means through which Congress can exercise ultimate control over the conduct of foreign affairs. I regret that the authorization for the procurement of additional vessels has been coupled with authorizations for other projects which I support. Nevertheless, the fact that portions of this bill provide authorization for the construction of vessels earmarked for the Vietnam war necessitates that I vote against it.

Mr. GARMATZ. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated for fiscal year 1970 for the use of the Coast Guard as follows:

VESSELS

For procurement, increasing capability and extension of service life of vessels, $23,684,000.

A. Procurement:

(1) one high endurance cutter;

(2) one coastal buoy tender;

(3) vessel design.

B. Increasing capability:

(1) modify balloon tracking radar for high endurance cutters to improve target acquisition;

(2) install tactical navigational equipment on two high endurance cutters;

(3) increase fuel capacity and improve habitability on three hundred and twenty-seven foot high endurance cutters;

(4) modernize and improve selected buoy tenders.

C. Extension of service life:

(1) Re-engine two ferryboats.

AIRCRAFT

For procurement and extension of service life of aircraft, $11,924,000.

A. Procurement:

(1) six medium range helicopters.

B. Extension of service life:

(1) replace center wing box beam of six HC–130 aircraft.

CONSTRUCTION

For establishment or development of installations and facilities by acquisition, construction, conversion, extension, or installation of permanent or temporary public works, including the preparation of sites and furnishing of appurtenances, utilities, and equipment for the following, $37,788,000.

(1) San Francisco, California: radio station;

(2) Air station, Brooklyn, New York: barracks, messing;

(3) Base, Boston, Massachusetts: improve facilities;

(4) New London, Connecticut: relocate and consolidate facilities;

(5) Base, San Francisco (Yerba Buena Island), California: improve facilities;

(6) Base, San Juan, Puerto Rico: improve facilities;

(7) Loran Station, French Frigate Shoals, Hawaii: bulkhead;

(8) Air Station, Saint Petersburg, Florida: helicopter support facilities;

(9) Base, Mayport, Florida: improve facilities;

(10) Yard, Curtis Bay, Maryland: consolidate and modify buildings;

(11) Various locations: sewage and oil collection; fuel and water catchment systems;

(12) Cape Charles City, Virginia: establish Station;

(13) Houston, Texas: permanent Station;

(14) Kodiak, Alaska: moorings;

(15) Lower Mississippi River, Kentucky and Tennessee: improve facilities for performance of buoyage function;

(16) Various locations: automate light stations;

(17) Various locations: miscellaneous urgent and selected aids to navigation projects;

(18) Academy, New London, Connecticut: library center;

(19) Academy, New London, Connecticut: cadet barracks extension;

(20) Training Center, Alameda, California: enlisted barracks;

(21) Training Center, Yorktown, Virginia: fire station, and operations buildings;

(22) Base, Governor's Island, New York: reserve training center building;

(23) Air Station, Mobile, Alabama: synthetic flight training system;

(24) Various locations: public family quarters; and

(25) Various locations: advance planning, survey, design, and architectural services; and acquire sites in connection with projects not otherwise authorized by law.

BRIDGE ALTERATIONS

For payment to bridge owners for the cost of alteration of railroad and public highway bridges to permit free navigation of the navigable waters of the United States, $9,404,000.

Mr. KEITH (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 1, line 7, delete "$23,684,000." and insert in lieu thereof "$55,584,000.".

On page 1, line 9, delete "one", and insert in lieu thereof "three".

On page 1, line 9, delete "cutter;" and insert in lieu thereof "cutters;".

On page 2, line 15, delete "$11,924,000." and insert in lieu thereof "$17,188,000.".

On page 2, line 17, delete "six" and insert in lieu thereof "nine".

On page 3, line 2, delete "$37,788,000." and insert in lieu thereof "$57,378,000.".

On page 3, following line 5, insert the following: "(3) Station, Scituate, Massachusetts: improve facilities;".

On page 3, line 6, delete "(3)" and insert in lieu thereof "(4)".

On page 3, following line 6, insert the following: "(5) Station, Barnegat, New Jersey: improve facilities;".

On page 3, line 7, delete "(4)" and insert in lieu thereof "(6)".

On page 3, following line 8, insert the following: "(7) Base, Portsmouth, Virginia: relocate and consolidate facilities;".

On page 3, line 9, delete "(5)" and insert in lieu thereof "(8)".

On page 3, line 11, delete "(6)" and insert in lieu thereof "(9)".

On page 3, following line 12, insert the following: "(10) Station, Grays Harbor, Westport, Washington: improve facilities;" and on the following line insert the following: "(11) Station, Neah Bay, Washington: improve facilities;".

On page 3, line 13, delete "(7)" and insert in lieu thereof "(12)".

On page 3, line 15, delete "(8)" and insert in lieu thereof "(13)".

On page 3, following line 16, insert the following: "(14) Air Station, Barbers Point, Hawaii: improve facilities;".

On page 3, line 17, delete "(9)" and insert in lieu thereof "(15)".

On page 3, following line 17, insert the following: "(16) Station, Cape May, New Jersey: shop building;".

The CHAIRMAN. The Clerk will report the remaining committee amendments.

The Clerk read as follows:

On page 3, line 18, delete "(10)" and insert in lieu thereof "(17)".

On page 3, line 19, delete "buildings;" and insert in lieu thereof "buildings, and recondition gantry cranes;".

On page 3, line 20, delete "(11)" and insert in lieu thereof "(18)".

On page 3, line 22, delete "(12)" and insert in lieu thereof "(19)".

On page 3, line 24, delete "(13)" and insert in lieu thereof "(20)".

On page 3, following line 24, insert the following: "(21) Channel Islands Harbor, California: multi-purpose Station;".

On page 3, line 25, delete "(14)" and insert in lieu thereof "(22)".

On page 3, following line 25, insert the following: "(23) Various locations: automatic fixed station oceanographic sensor systems;".

On page 4, line 1, delete "(15)" and insert in lieu thereof "(24)".

On page 4, following line 3, insert the following: "(25) Offshore structure, Portland, Maine: structure to replace lightship;".

On page 4, line 4, delete "(16)" and insert in lieu thereof "(26)".

On page 4, line 5, delete "(17)" and insert in lieu thereof "(27)".

On page 4, line 7, delete "(18)" and insert in lieu thereof "(28)".

On page 4, line 9, delete "(19)" and insert in lieu thereof "(29)".

On page 4, line 11, delete "(20)"" and insert in lieu thereof "(30)".

On page 4, line 13, delete "(21)" and insert in lieu thereof "(31)".

On page 4, line 14, delete "and operations buildings;" and insert in lieu thereof a comma and "operations and medical-dental buildings;".

On page 4, line 15, delete "(22)" and insert in lieu thereof "(32)".

On page 4, line 17, delete "(23)" and insert in lieu thereof "(33)".

On page 4, line 19, delete "(24)" and insert in lieu thereof "(34)".

On page 4, line 21, delete "(25)" and insert in lieu thereof "(35)".

On page 5, line 5, delete "$9,404,000." and insert in lieu thereof "$12,650,000.".

The committee amendments were agreed to.

Mr. BOW. Mr. Chairman, I ask unanimous consent that we may return to page 2, so that I may offer an amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

AMENDMENT OFFERED BY MR. BOW

Mr. BOW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Bow. On page 2, immediately after line 1, insert the following: "None of the vessels authorized herein shall be procured from other than shipyards and facilities within the United States."

The CHAIRMAN. The gentleman from Ohio (Mr. Bow) is recognized in support of his amendment.

Mr. BOW. Mr. Chairman, this amendment is identical to the amendment I have offered for the last 2 years and which has been accepted by the committee which is to protect the shipyards in the United States and to have these ships built here.

I would ask the distinguished chairman of the committee whether he has objection to this amendment and I would also ask the minority member on this side the same question as to the building of these ships in the United States.

Mr. GARMATZ. Mr. Chairman, we have no objection to the amendment offered by the gentleman from Ohio (Mr. Bow).

Mr. KEITH. Mr. Chairman, I, of course, have no objection to this amendment but I do have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. KEITH. Mr. Chairman, if the amendment is adopted and I hope and trust it will be; would that not require the renumbering of the lines in which the earlier amendments have been incorporated into the existing legislation?

The CHAIRMAN. The gentleman may request that the Clerk be authorized to renumber accordingly.

Mr. KEITH. I would so request.

The CHAIRMAN. The gentleman may make the request that the Clerk be authorized to renumber the sections accordingly after the Committee rises and we are in the House.

Mr. BOW. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. Bow).

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GILBERT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4153) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, pursuant to House Resolution 369, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. KEITH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. KEITH. Mr. Speaker, while we were in Committee on the Whole I raised a question, the answer to which indicated that I should ask permission that certain sections be renumbered.

The SPEAKER. The Chair will state in response to the parliamentary inquiry that the gentleman's request will be in order and the gentleman will be recognized to make such a request after the bill is passed.

Mr. KEITH. I thank the Speaker.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken.

Mr. WILLIAMS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 385, nays 2, not voting 46, as follows:

[Roll No. 51]

YEAS—385

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Aspinall
Ayres
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blanton
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Cahill
Camp
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collier
Collins
Colmer
Conable
Corbett
Corman
Coughlin
Cowger
Cramer
Daniel, Va.
Daniels, N.J.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dennis
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Fraser
Frey
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lowenstein
Lujan
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Monagan
Montgomery
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Ruth
St Germain
St. Onge
Sandman.
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—2

Kastenmeier
Ryan

NOT VOTING—46

Anderson, Ill.
Anderson, Tenn.
Annunzio
Baring
Bates
Blatnik
Broyhill, Va.
Cabell
Carey
Chappell
Chisholm
Conte
Conyers
Culver
Cunningham
Daddario
Davis, Ga.
Dent
Edwards, La.
Fish
Frelinghuysen
Fulton, Tenn.
Gettys
Green, Oreg.
Green, Pa.
Hébert
Kirwan
Landrum
Mailliard
Mann
Mollohan
Nix
Ottinger
Pollock
Powell
Rarick
Rees
Reifel
Rivers
Ronan
Scheuer
Sisk
Staggers
Stephens
Symington
Teague, Tex.
Whalley

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Anderson of Illinois.
Mr. Annunzio with Mr. Frelinghuysen.
Mr. Kirwan with Mr. Mailliard.
Mr. Blatnik with Mr. Bates.
Mr. Carey with Mr. Conte.
Mr. Teague of Texas with Mr. Broyhill of Virginia.
Mr. Ronan with Mr. Pollock.
Mr. Sisk with Mr. Cunningham.
Mr. Green of Pennsylvania with Mr. Fish.
Mr. Gettys with Mr. Whalley.
Mr. Staggers with Mr. Reifel.
Mr. Daddario with Mr. Edwards of Louisiana.
Mr. Dent with Mr. Rees.
Mr. Scheuer with Mrs. Chisholm.
Mr. Ottinger with Mr. Nix.
Mr. Stephens with Mr. Fulton of Tennessee.
Mr. Davis of Georgia with Mr. Mollohan.
Mr. Cabell with Mr. Baring.
Mr. Anderson of Tennessee with Mr. Culver.
Mr. Symington with Mr. Conyers.
Mr. Rarick with Mr. Landrum.
Mrs. Green of Oregon with Mr. Chappell.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. Brasco). Without objection, it is so ordered.

There was no objection.

THE 1970 CENSUS

(Mr. FUQUA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FUQUA. Mr. Speaker, while the 1970 census is almost a year away, it is already a matter of active discussion. I have expressed my own belief in the importance of a comprehensive canvass of our population and housing inventory by proposing that the census be conducted every 5 years instead of every 10. As we consider this legislation and other bills affecting the census, I feel we should study carefully the views of others who have independently examined the part the census has played in the Nation's past and the role it continues to play in planning our future.

Prof. Ralph B. Thompson, of the University of Florida, has written an article entitled "The 1970 Census, Benign Servant or Prying Busybody?" for Economic Leaflets, published by the College of Business Administration at the university. I found it both interesting and informative. In order to share it with my colleagues, I enter a copy of Professor Thompson's article in the Record at this point:

THE 1970 CENSUS, BENIGN SERVANT OR PRYING BUSYBODY?

(By Prof. Ralph B. Thompson)

PART I

Next year the United States Census of Population will celebrate its 180th birthday with its 19th "celebration"—the decennial counting of (hopefully) every man, woman, child, and housing unit in the nation. Neither the benefits nor the burdens of this enumeration fall equally on each person except for the theoretical attainment of the one-man, one-vote apportionment of the House of Representatives—a perhaps dubious advantage to the nonvoter. The dollar cost is borne by those who pay federal taxes and, in total, amounts to approximately one dollar per person enumerated.

Another cost, the time and effort expended to reply to the census-takers' questions, is borne by whatever member of the household answers the door or completes the mail-back questionnaire. Still another element of burden is the resentment that many seem to bear against what they believe to be an invasion of privacy. It will be the purpose of this article to describe the many benefits of the federal census, sketch in the dimensions of the current controversy over the propriety of the expanded scope of its questions, and then in another article to portray in some detail the plans for carrying out this tremendous undertaking.

AS LONG AS YOU'RE GOING TO INTERVIEW PEOPLE

The provision in the United States Constitution for a decennial census (Article I, Section II) undoubtedly resulted from the desire to balance power between the small states and the large states. Only by an accurate count could this be done. But as anyone who has ever conducted a survey soon learns, the pressure to expand the number of topics included in a questionnaire is always present.

"As long as you're going to interview people, why not ask them about this or that?" seems such a reasonable request considering the time and effort required to arrange for interviews in the first place. James Madison asked this question of Congress in 1789, and so questions were included on age and sex in the first census. The desire to know the dimensions of the population is prompted by the problems of the times. In 1820, the problems created by immigration led to questions on that subject. Later, problems of unemployment, standards of living, taxation, and crime led to the addition of still more questions.

Additional censuses were conducted simultaneously with the population census covering agriculture, manufactures, mortality, and crime. These were later spun off and conducted at other times. In more recent decades, there have been the separate censuses of business, minerals, governments, and transportation, as well as agriculture, commercial fisheries, and manufactures, which are conducted in years other than those ending in zero. Beginning in 1940, a Census of Housing was carried on along with the Census of Population, and this will be done again in 1970. Such a breadth of activity is possible, of course, only because the Bureau of the Census is a permanent, full-time agency directed by professional demographers and statisticians.

It required 18 months simply to enumerate all the people for the 1790 census. The results were published in a volume of 56 pages. Almost ten years elapsed before the census of 1890 was fully processed even though the Hollerith punch-card machine was developed by an employee of the census in that year. It was not until 1960 that the federal census was fully computerized.

Over the years, as cities grew large enough to develop varieties of neighborhoods, pressures grew to have the census data summarized by areas smaller than towns, townships, or cities. In 1910, census tracts were established in the larger cities so that characteristics of people in small areas could be summarized and neighborhood changes assessed. Not only are these small area statistics useful to city planners and health and welfare agencies, but they are of great value to retailers for locating stores and shopping centers and estimating local markets.

But if city boundaries encompass too large an area to be useful for many purposes, they include too small a territory to adequately describe the mushrooming metropolitan communities with their multiplying suburbs, which were made possible first by rapid transit and later by the automobile. So in 1950, the Standard Metropolitan Statistical Area (SMSA) was created by the Bureau of the Census as a frame for summarizing information. This is a region larger than a city, or in many cases, a county, but smaller than a state. It represents the greater city which is a social, cultural, industrial, and market entity regardless of political boundaries.

USERS AND USES OF CENSUS DATA

The question, "Who needs the census?" is answered by Conrad Taeuber, associate director of the Bureau of the Census as quoted in the University of Missouri's *Business and Government Review* (March-April, 1969), by asking, "Who doesn't need it?" He goes on to point out that, so widely quoted are census figures by publications of all kinds, public and private, that people tend to forget that they had to contribute the data in the first place to make the whole venture possible. From the home town booster (who likes to brag about the growth of his community) to the President of the United States (who is vitally concerned with determining national policy that is based on accurate information) the number and variety of census data users are legion, indeed.

The political use of population information, which gave the original impetus to the constitutional provision for the census, is even more important now in view of the recent court decisions requiring adherence to the one-man, one-vote principle not only for apportioning the House of Representatives but for apportioning state legislatures as well. Pressures to extend the one-man, one-vote principle to city councils, school boards, and special districts are increasing.

Census data are vital as well in carrying out the administrative function of government at all levels. The salaries of public officials in counties and cities are often classified by population size in state statutes. Appropriations for welfare, old-age assistance, school funds, and many other programs are based on the numbers of people to be served. Federal funds are apportioned to states, and federal and state funds are apportioned to counties and municipalities in terms of numbers.

BUSINESS USES OF CENSUS DATA

In 1790, most business was local. New York, the largest city in the nation, had a population of 49,401, Philadelphia had 28,522, Boston, 18,320, and Baltimore, 13,503. No other place had as many as 7,000 people. The percentage of urban population in the United States was 5.1 in 1790, and the state with the greatest proportion of city dwellers was Rhode Island, with 19.0 percent.

Industrial progress from the application of the factory system to the textile industry in the 18th century to the TV dinners of today has been an almost unbroken record of taking production out of the home, the farm, and the shop and putting it into centralized manufacturing plants. In so doing, the business man's emphasis has shifted from a primary concern with production to concern for marketing and the need to learn about and communicate with his customers. These have become increasingly separated from him in space and time and have grown in numbers and in variety of characteristics and needs. As Wroe Alderson, a leading marketing theorist wrote, the problem of the business decision-maker today is one of matching differentiated products with heterogeneous markets. To do this task effectively, information is mandatory. And basic to all other information is the census.

Even the local community has become increasingly a pluralistic society which must be studied with care by every firm who wants to do business in it. The age, sex, marital status, race, occupation, and economic and educational level of people in the census tract, municipality, SMSA, county, or state are important informational resources of the banker, retailer, insurance agent, or real estate broker in searching for customers, seeking qualified labor, or selecting sites for places of business in population centers.

PROBLEM SOLVING

The major problems facing society, such as the deteriorating city, disadvantaged urban and rural people, poverty, education, unemployment, and highway congestion, require as much information about the people involved as it is possible to have. Serving as a base are the census summaries of the people by geographical location, occupation, income level, age, and educational attainment.

Individual students interested in a wide range of political, social, and economic questions mine the census for data and relationships between areas and/or groups. The results of these census-based studies yield ever more accurate knowledge of the complexities of modern society. Commenting on this use of census data as a research resource, Allyn Abbott Young is quoted as writing that "a set of census reports contained enough material to occupy [a young economist's] energies for the rest of his life. . . . The records of our federal census constitute, as a whole, the best general record that any country has of its economic life. . . . I cannot think of any other research task that would promise surer or more valuable results than a systematic use of census materials in an inquiry into any one of an indefinitely large number of problems."

CENSUS FACTS

The particular questions to be asked of respondents by the census-taker are determined by the Bureau of the Census subject to the approval of the Bureau of the Budget. The needs of the users of the statistics govern the selection of questions, and government agencies have top priorities. But advisory committees of men in business, labor, and research also were consulted. In 1966, the Bureau conducted public meetings in 23 cities to obtain suggestions from individuals and groups around the country. The major criteria for inclusion in the final questionnaire are broad public interest. Questions also must not be too complex or too personal. The list for 1970 as finally drawn up differed little from that of 1960. The few new questions to be included for the *1970 Census of Population* were included to help deal with current social problems. The *1970 Census of Housing* has questions added about second homes and dishwashers which have doubtlessly increased in use during the past decade.

Because of criticism about the length of the census questionnaire, it might be well to mention that many of the questions proposed were rejected. Subjects that have not been accepted include those relating to building material, amount of taxes paid, auto accidents, religion, union membership, smoking, stock ownership, and expected family size.

Topics about which questions will be asked in the *1970 Census of Population* are listed in Table 1 together with the percentage of respondents who will be asked each question. Only five of the population questions are asked of each individual. These particular items will provide the information required by the Constitution to determine representation in Congress.

Name and address are also included, which, together with the first five pieces of information, are used to establish identity and prevent double counting. The names and addresses, however, are not transferred to the magnetic tapes used in tabulation to protect the privacy of the individuals concerned, nor are they needed since only the total numbers of people in the geographic subdivisions, counties, and states possessing various attributes are of interest to users of data.

Mr. Lawrence Mosher states in the *National Observer* of September 16, 1968, that, as an added assurance of privacy, the Bureau requires an oath of confidentiality to be sworn to by all employees. Names may not be revealed even to other federal agencies. A penalty of a fine of $2,000 plus a year in jail hangs over the head of any offender, and the Census Bureau claims it has never had any offenses to prosecute.

TABLE 1.—*Comparison of sizes of samples, by item, for the 1960 and 1970 censuses of population*

	Sample percentage	
	1960	*1970*
Relationship to head of household	100	100
Color or race	100	100
Age (month and year of birth)	100	100
Sex	100	100
Marital status	100	100
State or country of birth	25	25
Years of school completed	25	25
Number of children ever born	25	25
Activity 5 years ago	--	25
Employment status	25	25
Hours worked last week	25	25

TABLE 1.—*Comparison of sizes of samples, by item, for the 1960 and 1970 censuses of population*—Continued

	Sample percentage 1960	Sample percentage 1970
Weeks worked last year	25	25
Last year in which worked	25	25
Occupation, industry, class of worker	25	25
Income last year:		
Wage and salary income	25	25
Self-employment income	25	[1] 25
Other income	25	[2] 25
Country of birth of parents	25	20
Mother tongue	25	20
Year moved into this house	25	20
Place of residence 5 years ago	25	[3] 20
School or college enrollment (public or private)	25	20
Veteran status	25	20
Place of work	25	[4] 20
Means of transportation to work	25	20
Occupation-industry 5 years ago	--	5
Citizenship	--	5
Year of immigration	--	5
Marital history	25	[5] 5
Vocational training completed	--	5
Presence and duration of disability	--	5

[1] One item in 1960; separated in 1970 by farm and nonfarm income.

[2] One item in 1960; separated in 1970 by social security, public welfare, and all other receipts.

[3] Also in 5-percent sample as state of residence 5 years ago.

[4] Will include street address if appropriations permit.

[5] In 1960, whether married more than once and date of first marriage; in 1970, also includes whether first marriage ended by death of spouse.

Source: U.S. Department of Commerce, Bureau of the Census, *1970 Census User Guide* (Washington, 1968).

TABLE 2.—*Comparison of sizes of samples, by specified item, for 1960 and 1970 censuses of housing*

	Sample percentage 1960	Sample percentage 1970
Number of units at this address	--	100
Telephone	25	100
Complete kitchen facilities	--	100
Condition of housing unit	100	--
Basement	20	100
Heating equipment	25	100
Commercial establ. on property	[2] 100	100
Value	[1] 100	100
Contract rent	[3] 100	100
Months vacant	25	100
Components of gross rent	25	25
Year structure built	25	25
Number of units in structure	20	25
Whether a trailer	25	25
Farm residence (acreage and sales of farm products)	[2] 25	25
Land used for farming	[2] 25	--
Source of water	[2] 20	20
Sewage disposal	[2] 20	20
Bathrooms	20	20
Air conditioning	5	20
Automobiles	[4] 20	20
Stories, elevator in structure	[5] 20	5
Fuel—heating, cooking, water heating	5	5
Bedrooms	5	5
Second home	--	5
Clothes washing machine	5	5
Clothes dryer	5	5
Dishwasher	--	5
Home food freezer	5	5
Television	5	5
Radio	5	5

[1] 100 percent in places of 50,000 or more inhabitants, 25 percent elsewhere.

[2] Omitted in places of 50,000 or more inhabitants.

[3] For renter-occupied and vacant-for-rent units outside places of 50,000 or more inhabitants.

[4] 20 percent in places of 50,000 or more inhabitants, 5 percent elsewhere.

[5] Collected only in places of 50,000 or more inhabitants.

Source: U.S. Department of Commerce, Bureau of the Census, *1970 Census User Guide* (Washington, 1968).

Questions that provide descriptions of the attributes of people as distinct from counting them are asked of only a sample of all respondents. This not only reduces collection costs but assists in preserving anonymity.

The samples are to be of three sizes: one in four (25 percent); one in five (20 percent); or one in twenty (5 percent). Sample results are weighted by multiplying them by four, five, or twenty to produce estimates for all people in the area, and the individuals to be included in the sample are chosen at random. This is an added protection against disclosure of individual characteristics. Information that serves for apportionment purposes and that needed for city blocks are collected from all individuals on what is called the "short form." Those data which will be tabulated by areas as small as census tracts and most counties will be obtained from 20 or 25 percent of the people, while meaningful breakdowns of the totals from the 5-percent sample will be made only for large cities, SMASs, large counties, and states.

Because of the greater need for block statistics on housing, there are a greater number of questions to be asked on a 100-percent basis as can be seen from referring to Table 2. The greater need results from the current interest by private and public builders, city planners, highway departments, transit systems, and urban renewal agencies in the situations existing block-by-block in our cities. For the *1970 Census of Housing,* the items concerning access to unit, cooking facilities, rooms, water supply, flush toilet, bathtub or shower, tenure, and vacancy status will be collected for the total count in 1970 as they were collected in 1960.

Topics included in the 25-percent sample of population relate generally to education, employment, and income. Languages spoken, movement of residence, place of work, and transportation used will be added for the 20-percent sample. The one-in-twenty person who answers all the questions provides additional sociological information. The inclusion of the address of one's place of work for the 20-percent sample was a datum requested by more census users than any other, so great have become the problems of traffic movements in our cities. In particular, transportation specialists and city planners need this information to do a better job of predicting the needs for more thoroughfares and transit facilities.

THE ATTACK ON THE CENSUS

Despite the long tradition of usefulness represented by the census, it has its detractors. According to the *Newsletter* of January 30, 1969, of the Federal Statistics Users Conference, 27 bills were introduced by 98 congressmen during the first three weeks of the 91st Congress to limit the mandatory questions in the decennial censuses. Most of the bills are identical with H.R. 20 introduced on the first day of the session by Congressman Jackson E. Betts, Republican, of the 8th District of Ohio. Mr. Betts would limit the mandatory questions to six and would remove the 60-day jail sentence for refusing to answer or falsely answering census questions (a maximum fine of $100 would remain). The six questions to be allowed, according to this recommendation, are those in the categories: (1) name and address; (2) relationship to head of household; (3) sex; (4) date of birth; (5) marital status; and (6) visitors in the home at the time of the census.

All other questions would be voluntary. Another bill, H.R. 937 introduced by Congressman John M. Ashbrook (R-Ohio) is similar to the Betts bill but would also limit the sample for the voluntary questions to 2 percent, thereby reducing or eliminating the value of census data applying to small areas. Certainly the elimination of any question on race would greatly hamper efforts to provide useful background information on this explosive problem.

Senator John G. Tower (R–Texas) introduced a bill in the Senate (S. 494) which would require the Secretary of Commerce to review all the questions proposed by the Bureau of the Census and allow only those he deemed essential to accomplishing the purposes of the census.

Mr. Mosher writes in the previously mentioned article that Mr. Betts' assistant wrote a letter in December, 1967, to all congressmen urging that they publicly support his stand. The letter began with a reminder that "January may be a slow month for finding newsworthy subjects for possible releases and newsletters."

Opposition to censuses is not a new phenomenon. According to I Chronicles, as long ago as 1000 B.C., King David experienced difficulties when, "incited by Satan," he ordered Joab to "Go, number Israel, from Beersheba to Dan, and bring me a report that I may know their number." Joab came back and reported that there were 1,100,000 men in Israel and 470,000 in Judah. The Biblical account goes on to state that God was so displeased with David that He sent a pestilence on Israel which killed 70,000 men. He also threatened to destroy Jerusalem until the frightened king built an altar and presented peace offerings. The *Encyclopedia Americana* reports that, in 1723, the governor of New Jersey refused to take a census demanded by the British Board of Trade because "the people would take it as a repetition of David's sin." About the same time, the people of Connecticut and Massachusetts opposed a census because of fear that the data collected would be used to their disadvantage by the British.

Undoubtedly much of the ancient opposition to censuses resulted from the fact that the information was usually used as a basis for conscription or tax assessment. Congressional opponents have not cited such fears or even expressed concern about Satanic inspiration. Congressman Betts lists three reasons for restricting the census:

1. Restoration of the right of privacy by abolishing the "harassing penalty."
2. Reduction in the size and scope of the census in favor of alternative sources of data, i.e., small sample surveys.
3. Prevention of an under count which, according to Mr. Betts, "may result if the present exceedingly long and complex questionnaire is used."

In regard to the first point, Mr. Betts does not question the confidentiality of the information collected and stored by the census but rather emphasizes that the mere "compulsion to divulge personal data" is a violation of the right of privacy. He cites market research surveys as examples of the effective use of voluntary questionnaires. In so doing, he overlooks the fact that without the basic census data upon which to base reliable probability samples, the validity of private surveys would be greatly reduced, if not eliminated. Furthermore, if the mere releasing of information about oneself to a census-taker, when the information will never be stored or released in any way identified with the name of the individual who gave the information, is an invasion of privacy then so are income tax returns, birth registrations, and applications for passports and licenses. The American Civil Liberties Union has reviewed the questions proposed for the 1970 census and endorsed the principle of compulsory questions, except for those on race and ethnic group. Mr. Betts did not include race among his allowable mandatory questions in 1969, although he did in an earlier bill. *Ebony* magazine in an editorial in January, 1969, called for an "accurate black count in the 1970 census." It urged "black organizations, black neighborhoods, and black people [to] cooperate in full with the Bureau of the Census. It is time we know just how many black people there are and how they are faring in relation to the white majority. . . . collection of complete and accurate data will inure to the benefit of the black community, particularly with regard to the many new programs initiated in recent years concerned with housing, health, education, welfare, employment, and so forth."

In regard to his second point, Mr. Betts has exaggerated the number and nature of questions to be asked. As already mentioned above, three out of four people will be asked only five population questions. Thirteen housing questions only will be asked for each household. Of those in the 25-percent sample, 23 additional population questions are to be answered, if the questions apply. Eleven of these would be answered only if the person is over 14. There are 10 additional housing questions. Mr. John H. Aiken, executive director of the Federal Statistics Users Conference, estimates that on the average a person would answer about 30 questions.

This third argument is based on an admitted shortcoming of the 18th census which under counted the population by almost six million persons. But how a shorter questionnaire might help is not made clear. The problem of locating individuals would appear to be due more to the high mobility of many persons or the inaccessability of others who live in the crowded slums or in isolated rural areas. Actually, plans to utilize the mail in 1970 to reach the vast majority of Americans should release more census-takers to track down the hard-to-locate individuals.

Interdependence in a thousand forms is a fact of life today. That one must be required to release a few facts about himself, his family, and his household (which can never thereafter be traced back to him) is a small price to pay for the better functioning of our institutions.

Neither the University of Florida nor the Bureau of Economic and Business Research take stands on public issues. The writer as an individual does, however, and he urges any readers who wish to have a comprehensive census made in 1970 to write their congressman and tell him so.

Next month, we shall publish another article dealing with the procedures that will be followed in taking the census next year. The article will describe in more detail the type of information that will be made available and the forms in which you will be able to obtain it to meet your informational needs.

SCANDAL AT SBA—II

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GONZALEZ. Last Friday I revealed information which seems very clear and reliable that the assistant to the Administrator of the Small Business Administration has engaged in or attempted to engage in shakedowns of loan applicants. I immediately requested the Administrator to suspend his assistant, Mr. Albert Fuentes, pending a full investigation of the charges.

Today the Administrator said that he was asking the FBI to investigate. Mr. Speaker, the FBI is already investigating, and has been for some days; no request from the Administrator was needed. What is needed is that he should recognize his responsibility for the conduct of his appointee, and that he should recognize his personal responsibility to safeguard the integrity of his agency. There is only one way that he can show the Congress and the public his concern, and that is to suspend Albert Fuentes right now.

I include the following exchange of correspondence at this point:

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., April 29, 1969.

Hon. HENRY B. GONZALEZ,
House of Representatives,
Washington, D.C.

DEAR MR. GONZALEZ: I have received your telegram advising me there is reason to believe that Special Assistant to the Administrator, Albert Fuentes, of the Small Business Administration, has engaged in, or attempted to engage in, shakedowns of SBA loan recipients.

Because of the seriousness of these charges, I have asked the Federal Bureau of Investigation to investigate them as soon as possible. If such charges are true, harm could, of course, come to the Small Business Administration. And, if untrue, the harm that could come to Mr. Fuentes is irreparable. For these reasons, as well as the possibility that criminal violations may be involved, it is particularly important to have a disinterested and experienced organization like the FBI look into the matter.

In the meantime, I would appreciate having the opportunity to discuss the case with you personally. Or, if you prefer, I could have representatives of my staff discuss the case with members of your staff.

I would also be grateful if you would bring to my immediate attention any other information you may now have, or may obtain in the future, concerning the charges against Mr. Fuentes or concerning any other matter which could bring discredit upon SBA.

Sincerely,

HILARY SANDOVAL, Jr.,
Administrator.

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 29, 1969.

Mr. HILARY SANDOVAL, Jr.,
Administrator, Small Business Administration, Washington, D.C.:

Your letter was just handed to me.

I do in fact have reason to believe that your special assistant, Albert Fuentes, has engaged in or attempted to engage in shakedowns of SBA loan applicants.

Your action to ask for an FBI examination of this matter is commendable, but superflous. Mr. Emmanuel Salaiz filed a complaint with the FBI in San Antonio on April 22, and the FBI informed me on April 25 that it was investigating the matter.

The fact that Mr. Salaiz repeated his story to several reliable persons, the fact that he was willing to repeat his story twice under oath, the fact that Mr. Eddie Montez admits Salaiz was asked to give 49% of a corporation to himself and others, (Fuentes being present), the fact that Montez and Fuentes then travelled together Sunday before last, and any number of other factors lend credibility to this complaint.

I believe that it is imperative that you immediately suspend Mr. Fuentes from further duties until this matter is thoroughly investigated. His appointment is your responsibility, and any damage that accrues to SBA as a result of his actions is your responsibility.

Sincerely yours,

HENRY B. GONZALEZ.

MODEL CITIES PROGRAM

(Mr. ASHLEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. ASHLEY. Mr. Speaker, the reorganization of the model cities program, as announced by George Romney, Secretary of Housing and Urban Development, indicates that the Nixon administration wants to expand the program at the same time that it reduces funding.

The result can only be to dissipate money earmarked for model cities activities and to jeopardize the essential purpose of the program which was to find new and innovative means of attacking the root problems of our deteriorating central cities.

In his widely reported statement yesterday, Secretary Romney focused attention on what he described as "critical deficiencies" in the administration of the model cities program which call for immediate correction. It is noteworthy that failure to appropriate sufficient money to properly fund the program was not included among Mr. Romney's list of "critical deficiencies."

According to Mr. Romney, the program has run into trouble because Federal guidelines have forced cities to set model neighborhood boundaries that have been arbitrary; because State governments have not been sufficiently involved; because local authorities have been uncertain as to funds available from Federal departments; and because Federal agencies have not been sufficiently responsive to local proposals reflecting specific local conditions.

Nowhere in Mr. Romney's statement do we find reference to the fact that less than half of the funds authorized in the fiscal 1968 budget for model cities were appropriated, that only $624 million was appropriated out of $850 million authorized in 1969 and that the Nixon administration only recently cut the 1970 budget request for model cities from the $750 million established by President Johnson to $675 million.

Small wonder that Secretary Romney was quoted in an April 7 news conference as saying "there has been too much emphasis on the money aspect."

In my view, Mr. Speaker, the Nixon administration is hedging on the model cities program for the sake of political advantage. It is known that most mayors believe that already insufficient funds will only be dissipated if applied over broader areas but that some others, feeling pressures from citizens outside the model neighborhoods for equal treatment, are insisting that the program be expanded.

The Nixon response has been to scrap uniformity in favor of a local option plan whereby the cities can either expand their program or leave it with the original neighborhoods.

This presents an interesting situation. Since the program was enacted late in 1966, 150 cities have won Federal approval to proceed with model city planning. In fact, approximately 40 cities have completed their initial planning and submitted applications for implementing their model cities programs.

Scores of others are reported to be in final stages of planning. These cities, according to Mr. Romney, can either go forward on the basis of neighborhood boundaries that do not exceed more than

10 percent of the population or they can expand to take in other needy areas of the community. The catch, of course, is that total funding for the model cities program has not been increased to compensate for those cities that may wish to expand. On the contrary, the administration has cut back on the budget request for fiscal year 1970 and it has refused to request the $1.25 billion advance authorization and appropriation for fiscal year 1971 as sought by President Johnson.

How can this eliminate the local uncertainty as to funding stated by Secretary Romney as a "critical deficiency"?

Mr. Romney has also stated:

> Priority consideration will be given to those cities that successfully enlist the participation of private and voluntary organizations in their Model Cities plans.

Does this mean that the ground rules that were established more than 2 years ago are now being changed? If so, should the cities that have already submitted plans be given an opportunity to rework their proposals in order to gain the priority consideration that now is being placed upon the participation of private and voluntary organizations?

It seems to me, Mr. Speaker, that the purpose of the new Romney guidelines and ground rules may be to perpetuate the planning process and to delay expenditure of Federal funds on actual execution or implementation of the programs that are so badly needed.

What Secretary Romney and, indeed, the entire administration will be well advised to bear in mind is the fact that the most dangerous critical deficiency is delay. Cities will welcome improved Federal, State, and local coordination and administration but they will not welcome techniques to postpone action for the sake of budgetary convenience.

SAN FRANCISCO BAY

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. EDWARDS of California. Mr. Speaker, the time has come to speak for the people, 4.5 million of them, who live around the San Francisco Bay, and the hundreds of millions more of all nations, who appreciate San Francisco Bay's beauty and charm.

This bay, my home, has been the subject of man's spoil for more than 100 years. Its expanses have been shrunk, its waters used as an open sewer, its worth to the climate, the beauty of the area and prosperity of the people who live around it depreciated.

Today it is almost too late to save San Francisco Bay, but today is our last and best chance.

For 3 years a devoted and expert group of men and women, the San Francisco Bay Conservation and Development Commission, has worked to make sense out of confusion, to choose between conservation and development on the basis of logic rather than emotion, and to plan for the preservation and improvement of the bay.

Let the bay commission's own words speak for themselves:

> San Francisco Bay is an irreplaceable gift of nature that man can either abuse and ultimately destroy—or improve and protect for future generations. The Bay Plan presented in this (the Bay Commission's) report recognizes that the Bay is a single body of water, in which changes affecting one part may also affect other parts, and that only on a regional basis can the Bay. be protected and enhanced.

I, for one, fully endorse the work of the San Francisco Bay Conservation and Development Commission, and I urge that its workable plan for preservation and enhancement of San Francisco Bay be adopted.

Let me add, that I do not believe we now can save San Francisco Bay for all time, but I do believe we now can lose San Francisco Bay for all time.

Those who wish to fill San Francisco Bay have made their intention brutally clear.

In hearings before the bay commission the would-be fillers said there are plans to fill "only 12 percent of San Francisco Bay," not even mentioning fill plans for those thousands of wetland acres now in salt ponds and diked marshlands.

If the flood gates to fill are opened even only briefly, we will lose the bay by the thousands of acres.

Those of us who wish to save San Francisco Bay are not few in numbers, nor are we of one political persuasion. I know of few other issues, which would unite Jess Unruh and Ronald Reagan, the various factions of the Sierra Club, and the members of the San Francisco Bay delegation to Congress.

But as we celebrate our unity, we must also recognize the strength of the forces against us. The fillers already have demonstrated their power. They will not sleep, when we want to relax, and they will be happy to exploit our mistakes and mutual differences.

What then must our objectives be?

First and foremost, the continuation of the San Francisco Bay Conservation and Development Commission with the full authority to carry out its plan. Second, the establishment of reasonable controls over shoreline and diked wetland areas of the Bay, recognizing that these lands too are subject to the public trust.

These are not unreasonable objectives. What is unreasonable is what has happened to our bay over the past 100 years and what will happen to our bay unless we act now.

The decision lies not with those of us in Congress. It lies with the legislature in Sacramento, and with the people of the bay. If they—you and I—make our wishes known, and make them known so they cannot be mistaken, then the legislature will act.

If not, then San Francisco Bay will be filled.

On the Federal level we will do all we can to save San Francisco Bay. We will support funding for needed water pollution programs, we will fight for tougher air pollution controls, and we will insist Federal installations cease their pollution of the bay.

But, if there is to be a bay to save, then it must be saved here in California by Californians. As a Californian, I join with you in this cause. Let us begin now.

PROPOSED TAX RELIEF FOR THE SICK AND DISABLED

(Mr. LONG of Louisiana asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. LONG of Louisiana. Mr. Speaker, much is being written and said today about reforming the Federal income tax system, not without considerable justification. It is generally recognized that the burden of taxes weighs unjustly upon many individuals and families who command inadequate incomes during these inflationary times. A few days ago I introduced legislation here to give some measure of relief to the American taxpayer by doubling personal income tax exemptions from the present ridiculously low $600 to $1,200.

In our deliberations on tax relief we must not overlook the individual or the family suffering the misfortune of either a physical or mental disability. Many years ago the Congress recognized the unusual financial burdens imposed upon the blind and the aged. Additional $600 exemptions were subsequently provided for the taxpayer or his spouse afflicted with blindness and for the taxpayer or his spouse at age 65. This act of compassion should now be extended to include all who are disabled.

In legislation I am introducing today, Mr. Speaker, I propose to provide a $600 exemption for each taxpayer, spouse and/or dependent afflicted with physical or mental disability for any of a number of reasons.

I believe the Congress should recognize disabilities suffered by persons who are deaf, those who are mute, those of unsound mind, the mentally retarded, the spastic, victims of polio, muscular dystrophy, cystic fibrosis, tuberculosis, terminal cancer, leukemia, chronic hepatitis, chronic emphysema, and rheumatoid arthritis, for those confined to wheelchairs, those who are crippled and must depend upon braces or crutches, for heart patients, and those dependents who are blind and not now covered under the law.

Anyone who has witnessed the great courage of those handicapped individuals struggling to become productive members of society cannot help but lend a helping hand. Anyone who has ever seen the terrible expense of these disabling diseases cannot turn away from the plight of these people. If the Congress is to relieve the heavy burdens of taxes from the backs of our citizens, let us first provide relief to the unfortunate, to the sick and the disabled. Let us demonstrate to the Nation that the Congress responds to the suffering of the needy with true kindness and compassion.

NEW JOB CORPS DIRECTIONS—TOWARD DESPAIR

(Mr. PODELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PODELL. Mr. Speaker, 59 of the Nation's Job Corps centers are to be dispensed with by the administration in order to save an estimated $100 million. They are to be replaced with a lesser number of inner-city centers which are, at this writing, utterly nonexistent.

Between 1,500 and 1,600 youths from the New York City area alone are about to have the door to a better future slammed shut in their faces. In the process, they are about to be dropped unceremoniously back into the environments from which the Job Corps rescued them. Simultaneously, the number of total Job Corps enrollees will be cut from the present enrollment of 35,000 to 24,000. This is one new direction the President obviously chooses to take, and it is most assuredly the wrong one.

Without a full examination of all the facts, the administration has acted precipitously to close the door in the faces of these young people. One can only view this action as an unparalleled tragedy and another log heaved onto a smoldering pile of social problems.

Our society has desperately sought alternatives to offer to bitter and cynical ghetto youngsters. Job Corps was one alternative that offered a road out of their plight and a route to something better. Hesitantly at first, and then with fuller enthusiasm, these young people headed toward light which now will abruptly disappear.

This is not a partisan issue. It is a human question involving our own consciences and capacity for understanding and compassion toward others among us. We have talked unto the brink of eternity about the American dream and the promise of our land. Now we are closing the door upon that dream.

Revolutions are often acts of despair. They are made not by the hopeless, but by those who have glimpsed something better and had it denied them. Today we sow the wind. Tomorrow we reap the whirlwind.

I am much saddened to see such a negation of America's promise by the administration. It is bad enough to take young men from humble hearths and tell them to fight for their country. It is another to deny them that country's dream. It is even worse to continue to preach it as the reality turns to ashes.

I pray that this House will not allow the administration to follow through on this atrocious new direction—toward despair.

A LETTER TO THE PRESIDENT

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, I should like to inform my colleagues that today 26 Members have sent a letter to President Richard M. Nixon which reads as follows:

House of Representatives,
Washington, D.C., April 29, 1969.

The President,
The White House,
Washington, D.C.

Dear Mr. President: The most serious problem which this country faces and which you as our President must deal with every day is the racial confrontation. It shows itself in a multitude of forms: the violent student demonstrations, the wild melees in our ghettos sometimes resulting in burning and looting, the disrespect for law and order. We all know that while violence can never be tolerated—that it too often arises because the peaceful forms of protest, the lawful avenues of dissent, are shut off from those who have been shut out of our society. A vivid and current demonstration of the hopelessness and helplessness which lead to violations of the law and in this case, apparently peaceful non-violent demonstrations, is taking place in Charleston, South Carolina.

In Charleston, hospital workers, seeking the right to unionize so as to be able to attempt in a peaceful way to secure for themselves and their families a decent wage are being subjected to the kind of treatment that those who now make up the great unions of the country were faced with in 1935 when we had the age of the factory sit-ins, when courts enjoined picket lines. The workers of that era, primarily white, overcame the power structure of that day and as a result of their efforts, the Wagner Act was passed which made it clear that collective bargaining from that point on was to be the norm and not the exception. Today in Charleston, the most deprived of our society are seeking the same norm, namely collective bargaining and the power structure is again resisting.

Mr. President, you have the opportunity to use the prestige of your great office and intercede on behalf of our most impoverished citizens who are not on welfare but are attempting to earn a living wage and who need our help. The same issue was present in the Memphis sanitation strike which culminated ultimately in the tragic assassination of Martin Luther King, Jr., who was present for the purpose of leading a protest march in support of the sanitation men on strike. History has a way of repeating itself so that today we see his widow, Coretta King, going to Charleston for that same purpose. We urge you to send your most trusted representative to be present so that those who feel they have no stake in our society will know that the President stands with them.

Sincerely,

George E. Brown, Jr., Henry Helstoski, William L. Clay, Bertram L. Podell, Jonathan B. Bingham, Augustus F. Hawkins, Donald Fraser, Shirley Chisholm, Edward I. Koch, Don Edwards, Ben Rosenthal, Allard K. Lowenstein, James H. Scheuer, Adam C. Powell, Mario Biaggi, Abner J. Mikva, Leonard Farbstein, Charles C. Diggs, Jr., Louis Stokes, William F. Ryan, Glenn M. Anderson, John Conyers, Jr., Jacob H. Gilbert, Frank J. Brasco, Phillip Burton, Edward R. Roybal.

This letter is intended to support the proposal made in the editorial which appeared in the New York Times today—and that editorial reads as follows:

Arrests in Charleston

The strike of hospital workers in Charleston, S.C., has become the country's tensest civil rights struggle—one involving values as fundamental as those in the original battles for school desegregation and equal employment opportunity.

The arrest yesterday of another 150 demonstrators, most of them Negro high school pupils, and the continued presence in Charleston of hundreds of National Guardsmen and state troopers indicate the growing danger of a racial explosion. Yet the situation lends itself to simple solution on a basis that has long been standard in New York and most other states. The central strike demand is for union recognition, exactly the same issue that led to last year's strike of sanitation workers in Memphis, Tenn. Both strikes became national rallying centers for a coalition of union and civil rights groups, rightly angered by the systematic exploitation public agencies were practicing against underpaid black workers at the bottom of the skill ladder.

The Memphis strike was climaxed by the assassination of Martin Luther King Jr., who had gone there to lead a protest march in support of the garbage men. After his death President Johnson sent a special representative to Memphis to take charge of the settlement efforts, a move that brought a relatively swift agreement. President Nixon or Secretary of Labor Shultz ought not wait for tragedy to strike in Charleston before intervening there.

NEVADA, NEW HAMPSHIRE AND SIDE SHOWS TO CIRCUS OF PRESIDENTIAL CAMPAIGN

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONAGAN. Mr. Speaker, several actions have been occurring on State legislative fronts which require a healthy antidote of national disapproval. Nevada has moved to extend its presidential primary election to the first Tuesday in March. New Hampshire has threatened to retaliate and shift its presidential primary from the second Tuesday in March to the last Tuesday in February.

What disturbs me about these actions is the casual and commercialistic attitudes of the State governments involved. The election of the President of the United States is serious business and it is national business. Yet here we are confronted with Nevada taking a step fraught with national implications purely and avowedly for local public relations reasons.

On April 19, a Nevada State senator was quoted on CBS as saying that having the Nation's earliest presidential primary would put Nevada "on the political map" and would "show off to excellent advantage" the State's hotel and other tourist attractions. This particular State senator's goal was to attract enough attention in the television media that Nevada—and one assumes he was thinking of Las Vegas in this context—would be picked as a site for the Republican or Democratic National Convention in 1976 or later.

The election of the President of the United States is too serious a business to become bait for the tourist industry. More important, the time has come to shorten rather than lengthen presidential campaigns. Actions such as ones in Nevada and New Hampshire serve only to protract a political process already too long, too boring, and too wasteful.

I have long urged that our presidential campaigns be shortened to focus attention on issues, to preserve the strength of the candidates, to curb exorbitant costs and wasteful expenditures, and to move the quadrennial contests away from the current tendency of ballyhoo and toward a saner, more rational style.

I have always felt that the public has shared these views with me and I was encouraged to note in the New York Times of November 24, 1968, a Gallup poll survey which recorded 60 percent of the electorate favoring a 5-week presidential campaign. On the basis of this poll, the second Tuesday in March date for the New Hampshire presidential primary—to date the first round in any presidential election—makes the campaign months longer than the voters desire.

Nevada now plans to extend the extravaganza still further. That it is doing so for the worst of reasons only serves to underscore how much the election of the President of the United States is taking on all the characteristics of a circus sideshow. What New Hampshire threatens by way of retaliation to protect that State's immediate interest—whether it be economic or otherwise—is decidely not in the national interest. Here is the classic case where two wrongs do not make a right.

Let us hope that public opinion can be mobilized against this ill considered sequence of actions and that the public officials in both Nevada and New Hampshire will respond by not enacting either of their early primary bills.

PRESIDENT NAMES AMBASSADOR TO JAPAN

(Mr. HANNA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANNA. Mr. Speaker, I noted with a great deal of satisfaction the announcement this morning that the President has named a new Ambassador to Japan, Mr. Meyer. I noted also that there was some comment by the Japanese expressing their concern that Mr. Nixon had not named someone who was an expert in East Asian affairs.

Mr. Speaker, Mr. Meyer has recently served two ambassadorships in the Near East. I would like to point out the fact that Japan has never been better off in terms of the State Department operations than they will be under this administration and I hope and trust that the action we experience in Japanese-American relations will reflect that sentiment.

Mr. U. Alexis Johnson, who is now Under Secretary of State for Political Affairs, knows Japan and has served as Ambassador in that country with effectiveness. He is also an acknowledged expert on East Asian affairs.

Marshall Green who has served for a long period of time in Southeast Asia, and who left the Indonesian ambassadorship, is now sitting as Assistant Secretary for East Asian and Pacific Affairs.

David L. Osborn who is charge d'affaires in Japan has been serving there for some period of time now and knows the Japanese people. He not only speaks Japanese but he also reads it and writes it. He is a real scholar. I think the Japanese are going to be eminently well off in terms of the men whose services they will receive, and I would hope that this augurs well for the delicate negotiations that go on between the United States and Japan in the months that lie just ahead.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. HANNA. I yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Speaker, I would like to say that the Ambassador who is going to Japan is one of the most capable and dedicated diplomats in the service and has been in the last 20 years during which I have been in the Congress. I have known him through boyhood, and knew his two aunts who raised him at Lincoln, Ill. He comes from a great background. He has shown his skills in the department as a great diplomat. The record he made in Iran is unsurpassed. In my opinion this man will make one of the greatest Ambassadors that there has ever been for Japan.

Mr. HANNA. I thank the gentleman from Illinois for his comments and I hope the Japanese will be as much impressed by him as I have been. And let us now see what the record will ultimately show.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. HANNA. I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Speaker, I wish to underline the comments of the distinguished gentleman from Illinois (Mr. SPRINGER). It is my opinion that our friends in Japan have jumped the gun on this thing.

I am personally acquainted with the Ambassador designate and know of his work in the Middle East and in Iran, much of which has not been publicized. I am confident that he will be one of the greatest diplomats in the history of American-Japanese relations.

Mr. HANNA. Mr. Speaker, I hope our Japanese friends are impressed by the bipartisan nature of this exchange. They should be and I hope will be pleased by the show of confidence we have expressed for the President's choice for their country.

I personally hope that they will recognize with us the harsh realities of today as we join in efforts to realize the more desirable opportunities of the future. Mr. Meyer as our Ambassador will, I am sure, help in arriving at mutual and acceptable means of dealing with both of these aspects as we proceed to a renegotiated treaty with our friend and ally, Japan.

A LETTER FROM A CONSTITUENT

(Mr. DICKINSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous material.)

Mr. DICKINSON. Mr. Speaker, I, like the other Members of the House, receive a great deal of mail, I suppose maybe 100 letters a day would be an average, or close to it. But I was impressed very recently by a letter I received from a constituent of mine. It is a very well-conceived and succinct statement of his frustrations, and I believe this letter pretty well reflects the feelings of the average American.

I was so impressed with the letter, Mr. Speaker, that I would like to incorporate it into the RECORD at this point and share its contents with the Members of the House:

APRIL 21, 1969.

Congressman BILL DICKINSON,
House Office Building,
Washington, D.C.

DEAR BILL: What is wrong, when the greatest, most powerful nation on earth can be made into the absolute fool—a position which I feel we maintain today.

First, the Pueblo, a shame strong enough to bring tears to the eyes of any American.

Now, the Connie.

Is the humiliating, cowardly, forgiving acceptance of these things the act of a great country? I do not think so and many people I have talked with do not think so.

I enlisted in the Navy for three years and extended for another during Korea. I enlisted because I thought that, along with a great many others of my generation, that it was the right thing to do—there was a need.

If I were a young man today, I would no more think of enlisting and being a political pawn for our mealy mouthed leaders, than I would think of walking to the moon. I used to think that the "draft card burners" ought to be prosecuted. Today, if I had the choice, I am not at all sure I would not be among them.

Why should anyone fight for a country that will not fight for them?—A country that "writes them off if they step over the imaginary line"—a country that sends "notes of protest" when a United States ship is captured—its crew interned?

What sort of Patriotism does this inspire in our young people? They do not remember what the United States was—they only see what it has become, and this is hardly a pretty picture. We were not born, and we did not become great through meek, timidly "notes of protest" and cowardly leaders. That is a strong word, but it is the only one that fits the situation. I full well realize the horrible consequences of an all out war—but is not the other side faced with the same choice? They have the initiative and courage to pursue and back up their aims. We have not. We have not even the courage to stand up for our rights when we are right.

I love my country—I detest our government—and I do feel there is a definite dividing line between them.

My country is America—it's land, people and cities—the wars fought for a right cause—the people together, building and fighting to win them. Can this be said today? Is there any unity? Are we really fighting to accomplish anything?

I think, Bill, that a good example of what I am talking about would be Korea as compared to Viet Nam. We made the fantastically stupid mistake of letting the country remain divided with today's results. Is there really any question that we will have to fight them again? And now, we want to do the same thing in Viet Nam. Why, why, why? The American people would get behind, and fight for a cause. Freedom is a cause worth fighting for, but not when we are too gutless to declare war for it—when we are too gutless to help out at the Bay of Pigs—when we force our men to fly over strategic targets to bomb a sampan—when we accept a Pueblo situation—and on and on.

When will the line be drawn—with our defeat? I sadly, strongly, suspect this is true.

If we do not have the courage, or the will to help the liberators of Cuba, or the men in our own military when they are in a real bind, can we be expected to actually retaliate if a real attack ever comes—in minutes. We would still be talking when the missiles hit.

During these last three days of shame in which our President has had nothing to offer, do you think the Koreans are doing anything except deciding on the next target? Why not? Will a child continue to raid the cookie jar unless you give him a reason not to?—like a good swat. There *should* be one less Korean airfield in the world today and that perhaps—would be a deterrent. If it were not, justice should be stepped up accordingly after the next incident. To 31 men and their families and children, this was no incident. Unfortunate, but *think*, Bill, how the *next* 31 will feel—or the next 31,000 that fly that and similar missions. How will they feel towards their government knowing that they can be shot down, killed with a protest note being revenge and reward for dying. *That*, Bill, is where patriotism is going. Why fight and risk your life? The other side has an open season on you and you can not lift a finger in return.

What the United States needs to become is a giant Israel. We need to be a nation that is all powerful, in pursuit of peace, but God help those who play games with us. Unless we develop this posture, and quickly, we will go the way of all great nations. Except for our military strengths, does any nation on the face of the earth really respect us? I do not think so and it has all happened since World War II. That is what is being the "good guys" has done for us.

We need to carry the "big stick", both conventional and nuclear, and let the whole world know they are not for show, if need be.

With two dedicated opposing forces such as we have in the world today, the only hope for survival is force. And force is of no value if unused. If I had a shotgun, Bill, and you had a penknife, you would cut me to ribbons if you knew that come what may, I would not shoot.

These "incidents" are an opportunity to retaliate quickly, and harshly and with conventional weapons to show the world that we *will* do it if needed. I do not believe that any major power would go to war over a destroyed airfield (the Connie) or a recapture of our own ship in a foreign port.

There are risks, but we *must* be willing to take them if we are to survive as a nation. After the first few, and our enemies know the outcome of a rash act, the need will disappear.

Bill, I could go on for hours about what is wrong today, and maybe all my solutions are full of holes. I do think, however, that we are heading in the wrong direction.

I am writing this letter to you, and not about you. I know where you stand and admire you very much for it.

I have never written a letter to you or any politician before, but I felt I had to this time. I guess I am what you would call an average American and, Bill, I am *scared*. Not so much for myself, but for my kids and their kids. We are going "down the tubes" and it is up to people like you and me to do something about it.

I just wish you could read this letter to the President because these feelings are felt by many, many people.

Regardless of what a nation *has*, if the people are not united, and have no confidence in their leaders, it is in trouble.

Respectfully,

DON MEYLING.

MISS BERNADETTE DEVLIN JOLTS COMMONS

(Mr. TIERNAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous material.)

Mr. TIERNAN. Mr. Speaker, in view of the recent events in Northern Ireland, I thought it appropriate that my colleagues be able to read Miss Bernadette Devlin's speech given last Tuesday, the day before her 22d birthday, before the House of Commons. Miss Devlin had just won a seat as a Labor Member from Northern Ireland. Minutes after her arrival, she heard a member of Northern Ireland's ruling Unionist Party attack the civil rights movement, of which she is a member, as "infiltrated by Irish Republicans and Communists."

The following, her maiden speech in Parliament, broke every precedent and astonished the House of Commons. I urge my colleagues to peruse it:

A LADY FROM ULSTER JOLTS COMMONS

(By Bernadette Devlin)

I understand that in making my maiden speech on the day of my arrival in Parliament and in making it on a controversial issue, I flout the unwritten traditions of the House, but I think that the situation of my people merits the flouting of such traditions.

I remind the honorable member for Londonderry (Mr. Chichester-Clark) that I, too, was in the Bogside area on the night that he was there. As the honorable gentleman rightly said, there never was born an Englishman who understands the Irish people. Thus a man who is alien to the ordinary working Irish people cannot understand them, and I therefore respectfully suggest that the honorable gentleman has no understanding of my people, because Catholics and Protestants are the ordinary people, the oppressed people from whom I come and whom I represent. I stand here as the youngest woman in Parliament, in the same tradition as the first woman ever to be elected to this Parliament, Constance Markievicz, who was elected on behalf of the Irish people.

This debate comes much too late for the people of Ireland, since it concerns itself particularly with the action in Derry last weekend. I will do my best to dwell on the action in Derry last weekend. However, it is impossible to consider the activity of one weekend in a city such as Derry without considering the reasons why these things happen.

The honorable member for Londonderry said that he stood in Bogside. I wonder whether he could name the streets through which he walked in the Bogside so that we might establish just how well aquainted he became with the area. I had never hoped to see the day when I might agree with someone who represents the bigoted and sectarian Unionist Party, which uses a deliberate policy of dividing the people in order to keep the ruling minority in power and to keep the oppressed people of Ulster oppressed. I never thought that I should see the day when I should agree with any phrase uttered by the representative of such a party, but the honorable gentleman summed up the situation "to a T." He referred to stark, human misery. That is what I saw in Bogside. It has not been there just for one night. It has been there for 50 years—and that same stark human misery is to be found in the Protestant Fountain area, which the honorable gentleman would claim to represent.

"HAVES" AND "HAVE-NOTS"

These are the people the honorable gentleman would claim do want to join society.

Because they are equally poverty-stricken, they are equally excluded from the society which the Unionist Party represents—the society of landlords who, by ancient charter of Charles II, still hold the rights of the ordinary people of Northern Ireland over such things as fishing and as paying the most ridiculous and exorbitant rents, although families have lived for generations on their land. But this is the ruling minority of landlords who, for generations, have claimed to represent one section of the people and, in order to maintain their claim, divide the people into two sections and stand up in this House and say that there are those who do not wish to join the society.

The people in my country who do not wish to join the society which is represented by the honorable member for Londonderry are by far the majority. There is no place in society for us, the ordinary "peasants" of Northern Ireland. There is no place for us in the society of landlords because we are the "have-nots" and they are the "haves."

We came to the situation in Derry when the people had had enough. Since 5th October, it has been the unashamed and deliberate policy of the Unionist government to try to force an image on the civil rights movement that it was nothing more than a Catholic uprising. The people in the movement have struggled desperately to overcome that image, but it is impossible when the ruling minority are the government and control not only political matters but the so-called impartial forces of law and order. It is impossible then for us to state quite fairly where we stand.

How can we say that we are a nonsectarian movement and are for the rights of both Catholics and Protestants when, clearly, we are beaten into the Catholic areas? Never have we been beaten into the Protestant areas. When the students marched from Belfast to Derry, there was a predominant number of Protestants. The number of non-Catholics was greater than the number of Catholics. Nevertheless, we are still beaten into the Catholic area because it was in the interests of the minority and the Unionist Party to establish that we were nothing more than a Catholic uprising—just as it is in the interest of the honorable member for Londonderry to come up with all this tripe about the IRA [the outlawed Irish Republican Army].

TWO INCOMPATIBLE IDEALS

I assure the honorable member that his was quite an interesting interpretation of the facts, but I should like to put an equally interesting interpretation.

There is a fine gentleman known among ordinary Irish people as the Squire of Hoghill. He happens to be the Prime Minister, Capt. Terence O'Neill. He is the "white liberal" of Northern Ireland.

He is the man who went on television and said to his people. "There are a lot of nasty people going around and if you are not careful you will all end up in the IRA. What kind of Ulster do you want? Come with me and I will give you an Ulster you can be proud to live in."

Capt. O'Neill listed a number of reforms which came nowhere near satisfying the needs of the people. Had he even had the courage of his convictions—had he even convictions—to carry out the so-called reforms he promised, we might have got somewhere. But none of his so-called reforms was carried out.

He suggested a points system for the allocation of houses until such time that the Tory Party could see its way to introducing a crash housing program. He suggested that a points system should be introduced, but he did nothing to force the majority of Unionist-controlled councils to introduce it. He thought that his suggestion would be quite sufficient to make everyone doff their caps, touch their forelocks and say, "Yes, Capt. O'Neill. We will introduce it." But the local councils of Northern Ireland do not work like that.

We come to the question of what can be done about incidents like that in Derry at the weekend. Capt. O'Neill has thought of a bright idea—that tomorrow we shall be given one man, one vote. Does he think that, from 5th October until today, events have not driven it into the minds of the people that there are two ideals which are incompatible—the ideal of social justice and the ideal and existence of the Unionist Party? Both cannot exist in the same society. This has been proved time and again throughout Northern Ireland by the actions of the Unionist Party.

In the general election, Capt. O'Neill had the big idea of dividing and conquering. Capt. O'Neill, the "liberal" Unionist, said, "Do not vote for Protestant Unionists because they are nasty fascist people." When the election was over, he had no qualms about taking the number of so-called "fascist" Unionist votes and the "liberal" Unionist votes together, adding them up and saying, "Look how many people voted Unionist."

We, the people of Ulster, are no longer to be fooled, because there are always those of us who can see no difference between the Paisleyite faction and the O'Neill faction, except that the unfortunate Paisleyite faction do not have hyphenated surnames.

So we are faced with the situation that Capt. O'Neill may, in the morning, say, "You now have one man, one vote." What will it mean to the people? Why do the people ask for one man, one vote, with each vote of equal value?

VOTES AND HOUSING

The Unionist policy has always been to divide the people who are dependent upon them. The question of voting is tied up mainly with the question of housing, and this is something which the House has failed to understand.

The people of Northern Ireland want votes not for the sake of voting but for the sake of being able to exercise their democratic rights over the controlling powers of their own areas.

The present system operates in such a way that Unionist-controlled councils and even Nationalist-controlled councils discriminate against those in their areas who are in the minority. The policy of segregated housing is to be clearly seen in the smallest villages of Ulster.

The people of Ulster want the right to vote and for each vote to be of equal value so that, when it comes to the question of building more houses, we do not have the situation which we already have in Derry and in Dungannon.

In Dungannon, the Catholic ward already has too many houses in it. There is no room to build any more in that ward. It would appear logical that houses should be built, therefore, in what is traditionally known as the Protestant ward or, euphemistically, the "Nationalist" or "Unionist" ward, where there is space. But this would give rise to the nasty situation of building new houses in the Unionist or Protestant ward and thus letting in a lot of Fenians who might outvote the others.

I wish to make it clear that in an area such as Omagh, the same corruption is carried on because Protestants need houses and the only place for them is in a Catholic area. The one point that these two forms of activity have in common is that whether they are green or orange, both are Tory. The people of Northern Ireland have been forced into this situation.

I was in the Bogside on the same evening as the honorable member for Londonderry. I assure you, Mr. Speaker—and I make no apology for the fact—that I was not strutting around with my hands behind my back examining the area and saying "tut-tut" every time a policeman had his head scratched. I was going around building barricades because I knew that it was not safe for the police to come in.

I saw with my own eyes 1000 policemen come in military formation into an oppressed and socially and economically depressed area—in formation of six abreast, joining up to form 12 abreast like wild Indians, screaming their heads off to terrorize the inhabitants of that area so that they could beat them off the streets and into their houses.

I also accept that policemen are human and that if someone throws a stone at a man and injures him, whether he be in uniform or out of uniform, if he is human he is likely to lift another stone and, either in self-defense or in sheer anger, to hurl it back. Therefore, when people on either side lose control, this kind of fighting breaks out.

An unfortunate policeman with whom I came into contact did not know who was in charge in a particular area. I wanted to get children out of the area and I asked the policeman who was in charge. He said, "I don't know who is running this lot."

I well understand this kind of situation at individual level, but when a police force are acting under orders—presumably from the top, and the top invariably is the Unionist Party—and form themselves into military formation with the deliberate intention of terrorizing the inhabitants of an area, I can have no sympathy for them as a body. So I organized the civilians in that area to make sure that they wasted not one solitary stone in anger. (Laughter.)

Honorable members may find this amusing, and in the comfortable surroundings of this honorable House it may seem amusing, but at 2 o'clock in the morning on the Bogside there was something horrifying about the fact that someone such as I, who believes in nonviolence, had to settle for the least violent method, which was to build barricades and to say to the police, "We can threaten you."

The honorable member for Londonderry said that the situation has got out of hand under the "so-called civil rights people." The one thing which saved Derry from possibly going up in flames was the fact that they had John Hume, member of Parliament for Foyle, Eamonn McCann, and Ivan Cooper, member of Parliament for mid-Derry, there.

They went to the Bogside and said, "Fair enough; the police have occupied your area, not in the interests of law and order but for revenge, not by the police themselves but because the Unionist Party have lost a few square yards of Derry and people have put up a sign on the wall saying 'Free Derry.' "

The Unionist Party was wounded because nothing can be morally or spiritually free under a Unionist government. They were determined that there should be no second Free Derry. That is why the police invaded that area.

The people had the confidence of those living in that area to cause a mass evacuation and to leave it to the police alone, and then to say, "We are marching back in and you have two hours to get out." The police got out.

The situation with which we are faced in Northern Ireland is one in which I feel I can no longer say to the people, "Don't worry about it. Westminster is looking after you." Westminster cannot condone the existence of this situation. It has on its benches members of that party who by deliberate policy keep down the ordinary people. The fact that I sit on the Labor benches and am likely to make myself unpopular with everyone on these benches (honorable members: "No.")—any socialist government worth its guts would have got rid of them long ago.

A HORRIFYING PROSPECT

There is no denying that the problem and the reason for this situation in Northern Ireland is social and economic, because the people of Northern Ireland are being oppressed not only by a Tory government, a misruling Tory government, and an absolutely corrupt, bigoted and self-interested Tory government, but by a Tory government of whom even the Tories in this House ought to be ashamed.

Therefore I ask that in the interests of the ordinary people there should be no tinkering with the kind of capitalist methods used by both the Northern Ireland Unionist Party and Mr. Jack Lynch's Fianna Fail Party [in the Irish Republic]. It was with no amusement but with a great deal of horror that I heard the somewhat peculiar statement by the right honorable member for Belper (Mr. George Brown) about an O'Neill-Lynch United Party. This brings home to me that honorable members of this House do not understand what is going on. Of all the possible solutions of our problem, the least popular would be an agreement between the two arch-Tories of Ireland.

ON THE FUTURE

I should like in conclusion to take a brief look at the future. This is where the question of British troops arises.

The question before this House, in view of the apathy, neglect and lack of understanding which this House has shown to these people in Ulster which it claims to represent, is how in the shortest space it can make up for 50 years of neglect, apathy and lack of understanding. Short of producing miracles such as factories overnight in Derry and homes overnight in practically every area in the North of Ireland, what can we do?

If British troops are sent in, I should not like to be either the mother or sister of an unfortunate soldier stationed there. The honorable member of Antrim, North (Mr. Henry Clark), may talk till Doomsday about "our boys in khaki," but it has to be recognized that the one point in common among Ulstermen is that they are not very fond of Englishmen who tell them what to do.

Possibly the most extreme solution—since there can be no justice while there is a Unionist Party, because while there is a Unionist Party they will by their gerrymandering control Northern Ireland, be the government of Northern Ireland—is to consider the possibility of abolishing Stormont and ruling from Westminster. Then we should have the ironical situation in which the people who once shouted, "Home rule is Rome rule" were screaming their heads off for home rule, so dare anyone take Stormont away? They would have to ship every government member out of the country for his own safety—because only the "rank" defends, such as the Prime Minister and the Minister of Agriculture.

Another solution which the government may decide to adopt is to do nothing but serve notice on the Unionist government that they will impose economic sanctions on them if true reforms are not carried out. The interesting point is that the Unionist government cannot carry out reforms.

If they introduce the human rights bill and outlaw sectarianism and discrimination, what will the party which is based on, and survives on, discrimination do? By introducing the human rights bill, it signs its own death warrant. Therefore, the government can impose economic sanctions but the Unionist Party will not yield. I assure you, Mr. Speaker, that one cannot impose economic sanctions on the dead.

HOUSE RESOLUTION IN OPPOSITION TO CLOSING JOB CORPS CENTERS

(Mr. RYAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RYAN. Mr. Speaker, today 45 Members of the House have introduced a resolution expressing the sense of the House in opposition to the administration's announced intention to shut down 59 Job Corps centers and camps.

A similar resolution in opposition to shutting down Job Corps centers has been introduced in the other body by 24 Senators.

I would like to stress the broad geographical distribution of the Representatives supporting the sense embodied in the resolution that no Job Corps center or camp should be shut down until Congress has had an opportunity to review the Job Corps program and to chart the future of the centers and camps through the normal authorization and appropriation process.

In a speech delivered on the floor of

the House April 16, I pointed out the disastrous effect the closing of four Job Corp centers would have on the city of New York. Other Representatives have also spelled out the implications these shutdowns will have on their own area of the country. The broad geographical distribution of the opposition to the precipitous decision by the Nixon administration to cut back on these vital programs should in itself convey an urgent message to the President; namely, that he should reconsider this decision. The course upon which the President has embarked—if continued—is bound to aggrevate existing tensions among hard-core unemployed youth and especially among those trainees now involved in Job Corps programs who will be unable to complete the training which has such significance for their future.

Secretary of Labor George Shultz has said that every enrollee whose training center is closed will have an opportunity to transfer to another training program, and that new centers will be built in urban areas. The plain fact, however, is that such centers do not exist. It is difficult to imagine how the Department of Labor intends to accommodate the trainees who wish to transfer with less than half the present 113 Job Corp centers no longer in operation, and $100 million less in the Job Corps budget. It is obvious that many of the trainees, discouraged at this setback in their training, will simply drop out of the Job Corps and return to the streets. To say many of them will be bitter toward the Federal Government for ending their only chance to escape the despair and lack of opportunity of the ghetto is to understate the reaction if the administration proceeds with its plans to shut down 59 centers.

Hearings have been held in both Houses of Congress on the Job Corps, and legislation concerning the future shape of the Job Corps program is pending in both Houses. The resolution we are introducing today asks only that the administration suspend action on its plans to cut back on the Job Corps until Congress has had an opportunity to review the Job Corps in depth and to provide for the program through the normal authorization and appropriation process. In view of the pervasive impact the administration's cutbacks will have, this does not seem unreasonable.

If the Federal budget needs to be economized, badly undernourished domestic programs surely ought not to be the first victims. Let the brunt of budget reductions fall upon those Federal programs most responsible for inflation in the first place; namely, the inflated military budget. The kind of "economizing" proposed by the administration with respect to the Job Corps, in the short run, will produce justifiable bitterness and hostility toward the Federal Government by those millions of Americans who urgently require job training and increased employment opportunities. In the long run, the effect will also be counterproductive. For the contribution these Job Corps trainees could make to the economies of their communities and the Nation far exceed the cost of their training.

The list of cosponsors follows:

JOB CORPS RESOLUTION SPONSORS, APRIL 29, 1969

William F. Ryan (New York).
Joseph P. Addabbo (New York).
Thomas L. Ashley (Ohio).
Walter S. Baring (Nevada).
Jonathan B. Bingham (New York).
John A. Blatnik (Minnesota).
George Brown (California).
James A. Byrne (Pennsylvania).
Phillip Burton (California).
Shirley Chisholm (New York).
John Conyers, Jr. (Michigan).
John C. Culver (Iowa).
John H. Dent (Pennsylvania).
Charles C. Diggs, Jr. (Michigan).
John D. Dingell (Michigan).
Harold D. Donohue (Massachusetts).
Don Edwards (California).
Kenneth J. Gray (Illinois).
Seymour Halpern (New York).
Julia Butler Hansen (Washington).
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Harold T. Johnson (California).
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Claude Pepper (Florida).
Bertram L. Podell (New York).
Thomas M. Rees (California).
Henry S. Reuss (Wisconsin).
Benjamin S. Rosenthal (New York).
James H. Scheuer (New York).
Robert O. Tiernan (Rhode Island).
John V. Tunney (California).

THE LATE PRESIDENT RENÉ BARRIENTOS ORTUÑO OF BOLIVIA

(Mr. de la GARZA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. de la GARZA. Mr. Speaker, I beg your indulgence for these few moments to comment on the untimely and unfortunate death of President René Barrientos Ortuño, of Bolivia. I had the honor and pleasure of meeting President Barrientos upon the occasion of his visit to HemisFair at San Antonio last year. He and his country had close links to Texas and Texans. They had a wonderful and picturesque pavilion at HemisFair, and he had taken pilot training in San Antonio as a young officer from his country. We know that Bolivia is not a rich country and like most small countries, it has many problems, but it is in the fighting and in trying to solve these problems that the lives of many individuals are forged.

René Barrientos Ortuño was one of these. He was a man of the people, he went to and walked among the people; how unfortunate that he should die this way, but perhaps this might after all be the way he might have wished it. He went among the poor, the peasants, the Indians of his country; he brought the government to them; he ate, he drank, he danced with them, and spoke their language; he laughed and cried with them, suffered their ills, and shared their joys. Is this not after all the sacred duty of a president. Yes he was of the military, but should this preclude good government? Of course not. There was honesty and integrity in this man, for none of his actions would indicate otherwise. I therefore very respectfully ask you, Mr. Speaker, and my colleagues to join me in extending our most sincere sympathy and condolences to the Government and people of Bolivia on their loss, and in asking the very able and distinguished Ambassador from Bolivia to our country, His Excellency Julio Sanjines Goytia to make our actions herewith know to his Government and the people of Bolivia and saying to them that one man stood in the chamber of the House of Representatives of the United States of America and said very humbly, but very sincerely, we mourn the passing of René Barrientos Ortuño because he was the president of a sister republic because he was a friend, but most of all because he was a man who saw his duty and he did it; whether he was successful is for history to decide, for us it shall suffice to say, he was a man and he tried; of these there should be more.

A TRIBUTE TO A. PHILIP RANDOLPH

The SPEAKER pro tempore (Mr. Brasco). Under previous order of the House, the gentleman from Michigan (Mr. Diggs) is recognized for 60 minutes.

Mr. DIGGS. Mr. Speaker, April 15 was a day that I believe ought to receive special recognition, the 80th birthday of a man who has done so much in this Nation to break down the encrusted barriers of racial prejudice, Asa Philip Randolph.

Not one of the inspiring achievements of A. Philip Randolph has come easily or quickly. To five decades of leadership in the civil rights movement he has brought unshakeable dignity and a commitment to nonviolence and self-reliance for Negroes which he has both preached and practiced. The son of an impoverished minister, he overcame poverty and many of the handicaps of race. He is a product of a deep faith in man's ability to master his environment through his own efforts.

As a young man Mr. Randolph journeyed alone from his home in Florida to work his way through City College in New York. Deeply moved by the plight of the unskilled worker in our society, particularly Negro workers, he was far ahead of his time in recognizing the necessity for Negro union organization in the battle for civil rights. In the hierarchy of labor his voice was soon heard insistently demanding justice for the Negro worker.

Mr. Randolph undertook one of the toughest organizing jobs in union annals: the 12-year fight to form the Brotherhood of Sleeping Car Porters. In constant fear of idleness and hunger, the porters were afraid to organize. Mr. Randolph began by visiting them secretly in their homes and holding meetings in railroad yards. In 3 years he painfully put together locals with a total of 5,000 members. After 9 years of organizing, the Brotherhood of Sleeping Car Porters in the depression year of 1934 still had no contract, no improved working conditions, and an empty treasury. Finally, in 1937, the long-awaited victory occurred.

Mr. Randolph won a National Labor Relations Board employee election and with it a contract from Pullman. It called for a 40-hour week, a base $100 monthly salary, and machinery for settling grievances.

The history of A. Philip Randolph's immensely fruitful career since that first great victory has been the history of some of the most important gains in the struggle for equal opportunity for Negroes. It was his leadership which led to Franklin D. Roosevelt's writing of the Executive order establishing the wartime Fair Employment Practices Commission. It became the predecessor of today's State and Federal antidiscrimination laws.

In 1948, it was Mr. Randolph who convinced President Truman that Jim Crow and segregation in the Armed Forces had to be eliminated. It was he who conceived the momentous march on Washington in 1963 which had such a profound effect in arousing the Nation to the cause of civil rights.

In the pursuit of justice and the American dream of freedom and opportunity for all, the contributions of A. Philip Randolph to the welfare of our Nation and all our people have been immeasurable. They stand as a great monument to the faith and well-earned pride of a man who has spent his whole life to help his brothers, his fellow men. To him I extend my most profound gratitude and admiration.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. DIGGS. I yield to the gentleman from New York.

Mr. RYAN. Mr. Speaker, I should like to commend the gentleman in the well, the distinguished gentleman from Michigan, for having taken this time to pay tribute to a great and outstanding American leader, A. Philip Randolph, on the occasion of his 80th birthday.

As we look back through the years at the career of this distinguished labor and civil rights leader, as the gentleman in the well has pointed out, under the administrations of Franklin D. Roosevelt, Harry S. Truman, John Fitzgerald Kennedy, and Lyndon B. Johnson, A. Philip Randolph was always in the forefront of the struggle to insure equal opportunity for all Americans. His leadership during those four administrations led the way, first through Executive orders and then through civil rights legislation, in establishing a governmental policy of nondiscrimination.

Mr. Speaker, America owes a great debt to A. Philip Randolph.

A. Philip Randolph began his long career in the labor movement in 1925 when he initiated a 12-year struggle to organize the Pullman porters of America into a strong and effective union. During a period in which the Pullman Co. was reaping high corporate profits, the average Pullman porter was working about 70 hours a week for an average wage of 25 cents an hour. Annual incomes for porters during this period averaged only about $910.

Despite the fact that the Pullman Co. was disinclined to even discuss the unionization of porters, Mr. Randolph persisted in his attempts to gain recognition for his union throughout the 1920's and 1930's. He was recognized as an articulate and dedicated advocate of upgrading the economic condition of the workingman.

Mayor Fiorello La Guardia tried to enlist him as a high official in the New York City government, but Mr. Randolph, who felt he must direct all his energy to the struggle to secure improvements in wages and job conditions, declined the mayor's offer in order to continue his fight on behalf of Pullman porters.

In 1937, with the emergence of the National Labor Relations Board, the long struggle of the Pullman porters finally achieved the changes so long sought. Mr. Randolph was able to negotiate a contract with the company providing for a 40-hour week, a base pay of $100 monthly salary, and the establishment of an arbitration system for settling grievances.

One need only contrast this settlement with the pitiful wages paid before the union was able to achieve recognition as a bargaining entity to appreciate the significance of this success, which can be attributed to the tireless efforts of A. Philip Randolph.

World War II provided thousands of new defense jobs, yet many of these jobs were barred to nonwhites. Recognizing the significance of these jobs for the economic improvement of the Negro, Mr. Randolph organized a march on Washington in protest against racial discrimination in American industry. A hundred thousand Negroes volunteered to engage in the march. The march was called off, at the last minute, in exchange for a Presidential promise of reform, the guarantee of equal working rights, and the creation of the wartime Fair Employment Practices Committee.

Mr. Randolph was also instrumental in creating the pressures for reform which led to President Truman's order to abolish racial segregation in all branches of the armed services. As was the case with the order forbidding discrimination in defense industry, this decision opened up new opportunities for nonwhite servicemen to advance on an equal basis with their white counterparts. Although the struggle to achieve true desegregation in the armed services—particularly with regard to off-base housing—continued for many more years, the breakthrough achieved with President Truman's order to desegregate the various branches of the service was again largely due to the efforts of A. Philip Randolph.

In 1963, Mr. Randolph took on his last great effort, the organization and implementation of the massive march on Washington in support of the enactment of substantive civil rights legislation. I was privileged to take part in that march and recall the spirit of brotherhood and unity that pervaded the entire effort. The Civil Rights Act of 1964 was a result of the march on Washington and the tireless dedication of civil rights leaders such as A. Philip Randolph.

The long career of A. Philip Randolph is ample proof of the energy and dedication which he has brought to public life for over 40 years. I am pleased on the occasion of his 80th birthday to join in this expression of gratitude for his invaluable contribution to the cause of human rights and justice.

I include at this point in the RECORD editorials in honor of his 80th birthday which appeared in the New York Amsterdam News and the AFL–CIO News. I also include an article by Rudy Johnson on the occasion of Mr. Randolph's birthday which appeared in the New York Times on April 15:

[From the Amsterdam (N.Y.) News, Apr. 19, 1969]

Happy Birthday

We're wishing Happy Birthday to a Happy Warrior this week.

We are speaking of A. Philip Randolph, the labor leader, civil rights activist, militant editor and trailblazer who celebrated his 80th birthday on April 15.

Mr. Randolph is truly one of this country's great men, a remarkable man who has worked unceasingly to build a better way of life for black Americans, which in turn would insure a better life for white Americans. He truly was one of the first black power advocates.

The founder of the Brotherhood of Sleeping Car Porters, the militant editor of The Messenger, who was lashing out at Jim Crow as far back as the Wilson Administration, and the man who originated the March on Washington Movement in the early years of World War II—these are some of the more notable accomplishments of A. Philip Randolph.

Governor Rockefeller proclaimed April 15 as A. Philip Randolph Day. We can think of no better man to be so honored at this time. On Sunday, April 20, Mr. Randolph will be honored in Harlem at festivities to be held at Salem Methodist Church in the afternoon. On May 6, he will be further honored at a celebration to be held at the Waldorf Astoria.

He deserves all this and more.

[From the AFL–CIO News, Apr. 19, 1969]

Randolph at 80

On Apr. 15, A. Philip Randolph marked his 80th birthday, a day of tributes and celebration for one of the greatest Negro leaders of the 20th Century.

The very essence of the man and what he stands for is perhaps best grasped by his coworker, Bayard Rustin, in an article in The New Leader. Rustin writes in part:

I think it is part of the greatness of A. Philip Randolph that throughout his 60 years as a leader of Negro Americans, he has maintained a total vision of the goal of freedom for his people and of the means for achieving it. From his earliest beginnings as a follower of Eugene V. Debs and a colleague of Norman Thomas, he has understood that social and political freedom must be rooted in economic freedom, and all his subsequent actions have sprung from this basic premise.

He has identified with the spiritual longings of black people, but has insisted that economic security is the precondition for pride and dignity. While he has felt that Negro salvation is an internal process of struggle and self-affirmation, he has recognized the political necessity of forming alliances with men of other races and the moral necessity of comprehending the black movement as part of a general effort to expand human freedom. Finally, as a result of his deep faith in democracy, he has realized that social change does not depend upon the decisions of the few, but on direct political action through the mobilization of masses of individuals to gain economic and social justice.

Randolph thus stands out among Negro leaders of the 20th Century as a man of both principled idealism and practical accomplishment. He has stood firm against racial separatism—whether advocated in the 1920s by Marcus Garvey or in the 1960s by black nationalists—because of his belief in integration and his knowledge that separatism would mean the continued exploitation and degraduation of black people.

Again, he has rejected elitism—be it in the form of W. E. B. DuBois' concept of "a talented tenth" or of a proposal for black capitalism—because of his democratic commitment and his oppositon to programs that would economically benefit a minority. He has adhered to nonviolence as a moral principle and as the most effective means of political struggle.

Pursuing his conviction that the Negro can never be socially and politically free until he is economically secure, Randolph worked to build an alliance between black Americans and the trade union movement. His first efforts met with strong opposition from Southern oligarchs and powerful business leaders who had traditionally tried to use the Negro to subvert the labor movement. Their tactic was to exploit the Negro's grievous need for employment by inviting him to scab on unionized white workers striking for just demands.

Realizing that the only benefactors of these practices were the exploiters themselves, Randolph embarked upon a crusade opposing any form of strike-breaking by Negroes, advocating instead their full integration into the American trade union movement. Today there are 2 million black trade unionists in America who have attained economic dignity, job security and protection against racial discrimination.

We are still very much in need of the guidance of A. Philip Randolph. As he reaches his 80th birthday, the freshness and the comprehensiveness of his vision remains evident.

[From the New York Times, Apr. 15, 1969]

Randolph, 80 Years Old Today, Reflects on His Fights for Labor

(By Rudy Johnson)

A. Philip Randolph leaned forward on the sofa to stress his point and, with a trace of fire in his eyes, declared:

"You've got to fight for what you get. I've been on one side of many a conference table negotiating agreements, and I don't know of a single instance where anything was given without exacting it from the other side."

The statement, made in an interview yesterday, was typical of the man whose long and fruitful career as a labor leader, civil rights activist, militant editor and gadfly to Presidents, was marked with the struggles that presaged recent gains by Negroes and other members of minority groups.

Mr. Randolph retired last year as president of the Brotherhood of Sleeping Car Porters, of which he was the chief founder in 1925. It had been a long, arduous fight that lasted almost three decades from the first inkling of organizing such a Negro union to signing the first contract with the nation's railroads in 1937.

Today Mr. Randolph is 80 years old, and Governor Rockefeller has proclaimed the day in his name in New York.

On May 6 hundreds of prominent Americans, many of them his associates in the long civil rights fight, will pay him tribute at the Waldorf-Astoria.

GOAL OF THE TRIBUTE

The goal of the birthday tribute will be to raise $250,000 to carry on the Negro leader's life work through the A. Philip Randolph Institute.

Although Mr. Randolph's life work has been full and varied, he said yesterday that throughout all the years he has had primary aim—to unite all the scattered segments of the working classes, the Negro among them.

Sitting in his four-room apartment in the cooperatives owned by the International Ladies Garment Workers Union, 26th Street, and Ninth Avenue, he commented:

"My philosophy was the result of our concept of effective liberation of the Negro through the liberation of the working people. We never separated the liberation of the white working man from the liberation of the black working man . . . the unity of these forces would bring about the power to really achieve basic social change."

But the recent emphasis has been on "race itself," he said. Referring to today's black nationalist movement, he asserted:

"There must be a continuous quest for identification by the Negro, [but] I believe that can be overdone. And I believe the cult of blackness has been overdone. I wouldn't say it has been successful in putting these forces together."

EDITORSHIP IS RECALLED

He went on to describe the days when his editorship of The Messenger, a magazine he and one of his closest associates, the late Chandler Owen, founded in 1917. At that time, his radical writings and soapbox speeches had prompted the Justice Department to call him "the most dangerous Negro in America."

He lashed out at Jim Crowism during the Wilson Administration in his articulate writings and rousing speeches. But he also took issue with other Negroes when, in his estimation, they sought to veer from a path of black alliance with trade unionism. This included the late Marcus Garvey's "Back to Africa" movement, started in 1915.

Mr. Randolph said that throughout his career he and his associates, had always striven to develop the "principle of coalition," after which the united workers would begin to make changes in the capitalistic structure of society. An avowed socialist, he said:

"A larger part of our economy ought to be subject to socialization. Take railroads, airplanes, the buses, medical care. These are areas that should not be subject to exploitation for profit because the people will suffer as a result of that. Great corporate powers are becoming almost unmanageable."

VOICE REMAINS STRONG

As Mr. Randolph talked, he looked much leaner than he had been before he was stricken with a heart ailment several years ago. Most of his life, he had weighed 200 pounds and had been 6 feet tall. But his powerful, resonant voice was still strong.

He recalled some of the highlights of his career, which included origination of a March on Washington Movement in the early years of World War II.

The plan was to assemble thousands of Negroes who would converge on Washington in a demonstration that would protest discrimination in government and the defense plants.

Mr. Randolph and the late Walter White, then director of the National Association for the Advancement of Colored People, had met with President Roosevelt to try to urge him to correct the problem.

But the President resisted the urgings and even sent Mrs. Roosevelt to persuade Mr. Randolph to call the march off. But he was unyielding, and less than two weeks before the scheduled march, on June 20, 1941, the President issued Executive Order 8802 banning discrimination in the war industries and setting up the Fair Employment Practices Committee.

About seven years later, Mr. Randolph's Committee Against Jim Crow in Military Service and Training convinced President Truman to issue an executive order banning discrimination in the armed forces.

But one of Mr. Randolph's most glorious moments came in 1963 when he conceived a March on Washington that was carried out by more than a quarter-million people, black and white, and where the late Rev. Dr. Martin Luther King Jr. delivered his "I Have a Dream" speech.

Mr. Randolph regretted however, that his late wife, the former Lucille E. Green, to whom he had been married 50 years, died only months before the memorable event.

Mr. DIGGS. Mr. Speaker, I thank the gentleman from New York (Mr. Ryan) for his contribution.

Mr. CAREY. Mr. Speaker, it was Rabbi Joshua Loth Liebman, famed author of "Peace of Mind," who, noting the imperative repetition, "justice, justice, shalt thou pursue," in a prophetic Biblical passage, cited those rabbinic teachers who understood their words to signify the pursuit of just ends by just means. All through history we see the tragic conflict of ends with means in those who, blinded by desirable ends, have betrayed those same ends through unworthy means.

In A. Philip Randolph, whom we honor on his 80th birthday, there has always been a harmony of ends and means in which the quest for the distant goal of justice has been marked by faithful adherence to means worthy of that lofty goal. In this there is a lesson for all Americans.

To such integrity he has added that kind of determination which, turning away from any compromise of principle, grows out of a hardheaded, realistic understanding of American society and the disparities between its ideals and its achievements.

He recently observed:

> You've got to fight for what you get" I've been on one side of many a conference table negotiating agreements, and I don't know of a single instance where anything was given without exacting it from the other side.

His is a view reflecting decades of experience in the struggle for civil rights.

At the same time he has always insisted on the "principle of coalition," crossing racial lines, in an abiding loyalty to the ideal of nonviolent resistance which, inspired by India's Gandhi, has brought forth the best in the leadership of the movement for equal justice. Speaking of his basic philosophy recently, he commented.

> We never separated the liberation of the black working man from the liberation of the white working man.

At a time when racial violence, nourished by militant extremists advocating a black and white polarization, is so much a part of our daily news in America, the life of A. Philip Randolph serves as a reminder of another way and as a challenge to all Americans to continue his struggle to both broaden and deepen the realities of social, economic, and political justice.

A simple recital of his life would cover almost every cross-current in the national scene as it involved the Negro community from 1917, when he and an associate founded the magazine the Messenger as a vehicle for his articulate views, to the present day. As a youth he knew at first hand the ugly patterns of racial prejudice which restricted him, for example, to the inadequate "colored section" of his town library. Happily, he was blessed with a father who imbued his son with a sense of pride and self-respect as the fruit of individual character. From this background, strengthened by William E. B. DuBois's classic

"The Souls of Black Folk," he derived his emphasis on the "Talented 10th," the conviction that one in every 10 Negroes should be educated for responsible leadership in behalf of the whole Negro community. Early in life he sought to embody this ideal by organizing the Brotherhood of Sleeping Car Porters after years of often bitter struggle.

Then, during the Second World War, he spearheaded the drive to open war plants to Negroes on a basis of equal right to employment. With the "propaganda of the deed" in place of mere rhetoric, he initiated those pressures which were to result in the historic Executive order of President Franklin D. Roosevelt directing war contractors to abandon color barriers in hiring.

Another great landmark victory occurred in 1948 when he led in organizing the movement which resulted in the famous Executive order of President Truman abolshing segregation in the Armed Forces. Perhaps his greatest moment came when, in 1963, he conceived of the march on Washington, which involved over a quarter-million people, black and white, in a massive and remarkably peaceful demonstration on behalf of civil rights.

More recently he has spoken out forthrightly against "black separatism" by Negro militants, thus continuing his lifelong dedication to equality of opportunity as the best guide to integration. "Black power", he has written, "is neither a program nor a philosophy; it is, like white supremacy, merely a slogan." His warning that "the degradation of segregation (is) the source and cause of the fact that Negroes are at the bottom of the economic, political, and social totem pole in America today" illustrates a hardheaded rejection of any kind of racist mythology, white or black.

In saluting his life and achievement, we honor one whose commitment to the ideals and aspirations of the American promise offers what may well be, in these troubled days, the last, best hope for our society to realize the goal of freedom and justice for all.

Mr. DAWSON. Mr. Speaker, I join with my colleagues today in hailing the 80th birthday of A. Philip Randolph. I have known this pioneer leader of labor for many years, and, in the early days of the unionization of the pullman porters, I was able to lend a helping hand.

Much has been won and much has been accomplished for the Negro worker because of the talents and persistence of Phil Randolph. Our position in organized labor has been established and made secure by his great efforts.

There are still many obstacles and prejudices remaining, but the fight will be won. The day will soon come when black men and white, standing shoulder to shoulder, will bring to all of the people of this Nation the full recognition of and respect for their rights as citizens and their full share of the fruits of our vast spiritual, human and material resources.

Mr. POWELL. Mr. Speaker, few reformers in American history have equaled the performance of that great labor leader and civil rights advocate, A. Philip Randolph, of New York City. As a lifetime admirer and close personal friend of this remarkable man, I would like to extend my best wishes for his health and happiness, on the occasion of his 80th birthday to be celebrated this coming 6th of May.

Most people engaged in the work of reform take up their crusades one at a time, but not A. Philip Randolph. As busy as he was, he always found time to chair my campaigns for reelection. As a labor organizer in the ranks of black workingmen, he found himself involved, from an early date, in two campaigns of equal consequence: labor's rights and civil rights.

In both campaigns he has proven to be, in his own calm, collected, and dignified manner, a veritable whirlwind.

In 1935, following 10 years of organizational work, he was successful in arranging bargaining rights for the Brotherhood of Sleeping Car Porters, of which he was president. Under his leadership, higher wages and shorter hours, with overtime, became a reality for 18,000 union members. The victory stimulated Negro participation in the American labor movement and launched a campaign to end racial discrimination within organized labor itself.

The great American employment boom of the World War II period was initially designed to exclude the black man altogether. Outraged by this development, A. Philip Randolph organized the march-on-Washington movement, in behalf of black employment opportunity, threatening to lead 50,000 blacks in protest to the Nation's Capital. The march was canceled, at the last minute, in exchange for the promise of reform and creation of the wartime Fair Employment Practices Committee.

In 1948 Randolph threatened to call a campaign of mass civil disobedience and nonviolent resistance to protest racial inequality in the Armed Forces. That same year President Truman declared his intention to abolish racial segregation policies in the Armed Forces.

In 1963 Randolph organized the famous march on Washington in behalf of civil rights legislation. Many thousands engaged in the march and in 1964 Congress enacted sweeping civil rights legislation of considerable importance.

Seldom in the history of political reform has a leader so dramatically effected his demands.

As vice president, today, of the American Federation of Labor–CIO, he still maintains this sense of urgency and the fire of a reformer. After 80 years of fighting the forces of reaction, privilege, and aristocratic tradition, he appears ready, now as always, to take on all comers in the interest of genuine democratic principles.

Congratulations, A. Philip Randolph, my very good friend, on the occasion of your 80th milestone of life. You are admired and loved by millions of your fellow men, and I am very proud to have lived with you in the same world, at the same time.

Mr. CELLER. Mr. Speaker, we honor today A. Philip Randolph on the occasion of his 80th birthday. In doing so this day, we are in fact an echo of the tributes paid to him throughout the years by every person of dignity in the United States. A. Philip Randolph made a choice. As a son of an impoverished minister he could have elected to live a life of isolation, bitterness, and frustration, but he chose to take on himself not only the black man's burden but all who felt the pain and deprivation of an unfulfilled life.

He left Florida to seek a way of opening doors to bring to realization the choice he had made.

He attended City College in New York and in 1925 had the vision and the courage to organize the Brotherhood of Sleeping Car Porters. Throughout his life he dramatized the fact that choices must be made, made with the discipline of order and organization. His is one of the most powerful voices in our country today which rouses the conscience of a white America. Presidents have sought his counsel.

Today, he is 80 years of age. His is not the smug satisfaction of looking back on a life that helped change the course of history, but rather, as I know this man, he looks forward to the years yet to come, to fill those days with increased measure of dedication to his vision of a United States which will stand whole again, a United States where neither color nor religion nor national origin will determine the fences that bar entry to the land of opportunity.

Mr. HAWKINS. Mr. Speaker, A. Philip Randolph occupies a significant historical position in American social and economic development. As a key figure in the Negro leadership renascence of the early decades of this century, his influence and accomplishments establish a base which time has not eroded.

To Randolph, liberalism was not some misty, twilight-zone philosophy built upon hate, semantics, and programless agitation; that being pro-Negro, did not require one to be "antiwhite or anti-Semitic, or anti-Catholic or antiforeign, or antilabor."

For over a decade, he fought the Pullman Co. to gain recognition for the Brotherhood of Pullman Car Porters. With his incisive logic, flawless strategy, and organizational skill, he made the once lowly railroad porters among the most respected wage earners of the organized labor movement.

With equal fervor, he challenged the popular Roosevelt administration on World War II "the impossible dream" that won a Presidential Executive order—8802—banning discrimination in war industries and training programs. This masterful stroke, based on a threat of over 100,000 Negroes to march on Washington, won millions of jobs in defense, including for the first time a place in the factory of modern industry for Negro women who had previously been confined to household domestic employment.

Significantly, two decades later Randolph was influential in heading a march on Washington of over 300,000 key persons; and parenthetically it is reasonable to assume several times that number will be Randolph-inspired in another march if antipoverty cuts are continued.

In these days when most liberals appear to be "sprinters" in the race to win human rights, that is, good only for short distances, it is good to salute a man of stamina whose courage and dedication have never wavered in three-quarters of a century and whose integrity has remained unscarred.

Finally, Mr. Speaker, I want to express my personal gratitude for the friendship and support of Brother Randolph and his associates in our struggle on the west coast to gain economic security and human dignity. Truly A. Philip Randolph has been to us "a man who matched our mountains."

Mr. **HOLIFIELD**. Mr. Speaker, I want to join my colleagues paying tribute today to a distinguished statesman of the civil rights movement, A. Philip Randolph, whose 80th birthday was April 15.

Asa Philip Randolph began his formal career of fighting racial discrimination in 1925 when he founded the small, but disciplined Brotherhood of Sleeping Car Porters. After an arduous struggle the organization, under his leadership, obtained its first contract with the Nation's railroads in 1937, gaining equitable working conditions for the members of the brotherhood. He served as the organization's president until his retirement in 1968.

In his capacity as a vice president and a member of the powerful executive council of the AFL–CIO, Mr. Randolph was instrumental in the adoption of the strongest civil rights resolution passed to that time by the delegates to the AFL–CIO convention in 1963.

The origin of the Fair Employment Practices Commission and the executive order barring discrimination in the Military Establishment were both direct results of his philosophy of nonviolent resistance and presaged the progress still being made in the field of civil rights for all minority groups.

After four decades as an eloquent spokesman for equal opportunity in employment, Asa Philip Randolph retired in 1968. On May 6, his friends and associates will gather in New York at a testimonial in his behalf and their goal will be to raise funds for the A. Philip Randolph Institute, so that his work may continue.

I first came to Congress in 1942 and have had the opportunity to meet and work with Mr. Randolph several times. I have the highest esteem for the principles he has worked long and hard to implement. May I add my best wishes for his continued good health and state that the greatest tribute to his achievements and convictions would be the elimination of all racial barriers in America. I am reminded of John F. Kennedy's stirring phrase: "Let God's work on earth truly be our own." A. Philip Randolph is a living embodiment of that principle, as his work could only be described as "dedicated" in the highest sense of the word.

Mrs. **HANSEN** of Washington. Mr. Speaker, A. Philip Randolph's contributions to his Nation are legend. His genuine interest in his fellowmen and his country are real.

Such men do not pass lightly on the scales of history; and likewise his contemporaries should be grateful for his accomplishments.

It is a pleasure to join in a tribute to Mr. Randolph, as he approaches the fourscore year mark of life, for the time has been wisely spent.

Mr. **BOLLING**. Mr. Speaker, men of aggressive, but constructive social action usually are praised, at best, either after they have reached an advanced age when minds and tongues are dulled, or after death. Today, I want to commend Asa Philip Randolph. His 80th birthday will occur next month but neither mind nor tongue is dulled. Like the British reformer, John Bright, his passion for justice burns as brightly in his eighth decade of life as it did in his second. And, like Bright, he was not without admirers in his early years.

Frankly, the name of A. Philip Randolph may not be a household word even in organizations whose members are now active in the movement for racial justice. This movement, despite setbacks and tragedies, is, I am convinced, ultimately going to succeed in this Nation. This movement today is strong and enrolls new supporters each day. In 1969, there are many leaders, most of them capable and responsible men and women. The Negroes in America have now secured higher and securer ground so that moderates among them can afford to differ among themselves as to strategies and tactics.

But Philip Randolph, militant but nonviolent, began in a lonelier and more terrible time when Negroes were lynched in the South and ignored in the North. Certainly, only chance kept him from death on some obscure rural road. His voice and his actions pierced that darkness and prodded the somnolent conscience of this Nation. Incidentally, he did it without radio and without television. Hard, dangerous, necessary work done without his message being transmitted into every home by the huge information machinery that exists today for better or worse. If half his words and half his actions had the coverage given Rap Brown, then relief might have come soon to the American Negroes. But, Mr. Randolph carried no firearms and seized no buildings and led no Black Panthers and, therefore, he was "poor copy."

He fought in locations that were the most impenetrable. Jim Crow rode the railroads and encountered Philip Randolph as leader of the Brotherhood of Sleeping Car Porters. In 1941, Mr. Randolph sought out President Franklin D. Roosevelt. He threatened a massive civil rights march on Washington unless fair employment practices were established in defense industries. There was massive governmental pressure to have the march postponed. Mr. Randolph refused. Consequently, President Roosevelt signed a fair-employment Executive order. Those who were not yet born at the time would march with Randolph in the Jobs-and-Freedom march in Washington, D.C., in August 1963. Thus, in these and other encounters, Mr. Randolph rolled boulders uphill and shoveled sand against the tides. It is time for a tribute. The memorials can come later.

Mr. **THOMPSON** of New Jersey. I am delighted to join in this tribute to A. Philip Randolph in commemoration of his 80th birthday. I think I can truthfully say that no man has done more to advance the cause of equal rights and justice in this country than Mr. Randolph. His contributions were made at a time when few in this country were willing to heed cries for equal justice. In a very real sense he helped awaken our social conscience. I hope and trust that providence will spare him to us so that we may have his counsel and wisdom in the years ahead as we continue to work for the great cause which he championed for so long.

Mrs. **MINK**. Mr. Speaker, I consider it a privilege today to join with those of my colleagues who pay tribute to Mr. A. Philip Randolph on his 80th birthday.

Mr. Randolph is one of those men who, if they ever take time to pause and think about such things, must surely take great pride and satisfaction in seeing the world finally catching up to where they were many years before; to see their ideas of decades ago accepted much later as right and valid.

For nearly his entire life, Mr. Randolph has worked to spread the idea and the practice of social justice and human equality. From the social commentator and writer of his youth to his later career as one of the great labor leaders of this country, he has fought ceaselessly for the rights and dignity that we say belong to all men, but which, nevertheless, must be fought for at every turn. And in the many battles which he fought, no risk was too great.

He risked imprisonment for his writings and death for his work in the labor movement; for, when Mr. Randolph was at the forefront of organizing the Brotherhood of Sleeping Car Porters, it was still open season on labor organizers and particularly Black ones. But he persisted, and he prevailed. Many others have since followed on the trails that he blazed, and so great progress has been made.

We in this country have come a long way toward the goals of justice and equality that were stated so long ago. For not a small part of that progress, we owe gratitude to Mr. A. Philip Randolph.

Mr. **O'HARA**. Mr. Speaker, I join my distinguished colleague, the Representative from Michigan (Mr. DIGGS), in this tribute to a great American, A. Philip Randolph.

Through the years, Mr. Randolph's objective has been equal opportunity for members of his race, an objective simple to conceive, but incredibly difficult to achieve.

The fight is not over. But if we are much closer to achieving the goal of equal opportunity for all, it is, in large measure, because of the courageous, dedicated efforts of A. Philip Randolph.

Recently, the Macomb Daily, the largest newspaper in my suburban Detroit district, saluted Mr. Randolph in an editorial titled "Civil Rights Struggle Began with Randolph."

I include this editorial in the RECORD:

CIVIL RIGHTS STRUGGLE BEGAN WITH RANDOLPH

In an active and useful life that spans eight decades, A. Philip Randolph was a leader in the field of civil rights before the fathers of some of today's self-appointed black spokesmen were born.

In the 1920s, he fought for integration against the Back-to-Africa movement of Marcus Garvey, just as today he opposes the movement for black separatism.

In 1925, he began the long and arduous campaign to organize the Brotherhood of Sleeping Car Porters, which met fierce resistance from the railway companies and became the central focus of the early civil rights struggle.

Thanks largely to Randolph, who among other things is a vice president of the AFL–CIO, there are today two million black trade unionists who have achieved economic dignity and job security.

In 1941, Randolph's plan for a massive Negro march on Washington convinced President Roosevelt to sign an executive order banning discrimination in war industries and setting up the Fair Employment Practices Committee.

In 1948, his influence and authority were behind another executive order by another president, Harry Truman, initiating integration in the armed forces.

In 1963, he conceived and directed the famous March on Washington, one of the landmarks in the civil rights struggle.

A. Philip Randolph was 80 on April 15 and remains passionately committed to the principles of democracy, nonviolence, integration and economic equality.

Those who demand more teaching about black heroes in the nation's schools could do far worse than begin with the study of this man's life.

Mr. MINISH. Mr. Speaker, few men who attain the age of 80 can look back through the years with more justifiable pride and satisfaction than Mr. A. Philip Randolph, who marked his 80th birthday on April 15. His has been a wise and valiant stewardship of the time and talents so plentifully bestowed upon him, and he has the reward of knowing that he has played a dominant role in the tremendous social and economic changes that have transformed our Nation in his lifetime. Although we still fall misearbly short of the goals which prompted the founding of the Brotherhood of Sleeping Car Porters in 1925, Mr. Randolph has lived to see the vision to which he literally gave of his blood, sweat, and tears for 60 years advancing steadily toward fulfillment. Mr. Randolph has seen life steadily and seen it whole—he has realized full well that all of us are members of one human society, that each has a stake in the other's well-being. His philosophy is best expressed in his own words:

> My philosophy was the result of our concept of effective liberation of the Negro through the liberalization of the working people. We never separated the liberation of the white working man from the liberation of the black working man—rather, we believe the unity of these forces would bring about the power to really achieve basic social change.

It is a great privilege to salute this truly noble man upon this auspicious occasion. He has merited the affection and admiration not only of the countless people who have benefited directly from his lifetime of selfless service but of all his fellow citizens. Mr. Randolph, at 80, has earned the serenity and peace of mind of one who has fought the good fight and has largely triumphed over the forces of reaction and oppression. May he enjoy many, many birthdays and may we continue to have the benefit of his guidance and inspiration in this turbulent era.

Mr. ANDERSON of California. Mr. Speaker, Asa Philip Randolph, who recently celebrated his 80th birthday, has dedicated the work of a lifetime to the welfare of his fellowman. I would like to join my colleagues in paying tribute to a man who has not only been a leader and an inspiration to the civil rights movement for 50 years, but has made a contribution to our whole society that will stand through time.

Mr. Randolph has never had an easy life. He was born to the double handicaps of poverty and race. But he did have two precious gifts from his parents—his love of books and his faith in the essential dignity of every human soul. Out of these grew the drive to educate himself and his belief in self-reliance as the key to improving life for Negro Americans.

As a young man Mr. Randolph left home for New York City where he supported himself by working at odd jobs while attending City College at night. The plight of unskilled workers, and especially unskilled Negro workers, in those very early days of union organization, made a profound impression on him. He began to realize that only strength in numbers through organization could improve the desperate condition of workers. And so, in 1925, Mr. Randolph took on the toughest organizing job in labor history: the 12-year fight to form the Brotherhood of Sleeping Car Porters.

Those were 12 long years of frustration and disappointment, but Mr. Randolph never gave up. Finally, in 1937, faith and determination paid off. His union won a National Labor Relations Board employee election and with it a contract from the Pullman Co. The contract called for a 40-hour week, a base $100 monthly salary, and procedures for settling grievances.

To the Negro, the brotherhood, with its initial 18,000 members, was an inspiring achievement. Mr. Randolph had triumphed under conditions that made Negroes proud of him and his union.

In the years that have followed since that first great triumph, Asa Philip Randolph has won many more victories on the road to equal opportunity for Negroes. As president of the Brotherhood of Sleeping Car Porters, he was the dominant spokesman for organized Negro labor. He was recognized in this role by the AFL–CIO, which made him a vice president and a member of its executive council. His moral force and biblical eloquence quickly established him as one of the leading spokesmen for the whole civil rights movement.

Mr. Randolph has served as adviser to five Presidents, from the Franklin Roosevelt through the Lyndon Johnson administrations. In 1941, he planned his first mass march of Negroes on Washington, to protest the Negro exclusion from any significant role in the rapid expansion of job opportunities caused by war industry. President Roosevelt tried every means of persuasion to stop the march, but Mr. Randolph stood firm on his demand for an end to discrimination in defense plants. Less than 2 weeks before the march was scheduled to take place, President Roosevelt issued the Executive order establishing the Fair Employment Practices Committee and banning discrimination in war industries.

In 1948, it was Mr. Randolph who persuaded President Truman that Negroes would refuse induction unless there was an end to segregation in the Armed Forces. Mr. Truman was convinced, and shortly thereafter an Executive order eliminated segregation in the Armed Forces.

Mr. Randolph, as chief spokesman for the Nation's Negroes, was chairman of a four-man delegation that met with President Eisenhower in 1958 to urge swifter action on civil rights and implementation of the Supreme Court's decision on school integration.

One of the most glorious moments in Mr. Randolph's career came in 1963 when he conceived the march on Washington, in which more than 200,000 blacks and whites together heard the late Reverend Dr. Martin Luther King deliver his now famous "I Have a Dream" speech. This was the fateful occasion when the dream of equal opportunity for all aroused the whole Nation to its responsibilities in the cause of civil rights.

My admiration and respect for Asa Philip Randolph are profound. His wisdom, his strength, and leadership have made an immeasurable contribution in our Nation's progress toward social justice. He has filled his life with meaning. He is worthy of our highest praise.

Mr. CORMAN. Mr. Speaker, it is a special privilege to join my colleagues in paying tribute to an honorable gentleman and a great American on the occassion of his 80th birthday.

Asa Philip Randolph is a legend in our time.

Born in 1889 into the Florida home of a poor Negro Methodist clergyman, he worked in his childhood as a grocer's clerk and newspaper boy. When he grew older he labored as a section hand on the railroads. Somehow, he squeezed in a high school education and journeyed to New York for further study. To keep going, he waited on tables and operated elevators. Early in his life he determined that the way to break the cycle of poverty and degradation which surrounded the daily life of most Americans of his race was to organize trade unions. In 1917, he organized New York's elevator operators. That same year, he and some friends set up the Sleeping Car Porters' Union. As president of the union, he began a 20-year fight to get the brotherhood recognized by the Pullman Co. Victory came in 1937, with a signed contract, shorter hours, and $2 million in pay increases.

With these achievements, A. Philip Randolph became known as a leader of the workingman. His name through the years became synonymous with social justice and equality. His efforts always were aimed at change through the democratic process. He was outspoken, tough, persistent, and fought with every means at his disposal for the laborer. He steadfastly rebelled against racism of any kind, against violence in any form. From the earliest time, he had—as Martin Luther King had—a dream; a dream in which every American could participate in the greatness that is this Nation—that he could work, be educated, live in dignity and hope, and that the color of his skin would not stand in his way. A. Philip Randolph's life is dedicated to that dream.

A biography of Mr. Randolph is a retelling of the struggle for human rights in this century. He has been associated with every cause for freedom that has come upon the American scene. And, at the age of 77, he crowned his remarkable achievements by creating the institute which bears his name and whose programs are founded on the principles of integration, nonviolence, democracy, and economic equality for all Americans. In the 3 years of its existence the institute has become a vital force in the Nation's continuing struggle to provide a better life for every American. The institute is an appropriate and lasting tribute to the man who, indeed, has become a legend in our time.

I am very pleased to extend to A. Philip Randolph my warmest regards on the celebration of his 80th birthday, and my best wishes for many more years of health and happiness.

Mr. ADDABBO. Mr. Speaker, I rise to join my colleagues in paying tribute to an American leader on the occasion of his 80th birthday. A. Philip Randolph is more than a civil rights leader or a trade union leader. He is a statesman and a man of great vision.

As the man who originated the concept of nonviolent protest in the civil rights movement, A. Philip Randolph has earned the respect of Presidents and legislators as well as the faith of those for whom he has fought so long.

By stressing the importance of economic freedom as the key to social liberation of the Negro, Randolph has gained the confidence of all factions of the civil rights movement. His organization of the 1963 march on Washington produced an overwhelming response from a quarter of a million persons who came to the Nation's Capital in support of civil rights legislation.

On April 15, 1969, New Yorkers celebrated A. Philip Randolph Day by proclamation of Gov. Nelson Rockefeller. Today the Members of Congress join in celebrating his 80th birthday. We wish him continued health and strength to bear the burdens of statesman for the disadvantaged in our land.

Mr. CLAY. Mr. Speaker, it is with deep humility that I join my colleagues today in making special recognition of a very special man, A Philip Randolph, who celebrates his 80th birthday May 6. Mr. Randolph was a militant Negro when the word militant was not popularly used. He was struggling for the rights of black people when the very right for their struggle was yet undefined. He was able, even then, to perceive that opportunity of black people would depend upon their ability to make a decent living. His insight gave him the strength to launch his campaign to achieve voice for the laboring man. He pursued this cause with such energy—that he achieved forceful impact upon the first comprehensive labor law of our time—the Railway Labor Act.

It is uncanny that this one man—a black man—could have achieved in his difficult time such stature. The recognition we pay today is past due—but his was not a pursuit of publicity or recognition, but of justice. The name of A. Philip Randolph will now be recorded in the history books when heretofore, it might have been difficult to learn of his contribution. We have progressed and we shall continue to move forward the causes of the black man and the laboring man.

A. Philip Randolph was practicing black power when there were no crowds chanting the slogan. A. Philip Randolph accepted the challenge of black power at a time when it was difficult for the Negro to find a reason for pride. Surely in this day of continued struggling between the races—and within this struggle to assert power for the purpose of achieving progress it is noteworthy and most timely that we cite the efforts and the accomplishments of A. Philip Randolph. Let us not forget the evidence of a proud black heritage for black American citizens.

I salute you, A. Philip Randolph, and I accept the challenge you have delivered to us to move ever forward our pursuit for equality and fair treatment under the law.

Mr. RONAN. Mr. Speaker, today, not only in the House of Representatives but throughout the Nation, men of good will are paying their respect to Mr. A. Philip Randolph, president and founder of the Brotherhood of Sleeping Car Porters in commemoration of his 80th birthday.

Mr. Randolph has had a long and distinguished career in both the labor and civil rights fields. He is no Johnny-come-lately in either arena, having served his apprenticeship before the majority of Americans were willing to raise their voices in behalf of those who only wanted an equal opportunity to share in the great American dream.

Mr. Speaker, I join with my colleagues and all Americans in honoring A. Philip Randolph on the occasion of his 80th birthday. I extend my best wishes for good health and happiness to a gentleman who has been a splendid example of what all men strive to be.

Mr. OTTINGER. Mr. Speaker, every American who cherishes freedom should pay tribute to Mr. A. Philip Randolph, on his 80th birthday.

Since 1925, A. Philip Randolph has been active in labor and human rights. In 1925, he organized the Brotherhood of Sleeping Car Porters—American Federation of Labor—in New York City. He is the only AFL–CIO Negro vice president. He has been a leading spokesman for the Negro people, once challenging the labor federation to accept as fact that some unions were guilty of racial discrimination.

He is an activist and revolutionary. Long before it was fashionable to be a civil rights activist he organized and directed the march on Washington movement in 1941 which resulted in President Roosevelt's establishing the Fair Employment Practices Committee. He was a member of Mayor LaGuardia's Commission on Race in 1935.

His unselfish dedication to the causes of black people—equal employment and equal opportunity—in all phases of American life, make him one of the greatest civil libertarians of our time.

Mr. DADDARIO. Mr. Speaker, it gives me great pleasure to join my colleagues today in paying tribute to A. Philip Randolph on the occasion of the official commemoration of his 80th birthday. This spring, he will have devoted well over 50 years of his life to the furtherance of social justice and equality within the United States. As a leading figure in organized labor, he has played an important role in the economic advancement of the American worker, both white and black; and as an intermittent adviser to five American Presidents, he has been instrumental in the promulgation of several important measures to curb racial discrimination.

In 1937, the all-Negro Brotherhood of Sleeping Car Porters, which he had founded in 1925, signed the first contract with the Nation's railroads.

In 1941, his movement for the march on Washington was largely responsible for the creation by President Roosevelt of the Fair Employment Practices Committee which was designed to insure the participation of the Negro in the rapidly growing defense economy.

In 1948, he was, perhaps more than any other man, responsible for the Presidential order ending racial discrimination within the country's Armed Forces; and in 1963, he was a prime figure in the superbly organized and directed march on Washington.

He has brought to the civil rights movement a unique combination of clear reason, political acumen, practical organization and a just and pressing sense of urgency. His courage, perseverance, and strength of character have won him the respect and esteem of friend and foe alike. His has been a voice for reason and hard work and yet he has recognized and seized the opportunities for the effective use of forceful yet nonviolent action to put through measures essential to the causes of justice and social equality.

He himself would be the first to stress that much still remains to be done to overcome both the fact and the effects of discrimination in this country. Yet progress has been made; and it will continue to be made. Asa Philip Randolph, through his work, has been of great importance in laying the foundations for the future.

Mr. ANNUNZIO. Mr. Speaker, it is a pleasure today to join my good friend and distinguished colleague, the Honorable CHARLES C. DIGGS, of Michigan's 13th District, who has requested this special order, in order that we may pay tribute to A. Philip Randolph, that remarkable organizer in the fields of civil rights and workingmen's rights, on the occasion of his 80th birthday.

A. Philip Randolph has stood in the forefront of one momentous battle after another in behalf of human dignity, from the early days of the Roosevelt New Deal to the present, and has thereby earned the admiration of every labor leader worthy of the name.

As a graduate of the labor movement, I am privileged to observe that my own career crossed briefly with that of A. Philip Randolph at one point, although at quite a distance. That is to say, I was working as educational representative of the United Steelworkers of America at a moment when Phil Randolph captured the full attention of the labor movement.

The issue in that instance was racial discrimination in the ranks of organized labor itself. My own union, the Steelworkers, had a commendable open door hiring policy, permitting the entrance of any qualified workingman, black or white. But all unions were not so disposed. A notable example was the Brotherhood of Locomotive Enginemen and Firemen which decided, with the advent of the diesel engine, to replace all Negro firemen with white firemen. The job was no longer arduous, and therefore became suddenly popular with railroad men of every color. To clear the way for white firemen, the railroad union adopted a policy of accepting no more Negroes into its ranks and doing its best to get rid of existing Negro firemen, including some who had as much as 20 years' service. To accomplish their purposes, the white union made a secret deal with the railroad companies, whereby the railroads refused to hire any Negroes, and the union leadership declared itself free of all responsibility in the matter.

Phil Randolph, as president of the Brotherhood of Sleeping Car Porters, was unable to organize a firemen's union of his own, since the white union had the jurisdiction. So instead he formed a "provisional committee" of Negro firemen and, with Porters' Union money, began suing the white union for damages, on the grounds of loss of pay due to loss of jobs. When the battle reached the Supreme Court, the Negro firemen were victorious, and Randolph was hailed as a civil rights hero. It was not the first time, nor would it be the last.

The first time was in 1937, when the Pullman porters secured bargaining rights, following 12 years of bitter struggle with the Pullman Co. Phil Randolph was the union organizer in that instance, and the victory he achieved had far-reaching effects. All over the country, other Negro workingmen began to organize, and the labor movement was soon to prosper from that result.

Turning to the matter of civil rights as such, Phil Randolph assailed the hiring policies of American industry at the outset of World War II. For in keeping with the perverted interests of the racist elements, defense factories were refusing to employ Negro labor. Here we were, portraying America as the "arsenal of democracy," and yet we were not democratic enough to provide American Negroes with equal employment opportunities. To cope with this indignity, Phil Randolph organized a protest march on Washington, attracting 50,000 to 100,000 Negro volunteers. The march was called off, at the last moment, in exchange for a Presidential promise of reform and creation of a wartime Fair Employment Practices Committee.

In 1948, Phil Randolph assailed racial segregation in the Armed Forces, and threatened to call a campaign of mass civil disobedience and nonviolent resistance unless something was done. President Truman responded by abolishing segregated conditions in the services.

Fifteen years later, Phil Randolph organized the march on Washington in behalf of civil rights legislation, and the following year Congress enacted a civil rights bill of monumental proportions.

In all he has done, Phil Randolph has worked in the interest of the oppressed, and with remarkable results. It is a great pleasure, therefore, to salute the record of this outstanding American—A. Philip Randolph—on the 80th anniversary of his entrance to the world. Good luck, Phil Randolph, and happy birthday.

Mr. Speaker, I would like to include at this point in the CONGRESSIONAL RECORD an article about Phil Randolph which appeared in the April 19 edition of the AFL–CIO News:

RANDOLPH AT 80

On April 15, A. Philip Randolph marked his 80th birthday, a day of tributes and celebration for one of the greatest Negro leaders of the 20th Century.

The very essence of the man and what he stands for is perhaps best grasped by his co-worker, Bayard Rustin, in an article in The New Leader. Rustin writes in part:

"I think it is part of the greatness of A. Philip Randolph that throughout his 60 years as a leader of Negro Americans, he has maintained a total vision of the goal of freedom for his people and of the means for achieving it. From his earliest beginnings as a follower of Eugene V. Debs and a colleague of Norman Thomas, he has understood that social and political freedom must be rooted in economic freedom, and all his subsequent actions have sprung from this basic premise."

He has identified with the spiritual longings of black people, but has insisted that economic security is the precondition for pride and dignity. While he has felt that Negro salvation is an internal process of struggle and self-affirmation, he has recognized the political necessity of forming alliances with men of other races and the moral necessity of comprehending the black movement as part of a general effort to expand human freedom. Finally, as a result of his deep faith in democracy, he has realized that social change does not depend upon the decisions of the few, but on direct political action through the mobilization of masses of individuals to gain economic and social justice.

Randolph thus stands out among Negro leaders of the 20th Century as a man of both principled idealism and practical accomplishment. He has stood firm against racial separatism—whether advocated in the 1920s by Marcus Garvey or in the 1960s by black nationalists—because of his belief in integration and his knowledge that separatism would mean the continued exploitation and degradation of black people.

Again, he has rejected elitism—be it in the form of W. E. B. DuBois' concept of "a talented tenth" or of a proposal for black capitalism—because of his democratic commitment and his opposition to programs that would economically benefit a minority. He has adhered to nonviolence as a moral principle and as the most effective means of political struggle.

Pursuing his conviction that the Negro can never be socially and politically free until he is economically secure, Randolph worked to build an alliance between black Americans and the trade union movement. His first efforts met with strong opposition from Southern oligarchs and powerful business leaders who had traditionally tried to use the Negro to subvert the labor movement. Their tactic was to exploit the Negro's grievous need for employment by inviting him to scab on unionized white workers striking for just demands.

Realizing that the only benefactors of these practices were the exploiters themselves, Randolph embarked upon a crusade opposing any form of strike-breaking by Negroes, advocating instead their full integration into the American trade union movement. Today there are 2 million black trade unionists in America who have attained economic dignity, job security and protection against racial discrimination.

We are still very much in need of the guidance of A. Philip Randolph. As he reaches his 80th birthday, the freshness and the comprehensiveness of his vision remains evident.

Mr. MADDEN. Mr. Speaker, I wish to commend my colleague, the gentleman from Michigan (Mr. DIGGS), for taking this time to give Members of Congress the opportunity to pay testimonial tribute to one of our great Americans who is celebrating his 80th birthday on May 6.

A. Philip Randolph has devoted his life's work in furthering the cause of justice and humanity for all our people. He has been a pioneer, not only in the civil rights movement, but also in sponsoring legislation to extend to all the American people full recognition and consideration under the provisions of the Constitution of the United States and the constitutions of the various States.

The name of A. Philip Randolph will go down in American history as one of our great humanitarian leaders and patriots. During my service in Congress I have followed Mr. Randolph's career and he has, without exception, used his great influence with the working men and women of our country to support legislation that would improve the status of all segments of our economy. Through other leaders of the labor movement he has contributed more than his share in placing on the statute books legislation which gave us medicare, housing, education expansion, civil rights, social security, and many other long-delayed programs which are now in full operation.

I do hope that his good work can extend many years beyond this, his 80th, birthday. I join all Americans in congratulating him.

Mr. MIKVA. Mr. Speaker, it is my great pleasure to join in this special order arranged by the gentleman from Michigan (Mr. DIGGS) to honor a great American and a great figure of the American labor movement—Asa Philip Randolph. A. Philip Randolph's life might well be an example to young people of today—black and white—who all too often feel that they cannot cope with the overwhelming complexity of modern social problems and that they cannot make a contribution in the face of such obstacles. A. Philip Randolph faced obstacles far more difficult to overcome: he faced poverty, he faced racial bigotry, and he faced the traditional American antipathy toward the labor movement which existed in years before the Wagner Act.

Mr. Randolph believed that the Pullman car porters represented a large segment of Negro labor which had long been exploited because it was not organized. Speaking to a handful of Negro porters at a meeting in Harlem in 1925, he presented a plan to organize the sleeping car porters. He was not, and never had been, a porter himself, but he was elected president and general organizer of the proposed union. There was a difficult struggle ahead: The Pullman Co. opposed the union, and many porters lost their jobs for their union activity. Others, fearing repercussions, refused to join the union.

It was not until 1934, when the Railroad Labor Act was amended, that porters were brought under the law and the union met success. In 1937, Randolph announced the signing of a contract with the Pullman Co. giving the employees shorter working hours and pay increases totaling $2 million.

His threat to bring 100,000 Negroes to Washington to protest discrimination in hiring during World War II brought about the creation of the Fair Employment Practices Committee by President Roosevelt. In 1948, Randolph was instrumental in influencing President Truman's Executive order which banned discrimination in the Armed Forces. He led, and masterminded, the 1963 March on Washington for Civil Rights, that awesome effective display of conscience in support of the great Civil Rights Act which was passed later that year.

Mr. Randolph has been reelected since 1925 to the presidency of the Brotherhood of Sleeping Car Porters. He served as vice president of the AFL, and has been a vice president of the AFL–CIO since 1957, serving on its executive committee. When the American Federation of Labor and Congress of Industrial Organizations merged in 1955, he was responsible for inserting an antidiscrimination plank in the new constitution.

The essential drive of A. Philip Randolph was his determination to make the labor movement relevant to and meaningful for black peoples' problems. He did this by cajoling, pushing, shaking—but above all participating in—the labor movement. No one could taunt this aggressive civil rights leader about his commitment to the goal of equality. On the other hand, it was very clear that A. Philip Randolph sought results rather than rhetoric, and action rather than accusations. In short, he had the dedication of someone who believed so passionately in a cause that he desired to win it rather than to go down in noble defeat. All who seek to move this country and its institutions could take a page from A. Philip Randolph's book and could use as an example his life in and contributions to the American labor movement.

Mr. MORGAN. Mr. Speaker, I wish to thank the distinguished gentleman from Michigan for arranging this time today to speak in honor of Asa Philip Randolph. I am glad to have this opportunity to join with his other friends and wellwishers in expressing our highest commendation and best wishes on his having attained his 80th year.

Asa Philip Randolph has become one of the most honored names in the history of the American labor movement. He is a leader whose tireless efforts and accomplishments have helped to make America a better place in which to live. All his life he has been a busy man, but never too busy to take on new tasks when he could assist his fellow man. Through the years he has distinguished himself on the many occasions when called upon by our Government to undertake special assignments. We are indebted to him for organizing the movement which led President Franklin D. Roosevelt to start the Committee on Fair Employment Practice.

A man of the caliber of Asa Philip Randolph is a priceless asset in any age and in any country. We are especially fortunate that he was born in our time and in our country. We always need men like him and the more of them we can have, the better off our country will be. Because his life of dedicated effort has resulted in tangible benefits for all Americans, I feel personally honored and privileged to join in paying him tribute today.

Mr. MOORHEAD. Mr. Speaker, it is my privilege today to honor Mr. A. Philip Randolph—one of America's most distinguished citizens—on the occasion of his 80th birthday. Mr. Randolph has stood for many years as an example of a man completely dedicated to transforming his principles into action without regard for considerations of personal gain.

His credentials are well known to everyone. As founder of the Brotherhood of Sleeping Car Porters in 1925, he has pursued a career unfailingly devoted to improving the lot not only of his own race but also of workingmen throughout the Nation without regard to race, creed, or color. As organizer and director of the march on Washington movement in 1941, which led President Roosevelt to start the Committee on Fair Employment Practices, he performed an invaluable service to the Nation and to the cause of securing true freedom for all of its citizens. He recently retired as vice president of the AFL–CIO, a position he had held since 1957.

Mr. Randolph's life testifies to his integrity and his character. The son of a minister, he was born in Crescent City, Fla., in 1889. As a boy he supplemented his family's income by working in a grocery store and selling newspapers. He later was a section hand on a railroad, loading flatcars and laying crossties and rails. After completing high school, Mr. Randolph left his native Florida for New York City, where he worked as an elevator operator, a porter, and a waiter. During this time he continued his education in political science and economics at the College of the City of New York.

In 1917 Mr. Randolph, together with Chandler Owen, began a monthly magazine, called the Messenger, and began to contribute articles to other publications, including Opportunity and Survey Graphic. He also became an instructor at the Rand School of Social Science in New York. His interest in the labor movement led to his organization of the Brotherhood of Sleeping Car Porters, the first such union of Negro porters. Mr. Randolph's union was instrumental in encouraging Negro participation in unions, and in the growing fight to end discrimination against Negroes throughout the entire labor movement.

Mr. Randolph's struggle against discrimination continued into the 1940's, when in 1947 he helped to organize the League for Nonviolent Civil Disobedience Against Military Segregation. This led to the abolition of segregation in the armed services by President Truman in 1948.

In 1941 Howard University conferred the honorary degree of doctor of laws upon Mr. Randolph, and in 1944 the third annual David L. Clendenin Award of the Worker's Defense League was bestowed upon this outstanding proponent of Negro labor rights.

It is, for me, therefore, a great distinction to express my admiration for, and offer my tribute to, Mr. A. Philip Randolph, truly one of the outstanding men of our time.

Mr. BRASCO. Mr. Speaker, I am pleased to join with my colleagues in paying tribute to a great American, Mr. A. Philip Randolph, in commemoration of his 80th birthday.

Throughout his full and productive life, Mr. Randolph has been dedicated to a cause—that of uniting the scattered fragments of the working classes, without regard for race, creed, or color.

In 1925, he was the chief founder of the Brotherhood of Sleeping Car Porters, and faithfully worked for the betterment of that organization until he retired last year as president.

His endeavors, and achievements, serve as a lasting inspiration to all who would seek to better the lot of man. It is with the deepest admiration and respect that I salute Mr. Randolph, with appreciation for his lifetime of dedication toward the American ideal—for whose contributions, we are a better nation.

Mr. HANLEY. Mr. Speaker, I want to take this opportunity to join with my colleagues this afternoon in paying tribute to one of America's foremost labor and civil rights leaders and certainly one of her finest citizens, A. Philip Randolph.

This quietly dignified man has endeared himself to millions of Americans throughout the years. He has won the admiration and respect of young and old, rich and poor, the mighty and the downtrodden, black and white, the lettered and the unlettered, intimate friends, and those who only know of him. He has done this, Mr. Speaker, through dedication and principle. For decades this man, this gentleman, has fought discrimination, and prejudice, he has striven diligently for better working conditions, decent housing, adequate educational opportunities, and equal treatment before the law for all men.

As we commemorate his 80th birthday, I pray that God will grant him many more years of service to his fellow man and that, as a nation, we will continue to be the beneficiaries of his wise counsel in the years ahead.

Mr. GIAIMO. Mr. Speaker, it is a great pleasure to join with my colleagues today to pay tribute to a great labor leader and a great leader in the fight for civil rights, A. Philip Randolph.

Mr. Randolph, born 80 years ago in

Crescent City, Fla., the son of a minister, has done as much as any civil rights leader in our history to bring about equal rights for the Negro. He was the driving force in two Executive orders to eliminate discrimination in this country. In the early years of the Second World War, he conceived of a march on Washington to illustrate the plight of the Negro in the war effort. This resulted in President Roosevelt issuing an order establishing the Fair Employment Practices Commission. Several years later, he went back to the White House to tell President Truman that Negroes would not register for the draft unless the "Jim Crow" practices in the Army were halted. This confrontation resulted in an Executive order which ended segregation in the Army.

Although his part is not well known, it was Mr. Randolph who conceived the idea for the 1963 march on Washington when Martin Luther King made his famous "I have a dream" speech.

In the field of organized labor, Mr. Randolph had one of his greatest victories. At the establishing convention of the AFL–CIO, he pushed through a mandate in the new constitution barring discrimination in affiliated unions. Although this breakthrough has not been fully realized, it was a giant step in equal rights for the black unionist.

In a New York Times article of April 15, 1969, A. Philip Randolph is quoted as saying, "You've got to fight for what you get." He has certainly proved this during his 43 years as president of the Brotherhood of Sleeping Car Porters. He has increased the wages of his members sixfold, while cutting their working hours in half.

Mr. Speaker, A. Philip Randolph is truly a giant in the fight to improve living conditions, not only for the Negro but for all Americans. Although not as vocal as many of today's civil rights advocates, he has quietly pursued the goal of equal rights with great success.

Mr. FRASER. Mr. Speaker, one of America's most distinguished citizens, A. Philip Randolph, is celebrating his 80th birthday this month. During his career which spans both World Wars, the depression, and the current civil rights revolution, he has led the fight for social justice on many fronts.

In 1917, 38 years before the Montgomery bus boycott, Randolph was editing a magazine called the Messenger, described by some as the only radical Negro magazine in America at that time. The Messenger called the World War I slogan of "making the world safe for democracy" an impossible task as long as Negroes were being lynched, disfranchised, and segregated in America.

In 1925 he went on to organize the Brotherhood of Sleeping Car Porters, a union that he headed for over 40 years.

In 1941, he planned his first march on Washington to protest the exclusion of Negroes from any significant role in defense industries. By threatening to bring 100,000 marchers to the Nation's Capital, Randolph persuaded President Roosevelt to issue the historic Executive order banning discrimination in defense plants. In 1948 Randolph was back at the White House, this time urging President Truman to integrate the armed services; and again he was successful.

Certainly one of the high points of Randolph's career was the 1963 march on Washington which he conceived of as a way of demonstrating national support for full racial justice. More than a quarter of a million people answered Randolph's call to come to Washington.

Now at 80, A. Philip Randolph has retired as president of the Brotherhood of Sleeping Car Porters and as the AFL–CIO's only Negro vice president. But his work is not done. He is writing several books about his experiences in the labor and civil rights movements. He continues to maintain an active interest in the A. Philip Randolph Institute, a nonprofit foundation organized to continue his lifelong struggle for social justice.

I want to wish Mr. Randolph the warmest personal regards during this 80th birthday month. We still need the inspired leadership that he has provided for so long and I know that I am not alone in expressing the hope that there will be many productive years ahead.

Mr. HOWARD. Mr. Speaker, I am pleased today to have the opportunity to join my colleague from the State of Michigan in honoring a truly great American, A. Philip Randolph. Mr. Randolph, who has just celebrated his 80th birthday, has spent almost all of those 80 years in the service of his fellow men.

We of this Congress are youngsters in the field of civil rights—A. Philip Randolph has been working for the dignity and rights of the Negro since the earliest part of the century. And his accomplishments in that field are many. His deep belief in integration as a necessary factor in the continued progress of the Nation, his belief in the democratic system, and his belief in nonviolence, not only as a moral principle, but as an effective political tactic, have brought him great success in his efforts.

Through the efforts of this great man, the first predominantly Negro trade union, the Brotherhood of Sleeping Car Porters, was organized and won collective bargaining rights. Through his efforts, discrimination in defense plant hiring and segregation of the Armed Forces was outlawed. Through his efforts, in 1941, the Nation's first Fair Employment Practices Committee was established.

Through all this, Mr. Randolph has retained a clear vision of the total picture of need—realizing that civil rights would make little difference without economic rights and economic security. He has fought for better health, better education for all children and citizens. In short, he has fought for social and economic justice for all Americans.

Today, as we commemorate A. Philip Randolph on his 80th year, we realize that he is still an example of wisdom, courage, a challenge to all of us to bring this Nation to peace within—to bring this Nation to a period of equality and justice for all her citizens. Mr. Randolph, like the late Dr. Martin Luther King, "has a dream." It is up to us to make his dream come true.

Mr. CHARLES H. WILSON. Mr. Speaker, we pause fittingly today to honor a man of courage and wisdom whose achievements rank him as one of America's truly great leaders. A. Philip Randolph, now in his 80th year, is more than a symbol—he is the embodiment of the principle which states that the worth of a cause is neither measured by glamour or popularity but, rather, by what it means in terms of human values and justice.

Long before civil rights was so much as an uttered phrase, Philip Randolph saw the need for fairness and equity among all workingmen in a free society, both black and white. In the early years of the labor movement's struggle, he took little heed of those who cautioned him and his followers to wait, to be patient, to "keep their place"; instead, he followed the dictates of his philosophy which held that the liberation of the Negro must be part of the total liberation of the working people. He rejected the avenues of demagoguery, separatism, and violence in favor of the long, slow, and hard bargaining which became so much a part of his life. His efforts at one point earned him the title of "the most dangerous Negro in America" from the Justice Department. He has indeed come far in his many years.

It was curiously appropriate in 1963, that Dr. Martin Luther King, Jr., told the great throng at the historic March on Washington that he had a dream—for on that day the long and enduring dream of A. Philip Randolph, that someday his people would join together to converge at the Nation's Capital, had at last come true. Let us hope today that the dream of Dr. King will just as certainly become reality.

Today there is an awareness, a sense of promises to be kept and wrongs to be righted, which is in no small part a result of the dignity, courage, and moral leadership of A. Philip Randolph. Let us celebrate his birthday with continued dedication to the goals of equality and justice for all Americans, and let us hope that Mr. Randolph will enjoy many more years during which he may witness the continued realization of the goals which he has so steadfastly championed.

Mr. VAN DEERLIN. Mr. Speaker, A. Philip Randolph, whom we are honoring today, has been championing civil rights since before many of us were born. Long before most Americans even recognized that we had a race problem, Mr. Randolph was shattering barriers of ignorance and prejudice—but always for the benefit of all workingmen, regardless of race.

His voice was first raised against injustice more than a half-century ago, when he edited the Messenger, a magazine considered radical in those more innocent times. President Woodrow Wilson was the first Chief Executive to know his moral outrage, when Mr. Randolph rousted the Jim Crowism then prevalent in the Federal Government.

After founding the Brotherhood of Sleeping Car Porters, in 1925, Mr. Randolph was a trusted counselor to five consecutive Presidents: Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, and Lyndon B. Johnson. Sometimes, perhaps, he made them a little uncomfortable, and they might not have always liked what he had to say—but they listened to him, and his advice resulted in two of the most significant Executive orders of our time.

In 1941, with defense industries developing millions of jobs for World War II production, Mr. Randolph organized a mass march on Washington to protest the virtual exclusion of Negroes from those industries. President Roosevelt, worried, called Mr. Randolph to the White House, to ask him to call off the march. But Mr. Randolph would not be dissuaded, until the President had issued an Executive order creating the wartime Fair Employment Practices Commission, the predecessor of a series of antidiscrimination laws to come.

Seven years later, Mr. Randolph headed a committee which talked President Truman into signing another historic order, this one barring discrimination in the armed services.

Throughout his long and distinguished career, Mr. Randolph has had little patience with bigots of any color. He has stood for equality and integration, and has opposed separatism of all types. In a story 2 weeks ago on his 80th birthday, the New York Times recounted some of the highlights of Mr. Randolph's life, and I would like to include the article at this point with my remarks:

Randolph, 80 Years Old Today, Reflects on His Fights for Labor

(By Rudy Johnson)

A. Philip Randolph leaned forward on the sofa to stress his point and, with a trace of fire in his eyes, declared:

"You've got to fight for what you get. I've been on one side of many a conference table negotiating agreements, and I don't know of a single instance where anything was given without exacting it from the other side."

The statement, made in an interview yesterday, was typical of the man whose long and fruitful career as a labor leader, civil rights activist, militant editor and gadfly to Presidents, was marked with the struggles that presaged recent gains by Negroes and other members of minority groups.

Mr. Randolph retired last year as president of the Brotherhood of Sleeping Car Porters, of which he was the chief founder in 1925. It had been a long, arduous fight that lasted almost three decades from the first inkling of organizing such a Negro union to signing the first contract with the nation's railroads in 1937.

Today Mr. Randolph is 80 years old, and Governor Rockefeller has proclaimed the day in his name in New York.

On May 6 hundreds of prominent Americans, many of them his associates in the long civil rights fight, will pay him tribute at the Waldorf-Astoria.

GOAL OF THE TRIBUTE

The goal of the birthday tribute will be to raise $250,000 to carry on the Negro leader's life work through the A. Philip Randolph Institute.

Although Mr. Randolph's life work has been full and varied, he said yesterday that throughout all the years he has had primary aim—to unite all the scattered segments of the working classes, the Negro among them.

Sitting in his four-room apartment in the cooperatives owned by the International Ladies Garment Workers Union, 26th Street and Ninth Avenue, he commented:

"My philosophy was the result of our concept of effective liberation of the Negro through the liberation of the working people. We never separated the liberation of the white working man from the liberation of the black working man . . . the unity of these forces would bring about the power to really achieve basic social change."

But the recent emphasis has been on "race itself," he said. Referring to today's black nationalist movement, he asserted:

"There must be a continuous quest for identification by the Negro, [but] I believe that can be overdone. And I believe the cult of blackness has been overdone. I wouldn't say it has been successful in putting these forces together."

EDITORSHIP IS RECALLED

He went on to describe the days when his editorship of The Messenger, a magazine he and one of his closest associates, the late Chandler Owen, founded in 1917. At that time, his radical writings and soapbox speeches had prompted the Justice Department to call him "the most dangerous Negro in America."

He lashed out at Jim Crowism during the Wilson Administration in his articulate writings and rousing speeches. But he also took issue with other Negroes when, in his estimation, they sought to veer from a path of black alliance with trade unionism. This included the late Marcus Garvey's "Back to Africa" movement, started in 1915.

Mr. Randolph said that throughout his career he and his associates had always striven to develop the "principle of coalition," after which the united workers would begin to make changes in the capitalistic structure of society. An avowed socialist, he said:

"A larger part of our economy ought to be subject to socialization. Take railroads, airplanes, the buses, medical care. These are areas that should not be subject to exploitation for profit because the people will suffer as a result of that. Great corporate powers are becoming almost unmanageable."

VOICE REMAINS STRONG

As Mr. Randolph talked, he looked much leaner than he had been before he was stricken with a heart ailment several years ago. Most of his life, he had weighed 200 pounds and had been 6 feet tall. But his powerful, resonant voice was still strong.

He recalled some of the highlights of his career, which included origination of a March on Washington Movement in the early years of World War II.

The plan was to assemble thousands of Negroes who would converge on Washington in a demonstration that would protest discrimination in government and the defense plants.

Mr. Randolph and the late Walter White, then director of the National Association for the Advancement of Colored People, had met with President Roosevelt to try to urge him to correct the problem.

But the President resisted the urgings and even sent Mrs. Roosevelt to persuade Mr. Randolph to call the march off. But he was unyielding, and less than two weeks before the scheduled march, on June 20, 1941, the President issued Executive Order 8802 banning discrimination in the war industries and setting up the Fair Employment Practices Committee.

About seven years later, Mr. Randolph's Committee Against Jim Crow in Military Service and Training convinced President Truman to issue an executive order banning discrimination in the armed forces.

But one of Mr. Randolph's most glorious moments came in 1963 when he conceived a March on Washington that was carried out by more than a quarter-million people, black and white, and where the late Rev. Dr. Martin Luther King Jr. delivered his "I Have a Dream" speech.

Mr. Randolph regretted however, that his late wife, the former Lucille E. Green, to whom he had been married 50 years, died only months before the memorable event.

Mr. RODINO. Mr. Speaker, this month A. Philip Randolph has become an octogenarian. He has joined the ranks of our Nation's elder statesmen, fully deserving the homage and recognition that such a title implies. However, it seems to me that we honor Mr. Randolph today not so much because of his 80 years—grand and joyous as that is—but rather because his birthday offers us an opportunity to salute the cause of human rights, as personified by his life and work.

The life of the American people during the 20th century has been directly affected and changed for the good by the devoted and determined career of Mr. Randolph. How amazing it is to remember that this great American set out in 1925 to organize the first Negro labor union. And the history of collective bargaining, of better job opportunities, and of racial justice in America over the last 45 years is intertwined with the dedicated efforts of this man.

As the struggle against poverty and for human rights has proceeded, A. Philip Randolph's course has been steady and unswerving. He has always eschewed the temporary, fashionable, political trend of the moment, and hewed steadfastly to permanent goals, that represent peace and well-being to all people. He has stood firm against racial separatism, fully realizing that integration is the only principle that will assure equal participation in the fruits and labor of American life. He has remained a devoted exponent of nonviolence as the morally and politically correct means of social advancement. And he has devoted a lifetime to the cause of rooting Negro freedom in economic well-being. "Jobs and Freedom," the banner symbols of the 1963 march on Washington, are synonymous with the life of A. Philip Randolph.

A happy birthday to Mr. Randolph and a sincere wish that he and his achievements remain strong and vibrant in our land.

Mr. FARBSTEIN. Mr. Speaker, May 6 marks the 80th birthday of A. Philip Randolph, founder and long-time president of the Sleeping Car Workers of America.

Mr. Randolph is a man whose long and fruitful career as a labor leader, civil rights activist, militant editor and gadfly to Presidents has been marked with the struggles that presaged recent gains by Negroes and other members of minority groups in our country.

His chief tactic during his many years of public service has always been an unshakable dignity that has been used not as a rock to batter the barriers to racial prejudice, but as water to engulf and drown them. A product chiefly of his own vast readings, he is also the product of a faith in man's ability to overcome his environment. But, A. Philip Randolph is no passive believer. He is an active seeker, a battler for what he believes right, and his career is an excellent reflection of his philosophy that "you have to fight for what you get."

Mr. Randolph fought for 12 long years at great personal sacrifice to accomplish the near-impossible task of organizing the Brotherhood of Sleeping Car Porters. The formal recognition of that union by the railroads in 1937 was not only a triumph for the members of the union, but a source of pride to all American Negroes.

Mr. Randolph fought during the Second World War to open the "arsenal of democracy" to black citizens, by threatening a 100,000 strong march on Washington if the war plants were not opened to Negroes. In a face-to-face confrontation with the President, he secured his goal.

Then again in 1948, he fought to secure the integration of the armed forces by threatening a massive draft resistance campaign. Facing a somewhat peeved President, Mr. Randolph was able to convince Mr. Truman of the justice of his cause.

Finally, in 1963, he conceived the idea of the massive march on Washington. That march was to lead to so much of the landmark progress in civil rights that has come in this decade.

It is a tragic irony that on the occasion of this great civil rights figure's 80th birthday, our country is witnessing a backsliding on the part of the present administration in the field of race relations. We are seeing a pattern of relaxed enforcement of civil rights laws which together with the forced resignation of Clifford Alexander from the chairmanship of the Equal Employment Opportunity Committee and the continued attacks on him, suggests that the southern wing of the Republican Party is in a position to exert great influence on the Administration.

I am confident that the social progress that has come about so much because of the life and work of A. Philip Randolph will be able to weather these current attacks as well as the administration's proposed other reforms in Federal civil rights activity. The moral conscience of American society has been too aroused to allow permanent retreat and social retrogression to take place.

Mr. FEIGHAN. Mr. Speaker, "Justice," wrote the philosopher Leibnitz, "is love felt by the wise." These words well serve as a fitting guide to the life of Asa Philip Randolph, whose passionate dedication to the cause of social justice has always been tempered with wisdom. In a time of fanaticism, extremism and violence, he has stood manfully for the democratic process in the vigorous pursuit of a more just society.

As we honor him on this occasion of his 80th birthday, we acknowledge his four decades of leadership in the "revolution the Civil War left unfinished," a leadership distinguished by his unfaltering loyalty to the principles of nonviolence. He has been involved in virtually every struggle for Negro rights from the lunch counter sit-ins in Alabama to the revolt against colonialism in Africa. In championing equal justice under law for the Negro, he has upheld the rights of all men, of every race, to freedom and dignity. Thus his service to the aspirations of the Negro community has been a service to all America. He has written:

> My philosophy was the result of our concept of effective liberation of the Negro through the liberation of the working people. We never separated the liberation of the white working man from the liberation of the black working man . . . the unity of these forces (we believed) would bring about the power to really achieve basic social change.

Here is no call for black power against white power, but a realistic evaluation in the need for black and white power together in a common destiny and in the building of a more humane social order.

Now, at 80, he leaves to us all a monument of achievement which opens solid hope in a time of confusion and anxiety. Truly he has shown that love is indeed justice felt by the wise.

Mr. MOSS. Mr. Speaker, the scope and accomplishments of Asa Philip Randolph's 50 years of leadership in the cause of justice are an enduring monument to his faith and vision. Through dedication and persistence, he has done more than perhaps any other person in this Nation to break down the barriers of racial prejudice.

The history of Mr. Randolph's inspiring and immensely fruitful career has been the history of some of the most important gains in the struggle for equal opportunity for Negroes. He overcame the double handicaps of poverty and race with a deep faith in man's ability to master his environment through his own efforts. Through him, that faith has been vindicated for the poor and hungry everywhere in this country.

In the pursuit of justice and the American dream of freedom and opportunity for all, the contributions of Asa Philip Randolph to the welfare of our Nation and all our people have been immeasurable. I join my colleagues in paying tribute to a man who has spent his life in asking much for others, and very little for himself. To him I express my profound admiration.

Mr. MATSUNAGA. Mr. Speaker, I rise today to join my colleagues in the House of Representatives in paying tribute to a distinguished American, Asa Philip Randolph, founder and past president of the Brotherhood of Sleeping Car Porters, as he celebrates his 80th birthday.

Mr. Randolph, who for many years has preached nonviolence and self-reliance to the Negro American, has practiced politics, in his words, with the "aim of revolutionizing the conscious and subconscious mind of the dominant white people." To a large segment of America's Negroes, Mr. Randolph is a bulwark of unshakable dignity.

In 1963 Mr. Randolph conceived of a march on Washington that subsequently attracted participants, black and white alike, numbering more than a quarter million Americans. It was during this march which took place on August 28, 1963, that the late Dr. Martin Luther King, Jr., delivered his now historic "I Have A Dream" speech.

At age 80, Mr. Randolph continues to be highly respected and revered for his Biblical eloquence which continues to be heard as he strives toward his primary aim—"to unite all the scattered segments of the working classes, the Negro among them." His is the kind of spirit which has made America great and which will lead us to the better life for all Americans.

Mr. OLSEN. Mr. Speaker, I wish to join with the gentleman from Michigan in paying tribute to one of the outstanding Americans of our time. A. Philip Randolph, who celebrated his 80th birthday on April 15. Four score years is a long time but A. Philip Randolph has been far too busy working for the betterment of his fellow man to notice the years going by. In 1925 Mr. Randolph founded the Brotherhood of Sleeping Car Porters and became that organization's first president. His goal was to organize and unite the scattered segment of the working force in America and to bring the Negro into a more prominent role in the labor movement and, as in most things he has attempted, he succeeded in this goal.

A. Philip Randolph has always believed in the principle of coalition. The bringing together of like-minded forces has accomplished much within the labor movement and has resulted in the great strides forward made by the movement over the past 45 years. Mr. Randolph's presence and influence cannot be discounted as a contributing factor to labor's success.

There are now many justly deserved honors coming Mr. Randolph's way. I do not know why it is in this country but it seems that a man must retire before he is paid proper tribute. Mr. Randolph retired last year after so many years of service to mankind and the last several of them after suffering a serious heart attack. Despite this he is still active and his powerful, resonant voice is still strong.

Governor Rockefeller of New York proclaimed April 15, 1969, as A. Philip Randolph Day and on May 6, many hundreds of admirers will gather at the Waldorf-Astoria to pay homage to a man who has devoted his life to his brothers, both Negro and white. An outstanding American, a great Negro leader, and a champion of the workingman, I am honored to pay tribute to A. Philip Randolph today.

Mr. BURTON of California. Mr. Speaker, a champion of human rights and human dignity, A. Philip Randolph, can look back on his 80 years with the knowledge and comfort that he has blazed trails which became paths for others to follow.

He has struggled to move forward the cause of equality, the cause of the working man and woman, the cause of the oppressed in our society. That forward thrust, still drawing on his strength and magnified by the strength of those who joined with him, has become an irreversible forward movement toward the full promise of freedom for all people.

A. Philip Randolph organized the Brotherhood of Sleeping Car Porters, and for that and continuing guidance and leadership, he takes his place among the great of the Nation's labor leaders.

He has been in the forefront of the civil rights movement, from the time that movement was sustained by a handful of courageous men who struggled against all odds, to the present, where we see the fruits of his earlier labors.

Standing on the steps of the Lincoln Memorial—Dr. Martin Luther King by his side—A. Philip Randolph said, in part:

> We are gathered here in the largest demonstration in the history of this nation. Let the Nation and the world know the meaning of our numbers. We are not a pressure group, we are not an organization or a group of organizations, we are not a mob. We are the advance guard of a massive moral revolution for jobs and freedom.
>
> This civil rights revolution is not confined to the Negroes; nor is it confined to civil

rights. Our white allies know that they cannot be free while we are not. And we know that we have no interest in a society in which 6 million black and white people are unemployed, and millions more live in poverty.

Nor is the goal of our civil rights revolution merely the passage of civil rights legislation.

The months and years ahead will bring new evidence of masses in motion for freedom. The march on Washington is not the climax to our struggle but a new beginning, not only for the Negro but for all Americans, for personal freedoms and a better life.

Mr. COHELAN. Mr. Speaker, I am proud to add my tributes to A. Philip Randolph. His public record of accomplishment on behalf of workingmen, his understanding of the special problems faced by black men in a white society, his championship of civil rights for all our citizens, and his consistent leadership in the struggle for a better world—all these have been a significant part of America's social and economic history for the past 50 years.

An impressive figure physically, a gifted writer and a persuasive orator, Mr. Randolph organized and led the Brotherhood of Sleeping Car Porters to its first successful contract in 1937. He won many victories as the longtime president of his union and as a civil rights leader. He fought successfully to have the shameful Jim Crow policies banned in defense industries and in the armed services, and he has witnessed a growing public awareness of the merit of equality for all men.

It is important that we not forget and that we never allow to be deprecated the courage and stout-hearted determination of the lonely union organizers and civil rights warriors who fought in the first half of this century.

A steadfast believer in a new social order, Mr. Randolph consistently supported his fellow fighter for civil liberties, the late Norman Thomas, in all of his political contests and can be rightfully proud of the joint contribution they made to the liberal dialog in our national political campaigns.

A. Philip Randolph was a pioneer in paths now trodden by many. "Their load is lighter, and their road is brighter" for his having blazed that lonely, tangled trail. In his 80th year, I wish him "many happy returns."

I would like, too, to share with my colleagues a tribute to Mr. Randolph by Bayard Rustin, director of the A. Philip Randolph Institute, which appeared in the April 14, 1969, issue of the New Leader:

THE TOTAL VISION OF A. PHILIP RANDOLPH

(By Bayard Rustin)

Social struggle, if it is to effectively uplift masses of impoverished and exploited individuals, must articulate and satisfy their diverse needs as well as reconcile objectives that are often considered contradictory. A people degraded by poverty and a caste system of segregation, for example, will have the inchoate desire for dignity and liberation, but that desire will remain unfulfilled until it is given programmatic direction by a political movement. And in the course of fulfillment, there is always the danger that the felt need deriving from a perception of fundamental and historic injustices will conflict with the required political strategy, which by its nature must respond to circumstances of the moment.

I think it is part of the greatness of A. Philip Randolph that throughout his 60 years as a leader of Negro Americans, he has maintained a total vision of the goal of freedom for his people and of the means for achieving it. From his earliest beginnings as a follower of Eugene V. Debs and a colleague of Norman Thomas, he has understood that social and political freedom must be rooted in economic freedom, and all his subsequent actions have sprung from this basic premise.

He has identified with the spiritual longings of black people, but has insisted that economic security is the precondition for pride and dignity. While he has felt that Negro salvation is an internal process of struggle and self-affirmation, he has recognized the political necessity of forming alliances with men of other races and the moral necessity of comprehending the black movement as part of a general effort to expand human freedom. Finally, as a result of his deep faith in democracy, he has realized that social change does not depend upon the decisions of the few, but on direct political action through the mobilization of masses of individuals to gain economic and social justice.

Randolph thus stands out among Negro leaders of the 20th century as a man of both principled idealism and practical accomplishment. He has stood firm against racial separatism—whether advocated in the 1920s by Marcus Garvey or in the 1960s by black nationalists—because of his belief in integration and his knowledge that separatism would mean the continued exploitation and degradation of black people. Again, he has rejected elitism—be it in the form of W. E. B. DuBois' concept of "a talented tenth" or of a proposal for black capitalism—because of his democratic commitment and his opposition to programs that would economically benefit a minority at the expense of the majority. He has adhered to nonviolence as a moral principle and as the most effective means of political struggle.

Pursuing his conviction that the Negro can never be socially and politically free until he is economically secure, Randolph worked to build an alliance between black Americans and the trade union movement. His first efforts met with strong opposition from Southern oligarchs and powerful business leaders who had traditionally tried to use the Negro to subvert the labor movement. Their tactic was to exploit the Negro's grievous need for employment by inviting him to scab on unionized white workers striking for just demands. Realizing that the only benefactors of these practices were the exploiters themselves, Randolph embarked upon a crusade opposing any form of strikebreaking by Negroes, advocating instead their full integration into the American trade union movement. Today there are two million black trade unionists in America who have attained economic dignity, job security and protection against racial discrimination.

Randolph's activities on behalf of black workers, however, did not stop with this broad crusade. In 1925, he began the long and arduous campaign to organize the Brotherhood of Sleeping Car Porters (BSCP). Despite fierce resistance from railway companies and the hardships of the Depression, the BSCP eventually won certification in 1937.

This victory not only resulted in the first contract signed by a white employer with a Negro labor leader; it also became a symbol of what could happen if black people organized and bargained collectively. The BSCP enabled thousands of black workers to earn higher wages. What is more important, it became the central focus of the early civil rights protest movement. Brotherhood members, armed with the sophistication they had acquired through their economic battles and making use of the mobility provided by their jobs, carried the message of equality to Negroes in every state in the nation. They formed what was in effect a network for the distribution of political literature. It is hardly surprising, therefore, that E. D. Nixon, one of the main organizers of the 1955 Montgomery, Alabama, bus protest which marked the beginning of the modern civil rights movement, was the head of the local BSCP division and himself a porter.

Since the political strategy of mass protest has become commonplace during the last decade, it is all too often forgotten that this was developed by Randolph at a time when the use of such tactics by Negroes was unheard of. He believed that Negroes could not achieve economic advancement without fighting for it, but he was no less profoundly aware that as an oppressed people, the very act of struggling would confer upon them a dignity they had been denied.

Thus in 1941, with the advent of World War II, Randolph conceived the idea of a massive Negro march on Washington to protest the exclusion of black people from jobs in the defense of industries. He wrote of the dramatic plan in the Negro press and agitated for it on the street corners of Harlem and elsewhere. The idea was scoffed at or scorned by most people in the white community, and it was so unprecedented that even many Negroes had difficulty believing it could be made into a reality.

Local March on Washington Committees nevertheless began to spring up across the country, and as preparations assumed larger proportions, the pressure on President Roosevelt mounted. On June 20, 1941, less than two weeks before the scheduled date of the march, the President issued Executive Order 8802, banning discrimination in the War industries and setting up the Fair Employment Practices Committee. Once more thousands of new jobs were opened up to Negroes through Randolph's efforts, and black people began to sense their power as an organized group and the effectiveness of nonviolent direct action tactics.

Even when his actions have seemed to be directed toward noneconomic ends, Randolph has been guided by a persistent concern for the Negro's economic welfare. In 1948, for instance, he traveled to Washington to speak with President Truman on the problem of segregation and discrimination in the Armed Forces. Although he was of course concerned that Negroes in the Army be treated with dignity, the more fundamental difficulty he saw was that segregation would exclude them from high-paying officer positions as well as from training programs in skills they would need for postservice civilian employment. Such were Randolph's influence and authority that another Executive Order was issued to comply with his demands.

In 1955, when Randolph urged me to go South to help Dr. Martin Luther King organize the Montgomery bus boycott, he likewise had a dual objective in mind. He naturally felt that Negroes had a right to sit where they wanted to on public accommodations. But he also felt that if the boycott were successful and spread elsewhere, it would create jobs for Negroes as bus drivers and in restaurants, parks and libraries. His conception was that where Negroes were free to come, they would be free to work; if this proved not to be the case, once having gained access to an institution, they would use the same techniques for obtaining employment that they had originally used to open it up. And this in fact is what has happened throughout the South.

His interest in educational desegregation, too, transcended the problem of dignity or of Negroes and whites attending the same schools together, for he was concerned with the growing threat posed to Negro employment by cybernetics and automation. Since education is the basis for economic advancement, he knew that access to all educational facilities and opportunities was vital to the Negroes. A decade later, we can see even more clearly the devastating effect the combination of automation and inferior segregated education has had on the employment of blacks.

It was Randolph's perception of the economic basis of Negro freedom that enabled him to grasp the unique significance of the 1963 March on Washington. He conceived of it as marking the termination of the mass protest period—during which Negroes had destroyed the Jim Crow institutions in the South—and the inauguration of an era of massive action at the ballot box designed to bring about new economic programs. Aware that the central problem Negroes faced was no longer simply one of *civil* rights but of *economic* rights—for the one would lack social substance without the other—he called for a March on Washington which brought a quarter of a million Americans to the nation's capital to demand *"Jobs* and Freedom."

At the same time President Kennedy introduced what was to become the 1964 Civil Rights Act, and in the minds of some people this became the main focus of the March. Randolph, however, refused to be misled by transient emotion and persisted in his demand for an economic program. At the 1966 White House conference, "To Fulfill These Rights," he proposed the Freedom Budget, calling for an annual Federal expenditure of $18.5 billion for 10 years to wipe out poverty.

Randolph was not speaking here of tax incentives for industry, voluntary assistance by private individuals or community action programs. He was speaking of full employment and a guaranteed income, the rebuilding of our cities, the provision of superior schools for all of our children, and free medical care for all of our citizens. He was speaking, very simply and without rhetoric, of achieving equality in America.

And he was not being unrealistic. He proposed, along with the Freedom Budget, a political strategy for achieving it that calls for building a coalition of Negroes, labor, liberals, religious organizations, and students. If these groups could unite, they would form a majority capable of democratizing the economic, social and political power of this Nation.

Today there are many Negroes and liberals who reject the idea of this coalition. The reason for this, I think, is that they have failed to view the problem of inequality in its totality. Unlike Randolph, their vision is fractured and constricted. There are some Negroes, for example, who are advocating racial separatism and black nationalism because they are engaged in a very significant psychological quest for identity.

I am in sympathy with this search to a degree, as was Randolph in 1940 when he wrote: ". . . the Negro and the other darker races must look to themselves for freedom. Salvation for a race, nation, or class must come from within. Freedom is never granted; it is won. Justice is never given, it is exacted. Freedom and justice must be struggled for by the oppressed of all lands and races, and the struggle must be continuous, for freedom is never a final fact, but a continuing evolving process to higher and higher levels of human, social, economic, political and religious relationships."

Randolph did not believe that blacks should isolate themselves, though, so he added: "But Negroes must not fight for their liberation alone. They must join sound, broad, liberal social movements that seek to preserve American democracy and advance the cause of social and religious freedom."

Randolph's position is not only morally correct but strategically necessary, for Negroes today are in danger of letting an emotional imperative destroy the possibility for social and economic liberation. They are emphasizing blackness to the point of isolating themselves from broad political movements for social justice—forgetting that as one-tenth of the population, they cannot by themselves bring about necessary social changes such as those embodied in the Freedom Budget.

Indeed, many liberals have become obsessed with the psychological aspects of the racial problem to the point of neglecting its economic dimensions. During the early years of the civil rights movement these liberals, unlike Randolph, favored integration primarily as a means of fostering better relations between blacks and whites. Now that the cry of black nationalism has arisen from some Negroes, they have transferred their concern for brotherhood to the need for blacks to achieve pride and identity and for whites to purge themselves of guilt and racism. In both the earlier and the current cases there is a failure to confront the overriding fact of poverty. Most mistakenly, many have now abandoned the objective of building an integrated movement to achieve economic equality.

We are still very much in need of the guidance of A. Philip Randolph. As he reaches his 80th birthday, this April 15, the freshness and the comprehensiveness of his vision remaining evident. And by his presence, he poses a challenge to his followers: to build through means that are democratic and nonviolent, a just society in which all men need not fear poverty, and in which men of all races, graced with the dignity, that comes from a full life, need not fear each other. In no other way can we at last become a nation that is at peace with itself.

Mr. MURPHY of New York. Mr. Speaker, on April 15, A. Philip Randolph marked his 80th birthday, a day of tributes and celebration for one of the greatest Negro leaders of the 20th century. Throughout his years as a leader of Negro Americans, he has maintained a total vision of the goal of freedom for his people and of the means for achieving it. We are still very much in need of the guidance of A. Philip Randolph. The freshness and the comprehensiveness of his vision remains evident. Under leave to extend my remarks in the RECORD, I include the following article by Rudy Johnson in the New York Times and the special AFL–CIO resolution honoring this truly great American on his 80th birthday:

[From the New York Times, Apr. 15, 1969]

RANDOLPH, 80 YEARS OLD TODAY, REFLECTS ON HIS FIGHT FOR LABOR

(By Rudy Johnson)

A. Philip Randolph leaned forward on the sofa to stress his point and, with a trace of fire in his eyes, declared:

"You've got to fight for what you get. I've been on one side of many a conference table negotiating agreements, and I don't know of a single instance where anything was given without exacting it from the other side."

The statement, made in an interview yesterday, was typical of the man whose long and fruitful career as a labor leader, civil rights activist, militant editor and gadfly to Presidents, was marked with the struggles that presaged recent gains by Negroes and other members of minority groups.

Mr. Randolph retired last year as president of the Brotherhood of Sleeping Car Porters, of which he was the chief founder in 1925. It had been a long, arduous fight that lasted almost three decades from the first inkling of organizing such a Negro union to signing the first contract with the nation's railroads in 1937.

Today Mr. Randolph is 80 years old, and Governor Rockefeller has proclaimed the day in his name in New York.

On May 6 hundreds of prominent Americans, many of them his associates in the long civil rights fight, will pay him tribute at the Waldorf-Astoria.

GOAL OF THE TRIBUTE

The goal of the birthday tribute will be to raise $250,000 to carry on the Negro leader's life work through the A. Philip Randolph Institute.

Although Mr. Randolph's life work has been full and varied, he said yesterday that throughout all the years he has had one primary aim—to unite all the scattered segments of the working classes, the Negro among them.

Sitting in his four-room apartment in the cooperatives owned by the International Ladies Garment Workers Union, 26th Street and Ninth Avenue, he commented:

"My philosophy was the result of our concept of effective liberation of the Negro through the liberation of the working people. We never separated the liberation of the white working man from the liberation of the black working man . . . the unity of these forces would bring about the power to really achieve basic social change."

But the recent emphasis has been on "race itself," he said. Referring to today's black nationalist movement, he asserted:

"There must be a continuous quest for identification by the Negro, [but] I believe that can be overdone. And I believe the cult of blackness has been overdone. I wouldn't say it has been successful in putting these forces together."

EDITORSHIP IS RECALLED

He went on to describe the days when his editorship of The Messenger, a magazine he and one of his closest associates, the late Chandler Owen, founded in 1917. At that time, his radical writings and soapbox speeches had prompted the Justice Department to call him "the most dangerous Negro in America."

He lashed out at Jim Crowism during the Wilson Administration in his articulate writings and rousing speeches. But he also took issue with other Negroes when, in his estimation, they sought to veer from a path of black alliance with trade unionism. This included the late Marcus Garvey's "Back to Africa" movement, started in 1915.

Mr. Randolph said that throughout his career he and his associates, had always striven to develop the "principle of coalition," after which the united workers would begin to make changes in the capitalistic structure of society. An avowed socialist, he said:

"A larger part of our economy ought to be subject to socialization. Take railroads, airplanes, the buses, medical care. These are areas that should not be subject to exploitation for profit because the people will suffer as a result of that. Great corporate powers are becoming almost unmanageable.

VOICE REMAINS STRONG

As Mr. Randolph talked, he looked much leaner than he had been before he was stricken with a heart ailment several years ago. Most of his life, he had weighed 200 pounds and had been 6 feet tall. But his powerful, resonant voice was still strong.

He recalled some of the highlights of his career, which included origination of a March on Washington Movement in the early years of World War II.

The plan was to assemble thousands of Negroes who would converge on Washington in a demonstration that would protest discrimination in government and defense plants.

Mr. Randolph, and the late Walter White, then director of the National Association for the Advancement of Colored People, had met with President Roosevelt to try to urge him to correct the problem.

But the President resisted the urgings and even sent Mrs. Roosevelt to persuade Mr. Randolph to call the march off. But he was unyielding, and less than two weeks before the scheduled march, on June 20, 1941, the President issued Executive Order 8802 banning discrimination in the war industries and setting up the Fair Employment Practices Committee.

About seven years later, Mr. Randolph's Committee Against Jim Crow in Military Service and Training convinced President Truman to issue an executive order banning discrimination in the armed forces.

But one of Mr. Randolph's most glorious moments came in 1963 when he conceived a March on Washington that was carried out by more than a quarter-million people, black and white, and where the late Rev. Dr. Martin Luther King Jr. delivered his "I Have A Dream" speech.

Mr. Randolph regretted however, that his late wife, the former Lucille E. Green, to whom he had been married 50 years, died only months before the memorable event.

Statement by the AFL–CIO Executive Council on A. Philip Randolph, Bal Harbour, Fla., February 18, 1969

Whereas, A. Philip Randolph has, throughout his long career, made a tremendous contribution to the American trade union movement, and

Whereas, Brother Randolph has dedicated his life to the building of a Negro-Labor alliance and to the integration of the Negro people into the economic, social, and political life of America, and

Whereas, Brother Randolph will be celebrating his 80th birthday on April 15, 1969; therefore, be it

Resolved: That the AFL–CIO Executive Council salutes Brother Randolph on the occasion of his 80th birthday; and that it calls on trade unionists throughout the country to support the birthday celebration which will be held on May 6, 1969 at the Waldorf-Astoria Hotel in New York City, and also contribute to the Fund to be established in Mr. Randolph's name which will be used to finance voter education and registration projects in the black communities of our cities, with the objective of strengthening the political coalition of labor unions, Negroes, and liberals which can achieve those economic and social reforms that will bring greater democracy and enduring peace to this nation.

Mr. BINGHAM. Mr. Speaker, I am delighted to have the opportunity to say a few words about A. Philip Randolph, for there have been few Americans in this century more worthy of respect. His battle for equal opportunity for black men began when most people ignored the Negro entirely.

In 1917, for speaking and writing against Jim Crowism during the Wilson administration, the Justice Department called him "the most dangerous Negro in America." He was off to a good start. From then on, he has not swerved from the cause of liberation of the Negro through freedom of job opportunity. He has said:

> My philosophy was the result of our concept of effective liberation of the Negro through the liberation of the working people. We never separated the liberation of the white working man from the liberation of the black working man. . . . The unity of these forces would bring about the power to really achieve basic social change.

His emphasis has always been on equality of opportunity and on the unity of all working men. His belief has consistently been that minority groups can make their greatest economic and social gains working through existing labor unions, or by starting their own. Mr. Randolph's achievements in bringing this idea into reality represents, in effect, the history of the Negro in the American labor movement. In 1925, he founded the Brotherhood of Sleeping Car Porters. After 12 more years of organizing the union won a National Labor Relations Board employee election and a contract from Pullman. From a position of strength as president of the union, Randolph was able to bargain effectively, not only for union members but for all Negroes.

In 1941, Randolph sought to dramatize the fact that "in this arsenal of democrary there is no democracy for the Negro citizen" by organizing a march on Washington. It was not until Roosevelt established the Fair Employment Practices Commission, and issued an Executive order commanding war contractors to drop color barriers that the march was called off.

In 1944, he took a suit against the all-white Locomotive Engineers and Firemen, who had forced the railroads into a Jim Crow agreement, to the Supreme Court. The Court ruled the agreement illegal.

In 1948, Randolph suggested to President Truman that there would be wholesale refusal of Negroes to register for the draft unless segregation in the Armed Forces ended. Truman issued an Executive order ending segregation of units almost immediately.

In 1955, he forced the newly merged AFL–CIO to outlaw discrimination in affiliated unions. Although enforcement has been slow, there are now more than 1,750,000 Negro union members, and less than 150 of the 60,000 affiliated locals are segregated. This is not dramatic, not showy progress, but it is a far cry from the days when Mr. Randolph was a lone voice at the conventions.

In 1963, Randolph conceived and led the great March on Washington, which served notice to an America that continued to ignore the black man that there were unredeemed promises and unfulfilled hopes.

There have been few tougher fighters for any cause. Not many other men would have dared to risk the wrath of Roosevelt, of Truman, and all of organized labor. Yet he did, with great power and dignity, and made them his admirers.

A. Philip Randolph has spent his life creating a better life for millions of Americans. The black men who have good jobs and who have a sense of the freedom that ought to be the birthright of every American owe a great deal to him. So, too, do all of us owe him a debt, for his persistent persuasion has opened our eyes and made possible the commitment that America has now made to end discrimination.

Mr. Speaker, 80 years as well spent as Mr. Randolph has spent his, are too few. I hope that all my colleagues will join in wishing him many more.

Mr. PEPPER. Mr. Speaker, it gives me deep personal pleasure to join in the tribute to my distinguished friend A. Philip Randolph, on the occasion of his 80th birthday. As you know I have long been concerned with the improvement in the living standards of the working man in our country and with the struggle to overcome the discriminations which prevent the full realization of our great American ideals of human brotherhood.

Few men have contributed more than A. Philip Randolph to both of these causes. His long life has been devoted to lifting up his fellow men. He has struggled for the economic elevation of his fellow men through his dedicated and able leadership of the International Brotherhood of Sleeping Car Porters and through his wise counsel and inspiration as a member of the executive leadership of the American Federation of Labor-Congress of Industrial Organizations. He has struggled as mightily and as successfully for the unshackling of the spirit of millions of his fellow citizens through his support of the cause of civil rights and the cause of racial equality and freedom in our land.

It is a great privilege to honor a man of the high character and ability of A. Philip Randolph. Our country is in his debt and it is our wish that the Ruler of the Universe may give him many more fruitful years in the service of the ideals that have made this Nation the beacon of freedom and opportunity for the disinherited of the earth.

Mr. STOKES. Mr. Speaker, I would like to pay tribute to A. Philip Randolph who is 80 years old today. Born at the time of the gas lamp, he is still a source of inspiration and an example of extraordinary moral dignity to men today. Born in Crescent, Fla., the son of a preacher, he was only 9 years old when a life-lasting lesson was thrust upon him. It was the story of a lynching which never took place. As he told it:

> The men (all Negroes) of the town had gone to the county jail, stood all night like sentries in the street and kept the lynch mob from coming.

For the little boy, it meant that strength stemmed from unity and that his brothers had shown strength.

His philosophy in his own words has been:

> We never separated the liberation of the White working man from the liberation of the Black working man . . . the unity of these forces would bring about the power to really achieve basic social change.

In the land of liberty, he believed that all men were to be free and all his life he worked toward that end. He is still, in his own nonviolent, but inflexible way, pursuing this goal.

From President Roosevelt, he helped obtain the promise of fair employment practices—now in effect in 17 States. From President Truman, the integration of the Armed Forces. From President Eisenhower, the implementation of school desegregation, and in the 1960's, he organized the march on Washington and quietly convinced President John F. Kennedy to propose the Civil Rights Act of 1964.

A self-educated man, a wonderful orator, he never forgot his labor background and his black identity. He was the founder of the Brotherhood of Sleeping Car Porters, vice president of the AFL–CIO, and yet he was never overpowered by his achievements. His greatest achievement is perhaps to be a model, not only to the black man in America, or to the white man in America, but to men everywhere, of all races, religions, and creeds. It is certainly an honor and a privilege to pay tribute to this great American today.

Mr. CONYERS. Mr. Speaker, I am honored to join my distinguished colleague from Detroit in this special order to pay tribute to a great American, Asa Philip Randolph, who just passed his 80th birthday.

A. Philip Randolph has devoted his life to improving conditions for black workers. As the organizer and founder of the Brotherhood of Sleeping Car Porters, he made an unmeasurable contribution to the labor movement in America. The Brotherhood of Sleeping Car Porters has also long been a living symbol for many black Americans of what a number of individuals could achieve through organization. If one had to list Mr. Randolph's vast accomplishments in order of their value to black Americans, organization, united action toward a common goal, would top that list. All America learned from Mr. Randolph what obstacles could be hurdled by organization.

Mr. Randolph's skill as a labor organizer is well known to me from personal experience. When I was general counsel for Trade Union Leadership Council, Detroit, A. Philip Randolph was our guiding light. He came to speak often before us, as he did to many such groups, and shared generously his experience and advice. Without doubt, he is the most revered labor spokesman in America.

For nearly 50 years, Mr. Randolph has been a progressive force in American development. His is the voice that spoke most often for black America, especially the workingman. He was the force behind the opening of the war industries to black Americans; he was also the force behind desegregation of the Armed Forces; and his was the great mind that conceived and carried out the monumental march on Washington in 1963.

A. Philip Randolph's amazing ability to organize workingmen, to persuade Presidents, and to inspire thousands of black Americans who occupy positions of leadership, both in and out of the labor movement, will never be forgotten. The changes he has wrought in America are a higher tribute than any we could lay before him. With dignity, determination, and the marvelous gift of selling goals and philosophy to an oppressed people, A. Philip Randolph has quietly moved mountains. Although he has retired now from many of his former activities, I know that he will continue to prod his many admirers when he feels that we are not moving our share of the mountains that are left.

Mr. ROYBAL. Mr. Speaker, it is indeed a pleasure to have this opportunity to join with my colleagues in the House of Representatives in paying tribute to a truly great American, Mr. A. Philip Randolph, on the occasion of his 80th birthday.

Mr. Randolph has dedicated his life to the securing of dignity, justice, and equality for all his fellow citizens in America.

He has shown outstanding qualities of leadership in the long struggle on behalf of this Nation's working men and women—and in helping improve the economic, social and political life of every American, regardless of race, color, creed, national origin, or ethnic background.

This country owes him a debt of gratitude for the example he has set of a lifetime devoted to helping make the United States a better place in which to live.

I believe we can all agree with Bayard Rustin when he said:

> In this time of confusion, violence, and racial separatism, A. Philip Randolph—at 80 years of age—remains a source of wisdom and courage. By his presence, he poses a challenge to his followers. That challenge is to build, through means that are democratic and non-violent, a just society in which all men need not fear poverty, and in which men of all races, graced with the dignity that comes from a full life, need not fear each other. In no other way can we at last become a nation that is at peace with itself.

In further tribute to this outstanding American, I would like to include in the RECORD the text of a fine editorial which appeared in the April 25 edition of the Los Angeles Citizen, honoring A. Philip Randolph:

RANDOLPH AT 80

On April 15, A. Philip Randolph marked his 80th birthday, a day of tributes and celebration for one of the greatest Negro leaders of the 20th Century.

The very essence of the man and what he stands for is perhaps best grasped by his co-worker, Bayard Rustin, in an article in The New Leader. Rustin writes in part:

"I think it is part of the greatness of A. Philip Randolph that throughout his 60 years as a leader of Negro Americans, he has maintained a total vision of the goal of freedom for his people and of the means for achieving it. From his earliest beginnings as a follower of Eugene V. Debs and a colleague of Norman Thomas, he has understood that social and political freedom must be rooted in economic freedom, and all his subsequent actions have sprung from the basic premise."

He has identified with the spiritual longings of black people, but has insisted that economic security is the precondition for pride and dignity. While he has felt that Negro salvation is an internal process of struggle and self-affirmation, he has recognized the political necessity of forming alliances with men of other races and the moral necessity of comprehending the black movement as part of a general effort to expand human freedom.

Finally, as a result of his deep faith in democracy, he has realized that social change does not depend upon the decisions of the few, but on direct political action through the mobilization of masses of individuals to gain economic and social justice.

Randolph thus stands out among Negro leaders of the 20th Century as a man of both principled idealism and practical accomplishment. He has stod firm against racial separatism—whether advocated in the 1920s by Marcus Garvey or in the 1960s by black nationalists—because of his belief in integration and his knowledge that separatism would mean the continued exploitation and degradation of black people.

Again, he has rejected elitism—be it in the form of W. E. B. DuBois' concept of "a talented tenth" or of a proposal for black capitalism—because of his democratic commitment and his opposition to programs that would economically benefit a minority. He has adhered to nonviolence as a moral principle and as the most effective means of political struggle.

Pursuing his conviction that the Negro can never be socially and politically free until he is economically secure, Randolph worked to build an alliance between black Americans and the trade union movement. His first efforts met with strong opposition from Southern oligarchs and powerful business leaders who had traditionally tried to use the Negro to subvert the labor movement. Their tactic was to exploit the Negro's grievous need for employment by inviting him to scab on unionized white workers striking for just demands.

Realizing that the only benefactors of these practices were the exploiters themselves, Randolph embarked upon a crusade opposing any form of strikebreaking by Negroes, advocating instead their full integration into the American trade union movement. Today there are two million black trade unionists in America who have attained economic dignity, job security and protection against racial discrimination.

We are still very much in need of the guidance of A. Philip Randolph. As he reaches his 80th birthday, the freshness and the comprehensiveness of his vision remains evident.

Mr. FRIEDEL. Mr. Speaker, when a man reaches four score years of age, it is cause for a celebration. However, should such a person have achieved prominence by reason of his accomplishments in the interest of his people and of his vocation, it is only right that the Nation should commemorate his birthday.

A. Philip Randolph, a truly great leader, was born 80 years ago. Fortunately he is still with us and active for the just cause of all laboring people and for civil rights. When he speaks on behalf of almost 19 million Negroes who constitute close to 11 percent of the total U.S. population, the Nation listens.

The fact that dramatic changes for a better status for this important segment of our citizenry have occurred with such swiftness is due in a great measure because of the work of the man we honor today.

It was back in January 1941, over 28 years ago, that Mr. Randolph, president of the Brotherhood of Sleeping Car Porters, advanced the idea of 50,000 to 100,000 Negroes marching on Washington and demanding that their Government do something to insure the employment of Negroes in defense industries.

Although that march did not actually take place, it proved to be the impelling reason that President Roosevelt on June 25, 1941, issued his famous Executive Order 8802, stating:

> There shall be no discrimination in the employment of workers in defense industries or Government because of race, creed, color, or national origin.

Again it was A. Philip Randolph who conceived the idea of a march on Washington which did take place on August 28, 1963. What is significant, however, is the fact that prominent clergymen, noted educators, influential labor leaders, and other prominent Americans were present in large numbers on this occasion.

The cause of labor and the advancement of human rights are the twin goals of this great man. That he succeeded is becoming a reality. May he long continue his activities for a better society. I congratulate him on his 80th birthday and wish him continued good health and success.

GENERAL LEAVE TO EXTEND

Mr. DIGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order, a tribute to A. Philip Randolph, and to include extraneous material.

The SPEAKER pro tempore (Mr. BRASCO). Is there objection to the request of the gentleman from Michigan?

There was no objection.

FINANCIAL ASSISTANCE TO NONPROFIT PUBLIC EDUCATIONAL BROADCASTING

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today reintroduced a resolution directing the Federal Communications Commission to study the means by which commercial broadcasters could be required to provide financial assistance to nonprofit public educational broadcasting. The resolution would also put Congress on record in favor of commercial television and radio broadcasters' providing substantial financial support to educational broadcasting.

Educational television offers a positive alternative to the sex and violence so prevalent on commercial television today. Educational television also offers a broader range of programing. The children's workshop, for example, offers highly creative, imaginative and educational programing. Yet, educational television with no source of regular financing exists on a hand-to-mouth basis primarily by means of voluntary contributions, and so forth.

The Congress in 1967 established the Corporation for Public Broadcasting to provide financial assistance for the expansion of educational programing. The financing for the corproation's activities has been limited so far, however, to interim congressional appropriations which do not begin to meet the need.

There is a need to find a permanent long-range financing mechanism to enable public broadcasting to grow and, at the same time, maintain its independence from government. The recommendation recently made by Prof. Richard Netzer, of New York University, that commercial broadcasters be taxed for the benefit of public television represents a proposed solution. While I tend to support the idea of media tax, I would like to see a full-fledged study by the Federal Communications Commission to determine if there should be a tax and, if so, to what extent.

FOUNDATION RESPONSIBILITY—II

The **SPEAKER** pro tempore. Under a previous order of the House, the Chair recognizes the gentleman from Texas (Mr. GONZALEZ) for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, for some time I have been calling the attention of the House to the emergence of reverse racists in Texas. I have said that these purveyors of hate have received assistance from the Ford Foundation, through its grantees. Today I intend to show the House exactly how that aid has been dispensed, and again call upon the Ford Foundation to take steps to exercise its responsibility, which is to insure that its grantees act only in the public interest. I believe that the grantees I will speak of have acted in a way that is contrary to the public interest, and contrary to any intention that the Ford Foundation espouses, unless I seriously misunderstand the aims of that great organization.

The principal purveyor of race hate in Texas—that is the reverse variety of race hate—is the Mexican American Youth Organization, known as MAYO. I shall show today how three of the four founders of MAYO are on direct payrolls of the Ford Foundation, and how its principal members receive aid direct and indirect from Ford Foundation grantees.

The Ford Foundation has given grants of $2½ million to the Mexican-American legal defense fund and $630,000 to the Southwest Council of La Raza. As far as I know these grantees are free to spend their money more or less as they please. It is this freedom of action that has led to an odd interrelationship between MAYO and Ford Foundation money.

The Southwest Council of La Raza made a grant of $110,000 to an organization calling itself the Mexican American Unity Council, of San Antonio. This group in turn makes other grants to other organizations; it has already handed out $46,000, although its grant is supposed to last for a whole 5 years. Of the seven publicly known grants, three are to organizations that are run by MAYO members, or closely related to MAYO, and one is to a voter registration group whose director is an old ally of a local politico who often addresses MAYO meetings, and who is a member of the board of directors of the parent grantee, the Southwest Council of La Raza.

The president of MAYO, Jose Angel Gutierrez, who has said that most Anglo-Americans are "gringos" and that "gringos" must be "eliminated," and who frequently says that violence may be necessary, even killing, to achieve his goals, is employed as an investigator by the Mexican-American legal defense fund, a Ford grantee. Gutierrez' appeals to violence make it seem odd that he should be working for a group dedicated to legal recourse, but then it is also odd that the MALDF offices sport pictures of Che Guevara, not exactly known for his dedication to free process, let alone law. Gutierrez is one of the four founders of MAYO.

A second founder of MAYO is Willie Velasquez, who happens to be the director of the Mexican-American Unity Council, which has $110,000 in Ford money to dispense, $46,000 of which has already been spent. One of his two acknowledged employees is Juan Patlan, who was a third founder of MAYO. The other employee is Gil Murillo, who was until recently a VISTA supervisor. The fourth founder of MAYO was Mario Compean, who so far as I know is not on any grantee's payroll, but who has benefited from political action of MAYO related groups. He was first president of MAYO, and ran for the office of Councilman of San Antonio. Compean's appeal was frankly racist:

> I shall pursue a course plotted to overthrow the gringos and their vicious and oppressive political machine.

He also said:

> Let me say that my campaign will be based on a platform committed one hundred per cent to la raza and the blacks." Compean places the blame for all the ills of Mexican-Americans and Negroes on what he calls the white majority.

Jose Angel Gutierrez, the second president of MAYO, has made statements that are even more startling; unlike Compean he is paid by tax-free foundation money. Incidentally, MAYO sometimes says that it has no officers, but other times says that it does. Likewise, it sometimes says that most Anglos are all right, but sometimes that all or most Anglos are racists—gringos. Gutierrez said in Austin, Tex., on April 19:

> We must use any means necessary to reach our goal.

He also said on that day:

> We may have to resort to violence in self defense.

On April 11, Gutierrez said that "top priority" must be given to "identifying and exposing the gringo," and that MAYO aimed to "eliminate" the gringo, by killing if necessary. Gutierrez feels that anyone who disagrees with him or for some reason or another does not help him is either a "turncoat"—a term he applied to a Mexican-American Chamber of Commerce that failed to give him a scholarship he asked for—or has "gringo tendencies," which is a term he applied to me. On the other hand, this zealous young man states that he will never violate his loyalty to la raza by publicity criticizing another Mexican-American. Gutierrez has said:

> MAYO will crush any gringo who gets in our way, squashing him like a beetle.

His statements are very similar to the utterances of MAYO founder Compean, and the resemblance is not accidental. It is hard to believe that a young man who preaches hatred and violence can be employed by a legal defense fund, but that is the case. The interesting aspect of the job is that Gutierrez is not a lawyer, but an "investigator" for the Ford Foundation supported MALDF. His job leaves him ample time to travel and speak in behalf of MAYO, so that one wonders whether he investigates so much as he instigates.

Mr. Speaker, the principal disburser of Ford Foundation money in San Antonio is the Mexican-American Unity Council, which has $110,000 and which is run by Willie Velasquez, who is like Gutierrez a founder of MAYO. Velasquez has on his payroll a third MAYO founder, Juan Patlan, who works as an "economic development specialist." As far as I can determine the Unity Council has made no grants aimed at economic development, although it has made grants to various politically active groups, so it is hard for me to tell what his job really is. Velasquez, through the Unity Council, has made direct grants to fellow MAYO founder Guerrero's MAYO organization, in the amount of $12,400—or one-fourth of the total of all grants made by the unity council. Incidentally, the only paid employee of the MAYO group is Ignacio Perez, who was also a founder of the organization.

The Mexican-American Unity Council has further close ties with MAYO members. For example, it has given a grant to provide operating money for the Universidad de los Barrios, the premises of which seem to be the headquarters for drinking bouts, where one murder was committed on the night of January 10, and whose walls are decorated with various posters that could be interpreted as irreverent by some and obscene by others. As it happens, the director of this interesting place is a student who happens to have been one of the principal members of MAYO.

The Ford-funded Council also provides financial assistance to a group known as Barrios Unidos. Associated with Barrios Unidos is a group headed by C. H. Alejos, a MAYO member, and candidate for the city council in the last municipal election in San Antonio. This group is called the Laredo Street Council. The Barrios Unidos provides money to the Lulacs del Barrio, headed by Dario Chapa, MAYO member and candidate for the city council in the last municipal election in San Antonio.

A fourth Ford-funded group in San Antonio is the group known as COVER, headed by a long-time ally of County Commissioner Albert Pena, who opposes the city government's majority party, and who also happens to be on the board of directors of the Southwest Council of La Raza. The Commissioner frequently addresses MAYO rallies around the State. It is curious to note his relationship to the Southwest Council, which grants funds to the Mexican American Unity Council, which in turn gives $5600 to a voter registration group headed by his long time political supporter. One has to wonder what the connections may be.

Mr. Speaker, the leadership of MAYO is clearly irresponsible. Yet, three of the four founders of this organization are on the payroll of Ford Foundation grantees, including its current president, who works for a legal defense fund, but who openly and flagrantly states that the legal process of reform probably will not work, and who thinks nothing of making threats of violence. Not only does the Ford Foundation provide the means of livelihood for these provocateurs and blatherskites, but its grantees provide additional direct support to the MAYO organization and to fellow MAYO members. Of seven grants made in San Antonio to organizations, three have gone directly to organizations that are headed by MAYO members, and a third has gone to a political action group whose leadership is closely allied with a member of the board of directors of the Southwest Council for La Raza. It appears that all of this is more than coincidental; the grantees take care of their friends, and I suppose that it is assumed that the Ford Foundation is none the wiser. There is no reason to believe that henceforth the Foundation will not know to whom its money is going and what it is being used for.

Mr. Speaker, I have clearly pointed out the relationship of Ford Foundation money to militant and radical groups and leaders, groups and leaders who are at best irresponsible and who present a real danger to the peace and safety and progress of the people of south and southwest Texas.

CAN THE UNIVERSITY SURVIVE?

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, today, many of our citizens are asking what is happening on our university and college campuses. The Reverend Theodore M. Hesburgh, president, Notre Dame University, in the April 27 issue of This Week Magazine, suggests that the very survival of the university is at stake.

That survival he suggests is up to the university itself. Through purposeful leadership in tune with the legitimate needs and demands of the student the university can survive. Father Hesburgh feels that today's students are better than ever before, more deeply committed to the democratic values of the Nation and more concerned about the very purpose of society.

But the acts of violence and force that are perpetrated by a few which deny the basic rights of the individual must be dealt with effectively and justly by the university; otherwise, Father Hesburgh fears that the academic community could lose support of the general public, that liberty could be suppressed and that the fires of fascism could be rekindled.

I commend to my colleagues Father Hesburgh's balanced and insightful commentary on one of the great issues facing this country, and include his statement at this point in the Record:

> The best salvation for the university in the face of any crisis is for the university community to save itself, by declaring its own ground rules and basic values and then enforcing them, first with moral persuasion, and finally with academic sanctions—suspension and expulsion—for participants in any movement against university life and values—especially violence, vandalism and mob action.
>
> When moral persuasion and academic sanctions fail to deter those who show open contempt for the life-style and self-declared values of the university community, there should be no hesitation to invoke whatever outside assistance is necessary to preserve the university and it values. However, it is the university that best judges its need for outside assistance and invokes this assistance, much as it would call for help in a three-alarm campus fire. Here the concern is survival against forces bent on destruction.
>
> University presidents have constantly heard the argument that if they invoke the law, and call in the police to keep peace on the campus, they will lose the respect and the support of their university community.
>
> My only answer to that argument is that without the law you may well lose the university—and beyond that, more seriously important, you may lose the support of the larger society outside of the campus which keeps the university alive, and which is most deeply wounded when law is no longer respected, bringing an end to everyone's most cherished rights.
>
> If someone invades your home, do you dialogue with him or call the law? Without the law, the university is a sitting duck for any small and irresponsible group from the outside or inside of the campus that wishes to destroy it or to terrorize it at whim. The law is the university's only guarantee of civilization versus jungle or mob rule.
>
> Somewhere a stand must be made, and the point I have been trying to emphasize to our own university community and to concerned government officials and legislators, is that the stand must be made here, by ourselves, on our campus, not by an outside authority. The university president, as a last and dismal alternative, may have to call the police to keep law and order; if he doesn't, the day will come when somebody else will have to step in and make the call for him.
>
> When Notre Dame announced its determination to make such a stand against lawless force on its campus if the need for it arises, the president of an Eastern university voiced concern for "our general readiness today to attack the young and blame the young."
>
> Far from blaming the young, I feel that the great majority of our students today need better leadership than we administrators or the faculty are giving them in these times of a fast-changing society. The young people are more informed, more widely read, better educated, more idealistic, more deeply sensitive to moral issues, more likely to dedicate themselves to good rather than selfish goals than any past generations of students that I have known. Even the most far-out students are trying to tell society something that may be worth searching for today, if they would only lower the volume so we could hear the message. In most cases, they have good reason to be bothered by some aspects of American and world society and by current values, or the lack of them.
>
> But a complicated social mechanism, out of joint, cannot be adjusted with sledge hammers. At Notre Dame we recognize the right and validity of protest and dissent regarding the burning issues of the day—war and peace, especially in Vietnam, civil rights, moral issues, and the stance of our university on those issues. But protest and dissent must be expressed in a civil and rational discussion and persuasion, not in a display of force and violence that disrupts the life of the university. We can have a thousand resolutions as to what kind of a society we want, but when authority is flouted, we must invoke the law or stand back to watch the university die beneath our hopeless gaze.
>
> In a fast changing society the real crisis is not one of authority but a crisis of vision that alone can inspire great leadership and create morale in any society. A rebirth of great academic, civic and political leadership, a sharing of some of these youthful ideals and dreams (impossible or not) would be good for our universities and good for America too. It might also help us all remove some of the key problems that underline most of the unrest. The campus is really reflecting America and the world today in hi-fi sound and living color.
>
> Part of the vision that I have been speaking of must certainly include law and order. But curiously enough, one cannot really have law and order without another part of the vision; greater achievement of justice in our times, more compassion for all, real love between generations. All elements of the vision are interdependent. Moreover, the vision must be whole and real for everyone.
>
> I truly believe that unless our American universities take drastic steps now to restore law and order to their campuses, we may be about to see a revulsion on the part of state and Federal legislatures, benefactors, parents, alumni and the general public for much that is happening today in higher education. This may lead to a suppression of the liberty and autonomy that are the lifeblood of a university community. It may well lead to a rebirth of fascism, unless we ourselves are ready to take a stand for what is right for us. We must rule ourselves, or others will rule us, in a way that destroys the university as we have known it and loved it.

NATIONAL SQUARE: MYTHICAL COMPLEX

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, yesterday the new administration announced its support of the grandiose scheme advanced by the Temporary Commission on Pennsylvania Avenue, providing, among other designs, for the destruction of an entire city block, which is, in the words of Wolf Von Eckardt, staff writer for the Washington Post, "for the sake of a theory."

In a time when the administration is also asking Congress to establish a fixed, annual Federal payment to the District of Columbia, based on local taxes and revenues raised by the city, it seems inconceivable to reduce that percentage by taking out of taxation one of the most expensive taxable properties in the city of Washington.

In A.D. 64, the great fire in Rome raged for 6 days, then roared on after apparently being brought under control. Large sections of the city were destroyed, but by now Nero had been Emperor for a decade and knew something about raising money for government expenses. His rebuilding program included a great palace—the golden house—for himself and according to some historians Italy and the provinces were ransacked in order to defray the enormous costs.

We have being presented to us again, by a new administration, the same scheme that could lead to the devastation of the beauty and historic significance of Pennsylvania Avenue without fire, and with funds for rearranging the finery to come through the simple expediency of continuing the raid on the earnings of the American taxpayers. And when the pie is opened, Pennsylvania Avenue—devoid of the landmarks that have made it famous—will have been transformed into little more than a super highway for ceremonial parades.

Such landmarks as the Willard Hotel and National Theater are designed for junking under the master scheme to create more open space between the Capitol and the White House, but sponsors promise that one of the benefits for the anticipated millions that the project would cost would be parking spaces for 10,000 automobiles. Now, what sort of an exchange is this?

To me, the Willard Hotel has a prominent place in the history and tradition of this Nation. It has housed some of our Presidents and other famous Americans, and it is remindful of eras in history when there was a greater value on integrity, moral value, and patriotism than we find in these parts today. I recognize that the actual building which stands at 14th Street and Pennsylvania Avenue today is not the same Willard whose guests included celebrities of the past century; still it is over 65 years old and represents periods far beyond. Visitors to this city like to look upon it as the hostelry where noted figures lived for a century and more, and I for one would like that tradition to be preserved.

John Glenn had a word for this intangible something when he came up to Capitol Hill a few years ago and described his feelings when he sees the Stars and Stripes. I think that we should try to instill patriotism in our youth in every way possible, and I do not think that we are going to help attain this objective if we destroy monuments to the past and replace them with parking lots.

Nor do I think that Congress should be so generous with tax funds as to approve a scheme that is going to require an investment of over a half-billion dollars for a highly dubious return. Our people have already been battered around by the eroding winds of inflation caused by Federal extravagance, and I feel that it would be an insidious imposition on the taxpayer to reduce his buying power another hitch by approving this kind of unnecessary spending.

I am incorporating as a part of my remarks the article which appeared in the Washington Post on this issue:

National Square: "Mythical Complex"

(By Wolf Von Eckardt)

We don't need that National Square.

The proposal for a paved expanse to terminate Pennsylvania Avenue at the White House end has always been as much of a theoretical abstraction as the rebuilding of the north side of the Avenue is a hard and practical economic, social and symbolic necessity.

We must rebuild Pennsylvania Avenue if downtown Washington is to be revitalized and if it is to be linked with and involved in its reason for being—the Federal Government.

To perform this function, the Avenue should, of course, have included the city's and Nation's foremost theater, opera and concert hall.

That would have attracted developers. But it is water over the dam. The Kennedy Center is rising down by the river.

But it is not too late to change the design of the National Square and remove the threat of destroying a whole viable and expensive city block for the sake of a theory.

The theory is, of course, that Pennsylvania Avenue should link the Capitol with the White House. Well, it doesn't. The choleric Andrew Jackson spoiled that notion in 1836 when he ordered the Treasury built right smack in between.

So the Pennsylvania Avenue designers decided we should at least see the Treasury as we come down the Avenue from the Capitol. So they propose tearing down all the buildings between 15th and 13th Streets. They originally wanted to tear down the Press Club, too, for the sake of their symbolic expanse.

But they eventually shrunk from that. Their now shrunken plan for a square, however, is still to make the Treasury part of a mythical "White House complex" that you enter through some sort of grandiose gate.

The architects themselves are not yet happy with this gate solution. And nobody knows for sure just what is supposed to be on that square except for the fountain and the pigeons.

This is not the way to design viable, livable cities. Yes, we need grandeur and symbolism.

But effective urban design reconciles grandeur and symbolism with living reality. It takes into account, as architect Louis Kahn has put it, "what the city wants to be."

But this is Washington. It is a city of ample open space, too much of it perhaps. And it is a city that seems to prefer trees over pavements and has had no trouble finding a setting for ceremony and confrontation.

CONSUMER FULL WARRANTY PROTECTION ACT OF 1969

(Mr. O'HARA asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. O'HARA. Mr. Speaker, Americans spend billions of dollars each year on machinery and appliances ranging from automobiles and television sets to blenders, toasters, and electric razors.

In most cases, these electrical and mechanical devices have made our work easier and our leisure time more enjoyable. They have indisputably enhanced the quality of our lives.

At the same time, we have become increasingly dependent on their proper functioning. If a device does not work, the buyer often suffers considerable inconvenience and sometimes even economic loss.

When a consumer purchases an appliance, or a piece of machinery, he has the right to assume that modern American technical and engineering knowhow has produced a reliable and efficient product. Generally, he is not disappointed.

Manufacturers already go to a great deal of trouble and expense to assure quality control of their products. But no matter how good quality control may be, there will always be some products sold which do not work the way they should.

If the consumer had any doubts about the product's reliability at the time he bought it, the dealer probably quelled his fears by showing him an impressively embossed warranty certificate and assured the potential buyer that it provided for any problem that could arise.

But despite the high quality of most products, and the sincere desire of reputable manufacturers to guarantee what they produce, I believe that too many Americans have discovered through bitter experience that often their warranties do not cover the full cost of necessary repairs, do not provide prompt servicing, and do not insure repair work of high professional quality.

A consumer who has been sold a defective product and then not been able to get it repaired promptly and inexpensively, is not impressed when told that his neighbor did not experience similar difficulty with his machine. He does not care how many thousands of the same product have been produced without defect.

All he knows is that he has purchased something that now is of no use to him. And he wants it repaired quickly.

When this occurs, there can be no substitute for a comprehensive and inclusive warranty that guarantees, without qualification, prompt repair or replacement of the defective product.

Mr. Speaker, I believe it is the obligation of the Congress to see to it that the American consumer has that kind of warranty protection. Consequently, the Representative from California (Mr. Moss) and I are introducing the Consumer Full Warranty Protection Act of 1969.

It is a comprehensive proposal, and before I discuss its provisions, I think it would be useful to outline in some detail the nature of the problem which makes this legislation necessary.

I do not think that Members of Congress are unfamiliar with the problem. With increasing frequency, I receive letters from constituents appealing for help, as a last resort, in getting satisfaction from a manufacturer. I am sure that the files of my colleagues contain similar letters.

In recent months, the Federal Trade Commission prepared or participated in the preparation of a series of reports on the present inadequacies of manufacturers' warranties.

Read in their entirety, these reports reveal a frightening state of affairs. In one of the studies, for example, FTC researchers discovered 34 different types of disclaimers and exclusions in warranties given to purchasers of household appliances.

The Commission has described the typical appliance warranty as "a fog shrouded halo which effectively camouflages a lengthy list of disclaimers and limitations."

Mr. Speaker, if their products are as good as they claim, I call upon the manufacturers to join in burning away this fog with the bright sunlight of full warranty disclosure and full warranty protection.

Manufacturers of quality merchandise have nothing to fear from comprehensive warranty coverage. Indeed, they may gain considerable increases in public good will and respect.

At the present time many manufacturers limit themselves to replacing parts which have malfunctioned. They expect the consumer to pay any labor, service and transportation costs incidental to the replacement of those parts. In many of the warranties of this type, the manufacturer is made the sole judge of whether the part is defective. Many warranties contain provisions voiding its protection altogether if the product is moved from the owner's original premises to his new home or if he sells the product to another person during the lifetime of the warranty. Other guarantees run from the date of manufacture rather than the date of delivery to the consumer.

Even if the manufacturer admits his obligation under the warranty, weeks or even months may pass before the necessary repairs are made. If the machine is not repairable, manufacturers are reluctant to replace it. They may stall making repairs until the warranty expires or send the purchaser off on an endless circle of referrals to their district office, then to their regional office, then to their headquarters office, and then back again to their district office.

Mr. Speaker, a recitation of a few case histories from the Commission's files will suffice to graphically demonstrate the point:

In one case a consumer had a great difficulty obtaining an appointment with the repair man. When he finally came, he was unable to fix the product. A factory representative was summoned. After he worked on it, he left with an admonition for the consumer to contact the district office if any further difficulty developed. When the appliance still did not work, the owner wrote the district representative. Receiving no response, she wrote directly to the main office of the manufacturer. Their reply advised the owner that her complaint was being referred to the district representative. As of the time the Commission's report was published, the lady had heard nothing further from either office.

The owner of a new car complained of 22 defects, including a spare tire with a plug patch in it. He took it to his dealer for servicing, but after 4 days in the garage, no repairs had been made. However, the car had been driven 28 miles during that period. Another individual moved shortly after he purchased his new car. Three dealers in his new hometown refused to make repairs covered by the warranty. They told him to take his car to his original dealer who was several hundred miles away.

The faulty design of a certain television caused repeated malfunctioning. Numerous efforts to repair the machine were made by the local retailer and the manufacturer's representative. In spite of these several attempts at repair, the TV continued to function improperly but the manufacturer stubbornly refused to replace the set. The best offer made to its purchaser was a $10 trade-in allowance for a set which he had owned for less than a year.

A freezer was delivered with a faulty drain hose which resulted in water flooding the interior. It remained in that condition for 6 weeks before repairs were made. Subsequently, the door fell off. The dealer ordered new hinges from the factory. The hinges arrived 4 months later.

A refrigerator compressor with a 1-year factory guarantee was installed by a factory approved service company. When it failed 6 months later, the service company offered to replace it free but quoted a $45 service charge for the job. Later the charge was increased to $65.

When one consumer's refrigerator malfunctioned, she was informed by the manufacturer that nothing could be done unless she shipped the machine, at her expense, to the nearest authorized service center more than 150 miles away.

Mr. Speaker, the few examples I have discussed here are by no means unique. Neither is the list exhaustive of the types of problems faced by thousands of consumers each year. I believe that the public outcry will continue to increase until Congress acts decisively in the area of product guarantees.

Only a comprehensive attack on this problem can be effective. I believe this proposal provides just this sort of approach. If enacted, it will make available to the consumer an effective mechanism to compel prompt, complete, and inexpensive repair work. In addition, the Federal Trade Commission will be given new and imaginative authority to protect the consumer in his dealings with the manufacturers.

The proposed Consumer Full Warranty Protection Act requires sellers of goods to guarantee that the goods are free from defects of materials or workmanship;

The goods are fit for the ordinary purposes for which such goods are used;

The goods are fit, for any particular purpose about which the buyer has informed the retailer or manufacturer;

The goods comply with the description made by the seller; and

Good title, free from any liens, is being conveyed to the consumer.

I would stress, too, that under this legislation, the seller would be free to add to the warranty protection required by the bill, but he could not substract from it.

Other provisions of the act require that warranties have at least a 1-year duration measured from the date of delivery, while reserving to the Commission the power to require a greater term where appropriate. If the product is transferred to another person during the lifetime of the warranty, the new owner is entitled to claim protection under the warranty.

Wherever possible, the manufacturer is required to remove unnecessarily and legalistic language from his warranties. Warranties are to be expressed in clear and concise terms and must be explained to the buyer at the time of purchase. They must contain the addresses of approved servicing facilities and describe the procedure for filing a claim.

The manufacturer is required to establish service facilities at convenient locations and he is required to repair goods without any cost whatsoever to the consumer. Further, the manufacturer is required to bear all transportation and labor costs.

He is also required to make necessary repairs promptly, and if he fails to repair the goods within 60 days, he will be subject to special penalties. Should the merchandise prove to be unrepairable, the manufacturer still retains ultimate responsibility for fulfilling the terms of the warranty.

To assist the Commission in enforcing this act, manufacturers are required to keep extensive records on their servicing activities. At the beginning of each year, they are to submit reports to the Commission on these matters. The Commission in turn shall submit to Congress a similar annual report with its recommendation for further legislative action. These reports shall also be made available to the public.

This act also makes it an unfair trade practice for manufacturers to fail to comply with any of its requirements and the Federal Trade Commission is empowered to issue cease and desist orders where violations are uncovered.

In addition, criminal penalties are established for failure of manufacturers to enclose cards with their products accurately describing the warranty coverage or for failing to keep or submit any of the records or reports required by the act.

The buyer himself can bring suit where the manufacturer has failed to fulfill the warranty requirements of this proposal. The buyer is entitled to recover up to the full purchase price paid for the product plus a sum equal to all forseeable damages, court costs and expenses—including attorney's fees. Where the manufacturer has delayed more than 60 days in making necessary repairs under the warranty, the buyer may recover a penalty ranging from $100 to $5,000.

Mr. Speaker, this is admittedly a tough bill. However, I do not believe that it goes any further than the problem requires.

It borrows from the common law, the Uniform Commercial Code, and the Unfair Trade Practices Act. But it also includes totally new powers for the Federal Trade Commission. For the first time, the Commission will have the authority to see to it that every consumer is protected by a meaningful warranty backed up by adequate service facilities.

Some may object that meeting the requirements of this act will cost too much, that its provisions will have a burdensome effect on interstate commerce, and that small businesses will be driven into bankruptcy. Mr. Speaker, I do not believe that this would be the case.

This proposal specifically requires the Federal Trade Commission to draw its regulations with consideration for such factors as the cost of compliance, total sales volume of the manufacturer, and the nature of the product. In short, the regulation draws pursuant to this act will be accommodated, as much as possible, to the reality of the market place.

Besides, well-constructed products do not generally require servicing. If our industries manufacture high quality products, as they assure us they do, then they have nothing to fear from this bill's requirement of increased warranty protection against inferior products.

Indeed the manufacturers of good merchandise have a great deal to gain from the enactment of this proposal. Manufacturers of shoddy merchandise are free to market their products while assuming only limited responsibility for their repair. Because of the short-cuts this enables them to take on the assembly line, unscrupulous manufacturers can afford to sell at cut-rate prices.

Mr. Speaker, my proposal will cause these marginal manufacturers to clean up their operations or to get out of business. The benefits to reputable businessmen of this are obvious. I believe this will benefit the entire community of reputable businessmen.

Mr. Speaker, America is admired by all the world for its technical knowhow, and our industrial machine is truly impressive. But in those cases where industry produces a slipshod product—a lemon—fairness dictates that the manufacturer, not the consumer, bear the cost of repair or replacement.

Mr. Speaker, the bill which the gentleman from California (Mr. Moss) and I introduce today requires no more than this.

END POLLUTION IN NASHUA RIVER

(Mr. PHILBIN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the Record, I include therein a statement I recently made before the House Committee on Public Works urging the inclusion of the Nashua River in the model river demonstration program.

The problem relates to the critical need for combating and eliminating pollution along the course of this historic river, and I hope that the committee and the Congress will move soon and fast to make possible a massive, coordinated attack upon conditions in and along this river which are obnoxious, dangerous, and constitute a great threat to the public health, as well as retardation of the recreational and scenic potential of the river and the countryside along its banks. My statement follows:

Statement of Hon. Philip J. Philbin Before the House Committee on Public Works on the Inclusion of the Nashua River in the Model River Demonstration Program, April 22, 1969

Mr. Chairman, I am very thankful to you for this opportunity to testify during your current hearings on the operation of the Regional Commission created under Title V of the Economic Development Act of 1965.

Federal Co-Chairman John Linnehan and Governor Curtis of Maine will present to you formal statements concerning the progress and future plans of the New England Regional Commission. In addition, it is my understanding that they will present for the record statements endorsing pending legislative proposals to authorize and fund the New England Regional Commission to carry on projects in the fields of transportation, environmental management, health, education and training.

I feel sure, Mr. Chairman, that you and the distinguished members of this committee will give them every consideration as they outline to you their detailed views and suggestions concerning the needs of the New England area.

I am here this morning primarily to urge your assistance in the designation of the Nashua River as the Model Demonstration River for reclamation of this noted stream, now badly polluted in many sections. While local and state efforts are being made to abate pollution of this river, the financial problems involved are of such magnitude that Federal assistance is required. Both S. 1090 and H.R. 7608 authorize eleven million dollars for the Model River Demonstration Program and the designation of the Nashua River for inclusion in the program would insure a substantial portion of Federal money to help correct extreme pollution in this Basin.

There has been wholehearted cooperation and continued efforts by all parties—communities, public agencies and citizen groups—in trying to advance the abatement of pollution condition of this, both in Massachusetts and New Hampshire.

Some progress to combat and alleviate the truly horrible conditions along the course of this river has been made, but unfortunately only the surface has been scratched and there remains a gigantic task for all those concerned and interested in abating the objectionable conditions that still exist.

In the past, I have sought the cooperation of the U.S. Public Health Service, the Army Engineers, the Federal Water Pollution Control Administration and state and interstate agencies involved in this problem. The Model Demonstration River Program now represents a possible solution toward expediting the removal of the very undesirable pollution conditions along this once beautiful stream and thus opening up for better use and enjoyment the countless scenic and recreational opportunities, clean water supply, conservation and natural enhancement of the rare and historic natural resources of this stream.

There is no group in Congress more knowledgeable than this outstanding committee on the perplexing and momentous problems of pollution. I humbly ask and urge your effective cooperation and help toward providing answers to the peculiar problems we have in the Nashua Basin. I endorse wholeheartedly the provisions of H.R. 7608 and will be thankful indeed for your consideration and help.

UNREST ON THE COLLEGE CAMPUSES

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, like most Members of this body I am deeply disturbed, not only as a legislator but also as a parent and a former college teacher, over the growing unrest, revolt, and open violence on our college campuses, which reached a new high the other day when Afro-American students took rifles and ammunition into Willard Straight Hall to back up their illegal seizure of this property.

What is especially disturbing is the continued evidence that many college administrators and apparently a large majority of college faculties, have still failed to appreciate the devastating impact on free, liberal education of allowing these acts of violence to continue without any academic punishment or discipline.

In that connection I believe Members will be most interested, if they have not already seen it, in a perceptive and forthright editorial column which appeared in yesterday's New York Times by Mr. William V. Shannon. As Mr. Shannon properly points out the failure of college administrators and college faculties to deal promptly and decisively with all efforts to impede the kind of atmosphere without which free education cannot function, can only doom the Nation's universities, on which so much of our money and so many of our hopes for future progress have long been centered.

Mr. Shannon's column follows:

One Man's View of the Unquiet Campus

(By William V. Shannon)

The nation's universities and their ideals are now under siege. The attack comes from some youngsters who are ignorant of those ideals, from others who are emotionally disturbed and prone to violence, and from still others who have willfully chosen to be political totalitarians.

There is no way to accommodate the colleges and universities to these small disruptive minorities, and no good reason why university authorities should attempt any such accommodation. These disturbed and disturbing youngsters should be expelled in order that the faculties and the great majority of students can get on with their work.

The difficulty and the solution become clear once the work of a university is defined. It is to transmit knowledge and wisdom and to enhance them by research and study. The university is not a forum for political action. It is not a training ground for revolutionaries. It is not a residential facility for the psychiatrically maladjusted. It is not a theater for the acting out of racial fears and phantasies.

The university is a quiet place deliberately insulated from the conflicts and pressures of the larger society around it. Reason and civility are essential to its very nature because its aim is truth, not power.

It is a contradiction in terms to ask a university to be deliberately "relevant" to today's crises of cities and races. How is it possible to demonstrate that gothic architecture or the principles of organic chemistry or most other courses in the college catalog are relevant to today's headlines? God, it has been said, writes straight with crooked lines. So it is that a university serves its community and its nation in roundabout and even mysterious ways.

A POLICY BACKFIRES

Much of the difficulty on the campuses arises from a well intentioned but mistaken effort to achieve relevance. Universities have gone to the slums and recruited black students, many of whom are not academically qualified. By "transitional years" and special instruction, they have tried to ease these students into the mainstream of academic work. This policy of reverse discrimination has backfired as disoriented black youths try to escape from the mainstream back into "black studies" and racially segregated departments.

It scarcely needs to be said that every young Negro who is qualified and seriously wants a college education should be encouraged and financially assisted. But a university has no obligation to black students who are not academically qualified or who, though qualified, do not feel at home in a university atmosphere. Every student, white or black, has duties as well as privileges and must recognize that his presence on the campus is conditional on his behavior.

As for "black studies," there are legitimate Negro cultural needs to be met in developing a usable past. Like any other academic discipline, however, knowledge of Negro history can only develop slowly as the supply of scholars expands and the necessary research is done. But the universities ought not to be ghettoized and stultified to meet these cultural needs overnight.

As for the white radical students who have created campus turmoil, Dr. Bruno Bettelheim in an article in The Times magazine on April 13 accurately defined the source of the problem. In the main they are badly brought up children.

LIMIT OF RESPONSIBILITY

They clamor for instant solutions which do not exist and throw violent tantrums because they have never learned to fear real consequences or to postpone immediate gratifications for greater benefits later. Like earlier misfits, they will have to work out their own lives as best they can, it is not the university's responsibility to baby sit them.

These simple truths ought to be clear to faculty members. But in several recent confrontations, many members of the faculty have been with those who would subvert the university. This should be no surprise. Professors are unaccustomed to exercising power and are uncomfortable with the hard choices which power entails.

As a result, on even the greatest university campuses the faculties have in time of decision been irresponsible. At Harvard and elsewhere, they have second-guessed their presidents and deans when they should have rallied firmly to their support.

INSTITUTIONAL DEFENSE

But, more and more, faculty members are recognizing that successive surrenders to violence will doom the universities as centers of learning and research. They are coming to realize that segregation by race and intimidation by a minority are intolerable. Out of that growing recognition, there is hope that the university authorities, the faculties, and the great majority of students will defend their universities, by faculty-imposed suspensions and expulsions where possible and by court injunctions and police power where necessary, against the ignorant, the fanatic, and the emotionally lost who would destroy them.

COMMENTS ON CAMPUS DISORDERS

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, in connection with the current rash of college violence and disorders, I am pleased to bring to the attention of my colleagues a very timely and thoughtful editorial from the Otsego Farmer of Cooperstown, N.Y., which appeared earlier this month. It reflects an attitude toward these developments to which most Members of this body would, I am sure, say "amen." The editorial follows:

SANITY ON THE CAMPUS

In the depression years of the early and middle 1930's, a college education was a privilege, often reserved for those with the stamina to work and go to school at the same time. It is exceedingly difficult for people of that generation to view with a great deal of tolerance, the riots and vandalism that are making a shambles of college campuses today—a condition that seems to go along with the assumption that higher education is an inalienable right.

In this connection and in connection with a bill now under consideration at Albany we are pleased to quote from an editorial which appeared in a student paper from a nearby college which says in part:

"Withholding financial aid from students convicted of a felony or misdemeanor disrupting the normal function of a college is a good start at controlling the violence and destructiveness so prevalent in American campuses. But it is only a first step. College Administrations must take a firmer stand toward preventing the disruption of their campuses by small belligerent minorities. When a University surrenders to campus radicals, such as Columbia has done by dealing so leniently with the events of last spring, it leads one to wonder, if, as the New York Times has said, this is not 'a go ahead for continuation of the kind of chaotic permissiveness under which defiance and polemics brush aside legality at will'. Students who cannot demonstrate peacefully or make themselves heard without kicking down the president's door should be expelled from school. It isn't a question of a poor, suppressed student if he is expelled from school for using violence as a mouthpiece or tramping on another student's rights to get an education. It's a simple case of a troublemaker who has no business being in the school. If a student can't keep his dissent peaceful and orderly, if he must rely on violence and destructiveness rather than constructive progress he doesn't belong in an educational institution. And very least of all, the government shouldn't pay his way."

We are inclined to hope that this sort of sanity prevails among the majority of our college students. We compliment the editor of the Colgate News whom we have quoted on his outstanding contribution.

THE DANGERS OF ISOLATIONISM AND INACTION

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, as one of the few Members of this body who spoke out publicly the other day, when our EC–121 was shot down at sea by North Korean Migs 100 miles at sea, for prompt military retaliation for this barbaric attack, I have observed that there has not been too much support expressed publicly for this particular point of view, especially in the Nation's press. A sizable armada was sent into the Sea of Japan, but it has now been withdrawn. Further reconnaissance flights are presumably being flown with protective cover. But what happens if the North Koreans should now attack our protective cover?

A military response to the EC–121 shootdown could run the risk of war we are told, and so it could. But what about a military response to an attack on our escort fighter aircraft? Might that too not run the risk of war?

And might not our repeated refusal to fight back at these unwarranted assaults because of our strong, publicly expressed fear of becoming involved in still greater hostilities, ultimately embolden the North Koreans to launch their long hoped for attack on South Korea confident that we would never come to the defense of Korea?

So which course, in the end, really does most to assure the peace—the bold or the timid? And which course, in the end, runs the greatest risk of provoking a new and expanded war? It is not nearly as simple as it sounds, as the democracies found way back in the 1930's when they shrank from opposing Hitler, Mussolini, and Tojo, for fear of starting a Second World War.

The other day I read a column in the New York Times by Mr. Cyrus L. Sulzberger, whose views incidentally are rarely reflected in the editorials of that great newspaper, which posed this very same gnawing, disturbing, and rather frightening question. Because I am happy to see such a clear, penetrating analysis of this very important, but still largely unrecognized question presented on the editorial pages of the New York Times, I take this opportunity to bring Mr. Sulzberger's column of April 27, 1969, to the attention of my colleagues in both the House and the Senate.

Also, following Mr. Sulzberger's editorial, I include a weekly report to the people of my district which I issued in connection with the EC–121 disaster, for the week of April 21, 1969:

[From the New York Times, Apr. 27, 1969]

FOREIGN AFFAIRS: THE DINOSAUR

(By C. L. Sulzberger)

SEOUL, SOUTH KOREA.—Many Americans seem to think today that their country can be half a superpower or, put another way, that it can be a superpower in Europe while withdrawing from Asia where it finds itself overcommitted.

But this argumentation fails to explain how our European allies, who depend upon U.S. will to use its strength as much as on that strength itself, may be persuaded to rely upon our resolution in the West if we make it plain we don't intend to display it in the East.

Early last year the game of testing our Asian intentions became really serious. On January 21, 1968, a team of commandos was sent across the demilitarized zone by North Korea's dictator, Marshal Kim Il Sung, with orders to decapitate South Korean President Chung Hee Park. The alternate target was U.S. Ambassador William J. Porter.

EMBARRASSING ATTACKS

While this violation of the armistice failed, that did not deter Kim from trying again. Two days later he seized the U.S.S. Pueblo and exposed the reality of American power as embarrassingly inept. Next month Ho Chi Minh launched his famous Tet offensive in South Vietnam, again unmasking the flabbiness of American determination.

Although the Vietcong and North Vietnamese suffered very large casualities and failed to hold any vital points in the subsidiary battlefield of South Vietnam, they achieved strategic victory in the main battlefield, the United States itself. Washington decided it had had enough of the Indochina war and President Johnson announced his decision to quit a few weeks after the Tet attack.

MOSCOW ROLE

Ever since, the North Vietnamese and the North Koreans have been jabbing us dizzy while we send frantic signals asking Moscow to please make them cease. Either the Soviet Union has discovered to its dismay that it too is no longer a superpower because it lacks the ability to curb its little friends; or perhaps it doesn't really want to play that kind of game. Judging from the amount of military equipment Russia is sending North Vietnam and North Korea, the latter seems a tenable conjecture.

A generation ago, after the United States had demonstrated astonishing might and determination in both halves of the globe during World War II, there was confident talk about the looming "American century." It is evidently one of the briefest centuries in recorded time.

Perhaps this is best for both the United States and the world and perhaps the era of superpowers anywhere is finished although, judging from Soviet behavior in Southeast Asia, Northeast Asia and Eastern Europe, it would be well to examine that assumption. Certainly the United States seems to have inherited from Western Europe—source of so many American ideas—the belief that fat-dripping prosperity is preferable to sterner, more old-fashioned concepts.

It is impossible to assay these relative values on any national or international scale but one cannot avoid acknowledging that there has been profound change in American public opinion and no American leadership can escape the weakened condition this imposes.

It is hard to fix a date marking the shift but one might not be too far wrong in selecting 1962 when President Kennedy named the brilliant Maxwell Taylor chairman of his Joint Chiefs of Staff. Taylor had recently published "The Uncertain Trumpet" in which he advocated that U.S. atomic weapons should be reserved for defense of American territory by American armed forces, according only conventional support to our allies.

This attitude may be prudent but it deeply worried our NATO partners and they have never recovered. General de Gaulle's decision to develop an atomic force on the assumption that, small as it was, Paris would always brandish it in French interests, gained credence in a Europe that began to doubt American resolve.

UNSURE GIANT

The United States remains an immense giant in the international swamp but wavering and unsure of itself. It is a kind of huge dinosaur, a beast more magnificent than any other but which didn't endure because it didn't know what its purpose was. It was extremely strong and unable to benefit from that fact.

When expressing such views in private conversations certain eminent Americans have suggested they should not be published for fear this might incite leaders like Ho or Kim to further irascibility. "Why not?" I inquired. "Surely you cannot believe, in view of past events, that they keep their eyes closed." Dinosaurs are vastly visible—if for no other reason than the scale of their ineptitude.

[Congressman Stratton's weekly report from Washington, vol. III, No. 14, Apr. 21]

The Perils of Inaction

I hate to say it, but on the North Korean shooting-down of that unarmed American reconnaissance plane with the loss of 31 lives, I am afraid President Nixon has failed the first major test of his administration. Unless some further action is planned which the President did not reveal in his Friday press conference (and it could be) the incident points up once again the blunt truth that in this still dangerous and predatory world there are no courses of action that are completely risk-free, not even the course of inaction.

Once again, as with the *Pueblo*, influential voices have urged caution, coolness, and restraint. There was a stronger case for that with the *Pueblo*, for they had taken 82 Americans as hostages, and reprisal would almost certainly have meant death for all 82. But there were no survivors last week, unfortunately, so the fate of hostages is not a problem now. Others have suggested we "warn" North Korea against further attacks. But what is there to warn against? If we don't respond to a second unprovoked, unjustified attack, who is likely to believe we will be any more resolute the third time? Our credibility in this department has already been seriously eroded.

There are suggestions that both North Korean attacks may have been attempts to involve us in a renewed Korean war, thus taking some of the heat off communist forces in Viet Nam. But a military reprisal for the loss of 31 Americans would no more have to mean resumption of the Korean war than Israeli reprisals against Arab attacks on El Al airliners have reopened the 1967 Arab-Israeli war.

Actually the precise opposite is much more likely to be true, that the North Koreans do want to launch a new assault in the South and are simply trying to find out whether America, in our present pacifist, anti-military mood is likely to intervene in force if they do. After all, the 1950 Korean war originated primarily because of a miscalculation by the North Koreans about American intentions to defend South Korea.

The same thing may be underway again. They can read the papers. If we can't take the heat in Viet Nam, if we are so weary and disgusted with the burdens of defense, if the seizure of a naval vessel with 83 men leaves us suppliant, and our only response to the murder of 31 uniformed airmen is another bootless diplomatic protest, isn't it likely they will conclude that a fresh invasion of South Korea will be greeted with nothing more serious than another warning, and a few more strikes against ROTC?

Of course decisive military action runs a risk of war. But the fact is that our most recent experience with it, under John F. Kennedy in the Cuban missile crisis, proved that when America were upset enough to go to the brink of war, the other side backed down and peace was preserved.

Long ago Ho Chi Minh and General Giap predicted that the poor, underdeveloped, "rural" nations of the world, like China and North Viet Nam, would ultimately destroy the rich, fat, industrialized "urban" nations, like the U.S.A.—not because their armaments were powerful but because they had a greater willingness to take risks. What happened off the coast of North Korea last week moved that chilling prophecy one notch closer to reality, I'm afraid.

CRIME

(Mr. McCULLOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. McCULLOCH. Mr. Speaker, last week President Nixon announced to the Congress his comprehensive program for attacking organized crime in the United States. The attack is on six fronts: First, additional budgetary support for the Federal agencies primarily concerned with the problem of organized crime; second, Federal racketeering field offices in major cities; third, a pilot-project Federal-State racket squad in the southern district of New York; fourth, additional assistance to State and local governments through the Law Enforcement Assistance Administration created by the last Congress; fifth, selective use of the wiretapping and immunity authority granted in the same legislation; and sixth, the enactment of legislation, primarily in the field of gambling.

Today, I have introduced the Illegal Gambling Business Control Act of 1969. Cosponsoring this legislation are the distinguished minority leader, the chairman of the Committee on the Judiciary, and all of the Republican members of that committee.

Gambling poses an insidious threat to our country. Many law-abiding Americans who would never consider doing anything illegal swell the coffers of organized crime regularly by their playing of the numbers of policy game, purchasing of football cards, and betting on sports events and off-track on horse races. Virtually all of these wagers, large or small, ultimately feed the colossus we know as organized crime. Thus, this kind of law-abiding American finances the loansharking activities of organized crime which have ruined so many individuals and small businesses and their wholesale importation of the illicit drugs which are ruining the lives of so many of our fine young people.

And so the escalating tiers of crime are established. The harmless bet fosters traffic in narcotics which, in turn fosters violent crime. The American public complains about crime in the streets while it donates from $20 to $50 billion per year to its cause, as President Nixon pointed out. That is between 2 and 5 percent of the gross national product. That is quite a contribution.

Illegal gambling ranges from lotteries, such as numbers or policy and bolita, to off-track betting, bets on sporting events, large dice games, and illegal casinos. As the President's Crime Commission pointed out 2 years ago, most large city gambling is established or controlled by organized crime members through elaborate hierarchies.

Recent estimates by law enforcement authorities of the gambling take in one of our largest cities that goes to organized crime includes 3 million annually from bolita, 23 to 25 million from their policy wheels, and an additional 11 million in tribute from the independent policy organizations they allow to operate. This is in addition to its take from illegal casino-type gambling, sports bookmaking, off-track horse race betting, and supplying the line on both race and sports events.

The legislation being introduced today, together with legislation previously enacted, will give the Federal Government the necessary weapons to attack all of these activities with the exception of illegal casino-type gambling. Legislation in the latter area is presently under intensive consideration in the Justice and Treasury Departments.

This Congress presently has before it legislation which will amend the wagering tax laws to remedy the deficiencies pointed out by the Supreme Court in its Grosso and Marchetti decisions. This legislation will have two salutary effects. First, it will bring the Internal Revenue Service's skilled agents back into the enforcement of the gambling laws; and second, consequently, professional gamblers will have to pay the tax on wagering or risk the penalty of imprisonment.

The legislation which I have just introduced is part of the administration's comprehensive plan to make it more difficult for organized crime to earn revenues from illegal activities. With enactment of this legislation, the Federal authorities will have jurisdiction over all large-scale illegal gambling operations which involve or affect interstate commerce.

Specifically, it will be a Federal crime to engage in an illicit gambling operation, in which five or more persons are involved, which has been in operation more than 30 days, or from which the daily "take" exceeds $2,000. Incidentally, the policy wheel I mentioned previously with an annual gross of $15 million employs between 150 and 200 persons. This legislation will enable the Attorney General, on a selective basis, to aid local and State governments in cracking down on illegal gambling and thus cut off one of organized crime's principal sources of revenue.

The second legislative proposal strikes directly at the heart of a major problem in local enforcement of gambling—corruption of police and local officials. Most large-scale illegal gambling operations could not continue over any extended period of time without the cooperation of corrupt police or local officials. The proposed legislation would make it a Federal crime to give or take a bribe to facilitate an illegal gambling operation. Legislation in this area is long overdue. Yes, long overdue.

Gambling income provides the life blood of organized crime. If we can cut off this source of income we will be striking a blow at the vitals of organized crime.

President Nixon has concluded that the major thrust of his administration's organized crime effort should be directed at gambling, even though many Americans consider it to be the least reprehensible of all of organized crime's activities. His reasoning is that gambling finances the bribery, loansharking, narcotics trafficking, and other activities that makes organized crime the menace that it has become.

The President deserves the support of this Congress and of the American people in his reasoned approach to the problem of organized crime. Let us enact this gambling legislation promptly and move forward in the fight against the overlords of crime.

ILLLEGAL GAMBLING BUSINESS CONTROL ACT OF 1969

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GERALD R. FORD. Mr. Speaker, today I join with Mr. McCulloch, the distinguished chairman of the Committee on the Judiciary, the gentleman from New York (Mr. Celler), and the Republican members of the House Committee on the Judiciary in introducing the Illegal Gambling Business Control Act of 1969 to permit the Federal Government to further assist the States in the control of illegal gambling.

This proposal is one of the keystones of the President's organized crime message which he sent to Congress on April 23, 1969. It is vital to the internal well-being of this Nation that the activities of organized criminals be curtailed; that the influence and control this small but potent segment of our society wields be reduced. The bill I introduce today, if enacted, will take us a long way toward accomplishing this task.

For many, gambling does not appear to be a very sinister aspect of organized criminal activity. Its existence is certainly not as shocking to society as murder, kidnaping, armed robbery, rape, or any of the other spectacular varieties of criminal behavior which make daily newspaper headlines. It is exactly this attitude—this lack of concern—which makes illegal gambling such a force in our society. It takes from the pocketbooks of millions of citizens, usually those who can least afford the loss, anywhere from $20 to $50 billion annually.

Referring to the profits realized from illegal gambling in his recent message, the President said:

> Many decent Americans contribute regularly, voluntarily and unwittingly to the coffers of organized crime—the suburban housewife and the city slum dweller who place a twenty-five cent numbers bet, the bricklayer and the college student who buy a football card; the businessman and the secretary who bet illegally on a horse.

To curb this drain from the economy, the bill I am introducing will give the Federal Government two additional methods of assisting States in combatting illegal gambing.

Title I will make it a felony for gamblers involved in any operation which exists for 30 days or has a gross daily revenue in excess of $2,000 to scheme with any public or law enforcement official to obstruct, hinder, or impede the enforcement of gambling laws by means of bribery of the Government official.

Title II makes it a Federal offense to engage in a large-scale gambling enterprise.

Title III amends existing law to permit interception of wire or oral communications where such interception may lead to evidence of an offense punishable under this proposal.

This proposal is the heart of the administration's war on organized crime. If the profit can be taken from illegal gambling, the flow of funds used to finance such deadly activities as narcotics traffic will be dried up.

Illegal gambling itself is a menace to our society; the criminal activity financed from its bounty is far worse. We need the additional Federal weapons of law enforcement this legislation will provide. With these the Attorney General can effectively work with State and local governments to eradicate this evil from our Nation. I urge rapid consideration and favorable action on the Illegal Gambling Business Control Act of 1969.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Mailliard (at the request of Mr. Gerald R. Ford), for today, and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Gonzalez, for 10 minutes, today; to revise and extend his remarks and include extraneous material.

Mr. Schwengel (at the request of Mr. Ruth), for 30 minutes, on April 30; and 30 minutes, on May 1.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Fuqua in two instances.

Mr. Michel and to include extraneous material.

Mr. Barrett and to include extraneous material.

Mr. Miller of California in five instances and to include extraneous material.

Mr. Mailliard (at the request of Mr. Keith) to extend his remarks on H.R. 4153 immediately following Mr. Keith.

(The following Members (at the request of Mr. Ruth) and to include extraneous matter:)

Mr. Quie.
Mr. Findley.
Mr. McKneally.
Mr. Ashbrook in two instances.
Mr. Schwengel in three instances.
Mr. Lukens.
Mr. Nelsen.
Mr. Gude.
Mr. Harvey.
Mr. Mathias.
Mr. Wyman in two instances.
Mr. Cederberg.
Mr. Ruth.

(The following Members (at the request of Mr. Diggs) and to include extraneous matter:)

Mr. Bolling.
Mr. Ashley in two instances.
Mr. Gonzalez in three instances.
Mr. Podell in four instances.
Mr. Murphy of New York.
Mr. Corman.
Mr. Fascell in three instances.
Mr. Philbin.
Mr. Gallagher.
Mr. Nichols.
Mr. Olsen.
Mr. Hungate in three instances.
Mr. Anderson of California in two instances.
Mr. Madden in two instances.
Mr. Patten.
Mr. Tunney in three instances.
Mr. Fraser in three instances.
Mr. Jones of Alabama.
Mr. Hanna.

ADJOURNMENT

Mr. DIGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 16 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 30, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

708. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to provide additional revenues for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

709. A letter from the Secretary of Health, Education, and Welfare, transmitting the Fourth Annual Report of the Advisory Council on State Departments of Education, pursuant to the provisions of title V of Public Law 89–10; to the Committee on Education and Labor.

710. A letter from the Comptroller General of the United States, transmitting a follow-on report on opportunities for savings through use of spare Government-owned communications circuits in Europe, Department of Defense; to the Committee on Government Operations.

711. A letter from the Secretary of State, transmitting the 16th report of the Department's activities under the Federal Property and Administrative Services Act of 1949 (Public Law 81–152) for the calendar year 1968, pursuant to section 404(d) of title IV of the act; to the Committee on Government Operations.

712. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession permit authorizing Mr. John R. Woodside to continue to operate the Cinnamon Bay Camp, and provide related facilities and services, in the Virgin Islands National Park, for the period January 1, through December 31, 1969, pursuant to the provisions of the act of July 31, 1953 (67 Stat. 271), as amended by the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

713. A letter from the Assistant Secretary of the Interior, transmitting a report regarding the progress and results obtained by the United States from participation in the desalting and electric power generating project off the coast of southern California, pursuant to the provisions of section IV, Public Law 90–18; to the Committee on Interior and Insular Affairs.

714. A letter from the Attorney General, transmitting a draft of proposed legislation to permit the Federal Government to further assist the States in the control of illegal gambling, and for other purposes; to the Committee on the Judiciary.

715. A letter from the Administrator of General Services, transmitting a request that the Committee on Public Works rescind its approval and authorization of the purchase of the main post office building in Flint, Mich., and the post office garage property in Philadelphia, Pa.; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DENT: Committee on House Administration. House Concurrent Resolution 35. Concurrent resolution authorizing the printing of additional copies of a "Veterans' Benefits Calculator"; with amendment (Rept. No. 91–168). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Concurrent Resolution 95. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; with amendment (Rept. No. 91–169). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Concurrent Resolution 162. Concurrent resolution authorizing the printing of the book, "Our American Government," as a House document (Rept. No. 91–170). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Concurrent Resolution 183. Concurrent resolution to provide for the printing of 1,000 additional copies of school prayer hearings; with amendment (Rept. No. 91–171). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Concurrent Resolution 192. Concurrent resolution to reprint brochure entitled "How Our Laws Are Made" (Rept. No. 91–172). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Concurrent Resolution 193. Concurrent resolution authorizing the printing as a House document of a revised edition of "The Capitol," and providing for additional copies (Rept. No. 91–173). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Resolution 185. Resolution authorizing the printing of additional copies of a House report of the 90th Congress, second session, entitled "Unshackling Local Government (Revised Edition)" (Rept. No. 91–174). Ordered to be printed.

Mr. DENT: Committee on House Administration. Senate Concurrent Resolution 5. Concurrent resolution to print additional copies of hearings on the nomination of Walter J. Hickel to be Secretary of the Interior. (Rept. No. 81–175). Ordered to be printed.

Mr. DENT: Committee on House Administration. Senate Concurrent Resolution 15. Concurrent resolution to print as a Senate document studies and hearings on the Alliance for Progress (Rept. No. 91–176). Ordered to be printed.

Mr. DENT: Committee on House Administration. Senate Concurrent Resolution 16. Concurrent resolution authorizing the printing of the eulogies on Dwight David Eisenhower (Rept. No. 91–177). Ordered to be printed.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 379. Resolution for consideration of H.R. 5554, a bill to provide a special milk program for children (Rept. No. 91–178). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 380. Resolution for consideration of H.R. 9825, a bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes (Rept. No. 91–179). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEVILL:

H.R. 10665. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BRADEMAS (for himself, Mr. Reid of New York, Mr. Perkins, Mr. Thompson of New Jersey, Mr. Dent, Mr. Pucinski, Mr. Daniels of New Jersey, Mr. O'Hara, Mr. Carey, Mr. Hawkins, Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, Mr. Scheuer, Mr. Meeds, Mr. Burton of California, Mr. Gaydos, Mr. Ayres, Mr. Quie, Mr. Bell of California, Mr. Esch, Mr. Steiger of Wisconsin, Mr. Collins, Mr. Landgrebe, and Mr. Hansen of Idaho):

H.R 10666. A bill to establish a National Commission on Libraries and Information Science, and for other purposes; to the Committee on Education and Labor.

By Mr. PODELL (for himself, Mr. Stubblefield, Mr. Watts, Mr. Frelinghuysen, and Mrs. May):

H.R. 10667. A bill to establish a National Commission on Libraries and Information Science, and for other purposes; to the Committee on Education and Labor.

By Mr. CHAMBERLAIN:

H.R. 10668. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 10669. A bill to amend the Internal Revenue Code of 1954 to terminate the investment credit for all property except water pollution control facilities and air pollution control facilities; to the Committee on Ways and Means.

By Mr. ESHLEMAN:

H.R. 10670. A bill to improve educational quality through the effective utilization of educational technology; to the Committee on Education and Labor.

H.R. 10671. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. FOREMAN:

H.R. 10672. A bill to amend title 18, United States Code, to make it unlawful for any person to carry a weapon on the property of any institution of higher education which receives or disburses Federal funds while such person is acting in violation of a law, regulation, ordinance, or rule; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 10673. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

H.R. 10674. A bill to establish a Commission to investigate and study possible permanent memorials to Dwight David Eisenhower; to the Committee on House Administration.

By Mr. HANNA:

H.R. 10675. A bill to amend the Outer Continental Shelf Lands Act to require public hearings before entering into mineral leases; to the Committee on Interior and Insular Affairs.

By Mr. JOELSON:

H.R. 10676. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

By Mr. KLEPPE (for himself, Mr. Belcher, Mr. Aspinall, Mr. Mahon, Mr. Steed, Mr. Lujan, Mr. Foreman, and Mr. Rogers of Colorado):

H.R. 10677. A bill to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program; to the Committee on Agriculture.

By Mr. LATTA:

H.R. 10678. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purpose of determining eligibility for a pension under that title; to the Committee on Veterans' Affairs.

By Mr. LENNON:

H.R. 10679. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

H.R. 10680. A bill to amend the Internal Revenue Code of 1954 to provide an additional personal exemption for a taxpayer or spouse who is disabled and for a dependent who is blind or disabled; to the Committee on Ways and Means.

By Mr. LUKENS:

H.R. 10681. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 10682. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. McCULLOCH (for himself, Mr. Celler, Mr. Gerald R. Ford, Mr. Poff, Mr. Cahill, Mr. MacGregor, Mr. Hutchinson, Mr. McClory, Mr. Smith of New York, Mr. Meskill, Mr. Sandman, Mr. Railsback, Mr. Biester, Mr. Wiggins, Mr. Dennis, Mr. Fish, and Mr. Coughlin):

H.R. 10683. A bill to permit the Federal Government to further assist the States in the control of illegal gambling, and for other purposes; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 10684. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. MATHIAS:

H.R. 10685. A bill to amend titles 18 and 39, United States Code, to make a certain category of material, designed to appeal primarily to the prurient interests of the viewer, reader, or listener, nonmailable to minors, and nonmailable as second-, third-, or fourth-class matter to any person; to the Committee on the Judiciary.

H.R. 10686. A bill to amend title 39, United States Code, to make a certain category of material, designed to appeal primarily to the prurient interests of the viewer, reader, or listener, nonmailable to minors, and nonmailable as second-, third-, or fourth-class matter to any person, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MATSUNAGA:

H.R. 10687. A bill to amend the Federal Aviation Act of 1958 to provide for the certification of air freight forwarders; to the Committee on Interstate and Foreign Commerce.

By Mrs. MAY:

H.R. 10688. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. MAYNE:

H.R. 10689. A bill to clarify the authority of the Secretary of Agriculture to require reasonable bonds from packers in connection with their livestock purchasing operations; to the Committee on Agriculture.

By Mr. O'HARA (for himself and Mr. Moss):

H.R. 10690. A bill to authorize the Federal Trade Commission to set standards to guarantee comprehensive warranty protection to the purchasers of merchandise shipped in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. PHILBIN:

H.R. 10691. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 10692. A bill to promote the peaceful resolution of international conflict, and for other purposes; to the Committee on Government Operations.

By Mr. SMITH of New York:

H.R. 10693. A bill to provide for the issuance of a commemorative postage stamp in honor of Gen. Douglas MacArthur; to the Committee on Post Office and Civil Service.

By Mr. TUNNEY:

H.R. 10694. A bill to amend the National Flood Insurance Act of 1968 to provide protection thereunder against losses resulting from earthquakes, earthslides, and mudslides; to the Committee on Banking and Currency.

H.R. 10695. A bill to amend the Small Reclamation Projects Act of 1956, as amended; to the Committee on Interior and Insular Affairs.

By Mr. VANDER JAGT:

H.R. 10696. A bill to amend the Internal Revenue Code to designate the home of a State legislator for income tax purposes; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 10697. A bill to provide that the receipts from all Federal gasoline and automotive excise taxes shall be placed in the highway trust fund to be used for road improvement purposes only, to eliminate the State matching requirements in the Federal-aid highway program, and to provide Federal assistance for State and local highway purposes; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 10698. A bill to provide that certain land acquired for flood control purposes which is no longer needed for such purposes be disposed of as surplus property; to the Committee on Public Works.

By Mr. CELLER (for himself, Mr. Feighan, Mr. Rodino, Mr. Rogers of Colorado, Mr. Donohue, Mr. Kastenmeier, Mr. St. Onge, Mr. Edwards of California, Mr. Hungate, Mr. Conyers, Mr. Jacobs, Mr. Eilberg, Mr. Ryan, Mr. Waldie, Mr. Mikva, Mr. McCulloch, Mr. Cahill, Mr. MacGregor, Mr. McClory, Mr. Smith, of New York, Mr. Meskill, Mr. Sandman, Mr. Railsback, Mr. Biester, and Mr. Fish):

H.J. Res. 681. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. CELLER (for himself, Mr. Brooks, Mr. McCulloch, and Mr. Coughlin):

H.J. Res. 682. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.J. Res. 683. Joint resolution to direct the Federal Communications Commission to study the ways in which commercial broadcasters may be required to provide financial support to nonprofit public educational broadcasters; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H.J. Res. 684. Joint resolution to designate the stadium constructed in the District of Columbia under authority of the District of Columbia Stadium Act of 1957 as the "Robert F. Kennedy Memorial Stadium"; to the Committee on the District of Columbia.

By Mr. KUYKENDALL (for himself, Mr. Broyhill of North Carolina, Mr. Edwards of Alabama, Mr. Cowger, Mr. Stubblefield, Mr. Buchanan, Mr. Blackburn, and Mr. Kleppe):

H.J. Res. 685. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. LUKENS:

H.J. Res. 686. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. DEVINE (for himself, Mr. King, Mr. Hunt, Mr. Kyl, Mr. Watkins, Mr. Clancy, Mr. Roudebush, Mr. Landgrebe, Mr. Goodling, Mr. Martin, and Mr. Collier):

H. Con. Res. 229. Concurrent resolution expressing the sense of the Congress with respect to the rotation of members of the Armed Forces of the United States in their assignments to serve in combat zones; to the Committee on Armed Services.

By Mr. NICHOLS:

H. Con. Res. 230. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

By Mr. VANDER JAGT:

H. Con. Res. 231. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. WHITEHURST:

H. Con. Res. 232. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. RYAN (for himself, Mr. Addabbo, Mr. Ashley, Mr. Baring, Mr. Bingham, Mr. Blatnik, Mr. Brown of California, Mr. Byrne of Pennsylvania, Mr. Burton of California, Mr. Conyers, Mr. Culver, Mr. Diggs, Mr. Dingell, Mr. Donohue, Mr. Edwards of California, Mr. Gray, Mr. Halpern, Mrs. Hansen of Washington, Mr. Hathaway, Mr. Hawkins, Mr. Johnson of California, Mr. Kastenmeier, Mr. Koch, Mr. Leggett, and Mr. Matsunaga):

H. Res. 381. Resolution to express the sense of the House regarding the shutdown of Job Corps installations before congressional authorization and appropriation actions; to the Committee on Education and Labor.

By Mr. RYAN (for himself, Mr. Meeds, Mr. Mikva, Mrs. Mink, Mr. Moorhead, Mr. Nix, Mr. Obey, Mr. O'Hara, Mr. O'Neill of Massachusetts, Mr. Ottinger, Mr. Pepper, Mr. Podell, Mr. Rees, Mr. Reuss, Mr. Rosenthal, Mr. Scheuer, Mr. Tiernan, Mr. Tunney, and Mr. Wydler):

H. Res. 382. Resolution to express the sense of the House regarding the shutdown of Job Corps installations before congressional authorization and appropriation actions; to the Committee on Education and Labor.

By Mr. RYAN (for himself, Mrs. Chisholm, and Mr. Dent):

H. Res. 383. Resolution to express the sense of the House regarding the shutdown of Job Corps installations before congressional authorization and appropriation actions; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 10699. A bill for the relief of Gioacchino Plaia; Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 10700. A bill for the relief of Drs. Ismael V. and Zenaida S. David; to the Committee on the Judiciary.

H.R. 10701. A bill for the relief of Giancarlo and Carmela Lunardi; to the Committee on the Judiciary.

H.R. 10702. A bill for the relief of Maria Monteforte; to the Committee on the Judiciary

H.R. 10703. A bill for the relief of Ernesto Pardo; to the Committee on the Judiciary.

By Mr. FLOWERS:

H.R. 10704. A bill for the relief of Samuel R. Stephenson; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 10705. A bill for the relief of Giuseppa Cultera; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 10706. A bill for the relief of Danica Sekulovic; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 10707. A bill for the relief of Marie Tawil; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 10708. A bill for the relief of Leonardo Ognibene, Mrs. Grazia Ognibene, Giuseppe Ognibene, and Domenico Ognibene; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 10709. A bill for the relief of Ahmed Masood Ghouse, M.D.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

98. The SPEAKER presented a petition of Henry Stoner, Madison, Wis., relative to the establishment of a Subcommittee on Computers and Automation, which was referred to the Committee on Rules.

EXTENSIONS OF REMARKS

ORREN BEATY: A JOB WELL DONE

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. UDALL. Mr. Speaker, now that the Senate has confirmed a new Federal Cochairman for the Four Corners Regional Commission, I would like to take this opportunity to tell you about the outstanding performance of Orren Beaty, Jr., the first Federal Cochairman of the Four Corners Regional Commission.

The Four Corners Regional Commission, established pursuant to the Public Works and Economic Development Act of 1965, is designed to stimulate economic growth in a 92-county area within the States of Arizona, Colorado, New Mexico, and Utah. Its members are the Governors of those four States and the Federal Cochairman. Orren Beaty was appointed by President Johnson in August of 1967 at the time the Commission was being organized.

The success of this Commission is dependent upon the good will of the people in the region and the close cooperation of Federal, State, and local agencies. From the day he took office and up to the very last day of his term, Orren Beaty worked to create and maintain these relationships.

He consulted frequently with the Governors and their staffs to gain their interest in the program and to insure their continued cooperation, and the Governors are working together with the recognition that there are problems common to all these States and that solutions may be more readily obtainable on a regional rather than on an individual State basis.

Through his extensive knowledge of Federal Government agencies and personnel, Mr. Beaty was able to enlist the support of the Federal agencies for this program.

Important as all of this is, it tends to obscure one very significant aspect of the job he did. In an area which has been traditionally hostile to government, especially the Federal Government, getting the trust of the people who are to benefit from the programs is crucial. Orren Beaty traveled all over the region talking to people—explaining the program to them and asking what they hoped to gain through the Commission. He visited the Indian tribal leaders, the farmers and ranchers, the small towns, opening up channels of communication between people and their government which are rarely available.

The Commission, under Orren Beaty's leadership, has already accomplished much in its short history. All four States now are actively pursuing comprehensive statewide planning programs. One year ago Arizona had no statewide planning program and planning efforts in the other States were generally in the formative stages. The highway departments of the four States, working with representatives of the Commission, are now developing a regional highway plan for the Four Corners areas. The Commission has also undertaken studies of the vocational education needs of the area, rail transportation facilities and requirements, and manpower needs.

For the past 19 months Orren Beaty has devoted his time and his considerable talents to the difficult task of discovering ways of improving the economic conditions of one of the most underdeveloped areas of the Nation. The job is far from complete, as he himself would be the first to say, but, due to his efforts, we have made a good beginning.

We thank him and we wish him well.

COMPUTATION OF RETIRED MILITARY PAY

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, April 29, 1969

Mr. TOWER. Mr. President, earlier this session I introduced S. 364, a bill which would return the computation of retired military pay to the basis on which it was figured before 1958. My bill would allow the armed services of the United States to honor a moral obligation which had become very close to a contractual obligation as the result of 150 years' use.

This matter of recomputation is of vital importance and concern to the men of the Armed Forces of the Nation who have fulfilled their service duty and retired. Every day these men contact my office to ask about the progress of S. 364. In order that Senators may share in their expressions of concern, I ask unanimous consent that the editorial, published in the April issue of the National Association for Uniformed Services Newsletter, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RECOMPUTATION—HOTTEST ISSUE FACING 91ST CONGRESS FOR SERVICE RETIREES

Recomputation or equalization of retired pay—call it what you will—is the hottest item before the 91st Congress as far as Uniformed Service retirees are concerned.

Recomputation would reinstate the pre-1958 system of basing retired pay on current active duty pay scales. Ever since 1958, when the system was switched peremptorily, a serviceman who retires keeps getting the same pay as long as he lives, except for periodic cost-of-living adjustments.

As a consequence, a tremendous gap in retired pay has grown over the past ten years between retirees of the same grade and years of service. In short, it has created a marked inequality among peers—an inequality that will widen substantially with the upcoming pay increase and will continue to widen ad infinitum unless Congress restores the traditional system of computing retired pay on the basis of current active duty rates (recomputation).

There are three major forms of recomputation bills now pending before Congress:

The first form would let all retirees recompute their retired pay, beginning now and continuing into the future. This is the bill introduced by Senator Tower, among others, and specifically supported by President Nixon during his campaign.

The second form would give the benefit to those who were on active duty before recomputation was killed in mid-1958.

The third form would apply only to those who retired before mid-1958.

While there is merit to each of these three forms of recomputation (and NAUS objects to none, since each would benefit some portion of our membership), nonetheless NAUS strongly supports the first form listed above; that is, the bill sponsored by Senator Tower, and urges each NAUS member (and all Service friends he can muster) to write to his two senators and the congressman of his district to let them know politely but clearly that this is the legislation we want passed because it's the fairest, and because it benefits more than 99% of our membership.

We are fully aware of how much recomputation would cost; but we do not believe that all examples and comparisons are complete or necessarily valid. For instance, it has been stated that recomputation costs would be more than 17 billion by the year 2000. As a comparison of costs this figure alone is rather useless. Were these costs also compared with the expected government income tax revenue in the year 2000; or the expected personal income rates in the year 2000; or the projected national gross product figures for the same year? When compared to a few of these figures, the true story becomes more realistic, and the cited retirement dollars are relatively small.

Additionally, the 17 billion figure indicates the dollars that will be paid to retirees. It does not reflect the 20–25% of these dollars that will be returned to the government in the form of income tax or other federal revenue programs.

Everyone seems to have a pet comparison of his own, such as the one which alleges that the projected cost of recomputation would equal the cost of a new antimissile system. Nobody except the retiree himself seems to be alive to the individual inequities involved and how they shape up in the figures and facts. We suggest that defense analysts and columnists turn their thoughts to the foregoing and to these comparisons: A major or lieutenant commander retired prior to June 1958 with 22 years service has been deprived of $17,000, plus interest, during the past eleven years—enough to put a couple of kids through college on an austere basis and make a healthy down payment on a home. During that same time, a sergeant major, master chief petty officer or chief master sergeant retired prior to June 1958 with 30 years service has been deprived of over $34,000 plus interest! Even by today's inflated standards, that represents a lot of money. And the acid irony of it is that it's money out of the pockets of those in the lower career pay brackets, those who not only can afford it least—but, in fact, those who cannot afford it at all!

Our Country prides itself for its concern for the individual—for its concern for people above things. We think it's time that that concern was reasserted with respect to Service retirees and today's active duty personnel, who some day will be retirees, by passing recomputation legislation in the form submitted by Senator Tower, which is the kind of legislation President Nixon himself has promised to support.

NURSE TALENT SEARCH

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, April 29, 1969

Mr. JAVITS. Mr. President, at present rates of recruitment, the Nation will be short 151,000 nurses in 1970, a shortage which has already curtailed hospital services and the delivery of health care. On March 31, I introduced S. 1540 to combat this shortage by expanding the present nurse talent search program.

The type of activity this legislation is intended to encourage is illustrated by the You-In project being conducted in the Washington area to encourage students and motivate them to finish secondary school and pursue a nursing career. This project is especially directed at Negro girls; for Negroes, while comprising 11 percent of the population, comprise only 3 percent of all nursing students. The project is also designed to deal with the problem of the declining proportion of high school students selecting nursing as a career.

I ask unanimous consent to have printed in the RECORD a description of the You-In project, which can well serve as a model to other communities.

There being no objection, the description was ordered to be printed in the RECORD, as follows:

OVERVIEW OF YOU-IN PROJECT

The purpose of the You-In project is to identify, encourage, and motivate students in the greater Washington area to finish secondary school and pursue a career in nursing. To attempt to accomplish the first objective (identifying students who may be interested in nursing careers) groups of students from youth organizations in the city will come together to participate in group discussion meetings. These discussions will give students in grades 8–10 an opportunity to express their concerns related to current issues of interest: school, home, community, vocational aspirations and reactions to nursing careers. From the group meetings students who indicate an interest in nursing as determined by group leaders, Project Director, parents, the students and what the students say in the group discussion, will be matched with a Registered Nurse. This nurse volunteer will meet regularly with the student and periodically with the parents and will provide guidance and support on a long range basis.

As a result of the project, hopefully, the student will become aware of the avenues open to him or her in nursing and can begin early to plan a career in nursing.

From the project valuable information on methods to reach inner city students and encourage them to pursue a nursing career will be obtained. Also a description of the feelings, attitudes and beliefs of the students will result which can be helpful in reaching other students in different areas.

JOB CORPS CLOSINGS ILL TIMED

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Tuesday, April 29, 1969

Mr. CHURCH. Mr. President, last Friday it was announced by the Secretary of Labor that 59 Job Corps centers are to be closed, including two in Idaho—at Cedar Flats, near Kooskia, and at Mountain Home.

As much as any Member of the Senate, I realize the need for cuts in Federal spending to help stem the rising tide of inflation brought on by the continuing war in Vietnam.

But it is ironic that the Nixon administration would choose to gut the Job Corps program, in order to save $100 million, while advocating the deployment of a dubious, if not unworkable, new ABM system, which will cost at least 70 times that much—for openers.

In the case of Idaho, nearly 300 corpsmen at Cedar Flats and Mountain Home now face uncertain futures. The closure of these camps demonstrates, once again, how seriously our national priorities have become confused.

Mr. President, perhaps the most telling comment I can make on the value of these camps—and those in other States affected by last Friday's order—is to let one of the officials most directly involved spell it out.

Mr. Paul T. McNutt, director of the Cedar Flats center, has written a short speech which he has delivered to local organizations explaining just what is involved in the center's programs—its costs and its contributions.

All who are concerned about the Nixon administration's decision to close these camps will find Mr. McNutt's speech a telling commentary on why they should be kept open.

I ask unanimous consent, that the speech be printed in the Extensions of Remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

JOB CORPS COSTS

We hear so many figures bandied about by politicians and critics and by friends and they are so divergent in their views that I would like to give you some real, hard facts about the costs of keeping a corpsman here at my center, Cedar Flats Job Corps, Kooskia, Idaho. The actual yearly, per capita cost to support a corpsman at Cedar Flats is $4,168. Immediately the critics of the Job Corps program pounce on this and quote NEA figures on the average costs to educate a child in the public schools as being $450. Let's stop and evaluate these two figures.

First, the $450 figure given to us by the NEA represents the costs for salaries in the average school district over the entire United States for public education. In New York City, however, this figure runs closer to $1100 per pupil and it is true in Chicago, Washington, and other large cities that the cost is near the $1000 figure. This figure does not include the cost of the athletic programs, the football stadiums, the janitors' salaries, the cost of shoulder pads, hip pads, and football shoes, the cost of any of the buildings, the hot lunch programs—only the teachers' salaries.

The figured cost for education for a corpsman at Cedar Flats Job Corps on the same basis as the NEA figures is $900. This is higher than the national average and lower than the general figure for the slums of the large cities from whence these corpsmen came.

Now, let's go back and take this $4,168 cost for each corpsman. First, subtract $1,200 which we spend on each corpsman each year to buy cement, two by four's, plywood, culverts, fence posts, and other building materials which go directly into the beautification, repair, and the construction on the Nezperce and the Clearwater National Forests. This $1,200 is charged against the cost of educating a corpsman, but it is, in reality, a permanent accrual to the benefits of Mr. J. Q. Public. This leaves a balance of $2,968 a year on each corpsman which is divided roughly as follows: $143 for dental bills; a similar amount for medicine, physical check-ups, and hospitalization; $900 for schooling; $75 for personal clothing which the corpsman gets to keep; and about $100 for work clothing which remains at the center; $819 for food; and the balance of the $2,968 is used for defraying the costs of the buildings and equipment over a ten-year period.

Since this center was opened, we have spent approximately $143,000 in Grangeville and Orofino on dental bills alone. We have spent $75,000 on personal clothing, most of this in Grangeville and a considerable lesser sum in Orofino. To the Carnation Milk Company, operating out of Kamiah, we have purchased $409 a week in dairy products and bread. This comes to about $54,000 since the center opened in the latter part of 1965. So, never underestimate the impact of the Job Corps on the economy of your village.

I would like to direct your attention back to this $4,168 figure that it costs to keep a corpsman going and compare it with some interesting alternatives which the critics of the Job Corps program conveniently overlook. How much do you think it costs to keep a man in prison for one year? Well, I looked it up and the figure is approximately $5,000. Let's assume that the average prisoner stays in prison or in jail for five years. I don't have figures on this. Some prisoners stay lots longer and some stay less. This means that Mr. J. Q. Public has wasted $25,000 on a prisoner.

This next one will *really* bug you. The average family on welfare costs the government $8,000 a year. Now we can start toying with some figures a bit. If we assume that the average corpsman is eighteen years of age and expects to live until he is seventy years of age, he would normally spend fifty-two years on welfare and together with his family would cost the government $416,000! Which would you rather do, plunk out $416,000 to keep a kid on relief or $25,000 to keep him in the pokey and then have him turned back on society to go back on relief for an additional $376,000 or would you rather have $4,168 now and attempt to break this vicious chain of poverty and welfareism?

Immediately you say, "Aha, professor! But not all of your kids get jobs and they don't all break the chain of poverty and welfareism." True. Of the 125,900 corpsmen who have gone through Job Corps, 84,601 (or 68%) are either back in school, are on paying jobs, or are in the Armed Services. The other 32% we have failed on and we presume then that they are on the treadmill of poverty and welfareism. Before he enters the Job Corps, the average corpsman earns $639 a year. After Job Corps, the average corpsman earns $1.70 an hour or $3,536 a year. This corpsman graduate actually puts more money ($707.80) back into the United States Treasury in the form of taxes than he earned in a year as a high school drop out, non-Job Corps punk roving around the streets.

Another little item that our critics are prone to overlook is the tremendous emergency value of the corpsmen. Last year during the fire season at Cedar Flats, corpsmen did 17,000+ hours of emergency fire fighting at no cost for salaries to the government. Over the nation as a whole 326,000 hours of emergency work were done by corpsmen—or roughly $500,000. Specifically at Cedar Flats, we figure that each corpsman has contributed $105 worth of donated labor in emergency situations. This, of course, is over and above the regular 40-hour working week.

Another monetary return from this money spent on a corpsman is the fact that over two thousand public school systems in the United States have witnessed the phenomenal success in the youth in Job Corps-produced educational and instructional materials and at no extra cost to the school districts have adopted these methods and materials. Normally, this type of research costs huge sums of money.

I have one other set of figures that I would like to give you before I ask for questions. The average corpsman stays at Cedar Flats 5.6 months. While he is here he spends half of his time or 2.8 months in school and he progresses through one and a half times as much reading in his school as his counterpart would do in the public schools. In mathematics, he almost doubles—not quite (1.8 times)—the progress made by the average public school youngster. You ask why.

Well, first, we are extremely fortunate in having small pupil-teacher ratios and second, we refuse to accept the contention that these kids are just plain dumb! They are, rather, kids that have been rejected by society.

HEARINGS ON NATIONAL HOUSING GOALS

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. BARRETT. Mr. Speaker, the Housing and Urban Development Act of 1968 reconfirmed the housing and community development objectives set forth in the statement of policy in the Housing Act of 1949. Beyond that, it established a firm goal of 26 million new and rehabilitated units over the next decade to eliminate slums and substandard housing from our towns and cities and from our rural areas as well.

The achievement of this goal will not be an easy task but it is well within the range of the tremendous economic potential of this country. It will, however, require us to follow wise policies and maintain a determined effort. Already the achievement of the levels of new home production necessary to keep us on schedule are threatened by cost increases and a shortage of mortgage finance.

Beyond the goal of 26 million housing units, we recognize the necessity of providing a suitable environment for all of our people and our objective requires success in all of our programs for community development.

Title XVI of the 1968 Housing Act not only set forth our goal but called for annual reports from the President on our progress and problems in carrying out this plan. These reports will provide the Congress and the Nation with perspective and insight on our housing and urban development programs. The first of these reports has now been received by the Congress and it deserves to be widely read and studied.

The Subcommittee on Housing will hold hearings on national housing goals beginning May 13 to make an intensive review of that report and of our housing goals generally. Already the Committee on Banking and Currency has held hearings to study the problem of the recent sharp increase of lumber prices which has implications for the full decade ahead. In later hearings, other special aspects will be considered. The subcommittee hearings will bring together the comments of top Government officials, industry leaders, and a wide range of professionals in the field of housing and urban development. They will also provide a useful background for our legislative hearings planned for later this session.

THE EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. TUNNEY. Mr. Speaker, I have introduced legislation to provide supplementary appropriations for the educational and cultural exchange program of the Department of State for the fiscal year ending June 30, 1969.

The enactment of this legislation is needed to enable the Secretary of State to carry out the provisions of the Mutual Educational and Cultural Exchange Act.

The President's Task Force on Education has submitted a report which among other things recommends the following:

> The Fulbright program: We strongly urge immediate actions by the new administration to salvage the international educational exchange program through the following steps:
>
> First, by means of a supplemental appropriation early in 1969, to close the $15,000,000 gap in the levels of the Fulbright-Hays appropriations as between fiscal year 1968 (approximately $46,000,000) and the current 1969 fiscal year (approximately $31,000,000).

My bill is designed to implement this suggestion and reverse the continuing decline of this most valuable program. The projects which have been sponsored under the auspices of Fulbright-Hays have been very popular and beneficial to the interests of the United States. In spite of this, the program has been subjected to drastic cuts in funding. In fiscal year 1966 the mutual educational and cultural exchange program operated under a budget of $53,000,000. This has been cut to $31 million for fiscal year 1969.

The drastic curtailment of funds has forced the State Department to suspend their participation in many cultural and educational exchange programs and has discouraged private contributions for these jointly financed programs.

I would like to describe to my colleagues some examples of the exchange programs operating in California.

Project India, Ceylon is sponsored by the University Religious Conference at UCLA and Watkins House at the University of California at Riverside. The program has sent a team of students to India each summer since 1952. Project Ceylon was begun in 1968. Both of these programs have received substantial contributions from private individuals and the students themselves. The State Department has made up the difference. However, due to the drastic curtailment of funds, the State Department has diminished its support until now it provides no funds at all.

Project Pakistan and Project Nepal-Afghanistan have, in the past, been jointly sponsored by the State Department and by the University Religious Conference and Associated Students of the University of California at Santa Barbara. Also due to a curtailment of funds the State Department has decided to discontinue its participation in these programs.

Mr. Speaker, the support of the State Department is necessary for the continuation of these valuable programs. Without State Department support, interest by foreign nations will diminish and private sources of revenue will dry up.

These exchanges are important conduits for student activity.

The headlines are filled with stories about student unrest. Little is written about student participation in educational and cultural exchange programs or the Peace Corps or other similar beneficial and public spirited programs. Yet we now find that another door to public service is being closed to young people. Tremendous interest has been generated for these programs and their impact both at home and abroad has been great. But success has only produced failure. Faith has been broken by our Government. The hopes and aspirations of many people have been left unfulfilled by a decision which they view as impersonal and arbitrary.

Let us act to encourage public service not discourage it. Let us move to channel the energies of youth into educational and cultural activities rendering a social and public service rather than curtailing such activities and encouraging more campus unrest and ill-advised disruptive activities.

Mr. Speaker, I urge that this supplemental appropriations bill be carefully considered. I believe my colleagues will find that the investment would be beneficial.

INAUGURAL ADDRESS BY DR. ALLYN P. ROBINSON, OF DOWLING COLLEGE

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, April 29, 1969

Mr. GOODELL. Mr. President, revolution on our campuses was the topic about which I spoke at the commencement exercises of the State University College of Buffalo in New York on February 2, 1969. The widespread foment among American college students is due in no small part to the prevalent tendency among today's youth to search for meaningful ways to serve society and constructive and significant outlets for generous impulses and noble ideals. Most students are dissenters, not disrupters, and it is the administrators of our universities who are charged with assisting the student to translate his dissent into action.

On the same day that I was delivering this commencement address the first president of a new and exciting college was being inaugurated. I say new and exciting because of the impressive career of public service of Robert Dowling, the man after whom the college was named, and the tone of the inaugural address of the first president of Dowling College, Allyn P. Robinson. President Robinson is to be commended for the astute welcome he has extended to the student rebel and the compassion and understanding he has shown to those of our Nation's youth who are anxious for change.

I ask unanimous consent that the inaugural address of Allyn P. Robinson be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

IN PURSUIT OF WISDOM

(Address by Dr. Allyn P. Robinson on the occasion of his inauguration as first president of Dowling College)

This is an occasion to rejoice.

I am sure that in the not too distant past the congratulations which college presidents received upon occasions such as this were without qualification. It has been interesting—perhaps a bit disconcerting—that many of the messages I have been receiving not only from this country, but from abroad have included a note of sympathy.

The college campus is not always looked upon today as the peaceful haven it once seemed to be.

I do not however ask for sympathy, instead I seek a commitment that will allow Dowling College to become an instrument to serve the three-fold goals set forth in our motto: Learning, Wisdom, and Compassion.

The encouragement of learning is certainly a major task. This is no small undertaking in a day when the body of knowledge increases in almost every field more rapidly than even the experts in those fields can appropriate it. But learning means far more to us today than acquiring knowledge. It means more than learning the skills that will be necessary for our vocations. It means relating ourselves to ancient and contemporary discoveries in ways that can provide self-esteem without arrogance, sensitivity without dominance.

Because of the nature of the learning that I hope we will seek, I am glad that our college has not only placed an emphasis upon experiment and innovation but has been committed to an inter-disciplinary approach.

In the end, it is the understanding of the relationships between the segments of knowledge that man has acquired that is the mark of an educated man, to say nothing of the fact that no single discipline can adequately solve the vital problems of our time.

Our innovation and experiment must not, of course, be limited to the classroom or seminar. The success of our teacher-internship program underscores again the fact that we learn by doing and there are many other areas open to such internships if we can pursue them with imagination. It becomes clear that significant learning is achieved by active student participation in the affairs of the college. Long ago John Stuart Mills said that, "participation in government may be the first step toward liberation from the chains of custom and conformity." If such liberation is indeed a goal of liberal education then the practice of democracy on the campus is a vital part of the pursuit of the liberal arts. I am convinced by what I see on our own campus that capacity to act responsibly grows with opportunity. The ability to think is a major goal, but our thoughts must be matched by behavior.

The pursuit of wisdom is elusive. Who among us, looking at the state of our society, upon the perverseness of our own natures . . . who *then* is bold enough to assume that we are in a position to impart wisdom. And yet wisdom as well as learning must be part of our common pursuit.

Although wisdom is not to be found in the content of our disciplines, it may be the import of this content. If we cannot provide it through courses and seminars, it may be embodied in the individuals who teach these courses, or in the students whom they teach.

Whatever else wisdom involves, it involves values and our institutions of higher learning have had in recent times, a tendency to shy away from values. In the name of the great god "objectivity" or in the names of even lesser gods, we have thought we should eschew values as if they were unworthy of sophisticated men. In the process we have sometimes become idol worshippers.

For we will have—we do have—values of some sort. Without them we would stay in bed. We would surely not have a college, and you who support Dowling College and make it possible, would not be here today.

This is not to say that the college is not committed to a search for objectivity. Always it must be a place where there can be uninhibited criticism, untrammeled intellectual debate, where heresy does not inspire witch hunts. It must always be the duty of a college to help our society by destroying its prejudices, by sharply scrutinizing its myths. But if those under our tutelage find life meaningless they will not learn and we should not marvel if their actions are random and destructive.

Life without meaning is not life at all. Dostoevsky wrote, "If it were desired to crush a man completely, to punish him so severely that even the most hardened murderer would quail, it would only be needed to make his work absolutely pointless and absurd." The Nazis proved the point. They drove prisoners out of their minds by subjecting them to meaningless work, requiring them to laboriously dig deep holes and then to fill them up again.

Recently I listened to our three Lunar astronauts. In their profound honesty, and simplicity in their very real humility, they were deeply moving. A statement made by one of them, I found significant and rather disturbing. He expressed understandable gratification in the fact that they had given to the American people "something to be proud of, something to hang on to." I find only gratitude that this is so, but I find tragedy in the fact that we have had so few symbols that could express our common values not only as Americans, but as men.

Our society will move toward wholeness or destruction not on the basis of our cleverness but upon the basis of our values. If the launching of Sputnik could trigger a decade of scientism on our campuses, what would it take to develop a more active humanism? If an urban crisis, the tragedy of Vietnam, the exploding ghetto, have not done it, what can reveal to us the paucity of the qualities that make us men?

Wisdom surely must encompass compassion and if it does not, our learning can make us mad.

One recalls the words of T. S. Eliot: "Between the idea and the reality falls the shadow." Intellectuals have been known to give leadership to infamous causes. They made a poor stand in Hitler's Germany. Many have been capable of distorting science to serve national ends. Some of them, right now are engaged in perfecting a biological warfare that might make even a nuclear holocaust seem pleasant. Liberal education must lead the struggle against anti-intellectualism but it must not settle for intellectualism alone.

I am convinced that by their very nature institutions tend to incarnate power and prejudice. Almost any institution being composed of human beings—always subject to a tendency toward self-love—will tend to seek their own enchancement and survival with too little regard of the common good.

It is no wonder then, that the college and the university have been seen by many of our younger generation as part of an establishment to be attacked. A great deal of the revolt of youth, however unpleasant, however at times destructive and short-sighted, must be seen, I believe, as a kind of inverse idealism.

A society that has in too many instances substituted the products of technology for human values needs its critics. An affluent society that leaves many men and women without dignity and many children essentially without hope needs its critics. A society that possesses a new potential for total destruction yet seeks military instead of human and political solutions needs its critics. A society that allows utterly irrelevant racial distinctions to crush the human spirit, heaven knows, needs its critics.

It is a mark of greatness in a society to be able to raise up its critics and most importantly to listen to them. I welcome the voice of the young rebel. Youth, though now many doubt it, can still be the hope of the future. Youth, free from the chains of caution and compromise that so quickly bind us oldsters, have frequently had a way of seeing clearly what we comprehend but dimly.

There are some who see a generation gap so great that none can span it, so wide that one cannot even speak across it. I am not convinced. Must a nation born in revolution be frightened by the stirrings of revolution in our time? It is rather the quality and direction of this revelation that should concern us.

If there is cause for concern, it is not that our campuses are alive these days with revolutionary zeal, but rather that one portion of our youth has opted out . . . turned on . . . retreated to their own mystical islands. Equally tragic—another portion has enlisted in a revolution of despair. The destructiveness and random violence that has erupted on many campuses suggests a tragic air of hopelessness, a blind striking out against a world they do not like without any hope that it could become the world they want. In many instances they have not even troubled to draw the broad outlines of such a world. Here and there we see welcome signs of restraint. I recently enjoyed a cartoon that showed a student leader instructing his colleagues . . . "Remember, this time we take the soft approach—we break all the windows, but we don't burn the building." But if moral outrage is not enough, youth alone must not be asked to bear the moral obligation.

What somehow we must do, is to translate the revolution of despair into the revolution of hope. The world, I suspect, will not be vastly changed by the advent of student power, or black power. I do not minimize the importance of power. If our democratic creed means anything, the disinherited will not be left in that estate. But our sickness is greater than this. It is a sickness of spirit that keeps us from any vital sense of community. Peter Ustinov, who is a man of many parts, writes with insight in a recent issue of Center Magazine when he says that "power is always superseded by other power: mutual respect is eternal."

The task, obviously, is enormous. As a Christian, I have always felt that the doctrine of original sin, no matter how we may modify it in this age of science and rationalism, was describing a basic fact of human life. And to the proclivities of human nature, you must add social forces larger than any of us that obstruct our progress. I am not always sure what students and others mean when they talk about "the military-industrial complex," but they are right in assuming that men often institutionalize their predatory natures. I am not proposing that we encourage utopian spiritual expectations. That could be as disastrous as the belief in inevitable progress from which we are only beginning to be free. But, though enormous, our task is not impossible.

What I am asking is, that we recognize that if man is part devil, he is also part God. Even if you reject this religious terminology, you have found, I am sure, in your own experience, that men can love as well as hate, that men can be concerned about their brethren, that men are capable of generosity and sacrifice and that such men have made a difference.

My friend, Cardinal Cushing, had planned to be with us today and would have been except for illness. In recent correspondence, I chided him for making the headlines again in connection with a famous marriage. Quite typically, he wrote that his only reaction to adverse criticism was to recall the words of Pope John XXIII spoken in private audience: "I don't care what they say of me, I must be good and kind always to everybody." Spoken lightly, this is a sentimental statement but accepted as a goal, it is part of what we mean by compassion—a compassion based upon the dignity of all men and the mutual respect that unites them.

To the extent that adult leadership, through political and social organization, can share this same compassion, we will not only narrow the generation gap but transform the revolution of despair to a revolution of hope.

The revolution of hope will have to be based upon an adequate concept of man and of his destiny and perhaps we are getting help these days from new quarters. The poet, Archibald MacLeish had some reflections on the recent voyage to the moon: "Men's conception of themselves and of each other," he pointed out, "has always depended upon their notion of the earth. When the earth was the World—all the world there was—and the stars were lights in Dante's Heaven and the ground beneath men's feet roofed Hell, they saw themselves as creatures at the center of the universe, the sole, particular concern of God—and from that high place, they ruled and killed and conquered as they pleased.

"The medieval notion of the earth put man at the center of everything. The nuclear notion of the earth put him nowhere—beyond the range of reason even—lost in absurdity and war. This latest notion may have other consequences. . . . To see the earth as it truly is, small and blue and beautiful in that eternal silence where it floats, is to see ourselves as riders on the earth together, brothers on that bright loveliness in the eternal cold—brothers who know, now they are truly brothers."

This once seemingly large world, has turned out to be a small world after all. We can almost see it as one campus—on which, if we are to survive we must struggle together to learn, to seek wisdom and to be capable of compassion.

As I accept the charge that has today been given me, I know that I can perform it only if all of you, students, faculty, administrators, Trustees, members of the community, will commit yourselves, along with me, not only to the College, but to a world that needs what we can bring to it.

GARBAGE DISPOSAL: A GROWING RURAL PROBLEM

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. JONES of Alabama. Mr. Speaker, the problems of increasing amounts of garbage and solid waste should be receiving more attention in this country.

From time to time I have used this forum to point out the need for more concern over the many aspects of this challenge.

Too often the problem of garbage and solid waste is thought of as relating only to urban areas. While the disposal of the vast quantity of solid waste in urban areas is indeed of great concern, the problem is also acute in small towns and rural areas.

The Moulton Advertiser, which is published by Arthur Slaton in Moulton, Ala., has vividly pointed out how the garbage disposal problem affects rural parts of the country.

The news article is an excellent definition of the serious problem, and I want to commend the Moulton Advertiser for this unusual public service in pointing out the great need for attention to this problem.

So that my colleagues may be aware of the scope and nature of the garbage disposal problem which affects every section of this country, I include the article from the Moulton Advertiser as a part of my remarks at this point:

GARBAGE DISPOSAL—A GROWING RURAL PROBLEM

What is the No. 1 problem facing rural areas today—in Lawrence County as well as throughout the state?

The answer to that is probably garbage disposal. At least health officials and concerned individuals cite this at the top of the list in discussing what's wrong with rural America.

And the discouraging part about it is that no workable solution has been found.

The problem is just as much present in Lawrence County as other areas of the state and although it is discussed by many, little has been done about it. Not because of a lack of interest, but because there seems to be no immediate solution.

THE EVIDENCE

A Sunday afternoon drive through rural parts of Lawrence County gives an idea of how much a problem garbage disposal has become. Along roadsides, in creeks and streams, it collects—a breeding place for flies and other insects.

Who is concerned with this problem?

Sanitarian Elvie Terry at the Lawrence County Health Department says many residents are. They call frequently to report that someone has been dumping garbage along the road near their house; they want the health department to do something about it.

Terry said he receives numerous complaints. He follows them up with an investigation; a trip out to the reported site to see for himself. But other than that, he has no authority to do anything about garbage being dumped on someone's property or on the state right-of-way.

The affected landowner can take steps to have the garbage removed if he finds out who dumped it by contacting that person or by legal action if other means fail.

The State Highway Department posts prohibitive signs at places where garbage has been dumped; stating that anyone convicted can be fined heavily. But still the garbage collects there.

FOUR BIG PROBLEMS

There are at least four problem areas in Lawrence County that of which Terry is aware, all on unpaved roads. Perhaps the worst, he said, is at Brook Springs south of Town Creek, an abandoned recreation area.

Others are located on Harding Creek, off Alabama 157 near Hatton; one is in the Salem Community and the other problem area is south of Alabama 24 between Berea and Fairfield communities.

The possibility that others exist in the county is certain, Terry said, even though they are not reported. He receives more complaints, however, on these four.

The majority of complaints come from residents who live near the dump areas. They complain the odor is bad or the road is cluttered with garbage to the extent that it is hardly passable. And many residents who take pride in their community feel these areas are unsightly to visitors, as well as a health menace for those living nearby.

The private property owner doesn't like the situation but he would have to keep the sites under surveillance both day and night to catch persons dumping their garbage on his land. In some cases this is impossible since the landowner lives many miles away.

ATTRACT DOGS

One resident near the dump on Harding Creek is concerned with stray dogs that are attracted by the garbage. The half-starving dogs run in packs, he said, and are known to attack live farm animals for food.

He reported four of his calves were attacked by the dogs and there were others in his community who lost animals. His main concern, he said, is that the stray dogs are a threat to human beings as well as animals.

Another neighbor reported some of his animals died after drinking the water from Harding Creek. It seems the water has been contaminated by certain garbage dumped into the creek.

These are some examples of problems created by garbage dumped along roads or on private property. But in spite of this, garbage continues to collect.

NO PICNIC NOW

Brook Springs near Town Creek—which seems to be the worst site for dumping—was once a favorite gathering place for family picnics and outings. Because of the plentiful water running from an underground spring, it was used many years as a recreation area.

No one goes there any more for picnics. Only to dump their garbage. Over the past five or 10 years, residents have been throwing their garbage along the road until it has become unsightly. People in the community complain about it but the dumping goes on.

CONCERN GROWS

Only recently—in the past two years—has garbage disposal in rural areas received much attention. State and local health officials particularly are concerned over the situation and are now seeking a plan that could remedy this growing problem.

They know that unless it is stopped it can only become a greater problem in the future.

But what exactly is being done?

According to Terry, several things. For instance, the North Alabama Association of Sanitarians of which he is a member appointed a committee to study the problem of garbage disposal and come up with recommendations.

An investigation was made and the committee's findings were reported. Their recommendation is that one or more sites be approved for dumping in the county and that a garbage pick-up system, similar to what the city has, be implemented.

Under this plan, residents in rural areas would pay a small fee to have their garbage picked up on scheduled days. The fee would pay the expense of hauling the garbage and the salary of someone to supervise the dump.

"Lawrence County needs one or two properly supervised dumps," Terry said, "The most practical method is a sanitary land fill where garbage can be buried."

In the past, landowners have given permission for individuals to dump on their land but this didn't work out since people abused the privileges they were given.

LEGISLATION EYED

Terry, like many of his associates, believes the problem of garbage disposal cannot be solved without legislation. If this becomes necessary it could involve more taxation.

He pointed out, "I think the person who receives the service should have to pay for it and I hope it can be worked out without taxing everyone."

The sanitarian said other counties have a rural garbage pick-up system and with enough cooperation and support, the same type of program could be successful in Lawrence County. But it may take a long time yet to work out a plan of action.

Meanwhile, there is not much to do except ask for the public's cooperation in keeping garbage disposal under control, he said. If people continue to dump on private property as they have been doing in the past, the problem will only worsen.

Most people have more pride in their community than to make it unsightly by throwing garbage along the roads, Terry surmised; it has been found that outsiders are usually the ones who do the most damage.

But until someone comes up with a plan that will provide the rural people with a means of getting rid of their garbage, there probably won't be any vast improvements. . . .

COLLEGE ADMISSIONS POLICIES

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, April 29, 1969

Mr. HARTKE. Mr. President, a column published recently in the Johnstown Tribune-Democrat has been brought to my attention. Entitled "College Admissions Policies Restrictive," it was written by Mr. James Harvey, director of admissions at St. Francis College, Loretto, Pa.

In my opinion, Mr. Harvey's column highlights with peculiar lucidity and incisiveness the problem faced by many a black graduate of a high school today. Although often the product of a decidedly inferior primary and secondary school system, he is nevertheless expected by many colleges to compete on equal terms with his white contemporary. Black students from ghetto areas cannot be expected to do as well as whites on college entrance examinations which presume adequate secondary schooling, yet these tests are often decisive in determining whether a student will gain admission to college.

As Mr. Harvey implies, colleges which are unwilling to bend their admission standards for a black student who has an obvious desire to learn but whose academic record is poor run the risk of seeing such standards broken in the future.

Mr. President, I ask unanimous consent that Mr. Harvey's column be printed in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

COLLEGE ADMISSIONS POLICIES RESTRICTIVE

In March 1968 the Kerner commission released its report which concluded that America was moving toward two separate and unequal societies, one black and one white.

White society is deeply implicated in the ghetto, the report reads. White institutions created it, white institutions maintain it, and white institutions condone it.

If the institution of American higher education can be taken as typical, we are forced to admit the statements. By its very nature, higher education has catered to the white middle and upper-class population.

In itself, there is nothing wrong with this type of approach. However, in cutting off the poor in general, and the black in particular, American colleges and universities have been as guilty as any in maintaining the divisions in American society.

Now, when some colleges and universities are attempting to remedy the situation, an amazing development occurs: people from all walks of white America decry the lowering of admissions requirements.

There are a number of points which should be made before we discuss the admission of black students to college.

First, on the national average, 40 per cent of the students who enter a college do not graduate from it. Not all, of course, are faillures. Some graduate from other colleges; some drop out for personal reasons. However, a significant number do fail; in fact, colleges feel quite proud of themselves if no more than 10 per cent of their freshman class flunks out in the first year.

So, admissions requirements, particularly College Board results, are not exceptionally reliable predictors of college success. The high school record is the best indicator of college prospects. The boards are a distant second. This is not to say that the boards are not a good test. As tests go, the boards are one of the best. The point is that they are far from being 100 per cent accurate, and nobody, least of all the College Board itself, claims they are.

Second, a review of the alumni of any college will show that academically less-capable students have been able to complete college and go on to success in the world.

Third, most students from poor areas but particularly the ghetto child are in no way prepared for the College Boards. The quality of education in ghetto schools, the quality of ghetto life and the quality of the ghetto family all contribute to the lack of motivation and achievement of the black student. These factors are the foundation of the poor results of black students on the College Boards. The results are, indeed, miserable. Whereas about 20 percent of all white high school seniors will score 500 or higher on the verbal section of the S.A.T., only one or two percent of all black students will reach this level. The results have absolutely nothing to do with the intelligence or innate ability of the black student; the results are a function of his environment and background. Many educators equate the poor results to cultural bias. Simply stated, cultural bias means that tests devised in one culture cannot validly be applied to individuals in another culture because the basic beliefs and values of one culture may not be basic in another.

The cure to this educational problem lies not only in the high schools and colleges but also in society. Too often, colleges have blamed the secondary schools for not properly preparing black students. However, the high school can only do so much. It cannot clean out the ghetto or normalize the home life of its students. It is not expected to. Unfortunately, because of the money made available to these schools, they often cannot even do an adequate job of educating their students.

Similarly, the colleges can only do so much. Even the best remedial work in college, even the most intense counseling, even the most sincere commitment from any individual institution cannot save all the minority-group students enrolled. This is true today when only the best motivated of these students are enrolled in college; it will be even more true in the future. The failure should not be surprising; after 12 years on the slag heap of education and 18 on the slag heap of life, turned out a college graduate in four years, or even five or six years, is a tall order. However, the difficulty is no excuse for ignoring the task.

Let us be honest about one thing. All of us receive something from our society—roads, subsidized airlines or housing loans. Some elements in our society need more. Until society is willing to meet its obligations, it should not carp because some colleges have at least made a beginning.

Since less gifted students in the past have completed college, since admissions requirements are at best tenuous and since S.A.T. results discriminate unfairly between economic and racial groups, the objection that colleges are lowering standards is nonsense. Furthermore, at a time when American society is rocking at the foundations, denying black students admission to college on the flimsiest of excuses is just one more prejudice in black eyes. If society is willing to keep admission to college restrictive, and therefore segregated, it can do so. But it does so at its own risk.

SDS: A GROWING DANGER

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. CEDERBERG. Mr. Speaker, during the past few days I have had three articles which were distributed by the radical Students for a Democratic Society inserted in the body of the Congressional Record. One of those documents dealt with the attempt of this organization to exert its influence in the labor world. It was entitled "Work In: A National SDS Summer Project," and appeared on page 10263 of the Record for April 24, 1969.

This group, which I believe is more properly named the "Students for the Destruction of a Democratic Society," has long been known for its disruption of our Nation's campuses. Recently it has turned its attention to the business world and is now wreaking havoc in this area. The people of the Nation must be made aware of the subversive nature of this group and of its intention to destroy the very foundation of our society and of its institutions. The following article clearly indicates the directions the group is taking. In this case they forced the closing of an automobile plant, disrupting the lives of 1,900 workers and causing the obvious loss of pay and production:

[From the Washington Post, Apr. 29, 1969]

SDS, NEGROES FORCE FORD PLANT TO CLOSE

MAHWAH, N.J., April 28.—Dissident Negro workers and members of Students for a Democratic Society (SDS) led by Mark Rudd forced a halt in night-shift production today at the sprawling Ford Motor Co. plant here.

A Ford spokesman said about 500 of the 1900 workers on the night shift were absent so the plant was closed. A similar job action on Friday night also closed the plant and more of the same was pledged for Tuesday.

About 53 percent of 1900-strong night shift are Negroes.

Earlier today, the dissident workers, members of the United Black Brothers (UBB), had threatened to close the plant for the night shift unless their demands, which center on elimination of alleged racist policies, were carried out by management.

The dissident workers and the SDS members, about 300 strong, gathered in the parking lot of a building housing the headquarters of Local 906, United Auto Workers, which represents most of the Ford employees. Rudd, who was instrumental in the 1968 Columbia University student disorders, led the SDS members.

Just before the 4 p.m. shift was to report, about 100 whites and Negroes marched a half mile from the union hall to busy Route 17 and began passing out leaflets urging night shift workers to boycott the plant. Meanwhile, plant officials at the main gate used bullhorns to urge the workers to go to work.

The trouble began Wednesday when a white foreman allegedly called a Negro worker a profane name.

I was gratified to note that Mr. William C. Sullivan, Assistant Director of the Federal Bureau of Investigation, in remarks before the national convention of the U.S. Chamber of Commerce, had taken pains to point out the danger which the SDS movement presents to the businessman.

In a continuing effort to point out the very serious danger which this group presents to our entire Nation I commend Mr. Sullivan's remarks to my colleagues. I ask each of my fellow Members of the House to note the many documented instances of subversion and sabotage which are indicated in Mr. Sullivan's speech. I hope that the recent indications that full-scale investigations of this group are to be undertaken will be realized. I will continue to bring material relevant to this situation to the attention of this House.

Mr. Sullivan's remarks follow:

EXTREMISM AND BUSINESSMEN

(By Assistant Director William C. Sullivan, Federal Bureau of Investigation)

(The revolution of equality—racial and economic—has given life to new hopes and aspirations, but it has also unleashed deep and dangerous passions.—Morris I. Leibman, American Bar Association.)

THE PROBLEM

We are living in an era marked by continuing conflict, endless crises, and profound changes. The world today is revolutionary in a sense never before experienced by mankind. No other period in history has witnessed such far-reaching changes as those that have occurred in the 20th Century. The revolutions of science, technology, industry, communications, education, religion, and morality are spreading rapidly throughout the world. It is indeed true: "The recurrent shock of our age is the discovery that concepts and patterns of action of a more secure past no longer fit present reality."

Revolutionary changes, of their very nature, produce challenges, and today, on the national level, we are facing critical challenges to our freedoms, traditional principles, accepted values, and historic goals. These challenges come from various individuals and groups beyond the pale of the vital center of moderation in our land. The strident demands of the extreme left, black nationalists, and white hate groups threaten to polarize our society into a confusion of bitter, hate-ridden segments. The confrontation, conflict, and varying degrees of civil strife, evident in this country for some years, have reached the academic community and cities all over the country.

Part of the problem is irrational behavior based on irrational thinking. While this irrationality is a factor in civil disorder in our communities and universities, the premeditated activities of organized extremists are becoming a dominant factor. We have long opposed tyranny by the majority, but today we are faced with tyranny by the minority, and a small minority at that. If it is not confronted wisely, promptly, courageously, and decisively the final outcome for this country could be totalitarianism.

THE NEW LEFT

One of the principal movements responsible for the current wave of lawlessness and violence on the campus has been the New Left. This movement, an amorphous, largely undisciplined collection of political and social malcontents—many with emotional problems—grew out of legitimate, widespread student participation in the civil rights struggles in the South in the late 1950's.

To the casual observer, the New Left deviate, in its initial stages, may have appeared to be a highly motivated, idealistically inclined social reform movement. As it has evolved, however, the violent exhortations of its leaders and the terroristic acts of its adherents have clearly demonstrated that the New Left is a revolutionary, negative, minority force dedicated to the total destruction of our traditions, our democratic concepts, and—in truth—our open society itself. It does not represent the valid viewpoints of the overwhelming majority of American students.

The Students for a Democratic Society (SDS) forms the very core of the New Left today and has instigated much of the unrest on our college campuses. SDS, in an early policy statement in 1962, expressed contempt for the existing social order and declared its intention to move toward the establishment of a "participatory democracy." More and more since that time, it has embraced Marxist-Leninist philosophy and an increased militancy

The anarchistic character of SDS was clearly obvious at its June, 1968, national convention in East Lansing, Michigan. In a workshop held on sabotage and explosives, the participants discussed acts such as flushing bombs in toilets to destroy plumbing; firing Molotov cocktails from shotguns; jamming radio equipment; and dropping "thermit bombs" down manholes to destroy communications systems. Subsequent efforts of the SDS to explain away this workshop have been ludicrous.

Sit-ins, seizures of campus buildings, destruction of university property, and holding school administrators hostage are disruptive enough to our Nation's universities. But today these acts are accompanied by something even more alien to our society; naked terror. This terror is all the more devastating by its appearance within the heretofore calm rationality of the academic community and on the often pastoral setting of our college campuses.

TERROR ON THE CAMPUS

Recently, there have been a number of incidents of violence, destruction, and physical injuries on college campuses all over the country. At Lane College in Jackson, Tennessee, for example, on the night of March 20, 1969, the Science Building was destroyed by fire during a period of student unrest. Estimated damage was set at $400,000.

The automobile of a campus police officer was destroyed by fire on a parking lot at the University of California at Los Angeles on March 17, 1969. Parts of a homemade bomb were found after this explosion.

On March 7, 1969, two students working in the Computer Building at Loyola University at Los Angeles, California, heard suspicious noises and detected an odor of gasoline. Examination of the area revealed that a bomb had been placed under the building but, fortunately, had not exploded. This bomb had been made from a gasoline can rigged with a clock as a timing device.

On the night of March 5, 1969, a bomb exploded in the Creative Arts Building at San Francisco State College. In this case, the bomb exploded as it was being planted, with the result that the individual placing it was severely injured and may be permanently blinded. A search of the building disclosed a second bomb had been placed and set to explode. These devices had been prepared from more sophisticated materials including dynamite, batteries, and clocks. San Francisco State College has been under almost continuous siege by student revolutionists egged on by a dissident faculty element since the beginning of the current academic year.

A secretary at Pomona College, Claremont, California, was severely injured on February 25, 1969, when a bomb, wrapped as a package, exploded while she was removing it from a mailbox located in one of the college's halls. She subsequently lost two fingers of her right hand, was blinded in one eye, and will require plastic surgery as a result of facial damage.

On April 11, 1969, at the University of California at Santa Barbara, a custodian noticed a package lying outside a door to the University's Faculty Club, When he picked up the package, it exploded. He died as a result of burns suffered from this explosion.

At Washington University in St. Louis, Missouri, a student who was an SDS member was seized on December 3, 1968, by authorities as he placed a fire bomb at the campus headquarters of the University ROTC. He was later convicted in Federal court on a charge of sabotage and was sentenced to five years' imprisonment.

At Cornell University, on April 19, 1969, 100 students took over Willard Straight Hall, forcing 70 occupants to leave the building, including 30 parents of students who were visiting the University When the demonstrators evacuated the building 36 hours later, 17 of them carried rifles or shotguns.

At the State University of New York at Oneonta, on April 21, 1969, a group of 20 irate students submitted a list of demands to the president. One of the demands called for a weekly allowance of $35 for these students as spending money.

These are but a few incidents that have occurred during the current academic year. Property damage resulting from these disturbances totals in excess of $2 million. Over 2,400 arrests have been made during student disorders.

Many events on our campuses this year lead to the inescapable conclusion that certain elements in the academic community, consisting of both students and faculty members, have, in truth, already launched a revolution.

STUDENT REVOLUTIONARIES

The small revolutionary elements on the campus are being exhorted to action by professional agitators, both domestic and foreign.

Among the many domestic professional agitators are such individuals as Thomas Hayden, Mark Rudd, and Michael Klonsky, all leaders of SDS. Klonsky, currently SDS National Secretary, is the son of a former official of the Communist Party, USA. On April 11, 1969, Klonsky spoke at a rally at the University of Florida, during which he said that the SDS had helped to organize the student strike at San Francisco State College. He declared that it was time for revolution and for students and the oppressed minority to kick out the present system and form a "truly communistic society that would work for the poor and the oppressed."

Among the professional revolutionists from foreign countries who have toured the United States are Ernest and Gisela Mandel, of Brussels, Belgium. This couple spent two months in the United States on a speaking tour of college campuses last fall. Ernest Mandel, a German-born revolutionist, is a leading member of the Trotskyite United Secretariat of the Fourth International, which has headquarters in Paris, France. The Mandels spoke at over 50 colleges and universities during their stay in this country.

In his first speech, which was given at Rutgers University in early September, Mandel told his audience that socialist scholars must educate students for their role in the coming revolution. Students, he said, are the detonators in the formula for triggering a social explosion creating a revolutionary situation. At the University of Pennsylvania, he stated that students should organize in force because the time is ripe for overthrowing the capitalist system and bringing about a change within the framework of Marxist-Leninist theory.

During the period from February 25 to March 12, 1969, Karl Dietrich Wolff appeared at some 13 colleges and universities in this country. Wolff, a professed Marxist and an official of the Socialist German Students Federation, a militant leftist-orientated student organization in West Germany, was on a fund-raising tour. He told his listeners at the University of Michigan that there is a need to build an international revolutionary alliance, as a victory for the movement in one country is a victory in another. He criticized students in the United States for not working together as they are in Germany, and said that the time has passed for just sitting around discussing matters—they should act.

Some faculty elements have also aided and abetted student revolutionists. A few university administrators have been thwarted by members of their own faculty when they attempted to preserve the integrity of their institutions. Doctor S. I. Hayakawa, the acting president of San Francisco State College recently observed in connection with the student demonstration at Harvard University that the president of this University "was doing the right thing but he was double-crossed by his faculty."

In this connection, Doctor Hayakawa made the following additional comments: "There's an unconscious cultural snobbery on the part of the college-educated against those who are not college-educated, he said, "a deep-rooted prejudice among some intellectuals that they are a superior order of being because they are intellectuals. Some of them believe the world has no damn business being run by politicians, generals and businessmen. They think it should be run by literary critics and philosophers."

BLACK EXTREMISTS ON THE CAMPUS

The call to revolution sounded by New Leftists is being echoed by black extremists who have also selected our colleges and universities as priority targets for their confrontations. Black extremist student groups have made demands for campus power at over 50 colleges and universities across the country during the current academic year.

Best known of the black extremist student organizations are the Black Student Unions, which are particularly strong in California. The Black Student Union commanded considerable publicity through its disruptive actions at San Francisco State College. The student strike at that school began in November, 1968, after George Mason Murray, a Negro instructor in English and Minister of Education of the Black Panther Party, had been suspended for saying that, in order for Negroes to be free, they must "kill all the slave-masters."

Following Murray's suspension, the Black Student Union called for a student strike. On November 6, 1968, members of the group and their supporters disrupted classes and committeed acts of vandalism. Acts of terrorism, including bombings, characterized the later stages of this strike.

The highly publicized Black Panther Party, whose members have been involved in numerous acts of violence against police, recently turned its attention to black students on the campus.

Over the weekend of April 11–13, 1969, a black cultural festival was held at Tougaloo College, Tougaloo, Mississippi, a predominantly Negro institution. Black extremist speakers from the Student Nonviolent Coordinating Committee and the Black Panther Party urged college students to overthrow the Government, by arms, if necessary, and to arm themselves and support the third world movement.

At this festival, the head of the Black Panther Party in Boston waved the Party's newspaper as he asked for student support. This newspaper, which preaches hatred of the white race, revolution by blacks, and Chinese communist propaganda, has grown in circulation from 20,000 copies to 40,000 copies in just the past few months.

BLACK EXTREMIST ORGANIZATIONS

Today, there are over 100 different black extremist groups in the United States with many thousands of members and additional thousands of sympathizers. The major black extremist group is the Black Panther Party, based in Oakland, California. Less than a year ago, this group had 125 members in Oakland; today, with a phenomenally expanding membership it is operating in some 24 cities with over 60,000 sympathizers. The Party is self-described in its literature as "the armed body for carrying out the political tasks of the revolution."

The Black Panther Party's propensity for violence and its hatred of police, or "pigs," as it calls them, are illustrated by an event which occurred in Oakland, California, in October, 1967. Huey Newton, a cofounder and Minister of Defense of the Black Panther Party, was stopped for a traffic violation. He shot and killed one police officer and wounded another. He was subsequently convicted on a charge of voluntary manslaughter and sentenced to serve from two to 15 years.

Again, in April, 1968, violence erupted when Oakland police questioned occupants of a parked car. Fifteen members of the Black Panthers opened fire and a 90-minute gun battle ensued, leaving one Panther dead, one wounded, and two police officers wounded.

In early April, 1969, 21 members of the Black Panther Party were indicted in New York City on charges of conspiring to commit murder and arson and for possession of weapons and explosives. It was alleged that these individuals had conspired to dynamite the tracks of the New Haven branch of the Penn Central Railroad in New York City; that they had planned to place bombs in midtown department stores; and that they had plotted to bomb a police station to assassinate police officers.

The Black Panther Party was recently described by communists in this country as the fastest growing organization in black America and "the most radical political party to take root among the black masses since the American Civil War."

Several other black extremist organizations have also engaged in acts of violence. In July, 1968, for example, a black extremist group called New Libya attacked police with high-powered rifles in Cleveland, Ohio. Three police officers were killed and 14 wounded. Eight other persons were killed. On March 29, 1969, members of the black separatist Republic of New Africa engaged in a gun battle with Detroit police, resulting in one police officer wounded and one killed.

Black extremist groups have made tremendous gains. This is in striking contrast to the failure of the pro-Soviet Communist Party, USA, to recruit and retain Negro Americans. As J. Edgar Hoover has observed:

"One of the bitterest disappointments of the communists has been their failure to lure any significant number of Negro citizens into the Party."

One factor in the communist failure to win the Negro has been the outspoken opposition of responsible Negro leaders. This opposition to one form of extremism—communism—is also needed to oppose black extremists.

NEGRO LEADERS SPEAK OUT

Negro leaders are now beginning to voice this kind of opposition. Roy Wilkins and the National Association for the Advancement of Colored People spoke out in the NAACP magazine "Crisis" last December:

"Let it be known that the preachers of hate, the defeatists afraid to compete in the open market, the name callers who substitute epithets and slogans for reason, the exhorters who summon Negro youth to death in futile shoot-outs with the police and the military—let it be known that these media-created 'leaders' are not our spokesmen."

Archie Moore, the Negro boxer who literally fought his way out of poverty, warned his fellow Negroes:

"If we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams."

America does not lack for Negroes who have risen to preeminence in their field despite the handicaps of a minority race. Negroes have acquired steadily increasing political recognition and stature in recent years. More and more Negroes are being elected or appointed to local, state, and national offices. The prominence and accomplishments of American Negro athletes and entertainers are well known. Negro prizefighters and professional baseball, football, and basketball players are among the highest paid athletes in the world. Many Negro entertainers enjoy international reputations. These are Negroes who can help stem the tide of black extremism and, moreover, can give the lie to the propaganda of the white racist extremists.

WHITE AND BLACK EXTREMIST PARALLEL

There is a disturbing parallel between the black extremist movement and such white extremist groups as the Klan organizations, Nazi groups, and the National States Rights Party. This extends even to the Klan and Nazi ideologies of anti-Semitism which are mirrored in the black extremist movement. A black extremist, Charles Kenyatta, leader of the American Mau Mau, has asserted that "the slaves of Black Africa thank Hitler for destroying six million Jews" and are "hoping that he will appear again in America."

Stokely Carmichael, in manifesting anti-Zionism, during a press interview in Liberia in September, 1968, said the "so-called State of Israel" is an "unjust and certainly immoral State." He claimed that "the same Zionist" that exploits the Arabs exploits the Negroes in the United States.

Another black extremist, Max Stanford, echoed this prejudice when he said the "Zionist design is to build their cadres as the new militant leadership in order to gain control of Black America and to manipulate it according to its design."

WHITE EXTREMIST VIOLENCE

The use of violence is not limited to campus revolutionaries and black extremists. It is also the tactic of white hate groups.

Harry and Bonaro Overstreet, the celebrated authors of "The Strange Tactics of Extremisms," also touch on the subject of extremism in their latest book, "The FBI In Our Open Society." In this book, which is a forthright and factual account of the operations of the FBI, they make the following incisive comment:

"Both the Right and the Left are overcrowded now with individuals and organizations that have, in effect, revised Voltaire. Their tactics proclaim, 'I disagree utterly with what you say, and I will oppose to the death your right to say it.'"

The murders of civil rights marcher Viola Liuzzo in Alabama, Lt. Col. Lemuel Penn in Georgia, and the three civil rights workers—Michael Schwerner, Andrew Goodman, and

James Chaney—in Mississippi are deplorable acts of terror and violence. Moreover, the bombings of houses of worship, including the Birmingham, Alabama, bombing that killed four innocent Negro children, are crimes of the worst kind.

EXTREMISM AND THE BUSINESSMAN

Extremism presents a major challenge to the American business community. It is a challenge that can be met successfully, however, because the history of America is a continuous story of individual initiative, dynamism, courage, and sacrifice.

The businessman has several roles to play in our society. He is, of course, primarily a businessman, but he is also a citizen, a parent, a contributor to educational institutions, and a community leader. In each of these roles he is faced with a challenge from extremism.

AS A BUSINESSMAN

The business community must maintain the vitality of our economy in the face of efforts by the extremists to destroy it. For it is the vitality of our economy that will have a decisive role to play in maintaining, in the years ahead, the stability of our economic, political, sociological, and educational institutions.

Understandably, businessmen are absorbed in their immediate interests. However, there may be times when the individual businessman will be faced with the hard decision, which he alone can make, of whether or not he should temporarily and voluntarily modify his traditional standard of profit and loss in the light of more overriding, long-range consideration of national interests. Our ultimate success in the struggle against extremism may well depend on the individual businessman's awareness of long-range national goals and the realization that individual, temporary sacrifices may, at times, be required.

The businessman has already sacrificed much at the hands of extremism. Because of the wave of extremism, many businessmen have been denied the rights, privileges, opportunities, and benefits which our country affords its citizens. In the past five years, civil disorders have taken a shocking toll in the forms of deaths, injuries, and property damages. The April, 1968, riots in Washington, D.C., for example, caused business loss and business property damage estimated at $55 million.

Since 1964, when riots and disorders first erupted in the United States, there have been 192 major riots and serious civil disturbances; 207 people have been killed and 8,525 injured; 61,463 arrests have been made; and an estimated property damage of over $283 million has been incurred.

The actual cost to the businessman can never be fully established. For instance, a recent survey shows that of the estimated 1,600 businesses damaged or destroyed in the April, 1968, riot in Washington, nearly half have not as yet reopened. This means, then, that some businessmen and their employees have in effect been deprived of their livelihoods. The resulting hardships will, therefore, never be known.

As the result of the April, 1968, riot in Washington, insurance claims totaling $17½ million were filed for property and liability losses. Insurance was later cancelled on a fourth of those buildings that were damaged but not demolished.

The businessman has also suffered from the effects of having his personnel recruiters subjected to verbal and physical harassment on college and university campuses. In February, 1969, for example, 200 students forced a United Fruit Company recruiter to discontinue interviews of prospective employees at the University of Washington. This demonstration, sponsored by SDS, was directed against this recruiter because SDS claimed the law office of the late John Foster Dulles had done work for the United Fruit Company and the late Allen Dulles, the former Central Intelligence Agency Director, had once been President of the United Fruit Company. Incidents such as this have occurred with increasing frequency in recent months.

Demonstrations against business concerns, while largely directed toward those companies producing material used in the Vietnam War, are not limited to this area. The SDS Chapter at the University of Washington is now planning a demonstration against the Weyerhaeuser Lumber Company because it has manufacturing outlets in Africa. SDS has said that this is to be part of a campaign against what it describes as "United States imperialism that exploits people around the world."

The American businessman has every right to combat the organized campaigns of the extremists. At the same time, the businessman should take time to ask himself some pertinent questions about his relationship as a businessman to his fellow man. Is he satisfied with a reasonable profit on his investment? Does he comply with the spirit, as well as the letter, of building codes, especially leased residential property? Is there a tendency to take advantage of the lesser privileged when selling to them the necessities of life such as food, shelter, clothing, medicine, and health care?

More and more, businessmen will have to become involved in society's problem. Conside the following taken from a report released by the General Electric Company last year:

"The U.S. public will expect more with respect to the quality of life in business organizations and the quality of business services to society."

AS A CITIZEN

More than the average citizen, the businessman has a personal stake in our enlightened free enterprise system. Like the average citizen, the businessman must have protection under the law against terrorism. During 1968 alone, civil disturbances resulted in at least 70 deaths and more than 4,000 injuries to our citizens.

We must be able to walk the streets without fear of attack from extremist elements. It is incumbent upon all citizens in all areas of life to help eradicate the underlying causes of extremism. Obviously, there is a great need for sound programs through which poverty, hunger, and social inequities can be eliminated. We must encourage a moderate and rational approach, while discouraging extremism and hysteria in grappling with grave social problems.

The disorders resulting from extremism must also be thought of in terms of financial cost to the citizen. The San Francisco and Berkeley, California, Police Departments have estimated that it has cost them nearly $1 million to cope with student demonstrations. Legislation is being considered in California requiring educational institutions to pay for extra policing from their budgeted funds. These costs must ultimately be passed on to the citizen in the form of higher taxes and higher tuition fees.

The time has come for all of us to reexamine our lives, to reappraise our values, and to ask ourselves if we are really willing to assume the individual responsibilities which go hand in hand with the free enterprise system and the liberties we enjoy. If we are not prepared to accept these responsibilities, Theodore Roosevelt's admonition of many years ago may, unfortunately, prove to have been prophetic. He warned:

"Americanism means the virtues of courage, honor, justice, truth, sincerity and hardihood—the virtues that made America.

"The things that will destroy America are prosperity-at-any-price, safety-first instead of duty-first, the love of soft-living and the get-rich-quick theory of life."

AS A PARENT

Like all parents, businessmen are concerned with what their children learn in college beyond academic requirements alone. You must insure that America's future leaders learn the responsibilities of citizenship rather than the revolutionary concepts of communist or fascist totalitarianism. An immediate concern to all parents of college students today should be the increasing incidents of violence, the use of obscenities, the abuse of narcotics, the degradation of human personalities, and the destruction of property on our campuses. Our campuses must not be allowed to become the habitat of the terrorist, the degenerate, or the anarchist.

Pictorial displays and photographs too obscene to describe or to be exhibited here have become common fare for the underground press which has flourished on many college campuses throughout the Nation. These can only be the products of sick mentalities.

The family, which has been described as society's basic unit, has an important role to fulfill in the proper development of society and in combatting amoral influences. However, the successful fulfillment of this role will be directly proportioned to the dedication and cohesion of the family's members. Just as the individual can act as a spiritual leaven for the family, families can influence and promote public morals. In this day and age when rivalry between some families for the material things of life is the vogue, there is a definite need to call public attention to the more important values—the spiritual values.

Beyond the family, we must see to it, as parents, that our campuses are places for molding those to whom the future of the Nation will be entrusted and that they must not be places for spawning those who would destroy the very system that has given them every opportunity.

Those with children in college should encourage them, representing the majority as they do, to democratically oppose and lawfully control the nihilistic, destructive, revolutionary student. The increasing violence and propensity on the part of extremist students to destroy the educational process are causing more and more students to react so the educational facilities will not be destroyed and educational processes disrupted. A recent example of this took place on April 23 here in Washington, D.C. On that date, a group of students at American University refused to permit campus agitators to occupy an administration building from which they had ousted the university president.

AS A CONTRIBUTOR TO EDUCATIONAL INSTITUTIONS

What can extremism and terrorism mean to you as an actual or potential contributor to educational institutions? For one thing, it can negate your personal efforts to expand the opportunities for higher education or to improve the quality of that education. Contributions which might normally serve these purposes may have to be used in the restoration of damaged facilities. Little return can be expected when the contribution is utilized to replace campus buildings and equipment destroyed by student revolutionaries. During the Columbia University uprising of a year ago, for example, it was estimated that damage to campus buildings alone totaled approximately $250,000.

As a taxpayer, your contributions to both higher learning and the national defense have been adversely affected by acts of extremism. One of the targets of the New Left is military service, especially ROTC training on university campuses throughout the country. In a series of mysterious incidents in recent months, ROTC buildings and equipment on at least five campuses have been damaged by explosives and fires. As a crane and six military vehicles burned at the Navy and Marine ROTC location at the University of Oregon, on September 29, 1968, some New Left students stood nearby chanting, "This is number one, the fun has just begun."

In this regard, it is significant that recently 29 independent college newspapers published simultaneously an identical editorial demanding that ROTC be abolished from all campuses. If the New Left extremists can accomplish this objective, it is not difficult to imagine the effect it would have on this Nation's defense posture.

What benefits can a businessman or corporation envision as a return from a contribution to an institution that has taught that enlightened free enterprise is evil, or to an institution that has, under the guise of academic freedom, turned its graduates into roving bands of anarchists? Thomas Hayden, a founder of SDS, has given one answer. In May, 1968, he stated that if college administrators do not make themselves subordinate to students, "We will close them (the colleges) all down."

Another answer was provided by SDS National Secretary Michael Klonsky in October, 1968, when he declared that students should tear down the power structure and replace it with "people power." The students would then control the universities, he promised, and the workers would operate the factories.

Every contributor must look at his offering in terms of what return can be expected in building a stronger, freer America, or what it will return by way of lessening human hardship and suffering both in this country and in the world. Are you, as a contributor, satisfied that students are getting the facts in school about the accomplishments of the free enterprise system in the United States and an objective comparison between this system, with its admitted inequities, and other systems in operation throughout the world today?

AS A COMMUNITY LEADER

Extremism impairs efforts to build and strengthen our communities. It stifles efforts to resolve differences among ethnic groups. While there is little hope that community leaders can convert some of the radical extremists with reason or persuasion, efforts must be made to reach those who have not as yet closed their minds to reason and persuasion. At the same time, there is need for firmness in dealing with those on the campus and in the community who, in the name of dissent, flount the law and invoke violence. These extremists must be repudiated. Responsible community leaders must speak out against their excesses.

White racist extremists, the New and old Left, and black power advocates have as their objective the destruction of our traditions and the democratic concepts of our society. Our history as a great Nation has been marked by our ability to meet new challenges with constructive changes. If our institutions are to keep pace with the demands of the changing world, they must be infused on a continuing basis with new concepts, new life, and new vigor. If this does not happen, they are doomed to irrelevancy and oblivion.

Former Ambassador George F. Kennan has correctly said this country is in more serious danger today than at any time since the Civil War. Because extremism is a most important cause of danger, it is imperative that all of us, in every walk of life and in every section of this country, do everything possible to eradicate the underlying causes of our hazardous national predicament. This means, among other things, making ignorance give way before knowledge; inequality before justice; oppression before freedom; lawlessness before law and order; irrationalism before rationalism; intolerance before tolerance; immorality before morality; and evil before goodness; and making despair, which sometimes grips us, give way before hope.

This means in the educational world recognizing legitimate grievances. Businessmen are certainly aware that students in many of our universities and colleges have legitimate grievances involving curricula, dormitory facilities, faculty relations, the role of American higher education and the like. These legitimate issues must not be obscured by the strident "non-negotiable" demands of a small minority which openly espouses disruption, nihilism, and violence as shown by their statements and actions.

We must restore and develop freedom under law—freedom of thought, expression, action, worship, inquiry, dissent, experimentation of education—and freedom *to educate* the *whole* student personality.

This is the task before us. It is a task that will not be carried out successfully by "doing business as usual."

FOUNDATION TO ESTABLISH COOPERATIVE HOUSING FOR LOW-INCOME FAMILIES ESTABLISHED IN NEW YORK

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, April 29, 1969

Mr. JAVITS. Mr. President, a few days ago I had the opportunity to meet James F. Ragan, vice president of a newly organized foundation called the Center for the Development of Cooperatives. I was deeply impressed by the objectives and the projected plans of this new nonprofit housing institution. Building upon the initiatives that Congress has taken in expanding opportunity for home ownership by low- and moderate-income persons, CENDEVCO hopes to stimulate community action in a wide range of social and economic programs by establishing housing cooperatives as an institution of influence and motivation.

I believe that housing cooperatives represent a most worthwhile attempt to bring thousands of low-income families into the mainstream of American life. The center seeks to use rehabilitation as the primary means of creating new housing. Moreover, its staff intends to devote considerable resources to technical assistance and training for cooperative ownership and management.

Mr. President, I hope that future congressional action in the housing field may strengthen this approach and assist the expansion of housing cooperatives.

I ask unanimous consent that an article published recently in the New York Times, discussing the Center for the Development of Cooperatives, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 20, 1969]

Low-Income Co-ops Are Planned Here

(By Thomas W. Ennis)

A nonprofit foundation has been established here to convert rent-controlled apartments occupied by low-income families into cooperatives for families with incomes of $3,000 to $7,500.

The co-ops would be established with Federal, state and city aid.

The foundation is called the Center for the Development of Cooperatives. In the next six years the foundation's officials expect to sponsor 58 co-ops in the city, with a total of 12,000 apartments.

Their long-range objective is the conversion of 100,000 apartments into co-ops over the next 10 or 15 years. They are beginning their operations with a 197-family, rent-controlled apartment development at 1680 Crotona Park East in the Bronx.

The foundation, whose offices are at 527 Madison Avenue, was established last fall by Robert T. Bonham, its president, and James F. Ragan Jr., vice president. A substantial part of the initial operating costs were provided by a $135,000 personal contribution from John D. Rockefeller 3d, chairman of the Rockefeller Foundation, which is being given over a two-year period.

Mr. Bonham was with the old Federal Urban Renewal Administration, and was at one time real property manager for the Department of the Navy. From 1958 to 1962 he was president of Greenbelt Consumer Services, which operates a cooperatively owned chain of supermarkets, gasoline stations and furniture stores in the Washington-Maryland area and in Virginia.

Mr. Ragan is a former foreign service officer of the Department of State and a former management consultant in Washington.

The foundation's statement of purpose declares that there is "considerable evidence that ownership, an important ingredient of economic power, is increasingly desired by below-middle income groups."

The sponsors also believe in using the housing cooperative as an institution to influence community action "in such areas as police protection, education, sanitation services and recreational facilities." Pride of ownership can help prevent neighborhood decay, the foundation notes.

In the plans for its initial co-op at 1680 Crotona Park East, the foundation has an option to purchase for $935,000 three six-story buildings from the family of the late A. M. Brand, who built them in the nineteen-twenties.

Most of the 197 tenants are of Puerto Rican origin. The foundation has contracted with the Scholarship, Education and Defense Fund for Racial Equality to organize and instruct the tenants in the responsibilities of cooperative ownership.

The co-op's sponsors propose to purchase the building and modernize it with a mortgage loan from the Federal Government of about $2.6-million under Section 221 (d) (3) of the National Housing Act, which proivdes below-market interest rate financing for low and moderate rental housing. The loan, which will have an interest rate of 3 per cent over a term of 40 years, is being negotiated with the New York multifamily housing insuring office of the Federal Housing Administration.

In addition to the $935,000 purchase price, the loan will cover the modernization costs, estimated at about $1.2-million. The renovation work includes the installation of new kitchen equipment, plumbing, wiring and heating systems, roofing ceilings and windows, and the refurbishing of the lobbies.

Most of the apartments have one and two bedrooms, and some have three bedrooms. The tenants may purchase their apartments with a down payment of $225, but the total price will average $3,750 a room. Monthly carrying charges are estimated at $25.72 a room.

OFFSHORE DRILLING PERMITS TO OIL COMPANIES

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. HANNA. Mr. Speaker, I introduce, today, legislation to democratize the system of granting offshore drilling permits to oil companies. The people are the sovereign owners of the Continental Shelf. The people hold in fee the public beaches. It would appear that the people who own these natural resources and who are so severely affected by accidents and mismanagement should play a determinative role in the exploitation and extraction of such resources.

My bill would not permit the Secretary of the Interior to enter into any mineral lease until the people living on the coast of the submerged lands under question had been given an opportunity to voice their opinions at a public hearing. It would relieve people in coastal areas of the constant worry that the oil pumps will be set in operation before they find out that drilling was even being considered. Under existing regulations, the only way citizens can find out if the submerged lands off their coasts are targets for the oil companies' drills is to read the Federal Register every day. The Register prints notices of oil companies' lease requests. The Interior Department can enter into a lease contract without asking the people on the adjacent coast their opinions. There are no hearings or other methods of citizen consultation. Only when an alert citizen reads of the drilling request in the Register and stirs up enough complaints can he pressure the Department to hold hearings.

Drilling operations can vitally affect the adjacent coast. Disasters can be created when the oil companies are not familiar with geological structures or when they use faulty procedures and machines. The situation in California is still fresh in everyone's mind. We must not allow it to be repeated. Oil drilling can ruin fish, wildlife, and natural beauty. It can destroy the economy of tourist centers. Yet, the Interior Department can make its decisions without considering these factors.

By requiring that hearings be held on proposed lease agreements, my bill would force the Interior Secretary to think twice before giving permission to drill. It would make him weigh the desire for increased Federal revenue against the prospect of destroying, perhaps forever, some of our Nation's most beautiful natural assets.

I urge my colleagues in this Congress to join me in providing a place for the voice of the people in decisions concerning the disposition of their valuable assets: the oil of the submerged lands, the sea life of the Continental Shelf, and the public beaches and parks that abut the areas of potential production.

THE CANDIDATE THAT CANNOT BE BEATEN

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. HUNGATE. Mr. Speaker, the following is an article that should be of interest to everyone in public office:

Candidentikit

As a public service, Punch hired a computer for the afternoon which, fed with the requisite data, came up with "The Candidate That Cannot Be Beaten."

ALF FEATHERSTONEHAUGH

Son of a voluptuous Northern charlady and a thrice-decorated Southern marquis who gave up his title to breed dogs. His mother is now a much-loved non-denominational preacher on Tyne-Tees TV, and his father is playing Soames in a Welsh version of *The Forsyte Saga* currently touring Merionethshire. The family meets once a fortnight in Stoke as part of its much-publicised campaign to promote tourism in the Black Country.

Alf Featherstonehaugh himself is fifty-five, but can be made up to look thirty; so that traditional loyalists turning up at public meetings find a solid, dependable man, and the TV audience is offered a wisecracking business executive in a yippie caftan able to end every party political broadcast with an up-beat protest song concerning the shortcomings of his opponents. Originally educated at a depressed village school, he won a scholarship to Eton, took a double-first in Greats at Oxford, and immediately went down the mines. In 1936, having, by sheer hard work, built up a successful stockbroking concern operating on a mail-order system from the Rhondda, he gave up everything and went to Spain to fight with the International Brigade. Though severely wounded, he discovered that he was fighting for the Communists, and immediately changed sides. Upon learning that he was now supporting the Fascists, he came home and opposed Appeasement. He volunteered on the morning of September 3, 1939, and, after some time as a private in the Army, transferred to the RAF after Dunkirk and played a major part in the Battle of Britain before accepting command of the frigate *Anthrax*. Torpedoed off Archangel, he returned to London on a plank, and was immediately parachuted into France, later receiving the Croix de Guerre from General de Gaulle, who is the godfather to his children.

The war over, his first thought was to represent England in the 1948 Olympics; he was picked for the pole vault, but gave up his place in order to cut sandwiches for round-the-clock Berlin airlift pilots, for which he received the Nobel Peace Prize. Pausing only to turn the cheque into a children's playground for the orphans of Mau Mau terrorists killed by the British, he went to Ireland to promote local industry. By 1955, he had made three million pounds from his eighteen factories and retail outlets, which he donated to the Transport and General Workers' Union strike fund; he was made a Papal Knight, given the freedom of Liverpool, and carried shoulder-high through the Ford canteen at Dagenham, the only time this has happened to the best grouse-shot in Britain.

In 1960, he turned down a peerage offered for his services to the coloured community in Britain on the grounds that this would encourage immigration from countries which could not afford to have their most ambitious citizens taking their keenness and talent to Britain. He himself now has a Jamaican daughter-in-law, and a son destined for high office in the Roman Catholic church; his other daughter married a rabbi who bowls slow left-arm inswingers for Pakistan and owns a public relations firm in Amman.

Unfortunately, Alf Featherstonehaugh was away on his round-the-world solo rowing bid when his first play was put on at the Royal Court. A nude teenage verse-drama, it is an attempt to rehabilitate Winston Churchill's reputation, and received universal critical acclaim; the film to be made from it has already been chosen as next year's Royal Film Performance, the proceeds to be given to a home for unmarried mothers of the Scottish Presbyterian faith who wish to see Britain back on the Gold Standard.

Needless to say, Featherstonehaugh has been approached by all three major political parties; as yet, he has not made up his mind, but, as a loyal Europeanist who wants to see Britain restored to her former world position, and an ardent nuclear-shield supporter of pacifism who prays daily for a multi-racial society in which all men could compete under a laissez-faire system of planned welfarehood, he has declared himself ready and willing to answer any call that may be put to him in his country's hour of need.

OBSTRUCTING RECRUITING FOR U.S. ARMED FORCES

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. WYMAN. Mr. Speaker, deliberately interfering with and obstructing recruitment in the U.S. armed services is a serious Federal crime. Why are not those who willfully do this sort of thing prsecuted for crime? They should be, regardless of how the academic community may view such conduct.

Such prosecution is a continuing responsibility of the Department of Justice. Reports will be requested by this Congress concerning how many have been prosecuted in the current year.

In this connection I insert in the Record at this point an illuminating column by David Lawrence pointing out that such conduct beyond specific statutory offense tends toward treason:

Persuade Young Men To Become Traitors

(By David Lawrence)

Washington.—Young men, misguided and misinformed about the dangers to America's security, are being persuaded to become, in effect, traitors to the United States. They are interfering with the system of armed-service recruiting, and are impairing facilities of research, as unlawful seizures and riots sweep the campuses in many colleges and universities.

This has become a federal problem. It is not being dealt with effectively on a local basis. For university authorities are being intimidated, and most of them refuse to call in the police. Also, when police are summoned and arrests are made—as happened at Harvard last week—the faculty promptly votes to drop the charges.

General Leonard F. Chapman, Jr., the commandant of the U.S. Marine Corps, makes public the fact that some college administrators not only are failing to control student protests but are refusing to provide recruiters for the Marines sufficient time and central locations on the campus in order to obtain volunteers.

Senator Harry F. Byrd, Jr., Democrat of Virginia, asserted in a recent speech that some college administrators are using postponements and excuses to block recruiting, and "are simply inventing dodges to avoid laying down the law to their student bodies."

Both the Army and the Air Force are encountering similar obstructions. The Army sends recruiters each spring to more than 500 colleges and universities. The Air Force, too, reveals that its recruiters have been confronted with instances of abuse.

Students, moreover, are protesting the maintenance of courses for officer training purposes—a process which has been carried on for many years.

Who is benefiting most by the actual interference with the right of the United States government to get efficient officers for its military services? Wouldn't the Soviet government be the gainer if, inside this and other countries in the free world, the training system for the armed services were seriously impaired?

There seems to be a feeling among some people in the academic world, including faculty members, that the college administrators should not deal sternly with antiwar and other protests, even when buildings are seized and the governing authority is threatened with more and more disturbances unless student "demands" are met.

President Nixon has uttered some generalities on the subject of "law and order," but he happens to be the commander-in-chief of America's military services, and it is difficult to see how he can ignore much longer the problem of interference with recruiting. The realistic truth is that there are more than 500,000 Americans engaged in a war today, and the casualties in Vietnam have already exceeded the figure in the Korean war.

The Department of Justice has several statutes available which can be invoked to seek indictments against the instigators of the disturbances on the college campuses. For these now are directly related to interference with military recruitment.

The opportunity is at hand for the federal government to ask for indictments and tell the students of the country that when a nation is at war they cannot, under the Constitution, give "aid and comfort" to the enemy without subjecting themselves to punishment. The Supreme Court has recently said that "demonstrations" cannot be viewed as free speech when violence or the use of force is involved. That's "the law of the land" today, but many college students mistakenly insist that campus activities are free from interference even when they impair the military operations of the United States.

Meanwhile, private colleges are bound to suffer great harm to their operations. Alumni throughout the country are demanding that the laws be enforced and police brought in whenever there are disorders and property is seized. Nearly all of the private colleges depend on alumni for financial support, and the graduates generally do not believe the college authorities are being firm enough in dealing with disobedience.

EISENHOWER QUARTERS WOULD REFLECT AMERICAN INTEGRITY

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. NELSEN. Mr. Speaker, I have introduced a concurrent resolution urging that new quarters be minted with a likeness of Dwight David Eisenhower on one side.

The late President Eisenhower stands as one of the greatest Americans of all time. Like Lincoln, he rose to greatness from humble beginnings. Like Washington, he came to be "first in war, first in peace and first in the hearts of his countrymen." For millions the world over, Eisenhower will tower in history as a foremost example of American integrity, decency, and goodness. I believe, therefore, that honoring his contributions in this fashion is both fitting and proper.

Certainly, we do not wish to detract from the greatness of George Washington, whose likeness appears on quarters as well as on $1 bills. But the coin honor should be shared as truly great Americans make contributions of a lasting character to the United States.

The Secretary of the Treasury has authority to utilize an Eisenhower design on 25-cent pieces under section 3510 of the revised statutes and under authority vested in him under reorganization plan No. 26 of 1950. My sense-of-Congress resolution would simply urge him to exercise such authority to mint new quarters bearing the Eisenhower image.

BISHOP ZOLTAN BEKY RECEIVES GEORGE WASHINGTON AWARD

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. PATTEN. Mr. Speaker, many years ago I met a young and promising minister in Carteret, N.J., named Zoltan Beky. His parishioners and I soon discovered that he was outstanding in many ways. Able, dedicated, and compassionate, he has great love in his heart and soul for God and people.

His parishioners quickly learned to respect and love him and looked to him for sound guidance and real inspiration—and they always found these important qualities in this man of strong and abiding faith. Dr. Beky's qualities of leadership also came to the attention of his superiors, who elevated him to the position of bishop in Trenton, N.J., giving him jurisdiction over parishes in several States, ranging from New York to California.

I watched Bishop Beky come to Washington, where he presides over the welfare of members of the Hungarian Reformed Federation of America, of which he is president. I know that Members of Congress of both political parties have a very deep respect for Bishop Beky, for he is a man and leader of distinguished ability, integrity, and achievement.

His many friends in the Congress were happy and proud to hear that on April 16, 1969, Bishop Beky received the George Washington Award of the American Hungarian Studies Foundation.

The award is presented "for contributions to research, human knowledge, and the arts." Bishop Beky has not only contributed to "human knowledge." He has also excelled in advocating—and practicing—human understanding and human love.

An article published in the News Tribune of Perth Amboy, N.J., included details of the award to Dr. Zoltan Beky—a great bishop and a great man.

The article follows:

DR. ZOLTAN BEKY GETS GEORGE WASHINGTON AWARD

Dr. Zoltan Beky, bishop emeritus of the Hungarian Reformed Church in America, last night received the annual George Washington Award of the American Hungarian Studies Foundation.

Dr. Beky, one of four recipients, received the award from Rt. Rev. Dezso Abraham of Perth Amboy, current bishop of the Hungarian Reformed Church.

Others honored at the Plaza Hotel in New York City were motion picture producer Joseph Pasternak, Antal Dorati, chief conductor of the Stockholm Philharmonic Orchestra and recently named director of the National Symphony Orchestra, Washington, D.C., and Dr. John Lotz, former Columbia University professor who is presently director of the Center for Applied Linguistics in Washington.

Dr. Beky currently is serving as president of the Hungrian Reformed Federation of America in Washington.

The award is presented annually by the American Hungarian Studies Foundation for contributions to research, human knowledge and the arts. In name and symbolism, the award was inspired by the statue of George Washington that was erected in the City Park of Budapest, Hungary in 1906 through contributions by Hungarian immigrants living in the United States.

It is believed to be the only statue of Washington in Eastern Europe.

The foundation is a non-profit organization devoted to furthering the understanding and appreciation of Hungarian culture and historical heritage in the United States. It was established in 1954.

Through grants, it supports Hungarian studies, fellowships and research programs at American universities and colleges. Its headquarters are at 177 Somerset St., New Brunswick.

STOP CAPITULATING TO STUPID DEMANDS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. MICHEL. Mr. Speaker, it is with a sense of disbelief that we read of the incredible actions of certain college administrators around the country in their efforts to deal with student unrest which has become our new national sport. Therefore, I was interested to read the comments of Mr. Bayard Rustin, prominent civil rights leader, as he urged college officials to "stop capitulating to the stupid demands of Negro students.

May I add my hearty amen to that sentiment and include the entire article appearing in the April 28 issue of the Peoria Journal Star in the RECORD at this point:

NEGRO LEADER URGES COLLEGES STOP CAPITULATING TO STUPID DEMANDS

NEW YORK.—Negro civil rights strategist Bayard Rustin urged college officials yesterday to "stop capitulating to the stupid demands of Negro students . . . and see that they get the remedial training that they need."

Rustin, organizer of the 1963 March on Washington, said Negro students are "suffering from the shock of integration" and are looking for "an easy way out of their problems" by demanding separate dormitories and study programs.

"What are soul courses worth in the real world?" Rustin asked. "In the real world, no one gives a damm if you've taken soul courses. They want to know if you can do mathematics and write a correct sentence."

Rustin spoke with newsmen before addressing a luncheon of the American Jewish Committee.

Rustin said he favors bringing Negro and Puerto Rican youths into the nation's colleges and universities, "if it is done with the understanding that you're going to do remedial work for them."

He said it is a "cheap way out" for college officials to give minority group students separate programs and living quarters.

Some white professors, he said, desire a "revolution by proxy," and are using unwitting Negro students toward this end.

Rustin said Negro students, for the most part, are "ill prepared for college education" and that there is a lack of "social courage on the part of this generation of Negro students."

"We don't want the agony of educating the Negro," he said, was the view of many white professors.

The only way out of this "very dangerous situation," he added, is for "another couple of school generations of integration."

WHAT IS RIGHT IN THE POSTAL SERVICE?

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. OLSEN. Mr. Speaker, one of the most lucid thoughts on the problems of the post office that I have read was recently published in an editorial on April 24 in the Puget Sound Mail, of the State of Washington.

I think it would be most edifying to be aware of this editorial and I would also like to call it to the attention of the Post Office Department officials through the pages of the CONGRESSIONAL RECORD.

I commend it to all critics of the Department and I call special attention to the remarks in the editorial regarding standardization.

WHAT'S RIGHT IN THE POSTAL SERVICE?

Since the report of the President's Commission on Postal Organization (June 1968), just about every periodical covering current events has spent several pages briefing the report.

Included in those commenting were "The U.S. News and Report," "The New York Times," and the "American Legion Magazine".

A number of very competent people were on the Commission to study the Postal Service. Their recommendations are most worthy of consideration although the employee associations have found fault with the report, particularly the recommendation that the Postal Service be made a government corporation. This was former Postmaster General Lawrence O'Brien's idea and Mr. O'Brien is certainly a very effective organizer, as well as an observing person.

The post office is vital to each one of us, and since it is a Government service, it is naturally subject to widespread comment and criticism. Is it all that bad? Consider, if you will, the New York Stock Exchange. They found it necessary to dispense with business for one day a week for a while and now operate on a short day. The situation in that business, supposedly run by experts, is another example of failing to keep up with the business volume of today.

Telephone companies, who pride themselves on being just a little ahead of the game, also have their troubles. It took five attempts and three operators (not to mention a recording or two) to get a LaConner telephone call completed from Edmonds a few evenings ago, and just about as long for a return call to get through.

It is easy to criticize, and unless you understand the real problems, why should anyone listen. Those who do criticize should at least offer a few constructive suggestions. So far as the Postal Service is concerned, we do have a couple of suggestions.

No private industry anywhere the size of the Postal Service has been a success until they standardized the product. When they did this, they could plan effectively, engineer and tool to mass produce an article. Henry Ford pioneered mass production—"Ford" is still in the competition! American Can generally manufactures only a few sizes of cans. General Motors pretty well sticks to standard conventional automobiles.

On the other hand the good old post office will take just about anything, hotel keys, ski poles, day old chicks, soap samples, bottle tops—you name it, they'll take it. They take it and digest it in staggering volume. They handle well over 80 billion pieces of mail a year. Who can even think this big? They expect to be slugged with 100 billion pieces annually real soon. Can they continue to take it? The answer is no, not under the present circumstances.

Would it really work a hardship on many if the size of letters was limited to three dimensions? (1) Small, or short; (2) business size, or long; and (3) flats, 9x12''. With these sizes the post office could effectively machine to cope with the volume. Parcels, what's wrong with limiting the size of these? If a mailer wants to send something he can't get in on of three standardized envelopes or parcels, he should pay what it costs for the special and personal handling of the odd sized pieces.

Government Bureau or Government Corporation, if anyone is going to handle the volume, they are going to have to standardize or simply refuse to accept some of it. Can there be a choice?

What else? Do we really need mail delivery service in this day and age on Saturday?

AIR TRAFFIC CONTROL

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. HARVEY. Mr. Speaker, there is increasing evidence that air travel is most dangerous during the approach, landing, and takeoff phases. It is in these phases that air traffic control is most crucial and the pressures upon our air traffic control system are the most severe. It is necessary that we examine whether we have enough properly trained controllers and whether their workloads and working conditions are optimal for air safety.

As further evidence that we are not taking optimal safety precautions, I would like to bring to the attention of my colleagues the vivid article by Derek Schoen on "Traffic Jam in the Sky" which appears in the May issue of The Progressive:

TRAFFIC JAM IN THE SKY

(By Derek Schoen)

He is only thirty-three years old, enjoys good health, likes his job, and—according to his supervisors—is quite good at it. Yet for James Krantz, one of the nation's 14,000 air traffic controllers, time is fast running out.

"I'd only be kidding myself if I said I could take more than another five years at this," Krantz says of his job as a controller at Washington's bustling National Airport.

Krantz and his colleagues fulfill one of the most brutally demanding, and least well-known, functions in the booming air transport business. In essence, controllers are skyway traffic police, charged with keeping the burgeoning fleet of commercial, private, and military planes flowing smoothly and safely.

After years of anonymity, and of having their pleas for more men and equipment put on a back burner by the Government and Congress, the controllers last summer decided to take their case to the public.

A first step was the formation of the Professional Air Traffic Controllers Organization (PATCO), a militant body that quickly outnumbered its more conservative and less active counterpart, the Air Traffic Control Association (ATCA). Within weeks of its creation, PATCO became embroiled in a nationwide controversy involving charges that its members were staging a slowdown at major terminals.

Whether the charges were true or not—PATCO denied them, insisting the controllers were merely adhering more strictly to the rulebook—air passengers and the nation's news media suddenly became aware that airlines were running far behind schedules on weekends. Passengers griped about being "stacked" for as long as two hours before being cleared for landing.

At the height of the summer air crush, you might have boarded a plane in Los Angeles and had to wait an hour before taking off. Or you might have been on a West Coast flight bound for New York when you noticed the plane was circling in a stack with other planes over what from aloft looked suspiciously like Colorado—and was.

The summer's skyway traffic jam focused attention on the creaking condition of America's air traffic control system, and on the 14,000 Federal Aviation Administration controllers who form the system's backbone.

Air traffic control is a job that involves split-second decisions, the mental juggling of vast amounts of information, and the ability to come up with alternatives to every situation—decisions and alternatives on which often hinge the lives of hundreds of airplane passengers. It is a job that for many controllers, including James Krantz, breeds haunting memories of disasters narrowly averted. He vividly recalls, for instance, a five-second point in time when two airliners came within a few feet of colliding on a National Airport runway.

"I was working as local controller that day," remembers Krantz. "I gave the go-ahead for one plane to take off. Meanwhile another plane is in a taxiway that crosses the takeoff strip. I'm watching the takeoff when suddenly I notice the second plane is taxiing right into the runway. Ground control is yelling at the taxiing plane to stop and meanwhile the plane taking off has a full head of steam.

"I just can't believe it's happening. I can hardly talk—my mouth is like filled with cotton. The planes merged on the radar screen, like they do in a crash. Actually, they just missed."

Although the incident happened more than four years ago, and he was cleared of any responsibility—the pilot of the taxiing plane ignored instructions from ground control—Krantz told me he still grows almost unbearably tense each time he sees a plane taking off while another occupies an adjacent taxiway.

But not all airplanes avoid collisions. And not all controllers avoid even more serious after-effects from their involvement, however indirect, with such tragedies.

Oswald Ryan, former general counsel of the Air Traffic Controllers Association, has written about the effect on two controllers of a 1958 mid-air collision over Maryland of a National Guard training jet and an airliner.

"Following the accident," wrote Ryan, "the [air traffic] supervisor suffered a complete nervous breakdown," spent eleven months in a mental hospital and wound up permanently disabled. The controller responsible for guiding the airliner, although found in no way responsible for the collision, had to leave air traffic work and continued brooding over the accident. The man finally committed suicide with an overdose of barbiturates, Ryan wrote, adding: "His last words, addressed to his doctor, were: 'Doctor, I guess I was not able to overcome the guilt complex'."

Marvin Smith, thirty-nine, a shift supervisor at National Airport, told me few controllers remain at peak effectiveness past age thirty-four, or after more than ten years of working at a busy facility.

"They burn up at about the same rate as pro athletes," Smith said. "You watch the fireballs come in, raring to go. Then you watch them wilt, little by little, over the years."

Not long ago, both Smith and Krantz were on duty in National's control tower, a glass-walled area atop the main terminal. Krantz was supervising local traffic—the segment of air traffic control that directs landings and takeoffs. There are about a thousand a day at National.

Rocking from foot to foot and rapidly switching his gaze from Washington's sooty skies to taxiways where sleek jets lined up for takeoff, Krantz spat out a steady stream of instructions into his headset microphone. Responding immediately to each tower order, the jets lumbered down National's three intersecting runways, crossing paths with only seconds to spare, while other jets were gliding in for landings close on their tails. To a layman, it was like a giant roller derby—except that each "skater" was not one person, but a hundred or more. And a collision would not mean a bump or a bruise; it would mean death or dreadful injury.

Later, performing another of his daily tasks, Krantz went to a floor below the tower and joined other controllers working in a dim, windowless room. Their faces were painted a sickly green by the glow from eight radar screens into which they stared. Light beams swept the circular screens unceasingly, leaving in their wakes small slivers of white—radar blips—that were the one hundred or so planes within a sixty-mile radius of the Washington tower. The job of the radar room controllers: to guide the National Airport-bound planes into the proper air lanes and into a sequence that eventually, in the hands of the local controller, became the order of landing.

In controllers' language, the name of the game is "vectoring," or constantly juggling and reshuffling the time and space relationship between the fast-moving planes. Put most simply, planes approach airports for landings on a horseshoe-shaped path. By keeping one plane on a leg of the horseshoe for a longer or shorter time than another plane, a controller can manipulate distances between the planes and thus calculate their "touchdown" times—meanwhile tying this information in with the timing of other planes taking off.

The extent of the problem is seen when it is realized that a controller may be handling up to fifteen approaching planes at a given time, while another fifteen await their turns to take off.

Senator John Stennis, Mississippi Democrat, who has urged Congress to beef up the ranks of controllers and provide them with more up-to-date radar and other electronic equipment, last year told his colleagues:

"To the uninitiated, it seems beyond human capability to weave a safe and orderly procession of air traffic from the slashes of light on a radar display that may represent nearly one hundred aircraft at one time. At any instant, during peak periods of air traffic, there may be as many as 10,000 aircraft under the controllers' care in the skies of the United States."

The problem is greatly intensified and the dangers magnified by the fact that the aircraft are not spread evenly across the country; a substantial proportion of these planes are moving to and from a handful of the nation's busiest airports, overcrowding the connecting airlanes, and placing enormous strain on a small number of controllers.

Many of these controllers work in the nationwide network of the "en route centers," providing what is called in the trade "separation," which means making sure two 600-mile-an-hour planes do not reach the same sky space at the same time. All commercial planes, along with many private and military planes, are in the hands of the en route centers from the time they are airborne until they are "handed off"—turned over to the local airport control.

Stennis also described for his colleagues the problems faced by the air traffic control system when a plane not under its guidance suddenly enters the picture. The controllers, said Stennis, "are constantly haunted by unknown aircraft, not in communication with the air traffic control system. Popping up suddenly in the heart of their carefully ordered three-dimensional matrix of airways and airspace, this 'unknown' may affect flights thousands of miles away as an entire segment of airspace is reshuffled to make way for it."

The strain imposed by responsibility for resolving such crises on a daily and even hourly basis, with the full knowledge that the lives of hundreds of men, women, and children are at stake, is what convinces James Krantz and others that air traffic controlling cannot be—and should not be—a lifetime occupation. Najeeb Halaby, former chief of the Federal Aviation Administration—for which all but military controllers work—has compared the stress of the job with that of a soldier in combat.

The FAA is currently conducting a scientific survey designed to measure the effects of this strain on the health of controllers. Even though earlier Government studies have been less comprehensive, enough data has been compiled to present a convincing case for the thesis that air traffic control work is not conducive to continuing good health.

For instance, a two-year FAA study published in 1968 compared controllers with pilots and other crew members and found controllers were nearly twice as likely to develop heart problems. Controllers also suffered much higher rates of hypertension and ulcers. For anyone who might conclude that ulcers and hypertension tell more about the type of men who become controllers than about the strain of the job, FAA psychological tests revealed that, in relation to the general population:

"Controllers were found to be more intelligent, realistic, conscientious, and tough, and also to possess more self-discipline and control. Compared with the average person, they also exhibited less anxiety and anxious insecurity."

But the strain grows daily as an average of one new commercial airliner and several non-commercial planes—many of these airliner-size executive jets—join the nation's air fleet. Today's total of more than 106,000 non-military planes—of which only some 4,000 are commercial passenger airliners—is expected to swell to 180,000 by 1977, and the end appears nowhere in sight. Along with the growth in sheer numbers, the increase in the size and speed of airliners further complicates the controller's job. As one veteran controller told me: "It makes me sick, literally, just to think about having responsibility for planes with 400 or 500 people on board."

On the basis of past governmental and Congressional responses to the growth of aviation and changing needs, the controller has ample cause for concern. The evidence adds up to an indictment of both the executive and legislative branches for grossly underestimating—or simply ignoring—the aviation boom of the 1960's.

In 1960 there were 12,034 air traffic controllers. By 1967 the number had slowly climbed to 12,748, an increase of not quite six per cent. But in those same years commercial passenger air traffic had almost doubled, and the swarm of private planes had grow by tens of thousands.

Under Presidents John F. Kennedy and Lyndon B. Johnson, the Bureau of the Budget consistently slashed FAA requests for money to hire more controllers. Between 1960 and 1968, the Bureau sliced an average of $22.3 million a year out of the FAA's proposed operations and maintenance budget, which includes running and staffing the air traffic control network. The FAA fared better with Congress, losing an average of only $6 million a year to the Capitol Hill scissors wielders during the same period. And in three of the ten years, Congress actually appropriated more for FAA operations and maintenance than the Administration asked through the Budget Bureau.

During all this period, the FAA bore these budgetary onslaughts with rare public composure, never raising its voice in protest. The FAA in 1967 even refused to support an Air Transport Association recommendation that Congress appropriate supplemental funds to let the agency hire more controllers, a rebuff that stunned officials of the Association, which represents all major domestic airlines.

Last summer's high incidence of delayed flights spurred the FAA to ask Congress for a supplemental appropriation to add 2,500 more controllers. Congress approved funds to hire 1,800. But because it takes three years of training and working under supervision to raise a controller to journeyman status, the effects of the new men on the controllers' work loads will not be felt immediately.

Until it is, many controllers—especially at the high-density facilities like LaGuardia and Kennedy in New York and Chicago's O'Hare —will continue working forty-eight hours or more most weeks. It was only recently, in fact, that the FAA ordered an end to regularly scheduled six-day work weeks for controllers at these airports. And an FAA spokesmen admits that "while men no longer are formally scheduled to work six days, many are actually working forty-eight hours a week and more." One Air Traffic Association official told me he shudders in the knowledge that controllers are working extra shifts.

"I have seen these guys go without lunch, tired to the bones, in just a regular shift," he said. "You start pushing them to work an extra eight hours a week, or sixteen hours in a row—and it happens all the time——then you're just asking for it."

"It," of course, is a major catastrophe such as the mid-air collision of two big passenger planes. Aviation officials will tell you privately that they feel some FAA rules and regulations governing controllers actually enhance the likelihood of such a disaster.

For instance, the FAA has ignored repeated requests by controllers' groups for a system in which controllers working at high-density facilities could be transferred at their request to smaller airports. Thus, a controller who may feel himself slipping is forced either to quit outright or stay on a job that he himself may realize he can no longer handle adequately. Nor is there an early retirement plan for controllers, with the result that men robbed of their ability—their nerves frazzled by too many years of stress—today are making decisions affecting every air passenger's life.

Many controllers keep working at the profession, even when they realize their dwindling capabilities, simply because they have no place to go. A high percentage of veteran controllers got into the business through air traffic tower training received in the Air Force or Navy. Few have college educations. That—and the lack of private employment calling for their kind of experience—explains in large part their reluctance to leave positions where they average about $14,500 a year, and in which some earn as much as $20,000.

But at least some of these problems have finally come under attack in a bill introduced this session by Senator Vance Hartke, Indiana Democrat, on behalf of the Professional Air Traffic Controllers Organization. His measure, to be considered by the Senate Commerce Committee, on which he is the third-ranking member, is the first that recognizes the unusual circumstances under which controllers work.

The bill would require controllers to retire at age fifty or after thirty years on the job. whichever occurred first, and provides handsome pensions for those forced to step down. At the same time it offers a $2,000-a-year bonus for work performed at high density airports—a move designed to encourage controllers at smaller airports to seek the tougher assignments, thus opening less demanding jobs for some tired veterans.

Hartke's bill would reduce long hours by requiring the FAA to pay double time to controllers for anything over forty-four hours a week. Currently, they are paid time and a half for all work over forty hours.

Meanwhile, the FAA also is moving, however slowly, to ease the controller's burden. New electronic equipment is being installed that will eliminate the need for much of the current conversation between controllers and pilots. Data identifying an approaching plane and giving its altitude will automatically appear on the controller's radar screen, facilitating the decision-making process and cutting down plane-to-tower talk. By 1973, the FAA hopes to have in operation more computerized equipment that will automatically estimate an airplane's ground speed and calculate its estimated time of arrival—clerical chores now performed by the controllers.

But neither Hartke's bill nor the electronic advances will solve America's air traffic crisis, although they will help. The larger problem is not one of air space but of ground facilities. As the average person tends to think instinctively, sky space is indeed virtually unlimited. The rub comes in the lack of enough airports and runway space. The situation is best understood if the air traffic control system is seen as a big funnel. It pulls planes from the vastness of the sky into what is—because of the shortage of ground facilities—a narrow opening.

Until more airports are built, there is no way to widen the funnel's neck, and with the proliferation of planes, it promises to become even more clogged. The traffic system cannot control the elements entering the funnel's neck—but it must keep them flowing, and safely.

So it all comes back to the controller, on whose skill, for the foreseeable future, depends the safety of millions of Americans.

What can be done to ease the burden on the controller and thereby make air travel safer for all of us?

As a first step, the FAA should begin pressing Congress for funds to hire more tower and en route center personnel and step up its computerization progress. The agency's top officials should demand—taking their case to the public if necessary—that the Administration and Congress provide for the hiring of the minimum 2,500 controllers the agency now proposes to add to its total each year. Because of their subservience to the Budget Bureau and to Congress, previous FAA administrators must be held in part accountable for the understrength condition of the nation's controller corps.

For its part, Congress—in view of the financial drain of the Vietnam war and the need to spend vast amounts on urgent domestic problems—should find a new means for funding airport construction and a strengthened, modernized air traffic control system. One possibility lies in imposing additional taxes on commercial air travelers and privately owned planes that use the system. The airlines have made clear their support of an increase in user taxes—but only if Congress creates a special trust fund as a guarantee that the additional revenues will be spent on improved aviation services.

Congress is always reluctant, and with some justification, to decrease its options by tying up tax revenues in special funds. But given the magnitude of the problem, and the irrevocable fact that many millions of dollars must be spent if ground and support facilities are even to keep pace with aviation's growth, the airline industry's position is sound. Congress should adopt it.

Finally, the ever-increasing numbers of air travelers should insistently demand improvements in a system that in a very real sense controls not only the planes they ride in but—so long as they are airborne—controls their lives as well.

SECRETARY LAIRD'S DEFENSE PROGRAM ENTHUSIASTICALLY RECEIVED IN FLORIDA

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. SIKES. Mr. Speaker, Florida was highly honored last week by the presence of the Honorable Melvin R. Laird, Secretary of Defense, in our State. At Panama City, in my district, he was honored for public service by the Florida Unipress Association and by the Panama City-Bay County Chamber of Commerce on the night of Friday, April 25. At this meeting, which was attended by the State's leading publishers and editors, by business and civic leaders, and by high-ranking military officers from throughout the State, Secretary Laird gave a highly impressive policy speech which reiterated the essentiality of continuing a strong national defense at all levels for the United States—a key part of which would be the ABM system. His strong and vigorous message was enthusiastically received by this important cross-section of Florida's leadership. We were pleased and privileged to have Secretary Laird as our guest, and I take pride in presenting the speech he delivered at Panama City for reprinting in the CONGRESSIONAL RECORD:

ADDRESS BY THE HONORABLE MELVIN R. LAIRD, THE SECRETARY OF DEFENSE, BEFORE THE ANNUAL MEETING OF THE FLORIDA UNIPRESS ASSOCIATION, PANAMA CITY, FLA., APRIL 25, 1969

Governor Kirk; Congressman Sikes; Chairman Darley; distinguished guests: I was very pleased to receive the invitation from the Florida Unipress Association to address your annual convention this year and am very happy to be here with you this evening. As members of the communications media and as interested citizens, you are vitally concerned with the great public issues that face our nation. Though the Vietnam war remains the number one problem facing the defense community today, the Safeguard ABM proposal of President Nixon currently is receiving the most attention.

The overriding national security goal of the United States is to restore peace in Vietnam and to preserve peace as we face the future. Both our strong desire to move forward with arms limitation talks and our decision to proceed with the Safeguard ABM system are aimed at achieving the goal of peace.

President Nixon, Secretary of State Rogers and I have repeatedly stated our determination to proceed with strategic arms limitation talks with the Soviets because the Nixon Administration believes that this would be the most desirable way of ensuring peace. But the Administration has also made it clear that we cannot base the security of our nation simply on the hope that such talks will begin and be fruitful.

The Safeguard system is the minimal step necessary at this time to ensure that the safety and the security of the American people will be preserved if arms limitation talks are not successful in the coming months and years.

At the outset, let us be clear about what the President is proposing to the Congress. He is seeking authorization now to begin work toward deployment by late 1973 or early 1974 of an Anti-Ballistic Missile System to protect two of our strategic missile wings, one in North Dakota and one in Montana. This is Phase I of a system that could be expanded, if circumstances warrant, to provide additional protection for strategic missile sites and, in addition, to protect the entire nation against any attack by the Chinese Communists that can be foreseen in the 1970's or the irrational or accidental firing of a missile by any power.

President Nixon's decision is to reorient the ABM ssystem proposed by his predecessor in 1967 and approved last year by the Congress. It cuts back new obligational authority for the ABM in Fiscal Year 1970 by approximately $1 billion, and moves the contemplated missile sites away from the cities.

The Johnson Administration, as well as the Nixon Administration, felt very strongly that some kind of ABM system should be constructed. The previous Administration was aware of the possibility that the Soviet Union might seek to develop a capability to overwhelm our land-based missiles and bombers. It was also aware of the potential threat from the development of intercontinental ballistic missiles by China. It had decided a year and a half ago that the time had come to take steps toward increasing protection against China. At the same time, it continued to watch the missile buildup in the Soviet Union, believing, however, as Secretary McNamara said in January, 1968, that the growth of Soviet ICBM forces would decelerate instead of continuing at a higher rate.

Neither of my two immediate predecessors as Secretary of Defense believed that the survivability of the missile forces of the United States was assured for the indefinite future. Both warned that additional steps might be required if that survivability was to be maintained in the 1970's. Just before leaving office, Secretary Clifford expressed his "increasing concern" about "the continuing rapid expansion of Soviet strategic offensive forces." He went on to warn that "we must continually re-examine the various ways in which the Soviets might seek to strengthen their strategic forces beyond what now seems probable, and take appropriate actions now to hedge against them."

A careful review and analysis of intelligence on the Soviet weapons buildup, received during the closing days of the Johnson Administration, convinced those with special responsibility for national security that we must take the first steps toward deployment of an ABM system to protect our long-range missiles.

To make the threat aspect of the problem more understandable, it is necessary to talk a little bit about Defense planning and some of the ingredients that go into it. Defense planning is not, as some seem to believe, the result of gazing into a crystal ball. When properly done, it represents an informed judgment that can serve as the basis for responsible recommendations to the President and the Congress on our Defense program.

Two factors are critical: The rapid rate of technological progress and the time requirements for production of weapons systems. These two factors taken together require us to begin work on major weapons systems often as long as five or ten years before they actually become operational. This makes it necessary to try to anticipate what kind of a situation we will face during that time period in terms of the threat from potential enemies.

The second thing the Defense planner must recognize is the difference between a potential enemy's intentions and his capabilities. It should be obvious that any attempt to determine what the other fellow's *intentions* will be five years from now—or even at the present time—is a futile exercise. Even if we could monitor his thoughts—and we cannot—we could not place reliance on them because he might be replaced by other decisionmakers. Nevertheless, we must recognize our own potential for influencing his intentions by our actions.

The principal gauge for assessing what we might face five or ten years from now from a potential enemy is to determine what his capability is today and, based on that, what it can be in the future.

There are several ways in which we might approach this problem of estimating capability. We must begin with known facts. With our current methods of intelligence gathering, we learn with a relatively high degree of accuracy, what a potential enemy has in the way of military forces, what he is testing, what he is constructing, and the present and past rates at which he has proven his ability to perform. I should point out that even this amount of knowledge cannot always tell us the precise capability of his force.

Our minimum goal must be to prepare responsibly to defend our nation and to insure as best we can our continued capability to deter nuclear war. To do so, we must at the very least consider the potential enemy's capability determined by projecting his current level of activity in the weapons field.

Arguments are often made that a potential enemy will not maintain his current level of military development or production. But this argument is almost invariably based on some premise as to what that enemy's *intentions* are. This could lead to a major and irretrievable miscalculation if our judgment on intentions proves faulty. From a Defense planner's standpoint, it would be much more realistic to allow for an acceleration from his present level of effort to a higher one. As a matter of fact, it is this capability for acceleration that has most often caused our estimates in past years to be sadly inaccurate. If a mistake in assessing the potential threat is to be made, it would be far safer to err on the side of overestimating the threat. The consequences could be very grave if instead we based our plans on the *hope* that the potential enemy will scale down his level of effort and that hope fails to materialize.

In planning, therefore, we must compute the size and nature of the threat by projecting the current level of effort of a potential enemy. In doing this we must grant him a level of technology which is based on his past and present levels of accomplishment.

Based on this formula and upon the best information available to me as Secretary of Defense, I must conclude that the Soviet Union has the capability of achieving by the mid-1970's, a superiority over the presently authorized and programmed forces of the United States in all areas—offensive strategic forces, defensive strategic forces, and conventional forces.

It is not possible within the time available and within the bounds of security limitations to illustrate this comprehensively. As you know, superiority is a function of both quantitative and qualitative factors. But assuming, for the purposes of illustration, that there is a qualitative balance in strategic forces between the Soviet Union and the United States, let me illustrate my point in quantitative or numerical terms.

In our strategic offensive forces, we now have 1054 ICBM's, 656 Polaris Submarine Launched Ballistic Missiles (SLBM's) and 549 intercontinental bombers. Except for a reduction in bombers, this is the level of strategic forces presently programmed for the 1974–1975 time period in numbers of delivery systems.

At the present time, the Soviets also have about 1,000 ICBM's in hardened silos, including some 200 of the very large SS–9's. They have about 140 older ICBM's on soft launchers and more than 630 intermediate-range or medium-range ballistic missiles (IR–MRBM's). In addition, they have some 200 SLBM's and about 150 heavy bombers.

In the past two years, the Soviet Union has more than trebled its force of ICBM's, from 250 to 900, and this year the Soviets will have more ICBM's than the United States. They are also producing Polaris-type submarines at the rate of 6 to 8 each year.

Based on the Soviet Union's level of activity in recent years—including test, development, and production—they have the capability of achieving by the 1974–1975 time frame a force of 2,500 ICBM's in hard silos compared to the 1054 programmed by the United States. In addition to keeping and modernizing their IR–MRBM force, they have the capability in the same period—again at present levels of production—to increase their Polaris-type submarine forces to a size larger than our 41 Polaris Submarines.

In strategic defensive forces, if we project their current research and development activities on new ABM components, they can deploy anywhere from 200 to 2,000 ABM missiles by the mid-1970's.

Air defenses are very difficult to quantify, but the Soviets spend about *twice* as much per year as we do for bomber defenses.

Let me come back a minute now to qualitative factors. In our own program, we have included what are primarily qualitative improvements in our strategic forces—development of multiple warheads for our Minuteman and Polaris systems, Safeguard for our Minuteman missiles, and new attack missiles for our bombers. These programmed improvements are among the minimal steps essential to assure the sufficiency of our military forces against the Soviets' potential for achieving numerical superiority in the mid-1970's and beyond. Obviously, we cannot be sure that the Soviets will not also demonstrate a capability to make similar qualitative improvements—they are testing multiple warheads for the SS–9, for example, and just last week tested an SS–9, as Secretary Rogers pointed out in his recent remarks in New York. The fractional orbit bombardment system (FOBS), which they are also testing, is another example of their attempts at qualitative improvements in offensive strategic forces.

If they make significant qualitative strides, which accompany their approaching numerical superiority, we may find it necessary to further reassess the threat and the sufficiency of our own program.

In the area of conventional forces, I should point out that a comparison is neither simple to quantify nor easy to evaluate. Such a comparison is meaningless if made in the abstract, for only in an assumed force confrontation does it have a value to the defense planner. The variables which must be taken into account are therefore as numerous as the possible places and conditions of confrontation of conventional forces. Indeed, it would be stretching the imagination to conceive a situation involving most of Soviet and American conventional forces in which forces of third nations are not also involved on one or both sides.

For purposes of planning, I would not suggest that any and every imbalance of Soviet and U.S. conventional forces be corrected by adjustments in our own forces. To make such planning realistic, for instance, we must weigh the forces of both NATO and the Warsaw Pact into the equation when planning to cope with any possible confrontation in Europe.

It is a fact, however, that in projected numerical comparisons under authorized peacetime manning levels, the Soviets by 1974–1975 will probably have a superiority in ground forces, if measured in numbers of personnel, of roughly 3 to 2. In numbers of tanks, the Soviets even now have several times as many as has the United States. In tactical aircraft, our current projections show that they can have several hundred more than the United States is programmed to have by the 1974–1975 time period and this includes our carrier-based aircraft. And, in terms of naval forces, we will face a substantial threat from Soviet submarine forces. Today, the Soviets already have approximately four times as many submarines as we have. The majority of the Soviet submarine fleet is conventionally powered at the present time and many of those submarines are short- to medium-range ships. But the fact remains that their very rapid buildup in submarine forces poses a serious and growing threat to our own naval forces.

Let me again remind you that quality as well as quantity has a bearing on the effectiveness of a nation's forces. Let me also restate what I have said many times in the three months I have been Secretary of Defense. Today it would be suicidal for the Soviet Union to attempt a first-strike attack on the United States. Although such an attack might well bring unimaginable destruction and loss of life to the United States, enough of our offensive capacity would remain under any circumstances to cause unacceptable levels of destruction in the Soviet Union.

We accomplish this in part by maintaining three different types of strategic offensive systems. Preserving a mix of seabased missiles, land-based missiles and bombers is a fundamental premise in our own force planning. First, it confronts the enemy with complex U.S. attack plans, which increase our level of assurance for accomplishing any tasks. Second, it causes the enemy to allocate resources for defensive systems, which might otherwise be expended on offensive systems. Third, it avoids technological surprise in any one area of defense which could tend to degrade our deterrent.

If, however, the Soviet buildup of the kinds of weapons that can erode our deterrent or retaliatory capability continues, obviously the margin of safety which the United States now possesses will diminish.

Of course, we do not know what the Soviets intend to do with the SS–9's they are now deploying or the Polaris-type submarines they are turning out at the rate of 6 to 8 per year or the fractional orbit bombardment system which they are continuing to develop. As I said earlier, we cannot read the minds of those in the Kremlin today, much less the minds of those who may be there eight or ten years from now. Last year, the dominant official assumption by the United States was that the U.S.S.R. by now would have begun to slow down and halt the expansion of its ICBM force. That assumption proved false.

We cannot gamble on estimates of Soviet intentions. If the Soviet Union is developing a capability that could endanger this nation, we must be prepared to counteract it.

Most of us still remember vividly a moment of supreme national peril in 1962. It was widely assumed then that the Soviet Union would never install offensive missiles in Cuba and this presumption prevailed right up to the time that photographic evidence proved it wrong. As Secretary of Defense, I do not intend for this country to go through that kind of crisis again, but if we must, I intend to see that the United States is in a position to meet such a crisis successfully.

We came through that crisis unscathed because we had a credible deterrent. What the outcome would have been if our strategic capability had been in doubt is a question that should be kept in mind as we discuss the Safeguard system.

Against this backdrop, the Nixon Administration proposes the Safeguard ABM system to accomplish these two principal objectives:

(1) To insure that we are in a position to protect our retaliatory capability against the potential of a Soviet nuclear force in the mid-1970's designed to erode our deterrent; and

(2) To insure that we are in a position to defend our population against the potential Communist Chinese ICBM threat if it materializes, or against an irrational or accidental attack by some other nation.

We propose to begin ABM construction on two sites, which will provide us with an option to expand if the threats we have postulated do, in fact, materialize. Having estimated the threat potential, we recommend only that we protect our options to offset it, should it materialize.

Hopefully, arms limitation talks will achieve success, making further expansion of our ABM system unnecessary insofar as the Soviet threat is concerned. There appears to be less likelihood of effective arms limitations agreements with the Chinese Communists, of course. The Nixon Administration's reorientation of the ABM system improves chances for effective negotiations with the Soviets, for Safeguard is more defensive and less provocative than its predecessor, Sentinel.

In summary, the Safeguard ABM decision protects our options to meet the potential threats while:

(1) reducing and postponing our financial exposure for missile defense and deterrent protection; and

(2) avoiding a provocative posture which could inhibit arms talks and heat up the arms race.

When considered against the potential threat we face and the dire consequences of military inadequacy, the Safeguard proposal is sound, essential and deserving of the support of the public and authorization by the Congress.

STATEMENT ON POSTAL RATE INCREASE

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. LUKENS. Mr. Speaker, the recent news that consumer prices were rising at an annual rate of 10 percent during the month of March shatters my hope that we could avoid postal rate increases this year.

If we are to bring the destructive wage-price spiral this administration inherited under control, Government revenues must be increased and we must achieve a budget surplus in the coming fiscal year.

There is no other course, Mr. Speaker, but to support the President's proposal for increasing letter-mail rates by 1 cent, along with increases for second- and third-class mail.

The facts are, Mr. Speaker, that if we do not increase postal rates, the Department could run a deficit of more than $1.4 billion in the coming fiscal year. This deficit assumes that postal workers will receive, on the average, the 4.7 percent phase III wage increase recommended by the Civil Service Commission. The way prices are rising, we know this increase will be a minimum.

This deficit is intolerable in view of the inflationary pressures at work in our economy.

We must support the President's recommendations for increasing postal rates and slashing the deficit in this big Department.

EXTENDING THE COVERAGE OF THE NATIONAL LABOR RELATIONS ACT TO FARMWORKERS

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. TUNNEY. Mr. Speaker, last week I introduced legislation to extend the coverage of the National Labor Relations Act to farmworkers. Agricultural workers are notoriously the most underprivileged group of wage earners; few people see their plight and fewer care. They are excluded from most of our social legislation. Certainly their deplorable conditions result to a considerable extent because they are denied access to the Federal law protecting the right of employees to join a union of their own choosing and, through it, to bargain about wages, hours, and other conditions of employment.

Bargaining from a position of "protected" strength would bring these workers better wages, working conditions, and health, and so forth, benefits. Taft-Hartley safeguards would protect them from interference with their formation and administration of a union; from discharge or discrimination because they invoked Taft-Hartley procedures; and from having their union, once certified, being challenged by another union within a year. Employer-employee disputes would be far more likely to be settled peacefully if the workers have a union to represent their interest under a collective bargaining agreement.

The bill which I introduced would extend to farmworkers, who often labor under the harshest physical circumstances, the same rights and responsibilities most other working men and women, in more comfortable and remunerative employment, have had since 1935. It is not "special-interest" legislation; it would merely abolish an exclusion which put one segment of the working force into not only a "special" but actually an "underprivileged" class. It does not merely favor the worker, for the employer would derive many advantages. So would the general public, not the least being that both employer and union would be prohibited from engaging in "unfair labor practices."

Favorable consideration of this most desirable proposal is strongly recommended.

MASONIC ORATION OF BOB SIKES

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. FUQUA. Mr. Speaker, many honors have come to my friend and colleague, the Honorable ROBERT L. F. SIKES, in his long and illustrious public career of service. He was my Congressman until I had the privilege of being elected to a seat in a new district which had been partially carved out of his large district in west Florida.

Last week, BOB SIKES made a stirring address to the Most Worshipful Grand Lodge of Florida, Free and Accepted Masons, as its grand orator. The spontaneous applause as he was interrupted time and again made this one of the most stirring addresses ever heard in the 140 years of the grand lodge's existence.

I, therefore, would like to have those remarks reprinted in the CONGRESSIONAL RECORD for others to read. They are stimulating and say so much that needs to be said at this period in our history:

SPEECH OF THE HONORABLE ROBERT L. F. SIKES FOR THE MEETING OF THE GRAND LODGE F. & A.M. OF FLORIDA IN JACKSONVILLE, APRIL 22, 1969

I am fully mindful and highly appreciative of the honor bestowed on me at this great assembly. It is a rare privilege—a most unusual opportunity—for any man to stand before this distinguished gathering.

Now I have some questions for you. Have you looked at your country lately? What kind of country do we have? Have you thought on its future? Are you really interested?

We are members of a great brotherhood, the brotherhood of Freemasonry. There have been many times in our country's history when our members filled a great mission. America's early leaders who mapped the destiny of our land were Masons. And the course they charted was a far safer one than our Nation now follows.

What of the present and the future of Freemasonry? Do we still have a mission which extends beyond the walls of the Lodges where we meet? How shall we—as Freemasons—best serve our God and our country? Is there, after all, a problem which concerns us?

No country has endeavored more successfully than ours to convert its resources and its scientific achievements to useful purpose. America has created a tremendous technological power with unbelievable capacity to provide for the needs of our people. But we should have obtained in this process individual improvement and progress and national unity far beyond our present status.

We can circle the moon and send back revealing photographs of the world and the stars, but we still cannot penetrate the jungle cover of Vietnam and tell what is hidden underneath, or solve the conflict which frustrates us there. We possess the power to destroy hundreds of millions of people with a single massive strike, almost in a single instant, but we haven't conquered disease, and we haven't eliminated poverty even for those who are willing to work to escape poverty.

Modern technology is expanding more rapidly than our power of foresight; more rapidly than our understanding of the consequences of the improvements we hail. We in America should be masters of our destiny, but in today's confusion it would be risky to predict that we can really determine where that destiny leads. New leadership is needed now to help delineate a safe course for the nation. Where better than through leadership such as that which Masonry contributed in the early days of our Nation and which is still taught in the Lodges where we meet.

We have created the greatest wealth and established the highest standard of living in the world, but we know these in themselves are not enough. Gross national product, which achieves stupendous new heights each year, does not really spell out the contentment or tranquility of the people. Only leadership will do these things, leadership which attracts the confidence of the people while charting the safe course our nation needs. It is the absence of that type of leadership which has encouraged dissenters who, in reality, offer nothing more than destruction of the very goals for which our nation has been building. We as Masons can help at least by encouraging those around us to stand for the right things.

These are troubled times, uncertain and in a sense directionless, times. Which way is our country going? We obviously are living in a time of great social change; we face unprecedented crises from day to day. Those who administer the law do not seem to know how to respond to strange and querulous protests of minorities of our citizens. Established institutions are under attack, and accepted principles of morality, law and order seem to be in question. We hear strange proposals—and strange talk of appeasement from the most unexpected sources.

It requires no great intellectual capacity to be aware that the American way of life is in danger. It is in danger because vested authority has not shown the courage, the resolution, or the conviction to fully resist disorder, chaos, or anarchy. Somehow, the great majority of our citizens seem unable or unwilling to prompt or inspire the sort of action which will insure for us an orderly society, moving forward to greater things with minimum damage to old institutions, most of which most assuredly deserve saving.

President Abraham Lincoln observed in 1864 that "The world has never had a good definition of the word 'liberty' and the American people, just now, are very much in want of one." That comment is very apt today. What is really needed may not be so much a definition of liberty or freedom as guidelines for its proper use. Freedom also means the exercise of rights and franchises under restraints and protections which are justly imposed by law. Freedom implies the presence of reasonable rules for the protection of the community and for the promotion of public health, safety, morals and welfare.

Daniel Webster said, "Liberty exists in proportion to wholesome restraint." If the objectives of liberty and freedom are honorable, as I believe them to be, then the uses of freedom must be no less honorable. Freedom requires individual responsibility, and each man must be a guardian of responsible freedom. When the element of personal responsibility is added, freedom becomes a prevailing force, exerting its influence on men and governments—protected by courage, fortified by wisdom, and nourished by the roots of private morality.

Now if that isn't plain enough, let me say it this way. There must be law and order. It is time to discipline the nut fringe, to enforce the law, and to stand up for the things America stands for—at home and abroad. We cannot afford any more Pueblos, but we have just had Pueblo No. 2. It is time for action. The time for protest is past. We cannot continue to turn the other cheek. We have run out of cheeks to turn. America does not dare to be directionless. There must be purpose and determination, and for these there must be leadership based on sound values.

Shall I be more specific? There are demonstrators and outlandish demands for recognition which have been noted in too many colleges and universities. Those who dissent destructively should be given short shrift to get back to their books or get packing. The Justice Department finally has awakened to the fact that some of the dissenters are law violators with communist affectation. They are not students and they have no claim to be treated as students.

And what of the courts? The blame for the shocking increase in crime must be placed in part on the rising judicial concern in recent years which has seen judges and courts becoming more perturbed over the "rights" of criminals than they are for the rights of law-abiding citizens.

In its rulings, the United States Supreme Court has established policies which threaten the very foundations of the Constitution. It has struck down the laws against communists working in defense plants, laws against subversives teaching in public schools, laws against pornography; even laws against school children demonstrating in force in classrooms. It has set the stage to absolve Cassius Clay for refusing to serve his country in uniform as other young men must do and most of them proudly do. And finally, this is the court that said little children cannot have the advantage of prayer in the schools, and upheld insults to the American Flag.

How long will our nation and its lawmakers and its President tolerate this destruction of basic Constitutional process?

In his great farewell message, which should be required reading for every American, George Washington held that our nation cannot survive without morality and religion. In an age in which leadership was synonymous with membership in the Masonic Order, he was both a great leader and a great American. He lived for the principles for which our Order stands, and his contributions to America reflect the teachings of Masonry. He provided leadership of the highest order. Ours is another age—with new problems. Now in our time what is our responsibility? How is Masonry to accept these strange new philosophies. Are we to try to adjust to them and live with them?

I can tell you that neither Masonry nor America can survive in a nation which tolerates a continuance of the practices which we now are witnessing. The United States needs the principles for which Masonry stands, for these are the principles on which our nation was founded.

How do we achieve these things and uphold these principles? By not waiting for someone else to accept our own responsibility—by showing our pride in America—by standing up and speaking out for our country in the manner of the men of old—most of whom were Masons. By living the teachings of Masonry.

Again George Washington, in his letters to Alexander Hamilton during the days when the unique American system of free government was being formed, wrote: "It may be laid down, as a primary position, and the basis of our system, that every citizen who enjoys the protection of a free government, owes not only a proportion of his property, but even of his personal services to defense of it."

This was in 1775, a year before the Declaration of Independence. A year after our freedom as a nation was declared, in 1777, Thomas Paine said: "Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it."

And again Daniel Webster, in an address on June 3, 1834, stated this basic American principle with even more firmness and clarity. "God grants liberty," he said, "only to those who love it and are always ready to guard and defend it."

And we can take guidance from the words of General Westmoreland who, speaking of the sacrifices and dedication of America's fighting men and of the need for support which is required for them at home to preserve freedom and perpetuate democracy, said: "Not for fame or reward, not for place or rank, not lured by ambition or goaded by necessity, but in simple obedience to duty as they understood it, these men suffered all, sacrificed all, dared all, even died."

Some of you saw a TV program which told of the love of country and patriotic contributions of one Oklahoma family, an Indian family, incidentally, by the name of Poolaw. In this family, the father died a hero's death in uniform. Three sons have seen service in Vietnam. One of them has lost a leg. The amputee said that his principal regret was that he cannot go back to Vietnam and serve again to help his country. The prospect of a lifetime without the limb he gave poses no terrors for him. He has the courage to look ahead beyond the far horizons to a greater America. What a change from so many of the scenes we are forced to view night after night!

Yes, throughout the history of our free nation, there have been those who understand and appreciate our Freedoms—those who perceive that freedom is not free—those who fully realize that we must invest our labors, our devotion, even exhibit to the world the fact that we are willing to sacrifice life when necessary. Without such patriots, America stands in danger of losing the priceless heritage which is ours. There must be modern patriots—men who believe in God and country and who are unafraid to stand up for both. That is our mission—the mission of those who will live the teachings of Masonry.

We, as good Americans and as Masons, can contribute to a secure and progressive tomorrow. We will have great tasks before us and they are tasks which will test our strength, and our character; sometimes our very souls. But what a wonderful opportunity will be ours in the process. We will be seeing this great land with new vision and new appreciation, and we will be helping again to write a page—our page—in the matchless saga of America. Tomorrow can still be bright with promise. We have problems, and they are serious, but we have had problems before and we have overcome them. America has strength and resources that have barely been tapped. All around us there are wonderful things which make this nation the greatest one on earth, which give us so many reasons for being proud that we are Americans.

It is time to start thinking of the opportunities which are ours to render a greater service to our own country. It is time to encourage the great overwhelming majority of the people who believe in America to speak up for it.

Those of us here today understand what I am talking about for these are the things which Masons have been taught to believe and practice. I am proud that I am a Mason for I see in Masonry a temple to a great principle to which all free men should be devoted. Take your Masonry outside of the Lodge. Let the people know where we stand.

In this hour, when America needs courage and leadership, let us rededicate ourselves now to America's mission under God and together take the vow that we will keep alive the spirit of those who gave us our freedoms and our country.

FRANCE AND ITS WORLD WAR I DEBT

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. NICHOLS. Mr. Speaker, I am today introducing a resolution declaring it the sense of Congress that France should begin payment of its World War I debt to the United States. Since General de Gaulle has stepped down and France is about to elect a new President, we should go on record as reaffirming our intentions to collect this long-standing debt. I would hope that both the Congress and the administration will make known to those candidates seeking the French Presidency that we will not continue to ignore this matter.

Mr. Speaker, the people of America have a right to expect this debt to be paid, and they have a right to expect the Congress to take steps to collect it. I sincerely hope the Ways and Means Committee will see fit to act on this resolution in the very near future.

THE MENACE OF ORGANIZED CRIME

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. UDALL. Mr. Speaker, I want to say that the President's recent message on organized crime was a welcome one to me. In this message he demonstrated awareness of the corrupt syndicate in every part of the country.

With a "take" of from $30 to $50 billion a year, organized crime has powerful resources which it is using to infiltrate legitimate business and to push its illegitimate activities everywhere.

My own State of Arizona has seen a heavy influx of known Mafia types. Recently, a very widely known businessman downtown hotel window. It came as an in Tucson plunged to his death from a even greater shock to the community to learn that he evidently had been under heavy pressure from persons connected with a national crime network. This was just the most recent incident serving to underscore the threat facing many communities. Previously this same city was the scene of a series of unsolved, gang-style bombings.

Fortunately, the Tucson press has been vigilant in uncovering and reporting evidence of underworld influences there. I have been encouraged, too, by hard efforts made by the Federal Bureau of Investigation, the Organized Crime and Racketeering Section of the Justice Department, and other Federal agencies to gather evidence against syndicate members. These efforts are continuing. In addition, I have urged the administration to establish a Federal strike force in Arizona, or, at least, to include the State within the scope of a Federal Racketeering Field Office which may be established in the southern California metropolitan area.

Since my days as a county attorney in Tucson I have known the insidious undermining of society by unscrupulous and, unfortunately, well-financed underworld elements. There is no quick and easy solution to the crime of conspiracy. Evidence to convict is difficult to come by. But the battle must be waged actively and persistently.

The President's specific proposals need careful study, but I am glad he has spoken out on this issue.

ADDRESS OF REPRESENTATIVE JOHN M. MURPHY TO THE NATIONAL ASSOCIATION OF LETTER CARRIERS IN NEW YORK CITY, APRIL 22, 1969

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. MURPHY of New York. Mr. Speaker, recently I had the opportunity to address the executive board meeting of the National Association of Letter Carriers in New York City. The purpose of the meeting was to discuss their upcoming political action conference in Washington, D.C. The National Association of Letter Carriers has always presented its position to the Congress in a reasonable and effective manner, and I look forward to meeting with their leaders and members in Washington. Under leave to extend my remarks in the RECORD, I include the text of my speech to the executive board of the National Association of Letter Carriers:

NATIONAL ASSOCIATION OF LETTER CARRIERS EXECUTIVE BOARD MEETING, APRIL 22, 1969

There is probably not one person in a hundred in the United States who has not heard the phrase: "neither rain nor sleet nor snow shall keep the mail from going through." Americans assume, as a matter of faith, that their mail will be delivered on time and in a hurry.

The fact is, of course, that they are right, for we have the best postal service of any nation in the world.

But while we are concerned with *getting* our mail, we often overlook the dedicated public servant who brings it to our door. When it is delayed, for whatever the reason, we rise in collective indignation and protest the delay. When it is on time, we sit in collective silence, without saying a word.

The fact is that we are not giving proper consideration to the employees of the United States who perform one of the most difficult and thankless tasks in public service—that of carrying the mail.

I for one do not believe that we can ignore the basic rights of 700,000 postal workers.

I for one believe that we should pay for what we get, and what we are getting is the best postal service in the world.

There are many specific issues of interest to postal employees which will be raised in your political action conference in Washington on May 12th, including salary, health benefits, and others. I think all of these are important, and, as in the past, I expect to support legislation favorable to the postal employees.

But I believe that central to all of these issues is the basic question of employee-management relations, which at present are weighted in favor of management.

Let me use the issue of postal salaries as an example. Postal salaries are dictated by the archaic hominy and grits of economy of rural America. Dedicated postal clerks, letter carriers and other low-paid postal workers are the victims of the skyrocketing cost of living.

And yet, postal workers and their unions have barely limited processes available to them to redress wage and working condition grievances.

At the heart of this problem is the present one-sided relationship between employees and management. I have introduced legislation, which many of my colleagues in Congress have also introduced, which would improve these employee-management relations.

The bill sets up an orderly program of administrative procedures and appeal mechanisms while spelling out the rights and privileges of both labor and management.

It also provides for compulsory arbitration of disputes and establishes an independent Labor-Management Relations Panel patterned after the procedures which have governed labor-management relations in private industry for more than three decades.

In short, this bill would extend to postal employees the same basic protections which have long been enjoyed by their counterparts in the private sector.

This is actually not a new proposal. We had the beginnings of a better policy on employee-management relations with a Presidential Order first effected by the late President John F. Kennedy, which belatedly accepted limited collective bargaining and union recognition in the Federal structure.

But while this order was a significant breakthrough then, and effective for a time, it had no statutory root, and it is weighted against employees and may be freely violated by management.

Therefore, I think this bill to improve employee-management relations is necessary, and I am hopeful that it will be considered and passed by the Congress as soon as possible. As I said before, I think it is central to most of the issues now being considered by your organization.

I want to wish you good luck in Washington next month during your political action conference. You have always presented your position to the Congress in a responsible and effective manner, and, as in the past, you may count on my support.

Thank you.

TAX TIME

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. FINDLEY. Mr. Speaker, Mr. Robert Garner, sales manager of the Eli Bridge Co., of Jacksonville, Ill., is the author of a very excellent comment published in the newsletter of the company. It expresses some uncommon commonsense comments about taxes and the role of Government in American life. Here it is:

That time of the year we all look forward to with fond anticipation has just passed—Tax Time.

At this time of the year we become even more acutely aware of what appears to be an ever-increasing cost of taxes, over-spending and waste of our tax dollars by government, and some of the inequities we seem to feel exist where our tax dollars are concerned. For example, do you ever find yourself thinking or wondering as follows:

When your Congressman tells you "there is a bill on the floor" of the House or Senate—do you get the feeling that YOU are the one that is going to have to pick it up and pay for it?

Or, that when the government tells you they are going to "reduce the federal deficit," you can bet your bottom dollar (and it might well be) they are going to do it by increasing taxes?

That Urban Renewal is an expensive program that makes it possible to demolish old slums and build new ones?

That it seems the "impoverished people" we have heard so much about turn out to be our Congressmen who have found they cannot live on some $30,000 per year plus fringe benefits? (Now that they have solved their problems we wonder if they can do anything for those of us in the "affluent society" who have been getting by on considerably less for years!)

When our Congressmen talk about our affluent middle class, are they talking about our pay checks—before or after taxes?

Now that government has told us that smoking is dangerous to health; drinking is a national disgrace; and automobile exhausts pollute the air—how much of the price of these products (cigarettes, alcohol and gasoline) is taxes? What portion of these taxes is being used to correct the "ills" these products supposedly cause?

The government often justifies increased taxes by saying they use the money to support our welfare. Did they ever stop to think if they left tax rates alone, or even reduced them, that would also support our welfare?

Our legislators often site "increased gross national product" as an indication and justification that the American public can afford to pay higher taxes and support more federal programs. This may be true. But, to a large extent, isn't "increased gross national product" simply the result of paying a dollar for what we used to buy for forty cents or less?

Now, this is one worth thinking about! We are told that increased taxes, interest rates, and so on, are necessary measures to take money out of the hands of the public in order to slow down spending and inflation. Then the government increases its spending, and wonders why inflation does not slow down.

So many people talk about getting "free money" from the government. From where do they think the government gets the money in the first place? So, you give money to the government and they give it back to you, what's so bad about that? Well, when you were a kid, do you remember asking a buddy to hold your ice cream cone for you? He always took a big lick of it for himself before he gave it back, didn't he? The same principle (and result) applies in both cases!

But all joking aside, the "Old U. S. of A." is a pretty good place to live—in spite of taxes, etc. Where else can you burn your draft card in the guise of doing your duty; tear down and stomp or burn the national flag in the name of patriotism; riot, loot and burn in the name of peaceful demonstrations; show complete disrespect to your fellow citizens and their rights in the name of equal rights; completely ignore and even stand against the basic principles of home, God, and country; refuse to accept the responsibilities of adulthood and constructive leadership; and still loudly proclaim to being a man among men, a patriot, a responsible citizen and a good American?

We hope this, in its end result, will give you something interesting to think about.

JOB CORPS CENTER SHUTDOWN

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. ASHLEY. Mr. Speaker, I am joining with several of my colleagues today in a resolution expressing the sense of the House that the shutting down of 59 Job Corps Centers be suspended pending congressional review of the proposed action.

Because this decision may adversely affect the lives of thousands of ghetto youths involved in the present program, it seems highly inappropriate that such a decision should be taken without consultation with appropriate committees of the House and Senate.

In the Toledo area alone, with which I am especially familiar, between 145 and 158 youths from broken and underprivileged homes are to be phased out of Job Corps training programs in which they are now enrolled. These young men need educational and occupational training desperately. For many of them, it represents a choice between a life of crime and a respectable job.

The administration may very well be right in shifting the emphasis of the Job Corps from conservation to manpower training; however, I think that such a decision should first be subject to congressional scrutiny. This is particularly so when the proposed in-city substitutes have yet to be established.

PORNOGRAPHY LEGISLATION

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. MATHIAS. Mr. Speaker, the youth of our Nation are daily being subjected to material that is clearly obscene. This unsolicated material, which is distributed through the mails, inflames the minds and imagination of our young people in an extremly objectionable and distasteful manner.

It is estimated that nearly 100 million pieces of objectionable material is sent through the mails each year. The greatest majority of it is directed at the young. Pornography mailers pay high prices for the names and addresses of young people below the age of 18.

I know this material is being sent to minors because of the tremendous amount of mail I receive from parents whose sons and daughters have received such material. Recently a 12-year-old boy in my district received this type of objectionable material.

This problem is not just restricted to California. A great majority of my colleagues have also received complaints along the same lines as those from my constituents.

In addition, there are those who think smut mailers should not be permitted to use second-, third-, and fourth-class mail privileges. I agree that the American taxpayer is under no obligation to make the pornography business profitable by permitting them to advertise using reduced postal rates.

I think the time has come for us to take action to protect our young people from being the victims of smut peddlers. We should also stop mailers from using second-, third-, and fourth-class mails as the vehicle by which objectional material is distributed to adults.

I am today introducing legislation to amend titles 18 and 39 of the United States Code to make a certain category of material, designed to appeal primarily to the prurient interests of the viewer, reader, or listener, nonmailable to minors, persons under the age of 18 years, and nonmailable as second-, third-, or fourth-class matter to any person.

Nonmailable material is defined as any picture, photograph, drawing, sculpture, motion picture, or similar visual representation or image of a person or portion of the human today, any book, magazine, or other printed matter, however reproduced, or any sound recording, which depicts genitalia, sexual conduct, or sadomasochistic abuse in a manner designed to appeal to the prurient interest of the viewer, reader, or listener.

Whoever knowingly uses the mails for the mailing of any material defined in this act to be nonmailable shall be fined not more than $5,000 or imprisoned not more than 5 years, or both, for the first offense, and shall be fined not more than $10,000 or imprisoned not more than 10 years, or both, for each additional offense.

The Postmaster General may revoke the second-, third-, and fourth-class mailing privileges upon a finding that material defined as nonmailable has been posted as second-, third-, or fourth-class mail. Administrative hearings, however, must be held before a ruling can be made of the withdrawal of mailing privileges.

The amendments made by this act shall become effective on the 30th day after the date of enactment of this act.

Mr. Speaker, the legislation I have introduced will put an end to the mailing of objectional material to minors and will end the subsidy to pornographers.

FIESTA OF FIVE FLAGS

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. SIKES. Mr. Speaker, in 1559 Don Tristan DeLuna, conquistador under King Phillip II of Spain, first planted the Aragon colors on the sandy shores of Pensacola, Fla., when he landed there to found a settlement, the first white colony in the United States. Since that time, Pensacola has been under four other flags. The 20th anniversary of Florida's fabulous fiesta at Pensacola is being celebrated this year and, in this connection, Don Canton and Ray Sterling have written an official theme song, entitled "The Fiesta of Five Flags." The lyrics follow:

Come to Fiesta of Five Flags
Both you and Pensacola will be glad
At the Fiesta of Five Flags
You'll have the finest time you ever had
Yes the Fiesta of Five Flags
In Florida is something you should see
Bring the family one and all
And you'll have yourselves a ball
Cause the Fiesta's where you'll want to be
Now there'll be racing, dancing, pageantry
And also beauty contests natur'lly
And planes that fly high in daring stunts
There'll be a fish fry and treasure hunts
There'll be a big spear fishing, rodeo
And lots to do beneath the sun
Take a vacation
For recreation
And come on down and join the fun.

This song is presented by out-of-State bands in the fiesta parade and has become popular with thousands of home folks and visitors alike.

I am pleased indeed to have it reproduced in the Congressional Record.

DUNES NATIONAL LAKESHORE PARK

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. BRADEMAS. Mr. Speaker in recent days the Dunes National Lakeshore located in the northern part of my State has become an issue of public discussion throughout the Nation.

Proponents of the lakeshore, and I count myself in their number, have advocated the appropriation of $10 million in fiscal year 1970 in the form of $5 million in land acquisition funds and $5 million in land contract authority funds for the Dunes National Lakeshore. This appropriation would be a major step toward making this national park the recreation facility envisioned by Congress when it authorized the Dunes National Lakeshore in 1966.

It has been suggested that legislation to reduce the acreage of the Dunes National Lakeshore may soon be introduced in an effort to reopen the controversy between industrial and conservation interests. However, Congress wisely studied this issue carefully and at length before authorizing an 8,000-acre national park on the southern shore of Lake Michigan 3 years ago.

I, therefore, strongly oppose any effort to reduce the authorized acreage of this national park.

I insert at this point in the Record an editorial which recently appeared in the Hammond Times and an article written by Jack Colwell of the South Bend Tribune voicing opposition to any attempt to decrease the size of the Dunes National Lakeshore:

[From the Hammond (Ind.) Times, Mar. 31, 1969]

LANDGREBE'S FOLLY

That opponents of the Dunes National Lakeshore haven't surrendered is incredible.

They've waged a losing battle for several years against the forces of reason and public pressure. Carrying their banner now is Rep. Earl F. Landgrebe (R., Valparaiso) who wants to reduce the lakeshore's authorized size.

Landgrebe thinks that 2,000 or less acres rather than the 8,000 set aside by Congress is adequate. Why he picked that figure is anyone's guess; perhaps because it compares favorably in size with the neighboring Indiana Dunes State Park.

The state park is worn out, rapidly becoming a shambles under the grinding feet of millions of users. If Landgrebe is no judge of supply and demand, fortunately others among his Congressional colleagues are.

But the congressman has another pitch. He wants this part of his constituency preserved for industrial and commercial development. Porter County's taxable wealth needs enriching, he contends.

Congress has already weighed such arguments and found them wanting next to the greater need for enriching the people's recreational treasury and the preservation of a natural habitat unlike any other in the country. Thus it is inconceivable that Congress will miraculously accede to Landgrebe's desires.

Meanwhile, the interior subcommittee of the House Appropriations Committee has before it a request for $10 million for continuing land acquisition. Another $100,000 is sought for operating expenses. Both should be approved.

Considerable acreage in the authorized area remains to be purchased and until it is, its owners are in a quandary. No one wants it for development purposes. Taxes must be paid. Those with homes would like to get their money and move.

It is unfair to keep these owners waiting longer than necessary.

And from the taxpayers' side, purchase of these lands with all due speed will save them money—which should be Landgrebe's principal goal. The longer acquisition is delayed, the higher go land values.

[From the South Bend (Ind.) Tribune, Apr. 25, 1969]

WHO'S STANDING IN WAY OF "INDUSTRIAL PROGRESS"?

(By Jack Colwell)

One of the most impressive sights in Indiana is visible along the Toll Road in Lake County.

Surely almost everyone at some time while driving past—and closing the car windows—has marveled at the billowing signs of steel plant production.

Usually there is some comment, such as, "Gee, Gary (cough) must be a delightful place in which to live and work."

And some day that industrial complex stretching along what is left of Lake Michigan could reach out all the way across Northern Indiana to South Bend, Mishawaka and Elkhart—forming an uninterrupted stretch of urban and commercial development, doing away with grass and trees and blue skies and all that useless, jazz.

There are obstructionists, however.

They want to save a few spots of green and even, if you can imagine this, save some sand.

They currently are interested in preserving an area located mostly in Porter County for something which would be known as Indiana Dunes National Lakeshore.

They want this land to be obtained by the federal government before it all is snatched up by the land speculators for industrial and other commercial interests.

There are some strange aspects to this obstruction:

Why would anyone want to turn to the federal government to provide park space when the state of Indiana has done such a remarkable job of providing park and recreation areas in Northern Indiana?

How come anybody other than some kind of nut would want to preserve dunes, those silly heaps of sand which keep shifting around anyway?

LOOK AT CHICAGO AND NEW YORK

Even though the Lakeshore project wouldn't stop industrial growth and economic development, what is the sense of setting aside a recreation and conservation area right in the middle of all this expansion? (After all, our major cities, like Chicago and New York, have grown without any such planning.)

The nuts with their toy sand buckets must not stand in the way of (cough) progress.

U.S. Rep. Earl F. Landgrebe, R–Valparaiso, is trying to do something about this obstructionist threat. He wants legislation to slash the proposed size of the Lakeshore to a fourth of what has been planned.

It might seem to be a paradox for Congressman Landgrebe, who is a conservative, to oppose conserving the Indiana Dunes.

Actually, though, it probably isn't. The congressman contends his real purpose is more adequate definition of the park boundaries.

The definition just happens to chop the Lakeshore to a quarter of the size planned in the port-park compromise which hastened development of the Burns Harbor port.

With the present nebulous boundaries, it is difficult for land speculators to operate with assurance. Why they might wind up with property which would become nothing but a useless park.

And if people want recreation areas, let them fly to Alaska in the summer and Hawaii in the winter. There still is a lot of available recreation space in those new states.

Obviously, there is no sense in holding back the progress planned by developers of the type who have made Gary what it is today.

FARM BUREAU PROGRAM

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. SCHWENGEL. Mr. Speaker, one of the important decisions yet to be made by the Nixon administration is the direction to be taken with respect to farm programs. The American Farm Bureau Federation has recently proposed a fairly comprehensive farm program. Their program encompasses new and bold approaches for several problems. An editorial in Wallace's Farmer of April 12, 1969, contains a good analysis of the Farm Bureau's proposed program:

NEW FARM PROGRAM PROPOSED BY FARM BUREAU

Farm Bureau is pushing a new look in government farm programs. It's the nearest thing we've seen to a truly national program with real promise of being both acceptable and effective.

Essentially, the proposal is a two part program which deals separately with commercial farms and low income farms. Separation of the "farm problem" into manageable units is, in itself, a forward step.

Since Iowa would be affected chiefly by the commercial farm part, let's look at it first.

Taking land out of production is still the tool for curbing excess productive capacity. But the method of doing so has some new twists. Long term, whole farm retirement would be emphasized.

This has the advantage of removing labor and capital as well as land from the resources invested in agriculture. Previous programs had tended to be self-defeating in that retiring some land on a farm released capital and labor to do a more intensive job on the acres remaining in production.

The new feature is using a competitive bid basis for determining which land is retired. An owner could put a rental price on his land and offer it. The government would start with the lowest offers and work upward until the desired amount of land was retired.

Such a program tends to concentrate retirement in marginal areas—this could be especially important to areas where wheat production is marginal. Violent opposition from these areas appeared in the "soil bank" days. So Farm Bureau's proposal limits the amount of land that can be retired in any one community.

Even with this limtation, this part of the program tends to work with economic forces rather than to fight a losing battle against them. It would let regions and individual farms concentrate on producing that in which they are most efficient.

The Farm Bureau proposal anticipates retiring at least 10 million acres in each of 5 years.

Some careful figuring will indicate that 50 million is not enough.

As whole farms are being retired, the proposal would provide a gradual phase out of present feed grain, wheat, and cotton programs. Loan rate would be set at not more than 85% of previous 3 year average price.

Resale price of commodities in CCC hands would be not less than 150% of loan rate plus carrying charges, except when sales are offset by purchases on the open market.

Tho this 150% applies to the 85% moving loan, there appears to be no adequate provision for trimming CCC stockpiles to more reasonable levels.

Programs of the past have caused some production dislocations, especially in cotton. Southeastern cotton producers, often small operators with low incomes, have grown cotton of a type that is in surplus. Southwestern producers have grown another type which moved to market.

But southeastern congressmen with seniority control of important committees have guarded jealously cotton allotments for their voters. There's no change in this committee setup.

So some other bait has to be provided to get this essential support. This is where the second phase of the Farm Bureau program has real appeal. The special program for low income groups lets the congressman take something back to the voters who elect him.

These low income operators could retire whole farms. In addition, they could receive compensation for permanent cancellation of acreage allotments.

This wouldn't solve all their problems, of course. So retraining grants up to $1,000 would be provided. Adjustment assistance up to $2,500 per year for 2 years would be available. Loans under existing credit programs would also facilitate the transition.

The Farm Bureau bill makes such help available to farmers with less than $5,000 gross income and less than $2,000 nonfarm income.

This aid to noncommercial farmers could let southern congressmen vote for a program which could phase out the inefficient producer of less desirable cotton.

The bill as written has some weaknesses in this area, however. It would apply to farm operators only, while the need also includes farm laborers.

The bill also ignores effects on rural communities, except by limiting the amount of land that can be retired in one area. Rural community development effort is a necessary counterpart.

There's additional question about whether long term land retirement alone has the necessary flexibility to handle year to year variations in production and demand.

With some changes in language, the bill could be amended to shore up weak points. Hopefully, leaders will support the modifications necessary to improve the program's effectiveness.

Vital point in any farm legislation is cost. Farm Bureau leaders figure the commercial part of the program would save perhaps $7 billion over the next 10 years. This $7 billion would make a big start in covering the costs of aid to low income farmers.

Since agriculture contains an important segment of the nation's poor, funds aimed at the poverty problem could make up any additional amounts needed. A coordinated attack on this long ignored portion of the farm problem is a desirable social goal.

THE 1970 DECENNIAL CENSUS

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. QUIE. Mr. Speaker, there has been a great deal of confusion and apprehension concerning the 1970 Decennial Census questionnaires which will be mailed to all households next year.

I am sure most Members of Congress have had letters of inquiry from constituents upset about the personal nature of some questions, the purpose of these questions, and the mandatory nature of the questionnaire.

The distinguished Secretary of Commerce, the Honorable Maurice Stans, recently wrote a letter to all Members to allay these fears and to outline the changed procedures upon which his administration has decided.

First of all, 3 million fewer families will be required to struggle with the 66-question form. They will join those receiving the questionnaire containing only 23 questions.

Questions relating to the adequacy of kitchen and bathroom facilities have been reworded to remove any implication that the Government is interested in knowing with whom these facilities are shared.

A cover letter explaining the great need for census data and emphasizing the confidendiality of all responses will accompany each questionnaire.

Secretary Stans points out that it is exceedingly difficult to obtain adequate response from a voluntary, rather than mandatory, procedure. The Census has been mandatory ever since the first one in 1790. If left on a voluntary basis, the results would be unreliable and practically useless due to distortions and deficient statistics for whole groups of people and for entire areas.

Nevertheless, after the 1970 census a blue-ribbon commission will be appointed to fully examine a number of important questions concerning the Census Bureau. One of these questions is whether the decennial census can be conducted on a voluntary or partially voluntary basis.

In addition, questions for future censuses will be submitted to the appropriate committees of Congress 2 years in advance. The advice of additional members of the general public will be utilized in formulating census questions.

Mr. Speaker, the nature of many census questions makes it understandable why many citizens feel the Government is prying or invading their privacy. They wonder to what possible use such information will be put, if used at all.

As Secretary Stans points out in his letter, census data are used by every Federal Government department, State and local departments, and the private sector. Government programs on poverty, housing, education, welfare, agriculture, transportation, veterans, and senior citizens require and rely on census tabulations. Congress would be seriously hampered without census data.

Information about kitchen and/or bathroom facilities, for example, is of keen interest to the Departments of Health, Education, and Welfare and Housing and Urban Development—not on an individual basis, of course, but in the context of identifying areas of urban blight and slum conditions. Such information will not be available by name and address to appliance dealers, salesmen and the like.

Questions concerning marriages and children born are essential in estimating and planning for family welfare and dependent children care programs and population growth. Here again, the Secretary assures us the answers will be kept entirely confidential.

Mr. Speaker, the Elementary and Secondary Education Act extension which we are considering this week is a classic example of the need for more accurate and full census data on school-age population.

I shall urge my constituents, and all other citizens as well, to cooperate fully in the 1970 decennial census by filling out accurately and returning promptly their questionnaires.

I congratulate Secretary Stans on the steps he has taken to minimize misunderstanding and to assure a more reliable response.

BARBARA GOLEMAN NAMED TEACHER OF THE YEAR

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. FASCELL. Mr. Speaker, Shaw once wrote:

> Teaching would be impossible unless pupils were sacred.

Barbara Goleman, a teacher at Miami Jackson High School in Florida, is intensely committed to the belief that there is nothing more important than education. Because of her outstanding contribution in this field, she has been selected by Look magazine as national "Teacher of the Year."

I was delighted Monday to participate in White House ceremonies honoring Barbara for her accomplishments. It is true that teaching is a noble cause, for our society must rely on education to solve many of our most pressing problems. In dedicating herself to helping the young people at Miami Jackson High learn what they must know to participate in our society, Barbara has made a profound personal contribution to a better life for all of us.

Barbara entered teaching in 1954, year of the Supreme Court's decision on desegregation of schools. The decision had a sweeping impact on Florida, as it did on many other States. Later, Miami Jackson evolved from a nearly all-white and Cuban school to one nearly all black. The period of change was one of great pressure for the staff to leave, too, but Barbara fiercely believed that it was just as important to teach the new black students as their middle-class predecessors. She elected to stay, and help give quality education to the students. More importantly, her intense belief in this need convinced others to stay, too. "Barbara's influence in holding the staff together was critical," said the principal, Donald A. Burroughs.

New programs were devised and a sense of dedication to a sacred cause was instilled at the school. Now, the students respond to a teacher who cares—and they find the ways to escape the despair of the ghetto. Several of the students, exemplifying the hope and optimism of the South's new generation which Barbara is helping to instruct, came to the White House ceremony this week. They are Kenneth Mayland, Jose Mateo, and Velma Rolle, and to me these fine young people give cause for satisfaction. I can understand why Barbara would dedicate her life to them.

Truly, Barbara Goleman deserves her honor as teacher of the year. She is an outstanding member of a great profession.

JOB CORPS

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. ROYBAL. Mr. Speaker, I have been deeply disappointed at the administration's decision to close some 60 Job Corps centers across the country, in what has been called an "economy measure."

In view of the outstanding success these centers have achieved in offering tens of thousands of young men and women, who were out-of-school and out-of-work, another chance to develop their potential and return to society as useful, productive citizens, I believe this administration decision will prove to be a foolish and false economy.

The dollars "saved" by such an unfortunate Job Corps center closing move, if allowed to proceed, will in reality cost our Nation greatly in the months and years ahead in terms of lost opportunities to help these young people help themselves up and out of the disadvantaged dependent category and into a position where they can stand on their own feet, and support themselves and their families in dignity as contributing members of their home communities.

Mr. Speaker, because I think this decision is extremely shortsighted, and not in the public interest, I am joining with a great many of my colleagues in the Senate and House of Representatives in introducing legislation to express the sense of the Congress that the administration should take no action to implement this decision until such time as Congress has had a full opportunity to review the entire question thoroughly, and make its own legislative decision in extending the Economic Opportunity Act of 1964, as amended, and in providing appropriations for that program.

As further indications of the value of the Job Corps program, and of the vast harm that the administration's center closing decision would cause, I would like to include in the CONGRESSIONAL RECORD at this point the text of a letter I recently received from Mr. Hunter P. Wharton, general president of the International Union of Operating Engineers, AFL–CIO, in which he explains the fine work his union has been doing in making the Job Corps a success by helping youngsters "who want to help themselves."

Finally, I would like to insert in the RECORD an excellent article by Los Angeles Times Staff Writer Jack Jones on the tragic effect the closing decision would have on the Fenner Canyon Job Corps Center in southern California.

I have personally visited the Fenner Canyon Center and have firsthand evidence of the worthwhile work being done there. In my opinion, it would be a real tragedy if such a tremendous national effort were to be ended in the name of a shortsighted and false economy.

The letter and article follow:

INTERNATIONAL UNION OF OPERATING ENGINEERS,
Washington, D.C. April 10, 1969.

Hon. EDWARD R. ROYBAL,
House of Representatives,
Washinkton, D.C.

SIR: Recent news stories regarding proposed cutbacks in the Job Corps program have caused serious concern abong the members of our union. Our membership of 360,000 has supported the concept of a "latter-day CCC" since first proposed in Congress a number of years ago. We were very pleased to see the idea become a reality in the Job Corps Civilian Conservation Centers.

Not only have we supported the Job Corps in principle, we have supported it in action. Since 1966, our International Union has provided training as heavy equipment operators for sixty-five to seventy Corpsmen annually at Jacobs Creek, Tennessee. In July of 1968, we extended this program to the Conservation Center at Anaconda, Montana where we have a trainee census of about fifty. We have placed almost all of the Jacobs Creek graduates in union jobs across the country, and anticipate placing some one hundred more graduates from Jacobs Creek and Anaconda this summer. I am attaching typewritten copies of several of the many letters received by the Center staff from young men who have gone to work and become taxpayers instead of "tax eaters."

While not all Job Corps graduates can tell as significant a story, there is one overriding reason that this program should remain intact. About sixty per cent of the Job Corps Civilian Conservation Centers entrants have reading achievements below grade level 3.5, making them—for all intents and purposes—functionally illiterate. Where will they go? Our society cannot afford to carry them forever and they are not capable of caring for themselves.

I earnestly solicit your assistance in maintaining the conservation centers so that we, along with others, may continue to help these youngsters who want to help themselves.

Very truly yours,
HUNTER P. WHARTON,
General President.

[From the Los Angeles Times, Apr. 21, 1969]

JOB CORPS CLOSINGS BAD NEWS TO SOME AT PALMDALE CENTER

(By Jack Jones)

The chill of Big Rock Creek carrying the melting snow down from Mt. Baden-Powell past the Fenner Canyon Civilian Conservation Center near Palmdale may not be as icy as the chill the camp's Job Corpsmen feel in the runoff from Washington, D.C.

"These kids are concerned about what's going to happen to them," said Robert Lucy, a U.S. Forest Service carpentry instructor at the center which is among those Labor Secretary George P. Shultz has announced will be shut down. "You can't blame them."

"I loved it here," said Henry Thomas, a 19-year-old Negro corpsman from Cuthbert, Ga., who arrived a year ago barely able to read and write. "I learned more in Job Corps than I ever did in school."

Thomas did, indeed, learn, Fenner Canyon camp officials say. He progressed so rapidly that he became a corpsman leader and was being considered for permanent staff employment—if the center were to remain open.

NO DENIAL OF TRAINING

In disclosing that 59 of the nation's 106 Job Corps centers will be scrapped with a shift in emphasis from conservation work to urban vocational education facilities, Secretary Shultz said no enrollee will be denied training—somewhere.

But he insisted that the conservation centers cost too much to operate, are unable to keep enrollees in the program, do not adequately improve reading and math skills and do not place enough graduates in jobs.

Training, he suggested, should be in the cities, closer to the youths who need the program and closer to potential jobs. "Long-distance hauling of trainees from cities to remote camps, he said, contributes to a high dropout rate.

He said three out of 10 enrollees drop out between signup and arrival at camp. Of the arrivals, 38% drop out within 90 days, he added.

But Stanley Lynch, 49, U.S. Forest Service professional who has been director of the 4-year-old Fenner Canyon center since last summer, said he cannot agree that transporting young men from city slums and ghettos to the clean air isolation of conservation camps is not worth the money.

NEED SOCIAL GRACES

"Removal from the environment is a big thing," he said. "A lot of these boys have never been treated with kindness and respect before. When they get here, many aren't socialized. They have to learn to get along with people . . . and that all adults are not against them."

In the city, he pointed out, "they would still be in their old neighborhoods with all the same old distractions and influences. Who's going to get them to show up at the training center every day?"

While Lynch and his staff are convinced the dropout rate for city training centers would be higher than at the Forest Service-administered Fenner Canyon camp and other conservation centers, homesickness and the feeling of isolation do take a toll of incoming trainees.

Eugene Norris, counselor and placement officer for Fenner Canyon, agreed that about one-third leave for home within the first 90 days, "but once a boy gets past the first few weeks, he'll probably stick it out."

Lynch hastened to note "Remember that all of these boys have dropped out of school in their home towns. They are the very kind who have to learn to finish what they start."

A similar point was made last Thursday in Washington by pollster Louis A. Harris, who told a congressional committee that a massive study of Job Corps for the Office of Economic Opportunity showed the program has had a positive impact on the employment and earnings capabilities of "bottom-of-the-barrel" youths.

Harris said the survey also showed that Negro youths "can make it" in society if given an equal opportunity with whites and added that any evaluation of Job Corps must take into consideration the type of person it is dealing with.

HIGHER EARNINGS

The annual earnings of the enrollees who completed training were $1,147 higher six months after leaving Job Corps than they had been before training, Harris said. But he noted that earnings gains trail off later—possibly because the ex-trainee finds himself back in "the same world of disadvantage, discrimination and don't care" he once left.

As for one of the other objections raised by the Department of Labor as it takes Job Corps over from the Office of Economic Opportunity, Lynch said he is "very proud" of Fenner Canyon's educational program.

Corpsmen spend about half their time in a remedial program that stresses reading and math with each being taught individually at his own pace. The goal is to get him to pass a high school equivalency test.

Lynch said the average enrollee makes about three times the reading and math progress at Fenner Canyon that he would make in a city school. In nine months, he advances three full years.

Fenner Canyon corpsmen generally do conservation work—cleaning trails, building campgrounds and the like—only during the first 30-to-60-day prevocational training period. Once in vocational training, they are not out on the trail work crews.

PART-TIME STUDENT

The vocational training program includes automotive servicing, masonry and bricklaying, culinary services, heavy equipment operating, carpentry and welding. Each corpsman must go through standard steps to reach apprentice level.

In the meantime, he is spending half his time learning to read and do math, being taught the attitudes expected of him by the "world of work," handwriting, language skills and the simple business of how to study.

Lynch pointed out that since the Fenner Canyon center opened in June, 1965, early stage trainees have done $592,800 worth of improving in that part of the Angeles National Forest—public campgrounds, trails, water systems and reforestation, among other things.

"We couldn't have done all this without them," commented Lynch. "A lot more people are using the forest than ever before and we just don't have enough campgrounds."

Winter rains and flooding downed so many trees and eroded so many roads that "we have more work to do now than we can handle. If they close the camp, it's going to take a lot longer."

More than 650 young men from the poverty neighborhoods of the nation have completed the course (several months to a year, depending upon individual advancement) at Fenner Canyon since 1965.

Although figures on those who went on to become steadily employed taxpayers are not easy to compile, placement officer Norris said 75 of the 126 who have been graduated since August, 1967, have gone on to advanced training at urban centers, to specialized conservation centers and heavy-equipment training programs operated by unions.

Thirty-three of the 126 have been placed in jobs in the Los Angeles and Antelope Valley areas or have gone into military service.

Tracking down the employment status of those who left Southern California is next to impossible, but in June, 1967, the Job Corps said 53% of those finishing training had gone on to jobs. (That figure, however, included urban centers—many of those for women—as well as conservation camps.)

Lynch said the national figure for the graduates who have gone to jobs is now 72%.

Although the Fenner Canyon staff has yet to receive official notice that the center will shut down (presumably about July 1), reports of the Labor Department's intentions produced an immediate reaction among the 132 corpsmen now there.

"They just don't want to go back to their home environments," Lynch said. "They felt something had been taken away from them. We explained that we'll probably be able to place them in other training programs . . . but they had been told before that this was their last chance."

DETERMINED TO STAY

Surprisingly, the news did not trigger any sudden surge of dropouts. Norris said there was, instead, an apparent determination by the corpsmen to hang on.

One approached Lynch and pleaded for more time each day in his concrete blocklaying training so the center could not close before he had enough ability to find himself a job.

In the mess hall, a 16-year-old Negro from Ft. Gibson, Miss., said he had been at Fenner Canyon only a week and was hoping that he can be transferred to an urban center to get into computer training.

Speaking with polite shyness, he said he had seen a science class film about computers while still in high school ("I was starting to mess up in school and knew I had to go someplace to learn").

He wants to stay in Southern California, he said, because his chances of getting such training in Mississippi would not be good.

LIKES THE PLACE

Joe Almarez, 16, of Huntington Park, had been at Fenner Canyon three weeks and had been looking forward to learning to operate heavy equipment. "I like this place," he said. "You feel like learning something."

Lynch said his 29-member staff is more concerned about the program than about their own jobs (many would simply move to other U.S. Forest Service posts) "because they've put so much of themselves into this place."

Looking over the scattering of dorms and vocational shops, the education building and the gymnasium—a complex built from scratch—he drew on his pipe and said:

"It really makes me want to cry when I think of the waste. That's what really hurts."

STATEMENT OF INCOME

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. HUNGATE. Mr. Speaker, in accordance with my previous practice, this is a statement of income as shown on my most recent tax return.

My form 1040, line 1, shows congressional salary, $30,000; miscellaneous other income totaled $3,393.65; the principal item of which was $1,659.12 from the law partnership of Hungate & Grewach, Troy, Mo. Other sources of income, each under $1,000, were rents, interest and honoraria.

After deducting $3,000 for allowed living expenses attending Congress in Washington, D.C., the total figure for income from all sources was $30,393.65.

Total income and self-employment tax due was $5,832.09. Total tax withheld and paid by estimate was $7,629.63. The net overpayment was $1,797.54, of which $800 has been applied to 1969 tax estimate and the balance requested as a refund of the amount overpaid.

Neither my wife, my self, nor the law partnership own any stocks or bonds and we have not bought any real estate since the date of my last report.

Campaign funds raised for me are handled by committees and held in trust so that I have no direct control over such funds.

IN THE NAME OF ECONOMY

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. MILLER of California. Mr. Speaker, the Alameda Times-Star for Wednesday, April 23, published a pertinent editorial entitled, "In the Name of Economy," relative to the closure of the Job Corps centers throughout the country. This article is particularly concerned with the one located at Pleasanton, Calif. The Pleasanton center trained hard-core unemployed and was successful in getting over 50 percent of them into gainful employment. This is an impressive record.

I commend the reading of this editorial to my colleagues:

IN THE NAME OF ECONOMY

In one breath the new Administration in Washington plumps for a multi-billion-dollar ABM system, and in the next it decides to slash $100 million from rehabilitation represented in the Job Corps training program.

The recently-announced plan to discontinue the Job Corps is shocking in its implications of presidential disregard for the plight of minorities. For no other program is providing skills for jobs and upgrading the minority image, and making it part of the American way of life.

Last year's report of The National Advisory Commission on Civil Disorders (the Kerner Report) which received widespread acceptance for its clear-cut analyses of the problems involved, minced no words in ascribing the lack of jobs as a root cause of riots and disorders in the cities across the nation. On page 91 of this report the following is said to be a basic cause of tension in the minority community: ". . . the continuing exclusion of great numbers of Negroes from the benefits of economic progress through discrimination in employment and education, and their enforced confinement in segregated housing and schools. The corrosive and degrading effects of this conditon and the attitudes that underlie it are the source of the deepest bitterness and lie at the center of the problem of racial disorder."

Clear cut enough? Yes, indeed, but apparently not to Mr. Nixon who with one cavalier stroke of the pen is abolishing a program which has trained thousands, turned them from delinquents into employed citizens, and was considered by economists and sociologists to be the only such successful program in the history of the nation.

Since the Word was passed that the Job Corps Center in our area—Pleasanton—was marked for extinction, this newspaper has obtained some significant data we would like to pass on in the hope there will be a reappraisal in Washington.

The Center has been functioning four years. Litton Industries, Inc., are under contract to train 2,000 Corpsmen at a time.

Since the Center was opened in April, 1965, a total of 14,292 young men have entered training. As of this moment, 1,700 are there.

Of those who have completed training in the last 48 months, 6,729 young men are employed, finding work through State Employment Service offices.

The equivalent of a high school diploma has been earned by 1,853. And 671 have returned to school—many moving to the junior college level.

The military has absorbed 1,329.

The cost of training these young men—early dropouts, products of broken homes or slum environments, is now $5,276, down nearly 50 per cent from the first-year cost into which also included costs of reconditioning a demilitarized army base, establishing a new-type training program, and purchasing equipment.

In addition to the nearly 7,000 employed through the State Employment Service, it is estimated that another 2,000 Corpsmen found work without using the Employment Service, and are presently employed.

In cther words, 9,000 or more young men were pulled out of a hopeless, degrading environment, learned how to become productive citizens, and are now earning their own way in self-respect and dignity.

While there may have been some mistakes, it was a new venture for all concerned, a pilot program in which there was much learning to be done by Litton as well as agency people. But there has been progress. The surrounding community, too, has benefited economically: $4 million annually into the economy for food ($1,430,000), rent ($1,190,000), taxes ($1,000,000), utilities ($376,000), clothing ($245,000), transportation ($179,000), medical ($120,000), insurance ($120,000), savings ($106,000).

The Administration says it will open new training centers within the cities, and that 200 or 300 will be accommodated in place of the 2,000 now being helped.

This statistic is enough to tell the whole sad story.

The program is being mercilessly slashed, will be replaced with a token substitute. And 1,700 boys now being readied for useful roles in society will be tossed back to old haunts, idleness, a dead end.

This story repeats in all the other Centers. It is to be hoped that Congressmen sympathetic to the needs of the underprivileged in urban communities will prevail upon the White House to reconsider and revoke the closure order.

Perhaps it is not too late to change the executive decision. The Times-Star urges all to let their feelings be known to their elected representatives. Perhaps this incipient wrong can yet be righted before it results in throwing gasoline on the coming "long, hot summer."

MRS. OTEPKA RECALLS ORDEAL

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. ASHBROOK. Mr. Speaker, much has been written concerning the long and trying case of Otto F. Otepka, the State Department security officer who, without authorization, gave information to a Senate subcommittee to correct false testimony against himself rendered by one of his superiors. Putting "loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department," as the Code of Ethics for Government Service directs, Mr. Otepka never faltered in his battle of over 5 years with the State Department.

As in the case of other men who have successfully overcome monumental obstacles, Otto Otepka's courage was matched by the resolute dedication of his wife, Edith. Drawing on that religious strength which has been the hallmark of this Nation's greatness, Mrs. Otepka, like her husband, refused to yield an inch in the face of a vicious campaign, which must have hit an all-time low in Federal Government relations.

Vera Glaser, writing for the North American Newspaper Alliance, recently reviewed the key part played by Mrs. Otepka in the historic case. This excellent interview should be a source of encouragement to those beset by seemingly insurmountable troubles whose only sustenance at times is the force of moral conviction.

The article, "Mrs. Otepka Recalls Ordeal," from the Washington Star of April 27, 1969, and written by Vera Glaser, insert in the Record at this point:

Mrs. Otepka Recalls Ordeal

(By Vera Glaser)

Mrs. Otto F. Otepka is a quiet-spoken school teacher who is married to one of the most controversial figures in public life today.

Her dark hair is turning gray, but her steely resolve has helped her husband weather a five-and-a-half year, headline-studded battle to keep his job as a State Department security officer.

In an exclusive interview, her voice trembling with emotion, Mrs. Otepka compared their ordeal to "something that might have happened in Russia or Nazi Germany. My husband only told the truth, but we were forced to act like criminals."

VINDICATION

When President Nixon recently named Otepka to the Subversive Activities Control Board, some hailed it as complete vindication. The nomination may run into trouble in the Senate because, among other things of a recent news story linking Otepka to the ultra-right John Birch Society.

Otepka's tough security evaluations of State employes in the early '60s ran afoul of the late Robert Kennedy, then Attorney General, and Secretary of State Dean Rusk. Otepka was charged with passing confidential documents to a Senate subcommittee.

During that period, Mrs. Otepka recalled, "We were harassed. Men watched our house with binoculars. Otto was locked out of his office. They tapped his phone and we were afraid to use our home phone for fear that was bugged, too. I had to go down to the shopping center when I wanted to talk to Otto."

Sitting in the living room of their neat-as-a-pin home in suburban Silver Spring, Mrs. Otepka stroked her two enormous cats, Inky and Barney, recalling the highlights of a case that has made her husband the symbol of the clash between "liberals" and "conservatives" on how the national security should be protected within the government.

For her, "the Otepka case" began on a summer evening in 1963 when her husband came home and said his superiors had lied to the Senate Internal Security Subcommittee, then probing State's security practices.

"Otto couldn't have lived with himself if he hadn't given those documents to the committee," she said, describing his action as necessary to verify his own testimony and refute that of his superiors.

She learned how very serious her husband's situation was the following September when she switched on a radio news report to hear, "State Department security officer charged with passing documents to the Senate!"

"You expected them to say, 'to Russia,'" she said, noting that 13 charges were leveled at Otpeka at the time. Ten were dropped after his superiors confessed to tapping Otepka's phone, scrutinizing his office trash, and commiting perjury before the committee.

"Otto has never been accused of lying or being unfair," his wife said.

The former Edith Simon, Mrs. Otepka was born on a Maryland farm and reared as a Christian Scientist, but now belongs to Grace Episcopal Church. She met Otepka, a Chicagoan of Czech extraction, shortly after she began teaching in the District of Columbia schools. He held a minor government job while studying law at night.

91st Psalm

After their marriage, they lived modestly, stayed out of debt, and planned for the college education of their one daughter Joanne, now 23. In 1957 Mrs. Otepka quit teaching. In 1965, as her husband's troubles with the State Department dragged on, she went back to work and they mortgaged their home.

The couple decided early that keeping busy would help them weather the storm. He bought a boat and took up fishing. She studied art and did church work.

"I kept reading the 91st Psalm," Mrs. Otepka recalled, "especially the part about 'His truth shall be thy shield and buckler.' Last summer I painted the bedrooms and bathroom. It's healthy to be busy. I can't stand self-pity."

Otepka spent long hours in his basement office organizing material on his case which fills several file cabinets. The walls are hung with mementos and State Department citations for outstanding work, one signed by former Secretary of State Dulles.

Mrs. Otepka maintains her husband's resolve never wavered but friends say they both showed signs of strain. At times the Otepkas seemed to wonder if it was worth-while to give up years of potentially productive activity to pursue the fight. Once Mrs. Otepka wrote her husband a "chin up" note which he has saved.

Occasionally they laughed about their troubles. "We'd say, 'Why watch television?' We've got our own show," Mrs. Otepka reminisced.

In February 1966, three years after he had been charged, Otepka crossed the path of Richard Nixon, who had not yet decided to run for the Presidency. "Stay in there," he told Otepka, "and some day the worm will turn."

"It's true Otto was blocking some Kennedy Administration appointments," Mrs. Otepka said. His job was to follow the security rules laid down by the intelligence agencies. When word came back to us that Bobby had inquired about the possibility of having Otto charged with violation of the espionage act, that did it. We knew then we'd fight it out."

CITIZENSHIP AND THE STUDENT'S ROLE IN THE UNITED STATES

HON. EARL B. RUTH

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. RUTH. Mr. Speaker, we are constantly beseiged by news stories telling us something is wrong with the youth of today. These stories seldom tell us how many of these young people are growing to be useful citizens.

A young man in the Eighth Congressional District of North Carolina suffered a tragic swimming accident 3 years ago at the exciting age of 17.

For many days Sidney White was not expected to live and even now he is completely paralyzed from the waist down. Nevertheless, by his own courage and fortitude he has refused to accept the verdict of his doctors that he would never again be able to sit or stand. Today he does both, though he is mostly confined to a wheelchair.

But Sidney, the only child of Mr. and Mrs. Cecil White of Rockingham, N.C., is not content to mark his growth in physical progress alone. He has been accepted by St. Andrews College of Laurinburg, N.C., with a goal of becoming a high school English teacher.

To prove his capabilities for this vocation, Sidney recently won first in the Civitan Essay Contest for area No. 6—the North Carolina District West. A district victory would place him in competition for international honors.

I am pleased and honored to be able to present his essay for all to read:

CITIZENSHIP AND THE STUDENTS' ROLE IN THE UNITED STATES

(By Sidney O. White)

The youth of today knows clearly what he is opposed to, yet finds difficulty in stating clearly what he favors. It seems that everyone can find something to criticize, something toward which he or she can casually and with little effort direct a discouraging statement. On the other hand, only the sincere and energetic person will take a positive stand. It requires effort to be for something. When one says openly, "I am for this and I will work to see that it happens", he assumes the responsibility of being committed. If such a statement is made in earnest, a hard but often rewarding road lies ahead. The energy with which that person will strive will usually be in direct proportion to the willingness of the person to stand firmly upon his principles. There is a trend in the United States toward standing against everything and for nothing. People are failing to project the proper image.

Wherever you go, whatever you say, you project an image to whomever you meet. Few people are aware of this projection; if they were, they would probably be more conscious of their behavior, for their impression represents what type of citizens they are. No matter how a person conducts himself, and no matter how mischievous he is, that person wants to be recognized. His behavior in itself is evidence of this need. By misbehaving this person is drawing attention to himself. He is doing this in an effort to impress his peers. People are striving for citizenship. The means which they employ are usually a reflection of their standards. Before one can know a proper means toward recognition, he must first set a goal and contrive a method to achieve it.

The first step toward setting a goal is knowing what citizenship is. Citizenship is simply conduct. It is the attitude with which you approach and overcome a problem. It would seem that citizenship boils down to a matter of attitude, so the initial step toward becoming a good citizen is to assume the correct frame of mind. Be a positive thinker, and remember to project a good image. Do this and you cannot go too far astray.

The youth of today must realize his responsibility in becoming a mature, productive citizen. He must become aware of the image which he is projecting. Once this awakening takes place there will be no limit to the potential of our citizens. Within youth lies the energy which is needed to thrust this nation onward. How this energy is directed will determine how our history will be written. Will we progress, or will we regress? We must all labor to be good citizens in order to insure progress, and we must place our youth clearly in the forefront of the struggle. The future is the estate inherited by youth; and as Americans, our heritage is proud. Let us see that it remains proud for posterity!

As a student, your role in the United States should be clear. You are tomorrow's America. Take your positive stand and work for a better United States, never forgetting the past, and always looking ahead. Profit by your nation's mistakes, rather than dwelling upon them. Be a citizen of America—not just a member of its government! Love her as a mother, for she has given you freedom—a gift often valued above life itself.

THERE IS RESPONSIBILITY IN MOTION PICTURE DISTRIBUTING

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. PODELL. Mr. Speaker, these days we hear much of what is evil in our national life, including how the arts are being utilized to corrupt. Such is not always the case, as the following illustration will show.

Mr. Sheldon Tromberg, president of Boxoffice Attractions, Inc., of this Capital City, has set a different tone by the pictures he chooses to handle, the manner in which he presents them, and the example he sets within his own industry. It is one of his major aims to see to it that first-class entertainment is made available to young people. By the life he leads in business and otherwise, he has brought great credit to his family and industry.

A graduate of Columbia University, he is president of his own enterprise in Washington, and acts as a motion picture reviewer for the Washingtonian magazine. He has spoken before a good many other groups involved in the motion picture industry on the subject of the speech which I am including here for reprinting in the RECORD. This address is a first-rate exposition of the situation our film business and theaters face now, and an outline of what they must do to remain relevant in the future.

The speech was given on the occasion of the 50th anniversary of the National Association of the Theater Owners of America in Detroit, Mich. A final note is in order here. Mr. Tromberg is the son of the family which has operated Tromberg's Department Store in Bensonhurst, at West 10th Street and Avenue O, Brooklyn, N.Y., for the past 40 years. He is a credit to these people, who have been an institution in their neighborhood for all these years.

The speech follows:

MOVIES: THE THIRD ACT OF THE 20TH CENTURY

(By Sheldon Trombert)

Who will write the 3rd act of the motion picture industry in the 20th century?

We see a new generation of Americans attuned to the visual arts: They have seen the light! Have we seen the light?

They are a new breed Artistotoleans.

They tell us that images, of whatever sort, have a cathartic effect.

They tell us that what they see visually allows the human mind to release impulses and aggressions.

The 1st act of the 20th century began with a movie show at Koster and Bials and, then to the opening of the first movie theater in Los Angeles.

Immigrant Americans learned the English language through subtitles on films.

Movies were the mass entertainment. They harnessed the dreams and hopes of the working classes.

People were concerned with structure, plot, content and spectacle. They ware Platoists. The first act ended with a revolt.

The flaming youth of the 1920's and 1930's revolted against the deadly, dull lives of their parents. They demonstrated for greater freedom of speech and personal relations.

Motion pictures reflected their preoccupation with petting parties, new dances and fast cars.

Film-going became a necessity as an outlet for the entertainment and awakening learning processes.

The 2nd act of the 20th century began on the street corner apple carts of our major cities. Depression-bound and depression-minded, America's film audiences were "treated" to gala screen achievements—color—sound—and stars!

All these ingredients were guaranteed to mask and relieve their depression. It was soporific cinema sluiced and spliced for mass consumption, and bought with gusto.

The 2nd act ended with the influence of European film-makers—just as the 1st act began with the influence of European immigrant audiences.

America's experiences during the 2nd World War brought on a new wave of realism.

The film, "The Best Years of Our Lives" brought down the curtain on the 2nd act, the act that began with "The Jazz Singer."

And now, we have, generically speaking, films everywhere! Television, homes, hotels, ships at sea, planes in the sky, trains on the rails, submarines beneath the oceans, spaceships in the outer world, hospitals, country clubs, schools, prisons and theatres.

And, it's still the cinema that remains the mother religion—it is still cinemas that set the patterns and create customers for film everywhere.

Movies have become the outlets for rebellion. Once again, the battle is aimed against the traditionally structured society.

America's movie goers are "tuning out" the story and "tuning in" on their environment. They are "groovy". They are visceral. They don't hear the dialogue—their receptors are tuned to the changing scenes, the shapes and motions, the sounds and lights that are flashed on the screen.

They are concerned with the totality of images. They want to experience and feel what they are seeing, rather than intellectualize.

They are boxoffice existentialists.

As Karl Baedeker put it, "There is a need for a balance between the world inside us and the world outside us. It is a reciprocal process: Both worlds form a single one".

Motion picture courses are the hotest elective subjects on our college campuses—with a present enrollment of about 60,000 and with the thousands growing monthly, the young are polemicizing; they practice the art of controversy.

They believe that man makes his own way in the World and leads his own life thru conflicts, seeking identity thru blunders.

This new generation of indigenous Americans have their own films rising from an underground. There are films fractionalized to satisfy every sub-culture in American society.

Who will be the film leaders in the 3rd act? How will they react to the 3rd act?

Will they give us giant cartoon-sized films, filled with stupefying trivia, marked for the fast buck?

Will they give us narcotic fantasies rendering our lives relatively simple?

Will they pursue the idea that great art evokes great emotions?

Will they bureaucratize, pasturize, homogenize and alphabetize movies as if branding films is as easily done as candling eggs and grading meat?

Will they be opulent opuscles or frizzy fritherers or anonymously euphoric conglomerate choruses of political and corporate functionaries?

Movies remain entertainment in a world of new social freedoms, technological improvements and scientific advances.

Allow me to give you my recommendations for the 3rd act:

(1) I suggest that motion pictures be taught as an art form on screen and thru books and be included in all grade school curriculums much as music is taught.

(2) We see book and stageplay reviews for children: book and stageplay reviews for teenagers and book and stageplay reviews for adults covering many pages in our nations publications. We see record and concert reviews for children, for teenagers, for classical and pop music fans in our nation's newspapers. 8 million sailors and 11 million golfers get much more space in our publications than our 40 million theatre movie goers, besides the other millions seeing movies elsewhere. In proportion, then, it seems logical that there should be more separate and specialized movie reviews for children, teenagers, and families in our daily newspapers.

(3) For the preservation and growth of the film industry, I would ask for new, major technological improvements in screen sizes and shapes. Over a 40 year period, we might have accomplished more advances than just sound and color, Cinemascope, Cinerama and 70 mm.

(4) The reformation of the motion picture industry will not lead to its regenesis and expansion without its involvement in education. There is a need for the industry to find its place within the nations college level school systems. We need training programs and special educational instruction. I see 2 year post high school courses leading to technological degrees in motion picture management, advertising, promotion, booking, buying, sales, distribution and public relations.

(5) I would ask that theatres keep in mind that movies remain a habit formulated at the earliest age levels! That is a fact of life. There should be a scheduling of quality films for children in theatres *built* for children for both weekend and full-time showings.

Let us resolve not to make the movie screen a "witch box" for shoddy entertainment.

We at Boxoffice Attractions have embarked on a program concerned with family films, making them a substantive and major force in the leisure world market.

Our first venture, "The Children's Film Festival"—a movie party for every boy and girl—is now playing theatres across the nation. (It opens in 48 theatres in Michigan this weekend and, if, we had had the extra prints, we would have been able to fill the more than 100 playdates submitted to our distributor.)

It is attracting audiences, strikingly enough, composed of ⅓ adults. It is the first matinee movie show for children to have been submitted to the nation's critics, and to have received consistently rave reviews in all sections of our daily newspapers.

I am pleased to receive your "special award of appreciation" "for the children's film festival" and I hope that exhibitors around the nation continue to support me and others concerned with quality family films. For, it is clearly in that area that your future will stand or fall.

The film you play in your theatres today will be seen as mass entertainment on television in the future. Today's average grammar school graduate has seen 3,500 hours of T.V.; the average high school graduate has seen 15,000 hours of T.V. and 5,000 hours of films. If you press for and consistently book self-serving pornography and bloody, violence drenched films, you will be unwittingly pre-selling these films as television bonanzas for their producers. They will make good use of you as a respectable group of community minded Americans; salesmen for profitable producer T.V. sales. And, when the sexiest "X" and "double X" films are shown on T.V. within the next act, what will you do for an encore?

Will you be left with "triple X" films and have the cinema labeled "censored to the community"? or "off-limits in this neighborhood"?

You've got some things to plan for before the curtain closes on the 3d act of the 20th century; and one is whether or not families in suburban communities and satellite cities will be curious enough about buying tickets to your theatres anymore and whether you will be a priority entertainment factor.

There are alternatives to sending them to their film cartridge projectors and pay T.V. sets in their family recreation rooms during the 3d act just as you set them up for T.V. during the 2d act.

Do something about it now or prepare to fall into the orchestra pit before the 3d act ends. Your profession as showmen must remain young enough not to yield to a pattern of "don't fold, spindle or mutilate."

Showmanship is a unique, individualistic and creative profession. And movies at cinemas are the quintessence of showmanship.

COMPLETE PEACE IN ETERNAL LIFE

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. DONOHUE. Mr. Speaker, S. Burman Long, D.D., of my home city of Worcester, Mass., a most distinguished theologian, is the registrar of the Massachusetts Association of the United Church of Christ and the minister of the Hope Congregational Church of Worcester.

Dr. Long recently extended, through a letter to the editor of the Worcester, Mass., Evening Gazette newspaper, that appeared in the April 15, 1969, issue, his very timely and most thought-provoking remarks on the incompleteness of life on this troubled earth, which I include in the Record at this point:

THE FUTURE LIFE AS A FULFULLMENT

To the Editor:

The item, "Ike Left An Unfinished Volume," in The Gazette April 8 that states that former President Eisenhower had the object of completing a book even after he was hospitalized last May and that "he had worked with zeal and the perfection of a professional writer before the doctors ruled out any further work on the volume."

That attitude on the part of the former president and general testifies to my theory that man never completes himself on earth and that it is an intimation within the soul of the reality and need for the future life.

Here on earth we never get complete justice, complete love, a complete home or complete friendships. We want to live on in our minds which needs immortality in the Greek sense and Eternal Life in the Christian. That requires the future life to complete the life on earth is within the plan of God for every person.

The future life is spiritual, of course, but our minds have spiritual connotations and the future life will be real. Easter is a reminder that Jesus is the first fruits of the Resurrection. He expected to live on, ana we have similar notions of life's completeness. That helps to make this life positive and hopeful.

THE REV. S. BURMAN LONG

87 Monadnock Road,
Worcester

The Reverend Dr. S. Burman Long was born in Carlisle, Pa., and attended high school in Chambersburg, Pa. He earned a B.A. degree from Lebanon Valley College, a B.D. from Union Theological Seminary, and M.A. and D.D. degrees from Syracuse University. He has served as moderator of the New York Congregational Christian Conference; he has been registrar and scribe of the Cheshire Association, New Hampshire; Union Association, New York; and Pilgrim and Worcester Associations in Massachusetts. In addition, he has been president of the Pilgrim Club of Boston, the Ministers' Associations of Syracuse, N.Y.; Quincy, Mass.; and Weymouth, Mass. He is a member of the American Academy of Religion and the Society of Biblical Literature.

THE 50TH ANNIVERSARY OF THE JUDSON P. GALLOWAY POST OF THE AMERICAN LEGION, NEWBURGH, N.Y.

HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. McKNEALLY. Mr. Speaker, under leave to extend my remarks in the Record, I am pleased to include the following tribute paid by a former distinguished Member of this House and founder of the American Legion and the chairman of the committee that wrote one of the noblest documents in American history—the preamble to the American Legion constitution. As a matter of fact and interest, former President Harry S. Truman in a conversation with me described it as comparable to Lincoln's Gettysburg address. Hon. Hamilton Fish, Sr. on the occasion of the 50th anniversary of the Judson P. Galloway Post of the American Legion, Newburgh, N.Y., delivered a speech which I am honored to insert in the Record:

Speaking at the 50th anniversary meeting of the Judson P. Galloway Post of Newburgh on Saturday night, March 29th, I paid a tribute to the Legion pioneers who founded that Post, and other Legionnaires who organized posts in other communities throughout Orange County 50 years ago.

I was at that time the first district commander of the American Legion whose main function was to appoint a chairman in all of the counties of both the 9th and 3rd judicial districts whose duty it was to organize the Legion. I appointed Ray Egan of Newburgh as the Orange County Commander, and Hon. Arthur Brundage and Hon. Elmer Lemon were the main organizers of the Legion post in Newburgh.

The Legion has grown from a small acorn into a mighty oak with 1,700 posts and over 3½ million members, strictly non-partisan without regard to race, color or creed, composed of veterans who have returned to civilian life. It is today one of the most powerful and influential organizations in America; for God and Country, and in support of the Constitution, Freedom, Justice, Democracy and Peace.

I take this opportunity to pay a tribute to the Legion pioneers of Orange County, particularly of Newburgh with whom I was closely associated 50 years ago: Hon. Ray Egan, Hon. Arthur Brundage, Hon. Elmer Lemon, Townsend Cassidy, William McGiffert, Maj. Sheehan, William Stanton, Albert Whitehill, William Penoyar, Jimmy Mulholland, Philip S. Levy, E. Nelson Mooney, Frederick Kingston, Eddy and Milton Zeigfried, Morris Cohen, Terrance Newsone, Bill Joy, Joseph Monihan, Bill Keefe, John Flanagan, John Zimmerman, Edward H. Johnson, Newton J. Flemming, Hon. William Lamont, Ray McDowell, Bill Deihl, Theodore Valleau, Vincent Canade, Frank Gallow, Nicholas Farina, Maj. McKay, Arthur Burnett, William J. Smith, Dr. Charles Reed, John E. McLean, Howard McElrath, Broadway Levenson, Bill Broderick, Tommy Doulin, Terrence McDermott and Alfred McLean. Middletown: Hon. Wilson Van Duzer, John Korchen, Clayton Jones, Dr. Bradner, Sgt. Bailey, Dr. Moses Stivers. Chester: Sanford Durland, Roy Howard, my former orderly. Goshen: Lester Roosa, Agustus Wallace, John B. Connelly. New Windsor: Col. Harry Monell. Highland Falls: Walter Garrison. Walden: T. S. Millspaudh and Homer Stevens. Montgomery: Dan Taft. Port Jervis: Dr. Hamilton. Monroe: Joseph Dally. Cornwall: William Burke.

Many of them have gone on to greener pastures but they were the real founders of the American Legion in Orange County including others who cooperated with them and helped to build one of the greatest organizations in America which will survive as long as Freedom prevails in the United States.

This list was compiled by me with the help of Hon. Arthur Brundage and Hon. Elmer Lemon and will be added to by Hon. Martin McKneally who has agreed to insert it in the Congressional Record along with the remarks I made at the golden anniversary meeting.

In honoring the Legion, I also want to pay tribute to the Veterans of Foreign Wars of which I have been a member for 50 years who also have fought for the same principles of patriotism. Americanism, and for the preservation of Freedom.

If there is any country worth living in, any country worth defending, fighting for, or dying for, it is the United States of America. This, together with the Preamble is the credo of the American Legion. God bless freedom, the American Legion and the United States.

HAMILTON FISH, Sr.

"PUEBLO"-TYPE ELECTRONIC INTELLIGENCE MISSIONS MAY ENDANGER U.S. INTEREST IN MAXIMUM FREEDOM OF THE SEAS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. FRASER. Mr. Speaker, in light of recent events affecting U.S. intelligence missions off the coast of North Korea, and in view of inquiries now being conducted by committees of the House, I should like to submit for the RECORD some remarks recently made at the 63d annual meeting of the American Society of International Law relating to legal aspects of the *Pueblo* crisis.

On April 24, 1969, the Society sponsored a panel on "The *Pueblo* Crisis: Facts, Law, Policy." Addressing the meeting were Mr. George H. Aldrich, Acting Deputy Legal Advisor of the Department of State, and Mr. William E. Butler, a research associate of the Harvard Law School and an associate of the Harvard University Russian Research Center. Serving as interrogators were Profs. Jerome A. Cohen and Oliver J. Lissitzyn of Harvard and Columbia Law Schools, respectively. The panel chairman was former U.S. Ambassador Arthur A. Dean.

Mr. Butler, who has published several scholarly articles and a monograph on Soviet approaches to the law of the sea, expressed misgivings about the impact that U.S. electronics intelligence missions as presently constituted may have upon our relations with smaller coastal powers and upon our long-range interest in maximum freedom of the seas. To illustrate his concern, he assumed the role of devil's advocate and suggested a variety of arguments which North Korea might have used in the *Pueblo* seizure and which similarly-situated states may invoke, in one form or another, in the future.

His observations are thoughtful and stimulating and merit serious consideration.

With unanimous consent the text of Mr. Butler's remarks and the New York Times account of the panel session are placed in the RECORD:

[From the New York Times, Apr. 25, 1969]

LEGAL SOCIETY TOLD "PUEBLO'S" SEIZURE MAY HAVE BEEN JUSTIFIED

(By Peter Grose)

WASHINGTON, April 24.—The American Society of International Law heard arguments today that North Korea and other small countries might be justified in taking drastic action to protect themselves from electronic reconnaissance by the great powers.

William E. Butler, a research associate of the Harvard Law School suggested that "the established law of the seas has been outmoded by the advent of electronic intelligence." He noted that modern monitoring devices could "penetrate to the heart of a country's inland defenses," calling into question the long-standing immunity claimed by reconnaissance vessels on the high seas.

George H. Aldrich, assistant legal adviser of the State Department, argued that by established international law "the Pueblo, as a foreign man-of-war, was entitled to absolute immunity from seizure by the North Koreans."

CHANGE IN LAW POSSIBLE

Mr. Butler did not dispute this point, but argued that established law might be changing. "Coastal states cannot be blamed if they view offshore electronics intelligence operations as a substantially new phenomenon in international life," he said.

He argued further that the great powers, with their wealth and technological capabilities, were taking unfair advantage of smaller, poorer countries that could not afford their own reconnaissance systems. The great powers, he said, are engaging in espionage, but claiming an immunity of the high seas intended primarily to protect navigation.

Mr. Butler, who made it clear that he was arguing a case as a lawyer and not necessarily speaking from personal conviction, was challenged by former Ambassador Arthur H. Dean and Prof. Oliver J. Lissitzyn of Columbia.

Professor Lissitzyn asked if "a new norm of law" was developing from the Pueblo and EC–121 incidents that entitled coastal states to declare zones from which reconnaissance vessels would be excluded. Mr. Butler replied that no state had yet done so, but that "we'll just have to wait and see."

Mr. Aldrich sought to justify electronic intelligence as a legal extension of visual observation. "A state cannot prohibit a passing vessel from looking at the shore through field glasses," he said.

IRRELEVANCE POSSIBLE

He conceded that long-standing distinctions in the law of the seas might not be relevant in the era of electronic reconnaissance. For instance, the difference between 12 miles offshore and 15 miles offshore—the first a possible intrusion, the second not—makes little or no difference to radio monitoring vessels.

Ambassador Dean, the chairman of the panel, noted that much of the law of the seas had been formulated in the era of sailing ships, when a three-mile limit or, later, a 12-mile limit was generally considered to offer adequate protection to a coastal state.

Another convention at the Mayflower Hotel in Washington, the Federal Power Bar Association, heard Clark M. Clifford, former Secretary of Defense, defend the necessity for great powers to collect intelligence.

"If a nation is getting reasonably accurate intelligence, it is less likely blindly to strike out at some country it thinks is its enemy; it is less likely to be disturbed by rumors and guesswork and so, in a moment of hysteria or deep concern, launch an all-out effort," Mr. Clifford said.

"Intelligence collection stabilizes the relationship among nations; intelligence gathering is an aid toward peace and not a hindrance toward peace."

THE "PUEBLO" CRISIS: SOME CRITICAL REFLECTIONS

(By William E. Butler, Research Associate, Harvard Law School)

If we are to have a meaningful discussion of the legal aspects of the seizure of the Pueblo, it must be asked whether there is any merit at all in international law for the position taken by North Korea. Let me, therefore, assume the role of devil's advocate and outline for your consideration the range of arguments North Korea or a state similarly-situated might have made in response to the legal position of the United States in the Pueblo crisis.

The Pueblo incident raises legal issues of great scope and diversity. It would be possible to list these in the time allotted to me but not to explore their complexity and their ramifications. Hence, the decision to confine this presentation primarily to legal aspects of the seizure and detention of the vessel.

The United States Government bases its contention that the Pueblo seizure was illegal on the time-honored rule of international law that a naval vessel on the high seas enjoys absolute immunity from all but flag-state jurisdiction. This rule is also embodied in the 1958 Geneva Convention on the High Seas, said to be generally declaratory of established principles of international law. Non-recognition of North Korean statehood by the United States and the fact America was influential in excluding North Korea from participating in the preparation and adoption of the Convention may complicate our position, but, by representing itself to be a member of the international community and by failing expressly to reject the rule of absolute immunity of warships, North Korea presumptively is bound to respect that rule.

Ironically, it is socialist states which are the vanguard of those insisting upon the total immunity of state vessels. Article 18 of the Rules for Visits by Foreign Warships to USSR Territorial Waters calls for first a warning and then a request to leave if a foreign warship violates established rules, including the rule prohibiting unauthorized entry into Soviet territorial waters. Writings by Chinese jurists indicate that the People's Republic of China also recognizes the extraterritorial status of warships in law and practice.

It is noteworthy that the Soviet and Chinese press, in reporting the Pueblo seizure, made no reference to customary international law or the Geneva Conventions of 1958. The North Korean version of the seizure, the "confession" of Captain Bucher, and the North Korean legal position were reported factually, without editorial gloss. The affair was accorded brief treatment and then ignored. One gained the distinct impression that the Soviet Union did not care to publicize or discuss any legal implications of the Pueblo incident, an understandable reaction considering the sizable Soviet fleet of electronics research vessels. The reasons for Chinese silence may have related to disruption attendant with the cultural revolution or may have reflected Chinese realization that if the North Korean action were sanctioned, the PRC would be expected to follow suit when an American warship infringed Chinese territorial waters.

Implicit in the United States attitude is the notion that the conduct of visual and electronic surveillance of a coastal state by a vessel on the high seas is not a marked departure from the traditional practice of maritime powers in peacetime. Undoubtedly, it has been customary for warships to hover offshore of other states, to chart coastal defenses, to observe with telescope and camera the movements of shipping, details of harbor installations, and so forth. But coastal states cannot be blamed if they view offshore electronics intelligence operations as a substantially new phenomenon in international life. A vessel such as the Pueblo not only carries away visual impressions of the external appearance of a country along the coast; it pierces the very interstices of the defense establishment by monitoring inland communications, by identifying—perhaps jamming—inland radar installations, and by performing the variety of other tasks for which electronics surveillance is suited. The result is that the flag state of the intelligence vessel obtains vastly more detailed, composite data on the defense establishment of the coastal nation that the latter can obtain on the observing state, unless the coastal state also has the resources and know-how to engage in reciprocal activity. Under such circumstances, it is hardly unexpected for small coastal countries to question the appropriateness of granting absolute immunity to eletronics intelligence vessels or to seek other means for redressing their comparative technological disadvantage in advanced electronics.

By what rationale might coastal states attempt to exercise some degree of legal competence over electronics surveillance by sea as a response to such activity? One tempting approach would be to seek analogies in actions against pirate broadcasting or in the concept of "nuisance"; but intelligence vessels are state-owned and there is no "vacuum" of jurisdiction as in the case of some pirate broadcasting cases. A second approach might draw upon the rationale of domestic precedents relating to wiretapping and eavesdropping. American courts have tended to reject the applicability of trespass in such cases, implying that the reception of sound waves by devices outside property boundaries did not violate the close. Instead, they have placed severe restrictions on the use of data obtained by such means. But in the international community, once intelligence data is obtained there is no way of restricting how it may be used; moreover, the principle of sovereignty, which is a territorial concept, is central to the exercise of state jurisdiction. Resting the legality of electronics intelligence by sea on whether a vessel is merely receiving, as distinguished from sending, energy impulses across a state boundary would be an unacceptably artificial solution and difficult to supervise. Given these considerations, small coastal states may be reasonably expected to resort to a territorially-based response by establishing broad contiguous "security" zones in which electronics intelligence activities by foreign vessels would be prohibited.

Security zones have been employed in the past to cope with technological change and have received legal sanction. They are now a constituent part of air law; they have been invoked to close areas of the high seas for missile or nuclear tests; the Soviet Union created such a zone in 1928 to prohibit wireless radio broadcasting from ships within ten miles of Soviet coasts. Yet the International Law Commission rejected such zones in drafting its Articles on the law of the sea, fearing widespread abuses. After the Pueblo incident, Soviet intelligence vessels were seized by coastal authorities off Latin America on at least two separate occasions. It is not clear whether these were warships or where exactly they were seized, but they were state-owned vessels.

There is, of course, another response to electronics intelligence. Although not yet elevated to legal precedent, it is found in recent state practice. In two cases prior to the Pueblo, United States destroyers conducting electronics intelligence in the Gulf of Tonkin off North Vietnam and a U.S. intelligence vessel on the high seas off Israel were allegedly attacked without warning by the aggrieved coastal state. In the latter instance, grave losses of life and property were inflicted. A surprise armed attack of this character is clearly a disproportionate response to the threat posed by an electronics intelligence vessel, but it nevertheless is illustrative of the magnitude of concern felt by the coastal state.

Within this range of alternatives, is there any merit to the legal case postulated by North Korea in justification of its response to the Pueblo? From the North Korean point of view, the Pueblo was one in a series of electronics intelligence missions conducted off its coasts. On January 9, 1968, two weeks before the Pueblo was seized, North Korea broadcast a protest against the intrusion of armed vessels mingled with fishing boats, all allegedly under escort by armed warships, into its coastal waters. This was one indication that intelligence data was being gathered in the area under several guises. Moreover, although the Pueblo was under specific secret orders not to penetrate the North Korean 12-mile belt of territorial waters, missions prior to the Pueblo were apparently authorized by a general order dated February 28, 1966, to approach up to 3-miles of the North Korean coast.

The public record is not yet clear as to whether the Pueblo may have unintentionally intruded into North Korean waters. The North Korean claim that the Pueblo was *seized* 7.6 miles from the coast has been rebutted by evidence released by the United States. On the other hand, American reports on both the point of seizure and on the furthest penetration landward are inconsistent. Furthermore, testimony at the Court of Inquiry revealed the Pueblo's main navigational system developed errors as great as five miles. Even though other aids were frequently employed by Pueblo officers, there is no absolute assurance that at some point the vessel did not violate the North Korean boundary.

Thus, if it is assumed that the Pueblo did enter North Korean territorial waters and further assumed that North Korea regarded the Pueblo's intrusion as being in defiance of prior North Korean protests against the activity of similar vessels, seizure of the Pueblo in territorial waters would not appear to be an excessive coastal state reaction, considering that the vessel might have been attacked without warning. Under such circumstances, it is difficult to imagine effective measures short of seizure that North Korea might have taken. North Korea is not a party to the Geneva Convention on the Territorial Sea, and the requirement of Article 23 of that Convention stipulating that foreign warships failing to comply with coastal state regulations are to be escorted from territorial waters is not, so far as I am aware, a principle of customary international law.

Assuming the Pueblo did not violate North Korean territorial waters, is there nevertheless any legal case to be made for seizure of the Pueblo on the high seas as a response to or defense against electronics intelligence? North Korea characterized the Pueblo seizure as a "decisive measure of self defense." A right of self defense has always been recognized by international law, although more recently the exercise of the right as a matter of law has been restricted to instances of armed attack or, perhaps, an immediate threat of armed attack. Apprehension of the introduction of Soviet missiles into Cuba led the United States to invoke the principle of collective self defense and to establish a naval quarantine in 1962. At stake was probably not a threat of armed attack, but a fundamental reordering of the balance of power in the Western Hemisphere and elsewhere. The principles of self defense and freedom of the seas acquired a new dimension as a result of the Cuban crisis. North Korea's situation is indeed different, yet the threat to its defense establishment perceived by North Korea in the operations of the Pueblo and similar vessels may have been as imminent as the Cuban threat was to us. North Korea was confronted by vessels which penetrated the heart of its defense network and which were operated by its primary adversary in the Korean conflict. To conclude the Pueblo posed no threat of armed attack against North Korea begs the question; the threat posed by the Pueblo was the acquisition of data that could render the coastal state defense establishment vulnerable. The problem of secrecy is something with which all states must live, but they live with it to an unequal degree. North Korea possessed no comparable capability to obtain equivalent data on the United States defense system. If there is no precedent or scholarly support for invoking self defense in this kind of situation, neither is there a large body of experience with this kind of enormous technological gap which presently exists between naval powers and smaller coastal powers.

It should be noted that the Pueblo incident did not occur under normal peacetime conditions. In describing the Pueblo's intrusion as an "act of aggression, a violation of sovereignty, and a gross violation of the Korean Armistice Agreement," North Korea probably had in mind an actual penetration of Korean territory by the vessel. But these accusations might be construed to have broader meaning.

The Preamble to the Korean Armistice Agreement provides for a cessation of hostilities *and* all acts of armed force in Korea until a final peaceful settlement is achieved. Article 15 stipulates the Agreement shall apply to all opposing naval forces, which "naval forces shall respect the waters contiguous to . . . the land area of Korea under the military control of the other side . . ." The definition or limit of "contiguous waters" is not specified, but the failure to use the term territorial waters surely is suggestive. Under this reading of the Agreement, electronics intelligence might be interpreted to be a hostile act, as distinguished from an act of armed force, in North Korean coastal waters. A strained interpretation of the text, perhaps, in light of its negotiating history, but hardly beyond the pale of reason. However, such an interpretation would raise other, exceedingly complex, legal issues as well. For example, was the United States a belligerent in Korea, or do we continue to distinguish between the United Nations Command and the United States? Politically speaking, North Korea has regarded the United States as being primarily responsible for the Korean hostilities and, from the viewpoint of international law, there is an arguable case for treating the United States as a belligerent. Indeed, since North Korea itself was engaging in probes across the demilitarized zone, it may have been all the more apprehensive about the Pueblo's presence.

Underlying all my remarks up to this point are two assumptions contrary to those implicit in the position of the United States: first, that electronics intelligence does constitute a revolutionary departure over previous technology; second, that the Pueblo crisis was not just another "cold war" incident but rather was a clash between the interests of a major naval power and a small coastal state. It is especially the latter point that gives cause to reconsider the legal implications of stationing intelligence vessels near states unable to operate such missions themselves. Technological superiority allows major powers to gather intelligence while claiming immunity from coastal response by invoking principles of maritime law predating the electronics revolution. We cannot expect to indulge in such activities without retaliation from disadvantaged countries. The principle of freedom of the seas has always represented a delicate balance between coastal state and international interests. Unless electronics intelligence activities are confined to states with an equivalent capability or are otherwise circumscribed to reduce the threat to technologically "backward" countries, the major powers may do themselves and the international community a great disservice by irreparably disrupting that balance to the detriment of freedom of navigation. As pressure mounts to convene a new international conference to resolve the territorial sea issue, the impact of electronics intelligence missions on the attitudes of smaller maritime countries deserves constant and careful reappraisal.

Three further aspects of the Pueblo crisis deserve mention. The Pueblo was disguised as a (naval) oceanographic research vessel; yet many have disputed the notion of a clandestine operation by asserting that mere visual observation was sufficient to clearly identify the Pueblo as a naval vessel equipped with electronics intelligence equipment. If this be true, why further jeopardize our nonmilitary oceanographic research program by pretending, however transparently, that the Pueblo and its sister ships are something they are not?

Moreover, we know disturbingly little about North Korean approaches to international law in general or to the law of the sea in particular. North Korea does claim a 12-mile limit of territorial waters and since 1966 has enforced a 70-mile fishing zone against Japanese vessels. Copies of legislation defining these limits appear to be unavailable in the West. It is unclear whether North Korea measures its territorial waters from the low-water mark or employs straight base lines. The Soviet Union uses the former method, and Mainland China the latter, but China, not being a party to the Geneva Convention on the Territorial Sea, drew its lines so that a much larger expanse of water is enclosed than would be allowed by the Geneva Convention rules. North Korea may follow Chinese practice, but, in order to make the seizure of the Pueblo more plausible to the international community, it may have given false coordinates to minimize differences in legal theory. This is all speculation, of course, and there may be no theoretical differences as to where the territorial sea begins on North Korean coasts. Perhaps the academic community will help develop a systematic body of materials on the approach of North Korea and similarly situated states to international law.

By insisting that the Pueblo was engaged in lawful activity on the high seas, the United States implied that electronics intelligence activity within territorial waters could justifiably be considered unlawful espionage by the coastal state. The United States objection to the North Korean document which was signed to secure the release of the Pueblo crew, and the basis for its immediate repudiation, was that "we could not apologize for actions which we did not believe took place." Therefore, signature of the document "will not and cannot alter the facts." While this formulation disposes of our "admissions," it leaves intact the fourth paragraph of the North Korean document wherein firm assurance is given "that no U.S. ships will intrude again in the future into the territorial waters of the Democratic People's Republic of Korea." A logical reading of the phrase would be the territorial waters claimed by North Korea, and it would appear that the United States may have extended its first formal recognition to a 12-mile limit.

There remains the question of return of the vessel. The United States insists the vessel be returned since its seizure was illegal; North Korea insists upon its right to confiscate the Pueblo as a spy ship. One approach toward resolving these intractable legal postures may be quietly but firmly to point out to North Korea through all available diplomatic channels that violence has been done to a socialist principle of international law—the absolute immunity of state-owned vessels—and that it would be to North Korea's long-term international legal interests to release the ship.

These reflections do not begin to exhaust the legal and policy dimensions of the Pueblo incident. There remain vexing questions of the legal status of the Pueblo crew while in captivity, the applicability of the Code of Conduct to military personnel on the vessel, the role of apology in diplomatic practice and international law, and others, Having a fuller public record will be of immense assistance in responding to all of these issues. Until we do have it, reflections must remain tentative, subject to revision.

FORESTRY IMPORTANCE GIVEN EMPHASIS

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. FUQUA. Mr. Speaker, the people of the Second Congressional District were privileged and honored to play host at Lee, Fla., in Madison County on April 17 to the "silver anniversary" cooperative field forestry program sponsored by the Seaboard Coast Line Railroad.

This program brings together business and governmental leaders to again emphasize the importance of forestry to this Nation and to the world economy. I can think of no finer presentation than the two which I have witnessed in my district since coming to the Congress.

We have passed the day when sawmills cut over an area and left a desolate and denuded landscape. Today we recognize the value of scientific tree farming and the need to keep these lands in a productive condition.

In attempting to tell the story of this outstanding day, let me begin with the insertion of the remarks of Robert N. Hoskins, assistant vice president, Seaboard Coast Line Railroad, who opened the program with these introductory remarks:

Introductory Remarks for the 1969 Cooperative Field Forestry Program, April 17, Madison County, Fla.

(By Robert N. Hoskins, assistant vice president, Containerization and Special Projects, Seaboard Coast Line Railroad Co., Richmond, Va.)

Governor Kirk, Members of the Cabinet, Distinguished Platform Guests, Ladies and Gentlemen: It has been said, "There will always be a frontier where there is an open mind and a willing hand." Looking back over the years, we have found *many* willing hands who have helped towards the success of these meetings.

We realized in the early years of our Cooperative Field Forestry Programs that changes must be made—and, in so doing, we discarded the idea that past routine . . . past ways of doing things . . . are probably the best ways. On the contrary, in handling our cooperative programs over the years we discovered early that there are better ways of doing almost everything.

Those of you who recall our early woods meetings will be the first to concede that they have come a long way. This year marks our "Silver Anniversary," so to speak—and, in 25 years of sponsoring such meetings as you are about to witness today, our main objective still lies in strengthening the economy of each state we serve. We recognize the importance of forestry to the economy in Florida and this will be clearly pointed out by many of those participating today.

We are well aware that more than 60 per cent of the lands in the area served by our railroad are classed as timber crop lands. We know that if we are to meet the needs of our people for today and tomorrow, then every effort must be made to keep those lands in a productive condition. This calls for total land use and sound management practices.

Never before in the 25 year history of our program have so many from such a wide diversity of interests been united in the common cause of forestry betterment. Our program affords a rare opportunity to find out what is going on in forestry today. It is truly a cooperative endeavor.

This year, for the first time, our program is being expanded to include "Containerization." With the world getting "smaller" all the time, you will surely welcome an opportunity to explore the new "intermodal concept of transportation." You have perhaps already discovered in our midst some of the distinguished Counselors of Shipping from the Embassies in Washington, D.C., as well as Port Officials and Executives from the Steamship Lines who are with us in honor of the occasion.

This actually marks the ninth year in which we have run special trains in connection with these meetings—and again, as in the past, we are highly gratified to have outstanding representation from the Florida Legislature.

We bid you all welcome—we are delighted to have such a fine turnout—and we do plan to run this meeting on time.

Now it is my privilege to introduce to you a man who is well known in Transportation circles throughout the nation. He holds directorships too numerous to mention. He is a Major General in the U.S. Army Reserves. He has served with distinction as the President of three railroads—and he is today the distinguished President of the Seaboard Coast Line Railroad Company. It is a pleasure for me to present to you at this time—your friend and mine—W. Thomas Rice.

Mr. Speaker, George Wackendorf, business editor of the Florida Times-

Union, Jacksonville, wrote an excellent article which described the event:

Lee.—Mushrooming population, shrinking forests and the need for broad national agreement on multiple use of timber lands keynoted the Seaboard Coast Line Railroad's (SLC) "forestry day" near this Madison County town Thursday.

The note was sounded by Gene C. Brewer, former president of U.S. Plywood-Champion Papers Inc. and a member of its board, in the principal address in an event and celebrity-studded gathering celebrating the forestry industry.

Special guests for the occasion, more formally called the cooperative field forestry program, were more than 500 top executives and legislators from 25 states and six foreign countries. They arrived in droves by special train from Jacksonville and bus from Tallahassee and stayed four hours, from 10 a.m. till 2 p.m., for a program which included speeches, displays and demonstration built about forestry—Florida's No. 2 industry.

Gov. Claude Kirk was on hand for a brief welcome to the guests after an introduction by SCL President W. Thomas Rice in which Kirk was described as an outstanding wit, a completely fearless man and a great governor "who let's you know where you stand." Rice also introduced Brewer and U.S. Rep. Don Fuqua, who made brief remarks.

The SCL president was presented with an honorary membership in the Florida Association of the Future Farmers of America by State President Tim Kelly, who cited support the group has received from SCL.

It was the 25th anniversary of the Seaboard's forestry program and the second run of the "Forestry Special" train in Florida since its inauguration nine years ago.

The site of this year's program in the SCL's continuing efforts to encourage woodland owners to practice sound management in their timberlands, was near Lee, Fla., a half mile east of the St. Regis woodyard, on property of the Container Corporation of America.

Twenty-eight corporations and government agencies cooperated in the presentations.

In his address, Brewer called for the continuing of cooperation between the private sector and government agencies in working toward multiple land use—that is the use of the nation's timberlands for timber harvesting as well as recreation and conservation.

"With respect to our industry, the sheer arithmetic of our forest base is sobering," Brewer said. Turning to statistics, he pointed out that in 1901 with a population of 77.5 million, there were 11 acres of growing timber per capita. Today there are 200 million Americans with three acres per capita and by the year 2000 "and that is only 31 years away, less time than it takes a tree to grow—it is estimated that there will be only 1.5 acres of growing trees to supply the per capita needs of more than 300 million people."

The U.S. Plywood-Champion Paper executive cited both the increasing need for land to provide housing and road systems for an expanding population but the continuing withdrawal of forest lands from use by the timber industry to provide recreational areas.

Although Brewer referred only obliquely to the forces of the conservationists, noting that the industry has been plagued of late with "confrontations," the seriousness of lack of public understanding of the need for timber-cutting in the economy was underlined throughout his talk.

He said that since the establishment of national forests in 1897, about 16 million acres of producing timberlands have been closed to harvesting. Since 1964, he said in the 12 Western states alone, 1.9 million acres, or 21 billion board feet of timber, have been lost to the industry. Over the next five years, he said, present plans call for another 9.7 million acres, or almost 31 billion board feet, to be taken out of production.

With 70 percent of the population living on 2 percent of the land in urban centers, he said, most of the public has "some vague idea about preserving the trees and saving the forests. And yet they want their plywood and their paper and all the other products."

The speaking stand at the Seaboard Coast Line Railroad's ninth annual cooperative field forestry program was well-populated by the prominent.

Among the speakers was master of ceremonies Robert N. Hoskins, SCL assistant vice president of containerization and special projects; Milton M. Byran of the U.S. Forest Service; State Forester C. H. Coulter, State Director of Agricultural Education, C. M. Lawrence; and Vice President George G. McManis of the Trailmobile Division of Pullman Inc.

Demonstrations, which included a firebombing show by the Florida Forest Service, were staged by Lee Draper, of Fernandina Beach, Container Corp. of America; Charley J. Rogers of Jacksonville, St. Regis Paper Co.; H. K. Mikell of Tallahassee, Florida Forest Service; P. D. Kidd of Palatka, Hudson Pulp and Paper Co.; James L. Buckner of Panama City, International Paper Co.; D. W. House of Atlanta, Southern Wood Preserving Co.; Robert Entzminger of Tallahassee, U.S. Forest Service; Henry B. Lange and John L. Smith of New York, ITT Rayonier, Inc.; James A. Edsen of Jacksonville, Owens-Illinois Inc.; James R. Moody of Perry, Buckeye Cellulose Corp.; John Beall of Tallahassee, St. Joe Paper Co. Inc.; Alton H. McCullough, of Charleston, S.C., Koppers Co. Inc.; L. H. Scott Jr. of Jacksonville, SCL; Frank E. Frasier, of Pittsburgh, U.S. Steel Corp.; and Dave Rawls and Charles E. Cook of Jacksonville Port of Authority.

Mr. Speaker, I think it appropriate at this point to insert the very excellent resolution adopted by the Florida Legislature acknowledging the importance of the day:

H. Con. Res. 455

Concurrent resolution acknowledging invitation to members and officials of the Florida Legislature to attend the 1969 Cooperative Forestry Field Day Program of the Seaboard Coast Line Railroad Company to be held near Lee, Florida, in Madison County on Thursday, April 17, 1969

Whereas, an invitation has been extended the members and officials of the Florida Legislature by the Seaboard Coast Line Railroad Company to attend as special guests the Cooperative Forestry Field Day Program on Thursday, April 17, 1969, at 10 a.m. in Lee, Florida, and

Whereas, this occasion will bring together industrial leaders from major corporations across the country as well as international trade officials and representatives of foreign governments, and

Whereas, The Forestry Field Day Program will include presentations on all aspects of modern forest management and the manufacture of forest products, and

Whereas, transportation of forest and other products particularly through the use of the significant development in world trade of containerized freight and the facilities planned for such modern transport in Florida will be highlighted in the program, and

Whereas, this program will provide an unparalleled opportunity to members of the Legislature and to the invited business and trade leaders to participate together in exploring the vast potential of Florida's forest assets and its unique attributes for shipping and international trade, and

Whereas, the Seaboard Coast Line Railroad has offered transportation to the site of the program and has made extensive preparations for the visit of members of the Legislature, Now, therefore, be it resolved by the House of Representatives of the State of Florida, the Senate Concurring:

That the members of the House of Representatives and the members of the Senate of the State of Florida appreciate and acknowledge the invitation to the Cooperative Forestry Field Day Program to be held Thursday, April 17, 1969, at 10 a.m. near Lee, Florida, in Madison County under the sponsorship of the Seaboard Coast Line Railroad, and those members who are able to do so will attend this program.

Be it further resolved that the Legislature extends its commendation to the Seaboard Coast Line Railroad for the significant effort it is making in this program to assist and encourage the further development of industry and international trade in Florida.

Originated in the House of Representatives; adopted by the House of Representatives on April 9, 1969 and has been examined and found to be correctly enrolled.

Mr. Speaker, at this point let me pay tribute to the outstanding cooperating industries and agencies who made this event possible. They are as follows:

ACF Industries, Inc.
Buckeye Cellulose Corp.
Container Corp. of America.
Florida Association, Future Farmers of America.
Florida Department of Agriculture.
Florida Department of Education.
Florida Forest Service.
Florida Forestry Association.
Florida Power Corp.
Forestry Service Products, Inc.
Hudson Pulp & Paper Corp.
ITT Rayonier, Inc.
International Paper Co.
Jacksonville Area Chamber of Commerce.
Jacksonville Committee of 100.
Jacksonville Port Authority.
Koppers Company, Inc.
Madison County (Fla.) Forestry Committee.
Morbark Industries, Inc.
Owens-Illinois, Inc.
Ring Power Co.
St. Joe Paper Co.
St. Regis Paper Co.
Southern Wood Preserving Co.
Timberjack Machines, Ltd.
Trailmobile Division, Pullman, Inc.
U.S. Plywood-Champion Papers, Inc.
U.S. Steel Corp.
U.S. Forest Service.

Finally, I would like to present for your consideration the remarks of U.S. Plywood-Champion Papers' Gene C. Brewer whose inspirational address was entitled "America's Most Lively Factory: The Forest":

America's Most Lively Factory: The Forest

(An address by Gene C. Brewer at Seaboard Railroad Outing Day, Jacksonville, Fla., April 17, 1969)

Mr. Chairman, gentlemen and my fellow citizens: Thank you for asking me to be with you here today. I have a great many personal friends in Florida and it is always a delight for me to renew those friendships, and hopefully make some new ones. Among my friends, of course, I count the men at the Seaboard Coast Line Railroad, who first conceived of the annual Forestry Special eight years ago. But while this event is only in its ninth year, the railroad is marking the silver anniversary of its forestry program, and I wish to take this occasion to commend the Seaboard staff for its ongoing efforts and for taking the lead in what is a true partnership of interests.

So, as I have indicated, people are the reason I am here today. I am here to speak to this audience about a subject of tremendous concern to all of us—the concern of our forest industry about our priceless heritage, our land and our forests, and to advance a concept already adopted by our industry called multiple use.

But I am also here to talk about people in general—all of the people, who together make up this vast nation of ours. I am here to discuss with you what these people want, what they need, what they believe, what they are doing today, and what their desires and needs will be in the future. And I hope to show why our industry must be aware of those needs and respond to them.

But before I talk about the people of today, let me dwell for a moment on two people of antiquity from Greek mythology—a rather famous hero named Hercules, and a giant named Antaeus. This giant derived his strength from the earth, and somehow he became embroiled in a death struggle with Hercules.

Hercules, of course, was a mighty wrestler, and managed to hurl Antaeus to the ground time after time. But Antaeus, since his strength came from the earth, would be revitalized every time he was thrown, and would spring up to renew the battle.

Finally, Hercules had to hold Antaeus aloft and choke him to death.

Like many mythical tales out of mankind's past, the story of Hercules and Antaeus has an obvious moral. We, too, like Antaeus, derive our sustenance and strength from the earth. We too face strangulation unless we can revitalize ourselves through the proper use of our land.

Now let me skip ahead in time, from the days of ancient Greek mythology to the days when America's early settlers reached our shores.

Our forefathers found stretching before them a vast timbered continent, whose very size, shape and form was largely unknown and this ignorance was to the good. Because if they had known the magnitude of the wilderness and the dangers they faced, they might well have despaired.

Here was a land of hostile Indians, wild beasts and none of the comforts of the civilization they left behind.

But here too were wood for their homes, land to be cleared and farmed, game to be eaten, crops to be planted. In short, here was a land to be tamed, to be wrestled with just as Hercules wrestled with Antaeus. Here was a land to be conquered.

And now let us jump ahead again approximately 300 years, to the present, as we continue to examine people and what they want and need. Let us look at the physical and spiritual heirs of the Pilgrim fathers, the 200 million people who make up today's great American citizenry.

Not surprisingly, some of their basic needs and wants have changed very little.

But there is a difference between how we as a nation go about meeting our needs for forest products and how our Pilgrim forefathers turned the trick. They had a land to wrestle with, and to conquer. But the conquest is now complete. The frontier is closed. The endless nation no longer stretches into the horizon ahead of the gaze of the pioneer. In a word, we need no longer battle the land and tame it; instead, we must nurture the land and coax it to provide us with its wealth.

With respect to our industry the sheer arithmetic of our forest base is sobering. And there is no need to go back to the time of the Pilgrims, when the amount of land seemed unending. Let us instead look at this century alone.

In 1901 there were 11 acres of growing timber to supply the per capita needs of a population of 77.5 million. At present there are three acres of growing trees to supply the per capita needs of 200 million citizens. In the year 2000—and that is only 31 years away, less time than it takes a tree to grow—it is estimated that there will be only 1.5 acres of growing trees to supply the per capita needs of more than 300 million people.

Stated differently, the situation may be summed up like this: as population increases, the available land supply shrinks but needs expand.

That equation poses a problem for us as an industry. How do we supply the lumber, plywood, furniture, pulp, paper, cellulose, chemicals, naval stores, you name it, essential for the welfare of our people, at a time when our land base must also supply us with grazing for our livestock programs; when our land must also grow our grain and corn and sorghum and cotton and soy beans; when the land must be the foundation for our factories, when our residential areas must expand to meet the needs of an ever-increasing population, as must our highway system and our airport programs?

But before I address myself to how we are meeting this challenge, let me set to rest another myth, and this one isn't of ancient Greek origin.

I am talking about the myth that our forest base is fixed; that we enjoy a vast amount of timber on a certain amount of acreage set aside for that purpose.

While the United States does, indeed, have an unchanging amount of territory, we have already seen that the amount of land devoted to tree production is decreasing.

Since the establishment of the national forest in 1897, under law which stated as its purpose, and I quote, ". . . To furnish a continuous supply of timber for the use and necessities of citizens of the United States," some 16 million acres of producing timberlands have been closed to harvesting.

Since 1964, in the 12 Western states alone, one million, nine hundred and nine thousand acres, representing almost 21 billion board feet of timber, have been lost to harvest.

Over the next five years, present plans call for another nine million, seven hundred thousand acres to be taken out of production, representing a loss, over the next five years, of almost 31 billion board feet.

For years we have argued that the nation cannot withdraw acre after acre of woodland from the timber supply and curtail cutting on the remainder while continuing to enjoy an ever-rising degree of wood product use. Until quite recently, our message seemed to fall on deaf ears.

But finally, only last month, President Nixon ordered an increase in the sale of timber on publicly owned land. The federal forest managers were told to allow the harvest of publicly owned timber to rise by more than one billion board feet over the next 15 months.

The President acted primarily in response to a short supply of lumber and plywood and attendant higher prices which quite clearly related to a timber supply problem. But what he was doing, in effect, was recognizing that it is indeed possible to boost timber production on federal lands without doing the land or the forest the slightest harm.

Indeed, along these lines, let it be stated that the chief of the Forest Service, our mutual friend Mr. Edward P. Cliff, is aware that the Federal forests are not being utilized to their fullest.

On Nov. 26, at a hearing of the Small Business Subcommittee of the House of Representatives, Mr. Cliff testified in these words:

"On national forest lands, in the douglas fir region, for example, preliminary results of a study now under way indicate that the annual allowable cut could be substantially increased gradually over the years. This might be done through an annual program of investing funds to intensify management practices such as commercial thinning, prelogging, salvage, reforestation and timber stand improvement. Much of this would depend on an access road system to do the work where and at the time it is needed."

Later on in his same testimony, Mr. Cliff added, and again I quote:

"In addition to the douglas fir supply study still under way, other studies have been made of investment opportunities on national forests throughout the country. They show that allowable cuts could—in time—be increased about two-thirds by intensifying timber culture on the more productive portions of national forest commercial timberlands."

The forest can indeed be managed to boost her yield. And that, gentlemen, is my basic message today. The forest is, in a sense, a living, viable "factory" manufacturing a whole "line" of vital "products." Indeed, among all of the wonders in the world, the forest is unique, bordering on the miraculous, in that it is our only renewable natural resource. This fact cannot be overstated. Coal, oil, iron ore, copper, natural gas—these are all our other minerals—once they are mined or tapped are lost forever. Bu the forest responds to cultivation. The practice of forestry restores beauty to the land and makes it yield even more than it did originally.

Bruce Barton, the author of "In His Steps," once said that "if the tree were invented today it would be considered the miracle of the ages."

How true this is: Let us consider, for a moment, the product line of this woodland factory, in addition to the basic wood and paper products for our material needs. Men also need water, and a managed forest provides water. Men enjoy sharing their planet with wildlife, according to the scheme of the Supreme Creator of the universe. The managed forest provides for wildlife. Man requires recreation—a place to meditate and renew his soul. The managed forest provides recreation opportunities and a climate conducive to meditation.

This then is multiple use. Our task remains that of expanding and elaborating on it, making it fully understood so that the motives and programs of our industry, both public and private, need never be questioned.

And the products of these "factories," under man's careful stewardship, need never run out. The factories need never suffer a shortage of materials or market glut or any of the other plagues which hamper most man-made factories.

After all, I believe that God, in His infinite wisdom, created the land, as well as the tree, for the ultimate use of all. I cannot believe that the Lord, and Nature, gave us the tree and its unique and unmatched characteristics without intending that its benefits be available to all the people.

The forest products industry, and the Forest Service, have jointly developed the concept of multiple use as the only way in which this nation, with its fixed land base, can enjoy the forest and obtain at the same time from it the material things our society needs. The multiple use concept has been enacted into law and declared to be public policy by the Congress.

And it was here in the South, where approximately 92 per cent of the timberlands are privately owned, the multiple use concept, which I have chosen to call the living factory concept, was first conceived and has been pursued even more vigorously.

Nationally, those of us in the forest products industry have had to come to grips with a harsh fact. We hold only 17 per cent of the producing forest land. As a result, we have had to make those lands work all the harder, and have had to push the idea of the living factory. We have had to treat trees like most other crops, applying the most advanced methods to increasing yields and improving stock.

We have applied scientific farming techniques. We have engaged in genetic selection, in thinning, in the application of the best available fertilizer. And we have produced "super trees," which grow stronger and straighter in less time than before. Like good factory managers, we are making our "product" better than ever. We are improving on Bruce Barton's miracle.

But we are not merely timber managers. Our forests can no longer be looked at only as a timber reserve but rather as a manageable asset. In the process of meeting the nation's needs, and in utilizing our "factories" to the fullest, we have become total forest managers. Whether we like it or not, we are also in some ancillary businesses. For example, recreation.

We welcome the hunter and the fisherman and the hiker. We welcome the camper and canoist, the bird watcher, the seeker of solitude.

A survey conducted only last year revealed that more than 95 per cent of the land studied—some 65.6 million privately owned acres—are open to the public for its use and enjoyment.

And these are not lands designed as parks or wilderness or scenic areas. They are working forests—"factories" turning out products for mankind. They "manufacture" homes and paper and as a sideline turn out a complete variety of watersheds, game preserves, campgrounds and ski trails.

And they are far more productive than lands which have been left for "nature to take its course."

What happens when the practice of forestry is ignored? Without touching on the controversial question of harvesting in the national parks, let me cite a recent letter from the acting superintendent of Yellowstone Park.

He indicates that on the basis of aerial surveys, there are about 111,280 acres of bark beetle infestation affecting one billion, seven hundred million board feet of timber. He estimates that of this infestation, approximately 100 million board feet will probably suffer extensive damage. Similar circumstances have been cited recently in other Western forests.

But we are faced by public apathy and sometimes even animosity on the question of scientific forest management, whether it be called multiple use or the forest factory concept. The why is not hard to see.

Today, some 70 per cent of the population lives on 2 per cent of the land, in our urban centers. These people have some vague idea about preserving the trees and saving the forests. And yet they want their plywood and their paper, and all the other products we have already mentioned.

How many city dwellers are aware of the concept espoused before the Senate Banking and Currency Committee, when an industry spokesman stated that forest management involves "skillfully using the forest to serve people," and actually, isn't that really what we must do?

He also made the point that in some places, 200-year-old timber, averaging 50,000 board feet per acre, had stopped growing but was not scheduled for harvest for another 50 years. "If such a stand were harvested and used today," he said, "and replanted and managed, it could grow just about as much wood all over again in the next 50 years."

What he was really saying is that we have the know-how, the technical skills, to make every forest our ideal perpetual factory.

Here in the South, you are especially blessed because your climate, your soil and the trees themselves all combine for excellent growth.

I recall some years back when the World Forestry Congress was held in Seattle. Several optional field trips were offered to our foreign visitors. They could have gone to the Northwest, or the California Redwoods country, or the Lake States. The Soviet delegation was unique among all attending. Without exception its members asked to go South. They wanted to visit, and I quote ". . . where the trees grow like corn."

The South has a reason to be proud of what its private-enterprise living factories have accomplished. And there is more to come.

For two years, the Southern Pine Association, Southern Hardwood Lumber Manufacturers, Forest Farmers and the American Plywood Association have been cooperating on the report of the Southern Forest Resources Analysis Committee.

The objective of this study is to find ways to more than double the current rate of growth of Southern forests to meet the anticipated demands of the next century. It anticipates that by then, the South will be called upon to supply more than half of the nation's timber products—2½ times the current output. And it intends to meet this goal in the face of yielding up some of its forest lands to the inevitable urban sprawl, to highways, and to all the other uses which modern America finds for her land.

The program would encourage the growth of timber on small lots through altered federal agricultural programs.

The program would develop landowner associations to assemble manageable parcels of private woodlots.

The program would reform the tax structure and assure timber growers of regular income while offering assurances of eventual harvest.

The program includes recreational use of the land and recognizes the urgency of ecological balance.

The program includes such tools of modern management as public relations and research and development.

In short, the program would create our living factories, for the good of all the people.

The forest industry is acutely aware of its responsibilities, and aware of the fact that the American public wants and needs what it produces. The timber industry does not take lightly its obligation to make certain that tomorrow's forest resources will be adequate for tomorrow's needs. The very nature of our business requires long-range planning of the highest order. We are aware too that as stewards of our woodlands, we carry major responsibilities.

And we are also aware and we can be proud that on balance we have been doing a good job which will have to be done even better. In a sense, we can be pleased that the United States today has a per capita paper consumption of 540 pounds per year.

In other advanced countries, such as Sweden and Canada, the figure is also high—over 300 pounds per capita.

But paper consumption in the Soviet Union is only 42 pounds per person annually. And in China, where paper making began, the average consumption is estimated at only six pounds per capita.

So we take pride in the fact that one of our products may be used as the very yardstick of our development as a people—and remember, my theme today concerns people, and how they live and what they need.

People want a roof over their heads, a home if you will. They want factories and offices and commercial buildings, to give them places to work and shop and be entertained. They want schools in which to educate their young. They want churches in which to pray. They want furniture to fill all these structures.

And in all of these wants and more—in more than 5,000 products in everyday use—wood plays a major role.

I said before that most of our people had migrated to only 2 per cent of our land, a fact which the New York Times recently called "a social movement ranking in American history with the wave of immigration from Europe between 1890 and 1930 which brought 22.3 million aliens to our shores." Rural population has dropped from 30.5 million in 1940 to 10 million today. And while this migration of 20 million people from the country to the cities may be near an end, its effects will continue to be with us, in the pressing social need to rebuild our cities, for example.

And this is another of the responsibilities of the forest products industry, which must supply much of the raw material to meet our housing problems. Recent hearings disclosed an astonishing lack of information about these matters—e.g., congressman, etc.

I have already mentioned the responsibilities of the forest products industry, as the steward of America's woodland heritage. And I have briefly described how we are meeting this responsibility, while at the same time we are experiencing difficulty in making the people understand what we are trying to do.

So we keep trying, using forums such as this one. And at the same time we shoulder our responsibility to our employes, our customers, our shareholders. We must make sure our markets are being served as they wish to be served. We must be good businessmen, because the economic aspects of forestry must pay also for the social aspects, which are largely not self-supporting.

And all the while, the forest industry must talk to the passing parade. While modern technology, especially here in the South, has cut the time it takes a tree to grow, in some cases from 60 years to 40, or from 40 to 30, we are still concerned with relatively long periods of time.

As a result, our audience constantly changes. As a youngster, I can remember an old growth timber area which was harvested. Today, that land is yielding its bounty all over again on a sustained yield basis. It is in fact one of those everlasting forest factories, and it has come about in my time.

But the casual observer is not aware of this. He knows only that he wants his forest products, and his wilderness too. Our forest industry must show him he is getting both, due to the techniques so widely and prudently developed here in the South.

As I see it, the real danger is not that tomorrow's America will run out of forest products. We have the skill and the resources as an industry and we are willing to spend the necessary funds to reach our goal.

The real danger lies in losing our contact with the land, as Antaeus did, and in so doing being strangled. The real danger lies in losing sight of the fact that God gave us forests for the benefit of all. The real danger lies in locking up our natural resources and treating them as if they were museum pieces.

Instead, we, the private sector and government agencies working together and we are working together must manage that priceless heritage, our land and its forests, so that they are developed on a perpetual basis to their fullest potential for the good of all.

We must maintain contact with all the users of the forest, and we must reconcile every point of view. Our objective, after all, remains the same: A better life for every American.

A tall order? You bet it is! Let us now get on with managing the liveliest factories in the nation—our forests, for we Americans are excellent factory managers. And as such, I am certain that we can see that the benefits of our forests will be shared by all.

DAVENPORT FLOOD FIGHTERS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. SCHWENGEL. Mr. Speaker, the city of Davenport, Iowa, and a number of other cities bordering on the Mississippi River are now engaged in a massive battle against the river. This battle occurs each spring, more or less. Some years it is a minor skirmish, and others, such as this year, it takes on the flavor of an all-out assault. Early predictions by the Weather Bureau indicated that 1969 would be a recordbreaker. Favorable weather conditions have reduced the threat considerably. And, now the crest has passed.

I would be remiss if I did not take notice at this point of the outstanding job done this year by all concerned. The officials—on all levels, city, State, and Federal—including the Corps of Engineers, performed marvelously. The cities in my district have never been so well prepared to meet a flood threat. Operation Foresight, under the authority of Public Law 99 has been especially helpful, and those responsible for its organization and operation deserve high praise.

A "well done" is in order for all concerned.

The Christian Science Monitor recently covered the fight against the river in Davenport. Their article does an excellent job of pointing out the caliber of the army fighting this year's "battle."

The article follows:

Davenport Fights Surging River

(By Guy Halverson)

Davenport, Iowa.—Davenport, Iowa, is under siege. Yet the citizens of this picturesque, hillside town are hurling forth a grim challenge to the surging, swollen Mississippi River: that no matter what the cost in volunteer effort or to the city treasury, the river won't be able to smash through the seven miles of diking now installed along parts of the town's riverfront.

And what's happening in Davenport is being duplicated all along the Mississippi, from St. Paul, Minn., on the north to St. Louis on the south, as federal, state, and local officials mobilize to prevent a recurrence of the severe flooding that engulfed the upper Mississippi basin in 1965.

To the onlooker, the almost inexhaustible activity can only be called heroic as night after night the long truck convoys rumble through the quiet streets, sandbags piled high, college and high-school students perched precipitously in stark silhouette against the evening moonlight. One watches and one recalls old photographs of Leningrad and London under siege and the herculean efforts of their citizens at defense.

CIRCUMSTANCES COMPARED

Indeed, the analogy of a community under attack is hardly an understatement. As of this writing, flooding in the upper Mississippi basin has resulted in 10 fatalities and more than $110 million in damages. It also has driven some 25,000 people from their homes, mostly in North Dakota.

But perhaps more important damage to date has been below that recorded four years ago, a circumstance attributed to the precautionary measures taken by communities like Davenport.

"In 1965 Davenport was caught almost totally off guard," says Mayor John H. Jebens, who like his father a former mayor, has watched the Mississippi rise and fall, year after year.

"Before 1965 the previous high for the river here was 18.5 feet," he said, leaning back in the office chair after a quick helicopter tour up and down the river. "We just didn't expect the water to top that mark. The [U.S. Army Corps of Engineers] didn't give us any hint that it might. And neither did the [U.S.] Weather Bureau until it was too late."

LOSSES NOTED

That year the flood waters crested at 22.5 feet four feet above the previous high crest. Financial losses to the city alone came to more than $750,000. Though Davenport subsequently received federal disaster areas funds amounting to about $600,000, the final debt—ironically—wasn't fully paid off until two weeks ago.

Davenport began preparations this year in early February. By the end of March the city had incurred direct costs (excluding salaries for city employees) of more than $30,000 on flood-abatement measures.

That amount now has soared to between $60,000 and $75,000. Main effort has been concentrated in the riverfront "Garden Addition" of the city, which was hardest hit four years ago. At the same time, major retailers, such as Peterson's Department Store, have been ringed by sandbag dikes.

In the Garden Addition, local residents have formed round-the-clock teams to patrol the dike and ensure that the polyethylene and sandbag coverings for the earth filled structures withstand the intense buffetings of the wind-swept river.

VOLUNTEERS FED

While last-minute work is under way, representatives of the Red Cross, civil-defense agencies, and Salvation Army meet daily in the Scott County Courthouse to coordinate local plans. The Red Cross and Salvation Army have been feeding as many as 600 volunteers at key sandbag-filling and dike installations.

"The city has done a tremendous job. We're far better prepared now than we were in 1965," says John Stanage, one of the city's two Democratic aldermanic officials. The other eight alderman, like the Mayor, are Republicans.

Like many other residents here, alderman Mr. Stanage believes that future floods can really be prevented only by either dredging the Mississippi channel or building giant watersheds north of the city. Some citizens grumble that the increasing rate of floods—recorded in 1951, 1952, and 1965, plus an ice jam in 1966—are the direct result of the series of Army Corps of Engineers dams constructed along the river near here, but few take such claims seriously any more.

Col. Walter C. Gelini, district engineer of the Rock Island District of the Army Corps of Engineers argues that the increased flooding along the river is in great part a result of the encroachment by local communities of the river's natural flood plains. "As the towns spread closer and closer to the river—as well as up and down the river—there's just little place for the excess flow to go," he says.

WINNING TAKES HARD WORK

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. BOLLING. Mr. Speaker, John Roche, a teacher, Presidential assistant to Lyndon Johnson, and now a columnist, recently wrote a column entitled "Winning Takes Hard Work." It underscores the adage that success is one-third inspiration and two-thirds perspiration. The way to fashion one's view into a majority view is by hard and sometimes dreary work, Mr. Roche points out, and not by easy oral broadsides and clubby cliques talking to themselves. It follows:

Winning Takes Hard Work

Recently a young man named Billy Singer set the Daley machine on its ear in Chicago by narrowly defeating the organization candidate for City Council.

I found this interesting for a number of reasons both personal and professional, feeling pride in the accomplishments of a former student and confirmation of a deep-seated conviction that the "system" is vulnerable.

Spokesmen for the "New Politics" constantly talk as though the American political process were a massive monolith, when in fact we live in a society with an unbelievably disorganized and sprawling party system. Probably the Daley organization in Chicago is one of the high points of political oragnization, but Singer took it on and won.

The problem is that winning involves hard work rather than making speeches or writing denunciations of the Establishment in obscure periodicals.

Fifteen years ago I took almost a year out of my life in a campaign to take the Democratic county committee away from the Republicans, who had controlled it since time immemorial because they wanted the power to nominate the Democratic candidates for county Commissoner.

(In states like Pennsylvania where the constitution requires minority representation on county commissions, the majority party has a vested interest in capturing the minority commissioner. This insures that contracts and various disguised patronage operations will go through without controversy.)

That year was a real course in political science, and I have never since underestimated the degree of commitment required of a successful politician. It is almost like a religious vocation. One abandons family, regular meals, sleep, and leisure for an endless series of meetings with groups and individuals.

On any efficiency chart, most of the time is wasted. It consists largely not of wheeling and dealing, but of listening to life stories and developing an atmosphere of understanding and trust.

One township leader, whose cooperation was essential, put me through a six-hour wringer to learn, as he later confided, whether I would still be around if we lost the primary. If he put on war paint and lost, he had no place to hide; I could always retire to the college library.

One does not get ahead in this kind of politics by reading up on political theory; the street lists are far more important. In our own ward, for example, we discovered by checking the new registration list against the old that about 50 Republicans had shifted to Democratic.

This might have been reassuring—a real ego boost—except that further checking revealed that they were all employes of the Republican township and their families. We had to fight off a primary raid in our own backyard.

How far this world is from that of the new left matadors (or usually banderilleros) who will rush to Chicago, Washington or where-ever the TV cameras are, throw their darts to the accompaniment of ferocious speeches, and then vanish.

Their idea of a real attack against the "system" is to write a letter to the editor of The

New York Review, or better, cut loose on a TV panel discussion.

Indeed, some years ago when a "peace candidate" ran for senator in Massachusetts, I discovered that his leading local spokesman was not even registered to vote.

Talking about "New Politics" is a relaxing substitute for working, and quite possibly winning, at the old. It is a natural for those who are more interested in airing their anguish than they are in victory.

The real lesson of the McCarthy candidacy last year was, ironically, not the need for a new system, but the vulnerability of the old system to new activists.

In New Hampshire, for example, the McCarthy delegates got elected by the simple technique of nominating only one person for each slot.

The Democratic barons in the state didn't bother with a slate, a number of candidates went for each position, and the touted organization split its votes and got clobbered. Similarly in New York, Paul O'Dwyer got the senatorial nomination with the support of less than eight percent of the state's registered Democrats.

Now Billy Singer has taken the low road of hard work and licked the Daley machine. Some of his classmates at Brandeis have become expert toreros, but he has done more for the "New Politics" in three months than they have in a decade of alienated griping. I doubt if they will ever forgive him for it.

EMPHASIS ON MILITARY SPENDING MISPLACED

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. CLAY. Mr. Speaker, out of respect for my duty to report to my constituency on the important issues and votes which come before the House of Representatives, I issued a statement following the March 27 vote on the supplemental appropriation request for defense expenditures. This statement was printed in full by the St. Louis Argus weekly newspaper, April 11. Saturday, April 26, the St. Louis Post-Dispatch carried the Argus column on the Post editorial page.

I think it is past time that Members of this body speak their mind on military matters—even if it is a view which opposes that of the vast military-industrial complex. I cannot understand the reasons for soft peddling opinions on military issues—when they are obviously of such great concern to the public. The power center may not listen when we protest the increasing imbalance of priorities in this Nation—but as responsible citizens and public servants, we should register views on matters of policy which affect this balance.

Time and again I have heard it said that we cannot pull out from Vietnam and lose face with the people of Southeast Asia. Time and time again, I have asked persons who hold that view to explain—why are we more concerned with saving face in Southeast Asia than in honoring a commitment long overdue to citizens of this country who have never been offered the opportunities supposedly guaranteed all citizens of this free Nation. In the last 2 weeks, this administration has announced its plans to pull out of the Job Corps program in 59 instances affecting nearly 17,000 American youth. They justified it in terms of money which will be better spent because of the closure of these centers.

No one was worried about saving face with these young people—and they have, in many instances, determined that this Government and this Nation has written them off. It is a tragedy that we take this pullout so matter-of-factly—when we cannot even discuss such a pullout in Vietnam. If the policy of this Government shall be to save face—the policy should start at home. If this Government is not responsive to the people it serves, the question of saving face with other people of other nations is unworthy of discussion.

I bring this statement to the attention of my colleagues in hopes that other Members who share my concern will join in public expressions of their opinions:

"No" Vote on Arms Spending

(Congressman William Clay, in the St. Louis Argus)

On March 27, 1969, the Congress received a bill for $76 million for more money for the Department of Defense. It was in the form of a supplemental appropriation request—in other words—it sought an additional $76 million over and above the $74 billion already appropriated for defense operations in 1969—a monstrous amount unduplicated in the history of the United States. I could not support this additional appropriation and I cast a "Nay" vote on this roll call.

In view of the disproportionate share of the federal dollar already assigned to the military complex, it is inconceivable to me that the defense of the country honestly depends upon an additional $76 million in 1969. I cannot accept the notion that the needs for our defense are more dire or urgent than the suffocating needs of bare human sustenance within this country. This government has two primary responsibilities—to provide for the common defense and to protect the national welfare. Attending to one responsibility at the exclusion of the other is completely unsatisfactory. A disregard for either responsibility cannot be condoned but the pursuit of one responsibility at the expense of the other is an intolerable injustice which has too long prevailed in this nation.

Our cities are rotting, our air and water is being polluted and the human resource on which the life and future of any country depends is being eroded by hunger, unemployment, inadequate education and an over-abundance of despair. The federal responsibility for protecting these elements of the national welfare lags too far behind. Consequently, it is difficult to find justification for spending more money to support the vast military complex which continues to dominate the interests of the American public.

It is a question of priorities—simply defined, a question of values. Will our commitment be to the creation of a fair and just social and economic climate of democracy or will it be a commitment to amass the largest military force ever assembled on this earth? Shall we pursue the perpetuation of democracy in an effort to perfect it—or shall we pursue the perpetuation of a defense establishment which has too long reigned without question in this country? There are those of us who seek a balance between the interests of defending democracy and democracy itself.

Consider the $74 billion defense budget for 1969 in contrast to the total appropriation for education, manpower, housing and community development programs which, for 1969, is less than $10 billion. It will not be an easy task to achieve a better balance in our priorities.

To the money spent for military operations must be added the precious blood of American soldiers which is also spent to defend the American way of life. If these sacrifices continue in the name of democracy, we must remain vigilant in examining the authenticity of the cause for which we dedicate our manpower and our money. If what we have in this country is not truly democracy with equal opportunity for all, we should divert those funds from military security to programs which will further the internal security of the United States. Our emphasis on military spending is misplaced when our domestic needs are so pressing as they are today.

AMERICAN VETERANS COMMITTEE'S LEGISLATIVE PROGRAM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. RYAN. Mr. Speaker, the American Veterans Committee has recently issued its legislative program and aims for the 91st Congress. The legislative aims of the committee represent a thoughtful and well-analyzed consideration of the most urgent problems facing our society. Taken as a whole, the priorities urged upon Congress by the committee—which emphasize the prompt securing of peace in Vietnam and increased attention to the crisis in our cities—closely correspond to the reordering of Federal resources which I have repeatedly urged upon this body. I insert in the Record the text of the program advanced by the American Veterans Committee, and I urge my colleagues to give close consideration to the proposals contained therein:

Statement and Legislative Program of the American Veterans Committee to the Members of the 91st Congress

The task facing the American people and its elected representatives in the 91st Congress is:

To reaffirm in all its actions our American belief in democratic values; in government by, of and for the people; and in individual freedom;

To reject violence, racism and totalitarianism;

To prove by its actions that our democratic institutions and processes of government are coping with the domestic problems that face our nation and imperil its unity.

These problems are:

(1) overcoming racism and religious and ethnic prejudices in all their forms and in all areas of American life.

(2) uprooting poverty and its stunting effect on American life.

(3) improving the physical environment in which we live and the public services which we need.

(4) enabling minority groups (Negroes, Spanish-Americans, Indians) to assume an equal and active role in all phases of public life, and devising new ways to insure effective participation in government by all citizens at all levels.

But we also face problems abroad. The most critical of these is the fighting in Vietnam, which we must honorably end. We have urged in the past and urge again a multilateral cease-fire and a political settlement on the basis of full self-determination of their future by all the people of South Vietnam. Such a settlement can be followed by a withdrawal of American, North Vietnamese and other foreign troops from South Vietnam. We expect that new steps will be initiated toward these goals and urge Congress to support them fully.

But regardless of whether an early end to the fighting in Vietnam or at least a de-escalation of its costs is attained, we must dedicate ourselves to dealing with the great domestic problems outlined above. Congress, as one of the principal voices of the people, must recognize without ambiguity the fact that the racist attitudes of most of the white majority of our people and of its institutions are the root cause of the discrimination, exploitation and injustices suffered by Negroes and members of other minority groups, as the Kerner Report so well pointed out. Congress must, therefore, visibly demonstrate its steadfast determination to uproot discrimination in the United States—in the minds of our people, in the administration of our government, and in our public and private institutions and enterprises.

Congress must within its constitutional powers satisfy the insistent demand of all segments of the American people to an active and influential voice and effective participation in guiding our nation, and this insistent and just demand cannot be denied.

In issuing this call for action we are aware of the fact that helpful legislation in the areas of our major concerns has been passed by recent Congresses and that many of the members of the 91st Congress participated in enactment of such legislation. Action by the 91st Congress means, therefore, in substantial part, insuring that the recently passed laws are fully enforced to insure to all citizens their rights thereunder, that adequate funds be raised from federal taxes, and that necessary funds and personnel are provided to this end. But the 91st Congress must also stake out new frontiers and find better solutions to the problems which confront the American people.

To achieve these goals, at least in part, during the coming Congress, we offer the following programs:

CIVIL RIGHTS

1. Extension of the 1965 Voting Rights Act, which expires in 1970, at the earliest possible moment so as to insure continued guaranties of voting rights for minority group voters.

2. Adequate appropriations and staffing for the vigorous and strict enforcement of existing federal anti-discrimination laws, executive orders and regulations. This applies to the U.S. Civil Rights and Equal Employment Opportunity Commissions, the Department of Justice and to all other Federal agencies with Title VI contract compliance responsibility. We oppose the transfer of enforcement functions in the field of education from the Department of HEW to the Department of Justice which would signify abandonment of administrative sanctions and adjustments which have proved effective in this area.

3. Adoption of realistic financial contract sanctions, in addition to contract cancellation, against violators of laws, executive orders and regulations prohibiting employment discrimination by government contractors and their sub-contractors. Congress should investigate the effectiveness of the equal employment opportunity programs, especially in defense contracting.

4. Elimination of remaining areas of discrimination in federal employment by providing through statute for realistic relief in the form of compensatory back-pay and promotion for federal and District of Columbia employees who have been the subject of discrimination in hiring, promotion or job assignment.

5. Expansion of fair housing legislation, including effective sanctions against all those who in any way, directly or indirectly, participate in the maintenance of housing discrimination, whether as financial agencies, real estate developers, builders, owners, sellers, landlords or their agents. It is imperative that victims of discrimination in housing actually receive the housing which has been denied them.

6. Outlawing discriminatory practices in in the empanelling of juries under state laws.

ELIMINATION OF POVERTY

1. Strengthening of OEO as an independent agency, focusing on anti-poverty programs with the maximum feasible participation of the poor, adequately staffed and funded.

2. Continuance, expansion and full appropriations up to authorized amounts for job training programs, adult education and special educational programs for disadvantaged children. Job training programs must be oriented toward available jobs and skills needed in a modern technological society and provide general education, where needed, as the basis for the acquisition of greater skills. Such programs must also provide opportunity for the acquisition of business and managerial skills.

3. Financial and technical assistance to members of minority groups in establishing new independent businesses or expanding existing enterprises, including authority for government agencies to accept greater risks than those which private financial institutions and insurance companies will accept. The main emphasis in helping minority group entrepreneurs must be on direct Federal Government loans, rather than on guaranties to private lenders.

4. A humanely administered welfare system which must include (a) national eligibility and benefit standards, (b) a decent minimum standard of living for those unable to work for age, health or family reasons, (c) administrative procedures and practices which clearly set forth the rights and obligations of welfare recipients and which simplify the determination of eligibility and other adjudications or appeals. Welfare recipients should be permitted to retain minor assets, such as insurance payments for injuries or property damage, and to retain at least a portion of the wages which they are able to earn. Work incentive programs should be expanded but participation should be strictly voluntary.

5. Free food stamps should be issued to all needy persons unable to pay for them. The Department of Agriculture should be required to institute food stamp programs in counties not yet covered and to start food stamp and food donation programs even if local officials refuse to apply.

6. Funds must be appropriated by Congress to build all public housing authorized in past legislation and not yet built. Public housing must be upgraded technically and esthetically and unit cost limitations raised to realistic levels. To avoid ghettoizing the poor in public housing, rents should be adjusted upward so that working Americans of varied incomes may benefit from public housing facilities. Novel housing and urban improvement programs, such as repair of existing housing, assistance toward homeownership and rent subsidies, should be adequately funded so as to permit these programs to proceed effectively. Congress must assist in the modernization of the housing industry and of building codes so that housing costs can be reduced and kept within bounds.

7. Health care must be further improved and expanded to enable all citizens regardless of age to receive all medical and dental services which they may need. Congress should institute a full-scale investigation into all aspects of medical care with a view to its improvement and the reduction of its cost.

8. The Fair Labor Standards and National Labor Relations Acts should be extended to cover all employees subject to federal jurisdiction without any exception. Even recent amendments to the Fair Labor Standard Act have left numerous workers without coverage and with a poverty level of earnings. The minimum wage level should be further raised so that those remunerated at that rate, can earn wages above the poverty level.

9. The work of Congress, recently begun, in protecting the consumer against fraud, overreaching in terms of prices and installment financing, substandard or unsafe goods, etc., must be continued and expanded. Extreme watchfulness will be required to ferret out new practices replacing those banned by newly enacted laws.

10. Important as all these programs are, they cannot be expected by themselves quickly to end poverty and unemployment or underemployment and to counteract the effects of continued technological progress on employment. All of these programs must be buttressed by the obligation of the Federal Government to act as the "Employer of Last Resort" and to provide permanent and useful employment for those whom private enterprises cannot train for or provide with such employment.

THE PRESERVATION AND/OR RESTORATION OF A LIVABLE ENVIRONMENT

1. Expanded anti-pollution legislation to force those whose activities have polluted or continue to pollute air, water and land, to take promptly the steps necessary to end the harm which they inflict on our environment. Emphasis must be on speedy action for near-term results and the creation of production facilities for anti-pollution equipment of all types on a far larger scale than presently in existence. Congressional pressure on the automotive and oil industries must be maintained to bring about the production of cheaper and better anti-pollution devices for motor vehicles and of motor and heating fuels with less pollutants.

2. Reconstruction of city cores to create recreational, cultural and other public facilities for the preservation of the amenities of urban life. Such reconstruction must simultaneously, if not first, provide housing and business quarters for those displaced at reasonable rentals.

3. Revitalization of local public transport as a public service to attract maximum public use.

4. Expansion and preservation of national parks and other public recreational, forest and wilderness areas for public enjoyment and a healthful natural environment.

CITIZEN PARTICIPATION

1. Abandonment of the Electoral College system in presidential elections and the election of the President by a nationwide majority of the American voters. Any such plan must safeguard the integrity of the vote count, provide uiform residential and minimum age qualification for the right to vote, and prevent vote fraud.

2. Expansion of the right of the citizen to be heard and to participate effectively in the planning of public projects which concern him, such as anti-poverty programs, housing, urban renewal, model cities, highway construction and transportation and local health care projects. Provisions for public hearings prior to and after final preparation of plans in these fields should be uniformly adopted along the lines of those now proposed by the Department of Transportation.

3. Lowering of the voting age in all federal elections.

4. Equitable distribution of the burden of military service. The obligation of the citizen to support his country by performing military service should not be treated as a "punishment" imposed on those whose conduct affronts the susceptibilities of the Selective Service or local draft boards.

WATER POLLUTION

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. HUNGATE. Mr. Speaker, at a time when Congress is considering the problem of water pollution, this article from the Monday, April 14, 1969, Christian Science Monitor should be of interest:

WATER POLLUTION

(By Robert Cahn)

DAVENPORT, IOWA.—The first major argument between a state and the federal government over water pollution control has developed into a full-blown fight.

After the opening round of a two-phase "conference," neither side was giving ground. State and federal officials who testified at the start of what may become a long hearing process were united in the objective of opposition to water pollution. How to achieve it, however, is being contested vigorously.

For two days, the water-control officials, expert scientists and a few representatives of the general public went to the podium in the Blackhawk Hotel ballroom to give their statements and then make rebuttals. Three blocks away, the object of their attention, the wide, muddy Mississippi rolled along, nearing flood crest stage.

AGREEMENT SOUGHT

Everyone who cared to could see from the hotel windows that the river was muddy. But was it "polluted"? Or how badly polluted? And was the amount of pollution enough of a threat to warrant imposing stronger (and expensive) waste treatment restrictions on cities and industries along the river?

These were the immediate issues in the first 12 hours of hearings before the conference recessed. It will resume April 15 in Council Bluffs to raise similar questions about the Missouri River on Iowa's western boundary.

The federal government's Water Pollution Control Administration (FWPCA) is demanding that Iowa go along with the other 49 states and agree to general statewide plans for secondary waste treatment.

The Iowa Water Pollution Control Commission insists that the government's charges of pollution in the Mississippi are not proved by the facts, and that the commission is not empowered under Iowa law to order the degree of treatment demanded by the federal government for these two rivers.

It is not a case against Iowa as a "polluter." Iowa's record in fighting water pollution is considered good, especially for its interior streams. But Iowa is the first state to challenge the federal government's attempt to establish standards under provisions of the Federal Water Pollution Control Act of 1965.

Should Iowa be overruled now and choose to carry its case through the hearing process and into a court fight, the consequences could be serious for federal relations with other states, and in bringing about action and enforcement on standards already set.

ACTION URGED NOW

Yet a significant principle also is at issue—a testing of the section of the 1965 law concerning enhancing the quality of water even before pollution has become dangerous.

This issue was put into focus by two witnesses who led a small block of representatives from the League of Women Voters.

"Action now will prevent pollution from accompanying the predicted increase in population for the urban areas along this river," said Mrs. George G. Koerber, state chairman for water resources of the League of Women Voters of Iowa.

"Action now means the necessary treatment facilities will be in operation when the increase occurs—not five or more years later. We know that other areas of the nation have greater pollution problems. This fact, however, does not remove the need to prevent or control pollution in this river basin."

Added Mrs. Wade Hartman, water resources chairman of the Scott County League of Women Voters: "Perhaps this is the generation which must bear the cost and responsibility for reversing the process of pollution, which must not be satisfied with maintaining the status quo, but concern itself with the rehabilitation of our rivers and streams, while rehabilitation is still practical."

Except for the league and a few delegates from the Izaak Walton League and one other conservation group, public citizen participation in the conference was minimal.

TECHNICAL TESTIMONY

Most of the 12 hours of testimony involved highly technical factors in treating sewage and industrial wastes, their effects on the Mississippi River, and legalistic matters regarding powers of the state vs. powers of the federal government.

The Iowa conference was ordered by retiring Interior Secretary Stewart L. Udall, who sought to leave office with all 50 states completing state standards for water-pollution control. Under the new federal law, the state standards would automatically become federally enforceable standards when accepted by the secretary.

By late last year, 48 states (including Iowa), had presented "acceptable" state plans. But a major "exception" granted to Iowa over the issue of secondary treatment on the two main rivers, and several minor exceptions were still unresolved after 18 months of negotiations.

Mr. Udall twice asked the then Gov. (now Sen.) Harold E. Hughes (a fellow Democrat) for help. But the state commission held to its position. Two days before he left office, Mr. Udall announced it would be necessary, in line with the 1965 law, to call a conference "to deal with the deficiencies in Iowa's standards."

New Interior Secretary Walter J. Hickel tried to get an agreement that would forestall the conference. He asked the new Republican Governor, Robert Ray, for assistance. The idea of the federal government having to take action against a state would not only be embarrassing, but would be a setback to federal-state relations.

A private meeting was scheduled for March 27. Carl Klein, Interior Assistant Secretary for Water Pollution Control and Research, went to Chicago to meet with three members of the Iowa Water Pollution Control Commission and an aide to Governor Ray.

Agreement was reached on most of the minor problems. But on the issue of requiring secondary treatment, the meeting turned into a shouting match between Mr. Klein and Iowa commission chairman Robert Buckmaster. The meeting ended with positions hardened.

The Davenport conference was presided over by Murray Stein, FWPCA assistant director who succeeded in creating an atmosphere of mutual understanding of the issues.

POSITION SUPPORTED

The FWPCA paraded a number of expert witnesses to back its position that primary treatment of municipal and industrial sewage just doesn't do the job of removing the dangerous pollutants being poured daily into all the nation's waters.

The eight other states bordering the Mississippi and six other states along the Missouri River have agreed on the principle that it is necessary to start providing secondary treatment now and not wait until pollutants bring about obviously damaging effects, the government argues.

The Mississippi and the Missouri should be considered as units, FWPCA witnesses said. Just because damaging pollutants don't show up now along Iowa's shores is not adequate reason for refusing to improve the quality of the river by not adequately treating wastes before they enter the stream. This would benefit neighboring and downstream users, as well as Iowa.

Primary treatment removes only about 40–45 percent of the impurities, mostly solids that will float or sink. Secondary treatment will remove another 40 to 50 percent of the wastes (or a total of 80 to 95 percent), including potentially damaging pollutants such as nitrogen, detergents, petrochemicals, and other organic materials, and micro-organisms believed to be hazards to health.

CHARGES DISPUTED

Although Iowa has extensive secondary treatment for all interior streams, only three out of 18 municipalities which presently discharge wastes to the Mississippi River have secondary treatment.

The wastes from these cities and their industries are equivalent to the wastes from a population of 1.5 million people, FWPCA said. Secondary treatment could keep the raw waste equivalent of 1.3 million persons from the Mississippi River each day.

The federal government also said that total manufacturing in the area is projected to double by 1980 from the 1960 level, plus a significant increase in the number of hogs and pigs. There also will be much greater recreational demand on the Mississippi River.

Iowa's witnesses disputed government charges as to the pollution of the Mississippi River.

"No evidence has been presented that secondary treatment was needed, that it would enhance the water quality any substantial degree or that it was economically feasible," said Mr. Buckmaster.

"We in Iowa have a long history of taking care of our own problems and of working with the federal government," he said.

RESPONSE PLEDGED

Mr. Buckmaster added that when scientific data gives a basis even of a projection of pollution, the Iowa Commission would take action to prevent pollution, although a change in Iowa law might be necessary to enforce secondary treatment.

Iowa also objected to FWPCA insistence upon providing secondary treatment facilities on the Mississippi by 1972, when at least one bordering state, Missouri, was being given until 1982.

In addition to the secondary treatment problem, the other disagreements which now seem headed for compromise solution include continuous (rather than seasonal) disinfection of controllable waste discharges, maximum temperature requirements on interior streams, standards for phenol and radioactivity, and an acceptable state policy on nondegradation (not lowering the existing quality of nonpolluted waters).

The record of the Davenport and Council Bluffs hearings will be forwarded to Secretary Hickel for a decision, which can be appealed by the state.

HOUSE OF REPRESENTATIVES—*Wednesday, April 30, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Beloved, follow not that which is evil, but that which is good. He that doeth good is of God.—III John 1: 11.

O Thou who hearest prayer and answereth according to Thy wisdom, to Thee we come in this silent moment of quiet devotion. We humble ourselves in Thy presence confessing that we have done that which we ought not to have done and left undone that which we should have done. Do Thou have mercy upon us, forgive us and send us out into this day with creative minds to think clearly, with hearts warm with love to spread good will, and with hands ready to serve Thee more fully and our country more faithfully.

Help us to bridge the chasms which separate men, to heal the festering sores which infect our national life, to foster unity among our people, and to promote cooperation between the nations of the world.

Breathe upon us Thy spirit, reveal to us Thy way and give us courage to walk in it to the glory of Thy holy name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

LOOKING IN ON THE FIVE SIDES ADVERTISING AGENCY

(Mr. JACOBS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JACOBS. Mr. Speaker, let us once again look in on the Five Sides Advertising Agency where the chief is speaking to Dr. Strangebird:

> "Strangebird, you just don't seem to understand anything. When our friends said Lenin said that, they were talking about wasting money on silly things like education, not such worthy projects as A.D.C. (aid to dependent contractors). It just gets you a lot of taxpayers who want to '. . . reason why . . .' And, believe me, that doesn't help much in the advertising game, especially when you're trying to sell this boon dog . . ., I mean grant this boon to these worthy contractors. And they are worthy, Strangebird. They advertise in our Service Association Magazines. And we're not going to be at Five-Sides all our lives. Remember, Strangebird, 'No greater love hath a contractor than to lay down a job application in front of a retired Five-Sider.' They stick with us. And we're going to stick with them through Thick and Thin. Strangebird, we've just got to come up with a successful advertising campaign on this one."
>
> "Well, Chief, since you put it that way, let's use the ultimate advertising weapon."
>
> "Strangebird, you mean?"
>
> "Exactly. Disloyalty. We could take the old 'my contractor, right or wrong' and run it up the flag pole and see if we could get the House Minority Leader to call somebody un-American for not saluting it."
>
> "It's a great idea, Strangebird. But, believe me he'd never do it."

[From the Washington (D.C.) Star, Apr. 29, 1969]

> "Where are they going to stop?" (Minority Leader Gerald Ford) asked angrily. "Do they want to unilaterally disarm America when we face a serious threat from the Soviet Union?"
>
> Ford said that putting all such Congressional opposition in a total package, there seemed to be a movement in concert aimed at seriously eroding the U.S. capability against attack.

OUR RESERVISTS AND GUARDSMEN DOING GOOD JOB

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, the article on the front page of the Washington Post today pertaining to Army Reserve units could be misleading. The article said in effect that a Reserve Army unit called to active duty in May of 1968 has been a snafu unit contributing nothing to the war effort. This unit is stationed at Fort Eustis, Va.

Mr. Speaker, because one Army Reserve unit might have some problems let us not condemn the whole Reserve program. I rise today to commend the 43 Army Reserve and National Guard units now serving in Vietnam. These reservists are from 30 different States—one of these units being from my own State.

I can speak with authority when I say these Reserve units in Vietnam are excellent. I visited some of these citizen soldiers when I was in Vietnam 4 months ago. I made a point to ask General Abrams what kind of job our reservists and guardsmen were doing. He said:

> These units are superior and after several months these reservists and guardsmen are just as good as their regular counterparts.

Mr. Speaker, in fact several Guard and Reserve units I observed in Vietnam were the best I have ever seen in my 24 years of military experience.

I suggest to the editor of the Washington Post that he send the writer of this article in today's paper to Vietnam and let him see firsthand what these Reserve and National Guard units are doing to uphold the status of the citizen soldier.

HEARINGS ON EXTENSION OF THE VOTING RIGHTS ACT OF 1965

(Mr. CELLER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CELLER. Mr. Speaker, I am pleased to announce that Subcommittee No. 5 of the Committee on the Judiciary has scheduled public hearings on H.R. 4249, and related measures, designed to extend for an additional 5 years the provisions of the Voting Rights Act of 1965. These hearings will begin on Wednesday, May 14, 1969, at 10 a.m., room 2141, Rayburn House Office Building.

While progress under the Voting Rights Act of 1965 has been significant, it must not obscure our need to accomplish much more. There is a substantial danger that if the prohibitions of the act on literacy tests and similar devices are permitted to expire in 1970, the conditions which existed prior to the statute's enactment would return.

Those wishing to testify or to submit statements for the record should address their requests to the Committee on the Judiciary, House of Representatives, room 2137, Rayburn House Office Building.

DR. CLIFFORD C. FURNAS

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, it is with great sadness that I report to the House that our country has lost one of its outstanding patriots and dedicated citizens of our time. Last Sunday, Dr. Clifford C. Furnas died, apparently as the result of a heart attack, in Amsterdam, the Netherlands. His passing is of special sorrow to the Committee on Science and Astronautics because of Dr. Furnas' long association with the committee as a charter member of its Panel on Science on Technology.

His wisdom, broad experience, and worldwide prestige, which he gave so generously to the Panel, was a product of a career few men of our Nation can match in distinction. As a scientist, engineer, educator, and university president, his influence has had an effect on Amercan progress in science and technology that transcends any possible measurement.

He gave of himself unstintingly as the president of the State University of New York at Buffalo and as an adviser to the Federal Government. Time does not permit me to list the many private and government organizations with which he had been associated over the many years. Nevertheless, the contributions to his country will live long into the future. I extend on behalf of myself and the Committee on Science and Astronautics our deepest condolences to Mrs. Furnas and to her children over their sad loss.

THE LATE DR. CLIFFORD C. FURNAS

Mr. DADDARIO. Mr. Speaker, I learned only this morning of the death last Sunday of Dr. Clifford C. Furnas in the Netherlands. This sorrowful news has great significance not only to the scientific and academic communities, but also to the Committee on Science and Astronautics of the House. Dr. Furnas was chosen in 1959 to be a charter member of the committee's Panel on Science and Technology and was a tower of strength, counsel, and wisdom over the 10 years of its existence.

Dr. Furnas brought invaluable qualities and capabilities to the deliberations of the Panel. He was a man of eminence and achievement in the worlds of education, private business, and government. Most importantly, he possessed great human qualities of generosity, spirit, mind, and body that made him an outstanding leader of men. Over the span of his career, which culminated in the presidency of the State University of New York at Buffalo, he was instrumental in the formation of Government decisions with regard to science and applied technology that have affected deeply the lives of our people, and, indeed, of peoples across the world.

We will never be able to evaluate the contributions he has made to the welfare of his generation and those to come. We do know, however, that his loss will be deeply felt not only by his associates in private life and in the committee, but also by Americans of our time and the future.

I join with Chairman MILLER and my colleagues of the committee in extending to Mrs. Furnas and her family my most sincere condolences.

CAMPUS DISORDERS

(Mr. MONAGAN asked and was given permission to address the house for 1 minute and to revise and extend his remarks.)

Mr. MONAGAN. Mr. Speaker, earlier this month I had expressed regret at the failure of President Nixon to speak out more forcefully on the subject of campus disorders. I was pleased therefore when yesterday he called upon our college administrators and faculty members to stand fast against the rising tide of lawlessness, riots, and uprisings and made it clear to all concerned that the power and strength of his Office will protect orderly dissent but will support the majority in resisting the extension of student dissent into disruption and illegality and that he opposes a grant of amnesty for breaches of the law.

I am gratified that President Nixon has finally spoken out clearly and firmly. I am confident that his statement which was received with enthusiasm where he spoke sets an attitude on the part of constituted authority which will contribute to bringing about the desired tranquilization of the Nation's campuses and gives a concerned nation the knowledge that the Executive is concerned about this critical problem and does not hesitate to speak out on the side of sanity and justice.

MR. BLACKBURN INTRODUCES BILL DESIGNATING MAY 11–17 AS "HELP YOUR POLICE FIGHT CRIME WEEK"

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute.)

Mr. BLACKBURN. Mr. Speaker, I am sure that all Members of Congress have seen the bumper stickers and banners entitled, "Help Your Police Fight Crime." The avowed purpose of this display is to encourage our local law enforcement officials in their lasting fight against crime.

The men who wear the uniform of police officers daily display courage and dedication to the cause of lawfulness in an orderly society. At times it would seem that some members of our public do not appreciate the efforts of our police officers. The purpose of my resolution is to reaffirm to the police officers of our country that they do have the respect and support of the great mass of the American public.

I believe that if the Congress and outstanding citizens in the Nation united in support of their police, we would be on the road to solving our crime problem. Therefore, I am today introducing a joint resolution authorizing the President to proclaim the week of May 11 through May 17, 1969, as "Help Your Police Fight Crime Week."

I am glad to note that District of Columbia Mayor Walter Washington, on the recommendation of Police Chief John Layton, has decided to proclaim the week of May 11 to 17 as "Help Your Police Fight Crime Week" in the District. I hope that the Congress will take favorable action on this resolution so that the whole Nation may participate in this week.

BARRY GOLDWATER, JR.

(Mr. WYDLER asked and was given permission to address the House for 1 minute.)

Mr. WYDLER. Mr. Speaker, I yield to the gentleman from Michigan, the minority leader (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the gentleman from New York yielding to me, and I will change the subject matter.

A few weeks ago we had an election in Wisconsin to fill the vacancy left by one of our colleagues who is now in the executive branch of the Government, and several Members on the other side of the aisle at that time made some remarks on the floor of the House pointing out that perhaps this was a trend away from the new administration.

Well, we had an election to fill a vacancy out in the State of California yesterday, and I am glad to report to the Members of the House and particularly to my friends on the other side of the aisle that the tentative results of that election are as follows: the Republican candidate had a total of about 65,000 votes and the Democratic candidate had about 49,000 votes, a margin of about 16,000. The net result is that this body will have shortly—and I am glad to welcome him—the son of a distinguished Member of the other body who, I am sure, will do as well here as his illustrious father has done in the U.S. Senate.

Mr. WYDLER. I think that the gentleman is referring to BARRY GOLDWATER, JR.

Mr. ALBERT. Will the gentleman yield to me?

Mr. WYDLER. If I have any time left.

The SPEAKER. The gentleman has the time.

Mr. ALBERT. I hope the distinguished minority leader does not think the California election is indicative of any Republican trend. In 1968 when President Nixon was winning California and the Nation the Democratic candidate from the 27th Congressional District of California got 28 percent of the votes. Yesterday he got 43 percent. I think the trend we have been talking about in other races is still underway.

Mr. WYDLER. Mr. Speaker, in any event, the Democratic candidate in that district is a loser.

The SPEAKER. The time of the gentleman from New York has expired.

(Mr. WYDLER asked and was given permission to revise and extend his remarks.)

A TRIBUTE TO J. CARL DOWNING

(Mr. PELLY asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. PELLY. Mr. Speaker, the Pacific Northwest, the U.S. Senate, and his many friends in the House have suffered a real loss in the passing of J. Carl Downing, who for many years was a legislative aide to Senator WARREN G. MAGNUSON.

To me, Carl was not only a friend, but a man who always was reaching out to help in any problem that arose. He was a man or humor and integrity, and he had the wonderful capacity of applying these two characteristics to his work. As a result of his years of service to the Pacific Northwest, all of us who knew Carl are richer in our own pursuits and are more knowledgeable in our endeavors.

The entire Washington State delegation always received the utmost cooperation from Carl, who will be remembered as a truly good man, a kind man, and one who was loved by all who knew him.

Mr. Speaker, my deepest sympathy goes to his wife, Dora, and to the Downing family at this time of bereavement.

C–5A COST

(Mr. ERLENBORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ERLENBORN. Mr. Speaker, as a result of hearings yesterday by the Military Operations Subcommittee of the Committee on Government Operations, an article appeared this morning in the Washington Post which illustrates even further the nature of the legacy inherited by the new administration.

Yesterday's hearings focused on the C–5A aircraft which is presently experiencing huge cost overruns as are a number of other procurement projects initiated by an administration that prided itself upon cost consciousness, cost effectiveness, and purported excellence in program management.

Secretary Laird—who has recently undertaken a most difficult task—mentioned in his first appearance before the Congress the magnitude of these cost overrun problems and suggested there may be a number of others of which he is not yet aware.

Obviously, until further investigation goes forward on the startling disclosures made at yesterday's hearings, I am not prepared to commit myself in support of the interpretations of the evidence as it appears in the newspaper article.

The previous administration was charged with having created a credibility gap in its news management techniques. None of us, I dare say, believed that it had originated as a result of such deceptive practices as alleged in the newspaper article. I, along with the rest of the American public, will be shocked if, indeed, these allegations should be true.

I am confident, from everything Secretary Laird has said and done in these first 3 months, that he will investigate this matter thoroughly within the Defense Department and if there is to be found any wrongdoing of the nature suggested by the article, then, appropriate disclosure followed by appropriate action will surely be taken by him in due course.

THE PRESIDENT'S STATEMENT ON DISTURBANCES ON OUR COLLEGE CAMPUSES

(Mr. LATTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, I was delighted to hear the President of the United States speak out on yesterday concerning the violence on our college campuses. I think his remarks were very timely and I must say that I thoroughly agree with him. He stated that there should be no compromise with lawlessness and no surrender to force on our college campuses. Unfortunately, this has already occurred on too many campuses for the good of education. I think it is time for individuals charged with the administration of these colleges and universities, and this includes maintaining law and order on their campuses, to discharge their responsibilities. Should they be unable to discharge these responsibilities, they should step aside and permit individuals to take their places who possess the will and the ability to stand up to those few who seem bent on taking the law into their own hands. We can ill-afford to reward lawlessness any longer.

And, Mr. Speaker, I would like to say that there have been felonies committed on college campuses by some of these students and they have escaped prosecution; in fact, some seem to think they have a certain immunity from prosecution. I happen to believe that regardless of the individual who commits a crime in these United States, he should pay the penalty prescribed by law for that crime. Certainly students doing thousands and thousands of dollars worth of intentional and willful damage to buildings on our college campuses—buildings which have been paid for out of taxpayers' dollars in many cases—should pay for their actions—both criminally and civilly.

Mr. Speaker, I believe that it is time for our law-enforcement officers to bring appropriate charges against those guilty of these illegal acts. In so doing, they should and must have the full support and cooperation not only of a school's administration but of its faculty as well.

PRESIDENT NIXON TO BE APPLAUDED FOR HIS STAND AGAINST CAMPUS DISORDERS

(Mr. CRAMER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. CRAMER. Mr. Speaker, I want to join those who applauded the President for his very forceful statement before the chamber of commerce relating to and condemning campus disorders and calling upon college administrators to take necessary actions to quell them. This matter is obviously of major national concern. It involves the rights of the majority of students to be properly educated, and the majority of students to be kept free from violence and free from threats and as in the case of Cornell University, free from the guns and threatened physical violence on the part of a small minority in some of the colleges. Under their plan of attack and domestic turmoil to disrupt the American system, many of the militants have now changed the area of civilian disruption and violence in America to the college campuses, and are continuing their efforts to upset, belittle and eventually destroy certain American institutions.

Mr. Speaker, I have asked the Attorney General to fully implement the antiriot act which passed this Congress and is now the law, as to its applicability to those people who are knowingly and intentionally—such as Mr. Rubin and other militants—traveling from State to State, utilizing interstate facilities for the purpose of causing these violent civil disturbances on our Nation's campuses.

I would hope this law would be fully implemented. And I would suggest further—and I have requested the Department of Justice to determine whether additional legislation is needed, and if it is needed I for one intend to support it.

For the record, I also announce my support of the establishment of a congressional committee on organized crime, as evidenced by my introduction of H.R. 170 on January 3, 1969, and my previous introduction of the bill early in the last Congress as H.R. 6054. I support House Resolution 17 which is up for consideration by the House tomorrow, although I think a joint committee, as proposed in my bill, would be more effective and, further, is consistent with the recommendation of the President's Crime Commission, which specifically referred to the establishment of a "permanent joint congressional committee" as the proper approach to investigate this serious problem.

Included in the resolution is the adequate authority needed to consider violent civil disturbances throughout the country, including on the campuses. I further feel that the committee should be made up of an equal number of majority and minority Members, rather than seven Members, in order that all risks of partisanship would be removed, at least as to the committee makeup.

I consider the establishment of a properly constituted committee essential to provide proper focus of attention and factfinding relating to one of the most serious problems facing our country today—crime and campus disturbances.

I must be away from Washington tomorrow due to a longstanding commitment to be the principal luncheon speaker at the Florida Industries Exposition, which is to be attended by thousands of industry representatives in Florida and from many parts of the country. In that this is a symposium which I have the privilege of sponsoring, I find it essential to be in Orlando tomorrow, the date on which House Resolution 17 is now scheduled for consideration. However, my introduction of a similar bill clearly evidences my support and the substantial margin by which it was passed last session clearly evidences the overwhelming House support of this legislation.

NEW RECORD SET

(Mr. HUNGATE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNGATE. Mr. Speaker, I recently received as a gift a book entitled, "The Wit and Humor of Richard Nixon," the subtitle of which is "The Nixon Nobody Knows."

I would quote briefly from this book. On page 43, the following appears:

> During the campaign, Mr. Nixon recalled Mr. Kennedy said he intended to do a great deal in the first 90 days of his Administration.
>
> "As his opponent in the campaign, I don't think it's fair to hold him to the first 90 days. I'll give him ten more days." May 1961.

On page 28, speaking at Des Moines, Iowa, on May 7, 1961, the following appears:

> Speaking about the Kennedy administration, Nixon quipped:
>
> "In the first hundred days this Administration had a greater abundance of words and a greater scarcity of deeds than any in history."

Mr. Speaker, I submit that a new record has been set.

A CALL FOR CONGRESSIONAL HEARINGS ON MILITARY RESEARCH BY 729 SCIENTISTS

(Mr. RYAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RYAN. Mr. Speaker, today I have presented a petition to the House containing the names of 729 scientists and calling for open congressional hearings to review the substance and direction of the entire military research and development program, including the antiballistic-missile system. Signatures were gathered by the Scientists for Social and Political Action; and Prof. Charles Schwartz of the Department of Physics, University of California, Berkeley, and Prof. Robert March, of the Department of Physics, University of Wisconsin, presented it to Congressmen Philip Burton, George E. Brown, Jr., John Conyers, Jr., Don Edwards, Donald M. Fraser, Robert W. Kastenmeier, Benjamin S. Rosenthal, and myself at a press conference held this morning.

Along with Senators George McGovern and Gaylord Nelson, the eight Congressmen who received the petition today were the initiators of the Congressional Conference on the Military Budget which took place on March 28 and 29.

The petition, submitted by the Scientists for Social and Political Action, care of Dr. Martin L. Perl, of Stanford University, is a clear indication of the concern within the scientific community for the implications of present military research and development programs. In view of the fact that the signers of the petition are familiar with the technical aspects of military research and development, I believe it is imperative that Congress accord the sentiments expressed by these scientists a full and open hearing. For it surely is in the interests of Congress, as well as the American public, that the views and advice of these individuals be heard and given careful attention.

The rational expression of concern by these scientists is in sharp contrast with the rhetorical overkill displayed by the House minority leader, the gentleman from Michigan (Mr. Gerald R. Ford) who yesterday raised the specter of a conspiracy among congressional opponents of the ABM. While there are repeated assurances that public fears of conspiracy in the military industrial complex are groundless, the minority leader apparently had no difficulty in finding that the critics of such weapons systems as the Safeguard ABM and the stockpiling of chemical and biological weapons might be acting "in concert."

Apparently his argument is that opponents of the Safeguard system are acting "in concert" to unilaterally disarm the United States in order to leave it naked to the threat of Soviet military aggression. If he seriously believes that these are the motives which are moving increasing numbers of Representatives and Senators to take a careful look at military programs, he might well profit from the opportunity open hearings would give concerned scientists, many of whom have worked on numerous projects for the Department of Defense, to express their views on the consequences of adding still more weapons to the already precarious balance of mutual nuclear terror.

As the petitions presented to Congress today indicate, serious disagreement over the wisdom of the escalating arms race exists not only in Congress but among the scientific community as well. The concerns of these scientists cannot be glossed over with intimations of conspiracies. These concerns must be given the fair hearing they deserve. What is more, it is the responsibility of both Congress and the executive branch to weigh such criticism from scientists with the utmost care and deliberation.

Those of us who received this petition today fully support the call for open congressional hearings on military research and development and urge the House Armed Services Committee to schedule such hearings in the immediate future. With expressions of concern over the military budget increasing all over the country, it is imperative that Congress have the benefit of advice of all segments of the scientific community on these issues, not just views which coincide with those of the Department of Defense.

The text of the petition follows:

A Petition Addressed to the Congress of the United States From Scientists, Engineers, and Students in These Technical Fields

The nuclear arms race, flourishing in the climate of fear and distrust of the past quarter century, has already passed the point of saturation where each major power has the capability to threaten total devastation of its would-be attacker. Now we are concerned that the continued development of new weapons—such as the Sentinel ABM and related systems—may do more to upset this relatively stable situation than to increase security.

Therefore, *we call for open Congressional hearings* to review the substance and direction of the entire military research and development program. As individual citizens with scientific training, we feel that a public, frank and rational discussion of these questions is vital to the health of the nation: for too long this debate has been shrouded in secrecy, dominated by narrow military and industrial interests and supported by the simplistic politics of 'billions for defense.'

If it can be shown that a sizable portion of our military budget is indeed a mistake, this will provide us with a great opportunity to redirect needed sums into urgent domestic programs, and to rechannel much of our technical manpower into constructive projects which will help all mankind enjoy the beneficial fruits of science rather than suffer its destructive powers.

Dr. Martin L. Perl,
(For the Scientists for Social and
Political Action (SSPA)).

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ARMIN MEYER—AMBASSADOR TO JAPAN

(Mr. ALBERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, I take this time to commend the President of the United States on his appointment of Armin Meyer as Ambassador to Japan. My family and I have had the privilege of knowing Ambassador and Mrs. Meyer for a long time. They, and their daughter Kathy, used to be next door neighbors. They are wonderful people, and Mr. Meyer is, of course, one of our outstanding diplomats. He will, in my opinion, serve with great distinction in one of the principal embassies of the world, the American Embassy in that dynamic democracy of the Far East, Japan.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 52]

Adams
Anderson, Tenn.
Baring
Bates
Biaggi
Boggs
Bow
Cahill
Carey
Celler
Chisholm
Davis, Ga.
de la Garza
Eckhardt
Edwards, La.
Foley
Frey
Friedel
Fulton, Pa.
Green, Oreg.
Hall
Hanley
Hansen, Wash.
Hébert
Hogan
Kirwan
Kuykendall
Landgrebe
McCarthy
Macdonald, Mass.
Mailliard
Meeds
Miller, Calif.
Murphy, N.Y.
O'Neill, Mass.
Ottinger
Powell
Preyer, N.C.
Rees
Reifel
Ronan
Rumsfeld
Scheuer
Sisk
Smith, N.Y.
Stuckey
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Tunney
Vander Jagt
Wolff

The SPEAKER. On this rollcall 380 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERSONAL EXPLANATION

Mr. FISH. Mr. Speaker, on rollcall No. 51 on yesterday it was impossible for me to be present on the floor. I would like to advise my colleagues that, had I been present, I would have voted "yea." I request that these remarks be spread upon the Record.

The SPEAKER. The gentleman's statement will appear in the Record.

PERSONAL EXPLANATION

Mr. POLLOCK. Mr. Speaker, yesterday, Tuesday, April 29, I was testifying before the Senate Committee on Interior and Insular Affairs on the Alaska native land claims legislation which is pending, and could not return in time to answer the rollcall on the passage of the bill, H.R. 4153, to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

Mr. Speaker, I regret missing the rollcall. Had I been present I would have voted in the affirmative. I request that my statement may appear in the Record.

The SPEAKER. The gentleman's statement will appear in the Record.

GRANT CONSOLIDATION ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-112)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

In the administration of Federal programs, one of the principal needs today is to improve the delivery systems: to ensure that the intended services actually reach the intended recipients, and that they do so in an efficient, economical and effective manner.

As grant-in-aid programs have proliferated, the problems of delivery have grown more acute. States, cities, and other recipients find themselves increasingly faced with a welter of overlapping programs, often involving multiple agencies and diverse criteria. This results in confusion at the local level, in the waste of time, energy and resources, and often in frustration of the intent of Congress.

As a major step toward improved administration of these programs, I urge that Congress enact a Grant Consolidation Act.

Under our present fragmented system, each one of a group of closely related categorical grants is encumbered with its own individual array of administrative and technical requirements. This unnecessarily complicates the planning process; it discourages comprehensive planning; it requires multiple applications, and multiple bookkeeping both by the Federal agencies and by State and local governments.

The legislation I propose would be patterned in part after procedures used successfully for the past 20 years to reorganize Executive Branch functions. It would give the President power to initiate consolidation of closely related Federal assistance programs, and to place consolidated programs under the jurisdiction of a single agency. However, it would give either House of Congress the right to veto a proposed consolidation within 60 days, and it would establish stringent safeguards against possible abuse.

In order to make consolidation possible, it would be necessary in many cases to make changes in the statutory terms and conditions under which individual programs would be administered. Formulas, interest rates, eligibility requirements, administrative procedures, and other terms and conditions of the various programs being consolidated would have to be brought into harmony. The proposed legislation would empower the President to do this in drawing up his consolidation plans—but only within carefully defined limits. For example:

—Only programs in closely related functional areas could be consolidated.

—Terms and conditions could be changed only to the extent necessary to achieve the purposes of the consolidation plan.

—In setting new terms and conditions, the President would be limited by the range of those already provided in the programs being consolidated. Thus, if a program providing for a 10 percent State matching share were being merged with one providing a 20 percent matching share, he would have to propose a matching share between 10 and 20 percent.

—No consolidation plan could continue any program beyond the period authorized by law for its existence.

—No plan could provide assistance to recipients not already eligible under one of the programs being merged.

—Responsibility for the consolidated program could not be vested in an agency or office not already responsible for one of those being merged.

The effect of these limits would be to safeguard the essential intent of Congress in originally establishing the various programs; the effect of consolidation would be to carry out that intent more effectively and more efficiently.

The number of separate Federal assistance programs has grown enormously over the years.

When the Office of Economic Opportunity set out to catalogue Federal assistance programs, it required a book of more than 600 pages even to set forth brief descriptions. It is an almost universal complaint of local government officials that the web of programs has grown so tangled that it often becomes impermeable. However laudable each may be individually, the total effect can be one of government paralysis.

If these programs are to achieve their intended purposes, we must find new ways of cutting through the tangle.

Passage of the Grant Consolidation Act would not be a substitute for other reforms necessary in order to improve the delivery of Federal services, but it is an essential element. It would be another vital step in the administrative reforms undertaken already, such as establishing common regional boundaries for Federal agencies, creating the Urban Affairs Council and the Office of Intergovernmental Relations, and beginning a streamlining of administrative procedures for Federal grant-in-aid programs. Its aim, essentially, is to help make more certain the delivery and more manageable the administration of a growing complex of Federal programs, at a time when the problems they address increasingly cross the old jurisdictional lines of departments and agencies.

This proposal would permit rapid action, initiated by the President, while preserving the power of Congress to disapprove such action. It would benefit the intended beneficiaries of the programs involved; it would benefit State and local governments, which now have to contend with a bewildering array of rules and jurisdictions; and it would benefit the American taxpayer, who now bears the cost of administrative inefficiencies.

RICHARD NIXON.

THE WHITE HOUSE, *April 30, 1969.*

STATEMENT ABOUT PRESIDENT NIXON'S GRANT CONSOLIDATION MESSAGE TO MODERNIZE GOVERNMENT

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, the President said in the campaign last fall that the need today was "not to dismantle Government, but to modernize it." Now his message on the consolidation of grants program offers a specific means of doing precisely that. At a time when some people are saying that they have lost their faith in institutions, let us affirm that our institutions are still capable of doing the work for which they were created. And let us then put muscle behind our words by approving the request of the President.

If we deny the President this means of modernizing Government, then we can only expect that Government will become increasingly irrelevant to the needs of our people. Just as the ancient dinosaur grew so big and clumsy that it could no longer adapt to new conditions, so our form of Government will grow increasingly awkward and will gradually die.

The war against inefficiency and irrelevancy is difficult to wage. There is a tremendous inertia that resists even the most obvious changes. People find they like the old, familiar ways no matter how outmoded they may be. And they resist the new and unfamiliar, independent of their value. That is why we live today with what almost everyone admits is a bureaucratic nightmare. That is why it now takes a 610-page book even to catalog present Federal assistance programs. That is why some scholars have said quite seriously that it is impossible even to produce an agreed-upon count of the number of grant programs that are run by Federal machinery.

Is there any way to overcome the inertia and produce reform? Over two decades ago, Congress thought they had found such a way when they created in the Government Reorganization Act the concept that the President should be able to take the initiative in this area, so long as Congress retained the power to reverse him.

This principle has worked well in the area of governmental restructuring; just a few weeks ago we extended it again. Now the President asks us to grant him a similar power—though it would be subject to even greater limits—in the area of consolidating grants. Our experience under the Government Reorganization Act, the acute demand for dramatic administrative reform, and the obvious impossibility of achieving needed reform without such a law, all argue that we should approve the request of the President.

(Mr. STEIGER of Wisconsin asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STEIGER of Wisconsin. Mr. Speaker, President Nixon has challenged the Congress by putting forward an imaginative proposal of tremendous import for the future of the Nation. His request that we enact a grant consolidation measure authorizing the President to reorganize our Federal grant-in-aid programs is timely and deserves the careful study of Congress.

It does not require a superior level of intelligence to realize that we are rapidly approaching the point with our system of grants-in-aid where State and local governments will be buried in a blizzard of paper. Any incentive at the State and local level to develop imaginative responses to major problems is being relentlessly destroyed by our own unwillingness to bring a measure of rationality to our Federal aid programs.

James Reston writing in the New York Times of November 23, 1966, pointed out that even then there were some 170 different Federal aid programs on the books, financed by over 400 separate appropriations and administered by 21 Federal departments and agencies aided by 150 Washington bureaus and over 400 regional offices. In one session alone, the Congress enacted 20 new health programs; 17 new educational programs; 15 new economic development programs; 12 new programs for the cities; 17 new resource development programs; and four new manpower training programs, each with its own administrative machinery, policy guidelines, funding requirements, and application procedures. I need not go into detail about our response to social problems since that time—it would only make the picture even less appealing.

The President's proposal is bound to be controversial, but then any measure which seeks to achieve fundamental reforms will be subject to attack by those who feel they have a vested interest in the status quo. I would suggest that those who intend to criticize this particular measure, first analyze their own responsibilities for the present deplorable state of affairs. I think Congress itself should engage in a measure of self-criticism for creating a system of Federal aids which encourages confusion and thwarts imagination and initiative, seriously weakening what little vitality remains to our State and local governments.

Our traditional response to any problem is to enact a new grant-in-aid program with all of the attendant mechanisms of administration, guidelines, and requirements. It is always easier to add on another special activity than it is to adopt the statesmanlike position of suggesting changes in existing programs. We have yet to streamline our own operations to permit us to cope with complex national problems. We often give in to jurisdictional jealousies, both in the executive branch and in Congress. Rivalry between various agencies administering similar programs and the committees authorizing them has replaced a more legitimate concern with results and responsibilities.

A number of prominent individuals with varying viewpoints have addressed themselves to the difficult questions posed by our past response to solving problems.

Daniel Patrick Moynihan has called upon liberals to "divest themselves of the notion that the Nation, especially the cities of the Nation, can be run from agencies in Washington." He said:

> We must attend to what the Federal Government is good at . . . (it) is good at collecting revenues, and rather bad at disbursing services.

Former Gov. Terry Sanford in his book "Storm Over the States," said:

> Federal programs are uncoordinated, leading to overlapping, duplication, triplication, conflicting goals, cross-purposes, lack of consistency and loss of direction.

Tom Wicker of the New York Times:

> Thoughtful men in both parties think the time has come to begin turning back both federal revenues and federal responsibilities to the states, not merely as theoretical federalism but also in the interests of meeting more effectively the great diversity of problems Washington has taken on since the New Deal.

Finally, Walter Heller in "New Dimensions of Political Economy," has effectively articulated the urgency of the task to which the President has addressed his message:

> Federal grants to serve highly specialized objects . . . once established do not yield gracefully to change or abolition. Unless this trend is reversed, Federal aids may weave a web of particularism, complexity, and Federal direction which will significantly inhibit a state's freedom of movement. . . .
>
> We must move toward broader categories that will give states and localities more freedom of choice, more scope for expressing their varying needs and preferences, within the framework of the national purpose.
>
> We have reached the point . . . where some restructuring of our system of Federal aids—some movement toward less conditional and less specific grants—is needed to maximize their contribution to the national interest not only in strong services but in a strong federalism.

The particular mechanism chosen to implement a policy of grant consolidation is not so much the issue as is the urgent need for a national commitment to rationality in the delivery of governmental services. Whether we adopt the President's suggestions or devise a mechanism of our own, we must face up to the challenge he has given us; we must undertake the task of grant consolidation. The proposal of President Nixon is a first step in that direction.

Mr. CRAMER. Mr. Speaker, George Bernard Shaw once wrote that as far as he was concerned there were only two qualities of importance in the world, "efficiency and inefficiency; and only two sorts of people: the efficient and the inefficient." Clearly the new President of the United States belongs in the former category. Because he does and because he feels so deeply about the difference efficient methods can make, there is hope that it may once again be possible to place the U.S. Government in the "efficient" category, as well.

If that were to happen, it would represent the greatest reversal of form since David slew Goliath. But it cannot happen without the cooperation of the Congress. One specific way in which we can provide that cooperation is by approving the President's recent request that he be given authority to consolidate Federal grant programs within certain carefully drawn limits.

I see no reason why we should not give the President this power and a great many reasons why we should. For too many years, too many grant programs have proliferated with too little thought to the way in which each new program related to those already in existence. The result has been an almost infinitely complex array of grants, filled with unnecessary duplications and internal inconsistencies and understood completely by no one. No wonder Government programs have so little impact. No wonder so much money is wasted in Washington. No wonder so many legislative actions seem to make so little difference in the real world.

All of this can be changed by allowing the President to consolidate closely related programs into single grants. There are seven grant and loan programs for water pollution control with sewage treatment plants and related facilities as an example, of needed consolidation The size of the grants, their targets, the way they are implemented, the period during which they are effective—all of these factors will not be changed. Nor will any change be made at all if Congress unwisely is unwilling to go along.

It is a sensible and reasonable proposal which the President has given to us, and one which could prove to be extremely constructive over the long pull.

The Nixon administration may well go down in history as the administration which brought efficiency back to Government. I hope this Congress will be remembered as the one that eagerly helped him do it.

Mr. ARENDS. Mr. Speaker, the President's proposal on the consolidation of grant-in-aid programs could, in my opinion, do more to improve the quality and effectiveness of Government services than most proposals for extensive new programs. In fact, one cannot persuasively argue that new programs are needed until he is also doing all he can to make present programs work.

All of the qualities to which Congress gives so much importance: efficiency, economy, coordination, sensitivity, rationality, effectiveness, will be enhanced by this Presidential initiative.

A Grant Consolidation Act will strike directly at a central problem of our age. It is a problem which bears many names. Some call it hardening of the bureaucratic arteries; others see it as the curse of Government which has grown too big; still others refer to it as the breakdown of the administrative process. By any name, it produces a terrible public disease: the loss of confidence in man's ability to deal with the problems of our time.

To take the sluggishness out of our institutions should be one of our first orders of business. The proposed Grant Consolidation Act offers a ready means of accomplishing that end in an enlightened and constructive manner. It has been carefully thought out, and it merits our support.

Mr. MACGREGOR. Mr. Speaker, no present activity of the administration of President Richard Nixon will go further toward resolving our long-range problems in domestic affairs than his concerted attack on our disorderly structure of Government.

The monumental growth of the executive functions of the Federal Government in recent years has developed with careless abandon and with virtually no consideration for the duplication, waste, and inefficiency which has resulted. The fact of the matter is that the Government is unable to meet the needs of our people. The tremendous proliferation of Federal programs in the past 8 years makes it absolutely essential that our Federal governmental machinery be more intelligently managed.

President Nixon's message today on the Grant Consolidation Act is further significant evidence of this administration's determination to get our Federal house in order so that we may effectively concentrate on solving our great domestic problems.

Our grant-in-aid programs are in a mess. Local and State governmental units too often find themselves confused about what Federal programs are available and for what purpose. The Grant Consolidation Act which President Nixon discusses today makes a great deal of good sense. I would urge the House to take immediate action on this proposal.

The passage of this act, coupled with the administrative reforms undertaken by the President, would do much to bring order to American Government.

It would also help, Mr. Speaker, if Congress would promptly reorganize itself and modernize its procedures and methods of doing the Nation's legislative business.

Mr. ROTH. Mr. Speaker, one of the most pressing problems facing this Congress is the need for reorganization of Federal aid programs to eliminate unnecessary overlap and duplication. A message from President Nixon, presented to this House today, calls for the passage of a Grant Consolidation Act, which would be a helpful and positive step in this direction. I applaud the President's proposal, particularly because it permits immediate action, and hope that my colleagues concur with the President's stand.

We can no longer afford any delay. Already, one hears much talk about a taxpayers' revolt. I believe such a revolt will become a reality unless we take immediate steps to prove to the people back home we are making a maximum effort to spend their tax dollar more efficiently. The President's plan is the beginning of this maximum effort.

I say the "beginning," because we cannot stop there. While the act would combine programs of a similar nature, in the future we must consider whether these same programs, consolidated or individually, are indeed the best approach to helping the people back home.

To accomplish this, more than 160 of my colleagues have cosponsored my bill, H.R. 340, to establish a Hoover-type body, the Commission for the Improvement of Government Management and Organization. Such a Commission would go further than consolidation—one of its goals would be to find more imaginative solutions to the problems now dealt with by a proliferation of Federal programs.

We face now the critical domestic problems of bringing the poor into the mainstream of American life and assuring good education for all our people and revitalizing our urban and rural areas. We must simplify and we must make use of the imagination and resourcefulness of the private sector—of industry and of business. The new consensus of Government reorganization must not only strengthen the present federal structure, but must help point out the new direction. Ways and means must be found to redress the balance in our federal system and preserve our decentralized system of government.

Because daring imaginative approaches must be developed in intergovernmental relations, I propose in my Hoover bill that the Commission should find means of simplifying Federal programs through exploring the use of broad bloc grants and revenue-sharing with State, county, and city governments. I believe Federal funds must flow into State and local communities, free of partisan politics, on a regular, orderly basis, so that local officials can plan programs and activities with assurance as to the amount and kind of Federal assistance that can be reasonably expected to sustain their efforts. Otherwise, only chaos and waste can result. The Commission would further examine the use of public or semiprivate corporations, national and regional, as a means of harnessing private resources and the resourcefulness of private enterprise in solving today's complex problems.

Likewise, my bill would charge the Commission with the responsibility of establishing Government-wide criteria to assist Congress in determining the priority for Federal programs in accordance with national needs and goals. It is of the most critical importance that our Nation's assets be properly and adequately marshaled to solve the Nation's most critical problems. It is going to be difficult at best to find adequate revenue for solving our most serious problems, even with the aid of State and local governments and private sources.

The President makes one other important point in his message which should be mentioned here:

> When the Office of Economic Opportunity set out to catalog Federal assistance programs, it required a book of more than 600 pages even to set forth brief descriptions. It is an almost universal complaint of local government officials that the web of programs has grown so tangled that it often becomes impermeable.

I have said exactly the same thing many times here on the floor of the House, specifically with reference to the OEO catalog and specifically with reference to the Program Information Act, H.R. 338, which provides for the creation of a single, comprehensive catalog of Federal programs. H.R. 338 has 183 cosponsors in the House. It has been endorsed by the National Association of Counties and the National Legislative Conference. The National Governor's Conference unanimously endorsed the concept outlined in H.R. 338. The Council of State Governments and the Advisory Commission on Intergovernmental Relations are both on record in support of a unified catalog as envisioned in this proposal. The appropriate committees have asked for reports on this bill from the various Federal agencies. The Bureau of the Budget has the reports and is holding them up, delaying hearings on a very simple but necessary first step.

H.R. 338 is a logical, companion piece of legislation with H.R. 340 and the proposed Grant Consolidation Act. A move from the White House to permit the bill to go to hearings would set the machinery in motion, machinery which would propose concrete solutions to this crucial problem. In order to consolidate programs as proposed in the President's message, it is, of course, going to be necessary to establish what programs are already in effect. Some are created by specific legislation, other programs have developed under broad authorizations of the Congress. The executive branch is going to have to develop specific information on each of these programs irrespective of what is its legislative basis.

At the same time that this information is being developed for the purpose of eliminating duplication and overlapping, it only makes good sense that a new catalog be developed along the lines of that proposed in the Program Information Act. Past experience makes it obvious that it will undoubtedly take the remainder of the year to develop a new catalog incorporating the kind of information needed by the people back home. We cannot afford to delay the preparation of a meaningful catalog any longer. Few States, communities, or schools can afford the 30-odd members of a staff kept by Harvard to participate in grantsmanship.

Time is of the essence. The severity of the problems of the 1960's, and of those problems gathering in storms on the horizon of the future, the basic unrest and the deep-rooted concern of many people in our land, the critical financial plight of our Nation, the great growth of the Federal Government in recent years, make it imperative that action be taken now to strengthen and redirect the activities of our Federal Establishment.

Mr. RHODES. Mr. Speaker, in the minds of many Americans, waste and inefficiency are the qualities that characterize big government and, all too often, this attitude is more than justifiable.

In many instances, waste and inefficiency on the part of government can be attributed to a lack of coordination of its activities. Many governmental programs present a classic example of the case where the left hand literally has no idea what the right hand is doing. In no realm of government activity is this situation more serious than that of the myriad grant-in-aid programs.

This is the basis, Mr. Speaker, on which I strongly support the President's Grant Consolidation Act. This act is designed not to grant the executive branch power to legislate changes in policy, but to enable it to bring about an effective implementation of the policies expressed by the Congress which too often become frustrated by a morass of bureaucratic bewilderment.

Mr. Speaker, the case for reform in this area is urgent. At the conclusion of his exhaustive 8-month research effort designed to provide some meaningful information about Federal assistance programs, the gentleman from Delaware, WILLIAM V. ROTH, JR., made the following observations:

> We found that no one, anywhere, knows exactly how many Federal programs there are. We found that sometimes as many as 10 Cabinet-level departments and 15 or more agencies have programs devoted essentially to the same general area of activity, but that there is no way to cross-reference these and thus be able to see all the programs in one area at one time.

Most tragically, Mr. Speaker, the study revealed that many of the intended beneficiaries of such programs are unable to find their way through the bureaucratic maze so as to derive any benefit from them.

The legislation proposed today would allow the President to consolidate overlapping programs and organize their existing structures—subject to a veto by either House of Congress—so that such programs will be able to fulfill the purposes for which they were originally intended.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BROADCAST LICENSES

(Mr. HULL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HULL. Mr. Speaker, I am introducing a bill today which seeks to remedy what I consider to be a serious procedural problem at the Federal Communications Commission. In times past a broadcast licensee had the expectation that, if he fulfilled his public interest obligations, he would be granted a renewal of his license. Now this expectation has been eliminated.

But, as a result of a recent FCC decision regarding a major market station on the eastern seaboard, the broadcasting industry now faces an "issuance" process every 3 years instead of a "renewal" process. It is not hard to imagine what this means to the broadcaster: his desire and expectation of continuing in the broadcasting business has no duration beyond the 3-year license period. At the end of the license period he must stand as an equal with all other groups who wish to compete for that license. In terms of continuity, this new doctrine of the Commission does not bode well either for the public or the broadcasters.

Most responsible broadcasters enter the business with the desire of remaining in operation far longer than the 3-year license period. But under the present law, they stand in jeopardy at every renewal. With the law amended to give them the expectation of operating for as long as they continue to serve the public, the responsible broadcasters will be able to devote more of their time and capital to equipment, staff, and long-range planning.

My bill seeks a change in procedure such that the FCC will be required to make a threshold decision concerning the licensees record: if the Commission finds that the broadcaster has done what it considers to be an adequate job of serving the public interest, then it will proceed to renew the license. But, if the evidence indicates less than satisfactory performance, then something other than the normal renewal will ensue. The main point is this: if a broadcaster is doing his job and in fact serving the community he is licensed to serve, then he should be granted a preference over those groups who challenge the existing licensee. That is only elementary fairness.

We are all aware of the tremendous impact radio and television have upon our society. We depend upon our broadcasters to provide extensive entertainment and information. Today, more people rely on television than any other media for their information. It is only fair that we allow those broadcasters who are truly serving the public interest to continue doing so.

ON CHEMICAL WARFARE IN VIETNAM

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. KOCH. Mr. Speaker, our colleague, Congressman Richard D. McCarthy, brought to the attention of this House on April 21, 1969, facts, and just as important, unanswered questions concerning the use of chemical agents by our Armed Forces in Vietnam. Many of us had always believed that it was the established policy of our country that, as President Roosevelt said:

> We shall under no circumstances resort to the use of such weapons (chemical/biological warfare) unless they are first used by our enemy.

We must scrutinize the policy of our Government in the testing and use of chemical and biological agents and in addition examine now in Vietnam the ecological changes which have occurred in the environment as a result of our use of chemical agents. Surely, the potential dangers involved not only to those on the battleground in Vietnam but to those of use here at home were dramatically established when at the Dugway proving grounds in Utah more than 6,000 sheep in nearby Skull Valley were killed when nerve gas was carried from the testing grounds onto the pastures. While the Army has refused to confirm that the sheep died of nerve gas, they did in fact pay $498,000 to the farmer who owned the sheep that died. There are a large number of similar illustrations which Congressman McCarthy sets forth in his speech which chill the blood when one thinks that it could have been people and not sheep in the way of the wind that bore that nerve gas.

Other illustrations to which our colleague referred relate to infections caused to men on the base where testing occurs in our own country and the possibility that chemical and biological agents moved by rail or air transport provide a situation fraught with danger.

In light of the danger of storage and transport of chemical and biological agents, I am pleased to note that the Senate Foreign Relations Committee is undertaking an investigation in this matter.

I am today introducing with my colleague, Richard D. McCarthy, a resolution which calls for the establishment of a joint commission involving the participation of the United States, the Republic of South Vietnam, and the International Commission for Supervision and Control in Vietnam for the purpose of studying the use and effects of anticrop sprays and chemical defoliants in Vietnam. The investigation by a multinational commission will enhance the credibility of its report and should be preferred to a unilateral examination by us of our own acts.

While this resolution is intended to deal solely with the ecological effects of chemical warfare, there is another issue not covered by this resolution which must be answered; namely, the immorality of our using chemical agents not in retaliation but as a part of our offensive tactics in Vietnam.

INTERNATIONAL UNION OF ELECTRICAL, RADIO, AND MACHINE WORKERS, AFL–CIO, ARE EXTREMELY CONCERNED ABOUT GROWING PRACTICE OF U.S. CORPORATIONS ESTABLISHING MANUFACTURING PLANTS IN LOW-WAGE AREAS OF OTHER COUNTRIES

(Mr. DENT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. DENT. Mr. Speaker, members of the International Union of Electrical, Radio, and Machine Workers, AFL–CIO, are extremely concerned about the growing practice of U.S. corporations establishing manufacturing plants in low-wage areas of other countries. They have seen the number of jobs in television and radio set and component manufacturing alone decline by 48,000 from 1966 to 1968. This occurred in a period when industry sales were growing and when the need for jobs for disadvantaged citizens in our cities was becoming a matter of national concern.

Many jobs have been lost as a result of companies establishing plants in Mexico, along the U.S. border, where the Mexican Government has offered tax concessions and other inducements and where extremely low wage rates prevail. U.S. tariff regulations permit these companies to perform a part of the manufacturing operations in Mexico and to bring partially completed products back into the United States by paying a tariff only on the "value added" in Mexico. The extent of these operations is indicated by an increase of electrical imports from Mexico from $350,000 in 1965, when the border program was started, to $34 million last year.

In view of the harm being done to American workers, it is shocking that the U.S. Government should be actively promoting plant runaways. Yet that is what is happening. Paul Jennings, president of IUE, has rightly protested the Government's role to President Nixon.

At this very moment our Department of Commerce is meeting with Mexican tradesmen to see what they can do to expedite this runaway of American trade to these nations which now produce goods for the American market. The only restriction is that the plants must hire Mexican labor and they must not sell any of the products they produce in these plants in Mexico. All I can say to you gentlemen is that we are moving away from prosperity in employment to the greatest crisis this Government will ever face in economics.

Mr. Speaker, I ask unanimous consent that a telegram from Paul Jennings to President Nixon, outlining this protest and the circumstances which brought it about, be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The telegram referred to follows:

WASHINGTON, D.C.

President RICHARD M. NIXON,
White House,
Washington, D.C.:

The IUE AFL-CIO demands an immediate investigation of the role of the Department of Commerce in promoting a conference aimed at attracting U.S. manufacturers to cheap labor sources on the Mexican side of the Rio Grande River. Your administration, through the Department of Commerce, has used U.S. taxpayers' money to promote the falsely labeled "Executive Conference on World Trade" to be held April 28 at the University of Texas at El Paso. The sole purpose is to sell U.S. manufacturers with the idea that wage rates are lower on the Juarez side.

Mr. President, too many Americans, including members of my union, have lost their jobs to international runaways. Your administration should act immediately to restrain the Department from continuing to assist this conference. In addition, we demand to know how and why our Government became a sponsor of this effort to deprive Americans of jobs.

IUE has a history of working with Mexican trade unionists to improve employment conditions on both sides of the border. We urge the Government to do the same. The U.S. Department of Commerce has no business serving as a front for international cheap labor manipulators.

PAUL JENNINGS,
International Union of Electrical, Radio and Machine Workers, AFL-CIO.

SECRETARY OF TRANSPORTATION VOLPE PRESENTS EXCELLENT PLAN TO FINANCE BUILDING OF NEW AIRPORTS AND TO IMPROVE AIR TRAFFIC CONTROL AND AIR NAVIGATION FACILITIES

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECHLER of West Virginia. Mr. Speaker, Secretary of Transportation Volpe recently presented an excellent plan to finance the building of new airports and improve our air traffic control and air navigation facilities. Under this plan, an air development trust fund drawn from user taxes on passengers, cargo and aviation fuel would provide the financing.

Now the Nixon administration has come along with an incredible decision at the White House level rejecting Secretary Volpe's plan.

What is now a serious crisis in airport congestion is inevitably escalating into a nationwide transportation catastrophe. Every day that passes, with attendant delays in building new airports and upgrading our air traffic control and navigation system not only ties up and inconveniences millions of Americans, but threatens the safety and lives of those teeming millions now using air transportation.

If the Nixon administration wishes to delay, delay, and delay while this crisis develops into a catastrophe, then this Congress has the responsibility to act. The need for Federal aid to airport funds is reflected in the size and number of requests. These requests have risen from 603 airports needing $161.7 million in the fiscal year 1966 to 747 requests totaling $448.5 million for the fiscal year 1970. At the same time as these requests and the acute need for new airports and the upgrading of existing airports has increased, the Appropriations Committees have recommended a declining total of funds to meet the rising needs. Federal aid to airport funds have declined from $75 million in the fiscal year 1966, to $71 million in 1967, $66 million in 1968, $70 million in 1969, and only a paltry $30 million for fiscal 1970. Thus in the 5-year period when the need trebled, the funds appropriated have shrunk by more than one-half.

The plan proposed by Secretary Volpe would provide $150 million in matching grants for airport construction, as well as funds for air traffic control and navigation, and Federal guarantees for local bond issues to finance airport improvement.

Mr. Speaker, on January 20, 1969, I introduced H.R. 4119, which essentially carries out the proposals recommended by Secretary of Transportation Volpe. The Federal Aviation Administration estimates that $5 billion in Federal funds are needed in the next decade just to keep pace with current needs.

I say that this Congress must act now without waiting for further catastrophic delay by the Nixon administration.

CAMPUS VIOLENCE

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, a dangerous trend seems to be spreading among university and college administrators which, if continued, could lead to the death of academic freedom in America.

In recent days we have seen the president of Cornell, faced with an armed mob, ask and receive a new vote by the faculty, agreeing not to press charges against those who seized a campus building.

The authorities of Harvard have, under strike conditions, agreed to let one small minority group select faculty for a new studies department.

The City College of New York has closed its doors, perhaps for the rest of the year, rather than take any action to clear a small group of militants from a campus they seized.

The American University president announced he would take no action against those who seized his office.

Only George Washington University has stood up against the tide. Their president, administration officials, and faculty are to be congratulated.

Moderate students, many of whom sincerely seek orderly change in university structure, appear to be applying some counterpressure at last. The continued professionally planned SDS protests, and the sight of armed militants at Cornell, are having their effect on the vast majority of level-headed students.

Yet there should be no question in anyone's mind what this is all about. Just complaints of students are being used by revolutionaries as an excuse to close down major institutions of learning. Moderate students are getting the message, but apparently it is still not getting across to many college administrators.

The American people have a stake in the outcome of this battle for control over higher education. The taxpayers of the Nation have a heavy investment in colleges and universities, including the so-called private institutions like Harvard and Columbia. We have an even bigger stake in land-grant colleges, such as Cornell and State systems, like the University of California.

Two sets of laws were passed during the 90th Congress to deal with disorders. The first provided for Federal action against those who cross State lines or use interstate communications to plan, promote or engage in unlawful behavior. The other provided for a cutoff of any Federal student assistance where an individual has engaged in an illegal campus activity.

The latter is not presently enforceable, since most universities with the notable exception of George Washington University, have refused to take any action against rioters, and HEW has not seen that the law is effective as Congress intended it to be.

The former is simply not being enforced by the Justice Department.

When violence dictates university policy, academic freedom suffers because the majority is no longer able to function in a democratic way. When a show of guns forces a university senate to change its vote, which had previously been freely and openly taken after full debate, academic freedom is hit. It has only taken 5 years for the campus unrest to escalate from the "free speech" movement at the University of California Berkeley campus to gun-carrying mobs at Cornell. And the universities themselves have been the losers. They have permitted mobs to interfere with due process and democratic discussion. When a small militant minority is permitted to dictate policy to the vast majority of other students, faculty, and university administrators, under threat of violence, it may soon lead to the complete loss of one of a university's most cherished traditions, academic freedom.

Some universities, like George Washington, have taken a stand. Too many others have just given in. But we have not seen the end of the trouble, just as appeasers in any other situation never solve a conflict by surrender. And the issue is too important to the Nation to let it continue in this way.

CRITICIZING THE UNCRITICIZABLE

(Mr. PODELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PODELL. Mr. Speaker, yesterday the distinguished minority leader waxed eloquently indignant after a White House conference, registering passionate impatience with those who dare question military expenditures. He showered displeasure upon the gentleman from New York (Mr. MCCARTHY) and the Member of this House who had temerity to question military worth of the advanced manned strategic bomber. With suitable blushes of paternity, I admit to having hurled a syllable or two in the direction of this latest in the family of military dinosaurs, and do so inform the distinguished gentleman of that fact now.

It pains me that I have incurred the wrath of the honorable gentleman from Michigan. It seems he subscribes to the idea that opposition to ABM and a new $12 to $20 billion manned bomber is equal to subscribing to America's unilateral disarmament. He suggested in public print that opponents with sincere convictions are "acting in concert" to "unilaterally disarm" the United States. If anyone in this House dares oppose ABM and AMSA, as has almost all informed scientific opinion in the Nation, that Member has his patriotism called into question. If we dare question a manned bomber in an age of missiles, our Nation's press is called upon to bear witness to our betrayal of the Constitution, Revised Statutes, and Mother Filbert's Cook Book. If a Member dares question vast sums spent on chemical and bacteriological warfare, he becomes part of a "concerted" movement aimed at subverting national defense.

America is as heavily armed a national state as any in the world. Our defense budgets are at unbelievable heights, all at expense of domestic needs, which veritably shreik for attention. Few here questioned such vast budgets as they sailed through this body with a minimum of debate or public questioning—all in the name of apple pie and San Juan Hill. What have we gotten for these sums?

We have an F–111. It does not fly too well and costs billions. We possess the main battle tank. It is not fit for much combat and only costs a minimum of $1.3 billion. We own a B–70. It cost well over a billion. The only remaining one is now a museum piece. We have a Cheyenne helicopter. After awesome cost, there are nine models. The list goes on ad infinitum, ad nauseum.

Today our society is on the brink of urban guerrilla warfare. Our air is befouled. Our waters are polluted. Our streams are running with filth. Cities choke on fumes and cars. No mass transit is worthy of the name. Slums are everywhere. Walk 10 blocks from where we now sit. Finally, we have begun to question these military budgets, and the most distinguished minority leader impugns our patriotism.

The very idea of a new manned bomber is a scientific ribsplitter, and we are asked not to question this type of inanity. We stand accused of demanding unilateral disarmament because of legitimate criticism in this House of further massive military expenditures.

For years we have spent huge sums for useless military hardware, shoving their failures under our national rug. Now we butcher urgent social endeavors—libraries, hospitals, Job Corps, and clean water programs—to buy more museum pieces as our cities' sores become cancers. Unilateral disarmament, indeed.

Just yesterday the pungent aroma of the C–5A, to which I have previously made reference, was wafted through House corridors. Are distinguished Members who questioned it working for unilateral disarmament of the Nation, too? Perhaps we should purchase Lockheed rather than their plane. Is there nothing called prosecution, cancellation of contract or major financial penalties to repay Government? Was this the criticism of military projects our distinguished minority leader was referring to yesterday when he spoke of "unilateral disarmament" and "acting in concert"?

Mr. Speaker, I call upon the chairman of the Armed Services Committee to open a full investigation of this project, complete with hearings open to the public. No secret defense system or military plan is involved here; merely a transport plane that has cost us more than some entire wars. The General Accounting Office can and should be called upon to painstakingly examine this entire program and report their findings in public. I don't think they can be accused of acting in concert to unilaterally disarm America.

PRESIDENT EISENHOWER'S REMARKS ABOUT THE MILITARY-INDUSTRIAL COMPLEX

(Mr. **GERALD R. FORD** asked and was given permission to address the House for 1 minute.)

Mr. **GERALD R. FORD.** Mr. Speaker, let me reiterate in part what I said yesterday at the White House news conference. But let me preface it by saying that under no circumstances do I challenge the motives or the patriotism of those who seek to strike from our defense weapons system the ABM or our efforts in chemical and biological warfare and our manned strategic bomber program.

Nevertheless, I think their decisions individually and collectively are in error.

We have heard a great deal lately about the military-industrial complex and the fact that a late great President of the United States, Dwight D. Eisenhower, warned America of possible danger in the power wielded by this complex in a speech he gave to the Nation on January 17, 1960.

As I said yesterday, we have heard repeatedly a sentence from that farewell address because it referred to the military-industrial complex. I obtained the full text of that speech the other day and I think the entire text of that speech could appropriately be read and reread by the gentleman from New York and by others.

Let me quote from another part of that speech by Gen. Dwight D. Eisenhower on January 17, 1960, just before he left the White House. Let me give the gentleman from New York the benefit of some of the other passages in that speech. General Eisenhower said, and I quote:

> We face a hostile ideology, global in scope, atheistic in character, ruthless in purpose and insidious in method. Unhappily, the danger it poses promises to be of indefinite duration.

Then the general went on to say, when he was leaving the White House, and I quote again:

> A vital element in keeping peace is our military establishment. Our arms must be mighty, and ready for instant action so that no potential aggressor may be tempted to risk his own destruction.

What I said yesterday, and I am glad to repeat today, is that if all of the research and development, procurement, and deployment of weapon systems that are considered essential for national security were stopped in the 1970's, whoever is President would find himself without the necessary strength to meet the challenge represented by the kind of ideology General Eisenhower was talking about. I think it is my responsibility and I believe it is the responsibility of the elected Members of the House and Senate to be alert to that danger. I do not believe we should sit back and prevent America from being as strong in the future as it is today. Our Presidents today and tomorrow must be able to meet the challenge of anyone who wants to destroy all that we believe in the United States.

THE MILITARY

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I was glad to hear the gentleman from Michigan say that he did not want to impugn anybody's motives, and I am glad he said it here on the floor of the House. But when I was driving in my car, I happened to hear on the car radio the remarks of the gentleman that he made to the radio, and, I presume, before the television cameras, and it did not sound exactly as he says here he intended it to sound. It sounded to me like he did intend to impugn the motives of those who say they do not want to spend money for a system that nobody knows whether it will work or not.

The other day I made a speech about the ABM. I have not changed my mind. In fact, the more I hear about it, the more I am convinced it is something the military-industrial complex wants to build without knowing whether or not it will work, and the chances are, the experts say—who know more about it than I do—it will not work.

I am not in awe of the Pentagon, and I do not think any Member of this House should be. Here is a big, vast, bureaucratic organization that has not been able in 4½ years to win a war that they ought to have won in 4½ months. I told the preceding President, and I will throw it out to this one for whatever it is worth, that maybe he ought to take a leaf out of Abraham Lincoln's book and fire a few generals, because during the Civil War, Lincoln fired about one every 2 weeks until he finally found one who would go in there and fight and go in there and win. In fact, if you read the history of that period, you will find that he fired the man who won the first major victory for him, General Meade, about 3 or 4 days after the Battle of Gettysburg because General Meade did not go on to win the engagement to its end.

Mr. **ARENDS.** Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the distinguished gentleman from Illinois.

Mr. **ARENDS.** It may in fact be true as to what the gentleman from Ohio says about some generals, but just remember that the generals do not make policy. They fight wars and can only do what policy permits. That is where the difference lies.

Mr. HAYS. I have heard that old refrain before. Does the gentleman know who is making the policy today? We are not doing any better today than we have done in the past.

Mr. ARENDS. I do know who makes policy today.

Mr. HAYS. If you do not, let us find out who does.

Mr. ARENDS. You do not happen to be a member of the Armed Services Committee. But if you, as a Member of the House, had sat today during the meeting of the Armed Services Committee, where we presently are holding detailed posture hearings and if you had listened to some of the testimony that was being discussed by those who have no axes to grind, and, I might add, there is no partisanship in the committee, I think you might not have made some of your statements on the floor of the House about the problem being discussed.

Mr. HAYS. I know there is no partisanship there. I have some good friends on that committee. The chairman is a good friend of mine. The gentleman must know that when the generals come before the Armed Services Committee, their word is law. If you had me sitting on the Armed Services Committee with you, you might not have that same story to tell.

The SPEAKER. The time of the gentleman has expired.

ANTI-BALLISTIC-MISSILE SYSTEM

(Mr. YATES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YATES. Mr. Speaker, I would like to bring the minority leader back into the limelight again, if I may, in discussing the proposed anti-ballistic-missile system.

I, too, heard the remarks of the minority leader on television yesterday when he left the conference at the White House. Usually the minority leader is calm, sedate, and very dispassionate in his comments on television, but yesterday, after he left the conference with the President, there was a touch of hysteria about him as he addressed himself to those of us who oppose the anti-ballistic-missile system.

A few moments ago the gentleman was equally nonfactual when he said we opposed research and development costs as well as actual deployment of the weapons systems.

I want to point out to the minority leader that those of us who oppose deployment of the anti-ballistic-missile system without exception, I may say, have voted in support of research and development for the anti-ballistic-missile system. We oppose its deployment because it is ineffective for the purpose, among other reasons. But let me point out to the minority leader, too, that if we had not questioned the Sentinel anti-ballistic-missile system, the Army would now be deploying it around all the major cities in this country in a pattern that the President of the United States himself said would not defend the cities of the United States.

That is why the President suggested that the ABM system be changed and renamed.

So I say to the minority leader that it is well that we question the decisions of the military. It is well we do not accept at face value the weapons systems they say are necessary to defend this country. I agree with the gentleman from Ohio (Mr. HAYS). I agree with him when he says the military does make mistakes, and we must continue to question them. The military is not infallible.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, let me say that we have spent approximately $2 billion in the development of the ABM system.

Mr. YATES. We have spent approximately $4.5 billion.

Mr. GERALD R. FORD. From the initial studies to the present time—make it $4.5 billion. At some point we have to go from research and development to some hardware and actual deployment.

Mr. YATES. That is correct, but only when the system is ready for deployment. This ABM system is not ready.

Mr. GERALD R. FORD. I happen to have been on the Defense Subcommittee on Appropriations for 12 years, and I can vividly recall in 1953 when the Army first came and asked for hardware money for the first intermediate ballistic missile. Twelve months later in the same hearings they asked for study money for the ABM. I think they were wise to be alert to the need for not only offensive capability, but also defensive capability. We have proceeded from the Sentinel to the Nike to the Nike-Zeus, and so on.

Mr. YATES. Mr. Speaker, may I interrupt the gentleman there.

Mr. GERALD R. FORD. Mr. Speaker, the gentleman has yielded. Will the gentleman please let me continue my statement.

Mr. YATES. Mr. Speaker, I was going to say I could decline to yield further, but I will continue to yield.

Mr. GERALD R. FORD. The gentleman is a gentleman even though he is wrong.

Mr. YATES. The gentleman from Illinois is not wrong. It is the minority leader who is wrong, first in his statement of yesterday, and second in his support of the Nixon ABM. His arguments are as empty as those of other proponents of the system who make accusations about unilateral disarmament and say nothing about the worth of the system. All of us are aware of the Soviet military strength and its threat. That may be taken for granted. But that does not mean we have to buy every idea of the military whether it is good or bad—and many of them are bad. We think this one is bad. We are not convinced the Nixon ABM is a good system. We do not believe it will protect our country or that it is needed for our national security, and pointing to the growing offensive arsenal of the Soviet Union begs the question of whether or not the ABM will work. No expert, and I include those in the Department of Defense as well, denies that this ABM can be overcome by the Soviets, particularly if they are increasing the number of their ICBM's as the Secretary of Defense says they are doing. Perhaps it is the threat of our building the ABM that sparked the Russian increase of offensive missiles. It was predictable and predicted this would happen in various congressional hearings.

We need less heat and more light in this argument from those who support the ABM. They have yet to make a case for it.

A REALISTIC DEFINITION OF UNILATERAL DISARMAMENT

(Mr. GUBSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUBSER. Mr. Speaker, it seems that today the House has engaged in an exercise in semantics with respect to the meaning of unilateral disarmament.

I would like to submit for the consideration of this body that if one side continues to develop and increase its war-making potential and the other side arrests its progress or slows down such development, that amounts to unilateral disarmament.

I would like to suggest also that those who have sincerely spoken out in opposition to the ABM system here today have based their logic upon the technological truths of the World War II period. Then a nation proved it could, within a space of months or, perhaps, a few short years develop the materiel requirements for conducting a war and get into production in time to win. But the technology of today is much more complicated because we now have a new and decisive factor called leadtime.

It now takes years between the decision to deploy a weapon and the actual deployment. And if our deployment of weaponry does not take leadtime into account while the Russians do, then we have the practical result of unilateral disarmament.

Let us not forget during this controversy that if we start the ABM deployment as requested by the administration many varied options will be open to this Nation next year and periodically thereafter. We can stop deployment or materially change our ABM concept, but in the meantime we will be gaining 1 year of precious leadtime against the crucial period of the mid-1970's.

Mr. Speaker, may I suggest further that those who have spoken sincerely in opposition to the ABM today are making another very false assumption—one that I believe to be false—and that is that the intentions of the Russians are peaceful. I hope they are peaceful, but I respectfully suggest that their intentions should be judged only by their present actions.

If all the Members of this body could hear the record which is currently being laid out before us in the Committee on Armed Services, of the new Russian superiority in naval vessels, of the Russian development of offensive power, of the Russian development of missiles and development of an anti-ballistic-missile system, of the relentless emphasis by Russia upon strictly military research and development—of the fact that the Russian military research and development effort has become even greater than our own—then I believe they would conclude, as I have, that the Russians intend to use the offensive power which they are developing, if it becomes decisive power.

So, considering leadtime and considering the facts of Russian intentions as forecast by present actions, I believe that some of the people who spoke out today, though sincere, are being totally unrealistic.

I am personally reserving my opinion on the ABM and will decide, after all the evidence is in, what I honestly believe the national security requires. I urge my colleagues to do likewise, to replace emotion and hysteria with logic and deliberation, to realistically face the technological realities of today, and to judge Russia's intent by her deeds instead of her words.

Whether we call it unilateral disarmament or by any other name, doing nothing while the other side improves its offensive ability is inviting disaster.

DEFENSE SHOULD NOT BE A PARTISAN ISSUE

(Mr. **CEDERBERG** asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. **CEDERBERG**. Mr. Speaker, I have listened with interest today to the remarks from that side of the aisle on whether or not we should install an antiballistic-missile system, the chemical warfare activities of the U.S. Government, and the establishment of a manned bomber unit.

A majority of these voices were exceedingly silent a year or two ago. Let me say that I believe strongly that this question of the defense of the United States should not in any way be a partisan issue.

These are serious matters. The responsibility will lie with the membership of this body and not with the professors who take positions one way or the other.

Most of us on our side of the aisle, during the previous administration, supported President Johnson when he decided and thought that it was in the best interest of the country to do something about an anti-ballistic-missile system.

We supported him.

There have been research and development funds in the budget for the advanced manned bomber for a few years now. But the voices we hear now—then were strangely silent.

I would urge this body regardless of our political affiliation to study these issues very, very carefully and when we make a decision—if we do err at all to err on the side of strength. We must keep this country strong so that it will not be vulnerable to attack from anywhere in the world.

THE CASE AGAINST MILITARY MANPOWER

(Mr. **MIKVA** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **MIKVA**. Mr. Speaker, I am afraid I am going to risk incurring the wrath of the minority leader, too, but I would like to talk about one of the questions in regard to our military posture which has not been raised.

Of the many and varied questions that one has heard raised about our military posture recently—militarization of American foreign policy, the ABM, the military-industrial complex—one element of military power seems strangely to have escaped criticism: the sheer size of U.S. active military forces.

Our Nation's leaders are groping for ways to approach the problem. Former Vice President Humphrey has suggested a three-step process: analyze military contingencies, determine force levels, choose weapons systems. Senator MANSFIELD has suggested a similarly complex approach which would weigh the value of proposed weapons systems against each other. Senator SYMINGTON has advocated a simpler line: an overall military budget cut of $5 billion for the coming fiscal year.

I certainly agree that in the long run development of a congressional "systems analysis" approach is indispensible. As long as we must rely almost exclusively on the estimates of defense planners—men with a precommitment to the military establishment—we will probably go on authorizing programs which are both wasteful and unnecessary. But the fact is that Congress does not now have a capability for such analysis. Far from cutting unnecessary military expenditures from budgets proposed by the Defense Establishment, the Armed Services Committees of both Houses have been known to add funds which the Secretary of Defense had not approved or had refused to spend. How, then, can we approach the problem of limiting military expenditures?

My proposal, Mr. Speaker, is that Congress simply begin to cut back the size of active U.S. military forces. We already have the largest standing armed force in the world. We have the highest percentage of military-age manpower in active military service of any major power—almost 10 percent by an estimate. And all of this at a time when Congress has declared no war and no American shore has been invaded. I propose to this body that we in Congress—the raisers and supporters of armies according to the Constitution—begin to cut back the size of the U.S. Military Establishment in the simplest and most straightforward way possible: by imposing an overall strength limitation on U.S. active military forces.

My proposal is that we place an absolute ceiling at 90 percent of the present strength of active military forces. This would mean a cut of about 340,000 troops by the end of the next fiscal year, fiscal year 1970. It could save as much as $4.5 billion in fiscal year 1970. This cutback would be the first step toward eventual reduction of the U.S. Armed Forces to a level more consistent than at present with our real national interests—at least to the statutory limits Congress itself has set. The advantages of the strength limitation approach are many. I have outlined them at length in an analysis which I shall insert in the RECORD following my remarks today. But the greatest advantage is obvious—the simplicity of this action would make its significance unmistakable to our own citizens and to other nations around the world.

The answer to why Congress has not imposed such limitations before this is that we have equivocated—statutory limits on all of the armed services do exist, but they have been continuously suspended since the beginning of the Korean war in 1950. The history of these suspensions, and their renewal from year to year, are also outlined in my appended remarks.

Today, Mr. Speaker, I introduce a bill to limit the strength of active U.S. military forces by the end of fiscal year 1970 to 90 percent of their strength at the end of the calendar 1968—over 3 million men.

Several weeks ago, Mr. Speaker, a distinguished Nobel laureate, Professor George Wald, made a speech which by its passion and its timeliness touched the very heart of America. The Boston Globe called it the most important speech of this decade. I quote from that speech as fitting testimony to the importance of setting some congressional limitation on the size of our military forces. I hope for the sake of this Nation, and especially for the sake of its young people, that my words:

> Now we have three and a half million men under arms: about six hundred thousand in Vietnam, about three hundred thousand more in "support areas" in the Pacific, about two hundred and fifty thousand in Germany. And there are a lot at home. . .
>
> I say the Vietnam war is just an immediate incident because as long as we keep that big an Army, it will always find things to do. If the Vietnam war stopped tomorrow, the chances are that with that big a military establishment we would be in another such adventure, abroad or at home, before you knew it.

There can be no doubt about where the responsibility for America's staggering overcommitment to military manpower rests. Article I of the Constitution places that responsibility squarely upon Congress:

> The Congress shall have Power . . . To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years.

Mr. Speaker, the founders intended that Congress should control and limit the size of the Armed Forces—and that our Nation's commitment of manpower to military pursuits should be reviewed not less than every 2 years. This much is plain from the words of the Constitution. I fear that the founders would find the present process by which military manpower levels are set hard to believe. Not since 1950 has a real review of active military force levels been made by Congress. Now is the time to act. Now is the time to reduce military forces to a level more consistent with our real national interests. Now is the time to begin to return to the existing statutory limits which have been ignored for almost 20 years.

SUMMARY OF COMPARATIVE MILITARY STATISTICS*

1. In 1968 the United States had the largest standing Armed Forces in the world: 3.5 million as compared to 3.2 million for the Soviet Union and 2.8 million for Communist China.

2. In 1968 the United States had the highest percentage of military age men in the Armed Forces of any major power (U.S.—8.9%, U.S.S.R.—7.0%, Communist China—1.9%), and the highest percentage of any country in the world except Portugal.

3. In 1968 the United States spent more money than any country in the world on military programs, almost twice as much as the Soviet Union and ten times as much as Communist China. The U. S. military budget in 1968 was substantially more than the total military budgets of all the Warsaw Pact nations including the Soviet Union.

4. By the most recent figures, the United States, ostensibly at peace, with the highest G.N.P. of any country in the world, spends a larger percentage of that G.N.P. on military pursuits than does a country fighting for its very existence—the Republic of South Vietnam.

CONGRESSMAN ANNUNZIO ANNOUNCES AEC DECISION TO NAME NUCLEAR ACCELERATOR AT WESTON IN HONOR OF ENRICO FERMI

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANNUNZIO. Mr. Speaker, I am happy to inform my colleagues in the House of Representatives that yesterday morning Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, announced that the nuclear accelerator now being constructed at Weston, Ill., will be named in honor of Dr. Enrico Fermi—one of the outstanding physicists of our time.

I rise today to thank my distinguished colleague, the gentleman from California, the Honorable CHET HOLIFIELD, chairman of the Joint Committee on Atomic Energy, for his encouragement and help to me in achieving this objective.

I want especially to express my appreciation to my distinguished colleague, the gentleman from Illinois, the Honorable MELVIN PRICE, who is the second ranking Democrat on the Joint Atomic Energy Committee, for his guidance, advice, and assistance, which were instrumental in reaching this goal.

My profound thanks also go to Senator JOHN PASTORE, the senior Senator from Rhode Island and vice chairman of the Joint Committee on Atomic Energy, for his energetic efforts on behalf of naming this nuclear accelerator in honor of Dr. Fermi.

My sincere appreciation is extended also to the Members of the House of Representatives who joined me in sponsoring legislation to name the Weston accelerator after Enrico Fermi.

I want to extend my gratitude also to Senator EVERETT DIRKSEN, senior Senator from Illinois, who introduced my bill in the Senate on behalf of Dr. Fermi.

In particular, I want to express my gratitude to Dr. Seaborg and to the members of the Atomic Energy Commission for the recognition which has finally been extended to Dr. Enrico Fermi—the architect of the atomic age.

Dr. Fermi's experiments at the University of Chicago led, as we all know, to the first self-sustaining nuclear chain reaction ever to take place. This historic event occurred 26 years ago, on December 2, 1942, and was announced in a code message that has now become world famous.

Arthur Compton, chairman of the department of physics at the University of Chicago and director of the group authorized by the Federal Government to study nuclear fission, telephoned James Conant, president of Harvard University and chairman of the National Defense Research Committee which had authorized the study, and said:

> The Italian navigator has landed in the New World.

Conant then asked:

> How were the natives?

Whereupon Compton replied:

> Very friendly.

This code message, which was not prearranged, signaled the first successful nuclear chain reaction.

Dr. Fermi made a great contribution to the entire world—for by harnessing nuclear energy, he has provided the means to better and cheaper power—and this power is being used today and will in the near future develop natural resources, bring food, clothing, housing, and medicine to the peoples of the world, will accelerate the progress of newly developing nations, and narrow the gap between the have and have-not countries all over the globe.

Mr. Speaker, I am pleased to insert at this point in the CONGRESSIONAL RECORD the press release issued by my office on this historic AEC decision, Dr. Seaborg's letter to me informing me of the decision, and the AEC release on this subject, as well as a letter I received from CHET HOLIFIELD telling me of the action taken by the joint committee on my proposal. These articles follow:

CONGRESSMAN ANNUNZIO ANNOUNCES AEC DECISION TO NAME NUCLEAR ACCELERATOR AT WESTON IN HONOR OF ENRICO FERMI

Congressman Frank Annunzio (D–7th Dist.–Ill.) announced today that the Atomic Energy Commission plans to name the nuclear accelerator at Weston, Illinois, in honor of the late Dr. Enrico Fermi.

The accelerator is now under construction, and formal dedication and naming of the Enrico Fermi laboratory will not take place until major construction work has been completed and the facility is in operation, probably in the fall of 1972. The accelerator will have an energy of 200 billion electron volts (BEV), greater than now available at any accelerator.

"I am delighted over this historic decision," said Annunzio, "because it culminates my three year struggle to secure this well-deserved recognition for Nobel prize winner, Dr. Fermi."

Dr. Fermi is regarded as one of the greatest physicists of our time and has come to be known as the "architect of the atomic age." His experiments in Illinois led to the first self-sustaining nuclear chain reaction ever to take place. This event which ushered in the atomic age, took place on December 2, 1942 in a squash court under the stands of the unused University of Chicago stadium. There, under the direction of Dr. Fermi, the first atomic reactor was built and the discovery of uranium fission took place.

Congressman Annunzio said, "I commend Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, for the action he has taken in naming the accelerator after Dr. Fermi."

The Atomic Energy Act of 1954 provides the AEC with power to name facilities. However, the trend in the past has been to give functional names to nuclear facilities, or to name them after geographical areas, or in some cases, after universities. Consequently, Congressman Annunzio introduced legislation in the 90th Congress, and again in the 91st Congress, to name the accelerator after Dr. Fermi and to draw attention to the fact that no Federal nuclear facility in the United States is presently named in honor of the eminent atomic physicist, Dr. Fermi.

"This year," Congressman Annunzio continued, "over 100 Representatives and Senators joined me in cosponsoring this legislation and in introducing identical bills. Because of the action of the Atomic Energy Commission in naming the nuclear accelerator after Dr. Fermi, passage of my bill will no longer be necessary."

Dr. Fermi was an Italian immigrant who left his native Italy to escape the Fascist regime. A short time before coming to the United States, he won the Nobel prize in physics.

"Naming the nuclear accelerator after Fermi honors America's foreign born as well as Fermi," Annunzio said, "particularly those Americans of Italian descent who have made great contributions to the building of America."

Congressman Annunzio concluded:

"I want to express my appreciation to all of the Representatives and Senators who joined me in cosponsoring legislation to honor Dr. Fermi, to the Members of the Joint Atomic Energy Committee, to the Chairman of the Atomic Energy Commission, and to the Chicago press which editorially supported the naming of the Weston Accelerator in honor of Dr. Fermi."

Attached is the text of a letter Congressman Annunzio received from Chairman Seaborg outlining the decision of the AEC:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., April 25, 1969.

Hon. FRANK ANNUNZIO,
House of Representatives,
Congress of the United States.

DEAR MR. ANNUNZIO: I am pleased to inform you that the President has concurred in our recommendation to name the 200 BEV Accelerator Facility the Enrico Fermi Laboratory. I am sure you will agree the selection represents a particularly fitting manner in which to honor Dr. Fermi and acknowledge his many contributions to the field of atomic research, especially his work on nuclear processes.

The attached announcement reflects the Commission's plan to name the 200 BEV Accelerator Laboratory, upon completion of construction, in honor of Dr. Enrico Fermi.

We plan to release this statement on Tuesday, April 29, at 10:00 a.m.

Cordially,

CHAIRMAN.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

April 17, 1969.

Hon. FRANK ANNUNZIO,
House of Representatives,
Washington, D.C.

DEAR FRANK: I received your letter of March 25, concerning your continuing efforts to have the nuclear accelerator at Weston, Illinois, named after the great scientist, Enrico Fermi. I have discussed this with my colleague, Melvin Price of Illinois, and it is my understanding that recommendations were made to the White House that the naming of the accelerator be in honor of Enrico Fermi. However, to this date, no decision has been reached by the White House on this matter.

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*Based on estimates of the Institute of Strategic Studies, London, as of November-December 1968.

Without question, the credit for the work which went into the recommendations which went to the White House is yours, as you have worked tirelessly to see that a great American was honored by naming this 200 Bev accelerator after him.

Sincerely yours,
CHET HOLIFIELD, *Chairman,*
Joint Committee on Atomic Energy.

ACCELERATOR LABORATORY TO BE NAMED IN HONOR OF ENRICO FERMI

Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, today announced that the Commission will name the National Accelerator Laboratory, now under construction near Chicago, in honor of the late Dr. Enrico Fermi.

Formal dedication and naming of the Enrico Fermi Laboratory will not take place until major construction work has been completed and the facility is in operation, probably in the fall of 1972.

Dr. Seaborg, in announcing the AEC's plans, said: "It is particularly fitting that we honor Dr. Fermi in this manner, for in so doing we further acknowledge his many contributions to the progress of nuclear science, particularly his work on nuclear processes.

"Enrico Fermi was a physicist of great renown who contributed in a most significant way to the defense and welfare of his adopted land and to the enhancement of its intellectual well being. His great achievement, the first sustained nuclear chain reaction, took place in a small laboratory in Chicago. It seems singularly appropriate, therefore, that the Federal Government recognize the memory of a man who was at the forefront of science in his day by naming in his honor a laboratory near Chicago—a laboratory which will have a major international impact on our understanding of the basic structure of matter."

When completed, the laboratory will be the home of the world's highest energy proton accelerator and will cost approximately $250 million plus outlays for experimental equipment. The laboratory is being developed on a 6,800-acre site about 30 miles west of Chicago near the town of Batavia, Illinois. By 1975 it is expected to have a permanent staff of about 1,650 scientists and supporting personnel, and about 350 visiting scientists are expected to be at the laboratory at any given time.

The Universities Research Association (URA) consisting of 49 leading universities in the United States and one in Canada, is under contract to the AEC for design and construction work and is expected to operate the laboratory. Dr. Norman F. Ramsey is President of URA, which has established the National Accelerator Laboratory on the site with Dr. Robert R. Wilson as Director.

The proton accelerator will have an energy of 200 billion electron volts (BEV), greater than now available at any accelerator. The design incorporates features to permit the energy to be extended to about 400 BEV at a later date.

NOMINATION OF ARMIN H. MEYER AS AMBASSADOR TO JAPAN

(Mr. SPRINGER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SPRINGER. Mr. Speaker, President Nixon's nomination of the distinguished and experienced career diplomat, Armin H. Meyer, to be our new Ambassador to Tokyo augurs well for continuation of the good relationship which for many years now has existed between the United States and Japan.

The concern which some Japanese have expressed over this appointment can only mean that they are not fully acquainted with Ambassador Meyer's capabilities and background for the job. They also must be unaware of the esteem in which he is held by those of us who know him and know his work.

As the gentleman from California (Mr. HANNA) and the gentleman from Connecticut (Mr. MONAGAN) noted during our colloquy on this matter yesterday, Mr. Meyer has already served two ambassadorships in the Near East and goes to Tokyo with a truly remarkable record of achievement in those posts.

I have known Ambassador Meyer since his boyhood days in Lincoln, Ill., in the 22d Congressional District. He was born in Fort Wayne, Ind., on January 19, 1914, the son of the Reverend Armin Paul Meyer, a Lutheran minister. He later came to Lincoln where he was reared by two aunts, whom I knew well. He attended Lincoln College there and later went to Capital University in Columbus, Ohio, where he earned his bachelor of arts degree in 1935. Subsequently, he received a master of arts degree at Ohio State University. From 1935 he served on the faculty on Capital University as an assistant professor and dean of men.

Ambassador Meyer began his public career in 1942 as a member of the staff of the U.S. Office of War Information, and in that capacity served in Washington, Cairo, and Baghdad. Between 1946 and 1948 he was U.S. Public Affairs Officer in Baghdad, and this was followed by service as a public affairs adviser of the Department of State between 1948 and 1952.

Between 1952 and 1957 Ambassador Meyer was posted abroad as First Secretary of Embassy in Beirut and as First Secretary and Counselor in Kabul, Afghanistan.

Ambassador Meyer became Deputy Director of the State Department's Office of South Asian Affairs in 1957, and Deputy Director of the Office of Near Eastern Affairs in 1958. He was made Director of the Office of Near Eastern Affairs in 1959.

Ambassador Meyer served as Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs during 1961, and from that assignment was made United States Ambassador to Lebanon. He remained in Beirut until 1965, when he became the United States Ambassador to Iran.

During his career in the Department of State Ambassador Meyer has received Commendable Service and Meritorious Service Awards.

Ambassador Meyer is married to the former Alice James, who was a reporter for the Washington Star. They have one daughter, Kathleen, who is a student at Occidental College. Ambassador Meyer is known to many of his fellow amateur radio enthusiasts the world over by his own radio call-sign, W3ACE/EP3AM/. Amateur radio has been a hobby of the Ambassador's since his youth in Illinois.

I have included the above biographical information so that my colleagues, and others interested, may know the excellent qualifications of Ambassador Meyer for his new assignment.

I heartily commend President Nixon for sending him to Tokyo. He is one of the most capable and dedicated men in our diplomatic service. He displayed rare diplomatic skills during the years he was posted to the combustible Near East and I confidently predict that he will become one of our greatest Ambassadors to Japan.

REPEAL OF FEDERAL PAY RAISE FOR MEMBERS OF CONGRESS, JUDGES, AND OTHERS

(Mr. SNYDER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SNYDER. Mr. Speaker, on April 14, 1969, I attempted to file a discharge petition on H.R. 7778—to abolish the Kappel Commission and to repeal the pay increases of high-level Government officials, including Members of Congress. Because of the Clerk's interpretation of the House rules that discharge petition was not lodged until Monday of this week. On April 14 I suggested in my remarks that it was rumored that some Members of the other body may have had some second thoughts about their vote against disapproval of the President's recommendation.

Yesterday the other body, by a vote of 64 to 21 sent H.R. 7206 back to committee after voting to abolish the Kappel Commission. H.R. 7206 was the bill passed in this body on March 18 to increase the pay of the Vice President and the majority and minority leadership of the House and Senate. Passage of H.R. 7206 was justified in this House "to adjust the salary rates of these officials in proper relationship to the salaries of the judicial and executive branch officials whose salary rates were adjusted March 1, 1969, pursuant to section 255 of Public Law 90–206."

I like to think, Mr. Speaker, that the American people are finally being heard. I urge the Members of this body to sign the discharge petition so we can vote on the bill to rescind these untimely pay increases and abolish the Commission.

As I said here on April 14, my opposition to pay increases for Cabinet members, judges, Members of Congress, and others has nothing to do with the "worth" of the services of these people. As a matter of fact, my personal opinion is that the vast majority are worth the money and could earn as much or more in the private economy today.

It is the duty of the Congress, as well as the Executive, to set the fiscal affairs of this country in order. To do this, the Congress should set the right example for all government and for the private sector as well. The inflationary impact of the implementation of the increases of the Kappel Commission—as amended by President Johnson—is obvious. Already other Government employees who have "built-in" pay raises for July of this year are complaining that "it is not enough" even with the recent increases already received by them. It certainly takes no genius to anticipate labor's attitude toward the Government guidelines of the 4- to 5-percent increase when they negotiate. Any union leader worth his salt will rely on Government's own action as the answer to Government's recommendation.

The American people have a right to know where House Members stand. Whether you—as Members—are "for" or "opposed" to the increases—you must agree that your constituents have a right to know where you stand.

This body should now permit the other body to again vote on their own pay increases. We can do this by signing the discharge petition on H.R. 7778.

THE LATE HONORABLE ED HOYT CAMPBELL

(Mr. MAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAYNE. Mr. Speaker, I have the sad duty to inform the House that funeral services were held yesterday in Battle Creek, Iowa, for Mr. Ed Hoyt Campbell, a former Member of this body. Mr. Campbell apparently slipped into deep water and drowned while fishing in a reservoir near his home Saturday; his body was found in the water near the shore.

Mr. Campbell came to this House just 40 years ago when he was 47. He served two terms from 1929 to 1933 after which he returned to the practice of law in his hometown of Battle Creek.

He was born on a farm near Battle Creek on March 6, 1882, and received his education in the public schools of Ida County and graduated from the law school of the University of Iowa in 1907. He then entered the practice of law in Battle Creek with his twin brother Jed. He married Esta Fein on October 25, 1913. She died in 1931. He married Mary Marshall in 1933 in Battle Creek.

Edward Hoyt Campbell served three terms as mayor of Battle Creek. Mr. Campbell served as Ida County representative in the Iowa Legislature in 1910. In 1920 he was elected State senator for Ida, Cherokee and Plymouth Counties, and served 8 years, during 2 of these years he was president pro tempore of the Senate. In 1928 he was elected to the U.S. House of Representatives and was reelected in 1930.

In his first session in the Congress, Representative Campbell was a leader in the debate on the farm relief and tariff bills. He was the only Iowa Congressman to vote against the tariff bill, on the ground that the bill was written to favor big industrial interests at the expense of workers, small businessmen, and farmers. He also attracted considerable favorable attention for a series of eloquent speeches supporting the development of inland waterways.

Twelve of the counties in the old Ninth Iowa District represented by Mr. Campbell are now in the Sixth Congressional District which I have the honor to serve. I have known Ed Campbell for many years and have always considered him a loyal friend and supporter. It is a true privilege and honor to occupy the same seat which he filled with such distinction at a much earlier period.

Only three Members are currently serving here who were in this Hall at the time of Mr. Campbell's tenure, but in the custom of this Chamber, the passing of this honorable former Member should be noted with sorrow. Mrs. Mayne joins me in extending our deepest sympathy to his dear wife Mary, his brother and three grandchildren who survive our departed colleague.

SATELLITE BROADCASTING: IMPLICATIONS FOR FOREIGN POLICY

(Mr. ZABLOCKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ZABLOCKI. Mr. Speaker, in the relatively near future there will be revolutionary developments in the technology of radio and television broadcasting, made possible by space satellites.

These innovations will have a predictably significant impact on our Nation's relations abroad and upon our foreign policy.

At this very moment it is technologically feasible—though apparently economically impractical—for the Soviet Union to put into synchronous orbit along the Equator a broadcast satellite which could reach directly into the living room television sets of our American people.

We, of course, have the same capability to broadcast into the Soviet Union. This raises the specter of a propaganda war—one in which the United States might come off second best.

Why? Simply because the United States has many times more television receivers for the Kremlin to invade than exist in the Soviet Union. The potential audience for American broadcasts into Russia is comparatively small.

Broadcast satellites raise other issues. For example, the French plan to launch a broadcast satellite in the relatively near future which will be able to reach all of Europe, Africa, Latin America, and the east coast of the United States and Canada.

If a new French Government follows De Gaulle's policy of encouraging French-Canadian separatism, they could bring their message to Quebec with the immediacy of television.

While the development of satellite broadcasting raises some difficult political problems, it can also be a powerful instrument for reaching large areas of less-developed countries for educational, informational, and nation-building purposes.

About 1972, for example, the National Aeronautical and Space Administration will provide the Indian Government with the use of an experimental broadcast satellite for at least a year. The Indians plan to use the satellite as the basis for a nationwide educational network.

Other countries, including Turkey, Indonesia, Brazil, and other Latin American nations have expressed an interest in similar systems.

Because of its potential impact on world politics, satellite broadcasting will be the principal subject of discussion at a special meeting of the United Nations Committee on the Peaceful Uses of Outer Space scheduled for next July.

At that time, some nations, fearing broadcasting intrusions into their territories by technologically advanced nations, may propose restrictions on satellite broadcasting which would unduly hamper the development of this medium for economic and social progress.

The time clearly has come when the United States must establish a policy on satellite broadcasting and make its views known in international bodies such as the United Nations and the International Telegraphic Union.

In order to bring relevant issues to the attention of the Congress and the Nation, the House Foreign Affairs Subcommittee on National Security Policy and Scientific Developments will hold hearings on the foreign policy implications of satellite broadcasting next month.

An initial schedule of witnesses is: May 13, Dr. Willard L. Pritchard, Director of Laboratories for the Communications Satellite Corporation; Mr. Leonard Jaffee, director of NASA's space applications programs office, and Mr. Arnold W. Frutkin, NASA's Assistant Administrator for International Affairs;

May 14, Prof. Richard N. Gardner of Columbia University, former Assistant Secretary of State for International Organization Affairs, and the Reverend John M. Culkins, S.J. director of the center for communication, Fordham University;

May 15, the Honorable Samuel DePalma, Assistant Secretary of State for International Organization Affairs, and Mr. Leonard Marks, former Director of the U.S. Information Agency and former U.S. representative to Intelsat.

Today I also have introduced a resolution regarding the foreign policy implications of direct broadcasting, about which witnesses may be asked to offer comments and suggestions.

As cosponsor for the legislation I am pleased to have the gentleman from Minnesota (Mr. Fraser) who is a member of the subcommittee.

It is my hope that this resolution, which is being proposed only as a working draft, may help to crystallize opinion on a national policy for the international development of satellite broadcasting.

By such efforts, I believe, Congress has a definite role to play in helping to shape the technological environment which will so intimately affect the future of the United States and the world.

The text of the resolution follows:

H. Con. Res. 236

Whereas in its international relations the United States traditionally has championed the free flow of information among nations and peoples; and

Whereas the purposes of American foreign policy are served by this free flow of information; and

Whereas the scientific progress represented by broadcast satellites contains great potential for increasing international understanding, thereby contributing to world peace; and

Whereas the establishment of a worldwide satellite broadcast network could be a powerful instrument of education and economic, political and social development; Therefore be it:

Resolved by the House of Representatives (*the Senate concurring*) That it is the sense of the Congress that the President of the United States should take the necessary steps to—

(1) Promote international understanding of the benefits which satellite broadcasting can bring to mankind; and

(2) Encourage and support constructive international cooperation in the development of satellite broadcasting, within the framework of international law; and

(3) Resist any effort to give exclusive control of satellite broadcasting to an international agency operating on the basis of unanimous agreement.

WEST VIRGINIA UNIVERSITY PUBLIC TELEVISION

(Mr. STAGGERS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. STAGGERS. Mr. Speaker, in late February of this year, West Virginia University put its new public television station on the air, WWVU–TV, channel 24. The station uses what is called a "totally directional broadcast antenna," claimed to be the first in the Nation. This device enables the station to serve 15 counties in the north central area of West Virginia, a comparatively large territory.

One of the counties is Lewis. It is a typical mountain county, having a population under 20,000. Important products are livestock, poultry, glass and glassware, petroleum, natural gas, and lumber. The county is noted as the boyhood home of Stonewall Jackson and as the site of the first Methodist Protestant church organized in the United States.

More than 40 percent of Lewis County people live in the county seat, Weston. Weston takes pride in three hospitals, two public libraries, a museum, and two weekly newspapers. In other words, a small city in the heart of the mountains may rightly claim to be a center of culture. And this too, is typical of mountain counties and towns.

One of the Weston papers is the Weston Democrat, edited by Robert S. Earle. The other paper is Republican, indicating that the town is not bigoted.

Mr. Earle had the following editorial in the February 27, 1969 issue of the Weston Democrat. I think it is of public interest in that it expresses the attitude of thoughtful country people toward educational television, and I would urge my friends in the House to read it.

[From the Weston (W. Va.) Democrat, Feb. 27, 1969]

NEW HORIZONS

Recently a columnist warned that Friday was fast disappearing from the work week. She said that in many places, particularly the large cities, almost any excuse is good enough to halt all productive effort after noon on Friday and scurry for the suburbs. She reminded: "Remember Saturday afternoon?"

Advance technology is bringing with it a shorter work week and the move to make all holidays fall on Mondays is just a step on the way to a four-day week.

What worries one is what the American will do with all his leisure. Certainly one can become satiated with pure entertainment.

One answer is that he can learn new things and in the process of learning also enjoy himself in a constructive way. One of the sources of such learning would be public or educational television.

The great potential of this media became apparent to Lewis countians this week with the beginning of operations by WWVU–TV, the educational television station at West Virginia university.

Even the cursory viewing of three or four days has been enough to convince us that the people of this area have a great new resource at their fingertips.

Many who are addicted to commercial television will not find this their cup of tea. At least they will not allow themselves to give it a fair shake. But there is something there for everyone.

We have found that most people are fascinated by watching someone who knows their job do "their thing." For that reason we sat watching Julia Child prepare sauteed veal the other night. Earlier a scientist dug beneath rocks on a New England shore and explained the myriad sea life that he found there.

It is probable that public television will never capture the mass audience because most people want to be entertained. But its introduction here provides an alternative for those viewers who want something besides the banality and "under arm" advertisements of the commercial television.

Congratulations to West Virginia university and the Weston Cable system for making public education television available here.

PRESIDENT NIXON URGED TO LEADERSHIP ON CAMPUS DISORDERS

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, the President has urged college leaders not to surrender to threats of disorder and violence from disobedient professional anarchists on the campuses.

I take this opportunity to remind our Chief Executive that the programed campus anarchy is not being brought to the campuses—it is being taught there. And in far too many instances it is being bought and paid for by U.S. taxpayers' dollars through HEW grants and scholarships.

Therefore, on behalf of my concerned taxpayers, I respectfully call upon the President to instruct Mr. Finch of Health, Education, and Welfare to go forward with a directive cutting off all Federal funds to any college or university where anarchical conditions exist, and college leaders fail or refuse to act constructively to protect society's interest in the institution.

Further, that no Federal funds should be restored to such "subcultural institutions" until its leaders have submitted an approved plan to control violence and discipline overt belligerents, in keeping with the Nation's commitment to higher education of our youth for survival of the next generation.

The bringing of shotguns on campus, the kidnaping of educators for ransom, and patent disloyalty to our Nation are threats to a peaceful society far more radical than racial imbalance and segregation.

A precedent for cutting off funds exists. I ask you, Mr. President, to protect the rights of American youth—those youngsters of ours who quietly seek a better life through education in a society seeking peace.

I include a current newsclipping as follows:

[From the New York (N.Y.) Daily News, Apr. 30, 1969]

"RIOT COLLEGES CAN'T BAR POLICE": PROFESSOR

CHICAGO, April 29.—A law professor said today that universities have no legal right to prevent police from taking action on the campus when a criminal act takes place.

Prof. Fred E. Inbau of Northwestern University, president of an organization called Americans for Effective Law Enforcement, said: "A policeman can arrest anyone violating the law at any time."

SEES A LACK OF COURAGE

Inbau added that many college administrations lack the courage to seek legal remedies for violent demonstrations although they are aware of these remedies.

His organization issued a statement today to explain these rights to students, and parents of students, who are deprived of their education by violent disorders.

TELLS WHO IS LIABLE

The position paper describes as liable for legal action: the private or public corporation that constitutes the legal entity of the colleges; the board of directors; the faculty members who permit or participate in violence; students and non-students who participate in violence, and the public body that is responsible for law enforcement in the geographical area in which the institution is located.

Students affected adversely by violent disruptions, their parents, taxpayers who support the educational institution, and the private or public contributors to any institution may take legal action against proponents of violence, the statement said.

FREE FOOD STAMPS TO LOWEST INCOME FAMILIES

The SPEAKER pro tempore (Mr. CLAY). Under previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I am today introducing legislation to provide free food stamps to the lowest income families. It would also lower the purchase price of the stamps for those above the lowest income level and increase the total stamp value so that all participants would be able to purchase an adequate diet. In addition, the bill asks for an increase in the overall food stamp program of about $1.5 billion in fiscal 1970, raising the cost of the program to $1.8 billion.

This legislation was introduced in the Senate by the Honorable GEORGE MCGOVERN, of South Dakota. I am introducing it so that the House may also have the opportunity to consider it.

We have already seen more than enough to know that many Americans are hungry now. We have reached the point of diminishing returns so far as continued exploration of the question is concerned. We have the facts, and the public has been aroused. What we need now is not more exposure of the problem to continued rhetoric, but action. If the administration does not want to take the initiative for action in this area, the Congress—in alliance with the American public—must.

We have talked about the problems of the poor—housing, education, and jobs—ever since we first acknowledged that we had poor in this country in 1964. We have been talking ever since about the best way to attack these problems, what the most important aspect of these problems are, and whether we have enough money because of the Vietnam war. We continue to talk without acting to meet these problems in more than a token manner. The consequence is that our cities have increasingly become battlegrounds for rioting and crime.

Within the last year, we have also discovered through the work of the McGovern committee that we have poor who not only suffer from the same social problems as the other poor, but who suffer from hunger and malnutrition as well. We are now discussing what is the best way to attack this problem, what are the most important elements of the problem, and whether we have enough money because of Vietnam.

I think it is about time to stop the talking. We know that hunger exists. We know that the overriding cause of hunger is inadequate income; and we know we must do something about it. More television cameras, even greater public indignation, and more speeches by public officials are not going to put food in the stomachs of the hungry. The Congress must act, and it must act now.

Public statements on hunger make headlines, but I believe that public action would get even more headlines. Perhaps, it might even restore a little of the public faith in the ability of our governmental system to meet fundamental problems. Certainly, the system has failed to face up to the problems of housing, unemployment, and education. Maybe at least it can face up to the problem of keeping the poor alive so that they can enjoy the luxury of suffering from these problems.

A country that spends $3 billion to prevent food production can certainly afford $1.8 billion to feed those in this Nation who lack food.

A section-by-section analysis of my bill and a brief summary thereof follow:

SECTION-BY-SECTION ANALYSIS OF THE FOOD STAMP REFORM ACT OF 1969

(1) This amendment declares that it is the policy of Congress that the food stamp program should provide adequate levels of food consumption and nutrition to this nation's low income households. It amends the present law which aims only to "raise" levels of nutrition among low income households.

(2) This amendment permits participants to use their food stamps to purchase items necessary for "personal cleanliness, hygiene, and home sanitation." Present law permits purchase of food items only.

(3) This amendment would extend the food stamp program to Puerto Rico, Guam, and other Territories over which the United States has direct authority.

(4) This amendment provides for the issuance of coupon allotments of sufficient monetary value to permit recipients to purchase a nutritionally adequate diet. Under the present law, coupon allotments need only provide recipients with "an opportunity more nearly to obtain a nutritionally adequate diet."

(5) This amendment removes the existing limitation on distribution of federally owned foods in areas where the food stamp program is being operated.

(6) This amendment contains the following provisions respecting eligibility to participate in a food stamp program:

(a) State agencies retain their authority to establish income standards for the purpose of determining eligibility to participate in the program. In setting these standards the State agency is to consider income levels required to permit a household to purchase a minimum adequate diet at currently prevailing local prices.

(b) The Secretary is directed to establish a national income standard. This standard is to be no less than three times the cost of purchasing a minimum adequate diet. All households whose incomes fall below this standard would be eligible to participate in the food stamp program. Participation standards set by the State agencies must permit participation by all households whose incomes fall below the standard set by the Secretary, but may permit participation by households whose income is above this standard. The Secretary is required to make an annual revision of the income standard to reflect changes in the cost of living.

These changes are designed to guarantee that no needy family shall be denied the opportunity to participate in a food stamp program, while retaining local authority to establish eligibility requirements consistent with local conditions.

(7) This amendment provides that certification of eligibility to participate in the food stamp program shall be granted upon execution of an affidavit by a member of the applicant household. Any error subsequently found in this affidavit will result only in an adjustment of the assistance granted to the applicant household.

(8) This amendment makes the following provisions concerning the face value of coupon allotments and the charges to be made for these allotments:

(a) The Secretary is directed to establish the minimum cost of purchasing a nutritionally adequate diet which must be not less than $120 per month for a family of four (or its equivalent for families of varying sizes). All participating households are entitled to receive a coupon allotment equal in value to this cost.

(b) Households are permitted to purchase all, or any portion of the coupons to which they are entitled. Should they purchase less than their full allotment the purchase price will be reduced proportionately. This provision is designed to permit a family which is temporarily unable to pay the cost of its full coupon allotment to receive some benefits by purchasing as much of their allotment as they can afford.

(c) The price to be paid by a household for its coupon allotment is determined as follows: Any household whose income is less than two-thirds of the minimum cost of purchasing a nutritionally adequate diet will receive its coupon allotment free; no household whose income is less than the minimum cost of purchasing a nutritionally adequate diet will pay over 15% of its income for its coupon allotment (effective 6/30/70); no participating household will pay over 25% of its income for its coupon allotment (effective 6/30/71).

These changes are designed to insure that every needy household is able to participate in a food stamp program at a price which it can actually pay and that each household will receive stamps which will permit its members to meet their minimum food needs.

(9) This amendment requires that maximum effort be made to insure that needy persons are enabled to participate in the program and that participants in the food stamp program receive the instruction they require to insure that they are able to purchase nutritious foods with the coupons they receive. These efforts are to be undertaken by the administrators of the food stamp program in cooperation with other Federal, State, local, and private agencies.

(10), (11) These amendments strengthen (9) by authorizing the issuance of coupons, and the collection of charges for coupons, through the facilities of the United States Post Office or through the facilities of participating retail food stores.

(12) This amendment permits the Secretary to administer any food stamp program where the local administering agency has failed to comply with the provisions of the Act. The present law punishes the poor for the failures of a State agency by terminating any program which does not comply with the law.

(13) This amendment gives effect to (7).

(14), (15) These amendments authorize the Secretary to reimburse a State agency for costs incurred in the administration of a food stamp program if the Secretary determines that such payments are necessary to the operation of that program.

(16) This amendment permits the Secretary to operate a food stamp program directly or through any private, local, State, or Federal Agency if local officials refuse to operate a program after being offered the payments to which they are entitled under (13) and (14) above. Under the present law, local officials, either because they oppose a program, or because they cannot afford to operate one, can deny needy residents of their area the opportunity to participate in a food stamp program.

(17) This amendment authorizes the appropriation of such sums as may be necessary to carry out the provisions of this Act. It removes the present dollar ceiling on appropriations for Fiscal 1970 and the first half of Fiscal 1971.

(18) This amendment permits the Secretary to obligate up to 10% more than the amount appropriated during any Fiscal Year. This excess must be repaid during the following year. It provides the flexibility needed to meet unanticipated costs which could arise out of relatively minor changes in the unemployment rate.

BRIEF EXPLANATION OF FOOD STAMP REFORM ACT OF 1969

The bill would make the following major reforms in the Food Stamp Act:

Free food stamps would be made available to the lowest income families.

The purchase price of stamps would be lowered for those who pay.

The total stamp value would be increased so that all participants are able to purchase an adequate diet.

PARTICIPATION, PURCHASE PRICE AND BONUSES

Participation in the program and the value of stamps received by participants are both based upon the fact that an American family must have a certain amount of money to spend in a year in order to purchase an adequate nutritious diet.

The Secretary of Agriculture would first prescribe, each year, the minimum cost of a nutritionally adequate diet. This could be not less than the equivalent of $120 per month for a family of four (the amount presently set by the Department of Agriculture under its low-budget food plan).

Participation in the Food Stamp Program would be limited to households whose income is less than three times that amount. For example, if the Secretary established the cost of a nutritionally adequate diet at the stated minimum of $120 per month for a family of four or $1440 per year, participation would be limited to households earning less than $4320 per year.

The State, however, could establish a higher maximum income for participation than that prescribed by the Secretary. Present State limits run as high as $5400 for a family of four.

All participants in the program would receive stamps having a face value equal to the prescribed cost of a nutritionally adequate diet.

The provisions for free stamps and the lowering of purchase prices are phased into operation during the next three fiscal years so that the new formula is designed to help the poorest of the poor first.

In Fiscal Year 1970, those families whose income is less than ⅔ the cost of a minimum adequate diet will receive their stamps free. Thus, for example, if the cost of a nutritionally adequate diet for a family of four prescribed by the Secretary is set at the $120-a-month minimum, or $1440 per year, and the family's income is less than $960 per year, it will receive free food stamps.

In Fiscal Year 1971, participating families whose income is less than the prescribed minimum cost of a nutritionally adequate diet but more than ⅔ that cost would be charged no more than 15% of their income. Therefore, again using the same example, a family whose income is between $960 and $1440 a year would pay no more than 15% of their income for stamps.

In Fiscal Year 1972, all other families, those whose incomes are above the prescribed minimum cost of a nutritionally adequate diet would be charged no more than 25% of their income for food stamps.

PURCHASE OF LESS THAN FULL AMOUNT OF STAMPS

Any family required to pay for their stamps would have the option of purchasing less than the full amount for which they are eligible. A proportionate reduction in total stamp value would then be received by the family.

COMMODITIES IN FOOD STAMP COUNTIES

The Secretary would be authorized to distribute surplus commodities in any area in which a food stamp program is in effect thus permitting a commodity distribution program and a food stamp program in the same county.

PURCHASE OF SOAPS AND OTHER SANITATION PRODUCTS

Recipients of food stamps would be permitted to purchase products necessary for personal cleanliness, hygiene and home sanitation.

COUNSELING, OUTREACH, AND AVAILABILITY OF STAMPS

All participants would be given an opportunity to receive instruction and counseling on the purchasing and use of food. Administering agencies would be required to insure that eligible households are informed of the program; and stamps would be made available through the mails, at grocery stores or in some other manner to assure continued participation of certified households.

STATE AND LOCAL ADMINISTRATION

While the bill retains existing requirements that food stamp programs be operated through State and local welfare departments, the Secretary would be authorized to administer the program in any area through any Federal, State or county agency or through a private non-profit organization if he finds the State has failed to comply with the Act or regulations under the Act, if the State or local officials fail to accept a food stamp program, or if necessary in a particular area to accomplish the purposes of the Act or to alleviate severe undernutrition or malnutrition.

FINANCING

There would be authorized to be appropriated such sums as necessary to carry out the Act. The Secretary would be authorized to obligate an amount equal to 10% of the amount appropriated in any fiscal year to meet unanticipated increases in program participation.

COSTS

In order to implement the provision for free food stamps to the lowest income families and to raise food stamp values for all participants in Fiscal Year 1970, an appropriation of approximately $1.8 billion would be necessary. This is approximately $1.5 billion above the present level of food stamp program expenditures. This amount would enable every family eligible for free food stamps to participate in the program (2.3 million households). It would also enable all present participants in the food stamp program not covered by the free food stamp provision to continue to participate at present purchase requirements but with the increased stamp value sufficient to enable them to purchase an adequate diet.

Total participation in Fiscal Year 1970 could be as many as 8 million persons (3.6 million who are presently on food stamps plus 4.4 million new persons not now participating but eligible under the bill for free stamps).

FISCAL YEARS 1971 AND 1972

Additional appropriations required after Fiscal Year 1970 will depend upon the number of households and persons eligible to participate at the various income levels. This, in turn, would depend upon the income eligibility levels prescribed by the Secretary and the States, the number of households with incomes below that level, participation in the commodity distribution program and other economic and program factors. These variables make it impossible at this time to estimate costs for 1971 and 1972. However, with a reasonable increase in participation each year by households paying for their stamps as the price of stamps is lowered, increased appropriations of between $500 million and $1 billion could be anticipated.

THE LATE HONORABLE HARRY SHEPPARD OF CALIFORNIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California (Mr. HOLIFIELD) is recognized for 60 minutes.

Mr. HOLIFIELD. Mr. Speaker, it is my sad duty today as dean of the California congressional delegation to pay last respects to our former colleague, the late Honorable Harry Sheppard of California. Congressman Sheppard passed away in the early morning, Monday, April 28, at the age of 84 years. He had retired from the House of Representatives in 1964 after 28 years of distinguished service.

Harry Sheppard was without question one of the legislators who helped make the House of Representatives the great institution that it is. He rose to considerable power and responsibility, serving ably as the chairman of the Military Construction Subcommittee of the Committee on Appropriations at the time of his retirement. As ranking member of the Committee on Appropriations, he exerted strong direction and influence in the councils of that great committee. It would not be an overstatement on my part to say that much of the prestige and power of our Nation's Military Establishment today is due to the guidance and foresight which Congressman Harry Sheppard provided from his position on the Appropriations Committee for many years. Monuments to his memory can be found wherever outposts of freedom exist throughout the world.

For me personally, Harry Sheppard was a friend and inspiration over the years we served together in the House. At the time of his retirement, he held the position of seniority which entitled him to be dean of the California delegation in the Congress. He filled that job with energy, dignity, and imagination. When I first came to the House in the winter of 1943, I went to Harry and told him that I would seek his advice from time to time. He always responded warmly and with encouragement to me. It is only now that I realize the many cares and demands which must have been on his mind when he served as dean of the delegation, and I honor his memory for the example he set for me in this important work.

Harry Sheppard was also an example of the fact, so important in American history, that men of humble origins can contribute richly to the life and history of our Nation. Born in Alabama, he prepared himself in the law and, like many other young men of his generation, including myself, went to seek his fortune in the West.

He traveled to California, to Alaska and the copper fields, and came finally to settle in southern California. The district which he represented is now known as the 33d Congressional District, although when he first came here in the 75th Congress he was then one of only 21 Californians in the House. Now there are 38. His career in the Congress coincided with the great growth of California which he did much to bring about through his work in Congress.

Mr. Speaker, we have lost a strong and able comrade in Harry Sheppard's passing. He exemplified the able legislator—diligent in committee, intelligent and perceptive, sound of judgment. He was a man whose word meant something to those who worked with him. Our compassion reaches out to his wife, Kay, whom many of us came to know and love, in this sad time. Tomorrow morning, Mrs. Holifield and I, as well as many other Members of the House will attend funeral services for our departed friend. It is fitting that Harry Sheppard's last resting place will be in the National Memorial Park in Falls Church, not far from the Washington he loved and the House of Representatives which respectfully pays him final tribute today.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Speaker, our late beloved friend, Harry Sheppard, served for years in this body with great distinction and ability, as well as courage, and in an honorable and trustworthy manner. He was highly respected by all of his colleagues without regard to political affiliation. The best evidence of the deep respect and friendship and high regard that the Democratic Committee in committees and his Democratic colleagues had for him was that some years ago he was assigned as a member of the Appropriations Committee, which is an unusual honor and position of responsibility.

Harry Sheppard was a kind gentleman. He was one who could disagree without being disagreeable. He was possessed of a deep, profound, and an understanding mind in relation to his fellow human beings. Harry Sheppard, as I said, was a kind gentleman, but he was a man of strong convictions and a man who clearly evidenced that kindness and strength of character are consistent with each other. He was my dear and valued friend.

His passing takes from our midst a dear friend, a man whose nobility of character was an inspiration for all of us and always will be an inspiration for all others to follows. It takes from our midst one whose passing leaves a keen feeling of regret. I extend—and I know I voice the opinion of my colleagues—to Mrs. Sheppard and to the California delegation our deep sympathy in their great loss and sorrow, and I particularly emphasize in conveying to Mrs. Sheppard the deep feelings of sympathy we have for her in her bereavement.

Harry Sheppard was a great American, an outstanding legislator.

Mr. HOLIFIELD. Mr. Speaker, I thank the distinguished Speaker for his kind remarks.

I yield now to the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am especially pleased to have the gentleman from California yield to me, because for 12 years I served with the late Harry Sheppard in the House and also, more particularly, on the Defense Subcommittee on Appropriations. Although we sat on opposite sides of the aisle, I learned what a great person Harry Sheppard was. I developed a strong affection for him as a person.

For those 12 years we used to sit from early January until May or June to hear testimony from the civilian and military leaders, through not one but many administrations, and we would be there from 10 to 12 and 2 to 4, on 5 days a week for virtually 5 months a year.

Harry Sheppard was a conscientious person. He was a fair person. He was a decent person in every respect. I developed a close personal friendship with Harry Sheppard.

I hated to see him leave the Congress of the United States. It was a loss to the Congress and to the country when he did. He did not come back to see us very often, but whenever I went back to that committee, and was there from time to time, I thought of the many wonderful associations I had with him during those many years.

His passing was a very sad event. I wish to extend to Mrs. Sheppard and to his family my deepest sympathy. Harry Sheppard was a great guy, a real statesman, and a close personal friend.

Mr. HOLIFIELD. I thank the distinguished minority leader for his remarks. I will recall to him the fact that when Harry Sheppard voluntarily retired he was suffering from emphysema. During the past 4 or 5 years since his retirement he has fought a valiant fight. He was constantly in need of special oxygen apparatus to maintain his breathing. Almost every breath he took was a burden to him, but he fought with great courage, and always with great humor, when one would ask him how he was getting along. He made a valiant fight, but he suffered from lack of oxygen during the past 4 or 5 years probably more than any of us will ever know.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to my colleague from California.

Mr. MOSS. I should like to observe that, as Harry's passing is a great personal loss to his wife and to those of us who had close and intimate associations with him, his retirement from this Congress was a great loss to our State and to our Nation, because during his 28 years of service in this House he left a very strong imprint upon the direction of many of the affairs of this Nation which required the interested and intelligent thought, as well as the perceptiveness, of an important member of the Appropriations Committee.

When I came here in the 83d Congress, Harry Sheppard paid me the compliment of taking a great personal interest in me and what I was doing. He gave me many an assist, which made it far easier during those years of very junior service as a Member in a body which on first arrival is certainly rather an awesome one.

He was a kind man. He was a man who represents a generation which, regretfully, is passing. On all occasions in my dealings with him he followed the tradition that his word was his bond, one upon which you could place absolute dependence.

I want to join in the feeling of loss I know his wife, Kay, is experiencing.

Harry will be remembered for many years, because he had varied interests. He was interested in the young generation. Harry never grew old in his mind. Through a foundation established by his efforts, his mark will remain.

It is very typical that in the arrangements for his funeral there is the request that there be no flowers sent, but rather that contributions be made to the foundation whose efforts are directed toward finding a means of effecting a cure for the removal of the curse of emphysema from generations of the future.

I was proud to know him, and I regret deeply his passing.

Mr. HOLIFIELD. I thank the gentleman for his contribution.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I am glad to yield to the gentleman from California.

Mr. SISK. Mr. Speaker, I wish to join with my colleagues in paying tribute to Harry Sheppard, a distinguished former Member and a great American.

As has already been said, Harry Sheppard was a kind man and one who was always ready and willing to assist others. I well remember he was one of the first members of our delegation that I met upon my arrival here in January 1955. The advice, the counsel, the help, and assistance which he rendered to me at that time proved to be invaluable in my attempts to serve my constituents.

Harry had a great deal of patience. I was always impressed, of course, with the thing that my colleague, the gentleman from California (Mr. Moss) brought out; namely, the fact that his word was his bond. When he gave his word, that was it. Any man who did not live up to that standard in Harry's opinion was less than he should be.

Harry Sheppard back in the early 1920's came to my home town of Fresno, Calif., where he worked for a number of years. Many of the old-timers in my hometown today still remember many incidents that occurred, some humorous and some otherwise. They always, even in those days, thought of him as a wonderful, a very lovable person, and one who was highly respected. Reta nor I, will ever forget the wonderful friendship of Kay and Harry and their many kindnesses to us.

Let me say that when Harry retired from this body in 1964 we lost a very valuable Member. His contribution to his State and his Nation will be long remembered, because it was invaluable to the progress of our country.

At this time, of course, I wish to extend to Kay, his lovely wife, the deepest sympathy of my wife and myself on this occasion.

Mr. Speaker, I thank the gentleman for yielding.

Mr. HOLIFIELD. I thank the gentleman for his contribution.

Mr. McFALL. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from California.

Mr. McFALL. Mr. Speaker, I share the regrets of my colleagues on the passing of our good friend, Harry Sheppard, with whom we served so long here in the House.

Harry's life was an example to all Members of the House and to all Americans. He began life sort of "behind the eight ball" in a way, because at the age of 16 his father, who was a medical doctor in Alabama, was traveling home from taking care of a patient with Harry's mother, and they were both killed by a train. At 16 he started out in life to make his own way. He served for 28 years in this House, and he leaves us at the age of 84 with a record as a great American.

I served with Harry on the military construction subcommittee of appropriations. I did not fully realize what kind of a man he was until I saw him work. He utilized his talents and his training as an engineer as well as his study of the law to revise the procedures on military construction appropriations in this House and to make them more efficient and more capable of expressing the military needs of this country without waste.

He did many things to improve the operations of our appropriations for military construction. He was devoted to his country. He was devoted to his State, the people of his district. His life serves as an example to all of us.

Mr. Speaker, I join with my colleagues in expressing our sympathy to his wife Kay and to his family.

Mr. HOLIFIELD. I thank the gentleman from California for his contribution.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the distinguished gentleman from Florida.

Mr. PEPPER. Mr. Speaker, I wish to thank the able gentleman from California who is now in the well of the House for giving me the privilege of joining with him and his colleagues and our colleagues from both sides of the aisle in the House of Representatives in paying tribute to our great and late friend and colleague, Harry Sheppard. He and I were friends for more than 20 years. I had an opportunity to observe the quality and the caliber of the man he was. He was a man who was ideally suited to statecraft, to congressional membership and service, because he was a student of government. He liked government. He studied its many intricacies. He applied himself with diligence to becoming a great and distinguished public servant.

Also, Harry Sheppard was a man who was very deeply dedicated to making America a better country in which to live. He saw the ordinary, average man as well as the more fortunate man, and the children and the infirm, the disabled and the handicapped, as presenting a challenge to the leadership of this country and he tried to make the country better by making their lives more rich and more meaningful.

Mr. Speaker, as some of my colleagues have said, he had a warm and compassionate heart. He regretted that he did not have more hands with which to lean down and lift up those who needed help to walk on higher ground. He was also a man who applied himself assiduously to the performance of public duties. He was concerned about his duties and the problems of his committee as well as the problems of the Congress and particularly those of the country.

In the very finest sense of the word, Mr. Speaker, our late, departed colleague whom we honor here today, deserves to be cherished and remembered as a great American statesman, and I am proud that I had the privilege to know and work with him.

Mr. Speaker, my wife and I wish to extend our deepest sympathy to his beloved and bereaved widow.

Mr. HOLIFIELD. I thank the distinguished gentleman from Florida for those warm comments.

Mr. OLSEN. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Montana.

Mr. OLSEN. Mr. Speaker, I am honored that I have served in the Congress of the United States with Harry Sheppard. We had a lot of little problems concerning defense investment in Montana during the period of his service in the Congress, but always Harry Sheppard helped with the knotty little problems. He took the time to listen to them and he took the time to correct those problems.

I want to say that Harry Sheppard was not just a Congressman from California, he was a Congressman of the United States in the truest sense of the word. He looked after the problems of his colleagues insofar as he was empowered in his committee assignments to do so. My wife joins me in sorrow at his death. We extend our deepest respect and sympathy to his bereaved relatives.

Mr. HOLIFIELD. I thank the distinguished gentleman from Montana.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I could not remain silent at this moment when tribute is being paid to the memory of the late Harry Sheppard. I feel his loss deeply.

I had a very great personal affection for Harry Sheppard. We were very close on the Committee on Appropriations through some 26 of his 28 years of service in the Congress. We sat side by side for many years through long, long days and weeks and months of hearings.

I knew something of Harry Sheppard. He was my true friend. Unnumbered and countless are the times when Harry Sheppard was my wise counselor and firm supporter.

Harry Sheppard served on several subcommittees during his 26 years on the committee, some 24 of which involved active association with defense budgets.

He felt very strongly about the survival of our country, and about the necessity of our maintaining superior military capability. He made a continuous and dedicated study of our country's defense needs. He never was willing to compromise on matters involving the security of our Nation. He was an acknowledged expert. The country owes a great deal to this man for the leadership he provided in the field of national defense.

His lovely wife, Kay, was his constant companion and assistant. Her wonderful spirit was a great asset to him during his long and distinguished career in Congress. She is a grand person.

Mr. Speaker, I would say to the gentleman from California (Mr. HOLIFIELD), who now has the floor, that Harry Sheppard took a great deal of pride in being the dean of the California delegation. He loved his country first, but he also loved the great State of California, and he loved the California delegation.

Harry Sheppard was a real patriot. It is wholly fitting that we pay tribute to him today in this hallowed hall of free government where he served so well.

Mrs. Mahon and I join with the others in sympathy and respect at this time of loss of one of our great legislators, Harry Sheppard.

May the Lord bless his memory and give strength and comfort to Kay.

Mr. HOLIFIELD. Mr. Speaker, I thank the gentleman from Texas for his remarks, because I know they come from many, many years of association with Harry Sheppard, and he has intimate knowledge of the dedication that Harry Sheppard had toward his committee work at all times.

The gentleman from Texas knows probably more than anyone else the many, many hours they spent in committee work on vital defense construction and other matters pertaining to defense, and the strength of our country.

Mr. Speaker, I now yield to my colleague from California (Mr. BURTON).

Mr. BURTON of California. Mr. Speaker, I join with the dean of our California delegation, the gentleman from California (Mr. HOLIFIELD), and also our many other colleagues to say a word or two about our departed colleague, Harry Sheppard.

As the gentleman from Texas, Chairman MAHON, indicated, Harry Sheppard was the dean of our delegation from California. I can recall in February 1965—on February 24, 1965, to be exact—that Harry, as the dean of our delegation, escorted me to the well of the House for my swearing in as a Member of this Congress. Before we went to the well of the House, he gave me a word or two of advice. I was not only in awe then, but most impressed during the entire course of our serving in the House together, and since his retirement on those occasions that our California delegation got together socially, that Harry Sheppard was truly a great human being. In addition to that, he impressed me as being of a cut or of a mold that is found in all too few of us in Congress these days. He was of the older, experienced school. He was a man of incredible energy.

I first met Harry at the 1960 convention in Los Angeles. We spent many hours together. As a matter of fact, it was about 5 a.m., as I recall, when Harry who at that time was, I believe, in his seventies, had completely worn out this junior Member. I just simply had to leave the coffee shop where we were eating and chatting, and tell him "Harry, you are just too young and vigorous for me. I just cannot take the pace."

Harry's wife, Kay, was the queen of our California delegation. All of us who knew them both are troubled because we cannot adequately fill the void that exists in her life as the result of Harry's passing away.

But I think it is very fitting at least that we spend these few minutes today, on the floor of the House, saying aloud many of the things that occur to us and keeping to ourselves some of the fonder memories we have of this great man.

Mr. HOLIFIELD. I thank the gentleman for his contribution.

I now yield to our colleague, the gentleman from Ohio (Mr. HAYS).

Mr. HAYS. Mr. Speaker, it was with great regret that I heard of the passing of Harry Sheppard. I served here in the House of Representatives with him for many years. He was a great American and a great legislator.

He was tough when he needed to be tough and he was very gentle when the circumstances called for gentleness.

Harry Sheppard was a man's man. He was a congressman's congressman. He was strong for the United States and strong for his State of California. He was most effective on those few times when he chose to participate in the debates of the Congress.

We missed Harry Sheppard when he retired and we will miss him now, that he has passed from among us.

I join with those who served with him in extending to his wife and family the sympathy of this body and myself.

Mr. HOLIFIELD. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. CEDERBERG).

Mr. CEDERBERG. Mr. Speaker, I was very sorry to hear of the passing of my friend and former colleague, Harry Sheppard.

I am pleased to have the opportunity

to join with my colleague in paying respect to his memory.

I had the honor of serving on the Military Construction Subcommittee under the chairmanship of Harry Sheppard, and Harry Sheppard was an outstanding subcommittee chairman.

He was a kind man. He had a great knowledge of the subject over which he had jurisdiction. He had a sense of humor. He was a man that you could approach with a problem. He was always willing to be of assistance to all of us here in the House of Representatives.

After Harry Sheppard retired, occasionally he would come back to our subcommittee and pay us a visit. We always considered him the chairman emeritus of that subcommittee because he had chaired it for so long and so well.

Harry Sheppard was fortunate to have lived a long life and to have lived a full life and an honorable and useful life. He was an outstanding Member of this body and I was delighted to have been able to call him my friend.

Mr. Speaker, I want to express my deepest sympathy to his wife.

Mr. HOLIFIELD. I thank the gentleman.

I yield to the gentleman from Alabama (Mr. ANDREWS).

Mr. ANDREWS of Alabama. I thank my good friend, the gentleman from California, for getting this time and giving those of us who knew and loved Harry Sheppard an opportunity to express our sorrow at his passing.

Harry was one of the first men I met when I came to the House 25 years ago and from that day I enjoyed his friendship. For 24 years I served on the same Appropriations Committee with him and for 20 of those years I served on the same subcommittee with him, sitting side by side.

You cannot be with a man that long without knowing him well. He had all of the fine qualities that I have always thought necessary for a man to become a good public servant.

First and foremost, he was ruggedly honest. Second, he was a man of ability. Third, he was a man of great character. Through all the years I served on the subcommittee which he chaired I knew him as a great chairman.

He was a wonderful Congressman. No district ever received finer representation than did his California district.

Harry Sheppard was a great American. He believed in a strong America. Our military services never had a better friend in the Congress than Harry Sheppard. I think that of the four services, the Navy was his favorite.

I feel better having known Harry Sheppard. This Congress has been better because of Harry Sheppard. He was a gentleman of the old school, and we will miss him. I had the pleasure of seeing him several times after his retirement. He hated to leave Congress. He loved Congress. I shall never forget a conversation I had with him out in the Speaker's lobby. I ask him how he was getting along. He called me "ANDY." He said, "ANDY, when you get out, you want to come back."

He had a sweet disposition and could master any situation. To his sweet wife I extend my profound sympathy. I shall never forget Harry Sheppard.

Mr. HOLIFIELD. I thank the gentleman. I know for how many years he served on the same committee with Harry Sheppard. I know what a good friend he was to Harry Sheppard, because Harry has spoken often of him to me.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois, who also served on the Appropriations Committee with Harry Sheppard.

Mr. YATES. The gentleman is correct. It was my pleasure to serve on the Appropriations Committee for many years with Harry Sheppard. He was on the committee and in a position of responsibility when I was first elected to Congress and took my seat on the Committee on Appropriations. It is a very difficult committee when one first comes to it, because the work is technical and is very detailed. I had many questions, and I found that I could always turn to Harry Sheppard for an answer to many of the problems which confront new members of the committee when they first begin to serve.

I enjoyed Harry Sheppard's company. I found him to be one of the most gracious and gentlemanly persons that I had ever known. He took a delight in going out of his way to be of service to the members of the committee and other Members of the Congress, and it was always a pleasure for me to consult with him on mutual problems that came before us on the committee. It was always a pleasure to converse with him. I found him one of the real friends that made the Congress a place in which we could live and in which we could serve with some sense of satisfaction.

I regret very much that Harry Sheppard has gone. I think that his leaving Congress was a distinct loss to the country. I am sorry now that he has passed to his great reward. I want to extend my sympathy to the members of his family.

Mr. HOLIFIELD. I thank the gentleman for his contribution.

Mr. JOHNSON of California. Mr. Speaker, I join my colleagues today in paying tribute to Harry R. Sheppard, a highly respected former dean of the California delegation and a Member of this austere body for 28 years.

It has been my privilege to know Harry Sheppard for many years—long before coming to Congress. He was a wonderful friend and I am deeply saddened by his death.

Harry Sheppard was a gentle mannered man but also a man of firm convictions. He worked untiredly for his constituents and continued in public service for a greater length of time than his physical condition warranted. Harry Sheppard suffered for many years with emphysema but his determination and courage kept him active until April 28, 1969.

Mrs. Johnson joins me in extending deepest sympathy to his beloved wife, Kay.

Mr. ALBERT. Mr. Speaker, I was indeed deeply saddened to learn of the death of our friend and former colleague, Harry Sheppard.

It was my great privilege to serve with him from the time I first came to the House. We were very good friends and I learned much from him in the years we served together. Harry was an extremely able Member of this body and of the Committee on Appropriations on which he served. All of us who knew him will miss him.

Mrs. Albert joins me in extending our deepest sympathy and condolences to his lovely wife.

Mr. MORGAN. Mr. Speaker, we have all been saddened by the news of the passing of our former colleague and dear friend, Harry Sheppard, who served with great distinction in the House of Representatives for 28 years, before his voluntary retirement in 1964.

The 84 years that Harry Sheppard spent on earth were years of accomplishment in a life of rich experience and public service. He was my dear personal friend and I shall always cherish fond memories of our work and association in this august body. He was a skilled legislator who achieved the highest performance level as chairman of the Appropriations Subcommittee on Military Construction. At the time of his retirement he had risen to be the third-ranking Democrat on the powerful Appropriations Committee. Over the years he won our acclaim and admiration for adherence to the principles in which he believed and his strict observance of them in his legislative battles.

Men of the character and strength of Harry Sheppard are always needed in public service and we were all sorry to see him retire, even though we all acknowledged that it was a well-earned return to private life. We have missed his friendly presence, his wisdom and legislative skill. At the same time we were glad that he spent his last years near Washington so that some of us were from time to time given the pleasure of his company.

I know that I voice the feelings of all of us in extending to his dear wife, Kay Sheppard, our deepest sympathy and heartfelt condolences.

Mr. SMITH of California. Mr. Speaker, I join with my colleagues in the House of Representatives in paying tribute to our former friend and colleague, the late Honorable Harry R. Sheppard. He represented the people of San Bernardino County, Calif., known as the 33d District, in an able and outstanding manner for many, many years. Not only did he serve his district well, but he also served the State of California and the United States of America very effectively.

Harry lived a good, full life. He was a successful businessman and a dedicated statesman. He enjoyed living and was a devoted husband. We will all miss him.

Mrs. Smith joins me in expressing our deep sympathy to his dear wife, Kay. We hope that she will find comfort in knowing that her beloved husband has left behind him a fine example of Americanism.

Mr. LIPSCOMB. Mr. Speaker, I join in paying tribute to the memory of our former colleague, the Honorable Harry R. Sheppard, who passed away on April 28.

Harry Sheppard was an active and vital force in the House of Representatives for 28 years from 1937 until his retirement in 1965. The people of this Nation and the residents of the 33d Congressional District of California were well served by this able and distinguished public servant.

I consider it a privilege to have known him and to have been associated with him for a number of years as a member of the California delegation and also as a member of the House Appropriations Committee.

We will miss our friend and former colleague, Harry Sheppard, but we remember his friendship and his many contributions and accomplishments during his long years of service in the House of Representatives.

To his wife Kay I extend deepest sympathies.

Mr. CORMAN. Mr. Speaker, I join my colleagues in paying tribute to former Congressman Harry R. Sheppard, whose death a few days ago was a shock to all of us.

I had the honor and pleasure of knowing and working with Congressman Sheppard when I came to the House as a "freshman" Congressman from his own State of California. His friendship and advice through the years that we served together were important to me, and I valued them highly.

Harry Sheppard served in Congress for 28 years, retiring just a few years ago. His accomplishments here have never been forgotten. His tireless effort in the service of his district, his State, and his Nation have served as an illustrious example to others. He had the respect and admiration of his colleagues, on both sides of the aisle, and he will always be remembered as an able and distinguished Member of Congress.

Mrs. Corman joins me in extending our deepest sympathy to Mrs. Sheppard.

Mr. HOSMER. Mr. Speaker, it seems almost that an era has ended with the passing of our good friend and former colleague Harry Sheppard. His span of working lifetime stretched from the latter days of the Alaskan gold rush almost until today. He participated in a rich variety of activities which prepared him well for the remarkable service he gave to our Nation while serving for so long in this body. Harry Sheppard had much to teach us all and he did so both by word and by example. His presence enriched our personal lives and his spirit and charity enhanced the lives of many persons throughout our country. Both Mrs. Hosmer and I had great respect and great love for this fine man. We are grieved by his passing and extend to his widow, Kay, our most heartfelt condolences. We know that the burden of her loss is great, but we also know that she must realize it is lightened by the fact that it is shared with her by so very many others.

Mr. PETTIS. Mr. Speaker, as the Representative of the congressional district in California which Harry Sheppard served so nobly for 28 years, my sadness at his passing is tinged with pride.

Harry Sheppard was a great Congressman, a great American. He served in this body through some of the most trying periods in our Nation's history, and he contributed to the solution of the great problems of those times. As a member of the Appropriations Committee, and chairman of the Subcommittee on Military Construction, he played a significant role in building the country's defenses which carried us to victory in World War II. He insisted that U.S. Armed Forces be maintained at a level of strength consistent with the Nation's worldwide obligations through the difficult cold war period.

Harry Sheppard was a builder. Most of our military installations in this country and around the world bear his stamp. I would like to quote my distinguished colleague from Florida, the Hon. ROBERT L. F. SIKES, who described Harry Sheppard's service the last time Mr. Sheppard brought a military construction bill to the floor:

> In 28 years of meritorious service, he has earned the admiration and the high regard of the entire membership of Congress. He has established a reputation for forceful deliberation and for rugged adherence to the principles in which he believes. The work he has done here establishes a performance level of the highest order.

Harry Sheppard was in a position to make sure that the taxpayer got his dollar's worth. Again quoting Mr. SIKES, who said:

> A strong exponent of economy, he saved billions—literally billions—for the taxpayers. Possibly he has saved more money for the American people than any other Member now serving in Congress. This is indeed a unique accomplishment in times like these.

A native of Alabama, Harry Sheppard turned out to be one of the great Californians. Only one other Californian—the late Honorable Clarence Lea, of Santa Rosa—served longer. My colleague, the distinguished dean of the California delegation, Mr. HOLIFIELD, will soon equal Shep's record. Mr. Sheppard was the dean of the California delegation for more than 15 years, and he helped guide many important pieces of legislation through Congress so important to our State.

So great was Harry Sheppard's renown for his work in military appropriations that many may have overlooked his contributions in the field of social legislation. He first came to Congress in the depth of the great depression, and he consistently supported measures to assist in recovery. His first significant vote came when he supported establishment of the social security program. He was a strong backer of civil rights, aid to education, and other programs designed to help people. Service to the people of his district and his country was his most important consideration as a Congressman.

No one had a higher regard for Congress than Harry Sheppard, nor held his colleagues in higher esteem. He once said of his fellow Congressmen:

> When you hear them referred to as dummies, don't forget the dumbest of them was smart enough to get here.

I think, Mr. Speaker, that you best described Harry Sheppard's achievements, upon his retirement from Congress:

> When he leaves here, he leaves with the knowledge that he did his best for our country, and his best were marked contributions that will be chronicled throughout the legislative history of our great nation.

The people of my district agree with you, Mr. Speaker, and we are proud that we gave Harry Sheppard to the Nation.

Mr. TUNNEY. Mr. Speaker, I want to join my colleagues in paying tribute to the Honorable Harry R. Sheppard, who represented with great distinction the citizens of California's 33d Congressional District for 28 years.

Harry Sheppard's life stands as a shining example of what young men can achieve when they fully apply their talents to the opportunities presented in this great Nation of freedom and democracy.

Undaunted by being orphaned at 16, he combined a small inheritance and the income from odd jobs to work his way through an engineering degree at Georgia Tech. After studying law for 3 years, he applied his many talents to a variety of occupations and became a success before he was 30. As a young man, he had traveled widely before settling down in California—first as a consulting engineer in Fresno, and later as head of a chemical laboratory in Yucaipa, which he operated for 10 years.

In 1936, he ran for public office and was elected to the first of 14 consecutive terms as the 33d District's Congressman. He quickly applied his business acumen to the affairs of government, and became a recognized expert in military appropriations—particularly those of the Navy.

Harry Sheppard's contributions to his constituents, his State, and his Nation will be long remembered. Time does not permit me to summarize further his many achievements. Suffice it to say that no greater praise could be accorded any man.

Mr. DEL CLAWSON. Mr. Speaker, although my service in the House of Representatives only partially overlapped that of our distinguished former colleague, the late Harry Sheppard, there was nonetheless ample opportunity to become acquainted with the qualities which won him the affection and admiration of the California congressional delegation and the entire membership of this body. Twenty-eight years of his life were dedicated to the service of his country, and it was service of a high order. He left his mark on the legislative history of the House of Representatives. His congressional district evidenced their confidence and high regard by returning him repeatedly to the House of Representatives. His service was marked by all those friendly and thoughtful gestures which unfailingly earn high regard and which are the mark of a man of innate kindness and humility. Our sympathies go to the family of our former colleague in this hour of grief.

Mr. SIKES. Mr. Speaker, for years it was my privilege to sit next to Harry Sheppard in Appropriations Committee hearings in the Capitol, both in Defense Subcommittee and in Military Construction Subcommittee work. He was ranking member of the former and chairman of the latter. I think I knew him better than most. It is not possible to sit next to a man day after day, month in and month out, over a period of years without learning a great deal about his true measure. Consequently, I feel that I am on safe ground when I count him among the really big men who have served in Congress. I know that his first thought was for the security of our country, and that he was a patriotic, dedicated American who loved America with all his heart.

His was a most distinguished career in Congress. At the time of his retirement, he had long been the senior member of his delegation, and his record of service was one of the longest in the history of California. Throughout these 28 years, he was looked upon as one of the Capitol's leading authorities in matters pertaining to defense. However, he had a strong and compelling interest in other fields as well, and his contributions in many areas of legislation were meaningful and significant.

It was my privilege to share a warm and close friendship with Mr. Sheppard both during his service in Congress and subsequent to his retirement. Occasionally following his retirement, I was able to have him join the members of his old committee as a luncheon guest. There were other instances when Mrs. Sikes and I enjoyed the pleasure of visiting with Harry and his beloved wife Kay. As the years passed, and as the dread ravages of emphysema took their toll, it was a distressing thing to realize what was happening to him, but heartening to note the gallant fight he was making and the courageous attitude which he always took.

We shall miss Shep very much. He left a distinguished, statesmanlike record of service in Congress which will live on in the memories of those of us who were privileged to serve with him. Mrs. Sikes and I extend to his wife, Kay, our deep and earnest sympathies in this trying period.

Mr. GROSS. Mr. Speaker, I join with my colleagues today in expressing sincere regrets in connection with the death of the Honorable Harry R. Sheppard.

While I never had the good fortune to serve on a committee with him, I had a high respect for his work on the Appropriations Committee, and in connection with the activities of that committee I visited with him on many occasions.

He was a hard-working, dedicated public servant, and I have missed his presence in the House of Representatives since his retirement.

I extend my sympathy to the members of his family.

Mr. ROYBAL. Mr. Speaker, I want to join with my colleagues in the House in paying tribute to the memory of the Honorable Harry R. Sheppard, for 28 years an outstanding legislator in these Halls, and distinguished dean of the California delegation in Congress.

Harry Sheppard will long be remembered as a man of great strength and character, who, during a period of nearly three decades in the House of Representatives, made a tremendous contribution to the development of his State and country, as well as to the overriding cause of a firm national defense in times of war and international turbulence.

"Shep," as he was affectionately known by his many friends throughout the country, was a gentleman in the truest sense of that word, and history will record him as a real statesman and patriot.

But, personally, I will always remember Harry Sheppard as the friendly, helpful senior Member of Congress who provided invaluable assistance and advice to his younger colleagues on Capitol Hill—and as the remarkable leader of a strong and united California delegation in Washington, organized effectively and held together in fine bipartisan fashion by the unique qualities possessed by Representative Sheppard.

I would like to extend sincere condolences from Mrs. Roybal and myself to Mrs. Sheppard. She must know that her great loss is shared not only by family and friends, but also by the people of the State of California and the Nation.

His long record of service to his fellow citizens will stand as a living monument to the exemplary career of the Honorable Harry R. Sheppard—a true friend and distinguished legislator.

GENERAL LEAVE TO EXTEND

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days in which to extend their remarks on the subject of my special order.

The **SPEAKER** pro tempore (Mr. CLAY). Is there objection to the request of the gentleman from California?

There was no objection.

IMPROVING THE JOB CORPS

(Mr. MACGREGOR asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. MACGREGOR. Mr. Speaker, is there a man or woman in Congress who will honestly say that we cannot improve on a 4-year-old project?

That seems to be the tenor of the arguments today against improving the Job Corps.

Back in 1964 when we were considering the antipoverty program, we agreed, it is a good idea, let us give it a chance.

Today, after several years experience, is there anyone who maintains that we have not learned anything? That we can not take the accumulated experience we have had and put it to use to make some improvements?

Every year, we review various pieces of legislation, weed out the things that are not working, improve upon the things that are and make changes to meet the changing needs. At least, that is what we should be doing.

Even the greatest document of our democracy, our Constitution, needs to be changed from time to time. And the changes benefit more and more people.

The Nixon administration is proposing a change, based on experience and evidence, that will benefit more jobless young people. These are the young people we are supposedly concerned about. But when we have the opportunity to seek a better way to do something for them, some people dig in their heels and say no, let us keep the status quo. Just whose welfare are we concerned with, Mr. Speaker?

No young person will be denied an opportunity for training or work because of the changes proposed. In fact, more youngsters will be given the kind of help that will lead to a more productive life.

That is what I am in favor of. I hope and pray that the rest of you are, too.

I include at this point a statement by the Honorable George P. Shultz, Secretary of Labor, before the Committee on Education and Labor, on April 21, 1969:

STATEMENT BY MR. SHULTZ

Mr. Chairman, members of this committee, I am glad to be here today to discuss with you our efforts to help to expand job opportunities for all Americans, and particularly the role of the Job Corps program in those efforts.

It is less than five years since the Economic Opportunity Act first came before this Committee. Since that landmark occasion significant forces have been set in motion by the Act's mandate to open "to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity." These forces have had a major impact on both our institutions and our expectations concerning the abolition of poverty. Within the Department of Labor there has been a profound change in the traditional tools used to promote the welfare of working men and women.

The Department today is much different than it was five years ago. We now administer manpower programs which open the way to self-help for over one million Americans. We have redirected our efforts so that top priority is given to the needs of the poor and the unemployed.

In embarking on this course, we have learned much more about what we can and must do than we knew in 1964. We must build upon this experience and affirm our commitment to seek better solutions.

The strengths and weaknesses of individual manpower programs have become more apparent as knowledge has accumulated. We should use this knowledge to develop a national plan for action against poverty.

It is because we need a broader strategy to cope with the intractable problem of poverty in America, that President Nixon has asked the Congress for a one-year extension of the Economic Opportunity Act. During this year, the Administration will develop a plan for a carefully conceived approach to the problem of poverty in America.

For example, we expect, in the near future, to present a Comprehensive Manpower Act for your consideration. This measure will be designed to implement a coordinated national manpower policy by providing the services necessary to develop fully our manpower resources while assisting the individual worker to realize the full range of his abilities. The overall plan will integrate segmented manpower components into a unified and more effective system for delivering human resource services. Such a program reflects the concern of the President when he said:

"One of the primary goals of this Administration is to expand our knowledge of how best to make real progress against those social ills that have so stubbornly defied solution. We do not pretend to have all the answers. We are determined to find as many as we can."

As you undoubtedly know, we think that we have some constructive proposals to make in regard to the Job Corps. It is because I want to share our thinking on this subject with you that I would like to focus on the Job Corps today.

Two important considerations should be highlighted at the outset.

First, when the Job Corps was established, there were only 27,000 training opportunities for youth in all Department of Labor programs. In fiscal year 1969, the number of out-of-school youth served by the Job Corps and the programs administered by the Department of Labor will be 362,000. Under President Nixon's budget for fiscal year 1970 this total is expected to be 368,000—or an increase of 5,700 over this fiscal year. Hence, the reduction in the number of youths served in Job Corps during the course of a year will be more than offset by the increase in other manpower programs. Essentially, we have evaluated the overall design of our manpower programs and are suggesting a reallocation of resources among the programs to achieve better results in terms of benefits and costs.

Second, I pledge that every effort will be taken to afford each Job Corps enrollee in a center to be closed the opportunity to transfer to another center, to accept employment or to enroll in another manpower program.

In looking at the Job Corps it is important to understand that it was developed as one way to deal with a specific problem and was based on a limited set of ideas and a narrow design for dealing with the problem.

The problem was the large number of youths who drop out of school, many from vocational schools, without being adequately prepared for either further training or employment, and whose home or neighborhood environment prevented them from effectively utilizing other manpower programs.

The set of ideas on which this program was built include:

RESIDENCE

One central idea is that complete residential service is essential for the target population. The assumption is that these youths are so hampered by disruptive home conditions that they need a totally new environment in order to learn or acquire skills.

REMOVAL FROM COMMUNITY

The second premise is that the youth in the target group should be completely removed, not only from an adverse family situation, but a long distance from their neighborhood or home community.

INTENSIVE SUPPORTIVE SERVICE

Of equal importance is the belief that such youth need comprehensive and intensive supportive services. Here the premise is that work training alone will not remove all the obstacles to employment. The full range of services would provide for basic education, counseling, health services, pre-employment orientation and recreation.

SELF-SUFFICIENCY

And finally, Job Corps has assumed that each residential center should be substantially self-sufficient and by itself provide the full range of services needed. The location of many of the centers promotes the concept of self-sufficiency.

In reviewing the basic ideas underlying the Job Corps it is clear that some have continued merit while others should be dropped or modified in the light of experience and recent developments in our manpower programs.

First, we support the contention that residential services are essential for many youths who otherwise lack the home environment necessary to sustain effective learning. We also agree that comprehensive and intensive supportive services must be a part of any such program.

Second, we believe that complete residential services are not essential for all who have been enrolled in the Job Corps.

In addition, residential services are not always best provided at a great distance from home and community. Nor should we continue to operate the Job Corps on the principle that it should be a self-sufficient entity divorced from the other manpower programs that have been initiated in recent years.

The General Accounting Office, after a careful study of the Job Corps, raised serious questions concerning whether the Job Corps was, in fact, reaching that client group it is designed to serve. It said: "A significant portion of Corps members have not met the qualifications generally considered necessary for participation in the program and the alternative of enrolling applicants in other less costly, and possibly more suitable, training programs, apparently were not always considered." GAO and others who have studied Job Corps have found that the main emphasis in recruiting is on "meeting quotas", not making a careful, considered decision that a costly residential training program is best for a particular individual. Moreover, the information necessary to identify those who need specific residential support is not included in the questionnaire used for selection.

This inability to identify and enroll those youths who specifically need residential support persists despite the disproportionately large expenditure of resources allocated for recruitment and selection. For example, in fiscal year 1969, about $10 million was budgeted for recruitment compared to $3 million for placement activities. This imbalance, and the difficulty in recruiting for the Job Corps generally, raises a serious question about the size and design of the program necessary to serve the target group.

One of the most significant factors limiting the success of the Job Corps is the short length of stay by corps members. In this respect, the long distance from home undoubtedly contributes to the high dropout rate and short length of stay. Men's and women's urban centers located in states which "import" Job Corps enrollees have 30-day drop-out rates that average over 15 percent higher than the rates in "export" states. Similarly, the fact that 28 percent of those young people who have been accepted for the Job Corps never arrive at a center supports the inference that a general policy of moving enrollees far from their home communities has impaired the overall effectiveness of the Job Corps. OEO studies also have shown that 70 percent of all corps members were homesick and felt the lack of emotional support derived from family living. Many younger corps members apparently would have preferred being enrolled at centers near their homes and this has already been recommended in one OEO study.

Although the dedicated men and women who have operated the program have introduced useful innovations, it remains true that the Job Corps design does not respond selectively to the differing needs of youth. For example, it does not provide residential support for those who may need it *within* their own communities. Moreover, it is poorly coordinated with a total manpower program which has both increased in magnitude and improved in quality over recent years.

To build on those basis premises which have demonstrated their worth—the need for a residential component in manpower programs and a full line of services—two major changes in program design are necessary. Implementation of this new approach should go far to overcome significant weaknesses in the present Job Corps approach and practices while making good use of the constructive attributes of the Job Corps concept.

First, the Job Corps will be made an integral part of a comprehensive manpower system, rather than continued as an essentially separate program.

Such integration will greatly benefit every element of the overall program and reinforce the strengths of Job Corps. Its unique residential services will be woven into the total design of the ongoing programs. This should improve recruitment, screening and selection practices, more precisely identifying those who have a special need for residential services as against other available alternatives. For example:

Job Corps would be a part of the Cooperative Manpower Planning System (CAMPS). This will permit the use of a wide spectrum of services as an alternative to, or in coordination with residential centers.

The capabilities of the Job Corps centers could be tied into the Concentrated Employment Programs, affording another tool with which to address the work-training problems of young people. Presently, 82 individual CEP's have been funded, including virtually every major city in the country.

Youth who are already in manpower programs such as MDTA or NYC and who are identified as needing residential support, would be able to get it.

Employment opportunities available through the National Alliance of Businessmen JOBS program could be tied directly to the job needs of graduating Corpsmen. The recent expansion of this program to 125 major cities will open a great many new job opportunities. The budget proposed by President Nixon for fiscal year 1970 includes a goal of 140,000 training and employment opportunities under the JOBS program.

In short, instead of standing in splendid isolation, the Job Corps would be supported by and lend support to all other manpower programs.

A second major change is to direct part of the Job Corps resources to new organizational forms, particularly smaller "inner-city or near-city" residential centers.

While Job Corps has had in the past a few experimental centers, on the whole its structure has remained unchanged. Thus, the job Corps is comprised of very large men's centers housing several thousand youth and located about 40 miles from the nearest city; smaller women's centers housing from several hundred to a thousand girls; and small men's conservation centers located in the country. Great flexibility is needed in the kind of residential manpower programs necessary to meet the varying needs of young people.

Our plan for improving the operation of Job Corps would provide for the establishment during fiscal 1970 of new centers located in or near the city and designed to serve primarily the residents of the city.

Some of the centers would provide work training for enrollees in a residential setting close enough to the city to permit week-end commuting home.

Some would be located within the city and provide training for residents of the center and also nonresidents who need training and supportive services, but not the domicile facilities.

Other centers would provide distinctive residential service for young unmarried mothers and could include, or be linked to, child care service.

Some would provide mainly residential and supportive services with training furnished by other components of manpower programs administered by the Department of Labor.

In developing the new centers we will be as flexible and imaginative as possible. We will try to utilize the best aspects of the Job Corps experience as well as drawing upon our own experiments with residential centers. In any case, we will continue to review our efforts in this area so that we may modify the program as appropriate. A policy based on the status quo will result in inertia and not innovation.

In addition to questions of policy and emphasis, the Job Corps has been beset by a number of important operating problems. First, the Job Corps has demonstrated serious deficiencies in its ability to retain enrollees for the duration of the specified program. Experience in calendar year 1968 indicates that almost 40 percent of the enrollees dropped out in the first 90 days. For the men's urban centers, this early drop-out rate was 38 percent, for the conservation camps it was 41 percent, and for the women's centers it was 34 percent. Ultimately, only 24 percent of enrollees completed their program at the conservation centers, 43 percent in the men's centers and 38 percent in the women's centers. These data reinforce the judgment that the Job Corps, as presently constituted, has not been able to retain many enrollees for a period of time sufficient to derive a full measure of benefits from the program.

Second, job placement, a central practical, and measureable goal of all manpower development programs, has not been outstanding in Job Corps. This consideration is highly important for a very expensive, high unit cost, residential training program.

According to OEO reports, approximately 67 percent of the young men leaving Job Corps centers are placed in jobs, return to school or join the military service 90 days after they leave. The rate in individual centers varies from slightly more than 40 percent to almost 85 percent. This aggregate placement rate for women is 54 percent. Placement success, more than anything else, depends upon the ability of the center to motivate the young people so that they complete their training program and are equipped for useful employment.

As part of our overall package, we contemplate changes that should ameliorate the problems of retention and placement:

By reducing the number of enrollees who are transported long distances from their homes we should cut down dropouts and, at the same time, make it possible to develop specific job opportunities for the corps member while he is still at the center. In this manner, the corpsman will have greater incentive to complete his course of training.

The center itself will be required to take the initiative in securing placement services. This would involve developing individual placement plans for each corps member. The services of the Local employment office in counseling and job development would be available. The center itself may engage in job development and placement work. This activity will be greatly facilitated in the proposed new centers which will be located in or close to the labor market in which the corpsmen subsequently seek employment.

More "gate houses" and readjustment aids would be provided corps members when they graduate. Relocation assistance could be provided under existing Department of Labor programs to corpsmen who wish to move to labor shortage areas after they graduate.

The essential point is that these kind of employment assistance facilities are available in other manpower programs and by bringing Job Corps into a comprehensive manpower development system they can be made more effectively available and tailored to the needs of individual corps members. Both the training and the placement process should be enhanced as a result.

Weighing all of these considerations, we are unable to support a decision to retain the present size and character of the Job Corps. Our plans for revising Job Corps are dictated, not by any arbitrary desire to reduce cost without regard to quality, but by the necessity of acting upon an evaluation of the Job Corps in relation to the other manpower programs that have been developed since its inception.

Recent discussions of the Job Corps have focused on the closing of existing centers. I recognize that such action inevitably will excite controversy and concern. However, it is important to keep a perspective of the overall magnitude and directions of our overall manpower program. The Job Corps is one of a wide variety of public programs designed to prepare young people for their life's work. This Administration has reviewed the manpower development effort proposed for FY 1970 by our predecessors. We have looked at all of the manpower programs and have proposed a change in the mix of training opportunities for young people and other persons served by manpower programs. Our analyses lead us to conclude that the size and scope of the Job Corps should be substantially changed. Once overall program levels and mix were determined, it was necessary to establish criteria for evaluating the various centers and camps at some distance from their home communities.

After discussions with OEO staff we selected criteria which in their—and our—judgments are meaningful measures of the performance of the centers in achieving their objectives. The criteria were those OEO had used in the past; the data for each criterion were compiled by Job Corps and covered the entire calendar year 1968.

The criteria are:

1. Average operating cost of the center per enrollee man-year.

2. The average length of stay, in months, of enrollees at the center.

3. The 30-day drop-out rate at the center.

4. and 5. Average reading and math gains by the enrollees. (Sufficient information was not available from the women's centers to permit valid comparison, however.)

6. The percent of tardiness that were placed 90 days after leaving the center. This criterion was given twice the weight of the others because it measures the end product of the centers' efforts.

We then ranked each center according to how it compared with centers of a similar nature for each criterion. To bring the program down to the planned level it was necessary to close about one-third of the larger centers, and two-thirds of the conservation centers. The larger reduction in the conservation camps reflected our concern with the performance and program design of these units. We kept, however, the 32 best-rated conservation centers to accommodate the need for residential training facilities for youth from rural areas which lack such resources and for urban youth for whom training for outdoor occupations will be beneficial.

Similarly, we selected the best men's and women's centers as determined by the rating system. Only one exception was made: Poland Spring which was marginal in the ratings was selected for closure upon the advice of the OEO.

We do not anticipate the demise of the Job Corps, rather we seek to improve its quality and relevance to the realities of the labor market. If we are successful, there will be an improvement in the acquisition of marketable skills and job placement. As part of our proposal there will be 30 new inner-city or near-city residential manpower centers established, providing opportunities for 4,600 youths (in man-years) and capable of recruiting, training, and placing them entirely within their home State or urban area. Both types of new centers have already been tried on an experimental basis by Labor Department and have indicated considerable promise. The net effect will be to create a more flexible capacity to deal selectively with the differing needs of enrollees.

The annual cost of this new initiative is estimated to be $24 million for fiscal year 1970. The announced closing of the existing units and additional savings will result in a net reduction for the year of $100 million in the Job Corps budget. However, it should be kept clearly in mind that total training opportunities for youth under all manpower programs administered by the Department of Labor will increase during the fiscal year 1970.

As reconstructed, the Job Corps will offer a wider range of services to young people. The mix of centers will have the following proportions:

1. Comprehensive regional residential skill training centers will be retained for those for whom full-time residence away from home area and family is necessary. These centers will also provide manpower services to youth largely from sparsely-populated rural areas which cannot support such programs. Four men's centers and 11 women's centers are proposed.

2. Conservation centers in rural areas will be operated for youths needing extensive basic education preparatory to skill training, or for those who seek outdoor-work careers. The program should lead more directly to placement in skill training or some specific occupational employment. Thirty-two conservation centers would be retained.

3. Near-city residential centers will be opened for those for whom only work-week residence away from home is desirable, with work-training geared to the specific occupational needs of the area served. Ten such centers would be opened.

4. For youths unwilling or not needing to leave their city, two types of in-city residential support are planned;

One is a training facility with attached residential support which provides training in one or several skills, both for residents and nonresidents. Five medium size centers are recommended.

The other is a small residence with no training facilities of its own. It will provide intensive residential support of training using other facilities in the community and will include tutoring, special counseling, shared work responsibility and other services not available in conventional training programs. Such support is designed particularly for high-risk youths who ordinarily have high dropout rates from training programs because of home and family problems. It is suggested that 15 small centers be developed.

It is our intention to examine the new ventures as scrupulously as the old, and to review the entire program throughout the coming year and beyond. When the results begin to come in, we expect to evaluate them in a spirit of candor so that we can ascertain and make whatever further adjustments are necessary. Indeed, we have scrutinized programs already under the administration of the Department of Labor and have not hesitated to cut back and reshape programs where the evidence suggested it was necessary. Our proposed budget for fiscal year 1970 incorporates significant changes—both reductions and additions—in many important areas.

Earlier, I indicated that we will expand the opportunities for young people in FY 1970, notwithstanding the reduction in Job Corps. Although such aggregate figures are important, we must go further and concern ourselves with the individual corpsmen in the camps to be closed. Each corpsman must be afforded a constructive alternative.

Accordingly, telegrams have been dispatched to all affected centers, committing the Department of Labor and the Office of Economic Opportunity to the maximum possible help to Job Corps enrollees during the transition period. This commitment includes priority in referral to and participation in other manpower programs for each enrollee who does not choose transfer to another Job Corps center.

As a first step in carrying out this commitment, the Job Corps and the U.S. Department of Labor on Friday, April 18, requested State employment security administrators to assign interviewing staff to centers to assist in the transfer of enrollees to other centers or referral to suitable jobs, on-the-job or institutional training, Neighborhood Youth Corps or other manpower programs.

Our national manpower programs must give priority to those who have not shared in the promise and opportunity that are enjoyed by most Americans. We intend to press this priority with our full resources in the period ahead. An effective residential center component is an essential part of the program and we shall fully engage the resources and expertise of the Job Corps in that effort.

The process of evaluation sometimes leads to hard choices, but we believe that this process is necessary if manpower programs are to continue to serve as a bridge to economic opportunity.

A NEW PRESIDENT AT SHEPHERD COLLEGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, Shepherd College is one of a number of the smaller institutions of higher learning which have quickened the intellectual life of this land of ours, and have made possible our preeminence in practically every field of human activity that counts in this age of the world. The college is not distinguished by wealth, by architectural magnificence, or by outstanding contributions to the development of science. It has been content, rather, to hold up the light of learning and inspiration in the more isolated spaces of the continent. And so Shepherd, along with other colleges of like nature, has awakened the dormant genius of the people, and set up a true democracy of culture and power in this Nation. It is the men and women coming out of these schools who fill the posts of influence, and who provide the leadership which makes us a great people. The small college is truly America.

A few days ago a new president of Shepherd College, in the person of Dr. James A. Butcher, was inducted into office. It was my pleasure to be present on that occasion and to note the great pride which West Virginians take in their school. Part of that pride derives from the fact that Dr. Butcher himself is a product of West Virginia institutions. He carries into the presidency of Shepherd College a distinguished career in education in our State, and his elevation to the head of the institution confers honor on him as well as on the governing board which selected him. We look forward to his administration with confidence in his ability and in his progressive leadership.

It is a pleasure to offer his inaugural address as an example of optimism and sureness of purpose in an educational world that so often seems to be succumbing to doubt and confusion:

THE PRIVILEGE TO LEAD

(Inaugural address delivered by Dr. James A. Butcher, Apr. 19, 1969)

It is with humble gratitude and dedication that I stand here today. As a native son who is a product of the depression, who has observed the agonies of three wars since 1941, and who has been tempered by the sight of affluence and poverty in the eyes of the young, I gratefully accept the privilege to lead this institution and hopefully to help this college to play a role in aiding young men and women to prepare for future living and to make a contribution to mankind.

As I look toward the majestic mountains of my beloved West Virginia, I become more aware of the diamonds still buried there beneath indifference and a lack of motivation. Then it is, that I remind myself again, that it is a privilege to be in this position and accept this challenge of leadership.

As Emerson stated, "Fear springs from ignorance." And the great Jefferson added, "Preach, sir, against ignorance." This is the challenge! Our problems cannot and will not be solved by revolutions of hate, violence, or mistrust, but rather by compassionate leaders who exercise reason and understanding.

The world is his who can see through its pretensions. There is no good reason why we should fear the future nor the challenges it presents! Though the problems may be new and the tasks before us different from those of our fathers who founded and preserved this institution, the spirit with which we meet these problems remains essentially the same. I welcome the privilege to lead historic Shepherd College which stands on the threshold of a bright and productive future. I commit myself to endeavor to do as Woodrow Wilson suggested—and that is to deliberately set out to make "this college a home for the spirit of learning."

A home for innovation and involvement and a mecca where ideas become realities. The many ideas, decisions, and attitudes a president and those associated with him make daily will in the end, determine the contribution the college makes to its constituency. Honesty and consistency are necessary in order to eliminate complacency and confusion.

We are not going to attempt to be all things for all people, this brings only mediocrity.

A course must be charted and plans must be made and then it is the duty and responsibility of the administration to see to it that concrete steps are being taken to fulfill these plans. The faculty, students, and community leaders will be consulted, and their views will become a part of the collective planning for the future. In fact, as many of you know, the process has already begun.

This college has played a major role in aiding many students in the past, but its responsibility is critical for doing more in the future. It shall be the goal of the fourth president of Shepherd College to raise questions, propose programs, and influence leaders in all walks of life to the extent that they will realize that this institution can and will make this area a better place in which to live.

It is honorable to respect tradition, but it is "wrong" to allow it to strangle programs and the teaching learning process. With information doubling about every 9 years it is certainly time for professors and programs to be eclectic in their approach to disseminating knowledge. An undergraduate college's responsibility today can be little more than preparing its students for future learning and change.

Much is televised and written about American College students, but let me say to you who are assembled here, America never had finer younger people! Yes, they are troubled and distressed by world conditions and giant powers who have the ability to destroy most of mankind. But they are also truly concerned about ignorance, disease and poverty. On occasion they have been disgraced by the radical actions of a small minority, but the fact remains that they come to our campuses better prepared than any before in our nation's history. I have faith in them! There idealism is not all bad, and their solutions to problems won't cure all our ills, but here at Shepherd we do plan to listen and consult with these fine young men and women, for they may very well have something worthwhile to tell us which would improve Shepherd College.

It is my sincere hope that together and cooperatively we will maintain a positive attitude toward our challenge for the future. Let us continue and strengthen the heritage of the mountain state for it has historically fulfilled its obligation to law and order, it served as a model in desegregating its schools after the 1954 Supreme Court decision, it laid to rest the notion that religious bigotry had a place in American national politics by making it possible for John F. Kennedy to be elected President of the United States. It has produced Nobel Prize winner Pearl Buck, labor leader, Walter Reuther, opera stars, Eleanor Steber and Phyllis Curtin, world political negotiator, Cyrus Vance, a number of university and college presidents assembled here today, and presently two key leaders in American Education, Commissioner of Education, James Allen, NEA Director, Sam Lambert, Ambassador McFarland and others who have also made contributions worthy of note.

I have pride in Shepherd's past, and a confidence in its future. The mountains are there, still to be claimed; but the sky beyond keeps beckoning one upward. It is my hope and intention to face the mountains of the future with a pragmatic philosophy, for if history and the realities of life have taught us anything, it is that few things are certain, and answers to problems are not simple and concrete.

And to the faculty, which is in reality the college itself, I say, that the potential of this institution is still in its infancy. The increase in population and the advance in industrial and scientific technology in the area offers this college a great challenge and opportunity to perform a leading role in the area's development. Our human resources and physical facilities necessitate that we be the cultural and learning center for the area. So let imagination burst forth and new innovation spring up! Let us strive to produce an atmosphere in which students and citizens can be freed to learn. Freed to learn the rich heritage left us and dare to dream the dreams which will one day come true! Let actions replace words! Let Shepherd College become known as the action college. You the faculty, can set the pace for this action!

For the faculty is the lifeblood of the institution, the stabilizing feature and the facilitator of the learning involved. I am pleased that Shepherd College has many professors who are willing and capable to make learning a living part of each student, who realize and assume the responsibility for awakening or rekindling the fire of curiosity in students, and who are always aware that the student sees more in the Professor's actions than he hears in the class.

The effect of one's teaching is far reaching. Even as I was preparing my address for today I received a letter from one of my trusted friends in education, Dr. Earl R. Boggs, who admonished me thusly: "when you start the Inaugural procession, look in the direction of our native Gilmer County and realize that, greatness is not measured in size but rather in the magnitude of the concept." So it is, with this thought in mind, that I challenge you as professors on this inauguration day to dedicate your working hours toward making your classroom truly a place where learning is respected and change inevitable.

But in the final analysis it is the responsibility of the president to create and maintain a climate in which both learning and teaching will flourish. This will mean an intellectual environment in which imaginations are stirred, which fosters confidence that worthwhile things can be done, and where freedom and security go hand in hand with a sense of obligation and loyalty. This I shall strive to do. Not only do I accept the honor of the college presidency, but I am willing to assume the responsibilities which go with the office.

The principle I shall use to guide my decision making and association with others was best said by Matthew many years ago:

"Whatsoever ye would that men would do to you, do ye even so to them."

The following Creed is the philosophy which I propose to perpetuate for Shepherd College—

"There is a destiny that makes us brothers;
None goes his way alone:
All that we send into the lives of others
Comes back into our own."

PUBLIC REPORTS OF UNITED MINE WORKERS AND UMW WELFARE AND RETIREMENT FUND

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, the recent discussions concerning the United Mine Workers welfare and retirement fund have raised several questions which have impelled me to request a full-scale congressional investigation of the financing, investments, rules and regulations, management and benefits of this fund. Under the Welfare and Pension Plans Disclosure Act of 1962, there are certain requirements for public disclosure of data concerning salaries of employees of the fund and other matters. These data are filed with the Department of Labor and available for public inspection. I believe it is in the public interest to share these data more widely with Members of Congress, inasmuch as their filing in the Department of Labor has not necessarily made the data accessible to all Members. Under unanimous consent, there follow certain excerpts from these reports filed by the fund and the United Mine Works of America:

EXCERPTS FROM REPORT SUBMITTED TO LABOR DEPARTMENT BY UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND (FOR YEAR ENDING JUNE 30, 1968)

Total amount of contributions to the plan during the year covered by this report	$163,089,691.21
Number of participants covered by plan:	
Employed	103,250
Retired	69,750
Total	173,000

STATEMENT OF ASSETS AND LIABILITIES FOR YEAR BEGINNING JULY 1, 1967, AND ENDING JUNE 30, 1968

Item	End of prior year	End of reporting year
Assets		
1. Cash	$74,946,053.19	$70,667,214.93
2. Bank deposits at interest or shares in savings and loan associations	50,000,000.00	50,000,000.00
3. Common stocks	44,196,099.13	44,188,818.11
4. State and municipal bonds		15,236,717.60
5. Unsecured loans and notes receivable (other than real estate)	125,000.00	
6. Accrued income (accrued interest purchased)		11,910.63
7. Prepaid expenses (deposit)	475.00	475.00
8. Travel advances	2,860.45	4,270.27
Total assets	169,270,487.77	180,109,406.54
Liabilities		
Reserve for future benefits	169,270,487.77	180,109,406.54
Total liabilities and reserves	169,270,487.77	180,109,406.54

Cash Receipts

Contributions		$163,089,691.21
Investment receipts (interest and dividends)		4,667,882.50
Sale of assets		7,281.02
Loan receivable		125,000.00
Total receipts		167,889,854.73

Cash Disbursements

Benefits provided by the trust		101,793,120.10
Payments to clinics, hospitals and doctors providing plan benefits		50,214,044.03
Administrative expenses:		
(a) Salaries		4,097,185.10
(b) Expenses, etc		196,608.26
(c) Taxes		128,404.45
(d) Fees and commissions		58,550.00
(e) Rent		405,266.18
(f) Insurance		3,866.54
(g) Other expenses		732,216.42
Total		5,622,096.95
Reimbursed by Social Security Administration	710,606.14	
		4,911,490.81
Purchase of assets (purchased from others)		15,236,717.60
Other disbursements:		
Accrued interest purchased		11,910.64
Travel advances		1,409.82
Total disbursements		172,168,692.99

United Mine Workers of America, Welfare and Retirement Fund of 1950, part IV, Section A, statement of assets and liabilities—Estimated contributions due but unpaid as of June 30, 1968

Judgments	$2,223,281.05
Judgment and promissory notes	1,302,123.62
In litigation	391,734.60
Bankruptcy and receivership claims	156,372.02
Additional estimated delinquencies	1,608,000.00
Total estimated delinquencies [1]	5,681,511.29

[1] The estimated amount of debts outstanding at the end of June 30, 1968, consists solely of sums due or estimated to be due from operators signatory to the National Bituminous Coal Wage Agreements. None of the outstanding debts represent loans granted or investments made by the Trustees. Not only are the foregoing figures estimated, but the amount thereof which can be collected and thus properly considered as an actual asset of the plan, is not known.

THE UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND OF 1950—FISCAL YEAR ENDING JUNE 30, 1968

Name of recipient (1)	Position (2)	Gross salary (3)	Allowances, expenses, etc.—Other direct and indirect disbursements: Expenses (5)	Other disbursements (6)	Total of (5)+(6) (7)
Ashley, Dona Marie	Stenographer-receptionist	$7,366.12			
Bacon, Harold H	Attorney	30,000.10	$1,558.21	$700.14	$2,258.35
Ballew, Arthur R	Auditor	14,108.37			
Barb, Dorothy Eileen	Clerk-typist	6,844.18			
Barham, Neva G	Stenographer	7,277.56			
Barry, James W	Accountant	8,634.82			
Bayrer, Constance M	Clerk	4,799.09			
Benthall, Philip L., Jr	Accountant	11,206.56			
Bernat, John E	Junior research assistant	5,825.55			
Bernat, Mary E	Clerk-typist	1,933.62			
Bigley, John C	Accountant	10,230.88			
Bigley, Margaret M	Secretary	7,980.00			
Bingman, William Newell	Supervisor	14,299.96			
Blalock, Lenora E	Secretary	7,980.00			
Blizzard, William A	Assistant to comptroller	22,838.56	279.43	276.92	556.35
Bloomfield, Fred A	Certified public accountant	17,305.12	671.83	912.83	1,584.66
Blouir, Samuel C., Jr	Supervisor	9,030.74			
Booker, Lewis A	do	13,300.00			
Bowman, Claude I., Jr	Data processing supervisor	13,683.13			
Bowman, Emma Lou	Key punch operator	7,052.28			
Boylan, Robert T	Executive assistant to director	34,999.90	352.25	86.94	439.19
Bramlett F. LaHamer	Junior accountant	8,064.27			
Brown, John J	Senior accountant	13,095.53			
Brown, Myrtle G	Secretary	8,179.36			
Burch, Rose M	Clerk	6,752.38			
Caines, Margaret	Clerk-typist	7,453.35			
Cardoni, Michael	Tabulating machine operator	8,115.65			
Carey, Sara E	Administrative secretary	9,207.62			
Carty, Gilbert B	Tabulator operator	8,160.89			
Cheek, Robert M	Junior research assistant	5,825.55			
Chicca, Regina M	Secretary	5,902.23			
Clark, Dorothy M	Supervisor	14,299.96			
Claytor, Norma Jean	Stenographer	5,880.03			
Connors, John J	Research assistant	11,253.88			
Cortesini, Henry	Accountant	10,923.74			

THE UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND OF 1950—FISCAL YEAR ENDING JUNE 30, 1968—Continued

Name of recipient (1)	Position (2)	Gross salary (3)	Allowances, expenses, etc.—Other direct and indirect disbursements		
			Expenses (5)	Other disbursements (6)	Total of (5)+(6) (7)
Crumit, Jacqueline Lee	Clerk-typist	$5,618.66			
Dempsey, Anne	Key punch operator	7,052.28			
Dotzenrod, Marjorie	Stenographer	6,304.81			
Dudley, Tommie G.	Attorney	17,838.53	$293.77	$438.70	$732.47
Dumick, Sandra R	Administrative secretary	10,844.62			
Elliott, Donald D	Accountant	9,770.82			
Ellis, Josephine Mary	Ediphone operator	7,059.12			
Fowler, Joyce W	Clerk-typist	3,507.37			
Frabell, William C., Jr	Clerk	5,852.96			
Frye, Margie C	Stenographer	7,258.00			
Gabel, James H	File clerk	5,105.50			
Garvey, William Forrest	Junior research assistant	5,745.25			
Gass, Ruby A	PBX operator	6,079.59			
Gornick, Rita F	Clerk-typist	2,293.23			
Gray, Deanna	Secretary	7,345.40			
Gutt, Dora	Clerk-typist	7,366.12			
Hale, Hope J	Administrative assistant	10,352.38			
Hanson, Mattie	Key punch operator	5,845.85			
Hanrahan, Kathryn	Clerk	7,432.98			
Haynes, Margaret C	Research assistant	9,892.32			
Hertzog, George	Supervisor	9,630.81			
Hibbitts, Charles E	Examiner	10,990.43			
Hickey, Jerry	Clerk	6,752.38			
Hicks, Miriam A	Research assistant	9,892.32			
Hicks, Nell W	Administrative secretary	9,207.62			
Hicks, Penny	Clerk-typist	5,404.71			
Hobbs, Carolyn V	Key punch operator	5,902.15			
Hoover, Herbert P	Assistant to comptroller	21,784.52			
Hopkins, Welly K	Counsel to trustees	50,000.08	345.30		345.30
Huey, Dolores Mae	Clerk-typist	5,591.90			
Hunter, Lorraine Odell	Clerk	5,380.89			
Insley, Charles C	Accountant	8,634.82			
James, Anna Jean	Administrative secretary	9,327.74			
Janis, Bessie Barbara	Stenographer	7,366.12			
Johnson, Francis L	Certified public accountant	15,683.26	408.11	252.8	660.96
Kaplan, Robert	Research director	26,346.14			
Kave, Nancy Lee	Key punch operator	7,117.81			
Kelley, Harmon, Jr	Assistant to director	27,499.94	1,442.39	724.70	2,167.09
Kelly, Irena S	Research assistant	9,487.56			
Kernekin, Mary H	Secretary	7,980.00			
Kerns, Barbara Ann	Clerk-typist	4,577.45			
Kidd, Robert H., Jr	Data processing programer	14,029.26	213.57	61.95	275.52
Kraft, Janet E	Junior accountant	7,853.66			
Kumper, Gail J	Clerk	5,074.35			
Landreth, Faye M	PBX operator	5,480.98			
Carleton, Pam S	Clerk-typist	4,989.90			
Leaman, John H	Senior accountant	12,443.69			
Lewis, John N	do	13,145.52			
Lorenzen, John William	Accountant	9,363.50			
Lucas, Charles E., Jr	Junior Research Assistant	5,725.86			
Magee, Brenda Jo	Ediphone operator	4,666.67			
Marsh, Phyllis Pray	do	6,034.63			
Martino, Leon	Messenger	1,919.73			
Milburn, Mahlon T	Assistant comptroller	30,000.10	8.00		8.00
Morley, William M	Accountant	10,210.69			
Moses, Barbara L	Executive secretary	10,767.29			
Mosko, Helen J	Clerk-typist	5,027.04			
Moss, Rosalie	Junior accountant	8,246.16			
Moyer, Paul B	Supervisor	18,464.67	693.98	344.94	1,038.92
Muller, Peggy	Secretary	6,076.42			
McAndrew, Eugene F	Supervisor	18,324.67	317.16		317.16
McCloskey, Rosa C	Clerk	6,752.38			
McConkey, Sandra E	Clerk-typist	3,499.85			
McCullough, John W	Junior research assistant	5,745.25			
McFadden, Joseph	Attorney	17,338.52	32.75	113.37	146.12
McFarland, Donald L	Supervisor	18,234.67	208.85		208.85
McGee, George F	Examiner	11,503.88	538.70	831.63	1,370.33
McGinnis, Michael C	Clerk	2,779.60			
McKoy, Kenneth E	File clerk	4,731.88			
McMillan, Thomas G	Legal investigator	12,787.00	1,908,16	1,430.08	3,338.24
Noell, Lowry W	Accountant	11,240.42			
Noethe, Jewel Irene	Executive secretary	11,967.26			
Obrecht, Lillian Mary	Ediphone operator	7,059.12			
O'Connell, Walter P	Administrative assistant	13,300.00			
Oddenino, Mary Alice	Junior accountant	8,491.50			
Painter, Patrick J	Supervisor	15,046.08			
Peters, George D	Accountant	10,657.25			
Phillips, Ethel A	Secretary	7,733.96			
Pomozalski, James P	Auditor	14,538.37	1,037.40	1,219.92	2,257.32
Prevatt, Rachel C	Clerk-typist	7,257.64			
Price, Betty Jane	Administrative secretary	9,329.20			
Quisenberry, Billie E	Senior accountant	12,965.34			
Radovich, Phyllis R	Clerk	2,465.29			
Rajacich, Eve S	Administrative secretary	10,844.62			
Rauber, Mary C	Administrative assistant	12,692.32			
Reid, Anita Ann	Ediphone operator	5,721.73			
Riddell, James R	Junior accountant	8,254.71			
Robilotto, John V	Examiner	11,368.57	180.84	114.98	295.82
Roche, Jospehine	Trustee-director	59,999.94			
Roggow, Louise M	Clerk-typist	5,482.60			
Rouse, Carolyn W	do	4,989,19			
Ryan, Thomas F., Jr	Comptroller	50,000.08			
Rye, Zona Grey	Administrative secretary	9,207.62			
Sabatini, Dianne P	Clerk-typist	5,455.43			
Sanders, Barkev S	Assistant research director	13,000.00	151.15	128.52	279.67
Schlesiger, Dora D	Clerk	6,775.22			
Segreti, Clara H	do	7,489.22			
Seitzinger, Glenn W	Accountant	10,990.43			
Sickle, Wm. L	Assistant to director	27,499.94			
Reed, Karen E	Clerk	4,989.90			
Williams, Elizabeth Mae	Key punch operator	5,766.48			
Soyars, Elizabeth B	Administrative secretary	8,837.29			
Stewart, Dexter A	Clerk	4,880.61			
Stratton, John A	Auditor	14,407.20	1,020.87	1,607.55	2,628.42
Studds, Mary K	Key punch operator	7,052.28			

THE UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND OF 1950—FISCAL YEAR ENDING JUNE 30, 1968—Continued

Name of recipient (1)	Position (2)	Gross salary (3)	Allowances, expenses, etc.—Other direct and indirect disbursements: Expenses (5)	Other disbursements (6)	Total of (5)+(6) (7)
Sweeney, Margaret Ann	Junior accountant	$8,601.48			
Taylor, William R	Junior research assistant	7,052.28			
Thomas, Marie K	Administrative assistant	10,915.62			
Townsend, James C	Accountant	10,367.61			
Walker, Mavis	Secretary	7,672.32			
Ward, Harold W	Public information officer	19,000.02	$188.10		$188.10
Ward, James H	Research assistant	8,491.50			
Ward, Shirley H	Administrative secretary	6,565.77			
Warner, Dorothy M	Secretary	7,600.11			
Weaver, Barbara Ann	Clerk-typist	6,786.66			
Weeks, William V	Senior accountant	12,963.78			
Welsh, Sheila A	Clerk-typist	5,301.26			
Wetzel, Laverne H	do	5,087.16			
White, Katherine Marie	Secretary	7,596.87			
Widman, Charles L	Attorney	24,703.88	4,874.22	$3,474.64	8,348.86
Williams, Gray Lamont	Research assistant	11,253.88	94.26	138.31	232.57
Williams, Warren R	Assistant public information officer	13,499.98			
Williams, William A., Jr	Accountant	11,235.37			
Williamson, Edith M	Clerk-typist	6,849.63			
Wilson ,Ruth F	Secretary	7,496.81			
Wilson, Steven E	Junior accountant	8,491.50			
Woodbury, Margaret R	Secretary	6,164.70			
Yaukey, Jesse B	Supervisor	15,299.92			
Schmidt, Henry G	Trustee	34,999.90	154.73	173.25	327.98
Dalton, Thomas J	Examiner	11,336.97			
Dickenson, Harold D	do	11,973.88	2,088.11	311.31	2,399.42
Graham, Jack E	Assistant supervisor	14,886.16	645.33		645.33
Hawkins, Teddy C	Examiner	12,113.10	3,235.98	685.57	3,921.55
Hefferly, Fred K., Jr	Field service assistant	13,517.00	5,200.88		5,200.88
Hulgus, Joseph F	Examiner	13,137.00	3,311.38	536.95	3,848.33
Julian, Dominic R	do	12,867.00	1,824.78	1,327.95	3,152.73
Kieler, Carl J	do	12,277.00			
Krempasky, Louis	do	12,603.44	2,163.19	687.66	2,850.85
Leftwich, Waller R., Jr	do	12,073.88	3,089.29		3,089.29
Madden, John D., Jr	do	11,923.88	2,297.32	296.33	2,593.65
Moyer, James Lenard	do	12,917.00	1,649.06	1,294.68	2,943.74
Nallin, J. Dermid	do	12,013.55			
Olds, Robert A	do	12,083.88	2,392.53	1,069.53	3,462.06
Pheasant, Max L., Jr	do	11,106.75		(11.23)	(11.23)
Ratcliffe, Jack F	Assistant supervisor	14,926.16	624.28	295.43	919.71
Reid, Joseph A	Assistant to director	16,316.94	676.55	519.75	1,196.30
Rejonis, Walter	Examiner	11,300.03			
Riley, Robert E	do	11,236.38			
Rizzi, Irving S	Administrative assistant	13,300.00			
Sickle, Charles A	Field service assistant	15,573.00	4,541.49	2,546.59	7,088.08
Vicini, Leo P	Assistant supervisor	14,986.16	841.96	161.58	1,003.54
Vowell, James T., Jr	Field service assistant	13,597.00	4,487.85	2,477.28	6,965.13
Watley, William G	Examiner	10,990.43			
Weis, Carl E	do	12,787.00	1,439.77	426.22	1,865.99
Allen, Richard A	Messenger	1,219.49			
Anderson, Rebecca L	Clerk-typist	850.98			
Diez, Emilia	do	859.64			
Esworthy, George A	File clerk	986.56			
Harris, Pamela J	Clerk-typist	354.78			
Laneave, Susan Anna	do	499.04			
McGurk, Deborah Louise	do	645.00			
Miles, Willie J	File clerk	2,477.05			
Moser, Carol A	Clerk	870.00			
Noell, Carol Ann	do	660.00			
Radovich, Mary Jane	do	765.00			
Segreti, Joseph A	do	645.00			
Westlin, Particia A	Clerk-typist	4,110.89			
Bigley, Margaret	Clerk	45.00			
Bigley, Michael	do	75.00			
Eades, Steven D	Messenger	1,106.44			
Bogreti, Gregory J	Clerk	30.00			
Boyer, Judith A	Clerk-typist	532.76			
Caines, Gale	Clerk	45.00			
Clarke, Marie A	do	180.00			
Cruit, Janis E	Clerk-typist	221.55			
Giesler, Gail P	do	55.39			
Lewis, Patricia B	Key punch operator	477.69			
Marquez, M. Teresa	Clerk-typist	1,033.87			
Noell, Sandra L	Clerk	105.00			
Reinhart, Robert W	Messenger	480.31			
Shoulders, Carole M	Clerk-typist	1,200.03			
Monds, Willie H	Messenger	51.46			
Bailey, Ronald L	Technical assistant	6,283.90	74.55		74.55
Baker, Patsy A	Stenographer	4,041.94			
Barnes, Asa, M.D	Area medical administrator	30,946.22	2,336.44	298.00	2,634.44
Beverley, Marlene	Secretary	5,541.88			
Brown, Clarence Ray, Jr	Administrative assistant	11,967.73	564.31		564.31
Coram, Gwendolyn	Secretary	6,141.96			
Falconer, Wilfred J	Assistant area medical administrator	20,461.50	876.56	43.68	920.24
Ferguson, Dana	Clerk-typist	4,041.94			
Forren, Robert L	Administrative assistant	6,283.90	68.16	43.68	111.84
Forren, Virginia May	Clerk-typist	5,142.35			
Goodson, Wanda M	Janitress	1,874.10			
Harris, Linda F	Administrative assistant	7,183.77	1,336.22		1,336.22
Hickman, Magdaline	Stenographer	3,461.50			
Meadows, Eileen T	Clerk-typist	3,791.52			
McClosky, Kathleen M	do	5,142.35			
McDaniel, John R	Administrative assistant	12,283.92	3,604.47		3,604.47
McGraw, Della	Stenographer	3,437.30			
McPherson, Sibyl H	Administrative assistant	9,583.82	1,492.08	127.75	1,619.83
O'Shinski, Irene	Clerk-typist	5,212.35			
Sepkowski, Violet E	Secretary	5,841.92			
Surbaugh, Gladys F	Clerk	5,841.92			
Thompson, Cleo A	Clerk-typist	4,800.12			
Whitehead, Gaye Marie	Technical assistant	6,883.86			
Randolph, Susan	Stenographer	1,517.50			
Barnes, James A., M.D	Area medical administrator	3,461.54	787.80	119.70	907.50
Hodges, Elizabeth J	Stenographer	210.00			
Shirkey, Laura A	do	1,095.00			
Cassidy, Marguerite	Secretary	6,181.74			
Hampton, Geneva Moore	Clerk	2,603.05			

THE UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND OF 1950—FISCAL YEAR ENDING JUNE 30, 1968—Continued

			Allowances, expenses, etc.—Other direct and indirect disbursements		
Name of recipient (1)	Position (2)	Gross salary (3)	Expenses (5)	Other disbursements (6)	Total of (5)+(6) (7)
Hancock, Barbara A	Technical assistant	$8,983.88			
Hirsch, Albretta M	Administrative assistant	11,683.84	$638.97		$638.97
Holsombeck, Glenn F	do	11,083.76	164.20	$103.43	267.63
Lee, Edna Earle	Technical assistant	7,203.78			
Littlefield, Samuel E	Administrative assistant	12,283.92	1,178.45		1,178.45
Morriss, Nora Jane	Clerk	6,351.78			
McGough, Cecil	do	6,393.12			
Spivey, Alice F	do	5,861.94			
Stephens, Gladys L	do	5,994.41			
Wentz, Merle F	Assistant area medical administrator	20,461.50	1,506.86	274.59	1,781.45
Bennett, Virginia I	Technical assistant	8,841.94			
Bumgardner, Betty C	Clerk-typist	4,932.47			
Maynard, Gloria Jean	Clerk	3,297.60			
Burgess, June Kay	do	3,283.76			
Carrow, Eileen	Stenographer	4,277.36			
Crownover, Claudia	Administrative assistant	11,967.73	443.76	149.70	593.46
Geissinger, Patricia A	Technical assistant	8,404.89			
Harper, Okey S	Administrative assistant	8,967.73	1,201.26	157.55	1,358.81
Hart, James Thomas, Jr	Assistant area medical administrator	20,461.50	760.08	263.19	1,023.27
Isaac, Betty Gay	Clerk	4,341.98			
Jarrett, Jean L	Clerk-typist	5,212.35			
Lewis, Carolyn Virginia	Secretary	5,383.78			
Mazzei, Frank J	Administrative assistant	12,567.69	701.97	46.83	748.80
Petersen, Willie Mae	Secretary	4,258.85			
Roebuck, Oscar M., Jr	Janitor	5,241.84	12.30		12.30
Rutherford, Martha W	Secretary	6,141.96			
Scott, Robert K	Medical consultant	6,000.02			
Turner, Beulah	Clerk	5,083.88			
Williams, Carolyn Sue	do	4,803.46			
Workman, Opal W	do	4,613.61			
Jackson, Walter T	Technical assistant	470.76	69.17		69.17
Miller, Wanda Lee	Secretary	1,287.67			
Farley, Louella M	Clerk	110.77			
Gillooly, John P	Technical assistant	2,990.74	198.69		198.69
Bessey, Larry T	Administrative assistant	9,558.43	546.90	315.24	862.14
Booth, Cherie S	Stenographer	2,730.00			
Clapshaw, Elaine E	do	4,609.71			
Crites, Violet	Secretary	4,441.23			
Deshler, Beverly	Technical assistant	6,600.10			
Dorsey, William A., M.D	Area medical administrator	30,946.22	2,746.12	1,339.22	4,085.34
Kennedy, Diana F	Secretary	2,439.25			
Kruger, Ada	Assistant area medical administrator	20,461.50	4,336.95	1,538.75	5,875.70
Logan, Etha Louise	Technical assistant	5,841.92			
Talty, Nora P	do	8,367.65			
Kondos, Jean	Stenographer	2,111.58			
Simmons, Beverly Anne	do	1,137.50			
Irvine, Jacquetta M	do	417.50			
Jones, Robert E., M.D	Assistant area medical administrator	11,538.48	471.85		471.85
Andrasko, Joseph A	Technical assistant	8,999.90	8.80		8.80
Arestad, F. H., M.D	Area medical administrator	30,946.22	635.51		635.51
Berret, Thomas J	Assistant area medical administrator	20,461.50	1,643.39		1,643.39
Brooks, Sandra Louise	Clerk-typist	3,014.88			
Carbaugh, Joanne	do	2,457.59			
Csarak, Darlene Maria	do	3,216.83			
Drzal, Josephine C	do	3,875.76			
Fulton, Rose Lukens	Technical assistant	8,999.90	709.93		709.93
Fulton, Thomas I., Jr	Administrative assistant	11,367.65	415.77		415.77
Goebert, Nancy Diane	Clerk-typist	2,584.51			
Jacobs, Helen K	do	3,441.86			
Karoly, Elanor M	Clerk	5,533.80			
Knapp, Marie Anna	Janitress	1,793.65			
Kokoruda, Dorothy M	Secretary	5,091.83			
Kutchman, Margaret	do	5,683.82			
Sheridan, Alice M	Technical assistant	7,783.84	1,521.76		1,521.76
Skerl, Tony J	Administrative assistant	11,367.65	456.75		456.75
Weir, Eleanor Irene	Clerk	6,181.74			
Borelle, Susan	Clerk-typist	1,401.87			
Alberter, Colleen Y	do	472.10			
Alvida, Linda Louise	do	490.75			
Baers, Richard D	Technical assistant	1,776.93			
Koban, Mary E	Secretary	1,179.24			
Stumpo, Edith M	Clerk-typist	1,465.33			
Bates, Herbert, Jr	Administrative assistant	5,411.59	1,200.03		1,200.03
Bird, Bedford W	Assistant area medical administrator	20,461.50	1,798.71	789.13	2,587.84
Brabson, Linda	Secretary	4,341.98			
Capps, Otis B., Jr	Technical assistant	9,236.43	68.10		68.10
Carroll, Dorothy L	do	8,841.94			
Cooter, O. Harmon	Administrative assistant	11,367.65	2,441.63	174.04	2,615.67
Daniel, Robert R	do	11,083.76	2,949.66		2,949.66
Hall, Ruth R	do	11,083.76	1,132.18		1,132.18
Hamelin, Natalie Ann	Stenographer	2,261.56			
Housewright, Bonnie E	Secretary	6,181.74			
Judkins, Mildred L	Technical assistant	8,999.90	2,148.12	102.90	2,251.02
Kennedy, Marie B	Clerk	5,861.94			
Koplin, Allen Norman, M.D	Area medical administrator	30,946.22	3,487.78	1,001.65	4,489.43
Dunn, Katherine D	Secretary	5,861.94			
Lambert, Anne W	do	6,181.74			
McIntyre, Eugene, Jr	Administrative assistant	6,182.24	1,484.48		1,484.48
Murray, Anna Frances	Technical assistant	8,999.90	1,712.38	8.00	1,720.38
Pollard, Jane C	Clerk	4,175.80			
Pyatt, Sarah E	Stenographer	5,231.29			
Scott, Dorothy	do	3,875.76			
Smith, Francis E	Administrative assistant	11,367.65	1,345.27		1,345.27
Smith, Wade Hampton	do	10,167.63	1,473.43		1,473.43
Ward, Charlotte	Clerk	5,541.88			
Williams, Charlotte Y	Secretary	6,181.74			
Wright, Carolyn Sue	Stenographer	3,724.70			
Butler, Eunice E	Secretary	711.05			
McWane, June Wallace	Clerk	1,349.98			
Corea, Charles J., M.D	Assistant area medical administrator	10,010.94	1,324.23	55.71	1,379.94
Barnhorst, Susan F	Stenographer	4,642.02			
Carter, Beverly Ann	Clerk-typist	3,891.92			
Cheak, Bonnie Sue	Stenographer	4,241.58			
Christian, E. G., M.D	Medical consultant	4,140.00			
Folan, Julia F	Clerk	5,083.88			

THE UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND OF 1950—FISCAL YEAR ENDING JUNE 30, 1968—Continued

			Allowances, expenses, etc.—Other direct and indirect disbursements		
Name of recipient (1)	Position (2)	Gross salary (3)	Expenses (5)	Other disbursements (6)	Total of (5)+(6) (7)
Galandis, Martha Ann	Administrative assistant	$10,967.65	$2,019.61	$561.04	$2,580.65
Gearhart, Ruth B	Secretary	6,003.76			
Hadley, Ruth Stone	Administrative assistant	8,967.73			
Harper, Jeannette F	Secretary	4,941.94			
Head, Willie V	Technical assistant	6,583.82			
Houchin, Edward L	Administrative assistant	9,318.51	1,212.48	770.21	1,982.69
Hughes, Roy W	do	11,967.73	763.19	480.58	1,243.77
Jensen, Lois B	Secretary	4,991.52			
Johnson, Lucile M	Administrative assistant	10,483.82	680.98		680.98
Jones, Cecil Ross	Technical assistant	7,183.77			
Logsdon, Carol Ann	Clerk-typist	3,691.13			
Lyninger, Vivian	Clerk	6,303.92			
Morris, Irvin G., Jr	Administrative assistant	14,383.09	1,697.98	577.22	2,275.20
Mueller, Patricia Ann	Clerk-typist	2,916.86			
Musselman, Elwood C	Assistant area medical administrator	20,461.50	1,311.05	606.76	1,917.81
Parker, Betty Ann	Secretary	4,273.31			
Pontrich, Thelma Lee	Clerk	5,016.88			
Salyers, James Richard	Administrative assistant	10,583.78	787.89	85.05	872.94
Shrodes, Dorothy E	Secretary	5,241.84			
Sils, Anna Lee	do	6,303.92			
Steele, Mary Nelle	Technical assistant	5,274.68			
Winebrenner, John D., M.D	Area medical administrator	30,946.22	1,998.15	804.41	2,802.56
Gillespie, John Willson	Administrative assistant	3,668.45	75.24		75.24
Sims, Anne Louise	Clerk-typist	384.25			
Diamond, Jack L., M.D	Assistant area medical administrator	1,592.32	120.81		120.81
Weiter, Mary A	Secretary	1,529.97			
Beal, George T	Technical assistant	7,467.72	2,383.51		2,383.51
~~Boord~~, ~~Rose~~ Marie	do	7,183.76			
Bucklew, Margaret Joyce	Clerk	2,212.01			
Core, Hildred I	Secretary	5,786.93			
Dobis, Martin A	Administrative assistant	11,067.68	1,492.75		1,492.75
Fleming, Virginia D	Technical assistant	7,483.80			
Galusky, Margaret R	Secretary	4,340.72			
Gresko, Alexis Denise	Stenographer	3,891.92			
Joseholder, Sam B	Administrative assistant	20,461.50	438.93	125.35	564.28
Kradlock, Mary Wharton	Secretary	5,541.88			
Lytle, Mary Elizabeth	do	5,861.94			
Marshall, Hubert T., M.D	Area medical administrator	30,946.22	1,075.09	407.82	1,482.91
Myers, Richard L	Clerk	3,883.77			
Perrine, Margaret L	Secretary	5,761.54			
Petso, Joseph	Technical assistant	7,483.80	26.07		26.07
Sabo, Charles M	Administrative assistant	11,667.69	1,726.39		1,726.39
Thomas, Carol Ann	Secretary	5,367.63			
Thompson, Patrick J	Administrative assistant	9,341.52	2,328.47		2,328.47
Travinski, Francis J	Technical assistant	6,883.86	2,667.21	20.64	2,687.85
Veach, Betty Jane	Administrative assistant	9,445.37	824.52	34.65	859.17
Walls, Martha Naomi	Clerk	2,263.93			
Woods, Claudia	Stenographer	3,891.92			
Zolton, Mary	Janitress	2,815.57			
Sowell, Karen	Clerk-typist	1,561.48			
Talbott, Mary Anne	Secretary	661.17			
Walsh, Ann Marie	Clerk-typist	567.28			
Skidmore, Harry T	do	765.00			
Biagi, Pauline D	Clerk-typist	4,420.63			
Bohatch, Betty A	do	5,212.35			
Davidson, Anne A	Technical assistant	8,989.13			
Ewing, Dolores J	Clerk	5,021.28			
Hickman, Hattie H	Public health nurse	6,703.91	381.16		381.16
Igo, Kenneth J	Technical assistant	5,723.10	226.28		226.28
Juliano, Peter	Administrative assistant	11,967.73			
Klefker, A. Pauline	Clerk	6,883.86			
Manning, James Taylor	Administrative assistant	14,473.02	1,572.49	39.17	1,611.66
Martin, Carol Ann	Clerk	3,641.50			
Miller, Fredericka O	Secretary	5,215.30			
Muha, Dorothy C	do	5,541.88			
Nassif, Mae	Technical assistant	5,258.02			
Palmer, W. Phillips	Assistant area medical administrator	20,461.50	1,060.13	409.73	1,469.86
Pendleton, Carrie B	Secretary	5,441.48			
Randall, Rachel	Stenographer	3,083.02			
Rasefske, Joseph P	Technical assistant	9,567.67	3,740.69	33.92	3,774.61
Roth, Martha	do	9,567.67			
Ray, M. Frances	Secretary	5,541.88			
Switzer, Mildred R	do	6,352.04			
Young, Constance J	Technical assistant	7,483.80	1,344.27		1,344.27
Falk, Leslie A., M.D	Area medical administrator	10,807.73	74.85	69.08	143.93
Huguley, Lilia C	Secretary	1,764.04			
Capek, Donna	Clerk	133.27			
Garson, Warfield, M.D	Area medical administrator	12,307.70	1,153.09	685.93	1,839.02
Williams, Patricia	Clerk-typist	450.00			
Baruzzini, Margaret D	Secretary	5,841.92			
Brannum, Irma Lea	Stenographer	4,624.71			
Brother, George M., M.D	Area medical administrator	30,946.22	1,775.18	119.89	1,895.07
Coon, Eugene J	Administrative assistant	12,283.92	3,700.83	119.88	3,820.71
Cooper, Betty R	Stenographer	4,783.84			
Desmarais, M. Virginia	Administrative assistant	11,683.84	1,400.93	119.89	1,520.82
Dwiggins, Gail L	Clerk-typist	1,742.50			
Fern, Bonnie B	Stenographer	5,501.84			
Girard, Dorothy M	Clerk	5,861.94			
Goodrich, Janice L	Stenographer	5,241.84			
Gutterres, Angelina M	Clerk	5,530.92			
Kottmann, Elizabeth J	Technical assistant	7,641.90			
Luther, Oscar D	Administrative assistant	12,283.92	142.63		142.63
Miceli, Margaret Mary	Clerk-typist	4,009.63			
Moll, Margaret Ellen	do	1,682.50			
Moore, Francis J	Assistant area medical administrator	20,461.50	289.16	119.89	409.05
Nicholson, Melvin C	Administrative assistant	10,183.90	77.60		77.60
Ponder, Yvonne Lillian	Secretary	5,861.94			
Sandler, Clare	Stenographer	4,642.02			
Splan, Evelyn M	Clerk-typist	3,741.90			
Stern, Irene M	Technical assistant	7,341.86			
Underwood, Brenda K	Clerk-typist	2,595.00			
Weselis, Geraldine M	Stenographer	3,360.03			
Cooper, Glenda Jeanne	Clerk-typist	432.50			
Harmon, Anna Marie	do	1,340.00			
Scheid, Darleen C	do	1,434.41			
Schonohoff, Jean	do	781.92			
Fritz, Rebecca A	do	735.00			

THE UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND OF 1950—FISCAL YEAR ENDING JUNE 30, 1968—Continued

Name of recipient (1)	Position (2)	Gross salary (3)	Allowances, expenses, etc.—Other direct and indirect disbursements: Expenses (5)	Other disbursements (6)	Total of (5)+(6) (7)
Kanevsky, Laurie	Stenographer	$945.00			
Winslow, Catherine A.	Clerk-typist	630.00			
Robbins, Carole L.	Clerk-typist	252.50			
Ahlin, Beverlee K.	Administrative secretary	8,279.27			
Daniels, Henry C.	Administrative assistant to executive medical officer	22,961.52	$382.02	$203.58	$585.60
Draper, Warren F.	Executive medical officer	34,999.90	112.13	112.35	224.48
Fortney, George R.	Administrative assistant	12,876.96			
Glover, Robert S.	do	10,230.88			
Gooden, Opal	do	13,300.00	370.96	412.30	783.26
Hawkins, Rosemarie B.	Secretary	8,798.50			
Hipsley, Eleanor	do	7,520.06			
Howanitz, Johanna	do	6,762.04			
Kennamer, Elizabeth H.	do	7,980.00			
Kerr, Lorin E.	Assistant to executive medical officer	31,446.20	706.71	758.97	1,465.68
Kornegay, Doris B.	Secretary	8,814.50			
Mayers, Harold J.	Hospital consultant	21,961.44	359.23	178.08	537.31
McCray, Willis E.	Administrative assistant	10,230.88			
McDonough, Mary F.	Secretary	7,647.91			
Newdorp, John	Deputy executive medical officer	33,946.10	842.05	516.09	1,358.14
Pohlmann, Kenneth E.	Rehabilitation consultant	20,961.48	544.71	96.06	640.77
Robinson, Patricia M.	Secretary	5,963.07			
Streit, Paul H.	Clinical consultant	10,019.88			
Threatt, Ella J.	Secretary	7,001.50			
Eubanks, Rose B.	Administrative secretary	1,199.06			
Bailey, Donna	Clerk-typist	1,955.80			
Total		4,097,236.28			
Payments from city of Pittsburgh, Pa., for withholding of city occupational tax		4.80			
Payments from State of Missouri for withholding of State income tax		41.46			
Payment from Penn Hills Township for collection of levy		4.92			
Subtotal		51.18			
Total		4,097,185.10	155,447.23	41,079.10	196,526.33
Net debit for personal travel paid in excess of reimbursements for the period July 1, 1967, through June 3, 1968				81.93	81.93
Total			155,447.23	41,161.03	196,608.26

Note: Col. (4), no allowances paid.

UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND OF 1950

LEGAL FEES AND EXPENSES FOR THE PERIOD JULY 1, 1967, THROUGH JUNE 30, 1968

	Fees	Expenses
M. E. Boiarsky, 511 Kanawha Valley Bldg., Charleston, W. Va	$13,755	$747.25
Cooper, Mitch & Crawford, Suite 1025, Bank for Savings Bldg., Birmingham, Ala	14,750	328.59
Clyde Y. Cridlin, Jonesville, Va	1,200	148.24
Grant F. Knuckles, Asher Bldg., Pineville, Ky. 40977	7,200	369.43
Kramer, Dey, Greenwood, Johnson & Rayson, Valley Fidelity Bank Bldg., Knoxville, Tenn	4,250	320.65
McCray, Clark, Statham & McCray, 810 Southern Securities Bldg., Evansville, Ind	425	
Louis D. Meisel, Deveny Bldg., Fairmont, W. Va	475	1.00
Louis D. Nattkemper, 506 Ohio St., Terre Haute, Ind. 47801	495	193.49
H. B. Noble, 304 Main St., Hazard, Ky	3.475	452.45
Paul A. Pachuta, 85 East Gay St., Columbus, Ohio	25	20.00
Plowman & Speigel, 1200 Grant Bldg., Pittsburgh, Pa	750	18.92
Rabil & Rabil, 403 Raleigh Savings & Loan Bldg., Raleigh, N.C		(5.10)
Swope & Swope, Law Bldg., Ebensburg, Pa. 15931	4,275	405.75
Kenneth J. Yablonski, 505 Washington Trust Bldg., Washington, Pa	2,450	511.00

AUDITING

Wayne Kendrick & Co., Rust Bldg., Washington, D.C. 20005		4,650.00

CONSULTING SERVICE

Maurice H. Levita, consulting actuary, 2828 Connecticut Ave. NW., Washington, D.C. 20008		375.00

Report, Jan. 1, 1967, to Dec. 31, 1967, International Union, United Mine Workers of America

Investments (736,944 shares, National Bank of Washington)	$23,777,546
Disbursements to officers:	
Gross salary (before taxes and other deductions	648,333
Expenses (including reimbursed expenses)	165,896
Total	814,229
Disbursements to employees:	
Gross salary (for employees receiving over $10,000)	2,518,795
Gross salary (total for all employees who, during the reporting period, received $10,000 or less gross salary, allowances, and other direct and indirect disbursements)	966,256
Salary total for employees	3,485,051
Expenses (including reimbursed expenses for employees receiving over $10,000)	652,673
Expenses (including reimbursed expenses for employees receiving less than $10,000)	45,910
Total expenses	698,583
Total salaries and expenses for employees paid over $10,000	3,171,468
Total salaries and expenses for employees paid under $10,000	1,012,166
Grand total	4,183,634

International Union, United Mine Workers of America, year ended Dec. 31, 1967

Item 50, receipts from other sources:	
Refund from Metropolitan Life Insurance Co. on deferred annuity contracts	$108,256
Repayments received on mortgage investments	41,581
Cash balances in treasuries of abandoned locals	2,254
Other receipts from locals	6,003
Payment on Albia, Iowa, property sold in 1964	2,040
Miscellaneous expense refunds	49,257
Total	209,391
Item 69, disbursement for other purposes:	
Anthracite Board of Conciliation	20,232
International Confederation of Free Trade Unions	11,340
Labor's Non-Partisan League	6,000
Miners International Federation	40,310
National Coal Policy Conference	75,000
Organizacion Regional Interamericana de Trabajadores	1,575
Payroll deductions forwarded	847,581
Sheraton-Carlton Hotel, rooms for use of officers	11,567
Expenses incident to attendance at meetings in foreign countries	21,131
Automobile expense and storage	6,524
Portraits and photographs	998
Labor Day rally	19,293
Organizing expense	236,178
West Virginia Nonpartisan League	1,675
Advances to locals	1,300
Other expenses	14,377
Total	1,315,081

INTERNATIONAL UNION, UNITED MINE WORKERS OF AMERICA, BLMR FILE NO. 000063, YEAR ENDED DEC. 31, 1967

SCHEDULE 1.—LOANS RECEIVABLE

	Repayments received during period	Balance at end of period
A. H. Bull Steamship Co.		$334,791
Purpose: Business investment and to enhance employment opportunities of union members.		
Arrangements for payment: Due in installments beginning Jan. 1, 1963.		
Security: Fleet and real estate mortgages.		
Lewmurken, Inc		1,451,104
Purpose: Business investment and to enhance employment opportunities of union members.		
Arrangement for payment: On demand.		
Security: Notes and other securities.		
Total		1,785,895

SCHEDULE 5.—REAL ESTATE OWNED

	Cost	Book value
(a) Land and buildings held as investments:		
907 15th St. NW., Washington, D.C	$875,000	$466,000
1427 I St. NW., Washington, D.C	550,000	550,000
Total	1,425,000	1,016,000
(b) Other land and buildings:		
900 15th St. NW., Washington, D.C	586,580	500,000
1523-5-7 I St. NW., Washington, D.C. (cost includes buildings which were razed in 1957)	142,500	75,000
1435 K St. NW., Washington, D.C	285,000	285,000
1437 K St. NW., Washington, D.C	390,000	390,0
(b) Other land and buildings—Con.		
Wilkes-Barre, Pa	$80,000	$80,000
Ebensburg, Pa	52,000	52,000
Hazleton, Pa	60,000	60,000
Renton, Wash. (land only)	300	300
Terre Haute, Ind	120,000	120,000
Charleston, W. Va.:		
1210 Kanawha Ave	65,000	65,000
1300 Kanawha Ave	85,000	85,000
Middlesboro, Ky	25,500	25,500
Madisonville, Ky	47,500	47,500
Beckley, W. Va	$70,000	$70,000
Subtotal	2,009,380	1,855,300
Total	3,434,380	2,871,300

Note: In most instances the cost price represents the cost of land and existing buildings and no attempt has been made to apportion the costs between land and buildings.

INTERNATIONAL UNION, UNITED MINE WORKERS OF AMERICA, BLMR FILE NO. 000063, YEAR ENDED DEC. 31, 1967

SCHEDULE 8.—DISBURSEMENTS TO OFFICERS

Name	Status	Gross salaries	Expenses	Total
President: W. A. Boyle	C	$50,000	$11,631	$61,631
Vice president: George J. Titler	C	40,000	5,939	45,939
Secretary-treasurer: John Owens	C	40,000	4,946	44,946
International executive board members:				
Henry Allai	C	25,000	9,187	34,187
Louis Austin	C	25,000	7,628	32,628
C. Edward Beane	C	20,000	6,664	26,664
Arthur Biggs	C	20,000	6,036	26,036
R. J. Boyle	C	25,000	8,975	33,975
Martin F. Brennan	C	20,000	785	20,785
John H. Delaney	C	20,000	4,999	24,999
John Ghizzoni	C	20,000	7,632	27,632
Fred K. Hefferly	C	20,000	5,256	25,256
Carson Hibbitts	C	25,000	8,283	33,283
R. R. Humphreys	C	20,000	3,808	23,808
Joseph Kershetsky	C	20,000	2,888	22,888
Wilbert W. Killion	C	20,000	5,632	25,632
John T. Kmetz	C	30,000	15,257	45,257
William Mitch	P	13,333		13,333
Sam Nicholls	C	19,000	313	19,313
Peter Phillippi	C	20,000	2,289	22,289
James W. Ridings	C	20,000	609	20,609
Joseph Shannon	C	20,000	6,712	26,712
Cecil J. Urbaniak	C	20,000	6,030	26,030
William Ure	C	15,000	3,579	18,579
Ewing Watt	C	20,000	3,630	23,630
Joseph Yablonski	C	25,000	12,668	37,668
International auditors:				
Ben Cicero	C	12,000	3,899	15,899
Alfred Lamo	C	12,000	5,933	17,933
Archie V. Woods	C	12,000	4,688	16,688
Total		648,333	165,896	814,229

INTERNATIONAL UNION, UNITED MINE WORKERS OF AMERICA, BLMR FILE NO. 000063, YEAR ENDED DEC. 31, 1967

SCHEDULE 9.—DISBURSEMENTS TO EMPLOYEES

Name	Position	Gross salaries	Expenses	Total
Walter W. Akers	Organizer	$10,950	$3,720	$14,670
Louis E. Austin, Jr	do	10,950	3,990	14,940
Lloyd Baker	District secretary-treasurer	14,600	5,888	20,488
Jesse M. Ballard	District board member	10,950	3,087	14,037
Norman A. Beck	International representative	10,803	4,623	15,426
Clarence Booth	District representative	10,950	2,637	13,587
Antoinette Boyle	Attorney	40,000	3,288	43,288
Joseph P. Brennan	Assistant to director of research and marketing.	12,500	733	13,233
John E. Brown	District representative	10,950	3,110	14,060
Robert Browning	do	10,950	1,536	12,486
Michael Budzanoski	District president	18,000	6,199	24,199
J. Carl Bunch	District secretary-treasurer	17,000	2,180	19,180
Edward L. Carey	General counsel	40,000	3,243	43,243
Richard Carter	District representative	10,950	2,148	13,098
Joe Castle	do	10,950	3,540	14,490
Lewis Chaney	do	10,950	4,701	15,651
Howard W. Channell	Assistant to international secretary-treasurer.	20,000	238	20,238
M. W. Clark	District representative	10,950	3,473	14,423
James W Clarkson	International representative	11,000	7,075	18,075
Harrison Combs	Attorney	45,000	8,178	53,178
Harrison Combs, Jr	Legislative representative	11,000	2,487	13,487
Kenneth Combs	Assistant to district secretary-treasurer.	11,000	2,763	13,763
Matt Combs	District secretary-treasurer	17,000	7,399	24,399
Allen G. Condra	International representative	11,000	8,464	19,464
Elizabeth Covington	Secretary	14,600		14,600
Thomas N. Crawford	District president	20,000		20,000
Eugene A. Creany	Compensation attorney	12,000	897	12,897
Joe Davis	District representative	10,950	3,470	14,420
Richard DeAngelis	do	10,800	3,179	13,979
Mike Degretto	International representative	13,000	10,144	23,144
August DeMarco	District representative	7,200	3,688	10,888
Steve Denardo	do	10,800	2,854	13,654
Noah Doss	do	10,950	2,394	13,342
John Eagan	District president	17,000	3,127	20,127
James K. Edmundson	Attorney	15,000	3,151	18,151
John W. Edwards	International representative	11,000	3,253	14,253
Joe Ellis	District representative	10,950	1,578	12,528
Lewis E. Evans	Special international representative.	17,000	7,863	24,863
Leighton C. Farley	District representative	10,455	4,333	14,788
Joseph Feist	District board member	10,800	2,764	13,564
Squire Feltner	District representative	$10,950	$4,233	$15,183
Charles Ferguson	Director, safety division	20,000	14,544	34,544
Clarence E. Floyd	District representative	10,950	2,278	13,228
Peter M. Flyzik	International representative	11,000	1,315	12,315
Edward Foster	District representative	10,800	5,529	16,329
Arnold Gabelli	District board member	10,800	2,231	13,031
Steve Galati	District auditor	10,950	1,808	12,758
Leonard R. Gazenski	Secretary	13,000		13,000
Edward H. Gibbons	District secretary-treasurer	17,000	956	17,956
Edgar W. Gilbert	District representative	10,950	3,009	13,959
George Gilbert	do	10,950	4,486	15,436
Ernest Goad	District president	11,375	3,265	14,640
Robert E. Gordon	International representative	11,000	10,903	21,903
Paul Gormish	District representative	10,800	4,814	15,614
Chester C. Gossett	District board member	10,950	3,009	13,959
Michael Gretchen	do	10,950	2,024	12,974
George Griffiths, Jr	District secretary-treasurer	15,000	1,711	16,711
Gerald Griffiths	Secretary	13,600	107	13,707
Ernest Gross	District representative	10,950	6,838	17,788
John Grygiel	do	11,550	1,987	13,537
Charles E. Hale	Organizer	10,950	4,478	15,428
George W. Hall	District representative	10,950	3,192	14,142
Peter Halvonik	District board member	10,950	5,973	16,923
Ray Harris	Secretary	10,950	574	11,524
Rodney Hatten	District representative	10,494	5,634	16,128
Charles H. Head	International representative	11,000	8,181	19,181
Anne B. Headley	Secretary	10,600		10,600
Howard C. Hillhouse	District representative	10,950	2,406	13,356
Noble Hobbs	do	10,950	2,348	13,299
John Hollins	do	10,950	2,029	12,978
Ernest E. Hollyfield, Sr	District president	15,000	4,372	19,372
Ruth E. Holmes	Secretary-bookkeeper	10,000		10,000
Earl E. Houck	Director, legal department	40,000	136	40,136
Robert E. Howe, Jr	Director, Labor's Non-Partisan League.	20,000	2,190	22,190
Earl Howell	District representative	10,763	1,994	12,757
Robert L. Hutcherson	Assistant compensation director	10,950	1,010	11,960
Joseph Jashienski	District representative	10,800	3,556	14,356
Elza Johnson	do	10,950	1,261	12,211
John Karlavage	International representative	11,000	4,408	15,408
James W. Kelly	District secretary-treasurer	16,000	6,566	22,566
James F. Kmetz	Legislative representative	17,000	2,190	19,190
John J. Kmetz	Administrative auditor	12,000	7,388	19,388
Stephen Krobock	International representative	8,863	1,898	10,761

INTERNATIONAL UNION, UNITED MINE WORKERS OF AMERICA, BLMR FILE NO. 000063, YEAR ENDED DEC. 31, 1967—Continued

SCHEDULE 9.—DISBURSEMENTS TO EMPLOYEES—Continued

Name	Position	Gross salaries	Expenses	Total
Steve Kubic	District board member	$10,950	$1,436	$12,386
Joseph Ladisic	District representative	10,950	7,114	18,064
Edward Lamm	District board member	10,950	4,005	14,955
Rex W. Lauck, Jr	Assistant editor, UMWA Journal	13,000	6,239	19,239
Donald E. Lawley	International representative	11,000	7,381	18,381
John Lease	District board member	10,800	2,315	13,115
James Leeber, Jr	Safety engineer	11,550	3,299	14,849
John A. Lippi	District secretary-treasurer	16,000	2,706	18,706
Herman Lisse	District board member	10,950	2,495	13,445
Joseph A. Londrigan	Attorney	12,400	1,650	14,050
Sylvester Lorenzo	District representative	10,950	2,166	13,116
Jess Lovelace	District secretary-treasurer	17,000	3,947	20,947
Francis McCallister	District board member	10,950	6,318	17,268
Justin McCarthy	Editor, UMWA Journal	19,000	3,499	22,499
William J. McCormack	Building manager	12,000		12,000
James E. McCoy	District representative	12,000	2,049	14,049
John F. McGuire	Administrative assistant	10,667		10,667
Howard Madewell	District representative	10,950	659	11,609
Peter Mahalage	District board member	11,900	1,919	13,819
Charles B. Malcomb	Organizer	10,950	3,434	14,384
Allen Mark	District representative	10,800	5,316	16,116
James Mark, Jr	Legislative representative	17,000	2,190	19,190
William Marsh	District president	18,500	4,778	23,278
William L. Marsh	District representative	10,950	2,568	13,518
Theodore Medvetz	do	9,900	5,059	14,959
Myrl C. Miller	do	9,120	4,103	13,223
Harold E. Moon	International representative	11,000	4,683	15,683
Andrew Morris	do	10,950	2,367	13,317
Clarence Mosier	do	10,800	5,916	16,716
Harry T. Myers	District representative	10,950	1,857	12,807
Charles A. Neal	do	10,950	964	11,914
Steve Nikses	Organizer	10,950	3,209	14,159
H. B. Noble	Attorney	23,608	3,441	27,049
Thomas B. Noonan	Chief compensation counsel	28,000	2,970	30,970
Roland Nuccetelli	District board member	10,950	5,273	16,223
Cornelius O'Donnell	District secretary-treasurer	15,000	1,523	16,523
Blaine Odell	District representative	10,950	1,870	12,820
Bruno B. Omizzi	do	9,390	1,784	11,174
Andrew J. Onderko	Organizer	10,950	4,919	15,869
Boley Overa	International representative	11,000	3,565	14,565
R. C. Owens	District secretary-treasurer	25,000	3,111	28,111
Willard P. Owens	Attorney	50,000	4,866	54,866
Albert Pass	District Secretary-treasurer	18,000	4,765	22,765
Marion Pellegrini	District board member	10,950	5,770	16,720
William Perkins	International representative	11,000	7,967	18,967
Charles H. Phillips	District representative	10,950	2,271	13,221
Chester R. Philpot	do	10,950	1,601	12,551
Larkin S. Philpott	District president	20,000	2,386	22,386
Joseph Pisczar	District representative	10,950	3,625	14,575
Leonard J. Pnakovich	do	17,009	1,965	18,965
Donald L. Poland	do	10,950	4,632	15,582
John Popp	do	10,950	5,890	16,840
William J. Prater	do	10,950	3,974	14,924
Willie B. Price	do	10,950	3,068	14,018
John Reddington	District board member	11,900	2,642	14,542
Frank Restic	District representative	$10,800	$4,758	$15,558
Suzanne V. Richards	Executive assistant to international president.	35,417	1,630	37,047
Lewis C. Riley	District secretary-treasurer	17,000	2,173	19,173
John Roach	District board member	7,200	3,090	10,290
William Rogers	International representative	11,000	3,693	14,693
Clyde Rohland	District representative	10,950	2,338	13,288
Anthony Rose	do	10,950	2,879	13,829
Corwin E. Ross	do	10,950	2,061	13,011
Dorothy Rudd	Secretary	10,000	31	10,031
Clyde W. Runions	International teller	10,727	1,100	11,827
Robert Russell	District board member	10,950	5,421	16,371
Peter Rutz	do	13,000	3,181	16,181
Frank Sabolsky	District representative	9,060	4,803	13,863
Frank J. Sacco	International representative	11,000	5,424	16,424
Lado Srvelli	Secretary	8,333	1,683	10,016
Valerio L. Scarton	District representative	10,800	5,282	16,082
John Seddon	District secretary-treasurer	15,000	3,169	18,169
Joseph L. Serdich	District representative	10,950	962	11,912
James L. Sessions	do	10,950	2,603	13,553
Wiley F. Shepherd	do	10,950	2,792	13,742
Owen Slagle	District board member	10,800	2,768	13,568
Samuel Slatcoff	District representative	10,800	3,896	14,696
Earl Stamper	do	10,950	2,101	13,051
Joseph Staples	do	10,800	5,982	16,782
Thomas J. Starks	International representative	10,950	2,831	13,781
Leonard Statkewicz	District board member	13,000	2,508	15,508
Frank M. Stevenson	District president	10,200	3,325	13,525
Michael Stewart	District board member	12,891	792	13,683
Jerry Stidham	International representative	11,000	1,644	12,644
Earle Stucker	District representative	10,950	2,623	13,573
Ernest Stults	do	10,950	4,735	15,685
Walter Suba	do	8,040	2,314	10,354
Edward Sweeney	District secretary-treasurer	17,000	984	17,984
Bruno J. Telk	District board member	10,800	3,303	14,103
Emmett L. Thomas	Administrative assistant to international president.	20,000	4,446	24,446
James Thomas	District representative	7,500	2,574	10,074
Lester Thomas	Acting district president	20,000	7,247	27,247
Gertrude N. Thompson	Secretary	10,000	505	10,505
Raymond Thompson	District representative	9,900	2,145	12,045
Ray Thornbury	do	10,950	2,974	13,924
William T. Turnblazer	District president	20,000	4,943	24,943
William Vaughn	District representative	10,950	2,120	13,070
Rudolph Vitter	International representative	11,000	2,841	13,841
Kenneth F. Wells	do	10,267	3,100	13,367
M. F. Widman, Jr	Director, research and marketing	25,000	6,283	31,283
Thomas A. Williams	District president	20,000	3,782	23,782
John Wusels	Compensation department manager.	11,472	5,830	17,302
Leon Yablonski	International representative	11,000	8,726	19,726
Harvey Younker	District president	20,000	3,406	23,406
Eli Zivkovich	International representative	12,000	9,129	21,129
Total		2,518,795	652,673	3,171,468

INTERNATIONAL UNION, UNITED MINE WORKERS OF AMERICA, BLMR FILE NO. 000063, YEAR ENDED DEC. 31, 1967

Type	To whom paid	Amount
Schedule 11, benefits:		
Relief	Members	$435,030
Medical payments	Officers and employees	9,397
Death	Beneficiaries of officers and and employees.	2,269
Pensions	Officers and employees	36,820
Group hospitalization insurance.	Insuring organizations	211,880
Strike	Members	31,602
Total		726,998
Schedule 12, contributions, gifts, and grants:		
Charities		3,531
Safety associations		1,982
Labor organizations		5,550
Individual aid		259
Educational institutions.		7,500
Total		18,822

JUDGE HOLTZOFF'S DECISION ON UMW WELFARE AND RETIREMENT FUND

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, on April 22, 1969, Judge Alexander Holtzoff of the U.S. District Court for the District of Columbia rendered a decision which, if sustained on appeal, provides some measure of protection to certain beneficiaries of the United Mine Workers welfare and retirement fund. It has been very frustrating for coal miners who have worked for many years with the full expectation that their sweat and blood has entitled them to pension rights, only to have the rules changed or new rules enunciated that disqualify them from benefits. In the case in point, Shelby Collins applied in 1965 for his retirement pension, but was denied it by the UMW welfare and retirement fund because he had worked the last year of his employment in a nonunion mine. Judge Holtzoff, in awarding the pension to Mr. Collins, indicated in his decision that Mr. Collins was "constrained by circumstances to accept employment in a nonunion mine" because no other employment was available in the last year prior to his retirement. Judge Holtzoff ruled that the requirement set by the fund was "arbitrary and capricious" and that Mr. Collins "is entitled to a pension."

Mr. Speaker, for other arbitrary reasons, many coal miners of West Virginia and other States have been denied their pensions, other benefits, or had taken away from them their medical cards. Many questions have been raised concerning the management, investments, financing, and rules set up by the UMW welfare and retirement fund. For this reason, I have asked for a full-scale congressional investigation of the fund, and hope that legislation will be enacted which will protect the working coal miner who has a clear stake and equity in the fund.

I believe that Judge Holtzoff's opinion deserves careful attention. Because of the fact that arguments of counsel referred to the royalty of 30 cents per ton of bituminous coal which was established in 1950, that figure is included in Judge Holtzoff's opinion. Since the 1950 figure was set, of course, the amount of royalty per ton which is paid to the fund by the coal operators was raised from 30 to 40 cents per ton in 1952. The royalty paid into the fund has amounted to 40 cents per ton since 1952.

In view of the public interest in the United Mine Workers welfare and retirement fund, under unanimous consent I include the complete text of Judge Holtzoff's opinion of April 22, 1969:

[In the U.S. District Court for the District of Columbia, Civil Action No. 1877-67]

SHELBY COLLINS, PLAINTIFF, VERSUS UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND OF 1950, ET AL., DEFENDANTS

OPINION

Joseph H. Newlin, of Washington, D.C., for the plaintiff.

Charles L. Widman, of Washington, D.C., for the defendants.

This case relates to the Welfare and Retirement Fund established by the United Mine Workers of America, a labor union representing coal miners. Two questions are presented. The first is whether the courts have power to set aside as arbitrary and capricious, a regulation adopted by the trustees of the fund, prescribing eligibility for applicants for benefits. The second is whether a particular regulation, which is being questioned in this case, should be set aside as arbitrary and capricious.

This action is brought by a retired coal miner against the trustees of the Fund to recover a retirement pension that he claims is due him. The salient facts are not in dispute. The Welfare Fund for the purpose of paying retirement pensions and other benefits to coal miners, was created by an agreement between the United Mine Workers of America and a group of owners and operators of coal mines. The Fund is made up of contributions made by the latter. Each operator periodically pays into the Fund a specified amount based on the quantity of coal produced by his mine. The Fund originated in 1946. The creation of such funds was recognized and sanctioned by Congress in the Labor Management Relations Act, 1947 (Taft-Hartley Act), 29 U.S. Code § 186(c)(5).

A new agreement executed in 1950 between the Union and the operators is now in existence, with some amendments adopted from time to time, that are not germane to this action. This agreement established a Fund designated as "The United Mine Workers of America Welfare and Retirement Fund of 1950". The Fund consists of contributions made by each coal mine operator signatory to the agreement, amounting to thirty cents on each ton of coal produced by his mine. It is administered by a Board of Trustees. It is an irrevocable trust. The purposes of the Fund are to make payments of benefits to employees of mine operators, their families and dependents, for medical or hospital care, pensions on retirement or death of employee, and benefits of other types specified in the agreement that are not relevant to this action. Subject to the stated purposes of the Fund, the trustees are given full authority to determine questions of coverage and eligibility to receive benefits and all other related matters. A portion of the Fund was to be set aside for pensions or annuities for retired members of the Union, their families or dependents.

The trustees in due course adopted and promulgated regulations prescribing qualifications for eligibility to receive a pension. The existing regulations involved in this case, were issued by the trustees on January 4, 1965, and are contained in what is known as Resolution No. 63. The requirements for a pension are as follows:

I. *Eligibility.*

A. An applicant who subsequent to February 1, 1965, permanently ceases work in the bituminous coal industry as an employee of an employer signatory to the National Bituminous Coal Wage Agreement of 1950, as amended, shall be eligible for a pension if he has:

1. Attained the age of fifty-five (55) years or over at the date of his application for pension.

2. Completed twenty (20) years' service in the coal industry in the United States. . . .

3. Permanently ceased work in the coal industry immediately following regular employment for a period of at least one (1) full year as an employee in a classified job for an employer signatory to the National Bituminous Coal Wage Agreement, as defined in paragraphs II B hereof.

In other words, in order to be eligible to receive a pension, a coal miner who retired subsequently to February 1, 1965, must have been at least fifty-five (55) years of age; have completed twenty (20) years' service in the coal industry; and during one (1) full year immediately preceding his retirement, must have been employed by an employer signatory to the agreement, in other words by a mine operator who made contributions to the Fund.

The plaintiff, who is a retired coal miner, applied to the trustees for a pension. He was found eligible under paragraphs 1 and 2 of the requirements, but not in compliance in respect to the third requirement, in that during the year preceding his retirement he was employed in a non-union mine instead of by an employer signatory to the agreement. It was found that the mine in which he was employed during his last year of service was a non-union mine, was not signatory to the agreement and, therefore, did not make any contributions to the Fund. This action is brought against the trustees to recover the pension which the plaintiff claims. It is contended in his behalf that this third requirement is invalid and should be set aside by the Court as arbitrary and capricious.

The following facts were stipulated in the pretrial order. On February 18, 1965, the plaintiff applied to the defendants for a retirement pension. The application was originally approved, but later its allowance was revoked. The plaintiff had been regularly employed in the coal mining industry for more than twenty (20) years immediately prior to filing his application. During the year preceding his retirement and the filing of his application, he was employed by a coal company that was not a signatory to the agreement creating the Welfare Fund and, therefore, made no contributions to it. This fact was the ground of the rejection.

The evidence shows that out of his long period of employment in the coal industry, the plaintiff worked for over twelve years in union mines that made contributions to the Fund. He testified, by deposition, that he resigned his job with a signatory mine operator because of unsafe conditions of work; and that he was compelled to accept employment in a non-union mine because no other employment was available and he had to support his wife and children.

In narrating why he resigned his employment with a contributing mine, he said in his deposition:

Q. 168. They didn't lay you off?

A. No, the top got so bad I got scared and quit and I wasn't making too good nohow.

As to the reason why he accepted employment in a non-contributing mine, he said:

Q. 89. How did you happen to continue to work for L & G Coal Company after you found out they weren't under contract and you a member of the United Mine Workers?

A. Well, I tell you buddy they wasn't nowhere to go hardly. Couldn't hardly find a job and I had a bunch of kids and I had to work.

No contradiction of his testimony was introduced. Defense counsel, however, offered in evidence some official reports that, among other things, listed a number of union mines in operation in Harlan County, Kentucky, which is the area involved in this case, during the year in question. The Court deems this evidence incompetent on this issue. While *ex parte* Government reports may be evidence of governmental policies and of general conditions, they are hearsay and are, therefore, inadmissible as proof on specific issues in controversy. Parties are entitled to testimony of a kind that can be tested by cross-examination. Even if, this evidence were competent in this instance, it would have but little probative value. It does not follow that because there were union mines in operation that every coal miner could get employment there. There may have been more miners seeking employment than the union mines could absorb. Then, too, it does not appear where any of these mines were, or whether any of them were within commuting distance of the plaintiff's home in order that he could travel daily back and forth to work, even if he could secure employment.

The trust involved in this case is of a type hitherto unknown to equity jurisprudence. The conventional and traditional trust of which equity takes cognizance and which it enforces, names specific beneficiaries, or a determinable class of beneficiaries, leaving no discretion to the trustees to decide who is entitled to the benefits of the trust. The only exception is a charitable trust by which a specific gift is left for a philanthropic purpose, or for members of an indefinite group as a free gift. In this instance, the trust is for the benefit of a general class, membership in which, however, has to be defined by the trustees, who have discretion to determine who within the class should be entitled to benefits under the trust. It is not a charitable trust, because it was created by agreement by contributions of employers. These contributions in a sense form part of the wages of employees, and are of a type known nowadays as "fringe benefits". Persons intended to be benefited rendered the creation of the Fund possible by working for employers who made contributions. They furnished a consideration for the payments. The result is that, unlike in a charitable trust, members of the class have a legal right to the benefits. They participated by their labors in the creation of the Fund. The trustees have authority to prescribe criteria for eligibility within the class.

It is part of the genius of the common law and of equity jurisprudence that they are not static but adapt themselves to shifting needs and changing conditions. Mr. Justice Cardozo summarized this doctrine in a few picturesque pointed words. He said:

"The Inn that shelters for the night is not the journey's end. The law, like the traveler, must be ready for the morrow. It must have the principle of growth." [1]

When social or economic conditions change, the law must follow and adjust itself to the new requirements as they become crystalized. Justice Holmes observed that, "It cannot be helped, it is as it should be, that the laws lag behind the times." [2] The lag between changes of conditions and the adjustment of the law to them should not, however, be too long.[3]

It has been established that the courts may review decisions of the trustees on individual applications and set aside a denial, if it is arbitrary and capricious, is not supported by any evidence, or is contrary to law. The scope of review is, however, very narrow and is limited in the manner just stated. *Danti* v. *Lewis,* 114 U.S. App. D.C. 105, 108; *Kosty* v. *Lewis,* 319 F. 2d 744, 115 U.S. App. D.C. 343, 346; *Kennet* v. *United Mineworkers of America,* 183 F. Supp. 315, 317.

The next step to be taken is to extend this authority of the courts to setting aside and declaring invalid a qualification for eligibility for a pension, if the Court concludes that the requirement is arbitrary and capricious. No reason is perceived for not taking this additional step. In fact, the Court of Appeals in *Roark* v. *Lewis,* 401 F. 2d 425, has indicated that such power should exist. Naturally this authority shall be exercised very sparingly and cautiously and may be invoked only if the arbitrary and capricious nature of the regulation is clearly established.

The *Roark* case, *supra,* dealt with the same question that is presented in this action, namely, the validity of the regulation requiring a retired coal miner to have worked for a signatory mine owner during his last year before retirement. The enlightened and analytical opinion of the Court of Appeals in that case, written by Judge Tamm, contains a helpful and detailed discussion of the problem. He said (pp. 427-428):

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[1] Cardozo, *The Growth of the Law* 18.

[2] Holmes, *Collected Legal Papers* 294.

[3] See Holtzoff, *The Vitality of the Common Law in Our Time,* Vol. XVI, The Catholic University Law Review, pp. 23, 25–27.

"While the trustees have broad discretion in setting eligibility requirements, there are obvious limits . . . Although none of the reported cases we have found which deal with UMW pension applications has directly confronted the question of court review of eligibility requirements, we see no reason why the previously announced standard (to determine whether the trustees' conduct was arbitrary or capricious) should not apply. Trustees' action in prescribing eligibility requirements affects the rights of potential beneficiaries in the same vital way as do other trustees' actions."

* * * * *

"When the trust was first established, of necessity, most applicants had worked the bulk of the required time before signatory operators had begun paying into the trust a stipulated price per ton of coal mined.

* * * * *

"Appellants have demonstrated the peculiarities of the attacked requirement—that an employee's last regular employment before retirement be with a signatory operator. Under the requirement, employees could spend, as appellants did, practically their entire adult lives working for mine owners who had contributed to the Fund since its inception; yet if they were to work for a non-signatory operator for any period after leaving a signatory operator, they would forfeit their otherwise valid pension claims. Conversely an applicant could have worked nineteen of the required twenty years in the industry for a non-signatory operator (who had contributed nothing to the Fund) and still be eligible for a pension if only he worked his last regular employment for a contributing operator."

* * * * *

"If the Fund's purpose is to pay benefits to contributing employers' employees (whose work generated the contributions), it is difficult to see how such a requirement promotes that purpose. It makes employees like these appellants sacrifice an otherwise valid pension claim because they worked a relatively short time for non-contributing operators. The contributions which signatory operators made on their behalf did not evaporate as a result of their later employment with non-signatories."

In the exercise of caution, however, the Court of Appeals did not reach a final decision on the validity of the rule, but remanded the case to the District Court for a new trial in order that evidence bearing on a possible justification of the requirement might be introduced. The Court of Appeals indicated that the burden was on the trustees to show some rational nexus between the purpose of the Fund and the challenged requirement.

The brief concurring opinion added the following remarks (p. 429):

"Appellants may have been forced off contributing payrolls because their employers closed the mines and because no other job with a contributing employer was available. On those facts, we might well find arbitrary and capricious a reading of the eligibility requirements which would deny appellants their pensions."

In the instant case the trustees assumed the burden placed upon them by the Court of Appeals in the *Roark* case, and introduced evidence seeking to explain and justify the fairness of the requirement, which on its fact appears so highly unreasonable.[4]

Counsel for the trustees called as a witness, Joseph A. Reid who is a Special Assistant to the Director of the Fund. He testified as follows:

Q. What was the purpose and the statistical information the fund had at that time that caused them to put that requirement in effect?

A. From its inception in 1946 until March 5, 1950, the fund had received in excess of 38,000 pension applications. They found through analyses and statistics of all these 38,000 pension applications that many coal miners were coming back to the coal industry who had been away from the coal mines for many years, who had lost their identity with the coal industry, but because of the liberal requirements that were first in existence they could come back in the mines and work for one day or one week or one month and receive pension benefits. In fact, they found instances of sham and non-existent coal companies. In fact, they were referred to as "pity me" mines where a man would go for a day and then apply for a pension.

So after these three years of statistics on this subject the trustees inserted the resolution that his last year of employment had to be for a signatory company. Now this was also done because any man who did not work for a signatory company for one year immediately prior to his retirement and returned to work after 1946 could have worked for a company that never paid a cent into the welfare fund. It operates much like workmen's compensation, his last year of employment must be assessed against the employer that contributes to the fund, and that is the reason this regulation was applied.

Q. Mr. Reid, following the adoption and throughout the years of administration of this welfare fund concerning this requirement of eligibility of employment immediately prior to retirement for a coal operator's signatory, what would be the percentage of the people that have been able to meet that requirement of eligibility?

A. Oh, the vast majority of the people have met that eligibility requirement. In fact, there are over 70,000 people now receiving pension benefits, and since the inception of the fund over 130,000 have been approved pension benefits.

Q. Have you in the administration of the fund encountered any difficulty in the administering of this regulation? Has it been found equitable or harsh in the administration of this welfare fund?

* * * * *

A. We have found that this has been an equitable regulation. It has been in effect since 1950 and that is nineteen years. There has never been a great deal of clamor upon the coal miners themselves to alter this regulation. The majority of coal miners feel that this is right.

* * * * *

Q. Mr. Reid, has there ever been any consideration within the welfare fund to change that requirement?

A. In various conferences that the administrative fund conducts discussions have periodically occurred on the whole regulation but it has never come to pass that this regulation should change.

Q. Has there ever been consideration to increase the number of years of signatory employment to more than a year of the last employer?

A. Yes, they have discussed the possibility of making a miner work for more than one year in signatory mines but they want to be as liberal as they possibly can so they have never changed it. (Tr. pp. 8–9, 10–11, 12–13)

In the opinion of this Court, the foregoing explanation is not adequate. In order to prevent possible frauds and in order to confine the benefits of the Fund to retired employees whose labors brought about contributions to the Fund, all that is necessary is to require that the miner should have worked for a specified minimum period in signatory coal mines. To exact a requirement that irrespective of the number of years he may have been employed in such mines, he must have done likewise during the very last year of his employment in the coal industry, is unreasonable, arbitrary and capricious. The unfairness of the requirement is patent in respect to a person, such as this plaintiff, who for many years worked in a signatory coal mine, but during the last year of his work in the industry was constrained by circumstances to accept employment in a non-union mine. On the other hand, a person could have worked during his entire career in non-union mines and yet receive a pension if he managed to secure employment in a union mine for a single year immediately preceding his retirement although his participation in the creation of the Fund would be negligible. Such results are unfair and unreasonable and border on the absurd.

The Court concludes that the requirement in question is arbitrary and capricious, and should be set aside and held invalid. Since the plantiff meets all the other requirements, he is entitled to a pension. Judgment will be rendered in his favor.

This opinion will constitute the findings of fact and conclusions of law. Counsel will submit a proposed judgment.

Alexander Holtzoff,
U.S. District Judge.

April 22, 1969.

REPORT ON INVESTIGATIONS—HOUSING SUBCOMMITTEE HOLDS HEARINGS ON URBAN INSURANCE IN CHICAGO

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record, and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, in the Housing and Urban Development Act of 1968, we enacted a new program providing assurance to our citizens in the inner city that property insurance would be made available at reasonable costs. This new urban property protection and reinsurance program was an attempt to enlist the insurance industry, State regulatory officials, and property owners in an effort to make insurance available through the establishment in each State of an insurance placement facility called the FAIR plan—Fair Access to Insurance Requirement.

Our colleague on the Banking and Currency Committee, the gentleman from Illinois, Frank Annunzio, brought to the attention of myself and to the gentleman from Pennsylvania, chairman of the Subcommittee on Housing, William A. Barrett, serious problems that had developed in the State of Illinois, particularly in the city of Chicago, regarding the operations of the Illinois FAIR plan. Congressman Barrett designated the gentleman from Pennsylvania, Congressman William Moorhead to chair a special hearing in Chicago to investigate the operations of the Illinois FAIR plan. Congressman Annunzio, at the invitation of Subcommittee Chairman Barrett, participated in these hearings.

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[4] The *Roark* case is on the civil non-jury calendar of this Court and is about to be reached for trial. In the interest of justice as well as to promote efficiency of its administration, the *Roark* case and the case at bar should have been consolidated for trial, especially as the civil non-jury calendar is practically current. It is to be regretted that none of the parties made a motion to consolidate. This Court would have been inclined to direct a consolidation *sua sponte*, but unfortunately the status of the *Roark* case did not come to its attention until after the trial of the instant case started and was under way.

The subcommittee's hearings on April 21 and 22 revealed an almost complete breakdown of the urban riot insurance program in the State of Illinois. Instead of providing property insurance at reasonable premium rates, the Illinois FAIR plan has been a cruel hoax for the small businessman and the individual homeowner. The finger of blame must be laid on the insurance industry in the State of Illinois, the Illinois placement facility, which the insurance industry dominates and runs and the State insurance superintendent. Grave questions concerning the operation of the Federal insurance program have been raised and merit continued close attention by Congress. Thanks to the hearings conducted by the Housing Subcommittee and the work by Congressman Annunzio and Congressman Moorhead, I believe there will be a change in the operation of the urban insurance program in the State of Illinois and in the other States with such problems. Following my remarks are a number of newspaper stories on the Chicago urban insurance hearings:

[From the Chicago Daily News, Apr. 21, 1969]

Hearings Open: House Probers Here for Look at Ghetto Insurance Abuses

(By William Clements)

A congressional inquiry into insurance-writing practices in Chicago's ghetto began Monday in the Federal Building, 219 S. Dearborn.

The hearings were called at the request of U.S. Rep. Frank Annunzio (D-Ill.) to determine why many ghetto dwellers cannot get property insurance, and why those who do are being charged double or triple the usual premium rates.

The inquiry by the housing subcommittee of the House Committee on Banking and Currency will continue through Tuesday. U.S. Rep. William S. Moorhead (D-Pa.) is subcommittee chairman.

"It is my hope that these hearings will lead to a constructive approach to this serious problem and will determine what course we must take to correct the situation," Annunzio said as the hearings got under way.

Charles Weicking, head of the FAIR program for the Department of Housing and Urban Development, was scheduled to be the lead-off witness.

State Rep. Anthony Scariano (D-Park Forest), one of the architects of the Illinois plan, was to follow Weicking.

The FAIR plan, which went into effect in Illinois last September, is a federally backed reinsurance program to help ghetto residents get proper insurance coverage.

Annunzio ordered the hearings after The Daily News disclosed in February that many ghetto businessmen and residents were unable to get insurance.

The Chicago legislator said he also has received numerous reports of sky-high premiums being charged ghetto dwellers.

Also scheduled to testify was State Rep. Otis Collins (D-Chicago), who heads the newly formed Illinois Committe for Fair Insurance Practices.

Others called to testify included John Piechoch and Joseph DeSerto, insurance brokers; Dempsey Travis, of the United Mortgage Bankers of America and Joseph Meek, president of the Illinois Retail Merchants Assn.

Henrietta Banks and other members of the Contract Buyers League also will be heard. The league is an organization of black home owners attempting to renegotiate the contract sale of homes they say were bought at inflated prices.

James Baylor, director of the Illinois Department of Insurance, will testify Tuesday. He was expected to detail improvements that have been made in the Illinois plan since The Daily News articles and after an investigation by his office.

[From the Chicago American, Apr. 21, 1969]

Blast Insurance Rates in Ghetto

(By Sy Adelman)

"Property owners have been paying as much as five times the premium for fire insurance as they did before urban rioting began," the federal insurance administrator for the department of housing and urban development said today.

The statement by William B. Ross said that an investigation in East St. Louis, scene of rioting and looting and burning, showed a 100 per cent increase in fire insurance premium rates afterwards.

The subcommittee opened its two-day hearing today in a federal building court room with about 50 spectators present.

ANNUNZIO ASKS HEARING

The hearing is being held at the request of Rep. Frank Annunzio [D., Ill.], who said that ghetto property owners have complained that the new insurance law is failing.

Annunzio told the subcommittee today that "If the cost of insurance cannot be brought to reasonable levels, the federal government, undesirable as such a step may be, must provide a direct program of insurance for the 'insurance indigent.' "

Dempsey J. Travis, Negro president of the United Mortgage Brokers, told the subcommittee, "My people are being victimized by a handful of insurance operators."

Travis said there has not been enough publicity in Chicago about the availability of the federally underwritten insurance. He said that only 6,057 applications for such insurance were made in Illinois up to April 15, while there had been 75,842 such applications in New York City by April 4.

[From the Chicago American, Apr. 26, 1969]

Ghetto Property Insurance Hearing Through Tomorrow

(By Robert Glass)

A Congressional subcommittee is holding a 2-day hearing in the federal building here to probe charges that ghetto property owners are being denied insurance coverage.

The hearing, beginning today, comes as a result of a difference of opinion between an Illinois congressman and the state department of insurance.

Rep. Frank Annunzio [D., Ill.] has charged that ghetto property owners have complained to him that a government plan to provide them insurance coverage is failing.

PLAN POOLS COVERAGE

The plan, passed by Congress after last year's civil disturbances, provides that all casualty insurance companies "pool" coverage of high risk ghetto property.

Under the act, no firm can sustain astronomical losses in the event of a disaster such as a riot.

Annunzio charged that the program is not living up to the expectations of Congress thru helping those it was intended to serve.

James Baylor, director of the Illinois department of insurance, disagrees.

SITUATION BETTER NOW

He called the situation "a lot better now because many persons denied coverage last year have been able to comply with special criteria and are now covered."

Baylor said that out of 3,369 insurance applications processed from potential riot areas, only 119 were found totally uninsurable.

Baylor said that property owners that comply with building and safety codes are able to obtain insurance thru the pool coverage, despite being located in high crime areas that are susceptible to riots.

"Some refuse to comply," Baylor said, "and are unable to obtain insurance."

[From the Chicago Sun-Times, Apr. 22, 1969]

United States Urged To Correct Riot Insurance Inequities Here

(By Fletcher Wilson)

Federal entry into the insurance business to correct inequities in riot-prone Chicago areas was advocated Monday by three witnesses and a congressman at a hearing in the Federal Building.

Rep. Frank Annunzio (D.-Ill.), member of a housing subcommittee of the House Banking and Currency Committee, which is conducting the inquiry, said:

"I say quite candidly and quite bluntly that if the cost of insurance cannot be brought down to reasonable levels then the federal government must assert itself, and, undesirable though it be, provide a direct program of insurance for the insurance indigent.

INSURANCE INDUSTRY

"We have done this for our economic indigents, our medical indigents, our housing indigents, our transportation indigents, our small business indigents and others.

"So there is nothing new or startling about the idea that when private enterprise cannot do the job, government must step in. Even the insurance industry admitted that it could not do the job in covering riot losses when it asked for and got a federal riot reinsurance program."

Annunzio said surcharges that insurance companies are imposing lead to premium rates beyond the ability of the policyholders to pay.

He said complaints to him indicate that the Illinois Fair Access to Insurance Requirements Plan is not living up to the expectations of those it was designed to benefit.

EXTREME SURCHARGES

State Rep. Anthony Scariano (D-Park Forest), a witness, charged that the FAIR plan permits extreme surcharges and leaves many with no insurance.

He called for federal intervention because, he said, the Illinois General Assembly will enact only bills favorable to the insurance industry and the state Insurance Department is industry oriented.

State Rep. Otis Collins (D-Chicago) also testified the federal government should step in. He said that under the present system the average man can benefit only by studying enough to learn the intricacies of the insurance business. He said he did not think anyone should have to go to school to get insurance.

SLUM PROPERTY OWNERS

Dempsey J. Travis, a real estate dealer and insurance agent, claimed 25 companies charge slum property owners insurance premiums up to 800 per cent above standard rates.

[From the Chicago Tribune, Apr. 22, 1969]

U.S. Insurance Proposed for Ghetto Areas—Hearing Told of High Rates by Firms

(By Sheila Wolfe)

Charges that insurance rates have doubled in Chicago ghetto areas since the riot last year and that policies have been canceled without reason were made yesterday before a House banking and currency subcommittee.

Several persons at a hearing in the Federal building called for government regulation of the insurance industry.

"I say quite candidly and bluntly that if the cost of insurance cannot be brought down to reasonable levels, then the federal government must assert itself and, undesirable tho it may be, provide a direct program of insurance for the insurance indigent," said Rep. Frank Annunzio (D., Chicago).

COMPLAINTS ARE HEARD

Annunzio, a member of the subcommittee, asked for the hearing. He said he had received complaints that the Illinois Fair Access to Insurance Requirements (FAIR) plan, approved last year by Congress, was not living up to expectations. The Plan, administered locally by the Illinois Property Insurance Placement facility, is supposed to make insurance available at reasonable costs, without regard to geographic location of the property.

Mrs. Barbara Triche, chairman of the Lawndale Community Interest committee, testified that the rate of the average policy in Lawndale has more than doubled since the April, 1968, riot. If not doubled, the policies have been canceled, some without inspection of the property, she said.

TELLS OF DISCRIMINATION

"We are being victimized by the assumption that our homes are not up to standards because we live in Lawndale," said Mrs. Triche.

State Rep. Otis Collins (D., Chicago) said the FAIR plan has had a negative effect. He said that insurance firms tell customers coverage is not available and then refer them to the placement facility.

"The facility was supposed to take up the slack. It was not designed as a dumping ground," Collins asserted.

Collins asked for additional state and national legislation to regulate the insurance industry.

Dempsey J. Travis, real estate dealer and president of the United Mortgage Bankers of America, recommended "federal intervention to place insurance in those areas where the cost has become prohibitive."

WANTS FEDERAL INSURANCE

Travis asked the subcommittee, headed by Rep. William Moorhead [D., Penn.], to recommend a bill which, in effect, would "put the government in the insurance business to write direct policies for the black and the poor people who are now being exploited."

A statement handed reporters in the name of Howard A. Grauff, chairman of the Placement facility, said 97 per cent of the properties submitted are being approved for fire insurance, "many of them at rates lower than the owners previously paid."

State Rep. Anthony Scariano [D., Park Forest] charged that the insurance departments of Illinois and other states are "a captive of the industry." He asked for federal regulations.

The hearing will continue tomorrow.

[From the Chicago Daily News, Apr. 22, 1969]

Insurance Quiz Here Gets Hotter

(By William Clements)

Insurance industry representatives were called to the witness stand before a congressional subcommittee Tuesday to answer severe criticism of their insurance writing practices in Chicago's ghettos.

They were expected to bitterly oppose a suggestion by several witnesses Monday that the federal government provide insurance for ghetto dwellers as the industry itself won't do it.

One of the first scheduled to testify in the second day of hearings at the Federal Building 219 S. Dearborn, was Elmer S. Reske, manager of the Illinois Property Insurance Placement Bureau.

Some ghetto businessmen have accused Reske's agency of setting property rates so high that they eventually will be forced to flee to the suburbs.

Also scheduled to appear was Howard Grauff, director of the Illinois FAIR plan, and James Baylor, state insurance director.

The FAIR plan, which went into effect in Illinois last September, is a federally-backed reinsurance program to help ghetto residents get proper insurance coverage.

The plan, and property insurance costs in general, came in for sharply worded denunciations Monday from insurance brokers as well as the ghetto businessmen and property owners.

Manfred S. Spindel, a broker and head of the Spindel Insurance Agency, 8551 S. Stony Island, said it was impossible to get standard insurance rates for even well-maintained buildings in the Lawndale area.

He said many large insurance companies dropped him as a broker after he insisted that they write policies at standard rates.

"Standard protection doesn't exist in the Lawndale area," Spindel said. "I'm not going to charge those people rates that are sky high. I can't justify it to myself."

He said some insurance companies use maps of Chicago with the Lawndale area blocked off—or "quarantined"—as undesirable for normal insurance coverage.

David McNulty, a staff member of the Contract Buyers League, said a study of 110 home buyers in Lawndale showed that insurance rates were too high and that coverage was inadequate. It also showed that it was extremely difficult to get new policies and that there was wholesale cancellation of existing policies he said.

He said many home buyers are paying $250 to $300 for fire and extended coverage that normally would cost about $125.

Clyde Ross, co-chairman of the CBI, said ghetto dwellers have reached "the limit."

"If the insurance companies don't want to take the risk in Lawndale, then put a company out there that will take the risk," he said.

U.S. Rep. Frank Annunzio (D-Ill.), who called the congressional inquiry, said the situation in the ghettos of Chicago "is very alarming."

He said there will "be a ghost city within the inner city" if the trend continues.

Annunzio also charged that insurance companies have assessed a 1 per cent flat tax on non-ghetto dwellers to help pay the cost of FAIR plan participation.

Annunzio, State Rep. Anthony Scariano (D–Park Forest) and several insurance brokers said the federal government would assume greater control of the insurance industry if the industry doesn't do a better job in the ghetto.

Annunzio scheduled the hearings after the Daily News disclosed in February that many ghetto property owners were being charged double and even triple premiums under the FAIR program.

The subcommittee is part of the House Banking and Currency Committee.

Annunzio said he hopes the hearings will result in more adequate coverage of properties in the inner city.

[From the Chicago Daily News, Apr. 21, 1969]

House Probe Opens Here: Federal Insurance Urged for High-Rate Ghetto Areas

Witnesses at a congressional inquiry into insurance-writing practices in Chicago's ghetto urged Monday that the federal government provide an insurance program for such areas if private firms fail to reduce premium rates.

Rep. Frank Annunzio (D–Ill.) said if rates for ghetto areas are not reduced "to reasonable levels, then the federal government, as undesirable as it may be, must assert itself."

The hearings, in the Federal Building, were called at Annunzio's request to determine why ghetto dwellers either cannot obtain insurance or must pay much higher premium rates.

State Rep. Anthony Scariano (D–Park Forest) called for the federal government to step into the Illinois insurance situation "and come up with some proper legislation to help, not only with property and fire insurance, but in the automobile insurance field as well."

Scariano said "I think unless there is federal intervention, the situation will grow dreadfully worse. The consumer is being left in a dreadfully bad position."

He said the state Legislature "will always defeat bills that the insurance industry want defeated."

State. Rep. Otis Collins (D–Chicago) also asked for the federal government to provide insurance in ghettos.

"Private companies deny insurance without inspection, or cancel policies without giving a legitimate reason," he said.

Another witness, Dempsey Travis, president of the United Mortgage Bankers of America, said that some property owners in ghetto areas must pay premiums eight times the standard rate for fire insurance.

"There are about 25 companies involved in this thievery," Travis said.

"I have no choice but to recommend that there be federal intervention."

The inquiry by the housing subcommittee of the House Committee on Banking and Currency will continue through Tuesday. U.S. Rep. William S. Moorhead (D–Pa.) is subcommittee chairman.

Charles Weicking, head of the Fair program for the Department of Housing and Urban Development also was scheduled to testify.

The FAIR plan, which went into effect in Illinois last September, is a federally backed reinsurance program to help ghetto residents get proper insurance coverage.

Annunzio ordered the hearings after the Daily News disclosed in February that many ghetto businessmen and residents were unable to get insurance.

The Chicago legislator said he also has received numerous reports of sky-high premiums being charged ghetto dwellers.

James Baylor, director of the Illinois Department of Insurance, will testify Tuesday. He was expected to detail improvements that have been made in the Illinois plan since the Daily News articles and after an investigation by his office.

[From the Chicago Tribune, Apr. 22, 1969]

Broker Bares Slum Abuses in Insurance—Hearing Probes High Rates of Firms

(By Sheila Wolfe)

An insurance broker who used to do business in Lawndale told a congressional hearing yesterday that the area is "quarantined" by most standard insurance companies.

"This happened before there ever was a riot," said Manfred S. Spindel, a broker at 8551 Stony Island av. "The only coverage available in that area would be substandard companies charging excessive premiums."

Spindel told a House banking and currency subcommittee that he started writing insurance in Lawndale seven years ago. Fewer and fewer insurance companies would handle the Lawndale policies, and by three years ago it was impossible to get any coverage at standard rates, said Spindel.

STOPS LAWNDALE BUSINESS

He said he no longer does business in Lawndale because he will not charge higher rates.

Charges also were made during the hearing, which will resume today in the Federal building, that insurance rates have doubled and tripled in ghetto areas since the riots last year and policies have been canceled without reson.

Several persons called for government regulation of, or participation in, the insurance industry.

SEES FEDERAL ACTION

"I say quite candidly and quite bluntly that if the cost of insurance cannot be brought down to reasonable levels then the federal government must assert itself and, undesirable tho it be, provide a direct program of insurance for the insurance indigent," said Rep. Frank Annunzio [D., Chicago].

Annunzio, a member of the subcommittee headed by Rep. William Moorhead (D., Pa.), asked for the hearing.

He said he had received complaints that the Illinois Fair Access to Insurance Requirements plan, part of a national program approved last year by Congress, was not living up to expectations.

GENERAL ABUSES CONSIDERED

The plan, administered locally by the Illinois Property placement Facility, is supposed to make fire and extended coverage insurance available at reasonable costs, without regard to geographic location of the property. Much of the testimony did not relate specifically to FAIR, but to general insurance abuses.

Mrs. Barbara Triche, chairman of the Lawndale Community Interest committee, testified that the rate of the average policy in Lawndale has more than doubled since the April, 1968, riots. Some policies have been canceled without inspection of the property, she said.

"We are being victimized by the assumption that our homes are not up to standards because we live in Lawndale," said Mrs. Triche.

SEEKS MORE LEGISLATION

State Rep. Otis Collins (D., Chicago) asked for additional state and national legislation to regulate the insurance industry.

Dempsey J. Travis, a real estate dealer and president of the United Mortgage Bankers of America, urged the subcommittee to recommend a bill which, in effect, would "put the government in the insurance business to write direct policies for the black and poor people who are being exploited."

State Rep. Anthony Scariano (D., Park Forest) said insurance departments of Illinois and other states are "a captive of the industry." He asked for federal regulations.

[From the Chicago Sun-Times, Apr. 23, 1969]

INSURANCE DIRECTOR DEFENDS RISK POOL

(By Max Sonderby)

The so-called FAIR plan for writing fire insurance was defended here Tuesday before a congressional subcommittee by the state insurance director, James Baylor.

His optimistic view failed to satisfy congressional critics, who accused insurance interests of "tunnel vision" and bureaucratic "incest."

Baylor testified at the Federal Building before a housing subcommittee of the House Banking and Currency Committee.

The FAIR plan, enacted last year by Congress, allows insurance companies to establish "assigned risk" pools to provide fire insurance for property owners in riot-prone areas.

Baylor said operation of the plan has improved since last fall, when policies in such areas included surcharges of "up to 100 per cent."

At present, he said, less than 10 per cent of the FAIR insurance applicants are being surcharged between 20 and 25 per cent, while the majority of policies are being written with no surcharge or surcharges of less than 10 per cent.

"The plan is currently satisfactory," said Baylor. "This does not mean that we are complacent."

Baylor added that the riots here last year had resulted in a general increase in fire insurance rates—amounting to 4 per cent in the city and 2 per cent in the suburbs.

Following his testimony, the insurance director was criticized by Rep. Frank Annunzio (D-Ill.). In a written statement Annunzio asserted:

"Mr. Baylor and the industry are unable to sense the hardship, deterioration and hopelessness engendered for ghetto citizens when their insurance becomes intolerable.

"They have tunnel vision, and at the end of the tunnel the only light they see is the welfare of the insurance industry—and the policyholders be damned."

"What we have here is a classic case of incest," said the subcommittee chairman, Rep. William S. Moorhead (D-Pa.). He added:

"The Illinois Rating and Inspection Bureau, which sets the rates, the agency which processes the applications, and the Department of Insurance which checks on them, are industry-controlled. There has to be some way to protect consumers."

RIOTING BOOSTS RISK PREMIUMS

All fire insurance policyholders in Illinois have to pay higher premiums because of urban rioting, a United States House subcommittee was told today.

The information was given by James Baylor, state director of insurance. He said in Chicago the extra charge is 4 per cent and in the suburbs, 2 per cent.

"SPREADING THE RISK"

Baylor said the premium increases represent "the theory of spreading the risk."

The subcommittee of the banking and currency committee completed 2 days of hearings in the Federal building into charges that ghetto property owners are required to pay as much as five times the premiums they did before the rioting.

A 20–25 PERCENT SURCHARGE

Rep. Frank Annunzio [D., Ill.], subcommittee member, had requested the hearing. Baylor said that when he took office Jan. 20, the surcharge on ghetto premiums had been as high as 100 per cent.

He said it has been reduced so that 10 per cent of the applicants now pay a surcharge of 20 to 25 per cent, and the majority pay less than 10 per cent.

[From the Chicago Daily News, Apr. 23, 1969]

CLASSIC CASE OF INCEST—STATE'S INSURANCE SETUP HIT

(By William Clements)

Despite bitterness and some name-calling, two days of Congressional hearings on insurance-writing practices in Chicago's ghetto did produce this picture:

The federally-backed FAIR plan is running much more smoothly now than before State Insurance Director James Baylor took office in January.

Even though improvements have been made, there still is, by Baylor's own admission, much more to be done.

Ghetto dwellers and businesmen who do get insurance coverage are finding it difficult to meet the high premium costs.

If they flee the inner city for lack of insurance or inability to pay the high rates, the ghetto is faced with further deterioration.

If the insurance industry doesn't act to reduce property insurance rates and enlarge its base of coverage, the federal government likely will do so.

Baylor was furious when U.S. Rep. William Moorhead (D-Pa.), the subcommittee chairman, charged that insurance regulation in Illinois is dominated by the insurance industry.

Moorhead called it a "classic case of incest," pointing out that the staff of the Illinois Rating and Inspection Bureau and the Inspection Facility (FAIR plan) is financed by the insurance industry.

Labeling the charge "unfair and unwarranted," Baylor said it took someone of his insurance background to come in and straighten out a mess inherited from his predecessor, John Bolton.

"I worked in the insurance industry, Bolton didn't," Baylor snapped. "I think I understand the problems better with my background."

The heat from this exchange had scarcely died down when further testimony revealed the degree of difficulty still confronting the Illinois FAIR plan and Baylor's department, which is charged by law with overseeing the program.

James E. Vittus, finance director of the Presbytery of Chicago, said six of seven FAIR plan policies approved during the past two weeks included exorbitant rate increases.

He said the following churches' property insurance rates have been increased significantly since last year: Emerald Avenue Presbyterian Church, 670d S. Emerald, $311 to $670; Emmanuel Presbyterian Church, 1850 S. Racine, $131 to $169; Lawndale Presbyterian Church, 1908 S. Millard, $239 to $774.

George Kyros, who said his family has been in the restaurant business in Woodlawn since 1918, said he has stopped investing in property improvements because he can't get additional insurance coverage at reasonable rates.

There was other testimony that property rates are increased solely because the building is located in the ghetto.

The subcommittee hearings were scheduled after The Daily News disclosed in February that many ghetto dwellers were being charged double and triple premiums under the FAIR plan.

The plan is a federally-backed program designed to help slum dwellers get proper insurance coverage.

[From the Chicago Tribune, Apr. 23, 1969]

PROBER WARNS INSURANCE FIRMS OF U.S. ACTION ON HIGH RATES

(By Sheila Wolfe)

Rep. Frank Annunzio [D., Chicago] closed a congressional hearing into Illinois insurance practices yesterday with a warning that government must "step in" if private industry cannot make insurance available in the city at reasonable costs.

"We must face the fact that there is a tragic insurance crisis in our inner cities," said Annunzio. "When we take the evidence that we have uncovered here in the past two days back to Washington, we will get new legislation protecting the consumer."

INSURANCE RATES HIKED

Witnesses had testified in the Federal building that insurance on the south and west sides was canceled on a wholesale basis, that reinsurance rates were double or more the original policy, and that first line insurance companies are "dumping" customers into a federally backed program.

Annunzio, who had asked for the hearing, asserted that the Illinois FAIR [Fair Access to Insurance Requirements] plan, which is an outgrowth of legislation approved last year by Congress, is worsening rather than improving the situation.

Almost every licensed property insurance company must participate in the plan, which is supposed to obtain fire and extended coverage insurance at reasonable rates for persons unable to obtain such insurance on the voluntary market. Government reinsurance is available to the company for riot losses.

INSURANCE DIRECTOR RAPPED

Both Annunzio and Rep. William Moorhead [D., Pa.], chairman of the banking and currency subcommittee, criticized the Illinois insurance director and the industry for ignoring the needs of consumers.

"They have tunnel vision and at the end of the tunnel, the only light they see is that of the welfare of the insurance industry, and the policy holders be damned," said Annunzio.

Moorhead asserted the Illnois Rating and Inspection bureau, which sets basic insurance rates, the agency which processes applications under the FAIR plan, and the department of insurance which checks on them are industry controlled.

He labeled this "a classic case of incest."

FAIR PLAN DEFENDED

James Baylor, Illinois insurance director, testified the FAIR plan currently is "generally satisfactory." He said improvements were made after he took office earlier this year. Community leaders are being asked to serve on an advisory committee, Baylor said.

Baylor told the hearing that everyone in Illinois has been paying 2 to 4 per cent premium charges for riot coverage which previously was included in policies but not assessed.

He said the 4 per cent rate has applied in Chicago, and the smaller amount in the rest of the state, since last summer when riots occurred in the city.

[From the Chicago Daily News, Apr. 22, 1969]

INDUSTRY RULES—PROBER HITS INSURANCE REGULATION

(By William Clements)

The chairman of a Congressional subcommittee charged here Tuesday that insurance regulation in Illinois is dominated by the insurance industry.

"What we have here is a classic case of incest," said Rep. William Moorhead (D-Pa.).

Moorhead is chairman of a House subcommittee that is investigating insurance-writing practices in slum areas.

The subcommittee hearings were scheduled after The Daily News disclosed in February that many ghetto property owners were being charged double and triple premiums under the FAIR plan.

He pointed out that the Illinois insurance rating bureau and the governing committee of the FAIR plan—a federally-backed program to provide insurance coverage in ghettos—are made up of industry.

"They, in turn, are checked on by the insurance director and his assistant, both of whom come from the insurance industry. Somebody has to guard the consumer. Apparently, this is not being done."

Rep. Frank Annunzio (D-Ill.) said during Tuesday's hearing that James Baylor, Illinois insurance director, "admits they are incapable of doing the job." He said state insurance officials seem insensitive to the "intolerable" insurance burden on slum dwellers.

Baylor, after testifying, said that Rep. Moorhead's attack was "unfair and unwarranted." He said he had inherited a mess with the Illinois FAIR plan in January but then had straightened it out.

Annunzio charged that the state insurance department had not properly informed ghetto residents that the FAIR plan exists.

"These poor people go to substandard markets because somebody is avoiding their responsibility," he said during a hearing before a congressional subcommittee.

Annunzio charged that large insurance companies were simply "dumping" policyholders in slum areas, forcing them to pay exorbitant premiums to other firms.

Baylor testified Tuesday that his investigation showed the FAIR plan now is working "satisfactorily" in Illinois.

The FAIR plan is a reinsurance program designed to help slum dwellers get proper insurance coverage.

Baylor said that when he took office in January there were long delays in handling applications and poor communications with the community.

He also cited a "wrong interpretation" that permitted insurers to add a 100-per cent surcharge to premiums.

But he said these problems have been corrected and a new ruling forbids a company from writing a policy with premiums higher than 25 per cent above normal.

Insurance industry representatives were to testify Tuesday. They were expected to bitterly oppose a suggestion by previous witnesses that the federal government move into the insurance field in slum areas.

Also scheduled to testify in the second day of hearings at the Federal Building, 219 S. Dearborn, was Elmer S. Reske, manager of the Illinois Property Insurance Placement Bureau.

Some ghetto businessmen have accused Reske's agency of setting property rates so high that they eventually will be forced to flee to the suburbs.

Manfred S. Spindel, a broker and head of the Spindel Insurance Agency, 8551 S. Stony Island, said it was impossible to get standard insurance rates for even well-maintained buildings in the Lawndale area.

He said many large insurance companies dropped him as a broker after he insisted that they write policies at standard rates.

"Standard protection doesn't exist in the Lawndale area," Spindel said. "I'm not going to charge those people rates that are sky high. I can't justify it to myself."

He said some insurance companies use maps of Chicago with the Lawndale area blocked off—or "quarantined"—as undesirable for normal insurance coverage.

[From the Chicago Daily News, Apr. 23, 1969]

HEARING ENDS HERE—GHETTO INSURANCE: RAY OF HOPE

(By William Clements)

Despite bitterness and some name-calling two days of Congressional hearings on insurance-writing practices in Chicago's ghetto did produce this picture:

The federally-backed FAIR plan is running much more smoothly now than before State Insurance Director James Baylor took office in January.

Even though improvements have been made, there still is, by Baylor's own admission, much more to be done.

Ghetto dwellers and businessmen who do get insurance coverage are finding it difficult to meet the high premium costs.

If they flee the inner city for lack of insurance or inability to pay the high rates, the ghetto is faced with further deterioration.

"This shocking development," asserted U.S. Rep. Frank Auunzio (D-Ill.), "should be of prime concern to all Chicago residents, black or white."

If the insurance industry doesn't act to reduce property insurance rates and enlarge its base of coverage, the federal government likely will do so.

Baylor was furious when U.S. Rep. William Moorhead (D-Pa.), the subcommittee chairman, charged that insurance regulation in Illinois is dominated by the insurance industry.

Moorhead called it a "classic case of incest" pointing out that the staff of the Illinois Rating and Inspection Bureau and the Inspection Facility (FAIR plan) is financed by the insurance industry.

Labeling the charge "unfair and unwarranted," Baylor said it took someone of his insurance background to come in and straighten out a mess inherited from his predecessor, John Bolton.

"I worked in the insurance industry, Bolton didn't," Baylor snapped. "I think I understand the problems better with my background."

The heat from this exchange had scarcely died down when further testimony revealed the degree of difficulty still confronting the Illinois FAIR plan and Baylor's department, which is charged by law with overseeing the program.

James E. Vittus, finance director of the Presbytery of Chicago, said six of seven FAIR plan policies approved during the past two weeks included exorbitant rate increases.

He said the following churches' property insurance rates have been increased significantly since last year: Emerald Avenue Presbyterian Church, 670d S. Emerald, $311 to $670; Emanuel Presbyterian Church, 1850 S. Racine, $131 to $169; Lawndale Presbyterian Church, 1908 S. Millard, $239 to $774.

Also, the rates at the Olivet United Presbyterian Church, 1443 N. Cleveland, went from $155 to $736; those at the Sixth United Presbyterian Church, 1210 E. 62d St., went from $114 to $384, and the rates at the Third Presbyterian Church, 608 S. Hoyne, went from $129 to $202.

George Kyros, who said his family has been in the restaurant business in Woodlawn since 1918, said he has stopped investing in property improvements because he can't get additional insurance coverage at reasonable rates.

He said that in order to get proper coverage for his three restaurants under the FAIR plan, he would have to pay $9,000 more this year than last.

There was other testimony that property rates are increased solely because the building is located in the ghetto.

The subcommittee hearings were scheduled after The Daily News disclosed in February that many ghetto dwellers were being charged double and triple premiums under the FAIR plan.

The plan is a federally-backed program designed to help slum dwellers get proper insurance coverage.

Baylor also revealed during testimony that all property insurance premiums—inside and outside the ghetto—were increased 2 to 4 per cent last September to help meet the cost of insuring high-risk areas.

Baylor said this was part of the industry policy of "spreading the risk."

CONSUMER PROTECTION IN SOFTWOOD LUMBER AND PLYWOOD

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, the Congress has become increasingly aware of the plight of the American consumer and I am persuaded that there is no Member of this distinguished body who is not intent upon relieving the pressures which all our citizens are bearing—high prices, poor product performance, and unavailability.

It is my privilege to serve on the Consumer Affairs Subcommittee of the House Banking and Currency Committee.

Last month the Banking and Currency Committee, under the leadership of our outstanding chairman, the gentleman from Texas (Mr. PATMAN), undertook a thorough examination of the factors which were adversely affecting the price and availability of softwood lumber and plywood. There had been allegations that producers were profiteering, that they were manipulating the market to hold the price up, and that they were charging all the traffic would bear. The significance of sharp price rises coupled with supply shortages was that the Nation's homebuilders were facing an impossible situation. While the Congress had ordained an annual average housing start rate of 2.6 million units over the next decade as a national goal, when it passed the Housing Act of 1968, it had become apparent that annual starts were not only a million below that average but faced declines from even the present estimated level of 1.6 in the first quarter of 1969.

This is, then, a matter of the gravest concern to the American consumer. You may have noted that lumber and homebuilding costs were one of the factors that caused the record increase in the cost of living index. The American home is a product—just like an automobile—and even more essential to all our citizens. Unless houses are built our people will suffer hardship of the most extreme kind. The Congress obviously must act to assure that the houses America needs will be built on schedule and at costs that people can afford.

The investigative hearings into the facts related to softwood lumber and plywood supply revealed a startling paradox in the operation of our National Government. While we have, on the one hand, established goals for housing our people, the Congress on the other hand has neglected to provide the building materials manufacturing industry with the essential means to fulfill their portion of the obligation. The U.S. Government controls three-fifths of the standing softwood timber in the Nation. It is on Federal forest lands. The Government is making available only one-third of the log volume necessary to meet even our present annual requirement for softwood products. Private industrial lands, with less than one-fifth of the softwood sawtimber inventory, is exceeding the production of the Federal lands. The remainder comes from other lands which are largely in miscellaneous private ownership.

This is a ridiculous situation and one which can be corrected with dispatch by passage of the National Timber Supply Act. That act, which I submit as a bill today, will enable the Forest Service of the U.S. Department of Agriculture to apply its skills and energies to unleashing in ever increasing amounts the softwood timber necessary to build America's homes. Heretofore, the Forest Service, despite its high degree of competency in forest management, has been restrained from managing the forests in its charge in a fashion which even approaches the high intensity of management on better industrial forest lands. The reason has been simple—too few dollars for timber growing to realize the forest potential.

The National Timber Supply Act will provide for the reinvestment of a major portion of Federal timber sale receipts in stand improvement, access, fertilization, thinning, pruning and other woods practices which will multiply the productivity of our Federal forests. It will also remove the pressure to declassify wilderness lands. It does no violence to the appropriations process because Forest Service justifications will move through normal channels of the Congress for authorization of funds. The chief difference is that the funds will be there for a period of 2 years when, if not appropriated, they will revert to the general Treasury for such other purposes as the Congress may authorize. The Forest Service will, for the first time, be able to plan a future forest with assurances that the dollars necessary to its realization are readily available over a long period.

We can be assured, I am convinced, that the highly trained and dedicated foresters in the public service will do this job well in the public interest. All my life I have been impressed by the record of foresters in caring for the resources in their charge. They are taught to grow trees like a crop. They are highly trained to achieve maximum return from the land. They are as motivated toward tomorrow and its implications for the welfare of humanity as any professional group I could name. But they must have financial support to achieve their silvicultural miracles.

I am proud of the profession of forestry because in my own district there is one of the finest professional schools in that field. The New York State School of Forestry at Syracuse University has traditionally graduated men of infinite ability and they have contributed materially to the Nation in both public and private forestry. There are 20,000 members of the Society of American Foresters and many of the most distinguished were trained at Syracuse. All of these fine men know what needs to be done to produce the timber our national requirements demand. They can do it; they will do it. But the Congress of the United States must provide them the means to do it and that will require the speedy passage of the National Timber Supply Act of 1969. I urge my fellow members of this legislative body to act promptly to give our public foresters the tools to do their job.

ESTABLISHMENT OF HOUSE SELECT COMMITTEE TO INVESTIGATE CRIME

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HANLEY. Mr. Speaker, I rise to offer my vigorous support for the adoption of House Resolution 17 which will establish within the House a Select Committee to Investigate Crime. As an active supporter and cosponsor of this type of measure, I urge the House to act favorably today.

Mr. Speaker, many Members of this body, including myself, have felt for some time that the Congress simply does not have the tools it needs to move intelligently in the field of criminal investigation and crime prevention and control. The passage of House Resolution 17, however, will certainly be a long step in the right direction.

The distinguished author of the resolution now before us, our friend and colleague from Florida, Congressman CLAUDE PEPPER, has done a magnificent job not only in actively seeking the creation of this select committee but also in bringing repeatedly to the attention of every Member of the House the crying need for this legislation. We owe him a debt of thanks for his perseverance.

Mr. Speaker, I need not belabor the point of spiraling crime rates in the United States. The newspapers, the radio, and the television are filled with accounts of brutality, rape, theft, muggings, arson, and a host of equally heinous crimes. To assist local and State police authorities in turning the tide against this rise, Congress needs firsthand information on the nature and extent of criminal activities throughout the Nation. This then is the primary reason for establishing the select committee. We are all aware that this committee will not draft legislation, but it will be in a position to gather, sift through and pass on to the appropriate legislative committee vital information needed to combat criminal activities.

Again, Mr. Speaker, I urge every Member of the House to support this measure.

TRIBUTE TO BOB HAYES

(Mr. HANELY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HANLEY. Mr. Speaker, a few weeks ago, the citizens of my district gathered together to pay respect to one of the best basketball coaches and one of the finest gentlemen it has been my pleasure to know—Mr. Bob Hayes.

Bob has served as an inspiration to the youth of Syracuse and Onondaga County as the basketball coach of St. Patrick's School, the team which won the Parochial League championship this past season and established a record of 14–2 in the regular season.

But Mr. Speaker, Bob Hayes is more than a coach. He is a gentleman of the first order who serves as a model for not only his team but for the young people of our area in general. He is himself an all around athlete whose subtle message to the young is that in athletics, there is appropriate competition, but there is also sportsmanship, ethics and honor.

Bob Hayes would himself admit that a coach, no matter how good, must have the talent to work with and so it would be appropriate to mention at this point the tremendous young men who made the basketball season such a success for St. Patrick's School: Managers John Lehman and Bob Stewart; players Mark Regin, Michael Collins, James Dorsey, Leo Kelly, Pat O'Brien, James Kohl, Michael Ryan, Kevin Young, Charles Renders, Joseph Visconti, John Hutchinson, and David Walsh.

Mr. Speaker, I know that each of my colleagues here in the House joins with me in saluting Bob Hayes, policeman, coach, family man, and dedicated citizen.

NEVADA AND NEW HAMPSHIRE PRIMARIES

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MONAGAN. Mr. Speaker, I spoke on the floor yesterday regarding the serious misgivings I had about Nevada and New Hampshire engaging in a contest to have the earliest presidential primary in the Nation.

My apprehensions stemmed from two sources. On the one hand, I was disturbed by the casual and commercialistic attitudes of the State governments involved. I was especially distressed that Nevada was taking a step fraught with national implications purely and avowedly for local public relations reasons.

A second and more essential aspect of this business was my concern that the Nevada and New Hampshire actions would serve to lengthen the presidential elections. I have long urged that our presidential campaigns be shortened and I noted in my statement yesterday that a Gallup poll recorded 60 percent of the electorate concurring with my position.

I am now pleased to report that the Governor of Nevada has wisely vetoed this ill considered early primary legislation and I have telegraphed him my congratulations. Let us hope that this last-minute reprieve from an ever longer presidential campaign will serve as a catalyst for promoting action, in the Congress and in the States, to shorten the election process.

A PROCLAMATION BY AMERICANS OF POLISH HERITAGE

(Mr. PUCINSKI asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PUCINSKI. Mr. Speaker, this morning a group of Polish-American leaders headed by Mr. Aloysius Mazewski, president of the Polish National Alliance, issued a proclamation which I believe deserves the interest of Members of Congress.

The proclamation serves notice that hereafter attacks on the ethnic origin of any American—including Americans of Polish descent, will be strongly opposed.

The proclamation denounces the growing practice in the press, radio, and television and motion pictures of permitting the use of vicious ethnic humor, all to the detriment of every American whose heritage places him in the defamed group.

This proclamation was inspired by the Chicago Advocates Society, an organization of Polish-American lawyers. Attorney Mitchell Kobelinski and Attorney Marion Baruch were cochairmen of the Advocates Society proclamation committee.

This proclamation will appear in full-page ads in leading newspapers throughout the country on Friday, May 2, which is a day before Polish Constitution Day.

I believe those responsible for sick humor against ethnic groups should not take lightly this proclamation.

This is the voice of a new generation of young Americans of Polish heritage. They are successful lawyers, doctors, businessmen, industrialists, professionals of all sorts, and good solid American citizens who obviously are proud of their Polish ancestry.

There is a new era dawning in America and these Polish Americans are demanding their full share of fairplay and treatment in our Nation's growth.

The proclamation follows:

MAY 2, 1969.

A PROCLAMATION BY AMERICANS OF POLISH HERITAGE

In the shadow of "Law Day", honoring a concept which we cherish, and on the eve of the third of May, a day steeped in historical significance to our forefathers:

We, Americans of Polish heritage, break a silence of generations, elect to speak and shall be heard, in the interest of promoting greater understanding between ethnic groups in a nation of many origins, colors and creeds. By this declaration, we seek to disseminate knowledge and understanding; hoping thereby to eliminate ignorance and its consequences—prejudice, bigotry and defamation, particularly as they affect ethnic groups in our country.

We charge that those who command the press and airwaves and influence the opinions of the masses, have failed to present an honest portrayal of Americans of various origins; that they have in fact engaged in conduct diametrically opposed to the American principles of justice and equality. The mass media—literary publications, press, radio, television, and motion pictures have all too often allowed demeaning misrepresentation and defamation to spread like a cancer. This being especially true in the use of vicious ethnic humor which has worked to the detriment of every American whose heritage places him in the defamed group.

We invite an examination of our history, filled with examples of justice and the rule of law; the charter of 1374; religious freedom as early as the 14th century, which made Poland the haven of Europe's Jews; the continent's earliest parliament; a constitution adopted on May 3, 1791; liberal leaders such as Koseiuszko and Pulaski, who were also our American Revolutionary War heroes; the heroic resistance to the Nazi invasion and magnanimous assistance to the Jews of Poland during the long and cruel occupation at great personal peril. These and so many other influencing factors have instilled in the American of Polish heritage an appreciation of freedom under the law, together with the knowledge that scorn for the law is scorn for the freedom of others.

We, Americans of Polish heritage, do hereby solemnly declare and proclaim that we will hereafter, on every possible occasion, expose, deplore, and denounce those powerful rulers of the pen and airwaves who violate our right to truth and accuracy. We refer to those who, by the use of vicious ethnic humor and malicious misrepresentation of our cultural heritage, deform and vilify our public image or the heritage and image of any other ethnic group.

We re-dedicate ourselves to "freedom under the law" and demand justice and fairness with respect to each man's public image. To deny this is to close the door of opportunity to every ambitious member of any ethnic group whose public image has been maligned and distorted, and thereby deny a basic "civil right" which our American Constitution so zealously protects.

POLISH AMERICAN CONGRESS.

SCHNITTKER STUDY ON PAYMENT LIMITATIONS

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, in today's RECORD I am placing the full text of the now-famous "Schnittker study" which last November concluded:

> Payments to producers under existing price support and acreage control programs for feed grains, wheat, cotton, wool, and sugar could be limited to around $20,000 per farm for all payments, or to $10,000 per program without serious adverse effects on production or on the effectiveness of production adjustment programs.

The study, prepared under the direction of John A. Schnittker, then Under Secretary of Agriculture, also concluded:

> Budget savings ranging from $200 to nearly $300 million could be made with limits at levels examined here, if the law could be administered firmly—

And also found that—

> none of the administrative problems are decisive . . . and they are not good reasons for opposing payments limits.

The study was completed on November 27, 1968. Shortly thereafter, on December 18, 1968, comments on the same study were made by Horace D. Godfrey, then administrator of the ASCS within the Department of Agriculture, and now employed privately by cane sugar interests.

Because payment limitations were opposed by Agriculture Secretary Orville L. Freeman, neither the Schnittker study nor the Godfrey response circulated beyond the top echelon of the Department until a few weeks ago when news reports drawn from the study and comments were published.

These documents, especially the Schnittker study, have since become important items in the literature of payment limitations. I have asked permission to include the full texts in my remarks, because they have not previously been made available except to a select few.

These documents have special interest to Members of this body, because sometime during the month of June, probably mid-June, the annual appropriation bill for the Department of Agriculture and related agencies will be before the House.

At that time I will seek recognition for the purpose of offering an amendment limiting to $20,000 aggregate annual payments to any farmer for the 1970 crops of feed grains, wheat, cotton, wool, and sugar.

This will renew efforts I have made repeatedly over the past 4 years to place a ceiling on farm payments. These efforts reached an advanced point last year when a similar amendment was accepted by the House on a record vote. It was subsequently dropped in the conference report.

It is my belief that public support, including broad support among farmers for this type limitation, is at least as high now as last year and probably higher. If the parliamentary situation permits a record vote on the amendment, I am confident it will carry by a comfortable margin.

Members will find the Schnittker study worth reading. It adds impressive support to my amendment. It provides a savings estimate that must be taken as authoritative, concludes that the limitation would not have serious adverse effect on production adjustment programs, and states that administrative problems should not be decisive.

With the exception of a map showing the geographical distribution of payees, the Schnittker and Godfrey documents are reproduced here in their entirety.

In presenting the Godfrey comments, it might seem that I am providing free ammunition to those who oppose my amendment.

Careful study of his comments will, however, cause any objective reader to conclude that his review, which Godfrey himself acknowledged to be quick, to be actually overly quick.

The heart of his criticism is that the limitation would cause land to be planted to other crops and therefore create new problems elsewhere, and that administrative problems would be such as to reduce budgetary saving to a negligible level.

His comments about the consequences of a $10,000 limitation of course do not apply to consideration of my planned amendment, as it will be at the $20,000 level.

Would land now planted to cotton be diverted to other crops and thereby increase Government costs there? Mr. Godfrey's affirmative conclusion is disputed by a recent study at Louisiana State University. The university study of cotton practices in Louisiana implies that, due to economic factors, farmers there would continue to plant cotton even though a payment limitation is imposed. This was clear in the study's analysis of competitive crops to which cotton farmers could turn. In other words, the limitation would not reduce profit in cotton production to such an extent that the land would be planted to other crops. Said another way, taxpayers need not make payments over $20,000 in order to get cooperation in the cotton program.

The same economic factors obviously apply throughout the land of cotton. Most farm units—over 90 percent—would fall within the limitation and thus be unaffected. The large units would stay in cotton, even though denied some of the payments they now receive.

The administrative problems noted by Mr. Godfrey, through which farm splitting might be attempted to avoid the payment limitation, can be overcome by firmness on the part of the ASCS organization. A requirement that all changes which might conceal farm splitting can be approved only in Washington should effectively discourage this practice.

The adoption of a payment limitation would clearly make the present commodity programs less vulnerable to criticism. Taxpayers are furious over big payments to millionaire farmers and justly so. On the other hand they understand the need for income support for small farmers who are financially less able to deal with the alarming cost-price squeeze now afflicting agriculture.

Annual payments as high as $4 million to a single farmer bring these programs into such disrepute as to threaten their survival. At the same time they tend to accelerate the trend toward bigness in agriculture, handing to well-financed large operators extra money which can be used to absorb the small farmer.

Mr. Godfrey forecasts that producers leasing cotton allotment acreage would cease to do if a limitation is established. Although the Louisiana State University study would seem to dispute this forecast, let us assume Mr. Godfrey is right.

By reversing the trend toward bigness—corporation-type operations—the limitations would actually serve a worthwhile purpose by strengthening the position of smaller operators.

The payment limitation will thus actually help to strengthen the family-farm structure of agriculture. It will also release, according to the Schnittker report, up to $300 million annually which surely can be put to more constructive use than to pad the bank accounts of wealthy farmers.

The Schnittker study takes note of the unusual "snapback provision" in the cotton program. This provision in effect repeals the whole program if a limitation on payments is established, and this conceivably would reinstate the 1958 cotton act, which had no expiration date but was superseded by the present program.

The "snapback provision" is so unusual as to raise constitutionality questions. However, assuming it took effect, and the present program were thereby wiped from the statute books, more than one possibility would remain. First, as Mr. Schnittker indicated, the 1958 program might once more become effective. In my opinion, this would be a desirable development. The 1958 act was working well and, in the opinion of economists, in a year or so with good administration would have had cotton on a solid economic base without problem surpluses. The program requires price supports only high enough to assure adequate supplies, not at the surplus-building levels mentioned by Mr. Schnittker. Unfortunately, Secretary Freeman violated both the spirit and letter of the program early in his administration by raising price supports to unrealistic levels—similar to his subsequent destructive action on soybeans—and quickly had cotton in deep trouble. The present cotton program evolved from this Freeman-made crisis. With good administration, the 1958 program would work fine.

More likely, however, would be something new. If the "snapback provision" took effect the House Committee on Agriculture would likely be in session the next morning to put together a new program.

In my considered judgment, the payment limitation amendment deserves the full support of all segments of American agriculture, and especially those, like myself, who wish to see Federal farm programs in some form continue. I do not believe it will be possible to pass agriculture legislation in the future which authorizes large payments to individual farmers. The budgetary demands, especially for urban and defense needs and the limitations on amounts provided for relief purposes under various acts are only two of the factors which cause me to come to this conclusion. It is wise to face reality and take steps to restore public confidence.

The texts of the Schnittker study and the Godfrey comments follow:

[Schnittker study, Nov. 27, 1968]

LIMITING FARM PROGRAM PAYMENTS

SUMMARY AND CONCLUSIONS

Payments to producers under existing price support and acreage control programs for feed grains, wheat, cotton, wool, and sugar could be limited to around $20,000 per farm for all payments, or to $10,000 per program without serious adverse effects on production or on the effectiveness of production adjustment programs. Difficult administrative problems would arise, however, as producers would seek to avoid the limits by dividing large farms into smaller units.

Whatever the level of payment limits, cotton producers would be affected in greatest number. Few wheat and feed grain producers would be affected, and the impact on the industry would be negligible at the maximum payment levels examined here.

Budget savings ranging from $200 to nearly $300 million could be made with limits at levels examined here, if the law could be administered firmly. However, if either Congress in amending the law to authorize payment limits, or the Secretary of Agriculture in his administration of the law, took a relaxed attitude toward dividing farms into smaller units to avoid payment limits, much of the potential savings would be lost.

INTRODUCTION

Agricultural price and income support programs originally were undertaken in the 1930's to improve prices and income for the average family farmer. They continue to be primarily supply adjustment and price support programs designed to achieve higher incomes for farm families producing the bulk of farm commodities marketed. Clearly, the more a farmer produced, the more he benefited from the higher prices per unit achieved through price support operations.

The farm programs have not generally been considered by the Congress as welfare programs, to be adjusted to the income needs of individual families. Some program changes in recent years, however, have moved in this direction.

Direct payments geared to output became important in the 1960's. By this time, however, there were far more large farms than in 1930—hence an increasing concentration of payments. Recent efforts to limit farm program benefits have arisen both out of this increase in farm size and greater use of direct payments.

Limitations on farm program benefits have been proposed from time to time, and some have been adopted. Congress provided a sliding scale, but no upper limit, for payments under the Sugar Act of 1934. Statutory limits on the size of Agricultural Conservation Program payments, and administrative limits established by the Secretary of Agriculture have been in effect from time to time since 1938. A $2,500 limitation per producer is in effect for Agricultural Conservation Program payments. There also were payment limitations in the Conservation Reserve Program of the Soil Bank in the 1950's, and in the pilot Cropland Conservation Program in the 1960's.

Proposals were made largely in the 1950's to limit the size of price support loans. In the 1960's efforts have been made to limit the amount of direct cash payments to individual producers (apart from loans)—but none have been successful. In August 1968, however, the House of Representatives approved an amendment to the proposed Food and Agriculture Act of 1968, which would have limited combined payments to any individual under all the farm programs to $20,000 per year. This amendment was not accepted by the Senate and was deleted by the Conference Committee; it generated a great deal of interest, however. Payment limitations will probably be on the Congressional agenda for 1969.

Effective opposition in the Congress and the Executive Branch to proposals to limit loans and payments under the commodity programs in recent years has been based on two factors:

Limiting price support loans could make price support less effective in some years, if eligible smaller farmers did not place enough of their products under loan to bring market prices up to support levels. Resulting lower market prices would have an adverse effect on all producers—large or small. This objection is valid but not very important, since most producers would have full access to price support.

One cannot build a strong economic case *for or against* limiting the size of price support loans. Limiting price support loans may have merit, however, as public relations for farmers. It would limit direct benefits to large growers, but would scarcely affect actual benefits to them.

Refusing to make fairly large acreage diversion and price support payments to individual farmers would reduce the effectiveness of voluntary production adjustment programs, slow surplus disposal, and delay price recovery.

This argument was most valid when the surplus disposal task was greatest in the early 1960's. It is less important in 1969 than it was in 1965, for example. For reasons cited later, this line of argument is no longer a conclusive objection to payment limitations, unless they were to be applied at levels much lower than examined here.

One additional example is useful as background. In the Sugar Act Program, payments have been made on a sliding scale. No upper limit is set and a few individual payments are around $1,000,000 each year.

Producers who plant within the surgarcane or sugarbeet acreage allotment set by the Secretary, and meet specified conditions with respect to farm labor, qualify for payment at the rate of 80 cents per 100 pounds of sugar produced up to 350 tons per farm or per person.

The statutory rate of payment per 100 pounds of sugar for larger producers is:

350 to 700 tons	$0.75
700 to 1,000 tons	.70
1,000 to 1,500 tons	.60
1,500 to 3,000 tons	.55
3,000 to 6,000 tons	.525
6,000 to 12,000 tons	.50
12,000 to 30,000 tons	.475
More than 30,000 tons	.30

This schedule provides some disincentive to large growers, although not enough to prevent considerable concentration of sugar production.

INCREASED USE OF PAYMENT PROGRAMS

The use of direct Government payments to producers has increased sharply in recent years. Payments were added to existing price support programs as a shift was made from relatively high price support levels to price supports at or near world price levels.

One key reason for direct cash payments was to maintain farmer income. Payments were also the main incentive for farmers to reduce their acreages of certain crops, as a voluntary acreage reduction program *became* the first effective production restraint for feed grains, *replaced* mandatory acreage allotments for wheat, and *supplemented* the long-standing mandatory program for cotton.

These differences in approach for the three big commodities arose more out of history than from differences among the crops or the areas producing the crops. Congress had provided for mandatory acreage allotments for corn in 1938. The procedure had never been used, however, because of the likelihood that less than two-thirds of the producers would vote for the mandatory quota penalties necessary to enforce acreage allotments. It was repeated in the late 1950's. Thus, when corn surpluses had to be curbed in 1961, Congress approved the voluntary, payment-based approach recommended by the Administration.

In the voluntary acreage adjustment programs, wheat marketing certificates, price support and acreage diversion payments for feed grains and cotton, and non-recourse price support loans are available only to growers who meet the acreage diversion requirements established for that year by the Secretary of Agriculture.

Payment programs for wheat and cotton have similar origins, although the legislative struggle in cotton was limited to recent years, while it dates back many years for wheat. Market prices for both crops were supported far above world levels in the 1960's. U.S. wheat and cotton could sell abroad in this period only with large export subsidies.

Wheat growers had agitated for many years for a "2-price plan"—a shorthand term meaning relatively low prices in the market supplemented by payments on that part of the crop used as food in the U.S.

In addition, manmade fibers were fast replacing cotton in the U.S., and it was argued that lower cotton prices would stop or slow that trend. In both cases, farm income would have dropped sharply when price supports were reduced, except for the introduction of direct payments.

Viewed functionally, most payments under the cotton and wheat programs today are income supplements. They are set by law at substantially higher levels than would be required as incentives to assure enough participation by farmers to stablize commodity carryover. In both cases, either total payments, or payments to large farms, could be reduced substantially (by about one-third) with little effect on acreage and production.

Feed grain program payments, however, are closely scaled to the incentive levels required to achieve the objective of a fairly stable reserve carryover. If total payments to feed grain growers were to be reduced in the years just ahead, larger surpluses would soon accumulate, *unless* the level at which market prices were supported was also reduced, in order to increase feed grain utilization.

Utilizing these programs, stocks of farm commodities owned by the Commodity Credit Corporation (CCC) were reduced from $5.6 billion in July 1961 to less than $1 billion in July 1968. Production has not been reduced for each crop each year. But production has been held below potential levels. Coupled with expanding demand, especially for grains, reducing the acreage harvested has been one of the chief engines of surplus disposal.

Direct payments to farmers increased from $702 million in 1960 to an estimated $3.4 billion in 1968. Much of the increase in Government payments was offset by reductions in CCC expenditures formerly associated with price support loans and acquisitions, and export subsidy activities.

It was noted earlier that payments became an integral part of the commodity programs in the 1960's, farmers were also rapidly increasing the size of their operations. The number of farms with sales of $40,000 or more increased from 113,000 in 1960 to about 183,000 in 1967. There were 227,000 farms with sales of $20,000 to $39,999 in 1960, and 318,000 in 1967.

The 501,000 farms in these two groups produced 68 percent of all farm products marketed in 1967. Farmers affected by payment limitations at levels examined in this report fall primarily in the larger farms of these two size groups, although some in the other group would be affected.

ALTERNATIVE APPROACHES TO PAYMENT LIMITATIONS

Farm program payment data only recently available, make it possible to estimate the probable effects of alternative payment limitation levels on producers, and on key agricultural commodity sectors.

Four alternatives are examined in this memorandum:

A $20,000 limit on total payments.

A $10,000 limit administered commodity by commodity.

A sliding scale with total payments limited to $17,500 per person.

A sliding scale without an upper limit (like sugar).

We have found only one rule for selecting the best payment (or loan) limitation plan, if one is to be adopted. That is, it should not render the acreage diversion (or price support) programs ineffective. Beyond that, there is little to guide us. One could begin from an amount of budget money to be saved, or from a fixed limit on the total to be spent for payments. Setting a limit high enough to exempt most bona fide family farmers is probably a better approach; the examples used here certainly meet that test.

Inevitably, any approach to limiting farm program payments will be fairly arbitrary. It could be made effective in one sharp move, but there is no reason other than costs in any limitation adopted to be fully effective in the first year. A producer's payment might be reduced by one-third the amount by which it exceeds the limit in the fist year, two-thirds the second year, and the full amount in the third year. There is no limit to the possible formulas.

For the levels studied here:

1. Farm program payment records for 1967 indicate that a $20,000 limitation on total payments to a farmer would affect 9,789 producers in the U.S. This is .4 percent of all producers receiving payments. In this group, 8,157 received cotton program payments, 3,304 received wheat certificate payments, and 4,878 received feed grain program payments (Item 1, attached Table 1). Many received payments under several programs. Total payments in excess of the $20,000 limitation totaled $206 million (the maximum potential saving). A state by state listing of the number of affected producers is in an attached table.

2. A maximum limitation of $10,000 for each producer, administered separately for cotton, wheat, feed grains, etc., would affect about 23,000 producers. Of these, 18,054 would be affected through the cotton program, 4,579 through wheat, and 850 through feed grains. In most cases, the feed grains are produced in combination with cotton or wheat (Item 2, attached Table 1). The amount paid out in excess of $10,000 per farm per program in 1967 totaled $293 million.

3. A sliding scale could provide for full payment of the first $10,000 payments earned under present laws, one-half of the next $10,000 and one-fourth of the third $10,000. Payments in 1967 in excess of these limitations totaled $215.2 million. About 23,000 producers would be affected. (Item 3, attached Table 1).

4. A sliding scale starting at the level of the alternative (3) above, but with more moderate graduations has also been considered. It could either have a set limit, or it could be open ended. A schedule which provided full payment up to $10,000 per farm, 90 percent payment for the next $10,000—ending with 10 percent of the regularly computed payment for 100,000 or more would be one possibility.

Over half of those who receive payments in excess of $10,000 in 1967 produced more than one of the price supported crops. Thirty percent received cotton program payments only, 1.5 percent received feed grain program payments only and 11.3 percent received wheat certificate payments only (Table 2).

Clearly any limitation on payments to an individual producer would affect primarily cotton producers. A limitation as low as $20,000 per farm in total, or $10,000 per commodity would affect those who produce one-third of the U.S. cotton crop, although even on the farms affected, much of the cotton crop would be eligible for price support payments.

One of the serious administrative problems sure to arise would result from proposed division of farms into smaller units if a limitation were imposed, in order to evade the limit. This would reduce the savings levels indicated in Table 1.

Any payment limit set by Congress would need to be backed up by a firm policy against such farm-splitting. There would need to be strict, uniformly administered regulations to back up the law. As much as one-third to one-half of the potential savings might otherwise be lost.

It is possible that a substantial part of the indicated savings would be lost in any case for reasons related to the nature of farm proprietorships. Many large farms are family or other partnerships, or corporations operated as a small business by a few owners. In any year there are hundreds of bona fide revisions of these arrangements.

It would be impossible for Washington, for a state administrative committee, and especially for a farmer-elected county committee to distinguish charges for causes other than those which would be a direct result of payment limits.

A second serious administrative problem could arise under options (1) and (3) above, since most producers receive payments for participating in more than one commodity program. In such cases, a producer would need to consider his participation in all of the programs simultaneously. Yet, some programs normally are not ready to be announced when other program decisions are made, since planting and harvest dates vary.

Some changes in administrative procedure would be required. Simultaneous announcement of the basic features of wheat, feed grain, and cotton programs for the year ahead would help. Also, in order to avoid overpayment to large growers, a prepayment audit with direct personal attention to each affected farm, would be useful. Final payment would need to be somewhat later than at present, and the present policy of making advance payments might have to be reconsidered.

None of these administrative problems are decisive, however. Some would be avoided in option (2) above. They are not good reasons for opposing payment limits. The number of producers affected would be so small that each could be handled as a special case with little additional expense.

CHANGES NEEDED IN BASIC COTTON LEGISLATION

Since limitation on payments would affect primarily cotton producers, certain changes should be made in that program to discourage or prevent actions by producers to avoid the payment limit, and to maintain program effectiveness. These include:

1. Legislation authorizing sales of cotton allotments should be amended to prevent sales of allotments for the express purpose of avoiding the payment limit. (This, too, would require a Solomon-like determination by administrators).

2. The "snapback provision" in the 1965 Act (Section 402(12)), P.L. 89–321 must be repealed if the limit is to be effective. This provision requires that if payment limitations are authorized, the old permanent (and obsolete) cotton price support system goes into effect. This would include high price supports, with CCC acquiring most of the cotton, and selling it back into the market at lower prices. This would seriously disrupt the cotton industry. By shielding cotton from any payment limit policy, it would avoid the intent of Congress.

3. The mandatory features of the cotton acreage adjustment program could either be terminated or modified, in order to give producers affected by the payment limit an opportunity to expand their acreage.

With U.S. producers facing world level cotton prices for a large part of their output on the acreage allotment, it appears that mandatory acreage controls backed up by marketing quota penalties are no longer needed to achieve a cotton supply-demand balance. The industry has little incentive to overproduce at this price level. Low prices may be enough of a deterrent.

However, present acreage allotment procedures, based on past acreage, do slow down the further westward shift in cotton production. Most of the cotton producers and interested Congressmen want them continued, since they value the cotton acreage allotments in the state, either for economic or political reasons.

Therefore, an intermediate step short of terminating acreage allotments would probably be best. This could provide for waiving marketing quota penalties for producers who overplant their farm acreage allotments by specified percentages.

Producers who were receiving full payments as calculated under the law, for example, could be required to plant within their farm acreage allotment.

Producers losing only a small percentage of their payment could overplant their acreage allotment only a little.

Producers losing most of their payment (being reduced from $150,000 to $10,000 for example) might plant up to double their farm acreage allotment.

The Secretary of Agriculture would need a lot of discretion in setting such percentages from year to year, since the results could not be accurately estimated in advance. It does seem clear that large producers who would be touched by payment limits do value the opportunity to expand acreage. Thus a satisfactory *quid pro quo* may be possible.

CHANGES NEEDED IN WHEAT AND FEED GRAIN LEGISLATION

Few wheat or feed grain producers would be affected by payment limitations, at levels examined in this memorandum. Yet modest changes in these programs would reduce inequities, and might avoid adverse effects on program participation.

Existing legislation could be amended to provide that wheat and feed grain producers subject to payment limitations would either get a larger acreage allotment (in the case of wheat), or would have their acreage diversion requirements reduced in the case of feed grains. For example, if payment limitations reduced a feed grain producer's payment by one-half, the diversion otherwise required to become a cooperator in the program could also be reduced by half. Again, the Secretary would need some discretion in administering such a provision, in order to maintain program effectiveness.

EFFECT OF LIMITATION IF APPLIED TO SUGAR PROGRAM

Roughly 100 to 125 sugar producers received payments in excess of $20,000 in 1967. About 1,500 producers were above the $10,000 mark.

Payments under the Sugar Act provide sugarbeet and sugarcane growers with an incentive to restrict their acreage. Acreage limits are set by the Secretary when supplies or potential supplies are large, based on formula in the law. Without loss of payments to provide an incentive to keep acreage down, quota limits might be ignored and the Sugar Act in its present form could become ineffective in limiting U.S. sugar production.

A maximum of $20,000 per payee would have no effect on growers who produce less than 1,000 tons of recoverable sugar per year and only a small effect on those who produce as much as 1,500 tons per year — percent of all sugar producers with — percent of all production would thus be exempt.

At the other end of the scale is the question of whether or not payment limits at levels examined here would discourage production. For the larger producers, the 30 cents per 100 pounds received in Sugar Act payments for production in excess of 30,000 tons equals about 4 percent of the current price of raw sugar in New York. Program payments are less than 5 percent of gross receipts for large producers; are only one of several factors which influence output, and which encourage compliance with allotments. Even if payments were reduced to a maximum of $20,000, the largest sugar companies probably would continue to produce at about present levels, and to comply with acreage allotments.

EFFECTS OF LIMITATIONS IF APPLIED TO WOOL

Payment limitations applied to wool growers would affect few producers, and would not reduce program costs appreciably.

There is no price support loan for wool. Income support to wool growers is entirely in the form of direct payments equal to the difference between average market prices and a target set by law. Payments were intended to encourage increased wool production, but they have, at best, served to slow the decline of the U.S. sheep industry.

A limitation of $20,000 applied to all programs would affect about 125 wool producers with 4 percent of total U.S. wool production in 1967. Wheat, feed grain or cotton payments also were involved in 98 of these cases.

A limit of $10,000 for wool payments alone would have affected 165 producers in 1967. They received about $2.6 million and accounted for about 9 percent of the total U.S. wool and mohair production. A $10,000 limit would have reduced total wool payments about a million dollars.

The sliding scales in alternatives (3) and (4) would reduce payments a little over one-half million dollars for (3) and by a negligible amount under (4).

Payment limits would reduce the incentive for wool production in the U.S. slightly, but even present payments provide only a limited incentive. Limitations would not have any decisive impact on the sheep and wool industry.

TABLE 1.—EFFECTS OF ALTERNATIVE PROGRAM PAYMENT LIMITATION PLANS

Payment limitation plan	Program [1]			
	Cotton	Wheat	Feed grains	Total
$20,000 total for all programs:				
Number of payees affected	8,157	3,304	4,878	[2] 9,789
Payments in excess of limitation [3]				$205,600,000
Production on farms affected	[4] 3,780,000	[5] 74,600,000	[5] 113,800,000	
(1) Percent of U.S. total production on farms affected [3]	34	5	2	
$10,000 per program:				
Number of payees affected	18,054	4,579	850	[2] 23,017
Payments in excess of limitation	$261,900,000	$26,400,000	$4,500,000	$292,800,000
Production on farms affected	[4] 5,440,000	[5] 69,400,000	[5] 151,800,000	
(1) Percent of U.S. total production on farms affected	49	10	1	
(2) Percent of U.S. total production affected which is in excess of limitation	29	3.6	0.4	
Sliding scale per program: [6]				
Number of payees affected	18,054	4,579	850	[2] 23,017
Payments in excess of limitation	$196,400,000	$16,000,000	$2,800,000	$215,200,000
Production on farms affected	[4] 5,440,000	[5] 151,800,000	[5] 69,400,000	
(1) Percent of U.S. total production on farms affected	49	10	1	
(2) Percent of U.S. total production affected which is in excess of limitation	22	2	0.3	

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[1] Includes all payees who received $10,000 or more from all ASCS programs. The 3 commodity programs account for about 90 percent of total payments.

[2] Net figure—since some producers participate in more than 1 commodity program.

[3] Impossible to calculate excess by program since exact amount will depend upon how a producer who participates in more than 1 program decides to allocate his program earnings between programs.

[4] Bales.

[5] Bushels.

[6] Full payment for 1st $10,000; ½ of next $10,000; and ¼ of 3d $10,000.

TABLE 2.—PAYEES RECEIVING $10,000 OR MORE AND $20,000 OR MORE IN PAYMENTS FROM ASCS WHO RECEIVED COTTON, FEED GRAIN, AND WHEAT PAYMENTS IN SPECIFIED COMBINATIONS, 1967

Source of payment	$10,000 or more		$20,000 or more	
	Number	Percentage of total	Number	Percentage of total
Cotton only	8, 882	29. 8	3, 494	37. 3
Cotton and feed grain	7, 316	24. 5	2, 557	27. 3
Cotton and wheat	1, 196	4. 0	511	5. 4
Cotton, feed grain, and wheat	4, 626	15. 5	1, 545	16. 5
Any cotton payments	(22, 020)	(73. 8)	(8, 107)	(86. 5)
Feed grain only	453	1. 5	80	. 8
Feed grain and wheat	4, 000	13. 4	646	6. 9
Any feed grain payments	(16, 395)	(54. 9)	(4, 828)	(51. 5)
Wheat only	3, 367	11. 3	542	5. 8
Any wheat payment	(13, 189)	(44. 2)	(3, 244)	(34. 6)
Total	29, 840	100. 0	9, 375	100. 0

DISTRIBUTION OF PAYEES RECEIVING GOVERNMENT PAYMENTS OF $20,000 AND OVER, BY MAJOR COMMODITY, BY STATE, 1967

State	Major commodity				
	Cotton	Feed grains	Wheat	Wool	State total
Alabama	289				289
Arizona	586	2	1		589
Arkansas	862	2			864
California	931	3	18	7	959
Colorado	5	9	124	7	145
Florida	4				4
Georgia	177	2			179
Idaho			55	4	59
Illinois	2	20			22
Indiana		13			13
Iowa		12	1	1	14
Kansas	2	13	143		158
Kentucky	6		2		8
Louisiana	321				321
Michigan		1			1
Minnesota			5		5
Mississippi	1, 411				1, 411
Missouri	98	17	2		117
Montana		4	75		79
Nebraska	1	15	5		21
Nevada	3	1	2	1	7
New Jersey		1			1
New Mexico	119	14	39	1	173
North Carolina	70	1			71
North Dakota		1	26		27
Ohio		3	1		4
Oklahoma	65	1	39		105
Oregon			76		76
Pennsylvania		1			1
South Carolina	217				217
South Dakota	2	1	17		20
Tennessee	102				102
Texas	2, 365	84	193	11	2, 653
Utah			5	2	7
Virginia		1			1
Washington		1	175		176
Wyoming			3	5	8
Total, United States	7, 638	223	1, 007	39	[1] 8, 907

[1] 882 additional payees received payments of $20,000 and over from other ASCS programs.

NUMBER OF PAYEES RECEIVING $10,000 OR MORE FROM COTTON, FEED GRAIN, WHEAT, OR WOOL PAYMENTS, BY STATES, 1967

State	Cotton	Feed grains	Wheat	Wool
Alabama	808	3	0	0
Alaska	0	0	0	0
Arizona	870	11	9	5
Arkansas	2, 098	2	6	0
California	1, 728	12	70	16
Colorado	11	26	449	17
Florida	10	0	0	0
Georgia	604	7	1	0
Idaho	0	4	290	18
Illinois	5	76	6	0
Indiana	0	50	1	0
Iowa	1	67	3	1
Kansas	4	47	647	0
Kentucky	22	2	2	0
Louisiana	814	3	1	0
Michigan	0	4	2	0
Minnesota	0	17	25	0
Mississippi	2, 510	1	2	0
Missouri	330	54	6	0
Montana	1	11	613	7
Nebraska	1	72	55	0
Nevada	12	1	2	4
New Jersey	0	2	0	0
New Mexico	371	58	72	8
New York	0	0	1	0
North Carolina	217	10	0	0
North Dakota	0	2	262	0
Ohio	0	13	3	0
Oklahoma	200	9	226	0
Oregon	0	1	316	2
Pennsylvania	0	5	0	0
South Carolina	574	6	0	0
South Dakota	4	6	90	3
Tennessee	419	1	0	0
Texas	6, 439	256	474	46
Utah	0	0	28	3
Virginia	1	2	0	0
Washington	0	2	905	3
Wisconsin	0	7	0	0
Wyoming	0	0	12	32
Total United States	18, 054	850	4, 579	165

COMMENTS ON STUDY DATED NOVEMBER 27, 1968, "LIMITING FARM PROGRAM PAYMENTS" BY H. D. GODFREY FOR ASCS

This study concludes that payments to producers under existing price support and acreage control programs for feed grains, wheat, cotton, wool, and sugar could be limited to around $20,000 per farm for all payments, or to $10,000 per program without serious adverse effects on production or on the effectiveness of production adjustment programs. Admitting that difficult administrative problems would arise, the report leans toward concluding that they could be solved. Budget savings, it is averred, would range from $200 to $300 million *if* the law could be administered firmly. The range of savings would depend upon the kind of limit adopted. Four are discussed: (a) a $20,000 payment limit per farm; (b) a $10,000 limitation per commodity; (c) a $17,500 total payment limitation per person, based upon a sliding scale; and (d) a sliding scale payment provision without an upper limit, somewhat like the sugar provision.

A quick review of the salient points and arguments which the report makes causes us to conclude that the study is overdrawn, with much of the narrative not providing firm support for the report's conclusion. The following detailed comments embrace our views:

1. The report indicates for cotton and wheat that a payment limitation would have little effect on acreage and production. For feed grains, it indicates that a limitation would soon lead to larger surpluses unless the level at which market prices were supported was also reduced.

In the case of wheat and feed grains, our data indicate the imposition of a $20,000 payment limit probably would not seriously disrupt the voluntary wheat and feed grain supply adjustment programs. Under the 1967 wheat program, payees receiving payments over $20,000 accounted for about 2.5 million acres, or 4 percent of the wheat allotment. Most producers could of course, continue to participate in the program. Further, by 1970 a wheat farmer would have to overplant his allotment by almost 70 percent in order to pocket the same returns as a program participant.

In the case of feed grains, payees receiving over $20,000 in a 1967 program payments comprised about 2.6 million acres of the total feed grain base, made up of about 0.8 million base acres of corn and 1.8 million base acres of grain sorghums; the total comprises only about 2 percent of the feed grain base. The estimated corn base attributed to payees receiving over $20,000 of payments in the 10 leading corn (grain) producing States approximated a little over 200,000 acres; most of these payees also received payments under the wheat program. The remaining corn base involving 0.6 million acres was widely distributed primarily in the Southeast and Mississippi Delta cotton producing areas, where corn payments are minor relative to cotton. In general, feed grain payments in the sorghum area are small relative to cotton payments on cotton-feed grain farms. In this context feed grain production would not be expected to increase materially under a $20,000 limitation.

But the case for both wheat and feed grains begins to unravel as the payment limitation drops—for example, a $10,000 or lower limitation would importantly change the situation.

For cotton our data show that payees receiving over $20,000 in 1967 program payments accounted for more than 30 percent of the potential production; about 4.4 million allotment acres were on farms affected by this limitation. Further, the study indicates that a $10,000 program limitation would affect payees producing about 5½ million bales, or more than 40 percent of a normal crop. These figures are significant; our interpretation of them is different than that taken by the report, which is inclined to conclude that, while difficult administrative problems would arise, nonetheless they could be worked out so as to result in budget savings of from $200 to $300 million, and at the same time provide adequate supplies of cotton with little disruption to most producers. In our judgment this is *unrealistic*, and *in fact is not supported by the report itself*. Table 1 of the study indicates the range of savings under the alternative limitations, *provided* any limitations were 100 percent effective. At the same time the body of the report indicates that from one-third to one-half of the potential savings might be lost unless the limitations were "backed up by a firm policy against farm-splitting," going on to say that "it is possible that a substantial part of the indicated savings would be lost in any case for reasons related to farm proprietorships". The study goes on to conclude that "it would be impossible for Washington, for a State administrative committee, and especially for a farmer-elected county committee to distinguish changes for causes other than those which would be a direct result of payment limits".

As we see it, a cotton payment limitation would result in only negligible budgetary savings simply because of the cotton farm infrastructure. In explanation, a great majority of the legal entities which receive the larger cotton payments involves more than one person. Many of them are partnerships, corporations, or joint ventures involving a fairly large number of individual producers and landowners. The large farms have been operated as one unit in order to increase efficiency, but if limitations were to be put into effect, most of the large farms could be divided—legally—into smaller units with each individual operating a separate farming unit.

Very few of the producers who have received payments in excess of $20,000 own all the land that they operate. Most of them rent or lease some of the land they are working, and many of them also have leased or purchased allotment acreage from other farms. If a limitation is made effective, those producers who have been leasing would not continue to lease the additional land or allotment.

By 1970 cotton payments are likely to average about 20 percent smaller than in 1967 as diverted acreage is greatly reduced or eliminated. This would reduce the number of farms affected by a $20,000 limit. In 1967, about 8,900 payees received a payment of over $20,000 on cotton, wheat, feed grains, and wool. By 1970, it is estimated this number would be reduced to around 6,500 payees even if they continued to operate the same land in the same manner as in 1967.

The list of large cotton payees (over $25,000) in 1967 has been reviewed for a few counties by some of our people who are knowledgeable about farms and farming in these counties. The following summarizes the actions which our people think these payees might take in 1970 if a limitation were in effect.

County	Number of payees over $25,000	Action that would likely be taken			
		Increase number of payees[1]	Rent out owned land	Release rented land	Sell or lease part of allotment
	(1)	(2)	(3)	(4)	(5)
Yuma, Ariz	46	34	3	29	10
Maricopa, Ariz	175	105	52	27	136
Reeves, Tex	65	24	11	23	13
Sunflower, Miss	82	38	21	16	2

[1] Includes cases where farming operation would be divided between present owners and/or partners, and where operation would be changed from hired hands to share tenants or cash tenants.

Note.—Cross totals do not add to col. 1; many payees would take multiple actions.

Thus, a central question relating to making a payment limitation work for cotton involves action which the Government could take to enforce a limitation. Realistically we doubt that legal actions could be taken to, in effect, freeze the number of payees, deny producers the right and opportunity to rent land which they own, release land which they have rented, or even to sell or lease portions of their allotment. In this connection, we note the report's suggestion that legislation authorizing sale of cotton allotments should be amended to prevent such sales for the express purpose of avoiding a payment limitation, commenting that this would require a "Solomon-like" determination by administrators. Indeed it would!

Furthermore, the study does not give any serious consideration to the impact on other programs if limitations were applied to cotton and who could administratively enforce such limitations. It is possible throughout the cotton area to grow alternative crops, but the alternative crops are also in surplus. Thus, any limitations which would affect cotton would naturally lead the producers to adopt farming practices which would involve the growing of other price supported crops, all of which are now in surplus. Thus, any savings as a result of limitations on cotton would for all practical purposes be largely offset by increased cost of price supported operations for feed grains, wheat, soybeans, dairy, etc.

It is true, as the report states, that certain payment limitations have been in effect in past years, mentioning the Agricultural Conservation Program and the Conservation Reserve Program. These limitations are described in enclosure 1. It is important to point out here, however, that a clear distinction must be made between a limitation involving voluntary participation in acreage adjustments, as contrasted to a program which sharply limits payments to producers for a crop that is their main livelihood. In a word, little useful comparison can be drawn between a payment limitation on the ACP,

Much of the above comment relates to a limitation of around $20,000. The problems we describe, and their effect on overall program results, would bear down much more forcefully if the payment limitation were $10,000—and the impact of a $5,000 limitation would obviously be much greater yet. I believe we can agree that as the payment limitation drops, the number of producers affected would sharply increase, and there would be less opportunities for producers to legally avoid the limitation. This brings up another serious problem—the ability to provide an adequate cotton production involving participation by the family farm, countrywide, with price support at about world price levels.

In sum, I am seriously concerned with a report which contemplates savings of from $200 to $300 million through a payment limitation. Realistically, I do not believe the necessary steps could be taken, either by statute or administratively, to make the program effective enough to result in important savings. And further, if the limitation were dropped to the point where large numbers of smaller producers were affected by it, program savings would be made at the risk of jeopardizing the entire program with resultant damage to the family farm enterprise. There would be serious question as to whether or not adequate quantities of cotton would continue to be produced.

2. The Sugar Program: The study would apply the limitations described above to the sugar program as well. This program, however, now embraces limitations on sugar act payments, based on a sliding scale, but with no absolute limitation. The statutory rate of payment per 100 pounds of sugar starts at 80 cents for the first 350 tons per farm or per person, but drops to a rate of 30 cents per 100 pounds for quantities in excess of 30,000 tons. The report states that the limitations "provide some disincentive to large growers although not enough to prevent considerable concentration of sugar production." We see no problem on the sugar program; it has a long history and it is working well. We seriously doubt the wisdom of embroiling the sugar program in any new limitations, of the kind the study contemplates. The study indicates that 1,500 producers received payments in excess of $10,000, and from 100–125 obtained payments in excess of $20,000 in 1967. For the larger producers, program payments amount to less than 5 percent of the gross receipts. The study conjectures that if payments were reduced to a maximum of $20,000 the larger sugar companies probably would continue to produce at about present levels, and to comply with acreage allotments. It's our view that enactment of sugar legislation is time consuming, tortuous and difficult; it usually has been handled separately. We do not believe the problem of payment limitations for sugar is sufficiently serious to warrant further consideration at this time.

3. The Wool Program: Here again we doubt the wisdom of applying a payment limitation. The study shows that 125 wool producers would have been affected by a $20,000 limitation under the 1967 program. A limitation of $10,000 would have affected 165 producers that year; they received about $2.6 million and accounted for perhaps about 9 percent of U. S. production. A $10,000 limitation would have reduced payments about $1.0 million. But the wool program payment is considered an "incentive payment" designed to increase domestic wool production, make consumers less dependent upon imports. It is financed from tariff receipts on imports, thus is somewhat different from our other programs. For these reasons we doubt that action to impose a limitation would serve a really useful purpose.

4. Changes in basic legislation for wheat, feed grain and cotton: The study suggests the possibility of amending wheat and feed grain legislation so as to provide either for a larger acreage allotment, or a reduced diversion requirement for those participants who would be affected by a payment limitation. For cotton, it suggests that marketing quota penalties might be waived for producers affected by the limitation, who overplant farm acreage allotments by specified percentages.

We see little need for the wheat and feed grain proposal which has serious shortcomings. We are inclined to doubt the acceptability of a program which would offset payment limitations with the opportunity to produce larger quantities with the benefit of price support. Administratively, the provision would give rise to difficult problems.

The cotton proposal apparently stems from the belief that producers whose payments are drastically reduced under the limitation ought to have the opportunity to produce extra supplies with the benefit of the loan. This is a laudable objective particularly if there is reason to believe that production otherwise would not be adequate. At the same time we have serious doubts both as to its general acceptability or the need for it. For example, if a $50,000 price support payment were reduced to $20,000, this amount could be earned on perhaps 40 percent of the domestic acreage allotment. If the domestic allotment percentage was set at 65 percent, this means the $20,000 could be earned on 26 percent of the allotment. In this situation the producer already would be able to grow the remaining 74 percent of his allotment with benefit of price support. Administratively, the suggestion for extra acreage to such a producer would raise serious and complex problems. Allotments are made to farms, not individuals. Many allotments embrace situations under which a large payment accrues to one or two individuals, but much smaller payments accrue to others. This might involve basing the extra acreage on a person's intention, ahead of planting time. We see numerous problems with this, and at the same time we are not sure that the provision would be needed.

The earlier comment in this memorandum related to the provision which would amend legislation authorizing sales of cotton allotments.

THE CHARLESTON HOSPITAL WORKERS STRIKE

(Mr. RYAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, the strike of hospital workers in Charleston, S.C., which has now continued for over a month, points out a glaring inadequacy in Federal labor policy. While workers in private industry have been guaranteed the right to bargain collectively through union representatives for over three decades, employees of nonprofit or government-operated hospitals enjoy no such right to collective bargaining. This is the central issue in the strike of the hospital workers in Charleston, and it is an issue which must be given a high priority by Congress if we are to prevent a recurrence of future confrontations in other areas of the Nation.

In order to provide a background for the present status of the Charleston strike, let me briefly summarize events as they have transpired since the initiation of the strike.

On March 20, some 600 Negro members of local 1199B of the Drug and Hospital Union went on strike to protest the dismissal of 12 Negro nonprofessional workers employed by the South Carolina Medical College Hospital, and the Charleston County Hospital, to gain recognition for purposes of collective bargaining, and to obtain an increase in the wages presently paid to hospital workers in these two hospitals.

For the first 2 weeks of the strike, the situation remained relatively calm. In the past 2 weeks, however, the State's response to the strike has been repressive, and hundreds of union members and sympathizers have been arrested.

Since an injunction was obtained by the hospitals early in the strike forbidding demonstrations of more than 10 people near the two hospitals, strikers have been forced to risk arrest in order to maintain the momentum of their strike. Since April 11, 30 Negro women and the president of local 1199B have been held in jail after being arrested for violating this injunction. Countless others have been arrested, many of them school-age children, since that date.

As of April 25, approximately 1,250 have been arrested. Leon J. Davis, president of local 1199 of the Drug and Hospital Union in New York City, and the Reverend Ralph Abernathy who, as head of the Southern Christian Leadership Conference, has lent his support to the strike, have also been arrested and at this moment are still in jail.

The issues for which these workers are fighting are substantive and imperative. The hourly wage which the hospital workers are presently receiving is only $1.30. This is the current national minimum wage set for hospital workers. The rate is $0.30 below the national minimum wage for workers employed by private industry—except for agricultural workers—and $0.56 below the national average hourly wage paid to nonsupervisory hospital workers throughout the country. Thus, the economic needs of the workers in these two hospitals, and the fact that their present wages are not only considerably below the national minimum wage for workers in private industry but also more than $0.50 below the average wage paid to other hospital workers in the Nation, provide ample justification for their effort to obtain a pay increase.

The basic issue at stake, however, is the right of these workers to unionize and to bargain with the hospitals for wages and working conditions as a collective unit. Although neither South Carolina State law nor Federal law prohibits nonprofit employers such as these hospitals from entering into agreements with organized unions, the hospitals have thus far refused to even negotiate with the striking workers. Instead the authorities have resorted to mass arrests and the use of police and the National Guard in an attempt to crush the union and end the strike.

It is long past the time when negotiations with the union over the issues of the strike should have begun. A year ago, in Memphis, Tenn., the entire Nation bore witness to what can happen when local government fails to respond to the grievances of public employees. We cannot stand by idly while a situation already marked by strife and tension escalates beyond control and settlement.

The Federal Government must also play a role in alleviating situations such as the one now continuing in Charleston. I have introduced legislation in past Congresses, as well as this Congress—H.R. 637—which would end the present inequity by enlarging the definition of an "employer"—and his accompanying responsibility to accept collective bargaining agents approved by workers as their legitimate representatives—to include nonprofit organizations operating hospitals.

I call upon the Committee on Education and Labor to bring this legislation to the floor of the House and the Congress to act favorably. The Congress must act now to extend rights guaranteed workers in private industry for over 30 years to nonprofessional hospital workers such as those engaged in the current strike in Charleston, S.C.

WESTERN AEROSPACE MUSEUM PROPOSAL

(Mr. GUBSER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GUBSER. Mr. Speaker, today on behalf of my California colleagues, Congressman DON EDWARDS, PAUL McCLOSKEY, JERRY PETTIS, ALPHONZO BELL, and myself, I am introducing a bill which would direct a feasibility study of an aerospace museum to be located in the western United States.

There is no major aerospace museum outside Washington, D.C., and since the western United States has contributed so much to aerospace technology, westerners should have an opportunity to see aerospace artifacts and have access to technical information in the aerospace field. We are confident that this museum would not only be of great advantage to science and serve to promote space technology, but it would also be a tremendous tourist attraction. It is quite possible that the fees charged could make the museum a profitable venture for the National Aeronautics and Space Administration and the U.S. Treasury.

We have not designated a specific location for this proposed museum since such designation would restrict the feasibility study and might prevent the best possible site from being selected.

Naturally, it is inappropriate to suggest a name for such a museum before it is determined to be feasible, but I think it only fair to inform the House that we as authors of the legislation respectfully suggest and sincerely hope that the museum can be named for the Honorable GEORGE P. MILLER, chairman of the House Science and Astronautics Committee. Our colleague from California has done much to promote the development of science and the conquest of space. We are justifiably proud of his accomplishments and sincerely hope that when the time comes the Congress will authorize this great addition to the West as the George Miller Aerospace Museum.

INTRODUCTION OF BILL TO AMEND SECTION 1903(c) OF THE SOCIAL SECURITY ACT

(Mr. WATTS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WATTS. Mr. Speaker, I have today introduced a bill to amend title XIX of the Social Security Act in order to prevent a fiscal crisis from arising in Kentucky and possibly a few other States.

This proposed legislation is purely transitory in nature. It is designed to avoid a problem resulting from an accidental conflict of timing under existing law. It will have no long-range impact upon the medicaid program established under title XIX of the act.

Let me explain briefly the background of the problem, and the need for this legislation will become clear.

This problem relates to a provision of title XIX, section 1903(c) to be specific, which was included in the law at the time the medicaid program was first established to assist States in certain situations in financing the introduction of the new program.

Section 1903(c) provides an alternative method of determining the Federal percentage in the payment of medicaid benefits prior to July 1, 1969. This alternative method is open to use by all States, but in fact has been used by only eight States, presumably because it offered no substantial advantage to the States that did not use it.

The financial impact of this provision has been very limited in relation to the total title XIX program. For example, in fiscal year 1968, when total Federal expenditures under title XIX amounted to $1.8 billion, the alternative method of determining Federal participation under section 1903(c) resulted in an estimated additional $21 million in payments to all of the eight States operating under the section over what they would have received under the regular Federal percentage formula. For my State of Kentucky, the difference in treatment for fiscal 1968 resulted in an additional Federal payment of around $2 million.

The problem now facing Kentucky, Mr. Speaker, and possibly some of the other States—I am not certain of the situations existing in all of these States—is that no provision has been made to meet the additional financing that the State will have to assume beginning July 1 of this year and, unfortunately, the Kentucky Legislature will not meet to appropriate these funds prior to the time they will be needed. The State Legislature of Kentucky is not scheduled to meet until next year.

The only possible way for Kentucky to avoid having to reduce payments under its medicaid program in order to keep it operating within the funds available is to convene a special session of the legislature—a very difficult and costly move. In view of the limited purpose of such a session, there are very grave doubts that one could be called.

The bill I have introduced would take care of this unfortunate problem in timing by providing that no State which has received Federal matching under section 1903(c) will have its Federal percentage reduced until a reasonable time has expired to allow its State legislature to act to appropriate additional funds that will be required to shift over to the regular title XIX Federal percentage formula. The bill provides that none of the States involved will have its Federal percentage reduced by reason of the July 1, 1969, termination date in section 1903(c) until 90 days after the conclusion of the first regular session of its legislature held after the date of enactment of the bill.

Mr. Speaker, although this bill is very limited in its application and effect, it deals with a problem which is quite important to States like Kentucky, which might have to curtail benefits solely to stay within available financial resources. I, therefore, urge that it be given prompt consideration.

HALL ADDRESSES POLICE

(Mr. GROSS asked and was given permission to extend his remarks at this point in the Record and to include a newspaper article.)

Mr. GROSS. Mr. Speaker, it is a pleasure for me to have this opportunity to insert in the Record the excellent address of my colleague and friend, the gentleman from Missouri, the Honorable Durward G. Hall, which he delivered last Friday, April 25, at graduation exercises for 98 foreign police officials who have been attending the International Police Academy in Washington.

The 98 police graduates, representing 20 nations, had been in training for more than 3 months at the police training facility, which is under the supervision of Mr. Byron Engle, Director of the Office of Public Safety, Agency for International Development, and Mr. Michael G. McCann, Director of the Police Academy.

Congressman Hall spoke from the experience of a distinguished record of service in World War II as Chief of Personnel Service, Office of the Surgeon General, U.S. Army, as a physician and surgeon in private practice for many years, and in recent years as a Member of the U.S. House of Representatives whose outstanding public service is widely recognized in the Nation. The address follows:

Address by Dr. Hall

Thank you very much Mr. Director, distinguished class advisors and director of the International Police Academy. It is obvious that Director Byron Engle comes from the hill country that is my home. By now you must know that I am his Congressman. His introduction was not as much as I deserved but from him, more than I expected. If it is true that a man can live for one month on a single compliment, you have indeed assured me of immortality.

Speaking of me being a surgeon and a physician who came to Washington to serve in the congress to doctor my people collectively instead of individually, I am convinced that that is more necessary than ever but I am reminded of a very diplomatic office nurse who noted a very nervous patient in the waiting room waiting to see the physician of his choice and sought to reassure him and said, "Don't let the Doctor frighten you, don't be nervous my dear. Doctors are like politicians, they view with alarm so that thereafter they may point with pride."

I certainly congratulate the International Police Academy as well as Spanish-speaking Inter-American general classes 40 and 41 and the English-speaking general class 24 and particularly those who have spoken representing you. I know there are other classes in the audience. I am proud to be here this morning because I know that you people realize that training involves administration, leadership and organization. That you are trained in municipal and rural police operations and in internal security while here, on a seminar basis.

And I am proud that the International Police Academy goes on field trips and across the length and breadth of the land and that we gain from what you offer and submit, as well as what we may offer. It is a pleasure to be here among those of you who have dedicated your lives to security. Those of you who realize that justice must support and back-up the constabulary and the security forces, if as some of your speakers have said so well, we are to remain free people, considerate people, who share and have confidence one with the other.

I am glad to be here as a member of the committee on armed services of the congress if for no other reason than to hear Mr. Harpham and this segment of the Marine Band again. I am proud of our representatives and the service that they perform.

I like to think of your seminars as in the words of Sir Thomas Moore, one of the famous poet laureates who wrote of the coming together of the waters. I believe in the ancient Gaelic or the Irish dialect they called it the "aboca"—the coming together. Here we come together in seminar so that we may learn and profit and cooperate more fully in the future and as it was so well said, around the world, where the twain do meet in this day of shortened communication and increased transport.

May it always be thus. And it's also wonderful for me to appear before your group in particular today. I think it would be wonderful indeed if we could all conduct our governmental affairs in the spirit of cooperation and good will from our hearts and possibly even the forebearance but always with understanding that you have shown these past weeks.

Our backgrounds may be different, our national origins possibly unrelated, our speech in need of translation, but we still have so much in common. Our very presence here today demonstrates a commitment to the idea, that only through law and order will peace and justice prevail. I speak not only for my country, but for all of the twenty-one countries represented here this morning.

It was Santa Anna who said people who forget the lessons of history are destined to relieve their tragedies. Thinking again from history that in the year 372 B.C., Plato issued one of the most acclaimed books ever written. It was called "The Republic." In it Plato wrote—and I quote—"All forms of government destroy themselves by carrying their basic principles to excess. The first form is monarchy. The principle of monarchy is unity of rule. Carried to excess, the rule becomes too unified and the monarch takes on too much power. The aristocrats rebel and the second form of government is established, called an aristocracy. The main principle of an aristocracy is, that selected families should rule. When this principle in turn is carried to excess, large numbers of able men are left out. Then the middle class joins them in a rebellion and a third form or a democracy is established.

Now, the principle of democracy is liberty and universal referendum of every man. To be sure, however, Plato continues "If Democracy is not carefully nurtured, it too, can be carried to excess. Democracy can become too free, in politics, in economics, in morals, in literature, yes even in art—until even a household puppydog will rise on its hind legs and demand its rights," unquote. Adding parenthetically whether it demonstrates or not responsibility then Plato writes further: "Disorder grows to such a point that society will abandon all its liberty for security to anyone who can restore order. Then, my friends, comes the fourth form of government—tyranny and dictatorship.

I would like to add here, that out of all this has come what we jealously call an "American Way," be it North or South, our system of representative government under a limited constitution—a government by law and not deceit—a government whose genius is its way of being changed from within—a government of due process, of change through ballots and evolution *not* bullets and revolution.

Sir Edmund Burke spoke 188 years ago and his words are right on the button today. This great British parliamentarian resolved the dilemma of true representative government in a republic under a limited constitution thusly: it ought to be to the happiness and glory of a representative to live in the strictest union and the closest correspondence, the most unreserved communication with his constituents. Their wish ought to have great weight with him, their opinions high respect, their business unremitted attention. It is his duty to sacrifice his repose, his pleasure, his satisfactions to theirs and above all ever and in all cases to prefer their interests to his own. But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man or to any set of men living. They are a trust from providence for the abuse of which he is deeply answerable. Your representative owes you not his industry alone but his judgment and he betrays instead of serving you if he sacrifices it to your opinion. What Plato wrote in 372 B.C., could just as well be written in 1969.

I need not tell you gentlemen that all the world over, in country after country, in city after city, yes, in university after university, the tides of human emotion are moving. Wherever we turn, excesses are greater. Education is brought to a standstill. Buildings are taken over, teachers are literally thrown from their classrooms. Private files are ransacked, traffic is snarled, and whole city blocks burned to the ground, stores looted, and human life snuffed out by snipers or arsonists. A handful of militants, and anarchists and communists are working overtime to create disorder, and to destroy by excessive demands—the very foundations of good government. They may be few but they are dedicated and certainly well organized.

Thomas Jefferson, the second President of this republic said in 1814, over 150 years ago: "No government can be maintained without the principle of fear as well as of duty. Good men will obey the last, but bad ones the former only. If our government ever fails it will be from this weakness." Then I ask you what is to be done? Patience and forebearance do not appear to have worked; you cannot legislate morals into the hearts and minds of men, speeches fall on deaf ears, and well some of them should, but in the final analysis when you get right down to it, when you get to the "nitty-gritty", as some say, the local and security police must be called on to defend the majority rights and property—even must defend the lives and the very freedoms of those involved. And the police, while in the process of doing their task, that is preserving the peace by maintaining law and order, backed up by the judiciary, are this day and age paradoxically vilified by the very people they are trying to help—after the fact.

So in this sick and in this excessive world the security force officer takes his life in his hands almost daily, even in the regular duties of patroling a beat or stopping a car for routine traffic check and especially intervening in family arguments. Let me relate a few items taken from the April 15 edition of our local newspaper here.

Milan, Italy: Ten policemen were injured when fifteen hundred convicts rioted, held eight guards hostage, and set fire to a number of prison buildings.

Chicago, Illinois: Two policemen were killed and five persons injured in an hour long battle with a berserk gunman armed with rifles and grenades.

Mexico City, D.F.: Police arrested more than 70 students after breaking up a rally calling for a renewal of demonstrations held last year for a bigger voice by students in running the country.

San Juan, Commonwealth of Puerto Rico: Police headquarters said Monday night that a state of emergency had been declared on the Island on Montserrat after a police station had been attacked by an armed band of men.

You may read any news report on any day. The names of the cities and people involved may be different, but the content is never-ending, a pattern of shameful sameness attributed only to the evolving mores and the deteriorating will, faith, patience and even moral stamina of man.

So the life of a policing officer is not an easy one. Most departments are understaffed and underpaid. The ever-increasing dangers they are required to face may make it difficult to attract good men. For example—one study has shown that the majority of American Cities between fifty thousand and a hundred thousand population have less than 100 policemen. Of those with over 100,000 population, 71 per cent have less than 500. Even these figures are deceptive, for at times when trouble occurs, only about 13 percent of the force may be on duty. What I am trying to say by this cutting self-analysis to you men who will enforce the law is that the prescription is preventive maintenance before the fact, not after the fact. Isn't this the essence then, of citizen respect for law being in direct proportion to its equitable but just enforcement? I think it is.

In a summary just released by our Department of Justice, F.B.I. Director J. Edgar Hoover reports that crimes of violence are up 19 percent, led by robbery up 29 percent, murder and forcible rape up 14 percent each, and aggravated assault up 12 percent, and these increases were reported by all city population groups.

At the same time, we read these figures put out by the F.B.I.: in the 8-year period from 1960 to 1967, 411 law enforcement officers have been murdered in the line of duty. A review of the criminal histories of the offenders involved shows that 77 percent of them had a previous criminal charge. These same figures also tend to point up to the problem of law enforcement and what police face with the "permissive" trend in the courts' interpretation of the law. Therefore, I say part of the solution is not only preventive maintenance but the judiciary backing up the constabulary and it must be so.

Now, I am well aware that what I am saying to you today is not new. Those of you who are assembled here are considered to be the top men in your country, and each of you has labored for many years in the vineyards of law enforcement.

My hat is off to you and to those in the security forces. To my mind comes Josiah Holland's "Ode to Good Men": "God give us men. A time like this demands strong minds, great hearts, true faith and ready hands. Men whom the lust of office does not kill; men whom the spoils of office cannot buy; men who possess opinions and a will; men who have honor and men who will not lie. Men who can stand before demogogue and damn his treacherous flatteries without winking. Tall men, suncrowned, who live above the fog in public duty and in private thinking. For while the rabble with their thumb-worn creeds, the large professions and their little deeds mingle in selfish strife, lo, freedom weeps, wrong rules the land and waiting justice sleeps."

Our languages may differ, but we do speak a common language in relation to our common problems. A law enforcement officer today is expected to act with the patience of Job and yet the wisdom of Solomon. Perhaps it was Solomon, who in Proverbs said, "Whosoever keepeth the Law is a wise son, but he that is a companion of riotous men, shameth his father."

You have indicated participation as individually responsible citizens. This is what makes the greatest form of government regardless of what you call it: true representation at all levels percolating up from the grass roots, never "tricolating" down from the doctrine and dogma developed by dictatorship or the other forms of government. You have participated because you know that not gold but only men can make your nation great and strong—

Men who for truth and honor's sake
  Stand fast and suffer long.
Brave men, who work while others sleep,
  And dare while others shy.
You build a nation's pillar deep
  And lift her to the sky.

So, I congratulate you on your graduation, wish for you all success, a binding together of the world's problems with a common prescription and solution thereof as you return to your own lands.

May I say as best I can, Farewell, Aloha, Au revoir, Vaya con Dios, Amigos.

NEW YORK STATE MOURNS ROWAN D. SPRAKER, SR., FORMER EDITOR OF FREEMAN'S JOURNAL OF COOPERSTOWN, N.Y.

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, in these times of trouble and change it is heartening to reflect on people who devote their lives to hard work and quiet accomplishment, to neighborliness and civic duty, and to making their communities better places in which to live.

Such people are indeed the backbone of America. Such a man, whom I had the honor to know over the past 21 years, was Rowan D. Spraker, Sr., of Cooperstown, N.Y., who died last week at the age of 79.

Rowan Spraker was editor for 30 years of Cooperstown's leading weekly newspaper, the Freeman's Journal, one of the oldest weeklies in the Nation, founded in 1808. He was a civic leader in the best meaning of the term, serving his community as mayor, village trustee, water commissioner, zoning appeals chairman, and village historian.

He was a prime mover in instituting the village's world-famous Baseball Hall of Fame and Doubleday Field, where each summer the Hall of Fame exhibition game is played by outstanding players of our national game.

I include in the RECORD at this point an article printed in the April 26 issue of the Oneonta, N.Y., Star about Rowan Spraker's long and fruitful life, as an example to all of us of what this warm, kindly, dedicated American contributed not only to his community, to his State, and to his Nation, but also to those of us who were fortunate enough to be able to call him our friend:

[From the Oneonta (N.Y.) Star,
Apr. 26, 1969]

ROWAN D. SPRAKER SR.: COOPERSTOWN EX-EDITOR DIES

The death of Rowan D. Spraker Sr., who retired in 1955 after 30 years as editor and president of the Freeman's Journal of this village, occurred Friday morning at the Mary Imogene Bassett Hospital where he had been admitted the day before. He was 79 years old.

Funeral services will be held at 11 a.m. Monday at Christ Episcopal Church here with the rector, the Rev. George F. French, officiating. Burial will be in Lakewood Cemetery, Cooperstown.

A Masonic funeral service is scheduled to be held at 8 p.m. Sunday at the Tillapaugh Funeral Home here, conducted by members of Otsego Lodge.

He had been in ill health for some time, but his death came with unexpected suddenness a little less than two weeks after he and Mrs. Spraker had arrived at their home on Nelson Avenue after spending the winter months in Florida.

Mr. Spraker guided the destinies of the Journal as its fifth editor from 1925 until his retirement 14 years ago. He also retired as president of the Freeman's Journal Company, and became chairman of its Board of Directors, a post he held at his death. His son, Rowan D. Spraker Jr., assumed the editorship on his father's retirement, and also as president of the Journal Company.

Mr. Spraker began his long career in the newspaper profession 60 years ago, right after his graduation from Cooperstown High School in 1909. Right after he received his diploma, he went to the late George H. Carley, then editor of the Journal, and asked him for a job on the Journal and also on the Glimmerglass, Cooperstown's little summer daily, which Mr. Carley was launching that year.

After working that summer on the papers, he entered Cornell University where he received a bachelor of Arts degree in 1913. He came back to Cooperstown each summer to work on the Journal and the Glimmerglass, and following his graduation from college, he joined the staff permanently. He became a part owner in 1915.

In 1925, upon the retirement of Mr. Carley, Mr. Spraker became head of the printing company and editor of the Journal.

He was born in Cooperstown on April 17, 1890, a son of Ferdinand W. and Fannie (Dunkel) Spraker.

During his long career with the Freeman's Journal, one of the nation's oldest weeklies (it was founded in 1808), Mr. Spraker was active on the state and national level in the weekly newspaper field. In 1933 and 1934, he was president of the New York Press Association, trade organization of the weekly press in the Empire State. From 1949 until 1951, he was president of the American Press Association, national advertising representative at that time for some 5,000 weekly newspapers all over the country. During the War years 1942–46, he represented the National Editorial Association on the War Advertising Council, and in 1943 received the Amos Award for outstanding service to the weekly press of the nation.

He was in the first group of professional newsmen who were taken into the Syracuse University chapter of Sigma Delta Chi, national newspaper fraternity.

In addition to his many and varied activities in the field of the weekly press, he had been prominent throughout his lifetime in the civic, business and fraternal life of his home community.

He served six terms as president (mayor) of Cooperstown, in 1931, and 1932, from 1939 to 1941, and in 1956. While he was head of the village government, Doubleday Field was reconstructed as a national baseball shrine and it was the scene in 1939 for the focal game in the summer-long celebration of the national pastime's centennial. The Hall of Fame game has been staged there annually since that time.

He took an active part in the staging of the Baseball Centennial program in 1939, and since 1945 had been chairman of the Cooperstown Baseball Committee which makes local arrangements for the Hall of Fame game each year.

Mr. Spraker had served as a member of the Board of Directors and a vice-president of the National Baseball Hall of Fame and Museum since its organization in 1937.

In 1964, at the suggestion of Paul S. Kerr, president of the Hall of Fame, he wrote a short history of the facts concerning Doubleday Field and how Cooperstown came into the baseball picture, in collaboration with his long-time partner in the publishing business, Frank C. Carpenter, president and editor of the Otsego Farmer. They also wrote the 1929–62 supplement to "A History of Cooperstown," by Cooper, Shaw, and Littell, a volume, which chronicles life in the village from the time of the first visit to the area in 1785 by its founder, Judge William Cooper, to the present.

During Mr. Spraker's 1941 term as mayor, the village purchased the old Cooperstown Aqueduct Association, which is today a profitable village-owned facility.

Mr. Spraker served a total of 17 years on the Village Board of Trustees, and also as a member of the Board of Water Commissioners. He also had been a chairman of the Zoning Board of Appeals, and at his death, was historian of the village and also of the town of Otsego.

He was elected a director of the old Second National Bank in 1930, and in 1941 became chairman of the Board. In 1956, when the bank merged with National Commercial, he became chairman of the local Advisory Board of NCB. He retired as chairman in 1964, but continued as a member until his death.

Mr. Spraker was a member of Christ Episcopal Church of this village and was a warden from 1942 until 1954.

He had been a member of Otsego Lodge, F&AM of this village since 1916, and was its master in 1922. In 1943, he was appointed district deputy grand master of the Otsego-Schoharie District. He also was a member of Otsego Chapter, R.A.M., and a past high priest. He had been a member of Otsego Commandery, K.T. since 1923, and of Ziyara Shrine Temple of Utica since 1938.

He was a charter member of the Cooperstown Rotary Club, and was its president in 1930. He also was a former member and president of the Chamber of Commerce; a charter member of Susquehanna Tribe of Red Men; a member of Oneonta Lodge, BPOE; a member of the Mohican Club; a life member of the Cooperstown Fire Department, and a past foreman of Engine Company No. 2.

For nearly 40 years, Mr. Spraker served as a trustee of the Lakewood Cemetery Association, and also served as a trustee of the Clara Welch Thanksgiving Home.

He had been a member of the Board of Trustees of the Mary Imogene Bassett Hospital since 1955, and had been a member of the Board of Governors of the Cooperstown Country Club since 1940. He was a former treasurer of the latter.

Mr. Spraker was one of the organized Dozen Dads which founded a forest of that name in the town of Middlefield, and for 40 years was treasurer of the old Otsego Forestry Company.

A life-long Democrat, he was a former member and treasurer of the Otsego County Democratic Committee.

For many years, he was a member of the Cornell Plantation Committee which has done much to beautify the campus of that institution. For more than 40 years he was a school director of the town of Otsego, and had been a member of the Board of Trustees of Hartwick Academy, the former Hartwick Seminary. He also was an honorary member of the Wedocandors Club.

As editor of the Freeman's Journal, he had a life-long interest in the history of the community it served. He also was an amateur archeologist, and his collection of Indian artifacts is now at Hartwick College in Oneonta.

Colgate University honored Mr. Spraker in 1957 with its annual Civic Award for outstanding service to the village of Cooperstown.

Mr. Spraker married the former Miss Inez C. Fay of Cooperstown on Sept. 6, 1913. She died on Oct. 30, 1959.

On June 14, 1961, he married Mrs. Gertrude Lueder Lyon of Cooperstown. She survives together with a son, Rowan D. Spraker, Jr. of Cooperstown and two granddaughters, Miss Ann B. Spraker of San Diego, Calif.; and Mrs. Richard A. Rohrlack of Oneonta. A daughter Mrs. Inez Spraker Hoffman, was killed in an automobile accident on Dec. 25, 1940.

STRATTON LEGISLATION NEEDED TO SAVE CATV AND HUNDREDS OF THOUSANDS OF RURAL RESIDENTS SERVED BY CATV IN THE FACE OF DAMAGING FCC RULINGS

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, last December the Federal Communications Commission handed down a series of rulings, both proposed and interim dealing with CATV, or as it is generally referred to, cable television. The net practical, immediate effect of the Commission's actions, especially its unusual procedure in issuing certain interim rules, which are in reality almost identical with its proposed permanent rules which it cannot legally enact without some delay and public hearings, has been to bring all CATV to a complete standstill—a complete freeze. All existing arrangements can continue, but there can be no growth, no change, and no progress.

This action has had the most unfavorable and damaging effects in my congressional district, as it has in many other districts. The district I have the honor to represent has no TV broadcasting facility located within its borders, so that much of the quality TV reception in my district must come by cable, through the mechanism of community antenna television.

The first result of the FCC action has been to prevent existing cable TV stations from undertaking any expansion of their service or their coverage. People on one side of a street may have cable TV; but those across the street are now to be forbidden indefinitely—if the FCC's rulings are allowed to stand—from obtaining the same kind of public service. This is outrageous, ridiculous, contrary to the public interest, and, in my judgment, it goes well beyond the proper authority of the FCC as Congress initially delegated it.

Second, if CATV cannot expand or grow, then no new CATV facilities, antennas or other electronic equipment can be used; hence it will not be purchased; and hence those whose livelihood depends on manufacturing this equipment will be out of work. This is precisely what has happened in my congressional district—as it has doubtless happened in other congressional districts—where one of the largest CATV manufacturers in the country, the TACO Co., of Sherburne, N.Y., has been forced to lay off almost half its work force, thereby creating an economic emergency in Chenango County, N.Y. This, too, Congress surely never intended that the FCC should be able to do just by administrative fiat.

Finally, Mr. Speaker, it has often been said that "where there is no vision the people perish"; it has also well been said, "he who does not go forward, must go backward; there can be no standing still." These principles apply most certainly with regard to CATV. If it cannot grow, if it cannot progress, if it cannot innovate and improve, then it will surely decline, collapse, and disappear. In other words by freezing CATV the FCC has in fact begun to strangle this important industry, with the result no less sure or certain simply because it is being applied slowly and deliberately by Chinese water torture methods, so to speak.

This opportunity to murder CATV surely was not intended to be delegated to the FCC by Congress and we must work quickly to rescue the victims.

What the Commission has done is all the more unfortunate and surprising in view of the fact that a Presidential task force has already completed and submitted to the White House a detailed study of CATV which recommends precisely the opposite, that CATV should be improved and expanded, not stifled and suffocated. The FCC has flown in the face of the recommendation of this task force.

To correct this serious situation, Mr. Speaker, requires rather drastic legislation. I introduced such legislation in the House on April 23, H.R. 10510. I believe that this bill, if promptly enacted, can put an end to the damage the FCC has done to CATV and will help this great industry, which is performing and must continue to perform such a vital service for the people of the Nation, especially those in the rural areas beyond the range of satisfactory direct broadcast television.

I urge speedy action on H.R. 10510.

Specifically my bill would limit the authority of the FCC in regulating CATV to the following areas: First, to establish reasonable standards for technical operations and reporting by CATV systems; second, to prevent a CATV system from carrying programs from outside its immediate area which duplicate programs being carried simultaneously by local broadcast stations; third, to require a CATV station to carry programs from all television stations in the immediate area; and, fourth, to provide procedures for protecting a local television broadcaster from being driven into bankruptcy as a result of the importation of distant signals by a CATV system within its own broadcast area. My bill would also nullify any existing FCC rules and regulations which deal with matters outside these specific areas, which would, of course, include much of the interim rules set forth last December on CATV.

The cable television field is of course a tremendously complex matter. H.R. 10510 may not be a perfect or complete solution to the many problems created by the development of CATV. But what it does is to provide a vehicle which Congress can use not only to rescue CATV as an emergency measure but also to establish policies that will be fair to both CATV and broadcast television.

The public interest requires that Congress move swiftly in this vital field.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Foreman (at the request of Mr. Gerald R. Ford), for Thursday, May 1, 1969, on account of official business for Committee on Armed Services.

Mr. Passman, for period May 1, through May 7, on account of official business in Fifth Congressional District of Louisiana.

Mr. Fulton of Pennsylvania (at the request of Mr. Gerald R. Ford), for today through May 6, 1969, on account of House Foreign Affairs Committee Investigation trip to Europe to study the unsettled conditions there.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Halpern (at the request of Mr. Ruth), for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Staggers, for 5 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Dent (at the request of Mr. Flowers), for 60 minutes, on May 1; to revise and extend his remarks and include extraneous matter.

Mr. Sikes (at the request of Mr. Flowers), for 60 minutes, on May 1; to revise his remarks and include extraneous matter.

Mr. Riegle (at the request of Mr. Roth), for 15 minutes, on May 1; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Madden.

Mr. Roberts and to include a speech by the chancellor of the University of Syracuse.

Mr. Bennett in three instances and to include extraneous matter.

Mr. Daddario following remarks of Mr. Miller of California.

Mr. Albert and to include a letter.

Mr. Bennett to revise and extend his remarks and include extraneous matter when H.R. 9825 is under consideration.

Mr. Steiger of Wisconsin immediately following the message of the President today.

Mr. Kyl.

(The following Members (at the request of Mr. Ruth) and to include extraneous matter:)

Mr. Bray.

Mr. Quie.

Mr. Ashbrook.

Mr. Conte.

Mr. Eshleman.

Mr. Schwengel in three instances.

Mr. MacGregor.

Mr. Scherle.

Mr. Hansen of Idaho.

Mr. Steiger of Wisconsin in two instances.

Mr. Skubitz.

Mr. Betts.

Mrs. May in two instances.

Mr. Reid of New York.

Mr. Watson.

Mr. McClory.

Mr. Widnall.

Mr. Halpern.

Mr. Pettis.

(The following Members (at the request of Mr. Flowers) and to include extraneous matter:)

Mr. Carey.

Mr. Evins of Tennessee in two instances.

Mr. Eilberg in two instances.

Mr. Gilbert in two instances.

Mr. Brasco.

Mr. Biaggi in three instances.

Mr. Rarick in four instances.

Mr. Matsunaga.

Mr. Jacobs.

Mr. Hungate.

Mr. Mikva.

Mr. Ottinger in two instances.

Mr. O'Neill of Massachusetts in two instances.

Mr. Bingham.

Mr. Ryan in three instances.

Mr. Nichols.

Mr. Edwards of California.

Mr. Ashley.

Mr. McCarthy in 10 instances.

Mr. Pickle.

Mr. Daniel of Virginia.

Mr. Anderson of Tennessee.

Mr. Andrews of Alabama.

ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 19 minutes p.m.), the House adjourned until tomorrow, Thursday, May 1, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

716. A letter from the Adjutant General, United Spanish War Veterans, transmitting the proceedings of the stated convention of the 70th National Encampment of the United Spanish War Veterans, pursuant to the provisions of Public Law 240, 77th Congress (H. Doc. No. 91–111); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

717. A letter from the Administrator of the Small Business Administration; transmitting a draft of proposed legislation to authorize additional appropriations to the Small Business Administration for economic opportunity management assistance, and for other purposes; to the Committee on Banking and Currency.

718. A letter from the Comptroller General of the United States; transmitting a report on a survey of transportation and traffic management activities in the Far East and Southeast Asia, Department of Defense; to the Committee on Government Operations.

719. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a report on applications for orders of wire or oral communications, pursuant to the provisions of 18 U.S.C. 2519; to the Committee on the Judiciary.

720. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to liberalize the conditions under which the Administrator of Veterans' Affairs is required to effect recoupment from disability compensation otherwise payable to certain disabled veterans; to the Committee on Veterans' Affairs.

721. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to establish a working capital fund for the Department of the Treasury; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 10710. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. ASHLEY:

H.R. 10711. A bill to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

By Mr. BELCHER:

H.R. 10712. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BIAGGI:

H.R. 10713. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10714. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 10715. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter dollar pieces with a likeness of the late President Dwight David Eisenhower on one side; to the Committee on Banking and Currency.

H.R. 10716. A bill to amend the Internal Revenue Code of 1954 to increase the present dollar limits on the amount allowable as a child-care deduction, to eliminate all income limits on eligibility for such deduction, and to increase the maximum age of a dependent child with respect to whom such deduction may be allowed; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 10717. A bill to exempt from taxation certain property in the District of Columbia owned by the Reserve Officers Association of the United States; to the Committee on the District of Columbia.

H.R. 10718. A bill to amend the National to extend the life of the Commission so that Commission on Product Safety Act in order it may complete its assigned tasks; to the Committee on Interstate and Foreign Commerce.

H.R. 10719. A bill to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BUSH:

H.R. 10720. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 10721. A bill to amend the Internal Revenue Code of 1954 to limit the use of industrial development bonds to rural areas, to allow a credit against income tax to employers for the expenses of providing job-training programs in rural areas, and otherwise to encourage fuller and more effective use of the human resources of such areas; to the Committee on Ways and Means.

H.R. 10722. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job-training programs; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 10723. A bill to amend title 18, United States Code, to prohibit the infiltration or management of legitimate organizations by racketeering activity or the proceeds of racketeering activity, where interstate or foreign commerce is affected, and for other purposes; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 10724. A bill to incorporate College Benefit System of America; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 10725. A bill to amend title 28, United States Code, section 753(e), to eliminate the maximum and minimum limitations upon the annual salary of reporters; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 10726. A bill to amend the Internal Revenue Code of 1954 with respect to the definition of commuter fare revenue; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 10727. A bill to repeal the Emergency Detention Act of 1950, and for other purposes; to the Committee on Internal Security.

By Mr. FARBSTEIN:

H.R. 10728. A bill to amend the Food Stamp Act of 1964, and other acts, to provide adequate food and nutrition among low-income households, and for other purposes; to the Committee on Agriculture.

By Mr. FRELINGHUYSEN:

H.R. 10729. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 10730. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. GAYDOS:

H.R. 10731. A bill to amend title II of the Social Security Act to increase all benefits thereunder by 20 percent, and to provide that full benefits (when based on attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 10732. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. HORTON (for himself and Mr. PODELL):

H.R. 10733. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the development of nonlethal methods and devices for crowd and riot control, and to provide for the acquisition of, and instruction in, such nonlethal methods and devices by State and local law enforcement agencies; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 10734. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. JACOBS:

H.R. 10735. A bill to designate the Veterans' Administration hospital at 1481 West 10th Street, Indianapolis, Ind., as the "Kennedy Memorial Hospital"; to the Committee on Veterans' Affairs.

By Mr. LONG of Louisiana:

H.R. 10736. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 10737. A bill to amend and clarify section 4(a) of the Voting Rights Act of 1965; to the Committee on the Judiciary.

H.R. 10738. A bill to amend and clarify section 4(b) of the Voting Rights Act of 1965 with respect to review of certain determinations and certifications thereunder, and for other purposes; to the Committee on the Judiciary.

H.R. 10739. A bill to amend section 4(c) of the Voting Rights Act of 1965 with respect to the definition of the phrase "test or device"; to the Committee on the Judiciary.

H.R. 10740. A bill to amend the River and Harbor Act of 1958 with respect to control and eradication of obnoxious aquatic plants; to the Committee on Public Works.

H.R. 10741. A bill to amend title 38 of the United States Code to provide for the rating of certain service-connected disabilities as total for the period during which veterans with such disabilities are entitled to disability insurance benefits under the Social Security Act; to the Committee on Veterans' Affairs.

H.R. 10742. A bill to amend title 38 of the United States Code in order to provide additional beds in Veterans' Administration hospitals for the care and treatment of veterans afflicted with alcoholism; to the Committee on Veterans' Affairs.

H.R. 10743. A bill to amend chapter 11 of title 38, United States Code, to equalize the rates of disability compensation payable to veterans of peacetime and wartime service; to the Committee on Veterans' Affairs.

H.R. 10744. A bill to designate the Alexandria National Cemetery, Pineville, La., as the "Pineville National Cemetery"; to the Committee on Veterans' Affairs.

H.R. 10745. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 10746. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 10747. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 10748. A bill to increase from $150 to $300 the maximum amount allowable under section 213(a)(2) of the Internal Revenue Code of 1954 as a deduction for medical insurance to a husband and wife filing a joint return; to the Committee on Ways and Means.

By Mrs. MAY (for herself, Mr. STEED, Mr. RHODES, Mr. JOHNSON of California, Mr. LANGEN, Mr. NELSEN, Mr. UDALL, Mr. STEIGER of Arizona, and Mr. TUNNEY):

H.R. 10749. A bill to authorize the Secretary of Agriculture to make indemnity payments to certain beekeepers; to the Committee on Agriculture.

By Mr. MIKVA:

H.R. 10750. A bill to limit the strength of active duty military forces of the United States to a level approximately 10 percent less than their strength on December 31, 1968, and for other purposes; to the Committee on Armed Services.

By Mr. O'NEAL of Georgia:

H.R. 10751. A bill to amend section 358(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments; to the Committee on Agriculture.

H.R. 10752. A bill to extend public health protection with respect to cigarette smoking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER:

H.R. 10753. A bill to amend section 8332, title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10754. A bill to amend title II of the Social Security Act to increase, in certain cases where an individual entitled to a widow's or widower's insurance benefit remarries, the portion of such benefit which such individual may continue to receive after the remarriage; to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 10755. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter dollar pieces with a likeness of the late President Dwight David Eisenhower on one side; to the Committee on Banking and Currency.

By Mr. REID of New York:

H.R. 10756. A bill to amend the Vocational Education Act of 1963 with respect to the appointment of State advisory councils; to the Committe on Education and Labor.

By Mr. ROGERS of Florida:

H.R. 10757. A bill to improve and clarify certain laws affecting the Coast Guard Reserve; to the Committee on Merchant Marine and Fisheries.

By Mr. STAGGERS:

H.R. 10758. A bill to amend the Public Health Service Act so as to help secure safe community water supplies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON of Georgia:

H.R. 10759. A bill to amend the National Labor Relations Act to make certain secondary boycotts, regardless of motive, an unfair labor practice, and for other purposes; to the Committee on Education and Labor.

By Mr. WAGGONNER:

H.R. 10760. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. WAMPLER:

H.R. 10761. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 10762. A bill to amend title XIX of the Social Security Act to continue for an additional period in certain cases the special provision fixing the minimum Federal assistance percentage for a State under the medical assistance program at 105 percent of the Federal share of such State's medical expenditures under all of the public assistance programs during 1965; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 10763. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to any individual who may not make a joint return but maintains his own household as his home; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 10764. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. ASHLEY:

H.R. 10765. A bill to authorize the President, subject to congressional disapproval, to raise or lower income tax rates by not more than 10 percent; to the Committee on Ways and Means.

By Mr. BIAGGI:

H.R. 10766. A bill to make Franklin Delano Roosevelt's birthday a legal public holiday; to the Committee on the Judiciary.

By Mr. BRADEMAS (for himself and Mr. Reid of New York):

H.R. 10767. A bill to extend, strengthen, and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

By Mr. BROYHILL of Virginia:

H.R. 10768. A bill to amend title 5, United States Code, to improve the classification of positions on the special security police force of the Bureau of Engraving and Printing of the Department of the Treasury; to the Committee on Post Office and Civil Service.

By Mr. CHAPPELL:

H.R. 10769. A bill to rename a pool of the Cross Florida Barge Canal "Lake Oklawaha"; to the Committee on Public Works.

By Mr. ESHLEMAN:

H.R. 10770. A bill to provide relief for the clothing industry by making special immigrant visas available to certain skilled tailors; to the Committee on the Judiciary.

By Mr. GUBSER (for himself, Mr. Edwards of California, Mr. Bell of California, Mr. McCloskey, and Mr. Pettis):

H.R. 10771. A bill to provide that the Administrator of the National Aeronautics and Space Administration shall investigate and report to the Congress as to the advisability of establishing a permanent National Aeronautics and Space Administration Aerospace Museum; to the Committee on Science and Astronautics.

By Mr. HANLEY:

H.R. 10772. A bill to amend title 10 of the United States Code to provide a more equitable standard for awarding the gold star lapel button; to the Committee on Armed Services.

By Mr. HENDERSON:

H.R. 10773. A bill to amend title 38 of the United States Code so as to deem certain U.S. Coast Guard Reserve service during World War II as active service for the purpose of determining eligibility for benefits under such title; to the Committee on Veterans' Affairs.

By Mr. BLACKBURN (for himself, Mr. Donohue, Mr. Sebelius, Mr. Mizell, Mr. Hogan, Mr. Buchanan, Mr. Whitehurst, Mr. Gallagher, Mr. Beall of Maryland, Mr. Williams, Mr. Scott, Mr. Friedel, and Mr. Matsunaga):

H.J. Res. 687. Joint resolution authorizing the President to proclaim the period May 11 through May 17, 1969, as "Help Your Local Police Fight Crime Week," to the Committee on the Judiciary.

By Mr. HORTON:

H.J. Res. 688. Joint resolution to authorize the President to proclaim the last Friday of April of each year as "National Arbor Day"; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.J. Res. 689. Joint resolution designating July 5, 1969, as "Tom Sawyer Day, U.S.A."; to the Committee on the Judiciary.

By Mr. KARTH:

H.J. Res. 690. Joint resolution establishing the Federal Committee on Nuclear Development; to the Joint Committee on Atomic Energy.

By Mr. KOCH (for himself and Mr. McCarthy):

H.J. Res. 691. Joint resolution to establish a Joint Commission of the United States, the Republic of South Vietnam, and the International Commission for Supervision and Control in Vietnam to study the ecological effects of chemical warfare in Vietnam; to the Committee on Foreign Affairs.

By Mr. LONG of Louisiana:

H.J. Res. 692. Joint resolution proposing an amendment to the Constitution of the United States relating to the selection, term of office, and qualifications of certain Federal judges; to the Committee on the Judiciary.

H.J. Res. 693. Joint resolution proposing an amendment to the Constitution of the United States to provide for the popular election of the Judges of the Supreme Court; to the Committee on the Judiciary.

By Mr. MEEDS:

H.J. Res. 694. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DUNCAN:

H. Con Res. 233. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. ROSENTHAL:

H. Con. Res. 234. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. STAGGERS:

H. Con. Res. 235. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. ZABLOCKI:

H. Con. Res. 236. Concurrent resolution, expressing the sense of the Congress with respect to international policy on satellite broadcasting; to the Committee on Foreign Affairs.

By Mr. BIAGGI:

H. Res. 384. Resolution creating a select committee to conduct an investigation and study of all aspects of crime in the United States; to the Committee on Rules.

By Mr. CHAPPELL:

H. Res. 385. Resolution creating a select committee to conduct an investigation and study of all aspects of crime in the United States; to the Committee on Rules.

By Mr. PEPPER:

H. Res. 386. Resolution authorizing under certain circumstances the broadcasting and telecasting of public hearings conducted by House committees; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 10774. A bill for the relief of Adriana Ferrante; to the Committee on the Judiciary.

By Mr. CHAPPELL:

H.R. 10775. A bill for the relief of Boleslaw Juchniewicz; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 10776. A bill for the relief of Dr. Percyvaldo Fonesca Wendler; to the Committee on the Judiciary.

By Mr. HAYS:

H.R. 10777. A bill for the relief of Ugo Russo; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 10778. A bill for the relief of Vincenzo Di Pasquale; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 10779. A bill for the relief of Luis Enrique Silva-Moreno; to the Committee on the Judiciary.

By Mr. WEICKER:

H.R. 10780. A bill for the relief of Gino Magliocco; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

99. Mr. RYAN presented a petition of Prof. Charles Schwartz, University of California (Berkeley), and 728 other members of Scientists for Social and Political Action, calling for open congressional hearings on the entire military research and development program, including the anti-ballistic-missile system, which was referred to the Committee on Armed Services.

EXTENSIONS OF REMARKS

THOMAS A. EDISON, AS I KNEW HIM

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. TUNNEY. Mr. Speaker, I would like to share with my colleagues an address by Mr. George E. Stringfellow in which he provides some interesting insights into the life of Thomas A. Edison:

Thomas Alva Edison, As I Knew Him

(An address by George E. Stringfellow of Arlington, Va., former daily business associate of the late Thomas Alva Edison, before the Rotary Club of Palm Desert, Calif., February 14, 1969)

Mr. Edison was born in Milan, Ohio on February 11, 1847. He died in West Orange, N.J. on October 18, 1931—38 years ago.

February, in my opinion, is one of the most important months in the history of our Republic, for it was in February that Washington, Lincoln and Edison were born.

Washington looked after the welfare of our country as a father looks after his child. He guided it when it was young and gave leadership in developing the greatest form of government—in the words of Gladstone—"ever stricken off in a given time by the brain and purpose of man."

Lincoln held the nation together in one of the most trying periods in our history, and thus made it possible for Edison and others to contribute not only to the progress of our country, but to the betterment of the world.

It was my high honor to have been selected by Mr. Edison to assume the management of one of his largest businesses. Any success which I may have had in commerce or civic affairs is largely the result of my daily association with this great American during my early business career.

Edison is perhaps best known as the father of the electric light and power industry, however, he produced more inventions than any other man in the history of the world—over 1100.

Edison was passionately fond of work—

He was a genius in the application of organized knowledge;

He was infinitely patient and undaunted by failures;

He brought forth inventions which broadened the lives of mankind.

Great industries employing many millions of persons followed in the wake of his discoveries. We can truthfully say there came from his laboratory a supreme gift—a higher standard of life and a higher living standard for the world. His contributions were so great no one can yet entirely estimate his place in history, but it can at least be said of Edison as it was said of Washington and Lincoln, and can be said of few others, "Now he belongs to the ages."

Three years before he passed on to his rich reward, a *special* Congressional Medal of Honor was given to him for development and application of inventions that revolutionized civilization.

Few men have received, or receiving, deserve such a compliment from the United States Congress.

At the time of his death, it was suggested that as a tribute to him, the electric power of the nation be turned off for one minute. It was felt this token of respect would cause the people to realize Edison's magnificent contribution.

Upon further consideration, it was realized that somewhere in the bowels of the earth men digging in tunnels and mining ore are dependent upon electricity to drive the pumps that produce the fresh air without which they would soon perish. In hospitals surgeons in the midst of operations with lives hanging in the balance are dependent upon electricity to complete their work. Telephones, police and fire alarms are dependent upon electric power, and in hundreds of other situations there would be great danger to life and property if the power of the nation was turned off at the source just for a minute.

And so, in our very inability to pay as complete a tribute to Edison as we wished, we found a new and higher tribute to him. Life depends upon the light and energy he gave us.

Edison's approach to death was a wonderful example of unperturbed courage. Its inevitableness was thoroughly understood and on no occasion did he manifest any apprehension of spirit. He dealt with his failing health as impersonally as he did with any research problem. Before entering the drowsiness which turned into the final coma, Edison compared himself with an old machine beyond repair. On his deathbed he said, "It is very beautiful over there." How true that must have been with his coming and equally true it is that he made it very beautiful over here for us.

Among the lessons learned from the life of Edison are his uniformly courageous and optimistic outlook, his triumph over his handicap of deafness and his consistent exemplification of the doctrine of self-help.

In his achievements he reared for himself an enduring memorial. Commenting on Mr. Edison's passing, President Hoover said:

"It is given to few men of any age, nation or calling, to become the benefactor of all humanity. That distinction came abundantly to Thomas Alva Edison. His life has been a constant stimulant to confidence that our institutions hold open the door of opportunity to those who would enter. He possessed a modesty, kindliness, a staunchness of character rare among men."

Edison's last public utterance remains the best advice one could give to a gravely perturbed world. It was:

"Be courageous. I have lived a long time. I have seen history repeat itself again and again. I have seen many depressions in business. Always America has come out stronger and more prosperous. Be as brave as your fathers before you. Have faith. Go forward."

INSIGHT INTO CAMPUS UNREST

HON. RAY ROBERTS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. ROBERTS. Mr. Speaker, one of the most perplexing problems our country faces today is widespread campus disorder. Exactly where the blame lies for the current crisis is a matter of much confusion. In an address before the Onondaga County, N.Y., Bar Association, Chancellor William Pearson Tolley of Syracuse University recently made an address which I think is both enlightening and encouraging.

As an administrator of a major university, Chancellor Tolley dealt with the many faceted problem of campus unrest in his address with great insight. Because campus disorders are so widespread and because the problem is so grave at this time, I would like to share Chancellor Tolley's remarks with my colleagues.

Also, because I think something has to be done to control such actions, I have introduced H.R. 10617 which will prohibit the disruption of the administration or operations of federally assisted educational institutions, the same bill introduced in the other body of the Congress by Senator BYRD:

SOME PERSONAL OPINIONS

(An address by Chancellor William Pearson Tolley, Syracuse University, before the Onondaga County Bar Association)

I am deeply honored to be here tonight. I must confess, however, that I accepted the invitation only because it was extended by your immediate past president as well as your president Jim Sullivan. David Fraser is the Chairman of the Board of Trustees of the Library Associates of Syracuse University. He has given countless hours to strengthening our library resources and particularly our manuscript collections and our collection of rare books. I am here tonight because I recognize David Fraser's service to Syracuse University and my personal debt to him as a friend.

When Ponce de Leon looked for the Fountain of Youth at St. Augustine, Florida, he was on the right continent but in the wrong town. Moreover, he came more than a century too soon. According to the history books, he visited St. Augustine in 1513. At that time there were no colleges in America. We didn't get our first one until 1636. Surely, if one is looking for the Fountain of Youth the place to go to is a college campus. If my age were not a matter of public record, I should be tempted to conceal the fact that I came to Syracuse as a freshman in 1918 and have been on a college or university campus ever since. Thus in September 1968 I had been privileged for half a century to be at the place Ponce de Leon sought to discover. Perhaps the reason it seems only yesterday is that when one drinks at the Fountain of Youth time has no duration.

Because it has been half a century perhaps you will let me pose as an expert on universities. The word expert, however, gives me pause. The syllable "ex" suggests one who has made an exit. There is no denying I am not too far from that time. The second syllable has been defined as a drip under pressure. How better can you describe an American college president? But I want you to know we are not the only drips on the campus.

I shall share with you tonight some of the opinions I hold with respect to the current education scene. I have no illusion that wisdom will die when I leave this earthly scene. But each of us is entitled to a few opinions.

I shall speak to each of them but first let me state them in summary form. First, the mass media continue to do the educational institutions of America a grave disservice. Second, parents have a deeper influence on their children than is generally believed, even by them. Third, most college youngsters are wonderful. I have devoted my life to them and it has been a great privilege and a joy. Fourth, youth rebellions are worldwide. They preceded those in the United States. There are both communist and noncommunist student movements but the patterns are the same. Five, college faculties did not create the youth rebellions but here in the United States they have greatly aided and abetted them. In general faculties are more sympathetic to campus discord than are the rank and file of students. Without faculty support the student troublemakers wouldn't get very far. Six, the latest development is unrest among the black students. It couldn't have come at a worse time. It comes, however, because there is progress, not because the doors are still closed. The blacks have a new sense of dignity and pride, a new self-consciousness. For the first time there is opportunity and hope for them. They may be pushing too hard but they need a lot of sympathy, understanding, help, and T.L.C., (tender loving care). They too, however, must learn the limits beyond which they cannot go. Seven, there are several threats to the future of our universities. There is the threat from without—the danger of overreaction from a public fed up by the worship of youth and angered by the misuse of educational opportunity. There is the threat from within—from faculties who should know better and particularly from the new left. Power without responsibility is the new name of the game. The students want it. The faculty wants it. The labor unions want it. The legislature wants it. In this struggle for power the quality and the freedom of the university may be destroyed.

It sounds a bit grim, doesn't it? Perhaps it is a good thing the program committee plans to have my speech followed by some light-hearted skits. But first let me state my opinions in more detail.

I said the mass media do education a grave disservice. They focus their attention on two minor aspects of the educational scene, athletics and the public tantrums of undisciplined brats. Education they do not understand, and they leave it unreported. The day by day advances in scientific knowledge are largely ignored. When they are reported they are jazzed up and sensationalized. Significant developments in the social sciences and the humanities—developments that may contribute far more to the solution of our urban ills than the billions poured into jerry-built congressional programs—these take place completely unobserved. The hundreds of meaningful programs of service to the disadvantaged launched and paid for by the private universities without state or federal help, and maintained because of deep concern and commitment—are seldom adequately reported in the press. One would think we have been sitting on our hands, doing nothing.

As a consequence the universities are perhaps the institutions least well understood by the general public. They are the institutions that perhaps no one knows fully, and when I say no one, I include faculty and students.

When you analyze what you read in print and what you see on the television screen, it is no wonder the public is outraged. When sixty reporters and thirty television cameras appear in response to a mimeographed handout from the Students for a Democratic Society and report in detail the antics of a handful of students and non-students launching a campus demonstration, something is wrong with our mass media. And unhappily, after endless TV exposure of dissent and rebellion, faculty and students accept the distortion as true and they begin to clamor for a piece of the action. They begin to think "If this is in style, why aren't we doing it?" It is unfair to suggest that the mass media have encouraged the contagion of student and faculty discord? From my experience the evidence is overwhelming. Nor am I alone in feeling that the mass media no longer limit their role to reporting the news. They create it.

Even in reporting the news exaggeration is the rule, not the exception. This is true whether the topic is the use of drugs, the so-called new morality, the much abused "in loco parentis," or the pressure from small groups for change in parietal rules in dormitories, or for permission for booze and broads in fraternities.

Even the generation gap—as old as the first family—is treated as if it were the most recent of discoveries. Did you not experience the generation gap when you asked if you could stay out a little later and your parents said no? Did you test your teachers and parents to see what you could get away with? Did you think the older generation had a lot of wrong answers and that you, of course, had the right ones?

To be sure, in a time of very rapid change the generation gap is wider than ever. But human nature doesn't change. The basic problems between parents and their children are what they have always been. Don't let the press or some college professor convince you that this is a brand new phenomenon or that cocky and ill-mannered children need even more permissiveness because they are trying to tell us something.

A second conclusion I have reached is that the influence of parents is far greater than they or the general public have been led to believe. The children of politically conservative parents are themselves politically conservative. The children of outspoken liberals are outspoken liberals. In at least 80% of the cases the religious, social and economic views of students reflect the views and the experience of their parents. In many cases the young people will not admit this even to themselves. Again they respond to peer pressure to experiment with vices they know are wrong. But I continue to be astonished by the strength of parental influence. We put a stamp upon our children that is a lasting one.

Even in apparent exceptions the views of the children frequently turn out to be very close to those of someone in the family. A recent study indicates that the maternal influence on the present group of campus revolutionaries is in most cases very strong indeed. They learned the art of protest at their mother's knee. It did not begin when they went away to college.

My third conclusion is that college youth has been much maligned. Taken as a group they have been seriously libeled. No one talks about the majority of students. Their behavior is unreported. Yet they can be described only in superlatives. They are the best equipped in science and mathematics, the most widely traveled, the most art conscious, the most literate, the best prepared students we have ever had. They are taller, heavier, stronger, and better looking. They can run faster and jump higher and break all kinds of athletic and endurance records which not too long ago were cause for worldwide wonder. This remember is the description of the great majority of college students. They are the most wonderful youngsters I have ever known.

The percentage of young people who warrant no such accolades varies from region to region, from town to town, and from college to college. There are permissive institutions where the kindest thing you can say of faculties and students is that they deserve each other. These are colleges where a goodly share of students can be described as abrasive, arrogant, rude, and in the words of George F. Kennan, "floundering around in drugs, pornography, and political hysteria." They are unwashed, they are a sight to behold, and they are enamoured of themselves. They have been told that they are wonderfully gifted and they believe it. The number is larger than it should be and it is a group to be reckoned with. Most of them, however, will turn out very well. The problem is how to endure them until they grow up.

This, however, we can do. What poses a different problem is the handful of true nihilists, the campus revolutionaries. This is a minuscule group but it appears to speak for all students and increasingly for the many of the faculty as well. Small as it is, its ranks include high school and college drop outs. No matter how liberal the campus may be the number of real revolutionaries is seldom as many as thirty. The number at Syracuse may be closer to half a dozen. This is the group whose mission is to destroy. The objective is anarchy. These were the leaders at Berkeley and then Columbia, and now at San Francisco State.

In the case of both the revolutionaries and the activists hatred of America is so deep and bitter as to be almost pathological. You will hear no word of criticism of China or North Vietnam, no syllable of protest against the seizure of Czechoslovakia by the Soviet Union. At a recent meeting at Princeton sponsored by the International Association for Cultural Freedom the point was made by some of the guest speakers from abroad that they found less conformity and more dissent among young people here than in their own lands. Eugene Loebl, who fled from Czechoslovakia during the last summer's Soviet occupation but who is still a Communist, made this comment after listening to the criticism of America by radical American youth. "If we didn't know the rest of the world," he said, "we might conclude that this is the worst country in the world."

Seymour Martin Lipset reports that, "Although the events which precipitated student activism vary from country to country, and the targets of student attack differ, there are more common themes than differences in the tactics and ideologies of the movements. Unlike the youth and student movements of the 1930's which were linked to adult political parties, the dominant ones of the present constitute a genuine youth rebellion, one which is almost as much levied against the major parties of the left . . . as it is against the moderates and conservatives. The lack of involvement in adult politics has given free rein to the propensity of youth to adhere to absolute principles, to engage in expressive rather than instrumental politics. Little concerned with the immediate consequences of their actions, the new left student movements appear ready to destroy all existing structures, including the university, and to use tactics which alienate the great majority, in order to make manifest their contempt, their total rejection of the intolerable world created by their elders. This rejection of responsibility characterizes student groups in Japan, France, Germany, the United States, and many other countries."

Youth rebellions are not new, and particularly not new on college campuses. On this point the medieval universities afford some bloody and memorable examples. In more modern times the lawless behavior of students in Latin American universities has reduced the value of their diplomas and made their institutions the laughing stock of the educational world. The loss of control by the civil authorities in Tokyo, Rome, and Paris has seriously impaired the academic reputation of what until very recently were great universities.

Student unrest was a phenomenon abroad long before it was imported here. Authorities are divided as to whether it is communist controlled. The truth probably is that there are both communist inspired and non-communist inspired student rebellions. But they always tend to merge. One sees the same names, the same faces in a score of countries. The patterns are the same, whether or not there is a central apparatus.

The faculty did not create the world-wide movement of student disorder. They did not create the confrontations and demonstrations that began with Berkeley in the United States. Here student rebellion grew out of the civil rights movement. The recent large scale disorders, however, have been encouraged by members of the college faculties. They could have been easily controlled but for the faculty.

The Vice President and Provost of Columbia, Dr. David Truman, told the truth about events at Columbia when he said that members of the Columbia faculty "substantially and decisively contributed to the catastrophe" that struck that campus in April of last year. The story is the same wherever there has been prolonged or repeated campus disorder.

It was de Tocqueville who remarked that tensions tend to increase when times begin to improve. The unrest of black students is not unrelated to the fact that their numbers have vastly increased and their social position on college campuses has been greatly improved. Institutions that have done the most in too short a time may expect the most trouble. Disorders are most likely in institutions where there has been an explosive change in the ratio of blacks to whites. The timing of the unrest is most unfortunate. When the boat is already rocking we don't need more people to shake it.

The black students are being given bad advice, but we must remember that many of their grievances are real. This is a new day for them. They are no longer resigned to things that cannot be changed. They know that things can and will be changed. What they are trying to do is to stop the stalling and overcome the inertia. They are giving rapid change an extra push. We will have to say no when their demands are unreasonable, but we should act quickly on some of their requests.

And now I approach my final point. We have the greatest universities in the world. In terms of quality there is nothing in Europe to compare with them. But they are in danger. The danger is both from without and from within. The first threat from without is from the general public. The public has reached the limit of its patience. The public desires an end to violence, and particularly an end to violence by students and faculties it supports through public taxation. The public will get what it wants—but it may also get far more. The danger is an overreaction that may destroy both the freedom and the autonomy of the university, and with this, the high quality of the education offered.

A second outside threat is by the labor unions. A year ago the New York State Legislature took away the exemption of colleges from the requirement of collective bargaining. We will begin to pay the price of this in the spring of this year. The prediction is that all the units of the State University will be unionized—including the faculty—within the next five years. Can you see the feather bedding of the future? Can you avoid the retention of the most unfit teachers or their automatic promotion to the highest ranks? The faculty unionization of the units of the State University can spell nothing but disaster to the dreams of Chancellor Gould for a State University of the highest quality. And the private colleges face the same deadly threat.

But the threats from the public, the legislature, the congress and the unions are no more serious than the danger from within. And this danger is not so much from the students as from the faculty. The student rebellion has about run its course. It is the faculty rebellion that is still strong. If universities are destroyed it will be by the collective stupidity of the members of the faculty.

The interest of the faculty in administrative power is much greater than the interest shown by members of the student body. Like the interests of the unions it is a search for power without responsibility. Someone else will have to provide the money—they simply want the pleasure of spending it. They think they should run the university. They want power without limit.

Some of them also appear to want to change the nature and purpose of the university. The members of the new left would make the university a propaganda agency committed to partisan political ends. If they had their way it would no longer be an institution in search of the truth. It would announce what the truth is, and deny dissent to anyone who disagrees. It would have the answer to every question of public policy, although here they would have to wait until they are informed of the party line.

The favorite game of the faculty leftists is follow the leader. Any public pronouncement from a handful of radicals has a domino effect. An activist committee from Yale, Harvard or Stanford has only to stumble in the dark and all the new left will genuflect. Their behavior is predictable. The knee jerks are automatic.

In a very few minutes we shall be listening to skits prepared by members of the bar. If I were writing a skit for a faculty show, I would have an artist appear and paint a coat of arms for certain faculty groups. In the upper left-hand corner I would have him paint a pompous parrot, in the upper right-hand corner a group of chattering monkeys (monkey see, monkey do), in the lower left a braying ass, and in the lower right an ostrich standing with great dignity with his head in the sand.

But I should say this with a smile and I must correct myself. I should like to make it clear that I am speaking of a minority of the faculty—not of the faculty as a whole. It is the same minority that gives such strong support to student activists and revolutionaries. It is the same minority that presses for unlimited faculty power. It is the same minority that would change the nature and the purpose of the university. Numerically it is not large but its strength is increasing. We should not underestimate the threat from this group to the search for truth and freedom.

Let me repeat what I said at the outset. Power without responsibility is the new name of the game. The students want it. The faculty wants it. The labor unions want it. The legislature wants it. There is even evidence that the courts want it. In this struggle for power, the autonomy and, with it, the quality and the freedom of the university could be destroyed.

THE SPARK OF RESENTMENT

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. SCHERLE. Mr. Speaker, Mr. C. C. Caswell, publisher of the Clarinda, Iowa, Herald-Journal, has written an excellent editorial on what he feels may be an overlooked element contributing to the current wave of student disorders sweeping this country. Under unanimous consent I submit the editorial which should be of interest to my colleagues in the House for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Clarinda (Iowa) Herald Journal, Apr. 24, 1969]

THE SPARK OF RESENTMENT

Political and economic leaders interviewing students involved in college campus disorders may be missing a point that I believe is a spark in these flare-ups. It is an ostensibly minor thing that is conditioning youths to become easily swayed by those itinerant instigators who show up at the schools but are not real students. It softens our boys when they leave the hometown, ready to fall for the lurid lure.

It is the minimum wage, which has closed the door to many part time and beginning jobs for boys just out of high school and ready for careers or college money. Many businesses in average towns and metropolitan environs that are large enough to employ several persons simply will not pay the high minimum; some curtail operations or abandon expansion, and small towns thus lose progress.

Our own business formerly always had at least one local young man learning the trade. Now our type of business gets new employees when needed from trade schools or has to hire them away from other shops.

When the minimum wage was instituted years ago under pressure from unions there was provision for obtaining permission for learners at a lower rate, the government to pay the difference. We tried it with two young men, but the amount of red tape soon stopped that, discouraging both the employee and employer.

I do not blame labor, for I think if our country didn't have organized labor it would be a nationwide sweatshop. The idea seemed reasonable—but setting it too high is the trouble.

Many youths go off to college on dad's expense or borrowed money with an inbred feeling of resentment at not being able to earn their way. In comes the itinerant rabble rouser with a few more such suggestions to add to the kids' resentment, and voila! A lot of impressionable youths see the excitement of remolding the school systems and all society.

Be it Communist or what, the stranger in guise of a student finds it easy going, and he needs only a small percent of the school enrollment to upset the whole school.

This same spark may be back of many of the other disturbances in our nation today.

—CCC.

LAUB SETS TORRID LEASING PACE IN CLIMB TO TOP AS OFFICE BROKER

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. BRASCO. Mr. Speaker, the Real Estate Weekly, a leading publication in New York, recently selected Kenneth D. Laub as its "Man of the Week." Mr. Laub is doing much to advance the economy of New York City, and I would like to call this article to your attention:

LAUB SETS TORRID LEASING PACE IN CLIMB TO TOP AS OFFICE BROKER

Appearing on a television program recently, Kenneth Laub discussed the remarkable commercial growth of New York City and the outlook for future office building development.

Mr. Laub was a likely choice to discuss Manhattan office market conditions. During the past seven years, he has closed leases involving over $400 million in aggregate rentals.

At 30 years of age, Mr. Laub is recognized not only as one of New York's outstanding real estate brokers but has also demonstrated skill and sophistication as a corporate president and real estate executive.

As chief officer of Kenneth D. Laub & Co., he has managed to organize and build an active real estate organization in a comparatively few months.

As an indication of the firm's prominence, since its formation three months ago, the firm has accounted for over $100 million in various types of real estate transactions.

The Laub organization's rapid growth matches the personal success of Mr. Laub, who entered the real estate field at the age of 21, almost a decade ago, with Collins Tuttle & Co., Inc. Later he joined Tishman Realty & Construction Co., and was soon elected a vice president of Tishman Management Corp., a wholly-owned Tishman subsidiary.

It was at Tishman that Mr. Laub helped rent such prominent buildings as 666 Fifth Ave., 866, 909, and 919 Third Ave., as well as concluding deals for Tishman buildings in California, Chicago, and Pittsburgh. He also aided in the successful development of Tishman's commercial leasing division.

During his career Mr. Laub has represented a wide range of major corporations.

Mr. Laub, whose company was recently named by Tishman Realty as renting agent for One Marine Midland Plaza, a 300,000-square-foot office building now under construction in Rochester, is a graduate of Cornell University and New York University. He is a member of the Real Estate Board of New York, the National Association of Real Estate Boards, the National Realty Club, and the International Real Estate Federation.

A SALUTE TO CAPT. PHIL BOATNER

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. ALBERT. Mr. Speaker, I want to share with my colleagues a letter I have just received from one of my constituents, Capt. Phil Boatner, who is a patient in Brooke Army Hospital, Fort Sam Houston, Tex., after having been wounded in Vietnam. In a day when pseudocynicism seems much the fashion, it is very reassuring to know there are fine, young Americans such as Captain Boatner to strengthen the backbone of our Nation. I know you will want to join me in a salute to Captain Boatner.

Captain Boatner's letter reads as follows:

> I am in Brooke Army Hospital in Fort Sam Houston. This is as close as Uncle could get me to home (McAlester) after I was hit Easter Sunday by four AK-47 rounds from the NVA very near Cambodia.
>
> Sir, the doctor tells me my left leg will be permanently disabled. I have a lovely wife and two sons in McAlester.
>
> I do not have a college education, but my government made me a Captain and allowed me to lead a rifle company in Viet Nam for the 1st Air Cav Div.
>
> The men I led in Viet Nam, (hippies, educated, wealthy, poor, yankees, southern, Negro, Puerto Rican) are the greatest Americans I've ever been blessed by associating with.
>
> The first AK round I took went through my left ear. I can't afford to feel sorry for myself I am too lucky just being alive.
>
> I volunteered to go to Viet Nam. I don't have a college education but am working on one at Cameron in Lawton and through correspondence.
>
> I shall never get smart enough to refuse my very life to my country.
>
> I love Oklahoma and America and am glad to have done so little for so much.
>
> I sincerely appreciate your dedication to our community and nation and want you to know that there are many great Americans in Southeast Asia eating C-Rations, no showers, poor mail service and many hardships but all smiles, courage and honor.
>
> Thanks again and God Bless.
>
> Respectfully yours,
>
> Phillip C. Boatner,
> *Captain, Infantry, U.S. Army.*

WILLIAM PASSMORE OF EAST CHICAGO, IND., NAMED "HANDICAPPED AMERICAN OF THE YEAR FOR 1968"

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. MADDEN. Mr. Speaker, the city of East Chicago, Ind., and the Calumet region of Indiana are indeed proud of William Passmore who has received the honor of "Handicapped American of the Year for 1968." The President's Committee on Employment of the Handicapped announced Mr. Passmore's designation February 20 of this year.

The President's trophy, awarded annually by the President's Committee to the individual chosen the handicapped American of the year, will be presented to Mr. Passmore at the Committee's annual meeting tomorrow morning in the Washington Hilton Hotel in Washington, D.C.

In announcing the award Harold Russell, Chairman of the President's Committee on Employment of the Handicapped, stated:

> Mr. Passmore is a double amputee. Though confined to a wheelchair, he has fought back against seemingly impossible odds to make a record for himself as a community leader and an inspiration to the handicapped.
>
> Through his position as work Coordinator for the East Chicago's Committee on Social and Economic Opportunity, Mr. Passmore has opened many doors to employment for the handicapped and the disadvantaged so that these people may achieve economic independence and render service in community life.
>
> All of Indiana may take great pride in Mr. Passmore's achievements because he is living proof that handicapped persons can earn their way and contribute to community life.

Previous to this appointment by Mayor John Nicosia of East Chicago, William Passmore, on his own initiative, visited hospitals, contacted industrial leaders, employers, and secured many jobs for handicapped people of East Chicago and the surrounding area.

Last Monday upon William Passmore's arrival in Washington he was formally received in Speaker McCormack's office and congratulated by the Speaker; Majority Leader Carl Albert; Minority Leader Gerald R. Ford; and Senator Hugh Scott, of Pennsylvania, minority leader of the Senate.

Mr. Speaker, under unanimous consent, I include with my remarks an editorial tribute paid to William Passmore by Washington reporter, Ernie Hernandez, of the Gary, Ind., Post Tribune.

> Top Prize: U.S. Honors Area Dual Amputee
>
> (By Post Tribune Washington Bureau)
>
> Washington.—The highest tribute the nation gives to the handicapped for courage and determination will be presented by President Nixon to an East Chicago man May 1.
>
> Popular William Passmore, 39, of 4930 Melville, a double amputee who has led the fight for jobs and equality for the disabled and disadvantaged in East Chicago, has been named "Handicapped American 1968."
>
> The President's Committee on Employment of the Handicapped selected him from nominations from all parts of the country.
>
> The award—known as the President's Trophy—will be presented to him at the annual meeting of the committee at the Washington Hilton Hotel.
>
> For the past two years, Passmore has been work coordinator for the East Chicago Mayor John Nicosia's Committee on Social and Economic Opportunity.
>
> In this job, as he counsels and places disadvantaged youth in the Neighborhood Youth Corps, he has helped more than 100 young men and women find permanent jobs in private industry.
>
> Passmore has been known also as one of the most enthusiastic basketball fans in Northwest Indiana. He and his wheelchair are familiar at East Chicago games, sectionals and regionals.
>
> A football accident while he was a student in Washington High School eventually cost him both his legs and confined him to his wheelchair.
>
> In 1946 when he was 16, he spent 11 months at St. Catherine's Hospital in East Chicago as a patient. In 1949 he returned to have his legs amputated.
>
> Knowing the loneliness of being in a hospital, Passmore has made it a practice—since the late 1940's—to visit patients at St. Catherine's Sunday afternoon. In 1967, he received the hospital's "Visitor of the Year" award.
>
> In 1951, he finished high school with the help of tutors, and he started work as a dispatcher for Red Top Cab Co. For 11 years, he toiled on the midnight shift while spending his days in volunteer work helping the handicapped and disadvantaged.
>
> At the same time, he wrote a weekly column, "East Chicago on the Go," for the Chicago Defender. This is his 18th year as a columnist.
>
> He also is a part-time student at Indiana University Northwest Campus, where he's majoring in sociology and criminology.
>
> His interests in these two subjects stem from his work in rehabilitation and job programs at the Indiana State Prison at Michigan City. He helped set up "Convicts Anonymous," a group therapy organization in the prison, and "Convicts Unlimited," which helps ex-convicts find jobs.
>
> Active in the East Chicago Junior Chamber of Commerce, Passmore served two years as president. Later he was named to the Senate of Jaycees' World Organization, a select, honorary group of young men.
>
> Passmore was honored at a "Birthday Salute" dinner last April by the East Chicago community at which city officials, private citizens and representatives of service clubs and local industry attended.
>
> His community activities are varied, including the National Association for the Advancement of Colored People, Northern Indiana Political Action Group, Anselm Forum, and St. Mark's AME Zion Church where he teaches a Sunday School class.

Under unanimous consent, I also include with my remarks a news comment from the Gary, Ind. community newspaper "Info" on William Passmore's recognition by the President's Committee on Employment of the Handicapped:

> Nixon To Present National Handicapped Award to East Chicago's Bill Passmore
>
> The President's Trophy, presented annually to the handicapped American who has done the most with his own life and who has contributed meaningfully to his community will be presented by President Richard M. Nixon to East Chicago's Bill Passmore on the first of May in Washington, D.C. The President's Commission on the Handicapped which will culminate with the presentation of the trophy.
>
> A large contingent of local residents will be accompanying Passmore to Washington, including the President of St. Joseph's College, Fr. Leftko; Superintendent of the East Chicago Schools, Earnest Miller; Executive Secretary of the Gary Urban League, George Coker; Director of Community Relations of the Trade Winds Rehabilitation Center, Harriet Fuller; Mayor of East Chicago, Dr. John B. Nicosia; Dr. and Mrs. J. Winston Harper Mr. and Mrs. Harold Bretzius of Highland and East Chicago Attorney, Henry Walker.
>
> Meetings in Washington are scheduled between Mr. Passmore and Senator Ted Kennedy and Congressman Ray J. Madden. He is also scheduled to visit various hospitals, penitentiaries and reformatories.
>
> The Mayor of Washington will greet Bill who will also attend a night game of the Washington Senators.

CAMPUS DISORDERS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. SCHWENGEL. Mr. Speaker, the March–April 1969 issue of the National

Sheriff contains an excellent article by Sheriff William J. Spurrier of Iowa County, Iowa, president of the National Sheriff's Association. President Spurrier's comments are most thought provoking, and I commend them to my colleagues:

CAMPUS DISORDERS

(By Sheriff William J. Spurrier)

America is suffering from a disease which, unless cured, can, like a cancer, continue to spread until the whole of American society has been consumed. That disease is "minorityitis." It and its related disease, "permissiveitis" threaten to do what King George, Pancho Villa, the Kaiser, Adolf Hitler, and the Mikado were unable to accomplish.

When Nikita Khrushchev said, not too many years ago, "We will bury you," most of us laughed at his audacity and made jokes about his optimism. Now, as we continue in these last few months of the seditious sixties, we may well reexamine and reevaluate the goals of our enemies and our resolution (if any) to ward off each and every threat made against America and American institutions.

Perhaps nowhere is the illness being felt more than on American campuses. Colleges and universities . . . high schools and even elementary schools . . . are plagued with problems of disobedience and dissidence. Various bands of revolutionaries . . . the bearded and beaded beatniks . . . have disrupted and are disrupting American institutions of learning. Up to now, there has been little done except to give in to their demands . . . to allow what once were great universities to become little more than a shadow of their former selves.

Recently . . . within the past few weeks . . . there have been anguished outcries. These pleas for restoration of order on campus provide at least a modicum of hope that the trend may be reversed . . . that the illness is at long last recognized . . . and that treatment may be begun before the disease reaches a terminal stage.

The issue seems to be one of education for the majority or disruption by the minority. Intermingled with the traditional academic pursuits there is a group interested in majoring only in rebellion and revolution.

Too many educators and administrators have seemingly forgotten that college is not mandatory and therefore those who do not like a particular college or university or who feel it is not operated to suit their whims and fancies are free to leave and either go elsewhere or forget education entirely. The idea of depriving those students who want an education and who are, more often than not, attending the institution at no little financial sacrifice on the part of their parents, is deplorable. When the on-campus and off-campus rabble foment insurrection, sufficient force should be used to guarantee the rights of the majority of students to pursue their course of studies.

School authorities have been rather timid in their approach to the problem. Their *laissez faire* policies have escalated campus disorders into a major national problem.

Following an outbreak in one midwestern university, the Chicago *Tribune* wrote an editorial stating:

"Alumni and friends of Northwestern university must be profoundly dismayed by the university's response to the demands of black power insurgents who seized and held the old administration building for 36 hours. At the same time a handful of white student sympathizers took possession of the dean's office and were unmolested in their assertion of squatters' rights. . . .

"The university administration's capitulation is as complete and humiliating as any event since Henry IV crawled on his knees in sackcloth to Canossa and there made penance and the act of submission to Gregory VII.

"A courageous university administration, with a fit sense of values, would have ended this insurrection within the first 15 minutes and driven out the interlopers. It would have said:

"'This is a private university. You are here on sufferance. You will abide by the regulations which all other students are required to honor. Your color gives you no sanction and no license. If you don't like it here, you are at liberty to go elsewhere. Now, clear out, or the force necessary to throw you out will be mustered at once.'"

William F Buckley, Jr., writing of charges leveled against New York City police who finally were called to quash a rebellion at Columbia University, cites a headline which said "Mayor Scores Columbia Sit-Ins—But Backs the Right to Dissent."

The columnist continued, saying:

"That is as if, stumbling into Buchenwald with the liberating army, General Eisenhower had said, waving in the general direction of the corpses, 'I do deplore all of this but I stoutly defend German dissent from the Versailles Treaty.'"

A question which cries out to be answered is simply: Who is to be in charge of any particular school? Is it to be administered by professionals who have devoted a lifetime to study and to those chosen by the supporters, e.g., the taxpayers and/or the alumni, to administer the affairs of the college . . . or is it to be turned over to a group of advocates of free love and one-world socialism intermixed with a dash of treason and a sprinkling of anarchy?

At least one university administrator has demonstrated recently that he will tolerate no nonsense. Were there to be an award for compressing the maximum of good sense into the minimum number of words, the prize would have to go to the courageous and perceptive president of the University of Notre Dame, the Reverend Theodore M. Hesburgh, who stated, simply and forcefully:

"Anyone or any group that substitutes force for rational persuasion, be it violent or non-violent, will be given fifteen minutes of meditation to cease and desist. They will be told that they, by their actions, are going counter to the overwhelming conviction of this community as to what is proper here. If they do not within that time period cease and desist, they will be asked for their identity cards. Those who produce these will be suspended from this community. Those who do not have or will not produce identity cards will be assumed not to be members of the community and will be charged with trespassing and disturbing the peace on private property and treated accordingly by law.

"After notification of suspension, or trespass in the case of noncommunity members, if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community and the law will deal with them as non-students."

Here, at long last, is an administrator of a major American university with the perspicacity and the intestinal fortitude to recognize the problem, define it, and to prescribe definite courses of action to be taken in case of attempted revolt within his sphere of authority. The question is, to paraphrase a syrup commercial seen regularly on television, "Why did it take so long?"

The U.S. Supreme Court has done little to help solve the problem. A recent decision involving students in a Des Moines school who had worn black arm bands to class to protest the U.S. involvement in Viet Nam, and at least by inference to show support for the Viet Cong, had been suspended by the principal of that school, after they had refused to divest themselves of the aforementioned black arm bands.

The venerable judges ruled that this deprived the students of their right to freedom of expression and ordered that they be allowed to return to their classes.

The Washington *Star*, shortly after the ruling, posited the possibility that this or that group might now wish to appear in class with bared thighs to protest something or other. Presumably this would be within their right to do so.

The "minorityitis" has apparently caused a reversal of the Biblical concept that if one's hand offends him, that hand should be cast away. The modern trend appears to be that if the hand is offensive, cast away all but the hand and preserve that diseased appendage as a sacred object.

The right to dissent and the right to disrupt are two entirely different "rights." The old adage of two wrongs not making a right is, of course, as good today as it ever was. But we might add to it that in America today, any number of "rights" may make a wrong.

Father Hesburgh has written the best prescription yet on dealing with sick colleges, universities, etc. May other administrators make use of this same "wonder drug" before the patient, i.e., American education, dies and is buried by the enemies of America.

TRIBUTE TO A. PHILIP RANDOLPH

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. GALLAGHER. Mr. Speaker, I would like to pay tribute to Mr. A. Philip Randolph, a great American, who will be celebrating his 80th birthday on May 6, 1969. For half a century Mr. Randolph has been one of our most prominent spokesmen for civil rights for the Negro race. Mr. Randolph has carried on this fight during periods when the civil rights fight was not only unpopular but also dangerous.

At this time I include in the RECORD an editorial from the April 17 editorial section of the Bayonne Times. This article succinctly but justly praises Mr. A. Philip Randolph.

The article follows:

TOWERING BLACK LEADER

In an active and useful life that spans eight decades, A. Philip Randolph was a leader in the field of civil rights before the fathers of some of today's self-appointed black spokesmen were born.

In the 1920's, he fought for integration against the Black-to-Africa movement of Marcus Garvey, just as today he opposes the movement for black separatism.

In 1924, he began the long and arduous campaign to organize the Brotherhood of Sleeping Car Porters.

In 1941, Randolph's plan for a massive Negro march on Washington convinced President Roosevelt to sign an executive order banning discrimination in war industries and setting up the Fair Employment Practices Committee.

In 1963, he conceived and directed the famous March on Washington, one of the landmarks in the civil rights struggle.

A. Philip Randolph was 80 on April 15 and remains passionately committed to the principles of democracy, nonviolence, integration and economic equality.

Those who demand more teaching about black heroes in the nation's schools could do far worse than begin with the study of this man's life.

BEES AND PESTICIDES

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mrs. MAY. Mr. Speaker, Washington's Fourth Congressional District, which I represent, is noted for the variety of fine agricultural products grown there and shipped to all parts of the country and the world. Our fine fruit products and many other crops are highly dependent upon honeybees for pollination, but in recent years the increasing use of chemicals for control of pests on agricultural crops has brought us face to face with a situation that carries threatening implications for the agriculture of Washington State and the rest of the Nation as well. An unwanted and unintentional side effect of the use of chemical economic poisons has been the widespread poisoning of bees and the destruction of thousands of bee colonies, causing hardship and financial loss to beekeepers and raising a question as to whether or not the pollination needs of U.S. agriculture can be adequately met in the future.

Many of us, Mr. Speaker, are deeply concerned over this problem, which seems to be steadily growing worse. Last year, several of my colleagues and I sponsored legislation to authorize the Secretary of Agriculture to make indemnity payments to honey producers for losses sustained as a result of the application of economic poisons on, near, or adjoining croplands. This proposal was based on the same principle as the dairy indemnity legislation which Congress has approved for several years now.

The bee indemnity legislation would provide reimbursement to beekeepers who, through no fault of their own, have suffered bee losses from pesticide poisoning, and would help them continue in business and provide the pollination services so necessary to orchardists and other farmers.

Effective crop pest control is vital to U.S. agriculture. Without adequate control of insects and other pests destructive to crops, the cost of agricultural production in this country could be expected to skyrocket. The utilization of economic poisons by U.S. farmers has been a significant factor in raising yields and quality of agricultural commodities, and lowering production costs.

However, it is imperative that our attention be directed to the problems which have been associated with the application of economic poisons—such as the destruction of honey bees—and the need to develop more selective, less hazardous means of pest control. Perhaps the most promising possibility for a long-term solution to these problems lies with the development of biological methods of control. The Agricultural Research Service of the U.S. Department of Agriculture has been working in this direction for a number of years, and is achieving a degree of success that may eventually reduce the need for chemical economic poisons.

Today, a number of my colleagues and I are introducing bee indemnity legislation similar to the proposal which was introduced in the previous Congress. We are hopeful that this legislation will not only result in indemnification for the beekeepers who need it, but will also bring the full impact and significance of this problem more into focus for Congress, the administration and the American people, and thus bring increased attention to the necessity for a long-range, overall solution.

BIRTHDAY TRIBUTE TO ASA PHILIP RANDOLPH

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. BIAGGI. Mr. Speaker, I am happy to pay tribute to Mr. Asa Philip Randolph on his 80th birthday. Mr. Randolph has long been a man completely devoted to the welfare and progress of the Negro and the working man.

His achievements are well known. As the founder of the Brotherhood of Sleeping Car Porters in 1925, he has followed a career dedicated to improving the lot of Negroes throughout the labor movement. As organizer and director of the march on Washington movement in 1941, he performed a lasting service to the Nation, and, as a result of this proposed march, President Roosevelt established the Committee on Fair Employment Practices. In 1957, Mr. Randoph became a vice president of the AFL–CIO.

The son of a minister, he early demonstrated the strength of character which marked his career. As a boy, he worked in a grocery store and sold newspapers. After finishing high school, Mr. Randolph left for New York City, where he worked in various jobs while continuing his education at CCNY.

Mr. Randolph's interest in the labor movement led to his organization of the Brotherhood of Sleeping Car Porters, the first Negro union. Mr. Randolph's union led the struggle to end employment discrimination against Negroes.

I am honored to have this opportunity to congratulate Mr. Asa Philip Randolph on a lifetime of achievement.

RED ARMY'S POWER GROWS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. DERWINSKI. Mr. Speaker, it is important that the United States approach any discussions with the Soviet Union with a sound analysis of the situation within the Communist colossus.

Thoughtful commentary by an exceptionally well-informed observer of Eastern Europe was carried in the Springfield, Ill., State Journal of April 12, in a column by Copley Press correspondent Dumitru Danielopol.

The article follows:

RED ARMY'S POWER GROWS

(By Dumitru Danielopol)

WASHINGTON.—"It is most probable that the coming 15 years or so the world will continue to live under the pressure and terrors of war and that the fighters for freedom in Russia and in the other Soviet republics will sacrifice themselves and languish in dungeons."

The man who predicts this speaks from experience. He is the former Yugoslav Vice Premier Milovan Djilas—a Communist who served two terms in prison because of his ideological break with Comrade Tito.

Djilas' look at the Communist world of 1984 is a far cry from the imaginings of George Orwell.

Orwell's "Big Brother is watching you" idea will have been modified, says Djilas by the growing nationalism within the Communist empire and man's insatiable struggle for freedom and independence.

Though there is a splintering in the world Communist movement—as well as an ideological collapse within the Soviet empire—that doesn't make the Soviet Union less dangerous, says Djilas, because it remains aggressively imperialistic.

"Soviet communism is in fact the merger of imperialism and totalitarianism, and it has essentially remained this to the present day," he says.

"Stalin's purges were not mad slaughter, but the violent transformation of Lenin's revolutionary party into a privileged and imperialist caste."

He claims revisionism and liberalization in Czechoslovakia were not the real reasons for Soviet intervention. He sees the motive as "imperialist aspirations and the interests of the Soviet bureaucracy."

The same reasons might prompt a Soviet adventure in Yugoslavia, Djilas warns, but he sees considerable resistance.

The danger in Russia, as he sees it, is that the Communist party is slowly slipping into the control of the Red Army.

"Without creative ideologists and leaders, the party apparatus will be in no position to offer resistance to the militaristic 'saviors' of the state and socialism," he says.

The Red marshals, he points out, have already rejected Dmitri Ustinov as minister of defense insisting that a military man, Marshal Andrei Grechko, take that post.

The ascendency of the Red military, he says, will be brought about chiefly by internal, not external, reasons.

The answer? Djilas and U.S. Defense Secretary Melvin Laird agree. It is counter-military might.

Djilas advocates a more united Western Europe and a continuing overwhelming American deterrent.

Meanwhile, the Yugoslav also sees a China stronger, better organized and more stubborn in its demand that Moscow return the territories once seized by the Russian czars. When that happens, he argues, "The Soviet militaristic bureaucracy will be forced to be more amenable to the West . . ."

Beyond 1984 he holds out the hope that the military despotism in the Soviet Union will eventually disappear because it will be basically a continuation of an already bankrupt old order.

But, he says, we had better keep our guard up until that day dawns.

URGES PROBE OF IOWA FIRM, MAIL OFFICIAL

HON. JOHN KYL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. KYL. Mr. Speaker, it is my hope that the administration will keep close watch over the situations like the one described in the following news stories from the Des Moines Register. That newspaper is to be congratulated for its participation.

The articles follow:

URGES PROBE OF IOWA FIRM, MAIL OFFICIAL—AWARDED CONTRACTS, JOINED COMPANY

(By Clark Mollenhoff)

WASHINGTON, D.C.—Senator Gordon Allott (Rep., Colo.) Tuesday asked for a General Accounting Office (GAO) investigation of the policies of former Assistant Postmaster General William J. Hartigan in connection with contracts awarded to an Iowa air-taxi firm.

Last week, Allott declared that Hartigan, a key Kennedy political organizer, has become a vice-president of the Iowa air-taxi corporation that received a large number of contracts while Hartigan was assistant postmaster general.

In a letter to Comptroller General Elmer B. Staats, Allott said he had "received additional information which causes me no little concern" over the policies followed by Hartigan as assistant postmaster general in charge of transportation.

SURFACE TO AIR

"Such an investigation by GAO should attempt to determine whether Mr. Hartigan manipulated the regulations of the post office so as to enable the rapid and wholesale conversion of surface mail transport routes to air, and the extent to which he might personally have benefited from such action," Allott stated.

"In addition, it should be determined whether any particular carrier benefited from this conversion to a degree they now dominate the industry."

Hartigan has been "a consultant" for the Sedalia, Marshall, Boonville Stage Line, Inc., of Des Moines, since Mar. 6, 1968—about two weeks after he left his job as assistant postmaster general.

His contract called for $20,000 a year to be paid each month, officials of Sedalia, Marshall, Boonville told The Register.

Hartigan told The Register that he did have the official responsibility, and did approve more than 20 air-taxi mail contracts with the Des Moines firm in the six-month period prior to leaving the Post Office Department.

LOW BIDDER

However, Hartigan said that "all of the contracts were on bids, and Sedalia, Marshall, Boonville was the low bidder."

Hartigan said that he had avoided "any arrangement" with Sedalia, Marshall, Boonville prior to leaving the Post Office Department, but that he had "general offers" from that firm and others while still on the post office payroll.

The laws that prohibit making contracts with persons or firms dealing with a department make it difficult to make any arrangements before leaving government, Hartigan said.

"Once I got out of government, I didn't waste any time contacting some of the people who had offered me jobs," Hartigan said. "I have a wife and seven children, and I can't do too much sitting around between jobs."

NEVER SOLICITED

Hartigan declared that since he left the government he has "never solicited any contracts at the Post Office Department on behalf of Sedalia, Marshall, Boonville or any of my other clients."

The "conflict or interest law" prohibits a former employe or officer of a federal government agency from going before the agency "in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, acquisition, arrest or other particular matter" as agent or attorney for any client.

Hartigan said he has been at the Post Office Department on many occasions "for social calls, and for obtaining explanations about government bulletins on transportation, particularly on safety."

In recent weeks, Hartigan has been made a vice-president of Sedalia, Marshall Boonville and may go to Des Moines to take on the full-time job with the Iowa firm.

FLOOR SPEECH

Allott's first criticism of Hartigan in a floor speech a week ago was based upon the information that Hartigan was becoming a vice-president of the Iowa firm.

At that time, Allott did not know that Hartigan had become a consultant for the Iowa firm at $20,000-a-year only two weeks after leaving the government payroll.

The Colorado senator has questioned whether it was proper for Hartigan to become an officer of the Iowa firm even a year after having made more than 20 awards of air-taxi mail contracts to the Iowa firm.

Hartigan, a Boston man, was an airline employe who was active in the Senate campaigns of the late John F. Kennedy in Massachusetts, and in the 1960 presidential campaign.

TED'S CAMPAIGN

He was rewarded with a White House appointment in 1961, and later moved to the Post Office Department. In 1962 he resigned as assistant postmaster general to work on the political campaign of Edward M. Kennedy in Massachusetts.

After the campaign was over, President Kennedy again appointed Hartigan as an assistant postmaster general in charge of transportation. He kept that job until February, 1968.

CLAMP SECRECY LID ON RECORD OF POSTAL AIDE

(By Clark Mollenhoff)

WASHINGTON, D.C.—The Civil Service Commission Wednesday clamped a secrecy lid on the spectacular promotional record of a Kennedy political appointee who made startling steps up the financial ladder at the Post Office Department under the tutelage of his brother-in-law.

Democrats and Republicans in Congress called the withholding of the records a "ludicrous" cover-up.

The records deal with the hiring and the promotion of G. Allen Brown, brother-in-law of William G. Hartigan, the former assistant postmaster general who is currently under fire in connection with a million dollars in mail contracts awarded to an Iowa air-taxi firm.

BARS THEM

Nixon administration officials say they are willing to make the whole record available on Brown or any other employe, but that a Civil Service Commission regulation instituted last December bars them from releasing the information.

James Henderson, public information director at the Post Office Department, told The Register that he had contacted the legal office at the Civil Service Commission to see if the promotional records on Brown could be made public and was told that this is barred by law.

Henderson and White House Communications Director Herbert G. Klein said Wednesday that it is "reasonable" to expect that the government would be willing to make public the work record of all government employes from the time they enter government until they leave.

Klein said that while he believes the information on Brown's promotional record should be made public, the Post Office Department is bound by the Civil Service Legal Department regulations "until we can straighten it out." "This isn't what a Freedom of Information Law was intended to do," Klein said.

"We are going to work on it immediately," Klein said.

FEW EXCEPTIONS

Representative John Moss (Dem., Cal.) declared that the Civil Service Department's regulations and interpretations of the Freedom of Information Law "are ludicrous."

Moss, one of the authors of the Freedom of Information legislation, declared that the law was intended to make all government information available with only a few carefully worded exceptions.

One of those exceptions was "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

Moss declared that this "exception" was never intended to be expanded by civil service regulations into what amounts to a bar or release of any information except current job title and salary.

ONE SENTENCE

Representative H. R. Gross (Rep., Ia.) declared that the Civil Service Commission regulation which was modified last December into an absolute barrier against disclosure of all but the most limited personnel information is "an outrageous distortion of the Freedom of Information Act."

"I do not know how any lawyers at the Civil Service Commission or any members of the commission could have interpreted that one sentence as such a blanket barrier to personnel information," Gross said.

Gross declared that the series of regulations that bar access to personnel promotions were instituted under the Johnson administration.

He added that it appeared that "the last regulation tightening the screws on this information came in the last month to make it more difficult for newsmen and others to find out information on the personnel juggling that was taking place."

NO LOGIC

The Iowa Republican, a member of the House Post Office and Civil Service Committee, said he will ask for legislation to change the ruling if the Nixon administration fails to force an effective change.

Gross declared that "there is no logic in barring the public from records of when a man started work for the government, his demotions and his promotions, as well as the pay increases he receives."

"It is public money that pays him, and it is public business he is doing," Gross said. "The manner in which he was promoted or demoted is a part of his qualifications for any job he holds in government, and it should be made public upon request."

SIDE ISSUE

The question of access to Brown's personnel record is a side issue that flowed from the controversy over Hartigan's employment as a "consultant" and later as a vice-president of the Iowa firm, Sedalia, Marshall, Boonville Stage Lines, Inc., immediately after leaving the Post Office Department.

Senator Gordon Allott (Rep., Colo.) had revealed Hartigan's role in awarding more than 20 contracts totaling more than a million dollars to the Sedalia, Marshall, Boonville firm in the months immediately before he left his job as assistant postmaster general in charge of transportation.

Gross has contended that there is a possible "conflict of interest," and Allott has written a letter to the General Accounting Office (GAO) asking for a probe of possible "manipulation" of air-taxi contracts by Hartigan.

In his letter to the GAO, Allott raised a still unexplained question about "examining the role played by his (Hartigan's) relatives and close friends who were postal employes."

Brown was brought into the Post Office Department by Hartigan in 1961 as a so-called "schedule C" political appointee with a salary of about $13,000-a-year.

Hartigan made Brown, his brother-in-law, his executive assistant in the transportation division and later helped arrange for Brown to become a career Civil Service employe with a super-grade rank of GS–16.

DECLINES DETAILS

Under the Civil Service secrecy policies it is impossible to learn any details about this, and Brown declines to give any details. He has now risen from that original $13,000-a-year political job to a $27,400-a-year job as a career civil servant.

What is equally interesting to the critics of the general arrangement is the fact that Brown remains on the inside while Hartigan has moved on the outside as a "consultant" on postal transportation matters.

The conflict of interest law bars former employes of a government agency from going back to the agency for a year to seek contracts or other government rulings or decisions.

Hartigan admits that he has made many "social calls" at the Post Office Department, and has made many "inquiries" about postal regulations.

However, he says he has made no efforts to win contracts for the Iowa firm or any other firm, and believes he has done nothing that is a violation of the "conficts of interest" law.

Brown was reluctant to discuss even his present job title, as director of program budgeting in the transportation division, or his $27,400-a-year salary.

NO FAVORITISM

Brown, a business administration graduate of Colby College in Waterville, Maine, spent 20 years in transportation work for American Airlines before taking the job at the Post Office Department in 1961.

He said there was "no favoritism" and that "my work experience qualified me for the job."

"I can't understand why anyone would be interested in what I'm doing," Brown said. "I'm just a career government official doing my job."

Lift Secrecy Lid in Postal Aide's Case

(By Clark Mollenhoff)

Washington, D.C.—The Civil Service Commission Thursday admitted it was "a mistake" to instruct federal agencies that it is a "violation of the law" to make public the government employment record of government employes.

The change of position by the legal office of the Civil Service Commission came within 24 hours of the time that The Register revealed that the commission had used the Freedom of Information Act to suppress release of essentially all personnel information.

RAPID RISE

David A. Nelson, general counsel for the Post Office Department, told The Register that he was notified early Thursday that the Civil Service Commission had made "a mistake" in telling Post Office officials that it would be "illegal" for them to make the step-by-step promotional record of government employes available to newspapers or the public.

The inquiries by The Register involved details of the rapid rise of G. Allan Brown from a $13,000-a-year job to a $27,400-a-year job while working for his brother-in-law, William Hartigan, former assistant postmaster general in charge of transportation.

Nelson told The Register that the detailed government record of Brown and any other friends and relatives of Hartigan will be made available to the press and the public now that the "erroneous" opinion has been reversed.

The dispute over the access to the record of Brown, now director of program budgeting and administration in the transportation division, was an off-shoot from an investigation that Senator Gordon Allott (Rep., Colo.) has demanded of Hartigan's role in the award of more than 20 mail contracts, totaling more than $1 million, to a Des Moines air-taxi firm, Sedalia, Marshall, Boonville Stage Lines, Inc.

ACCEPTED POST

A few weeks after Hartigan left his job as assistant postmaster general in charge of transpotration he took a $20,000-a-year job as a "consultant" for the Iowa firm, and in recent weeks it has been announced that he has accepted a post as vice-president of the firm.

Allott and Representative H. R. Gross (Rep., Ia.) have raised questions about the propriety of Hartigan taking the job with the firm, and they also have raised questions of possible conflicts of interest.

In a letter to the General Accounting Office (GAO), Allott has asked for an investigation with special attention to the role of Hartigan and "his relatives and friends" on contracts involving the Iowa firm.

Access to the personnel promotion records of Brown and others was an essential step in the over-all investigation.

NO FAVORITISM

Hartigan and officials of the Iowa firm say there was "no favoritism" and that the mail contracts were awarded "on bids."

In the course of the investigation it has become clear that many persons who were given unusual treatment in job assignments and promotions under Hartigan have remained in the transportation division and that Hartigan has moved out into the Washington world as a "consultant" on mail transportation contracts.

"It is a convenient arrangement, to say the least," Gross said Thursday. The Iowa congressman said it was "outrageous" that the Civil Service Commission would even try to withhold the records on when Brown was hired and promoted under Hartigan.

"It was an outrageous distortion of the Freedom of Information Act into an information suppression act," Gross said. "I am pleased that the Nixon administration has forced the change in the civil service instructions, and I am hopeful that there will be more changes in the still too restrictive regulations of the Civil Service Commission with regard to personnel matters."

CONDUCT HEARINGS

Representative John Moss (Dem., Calif.), one of the authors of the Freedom of Information Act, called the Civil Service Commission's initial interpretation "ludicrous."

"If it isn't straightened out completely, we will conduct hearings on this matter," Moss said.

Senator Allott called the Civil Service Commission interpretation of the law "absurd and unreasonable."

"When Congress passed that law it intended that personnel information be kept secret only for good and sufficient reasons," Allott said. "In this case, I fail to see any such reasons. I was delighted to learn that the Nixon administration has taken the proper view of this question, and has assisted in the disclosure of proper information. This is certainly the will of Congress."

Herbert G. Klein, White House communications director, and James Henderson, director of public information for the Post Office Department, had commented critically Wednesday on the Civil Service Commission ruling as "unreasonable."

Henderson said Thursday that he still is unhappy about the restrictions on personnel information despite the fact that there was "an apology" for the initial "mistake" in ruling that it would be a "law violation" to give reporters the step-by-step promotion record.

Even now the civil service continues in operation a regulation which bars release of any information about a government employe's age, his education record, or employment record prior to becoming a government employe.

Karl Ruediger, assistant general counsel for the Civil Service Commission, said Thursday that present regulations still include release of such information as "a clearly unwarranted invasion of personal privacy" under the Freedom of Information Act.

BEEN DISTORTED

An investigation of the history of the Freedom of Information Act and the interpretations of it show how a law designed "to protect the right of the public to information" has, in the words of congressional critics, "been distorted" into a tool for a cover-up of information.

The intent of the law was so clear that an attorney general's memorandum in June, 1967, said it was "an affirmative direction to all agencies to make information available to the public."

There were nine areas of "exemption" including "national defense and foreign policy" and "personnel files . . . the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

Pledges End to Secrecy

(By Clark Mollenhoff)

Washington, D. C.—White House Communications Director Herbert G. Klein said Friday that he is preparing a directive to all federal agencies instructing them that the promotional records of all government employes must be made public.

Klein said he will take the action to assure that no other government agencies become involved in the "mistakes" and misinterpretations of the Freedom of Information Act that resulted in the Post Office barring access to nearly all personnel investigation.

Klein said that it had been called to his attention that a number of government agencies were interpreting the Freedom of Information Act in a manner that was inconsistent with the intent of the law. A provision on the law exempted from disclosure those parts of a personnel file that were "a clearly unwarranted invasion of privacy."

Civil Service Commission lawyers had mistakenly interpreted this as barring the public and the press from all information except the name, position title, salary and place of employment of government officials.

Civil Service lawyers had instructed the Post Office Department's press office that it would be "a violation of law" to make public the various jobs a government employe had in government, the salaries and the dates when he was promoted or demoted.

CALLED LUDICROUS

Representative John Moss (Dem., Calif.), author of the Freedom of Information Act, declared this was "a ludicrous" interpretation of the act. Representative H. R. Gross (Rep., Iowa) called it an "outrageous distortion" of the act.

James Henderson, public information director in the Post Office Department, disagreed with his legal office and the Civil Service Commission and said he believed it "unreasonable" to withhold such information. However, he was told it would be "illegal" to give the employment record to reporters.

Henderson called some other agencies, and found that other public relations officials were either acting on the erroneous instructions of the Civil Service Commission lawyers or were independently misinterpreting the Freedom of Information Act into a justification for suppressing information

Klein said there obviously is widespread misinterpretation of the law on personnel files, and that he hopes to "clear it up" with a directive that can't be misinterpreted.

HARTIGAN CASE

The specific information being withheld from the press at the Post Office Department involved personnel records of a number of "relatives and friends" of former Assistant Postmaster General William Hartigan.

Hartigan, as assistant postmaster general in charge of transportation, took part in awarding more than 20 mail contracts totaling more than $1 million to a Des Moines air-taxi firm—Sedalia, Marshall, Boonville Stage Lines, Inc. A few weeks after leaving government, Hartigan took a $20,000-a-year consultant job with the same air-taxi firm, and in recent weeks he has been named a vice-president of the firm.

Senator Gordon Allot (Rep., Colo.) and Representative Gross have been critical of Hartigan for possible "conflicts of interest," and Allott has requested a general accounting office investigation of the whole affair.

The questions dealing with the Post Office personnel records were a side issue raised by Allott, who questioned the role "relatives and friends" of Hartigan had in the mail contract transaction.

G. Allan Brown, brother-in-law of Hartigan, was one of those whose record was sought. He entered the Post Office Department as a $13,000-a-year political appointee, and under Hartigan emerged as a $27,400-a-year career Civil Service employe in charge of program budgeting in the transportation division.

THE NEED FOR TAILORS IN THE CLOTHING INDUSTRY

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. ESHLEMAN. Mr. Speaker, I am introducing today a bill which I believe would serve the national interest by assisting a sector of our economy which is facing a crisis brought on by shortages in qualified personnel. The clothing industry in the United States is in dire need of obtaining thousands of skilled tailors.

We recognize that the clothing industry in this country has been a world leader in its field for many years. That leadership position is threatened today by a steadily increasing shortage of persons qualified to perform the skilled functions so vital to the industry. A source of tailors exists among nations throughout the world, but cannot be successfully utilized by the clothing industry due to our immigration regulations. My bill is designed to make special visas available to qualified aliens so that clothing manufacturers and retailers can find within foreign countries the tailors needed to fill domestic shortages.

I am hopeful that the Congress will give this legislation its careful consideration because the continued growth of the problems connected with insufficient numbers of tailors employed throughout the United States will have an adverse effect on a wide range of our citizens. This bill, in reality, is only a minimal step toward totally alleviating the crisis, but it is a step which requires some prompt action if we are to guarantee that the domestic clothing industry will be able to continue to responsively serve the clothing needs of the people of this country.

A WORD TO THE WISE

HON. CLARK MacGREGOR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. MACGREGOR. Mr. Speaker, a magazine came across my desk the other day entitled "Business Today." It is published by the Princeton Business Review Publishing Co. in Princeton, N.J., "by students for students."

I do not personally know the editors or any other staff members, but I was most impressed with their editorial, "A Word to the Wise," dealing with President Nixon's statement on campus disorders.

The editorial states:

> The President is showing more patience than most of the public. But we wonder how long this will last. Or should last.

This editorial is particularly enlightening since it was written by one who obviously reflects the thinking of the vast majority of American college students today.

The editorial follows:

A WORD TO THE WISE

Richard Nixon's recent statement on campus disorders was notable for its restraint. He condemned the violence, urged "needed" reform and that was about it. The President is showing more patience than most of the public. But we wonder how long this will last.

Or should last.

With few exceptions, college administrators have bent over backwards to appease demonstrators. And even if violence does come (which it usually does), they are loathe to do anything that people might mistake as punishment.

As "understanding" as such an attitude might be, we think that this one-sided tolerance makes a mockery of what a university is supposed to be—a place of rational thinking and rational discourse. Nor does this benign non-action seem to be cooling the urge of disrupters to disrupt.

More importantly, though, it is fanning the already intense resentment of the public towards demonstrators and students in general.

And so what if it does?

Well, if it does, it is going to endanger that cause all enlightened people supposedly worship—academic freedom. Ask a state supported college or university what it's like to live with a modicum of state political interference, multiply that by some high multiple, and that is what you are going to have everywhere if the present disorders continue.

Most colleges have the independence they have because society lets them have it. But that does not mean society will always let them keep it, especially if it thinks that this freedom is being abused.

And you can imagine what will happen to scholarship if any and every tin-horn legislator has the power to decide what the academic institutions may teach, whom they may hire, fire, admit and so forth.

Richard Nixon has given college administrators a respite. But that respite will be brief unless administrators recognize that their obligations extend beyond a handful of hot-headed, headline-hunting militants who exploit any cause, worthy and unworthy alike, for their own end—disruption.

THE FINANCIERS OF REVOLUTION

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. WATSON. Mr. Speaker, this past weekend the American Conservative Union released a special study which called for a crackdown on the tax-exempt status of the Ford Foundation, the National Student Association, and other groups which, according to the study, abuse the letter and spirit of the exemptions provided by law.

This is an outstanding study. As a member of the ACU board of directors the study has my complete support, and I urge my colleagues and the administration to support it. Written by Mr. Allan Brownfeld and entitled "The Financiers of Revolution," I believe this to be one of the most significant and important studies ever made on how certain foundations and organizations are using loopholes in our tax laws to promote partisan politics, lobbying for legislation favorable to their particular advocation, and sponsoring radical programs of social upheaval.

President Nixon clearly showed his concern about the special privileges enjoyed by these groups in his recent tax message to Congress, and I believe that hearings on tax reform before the House Ways and Means Committee in future weeks will indicate the growing suspicion with which they are held by our colleagues in the Congress.

As Mr. Brownfeld pointed out, a key offender is the Ford Foundation. In recent years the Ford Foundation has consistently engaged in activities under the guise of being "educational" and "nonpartisan" when in fact its grants were being used to finance racial strife and advance the cause of political candidates.

But of all these groups the most notorious example is that of the National Student Association. The Internal Revenue Service should have taken action years ago to revoke NSA tax exempt status, and yet nothing has been done to correct this gross inequity. NSA has been lobbying for leftist causes since its founding, and its programs call for everything from abolishing the House Committee on Un-American Activities—which is now the Internal Security Committee—to support for the admission of Red China into the United Nations.

There is absolutely no reason why these foundations and organizations should enjoy tax exemptions when they are engaged in activities expressly prohibited in the very law establishing their exempt status. It is sheer hypocrisy for these groups to get by with calling themselves "educational" and "philanthropic."

Mr. Speaker, the ACU report is a call for affirmative action to tighten up these loopholes, and I believe it will meet with widespread support, especially from the average American taxpayer who enjoys no such special consideration.

FREEDOM

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. SCHWENGEL. Mr. Speaker, a resident of my district, 1st Lt. Michael D. Hatt, recently won an award from the Freedoms Foundation for a speech which he wrote. This young man richly deserves an award for his excellent work, which I am happy to insert in the RECORD for the benefit of my colleagues:

A FREE BALLOT—A FREE COUNTRY

You and I are stockholders in freedom. We share in the inherent rights and privileges that were won for us at Lexington and Concord and today are being defended in Vietnam.

Our stock comes in the form of a vote. Freedom's privilege enables mankind to mold his future and strengthen his share in democracy.

Periodically, our board of trustees, the governments at various levels, hold elections. Whether these elections are at town or national level, whether they mean a change in a local code or the election of the President of our nation; our stock is needed to exercise democracy.

When we enter the voting booth, we strengthen our stock in the future of America. We place an "X" in a square that gives direction to freedom. We drop our marked ballot in a locked box that will unlock the chains of servitude and enable men to walk proudly through a free country.

Being a stockholder in freedom does not require being a particular color of race or a certain creed. Its only requirement is that one realizes that voting is a privilege and that one uses it at every opportunity to help men of all races and creeds obtain and sustain their own liberty. But he must remember that as an individual his vote is powerful and significant.

A candidate or an issue can win by one vote, and that one vote can very possibly be cast by a ghetto boy who is voting for the first time. It could be cast by a service man who is performing his duties on the other side of the world. That one winning vote could be made by a disabled veteran who is voting absentee from the bed in which he will spend the rest of his life because he fought for the right to cast a free ballot for a free country.

The people who hold stock in our free system are people who care which way America is going. They care enough to read literature on the candidates and listen to both sides of the story on a bond issue. They care about America because they want to remain free and want their children to grow up in a country where prejudice and hate are nonexistent. They vote because their dream of a better America is the dream that keeps them free. They vote because they *are* the voice of democracy.

Today our country faces a great challenge. We are waging a conflict with a force that breeds destruction of individual freedom. We are confronted with dissenting sects of our nation, some of them just, and others contemptible. We face a constant changing face of America that requires that we help to mold her countenance into justice and liberty for all. Voting assures us that we the stockholders of this nation will continue to participate in the greatest governing system that man has devised.

STATEMENT IN FAVOR OF DESIGNATING JANUARY 30—THE BIRTHDAY OF FRANKLIN D. ROOSEVELT—AS A FEDERAL HOLIDAY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. BIAGGI. Mr. Speaker, only a handful of the political leaders in all history can qualify for the illustrious title of "statesman," and one of these was Franklin D. Roosevelt, the 32d President of the United States.

It would seem proper, under the circumstances, that the Congress should designate January 30—the birthday of Franklin D. Roosevelt—as a Federal holiday. For here was a man who, in time of unprecedented crisis, with catastrophe at hand, led us on to victory. And having once performed the miracle, at the domestic level, he proceeded to perform it once again at the international level.

A man of genius, he charted new courses, and for so doing earned the enmity of everyone afraid of progress. A man of daring, he sought to force the mighty to serve the interests of the many, and for so doing aroused the fears of everyone afraid of justice. A man of knowledge, he sought to implement the wishes of the Founding Fathers, and for so doing frightened the pseudopatriots on every hand.

But, for every American he disturbed, there were two others who praised him to the skies. As the author of the New Deal programs of the 1930's, he revived the national economy in record time, to the benefit of grateful millions. As the leader of our national preparedness effort on the eve of American entrance into World War II, he set the stage for firm resistance to the onslaught of totalitarianism. And, as Commander in Chief of our Armed Forces, he engineered one of history's greatest triumphs in World War II.

In the manner of all great men, Franklin D. Roosevelt was a highly controversial figure. And the controversy he aroused has not subsided yet, nor will it ever subside until the four freedoms of which he spoke become realities throughout the world.

In everything he did, Franklin D. Roosevelt appeared before the people as a man of the people—concerned not with self, but with the Nation, with civilization, and with the democratic tradition. That is why, I suppose, you can find his picture still displayed in the homes of many American families, to whom his way and the American way are seemingly synonymous.,

Nor was respect for the Roosevelt legend limited to his countrymen alone. Speaking in behalf of Western Europe, Winston Churchill declared:

> In Franklin D. Roosevelt there died the greatest American we have ever known—the greatest champion of freedom who ever brought help and comfort from the new world to the old.

Hailed as a hero in his own time, and so recognized by history, Franklin D. Roosevelt deserves whatever honors we choose to bestow.

I therefore recommend the passage of this bill, designating January 30, the birthday of Franklin D. Roosevelt, as a Federal holiday.

PROPOSED REDUCTIONS IN LIBRARY MATERIALS AND SERVICES

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. CAREY. Mr. Speaker, as a trustee of the Brooklyn Public Library, on the occasion of National Library Week, April 20–26, I should like to address myself to the proposed cuts recommended by the administration which will indeed set our progress toward intellectual development back several generations.

During the previous administration appropriation levels never came close to authorizations for library materials and services. In title II of the Elementary and Secondary Education Act last year's appropriation was less than 50 percent of the authorization. Under President Johnson's proposed budget, title II of the Elementary and Secondary Education Act appropriation would have been $42 million, however, with the present proposed budget this important title has been cut to zero. This is indeed a tragedy in a time when our schools and teachers are begging us for materials with which to do their job. We can point to our libraries with pride and say that there are the schools of all of the people. Our libraries and librarians are the universities of the common man and we cannot afford to have these ignored or have the budget so drastically reduced that they must almost go out of business.

The library services title of the Library Services and Construction Act in the administration's proposed budget has been cut 50 percent and in the same act title II, which is the construction portion for new libraries, has been cut to zero. We just cannot allow this to happen in a time when our Nation needs more service, more libraries, more books, more education, not a curtailment of present insufficient library services and material.

The present administration has acknowledged by this proposed budget that they intend to give a low priority to education and to libraries and materials. They have cut the budget figures for the U.S. Office of Education by approximately $370 million, and of this total 25 percent is in the field of library service. I might add parenthetically that I doubt this would have been allowed to happen if Commissioner James Allen had been here as I can point with pride to the library development both in school libraries and in public libraries in the State of New York under his term as commissioner of education. I feel certain that if he had been in service as U.S. Commissioner of Education that he would not have allowed these severe and drastic cuts in the administration's proposed budget for the U.S. Office of Education.

Because of National Library Week I would like to pay tribute at this time to the dedicated men and women who serve in our libraries across this country. I would like to formally acknowledge the debt that we owe to this profession and to the institutions they serve. We can give no better acknowledgment of this debt or recognition of their service than by restoring to them the funds needed for them to do their job.

LAW AND ORDER SHOULD COME FIRST

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. DANIEL of Virginia. Mr. Speaker, the primary burden of ending the current disruptive confrontations on American campuses is on those who administer the colleges, those who teach in them, and those who attend them.

A recent Gallup poll indicates that campus disorders have replaced the Vietnam war as the No. 1 topic of serious discussion in homes across the country. This conclusion was made evident as the result of a national survey.

In this survey three questions were asked:

First. Do you think college students who break laws while participating in college demonstrations should be expelled or not? The answer: 82 percent said yes, expel them; 11 percent said no; and 7 percent had no opinion.

Second. Would you favor or oppose having Federal loans taken away from students who break laws while participating in campus demonstrations? The answer: 84 percent said yes, favored; 11 percent said no; and 5 percent had no opinion.

Third. Do you think college students should or should not have a greater say in the running of colleges? The answer: 25 percent said yes; 70 percent said no; and 5 percent had no opinion.

The distress of American citizens over this deplorable situation is evidenced in their communications with Members of Congress—written and oral. A recent article by the noted columnist, David Lawrence, places in discerning perspective this situation. I commend this article to my colleagues and insert it in the RECORD:

LAW AND ORDER SHOULD COME FIRST

(By David Lawrence)

Maybe the vote for George Wallace, or someone who takes his place on a third-party ticket, will be larger in 1972 and bring a closer result than in 1968. Maybe the American people in the congressional election 21 months hence will manifest their discontent also by voting against incumbent senators and representatives who will have failed to do something about the "law and order" situation in the United States.

The Johnson administration did not come to grips with this isuse. The Nixon administration thus far has been engrossed in "planning" and in getting organized, and there is no clear indication as yet whether the problem will be tackled positively.

Evidence has been available for a long time inside our government which proves that the revolts in several universities and colleges in this country—many of them involving white and black militants—are part of a well-organized Communist strategy. This is true also in 25 other countries around the world.

Law-enforcement agencies here know that Communist money and Communist planning have been behind a number of the radical and violent outbursts which have been witnessed in America since 1966. In fact, there is information in government quarters indicating that some of the big "marches" on Washington in recent years and the "demonstrations" in other cities where disturbances have occurred were in a substantial way aided by Communists.

One wonders why committees of Congress—which by their hearings have pointed up this trend—have not been successful in getting action by the Congerss itself. A few members, however, now are beginning to speak out. Rep. Edith Green, D-Oregon, said the other day:

"I'm sick and tired of a minority making it impossible for the majority who want to do so to attend classes. . . .

"We are faced with the fact that we have romantic revolutionaries and anarchists who are simply out to destroy the colleges and universities in which they are enrolled. . . . If a person on a college campus is not there to get a college education, he does not have a right to an education paid for by taxpayers."

But the federal government can assert another right—what has long been called "equal protection of the law." This doctrine can be applied in a statute providing for the arrest and imprisonment of any persons who violate the right of students or teachers to be free from physical interference in the pursuit of the educational process. Certainly seizure of college property is as much of an offense as the takeover of any private property elsewhere or the interruption of any business operations by force.

Unquestionably, the Communists have in some instances gotten into the planning of more trouble only after student organizations have initiated the rebellions. But the government agencies here have collected plenty of data showing that Communists from other parts of the country came across state lines to help foment and intensify disorders. This interstate phase permits federal intervention.

Believing that they will not be prosecuted, the Communists have gotten bolder and bolder, and have actually joined in the meetings of certain student organizations which have so often made headlines. Many of the college presidents have been aware of this but have been hesitant to call in police or state troops for fear of further outbreaks of a more violent nature.

The Congress of the United States, along with the President, has a clear responsibility to put "law and order" ahead of anything else and to secure the immediate enactment of stringent laws dealing with the Communist conspiracies as well as with the flagrant disregard of individual rights being practiced every day on the campuses of American colleges. Public opinion favors an abandonment of alibis, excuses and tactics which have meant "passing the buck" back and forth between the federal and state governments.

The significant fact is that the combined Nixon and Wallace vote of 41 million as against 31 million for the Democratic ticket in November 1968 was largely based on the belief that "law and order" should be promptly restored as the basic principle of American life.

WHAT EVERY EMPLOYER SHOULD KNOW ABOUT HANDICAPPED WORKERS

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. SKUBITZ. Mr. Speaker, the State of Kansas generally and the good people of Iola particularly, are mighty proud of Miss Kathy Brown and her instructor, Miss Margaret Hackney.

Kathy recently wrote an essay "Ability Counts" in which she participated as a contestant in a program sponsored by the Governor's Committee on Employment of the Handicapped. She is in Washington this week, thanks to the generosity of the State AFL–CIO, attending the annual meeting of the President's Committee on Employment of the Handicapped.

This is the third time in a row and the sixth time in the past 10 years that an Iola student under the tutelege of Miss Hackney has won this high honor.

I think that Kathy's essay, "What Every Employer Should Know About Handicapped Workers," is one of the finest essays I have read. Her ability and insight to the problems faced by the handicapped workers in America is truly an article I feel every employer should read. Therefore, at this time, I would like to share Kathy's essay with my colleagues and insert it in the CONGRESSIONAL RECORD:

WHAT EVERY EMPLOYER SHOULD KNOW ABOUT HANDICAPPED WORKERS

Mr. Employer, this is your lucky day! A vast number of trained skilled workers are looking for the kind of opening you have. You will probably ask where all these workers have been hiding; you have been trying to fill that position for weeks. Naming a few of these people qualified for this position you may be surprised to hear the name of a man you interviewed and turned down just last week. Why did you turn him down? Was it because he lacked the required qualifications, or that his lack of a left arm startled you? This is the clue to the unemployment of these skilled workers—each is handicapped in some way. Perhaps his handicap is the loss of an arm or leg, or confinement to a wheelchair, deafness, or loss of sight; but having overcome his handicap, he is ready to match his skills with all others in his field. Isn't it time you overcame YOUR handicap, Mr. Employer?

Yes, you have a handicap that has been unapparent until this time. For many, the word handicap evokes a feeling of pity and compassion. The disabled person strives for ranking solely for his ability; not his disability. Through extensive rehabilitation in training centers, the handicapped person is given individual training to prepare himself for a job. When that man came into your office last week, he did not apply for pity and compassion. He applied for a position on your company's assembly line; one he had the necessary training and skill for.

The issue of the handicapped individual's general physical well-being has long been argued by those for and against hiring the disabled. It seems to be the general conclusion that many disabled are weak and may not hold up under the work strain. Proven surveys in large companies have shown that (1) the handicap's rate of absenteeism is no greater and often less than the other workers; (2) they are often the most loyal workers; (3) their over-all tenure is about the same as other workers; and (4) the "impaired persons" have fewer disabling injuries than the average worker under the same conditions.

But, you argue that although these facts sound encouraging, don't exceptions have to be made in working conditions for most handicaps? The answer is no! Three out of every four cases in my community showed that few or no exceptions had to be made for the handicapped worker involved. In fact, handicapped workers can and do rank among those successful in their field without special aids. For example, a highly skilled mechanic with a crooked arm and only one eye works each day at car repair and engine tuning; a deaf librarian charmed readers for thirty years with her wonderful sense of humor; an accountant manages a busy firm while undergoing extensive therapy for a painful knee disorder; a young teacher though suffering from multiple sclerosis inspires students with his courage; a dedicated doctor has suffered from heart attacks but continues to practice—the list could go on and on. The handicapped have proven themselves capable. When interviewing a handicapped person, an employer should consider only those disabilities that might in some way affect the handicap's ability to carry out the job in question. Just because the man you interviewed has only one arm does not mean that he could not check for the correct wiring in an appliance on your assembly line.

But wait! Suddenly a real problem comes to mind. Here is a factor you feel sure will be difficult to justify. Insurance rates must surely be sky high for those employing the handicapped. Sorry, but this is one of the most easily disproved myths concerning the hiring of handicaps. Insurance companies themselves are some of the top employers of the handicapped. Disabled workers are in no way insurance risks and bring on no higher insurance rates. Workmen's compensation rates will not be affected of the fact that workers are handicapped, they measure only the relative hazards of a company's operations and the company's accident experience.

Yes, Mr. Employer, the choice is yours. Here are people ready, willing and able to do the jobs you supply. They ask only the chance to achieve and compete like all others. Here is your chance to show yourself, those about you, and the handicapped themselves, that you realize ability counts. Now, don't you think it would be a good idea to let that applicant from last week know the job is still open for the man with the skill? His friends call him "Lefty".

THE TENNESSEE LEGISLATURE CALLS FOR CONSTRUCTION OF COLUMBIA AND NORMANDY DAMS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. EVINS of Tennessee. Mr. Speaker, the Tennessee General Assembly has passed House Joint Resolution 72 calling for construction of Columbia and Normandy Dams by the Tennessee Valley Authority on the upper Duck River.

The Tennessee Legislature in its resolution urged the appropriation of funds to initiate construction of these two most important projects.

Mr. Speaker, the Tennessee Valley Authority has recommended these two projects to the Bureau of the Budget which has denied TVA's request despite the broad range of support by the Upper Duck River Development Association and counties and cities in the area.

These are needed projects, fundamental to the growth and progress of this area, and funds to initiate construction should be appropriated for the next fiscal year.

Because of the importance of these projects to our people, I herewith place in the RECORD House Joint Resolution 72.

The resolution follows:

H.J. RES. 72

A resolution to memorialize the Congress to appropriate monies to fund the Tennessee Valley Authority's Duck River Project, Normandy and Columbia Reservoirs Planning Report No. 65-100-1, at the earliest possible date

(By Lowe, Blank, Taylor (Lincoln), Richardson)

Whereas water resource development is vital to the overall economic growth and industrial development of the upper Duck River area; and

Whereas dams and reservoirs on the Duck River will stabilize stream flow, thus, providing needed flood protection benefits and improving the supply and quality of water for human and industrial consumption; and

Whereas dams and reservoirs at Columbia and Normandy will generate recreational development and provide facilities for recreational enjoyment by the citizens of Tennessee and citizens of other states who travel Interstate Highways No. 65 and No. 24 through the upper Duck River area; now, therefore, be it

Resolved by the House of Representatives of the Eighty-sixth General Assembly of the State of Tennessee, the Senate concurring, That the Congress is urged to appropriate monies to fund the Tennessee Valley Authority's Duck River Project, Normandy and Columbia Reservoirs Planning Project No. 65-100-1, at the earliest possible date; be it further

Resolved, That suitable copies of this Resolution be forwarded to the President of the United States, the Tennessee Valley Authority, and to all members of the Tennessee delegation to the Congress.

Adopted: April 16, 1969.

WILLIAM L. JENKINS,
Speaker of the House of Representatives.
FRANK C. GORRELL,
Speaker of the Senate.
BUFORD ELLINGTON,
Governor.

Approved: April 23, 1969.

CONGRESS MOVES ON DIRECT ELECTION OF PRESIDENT

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. BENNETT. Mr. Speaker, yesterday was one of the most significant days in the history of the United States in the field of governmental reform. The House Judiciary Committee has overwhelmingly approved an amendment to the Constitution to elect our President by direct vote of the people.

This is something I have worked toward for almost two decades. I am pleased by the approval of the committee on the direct election amendment, similar to my bill, House Joint Resolution 5, which was introduced on the first day of the 91st Congress.

My amendment, which I also sponsored in the last Congress, was drafted and endorsed by the American Bar Association. There is wide support in the Nation today to let the people elect their President and Vice President—directly, and not through the antiquated and archaic electoral college system. Public opinion polls report 80 percent of the public are for direct election, and many widely based organizations have supported this method.

I congratulate the chairman of the House Judiciary Committee, Congressman EMANUEL CELLER, of New York, and the ranking minority member, Congressman WILLIAM M. MCCULLOCH, of Ohio, for their leadership in bringing the direct election amendment to the floor of the House. I hope the House will act speedily and favorably on this measure so the long process of ratification can take place. The American people should accept the challenge to minimize the possibility of unnecessary delays in this; for otherwise the reform will be years in coming about.

THE TAIL WAGGING THE DUCK

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. NICHOLS. Mr. Speaker, I am not sure just how many duck hunters we have in the Congress, but I do know from listening to the Members in the cloakroom sessions, brag about the merits of hunting and fishing along the Mississippi River and its tributaries that many Members have an avid interest in preserving our wildlife for this and future generations.

In my own State of Alabama, we have one of the finest duck and goose hunting areas in the entire country, on the Tennessee River just to the east of the city limits of Decatur, Ala. Each year thousands of Alabamians enjoy their favorite sport on the Tennessee Valley Wildlife Refuge. Through the courtesy of my long time friend, and duck hunter without equal, and former State director of Alabama Department of Conservation, Dr. Walter B. Jones, each year I am privileged to enjoy some of this fine hunting. Dr. Walter Jones is most active in conservation work and is chairman of Ducks Unlimited, Inc., an agency which is doing much to promote and foster an increase in the duck population throughout America.

Recently, the good doctor mailed to me a most interesting editorial appearing in the spring issue of Ducks Unlimited magazine which sets out this organizations' appraisal of the duck population, which is somewhat in disagreement with the opinions of the director of the Bureau of Sport Fisheries and Wildlife. Because of the impact of this report, which will no doubt provide much information as the department considers the possibility of reducing 1969 bag limits and even a possible closing of the duck season entirely, I would respectfully believe that this article would be of much interest to duck hunters everywhere.

The article follows:

[From the Ducks Unlimited magazine, Spring 1969]

THE TAIL IS WAGGING THE DUCK

On March 7, 1969, John S. Gottschalk, Director of the U.S. Bureau of Sport Fisheries and Wildlife, stated, "We have no intention of arriving at a conclusion concerning this fall's waterfowl season until we know the water conditions from our May survey and the population counts from our July survey."

The Director's statement was made because of the confusion and questions precipitated by the action taken during the week of February 16, 1969, by the Technical Section of the Mississippi Flyway Council, meeting at Paducah, Kentucky, voting without dissent (but with some states reportedly abstaining) to recommend a closed duck season this year in the Mississippi Flyway, because of a "critical shortage of mallards."

The Technical Sections of the flyway councils are advisory only and serve at the discretion of each council. The Technical Section is made up of the biologists of the State Fish and Game Departments and certain other biologists; however, those of the U.S. Bureau of Sport Fisheries and Wildlife serve as non-voting, ex-officio members.

The flyway councils, served by the technical sections, consist of the directors of the Fish and Game Departments who, by their positions under law, are to represent the public and therefore are to be subject to the will of the people, under our American system of government.

In this instance much publicity has been given to the biologists' recommendation and many questions have arisen.

On February 27th Ducks Unlimited was asked for a statement concerning this recommendation to close the duck season and we stated the following:

"We feel that any expression concerning the size of the spring flight of breeders and the production rates at this time would be very pre-mature, as the ducks have not moved north to the breeding grounds yet. At this time we can only say that the prospects of a much improved water situation and breeding habitat are *excellent,* considering the late fall rains and winter snows experienced to date across the Canadian Provinces. In due time, following our Ducks Unlimited spring breeding pair and production surveys, we will have something factual upon which to base positive reports".

We especially felt that such early estimates of populations and possible production were premature, in light of the following report from William G. Leitch, Chief Biologist, Ducks Unlimited (Canada):

SNOW REPORT, FEBRUARY 28, 1969

"During the week 2 to 4 inches of snow fell in Alberta and Saskatchewan and up to 20 inches in western and southern Manitoba. At most prairie points precipitation since November 1 is now at or above normal and snow on the ground and available for runoff is the best in the last decade. This situation, combined with the good freeze-up conditions of last fall due to heavy summer and fall rains, should result in excellent spring water conditions on the prairies in 1969".

The data referred to by the state biologists, meeting at Paducah, were those supplied by the U.S. Bureau of Sport Fisheries and Wildlife. A biologist in the Bureau's regional office in Minneapolis told us that, "The State boys read the data and based the closure recommendation upon them".

The Mississippi Flyway Council meeting in Washington, D.C., March 2nd, reported thru its chairman that the council tabled its technical section's "closure" recommendation until its August meeting. However, the representative from the Missouri Conservation Department introduced a resolution urging its members to advise the public that a closed season is possible. This resolution passed, with Ohio, Kentucky and Alabama reportedly voting against.

The chairman of the National Flyway Council, of which the Mississippi council is a member, told us, "No statement about closure was given out by me nor was there any action taken concerning same by the National Council at their meeting March 2, 1969."

The biologists say the Mallard breeding population this spring will be 6.5 to 6.7 million. Is this *"critical"?* Apparently not, since in 1965 it was reported by the Bureau to be 5.8 million. Later this figure was changed to 6.1 million; however, it is still far less than that *"critical"* figure predicted for this year. Only two short years later, in 1967, the breeders were numbered at 8.6 million, almost 50% higher than the 5.8 million reported earlier by the Bureau.

Also, in 1962, the Mallard breeders were below (6.2 million) the estimated for this year (6.5–6.7 million).

History concerning waterfowl counts used to go back only to 1948, but the Bureau now reports that most Mallard data are not *really* reliable prior to 1955. Therefore, statements currently used must basically refer to the period 1955 to date and now span what the Bureau had earlier referred to as the excellent high populations of the mid-to-late 1950's.

We can note that the 1955 mallard breeder count was almost 4 million less than the estimated 1958 count, and there is good reason to believe that the count on mallard breeders in the early 50's was much less than that, and probably even less back in the thirties and forties—but the population grew steadily to the peak of the 1950's, or until the drought set in.

Strangely enough, the population was peaking while the Mississippi Flyway seasons were 70 days in length with 4 birds in the bag. Also, the hunting pressure, as measured by waterfowl stamp sales, was significantly greater in the mid-1950's than today. For example, there were 1,022,000 stamps sold in the Mississippi Flyway in 1956–57 and only 814,000 in 1967–68. Nationally the sales were 2,232,000 in 1956–57 and 1,934,000 in 1967–68.

The predicted effect of seasons and bag limits upon the returning Spring breeding population is typified by that testimony set forth in the record of the 1965 Dingell Congressional hearing committee report as follows:

The Director of the Bureau of Sport Fisheries and Wildlife testified that his biologists had recommended to him a set of regulations that were designed to drastically cut hunting opportunity in an effort to send 20% more breeding mallards back to the prairies in 1966. The Director further stated that he felt such would result in "too drastic restrictions" and reported that he recommended to the Secretary of Interior that "We should be putting back somewhere in the vicinity of 5–10% more breeding birds than we had this year (1965)".

The record now shows that instead of the projected 5–10% increase, the actual number of breeding mallards returned in 1966 was up about 24%. How necessary was it to even invoke the modified restrictions that were designed to send back a 5–10% increase?

At this same hearing the Bureau Director made another statement that causes one to wonder if the mallard situation is so "critical" now. Chairman Dingell questioned whether or not there would be birds to return to the breeding grounds in 1966. The Director said: "We are not dealing with anything that remotely resembles an endangered species. We are still talking about 6 million mallards at the very minimum with the possibility there are many more". Note that he said "6 million mallards". This statement was made on August 17, 1965. His Bureau report, dated August 9, 1966, showed that there were reportedly 5.8 million mallards. Either number is well under the 6.5 million referred to as being "critical" now.

Furthermore, the Mississippi Flyway "enjoyed" 40 and 45-day seasons with 4 bird bags (including 2 mallards) during '65, '66, and '67 and the spring breeding population of mallards increased to 8.6 million by the spring of 1967.

At the Paducah meeting the biologists referred to the mid-winter waterfowl surveys and, although the Bureau has questioned the feasibility of using such data, the biologists reportedly used these in arriving at their recommendation for closure.

Just how they arrived at this *"critical"* situation from data such as these poses a mystery, since the mid-winter survey showed the total ducks observed in the Mississippi flyway to be up almost 15% while mallards were only 3.5% below that of 1968. The '68 spring breeding population was reportedly the second highest in the last eight years.

In view of the facts stated above and the fact that the data used by the biologists are not so emphatically specific so as to warrant the manipulation of seasons by 1 bird or five days, why such a recommendation for closure before all the facts are in?

A statement was reportedly made at the Paducah meeting that, since the habitat for this year appeared to be considerably improved, this would be the year to send back more breeders, and to send back more in 1970. We might ask, "How practical is this?" After successfully imploring the hunters to send back more breeders during the spring of '65 and '66 by holding down hunting opportunity, in 1967, with 8.6 million breeding mallards and prospects of a production ratio similar to the excellent one of 1966, the biologists again said that *now* is the time to send more breeders back, and the Mississippi Flyway regulations were reduced below those of '66. The hunters tightened their belts *again*—and what happened? Another drought on the Canadian prairies. Not a predictable one of the type experienced during the early sixties but one that "set in hard right now". All the 'belt tightening' of those three years resulted in the very drastic restrictions for the 1968 season—and *now* the Mississippi Flyway biologists recommendation is for a closed season in 1969, at a time when the prospects for improved habitat on the Prairies are again excellent.

Closing the duck season to prevent the loss of a wild population is necessary, but closing it to attain a goal set without the consensus of those who help maintain much of the critically needed habitat throughout the flyways of the U.S. and Canada, poses a threat to our waterfowl resources. This is especially dangerous when such drastic steps are taken without benefit of timely data.

The tail is truly wagging the duck!

VIOLATIONS OF THE ANTIDUMPING ACT

HON. JACKSON E. BETTS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. BETTS. Mr. Speaker, I am pleased to learn that the Bureau of Customs has announced a full-scale investigation of charges that British firms are dumping quantities of ceramic wall tile on the

U.S. market in violation of the Antidumping Act.

According to information presented to the Treasury Department, sales transactions at dumping prices are widespread and are occurring almost daily, particularly in connection with the more popular types of glazed wall tile. Statistics of the Department of Commerce indicate that wall tile imports from the United Kingdom in the last 12 months have increased by more than 100 percent over the previous year, and the share of the total domestic market made up of these imports has more than doubled.

The present investigation is particularly important because the U.S. tile industry has yet to recover from the effects of extensive dumping of wall tile by Japanese manufacturers, which was recently the subject of a separate investigation. I am gratified that the Bureau of Customs has taken prompt action, and I am confident that its investigation will be vigorously conducted.

DEFENSE SPENDING, THE ANTIBALLISTIC MISSILE, AND THE MILITARY-INDUSTRIAL COMPLEX

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. ANDREWS of Alabama. Mr. Speaker, recently my good friend and colleague, JOHN SLACK of West Virginia, spoke to the Charleston Civitan Club, Charleston, W. Va., and his subject was "Defense Spending, the Antiballistic Missile, and the Military-Industrial Complex." His subject was a very timely one, and I am happy to have it included in the RECORD for all to read.

DEFENSE SPENDING, THE ANTIBALLISTIC MISSILE, AND THE MILITARY-INDUSTRIAL COMPLEX

(An address by Congressman JOHN SLACK before the Charleston Civitan Club, April 18, 1969)

Just 194 years ago on this same date of April 18 a silversmith in New England named Paul Revere mounted his horse and rode, as history tells us, through "every Middlesex village and farm," to warn his neighbors of a military invasion.

Our American ancestors were few in number in 1775, and not blessed with an abundance of worldly goods. They lived off the produce of the land. They were dependent on Europe for almost all manufactured goods, including weapons. Indeed one of the first sources of friction between the colonists and the Crown was the requirement to buy iron nails from England alone. The nails were hand-forged and were so expensive that only a prosperous farmer could afford them.

The colonists were obviously no match for the power of England with its enormous professional army and the world's largest fleet.

You may well ask: "What was Paul Revere actually doing? What was the practical purpose of his famous ride?"

He was buying time for himself and his neighbors to prepare. They had no way of knowing whether the British Crown would turn loose on them a full-scale military assault. They could not know whether they were inviting a new Thirty Years War or a Hundred Years War. How could they be expected to fathom the intentions of an autocratic king? But knowing history, they were aware that the British Crown had always put down rebellion in its dominions, and had hauled the leaders to London Dock to be hanged for treason. It was this knowledge which prompted the famous comment by Benjamin Franklin after signing the Declaration of Independence: "Now we must all hang together, else we will hang separately."

So a few days or a few hours of advance warning could make the difference between life and death for them, or between organized resistance and the need to disperse into the wilderness beyond the king's authority.

Reflecting on American defense problems and costs today, one is struck with the close parallel between the situation facing the colonists of 1775 and our own uncertain outlook.

We are a nation without imperial pretentions. We have no desire to occupy any other nation, or to bend its people to our will. We have set up a vast establishment called the Department of Defense, and we insist that its mission be confined directly to the defense of this Republic. But even so, we find that a growing amount of our tax revenues each year must be applied to defense activities. Why is this so?

It is so mainly because we cannot know the true intentions of our enemies, and we must try to prepare for every eventuality. We must buy time for survival and response if such a situation is ever forced upon us.

We cannot hope to match in manpower the 1,300,000,000 persons behind the Communist Iron Curtain of censorship and secrecy. We have no means of certifying the true intentions of their leadership. We can only be guided by assessment of their past actions. The history they have chosen to write since 1917 offers small reason to place confidence in their good intentions.

The Communist world is trapped by its own dialectics. For over 50 years they have preached that an agreement with a capitalist is nothing but a chance to take advantage of a sworn enemy. During the same 50 years they have done everything in their power to weaken Democratic self-government anywhere in the world and to promote the creation of police states.

During the years between 1917 and 1937 they refined the operations of the forced labor system, the death camp, the mass starvation procedure, forced deportation of entire communities, destruction of family life, and every degradation of the human being which was later adopted and tuned to perfection by Adolf Hitler.

Their essential attitudes have not changed, but we must face each new day with a realization that they are in the world with us. They have advanced weaponry. Their commitments are unreliable. Their objectives are uncertain. Their good faith is obscured by regular planned actions which seem to support continuation of an international strategy of terror. And, worst of all, their interpretation of just what advantage may be gained from any given situation is unknown on this side of the ocean until after they have acted.

The foregoing is what the Pentagon would call a "situation report." The situation dictates the mission of our Defense Department. If that mission is to be changed, then the people must so signify. If the people are willing to risk a little more on Soviet good intentions, then we can spend less on national defense.

But a decision of that kind, with today's weapons, can involve the life or death of the entire Nation. It cannot and should not be made by a President or a Secretary of Defense or the Congress. Public officials can only weigh the risks and offer suggestions for protection from those risks. If the time arrives when the people conclude that the cost of that protection is too high, then the decision to recede and accept greater risks must be theirs to shoulder.

When I was first elected to Congress over 10 years ago, the national budget totaled about $73 billion. This sum financed the operations of the entire Federal establishment, aside from trust funds supported by special earmarked taxation.

This year Congress is asked to consider a budget in which the funds requested by the Defense Department total $81.1 billion. So the defense funding requirements of today have risen to the point where they now exceed the total Federal operational budget of 10 years ago. We have a high rate of Federal taxation and a surcharge on top of that. In substance, the defense budget request means that about 45¢ out of every dollar of your income taxes will go to defense or defense-related items. It is abundantly clear that the time has arrived to re-examine some of our national imperatives, goals and priorities. The trigger mechanism which powers a growing demand for such examination is a decision to build and deploy on this continent an antiballistic missile system . . . originally called the "Sentinel" but now re-labeled the "Safeguard System."

The idea of an ABM System is not new. It has been the subject of research for over 15 years. Ten years ago a leading military expert referred to the ABM as an effort to score a direct hit with a pin on a needle traveling at 20,000 miles an hour. At that time there was little hope held for its eventual success and only within the past two years has the state-of-the-art progressed sufficiently to justify manufacturing and testing. Even so, the Safeguard System now proposed has yet to be fully tested and certified for reliability.

So much has been said and written about the Safeguard System, mass confusion seems to have resulted. I believe, therefore, it would be helpful to summarize for you at this point:

(1) What Safeguard is designed to do as part of the Nation's defenses.

(2) The positions taken by those who oppose it.

(3) The responses of those who support it.

First of all, about the Safeguard System itself. As now proposed it is designed to protect our present land-based ballistic missile forces. Its elements will be located near those forces, beginning with two units scheduled for first construction in the upper Middle West.

It is an interception-and-destruction system, with both long-range and short-range radar identification of incoming enemy missiles, and long-range and short-range interception capabilities.

The long-range anti-missile—the Spartan—can intercept at several hundred miles. The short-range missile—the Sprint—can intercept at 25 miles traveling at unusually high speeds to meet whatever enemy missiles may have avoided contact with the Spartan.

In simplest terms, the Safeguard System is designed to give added protection to the ICBM force which we already maintain as a deterrent to nuclear warfare which might originate through enemy sneak attack.

The first two installations would be operational by 1973. The cost of the Safeguard deployment is estimated at $6.6 billion. The first funds requested to begin the program total $800 million for the new fiscal year beginning July 1, 1969.

There have been countless statements made by persons who claim to be in opposition to the Safeguard System since it was announced on March 14, 1969. As best I can determine, the substance of all of their arguments can be expressed in about the following 10 statements:

(1) There is no need for the new system. There is no "perceptible move by the Soviets or by the Red Chinese requiring an addition to our deterrents."

(2) We would be better advised to "harden our ICBM sites and improve the Polaris delivery system."

(3) The Safeguard System will only "cause the Reds to deploy larger quantities of their offensive missiles."

(4) The new system will "handicap disarmament talks and negotiations toward disarmament agreements."

(5) The money to be spent on Safeguard could be "better used at home for social welfare programs."

(6) The system "won't protect anything—it isn't much good anyway."

(7) It is just more of the continuing effort to keep government policies "in control of the business-industry complex."

(8) The Safeguard is only another device put forward by "an ambitious elite of high ranking officers eager to test new weapons."

(9) Rather than deploy the Safeguard, we should "launch our ICBM's as soon as enemy incoming missiles show on our radar."

(10) The Safeguard System will create a "new and disastrous spiral to the arms race."

I know you will agree that those who have proposed this system must have what they consider to be sound reasons. Their reasons are generally summarized in the following six statements presented on March 14, by Deputy Defense Secretary Packard:

"(1) We have not recommended deployment of a defense of major cities against a massive attack, the kind the Soviets could launch, because it would not materially increase our security. We must deter such attacks with our retaliatory forces.

(2) Protection against ballistic missiles can and should be made available to our land-based nuclear-war deterrent forces. Such added protection will help insure the survival of the American deterrent forces in the face of the still growing Soviet threat. We recommended that an ABM system be configured so that extra protection and warning will be given to missiles, bombers, and the national control center as the threat develops.

(3) The people of our country can be protected effectively from a small missile attack, the kind the Chinese Communists will probably be able to launch sometime in the 1970's. We judge such a defense to be a prudent and practicable measure and recommended that it be deployed as the threat develops.

(4) Locating sites away from major cities should make clear to the Soviet Union that the American defense is designed to preserve our deterrent—not to change the strategic balance. We recommended that the sites for ABM radars and missiles be determined by the needs of the defense and that they be moved away from cities to the extent practical.

(5) A careful review of existing ballistic missile defense components convinces us that the program is sound and feasible technically. We so informed the President.

(6) A phased installation of a ballistic missile defense will provide the option to meet the threats as they materialize. We recommended a specific deployment plan to meet this objective.

The philosophy behind this decision is, of course, the conviction that a first-strike capability is a *threat* of nuclear war, while a second-strike capability is a *deterrent* to war. Our defense officials are convinced that the Soviet Union maintains a second-strike or deterrent force against our ICBM weapons. If we attempt to neutralize the Soviet second-strike capability even by increasing our ICBM totals or by building an anti-missile defense system for our cities, then the Soviets would be forced to protect their own deterrent. They would have to build nuclear forces capable of surviving our attack and then of penetrating our defense.

On the other hand, there is no serious doubt that the best way to deter a nuclear attack on the United States is to maintain the unmistakable ability to inflict unacceptable damage on any aggressor, even after absorbing a first-strike on our forces.

It is interesting to observe at this point that after the announcement of the Safeguard System, there were no questions raised by the Soviet regarding our ability to inflict second-strike damage. They understood that the proposal is designed simply to further protect that ability. Initial reactions by the Soviet press indicated very little concern about the matter because they feel it is proper for us to try and protect our defensive capability. Up to this point there has been no reaction from the Soviet indicating that they consider this to be a threatening deployment.

Supporters of the proposal have had as much to say as the opponents:

(1) "If we can land on the moon, we can intercept an incoming missile."

(2) "If we trust the Russians, some day we may be in a position where they will not have to fire a missile—just say 'this is it'."

(3) "We are not considering the intentions but rather the Soviet capabilities. Defense planners are not required to outguess the intentions but rather to plan on the basis of enemy capabilities."

(4) "The opponents of the system could be right, but what if they are wrong? Think of the consequences."

(5) "I challenge the opponents to produce a satisfactory alternative."

(6) "If arms talks are successful we can stop this program just like we stopped Nike-Zeus. Why should we think we are committed forever if we make the decision?"

(7) The previous deployment suggested was completely unacceptable. "It offered all the terrifying defects of a doomsday machine: We could not be sure the President had time to evaluate the attack before retaliation; we could not bring the missiles back to the pad if the warning proved to be wrong; and the launch guaranteed doomsday not only for our enemy but also for us."

(8) The Soviet SS–9 is "ideally suited to take out some of our Minuteman missiles. They have installed more than 200 and are building sites for more. They are testing multiple warheads on the SS–9. If they triple their warheads on the SS–9 it will remove our confidence that a portion of our deterrent can survive in adequate numbers. This is a danger which we cannot ignore."

(9) "Safeguard gives the Soviets another incentive to negotiate. It shows them any effort on their part to achieve a successful first-strike is fruitless—that we will protect our retaliatory forces now and in the future and will do it effectively."

So much for the ABM System as military hardware and a weapon for defense.

But there is another point of vantage from which the ABM should be considered—a far more important one in my opinion.

During recent years there has been growing reference to a group called the "military-industrial complex." There have been charges and accusations that this complex consists of a powerful, but unidentified, body of business interests with defense contracts who hold entrenched positions of preference with high military officials. Their purpose is supposed to be the domination of our foreign policy, inflation of our defense budget and use of the "cold war" climate of mistrust to spend billions of tax dollars on new weaponry.

If this is true, then we are in a dangerous situation indeed. The ABM proposal has brought forth recent repetition of those charges although no convincing proof has ever been offered.

Could it be true that a sly and secretive organization of men in business and the Defense Department plan to whip up public fear periodically so they can create a public appetite for new weapons costing billions of dollars

Well, of course, anything is possible. But as a Member of the Defense Appropriations Subcommittee I can report that I have not detected any strong maneuvers in that direction. My colleagues on the Subcommittee have their share of keen curiosity about new weapons programs and many of us are not easy to satisfy. The probabilities are against the existence of any effective complex of this kind, dedicated to its own profits first and to the security of the Nation second.

Yet I do not doubt that there are many businesses which see eye-to-eye with one another and with top military leaders in support of the proposition that we must have the strongest possible defense to meet any possible military contingency.

And I do not doubt that their idea of the strongest possible defense is simply the most that the citizens can be convinced to buy with his taxes.

In this country there has always been a lingering suspicion of the motives of armament makers. As a Nation we are peace-oriented. We do not require aggression against other nations to survive and grow. We control a continent. We dominate a hemisphere. We provide industrial and technical leadership for the world.

But we have not forgotten World War I and the "merchants of death" . . . the secret arrangements between Vickers in England and Krupp in Germany and Schneider-Crusout in France to supply one another and share profits even during that war.

We remember some unsavory arrangements between English, French and German firms which existed when World War II began and continued up to the middle of that war. We remember the contemptible conduct of the Swedes who sold anything they could to anybody who would buy for gold at any price.

In years past there have been collusive arrangements between international cartels which made war profitable for nearly everybody except those who died. But I do not believe such a condition can exist today, simply because there is no way to influence the armaments industry of the Soviet Union.

The international climate of fear is fed primarily by the atmosphere judgment of Soviet intentions and on their demonstrated credibility in past international dealings. Their record is not a comfort to us. Any arrangement for disarmament or weapons limitation which is based on inspection is immediately denounced by the Kremlin. They expect to be taken on faith and promises.

If the international climate is to be dominated by fear, and if the free nations must over-arm and over-expend to prepare for any conceivable threat, then the natural market has already been created. No complex of military-business man is needed to generate a false demand—as did happen prior to World War I.

But our business community overflows with creative energy and willingness to take risks. If the market is there, you can bet your last income tax payment that they will jump in and try to share the proceeds of that market.

Furthermore, scientific advance today moves so rapidly in such diverse fields that many new products and techniques have both civilian and military application. Fifty years ago only a small section of the manufacturing industry—steel, explosives, electrical equipment and the like—had any major stake in armament production. In today's world almost any maker of a finished product can be considered for a defense contract—pharmaceuticals, plastics, dehydrated foods, artificial fabrics, data processing and thousands of others.

It follows that all of these people, once in the market, will keep coming up with new models and better systems, just as they do in the civilian market.

And as the fear climate continues, the pressure is on the military to buy every new model of every new item to be certain they have the best equipment for every hazard in prospect. Each new device is more complex than the last, and costs more. So that is how the defense budget grows.

In this situation no lurking group of business and military plotters is necessary. The circumstances feed on themselves and proliferate.

From the taxpayers standpoint, military procurement has one characteristic not found in the business world. Since there is only one customer, the action is not subject to the discipline of the marketplace. The customer sets the specifications, but cannot simply refuse to buy if the price is too high or the goods are shoddy.

I have felt for some time that we could save a great deal of money if we went about the defense buying job on a different basis. The operating services should be eliminated from procurement entirely. Let them stipulate the mission for a weapon, establish specifications, and that is all. A completely separate buying organization should take over at that point.

In Germany, the field commanders must approve a new weapon before it can be cleared for production and payment made. Perhaps this is a sound idea which we should adopt. It would eliminate a lot of middlemen.

Defense contractors are unique in one respect. They are frequently responsible for a product which everyone hopes devoutly will never be used. This is true of the Safeguard ABM System, for example. But all of the billions spent on national defense during the cold war years are nothing but a repetition of Paul Revere's ride. They are an effort to buy security for ourselves and time for the world to mature and solve its most dangerous problems without resorting to nuclear warfare.

Working slowly and painfully in that direction, we have met temporary setbacks which have caused good men to lose their lives. The weapons were used, and their capabilities were revealed in action, but not without a price.

The men who died in the Berlin airlift, the dead pilots of the X-15, those who went down with the submarine Thresher. All were victims of the same climate, fear. So were the casualties of the war in Korea.

And today we have Vietnam as part of the long chain of events during our groping search for assured peace in the nuclear age.

In view of all I have said on this very complex subject, and since I am your Representative in Congress, I would be offering less than you have earned by your patience if I failed to end by summarizing my own judgments and stating my own position:

(1) As of this time I am not committed to either support or oppose funds for the Safeguard Missile System. There is much testimony still to be heard, and I will listen most attentively and ask whatever questions seem pertinent.

(2) I will not support funding unless there is very convincing evidence that the System will work. Reliance on a faulty deterrent is more dangerous than no deterrent at all.

Individual components have been successfully tested—the radars, the Spartan and the Sprint, but the computers are not tested and the whole organism must be integrated before the System is assured of success.

Yet, we cannot overlook the fact that the Russian SAM System was a total failure in Vietnam against our Air Force. In early 1968 before the bombing halt there were 67 SAMs launched for every plane shot down. Our countermeasures were successful, and it proves a missile system can be nullified.

(3) I will not in any event base my position on accepting the good intentions of the Soviet Union. History forbids it.

We have held the Soviet Union helpless before our own power more than once.

During four years after the end of World War II, when we held monopoly nuclear power and the Soviet fighter force was useless against our strategic bombers.

After October, 1952, when we alone possessed the hydrogen bomb.

In the Cuban crisis when we held a missile superiority of five to one.

But the Reds have convenient memories and they still do not understand free and open debate in an open society. Neither did Hitler, and he confused himself finally and took a chance. We can't afford to give the Kremlin even that option.

The post-war path we have followed began March 12, 1947, when President Truman asked Congress for $400 million for Greece and Turkey, both threatened by Soviet expansion. Our journey on that path was never a partisan political issue. It is interesting to recall that in a letter written October 18, 1966, from his Gettysburg farm the late President Eisenhower listed the achievements of his presidency, and on that list were prevention of Communist efforts to dominate Iran, Guatemala, Lebanon, Formosa and South Vietnam.

It is difficult to avoid the conclusion that many leading opponents of the ABM have always favored compromise at any cost. They fear confrontation. They fear the use of power by the American people. They fear the decision of the people. They would rather lecture the people on how to behave themselves. And in the crisis they would favor disarmament and surrender rather than face the terrible choice of power.

(4) I would oppose in this case, or in any other, the tailoring of a major weapon system to meet the shifting and slippery demands of diplomacy. Teddy Roosevelt told us in 1912 to "walk softly and carry a big stick", and his advice still commands respect.

We must face the fact that science is universal and holds no permanent secrets for exclusive use by any nation. Any weapon that *can* be built, *will* be built.

But it might not be *used*. Such was the case with gas and bacteria weapons in World War II. It should be the function of diplomacy to concentrate on securing such international agreements as will encourage friendship among all nations and gradually make weapon building an expensive folly.

Meanwhile, let's remember a police state *will* use any weapon, if it can do so with impunity, as Hitler did with the V-Rockets against England.

And let's remember that Pearl Harbor was a "first strike" of the 1941 model. Four years of blood and treasure were required to nullify that aggression.

(5) I *do* accept the definition of the Safeguard System as a wholly defensive weapon. A system with a range of a few hundred miles can hardly be an aggressor's weapon.

Yet, listen to the outcry from the same voices that always cry out in fear of any change on the chess board of world affairs.

We have been through their veil of tears before on many occasions:

In the immediate post-war era when we decided to build a nuclear weapons force.

Next when we decided to build a hydrogen bomb.

Then when we decided to deploy an intercontinental rocket force.

And again when we decided to construct a Polaris Submarine Fleet.

Each time the same people sang the same tune.

We were aggressors, building weapons to blackmail the world.

Now by some tortured logic these same people would tell us a system of rockets to cover a few hundred miles is escalation of the war threat because we are reducing the ability of an enemy to use his rockets against us. If we have an enemy who worries about that point, then he *must have aggressive* intentions.

Presumably we should trust their good intentions, as did the people of Czechoslovakia.

(6) I am convinced that we must reduce our total defense spending. I would work toward reaching a figure averaging 7% of our gross national product or less if possible.

Some policy of this kind is required or we will be drawn into a permanent and continuing role as world policeman.

I have confidence in our technology and our ability to remain ahead of an enemy qualitatively for as long into the future as we must. But since 1945, we have held together the ranks of the Free World and Communism has been exposed in all of its weaknesses. It is now time for other nations to exert and defend their nationhood if they will. And if they won't, our sons should not be offered as hostage for their failures.

The Kremlin has used our defense expenditures as an alibi for the obvious weaknesses of their political and economic system. Their failure to unify their satellites. Their failure to develop Russia internally. Their failure to meet consumer goods demands.

It is to our long-term advantage to shatter that alibi and force exposure of their weakness in the eyes of their own people.

There is no great cause for alarm. By world standards the Soviet Union is not yet even classed as an industrialized country, since over 30% of its labor force is still on the farm and food alone counts for 20% of its national income. In the largest Soviet grain region only 50% of all farm machinery is in a state of good repair, and in one of the largest provinces more than 2,000 tractors of the same type are immobilized for lack of spare parts.

(7) I believe we are entering a time of transition in the management of our diplomacy and our national defense. But the decisions to be taken must not and will not be influenced by the scuffling of beatniks in the streets or the bleating of quack intellectuals who still apologize for the Soviet invasion of Czechoslovakia.

So in connection with the Safeguard ABM or any other weapons system . . .

If it is a proven addition to the national security . . .

If changing events in the world require it as a response . . .

If there is no acceptable alternative to meet an identifiable danger . . .

Then I would support it.

Actually, a decision in support is no different than the first great military policy decision by the Continental Congress—to start its own Navy . . . to buy the old French ship Bon Homme Richard and arm her . . . to direct John Paul Jones to patrol the Atlantic as a first line of defense for this continent. In the context of the total picture, and of history as it has been written, I would consider my support to be the action of a dove, not a hawk.

For history leaves no doubt that only the strong can discourage attack and bring peace to the world of men.

A BILL TO AMEND THE VOCATIONAL EDUCATION ACT OF 1963

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. REID of New York. Mr. Speaker, I am introducing a bill today which is a technical amendment to the Vocational Education Act of 1963. Section 104(b)(1) of that act provides for the establishment of a State advisory council and further provides that the members of the council shall be appointed by the Governor or

by the State educational agency in those cases where the members of that agency are elected.

The situation in New York State is somewhat unique in that the State educational agency—the board of regents—is elected by the State legislature. The Office of Education does not, under the terms of the existing statute, recognize the board of regents as an elected body for the purpose of appointing members of the vocational education advisory council.

The bill I have introduced would make it explicitly clear that the Congress intended the State educational agency to be the appointing authority when that agency is elected at large or by the members of the State legislature.

ADDRESS OF FORMER GOV. THEODORE R. McKELDIN, OF MARYLAND, DELIVERED AT MEETING OF FEDERAL BAR ASSOCIATION, CAPITOL HILL CHAPTER

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. HUNGATE. Mr. Speaker, much has been said about law and order and, indeed, today we are more concerned with this matter than ever before. We are alarmed about the escalating rate of crime. Many question the wisdom of today's permissive society and ask where is the world heading?

One of the Nation's truly great men and certainly one of its acknowledged most brilliant orators—the Honorable Theodore Roosevelt McKeldin—gave much thought to this subject. He was Governor of the State of Maryland from 1951 to 1959, and also served as mayor of Baltimore—the largest city south of the Mason-Dixon Line and the Nation's sixth biggest—for two separate terms, 1943–47, and again from 1963 to 1967. He is also remembered as the delegate who placed Gen. Dwight D. Eisenhower's name in nomination for President of the United States.

At a meeting of the Capitol Hill Chapter of the Federal Bar Association held on April 17, 1969, former Governor McKeldin delivered a most eloquent and stirring address on the general topic of "Law and Order in Today's Society." What he said merits serious consideration and, therefore, I invite the attention of my colleagues to the words of this noted lawyer, scholar, gentleman, and statesman; they were as follows:

LAW AND ORDER IN TODAY'S SOCIETY

(Address by Hon. Theodore Roosevelt McKeldin)

"Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap, let it be taught in schools, in seminaries and in colleges; let it be written in primers, spelling books and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls and enforced in courts of justice. And, in short, let it become the political religion of the nation and let the old and the young, the rich and the poor, the grave and the gay of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its altars."

So, in 1838, spoke Abraham Lincoln, then aged 29, to an audience of young men in Springfield, Illinois, and who is rash enough to deny that he was right?

"The world has never had a good definition of the word liberty, and the American people, just now, are much in want of one."

So, in 1864, spoke Abraham Lincoln, then aged 55, to the Sanitary Fair, ancestor of the Red Cross, in Baltimore. Again, who is rash enough to deny that he was right?

He *was* right then, and he *is* right today. Indeed, I am tempted to say that neither in 1838, nor in 1864, was he half as right as he is in 1969. I would say it, except that I know that rightness is not something that can be measured with a foot-rule.

Each of those declarations is a plain statement of truth. Yet take them together and you have a statement, not of fact, but of the most baffling problem the American people have been called on to solve, namely, the reconciliation of reverence for law with love of liberty.

We still need a good definition of liberty, but we also need a good definition of reverence, specifically reverence for law. There is no lack of definitions of both, but most of them are partly and some of them blatantly false. For instance, Simon Legree, the infamous overseer in "Uncle Tom's Cabin", defined reverence for law as reverence for the blacksnake whip with which he lashed the slaves to their daily tasks.

Old Simon Legree is dead and gone, thank God, although sometimes I think I see his ghost stalking our streets, and even sneaking into the offices of high officials and into legislative chambers. But at least he is no longer a part of our professed creed, only a relic of ancient superstition, like fear of black cats and of the evil eye.

Very much alive, however, and visible—all too visible—in broad daylight are people who are giving to liberty a definition as monstrous as Legree's definition of reverence. Different people give them various names, "yippies", "hippies", "far outs", plain "nuts", and others, but you know the class I mean. I am not referring to mere eccentricity. If a man or woman chooses to dress in fantastic fashion, it is no concern of mine, as long as it does not involve indecent exposure. If people entertain what to me are eccentric ideas, that, again, is no concern of mine. It is not until this liberty begins to restrict mine that I have a right to object.

If a man finds himself alienated from society, he may have reasons that I must respect, even though I do not understand them; but if he is alienated from soap, he becomes an offense to the nostrils, which is no man's right. If a man disbelieves what I take to be truth, I may disapprove, but I may not distrain him. But if he assumes to forbid me to learn what I wish to know, or to believe what I choose to believe, then it becomes my right and my duty to assist in throwing him into the calaboose with what the Supreme Court calls "all deliberate speed".

I believe in the right of public demonstrations of approval or disapproval. I believe that "the right of the people peaceably to assemble and petition the Government for a redress of grievances" cannot lawfully be abridged, by the police, by the courts, by the Congress, or by the President. But the key word in that guarantee is "peaceably". Shouting through a bull-horn is not peaceable. Obscene or opprobrious language is not peaceable. Squawk and squalls and shrieks intended not to refute but to drown out a speaker's argument, are not peaceable.

In any public place acts, language, even gestures intended to provoke a breach of the peace are disorderly conduct, which is a misdemeanor, punishable by fine, or imprisonment, or both. When people undertaking to suppress other people's liberty are themselves suppressed, liberty is not infringed, it is defended.

This is, I believe, sound theory, but when it comes to practice we run into that troublesome old maxim, "circumstances alter cases". Cool reason is just about the most fragile thing on earth. One touch of passion shatters it and often, much too often, the passion is due not to anything present, but to remembrance of things past which we call prejudice. To adapt an old adage, when prejudice and passion come in at the door, justice flies out of the window. There is nothing specifically American about this. It applies to all nations, for it is a law of human nature.

But has it occurred to you that civilization is merely an effort to repeal those laws of human nature that make for anarchy? It is a law of human nature to wish to hit the person who angers you, but civilized people seldom do it. A higher law takes precedence, and it is not merely a police measure, it is an effect of centuries of civilized living.

A little less than two centuries ago this republic was founded for the specific purpose of repealing what had until then been regarded as a law of human nature, namely, the proposition that a herd of men can no more govern themselves than can a herd of sheep. The proposition had been challenged before, but never with more than a momentary success. We have managed to make our challenge work tolerably well for nearly two hundred years, which made Lincoln call our nation, even when it seemed about to collapse, "the last, best hope of earth".

We have given the world proof that self-government by free men in an imperfect, but workable form, can be maintained for as much as two hundred years. That proof is the greatest gift that America has given or can give to the rest of mankind, for on the success of our experiment all their hope depends. If we now permit internal rivalries, dissensions and hatreds to defeat that experiment, we shall do more than bring ruin on ourselves, we shall also defeat the last, best hope of earth. Some sort of organization called a nation might survive, but the great republic would end as a wreck cast into the dust-bin of history.

Anarchy obviously would defeat the dream, but a police state would defeat it even more completely. Any division of our people into castes and classes would defeat it, and it matters not at all how the lines were drawn, whether racially, religiously, economically or in any other way that would divide Americans into first, second, and third class citizens. There are forces, as there have always been, drawing us toward that catastrophe, and to resist those forces is a double duty—one to our forefathers who pledged their, and our, lives, fortunes and sacred honor to the success of the experiment. The other is to our sons to the *nth* generation, that we shall not destroy their chance to kindle the world's spark of hope into a blaze, lighting it toward that day when "nation shall not lift up sword against nation, neither shall they learn war any more".

But to achieve it we, and I have in mind especially the rising generation, must surmount this crisis, which can be done only by the exercise of both intelligence and tolerance. We must neglect no possible source of power, however fantastic it may appear. The hippies and yippies are obviously blundering and confused; but there is a driving force within them that must be carefully studied. The raving students who are wrecking classrooms are damaging themselves, their property and their prospects, but they are moving, and movement is proof of kinetic energy that might serve a good purpose. The wild black extremists risk precipitating a blood-bath, but never again will the American Negro sink into the dull apathy that has held him in a sort of coma for a hundred years.

The dangers that confront us are terrific, and God forbid that I should pretend to know how to escape them. But escape them I believe we shall, for wild days have afflicted the public ere now, not once but repeatedly, yet strong arms and stout hearts have always brought us through, and invariably into a brighter and nobler destiny than we had dared expect before. For one thing, when our forefathers declared our independence, "appealing to the Supreme Judge of the world for the rectitude of our intentions" it is evident that the appeal was not then dismissed, nor has it been for nearly two hundred years. I believe it is still in force.

Knowing full well how stressful are the times, dismayed as I am by riots, and revolts, and wild threatenings, almost ready to admit that we are witnessing Poe's "Tragedy, Man", "with much of madness, and more of sin—and horror the soul of the plot", I am yet steadfast in the faith that we shall yet find a clearer definition of reverence, and a sharper definition of liberty than Lincoln knew; and with their aid we shall give the world a larger pattern of government than we drew.

This is inevitably the work of the next generation, to which mine, I am certain, is glad to pass it on. For to the extent that we have done our best, I hope, I think we may share the feeling of those two old heroes of the first crisis of the republic, Thomas Jefferson and John Adams. We, too, may say, as Jefferson wrote to Adams, "Laboring always at the same oar, with some wave ever ahead, threatening to overwhelm us, and yet passing harmless under our bark, we knew not how we rode through the storm with heart and hand, and made a happy port."

BIRTH OF CHICAGO TODAY

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. MIKVA. Mr. Speaker, April 28, 1969, marks a great day for Chicagoans and especially for newspaper readers of that city. On April 28 a new publication appeared in Chicago, a new publication which has grown from the hardy roots of a respected and established Chicago newspaper—Chicago's American. This new publication—new in format as well as in name—is to be called Chicago Today, a name which will convey the sense of immediacy and relevance which publishers of Chicago Today hope to incorporate into it.

The most obvious difference between Chicago Today and its predecessor will be its more compact tabloid format. More than format has been changed, however. As a story in the last edition of Chicago's American said:

> Chicago Today . . . will offer a kaleidoscope of features for the whole family.

Once again Chicago, already getting far better newspaper service than most cities of the Nation, has scored a coup. As President Nixon said in his congratulatory message to Chicago Today:

> This is a new landmark in publishing in the United States.

What is most significant, Mr. Speaker, is that in changing its format and layout, Chicago Today is responding directly to the desires of its readers. This is the kind of journalistic response that one does not often see. As Lloyd Wendt, publisher of Chicago Today, and Luke P. Carroll, its editor, told the readers of the first edition:

> Our dialog has been good. Your letters, your calls to our Action Line, and our surveys and studies have told us what to do to serve you better. A new kind of newspaper is what you had said you want. Compact, crisp, quick to bring you the facts. Organized, easy to read. Significant. Fresh. Attractive to the eye, convenient, exciting. Compact.

I believe that Chicago's American readers have been given what they wanted, and I believe all of Chicago will benefit.

I want to express my congratulations to the editors, publisher, and staff of Chicago Today for their imagination and courage. I wish them the best of luck and all success.

UNDERSTANDING THE AGED

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. ROSENTHAL. Mr. Speaker, there are 19 million Americans 65 years or older. The average aged person has to live on less than half the money available to a younger person. This difference in income is far greater than any possible difference in living requirements.

Our attitude toward the elderly has too often been to ignore them rather than to offer them opportunities to learn, to work, and to engage in social activities. We must begin to show senior citizens that reaching the age of 65 does not mean "dropping out," stagnating, or being forced to be completely dependent on others.

We need many new institutions to study the aged and their problems. The Ethel Percy Andrus Gerontology Center in southern California is an important effort to bring dignity, spirit, and meaning to senior citizens. The center, designed to study the aging process, will include nine basic laboratories, graduate facilities, a specialized library on aging, and training facilities for older Americans. As an integral part of the University of Southern California, it will be staffed by well-known scientists and scholars.

In support of this worthwhile project I am introducing the following resolution and request my colleagues to join me in encouraging its adoption:

RESOLUTION

Whereas there are over 19 million older Americans 65 and over, and

Whereas the number of older Americans increases by over three hundred thousand per year, and

Whereas by the year 2000, 35% of our population will be 65 and older, and

Whereas the average life span of an American child born today is 70 years as compared with 47 in 1900, and

Whereas gerontology is a relatively new science, and

Whereas Congress is continually concerned with the well-being of older Americans, said concern having been demonstrated by the establishment of the Administration on Aging (P.L. 89–73), therefore,

It is the sense of Congress that programs of scientific research and training in Aging, such as the Ethel Percy Andrus Gerontology Center located at the University of Southern California, be encouraged and supported.

NATIONAL TIMBER SUPPLY ACT

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mrs. MAY. Mr. Speaker, southeastern Washington State, which is the district I have the honor to represent in the Congress, is deeply concerned with the proper management of our timber resources—not only in the immediate locality, but throughout the United States.

The people of my district derive a high percentage of their livelihoods from the endless cycle of forest growth, care, harvest, and regeneration as well as from the conversion of this miraculous wood fiber into useful products essential to the well-being of Americans everywhere.

When a basic industry, such as lumber and plywood production, is adversely affected in the marketplace by sharply increasing prices which engender buyer resistance the people of my district suffer significant reverses. Prices for these basic building materials rose to levels nearly double the 1967 price during 1968 and a storm of protest echoed throughout the land as homebuilders and home buyers found it increasingly difficult to anticipate final construction and selling costs for the homes so sorely needed.

Both the Senate and House Banking and Currency Committees undertook investigations of the causes underlying the unprecedented rise in softwood lumber and plywood prices. These inquiries, drawing upon expert testimony from all parties concerned, both public and private, revealed that the Federal Government itself held the key to solution. The high cost of finished products had resulted in large part because the Government was not adequately funding the modern forest management methods necessary to realize maximum return from the Federal timber resource.

It was properly predicted that unless the Federal Government, which controls 60 percent of the softwood sawtimber inventory in the Nation, took positive steps to increase the supply of timber from its lands, prices for finished goods would remain high and might well go higher in the face of demand.

Consumer reaction was predictable. Believing that the Congress would act to enable the Forest Service to increase its timber availability, consumers stopped buying both softwood lumber and plywood and the price dropped sharply. The result was plywood plant closures since the high costs of Federal timber contracted for earlier meant that conversion of that timber into plywood in the face of a declining market price would oblige the plants to sell at a loss. Similar declines, although not so marked, were evident in the softwood construction lumber market.

It is irrational to expect producers of any product to manufacture and sell at a loss to themselves. Many mills in the West are caught in a severe squeeze between the high prices they paid for Federal stumpage and the buyer resistance to high cost plywood and lumber. And it is not only the management and stockholder who suffers in this condition. The workers are adversely affected due to layoffs and shutdowns.

The chain reaction triggered in such a situation extends across the entire Nation because builders stop building, carpenters are thrown out of work, other building trades suffer reduced employment opportunities, the distribution outlets are slowed to a stop, and, perhaps, most regrettably, the American people are denied the homes they have the right to expect to be able to buy for their families.

Correction of this economic dislocation is of a tremendous urgency and, it is for that reason, that I have introduced the National Timber Supply Act of 1969, which contains within it the essential element for relief of this and other associated economic ills.

Briefly stated, the National Timber Supply Act will establish a high timber yield fund as a repository for 65 percent of the timber sale receipts from Federal commercial forest lands. The Federal timber management agencies will be able to draw upon that fund, through the regular appropriations process, to obtain the dollars necessary to apply modern management methods to the producing timberlands under their charge. Funds deposited but unappropriated within 2 years will revert to the U.S. Treasury.

The dollars appropriated from the fund will be used to apply tested forest management methods to vast areas of Federal commercial timberlands which are now neglected or are reserved from harvest because there has previously been no long-range assurance that funds would be available for sustained commercial timber operations. The National Timber Supply Act will overcome this previous restraint on sound management of Federal timberlands.

There is another overtone which cannot be ignored because it responds to the direct county service needs of every constituency where Federal commercial forests exist. Under present law, 25 percent of the Federal timber sale receipts for harvest within a county revert to the county for the express purpose of supporting schools and roads. This procedure will be continued unchanged under the National Timber Supply Act, but there will be one significant difference—the total funds which will be returned to the counties for these basic purposes. The increase of timber sales on Federal commercial lands which will be possible under the new act, will materially increase the dollar total returned to the counties. It is simple logic that if the timber supply increases in the face of increasing domestic wood requirements, total sales will be increased, and thus the dollars earned will be higher.

Another aspect of the dollar return to the counties is that under the Knudsen-Vandenberg Act, timber purchasers must deposit a portion of the total sale value for reforestation of areas they harvest. This amount is credited to the timber purchaser on his final settlement but it is not reflected as part of the total cash receipts and thus the counties are denied the benefits of these deposits since their 25 percent is assessed against the sale price less the Knudsen-Vandenberg funds.

This has been a serious bone of contention between Federal and county officials in the past and the Congress has conducted hearings on this subject at the request of the counties who have felt that they have been shortchanged.

This particular difficulty will be overcome since the reforestation activities on Federal commercial timberlands will, under the National Timber Supply Act, be funded directly from the high timber yield fund and the need for separate Knudsen-Vandenberg funds will be eliminated.

I have not discussed the significance of the National Timber Supply Act to meeting our national goal of 26 million units over the next decade. This figure is specified in the Housing Act of 1968, which was overwhelmingly supported by the Congress. It has been clearly stated by such an authority as Eugene Gulledge, president of the National Association of Homebuilders, that it will be impossible to build the homes America needs without softwood lumber and plywood. I believe Mr. Gulledge and I believe that the Federal Government if it establishes worthy goals of this kind must support its intentions by following through to unleash the forest resource to make the goals attainable.

This Congress has it within its powers to update and maximize the bountiful return the Nation can derive from the Federal commercial forests. I believe it must be done and I will work vigorously for the passage of the National Timber Supply Act as a principal means to make the possibilities become realities.

TRIBUTE TO A. PHILIP RANDOLPH

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. BROWN of California. Mr. Speaker, as I pay tribute today to A. Philip Randolph, above all else I honor him as one of the great visionaries of our times. Now, as he marks his 80th birthday, I believe that Mr. Randolph looks back at his accomplishments not as personal victories, but instead as achievements reached in a long and continuing effort to grant freedom, justice and equality to all citizens of the United States.

Too often the visionary gets overlooked in our society. Objectives are met, and laurels placed on those most near to accomplishments, and in fast-moving times, the originator, the visionary, gets relegated to the background.

When we talk of the struggle to permit collective bargaining, when we praise the Federal fair employment actions, when we remember the moving marches on Washington, we also should point with immense pride to A. Philip Randolph as the visionary whose foresight made possible each and all of these milestones over the past 40 years.

Last year, A. Philip Randolph stepped down as head of the International Brotherhood of Sleeping Car Porters, but, though he is retired in name, in reality his task to create a society based on liberty and equity goes on.

The A. Philip Randolph Institute will stand always as a living monument to the philosophy which exemplifies the achievements of the man himself.

The story of A. Philip Randolph is testimony to the belief that a minority American can rise from squalor and poverty to advance the welfare of all citizens. And it is through the work of Mr. Randolph that the added opportunity has been made for many other poor Americans—black, brown, and white alike—to follow and build upon these accomplishments.

If there is an American dream, that dream has been realized over the past 80 years by A. Philip Randolph. I wish him many more healthy and fruitful years to come.

GILBERT BILL TO BENEFIT BLIND PERSONS

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. GILBERT. Mr. Speaker, I ask my colleagues to give serious attention to my bill, H.R. 6224, to liberalize the eligibility of blind persons for social security benefits. I ask every one of you to consider this bill because blindness is not a regional problem, not a racial problem, not an economic problem, not an urban or a rural problem. It is a crushing disability that can strike anyone, anytime, without regard to race, wealth or place of residence. It is a responsibility that each of us, as Congressmen, faces equally.

I ask you to consider this bill favorably because the social security laws currently governing the blind are harsh. They take virtually no account of the special needs of the blind. They are the standards that a cruel and insensitive society would set, and I do not think our country can live with those standards in good conscience.

This bill would allow any blind person to be eligible for social security if he has worked six quarters, rather than five of the last 10 years, as the current law provides. It would, furthermore, allow the blind to retain their earnings, rather than cut benefits off as soon as $140 a month is earned.

Mr. Speaker, it is not only tragic to be blind; it is also frightfully expensive. The blind need to hire people or have expensive animals to substitute for their sight. They need special books and papers. They often must live in special quarters. We must encourage them to work and to live decent lives, but our current laws penalize them for their affliction.

The cost of this bill to our social security system would be very small, but the measure of help it would bring to those who desperately need it would be very great. I urge my colleagues to look into their consciences and support H.R. 6224, a bill which is practical and compassionate.

EQUITABLE FARM INCOME AT THE MARKETPLACE

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. HANSEN of Idaho. Mr. Speaker, we are searching for ways to strengthen the economic position of the American farmer and to reverse the decline in income he has suffered during recent years. Secretary of Agriculture Clifford M. Hardin is currently conducting a series of meetings in various parts of the country in order to give farmers an opportunity to express their views and to submit their proposals for a solution to the farm problems.

An imaginative and instructive plan to strengthen the position of the farmers in the marketplace and to achieve for him a fair return on his labor and investment has been developed by Mr. J. J. Griffiths of Blackfoot, Idaho. I have had the privilege of reviewing Mr. Griffiths' plan with him and I am impressed by his understanding of farm economics and of the problems that confront the American farmer.

Mr. Griffiths has developed a plan to increase farm income through a system of land retirement financed by the farmers who benefit from the program. Mr. Dale Rockwood, of Idaho Falls, Idaho, vice president of the Idaho Farm Bureau Federation, recently forwarded to me a copy of Mr. Griffith's proposal. Mr. Rockwood advises me that the plan was endorsed by the Idaho Farm Bureau Federation at the 1968 annual convention and that it was also approved by the American Farm Bureau delegates except for the self-financing feature.

Mr. Griffiths' plan is deserving of careful study by all the Members of Congress and by those within the executive branch who have the responsibility for shaping farm policy.

Mr. Speaker, I include as a part of my remarks Mr. Griffiths' proposal, as follows:

EQUITABLE FARM INCOME AT THE MARKETPLACE OR A CAPITALISTIC SOLUTION TO A CAPITALISTIC PROBLEM

(By J. J. Griffiths)

ABSTRACT

This plan provides agriculture with perpetual equitable income in relation to the non-agricultural segment of the country. This is done by recognizing that the failure to balance supply to demand does not permit agriculture to set a price on its production to cover cost plus a fair profit as is done by virtually all other producers. Generally, solutions to this problem that have been attempted in the past have not only fallen far short of the equitable income goal, but have not been compatible with the law of supply and demand. In other words solutions have imposed on the individual farmer restrictions or incentives foreign to good business-like management of his farm, in lieu of the true capitalistic principles of the supply-demand price at the market place. Restrictions, controls or regimentation implies management inflexibilities that reduce efficiency. Free markets and capitalism permit management flexibility leading to more specialization, production shifts, etc. that in turn lead to greater efficiency. It is desirable to have a solution that will positively accomplish equitable income and do it in a manner compatible with capitalism. This plan does just that.

Enabling legislation is called for that would permit land to be retired (without regard to specific crops) in the amount calculated to reduce overall supply to where overall equitable income for the farmer could be realized at the market place. This would be done by rental of whole farm units from competitive bids based on the established gross primary production of the land. Retirement on a whole farm unit basis is desirable because it is more effective in reducing overall agricultural costs, and in reducing supply. Competitive bids are necessary to make this plan voluntary and to keep costs near the actual rental value of land. Gross primary produc- not feed lots, dairies, hen houses, seed processing plants, etc. which increase the cash sale value of the crops by the substitution of capital that can readily be duplicated. tion is defined as the cash crop value of the production of the land and water and

Land would remain in retirement on a long-time basis of indefinite duration at the option of the owner. For a variety of reasons some owners will be returning land to production as time goes by. As owners return land to production, additional land retirement rentals would be made as needed, to maintain overall income above some desired fair level. If prices raised too much above this level certainly economic incentive would automatically insure return of adequate land to production. The program would be perpetual and would automatically cease to function when not needed.

Rental costs are estimated at one to three per cent (This small investment is less than the government has spent every year for many years without accomplishing equitable income.) of the operating farms gross primary production to be financed by this gross tax on operating farms gross primary production to be financed by this gross tax on operating farms but as a recognized expense would be covered by increased prices at the market place. It permits the operating farmers freedom and flexibility, and leaves them at full efficient capacity thus allowing them to produce at the least possible cost for competition with the import-export market and to the benefit of the consumer as well. It concerns itself only with overall supply and income leaving the law of supply and demand through the price mechanism to tell the farmers which commodities to increase and decrease.

This plan creates a healty environment in agriculture by indirectly providing farmers with the overall supply supervision that other producers have by direct methods. These direct methods are not available to farmers because numerous independent individual farmers produce identical products. To have direct control would require grouping many producers of a particular commodity under a single supervision which is both infeasible and undesirable. After this plan is in effect some commodities may still feel a need for bargaining in which case this plan reduces the bargaining problem to manageable size where it can succeed much easier.

EQUITABLE FARM INCOME AT THE MARKETPLACE OR A CAPITALISTIC SOLUTION TO A CAPITALISTIC PROBLEM

(By J. J. Griffiths)

The farm problem is that the per capita farm income over the years has only been one-half to two-thirds that of the non-farm income.[1] Latest publications show[2] that farming is the largest and most important industry in the country, with an investment of $61,000 and an annual income of $5000 per individual employed. This was compared to the average of the eleven industries, in order of importance, with an investment of $25,400 and an annual income of $10,350 per individual. The $5000 income per individual obviously does not reward farming equitably for their investment and labors.

This farm income problem arises from the fact that the slight overproduction of agricultural products results in such unfavorable supply-demand balance that the farm produce cannot command its equitable share of the nation's income. Furthermore the basic mechanism of capitalistic economics does not function so as to reduce the supply to command an equitable price for these commodities. For capitalism to work, the supply must go down as a result of some natural signal to the individual farmer when the price is too low so that the price of agricultural products will increase again. Even under present conditions however, the individual farmers are not receiving such a signal and are therefore not voluntarily reducing production. It is desirable to solve this problem in a manner consistent with capitalistic principles and leave the farmer with freedom and flexibility rather than with controls in the hands of big government or big union-type farm organizations. To do this we must first diagnose capitalism for its problem.

Ideally if equitable income is defined as the level of income at which the farmer would receive returns from his capital, management, and labor equitable with the rest of the nation, then the capitalistic principles should encourage a supply cut-back when the income level drops below this, and a supply increase when the price increases to above. This is obviously not the case. The loudest signal the individual farmer hears is that if the price drops or the expenses go up he must increase his production in order to make a go of it though he may switch to a different crop. The collective results of all the individual decisions that the farmers are making will result in a decrease in supply of the least profitable crops only by switching to some competing crop resulting in no decrease in the overall supply even though every individual knows it is for the best.

The farmer is no different than any other producer. To produce at 100% capacity, 100% of the time, would be just as disastrous to other industries as to farming. In these other industries this is prevented because a single management controls a single exclusive product (such as Chevrolet and Coca-Cola) to manage the supply to the demand. Even where the product is not so exclusive (such as 1090 Carbon Steel produced by several different companies) the production is geared to demand and these companies retain the privilege of setting their own prices. It is true that if overall prices drop the overall supply may also drop but such a supply decrease would probably be due more to some economic failures than to management decision. The economic signal for a solvent individual to cut back his overall production just does not exist. His unit costs are always least at full capacity. Farming has untold thousands of independent producers of the various farm commodities resulting in no adjustment of overall supply to the demand. These thousands do not know what profit they will make, if any, but only if they make one penny on one unit they will make two pennies on two, as individuals, because as individuals, their contribution to the price depressing overall supply total is insignificant. This is the collective result of natural individual incentives and it cannot be expected to be otherwise. That this is the case, is evident by the fact that this is not a temporary ill or a feature peculiar to the 1960's. Reference to the parity level since its beginning over 50 years ago shows significant full parity income to agriculture only in a brief period associated with each of the two global wars when sudden great overseas needs developed temporarily. In all other periods slight over-supply has harmed agriculture and will continue to do so under most all conditions unless farm supply is brought into balance with demand and maintained that way as is necessary for all other producers.

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[1] Handbook of Agriculture charts, 1966, USDA.

[2] U.S. News & World Report, March 18, 1968 "Why Farming is in Trouble".

The farmers need some perpetual positive way of gearing supply to demand to effect a production cut-back or increase to meet demand as it exists, as is done by other producers such as Ford, International Harvester, U.S. Steel, R.C.A., etc. With millions of individual farmers there is no way that this can be done directly without dictatorial regimentation. This, to say the least, is undesirable.

Since the desirable answer to this problem is not to turn to socialistic methods but rather to use some sort of a capitalistic solution to this capitalistic problem, and thus to preserve the freedom and efficiency of our free enterprise economic system, we must first understand capitalism. It works on the law of supply and demand, or in other words, free enterprise. A study will show that this law of supply and demand does a very good job of telling the farmer the proportional amount of each farm commodity the market needs through the price mechanism but fails entirely to tell him, in a voice he will hear and act upon, how much overall farm production to provide. He will shift from a less profitable crop to a more profitable one but has no incentive whatsoever, as an individual, to reduce his overall production. It is true that some commodities are in greater surplus than others but commodities where persistent surpluses are most evident are allotted crops. For the most part this is then due to the artificial signal of price supports and not due to the free market. Without these government programs, stock piled surpluses would not exist unless a strategic reserve were purchased on the free market.

The natural relative prices will tell the farmers which commodity to increase or decrease, therefore, commodity-by-commodity control is not necessary or desirable in most cases if the overall supply of agricultural produce is reduced to the amount which could command an average full equitable price at the market place for agriculture as a whole. Under such conditions many commodities may be under what the government now calls 100% parity. But there is no other way and certainly no better way to determine the proper relative price of commodities than the law of supply and demand which automatically calculates the needs and desires of the consumers, producers, and marketing mechanism.

Regulating overall supply can be done in an economically feasible manner by recognizing these basic concepts of the supply-demand formula as it applies to agriculture which are: (1) As the supply goes down, the price goes up and vice versa. (2) The overall price change for all commodities is greater than the overall commodity supply, as measured by the inelasticity of demand. (3) The inelasticity of overall demand is much greater than it is for individual commodities or commodity groups. (Inelasticity is the ratio of the price change to the supply change that caused it.) This third item makes it feasible to influence farm income by overall supply change whereas individual or group commodities supply change can, in general, have no influence on overall farm income unless as a result thereof overall supply is reduced. If a commodity is decreased in supply simply by switching the land to another commodity use, the later will suffer and in general no net benefit would accrue to agriculture because no overall supply decrease has occurred.

To quote a standard college textbook [3] on agricultural marketing:

"The demand for any one food is more elastic than the demand for the food as a whole. It is easier to substitute one food for another than it is to substitute something else for food as a whole. The elasticity for demand for pork at retail in the United States is about −0.7 (i.e. if the supply of pork is reduced 0.7% the price will increase 1.0% of the retail level) and for beef about −0.9%. But for all meats together, it is about −0.6%. The elasticity for food as a whole in the United States is about −0.25 (i.e, if all food were reduced 0.25% the retail price would increase 1%).

"If we assume for the moment . . . that half of the consumer's food dollar gets back to the farmer . . . the percentage change in price at the farm is twice as great as retail." (Comments above in parentheses are mine.)

From this the logic of influencing farm income by the use of overall food supply instead of commodity-by-commodity supply is obvious. Using these facts, the inelasticity of overall food is that a 1% price increase results from a ¼% supply decrease on the retail level. Converting from retail to farm price elasticity as the textbook did, the farmers are currently receiving about one third of the retail food dollar. Then converting the one-fourth per cent from the retail level to the farm level shows that a one per cent overall price increase would result from a one-twelfth per cent overall supply decrease and vice versa (or an inelasticity of 12 to 1). (This overall inelasticity of 12 to 1 is not to be confused with the average of the inelasticities of the individual commodities which would probably be less than 3 to 1.) With overall inelasticity being 12 to 1 (i.e. an overall price increase of 12% will result from a 1% overall supply decrease or a 12% overall price decrease will result in a 1% supply increase) it is not only apparent that a small overall supply cut-back can aid the farmers greatly but it is also apparent why the slight surplus we have depresses prices so greatly and why it is so necessary to adjust overall supply rather closely. The inelasticity data mentioned above were derived from market statistics in the period of 1920 to 1950 when parity ratios were about as they are now. There are several influences that are predominate more at the present time than then in both directions but the basic principle is true, and will continue to be true. The overall inelasticity is not expected to be significantly different now than it was then.

The very slight amount of retail price increase needed to provide the farmer adequate income is not usually realized. Less than 18¢ of the consumer dollar goes for food and less than 6¢ is paid to the farmer and less than 2¢ of this is net income to the farmer. It is hard to imagine the average American eating many fewer calories to deny the farmer only another 1¢ or perhaps less from the consumer dollar (a smaller amount than increased inflation alone erodes away every year) or that increased farm efficiency is giving to the consumer every few years. As recently as 1960, the 18¢ he now spends for food was 20¢ and in 1952 it was 23¢. Many take the attitude that any increase in farm prices should be avoided because of the increase in retail food prices. It is hard to understand why much more significant food price increases are condoned in the other factors affecting retail food prices while denying this small necessary increase in farm income especially when a large portion of the poor people for whom concern is expressed are those on farms.

The best way to reduce production would be to retire whole farm units because (1) it would leave all operating units at their full capacity for best efficiency, (2) it would reduce overall production costs to agriculture by permitting the retired farms to disband and liquidate all chattels, (3) it would provide supplementary income for those who desired to retire from farming in this manner.

Following is an economic analysis of what would be gained and what it would cost to accomplish a supply decrease if it were done in this manner. As an example: assume conservatively an overall demand inelasticity of 8 to 1 (this is the value that was shown previously to be 12 to 1) and reduce supply 4% by land retirement. The price will then increase 8 x 4% or 32% with 96% of the production. Assume approximate conditions are that agriculture grosses approximately a 42 billion dollar return per year from the market place with a cost of 30 billion, leaving a 12 billion profit. (Another 2 to 3 billion comes from the government.) With this 4% supply reduction the 42 billion gross is reduced to 96% of the original production. With the 32% price increase the price is increased to 132% of the original price thus increasing the gross to 53.3 billion. The 30 billion costs of production for producing only 96% as much produce would be reduced to 28.8 billion. With this new gross and new cost the farmers would net 24.5 billion dollars from the market place instead of the 12 billions as they did originally (or about double).

Now what would it cost to accomplish this? Certainly the retired land must rightfully be rewarded for its fixed unavoidable costs and receive a resonable profit return on its invested capital. Retiring land indefinitely would permit liquidating all chattel leaving only taxes, depreciation, and upkeep on real estate building and fixtures, etc. as unavoidable expenses. These probably would not exceed one-third on an average of the original farm operating expenses of these retired farms (their share of the 30 billion total expense was 1.2 billion) or a total of 0.40 billion dollars for the 4% retirement. Now if these retired farms were permitted to receive about one-half of the net income they had received as a reasonable profit on investment, this for doing nothing but having their real estate invested, (their share of the new 25.4 billion net was 1.02 billion) it would cost an additional 0.51 billion or a total of 0.91 billion for both cost and profit. This amount which nearly doubles the farmers profit, is still less than half of what our Federal Government is now spending to give the lowest parity level ever.

The above illustrated values are not intended as exact numbers nor to necessarily represent the amount of productivity that should be retired, or the amount of profit the farmers should make. It is to illustrate a principle. However in this example the 0.91 billion is about 42% of the 2.13 billion new normal gross of the retired 4% of the farmer's production, or above the usual average rental value. In this case these costs would be more than adequate for this amount of retirement if the rentals were administered in a businesslike manner. If all present land retirement government programs were discontinued this 0.91 billion would need to be increased to cover that amount of supply reduction as well.

This land should be rented out by competitive bids and in *numbers as required to meet the objectives.* In this manner no one would be required to retire land unless they volunteered to do so. Naturally those who have the greatest desire to retire their land in this manner would tend to bid in for the least and win the bids, whether this be the small units, the inefficient units, those retiring for age, health, or other personal reasons, etc.

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[3] Marketing Farm Products, Economic Analysis, by Geoffrey S. Shepherd, professor of economics, Iowa State College, Iowa State College Press, 1955.

The bids accepted for retirement would be those which are lowest compared to their gross primary output. In general it would be expected that farms with the lowest profit to gross ratio would tend to bid most competitively so that the percentage of land reduction would be considerably greater than the supply reduction. However gross output must be defined as the primary gross output or the primary production of the land and water. In other words the limiting factor is land and water. Any amount of capital can be pumped into agriculture to build feed lots, pig parlors, milking parlors, seed processing plants, etc., but the ingredient which adds gross sales value is nothing but pure capital and can easily be duplicated down the road merely by capital and/or labor. Basic land production cannot be duplicated. That is the limiting factor and must be the factor used for supply control. It is to be expected especially with a healthy agriculture of this type with more capital in the hands of the farmers, that primary production from the land would increase perhaps faster than otherwise. Therefore increasingly greater amounts of land might need to be retired. The cost of production has, in general, always decreased with increased unit capacity. Decreased costs would permit equitable farm income at lower commodity prices to the benefit of all.

Land that is taken out of production in this manner could be permitted to stay out of production and draw rental until the owner chooses to return it. Certainly if the supply became less than desired, farm commodity prices would rise to the level where a greater number would desire to come back into production. As farms are returned to production, for whatever reason, it merely would mean that a new contract with someone else would need to be let in order to retire an amount of production if still necessary. As the overall price increases to where they exceed 105% of target, then the land that comes back into production would not be replaced. When price falls below 95%, or is calculated to do so because of the amount of retired land returning, more land would be retired to provide the average farmer, on an average year, equitable income. The plus or minus price tolerance (about 100%) should be as small as practical but not so small that it must respond to short range natural phenomena such as weather, pests, etc. If national security cannot tolerate a food supply on hand that is low enough to give the supply-demand balance required for equitable income to the farmer from the market, it is perhaps the duty of the government to stock pile a vital food supply by free market purchases (with ample guarantees against dumping) as they have done with all vital industrial raw materials. Certainly food is no less vital than metals or other raw material of industry.

Concern over the adverse effect that such retirement would have on the economic and social problems of our country, particularly the urban area, is unjustified since most farmers would remain in their lifelong farm homes with rental and social security income. Those who move to other occupations and/or locations would do so with supplementary income from their rental. With the resulting healthy agriculture this plan would curtail the present mass desperation exodus of farmers from their farms due to economic pressure.

Certainly the few who leave their farms will be far less of a problem than the high percentage who are destined to be forced out with financial problems under the present circumstances. It is also certain that 96% (or perhaps more) of the farm production with over 50 billion dollars of total gross income from the market place are going to spend more money and therefore generate more business in the urban area than at present. It may, however, be desirable to include legislation that would define the maximum allowable participation in particular areas to prevent the possibility of local impact in some areas from excessive land retirement.

Another feature that could be adopted in a plan like this would be to divide the country into certain elemental producing units that consist of one county or possibly several counties, and let these units be administered locally. The farmers within these units could be taxed to retire the farms within these units. This would permit local management and local financing and thus close many of the loop holes found in retirement programs. It would also prevent some urban areas from receiving an adverse impact from excessive retirement.

Rental costs of retiring this land should be borne by the operating farmers with the Federal government involved only in the administration of the program. The tax farmers pay would be a direct percentage tax on gross primary income from his farming enterprise. Net income would therefore greatly exceed the individual farmer's share of financing the program. The rental cost would be a legitimate farming cost and therefore be considered in the equitable income calculation. This would result in retiring enough land to increase prices enough to cover these rental costs along with all other costs and still leave equitable income to the farmer. This is nothing more than passing on costs to the buyer as is done by all segments of the economy.

This self-finance feature eliminates or reduces many economic and/or political drawbacks of earlier programs. These are:

(1) It permits the program to be financed by the market place, the only businesslike way to do it.

(2) It eliminates the necessity of depending on Federal government to appropriate the funds.

(3) The consumer pays full price at the market place which is as it should be, thus removing the stigma of subsidizing the farmer through taxation.

(4) It would earmark the revenue (as does Social Security) eliminating continuous budget consideration by Congress.

(5) By placing the costs on the farmers themselves a more responsible administration of the program will result. More loop holes and oversights will be prevented, or exposed and corrected more quickly.

(6) Whether financed by the government or by the farmers, rental bids would have to be compared to the productivity of the farm. If the farmer has been taxed on that productivity over the years, an actual record of the farm productivity will automatically result. Anyone who will present an exaggerated or fraudulent claim on production will have paid a tax penalty to do so, greatly reducing the possibility that such will occur.

From the earlier example the 0.91 billion dollars to take this land out of production could be provided by a 1.7 percent tax on the gross income of the farmers, the Department of Agriculture to stand the administrative expenses only. The actual amount would be determined by the inelasticity of overall demand. The feasibility of this program is not based on the inelasticity being 12 to 1, 10 to 1, 5 to 1, or that it cannot cost over 2% of the farmer's primary gross. Its feasibility is based only on the fact that an overall supply change gives a proportionately greater overall price change an irrefutable fact.

Approximately 25 percent of our produce each year is exported and nearly a like amount is greater than our entire surplus so obviously competitively exporting and competing with imports have a great deal to do with American agriculture. To receive equitable income, farm commodity prices *must* rise. When this rise occurs, some export-import markets *will* be lost. To hold this loss to a minimum it is necessary to hold farm prices at a minimum which requires the farmers to be as efficient as possible. The plan proposed here leaves the individual farmer at his full capacity and operating with freedom and flexibility, items which are all important to his efficiency and costs. Also administration is simpler and consequently more economical than any other effective method. There is no better way that agriculture can possibly receive an equitable income leaving the farmer in the best possible competitive position and still provide adequate supplies of food at reasonable prices. Also considering only overall supply and not individual commodity supply will permit those commodities in which we have the greatest efficiency and the greatest desire to produce to be priced the lowest to compete the best in the export market.

To score this program negatively on the basis that export markets will be lost because of higher American prices, is to say purely and simply that either (1) farmers cannot receive equitable income from the market place (for no other method can produce commodities cheaper) or (2) the government must subsidize exports. To score it negatively because a price rise will bring a flood of imports, is likewise to say again (1) above or (2) that the government must control imports. The American farmer is the world's most efficient. If he cannot compete on the world market it is mainly because of the inflated dollar resulting from years of over-spending in government and industrial labor-management negotiations allowing unrealistic wages and price raises in excess of productivity growth. In spite of any export-import problem that may arise, the farmers alone cannot continue indefinitely to absorb the increased costs imposed on it by these inflationary forces without commensurate price rises. This is not expected of any other industry nor should it morally be so for farmers. Actually the export market prices are not just followed by U.S. markets but to a greater degree than any other country is determined by the U.S. For U.S. export commodities, crop forecasts always discuss prices acknowledging prospective U.S. production as a major factor. Its world market significance is apparent by the fact that while only 12 to 15% of its production is exported, it represents about ¼ of the total world competitive commodity export. For example the U.S. supplies far over half of the world's feed grain export, about 40% of its wheat export, 25% of its cotton export, 20% of its tobacco export, and 25% of its milling rice export.

There is nothing in this program that is incompatible with collective bargaining. In fact quite the opposite is true. It aids to where it becomes a manageable task and can succeed. By definition the average farmer would be receiving an equitable income. Then, in general, half of the commodities will be priced above equity and half will be below. Some commodities but especially those that fall significantly below, may desire bargaining aid. Under these conditions the two largest obstacles to successful bargaining will be removed, enhancing greatly the chances of successful bargaining (1) Competing commodities will already be more profitable and will not so readily switch to the bargained crop to take advantage of any success as is the case now under present desperate circumstances. (2) The membership strength will not need be nearly so great nor so broad. Under present circumstances successful bargaining is nearly impossible. Some success has been claimed by some groups but in spite of all the bargaining efforts that have been made in the past several years overall parity of agriculture is now the lowest it has been. Obviously any success that has occurred in one commodity must have been at the expense of another.

Many false hopes have been placed with collective bargaining. We have tried to thwart the law of supply and demand by organization strength while reserving the right to overproduce. But no amount of organization strength can thwart the law of supply and demand without destroying our sacred free enterprise system to the same degree. Remember, even General Motors who controls the production of over 50% of the nation's trucks and automobiles is prone to overproduce occasionally. In such cases they lower the unit price to encourage expanded sales. And a consumer will accept an extra car much more readily than he will an extra plate of food.

Actually there are apparent but three approaches to accomplish equitable income for the farmer or a combination and variation of these. This program is one. A second would be by government subsidies. A third would be by complete bargaining contracts. The first, this program, is completely compatible with our free enterprise capitalistic and political system. Since no special appropriation is required it could be put into effect as soon as enabling legislation is provided. Such legislation could probably come as soon as the majority of the farmers and farm organizations present a solid front on this program. Once enacted it becomes perpetual, providing its own funds from the market place, and thus insulating it from the annual government budgeting battle. Being the lowest production cost equitable income program possible, resulting in the lowest necessary market prices possible, it will preserve more of our markets (especially import-export markets) and thus support the greatest number of people in agriculture. While it provides for an initial retirement of a small proportion of the farmers, it will reduce a mass exodus from farming and in a short time hence, the number of people engaged in farming should actually be greater from then on than otherwise.

The second type program, government subsidies, is intolerable to the taxpayer, if indulged in to the extent necessary to provide equitable farm income, and is therefore completely without hope even if farmers may feel they have earned it and deserve it. However if it were achieved the necessity of periodic appropriations would jeopardize its future effectiveness.

The third, complete bargaining, would require a nationwide organization of all significant commodities with barganing power put into the hands of one organization, with those individual farmers that refuse to go along being liquidated. In the end it would not only be necessary to dictate price to the buyer but to determine who gets to sell and how much. This latter factor is not readily admitted by some would-be organizers. This would result in inflexibilities that would not permit the efficiency in farming that would otherwise be attainable. The result would be greater price increases and market losses than would otherwise be necessary. If such power would be permitted one organization under present laws, has not yet been tested by the courts. But in any event such great power has never been tolerated in the hands of one organization and it seems doubtful that the public would now tolerate such over their most vital and necessary industry. If it were accomplished protective legislation would undoubtedly be enacted in the public interest to create a counterpart of the I.C.C. or P.U.C. to control and regulate agriculture.

Solving the farm income problem by retiring productive capacity in the manner proposed herein is doing nothing more than is found to be necessary in all other producing segments of our economy. Full production one hundred per cent of the time would soon result in over-production in any other industry and rob it of the privilege of setting its price to cover cost and a reasonable profit. Consequently, a few idle blast furnaces, electrical generators, assembly lines, etc. are the rule, not the exception. Idle facilities must exist for peak demand occasions and they do incur fixed costs and must return to their owners, return on their investment.

By recognizing these basic truths of our capitalistic system as others do, and living by the natural laws that are associated therewith as others do, farmers can also have income equitable to what others receive.

THE CASE FOR MILITARY MANPOWER CEILINGS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. MIKVA. Mr. Speaker, on March 4, 1969, Prof. George Wald addressed a group of fellow scientists and students at the Massachusetts Institute of Technology. Mr. Wald, a Nobel laureate, attempted to analyze the general malaise which pervades much of our society—especially the younger generation. Mr. Wold observed:

> Part of my trouble with the students is that almost all the students I teach were born after World War II. Just after World War II, a series of new and abnormal procedures came into American life. We regarded them at the time as temporary aberrations. We thought we would get back to normal American life some day.
>
> But those procedures have stayed with us now for more than twenty years, and those students of mine have never known anything else. They think those things are normal. They think that we have always had a Pentagon, that we have always had a big Army, and that we have always had a draft. But those are all new things in American life, and I think that they are incompatible with what America meant before.

Professor Wald went on to point out that just before World War II, the total strength of the American Army, including the Air Corps, was 139,000. He noted that even after the war, after the demobilization following 1945, we came down to 600,000 men. But then came the cold war, then came the increasing assertion of American strength abroad, then came the overburdening military commitments around the world. Today, America has 3.5 million men under arms—the largest standing Armed Force of any nation in the world. And this does not even include the Reserves, the National Guards, and the military academies and ROTC.

The following facts indicate where the United States stands militarily with respect to other nations of the world:

SUMMARY OF COMPARATIVE MILITARY STATISTICS [1]

1. In 1968 the United States had the largest standing Armed Force in the world: 3.5 million as compared to 3.2 million for the Soviet Union and 2.8 million for Communist China.

2. In 1968 the United States had the highest percentage of military age men in the Armed Forces of any major power (U.S.—8.9%, U.S.S.R.—7.0%, Communist China—1.9%), and the highest percentage of any country in the world except Portugal.

3. In 1968 the United States spent more money than any country in the world on military programs, almost twice as much as the Soviet Union and ten times as much as Communist China. The U.S. military budget in 1968 was substantially more than the total military budgets of all the Warsaw Pact nations including the Soviet Union.

4. By the most recent figures, the United States, ostensibly at peace, with the highest G.N.P. of any country in the world, spends a larger percentage of that G.N.P. on military pursuits than does a country fighting for its very existence—the Republic of South Vietnam.

THE SIZE OF ACTIVE U.S. MILITARY FORCES

There has been talk in recent days of the potential threat to the United States from Soviet superiority in any number of military fields—ABM's, submarines, and conventional forces. One of the most frustrating aspects of the military priorities question is that precise figures are difficult to come by. The Pentagon and the national security community relay on classified figures—figures which, however, are selectively declassified when it serves a purpose. But from overt sources it is possible to draw some conclusions. The conclusions which emerge indicate that in one area at least—military manpower—the United States leads every nation in the world.

THE SPIRAL OF DEFENSE SPENDING

All of this might not seem so absurd if there were any end in sight, but there is not. Every year the Pentagon asks for more men, and more and bigger weapons systems, and more money—and every year Congress appropriates more. Certainly the staggering escalation in defense spending need not be chronicled here. In absolute terms the defense budget has risen billions of dollars in the last ten years—years when we have been legally at peace.

Again statistical comparisons are difficult, for both we and the Soviet Union disguise our military expenditures or designate many weapons-related expenditures under other budget headings. According to the Institute for Strategic Studies, however, the United States spends not only the most dollars of any country in the world on military programs, but also the highest percentage of its gross national product (the largest in the world) of any major power. Moreover, not only has the absolute amount of U.S. defense expenditures been steadily rising, but even military spending as a percentage of gross national product has gone up—8% in 1965, 9.2% in 1966 and 9.8% in 1967. As Professor Wald observed, "as long as we keep that big an Army, it will always find things to do."

Finally, U.S. defense expenditures per capita—another measure of proportional effort—is so far above any other country in the world that we are in a different league. In 1967 our per capita defense expenditure—$368—was more than 2½ times that of the Russians and more than 40 times that of the Chinese. And yet, as Professor Wald said with irony, "the Defense Department is always broke."

THE CONGRESSIONAL ROLE

How has all this come about? Who is really responsible for this incredible escalation of the size of U.S. military forces?

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[1] Based on estimates of the Institute of Strategic Studies, London, as of November–December 1968.

COMPARATIVE ACTIVE DUTY MILITARY STRENGTHS

Service	U.S. statutory ceiling	Actual strength of U.S. forces on Dec. 31, 1968	Actual strength as percent of statutory ceiling	U.S.S.R. forces	Communist Chinese forces
Army	[1] 837,000	1,454,000	174	2,000,000	2,500,000
Navy	[2] 601,850	764,357	127	465,000	141,000
Air Force	[3] 502,000	878,904	175	505,000	120,000
Marine and other	[4] 436,800	313,009	72	[5] 250,000	
Total	2,377,650	[6] 3,410,270	143	[7] 3,220,000	[8] 2,761,000

[1] 10 U.S.C.A. § 3201. This statutory ceiling, like those in footnotes 3, 4, and 6 below, has been suspended since 1950. Statutory ceilings were first suspended by the Act of August 3, 1950, Publ. L. No. 81-655, 64 Stat. 408. The suspension has been extended six times since 1950.

[2] 10 U.S.C.A. §§ 5401, 5403-04, and 5410-12.

[3] 10 U.S.C.A. § 8201.

[4] 10 U.S.C.A. §§ 5402, 5404, and 5410-11.

[5] Soviet Air Defense Forces.

[6] Excludes Reserves, academy cadets, National Guard; includes medical corps, Judge Advocate General personnel on active duty, and reservists on active duty. Figures were furnished by the legislative liaison offices of the respective services.

[7] Excludes reserves and so-called paramilitary forces (security and border guards). These figures are estimates as of November-December 1968, made by the Institute for Strategic Studies, London.

[8] Excludes reserves, border troops, and civilian militia. Estimates are by the Institute for Strategic Studies, London.

In 1968 the United States had more men under arms than any country in the world: 3.5 million men compared to 3.2 million for the Soviet Union and 2.8 for Communist China.[2] Moreover, the United States had the highest percentage of military age manpower in the Armed Forces of any major power (U.S.-8.9%, U.S.S.R.-7.0%, Communist China-1.9%), and the highest percentage of any country in the world except Portugal. As Professor Wald so aptly put it, "What happened under the pleas of the Cold War was not alone that we built up the first big peacetime Army in our history but that we institutionalized it."

DISPOSITION OF U.S. FORCES

More than half of U.S. active duty military forces serve outside the United States. One-third of these forces are permanently stationed outside the United States, and almost 20% are on U.S. Navy vessels in foreign parts of the world. The following table indicates in approximate figures the deployment of U.S. abroad in March, 1969:

Deployment of U.S. military forces outside the United States [1]

Asia:	
Korea	55,000
Okinawa	40,000
Japan	40,000
Philippines	30,000
South Vietnam	540,000
Thailand	45,000
Total	750,000
Latin America: Panama Canal Zone, Puerto Rico, and Guantanamo	23,000
North America: Canada, Greenland, and Iceland	10,000
Western Europe:	
Western Germany	228,000
Other	92,000
Total	320,000
North Africa and Middle East: Total	10,000
Total permanently stationed outside United States (33 percent of all U.S. active duty forces)	1,113,000
Atlantic Fleet: 2d and 6th Fleets	254,000
Pacific fleets: 1st and 7th Fleets (35,000 off the coast of South Vietnam)	389,000
Total seaborne U.S. forces outside United States (19 percent of all U.S. active duty forces)	634,000

[1] Figures based on official Department of Defense sources, furnished by the Legislative Reference Service.

Again, one of the frustrating aspects of the problem is that responsibility seems to be so diffused. There seem to be so many to share the blame that there is hardly enough to go around. But is this really so?

Article I of the United States Constitution places the responsibility for the size of U.S. military forces squarely on Congress. "The Congress shall have Power . . . To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years." Just as Congress has the power to raise armies, it has the power not to raise them—or to limit them in whatever form they already exist. It has the power—indeed the responsibility—to cut back such armies as soon as possible. Our Constitutional fathers *required* a biennial review. What has happened to this power? What limits has Congress enacted to control the burgeoning Armed Forces? What limits have been enacted into law to control the level of U.S. active military forces?

There are now in the law comprehensive limitations on the total size of the Armed Forces, as well as specific limitations on the sizes of each of the individual services.[3] These limitations, first enacted in the Selective Service Act of 1948, were intended to carry out Congress' responsibility to supervise and control the size of the Armed Forces. The totals then enacted limited the total size of U.S. active military forces to slightly over 2 million men—in itself a higher number than ever sanctioned before in peacetime. As the Armed Services Committee said to the House in a 1967 report, "these maximums were intended to apply in peacetime." Since the end of World War II, this Nation has been at peace—at least legally. There has been no declaration of war by Congress, an action specifically required by the Constitution in order to insure that our military involvements had the full sanction of the people's representatives. No state of war exists today; we have not been legally at war since 1945, and yet the express statutory ceilings enacted by Congress are not in force. Why?

STATUTORY SUSPENSION OF CEILINGS

In August of 1950, with international tensions increasing and the shadow of Korea falling across the future, Congress suspended the statutory ceilings on active miltiary force levels which had been enacted only two years before. The House Armed Services Committee reassured the House at the time of this original suspension that "the subject will come actively before the committee again, of course, . . . prior to July 9, 1951" (the renewal date for the Selective Service Act). House Report 2719, 81st Cong., 2d Sess. at 2 (1950). The Committee also said: "The committee reminds the House that, in his message of July 19, 1950, the President specifically requested that the present ceilings on the Armed Forces be *temporarily* suspended." Id. (Emphasis added.)

In 1951, however, the suspension of statutory ceilings did not come before the Armed Services as automatically as it had anticipated. In fact, the original House-passed bill to extend the Selective Service Act did not mention the statutory ceiling suspension at all. In the conference between House and Senate managers, the 1950 suspension was renewed with only this cryptic comment by way of justification: "The House and Senate managers agreed to continue the present statutory limit on the size of the Armed Forces, suspended until July 31, 1954 . . ." House Rept. 535, 82d Cong., 1st Sess. at 22 (1951).

Despite the fact that continued suspension of statutory military force ceilings received only cursory consideration by the House and Senate Armed Services Committees, one new provision was added to the 1950 act: an overall force level limitation of five million. No mention of this new section was made in etiher the House Report or the Conference Report.

RENEWALS OF SUSPENSIONS

Since 1951 the suspension of statutory ceilings has been renewed by the Congress five times in 1954, 1957, 1959, 1963 and 1967. Despite the express Constitutional provision that no appropriation for the Armed Forces would be for a period of longer than two years (an indication that the Framers intended at least biennial review of military force levels and commitments), the suspensions of statutory ceilings were for four years each beginning in 1954. The justifications for continued suspensions in each year they were approved were hardly illuminating. In 1954 the House Armed Services Committee told the House: "It is obvious that the Armed Forces must be maintained at a strength in excess of 2 million persons in the foreseeable future." House Rep. 1104, 83rd Cong., 2d Sess. at 1 (1954). In 1957 the need for continued suspension was also "obvious." House Rep. 390, 85th Cong., 1st Sess. at 2 (1957). In 1959 continued suspension of force ceilings was termed "vital to the preservation of the American Way of life and to our national security." House Rep. 27, 86th Cong., 1st Sess. at 10 (1959). In 1963 the Committee told the House that "it is clear that this section of the law must be extended" and that its enactment "is essential to our national security." House Rep. 58, 88th Cong., 1st Sess. at 13, 14 (1963). In the 1967 extension of ceiling suspensions, the House Armed Services Committee did not even offer a justification for the continuation. After describing the effect of the statutory ceilings and noting that they were intended to apply "in peacetime", the Committee said simply: "The ceilings have been continuously suspended since the buildup of our Armed Forces following the hostilities in Korea." House Rep. 267, 90th Cong., 1st Sess. at 38 (1967). Thus has Congress discharged its heavy Constitutional responsibility to "raise and support Armies."

RESULTS OF CONGRESSIONAL INACTION

The effect of Congress' failure to review in a meaningful way the level of U.S. military forces has been that this level is set—for all intents and purposes—by military planners at the Pentagon. One finds it difficult to criticize the Joint Chiefs, military department heads, or the Assistant Secretary of Defense for Manpower for seeking constantly increased force levels. Their job is defense, and in their view increasing military commitments required increased force levels. The Bureau of the Budget might have been expected to perform a more thorough and objective review of military manpower requirements. Unfortunately, as recent revelations in the press have shown, requests for Defense programs were reviewed on a wholly different basis than the requests of other Departments. Defense requests most often survived the gruelling budgetary review process (gruelling for other departments), without a scratch. Congress usually went along.

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[2] The estimates used hereafter are those made by the Institute for Strategic Studies, London, as of November-December 1968, unless otherwise indicated.

[3] 10 U.S.C.A. §§ 3201, 5401-5404, 5410-5412, 8201.

EFFECT ON U.S. FOREIGN POLICY

What has been the effect of these super-statutory force levels on U.S. foreign policy? Probably there is no simple answer to a question which involves so many subtle and difficult considerations. Who can doubt, however, that long and hard thought would have been given before undertaking the commitment of U.S. combat forces in South Vietnam if our troop levels had stood at their statutory level—just over 2 million? Who can believe that we would now have 45,000 men in Thailand, 40,000 in Okinawa, 30,000 in the Philippines—750,000 total in Asia (not counting Seventh Fleet personnel)—if the statutory ceilings were being observed? Finally, who can belive that the United States government would agree to support 320,000 troops in Western Europe if the level of U.S. forces were limited to only six times that number?

EFFECT AT HOME

If the result of super-statutory military manpower levels has been serious overseas, it has been catastrophic at home. It was noted earlier that the United States has the highest percentage of military age manpower under arms of any major power in the world. Let us go behind the dry statistics; what does this mean in ratios of civilian to military population?

If we talk in terms of the entire American population in 1968, we had one out of sixty Americans on active military duty as of December 31, 1968. But this figure compares active military personnel to the entire population—men, women and children. If we limit our comparison to males alone, the ratio is one out of twenty-eight. If we further limit ourselves to only military-age males (to be generous, those between 18 and 65) the ratio becomes an incredible 1-out-of-16. *One American service-age male out of every sixteen is on active military duty.* And this does not count, of course, those service-age men who are not physically fit for service, who have completed their military obligation, or who have retired from the service. Truly, as George Wald said, these things "are incompatible with what America meant before."

But having this high percentage of our youth in active military service is not the end of effects at home. The tremendous size of the active military establishment has led to huge draft calls in which thousands of unwilling Americans every month are called to serve their country in uniform. In recent years, and largely because of the war in Vietnam (itself at least partially a result of high military strength levels), many young Americans have refused to serve—preferring prison or exile to what they consider ignoble service. The calls of conscience and revulsion which the enormous peacetime draft has led to in the U.S. have literally rent the fabric of this society.

A third tragic result of our massive military manpower levels has been the debasement of the military and its role in the eyes of Americans. I can remember when military service used to be considered an honor, a service worthy of respect and gratitude. Those of us who served during World War II were proud to have served, and the uniform was something to be worn with pride. Today we are destroying the traditional American respect for the military and its important but limited role in American life. Today the military is often an object of derision and contempt. The immediate reaction of many Americans to any statement by the Pentagon—whether it be Viet Cong casualty figures or Soviet missile strengths—is skepticism and suspicion. In short, we have created a military monster which much of the American population—especially the young, the future citizens—suspects and fears.

But the saddest result of having nearly 3.5 million American men in uniform is that it has made us into a different country—a warrior state, where casualty lists are an every day part of the society—a military society, where maintenance of the largest standing armed force in the world takes priority over every other need.

NEED FOR CONGRESSIONAL ACTION

Clearly Congress has avoided its responsibility for too long and the results of that avoidance have been too serious for the situation to continue. We in the Congress must take action to show this Nation, and especially the young people of this Nation, that we have the will and the ability to limit the tremendous overcommitment of U.S. resources to military pursuits. We must, in short, return to some form of statutory limitation on the size of the military establishment.

The simplest solution—and simplicity has much to be said for it in the field of military appropriations—is for Congress to impose a ceiling on the strength of the military services. In the past such a solution (the return to existing statutory levels) has been rejected because of the discrepancy between present statutory ceilings and the actual strengths of the military services. At the present time only the Marine Corps is below its authorized statutory strength. As of the end of 1968, the Army was 174% of its authorized ceiling, the Navy was 127% and the Air Force was 175%. It is argued that an arbitrary return to present statutory ceilings would impose great hardships on the services, and would require precipitous withdrawal of American forces from standing commitments around the world without sufficient warning to host governments.

For this reason, a proposal to limit active U.S. military forces to 90% of their strength at the end of calendar year 1968 is a reasonable answer to Congress' need to begin planning some rational limitation on the size of the military establishment. Making this requirement effective as of the end of fiscal year 1970 would give the military services and military and foreign policy planners sufficient warning to adjust U.S. policies abroad. The cut is not so substantial that it would be impractical. Finally, such a 10% reduction in the active duty strength of U.S. forces would place Congress back in the role which the founders intended it should play—raiser, maintainer and limiter of U.S. military forces.

Such a 10% reduction could be enacted by Congress simply as an amendment to the overall strength limitation enacted in 1951. By reducing this level to 3,070,000, Congress would be cutting the statutorily authorized strength of the Armed Forces (as of June 30, 1970) to 90% of their strength as of the end of calendar 1968. Such action would restore Congress to its proper Constitutional role and would reassure the American people that someone is exerting some control over the proliferating military establishment.

LIMITATION ONLY A FIRST STEP

A 10% reduction is, of course, only a first step on the long road back to the existing statutory limits. With the Armed Forces presently 43% overstrength, it will take some time to reduce the level of active military forces to the 2 million plus presently prescribed by existing ceilings. But as President Kennedy often reminded us, a journey of a thousand miles must begin with a single step.

RESULTS OF REDUCTION IN ACTIVE FORCES

The results of beginning to reduce the level of military manpower are many and tremendously important. All of the ramifications probably cannot be known at the present time, but some of the most obvious and beneficial results would be as follows:

1. Savings to the taxpayers: According to the average military personnel cost per military man on active duty which is used by the Pentagon, a 10% reduction would result in a savings on direct personnel costs alone of over 2 billion dollars. In truth, however, if the level of forces is reduced, operations and maintenance will also be reduced proportionally. Thus if the average cost of military personnel, operations and maintenance, and family housing per each active duty military man is used, the savings from a 10% reduction in active forces is almost 4.6 billion dollars.

2. Improved balance of payments position: Mention has already been made of the large commitment of U.S. active forces to overseas assignments. This overseas commitment has hurt the U.S. balance of payments position, and has caused, among other things, the Presidential decision to place direct controls on foreign direct investment overseas. In addition, the President placed into effect restrictions on foreign travel by U.S. citizens, and customs regulations to discourage foreign travel by Americans. These restrictions are an unnecessary result of U.S. over-commitment abroad, and have no place in a peace-time society. Reduction in U.S. force levels, which would be reflected in declining troop strengths overseas, would allow elimination of these foreign travel and foreign investment restrictions.

3. Realignment of U.S. foreign policy: One of the most beneficial results of the proposed 10% cut back would be that it would discourage the kind of over-reliance on military solutions which has characterized U.S. foreign policy since the Korean war. The simple fact is that if the Pentagon has fewer forces to play with, it will be far more careful about how they are deployed. It might even happen that U.S. troop deployments abroad would eventually come truly to reflect existence of important U.S. national security interests—a situation which most certainly does not obtain today.

4. Elimination of the draft and promotion of a volunteer army: One of the most obvious advantages of a reduction in the strength of active military forces would be an eventual end to the draft, the Selective Service System, prosecutions for draft evasion, and all the paraphenalia of military conscription. One of the Armed Services Committee reports said that it was necessary to continue suspension of strength ceilings to preserve "the American way of life." Nothing is more contrary to the American way of life than conscription and forced military service. Despite the fact that many of us take the draft for granted today, we should never forget that it was authorized by Congress after World War II only as a temporary measure, that it was not intended to be a permanent part of American life, that—in sum—it was not meant to become what it has become.

A reduction in the size of the active military force would improve prospects for a volunteer army. The prospects would be improved not only in the sense that costs would be lower and chances of finding adequate numbers of volunteers improved—although these are important benefits. But for those of us who regard with horror the thought of a 3.5 million man permanent standing army, the reduction of professional military strength to a level more consistent with our real needs reduces the dangers and concerns about a permanent volunteer army.

5. A step toward world peace: For some years historians and students of world affairs have noted that the Cold War as we knew it during the 1950's was drawing to a close. Whatever the nature of world tensions, they are different than the tensions of the 1950's. But no reduction in U.S. force levels occurred which reflected these different tensions. In October 1967, the Soviet Union reduced the mandatory term of service for its draftees to two years. The overall strength of Soviet military forces is less than ours, and reflects reductions since 1950. It is time that we took some step toward American deescalation of military force levels. A 10% reduction in U.S. troop strength would be a significant move in this direction—a significant step toward peace.

ADVANTAGES OF THE STRENGTH-LIMIT APPROACH

The actual results of force reduction would be, as we have seen, very real and very advantageous. But aside from those beneficial results, what are the advantages of approaching military budget reduction from the point of view of manpower limitations?

Perhaps the greatest advantage to the Congress of a manpower-limitation approach is that it gives the people's representatives a way of proceeding, a "handle" some would call it, by which we can begin to manage our priorities. When Congress must pick and choose, must weigh and decide between strategic missile forces, polaris submarine forces, strategic bomber forces, fighter pilots, interceptor pilots, Special Forces units, Army infantry battalions—when all of these competing programs must be judged, with expert touting the value of each in grandiose terms, then Congress may have difficult choosing. Worst of all, it may not choose, it may just accept. But if an overall manpower limitation were placed on the strength of active military forces—with no specifications as to how the cuts were to be made—then the choice would be left to the experts. Congress was not intended to command the military, but it was intended to authorize it, to scrutinize it, and to cut it when it grew too large. By reducing the overall strength limitation of active forces, Congress can meet its responsibilities, and can start to assert the necessary leadership to restore a proper balance between our need to defend ourselves from foreign aggression and our need to preserve ourselves from internal decay.

REASSERTION OF THE POPULAR WILL

There are those in America today who truly believe that her democratic political institutions are no longer responsive to the demands and desires of the electorate. A new President is elected who promises to end the Vietnam war, but no troop withdrawals follow. While the cities of the Nation cry out for assistance and attention, America continues to devote 42% of its national Government's budget to direct military activities, and 5% to education, manpower, community development and housing.

This kind of imbalance in our domestic and military priorities cannot last. I truly believe that the people of this Nation will not stand for it. We are on the verge of a taxpayers' revolt, a students' revolt and a draft revolt. My own hope is that Congress, and specifically the House of Representatives, can lead America in its reorientation from Cold Warrior to Peacemaker, from keeper of the largest military establishment in the world to a leader in the cause of deescalation of the arms race. My hope is that the voices of the people will begin to get through.

U.S. DIPLOMATIC SIGNALS ON GREECE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. EDWARDS of California. Mr. Speaker, a few days ago Greece observed the second anniversary of the military coup of April 21, 1967.

For 2 years the newspapers of the United States have been far more penetrating and accurate in their judgment of the Greek military junta than have American officials. Now, at last, there appears to be some deliberate movement by American officialdom away from the Greek dictatorship.

In my judgment there are three critical elements presently involved in the Greek political situation and American attitudes toward it.

First is the question of whether or not the United States gives a diplomatic signal which tells the Greek people that President Nixon disassociates himself from the Greek military regime. The psychological and practical impact of such a signal, once given and sustained, should not be underestimated.

A second important consideration is the expected joint statement from Greek political figures in exile. Prominent among these figures are former Prime Minister Constantine Karamanlis, of the conservative ERE Party, Andreas Papandreou of the liberal Center Union Party, King Constantine, and Publisher Eleni Vlachou. Such a statement would indicate a unity of purpose among the democratic political leaders of Greece, particularly an agreement in favor of a "national government," made up of a coalition of the leading political parties, to serve in the transition until genuine elections can be held.

There has been some delay in the issuance of this statement, perhaps because political differences die hard, even in exile, and because the leaders in question are afraid that unsteady U.S. policymakers might change course again and pull the rug from under them.

Generally overlooked has been a third important point, and that is the selection of a U.S. Ambassador to Athens to fill a post left vacant for 3 months. Press reports of who the Ambassador may be should give the exile leaders pause. Mentioned frequently are a retired Army general, now a lobbyist for a big defense contractor, believed to be the candidate of Senator Barry Goldwater, and a Chicago businessman, one of a small number of junta propagandists among Greek-American businessmen, believed supported by Senator Everett Dirksen. Faced with such a prospect, the selection of a career diplomat would be not only a refreshing alternative but an imperative political decision.

Several significant articles and statements on Greece have appeared recently. The most important is a political analysis delivered by a Voice of America commentator and broadcast to the world. This broadcast is a departure from the previous caution of U.S. and VOA statements and seems meant to be a signal of change.

The Voice of America also broadcast excerpts from the Washington Post and New York Times editorials set forth below.

I also include for the Record a Christan Science Monitor article of April 10, 1969, which clarifies the American problem on Greece. Finally, I include an excellent column by Alfred Friendly, Jr., of the New York Times, surveying the scene from Athens on April 21, 1969:

[From Political Analysis No. 1-0186, Apr. 23, 1969]

Greece: A U.S. Perspective

(By David Roberts)

Announcer: On Tuesday (April 22) of this week the military government of Greece was two years old. VOA's David Roberts comments:

Voice: As the generals who run Greece mark their second anniversary in office they can look back on two years of unfulfilled promises and minimum achievement. Any effort to restore a civilian presence to the Greek Government remains unsuccessful. King Constantine continues his exile in Italy. Economic reform remains an unreality—performance of the economy has reportedly slowed. As for representative government, it still is merely a potential in Greece's future.

The United States has maintained a long and close relationship with various governments of Greece. Under the Truman Doctrine following World War Two, the U.S. was instrumental not only in assisting the Greek people in their struggle against a Communist take-over, but in re-building Greece from the shambles of war and the bitterness of civil strife. In this relationship, the U.S. has continued to be deeply concerned about Greek democracy.

When the then colonels assumed command in April of 1967, the United States suspended major military deliveries to Greece. Over the past two years, the U.S. has delivered only the major items of military equipment that were essential to NATO commitments. The concern for representative government goes on.

In March of this year, Secretary of State William P. Rogers appeared before the Senate Foreign Relations Committee, Senator Claiborne Pell took the occasion to express this concern, and asked the Secretary of State if he would seek assurances from the Greek Government that progress toward "democratic processes" was being made, and that "torture would not be used to terrify political prisoners."

Secretary Rogers told the Senator that indeed he shared this concern over the issue of torture, adding that he was disturbed also over the lack of civil liberties in Greece. Mister Rogers went on record as saying that the U.S. "is doing what it can," through diplomatic channels "in that direction" and that these points would be taken into consideration in subsequent negotiations.

United States concern is not difficult to express; it can be summarized quite briefly. The U.S. continues to hope for a return to representative government in Greece. Plus, a full restoration of civil liberties. The United States has expressed this hope on many occasions. On the most recent occasion the hope was expressed directly to high level Greek officials. These requisites for democracy—or the lack of them—remain as the bases for U.S.-Greek relations, and an essential element in NATO's objectives.

[From the Washington (D.C.) Post, Apr. 22, 1969]

GREECE 2 YEARS LATER

The second anniversary of the Greek coup finds the regime bogged down and unsure of itself. Economic progress has trailed off. The Scandinavians and the European left are provoking the regime into an unseemingly defensiveness. The colonels have won neither the loyalty of the educated classes nor the enthusiasm of the citizenry. Greece remains a police state, a condition offensive to its own traditions and its traditional friends alike.

It is not surprising that many Greeks are "keeping the back door open," as the Greek saying goes. That is, they are prepared to accept, if not to seek, a change in leadership. The instant question has become how that change will come. Some on the left and some on the right may favor violence—insurrection or another coup. Responsible opinion leans towards efforts again to involve the civilian politicians, especially ex-premier Karamanlis, an exile in Paris, and the King, an exile in Rome. Whether the junta will have the wisdom and patriotism to ease the way for their return is problematical. There are practically as many views on it as there are Greeks.

For the United States, it should be realized that the junta's two-year record has greatly disappointed hopes that time and pressure would point Athens back towards democracy. That possibility cannot be dismissed, but it is too uncertain to remain the sole basis of policy. The guiding consideration for Washington should be not to identify itself so closely with the colonels that it would be compromised in the eyes of the Greek people and in the eyes of the next—hopefully, more representative—Greek government.

The few available signs are that Mr. Nixon is following that line. President Johnson had finally announced a "partial" resumption of military aid; it is still partial. Secretary of State Rogers, in an unusually candid statement to a concerned Senator, declared: "We share your concern not only for the torture but also for other civil liberties . . . And we will be conscious of the factors that you mentioned in our subsequent negotiations." American officials expressed the Administration's concern directly to the Greek Deputy Premier when he came for the Eisenhower funeral. President Nixon has not yet appointed a new ambassador to Athens. Vice President Agnew has been retrieved from the embrace of pro-junta Greek-Americans. These things are all token but, given the tension in Athens, they may be important.

[From the New York Times, Apr. 21, 1969]

TWO YEARS OF PAPADOPOULOS

On today's second anniversary of the putsch that swept out constitutional government, Greece remains a country under martial law. That is really commentary enough on the performance of Colonel Papadopoulos and his henchmen, who promised "a return to parliamentary rule on a wholesome basis."

It is also adequate commentary on the "liberalization" announced by the Premier recently on the eve of NATO's twentieth anniversary meeting in Washington. It is useless to proclaim restoration of the "inviolability of the home" when the continued suspension of habeas corpus makes any citizen liable to arbitrary arrest anywhere, anytime.

What political meaning has restoration of the "right of assembly" when a Greek using such a forum to criticize the junta can still be arrested and held indefinitely? And of what value is the "right of association" when martial law not only curbs free speech but specifically bans all strikes?

One thing above all is clear about the colonels on the second anniversary of their putsch: If they had the support they claim from the Greek people they would have lifted martial law long ago and taken their chances in a free election.

[From the Christian Science Monitor, Apr. 10, 1969]

STRICT ALOOFNESS OR INTERVENTION? SUPPRESSION IN GREECE PUTS NIXON ON GRIDDLE

(By Saville R. Davis)

WASHINGTON.—The most serious and urgent problem of the NATO alliance has been deliberately ignored by the United States. The Nixon administration has not had time to decide what to do about it.

One of the NATO allies—Greece—has been under military dictatorship, martial law, and the denial of political liberties for two years. Elections have often been promised but are not in sight. Some political prisoners have been released from jail, but censorship is still tightly enforced.

Protest has boiled up periodically, the latest to denounce the regime being the leading poet of Greece George Seferis, who won the Nobel Prize for Literature in 1963.

A number of hearings on political prisoners have been held by the Council of Europe and an official inquiry is in progress by the European Commission on Human Rights. Charges of violation of the European Human Rights Convention were made by the Netherlands, Denmark, and Norway. Italy has likewise had an open dispute on this subject with the Greek military regime in recent weeks.

Alfred Friendly, correspondent and former managing editor of the Washington Post, reported from Athens this week, ". . . The censorship here is no laughing matter. It is corrosive to a responsible political and national life; moreover it is probably doing the dictatorship more harm than good. Where there is a news vacuum, rumor fills it. Yet rumor is surely the most dangerous threat to the goal the junta most desires: public confidence in it, and governmental stability.

"The more insecure the colonel's [Col. George Papadopoulos] regime senses itself to be, the tighter and more frantic its censorship. A vicious circle comes into being." The censorship, Mr. Friendly reported, has become "counter-productive."

The Greek question, although it is considered the hottest political issue within the NATO alliance, was carefully bypassed by President Nixon and his party on his recent tour of Western Europe to visit a number of the NATO capitals.

Last week a similar avoidance of decision was shown at the Eisenhower funeral ceremonies. Both King Constantine, who supports free elections in Greece and remains the acknowledged Greek head of state although he is living in Rome in self-imposed exile, and a representative of the Athens regime, Deputy Premier Stylianos Patakos, were impartially greeted by President Nixon at a White House reception and seated with foreign notables at the cathedral service.

The issue confronting President Nixon is whether and how long he can continue to remain officially indifferent to a regime that denies elections and political liberties to a country that is a member of the central defense system of the self-styled free world.

PRECEDENT OPPOSED

Some of the President's foreign policy advisers argue that the United States should stay clear of the internal political affairs of Greece. Others contend that by financing and arming Greece as a NATO ally—an activity that was suspended and then partially resumed by President Johnson after the 1967 military coup—the United States is already intervening on the side of the military government.

The first group says that the United States cannot afford to establish a precedent that it intends to make and unmake regimes of other countries, using its financial and military power arbitrarily for this purpose.

The second group says that where dictatorships are already using American money and arms to support themselves against their domestic political opposition, the United States is already committed on the side of political oppression.

The first group argues that the overriding principle must be that of respect for the integrity of other countries, no matter how difficult it might be to let them work out their own destinies.

DIPLOMATIC SIGNALS?

The second group argues that the overriding principle of the free world must be that of support for liberty and at least a quiet disapproval of political oppression within its own ranks, if it is to win conflicts with Communist tyranny.

Finally, both groups recognize that practical issue is not the open use of American power for intervention or nonintervention. It is whether the United States does or does not give diplomatic signals which tell the Greek people that President Nixon disassociates himself from supporting the Greek military regime, while giving arms that are considered necessary for the NATO defenses.

One group of the President's advisers is concerned lest such a signal play into the hands of radical opponents of the Greek regime. The other argues that responsible alternatives to the military government are now available, but that the longer it lasts, the greater the danger to the NATO alliance of anarchy and radicals.

As the situation stands now, King Constantine is available as a symbol and advocate of constitutional democracy and free elections. Former moderate conservative Premier Constantine Karamanlis and the liberal Andreas Papandreou, son of former Premier George Papandreou, are among those available as premier for a return to democratic government.

The Greek dilemma weighs on the Nixon administration at a time when it has had to face a similar problem in South Vietnam. Technically the United States takes no part in internal South Vietnamese political affairs. In fact, however, President Johnson initiated its Constitution and elections, and repeatedly used pressure on the Saigon regime both to broaden its political base, and later to join the Paris peace talks.

President Nixon likewise has found it necessary to use his influence—which includes the fact that the Saigon regime is dependent on Washington for both money and arms—for the same two purposes.

In the case of South Vietnam, with a war and a peace settlement at stake, Mr. Nixon decided that he could not stand aloof and let political forces in Saigon take their course.

In the case of Greece, where civil war is potential rather than actual, and where the morale of the NATO alliance is concerned, he faces similar alternatives, but a decision has not yet been made.

[From the Christian Science Monitor, Apr. 10, 1969]

THIS ANOMALY MUST STOP

(By a staff correspondent of the Christian Science Monitor)

WASHINGTON.—The following statement by George Seferis, Greek poet who received the Nobel Prize for Literature in 1963, has been received in Washington from Athens. The Greek Government recently published an answer to Mr. Seferis but did not permit publication of his statement in Greece.

The text follows:

"It is now some time since I took the decision to stay out of my country's politics. I have tried in the past to explain my decision, but this does not mean that I am indifferent to our political life.

"From that time until now I have abstained from touching upon such matters.

In any case, from what I had published up to the beginning of 1967 and from my subsequent position (I have published nothing in Greece from the time liberty was silenced) I believe that I have clearly shown my thoughts.

"In spite of this, for some months I have felt within me and around me that more and more it is becoming imperative for me to speak out on our present situation. With all possible brevity, this is what I would say:

"It is almost two years since a regime was imposed upon us, utterly contrary to the ideals for which our world—and so magnificently our people—fought in the last world war. It is a state of enforced torpor in which all the intellectual values that we have succeeded in keeping alive with toil and effort are being submerged in a swamp, in stagnant waters. It would not be difficult for me to understand that such catastrophes do not count very much for some people. Unfortunately that is not the only danger.

"We have all learned, we all know, that in dictatorial regimes the beginning may seem easy, yet tragedy waits at the end inescapably. It is this tragic ending that consciously or unconsciously torments us in the ancient choruses of Aeschylus. As long as this anomalous situation continues, so long does evil progress.

"I am a person with absolutely no political bond and I can say that I speak without fear or passion. I see in front of me the abyss to which we are being led by the oppression which has engulfed our country. This anomaly must stop. It is a national demand.

"Now I resume my silence. I pray to God that never again may I find myself under such compulsion to speak.

"George Seferis."

[From the New York Times, Apr. 21, 1969]

At Second Anniversary, Greek Rulers Still Look for Support

(By Alfred Friendly Jr.)

Athens, April 20.—On the second anniversary of their coup d'état, the military rulers of Greece and their domestic opponents are both looking outside the country for support. Neither group is receiving what it wants.

Even without fervent approval from abroad, however, the former colonels remain solidly in control. While restoring some semblance of civil liberty with one hand, they have been able with the other to tighten the social restrictions they have imposed since their tanks and troops moved into the streets on April 21, 1967, and ended 21 years of often chaotic constitutional government.

The anniversary was celebrated here tonight with a two-hour performance by marching bands, folk dances, singers, patriotic floats and fireworks before a crowd of some 60,000 Athenians, who almost filled the huge National Stadium.

The evening chill drove many from the stone stands early, but loudspeakers placed on nearby streets and in the city's central Constitution Square carried the sounds of the ceremony after them.

Although increasingly vocal in private, the regime's opponents at home are as disunited as they were the day the colonels moved in.

A recent effort to produce a joint statement of opposition from leaders of two center political parties from before the coup collapsed in bickering. The parties agreed that they would form a coalition government in a restored democracy, but could not agree that they would name former Premier Constantine Caramanlis, who has been in self-imposed exile in Paris since his electoral defeat in 1963, to head it.

Sypros Markezinis, head of his own small party and a respected political figure, has also failed to rally united support, as he failed during a prolonged parliamentary crisis in 1965.

U.S. PRESSURE FAVORED

"If the United States would understand and undertake its moral obligations to Greece," an unhappy former Center Union politician said, "we could end the dictatorship in a few months. Pressure from Washington could force them to compromise with King Constantine and restore the parliament.

"Even if they formed their own political party and rigged the elections, the democratic groups would regain the forum they have lost and be in a position to take full control quickly."

The Center Union, a coalition of center parties, was headed by Premier George Papandreou, who was dismissed from office in July, 1965, after differences with King Constantine. His dismissal resulted in a series of crises that brought the military coup two years ago.

Then, in December, 1967, the young King, a symbol of legality but not an overwhelmingly popular figure, fled to Italy after the failure of an attempted countercoup. A regent, Lieut. Gen. George Zoitakis, was named to serve in his absence.

KING REJECTS ADVICE

In exile in Rome, Constantine has refused the colonels' offers to return as a figurehead sovereign and has spurned the advice of others that he return on his own for a confrontation.

"All he has to do is fly into the airport at Athens," said a wealthy loyalist businessman who has offered such advice to the King. "There are no instructions to airport officials to oppose him and once he was back, he could win a restoration of Parliament.

"The trouble is, neither of the two Constantines has ever had courage when they needed it," he said, referring to the King and to Mr. Caramanlis. "With American support, though, they could be persuaded to act."

American military aid to Greece through the North Atlantic Treaty Organization runs to $30-million a year. Except for suspended deliveries of tanks and items related to them, it stands at about the same level now that it did two years ago.

Greeks who have influence with the Nixon Administration and American diplomats here see no prospect of its being curtailed or of the use of other leverage to push the military regime out.

"America is not going to pull the Greeks' chestnuts out of the fire," an influential Western observer said. "If there were some strong domestic movement for change, the United States would be delighted, but there is not such a force yet, and I do not see it developing."

Still, the prospect of losing United States or NATO support clearly makes the Government headed by Premier George Papadopoulos extremely edgy. Just before the ministerial meeting of the Atlantic Alliance this month in Washington, he announced that three of the 12 suspended articles of the new Constitution would be put into effect. The articles restored the rights of peaceful assembly, lawful association and the inviolability of the home.

According to an Athenian jurist, however, the restoration remains a legal fraud until the second major act of the regime—proclaiming a state of siege and imposing martial law—is rescinded.

Under the Constitution that won 92-percent approval in last September's referendum, that act is valid until specifically abolished. A recent Council of State ruling puts the act's provisions above the Constitution.

The apparent move toward restoration of democracy—articles establishing freedom of the press, freedom from arbitrary arrest, organization of political parties and parliamentary and local elections are still suspended—forestalled planned public attacks on Greece at the NATO session.

COUNCIL ACTION EXPECTED

The action may not, however, succeed in placating Italian, Dutch and Scandinavian representatives of the Council of Europe when they meet next month. Motions to censure Greece or expel her from the group are almost certain to be made.

"We are all now facing the future with self-confidence and optimism," Mr. Papadopoulos said last night on a radio broadcast. "The revolution of April 21 represents the greatest and most serious effort of rehabilitation, reorganization and cleansing made since the beginning of national independence."

"Our friends have convinced themselves that a great task of a broader nature is being accomplished here," the 50-year-old leader said. "And our enemies must come to realize that they labor against us but sadly in vain."

DISTRICT OF COLUMBIA JUSTICE—NO MARTINIS, NO CONVICTION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. RARICK. Mr. Speaker, the men who wrote our Constitution knew what they were doing. They had seen Congress, sitting where it did not rule, surrounded and beseiged by a mob demanding back military pay. They provided for a Federal district, and commanded that the Congress should "exercise exclusive legislation in all cases whatsoever" over that district. In the very same sentence our Constitution requires us to "exercise like authority over all forts, magazines, arsenals, dockyards, and other needful buildings."

The Framers of the Constitution recognized that the Nation's Capital belonged in the same category as these other essential properties. It serves the people of the Nation, is supported and maintained by the people of the Nation, and must be controlled and governed by the people of the Nation. The District of Columbia never has been self-supporting, it is not now able to pay its own way, and it never will be able to do so. It has no more entitlement in logic or in morality to "home rule" than do Fort Polk, Redstone Arsenal, the Brooklyn Navy Yard or the Chicago Post Office.

Learning nothing from the failures of the radicals who made the same mistakes a hundred years ago, we again experiment with "home rule"—and the result would have been censored from the beloved Amos and Andy series as totally unbelievable. As part of my remarks, I include an item from Saturday's Washington Post, relating to the administration of justice here in Washington. Surely Calhoun was there somewhere.

[From the Washington Post, Apr. 26, 1969]

Conviction Overturned in Wife's Death—Judge Not Amused as Jury Orders Martinis

A Washington man who was sentenced to death in 1961 for killing his estranged wife was acquitted at his third trial yesterday by a jury that sent out a request for "12 martinis" in the midst of its deliberations.

Witnesses who were in the courtroom when Judge June L. Green received the penciled note on a scrap of paper said she was not amused. She responded, they said, with a stiff lecture of the jurors on the seriousness of their obligation.

Judge Green refused to comment yesterday after the jury returned its verdict in the case of Emanuel Pea, 37. The note requesting the liquid refreshment was made part of the public record.

Pea was convicted in 1961 of first degree murder in the 1959 gunshot slaying of his wife Harriet. A major piece of evidence in that trial was his own signed confession.

He was awaiting execution when his lawyer, Daniel Jackson Oliver Wendell Holmes Morgan, was unmasked as an impostor. A new trial was ordered.

The retrial, held in 1963, resulted in a second-degree murder conviction, with a sentence of 15 years to life. Pea's confession again was used against him.

Five years of litigation followed on the issue of the voluntariness of the confession. Last year, the U.S. Court of Appeals threw it out and ordered the third trial. Pea testified that his wife pulled the gun on him first and was killed in a struggle over it.

CONGRESSIONAL REFORM

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. SCHWENGEL. Mr. Speaker, there is a growing optimism among those interested in congressional reform. Chairman Colmer's recent appointment of a subcommittee to work on reform legislation is most encouraging. A recent editorial in the Davenport-Times Democrat reflects this growing optimism:

[From the Davenport (Iowa) Times-Democrat, Apr. 14, 1969]

UPDATING THE CONGRESS

Bipartisan forces in Congress finally seem headed for at least modest success this year in improving congressional efficiency and in shifting some power from senior lawmakers to the rank and file.

The over-all targets are the deeply embedded congressional customs and rules that channel almost all power to veteran legislators and thus prevent Congress from responding effectively to many problems.

The efficiency effort aims at installing computers and other machines to help legislators with tasks ranging from answering their mail to analyzing the President's budget proposals.

A much more difficult reform goal is one to limit the power wielded by committee chairmen and other senior congressmen, while opening up more opportunities for rank-and-file legislators to make their influence felt.

Even here, indications of movement can be seen, particularly intraparty pressure that recently prompted the once-remote House Democratic leadership to begin holding monthly party caucuses for discussion of issues.

Reformers in both parties apparently are wearing down the opposition of congressional elders to a general reform bill—the first since 1946—which the House let die last year after it had passed the Senate.

It's difficult to determine just how much reform any legislation will provide. Some veteran legislators apparently hope that passage of a watered-down measure this year might sidetrack any effort for substantial change for many more years.

Senior congressmen in both parties—they include both liberals and conservatives—can be counted upon to try to weaken the pending reform proposals before they will assent to a bill.

On the other hand, elderly House Speaker John McCormack's desire to improve his standing with colleagues could serve to remove House roadblocks to a bill.

The reformers' demand for a committee "bill of rights" perhaps is the most controversial part of their legislative package. The seniority system of choosing chairmen would remain, but the power of committee chieftains would be curtailed. One revision would open committee meetings to the public, with few exceptions.

The House now generally forbids broadcasting, and its Appropriations Committee, for one, holds almost all its sessions behind closed doors. Merely curbing committee secrecy could produce important changes. People usually behave differently when they have to act in the open.

All in all, the reform forces' immediate goals are rather modest. They will be worthwhile, though, if the initial steps at least lead later to additional action. This is essential to curb the excessive power of a few committee chiefs and to get effective action on the great and growing number of problems facing the Congress, the nation and the world.

CONFLICTING APPRAISALS OF THE NATIONAL SQUARE

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. BINGHAM. Mr. Speaker, a most interesting critique of the National Square proposed by the President's Temporary Commission on Pennsylvania Avenue as part of the Pennsylvania Avenue plan appeared in the April 29, 1969, issue of the Washington Post. The author, Mr. Wolf Von Eckhardt, provides a curiously negative assessment of the National Square idea—curious particularly in view of an earlier review of the National Square he wrote in the April 8, 1966, Washington Post which praised the plan in no uncertain terms. For the record, and for the many Members of Congress and others who have a continuing interest in the development of Pennsylvania Avenue, I wish to call attention to these two articles by Wolf Von Eckhardt:

NATIONAL SQUARE: "MYTHICAL COMPLEX"

(By Wolf Von Eckhardt)

We don't need that National Square.

The proposal for a paved expanse to terminate Pennsylvania Avenue at the White House end has always been as much of a theoretical abstraction as the rebuilding of the north side of the Avenue is a hard and practical economic, social and symbolic necessity.

We must rebuild Pennsylvania Avenue if downtown Washington is to be revitalized and if it is to be linked with and involved in its reason for being—the Federal Government.

To perform this function, the Avenue should, of course, have included the city's and Nation's foremost theater, opera and concert hall.

That would have attracted developers. But it is water over the dam. The Kennedy Center is rising down by the river.

But it is not too late to change the design of the National Square and remove the threat of destroying a whole viable and expensive city block for the sake of a theory.

The theory is, of course, that Pennsylvania Avenue should link the Capitol with the White House. Well, it doesn't. The choleric Andrew Jackson spoiled that notion in 1836 when he ordered the Treasury built right smack in between.

So the Pennsylvania Avenue designers decided we should at least see the Treasury as we come down the Avenue from the Capitol. So they propose tearing down all the buildings between 15th and 13th Streets. They originally wanted to tear down the Press Club, too, for the sake of their symbolic expanse.

But they eventually shrunk from that. Their now shrunken plan for a square, however, is still to make the Treasury part of a mythical "White House complex" that you enter through some sort of grandiose gate.

The architects themselves are not yet happy with this gate solution. And nobody knows for sure just what is supposed to be on that square except for the fountain and the pigeons.

This is not the way to design viable, livable cities. Yes, we need grandeur and symbolism.

But effective urban design reconciles grandeur and symbolism with living reality. It takes into account, as architect Louis Kahn has put it, "what the city wants to be."

But this is Washington. It is a city of ample open space, too much of it perhaps. And it is a city that seems to prefer trees over pavements and has had no trouble finding a setting for ceremony and confrontation.

NEW DESIGN RETAINS OBJECTIVES OF FIRST

(By Wolf Von Eckardt)

The revised National Square proposed yesterday by the Pennsylvania Avenue Council is half the size and thus at least twice better than the original Mussolini-type paved parade ground the Council first recommended.

It is, in fact, an appropriate and promising solution to a most vexing problem. The improvement vindicates those who have criticized the original plan.

We need public discussion and lively criticism on matters of urban design and planning as the only means of getting results we can all be proud of.

The new design retains all the original objectives of the first. But it does so less pompously. It is no longer a surrealist abstraction but rather a space that can somehow pull together all the various human activities around it.

The original objectives were, of course to give the proposed Grand Avenue a suitable terminal point. Pennsylvania Avenue now fizzles out in a messy mixture of traffic and haphazard greenery.

The focus of this terminal point is, unfortunately not the White House but the Treasury. But since the Treasury is a lovely old building, it is a suitable substitute. Particularly since the Pennsylvania Avenue planners intend to make it a part of the White House Complex.

But another objective was to tie the west end of the Avenue into the living and bustling downtown area. This the original wasteland could never do. It would have been a barrier rather than a link.

The smaller square provides a suitable transition between the essentially residential White House and its park and the big, monumental Federal and private office buildings.

Its greater intimacy also brings in Garfinckel's department store and the restaurants, bars, flower shops, nightclubs and other diversions the "belvedere" on the north side of the square is to provide on three levels.

The square thus now happily joins the dignity of the White House, the monumentality of the Federal bureaus and the bustle of downtown at a scale that is dignified without being overwhelming.

The designers have also dropped the rather affected idea of a White House gate. Instead of some laborious Brandenburger Tor we will now have charmingly designed little pavilions with a real function.

The function is to receive the tourists who visit the White House in such great numbers. They would enter under 15th Street and its traffic and come up in the pavilions.

This arrangement is also eminently suitable for the Presidential reviewing stand at inaugurations and other parades.

The Willard and Washington hotels will still have to go. But the National Press Club will stand. And Nathaniel A. Owings, chairman of the Temporary Pennsylvania Avenue Council, promises that it will be joined along the square by an elegant "new Willard," a new hotel that will also include luxury apartments.

Bravo!

UNITED STATES MUST ACT NOW TO RECOVER NAVAL STRENGTH

HON. WILLIAM R. ANDERSON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. ANDERSON of Tennessee. Mr. Speaker, the Nashville Banner recently ran a very excellent editorial on the urgent need to rebuild our forces at sea. This is a timely and useful editorial and under unanimous consent I submit it for the RECORD:

UNITED STATES MUST ACT NOW TO RECOVER NAVAL STRENGTH

The nuclear age, with its accent of air power and kindred emphasis on intercontinental ballistic missiles, has not effected the pertinency of the late Vice Admiral Alfred Thayer Mahan's warning a long time ago: That naval power second to none is essential to national security. As a biographer says of him, he was the first writer to demonstrate the determining force which maritime strength has exercised upon the fortunes of individual nations and the course of general history.

U.S. executive thinking is getting back to that. The Navy Department now has asked Congress for $2.7 billion to begin modernizing its fleets—too long neglected in the lapse of attention that, in spite of Naval warnings, ignored the build-up simultaneously of Soviet power on and under the high seas.

It has been a hazardous delay during which obsolescence has overtaken many components of the fleets. As the deputy chief of Naval Operations, Vice Adm. John B. Colwell, told the Senate Armed Services Committee, more than 500 of the 900 American Navy vessels now are more than 20 years old.

In the pattern of this modernization program—a start on bringing this vital facility up to requisite strength—the call is for 16 new ships, twice the number approved last year, and conversion of 17 existing vessels. Among the new ones sought would be a nuclear guided-missile frigate, five destroyers and two amphibious assault ships.

There is a big preparedness gap to fill in these key particulars—and time is of the essence. Neither new construction nor repair and reconversion can occur overnight.

Tennessee Sixth District Congressman William R. Anderson, former commander of the nuclear-powered submarine Nautilus, has strongly advocated adoption of "SABMIS"—a sea-based anti-ballistic missile system, and "ULMS" an undersea long-range missile system; together to augment the deterrent strength of Polaris and ABM deployment.

From the Mediterranean, where the Soviet is flexing new muscles of naval might, to the Atlantic and Pacific, Free World security responsibilities have been passed almost exclusively to the United States as Great Britain, for example, has shrunk both its own navy and the area of its traditional guardianship.

Token forces in being, on patrol of danger spots, are not enough to restrain an enemy that respects only superior retaliatory strength. Make no mistake about it, facts of declining strength—in terms of ships, manpower and striking power—are not secrets known only to the nation concerned. They are known to Soviet Russia as well—as is the present hazardous circumstance of a Mediterranean Fleet spread thin by the necessity of diverting components of it to the Asiatic war area.

In any widening emergency suddenly confronted, there must be sea power—the security factor that has provided a basic margin for victory in wars to date, and can be a war deterrent. For regardless of new development in the Nuclear Age—in technique and weaponry—there still are oceans and continents to guard at sea; attacks to intercept in event of an enemy's triggered conflict; and manpower, machinery and supplies to deliver for the related military services.

Naval authorities know the dimensions of that chore, and the dangerously declining resources of facilities for it.

They have stated the case for it, over and over again—emphatically restated, with administration backing, before Congress now. The estimate put on present need results from the years of neglect, and certainly is not beyond the capacity of a concerned nation to absorb. A nation that annually expends billions in handout to other lands, plus other billions in the same pattern at home, assuredly can invest whatever it takes to strengthen security against dedicated enemies.

It can afford to invest no less. Failure to build up a first line of defense as essential as naval power would advertise to that enemy a preference for weakness—inviting the very incidents of assault that could, make no mistake about it, trigger World War III.

DEWITT REDDICK RETIRES

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. PICKLE. Mr. Speaker, Dr. DeWitt C. Reddick is retiring as dean of the School of Communications of the University of Texas, but he is staying in the business of training young journalists.

At the end of this semester, he steps down as dean—only to become dean of the University of Tennessee's school of communications for a year. Then, Dr. Reddick will return to Austin to become a professor in the very school he helped to create.

Admittedly, this is an unusual method of retirement; but then, DeWitt Reddick is a rather unusual man. He has been a professor of journalism at the University of Texas since 1942 and dean of the school since 1966. Under his guidance, the departments of journalism, radio and television, and speech were combined into the present school of communications.

Over the years, Dr. Reddick has had a profound influence upon the national press—simply because he has trained so many of them in the doctrine of fairness and accuracy. Many of his former students now work in Washington. Many are famous, but almost all are just plain, good reporters. We owe him a great debt for this type of newsman.

Saturday, April 26, Dr. Reddick was honored with a dinner with 700 friends and former students present. More would have come had there been room.

I include in the RECORD the news story of this event, written by one of his students for the college paper, the Daily Texan:

(By Charlotte Smith)

Approximately 700 students, former students, and colleagues paid tribute Saturday night to Dr. DeWitt C. Reddick, retiring dean of the School of Communication, which he helped found in 1965.

Former President and Mrs. Lyndon B. Johnson made a short visit before a testimonial dinner at the Villa Capri Motor Hotel to offer their congratulations to the veteran educator.

George Christian, former press secretary for Johnson, introduced the principal speaker, nationally-known CBS news broadcaster Walter Cronkite.

Dr. Reddick, who has been a teacher at the University for 42 years, became dean of the school in 1966.

After his retirement at the end of this semester, he will take a year's leave of absence from the University to become dean of the University of Tennessee's school of communications.

At the end of the year, he will return to Texas to assume the position of professor of journalism.

The dinner was sponsored by five journalism department student groups, Sigma Delta Chi, Theta Sigma Phi, Alpha Delta Sigma, Gamma Alpha Chi, and the Public Relations Student Society of America.

Cronkite, a former student of the dean, said the necessary training to produce accurate, objective newsmen must come from journalism schools such as the University's, "inspired by DeWitt C. Reddick."

Students must be taught not only the technicalities of journalism, but these must be "inculcated" with the principles of objectivity, accuracy, and integrity, the newscaster said.

PRESS HAS OBSTACLES

Cronkite cited two main obstacles to a free press and well-trained beginning newsmen. The growth of newspaper monopolies has increased so that now most cities have only one paper.

The CBS news broadcaster said he sees this development, even with increased circulation, as a "tendency and trend to constriction of communication."

With the increased number of one-paper cities, the "monitor . . . which is competitive journalism" is gone. Cronkite said, "A young man may work five years now and never get a fact right."

He said he was forced to be accurate when he worked on the Houston Post, because all information in the Post was checked against all stories in the Houston Chronicle. If any deviations were found, the differences had to be explained.

The second problem the former University student described is harassment. Radio and television are under limited government control now, but total government control is possible, he said. After the Democratic convention in Chicago in August, several investigations of the networks have been undertaken.

Although free from political pressures ("our bosses feel them, but we don't"), Cronkite said that "under threat of harassment, a free press cannot exist. It is psychologically impossible if not physically impossible."

TRAINING NEEDED

Cronkite then questioned where well-trained journeyman newspapermen are going to come from with monopoly papers. He dismissed radio and television because "few are doing the sort of job that newspapers do in covering the news."

A young person in these two areas cannot thoroughly learn his beat, Cronkite said. And they "never write a story past three paragraphs."

The training must come from newspapers, but competitive journalism is gone, he added.

Therefore, the job is left to men like Dr. Reddick who "brought the business to a profession" and "created proof that good teachers and good schools of communication can do a good job of producing good journeyman newspapermen."

Dr. Reddick, classifying the dinner honoring him as an "evening of memories," said, "I'm deeply touched that you would take time out of a busy life to come here tonight."

"We have a team at work. Whatever we do, we all have a share in this . . . and a great part of this is in the students."

Dr. Reddick, professor of journalism at the University since 1942 and dean of the School since 1966, said he was "grateful to students for many things," one of them being ingenuity and the other "a quiet kind of courage."

"This kind of experience for a teacher to have is a tremendously rewarding experience for us as teachers. A little bit of you is left with us, and a little bit of us is left with you. In this sharing we both grow and profit a little bit."

AWARDS PRESENTED

Larry Upshaw, president of Sigma Delta Chi student chapter, announced the start of the DeWitt Reddick Book Collection in the Journalism Library.

Curtiss Bridges, president of Gamma Alpha Chi, presented Dr. and Mrs. Reddick with a gift for their trip to Tennessee.

Mike Cooper, president of Public Relations Student Society of America, presented a letter of appreciation to Dr. Reddick.

Gene Attal, president of Alpha Delta Sigma, awarded Dr. Reddick the Air to Advertising Education Awards.

Alpha Epsilon Rho, represented by Bob Estrada, also presented Dr. Reddick a gift.

Linda Adleman of the Communication Council presented Dr. Reddick with a letter for his service.

Jenny Haynes, president of Theta Sigma Phi, presented a letter of appreciation to Dr. Reddick as well as a gift to the Paul J. Thompson-DeWitt C. Reddick Foundation.

Stuart Long, state president of Sigma Delta Chi, presented a gift to the Thompson-Reddick Foundation.

Texas Student Publications, Inc., represented by Loyd Edmonds, general manager, honored Dr. Reddick with a special issue of The Daily Texan for the dinner. Edmonds presented Dr. Reddick with a copper plaque of the front page of the issue.

Griffin Singer, president of the Journalism Ex-Students' Association, presented Dr. Reddick with letters and telegrams from students and colleagues unable to attend the dinner.

Mrs. Reddick was presented a bouquet of roses.

Mr. Speaker, on the editorial page of the same edition, the following was written by one of his students:

DeWitt Reddick, dean of the School of Communication was honored at a dinner Saturday night. For those of us who know him, Dean Reddick is a tremendous human being, not just a scholar or just a dean but a warm human being. His sincere interest in students is almost amazing. He always has time to talk with any student. And he always takes a personal interest in the student. Rules and regulations are often insignificant. To Dean Reddick, it is the student and his problem that are more important. His kindness and gentle, human concern for the student will be missed.

DeWitt Reddick is my personal friend. Yes, thousands of his students consider him as a personal friend. That's the kind of teacher and professor and man we find in the person of DeWitt Reddick.

CHEMICAL AND BIOLOGICAL WARFARE POLICY BY DEFAULT

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. McCARTHY. Mr. Speaker, perhaps the most important aspect of the U.S. policies and practices in the fields of chemical and biological warfare has been the imperceptable change in policy that has taken place during the last 6 or 7 years. From a traditional, and in my mind, correct policy, of no first use, we have begun to practice limited chemical warfare in the conflict now in process in Vietnam.

There has been no public or congressional debate concerning this change in policy. There has been apparently no top level administration consideration of all the ramifications of this new policy. It is apparently being made at the operating, rather than a decisionmaking level of the Government.

I believe that this change in policy should be thoroughly discussed by Congress and considered by the public. I have, therefore, written to President Nixon detailing the facts that led me to the conclusion that our policy has changed and have asked him to resubmit the Geneva protocol of 1925 manning the first use of gas and germ warfare to the Senate for ratification. Submission of the protocol would provide an opportunity for a national discussion of this issue. I am inserting the text of my letter to President Nixon in the RECORD at this point:

President RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Early in this session of Congress my attention was drawn to the chemical and biological warfare policies and practices of the United States. A number of questions had been raised regarding change in the long standing United States policy of no first-use of chemical and biological warfare, the safety of CBW research activities carried out by the Armed Forces, the possible dangers involved in transportation of chemical and biological weaponry, and the use of universities and other private non-profit institutions for direct or indirect research in this area.

At my request, the U.S. Army provided a briefing to members of Congress on the purposes, practices, and capabilities of the United States in the chemical and biological warfare area. Although the briefing was useful, it did not adequately cover the public policy aspects in which I was interested. I subsequently addressed a series of questions to the Secretary of Defense, the Secretary of State, and a number of other Executive officials concerned with our chemical and biological warfare policies. I received replies to my questions that were both more illuminating than the material previously made available, and also disturbing.

The answers were disturbing because they revealed that the United States has imperceptably changed its practices in the field of chemical and biological warfare. The change has been from our traditional policy of no-first-use to one of practicing certain types of chemical warfare. Yet at the same time, I found no announced change in policy on the part of the Executive branch. I found no approval by the Congress of this change in policy. If anything, I found that the views of some of the Executive departments differed from those of others; in effect that although the Department of Defense is practicing chemical warfare, the Department of State is hard put to defend this practice. My question is then, who authorized this change in policy? Was it the President? Was it the Congress? Have the American people been made aware of this shift in our traditional policy?

It was with these questions in mind that I made a series of recommendations concerning chemical and biological warfare to the U.S. House of Representatives on April 21, 1969.

One of my suggestions was that you, Mr. President, resubmit the Geneva Protocol of 1925 prohibiting the use of gas and bacteriological warfare to the Senate for ratification.

As you know, although this Protocol was initiated by the United States shortly after World War I, it was not ratified by the Senate. Part of the failure to ratify the Protocol was the belief by its supporters that there was no question that it would be ratified easily. Their reason for thinking this was that the United States Senate had just completed ratifying the Washington Arms Conference of 1922 which banned gas and germ warfare. The Treaty is not binding today because the French objected to the limitations on submarines contained in the Treaty and failed to ratify it.

A short history of our policy regarding the use of chemical and biological warfare points up the shift in United States policy that has taken place.

Following the signing of the Treaty of the Washington Arms Conference of 1922, General John Pershing, famous World War I military leader of the American Expeditionary Force, commented that:

"It is inconceivable that the United States will initiate the use of gases . . . and by no means certain that it will use them even in retaliation."

When the 1925 Geneva Protocol was brought before the Senate for ratification, General Pershing testified for ratification of the Treaty.

Presidents Harding, Coolidge, and Hoover all were vigorously opposed to chemical warfare. President Coolidge supported the American position at the Geneva Conference of 1925 and also agreed to call a special conference in Washington to prohibit the use of poison gas.

President Roosevelt was adamantly opposed to the use of gas warfare. In 1937 he said:

"It has been and is the policy of this Government to do everything in its power to outlaw the use of chemicals in warfare. Such use is inhuman and contrary to what modern civilization should stand for.

"I am doing everything in my power to discourage the use of gases and other chemicals in any war between nations."

During World War II, with more than 12 million Americans under arms at one time, President Roosevelt said in 1943 following reports that Germany was contemplating use of gas warfare:

"Use of such weapons has been outlawed by the general opinion of civilized mankind. This country has not used them. I state categorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies."

Admiral Chester Nimitz, in discussing tough decisions in World War II, said:

"There were a lot of tough ones. I think when the War Department suggested the use of poison gas during the invasion of Iwo Jima that was a trying decision. I decided the United States should not be the first to violate the Geneva Convention. It cost many fine Marines."

Admiral Leahy, in response to a suggestion made in 1944 that biological agents be used to destroy the Japanese rice crop, he said such activity would ". . . violate every Christian ethic I have ever heard of and of all the known laws of war."

During the Korean War, the United Nations were accused of waging germ warfare by North Korea. The United Nations and the United States went to great lengths to refute these false charges, recognizing the impact on world opinion that any substantiation would have.

Following the Korean War, however, we find a gradual change beginning to take place. When Congressman Kastenmeier submitted his resolution to Congress in 1959 asking that the United States express its support for the Geneva Protocol both the Department of Defense and the Department of State opposed passage of the resolution.

A previously limited budget for chemical and biological warfare research, testing and procurement apparently was expanded in the early 1960's.

And in 1965, the American public learned that the United States was using gas in Vietnam. Following the public outcry, Secretary McNamara announced that South Vietnamese forces had been equipped with three gases which they had used, CN, CS and DM. Secretary McNamara said that these were essentially riot control agents not covered by the Geneva Protocol and were being used to reduce the amount of violence required.

Secretary of State Rusk said, when questioned about the use of gas in Vietnam said on March 24, 1965:

"We are not embarking upon gas warfare in Vietnam. There has been no policy decision to engage in gas warfare in Vietnam. We are not talking about agents or weapons that are associated with gas warfare, the military arsenals of many countries." "We are talking about a gas which has been commonly adopted by the police forces of the world as riot control agents."

"Now, why is tear gas a part of the equipment of police forces? It is because police forces would like to be able to use the minimum force that is required for the maintenance of law and order. It is a minimum instrument."

"Now these are the essential policy aspects of the problem. We do not expect that gas will be used in ordinary military operations."

Yet on February 22, 1966, we learned that helicopters dropped hundreds of tear-gas grenades to douse a small patch of jungle, believed to be a fortified Vietcong area, 265 miles northeast of Saigon in preparation for a bombing raid. The Defense Department explained the gas attack was designed to flush Vietcong troops out of bunkers and tunnels before the attack by B-52 bombers. Apparently this practice has become widespread, for the United States has budgeted $81 million for gases of this type in 1969, and a professional journal estimates that we will produce 2.16 million pounds of these gases during that time period.

What has happened? The United States is using gas in conjunction with lethal conventional weapons in Vietnam. This is clearly chemical warfare. And despite some ambiguity in the wording, the British, French, Spanish, and a number of other countries have all said that the Geneva Protocol covers tear gas—the same Geneva Protocol that we say we support fully in principle when the subject is raised at the United Nations.

We also find that we are using chemicals to attack food crops in Vietnam. Both State and Defense are quick to point out that the chemical defoliants and herbicides used are the same type employed in agriculture and industry at home and are not banned by the Geneva Protocol. They do not say that the use to which these chemicals are devoted in Vietnam is entirely different from that at home—namely, to destroy food and to open lanes of fire for our troops and aircraft. They don't say that biologists are seriously concerned about the long term effects of defoliants and herbicides on the Vietnamese countryside. They do not say that we are using chemicals here as a weapon against food.

Mr. President, it is my opinion that we have changed our policy without a conscious decision on the part of our elected officials and without the knowledge of the American people. If this new policy of use of chemical warfare is one that we wish to adopt—and I emphatically believe that it is not—then it should be done openly and with full debate and discussion.

I urge you, therefore, to resubmit the Geneva Protocol to the United States Senate so that the chemical and biological warfare policy of the United States can be clarified. Our long standing tradition of civilization calls for no less.

Sincerely,

RICHARD D. MCCARTHY,
Member of Congress.

McKEESPORT SOLDIER DIES IN VIETNAM

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. GAYDOS. Mr. Speaker, Army Pfc. Tibor Sotak, a brave young man from McKeesport, was recently killed serving his country in Vietnam.

I wish to honor his memory and commend his courage and valor, by placing in the RECORD the following article:

CITY SOLDIER DIES IN VIETNAM

A 22-year-old McKeesport soldier who came to this country from Czechoslovakia eight years ago has been killed in action in Vietnam.

Word of the death of Army PFC. Tibor Sotak was received yesterday by his parents, Mr. and Mrs. Andrew Sotak, 413 Long Run Road.

LISTED AS MISSING

The family had been notified by the Army earlier this week that Pfc. Sotak was missing in action. A followup communication yesterday listed him as killed in action. It is believed the young GI died on April 20, five days after his 22nd birthday.

Drafted last Aug. 6, Pfc. Sotak took basic training at Ft. Gordon, Ga., and left for Vietnam Feb. 6. He was attached to Company C, Fifth Battalion, Seventh Cavalry Regiment.

Born in Czechoslovakia on April 15, 1947, Pfc. Sotak came to the United States in 1960 with his mother and a sister, joining Mr. Sotak who had arrived in the country earlier.

ATTENDED SCHOOL HERE

He attended McKeesport Vocational-Technical High School and was employed by McKeesport Coating Co. prior to entering the service. He was a member of the Free Hungarian Church of McKeesport and its Youth Fellowship Class.

In addition to his parents, Pfc. Sotak is survived by his sister, Mrs. Eva Suchant of North Huntingdon.

Funeral arrangements are being handled by Striffler's of White Oak.

TWO WAYS TO LOOK AT ABM

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. McCLORY. Mr. Speaker, my Senate colleague from Illinois, Senator DIRKSEN, has composed a revealing and thoughtful article on experiences of our Nation with the Soviet Union following resumption of diplomatic relationships 36 years ago.

As Senator DIRKSEN indicates, it is well to review this history in reaching a present decision on the issue of a proposed Safeguard Anti-Ballistic-Missile System—which has been recommended to the Congress and to the Nation by President Nixon.

This article which appeared in the April 30 issue of the Washington Daily News follows:

A SENATOR'S NOTEBOOK: TWO WAYS TO LOOK AT ABM

(By EVERETT MCKINLEY DIRKSEN)

There are two ways to look at the question of the antiballistic missile. A retired U.S. Marine Corps general gave them to me in very simple and forceful terms.

"If you have complete confidence in the integrity and peaceful intentions of the Soviet Union," he said, "you can forget the ABM. If not, you had better do something about it."

Well General, on those two points I am like Patrick Henry of pre-Revolutionary War fame. That great patriot said, "I know of no way of judging the future but by the past."

We don't need to go back too far in the past to learn something from history that is relative to the present. We need only go back to January, 1934, when the idea of recognition of the Soviet Union was discussed on the floor of the U.S. Senate in connection with the confirmation of President Franklin D. Roosevelt's selection for ambassador to the Kremlin.

The most outspoken senators who were experts on foreign affairs were suspicious of Russia, and said so, even tho those statesmen fully subscribed to the fact that recognition of a foreign country was the prerogative of the President.

Recognition of the Soviet Union came about not because Moscow asked for such recognition, but because the President of the United States made an offer. On Oct. 10, 1933, President Roosevelt wrote to President Kalinin of Russia saying, "I should be glad to receive any representatives you may designate to explore with me personally all questions outstanding between our two countries."

President Kalinin responded a week later, saying in his letter, "I gladly accept."

So Maxim Litvinov, the people's commissar for foreign affairs of the U.S.S.R., came to Washington with his entourage. There followed joint communiques, luncheons and the exchange of much memoranda.

On Nov. 16, Commissar Litvinov addressed a memorandum to Mr. Roosevelt stating that it would be the "sixth policy of the U.S.S.R. to respect scrupulously" the American right to order our own affairs without interference and "to refrain from and restrain all persons and organizations under the direct or indirect control of the U.S.S.R. from any act, overt or covert, liable in any way whatsoever to injure the tranquillity, prosperity, order or security of the whole or any part of the United States, its territories or possessions and, in particular, from any act tending to incite or encourage armed intervention or any agitation or propaganda having as an aim the violation of the territorial integrity of the United States, its territories or possessions, or the bringing about by force of any change in the political or social order of the whole or any part of the United States, its territories or possessions."

Now that covered a lot of ground. The exchanges went on and on, covering such points as religious worship, the rights of our nationals, the settlement of claims and many other things. And so the deed was done. Over and over again the assurance was emphasized to us that the Soviet Union would keep its hands off our affairs.

All that happened 36 years ago, 16 years after the bloody Bolshevik revolution. It was not long thereafter before the U.S. House of Representatives created a committee to investigate Communist subversion and infiltration. Later, the House approved creation of a standing committee on un-American activities. Still later, in the Internal Security Act, the Senate brought about the creation of the Subversive Activities Control Board, and ever since there has been an unrelenting effort to hamstring the operations of that board.

If further evidence is required, one may profitably read the testimony of J. Edgar Hoover before the committees of Congress, year after year. Even fresher evidence of Soviet intent is all around us—the invasion of Czchoslovakia, the recent stern warnings by Russia to Yugoslavia and then to Romania, the steady supply of weapons to Hanoi, the missile infiltration of Cuba, the encouragement of Red organizations and Red fronts in the United States. Are those the ads of a country with peaceful intentions?

How eloquent the past can be.

ANNIVERSARY OF ISRAEL

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. GILBERT. Mr. Speaker, I sometimes think that we in the United States take our survival too much for granted. In our own time, we have seen great nations disappear. Less than a year ago, Czechoslovakia was, for all practical purposes, swallowed up by aggression. That is why I believe it is so important that we pause a minute to take note, on the 21st anniversary of its independence, of the survival of the State of Israel.

It would be appropriate for us, in America, to give thanks for Israel's survival, because Israel's cause in the Middle East is our cause. I say that not so much in a political as in a spiritual sense. Israel represents freedom, opportunity for the individual, reason, humanism, the conquest of the elements, learning. If Israel is threatened by its neighbors, so are the values for which America stands. If Israel is attacked, the integrity of America is under assault. If Israel should somehow be engulfed, America will become a darker place.

So I congratulate Israel, Mr. Speaker, on its anniversary. I congratulate it for more than mere survival—for we know what the seige of hostile neighbors can do to a society. It can make a people grow narrow and surly and self-pitying and inbred. But Israel continues to proclaim defiantly the message of liberty of the body and of the spirit, and all over the world Israelis help others to achieve this end. Israel is a triumph of what is best in the will of man. I join my colleagues in wishing it continued survival into a future when all men will live with one another in peace.

TWO COLUMBIANS RECEIVE STATE STAR AWARDS

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. WATSON. Mr. Speaker, as I have pointed out so often, the overwhelming majority of our students in this country are hardworking, dedicated, conscientious, and patriotic Americans. Unfortunately, however, seldom do these young Americans receive recognition in the news media. A handful of radical students can take over a college building and it is front page news, and yet after 4 years of hard work, hundreds of students at the same institution earn a degree and it is hardly mentioned in the same paper.

Recently, in my congressional district, a lovely young lady with an outstanding record of scholarship received plaudits for being named the STAR student for 1969 in South Carolina. STAR, which means student-teacher achievement recognition, is a project of the South Carolina State Chamber of Commerce. This year's student winner, Miss Anne Dantzler, who attends Dreher High School in Columbia, is to be commended. She certainly represents the lofty ideals and noble aspirations of youth at their finest.

At the same time, one of Anne's teachers, Mr. Harold L. Phillips, Jr., was named as the STAR teacher of 1969. Mr. Phillips was so chosen because of his contribution to the scholastic achievement of the student winner. I congratulate Mr. Phillips, and it is indeed heartening to see one of our dedicated teachers realize such a worthwhile goal.

Mr. Speaker, as a part of my remarks, I would like to include an article from the Columbia Record, Columbia, S.C., concerning the awards as follows:

> TWO COLUMBIANS NAMED TO STATE STAR AWARDS
>
> Anne Ellsworth Dantzler of Columbia today was named South Carolina's STAR student for 1969.
>
> Miss Dantzler, a 17-year old senior at Dreher High School, received a $500 scholarship from the Sears, Roebuck Foundation, a tour of Europe via Pan-American World Airways and the State Chamber's special STAR plaque.
>
> Sharing the spotlight with Miss Dantzler was Harold L. Phillips Jr., the 1969 state STAR teacher. Phillips, who teaches Russian and German at Dreher High School, was named as the teacher "who contributed most" to the STAR student's scholastic achievement. He received a $500 cash award from the ITT Variable Annuity Company and the Chamber's STAR teacher plaque.
>
> STAR (Student-Teacher Achievement Recognition) program is sponsored statewide by the S.C. State Chamber of Commerce, in cooperation with local chambers of commerce, to develop public appreciation for scholastic achievement and for the teaching profession.
>
> Designation of STAR students is based on top ranking scores made on the College Board Scholastic Aptitude Test and scholastic averages during the first semester year.
>
> Also honored at the STAR luncheon were the congressional district STAR students and teachers who each received $100 cash awards. These included, from the 1st District, Fred Thompson and Mrs. Louise Smith, St. Andrew's Parish High School of Charleston; 3rd District, William A. Gray and Mrs. Hilda Rutherford, North Augusta High School; 4th District, Albert A. Ramage III and Miss Frances Sheely, Clinton High School; 5th District, James R. Bourgeois and John Powers, Edmunds High School of Sumter; and 6th District, Richard Weintraub and Mrs. Shirley Willcox, McClemaghan High School of Florence.
>
> District runners-up included David H. Middleman and Eugene Norris of Beaufort; Ginger Shuford and Mrs. Susan Fraley of Lexington; Glenola Williams and Mrs. Louise Hartzog of Greenwood; Chris Hoyle and Mrs. Laura Toms of Spartanburg; William T. Ross and Mrs. Eugenia Jackson of Rock Hill; and Randy K. Vereen and Mrs. Catherine Davidson of Marion.
>
> Tomorrow the district winners and runners-up will begin a four-day educational tour of the state sponsored by the State Chamber of Commerce.

LAIRD SEEN WILLING TO DROP THICK ABM

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. JACOBS. Mr. Speaker, on March 2, 1969, the Washington Post ran an article entitled, "Laird Seen Willing To Drop Thick ABM."

The article reported:

> The ABM Laird apparently favors is a "reconfigured" version of the, sentinel system, which had been designed to protect about fifteen U.S. cities from the threat of Chinese missile assault. Laird is said to be leaning toward moving the sentinel into the countryside to provide protection for offensive missile sites.

On February 16, 1969, the Washington Post reported:

> Secretary of the Army Stanley R. Resor, proposed to his superiors in the Defense Department last Fall a massive public relations campaign to counteract scientific and political opposition to the controversial sentinel system for destroying enemy missiles. The Resor proposals, outlined in a classified five-page memorandum to then Secretary of Defense Clark Clifford, were a follow-up to a major pro-sentinel campaign launched in March 1968 . . . The memorandum was ac-

companied by a much more detailed, seventeen-page "master plan" for a public relations/public affairs program on a countrywide basis. And this longer memorandum (was) signed by Lieutenant General Alfred D. Starbird, who manages the sentinel project.

Mr. Speaker, let us journey across the Potomac River and look in on a secret session at the Five-Sides Advertising Agency where marketing expert Dr. Strangebird is speaking with the Chief:

I'm sorry to have to say it, Chief, but we're having a little trouble with that new account for Missiles Unlimited.

Strangebird, if I've told you once, I've told you a billion times the advertising game goes a lot easier if the product will work. Who signed up that account anyway?

I'm not sure, Chief, but I think it was somebody else.

Well, how are we going to handle it?

Chief, I thought we might see if Mad Magazine will change its policy just this once and accept a series of ads on the mongoose missile.

O.K., but what would the ad say? It should have a lot of thrust.

Right! Well, since we were a little late getting off the ground with this one, those inferior scientists who don't work for us are convincing people not to buy—just because the product won't work. The old "don't-leave-your-family-defenseless" bit just isn't going to work. We'll have to go for some other mass motivational factor—say the profit motive. But we'll have to make a transition—bearing in mind that it doesn't make any difference what the mongoose is used for, so long as our clients sell it.

I think a series of three "Fool" Page Ads should do it:

ADVERTISEMENT NO. 1

"Are you a thinking American? Would you believe you'd be leaving your family defenseless if you don't let us install a brand new mongoose missile in your home town?"

ADVERTISEMENT NO. 2

"Are you a thinking American? Would you believe you'd be leaving your family defenseless if you don't let us install the '69 mongoose somewhere else instead of your home town—say out in the country?"

ADVERTISEMENT NO. 3

"Are you a thinking American? Would you believe you'd look ten billion dollars thinner if you helped send a poor Defenseless Contractor to camp at the door of the Treasury?"

Then, Chief, and this is the kicker, we'd have a neatly uniformed pretty girl saying, "Is this any way to run the National debt sky high? You bet it is."

What do you think, Chief?

Strangebird, it's just fair. This agency has always been capable of more imaginative work, though. After you've been in the advertising game for a while you'll realize that sometimes you can be too nice. You're trying to sell this system on its merits. And there aren't any. What we have to do is make it damned uncomfortable for anyone to ask any questions about the merits of the Mongoose.

Wait a minute, Chief! Maybe, just maybe . . . of course The Emperor's New Clothes were invisible. But the Mongoose Missile System is pretty thin. Remember how the salesman of the Emperor's New Clothes convinced everybody that it would be a sin if they couldn't see the clothes? Why don't we just develop a slogan like, "It's a sin if you just can't see the thin"?

Not sinful, Strangebird, "Unpatriotic."

One thing that's really giving us a lot of trouble, Chief, is the charge that since the Mongoose can serve no useful purpose in defending the country, it's not worth running the country into bankruptcy. Remember, we have a lot of friends who used to claim that Lenin said the Communists would fool the United States into spending itself into bankruptcy.

Strangebird, you just don't seem to understand anything. When our friends said Lenin said that, they were talking about wasting money on silly things like education, not such worthy projects as A.D.C. (aid to dependent contractors). It just gets you a lot of taxpayers who want to ". . . reason why . . ." And, believe me, that doesn't help much in the advertising game, especially when you're trying to sell this boon dog . . ., I mean grant this boon to these worthy contractors. And they are worthy, Strangebird. They advertise in our Service Association Magazines. And we're not going to be at Five-Sides all our lives. Remember, Strangebird, 'No greater love hath a contractor than to lay down a job application in front of a retired Five-Sider.' They stick with us. And we're going to stick with them through Thick and Thin. Strangebird, we've just got to come up with a successful advertising campaign on this one.

Well, Chief, since you put it that way, let's use the ultimate advertising weapon.

Strangebird, you mean?!

Exactly. Disloyalty. We could take the old "my contractor, right or wrong" and run it up the flag pole and see if we could get the House Minority Leader to call somebody un-American for not saluting it.

It's a great idea, Strangebird. But, believe me he'd never do it.

"Where are they going to stop?" (Minority Leader Gerald) Ford asked angrily. "Do they want to unilaterally disarm America when we face a serious threat from the Soviet Union?"

Ford said that putting all such Congressional opposition in a total package, there seemed to be a movement in concert aimed at seriously eroding the U.S. capability against attack.

LETTER TO STUDENTS

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. QUILLEN. Mr. Speaker, it is with deep pride in the young men and women who will graduate from high school in the First District of Tennessee that I am personally writing each of them, by way of an individual letter, as follows:

DEAR (name of graduate): It is my pleasure to congratulate you upon the accomplishment of your graduation.

May this day begin a further achievement in the ideals of citizenship in your community and for your country. I sincerely trust that you will continue your quest for increased knowledge.

I know this is a significant occasion . . . one which you will always remember with pride. May your diploma be the key that opens the door to a wonderful future.

As a memento of this milestone, I am enclosing The American's Creed which has a special message for all of us. I hope this creed will prove an inspiration and a guide as you start on a new journey in life.

As your Congressman, if I can ever be helpful to you in any way, please feel free to get in touch with me.

Best wishes for every success and all the good things that life can bring.

Sincerely,

JAMES H. QUILLEN.

Also included in the mailing is a copy of The American's Creed for each student. Following is the wording of the creed:

THE AMERICAN'S CREED

(By William Tyler Page)

I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my Country to love it; to support its constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

Presented to (name of graduate) with congratulations upon High School graduation. May the future bring you success, happiness, and achievement in the highest ideals of American citizenship.

These young graduates will soon be accepting their places as responsible citizens and leaders of our community and Nation and it is my sincere hope that they seek the best that life has to offer and succeed in at least a small portion of their goals.

I wanted to make this information available to my colleagues and to the readers of the RECORD, as my letters will be going out in the mail within the next few days. It is my desire, as First District Congressman of Tennessee, to be of all the help possible to the graduate, and in my letter I state:

As your Congressman, if I can ever be helpful to you in any way, please feel free to get in touch with me.

It is my hope that the American's Creed will instill in each high school graduate the desire to stop the campus rioting when they enter college next year.

INTRODUCTION OF A BILL AUTHORIZING THE PRESIDENT TO RAISE OR LOWER INCOME TAX RATES BY 10 PERCENT

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. ASHLEY. Mr. Speaker, I am introducing today legislation which would authorize the President, subject to congressional disapproval, to raise or lower income tax rates by not more than 10 percent.

Enactment of this measure can assure that prompt action can be taken in the area of fiscal as well as monetary policy to combat cycles of inflation and deflation.

I think the need for this legislation is reflected by the efforts of President Johnson, and now President Nixon, to wind down our inflationary spiral.

President Johnson took an important step to slow down the economy by recommending legislation for a 10-percent surcharge in August of 1967. Had my bill been in effect at the time, the President could have immediately instituted this necessary measure. Instead, it took Congress almost 11 months to enact the proposal into law. Now President Nixon is seeking to extend the surcharge and then gradually phase it out if the economy cools down. Under my bill, he would be able to follow such a plan and adjust it to meet any new situation that might arise without congressional approval; rather, the burden would be on the Congress to negate such action. This seems eminently reasonable in the light of the fact that control over the economy often requires continuous prompt and delicate tuning.

Our national economy is a delicate mechanism, Mr. Speaker, and the factors which cause it to run with efficiency and stability are difficult to predict in advance. For example, what individuals decide to do in a free society—and how they judge what other individuals are going to do—is one of the factors most important but also most difficult to measure in trying to anticipate the future course of the economy. Nevertheless, it does appear—particularly in light of our continuing involvement in Vietnam with its concomitant claim on expenditures—that increased defense spending will keep private demand, and thus the economy, also churning upward.

I am certain that the condition of our economy is a matter of very real concern to us all. Gross national product, the measure of Government purchases of goods and services, personal consumption, gross investment of businesses and net exports, is now running at a rate of $903.4 billion.

GNP had a gain of $16 billion during the first quarter of this year. Moreover, the consumer price index rose 4.7 percent between February of 1968 and February of 1969 and then took its highest jump in 18 years, 0.8 percent in March. All of this tells us that the economy has been growing at a breakneck, and reckless, pace.

It is for these reasons, Mr. Speaker, and because I think we must face squarely the fact that the future will require constant rapid action to keep our economy in balance, that I have introduced my bill to give the President the temporary and limited authority to act by increasing or decreasing income taxes up to 10 percent of existing rates.

UNO TOLERATES SLAVERY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. RARICK. Mr. Speaker, the report from the United Nations that some 10 million human beings are held in slavery or other form of bondage today in an estimated 30 countries reflects little sincerity from the leadership of the United Nations Organization in advancing individual liberty and human dignity.

This is amplified by the Anti-Slavery Society for the Protection of Human Rights which charges that many of these slave states are members of the United Nations Organization. The justification of the UNO inaction toward emancipation is the "sensitivity of some of the newly admitted U.N. member countries toward the issue."

A convenient legal position for the UNO intellectuals is that their articles prevent interference into the political and social affairs of a member state. An attitude which is appreciated by member states which continue the practice of slavery.

Apparently, the UNO accepts slavery as an internal matter in emerging nations; in contrast, separate development of the races in the civilized countries of Rhodesia and South Africa is condemned as a threat to world peace.

Mr. Speaker, I include an AP release from the UNO as follows:

U.N. TO STUDY SLAVERY

(By Milton Besser)

UNITED NATIONS, N.Y.—The United Nations has decided to take another look at slavery—a problem that still plagues mankind despite international efforts to stamp it out.

Eighty nations, including the United States, have signed, acceded to or ratified a supplementary convention on slavery since it was adopted by the U.N. Economic and Social Council in Geneva in September 1956. The League of Nations approved the original convention in 1926.

But this has not eliminated the practice of slavery, which dates back to ancient times, and still affects the lives of thousands of people.

NEW STUDY STARTS

In recognition of this the U.N. Commission on Human Rights at its meeting in March in Geneva confirmed the appointment of Mohammed Awad, an Egyptian authority on the subject, to carry out a new study of slavery and the slave trade.

Awad will prepare the report for initial scrutiny by a subsidiary body of the Human Rights Commission—the Subcommission on Prevention of Discrimination and Protection of Minorities.

That the institution of slavery still flourishes is a recognized fact. But there is controversy on the extent and the numbers of persons affected.

The Anti-Slavery Society for the Protection of Human Rights, a private organization with headquarters in London, estimates that 10 million humans still live in slavery or other forms of bondage.

Awad in a study released in 1966 put the figure at around one and a quarter million.

Col. Patrick Montgomery, executive secretary of the London-based society charges that the United Nations has brushed aside a direct confrontation over slavery. He says this is due in part to the sensitivity of some of the newly admitted U.N. member countries toward the issue.

THIRTY COUNTRIES WITH SLAVERY

While he did not name any specific countries, he said slavery is practiced in about 30 which lie in a belt "stretching all the way around the world between latitude 10 south and 30 north of the equator, starting in Polynesia, all the way through southern Asia, the Persian Gulf, southern Arabia, central and Saharan Africa, and the high Andes and Amazon forests of South America."

He says that in one African country between 300 and 400 women and girls live in one harem—sold to a chief by those seeking favor from him.

A woman member of the society reported that on a tour in the Middle East she found that young girls were being sold as slaves for 10-year periods at a price of $40 each.

They were regarded by their owner as fortunate to have escaped a future as prostitutes, and were being given excellent care as domestics. Some were sold as young as 8, and assigned immediately to household chores.

JACOBS FAVORS PRESIDENTIAL PRIMARY

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. BRADEMAS. Mr. Speaker, the Democratic Party has recently undertaken a study to determine the reforms necessary to strengthen its ability to meet the problems facing our changing society.

My distinguished Indiana colleague, the Honorable ANDREW JACOBS, JR., testified last week before the Commission on Party Structure and Delegate Selection, chaired by Senator GEORGE MCGOVERN, in favor of a direct presidential primary.

I insert at this point in the RECORD the text of Congressman JACOBS' thoughtful statement on this issue:

TESTIMONY BY ANDREW JACOBS, MEMBER OF CONGRESS, BEFORE MCGOVERN COMMISSION HEARING, WASHINGTON, D.C., APRIL 25, 1969

When asked if Harding really had a chance of gaining nomination of the Republican Convention, Harry Daugherty replied,

"Well boys, I'll tell ya what I think. The convention will be deadlocked. After the other candidates have failed, we'll get together in some hotel room, oh about 2:11 in the morning. And some 15 men, bleary eyed with lack of sleep will sit down around a big table. When that time comes, Senator Harding will be selected."

He was 11 minutes off.

Mr. Chairman, along with what I believe to be a vast majority of the people I represent, I favor direct primary nomination of Presidential and Vice Presidential candidates.

"I don't care who does the electing, just so I can do the nominating."

Those words were spoken by Boss Tweed, himself.

As we near the two-hundredth year of the Republic we must sadly confess to history that the democratic aspect of our American dream has yet to come of age in America.

If this nation really wishes to be democratic in the selection of officials to carry out the representative work of our Republic, then the politicians, whether they call themselves electoral college electors or convention delegates, should step aside and allow the people to do their own choosing.

As a citizen whose very life on this planet could be snuffed out by a single Presidential decision, I resent the suggestion that some latter-day town voter must substitute his judgment for mine in the selection of my Party's nominee for President. To such a suggestion I can only reply, "thanks for the compliment."

Representation is necessary for the management of complicated public business. But representation is not necessary for the selection of elected officials to conduct that business, especially when a candidate attracts the prominence connected with the Presidency.

Any Democrat in Indiana last year could have told you who Branigan, Kennedy and McCarthy were. But hardly any could tell you the name of his town voter-delegate, much less which candidate that "town voter" supported.

No matter how democratic the selection of National Convention delegates might be made, the Convention system of Presidential nomination will remain an exercise in Government by guess who.

That which is inherently un-democratic cannot be made democratic by reform—only by replacement.

Every indication of public opinion makes clear that the people want to do their own choosing of their own President. And if our Democratic Party will listen more closely to the people now, will the people not listen more closely to our Democratic Party in the future?

I hear it said there isn't enough money for a direct primary system. Yet, there is enough money for farmers who do not farm; for Subversive Control Boards that do not control; for defense systems that do not defend; and indeed for wars to protect freedom where there is no freedom to protect.

Mr. Chairman, a direct national primary is in the best interests of our country. The rank and file party voter has no political ax to grind; military equipment to sell or appointment to seek. In order to woo him, the candidate has no choice but to discuss the issues.

THE INVESTMENT TAX CREDIT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. DERWINSKI. Mr. Speaker, as the Ways and Means Committee continues its work on a tax bill, and recommendations from the White House include termination of the investment tax credit, I believe that an objective study of that item is necessary. I direct the attention of the Members to a thoughtful editorial commentary on the investment tax credit in the Sunday, April 27, Chicago Tribune.

THAT "PERMANENT" INVESTMENT CREDIT

President Nixon's tax program is admittedly an interim measure, something designed to bring quick action on a few inequities and to redeem, at least partially, his promise to end the income tax surcharge as soon as possible—and to do these things without any loss of revenue.

In order to achieve this balance, somebody obviously had to be called upon for higher taxes, and this is partly why Mr. Nixon linked his reduction in the surtax rate from 10 to 5 per cent, effective in January, to a repeal of the 7 per cent tax credit for business capital investment. This, the administration says, should yield the needed 1.9 billion dollars or so during the fiscal year 1970.

Another reason for advocating repeal of the tax credit is Mr. Nixon's fear that business expansion is getting out of hand, contributing to inflation and helping to push up interest rates. The administration estimates that spending on new plant and equipment will rise by 14 per cent this year, under present plans, to about 73 billion dollars. This is just about double what it was six years ago.

The tax credit may not have been the wisest way for Mr. Kennedy to "get the country moving again" back in 1961; but neither is repealing it likely to be as effective as Mr. Nixon hopes in slowing down the boom.

For one thing, big expansion programs are usually too unwieldy to be called off at the drop of a hat, or even of a tax credit. For another, business men have learned not to rely too heavily on the tax credit anyway. The Kennedy administration assured us that it would be a permanent fixture, never to be tinkered with to adjust the economy. Yet the Johnson administration tinkered it out of existence in 1966 and tinkered it back in again the following spring, both times for reasons which were as much political as economic.

Even if the tax credit were a reliable fixture in the tax laws, it is not a decisive factor in business planning except in marginal instances. Most business men base their decisions on other factors, and some of them predict that the repeal will not affect more than 5 per cent of present spending plans.

It would be more accurate to regard the present pace of business expansion as a result of inflation rather than as a cause, because the inflationary psychology tempts business men to spend today for fear of higher prices tomorrow. If Mr. Nixon can persuade the country that inflation is over, he will do more to stabilize business planning than he can possibly do by repealing the tax credit—and will solve a good many of his other problems as well.

THE VOTER'S STAKE IN PERCENTAGE DEPLETION

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. FISHER. Mr. Speaker, the April 28, 1969, edition of the Oil and Gas Journal contains an open letter to the voters of the United States, written by the editors on the subject of oil taxes.

This open letter succinctly states an excellent case in support of percentage depletion. It discredits the unwarranted attacks that have been made on the vital tax incentives for petroleum exploration and production that have been provided in our Federal tax structure since the inception of the Federal income tax.

This open letter establishes the importance of an adequate petroleum supply to our national security and our economic well-being and advancement. It factually states that the petroleum industry does bear its fair share of the total tax burden and that oil industry profits are actually somewhat less than the return on net worth earned by manufacturing companies generally.

The Oil and Gas Journal editors conclude their open letter by observing:

> Our reserves of oil and gas are dwindling at a time they should be rising twice as fast. Spending on exploration should be doubled. Oil and gas now furnish 75% of our nation's energy. We're using petroleum at such a clip that consumption is expected to double by 1980.
>
> Tampering with any policy that encourages exploration for petroleum is courting disaster. The facts speak just as clearly and loudly as ever against changing either the rate or principle of percentage depletion. Congress will serve the nation best by again refusing to change this policy.

Mr. Speaker, for the information of my esteemed colleagues in the House, I would like to insert as a part of my remarks the full text of this open letter to the U.S. voter as set forth in the current issue of the Oil and Gas Journal.

The letter follows:

OPEN LETTER

Subject: Oil taxes.

To the U.S. voter:

Percentage depletion has been on the federal law books for 43 years. And for 36 of these years, it has been vociferously attacked as an unfair "loophole" for avoiding taxes. It's happening again.

The attackers have been highly placed: Former presidents, cabinet members, lawmakers, college professors. As well as unwashed radicals, uninformed housewives, and entertainers who make poor jokes.

Congress through it all has refused to junk the provision or even modify it.

Why have the attacks by so-called tax reformers failed?

Several reasons.

Opponents haven't advanced a single new argument that wasn't thoroughly considered prior to passage of the 1926 measure. Congress consistently has decided benefits outweigh costs.

Depletion also is tied closely to the basic concepts of our constitution. These are: Never tax capital. Tax only the income from capital. Taxing away capital is likened to killing the goose that lays the golden eggs.

Why then do the attacks persist?

Taxes are pinching everyone. They always go up. Never down. The bureaucratic taxer-spenders as well as tax-burdened companies and individuals are eager to shut off tax avoidance to ease the pinch. It's easy to level an emotional diatribe against depletion and then hoot down any reasoned explanation of the complex issue.

That's why we must examine the issue constantly.

Percentage depletion has two objects: Recover the producer's capital. And give him an incentive to drill more wells, find more oil.

How does it work?

Stripped of its emotional setting, percentage depletion is simply a deduction available to oil and gas producers—and producers of more than 100 other minerals—in figuring their taxes on income from wells.

The producer may deduct 27½% from the gross annual income of a lease or property. This is tax free. The figure, however, may not exceed 50% of the net income of the lease. This limitation actually prevents most producers from taking the full deduction. In practice, it averages only 23% and in many cases is much less than that.

This policy recognizes that oil in the ground is part of the producer's capital. It is like real estate. But this capital is used up—or depleted—by operation of an oil or gas well. The rate of deduction, when determined 43 years ago, was estimated as equal the capital value of oil in the ground. It's now probably less, and a higher rate would be more equitable.

Opponents, however, favor stripping depletion back until it assures the producer he will recover his actual investment or costs in a lease. After this amount is recovered over a period of time, deductions would end. The producer's income taxes would increase. Thus cost depletion would serve a function similar to depreciation.

This overlooks the unique position of oil as capital in the ground. It also ignores the unusual risks involved in finding replacement petroleum. Depletion encourages the producer to hunt new reserves—depreciation doesn't.

Say, for an example, an oil man recovered only his lease costs by deductions. He has no assurance he can take this fund, drill a single well and come up with any oil or gas. The odds are he will drill nine dry holes for every producing well. And what's more, he'll drill 46 marginal wells to every 1 that nets out a profit. Depreciation funds would melt quickly under these odds. But depletion funds from one good well give a producer the financial staying power to keep drilling.

What would happen if percentage depletion were ended?

It would drastically curtail the hunt for oil and gas. Our reserves would dwindle even more. Why? Because operators would become more selective and cautious in their drilling plans. They'd drill only the better prospects, shun the costly and high-risk ones.

Many producers would sell out and take advantage of the more favorable tax rates on capital gains from oil in the ground. They would thus escape the high regular rates on production. The buyer, in turn, would set up to deplete at 100% of his cost. So, it's difficult to see how the government could reap a tax bonanza from this change.

Consumers of petroleum products would suffer, too. The cost of crude oil and natural gas would rise. This inevitably would be translated into higher product prices.

Why then disturb a policy that promises to cause such an upheaval when the benefits are so uncertain?

But the critics cry: "Some companies pay no income tax at all. That's unfair."

Let's examine this one carefully. It comes up every time taxes are mentioned. It's becoming cause celebre among oil-industry critics.

In the first place, any producer who completely escapes income taxes doesn't do so with percentage depletion alone. The "50%-of-net-income" limitation prevents that. So, he must use the benefits of other deductions—most likely the expensing of intangible drilling costs and write-offs for dry holes.

By way of explanation, drilling costs come in two kinds. Tangible drilling costs, such as cost of tanks, equipment, and structures, are depreciated over the years. No argument here. Intangible costs, such as expense for wages, fuel, repairs, and all services, may be recovered the same way or as an operating expense in the year incurred. Most oil men elect to expense the intangibles. This allows them to get their money back more quickly to use in further operations. Expensing of intangibles does reduce the net income of the lease, even may create a loss. All this reduces the total subject to income tax.

There are a few facts, however, to keep in mind. The producer can deduct intangible expenses only once. They tend to reduce benefits of percentage depletion. And the producer, in order to have intangible deductions, must keep on drilling. This is exactly what the tax policies are designed to do—keep oil men drilling.

What else do critics find wrong about percentage depletion? What do they suggest?

Here are a few, and the answers to them.

Depletion allows companies to offset income from other sources, escape more taxes.

Percentage depletion cannot reduce taxable income from any source except the one lease or property on which it is computed. Oil companies aren't escaping taxes even if the bite of the income tax is lighter on them. It may surprise many to know that the total tax burden of the petroleum industry actually is heavier than average. In 1966, oil paid $2.5 billion in direct taxes. This $2.5 billion amounted to 5.1% of gross revenue from all operations. The direct tax burden for all U.S. business corporations was only about 4.5% of gross revenue. This is about 10% less than the tax burden of petroleum. That plays hob with the contention that oil companies don't pay taxes.

Oil profits are exorbitant. Too many oil millionaires are created by percentage depletion.

The average profit of 99 oil companies in 1968 was equal to a 12.9% return on net worth. This is below the 13.1% return on net worth earned by 2,250 manufacturing companies. There's certainly nothing exorbitant about this. Percentage depletion hasn't made oil millionaires. Oil fortunes rise from the combination in an individual of ability, stubbornness, and luck in finding oil. Success in finding oil is the key—not percentage depletion.

Oil producers don't use tax savings to look for more oil and gas.

The figures show differently. Statistics indicate oil producers would pay $1.3 billion more annually in taxes if present policies were ended. In the last 10 years, they have spent this—plus an average $3.1 billion more on exploration and development.

The depletion rate of 27½% is too high. Cut it to 20, 15, or 10%.

This is begging the question. A lower rate won't satisfy the critics. They'd be back at the next session to whittle away at the lower rate. As we've noted, the present rate probably already is too low to achieve an adequate return of capital. If it were lower, percentage depletion also would lose effectiveness as an exploration incentive. It would give oil men too little money to finance new drilling. Outside investors would fear other cuts. Uncertainty of their return piled on the normal risk of exploration would cool them on oil ventures. Exploration needs to be made more attractive to risk capital—not less.

Eliminate all deductions and grant an outright federal subsidy to encourage exploration.

Can you imagine what kind of drilling program would emerge if it depended on annual appropriations from Congress? What a boondoggle this opens up! The drilling decision-makers would be bureaucrats who are subject to political pressure and not fitted by training or position to take risks involved. Where would the savings be in this approach?

There are other arguments. None really new. All have been refuted time and time again. The fact they are being taken seriously is the big surprise.

It is especially surprising in view of the present low state of petroleum exploration. That's the new circumstance in the whole fight.

Our reserves of oil and gas are dwindling at a time they should be rising twice as fast. Spending on exploration should be doubled. Oil and gas now furnish 75% of our nation's energy. We're using petroleum at such a clip that consumption is expected to double by 1980.

Tampering with any policy that encourages exploration for petroleum is courting disater. The facts speak just as clearly and loudly as ever against changing either the rate or principle of percentage depletion. Congress will serve the nation best by again refusing to change this policy.

SPEECH OF IRVING KANE, OF THE AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. VANIK. Mr. Speaker, it is my pleasure to call to the attention of the House a speech delivered by Mr. Irving Kane, chairman of the American Israel Public Affairs Committee to its 10th annual national policy conference held recently in Washington, D.C.

Mr. Kane is a distinguished American who I am pleased to say is a constituent of the 22d District of Ohio which I am proud to represent.

Irving Kane has been devoted to the noble cause of assuring the survival and well-being of the State of Israel. He is well respected for his erudition and diplomacy. I am pleased to include the text of the speech which Mr. Kane delivered recently at the American Israel Public Affairs Committee:

SPEECH BY MR. IRVING KANE

Two years ago Israel won a war which she did not provoke and in the winning of which she had help from no one. Since then, Israel contemplates a world seemingly provoked because Israel refused to accept military defeat and diplomatic surrender. A wide variety of people have still not forgiven Israel for winning the Six Day War. Besides Arabs and Soviets, they include some Frenchmen, some United Nations diplomats, some members of the New Left, some of these Jewish children.

It might be appropriate for this Conference to take a closer look at this weird resentment, this buildup of antipathy towards Israel victorious. For it involves some basic misunderstandings about the responsibilities of sovereign states. And it has resulted in an effort to pressure Israel into retreating from her victory and from "the bargaining counters," as President Nixon has called them, which that victory has given her.

We have now in the Middle East a new kind of war—a war that the jargon of journalists calls "an uneasy peace." The *regular* Arab armies, having met with cataclysmic defeat two years ago, are resting—replacing their armor, replenishing their arsenals, retraining their big battalions and creating new generals to substitute for those who have been erased by purge or murder or suicide. While these regular armies are recuperating, their governments have set up little replacement armies to harass Israel, lest she too have an opportunity to recuperate. The little replacement armies are known as Arab *irregulars*—that gives them a big advantage, that name—for presumably *irregulars* can be excused if their behavior is irregular.

No one takes responsibility for these terrorists, whom the Arabs like to call "commandos." They grow, we are told, like palms in the dead heat of the desert—an accidental flourishing—what spring nourishes them, we can only guess. They have no special target and can switch from one to another, at the drop of a whim.

They blow up the marketplace in Jerusalem, full of Friday shoppers. They set bombs in supermarkets, in university cafeterias, in focal points of innocent commerce among civilians. While King Hussein is in Washington, they even jeopardize his favorite vacation retreat in Aqaba—and Jordan's only outlet to the sea—by sending rockets to the friendly port of Eilat. They hijacked one El Al plane to Algeria; they tried to destroy another at Athens, another at Zurich. So far since the Six Day War, many Israeli civilians have been maimed or murdered by Arab irregulars.

The world reacts with understanding. We are told—as we have been told after two other blessed victories before this—that the Arab personality cannot bear the humiliation of defeat. Self-styled scholars of Arab character tell us that the Arabs can be expected to strike out in a wild disorganized fashion to regain their self-respect. Certainly a few Israeli lives are not too high a price to pay to reinflate the Arab ego, thereby making the Arabs more calm, more pliable, more susceptible to the reason which they have heretofore rejected.

Well, say the Israelis, the Soviet Union may be willing to throw good billions after bad to reinflate the Arab ego. But Israel hasn't got a few lives to spare—the way Russia has billions—and Israel reacts differently.

Israel sends *regular* troops after the terrorists, and more importantly, after the not-so-secret spring that feeds them. After the Lebanon-based terrorists shot up the El Al plane in Athens, Israel attacked Beirut Airport. Not a hair on the head of one Lebanese was singed. This was the measured, bloodless answer to an attack which had clearly become part of a patterned attempt to destoy Israeli civil aviation. After all, an Israel which had fought a war to keep her ships on international waterways could not really be expected to sit silently while her planes were blown out of the sky.

The world reacted with outrage. Israel was condemned by the United Nations, by the

Vatican, by one world leader after another; thirteen planes was considered too high a price to ask the Lebanese to pay for murder. President De Gaulle, who probably would have done it anyway, issued a total, unilateral arms embargo against Israel—including the planes which Israel had already paid for!

Now here we have real pressure—France thought it was rude and dangerous of Israel to defend herself in 1967; De Gaulle thought the Jews were trying to be "domineering"—I believe that was the word. In 1969, he blew his stack. There had to be more to French reaction than just a tender Gaullist concern for thirteen Lebanese aircraft. Possibly, if Israel had been a former French colony—like Lebanon or Syria or Algeria, or Quebec—chained to the French language and susceptible to renewed French imperialism, De Gaulle would not have been so implacable.

Whatever his reasons—and French policy seems to be inseparable from De Gaulle's personal reasons—Israel's major source of arms has closed up like a clam. While the Russians, ever bountiful, continue to pour military hardware into Egypt.

Since Beirut, Israel has once again been condemned by the United Nations for a raid on a military installation—counter-action for a terrorist attack on her civilian population. The odd thing about these UN condemnations is that they do not mention the terrorism that created the response. One has to deduce that Arab irregulars are invisible men. We do see a lot of Arafat and his El Fatah on TV, and in our news magazines—the people he and his colleagues have murdered can only be visited in the graveyards of Israel. Yet somehow the terrorists are beyond the ken of UN diplomats, who find their crimes too "irregular" to mention.

We welcome, of course, a new development in American policy in the United Nations. In the most recent debate on a Jordanian complaint against Israel, the American Ambassador, Mr. Yost, insisted that the terrorism which gave rise to counteraction must be condemned. He stood firm against the Arabs, the Soviets, and their friends—and refused to vote for the final resolution which made no mention of the terrorists. Although again the United States declined to use its right of veto.

Here, too, we should remember that before Israel became a state there were irregular Jewish forces in Palestine. But when the Government of Israel was established, one of its first actions was to insist that these forces be disbanded and that all military activity be carried out by the regular defense forces of Israel. Israel considered the discipline of terrorists part of her responsibility as a sovereign state. But the Arab states are much more selective about their sovereignty.

Arab terrorism and Israel counter-action, and Egypt's repeated violations of the cease-fire, which the United Nations has not condemned in spite of reports from its own observers, have nevertheless disturbed the Great Powers, who have decided, as you know, to discuss the Middle East amongst themselves. They have met now for the fifth time in New York to find ways of halting the conflict lest it drag us all into a larger war which, thank God, no one seems to want. Since the talks began, however, the border hostilities have escalated.

Israel opposed these discussions. Israel, it seems, has the courage of her doubts. She cannot see how it would profit her, or the Arab nations, for that matter, to have a Soviet Czechoslovakia in the Near East. Unlike her neighbors, she does not choose to be seduced by the dubiously protective embrace of the Russian bear. She is apprehensive—she fears that these discussions may lead to an imposed settlement which would again prevent the direct face-to-face peace talks which Israel so eagerly seeks, a settlement which would permit the Arabs again to depend on "irregular" diplomacy as they have depended on irregular warfare.

If a settlement is imposed by the Great Powers, the Arabs will inevitably say—as they have done in war—that they are not responsible for it. They said it after 1957. No Israeli concession, submitted in the context of an imposed settlement, will satisfy the Arabs. For whatever Israel gives up, there will always be more for the Arabs to demand—right up to Jewish sovereignty in the Jewish state.

The world must understand—as the United Nations has not—that no sovereign state can be permitted to escape its responsibilities in war and in peace. Just as the Arab governments are responsible for the terrorists, so they must be made responsible for a peace settlement. Directly responsible, not indirectly through intermediaries. The war with Israel is their war, of their making. If they are sick of it, let them make their own peace.

That a new administration, certainly one of a different political party, should try new tactics, new tactical approaches for peace, is quite understandable. It has been said that President Nixon had little choice but to go along with the French-Soviet pressures for Four Power talks, at least in terms of the global interests of the United States.

Every President is under pressure to review and revise U.S. policy in the Near East, in the hope that he might achieve peace where others failed. It is natural and right that he should do so.

The advent of a new administration, of course, is exploited by pro-Arab forces which wage campaigns to win policy revisions favorable to the Arab cause. The Arab states themselves build up pressures by creating artificial war crises in the area. Even some members of the American Jewish community are partly responsible for a mood of hysteria which impels the United States to undertake new initiatives.

Any review of U.S. policy would reveal that the period of change is inevitably a period in which points of difference arise between Israel and the United States.

In 1953, the United States and Israel were involved in a stormy controversy over Israel's water program, over U.S. aid to Israel and over arms to Iraq.

In 1957, the Administration imposed a settlement in the aftermath of the Suez-Sinai war. (Here I would refer you to the elaborate study of the 1957 debacle which has been issued by the *Near East Report*, which should be widely circulated.)

The first eighteen months of the Kennedy Administration witnessed many differences between the United States and Israel—over such questions as water, refugees, U.S. aid to Egypt, Israel's plea for arms. Most of these differences, fortunately, were resolved by the summer of 1962.

The Arab states did not try very hard to influence President Johnson in 1965 when he assumed office in his own right. They attacked him as pro-Israel. In 1964, he had welcomed Mr. Eshkol to the White House, and had agreed to let Israel buy arms. Moreover, in 1957, he had been most vigorous in his criticism of Administration threats to impose sanctions to force Israel to withdraw from Sinai.

When the 1967 war broke out, President Johnson's policy was consistent with his 1957 stand. He insisted that the parties to the conflict must be the parties to the peace. He resisted all Soviet attempts to compel Israel to withdraw from occupied territories without a genuine peace.

Now there has been a change in our government's tactics. This does not necessarily mean that there is a change in policy. There have, in fact, been repeated assurances that this is not the case.

We have no reason to question the good intentions or motives of our government. But a change in tactics *can* lead to a change in policy, and it is this *possibility* that is the basis of concern. Adherence to a particular method often leads to substantive change—sometimes even unwittingly.

Early this month, on the eve of the Big Four meetings, the *New York Times* attributed to "a neutral diplomat" the observation that the opening of these talks was like the start of a once-a-week poker game. "It will all be relaxed and informal as it should be between players who are personally friendly, and it may be a long time before it is clear that anyone is a winner," the diplomat said.

One wonders why it is that when Four Power talks were proposed *before* the Six Day War, both the Soviets and the Arabs vetoed it. Can it be that the Soviets—and the Arabs—having miscalculated and having bluffed and lost heavily in the poker game of 1967, now see this as their only chance to get even?

Most disquieting is that there is something about the procedure that smacks of the arrogance of power. Walter Lippmann observed, after the war:

"Neither Moscow nor Washington has been able to realize that their enormous superiority in weapons would not prevent the small nations from defying their superior power. Both have assumed that because they possessed absolute military superiority their political influence would be correspondingly great. The chief lesson of the 1960's is the startling paradox that supreme military power and political mastery do not necessarily go together. This is the cardinal fact of the modern age. The failure to appreciate it is why both Washington and Moscow have been the victims of such great miscalculations. Because of these miscalculations they have committed themselves to policies that they have been and probably will continue to be unable to carry out. Even in combination, great powers cannot govern the world."

It was in the same column that Mr. Lippmann said, "It was the Israelis, and the Israelis alone, who upset Moscow's calculation, who dashed Moscow's hopes and spared Washington the horrid dilemma of engaging in another dangerous Vietnamese war or of abandoning Israel." It was about the same time that James Reston observed that the United States won a major war in the Middle East without firing a single shot.

Peace in the Middle East has become a slogan in search of a definition. But it will be defined by those indigenous to an area which cries out for peace—not by those whose interests in the area are only part of their other and larger concerns.

I do not delude myself that it will be easy to get the Arab states to meet and negotiate with Israel—although there is always the remote possibility that the Arabs will yield to a sudden impulse of sanity.

We need not expect that all heads will be cool—but we can hope that enough cool heads will be found who will realize there is no acceptable alternative to peace.

Obviously, a settlement, a mere settlement, *can* be imposed—with or without guarantees. But *peace* can never be imposed, nor can it be guaranteed, except by the good faith of those who make it. *Peace can be imposed only by those prepared to impose it upon themselves.*

Throughout the past two years of bloody buck-passing in the Middle East, the government of the United States remained firm in its insistence that Israel use her victory to the fullest in bargaining for a just and lasting peace. Our government's attitude has been based on the principle that sovereign states have the right to control their own destinies. What our government should do in New York now is to convince the Soviet and French delegates that they must not continue to co-sign the loan on Arab intransigence, that they must no longer cooperate in this selective sovereignty that the Arab states exercise in their dealings with Israel.

Sovereignty gives nations the right to exercise power, if they wish, and to suffer the consequences if that power proves insufficient to their adventures. The Arabs will have to learn to live with the consequences of their adventures. American youngsters whose hearts bleed for the battered Arab psyche will learn, when they have reached maturity themselves, that mature men usually blame themselves for their reversals, just as Japan and Germany did—with not such bad results.

Certainly we here should know that the victory two years ago is today Israel's most prized possession. It is the key to peace. Let us hope that our government has not ceased to recognize that Israel's victory is the key to peace.

Surely our government perceives the folly and futility of any course which could transform into a diplomatic disaster a military triumph in the Near East—not only for Israel but for the United States and for all the free world—a triumph which, if wisely used as the key to peace, will put an end to the Soviet dream of domination of the Near East.

Israel at 21 would not deserve her majority if she were so immature as to forsake her victory. It is a prize that she spent all her youth in winning. She must hang on to it until her enemies grow up.

OTTO OTEPKA: VICTIM OF THE NEW TEAM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. RARICK. Mr. Speaker, a long-suppressed report on the misuse of the CIA to establish an underground government within our Government has been exposed today in the Government Employees Exchange.

Reportedly the plan of the "new team" in controlling the CIA operation was to "reform" the U.S. domestic and foreign relations through the use of an "elite" who looked to the "spirit of the future" instead of the status quo.

Apparently anyone not on the "new team" who uncovered its sinister plans or interfered—knowingly or unknowingly—was considered a threat and a target for compromise or elimination.

The casualty list from the intermeddlers of the "new team" includes President Diem and his brother of South Vietnam, President Johnson, and Otto F. Otepka.

So that our colleagues may have the opportunity to study this unprecedented exposure in power and to ponder the question, "Who is running our country?" I include the Government Employees Exchange article of April 30 and two articles from the April 16 issue:

[From the Government Employees Exchange, Washington, D.C., Apr. 30, 1969]

CIA's Vietnam Hit L. B. J., Otepka

A highly secret and unknown American involvement in Yemen was the prelude to major actions by the Central Intelligence Agency's "New Team" in its November, 1963, offensive against President Ngo Dinh Diem of South Vietnam, against Vice President Lyndon B. Johnson, and against Otto F. Otepka, the State Department's former top Security Evaluator, a former Ambassador with close ties to CIA Director, Richard Helms, revealed to this newspaper on April 25.

As readers know, the CIA "New Team" was set up by former Attorney General Robert F. Kennedy following the Bay of Pigs "fiasco" by the CIA "Old Team." Mr. Kennedy recruited into the "New Team" many officials not only from the CIA (such as Richard Helms) and the Federal Bureau of Investigation (such as Cartha "Deke" De Loach) but also from the Internal Revenue Service and the National Security Agency. These agencies and their top members were "knowledgeable" in the exploitation of "wire taps" and secret informers, the former Ambassador said.

Allied with the "paragovernment" (see April 16 issue) of the "New Team" were secret "cooperating and liaison" groups in the large foundations, banks and newspapers, the source added. In that issue, readers will recall, this newspaper reported that the "coordinating role" at *The New York Times* was in the custody of Harding Bancroft, its Executive Vice President.

NEW TEAM READY

By August, 1963, the "New Team" was "ready" for action on a wide variety of fronts. These included international affairs, especially the Vietnam War; domestic affairs, especially preparation for the 1964 Presidential election; and the "final infiltration" by "New Team enthusiasts" of the State Department, Agency for International Development, the United States Information Agency and the Pentagon, the source said.

The basic purpose of the "New Team" was to "reform" United States domestic and foreign relations through the use of an "elite of committed, humanistic pragmatists" who looked at the "spirit of the future" instead of the status quo and the "dead letter of formal and literal law," the source continued.

"NEW TEAM" TARGETS

In the international field the main target for "reform" action was Ngo Dinh Nhu, the brother of President Diem, of South Vietnam. He had the source said, the same relationship to President Diem that Robert Kennedy had to President Kennedy.

President Diem had insisted in his dealings with the "New Team" that the war in Vietnam had to be "run by the Vietnamese." Even though he used CIA resources, he would not allow the CIA to become a "paragovernment" in Vietnam. The Diem and Nhu alliance in Vietnam thus stood in the way of "americanizing" the war there and using the war's opportunity to transform South Vietnam along the lines of the "New Team" program, the source said.

ROBERT WILLIAM KOMER

While relations between President Diem and the "New Team" were disintegrating, a final thrust for "americanizing" the Vietnam War was supplied by Robert William Komer, a career CIA intelligence officer who, from 1947 through 1960, had won the confidence of such top CIA officials as William Langer, Sherman Kent, Robert Amory and William Bundy.

In February, 1961, Mr. Komer was "transformed" from an "Intelligence" into an "Operations Officer" when he joined the National Security Council Staff at the request of McGeorge Bundy, the brother of William Bundy.

Following the "Bay of Pigs," the United States engaged in a series of "guerilla wars" throughout the world, including Vietnam, Laos, Thailand. Most of them were secret CIA operations, especially of the "counter-insurgency" type.

"MR. KOMER'S WAR"

The most secret, however, of these CIA wars was "Mr. Komer's war" in Yemen which was a testing ground for the CIA in the use of "paramilitary and paradiplomatic techniques, "the former Ambassador revealed.

Mr. Komer resorted to a major transformation of power especially at the Agency for International Development in applying "paradiplomatic" techniques, the source said. Because the United States and AID could not intervene directly in Yemen, Mr. Komer set up "dummy companies" in Europe, the Middle East and in India which "bought" AID goods, "repaired" them, and sold them either back to AID or to other governments. The transactions provided not only "revenues", but most of all "cover" for CIA agents, many of whom were foreign nationals.

To conceal these operations and "protect" them from bona fide AID or other U.S. inspectors, the CIA "New Team" infiltrated the AID security offices, as well as its personnel, operations and inspections divisions, the former Ambassador revealed.

Mr. Komer's other great innovation was to develop and deepen the covert collaboration between the CIA "New Team" and Harding Bancroft, the Executive Vice President of *The New York Times*, the source revealed.

THE NOVEMBER "STRIKES"

The CIA war in counter-insurgency in Yemen had convinced the "New Team" that to carry-out its program before the 1964 Presidential election, it must gain control of the actions of the South Vietnamese government in 1963. Thus, the New Team, largely on the basis of Mr. Komer's views on the reasons for both successes and failures in the Yemen, decided to move against President Diem in Vietnam. The New Team also moved against Vice-President Johnson and Otto F. Otepka.

On November 1, 1963, the New Team destroyed President Diem and his brother who were "assassinated"; on November 5, 1963 the "New Team" moved against Otto F. Otepka who was informed that day that he was dismissed as a security officer; and on November 22, 1963, largely on the urging of Robert F. Kennedy, Don B. Reynolds was appearing before a Senate Committee to supply evidence which was expected to cast a "deep shadow" on Vice-President Lyndon B. Johnson, because of his relationships to Robert "Bobby" Baker, and through Baker, to James H. Hoffa, the Teamster President whom Robert Kennedy was prosecuting.

While Don Reynolds was still in the first phase of his testimony, news was flashed to the Senate Committee that President John Kennedy had been assassinated and Vice President Johnson was now President. Mr. Reynolds never finished his testimony.

Although one of the "targets" of the New Team, Lyndon B. Johnson thus escaped immediate destruction, his Presidency was eventually "captured" by such New Team members as Walt Whitman Rostow, William Bundy and Robert William Komer, the source added.

Thus, the "momentum of the November 1963 strike" of the New Team carried on through the Presidency of Lyndon Johnson, including the "Americanization of the Vietnam War" and the "dismissal" of Otto F. Otepka, the source concluded.

[From the Government Employees Exchange, Apr. 16, 1969]

Otepka Was Major Roadblock in Takeover by a "New Team": New York Times Linked to CIA Plot on Offl.

The Central Intelligence Agency's "New Team," including such "outsiders" as Harding A. Bancroft, now the Executive Vice President of *The New York Times*, played a critical role in the final decision of Attorney General Robert F. Kennedy to press Secretary of State Dean Rusk to proceed with the dismissal of Otto F. Otepka as the State Department's top Security Evaluator, a former Ambassador associated with CIA Director Richard Helms informed this newspaper on April 11.

According to the source, Mr. Bancroft played a role because of his liaison and coordinating work involving the use of the organization and facilities of *The New York Times* on behalf of the CIA and the "New Team."

Other persons who had a role included William H. Brubeck who had been the recipient of the 1960 "leak" of Top Secret information from the State Department to the campaign headquarters of John Kennedy which contributed significantly to Mr. Kennedy's narrow victory at the election polls. After Mr. Kennedy's victory, Mr. Brubeck received complete information about Mr. Otepka's role in tracing this "leak", the former Ambassador revealed.

Other members of the "New Team" were McGeorge Bundy and his brother William Bundy, who had moved from the Central Intelligence Agency to become the Assistant Secretary of State for East Asian and Pacific Affairs, including Vietnam.

"THE NEW TEAM"

The "New Team" at the Central Intelligence Agency was being planned by Attorney General Robert Kennedy even before the Bay of Pigs "fiasco" in 1961. In fact, the former Ambassador said, the Attorney General had a special group of his own "monitoring" the Bay of Pigs operation to determine which persons, not yet projected for the "New Team", would "pass the test".

Although the "Bay of Pigs" was a national disaster, the source said, Robert Kennedy exploited it within the Government to accelerate building the "New Team."

NEW TEAM GOALS

The "New Team" goals were set by the "personality" of Robert Kennedy and the "philosophy" of President John Kennedy and Secretary of Defense Robert McNamara, the source revealed. The main exponent of this "philosophy" was Major General Maxwell Taylor, assisted by McGeorge Bundy and Walt Whitman Rostow, the former Ambassador said.

The mission of the "New Team" was to contest the Soviet penetration of the "Third World," the so-called nonaligned countries through "paramilitary, parapolitical and paradiplomatic" means. To do this, the "New Team" was to be a "paragovernment", performing for the United States "the same kind of functions" which the Central Committee of the Communist Party of the Soviet Union performed for the Soviet Union, the former Ambassador revealed.

This required the "New Team" to penetrate every department and agency of the Executive Branch dealing with foreign policy by inserting "trusted members" of the "New Team" into key positions. Among these were the Offices of Security of the State Department, the military services departments, the United States Information Agency and the Agency for International Development, the source added.

"NEW TEAM" MEMBERS

Besides Robert Kennedy and Maxwell Taylor, other members of the "New Team" were General Marshall S. Carter, who replaced General Charles B. Cabell as Deputy Director of the CIA. Very early "recruits" to the "New Team" were Richard Helms, today the Director of the CIA, and Cartha "Deke" Deloach, the second man in charge of the Federal Bureau of Investigation. Together with Robert McNamara and Dean Rusk, the "New Team" acting under the control of Robert Kennedy began the "infiltration" of the State Department and the Defense Departments with Central Intelligence Agency personnel. "Counterinsurgency" projects sprung up in every agency dealing with foreign affairs.

OUTSIDE "INSIDERS"

Besides key persons officially already in the Government, the "New Team" selected persons in leading banks, law firms and foundations for the penetration of the "non-governmental" apparatus of the United States, the former Ambassador revealed. Because of the paramount role of *The New York Times* in American life and because of the "black" assignments which it might be asked to perform for the CIA, great care was taken to select a person who had full access to every office in *The New York Times* and yet could conceal his own operations. This was especially important because "gray" operations, involving special background briefings for such top *New York Times* representatives as James Reston and Tom Wicker were already going on, and top *New York Times* reporters were in an especially good position to "uncover" the "black" operations.

BANCROFT'S PAST

Harding Bancroft had been originally introduced into the State Department by Alger Hiss, and, after Mr. Hiss became the head of the Carnegie Endowment for International Peace, Mr. Bancroft served under Dean Rusk as a member of the Department's Office of Special Political Affairs, renamed the Office of United Nations Affairs. Subsequently, he took the post of General Counsel to the International Labor Organization in Geneva and then went to *The New York Times*, eventually to be named Executive Vice President.

During the Eisenhower administration, Harding Bancroft worked closely with Dean Rusk, President of the Rockefeller Foundation, maintaining close liaison with John Foster Dulles and with Allen Dulles, the Director of the Central Intelligency Agency.

BANCROFT'S COVER

Because Mr. Bancroft's liaison role at *The New York Times* required meeting with top CIA and State Department officials, especially on matters of "Personnel", it was decided to provide him with "cover" by designating him a "member" of the newly created State Department Advisory Committee on International Organization Affairs, whose task was to recommend the "best qualified Americans" for those international organization positions in which they could make important contributions.

Although the Advisory Committee eventually prepared a "Report", which was itself controversial in its original draft form, the basic role of the Committee was to provide a "cover" for the "New Team," the source revealed.

"ROADBLOCK" OTEPKA

One of the major "roadblocks" to the "infiltration" of the State Department by the Central Intelligence Agency New Team was Otto F. Otepka, its top Security Evaluator. Mr. Otepka had already "annoyed" the Central Intelligence Agency by his "uncovering" the activities of the Central Intelligence Agency in using "double agents" in the Warsaw "sex and spy" scandals. Subsequently, Mr. Otepka "annoyed" Robert Kennedy and Dean Rusk by insisting, in December 1960, that Walt Whitman Rostow would need a "full field FBI investigation" before he could be "cleared" for employment in the State Department. Mr. Rostow had just completed in December a "secret" mission in Moscow for President-elect John Kennedy. The mission was "cleared" by CIA Director Allen Dulles. Previously, Mr. Rostow had established the CIA channels at the Massachusetts Institute of Technology, in Cambridge, Massachusetts. Harvard University professors maintained their own CIA "black" ties with Washington through the Institute, the former Ambassador asserted.

[From the Government Employees Exchange, Apr. 16, 1969]

AID MANIPULATED JOB RECORDS AND RATINGS

Following the revelations in this newspaper on February 21, 1968 about the "Antwerp sex and kickback scandal" and the resignation of five officials of the Agency for International Development, this newspaper received documentary evidence on April 11 of this year that three senior A.I.D. officials have since then been engaged in selectivity manipulating the personnel records of foreign service employees of that Agency. The records involved affect the promotion and "selection out" of foreign service personnel.

As readers will recall, the revelations about the "Antwerp sex and kickback scandal" were widely publicized a year ago by Senators and Congressmen. According to the accounts, a top A.I.D. official, having a "sexual affair" with a "seductive secretary" of the Belgian firm of J & M Andriaenessens, allowed the foreign company to overcharge the U.S. government by more than $250,000 for repairs on excess property.

Subsequently, this top official and a top A.I.D. inspector became involved in "rivalry for the sexual lures of the secretary", the press reported. Trips were taken by the young lady, with other beauties, and the A.I.D. staff to Rome, Paris, Nice, where the "sweet life" of France and Italy was fully enjoyed. The case, uncovered in the end by Congressional staff investigators, finally involved the Belgian police and prosecutor's office.

The five A.I.D. officials who resigned because of the embarrassment of the scandal included Herbert J. Waters, who prior to his employment at A.I.D. had served as the Senatorial election campaign manager in 1954 and 1960 of Hubert H. Humphrey. Others who resigned included Paul H. Scordas, a career Army Colonel hired after retirement as a Foreign Service Reserve Officer, Class 2; and Jack K. Wall, who was the Director of the Excess Property program for A.I.D. in Europe. Mr. Wall was indicted on December 9, 1968 and is awaiting trial.

The three A.I.D. officers now revealed by documentary evidence as having carried out a selective alteration of the restricted files and folders of foreign service personnel are H. Rex Lee, formerly the Governor of American Samoa and currently a Commissioner of the Federal Communications Commission, who was the Assistant Administrator for Administration of A.I.D. during the "Antwerp sex and kickback scandal"; Edward F. Tennant, currently the Acting Assistant Administrator for Administration and Governor Lee's successor at A.I.D.; and Joseph S. Toner, who was the Director of Personnel Administration for A.I.D. when the "Antwerp sex and kickback scandal" developed. Mr. Toner is still in the same job.

According to information received by this newspaper, one of the persons rated by Paul Scordas wrote to Governor Lee personally complaining about the rating he had received. The complaining employee, James A. Gibson, was on very good personal terms with persons associated with supporters of Hubert H. Humphrey, especially Herbert J. Waters, this newspaper was informed.

At the end of this article there is published the complete text of a memorandum, dated November 12, 1968, from Mr. Toner to Mr. Tennant concerning the disposition of the Performance Evaluation Report and the Development Appraisal Report written by Paul Scordas on James Gibson. Information available to this newspaper indicates that no other employee rated by Paul Scordas had his reports reviewed by Governor Lee.

In his memorandum of November 12 to Mr. Tennant, Mr. Toner refers to a letter of October 12, 1968 written by Governor Lee. Readers of *The Exchange* will be interested to note that the Congressional Record reveals that fully one month earlier, on September 13, Governor Lee had already been confirmed by the Senate for his new post as a Commissioner of the Federal Communications Commission. Governor Lee took the oath of his new office on October 24, 1968.

In addition to receiving documentary evidence of selective treatment given to certain A.I.D. persons with good connections, this newspaper was further informed that James

M. Kearns, a Schedule C political appointee and currently the Deputy Assistant Administrator for Administration, is being sharply criticized by A.I.D. personnel allegedly for permitting the re-writing and re-defining of job descriptions and titles to permit the "mass hiring" of retired military personnel who will be employed in the near future as "Foreign Service Reserve Officers", displacing the career civil service and career foreign service personnel entitled to first consideration under a Reduction in Force program.

According to the reports, Mr. Kearns is being assisted in this project by Lester T. David, a Colonel on active duty with the Air Force who is nominally a consultant with A.I.D. but is actually in charge of the Agency's Government Property Resources Office. Retired military personnel already promised positions by Colonel David and Mr. Kearns include former A.I.D. personnel recently dismissed in the Reduction in Force program because they did not have sufficient seniority. They would return to these positions as new employees following "re-organization" of the Government Property Resources Office, this newspaper was informed.

Included among those for whom positions will be created in the "re-organization" are persons who were returned from Frankfurt and Antwerp after being "relieved" of duty in connection with the "sex and kickback" scandals there.

There follows below the full verbatim text of the memorandum of November 12, from Mr. Toner to Mr. Tennant:

"NOVEMBER 12, 1968.

"To: AA/A, Mr. Edward F. Tennant.
"From: A/PM, Joseph S. Toner.
"Subject: Performance Evaluation.
"Report: James A. Gibson.

"Pursuant to instruction in Mr. Lee's memorandum of October 12, 1968, we are taking the following action:

"1. The Performance Evaluation Report prepared by Mr. Scordas will be removed from Mr. Gibson's restricted file and will be placed in a newly created folder which will not be for relase under any circumstances.

"2. The memorandum from Mr. Lee to me dated October 12, 1968, will be placed in Mr. Gibson's restricted file as it spells out the circumstances surrounding the preparation of the Scordas Performance Evaluation Report.

"3. The Development Appraisal Report prepared by Mr. Scordas has been reviewed also and found to be equally damaging and thus has been removed from Mr. Gibson's restricted file.

"(cc: Mr. J. A. Gibson, Transportation Officer, Antwerp, Belg.; Mr. J. J. Jacobson, OIC, AID/EPRO-4 Frankfurt. Restricted file of Mr. J. A. Gibson.)"

UNWANTED BIRTHS AND POVERTY IN THE UNITED STATES

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. QUIE. Mr. Speaker, pity the poor unwanted child. Pity any unwanted child. Pity the unwanted poor child.

It is abundantly clear that the child born into poverty circumstances has several strikes against him at the outset. His chances for success in life are much lower than the chances for the middle- or upper-class child.

It is encouraging to see the tremendous interest shown in recent years in helping the underprivileged child and his family overcome these odds. The new Federal programs confirm the desire of this Nation to give everyone an opportunity to raise himself from poverty situations.

In most deliberations of solutions to the poverty problem, very little attention has been given to family size and its relation to poverty. Dr. E. Sherman Adams, senior vice president of the First National City Bank of New York, has written an article on this subject for the Conference Board Record, in which he presents some statistics on poverty and family size. He dispels the impression that poor families are large because of choice. He refers to a study of married women in 1960 which showed that lower income families wanted smaller families than higher income couples.

Mr. Speaker, the article treats a subject which should be given greater attention in our efforts to solve the poverty problem. I commend it to my colleagues and include it at this point in the RECORD:

UNWANTED BIRTHS AND POVERTY IN THE UNITED STATES

(By E. Sherman Adams)

(NOTE.—Dr. Adams has had a varied career as an economist, educator, writer, lecturer, and banker. He is presently a senior vice president at First National City Bank, New York. The views expressed by the author are his own, and are based on his independent research.)

"A vicious circle of poverty and fertility is at work . . . Because they [the poor] do not limit the size of their families, the expense of raising unwanted children on inadequate incomes drives them deeper into poverty. The results are families without hope and children without future." (National Advisory Commission on Rural Poverty.)[1]

Most Americans are not yet aware that unwanted births are a major factor perpetuating poverty in this country. Moreover, this is an evil which, if we decide to, we can cure—and at small cost.

Reports, speeches, books, articles and TV panels discuss at length other aspects of poverty—squalid housing, decayed neighborhoods, hunger and disease, unemployment, social barriers, and inferior schools. And many billions of dollars are expended annually on programs to alleviate these problems.

In sharp contrast, you rarely hear any reference to the high birth rate among the poor. Seldom does a writer or speaker mention that this intensifies and prolongs poverty in both urban and rural America. And the government spends the merest pittance on family planning services.

One recently published book includes 19 essays on various aspects of poverty in this country. You would search in vain to find a single reference to the birth rate or birth control. This is not unusual; it is typical.

Even the voluminous report of the National Advisory Commission on Civil Disorders contains only one brief paragraph on the subject. One of the three sentences in that paragraph does state that broader provision of family planning services could make "a significant contribution" to breaking the cycle of want and dependency, but the rest of this 174,000-word report deals with other matters.

IN THE UNDERDEVELOPED COUNTRIES—AND HERE

Considerable attention has been given in recent years to the alarming implications of the population explosion in underdeveloped nations, and there is increasing recognition that rapid population growth breeds destitution, disease and ignorance in those countries. But few realize that the same process is at work in our own disadvantaged areas.

Not long ago, an assemblage of distinguished intellectuals gathered at Arden House, New York, and spent four days discussing "The Population Dilemma" both in the U.S. and elsewhere. But the published report on this convocation hardly even hints that unwanted births among the needy are one of the basic causes of chronic poverty in this country.

Actually, the linkages between fertility and want in the United States are very much the same as in Latin American, Asian and African countries. They are more obvious in those nations primarily because a much larger proportion of the people are poor, their deprivation is greater, and large numbers of poverty-stricken children are much more in evidence than in this country.

In South American cities, for example, the visitor is always conscious of the surrounding *barrios* swarming with ragged waifs. But in the United States, poverty is less visible. Many of us rarely see the squalor of slum areas; we keep to the superhighways that bypass them. Most Americans have never visited any of the South's miserable Tobacco Roads.

And there are some who, in their concern about the underdeveloped countries, completely dismiss the problem in this country. An eminent Stanford professor of demography recently cited the overall population growth rate of about 1.2% in the U.S. and observed: "Surely our affluent society has the resources to cope with this level of growth."[2] The critical problem however, is not among the affluent, but among the poor. This is not a question of the overall growth rate for the nation as a whole; it is a problem of literally hundreds of thousands of unwanted babies born each year to poor families who become trapped in a subculture of despair.

Economists see plainly that in other parts of the world the disastrous famines predicted by Malthus may materialize, but they are confident that in this country, population will not outrun the food supply—at least not in the immediate future. The urgent problem here is admittedly not famine; it is the role of the high birth rate in perpetuating poverty. And this is something which is not discussed at all in economics textbooks.

AND THE POOR GET CHILDREN

There can be no doubt about the seriousness of this poverty-fertility circle. In the first place, there is ample data to document the saying that the rich get richer and the poor get children. Chicago's poor, for instance, have a birth rate on a par with India's. For the nation, the fertility rate—defined as the number of children born per 1,000 women in the 15–44 age group—is 55% greater among the poor than among the nonpoor. It inevitably follows that there is a much higher proportion of large families among the poor.

A recent Census Bureau report shows that 38% of all poor families with children, white and nonwhite, have four or more children, contrasted with only 17% of all nonpoor families. Indeed, among the poor, 24% have five or more children contrasted with only 7% of all nonpoor families.

And, of course, in a high percentage of needy families, the mother today is still of child-bearing age and will have more children. Many of the poverty-stricken families which presently have fewer than four children will eventually have four or five or six or more, unless they receive family planning assistance.

To put it somewhat differently, less than 10% of all families with only one or two children are poor, whereas 35% of all families with five or more children are poor. And again, the prospect today is that many of the poor families who now have only one or two children will eventually be in the five-or-more category.

Footnotes at end of article.

According to Census Bureau statistics based on criteria established by the Social Security Administration, approximately 26 million persons in the United States today subsist in poverty. This figure is calculated on the basis of minimum nutritional standards and estimated minimum incomes required by various-sized families.

Some contend that this formula exaggerates the number of persons who really should be classed as being poor, and there would seem to be some validity in certain of these criticisms. On the other hand, one can hardly shrug off Census Bureau figures which show that the 26 million persons classified as poor have an average of only 70 cents per day for food for each member of the family. Moreover, there are almost a million more persons whose incomes would be below the poverty line if they were not receiving welfare.

In any event, the Census Bureau data are the best available, and even though the 26 million figure is debatable, percentage breakdowns based on these data are undoubtedly representative for very low-income families and individuals, however defined.

One such breakdown shows that of the 26 million poor persons in this country, 10½ million, or 41%, are children under 18, and most of these poor children are in large families. Of all children who are poor, 63% are in families which already have four or more children, and 45% are in families with five or more. And the plight of many of these children will become progressively worse as more unwanted babies arrive.

It is clear that a very high proportion of all poor persons are poor primarily because they were born to poverty. This obviously applies to virtually all of the 41% who are children. It also applies to millions of poor adults who were reared in poverty. Millions who are born poor are doomed to life-long poverty.

To be sure, some who are born to poverty are eventually able to improve their economic status. But many do not, and this is particularly true for those who grow up in large families. These account for a large percentage of the 15½ million adults who are poor. In their case, poverty and unwanted births have led to continuing poverty.

It is plain that if the birth rate were no higher among the poor than among the nonpoor, there would be far fewer poor persons. For one thing, of course, this high natality is responsible for the fact that so many of these persons were born. But there is much more to it than that. Children in large poor families have far less chance of ever escaping from the cycle of want than those in smaller families.

HANDICAPPED CHILDREN

Research shows conclusively that children in large poor families receive less attention from their parents, are less healthy, and are relatively less stable and confident than children in smaller families. In school, they show appreciably lower levels of mental development and therefore have less chance of ever raising themselves from poverty. A higher percentage of them become school dropouts, and some who do sit through high school receive, not diplomas, but "certificates" which are evidence that the recipients never attained eighth grade reading level.

In many instances, truancy and juvenile delinquency are side effects which further reduce the child's chances for economic betterment. All of these factors have psychological consequences which increase the odds that by the time the child reaches adulthood, he will be virtually beyond redemption.

A high percentage of these children will eventually join the ranks of the unemployed. Many will have no qualifications for holding a job. A substantial proportion will go on relief, which has become an inherited way of life in an increasing number of localities—a family tradition. Among their number will be some alcoholics, dope addicts, and criminals.

Planned Parenthood Federation tells a case in point. A court in Brooklyn sent for the father of three juvenile delinquents in trouble with the law. The father told the policeman he could not come; he was too busy taking care of his eight other small children—and his wife was in the hospital giving birth to their 12th. The family was on relief.

Many unwanted children suffer from deep emotional problems. A prominent child psychiatrist writes that a deficiency in maternal care can lead to serious disturbances in mental health and development; unwanted children are subject to such a deficiency. He feels more planned parenthood is needed to prevent this emotional crippling. Unwanted births are, in this sense, a public health hazard of the over-population problem.

And as these children in large families grow up, the vicious cycle of fertility and poverty is repeated. Most of them marry young and immediately start having offspring at a rapid rate, thus insuring a large new generation of seriously disadvantaged children.

The more children poor families have, the poorer many of them become and the less chance they have of escaping from the bondage of poverty. One obvious reason is because each additional child means another mouth to feed and another body to clothe. Resources per child are reduced by every birth even if the family's income does not decline.

But in many cases, income actually declines. In 1966, 35% of all poor children were in households headed by women, the poorest of all the groups among the poor. The main source of income of most of these families is what the mother can earn and the more children she has, the less chance she has to work. Census data show that the average income of female-headed households is highest for those with only one child and that it declines sharply in direct proportion to the number of additional children.

A major reason why so many women and children are in this trap is desertion by the father, and a principal reason why many husbands abandon their families is because they have so many unwanted children. Census data indicate that poor female-headed households contain more children, on the average, than male-headed families. The Commission on Rural Poverty asserts:

"Unwanted pregnancies can, and often do, wreck any chance for a better life for either parents or children . . . The resulting stress and disorganization of family life are often too much for the father. In thousands of cases he gives up and deserts the family."[3]

A report by a member of a team of doctors who conducted a study in the Delta counties of Mississippi states:

"The homes visited were usually occupied by mothers, worn and tired and looking much older than their actual ages. Their children would range in number from four to ten. Most often there was no father. Questioned as to his absence the responses would be 'we are separated' or, simply, 'I don't know where he is.'"[4]

FERTILITY AND UNEMPLOYMENT

The high birth rate among the poor is also a major cause of their high rate of unemployment and underemployment. The great majority of disadvantaged youths cannot find employment except in unskilled jobs. Progress in industrial technology has been rapidly reducing the percentage of unskilled jobs in the U.S. economy. This is as true on the farm as in the city. In the span of only seven years, 1959–1966, unskilled jobs as a percentage of total civilian jobs declined from 30% to 23%. The lower rungs of the economic ladder are being lopped off.

Meanwhile, because of the high birth rate among the poor, there has been a correspondingly rapid increase in the number of unskilled youths.

This imbalance between supply and demand in this part of the labor market is a basic reason for the high rate of subemployment among disadvantaged youths. In all probability, it has also tended to hold down wages in unskilled occupations.

This situation will become progressively worse over the years ahead, even under conditions of sustained general prosperity. In New York City, for instance, over half the ghetto unemployed were formerly employed, if at all, as laborers, but less than 1% of the new job openings expected to become available in the city between 1965 and 1975 will fall into this nonskilled classification.

The underprivileged are being left ever farther behind by rising national educational norms. It is estimated that during the 1960's alone, about 7½ million youngsters will have left school without a high school diploma. In a study on *Effects of Family Planning on Poverty in the United States,* Dr. Harold L. Sheppard, an authority in the field of industrial sociology, states:

"One of the results of continued high fertility rates among impoverished families is that a disproportionate number of youths entering the labor force from such families cannot be adequately employed in an economy such as that in the United States of the 1970's and beyond."[5]

Increased efforts will undoubtedly be made to improve the education and training of the disadvantaged, but this is a herculean task that will require many years to accomplish. If natality among the poor remains as high as it is now, the efforts of educators, business and government to alleviate poverty will continue to be largely cancelled out by unwanted births.

A HALF MILLION UNWANTED BIRTHS A YEAR

The number of unwanted births among the poor and near-poor is much larger than is generally supposed. Even if one were to assume that the poor want as many offspring as the nonpoor—which they do not—then the number of unwanted births among the poor would be the number in excess of what would have been produced at the fertility rate desired by the nonpoor. On this basis, it has been calculated by the Natality Statistics Branch of the U.S. Public Health Service that in 1966, the 8.2 million poor and near poor women of reproductive age had 451,000 unwanted births which might have been avoided. Another estimate places the number of unwanted births at 545,000.

One reason for the lack of public concern about this whole problem is the widespread assumption that the poor have large families because they want them, or perhaps do not care how many children they have. This upper-class notion is utter nonsense. Its falsity has been repeatedly proven by careful research.

One authoritative report prepared by three eminent experts in this field was based on interviews with a representative national sample of married women in 1960. The study showed that lower-income couples wanted somewhat *smaller* families than higher-income couples. On the average, nonwhite poor couples wanted even fewer children than whites.

Similarly, a study in 1961 by a Princeton research team showed that most blue collar wives want *fewer* children than white collar wives. A survey by a prominent sociologist among Chicago families substantiated the preference of nonwhites for smaller families than whites. Further corroboration was provided in a 1965 survey by the Florida State Health Department.

An official of the Southern Regional Council who surveyed conditions in Mississippi reports:

Footnotes at end of article.

"No program of birth control is available to the poor, although every mother with whom I talked expressed a desire for help in limiting her family. A few who did know about 'the pill' had not been able to afford it."[6]

The place of family planning in the hierarchy of needs of the poor is indicated by a survey among 2,081 very low-income families in Detroit, about half of whom were white and half nonwhite. Interviewers found that birth control ranked sixth among the myriad services required by these families, ranking below only such pressing needs as financial assistance and job training.

FAMILY PLANNING DOES WORK

Another common misconception is the belief that little or nothing can be done about the high natality of the poor. Talk with a few doctors, social workers or Planned Parenthood volunteers and you will hear a different story. These people know at first hand that the availability of birth control facilities makes a tremendous difference in the lives of low-income families.

A number of other countries, including some which, ironically, Americans sometimes refer to as being "backward," are more advanced than the U.S. in providing subsidized family planning services. A number of them can already present impressive evidence of the effectiveness of these programs.

For example, South Korea succeeded in reducing its growth rate from 3% per year in 1962 to 2.5% in 1966. Taiwan has seen its annual growth rate drop from 4.5% in 1955 to 2.3% at the end of 1967. In Singapore, the birth rate declined 39% in the decade from 1957 to 1967. In Puerto Rico, natality was reduced nearly 20% from 1956 to 1966.

Official birth control programs are also being developed in India, Egypt, Kenya, Pakistan, Tunisia and Turkey. Some of these have so far been handicapped by the lack of trained personnel. Also, in some of these countries, many of the poor apparently *want* large families—partly from fear that some of their children will not survive—and birth control programs are viewed with deep suspicion.

In the United States, however, it is certain that unwanted births among the poor could be substantially reduced by an adequately funded family planning program. The evidence is overwhelming that in this country, the poor do want help and that they do respond effectively to family planning services.

For instance, analysis of results of Planned Parenthood and Health Department programs in Baltimore, New Orleans and Washington, D.C., as well as in rural areas from Kentucky to Texas, showed significant declines in the birth rates among the poor—in one case, as much as 36%. And comparable results are reported elsewhere.

In a low-income section of Chicago, the birth rate declined more than 20% within four years after the introduction of a planned parenthood program. A program in a rural county in Louisiana resulted in a 32% drop in the birth rate in one year's time, compared with a 6% decrease in the four surrounding counties which lacked a program.

In Mecklenburg County, North Carolina, the health and welfare departments have combined to make birth control services available to the needy. In the first year of this program, 732 women enrolled and no pregnancies were reported. These same women previously had a total of 3,440 pregnancies. The cost of welfare in the county has been sharply reduced. In human terms, the savings are far greater.

A doctor who initiated a family planning program among the rural poor in Appalachia reports that the response has been "overwhelming." One of the public health nurses there wrote: "Words cannot express the joy and pleasure these women show on being offered this help."[7]

The fact is that millions of poor and near-poor in this country have for generations desperately needed family planning services. According to the Commission on Rural Poverty: "Because these people are poor, they do not know how to plan their families nor do they know where to turn for help in planning."[8] It is a shocking commentary on our affluent and supposedly humanitarian society that we permit this situation to continue to contribute to the perpetuation of poverty in the midst of plenty.

FAMILY PLANNING VERSUS ILLEGAL ABORTIONS

Contrary to the popular notion that abortion involves mostly illegitimate pregnancies, it is actually more a problem of married women who have several children. The present dearth of family planning services is a major reason for the large number of illegal abortions in this country, estimated to be around 1,000,000 a year—one for every four live births.

Most state abortion laws are severely restrictive and so is their application by hospital boards. In Colorado, the first state to liberalize the law, boards approved only 398 hospital abortions between January 1 and October 31, 1968. Nineteen out of 20 requests were turned down. A "liberalized" California law has not worked any better.

A large percentage of these 1,000,000 illegal abortions are performed under unsanitary, unsafe conditions. The great majority of women must seek "underworld" abortions from hacks, medical butchers or midwives with little or no gynecological training. No one knows how much harm is caused to the women forced to resort to this dangerous expedient. Nor is it known how many women die each year from self-induced abortions.

One approach to this problem would be to make abortions safe by giving them official sanction. Japan did this primarily as a means of population control and with spectacular success. Its birth rate was cut in half between 1947 and 1958.

In the United States, however, attempts at reform meet strong opposition. In most states, truly liberal abortion laws appear to be many years away. The obvious alternative, and one which is far more easily attainable in the near future, is Federal action to reduce unwanted pregnancies by making family planning services more accessible. This would not solve the problem completely, but it would go a long way toward it.

A BASIC HUMAN RIGHT

Some persons apparently assume that family planning programs might involve coercion and feel that this would violate human rights. However, the Planned Parenthood Federation has always emphasized the voluntary character of its programs. It seeks only to make family planning services accessible to those who need and want them.

At the annual convention of Planned Parenthood-World Population last November, delegates adopted a resolution stating: "No one should be forced to use birth control . . . We must be especially vigilant to preserve freedom of choice about family size for welfare recipients and other Americans dependent on public assistance." Actually, in the case of most of the poor, it is really not a matter of *preserving* freedom of choice about family size, but a matter of *giving* them that freedom of which they are presently deprived because they are not receiving the assistance they need.

Indeed, it is a fundamental right of all parents to plan their families. The International Conference on Human Rights which met last year in Teheran adopted the following resolution with no "nay" votes: "Parents have a basic right to determine freely and responsibly the number and spacing of their children."

Family planning is now practiced by an overwhelming majority of middle- and upper-income couples in this country, whites and nonwhites as well. Among the poor, however, it is estimated that 36% of all births are unwanted. Unless we make family planning services available to these people, we will continue to deny them one of the most important human rights. This right is particularly vital to them because its denial condemns many of them to unending poverty.

Moreover, voluntary limitation of family size carries a strong moral sanction. Parents have responsibilities to the children they bring into the world. In the case of parents who are poor, the most urgent of these responsibilities is to see to it that their youngsters have the best opportunity they can give them someday to escape from poverty.

THE FINANCIAL COSTS

We have been discussing mostly the human costs of unwanted births among the poor, the costs in terms of misery, deprivation and degradation. Let us look at the financial, social and economic costs. They are enormous.

One of the more obvious effects is on the cost of public assistance. Despite the biggest business boom in history, welfare rolls have been expanding and relief costs soaring in recent years. One of the largest and fastest growing segments of the welfare program is known as Aid to Families with Dependent Children. Between 1955 and 1968, the number of AFDC recipients skyrocketed by 3.4 million persons, more than 150%. Today the number on AFDC—over 5.6 million—is more than twice the combined total of all others on relief, such as the old, the blind and the disabled. Half of the children receiving this aid were the result of unwanted pregnancies.

But unwanted births have a far greater impact on relief costs and on other public expenditures than just on the AFDC program, because they are partially responsible for the continuing existence of poverty. In 1968, total outlays for public assistance by all levels of government—Federal, state and local—amounted to $10 billion, an increase since 1960 of almost $6 billion, about 150%. In New York City alone, welfare expenditures now exceed $1 billion annually and are burgeoning at the fantastic rate of 20% per year.

And there are other expensive Federal programs which constitute aid to the poor, such as public housing, education, employment and health services, and other forms of income maintenance assistance. In 1968, expenditures for programs of this type totaled $17 billion.

Since unwanted births among the poor are a major reason for the perpetuation of poverty, they must also be a major reason for the magnitude of total welfare payments and other outlays for the poor and for their continuing growth.

By the same token, the high birth rate among the poor contributes to many other costs of government, especially at the local level. It increases the demand for all municipal services—sanitation, health facilities, law enforcement, programs to combat delinquency, alcoholism and addiction, and so on. It adds enormously to the cost of public education, the largest item in all city budgets. At the state level, it means need for more mental, penal and health institutions, and for more thruways to enable suburbanites to flee the city at the end of the day.

THE SOCIAL COSTS

It is impossible even to estimate some of the social costs involved, such as the extent to which the rapid growth of population in the ghetto exacerbates racial tensions and social unrest. Many observers believe that continuing poverty constitutes a very real and growing threat to our social order.

The overcrowding of central city schools by an influx of children from deprived backgrounds has been causing a sharp deterioration in the quality of public education in these areas. This has accelerated the migration of middle-class families to the suburbs to find better schools for their children, thereby widening the gulf between the central cities and the suburbs.

Footnotes at end of article.

Over the years ahead, most of these many costs, both financial and social, will in all probability increase substantially. Take welfare. The great majority of those in want are presently either receiving no public assistance whatever or allowances which are utterly inadequate—$34.55 per month for the average family in Mississippi, for example. More than three-fourths of all poor children are in families who are not yet on AFDC. This situation is not likely to continue indefinitely.

Moreover, the income of most families on relief is still below the poverty level, and increasing attention is being given to various plans of income maintenance, such as the negative income tax, to bring all Americans up at least to the poverty line. In addition, there is the possibility of a system of wage supplements for low-paid workers.

It is clear that the Federal government will also greatly expand its outlays on urban housing. The Housing Act of 1968 calls for the rehabilitation or construction of six million shelter units for the needy over the next ten years. And construction costs, already rising at the rate of 5% a year, will be under increased pressure in coming years. Rent supplements and interest subsidies are scheduled to increase sharply.

Similarly, expenditures on public education have been mounting rapidly in recent years and there is every indication that this will continue. Indeed, they are likely to accelerate wherever serious efforts are made to provide disadvantaged children with the quality of education they need. And so it is with many other governmental programs.

THE ECONOMIC COSTS

From the standpoint of the economist, one of the big costs of poverty is that the poor are a drain on the economy. Many produce nothing whatever, except children they cannot provide for, and the productivity of those who do work is very low. Most of them pay no taxes and never will.

During the Industrial Revolution, many of the well-to-do owed their affluence in part to the exploitation of the productive labor of the poor—the "downtrodden masses." But in our era, most of those who are productive are comparatively well off. And the poor, instead of being a source of wealth, are mostly unproductive and are a heavy burden to society.

In fact, the high natality among the poor results in a large-scale diversion of resources to support children who were unwanted in the first place and who are fettered with great handicaps. These offspring constitute new, continuing claims on the meager incomes of their unfortunate parents and on the funds of the community available for social betterment.

At birth control clinics, the cost of providing family planning services averages only $20 to $25 per patient per year. The saving to society from not having to support unwanted children and provide them with all kinds of public services would be far in excess of the negligible cost of helping the parents to avoid births they do not want. Estimates of the benefit-cost ratio of family planning programs range from 50-to-1 up to 100-to-1.

Indeed, no other program that is politically feasible would even begin to compare with family planning in effectiveness in reducing poverty and the costs related to poverty. Until we make an adequate investment of this kind, the unfettered stork will continue to frustrate increasingly expensive programs to alleviate poverty. And the greatest return on such an investment would be not in dollars but in human terms.

WHAT IS BEING DONE?

How much is being done in the United States at the present time to help the poor in limiting the size of their families? The answer, in general, is: Nowhere near enough compared with the need.

It is estimated that about 800,000 medically dependent women are presently being served by family planning facilities, public and private, and that there are almost four and a half million others who still need to be reached, about two-thirds of whom are white, one-third nonwhite. And there are many more families hovering above the poverty line who urgently need these services too.

Planned Parenthood groups sponsor some 470 birth control clinics throughout the U.S. These centers certainly deserve merit badges for dedication and quality of service, but most of them are small, understaffed, and lacking in adequate funds.

In relation to the need, governmental action to date has been far from adequate. Although, at long last, the Federal government has recognized that it has some responsibility for the problem and has from time to time acknowledged its seriousness, actual progress has been slow and cautious. Money and staff committed to deal with it still rank below a hundred less urgent projects.

Six Federal agencies are involved in one way or another in family planning. Of these, Health, Education and Welfare and the Office of Economic Opportunity are the most active. Some agencies which should be leaders in this field, such as the Public Health Service, have done comparatively little.

Although in the past the total amount expended by the government was almost negligible, $31.5 million has been earmarked for fiscal year 1969 and President Johnson's budget calls for a token increase in 1970. To be sure, this represents some improvement over previous years, but it can easily be put into perspective. For instance, HEW's 1969 budget is about $14½ billion, and the birth control/planning part represents only one-eighth of 1%. Professor Paul R. Ehrlich, professor of biology at Stanford University, calls this "less than a drop in the bucket, not even a good micro-drop."[9] In comparison with the immense costs of poverty—human, financial, social and economic—it is indeed a paltry sum.

Moreover, the Federal agencies involved have not yet adopted formal decisions to initiate programs as a matter of policy. Except for a recent requirement that family planning services must be made available to AFDC recipients, the government leaves the initiation of programs to state and local agencies and many of these are doing little or nothing about the problem. Many hospital boards are still indifferent or even hostile toward family planning. Only about one-fifth of the hospitals with large maternity services operate clinics where birth control services are available for needy patients. If state and local agencies entitled to Federal assistance happen to have such programs and request funds for them, HEW does not object, provided funds are available.

But available funds are inadequate, and some of the local programs that do exist need more money. The director of the Georgia Department of Public Health states: "There needs to be a great increase in the level of support from the Federal government for this very necessary activity."

Dr. Alan Guttmacher, president of Planned Parenthood-World Federation, in his testimony before the Senate Subcommittee on Employment, Manpower and Poverty in 1967, stated:

"The question that faces us today is *not* whether or not family planning services are needed; it is *not* a question of beneficial results; it is not even a question of individual or societal acceptance—rather it is a question of the degree of priority we are willing to place on family planning services for the medically impoverished and how far we are willing to go to implement that priority."[10]

The President's Committee on Population and Family Planning, whose report was issued in November, 1968, concluded that "the Federal government must undertake a much larger effort if this nation hopes to play its proper role in attaining a better life for its people."[11]

FOOTNOTES

[1] President's National Advisory Commission on Rural Poverty, *The People Left Behind*, Washington, D.C., September, 1967, p. 75.

[2] Dudley Kirk, *World Population: Hope Ahead;* based on a paper prepared for a conference on fertility and population planning held at the University of Michigan, November, 1967.

[3] President's National Advisory Commission on Rural Poverty, *loc. cit.*

[4] Southern Regional Council, *Hungry Children*, Atlanta, Georgia, *ca.* 1968, p. 13.

[5] Harold L. Sheppard, *Effects of Family Planning on Poverty in the United States*, W. E. Upjohn Institute for Employment Research, Kalamazoo, Michigan, 1967, p. V.

[6] Southern Regional Council, *op. cit.*, p. 17.

[7] Frederick S. Jaffe (ed.), *Rural Family Planning Programs*, papers prepared for the National Advisory Commission on Rural Poverty, Planned Parenthood-World Population, New York, December 1967, p. 53.

[8] President's National Advisory Commission on Rural Poverty, *loc. cit.*

[9] Paul R. Ehrlich, *The Population Bomb*, Sierra Club-Ballantine Books, New York, 1968, p. 89.

[10] Examination of War on Poverty," hearings before the Subcommittee on Employment, Manpower and Poverty, U.S. Senate, 90th Congress, 1st Session, Part 7, June 8, 1967.

[11] President's Committee on Population and Family Planning, *Population and Family Planning*, Washington, D.C., November 1968, p. 43.

PROF. MARVIN KALKSTEIN'S STATEMENT ON THE ABM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. RYAN. Mr. Speaker, on March 2 I participated in an informal congressional hearing on the anti-ballistic-missile system which was sponsored by the New York Council for a Sane Nuclear Policy—SANE—at the Ethical Cultural Society in New York City. During the hearing testimony was presented by several expert witnesses familiar with the technical aspects of the anti-ballistic-missile system, all of whom opposed the development and the deployment of any ABM system, whether it be the Johnson administration's Sentinel or the Safeguard program proposed by President Nixon.

Since that hearing more and more Representativec and Senators have begun to question the need and wisdom of developing an ABM system. In order that my colleagues may have access to some of the testimony which we received at our New York hearing, I am today inserting in the RECORD the text of the statement by Prof. Marvin Kalkstein, associate professor in the Earth and Space Sciences Department of the State University of New York at Stony Brook—who is also chairman of the Federation of American Scientists Committee on

ABM. On April 14, 1969, I included in the RECORD a statement by Prof. John E. Ullmann, chairman of the Department of Management, Marketing and Business Statistics of Hofstra University in Hempstead, N.Y.

I commend the views expressed by these two professors to my colleagues:

CONGRESSIONAL HEARING ON THE ABM

(Marvin Kalkstein, associate professor, Earth and Space Sciences Department, Stony Brook, chairman, Federation of American Scientists Committee on ABM)

There are 4 basic concerns with regard to the ABM issue. These are:

1. Siting, in connection with the most recent proposals for deployment of the Sentinel ABM system.
2. Effectiveness of proposed, or any other, ABM system.
3. The arms race.
4. Economics.

The proposed Sentinel defense system is meant to provide an area defense and as such each Sentinel site is supposed to afford protection to an egg-shaped area, which is roughly 1,000–1,200 miles long and 700–800 miles across at its widest portion. Obviously, with this area of coverage it would not be necessary to locate the Sentinel site near a particular point (city) in order to protect that point (city). By proposing to locate most of the Sentinel sites in close proximity to major urban centers, a number of serious questions are raised. The first is the possibility of accidental explosion of the nuclear warhead on the Spartan missile. While the possibility of an accident may be very small, the possibility cannot be ruled out; and if such an accident were to occur near a city, the result would be catastrophic. The explosion of the Spartan's 2-megaton warhead would cause almost complete destruction of buildings by blast out to a distance of about 3 miles, extensive fires out to a distance of about 8 miles, and second-degree body burns to those caught in the open to a distance of about 12 miles. If such an explosion were centered at Tenafly, New Jersey, large portions of Manhattan and the Bronx would suffer these effects. In addition, lethal levels of radioactive fallout could blanket portions of Brooklyn, Queens, and Long Island.

The second question pertains to an enemy's targeting doctrine in the event of an attack upon the United States. The effect would be to make those cities that are in close proximity to Sentinel sites possible targets for an enemy's first strike, in addition to being targets for an enemy's second strike, which they already are likely to be. This is of particular concern since this country has some control with respect to a second strike (there would be no enemy second strike without a first strike by us) but obviously has little control with respect to an enemy's first strike.

The third, and in some respects most serious, question is why the Army has proposed to install the Sentinel system sites close to cities. There is good reason to question the credibility and intention of the Army since the Sentinel system as proposed by Secretary McNamara was to remain a thin system and since the understanding given to Congress last year was that it would not be located in heavily populated areas. The only logical reason for the Army attempting to locate the sites near cities was to get a foot in the door toward building a thicker missile defense system.

The Sentinel system as proposed by Secretary McNamara was intended to provide an area defense against a small, simple, first generation ICBM threat, such as the Chinese might have in the 1970's. There are many ways of overcoming such a defense. The Sentinel system would be ineffective against attack by means other than ICBM's; for example, low-flying aircraft, cruise missiles, missiles launched from offshore submarine, and warheads smuggled into ports and other locations and then detonated. In addition, there are a number of easy and inexpensive means by which an ICBM can penetrate an area defense. These penetration aids include fragmentation of the missile's booster rocket, chaff, decoys, electronic jamming, and radar blackout produced by the pre-detonation at high altitude of an incoming missile. All of these are relatively simple and at least some would be likely to be incorporated by an enemy whose initial ICBM deployment would be faced with an ABM. Finally, the defense can also be overwhelmed by numbers. An enemy can be successful by concentrating the attack so that it targets more missiles upon a given city than there are defensive missiles to protect it. It must also be realized that an ABM system to be truly effective must work close to perfection. Past experience with major weapons systems involving complicated electronic components give little reason for confidence that the highly complicated ABM system would be effective.

The third concern is that the deployment of an ABM system would lead to a greatly accelerated and heightened arms race; the end result of which would be a decrease in our security and in the stability of the present world situation. Since the basis of the present strategic deterrent stability is the assured destruction that each country is well aware that it can deliver and receive, any move by one side to reduce this level of destruction to itself would call for a compensating increase in offense by the other side. Since the improvements in offense necessary to offset any defensive effort are relatively inexpensive and easy to accomplish, it can be expected that this reaction will take place. Thus, there is the danger of a continuing action-reaction, offensive-defensive race leading to higher levels of arms. The consequences of this will be greater uncertainty and less stability with regard to mutual deterrence, and a greater risk of nuclear war possibly accompanied by even higher levels of damage than previously would have been the case.

An arms race such as that suggested would obviously be a very costly business. The initial proposed deployment estimated originally at 4–5 billion dollars now appears likely to cost about 10 billion dollars and this is only for a thin system. A thick system, which is likely to follow, has been estimated at 40–50 billion dollars and could quite possibly cost many times that much. In addition, once one engages in defense against missile attack, one must strengthen the other components of one's defense system. Within one week of Secretary McNamara's September 17, 1967, announcement of the decision to deploy the Sentinel system, a plan was announced for a new 4 billion dollar air defense system. An ABM defense would also necessitate a fallout shelter program. It is thus easy to contemplate the expenditure of 100 billion dollars or more just on defense if we should embark upon an ABM program. And that money is only the money that would be spent on defense. Added to this would be the tens of billions of dollars spent on upgrading the offense with such systems as the Multiple Independently Targetable Re-entry Vehicle (MIRV), and the Sub-sonic Cruise Armed decoy (SCAD).

As in the case of the Vietnam war, ABM clearly raises the question of American priorities. It represents another clear example of enormous unwarranted defense expenditures at a time when many pressing domestic needs go unheeded. The danger to this country is not from Soviet or Chinese missiles, but from the deterioration of our cities and a continuing inflationary trend and heavy tax burden.

The most crucial foreign policy issue facing the United States is the question of the missile talks with the Soviet Union. If we are to put a real halt to the arms race, it is necessary that we get on with these talks as soon as possible. While it may be that Congress will withhold the money for ABM this year, ABM can come up again and again in the defense budget in future years. Furthermore, even if the ABM is halted, the arms race can continue and escalate by the deployment of offensive systems such as MIRV and SCAD. The only sure way to stop all of this is by negotiating an agreement with the Soviet Union to prohibit the further procurement and deployment of new strategic weapons systems. Until an effort to achieve this goal is made, the United States itself should hold off on the further procurement and deployment of such systems. Also, unless the United States and the Soviet Union proceed along these lines, the Non-Proliferation Treaty, which calls for such negotiations under Article VI, is likely to remain unsigned by a number of important non-nuclear weapon nations.

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HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. RARICK. Mr. Speaker, those who have lived under Communist tyranny are best qualified to judge its merits and faults. East or West, all who have suffered persecution under communism always continue heroic efforts for a chance at liberty—even at the risk of their lives in escaping from the Communist system.

Yet, there are those in our free country, with no personal experience under communism, who would use their freedom to attack free institutions and, yes, even some who would overthrow our constitutional Government in a frenzied move to establish a Communist United States of America.

The constant reports of refugees fleeing Red China should discourage any thinking man from suggesting that we recognize Mao, and legitimate the political system which enslaves 800 million Chinese on the mainland.

I include a special report from Hong Kong, by Allan Castro, as follows:

GUNS HALT A FLIGHT TO HONG KONG

(By Alan Castro)

HONG KONG, April 29.—The Hong Kong-China border erupted to gunfire today when Chinese Communists gunned down a flock of refugees trying to steal across wire fences into this British colony before dawn.

Villagers at Linmahang in the Takuling border area said there were at least 20 people in the group that made the bid to flee. They said they saw six refugees felled by gunfire, although apparently none of them were critically hurt. They were rounded up by border guards.

There has been increasing activity lately involving people on the Chinese side trying to escape into Hong Kong. Two days ago, a group of 10, including four women and children, reached here by the flimsy sampan. They were detained by British police for "illegal entry." Informants said at least four were militiamen.

THE 27.5-PERCENT DEPLETION ALLOWANCE FOR OIL AND GAS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. BIAGGI. Mr. Speaker, I would like to bring to the attention of my distinguished colleagues in the House of Representatives the following statement which I submitted to the Committee on Ways and Means, to express my views on "a very special tax benefit," the 27.5-percent depletion allowance for oil and gas:

There are numerous inequities or loopholes in the present tax structure, but the worst of all, in my opinion, is the 27.5-percent depletion allowance for oil and gas. This allowance enables the taxpayer to deduct each year 27.5 percent of the gross income from the sale of oil and gas from a producing property up to 50 percent of net income. The justification is that oil and gas companies are entitled to an allowance for exhaustion of this natural resource in computing their taxable income, just as other firms are entitled to a depreciation allowance for wear and tear on the capital they use. With respect to most expenditures for fixed capital, the tax law limits total deductions for capital recovery to the amount actually invested by the taxpayer and requires that these deductions be spread over the useful life of the property. By using the percentage depletion allowance, the oil and gas company may recover its capital costs several times over.

By the use of the percentage depletion allowance primarily, as well as other special tax benefits, the oil and gas industry pays a lower rate of tax than that borne by other industries, and the Federal Government suffers a serious revenue loss. The Treasury Department estimates that in fiscal year 1968 for all extractive industries $1.3 billion in revenue was lost because of the excess of percentage depletion over what cost depletion (deductions equaling actual cost or investment) would have totaled. Most of that dollar benefit went to the very large oil companies.

Figures published in the August 5, 1968 issue of Oil Week for 23 of the largest oil refiners in the United States show that from 1962 through 1967 the average Federal tax payment in every one of the 6 years for these companies was less than 10 percent. In 1967 Standard Oil of New Jersey, the largest of them all, paid $166 million in Federal taxes on net income before taxes of $2,098 million, or 7.9 percent. The Atlantic Refining Company, now known as Atlantic-Richfield, had a net profit in 1967 of $130 million and paid no Federal income tax at all. Most corporations in other industries paid Federal taxes at a rate of 48 percent, and even the individual taxpayer in the lowest bracket paid at the rate of 14 percent.

The Treasury Department under the previous Administration estimated that 2.2 million families in poverty are subject to income tax. I think it is an outrage that they as well as the heavily burdened middle income taxpayer should be required to subsidize oil and gas interests.

Therefore, I recommend most strongly that the percentage depletion allowance for the oil and gas industry be eliminated. The claims that the industry is unusually risky and costly do not warrant such a bonanza. There are other industries which must risk large sums without any special tax deductions. It is also argued that the percentage depletion allowance is necessary because of the strategic importance of oil and gas to our national security. There are many other industries of equal importance to our security which receive no special benefits. I do not believe it is in our national interest to continue this special privilege to the oil and gas industry.

The President has asked Congress to extend the surcharge for another year in order to raise the revenue this country needs for the Vietnamese conflict as well as the pressing problems here at home. Quite frankly I have difficulty justifying the extension of this tax when a "loophole" such as the oil depletion allowance remains in our tax structure.

If we are to restore the faith of the American people in their tax system, we cannot continue to allow these special interests to benefit at the expense of the majority. The elimination of the 27.5 percent oil depletion allowance would be a giant step toward achieving greater equity and fairness in our tax system which are the ultimate goals of tax reform.

Mr. Chairman and members of the Committee, another area which relates to this matter is the need for immediate action by the Internal Revenue Service, to rescind their administrative ruling which provides an additional tax advantage enjoyed by American oil companies which deprives our national treasury of an estimated hundreds of millions of dollars annually.

For many years the entire sum of the royalties which United States companies pay foreign governments for oil produced abroad is deducted from gross income for tax purposes—dollar for dollar. In addition to the oil depletion allowance enjoyed by oil companies, this ruling makes it a fact that the oil companies have "struck it rich."

If the "equal taxation" policy is to be adopted, then it is necessary that we must enact proper amendments to the Internal Revenue Act—and to eliminate highly inequitable administrative rulings of the Internal Revenue Service.

SENATE—*Thursday, May 1, 1969*

The Senate met at 12 o'clock noon, and was called to order by Hon. HERMAN E. TALMADGE, a Senator from the State of Georgia.

Dr. George Othell Hand, pastor, the First Baptist Church, Columbus, Ga., offered the following prayer:

From a New England rope factory of colonial days has come a brief poem entitled "The Ropes of Gold":

"Our lives must be anchored with golden ropes,
Which give us purpose, meaning, hopes.
Know the ropes and you will be free,
To know them not means slavery.
What are these precious golden strands,
Holding freedoms unknown in other lands?
These, Friend, are the ropes of gold,
Which all our priceless treasures hold . . .

"To look ahead, at horizons far . . .
To look around, at a distant star . . .
To look upward, to the coming dawn . . .
To trust in God and carry on!"

Let us pray:

Eternal God, in all our ways we would acknowledge Thee—

"Thy glory which surrounds us,
Thy grace which sustains us."

For ourselves and our fellow men we ask for the enlightenment of divine direction.

In gratitude for the dedication of these distinguished statesmen, we simply ask that they may be daily endowed with responsible judgment in their resourceful pursuit of the common good for America and the world. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 1, 1969.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HERMAN E. TALMADGE, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, April 29, 1969, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

PROPOSED GRANT CONSOLIDATION ACT—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT (H. DOC. NO. 91-112)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States received on April 30, 1969, under the authority of the Senate of April 29, 1969, which was referred to the Committee on Government Operations:

To the Congress of the United States:

In the administration of Federal programs, one of the principal needs today is to improve the delivery systems: to ensure that the intended services actually reach the intended recipients, and that they do so in an efficient, economical and effective manner.

As grant-in-aid programs have proliferated, the problems of delivery have grown more acute. States, cities, and other recipients find themselves increasingly faced with a welter of overlapping programs, often involving multiple agencies and diverse criteria. This results in confusion at the local level, in the waste of time, energy and resources, and often in frustration of the intent of Congress.

As a major step toward improved administration of these programs, I urge that Congress enact a Grant Consolidation Act.

Under our present fragmented system, each one of a group of closely related categorical grants is encumbered with its own individual array of administrative and technical requirements. This unnecessarily complicates the planning process; it discourages comprehensive planning; it requires multiple applications, and multiple bookkeeping both by the Federal agencies and by State and local governments.

The legislation I propose would be patterned in part after procedures used successfully for the past 20 years to reorganize Executive Branch functions. It would give the President power to initiate consolidation of closely related Federal assistance programs, and to place consolidated programs under the jurisdiction of a single agency. However, it would give either House of Congress the right to veto a proposed consolidation within 60 days, and it would establish stringent safeguards against possible abuse.

In order to make consolidation possible, it would be necessary in many cases to make changes in the statutory terms and conditions under which individual programs would be administered. Formulas, interest rates, eligibility requirements, administrative procedures, and other terms and conditions of the various programs being consolidated would have to be brought into harmony. The proposed legislation would empower the President to do this in drawing up his consolidation plans—but only within carefully defined limits. For example:

—Only programs in closely related functional areas could be consolidated.

—Terms and conditions could be changed only to the extent necessary to achieve the purposes of the consolidation plan.

—In setting new terms and conditions, the President would be limited by the range of those already provided in the programs being consolidated. Thus, if a program providing for a 10 percent State matching share were being merged with one providing a 20 percent matching share, he would have to propose a matching share between 10 and 20 percent.

—No consolidation plan could continue any program beyond the period authorized by law for its existence.

—No plan could provide assistance to recipients not already eligible under one of the programs being merged.

—Responsibility for the consolidated program could not be vested in an agency or office not already responsible for one of those being merged.

The effect of these limits would be to safeguard the essential intent of Congress in originally establishing the various programs; the effect of consolidation would be to carry out that intent more effectively and more efficiently.

The number of separate Federal assistance programs has grown enormously over the years.

When the Office of Economic Opportunity set out to catalogue Federal assistance programs, it required a book of more than 600 pages even to set forth brief descriptions. It is an almost universal complaint of local government officials that the web of programs has grown so tangled that it often becomes impermeable. However laudable each may be individually, the total effect can be one of government paralysis.

If these programs are to achieve their intended purposes, we must find new ways of cutting through the tangle.

Passage of the Grant Consolidation Act would not be a substitute for other reforms necessary in order to improve the delivery of Federal services, but it is an essential element. It would be another vital step in the administrative reforms undertaken already, such as establishing common regional boundaries for Federal agencies, creating the Urban Affairs Council and the Office of Inter-governmental Relations, and beginning a streamlining of administrative procedures for Federal grant-in-aid programs. Its aim, essentially, is to help make more certain the delivery and more manageable the administration of a growing complex of Federal programs, at a time when the problems they address increasingly cross the old jurisdictional lines of departments and agencies.

This proposal would permit rapid action, initiated by the President, while preserving the power of Congress to disapprove such action. It would benefit the intended beneficiaries of the programs involved; it would benefit State and local governments, which now have to contend with a bewildering array of rules and jurisdictions; and it would benefit the American taxpayer, who now bears the cost of administrative inefficiencies.

RICHARD NIXON.

THE WHITE HOUSE, *April 30, 1969*.

EXECUTIVE REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of April 29, 1969, the following favorable executive reports of nominations were submitted, on April 30, 1969:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Marshall Green, of the District of Columbia, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State;

Joseph H. Blatchford, of California, to be Director of the Peace Corps;

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Brazil;

William J. Handley, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Turkey;

Robert C. Hill, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary to Spain;

Kenneth B. Keating, of New York, to be Ambassador Extraordinary and Plenipotentiary to India;

William Leonhart, of West Virginia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Socialist Federal Republic of Yugoslavia;

Val Peterson, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary to Finland;

Alfred Puhan, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Hungary; and

Philip K. Crowe, of Maryland, to be Ambassador Extraordinary to Norway.

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

James E. Allen, Jr., of New York, to be an Assistant Secretary of Health, Education, and Welfare;

Robert D. Moran, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor;

Laurence H. Silberman, of Hawaii, to be Solicitor for the Department of Labor; and

Arthur Fletcher, of Washington, to be an Assistant Secretary of Labor.

By Mr. ALLOTT, from the Committee on Interior and Insular Affairs:

Edward E. Johnston, of Hawaii, to be High Commissioner of the Trust Territory of the Pacific Islands.

By Mr. YARBOROUGH, from the Committee on the Judiciary:

William Hill Brown III, of Pennsylvania, to be a member of the Equal Employment Opportunity Commission.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 5. Concurrent resolution to print additional copies of hearings on the nomination of Walter J. Hickel to be Secretary of the Interior;

S. Con. Res. 15. Concurrent resolution to print as a Senate document studies and hearings on the Alliance for Progress; and

S. Con. Res. 16. Concurrent resolution authorizing the printing of the eulogies on Dwight David Eisenhower.

The message also announced that the Senate had passed a bill (H.R. 4153) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the following concurrent resolutions in which it requested the concurrence of the Senate.

H. Con. Res. 35. Concurrent resolution authorizing the printing of additional copies of a Veterans' Benefits Calculator;

H. Con. Res. 95. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs;

H. Con. Res. 114. Concurrent resolution commemorating the 200th anniversary of Dartmouth College;

H. Con. Res. 162. Concurrent resolution authorizing the printing of the book, "Our American Government," as a House document;

H. Con. Res. 183. Concurrent resolution to provide for the printing of 1,000 additional copies of school prayer hearings;

H. Con. Res. 192. Concurrent resolution to reprint brochure entitled "How Our Laws Are Made"; and

H. Con. Res. 193. Concurrent resolution authorizing the printing as a House document of a revised edition of "The Capitol," and providing for additional copies.

HOUSE BILL REFERRED

The bill (H.R. 4153) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, was read twice by its title and referred to the Committee on Commerce.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolution was referred to the Committee on the Judiciary:

H. Con. Res. 114. Concurrent resolution commemorating the 200th anniversary of Dartmouth College.

The following concurrent resolutions were severally referred to the Committee on Rules and Administration:

H. Con. Res. 35. Concurrent resolution authorizing the printing of additional copies of a Veterans' Benefits Calculator;

H. Con. Res. 95. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs;

H. Con. Res. 162. Concurrent resolution authorizing the printing of the book, "Our American Government," as a House document;

H. Con. Res. 183. Concurrent resolution to provide for the printing of 1,000 additional copies of school prayer hearings;

H. Con. Res. 192. Concurrent resolution to reprint brochure entitled "How Our Laws Are Made"; and

H. Con. Res. 193. Concurrent resolution authorizing the printing as a House document of a revised edition of "The Capitol," and providing for additional copies.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR AIKEN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished senior Senator from Vermont (Mr. AIKEN) be recognized to speak for a period not to exceed 20 minutes immediately after the conclusion of the morning hour. However, I ask that this recognition be given to the Senator earlier if a lapse occurs before the morning hour is concluded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, with the exception of the nominations in the Department of Health, Education, and Welfare and the Equal Employment Opportunity Commission.

Mr. SCOTT. Mr. President, reserving the right to object, in order to make a statement——

Mr. MANSFIELD. The Senator from Pennsylvania will be able to make his statement later.

Mr. SCOTT. I withdraw the reservation.

The PRESIDING OFFICER. Without objection, it is so ordered. The nominations on the Executive Calendar will be stated, as requested by the Senator from Montana.

DEPARTMENT OF LABOR

The bill clerk proceeded to read sundry nominations in the Department of Labor.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

DEPARTMENT OF THE INTERIOR

The bill clerk read the nomination of Edward E. Johnston, of Hawaii, to be High Commissioner of the Trust Territory of the Pacific Islands.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

THE PEACE CORPS

The bill clerk read the nomination of Joseph H. Blatchford, of California, to be Director of the Peace Corps.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF STATE

The bill clerk proceeded to read sundry nominations in the Department of State.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

Mr. MANSFIELD. Mr. President, may I say that the acting minority leader indicated that he would withhold his reservation of objection in taking up the nominations, on the assurance that he would be recognized in his capacity at the conclusion of my remarks.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mr. SCOTT. Mr. President, I withdrew my reservation in order to obtain an opportunity to make a statement with regard to the Equal Employment Opportunity Commission.

President Nixon has sent to Capitol Hill the name of Mr. William Hill Brown III to be a member of that Commission. Mr. Brown is a constituent of mine and a longtime friend. He has been endorsed by both Senators from Pennsylvania, and therefore no question of senatorial courtesy is involved within the meaning of the Senate procedures.

Mr. Brown is a fairminded and eminently qualified man; and, obviously, if any Senator wishes to interrogate him or speak to him, I think that is desirable; or, if any Senator wishes more information, I think that is desirable. But I think now is the time to indicate that I have always supported the nominations which have been sent to the Senate from the executive department, under the administration of President Johnson and the administration of President Nixon; that this is a nomination which was recommended by the two Senators from Pennsylvania in the 90th Congress, and no objection was lodged at that time; and that the nomination failed because of the lack of time at the end of the session. I believe it is the only nomination resubmitted by President Nixon.

Therefore, while I am fully in accord with the courtesy involved in deferring action when a name first appears, I do want it to be made crystal clear that I intend to pursue at a later date the recommendation of the President and to act in support of my President on this and on other nominations.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. MANSFIELD. Mr. President, so that the record can be made clear on the nomination of Mr. Brown, there is no "hold" on this side of the aisle in that matter.

Mr. SCOTT. And I hope there will be no "hold" on this side of the aisle, Mr. President.

ANNOUNCEMENT ON NOMINATION

Mr. MANSFIELD subsequently said: Mr. President, I wish to make an announcement to the Senate.

At the request of several Senators, it has been decided that the nomination of James E. Allen, Jr., to be Assistant Secretary of HEW will not be taken up today, but rather when the Senate meets on Monday next.

THE 21ST ANNIVERSARY OF ISRAEL

Mr. SCOTT. Mr. President, on last Friday, the Senator from Connecticut (Mr. RIBICOFF) read a statement, signed by 48 Senators, on the 21st anniversary of Israel.

The name of the senior Senator from New Mexico (Mr. ANDERSON) was inadvertently omitted from the list, and I ask unanimous consent that the permanent RECORD be corrected to include the name of the Senator from New Mexico (Mr. ANDERSON) as one of the signers of that statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROBLEMS FACING THE ADMINISTRATION—VIETNAM

Mr. AIKEN. Mr. President, the 100 days are up and friends and foe alike are analyzing the accomplishments of the Nixon administration and the problems which lie before it.

I personally believe that President Nixon must be given a large plus sign for the manner in which he has handled affairs of the Nation to date.

The final scoring of his administration, however, must be deferred until we see more clearly the manner in which he handles the problems of today, which are almost wholly problems handed down to him from the recent past.

To attempt to enumerate all the problems facing Government today would be a futile and unending task.

So I would reduce them to four—inflation, poverty, crime, and social unrest so extreme it sometimes becomes open rebellion.

They are, of course, all related to each other, and the causes overlap.

However, I would go further and maintain that most of these problems are also, directly or indirectly, an outgrowth of the war in Vietnam.

So we can logically say that the one great immediate problem facing us today is the war in Southeast Asia.

In analyzing our position in Southeast Asia today, it is advisable to go back a few years and consider what has brought us to the unenviable and seemingly fathomless predicament we find ourselves in.

Some say we had no business going into South Vietnam in the first place.

With this thesis, I disagree.

After the fall of Dien Bien Phu, the departure of the French from Indochina and the Geneva Conference, the United States was instrumental in helping to move nearly 1 million refugees from North Vietnam to the south.

Because we shared responsibility for their coming there, I have always felt that while we may have had no legal commitment to them, we certainly did have a moral obligation to help them get established.

We did give them help, and by 1961 there were in the neighborhood of 800 American technicians and advisers in South Vietnam.

We encouraged the creation of what we hoped would be a stable government under the leadership of President Diem.

Then, on November 1, 1963, President Diem was killed and chaos in the Saigon government followed.

Between that time and June 1965, when Nguyen Cao Ky took the reins of government, South Vietnam underwent 11 changes of administration.

By mid-1965 the number of American military personnel in South Vietnam had passed the 50,000 mark.

General Ky asked the United States for modern equipment, including modern fighter planes.

Instead of fighter planes, we sent him military personnel and trainer planes.

Only last week, we were advised that the United States is now sending to South Vietnam the first-class fighter planes which were requested in 1965.

We steadily increased the number of military personnel sent to South Vietnam until it reached a total of 550,000.

In December 1965, President Johnson, on the recommendation of his advisers, ordered the bombing of North Vietnam.

I think President Johnson really believed that such action would end the war in a short time, but he was terribly mistaken.

The war had now become not a Vietnamese civil war but an American war against North Vietnam.

From then on a formal agreement to end the fighting became quite impossible and, in my opinion, will remain that way until such time as the conflict again becomes localized.

The North Vietnamese Government asked Russia and China for materiel and equipment.

Russia and China did not make the mistake we did.

They did not send troops.

They sent equipment which was good enough to cause unexpected destruction to the American Air Force.

I note that recently some advocates of expanding the war against North Vietnam accredit our failure to achieve a military victory to the fact that we did not destroy Hanoi and put a stop to the international shipping at Haiphong Harbor.

These people are trying to alibi their own errors.

Most of the equipment used against us did not come through Haiphong Harbor and the destruction of the civilian population at Hanoi would have simply infuriated the rest of the world without contributing to a military victory on our part.

The excuse given for sending 550,000 men to South Vietnam, and nearly a million to Southeast Asia in all, including South Korea and the Philippines, was that we were fighting a monolithic Communist conspiracy which would first overwhelm South Vietnam and then Laos, Cambodia, Thailand, Malaysia, the Philippines, and finally Australia and New Zealand.

This was known as the domino theory.

All countries which were threatened by this "monolithic Communist conspiracy" were theoretically thrown into a panic.

Let us see how they reacted, however.

Of course, Laos, which had suffered internal dissension for years, did not change materially.

In fact, Laotians probably felt easier, to the extent that our involvement in Vietnam slowed down their civil strife.

Cambodia, which claims to be strongly anti-Communist and indeed has resisted a takeover by China, has so far maintained a position of near neutrality.

Thailand, where large forces of American military have been stationed for some years, sent only 2,500 men to South Vietnam and then added more only when the United States agreed to pay the costs.

Malaysia and Singapore made no contribution whatever.

The Philippines contributed a small number of workers.

Australia, which in World War II gave 346,000 men to all theaters of war, has had less than 8,000 men stationed in South Vietnam at any one time.

New Zealand contributed 70,000 men in World War II but less than 600 New Zealanders have been in South Vietnam at any one time.

In other words, the domino theory was not accepted by the domino states, and the number of Americans killed in the Vietnamese war so far is greater than the total number of military personnel contributed by our allies, excluding South Vietnamese forces themselves.

It is true there have been some 40,000 South Koreans aiding us in South Vietnam but while they were there, we have had over 50,000 Americans stationed in South Korea.

That is the unenviable history of our participation in the Vietnamese war to date.

I do not intend to enumerate here the costs of this war in terms of men, money, and material because these staggering totals are already well publicized.

I do think, however, that the time has come when the present adminstration of the United States should decide what to do about the unhappy circumstances in which we find ourselves.

All kinds of suggestions are offered from "Pull everything we have out of Vietnam tomorrow," to "Let us use the atom bomb and show them who is running this world."

Both of these extreme proposals are quite ridiculous.

We cannot pull out of South Vietnam tomorrow unless we have a pretty good idea of the situation we are leaving behind.

And we cannot use the atom bomb without inviting the destruction of much of the world.

The division of sentiment which exists in the United States is undoubtedly reflected among the Vietnamese people themselves, both North and South, and within the Vietnamese Government.

There are people in Vietnam who wish the United States would get out and let them have their own war back, believing that only then will it be possible to bring the war to a reasonable conclusion.

Then there are those who simply do not want the war to end because of the exceptional income to Vietnamese and Vietcong alike which results from its continuance.

There are many brave South Vietnamese who have been killed, or suffered destruction, but there are others who have acquired much wealth.

In fact, this is the only war in which we have ever participated where the United States has financed both sides to such a degree.

The "slippage" of American materiel, food, fuel, and even PX goods into Communist hands has been outrageous.

The "kumsha" to local officials and protection money paid the enemy makes loyal Americans' blood boil.

It is safe to say that the people of South Vietnam will never willingly go back to their old standards of living.

It is safe to say also that with the end of the war a greatly increased development of all Southeast Asia could ensue, bringing at least a modicum of prosperity to all of these countries, including what is now North Vietnam.

I say "could" because this will depend on how wisely the resources and wealth now being spent on the war are diverted to peacetime uses.

Many things have happened in the last 5 years to make a withdrawal of American forces from South Vietnam both feasible and advisable.

First, the domino theory has been well exploded by the domino states themselves.

The South Vietnamese people now appear to be strong enough to stand on their own feet, and much territory has been made livable again. If they are not strong enough to stand on their own feet now it is a safe bet they never will be.

There is little danger that South Vietnam could be taken over from the outside.

The people of South Vietnam and North Vietnam alike are sick and tired of the war.

The present South Vietnamese Government appears willing to conduct a national election and concede voting rights to many who up to now have been regarded as outcasts.

The country of Indonesia, formerly a potential threat from the south, is now firmly in the hands of an anti-Communist government.

Russia, presently enjoying strained relations with Communist China, apparently feels that there is no more to be gained by continuation of the American-Vietnamese war and seems to indicate a willingness to help bring it to an end.

So it is my belief that the United States would do well to advise the South Vietnamese Government immediately of our intentions and then start an orderly withdrawal of our military personnel, turning that country and that war back to its rightful owners.

It may take some time to complete this operation but it should be started without delay.

It may be in the interest of the United States and the free world to maintain a base somewhere in the Southeastern Asian area similar to the one we now have at Guantanamo Bay, but to continue to inject our economic and military strength on a massive scale without the wholehearted support of the nations of the area is, to say the least, shortsighted diplomacy.

I realize that a withdrawal of our forces would create some concern to those who have found the war to be a financial bonanza.

These people, however, are adroit and resourceful.

They will continue to do business.

The United States is not going to disarm.

To do so would invite aggression and disaster.

We are not going to stop doing business with the rest of the world.

In fact, this business is bound to increase.

Our withdrawal from the Southeast Asian war, however, would bring great rejoicing among those people who have in the past and may in the future suffer personal and economic distress.

It will also be a major factor in restoring respect for law and order in our own country.

Commonsense should tell us that we have now accomplished our purpose as far as South Vietnam is concerned.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield first to the majority leader.

Mr. MANSFIELD. Mr. President, I am delighted that the distinguished senior Senator from Vermont, the senior Republican in this body in years of service, has seen fit to make this extraordinary and eloquent speech today. It is good that it comes from a member of the administration now in office. It is good that the cards are laid out on the table, and that the Senator from Vermont tells it "as it is."

What the Senator from Vermont has done is to furnish the Senate, the administration, and the Nation with an analysis of the situation as it exists in Vietnam which few of us are aware of. He has done well to explode the domino theory, because it has always been overexaggerated and overstressed. I believe that those who think it was because of what happened in Vietnam that Indonesia was able to overthrow Sukarno are mistaken in their thesis.

Then, of course, the distinguished Senator brings home the fact that a number of countries have furnished assistance of a kind in Vietnam. He also emphasizes that insofar as some of those countries are concerned, this Nation has borne the cost of the deployment of their troops in the conflict.

The Senator states—and this is something which I think should be made clear in view of some of the questions raised by the press prior to the Senate's convening today—that:

> So it is my belief that the United States would do well to advise the South Vietnamese government immediately of our intentions and then start an orderly withdrawal of our military personnel, turning that country and that war back to its rightful owners.

The Senator is correct. The war will have to be settled by the South Vietnamese themselves. In conjunction with the North Vietnamese, eventually the settlement will have to be made there. It is their country. It is their future. It is their destiny which happens to be at stake. It is, therefore, about time that the American people and the American Government realize this to be a fact and recognize that this is not, or at least should not be, an American war.

Mr. President, I have maintained for a long time that South Vietnam is not vital to the security of the United States.

I make that same statement again.

There is one part of the Senator's speech with which I might disagree—and perhaps I may have misinterpreted his statement. He states:

> It may be in the interest of the United States and the free world to maintain a base somewhere in the Southeastern Asian area similar to the one we now have at Guantanamo Bay. . . .

There is more to follow but the part I have referred to is what I had in mind.

I would hope that once a peace settlement is arrived at, we would withdraw—lock, stock, and barrel—not only from Southeast Asia but also, whenever possible, from the mainland of Asia because I am sure that my distinguished friend would agree with me we are not an Asian power. We are primarily a Pacific power with peripheral interests on the Asian Continent.

But I do want the distinguished Senator to know that I am thankful he made his speech today, that I congratulate him on a well thought out and honest analysis and, as usual, I am certain that the remarks of the Senator from Vermont will be given the kind of consideration which they deserve—and, in my opinion, that is the most serious consideration.

You have done a good job, sir.

Mr. AIKEN. Mr. President, I want to thank the majority leader for the remarks which he has just made. I also want to agree with him that I should have used the word "Pacific" rather than "Southeastern Asian area," because we are a Pacific power rather than an Asian power at this time.

I would also like to point out that it was over 3 years ago the Senator from Montana pointed out to the President and the Senate the difficulties which we were entering into at that time, and also the probability that there was no satisfactory end in sight to the course which was then being charted for us.

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Vermont may be allowed to proceed for 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Will the Senator from Vermont yield at that point briefly?

Mr. AIKEN. I yield.

Mr. MANSFIELD. Let me say to the distinguished Senator from Vermont that that was a report which the distinguished Senator and I both gave to the President on a confidential basis. I hope it is still down there, and that President Nixon will take the opportunity, if chance offers, to read that report, which was not too voluminous but did then, as the Senator has said, state a few things which are just as applicable today.

Mr. AIKEN. Mr. President, it would be helpful if President Nixon would read that report which the Senator from Montana made to President Johnson 3 years ago last December.

Mr. JAVITS. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. JAVITS. Mr. President, I, too, listened with great interest and great profit to the Senator from Vermont, our senior on the Committee on Foreign Relations.

I think that the Senator from Arkansas

(Mr. FULBRIGHT) at one time spoke of "unthinkable thoughts," and I believe that there is no more authoritative voice in this Chamber than that of the distinguished Senator from Vermont (Mr. AIKEN) on the subject of foreign policy.

When he says the things which he said today, which need so urgently to be stated, he is especially speaking to those who would have us believe there is no other way except the stalemated quagmire in Paris, and that we are irretrievably bound to that, or that the heavens will fall in if we try something else which is unilaterally within our power.

I thoroughly agree with the Senator from Montana, the majority leader, who has such a long-standing and beautiful friendship with the Senator from Vermont, that this kind of authority, from the source from which it comes, is indispensable to the country, to get us to thinking along lines which will free us instead of enslave us, and tie us so tightly to Saigon that they can, in effect, veto everything which we believe is in the interest of our own country.

I congratulate my colleague. It is characteristic of him to be so direct and so honest. As we know, in public life the source from which an idea comes is eminently important in order to strip it of suspicion that the idea was voiced by someone else. In that connection, I think the Senator from Vermont has rendered signal service to the Nation and the world.

Mr. AIKEN. I thank the Senator from New York and wish to say that, of course, there is another way than through the Paris conference, which seems to be irretrievably bogged down, for bringing the war to a reasonable conclusion.

I also believe that our administration thinks there is another way, and that the South Vietnamese Government officials are also aware of it, and that the Vietcong and the North Vietnamese Government, as well, are aware of it.

I feel that until those people who are primarily concerned with the area and what goes on there are permitted to settle their own affairs to a greater degree than we have permitted them to do in the last few years, we are not going to see an end to the conflict and our involvement in Southeast Asia and the possibility that it may go on indefinitely.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield to the Senator from Massachusetts.

Mr. KENNEDY. I commend the Senator from Vermont for his statement here today. I think all of us who serve in this body are very much aware of the great contributions the Senator has made, particularly in the field of foreign policy. Today, before the Senate and the American people, I think the Senator from Vermont has brought that background, experience, knowledge, and deep interest to the Vietnam issue with a suggestion which makes great sense.

I wish to ask the Senator from Vermont whether he has had any opportunity to discuss this matter with the administration, or whether he has had an opportunity recently to communicate his ideas to responsible people within the administration.

Mr. AIKEN. That is a good question. The answer is a little more difficult.

The Senator from Vermont will have to admit that he has talked with many people, both from the administration and from other sources, and on the basis of the information which he has, he thought it might be helpful to the administration to make the statement which he has made today. I did not tell them until this morning, however, that I was going to speak. I thought it was better to keep that to ourselves. But the information upon which I base the statement I think was from quite responsible sources.

Mr. KENNEDY. I think all of us would take some heart if we were able to receive from the distinguished Senator from Vermont some assurance that the administration was going to pay heed to these suggestions and recommendations. They are not unlike the kinds of proposals that I suggested in August of last year. I would be interested in the reaction of the Senator from Vermont.

In August of last year I made a rather extensive statement on Southeast Asia. In that speech I spoke not only of the mutual withdrawal of United States and North Vietnamese forces from South Vietnam, but also suggested that to demonstrate to both Hanoi and Saigon the sincerity of our intentions, we should begin to significantly decrease both our military activity and military personnel in South Vietnam before the end of 1968. I think that suggestion runs very close to that which the Senator from Vermont is suggesting today.

Referring to page 10 of the Senator's speech, does the Senator set any kind of time factor or time limit as to when withdrawal of troops should take place? The Senator says that we ought to be about the process at the present time.

Mr. AIKEN. I do not think we could set a definite date when it could take place. I might remind the Senator, however, that it was in October 1966, that I did recommend strongly to the administration that we should simply say at that time that we had won our objective, and withdraw. I think it would have been entirely possible at that time. Had it been done, I believe the war would have been virtually over by now. However, it was not done, and we still have the same problem facing us. I would not undertake to speak for the administration about this matter. I simply say I believe the administration is fully aware of the different possibilities by which the war might be brought to a reasonable conclusion.

Mr. KENNEDY. Is it the Senator's feeling that if we followed the course of decreasing the military activity and reducing our personnel there, it would convince our friends in Saigon that they ought to move into a more aggressive bargaining with the National Liberation Front? Is that part of the reason why the Senator is making his suggestion?

Mr. AIKEN. It is my belief that the South Vietnamese people and the Government are now tired enough of the war, and strong enough, to take over the situation and handle it themselves; but some of them, at least, realize they cannot bring the war to an end so long as it is an American war, and the sooner they get their own war back, the sooner they will be able to make arrangements with the warring parties over there to get together. That will not be easy, but it can be done; and I feel that the various parties involved in the conflict over there are fully aware of it and are sick and tired of the war and are ready to do something about it.

Mr. KENNEDY. I am sure the Senator from Vermont has thought about the concept of two-track negotiations for trying to resolve the Southeast Asia dilemma. By two-track negotiations, I mean that there would be negotiations between the United States and the North Vietnamese with regard to the mutual withdrawal of troops. The other set of negotiations would be between the National Liberation Front and the South Vietnamese Government. It has long been felt that we might very well be able to get an agreement with the North Vietnamese to withdraw their troops with a corresponding withdrawal of U.S. troops, or perhaps we could set an example by withdrawing some of our own troops, thus getting a corresponding withdrawal of North Vietnam's troops. Then there would be at least the start of a settlement. The South Vietnamese Government and the National Liberation Front could simultaneously work out the destiny and the future of the south.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY. I ask unanimous consent to have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. I seriously doubt that we could reach any formal agreement with the North Vietnamese, but we have already stopped the bombing of that country, and I feel that we might have a tacit understanding that we would get out if they go out. It would be gradual. It cannot be done tomorrow. It cannot be done this week. But I think that is the only way it can be settled. As far as the North Vietnamese and the South Vietnamese Governments are concerned, I notice the South Vietnamese Government has softened its attitude toward letting the enemy participate in elections.

I am very hopeful that we can let them have their own war back and that they can come to a reasonable conclusion within a reasonable time. Reasonable is a very valuable word.

Mr. KENNEDY. I think there is widespread agreement with the idea of the Senator from Vermont that to get a tacit understanding with the north about the withdrawal of their troops and the withdrawal of our troops, it may be necessary for us to take the initiative, and begin the process by withdrawing some American troops. That could create a climate in which the parties in the south would be able to resolve their differences in a much more expeditious manner. I believe it would demonstrate to our friends in the south that we really mean business in terms of having those parties negotiate, and that our commitment for the future, in terms of American soldiers, is not something guaranteed forever.

Mr. AIKEN. I think that course could be followed, but I do not think it would be desirable or effective to set specific dates or specific terms at this time.

Mr. HOLLAND. Mr. President, on the subject discussed by my distinguished friend from Vermont, I wish to say I always listen with great interest to any expression of opinion which he makes, particularly in the field of foreign affairs. I think he has made a very important statement.

I do wish to call his attention to the fact, however, that if we want to help the Executive, we had better put the Senate in a more favorable position as a whole than it is now. The last two official pronouncements of the Senate on this subject are first, our ratification of the SEATO agreement, which imposes certain obligations on us, and second, our passage of the Tonkin Gulf resolution.

I wonder whether the Senator has considered offering a resolution expressing the advice of the Senate to the Executive on this very important and difficult question which he has been discussing.

Mr. AIKEN. All I can say is that I do not think the SEATO agreement was very effective, and the Tonkin Bay resolution was grossly overinterpreted—put it that way. But as for a resolution to be submitted to the Senate, I am not sure that that would be fruitful at this time.

Mr. HOLLAND. The Senator, of course, is mindful that there is a distinct division on this question in the Senate, and I am sure that the Executive knows that. I am sure that the way to attack this matter, is to attack it frontally, just exactly as the late Senator Vandenberg attacked the NATO question, by offering a resolution stating the advice of the Senate, which is a constitutional right and privilege of the Senate; and I am sure that the distinguished Senator realizes what I have said is true: the last two official actions of the Senate on this subject matter are represented in the SEATO agreement and the Tonkin Gulf resolution.

It does occur to me that strong and powerful as the Senator's voice is, and as are the other voices which have been raised in approval of his position, they are still individual voices of individual Senators; and it seems to me that if the Senate wants to be forthright about this matter, it should consider a resolution putting the Senate on record, because what the Senator is suggesting is putting the Executive on record in this highly controversial matter.

Mr. AIKEN. I have had a resolution submitted to me, which I have not had time to study up to this time. However, I am growing a bit weary of entering into agreements, treaties, and negotiations which are pretty much forgotten by some of the participants after they are entered into.

I should like to yield a moment to the junior Senator from Illinois, who has been patiently waiting for some time.

Mr. PERCY. I thank the distinguished Senator, and I commend the Senator on his remarks today.

I have just returned from Illinois, where I spent the last 5 days visiting 10 college campuses. I met and talked with thousands of Illinois students in open meetings and seminars. The open sessions were for the purpose of meeting with all the interested students on campus; the seminars were conducted for the purpose of talking with campus leadership, including student government officials, editors of campus publications, and heads of both radical and nonradical campus organizations.

On the basis of my experiences with the students, I am convinced that they are, for the most part, responsible, responsive, earnest, serious, and dedicated young Americans; they are not the kind of so-called student we have seen on television recently. Most of the students I met in my 5-day campus tour are deeply concerned about the direction of this country, and it is for this reason I can say that the distinguished Senator's remarks would be received with overwhelming enthusiasm by the student bodies in Illinois. I cordially invite him to visit any campus in the State of Illinois; I assure him he would be just as welcome as he would be on the campuses in his own State.

Mr. AIKEN. I thank the Senator from Illinois. I agree with him that the youth today are not all bad, in fact a very, very small percentage of them have wrong intentions.

NEED FOR RECONSIDERATION OF MAJOR HUNGER PROGRAM BY NIXON ADMINISTRATION

Mr. JAVITS. Mr. President, there have been authoritative reports that the administration does not propose to increase materially the Federal food assistance programs to the Nation's poor beyond the present level of slightly more than $1.5 billion. This is a deeply disturbing development if indeed such a decision has been made by the White House. I would hope very much that it has not yet been taken and that the subject will be most carefully reviewed in terms of what should be our national priorities.

The discovery—and it is for practical purposes a discovery—that hunger, and malnutrition amounting to hunger, afflict some of the poor across the Nation and not in the poverty pockets of the South alone—has seared the conscience of the country. It is likely to prove the most explosive element in transforming the war on poverty into a war fought with effective resources.

Should there be advisers to the President who feel that the problem is not as urgent and crucial as I have described, then I would hope that they will go out into the field, as I have done, to see the widespread, appalling conditions of hunger that demand much more comprehensive measures involving much greater expenditures than they now seem to have in mind.

No matter what may be provided from business and nonprofit sectors, a significant additional contribution of resources from the Federal Government is vital. This is especially so inasmuch as the Federal programs now dealing with the production and conservation of food have resulted in the storage of huge quantities of surplus foods at a cost in the magnitude of $5 billion a year.

The introduction by Senator McGovern, chairman of the Select Committee on Nutrition and Human Needs, of his bill directed essentially toward providing free food stamps to families whose annual income—families of four—is less than $960, at an additional cost of $1.5 billion to the food stamp program, is an indication of the direction of the thinking of the majority on the committee.

I, as ranking minority member of the committee, am sympathetic with the objectives of Senator McGovern's food stamp bill and support them as far as they go. However, I believe that the bill, by dealing almost exclusively with food stamps, does not go far enough in combating the conditions of hunger and malnutrition which plague our Nation. I plan to introduce within the next few weeks a more comprehensive bill with as many of the minority members as possible. The minority bill, which has been in preparation for several weeks now, will include and go beyond expansion of the food stamp program. It will also include provisions for involving private food companies in the development and distribution of fortified and enriched foods, for dealing with the problem of delivering commodity foods to recipients who lack their own transportation, for improving the administration of all food programs, including nutritional education of the poor, the school lunch program, and food assistance plans for expectant mothers and infants.

I believe it important to speak out at this time and to establish a timetable for legislation from the minority in the hope that the administration will neither crystallize its thinking nor make definitive decisions at least until these proposals are before the Congress. We should have an opportunity to convince the administration of the high priority we place on the relief of human misery through an effective campaign against malnutrition among the poor.

DECLARATION ON CAMPUS UNREST BY THE AMERICAN COUNCIL ON EDUCATION

Mr. JAVITS. Mr. President, Dr. Clark Kerr, the distinguished chairman of the Carnegie Commission on Higher Education, while president of the University of California observed several years ago:

> I find that the three major administrative problems on a campus are sex for the students, athletics for the alumni and parking for the faculty.

As reports of student unrest and violence mount—most recently at Columbia University—this observation would seem to have been made a century ago rather than a few years ago.

The reaction of college administrations to this student unrest has varied from tightfisted firmness to the other extreme of abject surrender of responsibility.

Occupying a constructive mainstream, which recognizes both need for reform, order on campus, and academic freedom, is the declaration on campus unrest adopted last month by the board of directors of the American Council on Education, the organization representing the vast majority of the accredited colleges and universities in the United States. This is a sensible approach, firm in its recognition of the rights of students, those who would voice protest and those who would pursue their studies without interruption. I ask unanimous consent that the Declaration on Campus Unrest of ACE be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JAVITS. Mr. President, illustrative of the breakdown which can occur when a college administration ignores the principles set forth in the American Council on Education's Declaration on Campus Unrest is the situation which developed at Cornell University as described by columnists Rowland Evans and Robert Novak in the Washington Post this morning. I ask unanimous consent that this article also be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. JAVITS. Mr. President, I would be remiss if I did not also include as part of my remarks at this time, to give balance to the views presented, the thoughtful comments of the distinguished civil rights leader, Bayard Rustin, himself black, presented at the annual meeting of the New York Chapter of the American Jewish Committee on April 27. Mr. Rustin spoke out against campus disorder, both black and white. He said:

> A multiple society cannot exist where one element in that society out of its own sense of guilt and masochism permits any other segment of that society to hold guns at their head in the name of justice.

I ask that Mr. Rustin's address also be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Exhibit 1

A Declaration on Campus Unrest

The unprecedented, comprehensive, and often unpredictable changes that are taking place in this age both disturb and alarm large segments of our society. Most of the changes and attendant alarms affect the operations of our institutions of higher learning. They are also related to the values, concerns, and behavior of our young people. In coming to grips with the compelling issues, all who would think seriously about them must recognize that present-day society—in America and in many foreign lands—is in serious trouble on many fronts. We see around us racial conflict, continued poverty, and malnutrition midst unparalleled prosperity and seemingly unlimited promise. We are confronted by pollution of our environment, decay of our cities, the continuation of wars and the threat of war, and everywhere a vague but widespread discontent with the general quality of life.

These problems affect all of society, not the university alone or the young alone. We must all be concerned to deal intelligently and responsibly with these problems that are neither the exclusive discovery, nor the sole responsibility of the young. Yet the depth of feeling among young people in many countries today about the issues, their general dissatisfaction with the slow-moving ways of society, and the extreme behavior of a small minority of students are evidence of the profound crisis that involves our entire society and, specifically, the university community.

The university itself has often become the immediate target of student discontent, sometimes couched as legitimate complaints about the deficiencies of the universities, sometimes devised as a softening-up exercise for assault on the wider society.

How to deal with campus crises arising from the widespread protests has become a major public issue and the cause of confused and angry debate. That there should be deep anxiety about the course of the conflict and its possible outcome is understandable. No social, racial, or age group that perceives itself and its values to be seriously threatened will fail to strike back. Increasingly there are backlash temptations to enact strong, often ill-considered, and largely futile measures to cope with a youth rebellion that none of us fully comprehends, not even the youth themselves.

Certain balanced judgments are proper to make, however, as we search for understanding and solutions:

1. It is important for the public to understand that, despite the nationwide publicity given to student disorders, the great majority of American campuses have remained peaceful. On campuses where conspicuous disorders have occurred, educational programs generally have gone along their normal ways. Most students and faculty have continued to carry on their regular work. In the main, good teaching and good research, as traditionally defined, have been uninterrupted.

2. On the undisturbed campuses and among the majority of orderly students, however, there are widely shared discontents which extremists are at times able to manipulate to destructive ends. Moreover, even in the absence of violence, there has developed among some of the young a cult of irrationality and incivility which severely strains attempts to maintain sensible and decent human communication. Within this cult there is a minute group of destroyers who have abandoned hope in today's society, in today's university, and in the processes of orderly discussion and negotiation to secure significant change. Students and faculty are increasingly aware of the true nature of this group and are moving to deal with its destructive tactics. The necessity to deal with extremists, however, is placing an extraordinary burden upon the whole educational enterprise and upon those who man it. Consequently, universities are having to divert their energies and resources from central educational tasks in order to deal with student unrest in its various forms.

3. The spectacular events precipitated by the extremists should not be allowed to obscure the recent accomplishments of those students, faculty, and administrators who have serious interest in constructive changes in society and in the university. They have broadened the curriculum and improved teaching. They have moved toward a more open and participating pattern for university governance. And they have begun to make the work of universities more meaningful in dealing with the problems of society. Those efforts must continue. Reform and self-renewal in higher education are ongoing imperatives.

4. Meanwhile, the speed and scale of social change have imposed many kinds of demands upon educational institutions for which their programs, their capabilities, and their funding are not always adequate. Moreover, universities are increasingly asked to perform functions for society, particularly in reshaping the behavior, values, and life-styles of the young, on which the family and other social institutions have already had major influence—or lack of influence. Some of society's expectations for universities are quite unrealistic. Insofar as these expectations can be dealt with, they involve a sharing of responsibilities among diverse social institutions. Many of society's demands require new resources and fresh approaches to old and new problems.

5. Recognizing the right of and even the necessity for constructive dissent—and allowing for inevitable arguments over what is in fact constructive—certain axioms must be accepted as basic to the operation of any university.

a. Disruption and violence have no place on any campus. The academic community has the responsibility to deal promptly and directly with disruptions. If universities will not govern themselves, they will be governed by others. This elementary reality is increasingly becoming understood by all components of the university community. Student and faculty groups, including the American Association of University Professors and the National Student Association, have recently joined in efforts to improve disciplinary procedures and to formulate clear and realistic codes for dealing with misconduct, and more particularly with violence and disruption. Also, by involving students and faculty effectively in the governance of the university, it can be demonstrated that there are better ways of getting views considered and decisions made than by disruption.

b. The historic concern of the university community with academic freedom needs to be restated, reaffirmed, and vigorously defended against all, within or without the university, who would obstruct the right of scholars to investigate, teachers to teach, or students to learn. This reiteration is not to claim for the university special privileges that put it above the law or that free it from critical public appraisal—rather it affirms that the university must maintain a basic institutional integrity to function as a university.

c. Violations of criminal law must be dealt with through the ordinary processes of the law—and universities must attempt to deal with disruptive situations firmly before they reach the stage of police action. Governmental attempts to deal with these problems through special, punitive legislation will almost certainly be counterproductive. Meanwhile, students and faculty whose consciences demand that they express dissent through law violation must be prepared to accept the due processes and the penalties of the law. They should not be encouraged to expect amnesty from the effects of the law. Such an expectation would be the ultimate use of the *in loco parentis* concept against which many young activists passionately protest. Nor should they expect amnesty from academic discipline, which is the most effective sanction in disruptive incidents.

6. The education community needs to undertake a far more comprehensive effort than ever before attempted to study the underlying bases of youthful discontent and alienation and the broad social problems to which they are related. As social critic, the university must help society understand and solve such problems.

7. All universities should give particular attention to a continuing search for ways, including new social inventions, by which the life of rationality and civility, shared concern, and mutual respect may be supported and strengthened within the university community. The survival of the university and its long-term contribution to society depend upon the ability of the institutions to make their everyday life reflect that spirit and pattern.

Exhibit 2

[From the Washington Post, May 1, 1969]

Anarchy at Cornell and How It Grew From Militant Moves of December

(By Rowland Evans and Robert Novak)

Ithaca, N.Y.—The surrender last week of Cornell University's Administration to rifle-toting black militants, a new precedent in the national campus civil war, was no isolated incident but rather the climax of deepening anarchy here.

Despite the official Cornell line congratulating itself on a peaceful escape from bloodshed, there is no doubt that President James A. Perkins accepted the black demands in an atmosphere of coercion. While armed Negroes were occupying a university building, lesser publicized events had so terrorized a majority of the faculty and student body that they were eager for appeasement.

Responding to threats broadcast over the radio, faculty members branded as "racists" were forced to evacuate their homes for the night. One black student who openly opposed the resort to force was spirited across the border into Canada for safekeeping by friends. Unidentified rifle shots fired at a classroom building aggravated the tension. Moreover, the burning cross which supposedly forced black militants into armed insurrection is widely believed here to have been set by Negroes themselves.

That this lovely upstate New York campus could be so deformed by strife is in part attributable, ironically, to Perkins' well-meaning liberalism in recruiting black students, many of whom were ill-equipped for Cornell's academic demands. This inadequacy led some young Negroes into increasingly more belligerent postures here. Cornell's administration, faculty, and students, bearing an immense guilt complex toward Negroes (freely admitted by Perkins), could not bring themselves to impose discipline.

The watershed event came in the spring of 1968 when three Negro students, infuriated by an economics professor's classroom contentions about the superiority of a Western civilization, seized the offices of the economics department and held the department's chairman prisoner. When the Perkins administration did not press charges against the students, it flashed the green light for anarchy.

Pushing an action campaign for an autonomous black studies program, the militants moved on many fronts last December: The takeover of a university building (actually promised them for a later date) with professors and their belongings dispossessed into the street, the theft of furniture to furnish the building, dancing on dining hall tables, disruption of library stacks.

Perkins' permissiveness and the black militants' contempt were graphically exhibited during these December demonstrations when black militants staged a sit-in outside Perkins' office. Trying to make friends, Perkins sent out doughnuts and milk. The militants responded by smashing the refreshments against the wall.

Even more bizarre was an incident two months later when the Afro-American Society demanded $2000 from the administration to buy bongo drums to celebrate Malcolm X day. Within two days, the administration scraped together $1700 and dispatched two black student leaders down to New York City in the university plane to purchase the drums.

But pressed by a few faculty members, the administration did reluctantly bring charges against six of the more flagrant December demonstrators. Consequently, once the blacks won their demand for an autonomous black studies program early this year, radicals stepped up direct action around a general theme of amnesty for the six demonstrators.

To the accompaniment of the university-purchased bongo drums, Perkins on Feb. 28 was physically pulled down from a speaker's platform at a conference on South Africa. A few days later, job recruiters from the Chase Manhattan Bank were physically assaulted. In mid-March, three white students were beaten at night on campus—one to the point of death; two of the victims identified their assailants as Negroes while the third was in no condition to identify anybody.

Thus, as spring came to Cornell, wholly non-political students decided it would be prudent not to stroll the quadrangle at night. Simultaneously, Perkins became the open target of derision by the black militants, who wore sheathed knives in their boots during conferences with him. In one such meeting, a leader of the Afro-American Society described Perkins to his own face with an obscenity widely used in the black ghetto.

Behind the scenes, Perkins' lieutenants were quietly prodding the faculty to quash the charges against the six December demonstrators—a surrender the faculty finally agreed to last week in the atmosphere of armed insurrection.

In an interview, Perkins told us he intends to stay on as president of Cornell and feels he has full confidence from the board of trustees. If he is correct, his method of buying peace on the campus may well become the pattern for college administrators around the country. The implications for Cornell as an educational institution and for liberal education in America generally will be discussed in another column.

Exhibit 3

Remarks of Bayard Rustin Presented at Annual Meeting of New York Chapter of American Jewish Committee, April 27, 1969

We are indeed, ladies and gentlemen, living in troubled times, and one of the things that Mr. Randolph has always made very clear is that it is precisely in troubled times that one had better be very clear about fundamentals, because in troubled times we seldom really know strategically what is the best thing to do, even when we make a very vigorous effort at it we are very often mistaken. The only real thing that can be done is to adhere to what one knows basic-of basically social truths.

Now one of the social truths is that there's no need to talk about reconciliation before one talks about truth, because all reconciliation is based on what is fact, what is socially true. And therefore we ought to know that we are not going to have any peace in our time that is based on sentimentalism. And that is precisely our problem. We are trying to buy social peace cheaply, when in fact it can only be purchased at great price—both emotionally, financially, psychologically and in every other way we are going to pay.

Well we're living in a time when everybody is proposing what will make him feel good instead of what will solve the problem. So that a great debate takes place about the decentralization of schools. The community is brought to the place where you either love Shanker and hate McCoy, or love McCoy and hate Shanker. And that is the level of the debate. Ask the person sitting next to you what he feels about the financial problem in relation to decentralization and he will tell you he has not thought about it. Ask him about the due process issue and what it in reality means, whichever side of the fight he's on, he shall not have examined it.

Ask him what he proposes if he is against decentralization or for it, in terms of the actual accountability for teaching methods and for hiring and firing and he will give you great emotional response as to why he is for it or against it but he will not know a damned thing about the problem of accountability. And if he does, he's not able to express it.

We have a police problem, and we think we're really going to deal with that problem on the basis of are you for or are you against a police review board. We have the problem of joblessness in the—within the proposition that we support a government which claims 4% unemployment is good for the nation. We have the proposition whereby people are looking for cheap answers to the ghetto, and the latest one which Mr. Nixon and some of my good friends in CORE have indorsed, is black capitalism.

I put a proposition for you: if white capitalists manipulating billions and billions of dollars permit white poverty to exist in Appalachia who thinks black capitalists who manipulate hundreds of dollars, are going to solve that economic problem. (Applause) And yet anywhere you look, people are talking about the entrepreneurial opportunities. Entrepreneurial opportunities what? Every imaginable marginal economic proposition, with no real opportunity at money making? They're not talking about the production of automobiles, or steel, or building material, or anything basic.

And so my friends, we get to the point where finally people see Negro youngsters carrying pistols and making demands at the university and a very interesting friend of mine who teaches at the college, says isn't it marvelous what the Negro youngsters are doing today? Pointing to the N.Y. Times as an example of real social progress. Well the fact of the matter is my friends, I just want to say a few words about what is happening on the campus. Well I'm saying it in this context, that if there is not an expensive way out, emotionally and financially, then the thing you will know is that that is no answer to the problem. You cannot have for 300 years compounded a problem, and then find a simple way out of it.

If it is not costly, if it is not emotionally wearing, then there is no answer. Now let's take the college campus and look at it for a moment. First of all you have the young professors on the campus, operating what I call revolution by proxy. Now here they sit, all working for their PH Ds—for what? to make it in this society, to take advantage of the opportunities of the capitalist society in which they live. They are all preparing to live in some nice suburb. They are all asking for more money; they are all wanting to make it in this society.

While they turn and look at the Negro students and say really, what we need is a revolution—this society with all of its dirty institutions that we so dreadfully want to be a part of. So you Negroes sick 'em—get the society for us, while we sit back and take advantage of it—revolution by proxy never has worked.

Well, they are the gravest danger because what is happening with our young people we had better understand, and that is that we are systematically teaching them that if they want any changes in the society, they must resort to violence to get them. Now once they resort to violence, we then call them in and say, we want to accept your non-negotiable demands. They should not have any respect for us. They should in fact force us, if that is the way we are going to behave, into more and more violence.

We would not—the business community in the United States never began to think abount the problem of joblessness until Negroes rioted. Then they set up the urban coalition and don't really want to do anything. We get what we deserve. Now the fact of the matter is, my friends, we ought not any longer to mistreat young Negroes and Puerto Ricans. The idea that they should have separate dormitories, and separate course of study, which they themselves design is an indication of a social sickness.

First of all in them, and second of all in us for accepting it. Any time young Negroes and Puerto Ricans propose what has been proposed now at some of the colleges, that they select the courses, that every Negro or Puerto Rican who wants in, gets in, regardless of his status, that a degree is assured him whether he achieves or not—is not brilliance, is not self respect, it is the opposite. It is that the conflict between aspiration and the ability to achieve is still a very terrifying concept for many of these people who know they have not been properly prepared for college.

And to give them separate courses of study like soul music and soul poetry, things that they can just play with and pass—is no answer to their—their internal emotional tantrum, which society has created. And it's cheap—for what they are saying is the same old thing: it is cheaper to give people relief than to create public works and guaranteed income, free medical care and free college. That's of course cheap, so we take it.

I want you to know it is very cheap to turn to young Negroes who are in internal agony about the difference between their aspirations and their poor equipment for achieving and give them the hopes of black studies that they can easily pass. It is unfair.

Furthermore, it will boomerang because that problem has to be worked through. Now what would be fair would be to say we accept young Negroes and Puerto Ricans who are not prepared into our colleges, but we then don't give them fake courses. We accept then on the responsible basis that we will give them every remedial opportunity they have, but they will not get a piece of paper from this university until we have in fact brought them up to par. (Applause.)

I will say also, my friends, that a multiple society cannot exist where one element in that society out of its own sense of guilt and masochism, permits any other segment of that society to hold guns at their head in the name of justice. It is a destructive thing to all involved, and if Stanley Isaacs knew anything this he would have known. For Stanley Isaacs knew that one is a Jew not because one is circumcized; that one is a Jew not because he holds the dietary laws. These things may be good but they are not the essence of Judaism.

Everyone knows who knows anything about the prophets that the fundamental lesson of Judaism is truth, and that the course that was followed by Isaiah, and Jeremiah and Amos and the others—was to say I am not a Jew because I am circumcized, or because I refuse to mix milk and meat in the same pot—I am a Jew because I stand for social righteousness now. And we are not doing that for our young people by teaching them shortcuts and reliance upon violence.

CIGARETTE ADVERTISING

Mr. MOSS. Mr. President, both Time and Newsweek have published articles in their business sections in the past week on cigarettes as a hazard to health, and on developments in Congress on cigarette advertising on TV and radio.

The discussions on both sides of the Capitol on these issues make the articles particularly pertinent, and I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Time magazine, Apr. 25, 1969]

CIGARETTES AND SOCIETY: A GROWING DILEMMA

There is a no longer much question that cigarette smoking is a hazard to health; the medical evidence is overwhelming. The real debate now centers on what to do about it. That debate involves some fundamental issues, and they affect not only an industry that likes to call itself the nation's oldest—tobacco—but also several other major lines of business, notably advertising and broadcasting. More basically, the issues go to the heart of the concept of freedom at a time when personal freedoms are being expanded.

Should an industry be at liberty to promote a product that 70 million U.S. smokers want, even if it endangers life? What is the responsibility of the cigarette makers to the public? And what restrictive actions, if any, should the Government take against them? These questions are crucial in the growing controversy over cigarette smoking and selling.

A CONFRONTATION

Last week the House Interstate and Foreign Commerce Committee opened hearings aimed at providing some of the answers. Congress will need the answers soon. The Federal Communications Commission has voted 6 to 1 to ban cigarette advertising on radio and television, which it regulates, but it needs congressional approval to enforce such an act. The Federal Trade Commission wants to strengthen the current ineffectual warning on cigarette packs, which now reads: "Caution: Cigarette Smoking May Be Hazardous to Your Health."

If the FCC has its way, the new label will be: "Warning: Cigarette Smoking Is Dangerous to Health and May Cause Death from Cancer and Other Diseases."

Both the FTC and the FCC also urge that this warning be appended to all cigarette advertisements and commercials. This week Joseph L. Cullman III, chairman of Philip Morris Inc., will testify for the nine companies that make U.S. cigarettes. He plans to say that, should the mandatory warnings be extended to all ads, the industry will abandon advertising entirely.

Why do critics go after cigarette advertising rather than attempt to outlaw the product itself? In practical terms, any sort of Volstead-style prohibition of cigarettes would be impossible to legislate, and any such legislation impossible to enforce. For all the difficult moral and legal questions involved, the anti-tobacco forces consider a drive on marketing to be the best way to confront the cigarette.

The federal regulatory commissions would have the power to do what they want without congressional approval if Congress had not passed a cigarette-labeling act in 1965, which obliged cigarette companies to put the current warning sign on all packages. As a concession to legislators from the tobacco-growing Southeast, a clause was added that specifically "pre-empted" for Congress the right to rule on cigarette advertising. That was a lucky stroke for the industry, which has been shielded from further action not only on the part of federal agencies but also by a number of state legislatures where anti-tobacco bills are now pending. The preemption clause will expire on June 30, however, and Congress must then decide where to go from there.

Opposition to cigarettes has grown appreciably on Capitol Hill since 1965. About the only staunch supporters of the industry left are Congressmen from the big tobacco states, notably the Carolinas, Kentucky and Virginia. Many other Congressmen are worried about the health dangers, and sensitive to the growing movement to protect consumers—a major new trend in American life.

In purely economic terms, the stakes are high. The tobacco industry accounts for 1% of the gross national product, contributes half of its $8 billion annual sales to federal and local taxes and helps to support 85,000 manufacturing workers, 1,200,000 retailers and 700,000 farm families. Still, the question of regulation of cigarettes goes much beyond economics and has, in fact, created a curious liberal-conservative polarity. The conservative Dallas *News* accuses "the liberals in Washington" of crusading for "censorship, pure and simple." Adds the New York *Daily News:* "Nuts to you, Big Brother."

The controversy has more than its share of ironies, contradictions and curiosities. The Department of Health, Education, and Welfare spends $2,100,000 a year to educate the public against smoking, while the Department of Agriculture annually pays out $1,800,000 in price-support subsidies to tobacco farmers. To enlarge tobacco exports, which contribute about $500 million a year to the U.S. balance of payments, Agriculture also promotes overseas sales. The Public Health Service encourages smokers to use filter cigarettes, but the Federal Trade Commission will not permit cigarette advertising that even faintly suggests that filters are preferable.

A POPULAR SOCIAL CAUSE

Washington is steadily increasing its efforts to retard the sale of cigarettes in the U.S. with the broadest and most direct campaign ever made against a legally marketable product. The U.S. Public Health Service releases increasingly damning reports about smoking. U.S. Post Office trucks are covered with anti-cigarette posters (sample: "100,000 Doctors Have Quit Smoking"). The Department of Health, Education and Welfare distributes millions of pamphlets to public schools, warning of the hazards of smoking.

HEW has set up the National Clearinghouse for Smoking and Health, which turns out anti-smoking tracts for civic groups. Money from the "Smokehouse," as staffers call it, has started several local anti-cigarette projects. In Bakersfield, Calif., teen-agers have been given a $52,000 grant and professional help to prepare commercials, posters and bumper stickers (SMOKE, CHOKE, CROAK). The pilot project there has been so successful that it will be repeated in several other cities this fall. The director of the clearinghouse, Dr. Daniel Horn, a pioneer cancer researcher, urges medical men to deliver anti-smoking appeals while they treat patients in their offices. Horn figures that, in less than a minute, doctors and dentists can recite enough evidence to frighten a smoker.

The campaign against smoking, though directed from Washington, has become a nationwide popular social cause. It has been joined by growing numbers of teachers, businessmen, movie and TV stars and sports heroes. A few television stations have voluntarily dropped cigarette advertising, and some ad agencies—including Ogilvy & Mather and Doyle Dane Bernbach—turn down cigarette business. Among the athletes, Skater Peggy Fleming, Quarterback Bart Starr and Outfielder Carl Yastrzemski star in American Cancer Society ads proclaiming "I don't smoke cigarettes." Doris Day and Lawrence Welk refuse to appear on TV programs sponsored by cigarette companies. Tony Curtis recently became head of a cancer society organization named I.Q. (for "I Quit"), which passes out lapel buttons to people who do so and dispatches public speakers to spread the antismoking message far and wide.

THE CHILDREN'S CRUSADE

The antismoking campaign has become something of a children's crusade; now it is the youngsters who try to persuade their parents not to smoke. Teenagers and children have been strongly influenced by the American Cancer Society and other private health groups, which send touring displays to schools, showing how lungs are affected by smoking. Most of all, young people have responded to the persuasive antismoking television commercials, which the FCC has ordered all stations to carry. "People used to call their cigarettes 'cancer sticks,' but they never really believed it before," says Dr. Charles Dale, a Chicago pathologist. "Now their kids are bugging them, so they can't even smoke in peace any more."

It is indisputable that Americans are losing some of their taste for smoking. Pollster Louis Harris reports that in the past four years the smoking population has declined from 47% to 42% of those over 21. One reason is that, in the same period, the number of Americans who believe smoking is a "major cause" of lung cancer has risen from 40% to 49%. Harris found that, by a ratio of 5 to 4, Americans favor restrictions on TV and radio ads for cigarettes. Significantly, those who are "most convinced" that cigarettes are dangerous tend to be people under 30. The polls confirm suspicions that smoking is encountering a psychological reversal among the young. Although cigarettes are still a staple of adolescence, they are no longer the props for manliness and sophistication that they once were.

The tobacco industry is suffering. In 1968, cigarette sales declined for the third straight year. The decrease, from 572.6 billion cigarettes in 1967 to 571.7 billion last year, seems minuscule. But it is disturbing to an industry that had been able to count on steady growth before the 1964 Surgeon General's report linked smoking to cancer. In 1968, per capita consumption of cigarettes among American adults dropped from 210 packs to 205. Overall industry profits remain high, but only because the tobacco men have been able to step up exports and sales of non-tobacco items.

A minor industry has developed to cater to the millions of people who want to stop smoking cigarettes. Bantron, Nikoban and other aids for quitters enjoy brisk sales. "Withdrawal clinics" have sprung up in several cities; they urge people to munch popcorn instead of smoking, emphasize the positive effects of quitting. Paul Newman and his wife Joanne Woodward are among the recent graduates of Sunset Boulevard's Smoking Control Center, one of several $125 per course habit-breaking outfits that have opened lately in Los Angeles. Chicago's Mayor Richard Daley recently mailed circulars urging 36,000 city employees to attend similar clinics. Despite these efforts, the Department of Health, Education and Welfare estimates that only 45% of the people who want to quit really do so for as long as three weeks—and less than half of those are able to abstain for a full year.

THE ANTI ADS

For most of its momentum, the crusade against cigarettes is indebted to a regulatory windfall: the antismoking ads that are broadcast free on TV and radio under the FCC's "fairness doctrine." The ten-year-old doctrine, designed to ensure airing of opposing views on controversial issues, had never been applied to the advertising of a product until 1967. Then the FCC ruled that broadcasters must devote "significant" time to antismoking messages, meaning one of them for every three cigarette commercials.

The ads have proved devastating to the industry. They are prepared by the American Cancer Society and other groups, often with volunteer help from top ad agencies, and they usually have more punch than regular commercials. Cigarette ads must pass the industry's self-policing advertising code, which assures a certain blandness by ruling out appeals to youth and suggestions of athletic or social prowess. Often, pro- and anti-ads appear in startling juxtaposition. The American Tobacco Co. sponsors network broadcasts of NBC–TV's *Laugh-In*, but viewers can get the antismoking side during local station breaks.

The anticommercials themselves are sometimes just the reverse of cigarette ads; the smokers are miserable instead of happy, look stale instead of springtime-fresh, cough instead of smile. By far the most chillingly effective ad is an appeal by Actor William Talman, a longtime three-pack-a-day smoker. Talman, who played the prosecuting attorney in the *Perry Mason* series, looks gaunt and ill as he appears onscreen with his family. He tells viewers: "I have a family consisting of six kids and a wife whom I adore, and I also have lung cancer, which means that my time with this family I love is so much shorter." He died last August, six weeks after the commercial was taped.

THE POWER OF JUST ONE MAN

Tobacco men who are pained by such advertisements can blame one man. He is John F. Banzhaf III, the 28-year-old lawyer who, almost singlehanded, is responsible for all the free air time given to the antismoking messages. It was Banzhaf's "citizen's complaint" to the FCC about cigarette ads that prompted the commission to dust off the fairness doctrine. Banzhaf had almost idly come across that "little loophole," as he calls it, while working at a Manhattan law firm. He was astonished at the response from the FCC, which ordered broadcasters to make room for antismoking ads. "All it took was a letter—there were no hearings," says Banzhaf. "Suddenly, I created a $75 million business"—which is what the free air time given to the antismoking messages is worth.

Banzhaf quit his law firm (one of its clients was Philip Morris) and moved to a Washington flat five blocks from the headquarters of the Tobacco Institute, the industry's Washington lobby. He organized a nonprofit foundation called ASH (for Action on Smoking and Health), which monitors radio and TV to see that antismoking ads are shown and distributes information on smoking and health. Bachelor Banzhaf is authorized to draw a salary of $20,000 a year but manages to get by without it, living on his salary as an instructor at George Washington University Law School. He won a court test on the fairness case last fall, and ASH will provide the $25,000 or so that he figures he will need to fight the industry's Supreme Court appeal in the fall.

PROSPECTS FOR CONGRESS

The immediate task of Congress is to determine what to do when the cigarette-labeling law's pre-emptive clause runs out in June. Congressmen can take any one of three courses:

1) They can extend the present law. The cigarette industry is lobbying for that because the law would block further action by the Federal Communications Commission and the Federal Trade Commission. One measure of the industry's diminished power on Capitol Hill is that the best it can hope for is a continuation of what it fought so adamantly in 1965. In the House of Representatives, 29 Congressmen have sponsored bills to extend the law.

2) They can pass new laws regulating the sale or advertising of cigarettes. Bills calling for more controls have been put forward by 54 sponsors in the House. Most of the bills are similar to a measure sponsored by the leading opponents of cigarettes in the House, California Democrat John Moss. He would toughen the cigarette label and order it into all ads, as the FTC urges, and he would also empower the commission to limit the length of cigarettes. That would probably shorten the future of the new 100-mm. cigarettes, which generally have more tar and nicotine than the king-sized brands.

3) They can simply do nothing. If the labeling law's pre-emptive clause expires, the FCC and the FTC would be free to take almost any action they wish. This possibility particularly excites the critics of cigarettes. No cigarette bills of any kind are pending in the Senate, where sentiment against smoking is even stronger than in the House. Washington's Warren G. Magnuson, chairman of the Senate Commerce Committee, and Utah's Frank Moss, head of the subcommittee on consumer affairs, promise that no bills will appear.

ON THE DEFENSIVE

The prospects are for a bristling fight in the House, where debate will intensify from now until the end of June. While the outcome is by no means certain, the industry's cause has been damaged by the retirement of some effective friends in Congress, notably Kentucky's Senator Thruston Morton. Nor have tobacco men particularly helped themselves by their response to the issue of smoking and health. The Tobacco Institute refuses to concede that much more than a health "controversy" exists. One reason for the industry's reluctance to concede a link between smoking and disease is its fear of health-hazard liability suits.[1]

The industry's rather elaborate public relations effort has been something less than smooth. Manhattan's Hill & Knowlton, the world's largest public relations firm, had been tending the industry's image for 15 years, but it quit a few months ago in disagreement over fundamental tactics. Hill & Knowlton had engineered the defensive, low-profile approach, under which the industry minimized its public involvement in the health controversy. That put the firm at odds with some industry chiefs, who thought that it was time for a more aggressive approach in promoting the case for cigarettes.

The tobacco industry's main medical spokesman, Dr. Clarence Cook Little, is an 80-year-old retired biologist who headed the predecessor of the American Cancer Society in the 1930s. As chief of the industry's Council for Tobacco Research since 1954, he has steadfastly maintained that evidence linking smoking and disease consists largely of statistical associations, which cannot "prove" a causal relationship. The tobacco men ridicule the notion that cigarettes alone could be responsible for the two dozen or so diseases with which they have been associated. Much more research, they say, must be done on such factors as air pollution, urbanization and the stressful emotional environment that goes with it. Genetic and behavioral factors may be involved in causing disease, they contend. The Tobacco Institute cites surveys showing that smokers are unusually energetic, marry more often and drink more liquor and black coffee than nonsmokers. Smokers, the Institute concludes, are a "different kind of people" who are perhaps more susceptible to sickness. Supporters of the industry also point out that cigarette smoke has never induced lung cancer in laboratory animals, and that no one knows the mechanism by which smoking causes cancer.

EFFECTS OF A BLACKOUT

While that is true, other medical men point out that the statistics have reached an impressive total and continue to grow. They are backed up by laboratory evidence. Experiments, often sponsored by the industry, are continuing with mice, dogs, baboons and other animals. Tests on chickens at Arthur D. Little Co. in Boston have shown that smoke gases temporarily paralyze the tiny, hairlike cilia that normally keep foreign matter clear of the lungs. Other animal research has identified a number of suspected carcinogens in cigarette smoke. At the House hearings last week, U.S. Surgeon General William Stewart repeated his conviction: "I think we have established cause and effect in lung cancer. I don't think there is any question about it."

Scientists have produced evidence that suggests links between cigarette smoking and a variety of other cancers—of the lip larynx, esophagus and bladder—as well as ailments as varied as peptic ulcers and psoriasis. The U.S. Public Health Service reports that nonsmokers on the average live four years longer than two-pack-a-day smokers, and eight years longer than four-pack smokers. Small wonder that last month, when the Tobacco Institute sent out a press release disputing the cigarette opposition, so few newspapers printed the story that the industry had to buy space to run the release in full-page newspaper ads.

Tobacco men raise an economic argument in their defense, correctly pointing out that their industry is a large source of taxes, exports and jobs. Congressmen from tobacco states warn that any actions damaging the industry would force Negro field hands out of jobs and cause them to move North, further swelling the ghettos and relief rolls. The economic problem is real enough, and manufacturers are dealing with it partly by continuing the diversification drive that has brought them into such areas as liquor and clothing, soft drinks and pet food. Reflecting the trend, R.J. Reynolds and American plan to drop "Tobacco" from their corporate names.

Yet the fears of deserted farms, silent factories and mass migrations of workers are exaggerated. Nobody in Congress expects or even calls for an outright ban on the sale of cigarettes; the painful memories of Prohibition are still too clear for anything like that. The current debate focuses not on sales but on advertising and promotion.

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[1] No tobacco company has ever lost such a suit; there are not any known out-of-court settlements. Two years ago a New Orleans jury ordered American to pay $250,000 damages in the case of a heavy smoker who had died of lung cancer in 1962, but two weeks ago American won a reversal on appeal.

What would be the effects of an advertising blackout? Complete or partial bans on cigarette ads are in effect in Britain, The Netherlands, Norway, Sweden, Ireland, Italy, Switzerland, Rumania, Poland, Russia and Bulgaria—but people continue to smoke. In Britain, the Labor government struck cigarette advertising from TV in 1966, from magazines and newspapers in 1967. Last year, as cigarette sales stubbornly reached new highs, the government abolished games, coupons and other forms of promotion. Britons persist in smoking cigarettes in record numbers and, as usual right down to their fingertips.

In the U.S., a complete ad ban would wipe out many new brands struggling to reach profitability. On the other hand, an FCC ban on broadcast advertising would save the manufacturers the $225 million or so a year—about three-quarters of their total ad budgets—that they spend on TV and radio. They would invest that money in many ways—in other advertising media, in such promotions as games and coupons, in acquisitions, and in raising their already generous dividends. Those possibilities have aroused new investor interest in the long-depressed tobacco stocks, and many of them have enjoyed a modest rally over the past few months.

The most immediate effects would certainly be felt by the three major networks and by the nation's independent TV and radio stations. In anticipation of some sort of restriction, CBS has already set up its 1969 budget without including the $59 million—11% of total revenues—that it took in from cigarette commercials last year. President Frank Stanton expects that CBS would eventually find other advertisers to take up the slack, but a blackout would certainly hurt other broadcasters. If the British model held true, tobacco ads might eventually be banned from magazines, which depend on them for about 3½% of their income, and form newspapers (1½%).

A WORRISOME PRECEDENT

Even cigarette critics concede that there is no precedent for restricting the marketing of any legal product. The possibility of such a restriction raises sensitive questions about the future of other manufacturers, including gun makers and dairymen (some of whose products are a prime source of cholesterol). Many Congressmen are worried about setting an example that might be a form of censorship, but these same men would be in favor of stricter warning labels, not only on cigarette packages but also in ads. At last week's congressional hearings, Surgeon General Stewart said that he favors more explicit and more broadly applied warning labels instead of a flat ban on broadcast advertising. Even FCC Chairman Rosel Hyde somewhat softened his position and told the committee that he would be willing to forgo the ban if Congress ordered health warnings "in every bit of advertising, in print or radio or television." Of course, that would rule out the need for a ban. As Philip Morris' Cullman indicated, few if any manufacturers would be willing to spend money to advertise that cigarettes may cause "cancer" and "death."

The dilemma that cigarettes pose for society has reached its current state partly because many crusaders are pursuing an oblique and unsatisfactory approach to the problem. A ban on broadcast advertising makes little sense so long as cigarettes remain legal. Such a ban would mean that new and perhaps "safer" brands would be difficult to market.

It can be argued that the present problem would not be so acute if the industry practiced more self-policing back in the 1950s, when the health question began to be raised in earnest. In fact, since the early health scares, cigarette tar and nicotine content has declined by about 40%, according to the Public Health Service, through the use of filters and milder tobaccos. Research goes on, despite some powerful obstacles. Not the least of them is that "advances" in filter design often make cigarettes so tasteless or tough on the draw that no one will buy them. Such has been the fate of the once-ballyhooed Strickman filter, which is now marketed in Canada and is selling poorly. Overall, however, the industry could have spent much more on developing safer tobaccos, better filters and other means of reducing the dangers of smoking—and it can still do so today.

A wiser alternative might be for Government to take over financing of research, possibly by increasing taxes on cigarettes, and intensify its campaign to educate people on the hazards of smoking. Another constructive step would be for Congress to order that the tar and nicotine content must be listed on all packs and in ads. If the dangers of cigarettes are only half as serious as most medical experts believe, the nation should settle for nothing less than a comprehensive federal drive to find causes and cures.

Government regulation of cigarettes will continue to increase. Philip Elman, one of the Federal Trade Commission's five members, argues that the Government has to take unusual actions because cigarettes pose a unique problem. "Cigarettes cannot be compared with such products as automobiles, butter or candy," he says. "Cigarette smoking is, without question, the greatest single public health problem this nation has ever faced." That may be an extreme view. But there is no denying that so long as men smoke—and that will probably be for a very long time—there will be no simple solution.

[From Newsweek magazine, Apr. 28, 1969]

Caution: This Hearing Is Hazardous

In cavernous Room 2123 of the Rayburn Office Building one day last week, the air was already blue with spectator tobacco smoke when members of the House Commerce Committee took their seats. "Maybe," murmured one member, "we should begin by banning cigarette smoking here."

The occasion was the start of hearings on the 1965 Federal law that put the present nine-word cautionary warning on all cigarette packages: "Caution: Cigarette smoking may be hazardous to your health." That same law barred any Federal or state agency from interfering in any way with cigarette advertising—at the time a clear victory for the $9.9 billion tobacco industry.

But the law is due to expire June 30, and the Federal Communications Commission already has served notice that if Congress does not act, it wants to step in and ban all cigarette advertising from radio and television—a stroke that would cost broadcasters $224 million a year. At the same time, the Federal Trade Commission has said it wants to replace the present relatively mild warning on packages with these chilling words: "Cigarette smoking is dangerous to health and may cause death from cancer and other diseases."

As the hearings opened, it seemed that very little had changed since the U.S. Surgeon General's report of 1964 linking cigarette smoking with lung cancer. As always, tobacco-state congressmen came out swinging.

"Do we want the FCC to be able to prohibit the advertising of milk, eggs, butter and ice cream on TV?" cried North Carolina Democrat L. H. Fountain.

Kentucky's Tim Lee Carter, who is a doctor, challenged Surgeon General William H. Stewart, one of the first government witnesses: "Show me just one case of cancer produced by smoke inhalation.

VITAL STATS

For his part, Stewart made it plain that he was not so much concerned with banning cigarettes or cigarette advertising as with getting the full truth to consumers. "Cigarette advertising," he said, "should give the consumer a complete story, including the health danger." Dr. Luther Terry, who was Surgeon General at the time of the 1964 report, cited anew the familiar statistics showing that cigarette smoking can increase the death rate from heart disease, bronchitis and emphysema by twenty times and boost the death rate from lung cancer by as much as 23 times.

Yet this year there is a difference. Never before have the FCC and FTC taken such a strong stand against cigarette smoking. Despite the views of the tobacco-state members of the Commerce Committee, there is a rising tide of anti-smoking sentiment on Capitol Hill, notably in the Senate. Above all, anti-smoking groups such as the American Cancer Society have become far more vocal—and visible—since the FCC invoked its "fairness doctrine" granting them air time in the summer of 1967. In one recent sixteen-month period the ACS alone distributed 8,900 anti-smoking commercials, compared with only about 1,000 in the preceding 40 months. One of the best known: "Have you ever thought," asks the announcer, "of what happens when you smoke a cigarette?" Pause. "We have.'" Silently, up flashes "American Cancer Society."

KICKING IT

The campaign appears to be paying off. In 1968, over-all U.S. cigarette consumption dipped by 1.3 billion from the previous year (chart, page 86), the first drop since the short-lived decline that followed the Surgeon General's report in 1964. In all, the Cancer Society estimates that some 21 million Americans have quit smoking—a group that includes 100,000 physicians.

Tobacco interests argue that the continued success of such pressure can lead only to disaster for a wide segment of the national economy. Cigarettes account for $8.9 billion, or about 90 per cent, of total tobacco sales. Each year the industry contributes some $2.1 billion to the Federal government in taxes, $2 billion to state governments and $62 million to municipalities. There are 625,000 tobacco-growing families in the U.S., principally in six states, and 73,000 production employees who earned about $360 million last year. Then there are the outside beneficiaries—the advertising agencies, broadcasters and print media who share some $265 million in tobacco advertising. Fully 7 per cent of all national television revenue—about $204 million—comes from tobacco advertising.

While still stoutly defending their product, the cigarette makers have long since branched into a wide range of other activities. R.J. Reynolds, the world's largest tobacco company and maker of almost a third of the cigarettes consumed in the U.S., is moving to acquire McLean Industries, Inc., a large transportation company. The deal would double the company's business in non-tobacco lines (already including Hawaiian Punch and Chun King Foods) to about 20 per cent of sales of $2.2 billion—enough, Reynolds thinks, to justify its pending name change to R.J. Reynolds Industries, Inc. All this diversification, admits chairman Alexander H. Galloway, 61, is to "guard against the day we may be forced to phase out of the cigarette business."

LOOK AWAY

Philip Morris, Inc., despite its success with Marlboro, Benson & Hedges and Virginia Slims, is branching out too. It already owns the American Safety Razor Co., Burma-Vita Co., a maker of shaving cream, and Clark Bros. Chewing Gum Co. Last year, it went into the candy business when it became the U.S. distributor for Rowntree & Co., an English firm. Lorillard Corp. (Old Gold), now a part of Loew's Theaters, Inc., derives about 14 per cent of its revenue of $600 million from non-tobacco products. Even one of the oldest tobacco companies in the U.S., the American Tobacco Co., whose Lucky Strike brand came from the gold-rush days of the 1850s, has gone the diversification route. For decades, American proudly told the world that "tobacco is our middle name." Now it owns the James B. Beam Distilling Co., Duffy-Mott Co. and Bell Brand Foods and in February changed its name to American Brands, Inc.

The government proposal to ban cigarette advertising from radio and television has raised a good deal of controversy on and off Capitol Hill. There are those who argue that such a ban would violate free speech and would quickly be struck down by the Supreme Court. Others raise the point that if a product is legally salable, it should be legal to advertise it. One who feels this way is California Congressman Lionel Van Deerlin, a member of the Commerce Committee who is so opposed to smoking that he wants to put health warnings right on the front of the pack. Yet Van Deerlin also believes that "manufacturers have every right" to put their advertising on the air. Some opponents of cigarette smoking have thoughtfully pointed out that a ban on cigarette advertising would also eliminate the anti-smoking commercials.

In view of legal and other problems, most observers think the Federal regulatory agencies would really rather see Congress set the rules. The agencies insist that the hazards posed by smoking are unique and that they feel obligated to regulate cigarette ads in the public interest. But as FCC Commissioner Rosel Hyde acknowledged when he testified before the Commerce Committee last week, legislation on advertising "would be a better course than our rule-making." Perhaps with this in mind, Hyde indicated he would be willing to see stiffer health warnings in advertising instead of an outright ban. His reasoning: if cigarette makers are forced by Congress to mention disease or death on the air, they would stop advertising anyway.

WHY ME?

The tobacco industry will get its innings this week when 43 witnesses, led by Joseph F. Cullman III, chairman of the executive committee of the Tobacco Institute, the industry's chief lobby, descend on Room 2123. Cullman, who is also chairman and chief executive officer of Philip Morris, thinks that even the present cautionary label is too punitive and asks why other products harmful to health aren't being given as rough a time as tobacco. As he told Newsweek's Stephan Lesher last week: "It's a hazardous society we live in—and cigarettes are far down on the list of hazards. I'm on the board of Ford, but I think driving an auto is far more hazardous than smoking. So is flying a plane, or using certain drugs indiscriminately."

The theme of the industry's arguments is expected to be basically the same one it has used in the past. It is that tobacco has been impeached and indicted but not yet convicted in fact, and that the case against cigarette smoking is based on statistical associations rather than scientific fact.

To this they will bring some refinements, largely in the form of questions that even anti-smoking people admit are embarrassing because they have no answers. Why, for example, if smoking causes disease, has no ingredient in smoke been identified as the causative factor? Why in countries such as England is lung cancer double the U.S. rate, even though per capita smoking is less? Oddly, Surgeon General Stewart's own statements provide the industry with ammunition. A few weeks ago, he told another Congressional committee that "We know that some smokers get lung cancer, and we know that many heavy smokers never get lung cancer."

Still, when all the Congressional pulling and tugging is over, the anti-smoking forces are expected to come out ahead. Utah's Frank Moss is borrowing Southern tactics and has vowed to filibuster any weak bill to death when it reaches the Senate, and he is confident of substantial support from colleagues to make a filibuster work. As the matter stood last week, representatives in Congress were faced with four choices:

They could extend the 1965 Federal act as is, continuing the mild pack warning and barring regulatory agencies from acting against the industry. For tobacco, this would be an upset victory, and it is considered unlikely.

They could pass tougher health warnings for packs and ads, and continue the clampdown on regulatory action.

They could pass tougher warnings and allow the FCC and FTC to end the broadcasting of ads.

They could do nothing, allowing the act to expire and freeing the agencies to impose restrictions.

Washington pulse-takers say any one of the last three options stands a good chance, barring an unexpected deal whereby the companies agree to drop ads voluntarily from the airwaves and strengthen pack warnings on their own. Any one of them would spell bad news for the industry—in the form of drastic cutbacks in television advertising and, depending on the toughness of the warnings, even in cutbacks in print media too.

Yet surprisingly, the big tobacco companies don't appear too shaken at the possibility. Not spending all that money for ads would be something of a blessing in itself. Many of the millions spent are "defensive"—i.e., they don't win new customers but merely keep competitors from gaining. Those same millions could be diverted to more profitable products. An out-and-out ban on TV advertising, says Cullman of Philip Morris, "would not prevent us from launching new brands or selling established brands." Tobacco men also are heartened by the experience in Great Britain, where sales actually rose after TV cigarette ads were banned in 1965.

ACE IN THE HOLE

There also is the industry's ace—booming foreign markets. Exports alone accounted for some 26 billion cigarettes last year—an enterprise ironically supported through subsidies by the selfsame Federal government that is harassing the industry at home. But the big potential is in establishing plants overseas, obtaining foreign affiliates and subsidiaries and developing foreign licensing agreements. Philip Morris, with plants in India, New Zealand and Venezuela, already is a leader abroad; so is Loew's Lorillard. Loew's Bob Tisch enthused last week: "There's a terrific opportunity for expansion in foreign markets. I'm in Puerto Rico right now, and I'm falling all over people from Reynolds and other companies." Already, Lorillard is cranking up in Luxembourg, Hong Kong and South Africa.

Madison Avenue's uptight ad agencies are less casual over the prospect of losing millions in billings, and they seem certain that TV ads definitely will be banned from U.S. airwaves. "It's going to happen," says Barton A. Cummings, chairman and chief executive of Compton Advertising, Inc. (which formerly had the L&M Filters account). "You can call it outrageous discrimination. If today there is discrimination against cigarettes, what next?" To Cummings, the real impact on agencies will depend on how much tobacco budgets are reduced. A slight cutback could be weathered, but slashes of 20 to 25 per cent "probably would require a reduction of staffs."

Meanwhile, admen are keeping an eye on the National Association of Broadcasters, which is thinking about forestalling Federal action by applying its airwave code (which already bans liquor ads) to cigarettes. But the clampdown wouldn't eliminate tobacco ads altoghether. One code revision suggested by Bill Michaels, president of Storer Broadcasting Co., would ban physical smoking in ads, prohibit ads in or adjacent to children's programs, and eliminate all cigarette advertising between 4 p.m. and 9 p.m., with the exception of those in newscasts.

WHAT TO DO?

Such a plan, says Michaels, could keep broadcasters from "losing the whole cigarette wad." But the industry generally seems pessimistic. There were reports last week that major networks were toying with sample operating budgets that exclude cigarette ad revenues. Some local stations, including two owned by the Washington Post Co. and two by Bonneville International Corp. in Utah, a Mormon chain, already have announced plans to drop tobacco advertising after current contracts run out. But Dr. Frank Stanton of CBS feels that it's too early for the networks to make decisive moves. "What CBS will do," he says, "depends on when and if a ban comes."

All the talk now could be academic. While the controversy rages, states are threatening to tax cigarettes out of existence. Says Philip Morris' Cullman: "Those taxes will be as much an inhibitor to people buying cigarettes as anything." In New York City, cigarettes already cost 55 cents a pack from a machine, 26 cents of it in taxes, and the New York Legislature is thinking about hiking its bite another 5 cents.

Proposals to increase tobacco taxes have passed in four current legislative sessions—and remain pending in twenty other states. Surprisingly, North Carolina, producer of more than half of the nation's cigarettes, is one of them. The plunge was taken by young (39) Gov. Robert W. Scott, son of a former governor, and the tax is given a good chance of passing, thus stripping North Carolina of its status as the lone tobacco tax holdout among the 50 states.

It is not so academic to the people who work in the industry. There, the pinch is not something to conjecture about; it is real. American Tobacco has had production employees on a four-day week for eight weeks. Lorillard admits that it has laid off part of its work force. Reynolds has maintained full shifts, but employees like 24-year-old James Tedder are still worried. "They may be right about this health thing," he says. "But I don't know what I'd do if people stopped smoking." Finally, the turmoil reaches back to where it all started with the Indians before there was even an America—the grower. Says Ben B. Everett Jr. of tiny Palmyra, N.C., who farms 45 acres of tobacco: "We've got to fight this anti-tobacco thing. My back is to the wall. I have only one way to go—up. If I go down, I'm out."

Mr. MOSS. Further, in this morning's issue of the Washington Post appears a small article indicating that the Boston Globe has today announced that it will cease the publication of cigarette advertising when its present contracts expire.

This is one of the early movements that are being made in the field of newspaper advertising, and it conforms with the trend that is going on now in many of the outlets of television and radio. Three large corporations already have announced that they will no longer accept cigarette advertising for television and radio. This is the first instance of which I am aware in which a newspaper has made this public announcement.

I ask unanimous consent that this small news item be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEWSPAPER ENDS CIGARETTE ADS

BOSTON, April 30.—The Boston Globe said today it will cease publication of cigarette advertising when its present contracts expire.

The action was taken because "accumulated medical evidence has indicated that cigarette smoking is hazardous to health," the paper said.

ADMIRALS AND GENERALS SEEK TO SHIFT BLAME FOR VIETNAM TRAGEDY

Mr. YOUNG of Ohio. Mr. President, there is no indication that the ugly civil war in Vietnam is nearing an end. However, while the fighting and killing and maiming continues, it is apparent that some of those responsible for our involvement in that South Vietnam civil war have begun the process of exonerating themselves and shifting blame to others for our failure to beat the Vietcong into submission.

Adm. U. S. Grant Sharp, former commander of our naval forces in the Pacific, has written an article in Reader's Digest entitled "We Could Have Won the War in Vietnam Long Ago." In this insidious article the admiral states that our airpower could have won the war in Vietnam by destroying the North Vietnamese economy. He cites former Secretary of Defense Robert S. McNamara as the principle villian for our failing to do so. Of course, this loudmouthed admiral knows full well that it was President Johnson who made the decisions on the air war in Vietnam, but the generals and admirals are still resentful of the fact that Robert S. McNamara was the first Secretary of Defense in recent American history to assert civilian supremacy over the military in the Pentagon. Evidently, this admiral, U. S. Grant Sharp, is so ignorant of the wonderful history and tradition of our Nation during a period of nearly 200 years that he does not know that those patriots including George Washington, Benjamin Franklin, and James Madison who assembled in Philadelphia and drafted the Constitution provided that in our United States of America civilian authority must always be supreme over the military and that a civilian, our President, is the Commander in Chief of our Armed Forces.

Admiral Sharp disregards completely the fact that we have hurled a greater tonnage of bombs on North Vietnam than were dropped by the United States and its allies on Germany, Austria, and Italy during World War II. It is estimated that our napalm and other bombs have incinerated at least 200,000 Vietnamese civilians, mostly women, children and old men. In addition, approximately 300,000 Vietcong soldiers and civilians, including women and children, have been horribly burned or crippled for life by tons of napalm and other bombs hurled from our B-52's and other naval and Air Force planes.

This is the same Admiral Sharp who as far back as 1965 predicted that the tide was turning and we and our South Vietnamese allies, so-called were "no longer losing the war." He claims that had we bombed railroad yards and power stations in Hanoi and the docks in Haiphong "we could have quickly broken North Vietnam's resistance." He fails to mention that had we done so we would have killed hundreds of thousands of civilians—children, women, and men, including no doubt some officers and crewmembers of freighters of foreign nations including Poland, the United Kingdom, the Soviet Union, West Germany, and other nationals. Also, that we would run the dangerous risk of Communist Chinese intervention and our involvement in a land war in Asia with Communist China and its 800 million people. This myopic admiral chooses to ignore almost completely the fact that this would very likely have led to nuclear war and perhaps the killing of 40 or 50 million Americans and the end of civilization as we know it. Civilian policymakers did not veto the bombing of Haiphong harbor because, as the admiral claims, "it would not affect the enemy's capability of waging war in South Vietnam," but because they retained the foresight and good sense to realize that this might widen the war into a worldwide nuclear holocaust. Our civilian leadership realized that this little agrarian country 10,000 miles from our shores and of no strategic or economic importance to the defense of the United States was not worth this fantastic risk.

With the usual shortsighted viewpoint of the generals of the Joint Chiefs of Staff and most of our admirals and generals, Admiral Sharp completely disregards the tragic mistakes and miscalculations which led to our involvement and escalation of the war in Vietnam. It seems that he is completely oblivious of the larger political and diplomatic questions involved.

Admiral Sharp's reasoning is not only a mere misconception and a distortion of history, but appears to be the beginning of an attempt by military and naval leaders to exonerate themselves for our failure in Vietnam and to place the blame on civilian leadership. He refuses to consider the fact, or even the possibility, that we should never have become involved in sending many thousands of our fighting men to Vietnam in the first place or that once there events became out of control.

Mr. President, in this morning's Washington Post it was reported that retired Brig. Gen. S. L. A. Marshall said yesterday that 40 percent of our combat losses in Vietnam were the result of foolishness, impatience and heroics by U.S. troops and he singled out "lieutenants, captains, and platoon sergeants" as the weakest cog in the American war machine in Vietnam. In an interview in connection with the publication of his new book, the retired general said that last spring Gen. William C. Westmoreland, then commander of U.S. forces in Vietnam and now Army Chief of Staff, had asked him to make an assessment of American troops in the war zone to find out what our mistakes were. This is the same General Westmoreland who in October 1965 said: "We are winning the war in Vietnam."

Now it appears that not only are some generals and admirals attempting to place complete blame for the Vietnam fiasco on civilian leaders, but also to shift responsibility for their own ineptness and failures and manifest lack of intelligent leadership to lower ranking commissioned officers and even to noncommissioned officers. Is history to be written to report that General Westmoreland and his predecessors in command in Vietnam were not responsible for their failure to defeat the Vietcong, but instead it was the fault of the lower ranking officers, both commissioned and noncommissioned doing the actual fighting and dying? While undoubtedly there were mistakes in the combat areas as there are in any war, it was the responsibility of our generals to correct them and prevent similar ones from occurring. That is one of the first responsibilities of military leadership. Are American youngsters to be told that it was the captains, lieutenants, and sergeants who failed to defeat the Vietcong.

This shameful attempt to degrade the efforts of GI's and their company and platoon officers who actually did, and are doing, the fighting in South Vietnam is a dastardly insult to the more than 34,000 young Americans who were killed in combat in Vietnam and to the more than 200,000 other American youngsters who were wounded in combat or afflicted with dread jungle diseases such as bubonic plague, hepatitis, and malaria fever from which many of them will suffer for the rest of their lives.

Mr. President, the article by Admiral Sharp and General Westmoreland's oblique attempt to shift the blame for the bungling of our generals to civilian leaders and lower ranking officers and even to noncommissioned officers is reminiscent of the attempt during the late 1940's to place the blame for China's fall to the Communists on a few officials in our State Department—dedicated, intelligent men of high principles and dedication. Most of these "old China hands" were made scapegoats and hounded out of the State Department during the "Joe McCarthy era" which we would now like to forget. As a result the Nation lost the benefit of their experience and advice during a critical period in history. Our involvement in the civil war in South Vietnam and the failure of much of our policy in Southeast Asia is due in part to the fact that we did not have enough competent Asian experts in the State Department during the 1950's. Are we now to relive that era and its mistakes and tragic consequences as a result of our military and diplomatic failures in Vietnam?

Mr. President, it is clear no one person, civilian or military, is responsible for the tragedy in Vietnam. All those who participated in the decisionmaking processes of government during our escalation and expansion of this civil war into an American air and ground war from the President, the Secretary of State, the generals of our Joint Chiefs of Staff on down bear heavy responsibility. All who stood idly by and did not speak out as we became ever more mired down in the Vietnam quagmire also bear some responsibility.

Mr. President, Vietnam is a national tragedy of immense proportions. Let us hope that the war will soon come to an end, and then let us as a united people begin to correct the evils which it has perpetrated and prolonged in our society. Let us then begin to rebuild our society and to restore confidence in America. Perhaps most important, let us reject and condemn those who now seek to shift the guilt for the war and for its conduct from themselves to others.

TAX-DODGE FARMING

Mr. METCALF. Mr. President, I was pleased to learn last week that the administration considers the problem of tax-dodge farming one "that requires changes in tax treatment." Considering the time problem which Treasury's new representatives admittedly had getting ready for the hearings before the House Committee on Ways and Means on April 22, I consider the product of their labor most praiseworthy. Any difficulty that I may have with Treasury's current proposal is strictly of a technical nature and I want to make that perfectly clear now before I get into an analysis of that proposal.

First, Treasury suggests that all taxpayers who incur total ordinary farm deduction in excess of total ordinary farm income would be required to add all of such excess—in the case of a corporation—or the excess above $5,000 a year—in the case of an individual—to an excess deductions account. That account would be reduced by net farm income in any subsequent year. Gain realized on a disposition of property used in farming that would otherwise be capital gain would be treated as ordinary income to the extent of the amount in the excess deductions account in the year of sale.

Basically, the EDA account approach proposed last week is the same as that considered by the House Ways and Means Committee back in 1963—"President's Tax Message," hearings before the Committee on Ways and Means, part I, pages 144–146, February 6, 1963.

However, one major difference between the 1963 proposal and the one offered last week requires comment. In 1963, the requirement to keep an EDA account was only to apply to the extent that farm deductions were used to offset high-bracket nonfarm income. The proposal suggested last week would apply to anyone with a farm loss regardless of whether or not he had any nonfarm income. In other words, a legitimate farmer could now find himself penalized for suffering a casualty loss in a given year. I am certain that the Treasury Department had no intention of having its proposal apply to anyone other than the tax-dodge farmer. The fact that last week's proposal is not limited to gains attributable to farm deductions previously used to offset high-bracket nonfarm income is one of those things that can happen when you are under time pressures and trying to come up with an alternative that reads differently from anything already under consideration.

The use of an EDA account was one of the methods I considered when back in 1967 I began looking into ways to remedy the tax-dodge farming situation. However after reviewing the testimony taken by the House Committee on Ways and Means in 1963, I began to search around for a more effective way to get at this problem without hurting the legitimate farmer. For example, back in 1963 the National Livestock Tax Committee made this comment about the EDA approach:

> We cannot say whether it would work or would not, but it is the most modest approach that has come to our attention.

Well, when we read that sort of grudging praise made by an organization that has been fignting tax reform in this area every step of the way, it makes us sit back and take a second look at what we are trying to do. After a great deal of technical discussion with experts, I determined that the most effective way to get at this problem without hurting the legitimate farmer would be to limit the amount of artificially created farm losses each year that could be used as an offset against nonfarm income. The problem with the EDA approach is that it allows the tax-dodge farmer to defer any recognized capital gains until he is ready to sell and you can rest assured no sale will take place until he has milked his excess deductions dry. Certainly last week's proposal will not remove any of the incentive from existing clients of cattle management firms such as Oppenheimer Industries.

Another reason for approaching this problem on an annual basis is that by doing so you can take into account the nature of the deduction that generates a loss in any given year. For example, under the provisions of S. 500, certain exceptions are made for deductions that are in general deductions which would be allowed to anyone holding property without regard to whether it was being used in farming or because it is the type of deduction that is clearly beyond the control of the taxpayer.

That is why S. 500 in no event prevents the deduction of farm losses to the extent they relate to taxes, interest, the abandonment or theft or farm property, or losses of farm property arising from fire, storm, or other casualty, losses, and expenses directly attributable to drougth, and recognized losses from the sales, exchanges, and involuntary conversions of farm property. Under my bill, if the total of these deductions is higher than $15,000, then the higher figure may be used without any reduction because of nonfarm income above $15,000. In other words, the dollar limitation contained in S. 500 is directed solely at the type of deductions that are artificially created through the abuse of the special farm accounting rules designed for farmers.

The Treasury's new representatives obviously grasped the fact that the artificially created deductions are the very core of the problem. I say that because I notice that last week's proposal exempts a taxpayer from keeping an EDA if "he used accounting methods which are generally applicable to businesses other than farming."

My whole point is that by limiting deductions each year the tax-dodge farmer can be caught with his hand in the cookie jar. Is it not better than letting him put us in the position of having to refill an empty jar?

COMMEMORATION OF LANDING OF THE VIRGINIA COMPANY AT CAPE HENRY, VA., IN 1607

Mr. SPONG. Mr. President, on April 28 many Virginians gathered on the shores of the Atlantic Ocean to commemorate the landing of the Virginia Company at Cape Henry, Va., 362 years ago. This began the establishment of the first permanent English settlement at Jamestown, which ultimately became the beginnings of this great Nation. My colleague from Virginia, Representative Thomas N. Downing, addressed those assembled at the cross at Cape Henry.

I ask unanimous consent that his remarks be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Hon. Thomas N. Downing at the Landing Day Ceremony, Cape Henry Memorial, April 27, 1969

As we gather this day to commemorate the landing at Cape Henry, the familiar words of an old English carol come inescapably to mind: "I saw three ships come sailing in."

Barely over a century after the three small ships of Christopher Columbus came sailing across the Atlantic, opening a new world and firing the imagination of Europe, the three small ships of the Virginia Company hove into view along this shore. They soon established the first permanent English settlement in this same new world at Jamestown.

Seeking to create a great English nation beyond the seas, they truly builded better than they knew, and laid a lasting foundation for the growth of American civilization.

Standing before this cross, silent memorial to their faith and to the hardships they endured, let us recall briefly the circumstances of that momentous journey by those three small sailing ships 362 years ago this very month.

We cannot fully appreciate the story of colonization from its larger setting—the surging spirit of nationalism, the commercial expansion, the lure of discovery, characteristic of the Elizabethan age. The men who came to Virginia were, let us remember, of the generation of Shakespeare; and the mighty victory over the Spanish Armada was fresh in their minds. It seems appropriate indeed that they should be the initiators of one of history's greatest dramas—the transplanting of the old world in the new and the birth of a great new nation.

The Jamestown epic begins across the sea in London with the chartering by James I of the Virginia Company in 1606. Despite the failure of previous colonies, the time and occasion were propitious for those who could see the remarkable success of the East India Company and similar joint-stock ventures. The so-called London Company was given the domain which is now Virginia; the Plymouth Company in the north was destined to meet with failure.

In December of 1606 a full-scale colonizing expedition set forth from London in three small ships (whose reproductions at the Festival Park here are familiar to many)—the "Susan Constant," the "Godspeed," and the "Discovery"—carrying 144 persons and a small cargo of supplies. After many months at sea, the colonists—now reduced to 105—landed on these shores, then at Hampton where they were welcomed by the Kecoughtan Indians. After a feast with the Indians they sailed up the broad river they named for their king and selected a landing site on a wooded peninsula some 30 miles from the sea, naming it Jamestown. All this happened some 13 years before the landing of the "Mayflower" pilgrims at Plymouth.

The story of those early days is known to every schoolchild, written as it is into the very foundation of our American heritage.

The new colony began with bright hopes. "Heaven and earth never agreed better to frame a place for man's habitation," wrote one observer, mindful of the good soil, abundant timber, and plentiful game. Who could have foreseen the suffering and hardship ahead, suffering and hardship by which those early settlers were tested and tempered as steel.

Death and disease were familiar visitors, and conflict—both within and beyond the settlement itself—wore down the endurance of the settlers. During the winter of 1607–1608 the ravages of sickness and the intermittent fighting with the Indians reduced the colony to 38. Faced with imminent extinction, the survivors were rallied by Captain John Smith, under whose rigid discipline a blockhouse fort was built, along with many cabins and a church, and a well dug. He also forced the settlers to plant crops (notably corn) and to raise livestock and chickens in place of that craze for gold which had blinded them to a realistic appraisal of their needs. But dissensions multiplied, and in 1609, injured by an explosion and discouraged, Smith returned to England.

The ensuing winter of 1609–1610 was the terrible "starving time" during which the beleaguered colonists first ate their horses and dogs, and then turned to rodents and snakes. Within six months' time, 90% of the colony died, reducing the population from about 500 to 60.

In May of 1610—three years after the first landing—relief ships, appalled by the condition of the colony, turned back for England. At this dramatic moment the colony was again saved by an unexpected and unforeseen turn of events: the sudden arrival of the Governor-elect, Lord Delaware, whose ship entered the river's mouth just as the others were ready to put to sea.

Stern but efficient, Lord Delaware restored both the physical life of the settlement and the morale of the settlers. Not hesitating to impose martial law to control dissension. The colony survived—and gradually recovered, with a slow but rising tide of prosperity.

As early as 1612, John Rolfe had introduced West Indian tobacco, thus providing a firm and expanding economic base. It was this same John Rolfe who in 1614 married Pocahontas, daughter of the Indian chief, Powhatan, thus ensuring a time of peace with the Indians.

By 1618, the company decreed the end of martial rule, and in 1619 the first representative Assembly gathered in the Jamestown church. This was the beginning of representative government in the western world, the forerunner of the Congress of the United States. Our Virginia General Assembly which celebrates its 350th anniversary this year is the direct continuance of this first meeting at Jamestown.

As we today commemorate the events of 1607, we look—and rightly—for the continuing significance of these events in our Nation and in our world. I suggest that we shall find it in that spirit of enterprising adventure which inspired and sustained the men of the "Susan Constant," the "Godspeed," and the "Discovery." For, as much as they were adventurers. They were also builders.

In seeking permanent settlement in the new world, in the face of adversity, they bequeathed to us the American heritage of liberty under law, expressed in four great elements: (1) the English language, that rich and flexible vehicle of human communication whose establishment in this continent the German Chancellor Bismarck regarded as among the most important political circumstances of history; (2) the English common law, with its powerful emphasis on the rights of free men; (3) representative institutions for the free expression of thought and action; and (4) the English Bible, that remarkable instrument of the religious life so deeply rooted in the values cherished by the Jamestown settlers.

Think, then, for a moment, how much invisible cargo was borne to the new world by these three little ships over three centuries ago. The philosopher Whitehead has written that societies perish whenever the spirit of adventure decays. It is this spirit of high adventure and enterprise which is perhaps the heart of the legacy of those settlers to us and which has to greater or lesser degree touched all of our institutions.

Standing before this cross which marks the earliest landing of the Jamestown settlers, we are mindful of the price paid by those who have given us the heritage of liberty and law, that precious balance between anarchy and tyranny. In the face of all the problems which confront and challenge our Nation today, problems marked by complexity and bitterness, we look to that hope and faith demonstrated in 1607 and carried into our Nation and into the changing world in such deeply felt convictions as the dignity of productive labor, the right of free men to govern themselves, and the shared expectation of greater abundance in our quest for higher standards of living.

With such a heritage, the lamp lighted by those brave settlers will never fail. In the words of an ancient prayer: "As God was with our fathers, so may he be with us."

JEFFERSON MEDAL AWARD

Mr. BIBLE. Mr. President, on April 24, the Senator from Arkansas (Mr. McClellan) was presented with the 1969 Jefferson Medal Award of the New Jersey Patent Law Association. This medal is named in honor of Thomas Jefferson, who served as Secretary of State at a time when one of the duties of that office was to examine patent applications. It is bestowed for outstanding contributions in the patent, trademark, and copyright field.

The award of this medal to Senator McClellan is most appropriate because of his contributions over the past 8 years as chairman of the Subcommittee on Patents, Trademarks, and Copyrights. It should be noted that Senator McClellan is the first legislator to receive the award.

The importance of patents to the vitality of small business has been made clear over the years. As chairman of the Senate Committee on Small Business, it gives me great pleasure to call to the attention of the Senate the outstanding honor which has been paid one of its Members.

I ask unanimous consent to have printed in the Record Senator McClellan's remarks at the time of acceptance of the award.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

The Patent System: Stability or Stagnation?

(Remarks of Senator John L. McClellan, delivered on the occasion of the presentation of the Jefferson Medal Award, New Jersey Patent Law Association, Newark, N.J., Apr. 24, 1969)

I am highly gratified and honored to be the recipient of the Thomas Jefferson Medal. My appreciation for this recognition is indeed deepened and enhanced in the knowledge that I am the first Member of Congress to receive this distinguished award.

In 1961 the Chairmanship of the Senate Patents Subcommittee became vacant at a time when I was the most senior member of the parent Judiciary Committee who did not have a subcommittee chairmanship. When I accepted this assignment, I assumed that it would not place too many demands on my time or involve me in serious controversy. Events, however, have developed somewhat differently. The Subcommittee has not sought issues but in the performance of our legislative responsibilities, we have been confronted with many complex subjects—some of which have engendered considerable emotion.

Thomas Jefferson, several years after leaving the White House, wrote to a friend that:

"Laws and institutions must go hand in hand with the progress of the human mind, as that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed . . . institutions must advance also, and keep pace with the times."

In this age, the expectation of change is greater than the expectation of continuity. Ideals that have prevailed and institutions that have endured for centuries are being uprooted, repudiated, and challenged. Many fundamental and traditional values are held in disdain. Large segments of our youth and some militant groups question the relevance of certain basic components of our civilization. Our campuses, our centers of learning, and our city streets are converted into battlegrounds while those in authority abdicate their responsibility to preserve order and capitulate to force, threats, and intimidation. Lewdness and obscenity are today circulated and commercialized with judicial sanctions and impunity. And, finally, even our churches—the historic defender of enduring norms—are torn and divided by discord and doubt.

Attending this challenge to our institutions and values—and no doubt a strong contributing cause—is the rapid advance of technology. Technology has greatly enriched our society. An American today has more options in work, investments, and the pursuit of happiness than ever before. But, the tremendous progress we have made is accompanied by numerous complex and unanticipated problems.

The impact of technological growth has not spared the Patent System. The unparalleled explosion of scientific knowledge, the intricacy of modern inventions, and the accelerated development of most regions of the world have significantly added to the burdens of our Patent System. As a consequence, both the Executive and Legislative Branches have undertaken comprehensive studies of the systems operations. The report of the President's Commission on the Patent System and the studies of our Subcommittee reached similar conclusions. There was agreement that patents continue to play a dynamic role in promoting the economic and scientific progress of the nation. Both studies expressed concern about certain problems, such as the protracted delays in the processing of patent applications, the quality of issued patents, and the expense of patent litigation. I was rather appalled to learn recently that every one of the 16 patents litigated during the past two years in the Court of Appeals for the Eighth Circuit, which includes Arkansas, was declared invalid.

The President's Commission made 35 recommendations, most of which would require legislative implementation. The test that I have applied in studying these recommendations has been whether a proposed change would render the Patent System more efficient. Innovation is not necessarily synonymous with reform. A complex body of laws, such as the Patent Code, should not be tinkered with unless it is necessary, and unless the implications of a contemplated change are fully understood.

While stability in our Patent System is highly desirable, stagnation will be the result if prudent and timely adjustments are not made. In amending present law and making changes, it should be our goal to devise a Patent System which is adequate not merely for the 1970's, but one which will also serve our needs in the 21st Century. There is no magic formula or single remedy which will provide a revitalized Patent System. But, rather, a series of interrelated actions are required. In my view, they are:

First, there must be improved organization and more effective use of the limited manpower and funds of the Patent Office. I believe significant progress in this direction has been made in recent years. President Nixon has emphasized his desire to improve the organization of the Federal Government and to increase its efficiency. The Patent Office, within the limitations imposed by statutory law, should endeavor to allocate more of its resources and a greater portion of the time of its examiners to significant patent applications.

As Chairman of an Appropriation Subcommittee, I have the initial responsibility in the Senate for the appropriations of the Department of Commerce. Because of more urgent military and social needs, I cannot offer any encouragement of any substantial increase in appropriated funds for the Patent Office in the foreseeable future. Therefore, I have already requested Secretary of Commerce Stans to furnish the Subcommittee with the Department's recommendations for an improved method of recovering the costs of the patent operation. Another increase in patent fees may be required.

Second, there should be an expanded program to provide the examiner with as much mechanical assistance as possible. As far back as 1955, the Senate Committee on Appropriations directed the Department of Commerce to "make an aggressive and thorough investigation as to the possibility of mechanizing the searching operations." While major obstacles presently retard the use of mechanized searching in most classes of the arts, careful exploration of all promising techniques is warranted.

Third, the concept of "Fortress America" is no more valid in patent matters than in national security. We cannot have and keep a sound Patent System if it ignores international trends and developments in the domestic legislation of other major industrialized nations. Several years ago, during the observance of the 175th Anniversary of the American Patent System, in a public address, I recommended that the Executive Branch proceed with efforts to promote international cooperation in patent matters. I believe we are already seeing tangible gains from such undertakings.

I welcome the Convention to Establish the World Intellectual Property Organization to promote international respect for industrial and intellectual property. I have recommended to the Senate Foreign Relations Committee that it act favorably on the ratification of the Convention. I have supported the efforts of the past and current Administrations to devise a Patent Cooperation Treaty. I believe a meaningful treaty can be prepared which will not require major alterations in our domestic patent law. I endorse the recommendation of the Department of State to hold a diplomatic conference to draft such a treaty. My colleague from Arkansas, Senator Fulbright, the Chairman of the Foreign Relations Committee, has recently introduced a joint resolution to authorize appropriations for that purpose.

Fourth, there should be appropriate changes in the patent statute. I believe that the record of the extensive Subcommittee hearings, together with the Executive and Congressional studies, have amply documented the case for a significant revision in the patent law. While I could not support all of the provisions contained in the Patent Reform Act of the 90th Congress, the general objectives of that legislation were sound. However, in an effort to present a bill which would receive more general support, I intoduced on February 28th of this year S. 1246 which makes desirable but rather modest changes in the Patent Code.

In my judgment, a more ambitious revision would have been justified. But, this bill leaves for another day further consideration of more sweeping procedural reforms. I hope by that time there will be more understanding that they are also in the best interests of the Patent System—and of the patent bar.

Our Subcommittee, I think, has demonstrated that it is prepared to act on patent revision legislation. It is necessary now for the Administration—and especially the new team in the Commerce Department and the Patent Office—to indicate their commitment to this effort.

I have spoken of stability and stagnation in the Patent System. In appraising our institutions of government, we must reject those despairing and dismal voices that contend that the accumulated wisdom of the past is not relevant to the solution of the problems of this age. But no less unsound are those who fear progress and who blindly refuse to recognize that time marches on and that human institutions must be revitalized.

A society to survive must receive—and in fact must demand—general acceptance of its transcendent values. The enemies of our country—both the foreign and domestic variety—seek first to weaken our social order and to undermine faith in our goals. Our need is not to invent new values but rather to implement those in which we believe and reflect them in our institutions. If we will only preserve our traditions and undertake, as needed, the renewal of our institutions, then we will pass on to those who succeed us a rich and viable heritage unsurpassed or unparalleled in the history of civilization.

THE FIRST 100 DAYS OF THE ADMINISTRATION OF PRESIDENT RICHARD M. NIXON

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the Record a statement entitled "Appraisal of Nixon Administration," prepared by the distinguished Senator from Texas (Mr. Tower).

There being no objection, the statement was ordered to be printed in the Record, as follows:

Appraisal of Nixon Administration

(Statement by Senator Tower)

President Nixon this week passed the 100-day mark of his administration. Earlier he declared that he now has the reigns of government firmly in hand.

The President has correctly taken the view that it is more important to gauge the effects of his administration after a year or longer in office. But there seems to be a habit in this country of making a preliminary evaluation at the end of a president's first 100 days in office.

In reviewing the first few months of the Nixon administration, it is important to look at some of the things which Mr. Nixon has *not* done as well as his more positive achievements.

As my colleague and Senate Republican leader, Everett Dirksen, noted recently, "the lack of drama has been part of the achievement" of the early days of the Nixon administration.

It is my opinion that the majority of those who voted for Mr. Nixon last fall, looked forward to an attitude of calm in the White House. They wanted the decision-making process to be more thorough, more carefully considered. They wanted many of the new imaginative programs which had been started in recent years, to be re-studied and restructured so as to reduce waste and increase effectiveness.

The attitude of calm and deliberate decision-making has already shown itself to be a hallmark of the Nixon administration. I both expect and hope that it will continue to be.

Now let me turn to specific actions—and some non-actions—which the Nixon administration has taken during its first few months of operation.

First, Mr. Nixon has not widened the war in Vietnam. His administration has worked steadily both in Paris and in South Vietnam to secure an honorable peace. We do not yet know how effective these efforts will be, but the Nixon administration is giving the bombing halt announced by President Johnson every opportunity to be productive. At the same time, the Nixon administration is fostering considerable improvement in the combat capability of the army of the government of South Vietnam. My recent visit to South Vietnam made it clear to me that the combat capability of the ARVN troops is indeed showing substantial improvement. Now we must exhibit patience while maintaining a firm position to see whether the North Vietnamese are actually ready to negotiate a lasting peace.

The second most important battle in which the Nixon administration is engaged is the one against inflation. In this area Mr. Nixon has taken several positive steps. He has reduced the fiscal 1970 budget request by $4 billion. He is urging extension of the 10 percent federal income tax surcharge to January 1, to be followed by a surtax of only 5 percent. And he has offered a tax reform package which includes the proposed abolition of the 7 percent investment tax credit. I am uncertain at this time whether abolition of the 7 percent investment tax credit would be the best course. But I know that we must take steps to combat the rising cost of living and I commend President Nixon for taking positive steps.

Recently President Nixon faced his first sudden international crisis when North Korean aircraft shot down one of our EC–121 intelligence planes while over international waters. This was an unprovoked attack and may have been calculated to test the new administration. To President Nixon's credit, his reaction was one of firmness coupled with restraint. He avoided any knee-jerk reaction which might have proved detrimental in the long run. Yet he made it clear to the North Koreans that they could not make a second similar attack with impunity.

Early in his administration, President Nixon made an 8-day European tour to assure our friends there that European views would be fully and fairly considered by this nation in activities of vital European interest. Before that tour, many Europeans had begun to fear that United States world policy was being formed with little regard for our European allies. Mr. Nixon's tour reversed that feeling and in the process strengthened the North Atlantic Treaty Organization.

The Nixon administration has now begun to send its legislative proposals to Congress. First, the President appropriately took the time necessary to formulate sound proposals.

Among these proposals are: increased efforts against organized crime; promotion of postal officials on the basis of merit rather than politics; a restructured program for aid to the cities; the safeguard anti-ballistic-missile system designed to protect our nuclear deterrent capability, and a proportional electoral reform program.

Overall, it seems to me that President Nixon has brought to the White House a new attitude—an attitude of responsibility—which is being welcomed by the majority of Americans. The President is *not* offering panacea programs. He *is* offering sound and capable leadership.

LEAGUE OF WOMEN VOTERS SUPPORTS NEW CHINA POLICY

Mr. KENNEDY. Mr. President, on April 27, the League of Women Voters issued a major policy statement calling on the United States to improve relations with Communist China. The statement was released in advance of the meeting this week in Washington of the League's National Council, and was discussed in detail in a statement by Mrs. David G. Bradley, chairman of the League's Foreign Policy Committee, at a meeting of the committee on Tuesday, April 29.

In addition to specific proposals relating to encouragement of travel, trade, and cultural exchange with China, the league also asks the United States to seek diplomatic relations with the Peking regime, and to withdraw our opposition to representation of Communist China in the United Nations.

The league's recommendations are especially significant because they represent a growing consensus across the Nation that it is time for a change in our China policy. The recommendations are also important because they recognize that it is the United States who should take the initiative in seeking to improve relations with China, and that we should not wait for some "change of attitude" by the Peking regime.

Three times in the last 30 years, we have sent American boys to die in land wars in Asia. Our policies there have cost us tens of thousands of lives and billions of dollars. One of the most frequent questions I get when speaking in different parts of the country is, will we be sending American boys to die again in Asia? Or, is our policy in the Far East going to change?

Clearly, our policy should change, and I fully support the recommendations of the League of Women Voters. Last month in New York City, in a speech to a conference sponsored by the National Committee on United States-China Relations, I had the opportunity to express my views on the urgent need for new initiatives in our China policy. For far too long, we have sought to isolate China, to impose a policy of diplomatic, political, economic, and cultural quarantine on the world's oldest civilization and the world's most populous nation, a nation of 750 million citizens and likely to exceed 1 billion by the 1980's.

Our current China policy is futile. We must begin to move now toward a new policy that seeks to bring China into the world community. Only through such action can we realistically hope to insure future peace for the world.

As the League of Women Voters' recommendations make clear that the United States can take a number of steps at once to improve our relations with China. It is worth emphasizing that nothing in these recommendations—and nothing I and others who share my beliefs have proposed—would in any way impair our own national security or our ability to respond firmly and forcefully to Chinese aggression anywhere in the world. What is clear, however, is that, if nothing changes, we in the United States will continue to live in the shadow of fear and arms and war. We owe ourselves a better hope for the future.

Mr. President, because of the significance of the recommendations by the League of Women Voters on our China policy, I ask unanimous consent that the league's press release announcing the recommendations be printed in the Record. I also ask unanimous consent that Mrs. Bradley's statement explaining the league's position be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

League of Women Voters of the United States Asks United States to Normalize Relations With Mainland China

Washington, D.C., April 27.—The League of Women Voters of the U.S. today called on the American government to take the initiative to normalize relations with Mainland China.

The League called for specific policy changes such as the establishment of cultural, trade, and diplomatic relations with Peking.

The League also recommended that the United States no longer oppose representation of the Chinese People's Republic in the United Nations.

The League's policy statement reads in full:

"The League of Women Voters advocates U.S. initiatives which would facilitate participation by the People's Republic of China in the world community and relax tensions between the United States and Mainland China. Policies should be established which would encourage normalization of U.S. relations with the Chinese mainland, including travel, cultural exchange, and unrestricted trade in non-strategic goods. The United States should withdraw its opposition to representation of the Chinese People's Republic in the United Nations. The United States should move toward establishing diplomatic relations with the People's Republic of China."

The League's policy position on U.S.-China relations climaxes a three-year study by the nonpartisan, 157,000 member organization. In announcing the position, Mrs. Bruce B. Benson, of Amherst, Massachusetts, National League president, emphasized that reports from local Leagues in every part of the country overwhelmingly indicated agreement that "present U.S. policies of isolation and containment of China are invalid."

At its 1966 convention, the League adopted U.S.-China relations as a major part of its foreign policy program. Since then, members of the 1,202 local Leagues throughout the country have been involved in extensive study and discussion as well as conferences with China experts from universities, government, and the press.

Leagues used as background material both non-League and League material. Over 100,000 copies of the League's 50-page booklet, "The China Puzzle", have been sold.

Mrs. David G. Bradley, of Durham, North Carolina, Chairman of the League Foreign Policy Committee, in commenting on the China position stressed that "the League is now in a position to urge changes in basic U.S. policies which have cut this nation off from communication or cooperation with the People's Republic. We want a U.S. policy designed to invite a peaceful response from the People's Republic, welcoming her participation in the family of nations."

Members of the national Foreign Policy Committee are Mrs. William M. Christopherson of Louisville, Kentucky; Mrs. Ezra Levin of Champaign, Illinois; Mrs. Alexander M. White, Jr., of New York City; and Mrs. John Kenderdine of Holtwood, Pennsylvania.

The China position will be discussed by League leaders from 50 states during the week-long meeting of the League's National Council, which convenes here tomorrow morning.

At the Tuesday afternoon foreign policy session, April 29, the Council will discuss ways to bring about changes in U.S. policy on the basis of the China position.

All meetings of the National Council, Monday, April 28 through Friday, May 2, at the Mayflower Hotel, are open to the press.

Mrs. David G. Bradley, Foreign Policy Committee Chairman, and all other members of the committee will be available for questions and interviews on the China position during the Council meeting.

Statement of Mrs. David G. Bradley, Chairman of the Foreign Policy Committee of the League of Women Voters, April 29, 1969

The League of Women Voters has persistently searched for policy formulations and governmental programs which can reduce the risk of war and assure non-violent resolution of conflict between nations. This is the common theme of our foreign policy positions, and this concern has guided the League's review of U.S. policy toward the People's Republic of China. An overwhelming number of nearly 1000 Leagues reporting to date hold that the United States should take "initiatives which would facilitate participation by the People's Republic of China in the world community and relax tensions between the United States and mainland China." The key words used over and over again are communication, coexistence, cooperation. The Leagues want a U.S. policy designed to invite a peaceful response from the People's Republic, welcoming her participation in the family of nations.

One of the most striking impressions which remains after reading through the consensus reports is the sense of agreement on this basic philosophy which prevails in the League in every section of the country. Support for existing policies is negligible, confined to a small number of Leagues.

In 1966 when the convention adopted the China study it identified U.S. relations with mainland China as being of critical importance. Now, in 1969, this organization has taken a long look at political reality and the consensus which has emerged defines essential specific policy changes. Furthermore, the Leagues recognize the complexities of the China puzzle. They are aware of the effect of the war in Vietnam on the possibility of immediate action. They see the necessity for careful international diplomacy in seeking a resolution to the Taiwan problem. They acknowledge the difficulties inherent in the tangled relationships between Washington, Moscow and Peking. They know that the passage of time will be necessary to some forms of progress. They accept the need for political astuteness and proper timing.

In spite of the fact that there were no queries on specific policies in the consensus questions, the Leagues spontaneously chose six basic areas in which to recommend new approaches.

In advocating policies "which would encourage normalization of U.S. relations with the Chinese mainland" the League holds that U.S. policies toward China should be the same as those for any country, regardless of ideological or political differences. The first step should be to open the channels for trade in non-strategic goods. This country should also seek opportunities for travel for American and Chinese citizens in both countries. We should furthermore seek contacts through cultural exchange, including international meetings ranging from scientific confabs to disarmament conferences. Such moves would build a favorable climate for further diplomatic initiatives. And the League wants the government to take the initiative.

Beyond trade, travel and cultural exchange, League members urge that this country should "withdraw its opposition to representation of the Chinese People's Republic in the United Nations." They admit the difficulties: the possibility of a need for change in the U.N. itself, perhaps in the Security Council; the sensitivity of both mainland China and Taiwan to the question; the international aspects of the problem.

Each League sees it a little differently and we have no blueprint to offer on Taiwan. However, this approach may prove to be a realistic one. Solutions to political problems seldom fit preconceived patterns. If the United States does cease opposing representation for mainland China, the door might be opened for the United Nations to find a resolution of the problem of Taiwan's future status in the United Nations.

Finally, we should "move toward establishing diplomatic relations." Some want to do it at once, some as soon as practicable. Some emphasize de facto recognition now. But the overall agreement is clear—the People's Republic is the legitimate government of the mainland and the United States should move in the direction of recognizing that government.

The League is now in a position to urge changes in basic U.S. policies which have cut this nation off from communication or cooperation with the People's Republic. We have stated our objectives and determined specific policy directions. In the future we can measure policy proposals against the objectives and take action.

I have chosen to close, rather than to open, with a reading of the Statement of Position itself. I think it is something we can be proud of.

"The League of Women Voters advocates U.S. initiatives which would facilitate participation by the People's Republic of China in the world community and relax tensions between the United States and mainland China. Policies should be established which would encourage normalization of U.S. relations with the Chinese mainland, including travel, cultural exchange, and unrestricted trade in nonstrategic goods. The United States should withdraw its opposition to representation of the Chinese People's Republic in the United Nations. The United States should move toward establishing diplomatic relations with the People's Republic of China."

BOYS TOWN, NEBR., WELCOMES HOME AN ALUMNUS, COMDR. PETE BUCHER

Mr. HRUSKA. Mr. President, it was my privilege recently to be present at one of the most moving events of my life, the welcome home given by the young men of Boys Town, Nebr., to one of that famed institution's alumni, Comdr. Lloyd "Pete" Bucher, skipper of the U.S.S. *Pueblo*.

For Commander Bucher it was a sentimental journey, returning to the school where he learned love, comradeship and devotion to country, where he played on the football team and where he attained manhood.

For those of us privileged to be present on that evening, it was an emotional experience seldom matched.

The welcoming address was presented by the director of Boys Town, the Right Reverend Monsignor Nicholas H. Wegner. My colleague from Nebraska (Mr. Curtis) expressed his admiration of Commander Bucher and his crew. Representative Cunningham, of Omaha, who has introduced a bill authorizing the award of the Medal of Honor to Commander Bucher, and Representative William Scherle, of Iowa, were also on hand to salute the *Pueblo* skipper, as was our Governor, Hon. Norbert Tiemann.

It was my special privilege to offer remarks commenting on the bravery and suffering of the men on the *Pueblo*.

Of course, the highlight of the evening was Commander Bucher's own response to the applause of 1,100 persons at the dinner.

It was with regret that I observed that none of the speakers had prepared texts. But to my delight, I have now been able to obtain a tape recording of the remarks of that remarkable evening. I ask unanimous consent that they be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of the Right Reverend Monsignor Nicholas H. Wegner

Pete, this is a night that God only could have made possible. You're welcome, and thrice welcome. I doubt very much that any group of people could give you a greater welcome than those here tonight, and I don't care where you could go. Welcome to you, to your fine wife, Rose, and to your two boys, Michael and Mark.

To me there is kind of an allegory, you might say, from the story of the Prodigal Son. Not that you went out in distant part for a good time for yourself, Pete; on the contrary you suffered. And you came back home. Your Father and your many, many friends were waiting for you. They were looking over the hill and when the news reached us that you finally gained your freedom, at that very moment we were prepared to extend a welcome to you at Boys Town such as has never been extended to anyone before; and I doubt that there will be another occasion like this.

When I first saw you in the naval base in San Diego, after your return from Korea and a Communistic prison where you suffered so much, I had some doubts in my mind that you would make it. Thank God you heard our prayers and the prayers of many, many of your friends throughout the world. Thank God that you are here tonight, totally well, that you're again among your friends and your fellow alumni, and so many of them are here, as well as the youngsters of Boys Town. We did everything possible this evening to bring out the fatted calf; I'm certain you deserve that. For you and for Rose and your two boys this day will ever stand as a most memorable one; and it will be a particularly memorable one for us at Boys Town.

I think back to May 13, 1967, when I stood at your side on the U.S.S. Pueblo. Tears came to my eyes as you were given the command of that ship. I was so proud of you and your family that I couldn't hold back the tears. Little did I think that during these intervening months you would have to undergo the punishments, the cruelties, the harassments, from those who took you prisoner which they had no right to do.

You're a courageous man, a man of character, a man of duty. Much of that, thank God, was impregnated in your heart while you were a student at Boys Town. We'll always be proud of you and your name will go down in the annals of Boys Town as one of its greatest citizens after Father Flanagan, the founder.

I also want to mention at this time that your good wife, Rose, and your two boys, suffered almost as much as you did because of your absence from them. Please God, again I say, that you are here with us tonight. You will always be a hero in the eyes of these young men, and in fact in the eyes of the entire nation that you deserve every honor this nation can confer upon you.

Oh yes, there are some that might disagree with this statement, there are some in this country who defile their citizenship; thank God there are so few. But as you upheld the honor of the United States every move you made from the day you took over the USS Pueblo. You didn't sail it very long. It looked as though the fates—the malfates were against you. We tried by every means possible to get in contact with you. I think I was the first one to receive a letter from you, dated March 23rd, which was mailed out of New York City March 26, evidently brought there by courier of the United Nations. And, a month later, I received the same letter in which you made quite a number of mistakes and your Communist overlords didn't catch them; they were too dumb to see them. This letter was mailed out of Paris, Orly Field, just a month later. In fact on the eve of this day, the 25th, 1968 that I received this letter on the 26th of April.

So Pete, we the citizens of Boys Town, we the citizens of the world, greet you as a real Roman hero. We hope that God may give you and your family many, many years of happiness and joy because you certainly deserve it, and I hope that you will come back to Boys Town whenever you can. You always know that you are welcome. You appreciate liberty to the Nth degree, and we shall all appreciate it.

Remember what Daniel Webster said? "God grants liberty unto those who love it and are always ready to guard and defend it." This you have done and you did it every day for a period of 11 months. You never jellied out. You know that your country was your object and by the blessings of God. Daniel Webster says, "May that country itself become a vast and splendid monument, not of oppression and terror but of wisdom of peace and of liberty upon which the world may gaze with admiration forever."

Pete, we gaze upon you with untold admiration, upon Rose and your two boys. You will ever be held in the hearts and in the minds of your countrymen. This nation has withstood many storms and is undergoing new storms today. And you certainly showed that bravery which is necessary in every storm. May you continue to manifest that strength and bravery and courage so that, we, your friends, may enjoy the liberty which God gave us and which we can only continue to enjoy because of men like you.

Pete, God bless you, your good wife and your two sons, and God bless every one here with us this evening. Thank you very much.

Remarks of Senator Roman L. Hruska

Boys Town has witnessed and experienced many eventful, notable occasions. The events of yesterday and today, I'm sure, are among the finest and the most stirring of any of those occasions. These are days when all can again honor and commend this fine community of Boys Town for its mission, its dedication and its spirit. It is in order that we do so because it has proved once again its capability for bringing out the finest in its men, and the man we honor this evening is one of the most exemplary.

My colleagues and I, in the Senate and the House, come here tonight from the first session of the 91st Congress. From its very beginning, as well as during the months of 1968, there has been much discussion about the seizure of the Pueblo and all of the events that followed.

You know, Congress has its foibles and its shortcomings. Sometimes it acts too slowly, sometimes it acts too quickly and it has made mistakes; it's going to make some more, because it's made of human beings, you see. But on the whole, it is a wondrous institution, working towards the goals and the destiny of a self-governed nation.

The Congress is composed of men and women whose opinions and thinking pretty well coincide with national events and with national thinking. These men and women are possessed of compassion and of responsibility. And they are possessed of a capacity for reflecting and expressing the will and the conscience of the American people. And it does this by a composite judgment of 535 members, and that judgment in the main serves the Republic's best interest over the long pull.

It is my belief, ladies and gentlemen, that Congress, insofar as it may have any role concerning the event which brings us together here tonight will act deliberately, justly and wisely, and in support of our distinguished, honored guest and his gallant crew.

We have heard much about rules lately, and I imagine we're going to hear more in the weeks and perhaps the months ahead. Congress knows a good deal about rules. That's its business, you know, to review the present rules and to determine whether they could be repealed, or amended, or replaced with different rules. Often Congress is called upon to review rules which are of long years' standing. Now and then, it decides to discard the old rule—not because it's old, but because it is worn out and outdated, because there has been a change in conditions and circumstances and in human values and human standards.

It is not unusual to find in government that some rules are a product of a different century, a different culture, a different age and technology, and made to serve different national purposes than those which exist today. Congress has also known instances when nation's officials are charged with certain duties and obligations without being furnished sufficient or proper equipment or support. Sometimes, when a mission fails, an effort is made to blame the one immediately in charge, to the exclusion of officials or agencies who were responsible for the shortages or the defects of equipment, of tools or of support.

These observations about Congress which I have accumulated with a personal experience of the past 15 or more years, I express for the purpose of laying foundation for these additional declarations: I want to assure you that members of Congress know bravery and valor when they see them, and they admire and respect bravery and valor. They recognize courage and stamina which showed throughout the severe and sustained physical and mental abuse inflicted on Commander Bucher and to the crew of the Pueblo.

Congress knows the injustice and the inherent unfairness in appyling the same requirements and results of judgment and decision and action under all conditions alike. It is one thing to be confronted with a sudden, unexpected and drastic emergency and crisis far out afield, and in a hostile environment. That's one thing. It's another thing to analyze and pronounce judgment on such a crisis from the quiet and the comfort and the security and the opportunity for leisurely reflection within a congressional committee room, or the offices of the Pentagon, or even the White House.

The same decision and action cannot and should not be expected from these two vastly differing situations. The courage and the stamina of Commander Bucher and his crew have earned them our honor and gratitude.

It is neither punishment nor reprimand that is in order, but rather justice and fair treatment.

Proceedings of official nature are still in progress. They are under study. It will be some time before they reach a final stage, but I respectfully submit that as far as the American public is concerned, the verdict has already been returned. It is a verdict of commendation and tribute and honor for a courageous and honorable sailor and his intrepid shipmates.

That verdict has strong support in public opinion and Monsignor Wegner, considering the short few days that you have had to organize this splendid welcome, I think that's as convincing a piece of evidence of the strong support of public opinion for the Commander as you will find any place in America.

In regard to Commander Bucher's attributes as a real leader, that verdict will be further sustained by his loyal crew, and they have said so, many times and earnestly.

America has witnessed many occasions of paying tribute to heroes in bygone years. It has paid honor to many persons of great stature. But they are not only of the past, these men of great stature. We are assembled here this evening in the presence of a patriot and a gallant man and a tall man, a very, very tall man. Commander, my message to you and to your family is: We salute you and we are with you!

REMARKS OF SENATOR CARL T. CURTIS

I shall not take time to make a speech. There are two things that I want to say. I'm sure I speak for everyone here, and many who are not here, when I express the gratitude of us all, that Commander Bucher and his crew arrived back home safely.

And the second thing that I want to say is that, Commander Bucher, I'm here because of my great admiration for you and we want to be with you always.

REMARKS OF GOV. NORBERT TIEMANN

All the free world joins this nation and Nebraska tonight to honor one of the most gallant men this country has ever produced, Commander Bucher. I had the privilege of doing something that not even the Congress can do and so far the U.S. Navy has failed to do and that is to make the Commander an Admiral.

Commander, to you and your tremendous crew we pay homage tonight. And I think we also pay equal homage and honor to Mrs. Bucher and these two fine young gentlemen who I hope some day will be citizens of Nebraska.

REMARKS OF REPRESENTATIVE WILLIAM SCHERLE

Last night I had a very, very high honor. I was invited to the homecoming in Greenbelt, Maryland, for Staff Sergeant Robert J. Chicca, one of the Marines who was aboard the Pueblo and who was wounded during the incident. During the ceremonies, young Bob got up and he said, "Mr. Scherle, when you get back to Nebraska, you tell Commander Bucher that I had the opportunity to sail under one of the finest skippers in the entire U.S. Navy!"

I concur 100 percent. I would also like to tell you this evening that the best lobbyist in Congress is another Congressman. So I can assure you tonight with four of us up here, we're going to do a lot of lobbying when we get back to the halls in Washington, D.C. Thank you very much for a very high honor and I'm very humble and very pleased to be a part of the homecoming for your native son.

REMARKS OF COMDR. LLOYD M. BUCHER

I have so many things, so many thousands of things I'd like to say, that I'm going to try to say them in as few words as possible.

The generous accolades that have been paid me this evening, I cannot possibly live up to unless they were to hang me on a cross. And only one man in the history of the world, a God-made man, Jesus Christ, deserves the honors that you bestowed on me here this evening. I appreciate it so very much, I can't tell you how much.

I would like, on behalf of my crew and myself, to tell each and every one of you that the millions and millions of prayers that were said in our behalf sustained us through the hell that we had in North Korea. And we do so appreciate those prayers.

And while I'm speaking of my crew, I would like to say that my crew represented a cross-section of the United States of America. I believe that there were men from 31 states on board my ship and they were highly intelligent, true representatives of the United States of America, from the best that this country could hope for in sailors to man a ship that this country seems to need. These men—and every one of them are now men, although some of them were certainly boys when they started out—gave me every possible support that I could have wished for or hoped for. I had ample opportunity while I sat there in the prison cell in North Korea to reflect on many things, and there is one thing that I was reminded of. And in sort of a backhand way, I would like to tell you a friendly, funny little story that I would have wished would have been our plight, as opposed to the plight of the fellows.

There was once upon a time, a little redheaded boy who had a little yellow dog and he was walking that little yellow dog down the street. Directly around the corner of the block came a rather distinguished looking gentleman with a brace of Great Danes on one hand and in the other a brace of Doberman Pinschers. He yelled at the little kid and said, "Hey, kid, get that little yellow dog out of here! My animals will tear him apart!"

Well, the kid kept coming, there was a confrontation, there was fur and teeth and tails and all sorts of things flying around and, directly, the only thing left standing was the little yellow dog and his two adversaries. The guy said, "Son, that's the wildest animal I've ever seen! Where did you get that thing? I've never seen a dog like that."

And the kid said, "Well, until I cut off his tail and painted him yellow, he was an alligator."

I felt very much like that little yellow dog out there that day, except that we didn't have an alligator's teeth. There was nothing that I would have liked better than to put every one of those North Korean ships in the bottom of the ocean. There's nothing that I think that they deserve more.

My life, my history, my biography is hardly a secret to anyone here in this room. It has been recounted by the local and national news media and by and large, they have told an accurate story. But sometimes what they haven't told are the things that really make me proud to be an American, proud to be a friend of each of you, proud to serve this country of ours.

Those things are this love of God and country, and Boys Town, instilled in me with the great love found in the heart of Father Flanagan, and in the bosom of Monsignor Wegner. These two men represent the finest in citizenship. They have taken many of us, many boys who were not so fortunate in many ways and made them among the most fortunate in the world. We have here at Boys Town that love, that comradeship, that devotion to our country, the honor of our flag, the high regard for the heritage which has made this country the greatest the world has ever known. We have real reason to respect all of those things. We know that with the tremendous support of the citizens of the United States, the love that abounds in the hearts of the teachers, the counselors here in Boys Town, the faculty and the Monsignor himself, will never be a frustrated love, because it takes money as well as effort to accomplish things.

This is the system under which we live, this great, tremendous, capitalistic system, this republic which was founded by some of the greatest human beings who ever graced the face of the earth. We're privileged tonight to have with us several members of the American Congress who have distinguished themselves in their service to the public, their service to these United States. We have other gentlemen here who are also in the service of their country, in the military and in civilian service. Each and every one of us who works in the government works to carry out the policies of the Administration and to perpetuate all of the great thoughts that are incorporated in the Declaration of Independence and the Constitution of the United States of America.

I have a message for the junior-senior class of Boys Town, and that message is this: When you leave Boys Town, you'll be going out into a world that is full of trouble, that is full of dissension. There is nothing wrong with dissension. Dissension is the way we improve our lot, the American way, the way America has developed into the great nation that it has. But destruction does not belong along with dissension. Construction belongs with dissension. All the destruction and the many people who are attempting to destroy the very foundations on which this country was built do not offer a thing on the positive side. They give us nothing but a lot of trouble. They disobey the laws, they do not support the communities. Instead, they tear down. I ask that each of you build in your mind and your heart, such a great love for your country and an honor for your traditions and heritage which you will, at every step of the way, whether assenting or dissenting, be constructive in whatever you do.

And to those who are already adults, through your demonstrated love of your country, the children will look to you for guidance in the things that we all believe in, the hope for freedom, complete freedom within the law, rightful dissent, constructive criticism, the democratic way of life based on a republic of states.

To too many people, I think, patriotism is passe. Patriotism is not passe if it burns deep within your heart and in your mind and in your prayers. This country cannot stand, unless it has everyone's undying, devoted attention and through that example, the children who look to you will carry on, will have with them the freedoms that we now enjoy. If we do less, we could lose those freedoms for those generations yet unborn, and it will be a fact that history will record, if, in fact, history books are even permitted.

To leave the more serious side of my rambling talk here this evening, I would also like to pay my deepest respects to my wife, Rose. She represents to me everything I thought a Navy wife should be. I spent most of my Navy career in the Submarine Service. We expect a lot of our wives when we're deployed and she grew up in that training program. She attempted and succeeded, I think, in keeping together, consoling and giving comfort and encouragement to the families, wives and children of my crew members. I think that she represented not all that could be expected of a Navy wife, but all that could be expected of a citizen of the United States. And I can only say that I love her very deeply.

To get back to what I am and what I represent, I am a U.S. Naval officer. I remained in the U.S. Navy and sought a career as a Naval Officer because I have always sought responsibility and I feel, and very strongly, that with responsibility goes accountability. I have attempted to render a complete account of my actions as commanding officer of the USS Pueblo to the American public through the court of inquiry conducted by the U.S. Navy.

Rendering accountability was instilled in me through the good offices and the many kicks in the butt by coach Skip Palrang. I can't say that all those kicks really hurt, because I deserved most of them and those that you deserve never hurt. The love and the faith in God, and the faith in my fellow Americans were instilled in me by my instructors, by Father Flanagan and by my very dear friend, Monsignor Wegner.

I wish to leave with you this evening the thought that there is one thing in these trying times that we must do and that is to search deep within ourselves for the right answers to the many problems that face us, and then energetically proceed with constructive programs to effect the repairs, the changes that are needed. From the depth of my soul and the bottom of my heart, I thank each and every one of you for honoring me this evening. It has been the most glorious day of my life. I wish I could reach out and touch you all. That would be a physical impossibility. My hands are already broken, and without going any further, thank you all and God bless you.

REPEAL OF TITLE II OF INTERNAL SECURITY ACT OF 1950

Mr. INOUYE. Mr. President, recently I received a letter from Mr. Mike Masaoka, Washington representative of the Japanese American Citizens League, endorsing the principles of S. 1872, a bill I recently introduced to repeal title II of the Internal Security Act of 1950.

Daily I receive hundreds of letters; however, I was deeply impressed by this moving and eloquent statement in support of S. 1872. I ask unanimous consent that the text of the Mr. Masaoka letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 23, 1969.

Hon. DANIEL K. INOUYE,
U.S. Senator from Hawaii, Old Senate Office Building, U.S. Senate, Washington, D.C.

DEAR SENATOR INOUYE: On behalf of the Japanese American Citizens League (JACL), the only national organization of Americans of Japanese ancestry in the United States with chapters and members in 32 states, may we commend you and your 20 cosponsors for introducing last Friday, April 18, 1969, S. 1872, a bill to repeal the Emergency Detention Act of 1950, which is Title II of the Internal Security Act of 1950.

As you so eloquently explained in introducing this legislation, Title II, which was described by the then Chairman of the Judiciary Committee Pat McCarran as a "concentration camp measure, pure and simple" during floor consideration of this provision almost 20 years ago, "violates a number of our established freedoms and constitutional rights. The procedures detailed in the Act are at odds with our established judicial procedures."

Your introductory remarks to the Senate also emphasized the urgency of repealing this statute, by referring to the May 1968 Report of the House Un-American Activities Committee that included a recommendation "for the possible use of these detention camps for certain black nationalists and Communists." You observed too that "Many dissidents in our society fear use of Title II. It stands as a barrier of trust between some people and our Government."

To refute the argument that Title II would not be put into operation in the United States, you recalled the World War II evacuation and detention of some 110,000 persons of Japanese ancestry from their West Coast homes and associations, without trial or hearing, at a time when all of our courts were functioning, simply because a Commanding General suspected that there might be some among the evacuees who might engage in sabotage and espionage.

The records, as you know, of the Federal Bureau of Investigation and Army and Navy Intelligence indicate that there was not a single instance of espionage or sabotage by a resident of Japanese ancestry before, during, and after World War II, in spite of the fact that resident aliens, though lawfully admitted for permanent residence, could not become naturalized citizens because of the racial prohibitions of our nationally laws of that time.

JACL'S CONCERN

In any event, it is because of our wartime experience that Japanese Americans in general and the JACL in particular feel so strongly about Title II. After all, we of Japanese ancestry are the only Americans in recent times to be arbitrarily deprived of their freedom and of their property and detained in what have euphemistically been described as war relocation centers.

JACL is determined that no other American, or group of Americans, will ever again be subject to detention solely on the grounds of suspected loyalty, that any citizen or group of citizens may be interned on the presumption of the probability of committing certain proscribed acts, that the constitutional guarantees of due process may be denied on the pretext of a proclaimed "internal security emergency".

The treatment of Japanese Americans in World War II was not authorized by specific statute. Nevertheless, in a time of hate and hysteria against a wartime enemy, it was carried out by the Commanding General of the Western Defense Command as a "military necessity" since he could not determine the individual loyalty or disloyalty of those of Japanese ancestry on the Pacific Coast and since there was the probability that some might engage in subversive activities.

Subsequently, the Supreme Court of the United States upheld this evacuation as a valid exercise of the war powers. And, in the words of then Justice Jackson, "The principle (of wartime exclusion and evacuation) then lies about like a loaded weapon ready for the hand of any authority that can bring forward a plausible claim of an urgent need."

Social scientist Morton Grodzins, writing in the University of Chicago Press documentary "Americans Betrayed" in 1949, concluded that "Japanese Americans were the immediate victims of the evacuation. But the larger consequences are carried by the American people as a whole. Their legacy is the lasting one of precedent and constitutional sanctity for a policy of mass incarceration under military auspices. This is the most important result of the process by which the evacuation decision was made. That process betrayed all Americans."

Two years earlier, in 1947, the President's Committee on Civil Rights, declared that "The most striking mass interference since slavery with the right to physical freedom was the evacuation and exclusion of persons of Japanese descent from the West Coast during the past war . . . The ground given for the evacuation was that the military security of the nation demanded the exclusion of potentially disloyal people from the West Coast . . . we are disturbed by the implications of this episode so far as the future of American civil rights is concerned. Fundamental to our whole system of law is the belief that guilt is personal and not a matter of heredity or association. Yet in this instance, no specific evacuees were charged with disloyalty, espionage, or sedition. The evacuation, in short, was not a criminal proceeding involving individuals, but a sort of mass quarantine. . ."

Because JACL believes that the freedoms and liberties of all Americans have been compromised and jeopardized by this Supreme Court decision, ever since the Korematsu case was decided in the fall of 1944, JACL has been trying to find an appropriate case in which to request the nation's highest tribunal to review—and to reverse—the so-called evacuation ruling. This search continues today.

TITLE II BACKGROUND

Title II goes further than even the evacuation decision.

It provides that the President may declare an "Internal Security Emergency" in the event of (1) an invasion of the territory of the United States or its possessions, (2) a declaration of war by the Congress, or (3) insurrection within the United States in aid of a foreign enemy, and authorizes the Attorney General "to apprehend and by order detain . . . each person as to whom there is a reasonable ground to believe that such person probably will engage in, or probably will conspire with others to engage in, acts of espionage or of sabotage."

As you noted in introducing S. 1872, the procedures for continued detention "is at odds with normal judicial procedures."

The accused is not entitled to a trial by a jury, but to administrative hearings, with an appeal not to the courts but to another administrative review board. The detainee is presumed to be guilty, and has the onus of proving his innocence against the Government's suspicion that he may engage in, or conspire to engage in, espionage and sabotage. The Government is not required to reveal its informants, if such disclosure may endanger the national safety or security. Compared to the rights guaranteed the most vicious of criminals, the hearings for detainees before appointed examiners of the Attorney General clearly violate due process.

Accordingly, when Title II was proposed, first as a compromise-substitute and then subsequently as an amendment, to the internal security bills then under Senate consideration in the summer of 1950, JACL was among those who opposed it. When the Congress approved it, JACL urged the President to veto it. When the President did veto it, JACL called upon the Congress to sustain the presidential action. Unfortunately, in JACL's opinion, Congress overrode the veto and enacted the Internal Security Act of 1950.

Those were the days when anti-communism was a fetish, when investigations of alleged Communists in Government were acclaimed, and when the Korean War threatened our Far Eastern security.

Since that day 19 years ago when the Internal Security Act became law, conditions within the United States have changed drastically, as well as have the international relations of the nation. And, until recently, it appeared that Title II had become another "dead letter", an obsolete and unenforced authorization.

NEED FOR REPEAL

Within the past two years, however, because Title II has remained on the statute books as a melancholy reminder of another era when repression and suppression was the dominant theme, rumors have been spread to the effect that concentration camps were being prepared for the militants and activists among the disillusioned and the disadvantaged.

Certain black militants have taken advantage of these rumors to foment greater unrest and even fanned the flames of revolution and destruction in urban ghettos. Certain others have used these rumors to threaten Vietnam War protesters. Still others have resorted to these rumors to escalate the confrontations and violence on campuses.

Many of these rumors were given credence and validity when the House Committee on Un-American Activities issued its report on "Guerrilla Warfare Advocates in the United States" on May 6, 1968. Then Committee Chairman Edwin Willis claimed that "Mixed Communist and black nationalist elements are today planning and organizing paramilitary operations and that it is their intent to instigate additional riots, which will pave the way for a general revolutionary uprising." He argued that these militants have essentially declared war on the United States and, therefore, should lose their constitutional rights and be imprisoned in detention camps. He cited Title II of the Internal Security Act of 1950 as the appropriate legislation which authorizes such detention. Though he subsequently tried to clarify his remarks, among those who may be most affected by the potentialities of Title II about all that is remembered are the former Chairman's initial statements concerning concentration camps in the context of today's social, educational, and economic unrest and upheaval.

Of course, there are those who insist that no President or Attorney General would ever invoke Title II, regardless of the circumstances. While JACL hopes that this will be true, we cannot forget that, even without statutory authority, a humanitarian Franklin D. Roosevelt and a liberal Francis Biddle did, in the spring of 1942, authorize the mass evacuation and detention of some 110,000 persons of Japanese ancestry from the Pacific Coast because their individual loyalty to the United States was suspect.

JACL believes that the immediate repeal of Title II is justified because it unnecessarily provokes and intimidates, and threatens and circumscribes, those who legitimately disagree with conditions as they are and desire to correct them. JACL may not necessarily agree with their analyses or alternatives, but JACL believes that the constitutional guarantees must apply to them equally as they must apply to those who would defend the status quo.

And if among those who dissent, or protest, there are those who violate the laws, including those relating to internal security during times of grave national emergencies when a foreign enemy threatens our existence and survival as a nation, JACL is confident that there are other laws that will safeguard our country and our institutions more effectively and more adequately than Title II, and without making a mockery of our traditions and heritage.

May we, therefore, in conclusion assure you and your associates that JACL will do everything possible to help in seeking the early repeal of Title II of the Internal Security Act of 1950, the Emergency Detention Act, secure in the knowledge that such a repeal will advance, and not hinder, the cause of true internal security.

Sincerely,

MIKE MASAOKA,
Washington Representative,
Japanese American Citizens League.

GAMBLING CONTROL ACT OF 1969

Mr. MUNDT. Mr. President, on Tuesday I was happy to cosponsor the introduction of the Illegal Gambling Business Control Act of 1969. This was another meaningful step in what I believe will be an unrelenting war on crime in this country.

It was also an important step in the fulfillment of a campaign promise made by President Nixon last summer. The President promised that if elected he would give the State and Federal law enforcement agencies the tools to penetrate the privileged sanctuary of organized crime. The bill, S. 2022, is such a tool.

With the proposed legislation, we strike directly at the foundation of organized crime. We hit where it hurts—its treasury. The coffers of crime overflow as the result of its "take" from illegal gambling. Estimates of the income obtained by this method range as high as $50 billion a year. This, I might add, is up considerably from the estimates we received in 1961 when the Senate Permanent Investigations Subcommittee, on which I served as the ranking Republican, investigated gambling and organized crime. As such it further illustrates the necessity for prompt Federal action. This money comes from the public, flows into the treasury of the crime lords and in turn is used to further terrorize the general populace, thus completing its ironic cycle.

Mr. President, it would be possible to choke off these funds if the general public would refuse to gamble. The $2 off-track horse bet and the numbers card may not seem like much. But multiplied several times over, the small wagers become part of the illegal thousands, the millions, and the billions of dollars that become the major gambling profit.

It is difficult, however, to legislate morality; and if we cannot stop every sale of a 25-cent numbers card or every bet made with an illegal bookie, we can take the next best step and attack the receivers of these funds. This would be done under the proposed legislation.

Specifically, the bill provides a greater latitude and jurisdiction for the Federal Government in the fight against organized gambling by making it a Federal offense to engage in a large-scale business enterprise of gambling.

Second, it makes it a felony for large-scale gamblers to corrupt and bribe law-enforcement officials.

Mr. President, I realize this is not a pleasant subject, and I do not wish to leave the implication that such occurrences are commonplace. That is not true. On the other hand, it does happen, and both those offering and those receiving the bribe in an effort to conceal illegal gambling activities or other crimes must be rooted out and stopped.

Mr. President, it is a privilege to be associated with the bill, and I hope we will secure its speedy passage.

I ask unanimous consent that the letter of transmittal from the Attorney General, accompanying the bill, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal entitled the "Illegal Gambling Business Control Act of 1969."

Organized crime is one of the major problems of law enforcement in America today. It feeds on money obtained from people who can ill afford it. One of the main sources of its money is illegal gambling enterprises. Organized crime thrives on corruption of law enforcement officers and local officials. In order to check the problem, we must check its causes. We must stop the flow of money to organized crime from gambling enterprises. We must stop the corruption of law enforcement officers and local officials by gamblers. In order to accomplish these goals, we need new weapons. The Federal Government must be able to do more than deny the use and facilities of interstate commerce to the day-to-day operations of illegal gamblers, as it can do under existing statutes. It must be able to go to the source of the problem, to the gambling enterprises and their corruption of officials.

The proposed legislation would give the Federal Government two new means to aid the States in combatting large-scale gambling. Title I would make it a felony for large-scale gamblers and law enforcement officers or public officials to scheme to obstruct enforcement of State and local laws against gambling through bribery of the government officials. Title II would make it a Federal offense to engage in a large-scale business enterprise of gambling.

In addition to providing these two weapons against large-scale gambling, the proposal would amend section 2516 of title 18, United States Code, to permit interception of wire or oral communications, subject to existing safeguards and procedures, in instances where such interception may provide evidence of an offense which is punishable under this proposal.

I urge the introduction and prompt enactment of this legislation.

The Bureau of the Budget has advised that enactment of this legislation is in accord with the program of the President.

Sincerely,

——— ———,
Attorney General.

TRAIN WRECK AT EAST GERMANTOWN, IND.

Mr. HARTKE. Mr. President, on Tuesday, April 22, I introduced a bill which would provide for more comprehensive Federal control of railroad safety conditions. I noted at the time of introducing that bill the increasing frequency of train accidents involving hazardous cargoes and the threat that the resulting flames, explosions, and contamination by poisonous gases can pose for whole communities. As an example of this dangerous situation, I cited an accident that occurred in Dunreith, Ind., requiring the evacuation of that city for a number of days because of the fire, explosions, and contamination caused by a train wreck.

Less than 72 hours after introducing that bill, I was shocked to learn that another train carrying hazardous materials had been involved in a wreck at a location not more than 18 miles from Dunreith, Ind., near East Germantown, Ind. This accident represented the fifth major rail derailment involving hazardous materials within the past 4 months.

As a Senator from Indiana and as chairman of the Subcommittee on Surface Transportation, I thought it incumbent upon me to join the Federal investigating team headed by Adm. L. M. Thayer, of the National Transportation Safety Board, and Mr. Mac E. Rogers, Director of the Bureau of Railroad Safety, in investigating the accident. Upon arriving at East Germantown, we found nearly all of the ingredients that had been present in the several prior accidents of this kind. All of the residents of East Germantown had been evacuated as a precautionary measure. It was my impression that such precaution was necessary to insure their protection. It would be impossible to measure precisely the danger which existed. A severe fire was still not completely under control. Acrid and noxious fumes from a punctured tank car containing a dangerous chemical compound were contaminating the air.

The unofficial initial information at the scene indicated that early that Friday morning, some 62 cars of an eastbound Penn Central train containing a total of 110 cars had been involved in a derailment resulting in an explosion which was followed in turn by a very serious fire involving some 35 to 40 freight cars. This particular train was transporting cars containing such hazardous commodities as butane, ethylene, and vinyl chloride—all of which are highly volatile and highly flammable materials. Fortunately only a few of the cars containing hazardous materials were caught up in the conflagration.

As I inspected the wreckage, it appeared that the local authorities had the situation well in hand but I was struck by the thought of how much more horrible this could have been had more of the hazardous cargo been involved and had the accident occurred closer to a large population center. If the accident had occurred a few hundred feet up the track, lives and property might have been destroyed. Sheer good fortune is all that prevented such a calamity.

At the scene the investigators pointed out to me a broken wheel truck, which, while it may not have caused the derailment was noteworthy nevertheless. Incredibly this piece of equipment was cast in 1907. It is rather unusual, I would think, to find in operation today equipment in any mode of transportation which is over 60 years of age. I thought locomotives of that vintage could be found only in museums.

I think this points up quite clearly the need for greater Federal control over the safety of our railroads. As I noted on April 22:

> Car wheels and axles which are major causative elements in many accidents are not subject to Federal regulations.

It is time for the Congress to pay greater attention to this dangerous situation and I am, therefore, planning to schedule hearings within the next few weeks on railroad safety legislation.

This accident was not as severe as others have been but under slightly different conditions it could have been much worse. I realize that the railroads have a tendency to view rail accidents as a problem which is of concern only to the railroads, particularly when as in the case of East Germantown, most of the damage is to railroad equipment. But I think most people in the United States would agree with me that these accidents are of concern to us all.

Accidents of this kind are costly to the shipper in terms of delaying the transportation of his goods. The satisfaction of a damage claim is not to the shipper's mind an entirely acceptable equivalent to the timely delivery of his goods. I can assure you that it would be next to impossible to convince the residents of East Germantown and Dunreith; Laurel, Miss.; and Crete, Nebr.; that the threat to their lives and property should not concern them.

None of the people living in East Germantown was killed in this accident, but they were prevented from enjoying the comfort and privacy of their own homes for more than a day. The fear, uncertainty, and inconvenience to these citizens cannot easily be assigned a price. And in considering the seriousness of the situation we cannot forget the dangers posed for the men who operate the Nation's trains.

Too often in the past, it has been the practice for the Congress and the administration to await a major catastrophe before taking corrective action in the safety field. I propose that in this case, the Congress should move expeditiously.

ABM SAFEGUARD: NEXT STEP IN EVOLUTION OF DEFENSE

Mr. JACKSON. Mr. President, the Committee on Armed Services, under the able chairmanship of the Senator from Mississippi (Mr. Stennis), held 2 days of public hearings last week on the anti-ballistic-missile defense system. These hearings were held in connection with the yearly legislation authorizing funds for fiscal year 1970 for the procurement of aircraft, missiles, ships, and research and development.

On April 23 the distinguished scientist, Dr. Frederick Seitz, president of Rockefeller University and president of the National Academy of Sciences, told the committee he believes the time is now appropriate to invest substantial amounts of money, ingenuity, and industrial production in a prototype ABM system of the type which President Nixon has proposed, as the next step in the evolution of our defenses.

Dr. Seitz's major professional scientific interests have been in the theory of solids and nuclear physics. He was a civilian member, National Defense Research Committee, 1941–45; consultant to the Secretary of War, 1945; director of the training program in atomic energy, Oak Ridge National Laboratory, 1946–47; science adviser to the North Atlantic Treaty Organization, 1959–60. He is now a member of the Defense Science Board—chairman, December 1963–March 1968—Department of Defense; member, Naval Research Advisory Committee—chairman, 1960–62—Office of Naval Research; member, Scientific Advisory Group, Office of Aerospace Research; member, Smithsonian Institution Advisory Council; member, National Selective Service Scientific Advisory Group; and member, Liaison Committee for Science and Technology, Library of Congress.

In 1968 Dr. Seitz received two awards: the Distinguished Civilian Service Award, presented by Deputy Secretary of Defense Paul Nitze; and the Herbert Hoover Medal for Distinguished Service awarded by Stanford University.

I wish to commend to the attention of this body Dr. Seitz's opening statement given before the Armed Services Committee. I ask unanimous consent that it be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Dr. Frederick Seitz Before the Senate Armed Services Committee, April 23, 1969

At the outset I wish to emphasize that the opinions expressed in this testimony on the matter of the antiballistic missile system are personal ones and not necessarily representative of those of any of the members of the National Academy of Sciences of which I have been President for the past seven years. In fact, as you know, the university scientific community which is strongly represented in the Academy is currently so divided on this issue that it is almost impossible to make any definitive statement in the circles in which I move which will not generate sincere emotionally heated disputation.

I should add that I first became an adviser to what is now the Department of Defense in the autumn of 1939 soon after the outbreak of World War II in Europe. Moreover, I have served on the Defense Science Board of the Department of Defense for nearly ten years and was Chairman for about four of them.

Perhaps it is not unreasonable to add that I view our national defensive posture as exceedingly important not only for the protection of our national well-being in the narrow sense but also because I feel that our country is a far more effective agent for promoting world peace if it is in a position to protect the interest of the open world of which we are part. World War II probably would not have broken out and followed the course it did had the United States not been so nearly totally disarmed in the 1930's as a result of decisions made in the 1920's to disarm unilaterally. I take it as axiomatic that in the decades ahead our national objective in relation to international affairs should be to encourage peace and stability and that we should be willing to work out formal agreements with other nations, not the least the Soviet Union, to further these goals. In fact, I think it is clear that unless we can achieve universal international agreement on the control of arms, our civilization faces very great jeopardy. As has been said so often, World War III could be an unparalleled disaster to mankind.

For reasons indicated in the following, I believe the time is now appropriate to invest substantial amounts of money, ingenuity and industrial production in a prototype ABM system of the type which President Nixon has proposed, and known as the modified Sentinel system, as the next step in the evolution of our defenses. This should be done with the use of as much imagination as we can muster in order to provide us nationally with the optimum amount of realistic information which we can obtain on the workability of such a system. Practical knowledge of the functioning of such a system is important for future defense planning. In accordance, those devising the system should have considerable leeway in the course of its erection to introduce technical innovations as circumstances along the route may dictate. This does not mean that the expenditure ceiling should be arbitrary but only that innovations should be encouraged rather than restrained when highly advisable as has been the case for most successful weapons systems.

The principal arguments given against the point of view expressed above, frequently by quite distinguished scientists and analysts, seem to be three in number. First, the system is probably unworkable in detail. Second, even if it should be workable under ideal circumstances it probably would not be effective in a surprise attack because of inadequate alertness. Finally, the development of such a system would be regarded as a new major challenge by the Soviet Union causing it to accelerate the arms race further and plunge the world into a situation even more desperate than the present one.

While highly respectful of the intelligence and rationale behind these points, I am deeply skeptical about their basic correctness.

On the first point I would only call attention to the vast evolution in the field of controlled ballistic systems which has taken place in the United States as well as in the Soviet Union as a result of dedicated attention to rocket propulsion and guidance systems and the achievement of a new level of reliability of components. It is notable, for example, that the final splashdown of the astronauts in the December circumlunar voyage was predicted at launching to within a minute or two even though the trip required nearly a week. Moreover, the location of the splashdown was also predicted with remarkable accuracy. I see no reason to believe that with similar dedication completely comparable further advances will not take place in the next dozen years and give us ever-increasing ability to track and intercept other missiles.

Taken as a whole, this field of technology is still in its infancy; the issue of what is and is not feasible will in the main be determined through both small and large scale development with working systems as has been true in the space program. Paper analysis prior to the development of such systems is of very limited value.

Regarding the matter of alertness and whether or not any given ABM system will operate adequately in an emergency, it is clear that we are continually vulnerable to a sneak attack, as we were at Pearl Harbor. Uncompromising alertness is not first nature in a peace-respecting democratic society. On this matter several points should be made. First, I would hope it would be possible to train operational crews which would be orders of magnitude more alert than our armed forces were at Pearl Harbor, particularly if they are given the assistance of the vast variety of monitors and sensors made possible by modern science and technology. Second, I would assume that an enemy would be most inclined to attack us during a period of international tension such as during the Cuban missile crisis. In fact the raid on Pearl Harbor actually did occur at a time when our relationships with the Japanese were at crisis level. Our nation cannot again afford the type of lapse which allowed us to be caught unawares on that occasion. Third, one might ask whether the existence of a potentially reliable ABM system would increase or decrease the probability of an arbitrary strike against us. I am personally inclined to believe that it would decrease that probability because of the increased uncertainty of the success of such a perilous adventure. Finally, it should be emphasized that knowledge obtained through working practice with a system should give us experience with its strengths and weaknesses and permit us to devise ways of automating alertness within acceptable bounds.

Let me raise next the question of the reaction of the Soviet Union to our own development of an ABM system. It is my personal opinion that in view of the defensive nature of the system, the Soviet leaders would consider its evolution to be a completely reasonable and natural step. The Soviet Union has continually emphasized the defensive aspects of its own armaments and has in fact insisted that its own vast deployment of intermediate range and intercontinental ballistic missiles is basically defensive. The fact that it regards an ABM system as an automatic adjunct to the deployment of IRBM and IBM systems is amply demonstrated by the fact that, as best we can determine, it has taken substantial steps to deploy its own ABM system. There are those who suggest that the Soviet Union may actually have abandoned work on its ABM system. As I attempt to sift the evidence they present, however, I find no convincing proof that this actually is the case. It seems to be characteristic of the Soviet deployment of weapons that the process goes in large spurts. I presume the periods between spurts are used for reassessment and innovation.

More generally, I think it can safely be said that ever since the early 1920's the Soviet leadership has consistently and pragmatically devoted all the attention and wealth it could derive from its economic system to the development and production of arms with the avowed statement that their armaments are principally defensive. They have no valid reason to take issue with the development and deployment of a defensive ABM system in the United States.

In this connection, it is interesting to note there is no significant area of military research, development and production known to us in which the Soviet Union is not fully involved on its own, essentially as a matter of course. It is true that there have been periods when it appeared on the surface that they might be prepared to forgo activity in a particular area of development or deployment. However, it has always turned out that, in due course of time, after a suitable cycle of development, they have turned up with tactically or strategically significant quantities of major weapons whether they are tanks, aircraft, surface-to-air missiles, rocket launching submarines, or aircraft carriers. In fact, in certain cases, they have weapons systems, such as the surface-to-surface missile system used to sink the Israeli destroyer Elath, which we do not yet have in our own inventory.

On a broader scale, I wish to emphasize that it is to our own advantage as well as that of other nations that we continue negotiations on arms control with both the Soviet Union and other nations in the period ahead hoping that we can reach a point at which understanding and formal agreement permit all nations to enter into a period of significant disarmament. In this connection it is worth noting that we have made significant strides since 1945. There was, for example, the series of agreements in the mid-1950's which led to the decision to support international cooperation in the development of the peaceful atom. Similarly there were the agreements between ourselves and the Soviet Union on cultural and scientific exchange which occurred somewhat later in that decade and which have done much to promote closer and more friendly understanding among professional groups in our two countries. The agreement to limit the testing of nuclear weapons to underground explosions in the early part of this decade, which was accepted by most but unfortunately not by all nations, was another notable advance. Finally, the treaty on non-proliferation of nuclear weapons which presumably will be agreed upon by a significant number of nations in the next year or two is another hopeful step.

It should be emphasized, however, that the truly major steps along the road toward world disarmament occur at the rate of one or at most two per decade, which is about the same as the rate at which significant new technological systems of major military potential emerge. Moreover, the entire international picture is made complex by our profound lack of knowledge of the ambitions of the communist Chinese. If we were to heed the advice of those who urge that our nation enter into an extended period of essentially unilateral cessation of the development of weapons systems, we might well find ourselves coming to the conference table to discuss disarmament in another decade or so under circumstances in which we would have little to offer to restrict except outclassed or outmoded weapons. This does not seem to be a reasonable national posture to me even though I would welcome world peace and world disarmament as much as anyone I know.

You may recall that just twenty years ago there was a debate concerning hydrogen weapons similar to that underway at present in relation to ABM systems. That debate was resolved by President Truman, who decided to proceed with the development of the fusion bomb. I find it difficult to believe that the balance of national freedom maintained so precariously since 1945 would have been retained in the past twenty years if we had renounced the development of hydrogen weapons and left them to the Soviet Union, which, as we learned subsequently, began research and development on them soon after 1945, presumably well before our own debate took place.

In closing I do wish to reemphasize that I personally have high hopes that we can achieve an even more significant level of understanding with the Soviet Union. As you know, our government authorized a system of scientific exchanges of scientists with the Soviet Union in the period immediately after the first international congress on peaceful uses of the atom in 1955, leaving the administration of the US portion of the exchange program in the hands of the National Academy of Sciences. This has been quite effective in promoting a substantial amount of understanding even though the program has not grown as much as I personally would have liked. While there is no reason to believe that Soviet scientists have a large or even significant voice in determining the political decisions made by their government at the present time, one gains the impression from them not only that they would welcome closer and more friendly relations with us but also that they hope that in due course of time the spirit of mutual understanding will grow more broadly and deeply. Sufficient progress has been made in the last ten or fifteen years but I have hopes that we will be even closer together in another decade or so.

WORLD HUMAN RIGHTS

Mr. McGOVERN. Mr. President, it has recently come to my attention that a new organization, made up of distinguished members of the business and professional communities, has been formed for the purpose of advancing human rights around the world.

The group, the Committee for World Human Rights, Inc., has some 32 charter members. It has developed an ambitious set of objectives which were described in a speech in New York earlier this month by its president, Joseph Kolodny. In the belief that the appearance of this organization will be of interest to Members of the Senate, I ask unanimous consent that those remarks be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

WORLD HUMAN RIGHTS

A handful of dedicated individuals from the business fraternity have worked diligently for a considerable period to bring the Committee for World Human Rights into existence. As businessmen, we deemed it our duty and obligation to our generation to contribute to the best of our ability to the furtherance of wider knowledge and greater understanding of the concept of international concern with human rights, its meaning, its implications, and its potential capacity for generating humaneness into the daily conduct of international relations. In the last analysis, we recognize that there is nothing so important as the human spirit. We have been persuaded that this profound idea, this concept of world human rights, is imperative for the veritable survival of civilization. Thus, we have conscientiously embarked on a program of promoting and radiating a greater grasp and knowledge of the principles of worldwide concern for human rights. We are taking part in it—as we regard it as a singularly inspiring experience.

Prior to undertaking this essential assignment we conferred with the United Nations Commission on Human Rights, and, much to our delight, the Commission not only approved of but heartily encouraged our endeavors.

In brief, the Committee for World Human Rights is a voluntary group of men and women, distinguished in their business and professional fields, who have conscientiously addressed themselves to the spread of knowledge about human rights throughout the world. It stemmed from the realization that we no longer can be mere bystanders; that we must become involved in doing "something" toward a better and happier world for all people; that we must play a role in aiding in the creation of a better world.

The immediate purport of the Committee is: To bring home to people the importance of world human rights, and, to this end, to prepare and publish a comprehensive text to serve as an authentic source of information.

Is human rights an abstract subject?

Far from being an abstract subject, human rights affect the daily lives of everyone—man, woman and child. "Human rights" mean the right of every human being to enjoy maximum liberty, with commensurate opportunity in every sphere of human endeavor—be it civil, political, economic, social or cultural.

To give reality to human rights is obviously an immensely challenging and difficult undertaking. It calls for prolonged effort. The first and primary task is that of educating, teaching, persuading mankind to believe and adhere to principles that at first may seem to conflict with certain deeply engrained habits and ways of thinking. Basically, we have to take cognizance that what is irritable and hateful to us we should not, wittingly or unwittingly, inflict on our fellowmen. It is incumbent upon each of us to set an example in viewing each other as the emissaries of mutual happiness instead of, more often than not, regarding one another as obstacles.

A powerful and effective springboard toward ultimate attainment of these objectives was the Universal Declaration of Human Rights by the United Nations—proclaiming universally that the rights of every man, whoever he may be, must be accorded recognition. The Universal Declaration of Human Rights also acts as an inspiration and motivation, for national and international statutes will enable those who suffer oppression to seek redress by direct recourse to the authorities of their own country or to the Court of World Opinion.

What is ahead?

The road ahead will doubtless be long, the difficulties great, the disappointments many. But, traditionally, hope and constancy can never fail those who have faith in the destiny of men.

In addition to publishing a textbook, the Committee intends to:

(a) Provide a platform for men and women in all walks of life to express their views on human rights.

(b) Encourage universities and other institutions of higher learning to render the subject of human rights an integral part of their curriculums.

(c) Motivate individuals and corporate entities to endow Chairs of International Human Rights.

(d) Exercise our influence in every comprehensive and legitimate manner in the advocacy of Human Rights.

(e) Accord world-wide distribution to the impending publication—translated in several languages.

(f) Conduct forums and seminars on the subject of World Human Rights.

(g) Furnish speakers, whose competence in articulating the subject is beyond question, for service clubs and similar organizations.

(h) Provide academic material to be used in institutions of learning.

We realize that it is perfectly possible to engage actively in a materially productive life, and, at the same time, aspire to the highest spiritual attainments.

LAW DAY U.S.A.

Mr. PERCY. Mr. President, today marks the 12th annual nationwide observance of Law Day U.S.A. This tradition originated in 1958, when President Eisenhower issued a proclamation establishing May 1 of each year as Law Day U.S.A.

Law Day is sponsored by the American Bar Association in cooperation with 1,500 State and local bar associations, and with the endorsement of many national organizations. Through the efforts of these and other interested groups, thousands of Law Day programs and activities are held throughout the country on or near the first of May. These include addresses, school assemblies, courthouse tours, essay contests, television and radio shows, and dramatic presentations.

The purposes of Law Day are both educational and patriotic. It is not a "lawyers day," it is an occasion for honoring the place of law in American life. For this reason, all Law Day activities have four basic purposes: First, to foster respect for law and an understanding of its essential place in American life; second, to encourage citizen support of law observance and law enforcement; third, to advance equality and justice under the law; and, fourth, to point up the contrast between freedom under law in the United States and governmental tyranny under communism in countries such as Czechoslovakia.

The Law Day theme for this year is: "Justice and Equality Depend Upon Law—and You." This theme is incorporated in billboard posters, newspaper advertisements, window display cards, and other informational and educational materials relating to the observance of Law Day. The theme was selected for its timeliness, and I think rightly so. In today's world of public disorder, rising crime, strained race relations, and social unrest, this year's Law Day theme serves to remind all Americans that equal justice and equal opportunity depend on the individual as well as the law. It reminds us that although the principles of justice are rooted in natural law, and the standards of justice are codified in law books, the achievement of justice depends in large measure on the willingness of every American to accept the spirit and the letter of the law, and to apply it in his relationship with others.

I believe that the spirit of Law Day is aptly contained in three statements written for Law Day, issued by the American Bar Association and entitled, "Law, Order, and Justice," "The Virus of Lawlessness," and "No Man Is Above the Law." I ask unanimous consent to have the three statements printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

LAW, ORDER AND JUSTICE

Americans everywhere yearn for an end of violence in the streets of our cities and a general restoration of public order.

A free society cannot exist, let alone flourish, in an environment of mutual antagonism, distrust and hate. Public order is essential to achieving meaningful solutions of the domestic problems that beset our nation and people.

The same is true of social justice, which is the ultimate objective of a lawful society.

Maximum progress toward crime control, improved educational and employment opportunities, better housing, and urban development and renewal, cannot be attained in a volatile atmosphere.

Law alone cannot solve all of these problems. Their resolution depends upon all of us. We must develop a new national spirit—of faith in our country and its ideals, of respect for the rights of others, of confidence in our nation's destiny and the role each of us must play in its future.

We must recognize legitimate grievances and respond to them.

The virus of disregard for law must be eradicated.

We must look ahead, and build together.

May first is Law Day USA. Congress and the President have urged all Americans to mark the occasion by rededicating themselves to "the ideals of equality and justice under law."

Nothing is more important to your welfare—and the nation's.

The Virus of Lawlessness

Reports of the Federal Bureau of Investigation disclose a shocking 89 percent increase in crime in the United States between 1960 and 1967.

Last year more than 3.8 million serious crimes were reported. Many more—no one knows how many—were not reported. The 16 percent increase in the figures for 1967 over the preceding year included an upward climb in violent crimes against persons and property.

Arrests reached a staggering five and a half million persons, of whom more than a third were under age 21.

The causes of crime and social unrest are many and varied. The remedies are not simple. They call for the combined efforts of government and individual citizens in many spheres of American life. Achieving social justice and equality under law must be the common goals of all of us.

This year on May 1 we again observe Law Day USA. The theme for 1969 is: "Justice and equality depend upon law—and *you!*"

It's a short way of saying that justice and equal opportunity do in fact rely both upon laws and courts and upon the attitudes of individual Americans towards other Americans.

And it is a meaningful reminder for everyone—on May 1 and every day!

No Man Is Above the Law

The right of dissent has been cherished and preserved since the beginning of the republic. The day must never come when it will be otherwise. Vigorous and effective expressions of dissent and of legitimate grievances are essential ingredients of the democratic process.

But there are valid necessary limitations on dissent. Freedom of speech does not include incitement of riot. Seeking redress of grievances does not include the right to do violence to persons or the property of others.

A great American, Theodore Roosevelt, observed succinctly: "No man is above the law, and no man is below it."

Events of recent years have proved again that lawlessness and violence do not advance progress, but retard it. They destroy rather than extend civil rights, and they impede rather than promote real solutions to social ills.

They have confirmed that enduring advances toward full realization of the American ideals of equality and justice must come about through lawful channels. And they have reminded us that in a lawful society no one gains by attempts to enforce change by defying the law.

That is the essence of the message of the annual Law Day USA observance on May 1. Congress and the President have urged all Americans to observe Law Day by rededicating themselves to "the ideals of equality and justice under law." It is an appeal that merits the thoughtful attention of every American.

THE SANTA BARBARA OIL SLICK

Mr. CRANSTON. Mr. President, although the Santa Barbara oil slick seldom makes today's headlines, the sad facts are that more than 3 months after the blowout from the drilling on platform A, the oil slick is still desecrating the beaches of southern California. The fissures next to platform A are still disgorging oil. This very week, a wind shift again blackened the Santa Barbara beaches, whose sands have been so laboriously cleaned. Today, I have been told by Santa Barbara residents that the greasy blight on the beaches has been worse during the last 2 days than at any time for many weeks.

By now it is old news that our great national resource, the Pacific shore, is being despoiled by the oil blowout; it is nevertheless, a calamity of growing proportions.

Therefore, I was pleased to read on April 17, 1969, editorials about the Santa Barbara disaster published in two newspapers of national preeminence, the Los Angeles Times and the Wall Street Journal. The coincidence of these editorials in both east coast and west coast newspapers on the same day highlights the truly national magnitude of the Santa Barbara Channel tragedy.

Mr. President, I ask unanimous consent that both editorials be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Los Angeles (Calif.) Times, Apr. 17, 1969]

Business as Usual in Tideland Oil

The Interior Department seems to have a short memory.

Less than three months after the worst water pollution disaster in California history, oil drilling in federal tidelands off Santa Barbara has been allowed to resume by Interior Secretary Walter Hickel.

The secretary is apparently convinced that there will not be another leak blackening the water and shoreline. He must be, for Hickel has said several times recently he believes that protection of the environment is more important than oil production royalties.

The Times agrees that California's magnificent coastline and water resources are far too valuable to be jeopardized by the threat of oil pollution.

We do not agree that drilling should be resumed in the channel, even though more stringent rules have been imposed. No matter how tough the regulations, the possibility of another disastrous blowout remains.

Three companies, operating from five drilling platforms, are back in business as the result of Hickel's ruling. Phillips, Mobil and Humble crews are either sinking new holes or proceeding with drilling interrupted by the huge leak last January. "Therapeutic" drilling is also under way at Platform A–21, where it all started.

Santa Barbara County officials are going to court in an effort to halt the resumption of drilling and to protect what is left of their beaches and harbor. And although the county and the state have filed more than $1 billion in claims, neither California nor any of its local governments have any jurisdiction over the tidelands beyond the three-mile limit.

The federal government, however, cannot simply order oil companies to remove their drilling platforms without compensation. Bonuses totaling $603 million were paid by the companies bidding on federal leases. One alternative, proposed by Sen. Alan Cranston (D-Calif.) and others, would be to exchange the tideland leases for federal onshore oil reserve drilling rights.

It makes no sense to take the risk of damaging California's shoreline when so much oil potential remains untapped on land. The policy of holding petroleum reserves for a prolonged war is now obsolete.

Protection of the esthetics and ecology of our priceless coastline is the responsibility of the governor and the Legislature as well as that of local officials. It also would seem to be an obligation of University of California experts—even though they may be consultants to oil companies.

Californians have longer memories than the Interior Department. They still remember the huge and ugly oil slick that fouled beaches and imperiled marine and wildlife.

No amount of bonuses or royalties can compensate for such a tragedy.

[From the Wall Street Journal, Apr. 17, 1969]

Santa Barbara Snafu

It's obvious by now that the Johnson Administration bungled badly in leasing offshore oil lands at Santa Barbara, Calif. The snafu could turn out to be extremely costly.

The state of California has sued the Federal Government, Union Oil Co.—the major operator of a well that caused a vast oil slick off the coast—and three other oil firms for more than $1 billion for the damage caused by the leaking well. Now six independent oil companies are suing the Government for $230.7 million.

What upsets the independents is a regulation, announced by Interior Secretary Hickel on Feb. 17, that makes leasees on the outer Continental Shelf fully liable for any damage caused by oil escaping from the leased areas. The six firms, operating in the Santa Barbara Channel, have had no leaks up to now but plainly are fearful that they might.

According to Pauley Petroleum Inc., one of the plaintiffs, the leased areas, "as the U.S. knew, or should have known, when it solicited and accepted bonus payments in excess of $73 million . . . are in deep water and in a known area of faulting which is subjected, from time to time, to earthquakes and tidal waves. Drilling in the leased areas requires operations which reach to the presently known limits of the relevant technology."

The oil firms claim Secretary Hickel's new rule on liability makes it economically impossible for them to continue operations in the areas. In addition to seeking return of the bonus payments, the companies contend the Government should reimburse them for exploration costs and a reasonable estimate of the profit they might have earned from the leases.

Without getting into the legal issues involved, the public has ample reason to be incensed about the whole affair—and not only because of the deplorable damage to waters and beaches. When the Federal and state governments were squabbling about rights to offshore oil lands, the areas were pictured as a governmental revenue bonanza. Surely few citizens realized that their representatives were risking billion-dollar damage suits.

If the Federal Government knew, or even if it should have known, that the Santa Barbara areas were highly risky, then drilling should have not been permitted—at least until there was assurance that the risks could be overcome. It certainly doesn't speak well of the Government's past performance that drilling now is suspended on many of the Santa Barbara leases until the Interior Department at long last investigates the underlying geological hazards.

Offshore oil resources could be important to the nation's future. Their cost could be prohibitive, though, unless the Government shows more wisdom than it did at Santa Barbara.

THE TIMBER INDUSTRY IN OREGON

Mr. HATFIELD. Mr. President, the people of my State of Oregon have been following with great interest the work of both the administration and the Congress to solve the current problem of availability of timber to meet the shelter needs of this Nation. Oregon's interest in this problem is readily explained when it is noted that the largest industry in the State is the forest products industry. Of the more than 32 million acres in Federal ownership, which is some 52 percent of the total land area in Oregon, 15.4 million acres are forest land.

We in Oregon have long been concerned with the need for the management of Federal lands to be on the same high plane as the better managed private lands in the tree farm system. The Housing Act of 1968, in which the Congress established national goals for housing, raised that concern from the State to the national level when it suddenly became apparent that the forest industry did not have ready access to the amount of timber needed for the lumber and plywood to provide 2.6 million homes a year.

President Nixon has appointed a special Cabinet-level task force to look into the problem. That task force has made some recommendations which the President has followed to increase timber availability. But it became readily apparent in the hearings subsequently held by the Congress that additional action was needed—action that could be taken only by the Congress.

Therefore, it is with pleasure that I support the bill recently introduced by Senator Sparkman, of Alabama, to establish a policy for more efficient development and improved management of national forest commercial timberlands and to establish a high-timber-yield fund.

Mr. President, this bill recognizes that the immediate problem lies not in the Nation's total timber supply—for there is an adequate amount—but rather that it is a problem of availability of the timber. Most of the private timberlands in my State and particularly the industrially owned lands are under intensive management. The private forest landowners have provided adequate roads so that the timber may be managed. The industrial foresters engaged in reseeding, thinning, pruning, and other tree farm practices which will help to provide a high yield of timber today while insuring a continuing supply to meet the needs of the generation of tomorrow.

But the national forest lands are not as well managed—not through the fault of the Forest Service, but through the fault of the Congress which has not provided sufficient funds or a long-range program to enable the Forest Service to practice intensive land management. The difference made by availability of funds is well shown in the forestry practices of the Bureau of Land Management of the O. & C. lands of Oregon. Under the O. & C. Act, funds are available for proper land management, and the annual harvest from O. & C. lands shows the result.

For these reasons I am pleased to give my wholehearted support to the bill introduced by the Senator from Alabama (Mr. Sparkman). I urge that the Senate support it to provide the raw material we need to fulfill the needs of the Nation for housing.

PROGRAMS OF INTERNATIONAL EXCHANGE AND INTERNATIONAL EDUCATION

Mr. FULBRIGHT. Mr. President, in a recent address to the National Council of Associations for International Studies, Representative John Brademas, of Indiana, a highly creative member of the House Committee on Education and Labor, emphasized the need for restored and expanded Government support of international educational exchange and other programs of international education. Representative Brademas advocates the creation of an independent Federal corporation, modeled, for instance, on the National Academy of Sciences, for the conduct and administration of governmentally supported educational activities abroad. The suggestion, it seems to me, is worthy of serious consideration. I commend it, therefore, to the attention of Senators and ask unanimous consent that his address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Perspectives on International Education

Nearly three and one-half years have passed since President Johnson's historic address in 1965 at the Smithsonian Institution in which he envisioned a new and challenging level of responsibility for the United States in international education. The President extended an offer of educational cooperation to "all nations, friend and foe alike." At the same time he recognized the critical importance of the reciprocal nature of any endeavor in international education, and he called attention to the pressing need of Americans themselves for greater knowledge and understanding about the world in which they lived.

The major outcome of the President's Smithsonian address was the enactment of the International Education Act of 1966, a program designed specifically to strengthen our capacity here in the United States for international studies and research. The law represented the first long-range commitment by Congress and the Federal Government to supporting the international dimensions of American colleges and universities as educational institutions, not merely as resources for the overseas operations of the government.

This was truly a landmark measure, and its passage seemed to mark the opening of a new chapter in the history of international education in the U.S.

But, as we are all painfully aware, over the past two years certain facts have intruded on this bright picture—the war in Vietnam, the resulting drain on Federal budget resources and the growing economy mood in Washington. The great hope and promise of the International Education Act have been stillborn, for Congress has yet to appropriate any funds whatsoever for implementing the legislation.

NEED TO FUND INTERNATIONAL EDUCATION ACT

Passage of the Act has stimulated many institutions of higher education across the country to begin planning new international studies programs; interest and enthusiasm for the potential of the legislation has been remarkable. But so far the necessary follow-through, in terms of actual dollar support from the Federal Government, has not been forthcoming.

As one leader in higher education has put it (Landrum Bolling, President of Earlham College and head of an *ad hoc* committee of educators formed to press for funding the International Education Act), "It seems an extraordinary kind of short-sightedness if our legislative representatives decide in the midst of this complex and costly war in Southeast Asia (which must in part be attributable to our lack of knowledge and skill in the handling of international affairs) to search for so relatively minor an economy as to abort [the International Education Act]."

This observation becomes especially pointed when we consider the appalling lack of American scholarly expertise on the subject of Vietnam. Two years ago Professor John K. Fairbank of Harvard observed at an International Congress of Orientalists that there were no American experts on Vietnam in attendance. He suggested that there were probably no more than eight full-fledged scholars in the United States pursuing research on Vietnam—at a time when Vietnam constituted the overriding problem in U.S. foreign relations.

Such gaps in our resources for study and research on other, particularly non-Western, parts of the world are those which the International Act is designed to help fill, through grants to colleges and universities in the United States for programs at both the graduate and undergraduate levels.

The International Education Act, of course, is not the only casualty of the Vietnam War among the Federal Government's international education activities.

Cultural and educational exchange programs of the Department of State have been cut drastically—from $46 to $31 million—in the current fiscal year.

Support for the National Defense Education Act language and area centers program and the Fulbright-Hays program has actually declined slightly from 1968 to 1969.

Technical assistance activities under the AID program have also run into heavy seas in Congress.

Indeed, these have been bleak times at best for international education. The appeals of concerned educational organizations for reversal of this trend toward fiscal emasculation of our nation's programs in international education have taken on a tone of frustration and even of desperation, indicative of the fact that the gravity of the current situation has acquired emergency proportions.

The heads of the Conference Board of Associated Research Councils in a letter to President Nixon dated last December 31, asserted that the trend of the past few years amounts to "intellectual disarmament" of the U.S.

In a recent position paper on Federal programs for higher education, the American Council on Education stated that, because of the reduction in funds, "the modest but successful efforts of 20 years of study and scholarly change are now jeopardized."

The U.S. Advisory Committee on International Education and Cultural Affairs, in its 6th Annual Report to Congress, bluntly assessed the current situation: "We assume that after 30 years of Government-supported educational and cultural relations, this nation is committed to such programs. If it is not, it should be."

NIXON EDUCATION TASK FORCE URGES MORE FUNDS FOR FULBRIGHT-HAYS ACT

There are, however, reasons for hoping that the Nixon Administration will make a careful review of the priorities in this field and will move to expand rather than contract, our commitment to the international education. The recently publicized recommendations of President Nixon's Task Force on Education, headed by Alan Pifer of the Carnegie Corporation, include two significant proposals for action in the international sphere.

First, with regard to the Fulbright-Hays program, the task force recommends that the Administration seek a supplemental appropriation of $15 million early in 1969. This supplemental would return the level of appropriations for the exchange program to the point reached in fiscal year 1968, when $46 million was appropriated.

The Task Force also recommended that the budget for fiscal year 1970 include a request for more than $50 million for the exchange program, thereby equaling the level of funds appropriated back in the mid-1960's.

The second major recommendation concerns the International Education Act. The Task Force praises the Act as "an excellent piece of legislation which was prepared with tremendous effort and care." After noting the strong sentiment in university circles in favor of funding the programs envisioned in the IEA, the Pifer Report strongly recommends that the Nixon Administration request the necessary appropriations.

Indeed, said the Nixon Task Force, "the failure of Congress to provide any funds under the act has been a major disappointment to the colleges and universities and has unquestionably restricted the overall quality of the nation's performance in international affairs."

President Johnson's final budget for fiscal year 1970, contained a $2 million request for launching programs under the IEA. We can all hope that the new Administration will take advantage of this opportunity to demonstrate its good faith to the academic community by recommending and pressing hard for at least this minimum figure and hopefully more.

SOME RETHINKING NECESSARY

But my plea for financing international education programs is only part of the message I want to communicate this morning. Beyond the need for money to carry out existing legislation, I believe that we need to do some hard rethinking on a whole range of issues affecting international education.

For in 1969 the mood and climate of the country are substantially different from only three and a half years ago. The complexity of events altering the American landscape since the President's Smithsonian address in 1965 is staggering:

The war in Vietnam and the growing disaffection in the country.

An emerging neo-isolationist sentiment in reaction to Vietnam and a widespread desire to pull back from far-flung American commitments around the globe.

The crisis of confidence engendered by the CIA–NSA and other disclosures of covert government involvement in private educational and research activities abroad.

The violence in American cities and our increasing preoccupation with the domestic crisis here at home.

The black revolution and the growing student unrest and disruption on American college campuses.

All of these factors impinge on the fate of international education and call for a reassessment of our efforts in the field.

With a new Administration now in office and the 1970 International Education Year nearly upon us, such a reassessment is particularly in order. Now is the time, before the new Administration "brings in the jury," to get our thoughts straight on where we are and to chart some of the paths that could be followed to get where we need to go in international education.

SOME SPECIFIC ISSUES

Several specific issues will force themselves on Congress and the Administration very soon:

1. The future of government-financed overseas research, especially in light of the Camelot affair.

2. The future of the "CIA's orphans" and of government support generally for important activities abroad.

3. The future of international exchanges in view of the recent budget cutbacks in this area.

4. The future of technical assistance in the foreign aid program.

5. The role of the Federal Government in relation to the more than 100,000 foreign students studying in the U.S.

But more broadly, I think we must do some soul-searching about the future of international education as a whole. What, in fact, do we man by the term international education—what does it encompass—what are the goals we wish to achieve—and how should governmnt financial support for it be organized?

THREE MAJOR COMPONENTS OF INTERNATIONAL EDUCATION

There have traditionally been three major components of international education:

1. One is teaching and research on international affairs in American universities and colleges—area and language studies as well as the general study of international relations. The International Education Act was specifically directed at this particular aspect of international education by authorizing, to repeat, Federal grants to colleges and universities for programs at both the undergraduate and graduate levels.

2. The second component relates to educational and cultural development overseas and the role of U.S. efforts, as under USIA and AID, in promoting this development. The many enterprises of educational cooperation between developed and less developed countries of the world fall within this particular meaning of international education.

3. The third component is the exchange of people between countries for educational and cultural purposes. Principally through the Government-sponsored Fulbright-Hays Program. The movement and exchange of people among nations provide a kind of connective link with the other two aspects of international education—international studies here in the U.S. and educational development overseas.

The Federal Government is involved in one way or another in all of these separate but interrelated components of international education. But the Federal response has clearly evolved on an *ad hoc* basis. As a result, international education activities cut across a number of different executive agencies and departments as well as committee jurisdictions in Congress. No broad-gauged, coordinated policy on international education has ever been implemented or perhaps even conceived.

In recent years, however,—partly as a result of the issues brought to light by the CIA–NSA disclosures and the Camelot episode—a number of proposals for reshaping and reorganizing government programs in the international sphere have been put forward.

Some persons have proposed, for example, a kind of superagency within the government in which would be consolidated all international education programs.

Senator Ralph Yarborough of Texas, the new Chairman of the Senate Labor and Public Welfare Committee, last year introduced and held hearings on a bill which would create a quasi-governmental corporation to provide open support for private activities in international education as well as health, labor and related welfare fields.

Another proposal, by Senator Fred Harris of Oklahoma, to create a National Social Science Foundation has a bearing on international education in that it would probably encompass overseas social science research and study.

In addition, I understand that President Nixon's task forces have some definite although conflicting views on how to rationalize this fragmented field of government activity. I am told that one suggested approach would be to create a new government unit bringing together the cultural exchange functions of the State Department, technical assistance from AID, the Peace Corps, and the recently established Institute for International Studies in the Office of Education of the Department of Health, Education, and Welfare.

A NEW NON-GOVERNMENTAL AGENCY

My own feeling is that, at least in the area of government support for educational and cultural activities abroad, we need to create a new entity outside government—a basically private organization with a Federal charter. Some of the obvious analogues here are the Smithsonian Institution, the American National Red Cross and the National Academy of Sciences. We should consider the possibility that the basic legislation for such an institution would contain a permanent authorization for the appropriation of Federal funds, much as the National Science Foundation now enjoys.

But I do not wish here to lobby for my own conception of what is needed. Rather, my message is that we must intensify the dialogue among Congress, the executive branch, the colleges and universities, and the private education community on all of these alternative proposals and on the whole range of issues affecting international education. The issues are complex, and competing jurisdictions of separate government agencies and vested interests in the field complicate the problem of achieving a rational and comprehensive approach to government policy-making for international education.

But we must all join in the effort. What you of the National Council of Associations for International Studies must do and what all who understand the significance and value of international education must do is to think through clearly what we are trying to accomplish in all of our international programs. Then we must determine how we can best mobilize our not inconsiderable forces to reach the goals that we set.

MESSAGE OF THE PRESIDENT ON ORGANIZED CRIME

Mr. PERCY. Mr. President, last week President Nixon transmitted to Congress a compelling message on organized crime. His message described the menace of organized crime in a clear and forceful fashion, and outlined much needed remedial legislative and administrative action.

I fully agree with the President's declaration:

> As a matter of national "public policy," I must warn our citizens that the threat of organized crime cannot be ignored or tolerated any longer. It will not be eliminated by loud voices and good intentions. It will be eliminated by carefully conceived, well-funded and well-organized plans.

The President's message is especially meaningful to me because I grew up in a community victimized by a predatory system of organized crime. I have seen firsthand the brutalizing, degrading, and often deadly effects of racketeering on the lives of decent citizens who respect the law. It is for this reason that I particularly welcome the President's initiative in his efforts to mount an effective attack on the problem of organized crime in America.

Mr. President, I believe that of all the disreputable activities conducted by racketeers, the illicit trafficking in narcotics ranks among the most significant. The black market for narcotics in the United States is a big one It has been estimated that organized crime garners $350 million a year from the heroin trade alone, and this is a conservative figure. The cost to individuals is equally staggering. It has been estimated that there are approximately 60,000 drug addicts in the United States, and that drug addiction costs the average addict almost $5,000 a year. Marihuana, in addition, may be used by as many as 3,000,000 to 5,000,000 persons in the United States.

Statistics, however, tell only part of the story. Adolescents, lured by the dope peddler into experimenting with narcotics, have their lives in effect suspended, and are forced into a limbo that has no future and offers no means of coping with the reality of the present. Not only does the drug addict cause his loved ones untold torment, he himself lives in a nether world with incessant craving his constant companion. Assaults, robberies, and murders are committed by desperate addicts who cannot find the money to purchase costly drugs.

The racketeers who make this entire tragedy possible profit handsomely from it. They think they are above the law and are immune to the ordinary legal processes that govern men's lives. It is the responsibility of Congress to pass the kind of legislation needed to put the controlling racketeers in penal institutions, and eradicate the system of criminal activity perpetuated by their underlings.

President Nixon has challenged Congress and the Nation to meet headon and crush the multifaceted system of organized crime. I share his faith that both the Congress and the people will be equal to the task.

CHINA'S SHADOWY ROLE IN THE WAR IN VIETNAM

Mr. KENNEDY. Mr. President, the April 29 issue of Look magazine contains an interesting and important article on China's shadowy role in the Vietnam war between 1964 and 1967. The article was written by Allen S. Whiting, the well-known expert on China who is now professor of political science at the University of Michigan, and who served with distinction as Deputy Consul General of the United States in Hong Kong in the early 1960's.

Mr. Whiting's central theme is that our continuing policy of unremitting hostile confrontation toward Communist China poses extraordinary dangers of serious—even nuclear—conflict, and will continue to do so unless both sides recognize the need to disengage themselves from the passions of the past and develop a more realistic policy for the future. In the past decade, Mr. Whiting says, we have avoided major conflict more by accident than design. As he puts it, we can hardly keep hoping that luck will continue to save us from all-out war with China.

Mr. President, because of the significance of Mr. Whiting's article, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

How We Almost Went to War With China

(By Allen S. Whiting)

Chinese antiaircraft gunners duel with low-flying U.S. fighter-bombers spraying rockets and napalm over Chinese troops in North Vietnam. Hanoi's MiG's escape destruction by fleeing to China. American planes straying over Chinese territory are shot down by Chinese fighters.

No hypothetical war game in the Pentagon basement, these events punctuated the secret war between China and the United States that flared from 1964 to 1967. Mixing political caution with military brinkmanship, China and the United States shrouded their risks in secrecy and semantics. Another catastrophe like Korea was averted by both sides keeping their cool. Few outside the innermost councils in Peking, Washington and Hanoi knew how close China and the United States had come to the point of no return in their clandestine conflict.

Now, however, it is time to end the silence over China's involvement in the Vietnam war. Any assessment of China's willingness to take military risks must consider her actions in that conflict. Any analysis of military interaction between China and the United States must focus on Vietnam as well as the Korean War. And any consideration of new courses of action in Vietnam must consider the likely Chinese responses in terms of the record.

China's material involvement in the Vietnam conflict began with our retaliatory bombing of North Vietnamese naval bases following the Gulf of Tonkin incidents of August 2–4, 1964. The Chinese promptly sent a squadron of MiG–17's to Hanoi for use against future U.S. air attacks. In the United States, the implications of this move were lost in President Johnson's campaign pledge that year not to "carry the war north." North Vietnam, however, saw the MiG's as proof of China's willingness to keep Hanoi in the fight regardless of U.S. threats to bomb the home base of Vietcong insurgency in South Vietnam. This threat had been hinted throughout the spring of 1964 by White House and other Washington sources. The Chinese commitment was essential to North Vietnam at this time. Khrushchev had denied any responsibility for Communist moves in the Indochina peninsula, having already extricated Russian policy from involvement in Laos through the Geneva agreements of 1962. While the government in Peking sent aircraft, the Russians took the case to the United Nations in clear defiance of North Vietnam. Thus Chinese support was North Vietnam's only relief from the threat of U.S. air attacks as long as the war continued in the south.

China's commitment was impressive. The initial MiG deployment indicated a willingness to replace parts and planes should U.S. attacks continue. More important, in the fall of 1964, construction began on a number of new airfields in South China. Both the timing and location of these bases were a reaction to the threat of U.S. escalation in Vietnam. Most major air-defense developments in South China had ended in the mid-fifties, before China's abortive pressures on the offshore islands of Quemoy and Matsu, still held by Chiang Kai-shek's forces. Now, at a time of relative inactivity elsewhere on the mainland, new bases appeared in the arc of southeastern China abutting North Vietnam.

Their location suggested that these airfields were related to anticipated U.S. air attacks on North Vietnam. One major base, Ningming, was built only 12 miles from the border, near the vital railroad transshipment point of Pingsiang. Had this airfield been designed exclusively for the defense of Chinese territory, it would have been located further inland to avoid an easy attack by U.S. aircraft operating from distant points in Thailand, South Vietnam and the Gulf of Tonkin. Its more vulnerable location could only be explained as offering fighter protection for North Vietnam from the nearest point of sanctuary in Chinese territory. The total base complex permitted a sharp increase of Chinese aircraft concentrated within a 300-mile radius of the vital road and railroad lines on which most North Vietnamese military deliveries depended. It also provided alternate bases for North Vietnamese aircraft, otherwise limited to a few primitive, highly vulnerable fields at home. Finally, increased Chinese air strength on Hainan island, together with the new base complex in South China, could offer added protection to the North Vietnamese heartland, the Red River Delta, with its industry, dikes and population centers.

But events moved more swiftly than did airfield construction. In late October, 1964, Khrushchev's fall from power reversed Russian policy on Vietnam. Missions shuttled amongst Peking, Hanoi and Moscow to assess the change in Russian policy and its implications for the war. Finally, in February, 1965, Premier Alexei Kosygin visited Hanoi. Coincidentally, a Vietcong terrorist attack against U.S. aircraft and installations at Pleiku set off fresh retaliatory air raids against North Vietnam. The Russians thereupon increased their support, agreeing to North Vietnamese requests for planes more sophisticated than the Chinese, and for surface-to-air missiles to defend North Vietnamese cities.

Chinese aid to North Vietnam now had to compete with or supplement Russian aid. Some evidence indicates that the Soviets proposed joint military aid to North Vietnam, including Soviet-bloc air defense from Chinese bases. Offers to supply volunteer pilots from East Germany and Czechoslovakia followed in the wake of systematic U.S. attacks against North Vietnam, beginning in March, 1965. The Chinese Chief of Staff, Marshal Lo Jui-ching, apparently argued strongly for accepting these bloc offers, a mistake that seems ultimately to have lost him his position in the fall of 1965.

In the midst of the debate in Peking over how to handle Russian participation in the war, the United States suddenly introduced large-scale American combat forces into South Vietnam. This turned on a war alarm that rang with increasing intensity during the summer and fall of 1965 in major cities throughout southern and coastal China. Pitched to the slogan of preparing for war "Sooner rather than later, nuclear as well as conventional," a Chinese civil-defense campaign built up, complete with air-raid drills, pamphlets and films on protection against atomic fallout. Shelters were designated, and factories earmarked for possible dismantling and relocation inland.

China's commitments to North Vietnam remained vague in the public declarations of Chinese leaders, and were rarely portrayed as risking war with the United States. In a rare exception, Chief of Staff Lo Jui-ching had faced the issue squarely in early May, claiming, "We will go on supporting and aiding the Vietnamese people, whether or not U.S. imperialism bombs our country and whether or not it enlarges the war." More frequently, however, the propaganda scenario followed one of two scripts, both of which played down China's role in Vietnam. One analysis portrayed the United States as driven to intensify its effort as it became frustrated at each level of escalation and was unable to achieve its goals. Ultimately, in this view, escalation would carry the war to China. Others saw the United States as bent on attacking the Chinese regime, once its forces in Vietnam were strong enough to attack the mainland. In both versions, it was conceded that war with the United States was a strong possibility in the near future.

We may never know the full details of policy debates in Peking over Vietnam in the summer and fall of 1965. It appears, however, that Mao Tse-tung and his successor-designate, Minister of Defense Lin Piao, felt trapped between the Soviet-bloc offers for joint air cover over North Vietnam from Chinese bases and the sudden, massive U.S. escalation in South Vietnam. Whatever Chinese commitments for air defense may have been made to North Vietnam in 1964, when Russia was out of the game and U.S. air attacks posed the only likely escalation, circumstances had obviously changed.

The argument was sharp in Peking. Perhaps China could escape punishment, as it had in the Korean War when Communist aircraft operated from sanctuary in China against U.S. bombers over North Korea. Secretary Rusk had warned in mid-'65 against any "assumption" of such sanctuary again, but was this firm U.S. policy? Would the U.S. really take on war with China for the sake of stopping North Vietnam's war in the South?

Mao decided against air defense. However, a new Chinese commitment to North Vietnam at this time indicates that war was not to be avoided at all costs. In lieu of greater air defense, Mao sent regular forces of the Chinese Peoples Liberation Army (PLA) to North Vietnam. The first units crossed the border early in the fall of 1965, and rapidly expanded until, by the spring of 1966, they totaled some 30–50,000 troops. Primarily engaged in railroad, road and bridge construction, PLA engineers strengthened the entire network of transportation and communication linking North Vietnam with China. Northwest of Hanoi, Chinese troops built an elaborate air and logistics base so vast as to suggest a major jungle redoubt for North Vietnamese or possibly Chinese troops in case of U.S. invasion. In addition, Chinese antiaircraft units moved to protect vital targets in North Vietnam, and to shield PLA engineering and construction personnel.

The overt preparation of the Chinese people for war and the secret presence of thousands of Chinese troops in North Vietnam provided sufficient guarantee to convince leaders in Hanoi that they did not have to knuckle under to U.S. threats. Refusing to meet with U.S. emissaries during the 37-day bombing halt of late 1965 and early 1966, Ho Chi Minh faced the possible full force of U.S. air attacks, the threat of total interdiction effort against the vital supply lines from China, and perhaps a U.S. invasion. But if the worst came, Ho would not have to face it alone.

The worst did not come. U.S. air attacks remained within essentially the same geographic and target limitations as before. The American Government made public that it knew Chinese troops were in North Vietnam but did not try to cut all supply lines from China. American aircraft attacked Chinese troop positions is North Vietnam, while Chinese gunners shot down U.S. pilots and planes. But neither side publicized its casualties or its kills.

Even the better known danger of American planes overflying China was handled with relative restraint by both governments. Mao's response to accidental violations of China's airspace ran from total passivity through political protest to shoot-downs.

The situation remained potentially explosive as long as U.S. escalation inched upward. In 1967, as American bombs hit Hanoi and Haiphong and attacks began on North Vietnamese military airfields, the Chinese reacted with claims of three aircraft shot down the week of April 24-May 1. The U.S. meanwhile steadily whittled down its self-imposed 25-mile-wide buffer zone along the Sino-Vietnamese border. By August, U.S. bombs fell within ten miles of China. American, North Vietnamese and Chinese fighters flew ever closer to each other, with Communist planes relying on the sanctuary of bases in China.

Before U.S. policy makers could be forced to decide on "hot pursuit" into China, both sides backed off a bit. U.S. attacks eased away from the border, and Communist air actions became less provocative. The winter monsoon further limited air attacks over North Vietnam, and on March 31, 1968, President Johnson ended all bombing of North Vietnam except in the immediate vicinity of the DMZ.

Both countries acted coolly throughout 1964–1967. China risked war but avoided extreme provocation. The United States was not deterred from escalation against the North but took every precaution not to blunder into war with China. Korea remained a restraining memory for both sides. Nonetheless, the nearness of an open Sino-American conflict over Vietnam leaves grounds for concern as long as China and the United States continue to clash.

The Chinese have been a force in stiffening the North Vietnamese will to resist U.S. escalation. In 1964, China provided the only outside support for North Vietnam's air defense. In 1965, Chinese Communist troops entered North Vietnam as the only substantial deterrent against a possible American invasion. In 1967, despite the ravages of Mao's Cultural Revolution, his regime reacted vigorously to increased U.S. bombing, and offered sanctuary to North Vietnamese fighters. As in the Korean War, the People's Republic of China proved its willingness to assist a besieged Communist neighbor even at risk of war with the United States.

The Chinese leaders did not assume this risk lightly. Throughout the war, China discreetly avoided provoking the Americans by remaining silent about aid to North Vietnam at a time when the Russians' surface-to-air missiles in North Vietnam were receiving worldwide attention. We will probably never know the extent of Chinese casualties in North Vietnam or how many of our planes fell to Chinese guns.

From all this, we have learned that China is willing to take risks in pursuit of vital interests. We have learned, of course, to distrust the crude stereotype of China's leadership as one dominated by reckless revolutionaries determined to advance their hegemony in Asia and the world by "people's wars," or, in the future, by nuclear weapons. However, three times in 20 years, the military might of China and the United States have stood in confrontation on China's periphery: Korea, 1950–53; Quemoy, 1958; and Vietnam, 1964–67. In Korea, we ignored a formal Chinese ultimatum against invading North Korea. Pursuing our advantage to the full, we triggered a massive Chinese intervention. In Quemoy, we stiffened local Chinese Nationalist resistance in the continuing civil war over islands within sight of the mainland and forced the Communists to back down. In Vietnam, we checked our use of force rather than risk enlarging the war to include the Chinese mainland.

President Johnson's luck finally ran out in the Vietnam war, but it served him well in 1964–65. Had policy splits within the Chinese leadership not toppled the advocates of forward air cover for Hanoi, he would have had to decide whether to abandon air attacks, live with the political problems of sanctuary for enemy fighters, or engage in "hot pursuit" into China. Fortunately, he was spared the decision.

But we cannot rely on luck to avoid war with China. The record of Korea, Quemoy and Vietnam leaves little cause for comfort, as China becomes a nuclear power. No antiballistic missile system can safeguard the United States from a war on the periphery of China.

In view of Red China's experience with American policy, we have little chance of accomplishing anything positive by our expressions of hope that the Communists "change their behavior" or refrain from using nuclear weapons. So far as Mao is concerned, *our* behavior and *our* nuclear weapons are the basic causes of Sino-American hostility.

For us, disengagement from the Chinese civil war is far less painful than disengagement from the Vietnam war. Still, in three successive administrations we have not been able to achieve it. Familiar bureaucratic arguments firmly oppose change. In times of quiet, there is no "real need" to take any action. In times of tension, as in 1955 and 1958, "we can't cut and run." Now that we must admit a setback in Vietnam, it will surely be argued that we must not take any additional steps that might undermine the confidence of our Asian allies in our commitment to defend them against attack. If, however, we do not learn from Vietnam what separates our vital from our lesser interests in Asia, we will continue to place the military, eventually the nuclear, power of China and the United States in direct confrontation.

TIRE SAFETY

Mr. SAXBE. Mr. President, yesterday morning I had the opportunity of meeting with members of the Rubber Manufacturers' Association. During this meeting, I was invited to make a few brief remarks. I ask unanimous consent to have my statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR SAXBE ON TIRE SAFETY

I want you to know that I am aware of the work done by the rubber industry in developing a practical tire recall program. Until this past weekend, little had been reported in the press concerning the efforts of the various companies. And, it has been my personal opinion that too much has been written by self-appointed so-called protectors of the consumer, both outside and within the government. Sensationalism has no place here.

I was delighted with what I read last weekend concerning the tire recall bill introduced in the Senate last Friday by Senator Nelson. I'm pleased to see the Rubber Manufacturers Association supporting the intentions of this bill. And I'm pleased that . . . really after too long a silence . . . you are giving the public the correct information about tires and performance. Discussing performance *on the road*. Putting this issue in the right perspective.

Frankly, these careless assumptions made publicly concerning tire failures, unsafe tires, and the like have concerned me for a number of reasons. Firstly, it has taken the emphasis away from the motorist and the need for him to properly maintain his vehicle and tires. Much of the motorist's apathy regarding vehicle maintenance has resulted in serious problems which have been unfairly passed back to the manufacturer, although you have little control over the consumer once he buys the product.

Secondly, these charges reflect on the industry, the individual companies, their managements, and their employees.

I recently spoke to members of the United Rubber Workers, and I expressed my concern to them. It is very important that all this consumer safety legislation be kept in the right perspective so that it does not incorrectly reflect on companies which spend millions of dollars annually to better their products and fully test them before they are sold. And so it does not reflect on the conscientious employee who takes pride in his workmanship and in his company.

I told the URW members I was interested in a greater consumer education program, backed up by strong vehicle inspection programs which regularly remind and require the automobile owner to keep his car and tires in safe working condition.

There is no question that great advances have been made in educating the motorist along these lines. I know the RMA has an excellent program, complete with brochures, films and other materials. And many of the individual tire companies complement the association's efforts with very professional programs of their own. I think you'll agree that even more can be, and should be done so that wheels are balanced and tires are rotated and properly inflated. And badly worn tires are replaced.

Now then, the basic plan for a recall program has been set forth and the mechanics are under way. We know there will be wrinkles and problems and frustrating expenses before a workable system is perfected. But it was obvious to me, after reading the New York Times and Sunday's Washington Post, that the Department of Transportation, the National Highway Safety Bureau and the industry are working together . . . in full cooperation . . . to develop this program and put it in effect as soon as possible.

The second plateau will be more difficult and I know the RMA and its members are concerned about coming up with a workable and uncomplicated system of grading tires. We are aware of the time and the thought contributed to date by companies to work with government in coming up with a set of guidelines for the consumer.

But unfortunately the general public has not been aware of the cooperation of industry with government. Considering the number of tire lines and the number of tire companies all meeting specific but often different consumer needs, it is obvious to me that the motorist will not be able to fill out a small card, answer two or three basic questions, and immediately learn what tire he needs and precisely what he can expect in overall performance. I know there are too many factors involved . . . from type of car, the power of the motor and air conditioning to the type of driving concerned, the type of roads and highways involved and even the climate. I appreciate the complexities of coming up with a good grading system to handle the consumer's needs and I appreciate the efforts made to date by the industry. Of course, there is plenty more to do. You know that far better than I.

But I want to stress one thing . . . and I pledge I'll do what I can to help you with this . . . . More has to be done in consumer education. Not only in the area of tire maintenance, but also the industry has a major responsibility in keeping this in the proper perspective. The public must understand your concern and it must understand what you are doing to develop such a grading system. And it must know that you are not fighting government legislation. You are not only cooperating with government, you are working closely in the interest of the consumer.

If you fail to communicate regularly with the public, you are giving free license to those who tend to ignore the efforts of industry and D.O.T. You know as well as I that very harmful publicity will result. And the public will continue to be misinformed.

It is so very important that the public is aware that the recall program and the grading system are industry efforts supported so much by government that legislation will be passed to encourage its use by all companies and by the consumer.

This attitude by your industry was suggested in your statement following the introduction of the recall bill last Friday. To maintain public confidence in your industry, in your individual companies, in their management, in their products, and in their employees, you must keep your public informed.

THE ROLE OF THE ABM IN THE SEVENTIES

Mr. JACKSON. Mr. President, the Committee on Armed Services conducted public hearings last week on the anti-ballistic-missile defense system under the able chairmanship of the Senator from Mississippi (Mr. STENNIS). These hearings were held in connection with the yearly legislation authorizing funds for fiscal year 1970 for the procurement of aircraft, missiles, ships, and research and development.

On April 23, Prof. Albert Wohlstetter, university professor at the University of Chicago, and a fellow of its Center for Policy Studies, testified on the role of an anti-ballistic-missile system in the 1970's and particularly on the importance of the role of ABM in defending our Minuteman missiles.

Trained as a mathematical logician and economist, during World War II Professor Wohlstetter worked on problems of reliability and quality control in electronic and electrical equipment. He has been a member of the Rand Research Council, professor in residence at UCLA, Ford Professor at the University of California at Berkeley. For the last 18 years he has done research on problems of arms and arms control and specifically on protecting strategic forces and stabilizing deterrence. He is the author and coauthor of numerous articles and several book-length studies. Some of these studies originated the first-strike second-strike distinction, fail-safe procedures for reducing the probability of accidental war, programs for hardening strategic vehicles against ballistic missile attack and other devices and methods of operation now in use by our strategic forces.

I commend Professor Wohlstetter's opening statement before the Armed Services Committee to the attention of Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE ROLE OF THE ABM IN THE 1970's

(Statement by Prof. Albert Wohlstetter, before the Senate Armed Services Committee, April 23, 1969)

I appreciate the honor of testifying before this Committee on the role of an anti-ballistic missile system in the 1970's.

Since I believe the Safeguard program warrants the sums involved, and I support it, perhaps I should begin by saying that I am entirely sympathetic to a rigorous review of the Defense Budget. I favor getting our safety as cheaply as we can. Moreover, I believe the Defense Budget has a good deal of fat that can be cut without substantial harm. I would recommend, for example, a careful look at the equipment and support costs of our ground forces, and at our tactical air forces, both land and sea-based. Some of these seem ineffective, or levelled at threats that are poorly defined or not grave enough to be worth the cost.

Sensible efforts to reduce the Defense Budget, however, would not center on the strategic offense and defense force. There are, of course, arguable choices about strategic offense and defense. But the $8 billion plus strategic budget makes up a small part of the total Defense Budget. It has a paramount importance for the safety of the country and indeed of international society. Deterring nuclear coercion and nuclear attack on ourselves or our allies, reducing the damage done in case deterrence fails are complex and uncertain functions; but because they are crucial, the part of the Defense Budget devoted to them has been the most studied and is better understood than any of the rest.

Nonetheless, sizable uncertainties are intrinsic. They affect the predictions of scientists as well as the military and limit the reductions we can make without excessive risk. The strategic forces will need continuing adjustment to predicted and to some unanticipated changes in the state of the art. But such adjustments need not entail drastic changes up or down in long term levels of spending.

A start in deploying ABM, I believe, is a prudent response to changes in the state of the art available to ourselves and to our adversaries. As strategic systems go, it is a modest program. It is subject to review and can be halted or stretched out. The average annual cost of the completed program, on a five year basis, is less than one-fifth of what we were spending for active defense against manned bombers at the end of the 1950s. Nor is it at all likely to start a quantitative arms spiral. Indeed, despite the stereotype, there has been no quantitative arms race in the strategic offense and defense budget, no "ever-accelerating increase," nor, in fact, any long term increase at all. The budget for strategic offense and defense forces in fiscal 1962 was 11.3 billion dollars.[1] The proposed fiscal 1970 budget, I understand, comes to about 8.3 billion dollars. Adjusted for price changes, the 1962 figure was well over 50% higher than that for 1970.

There is an important difference between making qualitative adjustments to technical change and expanding the number of vehicles or megatons or dollars spent. The difference has been ignored in a debate on ABM that seems at the same time impassioned and very abstract, quite removed from the actual political, economic, and military history of nuclear offense and defense. For example, one alternative to protecting Minuteman is to buy more Minuteman without protection. But adding new vehicles is costly and more destabilizing than an active defense of these hard points, since it increases the capacity to strike first. A one-sided self-denial of new technology can lead simply to multiplying our missiles and budgets; or to a decrease in safety; or to both.

Active defense against ballistic missiles in the 1970s will have an important role to play in maintaining a protected and responsible second strike capacity. (The projected Safeguard defense of the national command authority and of the bomber and Minuteman bases are directed to this end.) And it has a useful function in providing an area defense against attacks involving modest numbers of apparent incoming missiles.

There have been so many charges that the Safeguard program was invented in bad faith in March of this year as a gimmick to answer critics of the Sentinel city defense that I would stress that in 1967, long before the present Administration quite independently decided on the Safeguard, the evidence of advancing technology convinced me that ABM in the 1970s would have essentially the uses the Administration suggests for Safeguard, and in the same order: to defend the offense and, given this, at a small extra cost to provide a light area defense of population.[2] In fact, there is a substantial continuity between the ABM decisions of the present and past Administrations. The last Administration called for an ABM area defense but said it would furnish an economic basis for defending Minuteman if the threat grew. It had been weighing and it continued to weigh this for some time—indeed itself requested some funds for hardpoint defense in its own version of the 1970 fiscal budget.

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[1] DoD Appropriations for 1969 Hearings, Part I, Financial Summary. Expenditures in the 1950s were not then broken down by mission but strategic budgets appear to have been even higher in the late 1950s than in 1962.

Like the Republicans now, the Democrats in 1967 were charged with directing their ABM decision against the opposing party. I would recommend to opponents of ABM that they contemplate the possibility that the decisions were made in good faith in both cases; and that we turn to the substance of the issues.

There are other political and military functions of an ABM system than protecting the offense and offering an area defense of civilians against light attack. I would like to say something about each of these two latter roles and also something about the doctrine of Minimum Deterrence on which much opposition to the ABM is based, but time permits comment mostly on the protected offense function.

ABM AS A PART OF A SECOND STRIKE FORCE IN THE 1970'S

For one superpower as against another, getting and keeping a responsible strike force is feasible but hard. It requires thought, effort, and continuing realistic adjustments to technological change. Minimum Deterrence theorists, who call for no defense of our civilians and nearly total reliance on a threat to bombard enemy civilians, have always claimed that the attacker inevitably must expend many strategic vehicles to destroy only one of the vehicles attacked. No such generalization holds. It has depended and always must depend on the changing capabilities of the offense and on the kind and degree of protection of the force attacked. At one time, for example, both we and the Russians had very many unprotected aircraft concentrated on a base within the lethal radius of a single bomb. On a two-wing base, for example, we had as many as 130 aircraft; on a one-wing base 65 medium bombers and tankers. And the planned response time was too slow for the reliable warning likely to be available. Small numbers of vehicles could have destroyed much larger numbers of the vehicles they attacked. Under some realistically determined conditions, the ratio would have favored the attacker by 1 to 8 or more. These vulnerabilities had nothing to do with the supposed missile gap. In fact they preceded such predictions.

There is always a temptation in such circumstances to resort to responses that are automatic or that bypass national command. Advocates of sole reliance on city bombardment forces have from the time this doctrine first gained currency been tempted to prove that response was certain by making it automatic, by shortcutting responsible political decision.[3] But the decision to launch ICBMs against Russian cities would be perhaps the most momentous choice ever made in all of history. It would be the decision for World War III. If this awful decision is ever made it should be based on as much information as we can get and it should be made by as high a political authority as possible. It is the last decision we should contemplate delegating to a computer.

The revival today, by several distinguished senators and some able physicists opposing ABM, of the suggestion that, rather than defend ICBMs, we should launch them at Russian cities simply on the basis of radar represents a long step backward. If we were willing to do this, we would dispense with silos or Poseidon submarines or any other mode of protecting our missiles. And we would increase the nightmare possibility of nuclear war by mistake.

Understanding of the complex problems of designing a protected and responsible nuclear strategic force has grown slowly among scientists as well as laymen, civilians as well as soldiers, Democrats as well as Republicans. But it has grown, and decisively. The United States has designed and deployed a second strike force capable of riding out an attack; and there have been large improvements in protecting responsible command. This was accomplished not by merely expanding nuclear bombardment forces, but in essence by shifting to forces with protection against the changing threat. The stereotype repeated throughout the 1960s that our security has declined while our strategic force grew at an accelerating rate is grossly wrong on both counts. In the past some key programs increased the protected second strike capacity of the force, while cutting at the same time billions of dollars from the spending projected.

In the 1970s unless we continue to make appropriate decisions to meet technological change, once again the viability of a large part of our second strike force will be put in question. Several related innovations, but in particular the development of a rocket booster carrying many reentry vehicles each aimed precisely at a different target, raises once again the possibility of attack ratios favoring the attacker. One reentry vehicle may kill a booster carrying several. One booster can carry the means of destroying many boosters.

Raising a question about the future second strike capacity of any part of our strategic force implies nothing about the present intentions of an adversary to strike first or even to be able in the future effectively to strike first. The recent debate on whether the SS9 is a "first strike weapon" or whether the Russians intend it to be is beside the point. If by maintaining our second strike capability we can make the risks of striking very great, this can affect an adversary's intentions favorably to ourselves. It can deter him even in a crisis, like the one over missiles in Cuba, when the alternative to striking may look bad, but not, if we are careful, as bad as striking. Moreover, we ought not to talk of "first strike weapons" and "second strike weapons" as if this could be settled simply by looking at the weapons on one side. Whether or not a weapons system can preclude substantial retaliation will depend on many uncertain future performance characteristics of the forces on *both* sides. The test of whether one has a responsible second strike capacity is whether one can, under nuclear attack, preserve vehicles, decision centers and the flow of communications among them, whether one can transmit the order to retaliate and penetrate adversary defenses to reach targets. If we were unwilling even to entertain the hypothesis of a first strike, we would do nothing to protect any part of our strategic forces or its control centers by making it mobile or hard or by ABM. Some leading scientists who oppose currently deploying ABM say they will favor it for the defense of Minuteman when precise MIRVs and the related offense technologies are likely to be available to the Russians. That calendar date, and not present Soviet intent, is then a major substantive issue for these opponents. And their position recognizes that we want to maintain the second strike capacity—not of just one, but of all major vehicle types in our strategic force: Minuteman, bombers, and Poseidon.

In designing a second strike force, there are excellent reasons for making it a substantial mixture of vehicles of several quite different types: land as well as sea-based, manned as well as unmanned, each with its own mode of protection. Such systems have differing limitations, are subject to varied and independent uncertainties, require distinct modes of attack and, if each type is protected, greatly complicate the attack. It is a serious matter, then, if a large part of this mixture is badly affected by changing adversary forces and technologies. The forces deployed and the state of the art available to the Russians will influence other parts of our strategic force than Minuteman silos. And ABM has a role to play, for example, in protecting the important fixed elements of a mobile force, including the politically responsible command centers. Preserving command, control and communications is always hard, and particularly so for mobile sea-based systems.

My remarks, however, center, so far as the second strike function of ABM is concerned, on the problem of protecting Minuteman. We have good cause to preserve the second strike capability of so large a proportion of our strategic force. Even if it were true that the United States needed only a few strategic vehicles surviving, buying and paying for the operation of a great many that had become vulnerable to attack would be a very poor way to obtain those few surviving. There are safer and cheaper ways of getting a force of a given size than to buy a much larger one, most of which is susceptible to annihilation.

How does the planned timing of our ABM deployment compare to the date when it is reasonably likely that Russian offense technology could badly worsen the effectiveness of our projected Minuteman III? The first point to note is that the proposed Safeguard deployment has extended lead times. It can stretch out further if continuing review of intelligence suggests it should, but the shortest schedule calls for completing this program early in 1976. If, as ABM opponents stress in other connections, there is likely to be a substantial shakedown period, we are talking of 1977 or later. If, as has been suggested, we delay decision for another year or more and then proceed to design and develop an entirely new ABM we are talking of the 1980s.

Second, predicting exact calendar dates at which technologies will be available to adversaries and what their strategic significance will be is very hard, and we are not very good at it. Moreover we have erred not only on the side of overestimating Russian capabilities, but often by underestimating them. At earlier dates we were surprised by the rapid Soviet achievement of the A-bomb, the H-bomb, advanced jet engines, long-range turbo-prop bombers, airborne intercept radars, and large-scale fissile-material production. And scientists have been surprised; not only military men.[4]

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[2] . . . "*First*, an offence force with such increased accuracies and reliabilities and with an extensive use of MIRVs is very much more efficient in attacking the fixed offence force or the important fixed elements of the mobile force of an adversary . . . *Second*, one result of this sort of change in Russian offence forces is to make improved anti-ballistic missiles (rather than simply more hardening or more missiles) an economic way for the United States to protect the hard fixed elements of a strategic force. . . *Third*, at a minor increment in the modest cost of a hard-point ABM defence, it is possible to make available a light ABM for defence of civil societies against a small submarine or land-based missile force or part of a large one launched by mistake or without authorization. . ." Address to the September 1967 Institute of Strategic Studies Conference on the Implications of Military Technology in the 1970s at Elsinore, Denmark. Adelphi paper No. 46, p. 4.

[3] See for example one of the first classic sources of Minimum Deterrence Doctrine, NPA 1970 Without Arms Control, pp. 32–33, 44. Special Committee Report, 1958.

Third, the public discussion has not stressed how sensitively the accuracy of attack affects the viability of the hardened force attacked. Accuracy affects the number of weapons required to destroy a hard target very much more than the bomb yield or the overpressure resistance of the target. Roughly speaking, for such targets, improving accuracy by a factor of slightly more than 2 is the same as increasing bomb yield tenfold and serves essentially to offset a tenfold increase in overpressure resistance.

I have tried to reconstruct various numerical proofs recently presented or distributed to the Congress that purport to show our Minuteman will be quite safe without any extra protection; these proofs depend heavily on optimistic estimates of limitations in Russian delivery accuracies, reliabilities, and associated offense capabilities and sometimes on very poor offense tactics. Suppose, however, that by 1976 when Safeguard is deployed, or by 1977 when it may be shaken down, the Russians have:

(1) accuracies like those of the systems we are deploying *now*

(2) overall reliabilities currently attributable to them

(3) methods familiar to us for using extensive and timely information as to which missiles have failed so that others can replace them

(4) continued production of SS9 boosters at past rates

(5) modest numbers of MIRVs per booster (e.g., the three five-megaton reentry vehicles stated by Secretary Laird for the SS9)

Then the percentage of the Minuteman force that would be destroyed, if undefended, comes to about 95%.

These results are based on quite moderate assumptions about Russian capabilities. Better accuracies, for example, may be expected in the late 1970s, and higher degrees of MIRVing. Reliabilities of any given offense missile system improve with use. Do those who favor a hardpoint defense but would postpone a start really consider these Russian capabilities I have outlined "extremely implausible"? Or at *all* implausible?

There is a striking inconsistency in the way ABM opponents treat the Chinese and the Russians. In contemplating the possibility of a Russian offense against our Minuteman, they assume Russians who cannot by 1976 or 1977—twenty years after Sputnik—do what we know how to do now. When considering the ability of the Chinese to penetrate an ABM defense, they attribute to them penetration systems that cost us many billions of dollars, a dozen years of trials and many failures to develop—and they assume this for first generation Chinese missiles. These are rather backward Russians and very advanced Chinese. Moreover since in the Russian case we are considering a potential threat to our second strike capability and we want this to be highly reliable, we want particularly to avoid underestimating the threat. But we should undertake a modest defense of population if it works in the expected case, even if on extremely pessimistic assumptions it might not. Here again it seems to me the ABM critics get things exactly backwards.

Finally, the fact that such impending developments in Russian offense may make it necessary to do something more to protect the fixed elements of our force should come as no surprise. It was the sensitive effects of missile inaccuracy that in the early 1950s suggested to the original proponents of programs for hardening strategic vehicles against ICBM attack—

(a) that hardening would be an important and effective method of protection against ICBM attack in the 1960s.

(b) that by itself hardening would not be adequate for much past the 1960s.

The ICBMs then expected in the 1960s were, of course, enormously faster than manned bombers, and therefore would outmode some programs that served very well in the 1950s; but the early ICBMs were likely to be very much less accurate than the manned bombers. They were expected to have inaccuracies measured in miles, perhaps, it seemed then, as large as 5 miles, compared to the quarter of a nautical mile or 1500 ft median miss distance associated with manned bombers. Since just doubling inaccuracy could affect weapons requirements by a factor of 4, hardening clearly seemed a good idea. The paper proposing hardening for the 1960s was entitled "Protecting a Strategic Force After 1960" and was put out on February 1, 1954. That paper included a very short section called "After 1960" that is quite relevant for understanding why we should expect that we will have to adapt the current Minuteman to impending changes in opposing offense technology. The section read in full:

"The foregoing also suggests that even against the ballistic missile this defense would have a finite life. The missile might improve drastically in accuracy and payload. However, the date at which the Russians will have a missile capable of carrying a 25 MT bomb with a 1500 ft CEP appears sufficiently far removed to make the defense good, let's say, until the end of the Sixties." (p. 19.)

That the numbers cited in this paper of February 1954 so closely match some of those being talked of for the SS9 is, of course, purely a coincidence. They were performance characteristics of bombers then current. However, the quotation illustrates that, from the outset, it was to be expected that sooner or later, and probably in the 1970s, hardening would not be enough by itself. The discussion also suggests that to depend merely on further hardening would make the system vulnerable to further improvements in accuracy.

Hardening can be outpaced by further development in precision. This does not mean that for some possible threats a combination of ABM and extreme hardening might not be useful. It might. But as a complete substitute for ABM, extreme hardening has drawbacks. It is subject in my opinion to much larger uncertainties as to both performance and costs than the ABM.

The major components of the Safeguard system have received elaborate study and testing. Ideas for brand new ABM systems to defend hard points that I am familiar with are not serious competitors in this time period. We should start deploying the system now on the schedule suggested and we should expect, as in the case of every other offense and defense system, that we shall learn a great deal from operational experience, make some changes and retrofits. This seems to me a sound way to supplement the protection of the Minuteman in a period when we can expect it to be endangered.

I have used the time available to comment mainly on the role of ABM in defending Minuteman. I also support its utility for a thin area defense of population and shall be glad to try to answer questions about that subject as well.

DIVIDENDS FROM SOIL CONSERVATION PROGRAMS

Mr. DOLE. Mr. President, the April 1969 issue of Soil Conservation magazine contains an interesting and informative article written by Mr. F. DeWitt Abbott, State resource conservationist, which focuses on the continuing achievements of soil conservation programs. Conservation practices being carried out on the 275 acres comprising the Agricultural Hall of Fame and National Center near Bonner Springs, Kans., are featured by Mr. Abbott.

Unfortunately all too many of our citizens, both urban and rural, seem unaware of the outstanding accomplishments and benefits accruing from this splendid program.

I ask unanimous consent that the article entitled, "Agricultural Hall of Fame a Conservation Showcase," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Agricultural Hall of Fame a Conservation Showcase

(By F. DeWitt Abbott, State resource conservationist, SCS, Salina, Kans.)

The Agricultural Hall of Fame and National Center, Bonner Springs, Kans., with its 275 acres under conservation land use and treatment, will provide visitors with an opportunity to view firsthand and at close range conservation practices on the land.

It is not unusual for more than 1,500 people to visit the center on summer weekends. Many of these people are from nearby cities, and many are from all over the United States.

Conservation is being featured on the land for several reasons: The land needs conservation treatment. Conservation fits in with the non-profit Agriculture Center's aim to exhibit the past, present, and future of agriculture and agribusiness, as provided in its Congressional charter, and it will give thousands of people a chance to observe conservation work.

With technical help from the Soil Conservation Service through the Wyandotte Soil Conservation District, the board of directors of the center has developed a conservation plan for the acreage involving a wide variety of conservation practices and treatments.

Some of the conservation work includes healing gullies with grassed waterways; building a multipurpose dam near the main exhibit hall to function as a small flood-detention and grade-stabilizing structure, a 2-acre pond for providing stockwater, a diversion channel to bring storm runoff into the pond, and an access highway; and reserving a 114-acre smooth brome meadow for planned exhibit buildings.

Forty-five acres of cropland with waterways and graded parallel terraces will be used to grow adapted crops, such as corn, sorghum, soybeans, wheat, and alfalfa-grass in rotation and on the contour.

A few head of domestic livestock will be kept on 24 acres of brome pasture where gullies will be smoothed and seeded, grazing regulated, land fertilized, and a field border of multiflora rose planted.

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[4] We have not been very good at predicting our own or our adversary's technologies. These matters are intrinsically uncertain. Eminent scientists at the end of the 1940s predicted that fusion weapons would be infeasible, and if feasible undeliverable, and if delivered of no strategic significance, since they thought (erroneously) it could be used only against cities. (Some of those who then thought the threat of fusion bombs against cities neither moral nor important strategically now take it to be both.) In February 1953 an important scientific study group expected the Soviet would have no ICBMs before the late 1960s—a prediction plainly in error by the end of the year. Writing in October 1964 some scientists opposing ABM were quite sure that no technological surprises could substantially change the operational effectiveness of intercontinental delivery systems, and thus entirely missed the major strategic potential of precisely aimed MIRVs, a concept that was at that very time emerging in the classified literature. These were able and informed men. But exact prediction on these matters defies confident assertion.

Other plans call for 12 acres of rangeland to have brush control, range seeding, and a grade-stabilizing structure; 27 acres to be in smooth brome for hay; a wooded area of 28 acres to have hiking trails, woodland management, and evergreens; trees and shrubs along the trails labeled; and a pond in a 22-acre wildlife area rebuilt by deepening and reshaping the edges. It and the multipurpose pond will add to the scenic beauty of the Agriculture Center's grounds.

Also an acre below the wildlife dam will be planted to trees and shrubs for wildlife habitat; 2 to 5 acres will be kept in grass for nesting cover; a three-row windbreak will be planted near residential buildings; and several other measures applied for the encouragement of wildlife throughout the property.

The Agriculture Center directors are determined to set up an outstanding demonstration of conservation of soil and water. They realize how important it is to remind all who come that way of the need for land protection and wise use for a permanent and productive agriculture and national economy.

SERMON BY JOHN H. SHARON

Mr. PELL. Mr. President, some days ago I had the pleasure of hearing John H. Sharon preach a moving and inspiring sermon in Washington.

Because it is so excellent, I believe it will be of interest to Senators. Therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

GOD WITHIN THE SHADOW

I want to share with you this morning a precious story of a conversation a friend once had with his six-year-old daughter: My friend had instructed his secretary that whenever one of his children telephoned him at his office, that the call was to be put right through—no matter how busy he was or how important the people were with whom he might be in conference. One day, he received one of those calls. The father was in the middle of an important conference with several people, but his daughter's call was put right through, and this was how the conversation went!

The daughter said, "Hi, Daddy. Why is God invisible?"And the father replied, "Because God made himself invisible."

There was a short *pause,* and the daughter said, "All right, Daddy, I accept that, but why? *Why* did God make himself invisible?"

At this point the father *paused;* he turned his back on the men in his office, and then he said, "Darling, there are lots of things in life that *God* has made invisible. Take *love* for example. You know I love you; and I know that you love me; but you cannot *touch* that love; you cannot *see* that love; but you can *feel* it, because you *know* it's there.

"And the same is true with *God*. You cannot *see* him; you cannot *touch* him; but you can *feel* him because you know he's there. It is as if God were standing in the shadow; *invisible*, but you *know* he's there."

And then there was a long pause—a somewhat anxious pause for the father—and finally his daughter said with a cheerful, bouncy voice: "Thank you, daddy; I'll see you tonight."

Today as we commemorate the convening of the 91st Congress, it is essential that *we* pause. That we pause to look back at 1968; at the events that have transpired since we last worshipped together; and that we *pause* to look ahead at 1969 and beyond.

Life Magazine described 1968 as the "Incredible Year." Let us look at a few of the highlights.

1968 was a year that began with hope and excitement; for in far off South Africa, a man named Philip Blaiberg received the heart of a dead man and survived.

But then the American intelligence ship—the Pueblo—was seized, and the men aboard taken prisoners. And America and the world began to wonder.

Then the youth of America—like the youth in so many countries—began to cry out on many issues, but the meanest slogan of them all was their recurring chant "LBJ, LBJ, How many men have *you* killed today." Hippies, Yippies, honest dissenters, call them what you will; *we* must remember that they *too* are God's children; and they are *your* children and *mine.*

Then in March, 1968, President Johnson declared a partial halt in the bombing of North Vietnam in the hope of getting peace talks off the ground; and he *also* announced, to everyone's surprise, that he would not seek re-election to better serve the cause of peace.

And then Martin Luther King was assassinated in Memphis. As soon as he heard the news, Senator Robert Kennedy rushed to a Negro rally and said: "You must remember that my brother too was killed by a white man." But the cork was out of the bottle. And America burned.

And then, only 60 days later, Senator Robert Kennedy was assassinated in Los Angeles. And together with the rest of the world, we took another long trip to Arlington National Cemetery. And America wept.

Whether or not you agreed with these two men is irrelevant. Our nation was in shock. We had too many questions to ask ourselves, and no one but God to turn to for the answers; while the *world* looked at America and asked, "What kind of a nation is the so-called United States of America?"

And here in America we hoped and prayed that the bullets that snuffed out these two prominent lives, the violence that brought death to two men of non-violence, might possibly be the means of once again making us "One nation, under God, indivisible, with liberty and justice for all." But no, America and the world has to wait.

We had two political conventions and an election to face.

Both major parties nominated four men of faith and courage, conviction and hope. A third party nominated another ticket; one that turned to the hate and prejudice in America and not to its faith, its hope, its love. Saddened, sick and hurt by events, angered at what television showed at the Chicago Convention, we tried to get ready for the campaign.

But before that campaign could even begin one of our beloved former Presidents became desperately ill. I remember the *night* in 1956 when the late Adlai Stevenson was defeated by President Eisenhower for the second time. Mr. Stevenson called upon the country to unite behind President Eisenhower and then he added these words: "We pray as one." So we prayed as one for this brave soldier as he began his valiant but final battle. How relieved we were that his passing came with dignity, peace and non-violence.

But last November, our country, emotionally spent, bewildered, hopeful that the election would not be thrown into the House of Representatives, was gratified that we actually had elected a new President and Vice President.

But 1968 was not over. During Christmas week America sent three men to the moon, and once again "we prayed as one" for their safe return. And on Christmas Eve the crew of the Pueblo, *after a savage experience not unlike the ordeal of 1968 for all Americans,* were released and sent home to their families.

No one will ever be able to deny the historical and spiritual facts that our prayers and the spirit of Christmas were responsible for these two events.

No, 1968 was *not* an "Incredible Year." It was a Triumphant Year: *not* because Philip Blaiberg is alive today; not because of the safe return of the Apollo Astronauts; *not* because of the release of the Pueblo crew; but because in 1968:

"The rain fell, and the floods came, and the winds blew and *beat* upon that house, but it did not fall, because it had been founded on the rock."

The rock of faith and trust: faith and trust in our fellow man, in our country, and in God. Many people throughout the world have asked themselves the question, "What would have happened to the United States during 1968 had there not been a 'God within the shadow keeping watch above his own'?"

But the fact that we survived 1968 does not mean that we solved the problems of 1969 or beyond. We still have the problem of white America against Black America; the problem of unrest on college campuses, the problems of the hungry, the poor, the cities, the handicapped, the aged, and we still have the problems of crime at home and war abroad. And there are many more.

Recently, my wife and I attended a very moving service at St. Martin-in-the-Fields in Pompano Beach, Florida. It was a service of Holy Communion using the new liturgy. At the prayer of intercession, the priest said:

"For all who bear authority in this and every land, and especially for the President of the United States: we pray that in thy Holy fear, they govern the peoples in wisdom, justice and peace."

And the congregation responded in a loud and clear voice: "Hear us, Good Lord; hear us, Good Lord."

To the leaders in this and every land—especially to our President and Vice President—they should know that they shall continue to have our prayers; for as former President Johnson said when he left office: The burdens of our new President are the burdens of *each* of us. But let *none* of us forget the admonition we heard this morning in St. Matthew: By your fruits you shall be judged.

Shortly before President Nixon took office, Mr. Herbert Klein, his Director of Communications, said *"Truth* shall be the hallmark of this Administration." Truth, of course, *should* be the hallmark of the life of every man. But today at this service we look to the future, the essential question is: How do *you* define truth?

There are three sources we can turn to: If we turn to Webster's Dictionary, we would find truth defined as: "Honesty; veracity; fidelity; fact; conformity to rule or example; righteousness."

If we turn to the Bible, we find Jesus quoted as saying: "I am the way, the truth, and the life: no man cometh unto the Father but by me."

Or in the Book of Psalms: "Seek ye the truth and the truth shall make you free." There are endless Biblical citations. But there is another *source* to which each of us can turn; and it is a most important source: *you*. How do *you* define truth?

Let us, agree as to what truth is *not*.

Truth is *not* coming to church every Sunday to give a gratuity to God.

Truth is *not* letting money be your God, so that every act in your life puts the material before the spiritual.

Truth is *not* found in a *bottle* or in a *needle.*

To define truth *we* must accept four historical facts:

First: Christ was born into this life; He was a man's man in a man's world.

Second: Christ was the greatest dissenter of *all* time. He fought the establishment; and He won, for He knew *How* to dissent.

Third: Christ was a carpenter and He knew how to build.

Fourth: Christ faced adversity the likes of which make none of us worthy to "gather up the crumbs" under His or anyone else's table.

As our Lord said in this morning's scripture: "Everyone who hears these words of mine and *doeth* them will be like a wise man who built his house upon the rock; and the rain fell, and the floods came and the winds blew and beat upon that house, but it did not fall, because it had been founded on the rock."

The key word in this parable is *Doeth*.

Truth, therefore, means:

A complete *acceptance* and *identification* with Christ, His life and His teachings;

Truth is an absolute integrity in your *own* faith and beliefs; and

Truth is a commitment to *Do* that in which you believe.

If you can accept this definition of truth, then your life, whatever your station, will take on a new dimension, a new meaning, a new purpose. And the "leaders of this and every land" will have the *knowledge* and the *will* and the ability to act:

When you see hunger and poverty, you will *act* to bring abundance;

When you see doubt, you will *act* to bring faith;

When you see despair, you will *act* to bring hope;

When you see sadness, you will *act* to bring comfort;

When you see darkness, you will *act* to bring light;

When you see hatred, you will *act* to bring love;

And when you see war, you will *act* to bring peace.

In this and only in this way, can you become a true, dedicated, committed Christian; an honest instrument of the Lord's will, *a true leader amongst leaders*.

The tasks facing us and the world are not easy; the road is full of obstacles. But remember to always: "Seek the truth; come whence it may, cost what it will."

And finally, as we march "forward together" let us never forget:

"*Once* to every man and Nation
Comes the moment to decide,
In the strife of truth with falsehood,
For the good or evil side . . .
"Though the cause of evil prosper,
Yet 'tis Truth alone is strong;
Though her portion Be The scaffold,
And upon the throne be wrong,
Yet that scaffold sways the future;
And, behind the dim unknown,
Standeth God within the shadow
Keeping watch above his own."

Let us pray.

HOG CHOLERA ERADICATION IN SIGHT

Mr. HRUSKA. Mr. President, the Department of Agriculture proposed a ban on interstate shipment of all hog cholera vaccines effective March 1, 1969. This action, taken after consideration of the views of all interested parties, was hailed as an important step in the final phases of the hog cholera eradication program. Regrettably, due to procedural objections, the Department decided it was necessary to republish its regulations in the Federal Register on April 3, 1969, and hold new hearings. This proposal is the same as that published on November 20, except that its effective dates restricting interstate shipment of swine vaccines would be changed from September 1, 1969, to December 1, 1969. New hearings were held on April 15.

The hog cholera eradication program has passed the midpoint of its 10-year schedule. This program has been a record of success for Federal-State cooperation and has advanced progressively toward its goal of cholera eradication which will benefit a nationwide industry.

It is reported that in fiscal year 1962, hog cholera cost an estimated 70 cents per pig marketed, but that by fiscal year 1967, this cost had been reduced to an estimated 40 cents. This reduction is projected to reach 20 cents in fiscal year 1969. This savings is due to the reduction in hog cholera outbreaks and the decreasing reliance on vaccination, both attributed to program gains. Of course, these savings will be short-lived unless the program is carried out to the point where hog cholera cost is zero.

Vaccines were useful in the earlier stages of the eradication program when major efforts were needed to reduce the incidence of hog cholera. However, it has been found that the vaccine can cause the disease as well as prevent it. The Department of Agriculture informs me that 21 percent of the 849 outbreaks which occurred in fiscal 1968 were caused by vaccine.

The use of vaccines unfortunately creates immune carriers of the virus. Although the number of carrier animals is small, such a reservoir of infection cannot be tolerated if the disease is to be eradicated.

Since present eradication methods are effectively halting outbreaks before they reach epidemic proportion without resorting to use of vaccine, the risk of vaccines is no longer worth taking in States using these methods. Such methods were proven in North Dakota in 1967 and Georgia and Florida in 1968; each State experienced a rapid buildup in outbreaks over a short period of time. Although their swine population had become highly susceptible, these outbreaks were contained through the usual disease eradication procedures. No need for exceptional procedures, such as return to vaccine use, arose. Similar progress toward eradication has been made by many other States.

My home State of Nebraska, I know, has made excellent progress in eradicating hog cholera under the national hog cholera eradication program.

Nebraska has been in the eradication program since October 1967. The use of modified live virus vaccines and all other vaccines for the disease have been prohibited in Nebraska, and have not been used since the beginning of the program. During the first year of the program the total cost of losses in Nebraska from hog cholera was about $98,000. This cost was divided between the State and Federal Government.

Under the Federal-State cooperative program, the owners of swine unfortunate enough to experience infection in their herds are indemnified by the program for the value of the animals ordered destroyed. Infected herds are ordered destroyed in order to prevent further spread of the disease.

Despite the occasional animal destruction, swine owners in Nebraska have been greatly benefited by the program because they no longer face the cost of vaccinating their animals. The saving in Nebraska as a result of not vaccinating swine for cholera has been in excess of $1½ million since 1957.

One swine producer in Nebraska told me that he raises about 500 hogs per year, and has not vaccinated a hog since 1967. His savings have amounted to about $225 a year not counting the labor that is saved. Such savings can make a big difference to a producer faced with increasing costs of production.

The proposed regulations of the Department of Agriculture to prohibit the movement of modified live virus vaccines and of vaccinated swine would increase the benefits of the Nebraska program to the Nebraska swine industry. These regulations would be of real help in further reducing the possible exposure of our animals.

During the recent hearings of the Department on the regulations, the Nebraska Department of Agriculture and Economic Development was represented by Mr. I. W. Hember, Assistant State Veterinarian, and the Nebraska Swine Council Inc., was represented by its President Mr. Gerald Beattie. Both the Nebraska Department of Agriculture and the Nebraska Swine Council feel very strongly that hog cholera eradication in Nebraska can be accomplished much more readily if Nebraska animals are not exposed by movement in interstate commerce to modified live vaccine or swine that have been vaccinated. The effective way to accomplish this is to prohibit their movement, it is felt, in interstate commerce.

Mr. President, with unanimous consent I wish to have inserted in the RECORD at the conclusion of my remarks the statements of the Nebraska Department of Agriculture and the Nebraska Swine Council which were submitted at the USDA hearings on the hog cholera regulations on April 15.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The Nebraska Department of Agriculture strongly urges the adoption of the proposal to Amend Part 76 of Title 9 of the Federal Register relating to the interstate shipment of Hog Cholera Vaccine.

Nebraska is in Phase III of the Hog Cholera Eradication Program and adoption of this proposal will allow advancement in the program as well as protection of the status already attained.

Modified Live Virus is a constant threat to states in the final phases of Hog Cholera Eradication, and we have shown that outbreaks can be stopped without the use of vaccine by the prompt reporting and investigation of reported suspicious cases and by depopulation of all infected animals before they have an opportunity to infect additional herds. No vaccine has been permitted use in Nebraska since October, 1967.

Nebraska imports of swine number over 148,000 head annually and pigs farrowed on Nebraska farms number four and a half million annually—all of which are highly susceptible to infection if exposed to swine vaccinated with Modified Live Virus. If swine moving in commerce are permitted to be vaccinated with Modified Live Virus or come in contact with swine vaccinated with Modified Live Virus, the Nebraska Eradication Program will be jeopardized by such continued use through possible infection and through interference with recognized methods of diagnosis.

The Hog Cholera Eradication Program is saving the Nebraska swine industry one and one-half million dollars annually in vaccination costs alone.

We respectfully submit this statement to this body.

NEBRASKA SWINE COUNCIL, INC.,
April 11, 1969.

DIRECTOR,
Animal Health Division, Agricultural Research Service, U.S. Department of Agriculture, Federal Center Boulevard, Hyattsville, Md.

DEAR SIR: The Nebraska Swine Council is on record as supporting the interstate Hog Cholera Ban previously due to go into effect March 1, 1969 and the ban against interstate shipment after September 1, 1969 of swine vaccinated after March 1, 1969.

In nearly every instance, the cholera breaks in Nebraska have been traced to swine which have been shipped interstate either legally or otherwise from states still allowing vaccination.

The members of the Nebraska Swine Council feel that the proposed bans are an important step in eradicating hog cholera, as well as protecting the swine producers in those states which have voluntarily stopped cholera vaccination.

We can see no reason why these bans should be delayed and ask that they be put into effect immediately.

GERALD BEATTIE,
Nebraska Swine Council.

POLLUTION BY PESTICIDES

Mr. HART. Mr. President, on May 19, the Subcommittee on Energy, Natural Resources, and Environment of the Committee on Commerce will hold hearings to consider the effects of the use of pesticides on commercial and sport fisheries.

The subject is controversial. Evidence is accumulating to indicate that the widespread use of long-lived pesticides may lead to substantial hazards for certain species of animals—perhaps including man.

A summary of the wide variety of risks which may result from the use of chemical pesticides was published in the April 25 issue of the Conservation Foundation Newsletter. Since this subject is a matter of vital importance to each of us, I ask unanimous consent that the newsletter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

POLLUTION BY PESTICIDES—SOME NOT VERY WELL CALCULATED RISKS

Pesticides, complex chemical compounds, pose a complex dilemma. They have caused incalculable damage to the world's fish and wildlife resources. They are causing serious and subtle changes in the environment. Indeed, they are under suspicion of endangering man himself. Yet man finds them tremendously useful in his struggle for health and survival.

For some 25 years, man has been concocting an astonishing assortment of synthetic chemical poisons and spreading them over the planet. In doing so, he has been taking some not very well calculated risks. He has been rebuked and warned for being careless, for not fully understanding the consequences. Some restrictions have been imposed; somewhat greater care is being taken; but man continues the liberal use of pesticides to wage war on the endless varieties of insects, bacteria, rodents and other small creatures which plague him so relentlessly—by attacking him directly, or by devouring much of his precious food and fiber supply.

To be sure, the widespread dissemination of pesticides has had extremely tangible benefits which, it is argued, would otherwise have been unattainable. Pesticides are credited with making life comfortable and nuisance-free, indoors and out. They are credited with saving countless lives through the control of malaria, cholera, typhus, Rocky Mountain spotted fever, encephalitis and other diseases. And they are credited with helping man raise and protect an extraordinarily plentiful supply of inexpensive food.

The farm and chemical industries point to the crops and livestock saved from destruction, with values measured in the billions of dollars each year. Put another way, it has been estimated that for every dollar invested in protection by pesticides, between $4 and $5 worth of production is saved.[1]

But the evidence also shows that, in the headlong rush to rely on expedient chemicals, many mistakes have been made and many safer alternatives have been passed up. There have often been unintended, damaging side effects, including heavy losses of fish and wildlife. Finally, the evidence *suggests*, at least, that man may be seriously harming *himself* in the process. Certainly he is taking risks. Dr. Robert L. Rudd, zoologist at the University of California at Davis, warned in a study for CF: "The appearance of new kinds of pesticides and of new and profound effects from those long in use has outpaced the rate at which their effects can be investigated."[2] Says Dr. William A. Niering, Connecticut College botanist: "We are obviously dealing with many biological unknowns in our widespread use of presumably 'safe' insecticides."[3]

How extensive is the use of pesticides? U.S. farmers last year spent an estimated $800 million on them. Total domestic sales this year are forecast at $1.7 billion, most for agriculture, but including $255 million for household and garden use, $255 million for industrial and institutional use.[4] The $1.7 billion represents a dramatic increase from the 1965 total of $1 billion.

Other indications of increasing use: the percentage of corn acreage treated for insects or disease rose from 1% in 1952 to 33% in 1966; for tobacco crop land the increase was from 47% to at least 81%.[5] In 1966, agricultural aircraft flew a million hours, spraying pesticides over 65 million acres.[6] Many additional millions of acres—roadsides and utility rights-of-ways as well as crops—are treated with herbicides to stunt growth or control weeds.

There are some 900 basic chemical compounds used to formulate thousands of synthetic commercial pesticides. Classed according to purpose, these include insecticides, herbicides, miticides, fungicides and rodenticides. Most famous—or infamous—is the ubiquitous DDT. But there are many others—endrin, dieldrin, aldrin, chlordane, toxaphene, lindane, methoxychlor, heptachlor, parathion, malathion, 2,4–D, 2,4,5–T, captan, carbaryl, warfarin etc.

There are chlorinated hydrocarbons (DDT) organic phosphates (malathion), and carbamates (carbaryl). Their properties, effects, dosage and use vary widely. The crucial questions raised by the use of a pesticide are: Is it effective on the target insect? What other organisms does it kill? Is it dangerous to fish, wildlife, man?

A pesticide may or may not be highly toxic, or poisonous, on direct contact, to various living things. It may or may not be highly persistent, or resistant to being broken down by nature into harmless components. The insecticide parathion, for example, is extremely toxic. A user who spills some on his skin can expect to die soon afterwards, as has happened to thousands throughout the world. Yet it breaks down quickly in the environment. On the other hand, DDT is considered only slightly toxic to man; but it may persist for years, with consequences unknown.

SOME EFFECTS OF PESTICIDE USE

Many ill effects of pesticides on marine life and wildlife are well documented; the literature on the subject is voluminous. A sample of the findings:

Experiments indicate that DDT in very small concentrations can reduce growth and photosynthesis in certain marine plankton. "Such single-celled algae are the indispensable base of marine food chains," says Dr. Charles F. Wurster, Jr., of State University of New York, Stony Brook. Photosynthesis by marine plankton is estimated to account for more than half of the world's oxygen supply—and some scientists theorize that we are already in an oxygen deficit situation. Wurster says that "interference with this process could have profound, worldwide biological implications."[7]

"Marine organisms, especially crustaceans," says Niering, "are extremely sensitive to the persistent pesticides. As little as 0.6 to 6 parts per *billion* (in the water) will kill or immobilize a shrimp population in two days."[8] The Interior Department's Bureau of Commercial Fisheries says tests show that "oysters stopped feeding and exhibited erratic shell movements when exposed to less than one part per million of many chlorinated hydrocarbons. Shell formations in oysters was inhibited by concentrations of a few parts per billion."[9]

Cases in which large numbers of fish have been killed are plentiful. The most celebrated, probably, were the massive kills in the lower Mississippi River from 1960–64.[10] An elaborate investigation traced the cause to endrin, apparently from a chemical plant.[11]

Nearly a million small coho salmon were killed recently because of DDT, says Dr. Howard E. Johnson and Charles Pecor of Michigan State University, who deduced that residues were accumlated in the egg yolk of adults, and their fry were poisoned during final absorption of the yolk sac.[12]

The widespread loss of robins and other birds—where elm trees are treated with DDT for Dutch elm disease—provides a simple example of "biological magnification," or the unique way in which "hard" or persistent pesticides can be concentrated in more and more potent doses as they move up the food chain. When leaves from a sprayed elm fall, they are eaten by earthworms. The DDT doesn't harm the worms; but it accumulates in their tissues. When robins eat the worms, they accumulate it in ever larger and finally lethal doses.[13]

The magnification process also occurs when minute quantities of a pesticide accumlate in tiny marine organisms, and are transferred in ever increasing amounts to plankton-eating fish, carnivorous fish and finally birds of prey. This is possible because pesticides such as DDT are almost totally insoluble in water, but very soluble in fat. So they accumulate and are stored in the fatty tissues of birds. When fat reserves are used up rapidly, such as in migration or reproduction, the poisons enter other parts of the system, apparently attacking the nervous system. Says Dr. Ralph A. MacMullan, director of the Michigan Department of Conservation: There is "strong circumstantial evidence" that this sort of magnification is responsible for the alarming decline of many species of birds such as the bald eagle, osprey, peregrine falcon and sparrow hawk.[14]

Oddly enough, such birds are not normally poisoned directly by the toxic pesticides. It is now widely believed that *reproduction* is severely hampered, because residues of pesticides such as DDT are transferred in lethal amounts to embryo birds via the egg yolk, or because the pesticides upset liver enzyme activity and therefore calcium metabolism, resulting in eggshells so thin embryo chicks cannot survive in them. Studies have also indicated that some birds become strangely nervous and aggressive and destroy their own eggs.

There have been innumerable cases in which frogs, snakes and birds, as well as wild and domestic animals—have been killed by pesticides, sometimes in massive numbers. Rachel Carson, in her eye-opening best-

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Footnotes at end of article.

seller *Silent Spring* (Houghton Mufflin Co., 1962), cited dozens of instances. Many such kills are due to outright misuse, which of course greatly magnifies the dangers and damage of pesticides.

But knowledge, or communication of it to the right people, has not been sufficient to prevent misuse. We do not in fact yet know all the ways in which pesticide applications may be upsetting the balance of nature, though examples from the past are plentiful.

We do know that persistent pesticides are carried throughout the world by wind, water and living organisms. Often cited is the fact that even penguins in the Antarctic—so far from any pesticide use—contain residues of DDT. Dr. George M. Woodwell, an ecologist at Brookhaven National Laboratory, speaks of the "serious and subtle changes caused by continuous exposure to low levels of pesticides in the environment . . . that threaten to degrade the biota of the earth and especially the oceans in a very serious way." [15]

THE DILEMMA FOR MAN

The weight of expert opinion currently holds that humans are not *directly* harmed by careful use of pesticides. There is apparently no solid evidence of such harm. But practically every human accumulates some pesticides which, as in birds, are stored in body fat. In the U.S. the average is thought to be about 10 to 12 parts per million. (In some countries it is apparently much lower, in some much higher.) Scientists believe that man manages to get rid of pesticide accumulations over a certain level, given a reasonable amount of time.

Research on the long-term effects of pesticides on humans is virtually impossible; and it is extremely difficult to extrapolate research on animals to humans. So while there is no convincing evidence that pesticides seriously damage man, neither is there proof that they don't. In fact, there are ominous signs that some long-term surprises lie ahead. Some examples:

A number of scientific studies have linked pesticides and other chemical compounds with cancer. They have been thoroughly discussed at congressional hearings.[11] "The total number of pesticides capable of producing cancers in various organs and tissues of man and/or animals is appreciable," Dr. W. C. Hueper, former director of the National Cancer Institute, has said. He also had a comment for an industry scientist who claimed that "there is little likelihood that an epidemic-like occurrence of cancers will result in 10 to 30 years":

"He is distinctly whistling in the dark. The facts already on hand do not support such a soothing prophecy." [11]

And in early March it was reported that preliminary analysis of a large-scale study of 130 such compounds—conducted for the Institute—indicates they are carcinogenic to mice (in very large doses). Pesticides are reportedly among the compounds under suspicion.[16]

Other reports suggest that pesticides are a genetic hazard to man, capable of producing mutations, which are usually harmful. Dr. James F. Crow of the University of Wisconsin says "there is reason to fear that some chemicals (including pesticides) may constitute as important a (mutagenic) risk as radiation, possibly a more serious one." [17]

Dr. Osny G. Fahmy of the Chester Beatty Research Institute in London says "the amount of pesticide chemicals man is now absorbing from his environment is enough to double the normal mutation rate." [18] He says they are capable of disrupting the DNA molecule; the effects are cumulative; and the mutations may not show up for generations.[2]

Dr. Marvin Legator of the Food and Drug Administration says the widely used and relatively nontoxic fungicide captan breaks chromosomes in mammalian cell cultures and may be capable of inducing mutations in man. Dr. M. Jacqueline Verrett, also of FDA, says such chemicals can cause birth deformities in chickens. (The chemical structure of some fungicides is similar to that of thalidomide, she notes.) [19]

Medical World News has reported that a great many genetics experts are concerned about mutagenic chemicals "as either a proved or at least a potential menace to human health . . . Most believe that direct evidence of a chemical's deleterious effect on man could be difficult or impossible to obtain—and incalculable damage could already have been done before it became apparent." [20]

Dr. Richard M. Welch, a pharmacologist with the drug firm Burroughs Wellcome & Co., says sex hormones in rats are affected by enzymes activated by DDT, and the same hormones are found in man, whose residue of DDT is "within a range" to produce the same effect. "Thus, if one can extrapolate data from animals to man, then one would say that the changes in these enzymes probably do occur in man." [21]

Dr. Robert W. Risebrough of the University of California's Marine Resources Institute says consideration is not being given to the enzyme inducing ability of pesticides. "No responsible person could now get up here and say that this constant nibbling away at our steroids (sex hormones) is without any physiological effect. It would be irresponsible." [21]

Very little is known about the possibilities of synergistic effects when different pesticides interact in man, or when a pesticide interacts with a medical drug. Tests have shown that a pair of chemical compounds in tandem may be more than 100 times as toxic as either one alone. Since the symptoms of pesticide poisoning are likely to be common to other diseases, diagnosis is difficult. Stanford University's Dr. Joshua Lederberg, a Nobel Prize winner, speaks of the way in which DDT and other compounds cause changes in the metabolism of the liver, adding that man "can therefore be expected to show a changed reaction to a number of other chemicals and drugs, even under conditions where the DDT alone shows little toxic effects. The long-term effects of such combinations are poorly understood." [22]

Since pesticides interfere with drug metabolism, says Chicago pharmacologist Dr. Kenneth P. DuBois, they can have a marked effect on patients. He says that barbiturates, for example, are counteracted by DDT. "Such a counteraction has generally been written off by physicians as the patient's natural resistance to the drug." [23]

None of these scientists claims to have *proved* any mass dire effects due to pesticides. But they are warning man that he should not be blind to the possibilities.

Man was surprised, after all, when he found that the drug thalidomide could cause children to be deformed; that cigarette smoking could cause cancer; that simple X-rays could cause a skin ailment that didn't show up for decades; or that amounts of radiation presumed to be safe could apparently cause tumors in children more than 10 years later.

More obvious are the effects of pesticide poisoning in household, occupational and industrial accidents. "Each year," says a government study, "approximately 150 deaths are attributed to misuse of pesticides in the United States. About half of these occur in children who were accidentally exposed at home." [24]

It would be impossible to guess the number of non-fatal poisonings. But cases of occupational poisoning "have become more frequent," and "the adequacy of safeguards . . . is put in question by reviews of the effects of pesticides on human health." [25]

In California alone in 1964, there were some 1,328 reports of occupational disease attributed to pesticides and other agricultural chemicals.[26] This has now become a major new issue in the long, bitter strike and boycott against California's table grape growers. The union argues that many cases of poisoning are not reported, and many others are mistaken for other illnesses because the symptoms are so similar.[27] It has filed suit to halt the use of DDT in the state.

In Mexico, 17 were killed and some 600 made violently ill in 1967 when parathion contaminated bread supplies. A week later, a truck loaded with parathion overturned and spilled the deadly pesticide over a California highway. The pavement had to be ripped up to prevent death or injury.

THE IRONIES OF IT ALL

Aside from misue and danger, the application of pesticides is likely to be fraught with irony and paradox—in fact, with failure.

In the first place, it should be noted that agriculture, particularly in the U.S., has tended to spread single crops over larger and larger areas, sometimes over thousands of acres. Such monoculture is efficient and economical. But it is also an invitation to pests which thrive on a particular crop, especially since their natural enemies may no longer find the area to their liking. Such invitations, of course, have been answered with massive invasions.

Perhaps the greatest irony in pesticide use is the destruction of beneficial insects and rodents in addition to the target species. (There has been some limited success in developing pesticides with narrow, specific effects.) Thus the victims are likely to include the very natural enemies which have been holding the target pest in check. There are many cases in which pest populations have burgeoned anew as a result.[2] Sometimes the destruction of parasites and predators simply clears the field for a surge of *several* new crop pests, compounding the problem of control.

Says Wurster: "DDT is like a drug. The more you use it, the more you need to use it." [21]

A second irony is that pests have a perverse tendency to develop resistance to the poisons man lavishes on them. Says a congressional report: "When a pest population, reproducing rapidly, is exposed to a lethal chemical, the laws of natural selection are dramatically demonstrated. The variety of genetic makeup, even within a single species, means that some insects in the population will have a biochemical mechanism for resistance and a new population will build up, unaffected . . ." [28]

Then there is an inclination to increase the dosage, or shift to another, perhaps more poisonous chemical, to kill off this tougher breed. But the report cautions that "there appears to be no toxicant powerful enough to kill every member of a large population." [28]

There's another kind of "resistance." For example, Professor Walter Ebeling and Donald A. Reierson of UCLA write of cockroaches that learn to avoid hazardous insecticides even after the first contact, with the result that the most toxic substances may be the least effective.[29]

A further problem, even when spraying is done carefully, is drift. Winds frequently carry a pesticide many miles from the target area, fouling another's land. Thus, alfalfa and other crops have often been inadvertently contaminated, and many a dairyman has had his milk barred from the market because its pesticide content was too high. (Farmers in this predicament often receive indemnity payments from U.S. taxpayers.)

Typical of the farmers' dilemma is this comment in the Wisconsin Farm Bureau's newspaper: "On one hand, dairymen have been penalized when a trace of the chemical (DDT) is found in milk. On the other, vegetable, field crop and fruit growers have found no substitute for the compound in assuring a crop for market."

There is a similar dilemma because many crops and orchards depend heavily on bees to pollinate them. But, says Ward Stranger, extension apiarist at the University of Cali-

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fornia: "Honey bees are exposed to a great variety of pesticides . . . Approximately 19% (76,000 colonies) of California's bees used for pollination were killed by pesticides in 1967. This is more than twice the kill reported in 1963. In addition, hives of bees are damaged to such an extent that they are no longer productive or effective pollinators." [30]

So one farmer's meat may be another's poison.

INTERNATIONAL PROBLEMS

Foreign countries are fertile ground for the sale of pesticides. They are often desperate to increase agricultural production, or protect their crops from insects and rodents. Much of their pesticide use is to control malaria. Says Dr. Ray F. Smith of the University of California, "in many countries nearly 100% of the pesticides used go onto cotton." (In fact, half of those used in the U.S. are for cotton crops.) [13]

The United States produces an estimated two-thirds of the world's supply of pesticides. Of some 900 million pounds manufactured in 1967, more than 400 million pounds were exported. The value (at the manufacturing level) was $195.7 million, up 13% from 1966.[6]

Moreover, the chief federal law controlling the registration and labeling of pesticides in the U.S. does not apply to exports. Thus pesticides could be marketed and used abroad in varieties and doses considered unfit in this country.

The catalog of mistakes in international pest control is long. A classic case occurred in the Canete Valley in Peru where, says Professor Teodoro Boza Barducci, the progressive use of a wide variety of pesticides on the cotton crop proved to be "disastrous." For one thing, after temporary control of the primary pest insect, resistance developed and it returned along with six new insects that needed control. Damage to the crops was extremely heavy, with a 50% loss in one year.[13]

A number of experts have spoken of the great publicity and promotion used to market pesticides in foreign countries and encourage their heavy use. They also tell of the resistance of farmers to using other methods recommended by scientists. Says Smith: "This is the case everywhere in the world. They don't change until there is a crisis that forces them to do it." [13]

Then there is the problem of misuse and misapplication, perhaps more serious in underdeveloped countries because of more limited literacy and education (the fine print on labels is a challenge to anyone), fewer technical and legal safeguards, and less effective or immediate medical attention in case of exposure. As an extreme example, for a time Japan alone had several hundred fatalities a year attributed to accidental parathion poisoning. Then there was this report from Rome not long ago:

"City health workers wearing rubber suits and gas masks filled a crowded market with white, stinging insecticide spray today, poisoning 13 persons, who were sent to a hospital. Merchants who have stalls in the market said they had asked the city to spray the area but had meant after the market closed." [31]

The Russians, too, have their problems with pesticides. These have been discussed by Harry Rothman of Manchester University, who cites in particular a case in August 1966, when a wasteland area 30 miles from Yaroslav was sprayed with a herbicide to increase the amount of meadowland—despite warnings of the dangers to wildlife. The result was the death not only of many birds, but 27 rare and highly-prized elk. This and other elk kills, he indicates, have galvanized concern in the USSR.[32]

Smith warns that some cotton-growing nations in Central and South America "are on the brink of disaster through misuse of pesticides." He says "the possibilities of a cotton crop failure . . . are very great in the next year or two if current practices are not modified. The possible social and political implications are many, especially when one considers that over 30% of the export dollars for countries like Guatemala and Nicaragua come from the sale of cotton fiber. It is no exaggeration to say that pest control advice which leads to an economic calamity may topple a government."[13]

There is no telling what the future may hold. For instance, recent research indicates the possibility that the insecticide lindane, much of which is used in vaporizers, is far more toxic when exposure is linked with malnutrition, and perhaps should be used with particular care—or not at all—in countries where the diet is low in protein.[33] Other studies indicate similar links for other pesticides.

Clifton R. Wharton, Jr., vice president of the Agricultural Development Council, warns of possible dangers in the widespread use of the new highly productive varieties of grain. 'Large tracts planted in one of the new varieties may be susceptible to disease and infestation which could cause massive losses. Heretofore . . . heterogeneity provided a built-in protection . . ." He also notes that such losses to thousands of farmers are "far more likely to be blamed on the producers and spreaders of the miracle seed than on Fate." [34]

TO BAN OR NOT TO BAN, THAT'S THE QUESTION IN WISCONSIN

Rarely has there been a dispute over pesticides as hearty and full-blown as that now going on in Wisconsin. Rarely have the issues been more sharply and vigorously drawn.

The scene of the dispute is Madison, where the Department of Natural Resources is holding administrative hearings on a petition to ban the use of DDT in the state. The Department has jurisdiction over the state's water quality standards, and can prohibit the use of a pollutant which reaches the water and causes health problems or "acute or chronic (injury) to animal, plant or aquatic life."

The petition was filed by the Citizens Natural Resources Association, which was joined by several other conservation groups. CNRA also invited help from the Environmental Defense Fund, Inc., an organization founded in the fall of 1967 for the purpose of bringing environmental issues to a legal test. The result, at the first stage of the hearings last December and January, was a strong indictment of DDT by a formidable array of expert witnesses, bolstered by EDF's attorney, Victor J. Yannacone, Jr.

This attack, said the Wall Street Journal on March 4, "seemingly caught (the pesticide industry) off balance." But the industry expects to make a full-scale effort to rebut when the hearings resume. This is scheduled for April 29.

The anti-DDT case rested to a great extent on damage to fish and wildlife. The industry—led by a DDT task force organized by the National Agricultural Chemicals Association—has made some attempts to mock its opponents, but in its rebuttal is expected to emphasize the benefits of pesticide use and the lack of evidence that they harm man.

Though the issues are limited to Wisconsin, to DDT and to water pollution, the nature of the hearings and the publicity they have spawned have created nationwide interest. The outcome is seen as an important precedent for other states whichever way it goes. Both sides have indicated that they would appeal a loss to the courts.

(Meanwhile, on April 16, the Michigan Agriculture Commission moved to cancel the registration of DDT for all uses in the state. This would make the sale of DDT illegal in the state.)

FOOTNOTES

[1] *Restoring the Quality of Our Environment*, Report of Environmental Pollution Panel, President's Science Advisory Committee, 1965.

[2] *Pesticides and the Living Landscape*, University of Wisconsin Press, 1964.

[3] BioScience, September 1968.

[4] Farm Chemicals, January 1969.

[5] *Extent of Farm Pesticide Use on Crops in 1966*, Agricultural Economic Report No. 147, U.S. Department of Agriculture, October 1968.

[6] *The Pesticide Review 1968*, Agricultural Stabilization and Conservation Service, USDA, December 1968.

[7] Biological Conservation, January 1969.

[8] Garden Journal, November-December 1968.

[9] Testimony before Senate Commerce Committee, May 17, 1968.

[10] Nuclear Information, May 1964.

[11] Hearings of Senate Government Operations subcommittee on reorganization and international organizations, 1963–64.

[12] Address to 34th North American Wildlife and Natural Resources Conference, 1969.

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THE PROPOSED JOB CORPS SUSPENSION

Mr. INOUYE. Mr. President, I understand that the Committee on Labor and Public Welfare on April 29 ordered favorably reported Senate Resolution 183, which urges that all action to shut down Job Corps installations be suspended until the Congress completes its authorization and appropriations action on this program.

The Koko Head Job Corps Center has been ordered closed by the Department of Labor. It is my understanding that a team of Labor Department experts has just returned from a factfinding trip to our Job Corps center and it has been reliably reported that this team has recommended the retention of this Job Corps center. Undoubtedly a final decision will be made in this matter in the next few days. I urge that primary consideration be given to the object of our concern—Job Corps trainees and, of course, to the Job Corps personnel who provide their training. Should a decision be made to change the present designation from a conservation camp to an urban skills or so-called minicenter, I hope that every effort will be made to provide a continuity of training for the Job Corps members themselves. It would be a cruel injustice indeed if this Job Corps center was temporarily closed only to be reopened later as a minicenter with a new group of enrollees but with no provision made for those enrollees who were unable to complete their training because of the premature shutdown. I am hopeful that the Department of Labor will weigh these considerations with great care, and I am also hopeful that decision to retain the Koko Head Job Corps Camp and its satellite camps can be made in the near future.

While the news that the Job Corps center in my own State may be retained is most heartening, I am still deeply concerned with the precipitate closing of the other Job Corps camps throughout the Nation. I, therefore, hope that the Nixon administration will reconsider its decision and wait until the Congress has had an opportunity to complete its normal authorization and budgetary processes, as expressed in Senate Joint Resolution 183, which I joined other Senators in sponsoring.

THE U.S. WHEAT SITUATION

Mr. DOLE. Mr. President, March 26, 1969, marked the third annual congressional breakfast sponsored by three organizations, Great Plains Wheat, Inc.; Western Wheat Associates, U.S.A., Inc.; and National Association of Wheat Growers; all concerned with improving the lot of wheat farmers.

On this occasion, one of the speakers was a personal friend of mine, Mr. Carl Dumler, a prominent wheat farmer from my home county, Russell County, Kans. Mr. Dumler has long been active in promoting the best interests of wheat farmers. Because of the effective manner in which he presented the problems facing our wheat farmers at this time, I ask unanimous consent that his remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Price Competitiveness

(Remarks by Carl Dumler, President, Great Plains Wheat, Inc., at the third annual congressional breakfast sponsored by Great Plains Wheat, Inc.; Western Wheat Associates, USA, Inc.; National Association of Wheat Growers; Washington, D.C., March 26, 1969)

Senator Goodell, distinguished Senators and Congressmen, and fellow wheat producers. Like most people today, we farmers are prone to complain about our problems while taking many of our blessings for granted. Before I go any further, I would like to take note of one of our blessings—these gentlemen of the Congress who have made a special effort to visit us this morning and the interest they express in our problems by their attendance. Thank you, gentlemen, for attending.

The year since our last meeting here in Washington, however, has really not been one with many blessings to count in the export market, let alone take for granted. It has been a crucial year with many factors combining to send U.S. Wheat exports sliding downhill. Shipments of wheat from July 1 to the end of February were down more than 40 per cent compared to the same period last year. I will discuss here new barriers which have faced U.S. Wheat this year.

Of immediate concern is the dock strike, resolved in some areas, continuing to stifle export movement in others. The strike has taken its toll in our exports. Up to the end of December, U.S. shipments for dollars showed a gain of more than 461,000 bushels compared to the same period last year. These same dollar shipments, however, have now slipped into a 14 per cent deficit since the beginning of the dock strike.

Another deterrent to sales was the embargo initiated by Japan. Shipments to this leading cash customer are off about 25 per cent. We are pleased that shipments have been resumed and the important role played by marketing organizations in the negotiations leading to the lifting of the ban.

But the principle barrier to U.S. Wheat exports has been the loss of price competitiveness. Precipitating this crisis has been an abundant world supply of wheat. The fears of world starvation a few years ago have now been replaced by concern of oversupply. Wheat production soared in the major food-deficit countries last year. Coupled with recent high levels of production in the developed countries, world wheat output has surpassed the 10-billion-bushel level, something like the four-minute mile in track, for the last three years. This year's production set a record at 10.8 billion bushels.

Also influencing the loss of price competitiveness has been the International Grains Agreement. The wheat marketing organizations supported the I.G.A., providing we could remain competitive in our traditional markets. This we have not been able to do. In fact, we have had to price below the IGA minimum in order to make sales. And we have lost sales because of this non-competitiveness.

For instance, Brazil issued a worldwide tender for 100,000 tons on October 23. The United States sold 75,000 tons. To make this sale, however, we had to price our wheat 10 cents per bushel below the IGA minimum. And in spite of being below the minimum, Argentina, whose IGA pegged price at the Gulf is the same as the United States, offered at three cents per bushel below our price and sold 25,000 tons. Other f.o.b. offers were received from Australia at six cents under the U.S. price, France at 21 cents under and Spain at 17 cents under. Romania offered wheat at the same price as the United States.

Also, the United Kingdom estimated a need for 500,000 to 700,000 tons of filler wheat this year. We have not been able to take advantage of this opportunity because our wheat has been priced 10 to 15 cents per bushel higher than wheat offered by the EEC, Sweden, Spain, Bulgaria and Romania.

A French sale was made to Turkey at more than 12 cents per bushel under the I.G.A. minimum due to freight interpretations of the agreement. This again prevented a possible U.S. sale.

Other freight interpretations and quality up-grading of I.G.A. pegged wheats has made the United States non-competitive in many areas. Non-member wheats are being priced under U.S. wheat. For instance, Russian 441 is priced at more than $2.00 per ton under Hard Red Winter, 13.5 per cent protein, in Rotterdam and Russian SKS, 14 per cent protein, is about $4.80 per ton under U.S. Spring, 14 per cent protein, in the United Kingdom around the first of March.

The facts clearly show the United States is not price competitive in many of our traditional markets. And we must be competitive if we are to sell. Our wheat exports can bounce back with an aggressive price competitiveness program through the coordinated efforts of the U.S. Department of Agriculture, grain trade and producers.

EDITORIAL COMMENDATION OF SENATOR ANDERSON

Mr. MONTOYA. Mr. President, a recent edition of the American Farm Bureau Federation's Newsletter contained an editorial entitled "Copy Success," written by Donald T. Donnelly. The article was written to offer advice to the new Secretary of Agriculture, Dr. Clifford Hardin.

In the course of his writing, Mr. Donnelly paid great tribute to our colleague from New Mexico (Mr. Anderson), who is a former Secretary of Agriculture.

I commend its reading to Senators as a deserving commendation to Senator Anderson for his outstanding work in the field of agriculture and for his profound insight into the responsibilities of the legislative branch of our Government.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the American Farm Bureau Federation's News Letter, Jan. 20, 1969]

Food for Thought: Copy Success

(By Donald T. Donnelly)

The new Secretary of Agriculture, Dr. Clifford M. Hardin, who takes office today, is getting a great deal of advice as he begins his new work in Washington.

I can think of no one better qualified to advise the Secretary than a man who held the same position under comparable conditions, Senator Clinton P. Anderson (D.) of New Mexico.

Mr. Anderson had been a member of the House of Representatives before he joined President Truman's cabinet in 1945. In the 1946 election the Republicans gained control of both Houses of Congress, and the Administration faced a situation where members of the other party controlled the Legislative Branch. Because the Secretary of Agriculture had a thorough understanding of the legislative process, he made some wise decisions in a period which could have been a very trying one for a man of less experience.

Mr. Anderson recalled the events of 1947 and 1948 in an address at Michigan State University in February, 1961, when he appeared on the platform with four other former Secretaries of Agriculture. Here are his words:

"The first thing a Cabinet member must understand—and never forget—is that he is a part of 'the administration.' This means he is an integral part of the Executive Branch of government. He is held accountable indirectly through the President of the United States rather than directly by the voters.

"As a consequence, he is subject to all the pressures that come to focus on the Executive Branch of government. And, because the President is the unquestioned captain of the Executive team—and each Cabinet member serves at the will and pleasure of the President—the eventual impact of these pressures on a Cabinet officer is essentially the same in their effect as they are on the President himself.

"This is in sharp contrast to the function of Congress—and the role of the individual members of the U.S. Senate and House of Representatives.

"With the exception of the conduct of foreign affairs, the Congress has the primary policy-making function in our government. You have no doubt heard the expression, 'The President proposes—the Congress disposes.' The drafters of the Constitution wisely provided that it be this way.

"Initially, members of the Congress get permission of the voters in their respective districts, or states, to represent them. Then each member of Congress is held personally accountable at each subsequent election for his acts of commission or omission.

"All citizens should understand that the Secretary of Agriculture is primarily an 'administrative officer' in the Executive Branch of government. I'm afraid there is widespread confusion on this point. I sincerely hope the appearance on this program of five former administrative heads of this particular government agency—the U.S. Department of Agriculture—doesn't divert attention from where the primary responsibility for government farm policy determination really rests—namely, with the Congress and the farmers' own organization.

"In 1949 I stated my attitude on the role of farm organizations in farm policy formulation as follows:

" 'I want to see farm legislation developed by farmers through their own farm organizations in cooperation with the members of Congress who are sincerely interested in the long-time interests of farmers and who are determined to fit a sound farm program into our free enterprise system.'

"In preparation for my participation in today's program, I reread the hearings conducted in 1947–48 by the Senate and House committees on agriculture.

"In retrospect I'm glad that my testimony, and that of my associates in the USDA, reflected our clear realization that, although the Department could and should make recommendations, the responsibility for making policy rests squarely on the Legislative Branch of the government—the Congress.

"I sincerely believe that our clear-cut recognition of this important concept was one of the main reasons that the testimony of the general farm organizations in 1947–48 reflected substantial agreement on postwar price support policy. Instead of coming forth with a specific plan, I insisted that the Congress and the general farm organizations shoulder their rightful responsibility in policy formulation. This they did. The Agricultural Act of 1948—that part which was not a plain one-year extension of existing law—providing for price supports related to the supply-demand situation and a modernized parity formula, was the direct outgrowth of these efforts. It is a shame that this legislation wasn't allowed to become operative at the time of its passage. Many subsequent surplus problems would have been avoided—or substantially reduced."

Senator Anderson's good judgment caused the people of New Mexico to send him to the United States Senate in 1949. As a member of that body he took leadership in developing the Agricultural Act of 1949, known as the Aiken-Anderson Act.

His successors in office have not always followed his example in seeking to keep "the responsibility for making policy" squarely on the Legislative Branch of government. This may be why none of them has been elected to Congress and why no major farm law is named for any of them.

State and Country Farm Bureaus seeking to improve and expand their activities have been well advised to "Copy Success." The results are gratifying.

Senator Anderson is too modest a man to advise Secretary Hardin to "Copy Success." But if he did, the advice would be excellent. And if this advice were followed the results likely would be gratifying.

THE DEPARTMENT OF DEFENSE BUDGET

Mr. PROXMIRE. Mr. President, in recent months, a number of important investigations of inefficiency and waste in the Federal Government have been published. A study by the independent Congressional Quarterly, June 28, 1968 for example, estimated that $10.8 billion could be eliminated from the Department of Defense budget with no lowering of the level of national security. A report by Richard Stubbings, of the Bureau of the Budget, CONGRESSIONAL RECORD, February 7, 1969, pages 3171–3176, presented hard evidence that many of our most costly weapons systems perform at a level substantially below expectation. It also indicated that those systems whose production generated the greatest profits displayed the largest performance shortfall. A paper by Robert Benson, Washington Monthly, March 1969, presented evidence that a $9.2 billion reduction in the defense budget could be achieved without loss of military capability. Benson, a former Defense Department official, argued that over one-half of this waste is attributable to inefficient manpower management by the Pentagon.

Over the past year, the Subcommittee on Economy in Government of the Joint Economic Committee, of which I am chairman, has encountered numerous instances of inconsistent, uneconomic practices in Federal agencies. These have dealt with both military procurement matters and the application of discounting analysis to proposed investments throughout the Government. The existence of cost overruns entailing unexpected expenditures of billions of dollars and the construction of public works projects which return far less production for society than comparable private investments are now well documented.

In the past few days, yet another report giving evidence to the inefficiency of Government practices has appeared. This survey was prepared by Mr. Louis Cassels, of United Press International. On the basis of a month-long investigation, Mr. Cassels estimates that "at least $10 billion and probably much more than that" is being wasted each year by the Federal Government. Mr. Cassels concludes that the elimination of this waste is a major responsibility of the planning-programing-Budgeting System now being developed in the executive branch. I could not agree more with this conclusion.

I ask unanimous consent that Mr. Cassels' article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Apr. 23, 1969]

UNITED PRESS INTERNATIONAL INVESTIGATIVE REPORT: U.S. BUDGET WASTE TAB: $10-TO-$30 BILLION A YEAR; SPENDING BY HUNCH, PORK BARREL AND A PRAYER

(By Louis Cassels)

The U.S. government is wasting huge sums—at least $10 billion a year and probably much more than that—by spending money blindly.

That is the conclusion of a month-long investigation of Federal budgetary practices by United Press International.

The inquiry which ranges from the White House to Capitol Hill and into numerous departments and agencies disclosed that:

Little progress has been made in applying to civilian agencies the system introduced in the Pentagon by former Defense Secretary Robert S. McNamara, under which program decisions are supposed to be based on objective analysis of costs and results.

Even in the Defense Department, systematic analysis thus far has been applied mainly to new weapons systems and has had very limited impact on the bulk of military spending.

As a result, most Federal spending decisions—military and civilian—are still being made on the basis of hunches, hopes and pork barrel politics rather than hard facts.

Costly programs, once launched, are continued or expanded year after year, without sufficient effort being made to determine whether they are actually achieving their supposed objectives.

The government's left hand often doesn't know—or care—what its right hand is doing. It is not unusual to find 8 to 10 different agencies working in the same field with little or no coordination. This leads to overlapping and duplication of programs, and in some cases to such spectacles as one government agency spending money ($30 million) to subsidize tobacco farmers while another government agency is trying (with $8 million) to discourage cigaret smoking.

In military procurement particularly, and to a lesser extent in social programs, the government gets locked into long-term commitments running into many billions of dollars thru "foot-in-the-door" programs that cost little at first but a great deal later. In some cases, Congress legislates without demanding adequate information about ultimate costs. In others, it's misled by flagrant underestimates of what certain programs or weapons systems eventually will cost.

It is impossible for anyone to tell exactly how many of the taxpayers' dollars are being wasted—or spent ineffectively—because of haphazard spending policies.

"The horrible truth," said a high career official of the General Accounting Office, "is that neither the President nor Congress nor anyone else really knows enough about what the government is doing, and what results its programs are achieving to speak with certainty about how much waste there is in our $200 billion a year Federal budget."

Pressed for an estimate, he said $20 billion to $30 billion a year would be a "realistic guess."

The more rational approach was supposedly introduced throughout the government in August, 1965, when President Lyndon B. Johnson announced, with considerable fanfare, that he had ordered all major Federal agencies to adopt the so-called "Programming-Planning-Budgeting" (PPB) System which Mr. McNamara pioneered at the Pentagon.

Mr. Johnson said the new approach to budgeting "will enable us to fulfill the needs of the American people without waste . . . because we will be able to make sounder decisions than ever before."

Under the PPB system, Federal agencies are supposed to follow a series of analytical steps in determining how much money they need from Congress. Step No. 1 is to identify an objective as clearly and precisely as possible. Step No. 2 is to consider alternative ways of achieving the objective, comparing them in terms of their relative cost and effectiveness.

Step No. 3 is to choose the alternative which promises to accomplish the most for the money. Step No. 4 is to follow up a program after it is in operation, to measure its actual results and make sure it's working out as expected.

Advocates of PPB have developed some rather sophisticated techniques for analyzing the "cost-effectiveness ratio" of an existing or proposed program. However, the reliability of these techniques is a subject of dispute among economists.

Some critics, such as Prof. Frederick C. Mosher of the University of Virginia, contend the system will never work well because many government decisions entail considerations that cannot be reduced to quantitative terms.

Because PPB would bring under analytcal scrutiny all Federal activities—even the sacred cow programs dearest to bureaucrats and politicians—the introduction of the system into civilian agencies has not been hailed with universal glee here.

A survey of 25 major Federal departments and agencies showed that all of them now have at least some machinery for systematic analysis.

But the survey turned up only three civilian agencies which are making more than token use of systematic analysis in planning, reviewing and revisng ther programs. These are the Department of Health, Education and Welfare (HEW), the Agriculture Department and the Labor Department. Even in these agencies, PPB is still in its infancy.

OVERLAP, DUPLICATION AND CONTRADICTION

The biggest cause of government waste, in the opinion of many Administration and congressional officials, is the long-standing practice on drafting appropriations bills on an agency-by-agency basis.

Until very recently, no serious attempt was made at the White House or Congress to look at government spending on a functional basis—that is, to examine simultaneously and critically all of the things that are being done by all Federal agencies in a particular field.

This lack of overview may not have been a particularly serious matter in years past, when society was simpler, the government less active, and the lines of responsibility more clearly drawn.

Today, however, there is scarcely a single major government function that does not cut across department or agency lines. A recent survey by the Senate Government Operations Committee showed that 10 agencies are involved in manpower programs; 18 agencies are conducting programs to improve the natural environment; and 20 have something to do with health.

Daniel P. Moynihan, President Nixon's chief adviser on urban affairs and a veteran of two Democratic administrations, says the government now has so many programs spread thru so many agencies it is hard for policy makers "just to keep up with what is going on," let alone achieve any kind of true co-ordination.

As a freshman member of Congress, Rep. William V. Roth Jr., R-Del., was profoundly shocked last year to discover that no one here could tell him how many Federal aid programs are currently in operation.

He set out to make his own list. After eight months of patient interrogation of individual agencies, he managed to identify 1,050 separate programs under which Federal money is given or loaned to states, cities, institutions or individuals.

Rep. Roth has neither the staff nor the authority to determine how much overlapping and duplication there is in this welter of Federal activity. But he figures there's bound to be a lot when—to cite just one field as an example—15 agencies are dispensing funds thru 211 separate programs to support higher education.

Specific cases of overlap, duplication and even direct contradiction between Federal programs come to light often enough to indicate that Rep. Roth has sound grounds for this suspicion.

Item: The House Appropriations Committee, investigating the Government's marine science activities (on which 11 agencies spend nearly $500 million a year), found the Coast and Geodetic Survey preparing to explore underwater manganese deposits which had only recently been extensively and expensively studied by the Geological survey.

Item: The Department of Health, Education and Welfare will spend $8 million this year on efforts to discourage smoking, while the Agriculture Department will spend $30 million to subsidize the growing of tobacco.

Item: The Air Force is spending about $600 million a year on its "Manned Orbiting Laboratory" project which is strikingly similar to the spacecraft program of the National Aeronautics and Space Administration (NASA). Critics charge that the manned orbiting laboratory was put into the budget solely to gratify the Air Force's desire for a piece of the action in space research.

One of the cardinal principles of systematic analysis is that spending decisions should be based on a careful calculation of what a program will cost over the long run, rather than during its first year or two of operation, when it is just getting under way.

Sen. William Proxmire, D-Wis., vice chairman of the Joint Economic Committee, charged that the armed forces have persistently misled Congress about the ultimate costs of new weapons systems, such as the Antiballistic Missile (ABM) now under consideration.

Sen. Proxmire said his committee's hearings have established that the Air Force's new C15 airplane "will probably cost the American taxpayer $2 billion more than the original contract ceiling of $3 billion."

Sen. Proxmire said the Pentagon's "notorious" readiness to permit a military contractor to double or triple his original price tag has encouraged the practice of "buy-in bidding" which a firm deliberately enters an absurdly low bid in order to obtain a defense contract, and then puts in a whopping claim for "unexpected" extra costs.

He said the Pentagon could stop "buy-in bidding" in a hurry if it began slapping severe penalties on contractors whose costs run far higher than the original estimate.

Efforts are being made, both in the Administration and in Congress, to provide government decision makers with more of the kind of information they must have to make sound choices about spending.

The Budget Bureau has instituted an "overview" system under which activities will be grouped for bureau review by function rather than merely by agency. This means, for example, that manpower programs of all agencies eventually will be examined by one section of the bureau, all education programs by another, and so on.

The House Appropriations Committee chairman, Rep. Mahon, has introduced a resolution that would require every congressional committee, when recommending creation or expansion of any Federal program, to submit cost estimates for the first five years of its operation. This could help Congress avoid getting mousetrapped by "foot in the door" programs.

Rep. Wilbur Mills, D-Ark., chairman of the House Ways and Means Committee, wants Congress to establish a "government program evaluation commission." It would be similar to the Hoover Commission, Rep. Mills said, but would study the substance rather than just the efficiency of each Federal activity, seeking to identify redundant and inefficient programs.

All of these initiatives will encounter quiet but formidable opposition from people, in and out of government, who fear that rational analysis might lead to drastic cutbacks or even elimination of their pet programs. This opposition, being intense and focused, is likely to prevail over the rather diffuse public interest in reducing waste—unless or until the long-suffering American taxpayer really sees red.

FIRST BIBLIOGRAPHY OF CONSUMER WRITINGS

Mr. HART. Mr. President, I invite the attention of Senators to the publication of the first bibliography of consumer writings.

Published by the President's Committee on Consumer Interests, the volume for the first time pulls together in one place titles of more than 2,000 books, booklets, pamphlets, and films in the consumer area.

Its value to a cross section of the population—from individual consumer to professional consumerist—is self-evident.

The pages of my copy, I know, soon will be well worn, as I use it both as an aid to the father of eight and as an elected official.

Anyone wishing a copy may obtain it for 65 cents from the Government Printing Office. Those few pennies, I think, could lead to considerable savings for most of us.

THE SECOND DECADE FOR THE ST. LAWRENCE SEAWAY

Mr. BAYH. Mr. President, a few weeks ago, Prof. John L. Hazard, of Michigan State University, delivered a thoughtful and informative address at a meeting held in Washington by the Council of Lake Erie Ports. Professor Hazard, who is an expert in the field of transportation, has made an indepth study of the utilization of the St. Lawrence Seaway during its first 10 years of operation. His analysis pointed out the major problems which have confronted this great international waterway as well as its lasting accomplishments and values.

Of special significance are Professor Hazard's comments on the emerging issues and various alternatives which must be faced, both in the next few years and during following decades, if the Seaway is to realize its full potential. In order that this excellent presentation of the current and future role of this primary transportation artery for the economic heartland of the North American Continent may be available to Members of Congress and the public in general, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE SECOND DECADE OF THE SEAWAY

As the second decade of the Seaway approaches, three questions emerge for timely consideration and decision.

1. How well has the Seaway been utilized?
2. What issues will require decision during the second decade?
3. What major alternatives and avenues are open for positive regional response?

In this context, it will be well to clarify terms of reference and my conceptual framework. The Seaway is a deep-water dimension to the Great Lakes-St. Lawrence System—instrumental but not active or self-fulfilling. The primary purpose of the Seaway is the development of Midcontinent commerce and early self-liquidation is of secondary importance. The Midcontinent is the economic heartland of the United States and Canada and its economic growth is beneficial to both nations and not necessarily inimical to other sections. Canada and the United States are the largest trading partners and most formidably integrated economies in the world and one does not grow at the expense of the other. These conceptions may appear incredibly naive in view of recent reports, but I shall stick with them for the time being.

SEAWAY UTILIZATION

Overseas tonnage moving directly out of U.S. lake ports has increased rapidly to almost 11 million tons. Overseas cargoes averaged around 250 thousand tons in the early 1950's, doubled to 500 thousand tons in the late 1950's, and shot up to almost 4 million tons in the single year of 1959, virtually engulfing the unprepared lake ports. Subsequent growth has been rapid, averaging over 25 percent per year to 1966, then leveling off in 1967 and 1968, when strikes interrupted traffic movements. Despite the remarkable growth in lake port tonnage, the total represents only a nominal part of U.S. waterborne trade (2.5 percent) and constitutes in total less tonnage than the annual increase in U.S. waterborne trade (14 million tons) since the opening of the Seaway. It also constitutes but a small proportion of the foreign trade moving to and from the Midcontinent hinterland. Canadian lake ports contributed a balance 3.6 million tons of direct overseas commerce and a good deal more to the tonnage transshipped through eastern Canadian river ports. Canadian overseas commerce, though less than that of U.S. lake ports, has grown more rapidly. It also constitutes a larger proportion of Canada's total overseas trades and hinterland potential. In short, the lake ports overseas tonnage has grown rapidly until recently but still constitutes a minor proportion of hinterland potential.

The value of lakeport overseas trade has also expanded rapidly. Starting at around $100 million in the early 1950's, it is now over $1,600 million. The increase was at first slower than for tonnage as lower value bulk commodities were injected into the trade. With the opening of the Seaway in 1959, for instance, tonnage expanded six times in a single year while values only doubled. But, contrary to expectations, in the succeeding 8 years overseas trade values have increased more rapidly than tonnage (over 37 percent per year) as trade diversity has increased. It now constitutes around 5 percent of the total U.S. foreign trade. While growth has been significant, the total value of Seaway commerce is less than the average annual increase in U.S. total trade in the eight years since the opening of the Seway. It also constitutes around 18 percent of the foreign trade of the Midcontinent hinterland. In short, lake port overseas trade values have grown rapidly but hardly constitute a major diversion of U.S. Trade or a significant proportion of hinterland potentials.[1] Lake port trade values would approximately double if the ports drew one-third of the trade of their own hinterland, triple if they drew half, and quadruple if they drew a seasonal two-thirds.

Lake ports have achieved growth and maturity as ocean ports in a remarkably short time. A large potential hinterland market awaits further development. Yet in place of an ebullient outlook as the second decade approaches one finds uneasiness in the lake ports. Traffic growth has leveled somewhat. Competition overland has intensified. Major innovations are being made in ocean vessel dimensions and size and few are designed for lake service. Significant construction programs under way at the seaboard ports and on the inland waterways promise a more competitive environment in the immediate future. This is a healthy state of affairs for regional national trade and should be provoking a vigorous competitive response from the lake ports and the Seaway. But in place of such response, one finds uncertainty about both the interlake and overseas trades. Lake ports which have invested over $322 million in port development over the past few decades have, evidently, modest capital commitments for the next five years.[2] Few innovations are planned for the interlake trades other than the super ore carriers now under construction. Overseas lines appear uneasy about making major capital commitments to replace existing tonnage with new vessel prototypes. And adding to the uncertainty of these already turbulent waters are the intermittent federal pronouncements on toll increases.

SYSTEM MODAL DYNAMICS

Before suggesting the issues facing the next decade of development of the Great Lakes-St. Lawrence transportation system, it may be well to contemplate the elements constituting the system and how they interact. The major direct elements of the system are the regional requirements, waterway, and shipping lines and vessels. The supporting elements are the lake ports, inland carriers, trade intermediaries, and individual shippers. The patterns of interaction among the elements are not well-known nor the dynamic process of system development. It is known that all elements must move forward on a uniform front; otherwise, appreciable lags and leads are opened, constraining all other elements and total system development. It is also known that system development is an imperfect and uneven process at this state in time and that innovative initiative therefore shifts from element to element in a somewhat circular pattern.

For instance, the Seaway constituted a major dimensional innovation in the Great Lakes-St. Lawrence waterway a decade ago. Ship lines at first made merely a routing decision, filling the water with existing ships, some unsuited to the trade. Connecting channels and harbors were adjusted to Seaway dimensions, major port development commitments were made, and regional trade and transportation requirements were geared to the new route. Then a breakthrough in taconite technology (discovered at the University of Minnesota in 1951) revitalized the upper lake iron ore reserves and steel company investment shifted accordingly. New super ore carriers were designed at the University of Michigan and developed by a marine architecture firm in Cleveland. The U.S. Army Corps of Engineers altered the Poe lock design to accommodate vessels yet to be placed for construction. Vessel construction is now under way at Erie and Manitowoc of new, economic ore ships too large for the existing St. Lawrence and Welland locks. The circle of innovation has also returned to ocean shipping where tanker, dry bulk, and general cargo vessels are under construction, many too long, deep, or wide for existing Seaway dimensions. Thus, the cycle of innovation returns to the Seaway. Decisions made at the Welland and St. Lawrence canals are difficult and uniquely long range because a waterway built to last 50 years must accommodate a third generation of ships lasting 20 years, and the ships must accommodate traffic requirements, much of which will be new at their half life. The pyramid of decisions is not based purely on waterway dimensions, but also assurances of capacity, tolls and fees, season and continuity and efficiency, priority, and speed of through movement.

EMERGING ISSUES AND ALTERNATIVES

From this admittedly simplistic model of the system, elements and dynamics, we can move to the real world problems as they can be foreseen in the future of the lake ports.

1. Lake ports have developed well as foreign trade complexes in view of the limited time horizons, early opposition, and the initiative that they have had to exercise in Seaway developmental matters. Smaller ports have had a much more varied and generally depressive experience. While generally well-established, the lake ports will face more competition ashore in the next decade with less assured access to city funds committed in a larger measure to other urban developmental concerns. Replacement of retiring port administrators, some of whom have brought about heroic changes in the lake port cities, will be extremely difficult. The major issues of continuing lake port development appear to be:

(a) Broadening the traffic base of port development, especially for the declining interlake trades that have remained largely unattended.

(b) Attaining a broader base of public support, authority, and financing, reaching beyond the immediate metropolitan area.

(c) Developing a more effective marketing program in the hinterland, governmental shipping circles, and overseas trade areas.

(d) Establishing the principle and precedents for equality of hinterland access to competition traffic.

(e) Gaining a broader cooperation between public commissions, private terminal operators, and overseas and interlake shipping interests on common regional development matters.

(f) Discovering new modes of organization and operation and administrative styles to replace retiring port leaders.

(g) Attaining a more effective and constructive regional voice in informing Seaway and waterway decisions.

Many of the alternatives in these matters lie at the state and local level, but a number are of Federal concern. Canada has provided Dominion aid in establishing basic port plants in the upper lake ports. But lake ports on both sides of the border have yet to achieve formal ocean status. The National Harbors Board in Canada provides for capital expansion in major seaboard ports but not for metropolitan areas within the lakes. Port capital expenditures in Montreal alone exceed those of all Canadian lake ports combined.

In the United States, the Department of Commerce study of ocean ports stopped short of the lakes. The Knott-Todd Agreement of 1902 covering seaboard port rate parity (and import-export rates) on Midcontinent trade has yet to be extended to lake ports. Essential trade routes have been declared by the Maritime Administration, yet the U.S. merchant marine fleet provides only modest service by the routes (less than 4 percent of the overseas service). As a consequence, tied (preference) cargoes must still move cross country in pursuit of U.S. flag service. Governmental agencies are the largest shippers in the world ($2.5 billion freight bill) but have yet to make full use of the Seaway's potential public savings. Government investments in transportation and urban redevelopment have yet to tap the possibilites of port development. The eventual need to create multiple state port authorities, free trade zones, and even binational port and trade areas may require Federal assistance and enablement.

2. Ship lines and interlake carriers. A major cycle of vessel and marine innovation is finding expression in the ocean, offshore, and inland waterway trades. Many of these innovations have promising potential for revitalizing the interlake trades or expanding overseas options (including barges, united

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[1] Unfortunately, there are no aggregate value figures for Canadian lake port or hinterland trade.

[2] The *Port Expenditure Survey* made by the Port of New York Authority could involve less than full disclosure of lake port plans.

vessels, ro-ro and container ships, and high speed ground effects craft as well as improved ship automation, control system, and navigation aids). Few of these major innovations have moved beyond the idea stage in the lakes. Whether this is because of the absence of research and development expenditure in the lake states and provinces, the limited part of the Federal maritime construction dollars spent in the lake states (less than 4.5 percent in 1964–66), the lack of ship construction aids or tax deferrals to the interlake trades, the modest U.S. merchant marine participation in the trade, or the lack of certainty and constructive forum for the overseas lines is not entirely certain. It is in all probability a combination of these factors and in that case a number of alternatives for consideration is presented:

(a) Assurance that more *research and development expenditures* will be directed to revitalization of the lake and overseas trades.

(b) *Pilot and demonstration projects* involving Federal participation on the lakes.

(c) More marine engineering, design, and construction studies within the lakes and revamping the present Federal construction program and subsidies to facilitate competitive participation by lake yards.

(d) Consideration of the merit of affording the lake lines tax deferral on ship replacement accumulations as already apply to ocean shipping.

(e) Studies of the organization of the lake maritime industry with a view to achieving the most effective, competitive and innovative structure.

(f) Selective opening of cabotage laws to facilitate a cross-border infusion of competitive innovation and integration within the lake trades.

(g) Studies of prospective integration of the lake trades with the inland waterway system.

(h) Altering the system of subsidy-preference that ties regional aid contribution to flag line decision by either:

(1) Requiring minimum line performance on trade routes certified for subsidy.

(2) Altering the operating subsidy system to reward performance rather than cost differentials.

(3) Selective removal of preference where regional trade requirements go unserved.

(i) Providing the overseas lines (primarily foreign) with assurance on tolls, fees, season, capacity, and continuity so that they may proceed with long range capital commitments with greater certainty.

3. Waterway development. Waterway development started with the Seaway at the St. Lawrence and has moved up lake and river through the Welland, connecting channels, and into the recesses of the major lake ports over the past decade. With the completion of the larger Poe lock at the "Soo" and extension of the navigation season into January this year, the initiative shifts back to the Niagara escarpment and St. Lawrence, now the weakest link in the system. The major issue, in my opinion, is when to duplicate the project and how large and deep to build it. The importance of this decision is that it is likely to set the limits to ocean access for the next 50 years. Subordinate issues appear to be who will take the initiative, where, and for how much. In this respect, Canada has taken the initiative and burden at the Welland and St. Lawrence and the United States at the connecting channels and upper lakes. The United States spends more public funds on system development than does Canada, but the preoccupation of the Seaway entities with tolls has sharpened Canadian awareness of her share of the burden at the St. Lawrence. As a consequence, some reluctance may be expected from Canada about further project expansion and, consequently, the United States may have to be prepared to carry more of the initiative and financial responsibilities in those sections. While project expansion is imminent, expansion of capacity can be provided by extension of season, programmed lockages, improvements in project efficiency, enlighted pilotage rules, improved navigation aides, and removal of impediments to continuity of vessel movement.

Beyond the immediate connecting channel problems is a variety of issues that might be referred to as system integration. Selective reciprocal suspension of North American cabotage laws might permit a better integration of services to the multiple lake port networks on both sides of the border. Through lake-inland waterway commerce will require projects designed to improve the integration of the inland waterway system and the lakes. Ultimately, the imperfect natural configuration of the lakes must be dealt with and may necessitate studies of cutoff canals across upper peninsula Michigan, the Ontario peninsula, and even lower peninsula Michigan.

Instead of dealing with the multiple alternatives involved in addressing these waterway development issues, I shall simply assert that they deserve early study, consideration, and commitment if the other elements of system-wide adaptation are expected to proceed in succession.

4. Inland access of the lake ports and Great Lakes-St. Lawrence system has not proceeded especially well. Some of the upper lake ports have received equitable through service from terminal railroad systems and lower lake ports from shorter hauling truck lines. But under the influence of looser rate regulation and service innovations, railroad long haul competition has intensified. Regional shipping interests could applaud marginal cost based rates, even if selective and compelled by water competition, as well as the new service options (container trains, rental trains, unit trains, volume rates, etc.). For a time, lake ports opposed these rate reductions on selective items on a case by case basis, while chambers of commerce, the interlake trades, and shippers merely observed. With increased railroad consolidations and mergers, the pattern of selective rate reduction has spread and the interlake trades, many shippers, and whole cities are no longer immune. One question, at this point, is who will cover the burden of overhead once volume shippers needs are accommodated if competitive transport options are eliminated.

More germane to the lake port situation is the issue of equality of inland access. Instead of opposing rate reductions and progress in service innovations to other gateways and markets, the lake ports are merely asking for equal applications in analogous situations. It no longer appears financially feasible or effective for the lake ports to approach rate discrimination on a case by case basis. The lake ports appear to be searching for precedent setting cases and a declaration of principle. The recent reductions on soybeans to Gulf ports, making the rates from central Illinois higher to Chicago, and on coal from southern Ohio and to Essexville, Michigan lower than to by-passed Toledo (less than half the distance and en route) offer the possibility of precedents involving both the interlake and overseas trades. The search for principle on inland equality will continue, for without equal access to inland traffic controlled by a potential competitor, the lake ports' location and any waterborne trade are in jeopardy.

The issue of inland access is not limited to equitable rates, even if rates are attained, there is no assurance of extension of service, transshipment privileges, or cost absorptions. Access to governmental shipments remains uncertain as long as preferences obtain and flag lines limit service. Reduced rates to government agencies (Section 22 rates) and agreed rates in Canada have yet to be applied in equal measure to lake ports. The whole complex system of distance scales, class ratings and exceptions, and import-export rates applies differently to seaboard and lake ports.

Alternative approaches to achieving equal access for the lake ports are many.

(a) A Knott-Todd type of agreement ruling from the I.C.C., offering lake ports parity access to Midcontinent imports and exports with seaboard ports already covered.

(b) Designation of the major lake ports as ocean ports under the Merchant Marine Act of 1936, according similar treatment and service alternatives.

(c) Applications for relief under the Interstate Commerce Act (Sec. I(6)) prohibition of unjust discrimination, (Sec. 500 and Sec. 142) to promote and develop water transportation, and (Sec. 15) which requires the establishment of through routes and reasonable joint rates with water carriers.

(d) Amend the minimum rule of rate making (Sec. 15a, Transportation Act of 1958) to require Commission consideration of the effect of rates "lower than a reasonable minimum" on other modes of transportation.

(e) Alter the subsidy system to provide incentives for U.S. flag service to the route or elimination of preferences if they do not.

(f) Require closer scrutiny of government agency use of circuitous or uneconomic routes.

(g) Consider removal of Section 22 rates and agreed rates to governmental agencies.

(h) Institute a Midwestern Governor's request for examination of the import-export class rate structure before the I.C.C., as the southern governors did in the 1930's, with a view to evidencing the degree of lake port discrimination and seeking a uniform application of distance scales, class and exceptions ratings, and rates to all ports.

OPENING AVENUES OF REGIONAL RESPONSE

A good deal of progress has been made toward regional organization and unity since the advent of Seaway construction. No single organization represented all Midcontinent states and provinces and now the Council of Lake Erie Ports, the International Association of Great Lakes Ports, the Great Lakes Task Force, the Great Lakes Commission, the Great Lakes Basin Commission, the Upper Great Lakes Regional Commission and other private groups have formed working organizations with broad and varied developmental mandates. Moreover, the International Association of Great Lakes Ports, the Lake Carriers Association, Dominion Marine Association, and International Joint Commission reach across the border that divides the lakes and the Midcontinent. This may well be the pattern of the future as common lake, resource, and economic developmental problems emerge. The problem is no longer lack of regional organization but how to harness the resources and concert the purposes of multiple organizations. At the Federal level, the question is what avenues should be opened and support provided for a responsible expression of regional initiatives. So far, the concern of governmental decentralization has been with cities and states, but most of the problems of the lakes and Seaway are of a regional nature involving the North American Midcontinent.

Any program for responsibly harnessing regional potentials must start with a clear definition of projects and priorities, and that will require some research and development close to the scene. Former Secretary of Defense McNamara's assertion to Midwestern congressmen questioning the regional imbalance of research and development funds was, "We seek the best brains and go where they are. And, generally speaking, they are not in the Midwest." Midcontinent universities grant more than 30 percent of all advanced degrees in science and engineering and even higher proportions in other fields. Three of the Midcontinent universities rank among the top 10 in the nation in educational evaluations. It is more likely, as President Harrington of the University of

Wisconsin put the case,[3] "Does this show that the contracts go 'where the brains are?' No, it means that the brains go where the contracts are." In short, is the Midwest experiencing a brain drain for lack of research and development investment? Very little of the basic research on the Seaway or the interlake trades has been done in the Midcontinent.[4] Most of the issues that I have raised on waterway development, measuring regional requirements, design of new vessel prototypes, inland access, port and urban development, and access to traffic decision centers are amenable to objective research. Some of the research should be done close to the scene by qualified researchers familiar with the variables and circumstances unique to the lakes. Otherwise, development and implementation is apt to run headlong into realities and constraints not properly envisaged. Decisions by Federal agencies would then be based on sound premise and adequate information about regional objectives and capabilities. Otherwise, responsible regional initiatives may give way to frustrated sectionalism and the growth and development of the nation and North America impaired.

I am attempting to examine the major issues and potentials for renewal of the Great Lakes-St. Lawrence system in a project initiated by Joe Cook and supported by the Upper Great Lakes Regional Commission. The issues and potentials are to be translated into researchable proposition. Then we will attempt to suggest ways and means of implementing the necessary research within the context and capabilities of Midcontinent universities.

WAGE GARNISHMENT SYSTEM UNDER ATTACK

Mr. PROXMIRE. Mr. President, the wage garnishment system in the State of Wisconsin has come under legal attack through the attorneys for the NAACP legal defense fund. A case was triggered by Mrs. Christine Sniadach, who makes $65 a week working for an instrument company in Milwaukee.

Despite the fact that this low salary barely qualifies as a living wage, a finance company was able to attach more than one-half of her weekly salary, leaving her with only $31.59 a week on which to live.

What is even more shocking, however, was that the finance company was able to obtain this garnishment without even a judicial hearing or without serving any notice on Mrs. Sniadach.

Although Wisconsin is usually in the forefront in consumer protection legislation, I am sorry to say that it is far behind in its wage garnishment law. A total of 34 States have prohibited wage garnishments in the absence of a court judgment. However, in 16 States, including Wisconsin, it is possible for a creditor to garnishee a person's wages without a formal court judgment.

This throwback to 19th century law is being challenged on constitutional grounds by the legal defense fund of the NAACP. If successful, low-income workers would at long last receive some measure of protection from some of the more inequitable provisions of our garnishment laws.

Mr. President, I ask unanimous consent to have printed in the RECORD an article concerning this suit published in the New York Times of April 28, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PERSONAL FINANCE:·WAGE GARNISHMENT

(By Robert J. Cole)

Christine Sniadach may not know it, but she will soon make legal history—all because her salary garnisheed.

Not long ago, while working for an instrument company in Milwaukee, she went to the pay window one day to pick up her salary only to discover that nearly half of her $65-a-week pay had been withheld.

A finance company contending that she owed $420, had filed court papers and proceeded without notice or hearing to collect $31.59 a week from her salary.

What makes this situation of legal importance is that in Wisconsin, as well as in 16 other states, all a creditor has to do to garnishee your salary is to file court papers saying that the debt is in default. The creditor does not have to prove you owe the money or bother with a court hearing.

In addition to Wisconsin, this is also legal in Alaska, Arkansas, Arizona, California, Idaho, Iowa, Minnesota, Montana, New Hampshire, Oklahoma, Oregon, Rhode Island, Utah, Vermont, Washington and Wyoming.

However, on the appeal of Mrs. Sniadach, the United States Supreme Court decided to look into the constitutionality of the issue. The Court is expected to decide on the case before it adjourns in June.

Her appeal was filed by lawyers for the N.A.A.C.P. Legal Defense Fund, a nonprofit organization that brings test cases before the courts for the poor—white or black. The fund is no longer affiliated with the National Association for the Advancement of Colored People.

Philip Schrag, assistant counsel for the fund, said the other day that, if the case were won, that particular garnishment would be voided and Mrs. Sniadach would get her money back.

The principle would then apply to everyone in similar circumstances, in all 17 states, he said, and it would then be illegal to attach your salary without prior trial.

Even if this case is won however, an estimated 4 million people—many of them poor and uneducated—will continue to lose a part of their wages this year because of garnishments obtained legally through the courts.

It permits a creditor to take one-half of a debtor's pay, Alabama 25 per cent, Colorado 30 per cent if he is married or 65 if he is single. Georgia exempts $3 a day but permits a creditor to take one-half of the remainder. New York State protects 90 per cent of a worker's wages from such practices.

Employers, according to the Department of Labor tend to think of garnishment as something as bad as drunkenness or fighting on the job. Many are so annoyed with the practice of garnishment—and the cost of handling it—that between 100,000 and 300,000 workers a year lose their job because of it.

As a result, many debt-ridden workers—hounded by creditors, threatened by lawyers and scorned by the boss—take the easy way out: They go into bankruptcy.

Milton J. Huber, director of the Center for Consumer Affairs at the University of Wisconsin, has found that one-third of 6,700 garnishments filed in Milwaukee in recent years came from just three sources: a local finance company, a credit clothier and jeweler and used car dealers.

The United Auto Workers has just published the results of a 1968 survey by the Consumer Research Advisory Council of Detroit which found that those resorting to garnishment in the Detroit area included banks, credit clothiers and jewelers, credit furniture companies, small loan companies and used car dealers.

In California, 8,879 workers filed for bankruptcy in the first quarter of the year. In New York, where law is lenient, only 1,560 took the step. In New Jersey, labor unions have tried three times in the last five years to get a bill passed to prevent an employer's firing a worker for garnishment but have met opposition from finance companies and collection agencies.

Similar attempts by unions in other states have also been defeated.

New, more lenient provisions on garnishment in the Truth-in-Lending law are, as Prentice-Hall, Inc., the publisher put it, actually a compromise between those who favored abolishing garnishment altogether (as the original House bill would have done) and those who opposed placing any limits on it.

After July 1, 1970, under the new Federal law, at least 75 per cent of a worker's after-tax pay or the first $48, whichever is more, will be protected from garnishment. Moreover, the boss cannot fire a worker for just one garnishment. He can, however, fire him for more than one. New York law goes even further. It prevents the boss from firing a worker for one garnishment in 12 months.

Mr. Margolius, author of "The Innocent Consumer vs. the Exploiters," a new paperback book on consumer frauds, said in an interview he believed that garnishment "in the hands of high pressured sellers becomes a main weapon of coercion and credit sellers often use the courts as collection agencies."

"I think garnishment should be abolished," he said.

Dr. Huber of the University of Wisconsin went a step further. He said, "I think we may see the end of garnishment when taxpayers recognize that the state is acting as a bill collector for the benefit of a very few operators and the taxpayer has to pay for it."

MODIFIED ABM IMPROPERLY DESIGNED

Mr. NELSON. Mr. President, the ABM has been plagued with pitfalls since its inception.

Most recently another glaring deficiency of the ABM was revealed by eminent scientists appearing before the Senate Foreign Relations Committee.

Dr. Wolfgang Panofsky, Dr. J. P. Ruina and Dr. George Kistiakowsky all stressed a fundamental point that raises serious questions about the modified Sentinel ABM. That is, can a system designed as an area defense be adapted effectively for another purpose—as a protection to our deterrent? Can a city defense be simply converted into a hard point defense without significant changes?

We know that the administration's modified ABM proposal employs the components of the Sentinel system—last year's technology is being applied for today's mission.

In discussing the feasibility of such an approach, Panofsky, Ruina, and Kistiakowsky, respected scholars of weapon technology, made some important observations.

Dr. Panofsky said:

> Defense of sites which have already been hardened to withstand impact of megaton weapons at relatively close distances requires a design greatly different from a defense of soft targets such as cities. I note the Sentinel System was originally designed to defend soft targets but now essentially the same components have been taken over for a completely different purpose.

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[3] Citing that only one-third of the scientists and engineers educated in Wisconsin remained in the state while California trained only 6,136 Ph.Ds in the sciences and engineering and employed 8,005 in 1963.

[4] Including my traffic potential and toll studies done while at the University of Texas in 1954–56.

He then went on to say:

> I would like to point out that a city defense and a hard point defense has completely different technical specifications and technical requirements; therefore making a policy decision which uses the same components for a very different purpose is necessarily a very poor engineering decision.

Dr. Ruina testifying before the committee prior to the announcement of Safeguard as a defense of our Minuteman missile sites, said this about hard point defense:

> Sentinel, for hard point defense may be useful, . . . but I am somewhat skeptical. My skepticism comes from the fact that Sentinel was not designed for hard point defense. Its components were designed for a different purpose. We cannot say that this system is the best current technology can offer to protect Minuteman.

Dr. George Kistiakowsky also cast doubt on the effectiveness of a Sentinel-like ABM to protect our deterrent. He said:

> The Sentinel system is over designed, I should perhaps say misdesigned for this application.

It seems to me that before we even consider voting $1 for a system to protect our deterrent, we ought to know based on sound engineering evidence whether the missile complex will do the job it is supposed to do. If the ABM has to be redesigned and overhauled we should know about it now, not next year or the year after.

It makes very little sense to me to even seriously consider spending over a billion dollars on Safeguard, if it is apparent that it is the wrong kind of system for the mission.

Our experience over the past several years proves that far too much money has already been wasted on defense projects that were conceived in doubt and then later proved themselves to be monumental failures.

I ask unanimous consent that the biographies of Mr. Panofsky, Dr. Ruina, and Dr. Kistiakowsky be printed in the RECORD.

There being no objection, the biographies were ordered to be printed in the RECORD, as follows:

W. K. H. PANOFSKY, DIRECTOR, STANFORD LINEAR ACCELERATOR CENTER, PROFESSOR, SLAC

Degrees: 1938, A.B., Princeton University. 1942, Ph. D., California Institute of Technology. 1963, D. Sc. (Hon), Case Institute of Technology. 1964, D. Sc. (Hon), University of Saskatchewan.

Experience: 1942–3, Director, Office of Scientific Research and Development Project, California Institute of Technology, Pasadena. 1943–5, Consultant, Manhattan District, Los Alamos, New Mexico. 1945–6, Physicist. Radiation Laboratory, University of California at Berkeley. 1946–8, Assistant Professor of Physics, University of California at Berkeley. 1948–51, Associate Professor of Physics, University of California at Berkeley. 1951–63, Professor of Physics, Stanford University, 1953–61, Director, High-Energy Physics Laboratory. Stanford University. 1961–, Director, Professor, Stanford Linear Accelerator Center, Stanford University.

Special fields: X-rays and natural constants; accelerator design; nuclear research; high-energy particle physics.

Activities: 1945–60, Division of Military Application, U.S. Atomic Energy Commission. 1954–58, Member, Physics Panel, National Science Foundation. 1955–57, U.S. Air Force Scientific Advisory Board. 1951, Radiation Laboratory, University of California. 1958, Stanford Research Institute. 1960–64, President's Science Advisory Committee. 1959, Office of Director of Defense Research and Engineering (member, Ad Hoc Group on Detection of Nuclear Explosions). 1959, WAE Foreign Service Officer, Department of State: Chairman, U.S. Delegation (Geneva), Technical Working Group on High-Altitude Detection; Vice-Chairman, U.S. Delegation (Geneva), Technical Working Group 2. 1958–60, Member, High-Energy Commission of International Union of Pure and Applied Physics. 1958–60, Review Committee for the Particle Accelerator Division and High-Energy Physics Division, Argonne National Laboratory. 1959–61, Advisory Council, Department of Physics, Princeton University. 1958–62, Advanced Research Projects Agency. 1964–64, Advisory Committee, 200-BeV Accelerator Study, Lawrence Radiation Laboratory, Berkeley. 1965, Consultant, Office of Science and Technology, Executive Office of the President. 1967, Member, High-Energy Physics Advisory Panel to the Atomic Energy Commission. 1968, Advisory Committee, Brookhaven National Laboratory. 1968, Advisory Committee, Cambridge Electron Accelerator Laboratory. 1969, Advisory Committee, CalTech for Physics, Mathematics and Astronomy. 1965, Steering Committee, JASON Division, Institute for Defense Analyses.

Societies: Phi Beta Kappa; American Physical Society (Fellow and Member of Council, 1956–60); Sigma Xi; National Academy of Sciences; Amer. Acad. Arts and Sciences.

Awards: Guggenheim Fellowship (1959); Ernest Orlando Lawrence Memorial Award (1961); Richtmyer Lecture (1963); California Institute of Technology—Alumni Distinguished Service Award (1966); California Scientist of the Year Award—1967.

Publications: Classical Electricity and Magnetism (with M. Phillips), Cambridge, Addison-Wesley (1955); 2nd edition, 1962; numerous scientific papers in professional journals.

Personal data: Name: Wolfgang Kurt Hermann Panofsky. Born 24 April 1919, Berlin, Germany. Entered U.S. September 1934; naturalized April 1942. Married (Adele Irene DuMond). Children: Richard Jacob, October 13, 1943; Margaret Anne, October 13, 1943; Edward Frank, April 19, 1947; Carol Eleanor, January 12, 1951; Steven Thomas, December 13, 1952.

Home address: 25671 Chapin Ave., Los Altos Hills, Calif. 94022.

JACK PHILIP RUINA

Currently maintaining a position as professor of electrical engineering at the Massachusetts Institute of Technology, Dr. Ruina nevertheless serves as a consultant to various government agencies: the Department of Defense, the Office of Science and Technology, the U.S. Air Force Scientific Advisory Board, the Department of Health, Education, and Welfare, and the Arms Control and Disarmament Agency. As an electrical engineer, Dr. Ruina served as Deputy for Research to the Assistant Secretary of the Air Force (1959–1960) and subsequently as Assistant Director of Defense Research and Engineering (1960–1961) until his appointment as Director of Advanced Research Projects Agency. Due to his many contributions in this position, Dr. Ruina was awarded the Secretary of Defense meritorious civilian service award. Following this position, he was, for several years, President of the Institute for Defense Analyses (1963–1965). Dr. Ruina was the recipient of the Fleming Award in 1961. His research and specialization have been in the fields of noise and communications theory and radar systems.

BIOGRAPHIC SKETCH OF GEORGE BOGDEN KISTIAKOWSKY

Born: November 18, 1900, Kiev, Russia.

Education: Kiev public schools until 1918; University of Berlin, Ph. D., 1925; Harvard University, D. Sc., 1955; Williams College, 1958; Oxford, 1959; University of Penna., 1960; University of Rochester, Carnegie Tech., 1961; Princeton University, Case Institute of Technology, 1962.

Experience:

1926–28: International Research Fellow, Princeton.

1928–30: Research associate, Princeton.

1930–33: Assistant Professor of Chemistry, Harvard University.

1933–37: Associate Professor of Chemistry, Harvard University.

1937–59, 1961—: Professor of Chemistry, Harvard University.

1959–61: Special Assistant to the President for Science and Technology.

1961—: Chairman Science Board, Director of Itek Corporation.

1957–63: Director of the Cabot Corporation and Member of the President's Science Advisory Committee.

Awards include:

1946: Medal for Merit.

1948: British Medal for Service in the Cause of Freedom.

1958: Priestly award.

Memberships: Honorary Fellow of the Chemical Society (London); member of the Royal Society, National Academy of Sciences (Vice President, 1965–69), American Academy of Sciences; American Chemical Society, American Philosophical Society.

Research and Writing Activities: Contributor of numerous articles to scientific journals. Research in chemical kinetics; thermodynamics of organic molecules, shock and detonation waves; molecule spectroscopy.

Address: 12 Oxford Street, Cambridge Massachusetts.

THALIDOMIDE

Mr. MONTOYA. Mr. President, the Washington Post of March 8 and March 13, 1969, contained articles written by Mr. Morton Mintz on a damage suit involving thalidomide, the sedative that caused the birth of thousands of armless and legless babies throughout the world. This was the first case to go to a jury in this country, so it is of particular significance. Although 2.5 million tablets of thalidomide were distributed for testing in this country, the drug was kept from the market by Dr. Frances O. Kelsey, of the Food and Drug Administration; thus the United States escaped the massive number of deformities reported in other countries.

The testimony in this case, however, brought into focus some startling revelations regarding the practices pursued by segments of the pharmaceutical industry in its promotion of drugs. Dr. Raymond C. Pogge, medical director at William S. Merrell Co. from 1950 to 1960, testified that he had written an interoffice memo on thalidomide on February 27, 1959, stating in part that "no specific human safety data" had been determined despite fairly extensive clinical experience with the drug. Yet only a few weeks later Dr. Pogge sent a brochure to private physicians testing the drug in which he described thalidomide as "very safe." Dr. Pogge further said that he was the author of an article favorable to thalidomide which was published under the name of Dr. Ray O. Nulsen, of Cincinnati, and which referred to other articles purportedly authored by various doctors throughout the country—all of which were written by the Merrell Co.'s Dr. Pogge.

In defense of what is obviously indefensible, Dr. Pogge said that drug-company ghosting for supposedly independent physicians is a "common practice" and that he, himself, had been doing this for 20 to 30 years. Dr. Pogge was asked what he expected the public to believe as to who the author of his article was and he replied:

> The public should believe it was written by Dr. Nulsen.

As this case demonstrates, the health and welfare of the American people can be put in serious jeopardy if medical doctors are willing to lend their names to articles they have not written and in many cases have not even read. What protection does the public have when segments of the pharmaceutical industry disseminate misleading information on drugs under the guise that it comes from members of the distinguished medical profession?

Mr. President, I ask unanimous consent that the two articles by Mr. Mintz be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post,
Mar. 8, 1969]

DRUG FIRM ON TRIAL IN BIRTH DEFECTS SUIT

(By Morton Mintz)

PHILADELPHIA, March 8.—For the first time anywhere, a jury is trying a damage suit involving thalidomide, the sedative that caused the birth of thousands of armless and legless babies throughout the world.

The suit was brought by Thomas Dixon Diamond, a consultant to an accounting firm, and his wife, Joanne, in behalf of themselves and their son, Thomas David, who was born eight years ago with flipper appendages instead of arms.

The defendants are Richardson-Merrell, Inc., a giant pharmaceutical firm, and the William S. Merrell Co., its division in Cincinnati which was the American licensee for the German patent-holder, Chemie-Grunenthal.

CLAIMS NOT SPECIFIED

The trial, which may last several weeks, began Thursday before Federal Judge E. MacTroutman. In keeping with court rules in Pennsylvania, the jury was not told of the amount of damages sought.

But the jury got sharp indications that it was in for a bruising courtroom battle when it heard the opening statement of the Diamonds' lawyer, Arthur G. Raynes, and the initial evidence—the sometimes startling testimony of Dr. Raymond C. Pogge, medical research director at William Merrell from 1950 to 1960.

Raynes promised the jury he would show that the company's conduct "was not merely careless," but "an intentional disregard, a callous disregard for the rights of human beings."

The company withheld its opening statement until after Raynes completes his case. The firm denies that thalidomide, which it tested here under the trade name of Kevadon, caused the injuries to David, as the boy is called.

Although 2.5 million tablets were distributed for testing in this country, the drug was kept from the market by Dr. Frances O. Kelsey of the Food and Drug Administration and the United States escaped the massive number of deformities reported in other countries.

No damage case has gone to a jury until now, but there have been damage settlements in some countries, and in West Germany a criminal prosecution is in progress against Chemie-Gruenthal.

Pogge's testimony was in a deposition read aloud to the jury of 10 women and 2 men. One section concerned an inter-office thalidomide memo which he wrote on Feb. 27, 1959.

". . . Despite fairly extensive clinical experience we have no specific human safety data," his memo said, with the final five words capitalized and underlined.

But a few weeks later, physicians testing the drug for Merrell received a brochure describing thalidomide as "very safe." The author was Pogge.

Pogge also said in his deposition that he was the author of an article favorable to thalidomide which was published under the name of a friend, Dr. Ray O. Nulsen of Cincinnati, and which referred to other articles signed by various doctors but in fact written by Pogge.

The article—published in 1961 in the American Journal of Obstetrics and Gynecology—told of 81 women who took thalidomide and then had babies free of "any abnormalities or harmful effects from the medication." There "is no danger to the baby" if some of the drug "passes the placental barrier," it added.

In 1960—even before the Journal article was published, statements from it were cited in a Merrell brochure for physicians of which Pogge was a co-author.

But the brochure's test failed to say that the women got the drug in late pregnancy. Thalidomide was found later to cause deformities when taken in the crucial first three months of pregnancy.

Pogge said that drug company ghosting for supposedly independent physicians is "a common practice," and that he had engaged in it "possibly" more than 20 times, but "probably not" more than 30.

He said Nulsen was chosen "because he was very cooperative, he was competent, he was geographically convenient." And, he said, it was "irrelevant whether the man himself wrote the first draft . . ."

But Pogge conceded under questioning that the Merrell firm had added to the article "some chemical information" and "a review of the German literature."

A lawyer for the Diamonds asked, "And what would you have the public believe" as to who the author was?

"The public should believe that it was written by Dr. Nulsen," Pogge replied.

ANIMAL TRIALS

Pogge, who left Merrell to become medical director of Dorsey Laboratories in Lincoln, Neb., recalled that human trials were begun by the Cincinnati firm although no pregnant laboratory animals had been tested to find out if thalidomide had a potential to cause birth defects.

Pointing out that the drug had been widely used in Europe, Pogge said that it impressed the Merrell Company as being "of unusual safety." Human trials therefore were directed "primarily" at establishing the medical conditions in which it was useful and "in part" at demonstrating safety, he said.

Merrell recommended thalidomide to physicians—using it experimentally—for nausea and vomiting, which are common to pregnant women during the first trimester of pregnancy.

"When you tested it" for those uses, "did you take into consideration early pregnancy?" Pogge was asked.

"I don't think that I did," he answered.

The country in which most of the deformities occurred was West Germany, where the drug first was synthesized and marketed—over the counter. Other countries that let the drug go on sale and that were hard-hit included Britain, Canada, Japan and Sweden.

At the end of November, 1961, the Merrell firm notified the FDA that it had learned that thalidomide was suspected in connection with an outbreak of births of limbless babies in West Germany.

More than seven months later, in July, 1962, after The Washington Post reported how Dr. Kelsey had resisted pressures to let Kevadon go on sale, the late FDA Commissioner George P. Larrick sounded an alarm and dispatched inspectors to retrieve remaining stocks of the drug.

The FDA was able to interview 1168 physicians. They reported that they had given thalidomide to almost 20,000 persons. Of the total 3,760 were women of child-bearing age. A reported 624 had gotten the drug during pregnancy.

According to an FDA "final figure" of uncertain accuracy, American women who had obtained thalidomide in this country gave birth to 10 deformed babies. Whether any more jury trials will result is not known.

David Diamond, whose parents live in the Philadelphia suburb of Rydal, was born in Abington, Pa., on April 5, 1961—well before the tragic news about thalidomide's deforming potential reached the United States.

In his opening argument to the jury, lawyer Raynes said that David, in addition to being armless, was born with a cluster of symptoms common among thalidomide babies.

The symptoms included red birthmarks not merely in places where they often appear, but also between the eyes, over the nose and over the upper lip; a saddle-shaped nose, and partial facial paralysis.

David had special problems with feeding. While he was still an infant, his parents took him to Children's Hospital here for special care.

Once he was able to walk, he also was able to fall—but had no arms to balance and protect him. And so, Raynes said the bright, determined boy suffered concussions and fractures of the arm stubs. One of the protections devised for him was a kind of helmet.

For the parents there was, at first, another concern—whether there was some genetic deficiency in themselves.

But tests assured that there was "nothing wrong" with them, Raynes said. And so they had a second child, a healthy boy born in June, 1962.

The next month, they learned that thalidomide had been distributed in the United States.

As Raynes reconstructed the story the couple searched their memories for the possibility that Mrs. Diamond could have gotten thalidomide—without realizing what it was—during her first trimester.

They recalled that during this sensitive period of pregnancy, Diamond had become ill and was admitted to a hospital in Cleveland, Ohio. While he was there his wife also became upset.

"Although she didn't ask for it, she was given medication, a sedative," at the Cleveland Clinic Hospital, Raynes told the jury.

Once this was remembered, Dr. Robert Kaye of Children's Hospital wrote a letter of inquiry to the Cleveland institution.

"One of the doctors wrote back and said, 'No, we did not give her thalidomide, we didn't have thalidomide. So we couldn't have. It was impossible'."

But further search determined that a physician at the hospital "did give a sleeping pill although he couldn't remember the name because he couldn't find the records," Raynes continued.

He said that it then was ascertained that Merrell's Kevadon was in the Clinic "at the exact time when she took the sleeping pill as given by this doctor."

[From the Washington (D.C.) Post, Mar. 13,
1969]

ARMLESS BOY'S PARENTS, DRUG FIRM SETTLE SUIT

(By Morton Mintz)

The world's first jury trial involving the baby-deforming sedative, thalidomide, ended abruptly in Philadelphia yesterday when a settlement was reached between the parents of an armless boy and the manufacturer.

As is customary is such cases, the terms of the settlement were not disclosed. However, the settlement is intended to provide economic security for the remainder of the boy's life.

The boy, who will be 8 on April 5, is Thomas David Diamond. He lives in Rydale, a Philadelphia suburb, with his parents, Mr. and Mrs. Thomas Dixon Diamond.

After the settlement was announced to the jury by Federal Judge E. Mac Troutman, Mrs. Diamond, with tears in her eyes, told reporters that she was "very satisfied."

$2.5 MILLION ASKED

The Diamonds, in a suit filed in October, 1962, had asked damages of $2.5 million. The jury had not been told of this because court rules in Pennsylvania forbid such disclosure.

The settlement spared the manufacturer—Richardson-Merrell, Inc., and its William S. Merrell Co. division—the publicity that would have been generated by a trial expected to last four-to-six weeks.

In an opening statement last Thursday, Arthur G. Raynes, counsel for the Diamonds, promised to show the jury that the Merrell firm had told doctors testing thalidomide—it was never put on the market in the United States—that it was safe for use in pregnancy.

Actually, he said, the firm "had not run one pregnancy animal test in their laboratories." Raynes also promised to show that the firm had shown "a callous disregard for the rights of human beings." The company had intended to make its opening statement at the conclusion of Raynes' case.

The first testimony, on Friday, was that of a former medical research director at Merrell who admitted that he had authored an article praising thalidomide that appeared in a medical journal under the name of a supposedly independent physician.

More testimony was heard Monday. Then, on Tuesday, a dispute broke out in which Raynes demanded, and counsel for Merrell refused, the originals rather than copies of certain company documents.

SETTLEMENT ANNOUNCED

After Raynes continued in Judge Troutman's chambers to insist on originals, the firm began talking about a settlement, it was learned. The negotiations, encouraged by the Judge, were carried on in chambers and then announced to the jury at about 3:30 p.m. yesterday.

Last July in Toronto, an out-of-court settlement with Richardson-Merrell was announced under which undisclosed sums were placed in trust for each of eight Canadian thalidomide babies, including one set of twins. The total damages originally sought were $10 million.

Earlier in 1968, undisclosed but reportedly "very substantial" settlements were reached in England between the British manufacturer of thalidomide and the parents of 62 deformed children. The firm, Distillers Company (Biochemicals) Ltd., agreed to pay 40 per cent of the amount to which the claimants would have been entitled had their cases been tried and won, plus legal costs.

ISRAEL AND MIDDLE EAST PEACE

Mr. **HRUSKA**. Mr. President, this month Israel celebrates her 21st birthday as an independent nation. Those who love freedom and who honor courage cannot help but salute the gallantry of this nation and her people. I wish to add my congratulations to those that have been expressed here in the Senate and around the world.

The people of Israel deserve our highest praise for their remarkable achievements, and all men can take inspiration from Israel industry, patience, and perseverance.

Israel has been a land of immigrants, many of whom were seeking refuge from religious persecution; Israel settlers were pioneers faced with difficulty and hardships; Israel was founded as a democracy by men of independent minds and spirits. These characteristics of early Israel parallel our own American history, and give us a common purpose: an aspiration for freedom and the pursuit of peaceful goals.

The close relationship between our Nation and Israel goes back to the very establishment of Israel. The United States was the first Nation to recognize her in 1948.

During the years that the Israelis were struggling to make their home hospitable, they were surrounded by hostile and threatening neighbors. Seeing this threat, the United States made clear its support for Israel's right to live in peace and security. This support has been expressed by every President since President Truman in 1948.

The American people also sensed that Israel pioneering was akin to the experience of American settlers, and they felt a special friendship with the Israel people. Contributions and loans flowed from private American citizens to Israel amounting to $2.5 billion. This support was instrumental in the conquest of harsh desert land by the Israelis.

Israel has sustained a growth rate of 10 percent per year, making her one of the world's leaders in economic development. In 1968, Israel attained a phenomenal growth rate of 14 percent, while keeping inflation under control. This economic surge has continued. As a result, per capita income in Israel has tripled in 20 years and reached about $1,500 in 1968. This level compares favorably with middle European nations.

Americans and Israelis can be mutually proud: Americans for their willingness to lend a helping hand to a unique and democratic nation born in a desert, and Israelis for their endurance and ingenuity which subdued the desert and harnessed the harsh environment.

It is regrettable and tragic that the threat of conflict continues to hang heavy over the Middle East despite three wars that have been fought there in 20 years. To replace bitter enmity and rancor with candor and conversation is difficult. But, peace and prosperity are worth pursuing despite the difficulty of the task.

The nations of the Middle East must mutually recognize the right of each other to live in peace as a sovereign nation with secure boundaries.

The concern of the world over the prospects for peace in the Middle East has been expressed frequently in the United Nations, and a helpful step was taken on November 22, 1967, when the Security Council authorized the Secretary General to appoint a special representative to assist in efforts to achieve a peaceful and acceptable settlement. Ambassador Jarring of Sweden was appointed and has served in that office with high distinction. The support of the major powers for this mission makes it an important contribution to peace.

It is President Nixon's sincere desire to see peace achieved in the Middle East, and he has announced his full support for the Jarring mission.

The President is channeling our Nation's efforts through all appropriate avenues to peace, including bilateral and multilateral exchanges. To aid in the cause of peace is one of his goals, and was clearly expressed in his inaugural address. He said:

> The greatest honor history can bestow is the title of peacemaker. This honor now beckons America—the chance to help lead the world at last out of the valley of turmoil, and onto the high ground of peace that man has dreamed of since the dawn of civilization.

The Middle East conflict was discussed with European leaders during the President's recent trip to Europe, and high level exchanges have been held in Washington between our Government and Arab and Israel officials.

Exploratory talks now are being pursued among the four powers in New York. These efforts are devoted to the task of strengthening future efforts of the Jarring mission, and are not intended to be a substitute for Ambassador Jarring nor a means of imposing a peace. For a peace to be lasting, it must have the free assent and full cooperation of the parties.

As President Nixon has said:

> The Four Powers . . . cannot dictate a settlement in the Middle East. The time has passed in which great nations can dictate to small nations their future where their vital interests are involved.

It would be foolish to expect an instant peace, but, in my opinion, no opportunity to achieve an equitable settlement is being ignored.

There are grounds then to hope for a realistic peace and an end to conflict in the Middle East. Sombre though the scene appears, reason may yet prevail—if all concerned nations will aid Ambassador Jarring in his task.

Mr. President, to many peoples of the world, the age of 21 signifies an arrival at maturity and a dedication to responsibility in society.

In the Jewish tradition the coming of age is at 13, quite young, but most appropriate in light of the pressures of adversity which have weighed heavily on the Jews for more than 5,000 years. And yet from this adversity has come achievement.

Before the world today, as Israel celebrates her 21st year, is a vigorous record of national growth and development matched by few in modern times. In less than a quarter of a century, Israel has become a thriving factor among the smaller nations of the world, and a vital standard of democracy in the Middle East.

Mr. President, I have great feeling for a people threatened by oppression, since my own forebears, the Czechs, as well as Slovaks, portray the tragic consequences of oppressive domination. All the free nations of the world should join with us, not only in celebrating the 21st anniversary of the State of Israel, but also in reaffirming their promise to a wandering people who have at last come home.

THE ANTI-BALLISTIC-MISSILE PROGRAM

Mr. McGOVERN. Mr. President, in a few weeks the Senate will complete at least the first phase of the debate over the Nixon administration's Safeguard anti-ballistic-missile system.

From all indications the authorization vote will be extremely close. I am convinced that the opposition to deployment, led most effectively by Senators HART, of Michigan, and COOPER, of Kentucky, will prevail.

Regardless of the outcome on this specific issue, however, the debate itself will have begun what I hope will be a permanent form of analysis for military items. It should influence our decisions in this area for many years to come.

It is inappropriate and inaccurate to question the motives or sincerity of those who advocate deployment of Safeguard. The military specialists who have recommended it must certainly be honest in their evaluations.

What has quite clearly been established, however, is that the country's civilian leadership has much broader responsibilities than we have exercised in the past. We cannot expect the Defense Establishment to be concerned about the domestic needs which go unmet because the military has first call on our resources. We should not look to the Pentagon for enlightenment on political issues. We are entirely unrealistic if we think we will find enthusiasm for arms control in institutions whose very being is based on arms expansion.

Yet all of these factors must have a tremendous bearing on our decisions. Perhaps it is because we have been so sparing in their application that after the expenditure of a trillion dollars for arms we are no more secure than we were at the close of World War II.

For too long, I believe, we have tried to maintain that we can seek arms control and overwhelming arms superiority at the same time, that we can have both guns and butter at home, and that our military might can deal effectively with all forms of international threats to our interests or sensibilities. The ABM issue has arisen at a time when the objectives to which we aspire are in many respects mutually exclusive.

Where arms control in particular is concerned such factors as the tactic of building to meet "greater than expected threats," the long leadtimes involved in deployment of new weapons systems, and the action-reaction relationship between United States and Soviet arms buildups, can very easily combine to make the ABM and meaningful disarmament negotiations an either-or proposition. In light of our knowledge of the futility, the costs and the dangers of weapons competition, it seems inconceivable to me that we would choose the ABM.

The International Executive Board of the United Auto Workers recently adopted a statement which captures the essence of this issue. Noting that Americans believe in a strong military posture but nonetheless hope that we can place emphasis on arms control, the statement points out that:

> The essential factor in this delemma is that we do have to choose. We cannot continue to ride two horses, to be of two minds, which in the nature of things has meant until now that we have dreamed of peace and talked about its virtues, while remaining captives of the arms race. We must now decide to free ourselves from its burdens and its dangers.

This statement is highly significant and deserves our careful attention. I ask unanimous consent that it be inserted at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

UAW International Executive Board Statement on the Anti-Ballistic-Missile Program

The Anti-Ballistic Missile (ABM) System, which would entail the placement of defensive nuclear missiles on sites near heavily populated centers around the country, has come under heavy attack in the U.S. Senate and from groups of concerned citizens in many communities throughout the nation.

The UAW International Executive Board associates itself with this opposition to ABM, and we commend the concerned community leaders in the Detroit area and in other cities who in protesting the acquisition of local sites by the Pentagon have drawn national attention to the dangers of this further escalation of the nuclear arms race. This citizen protest has been very largely responsible for growing opposition to the ABM system in the Congress.

We urge the President to respond to this national protest with an order cancelling the ABM program. We urge him to turn away from a useless and unnecessary arms buildup and move vigorously toward the tasks of peace.

Little purpose is served at this late date in stressing in detail the destructive power of even the smallest nuclear warhead. It requires no imagination to conceive of the degree of damage to life and property that would result in an urban center if one of the missiles slated to be installed under the ABM system accidentally exploded. A nuclear physicist told the Michigan Citizens' Coordinating Committee Concerned About Anti-Ballistic Missiles: "If there were an accident, the Detroit area certainly would not be habitable."

If the ABM system were demonstrably essential for the national security, it is conceivable that Americans might properly be asked and might well be prepared to agree to accept a degree of risk in order to place anti-ballistic missiles around our cities. No such necessity, however, can be demonstrated. On the contrary, a very strong case has been made—for the contention that development and deployment of the ABM system would actually *reduce* our security.

In the first place, the system is untestable except in the crisis of missile attack. By then it would be too late to determine its feasibility or effectiveness. Experts have noted that the very operation of the system may make it totally unworkable, since the atomic explosions resulting from its initial use in time of imminent crisis could make inoperable the very electronic gear essential to its effective deployment.

The advocates of the ABM system declare that it would be designed only to intercept and destroy low-grade and unsophisticated Chinese missiles. It would be totally useless against sophisticated missiles, which the Soviet Union already has and which in years to come China will develop. The ABM system would require at least 5 years for full deployment at a cost officially estimated to go as high as $10 billion but which might well go as high as $60 billion; and nobody, in or out of the Pentagon, has more than the vaguest notion of China's probable nuclear capability at the end of the five-year period. Given this inability to accurately assess what the Chinese will be able to produce five years from now, it is quite possible that the ABM system would be as useless against China as it would be against the Soviet Union.

Even if we could predict the Chinese capability five years hence, it does not follow that we should spend up to $60 billion to ring our cities with megaton bombs in order to protect ourselves against a potential Chinese attack. For it should always be kept in mind that we already have the most formidable system of deterrence in the world. It lies in our capability of totally destroying any adversary, even if most of our offensive missile sites were destroyed. Both the United States and the Soviet Union have long since possessed this power of overkill. It provides a precarious equilibrium or balance of terror which has thus far prevented limited wars from escalating into an all-out military confrontation between the great powers.

This precarious balance would be disturbed by any venture into anti-ballistics systems, either the 'thin' Sentinel system or a much more expensive and destructive ABM system, which many see as the ultimate objective of some in the military. According to Dr. Jerome B. Wiesner, Provost of the Massachusetts Institute of Technology, who was President Kennedy's scientific adviser, any drastic change in the strategic balance of power takes about 10 years. The very length of time required to move to a new strategic balance after the introduction of new weapons systems, according to Dr. Wiesner, gives a kind of stability to the arms race. The new equilibrium arrived at, after a decade or so of transition, however, will be just as precarious as the old as long as we consent to remain captives of the arms race. We shall have no more essential security than we had 10 years earlier, and shall have squandered scores of billions of dollars that could have been better invested in building a more just and livable society. In fact, according to Wiesner, we may well have less security. He writes:

> I believe that the situation will be made more, not less, dangerous. We always underestimate our own capabilities and overestimate that of the other fellow. I think this is true of both sides. . . . That is, if the Russians build a defensive system, we think it is better than it is, so we overbuild in order to penetrate it, and vice versa.

"Thus there is the real possibility that when everything is stabilized at some higher level and we are all relaxed because we have become used to it, the potential for destruction will have gone up instead of down."

And Wiesner asks:

"Can we play this game, which certainly will not buy us real defense, and at the same time achieve a rational world? My answer is no."

That is also the answer of the UAW; and we believe it is the answer of an increasing number of Americans. According to a recent Harris poll, Americans are still firm believers in a strong military defense, but a clear majority balks at paying increased taxes to beef up the military establishment. More significant is the response to the following question:

"If you had to choose, would you prefer that our government put greater emphasis on building on U.S. military power or in trying to come to arms control agreements with the Russians?"

Of a cross-section of adults asked that question, 62 percent would put "emphasis on arms control," 29 percent would put "emphasis on military build-up," and 9 percent were not sure.

The essential factor in this dilemma is that we do have to choose. We cannot continue to ride two horses, to be of two minds, which in the nature of things has meant until now that we have dreamed of peace and talked about its virtues, while remaining captives of the arms race. We must now decide to free ourselves from its burdens and its dangers. The growing bipartisan opposition to the ABM system in the U.S. Senate reflects a growing realization on the part of the American people that the only real security lies in controlling rather than escalating our armaments, in working for agreements that can reduce the level of conflict and tension in the world and help to strengthen the constructive efforts of the peacemakers rather than the negative fears of the military.

The President has urged prompt ratification of the anti-proliferation treaty in order to "advance this Administration's policy of negotiation rather than confrontation with the Soviet Union."

We endorse that appeal. But the Administration must clear away ambiguities that presently confuse its policies. The anti-proliferation treaty, even when ratified, will remain a scrap of paper if the United States and the Soviet Union merely utter the catchwords of peace while escalating the arms race. It is hypocritical, at the very least, to pledge other nations to nuclear abstinence while flaunting our own lack of restraint by preparing to spend additional billions of dollars for a new, untested and untestable ABM system. What the Administration does about the ABM system will reflect more eloquently than any words its real intentions in its search for peace in the world.

The UAW International Executive Board respectfully urged the President to let our "yes" be an unequivocal "yes" in favor of negotiation, and our "no" a clear "no" of opposition to any further development of the ABM program. We cannot have it both ways forever; if we really want to strengthen the structure of peace, we must act with courage and conscience to stop the escalation of the nuclear arms race before it ends the human race. If we really want to bring ourselves together—and hold ourselves together—at home, we must stop tearing ourselves asunder throughout the world community. Whatever the theoretical possibilities inherent in dynamic economic growth, it has been amply demonstrated that we cannot indefinitely concentrate on war and preparations for war and at the same time have enough time and energy and resources left over to accomplish the essential tasks of peace, foremost of which must be the improvement of the quality of American life and a helping hand to the less fortunate people at home and in the world; in their struggle against poverty, hunger, ignorance and disease.

THE 1968–69 GREAT LAKES TASK FORCE REPORT TO THE GREAT LAKES CONGRESSIONAL DELEGATION

Mr. PROXMIRE. Mr. President, the Great Lakes task force is a group composed of representatives of the Great Lakes Commission, the Council of Lake Erie Ports, the International Association of Great Lakes Ports, the Great Lakes Terminals Association, the Great Lakes District-International Longshoremans Association, and the U.S. Great Lakes Shipping Association. The task force recently submitted its third report on shipping conditions in the Great Lakes to the Great Lakes congressional delegation. This 1968–69 report updates and supplements the reports of 1966 and 1967.

The report outlines many of the areas which the task force is working on to improve shipping operations on the Great Lakes and the St. Lawrence Seaway. These include refinancing of the Seaway's debt structure, extension of the shipping season, discriminatory inland transportation rates, lack of Government cargo, and the continued lack of U.S.-flag shipping to any significant degree. The report also details the importance of joint United States and Canadian planning for the Seaway and the Great Lakes waterway system.

Mr. President, as chairman of the Great Lakes Conference of Senators, I commend this task force report to the Senate so that Senators may get some idea of the magnitude of—and possible answers to—these problems.

I ask unanimous consent that the report be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

GREAT LAKES TASK FORCE: 1968–69 REPORT TO THE GREAT LAKES CONGRESSIONAL DELEGATION ON SHIPPING CONDITIONS IN THE GREAT LAKES WATERBORNE FOREIGN COMMERCE

This is the third report prepared by the Great Lakes Task Force for the use of Great Lakes Senators and Congressmen, and in the main updates and supplements the reports of 1966 and 1967. The first two reports were specifically addressed to the Great Lakes Conference of Senators, but as the Task Force expands and the maritime affairs of the Great Lakes receive greater attention it is clear that this and future reports should be addressed to the entire Great Lakes Congressional delegation on both sides of Capitol Hill.

INTRODUCTION

The Great Lakes Task Force is a coalition of Great Lakes maritime groups whose sole aim is to promote the waterborne commerce on the Great Lakes and through the St. Lawrence Seaway system and thus further the economic growth of the Great Lakes area. The present membership of the Task Force includes virtually every group of persons whose economic livelihood depends upon the full and rational use of the St. Lawrence Seaway. These groups are:

1. The Great Lakes Commission: An organization of eight Great Lakes States established by interstate compact in 1955 and approved by Congress.
2. Council of Lake Erie Ports: An association of all Lake Erie maritime interests which also includes banks, chambers of commerce, etc., in addition to traditional maritime enterprises.
3. Great Lakes Terminals Association: An association of 26 public and private marine termnial owners and/or operators doing business in six states.
4. U.S. Great Lakes Shipping Association: An association of over 30 foreign and American regular steamship lines and agents serving Great Lakes and all major world ports.
5. Great Lakes District-International Longshoremen's Association: The major longshore union representing a majority of the 7,500 shoreside laborers in Great Lakes ports.
6. International Association of Great Lakes Ports: An association of 15 American public port authorities in the Great Lakes.

A. ST. LAWRENCE SEAWAY

The St. Lawrence Seaway System is the life line of the Great Lakes overseas waterborne commerce. Therefore, it is imperative that the Seaway facilities be as efficient and modern as possible in order to accommodate changing traffic and technological developments. Every Great Lakes port authority, the terminals and ocean carriers are prepared to meet the demands of the future, but their efforts must be matched by the Seaway system if the Great Lakes area is to provide a modern transportation network.

1. Repair of the existing facility

For the past two years during the off-season the St. Lawrence Seaway Development Corporation and the Corps of Engineers have been repairing damage to Seaway locks caused by faulty or deficient initial construction. In 1968 the Administration had legislation introduced in Congress which would place the cost of those repairs, then estimated at $13.1 million, on the general Treasury. The legislation did not pass, and consequently the cost of those repairs must now be paid from Seaway toll income. This type of emergency expenditure was not envisaged when Congress required that toll income pay for the intial construction and subsequent routine maintenance and operation of the Seaway.

We strongly urge the Great Lakes Congressional delegation to correct this unfair obligation, and introduce and support legislation similar to S. 2131 of the 90th Congress, to place the cost of the extraordinary repairs on the General Treasury and not on user toll income.

2. Refinancing of debt structure

The Seaway is the only federally supported waterway that is required to be self-sustaining and fully amortized from commercial earnings. In the 89th Congress and again in the 90th, legislation was introduced to reorganize the financial burdens of the Seaway. We strongly urge that these efforts be continued and legislation enacted not only to prevent future toll increase, but to place the Seaway Development Corporation in a position to eliminate all tolls as soon as possible.

3. Extension of the Seaway navigation season

The present Seaway navigation season extends from a variable date in April each year to a variable date in December. Theoretically, the closing date is dependent upon whether and ice conditions, and accordingly is not a firm date. Variable closing dates do not permit maximum use of the Seaway and do not permit proper advance scheduling by ship lines. It is therefore meaningless to have variable dates except for ships already in the Great Lakes at the uncertain end of the season.

We also understand that under present circumstances the Seaway physically can be kept open substantially beyond the historic closing date of early December. However, for the immediate future we strongly urge that every effort be made to establish a set closing date of December 30 until experience proves the season can be further extended. The date of December 30, if announced in advance, will permit ship operators to definitely plan additional sailings resulting in increased shoreside labor employment and increased revenue to the Seaway Development authorities. Obviously, it will also permit shippers and receivers of goods to plan for increased traffic via the Seaway to the economic benefit of all concerned.

Ultimately, at the very minimum, the Seaway should be kept open to navigation for a period of no less than ten months a year, from early April to late January. New technology in the handling of ice and all weather navigational aids make this goal attainable, and all efforts must be expended to do so. Congress should appropriate sufficient funds to conduct the requisite de-icing studies and to enable implementation of reasonable deicing programs.

Recent difficulties on the Atlantic and Gulf coasts clearly indicate that the United States needs another all weather avenue of exporting its commerce in the national interest. In addition, as our world commerce grows and the Great Lakes based industries expand their activities in world trade additional transportation facilities located near the source of supply are required. The Great Lakes trade routes are needed to keep transportation costs at fair levels by providing competitive rates to ports which might otherwise monopolize U.S. commerce.

In this regard, we should point out that both the U.S. and Canadian Seaway Authorities recognize the competitive nature of world commerce, and have taken affirmative steps to bring Seaway container traffic costs more in line with the Atlantic and Gulf competition.

4. St. Lawrence Seaway Development Corporation activities

As long as the Seaway Development Corporation is required to repay to the Treasury the cost of construction of the Seaway plus interest the Corporation must be free to take all reasonable steps to encourage the maximum use of the facility. It is unrealistic and unreasonable to require the Corporation to repay its indebtedness and at the same time prevent it from taking the steps any private corporation would take to increase the use of its corporate facilities to meet its financial obligations.

Therefore, in our collective opinion, the Corporation and its Administrator should be directed and encouraged to develop, promote, and foster traffic via the Seaway as provided in the organic Seaway Act, 33 U.S. Code 982, and its offices should be located in such places to most effectively accomplish this mission. The Administration should be directed and encouraged to maintain close liaison with existing and potential Seaway users, and should aggressively work within the government to achieve the maximum use of the Seaway.

B. U.S./CANADIAN JOINT PLANNING

The Welland Canal which connects Lakes Ontario and Erie lies wholly within Canada and the U.S. has no voice in its operation. The Canadian Seaway Authority announced lockage charges assessed against ships transiting the Welland which, effective April 1, 1967, impose $10 per lock and by 1971 the charge will be $100 per lock. Although the original lockage charge was assessed against each ship transiting the Welland Canal system, the Canadian government now permits two ships to transit the locks in tandem with each paying one half of the lockage charge. It has also reduced the charge for ships in ballast to one half of the full charge. Theoretically, each of two ships in tandem and in ballast would be assessed 12.5% of the total lockage charge.

The lockage charge schedule also makes special allowances for small craft and pleasure vessels. We believe that it would be fairer to all concerned if some form of graduated lockage charge were to be instituted for cargo vessels based upon their earning capacity. We are very thankful that the Canadian government has already made some changes in the lockage charges, and are hopeful that future changes will be forthcoming.

Nevertheless, we are faced with an additional transportation cost that not only harms the Great Lakes but discriminates unjustly against the smaller sized general cargo ships upon which all of us depend. This increased cost into and out of the Great Lakes, coupled with reduced container charges out of U.E. East and Gulf Coast ports, could well spell disaster to all Great Lakes Commerce other than bulk shipments on large ships.

This problem, and others, requires meaningful negotiation by the U.S. Departments of State and Transportation with the government of Canada. We urge the Conference of Senators to request those Executive Agencies to support our individual efforts to persuade the government of Canada to reconsider the subject of the Welland Canal lockage charges.

At the same time, we urge the Executive Agencies to discuss with Canada the entire subject of the St. Lawrence Seaway System and its future development. Ship operators, port interests, and the states involved must know what future the Seaway holds in order to plan capital investment and future trade practices. If the two governments plan to help the Seaway reach its rightful place in world commerce we must know now to be better prepared to render the services world commerce requires. The uncertainty of the future is a depressant to economic growth and no one, be he a private citizen or state legislature, can honestly commit time, energy, and capital to a facility which might not be fully employed in a very short time.

We also suggest that in order to fully explore the future of the Seaway and the Great Lakes region that the study of an alternative or additional connection to Lakes Ontario and Erie be continued to completion.

C. DISCRIMINATORY INLAND TRANSPOTRATION RATES AND PRACTICES

1. Proportional rates

Great Lakes ports and shipping are victimized by the rate practices of certain inland rail carriers. The major cause is the ageless preference of railroads for long-haul rather than short-haul traffic. The vast majority of the industrial production of this country is closer to Great Lakes than it is to coastal ports on the Atlantic, Gulf or Pacific. However, in many instances it costs more to move the goods to the closer Great Lakes port than it does to the distant coastal port. In other cases, the Great Lakes route may be lower in absolute dollars, but the cost differential is disproportionate to the mileage differential. In almost every instance, a shipper must pay more dollars per mile to ship his goods to a Great Lakes port than to a coastal port.

2. Export-import rates

This disparity in inland rates or lack of fair proportional rates is further compounded by the practice of most railroads by which they absorb certain coastal port charges on export-import cargo. The line haul rate to all coastal ports includes certain port handling charges (which may vary) and such rates are commonly called export-import rates. Shippers which are close to the coastal port are denied these rates because they have no alternate port routing choice. In the same way, a shipper who wants to use a Great Lakes port cannot receive the special rate—not because he has no port routing choice, but rather to deny him the opportunity to make a choice.

3. Section 22 rates

Section 22 of the Interstate Commerce Act (49 USCA 22) authorizes rail and motor carriers to carry government cargo free or at reduced rates. The rates, called Section 22 quotations or agreements, need to be filed with the Interstate Commerce Commission and are not subject to protest by anyone. In 1957 attempts were made to restrict Section 22 authority to times of national emergency. These were defeated and the informational filing requirements were established. Until 1957, the rates were not even made public.

Section 22 quotations have been and are being used to divert traffic from the Great Lakes area to coastal ports to the disadvantage of Great Lakes ports. Very few Section 22 rates or quotations have been offered or negotiated on traffic to Great Lakes ports.

ICC-sponsored legislation to amend Section 22 was before the 90th Congress, and we urge that similar efforts be made this year.

4. Request for I.C.C. investigation

Direct corrective authority over this discrimination resides with the Interstate Commerce Commission, and peripherally where the ocean carriers participate the Federal Maritime Commission also has jurisdiction. Private parties and organizations in the Great Lakes are continuously seeking redress of this situation from the inland carriers, but their efforts are strongly resisted. We strongly urge that the Conference of Senators bring this entire matter to the attention of the Interstate Commerce Commission and request the Commission to institute a formal investigation on its own motion with an eye to correcting this situation.

D. APPOINTMENTS TO FEDERAL AGENCIES

There are several agencies of the federal government including the St. Lawrence Seaway Development Corporation, Great Lakes Basin Commission, Upper Great Lakes Commission which are instrumental or concerned with transportation and natural environment as such apply to the Great Lakes area. In addition to those the Departments of Transportation, Commerce and the Maritime Administration also play key roles in the general development of Great Lakes area transportation, both water and land. We feel that it is vital to Great Lakes commerce that each of these agencies and departments be staffed at the policy level with a person, or persons, having knowledge and understanding of the Great Lakes maritime trades.

Neither the Federal Maritime Commission nor the Interstate Commerce Commission presently have Commissioners or policy level staff persons who understand or are sympathetic to the problems of Great Lakes maritime commerce. This has resulted in administrative decisions and policies by both agencies which fail to adequately accommodate several Great Lakes maritime problems or special trade conditions.

We strongly urge that the members of the Great Lakes Congressional Delegation, individually and collectively, exert all efforts to see that persons who are knowledgeable in Great Lakes shipping matters be appointed to the agencies and departments involved.

E. AMENDMENT OF MERCHANT MARINE ACT, 1936

In May 1966 the Maritime Administrator adopted the recommended decision of the Hearing Examiner following a lengthy proceeding, and in so doing found that several Great Lakes-overseas trade routes were essential to the foreign commerce of the United States. (Maritime Administration Docket S–173). Thus under section 211 of the Merchant Marine Act, 1936 (46 USC sec. 1121) the Great Lakes ports were found entitled to federally subsidized American flag steamship service to and from major world ports.

Notwithstanding the finding of the Maritime Administrator no new American shipping company or service has appeared in Great Lakes commerce. On the contrary, one subsidized American-flag service has been abandoned.

One of the possible causes of the difficulty the Great Lakes faces in securing American-flag shipping service is that the Merchant Marine Act, 1936, itself discriminates against the Great Lakes. Section 809 of the Act (46 USC sec. 1213) states that subsidy "contracts under this Act shall be entered into so as to equitably serve, insofar as possible, the foreign trade requirements of the Atlantic, Gulf and Pacific ports of the United States." No mention is made about the requirements of Great Lakes ports. Admittedly, the Act was written prior to the opening of the St. Lawrence Seaway in 1959, but the philosophy still prevails. Both the Act and the philosophy must be changed, and we urge the Great Lakes Congressional Delegation to work to this end.

G. U.S. GOVERNMENT CARGO

The carriage of U.S. government cargo is by law directed to American flag shipping. Section 2631 of Title 10 U.S. Code requires that all military (DOD) supplies be carried on American-flag ships. The Cargo Preference Act (46 USC 1241) requires that at least 50% of all other government cargo be carried by American ships, and Public Resolution 17 (15 USC 616a) requires that all exports financed by the Export-Import Bank be carried by American ships. Except for limited service to and from parts of Africa and South America, and sometime service in the Mediterranean area there is no American-flag shipping service in the Great Lakes. Consequently, the only government cargo that moves from Great Lakes ports in any appreciable amount is that of the Department of Agriculture authorized by PL–480 which is not within the 50% reserved for American flag ships.

Virtually no cargo financed by the Export-Import Bank, A.I.D. or the General Services

Administration has moved in recent years through Great Lakes ports. The Department of Defense which alone exports over 20,000,000 tons annually ships less than one half of one percent via Great Lakes ports even though most of the cargo DOD exports is made in the Great Lakes area.

The Great Lakes ports are now provided shipping service to every major world port by over 26 foreign flag shipping companies. These companies have contributed to the economic development of Great Lakes ports, have provided work for Great Lakes labor, and have helped pay for the St. Lawrence Seaway system. But despite this service, the Great Lakes ports are in need of some American flag shipping in order to reach their full potential, because without that service a substantial amount of traffic cannot move through the Great Lakes ports. Consequently, the economy of the entire Great Lakes is adversely affected.

The Great Lakes ports and related industries are confronted, and always have been, with a version of the chicken-egg game. American flag companies indicate a willingness to serve our ports if we can arrange for a substantial volume of government cargo. The government, on the other hand, takes the position that unless we can get American ships the cargo preference laws prohibit the government from sending cargo to Great Lakes ports with the single exception of some PL-480 cargo under the 50-50 rule. The Great Lakes Task Force has done everything in its power, including meeting with the Comptroller General of the United States, in hopes of securing government cargo without violating the Cargo Preference laws and implementing agency regulations. We earnestly solicit the support of the Great Lakes Congressional Delegation in this matter which is so vitally important to the economic future of all members of the Task Force.

H. WATER POLLUTION

All of us are concerned with water pollution control generally, and specifically in the many harbor areas of the Great Lakes. In the maritime field any water pollution control efforts immediately affect the operators of ships, be they foreign owned, U.S. owned, bulkers, ore boats, or any other type of water craft. No one seriously opposes reasonable efforts to control and, hopefully, do away with water pollution, but we do urge a reasonable approach.

1. Uniform regulations

There are eight states bordering the Great Lakes, each of which has more than one municipality providing some type of port facility. If each municipality were to impose different water pollution regulations, a ship operator would have to be prepared to meet 16 different standards. If each state imposed different regulations state-wide there would be a minimum of 8 standards, if the state superseded local regulations. Such a situation would be intolerable and would cause ships to leave the Great Lakes or limit calls to those ports having the least strict regulation.

Therefore, we strongly urge that there be a single set of water pollution standards of Great Lakes-wide implication, published and enforced by a single federal agency such as the Federal Water Pollution Control Administration. We also urge that insofar as possible any Great Lakes regulation be no more strict than those applicable to the other seaports, lest this type of regulation become a competitive device among competing seaports.

2. Reasonable compliance

Since it could cost a shipowner anywhere from $50,000 to $150,000 to install water pollution control devices and equipment on each ship, reasonable time within which to do so is essential. Regulations which are too stringent could very well force ships to leave the Great Lakes permanently, and immediate compliance would require a curtailment in service until the shipowner could place his ship in compliance. We strongly urge your careful study of any water pollution control legislation with an eye to preventing such legislation from unduly prejudicing St. Lawrence Seaway and domestic Great Lakes waterborne commerce.

THE PESTICIDE PERIL—III

Mr. NELSON. Mr. President, the persistent, toxic pesticide DDT, which only 25 years ago was considered a new miracle insect killer, is now the center of controversy among scientists, biologists, conservationists, the chemical industry, farmers, and concerned citizens.

This pesticide which has made great strides in controlling such diseases as malaria is now suspected of endangering fish and wildlife and potentially threatening human health. The once quiet warnings of coming disaster gathered new strength 7 years ago when Rachel Carson's book, "Silent Spring," "painted a picture of a world despoiled by pesticides that persist and accumulate in the environment," according to the New York Times.

Last year a citizens group filed a suit with the Wisconsin State Department of Natural Resources against the sale and use of DDT. The hearings which began last December have resumed this week.

Recently Sweden became the first country to ban the use of DDT and related pesticides. In March, after the Food and Drug Administration seized 28,150 pounds of Lake Michigan coho salmon contaminated with excessive amounts of DDT, the Michigan Agricultural Commission indefinitely banned the use of DDT in that State. Arizona had previously taken similar action.

In the growing pesticide controversy, DDT and six other chlorinated hydrocarbons have been singled out for attack. The major thrust is being made against DDT since it is considered to be the most expendable of the most persistent pesticides and results in the biggest pollution problem.

Dr. Charles F. Wurster, Jr., biologist at the State University of New York at Stony Brook says:

> We have indisputable evidence that DDT accumulation has already reached a point where it is seriously threatening the survival of some species, among them the American bald eagle, our national bird.

In 1945 there were 44 bald eagles' nests around Lake Michigan. Now there is only one, and the pair of eagles that occupy it have produced no young since 1964.

While sufficient research results are not available to determine the exact effect that these persistent pesticides have on human health, research investigators are compiling data that may link pesticides to cancer, adverse enzyme production, and disturbances of the stomach and liver functions.

The chemical industry argues that DDT is the cheapest, safest, and most effective weapon against the malaria mosquito and other dangerous insects. However, the pesticide makes no distinction between harmful insects and beneficial insects, and its accumulation in the soil can result in pesticide residues on the farmer's harvested crop which make the crop unacceptable by FDA regulations.

The one characteristic that makes DDT and other persistent pesticides so harmful is biological magnification, which results in an increasing concentration of the pesticide progressively along the food chains until it reaches a serious and often lethal level. Living creatures around the world have been reached by the drift of pesticide residues through the air, soil, and water. The petrel of Bermuda, the bald eagle and pereguine falcon of America, and the blue shell crab of the sea are each being pushed to the brink of extinction by the spread of pesticides through our environment.

The question we must ultimately resolve is what is the price tag on our environment. We must concentrate our efforts on finding alternative methods of controlling undesirable pests through genetic and biological means.

An article by Jane Brody, published in yesterday's New York Times, gives an excellent account of the current controversy over DDT. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 30, 1969]

Attacks on Use of DDT Increasing—"Miracle" Killer of Insects Is Assailed as Peril to Man

(By Jane E. Brody)

Twenty-five years ago, DDT, then a new "miracle" insect killer, brought its developer the Nobel Prize for medicine. Today it is under increasingly sharp attacks as a potential threat to mankind.

The quiet controversy that surrounded DDT for two decades became louder seven years ago when Rachel Carson, in "Silent Spring," painted her picture of a world despoiled by pesticides that persist and accumulate in the environment.

Still, DDT survived the scathing indictment of Miss Carson's best-seller. And the noisy opposition to it stimulated by the book soon faded to little more than the lonely cries of conservationists.

In recent years, the nation's agricultural chemical industry has been producing several hundred million pounds of persistent pesticides a year. And DDT remains the leading pesticide produced in the United States.

But suddenly in the last few weeks the anti-DDT battle—which heretofore had been fought with a lot of words and a little action—has taken on a new direction that now threatens the life of this deadly chemical.

SWEDEN AND MICHIGAN ACT

Two weeks ago, Sweden became the first nation to declare a moratorium on the use of DDT, which was developed by a Swiss chemist, Paul H. Müller. The Swedish action also involved the chemical cousins of DDT, aldrin, dieldrin and lindane.

The Michigan Agricultural Commission, following a government seizure of 4,000 pounds of Michigan Cohosalmon contaminated with excessive amounts of this pesticide, banned indefinitely the sale of DDT in a desperate effort to save its fishing industry.

A migrant laborer, frightened by sketchy reports linking DDT to the possibility of cancer, filed a suit to halt the use of it in California and to confiscate all crops sprayed with it.

And currently a hearing on a citizens' petition to outlaw DDT in Wisconsin is serving as a national public forum. Science and industry are presently arguments that may ultimately decide whether the issue will be settled once and for all with DDT bans instituted across the country.

Already, more than half a dozen states—including Wisconsin—are considering legislation to ban DDT. In Illinois, a bill banning the pesticide has been passed by the House and is now before the Senate. Arizona, faced with growing quantities of unsalable milk containing excessive DDT residues, has declared a one-year moratorium on the use of DDT to see if residues will be reduced.

Senator Gaylord Nelson, Wisconsin Democrat, has reintroduced his bill calling for a nationwide halt to the use of DDT. In the past the bill has died in the Senate Agriculture Committee.

THE BIGGEST PROBLEM

Although no one is quite ready to say that DDT is doomed, some of the pesticide's foes say they hear in the distance the death knell not only for DDT but also for the other members of what conservationists call the "dirty seven"—a group of pesticides known chemically as chlorinated hydrocarbons.

These pesticides are singled out because they leave an insidious environmental legacy, accumulating in the soil and water and in the fatty tissues of animals, including man. Unlike most other insecticides, the chlorinated hydrocarbons are not readily broken down into harmless chemicals.

Dr. Charles F. Wurster, Jr., biologist at the State University of New York at Stony Brook and a leader in the fight against persistent pesticides, says, "We're starting with DDT because it is by far the biggest pollution problem and we've got the strongest case against it."

He says, for example, "We have indisputable evidence that DDT accumulation has already reached a point where it is seriously threatening the survival of some species, among them the American bald eagle, our national bird."

Last year the five American manufacturers of DDT produced more than 125 million pounds at a value of more than $20-million. This represents about a 20 per cent decline in production since 1960.

According to Samuel Rotrosen, president of the Montrose Chemical Corporation and chairman of the DDT industry task force, some 90 million pounds a year is exported for use in world health programs to control disease-carrying insects.

"DDT is the cheapest, safest, most effective weapon we have against the malaria mosquito, Mr. Rotrosen maintains. "In India, for example, before DDT there were 100-million cases of malaria with 750,000 dying each year. Today there are only 15,000 cases with 1,500 dying a year."

"To use an insecticide with less persistence than DDT," Mr. Rotrosen adds, "means you would have to spray every few weeks instead of twice a year—a task that is economically and practically unfeasible."

For the farmer, however, this persistence is something of a two-edged sword. He does not have to apply DDT to his crop as often as he would apply a pesticide that was readily broken down.

But it may persist in the soil and kill those insects considered beneficial, and it may result in pesticide residues on his harvested crop that are forbidden by the Food and Drug Administration regulations.

As a result, agricultural uses of DDT have fallen off in recent years.

Very little is known about the danger, if any, of the DDT stored in the average person.

Dr. William B. Deichmann of the University of Miami School of Medicine has found that persons who had liver cancer, leukemia, high blood pressure and carcinoma (an early form of cancer) at the time of death had two to three times more residues of DDT and related pesticides stored in their body tissues than did persons who died accidental deaths.

Soviet scientists reported recently that workers who are occupationally exposed to large quantities of DDT and accumulate considerably more of the pesticide than the average person show disturbances of stomach and liver functions after 10 years of contact.

The American chemical industry, which maintains that no harmful effects related to DDT have been found in industrial workers, cites a United States Public Health Service study of 35 employes of the Montrose Corporation who had been industrially exposed to DDT for 11 to 19 years.

The men, whose fatty stores of DDT ranged from 38 to 647 parts in a million, were found to have no ill effects attributable to DDT exposure.

HARM IN FOOD CHAIN

The DDT problem responsible for most of the current ferment involves not man but fish and birds.

Through a process known as "biological magnification" through the food chain, minute traces of DDT in algae can end up as poisonous doses in food fish, which feed on little fish, which feed on still smaller water organisms, which feed on algae.

For birds of prey, such as the bald eagle, which feed on fish, the food chain effect is carried one step further.

Mrs. Owen Otto of Milwaukee, a conservationist who was largely responsible for the citizens' petition in Wisconsin points out that in 1945 there were 44 bald eagles' nests around Lake Michigan.

"Now," she says, "there is only one nest left, and the pair of eagles that occupy it have produced no young since 1964."

The injury done by DDT to these birds apparently involves a disturbance in calcium metabolism that results in "the thin eggshell phenomenon"—a shell too thin to adequately protect the developing embryo.

Industry is working hard at developing new selective chemical insecticides—ones that will affect only insects and only certain insects at that.

Among the many approaches under study outside the chemical industry are the development of synthetic hormones that prevent reproduction of certain insects, the use of sterilized male insects to reduce the reproductive potential of a species and the introduction of bacteria or viruses that infect certain target insects.

Industry and conservation forces seem to agree on at least one point—that the complexion of the pesticide picture will change. How fast and how much it will change will depend largely on the outcome of the current groundswell of challenges to the survival of DDT and its fellow persistent pesticides.

THE SAFEGUARD ABM SYSTEM

Mr. BAKER. Mr. President, I think it should be of deep concern to all of us, whether we support or oppose the Safeguard ABM system, that there is a danger of public discussion on the issue being side-tracked by larger and symbolic purposes. As rational men it is imperative that we seek to tame our biases and examine this issue on its merits. If the ABM becomes a cause celebre for those who find a curious emotional and moral satisfaction in opposing defense because it is defense, the public interest and the policymaking process itself will suffer.

Mr. President, on April 25 in New York City, the Senator from Washington (Mr. JACKSON) participated in a program on the ABM sponsored by the Foreign Policy Association at the Americana Hotel. In his opening statement, Senator JACKSON spoke with the kind of measured rationality and full knowledge of the facts that we have come to expect of him. The quiet certainty that Senator JACKSON feels in his position is manifest in the fact that he finds no need to resort to the sort of sophistry that has characterized some other statements on this issue.

Although I find Senator JACKSON's statement superb from beginning to end, I am particularly impressed by his discussion of the paradoxical position of those who oppose Safeguard on the grounds that it is immoral. As Senator JACKSON notes, there is no great morality to be found in a nation whose only available response to nuclear attack is destruction of the civilian population of that nation presumed to be the aggressor.

Mr. President, I ask unanimous consent that Senator JACKSON's remarks be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON THE ANTI-BALLISTIC-MISSILE SYSTEM BY SENATOR HENRY M. JACKSON, NEW YORK CITY, APRIL 25, 1969

The intransigence of the Soviet Union in the period after World War II left this country no alternative to the development of a strong nuclear deterrent. As we all know, the Soviets rejected our offer in the Baruch Plan to share the hopeful potentials of the nuclear age, and they proceeded with a hard-driving nuclear weapons program of their own.

I believe our policy of nuclear deterrence by maintaining a second-strike retaliatory force has served us well. But there are two current Soviet developments that threaten the credibility of our deterrent in the time period of 1974–75–76—the Soviets' ballistic missile defense systems, and their steady deployment of the big SS–9 missile with a capacity of 20 to 25 megatons, on which they are testing multiple warheads.

The Soviets have been hard at work on their ABM for many years. Their first system, partially deployed around Leningrad, was apparently abandoned; the second, deployed around Moscow is now approaching operational status; and the Tallinn system, very extensively deployed throughout the Soviet Union, is believed by many in the intelligence community to be subject to upgrading so as to give it an ABM capability.

The huge Soviet SS–9 carrying multiple warheads each aimed precisely at a different target could be used against the U.S. land-based Minuteman system. The hard truth is that, by the mid-1970's, unless we continue to make appropriate decisions to meet technological change, the viability of a large part of our second strike force will be put in question.

Faced with this problem, President Nixon has recommended a modified ABM Safeguard system designed primarily to provide a protection for the national command authority and vital elements of our bomber and Minuteman retaliatory forces to help assure the maintenance of the Western nuclear deterrent in the period of the mid-1970's and beyond. Also, the program has a useful function in providing an area defense against attacks involving modest numbers of apparent incoming missiles. The Safeguard system is designed and planned to meet the threats as they may develop, without overreacting, and is subject to annual review. Under phase one of the program two sites will be constructed.

Given the lead-time factor for the ABM system of five to seven years, continuing research and development only, without any start now on deployment, would leave us with no option to provide defense for our deterrent on the schedule that may be essential if we do not reach an agreement with the Soviets on limiting or reducing strategic forces. If the Soviets should slam the door on a strategic arms limitation agreement, the Safeguard ABM program would permit us to continue orderly steps toward protection of vital elements of our retaliatory forces.

Let me also emphasize that the average annual cost of the completed Safeguard program, on a five year basis, is less than one-fifth of what we were spending for active defense against manned bombers at the end of the 1950's. Nor is this defensive weapon at all likely to spark a quantitative arms build-up. Indeed, contrary to the propaganda, there has been no long-term quantitative increase in our strategic offense and defense budget. The U.S. budget for strategic offense and defense forces in fiscal year 1962 was 11.3 billion dollars. The proposed fiscal 1970 budget comes to about 8.3 billion dollars. Adjusted for price changes, the 1970 budget figure is more than 50% lower than that for 1962.

I must say it was strange at our Armed Services hearings this week to find anti-ABM witnesses opposing deployment of a *defensive system* because of the risk of escalating the arms race and, at the same time, advocating, as preferable, the proliferation of our Minuteman and Poseidon *offensive forces*. Adding quantitatively to our Minuteman forces, and to our MIRVed Poseidon forces would enable the Russians to charge that we were acting in a provocative manner. Moreover, any significant expansion of our offensive nuclear weapons is far more costly than the Safeguard program.

Indeed it may shock you to hear that some people opposing the ABM have revived the old, discredited suggestion that, rather than provide a protective defense for our ICBM's, we should launch the Minuteman force against Russian cities simply on the basis of radar indications. This, of course, would vastly increase the nightmare possibility of nuclear war by mistake. The decision to launch ICBM's against Russian cities would be perhaps the most momentous choice ever made in all of history. It would be the decision for World War III. If this awful decision is ever made it should be based on as much information as we can get and it should be made by the highest possible political authority. It is the last decision we should think of delegating to a computer.

People who most tout themselves as doves of peace are turning out to be the irresponsible hawks.

The major components of the Safeguard system have received elaborate study and testing. Ideas for brand new ABM systems to defend hard points are not serious competitors in the time period we are talking about. Moreover, to terminate the ABM program now and restart it again at a later time would involve a delay of one or two years from the date it was decided to resume and an extra expenditure of several billion dollars.

I believe we should go forward with deploying the Safeguard system now. We can expect, as in the case of every other offense and defense system, that we shall learn a great deal from operational experience, and we should expect to make some changes and improvements as we go along. As Dean Acheson recently said in his speech supporting President Nixon's ABM decision: ". . . all of us can think of many reasons for not abandoning the ABM field to development by the Soviet Union."

The idea that we should not be hard at work in this very important defensive area of nuclear weaponry, while the potential opponent—who is already coming at least equal to us in offensive nuclear weaponry—has been hard at work in the defensive field for many years, is to me wholly imprudent.

As Dr. William McMillan told the Armed Services Committee this week: "We can ill afford to allow an important gap to develop in the learning process concerning such an important capability."

I believe that the great majority of Americans, with their down-to-earth common sense, will not be taken in by the sophisticated arguments that it is somehow bad to defend ourselves.

I must confess to a strong predisposition in favor of prudence in providing for our national security—given the nature of the Soviet adversary. I do not know how to assess the Soviet Union except as an opportunistic, unpredictable, dangerous opponent.

There are increasing signs in Russia of a move to the reactionary right and to a Stalin-like suppression of dissent in the name of communist orthodoxy. Scholars, writers, Jewish poets and novelists are being subjected to vicious denunciation and censorship. There are more intellectuals in Soviet prisons now than at any time since Stalin's terror. As to the outlook in Moscow which prompted the policy of ruthlessly slugging Czechoslovakia to its knees, such actions are not undertaken by rulers confident of the stability of their so-called "commonwealth" in East Europe or of their regime at home. The Russian rulers have a bear by the tail. We cannot discount the danger that an harassed and nervous Soviet leadership will take undue risks and make gross errors of judgment in its conduct of foreign affairs.

A President and a Congress are charged under the Constitution with the most solemn responsibilities as protectors of the Republic and as guardians of the peace. President Nixon has asked the Congress not to abandon work on the deployment of an ABM system, but to proceed with it. He said:

"I believe it is essential for the national security, and it is essential to avoid putting an American President, either this President or the next President, in the position where the United States would be second rather than first, or at least equal to any potential enemy."

Moreover, President Nixon believes he would be in a much stronger position in any negotiations with the Soviet Union on limitation of offensive and defensive nuclear systems if he had the backing of the Congress on his Safeguard program. I agree with that analysis. Negotiations with the Soviet Union are always difficult, long drawn out, and can involve the most rigorous bargaining by Moscow for relative advantage. If American negotiators are confronted with a situation where the Soviet negotiators believe time is running on the Soviet side, our negotiators will be up against very adverse odds.

To arrive at successful, reciprocal, and mutually acceptable agreement involving both offensive and defensive nuclear systems will, in any event, be enormously difficult. Under our Constitution the President is charged with the conduct of foreign affairs. I want to help put him in the position he believes to be best to conduct those very important negotiations.

I am a Democrat. But I am proud that over the years I have supported our President—whether he was a Democrat or a Republican—in the critical decisions to promote the security of our country and to try to halt the further evolution of strategic armaments by mutual agreement with the Soviet Union.

HUMAN RIGHTS CONVENTIONS—TOUCHSTONE OF OUR COMMITMENT

Mr. PROXMIRE. Mr. President, the President's Commission for the Observance of Human Rights Year 1968 was established by Executive Order No. 11394 on January 30, 1968. It was established in response to a request by the General Assembly of the United Nations that all member states commemorate the 20th anniversary of the Universal Declaration of Human Rights. It was directed to "enlarge our people's understanding of the principles of human rights, as expressed in the Universal Declaration and the Constitution and in the laws of the United States."

In keeping with this directive, Mr. President, yesterday the final report of the President's Commission was transmitted. This report is fittingly titled "To Continue Action for Human Rights." I quote from the letter of transmittal from W. Averell Harriman, the Chairman of the Commission:

> The whole of government must recognize its commitment to human rights and thereby seek to articulate its policies and programs in human rights terms. A touchstone of our commitment will be the ratification of additional human rights conventions through action by the Administration and the Senate. In this manner, our moral position in the world will reflect our historic devotion to these principles of human rights.

I repeat that these conventions are the "touchstone" of our human rights commitment. If this is our test, then the Senate has failed to meet the challenge. Let us ratify the Conventions on Forced Labor, Political Rights of Women, and Genocide now.

PHYSICISTS REJECT ABM AFTER DEBATE

Mr. McGOVERN. Mr. President, physicists polled Tuesday night at a debate on the antiballistic missile—ABM—opposed deployment of the Safeguard ABM, the system backed by the administration by a margin of almost four to one.

The debate was sponsored by the American Physical Society, meeting in Washington this week. The poll was conducted by Scientists for Social and Political Action, an informal political organization of scientists—1,216 physicists in the audience marked ballots distributed by SSPA, as follows:

Poll on the anti-ballistic-missile system

	Percent
I *support* deployment of the present Safeguard anti-ballistic-missile system	21
I am *opposed* to deployment of the present Safeguard anti-ballistic-missile system	76
I have no opinion on this matter	3
Deployment of Safeguard is likely to lead to *an increase* in the arms race	70
Deployment of Safeguard is likely to have *little effect* on the arms race	25
Deployment of Safeguard is likely to lead to a *reduction* in the arms race	5
I am in *favor* of a *thicker* anti-ballistic-missile system	9
I am *opposed* to *any deployment* of an anti-ballistic-missile system	51
I am *undecided* about *future* anti-ballistic-missile systems	40

The debate that preceded the balloting was the best attended session of the current physics meetings. Speaking for the ABM were Eugene Wigner, a theoretical physicist from Princeton, and Donald Brennen, a weapons analyst for the Hudson Institute. The ABM was opposed by Cornell physicist Hans Bethe and political scientist G. W. Rathjens of M.I.T., both of whom have been involved in weapons system design.

The poll clearly shows strong opposition to the ABM from the scientific community.

THE DEAN OF THE WISCONSIN DEMOCRATIC CONGRESSIONAL DELEGATION

Mr. NELSON. Mr. President, I invite the attention of Senators to an editorial published recently in the Milwaukee Journal regarding the dean of the Wisconsin Democratic congressional delegation, Representative Clement J. Zablocki.

The editorial commends the outstanding work of the Representative from Milwaukee's Fourth Congressional District. He has made a distinguished record in the U.S. Congress during the last 20 years. Clem Zablocki's interests and talents are many and varied, and he continues to serve his constituents and their needs tirelessly.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

About Clem Zablocki

What makes a good congressman? In today's Picture Journal Don Oleson writes about Clement J. Zablocki, Democrat from Milwaukee's 4th congressional district. It is good reading and accompanying pictures reinforce the story.

Clem Zablocki has served almost three decades as a legislator, state and national. For 20 years his south side constituents have been sending him to Washington—with such strong support that when he doesn't get over 70% of the vote he worries.

It is a matter of pride to longtime friends that "this church organist" has done so well. But that misses the point. Zablocki has gone far because he is intelligent, works hard, usually rejects "exercises in futility," knows the ropes.

Zablocki knows his constituents and their needs and works constantly for them. He is a wise politician. He is something of an expert in foreign affairs, too. He knows and has known presidents, top diplomats, high officials in this country and abroad. They respect him and his position and abilities. He is a kielbasa man, but a caviar man, too. He is worth reading about.

THE JOB CORPS IN MARYLAND AND THE NATION

Mr. TYDINGS. Mr. President, the Nixon administration's decision to close Catoctin Job Corps Center in Maryland is indefensible. It is wrong. It is arbitrary. It cannot be justified.

The administration's decision to emasculate this effective antipoverty program comes just a month after its decision to spend upward of $7 billion to deploy a dubious, obsolete, ineffective missile defense system. The destruction of the Jobs Corps to help pay for useless military hardware demonstrates a cynical disregard for the real needs of the American people. It indicates, once again, that the administration has seen fit to make the poor people foot the bill for its courtship with the military-industrial complex.

The administration's ABM and Job Corps decisions turn logic upside down and national priorities inside out. The ABM will be deployed even if it is worthless. The Job Corps will be destroyed whatever its value.

The principal victims of the administration's meat ax are the conservation centers—the Job Corps camps which have served the most destitute poor. Fifty of the 82 conservation centers have been ordered shut down, including Catoctin Job Corps Center in my home State of Maryland.

In all, nearly 17,000 of the 36,000 Job Corps enrollees will be sent back to the streets by July 1 as a result of the administration's action.

For the past 4½ years, the Job Corps, particularly through its conservation centers, has provided a ray of hope for the most disadvantaged of this Nation's young people.

Ninety percent of the corpsmen have been school dropouts.

Two-thirds, including more than 90 percent at the conservation centers, have entered the Jobs Corps as functional illiterates.

Sixty percent entered unskilled.

Fifty-six percent were unemployed.

Sixty percent came from broken homes; 27 percent from families on relief.

Sixty-eight percent of the corpsmen entered Job Corps from families where the head of the household was unemployed.

The Job Corps was their only hope. It is a cruel blow to extinguish that hope. It may, however, be an even crueler blow to our cities this summer. Turning 17,000 disillusioned corpsmen loose to roam the streets this summer is an open invitation to violence. According to the Kerner Commission report, the corpsmen are, by and large, the same kind of youths who did the burning and looting in more than 50 American cities during the 1967 riots.

It would also be interesting to know why in its eagerness to condemn the Job Corps for its high operating costs, the administration neglected to consider the constructive contributions corpsmen have made to this country.

Since the inception of the Job Corps in 1965, corpsmen have completed conservation work projects valued at more than $70 million. In the last 8 months alone, they have completed more than $14 million worth of work in our national parks and forests. In addition, during fiscal year 1968 more than 4,000 corpsmen voluntarily contributed more than 400,000 hours in emergency services to this Nation, including more than 330,000 hours fighting fires. That is no small contribution from a group of youths who, without the Job Corps, likely would have contributed nothing at all.

Unfortunately, the administration chose not to use such rational criteria in its rush to close Job Corps centers. If it had, it would have found it difficult to justify the closing of Catoctin, which Job Corps officials assure me is one of their best centers.

But, even under the nebulous criteria the administration used, it cannot justify the closing of Catoctin.

Had the most current statistics been used to measure Catoctin's performance, they would show Catoctin ranking favorably with the centers which the administration apparently is going to let remain open. The administration, for example, listed the operating cost at Catoctin at $4,482 per corpsman per year, though the current actual cost according to the most recent Job Corps statistics is only $4,051 per year.

Similarly, the administration used 5.76 months as the figure for the average length of stay of Catoctin corpsmen. The most recent Job Corps figure is 6.3 months. Had the current figures been used, Catoctin would have come out with 46 points on the tally sheet. That is a high enough score to keep it from closing, since all centers scoring 44 or better are to be kept open. In light of this error, I have written the Secretary of Labor asking him to reconsider his decision to close the Catoctin center.

Catoctin was the Nation's first Job Corps center. It is located less than a mile from Camp David, where President Nixon spends many of his weekends.

If he had, he would have seen what I saw earlier this week during my most recent visit there. He would have seen Catoctin's excellent vocational education program training corpsmen to be carpenters, masons, electricians, auto mechanics, heavy equipment operators and welders. He would have seen some of the many work projects corpsmen have completed, such as the building of the access road to an American Legion campsite in the Catoctin Mountains.

Catoctin's achievements have been impressive in its 4½ years. Its corpsmen have completed work projects valued at $1,250,000. Of the corpsmen who entered Catoctin, 57.8 percent are now employed across the Nation. Another 11.8 percent are back in school furthering their education. Some 2.6 percent are in the military service. And, Catoctin's annual cost per corpsman is more than $500 below the national average for conservation centers.

In accepting President Nixon's appointment as director of OEO, Congressman Donald Rumsfeld alluded to "the voices we have lost amid the shouting—the voices of quiet anguish; the voices that speak without words, the voices of the heart."

"We are all poor, regardless of where we live," he said, "when we fail to heed these voices."

In this Job Corps decision the administration, it is quite obvious, has failed to heed these voices.

SESQUICENTENNIAL OF THE DARTMOUTH COLLEGE CASE

Mr. McINTYRE. Mr. President, on April 9, a ceremony was held in Washington to commemorate the 150th anniversary of the decision of the Supreme Court in Woodward against Trustees of Dartmouth College, the famous "Dartmouth College Case." That case, argued on behalf of the college by a great predecessor of ours, Senator Daniel Webster, of Massachusetts, is a landmark in American jurisprudence.

Many of the remarks made at the ceremony hold significant relevance to the world of 1969. I ask unanimous consent that the introductory statement of Judge Carl McGowan, the speech by

Dartmouth President John Sloan Dickey, my own remarks, and the address by Chief Justice Warren be printed in the Record at this point, so that we of Dartmouth may share them with the Senate.

There being no objection, the materials was ordered to be printed in the Record, as follows:

Remarks by Judge Carl McGowan, U.S. Court of Appeals, Commemorating the 150th Anniversary of the Dartmouth College Case and Daniel Webster, Washington, D.C., April 9, 1969

In this 200th year of its life under a charter granted by the British crown, Darthmouth College today celebrates the 150th anniversary of the preservation of that Charter by the judicial power of the federal republic. Now it has long been the fashion of some Ivy League alumni to be amused at the way the eyes of Dartmouth men light up and their pulses quicken when mention is made of the Darthmouth College Case and Daniel Webster, but they don't have the same sensitivity that we have to the grim prospect that troubled Dartmouth undergraduates at the time of the crisis back in the 1800's. Rufus Choate was a freshman at Dartmouth when those dark clouds gathered, and in a letter to his brother at that anxious moment, he wrote, "You are aware no doubt that this is a critical moment for Dartmouth College, the storm so long gathering seems about to burst, the stroke may be fatal, the seat of science may fall, and I may have to go to Harvard or Yale College!"

For more than 20 years now the Dartmouth students of today who have been spared that same alternative have had good reason to be grateful not only to Daniel Webster and the Supreme Court but also to the man who has led the College during these exciting and eventful years. The skill and vision and great good sense he has brought to that past have already become a part of the Dartmouth legend. I present to you the resident of Dartmouth College, John Sloan Dickey.

Remarks by Mr. John Sloan Dickey, President, Dartmouth College, at Ceremonies Commemorating the 150th Anniversary of the Dartmouth College Case, Washington, D.C., April 9, 1969

Mr. Chief Justice Warren, Judge McGowan, Senator McIntyre and all others gathered here who grace this occasion by your presence—I even might be permitted to say Brethren of the Bar, because there are a great many of you here, and I, at least at one time, was one of you.

My remarks are not only brief but they are exceedingly informal. Perhaps the most important thing that I have to say is "thank you." I am always amazed at the number of people to whom we are indebted for an occasion of this sort. Mr. Chief Justice Warren, on behalf of the Trustees of Dartmouth and of all Dartmouth men I thank you for your presence, for the words which you will bring to us, and—if I may say a personal word of gratitude—I thank you for what you have meant to the American nation during these years.

Senator McIntyre, we thank *you* for being one of, I believe, two members of the legislative branch who have resisted the temptation to be on vacation. We thank you not only for your presence and for what you will say to us of Webster as a New Hampshire man and legislator, but we also thank you for the fact that the Dartmouth College Case will be remembered through its recognition for one of those exceedingly high privileges of being commemorated on a United States stamp. I shall not take time to relate the vicissitudes of that affair and the tenacity on your part that was necessary for that small miracle to happen, but we are thankful to you, Senator, for bringing that miracle to pass.

Judge McGowan and the members of your Committee, we thank you for the fact that it is possible for this occasion to take place and for your presiding over it. Chief Judge Cowan and his associates of the Court of Claims, Chief Judge Worley of the Court of Customs and Patent Appeal, we thank you for hospitality such as I never imagined a court would be able to extend to anyone.

And Mr. Justice Clark, we thank you for the interest and assistance you have brought to this occasion and for the assistance of the Federal Judicial Center.

May I mention just two gentlemen from the College to whom we are also indebted, both for this occasion and for a very major contribution to American history in the enduring sense—Mr. Richard Morin, Librarian Emeritus of Dartmouth, who has done the most recent study of the Dartmouth College Case, its history and legal aspects, and its impact. Each of you will receive a copy of that booklet in a very short time. And Professor Charles Wiltse, of whom I will speak later, who is in charge of the Webster project.

Dick Morin has managed today's affair for us and I think it entirely in order that you all know who he is. Dick, would you please stand up?

Now, with that important aspect of my assignment done, may I say to you that I of course welcome on behalf of the Trustees of Dartmouth—and you are their guests in a material sort of way—but I make bold to welcome you on behalf, more significantly, of the late Mr. Chief Justice Marshall and Daniel Webster, because except for them, ladies and gentlemen, there would be no party.

Many things make the occasion significant to the nation, to the College, to the Bar. As Judge McGowan said it is the 200th anniversary of the Dartmouth Charter, the last Charter to be granted by George the Third. He thereafter very shortly became somewhat disillusioned about any further grants. It is also fortunate that history has so arranged things that the 150th anniversary of that Lazarus-like miracle performed for the Charter by the court of Mr. Chief Justice Marshall should be celebrated just 150 years ago. The New Hampshire Courts, as I trust all of you know, had assumed that that Charter was dead and buried. Mr. Chief Justice Marshall resurrected it in very, very lively fashion.

Now, in my view we ought to celebrate our great cases more, and if I have any message for the future it is that. What *really* has been more ignored in American history than the great turning points of history which are represented by such historic judicial decisions? We as lawyers tend to focus on the decision and the impact the decision has upon the law. Yet as one looks back over the history of our particular institution of higher education, Dartmouth, and the way that *institution* has been fashioned, its character and its personality, over a hundred and fifty years, by what it thought that decision meant, whether it meant that or not, one can see that the decision was of the greatest significance to American private higher education, and, indeed, to many things beyond the community of private higher education. Let's take just a small vow, that we will be a little more sensitive to the possibility that there are some great judicial landmarks that ought to be celebrated. And I make bold to say to you that 90 to 100 years from now the truth of that statement will be even more self-evident.

Dick Morin, in his book on the Dartmouth College Case, reminds us that it was Dartmouth College and not the world that was saved by that decision. And without relying too heavily on the dictum of Charles Wilson in G.M. versus the United States, I still like to think that no good thing is saved without contributing to the salvation of all good things. Marshall in that opinion spoke of the fact that the Charter assured Dartmouth of individuality and immortality. A really remarkable combination. And that concept and Dartmouth's understanding of the case, not a legal one, an emotional one, a human one, has led to the development of a feeling about institutions which very possibly is unique in American life. And it has spread to the institutions of higher education and to other institutions. I am inclined to think that feeling can be traced very directly to that sense of heightened independence and pride of having bested the State that came out of the Dartmouth College Case when Webster persuaded the court of Mr. Chief Justice Marshall to reverse the New Hampshire courts and the New Hampshire legislature.

Finally, ladies and gentlemen, the occasion here is important to the nation in connection with the project to gather together and make available to scholars and to the American nation the Webster Papers. It has been said by one good friend, who had hoped to be here today but is not, that he understood this to be an occasion for the "rehabilitation" of Daniel Webster. Well, more importantly, we are engaged in a project in cooperation with quite a few people and institutions to make sure that the great role that Webster played in American history is preserved and made available. I am going to conclude this portion of my remarks by drawing on a memorandum prepared by Professor Charles Wiltse who is in charge of this project.

"Over the past three years manuscripts have streamed in from the far corners of the land, from Canada, from England, from continental Europe, through friends, libraries, collectors, alumni and others. In time, thanks to the co-sponsor with Dartmouth of this project, the National Historical Publications Commission, all of these Webster items will be gathered together and published in appropriate forms." As Wiltse says, "We shall know this farmer, this small town lawyer, this congressman, this senator, this Secretary of State, an advocate without peer before the highest court, as well as we know his great contemporaries, the Adamses, Jefferson, Madison, Marshall, Clay, Calhoun, whose papers are also in the process of editing."

I shall not go into the detail of the process whereby these papers are being gathered and will be reproduced, but when it is over, there will be some 30 volumes of Webster material made available to scholars and the American nation. "This material," Wiltse goes on to say, "enlarges our understanding of the man, gives us fresh insight into the turbulent times in which he lived. In his correspondence, his legal briefs, his speeches we may see more clearly than any secondary account could tell us Webster's influence on his times and on our own times. He helped to shape the Supreme Court as we know it today. He anticipated the direction of American diplomacy as we have seen it for the past hundred years. He gave powerful stimulus and invaluable tools to the growth of corporate enterprise and the growth of institutions. And above all, by example, by force of argument and by matchless eloquence he convinced the American people that they were indeed one nation indivisible." Thank you very much.

The Union and Daniel Webster

(Address by Senator Thomas J. McIntyre, New Hampshire, at the 150th anniversary observance of the Dartmouth Case, U.S. Court of Claims Building, Washintgon, D.C., Apr. 9, 1969)

When we recount the grim litany of events that assaulted our sensibilities, racked our consciences and shook our national confidence in just the past 12 months, we are moved to ask once again:

How do we survive? What keeps this Nation intact?

Two assassinations only months apart. One mocking the gospel of the black apostle of non-violence. The other snuffing out the life of a gifted young man as he pursued the goals and the office of his martyred brother.

Both followed by disbelief . . . then shock . . . then overwhelming grief. And in the case of the murder of Dr. Martin Luther King, more than shock, more than grief. Ghetto explosions in a score of cities.

Smoke rose but ten blocks from the White House. Ten blocks from the heart of our Government.

There were other shocks.

In the midst of unprecedented national prosperity, a mule train moved into Washington to dramatize that there were *still* poor and hungry Americans whose voices were not being heard.

And then there was the war. Now the fourth most costly in American lives. As hotly debated as ill-defined. And stubbornly resisting resolution.

As one consequence of the war—the revolt of the young and the spreading generation gap.

Six to nine thousand young men of draft age moved to Canada or Europe. Others simply dropped out of society and fell into a milieu as incomprehensible to some as it is offensive to others. Still others captured the headlines by assaulting from within the bastions of higher education.

Early in the year, the political activation of the young. The New Politics. The New Left. And then there was Chicago.

For every action, a reaction. The revolt of the older generation against the alleged excesses of the young. The white backlash. A new Know-Nothing movement tried to make political capital from these reactions . . . not by winning the White House, but by trying to deadlock the election process in order to exact concessions.

And so it went.

Everywhere we looked, we saw exploding evidence of a fragmented society.

And yet—somehow—the Nation survived intact.

The crises are not past. Madmen are still loose with guns, a continuing threat to our national leaders. The black and white and the generation schisms have not closed. Student restiveness is peaking again. And the war goes on.

This is no time to be sanguine.

But we are *still* intact, *still* one Nation. Strained, torn, shocked and distressed . . . but *still* one Nation.

And the question is: How? Why?

One hundred and twenty-six years ago Daniel Webster attempted an answer. On June 17, 1843, he delivered his Second Bunker Hill address. In it, he defined as precisely as he could what made a nation a nation—what made *this* Nation a nation that would survive for years and years to come.

As was so often the case with Webster, his answer was both simple and complex. Simple in its directness. Complex in its nuances.

On that day, the Nation was less than 70 years removed from its founding. It had survived a Revolutionary War that was not universally popular, and now it was strained by conflicting class and sectional interests, local customs, local pride and prejudice.

Time will not permit me to detail these conflicts. But let it be said that many are as familar to us as they were to our ancestors.

One example:

Alexis de Toqueville, examining the agony of American cities as early as 1830, wrote a prelude to the works of Daniel Moynihan—or the Kerner Report. This is what he said:

"The lower classes which inhabit these cities . . . consist of freed blacks who are condemned by the laws and by public opinion to a hereditary state of misery and degradation . . . As inhabitants of a country where they have no civil rights, they are ready to turn all the passions which agitate the community to their own advantage; thus within the last few months, serious riots have broken out in Philadelphia and New York."

Webster was keenly aware of *all* the stresses and strains on national unity as he stood before the Bunker Hill Monument, yet it was there he defined his concept of nationalism and there that he called for union.

The purpose and the essential quality of the Nation was balance, Webster said. The force at the center of the Nation had to stay in balance or chaos would result.

As long as this fundamental balance was maintained, the Nation could accommodate virtually every form of diversity—*and, indeed, serve as its principal guarantor*.

Thus Webster's call for union did not imply a need for leveling, a need to do away with the endless and cherished variety of this country and its people. Instead, it left Americans free to go their separate ways and still consider themselves good Americans.

But if Webster's nationalism was defined as balance—what *maintained* that balance?

Three things, he said: A shared common culture, a uniquely American set of political institutions . . . and *character*.

Of the first, Webster said: "The arts, sciences, and literature of England came over with the settlers. That great portion of the common law which regulates the social and personal relations and conduct of men came also. The jury came; the habeas corpus came; the testamentary power came; and the law of inheritance and descent came also, except that part of it which recognizes the rights of primogeniture, which either did not come at all, or soon gave way to the rule of equal partition of estates among children."

Thus the settlers kept what was good, discarded what no longer applied, and augmented that long heritage of English culture with that unique set of free, republican institutions growing logically from their new environment.

The Revolution was important, Webster said, because it insured the continued existence of the first two factors and added the third.

"The truth is," he said, "that the American Revolution was not caused by the instantaneous discovery of principles of government before unheard of, or the practical adoption of political ideas such as had never before entered into the minds of men. It was but the full development of principles of government forms of society, and political sentiments, the origins of all of which lay back two centuries in English and American history."

It was Washington, he said, who was the apotheosis of those factors that created the American national character—liberty, union, mission, and balance.

It was this, he implied, that created a nation greater than the sum of its parts—a syngergism that defied destruction, defied dissolution . . . remained intact.

There are few things new in this world. All of the events that shook us in the year nineteen hundred and sixty eight we or our forebears have experienced before. And survived before.

Did we survive because our character is indeed what Daniel Webster said it is? Did we survive because our union is elastic enough to accommodate diversity . . . our love of liberty so strong it protects diversity . . . our mission so clear that our development proceeds up the steps of little "revolutions" . . . yet our balance so firm it defies conquest, overthrow or despair?

I believe it. I *believe* it. But I also believe that we shall survive *only* so long as we remain true to our National character.

And Daniel Webster set that standard when he said: "Let us hold fast to the great truth, that communities are responsible, as well as individuals; that no government is respectable which is not just; that without unspotted purity of public faith, without sacred public principle, fidelity, and honor, no mere forms of government, no machinery of laws, can give dignity to political society."

Thank you.

ADDRESS BY HONORABLE EARL WARREN, CHIEF JUSTICE OF THE UNITED STATES, AT CEREMONIES COMMEMORATING THE 150TH ANNIVERSARY OF THE DARTMOUTH COLLEGE CASE, WASHINGTON, D.C., APRIL 9, 1969

It is a great pleasure for me to be present with you today, and to join you in memorializing two significant years that have in their various ways contributed to the welfare of your College and to the Nation. In its 200 years Dartmouth College, through its thousands of graduates, has spread enlightenment to every corner of the land, and in the 150 years since the *Dartmouth College Case,* the place of Daniel Webster in American history has not only become more secure but has ranked him as perhaps the greatest advocate in the long history of the Supreme Court.

I have been interested to discover from the historical record that this is the second time in this century that a Chief Justice of the United States has, at the invitation of Dartmouth College, taken part in a ceremony honoring the College's most famous alumnus, Daniel Webster. In 1901, one of my distinguished predecessors, Melville W. Fuller, journeyed to Hanover to attend the celebration of the centennial of Webster's graduation from Dartmouth.

He spoke at the closing banquet—an affair which, again I find from the record, began at six-thirty in the evening, with the Chief Justice reached in the order of speakers at one o'clock in the morning. Today, our Court would almost certainly hold this to be in conflict with the Eighth Amendment's proscription of cruel and unusual punishments—if not for the Chief Justice, at least for his audience. I, thankfully, face you under considerably less formidable circumstances.

There were, as Chief Justice Fuller remarked on that earlier occasion, some "special considerations" which moved him to accept the College's invitation. Both of his grandfathers had been students at Dartmouth during Webster's undergraduate days. His Fuller grandfather had, indeed, been in Webster's class, and a close youthful friendship was formed which continued throughout their adult years. It was largely for this reason that Chief Justice Fuller himself had, while an undergraduate at Harvard nearly fifty years before, made the trip from Cambridge to Marshfield to pay his respects at Webster's funeral.

But as Chief Justice Fuller went on to say of his presence at Dartmouth in 1901, "there was another and weightier cause that impelled me, a sense of duty to testify by my personal attendance to the tie that binds the memory of this great minister of justice to the court, in aid of whose labors some of the most splendid manifestations of his intellectual power were exhibited." It is with that same sense of respect for a great advocate at the bar of our Court that I join in your commemoration today.

To call the roll of the great cases in which Webster appeared, and in which he prevailed, is to describe the process by which the Federal Constitution became a vital force in American life. They include such foundation stones of modern constitutional law as *McCulloch* v. *Maryland,* which recognized the implied powers of the new government and established their supremacy, and *Gibbons* v. *Ogden,* which created the conditions for the subsequent use by the Congress of the Commerce Clause to achieve a host of important public purposes. We decide cases today within the framework of the great concepts of self-government born and shaped in these pioneering decisions.

As to the *Dartmouth College Case* itself, I am in the midst at the moment of many representatives of Webster's winning client, and clients are notoriously less interested in the grounds of decision than in the result. It was, after all, a small college, confronted by a very formidable state government; and, in the David and Goliath context, it is the failure of logic to command the result that brings the happy ending.

Judge Henry Friendly, in his Oliver Wendell Holmes Devise Lectures at Dartmouth last year, has noted that "one of the great contributions of the [Case] was the impetus it gave to voluntary associations as a factor in American life." The importance of that factor in the shaping of our society is surely substantial, but Judge Friendly also noted that the question of when a private educational association takes on the characteristics of a public institution for certain purposes is perhaps a more complex and difficult one than Chief Justice Marshall assumed it to be in 1819. At least that would appear to be true today, as Judge Friendly illuminates at length in his interesting exploration of the problem.

By emphasizing Dartmouth's private and voluntary aspects, Webster won the lawsuit in question.

It is interesting that, not many years later and in another lawsuit, he sought to break Stephen Girard's will because the school it endowed was directed to exclude all manifestations of organized religion, a circumstance which, so Webster argued, conflicted with public policy to such a degree as to warrant nullification by governmental authority of an owner's desires for the disposition and utilization of private property. Webster's clients did not succeed on that occasion; and, in view of the later history of the Girard will, I do not pursue the matter other than to observe that Webster might be the first to agree that the immunity of seemingly private activity from public control is not a static concept.

There has long been, as we all know, a respectable body of opinion extent that the *Dartmouth College Case* came out the right way but for the wrong reasons. In putting this viewpoint forward with great vigor at the New Hampshire celebration of the John Marshall Centennial, Professor Jeremiah Smith of the Harvard Law School, a son of one of the lawyers for the College, felt it appropriate under the circumstances to add what are, to me at any rate, these comforting words:

"That Marshall made occasional mistakes may be safely admitted without seriously detracting from his judicial reputation." And an authentic voice of the College in the current Alumni Magazine has usefully reminded us that what the Supreme Court undertook to save by its decision was the College, and not the world.

It was worth saving and has since thoroughly justified the emotional character given to it by Webster when he said, "It is a small college, but there are those who love it." By any measuring stick, it was a memorable case. In the first place, it was Webster's first important case in the Supreme Court of the United States. It preserved the life and independent character of one of the fine old private colleges of America, which were the progenitors of our system of higher education. In doing so, it also guaranteed the self-determination of all such small colleges and gave a sanctity to contracts generally which has greatly affected the economic as well as the academic life of the Nation.

If, as I believe with Chief Justice Fuller when he said in that earlier ceremony nearly seventy years ago, "it is impossible to overestimate the support that the court derives from the bar," how is it possible to exaggerate the debt which John Marshall must have owed to Webster's powerful formulations of constitutional principle, or to understate his contributions to the benevolent purposes which the Federal Republic has been able to achieve because of them? If any proof were needed, surely Webster's career as a great advocate in adversary litigation demonstrates that private practitioners of large vision frequently advance great public ends in the course of their daily work.

Those ends are not invariably concerned with commercial enterprises and property interests. I have also been interested to discover that Webster's representation before the Supreme Court was not always confined to such clients as the Bank of the United States and a New Jersey operator of steamboats. In 1820, only a year after his superior legal talents bore fruit in the Dartmouth College case, Webster was appointed by the Court to serve without compensation as counsel for fifty unfortunate men who had been convicted of piracy in the federal courts and sentenced to death.

The prospects of success on appeal were bleak and, in the end, even Webster's skill proved unavailing for his destitute and unpopular clients.

But his unreserved and energetic response to this summons to appear in an unappealing and forlorn cause was a building block in a great edifice, and one which looms the larger on the legal horizon of today because of his example. Currently there are thousands of American lawyers who are called upon each year to follow in his footsteps, and who do so generously and without complaint, despite the inevitable disruptions of their professional practice and the misunderstanding with which laymen view at least some of their efforts.

Over the years the lawyers who have responded in this manner have enabled the courts to assure that no person seriously involved with the criminal law must stand at the bar of justice alone, no matter how humble he may be in the social and economic scale or how repellent his conduct may seem to have been. This tradition has not only added a civilized aspect to our society which is gratifying to those who live in it, but it also presents one of the more appealing facets of that society to the world at large. Moreover, the mobilization of professional talents and experience on such a wide scale, and their direction to what was for long a neglected area of the law, have resulted in many improvements, legislatively and judicially, in criminal law and procedure. We face the staggering problems of the present the better because of this past. I am especially happy on this occasion to note in that past the presence and example of Daniel Webster.

The goal of equal justice under law is, however, an ever receding one. Long steps towards its realization only reveal further steps to be taken. The progress made in the provision of counsel in the trial and appellate phases of the criminal law has been notable, but much remains to be done even in that limited area. Congress, with the passage of the Criminal Justice Act of 1965, recognized the equity of a wider sharing of the financial burdens necessarily entailed in the representation of indigents by private lawyers in the federal courts. In many cases that provision is far from fully compensatory.

Lawyers do not expect to be spared all the personal burdens of a professional tradition of public service, but they can rightly insist that there be an allocation of public resources commensurate with the scale of the problem. A lawyer who gives of his time and energy without adequate compensation is certainly entitled to claim that there be adequate facilities to guarantee speedy trial. And, when and if the prison doors clang behind the 20-year-old defendant he has made his sacrifices for, he can demand that the correctional system be given a fighting chance to effect the rehabilitation which will not require another appointed lawyer a few years hence. That lawyer also, I suggest, has legitimate credentials to assert that the country at large get on with the job of trying to prevent more 20-year-old offenders from springing up to take the place of his late client in the prisoner's dock.

There is another aspect of Webster's legal career which has a high degree of contemporary relevance. This was his persisting interest in the continuous improvement of the machinery by which justice is administered. This interest, already evident in his early years at the bar, was happily given opportunity for expression upon his first accession to public office. Throughout his service in the lower house of Congress—four years as a representative from New Hampshire and four from Massachusetts—he was on the House Judiciary Committee, serving as its chairman during the latter period.

Webster's maximum efforts in this capacity were pointed toward the rationalization of the structure of the federal judicial system so that it might function more efficiently. He labored at legislation to deal with the growing needs of the western states for more federal courts, and with the heavy burdens, and consequent backlogs, of the Supreme Court. Although close to success in this effort on at least two occasions, he was eventually frustrated by political partisanship, liberally compounded by dislike in some quarters for certain of the Court's decisions and some of its members.

Webster, as a lawyer and legislator, never made the mistake of projecting disagreement as to particular decisions into the area of institutional design.

He wanted the Court always to have the jurisdiction, structure, and resources best enabling it to function fairly and efficiently, and he vigorously opposed the resolution of those questions by reference to the nature of its current rulings. On the floor of the House he once had occasion to respond to a fellow member who opposed his judicial reform bill because of an allegedly misconceived ruling by the Supreme Court. Webster's words were:

"It would be unworthy, indeed, of the magnitude of this occasion, to bend our course a hair's breadth on the one side or the other, either to favor or to oppose what we might like, or dislike, in regard to particular questions. Surely we are not fit for this great work, if motives of that sort can possibly come near us."

Webster's years on the House Judiciary Committee also included pioneering work by him in the drafting of legislation implementing the national bankruptcy power but, as in the case of his proposals for structural reform, others were to reap at a later date the benefits of his efforts. As early as 1816, he proposed to confer upon the federal courts what we lawyers call "federal question" jurisdiction, that is to say, claims arising under the Constitution, and the laws and treaties of the United States. This did not commend itself to his Congressional colleagues, but 60 years later another Congress enacted this provision with virtually no dissent in the swelling stream of national sentiment which characterized post-Civil War America.

Today that jurisdiction is widely regarded as the critical justification for the existence of the lower federal courts.

In another area of law reform, Webster had more immediately visible success. Upon the urging of Justice Story, he undertook the preparation of a comprehensive Federal Criminal Code, with the purpose of bringing some precision and certainty into an area which was characterized by a vast amount of confusion during the early years of the federal courts. Webster had the satisfaction of seeing that Code become law in 1825 before he left the House Judiciary Committee behind upon his election to the Senate.

I referred earlier to the present relevance of this aspect of Webster's life in the law. It is also especially appropriate for us to take note of it in this place—the new complex of buildings on Lafayette Square devoted to the interests and improvement of the federal judicial system. The handsome new building we are now in is indicative of the scale of commitment required to meet the physical needs of two units of that system which exercise a nation-wide jurisdiction over important subjects. The equally handsome but older adjoining buildings house old and new activities of critical importance to the future of all our federal courts.

The Administrative Office of the United States Courts, under Mr. Frieson, has for some years been in charge of budgetary, housekeeping, and statistical functions, although its responsibilities inevitably embrace a broader concern with judicial administration.

Congress has recently and wisely recognized, however, that there is a need for continuous planning, research, and education in respect of judicial administration. The restored Dolley Madison House was dedicated only last November to the use of the new Federal Judicial Center which Congress has brought into being to perform these tasks. The promise of this new entity is the more likely to be realized because of the happy circumstance of the willingness and availability of my friend and colleague, Mr. Justice Clark, to serve as its first Director. The litigation explosion, which threatens the engulfment of many of our courts, state and federal, is an urgent object of concern, and the quality of justice in this country will be closely affected by what goes on in these immediate environs. Since that quality was so much a concern of Webster's in his own time, it is particularly fitting that this meeting be held in this nerve center of the federal judicial system.

There is a third aspect of Webster's career which no one in my position can fail to appreciate.

In both the private and the public phases of that career, he was tireless in his efforts to sustain and protect the independence and the integrity of the federal courts, and their authority to give meaning to the language of the Constitution. His was a lifelong vision of the Federal Union as the essential instrument of our national strength and well-being. Although a New England Federalist in his early political affiliation, he would have no part of the Hartford Convention, where Yankees flirted with the idea of secession. The idea was equally abominable to him when it found expression in the South, and the last great cause of his life was the damping down, by means of the Compromise of 1850, of the threat of the breakup of the Union.

What was clear to him throughout, however, was that the preservation of the federal government, and of the Constitution creating it, was dependent upon respect for the authority of the Supreme Court and the inferior federal courts—and respect which did not ebb and flow with tides of feeling towards particular decisions. As a member of the House Judiciary Committee, Webster was periodically confronted with legislative proposals generated by current dissatisfactions with the Supreme Court. Those proposals included abolition of the Court's appellate jurisdiction in state cases, transfer of that jurisdiction to the Senate, requirement of a two-thirds vote, and so on.

Although Webster lost his full share of cases in the Supreme Court, and had his moods of unhappiness about its functioning, his reaction to this kind of retaliation was stern and unswerving opposition. That opposition was a powerful factor in the failure of those proposals, thereby founding a tradition of such failure which, happily, has largely prevailed ever since.

When South Carolina first seriously asserted the power of an individual state to nullify an Act of Congress, Webster's great powers of constitutional analysis provided the intellectual foundation for Andrew Jackson's more emotional response. It is one of our historical delights that these two arch political enemies joined hands in a cause which both agreed was bigger than either one of them. It was on the floor of the Senate, and in defense of a Congressional statute against state negation, that Webster took his stand. But he always described that effort as comprehending the principle that, just as a state may not nullify a federal statute, so it may not defy a Supreme Court judgment. His famous Reply to Hayne was, in his conception, as demonstrative of federal judicial authority, as of federal legislative authority, in the respective areas defined by the Constitution.

It was a conception rooted in Webster's deep conviction that, as he once put it in a House speech in support of a judiciary bill, "the maintenance of the judicial power is essential and indispensable to the very being of this government. The Constitution without it would be no constitution; the government, no government."

It was a personal article of faith which enabled him in the same speech to say of the federal judiciary and of the Supreme Court as its head: "It may have friends more able (than myself), it has none more sincere."

The passage of time has neither obscured nor undermined his claims to that attachment. Neither has the course of our subsequent history impaired his underlying premises as to the essential elements of constitutional government. A free people, then as now, require a free judiciary.

INCREASE OF DRUG USAGE

Mr. MURPHY. Mr. President, we hear much about Vietnam, international tensions, inflation, and riots. One of the most urgent, perhaps a part of the whole moral breakdown in our society, is the use of drugs.

I have received from Mr. Howard W. Chappell, chairman of Mayor Yorty's Citizens Narcotics and Dangerous Drugs Committee, a letter on the increase of drug usage. He enclosed a copy of a letter to the Federal Communications Commission seeking to enlist the Commission's assistance in a matter of utmost importance. Chairman Chappell, in this letter, expresses concern to the Commission that—

> Certain jokes, on many national television programs, treat illicit drug use and addiction in a humorous manner. It is felt by the members of this committee that smirking references to "grass" or taking a "trip" which, in effect, constitute humorous treatment of drug and marihuana use or addiction, tend to minimize the true seriousness of such use or addiction.

I ask unanimous consent that Chairman Chappell's letter to me and his letter to the Commission be printed in full following my remarks.

Mr. President, on another aspect of the drug problem, 92 different cities in my State have passed resolutions urging that hearings be held in southern California to investigate the drug problem on the border. I have requested that the Senator from Texas (Mr. Yarborough) hold hearings in California on this subject and I am hopeful that he will be able to comply with my request. This further indicates the seriousness of the drug problem.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Office of the Mayor,
Los Angeles, Calif., March 24, 1969.

Member of the U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator: One of the most serious problems facing the United States today is the tremendous increase in the use of marihuana and dangerous drugs. This problem is especially prevalent among the youth of our nation who are greatly influenced by what they see on television.

It is believed by members of the Mayor's Citizens Narcotics and Dangerous Drugs Committee that certain jokes, on many national television programs, treat illicit drug use and addiction in a humorous manner. This irresponsible treatment of a grave problem promotes the idea that illegal drug use is an acceptable practice without serious consequences.

For your information, I am forwarding a copy of a letter recently sent to the Federal Communications Commission. Our committee would appreciate hearing from you regarding your opinion on the position our committee has taken.

Sincerely,

Howard W. Chappell,
Chairman, Mayor's Citizens Narcotics and Dangerous Drugs Committee.

Office of the Mayor,
Los Angeles, Calif., March 6, 1969.

Mr. Rosel H. Hyde,
Chairman, Federal Communications Commission, Washington, D.C.

Dear Mr. Hyde: As members of a special citizen's committee appointed by Mayor Sam Yorty to formulate an immediate action program against the sickening and unprecedented increase in illicit drug traffic, we respectfully request the assistance of the Federal Communications Commission in a matter of critical importance.

By way of background, 4.6 tons of marihuana were seized locally by the Customs Service in 1966. Just two years later, the total seized had skyrocketed to 31 tons. In 1966, some 119,500 units of illicit dangerous drugs were confiscated by the Customs Service in our area. In 1968, this total had risen to 3,548,279 units, and in just the first half of the current fiscal year (1968–69), the total confiscated is a shocking 7,654,000 units. The Los Angeles Police Department seized 179,000 units in 1964; but in 1967, the total was 26,180,000 units!

Narcotics arrests in Los Angeles are up 67 percent over last year, but the flood into our area of illicit drugs and marihuana still increases at an appalling rate. Since the use and sale of marihuana and dangerous drugs has increased on such a scale, despite every effort by law enforcement officials, one cannot escape the obvious conclusion that no true progress can be made unless the public becomes angry enough to become involved.

There are a number of steps we propose to take in order to establish an urgent awareness throughout our community. We seek your assistance with one of these steps in particular. Probably no single media influences our daily lives as much as television. It is unfortunate that various television programs with vast viewing audiences, frequently use "pot" (marihuana) or LSD jokes on their programs. (It is felt by the members of this committee that smirking references to "grass" or "taking a trip" which, in effect, constitute humorous treatment of drug and marihuana use or addiction, tend to minimize the true seriousness of such use or addiction.)

While the writers of these scripts may consider the subject hilarious, our committee is not amused, particularly when our police frequently encounter children of ten, eleven and twelve using dangerous drugs. Contrary to what these TV show writers and producers may argue, we do not feel that the use, or illicit traffic, of drugs and marihuana is a laughing matter.

Certainly, we do not propose to constitute our group as a Board of Censors. Conversely, we do not propose to sit idly by and see the subject of illegal drug use made to appear as a completely acceptable practice to be joked about. Nobody could argue that drug addiction is less serious than cancer, because both are devastating destroyers of human beings, yet nobody is calloused enough to joke about cancer.

We respectfully urge your honorable Commission to consider this problem and provide leadership in influencing TV producers to put it into its true perspective.

We would welcome public service announcements against illicit drugs and narcotics. Our committee is concerned with the failure of the normal safeguards of society to combat the spreading menace of drug abuse. We are disgusted with programs which joke about it and, by reference, tend to convey an impression to our youth that use of drugs and marihuana is not of serious consequence. So that you may evaluate the caliber of the committee making this request, a roster is attached.

Your immediate assistance is urgently requested.

Sincerely,

HOWARD W. CHAPPELL,
Chairman, Mayor's Citizens Narcotics and Dangerous Drugs Committee.

THE 1970 CENSUS

Mr. TYDINGS. Mr. President, I believe there is widespread misunderstanding about the 1970 Census of Population and Housing. A number of surveys have been conducted by the Census Bureau for other agencies of the Federal Government within recent years concerning such matters as civil defense and transportation. There has been no obligation to respond to these surveys, but those who have not responded have received repeated reminders. To many people in Maryland, and I believe this is probably true in other States, these mailings from the Census Bureau have been regarded as a nuisance. In response to inquiries about this, I have been advised by the Director of the Bureau that individuals who do not wish to participate in a survey of this sort can be excused if they will write a letter so requesting.

But now 1970 is approaching. It is time for a decennial census. This survey, similar to those which have been conducted in this country every 10 years since 1790, will provide invaluable demographic data that cannot be obtained in any other way. We need to know how large our population is, as a nation, and within States and cities. We need population figures to insure that all people are equally represented in their State legislatures and in the Congress of the United States. Local governments need population data in order to plan for adequate schools, police, and other services in the decade ahead. We need information about existing housing in order to devise ways of meeting the current housing shortage.

These are just a few of the myriad reasons why the decennial census is so important and why replies to these census questionnaires are required by law.

Of course, the law also provides that all information given to the Census Bureau must be held in strictest confidence by the Bureau, and may be used only for statistical purposes. No individual information collected during the census can be used for taxation, regulation or investigative purposes. And no one using cenus data is permitted to publish anything that discloses an individual's confidential information.

Nevertheless, Americans have reason to be concerned about their privacy, and a great many people now look upon the forthcoming census as an intrusion into their personal and family affairs.

For this reason, I have been pleased to receive an informative and reassuring report from the Secretary of Commerce regarding the 1970 census procedures. Because this letter answers some of the most frequently asked questions about the census and also because it explains some recently announced revisions in the 1970 questionnaires, I ask unanimous consent that it be printed in the RECORD, along with a face sheet, which I have found exceedingly interesting, comparing kinds of information collected in each U.S. census from 1790 to 1970.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., April 17, 1969.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: I have recently received from various Members of Congress a number of questions about the 1970 Decennial Census. I am sure that you have been receiving similar inquiries from your constituents.

The main purpose of this letter is to advise you of some immediate changes in census procedure which I have ordered. These changes include a substantial reduction in the number of individuals who will be asked to respond to the longer census forms. Approximately three million households previously designated to receive a 66-question form will now receive a questionnaire containing only 23 questions.

Questions relating to the adequacy of kitchen and bathroom facilities have been reworded to remove any implication that the government is interested in knowing with whom these facilities may be shared.

The Secretary of Commerce is exercising greater supervision over the general operations of the Bureau of the Census and independent experts have been retained to advise on census matters.

The questionnaire which will be mailed to households in 1970 will be accompanied by a cover letter explaining the great need for census data and emphasizing the confidentiality of all responses.

In addition to these changes which are being implemented immediately, these further steps will be implemented after the 1970 census: (1) proposed questions will be submitted to the appropriate Committee of Congress two years in advance of future censuses; (2) an increased number of representatives of the general public will be appointed to various advisory committees which contribute to the formulation of census questions; and (3) a blue-ribbon Commission will be appointed to fully examine a number of important questions regarding the Census Bureau, including whether or not the decennial census can be conducted on a voluntary or a partially voluntary basis. The Commission would also examine and offer proposals for modernizing and improving the operations of the Census Bureau.

Because the 10-year lapse of time between decennial censuses can result in unfamiliarity regarding their nature and purpose, I felt it might be helpful to provide you with some basic data and information concerning the questions to be asked in 1970, the scope of the data sought, and the uses to which the results are put.

Some of the most frequently asked questions, along with my answers, follow:

1. Question: Is the 1970 census more extensive than previous censuses?

Answer: No. The number of questions to be asked in 1970 is about the same as in 1960, less than in 1950 and 1940, and far less than in some earlier censuses. Of the average household heads to be queried in 1970, four to five will answer 23 questions, three of twenty will answer 66 questions, and only one of twenty will answer 73 questions. Under certain unusual circumstances, some household heads will be asked to answer 89 questions.

2. Question: Will the citizen's right of privacy be protected in the 1970 census?

Answer: Yes. Whatever a respondent reports remains strictly confidential under the law. Every employee of the Census Bureau takes an oath of confidentiality and is subject to severe penalties for violation of the oath. In the long history of the census, there has never been a violation of the confidentiality of the information given.

3. Question: Would the 1970 census yield adequate results if the response were voluntary rather than mandatory?

Answer: Voluntary response at its best falls far short of response to a mandatory inquiry. Since the first Decennial Census in 1790, response has been mandatory. It is so in every other country of the world where a census is conducted. Professional statisticians will testify that a voluntary census would be unreliable and practically useless. A voluntary procedure would yield distorted and deficient statistics for whole groups of people and for entire areas. This procedure would very likely be especially prejudicial to low-income groups.

4. Question: Who uses the census results?

Answer: Census data are used by every Federal government department, State and local governments, and the private sector. Many laws depend upon accurate census reports. Questions such as those on housing are specifically required by statute. Government programs on poverty, housing, education, welfare, agriculture, transportation, veterans, and senior citizens require and rely upon the census tabulations. Many of the decisions of the Congress would be almost impossible in the absence of reliable census data.

These questions are illustrative of those which have been asked in recent weeks. The answers are necessarily brief. Enclosed is a memorandum which explains in more detail the purposes and uses of census information. If you have questions concerning the 1970 census, we would be pleased to discuss them with you at your convenience.

Sincerely,

MAURICE H. STANS,
Secretary of Commerce.

PURPOSES AND USES OF 1970 CENSUS INFORMATION

1. Name, sex, race, date of birth, and marital status: Questions 1 through 12 are designed to identify household occupants by name, relationship to head of household, sex, race, age and marital status. These questions

will be asked of 100 per cent of the population.

2. The housing questions: The Census of Housing, required by act of Congress in 1940 (13 U.S.C. 14), contains thirty-five (35) questions regarding the adequacy of housing facilities. Fifteen questions will be asked of 100 per cent of the population; five will be asked of 20 per cent; five will be asked of 15 per cent; and ten will be asked of 5 per cent. Some sample questions and comment on their uses follow:

KITCHEN AND BATHROOM

Question H–3 (100 per cent): Do you have complete kitchen facilities?

☐ Yes, for this household only
☐ Yes, but also used by another household
☐ No complete kitchen facilities for this household

Question H–7 (100 per cent): Do you have a bathtub or shower?

☐ Yes, for this household only
☐ Yes, but also used by another household
☐ No bathtub or shower

Comment: The absence of a kitchen and/or a bathroom for the exclusive use of the household is a major indicator of urban blight and slum conditions. This information is needed by HEW, HUD and other Federal, State and local agencies.

VALUE OF PROPERTY

Question H–11 (100 per cent): If you live in a 1-family house which you own or are buying—

What is the value of this property; that is, how much do you think this property (house and lot) would sell for if it were for sale?

Comment: Section 301 of the Housing Act of 1948 (12 U.S.C. 1701e (b) directs the Secretary of HUD to prepare and submit to the President and Congress estimates of national urban and rural non-farm housing needs. The requirements of various public laws make it necessary to determine the value of property and, as an alternate, the rent paid for rented units.

HOUSING EQUIPMENT

Question H–22 (15 per cent): Do you have air-conditioning?

Question H–27 (5 per cent):

(a) Do you have a clothes washing machine?

(b) Do you have a clothes dryer?

(c) Do you have a dishwasher?

(d) Do you have a home food freezer which is separate from your refrigerator?

Question H–29 (5 per cent): Do you have a battery-operated radio?

Comment: When the Congress provided for the Census of Housing, it included the words "housing (including utilities and equipment)." The presence of certain household equipment provides a measure of adequacy of housing and of levels of living. The items included above are those which have particular effects on the needs for power, water and waste disposal, and related services. The question concerning radio is related to the need for communication in case of emergencies or power blackouts.

3. *Place of original and migration:* Questions 13 through 19 are concerned with identifying the country of origin, languages spoken, and patterns of housing mobility. These questions will be asked of 15 per cent of the population. Some sample questions and explanatory comments follow:

BIRTHPLACE OF PARENTS

Question 14 (15 per cent): What country was his father born in?

Question 15 (15 per cent): What country was his mother born in?

Comment: These questions, along with that regarding the birthplace of the individual, serve to identify those groups known as Puerto Ricans, Mexican-Americans, and Cubans. The census is the only source of information concerning the numbers, distribution, and characteristics of these groups. This information is of importance to the Immigration and Naturalization Service, the Congress, HEW, and to other Federal and State agencies.

RESIDENCE 5 YEARS AGO

Question 19 (15 per cent):

(a) Did he live in this house on April 1, 1965?

(b) (If no) Where did he live on April 1, 1965?

Comment: The Departments most needing this information are Agriculture, HEW, Labor, Commerce, and HUD. This information is also of importance to the Council on Urban Affairs, which has established a subcommittee to consider the problems relating to internal migration.

4. *Education:* Questions 20, 21 and 22 deal with the number of years of school attended. They are designed to reveal the educational level of individual citizens, and they will be asked of 20 per cent of the population.

5. *Marriages and babies born:* Questions 24 and 25 request information concerning marriages and the number of babies born. They will be asked of 5 and 20 per cent of the population, respectively. The purpose of these questions is to provide information needed in the preparation of estimates of the future growth of the population. All agencies of Government are concerned with such estimates, and with information on the rates of growth of the white and non-white populations. Agencies such as HEW and HUD which are concerned with family welfare and the care of dependent children need this information in implementing their programs.

6. *Military service:* Question 26 asks whether male respondents have served in the military and, if so, during what period. This question is asked of 15 per cent of the male population. This information is needed by the Veterans Administration and other Government agencies.

7. *Employment and occupation:* Questions 27 through 39 are concerned with employment history and status, amount of time worked, occupation, and related facts. These questions will be asked of 20 per cent of the population. Examples follow:

DID YOU WORK ANY TIME LAST WEEK?

Question 29 (20 per cent):

(a) Did this person work at any time last week?

(b) How many hours did he work last week (at all jobs)?

Comment: The Manpower Development and Training Act of 1962 necessitates that the Department of Labor have census data on employment, unemployment, and occupation. Census data on unemployment are used to establish the eligibility of communities applying for assistance under the Public Works and Economic Development Act of 1965 and for a wide variety of other programs.

PLACE OF WORK

Question 29–3 (20 per cent): Where did he work last week?

Comment: The Department of Transportation and HUD are concerned with major transportation and traffic problems associated with trips from home to place of work. This question provides data necessitated under the Highway Act of 1965 and also provides estimates of daytime population needed by the Office of Civil Defense.

8. Income: Questions 40 and 41 request information concerning income from all sources, including employment, welfare, veterans' benefits, etc. These questions will be asked of 20 per cent of the population. Income data are needed by a number of Government agencies and for a variety of Federal programs. For example, income data are needed to implement the Elementary and Secondary Education Act of 1965, and also for allocation of funds under the Manpower Development and Training Act of 1962. The Appalachian Regional Development Act necessitates information on per capita income. The Department of Agriculture needs this data for its food distribution programs, including the school lunch program.

POPULATION AND HOUSING CENSUS QUESTIONS 1790–1970

1970 (PLANNED)

Population

Information obtained for all persons: Address; name; relationship to household head; sex; race; age; marital status.

Information obtained for 20-percent sample: Birthplace educational attainment; for women, number of children ever born; employment status; hours worked in week; year last worked; occupation, industry, and class of worker; activity five years ago; weeks worked last year; income last year; location of residence five years ago.

Information obtained for 15-percent sample: Country of birth of parents; length of residence at present address; language spoken in childhood home; school attendance; veteran status; location of place of work; means of transportation to work.

Information obtained for 5-percent sample: If foreign born, whether naturalized, and year of immigration; whether married more than once, date of first marriage, and whether first marriage ended because of death of spouse; vocational training; for persons of working age, presence and duration of disability; occupation, industry, and class of worker five years ago.

Housing

Information obtained for all housing units: Occupied or vacant; owned, rented, or no cash rent; if vacant, vacancy status (for sale, for rent, etc.) and duration of vacancy; number of units at this address; single or multiple family structure; trailers; number of rooms; basement; access to unit; water supply toilet facilities; bathing facilities kitchen facilities; telephone available; value or contract rent.

Information obtained for 20-percent sample: Whether on a farm; year built; number of units in structure; gross rent; heating equipment.

Information obtained for 15-percent sample: Number of bathrooms, source of water; sewage disposal; air conditioning; automobiles.

Information obtained for 5-percent sample: Number of bedrooms; number of stories; elevators; heating fuel; cooking fuel; water heating fuel; battery-operated radio sets; clothes washing machines; clothes dryers; home food freezers; television sets; dishwashers; second homes.

YEAR 1960

Population

Information obtained for all persons: Address; name; relationship to household head; sex; race; age; marital status.

Information obtained for 25-percent sample: Birthplace if foreign born, language spoken in home before coming to U.S.; country of birth of parents; length of residence at present address; location of residence five years ago; educational attainment; school attendance; whether married more than once and date of first marriage; for women ever married, number of children ever born; employment status; hours worked in week; year last worked; occupation, industry, and class of worker; location of place of work; means of transportation to work; weeks worked last year; income last year; veteran status.

Supplemental schedule for Americans overseas.

Housing

Information obtained for all housing units: Occupied or vacant; owned, rented, or no cash rent; if vacant, year-round, seasonal, or migratory, and vacancy status; trailers; number of rooms; access to unit; condition; water supply; toilet facilities bathing facilities; kitchen, cooking facilities; value or contract rent (obtained for all housing units in large cities and for a 25-percent sample elsewhere).

Information obtained for 25-percent sample: Whether on a farm; duration of vacancy; year built; if trailer, whether mobile or fixed; heating equipment; telephone available; gross rent.

Information obtained for 20-percent sample: Number of units in structure; basement; elevator (obtained only in large cities); number of bathrooms; sources of water (obtained only outside large cities); sewage disposal (obtained only outside large cities); automobiles (in large cities; elsewhere obtained for a 5-percent sample).

Information obtained for a 5-percent sample: Number of bedrooms; heating fuel; cooking fuel; water heating fuel; radio sets; clothes washing machines; clothes dryers; home food freezers; air conditioning; television sets.

Supplemental schedules for components of housing inventory change and for residential finance.

YEAR 1950

Population

Information obtained for all persons: Address; whether house is on farm; name; relationship to household head; race; sex; age; marital status; birthplace; if foreign born; whether naturalized; employment status; hours worked in week; occupation, industry, and class of worker.

Information obtained for 20-percent sample: Whether living in same house a year ago; whether living on a farm a year ago; location of residence a year ago; country of birth of parents; educational attainment; school attendance; if looking for work, number of weeks; weeks worked last year; income last year; veterans status.

Information obtained for $3\frac{1}{3}$ percent sample: For persons who worked last year but not in current labor force: Occupation, industry, and class of worker on last job; if ever married, whether married more than once; duration of present marital status; for women ever married, number of children ever born.

Supplemental schedules for persons on Indian reservations; infants born in the first three months of 1950; Americans overseas.

Housing

Information obtained for all housing units: Occupied or vacant; owned or rented; if vacant, whether year-round or seasonal; type of living quarters; type of structure; number of rooms; year built; number of units in structure; condition; water supply; toilet facilities; bathing faciliites.

Information obtained for all nonfarm housing units: If owned, whether mortgaged, market value; if vacant, monthly rental or sale price; if rented, contract rent, gross rent, and, if furnished, estimated rent unfurnished.

Information obtained for 20-percent sample: Lighting; heating equipment; heating fuel; cooking fuel; refrigeration; kitchen sink; radio set; television set.

Supplemental schedules for Indians and residential finance.

YEAR 1940

Population

Information obtained for all persons: Address; home owned or rented; value of monthly rental; whether on a farm; name; relationship to household head; sex; race; age; marital status; school attendance; educational attainment; birthplace; citizenship of foreign born; location of residence five years ago and whether on a farm; employment status; if at work, whether in private or nonemergency government work, or in public emergency work (WPA, CCC, NYA, etc.); if in private or nonemergency government work, hours worked in week; if seeking work or on public emergency work, duration of unemployment; occupation, industry, and class of worker; weeks worked last year; income last year.

Information for 5-percent sample: Birthplace of parents; language spoken in home in earliest childhood; veteran status; whether wife or widow of veteran; whether child of veteran and, if so, whether father living; whether has Social Security number, and if so, whether deductions were made from all or part of wages or salary; occupation, industry, and class of worker; for women ever married, whether married more than once, age at first marriage, and number of children ever born.

Supplemental schedule for infants born during the four months preceding the census.

Housing

Information obtained for all housing units: Occupied or vacant; owned or rented; value or rent; if owned, whether mortgaged; if vacant, year-round or seasonal, and vacancy status; type of structure; number of rooms; year built; original purpose of building; exterior material; number of units in structure; condition; water supply; toilet facilities; bathing facilities; lighting; heating equipment; heating fuel; cooking fuel; refrigeration; radio set; for nonfarm renter-occupied, gross rent, and, if furnished, estimated rent unfurnished; for nonfarm owner-occupied, estimated rent, and, if mortgaged, balance due, interest rate, type of mortgage holder, distribution and amount of mortgage payments.

Note: All inquiries in the 1790 through 1930 censuses were asked for all applicable persons.

There were no housing censuses conducted prior to 1940. A few housing inquiries were included in the decennial population censuses in 1860 and 1890–1930.

YEAR 1930

Address; name; relationship to family head; home owned or rented; value or monthly rental; radio set; whether on a farm; sex; race; age; marital status; age at first marriage; school attendance; literacy; birthplace of person and parents; if foreign born, language spoken in home before coming to U.S., year of immigration, whether naturalized, and ability to speak English; occupation, industry, and class of worker; whether at work previous day (or last regular working day); veteran status; for Indians, whether of full or mixed blood, and tribal affiliation.

Supplemental schedules for gainful workers not at work on the day preceding the enumeration; blind and deaf-mutes.

YEAR 1920

Address; name; relationship to family head; sex; race; age; marital status; if foreign born, year of immigration to the U.S., whether naturalized, and year of naturalization; school attendnace; literacy; birthplace of person and parents; mother tongue of foreign born; ability to speak English; occupation, industry, and class of worker; home owned or rented; if owned, whether mortgaged; for nonfarm mortgaged, market value, original amount of mortgage, balance due, interest rate.

Supplemental schedules for the blind and for the deaf.

YEAR 1910

Address; name; relationship to family head; sex; race; age; marital status; number of years of present marriage; for women, number of children born and number now living; birthplace and mother tongue of person and parents; if foreign born, year of immigration, whether naturalized, and whether able to speak English, or if not, language spoken; occupation, industry, and class of worker; if an employee, whether out of work on census day, and weeks out of work during year; literacy; school attendance; home owned or rented; if owned, whether mortgaged; whether farm or house; whether a survivor of Union or Confederate Army or Navy; whether blind or deaf and dumb.

Supplemental schedules for the Indian population; blind; deaf; feeble-minded in institutions; insane in hospitals; paupers in almshouses; prisoners and juvenile delinquents in institutions.

YEAR 1900

Address; name; relationship to family head; sex; race; age; marital status; number of years married; for women, number of children born and number now living; birthplace of person and parents; if foreign born, year of immigration, and whether naturalized; occupation; months not employed; school attendance; literacy; ability to speak English; whether on a farm; home owned or rented; if owned, whether mortgaged.

Supplemental schedules for the blind and for the deaf.

YEAR 1890

Address; number of families in house; number of persons in house; number of persons in family; name; whether a soldier, sailor or marine during Civil War (Union or Confederate) or widow of such person; relationship to family head; race; sex; age; marital status; whether married during census year; for women, number of children born and number now living; birthplace of person and parents; if foreign born, number of years in the U.S., whether naturalized or whether naturalization papers had been taken out; profession, trade, or occupation; months unemployed during year; school attendance; literacy; whether able to speak English, and if not, language or dialect spoken; whether suffering from acute or chronic disease, with name of disease and length of time afflicted; whether defective in mind, sight, hearing, or speech, or whether crippled, maimed, or deformed, with name of defect; whether a prisoner, convict, homeless child, or pauper; home owned or rented, and if owned, whether mortgaged; if family head a farmer, whether farm rented or owned, and if owned, whether mortgaged.

Supplemental schedules for the Indian population; for persons who died during the year; insane; feeble-minded and idiots; deaf; blind; diseased and physically defective; inmates of benevolent institutions; prisoners; paupers and indigent persons; surviving soldiers, sailors, and marines, and widows of such; inmates of soldiers' homes; for owner-occupied mortgaged houses.

YEAR 1880

Address; name; relationship to family head; sex; race; age; marital status; month of birth if born within the census year; married within the year; occupation; months unemployed during year; sickness or temporary disability; whether blind, deaf and dumb, idiotic, insane, maimed, crippled, bedridden, or otherwise disabled; school attendance; literacy; birthplace of person and parents.

Supplemental schedules for the Indian population; for persons who died during the year; insane; idiots; deaf-mutes; blind; homeless children; prisoners; paupers and indigent persons.

YEAR 1870

Name; age; sex; race; occupation; value of real estate; value of personal estate; birthplace; whether parents were foreign born; month of birth if born within the year; month of marriage if married within the year; school attendance; literacy; whether deaf and dumb, blind, insane, or idiotic; male citizens 21 and over, and number of such persons denied the right to vote for other than rebellion.

Supplemental schedules for persons who died during the year; paupers; prisoners.

YEAR 1860

Name; age; sex; race; value of real estate; value of personal estate; occupation; birthplace; whether married within the year;

school attendance; literacy; whether deaf and dumb, blind, insane, idiotic, pauper, or convict; number of slave houses.

Supplemental schedules for slaves; public paupers and criminals; persons who died during the year.

YEAR 1850

Name; age; sex; race; whether deaf and dumb, blind, insane, or idiotic; value of real estate; occupation; birthplace; whether married within the year; school attendance; literacy; whether a pauper or convict.

Supplemental schedules for slaves; public paupers and criminals; persons who died during the year.

YEAR 1840

Name of family head; age; sex; race; slaves; number of deaf and dumb; number of blind; number of insane and idiotic and whether in public or private charge; number of persons in each family employed in each of six classes of industry and one of occupation; literacy; pensioners for Revolutionary or military service.

YEAR 1830

Name of family head; age; sex; race; slaves; deaf and dumb; blind; foreigners not naturalized.

YEAR 1820

Name of family head; age; sex; race; foreigners not naturalized; slaves; industry (agriculture, commerce, and manufactures).

YEAR 1810

Name of family head; if white, age and sex; race; slaves.

YEAR 1800

Name of family head; if white, age and sex; race; slaves.

YEAR 1790

Name of family head; free white males of 16 years and up, free white males under 16; free white females; slaves; other persons.

PROPOSED CLOSURE OF JOB CORPS INSTALLATIONS

Mr. CRANSTON. Mr. President, on April 25, I submitted a resolution—Senate Resolution 183—opposing the shutdown of Job Corps installations before congressional authorization and appropriation action. Since then, more than 500 letters have poured into my office in protest of the projected closings. They come from local governing bodies, from officials and professional people who work with young people, from judges and editors, from political groups, from individual citizens, and from the corpsmen themselves and their families.

Some of the letters reflect a bitter disillusion and anger; some ask, reasonably, for time to assure that any cutback will be replaced with equivalent programs; all of them deplore any hasty and irrevocable action before Congress can consider its implications. I ask unanimous consent that a representative group of these letters be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Visalia, Calif., *April 23, 1969.*

Senator Alan Cranston,
Senate Office Building,
Washington, D.C.:

We are opposed to abrupt closing of Job Corps Centers until adequate and expanded facilities are actually in operation to guarantee continued training programs.

League of Women Voters of Visala.

Willows, Calif., *April 23, 1969.*

Senator Alan Cranston,
State Office Building,
Washington, D.C.

Dear Sir: We, the undersigned educators, wish to lodge our ardent protest against the closing of the Alder Springs Job Corps Center and the other 58 centers across the nation.

As teachers, we feel that we have a very important stake in these centers. The young men who attend these training institutions are all high school drop-outs. They are blatant proof of the failure of the public school system to perform its proper function. Every teacher in this system shares in the failure. A fundamental education is the birthright of every American citizen. These public school drop-outs are American citizens even if they are mostly black, and poor, and not part of the electorate. Since our school system has proved unsuccessful in its attempt to educate these young men, our society is obligated to provide some other means of education. The Job Corps has become an enormously successful alternate to education for these disadvantaged youngsters.

Many centers have been able to place as high as 70% of their trainees in jobs. When you consider that these young men are the ones that the public schools gave up on, and that the Job Corps has been functioning less than five years, this is an amazing record indeed. Of course, there are those who say that a 30% or more failure is too high, and we agree, it is. But, does that mean we do away with the institution? We haven't done away with the public school system, which has 100% failure with these particular youngsters, have we? No, it means we try to improve the system. We, as public school teachers, could perhaps improve our methods of teaching disadvantaged youngsters if we adopted some of the Job Corps' educational innovations.

It is an absurd kind of economics which says that we save a few million dollars by closing these centers in July. Don't the hopes and dreams of these young people count for anything? Some of the young men at Alder Springs have trekked over 2000 miles to a lonely mountaintop clutching at a last chance to make it in this society. So we close the camps, and we send them home to the streets without an education, with no chance for jobs, and with no hope or *stake* in our society. And where do they end up? At best on the welfare rolls or in prison. At worst behind the barricades, with a molotov cocktail in one hand and a gun in the other.

Funny kind of economy, isn't it?

Sincerely,

John R. Daley,
Judy Taylor,
Herbert Wehrly,
Susan Williams,
S. Sue Miller,
Helen M. Brosch,
Lois Bages,
Teachers at Sycamore School.

El Dorado County,
Office of Education,
Placerville, Calif., April 25, 1969.

Senator Allan Cranston,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Cranston: Enclosed is a copy of a letter that I recently sent to President Nixon relative to the possible closing of the Sly Park Job Corps Center in our area.

We very much appreciate the strong opposition you have taken to the closing of the Job Corps Centers, and earnestly hope that you will continue your fight.

Sincerely,

Hans A. Mayr,
County Superintendent.

El Dorado County,
Office of Education,
Placerville, Calif., April 24, 1969.

President Richard M. Nixon,
White House,
Washington, D.C.

Dear President Nixon: I am writing this letter as chairman of the El Dorado County Community Relations Council for the Sly Park Job Corps Center in Pollock Pines, California. I am also the County Superintendent of Schools for El Dorado County.

May I first say that I am truly appalled at your decision to close one of the finest programs for the rehabilitation of many young people in our Nation, namely our Job Corps Centers. I am confident that numerous letters have come to your attention recently supporting this position. As one who has worked very closely for over two years with the corpsman and staff, I have been able to see firsthand the remarkable adjustment, productivity, and change in the entire mental structure of these people. When you realize that these young men have all come from extreme poverty, with very little hope for the future, and suddenly such changes are wrought in their lives, it is difficult to conceive that because of a change in administration, such outstanding work shall come to a sudden end.

It is the opinion and judgment of many citizens that the rehabilitation possibilities for these and thousands of others should not be decided at the whim of any particular administration. Give these young men a chance!

The alternate plans that we are reading about that are being suggested by your administration will in no manner correct the disillusionment and disgust that these young men now feel. Within the past few days, I have met with several of these people, and I have never before seen such disappointment in the eyes of youth. These human beings deserve better treatment.

I should also like to point out that they will be returning to the ghetto areas in their various communities at the beginning of a long, hot summer—ready for anything. I appeal to you to at least delay any action as to the closing of any of the Job Corps Centers, especially our Sly Park facility. I am enclosing some factual background material for your information, and would be most willing to offer any other substantiating statistics if requested.

I have followed your career since your first successful campaign against Representative Jerry Voorhees, and was privileged to hear one of your earliest political speeches before a joint luncheon meeting of all the service clubs in El Monte, California. I have supported you completely throughout these years; I have admired your courage and your philosophy. I hope that you will speak for these young people who, because of lack of economic and social status, cannot speak for themselves. Please reconsider your action.

Sincerely,

Hans A. Mayr,
County Superintendent.

Sly Park C.C.C.,
Pollock Pines, Calif., April 10, 1969.

Hon. Mr. Johnson: We the undersigned corpsmen of Sly Park J.C.C. plead that you reconsider the closing of a big portion of the Job Corps Centers.

For the most of us (corpsmen) Job Corps is just about the only chance for getting decent vocational or educational training to help us in the future in the nation and world of ours.

Please don't let us down as we have been let down in the past. What are we to do? Perhaps, back to poverty life. Please don't take our only chance for the future in this world of ours. Please don't ignore this plea.

April 14, 1969.

Hon. Harold "Bizz" Johnson,
House of Representatives,
Washington, D.C.

Dear Mr. Johnson: Following is the list of accomplishments of Sly Park Civilian Conservation Center:

Training costs per Corpsman man year are currently $5550.

Returned value to the Forest—$868,100.

Increased value to the community outside the Forest—$29,700 and 1794 man hours.

Corpsmen placed—From July 1967 through December 1968, 468 trainees have passed through our Center. 367 were placed either on jobs, in the military or schools, or in Centers for advanced training. Less than 22%, or 101 trainees, were not placed. In this category are the AWOL discharges and disciplinary separations.

The academic improvement to Corpsmen is roughly two (2) academic school years growth in reading and one (1) year in math. Average length of stay per trainee is 5½ months.

Sincerely yours,

William O. Cotter,
Center Director.

League of Women Voters of
Orange County,
April 25, 1969.

Senator Alan Cranston,
Senate Office Building,
Washington, D.C.

Dear Senator Cranston: The League of Women Voters of Orange County urges members of the House and Senate to *oppose* closing 50 Job Corps Centers July 1 until such time as adequate and expanded facilities are available and functioning.

Our opposition to the abrupt closing of the Centers is based upon socio-economic factors:

1. The "savings" anticipated comes about, in part, through serving smaller numbers. The 30 new "mini" Centers proposed by Secretary of Labor, Mr. Schultz, have a capacity for 4,625 enrollees. In January 1969, 7,219 young men and women were enrolled in the nine urban Job Corps and 7,450 in the 50 conservation Job Corps to be closed—*over 10,000 more young people than could be accommodated in the new skill centers.*

2. Eight of the Centers to be closed are in California. Los Pinos in Orange County is held in high esteem by the State Department of Employment, Southern Area, Orange County Welfare Department and Orange Youth Opportunities officials. Founded four years ago it serves an average of 224 volunteer residents, 16 to 21 years old, per each average seven month training period. It has been filmed and pinpointed as having good working programs for its enrollees who enter, on the average, with third grade reading skills and fourth grade mathematical ability. They graduate seven months later with 7th and 8th grade skills plus motivation and know-how to hold jobs. Basic education, vocational and social skills are taught to help these emotionally defeated, educationally handicapped youth. Los Pinos has cost the federal government slightly less than $1 million annually to operate. Such an investment in youth is a good alternative to increased police and welfare rolls.

There is need for *re-evaluation not disposal* of the Job Corps Centers.

The League of Women Voters recommends more Job Corps, not less, for all hard core unemployed as the kind of long term creative program that makes solid sense. This would be conservation practiced to the highest degree.

Sincerely yours,

Mrs. William Bemus,
President.
Mrs. Thomas Brown,
Human Resources Director.

Berkeley, Calif.,
April 30, 1969.

Alan Cranston,
Washington, D.C.:

I strongly urge retention of the Job Corps.

Ervin Hafter,
Department of Psychology,
University of California.

City of Placerville, Calif.,
April 25, 1969.

President Richard M. Nixon,
White House,
Washington, D.C.

Dear Mr. President: On Tuesday, April 22, 1969 the Placerville City Council unanimously went on record as being opposed to the closure of the Sly Park Job Corps Center. Prior to making this decision the City Council, through its staff, conducted an in-depth study of the costs and any ultimate benefits resulting from education and training accomplished by the Job Corps Center. The Council, for instance, found that costs per trainee per year at the Sly Park Center amounted to just over $5,500 per trainee which is considerably less than the $8,000 stated by the Secretary of Labor. We also found that the average term of training for the Corpsmen is approximately five and one-half months and during this time the individual trainee work experiences add approximately $1,000 of additional value in the National Forest.

The Sly Park Corpsmen, since the inception of the Center, have volunteered some 1,800 hours of labor to such projects as Head Start, summer camp counseling, assisting local school districts—all projects that would not have otherwise been accomplished, and assisted in the development of a regional park facility owned by the City of Placerville. The Council also took into consideration data on what has happened to Sly Park Job trainees after completing their training programs, and we found that of the 468 Corpsmen that spent time at the Center between July, 1967 and December of 1968, 367 were placed, which amounts to approximately 80 percent. Again, a figure far higher than that given by the Secretary of Labor.

At the beginning of the program at Sly Park, the local area people watched very critically the operation of and the results obtained at Sly Park. We believe it is safe to say that the people of this area are now very much convinced that the Center and the money spent there to be very worthwhile.

We, therefore, urgently request that the Sly Park Job Corps Center be removed from the list of those Centers proposed for closure.

Respectfully,

Duane F. Wroe,
City Manager.

Santa Clara, Calif.,
April 26, 1969.

Senator Alan Cranston,
Senate Office Building,
Washington, D.C.

Dear Senator Cranston: We applaud your efforts to keep the Job Corps Centers open.

Here is a clipping from the "Letters to the Editor" column of the *San Francisco Chronicle* dated April 24, 1969, which may help you convince some reluctant Senators of the necessity to keep these centers open.

Yours very truly,

Dorothy M. Horton.

[From the San Francisco Chronicle, Apr. 24, 1969]

Chance for a Dropout

Editor: For two years (1966–68) I was dean and acting principal of an urban high school. During that time I came into daily contract with any number of young men who had dropped out of school with no saleable skill and with little hope of acquiring any. Since lunchtime at the old alma mater is where the action is these boys came back by the dozens causing a serious drop-in problem.

Only a high school principal, responsible for the welfare of 2500 students and teachers, can know the feeling of foreboding when knots of unemployed, resentful young men are seen loitering near the school. He knows too well that his school is exposed to the streets through a dozen entrances by which unauthorized outsiders may enter. It is a common occurrence to encounter strangers in the cafeteria, the courtyard, or in the halls. Informing them to leave the premises has been known to spoil a principal's day. The resulting tragedy is twofold, a personal one for the hopeless young men, and an equally serious one for the schools. At every principals' meeting the reports were the same—it's the non-student hangers-on who instigate trouble or provoke school protective measures that cause confrontation and crises.

In the harried existence of high school deans and principals, the Job Corps offers a boy an alternative to gambling in doorways and a hope of salvaging some of the lives that without help are certainly condemned to desperation and degradation. Occasionally, a student who had dropped out or was failing would come into my office to have his Job Corps papers signed. Usually, he was happy to have the opportunity to learn a trade. On visits to the Parks Center I met several former students who were at different stages of training. All seemed to be content and were looking forward to their first decent job. My colleagues and I were impressed by the no-nonsense, businesslike approach to the instructional goals. The objectives were straightforward—train the student to get a job. Every aspect of his corps life was geared to this goal.

Now, it is proposed that the Job Corps be cut back, including the Parks Center. Presumably, the United States cannot afford it. . . .

Not a dime will be saved by this so-called budgetary saving. From New York to Chicago to San Francisco the thousands of unskilled young men who return to their slums and the thousands who will never leave them will, by turning to less desirable pursuits, make a mockery of this convenient "savings." For those of us in the front lines of urban education it is a frightening prospect. Surely, $8000 worth of training to give a young man a chance in life can share an equal priority with Apollo missions, SSTs, ABMs, and $40 million submarines sliding down the ways at Mare Island.

With "crime in the streets" approaching catastrophic proportions, is my prediction that the rejected young men will pose a far greater threat to national welfare and security than the object of the new submarine.

His wasted life must touch all our lives. Self-interest and survival demand that the Job Corps be retained and expanded. The hopeless young men make my neighborhood unsafe, terrorize our parks, and cause me anxiety whenever my children are out in the evening. They ruin schoolboy athletic events, necessitate guards at all school dances, and in their rage are every ready with fire bombs. To counter this inevitable consequence to despair by constructive Job Corps training makes good sense and cents to me. Have we gained anything if we secure the approaches to the North Pole and the Pacific but at home dare not take a walk on a spring evening?

Paul A. Lucey.

San Francisco.

Women in Community
Service, Inc. (WICS),
Pasadena, Calif., April 23, 1969.

Hon. Alan Cranston,
U.S. Senate,
Washington, D.C.

Dear Mr. Cranston: Please use your influence to retain the Women's Job Corps under

O.E.O. as originally conceived, and stop the shut down of Women's Centers. To scrap a successful program and the knowhow so laboriously achieved in favor of another experiment seems a tragic waste. While the proposed skill centers would help some girls, they do not answer the needs of thousands of rural girls who live beyond commuting distance, or the thousands from our slums who need a change of environment more than anything else.

Respectfully,

Mrs. C. C. Chase,
Director of Pasadena WICS.

Hacienda Heights, Calif.,
April 22, 1969.

Senator Alan Cranston,
Senate Building,
Washington, D.C.

Dear Senator Cranston: We are very shocked and saddened to learn of President Nixon's stand on the cut in the Jobs Corps. By contrast, we are much in support of your position and encourage you to sustain and, if possible, increase your vocal opposition to this injustice. We were somewhat comforted after having heard your press interview aired on Los Angeles television news programs last night, but realize that you have a very difficult, if not lonely task in front of you.

My husband is in the savings and loan business and I am a legal secretary, so we are not asking for these programs to be continued for us, or those directly in contact with us. We do, however, see that the Job Corps affords advantages to the underprivileged that cannot be realized through any other existing governmental outlet.

We are great believers in liberation through education. Not being members of any distinguishing group, other than white, middle class, Christian American, does not make us insensitive to the problems of those in other categories. We don't mind paying taxes, as high as need be, for programs involving education, training, urban renewal, mental health, physical health or any other people related area. We do, however, object strongly to being taxed to aid in killing people, developing an ineffectual ABM system (or even one that may prove to be competent), etc. Actually, we can't see much merit in a space race which costs us billions, when other countries find it necessary to send their young, eager citizens to the U.S. on a Peace Corps type mission to help our illiterate, starving, abused people.

First, let's clean our own house and help our own weaker citizens, then we can tackle outer space, foreign aid, etc. Thank you for your attention to this matter.

Very truly yours,

Mrs. Nancie Smith.

Walnut Creek, Calif.,
April 22, 1969.

Hon. Alan Cranston,
Senate Office Building,
Washington, D.C.

Dear Senator Cranston: Please be advised that I am opposed to the closure of the Job Corps Centers as proposed by the administration.

In reviewing the accomplishments of these centers, particularly in terms of the numbers of individuals placed into productive occupations, I find this has been a worth while expenditure of time and funds.

Substitution of ghetto area training facilities for the centers will not accomplish as much, as this will not remove the trainee from the environment which created his dependency status. Attempts at this method of training in Boston and in San Francisco have been failures.

Very truly yours,

Robert B. Shanck, M.D.

Sacramento, Calif.,
April 22, 1969.

Senator Alan Cranston,
Senate Office Building,
Washington, D.C.

Dear Mr. Cranston: What can be done about the administration's cutbacks in the Job Corps program? It seems an inhuman cruelty to build up hopes and then to crush them in an "economy move". It seems false economizing to deny a person job training so that he might become self-sufficient. It becomes ludicrous in view of the high success this program enjoyed.

Why is it that money is always plentiful for defense systems such as the ABM? It seems that the ABM is both questionable and, in my view, undesirable; why not divert the moneys from the ABM to such constructive programs as the Job Corps? This seems a saner and a more humane policy.

We read constantly of the alienation of the poor and of the minority groups; how can we hope to reach them by elimination of efforts designed for their assistance? Hopefully you will be able to mollify this alienation by asking for a full restoration of the Job Corps program.

Sincerely,

Angela Schilz.

San Diego, Calif.,
April 23, 1969.

Re the closing of certain Job Corps Centers
Senator Alan Cranston,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator: I wish to express my distress concerning the recent decision to close many of the existing Job Corps Centers.

It is my belief that programs such as the Job Corps are essential to the long term well being of the nation. The type of training provided by the Job Corps enables individuals to develop marketable skills and the resultant earning potential necessary if they are to become an asset rather than a liability of society.

Therefore, I urge you to use your best efforts to preserve the Job Corps and hope that you will continue your fine efforts to that end.

Very truly yours,

Charles R. Hayes.

Antelope Valley,
Lancaster, Calif.
Young Men's Christian Association,
Palmdale, Calif.
April 22, 1969.

Senator Alan Cranston,
Washington, D.C.

Dear Sir: I cannot understand the decision of this Administration in the cut back of the Job Corps and Conservation Corps. If an alternate plan were being presented to replace this program it might have made some sense.

I trust you will continue to fight for the retention of at least the Conservation Corps—

(1) as they are effecting a good work in our National Forests that benefits everyone.

(2) secondly, they are helping young men become productive citizens, hence taxpayers, not welfare recipients.

(3) thirdly, I cannot understand how we could build such a complex as Fenner Canyon Conservation Corps, to name just one familiar to me and then close it down and let it rot.

(4) the Fenner Canyon Conservation Corps has been active in community activities which has helped the corpsmen and the community. Recently, it was the Little League diamonds in Palmdale and nearby and presently they are helping in the building of a Y.M.C.A. locally. It is true they will benefit from that facility when completed, but our community will also.

Please continue your battle in behalf of these Corps centers.

Cordially,

Merv Dirkse,
Associate General Director.

Hayward, Calif.,
April 21, 1969.

Senator Alan Cranston,
U.S. Senate,
Washington, D.C.

Dear Senator: I understand you are trying to keep the Job Corps Centers open, and I am writing in support of them and urge that they be augmented rather than closed.

Education, such as, provided by the "Job Corps" and "Headstart" programs are essential to end the terrible poverty problems that confront the United States today; since lack of education and lack of skill are root causes of poverty.

While private industry has a large unfulfilled obligation to help in this area, the biggest responsibility for eradicating poverty rests with the Federal, State and Local governments, being of, by and *for* the people.

All people now in, or trying to get in, the Job Corps program are being betrayed by the closing of the camps. I am sure it is a very bitter feeling to dream and hope for the chance to escape the poverty and degradation of slum living, and when the dream seems about to be realized to have it crushed by the capricious act of the government. Where do they go from here? What kind of a heritage is the United States giving them?

If the cuts are strictly for economy, I suggest the cuts come from less useful programs such as NASA, Foreign Aid (much of which is probably misused), Farm Subsidies (Why pay farmers and congressmen not to grow crops?), nonproductive GS employees, etc. and I would like to say the Vietnam War, but feel this would probably be unrealistic.

Until we become less concerned with missiles, and the rest of the world and until we put our own country in order we are doomed to be plagued with racial strife, riots, starvation, poverty and crime. The Job Corps can be an extremely effective tool in combating these conditions.

To expand slightly. It was shocking to discover the extreme poverty of some Americans. I feel the time is long overdue for us to eradicate poverty and children permanently brain damaged due to starvation. To me this should be the first order of business, transcending everything else.

Please don't let this be an exercise in futility.

Arthur Hanson.

April 20, 1969.

Sir: My wife and I feel that the decision to close so many of the Civilian Conservation Centers should be reconsidered. We have had some contact with the corpsmen of the Sly Park Center in Pollick Pines, Calif., and are impressed not only with the work the corpsmen have done on the Eldorado National Forest and in the local community but in the benefit which most of the young men seem to derive from the program.

We both believe that cutting the cost of government without losing needed services is commendable. And yet we wonder if this move is not false economy. It seems to us that the money spent on these corpsmen will be paid back many times over; not only by the positive contribution each man will make as he enters a productive job, but also by the amount of public funds saved through decreases in welfare spending, necessary police protection, and prison operation.

Also, it is depressing to realize that this great nation will spend so much money to kill people in a foreign country, and yet balks at spending money to help some of our own citizens gain the ability to enjoy the kind of life which this country provides for so many of us.

If it is possible to make the program more efficient, we certainly hope that this will be done. We urge, however, that the program not be curtailed until something as good or better is developed to take its place.

Mr. and Mrs. Alan Grapel.

League of Women Voters
of Glendale, Calif.

Hon. Alan Cranston,
U.S. Senate,
Washington, D.C.

Dear Sir: The League of Women Voters of Glendale are encouraged by your efforts to keep open the Job Corps Centers. We support the Job Corps as a result of our study of Human Resources.

The nearby Fenner Canyon Center is staffed and operating and we feel until the urban skill centers are available and functioning as a replacement, the centers should remain open.

We respectfully urge you to continue your efforts in this matter.

Very truly yours,

Mrs. Milton Goldfine,
Human Resources Study Chairman.

Archdiocesan Council of
Catholic Women,
San Francisco, Calif., April 26, 1969.

Hon. Alan Cranston,
Senate Office Building,
Washington, D.C.

My Dear Senator: We were shocked to learn that Labor Secretary George Schutz was persuaded to phase out the Job Corps, June 30th.

We urge you to do all that you can to save the Job Corps Training Program for young drop-outs from poverty areas.

It has been my privilege to meet thirteen Job Corps girls in 1968 and 1969, and I was impressed with the girls and what the Job Corps training was doing for them. They were grateful for this opportunity for a second chance.

These young people cannot be put back into the environment from which they have been lifted.

Sincerely yours,

Mrs. Kenneth C. Wilson,
ACCW Chairman,
Community Affairs Commission.

April 25, 1969.

Dear Mr. Cranston: I am writing to protest the closing of the Job Corps Centers. I am a dorm mother at Parks and I believe the Center is helping many fellows live more useful lives, which, in the long run, benefits our country. It is an investment in youth and a pity to abandon the program.

Yours truly,

Sheila J. Rychnowsky.

Santa Clara, Calif.,
April 26, 1969.

Sen. Alan Cranston,
U.S. Senate, Washington, D.C.

Dear Sir: As a former campaign worker, and as chairman of the Legislative and Political Actions Committee, of the John F. Kennedy Young Democrats; I would like to express our deepest thanks for your opposition to the proposed cutback in the Job Corps program. As a member of the Labor and Welfare Committee, your efforts are much appreciated.

The committee would like to urge you to seek amendment to the Economic Opportunity Act of 1964 to maintain the Job Corps program intact under title one of the act. We feel that Congress has the power to force the Labor Department to accept the Job Corps program, and we would urge Congress to exercise that power.

Of special concern to the J.F.K. Young Democrats is the Parks Job Corps Center. In four years this center has trained and placed about 8,725 Corpsmen out of a total enrollment of 14,292 since inception of the center. The cost, as well, has been reduced from $10,884 per Corpsman in 1965, to $5,276 per Corpsman in 1968. We see this program as a great success, and can see no reason for its closing. We urge you to work within the Labor and Welfare Committee, as well as on the floor of the Senate, to maintain the Job Corps program, and the Parks Center intact.

Sincerely,

Steven Gale, Jr.
Chairman, JFK Young Democrats Legislative & Political Action Commission.

League of Women Voters of
San Bernardino,
San Bernardino, Calif., April 24, 1969.

Hon. Alan Cranston,
U.S. Senator, Senate Office Building,
Washington, D.C.

Dear Sir: We are vitally interested in the possible closing by July 1 of the Job Corps Center.

We do not feel that a realistic program can be set up for these people by that date.

We have a Job Corps Center in Oak Glen that contributes because it works in the area of Conservation. These young men have contributed much in fire-fighting, building and reforestation.

We hope that you will reconsider the closing date until other measures have been set up to train these young men.

Yours respectfully,

Mrs. Bernice L. Smaha,
President.

Soroptimist Club of Placerville,
Placerville, Calif., April 24, 1969.

Senator Allan Cranston,
U.S. Senate Office Building
Washington, D.C.

Dear Senator Cranston: During our regular weekly luncheon meeting, the members of Soroptimist Club of Placerville voted against the closing of the Sly Park Job Corps Center.

We feel it is of economic value, that it provides advantages from the standpoint of conservation of human and natural resources.

We believe that the Job Corps is making a contribution to the improvement of our American society.

Yours truly,

Lydia Rohrke,
Acting Corresponding Secretary.

Joint Action in Community Services,
April 22, 1969.

Hon. Senator A. Cranston,
U.S. Senate,
Washington, D.C.

My Dear Senator: Our Board of Directors is seriously disturbed by last week's news report that your Administration intends to slash Job Corps by $100 million (from the $280 million requested), and to shut down 58 of the 112 training centers.

Members of our Board believe that this is an unwise action to take at this time for several reasons. First, Job Corps, though undoubtedly possessing some faults, has succeeded in providing job training for 230,000 youth—youths who are now able to work at jobs providing a good income, thus furnishing them with a financial incentive to become good citizens.

Second, Job Corps has given new hope to an alienated, unmotivated and hostile segment of this nation's youth, many of whom have known nothing but the poverty, the corruption and the hopelessness of the urban ghetto.

Third, our communities are ill prepared to receive such a sudden influx of disadvantaged and disillusioned youth. Our own local JACS committee, for example, is just now getting organized and underway, aiming to deal with eight or ten Job Corps returnees per *month*. With such a drastic step as your Administration intends to take, we will probably have several hundred that need assistance all at once!

And finally, Mr. Senator, it does not seem wise to turn all these angry and disappointed young men loose on the streets of our cities (17,500 according to Newsweek Magazine) just as summer begins to swell even further the ranks of our out-of-school youth who are unemployed as well as untrained. Surely this would become another aggravation for those who are already angry with the deplorable conditions in which they live in our central cities.

So we are appealing to you, Mr. Senator, please reconsider this drastic action! Don't shut down the Job Corps centers; investigate them, upgrade them even close those which seem irrelevant or inefficient. But please don't eliminate half of them and cripple the other half!

Try to give civic-minded rehabilitation volunteer groups such as ours a chance to function and show what we can do to help the returning Job Corpsmen find jobs and become self-respecting, job-holding, tax-paying citizens with a real stake in American Society. Please give these disadvantaged youth some hope and give groups like ours a chance to help them themselves. This is all we ask. Please give this matter your prayerful consideration.

Sincerely and hopefully yours,

Mrs. Ann L. Gates, Chairman, Mr. David Nelson, Mr. Eugene Banks, Dr. Gerald Goldstein, Mrs. Elizabeth Wettach, Mr. Albert Cox, Jr., Mr. Bud Goldberg, Rev. Earl Mohler, Mrs. Elaine Gulley.

League of Women Voters
of Escondido,
Escondido, Calif., April 22, 1969.

Hon. Alan Cranston,
Senate Office Building,
Washington, D.C.

My dear Senator Cranston: The League of Women Voters of Escondido urges you to oppose the abrupt closing of 59 Job Corps centers by July 1, 1969.

For more than four years our members have thoughtfully studied the needs for such "anti-poverty" programs. Many of our members volunteer their time to programs other than the Job Corps. We feel continued withdrawal of promised assistance and opportunity cannot help but make the disadvantaged cynical and disillusioned about the depth of commitment the nation has to overcoming poverty and discrimination.

As urban "mini" skill centers are developed, they may prove better able to fill the needs of the severely disadvantaged. The League of Women Voters does not, however, believe that opening "mini" centers necessitates the abrupt closing of these Job Corps centers.

Thank you for your consideration of our position against abruptly closing 59 Job Corps centers by July 1, 1969.

Yours very truly,

Mrs. Jean R. Novet,
President.

Willows Unified School District,
Willows, Calif., April 22, 1969.

Hon. Alan Cranston,
U.S. Senator, Senate Office Building,
Washington, D.C.

Dear Senator Cranston: I am writing to request that you utilize your influence to retain California's Jobs Corps Centers.

The tentative decision at the federal executive level to discontinue these centers represents a tremendous blow, not only from the standpoint of bringing to a close a project which is rapidly developing into one of the better educational and training programs for the type of youngsters concerned, but also will adversely affect the economy of rural areas near which these centers are located.

I have personal knowledge regarding the educational growth of corpsmen assigned to the Alder Spring Jobs Corps Center located west of Willows. Through the close cooperation of the center and our local public schools we have been able to offer educational services to corpsmen which have resulted in individual gains in skills and knowledge which have not been previously attained by these corpsmen and probably would never have been attained without the existence of the jobs corps program.

From the viewpoint of community economics a conservative estimate would indicate that there is a direct expenditure in Willows of $500,000 annually from Jobs Corps direct and indirect sources. The elimination of this community income would obviously constitute a severe financial blow.

Your cooperation in this matter will be sincerely appreciated.

Very truly yours,
Erwin A. Decker,
Superintendent.

El Dorado High School,
Placerville, Calif., April 22, 1969.
Hon. Alan Cranston,
U.S. Senate, Senate Office Building,
Washington, D.C.

Dear Mr. Cranston: I am writing this to express my concern over the phasing out of the Sly Park Job Corp Center in El Dorado County.

I am concerned about the return of these boys to an environment from which I believe they should be removed.

I am concerned about the future education and job placement of these boys. Sly Park has an excellent record in both instances.

I am concerned about the effect on the economy of this area which is already in some degree of difficulty.

I am concerned with the fact that the government has an established facility in which several hundreds of thousands of dollars have already been spent and which they want to abandon to build another facility in a metropolitan area.

I am concerned that this could well be the last chance for some of these boys and that they will eventually become wards of the state from which they came.

We can spend millions of dollars to maintain our position in Asia to promote good will amongst underprivileged nations of the world and neglect the very people who are most in need right here in our own nation.

I do hope that you will do everything in your power to see that this facility and all facilities like it are maintained for the underpriviliged youth of this nation.

Sincerely yours,
Steve O'Meara,
Vice-Principal.

County of Los Angeles,
Probation Department,
Hawthorne, Calif., April 21, 1969.
Hon. Alan Cranston,
U.S. Senate, Senate Office Building,
Washington, D.C.

Dear Senator Cranston: I understand that you will be presenting a bill to Congress asking that the Job Corps Centers in California be retained. I ask that you act with all urgency and that all possible steps be taken to keep open at least the Camps now operative.

I am a deputy probation officer with Los Angeles County and have been working with youngsters for a number of years. I am well acquainted with the problems the community and home may present to an adolescent, and the difficulties in obtaining suitable placement for him, once removal from the home is indicated.

Job Corps, while not a cure-all—as is no placement setting—came as a most welcomed addition, and at a most opportune time. Youngsters 16 and over are difficult to place—most are behind in school, many lack even the most rudimentary training, some cannot be returned to their homes and must be emancipated or placed on their own upon release from an institutional program. Job Corps offered for these youngsters a chance at remedial work, at intensive vocational training—and most important, placement in an environmental situation conducive to learning, and removed from the community factors encouraging delinquency and truancy from school.

I am particularly unhappy at this point as I have a youngster whose application was sent to Job Corps Headquarters in the middle of March, who normally would have been accepted and sent to a Job Corps Camp 3 or 4 weeks ago, and who is still in our Juvenile Halls awaiting Jobs Corps placement. The delay, as indicated by the Job Corps worker, is directly attributable to President Nixon's orders closing the camps—particularly those orders closing all male Job Corps camps in California.

I have now been informed that placement of this youngster—who finally received an entry date of April 22nd—has been postponed indefinitely, meaning he can wait now in Juvenile Hall from several days to several weeks before an opening will be available. Thousands of Job Corps youngsters now in the California camps must be replaced purportedly before any new youngsters will be accepted.

Those of us who are concerned about children, who work with the inner-city youth whose family lacks generally even the most rudimentary means of helping him—find our hands further tied by a government which seems to feel, at least to some extent, that these youths are expendable.

Urban centers—recommended by the President—are not and cannot be the answer where the child cannot remain in the home or in the community. Urban centers cannot even necessarily serve the needs of the child remaining in the home, when the youngster has already dropped out of school, and lacks even the motivation to seek employment or elementary job training.

These youths are 16 and 17 are not only drop-outs from school, they are drop-outs from society as well—and if an attempt is not made now to reach them, there is little doubt that many, if not most, will eventually fill our jails and prisons.

Again, Job Corps is not a cure-all, but it is a start. I am sure that I speak for most others in the probation field when I ask that our centers be retained, and that our youngsters be given at least this one last chance.

Very truly yours,
Mrs. Julia Szondy.

Northern California Conference
of Seventh-Day Adventists,
Oakland, Calif., April 22, 1969.
Senator Alan Cranston,
Washington, D.C.

Dear Senator Cranston: I am a member of the East Bay Community Council, serving on the Parks Job Corps.

Recently a statement was made that the Department of Labor is going to call for the closing down of the Parks Job Corps Center. I naturally hate to see this, because Parks has done an outstanding job, and has been productive and successful in the training of almost 9,000 young men.

At the present time there are 1700 corpsmen who are waiting for a chance to become productive citizens. I feel that Parks is an excellent investment in the lives of young men.

At this time I question seriously the closing of this institution. These young men need to be given every advantage they can possibly get. I would appreciate it very much if you could lend your influence to the keeping open of the Parks Job Corps Center.

Thank you for any consideration you might give.

Sincerely yours,
S. R. Jayne,
Secretary.

American GI Forum of the U.S.,
Albuquerque, N. Mex., April 23, 1969.
Hon. Alan Cranston,
U.S. Senate,
Washington, D.C.

Dear Senator Cranston: The National Office of the American Forum strongly requests your assistance in prohibiting the closing of the Job Corp Centers, As you are aware, here in California, the most seriously affected will be Camp Parks in Pleasanton, California.

The time has come when human lives must no longer be measured in monetary value. The Job Corp is providing a service to the unreachable youngster with an exceptional opportunity to better himself.

As a National Veterans Organization working for the betterment of the Mexican-American Community, we urge that you give us your support in this very worthy cause.

Thank you for your cooperation in this matter.

Very truly yours,
Daniel Campos,
National Chairman.

Camino Community Church,
Camino, Calif., April 21, 1969.
Hon. Alan Cranston,
U.S. Senate,
Washington, D.C.

Dear Senator Cranston: It has been my privilege to minister to the spiritual needs of many of the Job Corpsmen of the Sly Park Job Center here in northern California for the past two years.

During this period, I have come to know some of the men quite personally and have listened to their stories of almost incredible hardships and poverty. Many of them have been disowned by their parents and have no place to call home except the Job Corps center. Last Christmas I had three of the men in my home for a Christmas dinner. As a Christmas present, I offered each one of them a telephone call to his family. The offer was refused with this comment: "Pastor, you just don't understand: We have no home; Job Corps is our home. We have no parents, at least parents who care about us; Job Corps is our parents, and they care."

Before any announcement was made concerning the closing of Job Corps centers, I heard remarks, candid remarks, about the Job Corps program from the corpsmen themselves. Some of the remarks were critical of the program, but that's to be expected because you can't please everyone. Most of the remarks, however, were highly favorably. To most of the men, the Job Corps was their last chance—"If I don't make it here, I just don't make it, period."

I appeal to you, Senator Cranston, to do all you can to retain this program. Although it may seem costly now, I feel that it has the potential of paying rich dividends later on in terms of conserved manpower, increased productivity and a heightening of the youthful spirit that is so vitally needed today.

With great respect for you and the office you hold, I remain,

Very truly yours,
DeWayne R. Flohr,
Pastor.

April 11, 1969.

Dear Mr. Cranston: I am a member of Parks Job Corps Center. I have heard that Parks Job Corps is going to be closed. I would like to know why. Many of the corpsmen here at this center wants to learn a trade and become a better American. I am an American and I love this country and have faith in our Government but there are things that I disagree on. I hope you will do the right thing. Many of us need this chance in Job Corps to become a useful person and not cause trouble.

An American.

STEPHEN STANTON.

PRICE, UTAH,
April 27, 1969.

Hon. ALAN CRANSTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CRANSTON: Thank you for proposing a resolution that the closure of the Job Corps centers be postponed until Congress has had time to deliberate on the matter.

I have firsthand knowledge of the Castle Valley Center here in Price and have been most impressed with the results of the work performed. I have always felt that if only 25% of the young men were taken from the welfare rolls, the program would pay for itself many times over. A great percentage of the enrollees who come to Castle Valley are colored boys. They appear to be apprehensive at coming to a primarily white community. They are treated with respect and they have returned that respect. We have all learned something from this experience.

I feel that the recruiting and screening could be performed more efficiently. I believe that many boys come who cannot benefit from the training because of their inability to learn. This is determined early and they are sent home. I believe these are the boys who contribute to the large percentage of those considered as dropouts from the program. Actually, it is not true and I believe the statistics are incorrect.

Some one must speak for these people. It seems to me that the affluent have never had any trouble getting anyone to speak for them, which makes me wonder why. There are not enough of our legislators who really care about the poverty stricken. I appreciate your speaking out for them. Please continue.

Sincerely,

MRS. HOWARD P. HANKS.

OAKLAND, CALIF.

Senator ALAN CRANSTON,
Senate Office Building,
Washington, D.C.

DEAR SIR: I urge the continuance of the Nation's Job Corps training centers—especially Parks Center at Pleasanton. My plea has gone to President Nixon, Congressman Cohelan and Mr. Robert Finch. I said, in part "It surely cannot mean the bankrupting of the federal exchequer to keep this camp open—but it can mean the bankrupting of the spirit and opportunity for hundreds of young men." "This is the surest way to keep the revolution going—promise them a chance and then take it away."

I appreciate your efforts in behalf of a Congressional review of the grievous decision, and will do all I can to help.

My thanks to you.

JEANNE GLOE.

APRIL 26, 1969.

APRIL 21, 1969.

Hon. ALAN CRANSTON,
Senate Office Building,
Washington, D.C.

DEAR SIR: We, the Corpsmen of Dorm 560, Camp Parks Job Corps, Pleasanton, California, would like you to know that all we want in life is a chance. We should say another chance. We have been given a chance in life but we didn't know how to take advantage of it. We now realize what kind of mistakes we have made.

Sir, we are human beings, yellow, white, black and brown. We do not want to be put back in the streets again. Why do the leaders want to take away what we have here and talk about putting us in mini-centers? The way it stands, before we came here we have always been getting mini-treatment all of our lives.

We do not deserve mini-treatment. We deserve the kind of treatment we and all the other Corpsmen at all the other centers are now getting.

Sir, we have enough pimps and dope pushers and users and gamblers and bank robbers. Sooner or later we will all be in the armed services of the great United States. While we are overseas fighting for our country, you, the leaders, are giving us the chance to die for you and the rest of the fine people of these United States. But while we are here in the States give us the chance to live and learn and then we will gladly die.

What Mr. Nixon must do is to take under consideration that we are here for a purpose, or otherwise we would not be here. As a matter of fact, most of the guys here have roughly mapped out their lives. They have acknowledged the fact that there are qualifications that they must meet in which to be accepted into society. Literacy isn't enough. We need more than just reading and writing. We need the training that will enable us to get a good job. If we could financially aid ourselves, we would.

Mr. Nixon speaks on the economic crisis. We understand the crisis. He also speaks on the taxpayers' expenditures. But has he realized that we are also taxpayers as well as consumers?

We hope that you will let him know how much we need to finish our training, and that the Job Corps is helping us do this.

Sincerely,

Janice Hawkins, dorm mothers, James Smith, New York; Alphonso K. Wallace, Daytona Beach, Fla.; Alex Hilbert, Jr., Miami, Fla.; Nathan Smith, Piedmont, Ala.; Lynn Hamlet, Florida; Wallace Smith, South Carolina; Leonard Lyons, Alexandria, Va.; John Mangum, Jackson, Miss.; John Rovwell, Columbia, S.C.; Robert James, California; Arden Small, New York; Jesse Mathis, Tennessee; Lofton Lewis, Jacksonville, Fla.; Roosevelt Darnell, Mississippi; Bruce O. McClure, Georgia; Robert Carter, Jackson, Miss.; Glenn Miller, Florida; Freddie Futcher, Florida; Oliver Chisholm, Massachusetts; Ronald Carpenter, Alabama; Marvin Woodward, Georgia;

Barbara M. Watson, Pauline M. Hodgins, dorm mothers; Phillip Williams, A.G.; John Korrell, South Carolina; Dewayne Lee, Florida; Alfred Newton, Florida; Seymour Johnson, Texas; Herbert Hollingsworth, Florida; DeWitt Cross, California; John Short, Jr., Los Angeles, Calif.; Leroy Bride, Mississippi; Willy Applewhite, Jackson, Miss.; Glen W. Brown, Pennsylvania; Rey Bruxton, Tennessee; James Hill, Florida; Nathaneal Osby, North Carolina; David Harris, New York; Wiley Barnes, Virginia; Charles R. Jones, California; Clinton Foster, Michigan; Ronald Pswith, California; Joshua Bloomfield, North Carolina; Juan Acosta, Arizona; the Corpsmen of Dorm 560.

SACRAMENTO STATE COLLEGE,
Sacramento, Calif., April 25, 1969.

Senator ALAN CRANSTON,
U.S. Senate, Washington, D.C.

DEAR SENATOR CRANSTON: I have followed most of your actions on important matters closely and feel that California is very fortunate indeed in having you as our representative. It is hoped that you may be influential in bringing attention to the need to continue (or possibly double) the Job Corps program.

It was with utter disbelief that I learned the administration is seeking to eliminate Job Corps centers throughout the nation. To eliminate these programs, the most effective of all anti-poverty efforts, without reason and in such an arbitrary manner is the height of irresponsibility! As one who has served as a volunteer with the O.E.O., as a Board member, and has carefully analyzed all programs dealing with poverty, I would state that this is one of the really effective programs that has successfully fulfilled its responsibility to improve basic conditions affecting the poor; to break the cycle of welfare dependency, to instill hope and faith in the American system, and to estabilsh human dignity in young men.

I have no vested interest in this program. As an educator in the School of Education, I have simply sought the truth about the effectiveness of this program since its beginning. During the past five years, I have personally conducted more than 800 persons through conservation (and urban) centers so they might determine for themselves the value of such programs in American society. Despite questions many of these persons from the public schools, colleges, and from the community, had prior to their visitations, all of them were overwhelmingly impressed with the results. Many of them felt compelled to send letters to their legislators to continue to support the Job Corps.

The feelings and insights into these programs were based not only upon the effectiveness of the programs themselves, but in contact with corpsmen they saw renewed hope of these youths to become contributing members of society. They saw complete dedication of staff members and their influence in instilling a sense of dignity, maturity, and responsibility in these youths.

This is a very difficult decision to accept, to see this total program "go down the drain" at the whim of our "decision-makers." It is very apparent that those seeking to eliminate the program have not taken the time to analyze programs nor have determined the disastrous effects of their demise. The arbitrary, if not capricious, decision to simply send these boys back to their ghetto environments . . . and eventually to penal institutions at much greater cost in money and human lives should be regarded by all legislators as completely unacceptable to them and to their constituents. At best, it will move the anti-poverty program back ten years.

Without these programs designed originally to change environmental conditions and to break the syndrone of joblessness, despair, welfare, ignorance, malnutrition, medical and dental diseases, intolerable home conditions, and inability to qualify for any type of skilled work, there would be no alternative left for them except to be pushed down in our societal structure. Even worse, the overt actions of those dismissed whose hopes and newly transplanted values have been suddenly shattered are bound to be felt in every city to which they will return.

Understandably, thousands feel as I do about the closure of these centers. Many will send letters or telegrams to their legislators, and probably these legislators will regard many of these messages as reflecting simply financial loss to the community. This would be only a minor concern to these people. The reciprocal value of these programs to communities such as El Dorado and Shasta was most apparent in establishing tolerance, acceptance of ethnic differences, and respect for the individual. As you may recall, people in these conservative, all-white communities were strongly against the establishment of these centers at first. Now that they have seen first-hand the value of these programs in the personal and social and economic development of these youths, whom they have taken into their homes, churches, and business establishments, they are reluctant to accept the decision to discontinue these centers.

I hope that you and your fellow legislators are also reluctant to accept the discontinuance of these vital, needed proven centers and will continue to oppose those who do.

Very truly yours,

MERLE W. VANCE.

LEAGUE OF WOMEN VOTERS OF SACRAMENTO,
Sacramento, Calif., April 24, 1969.

Hon. ALAN CRANSTON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CRANSTON: As you know, the League of Women Voters has supported the Job Corps. Our members have observed that removing young people from environments which hold little hope for improving opportunities for employment and placing them instead in settings where job and educational training are available is certainly worthy of trial. We feel that now is not the time to close the Job Corps, and we oppose abrupt closure.

Certainly the replacement of facilities in the 30 urban centers by July 1 is unrealistic. Therefore, we wish to register our opposition to the abrupt closure of Job Corps until adequate and expanded facilities are made available and functioning.

Very truly yours,

Mrs. ALONZO E. MEYER,
President.

SONORA, CALIF.,
April 24, 1969.

Hon. ALAN CRANSTON,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR CRANSTON: This letter is written to ask that you exert all the influence at your command to stop the proposed closure of the Five Mile Job Corps Center here in Tuolumne County. If their statistics are correct, and I have no reason to doubt them, that eighty percent of their former clients are now gainfully employed, they are indeed performing an outstanding service to the country.

As a person who has spent twenty eight years in the field of Corrections, I am aware that the young men who are enlisted in the Job Corps program are prime candidates for delinquency. They are the drop outs, the misfits who, unless something is done for them will almost certainly become involved in criminal activity. It appears that the Five Mile Job Corps Center is doing that something and doing it very successfully.

The closing of this facility would, in my mind, constitute a senseless and short sighted economy. Again may I ask that you do all within your power to see that this very worthwhile program continues.

Sincerely yours,

HOWARD M. COMSTOCK.

LEAGUE OF WOMEN VOTERS OF LIVERMORE,
April 25, 1969.

Hon. ALAN CRANSTON,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR CRANSTON: The Livermore League of Women Voters asks that you join us in opposing the abrupt closing of many of our Job Corps Centers, in favor of either continuing the program or gradually phasing it out when better means of training are put forward.

We are not disputing that there are inefficiencies within the Job Corps and there may very well be more effective ways of training our disadvantaged youth, although our "local" center, Camp Parks near Pleasanton, has substantially reduced its costs per Corpsman since its inception. We feel that to abruptly terminate these Job Corps Centers in July will not only have the effect of wasting the monies already expended on the training of those Corpsmen who will be unable to complete their studies, but would also be highly unfair to the many young men who have been given a chance of becoming worthwhile members of society, only to have it snatched away with no comparable plan available. Even if the mini-centers now proposed were in operation by July, they would still be unable to handle all of the Corpsmen who will be affected by the closure of the Job Corps Centers.

We feel very strongly that the Job Corps Centers should continue to operate at least until alternative means of training can be guaranteed to all the Corpsmen now enrolled in these programs. When one considers the cost of training a Corpsman so that he becomes an asset to society, as opposed to the problems and associated costs if he is a liability, the closing of the Centers on such short notice seems a very short-sighted form of economy.

Sincerely yours,

Mrs. GEORGE H. BLOOM,
President.

SAN MATEO, CALIF., *April 19, 1969.*

DEAR SENATOR CRANSTON: This letter is just to advise you that my husband and I heartily applaud your efforts at saving the Job Corps Program. It seems that this Program indeed strives to give the self-reliance and job skill which is a prerequisite to human dignity. This is worth increased taxes if this is the basis for President Nixon's decision to close the Job Corps Centers.

Please, Senator Cranston, continue your fight on behalf of the Jobs Corps.

Sincerely,

FRANCINA M. SINGLEY.

APRIL 20, 1969.

ALAN CRANSTON,
U.S. Senate,
Washington, D.C.

DEAR MR. CRANSTON: I want to protest the closing of the Job Corps in general and particularly the Job Corps at Sly Park near Placerville, Calif.

The Job Corps has not only been of benefit to the boys but also to the community. The Job Corps has done many things for our community and has improved understanding and relationship with minority groups.

Sincerely,

MARION CONKLIN.

GARDEN VALLEY, CALIF.

LEAGUE OF WOMEN VOTERS OF BERKELEY,
BERKELEY, CALIF., *April 23, 1969.*

Hon. ALAN CRANSTON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CRANSTON: The Berkeley League of Women Voters was quite dismayed to learn of the decision to close a number of Job Corps Centers by July 1st, including the Parks Center in our area. Admittedly the entire Job Corps Program has encountered difficulties, including high costs, a high dropout rate, and problems in placing its graduates. The 30 urban "mini" Job Corps Centers which Secretary of Labor George P. Schulz has announced will replace the Job Corps Centers being closed may indeed represent a more satisfactory approach to this aspect of the problem of the hard core unemployed.

However, the proposed new facilities do not appear to be adequate to deal with the number of persons who were previously served by the Job Corps. Moreover, it seems most unrealistic to imagine that such urban centers will be functioning by July 1st. The nation can ill afford to precipitously withdraw assistance already promised to some of its most disadvantaged youth at a time when so many of our less fortunate citizens are already dubious if not cynical about the extent of the nation's commitment to provide equal opportunities for education and employment.

The Berkeley League of Women Voters urges that you oppose the announced closing of Job Corps facilities in California and throughout the nation until adequate replacement facilities have actually been established.

Sincerely,

Mrs. HEINZ FRAENKEL-CONRAT,
President.

SACRAMENTO, CALIF.,
April 21, 1969

Senator ALAN CRANSTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CRANSTON: I am writing to protest the closing of the Job Corps Centers throughout the United States. The high employment rate of the young men trained by the Job Corps offsets the high cost of this training and education. These boys do not return to their rural or urban ghetto habitat and so are absorbed into the mainstream.

Besides, the cost of their training is far less than the amount which would be spent on them if they remain unemployed and in their ghetto environment.

It has been proved that mini-job corps centers in the ghetto do not work. The boys are not motivated, continue in their delinquent behavior, have a high rate of absenteeism and have a very low percentage of success.

Thank you for paying attention to my views.

Yours truly,

CATHERINE JOYCE.

APRIL 25, 1969.

Hon. ALAN CRANSTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CRANSTON: I am writing to urge you to oppose the closing of the Job Corps centers, particularly the Parks Job Corps Center in Pleasanton, California.

There is no disputing that one can compute the economics of continuing or closing the Job Corps centers, but the question involves the lives—the self-respect—of human beings. I deny any implication that people can be inserted into a cost-effectiveness judgment. It may be that it is cheaper to put people on relief than to train them to be skilled workers, but if the dole destroys self esteem, dollars become least important. The opportunity for education and training afforded by the Job Corps program goes far to insure that the corpsmen will not wind up on the welfare or unemployment rolls. These young men have no other alternative—they are trying, in many instances in the *only* way available to them, to become responsible, working citizens and taxpayers.

In addition to the high placement percentage of corpsmen from Parks into industry, military service and institutions of higher learning, the young men have also participated voluntarily in many community services, proving the worth of the Job Corps program to the taxpayers of the community as well as to the corpsmen themselves.

Without the Job Corps, most of these boys have no hope or opportunities for the future. Besides the job training, they are learning about life in America as it is lived by the great middle class and what it is to participate in community affairs. It would be a great tragedy, economically and socially, if the Parks Job Corps Center were closed.

Very sincerely,

MARGARET E. RILEY.

LIVERMORE, CALIF.

APRIL 22, 1969.

The PRESIDENT,
White House,
Washington, D.C.

DEAR MR. PRESIDENT: It is with regret I feel I must write to you in a negative way, particularly since you are supposedly a relative of my family and a fellow Quaker. However, I feel it is the duty of the citizens in this democratic society to let the leaders of our country know what some of their political opinions are on various matters. I am, therefore, writing about my feelings regarding the Job Corps and your recent decision concerning its future.

I am dismayed, shocked, and frankly angry that you are going to discontinue our very fine Job Corps. I know the Job Corps has been extremely beneficial to many young men throughout the country and particularly in our rural areas in Northern California. It is my belief that now many of these men, who would have contributed constructively to our society because of the opportunities available to them through the Job Corps, will become, instead, delinquents, welfare recipients, and to say the least, undesirable members of our society. I can not believe your reason for discontinuing the Job Corps is an economical one because ultimately these unfortunate young men will cost our society many more dollars and cents than would continuing the Job Corps—for reasons mentioned above.

May I ask what, then, is your reason?

Sincerely yours,
Stephen W. Trueblood,
Student Body President, Independence High School Representative, Ronald Reagan Youth Conference.
Shingle Springs, Calif.

The Community United Methodist Church,
Elk Grove, Calif., April 24, 1969.
Hon. Alan Cranston,
U.S. Senate,
Washington, D.C.

Dear Senator Cranston: I am deeply concerned that the Nixon Administration has found cause to discontinue a large number of the Job Corps centers in America. I am sure there have been many difficulties surrounding the administration of the OEO. The kind of projects it has fostered has, in some ways, I suppose, encouraged people to cheat or loaf or misuse funds. I suppose some of this has happened in the Job Corps program. However, I find it difficult to justify the discontinuance of a program that I have found to be as helpful to many people in California as I have found it to be. Therefore, I protest the closure of the Job Corps centers throughout the country and ask you to take whatever action in Congress is necessary to make the Administration either keep them open or make it very painful for them to close the centers.

Sincerely,
Gordon S. Fairchild.

The Castro Valley Democratic Club,
Castro Valley, Calif., April 25, 1969.
Hon. Alan Cranston,
Senate Office Building,
Washington, D.C.

Dear Senator Cranston: We urge you to use your influence to retain the Camp Parks Job Corps Center in Pleasanton, Calif.

We are enclosing for your information a copy of a letter which we have today sent to President Nixon, likewise urging him to reconsider his decision in this matter.

Sincerely,
Mrs. Frances Wolch,
Corresponding Secretary.

April 25, 1969.
Hon. Richard M. Nixon,
President, the White House,
Washington, D.C.

Dear Mr. President: We urge you to reconsider your decision to close down the Camp Parks Job Corps Center in Pleasanton, Calif., and others like it, reducing the program and transferring the remaining portions of it to urban centers.

The Job Corps has a very good percentage of success in its efforts to reclaim these young men; we understand that the cost per man is around $8,000.00, but the ultimate saving, in salvaging an otherwise wasted life at (probably) public expense and turning it into a productive one, far outweighs the initial investment.

How does the cost of the entire program compare with that of ABM systems, moon landings, etc.?

We believe the Job Corps program should be retained, improved, and expanded—not curtailed, and not moved to larger urban centers and back to the same environment that helped give rise to the initial problems.

Sincerely,
Castro Valley Democratic Club.

Los Angeles, Calif.,
April 22, 1969.
Senator Alan Cranston,
Senate Office Building,
Washington, D.C.

Dear Senator Cranston: I am writing to urge your strong support in favor of the retention of the Job Corps Training Centers. I am disturbed by the news reports that deep cuts in Job Corps funds are contemplated.

As one who has helped select the girls for their Job Corps Training Center, I know what this opportunity has meant to many young girls caught in the desperation of ghetto poverty. This was one of the most imaginative of the poverty programs. Although costs are high, I feel that any girl rehabilitated and provided with independence financially and emotionally is worth every penny spent.

I want to urge retention of the Job Corps Centers as constituted until the sub-committee on poverty has had a chance to complete its study and to design alternative programs.

Sincerely yours,
Mrs. Meriam Frankel.

Seattle, Wash.,
April 24, 1969.
Senator Alan Cranston,
Washington, D.C.:

We support resolution blocking closure Job Corps centers until Congress considers the matter.

Mrs. Russell Gideon,
Seattle YWCA JCYW Committee.

San Francisco, Calif.,
April 16, 1969.
Senator Alan Cranston,
Senate Office Building,
Washington, D.C.:

Stop this closing of Job Corps center before an equally worthwhile program is available to our untrained poverty youths. Letter following.

Mrs. George Herzog,
WICS Project Director, Women Job Corps Recruiting.

San Diego, Calif.,
April 24, 1969.
Senator Alan Cranston,
Senate Office Building,
Washington, D.C.:

We support your resolution blocking the abolition of 59 training centers.

Board of Directors of the San Diego Young Women's Christian Association.

Los Gatos, Calif.,
April 22, 1969.
Hon. Alan Cranston,
Senate Office Building,
Washington, D.C.

Dear Senator Cranston: We strongly urge your opposition to the closing of 59 Job Corps centers by June 30, in view of the fact that a large number of enrollees will not be able to complete their training if this closing date is observed; we feel that it is unrealistic to discontinue present programs until replacement facilities are in operation.

We would greatly appreciate your consideration of our views in this matter.

Yours very truly,
Mrs. Peter B. Weiser,
President, League of Women Voters of Los Gatos-Saratoga.

Seattle, Wash.,
April 24, 1969.
Senator Alan Cranston,
Washington, D.C.:

We support efforts to keep Job Corps centers open until situation review by Congress.

Mrs. John Graham,
President, YWCA.

San Francisco, Calif.,
April 18, 1969.
Messrs. Alan Cranston, George Murphy,
Senate Office Building,
Washington, D.C.:

We as a company of over 100 have had good experience with the graduates of the Job Corps program and feel this money is well worth the effort as against other programs.

Merchandisers, Inc.,
Frank Farella.

The League of Women Voters of Eureka,
Trinidad, Calif., April 23, 1969.
Hon. Alan Cranston,
Senate Office Building,
Washington, D.C.

Dear Senator Cranston: We urge you to oppose the closing of 59 Job Corps centers by July 1st as planned by Secretary of Labor, George P. Shultz. The League of Women Voters supports the Job Corps as an effort worthy of trial to provide the opportunity of education and employment for disadvantaged young people. The over 10,000 young men and women now in the program for whom there will be no room in the "mini" skill centers planned by the Labor Department are very likely to become cynical and disillusioned about the depth of commitment the nation and the Congress have to overcoming poverty and discrimination. At a time when militant groups are urging increasingly extreme solutions to the resolution of problems of minorities, it seems very unwise to withdraw support from a program which offers some hope to those caught in the poverty cycle.

Senator Edmund S. Muskie has also raised the question of the legality under the Economic Opportunity Amendments of 1967 of closing more than one-half of the centers as this would mean that less than 40 per cent of male enrollees will be in conservation corps. Until the urban "mini" skill centers are developed and able to fill the needs of the severely disadvantaged, we hope you will oppose the *abrupt* closing of the Job Corps centers.

Sincerely yours,
Mrs. James D. Johnson,
President.

League of Women Voters of South San Mateo County, Inc.,
Menlo Park, Calif., April 21, 1969.
Hon. Alan Cranston,
Senate Office Building,
Washington, D.C.

My Dear Senator Cranston: The League of Women Voters of South San Mateo County is convinced the Job Corps Centers should not be closed until other adequate facilities are open and operative. Otherwise, there seems to be no guarantee for the continuation of the program to train the hard core unemployed and underemployed. We feel it is unrealistic to believe that 30 urban centers would replace the Job Corps Centers by July 1. It seems this precipitous action might contribute to the already current feeling of disillusionment of the disadvantaged.

In our own area there is already considerable protest evident in the press about the proposed closing of Camp Parks. People feel there should be an alternate camp in operation before it is closed.

Cordially,

Mrs. William Iverson,
President.

Redding, Calif.,
April 24, 1969.

Hon. Alan Cranston,
Senate Office Building,
Washington, D.C.

Dear Sir: I would like to see the Job Corps Program continued.

I am informed on the good that has come to the men in the Corps and to the neighborhood served by the Toyon Job Corps near Redding, California. These young men, as well as improving their own lot in life, have set an excellent example for other youths in the neighborhood.

Please extend the power of your Office to continue the Job Corps Program.

Very truly yours,

Allyn Martin.

Placerville, Calif.,
April 22, 1969.

Senator Alan Cranston,
U.S. Senate,
Washington, D.C.

Dear Senator Cranston: When you are contemplating cutbacks in the Job Corps Program I would like to have you consider the following facts:

1. In California it costs $5,000.00 to maintain one Corpsman for one year.
2. The cost to maintain a boy under the California Youth Authority is $5,500.00.
3. At the Sly Park Job Corps, in this county, follow-up studies have been made on each Corpsman. The findings show that six months after leaving Sly Park 80% of the ex-Corpsmen are fully employed; 10% are in military service; and 10% are enrolled in school on a full time basis.
4. While at Sly Park, the average Corpsman raises his reading ability of 2 years and his mathematical ability by 1 year.

The technical training received at Sly Park must surely be a factor in the adjustment to life after leaving the Job Corps. While in our community some of the Corpsmen served as volunteers in the local Head Start Program. Acceptance of their help by the community benefited everyone, in my opinion.

The greatest resource our country has is still our human resource. There must be a variety of programs to meet the needs of a population which has a variety of problems. By increasing the potential of our entire population we add strength to America.

Yours truly,

Mary C. Leno.

April 19, 1969.

Dear Senator Cranston: As neighbors of the Camp Parks Job Corps, we would like to urge your support for continuation of this program. We have been amazed at the progress the Corpsmen have made, and are convinced it is due to the wholesale changes made in their lives by having decent food, clothing, housing, adults who care, and fellow students on the same rough road.

The Nixon alternative is a poor substitute in every sense—too few youngsters involved, and no attempt to change the living conditions or mental attitudes of the students. As such it won't be worth its cost, and will probably be scrapped as "ineffective" in a year or so.

Saving a single life from public dependence is worth a lot more in cold cash than a Job Corps education costs us. Please fight shortsighted pennypinching arguments against this valuable concept for salvaging these "lost lives".

Sincerely,

Dr. and Mrs. D. Steinberg.

Sonora, Calif.,
April 21, 1969.

Senator Alan Cranston,
Senate Office Building,
Washington, D.C.

Gentlemen: I would like to voice my protest against the proposed closure of the Five Mile Job Corps Center, in Sonora Tuolumne County, California.

It is my belief the Job Corps is doing the work intended, enabling young people to get the start in life they need. Many of the young men are getting their only chance to obtain a skill.

What is more expensive, educating of people to become self-supporting or supporting them on welfare or in prison? It is my belief the government will have a better investment in tax-paying citizens rather than putting out more welfare or building bigger prisons.

Many of us cannot imagine the type of hopeless life some of the young men lead before joining the Job Corps. I do not believe anyone would care for life in a big city slum or rural poverty. This is just where many of the men will have to return if the center is closed down. For the first time in many young lives, someone cares about the individual. A good meal three times a day, a decent place to sleep, and medical care are other first time experiences.

If our economy is in such a state to have to cut items out, let us pull out of Vietnam. If due to diplomatic, political and other reasons we cannot pull out, then let us fight and get it over. Vietnam is a real drain on the tax-payers dollar. Our self-help programs could use this money to a greater advantage.

——— ———.

League of Women Voters
of Ukiah, Inc.,
Redwood Valley, Calif., April 22, 1969.

Hon. Alan Cranston
Senate Office Building
Washington, D.C.

My Dear Senator Cranston: The League of Women Voters of Ukiah urges you not to close the Job Corps centers until adequate and expanded facilities are in operation to guarantee continuation of programs to train the hard core unemployed and underemployed.

The League does not believe that opening "mini" centers necessitates precipitous closing of Job Corps centers. The 'saving' anticipated comes about, in part, through serving *smaller numbers.*

The relatively high yearly costs per enrollee in the Job Corps are somewhat offset because many of these young people, especially in the conservation centers do constructive work whose value has been appraised at $56 million by the end of 1968.

It has taken time to convince the disadvantaged that we are sincere—we urge you not to disappoint them again. Oppose the abrupt closing of the Job Corps centers until such time as adequate and expanded facilities are available and functioning.

Yours very truly,

Ava Peterson,
President.

San Francisco Council of Churches,
San Francisco, April 21, 1969.

Richard M. Nixon,
President, the White House,
Washington, D.C.

Dear President Nixon: The Planning Committee of the San Francisco Council of Churches urges a reconsideration of the pending action to close the Parks Job Corps Center, Pleasanton, California.

We have been exerting every effort to slowdown the increasing crime rate and to develop positive programs to combat the urban crisis by working with various youth groups. We know the need. The Kerner Report details the need. There is general recognition that job training and placement has the top priority as #1 need. How, then, can there be justification to abolish a center that is doing this job and doing it effectively?

The record of 6,847 verified placements with an additional 2,000 training related placements out of a possible 14,000 is of prime importance. The cost of $5,400 per trainee per year is lower than the average of $5,700, and is reflected in a positive approach rather than treatment and detention of offenders which may range to $6,000 and more.

The age range is 16–22 years which encompasses the group of young males who are most prevalent as offenders. The spread of races served, 2% Oriental, 4% American Indian, 13% Spanish American, 16% Caucasians, 69% Blacks is all inclusive. The trainees come from throughout the United States and the follow-up placement program through the State Employment Service is very effective.

It would be hard to find a project in which public monies would have a more direct impact on combatting the #1 priority problem of unemployment in the ghettos. The training of young males to be self-supporting, and being equipped to handle a job with the resultant self confidence and responsibility this develops is a sound investment in our country's future.

We urge you to take action to direct that funds be allocated to retain the Parks Job Corps Center and to provide the means to continually improve the program to serve the needs of the greatest number of these young people.

Sincerely,

John Williams,
Vice Chairman, Planning Department,
San Francisco Council of Churches.

Belmont, Calif.,
April 19, 1969.

Senator Alan Cranston,
Senate Office Building,
Washington, D.C.

Dear Senator Cranston: Each morning's paper brings new surprises for me from the Nixon Administration; but the decision to do away with the Job Corps Center at Parks, near Pleasanton, California, certainly wins my "Fickle Finger of Fate" award.

It's beyond my ability to comprehend such a suicidal decision. The administrative troubles and past violent outbursts about which the San Francisco Chronicle wrote will surely be a "Teddy Bear's Picnic" compared to the violent potential of turning all those young black people back to the hopelessness of Oakland's streets, after having been shown some opportunity for improving their lives. It is decisions like this, that each day cause me to lose hope in my government's ability and will to deal with the realities of life.

Mr. Cranston, if you can do anything at all to get this decision reversed, please do so and thank you.

Sincerely,

Mrs. Warren H. Sturmer.

Placerville, Calif.,
April 20, 1969.

Senator Alan Cranston,
U.S. Senate,
Washington, D.C.

Dear Senator Cranston: I am writing to protest the termination of the Job Corps program and to ask that you do all in your power to enable it to continue.

I am a teacher in El Dorado County and I have seen what the program has accomplished at the Sly Park Job Corps Camp. Without this fine educational training program I feel sure that many of these boys will soon be in serious trouble.

Cannot we tax-paying citizens have some

say in the way a small portion of our earnings go?

Cannot a fair amount go to helping society rather than waging war?

Sincerely,

MARY R. BECK.

BERKELEY, CALIF.,
April 20, 1969.

Senator ALAN CRANSTON,
Washington, D.C.

DEAR SENATOR CRANSTON: The enclosed San Francisco Chronicle editorials may be of interest to you—From what I hear, Parks Job Corps Center near here is doing an excellent job in training young people and finding jobs for them.

We applaud your remarks quoted in the editorial.

Very sincerely yours,

MADELINE W. GARVEY.

MENDOCINO FOREST CAMP: A JOB OF HUMAN SALVAGE

There is nothing untypical about the following history of an 18-year-old:

He dropped out of school during his second year in high school, and when he arrived at the Alder Springs Job Corps Camp in the Mendocino National Forest six months ago he scored zero on the reading test.

Now he is up to 12 on a 17-point scale, and within several weeks he should be able to read Life magazine and the Reader's Digest without difficulty.

In mathematics, he moved from 2 on the achievement scale to 18 in the same period.

SKILL

He has learned to handle power tools with skill. He has the makings of a good carpenter.

And by the time the four U.S. Forest Service Civilian Conservation Corps camps in California are shut down on July 1 for reasons of economy, this young man should be able to get and hold a job.

There are many ways of describing the work that is being done for and by the 210 young men from 16 to 21 who are part of a three-year-long experiment to salvage human beings.

OBJECTIVE

Dean W. Lloyd, a husky 42-year-old career forester who has been in charge of the camp since last June, explained his assignment.

"Our objective is to take people who are drains on society—who appear headed for the welfare rolls or prison—and try to turn them into taxpayers," he said.

"We get young men who have failed in school and society, and with odds like that we can't succeed in every case. We succeed about 70 per cent of the time."

Gordon Peters, the photographer I traveled with into the pine and fir forest in the Coast Range where the Alder Springs camp is located, said the visit was the first time in years he had taken pictures of so many young men without running into a single surly kid.

INTELLIGENT

Joe Kegley, a construction man from Orland, which lies east of the camp in the flatlands of the Sacramento Valley, said he was surprised how quickly his young students were learning the skills of woodworking.

"These men are intelligent," he said. "It's amazing to me how much they learn. They need a little more supervision at the start than other young men I've worked with, but they turn out good pieces of work.

"My friends and neighbors think the Job Corps is a waste of time and money, but if they would come up here and see what we're doing, they'd know better."

EDUCATION

Lee Brumage, 19, of Cochran, Ga., said that, after dropping out of school in the fifth grade he believes he is on the verge of qualifying for a high school diploma.

"I want an education, and I want a good job," he said. "As long as I can learn stuff, I'm going to stay with it."

What Brumage and the other youths have been offered is an austere life in unfamiliar surroundings. The barracks, the mess hall, the classrooms and most of the other structures in the camp are in green metal buildings, sparsely furnished.

ILLITERATES

The regimen for everybody is the same—a week of school alternating with a week of work.

Especially for the 25 per cent of the youths who enter the camp as illiterates and another 15 per cent who can read so little they are classed as "functional illiterates," the schooling comes as something of a shock.

"Imagine a big boy reading a book like that," said David Chapman, 19, of Talladega, Ala., a veteran of 11 months at the camp. He held up a beginner's reading book with pictures of two little children on the cover.

"But if a guy likes the program, he gets past books like that in a hurry."

TURNED ON

Deanna Foster, who teaches advanced English while her husband, Mike, teaches mathematics, spends eight hours a day teaching a series of classes of seven or eight young men.

"I love it," said Mrs. Foster, who moved to the camp from Mill Valley six months ago. "We can get a nonreader through a basic reading program in six months if he gets turned on by school. And 90 per cent of them do, which is all the more remarkable because so many were turned off so badly before they got here."

"This educational system is so much better than the public school system it's pitiful," said the camp director whose teen-aged son and daughter attend Willows High School 40 miles to the southeast.

READING

"In remedial reading particularly, the public school system could take advantage of these new methods. When a kid can go from zero to 10 on the rating scale here, he obviously is more intelligent than the public school gave him credit for."

One of the most promising teachers has turned out to be Paul Blacketor, 20, a Yreka native who was assigned to Alder Springs because of an error.

QUESTIONS

While awaiting a hoped-for transfer to the Upward Bound college program, young Blacketor said. "I'd say 85 to 90 per cent of the kids I work with want to learn, and they feel easy asking me questions. It's a lot easier asking a fellow corpsman than a teacher."

Robert Vasseur, 16, who dropped out of school in Santa Cruz after the eighth grade, had some praise for Blacketor.

"He taught me percentages," the youth said. "I don't think I'd ever have finished school in Santa Cruz. When I was there I just got in trouble and stuff like that. Now I want to go into forestry or be a carpenter."

The work program for the Job Corps trainees includes carpentry, auto repair and heavy equipment operation.

In the years of the camp's existence, the youths have built two camps for Forest Service firefighters and are at work on two more. They have improved roads, have constructed two campgrounds for the public and have turned out a steady supply of picnic tables, signs and other camping gear.

They also devoted a total of 3300 man-hours last year to fighting forest fires.

BUDGET

Next year's proposed budget, for example, included $386,000 worth of improvements in public and Forest Service facilities in the Mendocino National Forest. The out-of-pocket cost would have come to an estimated $182,000 for materials.

By closing the camp, the administration has said it would save the $1.2 million cost of operating Alder Springs.

But if conventional accounting methods were used to compute costs, the figure would be much lower. At present, when the young trainees put up a building at a public campground, the cost of the lumber and the nails and other material is charged not to the camping program but to the Job Corps budget.

If only the price of materials were deducted, the cost of the camp would be reduced to about $1 million a year. And if normal allowances for labor on permanent public projects were made, the figure would be below $800,000.

In the next fire season, for example, it will be necessary to hire firefighters to replace the Job Corps trainees.

It would not be accurate to say that all of the trainees will be sorry to see the remote center closed. There are still patches of snow in the area, and the road west to Covelo is blocked by the winter snowpack at the pass.

COMPLAINTS

A group of trainees who had been at the camp for only three weeks and who were still homesick sought out Peters and me to tell us of their complaints.

Several said they much preferred President Nixon's plan to concentrate the job training program in the big cities.

"That way I can stay home and see my girl," one youngster of 16 said. "I'll be right back with the old gang."

APRIL 20, 1969.

Senator ALAN CRANSTON,
Senate Office Building,
Washington, D.C.

DEAR SIR: I have been a volunteer worker for the Women's Job Corps for nearly three years.

During this time I have interviewed several hundred girls who needed to be removed from their home environments and taught skills to better their chances of finding employment and raising their own standards of living.

Job Corps is their last chance to gain training and dignity.

I urge that Job Corps be retained in its original concept.

Sincerely,

LYDIA K. HUNTER.

LEAGUE OF WOMEN VOTERS OF THE PALOS VERDES PENINSULA,
Palos Verdes Peninsula, Calif., April 24, 1969.

Hon. ALAN CRANSTON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CRANSTON: Members of our organization oppose the abrupt closing of the Job Corps Centers: and commend your efforts to keep them open. We feel that there should be no cut back in the number of hard-core unemployed and underemployed now served by the Job Corps.

From our observations of local job-training programs, there seems to be no single answer in reaching the hard-core with meaningful programs. However, any urban project should be "in the neighborhood" and not too large in numbers.

Education and employment for the hard-core youth should have top priority. Adequate provisions must be made for placing these youths from phased out centers into viable programs. Adding them to the struggling existing programs is no solution.

Sincerely,

JANET KELBLEY,
Mrs. Lawrence Kelbley,
President, League of Women Voters, Palos Verdes Peninsula.

NATIONAL CANCER INSTITUTE STUDIES OF PESTICIDES

Mr. HART. Mr. President, the National Cancer Institute has recently released an interim report entitled "Studies of Pesticides and Other Agricultural and Industrial Chemicals." This report was based on 5 years of research. It indicates that certain long-lived pesticides when administered orally to mice produce significant numbers of tumors.

We have been told of the mutageneic properties of DDT and other insecticides. It has been reported that the reproductive cycle of salmon in the Great Lakes as well as other predator birds and fish have been interrupted as a result of the ingestion of high levels of DDT. Recently the Food and Drug Administration seized commercial coho salmon in the Great Lakes because of the high levels of DDT found in the edible portions of the fish. Now we have disturbing evidence that carcinomas may also be the product of extensive exposure to DDT.

Mr. President, I ask unanimous consent that the text of the disturbing report and the text of the letter which I have addressed to Dr. Frederick Seitz, president of the National Academy of Sciences, be printed in the RECORD, for I believe that they are of general interest.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

INTERIM REPORT ON STUDIES OF PESTICIDES AND OTHER AGRICULTURAL AND INDUSTRIAL CHEMICALS

BACKGROUND

In May, 1963 the President's Science Advisory Committee issued a report on the "use of Pesticides", recommending additional studies on "chronic effects on organs of both immature and adult animals, with particular emphasis on tumorigenicity."

In response to this need, the National Cancer Institute, through a contract with Bionetics Research Laboratories (recently purchased by Litton Industries, Inc.), Falls Church, Virginia, initiated investigations concerned with long-term toxic effects of a number of pesticides and other agricultural and industrial chemicals, some of which are now in rather wide use.

These complex investigations, underway since 1964, constitute the largest group of such experiments performed in a single effort and involved approximately 20,000 mice and 130 chemical compounds. Evaluation of all the data is not yet complete. It should be emphasized, however, that even with this large number of animals the investigations were designed as probing experiments mainly to provide information suitable for subsequent work rather than to obtain final information for assessing human health hazards.

Also it should be emphasized that the dose levels employed in these probing experiments were purposely administered at the maximally tolerated dose levels and that they are enormously higher than those to which human beings are likely to be exposed.

A preliminary analysis of the results in November and December, 1968 suggested that some of the compounds administered to mice at these high dose levels might be causing tumor development. A decision was made at that time to submit an abstract for the scientific meeting of the Society of Toxicology to be held on March 10–12, 1969 in Williamsburg, Virginia. The abstract was accepted by the Society for the presentation of a preliminary report at the March meeting. Further study of the data by NCI scientists and consultants, as well as scientists of other Government agencies, led to the conclusion that additional statistical analyses ought to be employed before the data could be interpreted with sufficient certainty as regards determination of tumorigenicity in mice under the experimental conditions employed. Because of these considerations the authors of the preliminary report decided that they should defer presentation of the paper which would have necessarily been incomplete and therefore misleading. It was understood by all that the studies would be reported fully at a later date as soon as all the analyses were completed.

Some of the additional analyses have been completed and an interim report, which is being submitted for publication in the scientific literature follows.

SCIENTIFIC REPORT

A Bioassay of Pesticides and Industrial Compounds for Tumorigenicity in Mice (An Interim Note).

Summary

The tumorigenicity of selected pesticides and industrial compounds was tested by continuous oral administration to both sexes of two hybrid strains of mice, started at the age of seven days. Maximum tolerated doses were given. It was found that administration of 11 of the 123 test compounds (three compounds in the total of 130 were not tested by the oral administration route) induced a significantly elevated incidence of tumors, mostly hepatomas; such incidence was approximately the same shown by the mean of a group of positive control compounds. The 11 compounds include the insecticides p,p'-DDT, Mirex, bis (2-chloroethyl)-ether, chlorobenzilate, and strobane; the 5 fungicides PCNB, Avadex, Ethyl selenac, ethylene thiourea, and bis(2-hydroxyethyl) dithiocarbamic acid potassium salt; and the herbicide N-(hydroxethyl) hydrazine. Ninety compounds gave no significant indication of tumorigenicity after oral administration. The possible relevance of these experiments to human exposure is discussed.

The environment of man contains an increasing number of synthetic chemicals which may be hazardous and which require testing for toxicity and tumorigenicity. This statement is an interim report of a large scale study designated to screen selected pesticides and industrial compounds for tumorigenicity in mice. The results were considered to be of sufficient interest to the general public to warrant publication of certain portions of the study at this time. The complete experiment included bioassays on 130 compounds in two hybrid strains of mice by two routes of administration, i.e., by single subcutaneous injection and continuous oral administration. Among the compounds were seven carcinogens included as positive controls,[1] 104 pesticides and 19 industrial compounds. The compounds were selected for inclusion in the study on the basis of three criteria: (a) chemical structure suggesting possible carcinogenicity, (b) evidence of toxicity described in the literature suggesting potential hazards to man, or (c) widespread use of the chemicals. Even though nearly 20,000 mice were used in these studies, the several investigations were done as preliminary, probing experiments and were not expected to provide final definitive information on every compound.

This initial report is motivated by extensive exposure of man to some of the compounds tested and focused on the data of greatest public health significance. Thus, only the results of oral administration are herein considered. Evaluation of these data revealed that 11 compounds are clearly tumorigenic for the strains of mice used at the high dose levels which were administered. The results for another group of 19 compounds are still inconclusive and require further evaluation. Ninety compounds did not give significant indication of tumorigenicity in this study. A full account of the study will be published at a later date.

MATERIALS AND METHODS

Animals and housing

"Specific pathogen free" mice were obtained from Cumberland View Farms to establish a breeding colony. Females of the C57B1/6 strain were mated with C, H/Anf or AKR males (herein designated as strains X and Y, respectively) to obtain the two F_1 hybrid strains used in these experiments. The animals were kept in facilities having separate clean and dirty corridors with unidirectional air flow from the clean to the dirty corridor. Animal attendants wore sterile gowns, masks, gloves, and shoe covers.

Chemicals, dose determination, and administration

Chemicals were obtained from commercial sources. Their composition was confirmed by infra-red spectroscopy, gas chromotography, or thin-layer chromatography. The chemicals were administered to the mice without further purification.

The maximum doses which could be tolerated were given. These levels were selected following a sequence of studies during which the maximum levels resulting in zero mortality were determined for a single dose, then for 6 daily doses and finally for 19 daily doses.

The maximum tolerated dose of each compound in mg/kg of body weight is shown in Tables 1–4. For the tumorigenicity testing this dose was given by stomach tube beginning at 7 days of age in a suspension of the vehicle indicated on these tables. The same absolute amount of each compound was given each day until the mice were 4 weeks old; the dose was not readjusted according to weight gain during this period. After weaning at 4 weeks of age, the chemicals were mixed directly with the diet which was provided ad libitum; no vehicle was used. The concentration in the diet, listed as ppm on Tables 1–4, was calculated according to the weight and food consumption of the 4 week-old mice so that once again they would receive approximately the maximum tolerated dose that had been calculated according to mg/kg body weight. The same concentration was maintained throughout the entire observation period of approximately 18 months.

Distribution of animals

At weaning, 18 mice of each sex of each strain were retained for study. Thus, 72 animals were given each compound *via* oral administration. One exception to this was the positive control compound ethyl carbamate for which there were 24 mice of each sex of each strain. Six animals were kept in each cage. The animals on test with each compound were placed in one of four rooms. Each room contained an additional group given gelatin suspension during the period when compounds were administered by stomach tube. Each room also housed at least one positive control group.

Autopsy and diagnosis

The experimental design called for autopsy at 18 months of age. The logistics of performing autopsies on a study involving almost 20,000 mice were complex, however, and the actual time of autopsy varied somewhat among the groups. These times are shown as the "weeks at term" on Tables 5–7. This range of termination times existed among the negative and positive control groups as well as among the experimental groups.

The autopsy procedure included an external examination and a thorough examination of thoracic and abdominal cavities with histologic examination of major organs and of any grossly visable lesions. The head was

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Footnotes at end of article.

not dissected. Thyroid glands were examined and section in mice treated with Amitrol and one negative control group but not in other groups.

Statistical analysis

Since there were several negative control groups that differed with respect to their location within the four rooms, time of entry into the experiment and length of time until autopsy, the variance among these groups was analyzed with respect to the incidence of hepatomas, pulmonary tumors, lymphomas and total mice with tumors. The first test performed was the "chi-square test for heterogeneity of proportions after adjustment for stratification" as described by Armitage.[2] The stratification in this application was the sex-strain combinations. This test was not significant at the 5% level with any of the four categories of tumors. Similar ordinary chi-square tests were done on each sex-strain category and no significant differences were found. As a final analysis of the negative control groups, the proportions of the various tumors among mice were regressed on the average time until death.[3] This was done with each sex-strain combination for each of the types of tumor. In only one of the sixteen such analyses was a significant positive relationship noted: the liver tumors among strain Y males. Here of the 18 mice in one control group, OD, 5 had tumors, 3 of which were hepatomas; this group also had th greatest age at death, 89 weeks (Table 5). However, for liver tumors of strain X, there was a negative correlation between the incidence of hepatomas and the age at term. In both these cases the figures are based on a very small number of hepatomas. Thus, the conclusion was reached from the several analyses performed that there was no significant evidence of differences among the negative control groups. In subsequent comparisons with positive controls and experimental compounds, the five negative control groups were lumped together.

The individual positive controls and experimental groups were compared with the grouped negative controls. The analysis presents the corrected relative risk[4] for each comparison. The relative risk is a measure of the tumor incidence among the treated mice as compared to the controls. The analysis was performed with four tumor groupings: hepatomas, pulmonary tumors, lymphomas, and total mice with tumors. The significance tests of each sex-strain subgroup and their various combinations are by the Mantel-Haenszel procedure,[5] and the combined relative risk uses the weighted geometric mean[6] with the ½ corrections ued throughout[7][8]

As an additional test to compare the tumor incidence of mice treated with experimental compounds with those treated with positive control compounds, the 7 positive controls were lumped together and the corrected relative risk was calculated for each experimental group compared to this baseline.

RESULTS

The tumors seem in this study were principally those of the liver, lung, and lymphoid organs. Tumors of other organs were rare except in the case of two positive control compounds: Amitrol which induced thyroid carcinomas in practically all the animals; and ethyl carbamate which induced a substantial number of adenomas of the Harderian gland. Because of the rarity of other types of tumors, only tumors of the three principal organs affected are considered here. Other tumors are counted, however, in the column "Total Mice with Tumors" of the tables.

The diagnostic criteria for liver tumors were those described by Lemon.[9] According to her criteria, liver tumors are diagnosed as "hepatomas" unless metastases are found; then they are designated as carcinomas. This distinction is not made to indicate that those which do not metastasize are benign, but rather because the histologic appearance of tumors of the liver of the mouse is not a good guide to their behavior. Metastasizing hepatic-cell tumors were rare in the present study. Thus, the tables in this manuscript and the statistical calculations include the two sub-classifications grouped together as "hepatomas."

Pulmonary tumors consisted principally of adenomas according to the criteria of Stewart.[10] A few adenocarcinomas of the lung were noted, but because of their relative scarcity both types are considered together as "pulmonary tumors."

Tumors of the lymphoid organs were originaly classified by the criteria of Dunn.[11] Most of the tumors were Type B reticulum-cell sarcomas. A smaller number of animals had malignant lymphomas associated with leukemia while other types of lymphoma were rare. In a study designed to investigate the tumorigenicity of chemicals rather than the pathogenesis of tumor types, it was felt to be more meaningful to combine all of these tumors into a single category, "lymphomas."

As indicated in Tables 6 and 8, the tumorigenicity of the positive control compounds was manifest primarily through the induction of hepatomas. Isosfrole was only weakly tumorigenic, but all other positive control had an elevation of hepatomas significant at the 0.01 level. Only 3 of the 7 positive controls had a significant increase in pulmonary tumors, and only ethyl carbamate induced a significant yield of lymphomas.

The pattern of tumor types among experimental compounds was similar to that with positive control compounds. Thus, the major evidence of tumorigenicity by experimental compounds lies in the increased incidence of hepatomas (Tables 7 and 9). For each of the 11 experimental compounds listed in Table 9, the increased incidence of hepatomas was significant at the 0.01 level for the sum of both sexes and both strains, the sum of males of both strains and for the males of at least one of the strains considered separately. Females were generally less affected than males, but several compounds induced hepatomas in them as well. When the relative risk for hepatoma development among these 11 experimental compounds was compared with the overall risk in the positive controls (Table 10) it was found that in 10 of them, at least one sex-strain subgroup had a greater risk than the corresponding sex-strain sub-group of the combined positive controls. The remaining compound, chlorobenzilate had a relative risk approaching that of positive controls for males of both strains.

The incidence of tumors of the lung and lymphoid organs showed a less striking elevation than hepatomas. The incidence of lymphomas in some subgroups of mice treated with p,p'-DDT, Eethyl selenac, ETU, and Strobane and the incidence of pulmonary tumors among mice treated with Avadex were significantly increased over the negative controls.

Mice treated with compounds listed in Table 3 did not have a significant elevation of tumor incidence at the 0.01 level of any type of tumor in any sex-strain subgroup or combination of groups after oral administration. Mice treated with compounds listed in Table 4 had an elevation of tumor incidence in an uncertain range; with these compounds, additional statistical evaluation and/or experimentation will be required before an interpretation can be made.

DISCUSSION

The interpretation of these data require consideration of two questions: "What is the biologic behavior of mouse hepatomas?" and, "What relevance do studies with a single, high dose level in one species have for evaluating the hazard of other dose levels in other species?"

Confusion arises from the fact that classical terminology of neoplastic disease would suggest that the term "hepatoma" refers to benign tumors whereas a malignant tumor of the liver should be referred to as a "carcinoma." The opinion of Lemon[9] has already been quoted on the impossibility of making this distinction between benign and malignant liver tumors in the mouse. Andervont and Dunn[12] reported the transplantability of mouse liver tumors. They found no correlation between transplantability and morphologic characteristics. Many transplantable tumors had cytologic characteristics which were so similar to normal liver that the distinction was difficult to make upon microscopic observation. Gross observation appeared to be a more reliable criterion. Thus, the term "hepatoma" as used in this manuscript should not be considered as implying that these tumors are benign. Indeed, it seems more reasonable to conclude that the great majority had malignant potentiality.

The problem of species specificity for chemical carcinogens has been discussed by several authors[13, 14, 15] and will not be discussed in detail here. There are differences among species; some may be susceptible to tumorigenesis by a given chemical and others may show relative or absolute resistance. At the present time there is no way to predict whether man may be more or less susceptible than the mouse to the induction of tumors by the compounds reported here. It should be stressed that the dose received by the mice was far in excess of that likely to be consumed by humans.

Another problem in interpretation lies in the fact that laboratory experiments are designed to test a single chemical and to prevent exposures to other chemicals as much as possible. The environment of man, on the other hand, contains a complex mixture of chemicals. The way in which these interact to either enhance or inhibit carcinogenicity is a complex, difficult problem which has received insufficient investigation.

ADDITIONAL COMMENT

In the report it is clear that 11 of the compounds chosen for study at very high doses are capable of producing an increased incidence of tumors in mice. Also 90 compounds clearly did not produce an increased tumor incidence in these studies. An additional 19 compounds could not be assigned with certainty to either of these two groups. Additional studies employing larger groups of animals will be required to determine the tumorigenicity of these 19 latter compounds in mice.

These probing experiments again point out the complexity and difficulties inherent in the use of animal model systems for assessing health hazards, including tumor development. In general, animal experiments have proved their usefulness in many fields of biomedical research as aids in making judgements about men. Nevertheless, it is well-known that considerable differences in responsiveness of different animal species to a given chemical substance occur. This is generally the reason studies conducted under a variety of conditions and experimental data from more than one species of animal are needed before extrapolation to the human situation is appropriate. Moreover, it is often important to have extensive information on dose response relationships and also insight into how the administered compounds are metabolized. Therefore, caution must be exercised in interpreting the data from a single species. Thus, the data reported in this study must be examined with all other pertinent information before conclusions as to their significance for man can be made.

An additional complexity with certain kinds of tumors is the great difficulty in determining whether they are malignant. Experts differ as to the appropriate classification, definition and criteria of malignancy.

Footnotes at end of article.

Although it is difficult occasionally to determine whether tumors should be classified as malignant on the basis of their microscopic morphology, most human tumors diagnosed by biopsy are deemed malignant on this basis. Some pathologists believe that malignancy cannot be definitely determined, however, unless it has been demonstrated that the tumor has spread to other sites (metastases); others believe transplantability of a tumor to a different animal is an important criterion for malignancy.

Mouse hepatomas clearly illustrate this difficulty. They demonstrate varying degrees of alteration from the normal structure of the liver. There is not a good correlation between structure and transplantability, though a number of hepatomas with very little change from the normal structure are known to transplant under conditions where normal liver tissue is not transplantable. Some hepatomas metastasize and others apparently do not. The longer the animal lives after the tumor is initiated, the greater the chances are that metastases will be found if the tumor does metastasize. Though available data are not extensive, it is likely that few mouse hepatomas do metastasize. Nevertheless, many mice with hepatomas will die with shortened life span before metastases appear.

In these studies, because of the difficulties outlined above, the tumors have been listed as hepatomas without attempts to separate them into benign or malignant categories. This has been done on the advice of leading experts, including those especially knowledgeable regarding mouse liver tumors. Since the available data do not provide a distinction between benign and malignant tumors, it is not possible at this time to categorize the positive compounds as carcinogenic.

A group of experts will therefore be constituted in the near future to review all pertinent information and make recommendations on whether any of the compounds should be labeled as carcinogenic. The Department of Health, Education and Welfare is seeking the aid of the National Academy of Sciences—National Research Council in constituting such a group of experts.

Further animal experiments already are under way. In addition to the 19 compounds for which tumorigenicity results were uncertain, additional chemicals in wide use will be studied as further capacity for screening becomes available. As indicated above, testing is needed in multiple species, at different dose levels, by different routes of administration, etc. under carefully controlled and standardized conditions. Thus, a sizable apparatus will be required if society's needs are to be met. Such an apparatus does not now exist, although the National Cancer Institute has initiated beginning efforts in this direction. Moreover, because of difficulties in interpreting animal data in reference to man, epidemiologic studies on human carcinogenicity must be expanded in order that the data from man can be related meaningfully to data from animal studies.

The scientific staff of the National Cancer Institute will continue to work closely with both federal and non-federal scientists and concerned members of society in order to resolve these problems.

FOOTNOTES

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[3] Snedecor, G. W. and Cochran, W. G.: *Statistical Methods*. Ames, Iowa, The Iowa State Press, 6th ed., 1967, pp. 246–248.

[4] Lilienfeld, A. M., Pedersen, E., and Dowd, J. E.: *Cancer Epidemiology: Methods of Study*. Baltimore, The Johns Hopkins Press, 1967, pp. 131–134.

[5] Snedecor, G. W. and Cochran, W. G.: op. cit., pp. 253–256.

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[9] Lemon, P. G.: Hepatic Neoplasms of Rats and Mice, in *Pathology of Laboratory Rats and Mice*, Cotchin, E. and Roe, F. J. C., eds., Philadelphia, F. A. Davis Co., 1967, pp. 25–56.

[10] Stewart, H. L.: Pulmonary Tumors in Mice, in *Pathophysiology of Cancer*, 2nd ed., Homberger, F., ed., New York, Hoeber-Harper, 1959, pp. 18–37.

[11] Dunn, T. B.: Normal Pathologic Anatomy of the Reticular Tissue in Laboratory Mice, with a Classification and Discussion of Neoplasms. J. Nat. Cancer Institute 14: 1281–1431, 1954.

[12] Andervont, H. B. and Dunn, T. B.: Transplantation of Spontaneous and Induced Hepatomas in Inbred Mice. J. Nat. Cancer Inst. 13: 455–503, 1952.

[13] Clayson, D. B.: *Chemical Carcinogenesis*, Boston, Little, Brown and Co., 1962, pp. 56–61, 97–98.

[14] Hueper, W. C. and Conway, W. D.: *Chemical Carcinogenesis and Cancers*, Springfield, Charles C. Thomas, 1964, p. 468.

[15] Arcos, J. C., Argus, M. F., and Wolf, G.: *Chemical Induction of Cancer*, V. I., New York, Academic Press, 1968, pp. 340–347.

TABLE 1.—POSITIVE CONTROL COMPOUNDS

Compound No.	Common name	Chemical name	Dosage mg./kg.	Vehicle[1]	P.p.m.
034	Urethan	Ethyl carbamate	158	0.5-percent gelatin	600
078		Ethylene Imine	4.64	do	13
089	Amitrol	3-Amino-1,2,4-triazone	1,000	Dis. H_2O	2,192
122	Aramite	2-(p-Tert. butyl phenoxy)-isopropyl 2′-chloroethylsulfite	464	0.5-percent gelatin	1,112
160	Dihydrosafrole	4-Propyl-1,2-methylenedioxybenzene	464	Dis. H_2O	1,400
161	Isosafrole	4-Propenyl-1,2-methylenedioxybenzene	215	do	517
162	Safrole	4-Allyl-1,2-methylenedioxybenzene	464	do	1,112

[1] Used during stomach tubing period only.

TABLE 2.—EXPERIMENTAL COMPOUNDS WHICH RESULTED IN AN ELEVATED TUMOR INCIDENCE

Compound No.	Common name	Use	Chemical name	Dosage mg./kg.	Vehicle[1]	P.p.m.
060	PCNB	F	Pentachloronitrobenzene	464	0.5-percent gelatin	1,206
065	p,p′–DDT	I	2,2-Bis(p-chlorophenyl)-1,1,1-trichloroethane	46.4	do	140
096	Mirex	I	Dodecachlorooctahydro-1,3,4-metheno-2H-cyclobuta[cd]pentalene	10	do	26
098	Avadex	F	2,3-Dichloroallyl diisopropyl thiolcarbamate	215	do	560
109		I	Bis(2-Chloroethyl)-ether	100	Dis. H_2O	300
129	Ethyl Selenac	F	Selenium diethyl dithiocarbamate	10	0.5-percent gelatin	26
153	ETU	F	Ethylene thiourea	215	do	646
154		H	N-(2-Hydroxyethyl) hydrazine	2.15	Dis. H_2O	5
168	Chlorobenzilate	I	Ethyl-4, 4′-Dichlorobenzilate	215	0.5 percent gelatin	603
170		F	Bis(2-Hydroxyethyl) dithiocarbamic acid potassium salt	464	do	1,112
171	Strobane	I	Terpene Polychlorinates	4.64	do	11

[1] Used during stomach tubing period only.

Note: I, insecticide; F, fungicide; H, herbicide; R, rodenticide; and IC, industrial compound.

TABLE 3.—EXPERIMENTAL COMPOUNDS WHICH DID NOT CAUSE A SIGNIFICANT INCREASE IN TUMORS AFTER ORAL ADMINISTRATION

Compound No.	Common name	Use	Chemical name	Dosage mg./kg.	Vehicle[1]	P.p.m.
024	Simazine	H	2-Chloro-4,6-bis-(ethylamino)-1,3,5-triazine	215	0.5-percent gelatin	603
205	Propazine	H	2-Chloro-4,6-bis(isopropylamino)-1,3,5-triazine	46.4	do	102
026	Captan	F	N-Trichloromethylthio-4-cyclohexene-1,2-dicarboximide	215	do	560
029	N-Propyl isome	I	Di-n-Propyl-3-methyl-6,7-methylenedioxy-1,2,3,4-tetrahydronaphtahlene 1,2-dicarboxylate.	2,000	do	6,000
030	2,4-D Isopropyl ester	H	2,4-Dichlorophenoxy acetic acid, isopropyl ester	46.4	do	111
031	2,4-D Butyl ester	H	2,4-Dichlorophenoxy acetic acid, n-butyl ester	46.4	do	149
032	2,4-D Isooctyl ester	H	2,4-Dichlorophenoxy acetic acid, isooctyl ester	46.4	do	130
047	Sevein	I	1-Naphthyl-N-methyl carbamate	4.64	do	14
048	IPC	I	Isopropyl-N-phenyl carbamate	215	do	560
050	Dowcide-7	F	2,3,4,5-6-Pentachlorophenol	46.4	do	130

See footnote at end of table.

TABLE 3.—EXPERIMENTAL COMPOUNDS WHICH DID NOT CAUSE A SIGNIFICANT INCREASE IN TUMORS AFTER ORAL ADMINISTRATION—Continued

Compound No.	Common name	Use	Chemical name	Dosage mg./kg.	Vehicle [1]	P.p.m.
051	Zineb	F	Zinc ethylene bis thiocarbamate	464	0.5-percent gelatin	1,298
503	Diuron	H	3-(3,4-Dichlorophenyl)-1,1-dimethylurea	464	do	1,400
054	Dodine	F	n-Dodecylguanidine acetate	21.5	do	82
056	Maneb	F	Manganese ethylene bis thiocarbamate	46.4	do	158
057	Maleic Hydrazide	H	1,2-Dihydropyridazine-3,6-dione	1,000	do	3,000
058	Thriam	F	Tetramethylthiuram disulfide or bis (dimethlthiocarbamyl) disulfide	10	do	26
061	2,3,5-T	H	2,4,5-Trichlorophenoxy acetic acid	21.5	do	60
062	Ferbam	F	Ferric dimethyl dithiocarbamate	10	do	32
063	2,3-D	H	2,4-Dichlorophenoxy acetic acid	100	do	323
	2,4-D		2,4-Dichlorophenoxy acetic acid	46.4	do	149
066	Atrazine	H	2-Chloro-4-cthylamino-6-isopropylamino-s-triazine	21.5	do	82
069	Captax	IC	2-Mercaptobenzothiazole	100	do	323
070	Ethyl zimate	F	Zinc-diethyldithiocarbamate	100	do	260
071		IC	Phenyl isothiocyanate	46.4	do	158
074	Altax	IC	Benzothiazyl disulfide	464	do	1,577
075	Unads	F	Tetramethyl thiuram monosulfide	100	do	377
076	Dichlone	F	2,3-Dichloro-1,4-naphthoquinone	10	do	30
077	Dicryl	H	3,4'-Dichloro-2-methyl acrylanilide	21.5	do	73
079	Nabam	F	Disodium ethylenebisdithiocarbamate	21.5	Dis. H_2O	73
080	Agerite DPPD	IC	Diphenyl-p-phenylenediamine	1,000	DMSO	3,385
082	Bismate	F	Bismuth dimethyldithiocarbamate	10	0.5 percent gelatin	34
085	Hercules-7531	H	3-(Hexahydro-4,7-methano-indan-5-yl)-1,1-dimethylurea	464	do	1,492
086	Folpet	F	N-Trichloromethylthiophthalimide	215	do	603
087	Tillam-6-E	F	Propyl ethyl-n-butyl thiocarbamate	100	Corn oil	323
090	Zetax	IC	Zinc salt of 2-mercaptobenzothiazole	1,000	0.5 percent gelatin	3,385
091	Sulfads	F	Dipentamethylene thiuram hexasulfide	100	do	300
092	Butacide	I	Piperonyl butoxide in solvent vehicle	464	do	1,112
093	Botran	F	2, 6-Dichloro-4-nitroaniline	215	do	603
094	Karathane	F	Dinitro(1-methylheptyl)-phenyl crotonate	1	do	3
095		H	2-(2,4,5-Trichlorophenoxy)-propionic acid	46.4	do	121
099	Cumate	F	Copper dimethyl dithiocarbamate	46.4	do	168
100	Mucochloric acid	F	α,S-Dichloro-S-formyl acrylic acid	21.5	do	56
101		F	2-Sec.-butyl-4,6-dinitro phenol	2.15	do	7
102	Agerite powder	IC	Phenyl-S-naphthylamine	464	do	1,206
103	Rotenone	I	Tubatoxin	1	do	3
104		IC	Biphenyl	215	do	517
105	Anthraquinone	F	9,10-Anthraquinone	464	do	1,206
106	ANTU	R	1-(1-Naphthyl)-2-thiourea	2.15	do	6
107		IC	Diphenylacetonitrile	215	do	560
108	Planofix; NAA	H	1-Naphthalene acetic acid	215	do	517
111	Dehydroacetic Acid	F	3-Acetyl-6-methyl-2,4-pyrandione	100	do	240
112		H	1-Naphthalene acetamide	464	do	1,298
113		IC	Diphenylcarbonate	100	do	260
114		H	Monochloroacetic acid	46.4	Dis. H_2O	149
115	Cacodylic acid	H	Dimethyl arsinic acid	46.4	do	121
116	Paraxenol	IC	p-Phenyl phenol	464	0.5 percent gelatin	1,400
117	Dowicide 1; orthoxenol	IC	o-Phenyl phenol	100	do	280
118		F	Copper-8-hydroxy quinoline	1,000	do	2,800
119	α-Chloralose	R	Anhydroglucochloral	10	do	28
120	Pma; Pmal; Pmas; Scuti; nylmerate.	H	Phenyl mercuric acetate	10	do	24
121		IC	p-Methoxyphenylacetic acid	215	do	560
123	Vanguard GF	F	Ferric nitrosodimethyl dithiocarbamate and tetramethyl thiuram disulfide	100	do	240
125	Butyl zimate	F	Zinc dibutyl dithiocarbamate	1,000	do	2,600
128		F	2,6-Dichloro-4-nitro aniline	215	do	731
130	Agerite white	IC	Sym. dibeta-naphthyl-p-phenylene diamine	100	do	280
131	Durax	IC	N-Cyclohexyl-2-benzothiazole sulfenamide	215	do	692
132	Methyl zimate	F	Zinc dimethyl dithiocarbamate	4.6	do	15
133	Methyl Selenac	F	Selenium dimethyl dithiocarbamate	10	do	34
135	Amax	IC	N-oxydiethylenebenzothiazole-2-sulfenamide	464	do	1,492
136	Ethyl cadmate	F	Cadmium diethyl dithiocarbamate	21.5	do	65
137	Agerite 150	IC	p-Isopropoxydiphenylamine	1,000	do	3,000
138	Agerite Alba	IC	Hydroquinone monobenzyl ether	464	do	1,492
139	Phenothiazine	I	(Thiodiphenylamine) dibenzo-1,4-thiazine	215	do	560
140	Vanguard N	F	Nickel dibutyl dithiocarbamate	46.4	do	158
	Do		do	0.1	do	0.20
141	Vancide BN	F	Sodium bithonolate disodium 2,2'-thio bis(4,6-dichlorophenoxide)	2.15	do	7
142	Gibberellic acid	H	2,4a,7-Trihydroxy-1-methyl-8-methylenegibb-3-ene-1,10-carboxylic acid 1—4 lactone	464	do	1,298
143		F	Dimethyl dithiocarbamic acid dimethyl amm. salt	100	do	260
145		H	α-(2,4-Dichlorophenoxy) propionic acid	100	do	260
146		H	α-(2,5-dichlorophenoxy) propionic acid	46.4	do	93
147	Ovex	F	p-Chlorophenyl-p-chlorobenzene sulfonate	464	do	1,019
148		R	Triphenyl Tin Acetate	0.464	do	1,206
150	CIPC	I	Isopropyl-N(3-chlorophenyl)-carbamate	464	do	1,118
151	2-(2,4-DP)	H	2-(2,4-Dichlorophenoxy)-propionic acid	10	do	2
152	Isolan	I	1-Isopropyl-3-methyl-S-pyrazolyl-dimethyl carbamate	0.0215	Dis. H_2O	0.0603
157	Ethylene urea	H	2-Imidazolidinone	215	0.5 percent gelatin	646
158	Tetrafidon	F	2,4,5,4 -Tetrachlorodiphenyl sulfone	100	do	260
159	Telodrin	I	1,3,4,5,6,7,8,8-Octachloro-3a,4,7,7a-Hexahydro-4,7-methano phthalen	0.215	do	0.646
165	Genite-R99	F	2,4-Dichlorophenyl benzene sulfonate	1,000	do	2,400
166	Heteroauxin	H	Indole-3-acetic acid	215	do	646
167		I	4-Dimethylamino-3,5-xylenol	100	do	300
169	Thiodan (Endosulfan)	I	6,7,8,9,10,10-Hexachloro-1,5,5a,6,9,9a-hexhydro-6,9-methano-2,3,4-benzo dioxathiepin-3-oxide.	2.15	do	6
				1	do	3

[1] Used during stomach tubing period only.

Note: I, insecticide; F, fungicide; H, herbicide; R, rodenticide; and IC, industrial compound.

TABLE 4.—EXPERIMENTAL COMPOUNDS WHICH REQUIRE ADDITIONAL EVALUATION

Compound No.	Common name	Use	Chemical name	Dosage mg./kg.	Vehicle [1]	P.p.m.
027	Piperonyl butoxide	I	α- [2-(2-n-Butoxyethoxy)-ethoxy]-4,5-methylenedioxy-2-propyl toluene	100	0.5-percent gelatin	300
028	Piperonyl sulfoxide	I	1,2-Methylenedioxy-2 [2-octyl sulfinyl propyl]-benzene	46.4	do	111
049	SDDC	F	Sodium diethyldithiocarbamate	215	Dis. H_2O	692
052	o,p'-DDD	I	2-(o-Chlorophenyl)-2-(p-cholorophenyl)-1,1-dichloroethane	215	0.5 percent gelatin	560
059	Monuron	H	3-(p-Chlorophenyl)-1,1-dimethyl urea	215	do	517
067	p,p'-DDD	I	2-2-Bis(p-chlorophenyl)-1,1-dichloroethane	100	do	300
068	Ethyl tellurac	F	Tellurium disthyldithiocarbamate	46.4	do	149
072	Perthane	I	1,1-Bis(p-ethylphenyl)-2,2-dichloroethane	215	do	815
073	Chloranil	F	Tetrachloro-p-benzoquinone	215	do	646
081	Vancide PB	F	1,2,3-Trichloro-4,6-dinitrobenzene	46.4	DMSO	121

See footnote at end of table.

TABLE 4.—EXPERIMENTAL COMPOUNDS WHICH REQUIRE ADDITIONAL EVALUATION—Continued

Compound No.	Common name	Use	Chemical name	Dosage mg./kg.	Vehicle [1]	P.p.m.
083	Redax	IC	N-Nitrosodiphenylamine	1,000	DMSO	3,769
088	Ledate	F	Lead Dimethyldithiocarbamate	46.4	0.5 percent gelatin	130
097	Omal; dowicide 2S	F	2,4,6-Trichlorophenol	100	do	260
110	Azobensene	H	Diphenyldimide	21.5	do	56
124	Cyanamide	H	Calcium cyanamide	100	do	240
127	Vancide	F	2,2-Thio bis(4,6-dichlorophenol)	46.4	do	111
134	Ethyl tuads	F	Tetraethyl thiuram disulfide	100	do	323
149	Zectran	I	4-Dimethylamino-3,5-xylyl-methyl carbamate	4.65	do	11
156	CCC	H	2-Chloroethyl trimethyl-ammonium chloride	21.5	do	65

[1] Used during stomach tubing period only.

Note: I, insecticide; F, fungicide; H, herbicide; R, rodenticide; and IC, industrial compound.

TABLE 5.—TUMORS AMONG NEGATIVE CONTROL MICE

Compound	Compound number	Strain [1]	Mice at term		Total mice necropsied		Weeks at term		Hepatomas		Pulmonary tumors		Lymphomas		Total mice with tumors	
			Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Untreated		X	14	16	17	18	88	88	1	0	2	1	1	2	6	3
Control, OD		Y	18	16	18	17	89	89	3	0	2	0	1	2	5	2
Untreated		X	15	17	15	18	78	78	3	0	2	1	0	1	5	2
Control, OE		Y	18	13	18	15	78	78	0	0	3	0	0	1	3	1
Untreated		X	12	18	14	18	80	80	3	0	0	1	2	1	4	2
Control, OF		Y	18	17	18	18	80	80	1	0	0	0	0	0	2	0
Untreated		X	16	16	17	17	81	81	1	0	1	0	2	0	7	1
Control, O		Y	17	14	18	15	81	81	0	1	3	2	0	0	3	2
Gelatin		X	16	16	16	16	82	82	0	0	0	0	0	0	0	0
Control		Y	18	15	18	17	83	83	1	0	2	1	0	1	3	2
Total		X	73	83	79	87			8	0	5	3	5	4	22	8
Negative control		Y	89	75	90	82			5	1	10	3	1	4	16	7

[1] Strain X=(C57B1/6 x C_3H/Anf)F_1; strain Y=(C57B1/6 x AKR)F_1.

TABLE 6.—TUMORS AMONG POSITIVE CONTROL MICE

Compound	Compound number	Strain [1]	Mice at term		Total mice necropsied		Weeks at term		Hepatomas		Pulmonary tumors		Lymphomas		Total mice with tumors	
			Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Ethyl Carbamate [2]	34	X	9	13	20	23	71	69	8	12	6	6	1	3	13	19
		Y	15	18	22	19	73	74	14	5	15	17	6	1	20	18
Ethylene imine	78	X	4	14	17	15	78	77	15	11	15	15	0	0	16	15
		Y	1	3	16	11	77	77	9	2	12	10	0	2	16	11
Mitrol [3]	89	X	0	0	18	18	54	58	16	18	0	0	0	0	16	18
		Y	0	0	18	18	53	60	16	17	0	0	1	0	16	17
Aramite	122	X	16	16	16	17	81	78	6	1	0	1	1	1	7	8
		Y	17	16	17	16	78	81	1	0	0	3	0	0	2	4
Dihydrosafrole	160	Y	16	16	17	17	82	82	10	0	4	5	1	1	12	7
		Y	15	15	17	18	82	82	8	1	5	4	0	1	11	6
Isosafrole	161	X	18	16	18	16	82	82	5	1	3	1	1	0	8	2
		Y	17	16	17	16	82	82	2	0	0	0	1	0	4	0
Safrole	162	X	14	14	17	16	82	82	11	16	0	0	0	0	11	16
		Y	17	16	17	17	82	82	3	16	0	0	0	0	3	16

[1] Strain X=(C57B1/6×C_3H/Anf)F_1; strain Y=(C57B1/6×AKR)F_1.

[2] Adenomas of the Harderian gland were found in 24 mice.

[3] Carcinomas of the thyroid were found in 64 mice.

TABLE 7.—TUMORS AMONG MICE RECEIVING EXPERIMENTAL COMPOUNDS WHICH RESULTED IN A HIGH TUMOR YIELD

Compound	Compound number	Strain [1]	Mice at term		Total mice necropsied		Weeks at term		Hepatomas		Pulmonary tumors		Lymphomas		Total mice with tumors	
			Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
PCNB	60	X	14	18	18	18	78	78	2	4	2	1	2	0	5	5
		Y	16	17	17	17	78	78	10	1	1	0	1	1	11	2
p,p'-DDT	65	X	17	11	18	18	81	81	11	4	2	0	0	1	11	5
		Y	18	13	18	18	81	81	7	1	2	0	1	6	8	7
Mirex	96	X	0	0	18	16	59	70	6	8	0	0	0	0	7	8
		Y	0	0	15	16	59	69	5	10	0	0	0	0	5	10
Avadex	98	X	15	16	16	16	85	84	13	3	4	2	0	1	14	5
		Y	16	14	18	15	85	86	10	1	4	1	0	0	12	2
Bis(2-chloroethyl)-ether	109	X	11	18	16	18	80	80	14	4	0	0	2	0	16	4
		Y	15	17	17	18	80	80	9	0	2	0	0	1	10	1
Ethyl Selenac	129	X	16	14	18	17	82	82	12	3	0	0	3	2	16	6
		Y	17	14	17	17	82	82	3	0	3	1	1	3	5	4
ETU	153	X	14	18	16	18	83	82	14	18	1	3	0	1	14	18
		Y	18	13	18	16	82	82	18	9	2	0	3	4	18	12
N-(2-Hydroxyethyl) hydrazine	154	X	17	17	17	18	79	79	8	1	1	1	1	0	10	2
		Y	18	16	18	17	79	79	10	0	1	2	0	1	10	3
Chlorobenzilate	168	X	12	17	17	18	83	83	9	0	0	1	3	1	11	2
		Y	16	18	17	18	83	83	7	0	0	2	1	1	8	3
Bis(2-Hydroxyeth71) dithiocarbamic acid potassium salt	170	X	14	17	16	18	80	80	13	12	0	1	1	0	14	13
		Y	15	16	17	17	80	80	13	3	1	2	0	2	13	7
Strobane	171	X	10	17	15	18	80	80	2	0	1	1	5	2	8	3
		Y	18	18	18	18	80	80	11	0	0	0	0	0	11	0

[1] Strain=(C57B1/6×C3H/Anf)F1; strain Y=(57B1/6×AKR)F1.

TABLE 8.—RELATIVE RISK FOR DEVELOPMENT OF TUMORS AMONG MICE TREATED WITH POSITIVE CONTROL COMPOUNDS WHEN COMPARED TO NEGATIVE CONTROLS

			Hepatomas			Pulmonary tumors			Lymphomas			Total mice with tumors		
Compound	Compound	Strain	Male	Female	Sum	Male	Female	Sum	Male	Female	Sum	Male	Female	Sum
Ethyl Carbamate	34	X	[1]5.72	(1 2)	[1]9.06	[1]6.07	[1]8.97	[1]7.24	1.04	3.17	2.07	[1]4.60	[1]40.53	[1]10.99
		Y	[1]26.52	[1]20.61	[1]24.65	[1]15.84	[1]159.00	[1]30.78	[1]23.51	1.41	[1]6.05	[1]37.02	[1]124.16	[1]58.36
		Sum	[1]11.66	[1]40.07	[1]15.17	[1]10.57	[1]28 52	[1]15.22	[1]5.04	2.35	[1]3.29	[1]9.35	[1]57.84	[1]19.10
Ethylene imine	78	X	[1]52.15	(1 2)	[1]80.91	[1]83.982	[1]748.43	[1]135.39	0	0	0	[1]28.11	(1 2)	[1]52.11
		Y	[1]19.69	14.30	[1]18.08	[1]21.296	[1]159.00	[1]37.30	0	4.59	3.77	(1 2)	(1 2)	[1]184.81
		Sum	[1]29.65	[1]45.76	[1]32.94	[1]36.028	[1]256.93	[1]59.66	0	2.79	1.87	[1]44.09	[1]259.35	[1]80.87
Amitrol	89	X	[1]55.52	(1 2)	[1]101.68	0	0	0	0	0	0	[1]16.87	(1 2)	[1]30.22
		Y	[1]102.60	[1]633.89	[1]183.09	0	0	0	5.11	0	2.07	[1]29.80	[1]117.44	[1]50.22
		Sum	[1]74.33	[1]1,150.55	[1]139.42	0	0	0	1.86	0	1.04	[1]2.35	[1]159.79	[1]40.16
Aramite	122	X	[1]5.21	(2)	[1]5.79	0	2.19	1.30	1.31	1.69	1.48	2.02	[1]8.37	[1]3.88
		Y	1.41	0	1.47	0	5.89	2.73	0	0	0	.73	3.63	1.75
		Sum	[3]3.56	5.12	[1]3.78	0	4.00	2.00	1.40	1.20	1.29	1.40	[1]5.79	[1]2.82
Dihydrosafrole	106	X	[1]11.78	0	[1]11.78	[3]4.52	[1]10.62	[1]6.74	1.23	1.69	1.44	[1]5.81	[1]6.68	[1]6.21
		Y	[1]13.91	4.66	[1]10.83	3.37	[3]7.05	[1]4.48	0	1.50	1.55	[1]7.99	[1]5.23	[1]6.60
		Sum	[1]12.72	4.66	[1]11.26	[1]3.82	[1]8.70	[1]5.42	1.34	1.59	1.48	[1]6.83	[1]5.93	[1]6.40
Isosafrole	161	X	3.43	(2)	[3]4.18	3.06	2.34	2.79	1.16	0	.94	2.07	1.61	1.91
		Y	2.51	0	2.31	0	0	0	5.42	0	2.24	1.51	0	1.20
		Sum	[3]3.05	5.28	[3]3.32	1.80	1.61	1.73	2.14	0	1.37	1.81	1.13	1.61
Safrole	162	X	[1]14.88	(1 2)	[1]24.53	0	0	0	0	0	0	[1]4.52	(1 2)	[1]7.55
		Y	3.75	[1]597.67	[1]15.56	0	0	0	0	0	0	1.09	[1]110.73	[1]4.99
		Sum	[1]8.52	[1]1,069.85	[1]19.86	0	0	0	0	0	0	[3]2.51	(1 2)	[1]6.19

[1] Increased tumor yield significant at 0.01 level.

[2] Relative risk calculated as infinite. This figure may result from the absence of tumors in the control group and is not necessarily significant.

[3] Increased tumor yield significant at 0.05 level.

STATEMENT ON DEPARTMENT OF DEFENSE RESEARCH ACTIVITIES

Mr. FULBRIGHT. Mr. President, the Department of Defense proposes to spend $48.6 million on social and behavioral science research in the next fiscal year. Of this amount, $5.2 million is for studies with foreign policy implications and $7.5 million is for foreign area research. The Committee on Foreign Relations has devoted considerable study to this and other aspects of the Pentagon's research program. As a result of the study, I am convinced that Congress should make some drastic revisions in that program.

The proposed authorization for Department of Defense research is included in S. 1192, now being considered by the Committee on Armed Services. I have submitted a statement of my views on these activities to the committee and, in the light of the general interest in this subject, I ask unanimous consent to have the statement and related information printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR J. W. FULBRIGHT SUBMITTED TO THE SENATE COMMITTEE ON ARMED SERVICES, CONCERNING THE DEPARTMENT OF DEFENSE RESEARCH AUTHORIZATION REQUEST CONTAINED IN S. 1192, APRIL 29, 1969

Mr. Chairman, I appreciate the opportunity to comment on certain aspects of the Department of Defense research program to be authorized by S. 1192.

During the last two years the Committee on Foreign Relations has devoted a great deal of study to Department of Defense research programs involving foreign policy matters. As a result of this study I am convinced that Congress should drastically revise the Department's social science research operations. I hope that the Committee, in appraising the budget request for research, will take a hard look at each project in the field of the social sciences, being conducted abroad, by the so-called "think tanks," and financed under the college subsidy program, Project Themis. If the Committee goes over these programs item by item, I am confident that it will see clearly the need for substantial improvements.

Let me discuss briefly several aspects of this research program.

According to information provided by the Defense Department, a total of $45.4 million will be spent on social and behavioral science research in FY 1969. $48.6 million is budgeted for FY 1970. Of this, $5.2 million is for studies with foreign policy implications, and $7.5 million is for foreign area research. I ask to have printed following my statement, a listing of the unclassified social and behavioral science research projects, by category, and a compilation of the research projects underway in foreign countries.

The ballooning of military financed research in non-military areas is seen by what is taking place in Thailand. The bibliography of recent Department of Defense research in Thailand is 63 pages long, listing 508 separate reports. An article by Stanley Karnow in the January 20, 1969 *Washington Post* reported from Bangkok that, "About a dozen different research firms employing nearly 200 American specialists spend some $11 million a year in Department subsidies on various projects here." The following are a few examples:

(1) Directory of the Social Sciences in Thailand.

(2) Social Structure and Shifting Agriculture—The White Meo.

(3) Blue Book of Coastal Vessels in Thailand.

(4) Studies of Bladder Stone Disease in Thailand.

(5) Tests of the Gama Goat in Thailand.

Defense financed foreign area research continues unchecked despite the Project Camelot fiasco of several years ago and more recent incidents in Sweden, Japan, and India. In the next fiscal year the Department of Defense proposes to spend $7,547,000 on research about foreign areas. Yet only $125,000 is budgeted for external research by the agency responsible for our nation's foreign affairs, the Department of State. The entire budget for the State Department's Bureau of Intelligence and Research is only two-thirds the $6.2 million budgeted by the Defense Department for foreign policy research. It is obvious that the Department of Defense is involved in many research activities simply because it, and not the Federal agency with proper jurisdiction, has the money available.

A panel of the Defense Science Board, whose recommendations for increased activities by the Defense Department in the behavioral and social sciences have been endorsed by Dr. John S. Foster, Jr., Director of Defense Research and Engineering, has stated that the military has a responsibility to wage "peacefare." I, for one, do not wish to see the United States involved *militarily* in waging "peacefare" around the world any more than I wish to see us wage warfare. Judging from the titles of some current research projects, I fear that "peacefare," as conceived by the military oriented social scientists, means Pax Americana, and inevitable involvement by the United States in internal disputes of countries all over the world.

Research projects, such as the following, to be carried out under authority of this bill are more likely to lead to additional Vietnams than to a realistic assessment of our proper role in the world:

(1) Conflict Contingencies in the 1970's.

(2) Prediction of International Military Capabilities and Events.

(3) Alternative Strategies for Insurgent Conflicts.

(4) U.S. Army Psychological Operations Requirements Worldwide.

(5) Capabilities and Interests Study.

(6) Studies in the Processes of Political Development and Revolutionary Behavior.

(7) Ideology and Behavior.

All too many of these studies—underway and proposed—indicate that the Pentagon planners have not learned any lessons from Vietnam, but that they are busily engaged in blueprinting strategies where our military will play the key role in trying to maintain order in a disorderly world. I, for one, do not want the Senate to encourage the planning of more Vietnams.

Another aspect of the military research program which merits a drastic reduction is research carried out by foreign institutions, primarily colleges and universities. According to the Defense Department, 440 research projects are now underway in 44 foreign countries throughout the non-Communist world. Here are a few examples:

France—"Nervous Process Underlying Behavior and Learning"—$50,000.

Greece—"Aftershocks and Crustal Structure in Greece"—$145,000.

Iran—Nutritional Studies (Iran)—$70,000.

Israel—"Investigation of Leadership Qualities of Kibbutz-Raised Young Men"—$50,000.

Lebanon—"Factors Associated with Cultural Change"—$238,000.

There is trouble aplenty over military research being carried out in our own educational institutions and there is no need to ask for the same kind of trouble in 44 other countries. Unless the brakes are put on this program, more incidents are inevitable. A compelling need in our foreign affairs today is to make the American presence abroad less visible. We do not accomplish that by linking foreign universities to our military establishment. Most of this research has little, if any, direct bearing on the proper role of the armed forces or could not be carried out in a domestic institution. I urge the Committee to phase out all but the essential foreign-based research as rapidly as feasible.

Another area which deserves the careful attention of the Committee is that of the "think tanks"—the 16 Federal Contract Research Centers where over $300 million in Defense funds are being spent this year. The Committee on Foreign Relations found evidence of much duplication and waste of taxpayers' money in the small part of the "think tank" activity it looked at. These institutions, supported in most instances almost entirely by Defense contracts, should be kept under much closer scrutiny by the Congress since the Defense Department is seemingly incapable of doing the job.

During its investigation of the 1964 incidents in the Gulf of Tonkin, the Committee on Foreign Relations was refused access to a study prepared by the Institute for Defense Analysis, with Defense funds. The study, relating to the decision making process leading to the United States response, could possibly shed light on a confused period and help avoid future stampedes in time of crisis. But the issue here is far more important than whether or not the Committee on Foreign Relations is given this one report. No congressional committee should be denied copies of any research reports, paid for with taxpayers' money, except on grounds of executive privilege. I hope your Committee will correct this problem and I submit an amendment on this point for its consideration.

In 1967 the Department of Defense initiated Project THEMIS, whose purpose is "to stimulate the development of additional centers of defense-revelant research." Dr. Foster told the Committee on Foreign Relations last year that THEMIS could provide "a wider geographical distribution of Defense research funds favoring institutions and areas which do not now receive substantial support." Translated, this means a direct subsidy program for higher education. One reason for the widespread turmoil we now have in our colleges is their too obvious association with the military establishment.

Twenty-seven million dollars was budgeted for THEMIS in 1967; $28.5 million was appropriated for FY 1969, and the budget request for FY 1970 is $33 million. This amount will support continuation of 92 projects at 52 universities and colleges, and allow initiation of an additional 25 projects. One area in which the Defense Department solicits research proposals, the THEMIS promotion pamphlet states, is in " . . . the evaluation of the reliability and validity of current national security forecasting procedures, and the systematic interpretation and selection of strategic and tactical signals relevant to deterrence, escalation, crisis management and multilateral military activities." That covers quite a bit of territory.

Of the top 500 defense research contractors, 99 are educational institutions, led by the Massachusetts Institute of Technology which received over $119 million in Defense funds last fiscal year. I ask permission to have included in the hearing record the latest ranking of nonprofit recipients of research contracts.

The increasing dependence of colleges and universities on the Defense Department largesse is not a healthy situation for the institutions, the students, or for our free society. The type of thinking that assumes a role for the Defense Department in subsidizing higher education, however, sees no conflict between the role of the academician as a teacher and independent thinker and as a hireling of the Defense Department. As a long-time supporter of increased Federal aid to education I do not quarrel with the concept of government assistance; I question here only the means and the methods by which aid is furnished. The Department of Defense is not the proper agency to carry out an aid to education program and the $33 million budgeted for THEMIS in FY 1970 could be used more effectively on any of the many authorized educational programs which are sadly underfunded. I urge the Committee to approve only the amount needed to meet existing contract obligations under Project THEMIS, thus starting an orderly phase-out for the program. This should enable a reduction by one-half or more in the budget request. Perhaps these savings, in a small way, will help make it more feasible to assist colleges and universities in the manner approved by the Congress—through the established programs of aid to higher education.

In summary, I recommend that the Committee take the following action on the Department of Defense research program:

(1) Reduce the authorization request for the social and behavioral sciences by at least one-half;

(2) Phase out all research in foreign institutions not involving a direct essential military requirement;

(3) Reduce substantially funds for the "think tank" operations and institute stricter controls over their operations;

(4) Require that, upon request, appropriate congressional committees be furnished with copies of any research report prepared under Department of Defense auspices;

(5) Eliminate funds for expansion of Project THEMIS and phase out the program as existing contracts expire.

I again thank the Committee for this opportunity to comment on this program and I hope that it will take appropriate action to correct these abuses.

PROPOSED AMENDMENT TO S. 1192

The Secretary of Defense shall, in response to any request made to him in writing by a committee of the Congress, promptly submit to such committee a copy of any report, study, or investigation requested by such committee if such report, study, or investigation was made in whole or in part with Department of Defense funds.

POLICY PLANNING STUDIES WITH FOREIGN POLICY IMPLICATIONS

SPONSOR: DEPARTMENT OF THE ARMY, OCRD

[Note: Information concerning 21 projects is classified and, therefore, not included in this listing]

Project title	Project description	Contractor/investigator	Previously initiated, underway in fiscal year 1969	Initial funding in fiscal year 1969	Planned for fiscal year 1970
Beliefs and habits of certain foreign populations of significance for psychological operations (U).	Classified	CRESS	$49,000		
U.S. Army psychological operations requirements worldwide.	Overview, ordering, integration of PSYOPS knowledge and thinking to provide guidance for planning, operations, training, research.	CRESS	7,000		$25,000
Development of critical target analysis information for the U.S. strategic psychological operations in Southeast Asia.	Identification of questions to be used as essential elements of information to collect information required in conduct of PSYOPS.	CRESS	7,000		
Development of methodology for tactical use by psychological operations units.	Develop practical methodological guidelines enabling PSYOPS officers to evaluate attitudes in overseas areas with reasonable degree of accuracy.	CRESS	68,000		
A systematic framework for psychological operations	Estimation of worldwide requirements for U.S. Army PSYOPS in time frame 1970–77.	CRESS	49,000		50,000
Internal security	Research on civil, paramilitary and military police operations related to overseas internal defense and development.	CRESS	77,000		80,000
Combating insurgent infrastructure in Southeast Asia.	Research on techniques to eliminate Communist insurgent movement in South Vietnam. Application of findings to dissimilar environment of second country in SEA.	CRESS	81,000		85,000
Strategic and tactical factors underlying internal defense and development.	Analyses of processes involved in internal conflict	CRESS	77,000		75,000
Utilization of military assistance program equipment by developing nations.	Assess capability of military personnel and institutions in developing nations to operate, maintain, support equipment furnished under Military Assistance Program.	CRESS	34,000		
Social processes relevant to military planning for stability studies of African groups.	Study of African socio-political structures, dynamics, and leadership resources and attitudes.	CRESS	34,000		
Changing roles of the military in developing nations	Subcontracted studies of changing roles of military establishments.	CRESS	2,000		
Assessment of cultural meanings through associative group analysis technique.	Development, testing of technique for collecting culture and. audience—Specific information on foreign societies.	CRESS	93,000		100,000
Cultural Information and Analysis Center (CINFAC)	An information storage, retrieval, analysis facility providing information services concerning foreign areas and cultures to qualified requesters.	CRESS	750,000		750,000
Evaluation of the impact of visual PSYOP in the Republic of Korea.	Determination of effectiveness of on-going PSYOP activities conducted in ROK to maintain positive disposition toward UNC/USFK.	CRESS			70,000
Research on civic action and community assistance programs in Panama.	Identification of techniques and procedures that contribute to operational effectiveness of military civic action programs.	CRESS			85,000
Feasibility study of a system for debriefing MAAG advisors (Debrief).	Development, evaluation of techniques and instruments for debriefing US military personnel who have served overseas in military assistance program.	Human Resources Research Office	45,000		69,000
Development of concepts and techniques for area training (Area).	Development for behavioral criteria to improve effectiveness of area training.	do	45,000		

POLICY PLANNING STUDIES WITH FOREIGN POLICY IMPLICATIONS—Continued

SPONSOR: DEPARTMENT OF THE ARMY, OCRD—Continued

[Note: Information concerning 21 projects is classified and, therefore, not included in this listing]

Project title	Project description	Contractor/investigator	Previously initiated, underway in fiscal year 1969	Initial funding in fiscal year 1969	Planned for fiscal year 1970
Program of instruction for the development of cultural self-awareness (Cope).	Design, production and evaluation of program of audiovisual instruction for development of cultural self-awareness.	Human Resources Research Office	$113,600		$115,000
Factors influencing effectiveness of advisor-counterpart interactions (Refract).	Develop operational techniques to assess effectiveness of advisor-counterpart relations and identify factors that influence them.	do	45,000		23,000
United States-Thai security guard (ES-73)	Assess effect of cultural factors on performance of personnel involved in Thai security guard program.	do	[1] 22,700		
Development of generalized method for repairing self-instructional foreign language courses (Autospan).	Effort organized around the development and evaluation of prototype course in Spanish.	do	113,600		138,000
Implementation and modification of the USMACTHAI adviser debriefing program (Refocus).	Develop and evaluate techniques for systematic continuation and modification of adviser debriefing program within U.S. Military Assistance Command, Thailand.	do	[1] 22,700		
Overseas Military Posts and Communities (Sojourn)	Develop techniques to gather information pertinent to mangement, organization and planning for U.S. military communities overseas.	do	68,000		
Development and evaluation of a Southeast Asian cultural assimilator.	Compile assimilator and evaluate advantages and disadvantages of using this as a principal teaching vehicle.	do			23,000
Guidelines for effective management of foreign national employees of the U.S. Army.	Survey of experiences of U.S. supervisory personnel and development of data bank of critical incidents and cultural differences relevant to civilian personnel operations.	do			69,000
Research on troop-community relations, Korea	Evaluate and further develop orientation program designed to improve relations between U.S. soldiers and Koreans.	American Institutes for Research	185,000		185,000
Research on troop-community relations, Thailand	Develop and test orientation program designed to improve relations between U.S. soldiers and Thai population.	do	90,000		112,000
Research on troop-community relations, Panama	Develop and test orientation program designed to improve relations between U.S. soldiers and Panamanians.	do		$70,000	70,000
Impact of body size on Korean utilization of U.S. equipment and analysis of ROKA Reserve training.	Assess implications of anthropometric data for utilization of U.S. military equipment; and preparation of casebook analysis of training program for ROKA Reserve divisions, assessment of implications for use in other countries.	Rowland & Co	65,000		70,000
Socioeconomic aspects of American military commanders' control of goods brought into a developing country.	Analysis of problem of military control of materiel introduced into developing countries.	HRB Singer, Inc	0		80,000
Sources and indicators of trends in the Pacific region	Develop information on major economic, demographic sociological trends in Oceania.	National Academy of Sciences	[3] 0		
Subtotal			2,534,600	105,000	2,804,000
SPONSOR: U.S. ARMY MEDICAL RESEARCH AND DEVELOPMENT COMMAND					
Comprehensive epidemiologic studies in developing countries.	Study of disease conditions and vectors in selected rural populations.	The Johns Hopkins University, Alfred Buck, MD	$168,533		$115,000
A sociomedical study of the Lisu of northern Thailand	Anthropological fieldwork among the Lisu tribe	University of Illinois, E. Paul Durrenberger.		$43,687	0
The culture of health and illness in a Southeast Asian village.	Beliefs and behavior relating to health and illness in a village in Thailand.	University of Pennsylvania, Gertrude Marlowe.	0		
Interpersonal perception and the psychological adjustment of group members.	Study of group effectiveness in divergent cultural groups	University of Illinois, Fred E. Fiedler.	0		0
Social structure and ecology of Red Karen-Shan interethnic relations in Province Mai Hongsorn (Thailand) emphasizing environmental health aspects.	Study of social customs and attitudes in relations to disease	University of Illinois, Frederick K. Lehma	8,440		0
Subtotal			176,973	43,687	115,000
SPONSOR: NAVY, OFFICE OF NAVAL RESEARCH					
Anthropological research to assist Navy strategic planning.	Investigator will combine anthropological variables with econometric techniques in order to conceptualize and predict mobility in foreign military hierarchies. Will be completed in May (1969).	University of Texas, I. Buchler	0		
A technique for deriving Navy planning information from analysis of mass media.	Make content analysis of Chinese Communist values, attitudes, problems, and decisionmaking by analyzing mass media output.	Mental Research Institute, J. Weakland.	$22,000		$25,000
The development of a method for forecasting decisions and actions for military groups.	Make cross-national data base analysis of the effects of different military postures and strategies on the decisionmaking of foreign military groups; research will also be conducted on the predicted responses of these groups to perceived politico-military threats.	Western Behavioral Science Institute, J. Raser.	28,000		
Improved Marine Corps training for civic action, civil affairs, and related programs.	To research information necessary to develop a valid strategy for Marine programs designed for training personnel to interact with indigeous populations in counterinsurgency environments. Contract terminates in March (1969).	Matrix Corp., R. Campbell	18,000		70,000
Development of USMC combined action capabilities for Vietnam and future contingencies.	To provide information useful to USMC in developing pacification or "other war" capabilities to utilize in limited or small war situations.	Human Sciences Research Inc., M. D. Havron.		$94,000	95,000
Environmental forecasting for Navy long-range planning.	Conduct research to obtain a more precise description of future international environments and to examine the implications which these descriptions have for naval mid- and long-range planning.	McDonnell Douglas Aircraft Co., D. N. Ivanoff.	[4] 25,000		
Identification of factors influencing the effectiveness of management and leadership.	Field data collection on the training, leadership characteristics, preferences, and effectiveness of foreign managerial personnel and trainees.	University of Rochester, B. M. Bass.	45,000		50,000
Factors involved in modifying hostile attitudes	Research on factors which determine whether attitude change of Far East groups is based upon persuasive communications on strategic issues.	University of Maryland, E. McGinnies.			20,000
Reduction of hostility in groups to enhance team performance.	Research conditions which produce hostility or cooperation among individual and groups from different nations.	University of Pennsylvania, A. Pepitone.	8,000		0
Leadership requirements in differing organizational settings.	This project, completed December 1968, was conducted to determine how worker behavior and leadership styles vary between national groups as a function of the structure, personnel, values, etc., of the organizations of which they work.	University of Missouri, B. Biddle	0		
Identification of variables which predict international conflict.	Trend analysis of China in its relation with the great powers and selected medium powers from 1922 until the present.	Stanford University, R. North			25,000
Comparative analysis of leadership practices	Research on effects of different types of leadership on the productivity and morale of Far Eastern groups in order to improve training programs for U.S. Navy personnel who will train, supervise, or work with these groups.	Western Washington State College, R. Meade.			10,000
Total			146,000	94,000	295,000

See footnotes at end of table.

POLICY PLANNING STUDIES WITH FOREIGN POLICY IMPLICATIONS—Continued

SPONSOR: AIR FORCE OFFICE OF SCIENTIFIC RESEARCH (OAR)

[Note: Information concerning 21 projects is classified and, therefore, not included in this listing]

Project title	Project description	Contractor/investigator	Previously initiated, underway in fiscal year 1969	Initial funding in fiscal year 1969	Planned for fiscal year 1970
Innovation and social change in developing countries	Guidance for training of personnel to be assigned to foreign duty	Hebrew University, Israel, Dr. S. Eisenstadt.	0		
Information system for analysis of a closed society	Method for coding and analyzing data on a strategic area (Chicom)	University of California, Berkeley, Dr. C. Y. Glock.	0		
Comparative analysis of military career patterns	Cooperation with friendly foreign military forces	University of California, Los Angeles, Dr. O. Grusky.	0		
Methodology for analysis of internal social movements.	Providing predictive base for forecasting social movements in selected countries.	University of Pittsburgh, Holzner and Yang.	0	0	
Behavior norms: Japanese and American youth	Comparison of attitudes and behavior of the youth of 2 countries for military assistance and manpower resource purposes.	University of Maryland, Dr. E. McGinnies.	0		
Research to improve language training—Western European countries.	Update training materials and courses in Western European languages.	Center for Applied Linguistics, Washington, D.C., Dr. T. Sebeok.	0	0	
Transfer of technology under military auspices	Cooperation with foreign military assistance and training programs.	Howard University, Dr. D. Spencer.	0	0	
Political functions of the military in the Middle East and North Africa.	Improved understanding of the role of foreign military forces in stabilization of Middle East.	Operations and Policy Research, Inc., Washington, D.C., A. Perlmutter.		$47,000	0
Simulation studies of communication behavior under stress.	Use of foreign national students in communication studies of stress in laboratory simulations.	Ohio State University, H. Quarantelli.	0	43,000	$45,000
Research on special personnel utilization problems of USAF.	Develop methods for analyzing behavior and performance of AF personnel in stressful duties (including special forces, and survival and resistance in captivity situations).	Preston and Associates, J. Monroe.	0	70,000	70,000
Cultural differences in training task approach	Cross-cultural study of differences in training techniques, using United States and Puerto Rican students.	New York University, Dr. J. Weitz.	0	0	25,000
Perception of threat, evaluation of stress and decisionmaking	Study of the way individuals and groups including civilian populations, their leaders and military organizations are likely to respond to the threats inherent in aerospace warfare and other impending dangers.	Catholic University, Washington, D.C., A. Frances.		67,000	68,000
Studies in the processes of political development and revolutionary behavior.	Strategic analysis of selected developing countries from documentary and other available data.	University of Pennsylvania Foreign Policy Research Institute, Kintner and Schwarts.		63,000	62,000
Training system for effective interaction with foreign military personnel.	Development of realistic training programs using people of different cultures in problem-solving situations.	Tufts University, Dr. B. Wedge		55,000	[5] 55,000
Information system for updating, retrieval and analysis of data on Eastern Eurpoean political leaders.	Provide USAF access to data archive on Eastern European leadership trends.	University of Pittsburgh, Prof. Carl Beck.		25,000	0
Data analysis center for comparative study of leaders (mainly Far East and SEA).	Development of system to provide DOD and academic access to available data on leaders.	University of California, Berkeley, Dr. D. Nasatir.		70,000	80,000
Total funding (estimates)				440,000	405,000

SPONSOR: ARPA/BEHAVIORAL SCIENCES—DEFENSE RESEARCH DONE IN FOREIGN AREAS

Himalayan border countries project	Describe political-social-economic development in the Himalayan border states. No field work now taking place in India. Research being conducted at the India Office Library and at the Institute of Commonwealth at the University of London. Termination being negotiated by agent.	University of California, Berkeley, Dr. Leo Rose.	0		
Cross-national studies of conflict dynamics and resolution.	Present understanding of bargaining and negotiating behavior comes from research done solely with American subjects. This project cross-checks such knowledge by using similar data from European subjects to provide American military personnel with ability to deal effectively with European counterparts. Overseas work done entirely by foreign nationals in a cooperative program Expires August 1970.	UCLA, Dr. Harold Kelley	$80K		0
Human interaction and communication	Improve ability to communicate where obstacles such as language and cultural differences exist. Overseas work entails validation of previously developed techniques for rapid acculturation of American military personnel to foreign environments. Expires August 1971.	University of Illinois, Dr. Fred Fiedler.	100K		
Social change as a result of modernization	To determine most effective uses of DOD aid to developing nations so that conflict between traditional cultural values and pressures toward modernization are minimized. Transfer to non-DOD agency under discussion.	Kalamazoo College, Dr. Stillman Bradfield.	0		
		Penn State University, Dr. George Guthrie.	0		
		Princeton University, Dr. Harry Eckstein.	0		
		Rice University, Dr. William McCord.	0		
Subtotal			242K	0	0
Cultural change in developing societies (THEMIS)	DOD is frequently required, through aid and establishment of bases, to make massive infusions of men and material into traditional societies. This project studies the effects of such situations, with reference to ways of ameliorating the disruption which sometimes results from large-scale American military presence overseas, Work has taken place in American Micronesia, and contract will transfer to Air Force—which has large bases in this area.	University of Kansas, Dr. Felix Moos.	0		
Nonverbal communication cross-cultural studies	Some nonverbal communicative acts i.e., gestures and facial expressions, appear to be common to all cultures while others are highly culture-specific in their meanings. Understanding these meanings will enable American military personnel to communicate more effectively .n foreign societies. No further work overseas to take place under this contract. Money to be used for conclusion in United States of work begun overseas. Expires August 1970.	Langley Porter Institute, Dr. Paul Ekman.	62K		0

See footnotes at end of table.

POLICY PLANNING STUDIES WITH FOREIGN POLICY IMPLICATIONS—Continued

SPONSOR: ARPA/BEHAVIORAL SCIENCES—DEFENSE RESEARCH DONE IN UNITED STATES BUT RELATED TO FOREIGN AREAS

[Note: Information concerning 21 projects is classified and, therefore, not included in this listing]

Project title	Project description	Contractor/investigator	Previously initiated, underway in fiscal year 1969	Initial funding in fiscal year 1969	Planned for fiscal year 1970
Foreign communication and defense	Describe communication mechanisms of China and Soviet Union and develop computer simulation of message flow so as to predict spread of information and news in future. Expires September 1969.	MIT, Dr. Ithiel Pool	0	....	0
Military implications of international bargaining and negotiations.	Build predictive theories of bargaining and negotiating processes to avoid, limit and resolve military conflict. Increase understanding of the relation of such processes to international politico-military systems through development and use of computer simulations. Intermediate results in use by Joint War Games Agency and Industrial College of the Armed Forces.	SDC, Dr Gerald Shure	$250K	....	$1,136K
		Northwestern University, Dr. Harold Guetzkow.	125K	....	94K
Human factors in modernization	Originally planned as foreign study of peasant societies undergoing development and modernization. No field work undertaken and project is phasing out. Expires September 1969.	MIT, Dr. Fred Frey	0	....	0
Strategic analysis of social conflict	Continuation of Dr. Schelling's work to improve understanding of revolutionary processes.	Harvard University, Dr. Thomas Schelling.	75 K	....	78 K
Prediction of international military capabilities and events.	To develop quantitative methodology and theory for use of publicly available data (U.N., news media, etc.) to improve predictions and understanding of actions by foreign nations.	University of Hawaii, Dr. R. Rummel.	130 K	....	130 K
		University of Southern California, Dr. Charles McClelland.	80 K	....	80 K
		Yale University, Dr. Bruce Russett.	80 K	....	80 K
Subtotal			740 K	0	1,598 K
Total			982 K	0	1,598 K

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[1] ARPA funded.
[2] Funded in fiscal year 1968.
[3] Funded in fiscal year 1967.
[4] Partial support.
[5] Planned.

Note: Dashes (....) indicate not applicable or that project is completed; 0 indicates project is continuing, although funding is completed.

DEPARTMENT OF DEFENSE SOCIAL/BEHAVIORAL SCIENCE RESEARCH PROJECTS USING INFORMATION ABOUT FOREIGN AREAS

SPONSOR: ARMY, OFFICE, DEPUTY CHIEF OF STAFF, MILITARY OPERATIONS (ODCSOPS)

[Note: Information concerning 20 Projects, including all Projects sponsored by ARPA/AGILE, are classified and not included in this listing]

Project title	Project description	Contractor/investigator	Previously initiated, underway in fiscal year 1969	Initial funding in fiscal year 1969	Planned for fiscal year 1970
Strategic analysis of subsaharan Africa, 1969 (SASSA) (8 substudies).	Includes studies of U.S. strategic interests, environmental trends, and U.S. policies and programs.	RAC	$70,500	....	$74,000
Strategic analysis of Europe, 1969 (SAEUR) (6 substudies).	Includes studies of French foreign policy, European trade prospects, development of Siberia and Soviet-Japanese trade.	RAC	122,300	....	128,000
Strategic analysis of north Africa, the Middle East, and South Asia, 1969 (SANESA) (8 substudies).	Includes studies of Algeria, Yemen, Indian political leadership, Cyprus, and Inter-Arab relations.	RAC	95,300	....	100,000
Strategic Analysis of Southeast Asia, 1969 (SASEA) (8 substudies).	Includes analyses of Malaysian foreign policy, regional military cooperation, and Australian foreign and military policy.	RAC	124,000	....	130,000
Strategic analyses of Latin America, 1969 (SALA) (5 substudies).	Includes studies of strategic, economic, military, and other aspects of Latin American positions and treaties.	RAC	93,000	....	100,000
Strategic analysis of northeast Asia, 1969 (SACNEA) (4 substudies).	Includes studies of aspects of China's policies and changes and analysis of Japanese and North Korean policies.	RAC	122,400	....	130,000
Theater fire support concepts	Omitted because of classification	RAC		$15,000	....
Conflict contingencies in the 1970's	To identify those minor contingencies which would occur worldwide in 1972–79 period and would require U.S. participation.	RAC		26,200	....
United States and regional collective security arrangements (COLSEC) (2 substudies).	Analyze U.S. policies concerning selected existing collective security arrangements. A concept of selective noninvolvement will be explored.	RAC		40,000	....
The Pacific-Indian Ocean region as a strategic zone	Analysis of the impact of the British withdrawal, technological advancements, and increased Soviet and CHICOM interest in the Indian Ocean region.	RAC		35,300	....
Latin American nuclear free zone (LANFZ)	Will address questions concerning U.S. bases, installations, and activities in the zone of application of LANFZ Army plans for the defense of the Panama Canal.	RAC		29,300	....
Vulnerabilities of Communist China to U.S. Psychological Operations.	Determination and assessment of vulnerabilities of China and methods of exploitation by U.S. and/or allied PSYOPS.	RAC	60,000	....	....
Strategic Postures Study (SPOST)	Work supporting a continuing Army Staff study effort to analyze and evaluate alternative postures for the U.S. the U.S.S.R., and CPR in the 1968–80 period.	SRI	820,000	....	860,000
Total			1,507,500	145,800	1,522,000

SPONSOR: AIR FORCE, OFFICE, DEPUTY CHIEF OF STAFF, RESEARCH AND DEVELOPMENT

Japanese rearmament, nuclear, and space programs	A study of factors and developments affecting the Japanese military contribution to the U.S. effort in Asia, including the security pact.	Rand, P. F. Langer and M. E. Davies.	$61,000	....	$60,000
Chinese military and foreign policy	A continuing analysis of the background and fundamental characteristics of Chinese foreign and military policies to elucidate their implications for U.S. policy. Research provides background for consultations with Air Staff officials and for inputs to interdepartmental studies, such as work on strategic posture toward China.	Rand, A. Hsieh	99,000	....	100,000
European security issues	A continuing examination of trends in the political and military relations of European States, including possible changes in European security arrangements, and national developments affecting the overall European military posture.	Rand, F. C. Ikle	122,000	....	120,000
Soviet military and foreign policy	A continuing study of Soviet military doctrine, use of military strength for political purposes, foreign policy, and political institutions in the Soviet Union and East European States.	Rand, A. Horelick	252,000	....	250,000
Military representation in U.S. missions	Examines better methods of military representation in handling military aid in foreign countries, specifically India, Indonesia, Brazil, and Iran.	Rand, P. Y. Hammond	43,000	....	40,000

DEPARTMENT OF DEFENSE SOCIAL/BEHAVIORAL SCIENCE RESEARCH PROJECTS USING INFORMATION ABOUT FOREIGN AREAS—Continued

SPONSOR: AIR FORCE, OFFICE, DEPUTY CHIEF OF STAFF, RESEARCH AND DEVELOPMENT—Continued

[Note: Information concerning 20 Projects, including all Projects sponsored by ARPA/AGILE, are classified and not included in this listing]

Project title	Project description	Contractor/investigator	Previously initiated, underway in fiscal year 1969	Initial funding in fiscal year 1969	Planned for fiscal year 1970
Sino-Soviet economic potential	A continuing study of the economic background of Soviet and Communist Chinese military power. Presently it includes studies of outlays, employment, and organizational problems in Soviet R. & D., Soviet foreign economic relations, and Chinese civil aviation.	Rand, O. Hoeffding	$112,000		$110,000
The role of the military in Indonesia	An analysis in support of Air Force plans and intelligence of the role of the military in the developing political, economic, and defense structure of Indonesia, and the probable role of Indonesia in the larger context of U.S. security interests in SEA.	Rand, G. J. Pauker	35,000		35,000
Asian security issues	To help the Air Force by delineation: (a) Future alternative regional and global environments which would affect the Air Force operations, (b) alternative postures and policies which emphasize these components which are of particular Air Force interest but which also consider other theater forces, local, paramilitary and police forces and barriers; foreign aid programs, bilateral and multilateral security arrangements, (c) comparisons of these alternative postures and policies in various potential military and political contingencies in different regional and global environments.	Rand, C. Wolf, Jr.		$131,000	130,000
Policy relevant technology in the 1970's and 1980's	To project the future of a number of technologies that have particular relevance to interactions among countries and what implications such technological developments have for U.S. military and political policy. Of interest are (a) power generation and transmission; (b) information processing and communication; (c) manufacturing and transportation.	Rand V. Gilinsky			2,000
Total			724,000	131,000	847,000

SPONSOR: OASD/ISA

Project title	Project description	Contractor/investigator	Previously initiated, underway in fiscal year 1969	Initial funding in fiscal year 1969	Planned for fiscal year 1970
Development of a planning, programing and budgeting system (PPBS) for U.S. foreign economic decision.	Development of an analytical framework or model which can be used to identify how resources are organized and focused in achieving U.S. foreign policy objectives.	Planning Research Corp	0		
The role of Chinese Communist external trade as an instrument for acquiring foreign technology.	Investigation of benefits that may accrue to the Chinese ballistic missile program in the next 10 years from existing trade relations with Japan, West Germany, United Kingdom, France, and Italy.	Browne & Shaw	0		
Strengthening international peacekeeping	Examination of potential opportunities and limitations of international peacekeeping forces in local conflicts and related U.S. interests.	do	0		
Do	Preliminary analysis of potential U.S. interests in concepts of international peacekeeping.	Hudson Institute	0		
Implications for U.S. policy of a developing trend for greater stability and tranquility among the older nations.	Analysis of an apparent developing trend toward stability, reasons for this stability, issues likely to arise in areas outside the "zone of tranquility," and effects on U.S. security prospects.	do	0		
Communist organization and operations study	An attempt to isolate factors affecting cohesion or disintegration within the Vietcong movement.	Rand	0		
The Soviet military organizational behavior	Exploratory research in the decision-making behavior of the Soviet military establishment.	do	0		
Alternative strategies for insurgent conflicts	Studies problem of developing U.S. policy alternatives which might reduce budgetary and human costs.	do	$75,000		
Independent nuclear capabilities	Research on international ramifications of nuclear proliferation and political and technical measures that might assist in controlling proliferation.	do	25,000		
NATO's southeast flank	An examination of the relationship between U.S. military aid programs and bilateral negotiations on U.S. base rights.	do	10,000		
Country planning, programming, and budgeting system.	Research in possibilities of developing and improving capabilities within the U.S. Government for "program packaging" of U.S. military and economic assistance.	do	0		
Asian security issues	An attempt to formulate and assess a number of different U.S. policies in various international environments and in various military contingencies.	do	435,000		$350,000
Insurgent forces	Development and analysis of certain U.S. experiences in Vietnam, aiming at generalization applicable to future U.S. policymaking.	do	100,000		110,000
European security issues	An examination of a range of alternative security arrangements and the role of the U.S. presence in Europe.	do	200,000		200,000
Latin America	Analysis of Latin America military institutions and the various environments conditioning their domestic roles and foreign reationships.	do	40,000		50,000
Command and control problems for the national command authority.	A study of information and control facilities, systems and procedures required for management of crises and control of conflicts.	do	50,000		50,000
Capabilities and interests study	An examination of U.S. interests, commitments, and capabilities required to meet future contingencies that threaten those interests.	do	100,000		150,000
Cost methods and factors	A project aimed at establishing a comprehensive data base and appropriate costing methods to support studies involving the military forces of foreign countries.	do	50,000		75,000
Special country and area studies	Examination of political, economic, and military policies in various regions and the implications for U.S. security policy.	do			50,000
Project management, project formulation, and special requests.	Rand management of ISA-sponsored research, formulation, and exploration of research relevant to ISA interests, and special studies that may be requested on short notice.	do	100,000	$15,000	165,000
Eastern Europe	A series of studies on political, economic, and military trends in Europe, including security arrangements.	IDA	205,000		225,000
Communist China	A broad effort to correlate and evaluate data on Communist China's political, economic, and military objectives and to determine the foreign policy implications for the United States.	IDA	205,000		225,000
Exploratory research	Funds set aside for the formulation of new studies which may be relevant to ISA requirements.	IDA	40,000		50,000
An analytical summary of U.S. security for educational and research purposes.	An examination of various U.S. national security issues and their relationships.	Hudson Institute	10,000		10,000
Resource allocations and models for RVN Navy/AF and comparable forces.	To estimate historical total allocations and to determine implications of alternative RVN force structures and comparable forces.	Research Analysis Corp		60,000	0
Arms control studies	Studies are formulated in response to estimates of potential problems, including nuclear proliferation, regional arms control considerations, international peacekeeping, defense options under alternative "freezes" on strategic weapons, and arms control on seabeds.	Undetermined		100,000	300,000

DEPARTMENT OF DEFENSE SOCIAL/BEHAVIORAL SCIENCE RESEARCH PROJECTS USING INFORMATION ABOUT FOREIGN AREAS—Continued

SPONSOR: OASD/ISA—Continued

[Note: Information concerning 20 Projects, including all Projects sponsored by ARPA/AGILE, are classified and not included in this listing]

Project title	Project description	Contractor/investigator	Previously initiated, underway in fiscal year 1969	Initial funding in fiscal year 1969	Planned for fiscal year 1970
Projects being planned	Studies will be developed to support ISA's ad hoc planning requirements.	Undetermined		$130,000	$140,000
Total			$1,645,000	305,000	2,150,000

Note: Dashes (....) indicate not applicable or that project is completed; 0 indicates project is continuing, although funding is completed.

LIST OF RESEARCH STUDIES BEING CONDUCTED ABROAD, ACTIVE ON JAN. 1, 1969

[Military department code: A—Army; N—Navy; F—Air Force; D—ARPA]

ARGENTINA

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
N	Universidad de Buenos Aires	Development of Effective Protective and Therapeutic Drugs for Radiation Sickness.	$25.0	May 1969	N00014-68C-0313
F	Consejo National de Invest. Cient	X-ray Spectrometry of Galactic Sources from So. Hemisphere	24.0	April 1970	AFOSR-1592-68
F	Universidad Nacional De Cordoba	Dehydroaromatic Studies	8.5	November 1969	AF-AFOSR-1425-68
F	Consejo Nacional De Investigaciones	Kinetics and Mechanisms of Reaction and Fluorine Chemicals	66.0	March 1970	AF-AFOSR-1446-68
F	Observatorio De Fisica Cosmica, San Miguel	Solar Radio Bursts in 40 to 80 MH Range	0	April 1969	AF-AFOSR-1574-68
F	National U of LaPlata	Research in Stellar Spectroscopy	37.0	April 1970	AF-AFOSR-1114-66
F	Consejo Nacional de Investigaciones Cientificas y Tecnicas.	Ultrastructure and Function in Cathecolamine Containing Systems	65.0	June 1969	AF-AFOSR-0963 67A
F	Consejo Nacional de Investigaciones	Molecular Mechanisms of Steroids Action on Respiratory Systems	16.0	October 1969	AF-AFOSR-68-1395
		AUSTRALIA			
A	Monash University	Microbiological and Immunological Studies of Pathogenesis and Virulence in Leptospirosis.	$44.0	March 1971	DADA17-68-G9260.
A	Adelaide University	Water and Electrolyte Economy of Desert Aboriginals and Indigenous New Guineans.	16.0	do	DA MD 49 193 67-G923.
A	University of Queensland	Vertical and Oblique Incidence Phase Idonosondes	36.0	December 1970	DAHC 19-69-G 0012.
A	University of Melbourne	Nuclear Spectroscopy Measurements with Melbourne Batatron	37.9	April 1969	DAHC19-68-G-0024.
A	University of Western Australia	Energy Spectra of Low Energy Electrons Scattered by Solids	10.7	do	DA ARO-49-092-65-G0080.
N	University of Queensland	Nature and Pharmacological Action in Toxin from Deadly Jellyfish	26.0	December 1969	N00014-67-C-0408.
F	University of Adelaide, Adelaide	Atomic and Molecular Photodisintegration	42.0	April 1970	AF-AFOSR-1568-68.
F	University of Sydney	Study of Cosmic Radiations at Extremely High Energy	378.3	September 1969	AF-AFOSR-1486-68.
F	University of Western Australia, Nedlands	Solid Non-Stoichrometric Oxide Phases Inner and Outer Transition Metals.	76.5	February 1969	AF-AFOSR-0853-67.
F	University of Queensland, Brisbane	Charge and Energy Transfer in Organic Systems	20.8	May 1970	AF-AFOSR-1561-68.
F	University of Sydney	Numerical Studies in Gas Dynamics	56.5	April 1969	AF-AFOSR-0915-67A
F	University of Melbourne	Study of Ionospheric Irregularities in the Southern Hemisphere	0	July 1969	AF-AFOSR 0679-64.
F	University of Adelaide	Research Directed Toward Propagation of Star Particles	52.2	February 1969	AF-AFOSR-1183-67.
F	University of Sydney	Stellar Intensity Interferometer	342.0	March 1970	AF-AFOSR-1560-68.
		AUSTRIA			
A	University of Innsbruck	Advanced Methods in Differential Equations Using Lie Series Methods.	$11.6	June 1969	DAJA37-68-C-1199
A	Technische Hochschule Graz	Low Frequency Loop Antenna Arrays	12.4	do	DAJA37-68-C-0893
A	Institute of Hygiene, University of Vienna	Epidemiology, Virology and Immunology of Tick-Bourne Encephalitis and other Tick-Bourne Diseases.	15	do	DAJA37-68-C-1422
F	Austrian Atomic Energy Study Group	Atomic Vibration in Stressed Crystal Lattices	85.885	September 1969	F61052-69-C-0006
F	University of Vienna	Dynamics of Liquids	36.4	October 1969	F61052-68-
F	Technische Hochschule	Discretization Methods for Differential Equations	30.68	June 1969	AF61-052-960
F	Do	Stochastic Thermal Stress	24.58	April 1969	F61052-67-C-0015
F	Technische Hochschule, Vienna	Investigation of Transition Metal Rare Earth Alloys	57	March 1969	F61052-68-C-0016
F	Innsbruck University	Plasma Instabilities	49.5	December 1969	F61052-67-C-0014
F	University of Vienna	Composition and Content of Meteorites	34	February 1970	F61052-68-C-0040
F	Innsbruck University	Theoretical and Experimental Studies of Propagation and Attenuation of VLF Waves in Solid Media.	37	January 1969	AF61-052-00902
		BELGIUM			
A	Von Karman Institute	Flow Characteristics Associated with V/STOL Model Testing in Wind Tunnel.	$27.2	October 1969	DAJA37-68-C-0352
N	University of Belgium	Neural Mechanisms Involved in the Processing of Visual and Auditory Information.	72.0	August 1969	N62558-4554
F	University Libre de Bruxelles	Non-equilibrium Statistical Mechanics	259.1	January 1969	AF-EOAR-0025-67
F	University Catholique de Louvain	Ions Produced by Chemically Reacting Systems	82.5	April 1969	AF-EOAR-0053-67
F	University of Liege	Hyperbolic and Elliptic Partial Differential Equations	9.3	March 1969	AF-61-052-918
F	Von Karman Institute for Fluid Dynamics Rhode Saint/Genese.	The Influence of Cross Flow on Two Dimensional Separation	26.0	April 1970	AF-EOAR-26-68
F	Do	Application of the Blunt-Trailing Edge Blade Concept	70.2	March 1969	F61-052-67-C-0018
F	Do	Laminar Separation in Hypersonic Flows	114.2	September 1969	AF-EOAR-003-68
F	Do	Low Density High Temperature Gas Dynamics	112.9	October 1969	AF-EOAR-55-69
F	University Catholique de Louvain	Experimental and Theoretical Study of Dombustion	42.5	September 1969	AF-EOAR-42-69
F	Von Karman Institute Fluid Waterloorhode-St Genese.	Experimental Aerodynamics	140.0	August 1969	AF-EOAR-0029-68
F	University of Liege	High Resolution Atmospheric IR Absorption and Sky Background Emission Interferometric Studies.	95.0	July 1969	AF-61-052-00955.
F	Born-Bunge Foundation	Development of Sleep Patterns	9.0	December 1969	F61052-67-C-0066
F	University of Liege	Atmospheric Effects on Optical/Infrared Radiation and Celestial Spectra.	30.0	July 1970	F1052-69-C-0014
F	Do	Upper and Lower Bounds to Structural Deformations of Dual Analysis.	10.0	October 1970	F61052-C-0004

See footnote at end of table.

LIST OF RESEARCH STUDIES BEING CONDUCTED ABROAD, ACTIVE ON JAN. 1, 1969—Continued

[Military department code: A—Army; N—Navy; F—Air Force; D—ARPA]

BERMUDA

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
N	Bermuda Biological Station	Productivity of the Tropical Atlantic	$29	May 1969	N00014-67A-0432-0001
	BOLIVIA				
D	Colegio San Calixto	Spectral Characteristics of Infrasonic Acoustic Waves and Relat. Seismic Research.	$107	September 1970	ATOSR-68-1614
F	San Andres University	Cosmic Ray Research at High Altitude	14	August 1969	AF-AFOSR-1643-69
	BRAZIL				
A	Universidad of Sao Paulo	Control of Ribonucleic Acid Synthesis in Gian Chromosomes	$52.8	April 1969	DAHC19-68-G-0007
A	Minas Gerais Universidad	Schistosomiasis Drug Screening	36	May 1969	DAHC19-67-G0038
A	Federal Universidad of Bahia	Pathogenesis of Diarrhea in Severe Strongyloidiasis	13.3	April 1969	DAHC19-68-G0023
A	Instituo do Fisica URGS, Universidade do Rio Grande do Sul.	Application of Methods Common to Elementary Particles Physics and Many-Body Problems.	67.5	November 1969	DAHC19-69-G-0005
A	Universidad Mackensie	VLF Atmospheric Studies LA60	24.321	February 1970	69-G-004
A	do	Solar Microwave Radio Emission LA61	40.84	do	69-G-003
A	Inst. Adolfo Lutz	Arbouirus Studies in Sao Paulo, Brazil	37.7	January 1969	DAHC19-68-G-0011
N	Universidad of Sao Paulo	Mathematical Investigations of Problems of Ocean Surveillance of Navigation.	39	May 1969	N00014-67-C-0347
F	Comissao Nacional De Actividades Espac, J Dos Campos.	Measurements of the Earths Total Magnetic Field and Its Variations.	7	June 1970	AF-AFOSR-0654-67
F	Universidad de Sao Paulo	Deuteron and Proton Reactions at 3.5M Electron Volts	98.3	April 1969	AF-AFOSR-0310-67A
F	Universidad Rio Grande do Sul, Porto Alegro	Interaction of Atomic Nuclei with Their Environment by Nuclear Techniques.	41	March 1970	AF-AFOSR-1280-67
F	Comissao Nacional De Actividades Espacia, J Dos Campos.	Experimental Res. on Characteristic of Ionospheric D Layer	0	June 1970	AF-AFOSR-1019-66
F	Fundacao Servico Especial de Saude Publica	Epidemiological Studies of Amapari Virus	16	December 1969	AF-AFOSR-1430-68A
	CANADA				
A	York University	Kinetics of Atmospheric Constituents	$52.5	April 1970	DA-AROD-31-124-G868
A	McGill University	Extremely Low Frequency Electromagnetic Phenomena	35.8	March 1969	DA AROD-31-124G1000
A	Canadian Commercial Corp	Meteorological R.D.T. & E. Rocket	296	do	DA-AHO1-68-C-0022
A	Royal Victoria Hospital	Investigation of Pathogenesis and Treatment of Shock	75	April 1969	PA49-193-G-9248
A	University of Manitoba	Study of Factors Influencing the Passage of Drugs into the Malarial Parasite Plasmodium Berghri.	20	February 1969	DAPA17-68-G-9257
N	McGill University	Electric Properties of Ice	51	March 1969	NONR 4417(00)
N	do	Arctic Plankton Ecology	82	April 1969	N00014-66-C-0233
N	do	HF Audio Absorption in Ice	74	March 1969	NLNR 4915(00)
N	do	Energy Budget and Other Tropical Microclimatological Research	19	February 1969	N00014-68-C-0307
N	Computing Devices of Canada	Automatic Detection and Classification	545	June 1969	N62269-68-C-0291
A	Manitoba University	Investigations of Pheromones as Chemosterilants for Insects with special reference to Synthetic Queen Substance and its Analogues.	59.2	August 1969	DADA 17-68-G-9267
N	Institute of Oceanography	Systematics Biology and Hydrographic Relations of Some Species of Calanus.	59	February 1969	NONR4458(00)
N	British Columbia Research Council	Marine Borer Biology	25	March 1969	NONR4505(00)
N	McGill University	Assessment of Military Performance Enhancement by Drugs	139	June 1969	NONR4896(00)
N	York University	Brain Nucleic Acid Changes During Learning	101	September 1969	NONR4935(00)
N	McGill University	Mechanisms of Polymer Degradation	26	May 1970	NOOO14-68-C 0237
N	do	High Magnetic Fields and Insulators	112	August 1969	NONR 3013(00)
N	Queen's University	Conference on the Structure of Density Matrices and Their Application to energy and Order Effects Problems in matter.	10	February 1969	NOOO14-67-C-0388
N	University of Toronto	Very-High-Altitude Missile and Decoy Gas Dynamics; Missile Aerodynamics for Broad Altitude Ranges.	161	August 1969	NONR4073(00)
N	University of British Columbia	Fundamental Air-Sea Exchange Processes and Their Relation to Wind Wave Generation: Oceanic Turbulence.	165	October 1969	NOOO14-66-C 0047
F	University of Western Ontario	Duel-Cavity Microwave Refractometer Study	30	October 1969	F19628-68-C-0128
F	University of Saskatchewan	Conduct Research on the Aurora and Airglow	15	December 1969	F19628-69-C-0106
F	University of Alberta	Lattice Inves. of Critical Phase Transition Temperatures	60	June 1970	AF-AFOSR-1310-67
F	Queens University	Res. Seminar on Reduced Density Matrices	21.1	May 1969	AF-AFOSR-1601-68
F	University of Western Ontario	Some Thermochemical Studies by Mass Spectroscopy	34.9	August 1969	AF-AFOSR-1356-68
F	McMaster University	Inorganic Nuclear-Magnetic Resonance Spectroscopy	117.6	March 1970	AF-AFOSR-1567-68
F	University of British Columbia	Chemical Reactions in Frozen Solutions	68.5	February 1970	AF-AFOSR-1102-66A
F	University of Toronto	The Numerical Integration of Ordinary Differential Equations	46.36	September 1969	AF-AFOSR-1357-68
F	do	Research on Dynamics of Flight Vehicles	26.1	December 1969	AF-AFOSR-1490-68A
F	University of British Columbia	Spectral Problems for Elliptic Operators	77.78	May 1969	AF-AFOSR-1531-68
F	Canadian Commercial Corp., Washington, D.C.	Ellipsometric Studies of Plasma Anodization	30	September 1969	F33615-68-C-1074
F	do	Research on Excitation Transfer Cross Section	30	May 1969	F33615-68-C-1511
F	do	Correlation of Plasma Analysis Technique	54	August 1969	F33615-68-C-1019
F	University of Toronto	Research on Hypervelocity Launchers	294	do	AF-33-615-05313
F	do	Aerodynamically Generated Sound	101.8	December 1969	AF-AFOSR-0672-67A
F	do	Symposium on Aerodynamic Noise	4	October 1969	AF-AFOSR-1423-68
F	do	Seventh International Shock Tube Symposium	15	January 1970	AF-AFOSR-1550-68
F	do	Aerophysical Investigation at Hypervelocities	119.1	March 1970	AF-AFOSR-1368-68
F	do	Kinetics of Atomic Associated Reactions Using Flash Photolysis over a Wide Temperature Range.	76.2	October 1969	AF-AFOSR-1695-69
F	do	Molecular Interactions and Crystal Structures at Low Temperatures	68.7	January 1970	AF-AFOSR-1549-68
F	do	Transfer of Mass Momentum and Energy in Free Molecule Sysfems	129.9	January 1969	AF-AFOSR-1481-68
F	University of Toronto	Plasma Dynamics and Magnetogasdynamics	97.2	February 1969	AF-AFOSR-1552-68
F	McGill University, Montreal	Formation and Propagation Mechanisms of Diverging Detonation Waves.	23	do	AF-AFOSR-1290-67
F	University of Waterloo, Ontario	Fundamental Processes in Solid Propellant Ignition	32	February 1970	AF-AFOSR-1274-67
F	University of Toronto	Selective Excitation Spectroscopic Diagnostics	83.7	July 1970	AF-AFOSR-1608-68
F	McGill University	Study of Cloud and Precipitation Physics Utilizing Radar Techniques.	0	November 1969	F19628-69-C-0107
F	University of Toronto	Infrared Chemiluminescence Studies	40	March 1970	F19628-68-C-0271
F	Laval University	Neurohumoral Control of Thyrotrophic Activity	103	September 1969	AF-AFOSR-1627-69
F	Barringer Research, Ltd	Remote Vapor Detection	64	July 1969	AF33(615-68-C-1101)
F	Canadian Commercial Corp	Electro-Optic Crystals for Displays	75	do	F30602-68-C-007
D	McGill University	Psychological Processes of the Central Nervous System	700.8	June 1971	DAHC15-68-C0396
D	University of Windsor	Collisional and Radiation Processes in Atoms and Molecules	66	August 1969	N0001467-C0538
D	Canadian Armament Research and Development Est.	Hypervelocity Research Program	4,642	December 1969	DA01021AMC-14468Z
D	RCA Victor, Ltd	Radar Backscatter Studies	195	November 1969	F0469567C0158
D	University of Toronto	Raman Spectra	111.1	May 1969	Nonr 5012 (00)

See footnote at end of table.

LIST OF RESEARCH STUDIES BEING CONDUCTED ABROAD, ACTIVE ON JAN. 1, 1969—Continued

[Military department code: A—Army; N—Navy; F—Air Force; D—ARPA]

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
		CEYLON			
A	Medical Research Institute	Leptospirosis—A Serological Survey of Occupational Groups in Ceylon.	$0.6	July 1969	PA-CRD-AFE S92-544-68-G117
		CHILE			
A	Comision Nacional de Investigacion	Structure Function Relationships in Human and High Elevation Adapted Mammal Hemoglobin.	$20.85	April 1969	DAHC19-68 G0022.
F	National Comm. for Science and Tech	Growth and Structure of Single Crystal Films	74.795	June 1970	AF-AFOSR-1475-68.
F	Universidad de Chile	Study of Cyclopropane Derivatives Containing Fluorine	21	October 1969	AF-AFOSR-892 65A.
F	do	Form and Function Invariants in the Visual System	21	May 1969	AF-AFOSR-1043-67B.
F	Catholic University of Chile	Nervous Connections in the Vestibular System	16	August 1969	AF-AFOSR-1361-68.
F	Catholic University of Chile	Studies in Synaptic Mechanisms	75	December 1969	AF-AFOSR-1559-68A.
F	Comision Nactional de Investigacion Cientifica y Technologica.	Biochemical Properties of Nerve Membranes	54	June 1969	AF-AFOSR-1610-68.
		COLOMBIA			
F	Universidad Nacional de Colombia	Studies of Ecology and Disease Transmission	$12	May 1969	AF-AFOSR-1418-68.
F	Universidad del Valle	Disease Ecology of Tacaribe Group Viruses	33	April 1969	AF-AFOSR-1558-68.
		COSTA RICA			
A	University of Costa Rica	Physiological Studies of Leishmania	$7.4	February 1969	DADA 17-68-G-9254.
		DENMARK			
N	Marine Biological Laboratory	Ecological Investigations on Bottom Living Marine Animals	$12.0	April 1969	F61052-67C-0089.
F	Danske Meteorologiske Inst	Ionospheric Research Using Active Satellite Transmissions	28.0	February 1969	AF61-052-828.
F	do	Arctic Geomagnetic Observations	5.5	March 1969	AF61-052-00935.
F	Technical University of Denmark	Material Properties at High Strain Rates	18.0	do	F61052-68-C-0032.
F	do	Conduct Theoretical and Experimental Studies of Backfire Antennas	31.0	December 1969	F61052-67-C-0056.
		EGYPT			
F	American University of Cairo	Semiconducting Properties in Glasses	$13.904	January 1969	F61052-67-C-0050
		EQUADOR			
F	Universidad Central del Equador	Studies of Psychotomimetics	$29	March 1969	AF-AFOSR-1436-68A
		FINLAND			
F	Technical University of Helsinki	Magnetic and Quadrupole Interaction Parameters in Metals	$53	December 1969	AF61-052-00956
F	Institute of Occupational Health	Mathematical and Electrical Analogues of Heat Transfer in Man	73	do	AF61-052-00936
		FRANCE			
A	Ecole Pratique des Hautes Estudes-Sorbonne	Metabolic and Sensory Stimuli in the Regulation of Food intake—Behavioral and Electrophysiological Study.	$37.4	December 69	DAJA37-69-C-0358
A	Institute for Cell Pathology	Laser Action on Living Cells	18.2	June 69	DAJA37-68-C-0929
A	Institute of Theoretical and Applied Optics	Influence of Defects in Thin Metallic Films on Their Optical and Electrical Properties.	26.8	do	DAJA37-68-C-1421
A	University of Montpellier	Certain Problems in Harmonic Analysis	10.1	September 69	DAJA37-69-C-0246
N	Centre National D'Etudes des Telecommunication	A New Solid-State Amplifier	60.0	do	F61062-68-0056
N	Campagne de Recherches et d'Etudes Aeronautiques	Rheo-Electrical Apalogy: Supercavitating Propeller Design	6	January 69	F61052-68-0074
F	University de Paris a la Sorbonne	Ionospheric Studies Using Active Satellite Transmissions	4.0	March 69	F61052-68-C-0055
F	Groupement Pour L Advancement des Methode, Paris.	Measurement of Infared Spectra of Materials	15	October 69	AF-61-052-957
F	Universite de Paris a la Sorbonne	Band Structure Relations in II-VI Compounds	25	September 69	AF-EOAR-0016-68
F	University d'Air-Marseille	Statistical Investigations of Turbulent Gases	67	December 69	F61052-67-C-0025
F	Observatorie de Paris	Research Directed Toward the Improvement of Planetary Photogammetry.	37.0	June 69	F61052-68-C-0001
F	Naturalia et Biologia	Nervous Process Underlying Behavior and Learning	50.0	April 1969	AF-EOAR-0028-68.
F	University of Lyon	Neurophysiological Mechanisms of the States of Sleep	45.0	August 1969	AF-EOAR-0039-68.
F	Salpetriere Hospital, Inst for Med El Bio Eng, Paris	Monitoring of Cerebral and Cardiovascular Events	9.2	October 1969	AF-EOAR-0038-68.
		GERMANY			
A	Institut for Animal Physiology, J. W. Goethe Universitat.	Microcirculatory Behavior in Shock	$0.6	July 1969	DAJA37-68-C-0947
A	Universitat of Saarland	Pressure Broadening of Spectral Lines	2.0	do	DAJA37-68-C-0972
A	Rheinisch-Westfailische Technical Institut	Process for Ultrasonic Image Conversion	54.3	February 1969	DAJA37-68-C-0668
A	Free Universitat of Berlin	Daily Analysis of Circumpolar 30 and 10 mb Maps E486	128.7	December 1969	DA-91-591-EUC-1104
A	German Meteorological Service	Special Radiosonde Program E-1093	4.4	January 1969	DAJA37-67-C-0317
A	Res. Office for Physical Bioclimatology	Atmospheric Aerosols Between 700 and 3,000 Meters E-1127	28.9	May 1969	DA-91-591-EUC-0331
A	Rheinisch-Westfailische Technische Hochschule	Measurement of Thoron Concentration of Lower Atmosphere	28.467	April 1969	DAJA37-67-C-0967
A	Universitat of Bonn	Tropical Meterology in Various Equatorial Regions	48.9	March 1969	DA-91-591-EU6-3639
F	Technische Hochschule Darmstadt, Darmstadt, Germany.	Development of Subnanosecond Light Source and Measuring Devices.	22.5	January 1969	F61052-68-C-0039
F	Johannes Gutenberg-Universitat, Mainz, Germany	Research in the Atmospheric Transmission of Optical Radiation	52.0	December 1969	F61052-69-C-0016
F	Technische Hochschule Darmstadt, Darmstadt, Germany.	Theoretical and Experimental Investigation of 0-20cps EM Noise	36.2	do	AF-61-052-00836
F	Max Planck Institut Fur Kernphysik, Heidelberg	Dust Distribution Studies Using Simultaneous Measurements	4.0	October 1969	F61052-67-C-0060

See footnote at end of table.

LIST OF RESEARCH STUDIES BEING CONDUCTED ABROAD, ACTIVE ON JAN. 1, 1969—Continued

[Military department code: A—Army; N—Navy; F—Air Force; D—ARPA]

GERMANY—Continued

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
F	Bochum Radio Observatory	Ionospheric Studies Using Active Synchronous Satellite Transmissions.	$7	April 1969	F61052-68-C-0054
F	Universitat Zu Gottingen	Investigation of Chemical Reactions in Shock Waves and Detonations.	39	February 1970	AF-61-052-00946
F	Univ. of Heidelberg	Research on Sulfur-Phosphorous-Nitrogen Polymers	41	June 1969	AF-61-052-00682
F	Univ. of Saarlandes, Saarbrucken	Influence of Various Elements on Mechanical Properties of Iron	36	March 1969	AF-61-052-00-632
F	Technische Hochschule, Munchen	Transport Properties in High Power Arcs	67	September 1969	F61052-67-C-0081
F	Universitat Zu Gottingen	Influence of Temperature on the Initiation and Stability of Detonations.	10	May 1969	AF-EOAR-0049-67
F	Technische Hochschule, Munchen, Munich	Investigation of Spectral Radiation Properties of Atmosphere and Earth.	20	April 1969	F61052-68-C-0026
F	Universitat Hamburg	Research on Galactic Nebulae Employing Liquid Dye Filters with Narrow Press Bands.	5	May 1970	F61052-68-C-0058
F	Technische Hochschule, Munich	Brittle Materials under Linear Temperature Increase	43	May 1969	AF-61-052-875
		GHANA			
F	University of Ghana, Accra	Ionospheric Studies Using Active Satellite Transmissions	$10	February 1969	F61052-67-C-0027
		GREECE			
F	National Observatory of Athens	Provide Personnel to Assist in the Repair and Maintenance of the Razdow Telescope.	$14.0	March 1969	F61052-67-C-0041
F	University of Athens	Ionospheric Research Using Active Satellite Transmissions	10.0	February 1969	F61052-68-C-0038
F	do	Ionospheric Studies Using Active Satellite Transmissions	33.0	do	AF61-052-00754
F	University of Thessaloniki	Research in the Restricted Three Body Problems	21.6	April 1969	AF61-052-952
D	Seismological Institute of Athens University	Aftershocks and Crustal Structure in Greece	145.0	May 1969	AF49(638)-803
		ICELAND			
N	Surtsay Research Society	Ecological Succession of Biota on a Newly Formed Oceanic Land Mass.	$50.0	May 1969	F61052-67C-0087
		INDIA			
A	Bombay National History Society	Studies of the Bionomics and Taxonomy of the Birds of India, Taxonomy of the Birds of Bhutan.	$11.0	September 1969	DA CRD AFE S92-544-69-G-137
F	University of Calcutta	Radio, Astronomical and Satellite Studies of the Ionosphere	15.0	do	F61052-68-C-008
F	University of Delhi	Role of Cardiac and Pulmonary Baroreceptors in the Control of Circulations.	22.0	June 1971	AF-EOAR-0037-68
		INDONESIA			
A	Lembaga Biologi Nasional	Migratory Animal Pathological Survey (Indonesia) Avian Studies in Indonesia.	$8.3	June 1969	DA-CRD-AFE-S92-544-68-G136
		IRAN			
D	Pahlavi University	Nutritional Studies—Iran	$70	July 1969	PH 436718
		ISRAEL			
A	Hebrew University	Comparison of the Antigenic Structures of Human Malarias	$50.7	April 1969	DAJA37-67-C-0647.
A	Israel Institute of Applied Social Research	Investigation of Leadership Qualities of Kibbutz-Raised Young Men.	50	February 1969	DAJA37-680C-3765A.
A	Hebrew University	Investigations of Electronic Processing in Large-Gap Semi-Conductors and Molecular.	57.6	May 1969	DAJA37-68-C-1170.
A	Negev Institute for Arid Research	Primary Investigation of Pure Deviatoric Loading of Soil E-1276	29.3	do	DAJA 37-67-C-1147.
A	Hebrew University	Investigations in Harmonic Analysis	15	October 1969	DAJA 37-69-3-0438.
A	Rogoff-Wellcome Medical Research Institute	Isolation of Snake Venom Toxins and Study of Their Mechanism of Action.	20.1	November 1969	DAJA 37-69-C-0252.
A	Technion Institute of Technology	Photochemistry of Antimalarial Drugs	26.2	December 1969	DAJA-37-69-C-0369.
N	Institute of Technology Technion-Israel	Cross-stresses in the Flow of Gases (Reiner-Effect)	24	March 1969	F61052-67-C-0037.
N	Hebrew University	Basic Theories for Non-Numerical Data Processing	40	February 1969	F61052-67-C-0055.
F	Do	Effects of Heat Sources on Planetary Circulation	20	July 1969	ZF-EOAR-0046-67.
F	Do	Plasma Propagation in Magnetic Field	51	January 1970	AF61(052)-00891.
F	Weizmann Institute of Science	Magnetically Ordered Materials	151	December 1970	F61052-67-C-0040.
F	Hebrew University	Measurements of Reactions to Stress	58	July 1969	AF-61(052)-839.
F	Do	Innovation, Social Change, and Institutionalization	72	April 1969	AF-EOAR-67-23.
F	Soreq Nuclear Research Center	Hydrogen Behavior in Metals Using Nuclear Magnetic Resonance	49	November 1969	61-052-904.
F	National Comm. for Space Research	Ionospheric Research Using Satellites	41	January 1969	AF61-052-00837
F	Weizmann Institute of Science	Symmetries of Subnuclear Matter	45.2	November 1970	F61052-68-C-0070
F	Tel Aviv University	Algebraic Approach to Elementary Particle Dyn	113.8	March 1970	AF-EOAR-0010-68
F	Weizmann Institute of Science	Mechanism of Nitrogen Fixation by Ultrasonic Radiation in Water	56.9	May 1990	AF-EOAR-0024-67
F	Hebrew University, Jeruslaem	Computer Simulation of Natural Pattern Generation Processes	17.28	May 1969	AF-EOAR-0045-67
F	do	Contributions to an Understanding of the Language Communication	15.0	do	F61052-68-C-0036
F	Technion R. & D. Foundation, Ltd	Viscoelastic and Dynamic Behavior of Polymeric Materials	50	December 1969	F61052-68-C-0015
F	Soreq Res. Est. Yavne	Magnetic Ferroelectric Crystals	35	do	F61052-67-C-0051
F	Tech R. & D. Federation Ltd, Haifa	Wake Structure Behind Two and Three Dimensional Bodies	43.7	September 1969	F61052-69-C-0020
F	do	Buckling of Shells Under Combined Loading and Thermal Stresses	127.2	February 1969	AF-61-052-00905
F	do	Dynamic Inelastic Behavior of Materials	69.5	May 1969	AF-61-052-00951
F	Hebrew University, Jerusalem	Optical and Microwave Measurements Behind Shock Waves	106	October 1969	F61052-68-C-0037
F	Technion R. & D. Foundation, Ltd., Haifa	Quantitative High Temp Infrared Spectroscopy	106	August 1969	AF-EOAR-0053-69
F	Tel Aviv University, Ramat-Aviv	Non-Continuous Magnetofluidynamic Flows	91	April 1969	F61052-68-C-0045
D	Weizmann Institute of Science	Seismic Source Identification Techniques	60	October 1969	AF61(052)-954
F	Technion R. & D. Foundation, Ltd	Electrical Properties of Transition Metal Oxides	56	September 1969	AF-61-052-00825
F	Tel-Aviv University, Ramat-Aviv	Wall Turbulence	4	do	F61052-69-C-0018

See footnote at end of table.

LIST OF RESEARCH STUDIES BEING CONDUCTED ABROAD, ACTIVE ON JAN. 1, 1969—Continued

[Military department code: A—Army; N—Navy; F—Air Force; D—ARPA]

ITALY

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
A	Pharmacological Research Institute	Pharmacological and Biochemical Changes in Animals Made Aggressive by Isolation.	$44.7	April 1969	DAJA37-68-C-1076
A	University of Genoa	Immunological Reactions in Viral Hepatitis	42.0	do	DAJA37-68-C-0621
A	Chemical Institute of University of Rome	Individual Activity Coefficients of Ionic Species	21.6	August 1969	DAJA37-68-C-1229
A	University of Trieste	Statistical Analysis of Oscillating Vectors E-757	23.0	January 1969	DA91591EUC 3960
F	University Degli Studi di Pisa	Comparative Neurophysiology of Vision	45.0	September 1969	F61052-68-C-0002
F	University of Ferrara	Research on Mechanics of Breathing	10.0	March 1969	F61052-67-C-0053
F	National Institute of Optics	Problems in Visual Performance of Pilots	11.0	do	F60152-67-C-0057
F	University of Milan	Local Modes and Resonance Scattering in Crystal	63.0	September 1970	AF-EOAR-0041-69
F	National Electro Tech Institute, Turlin	Inorganic Crystalline Luminescence	156.0	July 1969	AF-EOAR-0007-68
F	University of Rome	Structure of Fundamental Interactions	29.2	May 1969	F61052-67-C-0084
F	Universita Delgi Studi di Torino	Theoretical Investigations in Quantum Field Theory and Elementary Particle Physics.	96.0	December 1969	AF-EOAR-0015-68
F	Universita Degli Studi di Roma	Functional Analysis and Integral Equations Continuous Operators	14.0	January 1969	AF-EOAR-0020-68
F	Universita Degli Studi di Pisa	Language for Automatic Programming Tools	20.6	September 1969	F61052-67-C-0097
F	University Degli Studi di Roma	Mass Spectrometry of Refractory Materials at High Temperatures	102.0	April 1969	F61052-68-C-0033
F	Politechnico di Torino	Research on Rarefied Gas Dynamics Hypersonic and Rotating Stall	37.0	January 1970	AF-EOAR-0049-68
F	University Degli Studi di Naples	Non-Equilibrium Transonic Flows	81.6	November 1969	AF-61-(052)-68-C-0035
F	Applicazioni Ricerchie Scientifiche Milan	Rarefied Gas Dynamics	41.2	July 1969	AF-61(052)-68-C-0020
F	University of Milan	Neutron Flux of Earth's Radiation Environment	10.0	April 1969	F61052-68-C-0050
F	University of Sassari	Identification of Photodynamic Systems in the Retina	3.0	June 1969	F61052-68-C-0073
F	Arcetri Astrophysical Observatory	Solar Radio Spectroscopy and Detection of Sun Spectral Lines	10.0	do	F61052-67-C-0042
F	University of Perugia	Chemical Reactions by Cross Beams Techniques	10.0	September 1969	F61052-68-C-0068
F	University of Milan	Physiology of Cerebrospinal Fluid	17.6	June 1969	F61052-68-C-0063

JAMAICA

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
N	University of West Indies, Kingston	The Ecology of Reef Building Organisms	$72.0	March 1969	NONR 4816(00)
F	University of West Indies	The Study of the Feasibility of Measuring Atmospheric Density by using a Laser Searchlight Technique.	15.6	June 1969	AF-AFOSR-0616-67
F	do	Ionospheric Studies using Active Satellite Transmissions	12.0	December 1969	AF-AFOSR-1537-68

JAPAN

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
A	National Cancer Center Research Institute	Measurement of Human Complement Components in Dengue Shock Syndrome.	$18.0	August 1969	DAJB19-69-C-0031.
A	Kyushu University	Taxonical and Ecological Studies on Lung Fluke, Paragonimus in Pacific Area; with special ref. to S. E. Asia.	13.0	May 1969	DAJB17-67-C-0044
A	Institute of Microbial Chemistry	Microbial Drug Resistance (Genetics and Evolution of R Factor and Plasmids).	25.0	August 1969	DAJB17-69-C-0033
A	Nara Medical College	Polymeric Structure of Hemoglobin and Its Relation to Function	6.6	October 1969	DACRD-AFE-S92-544-69-G141
A	do	Localization by Electron Microscopy of Several Phosphatase Activities.	5.7	September 1969	DACRD-AFE-S92-544-69-G139
A	Yodogawa Christian Hospital	Spirometric Investigation of Respiratory Illness in a Hospital Population.	0	February 1973	DA-CRD-AFE-S92-544-68-G112
A	Kitasato University	Nature and Mode of Action of Local Antibody in Intestine	7.4	February 1969	DA-CRD-AFE-S92-544-68-G116
A	Saski Institute	Investigation of Cell Component Structural Changes in Homologous Transplants Compared with Normal Cells.	6.6	do	DA-CRD-AFE-S92-544-68-G106
A	Nara Medical College	Electron Microscope Studies on Several Phosphatase Activities in Neurons and Gliacytes Infected with Japanese Encephalitis Virus.	3.5	do	DA-CRD-AFE-S92-544-68-G115
A	Japanese Foundation for Cancer Research	Differences in Antigenic Specificity and Immunogenicity of Tissue Transplants.	6.0	April 1969	DA-AFE-S92-544-68-G11
A	Kitasato Institute	Cytochemical Studies on Ultrastructures of Toxoplasma Gondii and Allied Organisms.	12.9	October 1969	DA-CRD-AFE-S92-544-69-G126
A	National Institute of Health	Mode of Infection of Scrub Typhus	30.0	July 1969	DA-92-557-FEC-37463
A	do	Immunological Studies on Scrub Typhus and Its Control in Japan	31.0	do	DA-92-557-FEC-37467
A	Kitasato Institute	Studies on Encephalitozoon (Nosema Cuniculi) Infection in Man	19.3	January 1970	DA-CRD-AFE-S92-544-69-G147.
A	Yamashina Institute for Ornithology	Migratory Animal Pathological Survey	146.0	June 1969	DA-CRD-AFE-S92-544-68-G133.
A	Kanazawa University	Neuronal Activities on the Regulation of Feeding	41.6	September 1969	DA-AFE-S92-544-69-G140.
A	Atomic Disease Institute School of Medicine, Nagasaki University.	Mammalian and Human Pyruvate and Alpha-Ketoglutarate Dehydrogenation Complexes.	44.5	June 1969	DA-AFE-S92-544-68-G113.
A	Hokkaido University	Physiological Activity of the Brown Adipose Tissue	12.0	January 1969	DA-AFE-S92-544-67-G87.
A	Kumamoto University	Biological Reactions to Cellular Antibodies with Special Reference to their Immuno-Pathological and Immuno-Chemical Properties.	19.0	July 1969	DAJB17-69-C-0032.
A	Kobe University	Mammalian Brain Function in Vitro	27.4	September 1971	DA-CRD-AG-S92-544-67-G5.
A	Kumamoto University	Endogenous Mechanism of Vascular Response in Inflamation, with Special Reference to Biologic Significance of Specific Permability Factors and Their Inhibitors Newly Isolated from Inflammed Sites.	25.0	October 1969	DAJB-17-69-C-0035.
A	Kurume University	Interaction Between Arbovirus and Myxovirus	5.8	August 1969	DA-CRD-AFE-544-68-G127.
A	Shi-Ehime Preparatory, Japan	Life Cycle and Control of Paragoniumus in Shikoku Area	4.5	September 1969	DAJB17-69-C-0030.
F	Tokyo Medical and Dental University	Gamma-Aminobutyric Acid in Sensory Physiology	9.0	December 1969	MIPR-004-67.
F	Kumamoto University	Neural Organization of Sensory Information for Taste	14.0	March 1969	MIPR-68-0010.

KENYA

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
F	University College of Nairobi, Kenya	Ionospheric Studies of Radio Emissions	$20	October 1969	AF61-052-00909.

KOREA

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
A	Seoul National University	Multiplication and Antibody Formation of Japanese Encephalitis Virus in Snakes.	$13.0	May 1970	DA-CRD-AFE-S920544-67-G78
A	Kyung-HEB University	Migratory Animal Pathological Survey (Korea)	24.4	June 1969	DA-CRD-AFE-S92-544-68-G-131
A	Seoul National University	Ecological Survey and Mass Chemotherapy of Filariasis on Che Do, Korea.	15.7	August 1970	DA-CRD-AFE-S92-544-68-G-120
A	Yonsei University	Virulence of Entamoeba Histolytica According to the Strains in Korea.	16.8	January 1972	DA-CRD-AFE-S92-544-69-G-143.
F	do	Metabolic Adaption to Cold	18.0	May 1969	MIPR-0013-67

See footnote at end of table.

LIST OF RESEARCH STUDIES BEING CONDUCTED ABROAD, ACTIVE ON JAN. 1, 1969—Continued

[Military department code: A—Army; N—Navy; F—Air Force; D—ARPA]

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
		LEBANON			
F	American University of Beirut	Dynamical Behavior of the Exciton	$29.9	May 1968	AF-EOAR-0037-66
F	do	Ecology of Tick-Borne Diseases	26.5	June 1969	F61052-68-C-0059
D	do	Factors Associated with Cultural Change	238.0	September 1969	S88fa-1099
D	do	English Language Training Research	61.5	March 1969	S88fa-1066
D	do	Determination of Normal Pulmonary Function in ME subject	77.0	July 1970	S88fa-1111
		MALAYSIA			
A	University of Malaya	Mosquitos of Malaysia	$55	March 1969	DADA 17-68-G9266
A	do	Weathering of Rocks Under Humid Tropical Conditions	20	March 1970	DA-CRD-AFE-S92-544-69-G128
		NETHERLANDS			
A	International Training Center for Aerial Survey	Role of Image Quality of Photogrammetric Pointing Accuracy	$16.8	December 1969	DAJA 37-69-C-0383
A	National Defense Research Organization	Gas and Aerosol Cloud Diffusion Studies	150.0	Indefinite	TN20MWP-A-62
N	Central Lab., T.N.O	Mechanical Strength of Filled Elastomers of the Types Used as Solid Propellants in Rocket Motors.	60.0	August 1969	F61052-67-C-0059
F	National Air and Space Lab	Fatigue Crack Propagation Structural Fatigue Test	17.7	March 1969	61-052-7076
F	Radiobiological Institute of the Organization for Health Research.	Anti-LymPhocyte Serum, Homologous Bone Marrow Transplantation and Irradiation.	15.0	July 1969	F61052-67-C-0099
		NEW ZEALAND			
F	University of Canterbury	Interaction Effects in Solids	$43.8	April 1970	AF-AFOSR-1275-67
F	Victoria University of Wellington	Use of Mossbauer Effect in Chemistry	14.5	March 1969	AF-AFOSR-1236-67
F	University of Canterbury	Gas Phase Reactions of Atoms, Radicals, and Simple Molecules	15.0	February 1969	AF-AFOSR-1265-67
F	University of Auckland	Chemistry of Radiation Protecting Agents	23.1	February 1970	AF-AFOSR-1417-68
		NORWAY			
A	Electroencephalographic Laboratory	Brain, Behavior, and Intracerebral Blood Flow	$26.0	July 1969	DAJA37-68-C-0075
A	University of Oslo	Neuropsychological Studies of Mechanisms of Visual Discrimination.	13.0	September 1969	DAJA37-68-C-0263
A	do	Photochemical Atmosphere Model Containing Oxygen and Hydrogen.	10.2	August 1969	DAJA37-68-C-0011
A	Norwegian Defense Research Establishment	Gas and Aerosol Cloud Diffusion Studies	150.0	Indefinite	N08MWP-A-59
N	University of Bergen	Degradation of Marine Surfaces by Salt Requiring Bacteria	21.0	June 1970	F61052-67-C-0085
F	Norwegian Defense Research, Kjeller	Bulk Semiconductor Instabilities for Microwave Application	64.0	June 1969	61-052-683, 61-052-0048
F	Auroral Observatory	Ionospheric Studies Using Satellite Transmissions	32.0	October 1969	F61052-67-C-0020
F	University of Oslo	The Investigation of Variable Radio and Optical Solar Phenomena	39.0	January 1970	F61052-67-C-0070
F	University of Bergen	X-ray and Particle Radiations at High Altitudes in the Auroral Zone	53.0	March 1969	AF61-052-869
F	Central Institute for Industrial Research	Behavior of Superalloys at High Temperatures	70.0	January 1969	F61-052-0057
D	University of Bergen	Detection Seismology	82.0	January 1970	F61052-68-C-0019
D	Norwegian Defense Research Establishment	Norwegian Seismic System Phase II	3,995.2	December 1969	F61052-68-C-0060
		PERU			
A	University Peruvian Cayetano Herida	Physiologic Changes in the Cardiopulmonary System by Ascending to High Altitudes.	$43.0	April 1969	DAHC19-68-C-0028
A	do	Endocrine Alterations at High Altitude	16.6	July 1969	DAHC19-67-G-0024
A	do	Coagulation Studies in Newcomers to High Elevations LA 134	14.0	May 1969	DAHC19-69-G-0002
A	do	Hormone Metabolism in Men Exposed to High Elevation LA 128	20.0	April 1969	DAHC19-67-G-0021
A	do	Respiratory Physiology on Ascent to High Altitudes	30.0	do	DAHC19-68-G-0003
A	do	Role of Adrenal Cortex in Process of Acclimatization to High Elevation.	43.0	January 1969	DAHC19-68-G-0003
F	Instituto Geofisico Del Peru Lima	Equatorial Ionospheric Effects Study	30.0	December 1969	AF-AFOSR-1247-67
F	Instituto Geofisico Del Peru Lima	Research Directed Toward the Study of the Airglow at Low Latitudes.	40.0	March 1969	AF-AFOSR-0413-67
F	Pontifici U Catolica Del/Peru	Synthesis & Reactions of BIS-and TRIS-Benzyme	31.8	June 1969	AF-AFOSR-1174-66
F	Universidad Nacional de Trujillo	Comparative Analyses of Languages for Machine Processing	11.0	February 1970	AF-AFOSR-1470-68
F	Geophysical Institute of Peru	Radio Solar Measurements	9.0	February 1969	AF-AFOSR-898-67
F	Instituto Geofisico Del Peru	Observations of Earth Magnetic Field	9.9	December 1969	AF-AFOSR-1465-68
F	Instituto Nacional De Salvo	Ecology of Poisonous Animals	13.0	June 1969	AF-AFOSR-1618-68
D	Instituto Geogiscio del Peru	Observation and Study of Infrasonic Waves in the Atmosphere	137.0	May 1970	AFOSR-68-1613
		PHILIPPINES			
A	Mindanao State University	Migratory Animal Pathological Survey (South Philippines)	$24.5	September 1969	DA-AFE-S92-544-68-G132
A	National Museum	Migratory Animal Pathological Survey (North Philippines)	30.5	do	DA-CRD-AFE-S92-544-68-G134
A	University of Philippines	Filariasis Studies in the Philippines	21.0	October 1969	DA-AFE-S92-544-68-G-105
A	do	Fluorescent Antibody Test in Measurement of Malarial Immunity	20.6	March 1969	DA-CRD-AFE-S92-544-68-G114
A	National Museum	Ecology of Southern Samar	16.3	December 1969	DA-CRD-AFE-S92-544-68-G104
A	University of Philippines	Determination of Malaria Vector on Pangutaran Island, Sulu Archipelago.	9.0	May 1969	DA-CRD-AFE-S92-544-68-G109
A	do	Determination of Choloroquine Resistant P. Falciparum Parasitas, Impalawan and Other Provinces of the Philippines.	8.2	November 1969	DA-CRD-AFE-S92-544-68-G125
F	Manila Observatory	Conduct Radio Observations of the Sun	83.0	May 1970	F19628-67-C-0300

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LIST OF RESEARCH STUDIES BEING CONDUCTED ABROAD, ACTIVE ON JAN. 1, 1969—Continued

[Military department code: A—Army; N—Navy; F—Air Force; D—ARPA]

Military department	Contract agency	Title	Cost of project[1] (thousands)	Estimated date of completion	Contract/Grant No.
		SPAIN			
F	Observatory of Ebro	Inospheric Studies Using Active Satellite Transmissions	$9.0	February 1969	AF61-052-00924
F	U De Barcelona	Electrochemical Studies on Chlorocarbon Compounds	43.8	August 1969	F61052-67-C-0065
F	do	A Study of the Synthesis and Properties of Alkaromatic Chlorocarbons.	167.7	December 1969	F61052-68-C-0043
F	Inst Nacional de Tecnica Aerospacial, Madrid	Combustion and Flame Propagation in Heterogeneous Systems	41.0	March 1969	AF-EOAR-0027-68
F	do	Diffusion Flames and Supersonic Combustion	38.0	do	AF-EOAR-0031-68
F	U of Salamanca	Morphobiochemical Correlations Involved in the Differentiation Eye Lens.	7.2	June 1969	F61052-68-C-0072
		SWEDEN			
A	Sahlgrens Hospital, University of Goteborg	Newer Advances in Treatment of Shock in Man	$109.5	May 1969	DAJA37-69-C-1175
N	University of Goteborg, Medical	Effects of Noise on Inner Ear Cells	28.0	August 1969	F61052-C-0064
F	Stockholms Universitet Stockholm	Rocket Sampling of Solid Particles in the Mesosphere	4.0	February 1969	F61052-67-C-0068
F	Kiruna Geophysica Observatory Kiruna	Study of Characteristics of Auroral Ionosphere and Its Irregularities.	20.0	March 1969	F61052-67-C-0026
F	Royal University of Uppsala, Uppsala	RSCH, Design and Develop Refraction and Gravity Experiments	33.0	July 1969	F61052-68-C-0075
F	Royal University of Uppsala	Band Structure by Ultrasonic, Susceptibility and Galvanomagnetic Measurements.	89.9	May 1970	AF-61-052-00937
F	do	Quantum Theory of Many Particle Systems	285.0	August 1969	AF-EOAR-0043-69
F	Research Institute for Physics	Research on Ion Implanation in Semiconductors	34.0	April 1969	F61052-68-C-0062
F	Royal University of Uppsala	Evaluation of High Latitude Cosmic Ray Data	7.5	June 1969	F61052-68-C-0034
F	Kiruna Geophysical Observatory	High Latitude Geomagnetic Data	11.5	March 1969	AF61-052-866
F	Karolinska Institutet	Distribution of Biologically Active	42.0	February 1969	AF-EOAR-0009-68
F	Goteborgs Universitet	Intraneuronal Mechanisms for Information Storage	58.0	March 1969	AF-EOAR-0034-68
F	Royal Institute of Technology	Gaseous and Solid State Plasma Device Studies	58.0	June 1969	61-052-895
F	University of Goteborgs	Integrated Nervous Control of the Cardiovascular and Gastrointestinal Systems.	18.0	December 1969	F61052-C-0044
D	University of Uppsala	Seismic Body Waves and Surface Waves	107.0	do	AF61(052)-702
		SWITZERLAND			
A	University of Lausanne	Investigation on Structure and Biological Activities of Human Immunoglobins M. & D. (IGM and IGD).	$44.6	November 1969	DAJA37-69-C-60101
A	University of Basel	Variation-Resistant Matrices and Related Mathematical Topics	10.5	January 1969	DAJA37-68-C-0628
A	Physiklisch-Meteorologische Observatorium	Measure of Direct Solar Radiation and Skybrightness in UV and Visible Part of Spectrum.	4.9	July 1969	DAJA37-68-C-1017
F	University of Basel	Optical Spectrum of Nitric Oxide Molecule	7.6	March 1969	AF-EOAR-0074-65
F	Universitat Bern	Pulmonary Pathology of Oxygen Toxicity	55.2	April 1969	AF61(052)-941
F	Universitat Zurich	Sugar and Peptide Intestinal Digestion and Absorption	20.0	December 1969	AF-EOAR-0017-68
		TAIWAN			
A	Tunghai University	Migratory Animal Pathological Survey	$15.5	September 1969	DA-FEC-309-G130
A	Kaohsiung Medical College	Biochemical Studies on Toxic Nature of Snake Venoms	43.4	June 1969	DA-CRD-AFE-S92-544-68-G124
A	Tunghai University	Biology and Pathophoricity of Biting Midges (Diptera: Ceratopogonidae) in Taiwan.	7.2	do	DA-CRD-AFE-S92-544-68-G123
A	National Taiwan University	Host-Parasite Relationships of Schistosoma Japonicum in Taiwan	14.6	December 1969	DA-AFE-S92-544-69-G142
A	do	Studies of Cardiotoxin and Vasoactive Substance Releasing Components of Cobra Venom.	17.8	October 1969	DA-CRD-AFE-S92-544-69-G138
		THAILAND			
A	Applied Scientific Research Corp	Migratory Animal Pathological Survey (Thailand) FE315	$51.0	July 1969	DA FEC 92 544 G0075
A	do	Migratory Animal Pathological Survey (Thailand) FE 316	25.0	do	DA CRD AG S92 544 67 G84
A	Medical Sciences University Facilities Tropical Medicine.	Investigation of Filariasis in Thailand	35.0	March 1969	DA MD 49 193 66 G9208
A	University of Medical Sciences	Schistosomiasis in Thailand, Etiology, Epidemiology, Life Cycles, Pathology, and Clinical Aspects.*	55.0	January 1969	DA MD 49 193 66 G9199
A	Bangkok School of Tropical Medicine	Leptospirosis in Thailand, with special reference to Epidemiology, Pathology, and C.	35.0	do	DA AFE S92 544 68 G107
A	University of Medical Sciences	Investigations on the patterns of Epidemiology and Endemicity of Diseases occurring due to large scale environmental changes in northeast Thailand.	34.2	May 1969	DA-CRD-AFE-S92-544
A	Chulalongkorn University	Fine Structure of Solar Chromosphere	44.0	March 1973	DA AFE S92 544 68 G102
A	University of Medical Sciences	Schistosomiasis in Thailand, Studies on Incidence, Epidemiology, Life Cycles and Its Causing Cercarial Dermatitis (carry-on and redirection of above*).	19.9	May 1969	DA-CRD-AFE-S82-544-67-6690
D	Applied Scientific Research Corp	Research on Tropical Environmental Data (trend) and Basic Environmental Data (trend) and Basic Environmental Data (bend) in Thailand.	740.0	Indefinite	DAJA-29-67-C-0122
		UNITED KINGDOM (ENGLAND, IRELAND, SCOTLAND, AND WALES)			
A	University of Oxford	Defects in Crystals	$14.8	December 1968	DAJA37-68-C-0444
A	University of London, King's College	Critical Phenomena and Phase Transitions	19.3	March 1969	DAJA37-68-C-0860
A	University of Sheffield	Theoretical Studies of Metallic Alloys	8.9	April 1969	DAJA37-68-C-1020
A	University of Sussex	Synthetic Applications of Aromatic Desilylation and Destannylation.	16.7	September 1969	DAJA37-69-C-0014
A	do	Organometallic Amides	8.3	April 1969	DAJA37-68-C-1018
A	University of Nottingham	Sieve Methods and Combinatorial Analysis	4.0	March 1969	DAJA37-68-C-0822
A	New University of Ulster, North Ireland	Boron Phosphide as a Semiconductor	19.1	September 1969	DAJA37-69-C-0342
A	University of Birmingham	Monograph on Physics and Mechanics of Ice as a Material	44.8	November 1969	DAJA-37-68-C-0208
A	Liverpool School of Tropical Medicine	Chemotherapy of Rodent Malaria Drug Action Against Exo-Erythrocytic Stags and Drug Resistant Strains.	40.6	June 1969	DAJA37-68-G-0274
A	Maybridge Chemical Co	Potential Anti-Malarials based on Quinoline-7-Carboxylic Acid	15.4	March 1969	DAJA37-68-C-0436
A	Royal College of Art	Experimental Cartography	20.5	September 1969	DAJA37-69-C-0382
A	University of Birmingham	Study of Thermodynamic Properties and Alloy Chemistry of Transition Metal Alloy Phases.	6.1	November 1969	DAJA37-69-C-0472
D	Queen's University Belfast, Ireland	Molecular Processes	334.0	March 1970	N00014-69-C-0035

LIST OF RESEARCH STUDIES BEING CONDUCTED ABROAD, ACTIVE ON JAN. 1, 1969—Continued

[Military department code: A—Army; N—Navy; F—Air Force; D—ARPA]

UNITED KINGDOM (ENGLAND)

Military department	Contract agency	Title	Cost of project [1] (thousands)	Estimated date of completion	Contract/Grant No.
A	University of Sheffield	Quantum Mechanics of Many-Particle Systems	$25.5	February 1969	DAJA37-68-C-0775
A	University of Nottingham	Development of High-Speed Non-Metallic Turbines and their Application to Nuclear Magnetic Resonance Spectroscopy.	23.2	do	DAJA37-68-C-0724
F	University of Manchester	Continuation of Research Toward Improved Lunar Photography	37.5	January 1969	F61052-68-C-0002
F	University College	Research for Determination of Air Density Temperature and Winds at High Altitudes.	20.0	July 1969	F61052-68-C-0057
F	Imperial College	Origin of Auroral Primaries	21.0	September 1969	AF61052-00927
F	University College London	Anatomical Localization of Target Learning and Memory	110.0	May 1969	AF-EOAR-0014-68
F	Oxford University	Physiological Research on Muscle	17.0	June 1969	AF-EOAR-0032-68
F	System Research Limited	Research into the Adaptively Controlled Instruction	9.0	May 1969	F-61052-68-C-0071
F	University of Southampton	Acoustic Fatigue and Damping of Structural Elements	30.0	March 1969	61-052-0027
F	University of Liverpool	Deformation and Fracture of Metals	47.0	do	61-052-0920
F	University of Southampton	Boundary Layer Oscillations and Noise	15.0	October 1969	61-052-7009
N	University of Cambridge, Department of Pathology	Cryoprotective Mechanism	12.0	March 1969	F61052-68-C-0041
N	Oxford University, Pharmacology and Physical Chemistry Departments.	Studies on Decompression Sickness and Inert Bas Narcosis	26.0	August 1969	F61052-67-C-0077
N	Sir Wm. Dunn School of Pathology, University of Oxford.	Methods of Protecting Navy Personnel Against Biolobical Toxins	56.0	June 1969	N62558-4781
N	University of Sussex	Visual Pattern Recognition in Naval Task	125.0	September 1969	N62558-4791
N	Royal College of Advanced Technology	The absorption of Sound by Polymer Solutions	9.0	June 1970	F61052-67-C-0075
N	University of Keele	Recombination Reactions of Importance to Propulsion	7.0	September 1969	F61052-68-C-0029
N	Cambridge Language Research Unit	Semantic Research for Automatized Language Translation and Information Retrieval.	23.0	December 1969	F61052-67-C-0058
F	University of London	Ion Mass Spectrometry of the Lower Ionosphere	100.0	April 1971	F61052-67-C-0078
F	Cambridge University	Application of Many-Body Theory to Superfluids and Metals	38.0	September 1970	F61052-68-C-0049
F	University of Salford	Structure and Properties of Ferromagnetic Alloys	4.0	October 1969	AF-EOAR-0005-68
F	University of Durham	Electronic Properties of Dilute Rare Earth Alloys	39.4	September 1969	AF-EOAR-0006-67
F	University of Sussex	Electron Microscopy of Defects in Crystals	38.5	December 1970	AF-EOAR-0051-65
F	Imperial College of Science and Technology, London	High-Energy Physics and Elementary Particle Theory	16.5	October 1969	AF-EOAR-0012-6
F	University of Sussex	Thermal and Magnetic Properties of Helium	59.0	March 1970	AF-EOAR-23-68
F	Oxford University	Waves in Anisotropic Media	202.0	February 1970	AF-EOAR-33-67
F	do	Heat Conductivity of Solid Helium	15.0	June 1970	AF-61052-67-C-0082
F	Cambridge University	Theoretical Research in Fundamental Particle Physics	73.9	August 1969	AF-EOAR-0030-67
F	Oxford University	Nuclear Structure Studies Using Electron and Nucleon Interactions	40.0	December 1969	F61052-67-C-0104
F	University of Sussex	Stereochemistry of Reactions at Germanium Atoms	8.8	June 1960	AF-61-052/0093/0
F	Imperial College of S. & T., London	Chromatography and Solvent Extraction of Organometallic Complexes.	33.9	December 1969	F61052-67-C-0008
F	Royal Institute of Great Britain, London	Primary Photoprocesses in Organic Materials	48.7	October 1969	F61052-68-C-0010
F	Bristol University	Organometallic Chemistry	52.3	August 1970	AF-61/052/69-C-0011
F	University of Newcastle	Chemistry of Decaborane Coordination Chemistry of Gr III Elements.	56.4	December 1970	AF-61/052/00910
F	University of Sussex	Mass Spectrometric-Thermochemical and Related Studies on Series of Inorganic Compounds.	36.8	August 1969	F61052-67-C-0005
F	do	Low-Temperature Measurements on Dilute Metallic Alloys	26.0	September 1969	F61052-68-C-0011
F	Cambridge University	Growth of Burning to Detonation in Liquids and Solids	96.0	November 1969	AF-EOAR-0044-69
F	University of Sheffield	Fundamental Study of Supersonic Combustion for Hypersonic Ramjets.	60.0	August 1969	AF-EOAR-0005-67
F	Fulmer Research Institute, Ltd., Stoke Poges	Heats of Formation of Mixed Metal Oxides	169.0	December 1969	AF-61/052/00863
F	University of Hull	Kinetics of Hydrogen-Oxygen and Hydrocarbon-Oxygen Systems	51.0	October 1969	AF-EOAR-0013-68
F	Victoria University of Manchester	High-Temperature Reaction Calorimetry	22.0	September 1970	AF-61(052)00928
F	Kings College	Gravitational Physics	10.0	September 1969	F61052-69-C-0012
F	Victoria University of Manchester	Photographic and Spectrographic Observations at Pic-Du-Midi Observatory.	30.0	May 1969	AF61-052-00882
F	University College	Determination of Air Density, Temperature, and Winds at High Altitudes.	30.0	December 1969	F61052-68-C-0057
F	University of Leeds	Stress Corrosion Cracking of Titanium Alloys	6.0	September 1969	F61052-69-C-0009
F	University of Durham	Model Compounds for Fluorinated Polymers and Fluids	6.0	December 1969	F61057-69-C-0010

UNITED KINGDOM (IRELAND)

Military department	Contract agency	Title	Cost of project [1] (thousands)	Estimated date of completion	Contract/Grant No.
N	Trinity College, University of Dublin	Body Temperature Regulation	$11.0	March 1969	F1052-68C-0042
F	Queens University, Belfast	Diffusion Plasmas and Diffusion Waves	8.2	November 1969	AF-EOAR-0042-67
F	Trinity College, Dublin	Dielectric Properties of Solids and Liquids at High Pressures	3.0	December 1969	AF-EOAR-006-68
F	University College, Cork	Microwave Studies of Gaseous Discharges	50.0	March 1969	AF-EOAR 32-67
F	University College, Dublin	Radio and Optical Emission from High Energy Cosmis Rays	25.5	December 1969	AF-EOAR-0027-67
F	University College	Thin Elastic Plates and Shells and Boundary Value	112.0	November 1969	AF-EOAR-49-69
F	University of Dublin	Energy Transport in Irradiated Systems	12.0	March 1969	F61052-67-C-0044
F	Queens University	Physical Processes of Atoms Relating to Temperature Electron Density Particle Scattering and Heat Balance.	66.5	August 1969	AF61(052)-00780

UNITED KINGDOM (SCOTLAND)

Military department	Contract agency	Title	Cost of project [1] (thousands)	Estimated date of completion	Contract/Grant No.
A	University of Aberdeen	Asymptotic Problems in Combinatories and Graph Theory	$5.3	April 1969	DAJA37-C-1075
A	do	Persulphate Oxidation of Carboxylic Acid	6.6	December 1969	DAJA37-68-C-1103
F	University of Glasgow	Studies in Ring Expansion	18.4	September 1969	AF-EOAR-0013-67
F	do	Thermal Degradation of Polymers	22.0	do	AF-61(052) 00883
F	University of Edinburgh	Smooth Muscle Responses as Altered by Humoral Background	14.0	August 1969	AF-EOAR-68-0033

UNITED KINGDOM (WALES)

Military department	Contract agency	Title	Cost of project [1] (thousands)	Estimated date of completion	Contract/Grant No.
F	University College of North Wales	Sub-Millimeter Wave Generation and Spectroscopy	$20	December 1969	AF-EOAR-0047-69

URUGUAY

Military department	Contract agency	Title	Cost of project [1] (thousands)	Estimated date of completion	Contract/Grant No.
A	University de la Republica	Relationship between Wild Entourages and Mycoses, Esp. S. American Blastomycoses.	$7.3	June 1969	DAHC19-68-G0016
F	Instituto de Investigacion de Ciencias Biologicas	Anatomical and Physiological Studies on the Nervous System	88.0	April 1969	AF-AFOSR-0313-67A
F	do	Comparative Anatomy of Visual Systems	24.0	do	AF-AFOSR-0618-67A

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[1] Total obligations through all years since inception.

Excerpt from Department of Defense listing of 500 contractors according to net value of military prime contract awards for research, development, test, and evaluation work

SECTION II NONPROFIT INSTITUTIONS, FISCAL YEAR 1968

Rank	Name of contractor and location	Thousands of dollars
10	Massachusetts Institute of Technology	119, 175
	Cambridge, Mass	31, 662
	Lexington, Mass	87, 513
20	Aerospace Corp	73, 339
	El Segundo, Calif	73, 307
	San Bernardino, Calif	32
22	Johns Hopkins University	57, 614
	Baltimore City, Md	2, 713
	Silver Spring, Md	54, 901
30	Mitre Corp	35, 712
	Bedford, Mass	35, 712
36	Stanford Research Institute	28, 716
	Ethiopia	198
	Thailand	58
	Homer Village, Alaska	18
	Menlo Park, Calif	27, 607
	Stanford, Calif	323
	Mercury, Nev	437
	Cheyenne, Wyo	75
40	Rand Corp	19, 139
	Santa Monica, Calif	19, 139
44	California, University of	17, 393
	Berkeley, Calif	5, 767
	Davis, Calif	127
	Irvine, Calif	65
	La Jolla, Calif	5, 510
	Los Angeles, Calif	1, 471
	Point Mugu, Calif	12
	Riverside, Calif	89
	San Diego, Calif	3, 182
	San Francisco, Calif	256
	Santa Barbara, Calif	870
	Santa Cruz, Calif	44
45	System Development Corp	17, 372
	Huntsville, Ala	414
	Lompoc, Calif	700
	Los Angeles, Calif	61
	Santa Monica, Calif	13, 120
	Washington, D.C	363
	Belleville, Ill	350
	Lexington, Mass	375
	Rome, N.Y	191
	Dayton, Ohio	303
	Falls Church, Va	1, 226
	Hampton, Va	234
	Norfolk, Va	35
46	Stanford University	16, 422
	Palo Alto, Calif	218
	Stanford, Calif	16, 204
51	Rochester, University of	13, 182
	Rochester, N.Y	13, 182
55	Cornell Aeronautical Laboratory, Inc	12, 500
	Edwards, Calif	86
	Buffalo, N.Y	11, 889
	Wright-Patterson, Ohio	37
	Falls Church, Va	488

Excerpt from Department of Defense listing of 500 contractors according to net value of military prime contract awards for research, development, test, and evaluation work—Continued

SECTION II NONPROFIT INSTITUTIONS, FISCAL YEAR 1968—Continued

Rank	Name of contractor and location	Thousands of dollars
57	I I T Research Institute	12, 172
	Chicago, Ill	7, 017
	Annapolis, Md	5, 130
	Wright-Patterson, Ohio	25
60	Institute for Defense Analysis	11, 691
	Arlington, Va	11, 691
64	Pennsylvania State University	10, 513
	University Park, Pa	10, 513
65	Research Analysis Corp	10, 067
	Iran	155
	Vietnam	880
	McLean, Va	9, 273
	Various domestic	241
66	Columbia University	9, 929
	New York, N.Y	9, 929
70	Michigan, University of	9, 478
	Honolulu City, Hawaii	1, 600
	Ann Arbor, Mich	6, 947
	Willow Run, Mich	734
	Ypsilanti, Mich	197
71	Illinois, University of	8, 583
	Chicago, Ill	89
	Urbana, Ill	8, 494
72	Battelle Memorial Institute	8, 322
	Germany	57
	Washington, D.C	114
	Columbus, Ohio	8, 036
	Richland, Wash	115
78	U.S. National Aerospace Agency	7, 026
	Edwards, Calif	25
	Moffett Field, Calif	40
	Pasadena, Calif	19
	Washington, D.C	77
	Houston, Tex	155
	Ridgeley, W. Va	6, 710
85	Riverside Research Institute	6, 315
	New York, N.Y	6, 315
92	Washington, University of	5, 552
	Seattle, Wash	5, 552
94	Texas, University of	5, 386
	Alamogordo, N. Mex	10
	Austin, Tex	4, 598
	College Station, Tex	68
	Dallas, Tex	43
	El Paso, Tex	502
	Galveston, Tex	135
	Houston, Tex	30
96	Woods Hole Oceanographic Institute	5, 143
	Woods Hole, Mass	5, 143
105	Utah, University of	4, 356
	Dugway, Utah	283
	Salt Lake City, Utah	4, 073
107	Syracuse University Research Corp	4, 172
	Burlington, Mass	94
	Syracuse, N.Y	4, 078

Excerpt from Department of Defense listing of 500 contractors according to net value of military prime contract awards for research, development, test, and evaluation work—Continued

SECTION II NONPROFIT INSTITUTIONS, FISCAL YEAR 1968—Continued

Rank	Name of contractor and location	Thousands of dollars
117	Dayton, University of	3,610
	Dayton, Ohio	3,358
	Wright-Patterson, Ohio	252
118	Cornell University	3,595
	Arecibo, P.R.	1,585
	Ithaca, N.Y.	1,949
	New York, N.Y.	61
123	George Washington University	3,306
	Washington, D.C.	3,295
	Alexandria, Va.	11
128	Southwest Research Institute	3,149
	Wright-Patterson, Ohio	226
	Dallas, Tex.	35
	San Antonio, Tex.	2,888
131	Denver, University of	2,982
	Denver, Colo.	2,982
133	Ohio State University Research Foundation	2,958
	Columbus, Ohio	2,686
	Wright-Patterson, Ohio	272
134	American University	2,944
	Washington, D.C.	2,944
138	National Academy of Sciences	2,838
	Washington, D.C.	2,756
	Watertown, Mass.	47
	Dover, N.J.	35
139	Duke University	2,812
	Durham, N.C.	2,812
140	New Mexico State University	2,787
	Alamogordo, N. Mex.	24
	Las Cruces, N. Mex.	640
	University Park, N. Mex.	1,612
	White Sands Missile Site, N. Mex.	511
143	Alaska, University of	2,695
	College Village Alaska	2,695
146	Miami, University of	2,602
	Coral Gables, Fla.	1,141
	Miami, Fla.	1,461
147	Carnegie Mellon University	2,575
	Pittsburgh, Pa.	2,575
151	Harvard University	2,524
	Boston, Mass.	182
	Cambridge, Mass.	2,182
	Fort Davis, Tex.	160
153	Minnesota, University of	2,507
	Minneapolis, Minn.	2,507
54	California Institute of Technology	2,487
	Pasadena, Calif.	2,487
155	Texas A. & M. Research Foundation	2,475
	College Station, Tex.	2,475
156	Purdue Research Foundation	2,455
	Lafayette, Ind.	2,442
	West Lafayette, Ind.	13

Excerpt from Department of Defense listing of 500 contractors according to net value of military prime contract awards for research, development, test, and evaluation work—Continued

SECTION II NONPROFIT INSTITUTIONS, FISCAL YEAR 1968—Continued

Rank	Name of contractor and location	Thousands of dollars
160	New York University	2,304
	Bronx, N.Y.	731
	New York, N.Y.	1,513
	Syracuse, N.Y.	25
	University Heights, N.Y.	35
167	Maryland, University of	2,100
	Baltimore City, Md.	703
	College Park, Md.	1,397
172	New Mexico, University of	1,986
	Albuquerque, N. Mex.	934
	Sandia, N. Mex.	1,052
174	New York, State University of	1,982
	Albany, N.Y.	1,538
	Buffalo, N.Y.	318
	New York, N.Y.	115
	Stony Brook, N.Y.	11
175	Oregon State University	1,969
	Corvallis, Oreg.	1,969
181	Florida, University of	1,842
	Gainesville, Fla.	1,842
182	Princeton University	1,883
	Princeton, N.J.	1,803
184	Midwest Research Institute	1,762
	Kansas City, Mo.	1,615
	Wright-Patterson, Ohio	147
186	Louisiana, State University of	1,754
	Baton Rouge, La.	1,754
188	Georgia Tech Research Institute	1,725
	Atlanta, Ga.	1,725
195	Stevens Institute of Technology	1,596
	Hoboken, N.J.	1,559
	New York, N.Y.	37
197	Wisconsin, University of	1,591
	Madison, Wis.	1,591
204	Hawaii, University of	1,568
	Honolulu City, Hawaii	1,568
210	Analytic Services, Inc.	1,495
	Falls Church, Va.	1,495
212	Cincinnati, University of	1,446
	Cincinnati, Ohio	1,446
214	Oklahoma, State University of	1,422
	Stillwater, Okla.	1,422
218	Iowa, State University of Science and Technology	1,372
	Ames, Iowa	1,372
219	Chicago, University of	1,360
	Chicago, Ill.	1,320
	Lemont, Ill.	40
222	Florida State University	1,338
	Tallahassee, Fla.	1,338
225	Colorado State University	1,329
	Fort Collins, Colo.	1,329
226	Kansas State University of Agriculture	1,321
	Manhattan, Kans.	1,321
228	Brooklyn, Polytechnic Institute of	1,304
	Brooklyn, N.Y.	1,274
	Farmingdale, N.Y.	30

Excerpt from Department of Defense listing of 500 contractors according to net value of military prime contract awards for research, development, test, and evaluation work—Continued

SECTION II NONPROFIT INSTITUTIONS, FISCAL YEAR 1968—Continued

Rank	Name of contractor and location	Thousands of dollars
229	Catholic University of America	1,304
	Washington, D.C.	1,304
234	Research Triangle Institute	1,254
	Iran	296
	Durham, N.C.	606
	Triangle Park, N.C.	352
235	Georgia Institute of Technology	1,221
	Atlanta, Ga.	1,221
236	New Mexico Institute Mining and Technology	1,218
	China Lake, Calif.	200
	Socorro, N. Mex.	1,018
238	Syracuse University	1,197
	Syracuse, N.Y.	1,184
	Utica, N.Y.	13
248	Pennsylvania, University of	1,125
	Philadelphia, Pa.	1,125
252	Rhode Island, University of	1,084
	Kingston, R.I.	1,084
254	Smithsonian Institution	1,082
	Washington, D.C.	1,067
	Cambridge, Mass.	15
260	Indiana University	1,044
	Bloomington, Ind.	1,044
261	Kansas, University of	1,044
	Kansas City, Kans.	18
	Lawrence, Kans.	1,026
262	American Institute of Research	1,038
	Palo Alto, Calif.	93
	Silver Spring, Md.	145
	Camp Lejeune, N.C.	54
	Pittsburgh, Pa.	746
265	Case Western Reserve University	1,011
	Cleveland, Ohio	1,011
266	Rensselaer Polytechnic Institute	1,001
	Troy, N.Y.	1,001
267	U.S. Atomic Energy Commission	995
	Washington, D.C.	175
	Germantown, Md.	39
	Las Vegas, Nev.	270
	Albuquerque, N. Mex.	451
	Oak Ridge, Tenn.	40
	Richland, Wash.	20
268	Illinois Institute of Technology	988
	Chicago, Ill.	988
270	U.S. Commerce Department	985
	Boulder, Colo.	540
	Washington, D.C.	324
	Gaithersburg, Md.	46
	Rockville, Md.	10
	Suitland, Md.	65
271	Rutgers University	983
	New Brunswick, N.J.	983
273	Southern Research Institute	965
	Birmingham, Ala.	965
275	Colorado University	964
	Boulder, Colo.	706
	Denver, Colo.	258

Excerpt from Department of Defense listing of 500 contractors according to net value of military prime contract awards for research, development, test, and evaluation work—Continued

SECTION II NONPROFIT INSTITUTIONS, FISCAL YEAR 1968—Continued

Rank	Name of contractor and location	Thousands of dollars
277	Northeastern University	952
	Boston, Mass.	952
279	Washington University	933
	St. Louis City, Mo.	933
281	Brown University	932
	Providence, R.I.	932
282	Pittsburgh, University of	921
	Washington, D.C.	195
	Pittsburgh, Pa.	726
293	Missouri, University of	876
	Columbia, Mo.	798
	Kansas City, Mo.	50
	Rolla, Mo.	28
296	Notre Dame, University of	855
	Notre Dame, Ind.	855
297	Oregon, University of	846
	Eugene, Oreg.	531
	Portland, Oreg.	315
298	Oklahoma, University of	840
	Fort Sill, Okla.	100
	Norman, Okla.	335
	Oklahoma City, Okla.	405
309	Virginia, University of	787
	Charlottesville, Va.	787
316	Tennessee, University of	751
	Knoxville, Tenn.	520
	Memphis, Tenn.	64
	Tullahoma, Tenn.	167
317	Southern California, University of	749
	Los Angeles, Calif.	735
	San Diego, Calif.	14
319	Southern Methodist, University of	735
	Dallas, Tex.	735
321	Delaware, University of	732
	Newark, Del.	732
325	Georgetown University	714
	Washington, D.C.	714
328	Yale University	709
	New Haven, Conn.	684
	Alamogordo, N. Mex.	25
334	Houston, University of	680
	Houston, Tex.	680
338	Auburn University	657
	Auburn, Ala.	657
339	University Corp., Atmospheric Research	655
	Boulder, Colo.	48
	Sunspot, N. Mex.	695
341	Dartmouth College	652
	Hanover, N.H.	652
342	Arizona State University	649
	Tempe, Ariz.	649
348	American Society for Engineering	621
	Washington, D.C.	621
351	Lowell Tech Institute	618
	Billerica, Mass.	40
	Lowell, Mass.	578

Excerpt from Department of Defense listing of 500 contractors according to net value of military prime contract awards for research, development, test, and evaluation work—Continued

SECTION II NONPROFIT INSTITUTIONS, FISCAL YEAR 1968—Continued

Rank	Name of contractor and location	Thousands of dollars
352	Lovelace Foundation	613
	Albuquerque, N. Mex	613
354	Ohio University	608
	Athens, Ohio	608
358	Northwestern University	590
	Evanston, Ill	590
367	American Institute for Research	569
	Vietnam	26
	Washington, D.C	62
	Pittsburgh, Pa	481
370	Mississippi State University	564
	State College, Miss	564
371	Travelers Research Center	561
	Hartford, Conn	561
376	North Carolina State University	551
	Raleigh, N.C	551
388	Massachusetts, University of	511
	Amherst, Mass	493
	Waltham, Mass	18
390	Arizona, University of	504
	Tucson, Ariz	504
396	National Society of Professional Engineers	493
	Washington, D.C	493
418	Michigan State University	464
	East Lansing, Mich	464
427	Boston College	455
	Chestnut Hill, Mass	318
	Weston, Mass	137
428	South Dakota School of Mines & Technology	454
	Rapid City, S. Dak	454
444	Nevada, University of	426
	Reno, Nev	426
446	Flight Safety Foundation	423
	Phoenix, Ariz	423
462	North Carolina, University of	390
	Chapel Hill, N.C	390
464	United States Interior Department	387
	Denver, Colo	50
	Washington, D.C	37
	Bartlesville, Okla	85
	Albany, Oreg	50
	Pittsburgh, Pa	165
467	Presbyterian Hospital	384
	Chicago, Ill	384
468	Tufts University	380
	Boston, Mass	41
	Medford, Mass	339
478	Arctic Institute of North America	354
	Canada	75
	Washington, D.C	279
479	Alabama, University of	351
	Birmingham, Ala	176
	Huntsville, Ala	102
	University, Ala	73
483	Utah State University of Agriculture and Applied Science	34
	Bedford, Mass	162
	Logan, Utah	182
485	Iowa State, University of	342
	Iowa City, Iowa	342
487	Lehigh University	341
	Bethlehem, Pa	341
	Total	665,365

PROPOSED INTERNATIONAL CONFERENCE ON PROBLEMS OF THE HUMAN ENVIRONMENT

Mr. TYDINGS. Mr. President, today I invite attention to one of the most pressing problems facing mankind; the continued unchecked exploitation and degradation of our human environment.

In the past I have spoken of my concern about the pollution of our water and air, the erosion of our soils, and the damaging effects of thermal discharges and excessive noise. In this congressional session I have introduced legislation which, if passed, would enhance the quality of our environment, and improve the management of environmental control programs. On March 13, 1969, I again expressed my concern about the problems of human environment by introducing a Senate resolution to call upon the President of the United States to convene an International Conference on Problems of Human Environment in 1970.

Today I again urge Congress, the President, and the American people to support this resolution.

When I speak of the "problems of human environment" I mean the uncontrolled destructive changes in our natural environment, brought about without adequate controls or knowledge of the consequences, by the scientific and technological advances of our society. Human environmental problems includes water and air pollution, thermal pollution, depletion of the soils, and the indiscriminate use of pesticides. Also, human environmental problems refers to our crowded—strangled urban environment, transportation problems, excess noise, slums, family disorganization, and crime and violence.

Most of man's history has been marked by a struggle to survive in a hostile environment. Now, due to advances in science and technology man is able to adjust to his environment in most of the world. Yet, instead of living in harmony with our environment man is guilty of nature's unpardonable sin, the sin of environmental waste and exploitation. Man has abused the land, sea, and air on which life depends. He has degraded it rather than treating it as the blessing it is.

We are guilty, as no other living being on earth is, of bringing about the extinction of species of animals and birds for no just cause. We are also guilty of allowing our cities to become unfit to live in. The medical journals are filled with studies supporting the theory that air pollution is a major cause of lung diseases such as cancer, emphysema, and chronic bronchial conditions. In other words we are blindly contributing to the reduction of the quality of life on earth for man. Recently scientists have informed us that the negative effects of DDT spraying may be far greater than the benefits derived from killing insects. For example, there is a rising concern over recent information that excess amounts of DDT in our oceans may be virtually reducing the production of our oxygen supply. Sweden, recognizing the danger, has prohibited the use of this pesticide.

Perhaps no greater strain, however, has been placed on man's environment than the rapid increase in human population. The present world population of 3.5 billion will at least double to 7 billion by the year 2000 if present growth rates continue. This will place a tremendous burden upon our natural resources.

Fortunately, this country and others are beginning to recognize the gravity of the situation, and have started to take modest steps to preserve our natural resources. International organizations also are contributing their efforts to resolve the many and complex human environmental problems. However, the resolution of these problems will be impossible without a major effort by those countries most able to contribute the human and economic resources necessary to mobilize a global war on environmental pollution and exploitation. One country able to contribute is the United States.

The United Nations has adopted a Swedish resolution, signed by more than 40 member nations, to convene an international conference in 1972 on problems of the human environment. I am most gratified by this development and believe that the United States should do all within its power to contribute to the value of such a conference.

I believe the United States should be host to a similar conference in 1970. The

United States should invite the nations of the world to send representatives to discuss and exchange views and information on human environment problems. The purpose of this conference would be for the participating countries to contribute their recommendations to a coordinating body, elected by the attending nations, which would prepare a Declaration of Concern. This declaration would include a set of recommendations to be sent to the United Nations Secretary General, for the 1972 United Nations Environmental Conference to consider. For example, the participating nations may decide to propose that the U.N. Conference consider a plan for the development of a United Nations Institute for the Problems of Human Environment. An outline of the Institute, containing its scope and character, would be included. The conference essentially would serve as an action-oriented study group. International organizations now working on environmental matters—the International Labor Organization—ILO, the Food and Agriculture Organization—FAO—of the U.N., the World Meteorological Organization, the International Atomic Energy Agency, and others should be invited to attend in addition to all nations of the world.

Nothing is more important than the curtailment of rampant exploitation and waste of the world's nonrenewable natural resources, to develop practical measures for mankind to utilize scientific and technological know-how in restoring the quality of our environment.

So, with these thoughts and concerns in mind I once again urge the President, Congress, and the American public to support my resolution to convene in 1970 an International Conference on Problems of the Human Environment.

Mr. President, I ask unanimous consent that the text of my resolution (S. Res. 166) be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

S. RES. 166

Resolution to provide for an International Conference on Problems of Human Environment

Whereas the relationship between man and his environment is undergoing profound changes due to rapid scientific and technological developments;

Whereas these developments, though they offer unprecedented opportunities to change and shape man's environment to meet his needs, also present grave dangers if not controlled;

Whereas the United States should take the initiative in organizing an international conference for the purpose of mobilizing the knowledge and experiences of human environment problems, and developing a global plan to curtail the occurrence of environmental problems: Now, therefore, be it

Resolved, That the President is requested to invite in 1970 other interested nations of the World to join with the United States in organizing, convening, and participating in, an International Conference on Problems of Human Environment for the purpose of dealing, through international cooperation, with the environmental problems of man.

MILITARIZATION AND THE AMERICAN BUSINESSMAN

Mr. McGOVERN. Mr. President, several weeks ago a southern California businessman, Mr. Harold Willens, delivered an extremely important address at the University of Minnesota.

Mr. Willens was one of the principal organizers of the Business Executives Move for Vietnam Peace, and he served as that organization's national cochairman until February of this year. He has since resigned and is devoting his time now to formation of a national businessmen's group which intends to examine and resist trends toward the militarization of our society.

His Minnesota speech is a most eloquent summary of the reasons why Americans have cause for concern over the power of the national security establishment. Especially pertinent in my view is his convincing refutation of the notion that American business is universally entangled with and dependent upon an expanding arms budget.

Assuming the need for a continuing counter-constituency to balance the self-interest of those supporting the military-industrial complex, Mr. Willens expresses the belief that—

> There are a number of such segments in our society, not just one—comprising many millions of citizens concerned about huge military expenditures which seem excessively beyond the requirements of adequate national defense. And I also believe that there are moments in history when self-interest and altruism intersect. Now is such a moment.

But for the small proportion of American industry directly involved in military production, he suggests that—

> Where motivation is concerned, that of the businessmen should be very high. The benefits of being a businessman are extraordinarily great in our society. Conversely, great would be the loss of these benefits. . . . If unbridled militarism poses even a potential threat to the preservation of freedom and possibly the preservation of life itself, enlightened self-interest calls for the American businessman to lead the way in assuring civilian supremacy.

As Mr. Willens indicates, burgeoning military budgets are no more a boon to business than is the war in Vietnam. In each case America's resources are diminished, our currency is weakened, our productivity is retarded, and our civilian needs are denied.

The involvement of businessmen in the expanding examination of our military posture should be widely welcomed. I ask unanimous consent that Harold Willens' address, "Militarization and the American Businessman," be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Last January 22 a Los Angeles Times editorial entitled "Bucking the Pentagon 'System' " decried the fact that "two civilian employees of the armed services are in trouble with their superiors and face threats to their job security because they reported to Congress alleged governmental negligence involving millions of dollars." The editorial concluded with these words: "There are serious implications in the McGee and Fitzgerald cases. They should not be allowed to sink from sight."

But sink from sight they shall, of course. For who is there to see that these indeed serious implications remain in our minds? Who is there to represent and speak for the properly-expressed concern of the Los Angeles Times on the day following its editorial? The answer is: no one. There is no ongoing apparatus or institution devoted to monitoring the Pentagon or in any way at all endeavoring to check its already enormous power. Should there be such an institution or apparatus?

In a recent letter retired Army General William Wallace Ford writes: "While I have an abiding interest in the security and strength of our country, I think the military-industrial complex, with its legislative associates and academic hirelings, has brought us to the edge of disaster."

Another letter from retired Marine Corps General Samuel B. Griffith includes these words: "We are turning into a militarized state. The ABM systems will cost not $4/5 billion, but $40/50 billion and mark a new, totally unnecessary, fatuous and futile escalation. The admirals and generals will eat up this country's substance as surely and irrevocably as silkworms eat mulberry leaves."

Finally, in a recent article entitled "The New American Militarism," retired Marine Corps Commandant General David M. Shoup expresses these views: "Civilians can scarcely understand or even believe that many ambitious military professionals truly yearn for wars and the opportunities for glory and distinction afforded only in combat. Militarism in America is in full bloom and promises a future of vigorous self-pollination—unless the blight of Vietnam reveals that militarism is more of a poisonous weed than a glorious blossom."

These three distinguished military men are among others of my personal acquaintance who strongly believe that somehow the influence and size of our military bureaucracy must be reduced. Their conviction seems to be shared by a growing number of concerned Americans. One such is the president of a mid-western corporation who was born in Germany and (in his own words) "became witness to what happens to a nation when it goes down the path of military solutions." His letter to me goes on to say: "There is no doubt that a trend of this type is present in our country."

There is evidence to suggest, then, that a citizen's effort to monitor the military bureaucracy is desirable, if not imperative. Democracy depends upon an interplay of checks and balances which seems totally absent in this one glaring instance. A continued absence of such check and balance virtually guarantees continued growth of military size, influence, and expenditures. Surely that could well become a prescription for ultimate disaster, as recently pointed out by Harvard's Nobel laureat George Wald in reporting on a conversation with a "distinguished professor of government at Harvard." To quote Mr. Wald: "I asked him, How real is the threat of full-scale nuclear war? 'Oh,' he said comfortably, 'I estimate the probability provided that the situation remains about as it is now at 2% per year.' " Wald goes on to say, "That means that the chance of having that war by 1990 is about one in three and by 2000 it is fifty-fifty."

Two additional bits of recent evidence bolster the argument for an ongoing effort to curb not only the Pentagon but what President Eisenhower's words have apparently immortalized as "the military-industrial complex."

The first is a February 21 lead editorial in the *Alaska Empire* expressing shocked dismay upon learning that almost 400 military officers work as lobbyists for the Defense Department in the halls of Congress. The editorial's words are in themselves a moving plea for some kind of permanence in the process of balancing the military: "Although the thoughts of this editorial may be quickly read and even more quickly forgotten, in the long haul of history, the danger of the military-industrial complex may be revealed as the greatest threat the Republic has had to face."

The second is an article by Robert S. Benson who is now with the Urban Coalition but until very recently was employed in the Comptroller's Office of the Defense Department. Out of his personal experience and expertise Benson shows with impressive logic and supporting evidence "how $9 billion can be cut from the Pentagon budget without reducing our national security or touching those funds ear-marked for the war in Vietnam."

It should be stressed that Benson and the three generals named above, while deeply concerned about existing realities and their grave implications, consider the military-industrial complex dangerous not because of a conspiracy or even the presence of potential conspirators, but rather because of the unchecked growth of its size and influence. As we all know, the complex enjoys the support of various constituencies: the military services and their respective "alumni" associates; the corporations and labor unions who benefit in profits and jobs; the educational institutions who receive research grants and other forms of financial aid; the Congressmen and Senators who act as spokesmen for the military, especially in the armed services committees in the Senate and House of Representatives.

Let us assume at least for the sake of argument that the national interest would be well served by some form of citizen counter-constituency making itself heard and thereby encouraging responsible Congressional action in place of rubber-stamping and handing out blank checks for all military demands. Who can create such a counter-constituency? Those who support the military-industrial complex act out of direct self-interest, and that is powerful motivation. Is there a segment of the American society capable of seeing unchallenged civilian control as so urgent a goal that continuous effort would be expended towards its realization?

I believe there are a number of such segments in our society, not just one—comprising many millions of citizens concerned about huge military expenditures which seem excessively beyond the requirements of adequate national defense. And I also believe that there are moments in history when self-interest and altruism intersect. Now is such a moment. If the alarm can be convincingly sounded, concerned Americans will perceive the clear and present danger: that we stand on the brink of possibly losing forever the underpinning of civilian supremacy upon which American democracy was founded. Thus alerted, these concerned citizens would act out of enlightened self-interest to regain and maintain control of a bureaucratic apparatus whose sheer size and strength could otherwise do irreparable damage.

In the letter mentioned at the outset, General Griffith expresses similar beliefs and then states "A bell doesn't ring 'til you strike it!" The question then is this: Who will strike the bell and arouse the American citizenry not to oppose but to control the military bureaucracy and, in the prophetic words of President Eisenhower, "guard against the acquisition of unwarranted influence, whether sought or unsought by the military-industrial complex." For, as he went on to say, "the potential for the disastrous rise of misplaced power exists and will persist."

There are good reasons for which that warning bell should be rung by American businessmen on whose behalf the Wall Street Journal stated in its March 5 lead editorial: "We do sense a danger in the very momentum of the arms build-up; the bigger it gets, it seems, the still-bigger it tends to get. Undoubtedly it could get too big for the economic and political health of the nation." And on March 19, the Wall Street Journal further warns: "A large, inflexible military organization unchecked by strong civilian review can lead only to a self-perpetuating drain on national treasure, a demoralized citizenry, and foreign policies dangerously irrelevant in a world moving rapidly away from traditional forms of war and diplomacy."

Many businessmen are becoming increasingly aware that festering social ills could affect the body politic like a cancerous infection if real progress is not soon made in desperately needed domestic social programs. They know that such progress depends to a very great extent on large expenditures of money. And since businessmen are accustomed to dealing with balanced priorities within limited resources, they realize that the needed funds can come only from increased taxes or decreased military expenditures.

Also, in the course of their activities, businessmen become used to changing things, adapting to new conditions, and in effect inventing a new future which will include still non-existent products, methods, policies. Therefore, they have the latent capacity to become a source of creative leadership in relation to this potentially apocalyptic problem. Thus, instead of allowing themselves and their country to drift along with the stream of events toward possible disaster, American businessmen would be applying their energetic and creative talents to altering the "channels in which the stream of events takes place."

And no longer do most informed businessmen regard unlimited military spending as the only way to keep the economy sound and healthy. The stock market is a dramatic barometer indicating that peace implies boom instead of bust. A highly qualified economist recently told me that if we addressed ourselves seriously to the solution of domestic problems, we would be faced with an insufficient labor pool—a shortage of people to do the job properly—from now until the year 2000.

It is reasonable to assume that if businessmen respond to the urgent new realities and become an active leading echelon in the effort to regain and/or retain civilian supremacy, the so-called "flight from business" would soon be sharply reduced. The brightest young men often choose other careers largely because they see American business in the unfortunately archaic and irrelevant image projected by such organizations as the National Association of Manufacturers and the U.S. Chamber of Commerce. Without doubt there are many businessmen whose views are not represented by such organizations. But there are as yet no meaningful channels through which they can direct attitudes and energies that would more nearly reflect the legitimate concerns and basic values of the brilliant young people who must be attracted in order for American business constantly to regenerate its own vitality and viability. Such young people would see American businessmen in a different light if they were to discard old myths, accept new realities (as they must do unhesitatingly in their daily operations), and lead the way in monitoring the military colossus.

But perhaps the most compelling reason of all for which businessmen should ring that warning bell is their relative invulnerability to the usual charges of the usual superpatriots. There is no doubt that unchecked military expansion has been furthered by a widely prevalent feeling that it is somehow disloyal to question anything demanded by the armed services. Against such irrational feelings and the charges they breed, the businessman is well protected. For he cannot be soft-headed and still make the grade in the competitive market place. And he cannot be soft on communism, which is inimical to his very survival.

From the standpoint of motivation in terms of ringing the bell, that of the businessman should be very high. The benefits of being a businessman are extraordinarily great in our society. Conversely, great would be the loss of these benefits. Most businessmen know well that one does not get something for nothing. If unbridled militarism poses even a potential threat to the preservation of freedom and possibly the preservation of life itself, enlightened self-interest calls for the American businessman to lead the way in assuring civilian supremacy. And once he does so, once he breaks the ice, other segments of the society will unquestionably follow.

Will businessmen meet the challenge? There are many skeptics who would immediately answer: "Never!" Don't forget, they would point out, the industrial component in the military-industrial complex. But in relation to overall American business, the proportionate number of firms in the complex is small, even when subcontractors are included along with prime contractors. And if disproportionate military influence results in our spending more money than is actually required for adequate national defense, the vast majority of American businessmen and all other citizens as well are being severely penalized by higher taxes and/or misuse of money that should be invested in pressing domestic requirements rather than in overfeeding the military-industrial complex.

If all this based upon reasonable assumption and businessmen did strike out to achieve balanced national priorities and clear-cut civilian control, those who led the way would probably be bitterly attacked by some despite the obvious fact of being involved in a non-personal, non-partisan, even a non-political mission intended to achieve what our Founding Fathers wanted: checks and balances and avoidance of military supremacy. As the Republican Ripon Society publication recently stated: "It is far more difficult to restrain the military-industrial complex now than it was in 1961. Men who try will suffer all the abuse that a powerful interest group can churn. But the almost certain consequence of failure or inaction will be the gradual assumption of control over major national decisions by the complex." So bitter opposition by those with a vested interest should be either ignored or accepted as reassuring evidence that progress is being made.

The Congressional Record of February 2, 1968, carried a speech of mine made some months earlier. It emphasized a particular contribution I felt businessmen could make to the Vietnam debate then raging. I pointed out that in the world of business self-delusion invites self-destruction. If we lie to ourselves about the excellence of our product, the truth of a non-buying public will soon set us straight. If we pretend that our personnel, our methods, our concepts are better than they really are—the hard realities of competitive efficiency will soon set us straight—or destroy us economically. Survival in business has always demanded this kind of self-honesty. I stated that such self-honesty was badly needed to counteract the obvious self-delusion of Lyndon Johnson and his cohorts in relation to the realities of Vietnam. When I first made that speech, I was viciously attacked by the spoken and written words of quite a few persons.

But last January 21 a Look Magazine article said: "Only stubborn self-delusion can explain our refusal to see that the Vietnamese who fought hardest fought for nationalism and its living symbol, Ho Chi Minh—not for the general of Saigon . . . Self-delusion cost us dearly in blood, treasure, prestige, bitter

dissent, strained alliances and neglected priorities." What a relative few were saying about Vietnam some time ago gradually became widely recognized and accepted.

The same will be true of businessmen endeavoring to create an ongoing method for expressing concern regarding excessive militarization of our society and foreign policy. Even though they stress their concern and desire for rationally adequate national defense while seeking to re-assert firm civilian control, they will be unpopular in the eyes of some. But eventually they—and all Americans who are encouraged to join them—will prevail.

And by leading the way for others to follow, they will have generated a growing momentum toward a better and safer America. At one of those moments in history when self-interest and altruism intersect, American businessmen shall have acted for their own best interests as well as for those of their country.

CAMPUS DISORDERS

Mr. ALLOTT. Mr. President, last Tuesday, I issued an invitation to Senators to join me during proceedings of the Senate today to continue a discussion of appropriate measures to deal with this serious aspect of student disorders which continue to wreak havoc upon college and university campuses across the land. In previous remarks to the Republican policy committee, reprinted in the Congressional Record on March 26 at page 7635, as well as the statement which I delivered before the Senate on Tuesday, April 29, I have attempted to outline the inexorable path of destructive progress which student revolutionaries, such as the SDS, have been making during the current academic year.

Information widely disseminated by the Students for a Democratic Society in Princeton, N.J., indicates a new period of escalating militancy commencing today and continuing until May 7. This new form of protest will be in the nature of a general student strike which according to them will continue "to build from the first day, not just because we have called it, but because of the nature and militancy of the 4-months struggle which has preceded it; posting the nonnegotiability of the demands of the struggle."

Mr. MUNDT. Mr. President, will the Senator from Colorado yield at that point?

Mr. ALLOTT. I am happy to yield to the Senator from South Dakota.

Mr. MUNDT. Mr. President, may I say that I am responding to the Senator's invitation to participate in this colloquy today because of my great concern over the growing problem of campus disorders. I have read the two previous addresses to which the Senator has alluded and heard the one he gave before our policy committee.

I want to applaud the Senator for his series of excellent statements on campus disorders and for the efforts he has taken to expose the situation and report to Congress and the country about its magnitude.

I would also like to make it clear that I stand ready to help the Senator, in any way I can, to help clear the air and expose the true purpose of those who claim to be for a democratic society while in truth they violate almost every democratic principle known to history.

In that regard, I hope that Senators will follow closely the hearings of the Permanent Investigating Subcommittee which will soon undertake a study and an investigation of this entire subject.

In discussing the subject of campus disorders, I want to make it clear that I do not side with those who label the entire student population as irresponsible.

I know that is equally true of the viewpoint of the Senator from Colorado, with whom I have discussed this problem on different occasions.

On the contrary, I am sure he feels, and I know I feel, that the vast majority of today's students could better be defined as representatives of the finest group of students ever produced by this country.

They unfortunately have not stood up for their rights as individuals as well as students, and have let a small percentage of punks chart the course of student behavior and sully the reputation of an entire age group. I sincerely hope that they will reverse this trend and take back their majority rights.

I have looked with favor on recent newspaper reports that the representatives of the vast majority of students who want to preserve the academic community as a place for study and learning, because of failure on the part of college administrators to follow their functions and faithfully fulfill their duties as administrators, have gone in and on their own rooted out some of the militants who have taken over the property of a university, or have caused classroom disorders and made it impossible for students who are interested in getting an education to go to classes and acquire learning.

It is not, however, the students who must bear most of the blame, in my opinion, for failure to act. That burden falls directly on the administrators of our colleges and universities and the faculties underneath them, and on the boards of governors, the trustees, and even those who contribute to the endowment funds of colleges, without making a careful, meticulous study to determine what kind of institution they are perpetuating, what kind of administration they are supporting and what kind of atmosphere is developing in the academic community as a result of their cooperation in supporting or directing the university or college.

We need more than ever before men and women of courage who are willing to stand up for the established law and regulations that govern every institution of higher education.

That goes not only for the college administrators but also for deans, faculty members, boards of trustees, boards of governors, and boards of regents. It also goes for contributors supplying the endowment funds which maintain the educational institutions without giving even cursory study as to what type of academic environment they are financing or what types of administrators and faculties they are supporting. Thus some who write in or speak up most vociferously from the private sector may in reality actually be accessories to the crimes of the campus disorders which they condemn.

What we very definitely do not need is a repeat of some of the sorry performances of the past few months in which some vapid and indescribable college and university administrators not only failed to enforce their regulations but also capitulated entirely and disgracefully to demands, many of them asinine, both puerile and being made by a tiny, misguided and ill-informed minority.

Mr. President, all of us are aware that the most immediate outcry, for the most part, stems from the sorry spectacle at Cornell which has gotten so much publicity; but it is far deeper and widespread. The "Munich at Ithaca," as one national magazine so aptly described it, is but a symbol of the times. When campus disorders and seizure of buildings becomes so commonplace that the running totals are reported in newspapers like baseball boxscores, we have reached the stage where drastic remedial action is necessary to reverse the trend.

The Senator from Colorado is rendering a useful service and is engaging in courageous activity in helping to alert the country and Congress to the problem; but what bothers me—and I am sure the Senator from Colorado must share this point of view—is that I have a genuine reluctance to see the Federal Government embroiled in campus disputes, but I also feel that Congress will take such action, if it becomes necessary. We have been patient. We have been hoping for able and courageous administrators to put out the fires. It will not be necessary for Congress to take action if those responsible for keeping their academic house in order will do so.

But, I might add that the same individuals who would cry out the loudest if the Federal Government moved in to restore public order and domestic tranquility, are usually the very ones involved in these disgraceful performances or surrendering to them.

Before closing these comments, Mr. President, I should like to say to the Senator from Colorado that there is one legitimate function, in my opinion, that Congress can and should carry out at this time, and that is an investigation of those who foment so much trouble on our college campuses. The material he has read in the Record and the speeches he has given on this subject on the floor of the Senate, and also before the Policy Committee, have provided very helpful information in the direction of beginning a congressional exploration of this entire subject.

The Senator from Colorado has started the ball rolling and I want to assure him that it will continue because the Permanent Subcommitee on Investigations will give this problem its prompt attention. As a matter of fact, hearings will begin on this very subject before the end of next week.

As the ranking Republican member on that subcommittee, I want to invite the Senator from Colorado to participate in the hearings in any manner he thinks desirable; as a witness, if he wishes, sitting with us, if he has time, at the committee table, where he will be extended the courtesy to ask questions, and where our committee, and the Congress and the country, can benefit from the in-depth study he has been giving to this very vexing problem.

I congratulate the Senator on his initiative.

Mr. ALLOTT. I thank the distinguished Senator from South Dakota for his kind remarks and also for his invitation to join with the Senate permanent Subcommittee on Investigations. Frankly, I am very, very pleased that this very illustrious committee, which has performed such valuable work for the Senate in the past, is taking up the matter at this time.

I have tried to point out two things from time to time. First, that this is not just a case of exuberant students, with their blood running high in the springtime, swallowing goldfish. This is an organized effort, at least to a certain extent. In its overall pattern, it is certainly well organized. The policy and basis of manipulation are certainly well organized. There is no question as to what their intent is. It is to disrupt, and if possible to destroy, the university system in this country.

Mr. MUNDT. Mr. President, will the Senator yield further?

Mr. ALLOTT. May I finish first?

Mr. MUNDT. Surely.

Mr. ALLOTT. Second, I agree with the Senator that I do not think this group represents the bulk or anywhere near the majority of our fine students in this country. Personally, I have been disappointed that there has not been more of a coalescing of ideas by students who do not agree with this movement and a demonstration of initiative to thwart the illegal action that is taking place in our universities. I know that if I were in a university, and particularly if I were one of those students, of whom there are many here, who worked their way through school, as I did, and I saw myself being deprived of the education which the people of Colorado had supplied to me through my own State university and that I was supplying to myself through my own hard work, and I saw all that being pulled out from under me, I would resist it with every means at my command and I would do all I could to organize resistance to that effort.

There is no reason why students who are opposed to this movement cannot organize and make their voices heard on this sort of thing, instead of sitting by and acquiescing in it.

Now I yield to the Senator from South Dakota.

Mr. MUNDT. Let me say that I agree 100 percent with what the Senator has said. I am happy to report that in the University of South Dakota, where we had a small manifestation of militants trying to disrupt orderly procedures on campus, those who did not agree, led primarily by returned veterans from the war in Vietnam, went in and bodily threw out the dissidents. Because dissidents are cowardly at heart, basically, they offered little resistance, and there have been no disruptions since then.

I read recently that in one of the universities in this Nation's capital, those who wanted an education, while demonstrators were trying to prevent that education, threw those dissidents out of their classrooms and their campus strongholds and let things take their course back to normalcy again. The same thing happened at Howard University, here in Washington when dissidents tried to stop the law college students from taking their bar examination about a year ago. Those who wanted an education went in and threw out those who were trying to desecrate that educational institution and barricade and close down those classrooms.

I feel that the great majority of young Americans who attend college and who, we all know, are right-minded, ought to develop some kind of gumption and activism and determination against that militant minority, and not have to rely entirely on the administrators of colleges and universities.

I rose the second time primarily to point out that I think there is justification for the Federal Government, through its regularly established investigating subcommittee of the U.S. Senate, to dig into those matters, because they have now an impact on our defense establishment in time of war and in time of international peril, because the dissidents move in, with roving and moving targets at times, against the ROTC, under which program we train young officers who are badly needed in the services and against the implementation of defense contracts between the university and the Defense Department.

I was chagrined and disappointed to read in the newspapers today—for example—that a highly regarded American university, MIT, is pulling the flag down to half mast and thinking about replacing it with the white flag of surrender, when they say they are seriously thinking of eliminating any further contracts with the Federal Government dealing with defense. The world will still endure of course, if MIT surrenders. Other institutions will step in when MIT has failed. But it is a rather disgraceful thing to read why MIT has changed its attitude. MIT has been among the most aggressive in seeking such contracts and in urging Congress to increase the amounts it can get for administration purposes and for constructing new buildings, in connection with their contributions to the scientific know-how of the Federal Government.

Of course, MIT has a right to change its mind, but why is it doing so? It is changing its mind because the students are rebelling against having that kind of participation. That capitulation and surrender by such a university makes this a dark day when we read about it in the newspapers.

I sometimes think that the greatest sin in America today is the sin of "capitulationism". Some wish to capitulate because of the clamor against defending ourselves with antiballistic missiles when we are under attack. Some are ready to capitulate in Vietnam. They want to cut and run because things get a little rough, and so they are ready to capitulate. Some are ready to capitulate as world leader because it takes money and takes time. We are urged to go into isolationism, which is developing so fast some have already moved into complete "capitulationism." If there is no such a word as "capitulationism," some term must be coined to identify those who want America and Americanism to surrender at every turn of the road, including, of all things, the surrender of a great university from its many contributions to the science and art of self-defense, because there is clamor on the campus and those who run the university so totally surrendered to mobocracy that they capitulate. I think that is a disgraceful situation which should call real concern to all supporters of a one great institution like MIT.

Mr. ALLOTT. The Senator has expressed it very well. I could not agree with him more.

I would like to comment about the ROTC. One of the phoniest issues raised has been that of academic freedom. What about the student who wants to go to school and study under the Reserve Officers' Training Corps? Is it academic freedom to remove that program, and not permit it in the school, if that is what the student is interested in?

The fact is that these groups are trying to overcome the basic security in the principles we have always believed in—the principles of morality and of government—and so far they have seemed to be more successful in our schools and universities than I would have liked to see.

Mr. TALMADGE. Mr. President, I wish to associate myself with the remarks of the distinguished Senator from Colorado and the distinguished Senator from South Dakota, and to compliment them for their forthright approach to a very serious problem.

I have myself spoken in the Senate on this subject several times this year. My view of the overall situation has been that it demands strong and immediate enforcement of the law, on the campus and in the public streets. In fact, I have wondered, as have millions of Americans, how collegiate lawlessness has been allowed to come as far as it has.

Anarchists on the Nation's college campuses—students and nonstudents alike—have got to be denounced for what they are. Based on their past performances over many months and in fomenting strife at 38 colleges and universities in just the month of March alone, it should be plain to everyone by now, including even the most liberal do-gooders, that these people are troublemakers of the worst sort. They are lawbreakers bent on destruction that pose a menace to all our society.

They have banded together in the militant and revolutionary Students for a Democratic Society movement, and spread their hate and discord all across the Nation. There are other such organizations that go by other names, but they all fall in the same radical category. Students for a Democratic Society is an extremely leftwing, and probably Communist-oriented organization. I suspect the fact that SDS leans far to the left and is supposed to be liberal is part of the answer as to how and why this movement has come so far. If this movement were rightwing or politically conservative, I believe it would have been crushed long ago by the wrath of American citizens whipped up by the liberal establishment.

If these students demonstrated and stirred up disorder and tried to pull people to the right, for example, by calling for more vigorous prosecution of the war in Vietnam in order to protect the lives and the safety of the half million men we have fighting there; or by advocating more and stronger college courses in the American heritage and patriotism, or by pushing for stricter academic and scholastic requirements to improve the quality of higher education, or by demanding more individual responsibility instead of special privileges.

I believe the movement would have been doomed to public disaster long ago. It would have been villified by the ultraliberal press, television, and radio. Some Members of the Congress whose names automatically become headlines would have leaped to their feet to join the tirade and called upon the conscience of America to strike this movement from our midst.

Its goals would have been denounced. Its leaders and their lives would be probed all the way back to the cradle. They would be held up to scorn and ridicule in every way possible. There would be a barrage of newspaper series and television documentaries to discredit such a so-called right-wing movement. It no doubt would be branded as un-American and a threat to intellectual and academic freedom. And soon it would fade into obscurity and disrepute.

There are of course conservative elements on our campuses who endeavor to impress their point of view on their fellow students. But they do not riot and demonstrate, which is to their credit. And I might add that I find some of their aims and goals much more desirable than the destructive intent of their opposite numbers in SDS and other such outfits.

But what presently plagues the Nation and its colleges and universities is not a so-called right wing movement. It is left wing. It is supposed to be liberal. Thus, it has gone virtually unscathed. And because it has not been stopped, nor even slowed down, it grows in strength and in violence.

So long as such students persist in lawlessness, I cannot understand how they are permitted to stay on campus. Nor can I understand how professional agitators are immune from prosecution.

We have had rebellious and riotous students being allowed to create havoc, to inflict great property damage, to endanger the well-being of their fellow students, to hold university administrators hostage at gunpoint, and to in fact literally close down educational institutions.

Then what do we see?

Administrators and officials of these colleges bowing down in supine resignation.

There are increasing pressures for Federal intervention and Government sanctions. As I remarked in an earlier address in the Senate, it may come to that. But first we should look to the first line of defense against crime, whether it be crime in the streets or crime on the campus.

This is basically a local responsibility. First, colleges and universities should lay down rules and regulations against illegal demonstrations and enforce them with every resource at their command. Second, if they cannot do the job, there are State and local police who can.

This is admittedly a hard-line approach. But unless the country plans to turn its colleges and universities over to a bunch of radical hoodlums, this is what it is going to take to restore law and order on campuses.

We have had too much pampering and acquiescence. What we need now is more respect for the law, by students, by professors, and by administrators.

I want there to be no mistake about the kind of student that I am talking about. I do not refer to the youth of America in general. I am convinced that this group of anarchists represents a woefully small percentage of American students. An overwhelming majority of the Nation's college and high school people are loyal, patriotic, and hardworking. Youth today has a deeper sense of responsibility, and they are better educated and more intelligent than any generation in the history of our country. It is the anarchists that need to be dealt with, and not youth in general.

Mr. President, there appeared in this morning's Washington Post a column by Roland Evans and Robert Novak recounting some of the events leading up to the anarchy that prevailed at Cornell University.

This is a revealing and shocking account of the permissiveness of college officials in dealing with lawless students. It tells the story of what has been taking place all across the country as well as anything I have seen yet.

I bring this article to the attention of the Senate, and ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TALMADGE. Again I compliment the distinguished Senator from Colorado for bringing this matter to the attention of the Senate. I think it is most urgent that the overwhelming majority of Americans, young and old, students and nonstudents alike, be alerted to the importance of this matter, and that we urge and hope that our college administrators will do what they can to restore tranquillity, peace, order, dignity, and education on our college campuses.

EXHIBIT 1

ANARCHY AT CORNELL AND HOW IT GREW FROM MILITANT MOVES OF DECEMBER

ITHACA, N.Y.—The surrender last week of Cornell University's Administration to rifle-toting black militants, a new precedent in the national campus civil war, was no isolated incident but rather the climax of deepening anarchy here.

Despite the official Cornell line congratulating itself on a peaceful escape from bloodshed, there is no doubt that President James A. Perkins accepted the black demands in an atmosphere of coercion. While armed Negroes were occupying a university building, lesser publicized events had so terrorized a majority of the faculty and student body that they were eager for appeasement.

Responding to threats broadcast over the radio, faculty members branded as "racists" were forced to evacuate their homes for the night. One black student who openly opposed the resort to force was spirited across the border into Canada for safekeeping by friends. Unidentified rifle shots fired at a classroom building aggravated the tension. Moreover, the burning cross which supposedly forced black militants into armed insurrection is widely believed here to have been set by Negroes themselves.

That this lovely upstate New York campus could be so deformed by strife is in part attributable, ironically, to Perkins' well-meaning liberalism in recruiting black students, many of whom were ill-equipped for Cornell's academic demands. This inadequacy led some young Negroes into increasingly more belligerent postures here. Cornell's administration, faculty, and students, bearing an immense guilt complex toward Negroes (freely admitted by Perkins), could not bring themselves to impose discipline.

The watershed event came in the spring of 1968 when three Negro students, infuriated by an economics professor's classroom contentions about the superiority of a Western civilization, seized the offices of the economics department and held the department's chairman prisoner. When the Perkins administration did not press charges against the students, it flashed the green light for anarchy.

Pushing an action campaign for an autonomous black studies program, the militants moved on many fronts last December: The takeover of a university building (actually promised them for a later date) with professors and their belongings dispossessed into the street, the theft of furniture to furnish the building, dancing on dining hall tables, disruption of library stacks.

Perkins' permissiveness and the black militants' contempt were graphically exhibited during these December demonstrations when black militants staged a sit-in outside Perkins' office. Trying to make friends, Perkins sent out doughnuts and milk. The militants responded by smashing the refreshments against the wall.

Even more bizarre was an incident two months later when the Afro-American Society demanded $2,000 from the administration to buy bongo drums to celebrate Malcolm X day. Within two days, the administration scraped together $1,700 and dispatched two black student leaders down to New York City in the university plane to purchase the drums.

But pressed by a few faculty members, the administration did reluctantly bring charges against six of the more flagrant December demonstrators. Consequently, once the blacks won their demand for an autonomous black studies program early this year, radicals stepped up direct action around a general theme of amnesty for the six demonstrators.

To the accompaniment of the university-purchased bongo drums, Perkins on Feb. 28 was physically pulled down from a speaker's platform at a conference on South Africa. A few days later, job recruiters from the Chase Manhattan Bank were physically assaulted. In mid-March, three white students were beaten at night on campus—one to the point of death; two of the victims identified their assailants as Negroes while the third was in no condition to identify anybody.

Thus, as spring came to Cornell, wholly non-political students decided it would be prudent not to stroll the quadrangle at night. Simultaneously, Perkins became the open target of derision by the black militants, who wore sheathed knives in their boots during conferences with him. In one such meeting, a leader of the Afro-American Society described Perkins to his own face with an obscenity widely used in the black ghetto.

Behind the scenes, Perkins' lieutenants were quietly prodding the faculty to quash the charges against the six December demonstrators—a surrender the faculty finally agreed to last week in the atmosphere of armed insurrection.

In an interview, Perkins told us he intends to stay on as president of Cornell and feels he has full confidence from the board of trustees. If he is correct, his method of buying peace on the campus may well become the pattern for college administrators around the country. The implications for Cornell as an educational institution and for liberal education in America generally will be discussed in another column.

Mr. **ALLOTT**. I thank the distinguished Senator from Georgia very much. I agree with the point he has made, that if this had been a group of rightwingers, perhaps suspected of being sponsored by the Minutemen of America, or similar rightwing organizations, their presence in the university halls would not have been tolerated for 5 minutes, and all of the great liberals in the country, or so-called liberals, would have been screaming to get those Fascists out of there.

Now we have the same kind of action coming from the other end of the spectrum. I agree with the Senator most heartily that the responsibility is basically a local responsibility, beginning with the university officials; and if it is not assumed, then it will be difficult to stop this movement.

Mr. **HOLLAND**. Mr. President, will the Senator yield?

Mr. **ALLOTT**. I yield to the distinguished Senator from Florida.

Mr. **HOLLAND**. First, I compliment the Senator from Colorado and join in the remarks of the Senator from Georgia in complimenting and congratulating him.

Mr. President, this is a serious situation that the SDS has precipitated, and I wish to call attention to just two features of it in a very brief way, if I may.

It seems to me that these young people do not realize that they are being given a wonderful opportunity to obtain an education which they are surrendering in part as to their own opportunity. They are given that opportunity either out of public funds largely or out of the contributions of well-intentioned citizens who, having made fortunes under the American system, want to extend some of the benefits of their own opportunity to American youth.

I think that they have not realized that they are the beneficiaries of a fine thing which is happening under the American system. That is that a largely free educational opportunity is being afforded them as individuals. They are forfeiting this opportunity because of their frustration or their bad motives, whichever the case may be.

I think it is even more important that these students constitute only a minority of the total number of students and by their action, they are preventing the majority of students from obtaining the maximum benefit of their opportunity to receive an education in these days when an education is so much more necessary than it has ever been heretofore.

The campus unrests result from acts on the part of SDS activists that are not only senseless so far as they are concerned but are also highly inconsiderate and senseless insofar as deprivation of others is concerned.

It seems to me that it is so clear that every means available must be used—whether it means calling in outside forces of law and order or appealing in the first instance to the faculty which should by all means respond to the proper sort of appeal from the executive and administrative officials or whether it is a matter of an assertion of the public interest and the interest of the parents and others who are seeking so eagerly to give their youngsters a chance for an education. This thing has got to be stopped.

I was disturbed by some casual comments in the press that came to my attention. The press has given entirely too much comment to the anarchist elements in the SDS itself. One of the governors of Harvard University said that two things disturb them very greatly.

One is that the members of the group, which is large in number but small compared to the entire student body, which had instituted a sit-in and takeover of the dean's office and the files, including the private files of the university, consisted, it was discovered on close checking, of a sizable number of individuals who were unknown to everyone on campus. These individuals were not members of the student body. They were not members of the faculty. They were activists from some outside source. They may have been Communists. I do not know. I could not so charge because I do not know. But they certainly were troublemakers who were willing to tear down and destroy the very foundation of the temple of education. And they are troublemakers of the great magnitude.

Another thing which disturbs the governors of Harvard is that they found in the faculty so many members who were willing to be openly encouraging to the anarchist leaders of the demonstration. This is a matter of the very deepest concern to the head officials of Harvard University.

I do not know what the answer is. But I do know that in the part of the country which I represent in part here in the Senate, we have had very little of this kind of disturbance.

I do know that in the three colleges where I have for a long time served as trustee, and in which I am now the trustee emeritus in each case beginning last year, and the University of Florida where I have been a member of the executive committee of the alumni for some 40 years, we have had no trouble.

I cannot give a reason for this except that the youngsters must be willing to more highly value their own opportunity and be more considerate of those who do value more highly their opportunity for an education, or else they are better disciplined.

In every instance the presidents of those institutions have made it clearly known that anyone who breaks the law and is guilty of violence on the campus will be speedily ejected from the student body or, if necessary, from the faculty, and that there will be no indisposition to call on outside forces to keep law and order.

It is possible that in some instances, at least, the college and university administrators have not been willing to assume responsibility. If that is true, that is something about which our whole public should be concerned.

As far as I am able to say, it seems to me that greater firmness and greater support by the public of the law-abiding element are required and that the schools should command greater support of the peaceful inclinations of students, on the part of their parents and the communities from which they come. This is absolutely necessary.

Somehow or other we have to cut out of the heart of our system of education this thing which threatens to become a cancer and destroy the whole.

I thank the Senator for yielding to me. I compliment him for making the speech he has made. I hope that it will be carried far and wide through the media of the country. I think the country needs it.

Mr. **ALLOTT**. Mr. President, I thank the distinguished Senator from Florida for his always helpful remarks. I have no doubt that the healthful situation in Florida has been due to no small extent to his own leadership.

In this respect, last year there was such a sit-in at the University of Denver. The chancellor of that university, Dr. Maurice B. Mitchell, dealt with that matter in a very firm and forthright manner. I think that some 41 or 42 students were promptly expelled from the university.

Last week he received demands which were made upon him in an anonymous letter. Since there was no one to answer and the letter called on the university to meet absurd demands, the chancellor took to the newspapers and answered every one of the demands in a clear and explicit manner.

Mr. **HOLLAND**. Mr. President, I congratulate that particular university president. As the Senator well knows, we in public life learn to pay little attention to anonymous letters. I am glad that the president of the University of Denver seized the occasion to meet the charges and claims included in the anonymous letter, even though he could not know who sent it.

We have to use every medium we can to meet this threat to higher education. I hope that the Senator will, for me, when he writes to his friend, the president of the University of Denver, congratulate him on what he has done.

Mr. **ALLOTT**. Mr. President, the letter was unsigned and contained no address. However, it was reported to be from the Students for a Democratic Society.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the letter to which I have referred, together with the enclosures.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF DENVER,
COLORADO SEMINARY,
Denver, Colo., April 28, 1969.

Hon. GORDON ALLOTT,
U.S. Senator,
Washington, D.C.

DEAR SENATOR ALLOTT: We have had a threatened incident at the University of Denver, and I thought you might like to see the demands and ultimatum, together with my response.

My hope is that the response will provide the majority of students and faculty with understandings that will help them deal with any threatened action of an improper kind on the part of those who issued the ultimatum.

We have had a quiet campus since April 30, 1968, when we dealt promptly and vigorously with a sit-in. If any improper action results from this episode, we will again take whatever action is necessary to stop it at once.

As always, your comments, criticisms or suggestions would be welcome.

Sincerely,

MAURICE B. MITCHELL.

UNIVERSITY OF DENVER,
April 26, 1969.

To: Students at the University of Denver.
From: Maurice B. Mitchell, Chancellor.

On Friday, April 25, I received a special delivery letter, contained in a plain envelope, bearing no return address or other sender identification. It contained a single sheet of typewritten matter, unsigned, bearing the heading "Declaration of Student Demand." A copy of this message is attached. Before the letter was received in my office, copies were being distributed on campus to individual students and faculty members. Other copies were posted in various places, and several were supplied to news media.

In the absence of any named source to whom a reply can be addressed and in view of the general distribution given this "Declaration of Student Demands", I am making general distribution of these comments in the hope that they may serve a useful purpose at this time.

I do not believe that the authors of the demands and ultimatum of April 25 represent "the students of the University of Denver . . . the community of Denver . . . the people of Colorado." Such a statement is the familiar language of the self-appointed custodians of the rights of others. It is an impertinence to assume that those groups would authorize such a threatening document, and I can only assume that this was done to provide some flimsy justification for improper action on, before, or after April 30.

The letter is, in any event, a gross insult to the student body of the university. Many of them, black students and white students alike, have spent long hours during the current academic year in constructive discussion and action relative to some of the matters mentioned in this list of demands. It is clear to observers of this year's activities that important progress has been made in the areas of principles of student life, the involvement of students in a wide variety of university activities previously not open to them, and in such policy matters as the new disciplinary code and its related procedures. Students, faculty, administration and trustees have joined on countless occasions in hundreds of hours of planning and constructive discussion and action. There has been goodwill, mutual respect and faith in the common goal of building a better university. To fling arbitrary demands and an ultimatum into this situation is to confirm what most students already know about the authors of this letter: their interest is in violence, ruthless destruction and confrontation leading to disaster. It is the same sordid tactic that has brought disaster to other campuses, fanned hatred, destroyed valuable facilities, interrupted the studies, teaching and research activities of thousands of scholars and students, and dissipated millions in tuition fees.

I do not for one moment believe that DU students will permit themselves to be deceived by these tactics, and I am confident that they will again demonstrate their disdain by holding themselves aloof from the present and future activities of the irresponsible few.

With regard to the "demands", the following comments may be useful:

1. *A Black Controlled Black Studies Department*. No such department is contemplated by this university, now or in the future. A number of courses relevant to this area are already listed in the catalog of the university, administered by the departments best equipped to handle them. Some have been taught for several years—the area is not new to DU. Other courses are in planning, while still others are the subject of study and discussion.

In discussion with some black students this year, the suggestion was made that they visit other universities where special courses in black and other cultures were being taught, with an eye toward bringing back information that would be of value to various departments here. That activity is, to the best of my knowledge, still a firm plan and the study trip is expected to take place shortly. It may well result in improved course content and new offerings in DU's general curriculum.

This university's lack of interest in any special Black Studies Department grows, in part, out of its desire to *reduce* the number of individual departments. It is increasingly clear that inter-disciplinary studies play a valuable part in a contemporary and relevant university experience. The road to this is not in the development of *more* isolated cubicles of subject matter, but exactly the reverse. At this university, there are already important inter-disciplinary relationships between sociology and political science, sociology and law, political science and international studies, law and international studies, and business and engineering, for example. In these and other cases, the total value is usually greater than the sum of the individual parts. There will be more development in this direction, and we expect the results to be of benefit to students of *all* races and origins.

The university understands and respects the great pride felt by minority students in their own cultural backgrounds and history. On the other hand, it believes that there is little to support the belief that an academically sound curriculum or department can be built that is limited to a single racial group. There is the real probability that such a unit would have to be built on shallow and inadequate scholarship which would not permit standards of content and genuine achievement commensurate with university standards. It would be a cruel deception to offer a "black studies program" that did not require intellectual opportunities equal to those required in other areas of study.

DU is and will continue to be intensely interested in opportunities to broaden its offerings to overcome such deficiencies as may have existed over the years in the area of minority cultures. These offerings will be added to its catalog as time goes on. Many other colleges and universities are engaged in similar development, and it may well be that the departmental organization or course structure elsewhere will be more attractive to some students. In such cases, transfers can usually be arranged. It is not unusual for university students to move about in search of studies of special interest to them, and all colleges and universities differ in their emphasis in various study areas.

Second. A Black Controlled Recruiting and Admissions Program. The university has no present intention of dividing its recruiting and admissions programs into various racial compartments. We recruit in many areas and in many kinds of secondary schools, public and private, predominantly black, Spanish, or white. Admission is based on demonstrated ability to do college-level work or on other evidence that an applicant is likely to be able to earn a degree. The university realizes that there is a greater interest in college enrollment today than ever before on the part of students in the minority areas, and has steadily broadened its recruiting areas to include contacts with such students. The appointment of a black staff member to the admissions staff has been approved and such a staff addition may be announced soon. The advice and guidance of black students in the admissions area will be sought to a greater extent.

Nevertheless, DU is a modestly-endowed, far-from-affluent private university with inadequate means to supply the kind of scholarship aid—usually total tuition and housing support—that is generally required by minority-group students. With inadequate scholarship funds from outside sources (unlike many other states, Colorado does not provide *any* scholarship funds to private colleges and universities), DU allocates 10% of its *total tuition income* to scholarship aid. More than a third of its students use these funds, loan funds and Federal funds, plus income from part-time jobs, to defray tuition and housing costs. The great majority of its financially-aided students are able to provide some part of these expenses on their own.

Tuition at DU (effective next September) is $1,875. Housing costs increase this by approximately $1,100. To add 100 fully-supported students to each class over the next four years would require funds in the amount of at least $2,875,000—almost three times the existing scholarship funds. One must also consider, in addition to these figures, the loss of $500 per year—often called the "unrecorded scholarship"—the university bears on *every* student, full-scholarship or otherwise,

With low-tuition education available in every state at its state colleges and universities, the modestly-endowed university cannot hope to attract or support important numbers of students requiring full support. It can only hope that as incomes and living standards increase in the minority groups, its ability to attract students from such groups will increase. Until this day or until Federal or state funds increase, a kind of economic discrimination seems inevitable—and this is a source of deep concern and great regret.

Despite these seemingly insurmountable problems, a group of interested students and faculty members have been meeting with the admissions staff to plan programs that will attract and serve the special needs of minority-group students. Efforts to obtain funds from new sources are planned, and there is every reason to hope that DU will, to the extent of its ability and a genuine willingness, be able to enlarge its services to these special students.

Three. *A Proportional Representation of Black Faculty Members*. The university faculty would, in my opinion, be delighted to welcome black scholars to its ranks. Since it is unlikely that a proportional representation of black scholars actually exists—it will, hopefully, be a reality sometime in the future—it is unrealistic to assume that the nation's universities will be able to reach this goal at this time. A similar situation exists in most professional fields—law, engineering, and medicine, for example. To award faculty status on the basis of sympathy or goodwill would serve no useful purpose to black or white students—and such a policy would simply result in a lowering of the standards of teaching, research, and scholarship.

There are many competent black scholars at work in black colleges and universities throughout the nation, but to "raid" such institutions would be a cynical and destructive practice, designed to improve one segment of the nation's institutions of higher learning at the expense of another. Some black students argue heatedly that the black colleges *should* be raided and even forced to close, but others seem to want new black colleges to rise within the framework of other colleges. The decisions to be made here are not easy ones, and they are certainly not likely to be made intelligently and constructively as the result of "demands" and threats by extremist groups. The faculties, in their wisdom and sound judgment, will make them and I do not feel that one can charge the DU faculty with prejudice in this regard.

Again, as in so many other areas where great heat has been generated, time works in favor of a solution. As increasing numbers of minority-group students move through our universities, there will be a larger pool of such persons available for faculty assignment. Many of the things happening today contain built-in solutions to the problems that seem so acute. Time now works inexorably in favor of those—all of us, really—who hope for racial balance in faculty as well as students at our universities.

4. *The Immediate Dismissal of Stan Albeck, as Head Basketball Coach.* Mr. Albeck is not about to be dismissed. My observation has been that he is a fine, decent, dedicated athletic specialist with a personal background and history of service in his field that belies any accusation that he is racist. As a new coach, he established his own standards of performance, including a demanding program of physical conditioning. He used his own guides for the evaluation of his team. Not every member of his team agreed, and some resisted his coaching techniques. He dropped some players from his squad, was faced with much dissension (some of it inflamed by outsiders seeking to use this as an issue) and had a poor first season as a result. He has worked hard at recruiting, at increasing student interest in and support for his team, and at rebuilding the university's basketball fortunes.

I do not doubt that Mr. Albeck has made some errors of judgment and execution. These go unnoticed when you have a championship team—they are magnified when you've got a loser. And in the heat of competition, especially as the losses mount, tempers flare and things are said and done by coach and players that are regrettable. When such incidents occur, during games or during training or practice, the university Faculty Committee on Athletics is promptly notified, and the incidents are carefully reviewed. The Director of Athletics is similarly informed and is a close observer of the actions and performance of every coach and intramural leader. These groups have voted their support of Coach Albeck. They have made recommendations with regard to certain policies which Mr. Albeck has been quick to adopt. The university supports this situation.

Because emotions still run high among some basketball players, I have invited them—long before these demands were made—to attend a meeting in my office with Hoyt Brawner, Stan Albeck and members of the Faculty Committee on Athletics. Open and frank discussions will be encouraged and complaints will be heard with close attention. This is the proper procedure for dealing with such matters and I expect all concerned to participate with vigor and a genuine interest in the sports program of this university. Racism will not be tolerated in sports any more than it will be tolerated elsewhere in DU—but I am presently of the opinion that it simply does not exist.

I happen to be a sports fan and a DU sports enthusiast. I've been proud of every DU team I've ever watched—win or lose—and I hope it will always be that way.

Fifth. *The Creation of Additional Departments Relevant to the Needs of Other Third World Peoples, Including Chinese and Orientals.* My comments earlier in this statement, relative to a "black only" department, apply here as well. The university believes that it can serve all students, regardless of race, color, or origin, in a far better fashion by reducing departmental barriers and isolation and by fostering inter-disciplinary studies. Some students may simply want to attend a university to study *only* their own cultural heritages. For such students, DU will be a poor choice. My belief is that such a choice would, in any event, be a poor use of the facilities generally available to those who seek a truly valuable and broad-based experience in higher education.

Sixth. *Immediate Implementation of the Student Bill of Rights (1968) as the Only Legitimate Document Governing Student Life at the University of Denver.* This is an absurd and exasperating "demand" and truly reveals the blind and bitter nature of the group that presented this ultimatum. From the very beginning the DU student body has expressed its interest in working with faculty, administration, and trustees toward the creation of a statement that clearly defines the principles of student life on this campus. After almost a year of discussion, conferences and constructive effort, the document now stands ready for general adoption, and it seems clear that this "demand" is a frenzied effort to torpedo all this work and create an artificial issue and crisis in its place.

The fact is that many elements of the earlier "Bill of Rights" necessitated the approval of the faculty. They, too, have their rights and some of these were invaded by the original bill. Accordingly, students and faculty have held extensive discussion and the University Senate—dominated and led by faculty, but with students as ex-officio members and as committee members with full vote—made these matters the subject of serious debate. It is gratifying to note that ultimate agreement was reached on practically every issue, and this is a great tribute to all involved, as well as an indication of the progress that can be made when matters are handled in this way.

The newly-drafted Principles of Students Rights, soon to be offered for approval to students and trustees, is the first of its kind in the history of DU. It is a remarkable statement of the conditions under which students will govern their own student life, enjoy full protection as individuals under "due process", be protected in privacy, and enter into the wide range of activities and decision-making process that affect the entire university. Although many of these principles have existed since the founding of DU, they have not been clearly stated and codified, and all of us who have been engaged in this unprecedented effort view the results as a real step forward in the maturing relationships between the different elements of the university community.

It would be a genuine tragedy if cynical action, designed only to reserve an "issue" in desperation and before it disappears, destroyed all this work and the good will and mutual understanding that has been created. It is, of course, the very purpose of "demands" of this kind to destroy such evidences of progress.

Seven. *An Immediate End to All "Classified Research" on Campus.* This refers to the Denver Research Institute, which is a part of the university and which is conducting some research activities—representing only a single area of its widespread activities—for the government of the United States that are secret. I am personally familiar with these activities. They are not addressed to results that could in any way do harm to individuals, in the military or in the general public, either in this country or elsewhere. Quite the reverse. The research institute will continue to conduct such activities through the life of its contracts and any renewals thereof that seem acceptable to it.

The whole matter of secret research has been the subject of much debate, on and off university campuses, in recent years. Some institutions have allowed themselves to engage in activities that are clearly unsuitable, and not every judgment in this area has been made with the detachment and concern for the advancement of the general state of knowledge that should apply.

Yet the university, whose research staffs and facilities were often provided by the people of this country through their public funds, in exchange for the special values these represent to the nation as a whole, does have an obligation to serve its country. There may always be kinds of research and investigation that can best be done in university research facilities and with its scarce resources in the form of gifted scholars and scientists. Some of this may, in the public interest, be best conducted in absolute privacy, shared only with the responsible agencies of the government, whose members are, in the end, responsible to the people and their elected representatives. The university and its research agencies have the responsibility, in every case, of deciding whether such work does truly serve the constructive needs of society as well as the interests of its students and faculty.

The activities of the Denver Research Institute of DU have made it possible for students and faculty to engage in a wide range of important research and development activities that would otherwise have been beyond its means. It has brought scientists, mathematicians, and technologists to our campus who would not otherwise have been available. Many of these share their tasks, serving as faculty members engaged in teaching as well as researchers engaged in Institute projects. And even at the Institute, dozens of students engage in research, in the writing of reports and in teaching activities that couldn't have happened otherwise. The very "classified research" referred to in the "demands" has produced a large number of scientific papers that are in general distribution and available to all scholars.

It is not necessarily the case that classified research is evil research. It is not necessarily the case that classified research is concerned with destruction or the instruments of war. Many of the people who denounce secret study are, today, content to let secrecy be the condition under which vital discussions leading to the U.S. retreat from Vietnam take place. As long as the decisions about classified research are made by responsible scholars, scientists, public representatives, and others in a position to judge the validity of the activities—and as long as cynical desire to pump funds into a university at any cost is fully contained—there will probably be a place for research conducted under conditions where the ongoing results are not immediately available as public information.

Eighth. *Students Employed by the University Have a Uniform Wage Scale and Minimum Wages be Payed (sic) to Any Employee of $1.60 Per Hour.* All students employed by the university are paid in accordance with the legal minimums that are applicable (and many are paid, depending on the kind of jobs they have, at substantially higher rates). If the "demand" suggests that this is not the case, then it is clearly in error and probably deliberately so. To insist that all students earn the same hourly rate is to ignore the great differences in jobs. People don't earn the same hourly rate on the outside either, except perhaps in communist or socialist societies.

Many jobs at DU are deliberately created to help students defray expenses. And some students do far less work than they are paid for (these are, interestingly enough, almost always the ones who complain about hourly rates). Thus, in addition to its large scholarship aid expense, the university often puts substantial funds into "made work" for some students.

If this "demand" would require that any student, doing any kind of work, be paid at a "uniform rate" equal to every other student doing every other kind of job, then the university rejects this as unfair and absurd on its very face. If the "demand" is that DU honor minimum wage laws, I can only reply to the effect that it is my understanding that we are already in conformance. There is nothing to "demand."

It should be noted that some present legal hourly minimums require increasing rates over the next three years, in yearly increments. The university expects to continue to pay these legally-stated rates.

It should be further noted that many students have come to realize that some minimum hourly rates actually mitigate against their employment in off-campus situations. Some jobs previously available to students have disappeared because they cannot be justified under existing rates.

Nine. *The University and its Employees Stop All Harassment, Intimidation and Threats Made Against any University Employee Who Wishes to Belong to Any Organized Labor or Professional Union.* This is a "when will you stop beating your wife?" type of "demand". It is sheer nonsense. The maintenance employees of the union signed a contract with DU last September, and nobody has harassed, intimidated, or threatened anybody in that regard. I am informed that we have had good relationships with our union employees, whose services we value and for whom we have great respect. In the many months preceding the formation of the union, I have no doubt but that there were differences of opinion, but the differences are long gone, the situation is without tensions, and the "demand" borders on the irrational. More accurately, it is an effort to stir up trouble where none exists.

A number of members of the university faculty belong to the American Association of University Professors (AAUP). They play an active role in the university community and have often offered constructive and thoughtful recommendations on vital issues. They would be the first to deny that they have ever been mistreated in any way by reason of their membership in this professional organization. Again, the "demand" is an unfounded effort to inflame.

Ten. *Chancellor Mitchell . . . send a Memo to All University Employees Informing Them of Their Right to Join a Union.* This "demand" is an insult to the intelligence of DU's staff. Their right to join a union or any other organization is clearly protected by law and is, I am sure, quite well known to all.

Most of the students who participated in the preparation of this unsigned "Declaration of Student Demands" are known to me. They, and those from outside who help them, proceed largely from a base of genuinely shocking hatred of other students. It is essentially this hatred of other students, as the *real* symbols of the university, that drives them to seek violence, bloodshed, the destruction of the university's facilities and the interruption of the ongoing process of higher learning. It is they who refer to students as "too stupid to act", and "apathetic". This justifies, to them, their assumption of the rights of all students. Some of them are simply acting out childish and unrestrained aggression in a world that, in the process of protecting the general right to protest and speak out in criticism, seems to be willing to tolerate their tantrums and unrestrained license.

I have every confidence that the overwhelming majority of students at DU (as well as "the people of the community of Denver and the people of Colorado" and others everywhere) will refuse to be drawn into this incident. The work we are all doing to open up lines of communication and create a better university will continue. Responsible students in every area of DU—white, black, brown, orientals and others—will continue to work with their colleagues and friends in the faculty, administration and Board of Trustees, to lay the foundations and erect the framework of an institution of which we can all be proud for generations to come.

Finally, it is proper for me to say again that this university will not respond to demands, threats, ultimatums, or other forms of intimidation. It will not deal with those who approach it in this manner for any reason and in connection with any issues of any kind. It will meet and deal with any interruption in the ordinary activities of the university and any interference with the freedom of its students, faculty and staff to pursue their proper activities with every instrument at its disposal, promptly and vigorously.

DECLARATION OF STUDENT DEMANDS

We the students of the University of Denver, in order to make this University relevant to the people of Colorado as well as to its students, formulated the demands located below. We hereby present them to the University of Denver and demand that they be met by April 30, 1969, at 9 a.m. If at this time the University has not met these demands, the actions taken by the community of Denver, the people of Colorado and the students to implement these demands, will be determined by the responses of the administration. We demand:

1. We fully support the demands set down by the Black Student Alliance for:

(a) a Black controlled Black studies department.

(b) a Black controlled recruiting and admissions program.

(c) a proportional representation of Black faculty members.

(d) the immediate dismissal of Stan Albeck as Head Basketball Coach.

(e) the creation of additional departments relevant to the needs of other Third World Peoples, including Chicanos and Orientals.

2. Immediate implementation of the Student Bill of Rights (1968) as the only legitimate document governing student life at the University of Denver.

3. An immediate end to all "Classified Research" on campus.

4. We demand that the students employed by the University have a uniform wage scale and that the minimum wage paid to any employee be $1.60 per hour.

Also that the University and its employees stop all harassment, intimidation and threats made against any university employee who wishes to belong to any organized labor or professional union. Furthermore, that Chancellor Mitchell send a memorandum to all University employees informing them of their right to join a Union.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I thank the Senator for yielding. I want to put a question that has been brought to mind by the remarks of my good friend, the Senator from Florida. However, I point out first that in my State of Arizona we have not had this trouble because several university presidents have plain old guts. They are backed up by the board of regents and the Governor. I think we will see this foolishness stopped when we see college presidents act with courage, such as the Senator related that the president of the University of Denver has.

The Senator from Florida talked about outside influences in these riots. I asked the Governor of California, Governor Reagan, not so long ago about the University of California and the problem there. He told me an astounding thing: that of 1,300 so-called students—of a total enrollment, I think, of approximately 80,000—there were fewer than 600 enrolled in the college, and these were the ones giving all the trouble.

The question I want to put to my able friend the Senator from Colorado—he is a lawyer and I am not—is to the point of these young people, and older people, I might say, because some of them look a little old, to me, to be going to college. Do we not have a law on the books of our Government that applies to people crossing State lines to incite riots?

Mr. ALLOTT. We do, and later in my remarks I shall discuss that and ask that the text of it be printed in the RECORD. It is in the 1968 Civil Rights Act.

Mr. GOLDWATER. I thought I recalled that being in the act, although I was not a Member of the Senate at that time and did not act upon it.

It would seem to me that the Attorney General of the United States—and I have reason to feel that he is pursuing this—can make a very needed contribution, as a first step, by bringing Federal action against the people who cross State lines to incite riots.

It has been my privilege to have been on over 200 campuses in this country during the past 10 or 12 years, and I have observed nothing but proper decorum, decent dress, decent young people—not that they agree, but when they disagree, they do it in an agreeable way. I have begged the news media of this country to visit these colleges and report what they see from the rostrums on which I have stood, speaking with these people who are decent and well mannered, even though they do not agree.

I am afraid that the press, the radio, and television of this country have overexaggerated the size of this. They have made it appear that every student in America is some kind of hoodlum, bent upon destroying the college system. This is not so. And again, so many times in the past, I think the press of America are missing an opportunity—no, a challenge, I might say—to prevent history from repeating itself.

The Senator from Colorado is close to my generation, and we can certainly remember when in the thirties the same kind of things were going on relative to ROTC. They were able to get ROTC taken out of the high schools, where one could take it at that time. They were able to stop the CMTC, which provided us with officers on a voluntary basis. They were using the same attacks we hear today. They were not students, any more than these people today are students.

These are people who represent a group that John Edgar Hoover has called the only active group he can put his finger on aimed at the destruction of the American system. I think it is time that the news media of this country—I think it is time that the columnists of this country—those people responsible for attempting to generate thought, give some thought to the insidious background of these people who are trying to destroy the Reserve officers training program, which provided almost 95 percent of our officers in World War II, and who are trying to have taken off the campuses the people who represent industry. These young people have to go to work.

To insinuate that everything we do in the universities is adding to the possibilities of war—I might just say that this morning, in the testimony by NASA, we brought out a point that illustrates this. Everybody who flies in an airplane in this country today is threatened, every time he goes up, with a midair collision, not because of the lack of aptitude on the controllers' part or the lack of ability of our radar to seek out, but we have no way of knowing exactly where.

One of the fallouts of a partial study by an institution and a study by NASA is the promise—I can say almost certain promise—that with Xeron lights we now have provided a basis for a system that is inexpensive and which I hope, when developed, can be used to promise safety in the air to every American who flies. This, in itself, if we did nothing else, is worth all the money we have spent to produce this.

I compliment the Senator from Colorado for bringing up a matter on the floor of the Senate that is long due.

To me, it is a national disgrace to hear and see what has gone on at institutions such as Harvard, Cornell, and California. But I just say thank God that we have hundreds of schools in this country whose presidents will not put up with the kind of rubbish and garbage we have seen crossing the halls of Harvard, Cornell, and California.

I am hopeful that the Senator's address today and the remarks which will accompany it will instill in the college presidents who have had weak backs a little stiffening, and will instill in the Governors of our States who have not backed up their college presidents a strength to do this.

It is time that we bring sanity to the campus and sanity to the whole outlook, because this is not a movement to disrupt only college campuses. It is a movement to disrupt high school campuses; it is a movement to disrupt the entire American system. I hope we can stamp out this evil thing, regardless of what law we must use to do it.

I compliment the Senator from Colorado. It is typical of his ever-present courage that he has done this.

Mr. ALLOTT. I thank my good friend, the Senator from Arizona. He is eminently correct in his analysis of the situation. There has been an undue emphasis in some of the reporting of these events. I think we have to ask ourselves many questions.

For example, a friend of mine, who happened to be present in Cambridge at the time of the Harvard situation, said that in each group were professors, not just listening to the students, not trying to tell them, "This is the time we ought to have cool heads prevail, and we ought to talk about this," but actually inciting them to go in and take possession.

I am like the Senator from Arizona. I do not believe that these people constitute more than a small percentage of our students in this country.

One of my real purposes in coming at this question was simply this: I believe that we in Congress have the right, have the duty—and it is a moral duty which we cannot escape—to put ourselves and our courage on the line behind law and order in this country.

Certainly, when the pattern is so plain that the aim of these people is the complete disruption and destruction of our moral system and our educational system, I think it is time that we let the public, we let the Governors, and we let the heads of these colleges and universities know where we stand on this matter, clearly and unequivocally.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield to my colleague.

Mr. DOMINICK. Has my colleague from Colorado put in the Record the series of demands that were made on the University of Denver and the reply which was given by the chancellor?

Mr. ALLOTT. I did a few moments ago.

Mr. DOMINICK. I think it was an excellent response. Once again, it exhibits the courage of not only the head of the university, Maurice Mitchell, who is a very fine person, but also the courage of the faculty, which has stood behind him in his actions and warnings to the so-called revolutionists who are trying to create these problems.

I had the opportunity of discussing with an assistant dean of Brown University, on an airplane trip I took in February, the problem of the honest dissenters and the revolutionists.

He was particularly concerned about the fact that unless one dealt in a very careful style with those dissenters who have gone to the extreme of violence and physical "takeover," many members of the faculty of the university would jump on the side of those individuals and create an impossible situation for the university administration.

I believe this is part of the major problem we have within the universities—that some members of the faculty, in the so-called interest of academic freedom as opposed to administrative ability, have been going a little bit off base. Actually, they have been taking a position which is antagonistic to free speech, to the free educational process, and to the ability of a university to perform its function of education for all people, regardless of their race, creed, or color.

I thought Maurice Mitchell's memorandum to all students, a copy of which he sent my colleague, and a copy of which he sent to me, was very explicit on the point that the university was there to provide educational opportunity to all people, and that such demands would cut down on the ability of the university to perform that function. Such demands were totally unacceptable in Denver and should be elsewhere.

I hope that the words of the senior Senator from Colorado, the Senator from Arizona, and other Senators will be heard loud and clear on this point throughout the country.

I congratulate my colleague on a very fine statement and for bringing this matter into focus for all of the American people.

Mr. ALLOTT. Mr. President, I thank my distinguished colleague very much. Both of us know the situation at the University of Denver, and we know many individual members of the faculty who have stood so well behind the chancellor. We are very proud of the record he and they have made.

Mr. President, I yield to the distinguished Senator from Alabama.

Mr. ALLEN. Mr. President, I rise to commend the distinguished senior Senator from Colorado and other distinguished Senators who have spoken on this subject. I have enjoyed listening to the remarks of the senior Senator from South Dakota, the junior Senator from Georgia, the senior Senator from Florida, and the junior Senator from Colorado. I wish to commend the senior Senator from Colorado for bringing this matter to the attention of the Senate at this time and, more than that, for bringing it to the attention of the country. This is a subject that needs to be discussed, and it is a subject about which the country needs to know how the Senate feels. I am happy to engage in this colloquy with the distinguished Senators who have preceded me.

Mr. President, on April 25 there was printed in the Record a newspaper article by Robert Betts. At this time I believe it would be appropriate to read excerpts from that article. Mr. Betts, in an article which was published in the San Diego Union, wrote as follows:

> The average American sees only turmoil and shakes his head over the "impetuousness of youth."
>
> Educators tell him—between frequent fires, bombings and other acts of sabotage and terrorism—that the young people have many legitimate grievances and that they need "patience and understanding."
>
> Others oversimplify the problem and play into the hands of these who ridicule "Red-baiters," by attributing all criticism and protest to "the Communist conspiracy."
>
> A bewildering assortment of youth protest movements add to the confusion—the Third World Liberation Front, Progressive Labor Movement, New Left Forum, W.E.B. DuBois clubs, Students for a Democratic Society, Young Socialist Alliance, Young People's Socialists League, Student Non-Violent Coordinating Committee and dozens of others.
>
> Communist activity inside such groups is so subtle and diversified that it is not always easy to distinguish between real enemies and well-meaning, misguided, would-be-reformers.
>
> Whatever the radicals call themselves, democratic-socialist or Marxist-Leninist, progressive-laborite or Trotskyite, Stalinist or Maoist, white Castroite or black militant, so far as the Federal Bureau of Investigation is concerned, they are all the same color underneath—Red.
>
> Distinction between such labels is irrelevant, Director J. Edgar Hoover of the Federal Bureau of Investigation points out, "because the basic objective of both New Left and old-line Communist and their adherents in our society is to completely destroy our form of government."

This matter goes far beyond riots and rebellions on college campuses; it is aimed at the complete overthrow of this Government. A similar observation was made by the Senator from Arizona just a moment ago. We all know these are merely minority groups on the college campuses. However, we should bear in mind that Castro was a member of a minority group at the outset and was able to take over Cuba, and that the Bolsheviks were able to take over Russia with a very small minority of the Russian people. We all know the strength of a dedicated and ruthless minority group.

The article to which I have referred goes on to state:

> The leaders of campus violence make no secret of it. They travel from campus to campus making speeches and distributing literature calling for the overthrow of "bourgeois America."

Just as the Senator from Florida said a few moments ago, many of these people are strangers on the campuses they are seeking to take over. They have never been seen on the campuses before these riots and insurrections took place.

We hear a lot of discussion in this country by college administrators about academic freedom. They do not want to take the steps necessary to put down these revolts and rebellions because they think it would damage academic freedom.

I am more interested in the right of the great majority of the students on the campuses and their academic freedom to get the education they are paying for, that the Government is paying for, or that their parents are paying for.

I think that the great majority of the students who do want an education should let it be known that they do not favor these tactics of taking over these schools, and wrecking these schools and colleges; and I think they should take a stand against these tactics.

Mr. ALLOTT. Mr. President, I thank the Senator very much for his remarks. I was aware of the article about which the Senator spoke.

At this point I do not have sufficient documentation to know the exact extent to which communism has infiltrated the Students for Democratic Society. I will say that their methods of operation and the tactics they employ aline themselves very closely with Communist techniques and Communist ideology.

Mr. ALLEN. Mr. President, if the Senator will yield briefly I would like to say further that I hate to see it become necessary to adopt additional Federal legislation at this point. I think we have sufficient Federal legislation already to accomplish a great deal in this area; Federal legislation that is not being used, legislation that would withdraw Federal assistance and Federal grants and loans to students who are participating in these riots and rebellions.

We also have the statute, as pointed out by the Senator from Arizona a few moments ago, making it a Federal offense to go across State lines for the purpose of inciting riots. All of these provisions of law could be used but none of them are being used. It is a local problem. It takes the willingness, the desire, and the determination of college administrators, and I believe that is the first step. Their backbones need to be stiffened. I believe that the speech the distinguished Senator from Colorado is making here today will serve notice on college administrators throughout the country that public opinion in this country is against the cowardly surrender of the campuses to insurgent revolutionaries. I believe that they need to know that. I believe that they need to call in the local police and use the local courts and get injunctions against rioters and revolutionaries. They need to fire disloyal faculty members. I am shocked at the great number of faculty members on campuses throughout the country who are disloyal to their institutions and, in many cases, to their country.

I think that the actions of college administrators, in many cases, have been nothing more or less than cowardly. I believe that if they had been in the army and had fled or capitulated in the face of enemy attack, as they have done in the face of the onslaught of these revolutionaries, they would be in very serious trouble.

Thus, I feel that at the local level, with determination by local administrators, and by the force of public opinion, this battle can be won. We see the president of the San Francisco State University and the president of Notre Dame University with public opinion solidly behind them in the firm stands they have taken.

Mr. ALLOTT. Mr. President, I thank the distinguished Senator very much for his helpful intervention.

Mr. President, last Tuesday, I issued an invitation to Senators to join me during proceedings of the Senate today to continue a discussion of appropriate measures to deal with this serious aspect of student disorders which continue to wreak havoc upon college and university campuses across the land. In previous remarks to the Republican Policy Committee, reprinted in the Congressional Record on March 26 at page 7635, as well as the statement which I delivered before the Senate on Tuesday, April 29, I have attempted to outline the inexorable path of destructive progress which student revolutionaries, such as the SDS, have been making during the current academic year.

Information widely disseminated by the Students for a Democratic Society in Princeton, N.J., indicates a new period of escalating militancy commencing today and continuing until May 7. This new form of protest will be in the nature of a general student strike which according to them will continue "to build from the first day, not just because we have called it, but because of the nature and militancy of the 4-months struggle which has preceded it; posting the non-negotiability of the demands of the struggle."

Thus, Mr. President, it is clear that we have not yet reached the high-water mark of violence and disorder in our American academic institutions. Whatever happens in the future, however, it is clear that the tragic events of the past months presently challenge the thoughtful attention of every American dedicated to the principles of academic freedom. I am gravely concerned, lest the academic freedom to create, animated by tolerance and governed by mutual respect, will soon be irrevocably transformed into an anarchist license to destroy, swept along by tyranny, and dominated by fear.

Members of Congress have been spending a good deal of time discussing this issue with angry constituents, communicating with frustrated college administrators who have recently experienced these disorders, and seeking appropriate measures from the Federal armory of legislation to deal with the subject. As a result, a good deal of legislation has recently been introduced in this session of the Congress. Each of these bills seeks to protect the legitimate Federal interest which this Government has in preserving the integrity of our national investment in education.

In addition, Mr. President, in extemporaneous remarks before the annual meeting of the U.S. Chamber of Commerce here in Washington, President Nixon, while defending the right of students to dissent peaceably, also made it quite clear that the time has come for faculties, administrators, and trustees to demonstrate their capacity for firmness by standing up against these acts of violence. When campus administrators fail to discharge their responsibilities with firmness the obvious victims are those students who are sincerely sacrificing their time, money, and energy to fulfill their educational opportunities. No one weeps for them, of course, and no one seems to show much concern that their rights have been callously disregarded in the revolutionaries mad scramble for "relevant" democracy.

Mr. President, as a result of mounting violence and disorder on college campuses the Congress enacted into law several provisions designed to deal with this problem within the context of federally funded programs providing assistance to students. These provisions were written into section 411 of the Labor Department and Health, Education, and Welfare Department Appropriations Act for fiscal year 1969—Public Law 90-557—and section 504 of the Higher Education Act Amendments of 1968—Public Law 90-575.

Recently, Secretary Finch of the Department of Health, Education, and Welfare appeared before the Special Subcommittee on Education of the House Education and Labor Committee to relate some of the practical problems which his Department has encountered in implementing these particular provisions of the law. In this regard, Secretary Finch observed:

> I want to suggest three lines of thought in this connection:
>
> First of all, as to present legislation on the termination of Federal assistance to students involved in campus disorders, we lack essential data. We have never maintained records of individual aid recipients and have no capacity to do so. Administratively, it is as difficult to catalog the 1.5 million students receiving benefits as it would be to lay down a uniform code of student conduct—and just as undesirable. We currently do not know much about the nature of those involved in disruptions, the numbers who receive Federal aid, or the numbers whose aid has been or will be terminated by the institutions charged with that responsibility. Both Section 411 and Section 504(a) require court convictions before aid may be terminated, and this may mean months or even years before the legal issues are resolved. These provisions have only been in force since October 1968, and so it is far too early to expect precise data on their practical effect.
>
> Furthermore, some institutions quite properly do not wish to prejudice their positions in pending criminal proceedings by premature disclosure of information. But we are instituting various inquiries and instructions—which I will specify below—and hope, in time, that these will provide us with the hard data we need.
>
> Second, despite this lack of data, I think it *has* become clear that the serious problems are posed by a tiny minority of students. Many are children of the affluent, of the middle- and upper-classes. Most aid recipients, on the other hand, are too busy maintaining grades and working to supplement their resources to spend much time on the

> barricades. Thus, we must focus on the hard-core extremists, not the vast majority of hard-working students, and adapt the appropriate instruments of policy. We want to solve the problem, not to wield an indiscriminate bludgeon.
>
> Finally, I think it is also clear that the problems disturbing our student generation are not entirely those of the university, although this has become the field of battle. Rather, the problems embody many of those burning social and political issues which range at large throughout our society. We cannot realistically demand that our universities resolve those conflicts which our society as a whole has not resolved. Nor can we assume, out of hand, that campus conflict is simply conflict for its own sake: in many instances, it is solidly based in legitimate grievance.
>
> All our attempts to address these problems—the President's statement, my letter, and the enforcement mechanisms embodied in the recently enacted Congressional legislation—have sought to maintain a deeply-felt tradition as to the proper relationship of the Federal Government to institutions of higher learning. Precisely because the issues and problems vary from campus to campus, these institutions are best equipped to invoke the enforcement mechanisms set forth in the legislation, in light of their own judgment and experience. We hold, and we have attempted to express, a true regard for academic freedom.

That is the end of the quotation of Secretary Finch on this particular point.

I think it is clear from the observations of Secretary Finch that prior congressional efforts to deal in this area have not been entirely satisfactory. It was hoped, of course, that the provisions of the law to which I have just alluded might provide a necessary measure of assistance to those campus administrators by assuring them that the Federal Government would cut off Federal support to those students receiving some form of Federal financial assistance if they were subsequently convicted of participating in the disruption or seizure of property of such institutions.

It is no secret that previous officials at the Department of Health, Education, and Welfare disagreed with the judgment of Congress in this particular area. Because of this disagreement no guidelines were ever issued by the previous administration to implement this appropriations mandate from the Congress. Instead, we had to wait until the new administration had the opportunity to provide the necessary guidelines for the benefit of college and university administrators.

I ask unanimous consent to have these guidelines, dated March 10, 1969, printed at the conclusion of my remarks today so that Members will be aware of the way in which the Department of Health, Education, and Welfare has sought to implement the provisions of section 504 of the Higher Education Act Amendments of 1968.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALLOTT. Mr. President, on this point, I would like to point out that Secretary Finch, to his great credit, stated in his testimony before the House Education Subcommittee that he still expects colleges and universities to implement these provisions of section 504 in good faith. Secretary Finch stated:

> I have already observed that Section 504 is one of the tools the Federal government has provided to our institutions of higher learning to supplement—but not undermine—their own procedures for handling campus disorders. The law reflects, I believe, the judgement that the public interest in providing financial assistance also calls for terminating such assistance where there is an abuse of the opportunity provided. By an abuse, I mean the infringement of the rights of others who are part of the academic community, and of the institution's own right to conduct the business of higher education.
>
> As with any provision of law, Section 504 demands compliance in good faith by those to whom it applies. So we expect that colleges and universities will strive in good faith to implement its provisions for aid termination where the facts disclose the "abuse" has taken place. Compliance in this sense is mandatory and, as I have already indicated, we have every good reason to believe educational institutions genuinely intend to comply.

At this point in time, however, Mr. President, the Department of Health, Education, and Welfare has not promulgated any guidelines for the implementation of the provisions of section 411 of the Labor-Health, Education, and Welfare Appropriations Act for fiscal year 1969. It is my understanding that these proposed guidelines have been receiving the active consideration of the General Counsel's office and that we may expect to see them published at an early date. Since Public Law 90–557 will expire on June 30, 1969, I would earnestly hope that Secretary Finch will do everything in his power to be certain that these embattled college administrators and trustees are fully cognizant of the way in which the Congress has sought to provide them with a measure of relief in this particular area.

Mr. President, I think we need to retain a sense of balance here in what we may reasonably expect from these laws and the Health, Education, and Welfare guidelines. It is clear from the information which is being compiled from the conviction records of those who have been participating in these serious campus disorders that those who are receiving Government assistance are in the great minority. Hence, Federal legislation in this particular area at this time may be a little like hitting a tack with a sledge hammer.

For this reason, I believe that the most appropriate and reasonable course of action at this point is to call upon the Attorney General of the United States to request each of the U.S. attorneys in any area which has experienced campus disruption this year, and in any area in which they subsequently occur, to ask the Federal district judge of the appropriate judicial district to convene a grand jury for the purpose of determining whether any of the several Federal laws which are now on the books bearing on this question have been violated. Aside from the antiriot provisions of the Civil Rights Act of 1968, which prohibit any person from traveling in interstate commerce with an intent to incite, organize, encourage, or take part in a riot, and the very broad Federal conspiracy statute under the provisions of title 18, United States Code, 371, I believe that there are many other appropriate Federal statutes which can deal effectively with this question. I ask unanimous consent to have printed at the conclusion of my remarks those provisions of the Civil Rights Act of 1968 dealing with these antiriot prohibitions, together with 18 United States Code 371.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. ALLOTT. It seems very clear to me, Mr. President, that we are dealing with a much broader issue than individual or isolated instances of student protest at the present time. Documents such as those issued by the SDS clearly indicate, beyond any reasonable doubt, that there is an active, aggressive national conspiracy to destroy by force and violence, including the use of dangerous weapons, the peace and dignity of the academic communities.

I must interpolate here, Mr. President, to say I referred in my remarks last Tuesday to a document which was handed out at East Denver High School. One document entitled a "Sex Relationship Inventory" was handed out to boys and girls in the high school which was so bad that I could not bring myself to insert it in the CONGRESSIONAL RECORD. But, in addition, there were extended documents giving us an instructive and detailed course in how to construct destructive and explosive devices to help break down the buildings and other physical government assets that we have in this country.

Prohibitions against this, by the way, are contained in the Civil Rights Act, and I call the Attorney General's attention to this fact, because this particular document was apparently distributed—at least it said so on the face of it—by the SDS of Boulder, Colo.

Therefore, concurrent with my suggestion that the U.S. Attorney General be requested to call upon his U.S. attorneys to initiate grand jury proceedings, I would hope that the various attorneys general of the States would make a similar request of their local district attorneys to be sure that grand juries are convened on a local level for the purpose of determining whether any of the applicable laws of the several States have been violated.

Mr. President, in the great majority of these cases, the decision to prosecute these applicable Federal or local laws has been left to the individual discretion of the U.S. attorney, or his deputy, or the local district attorney. Although the Attorney General has indicated his intention to prosecute to the full measure of the law those professional agitators who are taking advantage of the freedom of this country in order to destroy the land, under the provisions of the applicable antiriot statute, we have seen no evidence to date of any active prosecution by any of the appropriate U.S. attorneys in areas where these riots have occurred.

Mr. President, I would remind Senators of the essential question: The art of violent confrontation is being perpetrated with impunity upon the laws and dignity of society. It seems patently obvious to me that the time has long since passed for the appropriate Federal, State, and local interests to practice, fully within the law and in conformance with the Constitution, the art of lawful confrontation in return. The only essential difference here is that it is not for the destruction of society that we would confront these anarchists, but for its preservation.

Rather than hastily scrambling about for new Federal laws to deal with this question my suggestion is simply to take firm recourse to the processes of law which have sustained this country through similar periods of turmoil.

The fulcrum of justice in moments like these has always been recourse to the grand jury system. In one of the most unique concepts of Anglo-American jurisprudence the function of the grand jury has been to guard the rights and liberties of the people while at the same time insuring the preservation of the social order which forms the very fabric of safety for the people themselves. One can be certain that if the Minutemen or members of the Ku Klux Klan suddenly appeared at the office of one of these embattled deans and, with force of arms or violence, took over the premises in the name of all the "right thinking Americans" that the hue and cry for their scalps would be deafening. If local prosecution were withheld, or if campus administrators fell prey to their bravado, you can be sure that the more ultraliberal elements in the country would demand these grand jury proceedings. Why then when we see this kind of activity from the other side of the political spectrum, is there this reluctance, this timidity, this fear that we might be trampling upon the rights of a few misguided youths who are suffering from some sense of disillusionment with American society?

It seems obvious to me, Mr. President, that there is an inconsistency of approach here. To insure equal accountability before the bar of justice, the grand jury system has been endured, in order to arm citizens with the essential dignity of the law and the authority of the appropriate courts to assure the preservation and protection of the rights of all of the people and not just a few. Must we sit in helpless silence, and watch criminal anarchy be rewarded by academic amnesty while the momentum of this phenomenon threatens the very lifeblood of our society? Is there not a direct assault here, not only upon the dignity of the university but also upon the dignity of each and every sovereign jurisdiction where this riotous behavior has been allowed to continue?

It seems clear to me, therefore, that the grand jury system provides the unique opportunity for a random cross section of citizens of local communities to investigate and acquaint themselves with the purposes and activities of professional student revolutionaries, such as the SDS. Through their efforts, and the efforts of similar grand juries around the country investigating such organizations, the essential conspiracy which I believe to exist will rapidly become a matter of wide public knowledge. The people themselves, armed with the right of legitimate inquiry may soon see that we have more here than a festering sore in the heart of our country. They may soon recognize this criminal anarchy as a cancerous growth which is rapidly sapping our national will, and eroding our capacity to resist these destructive influences.

The grand jury system has quite rightfully been called both the sword and a shield. It is a potent weapon in the hands of a vigorous prosecutor against crime or subversion; but it also shields the innocent against trumped-up charges or overzealousness on the part of public officials. The grand jury, discharging its responsibility as an informing and investigatory body, has the duty to inquire and investigate and decide from the evidence offered whether there is a prima facie ground for criminal prosecution as a result of the information brought before it. It certainly does not determine the guilt or innocence of any person accused, and as such cannot discharge heavy-handed justice in derogation of the rights of the accused.

Historically, grand juries flourished in England where there was a conflict between the rights of the crown and the rights of the subject, in order to secure the subject against oppression from unfounded oppressions by the crown. I would submit that today the sovereignty of the people is being unduly oppressed by the flagrant violations of the law from a minority of its members who have sought to take the path of violence and disruptions rather than that of mediation and reason. To this Senator, therefore, this fulcrum of justice can become a bastion of freedom replacing the barricades of tyranny as the arbitrator for the rights of all the people.

EXHIBIT 1

NO. 7, MARCH 10, 1969

To: College and University Presidents, Coordinators of Student Financial Aid.

From: James W. Moore, Director, Division of Student Financial Aid, Bureau of Higher Education.

Subject: Student Unrest Provisions.

PART A—REPRINT OF HIGHER EDUCATION REPORTS JANUARY 28, 1969

(This part of the discussion was prepared by the Office of the General Counsel of the Department of Health, Education and Welfare at the request of the Bureau of Higher Education. As noted, the discussion covers only the language of the Amendments, and not the language of the DHEW Appropriation Act, which will be subject of a later issuance.)

Last year as a result of the widespread incidents of violent and disruptive student demonstrations on university and college campuses the Congress enacted into law several provisions designed to deal with this problem within the context of Federally funded programs providing assistance to students. The provisions enacted under Section 504 of the Higher Education Amendments of 1968 (P.L. 90–575) which relate only to programs supported by the Office of Education are discussed in greater detail below. Another provision, Section 411 of the Department of Health, Education and Welfare Appropriation Act, 1969 (P.L. 90–557) * affects programs of the other constituent agencies of the Department as well as the Office of Education and will be discussed in greater detail in a separate issuance which is being developed at the Department level.

Section 504, Public Law 90–575

Section 504(a) of the Higher Education Amendments of 1968 (P.L. 90–575) provides in part that:

"If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institution from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which such crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period of two years any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c)."

If an institution of higher education denies an individual assistance pursuant to the authority described above, then any institution which the individual subsequently attends must deny for the remainder of the two-year period any further payment to or for the direct benefit of such individual under any of the specified programs.

Section 504(b) of the Higher Education Amendments of 1968 provides:

"If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has wilfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period of two years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c)."

The "programs specified" are the following:

(1) The Student Loan Program (Title II of the National Defense Education Act of 1958).

(2) The Educational Opportunity Grants Program (Part A of Title IV of the Higher Education Act of 1965).

(3) The Student Loan Insurance Program (Part B of Title IV of the Higher Education Act of 1965) insofar as loans guaranteed under the program are made by an institution of higher education.

(4) The College Work-Study Program (Part C of Title IV of the Higher Education Act of 1965).

(5) Any fellowship program carried under Title II, III, or V of the Higher Education Act of 1965 or Title IV or VI of the National Defense Education Act of 1958.

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* "No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan or a grant to any applicant who has been convicted by any court of general jurisdiction of any crime which involves the use of or the assistance to others in the use of force, trespass or the seizure of property under control of an institution of higher education to prevent officials or students at such an institution from engaging in their duties or pursuing their studies."

In addition, Section 504(d) of the Act includes the following disclaimers:

"(1) Nothing in this Act, or any Act amended by this Act, shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such Act to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

(2) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent, disciplinary proceeding pursuant to existing authority, practice, and law.

(3) Nothing in this section shall be construed to limit the freedom of any student to verbal expression of individual views or opinions."

At the outset it should be noted that the provisions of Section 504 of the Higher Education Amendments of 1968 operate in an entirely different manner than do the provisions of Section 411 of the DHEW Appropriations Act of the Fiscal Year 1969 even though the scope of the two sections overlap in some respects. The sanctions provided for under Section 504 apply only "if" the institution administering the aid in question decides to bring the appropriate statutory machinery into play. This contrasts with the provisions of Section 411 of the Appropriations Act where the restriction on the use of appropriated funds is automatic if a conviction of the kind described in that section has occurred.

However, once having followed the procedures and made the determinations required under Section 504(a) or 504(b), the sanctions called for by those sections must be imposed. Institutions acting under the authority referred to in section 504(d)(1) on the other hand would retain full control over the nature, extent, and duration of any sanctions which they impose.

The responsibility for the administration of Section 504 of P.L. 90–575 rests in each institution of higher education. Proper records must be maintained which reflect the basis for making any determination to deny assistance and in connection with sanctions imposed under Sections 504(a) or 504(b) the date of the commencement of such sanctions.

It is recognized that a number of questions may arise in connection with the application of Section 504(a) and (b) in a given case. Some questions involving State and local law (such as whether the individual concerned was convicted by a "court of record" and whether an element of the crime was the use of, or the assistance to others in the use of force, disruption, or the seizure of property) might best be discussed with the institution's legal counsel. It should also be noted that administrative determinations will have to be made as to whether the crime (in case of 504(a)) or the refusal to obey a lawful regulation or order of an institution (in the case of 504(b)) "was of a serious nature and contributed to a substantial disruption of the administration of the institution" and whether (in the case of 504(a)) the acts constituting the crime were designed "to prevent officials and students in such institutions from engaging in their duties or pursuing their studies."

PART B—ADMINISTRATIVE IMPLICATIONS

For guidance of the college financial aid officer and other institutional officials, it may be helpful to think of the foregoing amendments together with existing law as falling into two general categories. Into the first of these general categories may be placed the various types of disciplinary actions which colleges have historically and traditionally employed in dealing with problems of student behavior. All of the student assistance programs specified under Section 505(c) Higher Education Amendments of 1968 carry a requirement that among other conditions of eligibility, the student recipients must be in good standing. Thus, suspension, expulsion, or other disciplinary action which results in student removal or exclusion from attending classes, earning credit, and participating in the other aspects of campus life automatically terminates, either temporarily or permanently his eligibility for financial assistance.

Section 504(d)(1) clearly preserves the institution's authority to take such actions, including the right of the institution to determine the nature, extent and duration of such penalties as it may elect to impose.

The second general category contains the procedures set forth under Sections 504 (a) and (b). Generally speaking, these are severe penalties, of more serious nature than those typically imposed on students by institutions of higher education.

There are certain specific characteristics of the language of these two subsections which should be emphasized. For example, once a two-year sanction has been imposed, there is nothing in the statute which provides for revocation or suspension of the sanction even if the institution responsible for the sanction wished to amend it.

In addition, as the concluding paragraph of Part A above points out, there are a number of questions which may arise in connection with the application of Sections 504 (a) and (b). We urge institutions to consult with legal counsel on these and other questions which may arise.

Perhaps most important is the fact that action taken by one institution under Section 504(a) is, in effect, binding on all other institutions. In this situation, information concerning the imposition of a two-year sanction is required to be transmitted from one institution to another, should the student against whom the sanction has been applied elect to transfer.

Since there are no plans in the Office of Education to establish and maintain lists or rosters of persons proscribed under Section 504(a), the exchange of information relating to the imposition of such sanctions is clearly an institutional responsibility. This may be accomplished by one of several means.

Institutions accepting transfer students may wish to make inquiry of those who are applicants for financial assistance as to whether or not the two-year sanction has been imposed by an institution previously attended. Or, for administrative ease, the question may be put to all applicants for financial aid.

Also, it appears that an institution which utilizes the Section 504(a) authority and, as a result, applies a sanction against a student, has a definite responsibility to make this information available to any college or university to which transcripts of record, grades and other academic data about that student may be sent during the two-year period in which the sanction applies.

Under either authority (Section 504 (a) or (b)) appropriate records must be maintained as a basis for making the determination and for establishing the date of the commencement of such sanction.

PART C—SECTION 411, HEW APPROPRIATIONS, OCTOBER 1968

Information concerning the application of separate but parallel authority concerning the withholding of a "loan, guarantee of a loan or a grant" made from funds appropriated under the 1969 Appropriations Act, is being developed as a separate Departmental issuance. For your own advance information, we can tell you that the Division's programs directly affected by this language are, for the current college year:

National Defense Student Loan Program.
Cuban Student Loan Program.
Federally Insured Student Loans.
State Guarantee Loans.
Private Non-profit Loans.

The Educational Opportunity Grants Program is not affected until after July 1, 1969, because funds appropriated in the current fiscal year are not used until 1969–70.

We hope to have detailed information concerning the applicability of Section 411 language in your hands during March.

PART D—REPORTING

The growing concern in many quarters of the Federal government over the incidence of student unrest has led to repeated inquiries concerning actual institutional application of the various provisions of law discussed in the foregoing paragraphs. Accordingly, it is necessary that we include on the 1968–69 fiscal-operations report for the three college programs a brief series of questions which will require each institution to report the following information:

1. Number of students whose Federal student assistance was terminated under provisions of (a) Section 504(a) HEA Amendments of 1968; (b) Section 504(b) HEA Amendments of 1968; (c) Section 504(d) (1) HEA Amendments of 1968; (d) Section 411, HEW Appropriations Act, 1969.
2. Number of students whose Federal student assistance was terminated by reason of suspension or expulsion.

Please note that we will request only a simple head count of the students who have been affected since the passage of these laws of October 1968. We will not ask for descriptive information, nor related data which could lead to identification of particular persons.

In conclusion, it must be understood that at this juncture there is no comprehensive understanding of institutional operating patterns in connection with incidents of student unrest. We have no way of predicting what the information described above will provide on a nationwide basis, except to say that it will go far toward meeting current and projected requirements for information.

EXHIBIT 2

"CHAPTER 102.—RIOTS

"Sec.
"2101. Riots.
"2102. Definitions.

"§ 2101. Riots

"(a)(1) Whoever travels in interstate or foreign commerce or uses any facility of interstate or foreign commerce, including, but not limited to, the mail, telegraph, telephone, radio, or television, with intent—

"(A) to incite a riot; or

"(B) to organize, promote, encourage, participate in, or carry on a riot; or

"(C) to commit any act of violence in furtherance of a riot; or

"(D) to aid or abet any person in inciting or participating in or carrying on a riot or committing any act of violence in furtherance of a riot;

and who either during the course of any such travel or use or thereafter performs or attempts to perform any other overt act for any purpose specified in subparagraph (A), (B), (C), or (D) of this paragraph—

"Shall be fined not more than $10,000, or imprisoned not more than five years, or both.

"(b) In any prosecution under this section, proof that a defendant engaged or attempted to engage in one or more of the overt acts described in subparagraph (A), (B), (C), or (D) of paragraph (1) of subsection (a)(1) has traveled in interstate or foreign commerce, or (2) has use of or used any facility of interstate or foreign commerce, including but not limited to, mail, telegraph, telephone, radio, or television, to communicate with or broadcast to any person or group of persons prior to such overt acts, such travel or use shall be admissible proof to establish that such defendant traveled in or used such facility of interstate or of foreign commerce.

"(c) A judgment of conviction or acquittal on the merits under the laws of any

State shall be a bar to any prosecution hereunder for the same act or acts.

"(d) Whenever, in the opinion of the Attorney General or of the appropriate officer of the Department of Justice charged by law or under the instructions of the Attorney General with authority, any person shall have violated this chapter, the Department shall proceed as speedily as possible with a prosecution of such person hereunder and with any appeal which may lie from any decision adverse to the Government resulting from such prosecution; or in the alternative shall report in writing, to the respective Houses of the Congress, the Department's reason for not so proceeding.

"(e) Nothing contained in this section shall be construed to make it unlawful for any person to travel in, or use any facility of, interstate or foreign commerce for the purpose of pursuing the legitimate objectives of organized labor, through orderly and lawful means.

"(f) Nothing in this section shall be construed as indicating an intent on the part of Congress to prevent any State, any possession or Commonwealth of the United States, or the District of Columbia, from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of this section; nor shall anything in this section be construed as depriving State and local law enforcement authorities of responsibility for prosecuting acts that may be violations of this section, and that are violations of State and local law.

"§ 2102. Definitions

"(a) As used in this chapter, the term 'riot' means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.

"(b) As used in this chapter, the term 'to incite a riot', or 'to organize, promote, encourage, participate in, or carry on a riot', includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts."

(b) The table of contents to "Part I.—Crimes" of title 18, United States Code, is amended by inserting after the following chapter reference:

"101. Records and reports............ 2071"

a new chapter reference as follows:

"102. Riots.......................... 2101".

TITLE X—CIVIL OBEDIENCE

Short title

Sec. 1001. This title may be cited as the "Civil Obedience Act of 1968".

Criminal penalties for acts committed in civil disorders

Sec. 1002. (a) Title 18, United States Code, is amended by inserting after chapter 11 thereof the following new chapter:

"Chapter 12.—Civil Disorders

"Sec.
"231. Civil disorders.
"232. Definitions.
"233. Preemption.

"§ 231. Civil disorders

"(a)(1) Whoever teaches or demonstrates to any other person the use, application, or making of any firearm or explosive or incendiary device, or technique capable of causing injury or death to persons, knowing or having reason to know or intending that the same will be unlawfully employed for use in, or in furtherance of, a civil disorder which may in any way or degree obstruct, delay, or adversely affect commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function; or

"(2) Whoever transports or manufactures for transportation in commerce any firearm, or explosive or incendiary device, knowing or having reason to know or intending that the same will be used unlawfully in furtherance of a civil disorder; or

"(3) Whoever commits or attempts to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function—

"Shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"(b) Nothing contained in this section shall make unlawful any act of any law enforcement officer which is performed in the lawful performance of his official duties.

"§ 232. Definitions

"For purposes of this chapter:

"(1) The term 'civil disorder' means any public disturbance involving acts of violence by assemblages of three or more persons, which causes an immediate danger of or results in damage or injury to the property or person of any other individual.

"(2) The term 'commerce' means commerce (A) between any State or the District of Columbia and any place outside thereof; (B) between points within any State or the District of Columbia, but through any place outside thereof; or (C) wholly within the District of Columbia.

"(3) The term 'federally protected function' means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof; and such term shall specifically include, but not be limited to, the collection and distribution of the United States mails.

"(4) The term 'firearm' means any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive; or the frame or receiver of any such weapon.

"(5) The term 'explosive or incendiary device' means (A) dynamite and all other forms of high explosives, (B) any explosive bomb, grenade, missile, or similar device, and (C) any incendiary bomb or grenade, fire bomb, or similar device, including any device which (i) consists of or includes a breakable container including a flammable liquid or compound, and a wick composed of any material which, when ignited, is capable of igniting such flammable liquid or compound, and (ii) can be carried or thrown by one individual acting alone.

"(6) The term 'fireman' means any member of a fire department (including a volunteer fire department) of any State, any political subdivision of a State, or the District of Columbia.

"(7) The term 'law enforcement officer' means any officer or employee of the United States, any State, any political subdivision of a State, or the District of Columbia, while engaged in the enforcement or prosecution of any of the criminal laws of the United States, a State, any political subdivision of a State, or the District of Columbia; and such term shall specifically include, but shall not be limited to, members of the National Guard, as defined in section 101(9) of title 10, United States Code, members of the organized militia of any State, or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, not included within the definition of National Guard as defined by such section 101(9), and members of the Armed Forces of the United States, while engaged in suppressing acts of violence or restoring law and order during a civil disorder.

Title 18—United States Code 371: Conspiracy To Commit Offense or To Defraud the United States

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $10,000 or imprisoned not more than five years, or both.

If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor. (June 25, 1948, ch. 645, 62 Stat. 701).

Mr. ALLOTT subsequently said: Mr. President, the distinguished Senator from Wyoming (Mr. Hansen) was unable to be present this afternoon; and I ask unanimous consent that a statement by him, entitled "SDS Swings the Hammer and Sickle," be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

SDS Swings the Hammer and Sickle

The distinguished senior Senator from Colorado deserves praise for his efforts to point out to the fine young people of the United States a great source of danger to their education, their future life, and the lives of their descendants in this Nation.

Investigations which may determine exactly how closely the so-called Students for a Democratic Society are tied to the international Communist conspiracy have not been completed. Regardless of whether the investigations establish conclusively that the SDS takes its orders directly from Moscow, or from Peking, we already know that these few misguided youths swing the hammer and sickle of destruction for the Communists.

The Communists have encouraged the violence of this small minority, and the Communist propaganda machine throughout the World has profited from publicity surrounding the campus lawlessness. Newsfilms of the violent demonstrations are seized with glee by the Communists who would overthrow the system of freedom and free enterprise cherished by Americans. Such films have been used successfully by the Communists to encourage a physically beaten nation to pursue its war of aggression in South Vietnam. The Communists tell their slaves in North Vietnam that these disorderly demonstrations signal a revolution in the United States and the overthrow of our government. Many young Americans have died on the battlefields because the Communists have extended this false ray of hope to the North Vietnamese. Far more North Vietnamese also have died making what their heartless generals have told them would be the final effort for "victory."

The Communist Party in the United States held a national conference in New York City in October, 1967. This is what Henry Winston, the party's national chairman had to say there:

"The Communist Party of the United States, as Communists everywhere, has always affirmed the right of oppressed people to forcibly overthrow an oppressive regime whenever the channels for democratic change are closed to them."

Mr. Winston chose to call the government of the United States an "oppressive regime," and he said "the channels for democratic change are closed." What he meant is the climate in the United States is not conducive to a take-over by the Communists, and that they should seek through violent means to close the open channels for democratic change which make violence unacceptable in the United States.

Here are some of the things the SDS leadership has said:

Gregory Calvert, national secretary: "We are working to build a guerrilla force in an urban environment. We are actively organizing sedition."

Thomas Hayden, former president: "Urban guerrillas are the only realistic alternative at this time to electoral politics or mass armed resistance."

Dee Jacobsen, assistant national secretary: "We are getting ready for the revolution."

The SDS, in its own publications, has indicated an infiltration by the Communist Party, the Socialist Labor Party, and the Progressive Labor Party.

The Students for a Democratic Society is a new name for the Student League for Industrial Democracy, which was formed around the time of World War I from the Intercollegiate Socialist Society which was established in 1909. The Student League for Industrial Democracy, and subsequently the Students for a Democratic Society, received some support from the AFL–CIO. But in 1965, the AFL–CIO realized that the organization had been substantially infiltrated by Communist cadres, and withdrew its support.

We owe it to the youth of our nation to continue to point out to them the enemies of our country—both without and within. Many students already realize the threat to their educations from the SDS, and the following threat to the nation from such pawns of the Communists.

We must not compromise with lawlessness in any form.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to the Senator form Nebraska.

Mr. HRUSKA. Mr. President, I commend the Senator from Colorado for the concern he has expressed, and for the direct and incisive analysis that he has made of this grievous situation. Particularly, I invite attention to his practical suggestions involving both the courts and legislation.

I ask the Senator from Colorado if it is not true that if there were grand jury proceedings and prosecutions, at least two problems would be solved. First, orderly judicial procedure would be used; second, the investigation could be made in a manner from which even congressional committees are virtually foreclosed, due to the very lawless spirit that sometimes surrounds the sessions of congressional committees.

In the House of Representatives there was some reluctance to have investigatory committees delve into this subject publicly, because of the danger of being disrupted by demonstrations, protests, and unruly conduct on the part of witnesses and spectators who would take exception to the very holding of hearings.

Is it not true that those two results would be achieved if grand jury proceedings were used for investigation?

Mr. ALLOTT. I think they would. Also, I think it would take some of the heat off of some of the more timid souls who are administrators in the universities. Also there is the added advantage that the precedent of hundreds of years of law is behind this method of procedure.

Mr. HRUSKA. By the very nature of the proceedings the innocent would be protected. Prosecutors would have every opportunity to bring in witnesses and to lay out the full case before the grand jury for its deliberate judgment as to whether an indictment should be returned.

Mr. ALLOTT. The Senator is entirely correct. Another significant aspect is that the power of a grand jury is backed up by the contempt powers of the judicial system.

Mr. HRUSKA. Yes, indeed.

Mr. ALLOTT. This is a very potent and very forceful advantage which, incidentally, is not inherent in the congressional committees per se.

Mr. HRUSKA. The committees have been frustrated time and again. They have tried to assert the contempt powers which they possess in theory, but which they find they are not able to avail themselves of in practice.

Mr. ALLOTT. The Senator is entirely correct.

I have received a note which I think I ought to cover in the RECORD at this point.

An assistant on my staff, Miss Susan Bowman, who attends George Washington University, informs me that the university has announced that, because the SDS has threatened to violently disrupt the Annual Greek Week at George Washington University, the Annual Greek Week will be canceled.

The Greek Week consists of nonpolitical activities during which various sororities and fraternities compete with each other in numerous contests.

Miss Bowman tells me that the SDS has phoned the presidents of various sororities and fraternities and threatened to disrupt the related facilities with Molotov cocktails. In case someone who reads this debate does not know what a Molotov cocktail is, I may state that it does not have anything to do with getting inebriated.

Mr. HRUSKA. Immolated, perhaps, but not inebriated.

Mr. ALLOTT. The Senator is correct. And if anyone does not know what immolated means, it means getting burned up.

The threats were made yesterday, so I am told. The university has canceled Greek Week, and the decision was made today.

I do not know how many students will have their lawful, legitimate, and cultural activities completely disrupted by the actions of a few who have used the threat of force and violence.

If anyone thinks that we in this country are far from a state of anarchism, he had better think twice.

Mr. HRUSKA. Mr. President, with the indulgence of the Senator from Colorado, I wish to offer my observations on the problem of disorder on the campuses of the United States. I speak against the background of my membership on the National Commission on Causes and Prevention of Violence, as a Member of the U.S. Senate, and simply as a concerned citizen.

The causes of tensions on the campuses are complex and will require time and good will to unravel. Emotions have been raised and it is easy for intemperate words to lead to an intemperate response, for disorder to lead to violence and violence to counterviolence. It will require a sincere effort on the part of students, faculty, and administrators to break the self-perpetuating cycle. The first step must be, as President Nixon said in his inaugural address, for all of us to lower our voices so we can hear each other.

A few people in our society point to the ample evidence of both legitimate and illegitimate violence in our history and use it as a justification for illegitimate violence to gain their own way. I have always considered history as the place from which we started, not the place to which we are heading.

People clamor for peace because history has taught the horrible price of war. People seek a nonviolent society because history teaches the pain of irrational violence. To our youth, history should be proof of the necessity to search for peaceful means of decision.

Because of the resort to violent and lawless methods, the Nation is faced with a threat to the freedom and independence of the university. Clearly this threat to higher education, to our youth, and therefore to the future of our country, is very serious. However, we must be careful not to aggravate the problem even more by allowing rhetoric to distort the facts.

There has been trouble—serious trouble—at Berkeley, San Francisco State, Columbia, and elsewhere. The rollcall of leading centers of higher education reveals that almost all have been subject to varying degrees of direct student action. The fact remains, despite the frightening publicity, that the great majority of our campuses have remained peaceful, classes have not been disrupted, and students and faculty have carried on their normal work. It is from this perspective, then, that we must consider the problem.

The rights and freedoms we enjoy in our democratic system of government require both order and equal protection for all in the peaceful exercise of those rights. "Order" is not a code word for license to suppress dissenting ideas. "Exercise of rights" does not include unlawful or violent interference with others.

Our campuses, as reflections of our larger society, are testing grounds for the durability of this society. If there are complaints about the university—and clearly there are valid complaints—then they should be heard. If there are different viewpoints, they should be aired.

We of the older generation have a built-in resistance to change. We know what has worked and we tend to be comfortable with it. But our young people were born in a different time, they have grown up in a different environment, and they have different perspectives. It is people with new ideas that provide a necessary ingredient for progress.

The students in our colleges and universities today are better educated than ever before. They are more sensitive to the potential of our Nation and more keenly aware of its problems. This is why they must be listened to, and this is why our young people deserve respect.

It is essential to a reasoning society, and a reasoning university, that we learn from, as well as teach, our young. But the few who break—or threaten to break—the law and to trample on the rights of others forfeit their right to respect and attention.

There is nothing inherent in the character of an intelligent, progressive professor, administrator or trustee that means he must excuse violence and unlawful conduct. On the contrary, a reasonable man will recognize the need for order in a just society.

The failure of some faculty members, and even some administrators, to condemn violence has been dangerously shortsighted. Some dissenters, notably members of the Students for a Democratic Society, have been engaged in a campaign that is both anti-intellectual and antieducational. Sympathetic support or silence on the part of the intellectual community added momentum to this campaign. Writing in the April 19 issue of the Saturday Review, Sidney Hook, professor of philosophy at New York University, observed:

> The Trojan horse in American higher education is the rickety structure of doctrinaire thought that shelters the SDS even when it takes official responsibility for violent actions, gives it a free field for operation, retreats before the politics of confrontation, and either shrinks from applying fairly and firmly the rules of reason that should bind the academic community, or interprets them as if they had no more restraining force in times of crisis than ropes of sand.

Mr. President, I ask unanimous consent that Professor Hook's article, "Who is Responsible for Campus Violence?" which examines the activities of the dedicated agitators and the university response, be reprinted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. HRUSKA. Mr. President, also let me call attention to one of the conclusions of the Cox Commission which investigated the 1968 disturbances at Columbia University. The commission said:

> The essence of our finding is that one of the causes of the April disturbances was the failure of the academic community to think out the implication of many forms of political demonstration and to build a firm consensus of moral opinion concerning the limits upon morally acceptable methods of expressing dissent.

By these words, I do not intend to condemn all educators and administrators. In the first place, a great many have spoken out. Second, the onslaught of disorder and violence caught us all by surprise. Many people were confused by the source and meaning of the incendiary chain of events that brought bloodshed to campuses in all different parts of the country.

I particularly applaud a recent statement of the American Council on Education, entitled "A Declaration on Campus Unrest." It bears the names of such leaders in education as Nathan Pusey of Harvard, Kingman Brewster of Yale, Reverend Theodore Hesburgh of Notre Dame. Columbia, Vassar, Wayne State, Wisconsin, California, Arizona State, Colorado State, Pittsburgh, and many others are represented in this statement. Despite the diversity of views and experience, these educators were able to agree on this important subject.

This document establishes a good perspective. It examines several of the critical ingredients involved in the controversy, and it clearly condemns violence. Mr. President, I ask unanimous consent that this document be printed at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HRUSKA. Mr. President, I think it is recognized by most educators that, in some cases, the fact that students have felt compelled to carry on their cause outside the traditional channels of dissent is in itself a warning that these channels may be inadequate to the needs of today. Meaningful communication between responsible students and responsible administrators is the essence of restoring order and respect to the campuses.

The problem of communication with our youth has been examined in an excellent article by Dr. Walter Menninger, a member of the National Commission on the Causes and Prevention of Violence. In order to share Dr. Menninger's thoughts with my colleagues, Mr. President, I ask unanimous consent that his article in the spring issue of the Menninger Quarterly entitled "Student Demonstrations and Confrontations," be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, in all the excitement generated in the national press by the disturbances at Cornell University, Mr. President, I am sure that most Senators were not aware that there were demonstrations at the University of Nebraska, in Lincoln.

For several days in a row, the Afro-American Collegiate Society held demonstrations. To my knowledge, they were at all times peaceful and lawful. The administration met with the students for discussion. The discussion revolved around "concerns;" there were no "demands." Several leaders of the society then were invited to attend the next meeting of the board of regents. At that meeting, the regents voted to accept some of the student requests. Clearly, there was a meaningful dialog.

The board of regents also took a clear position on campus disorders. The following statement was approved by the student government, the faculty senate, and the board of regents:

> The heritage of academic freedom at the University of Nebraska is reflected in the statement of principles by the Board of Regents: "The right to uphold, to discuss and dissent are the moral fiber of America's greatness. . . . (demonstrations which) coerce individuals or which constitute a hazard to the safety of any individuals or which threaten destruction of property are not protected by freedom of speech provisions and will not be tolerated. Similarly, a hostile audience will not be allowed to interfere with a peaceful demonstration."

This statement was issued not as a threat, but as a statement of policy which all are entitled to know. It is a sensible, balanced statement, which recognizes the rights of all students and the necessity for order. I commend the students, faculty, and the regents for this statement.

Mr. President, the goal of our institutions of higher learning must be to prove that reason and the rule of law can make students partners in self-government built on nonviolent progress and mutual consent. Irrational and destructive forces must not be allowed to kill academic freedom.

I have the highest regard for the young people on the campuses of this Nation. They are responsible individuals who recognize the threat to freedom of expression and to their own educations posed by recent events.

In the past we have looked to our young people to lead our country in the future. But that has changed. Now we must look to them to help lead the Nation today.

Mr. President, I commend the Senator from Colorado for his very fine demonstration of leadership here and for his thoughtful in-depth discussion of the subject at hand.

Exhibit 1

Student Demonstrations and Confrontations

(By W. Walter Menninger, M.D.)

Student demonstrations and confrontations can be approached from the standpoint of communications, for such behavior does represent communication. And as such, if we identify some elements of the process of communications, we may be better able to understand what the students are trying to tell us with their actions.

A great achievement of man was the development of a refined means of communication, by words, in order to share ideas. In psychiatric practice, the task of understanding communication is a vital responsibility. Indeed, the psychiatrist's job is to help people replace ineffective or provocative attempts at communication, which prompt their referral for help, with less destructive ways to communicate their strivings and hopes and fears. Consistently, a goal of psychotherapy is to help a patient express himself in words instead of actions.

Of course, words can be a potent and provocative force—this fact was clearly shown again at the Chicago demonstrations last summer. But, actions do speak louder than words; they are often irreversible and embarrassing in ways that words are not.

When someone seeks to communicate a message in a reasonable and quiet way and the message, for whatever reasons, is not received or not understood or not acknowledged, the sender must make greater efforts to communicate his message: He must do so with more emphasis, more intensity, and in such a way as to demand attention. Words give way to actions, and the ultimate result is a breakdown in "civilized" communications—violence.

In studying the process of communications, we can examine the component parts. There is the sender. There is the receiver. And there is the interactive process which takes place between the two.

THE SENDERS: THE STUDENTS

When we talk about student demonstrations and confrontations, the sender—the initiator of the communication—is the student, either singly, or collectively through a leader. It is important to note in this context that the students—our children—are the product of the educational system. And it is appropriate to keep in mind their value to us as "products" and our opinion of them.

What are the characteristics of these students? One recent assessment is that of the fact-finding commission—the so-called Cox Commission—appointed to investigate disturbances at Columbia University last year. Their summation:

> The present generation of young people in our universities is the best informed, the most intelligent, and the most idealistic this country has ever known. This is the experience of teachers everywhere.
>
> It is also the most sensitive to public issues and the most sophisticated in political tactics. Perhaps because they enjoy the affluence to support their ideals, today's undergraduate and graduate students exhibit, as a group, a higher level of social conscience than preceding generations.

These are the college students who were yesterday's high school students; and there is no reason to assume that today's high school students are any less deserving of such a description.

But students, particularly high school students, have some other special characteristics. They are involved in the natural struggle of the adolescent to come to grips with becoming an adult. They manifest a drive for growth and change, and a striving—at times quite ambivalent—to be independent, to be in on the action, to "do their own thing." What complicates matters is that they still at times very much want direction and security, somebody telling them what to do.

THE RECEIVER-RESPONDER: THE SCHOOL

Before considering what happens when this Sender attempts to communicate, some words are in order about the special characteristics of the Receiver-Responder.

The schools, and especially school boards, are getting messages from a lot of sources in this day and age. And with so many people telling the schools what's wrong with them or what they ought to be doing, we don't usually think of the students as being among the significant communicators. Children are to be seen and not heard. They are supposed to know that we are doing things in their best interests. They should just do their assignments and "leave the driving to us." At the same time more and more parents seem to be abdicating responsibility for important training of their youth, acting as if the school should handle discipline and training, as well as education in reading, writing and new math.

There is plenty of criticism about the failure of the school system to educate everyone effectively; there are concerns about the poor and the deprived; there is distress when the bright children are not fully challenged, etc. There is also criticism that the schools are requiring more and more money—as though somehow it shouldn't cost so much more, and people shouldn't have to keep paying more taxes to educate more children in an inflationary world.

Clearly, the school boards and school administrators are busy receiving a lot of messages. So what does happen when the students attempt to say something?

SPECIAL PROBLEMS IN THE PROCESS

How can the students—who aren't supposed to say anything anyway, much less have ideas about how the school ought to be run—get themselves taken seriously, especially when they haven't had any voice before? They have to intrude, and they have to out-shout other voices which are already loudly proclaiming their interests. And then when the student, who is the recipient of all this service and expenditure, has the gall to complain or be critical . . . just who does he think he is? How much does he know? And why does he have to be so provocative?

Students are hard to listen to! They aren't always clear in what they are seeking or what they want to say, but they clearly want to be heard now. And they have their own struggle in finding the best way to relate themselves to their elders. Erik Erikson observed in his book *Childhood and Society*, that, "In their search for a new sense . . . adolescents have to refight many of the battles of earlier years, even though to do so they must artificially appoint perfectly well-meaning people to play the roles of adversaries."

When they start to express themselves, if you're over 30, it is hard not to turn them off, to feel you've heard it before, and to disregard or diminish their words. This was evident in the hearings of the Violence Commission when we asked some leaders of youth movements to tell us what they thought. Clearly, the Commissioners had to work to tune in—and some didn't at all like what they heard.

Let me share with you some words we heard, words which are important because they represent a strong undercurrent of feelings in a sizeable proportion of young people.

Henry Mayer is a graduate student at the University of California. He was very much involved in the initial efforts at Berkeley to gain some greater flexibility in the university policy of speakers invited to make addresses on the campus, what came to be known as the "Free Speech Movement." As a representative of youth, here's what he told us:

> Student activists are not the trouble-makers. They are responding as outraged human beings to all the brutalizing and irrational conditions—racism, poverty, militaristic anti-communism, bureaucratic and technological inhumanity—that disfigure and trouble this country and diminish the quality of human life. . . .
>
> I must confess to both amusement and annoyance when I consider the discrepancies in popular American attitudes toward student demonstrations. There seems to be widespread praise, e.g., for students who actively defend liberty in Czechoslovakia, but substantial condemnation of the students who attempt to march for democracy and peace in Chicago.
>
> Students demonstrate because, in the words of a very popular song, they "can't get no satisfaction" from the callous, arrogant, and hostile people who run this society—the people who neglect the issues and deny the tension, who first ignore protestors, then discredit them, and then beat them up or put them in jail.
>
> Confrontations are always necessary to secure fundamental changes in this country, and such changes are what students—and others—are seeking today. Those who say—in the best tradition of colonial administrators—that they will not be bullied or threatened or coerced into change, actually mean that they do not want any change at all. They display the fatal arrogance of power which insures that the next series of confrontations will be angrier and more coercive than the last.

In the vernacular, how does that grab you? What do you think of that view of student demonstrations? Perhaps I should have quoted some of the less well organized and more highly charged observations and opinions of Tom Hayden, one of the founders of the SDS, who also appeared before us. But my point in citing these remarks is to test your own capacity to listen and to keep an open line to such ideas, however distasteful you may find them to be.

It is the response of the "receivers" of this kind of student message which plays a vital role in determining subsequent student communications, and which will go a long way toward escalating or de-escalating any propensities to disturbance. John D. Rockefeller III recently wrote in the *Presbyterian Life* magazine of his efforts to "tune in" to youth. His conclusion was the "crucial issue is not the revolt of youth but the nature of the older generation's response to it." His conclusion was that he should address his thoughts not to the young people about whom he initially felt concerned, but to, as he described it, "that large minority group of persons over the age of forty."

He acknowledges that there is much in the behavior of youth to irritate and disturb the older generation. But he submits that we have let ourselves be distracted by the colorful fringes to the point where we miss the central meanings of today's youthful protest. And it is important to note that in nearly every instance of a student disturbance, the overwhelming majority of students will disavow extreme measures of disturbance, though they may be sympathetic to some of the issues at hand.

KINDS OF RESPONSES

The responses which student demonstrations provoke in educational leaders are important to note—especially the extremes. It is vital to understand that many of these responses are primarily the function of our own emotional reactions.

Some simply tune out the whole matter, much like a parent who is preoccupied with something important and who nods when his child says something to him, but who really doesn't hear, and thus disregards the communication.

If there is a reaction, all too often the first reaction and sometimes the only reaction, is a resentful irritation at students for not keeping their place. Or there is scapegoating—an attempt to blame others for provoking this problem, a denial of real grievances by calling it communist-instigated or the like. Confrontation and demonstration are clearly acts which are critical of administrators and what they are doing; they imply the administrator has done a bad job, and nobody likes to be told that—to say nothing of having it expressed in public.

Student demonstrators often provoke two extreme responses: either the response of *repression*, to put the lid firmly on any further attempts, to "show 'em we won't put up with any nonsense"; or the opposite response of *giving in*, feeling guilty about some mistake to the degree that an excessive permissiveness is the result. If a boiler has a head of steam and is about to blow up, indeed, the immediate crisis may be staved off by quickly applying a stronger boiler plate, or by opening up all the stops to let off the steam. But neither of these extreme recations is efficient over the long haul.

If we consistently take a represssive line, we don't encourage growth or prompt development of more constructive outlets for the energy of youth. In our excessive response, we can stifle peaceful change and thus increase the odds for violent change.

At the same time, letting people do anything they want is equally unhealthy. If we are truly concerned about someone, we don't let them do just anything. I don't let my children play with matches or in the street; my doing so would not be a sign of love or caring for them, but of just the opposite. Excessive permissiveness is as destructive to growth and maturation in our children as is excessive restriction and control.

SOME GUIDING PRINCIPLES

So what should be the response to these challenges from youth? What principles or guidelines can we note which will help in tackling the problems? First it is important to acknowledge the existence of the problem. In any school system, the key persons affected are the administrators and the executive leaders of the school system. It is the superintendent who will have the greatest impact, and his principals beneath him. Thus the role of the school board in selecting that leadership is vital; and the selection should be of leadership which attempts to understand, that can listen and not feel threatened by conflict.

And there are some key principles to be noted in examining any conflict or issue. First, it is imperative to try to understand the message, the communication from the students, and to look for latent issues. We shouldn't be misled by the surface issues and assume that's the whole story. In medicine, we all too often find the chief complaint that brings the patient to us is a kind of "red herring," and only a "ticket of admission" to get our attention and concern, so that we will then respond to a more basic problem that becomes evident.

A second principle in responding to the challenge of the students is to recognize the importance of expectations and of mutual respect. An adversary system tends to encourage the development of adversaries. And there has been a good bit of experimental work done that demonstrates the degree to which our expectations prompt self-fulfilling hypotheses. It is as if we communicate in some subliminal manner what we expect to happen—and all too often it does; yet we remain oblivious of the degree to which we are responsible for what happens, and instead blame it on others. There were elements of this process which took place in Chicago. The same process takes place in many other settings. You may be aware of the classroom research where some teachers were told that certain students showed particular promise, when such was not truly the case. Yet the teachers' expectations and efforts did result in improved performance by those students.

Expectation work in both a positive and negative way. If you expect students to be unreasonable, the odds are you will deal with them in such a way as to make it inevitable that they prove your hypothesis. Similarly, if you deal with students as adults, you are likely to find them more often responding as adults.

A third principle: Acknowledge the inevitability of change. The tide of history is moving in certain directions, and clearly the energy and drive and creation of our children will outlast us. We can wear ourselves out trying to fight the tide; or we can turn that inexorable force to our advantage, and attempt to harness it for our—and their—benefit.

It is vital to realize and acknowledge the struggle of the student, the adolescent with his aspirations. And we must also acknowledge mirror struggle of our generation. It is no small psychological problem to spend many years of one's life trying to achieve a position of responsibility and decisionmaking, only to realize that the time is short. It is easy to forget that we were children; and that our perception of the world still reflects, in some significant ways, the biases we had as children.

SOME SPECIFIC SUGGESTIONS

Another of the persons we were privileged to hear in the Violence Commission hearings was the president of Yale University, Kingman Brewster. He had some specific suggestions with regard to coping with the potential for violence. He offered four suggestions:

First: Protect and encourage peaceful dissent.

Second: Protect and encourage participation of the governed in the determination of the policies and actions which govern them.

Third: Make every effort to open access to meaningful channels of communication.

Fourth: Bend every energy to recreate the fact and the feeling of individual choice and self-determination within organizations.

President Brewster observed that "These are not prescriptions, they are simply invitations for energetic and ingenious efforts to re-establish a credible, open, voluntary society in which a person feels that what happens to him is in large part his own fault, not the fault of the 'system.'" President Brewster thus focused on another and perhaps crucial factor of this whole problem: to an increasing degree in our society, the individual is getting lost in a maze of numbers and computers and bureaucracy. And it is not surprising to see lost individuals unite into groups in order to find some new and identifiable character.

It therefore becomes imperative for us to keep the value of the individual high, in spite of the population explosion and the complications of modern society. As we restore the worth of the individual, we will find less intense the need to seek redemption in groups. Groups are made up of individuals, and they are led by individuals, each of whom has aspirations the same as you and I for concern, attention, love, recognition—for a place in the sun.

We have difficulty in dealing with problems like student demonstrations and confrontations because of our emotional reaction, a reaction which may reflect our discomfort in acknowledging that we, too, have not yet created the "perfect" world. Without emotions, this world would certainly be a dull place; and even if it were possible, I would not urge that we abandon our emotions. But we do need to be alert to them and to the degree that they cause problems for us or interfere with our rational resolution of conflicts with others.

Individually, we must come to acknowledge that the place to begin dealing with the problems we have with others is within ourselves—to be a little less self-righteous and so sure that we have the right answers. No matter how sophisticated or suave a manner we present to the world, we do have within us childish pressures and reactions.

We don't like to be wrong. We don't like to be challenged, especially by people who are younger or in some way "inferior" to us. Yet if we are to cope effectively with our children, and with students in our educational system, we must be humble. We must be prepared to consider the possibility of being wrong, or that there might be a better way, without feeling we are destroyed if that is so. If we are so insecure as to feel we are worthless if we make a mistake or are improved upon, if we cannot courageously acknowledge our mistakes and acknowledge the fact that our offspring might surpass us even now, then we are in deep trouble. We must be open enough to listen, to "tune in." And we must keep open enough to accept constructive criticism, with some pride in the fact that these suggestions are coming from "our most important products"—our students—who thus prove the ultimate worth of the system.

Exhibit 2

A Declaration on Campus Unrest

This statement was formulated by a group of educational administrators, trustees, and foundation officers who met April 4–5, 1969 in Chicago under Council auspices. Those present were three Council officers—President Logan Wilson, Vice-President Kenneth D. Roose, and David C. Nichols II, assistant to President Wilson—and the following:

Louis T. Benezet, president, Claremont Graduate Center; Landrum R. Bolling, president, Earlham College; Herman R. Branson, president, Central State University; Robert D. Clark, president, San Jose State College; Fairfax M. Cone, trustee, University of Chicago; Thomas H. Eliot, chancellor, Washington University; Robben W. Fleming, president, University of Michigan; David D. Henry, president, University of Illinois; Theodore M. Hesburgh, C.S.C., president, University of Notre Dame; James M. Hester, president, New York University; Ralph Hetzel, trustee, Pennsylvania State University; Roger W. Heyns, chancellor, University of California, Berkeley; Joseph F. Kauffman, president, Rhode Island College; William R. Keast, president, Wayne State University; Malcolm Moos, president, University of Minnesota; Mrs. Henry Owen, trustee, Washington State University; Harvey Picker, trustee, Colgate University; Alan Pifer, president, Carnegie Corporation of New York; Wesley Posvar, chancellor, University of Pittsburgh; Nathan M. Pusey, president, Harvard University; John Ritchie, dean, Law School, Northwestern University; John S. Toll, president, State University of New York at Stony Brook; Edmund A. Stephan, trustee, University of Notre Dame; F. Champion Ward, vice-president, The Ford Foundation; Herman B. Wells, chancellor, Indiana University; Charles E. Young, chancellor, University of California, Los Angeles; and Edwin Young, chancellor, University of Wisconsin, Madison Campus.

The statement was subsequently approved by the Council's Board of Directors, comprised of the following individuals:

Mason W. Gross, president of Rutgers—The State University, chairman; Anne G. Pannell, president of Sweet Briar College, vice-chairman; Gustave O. Arlt, president of the Council of Graduate Schools in the U.S., secretary; Fred Harvey Harrington, president, University of Wisconsin; Grayson Kirk, president emeritus, Columbia University; Frederic W. Ness, president, Fresno State College; Alan Simpson, president, Vassar College; Thomas A. Spragens, president, Centre College of Kentucky; Sharvy G. Umbeck, president, Knox College; Kingman Brewster, Jr., president, Yale University; G. Homer Durham, president, Arizona State University; Samuel B. Gould, chancellor, State University of New York at Albany; Darrell Holmes, president, Colorado State College; Kenneth S. Pitzer, president, Stanford University; Edgar F. Shannon, Jr., president, University of Virginia; Joseph P. Cosand, president, Junior College District of St. Louis; Theodore M. Hesburgh, C.S.C., president, University of Notre Dame; Roger W. Heyns, chancellor, University of California, Berkeley; Martha E. Peterson, president, Barnard College; Calvin H. Plimpton, president, Amherst College; and Willis M. Tate, president, Southern Methodist University.

The unprecedented, comprehensive, and often unpredictable changes that are taking place in this age both disturb and alarm large segments of our society. Most of the changes and attendant alarms affect the operations of our institutions of higher learning. They are also related to the values, concerns, and behavior of our young people. In coming to grips with the compelling issues, all who would think seriously about them must recognize that present-day society—in America and in many foreign lands—is in serious trouble on many fronts. We see around us racial conflict, continued poverty, and malnutrition midst unparalleled prosperity and seemingly unlimited promise. We are confronted by pollution of our environment, decay of our cities, the continuation of wars and the threat of war, and everywhere a vague but widespread discontent with the general quality of life.

These problems affect all of society, not the university alone or the young alone. We must all be concerned to deal intelligently and responsibly with these problems that are neither the exclusive discovery, nor the sole responsibility of the young. Yet the depth of feeling among young people in many countries today about the issues, their general dissatisfaction with the slow-moving ways of society, and the extreme behavior of a small minority of students are evidence of the profound crisis that involves our entire society and, specifically, the university community.

The university itself has often become the immediate target of student discontent, sometimes couched as legitimate complaints about the deficiencies of the universities, sometimes devised as a softening-up exercise for assault on the wider society.

How to deal with campus crises arising from the widespread protests has become a major public issue and the cause of confused and angry debate. That there should be deep anxiety about the course of the conflict and its possible outcome is understandable. No social, racial, or age group that perceives itself and its values to be seriously threatened will fail to strike back. Increasingly there are backlash temptations to enact strong, often ill-considered, and largely futile measures to cope with a youth rebellion that none of us fully comprehends, not even the youth themselves.

Certain balanced judgments are proper to make, however, as we search for understanding and solutions:

1. It is important for the public to understand that, despite the nationwide publicity given to student disorders, the great majority of American campuses have remained peaceful. On campuses where conspicuous disorders have occurred, educational programs generally have gone along their normal ways. Most students and faculty have continued to carry on their regular work. In the main, good teaching and good research, as traditionally defined, have been uninterrupted.

2. On the undisturbed campuses and among the majority of orderly students, however, there are widely shared discontents which extremists are at times able to manipulate to destructive ends. Moreover, even in the absence of violence, there has developed among some of the young a cult of irrationality and incivility which severely strains attempts to maintain sensible and decent human communication. Within this cult there is a minute group of destroyers who have abandoned hope in today's society, in today's university, and in the processes of orderly discussion and negotiation to secure significant change. Students and faculty are increasingly aware of the true nature of this group and are moving to deal with its destructive tactics. The necessity to deal with extremists, however, is placing an extraordinary burden upon the whole educational enterprise and upon those who man it. Consequently, universities are having to divert their energies and resources from central educational tasks in order to deal with student unrest in its various forms.

3. The spectacular events precipitated by the extremists should not be allowed to obscure the recent accomplishments of those students, faculty, and administrators who have serious interest in constructive changes in society and in the university. They have broadened the curriclulum and improved teaching. They have moved toward a more open and participating pattern for university governance. And they have begun to make the work of universities more meaningful in dealing with the problems of society. Those efforts must continue. Reform and self-renewal in higher education are ongoing imperatives.

4. Meanwhile, the speed and scale of social change have imposed many kinds of demands upon educational institutions for which their programs, their capabilities, and their funding are not always adequate. Moreover, universities are increasingly asked to perform functions for society, particularly in reshaping the behavior, values, and life-styles of the young, on which the family and other social institutions have already had major influence—or lack of influence. Some of society's expectations for universities are quite unrealistic. Insofar as these expectations can be dealt with, they involve a sharing of responsibilities among diverse social institutions. Many of society's demands require new resources and fresh approaches to old and new problems.

5. Recognizing the right of and even the necessity for constructive dissent—and allowing for inevitable arguments over what is in fact constructive—certain axioms must be accepted as basic to the operation of any university:

a. Disruption and violence have no place on any campus. The academic community has the responsibility to deal promptly and directly with disruptions. If universities will not govern themselves, they will be governed by others. This elementary reality is increasingly becoming understood by all components of the university community. Student and faculty groups, including the American Association of University Professors and the National Student Association, have recently joined in efforts to improve disciplinary procedures and to formulate clear and realistic codes for dealing with misconduct, and more particularly with violence and disruption. Also, by involving students and faculty effectively in the governance of the university, it can be demonstrated that there are better ways of getting views considered and decisions made than by disruption.

b. The historic concern of the university community with academic freedom needs to be restated, reaffirmed, and vigorously defended against all, within or without the university, who would obstruct the right of scholars to investigate, teachers to teach, or students to learn. This reiteration is not to claim for the university special privileges that put it above the law or that free it from critical public appraisal—rather it affirms that the university must maintain a basic institutional integrity to function as a university.

c. Violations of criminal law must be dealt with through the ordinary processes of the law—and universities must attempt to deal with disruptive situations firmly before they reach the stage of police action. Governmental attempts to deal with these problems through special, punitive legislation will almost certainly be counter-productive. Meanwhile, students and faculty whose consciences demand that they express dissent through law violation must be prepared to accept the due processes and the penalties of the law. They should not be encouraged to expect amnesty from the effects of the law. Such an expectation would be the ultimate use of the *in loco parentis* concept against which many young activists passionately protest. Nor should they expect amnesty from academic discipline, which is the most effective sanction in disruptive incidents.

6. The education community needs to undertake a far more comprehensive effort than ever before attempted to study the underlying bases of youthful discontent and alienation and the broad social problems to which they are related. As social critic, the university must help society understand and solve such problems.

7. All universities should give particular attention to a continuing search for ways, including new social inventions, by which the life of rationality and civility, shared concern, and mutual respect may be supported and strengthened within the university community. The survival of the university and its long-term contribution to society depend upon the ability of the institutions to make their everyday life reflect that spirit and pattern.

EXHIBIT 3

WHO IS RESPONSIBLE FOR CAMPUS VIOLENCE?

(By Sidney Hook)

Wherever American educators meet today, there is one theme of overriding concern that shadows their deliberations even when it is not on the agenda of discussion. This is the mounting wave of lawlessness, often cresting into violence, that has swept so many campuses. Shortly after the riotous events at the University of California at Berkeley in 1964, I predicted that in consequence of the faculty's refusal to condemn the student seizure of Sproul Hall, the administration building, American higher education would never be the same again, that a turning point had been reached in the pattern of its development. I confess, however, to surprise at the rapidity of the change, if not its direction, and by the escalation of the violence accompanying it.

Equally significant in determining the changing intellectual climate of our universities are some of the secondary consequences of the accelerating disorders. Among them are infectious, sometimes paralyzing, fear in administrative ranks lest their campuses erupt; confusion, bewilderment, and divided loyalties among faculties, together with some *Schaden-freude* over the humiliation of their administrations at the hand of disrespectful student militants; outright encouragement of student violence by disaffected, younger members of teaching staffs; sustained apathy among the majority of students whose education has been interrupted by radical activists; and the mixture of rage and disgust among the general public whose political repercussions already have been damaging to the cause of higher education.

In California, the indignation of citizens over campus violence has brought Governor Reagan to the peak of his popularity. More alarming, proposed bonds for educational expansion have been voted down. Of approximately 186,000 communications received to date by the trustees and colleges in the state system more than 98 per cent were against campus disruption. More than seventy separate bills, some of dubious wisdom, have been introduced in the Senate and Assembly to deal with disruption of campus activities by students and faculty. Similar bills are in the hoppers of other state legislatures, twenty in Wisconsin alone.

The situation in the East, although not marked by the same degree of physical violence (arson, bombings, beatings), educationally is equally grave. Some recent incidents at New York University, and its sister institution in New York City, Columbia, mark the extent to which violence has invaded the university and rational disciplinary restraints have been eroded.

At Columbia, Acting President Andrew W. Cordier had petitioned the courts through the Dean of the Law School to dismiss the criminal charges against the Columbia students arrested for serious offenses last spring. The court was assured that the University would apply appropriate disciplinary measures to those guilty. The cases were therefore dismissed. In December, a Columbia College disciplinary tribunal of two teachers—one of them an instructor serving as chairman—two students, and an administrator decided to impose no penalties on the students whatsoever, despite the fact that the students proudly admitted violating University regulations and, to boot, denied the authority of the tribunal to judge them. This incredible decision was taken in order "to re-establish student relationship to the university." These students had won complete amnesty for actions that had been deemed worthy of criminal prosecution when they occurred. Twice hearings in the Law School were violently disrupted by invading SDS students, and the faculty members of the panel were insulted with gutter obscenities. No one even dared to suggest that disciplinary action be taken against this new wave of disruption. The administrators and many of the faculty of Columbia University for months were deeply distraught. It appeared to some observers as if the University petition to have the criminal charges dropped against the students was a ruse by the administration to ingratiate itself with the militant students, to prove its "good will" toward them and, in this way, buy some campus peace. If so, the strategy failed. It provoked only contempt, jeers, and a stream of foul, four-letter epithets from the militants who held out for complete amnesty from the outset.

Encouraged by the amnesty, the Columbia SDS, with aid from outsiders, began to disrupt classes; a leaflet was distributed to justify such "classroom intervention." In some instances, students tore the notes out of their teachers' hands; in others, they shouted them down. By December, according to one source, as many as thirteen "interventions" had been perpetrated. No action was taken either by the faculty or by the administration. An inquiry from an education editor, who had gotten wind of the situation, went unanswered. No one on campus would talk for publication.

Their appetites whetted by the complaisance of timidity of their victims. the students of the SDS escalated the scale of their disruption. *The Columbia Spectator* of February 27 reported that "Members of the SDS yesterday interrupted nearly forty classes in six University buildings."

Last December, Nguyen Huu Chi, the Ambassador of South Vietnam, visited New York University as an invited guest speaker. At a given signal, members of the Students for a Democratic Society from NYU and Columbia invaded the hall, stormed the stage, physically assaulted the Ambassador, and completely disrupted the meeting. Thereupon, they proceeded to another floor, battered down the doors leading to the podium of a meeting-hall where James Reston, executive editor of *The New York Times*, was about to deliver the annual Homer Watts Lecture before an audience of 600 under the auspices of the Alumni Association. The rampaging students spurned an invitation for Mr. Reston to state their objections to what they thought he was going to say, and by threats of violence forced the cancellation of the meeting.

Two students were suspended pending action by the University Senate, and after a careful hearing, at which they refused to appear, were expelled in March. The leaders of the SDS publicly applauded the disruptions, declaring that they disapproved of the positions of the government of South Vietnam and *The New York Times* on the Vietnam war. Most shocking of all, nine members of the faculty at Washington Square in a letter to the student paper endorsed the breaking up of the meeting of the South Vietnamese Ambassador. Although they called the disruption of Mr. Reston's meeting "unfortunate" (as if it were an accident!), they strongly condemned President James M. Hester on the ground that, "we do not believe that the disruption of the Reston speech warrants suspension of the students." They had not a single word of forthright or vigorous criticism of the SDS attack on Chi. The effect of their letter can only be to incite further student violence. It is noteworthy that many meetings and rallies *in support* of the Vietcong and North Vietnam have been held without incident.

Finally, on March 10, a public statement in response to these outrages was issued by a hundred, mostly senior, professors. In it they declared that the University had an obligation to defend itself against hooliganism. Referring to the policy of amnesty, they criticized the abandonment of disciplinary proceedings for previous serious infractions. President Cordier immediately rushed to endorse the statement taking care, at the same time, to minimize the number of class disruptions, but failing to explain why he had remained silent about the breaking up of classes in December, although he was aware of it, and why he had welcomed the abandonment of disciplinary proceedings.

Punitive legislation, either federal or state, would be undesirable in this situation for many reasons. It would tie the Government too closely to campus events and discipline at a time when a section of the academic community believes that governmental presence is already too obtrusive. Further, the effectiveness of such legislation would depend upon the cooperation of administration and faculty in enforcing it. Most important, existing statutes of the University, and the criminal law, already provide sufficient penalties (suspension, expulsion, fines, and jail for trespassing and assault) to meet disruption, if they were enforced.

Why have they not been enforced? Why has the defense of faculties against these brazen attempts to violate their academic freedom, not only by disruption, but by demands to control the content and personnel of instruction, been so feeble and long-delayed? Why, as one professor observed who had helped the Berkeley rebels triumph in 1964, have administrations and faculties behaved like buffalos being shot, "looking on with interest when another of their number goes down, without seriously thinking, that they may be next"?

Although the major causes of student unrest are outside the universities (Vietnam, the urban crisis, the black revolution) and cannot be solved by them alone, the way in which unrest is expressed, whether creatively or violently, can be influenced by the ideas and attitudes brought to it. This is particularly true today. For although comparatively few institutions have been the scene of violent demonstrations as serious as those at Columbia, Berkeley, and San Francisco State, there is hardly a college or university in the country in which there is not some marked uneasiness, some movement among students toward direct action on the verge of exploding into sit-downs, sit-ins, and other forms of mass violations of rules and regulations suddenly discovered to be as silly, anachronistic, or authoritarian as some of them undoubtedly are. But what struck me about the mood of the students in scores of colleges I visited is that even when these rules and regulations were *not* being enforced, and student conduct was as free and uninhibited as on campuses not subject to these objectionable rules, there was an insistence on their abolition—despite evidence that the formal abolition was likely to stir up a hornet's nest among alumni or townsfolk or state legislatures. This testified partly to student impatience with the "hypocrisy" of tolerating laws that were not being enforced, but even more to the presence of a desire to precipitate a showdown with authority, to be where the action is, to have the nation's television cameras focused on the local scene and on the local leaders of dissent. One of the undoubted effects of the kind of coverage given campus disorders by the mass media in their alleged desire merely to report these occurrences is to encourage them by exaggerating their scope and glorifying the heroes of the moment.

Frenzy and excitement among student bodies have always been contagious. Last year, events on some campuses, even chants and slogans, broadcast at once, had a direct influence on happenings on other campuses. That is why the universities of this country are in this "all together," and why capitulation to extremism anywhere weakens resistance to extremism everywhere.

To an already volatile situation must be added the Students for a Democratic Society, an explosive element which claims tens of thousands of militant activists in hundreds of chapters. The SDS is an openly social revolutionary organization, dedicated not to educational reform wherever needed, but to a strategy of politicalization of a university by the tactics of physically violent confrontation. Its operating maxim could well be, "the bloodier the confrontation, the better for our cause, and the worse for the Establishment." Its presence is sufficient to convert a situation in which problems exist into a permanent educational crisis. The members of the SDS are ideologically confused but they constitute a hard, fanatical core of highly politicalized individuals among student bodies, extremely skillful in the arts of generating conflicts and disruption through agitation and manipulation of mass organizations. They and their congeners among the New Left, including their faculty allies, would be hard to contain by wise and enlightened administrators and faculties. Unfortunately, these traits have not been conspicuously in evidence even in places where one would expect them. This is suggested by the fact that the worst excesses on our campuses have occurred at the most liberal institutions. The University of California, San Francisco State College, the University of Colorado, Roosevelt College, Columbia University, and New York University—these read like the beginning of a roll call of the centers of intellectual dissent, experiment, and even educational permissiveness in American life. Events on these campuses, as well as at Swarthmore and Oberlin, reveal the absurdity of the claim that the student revolution has been the consequence of dissatisfaction with the educational curriculum.

Educational changes are often desirable, but it was not a failure to introduce them that provoked the recent outbreaks of student violence, or encouraged continuance of these outbreaks. Much more warranted, as an explanation of the failure to meet the initial challenge of student disruption and to stem its growth, is a mistaken theory of liberalism, a reliance upon what I call *ritualistic* rather than realistic liberalism—a doctrinaire view which does not recognize the difference between belief or doctrine and behavior, and which refuses to grasp the fact, obvious in law and common sense, that incitement to violence is a form of behavior. It is a view which does not realize that although order is possible without justice, justice is impossible without order.

The realistic liberal outlook in education cannot be strictly identified with the liberal outlook in politics because the academic community cannot be equated with the political community. Although we may recognize the autonomy of the academic community, such autonomy cannot be complete since the political community in many ways underwrites its operation. But what both communities have in common is the centrality of the notion of due process.

Due process in the political community is spelled out in terms of specific mechanisms through which, out of the clash of public opinions, public policy is forged. Where due process is violated, consent is coerced, and cannot be freely given. The unlimited spectrum of ideas remains unabridged in the political community up to the point of advocacy, but not to the point of violent action or the incitement of violence. The forces of the state, the whole apparatus of restraint and punishment, enter the scene where the freedom of choice of the citizenry is threatened by extralegal activity.

Due process in the academic community is reliant upon the process of rationality. It cannot be the same as due process in the political community as far as the *mechanisms* of determining the outcome of rational activity. For what controls the nature and direction of due process in the academic community is derived from its educational goal—the effective pursuit, discovery, publication, and teaching of the truth. In the political community all men are equal as citizens not only as participants in, and contributors to, the political process, but as voters and decision-makers on the primary level. Not so in the academic community. What qualifies a man to enjoy equal human or political rights does not qualify him to teach equally with others or even to study equally on every level. There is an authoritative, not authoritarian, aspect of the process of teaching and learning that depends not upon the person or power of the teacher, but upon the authority of his knowledge, the cogency of his method, the scope and depth of his experience. But whatever the differences in the power of making decisions flowing from legitimate differences in educational authority, there is an equality of learners, whether of teachers or students, in the rational processes by which knowledge is won, methods developed, and experience enriched.

In a liberal educational regimen, everything is subject to the rule of reason, and all are equals as questioners and participants. Whoever interferes with academic due process either by violence or threat of violence places himself outside the academic community, and incurs the sanctions appropriate to the gravity of his offense from censure to suspension to expulsion. The peculiar deficiency of the ritualistic liberal educational establishments is the failure to meet violations of rational due process with appropriate sanctions or to meet them in a timely and intelligent manner. There is a tendency to close an eye to expressions of lawless behavior on the part of students who, in the name of freedom, deprive their fellow students of the freedom to pursue their studies. It is as if the liberal administration sought to appease the challenge to its continued existence by treating such incidents as if they had never happened.

There is no panacea that can be applied to all situations. It is not a question of a hard line or a soft line, but of an intelligent line. It is easy to give advice from hindsight, to be wise and cocksure after the event. But it is always helpful for the faculty to promulgate in advance fair guidelines for action, so that students will know what to expect. In general, no negotiations should be conducted under threat of coercion, or when administrators or faculty are held captive. In general, no amnesty for lawlessness or violence should be offered. In general, organizations that refuse to accept disciplinary principles worked out by official representatives of the student body and faculty should be denied recognition and the use of university facilities.

As a rule, it is the first step which is *not* taken that costs so much. Both at Berkeley and Columbia, failure to act decisively at the first disruption of university functions undoubtedly contributed to the students' expectation that they could escalate their lawlessness with impunity. Sometimes the attempt to retrieve a failure to meet student disruption promptly and fairly results in a greater failure.

When student defiance of reasonable rules and regulations is pointedly and continuously ignored, and then subsequently disciplined, the consequence may be worse than if the first infraction had been totally amnestied. Unnecessary delay in initiating the disciplinary measures, however mild, incurred by the infraction of rules, can make it appear to large numbers of the uninformed that these students are the innocent victims of vindictive and gratuitous punishment.

The fourth and largest illegal trespass at Berkeley—the seizure of Sproul Hall—came as a consequence of the summons to four student leaders to appear before the Disciplinary Committee several weeks after they had committed the violations for which they were being called to account. There was a similar situation at Columbia. The first action which presaged the events of 1968 occurred in 1965 when students forcibly prevented the NROTC award ceremony. In 1967, "the administration canceled the ceremony citing insufficient time to prepare against violence" (*The Cox Report*). Violence seemed to pay off. A handful of students had forced their will on the University at the cost of seven letters of censure. After the ban on indoor demonstrations had been promulgated at Columbia—both because it interfered with the teaching of classes and because of the dangers of violence between opposing groups of demonstrating students—it was not enforced on three important occasions where it was clearly violated. When the ban was finally invoked, it seemed to many who were unaware of the past history of student provocation and university restraint that the disciplinary action, even if feeble, was arbitrary. It is widely believed, even by some of the SDS members, that if the Columbia University authorities had moved vigorously to enforce existing regulations against the lawless trespass and destruction of property by the small group that sparked the seizure of buildings on the first day, subsequent developments would have been avoided. For campus sentiment was overwhelmingly hostile to the student rebels at the outset.

The ironical aspect of the situation is that despite the liberal character of the institutions in question, a false view of what it means to be liberal seems to provoke or to exacerbate disturbances on the campus. In certain faculty quarters especially, it is believed that the very nature of a liberal educational community necessitates, independent of any student action, an absolute taboo against physical or police sanctions. At a large metropolitan university during a student strike called by a small and rabidly fanatical minority to protest the dismissal of an administrator guilty of vicious anti-semitic incitement, a faculty group tried to get a resolution adopted pledging the university "not to call upon the police *under any circumstances.*" Had such a resolution been adopted it would have given those who made a cult of violence assurances in advance that they could carry on as they pleased no matter what the cost to life, limb, and university property. It would have encouraged the very violence those who favored the resolution professed to deplore. "What's so tragic about the destruction of a little property?" one professor inquired. He only shrugged when a colleague sardonically added, "Or a little fire?" In the academy as elsewhere there is no substitute for common sense. As it was, fire hoses were cut, elevators jammed to a point where their operation was dangerous to life and limb and their operation temporarily suspended, and the auditorium in the student center set afire.

Some faculty members see truly, in the words of a perceptive member of the Columbia staff, that "the authority of a university is not a civil authority, but a moral one." But he mistakenly concludes that the disruptive activities of students "can only be contained by faculty and by other students, not by the police." This is a morality not of this world but of the hand-wringing, ineffectual spirit that leaves this world and its universities in possession of callow, ruthless fanatics prepared to threaten or use violence.

"Confrontation politics" in the moral academic community "is inadmissible," we are assured by those who love everybody and want to be loved by everybody. Excellent! But what if some students do what is inadmissible? What if they resort to pillage, vandalism, personal assault? What if the torch of learning in some hands becomes a torch of arson? To say that only other students can contain them, and not the police, is to forget that once we leave the world of the spirit, this is an invitation to civil war.

Wars of containment, as we know, can be quite bloody. The police may have to be called in to prevent students from containing (and maiming) each other. And like all sentimentalizing in this cruel world, the fear of relying on the police in *any* circumstances to resist the militant politics of confrontation, which brutally scorns the rationalities of academic due process, is to rely upon the politics of capitulation. It is administrative and/or faculty cowardice masquerading as educational statesmanship. It receives and deserves the contempt with which the storm troopers of the SDS greet it as they prepare for the next phase in the escalating cycle of disruption and violence.

In the light of recent events on campuses and the reactions they have inspired, it should be obvious that the SDS is *not* a Trojan horse in American higher education. It is today the "armed warrior" of anti-education. It makes no secret of its desire to destroy American democracy and the universities that it considers as a faithful replica of that iniquitous society. No, the Trojan horse in American higher education is the rickety structure of doctrinaire thought that shelters the SDS even when it takes official responsibility for violent actions, gives it a free field for operation, retreats before the politics of confrontation, and either shrinks from applying fairly and firmly the rules of reason that should bind the academic community, or interprets them as if they had no more restraining force in times of crisis than ropes of sand.

The facts about the SDS are well known. It has the virtues of openness as well as courage. It takes public responsibility for its action of violence, and promises more to come. For it, the campuses are the front-line barricades in total war against American society. Persistent refusal to recognize these facts has prevented administrators and faculties from preparing proper defensive measures to keep the universities free. This refusal is sometimes undergirded by the odd belief that disciplinary action against an organization that officially organizes violence on campus is incompatible with the conception of a university as a "free market place of ideas." The conjunction of attitude and belief is a forerunner of educational disaster. This is illustrated by the pattern of events within the last two years at the University of Colorado. It culminated early this March in the most violent outbreak in the history of the University, when a guest of the University, President S. I. Hayakawa of San Francisco State College, was almost mobbed by bottle-throwing members of the SDS and their Black Nationalist allies to prevent him from speaking. Despite its previous actions of violence and the absence of any pledge to forswear violence in the future, the SDS had been reinstated on the campus on the ground that the University must serve "as a free market of ideas." The SDS promptly showed that its purpose was precisely to destroy the University as a free market of ideas.

The detailed story is too long to relate here, but it can serve as a paradigm case of high-minded blunder, panicky ineptitude, and self-righteous obtuseness on the part of some regents, administrators, and faculty members who are convinced that true tolerance requires that we tolerate the actively intolerant.

In the last analysis, it is the faculties who are responsible for the present state of American universities—responsible because of their apathy for what has developed in the past, and for missed educational opportunities. Despite what is said by outsiders, the faculties of most universities possess great powers which they have so far been reluctant to use. No policy in education can succeed without their support. Theirs is the primary responsibility for upholding academic freedom. Now that American higher education is at bay, challenged as it has never been before by forces *within* the academic community, the faculties must marshal the courage to put freedom first, and to defend it accordingly.

At the same time, as they move to safeguard the integrity of the educational process, faculties should, wherever they are not already doing so, undertake a critical review of all aspects of the curriculum and university life. Provisions should be made for the airing and public discussion of all student grievances. Students should be invited to assess existing courses, methods of teaching,

> the effectiveness of their teachers, and to make proposals for new courses.
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> It is a libel on American educators to imply that they are hostile to educational change. Most past criticism has inveighed against them for making curricular revisions too readily at the first cries of "relevance" by pressure groups. Educational crackpots, including some headline-hunting administrators, are now rushing to claim that had their curricular panaceas been adopted, student violence would have been avoided. They assiduously ignore the fact that the extremist student groups are trying to bring down bigger game.
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> John Dewey was fond of saying that in the modern world there is no such thing as the "status quo." Change in education as in society, is inescapable. The only questions are whether the direction and content of change are sound, and what the rate and magnitude of change should be. Men of good will may differ about the answers. But no matter how profound the differences, they do not justify the resort to violence and the threat of violence to impose solutions. In a secular society, the places where human beings assemble to inquire and to reason together should be regarded as sacred ground. Whoever desecrates it, should feel the disapproval of the entire community.

Mr. ALLOTT. Mr. President, I thank the distinguished Senator. I compliment him on the brilliant statement he has just made. It is quite understandable to me why the members of the Committee on the Judiciary look to the Senator from Nebraska, and always have, with such respect. Everyone knows of his great legal qualifications.

Mr. President, a person with his legal qualifications can be of immense help, as he always has been and will be.

In the peculiar situation in which those upon whom the responsibility to act has been placed, a few have proven to be reluctant dragons. Therefore, we have to look to new means. I appreciate the support of the Senator on the grand jury approach to the matter. I think this could help every State in the Union to stop some of the violence and anarchy.

Mr. BENNETT. Mr. President, I commend the senior Senator from Colorado for his diligence in calling to the attention of the Senate and the American people the activities both past and potential, for the future, of the Students for a Democratic Society. The American Republic has always been slow to react to a threat, either domestic or foreign. Perhaps that is a virtue of representative government, because in the process, irresponsible dissent and abuse of constitutional freedoms, tolerated and suffered by the general public until a very late hour, eventually create the necessary reaction by an aroused public opinion necessary to restoring order.

I think the time is now at hand when the American people are waking up to realize that we have in this country, a small, well-trained and dedicated group of people seeking to destroy the very institution from which we derive our spiritual, cultural, and intellectual strength. I think it is clear, at this point, that the SDS is making a coordinated effort to tear down the American colleges and universities. May I point out a glaring, but sad example. In a recent press account, it was pointed out that many of the prominent faculty members at Berkeley had left that institution for other teaching opportunities because of the disruption that had occurred there. I submit that the strength of any teaching institution lies in its faculty, and when faculty members become so disturbed that they go elsewhere to serve, the institution itself cannot help but be damaged.

I commend the Senator from Colorado for pointing out the coordination which seems to be very evident in the SDS movement. A case in point and very close to home are the attacks made upon Washington area colleges last week. I think it is no accident that George Washington University, American University, and Maryland University were all attacked within a 36-hour period. I should like to point out something that clearly corroborates what the Senator from Colorado has stated. In his report on SDS activities, he quoted the objectives of SDS leaders as they were formulated at a recent regional meeting at Princeton University. He states that among the nine objectives of SDS is no war or counterinsurgency research, no ROTC in the colleges and universities, and no military role for the American college. Should the SDS or any group opposed to university research in support of the military succeed in terminating this research, it will have a triple-barreled adverse effect: first, the universities will lose this income; second, it will force the government to build and staff its own inhouse research facilities, thus increasing the cost and size to the Government; and, third, it will possibly destroy much of the spillover effect into the civilian sector and economy which now comes from defense research. Finally, I wish to point out that if and when these Government funds dry up, these scientists who are now protesting will probably be the first to complain about the loss of Government money and Government research. After the SDS seized the Sino-Soviet Institute Building at G.W., the SDS leaders were invited to speak before a law class, and I have firsthand reports that these three goals were put forth by the SDS leaders as part of their objectives. Also during the remarks of the SDS leader, a question was asked about how the damage should be paid. He said and I quote:

> We are not concerned with how capitalist institutions get their money since we are a communist group.

It may be that we are now facing in this country the initial stages of a revolution. We have clearly passed the point of talking by those who are advocating the destruction of the American system and are now seeing action on their part. Over the past few years we have seen attempts to prevent railroad transportation as it relates to the Vietnam war. We have seen student groups seize and hold university buildings. We have witnessed an armed takeover of a building at Cornell University, and in the process, those who are guilty were not punished. This I find incredible. We have seen property belonging to the State, to individuals, and to private institutions, destroyed. We have unfortunately seen a university administrator die of a heart attack while being involved in this kind of disorder. I submit therefore, that we are not talking about the Communists of the 1950's whom the Supreme Court said were not guilty, merely because they only verbally advocated the overthrow of the American Government. We are now talking about young revolutionaries who have actually begun to carry out in deeds what they have been saying with words for the past several years.

I should also like to raise the issue of the finances of SDS. If necessary, I think Congress should subpena these leaders to determine how they receive money and from what sources. I think that is completely justified under the circumstances. We should determine if this money is being supplied to these young people from outside the United States, or from any foreign country which might have an interest in domestic strife in our Nation.

I am confident that the American people will rise to this threat, not in the way it was done in 1942 against the fine Japanese-Americans who were not guilty of anything, nor through the witch-hunting tactics of the 1950's.

Democracy is strong, the American people are patient, our institutions are not easily destroyed, but a new threat is upon us and I think it is time that we realize the seriousness of the threat that is now upon us. I think the American people should watch very carefully the efforts in May as described by the Senator from Colorado.

I further wish to endorse the President's message of this week, wherein he called upon college presidents and State authorities to be firm in dealing with this kind of crisis.

I cannot close my remarks without commenting on the fact that Notre Dame University has to date been unaffected, and I think the reason is that the president of that great institution made it clear that he would not tolerate student riots or disorders. I would point out, also, that the colleges of Utah thus far have avoided this kind of disruption and most of them have also made it clear to students that it will not be tolerated. In fact, a special note of praise is to be given to the student leaders of Utah's colleges and universities who have repudiated the tactics and objectives of the student rioters. I should like also to commend the vast majority of American college students who realize that change is possible within the system, who have adhered to the laws and rules, and who by so doing have again anchored our faith in American youth.

I feel there is room within the context of any university administration, for tolerance, negotiations, and compromise. I do not feel, however, there is room for intimidation, blackmail, or capitulation. I call upon our university administrators, both private and State, to expel from their campuses any student who advocates, leads, or participates in any activity that violates Federal, State, or university laws.

I want to pay a special tribute to those students at American University and Maryland, in our own community, who threw out the SDS rebels and who prevented their occupation. As I close, I repeat my commendations of the Senator from Colorado for the great service he is performing for the American people.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. ALLOTT. Mr. President, I congratulate the distinguished senior Senator from Utah for his very helpful and thought-provoking discussion of the matter we have been discussing this afternoon.

I think it is important that the Senate, by this means, say in a very loud voice, that we are concerned about the disruptions in our society; that we do not want to deny anyone the right to dissent; but that this dissent must be carried on within the bounds of law and order. To the extent that all those who have participated here this afternoon have done that, I think it will be helpful. It will be helpful to our Attorney General and it will be helpful to the college administrators, and, where it is necessary, to the law enforcement officials all over the country.

I do thank the Senator very much for his intervention and his assistance.

Mr. BENNETT. Mr. President, I appreciate the statement of my friend from Colorado.

Mr. THURMOND. Mr. President, I rise to second the remarks made by my distinguished colleague from Colorado and others on this important question of violence and disruption on our university, college, and high school campuses. There can be little doubt for anyone who reads the newspapers that the wave of violence in our educational institutions is the result of an organized movement led by the SDS, the Black Panthers, and other militant groups.

However, the violence could not continue if it were not tolerated by the administrators, faculty, and trustees of the affected institutions. I think that many of there authorities are derelict in their duty. We have seen cases where the administration has given in to violence and blackmail. Yet, once the violence has subsided, these same administrators have failed to discipline the affected students. The students have been kept on the college rolls, where they continue their agitation and wait for another moment to strike.

Although the students must take the responsibility for their actions, it is the administrators who are to blame for allowing these conditions to continue.

Yesterday's New York Daily News cracks down on the college administrators whose actions are aiding and abetting the student militants. The Daily News, for example, cites City College of New York. The News says:

> City College President Buell C. Gallagher, with faculty support, decrees a total shutdown of City College of New York until peace is arranged with students holding South Campus by force.
>
> The rebels number some 200. Total CCNY enrollment: about 18,000.
>
> Thus, Gallagher aids and abets about 200 students in depriving about 17,800 of education for an indefinite time.

Mr. President, the administrators have also been sharply criticized in a syndicated newspaper column released today by Gen. Thomas A. Lane. General Lane is well known in the District of Columbia since he was formerly one of the District of Columbia Commissioners under the old-style government. He is noted for his temperate yet firm approach to the question of maintaining public order.

I would like to read some pointed excerpts from this column. General Lane says:

> Blame must be placed first on the university trustees. These men and women accepted a responsibility for giving policy direction to the university. When campus life is disrupted by a handful of student militants, these officers have failed their trust. This is the harvest of their error or neglect. If they were sensitive citizens, they would resign.
>
> The trustees must be blamed for their selection of inept college presidents. When the president is selected for his personal grace or his fund-raising talents, the university is put in jeopardy. Against such leadership, the SDS can attack with every confidence in success. We have seen these presidents condone criminal behavior on the campus and retain the offending students on the college rolls. Students regard such leaders with contempt.
>
> Trustees are responsible also for the dispersion of authority which has occurred in some institutions. Under cover of specious argument that the university is a democratic institution which must be governed by its faculty, militant professors have obtained a share of the administrative authority. In some institutions, the authority of the president to act summarily when summary action is required has been superseded by requirements of faculty approval.
>
> It is very bad organization which involves members of the faculty in matters of university administration not directly related to their academic disciplines. Professors lack both competence and temperament for the work. Their unfitness for combat invites the revolutionary violence which they abhor.

Of course, General Lane does not criticize all university authorities. He singles out for praise the order which prevails on most campuses today. He says:

> The validity of this criticism is demonstrated by the order which prevails on most of the campuses of America. Where the trustees have selected a president who maintains good relations with the faculty and preserves clear lines of responsibility, there are no disorders. Students know they will be dismissed for serious breaches of university discipline. When students face officers who fulfill their duties without fear or favor, students do not break the law.
>
> Misguided officials who think that in surrender to militant students they have achieved some new triumph of peace-making are rationalizing defeat. They are in fact undermining the moral and academic standards of the institution. They should be removed from office before the university is destroyed by their policy of progressive surrender. It is the clear responsibility of the trustees to take action.
>
> There could be no SDS without these weak and inept officials. Students are doing only what officials on some campuses will tolerate. Their success shows how keenly they have appraised officers and faculty. They measured the institutional structure and decided it could be pushed over. On other campuses where the administration is in firm hands, students have not challenged the established order.

Mr. President, it is for this reason that last week I introduced legislation to be known as the Academic Freedom Protective Act of 1969 (S. 1988). The rights of the majority must be protected and certainly the majority are peaceful and law-abiding in their actions. In my view, the college administrators have the first responsibility for maintaining order in their institutions; but we have seen so many cases where the administrators are too weak to act that there must be clear authority for the Federal Government to protect its vast and growing interest in education. For example, the National Science Foundation on April 11 issued its annual report on Federal support to universities and colleges. This report covered fiscal year 1967 and is the most complete summary of its kind, including all agencies that finance education in the Federal Government. This report shows that Federal support to universities and colleges increased from $1.4 billion in 1963 to $3.3 billion in 1967. In 1967, a total of 2,056 universities and colleges received Federal support from eight Federal agencies. This was over 80 percent of the Nation's institutions of higher education receiving Federal support. In 1963, less than half received Federal support. Of the 1,190 institutions that awarded degrees in the sciences and engineering fields in 1965–66, over 97 percent received Federal support in 1967. It is thus clear that the Federal Government has a big stake in the educational picture.

But, of course, it is not just the Federal Government which has such a stake, and it is not merely the institutions themselves which the Federal Government assists. The Federal Government has many programs of direct aid to students; for example, the Department of Health, Education, and Welfare has just approved awards for institutions participating in the college work-study program. These funds go directly to students to help them pay their way. Under this program, the students work at the schools so that they earn their way. Such students are obviously worthy of support when they are willing to work to get an education. Federal funds are provided for 80 percent of these payrolls, with the remaining 20 percent provided by the institution or off-campus agency. In fiscal 1970, Health, Education, and Welfare has approved a total of 1,842 institutional programs which are estimated to benefit 210,994 students. Total cost for 6 months is $75,744,315. Now, here we have a program, a Federal program, which is helping students who want to help themselves and are sacrificing to get an education. Yet, many of the same institutions have had their academic work disrupted by the demonstrations of a few. Clearly, the Federal Government has an interest in seeing that these deserving students have their academic rights protected and not disrupted by militants.

According to another Health, Education, and Welfare report issued on April 17, the educational opportunity grants program will benefit 1,900 institutions, awarding $143,650,366 to 262,013 students. These grants, ranging from $200 to $1,000 for each academic year of study, up to a maximum of 4 years, are awarded by participating institutions of higher education to students of exceptional financial need who are eligible for the program. Again, this is obviously a deserving group of students who are seeing the promise of a good education cut short because of academic disruption.

I would also like to call attention to a special publication put out by Health, Education, and Welfare entitled "Where the Money Is," American education's annual guide to the U.S. Office of Education programs. This pamphlet lists 118 programs administered by the U.S. Office of Education alone.

Thus, it is clear that the Federal Government has a direct interest in seeing that these programs operate in an orderly manner. If the college administrators will not take steps to see that order prevails, the Federal Government must step in to protect its investment and to protect the academic freedom of those students and faculty members who do not wish to participate in disruptions.

It is not enough to hold out the threat of cutting off these programs to the individuals who cause disruption or to institutions which permit it. The difficulties of administering such steps are obvious, as well as questions of seeing whether justice is done in each particular case. It is especially obvious that cutting off aid to institutions will harm many innocent people. Therefore, the Academic Freedom Protective Act takes the approach of making it a crime to interfere with the orderly administration or operation of a federally assisted institution. This will immediately bring the established judicial system of the United States into play so that the rights of both the accused and innocent sufferers will be protected. There are various approaches which can be taken in making such disruption a crime. My legislation takes the internal security approach and adds a new title to the Internal Security Act. It would make it a crime to interfere with the operation of a federally assisted institution by, first committing an act of force or violence or uttering a threat to do so; second, obstructing access to egress from or the use of any part of the school's premises; third entering or remaining in any structure or upon the premises with the intention of obstruction; and, fourth, committing any overt act in violation of any provision of law or any duly adopted regulation of the school.

In addition, anyone who conspires with any other person to violate these prohibitions will also be guilty of a crime.

Thus, the approach of this bill is aimed expressly at the techniques used by the demonstrators. It would apply to anyone—student, teaching fellow, faculty member or administrator or outside agitator who performed any of the prohibitive acts or conspired to do so. It is, I think, a more workable and more effective approach than simply making it a crime to damage the property of a federally assisted institution or denying the right of any person to participate in any class or program of such an institution.

Mr. President, again I commend the distinguished Senator from Colorado for leading off in speaking on this important topic, which is one of paramount importance to the American people.

Mr. MURPHY. Mr. President, unfortunately today, as on so many occasions, the busy schedule of a Senator from a big State keeps him moving in and out of the Chamber, attending committee meetings and meeting with constituents. I am sorry to say that I have not been privileged to be present during the entire debate today which was begun by the distinguished Senator from Colorado (Mr. ALLOTT) and was participated in by, among others, the distinguished Senator from Arizona (Mr. GOLDWATER) and lately by the distinguished Senator from South Carolina (Mr. THURMOND).

I join with all of them in hopefully calling general attention to the facts and conditions that have been so well recited here today. There is growing evidence that there is a plot to disrupt our universities as a means of eventually disrupting our system of government.

Having had the privilege of living in this great Nation for more than a half century, I know that our system is not perfect. Many things need to be done. That is our purpose in being here. However, insofar as I have been able to find out in my travels around the world, we have achieved a greater degree of perfection in a free society than any other system ever devised by mankind.

Therefore, I say that those who would destroy it without having proof of a proper, progressive replacement will be opposed by me, as I know they will be opposed by my colleagues.

I think that the operations and activities that have occurred on the college campuses have been shocking, to say the least. I am discouraged that the vast majority of the students seem indifferent to the disruptive actions of a small percentage of students who seem bent on knocking down our education structure, not improving it. I am also concerned that our faculties and administrators have generally failed to come to grips with the college disturbance. Firm but fair action is needed in response to this challenge to our universities and colleges. Academic institutions are supposed to be centers where ideas and truth prevail, not where brute force reigns. The complete lack of discipline and commonsense frightens me to the point that I wonder about the future of our country, not because of forces on the outside that would destroy it, but because those who are in charge of our schools are not in general doing what is necessary to protect their educational institutions. It is the disappearance of discipline, if you will. Discipline is the first order. It is the first word that must be learned in the academic community—discipline of mind, discipline of study, the use of one's time, the application of the brain that is God-given. Discipline has been completely and disastrously swept away. Everyone talks of freedom. They do not mention the word "responsibility," yet, the two are inextricably linked.

I should like to join Senators in the statements made today. I see evidence this movement is organized. I believe it is organized, and I also believe that many of the young people do not realize they are being used, just as years ago, in the industry in which I was formerly engaged, in Hollywood, many good people became involved because they believed in slogans, half truths, and propaganda saying, without taking the time to find out the real facts.

I recall the trouble which started at the great university at Berkeley, one of the outstanding universities in the world, and then the troublemakers came in. There was something called the free speech movement. Free speech—free speech for themselves. Anybody else who wanted the right to speak would be hooted down, booed down. Realizing their positions could not stand exposure to the light of reason and debate they resorted to the picket line and to violence and destruction.

We had a similar experience recently at San Francisco University.

Governor Reagan, of California, told me that the admission of the troublemakers there started when a group came into the dean's office with knives in their hands and made certain demands.

Mr. President, we have had too much of the use of force in place of reason in my lifetime. We have seen two world wars. I recall the first one. That was the war to end wars to destroy the fallacious saying that might made right. I have opposed that all my life. I oppose it in labor unions. I oppose it in my activities in the Senate. Reason is the approach, and we have wise people.

I was glad to hear a reference today to the unfortunate emphasis on the part of the news media. I know it makes a better picture in the newspapers to see somebody jeering or yelling. It is a much more exciting story than to tell the story of the good, run-of-the-mill student, of the good, ordinary student.

I know something about this. In my former vocation as an actor in Hollywood, some of my friends of the press would come to me and say, "Murphy, why don't you get into some trouble, so that we can give you some publicity?"

I always said that I was not interested in getting into trouble; that I was more interested in doing my job to the best of my ability. I believe that that is the feeling of the great majority of students in the universities today. I see no reason why the 1 or 2 percent should be permitted to interrupt the intellectual advance of the other 98 or 99 percent who want to go to school and learn and get on with the job of helping to make this a better Nation and a better world in which to live. Do not the vast majority of the students deserve the opportunity to go to classes and secure an education without being exposed to the destructive and dangerous disturbances of a small minority?

Dr. Hayakawa has done a magnificent job at San Francisco University. We say it is magnificent because he did what was obvious. He demanded that the rules be obeyed; and, with the help of the great Governor of California, he has made a nationwide reputation.

Father Hesburgh, my good friend from Notre Dame, made a statement in which he said:

> Fellows, if you want to obey the rules, take 15 minutes and think it over. If you don't want to obey the rules, pack and go some place else.

That is what is needed today.

I have asked a simple question of 10 reputable lawyers. I am not a lawyer, but

I know something about the law. I have asked 10 reputable lawyers, "Is there a special set of laws that applies only to people who are outside the campus, who are not part of the academic community; or are the people on the campus supposed to live by the same laws that apply to the rest of us ordinary citizens?"

They all have answered that there are not two sets of laws; that if I, outside the campus, break a window or throw a molotov cocktail or forcibly hold a man against his will, certain rules and laws apply. I recommend that the same laws should be applied to those on the campus, unless I have been misled, unless there are special restrictions of which I know nothing.

So I hope that the widest publicity can be given, first, to the true character of the American youth today—not to the freak, not to the odd-ball, not to the fellow who is living a charade. He is trying to make every day Halloween.

I once said, when I saw the hippies on the Sunset Strip, "What would they put on for Halloween?" They could not go any further than the ridiculous costumes they wore merely to attract attention to themselves.

I saw two on a campus in Washington, sitting in their filthy, ragged clothes, holding face masks of Mao Tse-tung over their faces in order to attract the attention of people who were passing by. This was really ridiculous.

Dr. Hayakawa has told me, also, that the students are not completely to blame; that, in his experience, members of the faculties have told the students to go out and join in the mischiefmaking, join in the troublemaking, join in the disruption, and, "If you don't you'll flunk the course." This is shocking.

Were I the head of a university, any faculty member who recommended breaking the rules or breaking the law in such a manner would be fired.

Mr. President, we have had them before the Committee on Armed Services. We have had them in executive hearings and we have had them in public hearings. They have been absolutely in opposition. We had one man the other day who enjoys great publicity. He was an adviser to former President Kennedy. He has received great publicity. I asked him in my examination whether he knew the Russians had an ABM. He said he did. I asked him if he knew that it had been deployed for some 3 years. He said he knew that. I asked him if he knew that they had experience we do not have. He said yes.

I said, "What about their ABM?"

He said, "It is a bunch of junk."

I said, "Do you know that for a fact?"

He said, "No; but that is my opinion."

I asked, "Is that based on scientific knowledge?"

He said, "No; it is not." He said it was based on his opinion.

Mr. President, this is dangerous and from now on, as long as I am a Member of the Senate, I intend to point out these fallacies and these preposterously self-opinionated people who attempt to sway the opinion and knowledge of better and wiser men who have the full responsibility for this Nation.

This is a part of the same confusion in which we find ourselves. It is only part of this same misplaced emphasis. It is the same problem that makes it difficult for those of us who want to find the truth of the situation and bring the truth to the American people and thereby let the people, who still control the Government, determine the way they want our system of government to flow in the future.

Mr. President, I commend Senators who have spoken on this matter today. I am glad to see that the distinguished Senator from Arizona (Mr. GOLDWATER) has returned to the Chamber. I hope they see fit to carry on the discussion with reference to this most important matter affecting our universities and colleges. I am hopeful that today's discussion will prod those in authority to put an end to these disturbances that have plagued our colleges.

SENATE RESOLUTION 192—SUBMISSION OF A RESOLUTION PROVIDING FOR STUDY AND INVESTIGATION OF CAMPUS DISORDERS

Mr. DIRKSEN. Mr. President, for months now the great learning institutions of this country have been wracked by violence that at times bordered on anarchy. Colleges and universities have been forced to close in some instances, in others there has been such a disruption of normal routine that for all practical purposes whole semesters have been literally wasted. In some few instances university authorities have been able to restore order and regain control of their institutions but more often they have not. What we have witnessed by college officials is surrender of authority to militant and often armed groups of insurgents who often have been led by individuals who were not students of the university.

Millions of students, in fact an overwhelming percentage, have not supported these outrageous disruptions. They are opposed to them for such disorders seriously interfere with their desire to pursue their college courses. Also the millions of parents, who at some considerable sacrifice have been able to send their sons and daughters to college, resent this unlawful interference with the students' education. But the protests continue and the colleges and most of the students suffer.

Behind all of these protests there seems to emerge something of a pattern. Certain individuals appear all too often at the same college at the same time, either just before a student demonstration begins or just after it has started. Many are members of the SDS, a group whose objectives are open and well known. In fact, a copy of one of their publications outlining their objectives was placed in the RECORD on Monday by a Member of the other body. The article begins on page 10538 of the RECORD of that date.

What does all of this mean so far as our internal security is concerned? Does this campus violence and do these attacks on our educational institutions pose a threat to our internal security? I am not sure but I am determined that we find out. To that end I send to the desk a proposed Senate resolution directing the Committee on the Judiciary or any duly authorized subcommittee to make a complete and comprehensive study and investigation of these campus disorders and to report back no later than the end of next January with its findings and recommendations.

Mr. President, this will not be an easy investigation but I am confident that the Subcommittee on Internal Security can get to the bottom of this problem. I know of their past investigations from firsthand, and I know of no other committee or subcommittee more admirably equipped to do this job that needs so much to be done. I do hope that the resolution is referred to the Subcommittee on Internal Security. It will be in good hands.

I ask unanimous consent, Mr. President, that the text of the resolution be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 192) which reads as follows, was referred to the Committee on the Judiciary:

S. RES. 192

Resolved, That (a) the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized and directed to make a complete comprehensive study and investigation of the threat to the internal security of the United States arising from widespread disorders and disturbances accompanied by acts of violence which have occurred and are occurring in and in the vicinity of educational institutions within the United States.

(b) It shall be the purpose of such study and investigation to determine as fully as possible—

(1) the extent, causes, elements, and effects of such disorders and disturbances;

(2) the identities of the perpetrators of and participants in such disorders and disturbances, and the nature and extent of criminal offenses committed in the course thereof;

(3) the identities, leadership, purposes, and sources of funds of organizations engaged in the perpetration, conduct or furtherance of such disorders and disturbances;

(4) the extent to which such disorders and disturbances are or have been incited or supported through conspiratorial activities of the movement referred to in section 2 of the Subversive Activities Control Act of 1950 or any of the organizations described in section 3 of that Act, or any other organizations inimical to the security of the Government of the United States;

(5) the extent to which such disorders and disturbances have been or may be directed toward the overthrow by force or violence of the Government of the United States or of any State, or the creation of a state of anarchy within the United States; and

(6) the adequacy of existing Federal, State, and local laws and law enforcement agencies, procedures, methods, and facilities for the restoration of peace and order in educational institutions within the United States.

SEC. 2. The Committee shall report its findings and conclusions, together with such recommendations as it deems advisable, to

the Senate at the earliest practicable time not later than January 31, 1970; and may file one or more partial or interim reports at any time prior to such date.

Sec. 3. For the purposes of this resolution, the committee, from the date of enactment hereof to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $300,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ORDER FOR ADJOURNMENT UNTIL MONDAY, MAY 5, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR SECRETARY OF THE SENATE TO RECEIVE AND REFER MESSAGES AND FOR COMMITTEES TO FILE REPORTS DURING ADJOURNMENT

Mr. PROXMIRE. Mr. President, I ask unanimous consent that during the adjournment of the Senate following the completion of business today until noon on Monday next, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives, and that they may be appropriately referred; and that all committees of the Senate be permitted to file reports during the same period together with any individual, minority, or supplemental views.

The PRESIDING OFFICER (Mr. Stevens in the chair). Without objection, it is so ordered.

TRIBUTES TO JEREMIAH A. O'LEARY, SR.

Mr. MANSFIELD. Mr. President, I should like to express my sense of personal loss in the passing of Jeremiah A. O'Leary, Sr.

Jerry O'Leary was one of the outstanding Washington reporters. He covered the Senate and the House of Representatives with distinction, integrity, and fairness. He was an official attached to the Senate at the time of his passing. He was a man of great understanding and great compassion, and I will miss him as a friend, as I missed him as a reporter upon his retirement.

It is a deep personal loss for me that Jerry has passed on, and I express the hope that his soul will rest in peace.

Mr. PROXMIRE. Mr. President, I join the distinguished majority leader in paying tribute to Jerry O'Leary, a fine reporter and a wonderful human being.

Mr. BENNETT. Mr. President, I wish to add my voice to those of the majority leader and the Senator from Wisconsin in memory of a good friend and a wonderful reporter of the affairs of Congress, Jerry O'Leary. We have missed his writings lately, and now we are saddened to realize that we will miss his presence.

NAVY SHOOTS DOWN TAXPAYER'S HERO

Mr. PROXMIRE. Mr. President, in March of 1968, Mr. John McGee, who was then a Navy fuel inspector in Thailand, wrote to me alleging that there were serious deficiencies in the procedures for the delivery and receipt of fuel—petroleum, oils, and lubricants—POL—to American military installations in Thailand. He noted that shortages, thefts, and serious improprieties had resulted.

After determining that Mr. McGee was serious in his allegations and that he had independent evidence to support them, in line with my responsibilities as a U.S. Senator, I asked the General Accounting Office to investigate the charges.

GAO REPORT SUPPORTS ALLEGATIONS

In a report made to me in January 1969, the General Accounting Office supported Mr. McGee's allegations—the same allegations which he repeatedly had tried to make through official channels, but which were stifled by his immediate superior as well as the U.S. Navy Fuel Supply Office in Alexandria. He did this at an early date—in June 1967—and again more formally through the grievance procedures. The reply to the latter was that the issues he raised were irrelevant.

But the General Accounting Office said that:

> The control system for distribution of POL (petroleum, oils, and lubricants) and the processing of Government documents for POL payments were deficient and did not adequately protect the interests of the Government.

The GAO found, with respect to verifying the delivery of fuel supplies to vehicles under service station contracts, one of the three main methods of distributing fuel in Thailand, that—

> We found no evidence that verification (of fuel deliveries) had been made between January and October 1967.

The period January to October 1967 was the period of time the GAO audited.

The GAO said, as Mr. McGee had alleged, that—

> The Sub-Area Petroleum Office in Thailand and the Inspector of Petroleum in Bangkok did not receive independent and documented verifications of the receipt of fuel supplies from the receiving bases prior to signing the Orders for Supplies or Services . . .

The report also said:

> The responsible officers acted imprudently in not obtaining documented verifications from the receiving activities that the fuel shown on the contractors delivery documents had actually been received.

MILLIONS OF GALLONS STOLEN

The GAO made an investigation of a representative period in 1967. For this period alone it was found that at least 5.5 million gallons of fuel were stolen or unaccounted for. This total was composed of the following items:

First, there are the GAO audited service station contracts in Thailand for the period January through October 1967. Of the 1,128,700 gallons allegedly delivered, over 52 percent or 590,000 gallons was either stolen or not received.

Second, the GAO made a random audit of diesel fuels. In the year 1967 it found that of 7,400,000 gallons of diesel fuel said to be delivered to the Udorn Air Force Base in Thailand, some 3 million gallons or 40 percent were not received.

Third, the military itself acknowledged that an additional 2 million gallons of fuel had been delivered but not received during 1967. This total included some 371,000 gallons delivered to a fictitious unit named "COMM. U.S. Air Force." It included 220,000 gallons of fuel stolen under service station contracts. It included 378 truckloads of fuel totaling over 1,200,000 gallons wholly or partially stolen. It included 338 truckloads of J–4 jet fuel which was stolen or not delivered at various times from April 1967 through June of 1968.

The GAO investigation, which sampled some deliveries in a representative period, gives us some judgment as to the extent of the massive corruption and thievery of American fuel which was going on in Thailand during the period.

This is the corruption which Mr. McGee exposed.

OFFICIALS ATTACK M'GEE, NOT PROBLEM

But, as so often happens, the officials who were lax attacked Mr. McGee instead of attacking the fundamental problems.

Mr. McGee, who brought the problem to my attention, was reprimanded. This was done after his superiors, including his immediate superior, not only failed to act but made it impossible for Mr. McGee to help rectify the situation.

Mr. McGee was denied a routine, ingrade promotion, a promotion which is ordinarily automatic.

Official attempts were made to remove Mr. McGee from his post by the commanding officer, U.S. Navy Fuel Supply Center.

Other steps to fire him were proposed.

All in all, instead of attacking the wrongdoing, the Navy attacked the man who blew the whistle.

McGee said the system did not protect the Government's interests. The Navy reprimanded him.

When he tried to make his case through channels, he was turned down. When he persisted, the Navy accused him of being a difficult employee to supervise in Thailand.

Yet, both the GAO and the Civil Service Commission found that McGee's superiors contributed to the conditions which made possible the thefts of petroleum in Thailand through their negligence and their imprudent action.

When Mr. McGee exposed a system which contributed to massive corruption, the Navy called "foot faults" on him. Their zeal in digging up irrelevant details of his past was matched only by their failure to change their lax inspection system.

REVIEW ASKED FOR

In January 1969, I therefore asked the Secretary of the Navy to make an independent review of the circumstances, for I believed that Mr. McGee was the subject of punitive action because of his courageous actions.

The Secretary, Mr. Paul R. Ignatius, in turn asked the Civil Service Commission to make an impartial investigation of the personnel actions against Mr. McGee. This they did. They reported to the Secretary of the Navy, but made no recommendations.

On April 18, 1969, the new Secretary of the Navy, Mr. Chafee, made a decision with respect to Mr. McGee and released a statement concerning it as well as a letter to Mr. McGee.

NAVY'S GRUDGING ACTION

The Navy's action is best characterized as "dog in the manger." They withdrew the reprimand against Mr. McGee. He was also granted the long overdue and routine in-grade promotion. These two acts were welcome but should never have been necessary.

But, at best the Navy's action in removing the reprimand and in granting the belated step increase was both grudging and backhanded.

In certain other respects, what the Navy had to say was clearly wrong.

I had urged that Mr. McGee be commended, not reprimanded. The Navy says that they found no basis for commending him:

> Insomuch as the disclosure of improper fuel operations was not initiated by Mr. McGee but had been reported earlier by others.

NAVY ERROR NO. 1

Mr. President, in that statement the Navy is wrong. The point is misleading. A strawman is set up and then bowled over. Let me explain why.

Some isolated cases of theft in Thailand were known and some minor actions against specific individuals had been taken at the time Mr. McGee arrived in Thailand in May 1967.

What Mr. McGee spotted almost immediately was a system whereby the only fuel inspector in Thailand certified to the receipt of hundreds of thousands of gallons of fuel on the basis of documents which he did not check out or verify.

What Mr. McGee alleged was that this system made it possible for the thefts and the wrongdoing both to exist and to continue.

BELATED CHANGES

In this Mr. McGee was proven correct by the GAO report which confirmed his charges. It also confirmed that the massive thefts continued to take place for months after Mr. McGee first raised this fundamental issue with his superiors.

In addition, not until September 1968—or 15 months after Mr. McGee first brought the problem to the attention of his superiors—were changes made in the procedure with respect to ground fuels, which was one of the three major categories of fuels delivered in Thailand.

In other words, without Mr. McGee's actions, the GAO investigation, and report would not have been made. Except for his action and the GAO report, the basic system would no doubt still continue to be used—a system which the GAO called both deficient and imprudent, and said failed to protect the interests of the United States of America.

NAVY MISSES POINT

So, when the Navy says they found no basis to commend Mr. McGee inasmuch as the disclosure of improper fuel operations was not initiated by Mr. McGee, they miss the point by at least 180 degrees.

Mr. McGee has never claimed to have invented the hydrogen bomb. He has never said he scored six touchdowns in a single game against the Green Bay Packers or hit four home runs in 1 day against the Yankees. And Mr. McGee never claimed he made the original disclosure of wrongdoing. What he did was to oppose the continuation of the system which provided the opportunity for wrongdoing to exist.

The Navy has a genius for confusing the point.

But Mr. McGee should be commended for doing what he did. Without his courageous action the Navy would never have changed its ways. And it is no compliment to the Navy that they changed only reluctantly and belatedly much later when the GAO was breathing down its neck.

So that is error number one concerning the most recent Navy action against Mr. McGee.

NAVY ERROR NO. 2

Let me turn to error No. 2 in the Navy release. The Navy says that their extensive study of the matter "revealed no evidence to support McGee's charges that his supervisor had fraudulently receipted for fuel deliveries in Thailand."

The Navy's allegation against McGee in this statement is wrong. I assert that without qualification. Let us look at the facts.

Mr. McGee alleged, quite correctly, that his supervisor had certified that many fraudulent receipts were correct. Mr. McGee did not allege that the supervisor himself had signed the original fraudulent receipts.

This is one more example of how the Navy strains at a gnat. What happened was this: Fuel was shipped out from Bangkok to bases or stations all over Thailand. As the GAO found out, hundreds of truckloads were never delivered. Sometimes receipts were made out for fictitious bases. At times false names were used. At other times the receipts were illegible.

SUPERVISOR CERTIFIED FOR DELIVERY NOT CHECKED

Mr. McGee's supervisor was in Bangkok. Without ever seeing the receipts for deliveries of hundreds of truckloads and millions of gallons of fuel, Mr. McGee's superior signed a statement on Form DD 250 that he had confirmed the shipment information with the receiving activity and that he was signing for the receipt of the fuel on their behalf.

I have one such document. It is form DD 250. It is a form covering hundreds of shipments totaling 2,548,680 gallons of jet fuel, grade JP4. The cost is given as $230,553.59.

Attached to this form are 23 pages giving the facts about each shipment. This includes the dates when the fuel was shipped and received, the number of the truck delivering the fuel, and the receipt numbers for the shipments.

Without checking them out, Mr. McGee's supervisor certified that the receipts were accurate, that the fuel had been delivered, and that the contractors should be paid.

CONTRACTORS PAID FOR FUEL NOT DELIVERED

On this basis the contractors were paid for deliveries which were never made to U.S. bases. And it was this practice on the part of his supervisor to which Mr. McGee objected, and properly objected.

It is only by twisting the meaning of words that the Navy can say that the GAO study revealed no evidence to support Mr. McGee's charges that his supervisor had "fraudulently receipted" for fuel deliveries in Thailand. There was no evidence of that because that is not what Mr. McGee charged. What he charged was that his supervisor certified to deliveries which were never made and which he did not check out.

The Navy's action in other ways is out of step with the genteel tradition of the Navy—a tradition which those who respect that institution had come to expect.

Let me cite one example.

NAVY ERROR NO. 3

The Navy did cancel its pending letter of reprimand against McGee. That was the letter charging him with "alleged falsification on an employment application."

But did they cancel the letter because they were wrong? No, not at all.

Instead they gave two other reasons for canceling it. First, they said they did so because of procedural errors in prosecuting its disciplinary action against McGee. Second, they said they did it because they had failed to move promptly or properly in other respects.

But the charges were wrong and improper. The way the Navy puts it, one is led to think that their charges were true but that only procedural delays led them to withdraw the reprimand.

Mr. MURPHY. Mr. President, will the Senator from Wisconsin yield at that point?

Mr. PROXMIRE. I am happy to yield to the Senator from California.

Mr. MURPHY. I am most interested in the disclosure that the Senator is making. May I ask him, was the supervisor military or civilian personnel?

Mr. PROXMIRE. The supervisor was a civilian employed by the Navy Department.

Mr. MURPHY. In the Navy Department. Is the supervisor still in the Navy Department?

Mr. PROXMIRE. The supervisor is. The supervisor was promoted.

Mr. MURPHY. Does it not generally hold that if a man signs a receipt, he takes the responsibility for the truth and the fact of the actuality that the goods for which he signs have been delivered?

Mr. PROXMIRE. Yes, indeed. The Senator from California is correct.

Mr. MURPHY. It was his complete responsibility at that time if the goods were not delivered; is that not correct?

Mr. PROXMIRE. The Senator from California is right. He certified that the receipts were correct.

Mr. MURPHY. Then it is a matter of record and fact that the fuel oil in question was not delivered, never reached the proper destination, and was not actually in receipt when the supervisor certified to its receipt; is that not correct?

Mr. PROXMIRE. That is right.

Mr. MURPHY. I see. I thank the distinguished Senator from Wisconsin.

Mr. PROXMIRE. I thank the distinguished Senator from California.

Mr. MURPHY. Do I further understand from my distinguished colleague that he said the supervisor was promoted?

Mr. PROXMIRE. That is correct.

Mr. MURPHY. On what basis? Was there any basis for the promotion?

Mr. PROXMIRE. We did not check into that particular promotion.

Mr. MURPHY. Would my distinguished colleague be disturbed if I checked into it?

Mr. PROXMIRE. I wish the distinguished Senator from California would do so.

Mr. MURPHY. I assure the distinguished Senator from Wisconsin that I will do so and I will report to him on it.

Mr. PROXMIRE. I will be delighted to cooperate with the distinguished Senator from California in providing all the information we have in connection with this subject.

Mr. MURPHY. I think that the Senator is performing an excellent service in bringing this matter to the attention of the Senate.

Mr. PROXMIRE. I thank the Senator.

Mr. President, so the punitive charges against Mr. McGee, that he falsified an employment application, essentially stand even though the reprimand based on that false charge is withdrawn.

CHARGE IS FALSE

But the charge that Mr. McGee falsified an employment application is totally false. After McGee blew the whistle the Navy investigated all of his records. They dredged up an incident which was over 10 years old. They charged McGee instead of charging those who were imprudent and whose actions led to vast corruption.

Since this employment application charge is important to Mr. McGee, the point should be detailed now.

On August 16, 1968, the commanding officer of the U.S. Navy Fuel Supply Office gave Mr. McGee a "notice of proposed removal" from his job in Bangkok. Under the specifications the notice charged that Mr. McGee's standard form 57, which he submitted when he was hired in April 1966, contained "false information." It was said that he concealed the fact that he had been employed by the Air Force previously in the period 1955–56.

This is an example of how far the Navy went to find some way of removing Mr. McGee. The Navy's charges on this point are absolutely false, and they know it.

OVERWHELMING PROOF OF FALSE CHARGE

First of all, on page one, item 16 of that very same form 57, Mr. McGee specifically listed his employment in 1955 and 1956. Far from concealing this matter, it is listed on the very form on which the Navy charged he concealed the matter.

Second, at the time of his employment, he was interviewed and the point of his previous employment was brought up, discussed, and had an important bearing on his new status.

Third, when he went to work for the Navy in 1966, he was officially "reinstated" as a Government employee. His official forms—those forms which every employee receives when there is any personnel action taken about him—indicated that his employment was a "reinstatement." This condition came about only because of the previous employment—which the Navy falsely charged he concealed—and which the Navy had to be aware of in order to reemploy him.

Fourth and finally, Mr. McGee has a letter dated April 1966 from the Civil Service Commission signed by John Macy, then the Chairman, referring to his "reinstatement."

I have a copy of the letter from Chairman Macy. It reads in part:

> The records show that on the basis of your former Federal employment and your veterans preference you have unlimited time eligibility for reinstatement to any position in the competitive service for which you can meet the requirements.

In view of this letter, sent prior to the time Mr. McGee entered on Government service for the second time, it was absurd for the Navy to charge that McGee "concealed" his former employment. Mr. Macy refers to it directly.

I also have a copy of a letter sent to Mr. McGee by the recruiting representative, a Mr. Harry N. Ogilvie, dated April 29, 1969.

Remember that Mr. McGee was charged with concealing his prior employment when submitting his form 57 application for employment.

But Mr. Ogilvie wrote to Mr. McGee at a time before he was reemployed:

> We received your SF 57 from Cdr. Tinney today.
>
> Upon review, I noted that you indicate that you were previously employed by the Federal Government as a GS-4 Clerk, Security Patrol.

That certainly does not sound like concealment.

There were other similar instances in the list of "charges." One involved some credit difficulties over car payments when he was 21 years of age and employed at the Kirkland Air Force Base.

But the fact is he paid off his debts in a very short period of time and has had an excellent credit rating ever since.

This is the kind of "small potatoes" the Navy dredged up against him over 12 years after the event.

DIGGING UP THE PAST

The charge made against Mr. McGee by the Navy in 1968 that he concealed his previous employment could have been for no other purpose than to retaliate against him for bringing the truthful allegations about the lax system in Thailand which led to massive theft.

I want to draw the point again. It bears repetition.

Mr. McGee uncovered a system which resulted in vast corruption. Instead of commending him, the Navy went after McGee. They tried to fire him. But when one examines the charges the Navy belatedly brought against Mr. McGee after examining the details of his life, the points against him are so minor or petty or wrong that Mr. McGee comes out as a "model citizen."

This is what is called digging up the past. It is one of the oldest ploys in the world. It is irrelevant to the corruption which took place. In the case of John McGee, it did not work.

NEW SPEAK AND AN ORWELLIAN WORLD

What we have is an Orwellian world where courageous actions are condemned and straightforward language is corrupted into a modern version of "new speak."

What Mr. McGee's superiors and the Navy have tried to do since Mr. McGee first attempted to change a lax system, is to divert attention from the wrongdoing and corruption in Thailand to the alleged petty mistakes of Mr. McGee. In fact, merely by answering them we are, in a sense, falling into this trap. They would much rather divert attention from the millions of stolen gallons of fuel in Thailand to whether or not the man who exposed the lax system properly reported a period of Government employment 10 years ago.

MAN WHO BLEW WHISTLE ATTACKED

So let us put this matter into perspective.

In Thailand, there was vast thievery of American fuel. The inspection system was lax and, if it was not the cause of the problem, it did not help prevent it and contributed to it. This was apparent to Mr. McGee from almost the day he arrived. He pressed for changes. He tried to go through channels. Instead of acting, his superiors prevented him from carrying out his duties as an inspector. They put him in mothballs. And his immediate superior had also improperly, if not illegally, received services and gratuities—meals, entertainment, pleasure—from the companies which profited from the lax system. And that man was defended, supported, and promoted by the Navy.

Then, instead of changing the system, both McGee's immediate superiors and, to their shame, those at much higher levels, reprimanded McGee; refused to grant him routine, in-grade promotions; tried to remove him from his post in Thailand; and, tried to fire him from the Navy.

But the GAO report proved that the allegations McGee brought were correct. But not until 15 months after McGee's original allegations, and only after the GAO was concluding its investigation, did the Navy finally change the system of inspection for its "ground fuels" which the GAO called deficient.

M'GEE'S ROLE CRUCIAL

If it had not been for Mr. McGee, there would have been no GAO report.

If it had not been for Mr. McGee, there would have been no change in the system which resulted in massive thievery.

Instead of a reprimand to those who were lax and imprudent, the Navy tried to fire the man who brought the condition forcefully to their attention.

What the Navy has now said, loud and clear, in its grudging letter to Mr. McGee is to get along, go along. Don't report any wrongdoing. If methods are lax. If officials act imprudently. If no one will act. Do not do anything about it.

If you do, you may well be reprimanded. Instead of investigating the problem, we will investigate you. Your life for the past decade will be gone into. Your old forms will be examined for any minor error.

You can expect no automatic in-grade promotions. In fact, we will try to fire you.

You will be told, as Mr. McGee has now been told, that you should be given a full opportunity to perform satisfactorily in a new assignment.

You may well be told, as Mr. McGee was told, that your association with the Navy has not fully met desirable standards.

Instead of commending you for a job well done, you will be looked upon as a maverick and ostracized from the system.

That, I am unhappy to say, is the real meaning of the case of John McGee.

Mr. President, I ask unanimous consent that the GAO summary of the report it presented to me, which gives the GAO findings and conclusions, be printed in the Record at this point.

There being no objection, the summary was ordered to be printed in the Record, as follows:

Investigation in Thailand of the Systems for Distributing Petroleum, Oil, and Lubricants and for Processing Related Documentation—Department of Defense B-163928

(Comptroller General's report to Senator Proxmire)

WHY THE INVESTIGATION WAS MADE

By letter dated March 27, 1968, Senator William Proxmire requested the General Accounting Office (GAO) to investigate the operations of the Navy Fuel Supply Office in Bangkok, Thailand, and any relevant matters. This request was based upon data furnished to Senator Proxmire by an inspector assigned to the Navy Fuel Supply Office in Bangkok, which stated that theft of petroleum, oil, and lubricants (POL) in Thailand was widespread and indicated that this was due to weaknesses in the systems for distributing fuel and for processing documents which initiated payment for fuel and related services.

FINDINGS AND CONCLUSIONS

On the basis of this investigation, GAO is of the opinion that the control systems for distribution of POL and the processing of Government documents for POL payments were deficient and did not adequately protect the interests of the Government. (See p. 29.) With respect to fuel supplied to vehicles under service station contracts, procedures required that verification of the fuel supplied be made with the using military units. We found no evidence that verification had been made between January and October 1967. (See pp. 13 and 14.)

The principal weakness shown by the investigation was that the Sub-Area Petroleum Office in Thailand and the Inspector of Petroleum in Bangkok did not receive independent and documented verifications of the receipt of fuel supplies from the receiving bases prior to signing the Orders for Supplies or Services (DD Forms 1155) and the Material Inspection and Receiving Reports for POL and related services, respectively. (See p. 29.)

It seems clear that the responsible officials acted imprudently in not obtaining documented verifications from the receiving activities that the fuel shown on the contractors' delivery documents had actually been received. (See p. 31.)

The theft of fuel, as far as has been detected, was perpetrated primarily by collusion and forgery; it is possible, therefore, that a more sophisticated system, properly implemented, may not have detected such irregularities. (See p. 31.)

RECOMMENDATIONS AND SUGGESTIONS

In a letter dated September 9, 1968 (see pp. 43 and 44), GAO proposed to the Commander, U.S. Military Assistance Command, Thailand:

That all procedures currently in effect in Thailand for controlling receipt of, and payment for, bulk aviation fuel also be extended to deliveries of bulk ground fuel.

That a system be established at a reasonably high level of responsibility for monitoring the full implementation of all prescribed procedures for both aviation and ground fuels at all levels of responsibility.

GAO also proposed that the Assistant Secretary of Defense (Comptroller) and the Secretary of the Army arrange to include reviews of the distribution and management of POL in future audits of the activities of the Commander, U.S. Military Assistance Command, Thailand, and the 9th Logistics Command—a component of the U.S. Army Support Element—Thailand. (See p. 32.)

AGENCY ACTIONS

Changes in procedures effected as of November 1, 1967, provided improved controls over supplies of aviation fuel and fuel supplied by service stations. (See pp. 15 to 17.) By letter dated October 24, 1968, the U.S. Military Assistance Command, Thailand, furnished data showing that action had been taken in line with the recommendations included in GAO's letter of September 9, 1968. (See pp. 45 to 47.)

In addition the Assistant Secretary of Defense (Installations and Logistics), by letter dated December 24, 1968, stated that appropriate action would be taken to ensure that POL distribution and management would be included in future audits of Military Assistance and Service activities in Thailand. He stated that, as a result of investigations made by the Office of Special Investigations, Department of the Air Force, punitive action had been taken against U.S. personnel where proof of wrongdoing was established. (See pp. 49 and 50.)

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I endorse the statement made by the distinguished Senator from Wisconsin (Mr. Proxmire). An apparent effort of the Navy to cover up corruption and the unwarranted harassment and reprimand of Mr. John McGee are most discouraging. Two wrongs do not make a right.

Mr. President, our Government cannot afford nor tolerate corruption. When an employee makes an honest and dedicated effort to eliminate corruption, he should be given recognition, not a reprimand. It is my hope that the Navy and other agencies of Government will take a lesson from this dreadful experience. Officials absolutely must not try to cover up mistakes, nor punish those who attempt to uncover mistakes.

Mr. President, I have associated myself with the GAO's investigation of this matter. I congratulate the GAO for uncovering all the facts. I would hope that the Navy will now take further corrective action and completely exonerate Mr. McGee. I appreciate Senator Proxmire's effort, and the good work of the GAO, and I plan to inform my constituents who were shocked at this corruption and inform them of the facts in this case.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. PROXMIRE. I very much appreciate the excellent statement made by the distinguished Senator from South Carolina. I think we all recognize in this body that the Senator from South Carolina is a real military expert; he understands the importance of discipline, order, and cooperation, and of submission to the greater mission of the military force. We have to have that, if a military force is to work. The Senator from South Carolina perhaps appreciates that fact as much as or more than any other Member of this body, because he has been a distinguished soldier and is an outstanding general in the Armed Forces right now. So, coming from him, I think this kind of criticism of the unfortunate action of the Navy is most important and most significant, and I deeply appreciate it.

Mr. THURMOND. Mr. President, I thank the distinguished Senator for his kind remarks.

Mr. ALLEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IN SUPPORT OF THE ABM

Mr. MILLER. Mr. President, on Tuesday evening, April 29, the American Physical Society presented a symposium on the technical aspects of the anti-ballistic-missile system here in Washington.

Two of the panel of four speakers are opposed to the proposed ABM "safeguard" system. These are Prof. Hans A. Bethe, Nobel Laureate of Cornell University, and Prof. George Rathjens, former director of the Weapons System Evaluation Division, Institute for Defense Analysis, Massachusetts Institute of Technology.

The other two speakers are in favor of the proposed "safeguard" system. These are Prof. Eugene P. Wigner, Nobel Laureate of Princeton University and

Dr. Donald Brennan of the Hudson Institute.

Professor Bethe stated the same position which I criticized in my speech to the Senate last March 20; namely, he concedes that the system may be needed sometime in the future and that it could be effective, particularly insofar as the area defense provided by the Sprint missiles is concerned. My point is that it would be imprudent to wait until the requirement actually exists, when it would be too late. It seems to me more prudent to begin to implement the system at a time which would, if international developments—especially in the Soviet Union—continue in line with capabilities, enable us to be prepared when the requirement is present; further, if international developments become favorable, there will be plenty of time to change our program accordingly.

Professor Rathjens destroyed the effectiveness of his arguments when he suggested that, with 20 to 25 minutes warning, we could launch our ICBM's so that there would be no need to defend them. Such an argument completely overlooks the 5-minute warning which would come from missiles launched from Soviet submarines near our shores. Worse yet, it would provide no option other than massive retaliation on our part. I do not believe our options should be so limited.

The most persuasive statement, to me, came from Professor Wigner—the only physicist who has ever been awarded what are regarded as the "big four"—the highest recognitions a physicist can receive: The Nobel Prize for Physics, the National Medal of Science, the Fermi Award, and the Atoms for Peace Award. Not only does he stand at the pinnacle of his profession, but the powerful logic of his arguments and the accuracy of his facts should appeal to those who take a genuinely intellectual approach to the ABM controversy. I ask unanimous consent that his speech, entitled "Defense Versus Retaliation," be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Defense Versus Retaliation

(By Prof. Eugene Wigner, Nobel Laureate, Princeton University)

When preparing for the present session I was acutely aware of the great difference between tonight's discussion and earlier discussions of our Society in which I participated. Little responsibility was involved when I argued for one physical theory as against another. The great responsibility for whatever I shall say this evening weighs heavily on my mind. It is not pleasant to recall the experiences which brought me to the stand I am adopting tonight; it would be unwise to forget that.

Let me begin by saying that there is no difference between Dr. Bethe and myself in our desire for peace. The question is, rather, whether peace is more likely to derive from a posture in which the U.S. (and also the USSR) have no defense, imperfect as these defenses may be; or whether it is more likely to come from a posture in which a strong defense is one of the national goals. I may interject that my belief in the importance of defense dates back 25 years. At that time, at the Metallurgical Laboratory, I wrote a memorandum arguing that an at least partially defensive posture is more desirable than a purely offensive one. The intervening years only strengthened this belief.

I now wish to draw attention to two facts. I realize that facts do not decide any issues, and I will devote the last few minutes available to me to the consequences of the facts which I wish to bring to your attention. It is good, however, first, to establish certain facts. The first fact is that the missile strength of the USSR, which has been growing fast in the last two and a half years, is now exceeding that of the United States. The second fact is that there is strong evidence that, after many years in which the offensive weapons were vastly superior to the defensive ones, the present trend is an at least partial reversal of this situation and that the USSR is making use of this reversal of trend.

COMPARISON OF U.S. AND U.S.S.R. MISSILE STRENGTHS

I should like to start with a comparison of the missile strengths of the U.S. and the USSR. The first slide shows, on the left, the total explosive power available in missiles in the USSR and the U.S. This is probably a surprise to you, as it was to me, but it is well known to many in the Defense Department. You see that, before we were forced to subdivide our warheads, we had 40 per cent of the USSR strength; when the conversion to multiple independent reentry vehicles will be completed, our explosive power will be a bit short of 17 per cent of the USSR explosive power. Since the USSR has mainly large warheads, the comparison is less extreme from the point of view of area coverage. The furthest distance from the explosion at which a certain overpressure is created is proportional to the cube root of the magnitude of the explosion—this is one of the rigorously valid scaling laws of explosions in a uniform atmosphere. Hence, the area covered with a certain overpressure is proportional to the ⅔ power of the size of the explosion. Two 5 Mt explosions cover a wider area with a certain overpressure than one 10 Mt. explosion. In fact, two 3½ Mt explosions have the same area coverage as one 10 Mt explosion. Hence, the advantage of the USSR in area coverage is smaller than in total explosive power and it will increase to a lesser extent when we convert to multiple warheads than their advantage in total explosive power will increase. The total explosive power is, of course, a measure of the radioactivity and fallout that the weapons create; the area coverage is a measure of the instant destruction. Nevertheless, even in the latter category, the USSR's missile strength is higher than ours by almost 20 per cent before our conversion, and will be higher by 30 per cent after we succeed with our conversion program. The conversion will, of course, increase the probability of our missiles penetrating the defenses of the USSR over the present probability of such penetration. Hence, our present power is even smaller than the graph indicates.

The next slide shows the growth of the number of U.S. and of the USSR missile launchers. You note that the graph is not quite up to date. In the last 2½ years, we have hardly increased our missile strength—in fact, though the slide does not show this—its effective strength both with regard to total explosive power and area coverage is now decreasing. The USSR has increased its capability during the same period greatly, by a factor 2½, and is now ahead of us in both these regards. In a way, I am glad that we did virtually nothing in the past 2½ years—had we increased our strength, many people would say that the USSR only responded to our provocation. As matters stand, the reason for the USSR buildup is not discussed.

You will ask me how my data can be reconciled with the statements of our earlier Defense Secretaries, McNamara and Clifford. They gave the impression that our nuclear strength exceeds that of the USSR by a factor of about 4. However, if you read their statements, they say explicitly that they compared numbers of warheads. In this regard, we are really ahead of the USSR. We still are, although the British Institute for Strategic Studies estimates that they will catch up with us by midyear. The number of warheads is much more difficult to establish than the total explosive power or the area coverage because the latter can be judged from the number and size of the launchers. The number of warheads increases when the single warhead in a missile is replaced by a multiple warhead and we do not know when and to what extent the USSR has done this. If the British Institute for Strategic Studies is right, they are doing this to a considerable extent, which would also mean that their advantage in total explosive strength decreases and we may be up to 25 per cent or so of theirs. My slides are based on the assumption that they still use single warheads.

Incidentally, the British estimate conflicts sharply with that of Dr. Lapp which was given so much publicity in the papers. Dr. Lapp estimates that the USSR will not have one thousand deliverable warheads until 1976, that is, 7 years later than the British estimate. He writes about the concern, which is very real, that the USSR will acquire a first strike capability—the Safeguard system now widely discussed is intended to prevent such a capability. Let me draw attention to a few other points of his considerations. He estimates that the USSR will need, on the average, 1.1 warheads to destroy one of our Minutemen; and you realize that, as long as our Minutemen remain undefended, this means that 1.1 warheads of the USSR can destroy in a first strike 3 of our warheads. This is certainly a reasonable estimate; it may be optimistic. However, he then accuses the USSR planners with the unbelievable stupidity to target two of their missiles at each Minuteman site, that is, to send a second missile at a site which has already been destroyed with a 90 per cent probability. He assumes that they will do this in preference to shooting at an untouched site. This, of course, is entirely absurd. What I find even more regrettable (to use Cornell President Perkins' words) is that Lapp talks only about the Russian SS–9 and never mentions the SS–11, of which the USSR now possesses about three times more than it has SS–9. It used to be my hope that responsible statements are not misled by such errors.

I have spoken, perhaps too much, about an erroneous, and even misleading statement, but it is most perturbing to me how many such statements are floating around and are given credence. I always considered Dr. Lapp to be a person of high repute and this is why I illustrated my concern with the misinformation disseminated by his paper. It is more important, however, to discuss what is the significance of the three measures: total explosive power, area coverage, number of warheads.

I shall begin with the significance of the number of warheads. As the preceding discussion shows, this may be decisive for a first strike which should abolish the opponent's retaliatory power. High accuracy has to go hand-in-hand with it, particularly if the missile sites to be destroyed are hardened—as are both the U.S. and the USSR targets. However, the U.S. certainly does not plan such a first strike, and the number of warheads we possess is, therefore, not a measure of our military strength.

How about total explosive power? We have between 16 and 25 percent of that of the USSR. I must hope, therefore, that this is not of decisive importance either. I would have more justification for this hope if we had at least adequate fallout shelters for everyone, but fallout shelters are opposed just as much, or even more, than is ballistic missile defense. It may not be news to many of you that I would, in fact, prefer civil defense to ballistic missile defense if I had to choose only one, but until recently, the Defense Department has been even more concerned about opposition to civil defense than about opposition to ABM. However, as the preceding discussion indicates, at least fallout shelters are a necessity if we do not want the total deliverable explosive power, of which the USSR has about 5 times more than we do, to have decisive importance.

As for area coverage this might become the decisive factor if we have at least fallout shelters in area coverage we are only 20 to 30 per cent behind the USSR and this would be to some degree reassuring if the defense of the USSR were not much superior to ours. However, before turning to this subject, I should make one further remark. Some will consider the comparison of the U.S. and USSR strengths irrelevant because, they say, both parties have so much overkill that the relative strengths matter little. They say that, even if it were true that the USSR can kill all of us eight times whereas we can kill all of them only three times, this would have little significance. Fortunately, or unfortunately, this argument is not valid. The defensive measures which the USSR has instituted, and is in the course of instituting, have so drastically reduce the fatalities which we can inflict on their people that it is ridiculous by now to speak about an overkill on our part. This is what I shall discuss next. Since we are, in this regard, far behind the USSR, the increase in the effectiveness of defensive measures should perhaps not please me. It does, nevertheless, because the increased power and effectiveness of the defense—both that of the USSR and of this country—promises a more relaxed (that is, less tense) international atmosphere and all of us are surely in need of that. I will discuss this in more detail at the end of my address.

THE RISING POWER OF DEFENSE

The first question that I should discuss here is the effectiveness of the so-called Safeguard system and, more generally, of ballistic missile defense. This is a highly technical question and very difficult to discuss. As Professor Bethe quoted former Defense Secretary McNamara: "It is important to understand that none of the ABM systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States."

Naturally, one must agree with this. There is no impenetrable defense, as there is no irresistible offense. A somewhat penetrable defense may nevertheless be very useful, as was also the armor on our battleships, the cover on the shelters in Hanoi, and one could give an infinity of examples.

That even a missile defense which the opponents of *our* defense consider very primitive, that even such a defense can be very effective was demonstrated somewhat unintentionally by Secretary Nitze. I am referring to a non-provocative missile defense—that of the USSR. According to the Congressional testimony of Secretary Nitze, it prompts us to replace the 10 Mt warhead of our Titan missiles by 10 warheads, 50 kt each. This is a reduction of the total explosive power by a factor 20, of the area coverage to 29 per cent of its earlier value. I have been told that the multiple warheads have not yet been installed—partly for technical reasons, conceivably also for other reasons. The fact that our contemplated response to the very primitive ABM of the USSR involves such a reduction in the effectiveness of one of our weapons certainly proves that the mere existence of some ballistic missile defense can provide a high degree of reduction of the damage that the opponent can inflict. One can say, in fact, that the ABM deployment by the USSR has resulted in the most significant limitation of effective armaments that has been achieved so far.

The reduction of our total power by the Russian ABM was not very great because the changes contemplated for the other missiles are less significant than those planned for the Titans. This is because the other missiles were to carry much smaller warheads to begin with. However, most missiles of the USSR have very large warheads and if these were to be modified in the way Secretary Nitze said the Titan missiles are modified, the gain would be, indeed, enormous.

I do not want to deny that Dr. Bethe's discussion of the problems of an effective ballistic missile defense is quite valid. ABM does not provide an impenetrable shield, and the total effectiveness of the shield cannot be foreseen with accuracy. I will not enter a detailed technical discussion, partly because such a discussion would be of little interest to most of the audience, partly because Dr. Bethe would have little opportunity to answer, and partly because I painfully remember a discussion with Professor Bohr about the feasibility of a nuclear chain reaction. He convinced most in his audience that the reaction cannot be established, and did this with very sound reasons.

As I understand Professor Bethe's points, he questions mainly the effectiveness of the area defense, and I concur with him that the hard point defense is simpler and its effectiveness is more easily demonstrable. At the end of his Congressional testimony, Professor Bethe said, "A completely different concept of ABM is to deploy it around Minuteman silos and at command and control centers. This application has gone in and out of Defense Department planning. I am in favor of such a scheme."

The testimony was given before the decision to replace the Sentinel by the Safeguard system and the passage just quoted sounds like an endorsement of the Safeguard system. The passage may, indeed, have influenced the decision to modify the Sentinel into the Safeguard. For this reason, I expected, when writing this address, that Dr. Bethe would endorse the Safeguard. I regret to say that I cannot go along with him in this because I consider our people our greatest asset and their protection imperative—and also, to a very considerable extent, possible.

The greatest progress that the Soviet Union has made toward defense does not lie, however, in the area of antiballistic missiles. It lies in its renewed emphasis and energetic progress toward civil defense.

My assessment of the civil defense in the USSR is based on a rather thorough study of the Soviet literature on the subject undertaken by Mrs. Levey of Oak Ridge Nat'l Labatory and myself. The Russian literature seems quite open and frank, telling about the shortcomings of the arrangements as well as about its accomplishments. It leaves no doubt in the mind of the reader what the objectives are. Even if they are not yet fully accomplished—and quite likely they are not yet—there is no question that they can be reached and that there can be no opposition to them in the USSR.

Most of the decrease in the number of casualties which we can inflict on the people of the USSR is due to their civil defense arrangements.

To avoid misunderstandings, I quite agree with Kosygin and do not consider the defense of the people to be objectionable or, as it is often put when our own defense measures are considered, provocative. Of the two civil defense measures which the USSR is now implementing with great vigor, I consider the first, the instruction and training of the people, worth emulating. This training appears to be quite thorough. Grade school children are taught how to use individual means of protection, to take cover in shelters, and how to conduct themselves when they get there. Older children (in grades seven through nine) are taught rescue work and first aid along with methods of protection. Farm children are taught how to protect cattle, forage, food and water supplies as well as themselves. Factory employees learn rescue and reclamation operations and ways of reducing the vulnerability of their shops. All Russians are trained to identify and make the appropriate response to the seven warning signals. The schedule in each of the fifth, sixth and seventh grades allots 15 hours to the teaching of civil defense techniques; and the details of the program are well thought out and commendable. I only wish we would emulate this part of the program.

What I find frightening is their very elaborate plans for the evacuation of their cities. These go into the minutest details. When, in the course of a study, the so-called Little Harbor Study, evacuation of the cities was considered as a possible defense measure, all members objected on the basis that evacuation can be effective only if it is ordered well ahead of the inception of the hostilities. We felt, therefore, that it is useful only as an aggressive move, as an introduction to the initiation of a crisis, or of an attack. Even though, I believe, all the participants in the Little Harbor study were, or became in the course of the study, supporters of an expanded civil defense effort, they all felt that the planning of evacuation is not a proper means toward this, just because it is useful only to the initiator of the conflict. Evacuation is, however, the measure which is now at the center of the Soviet program. It may be, one day, terribly effective. It is true that the evacuation cannot be carried out in secrecy; it is equally true that we could do nothing even if we knew that it was being carried out.

How much would the evacuation of the major cities of the USSR reduce the fatalities in a thermonuclear exchange? We have made tolerably accurate calculations on this; let me give only a crude picture. Moscow and its surroundings have a population of about 6½ million. If these are spread over a circle of 50 radius, the density of people would become 850 per square mile. With the area coverage of our missiles as given in the first slide I showed, we could cover the territory occupied by about 9½ million people with a blast wave of 15 psi overpressure. This assumes the usual attrition rate of 113 and that we use all our missiles, without exception, for this purpose—an unlikely assumption indeed. The midlethal pressure, from lung damage, is much higher than 15 psi, but considering everything 15 psi is a reasonable value. It disregards any damage which an enemy first strike may inflict on our retaliatory force and also the sheltering which their subways provide.

Hence, the actual fatalities would be a good deal below the 9½ million I quoted. Certainly, under no likely circumstances of a conflict can one reasonably speak about overkill on our part.

I spoke about the subways in Moscow, Leningrad, Kiev, Tbilisi, and Baku, and the next slide shows the construction of the subway in one of the satellite capitals. The structure you see is almost exactly the type we are proposing as blast shelters for our own cities. Blast shelters, particularly those planned by us, can be occupied on short notice. They are suited for defense, not only as a prelude to aggression.

I believe I have illustrated my point of the ascendancy of defense, in particular also civil defense, amply. I find it very disturbing that we are so far behind the USSR in recognizing this ascendancy. I will now come to my last point: the conclusions I am inclined to draw from the facts. I will try to be very brief in this.

CONCLUSIONS

It is not pleasant to have to admit the weakness of our defenses. It is even less pleasant to admit that we are slower than necessary in affording a proper role to the protection of our people and their values and continue to rely solely on retaliation—that is, the threat of revenge. I feel, however, that in this last regard the blame falls heavily on the intellectual community, part of which has a spontaneous revulsion against all innovations in the defense structure, be these for the better or the worse.

I myself consider the possibility of strengthening the true defense, that is, the possibility to protect our people and our installations, one of the most favorable developments that have taken place in the last twenty years. The possibility of mutual annihilation appears to me a most unhappy state of affairs and, if I may repeat myself, I said so in 1944 in a memorandum submitted to the leaders of the Manhattan Project. The U.S. will not start a conflict and, if an enemy destroys our country, what good does it do us to take revenge and destroy his? At the very best, retaliation makes sense only as a threat to deter the enemy attack. But it is not even a very plausible threat because the enemy knows that it would be purposeless to carry it out. The damage that the mutual ability to destroy the other does to mutual good will need not be enlarged upon. I do therefore advocate, and have advocated for some time, a more defense-oriented strategy. I am in favor of not only the ABM but of further measures of defense, including civil defense but excluding preparations for evacuation.

The argument that any innovation on our part will provoke the USSR military is not new to me. My opinion, however, is the opposite. It is difficult to imagine anything more provocative than not to respond to the very rapid increase of the military and defensive might of the USSR. Such lack of response would dangle before the eyes of the more adventurous elements in the USSR the temptation first to shear the United States of discernible influence in international affairs, and then to go on to much more drastic encroachments on our way of life. One may suggest the status of Czechoslovakia or Hungary. It is not pleasant to remember or to remind others of such fateful words as those of Marshal Sokolovski who said "The war will naturally end in the victory for the progressive social-economic system over the reactionary capitalist socio-economic system which is historically doomed to destruction. The guarantee for such an outcome of the war is the real balance between the political, economic and military forces of the two systems which has changed in favor of the socialist camp. However, victory in a future war will not come by itself. It must be thoroughly prepared for and assured. "Do we want to support people with this attitude in the USSR by making their goals attainable?"

No, we must not dangle a temptation in front of the eyes of dictators or their military.

Second, it seems to me that defense measures undertaken on our part will help, rather than hinder, disarmament and accommodation negotiations with the USSR. The leaders of that country are not afraid of their own weapons—why should they make any concession if our armaments are stopped anyway? Could Hungary or Czechoslovakia conduct disarmament negotiations with the USSR successfully even if the U.S. did not exist? If, in the words of Ernest Bevin, we enter the negotiations naked, we will leave them naked.

Third, I do not believe that defensive measures are provocative under any conditions. Whether the opponents of ABM among us agree with this is not very important—they are not the ones who might be provoked. As for the USSR leadership, we have Premier Kosygin's words: he said, "It seems to me that defensive measures do not accelerate the arms race."

The same point of view was expressed even more strongly around 1963–64 in the magazines of the USSR. The discussion in these magazines expressed bewilderment that the United States did not take protective measures. They wondered: do they want to strike first? One could almost claim that the absence of true defense is considered provocative by the USSR. To avoid misunderstandings, let me repeat that I do not consider preparations for evacuation to be part of true defense.

Finally, let me consider the effect of a successful opposition to ABM on our own people and our own defense establishment. Doing nothing in the face of the by now alarming USSR military buildup would give the impression that the leadership of the country does not consider defense to be important. This would make it difficult for all of us to make sacrifices for our defense. And, let us not fool ourselves, such sacrifices will continue to be needed in the future. The effect on the military would be even worse. Not only would their plans be almost hopelessly dislocated; they would feel alienated, repudiated, and discouraged. And this is the last thing that we want. The path to peace is not an easy one; it will continue to require sacrifice, devotion, willingness to adopt to changed circumstances, and an open mind. I hope we have all these.

THE HIGH COST OF DEFENSE

Mr. GOLDWATER. Mr. President, in recent weeks it has been my duty to address the Members of this body in an attempt to bring some perspective and reason to the on-going debate over the alleged influence of a so-called military-industrial complex in this country. On April 15, as may be recalled, I discussed the make-up of this complex at some length and pointed out that many of the questionable aspects involving this Nation's military establishment have been the work of civilians—the work of a "civilian complex" as opposed to the alleged "military-industrial complex."

There can be little doubt that much of the concern throughout this country has been justifiably aroused by skyrocketing defense costs. Much of the criticism of the military-industry complex and many of the charges that this complex has too much power and influence have arisen from this concern. But to say that a gigantic, mutually gratifying military-industrial complex is the cause of our mounting defense costs is too pat an answer. It has a nice rhetorical ring to it, but it does not necessarily ring with truth. My intention is to examine today the question of rising defense expenditures and where the responsibility of this Congress resides in that connection.

Mr. President, it has been stated repeatedly—and I might say headlined in the newspapers on each occasion—that defense expenditures have gotten out of hand and that the military costs of maintaining an adequate defense establishment are out of control. I believe this is a rank exaggeration, but I believe there is cause for concern in the present level of our defense expenditures. First, let me address myself to the greatest underlying cause of these skyrocketing military costs and my reference, of course, is to the runaway inflation which the Kennedy-Johnson years have saddled us with through gross extravagance in the area of public expenditure. The increases in public spending brought on by new and expanded frills of government, some of them promoted in the name of the New Frontier and many of them in the name of a Great Society, or a war on poverty, have fed the fires of inflation week by week until now the price structure for even the essentials of life is beginning to be mountainous. If the defense expenditures of this country are getting out of hand, they are doing so no more quickly than the Nation's welfare expenditures. Under the auspices of the Johnson administration, the price of everything has gotten out of hand when compared with previous levels. If anyone does not believe me, take a look. Hospital costs are getting out of hand, housing costs are getting out of hand, food costs are getting out of hand, clothing costs are getting out of hand.

How, in an age of runaway inflation, built on 8 years of official Government policy, can we make a special case out of the fact that defense costs are rising, and impute to that fact the hazy idea that there is some kind of conspiracy between the military establishment and the industries which supply its needs?

But this is not all, Mr. President, there are other reasons for the present high level of defense expenditures. Please understand me well. I am not about to deny that there is waste, inefficiency, and extravagance in our military procurement system. These elements are bound to exist in any operation as huge as the one that incorporates the defense of the United States of America and its commitments throughout the world. That, of course, does not make them right. I believe that every possible effort must be exerted to reduce these negative cost factors so that the American people can be given the very best and the very most that their defense dollar can buy.

Be this as it may, I suggest that the policies of the civilian complex, headed by former Secretary of Defense Robert McNamara, Deputy Secretary of Defense Roswell Gilpatric, together with their squadrons of "whiz kids" and scientific computer experts, have caused the level of this inefficiency and waste to rise far above acceptable levels. Indeed, the deficiencies of this civilian cadre over the past 8 years can be measured in terms of billions of dollars lost to the American taxpayers.

The irony is in the fact that these faulty practices and policies are coming home to roost after their perpetrators have departed from the public scene. Indeed, to hear some people talk of defense expenditures—particularly when mentioned in connection with the proposed ABM Safeguard system—one would think that the present cost of defense in this country was the sole work of President Nixon and Secretary of Defense Melvin Laird. It should be thoroughly understood in our considerations of defense policies that the present administration is striving mightily to bring some order out of years of chaos. It should be understood that the President and Secretary Laird and their respective helpers cannot overnight make sense out of a near decade of waste, mismanagement and inefficiency in the Pentagon. There is no telling how long it may take to overcome civilian decisions which canceled out major weapons systems programs at a cost of billions of dollars.

Mr. President, let me interject that one of the purposes of my making these remarks today is to make amply sure that this boondoggle, which has been going on in the Pentagon for the past 8 years, is not pinned onto the tail of the elephant. In other words, I do not want my party to wind up being blamed for the mistakes which have been going on for the past 8 years.

Mr. MURPHY. Mr. President, will the Senator from Arizona yield for a question?

Mr. GOLDWATER. I am happy to yield to the Senator from California.

Mr. MURPHY. I know that the Senator is a general in the Air Force and has had much experience, as well as having served in this Chamber for many years. In his whole experience, has there ever been so much waste comparable to the infamous TFX scandal that so quickly disappeared?

Mr. GOLDWATER. If the Senator is picking out one example, I would have to say that we have never had an example so bad. Unfortunately, though, since the Air Force has had control over modifying the aircraft, it is turning into an acceptable type of aircraft. It is not what the Air Force would like to have had, but at least it will fly and will perform its mission.

Mr. MURPHY. Is it not true that the actual cost of the contract, from all the evidence I can find, was made over the objections of military experts, that the aircraft was commissioned at the outset against the objections of many military experts, and the aircraft has cost, I would say, roughly three times the proposed cost and was at least 1 year late in delivery through no fault of the military but rather through the fault of the civilians involved?

Mr. GOLDWATER. The Senator is exactly correct. I remember that when I was previously a Member of this body, at the time the weapons design and weapons control board, consisting of scientists, academicians, and military people—people interested in the development of weapons—about 200 in number, if my memory serves me correctly, all preferred the lowest bidder, which was another aircraft company, one man—Secretary of Defense McNamara—made the decision. No military man—not some military men—no military man concurred in that decision, I will say.

Mr. MURPHY. I am very glad to have that clear and unmistakable answer from the Senator from Arizona.

One further question with regard to some of the confusion: Is it not the opinion of the distinguished Senator that, aside from the emotional objections shall we say, or scientific objections, so-called, to the ABM system which have been advocated by the President, the actual cost under the program as suggested has been greatly exaggerated?

I speak to the point that, as of today, I was asked on a television show what the cost would be and I stated that most of the scientists and most of the objectors, and even those who violently object to the ABM system as proposed by the President, all seem to recommend that research and development continue. I further pointed out that the only difference in cost between continuing the present rate of research and development and the cost of deployment, would be a matter of less than $400 million. Is that not correct, I ask the Senator?

Mr. GOLDWATER. The Senator is correct, if he approaches it from one side, but if we go in the other direction, it would be $750 million. The present Safeguard system will cost 50 percent of what the thin system proposed by former Defense Secretary McNamara and President Johnson would cost.

Mr. MURPHY. Is it not also true that in the event the President of the United States, in the upcoming arm talks with the Sovets, meets with success, this program can be stopped at any time?

Mr. GOLDWATER. Yes.

Mr. MURPHY. Does it not also provide, even if we continued that at the end of each year, that the commitment would be reassessed and long looks and careful study made to decide whether to continue, to improve, or to go in a different direction?

Mr. GOLDWATER. Under Secretary of Defense Laird, all programs such as the ABM will be looked on in the manner the Senator from California has described.

The present Safeguard system today is a research and development type of program. I will not stand here and categorically state that the Safeguard system will be the one that we will ultimately deploy in 1975 or 1976; but if it is stopped now, as some Senators would like to have done, if we stop research and development, then I think the answer would be the one which Dr. Foster gave me to my question to him, "What would we do in 1975 if we suddenly discovered that we had to have an ABM system without these 5 or 6 years of research and development?" I asked him, further, how long it would take him to put one together.

He replied, "I would guess 5 years—maybe a few months less, but the dangerous thing would be, really, that I could not say it would work."

As to those scientists who have said that our present Safeguard system will not work, I have yet to hear from one of them, or to read any testimony from one of them who will say why it will not work.

For the first time in my life, experienced scientists do not seem to want to say why, but go off on some wild hunt and say, "It will not work."

In my questions, when I ask, "Why will it not work? Why can we not improve it?" the answer comes back, "What would you suggest we do?" They further reply, "Do not do anything."

The scientists who back the ABM system are equally as eminent, and no more numerous, but they will give detailed information as to why they think it will work, and why it is a good carryon until we finally get something we can depend upon.

Mr. MURPHY. I had the good fortune to spend some time the other evening with Dr. Teller, whose reputation, background, and excellent accomplishments are above question. Dr. Teller, in answer to a question I made to him, replied very simply, "This is the best possible system available at the moment and unless we deploy and build a prototype, we will never be able completely to finish the research and development."

He also pointed out that the Russians had had the experience of deployment for some years, and in this area they are far ahead of us. I believe the Senator will agree with me that, under the conditions existing, this is no time to send the President to negotiate from a position of weakness. That has never worked. I think we should do everything possible to give him all the strength we can before he goes to negotiate.

I thank the Senator for yielding.

Mr. GOLDWATER. Sending the President or any of his representatives to negotiate from a position of weakness is like calling a card player who has a full house or four aces. One is not particularly intelligent when he does that. This whole problem is going to be developed on the floor of the Senate as we go along. I look forward to speaking on it when the occasion arises.

It is strange that the very scientists and some Members of this body who were for the Test Ban Treaty are now opposed to the ABM. One of the few reasons the scientists will give is that it cannot be tested. That is one reason why I voted against the Test Ban Treaty. We did not have the experience which the Russians had from their very high megaton tests in the air. Some persons, including Professor Wiesner and the rest of them, have opposed anything that would improve this country's military posture.

Mr. MURPHY. I have been told that Professor Wiesner, who has been greatly publicized—I have not had the privilege of knowing him, but I have been told this—opposed the B–52, the B–58, the Atlas missile, the Titan missile, the nuclear submarine, the Poseidon submarine. That would seem to indicate he is a believer in unilateral disarmament.

I certainly do not think the American public believes, at this particular time in history, that this is the time for the United States to be unilaterally disarmed.

I opposed the Nonproliferation Treaty because I thought it was no treaty; that it was a hopeful piece of paper—the same routine I have watched for 30 years. Let America take the first step, and then hope that Russia will fall in line—which never happens. We take one step backward, and they take two steps in our direction, it seems. At the end of the vote on the Nonproliferation Treaty, I recall that one Senator said he hoped that that vote would indicate to the President what the feeling of this Chamber was with regard to the ABM. I thought at that time that those two matters were not connected, but I have thought about his statement at great length since. I am afraid that what he was talking about was disarmament.

I hope the Senator from Arizona agrees with me that if those people want to talk disarmament, they will talk disarmament on solid, honest facts, not on devious assumptions which one day may confront this country in a situation in which we will be at the mercy of any nation which might decide to bring about a change in our system of government or the destruction of our system.

I thank the Senator for yielding.

Mr. GOLDWATER. I thank the Senator from California.

Mr. President, just to go back, so we can get into the context again, there is no telling how long it may take to overcome civilian decisions which canceled out major weapons systems programs at a cost of billions of dollars.

Let me run down just a few of these programs I have mentioned, and at a later date we will debate them further:

The Skybolt program was canceled by the Secretary of Defense in December of 1962 after an expenditure of $414,750,000—a decision, I may say, that was very influential in causing the Royal Air Force almost to disintegrate. Many of their programs were canceled as a result.

The Dyna-Soar program was canceled by the Secretary of Defense in December 1963 after an expenditure of $409,828,000.

The B–70 program was terminated as a weapons systems development in 1961 after an expenditure of $1,468,100,000.

The mobile midrange ballistic missile—MMRBM—program was canceled in August 1964 because of insufficient funds to proceed with development. That was after a total of $64,700,000 had been expended.

The F12 program was terminated in January 1968 after the expenditure of $303,000,000.

I may inject that the F12 was the only fighter interceptor we had in the program—we do not have it yet today; they are all in mothballs—that was a mach 3 aircraft. The Russians have at least two in their inventory in the mach 3 class. The closest we can get to it is about mach 2.3, and that is pushing the state of the art considerably.

Mr. President, these are just a few of the expenditures which went for nothing in the Department of Defense under the policies of the previous administration. I can only ask Senators to allow for inflation and try to imagine how much it would cost us to resume any of these canceled systems should world situations make that necessary.

Who was responsible for these decisions? Not the man in uniform—and I am not saying that the man in uniform should be responsible or have the responsibility. We have the constitutional concept of the civilian man being over the military man. I think it is important to keep that constitutional authority that way, and we should not disturb it. But the man in uniform, I believe, has a more sacred feeling as to what happens than many of our people who wear civilian clothes.

This morning I asked Mr. Whittaker, whose nomination was being considered by the Committee on Armed Services to be Assistant Secretary of the Air Force, who has this responsibility. He was not able to give the answer, because he has not served there. He said he would submit a paper illustrating where the responsibility was. I can only reach the conclusion, prior to receiving the paper, that it is a civilian responsibility, and not a military one.

I may be criticized for defending the man in the military, the man in uniform, but I shall continue to do it because we have trained him, we have encouraged him to go to school, and we have hired him, because of his know-how, to do a certain job. I know of no training course that prepares one to be a Senator, but I know there are many training courses for those in our military establishment, and I would rather abide by the decisions of the military, mixed with civilian ideas, than depend entirely upon the civilians.

I can only tell Senators that when they add these kinds of decisions to the multibillion dollar disaster which McNamara's TFX war plane program cost, they begin to get some idea of how costly the last decade has been. And this, of course, does not include the items like bungling on the M16 rifle contract and the pouring of more than $200,000,000 into a conventional aircraft carrier—the *John F. Kennedy*—in an age of nuclear-powered aircraft carriers. Nor does it take in such items as the civilian decision to purchase the "second best" X–22 vertical takeoff and landing plane from the highest bidders. There can be little doubt, Mr. President, that the past policies of Defense Secretary McNamara have saddled this Nation with a tremendous level of defense expenditures. Today all prices are inflated, and this applies to those for military equipment and the machinery for defense.

And because of this, Mr. President, I believe that the responsibility of Congress to keep a watchful eye on defense contracts is most important. However, this task, I understand, is being grossly complicated by another development that took place during the McNamara era, and for which I am indebted to the Washington Post for some of the details. It seems, Mr. President, that the Defense Department was granted a special immunity from an independent scrutiny of its billions of dollars of spending during the McNamara years. The General Accounting Office which has long been regarded as the "congressional watchdog" of governmental expenditures quietly changed its approach to the Pentagon's multibillion dollar contracts 3 years ago.

Now, according to the Washington Post of April 1, the GAO no longer concentrates on hunting down overcharges by arms contractors. It now leaves this task largely to the Pentagon's own auditing arm, the Defense Contract Audit Agency. I suggest that the Department of Defense—especially when it was being operated by McNamara and his "cost-defectiveness" policy—should be the last agency in the Government to be permitted to audit itself.

So we have a situation here where an arrogant civilian complex operated the largest establishment in the world without the usual safeguard of an independent auditing. While I realize that General Accounting officials have insisted that it has not been completely "defanged" by the Pentagon, the fact remains that GAO's influence in the Defense Department has been reduced to an agency which reviews the work of another auditing department.

I believe that these facts may shed new light on the whole idea of what is behind the high cost of maintaining today's defense establishment. The first villain in this piece is the Kennedy-Johnson inflation and the second is the faulty planning, the wasteful decisions and thorough-going incompetence of the civilian complex in the defense establishment under Secretary McNamara.

In conclusion, let me underscore again my deep concern over the irresponsibility being shown by outspoken critics of our military system at this present time in history. Better authorities than I have testified fully and in great detail about the tremendous and rising power of the Soviet Union in all areas of offensive and defensive weaponry. Russian ships are increasing in number and extending the area under their operations over more and more of the earth's ocean surface. Her conventional arms, including tanks, fighter planes, mobile units, and so forth are growing by leaps and bounds. With the help of the Arab nations, Soviet arms are stockpiling high throughout the tense and explosive Middle East. The Institute for Strategic Studies in Britain, that independent and highly authoritative watchdog agency, tells a grim tale about the growing deliverable capacity of the Soviet Union's nuclear weapons. The Russian missile defense system has been abuilding for 5 years and now is in an advanced stage of deployment. There can be no doubt that the Soviet arms as well as her intentions are growing and menacing. I do not believe that their activities and their attitudes automatically foreclose the possibility of arms limitation talks with the United States. I hope they do not. I hope we can negotiate and perhaps come up with a miracle—a meaningful arms limitations treaty with the Russians that incorporates the safeguard of effective and repeated inspection procedures.

However, I believe we must face the facts that the chances of such an agreement, on the basis of past experience, are exceedingly slim. Consequently, commonsense dictates that we look to our defenses and heed the advice of that late, great soldier and statesman, Dwight David Eisenhower, and make sure that our strength is unimpaired. Certainly, this is one of the very worst times in our history for a broad gage, irresponsible attack on the very institutions of our protection and security.

Mr. President, in closing, I feel that I must comment on a very disturbing item I saw in the newspaper a few days ago. It is about Willy Messerschmidt, of World War II fame, whose ME–109 set a world propeller-driven record in 1934 or 1935 that has never been exceeded. It rather hurt me to see that the NATO forces felt they had to turn to Mr. Messerschmidt to make for NATO a modern superior fighter plane. Why, I wondered, have our great designers in this country been overlooked?

I suggest that they have been overlooked because they have not been allowed, through research and development, to carry on in this field in which we were once predominant. I shudder to think what the world aircraft market is going to be with Mr. Messerschmidt making fighters that, in all probability, are superior to the capabilities of our own, unless our industry is given the opportunity to develop.

Mr. President, I ask unanimous consent to have printed in the Record several articles dealing with the subject of my talk. They were written by Mr. Clark Mollenhoff and published in the Des Moines Register of April 3 and April 13, 1969.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Des Moines (Iowa) Register, Apr. 3, 1969]

HINT "FALSE TESTIMONY" BY McNAMARA—SECRET DOCUMENTS OF PENTAGON BARED

(By Clark Mollenhoff)

Washington, D.C.—The Defense Department has delivered formerly secret documents to the McClellan Permanent Investigating subcommittee indicating former Defense Secretary Robert S. McNamara gave false and misleading testimony before Congress on the TFX contract.

The documents are transcripts of dozens of meetings at the Pentagon attended by McNamara as he sought to correct deficiencies in all three versions of the TFX.

KNEW OF THEM

The transcripts show that McNamara knew of serious deficiencies in all three versions while he was making public statements and giving testimony denying the deficiencies.

Also, records of the Senate Appropriations Committee show that McNamara in January, 1967, gave false and evasive testimony in even denying that he had arranged for regular meetings with General Dynamics Corp. officials and had been a participant in most of those meetings.

The transcripts show that McNamara attended most of those meetings in late 1966, and up to a few days prior to his appearance before the Senate Appropriations subcommittee on defense spending.

McNamara arranged the weekly meetings with top officials of General Dynamics, the contracting firm, in August, 1966, after it became apparent that the F–111B, the Navy version of the TFX, was underpowered and deficient in nearly every performance characteristic, and major performance deficiencies were apparent in the Air Force version, the F–111A, and the bomber version, the FB–111.

SERIOUS DOUBTS

In the secret sessions with General Dynamics officials and top-level civilian officials, McNamara expressed serious doubts about whether the various versions of the TFX would be able to perform the missions intended.

This was during a period when McNamara's public comments, his testimony, and the Pentagon press office were giving the most glowing reports on the TFX.

In the secret sessions, McNamara was talking about the "disgraceful" cost of the TFX as estimates increased from an estimated $2.8 million a plane to $5 million, $6 million and eventually more than $10 million.

Yet, in his testimony and in his public statements, McNamara indicated he did not know the cost increases, but said they were what he considered to be reasonable.

At the time of the Appropriations Committee hearing in January, 1967, Senator John L. McClellan (Dem., Ark.) was aware that McNamara, former Deputy Defense Secretary Cyrus Vance and other civilian subordinates were involved in regular meetings with General Dynamics officials to try to bring some order out of what was already being referred to as "McNamara's multi-billion-dollar blunder."

BOEING BID REJECTED

McNamara had overruled the unanimous recommendations of the Pentagon's top source selection board that had said the contract should be awarded to the Boeing Co. on the basis of a "superior" performance rating and a price that was lower by at least $400 million.

McClellan, a member of the Appropriations subcommittee on defense spending, questioned McNamara extensively over the reports that top Navy officers wanted to cancel the F–111B plane because of deficiencies, including the underpowered P–1 version of the TF–30 engine.

Through a long series of questions, McNamara indicated a lack of specific knowledge of the engine problem.

But the transcripts of the McNamara conferences indicated that he had gone over the engine problem in detail and knew that the P–1 was not satisfactory and that an expensive redesign of the F–111B would be necessary to accommodate the new high-powered P–12 engine.

LOCKED DOOR

Despite an assertion by McNamara that he would make records available, the McClellan subcommittee and the Appropriations Committee ran into a locked door in efforts to obtain any records of the discussions between McNamara and his subordinates and the General Dynamics officials.

Efforts were unsuccessful when McNamara held control of the Pentagon. He contended the records were administratively confidential. Clark Clifford continued to bar McClellan's access to the records after McNamara left office.

President Nixon promised McClellan complete co-operation in completing the TFX investigation, and Defense Secretary Marvin Laird delivered the transcripts of McNamara's TFX conferences and other records.

Congress has cut the funds for the F–111B, the Navy version, after receiving evidence that even after all of the work on a new engine and expensive design changes the plane still fell far below specifications.

The FB–111, the bomber version, has been cut back by Laird to less than 100 planes because the evidence showed the plane is inadequate to carry out the missions of the B–52 and the B–58—the planes it was supposed to replace.

COSTS SKYROCKET

The Defense Department is still moving forward with the F–111A, the Air Force version, despite inadequacies in performance, and skyrocketing costs, and a crash record that has been spectacular.

The Air Force reasons that there is no alternative to the F–111A at this time, and that even an inadequate and expensive plane is better than no plane. However, defense officials are moving quickly to try to get another Air Force plane into development.

[From the Des Moines (Iowa) Register, Apr. 13, 1969]

A DECADE OF ARMS BLUNDERS—NOW THEY'RE AN ISSUE IN ABM DEBATE—FOES EMPHASIZE PAST FAILURES

(By Clark Mollenhoff)

Washington, D.C.—A decade of documented cases of waste, mismanagement and corruption at the Pentagon is plaguing the Nixon administration as it faces the first major political test on the Safeguard anti-ballistic missile ABM program.

While the United States has constructed and maintained what many call "the most formidable military machine in history," the reports of Congress have documented a decade of multi-billion-dollar blunders that have suddenly become the targets of dozens of major political figures.

The new focus of attention on the "military-industrial complex" is creating alarm in the highest circles in the Nixon administration.

At the White House, at the Pentagon, and in Congress there is real concern that a flaming reaction against instances of Pentagon blunderings and mismanagement under the last two administrations could create serious problems in obtaining public and congressional support for funds the administration feels are necessary to meet American military commitments.

That concern became alarm in the last week, with the highest level White House and Pentagon personnel giving much of their time to the job of smothering the blaze of concern that could seriously harm President Nixon's political future.

Republicans fear that the new President could be the political fall guy for past Pentagon blunders.

Reaction against the millitary-industrial complex has included speeches by such political figures as Senator Edward M. Kennedy (Dem., Mass.), Senator Edmund S. Muskie (Dem., Maine), Senator George McGovern (Dem., S.D.) and former Vice-President Hubert Humphrey.

The reaction is growing in an inflammable atmosphere of frustration resulting from the high costs and casualties of the long and inconclusive Vietnam war and from new instances of scandalous military buying practices.

"A $1-BILLION BOO-BOO"

Within the last few months there have been new hearings and reports that have revealed that the Army made what Representative Samuel Stratton (Dem., N.Y.) called a "billion-dollar boo-boo" in construction of the Sheridan tank and its Shillelagh missile and 152-mm. gun-launcher.

The blunder continued for nearly 10 years with high ranking army officers using a secrecy stamp to hide their fumbling from Congress. Correspondence established that even when the lack of reliability of the tank and missile system were obvious to a command using them, the officers put the tank into a production schedule to avoid the possibility of having the budget cut.

The waste in this case has been estimated at $1.5 billion as a minimum, with some saying it could reach $5 billion. The blame in this case is almost all with high Army officers who continued to pour funds into a pet project in the face of plentiful evidence that it was a failure.

Likewise, there were high ranking Army officers at fault along with political appointees in the waste of more than $40 million on contracts for the M–16 rifle.

Under former Defense Secretary Robert McNamara, the Pentagon awarded a contract for 240,000 M–16 high-velocity rifles to the Hydra-Matic Division of General Motors for $56 million—a full $20 million more than the $36 million bid of the Maremount Corp. of Saco, Maine.

Other bungling on the M–16 contract included the initial single-source award to the Colt Manufacturing Co. that permitted that firm to make profits of from 13.4 per cent to 19.6 per cent on a negotiated contract.

CONFLICT OF INTEREST

A Senate armed services subcommittee saw a "conflict of interest" problem for former Navy Secretary Fred Korth in the purchase of the X–22 vertical take-off and landing plane from the Bell Corp. Korth, a former director of Bell, couldn't get his own subordinates to award the contract so he turned it over to his superior, Deputy Defense Secretary Roswell Gilpatric.

Gilpatric then consulted with Korth, and made the decision to overrule recommendations for Douglas Aircraft, according to the committee report.

The result was that Bell got the contract despite the views of highest ranking Navy officers that Douglas had the best plane, and at a price that was at least $350,000 to $1 million lower than Bell's.

It took a threat of public hearings by Senator John McClellan's (Dem., Ark.) permanent investigating subcommittee to stop Air Force Secretary Harold Brown, one of the so-called McNamara Whiz Kids, from awarding a $60 million computer contract to the high bidder, IBM. All three other competing firms, RCA, Honeywell and Burroughs—were well qualified and had bid about half of IBM's bid on this $120 million contract.

The Joint Committee on Atomic Energy in several unanimous reports criticized McNamara for pouring more than $200 million into a conventional aircraft carrier, the John F. Kennedy, rather than into a nuclear-powered carrier. The committee charged that the John F. Kennedy was obsolete in a nuclear age.

TFX CONTROVERSY

Senator McClellan has dubbed the TFX warplane "a multi-million-dollar disaster." After waste of $1 billion or more, the Navy version, the F–111B, was canceled as too heavy, too costly and inadequate to meet Navy mission requirements.

The bomber version is reported nearly as inadequate for its mission, and it has been sharply cut back. The plane has only 70 per cent of the range of present B–52s and B–58s, and failed to meet the bomb-load performance and speed criteria.

The Air Force is going ahead with purchase of F–111A planes because there is no alternative, despite the fact that the cost of the plane has jumped from $2.8 million to about $10 million each and does not meet original performance specifications.

Also, it was noted by such critics as Senator John J. Williams (Rep., Del.) and Representative H. R. Gross (Rep., Ia.) that there were serious "conflicts of interests" by two of McNamara's top subordinates—Deputy Secretary of Defense Gilpatric and Navy Secretary Korth.

Gilpatric, a former lawyer for General Dynamics, took a full role in making the TFX decisions for General Dynamics.

LOAN TO FIRM

Korth, former president of Continental National Bank of Fort Worth, Tex., counted General Dynamics among his bank's best customers. Only a few months before he became Navy secretary, Korth personally had approved a $400,000 loan to General Dynamics.

Senator Stuart Symington (Dem., Mo.), originally a defender of the TFX contract, now calls it a blunder and declares that all versions of the contract should be canceled to let the Air Force move into a long-sought Advanced Manned Weapons System—a long-range, high-speed, manned bomber.

Symington, a former secretary of the Air Force, has become a strong critic of a whole range of past decisions. He told the Senate that the U.S. has spent over $23 billion on missile systems deployed and then abandoned.

Senator William Proxmire (Dem., Wis.) has been critical of the cost overruns of about $2 million on the C–5A, the world's largest aircraft. That contract was a McNamara decision.

It has been pointed out by Senator Edward Kennedy that there have been studies of 13 major aircraft and missile programs that show "only four programs, totaling $5 billion, could be relied upon to perform at more than 75 per cent of their specifications."

"Five, costing $13 billion, failed 25 per cent more often than promised," Kennedy told the Detroit Economic Club last week. "Two, costing $10 billion, were dropped within three years because of low reliability; and two, after an outlay of $2 billion, were dropped outright because they performed so ineffectively.

"This same study revealed that complex electronic systems generally cost 200 to 300 per cent more than the Pentagon predicts, and are generally delivered to the military two years later than promised," Kennedy said.

CITIES NEED AID

Kennedy contrasted the waste at the Pentagon with the need for more billions for the poverty areas in American cities, and he pictured the "Safeguard" ABM as likely to be more of the same waste.

President Nixon and Defense Secretary Melvin Laird are concerned that they may appear to be defenders of the military-industrial complex with all of its worst implications of favoritism and impropriety.

The critics of Mr. Nixon's ABM decision lean heavily upon quotations from the late General Dwight D. Eisenhower warning that "We must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex."

White House officials say that those pushing for sharp cuts in the military budget seldom note that, in the same speech, General Eisenhower also said: "Our arms must be mighty, ready for instant action so that no potential aggressor may be tempted to risk his own destruction."

One high ranking military officer said last week that "The critics from the scientific and academic field seldom note that the Eisenhower warning on the military-industrial complex was coupled with a warning against becoming 'the captive of a scientific-technological elite.'"

These will be points that President Nixon and Defense Secretary Laird will stress as they campaign actively in the next few weeks for the $800 million in ABM funds they will need for next fiscal year as a part of the $7 billion ABM program planned.

NO SCHEDULE

White House Press Secretary Ronald Ziegler would give no schedule on President Nixon's campaign for the ABM nor for the $77 billion defense budget.

Laird also plans a major presentation before the American Society of Newspaper Editors (A.S.N.E.) late this week.

From the administration as well as from the Republicans in Congress there is expected to be a strong effort to point up that the series of scandals involving waste and corruption flow from the Kennedy and Johnson administrations.

Also, some special attention is expected to be given to Gilpatric, whose activities for General Dynamics and whose role in the TFX contract represent one of the documented problems of the "military-industrial complex."

He has turned up as a member of Kennedy's Ad Hoc Committee of New Yorkers Against ABM. This is regarded by the Nixon administration as a fortunate occurrence since it presents the possibility for dramatically planting the "military-industrial complex" label on one of those closest to a man they regard as the most likely Democratic candidate in 1972.

In the fight over the ABM and the defense budget, the Nixon administration will be supported by such influential Senate Democrats as Richard Russell (Dem., Ga.), chairman of the Senate Appropriations Committee, McClellan, and Henry M. Jackson (Dem., Wash.), a high-ranking member of the Senate Armed Services Committee as well as the Joint Committee on Atomic Energy.

The Nixon administration is seeking to keep the ABM and defense appropriations fights away from the past problems of waste, mismanagement and corruption in the last decade, and place the blame for those scandals on McNamara or the military or civilian subordinates who made the decisions.

"If the ABM fight is settled on its merits, I am sure the President can convince the people that this is only an advanced research and development project and it is the minimum we can do in the light of the Soviet's SS–9," a White House aide said last week.

MILLER'S VIEW

Senator Jack Miller (Rep., Ia.) said he is hopeful that the discussions of defense spending and the military-industrial complex "will be kept in perspective."

Miller declared that we need a great industrial complex to build today's weapons, and we need a well trained military corps to use them.

"The real point of concern is that this power be managed in such a way as to meet our security requirements without allowing it to lead to excesses and abuses—well-intentioned or otherwise—which jeopardize our society," he said.

He declared that much of the problem arises because "those with little or no experience with the military are often so overwhelmed by the immensity of our requirements as to feel helpless."

Miller said the U.S. cannot expect all right decisions by the military or civilian leaders in the Pentagon in dealing with highly sophisticated weapons systems. But he noted that Congress has provided a continuing review, has focused attention on the major blunders of the past, and has forced the Defense Department to correct some wrong decisions.

Representative Gross declared that "there are dangers inherent in having high ranking military officers being recruited for defense industry, and in having executives of defense industries working at the Pentagon.

"Congressional committees and the General Accounting Office must be constantly alert to the possible conflicts of interest. A few prosecutions by the Justice Department would straighten out much of the outright dishonesty in this area," Gross said.

Mr. ALLEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROBLEMS FACING THE ADMINISTRATION—VIETNAM

Mr. McGOVERN. Mr. President, I was unable to be present in the Chamber earlier today when the senior Senator from Vermont (Mr. AIKEN) spoke on the war in Vietnam; but I do want to add my commendation to what has already been said about this important speech by the senior Republican Member of this body, a man who has spoken thoughtfully and I think wisely on the issue of Vietnam for a number of years.

I especially endorse the Senator's conclusion, which I read on page 10 of his prepared text:

> So it is my belief that the United States would do well to advise the South Viet-

namese government immediately of our intentions and then start an orderly withdrawal of our military personnel, turning that country and that war back to its rightful owners.

It has seemed to me for many months that this is the proper course for the United States to follow, and I hope that this recommendation by the Senator from Vermont will be given the most careful possible consideration by our policymakers—the President, the Secretary of State, the Department of Defense, and others—who are forming American policy with reference to Southeast Asia.

I think it is fair to say that as time moves along, there will be increasing insistence on the part of the American people that, at long last, we bring this war to an end. It has been more than a year since former President Johnson made a statement, on March 31, 1968, indicating that he would not be a candidate for reelection, was devoting his full effort to bringing the war to an early conclusion, and that we were changing the military conduct of the war toward that end.

Since that time more than 12,000 young Americans have died. And I think that what is ahead are continued casualties with no apparent improvement in our position or in the position of the government of South Vietnam.

I welcome the thoughtful recommendation of the Senator from Vermont (Mr. AIKEN) and the statements of the other Senators who have spoken today. I expect to read their remarks in the RECORD tomorrow.

Apropos what I said of the growing urgency in the country about bringing the war to an end, I think it is highly significant that a few days ago some 250 college student presidents and editors across the country took what would seem to be an extreme and dramatic step when they announced that they could not be true to conscience and participate in the war. I think that is a far-reaching step. Without trying to advise any young man faced with the problem of participating in the war or suffering the legal consequences, one cannot escape an admiration for the courage of these young men who are willing to jeopardize their careers and undergo the criticism they will undoubtedly receive in some quarters for the action they have taken.

Mr. President, it was my privilege and pleasure to have a delegation of these young men call at my office yesterday. I was most impressed with their thoughtfulness and their genuine love for their country. It is because of the high ideals and hopes they hold for the United States and their beliefs in the fundamental concepts of our country that they have placed their convictions and consciences above what they believe to be the mistaken course our country is following in Southeast Asia.

I commend them for having the courage of their convictions and the willingness to follow their consciences no matter what the personal cost to them.

I think this is in the best tradition of true patriotism and true Americanism.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the full text of the statement made by the 250 college student presidents and editors including a letter they sent to President Nixon and the names and colleges of the young men involved. I urge all Senators who have not yet read the statement to read it in full.

I include the names of the young men and three coeds who accompanied them who visited with me in my office yesterday.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STUDENTS WHO VISITED OFFICE OF SENATOR GEORGE MCGOVERN

Roger Black, University of Chicago.

Wayne Hurder, University of North Carolina.

Mark Linder, Macalester College.

Jerry Fleischer, University of Maryland.

David R. Hawk, staff member of the National Student Association.

Clinton E. Deveaux, State University of New York at Buffalo.

Paula Katz.

Jane Lipman.

Ann Rice.

WASHINGTON, D.C.,
April 18, 1969.

Hon. RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: In December, 1966, 100 of our predecessors as student body presidents and college newspaper editors wrote to President Johnson to raise questions then troubling the student community about the course of United States policy in Vietnam. They attempted to inform the President that "the rising confusion about national purpose (in Southeast Asia could) undermine mutual trust and respect among our people." In 1967, 200 student body presidents and editors again tried to report to the President the seriousness of the pervasive deterioration of youth's trust in our nation's leaders—a mistrust that was hardening into "cynicism about the meaning of pronouncements by high public officials, about American motives in foreign affairs, and even about the national purpose."

These students felt that our government, once made aware of this widespread loss of confidence, would surely make an effort to regain the loyalty of the generation which you described in your Inaugural as "better educated, more committed, more passionately driven by conscience than any other generation in our history." Our predecessors recognized that a candid dialogue or forthright statement of administration objectives alone may not have lessened their fears that United States policy in Vietnam was mistaken. However, it may have averted the discord that resulted from a breakdown in communication and trust.

Many of us were cautiously heartened by the tone established in your Inaugural Address when you restated your confidence and hope in America's youth, and with considerable emphasis asked the nation for a resumption of reasonable and rational discussion.

Mr. President, we urgently write to you now, after several months of your term in office, to advise you that many of the basic questions students and other concerned Americans have raised about our purposes in Vietnam remain unanswered. We can report to you that few students see much reason for continued military action in Vietnam. We are concerned that, unless visible progress toward peace is evident, the war policies you inherited will become identified with your administration. On the other hand, the formation of new policies dealing with the hard issues of your administration's objectives in Vietnam would go a long way toward reassuring the student community that our government is no longer bound by the tragic policies and mistaken assumptions of the past. The withdrawal of a substantial number of American troops from Vietnam would reassure us that your commitment to peace, enunciated in your Inaugural Address, and again restated in your April 14th message to Congress, is being carried out.

In our predecessors' letter to President Johnson, it was stated that:

"A great many of those faced with the prospect of military duty find it hard to square performance of that duty with concepts of personal integrity and conscience. Even more are torn by reluctance to participate in a war whose toll in property and life keeps escalating, but about whose purposes and value to the United States they remain unclear."

Mr. President, we now must number ourselves among those students who cannot at this time square military duty with integrity and conscience. The urgency of this matter requires that we take our case to you and to the American public. Tuesday we will come to Washington to make public the enclosed statement on the war and the draft which has now been signed by over 250 of our fellow student body presidents and editors.

We share your opinion that the arbitrary and inequitable draft system is not consistent with our whole concept of liberty, justice, and equality under law. We are further convinced that the threat of being conscripted to fight in a war so many Americans do not believe in is one of the primary causes of alienation felt by many of our contemporaries. Since conscription forces men to relate personally to participation in the war, issues of conscience, individual liberty, and constitutional rights, as well as efficient manpower procurement, are bound up with Selective Service matters.

We would welcome the opportunity to share with you more fully our concerns and questions about forthcoming changes in our nation's Vietnam and draft policies—both matters so close to the lives of America's young men. While recognizing the pressures of your office and the demands upon your schedule, we feel that it is now both imperative and appropriate that a reasoned dialogue begin between our country's elected leaders and its young critics. It is our hope that the process of talking and listening to American youth is a high priority in your administration. We would be glad to return with a number of our fellow signers to meet with you in the near future at a time of your convenience.

Thank you for your consideration.

Respectfully yours,

Glen Brunman, Queens College; Jerry Fleischer, University of Maryland; Roger Black, University of Chicago; Chester Gerlach, St. Norbert College, Wisc.; Charles Hicks, Syracuse University; Wayne Hurder, University of North Carolina at Chapel Hill; Dick Jones, University of Oregon; Mark Linder, Macalester College, Minn.; Malcolm Parker, Muhlenberg College, Pennsylvania.

(NOTE.—The purpose of the attached statement is to demonstrate that this position is widely held by persons in elected offices and positions of responsibility on our campuses. By its nature, the position statement can be signed only in an individual capacity. The signers represent no institution or organization. Affiliation is for identification only. We have asked David Hawk of the staff of the U.S. National Student Association, at 2115 S Street, N.W., Washington, D.C. 20008, to coordinate our efforts. Please direct any response through Mr. Hawk at this address.)

Text of Student Body Presidents' and College Newspapers Editors' Statement on the War in Vietnam and the Draft

Students have, for a long time, made known their desire for a peaceful settlement. The present negotiations, however, are not an end in themselves, but rather, the means to a complete cease-fire and American extrication. And until that ceasefire is reached, or until the Selective Service System is constructively altered, young men who oppose this war will continue to face the momentous decision of how to respond to the draft.

In December of 1966, our predecessors as student body presidents and editors, in a letter to President Johnson, warned that "a great many of those faced with the prospect of military duty find it hard to square performance of the duty with concepts of personal integrity and conscience."

Many of the draft age have raised this issue. In the spring of 1967, over 1000 seminarians wrote to Secretary of Defense McNamara suggesting the recognition of conscientious objection to particular wars as a way of "easing the coming confrontation between the demands of law and those whose conscience will not permit them to fight in Vietnam." In June of 1967, our predecessors submitted, along with a second letter to the President, a petition signed by over 10,000 draft eligible students from nine campuses, calling for alternative service for those who cannot fight in Vietnam. There have been many other similar attempts to influence Congress and the Administration. Nonetheless, despite all our efforts, the Selective Service System has remained impervious to constructive change. Presently, thousands of fellow students face the probability of immediate induction into the armed forces.

Most of us have worked in electoral politics and through other channels to change the course of America's foreign policy and to remove the inequities of the draft system. We will continue to work in these ways, but the possible results of these efforts will come too late for those whose deferments will soon expire. We must make an agonizing choice: to accept induction into the armed forces, which we feel would be irresponsible to ourselves, our country, and our fellow man; or to refuse induction, which is contrary to our respect for law and involves injury to our personal lives and careers.

Left without a third alternative, we will act according to our conscience. Along with thousands of our fellow students, we campus leaders cannot participate in a war which we believe to be immoral and unjust. Although this, for each of us, is an intensely personal decision, we publicly and collectively express our intention to refuse induction and to aid and support those who decide to refuse. We will not serve in the military as long as the war in Vietnam continues.

Signature List

Garry Abrams, Editor, campus newspaper, Berea College (Ky.).

Ira R. Allen, Editor, campus newspaper, University of Maryland.

Robert J. Anderson, Editor, campus newspaper, Hampton Institute (Va.).

Robert H. Audette, Student Body President, Fitchburg State College (Mass.).

Douglas Babb, Editor, campus newspaper, Portland State College (Oreg.).

Gary W. Baker, Editor, campus newspaper, Highland Park College (Mich).

Russell Bass, Student Body President, San Francisco State College (Calif.).

Wayne Bayer, Student Body President, SUNY at Cortland (N.Y.).

Joseph Bell, Student Body President, University of Nevada.

Arthur J. Belleville, Editor, campus newspaper, Merrimack College (Mass.).

Alfred O. Berg, Student Body President, Tabor College (Kans.).

Konstantin Berlandt, Editor, campus newspaper, University of California at Berkeley.

Paul Bermanzohn, Student Body President, City College of New York.

Joseph Bernick, Editor, campus newspaper, Moorhead State College (Minn.).

Ed Berry, Student Body President, Maryknoll College (Ill.)

Peter Beusan, Student Body President, Augustana College (Ill.).

David Black, Editor, campus newspaper, Oakland University (Mich.).

Roger Black, Editor, campus newspaper, University of Chicago (Ill.).

Wayne Blodgett, Editor, campus newspaper, SUNY at Stony Brook (N.Y.).

Marshall Bloom, Editor, campus newspaper, Amherst College (Mass.).

Tim Boal, Editor, campus newspaper, Olivet College (Mich.).

Noel Bourasaw, Student Body President, Western Washington State College.

Wayne Brass, Editor, campus newspaper, Lakeland College (Wis.).

Michael Bratman, Student Body President, Haverford College (Pa.).

Terence M. Brennan, Student Body President, Sonoma State College (Calif.).

John William Breslin, Editor, campus newspaper, St. Michael's College (Vt.).

George B. Brewster, Editor, campus newspaper, Bard College (N.Y.).

James Broadus, Editor, campus newspaper, Oberlin College (Ohio).

Terrence Brown, Student Body President, Kalamazoo College (Mich.).

Glen Brunman, Student Body President, Queens College (N.Y.).

James Buckley, Student Body President, Cardinal Glennon College (Mo.).

Jan C. Burda, Student Body President, University of Corpus Christi (Texas).

Robert Burton, Editor, campus newspaper, University of New Mexico.

Joseph Bute, Editor, campus newspaper, Lewis College (Ill.).

Edward P. Butler, Editor, campus newspaper, University of Hartford (Conn.).

Franc Caggiano, Student Body President, Staten Island Community College (N.Y.).

B. F. Camber, Editor, campus newspaper, Wofford College (S.C.).

Kimo Campbell, Editor, campus newspaper, College of Marin (Calif.).

Robert Carnevale, Moderator, Greatwood Campus, Goddard College (Vt.).

Kevin Carvell, Editor, campus newspaper, North Dakota State University.

William D. Casey, Editor, campus newspaper, Southwestern at Memphis (Tenn.).

Charles R. Chambels, Student Body President, Hardin-Simmons University (Texas).

David Chambers, Student Body President, Lawrence College (Wisc.).

Michael Chambers, Student Body President, Coppin State College (Md.).

Larry Chilnick, Editor, campus newspaper, University of Oklahoma.

Thomas James Coates, Student Body President, San Luis Rey College (Calif.).

David S. Cohen, Editor, campus newspaper, Parsons College (Iowa).

Steve Cohen, Student Body President, Amherst College (Mass.).

France H. Conroy, Editor, campus newspaper, Haverford College (Pa.)

Donald Cornwell, Student Body President, Occidental College (Calif.)

Ken Costa, Editor, campus newspaper, College of San Mateo (Calif.).

Martin J. Costello, Student Body President, College of St. Thomas (Minn.).

Gregory B. Craig, Student Body President, Harvard College (Mass.).

Tito Craig, Student Body President, Amherst College (Mass.).

Edmund T. Crowley, Student Body President, St. Anselm's College (N.Y.).

George Curry, Student Body President, Knoxville College (Tenn.).

Glenn Craig Davis, Student Body President, Reed College (Orgeon).

John Day, Editor, campus newspaper, Portland State College (Oregon).

Nick DeMartino, Editor, campus newspaper, University of Louisville (Kentucky).

Stephen T. DeMott, Editor, campus newspaper, Maryknoll College (Ill.).

Clinton Deaveux, Student Body President, SUNY at Buffalo (N.Y.).

Edward Doolan, Editor, campus newspaper, Fairfield University (Conn.).

Bruce L. Drake, Editor, campus newspaper, Johns Hopkins University (Md.)

Jay Dravich, Student Body President, Long Island University (N.Y.).

Thomas Drysdale, Student Body President, SUNY at Stony Brook (N.Y.).

Charles Dulaney, Editor, campus newspaper, Occidental College (Calif.).

David Durand, Editor, campus newspaper, University of California at Davis.

David Duty, Editor, campus newspaper, American University (Wash., D.C.).

Donald L. Eachus, Editor, campus newspaper, University of Oregon.

L. Rodney Eckberg, Editor, campus newspaper, Northern Montana College.

Bernard Farber, Editor, campus newspaper, Roosevelt University (Ill.)

Michael D. Farenell, Editor, campus newspaper, State University College at Oneonta (N.Y.).

Jay Farness, Editor, campus newspaper, St. Olaf College (Minn.).

Steven Fedder, Student Body President, Community College of Baltimore (Md.).

Martin Ferrell, Student Body President, DePauw University (Ind.).

James Ferrier, Editor, campus newspaper, Trinity College (Ill.).

Norman Fischer, Editor, campus newspaper, Colgate University (N.Y.).

Harvey Fleetwood, III, Moderator of Students, Bard College (N.Y.).

Jerry Fleischer, Student Body President, University of Maryland.

Kevin Foley, Student Body President, Seton Hall University (N.J.).

Frank J. Forest, Student Body President, Western Michigan University.

Matthew H. Fox, Editor, campus newspaper, University of Wisconsin.

John Fraser, Student Body President, Oregon State University.

Ted Frederickson, Jr., Editor, campus newspaper, University of North Dakota.

Richard Freisen, Student Body President, Bethel College (Kansas).

J. M. Fullwood, Student Body President, Mansfield State College (Pa.).

Michael E. Funke, Editor, campus newspaper, Sonoma State College (Calif.).

Jose E. Garriga, Student Body President, Catholic University of Puerto Rico.

Stephen R. George, Editor, campus newspaper, Concordia College (Minn.).

Chester A. Gerlach, Student Body President, St. Norbert College (Wis.).

Michael Gold, Student Body President, University of Maryland.

John William Greene, Jr., Editor, campus newspaper, Livingston University (Ala.).

Bejamin R. Gruberg, Community Moderator, Goddard College (Vt.).

Matthew Gryta, Editor, campus newspaper, Buffalo State University College (N.Y.).

Thomas Gunn, Student Body President, University of Washington.

Kenneth Hallahan, Student Body President, St. Mary's Seminary and University (Md.).

Irvin W. Hanks, Student Body President, Texas Southern University.

Jack Hardy, Student Body President, University of Hartford (Conn.).

Norm Harpur, Editor, campus newspaper, Oakland University (Mich.).

Scott Harrison, Editor, campus newspaper, San Francisco State College (Calif.).

Michael Haupt, Editor, campus newspaper, Concordia Senior College (Ind.).

Denis Hayes, Student Body President, Stanford University (Calif.).

Arthur Heitzer, Student Body President, Marquette University (Wis.).

Peter Helwig, Editor, campus newspaper, Muhlenberg College (Pa.).

Michael Herthneck, Student Body President, Kalamazoo College (Mich.).

Richard C. Heymann, IV, Editor, campus newspaper, Washington College (Md.).

Chuck Hicks, Student Body President, Syracuse University (N.Y.).

Richard Steven Hill, Student Body President, Centre College (Kentucky).

Benedict M. Holden, III, Student Body President, University of Hartford (Conn.).

Michael Holland, Editor, campus newspaper, Oregon College of Education.

Barry C. Holtzclaw, Editor, campus newspaper, SUNY at Buffalo (N.Y.).

David Holwerk, Editor, campus newspaper, University of Kentucky.

Mike Honey, Editor, campus newspaper, Oakland University (Mich.).

Ronald Hook, Student Body President, Hope College (Mich.).

Robert Horowitz, Student Body President, Fairleigh Dickenson University, Teaneck (N.J.).

Sean Hughes, Student Body President, University of San Diego (Calif.).

James Hunt, Editor, campus newspaper, Bates College (Maine).

Wayne Hurder, Editor, campus newspaper, University of North Carolina, Chapel Hill.

David W. Inglis, Student Body President, Onondaga College (N.Y.).

Daniel Jackson, Editor, campus newspaper, Iona College (N.Y.).

Choice T. Jennings, Student Body President, Selma University (Ala.).

John Jimison, Student Body President, College of Wooster (Ohio).

Dale Johnson, Editor, campus newspaper, Eastern Montana College.

Mark C. Johnson, Editor, campus newspaper, College of Wooster (Ohio).

Rick Johnson, Editor, campus newspaper, Western State College of Colorado.

Art Johnston, Editor, campus newspaper, Wayne State University (Mich.).

Harry Stuart Johnston, Student Body President, Menlo College (Calif.).

Richard Nelson Jones, Student Body President, University of Oregon.

Peter J. Kaminsky, Student Body President, Princeton University (N.J.).

David Brian Kane, Editor, campus newspaper, Park College (Mo.).

Allan Katz, Student Body President, University of Missouri.

Devereaux Kennedy, Student Body President, Washington University (Mo.).

Christopher M. Kerns, Student Body President, University of Dayton (Ohio).

Julius H. Kidd, Student Body President, Bethune-Cookman College (Fla.).

James W. Kiley, Student Body President, Northern Illinois University.

Neal F. King, Student Body President, St. Mary's College (Calif.).

Mike Kirsten, Editor, campus newspaper, University of California at Berkeley.

Richard Klausner, Editor, campus newspaper, Oberlin College (Ohio).

Edward Kleinman, Editor, campus newspaper, Jersey City State College (N.J.).

David Knoke, Editor, campus newspaper, University of Michigan.

Howard Kohn, Editor, campus newspaper, University of Michigan.

Robert J. Kovach, Student Body President, West Virginia Tech.

Joel Kraemer, Editor, campus newspaper, Harvard College (Mass.).

Michael Krisman, Student Body President, University of California at Irvine.

Joseph Kroll, Student Body President, University of Minnesota.

Chuck Larson, Student Body President, Wayne State University (Mich.).

Garby Leon, Student Body President, Marlboro College (Vt.).

David Lewin, Editor, campus newspaper, California Institute of Technology.

Eric Lewis, Student Body President, Manhattan School of Music (N.Y.).

Anthony K. Lima, Editor, campus newspaper, Massachusetts Institute of Technology.

Mark Linder, Student Body President, Macalester College (Minn.).

Clay Loges, Student Body President, University of Puget Sound (Wash.).

Tim Luebke, Editor, campus newspaper, Carleton College (Minn.).

Peter C. Lutze, Student Body President, Valparaiso University (Ind.).

Patrick MacDonald, Editor, campus newspaper, University of Washington.

John P. Mackey, Editor, campus newspaper, SUNY at Cortland (N.Y.).

William L. Mank, Student Body President, University of Southern California.

Rick Marcus, Student Body President, Pomona College (Calif.).

Robert L. Martinez, Editor, campus newspaper, University of Albuquerque (New Mexico).

Daniel McIntosh, Student Body President, University of California at Berkeley.

Martin McLaughlin, Student Body President, University of Michigan.

Edward G. Merzig, Editor, campus newspaper, Houghton College (N.Y.).

Lann Meyers, Editor, campus newspaper, University of Colorado.

Theodore C. Miller, Student Body President, Bethune-Cookman College (Fla.).

Harry Minor, Student Body President, University of Detroit (Mich.).

John Monson, Editor, campus newspaper, University of California at Irvine.

Hugh Moore, Editor, campus newspaper, University of Detroit (Mich.).

Ray Mungo, Editor, campus newspaper, Boston University (Mass.).

Rosalio U. Munoz, Student Body President, University of California at Los Angeles.

Bruce A. Murphy, Editor, campus newspaper, Whittier College (Calif.).

Ted Najam, Student Body President, Indiana University.

Henry Neuman, Student Body President, Augustana College (Ill.).

Robert C. Newman, Editor, campus newspaper, Carleton College (Minn.).

Robert E. Nikkel, Editor, campus newspaper, Fresno Pacific College (Calif.).

Kevin P. O'Connor, Student Body President, Chaminade College (Hawaii).

Dan Okrent, Editor, campus newspaper, University of Michigan.

W. Garnett Palmer, President, Student Faculty Council, St. Paul's College (Va.).

Malcolm Parker, Editor, campus newspaper, Muhlenberg College (Pa.).

David B. Perry, Editor, campus newspaper, Wilmington College (Ohio).

Byron Pfeiffer, Editor, campus newspaper, Concordia Teacehrs College (Ill.).

Owen Phelps, Editor, campus newspaper, St. Norbert College (Wisc.).

Joseph Pilati, Editor, campus newspaper, Boston College (Mass.).

David E. Pitt, Editor, campus newspaper, Brandeis University (Mass.).

Joseph Miles Plummer, Editor, campus newspaper, University of California at Riverside.

Steven Press, Student Body President, Columbia University (N.Y.).

Dave Radin, Editor, campus newspaper, Cornell University (N.Y.).

Bruce Randall, Student Body President, Colorado State University.

John A. Reed, Editor, campus newspaper, Chico State College (California).

Charles V. Reilly, Student Body President, Brooklyn College (N.Y.).

Andre Reiman, Editor, campus newspaper, Pomona College (Calif.).

Darrell Rice, Editor, campus newspaper, University of Kentucky.

Dan Riley, Editor, campus newspaper, University of Hartford (Conn.).

Kirk Burns Roose, Student Body President, Swarthmore College (Pa.).

Oren Root, Editor, campus newspaper, Columbia University (N.Y.).

Arlin Roy, Moderator, Northwood Campus, Goddard College (Vt.).

Don Rubin, Student Body President, SUNY at Stony Brook (N.Y.).

Peter Sagal, Editor, campus newspaper, Long Island University at Brooklyn Center (N.Y.).

David Samuelson, Editor, campus newspaper, Central YMCA Community College (Ill.).

Eli Savanick, Editor, campus newspaper, Hesston College (Kansas).

William C. Schilling, Student Body President, Mount Angel College (Oregon).

Stephen Craig Schneider, Editor, campus newspaper, Palomar College (Calif.).

Lawrence Schonbun, President of Student Bar Association, Boston College Law School (Mass.).

Donald F. Schultz, Student Body President, North Central College (Ill.).

Richard Paul Schwab, Editor, campus newspaper, SUNY at Buffalo (N.Y.).

Robert Seaburg, Student Body President, Colgate University (N.Y.).

Kenneth J. Seltman, Student Body President, Dowling College (N.Y.).

Brendan John Sexton, Student Body President, New York University.

Walter Shapiro, Editor, campus newspaper, University of Michigan.

Michael Shaw, Student Body President, Harpur College (N.Y.).

Derek Shearer, Student Body President, Yale University (Conn.).

Mark T. Shutes, Editor, campus newspaper, Youngstown State University (Ohio).

Edward Siegel, Editor, campus newspaper, Boston University (Mass.).

Kenneth I. Singer, Editor, campus newspaper, Rider College (N.J.).

Tomec C. Smith, Student Body President, Columbia University (N.Y.).

William R. Smoot, II, Editor, campus newspaper, Purdue University (Ind.).

Ormond Smythe, Community Manager, Antioch College (Ohio).

Daniel C. Snell, Editor, campus newspaper, Stanford University (Calif.).

Stephen H. Snow, Editor, campus newspaper, St. Petersburg Junior College (Fla.).

James D. Soderberg, Editor, campus newspaper, Rocky Mountain College (Mont.).

James Spaw, Editor, campus newspaper, Kansas City Art Institute (Mo.).

Felix J. Springer, Student Body President, Amherst College (Mass.).

Paul Stanger, Editor, campus newspaper, St. Norbert College (Wisc.).

Michael Starr, Student Body President, Harpur College (N.Y.).

Carl Stern, Editor, campus newspaper, Reed College (Ore.).

Strobe Talbott, Editor, campus newspaper, Yale University (Conn.).

Matthew Tannenbaum, Editor, campus newspaper, American University (Washington, D.C.).

Eugene Thomas, Student Body President, St. Augustine College (N.C.).

Thomas J. Thomas, Student Body President, Grinnell College (Iowa).

Michael Tillapaugh, Editor, campus newspaper, State University College at Cortland, (N.Y.).

Bruce E. Tischler, Student Body President, Union Theological Seminary (N.Y.).

Oliver Townes, Editor, campus newspaper, SUNY at Buffalo (N.Y.).

Owen Ullman, Editor, campus newspaper, Rutgers University (N.J.).

Frank Utterington, Editor, campus newspaper, University of Missouri.

Robert Waste, Student Body President, Shasta College (Calif.).

Richard Weatherington, Editor, campus newspaper, Chapman College (Calif.).

Edward Weathers, Student Body President, Wilberforce University (Ohio).

Richard F. Weidman, Student Body President, Colgate University (N.Y.).

Stuart Werbin, Student Body President, Boston University (Mass.).

Louis Wheaton, Student Body President, Columbia School of Social Work (N.Y.).

Daniel Whitehurst, Editor, campus newspaper, St. Mary's College of California.

Barry A. Willner, Editor, campus newspaper, Lafayette College (Pa.)

Barry M. Wohl, Student Body President, Swarthmore College (Pa.).

Tom Wolfe, Editor, campus newspaper, University of California at Berkeley.

Carl Wood, Student Body President, University of California at Riverside.

James Wood, Student Body President, St. Mary's College of California.

David Woods, Student Body President, Phillips University (Oklahoma).

Steven Woodside, Student Body President, University of California at Davis.

Dan C. Woolridge, Editor, campus newspaper, Chapman College (Calif.).

J. Byron Wyndham, Student Body President, Atlantic Christian College (N.C.).

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDING OFFICER** laid before the Senate the following letters, which were referred as indicated:

Proposed Legislation To Authorize Additional Appropriations to the Small Business Administration for Economic Opportunity Management Assistance

A letter from the Administrator of the Small Business Administration, transmitting a draft of proposed legislation authorizing the appropriation of $5,000,000 to finance, during the fiscal year 1970, the management assistance program conducted by the Small Business Administration pursuant to section 406 of the Economic Opportunity Act of 1964 (with an accompanying paper); to the Committee on Banking and Currency.

Proposed Legislation To Liberalize the Conditions Under Which the Administrator of Veterans' Affairs Is Required To Effect Recoupment From Disability Compensation Otherwise Payable to Certain Disabled Veterans

A letter from the Administrator of the Veterans' Administration, transmitting a draft of proposed legislation to amend title 38, United States Code, to liberalize the conditions under which the Administrator of Veterans' Affairs is required to effect recoupment from disability compensation otherwise payable to certain disabled veterans (with an accompanying paper); to the Committee on Finance.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting a follow-on report on opportunities for savings through use of spare government-owned communications circuits in Europe, Department of Defense, dated April 29, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting a report on a survey of transportation and traffic management activities in the Far East and Southeast Asia, Department of Defense, dated April 30, 1969 (with an accompanying report); to the Committee on Government Operations.

Report on Progress and Results Obtained by the United States From Participation in the Desalting and Electric Power Generating Project

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report regarding the progress and results obtained by the United States from participation in the desalting and electric power generating project (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report on Applications for Orders Authorizing or Approving the Interception of Wire or Oral Communications

A letter from the Director of the Administrative Office of the U.S. Courts, transmitting, pursuant to law, a report on applications for orders authorizing or approving the interception of wire or oral communications, for the period June 20, 1968, to December 31, 1968 (with an accompanying report); to the Committee on the Judiciary.

Report on the Administration of the Allied Health Professions Personnel Training Act of 1966

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on the administration of the Allied Health Professions Personnel Training Act of 1966 (Public Law 89-751) (with an accompanying report); to the Committee on Labor and Public Welfare.

Proposed Legislation To Provide for the Renewal and Extension of Certain Sections of the Appalachian Regional Development Act of 1965

A letter from the Office of Federal Cochairman of The Appalachian Regional Commission, transmitting a draft of proposed legislation to provide for the renewal and extension of certain sections of the Appalachian Regional Development Act of 1965, as amended (with an accompanying paper); to the Committee on Public Works.

Withdrawal of Prospectuses Which Authorize the Purchase of the Main Post Office Building in Flint, Mich., and the Post Office Garage Property in Philadelphia, Pa.

A letter from the Administrator of the General Services Administration, requesting that the approved prospectuses which authorize the purchase of the Main Post Office Building in Flint, Mich., and the post office garage property in Philadelphia, Pa., be withdrawn to enable the Department to proceed with more urgent projects (with an accompanying paper); to the Committee on Public Works.

Report on the Cost of Clean Water and Its Economic Impact

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, the 1969 report to the Congress on "The Cost of Clean Water and Its Economic Impact, U.S. Department of the Interior, Federal Water Pollution Control Administration" (with accompanying report); to the Committee on Public Works.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. **YARBOROUGH**, from the Committee on Labor and Public Welfare:

James E. Allen, Jr., of New York, to be Commissioner of Education.

By Mr. **BYRD** of Virginia, from the Committee on Armed Services:

Philip N. Whittaker, of Maryland, to be an Assistant Secretary of the Air Force.

By Mr. **EASTLAND**, from the Committee on the Judiciary.

Daniel Bartlett, Jr., of Missouri, to be U.S. attorney for the eastern district of Missouri;

Richard Van Thomas, of Wyoming, to be U.S. attorney for the district of Wyoming;

Herbert F. Travers, Jr., of Massachusetts, to be U.S. attorney for the district of Massachusetts;

John W. Stokes, Jr., to be U.S. attorney for the northern district of Georgia;

Brian P. Gettings, of Virginia, to be U.S. attorney for the eastern district of Virginia;

Bill Carnes Murray, of Georgia, to be U.S. marshal for the northern district of Georgia;

Harold M. Grindle, of Iowa, to be U.S. marshal for the southern district of Iowa;

F. L. Peter Stone, of Delaware, to be U.S. attorney for the district of Delaware; and

George J. Reed, of Oregon, to be a member of the Board of Parole.

By Mr. **SCOTT**, from the Committee on the Judiciary:

John B. Hannum, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania; and

Louis C. Bechtle, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania.

PETITIONS AND MEMORIALS

Petitions, and so forth, were laid before the Senate, or presented, and referred as indicated:

A resolution adopted by the House of Representatives of the State of Oklahoma, which was referred to the Committee on the Judiciary, as follows:

"H. Res. 1047

"A resolution memorializing Congress to reestablish November 11 as Veterans' Day and May 30 as Memorial Day in each year; and directing distribution

"Whereas, the House of Representatives of the First Session of the Thirty-second Oklahoma Legislature by refusing passage of Senate Bill No. 7, has gone on record as opposing changes in the days of the year when holidays referred to in 25 O.S. 1961, §§ 82.1 and 82.2, shall be celebrated; and

"Whereas, the particular calendar days established thereby are dates commemorating historical events significant to man, the world, or to the United States, the purpose of their being recognized as such ought not be lessened by their becoming mere long weekends for our people. This is especially true of Veterans' Day and Memorial Day.

"Now, therefore, be it resolved by the House of Representatives of the First Session of the Thirty-second Oklahoma Legislature:

"Section 1. The Congress of the United States is respectfully requested to rescind its action setting the fourth Monday in October as Veterans' Day and the last Monday in May as Memorial Day and to reestablish November 11 as Veterans' Day and May 30 as Memorial Day.

"Section 2. Duly authenticated copies of this Resolution, after consideration and enrollment, shall be prepared for and transmitted to each House of Congress and to each member of the Oklahoma Congressional Delegation.

"Adopted by the House of Representatives the 21st day of April, 1969.

"Rex Privett,

"Speaker of the House of Representatives."

A Senate concurrent resolution adopted by the Legislature of the State of Kansas, which was referred to the Committee on the Judiciary, as follows:

"S. Con. Res. 33

"A concurrent resolution memorializing the congress of the United States to adopt a joint resolution authorizing and requesting the president of the United States to designate the week of August 1 through August 7, 1969, as National Clown Week

"Whereas, The ability to make people laugh in these troubled times and relieve the tension of our modern complex society is a rare and valuable gift; and

"Whereas, Clowns throughout the world have for many years supplied this necessary comic relief; and

"Whereas, The Emmett Kelly Museum in Sedan, Kansas has been established to pay tribute to one of the world's greatest clowns; and

"Whereas House Joint Resolution 236 of the 91st Congress authorizes and requests the president of the United States to issue a proclamation designating the week of August 1 through August 7 as National Clown Week: Now therefore,

"Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature of the state of Kansas respectively urges the congress of the United States to adopt House Joint Resolution 236 and lends its support in requesting the president of the United States to designate the week of August 1 through August 7 as National Clown Week.

"Be it further resolved: That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the secretary of the senate of the United States, the clerk of the house of representatives of the United States and to each member of the congress from this state.

"I hereby certify that the above Concurrent Resolution originated in the Senate, and was adopted by that body April 11, 1969.

"——— ———.
"President of the Senate.
"Ralph E. Zarker,
"Secretary of the Senate.

"Adopted by the House April 15, 1969.

"——— ———.
"Speaker of the House.
"L. Orville Hazen,
"Chief Clerk of the House."

A resolution adopted by the Naho City Assembly, Naha, Okinawa, concerning request for reversion of administrative authority of Okinawa to Japan; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SYMINGTON, from the Committee on Armed Services, without amendment:

S. 1647. A bill to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile (Rept. No. 91–136).

By Mrs. SMITH, from the Committee on Armed Services, without amendment:

S.J. Res. 104. Joint resolution to authorize the President to reappoint as chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969 (Rept. No. 91–162).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 150. A bill for the relief of Dr. Orlando Fajardo Vargas (Rept. No. 91–149);

S. 245. A bill for the relief of Blandina Salvador (Rept. No. 91–148);

S. 278. A bill to consent to the New Hampshire-Vermont Interstate School Compact (Rept. No. 91–143);

S. 330. A bill for the relief of Dr. Konstantinos Nicholaos Babaliaros (Rept. No. 91–147);

S. 354. A bill for the relief of Foo Ying Yee (Rept. No. 91–146);

S. 464. A bill for the relief of Dr. Jaime E. Lazaro (Rept. No. 91–145);

S. 465. A bill for the relief of Dr. Lydia L. Lazaro (Rept. No. 91–144);

S. 1104. A bill for the relief of Thi Huong Nguyen and her minor child, Minh Nguyen (Rept. No. 91–141);

S. 1438. A bill for the relief of Yau Ming Chinn (Gon Ming Loo) (Rept. No. 91–140);

H.R. 3548. An act for the relief of Dr. Roberto de la la Caridad Miquel (Rept. No. 91–139); and

H.R. 4064. An act for the relief of Ana Mae Yap-Diangco (Rept. No. 91–138).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 684. A bill for the relief of Hon. Chun Eng. (Rept. No. 91–150); and

S. 738. A bill for the relief of Hector Enrique Gonzales (Rept. No. 91–142).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 244. A bill for the relief of Christina Bangeawayan (Rept. No. 91–151).

By Mr. TYDINGS, from the Committee on the Judiciary, without amendment:

S. 882. A bill for the relief of Capt. William O'Hanle (Rept. No. 91–157).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

S. 890. A bill for the relief of Pine Hall Brick & Pipe Co. (Rept. No. 91–158).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S. 1248. A bill for the relief of Erman-Howell Division, Luria Steel & Trading Corp. (Rept. No. 91–155).

S.J. Res. 45. Joint resolution to authorize the President to issue a proclamation designating the period beginning September 1, 1969, and ending September 7, 1969, as "Adult Education Week" (Rept. No. 91–152);

S.J. Res. 46. Joint resolution to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week"; (Rept. No. 91–153);

S.J. Res. 77. Joint resolution to authorize the President to designate the period beginning June 8, 1969, and ending June 14, 1969, as "Professional Photography Week in America" (Rept. No. 91–154);

S.J. Res. 99. Joint resolution to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week" (Rept. No. 91–159); and

H. Con. Res. 165. Concurrent resolution designating the year 1969 as the "Diamond Jubilee Year of the American Motion Picture" (Rept. No. 91–160).

By Mr. DIRKSEN, from the Committee on the Judiciary, with amendments:

S.J. Res. 81. Joint resolution in honor of Amelia Earhart and Joan Merriam Smith (Rept. No. 91–156); and

S.J. Res. 100. Joint resolution to proclaim the week beginning May 1 as "Youth Week" (Rept. No. 91–161).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. 1655. A bill to change the limitation on the number of apprentices authorized to be employed by the Government Printing Office (Rept. No. 91–135).

By Mr. PELL, from the Committee on Rules and Administration, without amendment:

S.J. Res. 11. Joint resolution to provide for the appointment of Robert Strange McNamara as Citizen Regent of the Board of Regents of the Smithsonian Institution (Rept. No. 91–134);

S.J. Res. 13. Joint resolution to provide for the reappointment of Dr. John Nicholas Brown as Citizen Regent of the Board of Regents of the Smithsonian Institution (Rept. No. 91–133); and

S.J. Res. 35. Joint resolution to provide for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution (Rept. No. 91–132).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

S. 2030. A bill to amend titles X and XVI of the Social Security Act to prohibit any State from imposing a lien on a blind individual's property as a condition of aid or assistance thereunder; to the Committee on Finance.

By Mr. COTTON:

S. 2031. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Cotton when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 2032. A bill for the relief of Miss Chin-Hsia Pan; and

S. 2033. A bill for the relief of Mr. Anthony A. Baptiste; to the Committee on the Judiciary; and

S. 2034. A bill to amend Public Law 874, 81st Congress, in order to provide payments pursuant to such Law on account of certain low-rent housing; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the last above bill, which appear under a separate heading.)

By Mr. MUNDT (for himself, Mr. Bellmon, Mr. McClellan and Mr. Muskie):

S. 2035. A bill to amend title 5, United States Code, to authorize consolidation of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

By Mr. DOMINICK:

S. 2036. A bill to amend chapter 34 of title 38, United States Code, in order to provide educational assistance to veterans attending elementary school; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. PERCY (for himself, Mr. Anderson, Mr. Brooke, Mr. Cranston, Mr. Goodell, Mr. Goldwater, Mr. Gravel, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Jordan of Idaho, Mr. Kennedy, Mr. Mathias, Mr. Mondale, Mr. Moss, Mr. Nelson, Mr. Packwood, Mr. Ribicoff, Mr. Schweiker, Mr. Scott, Mr. Stevens, Mr. Tydings, and Mr. Young of Ohio):

S. 2037. A bill to amend title VI of the Public Health Service Act to include within the scope of part A thereof comprehensive ambulatory health services, and otherwise to extend and improve the program established by such part A; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Percy when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON (by request):

S. 2038. A bill to make the armed robbery of gasoline stations a Federal offense; to the Committee on the Judiciary.

By Mr. NELSON:

S. 2039. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Finance.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE (for himself and Mr. Nelson):

S. 2040. A bill to provide that the temporary judgeship for the eastern district of Wisconsin created by the Act of March 18, 1966 (80 Stat. 78) shall henceforth be permanent; to the Committee on the Judiciary.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 2041. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above bill, which appear under a separate heading.)

By Mr. GRIFFIN:

S. 2042. A bill to increase the membership of the Advisory Commission on Intergovernmental Relations by two members who shall be elected town or township officials; to the Committee on Government Operations.

By Mr. BAKER:

S. 2043. A bill to regulate imports of ferroalloys and related products into the United States; to the Committee on Finance.

By Mr. MAGNUSON (by request) (for himself and Mr. Jackson):

S. 2044. A bill to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salary of employees from withholding for tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself and Mr. Bayh):

S. 2045. A bill to establish an Office of Consumer Affairs in order to provide within the Federal Government for the representation of consumers' interests and to undertake studies designed to achieve superior implementation of consumer programs throughout the Federal system; to the Committee on Government Operations.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 2046. A bill for the relief of Mario Berardelli; to the Committee on the Judiciary; and

S. 2047. A bill to grant leave time to Federal and District of Columbia employees to engage in public service activities; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Tydings when he introduced the last above bill, which appear under a separate heading.)

By Mr. MUSKIE:

S. 2048. A bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such States under specified conditions; to the Committee on Government Operations.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

S. 2031—INTRODUCTION OF A BILL TO CORRECT CERTAIN INEQUITIES IN THE CREDITING OF NATIONAL GUARD TECHNICIAN SERVICE IN CONNECTION WITH CIVIL SERVICE RETIREMENT

Mr. COTTON. Mr. President, I introduce, and send to the desk for appropriate reference, a bill to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement.

In the 90th Congress the Senate established a retirement program for the 41,000 National Guard technicians. This action has helped retain these men who are often subject to attractive offers from private industry with superior retirement and fringe benefit plans. However, further improvements in their retirement program are warranted. This is the purpose of the bill I propose which has the support of the association of National Guard civilian technicians at Pease Air Force Base in my own State of New Hampshire and the national association as well.

The men who serve our country as National Guard technicians are vital to the defense of this Nation. They deserve their full share of civil service benefits. I believe the equity of this proposal will result in favorable action by the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2031) to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes, introduced by Mr. Cotton, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 2034—INTRODUCTION OF A BILL TO MAKE AN ANNUAL PAYMENT TO LOCAL SCHOOL DISTRICTS FOR LOW RENT PUBLIC HOUSING UNITS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to provide an annual payment of $300 per low-rent public housing unit to local school districts under the impacted school aid program, Public Law 874. This approach has the support of the National School Boards Association which supported a similar proposal I had introduced in the last Congress.

There are more than 1.5 million public schoolchildren living in some 675,000 eligible public housing units, a fourth of which are located in the Nation's 14 largest cities. The continued financial burden of bearing the total local cost of educating the concentrations of public housing children, many of whom require special educational services, is a major factor in the financial crisis which is rapidly developing for the central city school systems.

Although the Federal Government, under the Housing Act, contributes about $11 for each child in public housing, this amount is only a token payment and short approximately $375, on the average, of the amount provided by local property taxes for the number of children living in a public housing unit. This amount, as recently pointed out in a House of Representatives report, "is grossly inadequate to offset the revenue lost by exempting public housing from local and State taxation."

Illustrative of this is the situation in New York City where the Federal payment of $3.6 million, as estimated in 1967, is only a small proportion of the $76.1 expended in educating some 63,400 children who live in public housing projects. So the cost of educating these public housing youngsters must be borne by their local property taxpaying neighbors.

There are several reasons for preferring the computation of benefits by public housing unit instead of by individual child. First, this method is more convenient for measuring exact costs and in estimating future obligations. Second, experience in New York City, Philadelphia, Chicago, Detroit, and other communities shows that some parents, especially among the poor, are reluctant to complete the necessary forms to qualify the local school district for impacted school aid assistance under Public Law 874 and therefore the schools are deprived of the funds to which they are entitled. This method of computation would obviate this difficulty.

I am hopeful through this bill to bring to a successful conclusion the effort I began in the last Congress. Action should not be further postponed.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2034) to amend Public Law 874, 81st Congress, in order to provide payments pursuant to such law on account of certain low-rent housing, introduced by Mr. Javits, was received, read twice by its title and referred to the Committee on Labor and Public Welfare.

S. 2035—INTRODUCTION OF THE GRANT CONSOLIDATION ACT OF 1969

Mr. MUNDT. Mr. President, yesterday President Nixon transmitted a message to Congress calling for the enactment of a grant consolidation bill as the first step toward improving and simplifying the administration of Federal grant-in-aid programs.

I am today introducing with the cosponsorship of the senior Senator from Arkansas (Mr. McClellan), the junior Senator from Maine (Mr. Muskie), and the the junior Senator from Oklahoma (Mr. Bellmon), the Grant Consolidation Act of 1969, which would make the administration of grant programs more manageable and provide the financial assistance for State and local governments in a much more efficient manner.

I am also gratified to receive the cosponsorship of the former Governor of Oklahoma who is now with us as the junior Senator of that great State (Mr. Bellmon).

It moves very definitely down the trail blazed by the President's message of yesterday. I should like to say I am especially pleased at the cosponsorship of the chairman of our Committee on Government Operations (Mr. McClellan), since it is before that committee that the hearings will be held with regard to this bill; and I am equally pleased by the cosponsorship of the Senator from Maine (Mr. Muskie), because he did some fine pioneer work in this field in the last Congress, when he introduced S. 698, of which I was privileged to be a cosponsor, and at that time we held some hearings on the various aspects of this proposal and the problem it is designed to correct.

I think we have evolved out of those hearings, out of last year's discussions, and out of the President's message, a completely bipartisan approach to a very serious problem, which, if properly resolved, can save this country hundreds of millions and perhaps ultimately billions of dollars.

In his statement President Nixon said:

> Under our present fragmented system, each one of a group of closely related categorical grants is encumbered with its own individual array of administrative and technical requirements. This unnecessarily complicates the planning process; it discourages comprehensive planning; it requires multiple applications, and multiple bookkeeping both by the Federal agencies and by State and local governments.

Illustrative of the proliferation of Federal financial assistance to State and local governments is the fact that with the enactment of 42 new programs in the 90th Congress, the number of grant categories has reached at least 420. Since 1948, grant programs have increased from $1.8 billion to an estimated $20.8 billion for fiscal year 1969 and an expected $25 billion in the current fiscal year. As a percentage of State and local revenues, grants have become increasingly important, demonstrating the acute need for improving their administration. The percentage of such revenues has grown from over 10 percent 20 years ago to approximately 18 percent in 1968.

President Nixon is seeking authorization from Congress to consolidate grant programs through the technique used so successfully by the President in the past 20 years in reorganizing the executive branch of government. The President would be empowered to offer consolidation plans of Federal assistance programs where, after investigation, he finds that such consolidation is necessary or desirable to accomplish greater efficiency and coordination to promote better execution of these programs and to reduce expenditures.

When a consolidation plan is transmitted, it would become effective at the end of 60 calendar days of continuous session of Congress unless either House passed a resolution disapproving the plan within that period.

Mr. President, I think President Nixon has wisely provided carefully defined limits to the grant consolidation authorization to insure the essential intent of Congress is preserved. In his statement, the President cited examples of these limitations:

> Only programs in closely related functional areas could be consolidated.
>
> Terms and conditions could be changed only to the extent necessary to achieve the purposes of the consolidation plan.
>
> In setting new terms and conditions, the President would be limited by the range of those already provided in the programs being consolidated. Thus, if a program providing for a 10% State matching share were being merged with one providing a 20% matching share, he would have to propose a matching share between 10 and 20%.
>
> No consolidation plan could continue any program beyond the period authorized by law for its existence.
>
> No plan could provide assistance to recipients not already eligible under one of the programs being merged.
>
> Responsibility for the consolidated program could not be vested in an agency or office not already responsible for one of those being merged.

Mr. President, the bill we are introducing today covers precisely the points which have been covered in the President's message from the standpoint of its restrictions. As I stated earlier, the Grant Consolidation Act would be only a first step toward improving the administration of grant programs, but, in my view, it is an important first step. I hope that Congress can enact this legislation in the first session of the 91st Congress.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2035) to amend title 5, United States Code, to authorize consolidation of Federal assistance programs, and for other purposes, introduced by Mr. Mundt (for himself and others), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 2035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Grant Consolidation Act of 1969".

Sec. 2. Title 5, United States Code, is amended by inserting the following immediately after chapter 9 of said title 5:

Chapter 10—Federal Assistance Program Consolidation

"Sec.
"1001. Purpose.
"1002. Definitions.
"1003. Federal assistance program consolidation plans.
"1004. Limitations on powers.
"1005. Effective date and publication of consolidation plans.
"1006. Effect on other laws and regluations.
"1007. Rules of Senate and House of Representatives on consolidation plans.

"§1001. Purpose.

"(a) The President shall from time to time examine the various Federal assistance programs provided by law and shall determine what consolidations of such programs are necessary or desirable to accomplish the following purposes: (1) any of the purposes set forth in section 901(a) of this title, or (2) the purpose of making the programs or aspects thereof more consistent.

"(b) The Congress declares that the public interest demands the carrying out of the purposes of subsection (a) of this section and that the purposes may be accomplished in great measure by proceeding under this chapter, and can be accomplished more rapidly thereby than by the enactment of specific legislation.

"§ 1002. Definitions

"For the purpose of this chapter—

"(1) 'agency' means—

"(A) an Executive agency or part thereof; and

"(B) an office or officer in the executive branch;

"(2) 'officer' is not limited by section 2104 of this title;

"(3) 'Federal assistance' or 'Federal assistance program' means any assistance provided by an agency in the form of grants, loans, loan guarantees, property, shared revenues, payments of taxes, payments in lieu of taxes, repayable advances, contracts, or technical assistance, whether the recipients are a State or local government, their agencies, including school or other special districts created by or pursuant to State law, or public, quasi-public or private institutions, associations, corporations, individuals, or other persons; and

"(4) 'consolidation' means any action described in section 1003(b) of this title.

"§ 1003. Federal assistance program consolidation plans

"(a) When the President, after investigation, finds that a consolidation of Federal assistance programs is necessary or desirable to accomplish one or more of the purposes of section 1001(a) of this title, he shall prepare a Federal assistance program consolidation plan (hereafter in this chapter referred to as 'consolidation plan') for the making of the consolidations as to which he has made findings and which he includes in the plan, and transmit the plan (bearing an identification number) to Congress, together with a declaration that, with respect to each consolidation included in the consolidation plan, he has found that the consolidation is necessary to accomplish one or more of the purposes of section 1001(a) of this title, and a declaration as to how each program included in the plan is functionally related.

"(b) Each consolidation plan so transmitted—

"(1) may include, with respect to the Federal assistance programs included in the consolidation plan and with respect to the affected agency or agencies, any reorganization or measure incidental thereto as provided for in chapter 9 of this title,

"(2) may alter the terms and conditions provided by law under which the Federal assistance programs included in the consolidation plan shall be administered, including, but not limited to matching, apportionment and other formulas, interest rates, and planning, eligibility, and other requirements: *Provided, however,* That any changes in such terms and conditions shall be limited to those necessary to achieve the purposes of the plan; *Provided, further,* That the President shall, in selecting applicable terms and conditions, be limited by the range of terms and conditions for the provision of Federal assistance already included in the Federal assistance programs included in the plan; and *Provided, further,* That the President shall set forth in his message transmitting the consolidation plan to the Congress his reasons for selecting the said terms and conditions; and

"(3) may abolish any one or more of the terms and conditions of any Federal assistance program.

"(c) The President shall have a consolidation plan delivered to both Houses on the same day and to each House while it is in session.

"§ 1004. Limitations on powers

"(a) A consolidation plan may not provide for, and may not have the effect of: (1) continuing any Federal assistance program or part thereof beyond the period authorized by law for its existence or beyond the time when it would have terminated if the consolidation plan did not take effect; (2) consolidating any Federal assistance programs which are not in the same functional area or closely related functional areas; (3) providing any type of Federal assistance included in such a consolidation plan to any recipient who was not eligible for Federal assistance under any of the programs included in the consolidation plan; or (4) vesting responsibility for the administration of the program or programs contained in a consolidation plan in any agency, office, or officer who was not responsible for the administration of one or more such programs prior to the taking effect of the consolidation plan.

"(b) A provision contained in a consolidation plan may take effect only if the plan is transmitted to Congress before April 1, 1971. Section 905(b) of this title shall not operate to limit any consolidation plan prepared under this chapter.

"§ 1005. Effective date and and publication of consolidation plans

"(a) Except as otherwise provided in subsection (c), a grant consolidation plan shall become effective at the end of the first period of sixty calendar days of continuous session of the Congress after the date on which the plan is transmitted to it unless, between the date of transmittal and the end of the sixty day period, either House passes a resolution stating in substance that the House does not favor the consolidation plan.

"(b) For purposes of subsection (a).

"(1) continuity of session is broken only by an adjournment of the Congress sine die, and

"(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of the sixty day period.

"(c) Under provisions contained in a grant consolidation plan, a provision of the plan may become effective at a time later than the date on which such plan otherwise is effective.

"(d) A consolidation plan which becomes effective shall be printed (1) in the Statutes at Large in the same volume as the public laws and (2) in the Federal Register.

"§ 1006. Effect on other laws and regulations.

"(a) To the extent that any provision of a consolidation plan which becomes effective under this chapter is inconsistent with any provision of any statute enacted prior to the taking effect of the consolidation plan, the provision of the consolidation plan shall control.

"(b) Any regulation, rule, order, policy, determination, directive, authorization, permit, privilege, requirement, or other action made, prescribed, issued, granted, or performed in respect of any matter affected by a consolidation plan which becomes effective under this chapter shall be deemed to be modified to the extent of any inconsistency thereof with the consolidation plan but shall otherwise continue in effect.

"(c) A suit, action, or other proceeding lawfully commenced by or against the head of any agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, does not abate by reason of the taking effect of a consolidation plan under this chapter. On motion or supplemental petition filed at any time within 12 months after the consolidation plan takes effect, showing a necessity for a survival of the suit, action, or other proceeding to obtain a settlement of the questions involved, the court may allow the suit, action, or other proceeding to be maintained by or against the successor of the head or officer under the consolidation plan or, if there is no successor, against such agency or officer as the President designates.

"(d) The appropriations or portions of appropriations unexpended by reason of the operation of this chapter may not be used for any purpose, but shall revert to the Treasury.

"§ 1007. Rules of Senate and House of Representatives on consolidation plans

"(a) This section is enacted by the Congress

"(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described in subsection (b); and it supersedes other rules only to the extent that it is inconsistent therewith; and

"(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

"(b) The provisions of section 910 through 913 of title 5 of the United States Code shall apply with respect to a consolidation plan and, for such purposes.

"(1) all references in such sections to a 'reorganizational plan' shall be treated as referring to a 'Federal assistance program consolidation plan', and

"(2) all references in such sections to 'resolution' shall be treated as referring to a resolution of either House of the Congress, the matter after the resolving clause of which is as follows: 'That the ——— does not favor the Federal assistance program consolidation plan numbered ——— transmitted to the Congress by the President on ———, 19—', the first blank therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled."

GRANT CONSOLIDATION: SUPPORT FROM THE NEW ADMINISTRATION

Mr. MUSKIE. Mr. President, I am pleased to sponsor the administration's Grant Consolidation Act introduced today by the senior Senator from South Dakota (Mr. MUNDT) which I feel would be another step along the way in meeting the management crisis which is threatening our Federal grant-in-aid system.

It would provide a necessary adjunct to the Intergovernmental Cooperation Act which was enacted last year by the Congress.

The Subcommittee on Intergovernmental Relations, which I chair, has over the past 4 years made an intensive investigation into the problems faced by State and local officials in their administration of federally assisted programs.

During the 89th Congress, a special subcommittee survey highlighted the fact that State and local administrators were disturbed and confused with the fragmentation of Federal assistance, and the red tape of the Federal bureaucracy which were frustrating comprehensive development, particularly in our urban areas.

Following this survey, the subcommittee launched a series of hearings seeking solutions to the problems of creative federalism. We heard from the Bureau of the Budget, key cabinet officials, governors, mayors, city managers, regional officials, and representatives of public interest groups, who laid out in detail the magnitude of the management crisis, and provided the subcommittee with a wealth of recommendations for immediate congressional action.

We discovered a proliferation of over 500 seperate Federal-aid programs administered by over 150 departments, agencies, and bureaus in Washington and over 400 Federal offices in the field. There were project grants and formula grants; incentive grants and multifunctional grants. Some went through the States, others directly to local governments and agencies. Some were conditioned on cost-sharing and planning requirements; some were not. All combined to provide a barrage of conflicting standards, regulations, and planning requirements which were straining the patience of State and local officials.

We learned that many grants were overlapping in the same general areas. There are 50 different programs to aid general education, 57 programs for vocational and job training; 35 programs for housing; 62 for community facilities and 28 for recreation. Of all the grant programs, those most criticized for duplication and conflict involved grants for water supply, sewers, and sewage treatment facilities, presently being administered by five separate agencies.

This duplication of function at the Federal level leaves State and local governments at a loss to know what assistance is available, in what form, and on what terms, to enable their development projects to go forward. Delays in processing of applications compound the difficulties and uncertainties.

The situation was getting so confused that States and localities were hiring professional "grantsmen" to find out what is available and how to cut the redtape. Too many communities unfortunately could not afford this special service and were losing out.

Thus, it became obvious that an overhauling of our Federal grant-in-aid system was long overdue.

One of the major pieces of legislation to grow out of the subcommittee's investigation was the Intergovernmental Cooperation Act of 1968 (Public Law 90-577). Among other things, this legislation directed the President to establish regulations for uniform application among Federal agencies for coordination, formulation, and review of Federal programs and projects affecting area and community development consistent with and furthering the objectives of State, regional, and local comprehensive planning. Regulations implementing the Intergovernmental Cooperation Act are expected to be issued in the near future.

However, in developing this legislation, it was obvious that tightening up program management and other administrative procedures in the grant system was not enough. We had to make a concerted effort to reduce the number of grant programs, which we found to be one of the major causes of the confusion. Accordingly, I instructed the subcommittee staff to work with the staff of the Advisory Commission on Intergovernmental Relations to offer proposals to give the President authority, at least to make a start in combining related grant programs with congressional consent. Their recommendations relied on the Executive Reorganization Act approach and were included in S. 698, the Intergovernmental Cooperation Act, which I introduced on January 26, 1967.

The administration's Grant Consolidation Act is essentially the same approach which was a part of S. 698, and I am very pleased that the President has seen the merit to this approach and has followed the pattern laid out by the subcommittee.

However, it should be noted that hearings on S. 698 did bring opposition from various quarters to the consolidation feature. It was necessary to drop that item from the bill, while the other features of the legislation were eventually enacted into law.

The administration's measure, unlike S. 698, does contain some limitations of the President's power in sending a consolidation plan to Congress. It provides that programs must be closely related; terms and conditions must be limited to the range already provided; no consolidation plan could extend an authorization, no additional eligibility could be provided; and there are other related sanctions.

It may be that these limitations, and a further refinement of the legislation to meet the specific objections of some Members of the Congress, will strengthen its chances for acceptance.

What pleases me is that President Nixon has recognized this critical area of intergovernmental relations, and has taken steps to develop the tools to cut down the administrative tangle in the grant-in-aid program. He can be assured of my cooperation, and with his acceptance of our proposal, I think we should be able to gain more legislative support for grant consolidation—both by this bill, and the regular process of program legislation.

Mr. President, in the interest of legislative history, I ask unanimous consent to have included in the RECORD a copy of title VI—Consolidation of Grant-in-Aid Programs, of S. 698, the Intergovernmental Cooperation Act of 1968, as introduced January 26, 1967.

There being no objection, the copy of title VI was ordered to be printed in the RECORD, as follows:

TITLE VI—CONSOLIDATION OF GRANT-IN-AID PROGRAMS

STATEMENT OF PURPOSE

SEC. 601. (a) The President shall from time to time examine the various programs of grants-in-aid provided by law and shall determine what consolidations are necessary or desirable—

(1) to promote the better execution and efficient management of individual grant programs within the same functional area;

(2) to provide better coordination among individual grant programs within the same functional area; or

(3) to promote more efficient planning and use by the recipients of grants under programs within the same functional area.

(b) The Congress declares that the public interest demands the carrying out of the purposes of subsection (a) and that the purposes may be accomplished in great measure by proceeding under this title, and can be accomplished more speedily thereby than by the enactment of specific legislation.

PREPARATION AND TRANSMITTAL OF PLAN

SEC. 602. (a) When the President, after investigation, finds that a consolidation of individual grant-in-aid programs within the same functional area is necessary or desirable to accomplish one or more of the purposes set forth in section 601(a), he shall prepare a grant consolidation plan for the making of such consolidation, and shall transmit such plan (bearing an identification number) to the Congress, together with a declaration that with respect to each individual program consolidated under such plan, he has found that the consolidation is necessary or desirable to accomplish one or more of the purposes set forth in section 601(a). Each such consolidation plan so transmitted—

(1) shall place responsibility in a single agency for administration of the consolidated program, and

(2) shall specify in detail the formula or formulas for the making of grants under the consolidated program, and shall set forth the differences between such formula or formulas and the formula for making grants under each of the individual programs consolidated under such plan.

(b) Each grant consolidation plan shall provide for only one consolidation of individual grant programs.

(c) The President shall have a grant consolidation plan delivered to both Houses on the same day and to each House while it is in session.

CONGRESSIONAL CONSIDERATION

SEC. 603. (a) Except as otherwise provided in subsection (c), a grant consolidation plan shall become effective at the end of the first period of ninety calendar days of continuous session of the Congress after the date on which the plan is transmitted to it unless, between the date of transmittal and the end of the ninety-day period, either House passes a resolution stating in substance that the House does not favor the grant consolidation plan.

(b) For purposes of subsection (a)—

(1) continuity of session is broken only by an adjournment of the Congress sine die, and

(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of the ninety-day period.

(c) Under provisions contained in a grant consolidation plan, a provision of such plan may become effective at a time later than the date on which such plan becomes effective under subsection (a).

(d) A grant consolidation plan which becomes effective shall be printed (1) in the Statutes at Large in the same volume as the public laws and (2) in the Federal Register.

SEC. 604. (a) This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described in subsection (b); and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(b) The provisions of sections 910 through 913 of title 5 of the United States Code shall apply with respect to a grant consolidation plan and, for such purposes—

(1) all references in such sections to "reorganization plan" shall be treated as referring to "grant consolidation plan", and

(2) all references in such sections to "resolution" shall be treated as referring to a resolution of either House of the Congress, the matter after the resolving clause of which is as follows: "That the   does not favor the grant consolidation plan numbered   transmitted to the Congress by the President on   , 19   .", the first blank therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled.

EXPIRATION DATE

SEC. 605. The authority of the President under section 602 to transmit grant consolidation plans shall expire three years after the date of the enactment of this Act.

S. 2036—INTRODUCTION OF A BILL TO PROVIDE EDUCATIONAL ASSISTANCE TO VETERANS ATTENDING ELEMENTARY SCHOOL

Mr. DOMINICK. Mr. President, there are 129,000 veterans separated from service during the post-Korean conflict period who have less than an eighth-grade education, and therefore do not qualify for formal education benefits under the present GI bill. From an educational standpoint, each of these men is a forgotten veteran.

Under the present GI bill, a returning serviceman may receive benefits for a variety of educational purposes: Farm cooperative training consisting of enrollment in agricultural employment; apprenticeship or other on-the-job training; flight training if it is generally accepted as necessary to attain a recognized vocational objective in the field of aviation; completion of high school without losing eligibility for college benefits; and part-time, full-time, or a work-study program in college.

However, the unfortunate serviceman who has not yet completed eighth grade—the man with whom we perhaps should be most concerned—is denied benefits to complete his elementary education.

What a hollow ring these programs must have for the forgotten veteran who, desirous of completing a formal education, is told he is not qualified to even enter high school. I want to change that.

This anomaly was brought to my attention by a Colorado constituent. But his is not an isolated case. Of the 129,000 men the Veterans' Administration estimates are in a similar situation, approximately 20,000 have left the military service within the last 3 years.

The World War II GI bill concentrated in the area of on-the-job training with millions of veterans suddenly placed back into civilian life. In the Korean GI bill there was more emphasis on formal education with a more orderly return of veterans into civilian life, a generally higher level of preservice schooling, and increased technical demands in the communities to which they were returning. Yet, with all the movement forward in educational thinking and expansion of educational programs, the serviceman without a bare elementary education was dropped at the wayside under the present GI bill.

What makes this even more puzzling is that the Korean GI bill specifically included elementary education.

The fact that a veteran of the Korean conflict is eligible for elementary school benefits, but Vietnam veterans are not stems from two points: First, the change in the definition of "educational institution" in the present GI bill; and second, the lack of inclusion of elementary education in a 1967 amendment to the present GI bill providing that educationally disadvantaged veterans could complete high school without losing eligibility for college benefits.

The present GI bill was enacted in 1966. The bill which passed the Senate defined "educational institution" with language identical to that contained in the earlier Korean GI bill including public or private elementary schools. The House bill, however, dropped elementary schools and added language restricting institutions to those furnishing education at the secondary school level or above. The House bill prevailed.

While the serviceman who wanted to use GI benefits to complete an elementary education was blocked, the serviceman seeking to finish high school found himself in only a somewhat better situation. For each month he used benefits for a high school education, he lost a month of eligibility for college benefits under the law. This was corrected by the 1967 amendment entitled "Special Training for the Educationally Disadvantaged."

The irony is that the serviceman who needs to finish eighth grade is, in effect, not considered educationally disadvantaged, but the one who has and needs to finish high school is. It seems to me one encompasses the other.

The bill I introduce today would permit our returning servicemen to attend the same educational institutions as their predecessors from the Korean conflict, and in addition, would permit them to complete their education through eighth grade and high school without losing eligibility for college benefits.

I am advised by the Veterans' Administration that the cost of my bill would be "very slight."

I urge its early consideration by the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2036) to amend chapter 34 of title 38, United States Code, in order to provide educational assistance to veterans attending elementary school, introduced by Mr. DOMINICK, was received, read twice by its title and referred to the Committee on Labor and Public Welfare.

S. 2037—INTRODUCTION OF THE NEIGHBORHOOD HEALTH CENTER ACT

Mr. PERCY. Mr. President, on behalf of myself, the Senator from New Mexico (Mr. ANDERSON), the Senator from Massachusetts (Mr. BROOKE), the Senator from California (Mr. CRANSTON), the Senator from New York (Mr. GOODELL), the Senator from Arizona (Mr. GOLDWATER), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr HARRIS), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from Oregon (Mr. HATFIELD), the Senator from Idaho (Mr. JORDAN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Maryland (Mr. MATHIAS), the Senator from Minnesota (Mr. MONDALE), the Senator from Utah (Mr. MOSS), the Senator from Wisconsin (Mr. NELSON), the Senator from Oregon (Mr. PACKWOOD), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Pennsylvania (Mr. SCHWEIKER), the Senator from Pennsylvania (Mr. SCOTT), the Senator from Alaska (Mr. STEVENS), the Senator from Maryland (Mr. TYDINGS), and the Senator from Ohio (Mr. YOUNG), I am pleased to introduce today the Neighborhood Health Center Act.

Mr. President, last year I introduced legislation intended to form the basis of a new approach to the delivery of health care for those now unable to afford it. The urgent problems to which that legislation was addressed are still very much with us. Although illness is distributed indiscriminately among our population, proper treatment is still a privilege reserved only for those who can afford it. The United States, acknowledged to be the wealthiest nation in the history of this planet, has not yet committed itself to assuring the availability of health care to all its citizens. Although billions have been spent on medical research, we have not adequately extended the benefits of that research to our own people.

The poor in the United States receive a disproportionately low share of the health services. Federal health programs have tended to provide help to middle-income Americans, while virtually ignoring the health problems of the poor. And the result is that the health of the poor in this country is a national disgrace.

Poor people seek and receive much less medical attention than the affluent, but they need more. And the health gap between the rich and the poor is growing. In 1940, the infant mortality rate for nonwhites was 70 percent higher than for whites. But in 1962, the rate was 90 percent greater. George James, former New York City Commissioner of Health, noted that, if the death rate in a middle-class white neighborhood were projected for New York City as a whole, 12,000 lives a year would be saved. He stated that poverty is the third leading cause of death in New York City.

The changing social and medical order is creating, with increasingly compelling urgency, new challenges in health care. Contemporary patterns of disease and disability call for primary emphasis to be given to health maintenance measures; and the growing complexity of medical resources requires the integrated function of the health team. Effective health maintenance implies, in today's setting, a unified, personalized, and continuous service system.

Present medical care for the poor is fragmented, uncoordinated, and completely unresponsive to the total patient needs. It is hard to believe that, although we spend $50 billion a year for health care, a recent report of the National Advisory Commission on Health Manpower stated flatly:

> There is a crisis in American health care.

The report further stated:

> Unless we improve the system through which health care is provided, care will continue to become less satisfactory even though there are massive increases in cost and in numbers of health personnel.

The National Advisory Commission on Health Facilities made its report to the President in December of 1968. This report is an excellent one and should be read by all. Its recommendations are summarized in the letter of transmittal when Boisfeuillet Jones, the Chairman, said:

> The Commission believes that development of systems for delivery of comprehensive health care to all our people where they live is a community responsibility. The existing fragmented delivery systems must be made whole through full coordination of resources and services at the local level. Emphasis must be given to the organization of ambulatory care for the individual and his family, with coordinated professional direction through the full spectrum of comprehensive health services.

Health problems are certainly complex. We are faced with a shortage of physicians in the face of an expanding demand. The expansion of medical knowledge in recent years has made it difficult for the solo medical practitioner to provide a complete range of top quality service. This has resulted in increasing specialization and a relative decrease in primary care physicians. Although we are now able to do more for the sick person, it is more difficult for him to gain access to a physician. Nowhere is the problem more acute than in the low-income neighborhoods of our inner cities and rural communities. With the emigration of middle-income population to the suburbs, the physicians and new facilities have followed. Furthermore, with the decline of the municipal tax base, hospitals and clinics in the central city were left to deteriorate, along with schools and housing.

The arrival of large numbers of immigrants from rural areas into our cities has placed an increased load on the charity hospitals. This problem is multiplied by the poor health of low-income populations. For example, the percentage of persons with family incomes under $2,000 having some chronic illness is triple that of persons with family incomes greater than $7,000. A recent Harris survey, sponsored by the Blue Cross Association, showed that serious illness has struck one in four poverty level families compared with a national average of 1 in 10. A significantly larger proportion of poor people suffer from eye disease, heart disease, high blood pressure, arthritis, tuberculosis, and mental illness. Especially disturbing is that the infant mortality rate is double and the proportion of mothers dying in childbirth is four times greater among the poor. There is no need to belabor the fact that the poor are the sickest segment in our society; in fact, poverty itself may be thought of as a disease rather than an economic condition.

In the face of these overwhelming health problems a person of limited income has few alternatives in seeking help. Some physicians donate their services but, in general, the poor are referred to the large county or city hospitals. In these institutions large numbers of people are crowded into unpleasant, impersonal, inadequate facilities where they must sit for hours. Before they can see a physician, they are subjected to the indignity of establishing that the degree of their destitution entitles them to free care.

The United States is one of the few modern Western nations with separate medical systems for the poor and the nonpoor. Although the medical profession has been aware of this dual system of health care for many years, only recently has the Congress, with the passage of Medicaid and Medicare, recognized that the good health of all its citizens is a goal worthy of America.

With the need for services so clearly defined, one may ask what is preventing the poor from receiving adequate medical care. Obviously, inability to pay is important. Unfortunately, medicaid has not solved this problem. Some States have not implemented it and others have had to cut back due to insufficient funds. However, even had medicaid not run into financial difficulty it would have been inadequate. There is growing evidence, that medicare and medicaid have not succeeded in increasing the availability of health care. A recent study of the effects of these programs by the Tax Foundation concluded:

> To date the major demonstrable effect of the 1965 Federal legislation creating Medicare and Medicaid has been a shift in financing medical care from the private to the public sector. Although public spending for medical care increased by nearly three-fifths in the first full year of these two programs, the resulting improvement in per capita medical care for the population at large was only 5%, no greater than had been experienced in some previous years in the 1960's.

One major problem with the present health care system is that it is inaccessible to many low-income families. Figures from Chicago, Cleveland, and Los Angeles show that in spite of the staggering health problems of the poor less than half as many physicians practice in low-income neighborhoods as in the other areas of the cities. Very few of this limited number of ghetto physicians are specialists. It is not surprising that more than 50 percent of inner-city children examined under the Headstart programs had never before been seen by a physician. It was either too expensive or physically difficult for their mothers to get them to a clinic.

In addition to problems of distance and lack of transportation, the operation of tax-supported clinics often seems planned to discourage all but the most diligent. Short daytime-only hours and long waiting periods result in time lost from work, there is no provision for daycare for children whose mothers need care and facilities are decrepit, understaffed, ill-equipped, and generally unpleasant; worst of all is the impersonality of the service. These complaints are not new. They have been voiced repeatedly by community leaders from low-income neighborhoods.

Besides the staffing and facilities problems I have just discussed, there are fundamental organizational barriers which constitute the most serious obstacles to the provision of good health care. These organizational barriers are lack of continuity of services and fragmentation.

Lack of continuity refers to the situation in which no one physician has responsibility for the total care of an individual patient. Thus, a patient may see a different physician each week, and, if hospitalization is required, several more physicians may take charge. With each change irretrievable information is lost and confidence must be rebuilt. The patient has no concept of who his physician is. Although consultation is a necessity, there can be no substitute for a 1-to-1 doctor-patient relationship—for the poor this situation rarely exists and, as a result, the quality of care they receive suffers.

Fragmentation is the division of responsibility for treatment of different diseases among different facilities and personnel. Nowhere is this tendency more evident than in the provision of tax-supported health services. Until recently, Federal and State programs for health care have focused on specific disease categories. Thus, funds may be available for diagnosis and treatment of tuberculosis, mental illness, venereal disease, rheumatic fever, cancer screening, and prenatal care, but not for pneumonia, leukemia, or emphysema, or any other disease. In this situation, a person may be refused care not because he is not sick, but because he has the wrong disease.

Specialization within the medical profession has resulted in still further fragmentation of care. One New York inner-city hospital has over 100 different specialty clinics, each one restricted to certain types of illnesses. If a patient comes on the wrong day or at the wrong hour, he must come again some other time. Often the various services are provided in physically separate facilities. This fragmentation is encouraged by the categorical funding of health care through numerous separately administered Federal, State, and local agencies, although it seems obvious that a single primary care physician with responsibility for the health of the patient would be best able to cope with the variety of threats to the health of the patient.

In order to hasten the provision of good health care for all Americans while maintaining a strong orientation toward efficiency and economy, I am today introducing the Neighborhood Health Center Act. It is designed to deal with some of the problems I have just outlined in both rural and urban areas. This bill amends the Hill-Burton Act with the intent of building a system of neighborhood comprehensive ambulatory care centers similar to those established in the experimental OEO program. By bringing multispecialty resources into the areas of low physician accessibility the problems of fragmentation and inaccessibility can be overcome.

After introduction of the Neighborhood Health Center Act last July, I sent copies of it to approximately 400 individuals and organizations interested in the health field. Their response to the bill was helpful and generally favorable. Some sample comments were:

> David E. Rogers, M.D., dean of the medical faculty, the Johns Hopkins University, Baltimore, Md.: "I am pleased to see the thrust toward moving away from categorical programs and increasing our comprehensive services—and also fully agree that broad community planning is necessary so that each hospital does not duplicate expensive equipment which may be present close at hand.
>
> "We will continue to relay our ideas to you—we are much in your debt for projecting this important new legislation."
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> J. G. Harrar, president, the Rockefeller Foundation, New York, N.Y.: "It seems quite clear that there is urgent need for better ambulatory medical care facilities in the ghettos. It is equally apparent that new techniques are needed for providing service through such centers. Therefore, it would seem an appropriate step on the part of Congress to provide funds for ambulatory health centers."
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> Jerry Voorhis, secretary, Group Health Association, Washington, D.C.: "The need for more and better health facilities accessible to people so that they can receive care without the necessity of hospitalization or long expensive trips to crowded hospital outpatient department and emergency rooms, is incontestable.
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> "Your Neighborhood Health Center Act constitutes an imaginative approach. Your lucid analysis of the chaotic medical care situation in the country is an excellent documentation of the need for action."
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> Lawrence J. Rossi, M.D., medical director of the Hopedale Medical Complex, Hopedale, Ill.: "If implemented, I sincerely believe this legislation would be a large contribution toward the solution of the health care problem of the poor and the rural area and small towns of America."
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> Pat Schupbach, comoderator, medical center, Y.M.C.A., student board, Chicago, Ill.: "I commend you for introducing and sponsoring legislation to provide funds for the establishment of neighborhood health centers. Throughout my years in the College of Nursing, I have followed the progress of the Mile Square Health Center. The faculty of our college has repeatedly stated that centers such as Mile Square are needed throughout the city and the entire nation."
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> Marion B. Folsom (Former Secretary of HEW), Eastman Kodak Co., Rochester, N.Y.: "The bill, which would provide funds for construction of health centers, would help to solve one of the problems we have encountered in implementing our program. In the inner city of Rochester, as undoubtedly in the slums of many cities, decent buildings for use as health centers are simply not available, and, as we have found, capital funds to build these centers are hard to come by. Consequently, in our opinion, your bill is very much needed."
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> Harold Grimm, Buffalo, N.Y.: "With respect to the Neighborhood Health Center Act, I think it would provide federal financial assistance to the states for the benefit of our neediest people. Preventive medicine would certainly contribute to a reduction in the number of hospital admissions and well-staffed clinics by properly qualified medical and paramedical personnel would go a long way toward providing it."
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> Edward F. Wehlage, Professional Engineer, Whittier, California: "As an Engineer, I have had the opportunity of working with people establishing the Clinic in Watts, as well as the Tufts University project at Mound Bayou, Massachusetts, and other similar applications, including the Kaiser Pediatric Eye Clinic in Bellflower, California. As a citizen, I have come to recognize the great potential of this type of operation, and feel that it is extremely important to the maintenance of the health and welfare of our people in every walk of life."
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> Joseph Patterson, Ph.D., College of Physical Education, University of Illinois: "I am writing in support of your position urging Congress to pass legislation which will extend the Neighborhood Health Center program. The centers established by the Office of Economic Opportunity have demonstrated their effectiveness in meeting the health needs of the medically indigent.
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> "Comprehensive health services delivered in this type of organization structure can be best geared to the needs of individual communities. It also provides for better utilization of medical personnel as well as to give the consumer an opportunity to participate in the planning, maintenance and promotion of his own health."

> James H. Cavanaugh, Ph.D., Director, Office of Planning and Program Coordination, Department of H.E.W., Washington, D.C.: "As you know, the Department has not yet taken an official position on this proposed legislation but, speaking personally, I concur wholeheartedly with the general objectives of the proposal. Certainly the problem of accessibility to physicians and to care facilities must be major considerations in any meaningful program of planning for health services."
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> Wilbur Cohen. (Former Secretary of H.E.W.):
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> "I believe that (we have) definitely proved the value of the neighborhood health center. I believe that instead of the 40 centers (we have) now, we ought to have 400 in the United States within the next couple of years. I believe they are effective because they create a new mechanism for more efficiently utilizing the resources that we have and putting them in a place where people can have access to them."

The main provisions of this bill are as follows:

First. Federal funds are committed to the establishment of outpatient clinics in areas of low physician accessibility. Public Law 88–443, the Hospital and Medical Facilities Act of 1964, is amended to include comprehensive ambulatory care centers among the facilities eligible to be constructed with Federal funds. These centers will be staffed by a group of physicians with different specialty training in order to provide a wide range of services.

Second. No additional funds are authorized. However, the present categorical restrictions under Public Law 88–443 are removed, and the type of project to be funded is left to the discretion of the State planning agency. It is felt that each State can best determine its own needs and priorities.

Third. In order to focus Federal expenditures on the health needs of the poor, State allotments will be calculated on the basis of the number of medically indigent families within each State rather than on the basis of the present complicated formula involving average per capita income and population. The industrialized States are discriminated against by the present formula because of their higher per capita income. However, for a 2-year period no State will receive less money under the new formula than it did under the old.

Fourth. To make better use of Federal funds spent for research and planning, the bill provides for the consideration of recommendations of the areawide planning agencies established under Public Law 89–749.

Fifth. The major goal of the bill is provision of the best possible medical care for all. Therefore, the bill provides for the Surgeon General to give priority to areas with low physician accessibility because these are the areas of greatest need due to the fact that most present legislation ignores these areas.

Sixth. In order to avoid funding inefficient operations, the bill requires priority in granting funds be given to the most efficient and effective facilities. This will, therefore, circumvent the pitfalls of medicare and medicaid which tend to reward the most inefficient operations by reimbursing on a cost basis.

It is anticipated that applicants will include groups of private physicians, medical schools and their affiliated hospitals, voluntary hospital centers, nonprofit organizations, and local medical societies.

The time has arrived when Federal support for health services should be directed away from the categorical approaches of the past and our resources focused on the provision of comprehensive services. Comprehensive implies a one-step entry into an all-inclusive, continuous system. Medically, the term "comprehensive" means a complete approach to the individual no matter what his disease or disability.

Preliminary steps toward a comprehensive approach were taken with the passage of the Comprehensive Health Planning and Public Health Service Amendments of 1966 and the Partnership for Health Amendments of 1967. Under sections 314(d) and 314(e) of these laws money is made available for comprehensive health services. Unfortunately, of the more than $120 million spent, less than $10 million was actually spent on comprehensive health services. The remainder was consumed by the same old categorical programs previously funded from other sources.

I do not say that the categorical programs are unworthy of support—the prevention and treatment of any disease is a worthy undertaking and should be supported. However, the evidence suggests that this categorical approach to the health problems of the poor has not and cannot succeed. To quote Dr. John DeHoff, director of local health services, Balitmore City Health Department:

> The Neighborhood Health Center Act will help hospitals, other medical centers and groups of physicians to move into neighborhoods which have the greatest need, with funding based on needs as measured by indigent and medically indigent populations. Although hospitals give excellent inpatient care for complicated and interesting cases, they cannot easily prevent disease from happening . . . or follow patients closely after they leave a hospital phase of care. Federal Money for construction will help greatly.

Professionals with experience in community medicine realize the futility of the present fragmented and discontinuous approach. Prof. Robert Daniels, of the University of Chicago, Department of Social and Community Medicine, wrote:

> The State of Illinois makes a large financial contribution through public aid and welfare programs. However, these are administered in such a way that they respond to episodes of illness rather than providing continuity of health care over periods of time. . . . Many episodes of illness occur in individuals not registered and the medical and hospital community in such situations are uncertain about whether they will be reimbursed by public programs or not.

Comprehensive services must be brought together in easily accessible facilities. It is wrong that in the face of preventable and treatable diseases afflicting large numbers of our citizens most Government programs have ignored the special problems of the poor. The billions spent on medical research have greatly expanded the ability of the modern physician to cure or prevent many previously incurable diseases. Yet in the very shadow of the great medical centers where hearts are being transplanted and cardiograms are being read by computers thousands of individuals are dying from preventable diseases. No one can deny that the very best medical care in the world is available in American cities but it is obvious that unless one can get to a physician these advances are meaningless. The $9 billion thus far spent for hospital construction and modernization under Hill-Burton legislation have had far too little impact on improving the health care of the poor. In fact it is the more affluent citizen with his greater demand for and utilization of medical personnel and facilities who has benefited the most from this program.

Comprehensive clinics pay their own way. All evidence indicates that providing comprehensive outpatient care reduces hospital utilization dramatically. In a Massachusetts comprehensive health center a spot check after 2 years of operation indicated that the health level of local residents was raised to the point where the number of hospitalization days had been cut by 80 percent. Not only are many diseases prevented or diagnosed earlier but hospitalization for diagnostic purposes can be avoided by providing such services in the clinic. Most important, the tendency to fragment medical services—fostered by most Federal programs—can be avoided. Perhaps many of the categorical programs will be found unnecessary, which will save more Federal dollars.

For example, diseases such as measles, mumps, diphtheria, polio, and rheumatic fever can be prevented and others, such as tuberculosis, pneumonia, and cervical cancer can be cured if treated early. But immunizations and early diagnosis can only be accomplished only if comprehensive care is available. The orientation of our programs must be shifted from disease to health. The economic loss to the Nation caused by preventable or curable diseases is incalculable. The lack of ambulatory care centers at convenient locations means that large numbers of people wait too long before seeking help and thereby finally require hospital care. This is neither an efficient nor an effective way to provide health services. To quote Mr. Leonard Procita of the Albany Medical College:

> We are considering persons here who, because of their marginal income, hesitate too long in obtaining necessary health care. These neglected health problems become more prominent in later years . . . many health problems can be traced to neglect in childhood . . . in this regard a neighborhood health center would be a great step forward in establishing preventive medicine for these people on a sound basis.

The limited program of comprehensive clinics funded under OEO has demonstrated that the neighborhood health center approach is the most effective strategic approach to the delivery of health care in areas of low physician accessibility. It is also the most efficient and probably least costly method of providing top quality services. Comprehensive care implies, though does not necessitate, a multispecialty group practice approach providing a full range of diagnostic services. Where this system has been coupled with prepayment of a

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monthly set fee, hospital utilization has been cut in half and overall costs average 25 percent less than for the same range of services provided under the traditional fee-for-service system.

The National Advisory Commission on Health Facilities states:

> One approach that has decreased hospital utilization is prepaid practice. A study of Federal employees' health program benefits over a 5-year period shows that employees in prepaid group practice plans had consistently the lowest rates for non-maternity utilization of in-hospital services. In 1965, according to this study, the number of hospital days per 1,000 covered persons in prepaid group practice was approximately half of that for those in the indemnity benefit plan or Blue Cross-Blue Shield.

It has been estimated that the cost of living will rise by 20 percent by 1975, but medical costs are expected to jump 140 percent. As medical-care costs continue to skyrocket, fewer and fewer Americans can afford necessary medical attention. It is my position that we can get more from the health-care dollar. Instead of pouring more dollars into a system, we should come to recognize that only a reorganization of the system itself will produce the level of care of which we are capable.

I cannot emphasize too strongly that if we are to get the most from our health dollar we must take into consideration alternative approaches to funding. Experience with health insurance programs based on the fee-for-service approach has shown that they are usually associated with increased hospital utilization. Many services are not reimbursable unless delivered in the hospital and there is therefore no economic incentive for preventive medicine; again, diseases are being treated, not people. Medicaid and medicare are basically forms of health insurance and have thus encouraged greater hospital utilization. They have also placed a greater demand on the limited supply of practicing physicians. In fact, I am frequently asked where I expect to find the physicians to staff these clinics.

In answer to this question I can point out that the group-practice approach, with the employment of sufficient paramedical personnel, is itsef a partial solution to the physician manpower shortage. In this regard, I received the following letter from Dr. Harold Wise, program director of the OEO Montefiore neighborhood medical care:

> The use of paramedical personnel to increase physician productivity has been well documented. We plan to serve a community of 45,000 people. Traditionally, this would require a minimum of 60 physicians. With the more intelligent utilization of nursing and family health worker personnel, we are able to reduce the number of physicians necessary to 25.

Of course, this approach will not, in itself, solve the shortage of physicians. We must push for greater Federal support for the expansion of medical school class size. This can be done by increasing the amount of money authorized for medical student loans and scholarships, for medical school improvement, and for schools for the allied health professions. Direct support of teaching programs must be instituted instead of funding them through the back door with moneys appropriated for research. We must ask why the United States needs to recruit a large percentage of its practicing physicians from foreign medical schools when qualified college graduates in this country are denied entrance for lack of space. This problem is one of the utmost priority and urgency. However, it must be kept in mind that even if enough medical school places were made available today there would still be a lag of 8 to 10 years before these prospective doctors would enter practice.

The evidence shows that we have the resources to provide comprehensive health care and that vast new expenditures will not be required. What seems to be needed is a focus to bring together the various government and private programs trying to provide health care. At this point the neighborhood health center seems to be the most logical method. Edgar Kaiser wrote to me, saying:

> Such facilities can function on a sound operating basis through more effective application of existing public and private funds already available for purchasing health care services.

I am confident that with the proper administration of this proposed legislation we can go a long way toward realizing the goal of top quality health care for all our citizens.

It has been estimated that the cost of living will rise by 20 percent by 1975, but medical costs are expected to jump 140 percent. As medical care costs continue to skyrocket, fewer and fewer Americans can afford necessary medical attention.

It is my position that we can get more from the health-care dollar. Instead of pouring more dollars into a system in order to try to cover up the problems in the system, we should come to recognize that only a reorganization of the system itself will produce the level of care of which we are capable.

The Congress is presently at an important crossroads in the area of health legislation. New health legislation of the past several years has been addressed to important problems and certain demonstration programs have beamed a ray of hope into some hard-core areas of need. However, these can only be looked upon as tentative first steps. And, as in so many other areas, once the path is first tread, we have only begun to realize the truly massive problems of personnel, organization, and financing that must be attended to. The time has now come to correct the inadequacies of the present system. The bill I offer today represents a step in this direction.

I ask unanimous consent that the bill and a section-by-section summary be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section summary will be printed in the RECORD.

The bill (S. 2037) to amend title VI of the Public Health Service Act to include within the scope of part A thereof comprehensive ambulatory health services, and otherwise to extend and improve the program established by such part A, introduced by Mr. PERCY (for himself and others), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2037

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Neighborhood Health Center Act of 1969."

SEC. 2. (a) Section 600(a) of the Public Health Service Act is amended by inserting ", including comprehensive ambulatory care centers," immediately after "other medical facilities".

(b) Section 601 of such Act is amended to read as follows:

"SEC. 601. In order to assist the States in carrying out the purposes of section 600, there are authorized to be appropriated, for grants for the construction or modernization of public or other nonprofit hospitals, public health centers, comprehensive ambulatory care centers, facilities for long-term care, diagnostic or treatment centers, and rehabilitation facilities, $295,000,000 for the fiscal year ending June 30, 1970."

(c)(1) Section 602 (a) of such Act is amended to read as follows:

"(a) Each State shall be entitled for each fiscal year, beginning with the fiscal year which ends June 30, 1970, to an allotment which bears the same ratio to the sums appropriated for such year pursuant to section 601 as the number of medically indigent individuals in such State bears to the sum of the medically indigent individuals in all the States. If, in the case of any State, the amount of the allotment as determined under the preceding sentence is less than the amount which would have been allotted to such State if the allotment formula, as in effect under this section for the fiscal year which ended June 30, 1969, had remained in effect, then there shall be added (out of the funds appropriated pursuant to the succeeding sentence) to the allotment of such State such amount as may be necessary to cause its allotment to be equal to the amount it would have been allotted under such formula, if such formula had remained in effect. There are hereby authorized to be appropriated for each fiscal year such sums as may be necessary to make additions to the allotment of States as provided for in the preceding sentence."

(2) Section 602(b)(1) of such Act is amended to read as follows:

"(1) The allotment to any State under subsection (a) for a fiscal year which is less than $175,000 for the Virgin Islands, American Samoa, or Guam and $450,000 for any other State shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotment for such fiscal year to each of the remaining States, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount."

(3) Section 602(c) of such Act is hereby repealed.

(4) Section 602 of such Act is further amended by striking out subsections (e) and (f) thereof and by adding after subsection (d) thereof the following new subsection:

"(e) In accordance with regulations, any State may file with the Secretary a request that a specified portion of its allotment under this part be added to the allotment under this part of another State for the purpose of meeting a portion of the Federal share of the cost of a project, in such other State, which is designed to carry out one or more of the purposes set forth in section 600. Any such request shall contain or be supported by a certification, by the State, that the appropriate areawide health planning agency in such State has been informed of and consulted with respect to such request, and by a statement as to whether any such planning agency approves of such request. If it is found by the Secretary that the completion of the project with respect to which the request is made would meet the needs of the State making the request and that use of the specific portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the corresponding allotment of the other State, to be used for the purpose referred to above."

(d) Section 603(a) of such Act is amended by inserting after paragraph (3) thereof the following new paragraph:

"(4) in the case of projects for the construction of comprehensive ambulatory care centers, to facilities located in areas of low physician accessibility, as determined by the Secretary; and".

(e)(1) Section 604(a)(4) of such Act is amended (A) by redesignating subparagraph (E) thereof as subparagraph (F), (B) by striking out "and" at the end of subparagraph (D) thereof, and (C) by inserting after subparagraph (D) thereof the following new subparagraph:

"(E) the comprehensive ambulatory care centers needed to provide adequate health services for people residing in the State, and a plan for the distribution of such centers throughout the State; and".

(2) Section 604(a)(5) of such Act is amended by inserting "comprehensive ambulatory health centers" immediately after "diagnostic or treatment centers".

(3) Section 604(a) of such Act is further amended (A) by striking out "and" at the end of paragraph (11) thereof, (B) by redesignating paragraph (12) thereof as paragraph (13), and (C) by adding after paragraph (11) thereof the following new paragraph:

"(12) provide that the State agency shall furnish to the Secretary with respect to each application for a project, detailed information regarding the costs of services to be provided by the proposed health facility; and".

(f)(1) The first sentence of section 605(b) of such Act is amended (A) by striking out "and (4)" and inserting in lieu thereof "(4)", and (B) by inserting immediately before the period at the end thereof the following: ", and (5) that such project is in furtherance of or consistent with any comprehensive health plan carried out by the State agency, referred to in section 314(a)(2)(A) of the State in which such project is to be located".

(2) Section 605 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) An application for a project shall be approved under this section only if—

"(1) the applicant supplies the Secretary with such data as may be necessary in order for him to determine the efficiency and effectiveness of operation of any other health facilities operated by such applicant;

"(2) the Secretary determines that such other health facilities operated by the applicant are being operated efficiently and effectively; and

"(3) the Secretary determines that it is, or has the potential to be, the most efficient and effective project operated in the area.

In determining, for purposes of this subsection, the efficiency of any health facility which is an accredited teaching institution, there shall be deducted from the total costs of such facility all costs attributable to the training of medical personnel."

(g) Section 607(f) of such Act is amended by striking out "any one or more subparagraphs or paragraphs of".

(h)(1) Section 625(b) of such Act is amended to read as follows:

"(b) The term 'Federal share' with respect to any project means the proportion of the cost of construction of such project to be paid by the Federal Government, and shall be whichever of the following the State elects—

"(1) the share determined by the State agency in accordance with standards included in the State plan, which provide equitably for variations between projects on the basis of objective criteria related to the economic status of areas and, if the State so elects, such other factor or factors as may be appropriate and be permitted by regulations, except that such standards may not be provided for a Federal share of more than 66⅔ per centum, or less than 33⅓ per centum;

"(2) the amount (not less than 33⅓ per centum and not more than 66⅔ per centum) established by the State for all projects in the State; or

"(3) 50 per centum of the cost of construction of the project.

The State agency shall, prior to the approval by it, under the State plan approved under part A, of the first project in the State during any fiscal year, give written notification to the Secretary of the Federal share which it has elected pursuant to the preceding sentence of this subsection for projects in such State to be approved by the Secretary during such fiscal year, and such Federal share or shares for projects in such State approved by the Secretary during such fiscal year shall not be changed after approval of such first project by the State."

(2) Section 625 of such Act is further amended by adding at the end thereof the following new subsection:

"(m) The term 'comprehensive ambulatory care center' means a clinic which (i) is associated with an accredited hospital center, (ii) is staffed by a formal or informal group of licensed medical doctors of various specialties, some of whom have admitting privileges in such hospital, and (iii) provides a wide range of diagnostic and treatment services for patients who are primarily ambulatory, and (iv) provides personal preventative services including health education.

"(n) The term 'medically indigent' means, in the case of any State which has a State plan for medical assistance which has been approved under title XIX of the Social Security Act, an individual eligible for medical assistance under such State plan; and, in the case of any other State, an individual determined to be medically indigent in accordance with regulations prescribed by the Secretary."

SEC. 3. The amendments made by this Act shall take effect July 1, 1969.

The material, presented by Mr. PERCY, follows:

SECTION-BY-SECTION SUMMARY OF THE NEIGHBORHOOD HEALTH CENTER ACT

(a) Amends the purpose section of title VI of the Public Health Service Act to include comprehensive ambulatory care centers among the categories of facilities to be assisted.

(b) Eliminates the earmarking of funds for specific categories of projects. The type of projects to be funded in each state is left to the discretion of the State planning agency.

Changes the present state allotment formula which is based upon average per capita income and population to one based upon the number of medically indigent in each state.

(c) Requires the approval of the appropriate areawide health planning agency for a state to share its allotment with another state.

(d) Requires that the Secretary, in prescribing regulations under the comprehensive ambulatory care center program, give priority to areas of low physician accessibility.

(e) Requires that the state plan include information on the number of comprehensive ambulatory care centers needed to provide adequate health services for the state.

Requires that information be submitted with each application detailing the cost of health services to be provided by the proposed facility.

(f) Requires projects to be consistent with comprehensive health plans provided for under the Comprehensive Health Planning and Public Health Services Amendments of 1966. Applications must provide data concerning efficiency of operation of health facilities presently operated by the applicant and requires the Secretary to give priority to the most efficient project applicants.

(g) Technical amendment.

(h) Technical amendment.

Defines "Comprehensive Ambulatory Care Center" and "medically indigent."

S. 2039—INTRODUCTION OF A BILL TO RAISE NEEDED ADDITIONAL REVENUES BY TAX REFORM

Mr. NELSON. Mr. President, today I am introducing the Tax Reform Act of 1969. This bill was authored by Congressman HENRY REUSS, a well-known and distinguished economist and member of the Joint Economic Committee. Congressman REUSS introduced this bill (H.R. 5250) in the House on January 29 where it has been cosponsored by approximately 50 Congressmen.

The bill is designed—by closing 13 of the most flagrant loopholes in the tax system—to help restore to that system the equity which is intended in the original law. It would also make possible the elimination of the 10-percent surtax by raising $9 billion in revenues—the exact price-tag of the surtax.

Last January, outgoing Treasury Secretary Joseph Barr spoke prophetically of a potential "taxpayers revolt" if tax reform did not come soon. Since then, even Mr. Barr has expressed surprise at how accurately this phrase described the national mood.

In mid-April, for example, the Gallup poll showed almost 70 percent of the taxpaying public seriously complaining about the size of their tax bill. Although taxes will never be popular, this figure shows a dramatic increase of 17 points over the Gallup test in 1966.

Another gage of public opinion is the almost unprecedented number of letters of complaint which have poured into the offices of Members of Congress and the Treasury Department.

What accounts for this sudden nationwide feeling of discontent?

The majority of taxpaying Americans, especially the 35 million in the $7,000-to $20,000-income group, are being taxed more than ever before. Added to increased Federal income and excise taxes are rising local and State levies. On top of this burden comes the 10 percent surcharge.

In contrast, most Americans see less meaningful return for these increased taxes than ever before.

The war in Vietnam is unpopular. The crisis in our cities is frightening. Pictures of hungry children and stories of closing Job Corps camps are sad and bewildering.

The low- and middle-income groups—who bear the greatest tax responsibility

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in the Nation—are beginning to understand that in this difficult time when we are struggling to survive as a decent and humane Nation, they are carrying more than their fair share of this effort.

They are becoming aware of the enormous gap between what the tax system pretends to be—a system based essentially on ability to pay—and what it actually is. People are learning some "truths" about how the tax system really works, and they are understandable angry.

For example:

If you are very rich, you pay a smaller, not greater percentage of your income to the Federal Treasury.

If you are at the very top of the economic structure, it is possible to avoid paying any taxes at all. In 1967, 381 such people found themselves in this enviable situation. And the number of people in this bracket is rising sharply.

If you earn your money on the stock market, instead of at a paying job, your tax bill will probably be cut in half. The capital gains loophole puts a ceiling of 25-percent tax on your long-term capital gains income if you are in the 50-percent bracket.

In total, approximately $35 billion is lost to the Treasury annually through these and some 20 other tax loopholes.

But wealthy individuals and big corporations are not breaking any law. They are simply taking advantage of special tax breaks passed by the Congress at special times in history to aid special interest groups. If such preferential treatment was once justified for reasons of social development or national defense, it has long since outlived its rationale and the laws should be repealed.

Today these special benefits are putting an unfair and sometimes intolerable burden on those least able to pay—the lower- and middle-income Americans—while exempting those most able to pay. They cause a very considerable loss of badly needed revenue to the Treasury. Some of them are contributing substantially to the present inflationary boom. Others are indirectly responsible for the current policy of tight money and high interest rates which are so rough on the homebuilding industry, on State and local government, and on small business. And finally, there is evidence that some of these loopholes, by providing unnecessary incentives for capital investment overseas, are contributing to our balance-of-payments problem.

For all these reasons, substantial tax reform legislation should be passed.

There are a number of proposals dealing with loopholes pending before the congressional committees. President Nixon's proposals include some very meaningful steps toward plugging loopholes. There is also a great deal of merit in various proposals to set a minimum tax on high-income groups, to eliminate taxes on the poor, and to raise the standard deduction—improvements with important benefits for the middle- and lower-income taxpayer.

Congressman Reuss' bill seems to be the most thoughtful and comprehensive of all the proposals dealing with loopholes. It will receive close study by the appropriate congressional committees. There are obvious loopholes which can be closed today; others need to be broadened or refined.

But the bill offers a creative starting point.

The public has made clear its feelings on the need for tax reform. The President has echoed this sentiment by sending to Congress a broad tax reform package. Now it is up to the Congress to take positive and direct action. This subject has too long been the target of endless congressional studies and hearings.

We are at a crucial time in our history when the credibility of our most basic Government and private institutions is in serious trouble.

For the first time in its existence, the enormous Defense Establishment is coming under close public scrutiny—and the result is a widespread lack of public confidence in what the Department has been doing with its multi-billion dollar budgets. The relevance and credibility of our best educational institutions are being questioned daily. The major corporations are under serious attack for their lack of social consciousness in helping to solve the serious domestic problems such as air and water pollution.

The tax system is now suffering from this same credibility gap. It is high time we righted the regressive and discriminatory features of our tax structure and restored to it the equity which the public quite rightfully expects. We seem to forget that taxes are levied with the consent of the people, and that consent is given in the firm belief that the right to tax will be carried out in the best tradition of justice and fair play.

I ask unanimous consent that the bill, along with an excellent section-by-section analysis prepared by Congressman Reuss be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the Record.

The bill (S. 2039) to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform, introduced by Mr. Nelson, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 2039

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—GENERAL PROVISIONS

Sec. 101. Short title, etc.

(a) Short Title.—This Act may be cited as the "Tax Reform Act of 1969".

(b) Amendment of 1954 Code.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

Sec. 102. Technical and conforming changes.

The Secretary of the Treasury or his delegate shall, as soon as practicable but in any event not later than 90 days after the date of the enactment of this Act, submit to the Committee on Ways and Means of the House of Representatives a draft of the technical and conforming changes in the Internal Revenue Code of 1954 which are necessary to reflect throughout such Code the changes in the substantive provisions of law made by this Act.

TITLE II—CAPITAL GAINS UNTAXED AT DEATH

Sec. 201. Carryover of basis at death.

(a) Amendment of Section 1014.—Section 1014 (relating to basis of property acquired from a decedent) is amended by adding at the end thereof the following new subsection:

"(d) Decedents Dying After June 30, 1969.—In the case of a decedent dying after June 30, 1969, this section shall not apply to any property for which an adjusted carryover basis is provided by section 1023."

(b) Adjusted Carryover Basis.—Part II of subchapter O of chapter 1 (relating to basis rules of general application) is amended by redesignating section 1023 as section 1024 and by inserting after section 1022 the following new section:

"Sec. 1023. Adjusted carryover basis for certain property acquired from a decedent dying after June 30, 1969.

"(a) General Rule.—Except as otherwise provided in this section, if—

"(1) carryover basis property is acquired from a decedent dying after June 30, 1969, and

"(2) the gross estate at death of the decedent exceeds $60,000,

then the basis of such property in the hands of the person so acquiring it shall be the adjusted basis of the property immediately before the death of the decedent, further adjusted as provided in this section.

"(b) Carryover Basis Property Defined.—For purposes of this section, the term 'carryover basis property' means any property acquired from a decedent dying after June 30, 1969, which is property described in paragraph (1), (2), (3), (4), (6), or (9) of section 1014(b), other than—

"(1) property acquired by the decedent before January 1, 1951,

"(2) property (not including property of extraordinary value) which is a personal or household effect,

"(3) property acquired by any person from the decendent before his death which was disposed of by such person before the decedent's death,

"(4) property described in section 2042 (relating to proceeds of life insurance), and

"(5) property which constitutes a right to receive an item of income in respect of a decedent under section 691.

"(c) Increase in Basis.—

"(1) In general.—The basis of carryover basis property in the hands of the person acquiring it from the decedent shall be increased by its proportionate share of the Federal and State estate taxes attributable to the net appreciation in value of all carryover basis properties.

"(2) Minimum increase.—In the case of any decedent, the aggregate increase under paragraph (1) shall not be less than whichever of the following amounts is the greater:

"(A) the amount (if any) by which $60,000 exceeds the aggregate bases of all property included in the gross estate (such bases to be determined after the application of section 1014 but before any adjustment under this section), or

"(B) the amount (if any) by which $15,000 exceeds the amount by which the aggregate bases of all property to which section 1014 applies (such bases to be determined after the application of section 1014) is greater than the aggregate adjusted bases of such property immediately before the death of the decedent.

"(3) Manner of allocation.—

"(A) In general.—Except as provided in subparagraph (B), the increase under this subsection in the basis of each carryover basis

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property shall be that amount which bears the same ratio to the aggregate increase determined under paragraphs (1) and (2) as the appreciation in value of such property bears to the aggregate appreciation in value of all carryover basis properties having appreciation in value.

"(B) Special rule for section 303 redemptions.—To the extent the decedent provides by will, the increase in basis under this subsection shall be allocated first to stock which is carryover basis property and which after his death is redeemed under section 303 (relating to distributions in redemption of stock to pay death taxes). Any remaining increase in basis under this subsection shall be allocated among the other carryover basis property in accordance with subparagraph (A).

"(4) Fair market value limitation.—The increase under this subsection in the basis of any property shall not exceed the increase necessary to produce a basis equal to the fair market value of such property.

"(d) Further Increase in Basis for Certain State Succession Tax Paid by Transferee of Property.—If—

"(1) any person acquires carryover basis property from a decedent, and

"(2) such person actually pays an amount of estate, inheritance, legacy, or succession taxes with respect to such property to any State or possession of the United States or to the District of Columbia for which the estate is not liable,

then the basis of such property (after any adjustment under subsection (c)) shall be increased (but not above its fair market value) by the portion of such amount which is attributable to the appreciation in value of such property.

"(e) Treatment of Community Property.—

"(1) In general.—The surviving spouse's interest in all community property—

"(A) for purposes of subsections (a)(2) and (c)(2), shall be treated as included in the gross estate of the decedent.

"(B) for purposes of this section (other than subsection (d)), shall be treated as property acquired from the decedent, and

"(C) for purposes of subsections (b)(1) and (e), shall be treated as property held by the decedent.

"(2) Community property defined.—For purposes of paragraph (1), the term 'community property' means property—

"(A) held by the decedent and the surviving spouse as community property under the laws of any State or possession of the United States, or any foreign country, and

"(B) at least one-half of the whole community property interest in which was includible in determining the value of the decedent's gross estate under chapter 11.

"(f) Special Rules and Definitions for Application of Subsection (c).—For purposes of subsection (c)—

"(1) Federal and state estate taxes.—The term 'Federal and State estate taxes' means only—

"(A) the tax imposed by section 2001 or 2101, reduced by (i) any credit allowable with respect to a tax on prior transfers by section 2013 or 2102, and (ii) any credit allowable with respect to State death taxes under section 2011 or 2102, and

"(B) any estate, inheritance, legacy, or succession taxes, for which the estate is liable, actually paid by the estate to any State or possession of the United States, or to the District of Columbia.

"(2) Federal and state estate taxes attributable to net appreciation in value.—The term 'Federal and State estate taxes attributable to the net appreciation in value of all carryover basis properties' means that amount which bears the same ratio to the Federal and State estate taxes as the net appreciation in value of the carryover basis properties bears to the value of the gross estate (as defined in section 2031 or section 2103).

"(3) Net appreciation.—The net appreciation in value of all carryover basis properties is the amount by which the fair market value of all such property exceeds the adjusted basis of such property immediately before the death of the decedent.

"(4) Gifts.—In the case of carryover basis property acquired from the decedent by gift, the increase in basis under subsection (c) shall not exceed the amount by which the increase under such subsection is greater than the increase allowable under section 1015(d).

"(5) Charitable gift.—If—

"(A) a deduction is allowable under section 2055 or 2106(a)(2) with respect to any property, and

"(B) such property is specifically identifiable as passing from the decedent to a use specified in such section,

then, to the extent of such deduction, such property shall be treated as property which is not carryover basis property.

"(g) Other Special Rules and Definitions.—

"(1) Fair market value.—For purposes of this section, when not otherwise distinctly expressed, the term 'fair market value' means fair market value determined under chapter 11 (including section 2032, relating to alternate valuation).

"(2) Property passing from the decedent.—For purposes of this section, property passing from the decedent shall be treated as property acquired from the decedent.

"(3) Decedent's basis unknown.—If the facts necessary to determine the basis (unadjusted) of carryover basis property immediately before the death of the decedent are unknown to the person acquiring such property from the decedent, such basis shall be treated as being the fair market value of such property as of the date (or approximate date) at which such property was acquired by the decedent or by the last preceding owner in whose hands it did not have a basis determined in whole or in part by reference to its basis in the hands of a prior holder.

"(4) Certain mortgages.—For purposes of subsections (c) and (d), if—

"(A) there is an unpaid mortgage on, or indebtedness in respect of, property,

"(B) such mortgage or indebtedness does not constitute a liability of the estate, and

"(C) such property is included in the gross estate undiminished by such mortgage or indebtedness,

then the value of such property to be treated as included in the gross estate shall be the value of such property, diminished by such mortgage or indebtedness.

"(5) Decedents nonresident and not citizens.—In the case of a decedent nonresident not a citizen of the United States—

"(A) this section shall be applied by substituting for the figure '$60,000' wherever it appears the amount of the exemption determined under section 2106(a)(3), and

"(B) subsection (c)(2)(B) shall be applied by substituting for the figure '$15,000' the amount which is equal to ¼ of the amount of the exemption determined under section 2106(a)(3).

"(h) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

(c) Amendment of Section 1016(a).—Section 1016(a) (relating to adjustments to basis) is amended by striking out the period at the end thereof and by inserting in lieu thereof a semicolon and by adding at the end thereof the following new paragraph:

"(22) to the extent provided in section 1023, relating to adjusted carryover basis for certain property acquired from a decedent dying after June 30, 1969."

(d) Amendment of Section 691(c).—

(1) Section 691(c)(2)(A) (relating to deduction for estate tax in case of income in respect of decedents) is amended to read as follows:

"(A) The term 'estate tax' means Federal and State estate taxes (within the meaning of section 1023(f)(1))."

(2) Section 691(c)(2)(C) is amended to read as follows:

"(C) The estate tax attributable to such net value shall be an amount which bears the same ratio to the estate tax as such net value bears to the value of the gross estate."

(e) Information Requirement.—

(1) In general.—Subpart A of part III of subchapter A of chapter 61 (relating to information concerning persons subject to special provisions) is amended by inserting after section 6039 the following new section:

"Sec. 6039A. Information regarding basis of property acquired from a decedent.

"(a) In General.—Every executor (as defined in section 2203) shall furnish with respect to the property of the decedent such information as the Secretary or his delegate may prescribe by regulations relating to—

"(1) the name and last address of the decedent;

"(2) the name and address of each person acquiring property from the decedent or to whom the property passed from the decedent, and a description of each item of such property;

"(3) the adjusted basis (within the meaning of section 1011) of each such item in the hands of the decedent immediately before his death; and

"(4) any other information similar or related in nature to that specified in this paragraph.

If an executor is unable to furnish all of the information required under this subsection with respect to an item of property, he shall include in his return as much of such information as he is able to, including a description of such item and the name of every person holding a legal or beneficial interest therein, and, upon notice from the Secretary or his delegate, such person shall be treated with respect to such item as if he were an executor for purposes of this section.

"(b) Statements To Be Furnished to Persons Who Acquire Property From a Decedent.—Every executor who is required to furnish information under subsection (a) shall furnish in writing to each person described in subsection (a)(2) such information with respect to each item of property acquired from the decedent or passing from the decedent to such person as is required under subsection (a) and which the Secretary or his delegate may prescribe by regulations."

(2) Penalties.—Subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end thereof the following new section:

"Sec. 6684. Failure to file information with respect to basis of property acquired from a decedent.

"(a) Information Required To Be Furnished to the Secretary.—Any executor who fails to furnish information required under section 6039A(a) on the date prescribed therefor (determined with regard to any extension of time for filing) shall pay a penalty of 1 percent of the fair market value of the property described in section 6039A(a)(2), or $5,000, whichever is less, for such failure, unless it is shown that such failure is due to reasonable cause and not to willful neglect.

"(b) Information Required To Be Furnished to Beneficiaries.—Any executor who

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fails to furnish in writing to each person described in section 6039A(a)(2) the information required under section 6039A(b), unless it is shown that such failure is due to reasonable cause and not to willful neglect, shall pay (upon notice and demand by the Secretary or his delegate and in the same manner as tax) $50 for each such failure, but the total amount imposed for all such failures shall not exceed $1,000."

(f) Discharge of Executor From Personal Liability.—Section 2204 (relating to discharge of executor from personal liability) is amended by striking out "notified," where it appears in the second sentence of such section and inserting in lieu thereof "notified or on furnishing of a bond pursuant to section 6165 in circumstances in which the Secretary or his delegate is satisfied that such payment will be made,".

Sec. 202. Effective date.

The amendments made by section 201 shall apply only with respect to decedents dying after June 30, 1969.

TITLE III—REPEAL OF UNLIMITED CHARITABLE DEDUCTION

Sec. 301. Repeal of deduction.

Sections 170(b)(1)(C) (relating to unlimited deduction for certain individuals) and 170(g) (relating to application of unlimited deduction) are repealed.

Sec. 302. Effective date.

Section 301 shall apply with respect to taxable years ending after June 30, 1969.

TITLE IV—REPEAL OF STOCK OPTION PROVISIONS

Sec. 401. Repeal of provisions.

(a) Qualified Stock Options.—Section 422 (relating to qualified stock options) is repealed.

(b) Restricted Stock Options.—Section 424 (relating to restricted stock options) is repealed.

Sec. 402. Effective date.

Section 401 shall apply with respect to options granted after June 30, 1969.

TITLE V—REPEAL OF DIVIDEND EXCLUSION

Sec. 501. Repeal.

Section 116 (relating to partial exclusion from gross income of dividends received by individuals) is repealed.

Sec. 502. Effective date.

Section 501 shall apply with respect to taxable years ending after June 30, 1969.

TITLE VI—MULTIPLE SURTAX EXEMPTION

Sec. 601. Repeal of privilege of groups to elect exemption.

Section 1562 (relating to privilege of groups to elect multiple surtax exemptions) is repealed.

Sec. 602. Effective date.

Section 601 shall apply with respect to taxable years ending after June 30, 1969.

TITLE VII—MUNICIPAL INDUSTRIAL DEVELOPMENT BONDS

Sec. 701. Elimination of exemption.

(a) In General.—Section 103(c) (relating to industrial development bonds) is amended to read as follows:

"(c) Industrial Development Bonds.—

"(1) Subsection (a)(1) not to apply.—Any industrial development bond (as defined in paragraph (2)) issued after June 30, 1969, shall not be considered an obligation described in subsection (a)(1).

"(2) Industrial development bond defined.—

"(A) In general.—For purposes of this subsection, the term 'industrial development bond' means an obligation the payment of the principal of interest on which is—

"(i) secured in whole or in part by a lien, mortgage, pledge, or other security interest in property of a character subject to the allowance for depreciation, or

"(ii) secured in whole or in part by an interest in (or to be derived primarily from) payments to be made in respect of money or property of a character subject to the allowance for depreciation

which is or will be used, under a lease, sale, or loan arrangement, for industrial or commercial purposes.

"(B) Exceptions.—For purposes of subparagraph (A), property shall not be treated as used for industrial or commercial purposes if it is used—

"(i) to provide entertainment (including sporting events) or recreational facilities for the general public;

"(ii) to provide facilities for the holding of a convention, trade show, or similar event;

"(iii) as an airport, dock, wharf, or similar transportation facility;

"(iv) in the furnishing or sale of electric energy, gas, water, or sewage disposal services; or

"(v) in an active trade or business owned and operated by an organization described in subsection (a)(1).

"(3) Exception.—Paragraph (1) shall not apply to any obligation issued before January 1, 1969, for a project assisted by the United States under title I of the Housing Act of 1949 (42 U.S.C. 1450 and following, relating to slum clearance and urban renewal) or under title I or title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3131 and following)."

(b) Certain Urban Renewal Bonds.—Section 102(g) of the Housing Act of 1949, as amended (42 U.S.C. 1152(g)), is amended to read as follows:

"(g) Obligations, including interest thereon, other than industrial development bonds (within the meaning of section 103(c) of the Internal Revenue Code of 1954), issued by local public agencies for projects assisted pursuant to this title, and income derived by such agencies from such projects, shall be exempt from all taxation now or hereafter imposed by the United States."

Sec. 702. Effective date.

The amendments made by section 701 shall apply with respect to taxable years ending after June 30, 1969, but only with respect to obligations issued after such date.

TITLE VIII—MUNICIPAL BOND GUARANTEE CORPORATION

Sec. 801. Establishment of a government corporation to assist in the expansion of the capital market for municipal securities while decreasing the cost of such capital to municipalities.

Sec. 802. Findings and declaration of purpose.

Sec. 2. (a) The Congress finds that the municipal security market, as now constituted, is forcing the Nation's municipalities and States to pay such a high rate of interest on their securities that they cannot afford to finance many needed public facilities. This high rate of interest is directly attributable to (1) the limited supply of private capital available in the present municipal securities market, (2) the institutional rigidities within such markets, and (3) the failings of the existent municipal securities rating system which discriminates against most of the Nation's smaller communities and many of the larger cities and which fails to reflect the infinitesimally low rate of actual security defaults since World War II.

(b) It is the purpose of this title to expand the municipal capital market and thereby enable State and local public bodies to borrow private capital funds at net interest costs lower than are now obtainable through the issuance of securities and to provide Federal assistance to achieve such lower net interest costs at a net gain to the United States Treasury.

Sec. 803. Definitions.

As used in this title—

(1) The term "Corporation" means the "Municipal Bond Guarantee Corporation".

(2) The term "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

(3) The term "State or local public body" means any public corporate body or political subdivision; any public agency or instrumentality of one or more States, municipalities, or political subdivisions of one or more States (including any public agency or instrumentality of one or more municipalities or other political subdivisions of one or more States); any Indian tribe; and any board or commission established under the laws of any State to finance specific capital improvement projects.

(4) The term "needed public facilities" means any public work, public facility, or equipment relating thereto deemed necessary by a State or local public body; but does not include any industrial or commercial facility for private use, by lease, conditional or installment sales contract, or other means of transfer, where such facility is or will be used primarily for the mining, manufacturing, assembling, fabricating, storing, processing, or sale of articles or commodities.

Part I—Municipal Bond Guarantee Corporation

Sec. 811. Establishment of corporation.

There is hereby established a body corporate to be known as the "Municipal Bond Guarantee Corporation". The Corporation shall have its principal offices in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident of the District of Columbia. The Corporation may establish offices in such other places as it deems necessary or appropriate in conduct of its business.

Sec. 812. Board of directors.

(a)(1) The Corporation shall have a Board of Directors (hereinafter referred to as the "Board") consisting of nine members to be appointed by the President, not more than three of whom shall be regular full-time officers or employees of the Federal Government. The Board shall be responsible for overall policymaking and general supervision of the Corporation.

(2) The President shall designate a Chairman and a Vice Chairman of the Board.

(3) Each member of the Board shall serve for a term of four years or until his successor has been appointed; except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(4) The Board shall meet at the call of the Chairman which shall be not less often than four times a year.

(b) Members of the Board, other than members who are regular full-time officers or employees of the Government, shall receive for their services, as members, the per diem equivalent to the rate for GS-18 when engaged in the performance of their duties, and each member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

Sec. 813. Executive director.

(a) Subject to the general supervision and overall policymaking of the Board, the management of the Corporation shall be vested in an Executive Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) Section 5315 of title 5, United States Code, is amended by inserting at the end thereof a new paragraph as follows:

"(90) Executive Director, Municipal Bond Guarantee Corporation."

Sec. 814. General powers of corporation.

(a) For the purpose of carrying out its functions under this title, the Corporation shall have power—

(1) to have a corporate seal which may be altered at pleasure and to use the same by causing it, or a facsimile thereof, to be impressed or affixed or in any other manner reproduced;

(2) to sue and be sued;

(3) to enter into and perform contracts, leases, cooperative agreements, or other transactions, on such terms as the Corporation may deem appropriate, and consent to modification thereof, without regard to sections 3648 and 3709 of the Revised Statutes, as amended (31 U.S.C. 529 and 41 U.S.C. 5), and section 322 of the Act of June 30, 1932, as amended (40 U.S.C. 278a);

(4) to appoint and fix the compensation of such personnel as may be necessary for the conduct of its business in accordance with the provisions of title 5, United States Code, governing appointment in the competitive service, and chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates for individuals not to exceed the per diem equivalent for GS–18;

(5) except as may be otherwise provided in this part, in the Government Corporation Control Act, or in any other laws specifically applicable to Government corporations, to determine the necessity for and the character and amount of its obligations and expenditures and the manner in which they shall be incurred, allowed, paid, and accounted for;

(6) to issue such rules and regulations as may be deemed necessary or appropriate to carry out the purposes of this title; and

(7) to exercise all powers specifically granted by the provisions of this title and such incidental powers as are necessary to carry out the purposes of this title.

(b) All suits of a civil nature at common law or in equity to which the Corporation shall be a party shall be deemed to arise under the laws of the United States, except that no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Corporation or its property.

Sec. 815. Services and facilities of other agencies—utilization of personnel, services, facilities, and information.

The Corporation may, with the consent of the agency concerned, accept and utilize on a reimbursable basis, the officers, employees, services, facilities, and information of any agency of the Federal Government, except that any such agency having custody of any data relating to any of the matters within the jurisdiction of the Corporation shall, to the extent permitted by law, upon request of the Corporation, make such data available to the Corporation without reimbursement.

Sec. 816. Finality of certain financial transactions.

Notwithstanding the provisions of any other law, any financial transaction authorized under this Act shall be final and conclusive upon all officers of the United States.

Sec. 817. Taxation.

The Corporation, including its reserves, surplus, and income, shall be exempt from all taxation now or hereafter imposed by the United States, or by any State, or any subdivision thereof, except any real property acquired by the Corporation shall be subject to taxation by any State or political subdivision thereof, to the same extent, according to its value as other real property is taxed.

Sec. 818. Government Corporation Control Act.

Section 101 of the Government Corporation Control Act is amended by inserting after "Federal Housing Administration," the following: "Municipal Bond Guarantee Corporation,".

Sec. 819. Annual Report.

The Corporation shall submit to the President, for transmission to the Congress, a comprehensive annual report of its activities under this title.

Sec. 820. Appropriations.

Except as otherwise specifically provided for in this title, there are authorized to be appropriated such sums as may be necessary to enable the Corporation to carry out its functions under this title.

Part II—Functions of the Corporation

Sec. 821. Comprehensive economic and fiscal Reports.

(a) Upon the request of any State or local public body which intends to issue bonds or other securities to finance needed public facilities, or by any bond underwriting firm or bank planning to submit a bid for such bonds or other securities, or by any Federal agency that has received an application from a State or local public body for assistance in financing a public facility under a Government direct loan or loan guaranty program, the Corporation is authorized to provide a comprehensive report detailing the public body's economic and fiscal resources. Such report shall include, but not be limited to—

(1) a review of the economic circumstances of the area served by such body, such as demographic factors, business activity, construction patterns, income, employment, and public facilities infrastructure;

(2) an examination of such body's fiscal position including trends of revenues, expenditures, tax levies and collections, property valuations, Federal and State aids, direct and overlapping indebtedness;

(3) if revenue-producing facilities are involved, an analysis of the relevant financial statements, rate schedules and users, and other financial developments; and

(4) appropriate economic, fiscal, and financial ratios, averages, and indices and comparisons of such measures with national and regional averages.

Such report shall exclude qualitative judgments or comparable comments that in any way involve an evaluation of the investment merits of a prospective bond issue or reflect a credit evaluation of the State or local public body concerned

(b) The Corporation is authorized to charge and collect a fee for reports provided under this section to cover administrative and other necessary expenses. Such fee shall not exceed, in the case of any such report, one-tenth of 1 per centum of the amount of the bonds or other securities to be issued or loans to be made, but in no event shall the fee for any such report be less than $100 or more than $5,000.

(c) All fees received in connection with reports provided under this section, all funds in the form of gifts, bequests, or demonstration grants received from private foundations or associations, Federal agencies, or other public bodies seeking to improve the quality and availability of information relating to the economic and fiscal circumstances of State and local public bodies, and all other receipts of the Corporation in connection with the performance of its functions under this section, shall be deposited in a revolving fund to be established by the Corporation which shall be known as the "Municipal Economic and Fiscal Reports Fund". All administrative and other expenses incurred by the Corporation in connection with the performance of its functions under this section shall be paid from such fund.

(d) Notwithstanding any other provision of law, no application by a State or local public body for a loan under title II of the Housing Amendments of 1955, section 201 of the Public Works and Economic Development Act of 1965, section 306 of the Consolidated Farmers' Home Administration Act of 1961, or the Small Reclamation Projects Act of 1956 shall be approved unless there has been received by the administering Federal agency a comprehensive economic and fiscal report prepared under this section. Any fee paid in connection with any such report, as prescribed in subsection (b), may be included in the amount covered by the Federal loan or loan guarantee.

Sec. 822. Debt service guarantee contracts.

(a) Upon the application of any State or local public body, the Corporation is authorized to enter into a debt service guarantee contract to guarantee the payment of principal and interest on bonds or other securities to be issued by such body to finance one or more needed public facilities. Any such contract shall obligate the Corporation, during any period in which the bonds or other securities are outstanding, to pay to a trustee under an indenture security such bonds or other securities (or to a paying agent where no trustee is provided for), such amounts as may be needed, when added to the moneys available from the taxes, revenues, or other funds pledged by such body as security for such bonds or other securities (including all reserve funds therefor), to make payment of principal and interest when due.

(b) No guarantee contract shall be entered into under this section unless—

(1) a comprehensive economic and fiscal report has been prepared by the Corporation, pursuant to section 821, with respect to the State or local public body applying for the guarantee;

(2) the interest income from the bonds or other securities with respect to which the guarantee is entered into is subject to Federal taxation, and such bonds or other securities are to be issued and sold to persons or entities other than the United States or any agency thereof; and

(3) the Corporation determines that (A) such bonds or other securities contain satisfactory amortization provisions not in excess of the debt paying capacity of the borrower, and (B) the public facility project to be financed is economically sound.

In making the determinations under clause (3), the Corporation shall rely, to the fullest extent possible, upon the data contained in the comprehensive economic and fiscal report referred to in clause (1), and upon the borrower's debt repayment record during the twenty-five-year period preceding the date of application for a guarantee under this section.

(c) The Corporation is authorized to charge and collect an annual fee, as consideration for a guarantee of bonds or other securities under this section, to cover necessary administrative expenses and to provide a reserve for losses. Such fee shall not exceed two-tenths of 1 per centum per annum of the aggregate amount of bonds or other securities covered by the guarantee contract which are outstanding at the beginning of each year.

Sec. 823. Municipal debt service guarantee fund.

(a) There is hereby established in the Treasury a revolving fund to be known as the "Municipal Debt Service Guarantee Fund" (hereinafter referred to as the "fund") which shall be used by the Corporation in carrying out section 822. Initial capital for the fund shall be obtained through the issu-

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ance by the Corporation of debenture notes, and notes so issued shall be subscribed to as follows:

(1) The Federal Deposit Insurance Corporation shall subscribe to such notes in a principal amount of $1,000,000.

(2) The Federal Savings and Loan Insurance Corporation shall subscribe to such notes in a principal amount of $100,000.

(3) Each Federal Reserve bank shall subscribe to such notes in a principal amount equal to two-tenths of 1 per centum of the surplus of such bank on January 1, 1968.

Subscriptions shall be accompanied by a certified check payable to the fund in an amount equal to one-half of the subscription. The remainder of such subscription shall be subject to call from time to time by the Corporation upon ninety days' notice. Notes so issued shall bear interest at a rate to be determined in accordance with subsection (c), and shall be repayable in annual installments, commencing not earlier than ten years from the date of receipt of the subscription price.

(b) All fees received in connection with guarantees issued under section 822, all receipts from the issuance of debenture notes, all funds borrowed from the Secretary of the Treasury pursuant to subsection (c), all earnings on the assets of the fund, and all other receipts of the Corporation in connection with the performance of its functions under section 822 shall be deposited in the fund. All payments to trustees (or paying agents) under section 822(a), repayments of debenture notes issued pursuant to subsection (a), repayments to the Secretary of the Treasury of sums borrowed pursuant to subsection (c), and all administrative expenses and other expenses of the Corporation in connection with the performance of its functions under section 822 shall be paid from the fund.

(c) (1) The Corporation is authorized to issue to the Secretary of the Treasury from time to time notes or other obligations for purchase by the Secretary in amounts sufficient, together with moneys in the fund, to make payments of principal and interest on all bonds or other securities guaranteed under section 822 in accordance with a debt service guarantee contract. Such obligations shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Secretary, with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Corporation reflecting the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the issuance by the Secretary and adjusted to the nearest one-eighth of 1 per centum.

(2) The Secretary of the Treasury is authorized and directed to purchase any notes or other obligations of the Corporation issued under this subsection, and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act; and the purposes for which securities may be issued under such Act are extended to include the purchase of any such notes or other obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States.

Sec. 824. Interest reduction grants.

(a) In order to achieve a decrease in the interest costs burdens arising in the financing of needed public facilities, the Corporation is authorized to enter into contracts to make interest reduction grants to any State or local public body in connection with bonds or other securities issued by such body to finance needed public facilities; except that no grant shall be made hereunder in the case of any bonds or other securities the interest income from which is exempt in whole or in part from Federal taxation.

(b) The amount of any grant made under this section shall not exceed the sum of (1) the guaranty fee prescribed in section 822 (c), and (2) 33⅓ per centum of the annual interest charge payable each year by the State or local public body on the bonds or other securities with respect to which such grant is made. Any such grant shall be payable for each of the years in which any of the bonds or other securities covered by the contract are outstanding.

(c) No grant shall be made under this section unless (1) the State or local public body has entered into a debt service guaranty contract pursuant to section 822, and (2) the Corporation finds that the interest charges on the bonds or other securities are reasonable, after taking into account the taxable status of the bonds or other securities, the availability of a Government guarantee, and the general level of interest rates then prevailing.

(d) The Corporation may make advance or progress payments on account of any contract entered into pursuant to this section, notwithstanding the provisions of section 3648 of the Revised Statutes.

(e) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section. Any sums so appropriated shall remain available until expended.

Sec. 825. Investment of funds

Moneys in the Municipal Economic and Fiscal Reports Fund and in the Municipal Debt Service Guarantee Fund may be invested in obligations of the United States or in obligations guaranteed as to principal and interest by the United States, or in obligations eligible for investment of public funds. Such obligations may be sold and the proceeds derived therefrom may be reinvested in other obligations of the type herein prescribed. Income from such investment or reinvestment shall be deposited in the respective funds.

Sec. 826. Conforming amendments

(a) Section 202(b)(1) of the Housing Amendments of 1955 is amended by striking the comma after "reasonable terms" and inserting in lieu thereof "with due allowance for the debt service guarantees authorized by title VIII of the Tax Reform Act of 1969,".

(b) Section 201(a)(2) of the Public Works and Economic Development Act of 1965 is amended by inserting after "on terms" the following: ", with due allowance for the debt service guarantees authorized by title VIII of the Tax Reform Act of 1969,".

TITLE IX—PERCENTAGE DEPLETION RATES FOR OIL, GAS, AND CERTAIN OTHER MINERALS

Sec. 901. Reduction in rates.

Section 613(b) (relating to percentage depletion rates) is amended—

(1) by striking out "27½ percent" in paragraph (1) and inserting in lieu thereof "15 percent"; and

(2) by striking out "23 percent" in paragraph (2) and inserting in lieu thereof "15 percent".

Sec. 902. Effective date.

Section 901 shall apply with respect to taxable years ending after June 30, 1969.

TITLE X—INCREASE IN GIFT TAX RATES TO ESTATE TAX LEVEL

Sec. 1001. Increase in rates.

The table in section 2502(a) (relating to computation of tax) is amended to read as follows:

"RATE SCHEDULE

"If the taxable gifts are:	The tax shall be:
Not over $5,000	3% of the taxable gifts.
Over $5,000 but not over $10,000.	$150, plus 7% of excess over $5,000.
Over $10,000 but not over $20,000.	$500, plus 11% of excess over $10,000.
Over $20,000 but not over $30,000.	$1,600, plus 14% of excess over $20,000.
Over $30,000 but not over $40,000.	$3,000, plus 18% of excess over $30,000.
Over $40,000 but not over $50,000.	$4,800, plus 22% of excess over $40,000.
Over $50,000 but not $60,000.	$7,000, plus 25% of excess over $50,000.
Over $60,000 but not over $100,000.	$9,500, plus 28% of excess over $60,000.
Over $100,000 but not over $250,000.	$20,700, plus 30% of excess over $100,000.
Over $250,000 but not over $500,000.	$65,700, plus 32% of excess over $250,000.
Over $500,000 but not over $750,000.	$145,700, plus 35% of excess over $500,000.
Over $750,000 but not over $1,000,000.	$233,200, plus 37% of excess over $750,000.
Over $1,000,000 but not over $1,250,000.	$325,000, plus 39% of excess over $1,000,000.
Over $1,250,000 but not over $1,500,000.	$423,200, plus 42% of excess over $1,250,000.
Over $1,500,000 but not over $2,000,000.	$528,200, plus 45% of excess over $1,500,000.
Over $2,000,000 but not over $2,500,000.	$753,200, plus 49% of excess over $2,000,000.
Over $2,500,000 but not over $3,000,000.	$998,200, plus 53% of excess over $2,500,000.
Over $3,000,000 but not over $3,500,000.	$1,263,000, plus 56% of excess over $3,000,000.
Over $3,500,000 but not over $4,000,000.	$1,543,200, plus 59% of excess over $3,500,000.
Over $4,000,000 but not over $5,000,000.	$1,838,200, plus 63% of excess over $4,000,000.
Over $5,000,000 but not over $6,000,000.	$2,468,200, plus 67% of excess over $5,000,000.
Over $6,000,000 but not over $7,000,000.	$3,138,200, plus 70% of excess over $6,000,000.
Over $7,000,000 but not over $8,000,000.	$3,838,200, plus 73% of excess over $7,000,000.
Over $8,000,000 but not over $10,000,000.	$4,568,200, plus 76% of excess over $8,000,000.
Over $10,000,000	$6,088,200, plus 77% of excess over $10,000,000.".

Sec. 1002. Effective date.

Section 1001 shall apply with respect to calendar years after 1969.

TITLE XI—USE OF UNITED STATES BONDS TO PAY ESTATE TAX

Sec. 1101. Repeal of authority to use bonds for tax payments.

(a) REPEAL.—Section 14 of the Second Liberty Bond Act (31 U.S.C. 765) is repealed.

(b) PROHIBITION AGAINST USE OF BONDS.—Notwithstanding any other provision of law, no bond or other obligation of the United States may be accepted by the Secretary of the Treasury in satisfaction of any amount of Federal estate tax liability greater than their fair market value of such obligation at the time it is presented as payment of such liability.

Sec. 1102. Effective date.

Section 1101 shall apply with respect to obligations acquired after June 30, 1969.

TITLE XII—USE OF FARMING DEDUCTIONS TO OFFSET NONFARM INCOME

Sec. 1201. Limitation on deductions.

Part IX of subchapter B of chapter 1 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"Sec. 277. Limitation on deductions attributable to farming.

"(a) General Rule.—In the case of a taxpayer engaged in the business of farming, the deductions attributable to such business which, but for this section, would be allowable under this chapter for the taxable year shall not exceed the sum of—

"(1) the adjusted farm gross income for the taxable year, and

"(2) the higher of—

"(A) the amount of the special deductions (as defined in subsection (d)(3) allowable for the taxable year, or

"(B) $15,000 ($7,500 in the case of a married individual filing a separate return), reduced by the amount by which the taxpayer's adjusted gross income (taxable income in the case of a corporation) for the taxable year attributable to all sources other than the business of farming (determined before the application of this section) exceeds $15,000 ($7,500 in the case of a married individual filing a separate return).

"(b) Exception for Taxpayers Using Certain Rules.—

"(1) In general.—Subsection (a) shall not apply to a taxpayer who has filed a statement, which is effective for the taxable year, that—

"(A) he is using, and will use, a method of accounting in computing taxable income from the business of farming which uses inventories in determining income and deductions for the taxable year and

"(B) he is charging, and will charge, to capital account all expenditures paid or incurred in the business of farming which are properly chargeable to capital account (including such expenditures which the taxpayer may, under this chapter or regulations prescribe thereunder, otherwise treat or elect to treat as expenditures which are not chargeable to capital account).

"(2) Time, manner, and effect of statement.—A statement under paragraph (1) for any taxable year shall be filed within the time prescribed by law (including extensions thereof) for filing the return for such taxable year, and shall be made and filed in such manner as the Secretary or his delegate shall prescribe by regulations. Such statement shall be binding on the taxpayer, and be effective, for such taxable year and for all subsequent taxable years and may not be revoked except with the consent of the Secretary or his delegate.

"(3) Change of method of accounting, etc.—If, in connection with a statement under paragraph (1), a taxpayer changes his method of accounting in computing taxable income or changes a method of treating expenditures chargeable to capital account, such change shall be treated as having been made with the consent of the Secretary or his delegate and, in the case of a change in method of accounting, shall be treated as a change not initiated by the taxpayer.

"(c) Carryback and Carryover of Disallowed Farm Operating Losses.—

"(1) In general.—The disallowed farm operating loss for any taxable year (hereinafter referred to as the "loss year") shall be—

"(A) a disallowed farm operating loss carryback to each of the 3 taxable years preceding the loss year, and

"(B) a disallowed farm operating loss carryover to each of the 5 taxable years following the loss year,

and (subject to the limitations contained in paragraph (2)) shall be allowed as a deduction for such years, under regulations prescribed by the Secretary or his delegate, in a manner consistent with the allowance of the net operating loss deduction under section 172.

"(2) Limitations.—

"(A) In General.—The deduction under paragraph (1) for any taxable year for disallowed farm operating loss carrybacks and carryovers to such taxable year shall not exceed the taxpayers' net farm income for such taxable year.

"(B) Carrybacks.—The deduction under paragraph (1) for any taxable year for disallowed farm operating loss carrybacks to such taxable year shall not be allowable to the extent it would increase or produce a net operating loss (as defined in section 172(c)) for such taxable year.

"(3) Treatment as net operating loss carryback.—Except as provided in regulations prescribed by the Secretary or his delegate, a disallowed farm operating loss carryback shall, for purposes of this title, be treated in the same manner as a net operating loss carryback.

"(d) Definitions.—For purposes of this section—

"(1) Adjusted farm gross income.—The term 'adjusted farm gross income' means, with respect to any taxable year, the gross income derived from the business of farming for such taxable year (including recognized gains derived from sales, exchanges, or involuntary conversions of farm property), reduced, in the case of a taxpayer other than a corporation, by an amount equal to 50 percent of the lower of—

"(A) the amount (if any) by which the recognized gains on sales, exchanges, or involuntary conversions of farm property which under section 1231(a) are treated as gains from sales or exchanges of capital assets held for more than 6 months exceed the recognized losses on sales, exchanges, or involuntary conversions of farm property which under section 1231(a) are treated as losses from sales or exchanges of capital assets held for more than 6 months, or

"(B) the amount (if any) by which the recognized gains described in section 1231 (a) exceed the recognized losses described in such section.

"(2) Net farm income.—The term 'net farm income' means, with respect to any taxable year, the gross income derived from the business of farming for such taxable year (including recognized gains derived from sales, exchanges, or involuntary conversions of farm property), reduced by the sum of—

"(A) the deductions allowable under this chapter (other than by subsection (c) of this section) for such taxable year which are attributable to such business, and

"(B) in the case of a taxpayer other than a corporation, an amount equal to 50 percent of the amount described in subparagraph (A) or (B) of paragraph (1), whichever is lower.

"(3) Special deductions.—The term 'special deductions' means the deductions allowable under this chapter which are paid or incurred in the business of farming and which are attributable to—

"(A) taxes,

"(B) interest,

"(C) the abandonment or theft of farm property, or losses of farm property arising from fire, storm, or other casualty,

"(D) losses and expenses directly attributable to drought, and

"(E) recognized losses from sales, exchanges, and involuntary conversions of farm property.

"(4) Farm property.—The term 'farm property' means property which is used in the business of farming and which is property used in the trade or business within the meaning of paragraph (1), (3), or (4) of section 1231(b) (determined without regard to the period for which held).

"(5) Disallowed farm operating loss.—The term 'disallowed farm operating loss' means, with respect to any taxable year, the amount disallowed as deductions under subsection (a) for such taxable year, reduced, in the case of a taxpayer other than a corporation, by an amount equal to 50 percent of the amount described in subparagraph (A) or (B) of paragraph (1), whichever is lower.

"(e) Special Rules.—For purposes of this section—

"(1) Business of farming.—A taxpayer shall be treated as engaged in the business of farming for any taxable year if—

"(A) any deduction is allowable under section 162 or 167 for any expense paid or incurred by the taxpayer with respect to farming, or with respect to any farm property held by the taxpayer, or

"(B) any deduction would (but for this paragraph) otherwise be allowable to the taxpayer under section 212 or 167 for any expense paid or incurred with respect to farming, or with respect to property held for the production of income which is used in farming.

For purposes of this paragraph, farming does not include the raising of timber. In the case of a taxpayer who is engaged in the business of farming for any taxable year by reason of subparagraph (B), property held for the production of income which is used in farming shall, for purposes of this chapter, be treated as property used in such business.

"(2) Income and deductions.—The determination of whether any item of income is derived from the business of farming and whether any deduction is attributable to the business of farming shall be made under regulations prescribed by the Secretary or his delegate, but no deduction allowable under section 1202 (relating to deduction for capital gains) shall be attributable to such business.

"(3) Controlled group of corporations.—If two or more corporations which—

"(A) are component members of a controlled group of corporations (as defined in section 1563) on a December 31, and

"(B) have not filed a statement under subsection (b) which is effective for the taxable year which includes such December 31,

each have deductions attributable to the business of farming (before the application of subsection (a)) in excess of its gross income derived from such business for its taxable year which includes such December 31, then, in applying subsection (a) for such taxable year, the $15,000 amount specified in paragraph (2)(B) of such subsection shall be reduced for each such corporation to an amount which bears the same ratio to $15,000 as the excess of such deductions over such gross income of such corporation bears to the aggregate excess of such deductions over such gross income of all such corporations.

"(4) Partnerships.—A business of farming carried on by a partnership shall be treated as carried on by the members of such partnership in proportion to their interest in such partnership. To the extent that income and deductions attributable to a business of farming are treated under the preceding sentence as income and deductions of members of a partnership, such income and deduction

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shall, for purposes of this chapter, not be taken into account by the partnership.

"(5) Two or more businesses.—If a taxpayer is engaged in two or more businesses of farming, such businesses shall be treated as a single business.

"(6) Related integrated businesses.—If a taxpayer is engaged in the business of farming and is also engaged in one or more businesses which are directly related to his business of farming and are conducted on an integrated basis with his business of farming, the taxpayer may elect to treat all such businesses as a single business engaged in the business of farming. An election under this paragraph shall be made in such manner at such time, and subject to such conditions as the Secretary or his delegate many prescribe by regulations.

"(7) Subchapter S corporations and their shareholders.—

"For special treatment of electing small business corporations which do not file statements under subsection (b) and of the shareholders of such corporations, see section 1379.

"(f) Regulations—The Secretary or his delegate shall prescribe such regulations as many be necessary to carry out the purposes of this section."

Sec. 1202. Technical amendments.

(a) The table of sections for part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"Sec. 277. Limitation on deductions attributable to farming."

(b) Section 172(l) of such Code is amended by adding at the end thereof the following new paragraph:

"(3) For limitations on deductions attributable to farming and special treatment of disallowed farm operating losses, see section 277."

(c) Section 381(c) of such Code is amended by adding at the end thereof the following new paragraph:

"(24) Farm operating loss carryover.—The acquiring corporation shall take into account, under regulations prescribed by the Secretary or his delegate, the disallowed farm operating loss carryovers under section 277 of the distributor or transferor corporation."

(d)(1) Subchapter S of such Code is amended by adding at the end thereof the following new section:

"Sec. 1379. Electing small business corporations engaged in business of farming.

"(a) Separate Application to Farming Income and Deductions.—Under regulations prescribed by the Secretary or his delegate, an electing small business corporation which is engaged in the business of farming during its taxable year (other than a corporation which has filed a statement under section 277(b) which is effective for such taxable year), and the shareholders of such corporation, shall apply the provisions of sections 1373 through 1378, separately with respect to—

"(1) income derived from the business of farming by such corporation and deductions attributable to such business, and

"(2) all other income and deductions of such corporation.

In computing the taxable income and undistributed taxable income, or net operating loss, of such corporation with respect to the business of farming, no deduction otherwise allowable under this chapter shall be disallowed to such corporation under section 277.

"(b) Shareholders Treated as Engaged in Business of Farming, Etc.—For purposes of section 277—

"(1) each shareholder of an electing small business corporation to which subsection (a) applies shall be treated as engaged in the business of farming,

"(2) the undistributed taxable income of such corporation which is included in the gross income of such shareholder under section 1373 and is attributable to income and deductions referred to in subsection (a)(1), and dividends received which are attributable to such income and deductions and are distributed out of earnings and profits of the taxable year as specified in section 316(a)(2), shall be treated as income derived from the business of farming by such shareholder, and

"(3) the deduction allowable (before the application of section 277) to such shareholder under section 1374 as his portion of such corporation's net operating loss attributable to income and deductions referred to in subsection (a)(1) shall be treated as a deduction attributable to the business of farming.

"(c) Special Rules of Section 277(e) Applicable.—For purposes of this section, the special rules set forth in section 277(e) shall apply."

(2) The table of sections for subchapter S of such Code is amended by adding at the end thereof the following new item:

"Sec. 1379. Electing small business corporations engaged in business of farming."

Sec. 1203. Effective date.

The amendments made by this title shall apply to taxable years beginning after the date of the enactment of this title, except that for purposes of applying section 277(c) of the Internal Revenue Code of 1954 (as added by section 1201 of this title) with respect to disallowed farm operating losses of any taxpayer for taxable years beginning after such date—

(1) such amendments shall also apply to the 3 taxable years of such taxpayer preceding the first taxable year beginning after such date, and

(2) in the case of a taxpayer to whom section 1379(b) of such Code (as added by section 1202(d) of this title) applies for any of his first 3 taxable years beginning after such date, section 1379 of such Code shall apply with respect to the electing small business corporation of which such taxpayer is a shareholder for the 3 taxable years preceding each such taxable year of such taxpayer, but only with respect to any such preceding taxable year for which the corporation was an electing small business corporation.

TITLE XIII—GAINS FROM THE DISPOSITION OF DEPRECIABLE REALTY

Sec. 1301. Inclusion of realty as section 1245 property.

(a) Amendment of Section 1245.—Section 1245(a)(3) (relating to gain from dispositions of certain depreciable property) is amended by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and by inserting immediately after subparagraph (A) the following new subparagraph:

"(B) any real property which is or has been property of a character subject to the allowance for depreciation provided in section 167, or".

(b) Repeal of Section 1250.—Section 1250 (relating to gain from dispositions of certain depreciable realty) is repealed.

Sec. 1302. Effective date.

This title shall apply to dispositions occurring after June 30, 1969.

TITLE XIV—REPEAL OF 7 PERCENT INVESTMENT TAX CREDIT

Sec. 1401. Repeal of credit.

Section 38 (relating to credit for investment in certain depreciable property) is amended by adding at the end thereof the following new subsection:

"(c) Termination of Credit.—The credit provided by subsection (a) shall apply only with respect to property placed in service by the taxpayer on or before the date of the enactment of this subsection and with respect to property placed in service after such date—

"(1) to the extent such property is attributable to construction, reconstruction, or erection by the taxpayer (A) on or before such date, or (B) after such date pursuant to the terms of a binding written contract as in effect on such date, or

"(2) such property was acquired by the taxpayer (A) on or before such date, or (B) after such date pursuant to the terms of a binding written contract as in effect on such date.

Notwithstanding section 46(b) (relating to carryback and carryover of unused credits), no amount shall be added pursuant to such section to the amount allowable as a credit by this section for any taxable year ending after the date of the enactment of this subsection."

Sec. 1402. The amendment made by section 1401 shall apply with respect to taxable years ending after the date of the enactment of this Act.

The material, presented by Mr. Nelson, follows:

TAX REFORM ACT OF 1969

(Representative Henry S. Reuss, Democrat-Wis.)

TITLE I: SHORT TITLE AND PROVISION FOR PERFECTING AMENDMENTS

TITLE II: TAXING CAPITAL GAINS UNTAXED AT DEATH—SAVINGS $2.5 BILLION

When shares of stock and other forms of property increase in value, the increase is subject to tax as a capital gain. However, the capital gains tax rate on property held for more than 6 months is only half of that for ordinary income, and it never goes higher than 25 percent. In addition, the tax is not assessed until the property is sold and the increase in value is realized.

But some capital gains are never taxed at all. Here is how it works. Suppose a taxpayer bought some stock in a small electronics company for $5000 back in 1958. The company has flourished and the stock is now worth $15,000. If he sells it now he will have to pay a capital gains tax on the $10,000 increase in value. For the high bracket taxpayer who pays the maximum 25 percent capital gains rate, this means a tax of $2500. But if he never sells the stock and it passes on to his heirs, neither he nor his heirs will ever have to pay income tax on the increase in value. The heirs' only responsibility for taxes is on any future profit they receive.

This loophole greatly favors those who have large amounts of accumulated wealth to pass on to the next generation.

Moreover, many older investors who would rather see their money go to their heirs than to the Internal Revenue Service tend to hold on to investments they would normally sell. As a result, capital which would otherwise be set free to flow into sound and productive investments is locked in, distorting investment decision-making.

Closing this loophole by simply taxing these capital gains at death would increase Federal revenues by $2.5 billion a year.

TITLE III: ELIMINATING THE UNLIMITED CHARITABLE DEDUCTION—SAVINGS $60 MILLION

The unlimited charitable deduction is a little-known device that costs the Treasury some $60 million a year in lost revenues.

The ordinary taxpayer may not deduct more than 30 percent of his income for his contributions to charity, no matter how much he gives. Not so for some millionaires, however. They are allowed to deduct gifts to charity without limit if—in that year and eight of ten preceding years—their charitable contributions plus Federal income taxes paid exceeded 90 percent of taxable income.

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This may sound like a hard way to escape taxation, but it really is not if you are a millionaire and a careful investor. Notice that it is only 90 percent of *taxable* income that must be given away or paid in taxes—the millionaire who receives most of his income from capital gains, tax-free state and local bonds, and oil property will have relatively little taxable income. Thus the 90 percent requirement need not be a serious obstacle—a modest annual gift to a favorite charity, which might be a foundation set up by the wealthy taxpayer himself—and the full benefit of an unlimited charitable deduction is his to reap.

TITLE IV: ELIMINATING SPECIAL TAX TREATMENT FOR STOCK OPTIONS—SAVINGS $150 MILLION

The stock option loopholes enables top executives of large corporations to pay taxes on part of their incomes at low capital gains rates.

It works this way. If the executive is rewarded by his corporation with a bonus or a raise, he pays taxes on it just like everyone else. If he is a top-level executive, however, the corporation is more likely to give him an option to purchase its stock instead. The option is simply a right to purchase the company's stock at any time the executive wants to within, say, the next ten years, at the price the stock is selling for at the time the option is granted. Thus an executive granted an option in 1960 when the company's stock is selling for $50 a share can exercise it in 1968 by buying the stock at that price, even though the stock may have risen in value to $300 a share during those eight years. Exercising the option therefore gives him a capital gain of $250 a share, taxable at the low capital gains rates. By contrast, the man who received the same amount of income in the form of salary or a bonus would pay an income tax at least double that of the option-favored executive.

If perchance the stock should decline in value the executive is no worse off. He has no obligation to buy the proferred stock, so he simply does not exercise his option.

As a result of President Kennedy's 1962 request that the stock option loophole be closed, the Revenue Act of 1964 tightened up the terms qualifying business executives for this privileged treatment. The privilege still remains, however. It is time to ring down the curtain on it.

By so doing, the saving to the Treasury could well be $150 million.

TITLE V: ELIMINATING THE $100 DIVIDEND EXCLUSION—SAVINGS $225 MILLION

Corporation stockholders are specially favored by the $100 dividend exclusion loophole. These generally high-bracket taxpayers get their first $100 of dividends each year tax-free. By contrast, their neighbors who put their money in savings accounts or in government bonds pay income tax on all the interest they receive.

The dividend exclusion was first written into the tax law in 1954. The ostensible reason was to compensate for the "double taxation" of dividends which are taxed first to the corporation as corporate income and then again as a dividend when distributed to the taxpayer.

The logic of this double taxation argument would lead to the conclusion that all dividends should escape tax, but even the strongest proponents of the 1954 dividend exclusion did not have the temerity to push for this.

Corporations and their stockholders are separate entities—legally and in fact. The very purpose of incorporation is to limit the owner's liability by separating his income and assets from those of the corporation. Since the stockholders benefits substantially by this legal separation from the corporation, it is no injustice for the law to continue to view the stockholder and the corporation as separate entities at tax time.

Double taxation, moreover, is all around us. Excise taxes, sales taxes, and use taxes are often pyramided on top of each other. There is a sales tax on automobiles, for example, yet many of the parts in the car were already taxed at least once before when they were sold to the car manufacturer.

Closing the dividend exclusion loophole would increase Treasury revenues by $225 million.

TITLE VI. ELIMINATING THE BENEFITS DERIVED FROM MULTIPLE CORPORATIONS—SAVINGS, $200 MILLION

Dividing a business enterprise into a number of separate parts for tax purposes has long been a disorder of the corporate world. The advantages of multiple incorporation result from the way the corporation tax is set up: the first $25,000 of a corporation's earnings are taxed at 22 percent, while everything above that is taxed at 48 percent. Therefore, dividing the enterprise up into a number of separate corporations, each reporting earnings of $25,000 or less, avoids the extra 26 percent tax entirely. Since each $25,000 in earnings beyond the first $25,000 would otherwise be taxed at the full 48 percent rate, there is a tax savings of 26 percent of $25,000 (or $6,500) for each separate corporation.

Take, for example, a corporation with earnings of $100,000 a year—splitting it up into four $25,000 corporations can save $19,500 a year in taxes. There is one case on record of a corporation that divided itself into 734 separate corporations, for a tax saving that approached $5,000,000 a year.

Although Congress put some limits on the multiple corporation dodge in 1964, this loophole still costs the Treasury $200 million a year.

TITLE VII: REMOVING THE TAX EXEMPTION ON MUNICIPAL INDUSTRIAL DEVELOPMENT BONDS—SAVINGS $50 MILLION

Communities throughout the country are today issuing municipal bonds bearing tax-free interest to finance industrial plants and commercial facilities for private, profit-making corporations.

The usual technique is for the municipality to construct a plant in accordance with the corporation's specifications and then to lease the plant to the corporation, using the rental payments to retire the bond.

Although the interest on state and local bonds has long been tax-free, this privilege was not extended to industrial development bonds until 1954, and then not by law but by a Treasury ruling.

There is no justification whatever for extending the tax-exempt privilege to these bond issues. They serve no public purpose, but merely subsidize plant construction for large corporations that are fully capable of financing these plants themselves. They flood the tax-exempt bond market and drive up interest rates on all tax-exempt bonds. And they have been a prime weapon in the arsenal of rural, largely Southern, areas seeking to lure run-a-way plants from other parts of the country.

This plant piracy has forced a number of industrial states to allow their local governments to issue these bonds, with the result that some 44 states now authorize them. With virtually all states issuing these bonds, this kind of financing no longer gives one state an advantage over another. The states end up caught in a beggar-thy-neighbor rat-race which benefits no one but the subsidized corporations.

Early in 1968 the Treasury Department attempted to reverse its 1954 ruling by revoking the industrial development bond tax exemption. However, Congress thwarted this attempt by passing legislation that permitted the exemption to continue for most issues. The tax exemption was first limited to issues of under $1 million, except that larger issues for arguably public purposes (like sports arenas, airports, pollution abatement facilities, and industrial parks) would remain tax exempt. Congress then raised the upper limit on bond issues to $5 million if the issuing community was willing to work within certain restrictions. The upshot of all this is that some 87 percent of industrial development bond issues will continue to be tax exempt.

Closing this loophole for good would save the Treasury at least $50 million a year.

TITLE VIII: A MUNICIPAL BOND GUARANTEE CORPORATION AS AN ALTERNATIVE TO TAX EXEMPT BONDS—SAVINGS $900 MILLION

The interest on state and local bonds has been tax-free ever since the original income tax law of 1913. As a matter of fact, taxpayers need not even report this income on their tax returns.

As a consequence, state and local bonds have long been a favorite investment for the very rich. Although the average taxpayer perceives no great advantage in buying municipal bonds at 4 percent when he can get corporate bonds that will pay him 7 percent, the tax free bonds look very good indeed to taxpayers in the 50-percent-and-up brackets.

Not surprisingly, then, over 80 percent of tax-free bonds held by individuals are in the hands of the wealthiest 1 percent of the population.

This tax exemption does, however, have one important redeeming feature—it enables hard-pressed states and cities to raise money for schools, roads, water purification plants, hospitals, and other essential public facilities at relatively low interest rates. Simply taxing the interest on municipal bonds, therefore, would force municipalities either to pay higher interest rates (which few of them could afford) or to forego badly-needed public improvements.

Fortunately there is a solution at hand that does not involve giving tax-free income to millionaire investors. The idea is this: tax the income from these bonds, but have the federal government pay a direct subsidy to states and cities to compensate them for their higher borrowing costs. The Treasury would come out comfortably ahead on the deal, since it now *loses* far more revenue ($1.8 billion in 1968) than the states and localities *save* in lower borrowing costs (about $.9 billion).

This Title therefore sets up a Municipal Bond Guarantee Corporation to guarantee State and local bond issues against default, and to pay to states and localities an interest subsidy sufficient to reduce their interest payments by one-third. The funds for the subsidy would come from general Federal revenues. In return for the guarantee and subsidy, states and localities would be required to waive the tax exempt status of the bond issues involved, thus allowing the Federal government to tax the interest.

Although municipalities could continue to issue tax exempt bonds, the Guarantee Corporation route would be more attractive in most cases. Treasury Department experts estimate that municipal borrowing costs are only reduced 25 percent because of the tax-exempt feature, while the Federal interest subsidy would reduce their borrowing costs by 33 percent. The Treasury would also come out ahead, since they would get an estimated 42 cents in extra tax revenue for every 33 cents that had to be turned over to municipalities as an interest subsidy.

TITLE IX: REDUCING THE MINERAL DEPLETION ALLOWANCE FROM 27½ PERCENT TO 15 PERCENT ON OIL AND FROM 23 PERCENT TO 15 PERCENT ON 41 OTHER MINERALS—SAVINGS $900 MILLION

The most notorious tax loophole of all is the oil depletion allowance. It allows oil producers to receive 27½ percent of the gross income from their oil wells tax-free—so long

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as it does not exceed 50 percent of net income. In theory, this is to compensate the oil man for the fact that the oil in his well is being used up, or depleted, by the drilling, much as other businessmen are allowed to take deductions for the depreciation of their plant and machinery. Unlike other industries, however, the oil depletion allowance continues year after year as long as the well keeps producing—it does not stop when the cost of the well is recovered. Normal cost depreciation, by way of contrast, permits capital assets to be depreciated over their useful life, but total deductions cannot exceed the total cost of the asset.

As a result of this provision, the Treasury estimates, the cost of the average oil well is recovered 19 times over. The effect of this on oil company tax bills is striking: in 1966 the 20 top oil companies in America cleared a total profit of more than $4¾ billion—yet they paid Federal income taxes at the rate of only 8½ percent. That is about the same rate a man and wife earning $3,000 a year must pay.

Ideally, percentage depletion should be replaced with cost depletion. But since we are not living in an ideal world, this Title provided only that the oil depletion allowance be reduced by less than one-half, from 27½ to 15 percent, the percentage now applicable to over 40 other minerals. In addition, this Title would reduce to 15 percent the mineral depletion allowance on 41 minerals now enjoying a 23 percent depletion rate. Thus these two reforms would put a 15 percent ceiling on all percentage depletion.

The revenue gain from this modest proposal would be at least $900 million a year.

TITLE X: ESTABLISHING THE SAME RATE FOR GIFT AND ESTATE TAXES—SAVINGS $150 MILLION

Present tax law places a premium on a person giving away his property during his lifetime. Property given away during a donor's lifetime is taxed at the gift tax rate, which is only three-fourths as high as the estate tax rate that applies to property transferred at death. In addition, $3000 can be given away each year to any number of individuals without paying any gift tax. Finally, over and above these yearly $3000 gifts, $30,000 can be given away by a person during his lifetime without paying a gift tax.

This Title simply raised the gift tax rates by 25 percent to bring them in line with the estate tax rates. Property given away would then be taxed at the same rate without regard to whether it is given during the donor's lifetime or at his death.

This reform would bring in $150 million in extra revenues annually.

TITLE XI: ELIMINATING PAYMENT OF ESTATE TAXES BY THE REDEMPTION OF GOVERNMENT BONDS AT PAR—SAVINGS $50 MILLION

If upon death a person faces a probable $100,000 estate tax bill and has a smart lawyer, the lawyer will advise his client to buy $100,000 worth of long-term U.S. Government bonds. Why? Because the U.S. Treasury will redeem its bonds at par (face) value in payment of estate taxes, no matter what his client paid for them. If his client, for example, buys Government bonds for $80,000 and his estate turns them in at $100,000 a few weeks later, the decedent reduces his estate tax bill by 20 percent.

The Treasury loses $50 million a year as a result of this little known generosity.

TITLE XII: LIMITING HOBBY FARMERS' USE OF FARM LOSSES TO OFFSET OTHER INCOME—SAVINGS $400 MILLION

The "hobby farm" loophole allows wealthy individuals with a yen for the bucolic to escape both city life and a large amount of taxes by becoming gentleman farmers. These part-time rustics get most of their income from sources other than farming, but by maintaining a farm they can take advantage of special farm accounting rules—which were developed to ease bookkeeping chores for ordinary, full-time farmers—and show "tax losses" which are not true economic losses. These tax losses are then used to offset nonfarm income, generally resulting in a large tax savings overall.

Not only is this loophole a large drain on the Treasury—around $400 million a year—it also gives the hobby farmer an unfair competitive advantage over the genuine farmer. The ordinary farmer must compete in the market place with these wealthy hobby farmers, to whom a profit in the ordinary sense is not necessary. In addition, the Treasury has said, the attractive farm tax benefits available to the wealthy have caused them to bid up the price of farm land beyond that which would prevail in a normal farm economy.

This Title deals with the hobby farm problem by limiting the amount of non-farm income that can be offset by farm losses in any one year. For those with non-farm income up to $15,000, farm losses can offset this non-farm income in full. However, for each dollar of non-farm income in excess of $15,000, the amount of non-farm income that can be offset is reduced by a dollar. Thus, someone with a non-farm income of $20,000 could only offset $10,000 of it with farm losses, while someone with non-farm income of $30,000 or more could offset none of it with farm losses.

In addition, there are carryover and carryback provisions that allow farm losses to be offset against farm income—but no other income—for the prior 3 years and the subsequent 5 years.

TITLE XIII: ELIMINATING ACCELERATED DEPRECIATION ON SPECULATIVE REAL ESTATE—SAVINGS $150 MILLION

This Title would repeal section 1250 of the Internal Revenue Code, which permits accelerated depreciation on speculative real estate investments.

By taking advantage of this accelerated depreciation provision, a real estate speculator can deduct more than the normal amount of depreciation in the early years of a building's life in return for lower-than-normal deductions in the later years. However, if he sells the building at the proper time he can avoid those lower deductions in the later years. The new purchaser can in turn begin again with higher-than-average deductions, skimming the cream of accelerated depreciation before he too sells the property. The advantage of this for the speculator is that these higher-than-normal deductions can be used to offset ordinary income, reducing his tax bill.

But this is not the only tax advantage that flows from accelerated depreciation. If the speculator sells the property at a profit, his entire profit is taxed at the low capital gains rate—including the "book profit" resulting from accelerated depreciation. This extra book profit comes about because accelerated depreciation has reduced the nominal value of the property below what it would be if normal straight-line depreciation had been used. In most non-real estate transactions this extra book profit—the difference between book value and real value—is taxed as ordinary income. Not so for real estate (except in certain limited circumstances). There this fictional gain is taxed at the reduced capital gains rates.

Repealing the accelerated depreciation provision would save the Treasury $150 million annually.

TITLE XIV: REPEALING THE 7 PERCENT INVESTMENT TAX CREDIT—SAVINGS $3 BILLION

The 7 percent investment tax credit, enacted in 1962, permits business firms to subtract from their tax bills 7 percent of the value of eligible new equipment installed during the year. It was intended to stimulate the economy by providing a subsidy to private investment.

However, our economy has been overstimulated and we are now in a period of serious inflation, fed in part by the investment tax credit. The credit concentrates inflationary spending power on precisely that portion of the economy that is already most overheated—the capital goods sector. And, having stimulated inflation in the capital goods sector in the first place, it creates a second round of inflation by causing business to hasten to invest before inflation drives up capital goods prices even further.

Nor is this all. In order to damp down the inflation caused in considerable part by the investment tax credit, the country's monetary authorities are currently engaged in a policy of restricting money and credit and raising interest rates.

The purpose of the tight money policy is to slow inflation, mainly in the capital goods sector. Unfortunately, tight money and high interest rates fall upon the just and unjust alike. The business firm that overinvests in capital equipment may have to pay high interest rates, but it is bountifully subsidized by the government through the investment tax credit, and is thus largely insulated from the effects of interest rate increases. Meanwhile, the three segments of the economy that suffer most from tight money and high interest—the housing industry, state and local government, and small business have no investment tax credit to rescue them from the effects of tight money and high interest rates.

This Title would repeal the investment tax credit for all property installed after its enactment, except that property which was ordered under binding contract before enactment would continue to qualify. Doing this would bring in an extra $3 billion in revenues annually.

S. 2040—INTRODUCTION OF A BILL TO PROVIDE THAT THE TEMPORARY JUDGESHIP FOR THE EASTERN DISTRICT OF WISCONSIN SHALL HENCEFORTH BE PERMANENT

Mr. PROXMIRE. Mr. President, I introduce, for myself and Mr. NELSON, a bill to convert the temporary judgeship for the eastern district of Wisconsin to a permanent judgeship.

At present, the number of permanent judgeships allotted to the eastern district of Wisconsin is two. In 1966, the Congress recognized that the caseload for this district had become too heavy to be handled by only two judges. Accordingly, by the act of March 18, 1966, Congress authorized the creation of a third judgeship for the eastern district of Wisconsin on a temporary basis. The act provided that the first vacancy occurring in the office of district judge would not be filled.

Mr. President, the need for additional judicial help that existed in 1966 in the eastern district has not abated. If anything, the caseload is greater than ever. If the cases coming before the district court are to continue to receive the attention they deserve, and if the court is to conduct its business efficiently and expeditiously, it is essential that when the first vacancy occurs in the office of district judge it be filled as promptly as possible.

Mr. President, in recent years, the issue of law and order has become a matter of acute national concern. It was probably the most hotly debated issue in last year's election campaign. Unquestionably, there are many, many different viewpoints on this problem—some approach it from a social perspective, others from a political perspective, and still others from a legal point of view. But virtually everyone who has ever spoken out on this critical issue is agreed on one thing: the need for a judicial process that is swift and sure.

This goal, Mr. President, can be achieved only if we have a sufficient number of judges to handle the caseload. Accordingly, Senator **Nelson** and I introduce a bill to provide that the temporary judgeship for the eastern district of Wisconsin shall henceforth be permanent.

I ask unanimous consent that the text of the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2040), to provide that the temporary judgeship for the eastern district of Wisconsin created by the act of March 18, 1966 (80 Stat. 78), shall henceforth be permanent, introduced by Mr. **Proxmire** (for himself and Mr. **Nelson**), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 2040

A bill to provide that the temporary judgeship for the eastern district of Wisconsin created by the Act of March 18, 1966 (80 Stat. 78), shall henceforth be permanent

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the existing district judgeship for the eastern district of Wisconsin created by subsection (c) of section 5 of the Act entitled "An Act to provide for the appointment of additional circuit and district judges, and for other purposes," approved March 18, 1966 (80 Stat. 78), shall be a permanent judgeship and the present incumbent of such judgeship shall henceforth hold his office under section 133 of title 28, United States Code, as amended by this Act. Subsection (c) of section 5 of the Act of March 18, 1966 (80 Stat. 78), is hereby repealed.

Sec. 2. In order that the table contained in section 133 of title 28, United States Code, will reflect the change made by the first section of this Act in the number of permanent judgeships for the eastern district of Wisconsin, such table is amended to read as follows with respect to such district:

"Districts	Judges
* * * * *	
"Wisconsin	
"Eastern	3
* * * * *".	

S. 2041—INTRODUCTION OF A BILL TO AMEND FURTHER THE PEACE CORPS ACT

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to amend further the Peace Corps Act, as amended.

The proposed bill has been requested by the acting director of the Peace Corps and I introduce it in order that there may be a specific bill to which members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the Record at this point, together with the letters from the Peace Corps dated January 17 and April 21, 1969, and the section-by-section analysis of the proposed bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, section-by-section analysis, and letters will be printed in the Record.

The bill (S. 2041) to amend further the Peace Corps Act (75 Stat. 612), as amended, introduced by Mr. **Fulbright** (by request), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 2041

A bill to amend further the Peace Corps Act (75 Stat. 612), as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1969" and "$112,800,000" and substituting "1970" and "$101,100,000", respectively.

Sec. 2. Section 5 of the Peace Corps Act, as amended, which relates to the Peace Corps volunteers, is amended as follows:

(a) In subsection (h), immediately after "(31 U.S.C. 492a),", add "the Act of October 21, 1968 (5 U.S.C. 5584) for purposes of erroneous payments of allowances provided under the Peace Corps Act,".

The material, furnished by Mr. **Fulbright**, follows:

Peace Corps,
Washington, Jan. 17, 1969.

The Honorable **Hubert H. Humphrey**,
President of the Senate.

Dear Mr. President: Enclosed for your consideration is draft legislation which will enable the Peace Corps to continue its work on behalf of world peace and understanding.

This legislation will authorize the appropriation of $109.8 million for the Peace Corps in Fiscal 1970. It also would amend the Peace Corps Act to provide that Peace Corps Volunteers be deemed Government employees for purposes of the Act of October 21, 1968, which authorizes the waiver of claims arising from erroneous payments to Government employees.

The authorization will enable the Peace Corps to train an estimated 8,500 Volunteer applicants in the coming year, the same number trained this year. The estimated total number of Volunteers and trainees serving at the end of the Peace Corps Program Year, August 31, 1970, will therefore be about 13,800, approximately 100 more than the estimated number on August 31, 1969.

During the past year, the Peace Corps has increased the number of countries and areas in which it has programs from 57 to 59, and requests for Volunteers have been received from several additional countries.

The Peace Corps will continue in 1970 to seek more effective and more economical ways to recruit, select, train, program and support our Volunteers.

The Bureau of the Budget advised on January 13, 1969, that enactment of this legislation would be in accord with the program of the President.

Sincerely,

Jack Vaughn.

A bill to amend further the Peace Corps Act (75 Stat. 612), as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1969" and "$112,800,000" and substituting "1970" and "$109,800,000", respectively.

Sec. 2. Section 5 of the Peace Corps Act, as amended, which relates to Peace Corps volunteers, is amended as follows:

(a) In subsection (h), immediately after "(31 U.S.C. 492a),", add "the Act of October 21, 1968, (5 U.S.C. 5584) for purposes of erroneous payments of allowances provided under the Peace Corps Act,".

Section-by-Section Analysis of the Proposed Act To Amend Further the Peace Corps Act

The proposed act ("the bill") to amend further the Peace Corps Act, as amended ("the act"), has two purposes. First, it authorizes appropriations for fiscal year 1970 under the general authority in the act for appropriations to carry out programs in furtherance of the purposes of the act. The bill would accomplish this by striking out the amount and the reference to the fiscal year in that general authorization and substituting the new amount and the new fiscal year. Deletion of the amount and year in the general authorization has, of course, no effect on prior appropriations thereunder to carry out the provisions of the act. Second, the bill would effect one other amendment to the act, which is of a substantive nature designed to promote more effective and efficient operation of the Peace Corps.

Section 1.—Amends section 3(b) of the act, which relates to authorizations, to authorize the appropriation of $109,800,000 for fiscal year 1970.

Section 2.—Amends section 5(h) of the act, which relates to Peace Corps volunteers, to deem volunteers employees of the United States Government for the purposes of the Act of October 21, 1968, (P.L. 90–616, 82 Stat. 1212, 5 U.S.C. § 5584). This would authorize the Comptroller General and the Peace Corps, in accordance with standards prescribed by the Comptroller General and as to claims aggregating not more than $500, to apply the provisions of that Act to waive claims arising out of erroneous payments to volunteers or volunteer leaders of the allowances provided under the Peace Corps Act (mainly readjustment and subsistence allowances under sections 5(b) and (c) and 6(1) and (2)).

Peace Corps,
Washington, April 21, 1969.

The Honorable **Spiro T. Agnew**,
President of the Senate.

Dear Mr. President: Under cover of letter dated January 17, 1969, Mr. Vaughn submitted for your consideration draft legislation which would enable the Peace Corps to continue its work on behalf of world peace and understanding. As a result of a further budget review undertaken at the President's direction, it has been determined that a reduction in the appropriation which that legislation would have authorized is feasible. For your convenience the draft legislation is resubmitted in full with the appropriate reduction in the authorization sought.

This legislation will authorize the appropriation of $101.1 million for the Peace Corps

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in Fiscal 1970. It also would amend the Peace Corps Act to provide that Peace Corps Volunteers be deemed Government employees for purposes of the Act of October 21, 1968, which authorizes the waiver of claims arising from erroneous payments to Government employees.

The authorization will enable the Peace Corps to train an estimated 7,500 Volunteer applicants in the coming year. This is approximately 1,000 less than the figure of 8,500 proposed in Mr. Vaughn's letter to you of January 17. This reduction is the single most important factor in permitting the reduction of $8,700,000 from the authorization requested in the draft legislation previously submitted. The estimated total number of Volunteers and trainees serving at the end of the Peace Corps Program Year, August 31, 1970, will therefore be about 12,000, approximately 400 less than the estimated number of August 31, 1969.

During the past year, the Peace Corps has increased the number of countries and areas in which it has programs from 57 to 59, and requests for Volunteers have been received from several additional countries.

The Peace Corps will continue in 1970 to seek more effective and more economical ways to recruit, select, train, program, and support our Volunteers.

The Bureau of the Budget has advised that enactment of this legislation would be in accord with the program of the President.

Sincerely,

BRENT ASHABRANNER,
Acting Director.

Enclosure: As stated——

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED ACT TO AMEND FURTHER THE PEACE CORPS ACT

The proposed act ("the bill") to amend further the Peace Corps Act, as amended ("the act"), has two purposes. First, it authorizes appropriations for fiscal year 1970 under the general authority in the act for appropriations to carry out programs in furtherance of the purposes of the act. The bill would accomplish this by striking out the amount and the reference to the fiscal year in that general authorization and substituting the new amount and the new fiscal year. Deletion of the amount and year in the general authorization has, of course, no effect on prior appropriations thereunder to carry out the provisions of the act. Second, the bill would effect one other amendment to the act, which is of a substantive nature designed to promote more effective and efficient operation of the Peace Corps.

Section 1.—Amends section 3(b) of the act, which relates to authorizations, to authorize the appropriation of $101,100,000 for fiscal year 1970.

Section 2.—Amends section 5(h) of the act, which relates to Peace Corps Volunteers, to deem volunteers employees of the United States Government for the purposes of the Act of October 21, 1968 (P.L. 90-616, 82 Stat. 1212, 5 U.S.C. § 5584). This would authorize the Comptroller General and the Peace Corps, in accordance with standards prescribed by the Comptroller General and as to claims aggregating not more than $500, to apply the provisions of that Act to waive claims arising out of erroneous payments to volunteers or volunteer leaders of the allowances provided under the Peace Corps Act (mainly readjustment and subsistence allowances under sections 5 (b) and (c) and 6 (1) and (2)).

S. 2044—INTRODUCTION OF A BILL TO AMEND THE INTERSTATE COMMERCE ACT AND THE FEDERAL AVIATION ACT OF 1958

Mr. MAGNUSON. Mr. President, I introduce, by request, a bill to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salary of employees from withholding for tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence. This measure is similar to others concerning the subject of interstate employee's income tax withholding by States which the Commerce Committee has approved in years past. It is apparent that some employees whose work requires their presence in more than one State may be suffering from a double taxation burden. I think the Congress should give very serious consideration to this legislation at an early date. I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2044), to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salary of employees from withholding for tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence introduced by Mr. MAGNUSON (by request) (for himself and Mr. JACKSON), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2044

A bill to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salary of employees from withholding for tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part I of the Interstate Commerce Act is amended by redesignating section 26 as section 27 and by inserting before such section a new section as follows:

"EXEMPTION OF CERTAIN WAGES AND SALARY OF EMPLOYEES FROM WITHHOLDING BY OTHER THAN RESIDENCE STATE

"SEC. 26. (a) No part of the wages or salary paid by any railroad, express company, or sleeping car company, subject to the provisions of this part, to an employee who performs his regularly assigned duties as such an employee on a locomotive, car, or other track-borne vehicle in more than one State, shall be withheld for tax purposes pursuant to the laws of any State or subdivision thereof other than the State or subdivision of such employee's residence, as shown on the employment records of any such carrier; nor shall any such carrier file any information return or other report for tax purposes with respect to such wages or salary with any State or subdivision thereof other than such State or subdivision of residence.

"(b) For the purposes of this section, the term 'State' also means the District of Columbia."

SEC. 2 (a) Section 202(b) of the Interstate Commerce Act is amended by inserting after "Nothing in this part" a comma and the following: "except as provided in section 226A,".

(b) Part II of the Interstate Commerce Act is amended by inserting after section 226 a new section as follows:

"EXEMPTION OF CERTAIN WAGES AND SALARY OF EMPLOYEES FROM WITHHOLDING BY OTHER THAN RESIDENT STATE

"SEC. 226A. (a) No part of the wages or salary paid by any motor carrier subject to the provisions of this part to any employee who performs his regularly assigned duties as such an employee on a motor vehicle in more than one State, shall be withheld for tax purposes pursuant to the laws of any State or subdivision thereof other than the State or subdivision of such employee's residence, as shown on the employment records of such carrier; nor shall such carrier file any information return or other report for tax purposes with respect to such wages or salary with any State or subdivision thereof other than such State or subdivision of residence.

"(b) For the purposes of this section, the term 'State' also means any possession of the United States or the Commonwealth of Puerto Rico."

SEC. 3. (a) Part III of the Interstate Commerce Act is amended by redesignating section 323 as section 324 and by inserting before such section a new section as follows:

"EXEMPTION OF CERTAIN WAGES AND SALARY OF EMPLOYEES FROM WITHHOLDING BY OTHER THAN RESIDENCE STATE

"SEC. 323. No part of the wages or salary paid by any water carrier subject to the provisions of this part to an employee who performs his regularly assigned duties as such an employee on a vessel in more than one State, shall be withheld for tax purposes pursuant to the laws of any State or subdivision thereof other than the State or subdivision of such employee's residence, as shown on the employment records of such carrier; nor shall such carrier file any information return or other report for tax purposes with respect to such wages or salary with any State or subdivision thereof other than such State or subdivision of residence."

(b) The table of contents contained in section 301 of the Interstate Commerce Act is amended by striking out

"Sec. 323. Separability of provisions."

and inserting in lieu thereof:

"Sec. 323. Exemption of certain wages and salary of employees from withholding by other than residence State.

"Sec. 324. Separability of provisions."

SEC. 4. (a) Title XI of the Federal Aviation Act of 1958 is amended by inserting after section 1111 the following new section:

"EXEMPTION OF CERTAIN WAGES AND SALARY OF EMPLOYEES FROM WITHHOLDING BY OTHER THAN RESIDENCE STATE

"SEC. 1112. (a) No part of the wages or salary paid by any air carrier to an employee who performs his regularly assigned duties as such an employee on an aircraft in more than one State shall be withheld for tax purpose pursuant to the laws of any State or subdivision thereof other than the State or subdivision of such employee's residence, as shown on the employment records of such carrier; nor shall such carrier file any information return or other report for tax purposes with respect to such wages or salary with any State or subdivision thereof other than such State or subdivision of residence.

"(b) For the purposes of this section, the term 'State' also means the District of Columbia and any of the possessions of the United States."

(b) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading "TITLE XI—MISCELLANEOUS" is amended by adding at the end thereof the following:

"Sec. 1112. Exemption of certain wages and salary of employees from withholding by other than residence State."

SEC. 5. The amendments made by this Act shall become effective on the first day of the

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first calendar year beginning after the date of enactment of this Act.

S. 2045—INTRODUCTION OF A BILL TO ESTABLISH AN OFFICE OF CONSUMER AFFAIRS

Mr. TYDINGS. Mr. President, I rise today on behalf of Senator BAYH and myself to introduce a bill to permanently establish an Office of Consumer Affairs in the Executive Office of the President.

As you know, Mr. President, I have long advocated dealing forcefully with mercantile abuses which, I believe, go far toward undermining the entire character of our free enterprise system, a system that is far and away the most successful economic system ever devised by man and which has provided more people with more of the physical comforts of life than has ever been believed possible. Today it easily outdistances any of its competitors. Institutions, however, do not survive by themselves, but require adjustment to new roadblocks which arise in an ever-changing human environment.

My purpose today is not to review the outstanding achievements—and there are many—we have made under our free enterprise system, but to focus on a weakness in the system which, if allowed to grow unchecked, may eventually have to be dealt with more drastically.

That weakness lies in the failure of many of our institutions—both public and private—to meet the needs and problems of all of us who spend increasing amounts of money each year in the marketplace, too often with unsatisfactory results and little opportunity for substantial redress.

The buyer-seller relationship has drastically changed. It was not long ago a buyer of a piece of an inferior product could take it back to the seller—a neighborhood entrepreneur who, dependent on his reputation in the neighborhood, could be trusted to rectify the situation and to assure against its repetition.

Today the buyer-seller relationship is on another footing entirely. The buyer no longer has access to the one with ultimate responsibility. The ultimate responsibility has gone from the individual entrepreneur to the impersonal corporate structure. In addition, each consumer's grievance is no longer the immediate concern of the seller—what the seller is concerned about is usually a multimillion-dollar picture in which the individual grievant is a fly speck problem. Even a number of grievants may not really merit any great attention or consideration from a corporate structure dedicated first to maximizing the return on its investment.

The inability of consumers—and what affects adversely the middle-class consumer has a tenfold impact upon the poor or marginal consumer—to deal with giant institutions in a growing, complex world of commerce should not raise eyebrows. Nor is it surprising to me that public institutions confronted with the lobbying activities of highly resourceful, well-organized interests do not always respond in ways most favorable to consumer interests. It is clear, however, that there is a need for the consumer to be forcefully represented in the highest councils of government.

Last week, the President appointed Virginia Knauer to serve as his special assistant for consumer affairs, a position created by Executive order. The appointment bodes well for consumers because of Mrs. Knauer's fine service as director of Pennsylvania's consumer affairs agency. But events leading to Mrs. Knauer's somewhat tardy appointment demonstrate graphically that the position of the consumers' spokesman in government cannot be left to happenstance. The consumer's right to his representative, to one devoted to his interest, should be made statutory and should be made permanent.

There is now being considered by the Executive Reorganization Subcommittee of the Senate Committee on Government Operations a bill to establish a Department of Consumer Affairs. This proposal originated with Senator Kefauver and has been advocated consistently in recent years by Congressman ROSENTHAL. Because of my belief that the interests of consumers should have the highest priority, I have supported that proposal. The Department concept, however, does present problems which were eloquently highlighted by Ralph Nader in his testimony before the Ribicoff subcommittee:

> There is much in this bill with which I agree. There is a definite need for a distinct arm of the Federal Government to promote and represent the consumer interest by performing the following functions—*investigation, research* and *testing, information dissemination, handling complaints* and *advocacy before agencies and courts* and presentations before Congress. I do not find persuasive, however, the depositing of various regulatory functions including the transfer of several consumer laws from other departments and agencies to the proposed Department. Giving the Department of Consumer Affairs such a regulatory role would (a) simply refocus the entire lobbying environment on the Department; (b) weaken the Department's strong advocate role because it would have to referee between competing interests in its administrative hearings and rule-making roles; (c) further lighten any public interest burdens from other Departments and regulatory agencies and (d) generate *needless* opposition to any Department by established agencies apprehensive of losing their programs. To be effective, a consumer agency must not have anything to give to industry or commerce, as it most assuredly would if it had a regulatory role. Having something to give would attract the same forces that undermined or controlled other agencies. The thrust of a consumer agency, in my judgment, is to assist in the reform of other agencies to perform in the public interest, not to progressively relieve them of that horizon in their deliberations.

Betty Furness, in her testimony before the subcommittee stated:

> I don't think we yet know exactly what such a Department (of Consumer Affairs) should contain or exactly what commissions and agencies and offices should be moved into that Department.
>
> We don't know exactly what statutory powers that Department would need to carry out such a broad mission, and I think it would be a great misfortune if we handicapped a department in its very first days with inadequate authority or the wrong authority.

The Consumer Affairs Act of 1969 is designed to provide a meaningful alternative to the department concept. Without juggling the present alignment of agencies, it would perform a coordinating function which hopefully might bring some order to the diverse handling of consumer affairs by too numerous agencies. Not only should it coordinate, but its mission will be simultaneously to aid in eliminating "overlap, conflict or any other problems tending to interfere with" the Government's consumer programs. In addition, the bill would—

Authorize the establishment of consumer complaint centers and aid in the resolution of such grievances;

Collect and disseminate pertinent consumer information;

Encourage and support research;

Develop consumer education programs;

Assist State and local governments to establish consumer programs; and

Work with business representatives to provide higher quality products and better service.

This bill would also provide for a consumer counsel who could participate in all types of regulatory proceedings affecting the consumer and act for the Director of the Office in court matters affecting consumers.

The bill further provides broad investigative authority through which the Office might accomplish its mission on behalf of consumers.

Basically, the bill is designated not to create another agency to add to the existing agencies, but to cut across existing agency lines to insure proper protection for consumers. It is designed to insure that in every regulatory proceeding affecting consumers, an individual with responsibilities only to the consumer will participate. It is designed to insure that information and data, paid for by the consumer's taxes, is communicated to him in a way that will make the problems of the marketplace easier for him to handle.

Finally the bill is designed to provide a moderate response to a most pressing problem. It should be the goal of the office created by this bill to simplify, not complicate, the administration of the many programs designed to benefit America's 200 million consumers. Its aim should be to streamline the process, and not to provide another story to the bureaucratic structure. Its future lies in the development, modification, or elimination, whatever the case may be, of programs to meet the ever-changing needs of consumers.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2045), to establish an Office of Consumer Affairs in order to provide within the Federal Government for the representation of consumers' interests and to undertake studies designed to achieve superior implementation of consumer programs throughout the Federal system, introduced by Mr. TYDINGS (for himself and Mr. BAYH), was received, read twice by its title and referred to the Committee on Government Operations.

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S. 2047—INTRODUCTION OF A BILL TO GRANT LEAVE TIME TO FEDERAL AND DISTRICT OF COLUMBIA EMPLOYEES TO ENGAGE IN PUBLIC SERVICE ACTIVITIES

Mr. TYDINGS. Mr. President, I rise today to introduce a bill to provide 5 days public service leave time for public employees who engage in nonpartisan civic activities and, in so doing, are required under present regulations to utilize their annual leave or to take leave without pay.

Because of the restrictions of the Hatch Act, thousands of talented and dedicated Federal employees are denied the opportunity of exercising the full responsibilities and privileges of U.S. citizenship. With official encouragement, however, many employees are able and do participate in civic activities of a nonpartisan nature and are able to make important contributions. This is particularly true on local levels where critical administrative problems relating to such nonpolitical matters as schools, parks, trash collection, local roads, and other matters of community concern go begging for solutions because the skills needed to solve these problems are simply not available.

The Federal Government contains a wealth of professional administrative and executive talent in a variety of areas that could be engaged in efforts to solve difficult local problems.

Many Federal employees do participate in such activities and, indeed, do so without seeking rewards for their efforts. They should not be penalized for such service by being required to use annual leave time which is needed for a myriad of other personal uses including, but by no means limited to, vacations.

The private sector is well ahead of the Government in permitting employees to participate in civic activities without regard to distinctions between working and nonworking time. This is not uniformly true, of course, but many businesses and professions encourage a certain amount of community service on the assumption that both the firm and its employees have a stake in community affairs. This bill should provide the stimulus for participation by employees of the Federal Government as well.

I would like to make it clear that this measure is not designed either to add significantly to the cost of government or simply to give Federal employees extra days off. The bill provides advance approval by one's agency before leave can be taken. The Civil Service Commission is directed to draw regulations to prevent abuse. To be effective, this measure will require intelligent management on the part of both the Commission and individual supervisors. These caveats, however, do not in any way detract from my conviction that the dividends to be derived from the activity this measure will encourage are not measurable in dollars.

There is another benefit to be gained by encouraging Federal employees to engage in civic activities. Individuals who may not regularly face stimulating challenges to their professional creativity at work will have a choice to confront problems requiring new approaches and solutions. The stimulus of such activity could well result in more effective work on the job.

Mr. President, I hope the Congress will carefully consider this measure. With the too numerous problems our society faces, we simply cannot afford not to encourage capable citizens to contribute their time and ability to the search for solutions. I submit this measure will supply a strong incentive to such public-spirited efforts.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2047) to grant leave time to Federal and District of Columbia employees to engage in public service activities, introduced by Mr. Tydings, was received, read twice by its title and referred to the Committee on Post Office and Civil Service.

S. 2048—INTRODUCTION OF A BILL TO PERMIT STATES OR OTHER DULY CONSTITUTED TAXING AUTHORITIES TO SUBJECT PERSONS TO LIABILITY FOR PAYMENT OF PROPERTY TAXES ON PROPERTY LOCATED IN FEDERAL AREAS WITHIN SUCH STATES UNDER SPECIFIED CONDITIONS

Mr. MUSKIE. Mr. President, I introduce today, for appropriate reference, a bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such States under specified conditions.

Privately owned property in Federal enclaves is beyond the taxing authority of State and local governments. Residents of these areas usually cannot vote, run for public office, or serve on juries. In many enclaves they may not claim the right of access to State and local schools and other public institutions, facilities, and services. Finally, they cannot enjoy the full benefit of State laws or judicial processes relative to adoption, the probate of wills, the descent and distribution of property, marriage and divorce, and other civil matters.

Residents of such areas are, however, subject to nearly all other State and local taxes, including those on sales, use, gross receipts, gasoline and motor vehicle fuels, and gross and net income. The only remaining tax immunity enjoyed by residents of Federal enclaves is that on private property. This legislation would remove that final immunity under the stipulation that States provide the concomitant public services, privileges, and rights of State citizens to the residents of such Federal areas. These benefits must be provided to all citizens in order to assure equal justice under law.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2048), to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such States under specified conditions, introduced by Mr. Muskie, was received, read twice by its title, and referred to the Committee on Government Operations.

ADDITIONAL COSPONSORS OF BILLS

Mr. KENNEDY. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Indiana (Mr. Bayh) and the Senator from Oklahoma (Mr. Harris) be added as cosponsors of the bill (S. 1858), to amend the Sugar Act of 1948 to terminate the quota for South Africa.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, on behalf of Mr. Randolph, I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. Tower) be added as a cosponsor of the joint resolution (S.J. Res. 82), authorizing the President to proclaim the period May 11 through May 17, 1969, as "Help Your Police Fight Crime Week."

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maine (Mr. Muskie) be added as a cosponsor of the bill (S. 1872), to repeal the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, on behalf of the Senator from West Virginia (Mr. Randolph) I ask unanimous consent that, at its next printing, the name of the Senator from Indiana (Mr. Bayh) be added as a cosponsor of the bill (S. 1781), to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLEN. Mr. President, on behalf of the Senator from Indiana (Mr. Hartke), I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania (Mr. Scott) be added as a cosponsor of the bill (S. 1896), to amend title XVIII of the Social Security Act to include dental care, eye care, dentures, eyeglasses, and hearing aids among the benefits provided by the insurance program established by part B of such title.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, on behalf of Mr. Burdick, I ask unanimous consent that, at its next printing, the name of the Senator from Utah (Mr. Bennett) be added as a cosponsor of the bill (S. 773) to amend the Tariff Act of 1930 so as to exempt certain private aircraft entering or departing from the United States and Canada at night or on Sunday or a holiday from

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provisions requiring payment to the United States for overtime services of customs officers and employees.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIBLE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Idaho (Mr. JORDAN) be added as cosponsor of the bill (S. 1994), to authorize the use of facilities at the U.S. Public Health Service Owyhee Indian Hospital to provide certain medical care to non-Indians.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, on behalf of Mr. HART, I ask unanimous consent that, at its next printing, the names of the Senator from Indiana (Mr. HARTKE), the Senator from Alaska (Mr. STEVENS), and the Senator from Oregon (Mr. PACKWOOD) be added as cosponsors of S. 2029, the Omnibus Civil Rights Act of 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 191—SUBMISSION OF A RESOLUTION FOR THE CITATION FOR CONTEMPT OF THE SENATE OF MARGARET AND ALAN McSURELY—REPORT OF A COMMITTEE (S. REPT. NO. 91-137)

Mr. McCLELLAN. Mr. President, I submit, for the consideration of the Senate, a resolution and a copy of the report to accompany the resolution. I ask unanimous consent that the resolution and the report be printed, and that the resolution be placed on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, the resolution and report call upon the Senate to refer the matter to the U.S. attorney for the District of Columbia, so that he may proceed against Margaret and Alan McSurely for contempt of the Senate.

Margaret and Alan McSurely, in their appearance as witnesses before the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations on March 4, 1969, first, refused to produce books and records lawfully subpenaed before the subcommittee; and, second, failed to appear or to produce the said books and records pursuant to the order and direction of the chairman, with the approval of the subcommittee, before noon on March 7, 1969.

The Senate Permanent Subcommittee on Investigations, pursuant to its lawful authority, has been making an investigation of the substantial number of riots and civil disorders that have plagued our cities. The authority to study and investigate riots is contained in Senate Resolution 216 dated March 15, 1968, 90th Congress, second session, and in Senate Resolution 26 dated February 17, 1969, for the 91st Congress, first session.

Mr. President, I wish to emphasize that in this investigation, the subcommittee was attempting to pursue its duties under the Senate rules and under the Senate resolution to first, determine the economy and efficiency of the operation of Federal agencies; second, investigate organized crime; and, third, investigate riots and causes of riots and how they might be prevented and, pursuant to the resolutions, "shall report to the Senate by January 31, 1970, and shall, if deemed appropriate, include in its report specific legislative recommendations."

In substance, Mr. President, this subcommittee was performing its legislative oversight duties as assigned and directed to it by the Senate.

The Supreme Court has upheld the right of Congress to designate areas of investigation by congressional committees. In the case of *Watkins* v. *United States*, 354 U.S. 178, at page 215, the Court stated:

> We are mindful of the complexities of modern government and the ample scope that must be left to the Congress as the sole constitutional depository of legislative power. Equally mindful are we of the indispensable function, in the exercise of that power, of congressional investigations. The conclusions we have reached in this case will not prevent the Congress, through its committees, from obtaining any information it needs for the proper fulfillment of its role in our scheme of Government. The legislature is free to determine the kinds of data that should be collected * * *.

Pursuant to its authority, the subcommittee duly authorized and issued a subpena for the appearance of Margaret and Alan McSurely. Pursuant to the aforementioned subpena, Margaret and Alan McSurely were called upon and did appear to testify on March 4, 1969, before the subcommittee in Washington, D.C.

Accordingly, Margaret and Alan McSurely were sworn as witnesses. Thereafter, they refused to produce books and records lawfully subpenaed before the subcommittee. The chairman asked the witness if he brought the records in response to the subpena. The following colloquy occurred between the chairman and the witness:

> The CHAIRMAN. I asked you a question, and your answer is not responsive to it. Did you bring the records with you? Do you have them here? Are you prepared to present them in an open hearing now?
>
> Mr. McSURELY. No.
>
> The CHAIRMAN. Thank you very much.

Pursuant to the rules of the subcommittee, the chairman then ruled, and his ruling was sustained by the members of the subcommittee present, that Margaret and Alan McSurely were to appear and produce the said books and records on or before noon, March 7, 1969. They did not appear nor were the records made available to the subcommittee.

Mr. President, the Supreme Court has upheld the right of congressional committees to direct witnesses to produce records in response to a subpena. In *United States* v. *Bryan*, 339 U.S. 323, the respondent was convicted for failure to produce records for a congressional committee. Her conviction was reversed by the Court of Appeals for the District of Columbia. The Supreme Court reversed the court of appeals. At page 329, the Court stated:

> If it is shown that such committee is, in fact, obstructed by the intentional withholding of documents, it is unimportant whether the subpenaed person proclaims his refusal to respond before the full committee, sends a telegram to the chairman, or simply stays away from that hearing on the return day. His statements or actions are merely evidence from which a jury might infer an intent to default * * *.

Again, on page 331, the Supreme Court stated:

> Persons summoned as witnesses by competent authority have certain minimum duties and obligations which are necessary concessions to the public interest in the orderly operation of legislative and judicial machinery. *A subpena has never been treated as an invitation to a game of hare and hounds, in which the witness must testify only if cornered at the end of the chase.* If that were the case, then, indeed, the great power of testimonial compulsion, so necessary to the effective functioning of courts and legislatures, would be a nullity. We have often iterated the importance of this public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned * * *. (Italics added)

The refusal of the McSurleys to produce the lawfully subpenaed books and records prevented the subcommittee from obtaining testimony pertinent to the subject matter under inquiry by the subcommittee.

The Permanent Subcommittee on Investigations and the Committee on Government Operations have reviewed the resolution and report and referred the matter to the Senate for action. I urgently ask you to uphold the authority and dignity of the Senate by resolving to present this matter to the U.S. attorney for the District of Columbia so that he may proceed against Margaret and Alan McSurely for contempt of the Senate, under title II, section 192, and others, of the United States Code, as well as any other appropriate provision of the law.

Mr. President, this committee, or any other committee of Congress with the responsibility for legislative oversight or investigations, will be useless hereafter to the U.S. Senate if this challenge to its authority and its jurisdiction is sustained.

It is not a challenge merely to the committee; it is a challenge to the U.S. Senate. It is a defiance of the authority of the U.S. Senate to investigate and determine the facts, through this committee, which has the overall duty and responsibility of overseeing the expenditures of monies by Government agencies, and of investigating riots, crime, and organized criminal activities.

Mr. President, there is also involved a challenge to the authority of the subcommittee to inquire into the expenditures of money by agencies of the Federal Government, and the causes of riots, crime, and organized criminal activities. When Congress votes expenditure of taxpayers' dollars, it has a right and a need to be informed whether they are spent in accordance with the legislative intent—to determine what safeguards or legislation are necessary to guard the proper

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expenditures of funds and to prevent waste.

The issue is: Can Congress inquire into the substantial number of riots and civil disorders that have plagued our cities during recent years? If we cannot do this, then we are powerless to safeguard and protect the citizens of this Nation.

This is the issue, Mr. President, and I trust the Senate will uphold its committee and its subcommittee in the action they have taken. I may say that not only did the subcommittee members, present and voting, unanimously recommend this action, but it has been unanimously approved by the members of the parent Committee on Government Operations, present and voting.

Mr. President, I trust that the Senate will be governed in accordance with the recommendations of these committees.

SENATE RESOLUTION 192—SUBMISSION OF A RESOLUTION PROVIDING FOR STUDY AND INVESTIGATION OF CAMPUS DISORDERS

Mr. DIRKSEN submitted a resolution (S. Res. 192) to authorize the Committee on the Judiciary to investigate the impairment of the internal security of the United States arising from disorders at educational institutions.

(See the above resolution printed in full when submitted by Mr. DIRKSEN.)

SENATE RESOLUTION 193—SUBMISSION OF A RESOLUTION TO REFER S. 1418 TO THE CHIEF COMMISSIONER OF THE COURT OF CLAIMS

Mr. SCOTT submitted the following resolution (S. Res. 193); which was referred to the Committee on the Judiciary:

S. RES. 193

Resolved, That the bill (S. 1418) entitled "A bill for the relief of Carleton R. McQuown", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the Court of Claims; and the chief commissioner of the Court of Claims shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

SENATE CONCURRENT RESOLUTION 21—SUBMISSION OF A CONCURRENT RESOLUTION TO PRINT ADDITIONAL COPIES OF HEARINGS

Mr. RANDOLPH submitted the following concurrent resolution (S. Con. Res. 21); which was referred to the Committee on Rules and Administration:

S. CON. RES. 21

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Public Works, one thousand additional copies of Part 1, and seven hundred additional copies of Part 2, Thermal Pollution—1968 hearings, held during the second session of the 90th Congress.

ESTABLISHMENT OF THE CAPITOL REEF NATIONAL PARK IN THE STATE OF UTAH—AMENDMENT

AMENDMENT NO. 17

Mr. MOSS submitted an amendment intended to be proposed by him to the bill (S. 531) to establish the Capitol Reef National Park in the State of Utah; which was referred to the Committee on Interior and Insular Affairs.

(See the reference to the above amendment when submitted by Mr. Moss, which appear under a separate heading.)

ESTABLISHMENT OF THE ARCHES NATIONAL PARK IN THE STATE OF UTAH—AMENDMENT

AMENDMENT NO. 18

Mr. MOSS submitted an amendment intended to be proposed by him to the bill (S. 532) to establish the Arches National Park in the State of Utah; which was referred to the Committee on Interior and Insular Affairs.

(See reference to the above amendment when submitted by Mr. Moss, which appear under a separate heading.)

ESTABLISHMENT OF THE CAPITOL REEF AND ARCHES NATIONAL PARKS IN THE STATE OF UTAH—AMENDMENTS

AMENDMENTS NOS. 17 AND 18

Mr. MOSS. Mr. President, in the last days of the administration of President Johnson, he, by Executive proclamation, expanded the boundaries of two national monuments in my State of Utah, and at the same time recommended that these areas be made into national parks. The two national monuments, in their expanded size, are Arches National Monument and Capitol Reef National Monument.

Since that time, I have made a rather extensive review of the boundaries of the extended monuments, and today I propose to introduce amendments that will change those boundaries somewhat.

By way of explanation, upon the recommendation of the President, I introduced bills to change the monuments to national parks, and that is the status of the matter now. Hearings on these national park bills have been set by the appropriate subcommittee of the Committee on Interior and Insular Affairs. But in the interim, with the assistance of many local people, the National Park Service, the Bureau of Land Management, geologists from the University of Utah, and others, I have made a visual survey of the boundaries and have spent a good deal of time studying contour maps to determine what areas should be included and what might reasonably be excluded because of their unsuitability for national park status and the need to use them for other multiple-use purposes.

Therefore, Mr. President, I submit amendments to S. 532 and S, 531, and ask that they be printed and made available to the committee at once, prior to the hearings which have been set.

The PRESIDING OFFICER. The amendments will be received, appropriately referred and printed.

The amendments (No. 17 and 18) were referred to the Committee on Interior and Insular Affairs, and ordered to be printed.

CHANGE OF REFERENCE

Mr. MILLER. Mr. President, on April 1, I introduced S. 1749, a bill to provide for improved employee-management relations in the Federal service, and for other purposes. This bill was referred to the Committee on Labor and Public Welfare. Since the bill seeks to amend title 5 of the United States Code and relates only to Federal employees, almost all of whom are under the civil service, including all postal employees, I believe that the bill should be considered by the Post Office and Civil Service Committee which has jurisdiction over Federal civil service, including postal matters generally. Therefore, I ask unanimous consent that the Committee on Labor and Public Welfare be discharged from consideration of S. 1749 and that such bill be referred to the Committee on Post Office and Civil Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGE OF REFERENCE

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of S. 846, to provide compensation to certain silver-dealer claimants by authorizing the sale of silver bullion, and that it be referred to the Committee on the Judiciary.

This bill is a companion to a resolution which I introduced on the recommendation of the Joint Commission on the Coinage, providing that the Court of Claims makes a determination of the legal and equitable merits of the claims made by certain silver dealers listed in this bill. The court would also be charged with the responsibility of determining the amount, if any, which may be legally or equitably due to each claimant.

The resolution was referred to the Committee on the Judiciary. Both of these measures deal with the same problem and must be considered together. I have discussed the matter with Senator SPARKMAN, the chairman of the Committee on Banking and Currency, and he agrees that the committee should be discharged and that the bill should be referred to the Committee on the Judiciary and has authorized me to make this request.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Victor Cardosi, of New Hampshire, to be U.S. marshal for the district of New Hampshire, for the term of 4 years, vice Paul G. April, resigning.

William L. Martin, Jr., of Georgia, to be U.S. marshal for the middle district of Georgia for the term of 4 years, vice Robert O. Doyle.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, May 8, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Texas (Mr. YARBOROUGH), chairman of the Committee on Labor and Public Welfare, I wish to announce the scheduling of a hearing on Tuesday, May 13, in room 4232, at 10 a.m., on the nominations of Mr. DONALD RUMSFELD, of Illinois, to be Director of the Office of Economic Opportunity, and Mr. John B. Martin, Jr., of Michigan, to be Commissioner on Aging.

REVISED HEARING NOTICE

Mr. MONTOYA. Mr. President, on Tuesday, April 29, as appears on page 10625 of the RECORD, I announced that hearings would be held on May 1 and May 14, before the Subcommittee on Economic Development of the Committee on Public Works at 10 a.m. in room 4200, on S. 1072 and S. 1090, on proposed legislation extending for 2 years the authority of the Appalachian Regional Commission and of the five regional commissions established under title V of the Public Works and Economic Development Act of 1965.

In the text of the hearing notice, however, the date of the testimony of Hon. Robert A. Podesta, Assistant Secretary of Commerce, and the several regional cochairmen erroneously reads May 7. This should be changed to read May 14.

ADJOURNMENT UNTIL MONDAY, MAY 5, 1969

Mr. KENNEDY. Mr. President, in accordance with the order previously entered, I move that the Senate adjourn until 12 o'clock noon on Monday, May 5, 1969.

The motion was agreed to; and (at 4 o'clock and 54 minutes p.m.) the Senate adjourned until Monday, May 5, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate April 30 (under authority of the order of the Senate of April 29, 1969), 1969:

DIPLOMATIC AND FOREIGN SERVICE

Oliver L. Troxel, Jr., of Colorado, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zambia.

John Davis Lodge, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Argentina.

Matthew J. Looram, Jr., of the District of Columbia, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Dahomey.

Francis E. Meloy, Jr., of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

Spencer M. King, of Maine, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guyana.

Armin H. Meyer, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

DEPARTMENT OF DEFENSE

Daniel Z. Henkin, of Maryland, to be an Assistant Secretary of Defense, vice Phil G. Goulding, resigned.

U.S. ATTORNEY

Richard K. Burke, of Arizona, to be U.S. attorney for the District of Arizona for the term of 4 years vice Edward E. Davis, resigning.

U.S. MARSHAL

Isaac George Hylton, of Virginia, to be U.S. Marshal for the eastern district of Virginia for the term of 4 years vice Forest F. Walker, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 1, 1969:

DEPARTMENT OF LABOR

Arthur Fletcher, of Washington, to be an Assistant Secretary of Labor.

Laurence H. Silberman, of Hawaii, to be solicitor for the Department of Labor.

Robert D. Moran, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

DEPARTMENT OF THE INTERIOR

Edward E. Johnston, of Hawaii, to be High Commissioner of the Trust Territory of the Pacific Islands.

PEACE CORPS

Joseph H. Blatchford, of California, to be Director of the Peace Corps.

DEPARTMENT OF STATE

Marshall Green, of the District of Columbia, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State.

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil.

William J. Handley, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey.

Robert C. Hill, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America in Spain.

Kenneth B. Keating, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to India.

William Leonhart, of West Virginia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Socialist Federal Republic of Yugoslavia.

Val Peterson, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Finland.

Alfred Puhan, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Hungary.

Philip K. Crowe, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Norway.

HOUSE OF REPRESENTATIVES—*Thursday, May 1, 1969*

The House met at 12 o'clock noon.

Rev. Russel H. Dilday, Jr., Tallowood Baptist Church, Houston, Tex., offered the following prayer:

Fear thou not; for I am with thee; be not dismayed; for I am thy God: I will strengthen thee; yea, I will help thee; yea, I will uphold thee with the right hand of My righteousness.—Isaiah 41: 10.

Dear Father, knowing the immense and complex responsibilities these Representatives face, we are quick to acknowledge that so often the best we have is not enough. And taking courage from Thy clear and unmistakable promise which we have just read, we unashamedly begin these proceedings with prayer for Thy help.

Sustain and strengthen our President, we pray, under the heavy demands of his office.

Sustain and strengthen the Speaker and each Member of this body. Sensitize their minds to that wisdom which comes only from Thee. Reinforce their native abilities with Thine own unlimited power and transplant within them a courageous enthusiasm to obey Thy will to the end that in all things Thy perfect plan for this Nation may be accomplished.

For it is in the name of Thy Son Jesus, who ever liveth to make intercession for us, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works, which was read and referred to the Committee on Appropriations:

APRIL 25, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
The Capitol, Washington, D.C.

MY DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of

1959, the Committee on Public Works of the House of Representatives on April 24, 1969, approved the following public building project:

Baltimore, Maryland: Courthouse and Federal Building (Construction) and conversion and renovation of existing Appraisers Stores Building.

Sincerely yours,

George H. Fallon,
Chairman.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO FILE CERTAIN REPORTS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency be permitted to file before midnight Friday, May 2, reports on the following bills:

S. 1081, to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library;

H.R. 6269, to provide for the striking of medals in commemoration of the 300th anniversary of the founding of the State of South Carolina;

H.R. 7215, to provide for the striking of medals in commemoration of the 50th anniversary of the U.S. diplomatic courier service;

H.R. 8188, to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans; and

H.R. 8648, to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SAFEGUARD MISSILE SYSTEM

(Mr. CARTER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CARTER. Mr. Speaker, there has been much discussion and much controversy concerning the proposal for a Safeguard missile system. One of the Members of this House, whose advice and guidance I greatly admire, has said:

> When the defense of our country is involved, always err on the side of the safety of our country.

The current Safeguard controversy reminds me of the southern gentleman who, during the arid days of prohibition, gave his butler a quart of moonshine. After a few days, he asked his butler how the moonshine was.

The butler responded, "It was just exactly right."

The gentleman asked, "Just what do you mean by 'just exactly right'?"

The butler answered, "If it had been any better, you wouldn't have given it to me. If it had been any worse, I couldn't have drunk it."

If the Safeguard system had been stronger, it might have strained our country's economy. If it had been weaker, it would not have provided the deterrent factor our country must maintain.

OREGON SUPPORT FOR PRESIDENT NIXON'S ABM SYSTEM

(Mr. WYATT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WYATT. Mr. Speaker, in view of the controversy surrounding the proposal of President Richard Nixon for a limited anti-ballistic-missile system, very current reaction of the man on the street should be of considerable interest to my colleagues.

The President's recommendation was made immediately before my annual questionnaire was printed for circulation in Oregon's First Congressional District.

During the last 3 days massive returns of my questionnaire have been pouring in.

The question was:

Do you favor President Nixon's recommendation for a limited anti-ballistic-missile program? From 1,000 examined at random:

Answers:

Yes	579
No	241
No opinion	180

Even more significant of support for the President's proposal are some of the comments made on the questionnaire:

> "I feel that we need an ABM program which will keep up with anything the U.S.S.R. has."
>
> "One sufficient to protect us from attack."
>
> "It will be a base to build upon in case of trouble."
>
> "Yes, and much more."
>
> "A good, balanced program, which apparently does not offend the Russians, but shows them we mean business."

OIL IMPORT POLICIES

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, 1 month ago on April 1, I took the floor to discuss at some length our Government's restrictive oil import policies and to share with my colleagues the result of a careful study of the mandatory oil import control program.

My study convinced me that the program is costing American consumers more than $4 billion a year in artificially high prices for petroleum products. It is conducive to shortages in some areas. It is inequitable. And most important, it is unnecessary.

Today, I rise to introduce a carefully designed bill to provide for a gradual elimination of the oil import control program.

Joining me in this effort are 53 of my colleagues from both political parties and from across the country. The response I received is, I think, a significant measure of growing concern over the lucrative and long-standing benefits enjoyed by the petroleum industry at the expense of the average American consumer and taxpayer.

Our bill is the first legislative effort to end the 10-year-old mandatory oil import control program. I urge its prompt and favorable consideration.

Mr. Speaker, I am pleased to announce that the following 53 Members have joined in sponsoring this legislation today: Representatives Adams, Addabbo, Bates, Bingham, Boland, Burke of Massachusetts, Button, Byrne of Pennsylvania, Cleveland, Daddario, Donohue, Giaimo, Gibbons, Halpern, Hanley, Hathaway, Heckler of Massachusetts, Hicks, Horton, Kastenmeier, Keith, Koch, Kyros, Long of Maryland, Lowenstein, McCarthy, Matsunaga, Meskill, Mikva, Minish, Mink, Monagan, Moorhead, Morse, O'Neill of Massachusetts, Ottinger, Pepper, Philbin, Podell, Reid of New York, Reuss, Robison, Rodino, Rosenthal, St Germain, St. Onge, Smith of New York, Stafford, Stratton, Tiernan, Wolff, Wydler, and Wyman.

CENTRAL OHIO POLL

(Mr. DEVINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEVINE. Mr. Speaker, during the month of April, I conducted my annual public opinion poll in the 12th Ohio Congressional District. Approximately 35,000 ballots were mailed to central Ohio constituents, and approximately 7,500 expressed their views on eight issues.

Significantly, the greatest impact related to student disorders: 97.8 percent of those responding favored expulsion of students violently disrupting academic life in colleges and universities. And 96.8 percent would refuse Federal grants or loans to students actively engaging in unlawful campus disorders or violence. I have today introduced legislation to provide an incentive for college administrators to exercise some courage and enforce regulations and laws.

When an accused felon is out on bond, 87.7 percent would restrict bail for a subsequent or later offense, and if a firearm is used in a Federal crime, 93.3 percent would add a mandatory sentence.

On the subject of voting age, a constitutional amendment to standardize a minimum age was approved by 93.8 percent; however, in selecting the minimum age, 51.8 percent favored 21, 9 percent favored 20, 20 percent favored age 19, 19 percent age 18, and only 0.01 percent favored 17.

Post Office reorganization was approved with substantial margins with only 6.1 percent wishing to retain present system; 48.6 percent would base all promotions and appointments strictly on merit; 20 percent favor creating a nonprofit public corporations and 24 percent suggest private industry handling.

The electoral college fared poorly as only 12.2 percent would retain present system; 75 percent favor a direct popular vote, and 11.2 percent suggest electoral college by congressional district rather than by State.

The "invasion of privacy" by the Census Bureau bothered 69.1 percent who favor limiting inquiries to seven basic questions; 22.1 percent would continue as in the past, while 8 percent favor ex-

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panded inquiries to include additional information.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CHANGE OF LEGISLATIVE PROGRAM

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I take this time for the purpose of making an announcement in connection with the program for today.

Mr. Speaker, the distinguished chairman of the Committee on Ways and Means has advised that the various bills which have been unanimously reported from that committee and have been listed as probably coming up this week will not be called up today, but that he will seek to call up those bills sometime next week.

CREATING SELECT COMMITTEE TO STUDY CRIME IN THE UNITED STATES

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 17 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 17

Resolved, That there is hereby created a select committee to be composed of seven Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of all aspects of crime in the United States, including (1) its elements, causes, and extent; (2) the preparation, collection, and dissemination of statistics thereon, and the availability of reciprocity of information among law enforcement agencies, Federal, State, and local, including exchange of information with foreign nations; (2) the adequacy of law enforcement and the administration of justice, including constitutional issues pertaining thereto; (4) the effect of crime and disturbances in the metropolitan urban areas; (5) the effect, directly or indirectly, of crime on the commerce of the Nation; (6) the treatment and rehabilitation of persons convicted of crimes; (7) measures for the reduction, control, or prevention of crime; (8) measures for the improvement of (a) detection of crime, (b) law enforcement, including increased cooperation among the agencies thereof, (c) the administration of justice; and (9) measures and programs for increased respect for the law.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, I think it is very fitting that on this May Day, dedicated to respect for and observance of law in our country, our House of Representatives should be considering a measure designed to promote respect for and observance of law in our land.

Most of us agree, Mr. Speaker, that the greatest challenge facing this country, probably, is the challenge of crime.

In 1967 there were in the United States over 12,000 murders. 63 percent of these were by firearms. I say this with interest, because sitting next to me is the distinguished gentleman from Texas, (Mr. CASEY), who has fought so hard to try to make mandatory prison sentences to be imposed upon those who commit crimes with firearms.

This represents a total economic loss to the victims' families or dependents of an amount in excess of $800 million.

Aggravated assault increased by 9 percent from 1966 to 1967.

The most frequent crime committed in 1967 was robbery. There were over 202,000 robberies committed in 1967 as opposed to 157,000 in 1966, an increase of 27 percent in robberies between 1966 and 1967.

There were over 27,000 forcible rapes in the United States in 1967, an increase of 7 percent over 1966. In the year 1968, the last year for which complete figures are available, Mr. Speaker, serious crime increased in the United States 17 percent. Robbery was up 29 percent, murder 14 percent, and forcible rape 14 percent. Crimes against property also increased. Grand larceny in 1968 was up 21 percent. Burglary was up 13 percent. Crime in the large cities and in the suburban areas increased 18 percent in 1968 over 1967 and in rural areas crime was up 12 percent. Armed robbery rose 34 percent in 1968 over 1967 and made up 61 percent of all robberies. Serious assault with a gun rose 24 percent and made up 25 percent of the total.

The number of arrests, Mr. Speaker, in 1967 was shocking when you observe the number of those arrests where the subjects were under 15 and 18 years of age respectively. For example, in 1967 youngsters under 15 years of age committed 137 murders and under 18 years of age they committed 830 murders. There were 8,315 murders committed in that year by people over 18 years of age. Forcible rape, 475 by children under 15 years of age in 1967, and 2,515 under 18 years of age, and 10,144 over the age of 18. Robbery in 1967, 6,885 under 15 years of age, 18,889 by young people under 18 years of age, and 40,900 18 years of age and over. Aggravated assault in 1967, below 15 years of age, 6,559, under 18 years of age 18,359; and 18 years of age and over, 88,833. Burglary, under 15, 62,510; 15 to 18, 65, 659; 18 and over, 111,292. Larceny, under 15, 134,216; under 18, 246,057; 18 and over, 201,242.

Mr. Speaker, may I emphasize this figure. Auto theft, under 15—and these were arrests and not those who committed the offenses and were never detected—under 15 for auto thefts in 1967 there were 19,902; under 18 there were 73,080; 18 and over there were 45,153. In other words, over 63 percent of the auto thefts in the United States were committed by young people under 18 years of age. The percentage of increase in arrests of people from 1960 to 1967 under 18 years of age was up 68½ percent. Arrests 18 and over were up less than 1 percent.

Just one or two more figures, Mr. Speaker.

The narcotics and drug abuse today is one of those that is immeasurably hurting the young people of this country.

There are over 64,000 known drug addicts in the United States. The drug arrests for persons under 18 years of age rose during the period from 1960 to 1967 by 778 percent. Now, that means those under 18 years of age who were arrested for the use of drugs, rose in a period of 7 years by 778 percent.

For persons 18 years of age and over arrests for drug addiction rose 126 percent.

As of June 30, 1968, marihuana was involved in 62 percent of the drug arrests.

Mr. Speaker, the aim of this resolution is to set up a select committee of this House of Representatives to investigate all aspects of crime, to conduct careful hearings and inquiries and then make its recommendations to this House and permit the proper legislative committees to decide what weight they think they deserve. Further, this resolution is designed, certainly, to show to everyone that this House of Representatives wants to do what it can to prevent and curb crime and to make our people's lives, their persons, and their propetry, safe in their homes and on the streets and highways of this country.

Mr. Speaker, I remind my distinguished colleagues that on the 12th of July 1968 this House adopted by a record vote of 318 to 12, House Joint Resolution 1, which was similar to House Resolution 17 now before the House, except it was a joint resolution of the Senate and the House. The other body chose not to act upon the matter. So the sponsors of House Resolution 17 have proposed the enactment of this resolution setting up a select committee of the House and the

Rules Committee recommends it to the House.

Mr. Speaker, I am proud to present this resolution to the House today, and I hope it will receive the approval of the Members of the House of Representatives.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the distinguished gentleman from Texas.

Mr. PICKLE. Mr. Speaker, I commend the distinguished gentleman from Florida for bringing this measure before us. I think he deserves a special commendation for having done so.

Mr. Speaker, I am proud and pleased that the House today is considering House Resolution 17, the bill to create a select committee on crime.

The gentleman from Florida (Mr. PEPPER) is due a special word of thanks from all of us for the job he has done in getting this proposal moving and for the leadership he has demonstrated. Originally, I joined with him last year—1967— in cosponsoring this bill, and I am glad to see that the House is now considering it. I hope and trust it will be approved overwhelmingly.

I have addressed the House before about the need for a committee of this type. I do not think it is necessary now to review the crime statistics—we all know that they continue to rise at an unprecedented rate.

The point to consider now is what should the House do about the problem. Certainly, in light of the substantial problem crime presents, we would be well advised to have a special group devoting its energies to revealing the causes of crime and making inquiry into the possible actions we might take to remedy the problems.

I am advised that this committee in no way will diminish the authority of other standing committees. It is not my intent to support a group which will displace substantive jurisdiction of other committees, but I do feel that it is important to have a group with the expertise necessary to look into the causes of crime and keep abreast of the latest works and studies being published in this field.

This is a job which can best be done by a staff of specialists, and I strongly feel that this problem is sufficiently serious to warrant this approach. The House of Representatives—and Congress—are in the best position to undertake this study.

Congress has worked around the problem of uncovering the causes of crime in many past programs. But at each such time, the criminal nexus was only an indirect one. I believe it is time we look as squarely and intensely as possible at what we can do to reverse our rising crime rate.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 17 comes directly from the Committee on Rules. For the information of the Members having the opportunity of serving here for the first time, we will not go into the Committee of the Whole House on the State of the Union upon the adoption of this resolution. There will be 1 hour of debate on the resolution and at the conclusion of that debate, there will be a rollcall vote on the resolution. If, as a result of the rollcall vote, there is a decision and if the resolution passes, that will constitute the final action thereon. We will not then go into the Committee of the Whole House on the State of the Union.

Mr. Speaker, House Resolution 17, if adopted, will set up a special select committee of seven Members of the House of Representatives to be designated by the Speaker. These seven Members are authorized and directed to conduct a full and complete investigation and study of all aspects of crime in the United States, including quite a number of different specific recommendations and authorities set forth in the resolution.

On July 12, 1968, this House passed House Joint Resolution 1. That was a joint resolution and called for the other body to join in its adoption in order for it to be finally passed. However, the other body did not do so. Thus, the joint committee was not created at the last session.

Mr. Speaker, this resolution simply sets up a select committee in the House of Representatives. I made some remarks on House Joint Resolution 1 which are to be found in the CONGRESSIONAL RECORD, volume 114, part 26, page 21027. I shall not repeat those remarks here, but there are some suggestions contained therein as to what this committee might possibly do.

I would like to call the suggestions to the attention of the committee, if this resolution passes, with the thought in mind that they might be of some help to the committee.

Very frankly, I do not know what the committee can accomplish. Crime has been investigated to death. I believe if we straighten out the Supreme Court on some of their decisions and take some actions so that the law-enforcement officer is not always tried instead of the criminal, we might do a lot more than we will by passing a resolution to investigate. By the same token, I do feel that the House of Representatives should determine whether or not there is anything that it can and should do, that it is not now doing in the field of crime, which will in any way help to solve this very serious situation which certainly is among the top three problems facing the Nation. In accordance therewith, I am content to support this resolution. I hope the resolution passes, and I will cooperate in any way I possibly can with the committee, based upon my previous experience in law enforcement, to assist the committee in carrying out the purposes of House Resolution 17.

Mr. Speaker, I do have some requests for time, but I will hold those in abeyance pending the gentleman from Florida (Mr. PEPPER) proceeding with his time.

Mr. PEPPER. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. MONAGAN).

Mr. MONAGAN. Mr. Speaker, I rise today to voice my support for House Resolution 17, a bill to create a select committee of the House to conduct a full and complete investigation and study of all aspects of crime in the United States. On April 4, 1968, in the 90th Congress, I introduced House Resolution 1128, a bill to establish a Select Committee on Coordinated Crime Control and I reintroduced that bill this year on February 5 as House Resolution 220.

House Resolution 17 is substantially the same as House Resolution 220. Like my bill, House Resolution 17 seeks to reexamine all of our existing crime control efforts to formulate how they can be best coordinated and where the weight of their effectiveness should be concentrated.

Presently we have a surplus of Federal, State, and local agencies, each replete with men, materials, and methods. Unfortunately, a lack of a common or coordinated method has led to unnecessary expenditures because of duplication, and a dilution of effectiveness because of a lack of knowledge of the objective.

To correct the present system we must develop an overview of our scattered efforts. We must take stock of our resources, discarding ineffectual programs and strengthening systems that have demonstrated their worth. When this is done, we should endeavor to weed out duplication as much as possible on the local, State, and Federal levels. Interlocking systems should replace overlapping systems. Cooperation should be the binding thread, and effectiveness in alleviating crime on all levels should be the common goal.

Hand in hand with a coordination of effort is a need to formulate a clear definition of objective. We must study all aspects of crime, its causes, effects and elements. Only an indepth study will suffice.

Once the elements are determined, we must endeavor to isolate and eradicate them.

I think the measure before us today is well suited to the enormity of the task, and I urge support in its passage. I do feel that this is only a partial step in the direction of comprehensive crime control. We must strengthen our national determination to support prosecution activities and law enforcement. We must regain our consensus to the effect that criminals should be charged and punished. We must abandon the idea that individuals or groups are above or beyond the reach of the law.

Nevertheless, this study is a start in the right direction and I am happy to support it and to express the hope that it will be activated and undertake this important work.

Mr. PEPPER. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. KEE), one of the sponsors of the resolution.

Mr. KEE. Mr. Speaker, I rise to highly commend the wisdom, the prudence, and the able leadership of the gentleman from Florida (Mr. PEPPER), who is the author of this measure. He has been in the forefront in this fight. Indeed, due to his effective action we have the privilege

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and the opportunity to vote on this measure today.

Mr. Speaker, I favor and enthusiastically support Representative PEPPER in this measure. I would just like to point out one thing:

I have noticed in visiting with my constituents at home during trips that I have made that the very first thing the people ask me, and this is unanimous, they say, "The crime rate is going up. We elect the Members of the House of Representatives. What are they doing about this situation?"

Mr. Speaker, I have explained this measure presented by the gentleman from Florida (Mr. PEPPER) to my people at home, and they tell me that they are happy to see the House of Representatives taking concrete action in going out into these areas to determine the cause of the crime rate.

Therefore, in conclusion, Mr. Speaker, it is my hope that when we have the vote today on this resolution, that the vote will be unanimous.

Again, Mr. Speaker, I congratulate the gentleman from Florida.

Mr. PEPPER. Mr. Speaker, I thank the able gentleman from West Virginia.

Mr. Speaker, I now yield such time as he may consume to the able gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Speaker, I am appreciative, and I am confident that the membership of the House is appreciative, of the work done in this important field by our distinguished colleague, the gentleman from Florida (Mr. PEPPER) the author and senior sponsor of this measure. I am very glad to have been a cointroducer.

This measure is designed to set up machinery for probing into crime—its causes, prevention, and cure. Undoubtedly the people of our Nation are gravely disturbed about crime; about all aspects of crime; and about the obvious lack of progress in curbing crime. They are impatient for action.

This is one of the matters which is uppermost in their minds. They consider crime to be one of the greatest threats to the security of America today—and they are right.

Consequently, Mr. Speaker, I strongly support the action which is proposed here. This offers opportunity for a constructive step which can contribute to the great task of providing workable solutions to the problem of crime. We cannot afford to neglect this very serious and disturbing situation. We should take any reasonable action within our power which holds promise. We can make contributions beyond those which are now being made, and this is one means by which it can be done.

Therefore, I strongly support and urge unanimous approval of this resolution.

Mr. PEPPER. I thank the able gentleman very much.

Mr. Speaker, I yield 2 minutes to the able gentleman from New Jersey (Mr. HOWARD).

Mr. HOWARD. I thank the gentleman.

Mr. Speaker, I wish to commend the gentleman from Florida for leading the drive during the past several years to have a committee such as this appointed and active in response to the urging of the people of America.

However, Mr. Speaker, I am concerned that we may not have a proper balance on the membership of this committee. I believe it would be a very serious mistake if, on our side of the aisle, we find that all of the Members selected are from the legal profession. I believe that there should be lawyers represented on the committee, for law is a very important aspect to be considered when we are discussing crime.

But, Mr. Speaker, crime is more than just law. Crime is people. Crime very often is the closed door of opportunity. Crime is deprivation in the cities. Crime is boredom in the suburbs.

Mr. Speaker, I certainly hope that when this committee is formed, at least from our side of the aisle, that we will have its membership selected from a broad range of interests and backgrounds. Certainly, the legal profession should be represented. But I also hope that we have the representation of people who have a background of interest in people, in education and in other humanitarian aspects of American life.

Mr. PEPPER. Mr. Speaker, I thank the able gentleman from New Jersey. He has been one of the strongest and one of the most loyal supporters of this measure from the beginning.

Mr. Speaker, I yield 3 minutes to the able gentleman from Texas (Mr. CASEY).

Mr. CASEY. Mr. Speaker, I want to commend our colleague the gentleman from Florida (Mr. PEPPER) for introducing this legislation.

Too long have we sat around here and taken recommendations from the executive that are dreamed up by theorists with no facts behind them.

This is a committee that can get the facts, Mr. Speaker, and I would hope that you will join me in supporting the passage of this resolution so that we can get these facts.

We all know that everyone is concerned about crime. We can sit around and talk about it, but unless we develop the facts and know something about it and draw our own bill, we will not accomplish anything.

It is very apparent that something needs to be done—when in 1961 you had 2 million major crimes and yet in 1967 it jumped to almost 4 million major crimes. The comparison to that is: we had 220,000 prisoners in Federal and State prisons in 1961 and dropped to 194,000 in 1967.

I hope that your committee will find the facts on that.

Also, you know we have testimony from high officials in the Department of Justice telling about 5,000 members of the Cosa Nostra who were identified and yet so far as I know they are still walking the streets.

I hope your committee will find out about that.

We had some of the same Department of Justice officials state that there was an amalgamation between this crime syndicate and certain powerful labor unions. I hope your committee will find out about that.

We also had Chief Justice Warren state to the National Conference on Crime Control that corruption in business and government is perpetuating organized crime.

I hope that your committee will find out the facts about that.

Also, I have been concerned, and I know that many of you have been, about the appellate court decisions which seem to lean toward the criminal rather than the law-abiding citizen.

I hope your committee will find out the facts and bring them back to this House.

Mr. Speaker, I have compiled some figures which I will place in the RECORD giving these comparisons between major crimes and our prison population.

I wish the gentleman's committee well. I am proud to be a cosponsor of this resolution and I think this is one time the House can act on its own instead of sitting back and waiting for somebody else trying to tell them what to do.

Far too long has America—and this Congress—listened to the social theorists. And far too long have we in this body neglected to press for a complete review, a thorough investigation, and development of facts—not opinions—into crime and the inability of our criminal laws to protect our people.

There has been a complete and absolute breakdown in law enforcement in America. And if there be any doubt I ask my colleagues to examine brief statistics on crime and punishment which I have collected from the Federal Bureau of Investigation and the Bureau of Prisons.

Decent people across our land are crying for this Congress to act—to make our streets and our homes safe—to bring needed protection to the small businessman who is prey to the career-criminal. Daily we read of hardened criminals free on probation or parole—or their own recognizance under the recently-enacted Bail Bond Act—robbing, raping or murdering our citizens. And still, we have failed to act.

Today, as we consider House Resolution 17, we will have an opportunity to rectify that.

Of tremendous importance is the corrosive effect of the breakdown in punishment for criminal acts, for it is eating away the vitals of our law-enforcement effort. I think it should be clearly evident from the tabular statistics I shall insert at the end of this statement that such has occurred, and it should be readily apparent to any rational person that the time to act is long overdue.

Never in our Nation's history has there been such a need for a thorough and complete investigation into crime and our inability to cope with it.

I, for one, give House Resolution 17 my fullest support and I urge my colleagues to do likewise.

SOMEBODY'S GETTIN' AWAY WITH MURDER [1]

Our growing crime rate is a national disgrace. Granted that the causes are many and complex, in my judgment the

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[1] (And the other six major crimes composing the FBI's national criminal index: robbery, rape, aggravated assault, burglary, auto theft, and larceny over $50).

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prime factors are lax prosecution, lenient sentencing, and liberal parole and probation policies. I think the following official statistics I obtained from the U.S. Bureau of Prisons and the FBI should convince any rational person where the breakdown has occurred in law enforcement:

	Prison population[1]	Major crime	Executions
1961	220, 149	2, 082, 400	42
1962	218, 830	2, 213, 600	47
1963	217, 283	2, 435, 900	21
1964	214, 336	2, 755, 000	15
1965	210, 895	2, 930, 200	7
1966	199, 654	3, 264, 200	1
1967	194, 920	3, 802, 300	2

[1] As of Dec. 31, each year.

Mr. PEPPER. I thank the able gentleman.

Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. RANDALL).

Mr. RANDALL. Mr. Speaker, every Member should support House Resolution 17 because crime is one of our paramount domestic problems. I commend the gentleman from Florida for his work. I am proud to have introduced a similar bill, House Joint Resolution 167, at the beginning of this session. To fight crime we must find out as much as possible about its causes and put this information where it can be used by our enforcement agencies. I was much interested in the list of nine areas of inquiry recited in the resolution. I am especially interested in the third listed item for investigation and study, this being the adequacy of law enforcement and the administration of justice, including constitutional issues pertaining thereto. In this country we are very near to a constitutional convention if two or three more legislatures act. I hope that this convention will be called and that it will carefully consider a more just application of constitutional principles that will afford society with a degree of protection at least as great as that now being extended to the accused.

Then the ninth objective touches closely upon some things that are happening far too frequently around this country today; that is, the growing or increasing disrespect for the law. If the select committee can propose measures and programs for the increased respect for law it will be truly worthwhile. The crime being committed on our campuses we call disturbances or else campus unrest. But these are not peaceful demonstrations. Crimes are being committed. I hope that the committee would spend some of its time and take a careful survey of disorders and breaches of the peace on the campuses of our colleges this spring.

When this committee is named it will be able along with the House Committee on Internal Security, and perhaps with help from the Committee on Education and Labor, to try to find out the causes of the campus happenings and point to some solution. The people of my district are fed up with what is happening on our campuses. If this proposed committee can find out whether agitators have a common plan or pattern and leaders conspire to try to wreck our colleges according to a plan with collective intent—then the committee will have made a great contribution to the solution of perhaps the most pressing internal problem facing our country today.

Mr. Speaker, the gentleman from Florida deserves special praise for his effort because the creation of this select committee is a move by the legislative branch to take some steps to combat crime. For far too long we have sat back and waited for and listened for some direction from the executive branch both during the last administration and in this new administration. But if this select committee conducts the thorough kind of investigation and study into all the aspects of crime in the United States, which I am sure it will, then we will have all the facts and needed materials to prepare and pass a crime bill without having to await any longer for messages from downtown.

It is true that crime has been investigated by other committees. Until now, most, or all, of these have been appointed by the Executive. If there is any opposition to this resolution, it would be extremely difficult to understand the reasons. I suppose one ground might be the cost. I guess there is nothing worthwhile that does not cost some money. But the cost-benefit ratio here should be quite high and for the few dollars spent, the yield should be many, many times the cost. In other words, these expenditures should not be regarded as a cost, but an investment.

The only other possible reason I can conceive of for any opposition to this resolution would be from those who prefer to tiptoe around with such meticulous care as to avoid the overstepping of jurisdictional lines between committees. To bring it out in the open if the Judiciary Committee had any intention to conduct a survey and investigation into all the aspects of crime, surely they would have proceeded with some dispatch before now. This resolution may attract some opponents, but if so, it is my guess it will be largely confined to those same few who opposed continuation of the House Internal Security Committee solely and only because they thought this committee was infringing on the jurisdictional territory of the Judiciary Committee.

For my part, the problem of law enforcement in this country is so grave that this is no time to stand on points of order or split hairs between committees whether they be select or standing committees. The job that must be done is big enough to have several different committees working on the problem at the same time. Let's quit the useless fretting over jurisdiction.

It is a privilege to support House Resolution 17 and I know it will receive the enthusiastic support of the great majority of the Members of this House.

Mr. PEPPER. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Montana (Mr. OLSEN).

Mr. OLSEN. Mr. Speaker, I compliment the gentleman from Florida on this legislation. I very strongly support this legislation, and I wish to endorse all of the gentleman's remarks. I have this much to add: The able gentleman from Pennsylvania (Mr. GREEN) and the gentleman from California (Mr. CHARLES H. WILSON) conducted some hearings about a year ago on the question of a census of crime, the thought being that even the statistics that the able gentleman from Florida put in the RECORD are not the whole truth, that there are a great many victims of crime whose circumstances were not reported. The statistics the able gentleman has are reported by the police departments and by the Federal Bureau of Investigation. I am sure they do the best they can. But there are many, many unreported crimes, because the victim does not complain to the police department. I think the situation is even more serious than has been said by the gentleman from Florida (Mr. PEPPER).

Again I say I very strongly support the resolution and urge that it be adopted unanimously.

Mr. PEPPER. I thank the gentleman very much. I yield to the able gentleman from Missouri (Mr. HUNGATE).

Mr. HUNGATE. Mr. Speaker, our Nation is at a crucial moment of decision. Lawlessness threatens the foundation of the American society.

I need not cite the appalling statistical evidence. I need not describe the corrosive effects. These facts are all too well known.

I believe we must dig deeply into the very nature of American society for effective solutions.

Our national life bears a long heritage of frontier philosophy. Conflict is bred into our bloodstream. Our population mixture with all its magnificence and virility has produced inevitable clashes.

We see the breakup of families, the sometime curse of affluence on personal responsibility, the individual's loss of identity in group conformity, the great migration of people from one part of our country to another, and destruction of the restraints of their spirit of community, simply changing the form of their poverty and finding themselves in an area where the possibilities of crime are vastly intensified.

I think Congress must dig as deeply as it possibly can into the root causes, without forgetting the very practical problems of law enforcement in facing America's criminal population as it exists, not as we might have healed it, nor as we might, in the future, provide for its redemption. To the victim of an assault, at the moment of the onslaught the assailant's prenatal care and postteenage environment are of minimal interest.

Our concern for the rehabilitation of offenders must continue, and should be equaled by our concern for the welfare of our policemen, their education, their compensation and the facilities afforded them to accomplish their goals.

Our people—especially young people—reach out for better standards and goals. The social rebels are of all kinds, some constructive and some destructive. Essentially, all of them want something better.

Who does not hunger for a better society?

When the National Advisory Commission on Civil Disorder released its report last year it became evident that the Congress must indicate a genuine commit-

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ment to better protect the American people and improve our law-enforcement program.

As a cosponsor of the resolution we are considering today, I firmly believe it will provide us with a congressional body to correlate the many studies that have been made, to look into all areas and aspects of crime in the United States, to hold hearings, to publish reports, and to recommend corrective measures to the Congress.

Crime and its causes have been studied by commissions, councils, court administrators, and executive committees. It seems not only fitting, but high time, the group which actually handles the legislation on this subject, should conduct its own study.

I applaud CLAUDE PEPPER for his lead in the drive toward establishment of such a committee and urge that all Members give this resolution their full support.

Mr. PEPPER. I thank the gentleman very much. I yield to the able gentlewoman from Missouri (Mrs. SULLIVAN).

Mrs. SULLIVAN. Mr. Speaker, I am delighted to join with my colleague from Florida on this important resolution. I endorse what has been said by the other Members on the need for getting to the facts on the causes of crime throughout our country.

It will take the combined efforts of everyone of us in the Congress, as well as all of the citizens, the law-enforcement officers, and those charged with the responsibility of interpreting the laws, to contribute to the assembling and the interpretation of the information as to the possible causes and cures of this nationwide problem before we can hope for success.

There is no question but that this country can cope with any problem—no matter how great or small—if we simply "put our shoulder to the wheel"—and never has that effort been more sorely needed than in the situation in which we find this country today.

I pledge myself to do whatever I can to that end.

Mr. PEPPER. I thank the gentlewoman.

Mr. Speaker, I yield to the able gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Speaker, I rise to congratulate the distinguished gentleman from Florida (Mr. PEPPER) on his leadership in bringing this matter to the House, and to associate myself with his efforts.

The problem of crime and lawlessness is not a new one. Many centuries ago a Greek named Heraclitus of Ephesus declared that the principal problem in every organized society is to combine that degree of liberty without which law is tyranny with that degree of law without which liberty would be license.

Obviously a society that cannot protect society verges on anarchy. Two broad elements in the crime problem seem apparent.

First. There is organized crime, by which sophisticated apparati have been put together and vast systems built into them, with enormous illicit profits resulting. I was amazed and alarmed yesterday upon being told there is clear indication that some elements of the Mafia had been rigging the stock market in respect to one particular stock on the American Exchange, deliberately bidding it up and down. If a criminal element can achieve this degree of organization, the implications to the unsuspecting public and to the economy itself are readily apparent.

Second. Another element, of course, is a general breaking down in respect for law. It is ever more difficult, with our cities growing and every organized activity becoming increasingly impersonal, to inculcate in this public at large a sense of community, a sense of personal responsibility. When a high-rise apartment complex houses perhaps 100,000 people in 1 square mile, and 80 percent of those people do not belong to any community organization and 90 percent are not qualified to vote in local elections, the business of maintaining respect for the community and the constituted authority in the community is ever more difficult.

For all of these reasons it seems quite logical that the House should conduct a thoroughgoing investigation of these and other related phenomena.

I am indebted, as I think all of us are, to the gentleman from Florida for his vision and leadership in this field.

Mr. PEPPER. Mr. Speaker, I thank the gentleman from Texas.

Mr. Speaker, reserving the balance of my time, I yield now to the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. DENNEY).

Mr. DENNEY. Mr. Speaker, I have always held the philosophy that government cannot exist without order, and order cannot exist without government.

I have had the honor and privilege during the past 2 years, under a program called Opportunity Crusade to speak on 12 different campuses throughout the United States. Wherever I went, I was trying to find out what went through the minds of our young people.

I found they were losing respect for the legislative branch of our Government. I asked them why, and they said because the legislative branch is not taking the proper steps to get something done as far as maintaining law and order. We talked back and forth.

I finally came up with this arrangement. I would end every speech by saying, "I ask you young folks not to tear down the system until you know how to put something better back together again." In every situation, I would get a standing ovation from those young people. They want somebody to speak straight from the shoulder to them.

Mr. Speaker, I think here we have a device, a committee from the legislative branch of our Government, that can find out from our young people what is making them tick and why things are going badly because a few militant dissidents are trying to disrupt our schools. This will not infringe on any of the prerogatives of any standing committee. It will act as a clearinghouse for all agencies of the executive branch that have had crime studies. We will be able to come up with meaningful legislation.

I ask my colleagues to get behind this legislation and make it meaningful. Let us tell the American people that Congress now is out to stop this crime problem.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. WINN).

Mr. WINN. Mr. Speaker, I rise today in behalf of the law-abiding citizens of our great country; and, therefore, in support of House Resolution 17, which provides for the establishment of a select congressional committee of the House to investigate crime.

For years, the volcaniclike problems of crime have been steaming and boiling beneath the surface of American life. More recently eruptions of crime across the country have created tidal waves of despair and anxiety among our citizenry throughout the United States as well as in my own State of Kansas.

For example, the total crime index in America, according to the FBI's Uniform Crime Report of 1967, went up 88.7 percent during the years 1960 to 1967.

The despair and anxiety of our people has been demonstrated in the last couple of years through published poll results showing crime high on the list of citizen concern.

More recently, President Nixon laid down the gauntlet before the leaders of organized crime in this Nation. The President's "war on crime" dramatically demonstrates the great public concern.

With these facts foremost in my mind, I was proud to have joined my colleague from Florida, the Honorable CLAUDE PEPPER, in cosponsoring this resolution.

Congress needs a select legislative committee with broad investigatory powers which can gather factual information that will form the basis for legislative action. I am confident that the select committee proposed in House Resolution 17 can satisfy this need.

Vigorous law enforcement is a step toward restoring an ordered system of government. But it is only a superficial resolution of the problem. Congress needs to get at the causes of violence and disrespect for the law and to continue to study the subject, not only for today but to meet tomorrow's problems.

Mr. Speaker, I yield back the remainder of my time.

Mr. PEPPER. Mr. Speaker, I yield 1 minute to the able gentleman from Florida (Mr. BENNETT), one of the authors of the resolution.

Mr. BENNETT. Mr. Speaker, many years ago, when I was a student at the University of Florida. I was very happy to be able to be active in the campaign of the sponsor of this resolution, then running for the U.S. Senate for the first time. I have admired tremendously all the important pages in his career since then, both of his career in the Senate and in the House. I feel what he is doing today is one of the most important pages in a rich book of life, and forwards the heritage and future strength of our country.

Mr. Speaker, I am proud to be a cosponsor of the legislation before the House today, House Resolution 17, a bill

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to create a Select Committee To Investigate Crime.

The gentleman from Florida, Congressman CLAUDE PEPPER, is to be congratulated on bringing this legislation to the House of Representatives and to the attention of the American people.

There is no greater domestic problem facing our Nation today than the reestablishment of law and order. We have a significant challenge in this field throughout the Nation and locally. The select committee established by House Resolution 17 will be composed of seven Members of the House. It will have the power to make continuing investigations and studies of all aspects of crime in the United States.

While law enforcement is primarily a local responsibility, the Federal Government and the Congress have an important role to play in reversing the shocking crime and juvenile delinquency rate in the country. Crime costs us $27 billion annually and the rate of crime jumped 17 percent from 1967 to 1968, according to the Federal Bureau of Investigation.

A hundred years ago, Thoreau wrote:

> There are a thousand hacking at the branches of evil to one who is striking at the root.

The Congress, with this committee, will be striking at the root of crime and juvenile delinquency in America through its in-depth studies and surveys.

I have been a strong supporter of legislation to assist local law enforcement agencies in updating their crime detection methods and in training policemen. I believe the words of President Woodrow Wilson, who said:

> Our civilization cannot survive materially unless it be redeemed spiritually.

Several years ago I was successful in adding an amendment to the Juvenile Delinquency Control Act which allowed for the teaching of "high ethical and community responsibility standards." This amendment has been carried out in several different projects across the Nation.

J. Edgar Hoover, the Director of the FBI, said recently:

> There has been great apathy upon the part of the civilian population of the country. They are not sufficiently interested in combatting crime.

Because of this, and my own deep feelings about the need for all of us to lead a better life, I sponsored a seminar on law and order on Friday, August 9, 1968, at the George Washington Hotel in Jacksonville, Fla. This seminar brought together leading citizens of our community to discuss "Crime and Juvenile Delinquency—What Can We Do About It In Jacksonville?" Prominent national figures in law enforcement and corrections keynoted and addressed the half-day seminar. A panel of civic and social minded Jacksonville residents discussed these topics: "Law Enforcement"; "The Role of the Church in Fighting Crime and Juvenile Delinquency"; "School Challenge in Crime and Juvenile Delinquency"; and "Civic and Home Responsibility in Creating a Safe Society."

A further concrete example of my interest and concern over this problem is my cosponsorship of the bill before us today.

I believe that a Committee on Crime can bring attention to the problem and solutions in this field and I am hopeful it can be established.

Again, Mr. Speaker, I want to congratulate Congressman PEPPER on bringing this legislation to the Congress and to the people. This is typical of his outstanding leadership in the House. The creation of a House Committee on Crime will make an important contribution in this No. 1 problem at home.

Mr. PEPPER. Mr. Speaker, I thank the able gentleman from Florida.

I yield 1 minute to the able gentleman from New York (Mr. WOLFF).

Mr. WOLFF. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, as a cosponsor of this important resolution I am pleased to speak for its prompt passage. We have only to read our daily newspapers and listen to our broadcast news reports to realize the gravity of the problem of crime in all parts of our Nation.

This problem stretches from organized crime with its many outlets to urban violence to suburban teenagers experimenting with dangerous drugs. The magnitude of the problem is truly awesome and prompt constructive action is necessary.

In order to best define the sources of the problem and therefore offer constructive suggestions for possible solutions, a thoroughgoing congressional investigation is clearly desirable. This is, of course, the purpose of this resolution and the reason why I have joined in sponsoring the legislation drawn by my able and distinguished colleague from Florida (Mr. PEPPER).

I trust our colleagues recognize the importance of initiating a complete study of the problem of crime at the earliest possible date and therefore anticipate immediate positive action. Not to act now would be a grave disservice to the tens of millions of law-abiding Americans. Finally I want to join in commending the gentleman from Florida for taking the lead on this vital subject.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Iowa.

Mr. GROSS. Unfortunately I could not be here for all the debate. Has anyone ascertained what this new committee would cost?

Mr. PEPPER. That matter would be determined by the Committee on House Administration and by this House.

Mr. GROSS. Does the gentleman not have some idea of how many hundreds of thousands of dollars and employees it involves?

Mr. PEPPER. Not at this time. That will be a matter for the Committee on House Administration and the House to decide, after the select committee has introduced a funding resolution and been heard before the House Administration Committee.

Mr. GROSS. I thank the gentleman.

Mr. BOLAND. Mr. Speaker, this country's crime rate is spiraling upward at an alarming pace. In 1967—to cite statistics from just one recent year—a serious crime was committed every minute. A murder occurred every 43 minutes, a rape every 19 minutes, an aggravated assault every 2 minutes. Since 1967 the crime rate has continued to grow, swelling by an astonishing 17 percent by the end of 1968.

America is becoming a nation of locked doors and shuttered windows. Faced with the growing menace of violent crime—murder, robbery, assault—most Americans are afraid to walk the streets after dark. People living in our biggest cities, in fact, do not feel completely safe behind their securely latched apartment doors.

It is clear, Mr. Speaker, that we need a searching examination of crime in the United States and the means to combat it. The bill we are now considering—House Resolution 17—would meet this pressing need. The bill, one that I am cosponsoring, calls for the creation of a seven-member House committee to carry out an investigation of crime: First, its elements, causes, and extent; second, the preparation, collection, and dissemination of crime statistics, and the availability of reciprocity of information among law enforcement agencies; third, the adequacy of law enforcement and the administration of justice, including relevant constitutional issues; fourth, the effect of crime and disturbances in the metropolitan urban areas; fifth, the effect, directly or indirectly, of crime on the commerce of the Nation; sixth, the treatment and rehabilitation of persons convicted of crimes; seventh, measures for the reduction, control, or prevention of crime; eighth, measures for the improvement of detection of crime, law enforcement, including increased cooperation among the enforcement agencies, the administration of justice; and, ninth, measures and programs for increased respect for the law.

The Nation's peace officers are doing the best job they can to accomplish these goals. Although commendable, these efforts are not good enough. Large numbers of crimes, including many very serious offenses, are not cleared by arrests. Police solutions of serious crimes declined 8 percent in 1967. The select committee proposed by House Resolution 17 would help to improve this situation. It would support increased cooperation among local, State, and Federal law-enforcement agencies. It would suggest measures to improve crime detection and law enforcement. With this aid the efficiency of our Nation's crimefighters would be significantly strengthened.

One of the most menacing problems confronting today's police is the growth of public disrespect for the law. Citizens often fail to come to the aid of officers who are attacked while attempting to perform their duties. According to the FBI Uniform Crime Reports, these attitudes have contributed to the 11-percent increase in the rate of assaults on law enforcement officers in 1967. In that year there were nationally 13.5 assaults for every 100 officers. There were 76 police officers killed in 1967. The Select Committee on Crime would suggest measures and programs to increase respect for the law and for our law enforcers.

An important aspect of the select committee's study of crime will be the treatment and rehabilitation of criminals. The failure of our present system for the care of offenders is reflected in FBI statistics for 1967. Sixty percent—yes, 60 percent—of offenders released to the street in 1963 were rearrested within 4 years. Our abysmal failure in rehabilitation is especially lamentable with respect to young offenders. Of the offenders under 20 years of age released in 1963, 70 percent committed new crimes.

The committee suggested by House Resolution 17 would be responsible for investigating methods employed for the rehabilitation of criminals. It would suggest measures to improve the present system.

Criminal activity has a staggering effect on our national economy: in 1967 property worth more than $1.4 billion was stolen. This represents only a fraction of the dollar cost of crime, however. People who otherwise could be economically productive members of society are engaged in the destruction of our Nation through crime. The American correctional system admits 2.5 million people each year. This represents an immense economic cost measured in loss of labor power. The annual operating budget of our correctional system is over a billion dollars. Crime has the additional cost of adversely affecting the commerce of the Nation. If methods could be found to eliminate or reduce crime, this economic burden would be greatly alleviated. The Select Committee on Crime would work toward this end, searching for ways to eliminate the root causes of crime. It would greatly benefit our Nation economically, and, even more importantly, it would make America a safer place to live.

In 1967 almost two out of every 100 Americans were the victims of serious crimes. This situation is intolerable. I urge the passage of House Resolution 17.

Mr. LANGEN. Mr. Speaker, as a cosponsor of the House resolution to create a select committee of the House to investigate all aspects of crime in the United States, it gives me great pleasure to join with my colleagues in urging support for its passage today.

We must emphatically demonstrate to the Nation that the Congress is deeply concerned with the problem of crime, and is anxious to take constructive steps to curtail and turn back the spiraling crime rate.

Once the committee has been formed, we will have the proper machinery to launch a coordinated effort to control lawlessness in the United States. For the first time we will have an intelligence center and clearinghouse for activities and suggestions in the field of crime control. I am confident that the select committee will provide valuable assistance to the various committees in Congress that deal with the many phases of law enforcement and criminal activity.

It should be pointed out that the select committee would in no way interfere with the powers and prerogatives of existing committees, but would act as an agency for the collection, analysis, and distribution of information to coordinate our entire effort. Such coordination is needed if we are to come up with meaningful solutions to the crime problems in the Nation.

I sincerely urge favorable consideration of this bill to create a select committee to investigate crime.

Mr. PIRNIE. Mr. Speaker, as a cosponsor of the legislation to create a select committee of the House to investigate crime in the United States, I am, of course, vitally interested in the passage of House Resolution 17.

Last week in his message to the Congress on organized crime, President Nixon said:

> As a matter of national "public policy," I must warn our citizens that the threat of organized crime cannot be ignored or tolerated any longer. It will not be eliminated by loud voices and good intentions. It will be eliminated by carefully conceived, well-funded, and well-executed action plans.

The legislation before us will provide the machinery we in Congress need to conceive and establish the type of action plans to which the President referred.

However, this committee's jurisdiction should not be limited to the "traditional" crime problems plaguing our society. I hope it will include the very serious criminal offenses being committed daily by a small but militant group of persons who are dedicated to the destruction of this country. I refer to the ardent revolutionaries who have been crossing State lines to incite rioting and violence on college campuses, have attempted to devastate business establishments in our major cities and who make no pretext about their desire to "bring down this society." The time has come for Congress to take immediate action, not simply to insure protection of existing institutions, but to create a climate of freedom under law.

The acts of certain groups claiming to be expressions of dissent are, in fact, criminal in nature and aimed at destruction of the very foundations of this Republic. Let no one mistake their actual intentions, nor their dedication to this cause. We are today faced with criminals of the worst sort—engaged in activities of a subversive nature. Yet, there is no committee of Congress assuming jurisdiction of this problem. Existing committees are already overburdened and simply do not have the time to take on the tremendous undertaking envisioned for the Select Committee on Crime. Furthermore, although certain agencies of the executive branch are presently involved in active investigations of this type of crime, the Congress should have the benefit of its own, independent inquiry into this problem.

Yesterday, in a speech before the annual meeting of the U.S. Chamber of Commerce, the President said:

> There must be no compromise with lawlessness and no surrender to force if free education is to survive.

I concur wholeheartedly with this position and believe we in Congress have the obligation to begin at once an in-depth investigation of the campus disorders. The Select Committee on Crime is the appropriate body to conduct such an inquiry. I urge approval of the legislation to create it.

Mr. WIGGINS. Mr. Speaker, it is with mixed emotions that I rise in opposition to House Resolution 17, which would establish a select House committee to conduct an investigation of all aspects of crime in the United States.

It is obvious that the resolution is going to pass by a wide margin. Since a vote against a study of crime may be viewed as a vote against "law and order" itself, the measure has great popular appeal. But, Mr. Speaker, this may be one of those cases when good politics makes for bad law.

In my judgment, the proposed committee, which would have investigative but not legislative powers, is unnecessary, is an encroachment on the jurisdiction of the House Committee on the Judiciary, and may be counterproductive with respect to actually achieving any results in the field of crime legislation.

In considering whether we need another committee to study crime, let us examine what has been done in the recent past. Most noteworthy is the mammoth study by the President's Commission on Law Enforcement and Administration of Justice—1965 to 1967—which submitted a general report, "The Challenge of Crime in a Free Society," and nine task force reports entitled "The Police," "The Courts," "Corrections," "Juvenile Delinquency and Youth Crime," "Organized Crime," "Science and Technology," "Assessment of Crime," "Narcotics and Drugs," and "Drunkenness." These reports totaled thousands of pages of text and ranged over the entire spectrum of problems in the area of criminal justice.

The National Advisory Commission on Civil Disorders—1967–68—dealt in depth with the causes and preventions of riots in our inner cities and crime associated with them.

There are presently in existence a number of commissions studying various aspects of crime in America. The National Commission on Reform of Federal Criminal Laws was established in 1966 to formulate and recommend legislation to improve the Federal system of criminal justice and to revise the criminal laws of the United States. Other studies are being conducted by the National Commission on the Causes and Prevention of Violence, the Joint Commission on Correctional Manpower and Training and the Subcommittee on Correctional Manpower and Training and the Subcommittee To Investigate Juvenile Delinquency of the Judiciary Committee of the other body. Two private organizations conducting ongoing studies of crime at a national level are the National Council on Crime and Delinquency in New York City, and the Lemberg Center of the Study of Violence, Brandeis University, Waltham, Mass. In addition, there are many State, local, and regional public and private crime commissions operating throughout the country.

In view of these extensive investigations of crime, it may be appropriate to suggest that what is needed now is not more study, but more action. Not another committee and another voluminous report, but new and bold legislation coupled with vigorous and imaginative enforcement of both existing laws and new laws.

I wish to caution those Members eager to proceed with a vigorous war against crime that the creation of an investigative committee such as proposed in House Resolution 17 can be used as an excuse to delay enactment of necessary legislation for many months until after the investigation is completed.

The President has indicated that he will propose important new legislation in the areas of organized crime, narcotics, obscenity, and the rights of the accused. An administration proposal, the Illegal Gambling Business Control Act of 1969, was introduced only this last week, and assuredly further important legislative proposals will be forthcoming. The proposed committee must not be used as a reason to put off action on this critically needed legislation.

This country faces a crisis in the form of a burgeoning crime rate, and the election returns last November indicated that the American public—no matter whether Republican or Democrat—is demanding that something be done. The people of this country gave the 91st Congress a mandate to move, and move forcefully and immediately, against crime. This is a mandate for action, not for unnecessary study and possible delay.

To the extent that further investigation proves necessary however, as a predicate to legislation, the existing staff and resources of the Judiciary Committee are best suited for that purpose. Not only is it possible that the proposed select committee will infringe on the jurisdiction of the Judiciary Committee, which normally handles legislation dealing with crime, but it would apparently place the investigatory and legislative roles in the area of crime in separate hands, which would be inefficient and possibly cause delay and lack of coordination. There is no reason why the Judiciary Committee cannot itself undertake any investigations which may be necessary in connection with legislation in the field of criminal justice. The Judiciary Committee is fully equipped in terms of its professional staff, the background and training of its members, and past experience to handle all matters in the area of criminal law, be they investigative or legislative.

In order that the Judiciary Committee, of which I am a member, might more effectively take action in the fight against crime, I propose that a special subcommittee be created within the Judiciary Committee to deal with all aspects of the problem of crime. After holding whatever hearings were deemed necessary, this committee could then proceed directly to passage of legislation. The select committee proposed by House Resolution 17 could only propose legislation, which would still have to be referred to the Judiciary Committee for more hearings prior to passage of any legislation.

The reasons for opposing this legislation are substantial, but it will doubtless pass nevertheless. Recognizing this reality, it behooves those of us who serve on the Judiciary Committee and have a special interest in legislation in the criminal field to work closely with the new committee to avoid, if possible, the pitfalls I foresee to prompt legislation.

I would prefer to proceed in a different fashion and, accordingly, will vote against the legislation; but the committee will have my best wishes as it approaches the critical task of restoring order to this troubled land.

Mr. FULTON of Tennessee. Mr. Speaker, today is May 1. It is a day that the Communists celebrate and commemorate revolution in the Communist nations. I suggest that today we make it a day to help launch a revolution in America—a revolution against crime and the elements of crime which create conditions that can deteriorate into a collapse of law and order that is the breeding ground for communism.

Today we have before the House, House Resolution 17, a resolution of which I am proud to be a cosponsor.

I feel this legislation is of paramount importance to the Congress. More and more America today is turning to the Congress of the United States for assistance in the Nation's grassroot-level fight against crime. Yet we, in our willingness to aid, are lacking a very vital tool needed to provide that aid—a committee of our own to make our own investigation into this problem and to recommend remedial legislation.

The rising crime rate in America, not only organized crime but crimes of violence against the persons and property of law-abiding citizens, is shocking and frightening. The people of America ask only that they be permitted to use our streets, parks, and playgrounds secure in the knowledge that they will be safe. And this is not a great deal to ask. It is a right in America but this right is being destroyed. Passage of this legislation today will help safeguard that right and that is our duty here.

Mr. Speaker, there is much more that we can and must do. But less we cannot afford. I respectfully urge favorable consideration of this legislation.

Mr. RODINO. Mr. Speaker, I am pleased to have the opportunity to speak in support of House Resolution 17, of which I am a cosponsor, and I commend our distinguished colleague, the gentleman from Florida (Mr. PEPPER), for his untiring and dedicated effort in bringing this measure before the House for action.

As a member of the Judiciary Committee, I have naturally been directly and intimately concerned for years about the alarming problem of crime in our Nation and legislative efforts to combat it. In the last Congress I cosponsored and helped develop the landmark Omnibus Crime Control and Safe Streets Act of 1968, which was described by the official journal of the International Association of Chiefs of Police as "one of the most important programs in the history of law enforcement."

In that historic Congress the Judiciary Committee also approved several other major measures in this area, such as the Gun Control Act which bans interstate mail-order sale of long guns to complement the prohibition on sales of handguns in the omnibus crime bill; two Justice and Court Procedure Improvements Acts to prevent discrimination in the selection of juries; and the bill establishing a Federal Judicial Center.

Under normal circumstances, therefore, I would consider that formation of a select committee to investigate a problem over which the Judiciary Committee has jurisdiction, and on which it has acted so effectively over the years, would not be necessary

However, the problem of crime today is not normal. In fact, it has reached such alarming proportions and ramifications that I strongly believe it warrants being the subject of special study by the proposed select committee, just as the horror of hunger in this affluent country moved the Senate to create its Select Committee on Nutrition and Human Needs.

The Federal Bureau of Investigation reports that the crime index is continuing its climb, reaching new record-setting levels with each new tabulation. During 1967 a serious crime was committed every 8 seconds, and more than 10,000 crimes, felonies, and misdemeanors were committed every day. The 1968 totals are even more alarming.

Cold statistics have generated heated discussions, embroiling the Nation in controversy without shedding light on possible solutions. Effective, workable counteraction has eluded us, for not all crimes can be controlled by a single remedy. In the preparation of last session's crime control bill, it became clear that criminal activities could be identified as belonging to one of three broad categories.

Organized crime is the first category. It involves not only gambling, the numbers racket, loansharking, and narcotics, but numerous other illicit activities. Personal crimes of violence are a second type. In this classification are murder, rape, theft, burglary, mugging, assault, and so forth. A third category involves civil disobedience and violent civil disorders, ranging from campus uprisings to outright rioting.

Complicating the picture is the fact that the three classifications are not mutually exclusive. Elements and organizers of one may be involved in one or both of the other types of criminal activities. Thus the challenge confronting organized society today is to find effective solutions to contain and control all three categories of crime, any one of which by itself is capable of destroying society as we know it.

Organized society must demonstrate, by developing and implementing effective countermeasures, that it is stronger than organized crime. Organized society must prove, again through the development and implementation of effective countermeasures, that it can protect the law-abiding individual from the danger of bodily harm and personal loss at the hands of lawless thugs, whether they operate alone or in small groups.

The truth is that there is no single explanation of crime. It occurs in every part of the country and in every level of society. Its perpetrators and its victims

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are people of all ages, incomes and backgrounds. Its trends are difficult to isolate, its causes are legion and its cures are at best speculative and controversial.

In my own State of New Jersey, a report issued last year by a Joint Legislative Committee To Study Crime and the System of Criminal Justice in New Jersey stated:

> New Jersey has a serious and growing crime problem and a crisis in crime control. There are no meaningful developments or plans under way that bear any prospect of reversing these complex and deeply troubling conditions. Major action is needed immediately.

The report urged that New Jersey's citizens should inform themselves about "the actual operation of their entire system for administering criminal justice in New Jersey" and submitted 19 recommendations for action, ranging from establishment of a New Jersey Department of Criminal Justice to proposals to improve the salaries, training and recruitment methods for local police.

The committee concluded that in New Jersey it "finds the system of administering criminal justice to be complex, fragmented both in functions and jurisdiction, undernourished, without focus or command, largely invisible as to what is really happening, nowhere near as effective as we believe it should be—and neglected."

I submit, Mr. Speaker, that if this dangerous situation exists in one of the most advanced and wealthy of our States, the total problem in our 50-State Nation is in urgent need of investigation.

With approval of House Resolution 17 we can obtain a comprehensive and thorough evaluation of all aspects of crime. It is my deep conviction, however, that the greatest care must be taken to assure that the select committee is composed of members of the House with thorough knowledge and expertise in law enforcement, the administration of justice and, particularly, the delicate area of constitutional issues. For the mandate which House Resolution 17 gives the select committee is—and properly so to meet the problem—exceedingly broad and far reaching. It is imperative that the select committee will be one that can proceed expeditiously and responsibly to study this complex problem and make available recommendations on any appropriate legislative action which the House can take.

Mr. Speaker, a nation which has spent billions of dollars to reach the moon should be able to control crime within its borders. The select committee to be created by House Resolution 17 is a vital step toward achievement of this goal, and I urge its approval.

Mr. SCHWENGEL. Mr. Speaker, as a cosponsor of this legislation, I am pleased to rise in support of it. The need for an indepth and ongoing study of crime in this country is so painfully obvious, it is shocking that Congress has failed to act long ago. The House finally acted last session, but as you know, the other body failed to take action on our proposed Joint Committee on Crime.

Across America, tension and instability are rife as undisciplined elements in our society increasingly run rampant. Leaving a deep imprint on the national character, they have carved out a new legacy of violence and left us with a heritage of destruction and devastation. Our educational system is now under seige as college campuses constantly are being threatened by student revolt and rebellion. Our electoral system, and indeed, our democratic process itself, are in jeopardy as national leaders are tragically, and all too frequently, falling prey to assassins' bullets. Our society has been uprooted in flames and pillaging and racial turmoil as scores of cities were put asunder last year by mass violence. Our system of private enterprise and free government is steadily being eroded as organized criminal activities, largely unnoticed in the wake of other more spectacular crimes, continue to flourish and expand. This wave of crime and violence exacts a heavy toll from all of us. Last year alone, nearly a billion dollars of property was subjected to theft. While some of this growing increase in crimes against persons and property can no doubt be explained by the moving to our urban centers, the higher proportion of crime-prone youth in our population, and more efficient crime-reporting techniques, the hard fact remains that, by any standard, the shadow of crime is rapidly becoming longer and more ominous. Nowhere is this more graphically evident than in the Nation's Capital itself. Across the land, citizens act not out of confidence, but out of fear. Crime has truly become our most pressing domestic problem. We cannot await the millennium when violence and criminality will hopefully wither away because their underlying root causes have been removed. While we in Congress should, of course, act to eliminate the seedbeds of crime, we must also take more effective measures to curb existing violence and disorder and we must act now. The time for hesitancy and inaction is past.

Though I do support this bill, because it is a step in the right direction, it does not go far enough to really meet the need which exists. Maybe we can only move one step at a time, but those steps should be strides and not shuffles.

My major objection to the approach taken in this legislation is in terms of its limited scope and its lack of real permanence. In our efforts to deal with the problem of crime in this country, we must cover all phases, including the courts and law enforcement as well as crime itself. These areas are interrelated and interdependent and the study of any one of these areas alone must of necessity be incomplete as to the total problem.

With respect to permanency of the committee, since a select committee must be renewed with each Congress, the committee and staff could really only plan for a maximum of 2 years. This would result in the one-shot type of study which has been altogether too prevalent in our attack on crime. What we really need is a long-range coordinated approach to the study, so that we begin to develop some expertise in the area. My bill, House Joint Resolution 408, would create such a joint committee and would have the permanence to which I refer. With such a committee, the staff would be able to compile and coordinate all of the past studies in the area, and keep them up to date on a regular basis. At the same time, the staff would begin to develop some real intimate knowledge of the problems and be able to suggest some workable solutions.

With respect to the scope of the legislation presently before us, the jurisdiction of the proposed committee would seem to be a good deal narrower than is necessary for an adequate and thorough solution to the problem of crime. Although a number of areas are included in its investigatory authority, I feel it could be much broader. Here again, the provisions of my bill, House Joint Resolution 408, is much more comprehensive in the areas encompassed within its jurisdiction. It covers the courts and law enforcement, as well as just crime itself.

For these reasons I urge your support and passage of the pending bill. However, I hope that passage of this bill is merely to be used as leverage for the establishment of a Joint Committee on Crime, the Courts, and Law Enforcement, of a permanent and broad nature.

Mr. DANIELS of New Jersey. Mr. Speaker, I rise in support of House Resolution 17 which authorizes the creation of a select committee of this House to investigate crime.

Mr. Speaker, as a cosponsor of this measure, I hope that every Member of this House will support this resolution which has wide support on both sides of the aisle.

I would like to say a few words about the splendid campaign put on in behalf of this resolution by the very able gentleman from Florida, my good friend, CLAUDE PEPPER, who has been the guiding hand behind this resolution. The speed with which this measure is going to be approved is in large measure due to the knowledge of the legislative process possessed by the gentleman from Florida who has demonstrated in this House and for 12 years in the other body an unusual—almost uncanny—ability to get the job done. I commend him for his outstanding leadership in this matter.

Mr. Speaker, I have the honor to represent a district which lies within the area called Metropolitan New York. In fact, the towers of Manhattan literally loom over almost all of the 14th District of New Jersey. It is not necessary for me to dwell upon the crime situation in the New York area. It is so well known that it needs no explanation.

In our area, the two great domestic issues have been street crime and rising rate of narcotic addiction. And as one who has studied this problem deeply, I can assure you that both of these problems share common roots. They are so interrelated that you cannot tell where one begins and the other leaves off.

I have advocated better pay for police officers and better training but these are only a part of our anticrime effort. Much crime has its roots in the ghettos and barrios of our older cities; it breeds on the poverty and misery which is part of life in these areas. To fight crime we must in addition to providing more effective police work, we must raise the quality of life in these areas and make certain that the door of opportunity is open.

Mr. Speaker, we must instill a greater respect for law among all Americans, the poor in the streets of our great cities and the children of the affluent middle and upper classes whose lawlessness has made battlegrounds of great institutions of higher learning.

Mr. Speaker, if life is to be worth living we must wage a great war against crime. We must enlist government at every level in this war. We cannot permit present conditions to continue. We must wage war against crime and we must win it.

But it is not enough to send men into battle without leadership or a general design. Any war must be planned. There must be a general strategy, an outline for victory. It is my hope that this resolution will set up a committee charged with the task of setting all the resources of this Nation in motion so that we can win the war against crime.

Mr. EILBERG. Mr. Speaker, I rise today to express my wholehearted support for the resolution now under consideration. As a cosponsor of a similar resolution in both the 90th Congress and the 91st Congress, I am keenly aware of the need for us to act favorably on it. Last July, we passed a similar bill, 318 to 12. I believe that we must repeat that overwhelming vote here today. Creation of the select committee is a necessary step in an all-out campaign to understand and control crime.

Late last year, we received the alarming report that the national crime rate was increasing eight times faster than the population. I believe, that to combat this, we must mobilize all levels of government to get the job done. Congress and the State legislatures can pass laws to get at the criminal but it is the local law-enforcement official who has to enforce them. Therefore we must give these officials the best tools we can provide so that they can enforce the laws quickly, decisively, and fairly. One way in which we in Congress can make an immediate contribution to this effort is by acting favorably on the resolution we are now considering.

The committee which House Resolution 17 would establish will in no way inhibit or interfere with the powers and prerogatives of the existing legislative committees regarding crime legislation. It will instead serve the invaluable function of coordinating intelligence and acting as a clearinghouse for the currently fragmented legislative and investigative activities relating to crime control. Up until the present, a fair job has been done. But a fair job is not what the American people want and what they have every right to expect. As their elected representatives, we are only too aware of our constituents' desire to see the lawlessness stopped. In the past, we have been hampered in our efforts to propose far-reaching anticrime legislation by a lack of information. The select committee which House Resolution 17 establishes will increase our understanding of the problems involved and thus increase our effectiveness in initiating legislation to get on with the job of winning the war on crime.

Domestic order is the first responsibility of every level of government and every citizen. It is our duty to enact laws which will help our law enforcement officials carry out this responsibility. We have done this in the past and I know we will continue to do so because we all recognize that law and order must be the starting point to build a better society. Without law and order, the great strides which must be made in the years ahead in the social, economic, and political fields will never be made. We must take whatever steps are necessary to end riots and violence. We must take whatever steps are necessary to let those who riot and burn the flag on our college campuses know that their actions will not be tolerated. We must take whatever steps are necessary to protect the rights of law-abiding citizens generally. The liberty and freedom which we enjoy, and which is so essential to progress, must be built upon respect for the law.

We in Congress must make every effort to know as much as possible about the causes of crime and enact legislation which will strike these causes at their roots. I believe that creation of a Select Committee on Crime is a necessary step toward this end and I urge all my colleagues to join me in voting for passage of House Resolution 17.

Mr. BARING. Mr. Speaker, I join with my colleagues today who also sponsored House Resolutions 17, 33, 34, and 35, calling for a select committee of Members of the House of Representatives to investigate and study all aspects of crime in the United States. I ask the Members of this great Chamber to wholeheartedly agree to endorse this resolution and put the stamp of approval on it. This measure means the continued livelihood and safety of our Nation in fighting crime to halt its encroachment into every facet of our society.

I would urge upon passage that the bipartisan committee of seven Members of the House duly consider the fact that President Nixon has seen fit to give the Justice Department plenty of ammunition to fight crime. By this thought, Mr. Speaker, I take note of the fact that President Nixon left intact and, in fact, expanded by $16 million, the fiscal year 1970 budget allocation for the Justice Department to further augment its facilities to fight crime.

With the obvious great importance being attached to an increased crime fight in this country we must set the committee up to assist our lawmen in all phases of their work.

We are approaching the decade of the seventies and I would not like to see such a continued spiralling crime rate as we have experienced during the sixties.

This investigative study group of the committee would do much to demonstrate to the American people that Congress is taking the criminal element of the society head on at all fronts and give the people the knowledge that their concern about the crime rate is not going unheeded.

Mr. GIAIMO. Mr. Speaker, I rise in support of House Resolution 17, which would create a select House committee to investigate crime in the United States. I commend my distinguished colleague, the gentleman from Florida (Mr. PEPPER), and his distinguished counterparts of both parties for introducing this legislation, which I believe is vital to the future of this Nation. I hope every Member of the House will do the same.

Mr. Speaker, some Members of this body sincerely feel that the greatest danger to America exists in Moscow, Peking, and Hanoi. They call for more and more money for defense. Others sincerely believe that the greatest danger exists in Watts, Harlem, and Appalachia. They call for more and more money to fight poverty, ignorance and hunger. Both these viewpoints are valid, Mr. Speaker, but I submit that the greatest danger of all is from organized crime.

I am glad the public is finally becoming aware of the incredible power wielded by organized crime in America. I am glad that President Nixon, in his message to Congress, has promised a large-scale effort to rid the country of this menace.

Organized crime is a menace, Mr. Speaker, a menace in every sense of the word. It saps our strength and subverts our lives. It takes from us our possessions, our health and our self-respect. It influences every facet of American life. It eats away at the foundation of the country itself, it is the epitome of evil.

Those who say that the money which must be used to fight crime could be better spent elsewhere I will answer now. They should remember when they discuss the ABM issue that organized crime could build such a system itself with only part of its income. They should remember when they discuss the war on poverty that just a portion of the money that goes to organized crime each year could be used to eliminate hunger and poverty in this Nation. They should remember when they discuss education that a small percentage of this illicit income could send every young man and woman in this country to college. What sense does it make to argue over "guns or butter" while organized crime is depriving us of both?

Most of all they should remember that this vile operation, through narcotics, gambling, corruption, and a myriad of other evils, is degrading and destroying untold thousands of citizens who could add so much to this country. This, alone, should be reason enough for us to act.

A select House committee is certainly not a cureall, but it is a positive step, an all-important step, in the effort we must make to smash organized crime in the United States.

We must make the people even more aware of what organized crime is doing to them and to their country. We must make them more aware of the nature of the enemy. If a select committee does this and nothing else, it will have served its purpose.

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To say that the time has come to begin this battle is an understatement, Mr. Speaker. We must begin right now and pray that we are not already too late.

Mr. CLEVELAND. Mr. Speaker, I rise in support of this bill to create a select committee of the House to conduct a full investigation and study of all aspects of crime in this country.

As a cosponsor of House Resolution 33, which is identical to the resolution we are considering today, I give House Resolution 17 my full and enthusiastic support. By passage of this legislation today, the House will be giving renewed recognition of our Government's commitment to combat the evils of crime.

This Nation was founded on the principles of life, liberty, and the pursuit of happiness. These principles cannot survive very well in an atmosphere of violence and fear. Until the grip of crime is broken, people will continue to be afraid to walk the streets at night, afraid to help others who need help out of fear that their involvement will endanger their own lives.

During my 6 years in Congress, I have twice been the victim of serious crimes. The first time I was attacked outside my Georgetown home while trying to help a lady apparently being accosted. The second incident took place right in my own office when I surprised a burglar late at night. I was lucky to escape with only a wound in the arm.

More tragic is an incident which occurred in Georgetown not too long ago. Donald C. Schreiber, a fine young man of great promise, went to the aid of a man who appeared to be in distress. The man asked him to help him home, which he did. When they got there, the man pulled a gun. A struggle resulted, and in the fight, the boy was killed. It was a tragic, pointless death, only adding to the distrust and fear which has grown up in our cities. It is this crime and this fear which must be broken if America's cities are to once again become decent places to live.

Mr. Speaker, I find the timing of this legislation most appropriate. It comes on the heels of President Nixon's plan to combat organized crime more effectively, a subject which the select committee we propose to create will naturally consider.

The select committee would also investigate and recommend ways of improving our police forces, crime detection methods, administration of justice, rehabilitation of criminals, and programs for increased respect for the law. This last point is important. Until our law enforcement agencies have the cooperation and support of the people, they will never be able to fully cope with the problem of crime.

Mr. Speaker, I intend to vote for House Resolution 17, and urge its immediate passage by the House.

Mr. FASCELL. Mr. Speaker, I fully support House Resolution 17, to create a select committee of the House to investigate crime. My colleague, the gentleman from Florida (Mr. PEPPER), is again to be commended for his untiring efforts to curtail and turn back the spiraling crime rate.

The basis of this legislation was overwhelmingly approved by the House in the last Congress, and I feel that this measure should be strongly supported again this year. Clearly, the need for a concerted probe into the crime problem in the United States is just as serious now as it was when we acted before.

As chairman of the Subcommittee on Legal and Monetary Affairs of the House Committee on Government Operations, I have long been concerned with the adequacy of the Government's effort against organized crime. The subcommittee has oversight jurisdiction over many of the Federal agencies involved in the fight against syndicated crime, and we have conducted a continuing study of their organizational effectiveness.

Our study has focused on the proliferation among some three dozen Federal investigative and administrative agencies of responsibility for the fight against organized crime.

In a report, "The Federal Effort Against Organized Crime: Report of Agency Operations," House Report No. 1574, 90th Congress, second session, we concluded that the Federal Government has not borne its obligations with the constancy and force that its role in the overall battle against organized crime demands. For one thing, the overall effort that was needed was lacking.

Last week, I was happy to say, the President of the United States, in his message to the Congress on organized crime, agreed that greater unity of effort is needed. The President centered the Government's program in the Department of Justice, and directed the Attorney General to mount the Federal antiorganized crime offensive and to coordinate the Federal effort with State and local efforts where possible. That has been attempted before, but I believe that all of the agencies that can contribute have now seen the light. I hope, and expect, that all will now be joined in the kind of massed effort that the subcommittee found was necessary if we are to prevail over that enemy.

As the executive branch responds to our recommendations to unify its organizational framework in this endeavor, Congress should also seek better coordination of its attack on crime. We have a problem in Congress in effectively dealing with the overall problem of crime, because we have so many different committees, each of which tends to consider only parts of the whole.

The legislation we are now considering would concentrate what we might call the House anticrime drive under a bipartisan seven-member committee which would hold hearings, publish reports, and make recommendations to the Congress.

By taking such an approach, Congress can probe deeply into crime problems, and work toward the kinds of solutions that the people of this Nation need, and demand. The Government's fragmented efforts to date undoubtedly have contributed to the fact that crime continues to plague our society. The kind of concerted action that House Resolution 17 contemplates raises expectations for winning the battle to again make our streets and neighborhoods safe for law-abiding citizens.

For these reasons, I strongly support this measure and commend the sponsors for their inspiring leadership.

Mr. FEIGHAN. Mr. Speaker, I would like to take this occasion to commend my distinguished colleague, the gentleman from Florida (Mr. PEPPER) for his perseverence in working to form a congressional committee to probe into the problem of crime in America.

The legislation we are considering today does more than demonstrate the growing national awareness of the crime problem. It offers a valuable opportunity for Congress to investigate all aspects of crime and law enforcement and to recommend appropriate legislation. It seems to me that with the President's recent announcement to commence an overall attack on the criminal elements of our society, this is a most fitting moment for the Congress to assume more initiative in the national fight against crime.

The committee established by this legislation would be empowered to delve deeply into all elements of crime in this country, including the preparation and dissemination of statistics, the availability of reciprocity of information among law-enforcement agencies; the effect of crime and disturbances in the metropolitan urban areas; the effect of crime on the commerce of the Nation; the treatment and rehabilitation of persons convicted of crimes; measures for the reduction, control, or prevention of crimes; and measures and programs promoting increased respect for the law. We must recognize the causes and seek the cures for crime.

I am sure that my colleagues have observed a mounting anxiety on the part of their constituencies because of the rapidly swelling crime rate. People are afraid; they are nervous and they are extremely tense. Mostly, I find, however, that they are confused. The rising incidents of campus disorder; the wide use of drugs by our young people; the lack of respect for our law-enforcement officers and the depressing disintegration of former accepted social mores are the factors troubling citizens all over the country. This is an era of intense questioning. The confused are asking, "What are we doing wrong?" People everywhere are groping for answers. Our concerned countrymen want to know how we can resolve the rift that is plaguing our society and sowing dissension among its inhabitants.

This attitude has been reflected in Congress in recent years with the enactment of legislation affecting all aspects of crime—its causes, its problems, and its prevention. Social welfare measures have complemented the congressional drive for law enforcement assistance and crime control but the time has come to launch an all encompassing campaign on the roots of our troubles. We must attain a full understanding of the problems involved and take decisive action to transform our findings into positive programs. Efforts that will assist all segments of our society are what is needed here. We cannot concentrate on preventing crime

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without a genuine commitment to destroying the social maladies that often cause such disruption.

It is my sincere hope that this committee will be the catalyst for an ambitious and comprehensive program dealing with every component of the crime problem in this country and with this in mind, I urge my colleagues to join with me in calling for passage of House Resolution 17. As one of the cosponsors of this bill, I feel impelled to point to the broad support accorded this legislation in the House. Its bipartisan sponsorship represents over 25 percent of the membership, certainly indicative of the importance and concern attributed to this volatile issue.

Mr. HALPERN. Mr. Speaker, the measure that we are considering today—a bill to establish a select committee to investigate all aspects of crime in the United States—is one of the most important pieces of domestic legislation this Congress will be called upon to enact.

I have long been an advocate of creating such a committee and I am proud to be associated with the able and distinguished gentleman from Florida (Mr. PEPPER) as a cosponsor of the joint resolution which would create it.

I would like to heartily commend the gentleman from Florida for his persistent leadership on behalf of this resolution.

I think everyone will agree that our basic problem is this: We do not know how to control crime. We do not know how to put a stop to the steady, dramatic rise in our crime rate. We do not know why we have been unsuccessful in reforming those who have committed crimes and in discouraging them from returning to a life of crime. We do not know why our police departments cannot attract and hold qualified young men to serve as law-enforcement officials. We do not know how to effectively revamp our court system to insure speedy trials.

In short, as a former attorney general declared:

> Despite all the statistics we have gathered, we know so damn little.

The legislation which we are considering today is vital if we are to get to the roots of the crime problem and come up with meaningful solutions.

I concur fully with President Nixon's recent decision to launch a long-range Presidential-level attack on organized crime, but it is also essential for the representatives of the American people—the Congress—to take a direct initiative in the war on crime, and I believe the creation of this special committee is the necessary first step if we are to do so.

To the people of America, crime is a vital and emotional issue. But dwelling on these emotions will not solve our problems. Simple slogans such as "law and order" will not do. We need hard facts and the answers to some down-to-earth questions to find a truly adequate solution.

The familiar statistics on rising crimes have been seriously questioned by experts because entirely new improved methods of gathering the figures may seriously exaggerate the size of the increase in crime.

Therefore, we cannot even rely entirely on the information we now have. Congress must develop its own staff capability to verify the old data and get new facts.

Some of the problems this committee must explore are—

What are the causes of crime? What discourages people from wanting to live within the rules of society? Is one factor, for instance, that laymen find the laws make too little common sense because of technical jargon, out-moded theories and over-emphasis on irrelevant issues?

How can we rehabilitate people in prison so we won't have the all-too-frequent criminal repeater?

What new rules of evidence and investigative methods would enable police to lessen their tremendous dependence on confessions and guilty pleas to obtain convictions, and avoid Supreme Court reversals?

How can red tape be cut in the courts to insure speedy trials and remedy the whole problem of releasing accused persons on bail?

Only through examination of hard-headed queries such as these, can we understand and control this incredibly complex phenomenon of crime, and this committee is aimed at doing just that. I therefore urge my colleagues to give resounding approval of this legislation.

Mr. MATSUNAGA. Mr. Speaker, in July of last year, House Joint Resolution 1, creating a joint House and Senate committee to investigate crime, was passed by this body. Despite strong support in the other body, it did not take final action on that resolution before adjournment, and Congress today does not have available to it the services of such a committee. We of this body want he assistance and advice of a congressional committee to investigate crime. We voted almost unanimously last year in support of its establishment.

It is with firm conviction, therefore, that I rise today to speak in support of House Resolution 17, the measure now on the floor. House Resolution 17 would create a bipartisan select committee of the House to investigate crime. I commend the gentleman from Florida (Mr. PEPPER), who is the principal architect of this resolution and the author of the legislation we passed last year, for his untiring efforts to establish this much needed select committee. I deem it a privilege indeed to be a cosponsor of House Resolution 17.

Preliminary FBI figures for 1968 show a total increase of 17 percent over 1967, with a 19-percent increase in the crimes of violence and a 17-percent increase in crimes against property. Crime increased in all parts of the country, led by the Northeastern States which registered a sharp upward climb of 21 percent. The Western States, and this includes my home State of Hawaii, were close behind, with an increase of 18 percent. Crime increased in all types of communities, with the suburbs tying the large core cities for first place with an increase of 18 percent.

If these statistics sound almost numbingly familiar, it is no accident. Crime has been rising steadily during this decade. According to the 1967 edition of the FBI's Uniform Crime Reports, during the 8-year period 1960 to 1967, the volume of serious crime in this Nation rose 89 percent and the rate of serious crimes per 100,000 inhabitants rose 71 percent.

In the face of such facts on crime, it is our responsibility as Members of Congress to act quickly and effectively, and not simply in response to directives from the White House. It is my conviction that in order to do so we need the expert and informed assistance of a bipartisan investigative committee.

As the distinguished gentleman from Florida (Mr. PEPPER) has so eloquently stated, the purpose of the committee which House Resolution 17 would create would be to make an intensive study of all aspects of crime in this country, to report its findings the House as soon as possible during the present Congress, and to make any recommendations which it deems advisable. The committee would not interfere with the rights and responsibilities of any of the committees and subcommittees which now have jurisdiction over legislation relating to different aspects of crime control. However, it could serve as a much-needed clearinghouse for information on such matters as legislation introduced in the area, hearings, and relevant studies underway in the executive branch.

As we are increasingly coming to realize, crime in the 1960's is as complex as it is pervasive. We need to understand it better, specifically in the context of what Congress could do and should do in the form of Federal legislation. This is indeed a new legislative area, and to date we have tended to let the executive branch take the initiative. I believe that the formation of a select House committee to investigate crime would be a first and important step in the direction of new legislative initiative in coping with the horrendous increase in the crime rate of this Nation.

Mr. Speaker, House Resolution 17 deserves our unanimous support.

Mr. GALIFIANAKIS. Mr. Speaker, I rise to speak in favor of the resolution pending before this body. The rate of crime and its influence on our lives is increasing with each passing day.

Crime is on the rise in the streets, on the college campuses, in business and governmental activities, and in the military. In short, we are feeling the impact of criminal activity in virtually every sphere of human endeavor.

The select committee here proposed will certainly not discover all of the answers to the problem of crime which confronts us. But it can provide the invaluable service of bringing to bear on the problem the most capable minds in the Nation.

Therefore, Mr. Speaker, I urge that this proposal be promptly passed, that the Members be designated at your earliest opportunity, and that the committee set about this most important task as soon as possible. We dare not wait too long to begin a coordinated and concerted assault on crime and its perpetrators.

Mr. OTTINGER. Mr. Speaker, as a cosponsor of this resolution to create a select committee of the House to investigate crime, I urge its speedy passage.

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I also want to offer my warmest congratulations to the author of this resolution, the gentleman from Florida (Mr. PEPPER), who has labored for many months to achieve passage of this resolution. His efforts deserve the recognition and applause of everyone concerned with the mounting problem of crime in our Nation.

I think it is clear that this resolution is not designed to establish a preemptive Federal responsibility for crime control, but rather to expand the capabilities of all public bodies to deal with what has become a crisis for the entire Nation. Primary responsibility for controlling crime must continue to rest with the States and local governments. But it has become increasingly clear that if crime in our society is to be brought under effective control, the Congress must act to assist the States and communities.

More than 3 million serious crimes are committed each year in our country. The crime rate is increasing at more than six times our population. Today alone, a murder is being committed somewhere in the United States every hour; an aggravated assault every 2½ minutes; and a burglary every 27 seconds. This is intolerable and it must be stopped.

The select committee established by the resolution before us today would enable this House to make a continuing investigation of all aspects of crime and the resources available to control it. I am convinced that enactment of this resolution will hasten the day when crime can be brought under effective control and I urge my colleagues to support it.

Mr. ROGERS of Florida. Mr. Speaker, I wish to join with my colleagues in support of House Resolution 17, a bill to create a Select Committee on Crime.

Such a committee is much needed and long overdue. The problem of crime in America today is the single most pressing issue facing us.

The roots of crime are not growing only in the shadows of our society. Organized crime has taken root in the legitimate business and industry of our Nation.

The alarming rise in crime statistics give every indication that crime is continuing to climb and will continue if the Congress, in conjunction with local and State law-enforcement agencies does not give the solution of the crime problem a very high priority.

I hope that through the creation of a special select committee, the Congress can spotlight, with a very bright beam, the entire crime picture in America, and can help recommend solutions.

I might add that I think it appropriate that we are considering this bill today, on Law Day. I feel that the passage of this bill will give the American public an indication that we intend to do something about crime in America.

Mr. LLOYD. Mr. Speaker, I will vote against this resolution today. It is a temptation to vote to create another committee to combat crime, and obviously I agree with the objectives and good faith of the resolution. I do not agree, however, that the creation of another committee is essential to the securing of that objective. We already have standing committees with authority and the duty to perform these same general functions. We have administrative agencies and Cabinet departments already charged with the responsibility of making inquiry into the subject matter of the resolution.

I favor allowing existing agencies to discharge these responsibilities without competing with newly created committees in the performance of their jobs. If existing committees and agencies are not performing adequately, then let's do what is necessary to insure that they improve their performance.

Problems are not solved by the creation of new committees when there are existing committees and agencies already established to do the job.

Mr. GRAY. Mr. Speaker, it is with a real sense of urgency that I rise today in support of House Resolution 17, to create a select committee to conduct an investigation and study of all aspects of crime in the United States. I am happy indeed to have the privilege of cosponsoring this bill with my distinguished and highly able friend, the gentleman from Florida (Mr. PEPPER). The gentleman from Florida deserves much credit in leading the campaign to see this committee formed. I am indeed hopeful that he will be made chairman of the select committee when it is created.

Mr. Speaker, crime is rampant in many parts of our beloved country. In many instances we know what causes and breeds crime, poverty, and want. In many other areas we do not know its cause. I realize the first thing people want to do when presented with a problem is to study it. We all know that what is needed is action. However, since so many people are going in so many action directions, I think it is very wise for the Congress to take a look at all of these programs and above all study the various aspects of crime to see if the remedies we now have fit the symptoms and causes of crime.

Mr. CHARLES H. WILSON. Mr. Speaker, the passage today of House Resolution 17 to create a House committee on crime is an important and significant step toward bringing the rampantly increasing crime rate in this country under control. If we are to prevail over these disturbing trends in crime we must coordinate our efforts and examine the problems from every possible angle, in order to reach the fullest possible understanding of the causes, effects, and ramifications of crime in our society.

The shocking fact that, according to the FBI, serious crime rose a full 90 percent between 1960 and 1967 is proof enough that critical attention is warranted in this area. While it is vital that our law enforcement efforts remain a center of attention, we must also work to better understand the psychological and motivational aspects of crime so that we may move effectively toward strangling the sources which breed criminal and lawless behavior.

As chairman of the Census and Statistics Subcommittee of the House Post Office and Civil Service Committee, I am most concerned about crime statistics and what we can do to devise a more comprehensive method of statistical tabulation, in order to use the information as a weapon to combat the rising U.S. crime rate. Accordingly, our subcommittee will be investigating the possibility of creating a National Crime Statistics Center which would serve as a comprehensive information bank to all branches of Government, law enforcement agencies, students, and investigators of criminal behavior, as well as other groups concerned with the understanding and prevention of crime. We will pursue a thorough study of this proposal; the magnitude of the problem demands no less.

The greatest tragedy of crime in America is the fact that so much of it is committed by our young people—as much as 25 percent of all serious crimes. If the work of the House Committee on Crime can help us to reach these youngsters before the tragedy of criminal behavior becomes their way of life, then our efforts will not have been in vain and perhaps we may witness a reverse in the dangerous tide of increasing crime in this Nation. I am proud to have supported this legislation and I am hopeful that the results will be positive and encouraging.

Mr. PRICE of Illinois. Mr. Speaker, I strongly support the enactment of House Resolution 17, creating a Select Committee To Investigate Crime. As cosponsor of the resolution, I am pleased that this matter is now before the House. It deserves the full support the comparable resolution received last session which we approved by a 319 to 12 vote.

The creation of the select committee is not some congressional whim or fancy. It reflects our deep and genuine concern over the growing menace of crime, a national problem of great urgency. The President's Commission on Law Enforcement and Administration of Justice clearly recognized the need for such a committee, stating:

> The creation of such a committee would place the prestige of the U.S. Congress behind the proposition that organized crime is a national problem of the highest priority.

These are not idle words. A cursory review of crime statistics, indicates that the crime rate in this country continues to rise at an alarming rate. We must focus on ways to curb the crime rate and to identify and eliminate the causes of crime. These are not easy tasks and require concerted effort. The select committee affords that opportunity and demands our strongest support.

It is clearly recognized that crime control and law enforcement is basically a local responsibility. The Federal Government is prepared to assist these local efforts in conformance with our constitutional dictates. Historically speaking, there has been until very recently little sustained concern or institutionalized basis in the investigation and prosecution of organized crime. It has been sporadic with occasional public forays. What is required is a rational, well-organized approach. The select committee can provide a framework in which to develop a solid understanding of the problem we face.

Congress has not been inattentive to the growing problem of crime. The nature of crime is multifaceted and requires a variety of approaches. Social ills spawning crime must be solved; expanded and improved law enforcement techniques are needed; improve rehabilitation, court procedure and juvenile delinquency controls are essential. We have been working on these, but on a piecemeal basis. A comprehensive strategy evolving from a total assessment of crime in a modern industrial society is necessary if we are going to be successful. The select committee is clearly the vehicle to utilize.

It would make continuing investigations and studies of all aspects of crime in the United States, including: First, its elements, causes, and extent; second, the preparation, collection, and dissemination of statistics thereon, and the availability of reciprocity of information among law-enforcement agencies, Federal, State, and local, including the exchange of information with foreign nations; third, the adequacy of law enforcement and the administration of justice, including the constitutional issues pertaining thereto; fourth, the effect of crime and disturbance in the metropolitan areas; fifth, the effect, directly or indirectly, of crime on the commerce of the Nation; sixth, the treatment and rehabilitation of persons convicted of crimes; seventh, measures for the improvement of first, detection of crime; second, law enforcement, including increased cooperation among the agencies thereof; and, third, the administration of justice; and ninth, measures and programs for increased respect for the law.

I commend the gentleman from Florida for his leadership in this legislation. It is a credit to his foresight and vision that we have this bill before us. I am glad to join him in urging its approval.

Mr. VANIK. Mr. Speaker, I rise in support of House Resolution 17 to create a committee of seven in the House of Representatives to conduct a full and continuing investigation and study of all aspects of crime in the United States. I am proud to have been a cosponsor of identical legislation in House Resolution 122.

It is clear that increasing sums of money are going to be poured into the battle against crime on all levels of government. The Federal Government's commitment is running in the hundreds of millions of dollars.

I strongly feel that there should be a select committee to observe the effects of these expenditures, to suggest improvements in the crime control effort, and to have recommendations available to the Congress.

The problem of crime on the street continues to grow. The extent of criminal element influence in State capitals and local governments appears to be spreading. The need for the clear and probing searchlight of congressional oversight into these problems is uncontestable.

To implement the Omnibus Crime Control Act of 1968, my State of Ohio has formed 15 regional districts to develop regional anticrime plans. Each of these districts has been given $5,000 in planning money and an additional percentage based on population. It is interesting that Cleveland, Ohio, and its county with a total of 2 million people—or 20 percent of the State's population—has been grouped with six other counties to form a district having a total population of 2.7 million. Needless to say, most of the other districts have few people. Each of these rural districts is receiving at least $5,000 of planning assistance.

The Justice Department informs me that Ohio is expected to submit its comprehensive plan in the next several weeks and be eligible for $1,284,265 in action money to implement its plan. This money will go to the State anticrime agency and at least 75 percent of it must pass on to regional and local governments. Frankly, I am not sure I trust the State with a quarter of the pie—and if the remaining 75 percent is distributed the same way the planning regions were set up, the Federal Government will be wasting its investment.

A congressional committee is needed to review cases such as this. It is clear that individual Congressmen will have a very difficult time keeping track of the State anticrime plans and moneys. My office was informed this morning by officials at the Justice Department that it is not yet clear how much of Ohio's comprehensive plan will be open to the public—that is, you and I. Only with the force of a committee will we in the Congress be able to keep tabs on the way we are spending money in this most vital area of national concern.

GENERAL LEAVE

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days during which to extend their remarks on this resolution and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PEPPER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ST. ONGE). The question is on the resolution.

Mr. PEPPER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 345, nays 18, not voting 69, as follows:

[Roll No. 53]

YEAS—345

Adair
Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Aspinall
Ayres
Baring
Beall, Md.
Belcher
Bennett
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Caffery
Camp
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Collins
Colmer
Conte
Corbett
Corman
Coughlin
Culver
Cunningham
Daddario
Daniels, N.J.
Davis, Wis.
Delaney
Dellenback
Denney
Dennis
Dent
Derwinski
Devine
Diggs
Dingell
Donohue
Dorn
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fish
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gaydos
Gettys
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gubser
Gude
Hagan
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Koch
Kuykendall
Kyros
Landrum
Langen
Latta
Lipscomb
Long, Md.
Lowenstein
Lujan
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
Madden
Mahon
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Mikva
Miller, Ohio
Mills
Minish
Mink
Minshall
Mizell
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pirnie
Poage
Podell
Poff
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reuss
Riegle
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Rosenthal
Roth
Roudebush
Roybal
Ruppe
Ruth
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Yates
Yatron
Zablocki
Zion
Zwach

NAYS—18

Bolling
Byrnes, Wis.
Daniel, Va.
Davis, Ga.
Flynt
Gross
Hall
Kyl
Lloyd
McCloskey
Rarick
Robison
Scherle
Schneebeli
Teague, Calif.
Utt
Wiggins
Wold

NOT VOTING—69

Abbitt
Abernethy
Alexander
Ashley
Barrett
Bates
Bell, Calif.
Berry
Brown, Calif.
Broyhill, N.C.
Cahill
Carey
Clay
Conable
Conyers
Cowger
Cramer
Dawson
de la Garza
Dickinson
Dowdy
Edwards, La.
Flowers
Foreman
Frey
Friedel
Fulton, Pa.
Garmatz
Giaimo
Grover
Hays
Hébert
Jacobs
Kirwan
Kluczynski
Landgrebe
Leggett
Lennon
Long, La.
MacGregor
Mailliard
Mann
Miller, Calif.
Mize
Mollohan
Montgomery
Morton
Murphy, N.Y.
Nelsen
Nichols
O'Neill, Mass.
Passman
Pike
Powell
Reid, N.Y.
Reifel
Rhodes
Rivers
Ronan
Rooney, N.Y.
Rostenkowski
Rumsfeld
Scheuer
Sisk
Smith, Iowa
Tunney
Wilson, Bob
Wydler
Young

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Rhodes.
Mr. Hébert with Mr. Bates.
Mr. Abernethy with Mr. Landgrebe.
Mr. Montgomery with Mr. Dickinson.
Mr. Garmatz with Mr. Cahill.
Mr. Rooney of New York with Mr. Mailliard.
Mr. Passman with Mr. Broyhill of North Carolina.
Mr. Kirwan with Mr. Fulton of Pennsylvania.
Mr. Abbitt with Mr. Foreman.
Mr. Friedel with Mr. Grover.
Mr. Giaimo with Mr. Reifel.
Mr. Kluczynski with Mr. Rumsfeld.
Mr. Lennon with Mr. Berry.
Mr. Miller of California with Mr. Bob Wilson.
Mr. Ronan with Mr. MacGregor.
Mr. Carey with Mr. Wydler.
Mr. Murphy of New York with Mr. Reid of New York.
Mr. Long of Louisiana with Mr. Cowger.
Mr. Pike with Mr. Mize.
Mr. Rostenkowski with Mr. Cramer.
Mr. Rivers with Mr. Morton.
Mr. Barrett with Mr. Conable.
Mr. Ashley with Mr. Bell of California.
Mr. Sisk with Mr. Nelsen.
Mr. Young with Mr. Jacobs.
Mr. Leggett with Mr. Dawson.
Mr. Brown of California with Mr. Scheuer.
Mr. Conyers with Mr. Powell.
Mr. Mollohan with Mr. Dowdy.
Mr. Flowers with Mr. Tunney.
Mr. Nichols with Mr. Mann.
Mr. Alexander with Mr. de la Garza.
Mr. Smith of Iowa with Mr. Hays.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF SELECT COMMITTEE TO CONDUCT INVESTIGATION AND STUDY OF CRIME IN UNITED STATES

The SPEAKER. Pursuant to the provisions of House Resolution 17, 91st Congress, the Chair appoints as members of the select committee to conduct an investigation and study of all aspects of crime in the United States the following Members of the House: Mr. Pepper, chairman; Mrs. Griffiths, Mr. Nix, Mr. Waldie, Mr. Watson, Mr. Wiggins, and Mr. Denney.

LEGISLATIVE PROGRAM FOR WEEK OF MAY 5

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the remainder of this week and the schedule for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have no further business for this week.

The business for next week is as follows:

Monday is Consent Calendar Day, but there are no bills on the Consent Calendar.

There are five suspensions:

H.R. 6269, to provide for the striking of medals in commemoration of the 300th anniversary of the founding of the State of South Carolina;

S. 1081, to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library;

H.R. 7215, to provide for the striking of medals in commemoration of the 50th anniversary of the U.S. diplomatic courier service;

H.R. 8188, to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans; and

H.R. 8648, to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society.

For Tuesday and the balance of the week:

Tuesday is Private Calendar Day.

Also we will have H.R. 5554, to provide a special milk program for children, with an open rule and 1 hour of debate.

Mr. Speaker, this announcement is made subject to the usual reservation that conference reports may be brought up at any time and any further program will be announced later.

Mr. Speaker, I ask unanimous consent to reinsert in the Record a list of 11 bills previously listed which were unanimously reported by the Committee on Ways and Means and which the gentleman from Arkansas (Mr. Mills) had originally planned to bring up this week. As previously announced, it is expected these bills will be brought up next week.

Mr. Speaker, the list is as follows:

Bills Reported Unanimously by the Committee on Ways and Means

H.R. 9951, to provide for the collection of the Federal unemployment tax in quarterly installments, etc.

H.R. 2718, extending for additional temporary period suspension of duties on certain classifications of silk yarn.

H.R. 4229, continuing for temporary period suspension of duty on heptanoic acid.

H.R. 4239, amending Tariff Schedules of the United States so as to prevent payment of multiple customs duties by U.S. owners of racehorses purchased outside the United States.

H.R. 5833, continuing to June 30, 1972, the existing suspension of duty on certain copying shoe lathes.

H.R. 7311, amending Tariff Schedules of the United States to provide that the rate of duty on parts of stethoscopes shall be the same as the rate on stethoscopes.

H.R. 8644, making permanent the existing temporary suspension of duty on crude chicory roots.

H.R. 10015, extending to July 15, 1971, the suspension of duty on electrodes for use in producing aluminum.

H.R. 10016, continuing until the close of June 30, 1971, the existing suspension of duties for metal scrap.

H.R. 10107, continuing for a temporary period the existing suspension of duty on certain istle.

H.R. 8654, to provide combat pay income tax treatment for the crew of the U.S.S. *Pueblo*.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder if I might ask the distinguished majority leader if there is any plan to bring up in the near future the bill that suddenly disappeared from the calendar yesterday, the retirement bill?

Mr. ALBERT. There is no plan to bring it up next week, I say to the gentleman.

Mr. GROSS. The week following?

Mr. ALBERT. We will make up the program for the following week after we see the entire schedule of eligible bills at the end of next week. That is as far as I can go at this time.

ADJOURNMENT TO MONDAY, MAY 5, 1969

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CONDEMNING STUDENT VIOLENCE AND INEQUITIES IN OUR SOCIETY THAT CAUSE IT

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, no issue facing the community since I have entered public life is as complex and

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troublesome as the current student crisis. Despite the strident comments supporting and condemning SDS and the Afro-American students and their allies, there is no simple or short analysis that satisfies the situation. Instead, all mixed up, are political, educational, generational, sexual, and psychological elements.

I am proud of this generation of youth—the troublesome ones as well as the quiet ones. They have grown up under a nuclear cloud, and they have shown a healthy outrage at the mistakes of their elders. It is we, after all, who have failed to solve the problems of poverty and racism and war. Students sense the need to do something drastic about these issues and to renew our society, and they are not afraid. For this they have my admiration.

It is also true that the universities have often been insensitive and phlegmatic and undemocratic. Everyone who has followed the disturbances at Columbia, Harvard, and Cornell, to mention only the most notorious, must realize that college administrators have sometimes refused legitimate student demands, failed to give students and even faculties a voice in running their affairs, and opened the door to police violence.

Despite this, I want to condemn unequivocally the disease of violence that plagues our high schools and colleges. It is a disease that threatens to afflict all of us. Legitimate demands for change will not be satisfied by capitulating to white radicals and black militants on campus or anywhere else.

Whatever guilt we share, it should not prevent us from protecting our institutions from those who would destroy rather than redeem them. Whatever change we seek, it cannot be made at the expense of civil liberties and civil order. In short, I despair of those who condone violence so long as the goals of the mob seem worthy.

I think the forcible seizure of buildings, the assault of administrators, and the destruction and pirating of files are criminal acts and should be treated as such. If criminal charges are not warranted, academic officials should suspend or expel student offenders under procedures insuring due process.

But I oppose Federal legislation that would withhold Federal loans or scholarships to students involved in campus disorders. Those who have always feared the assertion of Federal power in education now seem bent on using it in a punitive manner. Such legislation would mean that the rich could demonstrate but the poor could not. Students must be held responsible for their conduct—but the Federal Government has no business using its funds to play schoolmaster.

But most important, we must do more than express our outrage at the use of violence; we must be equally outraged by the conditions that breed violence. Our authority to condemn violence rests on the assumption that we are willing to renew our society and its institutions without the prod of violence.

STUDENTS HELP IN FIREFIGHTING

(Mr. FUQUA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FUQUA. Mr. Speaker, in this day and time when we hear so much about disruption on our college campuses, it is refreshing to learn of the attitude of the student body at Florida State University in Tallahassee when the administration building suffered serious damage from fire last Sunday.

Hundreds of students formed a chain to save priceless records and equipment as fire raged in the fourth floor of Westcott Hall.

At considerable personal risk these students saw what needed to be done and did it. A few started into the burning building and others followed until the number helping was in the hundreds. Heavy filing cabinets, typewriters, sorting machines, adding machines, keypunch machines, computer consoles, desks, chairs, books, radios, drawers full of paper, and hundreds of cans of computer tape.

These students were concerned and they moved in swiftly to help.

As in most other areas of life, we spend a great deal of time being critical of disturbances by the minority without ever taking time to say something about the vast majority.

That majority or the average college student is the best prepared, most interested, and most dedicated student in the history of education. At Florida State last Sunday it was the majority that spoke.

Have no fear for the future. We have great leadership coming. It is not those bent on destruction that can build a better tomorrow. It will be young men and women like those who were in the line at Westcott Hall who will lead tomorrow.

I would like to insert at this point a news report from the Tallahassee Democrat of Monday, April 28, 1969, which points out the actions of these fine students:

Students Help In Fire Fighting

Hundreds of students formed human chains Sunday afternoon to save priceless records and piles of equipment in FSU's administration building, before fire swept the top floors.

When the fire broke out, several students said, "We'd be better off if the records burned."

But minutes later, they were part of the chain, moving into the smoke-filled halls of Westcott, risking a possible cave-in from the fire above.

"A couple of people started going in," Brewster Banks, 19, of Tampa said, "and then everybody said we'd go in and help."

They hauled out heavy filing cabinets, typewriters, sorting machines, adding machines, keypunch machines, computer consoles, desks, chairs, books, radios, drawers full of paper and hundreds of cans of computer tape.

The sounds of "1, 2, 3" filled the air by male and female students alike as that heavy equipment was stashed into trucks and vans to get it away from the building.

"We can't keep them out," said an exasperated fireman.

"I was very impressed with the attitude of the entire student body . . . they were very concerned and helped us in every way." commented Fire Chief Earl Levy.

Levy commended the volunteers who trundled heavy cabinets and other furniture from the blazing building, and helped firemen with the thick water hoses. "It's man killing work they did, and I'm proud of them."

There was even a coffee table, with the percolator coffee and sugar, but the cream got lost in the shuffle.

About 3,000 other students crowded around Westcott, some perched on top of the archway gate in front of the building and others just standing behind the streams of water flowing down Westcott Drive.

The human chain could be called one of the most diversified groups ever—composed of hippies, fraternity men, coeds in miniskirts, dresses, slacks, bikinis and their hair in rollers, junior and senior high school students, undergraduates, graduate and law students alike.

Several students pointed out miniskirted Merlin Mowry, a student assistant in the Registrar's office who dashed into the smoke-filled building to open a vault containing vital student records.

The Miami sophomore said as far as she knew there was no one else available to open the vault. "You don't think about it," she said later. "Everyone was in there."

One student got a big cheer from the crowd when he marched out the front door with a four-foot potted plant.

One coed, who apparently worked in one of the administrative offices, saw a friend as she walked out of the building. "It looks like we've got a helluva remodeling job to do," she remarked.

A sweating fireman perched in a cubicle-like tower rising from the attic of the building drew praises from onlookers. "That's the guy that deserves credit," they said.

Students at FSU, like most universities, say from time to time they wish the "Administration Building" would burn down. But tears rather than jeers characterized the group yesterday.

"This is the saddest thing I've seen in a long time," said sophomore Jim Hooker from Ocala. This is the most important building on campus.

Acting FSU president J. Stanley Marshall, clad in Bermuda shorts and a polo shirt, said "the students were magnificent, simply great."

Gov. Claude Kirk made the scene, hand in hand with two little girls, but FSU security officers, stretching a rope along the outer boundaries of Westcott Drive, ushered him behind it just like anyone else.

"This is the real student body," Kirk said, as he watched the human chains at work.

FSU security and city police didn't seem to care who you were or what business you had there.

City Police armed with rifles were stationed at Park and Macomb Streets, W. College and South Macomb, and W. Park and Copeland and would let no one by.

But everyone wasn't so concerned about the 60-year-old building coming down.

Two elderly ladies didn't move from their front porch three blocks away.

Students in The Mecca, a cafe across the street from Westcott, went back to their pinball machines, hamburgers and quick order dinners after a quick observance of what was happening.

But hundreds stayed around after the fire was over to help carry equipment to other buildings for storage and simply to help anyway they could.

TRANSPORTATION PRIORITIES

(Mr. PICKLE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PICKLE. Mr. Speaker, I am distressed and alarmed that the White House apparently has delayed Transportation Secretary John Volpe's recommendations on airports and airways. Mr. Volpe has been saying his top priority

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would be measures to expand airport construction and upgrade traffic control and airways systems—this has given hope to some of us on the Aeronautics and Transportation Subcommittee. At last, we were witnessing leadership and direction.

However, it would appear that this is just another hope that was dashed on the rocks at the end of the runway before ever getting off the ground. We cannot stand another delay. If a suitable airports and airways measure was passed today, we would still face two or three years of planning before any actual construction could get underway.

Members of the committee are not interested in party politics—we are interested in unstacking the circling flocks over our airways. Earlier this session, Representative DEL CLAWSON and I introduced two bipartisan bills to finance needed expansion. I would redirect your attention to H.R. 9325 and H.R. 9326.

Several on our committee are asking for full and immediate public hearings on airports and their overhead stagnation. The time is now.

It is unfortunate that Secretary Volpe was boxed into listing priorities. A list of priorities indicates one program will move to the forefront at the expense of others. I do not beleve this was the intention of the Department of Transportation; there are too many pressing transportation problems. I am convinced the Department of Transportation will give their full attention to mass transit, highway safety, the controversial SST, and all other facets of transportation, including the airports and airways measures. I am hopeful that they will give consideration to integrating the best of all our transportation systems into solving the congestion at our airports. I am hopeful, too, that the White House will reconsider the opposition to airport priorities.

The United States is a nation of highfliers. Over 45 percent of this Nation's population has traveled by air, far above the world average. And most of our air passengers have spent a considerable part of their flying time circling some out-of-date airport waiting anxiously to get on the ground again.

Most of our flying public is faced with a footrace of considerable distance from the parking lot to the ticket window, and then another race for three-quarters of a mile to the airplane. They stand in line for tickets, seats, and baggage. Then in another line for ground transportation to the central city.

Of the 10,000 airports in the United States, nearly 70 percent of them are nothing more than grassy strips or packed dirt. Scheduled airlines serve only 535 airports; 189 of these have instrument-landing facilities. The 118 biggest and most congested fortunately have radar systems—the rest do not.

Aircraft are stacked in the air waiting to get down—and on the ground waiting to get up because of our overloaded system.

The volume of travelers and freight doubles with frightening regularity—every 6 years. The U.S. civilian air fleet consists of 2,400 airliners and 112,000 private planes.

There is no single scapegoat although the buck is passed with inflationary ease. Private pilots say airports are at fault for overscheduling. On the other hand, airline pilots claim private pilots use too much premium runway space. Air-traffic controllers criticize FAA for not providing enough electronic equipment or skilled men to operate the systems. FAA shifted the blame to Congress for not appropriating enough money.

For one, I will let the buck stop here. I intend to work to expand our airports and open up our airways. I hope my colleagues will agree that we face an air transportation crisis. Eventually, I hope the White House will agree. The airport and airway bill deserves top priority, and I am disappointed, just as I am sure Secretary Volpe is disappointed, that his recommendations have been ignored, or set on the back burner by officials at the White House.

PUBLIC DISCLOSURE ACT OF FORMER MILITARY AIDES IN DEFENSE CONTRACTS

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. PUCINSKI. Mr. Speaker, I have today introduced legislation which would require contractors to include in their bids for defense contracts the names and military assignment of all former military personnel who had served on active duty 4 or more years and are employed by the bidder.

The bidder would have to list the name, the last held rank, the military occupational specialty, and the last assignment of each employee who served at least 4 years on active duty. It would include former officers as well as enlisted personnel.

The new regulations would apply to all bids submitted to the Defense Department, the Coast Guard, and the National Aeronautics and Space Agency.

It would also require that prime contractors must follow the same procedure for each of their subcontractors who would ultimately benefit from the bid.

At the close of each fiscal year, the three agencies would submit to Congress the names of all defense contractors who come under the Military Personnel Disclosure Act, and the total dollar volume of Government contracts awarded to each such company for the reporting period.

Mr. Speaker, this legislation is in part the result of an excellent series of articles on waste on defense spending which appeared in the Chicago Daily News and which were written by Mr. Robert Gruenberg and Mr. William McGaffin. This series was one of the most exhaustive studies on defense spending. The Chicago Daily News performed a notable public service in preparing this series which clearly shows the pressing need for reforms in defense spending.

There are more than 2,000 retired high ranking military officers now employed by 100 of the Nation's largest military contractors.

In fiscal 1968, these 100 companies held 67.4 percent of the $38.8 billion of prime military contracts, or $26.2 billion.

The 2,000 retired officers identified by the Defense Department include only those with the rank of colonel or Navy captain or higher in the three military services.

This legislation is being introduced to give contracting officers a better method of identifying relationships in the military-industrial complex.

There is nothing in my legislation which would prohibit a company from hiring retired military personnel but this bill would help contracting officers identify where the pressure is coming from for defense contracts.

It would also help discourage contracting officers themselves from feathering their beds in retirement.

There has been a sharp increase in the number of high-ranking retired officers who have joined the biggest defense contractors in the past 10 years.

Defense Department figures show that in 1959, the top 100 defense contractors employed 721 high-ranking officers, with 88 of the 100 firms reporting. In 1969, the 100 largest defense contractors—with the 100 reporting—employed 2,072 former high-ranking military officers for an average of 22 per company.

Another indicator of the growing tendency for high-ranking military officers to go into defense work is reflected in the fact that in 1959, 10 companies with the highest number of former officers reported they had 372 of them on the payroll, while in 1969, the top 10 had 1,065 former military officers or three times as much on their payroll.

There is a great deal of criticism of present military expenditures. I do not want to do anything to impede our Nation's defense but I do believe that this public disclosure of former military personnel on defense bids will help eliminate a substantial amount of the unnecessary expenditures.

A copy of the bill follows:

H.R. 10835

A bill to amend title 10 of the United States Code to provide that military procurement contracts shall not be negotiated with, or awarded to, contractor applicants until disclosure is made with respect to the military service of their employees

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 137 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 2315. REQUIRED EMPLOYEE DATA

"(a) The head of an agency may not accept any bid, nor enter into negotiations, with respect to the purchase of, or contract for, property or services covered by this chapter, or by chapters 135, 139, and 141 of this title unless the bidder or offeror, as the case may be, first submits to the head of the agency a list containing the name, the last held rank, the military occupational specialty, and the last assignment of each employee of the bidder or offeror who served on active duty in the armed forces for a period of at least four years.

"(b) The Secretary of Defense shall, after consultation with the Secretary of the Treas-

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ury and the Administrator of the National Aeronautics and Space Administration, prescribe regulations to carry out the purposes of subsection (a).

"(c) For purposes of this section, prime contractors shall apply the provisions of section (a) to all of their subcontractors.

"(d) The Secretary of Defense, the Coast Guard, and the Administrator of the National Aeronautics and Space Administration shall each submit to the Congress, as soon as possible after the close of each fiscal year, a copy of each list received pursuant to subsection (a) and (c) during the fiscal year by the agency or agencies with respect to which he has jurisdiction, and such list shall contain a description, including the total dollar volume, of each government contract awarded to such company during the reporting period."

SEC. 2. The table of sections at the beginning of chapter 137 of title 10, United Code, is amended by adding at the end thereof the following:

"§ 2315. Required employee data."

POLITICS OUT OF POST OFFICE? TALK, YES; ACTION, NO

(Mr. DULSKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. DULSKI. Mr. Speaker, we have been hearing bold statements and promises from President Nixon and Postmaster General Blount about their plan to take the Post Office Department out of politics.

Removal of politics from the Post Office Department has and has had my full support.

But it seems to me that the President and the Postmaster General are failing to deliver on their promises. Indeed, it even seems like a lot more than just "politics as usual."

Their plan for handling postmaster nominations falls considerably short of its claims. First, they forgot to consider giving full opportunity for promotion of career employees. The revised Nixon-Blount plant is still only a half-baked approach to the announced goal. I believe the restrictions on politics must be much tougher.

They are talking about the need for postal reform and are quite willing to discuss it in speeches and interviews, but they are reluctant to discuss their views with our House Committee on Post Office and Civil Service.

The Postmaster General has been interviewed and his aides have appeared on panels to discuss postal problems, but they will not be ready for another month to discuss anything for the legislative record before our committee or our subcommittees. Our hearings are going forward nonetheless.

This week, for instance, the Deputy Postmaster General went before the annual meeting of the U.S. Chamber of Commerce to discuss postal problems. Also on the panel was Murray Comarow, Executive Director of the Presidential Commission which last year recommended that the Department be converted into a public corporation.

The chamber, of course, went on record last fall in favor of the corporation approach and it is interesting that the chamber's program committee set up a "stacked deck" session, omitting any participation in the panel discussion by others, like myself, who have made intensive study of postal reform and have found shortcomings in the corporation plan.

It perhaps also is worthy of mention that last year's president of the U.S. chamber is now the U.S. Postmaster General.

In his remarks before the U.S. chamber, the Deputy Postmaster General is reported in the press to have said that the role of Congress in the operation of the Post Office Department does "more violence to good management practice" than anything else.

He cited the fact that the Department is responsible to two committees of Congress, referring to the legislative and the appropriation committees. Of course, he should know that actually there are four committees, not two—two committees in the House and two in the Senate.

Mr. Speaker, now has come to my attention a clear example not only of politics, but also of political misrepresentation by the Post Office Department.

I refer to a canned press release which has been sent out by the Department to every postmaster for local distribution under the Postmaster General's name. The press release claims an "inherited" $1.2 billion postal deficit has forced the administration to call for increased postal rates.

The suggested press release refers to "increasing letter mail from 6 to 7 cents as proposed by the Johnson administration."

What the Nixon-Blount administration neglects to mention is that when President Johnson proposed the first-class rate increase last winter, he provided for merging first class and airmail into a single priority service. In contrast, the Nixon-Blount plan keeps the 10-cent airmail rate, so the first-class increase carries no further service to postal patrons, just a 1-cent increase in the letter rate.

Whether or not there is need for changes in postal rates is a matter for our committee to consider in due course. As I have said before, the Department seems to have its priorities mixed. Postal reform must come first and then we can consider postal rates increases, if necessary.

As a matter of fact, the Nixon-Blount rate proposal has not been put into legislative form as yet, so far as we know—at least, no legislation has been introduced in the House.

Thus, it is interesting that the Postmaster General is asking his postmasters to lobby for a rate-increase proposal which has not even been put before the Congress yet.

Who is he trying to kid?

Mr. Speaker, the copy of the suggested press release which has come to my attention is really quite an amazing document. Reading of the text is most interesting. It follows:

NOTE TO POSTMASTERS

The attached "fill-in" release is designed for use in informing the public. Please fill-in the blanks, retype then produce on your own news release letterhead formally used for press information. Do not use this form itself or give carbons to the press.

This from ——— For release ———
Time ———

An "inherited" postal deficit of $1.2 billion is responsible for the proposal to raise the postage bill for residents of ——— (name of city) Postmaster ——— said today.

Mr. ——— said then advised by Postmaster General William Blount, Washington, D.C., that the record of $1.2 billion 1970 deficit compelled President Nixon to seek postage rate increases. Without higher rates the Department will be left with a staggering deficit that would become an added public tax burden.

In addition to increasing letter mail from 6¢ to 7¢ as proposed by the Johnson Administration, President Nixon also adds that the Second and Third Class mailers help reduce the large postal deficit which would otherwise be paid by taxpayers, the Postmaster said.

For bulk third class mail and most magazine and newspapers the rates would be increased 16% to 20% above today's levels, he noted. These percentages include rate hikes already scheduled by previous action of Congress. The President recommended increases will reduce the 1970 postal deficit by more than $600 million.

The Postmaster listed other details on the proposed increases:

First Class Mail: Letters and postcards would be increased 1¢ to 7¢ an hour and 6¢ a piece, respectfully, on July 1, 1969.

Airmail postage would remain at 10¢.

This will yield $557.2 million in new revenues.

Second Class Mail: Handling charge of three-tenths of a cent per piece for circulation outside home counties would become effective July 1, 1969. This would yield $15.3 million and would represent a 12% increase in addition to the 8% rise scheduled to take effect January 1, 1970.

Third Class Mail: For single pieces rates would be increased 1% per piece. This would yield $12.4 million. For regular bulk third class, the minimum would be increased to a uniform rate of 4.2¢ January 1, 1970, as contrasted to the present rate of 3.6¢. In 1970 increase would lift revenue $46.8 million annually.

TAX BENEFITS FOR KOREAN VETERANS

(Mr. WOLFF asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. WOLFF. Mr. Speaker, 116 of our colleagues have thus far joined in sponsoring the legislation I introduced to provide American servicemen in Korea with the same tax benefits enjoyed by servicemen in Vietnam.

As I said when I introduced this bill, I believe this is an appropriate way to recognize that American soldiers are constantly facing dangerous assignments in and around Korea. American deaths and injuries in Korea have risen sharply in the past 2 years as North Korea has deliberately sought to increase tensions.

I would hope, Mr. Speaker, that this legislation would have 435 cosponsors in the House. There can be no questioning of the fact that Korean duty is dangerous; witness the *Pueblo* and EC–121 incidents. Nor can there be any questioning of the fact that our servicemen must be recognized for this service.

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Exempting from taxation pay earned in an area of combat is historically appropriate and should be done promptly for our soldiers in Korea.

I include the following article from the New York Times of April 27:

UNITED STATES AND KOREA—THE PROBLEMS OF A "POROUS WAR"

(By Philip Shabecoff)

TOKYO.—The armistice signed at Panmunjom in 1953 ended open hostilities in Korea, but established no formal peace. Technically, the state of war continued. For a year now, it has become evident that the war is more than a technicality; it is a bloody fact.

The truce set a demarcation line between North and South Korea along the 38th Parallel and provided a demilitarized zone on both sides of the line. The armies of Communist North Korea on one side and South Korea and its United States ally on the other faced each other across the line, but for years the technical war was a kind of peace—albeit sullen and frequently broken.

For some time, the term "demilitarized zone" has been little more than an ironic euphemism for what is actually a deadly battlefield. Both sides bring proscribed heavy weapons into the zone; both sides shoot to kill, and soldiers from both sides have died there.

Open hostilities continue at varying tempos of violence. Gunfire rattles nightly through the DMZ. Sometimes it is the solitary bullet of a sniper, sometimes a hail of fire from automatic weapons as an ambush is sprung, or as patrols from the opposing armies make contact in the darkness.

In 1968, 15 American soldiers were killed by North Koreans along the DMZ and at least 149 South Koreans were killed either at the border or inside the country by infiltrators. According to United States authorities, 321 North Korean soldiers and agents were killed last year.

United States forces are stationed in Korea as a member of the United Nations Command that is committed to defend South Korea against aggression from the North. Representing the United Nations Military Armistice Commission, the United States has met with North Korean truce negotiators 290 times at Panmunjom since 1953. Almost all of these meetings have been devoted to little more than exchanges of insults and charges of violating the armtistice.

Because of the increased use of electronic surveillance devices, the construction of a chain link fence across the southern boundary of the DMZ and beefed-up South Korean and American forces, North Korean agents have found it increasingly difficult to penetrate the border. Instead, Pyongyang has been sending more of its agents south on high-speed boats and landing them on the coasts of South Korea. These agents have attempted to set up bases for guerrilla activity, have extorted food and information at gunpoint from South Koreans, and often have shot farmers and policemen living in remote areas.

A HIGHER PLATEAU

The confrontation moved to a higher plateau of danger in January, 1968, when Pyongyang first sent a group of infiltrators on an abortive mission to assassinate President Chung Hee Park of South Korea, and then ordered the seizure of the United States intelligence ship Pueblo.

Between the capture of the Pueblo and the downing of a United States Navy reconnaissance plane in the Sea of Japan this month. North Korea sharply stepped up its efforts to send infiltrators into South Korea. Thus far, the highlight of this campaign was the landing of 120 agents on South Korea's eastern coast last November. All of these infiltrators were killed or captured after tying down as many as 40,000 South Korean troops for months.

As far as the South Korean Government and the United States military authorities in Seoul are concerned, North Korea's Premier Kim Il Sung already is acting on his vow to use force in order to reunite Korea under Communism.

It is generally believed that Marshal Kim will avoid an overt invasion of the South, at least for the time being. Both South Korea and the United States are in a far better position to frustrate such an invasion than they were in 1950.

Instead, the North is said to be conducting what is described as a "porous war"—an attempt to create a revolution in South Korea through terrorist raids conducted by infiltrators. The North Koreans are believed to have 30,000 to 40,000 highly-trained men standing by for infiltration.

The "porous war" is differentiated from a "conventional peoples war" in which revolution is fomented through guerrilla operations by inhabitants of the country. There is no sign that many South Koreans are ready to form their version of the Vietcong, the guerrillas in South Vietnam.

Another explanation of Marshal's Kim's intentions holds that he is hoping to drive the Americans out of South Korea by adding fuel to the growing antiwar sentiment in the United States.

The South Koreans and Americans have tightened their defenses along the DMZ since the Pueblo incident, and Seoul has intensified its anti-infiltration activities. But as the mild American responses in both the Pueblo and "spy plane" cases indicated, there is little that can be done to prevent such hit-and-run provocations.

ADVOCATE RETALIATION

On both occasions, Seoul advocated massive retaliation. But a major assault against the North could very well turn Korea's "quiet" war into a major war involving China or the Soviet Union or both.

Indeed, there were observers in both Tokyo and Seoul who feared that President Nixon might have painted the United States into a corner last week by sending a Navy task force to the Sea of Japan to protect continuing reconnaissance flights. The 29-ship armada, these observers noted, was far larger than would be necessary merely to protect the planes.

How long the task force, or part of it, would remain on the scene, and what it's full instructions were, were open questions. But there was the risk that the North Koreans might shoot down another plane or commit some similar aggressive act, perhaps forcing President Nixon into some kind of retaliation. A heavy blow at North Korea, it was widely felt, could trigger another Asian conflict.

PROTECTION NEEDED FOR AMERICAN CONSUMERS

(Mr. DENT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENT. Mr. Speaker, on April 1, 1969, there was inserted into the pages of the Congressional Record an address delivered in Los Angeles early in March by Mr. Charles Y. Lazarus, the distinguished executive of the Federated Department Stores and the head of the American Retail Federation.

While I concur in the statements made by Mr. Lazarus when he dealt with the consumer interests of this country, I must disagree with him when he talks about consumer interests in imports. He gives a list of articles that are imported, and attempts to show that these articles by being imported are giving the American people a better bargain than American-made goods. However, in searching through the custom reports, I find that taking every article that he had used in his demonstration before the Federated Business Associations of the country, that articles which are imported for as low as 20 cents are sold for $3 each. Sweaters imported for $6.29, including custom duties, are sold as a bargain to the American consumers for $17. He then says this is a bargain because you have to pay $18 for the American-made product which pays more in wages than the entire cost of the product coming from foreign countries.

The entire list and the entire program, as exemplified by the speech made by Mr. Lazarus, is just a repetition of the old story that they told the American people that the American people are better off with imports. They may be better off with cheap imports but, Mr. Speaker, the only ones who really benefit from imports are the importers and the profiteering groups that bring products into this country, or produce them overseas and then sell them to this country at cut-rate prices.

In his remarks to the members of the California Retailers Association, Mr. Lazarus paid fitting tribute to the emergence of the American consumer as an increasingly strong factor in the political and economic decisionmaking process. With that aspect of his speech, I am sure there is little difference of opinion. The increasingly articulate voice of the consumer is a welcome sound on the American scene and represents yet another aspect of the complex exchanging of ideas that is so fundamental to democratic progress in our nation.

There were, however, other aspects of the remarks made by Mr. Lazarus, and widely publicized in the general and trade press, concerning which there are most certainly wide differences of opinion. I have reference to the oversimplified views advanced by him regarding the important issues of national policy in the field of foreign trade. I would not wish it to appear that there is universal acceptance in the legislative or executive branches of government for the thrust of Mr. Lazarus's argument against the need to safeguard the domestic apparel industry, protect the jobs of its workers, and assure potential work for the many persons in the poverty groups for whom apparel employment is one of the major sources of jobs in many sections of our nation. The need to safeguard the textile and apparel industries, in view of their special character, was recognized by the previous administration. In negotiated international arrangements to regulate the flow of cotton garments and textiles; and the present administration has indicated the need to extend such safeguards to apparel and textiles made of other fibers.

Consumer interest must be of concern to all of us. But one cannot, as Mr. Laz-

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arus does, oversimplify the issues. Imported apparel is much too frequently a product of substandard wages and exploitation of home workers, a practice banned as a matter of public policy in our country. In considering these problems, it behooves us to consider the many factors that affect our people, consumers and producers alike, for their welfare is indeed interrelated.

Mr. Lazarus seeks to make a case as a champion of the consumer. To this end he marshaled in his speech, and in the attached table, a number of illustrations, some of them—I must point out—very vague.

He neglects to tell us that retailers take much greater markups on imported goods than on goods of domestic manufacture. He offers situations of the presumed impacts of lower tariffs on apparel prices, but he fails to tell us that when tariffs were reduced in the wake of the Kennedy round and when some foreign prices were reduced as a result of currency devaluations, no corresponding benefit went to the American consumer in the form of price cuts by retailers.

This issue is important to so many Americans, to the many American communities, large and small where the apparel industry provides a major source of manufacturing jobs, and to firms in the industry, the bulk of which are operated by small businessmen.

SAFEGUARDING THE DOMESTIC APPAREL INDUSTRY AND ITS WORKERS' JOBS

The American consumer has a decided stake in the national policy designed to safeguard jobs in an industry, such as that producing clothing for men and women, in the face of a mounting tide of imports.

This is an industry of the small businessman. The average production unit in the industry in 1967, as shown by the data compiled by the Census Bureau from the social security records, employed only 57 workers. The plants of this industry were concentrated either in a few urban centers where they provided a major source of jobs for the type of workers the industry employed, or else they were found in smaller scattered communities where the garment manufacturing plant provided the only or the principal source of jobs. Nor is this an industry that profits at the expense of the consumer. Its average profit on the dollar of sales, as shown by the governmental studies, averaged but 2 cents on a dollar. Wholesale prices charged for apparel in 1968 were only 6.5 percent higher than those charged in 1948, a period during which prices of all manufactured goods produced in the United States rose by 23.7 percent.

The issues involved in our national trade policy, when it concerns an industry with special characteristics such as the apparel industry, is a complex undertaking. It requires consideration of a variety of factors that affect all segments of the American population. That is why it is important that caution be exercised when "simple" proposals are advanced which suggest easy remedies for complex economic matters.

These thoughts come to my mind as a result of the speech delivered in March before the California Retailers Association by Mr. Charles Y. Lazarus of Federal Department Stores and inserted on April 1, 1969, into the pages of the CONGRESSIONAL RECORD. In this speech, Mr. Lazarus offers a discussion of the consumer's stake in international trade. To this end, Mr. Lazarus offers some figures and arguments. Unfortunately, this speech is more an exercise in semantics than a serious review of the issues.

Mr. Lazarus' figures sound impressive but they raise some questions. His three-column table sounds as if only imports are good for the consumer in terms of price. But what is he talking about? "Men's cashmere sweater, English," is the name of the item. How much would it cost without any trade barriers? How can we know when we do not know what kind it is, how much markup the retailer would take, or anything else, except what Mr. Lazarus lists as an imaginary price? Why are there U.S.-made men's cashmere sweaters selling for less in New York stores? Has he chosen the exception rather than the rule? Are imports really helping the consumer or do some retail stores merely want cheap imports to sell to consumers at high prices? Why have prices not come way down when Britain devalued the pound and all British imports were cheaper?

Mr. Lazarus lists some products that he claims are not available because the U.S. does not produce them, or does not produce enough so that consumers can always find them. The boys' ski pants he lists are available—U.S. made, in catalogs—at lower prices than the $18 Mr. Lazarus quotes for the import.

I am grateful to two leading organizations in the field of apparel which have prepared a memorandum concerning the facts and figures of this vitally important problem. It was written by Mr. Lazare Teper, research director of the International Ladies Garment Workers Union, and by Mr. Howard Samuel, vice president of the Amalgamated Clothing Workers of America. It is a document well worth reading by any student of our apparel trade policies, and I include it in the RECORD along with my extended remarks:

A JOINT MEMORANDUM ON APPAREL TRADES PROBLEMS CONCERNING ARGUMENTS BY MR. CHARLES Y. LAZARUS

The speech delivered by Mr. Charles Y. Lazarus of Federated Department Stores undertakes to provide an analysis of the consumer's stake in international trade. To this end, some figures are offered, coupled with arguments. Unfortunately, the speech is more an exercise in semantics and repetition than a serious review of the issues.

In an effort to show presumed differences between alleged current prices paid by consumers for goods of domestic and foreign manufacture and to indicate the retail prices consumers might pay if trade barriers were eliminated, Mr. Lazarus offers price quotations for a number of items of boys' wear, ladies' shoes, ladies' gloves, and men's sportswear.

It is impossible to check independently the figures offered by Mr. Lazarus. The reasons are obvious. The descriptions provided for the various items are ambiguous and incomplete. Each description covers a wide spectrum of goods sold at a wide range of prices, irrespective of whether particular items are of domestic origin or whether they are sold at wholesale or retail. This can be readily illustrated. One item cited by Mr. Lazarus is "Men's cashmere sweater (English)". No information is provided on whether the particular sweater is sleeveless, short-sleeved or long-sleeved, the fineness of yarn used in its manufacture, the closeness or looseness of the knitting stitches (which would affect the amount of yarn used in the production of a particular sweater), and whether the particular garments are full-fashioned or made by a cut-and-sew process. Yet, all of these elements affect the price of sweaters, irrespective of where they are made. Thus, today, one can find imported men's cashmere sweaters which retail for less than $25 and those of domestic origin which retail for less than $20. Similarly, some imported men's cashmere sweaters retail for $37.50 and above.

The indefiniteness of merchandise descriptions provided in Mr. Lazarus' speech and its Appendix throws into question the validity of the comparisons made; for within the vague descriptions provided, wide variations of prices, at wholesale or retail, are found due to the nature of the raw materials, workmanship and design. Men's and boys' coats are made of fabrics of different weight, utilizing different grades of wool and constructions in their manufacture, and different grades of workmanship. Terry cloth robes are also made of fabrics of different weight and to differing specifications (the term "quality fabrics" to describe terry cloth is devoid of meaning to textile and apparel specialists). Ladies' cotton dress gloves are of different length, of varying workmanship, and are made of lace, net, woven fabrics, simplex double knit fabrics, Milanese knit materials, with plain and sueded or chamois finish. All of these variables affect prices.

Parenthetically, it may be noted that some descripitions used by Mr. Lazarus provide even less information than others. When we look at his reference to "Boys' cardigan (individually hand-knit)", we are not even told of what fiber it is made. When reference is made on the same page to "Boys' wool ski sweater, bulky type weave," credibility is further strained, for there is no such thing as a "weave" in sweaters since they are produced by knitting, not by weaving.

The descriptions provided for the different articles are not even adequate for assigning the different products to the appropriate classifications of the Tariff Schedules of the United States Annotated (1968), subsequently referred to as TSUSA classifications. In many cases, there are two or three TSUSA classifications, subject to different duty rates, into which the various articles listed could fall. Four items, for example, "Men's V-neck, lambs wool sweater (English)", "Men's fisherman's wool sweater, individually hand-knit (Italian)", "Boys' fisherman's sweater, individually hand-knit" (if it were, in fact, made of wool), and "Boys' wool ski sweater, bulky type weave" could be imported and subject to custom duties either under TSUSA 380.61.50 or under TSUSA 380.57.50. In the case of the first of these items, reported to retail at $17.00, the average value of garment including customs duty imported from the United Kingdom in 1968, under TSUSA 380.61.50 was $6.67 per garment and those under TSUSA 380.57.50 were $6.49 per garment. Similarly, in the case of the second item, reported to retail at $18.00, the average value of imports including custom duty from Italy was $6.70 per garment if imported under TSUSA 380.61.50 and $5.09 per garment if imported under TSUSA 380.57.50. Retail prices for the last two items are given at $12.00 and $14.00 respectively (no country of origin is given). The average value of imports from all countries including customs duty was $7.00 per garment when imported under TSUSA 380.61.50 and $4.35 per garment when imported under TSUSA 380.57.50.

These figures, by the way, illustrate the wide disparity all too frequently found between the average value of imports including customs duty as derived from the statistics compiled by the U.S. Bureau of the Census and the retail prices cited by Mr. Lazarus. Examples can be multiplied. Imported "Ladies' cotton dress gloves" for which a retail price is given as $3.00 per pair were imported in 1958 under TSUSA 704.05.20 at an average value including customs duties of 25 cents a pair. Similarly, imported "Ladies' kid leather gloves, fabric lined," for which the retail price was given as $15.00 per pair were imported under TSUSA 705.74.00 at an average value including customs duties of $5.13 a pair. "Boys' hooded terry-cloth robe, quality fabric," for which a retail price of $15.00 is cited, were imported under TSUSA 380.18.40 at an average value including customs duties of $6.18 per garment.

The wide gap between the average value (including customs duty) of the various apparel and accessory products as shown by the official statistics of imports and the prices quoted by Mr. Lazarus reflect in part the omission of some charges involved in bringing the goods from the place of origin to the retailer. They also reflect the retailer practice of extracting from the consumer much higher markups on the wholesale prices of imported merchandise than on similar goods of domestic manufacture, a practice with which the business community is familiar and which was repeatedly testified to by importers and others during the course of the 1967 textile hearings before the Tariff Commission. As a result, the average markups on wholesale prices charged consumers by retailers have been steadily increasing, and at a higher rate, even in those retail sectors where imported goods have played an increasingly important role. This can be gleaned from the following figures which show department store markups in the departments singled out for discussion by Mr. Lazarus (calculated from the data published annually by the Comptrollers' Congress of the National Retail Merchants' Association):

[In percent]

Years	Little boys' wear	Boys' clothing	Women's and children's gloves	Women's shoes	Men's sportswear
1953	61.8	61.3	66.7	71.2	65.3
1961	64.7	63.7	72.4	78.3	71.5
1964	65.3	65.0	76.1	80.8	75.4
1965	66.9	66.1	76.7	81.2	75.4
1966	67.8	67.2	77.9	84.2	76.7
1967	70.9	68.1	80.8	86.6	79.2

Increases in retail markups continued into 1968—this is a matter of general knowledge among those who regularly follow retail developments. Interestingly enough, despite some reductions in customs duties effectuated in 1968 as a result of the Kennedy Round and despite the devaluation of the British pound, which cut back the cost of imports from the United Kingdom to the retailer, no evidence exists that the consumers were offered better buys on such imports in the retail stores—prices were not cut back by the retailers. In the light of this and other experience, one cannot take seriously the figures devised by Mr. Lazarus which presume to show lower retail prices to the consumer if there were no trade barriers. There is certainly reason to doubt Mr. Lazarus's easy claim that consumers would necessarily benefit from price reductions if there were to be a complete elimination of tariffs. Actually, the presumed retail price reductions alleged by Mr. Lazarus bear little relationship to the rate of duties charged by the United States in 1968, even after the tariff reductions under the Kennedy Round. Typically, the retail price reductions presumed by Mr. Lazarus are much smaller than the tariff duties and to an uneven degree. Retailers have a right, of course, to increase their profits at the expense of the American consumers. But such behavior hardly qualifies them as disinterested champions of a consumer interest rather than their own.

The credibility gap generated by Mr. Lazarus increases when one checks some of the items for which a claim is made: "Not available in U.S. or supply of comparable product inadequate to meet consumer demands." For example, "Men's hand loom wool coat" is produced by quite a number of American firms. Among them are the following:

The Joseph & Feiss Co., New York, N.Y.

Joseph H. Cohen & Sons, Inc., New York, N.Y.

College Hall Fashions, Inc., Philadelphia, Pa.

Arthur H. Freedberg Co., Boston, Mass.

Stanley Blacker, Inc., Philadelphia, Pa.

Cross Country Clothes, Inc., Northampton, Pa.

"Boys' wool ski sweaters, bulky knits" are produced by many domestic producers, among whom are the following:

Jantzen, Inc., Portland, Ore.

Robert Bruce, Inc., Philadelphia, Pa.

Himalaya, Inc., New York, New York.

New York Knitting Mills, New York, N.Y.

Donmoor, Inc., New York, N.Y.

Alps Sportswear Mfg. Co., Lawrence, Mass.

Soowal Knitting Mills, Philadelphia, Pa.

Majestic Sweater Mills, Philadelphia, Pa.

Standard Knitting Co., Seattle, Wash.

Numerous firms in the United States produce "Boys" Helenca fabric stretch ski trousers." It may be of interest to quote from the April 15, 1968 catalog of Bancroft Manufacturing Co., Framingham, Massachusetts:

Professional Helenca stretch worsted authentic type ski pants:

Style 470, boys or girls: Authentic stretch pant, fly front, zipper pocket, elastic straps, adjustable side tabs at waist. Colors: black and navy; water repellent; machine washable. Sizes: 4 to 6x. Retail: $11; price, $6.50.

Style 670, boys: Authentic stretch pant, fly front, 2 zipper pockets, elastic straps at bottom, adjustable side tabs. Colors: Black, burgundy, and navy; water repellent; machine washable, size 6, waist 22½; size 8, waist 23½; size 10, waist 24½; size 12, waist 25½; size 14, waist 26½; size 16, waist 27½; size 18, waist 28½; size 20, waist 29½. Retail, $14; price, $8.

It should be noted that the recommended retail prices cited by Bancroft Sportswear Inc.—one at $11.00 and the other at $14.00—are lower than the $18.00 retail price cited by Mr. Lazarus for "Boys' Helenca fabric stretch ski trousers" which are imported.

To bolster his argument, Mr. Lazarus makes a number of generalizations regarding the alleged benefits provided by such goods in terms of wider choice, fashions and craftsmanship, presumably not otherwise available in this country. As a matter of fact, foreign producers of apparel and accessories rely heavily on the designs and styling originated in the United States and adapted by them for the use of the American market. As a rule, the domestic needle trades industries, as well as the domestic textile industry, provide the leadership copied and imitated abroad. The generalizations offered by Mr. Lazarus as arguments are spurious. Admittedly, a minute amount of foreign apparel production of high priced goods appealing to a small sector of the wealthiest group in our population may be properly considered as products of originators of fashion merchandise, as in the case with the products of a small number of domestic producers supplying the same class. These represent the exception and not the rule. Moreover, with regard to technological advance, the textile and apparel industries in the United States have no peer anywhere in the world. As a result, goods produced in the United States generally serve the American consumer better, both in terms of quality, design and selection, than do imports which retailers may find it advantageous to promote on the basis of hand sewing or hand knitting or other psychological appeals. Imported merchandise admittedly provides greater profit opportunities for retailers, but may not necessarily benefit ultimate purchasers. This is illustrated in the case of the hand-knit sweaters which are promoted by retailers as superior to sweaters of the same design and material that are machine knit, whether full fashioned or cut-and-sew. Most knitted constructions produced by hand can be produced by machine with appropriate standards of quality control and with greater efficiency.

Machine knit garments are superior products which offer consumers freedom from defects, greater durability and the same appearance as the hand-knits. Because of the absence of any inherent superiority, the domestic industry abandoned the production of hand knitted sweaters, while retailers continued to promote hand-knits to the consumers despite their inferior characteristics relying on the appeal of the "hand-knit" label and of the word "imported" to create an aura of superiority where none in fact exists. Hand-knit apparel survives solely because such work is performed in workers' homes at wage rates substantially below those found in factories. The major contribution of the continued promotion of hand-knit sweaters is the perpetration abroad of appalling labor conditions long banned in the United States as a matter of public policy in the national interest.

Mr. Lazarus' thesis concerning the presumed economic interests of consumers is presented in a simplistic framework. Consumers are indeed concerned with prices, quality and choice. But low prices are not in themselves a guarantee of quality, anymore than are the claims advanced by retailers to entice purchasers to buy those items which yield greatest returns to the stores. Moreover, low prices in themselves do not guarantee that consumers will necessarily be able to purchase the merchandise offered. One need only recall the early thirties when prices were indeed low and the consumer lacked the wherewithal to buy. This is why public policy requires consideration of the interrelationships of many complex factors having a bearing on the maintenance of a strong and viable national economy, including those that affect producers of goods and services and their employees, and wholesalers and retailers, among many others. Nor can one neglect the needs of the country during periods of national emergencies, when the nation must depend on its own plant and manpower to produce not only the materiel needed for defense but also goods and services to meet its consumption needs. Viewed in this light, Mr. Lazarus' condemnation of the "Buy American" policies, pursued by the Defense Department, on the narrow ground of presumed lower prices abroad, borders on the irresponsible. Equally irresponsible is his argument about the allegation regarding "increased capital costs for plant and equipment," were goods produced in the United States—as though our nation's goal is to become a nation of shopkeepers. This was the goal of mercantilist economists, prevalent before the Industrial Revolution in England—long discredited and abandoned. It is noteworthy that, in his contentions concerning increased domestic capital costs, Mr. Lazarus neglects the fact that interest rates in most foreign countries—the cost of capital—are much higher than in the United States.

An effective national foreign trade policy cannot be based on a narrow abstraction, even if one seeks, as one should, to protect consumer welfare. It is not a question of free trade or protectionism. Nor can the issue be resolved by generating scare figures on some assumed decline in textile and apparel imports. Formulating a responsible national foreign trade policy for the United States is a complex undertaking. It requires consideration of the many national needs and goals; a comprehension of the different problems of different sectors of the economy faced with import competition; and an understanding of its economic, social and political impacts, including the effects on poverty and unemployment. Of great significance in this connection is the experience of the past few years with the difficulties encountered in trying to fit the unemployed into jobs, and a better understanding of the economy's need for a much broader spectrum of job opportunities for the less skilled. In the case of certain industries, such as apparel and textiles, there is relatively little interchangeability of capital and human resources, even in periods of high employment and relatively rapid economic growth. All of these factors and many others must be viewed together as an integral part of the whole, and weighed against each other in national policy formation. Only thus will consumer welfare be safeguarded.

Howard D. Samuel,
ACWA.
Lazare Teper,
ILGWU.

RESTRUCTURING OF JOB CORPS

(Mr. STEIGER of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEIGER of Wisconsin. Mr. Speaker, a number of people have taken it upon themselves to publicly criticize the administration for its decision to restructure the Job Corps by incorporating it into our comprehensive manpower programs within the Department of Labor and expanding the number of training opportunities available for disadvantaged youngsters.

I have no quarrel with those distinguished gentlemen who have seriously considered the proposal, reviewed the evidence, and arrived at a conclusion which does not coincide with the administration's. Such policy differences and disagreements are the lifeblood of the institution, and this is the proper forum for debate between two legitimate, strongly held points of view.

However, in the past 2 days a new thrust of criticism has come about which questions the basic motives of the administration, charges that the President has no authority to embark on his chosen policy, and accuses him of disregarding the legislative intent of Congress. Such criticism deserves, indeed demands, rebuttal.

The Economic Opportunity Act does not cast the Job Corps in a rigid mold, but rather provides for the operation of a program designed to train disadvantaged young men and women; and that congressional directive is being carried out by this administration.

The Labor Department has made a careful and thoughtful study of the operation of the Job Corps program, using data collected by the Office of Economic Opportunity supplied by the Job Corps centers. The Department's recommendations, incidentally, coincide with those of the General Accounting Office based on its exhaustive analysis of programs authorized by the Economic Opportunity Act; an analysis commissioned by the last Congress.

The President accepted the recommendations and has instructed the Office of Economic Opportunity to implement them, and OEO, as an integral part of the executive branch, is subject to the directions of the President of the United States.

The new centers to be established in and near major population centers will qualify under the provisions of the act. They will provide residential services; they will provide the range of benefits required in the act. They will not be isolated from the rest of our manpower programs as has been the case with the Job Corps, and the services they provide, by drawing on existing community resources, will result in an improvement in program effectiveness. Every precaution is being taken to ensure that none of the present provisions in the statutes will be contravened in any way, and certainly if it should become apparent that changes are needed in the statutes, I am confident the administration will request the necessary legislative authorization.

It has been suggested that there is something illegal in the administration's decision to plan for the redirection of the Job Corps in light of the fact that the Appropriations Committee has not yet acted on next year's budget. I personally find such charges surprising, and a bit irrelevant. They imply that the administration should not plan ahead and communicate to Congress and the Nation its intentions in a major policy area until such time as Congress has formally appropriated funds to carry out that policy.

Finally, a number of individuals have complained that Congress was not given proper notice of the administration's intent to close some of the Job Corps centers. The facts indicate that the Secretary of Labor had scheduled a press conference—which was held—for Friday, April 11, and telegrams were sent to congressional offices the preceding afternoon. The fact that the story was reported by the press on Thursday, April 10, is not an indication of administrative doubledealing, but rather testimony to the abilities of certain reporters and the difficulties encountered by the administration in having to operate with key personnel appointed by the previous administration.

The Job Corps proposals are sound, based upon the best evidence available and intended to equip disadvantaged youngsters with the skills they need to compete effectively in today's highly technical job market. No one is proposing the abolition of those concepts in Job Corps which have proven effective, nor is anyone recommending that we turn some 17,000 young men and women out on the streets on July 1. Approximately 50 percent of the centers will continue in operation and corpsmen at those centers to be closed have been given every assurance that they will be permitted to finish their course in a comparable program. Furthermore, the Secretary of Labor has set aside a special fund of $1 million to enable enrollees to transfer to other programs.

The administration has made clear its commitment to training the largest possible number of individuals with the limited resources available. This policy choice may be questioned, but criticisms leveled at the authority or integrity of the administration are unjustified.

Mr. LANDGREBE. Mr. Speaker, it has been noted, and accurately, that the present Job Corps legislation contains legal constraints relating to the percentage of women in the Job Corps as well as the percentage of males in conservation camps in relation to all Job Corps males. Some concern has been expressed that these requirements may not be met in the restructuring of the Job Corps proposed by the administration. I have consulted with the administration and have been assured that both of these requirements will be observed. First, that the 25-percent women's requirements will not only be maintained but probably exceeded. And secondly, the requirement that conservation center enrollees constitute 40 percent of all Job Corpsmen will also be maintained, despite the closure of some Job Corps centers. The fact that the present percent of conservation corpsmen to total male corpsmen is as high as 54 percent will make it easier to achieve the legal objective.

I believe that the administration should be commended for the careful planning that it has done to insure the observance of these legal requirements despite the restructuring—and I might add very constructive restructuring—of the Job Corps.

Mr. BROCK. Mr. Speaker, one of the intriguing proposals in the administration's redesign of the Job Corps involves the establishment of 30 new centers. However, there has been a great deal of misunderstanding about the nature of this new component. First, it should be pointed out that the basic premises that underline these new centers are two: First, they are limited to sites in or near labor market areas where the target population and economic opportunities exist and are closely tied to these labor markets. And, second, that rather than standing in splendid isolation they will now become an integral part of a whole stream of manpower programs and services that are available in the community.

These new centers will thus provide support to other ongoing manpower programs, such as the Manpower Development and Training Act and the Neighborhood Youth Corps and also be supported by these other programs. There has been a great deal of concern expressed about the timing of these new centers. I understand that the administration intends to move as quickly as possible. However, I hope that it does not commit the mistakes made so many times in the past, of proceeding so rapidly as to be unable to build in sound program concepts and structures.

Some have erroneously described these new centers as "bunkhouses." Quite the contrary. These relatively small centers will provide intensive around-the-clock services.

The location, size, and concept of these new centers should considerably improve the services provided, reduce dropout rates, and increase job placements.

Mr. QUIE. I would like to compliment the administration for its very rational plan of redirecting the resources provided for the Job Corps.

The key element to me is a cutback in the size of the Job Corps from about 35,000 beds to about 22,000.

This cutback has been severely criticized by opponents of this administration. This, however, is a shortsighted view which reflects a complete lack of understanding of what is actually happening in the Job Corps.

It has been almost an impossible task for the Job Corps to keep these 35,000 beds filled—and they have to keep them filled in order to meet the statutory unit cost limitations we in the Congress have prescribed.

Job Corps now is spending about $10 million a year in recruiting disadvantaged youngsters to enter the Job Corps compared with $3 million for job placement. Of every seven individuals interviewed only one agrees to go to the Job Corps and, of those that agreed to the referral, about 30 percent never arrive at the Job Corps center. Then, at the center, almost 20 percent drop out within the first 30 days.

The evaluative studies that have been made of Job Corps and its problems all have indicated that recruitment is one of the major difficulties, that recruiters act more to fill quotas than they do to select those individuals for whom a residential training program is most appropriate.

Mr. Robert Lake, director of the Poland Spring Job Corps Center in Maine, testified before our House task force on poverty yesterday as follows:

> Better recruiting and selection are needed. Every center director in the U.S. will testify to this.

All of this very clearly indicates to me that perhaps the Job Corps has been too ambitious, that perhaps 35,000 beds is too large a number and I am, therefore, very pleased that this administration has had the courage to reevaluate this program and take action to make it more realistic.

Mr. RHODES. Mr. Speaker, several Members of Congress have expressed their concern over the future of persons now enrolled in the Job Corps camps that are scheduled to be closed soon.

Without debating the pros or cons of the Job Corps program itself, I would merely like to emphasize that a constructive alternative will be provided to those persons now in centers scheduled to be closed and that there will not be any wholesale dumping of young persons on to city streets.

Two of the alternatives presently being made available are; First, giving corpsmen an opportunity to transfer to a camp remaining open—which is possible due to the high attrition rate of camps—and second, giving corpsmen an opportunity to enroll in other training programs under, perhaps, the Manpower Development and Training Act or the National Alliance of Businessmen's JOBS program. In addition, approximately $1 million will be set aside for Job Corps enrollments in those cases where existing openings may not be immediately available.

Mr. Speaker, the Congress has enacted many programs based upon the theory that they were at least entitled to a trial run. Based upon the record of the Job Corps in comparison with other manpower training programs, it may very well be that the alternative opportunities offered to persons now leaving the Job Corps may be more rewarding and constructive than the opportunities that would have been available through the regular Job Corps programs.

Mr. RUTH. Mr. Speaker, in reviewing the debate on the Job Corps, I am struck by the extent to which many people are focusing upon the individual tree rather than upon the forest. It seems to me that our concern must be not with an existing institution simply because it already exists—must not be with perpetuating an ongoing bureaucracy simply because it happens to be there—must not be wrapped up with a specific program component that is unrelated to the larger total manpower program. Quite the contrary, our concern must be with people and their needs. In this connection it is important to note that the manpower programs administered by the Department of Labor and directed to precisely the same kind of youth that the Job Corps attempts to serve, will be enlarged in 1970 over the 1969 levels. The projected program of the Department of Labor for 1970—including the Job Corps—will provide for about 368,000 opportunities for youth as compared to 362,000 during this fiscal year. In this context, it is apparent that the needs of the target population that we seek to serve will be more amply met in fiscal 1970 notwithstanding the slight reduction—when viewed in the whole—of the Job Corps program.

No program is sacrosanct. Every program must be able to stand the light of critical examination. If this examination suggests the need for a change in the program mix of our total manpower activities it should be accomplished. Only in this way can we be sure that we are getting the greatest benefit for the taxpayer's dollar.

I commend the Department of Labor for this kind of forthright examination even though the decisions flowing from the examination is a hard one. I believe that it is a wise one.

GENERAL LEAVE TO EXTEND

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks on the subject on which I have spoken.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

DISCLOSURE OF HOLDINGS AND SOURCES OF INCOME

(Mr. HOGAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. HOGAN. Mr. Speaker, Thomas Jefferson once said that a man who assumes a public trust should consider himself public property. In keeping with this philosophy, I feel it is appropriate for a Congressman to make a full disclosure concerning his holdings and sources of income.

Yesterday, I filed a report with the Committee on Standards of Official Conduct as required by the rule of the House of Representatives adopted April 3, 1968. I realize that there is no requirement for public disclosure, but it is my desire to make this information public, as well as additional pertinent information.

Since election day, I have sold all of my securities with the exception of 200 shares of Central National Bank stock and 16,570 shares of Larry Hogan Associates, Inc. I am in the process of trying to sell the latter. I no longer receive any salary from Larry Hogan Associates, Inc., and the only additional income I have at the present time, except for rents, is fees from writing and lectures. Before taking the oath of office as a Congressman, I resigned as a director of the Central Bank of Maryland.

A more detailed report follows:

Financial statement of Lawrence J. Hogan and Nora E. Hogan, his wife, April 30, 1969

Assets:	
Cash (see schedule A)	$3,547.00
Investments (see schedule B)	89,450.00
Real Estate (see schedule C)	126,800.00
Automobile: 1969 Oldsmobile	1,300.00
Household furnishings	7,000.00
Total assets	228,097.00
Liabilities:	
Accounts payable (miscellaneous)	350.00
Central National Bank loan (car loan)	4,950.00
Mortgages (see schedule D)	66,471.93
Total liabilities	71,771.93
Net worth	156,325.70

SCHEDULE A—CASH

Loyola Federal Savings & Loan (savings account)	1,747.00
Columbia Federal Savings & Loan (savings account)	300.00
Central National (checking bank)	500.00
Maryland National (checking bank)	500.00
Sergeant at Arms (checking account)	400.00
Cash on hand	100.00
Total	3,547.00

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Financial statement of Lawrence J. Hogan and Nora E. Hogan, his wife, April 30, 1969—Continued

SCHEDULE B—INVESTMENTS

Interest in Larry Hogan Associates, Inc.	82,850.00
Central National Bank stock	6,600.00
Total	89,450.00

SCHEDULE C—REAL ESTATE

Town House, Ocean City, Md.	40,000.00
Cabin at Lake Jackson, Va., Prince William County	8,000.00
House, present residence, Landover, Md.	50,000.00
Allegany County, Md. (94.6 acres)	28,800.00
Total	126,800.00

SCHEDULE D—MORTGAGES

Town House, Ocean City, Md.	23,710.93
House, Landover, Md.	38,230.00
Allegany Co., Md. (94.6 acres)	4,531.00
Total	66,471.93

ANNIVERSARY OF ADOPTION OF CONSTITUTION OF 1791 BY POLISH NATION

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, this Saturday, May 3, is a highly significant day for Polish people everywhere. It is a multiple anniversary day—a day for celebration and a day of mourning, paradoxical as that may seem.

On May 3 Polish Americans and Poles throughout the world will mark one of the brightest events in Polish history—adoption of the May 3 Constitution of 1791—followed just a year later by one of the three tragic partitions of Poland by warlike neighbors bent on territorial aggrandizement.

This Saturday is the 30th anniversary of the German-Soviet invasion of Poland during World War II, one of the blackest days in the history of mankind.

May 3 also marks the 25th anniversary of glorious Polish exploits in the Battle of Monte-Cassino and of the tragic deception attending the Warsaw uprising.

On still another note, Polish Americans on May 3 will observe the silver anniversary of the founding of the Polish-American Congress, an organization of about 10 million Americans of Polish descent.

Members of the Polish-American Congress are first and foremost good, hard-working citizens of the United States.

There are many fine citizens of Polish extraction in my own congressional district.

Polish Americans are justifiably proud to be of Polish origin. They are also ever mindful that Poland was the victim of incredible destruction and genocide at the hands of the Nazis and the Russians during World War II and was, in effect, sold into slavery after the war ended.

The world must never forget that the Nazis murdered 6 million Poles, half of them Jews, while the Russians executed 15,000 Polish Army officers and deported 1.7 million Poles.

The world must never forget that the Soviet Union used the Yalta Agreement to take over Poland in a fraudulent election in 1947 after a 2-year campaign of terrorism within Poland.

The Poles are a great people. Only a great people could have produced men like Copernicus, Casimir Pulaski, General Kosciuszko, Chopin, Joseph Pilsudski, Paderewski, Wanda Landowska, and Scholem Asch.

The Poles are a courageous people. Only a courageous people could have survived the invasions, partitions, political murder and terrorism to which the Poles have been subjected and still cling to a basic love of freedom and a hatred of tyranny.

The Polish-American Congress was established to perpetuate the traditions of a free, proud, and independent Poland.

The Polish-American Congress has constantly warned the leaders of the free world against the duplicity practiced by Communist leaders to achieve expansionist aims. The Polish-American Congress has worked tirelessly to promote the right of all peoples to choose the form of government under which they will live.

The principle of national self-determination is one embraced by all Americans.

It is most fitting, therefore, that all Americans, whatever their origin, join with the Polish-American Congress and with Poles everywhere in their May 3 observance.

It is an observance which calls for a rededication to the principles of freedom and justice for all peoples, self-determination for all nations, and unceasing devotion to any cause which furthers the natural and God-given rights of man.

LEGISLATION TO MAKE IT A FEDERAL OFFENSE TO WILLFULLY OBSTRUCT MILITARY RECRUITING

(Mr. COLLIER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. COLLIER. Mr. Speaker, I am today introducing legislation which would amend section 2388(a) of title 18 of the United States Code to make it a Federal offense to willfully obstruct the military recruiting or enlistment service during the time of war, military conflict, or national emergency.

The Constitution of the United States charges Congress—elected by the people through the democratic process—with the responsibility of raising and supporting armies. Until such time as we live in a world which recognizes that armed conflict of any nature must be eliminated, we have the solemn duty to provide adequate national defense. Through the constitutional power vested in Congress, it has authorized the ROTC and it must exercise this power without limitation placed upon it through coercion or willfull obstruction of this program.

In my opinion, it is proper that we pursue a program which seeks to enlist, on a voluntary basis, reserve officers. Furthermore, any young man attending a college or university which provides the ROTC training has every right to volunteer for this program and this right must be protected without infringement or abridgment, just as it is the right of those who seek not to volunteer to do so.

The bill I am introducing today is another effort to cope with the actions by certain groups which willfully seek to deprive any individual of his right under law. Disagreement, no matter how deep it may run, with any program authorized by law and within the provisions of the Constitution of the United States, does not warrant mob action or coercion. It is therefore my firm belief that those who resort to this type of conduct should be punished to the full extent of adequate laws. Certainly there is nothing in this bill which in any manner deprives any individual of his constitutional right of petition or right to peacefully express his dissent.

Mr. Speaker, I would like also to take this opportunity to commend my colleagues who have introduced leigslation which seeks to prohibit the disruption of the administration or operations of federally assisted educational programs. I believe the rank and file citizens of this country and a substantial number of students on college campuses are fed up with the anarchial conduct of those who feel that they have the right to run rampant in expressing their demands and disagreements.

The shameful development of an armed revolt at Cornell University and, more recently, a similar episode at Voorhees College in South Carolina, is a culmination of the failure of many university authorities to take proper action before the situation reached its present intolerable stage. It becomes more and more obvious that there is nothing that can be gained by the wishy-washy manner in which some of our highly paid college and university administrators have dealt with campus revolts but the total disruption and perhaps destruction of our system of higher education in this country as we know it. For all its faults, it has provided the best education for the greatest number of its people of any country in the world today.

TEXTILE IMPORTS

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. DORN. Mr. Speaker, the Honorable Maurice Stans, Secretary of Commerce, has our support and every wish for success in his efforts to work administratively, an international agreement on textile imports to cover manmade fibers and woolens. The administration will have our support in its efforts to encourage enforcement among our allies and friends of the LTA cotton textile agreement.

We have been greatly encouraged by the Honorable Maurice Stans' special trip to Europe to discuss orderly trade. We look forward to Mr. Stans' visit to Japan, Hong Kong, and other areas of the Far East. We have been further encouraged by recent reports in the press that President Nixon may ask for import quotas on textiles.

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Those of us in Congress associated with our textile group prefer that an international arrangement be negotiated with all of our friends and allies to limit textile imports. We are concerned over the ever-increasing volume of imports, violations of the cotton textile agreement, and failure to extend the principle to manmade fibers and woolens. We anxiously await the outcome of Mr. Stans' determined efforts. Should our friends abroad reject the international agreement approach, we are prepared and will make an all-out effort in Congress to pass quota legislation. I believe we have more support in the new Congress than last year when 197 Members of the House sponsored textile quota legislation and the Senate passed overwhelmingly a bill providing textile quotas.

Mr. Speaker, in my Committee on Public Works, we are daily conducting hearings and writing legislation authorizing vast public funds for Appalachia, economic development, pollution, and other measures for the economic relief of our people. We do not propose to see the hundreds of thousands of textile jobs in Appalachia and in the hard-pressed great cities of our country go down the drain.

Mr. Speaker, those of us fighting this battle were pleased to read the following story which appeared in the Fairchild publications:

> NIXON MAY ASK CONGRESS FOR QUOTAS
>
> WASHINGTON.—The Nixon Administration may be ready to ask Congress for textile import quotas if no progress toward voluntary curbs stems from the current European trip of Commerce Secretary Maurice Stans.
>
> At this stage some Congressional sources apparently have been approached quietly about an Administration trade bill that would be submitted to Congress in two parts.
>
> The speculation is that the Administration tariff experts want a two part bill so that other nations would be aware of a special textile quota plea.
>
> This plan may end up in a pigeonhole.
>
> But at this stage the Administration apparently is considering the drastic step of proposing mandatory textile import quotas if foreign countries offer no hope of voluntary curbs.
>
> Under this plan the White House would send Congress a trade message asking for such things as liberalized trade adjustment assistance and would separately ask for the quotas.
>
> The quota proposal would be part 2 of the message. It would be a club to induce countries to accept voluntary curbs on imports.

FIVE CENTS AN OUNCE WILL BALANCE THE POST OFFICE BUDGET

(Mr. OLSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSEN. Mr. Speaker, we have had a message from the President, and we are going to have testimony from the Postmaster General concerning a rate increase for postage in the United States.

I want to announce to the Members of the House that the Subcommittee on Postal Rates will, first of all, discuss and investigate the costs in the Post Office Department. However, pursuant to that investigation I want to tell the Members of the House my version of an old slogan famous a long time before I came to the Congress: I say "What America needs is a good 5-cent stamp."

We still need a good 5-cent stamp, and we need a 5-cent stamp for all mail on the first ounce moving through the Post Office Department. Then we should have a 5-cent stamp on the second ounce moving through the Post Office Department.

If we do that, not only will we balance the budget of the Post Office Department, but also we could almost balance the budget of the Federal Government.

This is the study that I want the Members of Congress to look at, instead of looking at the creation of a corporation or the creation of any other kind of body.

We can do it, if we do our work. If we set the rates, we can do the job of balancing that budget.

But I want the Members of Congress to follow procedures in our Committee on Post Office and Civil Service. I note that our chairman, the gentleman from New York (Mr. DULSKI), is here. He endorses this program that we will investigate.

What could we do if it were 5 cents for the first ounce and 5 cents for the second ounce? By way of review for just a moment, on 6 cents for 1 ounce today we lose money. It costs 6.2 cents. But most of the first-class mail is more than 1 ounce. That is why we make money on the first-class mail. And we make money on the airmail, which is 10 cents an ounce.

My proposal now is that second class, third class and fourth class, and every class pay 5 cents on the first ounce and five cents on the second ounce, and then we will argue after that as to what percentages various classes ought to pay toward general Post Office overhead expenses.

If we did that, we would balance the budget of the Post Office Department and have enough left over to establish a trust fund that would finance future capital expansion, modernization, and a fair wage and benefits to loyal postal employees.

PERSONAL ANNOUNCEMENT

Mr. BROWN of California. Mr. Speaker, I should like to have the RECORD show I was unavoidably detained in my office on the last rollcall. Had I been present I would have voted "yea."

The SPEAKER. The gentleman's statement will appear in the RECORD.

POST OFFICE DEPARTMENT PROBLEMS

(Mr. DERWINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Speaker, I was interested in the thoughtful and timely remarks of the gentleman from Montana when he discussed the problems of the Post Office Department. I would like the RECORD to show, however, that there are two ways in which we can balance the Post Office Department budget. One, of course, is to play all sorts of games with postal rates. The other is to control the costs of the Department. If the gentleman from Montana will cooperate in maintaining the proposed budget of the Post Office Department in conformance with the budget submitted by President Johnson, he would be striking a blow for commonsense in the administration of that Post Office Department. I am sure that the gentleman realizes that President Johnson's budget called for a realistic control of the expenditures of that Department and I am sure that he would not be a part of any attempt to add abnormal costs to the budget which the Nixon administration inherited from its great predecessor.

Mr. OLSEN. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. Yes. I will be glad to yield.

Mr. OLSEN. I join with the gentleman in that statement. I think the cost of the Post Office Department can be appreciably reduced with good management.

I thank the gentleman for yielding.

Mr. DERWINSKI. May I say that I think the gentleman from Montana has the potential to be a statesman.

SUCKER DAY

(Mr. HALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HALL. Mr. Speaker, tomorrow is "Sucker Day." I want it understood that I do not intend to infer that any Member of this illustrious body could be fooled, deceived, or even "taken in," although I have been told that attempts have been made in the past.

The day of which I speak is the annual salute to "spring," held in the town of Nixa, Mo., a beautiful place in the Ozarks; with a population of about 1,000 peaceful citizens, which swells to as many as 15,000 on Sucker Day.

To the uninformed, the sucker is not a human, described so eloquently by P. T. Barnum, but a fish known to few as the golden redhorse, but in Nixa referred to as the yellow sucker. Sucker fishing defies the technology of the space age. Nothing has yet been invented to improve the art of sucker grabbing, the object of which is to lower a treble hook in the water, sneak it up next to the unsuspecting pisces, then with a quick jerk of the line, haul in your prize.

Nixa Sucker Day is topped off with the doggondest meal ever served, highlighted by steaming cupfulls of sucker soup which is said to be good for babies and people over 40, or to fertilize roses.

Yes, today is the 12th annual observance of Sucker Day in Nixa, Mo. A day set aside for the promotion and perpetuation of piscatorial pursuits, fun, fellowship, community service, and good citizenship.

LAW DAY, U.S.A., 1969

The SPEAKER pro tempore (Mr. PODELL). Under a previous order of the House, the gentleman from California (Mr. CORMAN) is recognized for 60 minutes.

Mr. CORMAN. Mr. Speaker, in 1958, Congress, by joint resolution, designated that the 1st day of May of each year be commemorated as Law Day, U.S.A. The resolution states:

> It is set aside as a special day of celebration by the American people in appreciation of their liberties and the reaffirmation of their loyalty to this country; of their rededication to the ideals of equality and justice under law in their relations with each other as well as with other nations; and for the cultivation of that respect for law that is so vital to the democratic way of life.

The purposes of Law Day, U.S.A., are fourfold: First, to foster respect for law and understanding of its essential place in American life; second, to encourage citizen support of law observance and law enforcement; third, to advance equality and justice under law; and, fourth, to point up the contrast between freedom under law in the United States and governmental tyranny under communism.

Nowhere is it more fitting to reaffirm these principles and purposes than in this House, and I am privileged to do so today.

The theme for the 1969 annual observance of Law Day, "Justice and Equality Depend Upon Law and You," was selected for its timeliness.

The Nation has been experiencing public disorders, a rising crime rate, strained race relations, student unrest. The theme of today's observance goes to the heart of the basic purposes of Law Day, U.S.A., and the principles upon which it was founded. It reaffirms that we are a nation of laws; that each of us is morally bound to uphold the law; that advances in social justice can come only by way of law; and that in order to achieve equality of opportunity for every American, each individual must accept these concepts and apply them in his daily living.

I would like to reflect for a moment on the obligation that each of us has to uphold the law. A just and democratic rule of law must prevail if we are to live together in a civilized society and enjoy the blessings of security, equal opportunity, and freedom. We ourselves create the rule of law, not only through the legislative process and the courts, but in a far deeper sense, by our daily conduct, by respect for laws and by respect for the rights of others. The rule of law is in essence the highest application of justice. The responsibility for maintaining law and order in our society rests upon the individual, and every citizen must take the responsibility to honor and obey the law if the foundation of our society is to be secure and lasting.

To be meaningful, the law must provide for the right of dissent—and this right is guaranteed by the first amendment to the Constitution. The right of dissent has been honored, protected, and cherished throughout the history of this Nation. There are limitations, however, on the use of this right.

Supreme Court Justice Fortas, in his penetrating discourse "Concerning Dissent and Civil Disobedience," stated his theory on the law of dissent—a theory which I believe goes to the basic principles of our democracy. I quote the Justice:

> The theory—the structure—of our system allows full opportunity for both the state and the individual to assert their respective claims and to have them adjudicated by impartial, independent tribunals, on the basis of a principle which is fundamental to our society: that freedom to criticize, to persuade, to protest, to dissent, to organize and to assemble peaceable are as essential to vital, effective government as they are to the spiritual and material welfare of the individual; and that the exercise of this freedom will be protected and encouraged and may not be diminished so long as the form of its exercise does not involve action which violates laws prescribed to protect others in their peaceful pursuits, or which incites a clear and present danger of violence or injury to others.

The moral obligation of each citizen to uphold the law applies, of course, to the matter of student protest and dissent—which, I believe, has reached critical proportions in this Nation.

Basic reasons for the phenomenon of student unrest doubtlessly can be found in the structure of our own society. The "whys" and "wherefores" require serious and intensive study. But, today, I am concerned with the right of students to dissent in the context of the law by which this Nation governs itself.

The law applies to the dissenting student as it does to every citizen. He is protected by the full scope of the first amendment. He is entitled to the full protection of the law in the exercise of his freedom of speech. But, he is not entitled to immunity from the law if he willfully incites violence or insists upon deliberately disrupting the movement of other persons.

There is no legal principle which protects a student who violates the law, whether his actions occur on campus or elsewhere.

In applying this principle, it is vital to distinguish student demonstrations that are violent in nature—those endangering personal safety and property rights—from the demonstrations that are nonviolent. We cannot tolerate the former, for violence erodes the foundation of an orderly and democratic society. But, we must continue to protect the nonviolent demonstrator on campus even though we may disagree with the purposes of his demonstration.

Intolerance in any form cannot be substituted for law.

Our laws provide full opportunity for dissent. Freedom of speech, and press, right of assembly, the voting booth—these are the bulwarks of our form of government. These are the alternatives to violence.

The obligation to uphold the law is as essential to the freedom of the individual as it is to the continuation of the Nation.

The Law must prevail, but it must be just law, guaranteeing equality to all Americans.

And so, once again, we reaffirm the principles that we honor on Law Day, U.S.A.

Mr. SMITH of New York. Mr. Speaker, will the gentleman yield?

Mr. CORMAN. I am happy to yield to the gentleman from New York (Mr. SMITH), a member of the Committee on the Judiciary.

Mr. SMITH of New York. Mr. Speaker, I thank the gentleman for yielding, as I want to associate myself with the remarks made by the gentleman from California. I would say, Mr. Speaker, that we in the United States are priviliged to celebrate and honor Law Day on the 1st day of May in each year. The fact that today has been proclaimed Law Day should cause all Americans to pause and consider and be thankful for our wonderful heritage of equal justice under law, to consider that civilization advances as mankind submits himself to the rule of law for the settlement of disputes and the order of society rather than resort to the rule of force which powers the doctrine that might makes right.

Sometime, Mr. Speaker, even nations will submit their disputes to the rule of law and will abide by that rule, and when that wonderful day dawns, Mr. Speaker, mankind's fear of his brother will abate, and brother may go forward with brother around the world working toward the tremendous destiny which God has promised and revealed for mankind.

And so, Mr. Speaker, when we pause today to pay respect to the rule of law, we see some glimmer of mankind's brilliant future which shall be based on the universal rule of law and justice.

Mr. WIGGINS. Mr. Speaker, will the gentleman yield?

Mr. CORMAN. I am happy to yield to the gentleman from California (Mr. WIGGINS).

Mr. WIGGINS. Mr. Speaker, I too wish to commend my colleague from California for the appropriateness of his remarks on this May 1 Law Day.

Mr. Speaker, in preparation for my own remarks in California before a group of lawyers I was re-reading Miranda against Arizona, one of the controversial Supreme Court decisions that we often talk about. I was reading this decision just a few moments ago, and I want to quote from the language of that case:

> Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means . . . would bring terrible retribution. Against that pernicious doctrine this court should resolutely set its face.

Mr. Speaker, I agree wholeheartedly with that statement.

I believe there is a great lesson in the language quoted, Mr. Speaker, and I hope that all of the Members in this body will profit by them.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. CORMAN. I am happy to yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I want to congratulate the gentleman for taking this time to pay tribute to this great national Law Day. I also wish to congratulate the American Bar Association

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and the various State and city bar associations for promoting Law Day.

It is important, Mr. Speaker, for Americans to pause in their everyday schedule and reflect upon the fact that we are a Nation under law, and that as a free society we have to have standards of conduct which govern our behavior in relationship to one another.

So I think this is an important day. It would be my hope that on this great day when we pay tribute to the laws of this country, those laws that have made it possible for us to exist as free men, that perhaps those who administer and enforce these laws would give some thought to the full meaning of those laws.

It occurs to me that in many of our communities today, particularly on the college campuses, that these laws have lost their meaning. There are those who profess to be the greatest exponents of equal justice but who are too often the most impatient with the orderly processes of the law.

These are people who have no confidence, obviously, in the democratic processes that have made this Republic as great as it is.

It has also occurred to me that this is a good day for our judiciary to pause and to reflect that they have a great responsibility and if the law has lost its meaning in many instances and in many situations, it is only because the judiciary itself has in too many cases failed to face up to its responsibility.

It is the interminable delays in criminal prosecutions which make it possible for witnesses to be worn out and then for a criminal to walk out of court for lack of prosecution.

In my judgment, justice delayed is justice denied.

It occurs to me that this is an excellent day or the judiciary of this country to rededicate itself to the fact that there is strength and vigor in the law if they will administer that law with expediency.

I do not ask that any American be denied his full rights under the law. All I ask is for the judges of this country to start recognizing that this whole Republic and the success and future of this Republic to a great extent rests on their shoulders.

How they administer justice under the law affects the conduct of man and mankind in this Nation, and that is the key to our future survival.

I submit that in too many instances the judiciary has failed to carry out its responsibility and has looked the other way in prosecutions and have been a partner in these long and interminable delays that have merely delayed the execution of justice.

Citizens lose their patience with the law when they see that the judiciary itself is not executing and administering the law in the manner in which the citizens have a right to have it administered.

So it seems to me that this Law Day is a great day—a day of reflection for all of us. Thank God that we can have a Law Day so all of us as Americans can reinvigorate our faith in the institutions that have made this country the greatest country in the world.

Mr. CORMAN. I thank the gentleman.

Mr. SANDMAN. Mr. Speaker, I welcome the opportunity to join in supporting Law Day.

Law Day is, I think, an appropriate time for us to pause and take a closer look at this system of laws and what it has done for us. It is also a time for us to consider what we as a Nation and as individuals are doing to strengthen and reinforce it, or whether we are, by our action or inaction, assisting those who would tear it down.

Whatever the injustice of society, real or imagined, no group or person has the right, under any circumstances, to exact self-determined retribution. Our imperfections do not justify tearing down the institutions which have given us our advances and our strength.

Law and order must be the starting point to build a better society, for without this the great strides that still must be made in the years ahead in the social, economic, and political fields will never get off the ground.

The liberty and freedom which we today enjoy and which is so essential to progress must be a liberty connected with good order.

The reestablishment of law and order in this Nation is the most crying need of our day and time—to delay means chaos and anarchy, riots, looting, burning, and murder. Americans are tired of living in fear of those who will not obey the laws of this land, and Americans are tired of those in positions of authority who are afraid to enforce the law, thinking of political consideration rather than safety of the public. May 1, Law Day, should be a day for those given the responsibility for enforcement of law to rededicate themselves to the fulfillment of their obligation.

Mr. MIKVA. Mr. Speaker, as a lawyer, a former chairman of the Judiciary Committee in the Illinois House of Representatives, and a member of the Judiciary Committee of this body, I am happy to have this opportunity to express some thoughts on the occasion of Law Day.

The currently popular phrase among the younger generation to express their independence and individuality is that one must "do his own thing." I think it is appropriate on Law Day to observe that the law is really the touchstone of "doing one's own thing." It is the touchstone in the sense that the law—the basic framework of rules which we have established to govern conduct within our society—both gives us the freedom to "do our own thing," and sets the limits beyond which we cannot go. In other words, the law both protects and restricts our right to act as we choose. It protects that right in the sense that it prohibits the State or any official representative of the State from saying arbitrarily to any citizen, "that is prohibited behavior." On the other hand, the law circumscribes one's right to act to the extent that his actions impose or encroach impermissibly on the rights of other citizens exercising their rights of free and independent action.

I believe this theory of the law and its role in our society may be relevant to one of the most distressing problems facing America today—the problem of campus discord. What the strategy of confrontation and the technique of violent disruption have shown beyond doubt is how thin the veneer of civilization is.

These disruptions have demonstrated clearly how short is the distance between legal protest, on the one hand, and violence and armed force on the other. That thin line—the line between legitimate protest and dissent and impermissible violence and disruption—can only be maintained through law. Only the law can adequately balance the conflicting claims of dissent, often emotional and heated dissent, and the competing claims of those citizens who are unaffected or uninterested in dissent to carry on their daily activities without interference. Only the law can preserve the distinction between constitutionally protected free speech and constitutionally unprotected disruptive action.

Difficult as the line is to draw between protected and unprotected activities, if we grant that only the law can make the distinction meaningful, then it seems to me that two conclusions follow. First, our citizens' "awe of the law" must never lead them into forgoing dissent or suppressing unpopular ideas merely because these ideas are "different" or because a majority may disagree. In short, our "awe of the law" must not keep us from speaking our minds and raising our voices when the occasion demands it.

The second conclusion which follows from the importance of law in distinguishing permissible from impermissible activity is that "forceful" or "violent" enforcement of the law is never appropriate. The strength of our legal system—indeed the only thing which has made it viable—is the fact that the vast majority of our citizens respect and voluntarily observe the law. Other nations have marvelled, for example, at the fact that our income tax laws place almost their entire emphasis on voluntary compliance—and it has worked. Should this situation ever change, should our citizens' respect for the law ever degenerate to the extent that we could no longer count on the overwhelming majority of the population to support and comply with the laws, then we would have only anarchy.

But to preserve our citizens' respect for the law, we must insure two things. First we must insure that law enforcement is itself "legal." We must insure that in enforcing the laws, authorities do not themselves resort to methods which are so at variance with what our citizens expect and will accept that they debase and vitiate the laws they are trying to enforce. It seems to me that both "secret police" operations and unnecessarily violent law enforcement run the risk of undermining public confidence in law and law enforcement. These methods hurt far more than they help; they destroy confidence in our legal system far more than they contribute to it.

The second thing we must insure is that the laws themselves conform closely enough to social norms that they do not become anachronistic. When laws become so archaic, so out-of-date, or so out-of-line with what the majority of citizens consider acceptable social behavior, then we run the risk that the laws will simply be ignored. Thus if the laws on divorce, or gambling, or abortion, or any number of other important social questions fail to reflect the feeling of a majority of the people—as some have argued they now do—then we run the risk that the laws will be both unenforced and unenforceable. We run the further risk that the law will become an object of contempt and disrespect.

All of these things give us, the lawmakers, plenty of food for thought. The crucial role which the law plays in protecting our freedom and at the same time limiting it, the difficult distinctions between permissible and impermissible dissenting behavior, the need for "lawful law enforcement," and finally the importance of realistic and fair laws which truly reflect what society believes to be acceptable behavior—all of these are thoughts which come to mind on Law Day. They are certainly subjects which deserve attention throughout the year.

Mr. ANDERSON of California. Mr. Speaker, today is Law Day, U.S.A., created in 1958 by House Joint Resolution 32 in the 87th Congress and first proclaimed by President Dwight D. Eisenhower. That resolution set aside May 1 of each year as a special day of celebration by the American people in appreciation of their liberties and the reaffirmation of their loyalty to the United States of America; of their rededication to the ideals of equality and justice under law in their relations with each other as well as with other nations; and for the cultivation of that respect for law that is so vital to the democratic way of life.

The theme this year is: "Justice and equality depend upon law—and you." It reminds Americans that equal justice and equal opportunity involve both law and the attitudes of individual citizens toward fellow citizens.

The objectives of Law Day, U.S.A. are—

First, to foster respect for law and understanding of its essential place in American life;

Second, to encourage citizen support of law observance and law enforcement;

Third, to advance equality and justice under law; and

Fourth, to point up the contrast between freedom under law in the United States and governmental tyranny under communism.

One of the Law Day posters eloquently states the limits of the right to dissent and is most relevant to our troubled and turbulent times. The poster is entitled: "No Man Is Above the Law" and I would like to quote from it as the essence of the message of Law Day, U.S.A.:

> The right of dissent has been cherished and preserved since the beginning of our republic. The day must never come when it will be otherwise. Vigorous and effective expressions of dissent and of legitimate grievances are essential ingredients of the democratic process.
>
> But there are valid and necessary limitations on dissent. Freedom of speech does not include incitement of riot. Seeking redress of grievances does not include the right to do violence to persons or the property of others.
>
> A great American, Theodore Roosevelt, observed succinctly: "No man is above the law, and no man is below it."
>
> Events of recent years have proved again that lawlessness and violence do not advance progress, but retard it. They destroy rather than extend civil rights, and they impede rather than promote real solutions to social ills.
>
> They have confirmed that enduring advances toward full realization of the American ideals of equality and justice must come about through lawful channels. And they have reminded us that in a lawful society no one gains by attempts to enforce change by defying the law.

Mr. EILBERG. Mr. Speaker, it has been said somewhere that the measure of man's progress through history is the increasing respect which has been accorded to the dignity and integrity of the individual human personality. This is a thought-provoking statement, and, I believe, a true one. Furthermore, I think it provides a standard by which we can judge any particular society.

What does it mean when we say that a society or culture protects and values the dignity of all its members as individuals? To describe a society in this way is to describe a society functioning under the rule of law. I think it is fair to say that the rule of law may be man's highest collective achievement.

Of course, I am speaking of the rule of law here in the ideal sense. No society in history has yet achieved perfect freedom and justice under law. The rule of law is too easily perverted to mean the law of an elite group—a party, a dictator, or simply, "the state." Totalitarian states and dictatorships pass "laws," but deprived of a foundation in principles of equal justice and protection, the term becomes meaningless.

With these thoughts in mind, I think the theme of Law Day, 1969, makes an inspiring message of welcome to the men and women whose new citizenship we celebrate today. "Justice and equality depend upon law—and you."

We are almost unbelievably fortunate to be citizens of a Nation which has made more progress toward the ideal of equal justice and protection under law than perhaps any other society in history. If you try to imagine the mathematical odds against being born to live in this particular era and in this particular country, you will have some idea of what I mean by "almost unbelievable."

You and I inhabit a piece of geography on which a noble and unique experiment in human history is in progress. There is no place in the world's history where we, as ordinary citizens, could have had the power, the dignity, the rights, the freedoms, the opportunities, the strengths, that we enjoy as citizens of the United States of America in 1969.

I think that all of us as citizens ought to ask ourselves from time to time just what it is that has made this American experience possible, what are its foundations. The key is found in the theme of this year's Law Day: "Justice and equality depend upon law—and you." This is the basic fact of American society and government. The responsibility for the expansion of justice and the maintenance of our free and democratic system lies with each individual citizen.

The success of "the American way" depends upon the fulfillment by each individual member of our society of both the rights and duties of his citizenship. Most of these rights and duties come down to us from the earliest days of American political tradition. Many of them were a part of our British and colonial heritage. But the record of American history, too, shows continual progress toward greater justice and equal protection of individuals under law.

As complex as our society has become, our rights and duties as American citizens can be easily stated. We have a right to equal protection of the laws and equal justice in the courts. We have a right to freedom from arbitrary search or arrest. We believe in the right to equal educational and economic opportunities. We have the right to choose public officers in free elections. We have the right to own property. We protect freedom of speech, press, and assembly, even when their irresponsible exercise seems to threaten traditional values. We have the right to worship freely in the religion of our choice. We believe in the right to legal counsel of our own choice and a prompt trial if accused of a crime.

The crucial fact of American citizenship, however, is that all these rights would be lost unless each of us acts responsibly to protect them. This responsibility is the basis of our duties as citizens.

We have a duty to obey the laws. This is true even though specific laws or the application of a law to a specific individual may seem unjust. Perhaps a more accurate way to put it is to say that we must respect our laws. This does not exclude the possibility or desirability of working to change unjust laws.

Inherent in this first duty to obey the laws is our duty to respect the rights of others. This is the foundation of our concern for the expansion of social justice and equality of opportunity. In our society, justice is the extent to which each individual can freely develop the maximum use of his physical and mental resources.

These first two prescriptions are the absolutely essential underpinnings of the American way of life. We are dedicated to the rule of law, not of men; and that rule applies to the greatest just as to the least of us.

A second group of duties relates more specifically to the maintenance of our system of government. We have a duty to inform ourselves on issues of government and community welfare. We have the duty to vote in elections. We have the duty to serve on juries if called. We have the duty to practice and teach the principles of good citizenship in our own homes.

Finally, as citizens, we are called upon at times to fulfill our duty to serve and defend our country and to assist agencies of law enforcement.

Talk of rights and duties always sounds rather dull and uninspiring. What makes this foundation of the American way precious and meaningful to us is the spirit of liberty which is nourished and protected by our citizenship. Perhaps no one has so eloquently stated what this spirit of liberty means to us as Supreme Court Justice Learned Hand. In an address at an "I am an American Day" ceremony in 1944 he said:

> What then is the spirit of liberty? I cannot define it; I can only tell you my own faith. The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the minds of other men and women; the spirit of liberty is the spirit which weighs their interests alongside its own without bias; the spirit of liberty remembers that not even a sparrow falls to earth unheeded; the spirit of liberty is the spirit of Jesus Christ who, nearly two thousands years ago, taught mankind that lesson it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest.

Mr. MACGREGOR. Mr. Speaker, on Law Day, 1969, it would be well to reexamine the true nature of American justice, for its meaning has been subverted.

The modern protest against injustice has too often become self-oriented. We hear the cry, "The establishment must make me happy; government must make me rich." These are self-serving demands for equality—not justice.

What, then, is justice?

The rendering of what is due or merited?

The impartial adherence to truth of fact?

The quality of being reasonable?

Justice is all of these things. It is also fairness, faithfulness, honor, integrity—but perhaps most of all it is tolerance—a willingness to listen, to consider, to evaluate a point of view, an opinion different from your own. Justice is both a passive and an active concept. In finds expression in contemplation and in commitment.

In our ever-changing world, the concept of justice is immutable. There is perhaps nothing nobler than a commitment to the advancement of human and social justice. Such a commitment on Law Day, 1969 is more necessary than ever before.

Mr. FLOWERS. Mr. Speaker, Law Day prompts annual consideration of the system of justice which is the bedrock of our society. It is fitting that on this occasion we pay tribute not only to the law itself but also to its dedicated, responsible enforcers.

In the trying times in which we live, the average citizen owes an ever increasing debt to the policemen and other officers who guard and protect his life, his home and his property. These "men in blue" are often underpaid and overworked, but their devotion to duty and their fellow man forms the basis for our society's first line of defense against organized crime and anarchy.

Today I would like to pay special tribute to the 602 uniformed men in the Alabama Department of Public Safety and through them to all of the police, sheriff's deputies, and other officers engaged in law enforcement in Alabama.

The department of public safety was first organized as the highway patrol in 1935 with only 75 men. At that time, their sole responsibility was the enforcement of traffic laws and regulations. Since that small beginning, the department of public safety has now grown to its present complement and in addition has assumed a much larger role in the prevention and detection of crime.

Of course, the highway patrol which is now just a division of the department, still maintains primary responsibility for safety on our State's highways, from the farm-to-market road to the eight-lane interstate. In this connection, this division issued more than 100,000 citations to traffic law violators during the last calendar year. An equally important function of the patrol division is a safety education program sponsored in cooperation with high schools and civic organizations throughout the State.

A separate unit, the drivers license division, is responsible for the licensing of prospective drivers and administers over 30,000 road tests per month.

The investigation and identification division provides backup support to supplement local police work, particularly in rural areas, and also assists in coordinating local police activities with those of the Federal Bureau of Investigation and other related agencies.

Perhaps most significant from the standpoint of long-range benefits is the training and service division which is responsible for the Alabama Police Academy. This academy was first founded in 1955 in an old hangar at Gunter Air Force Base. Since then the academy has grown and expanded and now occupies a modern two-story building which contains the latest scientific equipment available.

The academy not only trains new recruits for the department of public safety but in addition provides basic training in proper police technique to members of local police forces, sheriffs' departments, and other related agencies throughout the State. Technical and refresher short courses are also available through the year.

We are proud of our department of public safety and the other agencies with which they work, and it is a real pleasure for me to express my deep appreciation and that of my fellow Alabamians to these dedicated public servants.

We often hear that this Nation is a "government of laws and not of men," and there is much truth to this saying. But in a larger sense, without the efforts of the hundreds of loyal public servants in the field of law enforcement, our "government of laws" would afford little protection throughout our land.

Mr. MESKILL. Mr. Speaker, Law Day is worthy of our most earnest consideration. It is a symbol of our national determination to insist upon the continued viability of democratic government which places no man above the law, thereby insuring justice for every citizen.

We have witnessed in the last several years an alarming rise in illegal protest demonstrations, crime, riots, and public disorder in general. I need not repeat the all too familiar statistics. But it is imperative that the citizens of this country, and especially its lawmakers, stress the necessity to stand foursquare behind the laws of the land and the Constitution which delineates the function of those laws.

This is the oldest constitutional republic in the world. It is perhaps a curious irony that this phenomenon should be found, not in Europe, where democracy was born over 2,500 years ago, but, rather, in the New World, in a country not yet two centuries old. And yet such is the case. It is easy to forget, when one is fortunate, the reality of well-being. I think we have tended to forget, in this country, just how fortunate we have been in our history, in our heritage of free democratic government, free expression, and consideration for individual worth. Despite our problems, and the obvious injustices which have existed in our society, we have accomplished the feat of establishing, and continuing, the most stable government in the world for the better part of 200 years. In that time, we have witnessed a consistent extension of rights to all of our citizens, a process which though not always sustained without difficulty, has nonetheless endured. Despite current inequities, we can point with pride to the fact that minorities in this country today are not forgotten, and indeed, share in the political process, and in the economic benefits of our society, to an unprecedented degree.

We have not turned our backs upon the necessity for amelioration of inequity and injustice. But neither must we turn our backs upon that which makes amelioration possible—the framework of law. For it is a primary axiom of history that when law is weakened, or overthrown, when chaos and anarchy triumph, the logical conclusion to this process is tyranny and repression of the most savage kind.

We may not have Utopia in America; we have not yet reached the millenium. We probably never will. But we do have the most just and workable government in the world, and, up to now, the most stable. We cannot take the risk of throwing this establishment away—a risk we take whenever we fail to realize that it is only within the system of law that justice and equality can truly be attained for all of our citizens.

On this Law Day, therefore, let us renew our dedication to the principle of constitutional government, and determine that the forces of destruction will not prevail, as yet they have not throughout the notable history of this Republic.

Mr. ROGERS of Florida. Mr. Speaker, this day has been set aside each year to remind us ours is a nation of laws, not simply men, and that our democratic processes depend to large extent on the dedication of our people to lawful processes.

Yet as we look around the Nation today, we see many danger signals which could indicate that a small minority is intent on subverting the lawful order and substituting one of threat, intimidation and violence.

Here in Washington, unrest continues at Howard and Amercian Universities, where authorities are unwilling to require lawful behavior and democratic discussion and deliberation of proposed reforms.

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In New York, Columbia University has again suffered the seizure of campus buildings, and City College remains closed because of the illegal activities of a small band of militant extremists. Cornell still smolders after an armed mob forced its views on the institution's leaders.

In South Carolina, strikers are not content with lawful protest, but insist on violating court orders. In Illinois fire bombings continue. And to greater or lesser extent, similar conditions exist elsewhere.

Law Day is a time to pause and consider the breakdown of order and due process. If activity this spring is any indication, we are indeed in for another long hot summer. What of the future of the Republic if this breakdown of law and order is permitted to continue?

The time has come for leadership. Leadership from university presidents to stand up against the angry few in support of the peaceful majority. Leadership from the White House, the Justice Department, and the Department of Health, Education, and Welfare to enforce existing laws. And leadership from the Congress, to take whatever additional steps are necessary to cut off the flow of billions of tax dollars to those who would destroy the foundations of democracy, the respect for law and the orderly process of change.

Mr. BIAGGI. Mr. Speaker, disorder rends our country—students seize university buildings, masses of people riot in our cities, desperate men do violence on our streets. Disorder makes law seem like a frail protection. Do any of us feel perfectly secure in our persons, our property, our liberties?

It is well for us to take this day—Law Day, 1969—to reflect on the truth that statutes alone cannot secure us against violence, and that only when justice forms the attitude between man and man will we live in peace.

Justice is the very purpose of law. Justice means to render to every man what belongs to him and it is therefore based on the worth of personal identity.

Justice is not permanently achieved even by the most vigorous and skillful law enforcement. Justice is permanently achieved only if it is based on mutual recognition of personal identity.

Justice cannot constitute the bond of community if men obey the law only out of fear of penalties.

Justice cannot constitute the bond of community even if men obey the law out of respect for law as law. Appeals for compliance with the law for the sole reason that it is the law probably indicate that men are sharply divided against each other with respect to the values to be preserved and the goals to be achieved by the community. Recourse to the letter of the law will not then suffice to restore civil consensus and unity.

Justice will constitute the bond of the community only when men respect the human personality which is the basis of rights and obligations. It is such respect alone which makes men just, and the letter of the law cannot save a community if men are not themselves just.

I am convinced, Mr. Speaker, that at the origin of the disorders on university campuses and in the ghetto areas of our cities is a most serious kind of deprivation—a lack of recognition of human personality.

Many students feel that their universities have no interest in communicating to them any genuine understanding of themselves. Is it possible that universities are so bent on the elaboration of science and technology that they deny students the opportunity to seek the most important aim of education—self-knowledge? Is this why we see students seeking a sense of identity in underground groups of their own in which they find others like themselves and through which they can express their despair and anger in the nihilistic action of confrontation for its own sake? And how many of these students whose emotions are highly inflammable are liable to be welded into an aggressive mass by communist agitators from Students for a Democratic Society or from Progressive Labor who seek the destruction of our institutions?

And what is behind black power and black separatism and black anger but the conviction among black persons that they will never be regarded justly by white people, that they will never be seen as persons invested with personal dignity and worth, that they will never find anything else reflected in the eyes of white people than contempt and hatred? And in reaction to what they see as white attitudes toward themselves Negroes on the campus and in the ghetto seek a sense of identity through black awareness and through racial solidarity and through the collective expression of despair and anger.

The hostility which sets black against white and white against black jeopardizes the effectiveness of civil rights laws enacted to achieve integration through promoting equal opportunity. Fifteen years after the Supreme Court forbade segregated education in Brown against Board of Education and 6 years after James Meredith risked his life to enter the University of Mississippi and to pave the way for Negro students in southern white universities, black students repudiate nondiscrimination and resort to collective violence to make their demands for separate facilities and separate academic curricula. Nor will our whole collection of civil rights laws—Federal, State, and local—suffice to unify our national community so long as mutual disrespect and mutual hostility divide it.

And this must be our lesson for Law Day: law will secure us in our persons and property and liberties when law takes effect in the minds and hearts of men through the just attitude of man to man. Law is not the responsibility of legislators, judges, lawyers, and policemen alone. Law is the responsibility of every man who is a member of the political community. For law must take effect through his response to what other men are and through his recognition of what belongs to them as persons.

Mr. BROWN of California. Mr. Speaker, the theme of this year's Law Day holds special importance to those of us here representing the people of this Nation. Only through collective dialog and action will there be further evolving of justice and equality, and, of course, it is incumbent upon us to translate voices of our constituents into effective law.

Yet, we must remember that justice and equality cannot be treated as abstract values. These terms are not rhetorical tools, not phrases of demagoguery. It is what men do that is interpreted as justice and equality, not what men write or what they say.

Thus, it becomes easy to ramble on about devotion to justice and equality, but quite another thing to practice these ideals. Law acts as the vehicle for attaining justice and equality, but law cannot create justice and equality. And it is because justice and equality are so changing—because men are so changing—that we still need to be reminded of the importance of the intertwining of justice and equality through law and through action.

Often, today, the terms "justice" and "equality" assume an aura of radicalism. Much of the dissent evident throughout America—dissent growing from a seemingly widening polarity caused by frustrations and alienation—arise because there is widespread belief that law hinders, rather than advances, justice and equality. The law is viewed as a major hurdle to achieving desired justice and desired equality, and the processes through which laws are determined are thrown aside as irrelevant or archaic. And whenever dissent erupts into conflict and turmoil, the protesters are reviled because they take the law into their own hands.

I do not condone violence and authoritarian tactics as the means of forwarding justice and equality. But neither do I feel that there is no place for dissent within our society. Both viewpoints must compromise, however, unless we aim to replace our participatory democracy with a tragic anarchy without justice, without equality, without law.

The founders of this Nation took the law into their own hands in order to create their view of a more perfect union because, according to the Declaration of Independence:

> Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience has shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses of usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.

Responsible dissent many times is the prelude to newer and broader definitions of the law. Justice and equality under law will continue only as long as citizens participate in the granting and implementing of these ideals. I hope always that we will remain a nation of justice, of equality, of law, but we also should remain a nation of action.

Mr. HANNA. Mr. Speaker, we should dedicate Law Day 1969 to the youth of America. More particularly, perhaps, dedicate this celebrated day to the college youth of America. It seems to me that in all their posturing for progress and in all their stance for change they have given precious little credit to the great concept of government by law and not men.

When any of us are constrained to, in effect, "take the law into our own hands" we run grave and historically demonstrated dangerous risks. It matters not whether the person or group so involved be a vigilante, a lynch mob, or a righteously indignant group of French peasants, as in the great revolution of that country, results have shown time and time again the aftermath is despotism under those lifted up in violence or despotism under those called to bring new order.

It has always been attractive to romanticize the individual who, in the name of the people and their good cause violently contends with the law. Robin Hood filled this romantic yearning in his time. Jessie James in his. The raw truth is that each of these and all recorded counterparts arrogated to himself most of the benefits and visited indiscriminantly on those he reputedly served the bulk of the burdens of his conduct. Making romantic heroes out of those who articulate our troubles and by their oversimplified obstruction hold the promise of "short cuts" to nirvana has never proven to be productive in any society. We have such folk heroes proliferating in abundance on today's campus grounds and in our troubled cities. Put not your faith in such as these, history loudly and clearly proclaims.

Look to the law, as ultimately you must, to solve your problems. Yes, it is cumbersome; yes, it is slow; yes, it is frustrating, but also it is safe and abundantly more sure than is a summer night's hero. The slowly evolving, painfully acquired body of the common law and the heritage which is ours under the Constitution is what has assured us a place for dissent and a right for protest. Those who would destroy it are friend of neither young or old and are protectors of neither poor nor rich.

I believe in the system of law which we have inherited and to which we owe both thanks and service. Thanks for where it has brought us and service so that it may be so altered and so adjusted that it can take us to where we wish to go. I believe with Dean:

> Lo great is the edifice of that structure builded from the framework of the common law that any of us may take just full pride who can point to even so much as one brick of it and say the work of my hand lies there.

Mr. ROYBAL. Mr. Speaker, I am happy to have the opportunity today of participating in the nationwide observance of Law Day, U.S.A., by inserting in the CONGRESSIONAL RECORD a letter, with accompanying text of a most timely and thought-provoking Law Day address, from Adele I. Springer, chairman, law day committee, Wilshire Bar Association of Los Angeles:

WILSHIRE BAR ASSOCIATION,
Los Angeles, Calif., April 14, 1969.

Hon. EDWARD R. ROYBAL,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROYBAL: You will be interested to know about a unique program innovated by your constituent, the Wilshire Bar Association, preparatory to the observance of Law Day U.S.A.

As you know, the 87th Congress, by Joint Resolution, designated May 1st of each year as Law Day U.S.A., for "rededication to the ideals of equality and justice under law" by the people and "for the cultivation with respect for law that is so vital to the democratic way of life".

This year's special program of the Wilshire Bar Association for such commemoration of Law Day, is a series of television and radio broadcasts on "Law for Children".

In view of the current violence on the high school and college campuses, members of the Wilshire Bar explain the meaning and importance of law to pre-teenagers, in a series of weekly telecasts for "In-Class Instructional Viewing" in the 4th, 5th and 6th grades of the Los Angeles City Schools, with the hope of instilling at an earlier age a better understanding and appreciation of the American system of law and justice.

In addition to the telecasts for children on the educational stations, more than 100 broadcasts on other Public Service and commercial stations have been arranged, to reach parents as well as the youth, in discussions of law by the lawyers and judges, to encourage better law and order in the community, including foreign language programs.

One of the Law Day speeches, by an officer of the Wilshire Bar Association, delivered in the Wilshire Center District, entitled, "The Spirit of Law Day U.S.A.", is enclosed, as illustrative of the general programming.

Thank you for your courtesy and valued cooperation.

Sincerely yours,

ADELE I. SPRINGER,
Committee Chairman.

THE SPIRIT OF LAW DAY

(Address by Adele I. Springer)

May 1st is Law Day.

It is the spirit of Law Day that I bring you a message.

We assemble here in the Spirit of this year's Law Day theme: "Justice and Equality Depend Upon Law—and You!".

The Spirit of Law Day demands of our people a greater sense of personal responsibility for the maintenance of our country. The very survival of our institutions depend upon your preservation of our Rule of Law.

What precisely is that Spirit of which I speak? It cannot be exactly defined but my own interpretation of it is one of faith in the Spirit of Liberty.

What then is the Spirit of Liberty? It cannot be said any better than was so eloquently expressed by that great American jurist, Judge Learned Hand, whose oft-quoted words bear repetition—as true today as when written a quarter of a century ago:

"Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it. And what is this liberty which must lie in the hearts of men and women? It is not the ruthless, the unbridled will; *it is not freedom to do as one likes. That is the denial of liberty, and leads straight to its overthrow.* A society in which men recognize no check upon their freedom soon becomes a society where freedom is the possession of only a savage few; as we have learned to our sorrow."

The Spirit of Law Day, then, is to give increased devotion to that Spirit of Liberty.

What was and what is the cornerstone of our Liberty? The pages of our history record the noble deeds and blood of countless Americans of many generations, native and adoptive, who made it possible for us to meet here today to enjoy that Liberty, under a Rule of Law.

What, precisely, do we mean by the Rule of Law? We mean that which is right—the rule of reason. It is significant that the word for "law" in French is "droit" and that the French word for "right" is also the same word "droit". So is it similarly in Spanish with the word "Derecho" meaning both "law" and "right".

When we speak of the "Rule of Law" we mean the system under which the rights of people are governed by established rules, where the freedom and the dignity of the individual are assured, and where disputes are decided by impartial tribunals.

The Rule of Law is not a new phenomena, nor is it anything experimental. It has come down to us from the experience of man since the dawn of civilization. Its application may change, but never its basic principles. The same principles are contained in the Ten Commandments recorded by Moses. The same principles are set forth in the Magna Carta forced by the Barons from King John at Runnymede in 1215 A.D. And these are the same principles which our forefathers borrowed from the wisdom of the ages and wrote into our Constitution and Bill of Rights.

You who are French-Americans know well "La Declaration des Droits de l' Homme" of 1793. Like the American Declaration of Independence, the "Declaration of the Rights of Man" is France's symbol of the rights of individual citizens, with its embodiment of the principal democratic thoughts of the 18th century: "Men are born and remain free and equal in rights"—"The essence of sovereignty resides in the nation"—"Law is the expression of the general will".

That great drafter of Independence, Thomas Jefferson, who was then Minister Plenipotentiary at the head of the American Diplomatic Mission in Paris, penned in some suggested changes when presented with the drafts of the French Declaration of Rights. We are told that General Lafayette, who contributed in the writing of that historic Declaration, had had the first ten amendments to the U.S. Constitution put in a double frame, leaving the other half vacant for the day when he could put their French equivalent into the frame.

Such milestone documents as these—basic documents in the evolution of the rights of man—and others borrowed from ancient times, in the development of the Rule of Law, teach the lessons of history, the warning of which cannot go unheeded.

It is not my purpose here to recount the struggles of mankind. But let us face squarely the fact—the world today is in a ferment, the like of which it has never known before—and in our own country we have been witnessing a period of domestic turmoil—we are today confronted with violence running rampant, and by unparalled conditions.

The great issue, therefore, is the danger of expedience as against the historic experience which lies behind the fundamentals of American constitutional law which has served as the bulwark of our liberties.

Those among us who would take the law into their own hands, who attempt to pursue Justice and Equality not by law but by force, tugging at the very foundations of our great governmental system, who would destroy constitutional government in America and its system of checks and balances, and who advocate a government by men instead of government by law, would do well to heed the warnings of history.

Some illuminating historical examples may help to provide perspective.

At least a century and a half before the Christian era, Polybius, a Greek historian, charted and recorded the cycle of governments. The descent from democracy to mob rule as described by Polybius should have especial interest to present-day Americans. Let us ponder his prophecy:

"As any survive who have had experience of oligarchia supremacy and domination, they regard their present constitution as a blessing, and hold equality and freedom as of the utmost value. But as soon as a new generation has arisen, and the democracy has descended to their children's children, long association weakens their value for equality and freedom. For the mob, habituated to feed at the expense of others, and to have its hope of a livelihood in the property of its neighbors, as soon as it has got a leader sufficiently ambitious and daring, being excluded by poverty from the sweets of civil honors, produces a reign of mere violence. Then come tumultuous assemblies, massacres, banishments, redivisions of land; until, after losing all trace of civilization, it has once more found a master and a despot."

One wonders whether he was writing the history of governments ended over two thousand years ago, or was gifted with prevision into our own times.

One of the greatest lawyers of antiquity, Cicero, similarly seems to have been clairvoyant when he emphasized that "Freedom itself punishes with slavery a people whose freedom has no bounds."

It should be remembered that both Polybius and Cicero warned that the decay of democratic institutions commences with the third or fourth generation—and we now are not far removed.

We are reminded that the 19th Century French philosopher, Frederic Bastiat, prosephied that, what he described as "legalized plunder," would become the greatest threat to our Republic.

Let us also not overlook our own martyred Lincoln's admonition, that we have "more to fear within our own borders than from without."

Benjamin Franklin had in mind those struggles of the spirit when, as he left Independence Hall after the Constitution had been signed, he cautioned:

"We have given you a Republic, if you can keep it."

We have kept our Republic for almost two centuries. We have kept the Spirit of the Rule of Law. Democracy is of the Spirit. It is based on the worth and dignity of the individual. Our government is based upon equal justice to everyone regardless of race, color, creed, or station in life. It is not based upon the principle that its powers may be used by any segment of our people to gain advantage over the others. The democratic ways of life are based upon the conviction that the common interests can be better served by relying upon the rule of law rather than upon force.

History's lessons are just as plain today as they were to that great champion of rights of yesteryear, Edmund Burke, who aptly declared, that governments are a covenant with the dead, the living, and the unborn. You, individually, represent that compact.

We are the heirs-at-law and beneficiaries of those valiant architects of freedom. They did not view government as something to support them—they supported the government. We are the successors of those great and heroic trailblazers of history who fought the good fight. Ours is the task of developing and protecting the heritage of a free government under Law which the sacrifices of the past have made it possible for us to enjoy.

To this task of preserving the Rule of Law, the members of the Bench and Bar are dedicated. To this ideal, all of our citizens, citizens by birth and citizens by choice—must be re-dedicated.

This is the Spirit of our Government under Law envisioned by those who assured our Liberty and from whose lifeless hands the burning torches of freedom and responsibility have been passed on to us! If you are worthy of our heritage, you will keep the flame aloft!

This year's Law Day theme of the American Bar Association, initiator of Law Day in the cause of liberty under law, portrays a torch held aloft with joined hands—holding aloft the ideal of equality and justice—a torch of order and justice.

Shall we permit the flame to die? What are the alternatives? Shall we preserve the Rule of Law which has given us the most advanced form of government known to man—a form of government in which the spirits of men are free—or shall we permit ourselves to slip back into a primitive form of government, such as that which prevailed before our government "of the people, by the people, for the people", was "conceived in liberty"? I have no doubt that every one of you would answer in reply to the abstract question that we must by all means preserve democracy, but an answer to the abstract question is not enough.

The important question is: What are you going to do against the attempt of a very small minority of our people to fasten upon us that same system which existed in the governments of antiquity and of the Middle Ages, with complete loss to the average individual of economic opportunity and freedom under law? When we reflect on this, the wonder of it is that we have tolerated until now such disorders and such disservice to everything for which America stands! Economic opportunity exists for men and women only so long as they continue to recognize their social responsibilities and protect them from invasion by other individuals or by political forces.

"The greatest menace to freedom is an inert people"—as was so well stated by that great jurist and statesman, Justice Brandeis.

These words by Goethe also are fitting to our times:

"Yes, This thought I hold with firm persistence; The last result of wisdom stamps it true; He only earns his freedom and existence Who daily conquers them anew!"

That your Association is conscious of its responsibilities, is made evident by this Assembly of thinking men and women, and by your dedication of this meeting to the theme of Law Day.

"Men grow in stature only as they rededicate themselves to a noble faith", said our recently departed former President, Dwight D. Eisenhower.

It is noteworthy that it was the late President Eisenhower who proclaimed the first Law Day, in 1958. In tribute to his memory, let us take to heart the words of his first LAW DAY Proclamation: "The world no longer has a choice between force and law; if civilization is to survive, it must choose the rule of law."

President Eisenhower, again, in a Message to the Convention of the American Bar Association, in 1959, emphasized: "Peace cannot prevail until men and nations recognize that their conduct must be governed by respect for and observance of the law."

In fact, his warning is more timely at his passing than it was even at its utterance.

He kept faith in America's traditions and institutions. We would honor his memory best by keeping alive such dedication and bequeating them to oncoming generations. With the magnificent example of this great American before us, let us all rededicate ourselves to such faith in America—to faith in the Rule of Law.

We assemble here this Law Day through gratitude for the Rule of Law we still enjoy in this nation.

We recognize, however, that the acme of perfection was not reached when our Constitution was placed in operation and that conditions change with the years, but the basic principles and purposes of government have not changed.

We recognize, too, that, in the spirit of Law Day, we must "remodel" the machinery of government to meet changing conditions. Such changes, however, must be made by lawful means and within the proven framework of the Constitution's basic principles. It is trite to say that we live in a world that is ever changing amidst things which never change. Among those things which never change is the longing for liberty. But freedom and liberty cannot exist without Justice. Among those things which must not change are the basic principles of our government.

There have necessarily been changes in the *application* of basic principles to the needs of an ever changing social and economic order, but no change in the basic principles themselves.

In the span of years, the enormous technological changes which have been transforming the society that the law serves, necessitate many new rules. But that does not mean that we should not meet these problems within the framework of our basic law and upon the basis of tried and true principles.

We have come from the isolation of the pioneer to an interdependence undreamed of when this nation was founded. In California alone the population has grown to many times greater than the total population of all the original thirteen States. It is recalled that when our Constitution was formulated, the aggregate population was then less than 4,000,000. Only 3.3 percent of the entire population of that period resided in cities of 8,000 or more, and there were but six cities of that size in all America. The tremendous shift from the rural to the urban areas and the modern technical and other advances have resulted in economic and social problems unknown when the sound principles within the framework of history were structured into our Constitution and Government. But we must consider the law against the whole panorama of man's continuing experience.

Upon this foundation we have grown to be the greatest nation of our day and our people have been blessed with liberty and economic opportunities never enjoyed by any other people of any other government in the recorded history of mankind.

That great legal scholar, Dean Roscoe Pound, put it this way: "Law must be stable and yet it cannot stand still".

The Courts have demonstrated that our Constitution is a flexible document with remarkable powers of adaptation under which our nation has been able to meet its problems for almost two centuries.

The words of George Washington, in the Constitutional Convention—are as true today as in 1787—"Let us raise a standard to which the wise and honest can repair; the event is in the hands of God".

It therefore follows that, Liberty for the individual under law is enshrined not only in those great Charters of human freedom but in our hearts; and that, indeed, "Eternal Vigilance is the Price of Liberty".

This, then, is the "Spirit of Law Day 1969"—in the "Spirit of 1776".

And so it is that the Spirit of Law Day is this year's Law Day theme: "Justice and equality depend upon law—and you!

GENERAL LEAVE TO EXTEND

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE EMERGENCY SMALL LOAN PROGRAM: ITS BENEFITS IN JASPER, ALA.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have recently introduced the Emergency Small Loan Act of 1969. The act would extend a program which was initiated by my amendment in 1966 to the Economic Opportunity Act of 1964. The loans are limited to $300, an amount sufficient to meet most personal financial crises, and an interest rate of 2 percent per annum is charged. The nominal rate of interest compares well to the 3 percent which is charged students and graduate students with national defense loans; and surely, the alleviation of suffering is as worthy a cause as providing the opportunity for a prosperous career.

I have surveyed the results of the 15 "demonstration programs" designed to test out the principle that even the poorest of the poor deserve some form of credit relief during times of personal emergency, and the assumptions upon which this program is further predicated, namely that the poor would make every effort to repay these loans and that conventional credit services which exclude these people from the benefits of their services do an injustice to them. I would like to take this occasion to report on one response to my survey, in Jasper, Ala.

Jasper is located in the northern part of Alabama in Walker County, which is in the Seventh Congressional District of Alabama. This district has received able representation in Congress since 1967 from the Honorable TOM BEVILL. The Walker-Winston County Community Action Committee, Inc., which supervises the program in his area, is but one example of the many services accruing to his district because of Congressman BEVILL's service in the House of Representatives.

The Community Action Committee, Inc., received an original grant of $174,201 of which $110,698 was budgeted for the loan fund and $63,503 for operational expenses. As of December 31, 1968, 761 loans had been made, totalling $111,759. This amount completely exhausted the loan fund. Collections amounted to $45,998, and 119 loans have been paid in full. There are 642 loans outstanding, constituting $63,186. A recent audit charged off 30 loans, or $4,178, but most of these cases were deceased or had left the area.

The statistics are encouraging but they tend to gloss over the real "gut" problems with the emergency loans were meant to solve. Therefore, I think it would be appropriate to look at four case histories which have been reported to me by the director of the Community Action Committee in Jasper:

CASE NO. 1: MRS. LUCILLE GUYTON, JASPER, ALA.

Mrs. Guyton is a widow with eight children, four of which are in school. She was existing on $80 per month, which she earned working as a maid when work was available. She was paying $20 rent on a very run down *shack*—no water, etc. She did not get any assistances from welfare or the Food Stamp Program. We insisted that before she got her loan of $125.00 that she apply for assistances through the welfare and the food stamp program. In fact, we set up her appointments and were told by both agencies that they could and would help. She was advanced $25 on that weekend as the household was out of food and money. We have also helped her move to a much better house, in a better neighborhood. No payments have been missed by Mrs. Guyton as of this date.

CASE NO. 2: MR. ALEC E. FREEMAN, QUINTON, ALA.

Mr. Alec E. Freeman is a victim of emphysemia; he also has a daughter with leukemia. Mr. Freeman has to have oxygen available at all times and his daughter has to have transfusions on a regular basis. This had been taking all of their income which is from social security and welfare in the total amount of $151 per month. They have four children, three of which are in school. Due to the high cost of treatment and medicine they had gotten behind in their appliance payments and were about to lose them. We made them a loan of $225 on which no payments have been missed.

The Walker County Health Department was contacted on their behalf and they promised to provide some medical assistance to them.

CASE NO. 3: MR. CHARLES F. GARDNER, JASPER, ALA.

Mr. Gardner, had a two and a half year old son dying with cancer. Treatment and hospital expenses had erased their savings and the child had to be brought home. He had to have twenty-four hour attention so his wife attended the boy in the day time and the husband at night. It was mandatory that he quit work. We made them an emergency loan of $300 for food stamps, medicine and emergency subsistence. They have six other children from one year old to sixteen with three in school.

CASE NO. 4: MR. MELVIN BRUNER, OAKMAN, ALA.

Mr. Bruner had an accident being run over by a truck leaving him with a back condition which disabled him from work. They were about to lose their stove, refrigerator and other household goods.

Having six of eight children in school was quite a burden on an income from welfare of $140 per month. With the assistance of emergency loan staff one of their daughters was able to get on the NYC In-School Work Training Program which is sponsored by the Community Action Agency. This increased their earnings by fifty dollars per month.

We made them a loan in the amount of $300 enabling them to save their appliances and furniture from repossession. They have not missed a payment on their loan.

These case histories illustrate the outstanding successes of the program far better than any preamble of legislative purposes or administrative statistics could possibly do. That we could have had such an impact upon so many lives by such a small effort on our part should inspire us to rededicate ourselves to the principle of emergency loans to the poor and to extend the program through H.R. 9643, the Emergency Consumer Small Loan Act of 1969.

SCHWENGEL TAX REFORM PROGRAM—1969

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 30 minutes.

Mr. SCHWENGEL. Mr. Speaker, I am today introducing the balance of my tax reform program. The purpose of my tax reform program is simple—to prevent a revolt. Yes, the purpose of my tax reform program is to remove the inequities from our present system of taxation before there is "open revolt" by our low- and middle-income taxpayers. These are the so-called forgotten people who have been "paying the bill" without fuss for so many years. Taxes are high and there has been some grumbling, but I think most taxpayers on reflection, feel that they have been getting their money's worth for their tax dollar. However, the grumbling has increased considerably, and justifiably so, with increased examples of the many loopholes by which the wealthy escape taxation of their income and assets. If our system of self-assessed taxation is to continue, we must have meaningful tax reform, and now.

The tax reform program which I have assembled is not perfect by any means, but it is a bona fide attempt to correct some of the more flagrant loopholes and inequities in our tax system. I have already introduced eleven bills relating to my reform program, and am introducing seven more today. The net effect of my proposed legislation would be to increase revenues by almost $2.5 billion. Most of the revenue gained by plugging loopholes would be used to offset the revenue loss resulting from increasing the personal exemption.

The areas included in my tax reform program are as follows:

1. INCREASE PERSONAL EXEMPTION TO $1,200

One of the biggest inequities in our present tax system is the $600 personal exemption for purposes of Federal income tax. The personal exemption was set at the $600 level in 1947, and no changes have been made since that date. In the meantime, inflation has increased the cost of living by more than 50 percent. This inequity hits hardest in large families with low incomes, those least able to bear the additional burden. To correct this inequity, I am proposing that the personal exemption be raised from $600 to $1,200. This increase in the amount of the exemptions will be expensive in terms of revenue loss. Some estimate it will result in the loss of $17 billion of revenue. To offset part of this loss, I plan to add a provision which would limit the exemption of middle and lower income brackets. This would be accomplished by the use of the so-called vanishing or reducing exemption. It would work like this: Persons with income of $20,000 or less would enjoy the full $1,200 exemption; those with incomes from $20,000 to $26,000 would have an exemption ranging from $1,200 to $600; and finally, those with incomes over $26,000 would be limited to the present $600 exemption. This effectively limits the increase in the exemption to those families who need it the most, and would reduce the revenue loss by approximately $6 billion.

There is an indirect effect which will be achieved by increasing the personal exemption, and it is very important too.

The increase will place an additional amount of funds in the hands of a group of consumers who will most likely plow them right back into the economy. The additional revenue to be gained by this increase in activity in the economy is hard to judge, but could result in several billion dollars worth of additional tax revenue.

2. CORRECT INEQUITIES IN DEDUCTIONS ALLOWED FOR INCOME TAX PURPOSES

As a result of court actions, administrative rulings, and just plain laxness on the part of some officials, the deductions allowed on our income tax returns have become major loopholes. For the most part these loopholes have benefited one group, the wealthy. We have overlooked this area for far too long. But the time has come when the average taxpayer who is carrying his full share of the tax load, and a heavy one it is, has said to the Congress: Put a stop to this.

First, curb abuse of charitable deductions: One deduction which some wealthy taxpayers have abused is that of the charitable deduction. Let me make it quite clear that I do favor charitable contributions, and do not want to see them curtailed on a wholesale basis. However, the time has come to end the serious abuses in this area. Some wealthy people are able to invest their assets in investments such as State and local bonds, which result in tax-free income. They then qualify for unlimited charitable deductions by donating 90 percent of their taxable income to charity. Thus, they can donate enough to offset their taxable income, and still live a very comfortable life on the income from their tax-exempt investments. And, they pay no Federal income tax whatsoever.

The Treasury Department has proposed a limitation of 50 percent on charitable contributions to curb this abuse. My legislation implements this proposal. The Treasury has estimated this reform will produce $1.1 billion in additional revenue.

Second, liberalize moving expenses: today we live in a highly mobile society. In many industries it is not uncommon for employees to be forced to move their families every two years. Present regulations allow some deductions for the expenses incurred with such a move, but are far too restrictive for today's inflated moving costs.

Among the costs which I feel should be deductible are the following: Cost of house hunting trips; temporary living costs at new location while awaiting permanent quarters; and certain costs incurred in selling the home. The Treasury has recommended a $1,500 maximum on the deduction, and I concur in this recommendation. It is estimated that these changes will result in a revenue loss of approximately $85 million.

Third, eliminate gas tax deduction: The Department of the Treasury has also recommended that the deduction presently allowed for taxes paid to States on gasoline be eliminated. These taxes, are in effect, charges for the use of the States' highways, and it is difficult to justify the deduction. I feel, and I am sure you feel the same way, that each motorist should pay his own way insofar as the use of the highways. I don't want or expect nonusers to subsidize me, and that is the effect of this deduction. For this reason I concur in the Treasury recommendation to eliminate this deduction with respect to personal use of automobiles. My program implements this proposal.

Fourth, tax-loss farming: A major loophole in this area is the one allowed for losses resulting from farm operations. This problem has two aspects, with the aspect of revenue loss probably being the least important. The most serious problem results from the unfair competition when wealthy individuals almost deliberately operate their farms so as to achieve a tax loss. They can then deduct their loss against other nonfarm income. These people really have no intention of operating their farms for a profit. The result is obvious. Bona fide farmers are forced to compete with these so-called "gentleman" farmers.

Another aspect of this problem is the unfair image it gives to the person who is trying to make his livelihood from farming. The "honest" farmer should not be penalized and given a bad name by those who seek to take advantage of tax loopholes for their own selfish gains. The bill which I have introduced, with certain exceptions, limits the deduction for farm losses to the amount of income realized from bona fide farming operations. It will effectively limit the use of this deduction to those for whom it was originally intended. The bill which I have introduced in this area is the same bill which was introduced by Senator MILLER in the Senate and by Congressmen KYL, GROSS, and MAYNE, S. 1560 and H.R. 8952, respectively.

3. ESTABLISHMENT OF A MINIMUM TAX

I was shocked to learn recently that 21 taxpayers in this country with incomes in excess of $1 million did not pay any income tax for the tax year 1967. There were an additional 134 taxpayers whose adjusted incomes exceeded $200,000 and who likewise paid no income tax. Any self-assessing tax system such as we use in the United States must remain reasonable and equitable or the taxpayers will lose faith in it, and it will fall of its own weight. When inequities such as the examples I have just cited can exist under our system, I would say that it is in danger of falling of its own weight. Even though closing of this particular loophole will not result in vastly increased revenues to the Treasury, enactment of a minimum tax is vital to preservation of our system of taxation. The psychological impact of this legislation is probably far more important than the estimated $420 million in revenue which would be generated by it. My legislation adopts the proposals advanced by the Treasury Department. The bill would place a ceiling of 50 percent on income which could be excluded from taxation. At the present time, through various manipulations, some individuals are able to exclude nearly all of their income.

4. QUALIFYING SINGLE PERSONS AS HEAD OF HOUSEHOLD

For a number of years, our tax laws have contained a very basic inequity with respect to persons who qualify as head of household, and thus a lower tax bracket. In most cases, single people living away from their parents home are required to equip and maintain a household in nearly as extensive a manner as would a married person. It seems to me to be grossly unfair to continue to discriminate against single people in this respect. If they are forced to maintain a household, they should be given the corresponding tax break enjoyed by married persons. The effects of my bill in this respect are difficult to estimate. Presumably there will be some loss of income but I have been unable to obtain any reliable estimates.

5. TAX APPRECIATION AT DEATH

Another area which has too long enjoyed the luxury of the absence of close scrutiny is that of estate and gift tax. Once again, we have the situation where loopholes have developed over the years. And, again, the principal beneficiaries of these loopholes are the wealthy.

The general rule with respect to capital gains on stocks and other property results in a tax being imposed at the time property is sold and the increase in value is realized. If the owner retains his stock or property until his death he can pass it on to his heirs without the increase in value being taxed. The heirs pay a tax based only on any increase in value between the time they inherit the property and the time they sell it. By this device a good deal of tax can be avoided. Naturally, this loophole is most beneficial to those who are wealthy enough to retain the bulk of their estate until their death. My bill has the effect of taxing the increase in value at the death of the owner. It is estimated that this bill would have the effect of producing $2½ billion in additional revenue.

6. INCREASE GIFT TAX

Another loophole in this area has the opposite effect of the problem just discussed. I refer to the fact that gifts during a person's lifetime are taxed at a rate equal to three-fourths of the rate for property transferred at death. In addition, it is possible to give away up to $3,000 per year per person—donee—without paying any gift tax. The effect of this loophole is to encourage gifts during the lifetime of the owner. Again, the only people who can take full advantage of this loophole are the wealthy.

I would propose to close this loophole by raising the gift tax by 25 percent so that it will be the same as the estate tax. My bill would produce an estimated $150 million in revenue.

The effect of my bill is basically the same effect as the Uniform Transfer Act proposed by the Treasury Department. There are some advantages to the Treasury proposal and I may at a later date, substitute the Uniform Transfer Act for this bill.

7. LIBERALIZE PAYMENT RULES TO PREVENT FORCED SALES

The Treasury Department has proposed a liberalization of the rules relative to payment of the estate tax, particularly with respect to cosely held corporations and family farms. The purpose of the legislation which they recommend is to prevent the forced sale of a closely held corporation or a family farm to pay the estate tax. This is an improvement to ease the problem of the average man. The proposal would allow the tax to be paid off over a longer period of time and thus allow the corporation or the farm to continue to produce profits with which to pay the taxes. In the past, many small closely held corporations and family farms had to be sold in order to pay the tax. My legislation puts this proposal into effect.

8. ELIMINATE PAYMENT OF ESTATE AND GIFT TAX WITH BONDS AT PAR VALUE

The sale of Government bonds would seem to be a worthy goal. However, by use of a special provision in the estate tax law, the purchase of Government bonds turns out to be another tax loophole. The provision to which I refer allows an estate to pay the estate tax due the Federal Government with Government bonds, at par value, even though they have not matured. Thus, if a person is fairly certain that he will have a high estate tax bill to pay he can purchase $50,000 worth of Government bonds with a face value of $60,000 at maturity. At the time of his death, the bonds can be offset against the tax which is due, at the face value, that is to say, $60,000, even though the market value would be closer to the original purchase price of $50,000. My bill closes this loophole.

CORPORATIONS

9. ELIMINATE MULTIPLE SURTAX EXEMPTION FOR CORPORATIONS

A problem area with respect to corporate taxes is that of the corporate surtax. I refer here not to the income tax surtax of 10 percent which was recently enacted, but rather the provision which allows corporations to pay a tax of 22 percent on the first $25,000 of income and 48 percent on any income over $25,000. The existence of this provision has enticed a number of corporations to split their operations into multiple small corporations so that they will be able to take advantage of this provision many times over. If all their operations were carried on in the name of one corporation, they would be entitled to one corporate surtax exemption, whereas if they split up into a series of multiple corporations all controlled by the parent corporation they will be able to take advantage of the corporate surtax exemption with respect to each of those subsidiary corporations. The intent of this legislation was to assist the small corporation, but by virtue of the abuse of this provision the opposite effect has resulted. The legislation which I have proposed will tighten up the requirements for the use of this provision, and will result in additional income of $200 million to the Treasury each year.

10. ELIMINATE $100 DIVIDEND EXCLUSION

In 1954, a section was added to the Internal Revenue Code which excluded the first $100 of dividend income received by the taxpayer. The theory behind this provision was that corporate stockholders would otherwise be taxed twice on the same income. It can be argued that elimination of the $100 exclusion would result in double taxation. However, the corporation and the shareholder are two separate entities and it certainly would not seem terribly inequitable to tax each of them independently. There are numerous situations in our tax laws where a person ends up paying a tax on a tax. My bill to eliminate this loophole would bring additional revenues of $225 million per year into our Treasury.

11. ELIMINATE ACCELERATED DEPRECIATION ALLOWANCE ON SPECULATIVE REAL ESTATE

Eliminate the accelerated depreciation allowance on speculative real estate. Real estate speculators have been able to utilize the provisions of section 1250 of the Internal Revenue Code to realize vast profits. They work their operation like this: First, they buy property and utilizing the accelerated depreciation provision, charge off—or recover—a large portion of their investment in the first few years, then they sell the property and avoid the lower depreciation rates for subsequent years.

By repeating this process often, he can generate a nice profit. And, of course, any gain realized is taxed at the preferential capital gains rates. In the meantime he offsets the large amounts of depreciation against ordinary income.

12. TAX ALL STOCK OPTIONS

For some time now, the device of the stock option has been used to reward corporate executives. Under this plan, the corporate executive is given the option of buying stock at the price set at the time the option is given to him. He may have a lengthy period in which to exercise this option and normally the price of the stock will increase during the period in which he is holding the option. At such time as he does exercise the option, he will pay a tax on the increase in value, but at the preferential capital gains tax rates. An example of this would be the case of an option given to an executive for the purchase of stock in the corporation at $5 per share, where he held the option until the stock had risen in value to $10 per share, and then upon exercise of the option, he would pay tax on the $5 increase in value at capital gains rates. The net effect of this provision is to allow the executive to pay roughly half as much tax as he would have paid if the equivalent of the option had been given to him in cash or in salary.

13. REDUCTION OF MINERAL DEPLETION ALLOWANCE

The concept of allowing a businessman to charge off depreciation on his plant and equipment is fair and is readily accepted. Many years ago, a provision was written into the law to give as nearly as possible, this same treatment to the producers of various minerals. The difference, however, is the fact that there are some fairly restrictive limitations on the period for which a businessman may take depreciation on various items of equipment and machinery, whereas the mineral producer is allowed to continue his depreciation on the oil well indefinitely. Specifically, it provides that the producer can exclude 27½ percent of his gross income so long as it does not exceed a maximum of 50 percent of net income.

This gimmick allows the mineral producers, in particular, the oil producers, to recover the average cost of their oil well 19 times, according to a Treasury estimate. The result of this provision has been to force the country as a whole to subsidize the users of petroleum products. It may be that elimination or reduction of this allowance will force an increase in the price of petroleum products. I strongly feel, however, that the consumers who are using the petroleum products should be paying the full cost, and that they should not be subsidized by the taxpayers as a whole. And, of course, any increase in petroleum prices would have to be justified on its own merits, and not just on the basis of a reduction in the depletion allowance. I am proposing that the allowance be reduced from 27½ percent to 10 percent. My bill to achieve this would produce an estimated $2½ billion in additional revenue for the Treasury.

14. ELIMINATE FOREIGN DEPLETION ALLOWANCE

I feel even more strongly about the use of the depletion allowance for foreign oil investments. With respect to foreign investments, I feel that the oil depletion should be completely eliminated. My legislation in this respect would generate an additional $2 billion in revenue.

15. TAX THE INTEREST ON STATE AND LOCAL BONDS

The problems presented by taxation of State and local bonds is very great. For many years we have subsidized these bonds by exempting the interest paid on them from Federal income taxation. This subsidy was granted because it was very difficult for the local governments to compete in the money market with other bonds. Recent studies indicate that the Federal Government could in effect, save a vast amount of money by taxing the interest on those bonds, and providing direct interest subsidies to the States and municipalities. Once again, the prime beneficiary of this provision in the tax law has been the wealthy. The average tax bracket of people purchasing tax-exempt bonds are those taxpayers in the 48-percent tax bracket. My proposal therefore, would be to make interest on all State and local bonds taxable, and to establish a corporation to handle the subsidization of State and local bond issues. I would estimate that the increase in revenue to be realized by taxation of these bonds would be approximately $1 billion.

16. INCREASE AMOUNT OF CAPITAL GAINS SUBJECT TO TAXATION

The provisions of the Internal Revenue Code of 1954 and subsequent amendments to it, provide for special treatment for capital gains realized on investments held for a period in excess of 6 months. Only 50 percent of the gain for qualified property is taxed, subject to a maximum tax percentage of 25 percent. It is difficult for me to justify this preferential treatment, and particularly the short 6-month period required to qualify for this preferential treatment. It is my present plan to introduce legislation which would reduce the amount of income which would be subject to capital gains. At the present time, only 50 percent of the capital gains are taxed subject to the maximum of 25-percent tax rate. The legislation which I propose would subject 75 percent of the gain to taxation at regular rates. This legislation should produce an additional $2 billion in revenue for the Treasury.

As I indicated initially, my program for tax reform is not perfect, and I would certainly welcome any comments or criticisms of any phase of the program. The items contained in the program appear to me to be the ones most in need of immediate attention, and the solutions I have offered appear to be the best available at this time.

PARIS NEGOTIATION ON VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. RIEGLE) is recognized for 15 minutes.

Mr. RIEGLE. Mr. Speaker, certainly all Americans are hopeful that the Paris negotiations will yield an acceptable settlement. I applaud the new administration for intensifying the search for a negotiated settlement.

However, we must note that negotiations began on May 13, 1968. In the last 11 months, while negotiations have been underway, some 11,500 American troops have been killed in action. Thus, while we properly continue to seek a negotiated settlement, it is clear that we must develop and implement an alternative and parallel approach for scaling down the U.S. commitment—should these negotiations either fail or take longer than it is wise to wait.

After 2½ years of intensive analysis of the Vietnam war—and after visiting Vietnam in February—I am convinced the United States is overcommitted in Vietnam. There is insufficient strategic justification to warrant the continued expenditure of $30 billion a year and some 200 to 300 American lives each week. We are spending too much American blood and money in Vietnam. It is time to begin to carefully scale down our commitment—with or without a negotiated agreement. It is time to de-Americanize the war by shifting the combat responsibility back to the South Vietnamese—slowly but steadily.

From my recent conversations with President Thieu and others, I am convinced that we are at the point where we should begin a staged withdrawal of American troops. I believe it is practical to talk in terms of withdrawing some 50,000 troops at this time—as the initial step of a plan to withdraw all American combat forces—on a carefully staged basis, over approximately the next 2 years. Such a plan would guarantee only that the South Vietnamese have a fair, fighting chance to make it on their own.

It is important to note that this would be a unilateral allied plan which would not require enemy concurrence. This approach should be thought of as a fail-safe parallel plan to be coupled with intensive negotiations—which would provide a certain scaling down of the U.S. commitment should negotiations either fail or take longer than it is prudent to wait.

It is essential that such a plan be carried out in a manner specifically designed to minimize the chance for miscalculation by our allies or adversaries with respect to American will, our strategic international commitments, or our probable future actions.

I believe such a policy is in the best interests of the United States and the South Vietnamese.

Careful analysis of recent observable actions with respect to U.S. involvement in Vietnam leads me to conclude that a significant new program of "de-Americanization" is being developed and implemented by the Nixon administration. I am encouraged by these developments.

While feeling an urgent need to scale down the U.S. commitment, I have concluded, on the basis of this emerging administration emphasis on de-Americanization, that it would serve the interests of the country to give the President another 40 to 60 days to complete his reformulation and redirection of American policy in Vietnam.

I therefore urge my colleagues and our citizens to bear with the President in the weeks immediately ahead—and support his initiatives with respect to Vietnam.

AMERICANS OF ITALIAN ORIGIN SHOULD NOT BE STIGMATIZED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York (Mr. BIAGGI) is recognized for 15 minutes.

Mr. BIAGGI. Mr. Speaker, I had hoped that the new administration's fight against organized crime would not be steeped in the disgraceful tradition of the past. But now I know better. I know that the era of untruths, distortion, and fantasy for the benefit of the public image is still with us.

Once again, it has been clearly implied that organized crime is the exclusive preserve of Americans of Italian origin. In that context, President Nixon's crime message last week was disappointing, sad, misleading, unfair—and I regret to say—insulting to our Nation's 22 million law-abiding Americans of Italian ancestry.

One has only to read the text of the President's message to get his clear but absurd signal equating organized crime with Italian-Americans. Passage after passage is replete with such implications.

As an illustration, I quote this passage:

> The arrest, conviction and imprisonment of a Mafia lieutenant can curtail operations, but does not put the syndicate out of business.

Here is another illustration:

> Not a single one of the 24 Cosa Nostra families has been destroyed.

The President also said:

> They are more firmly entrenched and more secure than ever before. It is vitally important that Americans see this alien organization for what it really is . . .

Regrettably but understandably, much of the Nation's news media followed the President's lead and reported accordingly and extensively about the "alien organization" described in his message. The President's very words virtually dictated that "this alien organization" be characterized as the Mafia or the Cosa Nostra—and in either case, the reputations of so many respectable Italian-Americans were again impugned.

The President asked for $61 million to fight what he called "La Cosa Nostra" whose membership, he claimed, totals 5,000. Simply translated, the President asked Congress to spend more than $12,000 for each one of the 5,000 in a single year. It is astounding when you consider that our boys are fighting for their lives in the jungles of Vietnam with $75 rifles.

Nonetheless, if I thought the administration had the problem in focus—and that is essential if we are to get meaningful results—I would have no hesitancy whatsoever about spending $61 million to get the job done.

But there are obviously top Government officials charged with the responsibility of law enforcement who do not even know the makeup of the crime syndicate. So they choose to deal in the fantasy that has become organized crime's best ally because you cannot apprehend a suspect when you do not know who he is. If we are to make any progress, we must shake loose from that trap. If we are to be effective we must be thoroughly realistic. That is the only way the job can be done right.

As a police officer on the streets of New York City for 23 years, I came up against every kind of criminal and spilled my share of blood in the performance of my duty. If I have learned anything from it all, it is that organized crime—or any kind of criminal activity—is not now and never was a matter of nationality.

I commend to the President's attention the tens of thousands of Italian-Americans in the field of law enforcement who are risking life and limb daily to carry out increasingly difficult and dangerous duties for the preservation of law and order.

Yes, there are Italian-Americans who are immersed in organized crime. But there are others, too; many others of varied nationalities and backgrounds who are engaged in every facet and at every level of organized crime.

In the past, I have spoken out about this subject as President of the Grand Council of Columbia Associations in Civil Service Inc., an organization of 80,000 Americans of Italian origin. I have carried this crusade to the newspapers and to the television networks and, frankly, not without a measure of intimidation from certain quarters.

Now, for the first time, I speak about this subject as a Member of Congress. Some well-meaning associates have cautioned me about the sensitivity of my present position. They have said that my words could be readily twisted so that they would be misunderstood.

The alternative would be to remain silent. I cannot do that—I will not do that while millions of Italian-Americans continue to be stigmatized. Their children are scarred psychologically; they are subordinated to the role of second-class citizens. During this period of concentration on civil rights, let us have civil rights for all.

I hope, therefore, that my words will be heard more clearly simply because I am a Member of this 91st Congress. I hope that the meaning and purpose of my words will help impart the sense of direction we need so badly if we are ever going to stamp out organized crime.

"La Cosa Nostra," as the President called it, became part of the American vocabulary when discredited Government witness Joseph Valachi starred in the useless, televised Senate hearings of 1963.

At the time, FBI Director J. Edgar Hoover made it plain that he was not impressed by the hearings and Valachi's allegations. Mr. Hoover obviously had good reason to feel that way because not a single conviction was obtained nor a single law enacted as a result of those hearings that proved to be nothing more than a grim circus. If anything was accomplished, it was the perpetration of a fraud on the American public and the temporary enhancement of the public image of certain officials at the expense of Americans of Italian origin.

To continue to relate organized crime to any one particular group is a disservice to all of the people of our Nation because we will not cure the ailment until we diagnose it correctly. I am convinced that this is largely the reason why organized crime becomes a greater threat each year to the welfare of our Nation.

There are many among us who have not taken the time to look at the facts. Or, if they have looked at the facts, they have been blinded by them. They have been engaged in a form of self-deception that is tearing at the fabric of our Nation and giving the crime syndicate unprecedented power and strength.

We have been embarked on an aimless course navigated by pilots who have been telling us in one way or another that there would be no organized crime if there were no Italian-Americans living in our Nation. In spite of the fact that FBI statistics prove otherwise, we have not moved off that course.

If we are ever going to combat organized crime, we must see it for what it really is. It is least of all an "alien organization" whose franchise belongs solely to Americans of Italian, Irish, German, Polish, or any other ancestry.

It is purely and simply a conglomeration of diverse nationalities united by the common bond of crime for profit. Ethnic background does not in any way govern the rise or fall of its membership and hierarchy. They live by and respect but one law—the law of the jungle. In their arena, the weak perish and the strong survive.

If responsible officials do not begin examining the facts, we will never overcome the forces who are corrupting government and deriving billions from gambling, narcotics, labor shakedowns, and other criminal pursuits.

Surely I do not quarrel with any decision to step up the fight against organized crime. I support it wholeheartedly. But I say if we are going to win the fight, we must first turn the page so we can see the enemy we are fighting.

It troubles me that the President of our Nation should seek out Italian Americans for undeserved notoriety while there are organizations in existence who openly exhort violence and whose acts border on treason.

I have not heard the President, for example, lift his voice and ask for millions to check the lawlessness of the Black Panthers, or the Revolutionary Action Movement or the Students for a Democratic Society. Yet, there is overwhelming evidence showing that those organizations have been largely responsible for provoking violent upheavals on high school and college campuses and in city after city.

Crime on the streets is rampant. There are Americans who will not go for a walk after dark because they are afraid of what they will encounter. There are Americans, who thought not too long ago that they would never touch a gun, and now keep weapons in their homes for self-protection. There are Americans—very worried Americans—who ask: "What is happening to our Nation?"

When the President was a candidate for his office, I remember hearing him promise that he would deal with the critical problem of crime on the streets. Let us hope he has not forgotten. Let us hope his promise has not been lost in the maze of absurdity that has once again stigmatized Americans of Italian origin.

In this era of strife, turmoil, and lawlessness, fine and decent Americans are entitled to better treatment. No matter what their heritage, there are too few of them left.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. BIAGGI. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, few Members of this House have as thorough a knowledge, from a personal basis, of crime, as has the gentleman now in the well. Prior to coming to this House he established a unique record in this Nation as the most decorated police officer in the United States. He showed personal bravery and was wounded in line of duty 11 times while a member of the New York City Police Department from 1942 to 1965. He has established a record which deserves support for anything he has to say on the subject which he is discussing. He retired as a detective lieutenant and holds the New York City Police Department's Medal of Honor along with 27 other decorations. He is also an attorney, earning his law degree at the New York Law School at the age of 46.

I should like to commend the gentleman from New York for the statement which he has just made and to say that it deserves the attention of all thoughtful Americans.

Mr. BIAGGI. I thank the gentleman very much.

POLISH CONSTITUTION DAY

The SPEAKER pro tempore (Mr. Podell). Under a previous order of the House, the gentleman from Illinois (Mr. Pucinski) is recognized for 60 minutes.

Mr. PUCINSKI. Mr. Speaker, we in this Congress, free men operating under a timeless Constitution which guarantees our freedom, pause in our deliberations each year to pay our respects to another constitution, the great Constitution of the Polish Nation that was signed on May 3, 1791.

This Saturday marks the 168th anniversary of the adoption of that Polish Constitution.

Like our own American document, the Polish Constitution pledged liberty and representation and a greater share in the Nation's destiny to the people of beleaguered Poland. It was a benchmark in the struggle of men to provide government by the consent of the governed. Hereafter the law was to serve the people and not to oppress them. With this farsighted decision Poland threw off the background of medievalism and stepped into the present with a respect for human dignity. Poland helped to shape the ultimate quest of other nations for greater individual freedoms, for elimination of the paralyzing class distinctions, for a removal of the economic barriers, and for liberty to worship God as individual wishes dictated.

The American Congress, so representative of a free system of government, annually salutes the fine and strong constitution of Poland out of our mutual respect for dignity and liberty for all men. As any student of history knows, shortly after the enactment of its Constitution, Poland was crushed in a ruthless invasion. Somehow, through all of the decades that intervened and the wars and the misery that followed, the flame of hope kindled by that Constitution flickered as brightly as on that day in 1791. For 168 years the memory of this Constitution has withstood the test of generations. Each year the flame of hope burns higher and more fiercely in the hearts of those who must endure the tyrannical rule of dictatorship.

Poland today is ruled by Communists but the people of Poland will never accept totalitarian Communists. The people of Poland have proclaimed clearly in their eloquent Constitution the spirit which prevails in that country. Their memories are long and they are capable of enduring much.

It is ironic that this sad day also marks the 30th anniversary of the Nazi-Soviet invasion that shattered Poland even further and which plunged her into the orbit of the Communist world.

Poland one day will stand again with the free nations of the world. In a fervent belief in that goal, we free men in the Congress of the United States—men of all races, creeds, and backgrounds—commemorate the anniversary of the signing of the Polish Constitution on May 3, 1791. This Constitution symbolizes the unending drive of the Polish people toward freedom. Our commemoration of the Polish Constitution today reinvigorates our own belief and our dedication to the institutions of freedom as Americans, for the Polish people are themselves an inspiring symbol of man's struggle for human dignity under the rule of law and justice.

From their very beginnings the Polish people have been dedicated to the principles of human dignity and righteousness.

Poland's charter of 1374, which established on the European Continent the writ of habeas corpus—the first such action taken on the European continent—provided for the people of Poland, a concept of freedom for the individual and protection under the law. The right of a writ of habeas corpus is one of the great hallmarks of man's struggle for human dignity.

Poland was one of the first countries to experiment with religious freedom. Her great belief in religious freedom and practice dates back to the 14th century, thus making Poland a haven for minority groups oppressed throughout Europe for their religious beliefs. Poland became the sanctuary for the oppressed; the hope for Europe's Jewish people.

By 1940, Warsaw had 450,000 Jewish citizens. It demonstrated that the Jews could find in Poland a sanctuary which they could not find in other parts of Europe.

I listen with a heavy heart when I hear some of my colleagues in Congress who are unable to draw a distinction between Nazi and Communist persecution of the Jews, and the attitude of the Polish people themselves toward the Jewish people. History is replete with examples of friendship between the people of Poland and their Jewish compatriots.

We cannot blame the brave and gallant freedom-loving people of Poland for the actions of the present administration in Poland, the Communist regime, which is ruthless in trying to destroy the Jewish population in Poland just as the Nazis tried to destroy it during World War II.

It should not be forgotten, Mr. Speaker, that the heroic uprising of the Jews in the Warsaw ghetto could not have been started if it were not for the bravery of the Polish people themselves, who at great personal danger, supplied guns, ammunition, and food to the beleaguered Jews of Warsaw.

Mr. Speaker, the Polish people have too much respect for human dignity and human freedom to tolerate the indignities that are being practiced today, not only against the Jews, but against all the people of Poland.

Mr. Speaker, if we look at the great past of this country we will find that in 1610, Capt. John Smith brought to America the first group of Polish immigrants. They were called Polonians in those days. He brought them here to Jamestown to work in the first factory in this country, the glassworks factory in the Jamestown Colony. These Polish workers worked for 9 years, from 1610 to 1619. Although they were permitted to work, they were granted no rights to citizenship, no rights to own land, no rights for the individual.

And so, Mr. Speaker, it is to the everlasting credit of America that this brave group of Polish immigrants, brought here to this country in 1610, staged the first sitdown strike in this country. These brave Polish immigrants did not strike for any monetary remuneration as we know sitdown strikes today. It was a sitdown strike for human dignity and human freedom. As a result of this action they were given full rights of citizenship, full rights to own land, and full rights to participate in the elections.

Capt. John Smith, worried about the possible collapse of this first industry, hurriedly summoned the House of Burgesses which as the legislature of those days and urge the legislature to bestow upon these gallant Polish people their full rights. And, today in the Library of Congress reposes that great document, a constant reminder that this Nation, the great United States of America, might very well have gone the route of a class system, recognizing people by classes, religions, and ethnic backgrounds, except for these brave Polish people who said that they would not tolerate this type of treatment; rose and took brave action in 1619, and set the pattern for human dignity and human rights on these shores.

Mr. Speaker, the Constitution which we honor here today was a revolutionary document and contained therein a concept of freedom which was foreign to the oppressors of Europe at that time. It was inconceivable to the despots of that continent that there could be a Constitution which bestowed upon the people of that country religious freedom, the right of habeus corpus, the right of petition, and the right to participate in elections.

Mr. Speaker, that kind of freedom is infectious. Just as the Soviet Union last week crushed further vestiges of freedom in Czechoslovakia and drove Dubcek from power, so it was in 1791. No country could be permitted to survive that would bring upon the European Continent a concept of human dignity and human values as was contained in the Polish Constitution of 1791. And, even more fierce were the despots, because the Polish Constitution was adopted just 5 years after the American Constitution and it brought to the European Continent a concept of human dignity that was adopted by the Americans in this country, 5 years earlier.

So, Mr. Speaker, I say the Constitution that we honor today is but another indication of the unending struggle on the part of the Polish people for freedom and human dignity.

Mr. Speaker, we well remember the heroic contributions of General Kosciusko and General Pulaski, two great heroic Poles who came to this country to help our own forefathers carve out an island of freedom in the American Revolution. And to those who today would suggest that somehow or other the Poles do not understand the plight of minority groups, let me remind my colleagues that it was General Kosciusko who asked Thomas Jefferson to take the money that was due Kosciusko for his services in the Revolutionary War—money that was paid out by the Congress to all generals of that day—to take that money and use it for the establishment or the first institution of higher learning for the American Negroes.

Gen. Thaddeus Kosciusko was so moved and so depressed with the oppression of the American Negro that he was among the first to suggest that the American Negro ought to be given full equality in this country.

It is folly to suggest that the Poles do not understand the plight of minority groups. They have been a minority group themselves for over 1,000 years, and they well know and understand the great pains of persecution and bigotry.

Further, Mr. Speaker, we need only remember the heroic resistance of the Poles during the Nazi invasion. For 3 weeks the Polish people withstood the Nazi Wehrmacht which destroyed all of Europe.

And then perhaps the most inspiring chapter in the history of the Polish people is their heroic resistance this very day against Communist oppression in their country.

Mr. Speaker, it would be my great and profound hope that at this late date, 30 years after the invasion of Poland, our good friends, the illuminati of the press and TV, would finally start distinguishing the difference between a Poland dominated by an illegal, brutal, barbaric, Communist regime, and the Polish people themselves.

Nothing lends a heavier heart among Americans of Polish descent than to hear Poland referred to as Communist Poland. Poland never was and never will be Communist. Poland today is dominated by an illegal regime, but the great day will come when that country will join the family of free nations throughout the world.

So today, Mr. Speaker, as we pay tribute to this constitution I suggest that we rededicate our own belief in the great institutions of freedom. Polish Constitution Day will be observed all over America this weekend. In Chicago the Polish National Alliance will stage a huge parade, and more than 100,000 people will assemble Sunday afternoon in Humboldt Park to hear Secretary of Transportation Volpe participate in a rededication of faith in the principles of freedom and human dignity. And all over this great country of ours there will be similar celebrations and observances of Polish Constitution Day.

So, Mr. Speaker, I consider it a privilege to join my colleagues today in paying tribute to this great document, and to the brave and glorious Polish people who made it possible.

Mr. FARBSTEIN. Mr. Speaker, 178 years ago, the people of Poland adopted a constitution which was one of the most liberal and progressive documents to come out of 18th century Europe. The tone of this document was, however, no more than a reflection of the creative spirit of the Polish people.

On the observance of Polish Constitution Day, I am happy to be able to add my voice to the salute to the Americans of Polish ancestry, who annually celebrate the anniversary of this constitution which transformed Poland into a modern state.

The absolute rulers of Russia, Prussia, and Austria had taken away large sections of Polish territory. Facing possible annihilation, all forces in Poland united behind the new Constitution, which was greatly influenced by the liberal movements in America, England, and France.

The Constitution of 1791 gave Poland a government of limited monarchy, with a responsible Cabinet-type of Ministry. Many old features of the governmental machinery were discarded, and nearly all class distinctions were abolished. Personal privileges formerly enjoyed by the few were made available to all townsmen, and the peasantry were placed under the protection of the law.

This enlightened document came to Poland without a bloody revolution or even a single disorder and succeeded in reforming her public life and in eradicating her internal decline. But this great rebirth and assertion of democracy unfortunately came to the Poles too late to forestall the third partition of Poland in 1795.

Nonetheless, the Constitution adopted by the Polish people in 1791 will stand for centuries to come as a monument to the progressive character of the Polish people.

Mr. ANNUNZIO. Mr. Speaker, Saturday, May 3, marks the 178th anniversary of Polish Constitution Day.

Americans of Polish descent all over the United States, thousands of whom live in my own Seventh Congressional District of Illinois, will pause to observe this significant anniversary.

It gives me great pleasure to join them, and my distinguished colleagues of Polish extraction in the Congress, Hon. Edward J. Derwinski, of Illinois; Hon. John D. Dingell, of Michigan; Hon. Thaddeus J. Dulski, of New York; Hon. Henry Helstoski, of New Jersey; Hon. John C. Kluczynski, of Illinois; Hon. Lucien N. Nedzi, of Michigan; Hon. Alvin E. O'Konski, of Wisconsin; Hon. Roman C. Pucinski, of Illinois; Hon. Dan Rostenkowski, of Illinois; Hon. Clement J. Zablocki, of Wisconsin; and Hon. Charles A. Vanik, of Ohio, in celebrating Polish Constitution Day.

My colleagues have afforded able and patriotic leadership, not only to Polish Americans, but to all the American people. I commend them for their dedicated public service and for their continuing efforts to sustain the hope for a Poland free from Communist bondage.

The Polish Constitution is a vital symbol of assurance that one day Poland will again achieve complete freedom and independence. Its adoption in 1791 was a milestone in the struggle of mankind to establish representative and democratic governments with full protection of the law and equal justice extended to all the people.

The Polish Constitution still stands today as one of the guiding lights of European democracy, and many of the principles of a free society that we in the West still hold true can be found embodied in this great proclamation.

Mr. Speaker, this year the May 3 observance of Constitution Day coincides with the following important dates in Polish history: 30th anniversary of the German-Soviet invasion of Poland; 25th anniversary of the battle of Monte-Cassino; 25th anniversary of the Warsaw uprising; and 25th anniversary of the founding of the Polish American Congress.

The Polish American Congress is an outstanding civic organization which is being guided this year under the able and inspired leadership of Aloysius A. Mazewski, who is serving as president. I want to take this opportunity to commend him, and also the members of the executive committee, Valentine Janicki, secretary; Joseph T. Pranica, treasurer; Adele Lagodzinski, vice president; Kazimierz Lukomski, vice president; all of whom are from Chicago, Ill.; and Stanley Maziarz, Trenton, N.J., vice president; Thaddeus Maliszewski, Windsor, Conn., vice president; Richard Jablonski, Cleveland, Ohio, vice president; and M. Wasilewski, Pittsburgh, Pa., vice president.

Another outstanding Polish American to whom I want to pay tribute on this special occasion is Mr. Sig Sakowicz, 159 North Dearborn Street, Chicago, Ill., which is within my congressional district. Sig Sakowicz is an outstanding radio personality, associated with radio station WGN and radio station WTAQ in Chicago, and has contributed a great deal to the Polish American community in the Chicago metropolitan area. In fact, Sig has become well known throughout our Nation, because the Italo-American comedian, Jackie Vernon, never fails to mention Sig Sakowicz whenever he does a show of his own on television, radio, or the night club circuit.

Mr. Speaker, the Polish American Congress has issued statements about Polish Constitution Day, the Battle of Monte-Cassino, the Warsaw uprising, and the founding of the Polish American Congress. It gives me great pleasure, under leave to extend my remarks, to place into the Record these statements, as follows:

May 3d: The Polish National Holiday

On May 3rd Poles everywhere and citizens of Polish origin in many countries celebrate a Polish national holiday—the Polish Third of May Constitution Day.

In the United States, wherever Americans of Polish descent live, in cities and towns from coast to coast, this holiday is observed with appropriate exercises throughout the month of May to pay tribute to the Polish nation and to remind fellow Americans that Poland was one of the first pioneers of liberalism in Europe.

It was on May 3rd in 1791, barely two years after the adoption of its Constitution by the United States in 1789, that Poland without a bloody revolution or even without a disorder succeeded in reforming her public life and in eradicating her internal decline. But this great rebirth and assertion of democracy came to the Poles too late and did not forestall the third partition of Poland in 1795 by Russia, Prussia and Austria.

POLAND PIONEERED LIBERALISM IN EUROPE

The greatness of the May Third Polish Constitution consisted in the fact that it eliminated with one stroke the most fundamental weaknesses of the Polish parliamentary and social system. The Poles raised this great moment in their history to the forefront of their tradition rather than any one of their anniversaries of glorious victories or heroic revolutions.

We Americans who have been reared in the principle given us as a birthright by the founders of our great Republic, the principle of the sovereignty of the people in the state, which is the primary postulate in the 1791 Polish Constitution, can see how this truism cut off the Poles and the Polish political tradition completely from both the Germans and the Russians, who have been reared in the principle of state, and not national, sovereignty.

The light of liberalism coming from Poland was then, as it has been throughout the years that followed and even unto today, a threat to tyranny and absolutism in Russia and Germany. In 1795 Russian and Prussian soldiers were sent to Poland to partition and rape her. In 1939 Russian and Prussian soldiers met again on Polish soil, as the absolute totalitarianism systems of naziism and communism again felt the danger of true liberalism coming from Poland just as in 1791.

In the Polish Third of May Constitution this liberalism was formulated in these words:

"All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation."

AMERICAN AND POLISH CONSTITUTIONS SIMILARLY INSPIRED

The philosophy of government discernable throughout the Third of May Polish constitution leads one to believe that the American people and the Polish people had each drawn inspiration for their respective constitutions from the same source.

Meditation on the anniversary of May the Third deepens the faith and heightens the courage of every Pole and of every American of Polish origin. It reminds all Americans of Poland's destiny in the history of mankind, and prophesies the ultimate triumph of justice, even though Poland once more has been deprived of her independence, sovereignty and her territory by one of our former allies, Soviet Russia, with the consent of other United Nations.

The Warsaw Uprising

The story of heroic Warsaw Uprising and inhuman Soviet treachery goes back to July, 1944.

The invasion of the European continent by the Western powers was progressing rapidly. In the East, Soviet army already occupied large Polish territories won from retreating Germans.

Moscow radio, through its "Kosciuszko" station began to broadcast appeals to the Poles:

"Warsaw . . . the hour of action has struck. Your houses, parks, bridges, railroad stations, factories, buildings, stores, have to be transformed into centers of resistance. The Germans will attempt to make a stand in Warsaw—to destroy whole city. In Bialystok they were busy for six weeks destroying everything and murdering thousands of people. . . . Let us do everything in our power to prevent them from committing same crimes in your city. People of Warsaw, to arms". . .

These calls were repeated day in and day out, and finally, on July 29th, when the Russian offensive ground to a halt on the right bank of the Vistula, in the Warsaw's suburb of Praga, Moscow radio sent out a more "urgent appeal to Warsaw", urging the Poles to "fight against the Germans", for "the hour of action has arrived." Warsaw never surrendered, never ceased to struggle. And now everything will be lost in Hitlerite deluge unless you save it through action . . . Poles, the time for freedom approaches. Poles, take to arms . . . There is no second to be lost . . .

The Polish underground authorities adhered to the instructions given by Polish Government in London, where the Western Powers insisted that the Poles must actively co-operate with Russia. Accordingly, the Polish Government in Exile issued such orders.

Then, on July 31, 1944, Delegate of the Polish Government in London, and Vice-Premier of the Polish underground branch of this government, Jankowski, after having heard opinions of the Commander-in-Chief of the Home Army, General Bor-Komorowski and his Chief of Staff, General Monter, issued orders to the Home Army, to start revolt against the Germans the next day, August 1, 1944, at 5 P.M.

Three days later, on August 4th, all activities on German-Russian front ceased, although the Soviet forces already consolidated their positions in Praga. Even their heavy guns were silenced.

Instead of promised and anticipated roar of Soviet artillery, which would herald new phase of Russian offensive, all was quiet on the eastern front of Warsaw.

There was only one explanation: Warsaw had been betrayed by the Russians.

On August 17th, Premier Churchill and President Roosevelt appealed directly to Stalin to help Warsaw. Stalin did not reply.

Anglo-American Staff drew up a plan in London for bombing German positions in Warsaw by means of shuttle operations. British and American aircrafts were to bomb German strongholds in Warsaw, then fly for re-fueling to nearby Luck, already occupied and secured by the Soviet army.

Stalin not only rejected this plan, but at the same time accused the Poles, fighting and dying in Warsaw, of "betrayal" and "collaboration" with the Germans.

The Poles fought on against all oddds, against all hope.

They forced the Germans to send three armored divisions, badly needed on the Western front, to Warsaw. These, with incessant bombing by German planes, finally crushed the uprising.

After sixty-three days of fighting, Warsaw capitulated.

Over 250,000 Polish men, women and children died in this struggle, in which even juvenile Scout troops rose to the height of heroism and sacrifice.

The Germans, with a teutonic fury destroyed, burned, pillaged the remnants of the city.

Warsaw did not die, however.

The indomitable Polish spirit rebuilt the city from desolation and ruins.

Warsaw, rising like Phoenix from the ashes, remembers Nazi brutality and Soviet treachery.

And it longs for the day on which a truly free and independent Poland returns to the Western family of Nations.

VICTORY AT MONTE CASSINO

From the dawn of history, Cassino stood as the southern gateway to Rome. On the adjacent mountain known as Monte Cassino, many temples and altars were built to unknown deities by unknown worshipers in the dim past.

St. Benedict arrived there in the years of 525–529 and found a complete pagan Acropolis, which he rebuilt, in a Christian pattern, into the Abbey of Monte Cassino.

Here, the Poles have tried to grasp the always elusive to them freedom—when the Polish Legions under General Henryk Dabrowski was guarding this territory for the Armies of Napoleon; then again in 1918, when Polish Army of the West was being organized from Polish-Austrian prisoners of war; and in May, 1944, when the Second Corps of the Polish Army-in-Exile wrestled the mountain from the Germans.

There were four battles of Monte Cassino in 1944 and they belong to epic struggles of World War II. The chain of hills towering above the city of Cassino blocked the northward offensive of the Allied Armies, and was transformed by the Germans into a seemingly impregnable fortress.

In the three previous battles, soldiers from seven nations, including the United States Second Corps, tried unsuccessfully to blast the Germans from their mountain stronghold. These battles raged from January until the end of April, 1944.

Then, on May 11th, 1944 at 11 p.m., the Appenine peninsula began to tremble from a renewed violence; two thousand heavy artillery guns opened fire on Monte Cassino.

At 1 a.m., on May 12th, main elements of the Polish Second Army Corps—the Third and the Fifth Divisions under the command of Lt. Gen. Wladyslaw Anders, began to attack German positions, capturing under whithering enemy fire and in hand to hand combat Points 593 and 569, and finally—The Phantom Ridge.

The battle lasted whole week. The Poles advanced yard by yard, bled, died and fought, sustained by the indomitable will to win.

During the night of 17th an 18th of May, the Germans recoursed to flight. With the dawn of May 18th Polish white and red flag was unfurled above the smoke filled and blood stained battlefield.

Peace returned to ruins of Monte Cassino.

The Poles paid a heavy price for this victory; 860 officers and men killed in action, 2,822 wounded.

One year later, in March, 1945, a committee was formed for the purpose of rebuilding the Monte Cassino Abbey. It made very little progress, however.

Then on October 10, 1945, the Polish Embassy at the Vatican notified the Papal Secretary of State, that the soldiers of the Polish Second Corps are willing and ready to rebuild the Abbey. The Pope accepted this offer with deep gratitude. British Command assigned 200 German prisoners of war, who worked whole year on the project under Polish officers and men.

Thus the Poles not only conquered the enemy on Monte Cassino, but were the first to start working on the restoration of its former glory.

The gallantry and heroism of the Poles were beyond praise.

On the memorial of their war cemetery at the slopes of Point 593, these poignant words are written:

> "We Polish Soldiers,
> For your freedom and ours,
> Have given our souls to God,
> Our bodies to the soil of Italy,
> And our hearts to Poland."

As Fred Majdalany points out in his book, "The Battle of Cassino,—

"By their selfless immolation the Poles turned that grim mountainside into a memorial to soldiers everywhere."

TWENTY-FIFTH ANNIVERSARY OF THE POLISH AMERICAN CONGRESS

"We, the representatives of the united Americans of Polish descent, assembled in convention at Buffalo, New York, mindful of our civic duties, solemnly pledge our unqualified service, love and affection to our country, the United States, and our active participation in its life. Deserving to give true expression to our sentiments and aims, we call into existence the Polish American Congress . . ."

With this declaration a representative body of about ten million Americans of Polish origin had been founded at organizing convention, held on 28, 29 and 30 May, 1944, with the participation of over 2,000 delegates from Polish American church organizations, fraternal orders, professional, educational, civic and business groups.

Under wise and skillful leadership of its officers, the Polish American Congress was the first American organization to speak out against Russian aggrandizement and warn of the folly of any attempt to appease Russia on the grounds of wartime expediency. Since 1944, its leaders have carried this warning to the public, to this Country's leaders and to the governments represented at the United Nations. Events of history, which now reveal the true menace of Communism to civilization, have proved the validity of these warnings.

The Polish American Congress has made strong protests against the Yalta Agreement, which sacrificed Poland to Soviet domination, and against the rigged elections which were staged in Poland to form the present government. It has emphasized the importance of restoring a free, independent and integral Poland as the cornerstone of European stability and as the true foundation of world peace and American security.

Numerous and comprehensive memoranda, statements, resolutions, letters, wires and booklets have been directed to Presidents Roosevelt, Truman, Eisenhower, Kennedy, Johnson and Nixon; Secretaries of State Hull, Stettinius, Byrnes, Marshall, Acheson, Dulles, Herter and Rusk; members of the United States Congress; delegates to the United Nations; the press; the clergy, educators, and the public. In all, the Polish American Congress has called for adherence to the Atlantic Charter and respect for "the right of all peoples to choose the form of government under which they will live."

Delegations of the Polish American Congress have met Presidents Roosevelt, Truman, Eisenhower, Kennedy, Johnson and Nixon, to plead the case of a free and democratic Poland and oppose the terms of the Yalta Agreement; presented the cause for an independent and integral Poland to the United Nations Conference in San Francisco; attended the Paris Conference, and made a tour of Polish displaced persons camps in Western Europe.

A delegation of the Polish American Congress presented the viewpoint of Americans of Polish origin to numerous leaders and diplomats of democratic countries in personal conferences in Europe.

Officers of the Polish American Congress, have testified before Congressional committees considering legislation to admit displaced persons into this country. The Polish American Congress has established a committee on displaced persons.

It has established commissions of American affairs, culture and education, civic affairs, economics and management, and information and publications to improve the welfare of Americans of Polish descent through support of their schools, parishes, press and vocational activities.

The Congress has through several of its state districts offered scholarships to young Americans of Polish origin to encourage study in fields such as social work, arts and journalism.

It has supported the Polish Institute of Arts and Sciences in America; the Polish Immigration and Relief Committee in New York and The Polish American Historical Association.

It has published a Polish-English newspaper, the Delegates News-Letter, and a digest-size magazine—the Bulletin, containing informative articles on American foreign policy, the Polish situation and related subjects.

Cooperating with the national headquarters at 1520 West Division Street, Chicago, Illinois, are 33 state divisions in 26 states. Membership in the Congress includes more than 20 fraternal organizations and their local lodges, parishes, several Polish language newspapers, outstanding members of the arts, sciences and professions, and business, industrial and civic leaders—also thousands of local church, civic, charitable, cultural, business, ideological, political, professional and other associations, clubs and societies, in cities and towns from coast to coast.

Mr. Speaker, Poland has made great contributions to the cultural development of both Europe and America. I join my colleagues in saluting these contributions and in looking forward to the day when the Polish people can once again live under the principles of freedom and democracy embodied in the original Polish Constitution.

On this occasion, I am pleased to send my sincere greetings to the people of Poland, to Polish Americans all over the United States, and especially to those residing within the Seventh Illinois Congressional District, as they join together to celebrate this important anniversary in the history of Poland.

Mr. FLOOD. Mr. Speaker, the Polish Constitution of May 3, 1791, is a very important document. Its adoption and promulgation marked a turning point in Poland's Central Government, and the date has become a Polish holiday.

The Polish people had the misfortune of losing a good part of their country late in the 1770's to their greedy neighbors. Certain Polish leaders felt that if they had a strong central government, capable of uniting all elements in the country and strengthening its fighting capacity, future calamities could be avoided. They were thoroughly dissatisfied with their absolutist, monarchical form of government. The King had too much power, and was incapable of using it effectively because of certain crippling defects in the old Diet—legislative assembly. The discontent was widespread among liberal leaders and also among the mass of the people. These liberal, democratic and patriotic leaders took upon themselves the task of drawing up a constitution which would improve, if not revolutionize, the Government of Poland. The result was the Constitution of May 3, 1791.

This Constitution drastically reduced the arbitrary powers of the King, and made Poland a constitutional monarchy. Heretofore the King could exercise his authority only through a council. The powers of the upper chamber were curtailed and those of the popularly elected lower chamber were strengthened. The peasantry was freed from its bondage and placed under the protection of the law.

Religious toleration was assured to all citizens, and freedom of speech was guaranteed. These features made the Constitution a democratic instrument, and represented a great forward advance in popularizing the Government. It was hailed as such throughout the country, and even many liberal leaders abroad praised the Polish leaders.

On the 178th anniversary celebration of the Polish Constitution Day one can hardly overlook the 29th anniversary of the Katyn Forest massacre of many thousand Polish officers by their heartless captors early in the last war. Lastly, I would also like to stress the fact that over 1,000 years ago, in the year 966, Poles adopted Christianity as their faith and founded the most powerful Christian power in Eastern Europe. In taking note of all these occasions, I gladly join all friends of Poland and of freedom.

Mr. ROSTENKOWSKI. Mr. Speaker, we celebrate on May 3 the 178th anniversary of the Polish Constitution of 1791. For those mindful of the long years of fidelity and friendship which link Poland and America, the celebration is a mixed one.

We are, on the one hand, justifiably pleased in observing the Constitution of 1791 itself; for it was, and is, one of the most brilliant political documents of all time. Its brilliance, moreover, lies unmistakably in the unequivocal support it lends to human rights and political liberalism. The humanitarian and liberal spirit which pervades the document is concisely stated in the Constitution thusly: "All power in civil society should be derived from the will of the people."

When King Stanislaw II led the members of the Polish Diet in swearing allegiance to the Constitution of 1971, he simultaneously lifted the hopes of freedom-loving men and women everywhere. It is important to stress, I believe, the extent to which political leaders and scholars have lauded the 1791 Constitution in the 178 years since its adoption. In its attempt to modernize the governmental institutions of Poland, to give the smallest towns representation in the lawmaking bodies, in limiting the power of the monarch and creating a system of ministerial responsibility, and in establishing unqualified religious freedom—in these and many other respects the 1791 Constitution achieved a level of legal and political excellence which stands even today as a landmark of liberalism in Europe. For all these reasons and more we are justly joyous in today's celebration.

We are also saddened, of course, that we are not actively joined in this celebration by the citizens of contemporary Poland. For them the celebration is a silent one. The long years since 1791 have not been kind to Poland. Decades of dominance from outside have prevented the noble ideals of the 1791 Constitution and the most deeply-held aspirations of the Polish people from being realized.

Mr. Speaker, there are over 10 million citizens of Polish descent in America today. I am honored to join them in commemorating the 178th anniversary of the Constitution of 1791. This celebration is truly one for free men everywhere as well as those who would be free. That document and our own Constitution were the product of the same inspiration and hope. For ourselves, the struggle for freedom has been difficult and largely successful. For the Poles, the fleeting dream of democracy mirrored so perfectly in the 1791 Constitution has yet to be fulfilled. We appropriately remember in this regard the prophetic words of the late President John F. Kennedy:

> No one can doubt that the wave of the future is not the conquest of the world by a single dogmatic creed but the liberation of the diverse energies of free nations and free men.

Mr. GIAIMO. Mr. Speaker, Saturday is a time of celebration for all free people of Polish origin. For May 3 marks the 178th anniversary of the creation of the Polish Constitution of 1791, a document so noble in purpose and so liberal in thought that its meaning will never be forgotten.

A scant 2 years after America drafted her Constitution, the small, proud nation of Poland, surrounded by absolutism and militarism, drafted a proposition which to this day is considered a landmark for democracy in Europe.

The words in this document, Mr. Speaker, are as beautiful as any ever written. They espouse a concept all but unheard of in the 18th century and still alien to many of the nations of the world:

> All power in civil society should be derived from the will of the people, its end and objective being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

This Constitution is a tribute to the meaning of freedom, Mr. Speaker. It cannot go unheeded any more than the desire of all people to be free can be ignored.

The flame of freedom and independence still burns in Poland. It could not be extinguished by partition, it could not be extinguished by hobnail boots, and it will not be extinguished by an Iron Curtain.

As we celebrate with free Poles everywhere the creation of their Constitution, let us pray that someday the people in Poland itself will be able to live in the freedom which they promised themselves nearly 200 years ago.

Mr. PIKE. Mr. Speaker, I am proud to count among the people of my district many citizens of Polish origin who contribute to our area the strength, vitality, and sheer joy of living so characteristic of their race.

This Saturday marks the 178th anniversary of the birth of the Polish Constitution of May 3, 1791, a great historic document whose high purpose is expressed in these immortal words:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation. . . .

This glowing promise small and gallant Poland has never had a chance to realize. I salute a people who have endured crushing tyranny down through the centuries, but whose love of liberty has never been extinguished. Let us share with them the fervent prayer they know so well: "Niech zwyciezy Orzel Bialy"—"May the White Eagle Triumph"—and may the happy day arrive when, God willing, Poland will once again be free.

Mr. VIGORITO. Mr. Speaker, as we approach May 3, I wish to join with my colleagues in saluting a day which is of special significance to all Americans of Polish descent and to all of us who appreciate the contributions the freedom-loving Polish people have made to our Nation.

The Polish people cry out for freedom. On May 3, the anniversary of the Polish Third of May Constitution of 1791, we should all pay tribute to these gallant friends and dedicate ourselves to assuring that some day the Poles will again live in peace and freedom in their homeland.

We have much to learn from the Poles. They were the pioneers of liberalism in Europe and those thousands who have come to our country have contributed immeasurably to our way of life and culture.

It is my pleasure to join today with all Polish Americans in honoring this Polish national holiday.

Mr. HANLEY. Mr. Speaker, on May 3 we will celebrate the 178th anniversary of the adoption of the Polish Constitution, the framework within which the liberty and freedom of the Polish people supposedly is guaranteed. We all know, however, Mr. Speaker, that freedom and liberty for the Polish homeland are rights only to be dreamed of but not shared in, for brave Poland, as she has been so many times in her tormented history, is once again under the boot of tyranny.

The Polish American Congress has done and is doing a magnificent job, Mr. Speaker, in keeping the cause of Polish liberty before the conscience of the free world. It serves as a constant reminder to those of us on this side of the Iron Curtain, that freedom must be nurtured constantly if it is to survive, and that once lost to the bloody hands of an oppressor, it is difficult to regain.

Mr. Speaker, we all pray that Constitution Day will soon be celebrated in a free Poland.

Mrs. GRIFFITHS. Mr. Speaker, May 3 will mark the 178th anniversary of the Polish May 3 Constitution of 1791, which this year coincides with the following significant dates in Polish history: the 30th anniversary of the German-Soviet attack on Poland; and the 25th anniversaries of the Battle of Monte Cassino, the Warsaw uprising, and the founding of the Polish American Congress. The Polish Constitution of May 3, 1791, and the American Constitution of March 4, 1789, both recognize the sovereignty of the people as the cornerstone of their respective governments and both resulted from the same spirit of freedom which swept the world when our own Nation was born. The philosophy of government discernible in the May 3 Polish Constitution leads one to believe that the American people and the Polish people had each drawn inspiration for their respective constitutions from the same source.

Unfortunately, history has been cruel to our Polish brothers. The adoption of the Polish Constitution did not insure the freedom which it promised. Just 4 years after adopting the Constitution, Poland was partitioned by Russia, Prussia, and Austria for the third time. In this century Poland has been devastated twice by war and has been dominated by Communist regimes for 24 years. However, generations of Poles both at home and abroad have continued to dream and struggle for liberty. We in America owe them a special debt for the dedication of the Polish patriots who joined us in our own struggle for independence. Indeed, Polish Americans have continually distinguished themselves as defenders of the American Constitution, defenders of liberty, and the highest American traditions.

As we in the U.S. Congress commemorate Polish Constitution Day, I am proud to add my personal tribute to the people of Poland, and to the millions of men and women of Polish ancestry who live in the United States and around the world. The principles of the Constitution of May 3, 1791, have continued to live in the hearts of the Polish people throughout their long history of oppression and foreign domination and they are alive today.

Mr. Speaker, our participation in this observance dramatizes once again our continued support and interest in the Polish nation and all peoples around the globe who are captives of communism. We must continue to support the hopes and rightful aspirations of the Polish people for the restoration of their freedom so that one day their dream will become a reality.

Mr. PATTEN. Mr. Speaker, in 1791, 2 short years after our own country had adopted its Constitution, the people of Poland likewise declared their intention to establish a free and democratic form of government. Their purpose was stated in the 3d of May Constitution, as follows:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

Our Polish comrades in democracy, however, were caught in the middle of the European struggle for expanding power. Since 1791 they have suffered under a history of being torn apart by their neighbors. Presently they are ruled with an iron hand from Moscow, which closed around them at the conclusion of World War II.

Throughout this history of occupation, the Poles have kept alive their desire for freedom and their love of independence and democracy. During this last occupation, they have been encouraged and aided by their brothers abroad. The Polish American Congress, established 25 years ago this month, has been fierce in its dedication to the final liberation of their homeland, Poland. The organization has taken its case to our Presidents and people, as well as to the people of the world through the United Nations.

Our fellow countrymen of Polish descent are fine, upstanding citizens and truly loyal Americans. I share their concern for the future of their brothers in Poland. And I am on the side of all men who would be free.

May I commend the Polish American Congress for its efforts on behalf of the people of Poland, and today urge my colleagues that we, too, may work to see this beacon of freedom once more burn bright.

Mr. DANIELS of New Jersey. Mr. Speaker, I am proud to join my colleagues in commemorating the 178th anniversary of Polish Constitution Day, to be celebrated on Saturday, May 3.

It was on May 3, 1791, that the Polish people, who had been so anxious to put into effect the ideological concepts which had taken root in their minds, illuminated all Warsaw to celebrate the bloodless revolution and usher in the birth of their Constitution. That day should have marked their first step toward constitutional democracy, but history was not to be so kind. This Constitution, born without murder or violence, this ideal for the future, would not forestall the tragic partition by the Russians, Prussians, and Austrians.

These invaders robbed Poland of her hope to raise herself to an independent and secure condition but they could not diminish the historical importance of that great Constitution. May 3 still continues to be acclaimed as a day of celebration, joy, and remembrance for Poles around the world.

The quest for liberty which sparked the Constitution has endured down through the ages and we in America will not forget their fortitude. For their gallantry and stubborn belief in the dignity of man, we pause here today to pay tribute to these courageous people of Poland. Though dominated by Communist rule, the Polish people have never lost that spirit which founded their Constitution of 1791.

Let us then serve as a reminder that the American people have not forgotten the plight of the people behind the Iron Curtain. All Americans join in the hope that the people of Poland will yet realize the attainment of the ideals and spirit of their May 3 Constitution.

Mr. DERWINSKI. Mr. Speaker, since the House will not be in session on Saturday, it is most appropriate that we observe May 3, the traditional Independence Day of Poland, which specifically commemorates the Polish Constitution of May 3, 1791. This year, the 178th observance of the adoption of the first democratic constitution in Europe, has special significance for the Polish people since they persist in their efforts to ease the oppression of the Russian-orientated Warsaw government.

I am pleased to note, Mr. Speaker, that the Secretary of Transportation, the Honorable John A. Volpe, will deliver a major address at the Chicago Polish Constitution Day program to be held in Humble Park this Sunday afternoon.

Unfortunately, under the tyrannical domination of their Communist rulers, the brave people of Poland cannot speak out on this day as proudly and vigorously as they wish. The Gomulka dictatorship, which obviously is not representative of the freedom-loving Polish people, forbids proper observance of the religious and historical events of which the Polish people are so rightly proud. However, Americans of Polish extraction and people of Polish origin scattered throughout the world, as well as other freedom-loving people, join in this commemoration of the historic Constitution Day of Poland.

At this point, Mr. Speaker, I am pleased to include as part of my remarks the message of the President of Poland in exile to the Polish nation. President August Zaleski has just issued this message from London on the occasion of Poland Constitution Day, May 3, 1969:

> Thirty years have passed since the Polish Nation was able to celebrate in a free Poland the great anniversary of the Constitution of May 3, 1791.
>
> Today only those of us in foreign lands can do so openly, as such celebrations are forbidden in our Country by the Communist regime. Despite similar restrictions imposed by the partitioning powers in the past, the Nation venerated the day of May 3rd throughout the long years of oppression and proclaimed it as National Day on gaining independence in 1918.
>
> Adam Mickiewicz, Poland's great national poet and patriot, had this to say about that day:
>
> "We have but one deed of the past, one written law, which should be delved into and the spirit of which taken to heart. This law . . . drawn from the heart of the great masses . . . still lives in the memory, in the desires of the generations, and so it is a living law, rooted in the past, and develop-

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> ing in the future. We have the May 3rd Constitution. Strange but worthy of consideration is the fact that Europe has witnessed many Constitutions since 1791, disputed, wondered at, wise and forgotten. Yet only the May 3rd Constitution is esteemed by the Polish Nation. During the long years of foreign oppression the day of its proclamation was secretly honoured in all the provinces of former Poland, from the Carpathian Mountains in the south to the River Dvina in the north, in homes, churches and at youth gatherings . . . Hence it has been well and justly said that the May Constitution is the political testament of former Poland."
>
> Therefore, the whole Nation rejoiced, when Pope Pius XI chose the anniversary of this Constitution as the Day of the Holy Mother of God—Queen of the Polish Crown, thus giving yet another proof of the indissoluble ties that join the Polish Republic with the Faith of Christ.

Mr. Speaker, this message from the legitimate President of Poland, August Zaleski, voices the true feelings of the Polish people.

Mr. DINGELL. Mr. Speaker, the 3d of May is a date which is dear to the people of Poland and to persons of Polish descent throughout the world.

It was on May 3, 1791, only 2 years after the adoption of the Constitution of the United States, that Poland peacefully adopted her Constitution. This Constitution was based on the light of liberalism which is so much a part of the makeup of the Polish people.

In the Polish Third of May Constitution, this liberalism was formulated in the following words:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

The people of Poland enthusiastically acclaimed the Constitution of 1791. For weeks after the May 3 proclamation, expressions of approval and gratitude were heard from citizens in all sections of Poland. Celebrations were held throughout the cities and towns.

The Constitution of 1791 was an attempt to do away with the medieval and outmoded system of government in Poland and replace it with a modern constitutional monarchy and parliamentary system of government somewhat akin to that existing in England. By instituting a wide range of reforms, this Constitution afforded the possibility of a new, sound, and progressive national life.

It was this opportunity which was universally hailed by the people of Poland.

The light of liberalism coming from Poland was seen by the rulers of Russia and Prussia as a threat to their tyranny. Thus Catherine the Great, the ruler of imperial Russia, ordered her Russian armies to invade Poland on April 8, 1792. The Prussians promptly reneged on their promises to aid the Poles and Poland was left to fend for itself against the invading Russian armies. The Polish Army under Prince Joseph Poniatowski and Thaddeus Kosciuszko, fought valiently, but failed to halt the Russian columns. After 3 months of fighting, the war came to an end in a Polish defeat.

The defeat forced the abandonment of the Constitution and subsequently led to the third partition of Poland in 1795 by Russia, Prussia, and Austria.

In 1939 Russian and Prussian soldiers met once more on Polish soil, as the absolute totalitarian systems of nazism and communism again felt the danger of true liberalism coming from Poland.

Mr. Speaker, throughout the United States, Americans of Polish descent honor the 1791 Constitution with appropriate observances during the entire month of May. They do this to pay tribute to the Polish nation and to remind their fellow Americans that Poland was one of the pioneers of liberalism in Europe and to give encouragement to the citizens of Poland in their continuing struggle for democratic rights.

Mr. FASCELL. Mr. Speaker, one of the proudest days of the year for citizens of democratic nations is the anniversary of their country's constitution. In the United States we observe July 4 as Independence Day, commemorating the declaration which gave us our freedom. Similarly, one of the brightest events in Polish history was the adoption of the May 3 Constitution of 1791.

While their historic homeland is now under ruthless suppression by Communist tyranny, free Poles throughout the world still recognize May 3 as a time for remembering and honoring this proud event. To some 10 million Americans of Polish ancestry, the day is a reminder of the cultural links between this Nation and the free Poland that existed prior to the outbreak of World War II. Since then, Poland's valiant struggle against Nazi-Communist totalitarianism has become an inspiration for mankind, and May 3 is observed in both Houses of our Congress in commemoration of the struggles of these people for their liberty.

This year's observance coincides with other significant dates of Polish history—the 30th anniversary of the German-Soviet attack on Poland; and the 25th anniversaries of the Battle of Monte Cassino; of the Warsaw uprising; and of the founding of the Polish American Congress. I take pride in saluting all Americans of Polish ancestry, and their countrymen who still believe in the cause of freedom.

The world must never forget the horror of barbarism which caused a free Poland to be eliminated from existence, except in the memories and ideals of those loyal citizens who have steadfastly refused to accept totalitarianism. On this occasion I pay homage to the Polish Americans whose country has suffered so much through history, and express the hope that ultimately the cause of justice will be restored to their homeland.

Mr. MIKVA. Mr. Speaker, it is my pleasure to join with my colleague from Illinois (Mr. PUCINSKI) and with the other gentlemen who have spoken here today to pay tribute to the proud heritage of the Polish people on this occasion As Mr. Aloysius A. Mazewski, president of the Polish American Congress, has pointed out, both Houses of Congress have traditionally taken the anniversary of the adoption of the Polish Constitution on May 3, 1791, to commemorate other notable events in Polish and Polish-American history. I am happy to have the opportunity to join in this observance today and to review briefly those historic events of such significance for citizens of both Poland and America.

On May 3, 1791, barely 2 years after our own Nation had adopted its present Constitution, Poland without revolution or bloodshed adopted a Constitution which the Polish American Congress notes "eliminated with one stroke the most fundamental weaknesses of the Polish parliamentary and social system." The principle, so dear to Americans, that government shall be established and shall exercise its powers only "with the consent of the governed," was included in the Polish Third of May Constitution in this form:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and good order of society, on an equal scale and on a lasting foundation.

The great misfortune of the Poles was that instead of being protected as was America by two vast seas, it was bordered by three aggressive and powerful nation-states—Russia, Prussia, and Austria. In 1795, barely 4 years after adoption of the Third of May Constitution, Poland was partitioned for the third time among her three neighbors.

Three other events which are often commemorated on this date all occurred in 1944: the Battle of Monte Cassino, the uprising of Warsaw against her Nazi occupiers, and the founding in America of the Polish American Congress.

Of special significance to me, Mr. Speaker, is the uprising of Warsaw in July 1944, against the occupying German forces. This uprising followed by only 15 months the fateful Warsaw ghetto uprising which occurred in the spring of 1943. The brutal and inhuman methods employed by German forces to suppress and finally obliterate the ghetto foreshadowed the tactics which would be employed against all the residents of Warsaw just a year later.

Poland's early commitment to self-government and free institutions stands as a monument in the never-ending struggle to try to find the best way to live together in society.

Mr. ZABLOCKI. Mr. Speaker, I am pleased to join with my colleagues in commemorating the anniversary of the adoption of the May 3, 1791, Polish Constitution. This Constitution, similar in philosophy and intent to our own Declaration of Independence and Constitution, was a memorable first in the evolution of democracy in central Europe.

The significance of this document in man's history cannot be measured. However, the advancement in freedom, liberty, and justice for the individual which it represented is deserving of our lasting tribute.

It is therefore entirely fitting that we pause in our deliberations in the Congress of the United States to pay homage to the May 3 Constitution of 1791, and to honor the nation that created it.

The Constitution guaranteed the people of Poland the rights to which men always and everywhere have aspired. It is based upon the principle that government belongs to the people.

Popular sovereignty has been handed down to us as a birthright by our Founding Fathers. However, in Poland there was such basis, since her neighboring nations of central Europe were founded on the principle of state, and not national sovereignty.

Many observers attribute the subsequent rape and partition of Poland by the soldiers of Russia and Prussia to the fact that these two absolutist powers felt threatened by the forces of liberalism within Poland.

The similarity, then, between the 1795 partitioning of Poland and the Soviet invasion of Czechoslovakia is obvious. In both cases, the forces of a totalitarian state invaded and suppressed another nation because they feared the philosophy of individual freedom which was blossoming in Poland in 1795, and in Czechoslovakia in 1968.

There is sad irony in the fact that the attempted justification for the invasion of Czechoslovakia, the so-called Brezhnev Doctrine, was proclaimed on Polish soil by Leonid Brezhnev at the Congress of the Polish Communist Party in Warsaw last November. This doctrine is but a reworking of the basic Communist philosophy of totalitarianism. Because of its dire implications regarding the future of Soviet foreign policy it should be considered carefully by the Congress and the entire free world.

It is truly tragic to reflect that a people as soundly schooled in the philosophy of individual liberty, as the Poles, who conceived such a brilliant and enlightened document as the May 3 Constitution, should now be under the yoke of Soviet Communist rule.

This crassly materialistic philosophy, so completely devoid of personal freedoms, is alien to the very spirit of the Polish people. It is also completely alien to the Judeo-Christian tradition in which the Poles have played so important and integral a part.

Today, the people of Poland are denied the rights that were the historic cornerstones of their May 3 Constitution. They are denied any meaningful participation in the political life of their nation, and enjoy little, if any, personal liberty.

It is particularly tragic to compare the Poland of today, a puppet of the Soviet Union, to the kind of Poland that might exist had the May 3 Constitution prevailed. There can be little doubt but that Poland would be the most dynamic and successful nation in central Europe.

It is true that the Poland of today is a better place to live than Poland under Stalin. Yet, the present regime refuses to grant any meaningful freedom in the press, in the universities, or in political activities.

Yet we must not falter in our hope for a better day for the great people of Poland. In their hearts still burns the fire of freedom. The setbacks of the past year are but minor obstacles in their onward movement to ultimate freedom and liberty.

We can not forget that essentially embodied in the May 3 Constitution of 1791 was the concept of the value and dignity of the individual man. This philosophy has been passed from generation to generation of the Polish people. It is an idea which cannot be erased by tyranny, repression, or death. The Polish people have suffered for many years, but they have not given up hope, and will not give up hope.

Outside of Poland, in practically every nation of the free world, there are groups of Poles who continue to aid the people and the cause of freedom in the homeland. These groups, by their commemoration of such memorable historic Polish events as the anniversary of the May 3 Constitution, contribute unmeasured encouragement to the people of Poland.

One such group, the Polish American Congress, is celebrating the 25th anniversary of their founding this year. I congratulate the Congress for their effective work in instilling the value of Polish culture in Americans of Polish descent. This group has also helped to make the United States more aware of the contributions of the Polish people to this great country, as well as contributed to the development of an appreciation of Polish culture among the people of this country.

Most of all, however, the Polish American Congress should be commended for its untiring efforts in calling attention to the plight of the Polish people.

Mr. BYRNE of Pennsylvania. Mr. Speaker, Poles were having serious troubles during the late 18th century. Externally the country was under threat by its implacable foes, and in 1776 it had lost a good part of its territory to the neighboring countries in the first partition of Poland. Internally, the central government was weak, unwieldy and ineffective. And one of the most serious drawbacks was the constitutional right given to any member of the Diet—the assembly—who could, by casting a negative vote, block the passage of any legislation. For a long time this indiscriminate use of liberum veto—or, free vote—had stopped the enactment of any legislation, even when badly needed and supported by the preponderant majority of the Diet.

After the first partition of Poland many enlightened leaders of Poland thought seriously of changing the fundamental law of the land, and adopting a new one which would enable them to overhaul the antiquated and ineffective form of government in Warsaw. They also hoped that a new government set up under a new constitution would be in stronger position to ward off foreign threats. With this purpose in mind the Diet empowered a select committee of highly intelligent and patriotic members to draw up such a document. This committee worked hard, carefully and conscientiously studying other constitutions, and came up with one that seemed best suited to the needs of Poland. It was submitted to the Diet; it was approved, and on May 3, 1791, it became the law of the land when both the Diet and the king took their oath in the Warsaw cathedral in support of this Constitution of May 3, 1791.

This was a liberal Constitution with many progressive provisions. The monarch's powers were curtailed and were to be exercised under the restraints of a council. Although he retained his prerogatives, he could not exercise them except upon the approval of the council. The Constitution protected the peasants against their landlords, and the nobles were to share their privileges with the ennobled townsmen. Religious toleration was guaranteed to all sects. By this Constitution, Poland took a forward leap towards modernism and governmental progress. It was hailed by all friends of Poland abroad, and forward-looking leaders everywhere were jubilant over the adoption of such a liberal Constitution in this outpost of Western civilization in Eastern Europe. Poland's neighbors and foes, however, were disturbed and shocked by it. Fearing that the ideas embodied in the new Constitution would infect their subjects, the autocrats of Austria, Prussia, and Russia at once attacked Poland, overran it, and partitioned most of it among themselves. This they did before the Constitution was effectively tested in Poland. A few years later Poland was overrun once more, and this time the rest of the country was parceled out in the third partition of Poland in 1796.

These ruthless acts on the part of Austria, Prussia, and Russia put an end to Poland's independence and tore up its new Constitution. But the spirit of that democratic Constitution lived on. It still lives in the hearts and minds of freedom-loving Poles in Communist-dominated Poland. The Poles abroad and their friends observe the anniversary of the enactment of that document, the Polish Constitution of 1791, and I am glad to join them.

Mr. DULSKI. Mr. Speaker, Saturday, May 3, marks the 178th anniversary of the Polish Constitution, an event marked with great pride each year by Polish people and Polish descendants everywhere.

Everywhere, that is, except in Poland itself, where the Soviet-imposed dictatorship prohibits the Polish people from marking this important historical event.

The year 1969 also marks three other significant dates in Polish history:

First, the 30th anniversary of the German-Soviet attack on Poland.

Second, the 25th anniversary of the Battle of Monte Cassino.

Third, the 25th anniversary of the Warsaw uprising.

It also is of special significance to Polish Americans in my home city of Buffalo, N.Y., that this year marks the silver jubilee of the founding of the Polish American Congress.

It was in May 1944 in Buffalo that over 2,000 delegates of various Polish American groups gathered and formed the Polish American Congress which has contributed so much to the better understanding by all peoples of Poland and its proud history.

Mr. Speaker, it is always a great pleasure and honor for me to join with my colleagues at this time of year to collectively call attention to the plight of the Polish people today under continued Soviet domination, coercion, and oppression.

XUM

Mr. ST GERMAIN. Mr. Speaker, once again Members of Congress participate in observance of the adoption, on May 3, 1791, of the Polish Constitution, and on this 178th anniversary of that triumphant event in the history of democracy, I would like to raise my voice in tribute to Poles throughout the world, and to Americans of Polish descent, who are the proud inheritors of the courage and greatness by which their forebears survived tragic and endless oppression.

The constitutional government established by Poland in 1791 lived but briefly, and in Poland today, its people still yearning for freedom and the right of self-determination, greet the anniversary with silence. Yet that first brave struggle for democracy, and each ensuing cruel episode of Polish history, has endured as man's highest inspiration in fulfilling the dream of independence and human dignity for all people everywhere.

This year marks the 25th anniversary of the founding of the Polish American Congress which binds together millions of Americans who have brought to our Nation so much of the cultural and idealistic wealth of their native Poland. To these fine citizens I want to express my praise for their vital efforts to encourage and sustain modern Poland and its psychological resistance against the forces of tyranny.

Mr. WILLIAM D. FORD. Mr. Speaker, I am pleased to join today in public recognition of an important Polish national holiday—the Polish Third of May Constitution Day.

Millions of Americans of Polish descent join today with their brethren in Poland, and with Poles throughout the world, in an observance which reminds us that Poland was one of the pioneers of liberalism in Europe.

On May 3, 1791, only 2 years after adoption of our own Constitution, Poland adopted a Constitution which revised the nation's parliamentary and social system, and established the sovereignty of the people. This great event was achieved without a revolution and without internal disorder.

Unfortunately, this great assertion of democracy was short lived, and was cut short by the partition of Poland in 1795 by Russia, Prussia, and Austria.

Today's observance of May 3 coincides with other significant dates in Polish history—the 30th anniversary of the German-Soviet invasion of 1939, and the 25th anniversary of the Battle of Monte Cassino, of the Warsaw uprising, and the founding of the Polish American Congress.

The 1939 invasion is familiar to most Americans alive today. But the other events may not be so well known.

The Battle of Monte Cassino which Poles observe as a national holiday took place on May 11, 1944, when the Polish Second Army Corps, commanded by Lt. Gen. Wladyslaw Anders, attacked this mountain fortress and wrested it from German hands. This ancient fort, located in the mountains south of Rome, has a long and famous history. St. Benedict erected an abbey there about 530 A.D. Virtually destroyed in a series of World War II battles, it was rebuilt in 1946 by German prisoners of war under the direction of Polish Second Corps veterans.

The Warsaw uprising marked one of the most heroic episodes in Polish history. More than 250,000 Polish men, women, and children died during 63 days of fighting against the Germans during the summer of 1944. The city finally capitulated, and was burned and pillaged by the invaders. After the war, the indomitable Polish spirit rebuilt the city from the ashes and ruins.

The Polish American Congress was founded in May 1944, by Americans of Polish descent, proud of their ancestry and anxious to preserve the traditions and legends of their homeland. Today there are 33 State divisions, and the membership includes more than 20 fraternal organizations. The congress publishes a Polish-English newspaper, and a digest-size magazine, the Bulletin, which stresses foreign policy, Polish information, and related subjects.

On behalf of the many thousands of Polish Americans in my district, I pay tribute today to the courage and love of freedom which Poles have displayed since the beginning of recorded history.

Mr. ROONEY of New York. Mr. Speaker, May 3 is a day of tremendous significance to our millions of American citizens of Polish birth or extraction as they join with their loved ones in Poland and elsewhere around the world in celebrating the anniversary of the adoption of the Polish Constitution in 1791. The Polish Constitution, like the American Constitution which was adopted a 2 scant years earlier, was an amazing document for the times. It established, among other things, the ideals that a nation's power lies in her people, not in the state, and that the function of this power is to preserve freedom and liberty for all men in an orderly society. The Constitution of Poland was another example of the spirit that has pervaded Poland throughout her millennium. It is the spirit that granted religious freedom as early as the 14th century, that established the first continental Parliament and that provided America with such heroes as Kosciuszko and Pulaski. Thirty years ago this same spirit was once again shown to the world as valiant but hopelessly outgunned Polish soldiers fought to preserve their homeland against the invading Nazis. A sad but equally helpless free world could do little but watch the agony. And again only 5 years later a numbed world watched as the people of Warsaw, betrayed by a Russian army that would not come to their aid, battled Nazi troops for 63 days. More than a quarter million Poles died in that fight—a milestone in treachery even for the Russians.

Mr. Speaker, I have seen with my own eyes the rebirth of Poland after the war as I visited that country but I have also seen the tragedy that haunts a people not at all free. Is it not ironic that Americans of Polish birth or ancestry can celebrate this day but Poles in Poland cannot do so by decree of their Communist oppressors? Poland today, as she has so many times in her tragic history, knows the weight of the despot. But we also know that Poland will again be free. One thousand years of history have clearly shown the world that to be alive in Poland is to be fighting for freedom.

Mr. Speaker, I salute Poles everywhere, and particularly those Polish American organizations in this country who do so much to keep alive the spirit that is Poland and remind us that we must never cease our efforts to bring freedom to those who so earnestly yearn for it.

GENERAL LEAVE

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order today Polish Constitution Day.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

TAX RELIEF FOR APARTMENT DWELLERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I have today introduced legislation to provide tax relief to apartment dwellers. I believe that this legislation will bring equity to a group that has long been at an unfair tax disadvantage.

In these days of apartment shortages and soaring rents, it is vital that we turn our efforts to finding means to help the rent payer. I know of no more justified and simple way of giving at least some assistance than this tax relief measure.

My bill would permit the tenant a deduction on his income tax for the percentage of his rent which the landlord uses to pay taxes and mortgage interest charges on the building.

The owners of apartment dwellings are permitted to deduct property taxes on the building as well as mortgage interest payments while the tenant must pay the full amount of his rent including the portion the landlord deducts. This arbitrary discrimination clearly puts the apartment dweller at a disadvantage.

Since the apartment dweller contributes toward the owner's property taxes and mortgage interests as a hidden cost included in the rent charge, he should, in all fairness, be allowed a reasonable deduction for that payment.

I, therefore, urge, Mr. Speaker, that this legislation be given prompt consideration by this House.

LET'S GET OUT OF VIETNAM TOMORROW MORNING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. HECHLER) is recognized for 2 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, the Pentagon has just announced that there were only 163 Americans killed in Vietnam last week. This announcement was coupled with the seemingly cheerful news that the figure of 163 battle deaths was the lowest for any week in the past 4 months. I see no cause for rejoicing in these figures; 163 lives lost are just 163 too many.

We ought to start getting out of Vietnam unilaterally at 0600 tomorrow morning. We ought not to wait for the conclusion of the seemingly fruitless Paris peace talks. The war in Vietnam has generally been considered an instrument of our foreign policy. It was a mistake of American foreign policy to get heavily involved, and it is even more of a mistake to remain. But the war in Vietnam in reality has become a major domestic issue affecting the lives of all Americans. It has disrupted the economy of this, a rich nation, with the expenditure of $30 billion a year and over $3 million every hour of the day. More important, it is a great divisive force, gnawing at the vitals of our country. But most important of all, our young men—America's hope for the future—are being so needlessly sacrificed at a time we can insensitively refer to the fact that only 163 were killed last week.

Without any if's, and's, or but's, in the name of humanity all over the world, let us get out of Vietnam tomorrow morning.

PACIFISTS WITH BLOODY HANDS

(Mr. RARICK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, many Americans who dislike war, including the present war in Vietnam, realize that we are there for reasons which remain valid to this day. Their greatest objection to this war is that their fellow Americans who are fighting it are not being permitted to win. These Americans, many with their own firsthand experience in war, simply do not understand sending young men into battle and refusing to back them all the way.

Repeated incidents such as the piratical seizure of the *Pueblo* or the unconscionable murder of 31 men aboard the unarmed EC-121 reconnaissance aircraft over international waters, without any effective retaliation by our Government, further bewilder the American people and undermine popular support for our war effort.

Dissent and criticism should not be confused with the giving of aid and comfort to the enemy. Yet there are those in this country who consistently utilize their freedom of speech and their freedom of assembly to exploit the confusion of our people and poison the minds and emotions of our young men. Such people are exerting tremendous and well-coordinated efforts to disrupt the operations of our Military Establishment. So is the enemy, and these people are aiding that enemy.

They attack the source of military manpower—by urging the impressionable young men to shirk their unpleasant duties to their country. What in another generation were scorned as "slackers" or "draft-dodgers" are given the press agent treatment in an effort to label them heroes and patriots. Deserters become "protesters" under the influence of the same elixir which makes filth and obscenity "free speech."

Attacks are made on the college ROTC programs, the major source of officers for our Army. Supplies are collected for and shipped to the enemy. Professional agitators visit, correspond with, and in a variety of ways actively aid the enemy. Subversive material and seditious propaganda, frequently financed by foreign and hostile governments is circulated. Physical attacks are made on draft board offices, files are mutilated or destroyed, efforts are made to interfere with the manufacture and shipment of the munitions of war. The widows and sorrowing parents of the men who have given their lives in battle are fiendishly harassed.

This is not aiding the American fighting man by any stretch of the imagination, nor is it aiding the cause of peace. It is aiding the enemy. Despite all of the pious protestations—they are not pacifists—they are agents of the enemy—they are performing the enemy's mission in the United States—they are collaborating in killing Americans in Vietnam. Their acts—overt sedition—are directly responsible for the murder of young Americans whose boots they are not fit to shine. Their hands are bloody—with the blood of their brothers. They are increasingly recognized for what they are.

Where treason prospers, none dare call it treason. Traitors become neopatriots.

Local news reports follow:

[From the Washington (D.C.) Evening Star, Apr. 17, 1969]

THE DEFIANT "NEW PATRIOTS"

(By Mary McGrory)

Roger Black, age 20, editor of the University of Chicago Daily Maroon, was asked what he would say to the President if he and his fellow draft-resisters were granted an audience with the President.

"I would tell him that I love my country," Black replied.

He and nine other student body presidents and the college editors went to the microphone one by one in the House Agriculture Committee hearing room yesterday to announce in stark terms their intention to refuse induction into the armed services.

These are the new patriots.

They feel they can serve their country best by defying its laws and going to jail, if necessary.

RISK THOUGHT ODD

Some of the reporters watching this strange, courteous parade of defiance thought it odd that these articulate young comers were risking a record that could blight the careers obviously otherwise in store for them.

"That shows the depth of our commitment," Black explained politely.

Wayne Hurder, the editor of the University of North Carolina Daily Tar Heel, was the straightest-looking of the group, and he said in a Southern accent, "I choose this alternative over fleeing to Canada because of my love for this country."

They do not expect to be universally understood by their elders, who were brought up in an era where the acceptable expression of patriotism was to answer a call to the colors, put on a uniform, shoulder a rifle and go forth to defend the homeland. Their elders have told them that the "vital interests" of their country are at stake in Vietnam.

They do not believe it.

TROUBLE FEARED

They think their country is in terrible trouble, not because Ho Chi Minh is on the march, but because America, they have regretfully concluded, has become violent, vicious, racist and imperialist.

As far as they are concerned, the country is like a mental patient who is in hysterics and has to be slapped back into reason.

World War II veterans call them cowards. They think a willingness to face prison disproves that. They know they are being put in "the same moralistic bag," as one of them said, as the violent students who are disrupting universities. They are feeling the backlash of Cornell, where the uprising was armed.

But they feel that the war is the root of the evil, the source of economic dislocation and the alienation of the black, the poor and themselves. They feel quite simply that America in 1969 is its own worst enemy.

They think they tried the system. They worked in the McCarthy campaign. They got knocked on the head in Chicago for their pains.

Now they think they are trying the system again. They brought with them a polite letter to the President, signed by 350 student leaders, urging him to make his own policies before he becomes identified with those he inherited. It was similar in tone to a letter their predecessors had addressed to Lyndon Johnson in December 1966.

Dennis Riordan, the new president of the student body at Colgate, said he did not know one student in his year at Colgate "who intends in any way to serve in that war . . . everyone is thinking of avoiding service in Vietnam."

MUNICH ANALOGY

For five years, American leaders told them that Vietnam was Munich all over again, a symbol of the folly of appeasing rampant totalitarian powers. The young draft-resisters think it is Munich, too. But they feel their obligation is to resist an outrageous government policy, not Ho Chi Minh. They do not wish to repeat the mistake of the "good Germans" who remained silent while Hitler embarked on his plan to conquer the world.

Obviously an interpreter is needed between the White House and the cream of the country's youth. The President cannot win them over to the premises and purposes of the war, which they totally reject.

But unless withdrawal begins soon, it appears that many young Americans will go to jail under the impression that they are not only doing the right thing but communicating with their government in the only way left open to them.

[From the Washington Post, Apr. 17, 1969]

PROTESTERS IN ARMY ARE INCREASING

(By Leroy Aarons)

New York, April 13.—The military reservation is fast becoming the newest battleground for youthful rebellion.

Sub rosa activity has been growing for more than a year now. But the Presidio mutiny courts-martial and the public reaction; the civil liberties court challenge brought by a group of servicemen at Ft. Jackson, S.C.; and the participation of hundreds of GIs in several cities in the recent peace march has propelled the movement into the open.

Many of the servicemen who marched in the peace parade in New York on April 5 went back to their bases emboldened to spread the word to their colleagues with greater aggressiveness than before.

"The fact that 100,000 people turned out in the bloody rain to back us up—now we're ready to do anything," said one of them.

"Anything" ranges from passing out one of the dozen or so underground newspapers now circulating at military bases to outright refusal to be shipped to Vietnam. As in the peace movement everywhere, there are sharp divisions in approach.

The basic schism in the GI movement is between the militant wing and what that wing scornfully calls the "Trots"—short for Trotskyites.

The militant wing is typified by the American Servicemen's Union, a group of ex-GIs that is attempting to build a world-wide organization of American servicemen dedicated to radical action within the military.

ASU is run out of a small office on lower Fifth Avenue. Its chairman is Andy Stapp, an ex-private who was ejected from the Army after a series of clashes over his efforts to organize soldiers. Stapp, a product of the radical Youth Against War and Fascism, claims several thousand members of ASU in the United States and overseas.

The main voice of ASU is a newspaper, the Bond, which is filled with accounts of rebellion within various military stockades, reports of GIs who have refused to fight, and stories of a wide variety of abuses committed against soldiers by their superiors.

EIGHT DEMANDS

ASU lists eight demands, including an end to saluting, election of officers by enlisted men, Federal minimum wages, the right of collective bargaining and the right to disobey orders to fight in Vietnam. Its principal aim is radical action, focused on the demands and designed to force a series of confrontations with the basic military system.

It can be compared with the approach of the radical wing of Students for a Democratic Society on college campuses.

Stapp is scornful of the "Trots" who he says reduce everything to the issue of free speech.

"This is evading the issue," he says. "We're for freedom of speech, but that's merely a tool to get at the question of racism and the right to refuse to go to Vietnam. It's the difference between saying the war is wrong and acting against it. ASU guys in the service have physically refused to go to Vietnam. Unless you take a gun to the generals' heads you can't get more militant than that."

The so-called "Trots" include groups like the Student Mobilization Committee, the Young Socialists Alliance, and Veterans and Reservists Against the War, all of whom have begun to step up their military-directed activities.

PRIMARILY ANTIWAR

The approach of these groups is primarily against the war, rather than challenging the entire military system.

They encourage organization of coffee shops near military bases, establishment of underground newspapers, distribution of anti-war leaflets in terminals and airports and instigation of court cases testing the right of servicemen to protest the war.

The Ft. Jackson case is the vanguard and most celebrated example of this kind of approach. Jackson has been a major focus of the antiwar mood, especially as a result of the trial of Capt. Howard Levy held there in 1967. Recently a group formed GIs United Against the War in Vietnam and sought to hold discussion meetings on base.

Nine members of the group were arrested at one such meeting and charged with breach of peace, disrespect and disobeying an order. Shortly afterward, a suit was filed by a group of civil liberites lawyers to give Ft. Jackson soldiers the right to hold open meetings on post to discuss the war and civil rights.

"The Ft. Jackson GIs have the right approach," said Howard Petrick, military organizer for the Student Mobilization Committee. "It's based on opposition to the war, not bitching about KP or having to do guard duty every night. The fight isn't against the army, it's against the war. The anti-army approach confuses the political issues to the point where it's easy to be attacked."

DRUMMED OUT OF ARMY

Petrick, 23, from Edinboro, Pa., boasts that he was the first man drummed out of the Army for opposing the war. He was given an undesirable discharge after passing out antiwar literature at Ft. Hood, Texas.

Petrick was hired by SMC in September of last year. He travels to bases around the country, establishing contacts with antiwar servicemen, building a mailing list for literature and informing soldiers about what is happening at other bases.

In addition to existing groups now turning their attention to antiwar movement inside the military, the increased activity has spawned a number of new civilian support organizations. Notable among these are the GI Civil Liberties Defense Committee, which concentrates on galvanizing public support for serviceman protest, and the New York Draft and Military Law Panel, organized eight months ago to defend GIs and draft eligibles involved in resistance.

The draft panel, created by the National Lawyers Guild and the National Emergency Civil Liberties Committee, claims membership of 100 lawyers and more than 250 cooperating attorneys throughout the country. It has a docket of about 35 military cases, including the Ft. Hood 43—a group of mostly black GIs who refused to be flown to Chicago during the disturbances surrounding the Democratic National Convention.

EXPANSION IS AIM

Henry Disuvero, executive director of the ECLC, said the panel plans to expand its activities." We are going to start a military law project with a full-time lawyer travelling from base to base organizing local civilian counsel to defend GIs involved in political charges."

ECLC has taken a militant public position about the Vietnam war, declaring it in violation of the United Nations charter, and the principles established at Nuremberg.

In addition, "the black revolution is sort of hitting the Army. A lot of guys entered the service without a clear idea of what it means to be in the war or in the service of 'the man.' Now, black militancy seems to be seeping into the service."

The military, he added, "is a great organizing thing, because you can capitalize on discontent you find in any authoritarian setting. The radical left has been talking about a coalition between poor white and poor black. Well, the military is also ideal for that, because they are forced to live so close together.

The reaction of the military to all this so far has been inconsistent. It appears to be confounded by the series of assaults on what for so many years had been a hallowed institution.

The mutiny charges and original sentences at the Presidio are examples of the more extreme and most publicized reactions. But servicemen report hundreds of incidents of unpublicized harassment against GIs involved in protest.

At Ft. Dix, N.J., Spec. Allen Myers, an antiwar leader and publisher of one of the two underground papers aimed at that base, was court-martialed (and acquitted) last year for handing out literature in violation of a post regulation.

This year, just days before the antiwar march, Myers was picked up with copies of his newspaper, the Ultimate Weapon, and again charged with breaking the regulation. He was held on base over the weekend, and formal action has not yet been taken against him, although he is soon scheduled for discharge.

The ASU has been a thorn in the side of the military for more than a year, but until recently the Army acted as if it didn't exist. On March 24 the First Army Command at Ft. Meade issued a private memorandum about ASU to all bases in the Northeast and Mid-Atlantic states saying that "commanders will not recognize any organization that purports to be a collective bargaining unit representing members of the Army."

The best way to discourage such activity, it continues, is to "convince the soldier that those in positions of authority have a direct interest in his welfare and morale."

[From the Washington Daily News, Apr. 21, 1969]

CAMBODIA BORDER IS HOME FREE: REDS HIT, RUN, AND THEN HIDE

(By Don Tate)

TAY NINH, SOUTH VIETNAM, April 21.—Altho the Communists continue their shellings, their ground offensive has gone nowhere and they have reverted to the war game they play best—border hide and seek.

They hit this city 10 miles from Cambodia with rockets, killing the usual quota of civilians. And all week they have been popping across to raid little American outposts. Each time they get licked. But they limp back to Cambodia with the sure knowledge the Americans won't follow and finish them off.

Many here say that's the story of the war in microcosm. "The war is hand-tailored to fit the enemy's capacity to drag it out as long as he's got a man left alive to run across a border," says an intelligence officer. "It sounds stupid, doesn't it?"

MADE TO ORDER

He adds that if Ho Chi Minh had filled out an order blank on how to endure against the United States, "this is how he would have ordered it."

The restrictions under which U.S. soldiers have fought in Vietnam have enabled a minipower to endure against the mightiest power in the world, say seasoned military men. They say it often with rancor, but with resignation. They don't think things are going to change much.

"In Washington," a veteran officer notes, "the great virtue is restraint—mustn't expand the war. Out here it seems inhuman to perpetuate something that could have been ended with quick, merciful strokes. As long as we're in a war, it's more merciful to get it over with."

This officer contends the communists have not won a big battle in more than two years, have not gained an inch of territory, and have lost 480,000 men to 34,000 Americans (a more than 13-to-1 ratio)—yet the unimaginative American strategy of attrition is apt to backfire because American patience may become exhausted more quickly than Ho's army.

ATTACK AT SOURCE

"If we could go after them and attack them at their sources," he says, "or have attacked them massively at the beginning, the war would be a memory by now. Instead we go on year after year with no plan except to kill them in dribs and drabs. Then, each time they get licked we give them all those sanctuaries to go back to, and all the time in the world to launch another offensive.

"Obviously, the war can go on as long as they keep having babies up there."

North Vietnamese troops still flood into South Vietnam through Laos. Along the Demilitarized Zone the Reds have rebuilt their roads, fortifications, supply and troop staging areas since the bombing halt and have deployed another 100 heavy artillery pieces barely 10 miles away.

The departing commander of Third Marine Division, Gen. Raymond Davis, said recently, "It doesn't make sense . . ."

TRUCK LIGHTS

Along the Cambodian border soldiers at American outposts can sometimes see enemy truck lights approaching the border. The trucks are loaded with enemy troops who will cross over during the night and attack them. The Americans can't go over and knock them off. They have to wait for the enemy to make up his mind to attack.

Official Washington says it has thus avoided expanding the war.

Predictably, however, the creator of the North Vietnamese Army, Gen. Vo Nguyen

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Giap, who has no qualms about expanding wars, already is sending forth words about his next offensive in which he will "level" Saigon.

The Americans, as usual, will be waiting.

MARINES DRIVE OFF NORTH VIETS, KILL 35

SAIGON, April 21.—North Vietnamese troops firing machine guns and antitank rockets stormed a U.S. Marine outpost overlookng the demilitarized zone today and captured part of it, killing eight leathernecks and wounding 25.

The embattled unit of the 9th Marines called in "Spooky" gunships and artillery barrages that drove the North Vietnamese from the battlefield. Thirty-five communist bodies were found.

It took the Leathernecks two hours to break the attack on the camp they had set up for the night 200 yards below the six-mile-wide DMZ that serves as a border between North and South Vietnam.

It was the second time in four days that the guerrillas had seized part of a U.S. outpost below the DMZ as the focus of war action turned to the northern front.

The increase in combat to the north was accompanied by reports from U.S. military sources that the Viet Cong and North Vietnamese were pulling away from cities farther south to regroup and rest for another offensive thrust.

ARTISTIC ANARCHY

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, it is obvious that the organization calling itself the "New Thing Art and Architectural Center" is dedicated to one purpose and that is to obtain taxpayers' money under false pretenses, as grants in the arts, and use it to further revolution. These grants have been used to recruit and organize the discontented Negroes of Washington to enforce the impossible demands of the Black Student Union.

This "New Thing Art" headed by Colin "Topper" Carew was given a lame-duck grant of $25,000 by the Roger Stevens National Council on the Arts on January 10 of this year. Despite Carew's emotional pretense of advancing minority art, at a recent student rally he bragged that as head of the art group he had organized the mob to enforce with destruction demands of the Black Student Union.

Carew is already seeking more taxpayers funds to continue his revolutionary buildup. In his latest appeal he was accompanied by Charles Cassell, an architect on the Federal payroll, who also happens to head up the Black United Front. This is the outfit which, last July, presented the citizens of Washington with an infamous resolution approving the murder of a District of Columbia police officer, killed in the line of duty and stating in part, "the slaying of a honky cop is justifiable homicide."

In my remarks of March 26, 1969—page 7806—I had called for all grants to the arts and humanities to be curtailed until such time as the responsible leaders of the fine arts community has demonstrated its ability to use the taxpayers' money for the purpose for which the grants are made—to promote art, not anarchy.

Mr. Speaker, several news clippings follow:

[From the Washington Post, Jan. 10, 1969]

TOPPER CAREW'S NEW THING

Colin (Topper) Carew is waging a quiet battle to make Washington more aware of black culture.

He says "there is a cultural void in the city because Washington is 65 per cent black and most of the cultural organizations, which are white, are programmed to control culture in the black community."

He started the New Thing Art and Architecture Center in June 1967 to point the way toward new cultural symbols in the black community ("someday we may become a focal point for black culture").

Before the New Thing, the 25-year-old Boston native, studied architecture for 5½ years at Howard University, worked in the civil rights movement in Maryland and Mississippi and was an associate fellow at the Institute for Policy Studies.

In addition to his heavy schedule at the New Thing, Carew commutes once a week to Yale where he lectures on urban design. He also stays busy on the philanthropic circuit in search of funds for the New Thing.

[From the Washington Post, Jan. 10, 1969]

NEW GRANTS FOR THE ARTS

(By Hollie I. West)

Four Washington groups are among those receiving $1.8 million grants from Rogers Stevens' National Council on the Arts today.

The grants, the final ones for fiscal 1969, include awards to 43 organizations and 19 individuals from New York to San Diego.

A $25,000 grant to the New Thing Art and Architecture Center, a school of black arts in the Adams-Morgan area, will be used for staff salaries for a new black-oriented high school.

New Thing Director Colin Carew said 100 dropouts will be trained in the school, which he prefers to call a "learning center."

"It will not be like a traditional high school," he explained.

The dropouts will take courses in the arts—photography, film-making, music, dance and fashion—mathematics, African and Afro-American history and practical life experiences. Then the students will be tested for the equivalent of a high school diploma..

Carew said that many of the 100 students, between 16 and 21 years old, have been recruited for the year-round classes.

Among the teachers and artists-in-residence will be 15 work-study students, including 10 from Williams College.

Kenneth Kitch, associate executive director of Arena Stage, said Arena's $20,000 grant will be used to set up an improvisational touring company—the Living Stage 1969.

The company is scheduled to go into production in March.

A small, interracial company of five actors and a music director, the troupe will put on audience participation productions for inner-city youngsters in their own neighborhoods.

Kitch said the "main thrust of the company will be to bring a theater of relevance to young people."

The Washington Theater Club will use its $20,000 grant, said Director Davey Marlin-Jones, to continue producing new works by unknown playwrights.

Plans also call for establishing a resident company. Engagement of guest directors would free Jones from his normal duties to work with the young playwrights.

"The plan is to bring in young people in theater who are socially geared to our times," he said.

Mark Estrin, Director of the American Playground Theater, said his $5000 grant will be used for operating expenses.

The one-year-old group, he said, would continue its work in audience participation theater and try to finish remodeling its building at 1507 Corcoran st. nw.

[From the Washington Daily News, Apr. 30
1969]

GROUP ANNOUNCES CULTURAL PACKAGE FOR CITY: BLACK ARTISTS WANT PROJECT CASH

(By Sarah Booth Conroy)

A black committee of artists is putting together a package of black cultural projects for the city and says it will demand that the D.C. Commission on the Arts give it the money it needs.

The committee met yesterday at the New Thing Art and Architectural Center.

Heading the group is Topper Carew, director of the New Thing, and himself a member of the D.C. arts commission; Charles Cassell, an architect and chairman of the D.C. School Action Council; and Melvin Deal, director of the African Heritage Dancers and Drummers.

MANIFESTO

The group's manifesto says "We, who are representative of the cultural movement in the Black Community of Washington challenge the legitimacy of the D.C. Commission on the Arts as it relates to our community.

"The D.C. Commission on the Arts is made up mostly of people who adhere to that standard which runs counter to a 'black thing.' Most of the money is being granted to establish cultural organizations and their appendages and not to community based cultural organizations in Washington."

The black artists group also thinks that the 35 member commission should have a black executive director and a black chairman and a 71 per cent black membership "in a city 71 per cent black."

It charges that most black cultural organizations are unaware of the commission or the way it functions.

Eric Jones, director of the New Thing Learning Center will be, according to Mr. Carew "co-ordinating the energy." Mr. Carew said an effort will be made "to choose projects not only representative of the various forms of art: theater, music, dancing, painting, etc.," but also "to cover the city geographically."

[From the Washington Evening Star, Apr. 30,
1969]

DISTRICT OF COLUMBIA ARTS PANEL CALLED WHITE-ORIENTED ON AID

(By William Holland)

Several Negroes active in the arts charged yesterday that the D.C. Arts Commission is white-oriented in its standards for deciding financial aid.

A commission official replied that the aid will benefit many blacks. But he said he welcomed suggestions from the critics.

The commission, set up last year, has received $30,909 from the National Endowment for the Arts. It is scheduled to announce its first grants tomorrow.

At a meeting yesterday at The New Thing, an art center at 2335 18th St. NW., director Colin (Topper) Carew, a commission member, said a list of suggested grants prepared by the body's executive committee contains no "black-oriented" recipients.

Architect Charles Cassell read a statement calling the commission "illegitimate and irrelevant to a city 71 percent black."

The commission chairman is George Stevens Jr. The director is Gerard Boesgaard. Vice chairman is Lloyd McNeill, a black artist. He attended the meeting with Carew and Cassell but did not comment.

Carew said he was "seriously considering" resigning from the commission, appointed by Mayor Walter E. Washington. But in the meantime, he and the others formed a Black Cultural Committee, which will propose projects for funding by the commission within two weeks.

PROJECTS CITED

Boesgaard later issued a statement pointing out that the recommended grants include aid to the Corcoran Dupont Center for a program of jazz and new Afro-American music to be directed by Gaston Neal, director of a black arts center.

Other recommendations would provide funds for the Capital Ballet Guild, a predominantly Negro group; to George Washington University for an arts-careers workshop run by Peggy Cooper, a Negro, and to other institutions whose projects would mainly benefit young Negroes—Arena State, the Shakespeare Summer Festival, Southeast Neighborhood House and several public-school programs.

But Boesgaard said the plan of the new black arts committee to submit its own proposal is a "constructive idea" and "in line with the goals and purposes this commission has set for itself from the beginning."

[From the Washington Post, Apr. 30, 1969]

BLACKER BY PROPORTION

(By Hollie I. West)

Topper Carew, director of the New Thing Art and Architecture Center, announced yesterday the formation of a group of all-black artists, called the Black Cultural Committee, who would propose more Negro-oriented programs to the D.C. Commission on the Arts.

In announcing the group, Carew charged that the Commission had ignored black artistic organizations that had applied for recommendations for grants for fiscal 1970 from the National Endowment for the Arts.

He also questioned whether it was proper for the Commission to have a white executive director and white chairman in a city that is 71 per cent black.

"I think the Arts Commission goals are valid," Carew said. "It's just a question of implementation."

He recommended a reorganization of the Commission, with it being made 71 per cent black and having a black executive director and chairman.

Carew also suggested that a review be made of proposals approved by the Commission, with the thought in mind of funding more organizations operated for and by blacks.

He said the all-black artist group would canvass the city during the next two weeks to find black artist groups interested in receiving National Endowment grants.

Artist-musician Lloyd McNeill, vice chairman of the Commission, was a spectator at the news conference when Carew issued his statement. He had no comment of Carew's remarks.

Gerard Bosgard, executive director of the Commission, said several black artist groups were recommended for grants, including the Capitol Ballet Guild, Inc., and the Instrumental Music Laboratory Program for Anacostia.

Bosgard said several groups were "deeply involved with the black community." He pointed to the Afro-American Music program of the Corcoran Art Gallery and the Arena Stage's work with inner city youngsters.

The ad hoc black artist committee includes John Kinard, director of the Anacostia Neighborhood Museum; James Speight, director of Southeast House, and Paul Carter Harrison, drama instructor at Howard University.

CONGRESSMAN JOHN M. MURPHY UNDERSTANDS ISRAEL'S POSITION

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, my distinguished colleague, Mr. JOHN M. MURPHY, of New York, has most accurately placed his finger upon the central points in the Middle East situation. Mincing no words, he has outlined the situation and our choices quite clearly. I commend his remarks to the attention of this body, particularly in light of the understanding he shows for Israel's position.

The text of his remarks follows:

Birthdays should be gala occasions; times of rejoicing for progress and development, not times of terror and havoc, sabotage and skirmish, and death and destruction—the ruthless and useless consequences of a deliberate, continual war.

But those are the unalterable facts that faced that small, magnificent State of Israel—haven for more than 1,250,000 refugees and immigrants—as it recently celebrated its 21st year of existence. I say existence, rather than birthday, because in those 21 years gallant Israel has been forced into three wars despite its continuous efforts to seek and to offer peace. Israel has been the constant victim of a stream of vicious acts of terrorism from the hostile Arab lands surrounding it from birth until present. Ruthless acts of murder have been committed over and over again exacting the lives of children on summer tour, shoppers in Jerusalem markets, passengers at Tel Aviv bus depots, travelers in an Athens airport, lynch-victims of frenzied mobs in Iraq.

We do not need United Nations Secretary-General U Thant to tell us that "a virtual state of war now exists" in the Middle East. The people of Israel—America's only reliable friend in that vital area of the world—have known it, dreaded it and fought is successfully—so far—from birth.

Since the end of the abortive six day war of June, 1967, the defeated Arab states have yet to recoup the necessary military strength to try and wrest back the lands they lost. Yet, in the 22 months since that conflict, inflamed Arabs have managed through stark terroristic tactics to kill nearly 800 Israelis—most of them innocent civilians.

While destruction dominates, diplomatic efforts have been hopelessly unstable.

The one-sided decision of the United Nations Security Council late last year to censure Israel and to ignore Arab terrorism was disgustingly prejudicial and harmful to the attainment of a genuine peace. Resolutions which condemn those who want peace and which shield those who wage war are a travesty to the U.N. charter.

I said then, as I joined a number of my colleagues in the House of Representatives in a forceful statement condemning the U.N. action, that the resolution forbode a continuation of insane atrocities and slaughter. The United Nations' action, as has now been proven merely inflamed the Arabs to further barbarious acts.

The Arabs repeatedly have sneered at the unenforced U.N. cease-fire arrangements of 1967, hoping to goad the divisive Big Four into agreeing on an imposed anti-Israel solution to the Mideast crisis. The Big Four—Britain, France, Russia and the United States—have been stalled in diplomatic dialogue, each selfishly reflecting vested interests in the Mideast while bombs kill the innocent. Further, the Russian and French governments have been viewed as encouraging the Arabs in their openly declared aim of annihilating the State of Israel.

The U.S. has repeatedly condemned this state of war in the Mideast and persists in the search for a negotiated and contractual peace as a major goal of American policy. Yet, aside from staunch congressional declarations, we have only weakly deplored one-sided U.N. resolutions which ignore Arab violations of the cease-fire and which censure Israel's reply and counter action.

We hope that our government will not participate in a dangerous collaboration with Israel's enemies for a one-sided peace. For in effect United States support for the Big Four talkathon is to the Arab's advantage. It provides them the perfect escape from the direct negotiations with Israel. And even if the Big Four could perform the miracle of agreeing on a settlement, it should and must recognize the sovereign rights of Israel, or be rightfully ignored by Israel.

More importantly, it must ensure direct negotiations and to secure a contractual peace settlement, freely and sincerely signed by the leaders of the Arab states with their Israeli counterparts.

Imposed settlements, whether by the entire United Nations body, the Big Four, or other outsider powers, would be futile and foolhardy. Halfway measures are not conducive to a permanent peace. Face-to-face negotiations—in the spirit and service of peace—are the only effective measures to resolve years of self-destructing horror and hate. But despite three futile and costly wars, Israel's Arab neighbors regrettably refuse to negotiate a final peace settlement with Israel.

Earlier this week, 206 Members of Congress signed a declaration for peace in the Mideast and on the occasion of Israel's 21st Birthday. I joined in that declaration though, through an administrative oversight, my name was omitted from the role. Now as the 207th Member to again enthusiastically support their action, I would like to cite pertinent excerpts from that declaration:

"To ensure direct negotiations and to secure a contractual peace settlement, freely and sincerely signed by the parties themselves, the United States should oppose all pressures upon Israel to withdraw prematurely and unconditionally from any of the territories which Israel now administers.

"Achieving peace, Israel and the Arab states will be in a position to settle the problems which confront them. Peace will outlaw belligerence, define final boundaries, end boycotts and blockades, curb terrorism, promote disarmament, facilitate refugee resettlement, ensure freedom of navigation through international waterways, and promote economic co-operation in the interests of all people.

"The U.N. cease fire should be obeyed and respected by all nations. The Arab states have an obligation to curb terrorism and to end their attacks on Israel civilians and settlements."

I hope and pray that every diplomatic, humanitarian and moral means will be utilized to prevail upon the Arab world to end its barbarious course so alien to the highest concepts of humanity and justice.

PODELL CALLS FOR FEDERALIZATION OF WELFARE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, the entire scope of urban life is increasingly overshadowed by the burgeoning question of our welfare system and how to cope with it. As a result of uneven national development, some areas, particularly cities, have offered wider welfare benefits. By so doing, they have become attractive migration points for many who seek such services.

Drawn by the promise of jobs and a climate of formal equality, many have sought out urban areas on a geographical basis. Few have been prepared for the urban challenge, lacking understanding of city life and marketable skills.

As time went on, welfare expanded to prevent these people from complete collapse physically as urban demands and pressures mounted upon them in an increasingly computerized and skilled milieu. Yet this expansion of more services at greater cost has placed an escalating strain upon budgets and wallets of urban taxpayers and tax structures. We have reached a point of saturation, financially, physically, and emotionally.

Today, the taxpayers of urban areas bear a double burden. Further, these are major industrial and wealth-producing areas which in turn are making harsher demands upon their citizens in order to provide these basic services. New York State, as an example, provides close to $23 billion annually in revenue to the Federal Treasury, receiving in total return less than $2 billion in Federal money. Add skyrocketing demands of welfare, and the people of New York have a right to ask for redress of such imbalance. America's welfare system is a crazy quilt patchwork which is falling apart. Working hardships upon taxpayers and welfare recipients alike, it stands badly in need of standardizing, reform, and federalization.

New York City presents the situation in classic microcosm. In fiscal year 1967–68—the most recent year for which there are complete figures—New York City began the year with 688,812 persons on the welfare rolls, and ended the year with 1,093,964 persons on the rolls, an increase of 405,152. At the year's end, 13.6 percent of the city's population was on welfare, receiving a total of $1,069.5 million. Of this, the city paid $310 million, the State paid $337.9 million, and the Federal Government paid $421.6 million.

In the present 1968–69 fiscal year, the New York City welfare recipients will have received a total of $1,535.8 million in welfare. Of this, the city will have paid $436.7 million, the State $487.5 million and the Federal Government $611.6 million.

The city projected a need of $1,733.9 million in welfare payments for the coming 1969–70 fiscal year. But the State's recent cuts in both requirements and funding of welfare for the city resulted in a cutback from this projected need of $215 million. The revised fiscal year 1969–70 budget for welfare after the State cuts result in a lower welfare payment figure than the total given in the present year. Next year's budget for welfare is $16.9 million below this year's actual payments, and $215 million below the projected need for next year.

People in New York City on welfare receive city, State, and Federal funds in a complex series of interlocking, interdependent matching grants. Recent action by the New York State Legislature has, in effect, stated it will cut a certain amount from its present contribution.

In such a complex system, the State is the keystone of our existing welfare system structure. It initiates the entire pattern, setting up its framework. Then our Federal Government complies with the State's plan and initiative. Here is where the entire concept of State initiative in this area crumbles at expense of both taxpayers and welfare recipients. New York City cannot take up the slack. Its taxpayers are already shamefully overburdened. Mayor Lindsay has already jacked up the city's indebtedness to unheard of levels. An already intolerable situation verges upon the chaotic.

Quite recently, the New York State Legislature proceeded to give legislative birth to amendments and cuts in our State welfare budget which will result in drastic curtailment of services.

Estimates of exact losses because of cuts vary. Still, the basic situation emerges clearly. After the legislature's action, new relief payments to New York City welfare recipients will be 8.5 percent less than fiscal year 1969 payments were. Figures given by Mitchell Ginsberg, New York's human resources administrator, show that with loss of matching Federal and city funds, cuts would cost the city of New York $250 million in aid.

What is our solution? We see taxpayers and welfare recipients caught in an impossible bind. There is no solution on a State or city level. Our increasingly desperate search for one where none can be found is merely causing increased frustration and recrimination. Only the Federal Government holds a key.

I feel there must be total federalization of welfare in all States and absorption into a Federal structure of the existing framework of State welfare agencies. Simultaneously, there must be standardization of welfare codes and requirements on a national basis. This would insure an end to disparities now existing between different States, bringing an end to rural to urban migration for the purpose of obtaining welfare benefits.

Certainly, this is the only inevitable answer. We cannot tolerate a situation which brings chaos to the welfare system and taxpayer pocketbooks. Both pose intolerable menace to all of us. One result of this has been slashing of essential public services, such as the unthinkable threat to our libraries and museums.

A time for national initiative is at hand, obviating such actions as were recently taken by the New York State Legislature. Such an initiative must begin here. I am today introducing a measure that will—

First, provide for nationally uniform minimum standards and eligibility requirements for public assistance;

Second, provide for a supplemental family allowance program; and

Third, provide that cost of public assistance under the Social Security Act be borne by the Federal Government.

Aims of my bill are to curb migration of low-income people to urban centers where welfare benefits are greater than in urban areas as well as to create new work incentives by permitting an individual to retain more outside earnings. The supplemental allowance would be reduced only 50 cents for every dollar earned by the recipient. My measure would also free State and local governments from financial burdens of welfare costs.

I feel this is a well-balanced bill; one that would institutionalize recognized and necessary solutions to a national problem of outlandish proportions. By easing weight while shifting burdens we would insure a fairer, more equitable meeting of this problem. We shall have to act eventually, and there would be no better time than now, particularly in light of the unparalleled growth of this dilemma.

PRESIDENT NIXON'S PROGRAM TO ELIMINATE ORGANIZED CRIME

(Mr. BIESTER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BIESTER. Mr. Speaker, I would like to place in the CONGRESSIONAL RECORD an editorial from the April 24 Washington Post regarding President Nixon's program to eliminate organized crime.

Organized crime is a separate society that seeks to operate outside of the control of the American Government. It involves many criminals, working within structures as complex as you might find in any large corporation, subject to laws more rigidly enforced than those of legitimate government.

While it is true that organized crime is in the business of supplying illegal goods and services such as gambling, loan sharking, narcotics, and other forms of vice, we must take notice of the fact that organized crime is extensively in legimate business.

Organized crime affects the lives of millions of Americans, but because it desperately preserves its invisibility, most Americans are not aware how they are affected, or that they are affected at all. For example, the price of a loaf of bread may increase 1 cent as the result of an organized crime conspiracy but the average housewife has no way of knowing why she is paying more.

We should keep in mind that it is organized crime's accumulation of money, not the individual transactions by which money is accumulated, that really presents the great threat to America. You see, organized crime exists by virtue of the power it purchases with its money. The money it can invest in narcotics or use in other areas give it power over the lives of many, many people. The money it can put into the legimate economic system gives it power to manipulate the price of retail merchandise, and to make it easy or difficult for businessmen to continue in business.

Organized crime participates in any illegal activity that offers it maximum profit at minimum risk. To be blunt—it offers goods and services that millions of Americans desire even though declared illegal by their State and local governments.

Law-enforcement officials generally agree that gambling is the greatest source of revenue for organized crime. In fact, in very large cities where organized criminal groups exist, very few of the gambling operators are independent of a larger organization. Should a small-time gambler become successful in operating an independent gambling operation, it is very likely that he will receive a visit from an organization representative who will convince the independent operator, usually through fear or promise of greater profit, to share his revenue with the organization. The President's Crime Commission noted that there really is not any accurate way of ascertaining what organized crime's gross revenue is from gambling

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in the United States. Estimates of the annual intake from gambling have varied from a low of $7 billion up to as high as $50 billion. However, even the most conservative estimate would provide substantial capital in the hands of these organized crime leaders.

Loan sharking, which is the lending of money at higher rates then legally prescribed, is another large source of revenue for organized crime. For example, gamblers borrow to pay gambling losses, narcotics users borrow to purchase heroin, and some small businessmen have to borrow from loan sharks when legitimate credit channels are closed to them. When an organized crime group lends money, interest rates will vary anywhere from 1 to 150 percent per week, depending upon the relationship between the lender and the borrower, the use for which the money is intended, the size of the loan, and what the repayment potential is. The lender is more interested in perpetuating interest payments more than he is in collecting the principal. Force of the most brutal kind, including murder, is used to collect.

The sale of narcotics is another area in which organized crime is very active. The President's Crime Commission pointed out that large amounts of cash and the international connections necessary for large, long term heroin supplies can be provided only by organized crime. The Commission's report states:

> Conservative estimates of the number of addicts in the nation and the average daily expenditure for heroin indicate that a gross heroin trade is $350 million annually, of which $21 million are probably profits to the importer and distributor. Most of this profit goes to organized crime groups in those few cities in which almost all the heroin consumption occurs.

One of the greatest dangers occurs when organized crime infiltrates legitimate business. This enables the racket executive to acquire respectability in his community and to establish a source of money that appears legal and upon which just enough taxes can be paid to avoid income tax prosecution. The Crime Commission found that organized crime invests the profit it makes from illegal activities in many forms of businesses. And in doing so, it uses accountants, attorneys, and many other experts.

Many times, because of the reciprocal benefits involved in organized crime's dealings with the business world, or because of fear, the legitimate sector of society helps the illegitimate sector. After investigating one industry, the Illinois Crime Commission reported:

> There is a disturbing lack of interest on the part of some legitimate business concerns regarding the identity of the persons with whom they deal. This lackadaisical attitude is conducive to the subversion of legitimate businesses by the organized criminal element.

The fact that organized crime has gained a foothold in our society can partly be explained by the belated recognition on the part of the people and their governments of the need for specialized efforts in law enforcement to counter the enterprises and tactics of organized crime. The public usually demands action only after sensational disclosures reveal intolerable violence and corruption caused by organized crime, and without consistent public demand, political office seekers and holders have little incentive to take affirmative action to combat it.

I think we need a national policy in the area of organized crime and the Nixon administration has given us one.

Organized crime is a sinister disease gnawing at the country. The people involved in it have become rich and powerful by encouraging the needy to take up gambling, by encouraging the troubled and mentally weak to wreck themselves by using drugs, by exerting money from businessmen, by maiming or murdering those who oppose them and by bribing those who are sworn to destroy them. It is dedicated to destroying our American institutions and the decency and integrity that are so very important in our free society. As these racketeers continue to operate in open defiance of the law, they preach a message that many Americans are heeding, and that is, "the Government is for sale; lawlessness is the road to wealth, honesty is a pitfall and morality a trap for suckers."

I personally feel that the extraordinary thing about organized crime is that America has tolerated it for so long.

The editorial referred to follows:

A War Against Organized Crime?

"The extraordinary thing about organized crime," the President's Crime Commission said two years ago, "is that America has tolerated it for so long." Thanks mainly to the efforts of Senator Kefauver and later of Attorney General Kennedy, the veil that hid the development and the extent of organized crime was lifted. There is no doubt about its power today. It makes its money largely on gambling, multiplies that income through the narcotics trade and loan-sharking, dabbles with great success at illegal stock market operations, buys into legitimate businesses, uses whatever physical force is necessary to achieve its goals, and protects its interests by bribing or intimidating public officials. Its leaders are wealthy and powerful; its victims lie scattered over the landscape, some ruined economically, some destroyed morally, and some simply dead.

Thus, the need for an all-out drive, by both Federal and state officials, on organized crime is clear and the emphasis President Nixon is giving to this program is welcome. If he and Attorney General Mitchell can pull together the investigatory agencies of the Federal Government, give them the resources they need to strangle organized crime, and win whole-hearted cooperation from the states, they will have redeemed part of his campaign pledge to do something about crime.

Whether the program that Mr. Nixon has announced will achieve this remains to be seen since the Federal attack on organized crime in the past has been largely noted for bursts of enthusiasm followed by waves of apathy. That formal program began 15 years ago but picked up only a little momentum until Robert F. Kennedy became Attorney General. It bogged down about the time he left the Justice Department, partly because of criticism of its tactics and partly because some key agencies drifted back into their pre-1961 attitude of disinterest. President Johnson tried to stir the drive up again in 1966 and his Attorney General, Ramsey Clark, created the strike forces on which Mr. Nixon's program is modeled. But Mr. Johnson discovered, as Mr. Nixon has said, that it takes more than "loud voices and good intentions" to do the job.

It takes more largely because the public has been and still seems to be apathetic. A few dollars on a horse here, ten cents on a number there, a slot machine next door seem like nothing. But Mr. Nixon was not exaggerating when he said the profit organized crime makes on illegal gambling runs into the billions (not millions) of dollars a year. With that kind of capital and with no moral scruples about the use of violence, organized crime has gobbled up a large section of the economy. If that flow of money can be cut off, as Mr. Nixon hopes it can be, the backbone of organized crime can be broken. Without that kind of money, organized crime would find it far more difficult to run the narcotics trade that is the root cause of many of the burglaries and robberies that plague the cities and to corrupt the officials who watch over its interests all the way from local police stations to the national legislature.

The details of Mr. Nixon's legislative program are not what can be called clear. It is impossible to make a judgment on proposed statutes that seem not to have progressed beyond the idea stage. But the ideas appear to be good and the request for an additional $25 million to bolster the investigative and prosecutive effort is valid. Congress should have no hesitancy in providing the funds and spurring the program along.

STILL OPPOSES RECOGNITION OF RED CHINA

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record.)

Mr. SAYLOR. Mr. Speaker, for years there have been isolated demands by some of our citizenry for recognition of Red China. Such appeals are particularly unfortunate today, for an indication of an accommodation of this nature will only encourage Mao Tse-tung to continue Vietcong support.

There are innumerable other reasons why our position on Peking must remain unchanged, but realization that Americans advocating recognition are committing a grave disservice to U.S. military forces in Vietnam should in itself be sufficient to still the voices of modification toward a regime that is steeped in deception, tyranny, and genocide.

It is unnecessary to recount the many published facts of savagery chargeable to the People's Republic since it came into power 20 years ago.

The persecution of missionaries has been repeated many times. The torture of Buddhist priests and the sacking of their monasteries, along with barbaric treatment of people of all ages, during the invasion of Tibet a decade ago, is common knowledge throughout the world. It was less than three years ago that American newspapers published the unforgettable photograph of a Catholic nun dumped onto a baggage cart and shoved toward the British Crown colony of Hong Kong by the jeering, hooting Red guard. She died less than 24 hours later.

Although the U.S. State Department has been notoriously slow in assuming a posture that would reflect unfriendliness toward any country regardless of how despotic, deplorable, and despicable its leaders may choose to be, the disgraceful episode in Tibet prompted the Department to issue a statement on March 28,

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1959, objecting to the treatment of that little nation. I quote the concluding paragraph:

> The United States is profoundly sympathetic with the people of Tibet in the face of the barbarous intervention of the Chinese Communist imperialists to deprive a proud and brave people of their cherished religious and political autonomy and to pervert their institutions to Communist ends.

If the attitude and actions of the Red leaders have changed since that time, Mr. Speaker, the transformation has not been in the direction of morality or mercy. The toll of lives lost continues to spiral upward and includes many American citizens. More than 400 prisoners of war taken into China during the Korean conflict have never been accounted for and the number has unquestionably increased since the beginning of hostilities in Vietnam.

Recognize Red China? No, Mr. Speaker, and it is regrettable that the idea is again being advanced. Rather than open arms of welcome to international criminals, it is time to demonstrate that this country will not compromise with beasts and butchers. Only when we strike such a pose will Red China and her allies come to understand that America stands on the side of God and human respect, that we will not lend dignity—through recognition—to a mortal enemy of civilized mankind.

CITIES AND RURAL COMMUNITIES

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SAYLOR. Mr. Speaker, the administration's guided migration plan announced last week will fall short of solving urban problems unless it includes incentives to make rural areas attractive to families on the move.

Helping to train and adjust those who come to the city will not substitute for discouraging the influx into metropolitan areas. Instead of inviting greater numbers into already crowded neighborhoods, the Federal Government should concentrate on taking advantage of the unlimited space available in the countryside. It is obvious that too many families who migrate into large cities find economic and social adjustment extremely difficult.

Rather than pack these people into the uncomfortable containment of teeming tenements and overcrowded schools, the Government ought to do everything possible to bring them into the refreshing atmosphere of the small community and provide inducement for adjacent industrial development.

On August 23, 1966, Mayor Jerome Cavanagh, of Detroit, who also spoke as president of both the National League of Cities and the U.S. Conference of Mayors, told a Senate subcommittee that a minimum of $250 billion in Federal funds would be needed in the next decade to spark "the rebirth of the American city." He was talking about enough money to build 25 million $10,000 homes in rural communities.

Last year big-city mayors advanced on Washington in a group with a request for $2 billion for public works programs to train and hire half a million youths and hard-core unemployed. I submit that it is time to think about putting such funds into communities with a future instead of directing them into the bottomless slums of cities.

Because there is more space and opportunity to have playgrounds and appreciate nature, families in rural areas are less likely to become involved in the criminal activities that plague large cities. What is most important, however, is that most people who have been reared in small towns would be happier in this environment. The following paragraph appeared in the Pittsburgh Press of May 5, 1968, under the byline of George Gallup:

> A company survey shows that many persons now living in the largest cities would like to move to the smaller cities and rural areas of the nation. This is true of many Negroes as well as whites.

Mr. Speaker, unless the guided migration program is guided in the right direction, the Government could be headed up a blind alley—in a large city.

SCOGGINS CREEK DAM AND RESERVOIR PROJECT

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, the problem of water pollution in the United States is becoming increasingly more grave each year. It is important that the Federal Government take whatever steps necessary and within its jurisdiction to prevent and alleviate stream and water pollution. In regard to the congressionally authorized development in the Tualatin Valley in western Oregon, the Oregon State Legislature has memorialized the Congress urging the Federal Government to provide in the Scoggins Creek dam and reservoir project a provision for water quality control.

I call the attention of my colleagues to the following memorial of the Oregon State Legislature:

> HOUSE JOINT MEMORIAL 2
>
> *To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:*
>
> We, your memorialists, the Fifty-fifth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:
>
> Whereas control of stream pollution has become a matter of vital interest to the Congress and the people in all 50 states; and
>
> Whereas the Congress and most of the various branches of government concerned with river and stream control and improvement have indicated almost unanimously their vital interest in the maintenance of clean water in our rivers and streams; and
>
> Whereas the matter of releasing water from storage and flood control reservoirs during low stream flow periods is a proven method of maintaining the necessary biological oxygen content of rivers and streams, satisfactorily diluting polluting nutrients from treated effluent and eroded agricultural fertilizers, and otherwise providing a livable habitat for fish and wildlife, reducing health hazards for residents and visitors, and enhancing the esthetic values of our nation; and
>
> Whereas water quality control provisions for the operation upon completion of the Scoggins Creek dam and reservoir, a Bureau of Reclamation project in the Tualatin River basin of Oregon, were not included in the project authorization; and
>
> Whereas the Tualatin River traverses an important agricultural area as well as flowing through one of Oregon's most heavily populated suburban residential regions and several important cities and towns, and empties into the Willamette River just prior to that stream's passage through the center of the heavily populated Portland, Oregon, metropolitan area; and
>
> Whereas water quality control, if provided in the Scoggins Creek dam and reservoir project authorization, will not require change in the proposed physical structure of the project, nor will it require additional appropriations beyond those envisioned in the authorization for construction; and
>
> Whereas this will set a precedent for future Bureau of Reclamation projects of this type to conform with similar dam and reservoir projects operated by other federal agencies; and
>
> Whereas the adoption of such a program will be to the benefit of all the states, directly or indirectly, including residents of affected areas, visitors, and the impetus it will give to local governmental and private pollution control efforts; and
>
> Whereas it is vital that the Congress and the Federal administrative bodies continue to show leadership in water quality control; and
>
> Whereas such water quality control, to be workable, must be a nonreimbursable portion of the project because of its value to visitors from every state and the demonstrated impossibility of allocating such minor operating costs fairly to any state, or portion thereof, city, district, or particular property owners when most of an entire river basin and scenic area is involved; now, therefore,
>
> *Be It Resolved by the Legislative Assembly of the State of Oregon:*
>
> (1) The Congress of the United States is memorialized to reassert its continuing leadership in improvement of our rivers and streams by amending the Scoggins Creek dam authorization to include water quality control as one of the nonreimbursable operating provisions of the project, it being understood that this is establishment of a policy for reclamation projects in line with prior policy expressed by the Congress and found to be to the best public interest by other federal administrative bodies.
>
> (2) The Chief Clerk of the House of Representatives shall cause copies of this memorial to be sent to the presiding officers of the Senate and of the House of Representatives of the United States and to each member of the Oregon Congressional Delegation.

GENERAL EDUCATION ASSISTANCE ACT OF 1969

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, it is my pleasure to introduce a bill which bears the short title, "General Education Assistance Act of 1969." The bill would carry out recommendations of the National Education Association with respect to broad suppport of education in our Nation's school systems. It would authorize grants on the basis of $100 per school-age child, ages 5 through 17, starting in fiscal 1971. Allocations would be computed on the basis of school-age population in a given State vis-a-vis the school-age population of all the States. This allocation would total $5.2 billion in the current fiscal year. In addition, the bill would authorize equalizing grants totaling $2.5 billion to assist those States having the lowest per capita income. The total cost would be about $7.7 billion per year.

Mr. Speaker, the essential feature of this bill is that it offers our Nation's hard-pressed schools Federal money which is desperately needed to meet their most urgent needs. At least 50 percent of the basic grants would be earmarked for increasing teachers' salaries. The remainder would be used, at the discretion of the State education agency, for providing such essential services as preschool and summer programs, shared-time programs, and for hiring additional staff.

This legislation, more than half again as large as any education bill yet passed by the Congress, would supplement existing Federal categorical or earmarked programs, including the Elementary and Secondary Education Act of 1965. The Federal Government now provides somewhat less than 8 percent of the Nation's school revenues, whereas many leaders in education believe the Federal share must rise to at least 25 percent within a few years. Nevertheless, this bill would require continued maintenance of State and local fiscal effort. The State would also set forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State agency.

I cannot emphasize too strongly that this bill would broaden the scope of educational opportunity within the States while protecting the essential educational authority of the States. I believe that Congress has an obligation to restructure spending priorities in such a way as to relieve the strain on State and local taxation resulting from ever-increasing demands on our school systems.

The nationwide education crises to which this bill is directed is more serious than many of us realize. Recent studies indicate that our national economy and the very quality of American life is impaired by lack of well-educated and skilled workers. This problem stems in large measure from the inability of our schools to attract and hold good teachers. Able college students are lured away from teaching by shamefully low salaries. Starting pay for an elementary teacher in some areas is as low as $2,400 per annum.

In my State of Kentucky alone, where taxpayers are exerting strenuous efforts to maintain good schools, we face these startling statistics:

Per capita personal income in 1967 was $2,426; the national average was $3,159.

Percent of households with incomes under $3,000 at the same time was 29.8 percent, versus 20.2 percent for the Nation as a whole.

Total public school revenue receipts per pupil in ADA, 1968–69 were $699, as compared with the national average of $895. The figure for New York is $1,500.

Per capita State expenditures for all education in 1967 amounted to $110.28; the national average was $107.72. New Mexico spent $221.02.

These figures are not an indictment of the people of Kentucky nor of their State and local governments. They simply reflect that Kentucky, along with many other States, simply lacks an adequate tax base to meet the urgent needs of an ever-increasing school population. The whole Nation faces severe shortages of qualified teachers, resulting in overcrowded classes and a shockingly low standard of instruction.

The quality of teaching suffers when salaries are too low. Young children from impoverished homes fail in school because they cannot bring to the classroom the skills and knowledge of children from more affluent families. Schools cannot educate in a sophisticated technological age without up-to-date materials and equipment. Workers for a technological society cannot find jobs without proper vocational training.

It is no wonder that so many of our bright and talented youngsters drop out of school before high school graduation because of programs that are outmoded and dull. It is no wonder that the less able youngsters drop out of school environments that prove hostile to them.

Therefore, the Nation must gear up to the enormous task of putting its educational house in order. States and local communities cannot do the job without substantial infusion of Federal funds.

The States themselves know what must be done. They should be free to decide what must be done. And, given the aid that this legislation would provide, I am confident that great advances could be made rapidly.

Unfortunately, we are a nation at war, with billions of dollars spent annually in Vietnam. I introduce this bill in the hope that Congress can enact it promptly but I realize that may not be within the realm of practicality for me to expect that we will begin immediately to supply the school aid the children of this Nation urgently require. But we must begin the task of rebuilding our school system. We cannot in good conscience deny the Nation's children the opportunity for a useful, productive, and enlightened course of life. This bill comes to us from the teachers of America. We must study it, and think through the possibilities it offers. And then, at the earliest possible moment, we should move toward the kind of broad, general, support provided for in this bill.

At this point in the RECORD, Mr. Speaker, I would like to have placed a table showing State-by-State distribution of funds under the bill:

GENERAL EDUCATION ASSISTANCE ACT OF 1969

	Number of poor 5–17, 1968–69 (1)	Percent of poor in each State (2)	Equalization (3)	Basic amount (4)	Total amount (5)	Total amount per child (6)
Alabama	351,430	3.9	96,825,000	96,200,000	193,025,000	200.60
Alaska	9,270	.1	2,550,000	9,000,000	11,550,000	128.3c
Arizona	66,536	.7	18,325,000	48,200,000	66,525,000	138.03
Arkansas	217,890	2.4	60,025,000	51,000,000	111,025,000	217.72
California	549,753	6.1	151,475,000	493,000,000	644,475,000	130.73
Colorado	67,222	.7	18,500,000	55,400,000	73,900,000	133.39
Connecticut	58,311	.6	16,050,000	74,800,000	90,850,000	121.46
Delaware	13,706	.2	3,775,000	14,900,000	18,675,000	125.34
District of Columbia	32,782	.4	9,025,000	18,700,000	27,725,000	148.26
Florida	257,846	2.8	71,050,000	155,000,000	226,050,000	145.84
Georgia	382,068	4.2	105,275,000	124,200,000	229,475,000	184.76
Hawaii	20,302	.2	5,575,000	21,100,000	26,675,000	126.42
Idaho	26,176	.3	7,200,000	20,200,000	27,400,000	135.64
Illinois	333,125	3.7	91,800,000	280,000,000	371,800,000	132.79
Indiana	143,502	1.6	39,525,000	136,700,000	176,225,000	128.91
Iowa	133,861	1.5	36,875,000	73,900,000	110,775,000	149.90
Kansas	82,590	.9	22,750,000	60,400,000	83,150,000	137.67
Kentucky	285,909	3.2	78,775,000	85,600,000	164,375,000	192.03
Louisiana	313,896	3.5	86,500,000	108,500,000	195,000,000	179.72
Maine	39,236	.4	10,800,000	26,100,000	36,900,000	141.38
Maryland	117,588	1.3	32,400,000	102,000,000	134,400,000	131.76
Massachusetts	128,132	1.4	35,300,000	137,600,000	172,900,000	125.65
Michigan	265,053	2.9	73,025,000	245,400,000	318,425,000	129 76
Minnesota	155,441	1.7	42,825,000	103,000,000	145,825 000	141.58
Mississippi	338,596	2.7	93,300,000	67,400,000	160,700,000	238.43
Missouri	211,779	2.3	58,350,000	120,000,000	178,350,000	148.62
Montana	26,886	.3	7,400,000	20,300,000	27,700,000	136.45
Nebraska	67,258	.7	18,525,000	37,700,000	56,225,000	149.14
Nevada	6,620	.1	1,800,000	12,000,000	13,800,000	115.00
New Hampshire	14,531	.2	4,000,000	18,000,000	22,000,000	122.22
New Jersey	157,058	1.7	43,275,000	177,400,000	220,675,000	124.39
New Mexico	64,178	7	17,675,000	31,400,000	49,075,000	156.29
New York	653,622	7.2	180,100,000	436,800,000	616,900,000	141.23
North Carolina	492,087	5.4	135,600,000	134,600,000	270,200,000	200.74
North Dakota	43,037	.5	11,850,000	18,500,000	30,350,000	164.05

GENERAL EDUCATION ASSISTANCE ACT OF 1969—Continued

	Number of poor 5–17, 1968–69 (1)	Percent of poor in each State (2)	Equalization (3)	Basic amount (4)	Total amount (5)	Total amount per child (6)
Ohio	295,569	3.3	81,450,000	283,400,000	364,850,000	128.74
Oklahoma	148,811	1.6	41,000,000	61,100,000	102,100,000	167.10
Oregon	51,336	.6	14,125,000	52,100,000	66,225,000	127.11
Pennsylvania	384,566	4.2	105,975,000	293,500,000	399,475,000	136.11
Rhode Island	27,540	.3	7,575,000	22,600,000	30,175,000	133.52
South Carolina	298,168	3.3	82,150,000	74,500,000	156,650,000	210.27
South Dakota	52,139	.6	14,350,000	18,800,000	33,150,000	176.33
Tennessee	337,556	3.7	93,000,000	100,000,000	193,000,000	193,00
Texas	653,171	7.2	179,975,000	289,000,000	468,975,000	162.28
Utah	24,457	.3	6,725,000	31,700,000	38,425,000	121,21
Vermont	17,770	.2	4,875,000	11,900,000	16,775,000	140.97
Virginia	276,216	3.1	76,100,000	119,500,000	195,600,000	163,68
Washington	80,828	.9	22,250,000	84,500,000	106,750,000	126.38
West Virginia	155,659	1.7	42,875,000	45,900,000	88,775,000	193.41
Wisconsin	130,937	1.4	36,075,000	117,500,000	153,575,000	130.70
Wyoming	9,907	.1	2,725,000	9,000,000	11,725,000	130.23
United States	9,071,907	100.0	2,500,000,000	5,230,000,000	7,730,000,000	147.80
Added total			2,499,325,000		7,729,325,000	174.79

SCANDAL AT SBA—III

(Mr. GONZALEZ asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, I have previously advised the House of the scandalous conduct of Albert Fuentes, the special assistant to the Administrator of the Small Business Administration. I have called upon the Administrator to suspend this man forthwith, and to fully investigate the charges that have been raised. Yet there is a strange silence from the Administrator. Mr. Speaker, there is not only evidence that this man abused the trust and responsibilities placed in him, but that he intended to use his office and powers for personal gain before he ever entered into it.

Mr. Speaker, the San Antonio Light reported on Monday, April 28 that Albert Fuentes registered two corporate names with the Bexar County clerk on February 28, 1969—just 3 days before he took up his duties as special assistant to the Administrator of SBA. Those organizations were called Governmental Affairs and Management Consultants and Area Research and Planning Services; both were located at 303 International Building, San Antonio, Tex. Mr. Speaker, that is the same room where Albert Fuentes and his cohorts attempted on March 30, 1969, to shake down a loan applicant for 49 percent of his business. One of the participants admits that there was such a meeting and that the applicant was asked to turn over 49 percent of his company; he called it a "finder's fee." That meeting took place only 10 days after Fuentes had received an extraordinarily unusual report about the prospects of the company.

Mr. Speaker, I cannot believe that the Administrator would want to keep this man in an active status in the face of all the evidence, the overwhelming evidence, of his misconduct. I again call upon the Administrator to suspend this man immediately; he clearly is a questionable character to have in such a delicate position as he now occupies.

Mr. Speaker, I offer for the RECORD the newspaper story—uncontradicted—mentioned earlier:

ASSUMED NAMES: TWO FUENTES FIRMS

(By Jim Price)

A San Antonio Republican, accused of using his position for financial gain, registered names of two consulting firms with the exar County clerk three days prior to his appointment to a post in the Nixon Administration, The Light learned Monday.

Albert Fuentes Jr. was charged Friday by U.S. Rep. Henry B. Gonzalez with using his position in the U.S. Small Business Administration to head a "shakedown racket."

SBA Administrator Hillary Sandoval, El Paso, appointed Fuentes his special assistant March 3.

Fuentes registered "Governmental Affairs and Management Consultants" and "Area Research Planning and Counseling Services" as assumed names with the county clerk on Feb. 28. He listed the address of both firms as 303 International Building.

The former Democrat was accused in an affidavit by a San Antonio businessman of attempting to gain control of 49 per cent of his business in return for help in obtaining an SBA loan.

The affidavit claimed the meeting occurred April 18 in the International Building.

Gonzalez claimed Fuentes and at least three others said they could get a loan for as much as $100,000 if Manuel Salaiz, 235 Avant, organized his business into a corporation that gave them 49 per cent.

Fuentes denied the charge and Eddie Montez, former Edgewood School Board president and former Gonzales liaison defended Fuentes. Montez said he, not Fuentes, encouraged Salaiz to incorporate his ornamental hardware manufacturing firm, presently in a garage at Yorkshire and East Whittier streets.

Salaiz said he had been attempting to obtain a $10,000 loan for his E&S Sales Co. since 1967 and finally got approval in February.

His affidavit claims that a special report by SBA Assistant Administrator W. J. Garvin claimed $200,000, including working capital, was needed to develop the firm to its fullest capabilities.

Gonzales said compilation of such a report was highly unusual.

The Democratic congressman called for a House investigation and the suspension of Fuentes, pending the completion of an investigation.

Sandoval, appointed by Nixon Feb. 21, has not suspended Fuentes but said he will investigate Gonzalez' charges. Presently the House Banking and Currency Committee is investigating SBA loans allegedly made to Mafia members in the New York area.

FORD FOUNDATION PLUS SAN ANTONIO EQUALS MURDER

(Mr. GONZALEZ asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, one Ford Foundation grantee in San Antonio is the so-called Universidad de los Barrios. This place has become a hangout for tough characters who are supposedly undergoing rehabilitation. However, the place is supervised only loosely, when it is supervised at all. One result is that the place has become a headquarters for late and boisterous parties. Last January 10 a young man was stabbed there, and a second young man was murdered there that same night. Since then not much seems to have changed; the neighbors are still terrified, the "Universidad" is run by the same people, and probably in the same way. It is a shame that a great Foundation's money has gone into this project, when it could have been used to alleviate vast and pressing problems for the people of San Antonio.

FINANCIAL STATEMENT

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BROWN of California. Mr. Speaker, I have just completed the preparation and filing of the financial disclosure forms required by rule XLIV of the House. As one who has consistently pressed for clear rules of ethical conduct and financial disclosure which will eliminate doubt by both Members and the public, and which will provide full information on a Member's financial involvements, I was somewhat disappointed by the paucity of information required by the present rule.

For the past several years I have been making a voluntary disclosure of my financial situation which went far beyond the information required by the forms I filed yesterday. Until the requirements of the rule are upgraded, I will, therefore, continue to voluntarily provide the information I have offered in the past.

My personal income for 1968 included my congressional salary of $30,000, miscellaneous income from speaking engagements of less than $1,000, and a long-term capital gain of $365 on the sale of about $5,000 in stock.

I own 1,000 shares of stock in Monarch Savings & Loan Association and 150 shares of stock in Pan American National Bank, both of which businesses are in my congressional district. I own no other stock of any significance.

I own a home in the District of Columbia in which I have an equity of about $15,000. I own an unimproved parcel of real estate in my own congressional district which I purchased during the year for future development. My equity in this is about $3,000. I have no other real estate holdings.

DISPOSITION OF JOB CORPS FACILITIES

(Mr. BUSH asked and was given permission to extend his remarks at this point in the Record.)

Mr. BUSH. Mr. Speaker, it has been pointed out, and I think with some justification, that there is a sizable investment in Job Corps facilities and property that would be affected by the restructuring of the Job Corps. This is a legitimate concern. However, it is not accurate to say, as some have said, that we are about to "chuck an investment of over $70 million out the window."

Two points need to be made in this regard. First, the fact that an institution already exists does not, by itself, constitute a sufficient reason for its continuation and further capitalization, any more than it makes sense for a poker player to continue to put money "in the pot" simply because he already has an investment on the table. I have been assured by the administration that every effort will be made to utilize both the fixed assets and property invested in the Job Corps. Already numerous State agencies had expressed an interest in using many of the campsites for other constructive purposes, such as drug addict rehabilitation centers, vocational education centers, recreation centers, and so forth. All States will be invited to propose uses for these facilities. The existing property, if it cannot be used on site, will be constructively used in other centers or in other manpower training programs for young people. I would like to commend the administration for anticipating the problems involved in the disposition of the camps and for going ahead with a very realistic planning for their future utilization.

VIETNAM FRUSTRATION

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RANDALL. Mr. Speaker, it has become fashionable within the last few weeks to make a great outcry against what is called the military-industrial complex. There is no question but that an objective independent study of the entire U.S. defense community would be useful. For that reason we should all welcome the proposal of Secretary Laird to create a separate commission within the executive branch to look into the escalating military expenditures and cost overruns, as well as methods of contract negotiation.

However, the large sums which have to be spent today in the defense budget when all is said and done are the result of today's continuous technological changes. Today our weapons systems may become obsolete before they are fully completed.

Those who would believe that the late and beloved General Eisenhower in his use of the expression, "military-industrial complex," really believed there was some evil conspiracy between our generals and industrialists will find they are wrong, if they willl only read the entire content of his farewell address of January 1961. In recent weeks he has been quoted out of context and quite inaccurately quoted. Notwithstanding if one reads the full content of his statement he can easily see that the general said the vital element in keeping the peace is our Military Establishment which must be kept so strong and ready for instant action that no aggressor would ever be tempted to risk his own destruction.

Kenneth L. Fox, associate editor of the Kansas City Star, has made a valuable contribution to his readers when he recently pointed out that to make the career military and the defense industry the scapegoat for the frustration that exists because of Vietnam, as far too many critics of the ABM and other defense expenditures have recently been trying to do, is both irrational and unjust.

It is a privilege to share with my colleagues and others who may read the Congressional Record the very excellent editorial, which follows:

[From the Kansas City Star, Apr. 27, 1969]

Outcries Against Military Influence Reflect Vietnam Frustration

"Complaints about militarism are, of course, old. In the 9th century A.D., before the knights took over the arms-bearing monopoly in Europe, the freeholder groaned about the burdens laid upon him by the numerous Carolingian war enterprises, much as liberals in the 19th century, deplored strains put upon national economy by armaments." (Alfred Vagts in his book, "A History of Militarism.")

The liberals, and some persons of no particular political leaning, are still at it. Nowadays in this country they have a catchphrase—the military-industrial complex—as a clothesline on which to hang their criticisms.

The source generally identified with the origin of this term is none other than the foremost American warrior-statesman of his time. Gen. Dwight D. Eisenhower. Ike used the phrase in his farewell address as President, on January 17, 1961, to warn against "unwarranted influence" and endangerment of "our liberties or democratic processes" by "the huge military and industrial machinery of defense."

Unlike many of today's critics, General Eisenhower had a thoughtful and balanced view of the forces now being described by some as a conspiratorial menace to a well-ordered and progressive America. Ike observed:

"A vital element in keeping the peace is our military establishment. Our arms must be kept mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction."

Ike's valedictory message to the Nation was delivered more than 4 years before the decision was made—by Lyndon B. Johnson—to commit a large U.S. expeditionary force to the Vietnam war. When General Eisenhower spoke of potential aggressors, he presumably had Communist China and Russia in mind, not North Vietnam and the Vietcong. The Red drive to conquer South Vietnam belongs in a special category—"the wars of liberation" as China's No. 2 leader, Lin Piao, and other Communist chieftains have called them.

The United States more or less stumbled into the mire of the Vietnamese version of revolutionary guerrilla warfare. A step at a time—through limited pledges of aid by the Eisenhower and Kennedy administrations and finally the decisive troop deployment ordered by President Johnson—this country became involved on a scale that has subsequently made Vietnam the fourth costliest American war in combat casualties.

The facts of human and material losses, with no end in view at the stalemated Paris peace talks, have stimulated the growth of antiwar sentiment. Patience is wearing. It has been a long war—the longest in American history.

U.S. forces are not losing on the battlefield. They have not once been defeated in an engagement involving as much as a battalion of American troops. But our side is not headed for conclusive victory, either, in a bogged-down struggle that is seemingly unwinnable by military standards. Critics are not soothed by the recital of self-imposed restrictions that have barred the allies from using their superior firepower to crush the enemy in his sanctuaries in North Vietnam, Cambodia, and Laos.

Frustrated in Vietnam, with its full capabilities held back to avoid a general Asian or global war, the American Military Establishment finds itself under increasing verbal attack on its home front. The basic reason, perhaps, is that for the United States, Vietnam is not a war of national survival. Most critics do not even see it as a war of national interest in which the Communist doctrine of "wars of liberation" is undergoing its most crucial single test. Nor are they put off by the argument that three successive U.S. administrations have committed this country's resources to the defense of South Vietnam's independence; that to renege on this obligation would cause some 42 other American allies to write us off as faithless.

Until a few months ago the main thrust of antiwar feeling was directed at high civilian leaders. President Johnson and his first Secretary of Defense, Robert S. McNamara, were the principal targets. Mr. Johnson sampled the boiling political waters and decided that it would be imprudent for him to run for reelection. In his campaign effort Richard Nixon profited from the demand for a change tied to hopes for ending the bloodshed. Now, as President in time of an unpopular war, he too, is feeling the heat. But the fallout has also begun to strike the professional military even though its leaders have done no more than to carry out policy decisions that were made by civilian officials.

So there is much talk of skulduggery by an all-powerful military-industrial complex that is somehow supposed to be responsible for the casualties of Vietnam, the inequities of the draft, and the $78 billion defense budget that diverts much of the Nation's resources from the war on poverty and social human needs in general. It also is identified as keeping Federal income taxes higher than they would be without the extra bite of the surtax.

Lately the protesters, especially on campuses, have been crying out not only against the war and the draft but against the broad influence of the military and its suppliers on American life as a whole. In the universities and colleges the demands, spearheaded usually by local chapters of the Students for a Democratic Society, are for severance of all academic connections with military research and the abolition of ROTC units.

So it goes. Another illustration of the trend is the current debate over the Safeguard anti-ballistic-missile program. This donnybrook involves not only considerations of the Soviet missile capability and the Red Chinese potential, but an opposing view that ABM defenses would be wicked per se even if it were not for the large prospective expenditures at stake.

Under the jolt of these various developments, the Secretary of Defense Melvin R. Laird, has decided to appoint what he describes as a "blue-ribbon panel to conduct a thorough, independent, and objective study of the defense community." It seems an excellent idea. The Commission could appropriately consider such large, related questions as:

Is the present system of congressional-executive control over military spending adequate?

Does defense industry have excessive and unwarranted influence in the determination of contracts with the Government?

Is the hiring of a great many retired military officers by these contractors sufficiently safeguarded against possible abuses, such as ties that might be established by procurement officers with a view to future employment?

What effect does the mounting criticism of "the military-industrial complex" have on the attitude of younger officers and enlisted men about staying in the Armed Forces as a career? This question can have considerable bearing on the widely hailed plan of the Nixon administration to move toward all-volunteer forces and reduce or eliminate reliance on the draft.

We have no doubt that the present system of awarding many defense contracts by negotiation instead of open bidding can be tightened and improved. Congress has not fully used its prerogative in this connection. In fact it is Congress that authorizes the funds and programs which critics of the military now find so objectionable. Nearly all Members of Congress are possessive about defense installations and payrolls in their home districts and States and are prepared to fight for any and all such plums.

The huge defense undertaking that soaks up more than half of the national budget no doubt can be made less wasteful. Improving the Military Establishment at less cost would be constructive. Lashing out at the generals and admirals and defense contractors and trying to make them the scapegoats for this country's troubles in Vietnam and its preparedness needs created by the mailed fists of Moscow and Peking can solve nothing.

If this were the best of worlds, without the nuclear might of the Soviets and the building atomic arsenal of the Red Chinese, the American Military establishment could safely be reduced to a fraction of its present size. Until an inspected and enforced system of general disarmament exists, however, the United States in wisdom can only remain well armed. The inescapable requirement for maximum national safety is to deal with the world as it is and not as we would like for it to be.

NOW A C–5A SCANDAL?

(Mr. GROSS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GROSS. Mr. Speaker, interesting indeed is the news story in the Washington Post of April 30, 1969, concerning the costs of construction by the Lockheed Aircraft Corp. of the new aircraft known as the C–5A.

It recalls the notorious manipulations that occurred a few years ago when Robert S. McNamara, former Secretary of Defense, against the advice of most of the experts in the Defense Department, awarded a contract to General Dynamics for the production of the F–111—a contract that has resulted in a costly fiasco for the taxpayers and the armed services of this country.

Have we here another inordinately costly contract? Let us have a full disclosure of the facts as promptly as possible.

The present Secretary of Defense, Melvin R. Laird, is to be commended for promptly ordering a "thorough" investigation of the multibillion-dollar C–5A contract and the procedures used in production of the plane.

The newspaper article follows:

Air Force Data Doctored, Hill Told—Colonel Says Superiors Hid C–5A Cost Rise

(By Bernard D. Nossiter)

A nervous Air Force colonel yesterday testified that his civilian superiors approved the doctoring of internal Air Force documents to hide the huge cost overruns incurred by Lockheed Aircraft Corp. on the C–5A.

The officer, Col. Kenneth N. Beckman, said the data were suppressed because disclosure "might put Lockheed's position in the common (stock) market in jeopardy."

His civilian chiefs who he said agreed to this tactic were Robert H. Charles, Assistant Secretary of the Air Force for Installations and Logistics and Robert N. Anthony, the former Defense Department Comptroller who now teaches at the Harvard Business School.

In addition, it was disclosed that Charles had prepared a press release to gloss over a warning that Lockheed might lose the multibillion dollar C–5A contract because the big transport was not measuring up to specifications. Charles wrote in an accompanying document that the warning had to be explained away to protect Lockheed's new $125 million issue of debentures.

Anthony said last night, "I know of no doctoring of any documents and would not have authorized any doctoring." Charles could not be reached for comment.

The contract allegations emerged piecemeal at a hearing of a House Government Operations Subcommittee.

The Subcommittee chairman, Rep. Chet Holifield (D-Cal.) was obviously unhappy over the production of testimony he had played no part in assembling. At one point, he ordered Col. Beckman, currently in charge of the C–5A contract, not to answer a question that might have illuminated Lockheed's potential loss. Holifield dared the reporters present to make something of that.

Moreover, Col. Beckman, 46, was testifying from a seat in the audience and was not a formal witness before Holifield. Several of his superiors were, including Maj. Gen. Harry E. Goldsworthy, commander of the Air Force Aeronautical Systems Division and Brig. Gen. James Lindberg, director of procurement policy.

The generals, however, sat in silence at the witness table while the chain-smoking colonel answered the uncomfortable questions from the rear.

These were largely the product of Rep. William Moorhead (D-Pa.). He had by himself pursued the Air Force until it disgorged a series of documents stamped "confidential" that gave away the hide-and-seek story.

Lockheed had originally told the Air Force it could build 120 of the big transports for $2.9 billion. The Air Force didn't believe that, and estimated the cost at $3.1 billion. But its latest reading puts the cost at $5.2 billion, an overrun of $2.1 billion.

Under the normal buying practices, the bigger the bill a company runs up, the bigger the loss it suffers. But Charles, former executive vice president of McDonnell Aircraft Corp., had designed a special agreement for Lockheed. It provided that losses Lockheed suffered on its first batch of planes could be turned into profits if the Air Force ordered a second round.

However, until the Air Force ordered that second round—and it did last January—disclosures of overruns would tell investors that Lockheed was facing losses of several hundred million dollars.

Under questioning by Moorhead, Col. Beckman acknowledged that Air Force officials knew Lockheed's costs were ballooning as early as Feb. 2, 1966.

By Dec. 19, 1966, Gen. Goldsworthy had received a memorandum from a Col. Larry Killpack that said:

"Lockheed really busted Budget No. 1 in the engineering area. Numerous overruns, several in excess of 100 percent, were observed. . . ."

Nevertheless, Air Force officials were testifying 15 months later to the House Appropriations Committee that the program was doing well and coming in near its target cost.

Aaron J. Racusin, Charles' deputy, yesterday insisted that this testimony was not misleading. He said the Air Force didn't positively know in March, 1968 of the big C–5A overruns but it did satisfy itself on this point just 2 months later.

However, starting at least in June, the Air Force monthly contract summary, a document used by financial managers, weapons analysts and others, failed to show any overrun at all.

Asked why, Beckman, a stocky, gray haired man, replied uneasily:

"Because of the volume of the overrun, sir. We felt and Dr. Anthony and Mr. Charles agreed at the time, that the projections we were making were actually estimates subject to actual approvals later on and that the nature of the estimates were such that if publicly disclosed might put Lockheed's position in the common market in jeopardy."

Apart from Beckman's testimony that Charles and Anthony had approved these omissions, Moorhead came up with a document to support Beckman's testimony. It is a memo dated last Oct. 9 and signed by Trenton Boyd, the Air Force deputy auditor general.

It says that Air Force aides managing the C–5A "readily confirmed the inaccuracy" of the monthly report "as it relates to projected program overruns. They stated that verbal direction was received on or about June 6, 1968, that the anticipated overrun on the C–5A program should not be reflected in routine management type reports. It was indicated that this direction was by Mr. Charles and Mr. Anthony . . ."

Charles' man, Racusin, told the inquiry he saw no wrong in this. He said that the figures on overruns were only "estimates" and that those who needed to know, like the Air Force Secretary and his Chief of Staff, were getting an accurate count.

Racusin said that if the report had been accurately filled out, Lockheed's plight might have leaked to the public with "an adverse effect on the company."

Chairman Holifield and Racusin then agreed, laughing, that only Congressmen and Government auditors have "20-20 foresight."

Secretary Charles' concern for Lockheed stock was evidenced by another document that the struggling Moorhead succeeded in getting into the record in part.

This was a letter of March 15, 1967 from Charles to Harold Brown, then the Air Force Secretary.

Charles noted that Lockheed had ignored an Air Force "cure notice," warning the company it would lose the C–5A contract unless it overcame some grave performance defects.

Lockheed, Charles continued, was trying to sell $125 million of convertible debentures and had mentioned the "cure notice" in its registration statement with the Securities & Exchange Commission.

Since this was the first time the Air Force had resorted to so drastic a step, Charles wrote, "it may cause concern, particularly in the financial community, that the C–5A is in serious trouble."

To allay investor's fears, Charles continued, he had prepared a press release to say that Lockheed is "hard at work" on its problems and that "the Air Force fully expects that a firm with the ability, experience and resourcefulness of Lockheed . . . will meet the performance requirements specified in the contract."

Last night, it was learned, the SEC began looking into this entire history to see whether investors were wrongly denied knowledge that Lockheed officials had.

Today, Moorhead hopes to complete the record that he was trying to make yesterday.

As for chairman Holifield, his view was that the C–5A's overruns "are not substantially greater and in some cases less than on other large management systems."

Racusin, the Charles deputy, responded: "Yes, sir."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Grover (at the request of Mr. Gerald R. Ford), for today through May 12, 1969, on account of official business.

Mr. Kee, for May 5, 1969, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Biaggi, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Pucinski, for 60 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Randall, for 1 hour, on May 8; and to revise and extend his remarks and include extraneous matter.

Mr. Halpern (at the request of Mr. Ruth), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Hechler of West Virginia, for 2 minutes, today.

(The following Members (at the request of Mr. Pucinski) and to include extraneous matter:)

Mr. Sikes, for 30 minutes, on May 5.

Mr. Farbstein, for 20 minutes, on May 5.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Saylor.

Mr. Dorn and to include extraneous matter.

Mr. Zablocki and to include extraneous matter in two instances.

Mr. Gross to revise and extend his remarks on House Resolution 17.

(The following Members (at the request of Mr. Ruth) and to include extraneous matter:)

Mr. Conte in two instances.

Mr. Whalen.

Mr. Berry in two instances.

Mr. Bob Wilson.

Mr. Quillen in four instances.

Mr. Meskill.

Mr. Kleppe.

Mr. Devine.

Mr. King in three instances.

Mr. Horton in two instances.

Mr. Halpern.

Mr. Fulton of Pennsylvania in 10 instances.

Mr. Schwengel in two instances.

Mr. Collier in three instances.

Mr. Ashbrook in two instances.

Mr. Bell of California.

Mr. Wold in two instances.

Mr. Lipscomb.

Mr. Wyman in two instances.

Mr. Bray in three instances.

Mr. Schneebeli.

Mr. Brock in two instances.

Mr. Derwinski.

Mr. Bow in two instances.

Mr. Steiger of Wisconsin in two instances.

Mr. Goodling.

Mr. Widnall.

Mr. Gude in two instances.

(The following Members (at the request of Mr. Pucinski) and to include extraneous matter:)

Mr. William D. Ford.

Mr. Mann in three instances.

Mr. Biaggi in three instances.

Mr. Abbitt.

Mr. Boland.

Mr. Matsunaga.

Mr. Evins of Tennessee.

Mr. Rooney of Pennsylvania in six instances.

Mr. Slack in two instances.

Mr. Shipley.

Mr. Anderson of California in three instances.

Mr. Van Deerlin.

Mr. Rooney of New York.

Mr. Flood.

Mr. Pike.

Mr. Fountain in two instances.

Mr. Rarick in four instances.

Mr. Preyer of North Carolina in two instances.

Mr. Yatron in two instances.

Mr. Griffin in two instances.

Mr. Rodino in two instances.

Mr. Corman in five instances.

Mr. O'Neal of Georgia.

Mr. Adams.

Mr. Vanik.

Mr. Gibbons.

Mrs. Griffiths.

Mr. Vigorito.

Mr. Green of Pennsylvania in three instances.

Mr. Gonzalez in three instances.

Mr. Ashley.

Mrs. Sullivan in four instances.

Mr. Blatnik in two instances.

Mr. Bingham.

Mr. Ottinger.

Mr. Olsen in two instances.

ADJOURNMENT

Mr. PUCINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until Monday, May 5, 1969, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 10781. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. ADDABBO:

H.R. 10782. A bill making supplemental appropriations for grants-in-aid as authorized by the Federal Airport Act; to the Committee on Appropriations.

H.R. 10783. A bill to amend the Civil Service Act of January 16, 1883, to eliminate the provisions of section 9 thereof concerning two or more members of a family in competitive civil service; to the Committee on Post Office and Civil Service.

H.R. 10784. A bill to modify the regulatory requirement that the son or daughter of an employee of the postal field service may be appointed to summer employment in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON of California:

H.R. 10785. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. ASHLEY:

H.R. 10786. A bill to amend section 427(b) of title 37, United States Code, to provide that a family separation allowance shall be paid to a member of a uniformed service even though the member does not maintain a residence or household for his dependents, subject to his management and control; to the Committee on Armed Services.

By Mr. BARING (for himself and Mr. Burton of Utah):

H.R.10787. A bill to limit the authority of the Secretary of the Interior to classify public lands; to the Committee on Interior and Insular Affairs.

By Mr. BIAGGI:

H.R. 10788. A bill relating to the control of organized crime in the United States; to the Committee on the Judiciary.

H.R. 10789. A bill to permit the Federal Government to further assist the States in the control of illegal gambling, and for other purposes; to the Committee on the Judiciary.

H.R. 10790. A bill to amend the Internal Revenue Code of 1954 to modify the provisions relating to taxes on wagering to insure the constitutional rights of taxpayers, to facilitate the collection of such taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. BROOKS (for himself, Mr. Moorhead, Mr. Culver, Mr. Hicks, Mr. Reid of New York, Mr. Buchanan, Mr. Weicker, and Mr. Fascell):

H.R. 10791. A bill to amend the Budget and Accounting Act, 1921, to direct the Comptroller General to establish information and data processing systems, and for other purposes; to the Committee on Government Operations.

By Mr. BURTON of California:

H.R. 10792. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act to improve its benefits; to the Committee on Education and Labor.

H.R. 10793. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 10794. A bill to amend chapter 55 of title 10, United States Code, to provide additional dental care for dependents of active duty members of the uniformed services; to the Committee on Armed Services.

By Mr. BYRNE of Pennsylvania (for himself, Mr. Cahill, Mr. Cohelan, Mr. Edmondson, Mr. Hicks, and Mr. Saylor):

H.R. 10795. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. COLLIER:

H.R. 10796. A bill to amend title 18, United States Code, to prohibit the disruption of the administration or operations of federally assisted educational institutions, and for other purposes; to the Committee on the Judiciary.

H.R. 10797. A bill to make it a Federal offense to willfully obstruct the military recruiting or enlistment service during time of war, military conflict, or national emergency; to the Committee on the Judiciary.

H.R. 10798. A bill to provide for the deportation of nonimmigrant participants in exchange programs who engage in certain activities; to the Committee on the Judiciary.

By Mr. CONTE (for himself, Mr. Adams, Mr. Addabbo, Mr. Bates, Mr. Bingham, Mr. Boland, Mr. Burke of Massachusetts, Mr. Button, Mr. Byrne of Pennsylvania, Mr. Cleveland, Mr. Daddario, Mr. Donohue, Mr. Giaimo, Mr. Gibbons, Mr. Halpern, Mr. Hanley, Mr. Hathaway, Mrs. Heckler of Massachusetts, Mr. Hicks, Mr. Horton, Mr. Kastenmeier, Mr. Keith, Mr. Koch, and Mr. Kyros):

H.R. 10799. A bill to provide for the elimination, over 10-year period, of the mandatory oil import control program; to the Committee on Ways and Means.

By Mr. CONTE (for himself, Mr. Long of Maryland, Mr. Lowenstein, Mr. McCarthy, Mr. Matsunaga, Mr. Meskill, Mr. Mikva, Mr. Minish, Mrs. Mink, Mr. Monagan, Mr. Moorhead, Mr. Morse, Mr. O'Neill of Massachusetts, Mr. Ottinger, Mr. Pepper, and Mr. Philbin):

H.R. 10800. A bill to provide for the elimination, over a 10-year period, of the mandatory oil import control program; to the Committee on Ways and Means.

By Mr. CONTE (for himself, Mr. Podell, Mr. Reid of New York, Mr. Reuss, Mr. Robison, Mr. Rodino, Mr. Rosenthal, Mr. St Germain, Mr. St. Onge, Mr. Smith of New York, Mr. Stafford, Mr. Stratton, Mr. Tiernan, Mr. Wolff, Mr. Wydler, and Mr. Wyman):

H.R. 10801. A bill to provide for the elimination, over a 10-year period, of the mandatory oil import control program; to the Committee on Ways and Means.

By Mr. CORBETT:

H.R. 10802. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 10803. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

H.R. 10804. A bill to amend the Internal Rvenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction, or amortization over a period of 1 to 5 years, of such expenditures; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 10805. A bill to amend the National Labor Relations Act to make certain secondary boycotts, regardless of motive, an unfair labor practice, and for other purposes; to the Committee on Education and Labor.

By Mr. DEVINE (for himself, Mr. Hunt, Mr. Goodling, and Mr. Watkins):

H.R. 10806. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures forthwith, and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

By Mr. DEVINE:

H.R. 10807. A bill relating to the appointment of the Director of the Federal Bureau of Investigation; to the Committee on the Judiciary.

By Mr. DORN:

H.R. 10808. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter dollar pieces with a likeness of the late President Dwight David Eisenhower on one side; to the Committee on Banking and Currency.

By Mr. EDMONDSON:

H.R. 10809. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. EILBERG:

H.R. 10810. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. EVANS of Colorado:

H.R. 10811. A bill to amend title VI of the Public Health Service Act to improve the existing program for assistance for construction and modernization of hospitals and other medical facilities and to provide for the making of loans for such modernization; to the Committee on Interstate and Foreign Commerce.

By Mr. GALIFIANAKIS (for himself, Mr. Anderson of California, Mr. Betts, Mr. Button, Mr. Dorn, Mr. Fulton of Tennessee, Mr. Gude, Mr. Hanna, Mr. Hungate, Mr. Mikva, Mrs. Mink, Mr. Murphy of New York, Mr. Podell, Mr. Powell, Mr. Scheuer, and Mr. Waldie):

H.R. 10812. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 10813. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FINDLEY:

H.R. 10814. A bill to increase the membership of the Advisory Commission on Intergovernmental Relations by two members who shall be elected town or township officials; to the Committee on Government Operations.

By Mr. HALPERN:

H.R. 10815. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to tenants of houses or apartments for their proportionate share of the taxes and interest paid by their landlords; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 10816. A bill to provide that certain members of the Retired Reserve shall be entitled to retired pay; to the Committee on Armed Services.

H.R. 10817. A bill to amend the Urban Mass Transportation Act of 1964, and for other purposes; to the Committee on Banking and Currency.

H.R. 10818. A bill to amend the Public Health Service Act to provide for the establishment of a National Institute of Marine Medicine and Pharmacology in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 10819. A bill to amend title 38 of the United States Code to provide a special pension to certain survivors of persons awarded a Medal of Honor posthumously; to the Committee on Veterans' Affairs.

By Mr. HARVEY:

H.R. 10820. A bill to amend the Internal Revenue Code to designate the home of a State legislator for income tax purposes; to the Committee on Ways and Means.

By Mr. HASTINGS:

H.R. 10821. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures forthwith, and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

H.R. 10822. A bill to make specific provisions for mounted ball and roller bearings in the Tariff Schedules of the United States; to the Committee on Ways and Means.

By Mr. HAYS:

H.R. 10823. A bill to amend the Foreign Service Act Amendments of 1960 to permit certain participants in the Foreign Service retirement and disability system to exclude amounts received as disability annuities from gross income for certain past taxable years; to the Committee on Foreign Affairs.

By Mr. HORTON:

H.R. 10824. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. HOWARD:

H.R. 10825. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 10826. A bill to amend part B of title XVIII of the Social Security Act to include drugs requiring a doctor's prescription, and colostomy irrigation equipment, among the medical expenses with respect to which payment may be made under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. JOHNSON of Pennsylvania:

H.R. 10827. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

H.R. 10828. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 10829. A bill to repeal percentage depletion; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 10830. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mrs. MINK:

H.R. 10831. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

H.R. 10832. A bill to amend title XVIII of the Social Security Act to remove the present limit on the number of days for which benefits may be paid thereunder to an individual on account of posthospital extended-care services; to the Committee on Ways and Means.

By Mr. PERKINS (for himself and Mrs. Green of Oregon):

H.R. 10833. A bill to provide Federal assistance to States for improving elementary

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and secondary teachers' salaries, for meeting the urgent needs of elementary and secondary education, and for other purposes; to the Committee on Education and Labor.

By Mr. PODELL:

H.R. 10834. A bill to provide for nationally uniform minimum standards and eligibility requirements for public assistance, to provide for a supplemental family allowance program, and to provide that the cost of public assistance under the Social Security Act shall be fully borne by the Federal Government; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 10835. A bill to amend title 10 of the United States Code to provide that military procurement contracts shall not be negotiated with, or awarded to, contractor applicants until disclosure is made with respect to the military service of their employees; to the Committee on Armed Services.

By Mr. QUILLEN:

H.R. 10836. A bill to amend title II of the Social Security Act to provide that an insured individual's divorced wife or surviving divorced wife may become entitled on the basis of his wage record to wife's, widow's, or mother's insurance benefits, if she is otherwise qualified therefor, without regard to whether or not he is contributing (or has been ordered to contribute) to her support; to the Committee on Ways and Means.

By Mr. RHODES (for himself, Mr. Udall, Mr. Steiger of Arizona, Mr. Foreman, and Mr. Lujan):

H.R. 10837. A bill to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque, N. Mex., of certain lands for recreational purposes under the provisions of the Recreation and Public Purposes Act of 1926; to the Committee on Interior and Insular Affairs.

By Mr. RHODES (for himself, Mr. Udall, and Mr. Steiger of Arizona):

H.R. 10838. A bill for the relief of the Arizona Power Authority, an instrumentality of the State of Arizona; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 10839. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. SCHWENGEL:

H.R. 10840. A bill to exempt the State of Iowa from certain provisions of the General Bridge Act of 1946; to the Committee on Public Works.

H.R. 10841. A bill to amend the Internal Revenue Code of 1954 to increase the personal exemption for low- and middle-income taxpayers; to the Committee on Ways and Means.

H.R. 10842. A bill to amend the Internal Revenue Code of 1954 to impose a minimum income tax; to the Committee on Ways and Means.

H.R. 10843. A bill to amend the Internal Revenue Code of 1954 to eliminate the alternative tax on capital gains, and provide for a 25-percent capital gains deduction to individuals and corporations; to the Committee on Ways and Means.

H.R. 10844. A bill to amend the Internal Revenue Code of 1954 to service the charitable contribution deduction; to the Committee on Ways and Means.

H.R. 10845. A bill to amend the Internal Revenue Code of 1954 to liberalize the estate tax payment rules and bonding rules; to the Committee on Ways and Means.

H.R. 10846. A bill to amend the Internal Revenue Code of 1954 to repeal the gasoline tax deduction for individuals; to the Committee on Ways and Means.

H.R. 10847. A bill to amend the Internal Revenue Code of 1954 to liberalize the moving expenses deduction; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 10848. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures forthwith, and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

H.R. 10849. A bill to deny Federal grants and contracts to institutions of higher education which refuse to undertake research important to the national security; to the Committee on Education and Labor.

By Mr. STAGGERS:

H.R. 10850. A bill to amend the International Travel Act of 1961 to increase the limitation on annual appropriations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 10851. A bill to amend section 17 of the Interstate Commerce Act to provide for judicial review of orders of the Interstate Commerce Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 10852. A bill to amend section 212(a) of the Interstate Commerce Act, relating to suspension and revocation of motor carrier operating authority for noncompliance with certain rules, regulations, and orders; to the Committee on Interstate and Foreign Commerce.

H.R. 10853. A bill to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER of Arizona (for himself, Mr. Rhodes, and Mr. Udall):

H.R. 10854. A bill to authorize grants for the Navajo Community College, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VIGORITO:

H.R. 10855. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.R. 10856. A bill to amend title 18, United States Code, to prohibit the disruption of the administration or operations of federally assisted educational institutions, and for other purposes; to the Committee on the Judiciary.

H.R. 10857. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Adair, Mr. Adams, Mr. Casey, Mr. Diggs, Mrs. Griffiths, Mr. Hawkins, Mr. Helstoski, Mr. Hicks, Mr. Horton, Mr. Hungate, Mr. Hunt, Mr. Joelson, Mr. Johnson of California, Mr. Karth, Mr. Kyros, Mr. Leggett, Mr. Lennon, Mr. Long of Louisiana, Mr. Lowenstein, Mr. Lukens, Mr. McDonald of Michigan, and Mr. McFall):

H.R. 10858. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Addabbo, Mr. Anderson of Tennessee, Mr. Annunzio, Mr. Baring, Mr. Berry, Mr. Barrett, Mr. Blanton, Mr. Biaggi, Mr. Brademas, Mr. Brasco, Mr. Bray, Mr. Buchanan, Mr. Burke of Florida, Mr. Button, Mr. Byrne of Pennsylvania, Mr. Carter, Mrs. Chisholm, Mr. Clay, Mr. Conte, Mr. Daddario, Mr. Daniels of New Jersey, Mr. Delaney, Mr. Dent, and Mr. Dorn):

H.R. 10859. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Brinkley, Mr. Carey, Mr. Keith, Mr. McKneally, Mr. Matsunaga, Mr. Meeds, Mr. Mikva, Mr. Miller of California, Mr. Minish, Mr. Moss, Mr. Murphy of Illinois, Mr. Nedzi, Mr. Nix, Mr. Olsen, Mr. O'Neill of Massachusetts, Mr. Pelly, Mr. Pepper, Mr. Pettis, Mr. Pickle, Mr. Pucinski, Mr. Rodino, Mr. Ronan, Mr. Rooney of Pennsylvania, and Mr. Rosenthal):

H.R. 10860. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Downing, Mr. Dulski, Mr. Eckhardt, Mr. Edmondson, Mr. Eilberg, Mr. Fallon, Mr. Farbstein, Mr. Fascell, Mr. Flowers, Mr. Foley, Mr. Friedel, Mr. Fulton of Tennessee, Mr. Fuqua, Mr. Gallagher, Mr. Gaydos, Mr. Gettys, Mr. Gilbert, Mr. Gray, Mr. Griffin, Mr. Halpern, Mr. Hanley, Mrs. Hansen of Washington, and Mr. Hathaway):

H.R. 10861. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Roudebush, Mr. St Germain, Mr. St. Onge, Mr. Schwengel, Mr. Sisk, Mr. Stanton, Mr. Steiger of Arizona, Mr. Stokes, Mr. Stratton, Mr. Talcott, Mr. Taylor, Mr. Teague of Texas, Mr. Thompson of Georgia, Mr. Tiernan, Mr. Van Deerlin, Mr. Watkins, Mr. Whalen, Mr. White, Mr. Charles H. Wilson, Mr. Winn, Mr. Yatron, Mr. Zablocki, and Mr. Zwach):

H.R. 10862. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 10863. A bill to prohibit travel at Government expense outside the United States by Members of Congress who have been defeated, or who have resigned, or retired; to the Committee on House Administration.

H.R. 10864. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Massachusetts:

H.J. Res. 695. Joint resolution to provide for the creation of a captive nations freedom series of postage stamps in honor of national heroes of freedom, commencing with a Taras Shevchenko freedom stamp; to the Committee on Post Office and Civil Service.

By Mr. CLEVELAND:

H.J. Res. 696. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

XUM

By Mr. WHITEHURST:

H.J. Res. 697. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. CELLER:

H. Con. Res. 237. Concurrent resolution encouraging and supporting programs of scientific research and training at gerontology centers; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H. Con. Res. 238. Concurrent resolution in support of gerontology centers; to the Commiteee on Education and Labor.

By Mr. BURKE of Massachusetts:

H. Res. 387. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. CORBETT:

H. Res. 388. Resolution amending the Rules of the House of Representatives with respect to the organization of standing committees; to the Committee on Rules.

By Mr. McCLORY:

H. Res. 389. Resolution authorizing Members of the House of Representatives to employ during each summer two student congressional interns; to the Committee on House Administration.

By Mr. RYAN (for himself, Mr. Clay, Mr. Daniels of New Jersey, Mr. Farbstein, Mr. Fraser, Mr. Olsen, Mr. Powell, Mr. Roybal, Mr. Stokes, and Mr. Waldie):

H. Res. 390. Resolution to express the sense of the House regarding the shutdown of Job Corps installations before congressional authorization and appropriation actions; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER:

142. Memorial of the Legislature of the Commonwealth of Massachusetts, relative to revising the Selective Service System; to the Committee on Armed Services.

143. Also, memorial of the Legislature of the State of Oklahoma, relative to the Arbuckle Job Corps Center at Sulphur, Okla., to the Committee on Education and Labor.

144. Also, memorial of the Legislature of the Commonwealth of Massachusetts; relative to including a cost-of-living index formula in social security benefits payments; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FISHER:

H.R. 10865. A bill for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex.; to the Committee on the Judiciary.

By Mr. HAYS:

H.R. 10866. A bill for the relief of Michele Trovato; to the Committee on the Judiciary.

By Mr. WYATT:

H. Res. 391. Resolution to refer the bill, H.R. 10449, entitled "A bill for the relief of the estate of William E. Jones," to the Chief Commissioner of the Court of Claims, in accordance with sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

INLAND WATERWAYS OF THE UNITED STATES CONTINUE TO PROVIDE FOR LOW-COST MOVEMENT OF QUANTITIES OF BULK COMMODITIES SO IMPORTANT TO ECONOMIC DEVELOPMENT—EXCESS OF $131 BILLION INVESTED IN INDUSTRIAL PRODUCTION FACILITIES AT WATER-ORIENTED SITES SINCE 1952

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 1, 1969

Mr. RANDOLPH. Mr. President, the U.S. Army Corps of Engineers is charged with compilation and publication of statistics on waterborne commerce in addition to their responsibilities for development and maintenance of the Nation's navigable waterways and harbor channels.

Preliminary estimates by the Army Engineers show an increase of 3.5 percent over 1967 in waterborne commerce in the United States. This represents the sixth consecutive year that the Nation has set new all-time high record for tonnage carried on our waterways. The corps also estimates that the ton-miles of freight moving on our waterways during 1968 will be 287 billion ton-miles, also an all-time high. This increase is reflected in larger tonnage on the Ohio and Monongahela Rivers in West Virginia.

Since 1952, statistics compiled by the American waterway operators reveal that over $131 billion has been invested in industrial production facilities at water-oriented sites, to aid in the handling and moving of cargo in waterborne commerce. Our waterways continue to provide for low-cost transportation of quantities of bulk commodities necessary for the economic development of our country.

An example of how a waterway project stimulates economic growth can be seen in the Arkansas River development, which will extend the inland waterway system approximately 450 miles up the Arkansas River to a point near Tulsa, Okla. This project, now open for navigation to Little Rock, Ark., is scheduled for completion by the end of 1970. It has aided in a new round of economic activity in this region. Thirty-five permits have already been issued for docks and related facilities to service waterway traffic. Thus far, announced industrial expansion exceeds $394 million.

Mr. President, H. Sutton Sharp, the very capable editor of the Parkersburg (W. Va.) Sentinel, has written an editorial, "Traffic on Waterways," in the April 23 issue. I request unanimous consent that the comment be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

TRAFFIC ON WATERWAYS

Data on commodities transported over the inland waterways of the United States in 1967 has been compiled and published in pamphlet form as a public information service by the American Waterways Operators, Inc. The data was compiled from reports issued by the Waterborne Commerce Statistics Center of the Army Corps of Engineers, New Orleans, Louisiana.

The AWO report, titled 1967 Inland Waterborne Commerce Statistics, shows that 500,912,733 tons of freight were transported on the inland waterways in 1967 as compared to 489,066,120 in 1966, an increase of 2.42 per cent. Ton-miles of service in 1967 totaled 173,300,000,000 as compared to 164,528,798,000 in 1966, an increase of 5.33 per cent.

Thirty-five principal commodities made up 94.14 per cent of the total commerce in 1967. Ten of the 35 principal commodities accounted for 81.77 per cent of the total. They were bituminous coal and lignite, 23.09 per cent; other petroleum and coal products, 14.33 per cent; sand and gravel, 11.70 per cent; crude petroleum, 10.12 per cent; gasoline, 7.94 per cent; unmanufactured marine shells, 4.66 per cent; rafted logs, 3.65 per cent; grain and grain products, 3.47 per cent; basic chemicals and products, 1.48 per cent; and jet fuel, 1.33 per cent.

Included in the AWO pamphlet are tables showing total net tons and ton-miles of service on the inland waterways (exclusive of the Great Lakes) for the calendar years 1931, 1940, 1947, 1950 and for the entire period 1954 through 1967. Another table gives the total net tons and ton-miles of coastal and coastwise traffic for the years 1957 through 1966, the latest year for which these figures are available.

Tables in the pamphlet also show the comparative data on net tons and ton-miles of freight traffic in the United States by inland waterways. Great Lakes, railways, motor trucks and pipelines for the years 1961 through 1966.

As of January 1, 1968, a total of 4,395 towboats and tugs with total horsepower of 3,545,821 and 18,611 dry cargo and tank barges having total cargo capacity of 21,186,331 net tons were engaged in the performance of transportation services in the United States.

Included in the 1967 pamphlet is a table showing a comparison of the vessels on the inland waterways of the United States for the years 1962 through 1967.

Reports on 27 major waterways show the navigable length, controlling depths, a comparison of total annual traffic for the period 1962 through 1967, and the net tons of major commodities transported in 1967.

A two-color map of the inland waterways of the United States is incorporated.

Single copies of 1967 Inland Waterborne Commerce Statistics are available to others upon request to the American Waterways Operators, Inc., Washington, D.C.

LEGISLATION TO PROVIDE FOR THE RECOMPUTATION OF MILITARY RETIRED PAY

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BOB WILSON. Mr. Speaker, yesterday I introduced legislation to provide for the recomputation of military retired pay.

In 1958 and 1963 Congress broke faith with our retired military when the time-honored retirement formula was changed. Until 1958, retired pay was tied directly to active duty pay, and when active duty members received a pay increase, retired members did likewise. Public Law 85–422 in 1958, however, increased active duty pay by 10 percent, but retired pay by only 6 percent. Then in 1963 Congress, in Public Law 88–132, tied future retired pay increases to a raise in the cost-of-living index as maintained by the Labor Department. As presently stated, the law provides that the retired military basic pay rate will be adjusted when the CPI—Consumer Price Index—shows an increase of at least 3 percent for 3 months. Let us consider, for a moment, just how this system works. Each retired member's pay is based at present upon the pay scale at the time of his retirement. Thus, we now have many situations with retirees at the same grade and years of service—and the same hardships endured—drawing seven different rates of pay, dependent upon the date of retirement. The ironic twist to this situation is that these men enlisted and reenlisted in the military service over the years on the assurance of the pre-1958 retirement system. They were promised that, although active duty pay was low, a meaningful retired pay system would help offset the cleavage between civilian and military pay. These men surely fulfilled their part of the bargain—they gave long years of faithful, devoted service in war and peace. How shameful that we in Congress have reneged on our obligation.

The most perplexing problem, however, in restoring recomputation is the great cost involved. The figures listed by the Department of Defense are truly staggering. One suggestion that has been put forth as a means of cutting the cost considerably is to limit recomputation only to those who retired before the law was changed in 1958 and thus had no opportunity to alter their career decision in light of the change in their retirement benefits. According to this reasoning, those not already retired were forewarned of the change in benefits. While this would greatly benefit pre-1958 retirees, it would also create another group of second-class retirees in the process—those with considerable service who retired shortly after 1958. It is most unrealistic to say that a man with 17 or 18 years service in 1958 could change his career decision at that point in his military career. In fact, I feel that anyone with more than 10 years service in 1958 was a career man and entitled to the retirement benefits promised him at the time of his enlistment and reenlistments.

I am, therefore, introducing legislation to recompute retired pay based on active duty rates for all those who had at least 10 years' service when the law was so abruptly changed in 1958. I feel this bill is more equitable than legislation to limit these benefits to pre-1958 retirees, but it would still reduce considerably the cost of the Defense Department's retirement commitment in the years ahead.

The time for action to correct this inequity for retirees is now and I sincerely hope that Congress will consider my bill and the numerous other recomputation bills at the earliest possible time. We must close the Government's credibility gap with the military retiree.

JOB TRAINING FOR A BARGAIN

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Thursday, May 1, 1969

Mr. BOGGS. Mr. President, the Opportunities Industrialization Center Program, founded by Rev. Dr. Leon H. Sullivan, of Philadelphia, is proving to be one of our effective job training programs.

The program was begun in Philadelphia and since has spread to 74 other cities, including Wilmington in my own State of Delaware.

It has been singularly effective in training those thought unemployable and placing them in meaningful jobs. The program is taking on new meaning in Philadelphia where it provides an entrepreneurship training project and manufactures components for our aerospace industry and other products.

However, in the OIC as in other programs, favorable results can be achieved only when expertise and adequate financing are available. Dr. Sullivan's fine staff is providing the expertise, but in Wilmington and other cities sufficient funding is not available. S. 1362, introduced by myself and several other Senators, would help to resolve this problem by authorizing direct appropriations to the OIC program which now receives funds sporadically from a number of already established Government programs.

In the meantime, the leaders of the OIC are running their program the best they can with money available.

Mr. President, I ask consent that an editorial published in the Wilmington Evening Journal of April 24 be printed in the RECORD. It tells of the faith that Hon. Russell W. Peterson, Governor of the State of Delaware, has in the program. It also tells of the efficiency with which OIC operates and asks that the Legislature of Delaware help maintain this fine program.

It is my hope that in the near future the Federal Government will see fit to lend its great support to the OIC so that financial crises, such as the one facing Wilmington, will not be the rule of the future.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SPEND MONEY FOR A BARGAIN

"The Opportunities Industrialization Center, which has a branch in Wilmington, is one of the most effective programs in the nation for motivating and training the unemployed and the underemployed."—Gov. Russell W. Peterson, in his first speech to the General Assembly on March 5.)

Gov. Peterson's assessment of the OIC has been echoed by politicians and political commentators of nearly all ideological points of view. The OIC, quite simply, is a job-training program that works and is comparatively inexpensive, a pair of assets shared by very few other similar enterprises.

Unfortunately, however, the OIC's local branch will run out of money by the end of the month; another $200,000 is needed to continue the program through the end of the fiscal year. For fiscal 1970, $300,000 will be sought from the state, with a projected $200,000 again to be raised from private sources.

Earlier this month, the Senate defeated a bill that would have provided the supplemental state funds for this year. The roll call was tabled, however, so the bill is still alive. A new similar measure is pending in the House. Either bill is acceptable, but one or the other must be enacted quickly.

Anyone who takes a moment to consider what the OIC means in purely economic terms should conclude that it would be criminal if the program were permitted to expire. Assume that 100 of the hard-core unemployed complete an OIC course and find jobs paying only $4,000 a year. This would mean an additional $400,000 pumped into the state's economy, increased tax revenues, and, if any of the graduates previously were welfare recipients, decreased state expenditures. The meaning of the program in human terms should be self-evident.

In this fiscal year, the OIC is spending approximately $2,600 to train each individual in the program, including capital expenditures. Next year, the cost per capita is expected to drop below $1,000.

When one considers that the federal Job Corps spends about $7,000 per graduate, it becomes clear the OIC is a bargain. Paying rock-bottom prices for first-rate merchandise is a goal to which virtually everyone aspires—particularly cost-conscious state legislators. Delaware simply cannot afford to lose the OIC.

STUDENTS THREATEN VITALITY OF NATION

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BERRY. Mr. Speaker, the editorial appearing in the Sioux Falls, S. Dak., Argus-Leader comments the study of Members of Congress.

The editorial follows:

STUDENTS THREATEN VITALITY OF NATION

A strange contradiction was reflected last week in the voices of some American students.

An articulate group, armed with guns, sought to overthrow by force the authority of a university.

Another group, equally articulate, appeared in Washington. Among their spokesman was one who said that he could not serve in the military because "I could not kill another human being." Others in his group sought to reserve for themselves the right to determine whether the nation was justly or unjustly engaged in a conflict.

The first group obviously was willing to fight just to change the rules of a university. Included in the second group were young men who were unwilling to fight even to save their country—and themselves—from serfdom or subjugation.

One group presented in general a spirit of pacifism and the other a strong belligerency. Both groups were extremists and both were wrong.

DANGEROUS POLICIES

The groups differed widely in appearance and in attire. The belligerents constituted a motley mob, sloppily attired. The pacifists and those leaning toward pacifism were neatly dressed and well behaved.

The first group bellowed its arguments while the second was restrained and polite.

It seems that the second group—the pacifists and semi-pacifists—deserved the greater respect.

Both, nevertheless, were advocating policies that, if tolerated, would destroy our organized society. A society such as ours—the American society—can continue to exist only if law and order are maintained and there is a readiness to fight, if need be, to preserve our security and our national integrity.

ANTI-AMERICAN POLICY

The students involved in last week's deplorable incidents may be said to be immature. Unhappily, though, they have enjoyed the support of many of their elders, including faculty members, pastors and politicians.

The spirit of anarchy and pacifism must be set aside either by the quiet impact of reason or the assertion of the blunt power of the majority.

Consider first the mobsters. They apparently espouse the cause of individual liberty and freedom—the right of each man to do his thing—but they are doing precisely the opposite of that. They infringe upon the rights of others. They deny free speech. They invade privacy. They utilize force to impose their views upon others. Their behavior is patterned on the methods employed by the Nazis and other dictatorial factions. In essence what they are doing is anti-American and anti-democratic.

NECESSITY OF DEFENSE

The same may be said in regard to the pacifists. Few human beings want to kill or maim another. To almost all persons, the prospect is revolting.

There are times, though, when force must be utilized to oppose force. And one wonders just what the attitude of the pacifist might be if his own life were specifically threatened or that of his sister or his mother. Would he stand supinely by and allow a gangster to strangle his mother, his sister, his wife, his child? Or would he resist? The personal example illustrates the principle—a principle that is exactly the same in respect to an individual as it is to a nation.

These are sorry days in our nation, made sorrier because so many persons of supposed maturity seem unwilling to come to grips with the real problem. We better do so before the rapacious forces become so rampant that they can't be controlled.

THE ROLE OF STATE UTILITY COMMISSIONS

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Thursday, May 1, 1969

Mr. TYDINGS. Mr. President, the chairman of the Maryland Public Service Commission, William O. Doub, recently addressed the Maryland-District of Columbia Utilities Association here in Washington at the Sheraton-Park Hotel.

Mr. Doub's speech entitled "The Growing Complexity and Complications of Regulation by State Utility Commissions" offers some significant insights into the operations and concerns of the State utility commissions.

Of particular interest is his remark that the "good old days" of simple regulation are over. Each year new and complex regulations and standards are adopted. Commissions must now be cognizant of aesthetics, pollution, and an ever-increasing demand for service. The Federal regulatory commissions, the FCC, ICC, and FPC, are playing an enlarged role, at times in conflict with the State commissions.

The jobs facing these commissions are thus most demanding. State utility commissions must consider carefully the demand for increased service, the desire for fair and reasonable rates and the finite nature of resources available. From this must come a judicious blend which best serves the public interest. It is no easy task and Maryland is fortunate in having the very capable Bill Doub as chairman of the Public Service Commission.

Mr. President, at this time I ask that the remarks of Mr. Doub be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE GROWING COMPLEXITY AND COMPLICATIONS OF REGULATION BY STATE UTILITY COMMISSIONS, BEFORE THE MARYLAND-DISTRICT OF COLUMBIA UTILITIES ASSOCIATION, SHERATON-PARK HOTEL, WASHINGTON, D.C., APRIL 11, 1969

(By William O. Doub, Chairman, Maryland Public Service Commission)

I am delighted to have the opportunity to be here today and to participate in your program. As representatives of the utilities you bear a heavy responsibility to provide services that are vital to the overall growth and prosperity of this region. Who today will maintain that the services provided by utilities such as the ones you represent are anything less than "necessities"? Certainly, our ever-increasing reliance on the services of the regulated utilities and their ability to meet the rapidly increasing demands of their subscribers is a representative phenomenon of this century.

While serving as People's Counsel and since becoming Chairman of the Public Service Commission last summer, I have on a number of occasions addressed groups on topics related to utilities and the regulatory work of the Maryland Commission. I realize today that in those earlier instances I was most fortunate in that the audience was generally not too well informed concerning the finer points of regulation and, therefore, unable to recognize any deficiency in my knowledge of this subject—or at least too unsure of their position to take issue with me. I am certain that this is not the case with the members of the Maryland-District of Columbia Utilities Association, and it would probably have been wiser for me to talk on some subject unrelated to regulation in order to have more freedom of expression.

In all candor, however, our Commission, and I am sure the District of Columbia Public Utility Commission, as well as all other dedicated commissions, is not striving for unanimous approbation or consensus regulation. We would be negating our general responsibilities both to the consumer and the utilities we regulate if we were. Believe me, it did not take long to develop the tough skin required for this job. Behind this flabby stomach beats a heart of stone.

"The good old days of regulation" are over. The simplicity that was achieved by calmly administering a law that remained virtually unchanged from year to year will not return in the foreseeable future. New provisions are being added to our Public Service Commission Law each year by the Maryland Legislature. Also, each year our Commission, by the adoption of new regulations and standards, increases the complexity of the total subject. Many of these added regulatory standards are the result of pressure of concerned citizens, but the Maryland Commission itself is responsible for many of these needed provisions. All of them hopefully are being administered successfully in Maryland through the cooperative efforts of the utilities, the Commission staff and the Commission.

For example, consider the changes in recent years that have affected the regulation of the electric utilities.

As a result of the Northeast blackout in 1965 and the subsequent PJM power failure the Maryland Commission has met with other state regulatory commissions having jurisdiction in the PJM territory in an effort to do its part to assure the reliability of electric service. A consulting firm has been retained and the situation is receiving the aggressive attention of the Commission.

Recent State legislation requires the electric companies to apply to the Commission for a certificate of public convenience and necessity before beginning the construction of a generating station or a transmission line carrying in excess of 69,000 volts. Hearings are held in the area affected by the proposed construction of the facility and opportunity is present for local government to participate. When passing on these applications the Commission must consider a number of factors including aesthetics and for generating stations the effect on air and water pollution. A number of agencies must be advised of the applications, and their testimony and opinions are given careful consideration.

Under another law we must pass on arrangements to place existing lines underground when 80% of the land owners in a district initiate an appropriate request. However, as yet, there have been no proceedings under this act.

Another development in the electric field is the Commission requirement for undergrounding residential distribution lines. The formulation of rules requiring underground construction of electric and telephone service to new residences in subdivisions of five or more lots presented many problems which were unique in Maryland and the nation. No state had previously made a serious effort to adopt statewide rules requiring undergrounding of electric and telephone service to new residential construction in which the standards, the requirements and the charges would be uniform throughout the state.

Our investigation revealed that there was virtually no uniformity in the method by which electric utilities in Maryland were providing underground residential service prior to the enactment of the Commission's rules. Therefore, our adoption of standardized rules had some considerable effect on every electric utility, although the degree of the impact on individual utilities varied widely across the State. I think it is a tribute to the electric utilities in Maryland that they accepted the Commission's decision with a minimum of complaint and with an expressed willingness to do the best they could to carry out the intent of the Commission's order. True, we have had a few laggards, caused primarily, I believe, by the lack of experience and expertise and an unwillingness to convert construction thinking from overhead to underground. But on the other side of the coin we have had some utilities pressing ahead with enthusiasm to get the lines underground.

Sometimes, taking the initiative before a problem has really blown up will appear to run the risk of borrowing trouble. If we do nothing, maybe the problem will go away. "Let sleeping dogs lie" is one way to express it. Well some of us may have been painfully bitten by dogs that appeared to be sound asleep. But I can say with a certain degree of authority that the results achieved to date under the Commission's undergrounding rules, fully justifies the initiative

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that it took. Even now the Commission is reviewing utility suggestions concerning our proposed rules for the undergrounding of lines to new commercial and industrial developments.

For the Commission the adoption of the rules was just the beginning of its work. Since July 1, 1968, we have received considerably more than 100 requests for exemption from the undergrounding rules. Each request has been carefully considered by the Commission and a decision has been rendered in which it has endeavored to be fair while keeping in mind the main objective of getting underground the maximum amount of new residential distribution service. It goes without saying that we have made every effort to be consistent in our rulings, although this has at times been extremely difficult, because rarely do we find two situations with exactly the same conditions. Many of the persons requesting exemptions have expressed a desire to personally confer with the Commission, and to my knowledge we have acceded to every such request. Other persons who present their requests in writing receive equally thorough treatment through investigations by our staff, usually including inspections of the sites. These requests for exemptions are then discussed with the staff and a decision rendered on the basis of all available information.

The regulation of small water companies has also increased in complexity. Until several years ago these small companies would come to the Commission to obtain permission to exercise their franchise and to establish rates for systems that had been fully constructed. Frequently, the facilities installed by these companies were not adequate for providing proper pressure and were not planned for the future growth of customers. Moreover, financing arrangements frequently left much to be desired. As a result, the alternatives faced by the Commission were to refuse permission to operate, in which case customers waiting to move into new homes would be unhappy to say the least, or to authorize the company to start furnishing water service and attempt to improve the system over a period of time. In an effort to prevent this unsatisfactory situation the Commission was instrumental in having legislation enacted that requires these small companies to obtain the prior permission of the Commission before beginning the construction of a water system. Once again voluminous rules were prepared and the Commission must hold additional hearings and perform substantial staff work in connection with the formation of these companies.

Just last month the 1969 Session of the General Assembly passed legislation which creates a new Metropolitan Transit Authority with broad powers. Under the provisions of this bill our Commission will exercise regulatory jurisdiction over The Baltimore Transit Company and other mass transit companies in the Baltimore metropolitan area effective June 1, 1969. As Vice Chairman of the Washington Metropolitan Area Transit Commission and prior thereto as People's Counsel, I have been intimately involved with the regulation of D.C. Transit System, Inc. and the other carriers subject to the jurisdiction of the W.M.A.T.C. I am most concerned with arriving at a satisfactory solution of the serious problems of regulating mass transportation in both metropolitan areas. I can assure you that these new duties will not be assumed lightly on June 1, this year.

How are we meeting this growth in duties and complexities in our work? First of all, as rapidly as possible we are increasing our professional administrative staff. Engineers specializing in safety, communications, depreciation and cost of service have been employed. By this July 1st the Auditing staff will have an allocation of ten positions, 4 more than were authorized last year. In addition, effective July 1st, we are adding 6 positions in our Common Carrier program to meet the increased workload occasioned by the regulation of mass transit in the Baltimore area.

The second step taken by the Commission was to assign some of its quasi-judicial duties to an Examiner. This move was first made in 1964 and by gradually increasing the number of cases heard by the Examiner the Commission has more time to devote to policy matters and to consider and act on the complex problems that seem to be increasing with each passing day. It will be our continuing purpose to make every effort to foresee regulatory problems and not just to meet them as they arise.

In addition to our own work at home, as a Commission we find ourselves more and more concerned with federal legislation and the work of the federal regulatory commissions—Federal Power Commission, Federal Communications Commission and Interstate Commerce Commission. For example, early this year I was invited to testify before the Senate Committee on Government Operations on the Intergovernmental Consumers' Counsel Act of 1969.

This bill affects the major electric, gas, telephone and telegraph utilities and has four principal objectives:

First, to require the utilities to report to the regulatory bodies certain additional information regarding their operation;

Second, to require the Federal Power Commission and the Federal Communications Commission to report this and other information to Congress and the public, using automatic data processing to the fullest possible extent;

Third, to establish at the federal, state and local levels offices of the utilities consumer counsel to represent the interests of utility consumers before regulatory commissions; and

Fourth, to establish a grant program to finance study of the regulatory matters.

In my appearance before the Committee I confined my statement generally to an explanation of how the office of People's Counsel functions in the regulatory scheme in Maryland. It is a credit to our State that this office, which is receiving much close attention at the federal level, was created in Maryland as long ago as 1913 and has operated effectively since that date. I supported this bill but pointed out to the Committee what I thought were some objectionable features.

One objectionable provision in the bill with regard to this office was the provision that grants be made to local governments serving a population of 100,000 or more persons. If appropriations are made to local governments, it would make unduly complicated the operation of Counsel offices within a particular state's jurisdiction. Many of the regulated companies serve large cities and counties on the one hand and small rural counties on the other hand. If the larger local governments receive federal funds to operate an office similar to that of People's Counsel, it would be unfair to the smaller areas of the state and lead to parochialism among the larger jurisdictions. In my opinion appropriations should only be made to a statewide office of People's Counsel; and if local governments want to participate in a particular matter, they should do so on an equal footing.

As Chairman of the Committee on Electric and Nuclear Energy of the National Association of Regulatory Utility Commissioners I appeared last month before the House of Representatives' Subcommittee on Communications and Power on behalf of all 50 state regulatory commissions and the Public Service Commission of the District of Columbia, to comment on pending bills relating to power reliability and to support a measure that was introduced on March 27, 1969, by Congressman Friedel, at my request on behalf of the N.A.R.U.C. Insofar as I know, this is the first time the National Association has initiated federal legislation.

None of the pending bills provide a meaningful role for the state commissions irrespective of their long-standing and intimate regulatory involvement with electric utilities. Accordingly, the N.A.R.U.C. obtained the introduction of a bill so as to provide a moderate approach to the matter of electric reliability. It would have basically two purposes.

First, the F.P.C. would be empowered to identify the power pools within the Nation and to establish a regional council for each pool. A council would be composed of representatives of utilities operating within the power pool area, whether publicly or privately owned. The F.P.C. would have no authority to define voting rights for the council members.

A State Joint Board would be established for each council which would be composed of a state commissioner from each state wholly or partially within the power pool area.

The members of the regional council would meet from time to time to discuss mutual problems and to cooperatively plan for improved pool and inter-regional reliability.

The council would report from time to time to the F.P.C. and the State Joint Board. The F.P.C. and the State Joint Board would have the right to comment upon the plans and to suggest modifications. However, neither the F.P.C. nor the Board, as such, would have the authority to compel the adoption of any plan. The individual state commissions would, of course, continue to have the authority they now have with regard to regulating the reliability of service.

The continuous planning and free interchange of ideas among the council members, and among the council, the F.P.C. and the Board, and between regions, would undoubtedly benefit the individual state commissions and improve their ability to cooperate with each other in seeking to strengthen pool reliability.

The second feature of the proposed bill would empower the State Joint Board to determine the routing of transmission lines, based upon consideration being given to the reliability of service and the protection of historical, recreational and scenic values, within the power pool area and where a state commission does not have jurisdiction over such routing. Whenever a state commission acquired such authority from its legislature, the State Joint Board would lose the jurisdiction to make routing determinations in that state.

The adoption of this proposal would afford immediate protection to the public in the preservation of historic, recreational and scenic values with the decisions being made by officials close to the problems.

The joint board concept proposed here is similar to the joint boards now provided for in Part II of the Interstate Commerce Act concerning the regulation of motor carriers.

Another bill before Congress is the Federal-State Communications Joint Board Act of 1969. At the present time about 25% of the plant investment and revenues of the Bell system represent interstate and foreign service.

Prior to the institution of the A.T. & T. rate proceeding in 1965, the F.C.C. had traditionally cooperated with the State commissions in determining procedures for separating and allocating the property and expenses of telephone companies between intrastate and interstate operations. The F.C.C., by orders released in the A.T. & T. rate proceeding and in a related rule making case, has prescribed changes in separations procedures.

It is clearly unfair for an agency, which has jurisdiction over approximately 25% of

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the property, to in effect claim sole authority to determine how 100% of the property shall be separated between the federal and state authorities for rate making purposes. In my opinion, the state commissions should have at least a minority voice in the making of such a determination.

Adoption of the Federal-State Communications Joint Board Act of 1969 would create a seven member Board composed of four F.C.C. Commissioners designated by the F.C.C. and three state commissioners nominated by the N.A.R.U.C. and appointed by the F.C.C. The Board would have sole administrative authority under the Communications Act of 1934 to adopt and amend separations procedures. An order of the Board prescribing separations procedures would be deemed an order of the F.C.C. for purposes of judicial review.

Because of the attempts to gradually extend federal regulation, I believe it appropriate to express some comment on this subject.

I imagine that very few persons, who have not had some special reason for making a study of the subject, have formed any proper conception of the extent to which federal authority has expanded in recent years. To go back into history, for a moment, the effort of the federal government, prior to the Civil War, was not to encroach upon the domain of state authority under the Federal Constitution, as it was to keep the states from denying to the federal government the full measure of jurisdiction to which it was entitled under that Constitution. But, since the Civil War the opposite is true and the extension of the regulatory jurisdiction of the federal government, at the expense of the state governments, has been a most significant feature of our political history. The increased power of the central government has created new branches of federal activity and intensified greatly activity in existing agencies.

I do not find fault with most of the areas of federal aggressiveness but as to the proper role of federal and state regulatory agencies, I am firmly convinced that regulation where possible should be kept close to the ultimate consumer.

Especially objectionable to the well-organized and dedicated state commissions, who accept and appreciate the dual form of government under which our country has become so prosperous and great, are those federal bills which appear from time to time and seem to be premised on an assumption that all state commissions cannot do their job with any degree of efficiency.

Perhaps this trend to more federal regulatory jurisdiction can be laid at the door steps of a few state commissions. Those that are complacent, disinterested or who operate under a weak statute invite—and understandably so—federal intervention. I am pleased that the Maryland Law—Article 78—provides that our powers are to be liberally construed.

On the other side of the coin we in Maryland have taken a strong exception to some matters within the purview of the Interstate Commerce Commission, especially the provision in the Interstate Commission Law relating to passenger train discontinuance under Sec. 13(a)(1). Generally, under this section the Interstate Commerce Commission is given the power to authorize the discontinuance of interstate trains with or without a hearing provided notice and a copy of the railroad petition is served on the Governor of each state through which the train operates. If the train is wholly intrastate and the state commission denies an application for discontinuance or takes no action thereon within a period of 120 days, then the railroad may petition the I.C.C. to effect such discontinuance. The act provides that in the latter instance a hearing shall be held by the I.C.C.

The Intrastate Commerce Commission has been very permissive in allowing passenger train discontinuances—often without hearings of any type.

I utilized my appearance before the House Subcommittee on Communications and Power the other day to urge strict requirements and revised procedures in dealing with passenger train discontinuances. The passage of time since 1958 has confirmed the inadequacy of some of the provisions of Sec. 13(a)(1).

The I.C.C. itself has recognized the need to improve the effectiveness of its administration over discontinuances and in 1967 proposed some amendments to Sec. 13(a)(1). One amendment would authorize the Interstate Commerce Commission to attach conditions to an order requiring the continuance or restoration of operation of railroad passenger train service (rather than the unrealistic approach now dictated by law of approving or denying a proposed discontinuance under terms specified by the railroads).

Other amendments would extend from four to seven months the period in which the Interstate Commerce Commission may investigate or act on proposed discontinuances of passenger train services; affirmatively place the burden of proof in such cases on the carrier; and provide for judicial review in the federal district courts of Commission orders under Sec. 13(a)(1).

In my opinion, and in the opinion of the N.A.R.U.C., there is a demonstrated need to go far beyond these recommendations by changing the concept of Sec. 13(a)(1). The law should be amended so as to return to the states at least a modicum of state jurisdiction over the passenger operations of the railroads. This would permit the utilization in the public interest of the intimate familiarity of the state commissions with all phases of railroad passenger services in their respective states.

This purpose can be accomplished by providing that passenger train discontinuance applications should be first heard and determined by a Board of State Commissioners of the states involved—that Board to be constituted and to function in a manner similar to the I.C.C. motor carrier joint boards.

Present methods of treating the discontinuances are most unsatisfactory and for the most part state commissions are powerless to reverse the trend of authorizations. It is appalling to me that the views of our Commission are given such little weight when the riding public that we represent are so vitally affected. During the past year our Commission has been involved in three court cases, made a comprehensive study of passenger service and equipment used by the railroads in Maryland, filed numerous complaints with the Interstate Commerce Commission on behalf of Maryland riders and are carefully following the new Metroliner service between Washington and New York to insure fair treatment for patrons from our State. Tomorrow a hearing will be held by the Maryland Commission in Cumberland, Maryland on a proposal of The Baltimore and Ohio to discontinue a round trip train between Cumberland and Oakland, Maryland, and Parkersburg, West Virginia.

The Maryland Commission is greatly concerned with the continuing reduction in passenger service which is occurring in Maryland and across the nation. When the nation's highways and airways become so overburdened that the discomfort, inconvenience and delay are intolerable to the riding public, then a return to emphasis on rail travel must certainly follow. Perhaps the inauguration and public acceptance of the new Metroliner service signals a reaffirmation of the need for efficient rail passenger service. In the meantime, we shall do all that is possible to retain this vital mode of transportation in Maryland at a level consistent with the public use of the existing service.

The challenges of the future can be met not simply by providing service adequate for today but anticipating the needs of tomorrow. Most utilities are implementing this philosophy through present efficiency and long range planning. A few unfortunately are not so motivated.

Thank you for the privilege of appearing here today.

DR. ROMAN SMAL-STOCKI: UKRAINIAN PATRIOT-SCHOLAR, LOVER OF FREEDOM, 1893–1969

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. ZABLOCKI. Mr. Speaker, with the passing on Sunday, April 27, of Dr. Roman Smal-Stocki, those who love freedom and fight to preserve it have lost a true champion. Those who knew him will miss him deeply but forever be enriched by the memory of all that he represented.

As a scholar and professor of Slavistics he was renowned and respected throughout the world. As a fighter for the right of self-determination by the repressed minorities of Eastern Europe he was hated and feared by those who denied that freedom. Because of his outspoken condemnation of tyranny he was twice forced to flee and leave behind family, home and all personal possessions. Ultimately he found his way to the United States.

In his adopted country he embraced the rights and responsibilities of citizenship with a zealous fervor. Never did he take for granted the freedom we enjoy here or fail to fulfill an opportunity to enrich it.

Dr. Smal-Stocki was more the American for his deep appreciation of the Ukrainian slavic culture and heritage from which he came. Actively devoted to Ukrainian causes, he was admired and loved by the Ukrainian community throughout the country.

Dr. Roman Smal-Stocki possessed a dignity, wit and old-world charm that distinguished him among men. His native Ukraine, the United States, and all those with whom he came in contact everywhere are better for the enduring warmth of this man's life.

From the Washington Evening Star of April 29 and the New York Times of April 30 I am placing in the RECORD at this time articles reporting the sad fact of his death:

[From the Washington (D.C.) Evening Star, Apr. 29, 1969]

ROMAN S. SMAL-STOCKI, UKRAINIAN SCHOLAR, DIES

Roman S. Smal-Stocki, 76, director of the Ukrainian Studies Center at Catholic University, died Sunday of cancer at Georgetown University Hospital. He lived at 201 Taylor St. NE.

Born in 1893 in Czernowitz, Bukovina, now a part of the Soviet Ukraine, Mr. Smal-Stocki studied at the universities of Vienna, Leipzig, and Munich. In 1917 he lectured at the

Oriental Academy, a foreign service school in Berlin.

In the early 1920s he was associate professor of Slavistics at the Ukrainian Masaryk University in Prague and later was a guest professor in English Universities.

He taught Slavistics at the University of Warsaw in Poland from 1925 to 1939, and then was a prisoner of the Nazis during World War II.

Coming to the United States after the war, he was professor of Slavic history at Marquette University from 1947 and director of its Slavic Institute from 1949 until becoming professor emeritus. He had been a visiting professor at Catholic University since 1965.

Mr. Smal-Stocki was a leader in the fund-raising campaign to erect a statue of the Ukrainian poet-hero Taras Shevchenko in Washington. The statue, dedicated several years ago, is at 22nd and P Streets NW.

He was also curator and a director of the Byzantine Slavic Arts Foundation here. From 1915 through 1960 Mr. Smal-Stocki published 11 books—in Ukrainian, German and Russian. He also had writen more than 70 scholarly articles.

Outside his literary career, Mr. Smal-Stocki served as an envoy and minister of the Ukrainian Democratic Republic in Germany and Great Britain in the early 1920s, and was deputy premier and foreign minister of the Ukrainian National government in exile from 1937 to 1940.

He was active in several societies devoted to the works of Shevchenko, as well as historical and other arts and sciences associations.

Prayers will be offered at 7 o'clock tonight at the Ukrainian Catholic Seminary, 201 Taylor St. NE.

A mass will be offered tomorrow in Philadelphia at the Cathedral of the Immaculate Conception, the mother church of the Ukrainian Catholic Metropolitan Province in the United States.

It is requested that expressions of sympathy be in the form of contributions to the Smal-Stocki Memorial Fund at the Ukrainian Catholic Seminary.

[From the New York Times, Apr. 30, 1969]

DR. ROMAN SMAL-STOCKI DIES; UKRAINIAN EDUCATOR WAS 76

Dr. Roman Smal-Stocki, philologist, educator and author, died Sunday at Georgetown University Hospital in Washington. He was 76 years old and was a former leader of the Ukrainian National Republic, an independent state from 1917 to 1920.

Dr. Smal-Stocki, who was born under Austro-Hungarian rule, received a Ph. D. degree, summa cum laude, from the University of Munich in 1914. He was active in the establishment of the independent Ukrainian state and was the councillor of its legation in Berlin. Later he was Minister of its Government-in-Exile in Berlin and London. He was also formerly deputy premier of the exiled government.

Between the two world wars Dr. Smal-Stocki was associate professor of the history, language and culture of the Slavic peoples at the Ukrainian Masaryk University in Prague and at the University of Warsaw.

After the conquest of Poland he was arrested by the Germans and interned in Prague until the end of the war.

He came to the United States in 1947 and was associate professor of Slavic history at Marquette University and later directed Marquette's Slavic Institute.

At his death Dr. Smal-Stocki was a visiting professor of the history, language and culture of the Slavic peoples and the history of the Soviet Union at the Catholic University of America and the head of the Ukrainian Studies Center at the Ukrainian Catholic Seminary of St. Joshaphat, both in Washington.

He was president of the American Shevchenko Scientific Society, with headquarters in New York. The society is named for Taras Shevchenko, Ukrainian poet.

Surviving are a brother, Dr. Nestor Smal-Stocki, and a sister Mrs. Irene Luckyj.

FIFTIETH ANNIVERSARY OF THE UNIVERSITY OF EVANSVILLE

HON. BIRCH BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, May 1, 1969

Mr. BAYH. Mr. President, I am pleased to invite the attention of the Senate to the fact that next fall the University of Evansville will celebrate its 50th year of existence in the city of Evansville, Ind. Although founded more than a century ago in another community, the school was moved to Evansville and began to operate there as Evansville College in 1919. Its title was formally changed to that of Evansville University 2 years ago in order to reflect more accurately growth through the years; it is now a major urban institution comprising three separate colleges, four schools, and a graduate division, which serves the needs of more than 5,000 students.

An informative article describing the current status of Evansville University and its many educational and cultural innovations and contributions was published in the March 1969, issue of Indiana Business and Industry magazine. Under the inspired leadership since 1967 of President Wallace B. Graves, the university has continued to stride forward and to give promise of an even greater role in the future. I congratulate the university on the successful completion of a half century of dedicated service to community, State, and Nation and, in tribute to its record of achievement, ask unanimous consent that the text of the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF EVANSVILLE—WITH THREE COLLEGES, FOUR SCHOOLS AND GRADUATE DIVISION—WILL CELEBRATE 50TH ANNIVERSARY IN CITY

In the fall of 1969, the University of Evansville will celebrate its 50th anniversary as a part of the Evansville community.

Founded in the Dearborn County hamlet of Moores Hill in 1854, the University earlier was known as Moores Hill College. Following a fire which destroyed the college's main building in 1915, the school was moved to Evansville in 1917, and for the next 48 years was known as Evanville College. The first classes in Evansville began in 1919 in a downtown building until the school was moved to its permanent home on a 74 acre tract in the eastern residential portion of the city in 1922.

In 1967, Evansville College by legislative act became the University of Evansville, and the metamorphosis from liberal arts college to urban university was completed within the organization of colleges and schools within the University.

Today, the University of Evansville has a total student population of 5,500, of whom over 3,100 attend full time. Resident students, who come from 40 states and 10 foreign countries, make up half the full-time student population. The University is a fully accredited, private non-tax supported institution related to The United Methodist Church. It has three colleges, four schools, a graduate division and offers 25 different degrees.

The College of Arts and Sciences, at the heart of the University, offers a wide range of courses leading to the Bachelor of Arts and the Bachelor of Science degrees, Students in other divisions of the University are required to take certain courses in the College of Arts and Science before establishing their major fields of study.

One of the finest drama departments in the country is found in the University of Evansville College of Fine Arts. Under the direction of Dr. Sam M. Smiley, the University Theatre is recognized as one of the most accomplished collegiate theatre groups. The U of E Theatre annually provides a major cultural contribution to the Evansville community with performances in Shanklin Theatre on the University campus.

The College of Fine Arts offers seven degrees including a Bachelor of Fine Arts degree in art and in drama, a Bachelor of Music degree with an instrumental or voice major, a Bachelor of Arts degree in education with a major in arts or drama and speech, and a Bachelor of Music Education degree.

Future teachers and educators constitute the student body of the School of Education, which has a comprehensive program offering both undergraduate and graduate degrees. The School of Education cooperates with the Evansville-Vanderburgh School Corporation and many other systems to provide elementary and secondary teachers each year from among many qualified graduates. Most of the students in the School of Education do their practice teaching in the Evansville schools.

The first four-year baccalaureate program in nursing to be accredited in Indiana by the National League for Nursing, the University of Evansville School of Nursing educates and trains future registered nurses. The School of Nursing cooperates with two of Evansville's general hospitals, Welborn Memorial Baptist and St. Mary's, in providing clinical as well as theoretical training to student nurses. Recently under way is a new program of continuing nurses education in which registered nurses who are graduates of three-year nursing programs may complete work for a baccalaureate degree.

The School of Engineering offers the Bachelor of Science degree in electrical, industrial, and mechanical engineering, and its aim is to equip students for technical, managerial, and executive careers in industry. Through a program of cooperative study, students in the School of Engineering may elect to rotate in and out of industry while completing their degree requirements. This program gives students valuable experience in their field of study as well as additional income while they are employed.

Evansville business and industry long has recognized the School of Business Administration as a source for well-educated and well-trained young men and women who qualify for managerial and executive level positions. Recent statistics show that in 1968 half of the 278 male graduates went into business and industry, and of those half stayed in the Evansville area.

In the fall of 1968, the School of Business Administration began a new Master of Business Administration degree program which met with instant success. Over 150 students were initially enrolled during the fall quarter. According to Dr. Ray W. Arensman, dean of the School of Business Administration, the M.B.A. program is designed to develop an understanding of the inter-relationship of various fields of business, to familiarize students with the use of modern quantitative tools of business analysis, and to deepen the understanding of the role that business decisions play in American society.

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"The M.B.A. program," Dean Arensman continues, "concentrates on the theoretical aspects of business," adding that the emphasis is on broad philosophical relationships between business decisions and the society in which they are made rather than only on the technical skills required of special areas of business.

Another significant development in the School of Business Administration came last year when the Mead Johnson and Company Foundation established a professorship in management. Undergraduate degree programs in the School of Business Administration include accounting, economics, finance, insurance, management, marketing, office administration, and general business.

A direct link between the University and area business and industry exists through the Center for Industrial Relations, an affiliate of the University of Chicago's Industrial Relations Center. The University of Evansville has the distinction of being the first cooperative college for management education in the University of Chicago program, and now is one of 20 strategically located colleges and universities throughout the nation with such facilities.

The program of the Center consists of a diagnostic analysis of organization problems and needs as well as the development of programs for management and organization improvement. Programs are conducted in the University Evening College and on an in-plant arrangement. According to Joseph T. Holt, the Center Director, the number of participants in the management development program showed a 65% increase between 1967 and 1968, and at present over 60 firms have participated in management development and organizational survey programs conducted by the Center. Using the vast research resources of the University of Chicago's Industrial Relations Center, the University facility gears its program to the needs of the Evansville area.

Although the primary mission of the University of Evansville is to provide quality education for a growing number of qualified students, its role as an economic force in the Evansville area economy also is significant.

Recently, the University undertook a study designed to measure its economic impact on the community.

Following a similar study made in 1966 which showed a yearly impact of $6 million, the recent study shows that the University annually feeds into the local economy an amount in excess of $10 million. This figure is based on the $5.9 million University operating budget—of which $5.1 million stays in the community, the amount University of Evansville students contribute to the area economy in addition to tuition, fees, books, room and board, average construction services purchased over the past ten years, student and faculty automobile expenses, and tourism generated by visitors who come for University sponsored events, including athletics.

The economic impact of the University of Evansville on the local economy is further enlarged if a multiplier effect is set at 2.5. That is, every dollar the University puts into the local economy generates another $2.50 in economic activity. Therefore, the total impact on the Evansville area is $25.5 million a year.

As a moderately populated institution in an urban setting, the University of Evansville acknowledges the realities of urban life and the myriad of social, economic, and political problems that beset modern urban society.

In 1968, the John L. Igleheart Center for the Study of Urban Affairs was established by a $425,000 gift by Austin S. Igleheart, former chairman of the board of General Foods Corporation. It functions as a link between the city of Evansville and the University, merging both direct service to the community and academic coursework in a mutually supporting relationship.

An unusual feature of the Center for the Study of Urban Affairs is that courses are offered to undergraduate as well as graduate students. In many institutions study in urban affairs is limited to graduate students.

President Wallace B. Graves states that the purpose of the Center is to develop academic programs which will "acquaint undergraduate students of many professional objectives with the real ties of urban life as well as those who subsequently make urban affairs their profession."

Richard C. Hall, the Center director, says, "The University, particularly the urban university with its pooling of highly developed academic skills, has been looked to for assistance by the cities in this period of increasing complexity, rapid change and uncertainty." This is borne out by the fact that Hall, aside from his teaching duties, serves as an active member of many civic organizations and groups.

Speaking before the State Policy Commission on Post High School Education in August, 1968, President Graves said, "For most of its life in Evansville, the University has been the sole institution of higher education . . . and has striven mightily to serve the education requirements of this dynamic and enterprising community. It has, for example, deliberately preserved a low tuition level in order to accommodate local students of limited financial resources . . . and in 1968–69, the University of Evansville still will have one of the lowest tuition charges . . . among all the private colleges and universities in the State."

The University of Evansville today is committed to excellence on all academic fronts. Soon the University faculty will complete a thoroughgoing study of all educational programs to provide an "academic blueprint" for its future growth and development. In 1969–70, its fiftieth year in Evansville, the university will announce a development plan for the next decade.

THE TAX BITE IS "PAINLESS"?

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. SAYLOR. Mr. Speaker, an editorial in the Barnesboro Star of April 17 goes to the heart of the problem of the taxpayer's revolt in the country. I thought our colleagues would appreciate hearing another view of the tax problem as faced by the middle-income taxpayer. The editorial points out that the Government wants the tax bite to be "as painless as possible" and that is why employers are forced to take little bits of taxes out of each paycheck. But is it the painless way? In the words of the writer, concerning the reaction of the taxpayer:

> Try to tell him that when despite his wife and three children as dependents he still has to fork over $1,500 of his $9,000 salary to Uncle Sam.

The tax bite, however collected, is not painless and the taxpayer of the United States understands this better perhaps than we do here in Congress.

The taxpayer is beginning to feel that we in Congress have developed a calloused view of the cost of program piled on program and that we have forgotten that the American middle-class taxpayer is carrying the heaviest burden for such programs. We have a responsibility to that taxpayer to change this view of our endeavors and one way, in addition to the passage of a substantive tax reform measure, was stated in the editorial:

> Instead of new taxes for ever-increasing spending programs, we need to trim out the fat from our expenditures and spend only for what is essential.

The editorial follows:

TAX TIME BRINGS RENEWED COMPLAINT

We get a chuckle—but it hurts—when people say: "We're going to get $100,000 from the state, another $50,000 from the state which won't cost us anything so we can go ahead with the project."

Try to tell the average wage earner that it isn't costing him anything.

Try to tell him that just now when he is paying his income tax.

Try to tell him that when despite his wife and three children as dependents he still has to fork over $1,500 of his $9,000 salary to Uncle Sam.

If the federal government did not force the employers to take this tax from the wage earner in little bits in the form of withholding tax, you can bet the wage earner would put the screws to his congressman to cut out all unnecessary spending.

But, of course, that is the way the government wants it. They want the tax bite to be as painless as possible.

Then, too, it boils down to the simple fact that business and industry actually are paying the tax because the wage earner bases his salary on what he takes home, not on what his employer actually pays him.

This added load on the small business man who employs eight or 10 persons is getting to be almost unbearable.

The self-employed person who has only himself and another employee or two to be concerned about doesn't really know what the tax problem is all about. He can look to Uncle Sam for the handout as a free gift from the rest of us.

But, in this small office, which is typical of thousands of small business firms across the nation, the withholding and social security taxes for the year 1968 totaled $6,284.12 or about $1,505 per employee.

Of course, our employees are not too much concerned because they never had the money anyway. We took it from them and paid it to Uncle Sam.

These advocates of subsidies from the government in whatever form it takes say: "Get as much as you can from the government; everyone else is doing it and we might as well get our share."

These advocates of government free-spending are the reason why this nation is $360 billion dollars in debt with the interest on this debt ($15 billion annually) being the second largest expenditure by our government. Second only to our defense spending budget.

Our federal government is not only giving our money away at home—giving money which it does not yet have—but spending it almost as freely in foreign countries.

A chart elsewhere on this page shows that we have given away to foreign governments more than $118 billion dollars since 1946 and we have paid $52 billion on interest on the money we borrowed to give away for a grand total of prizes to foreign countries of $170 billion.

Is it any wonder we have been clamoring for a tighter rein in government spending?

We are being buried beneath the subsidies we are paying here at home and abroad.

Instead of new taxes for ever-increasing spending programs, we need to trim out the fat from our expenditures and spend only for what is essential.

We are spending billions to end poverty and we have more poverty during our boom time than any time since the depression.

We are spending billions for farm subsidies and yet food prices are the highest of any time in history, so we are paying twice.

We are spending billions on the military and yet we cannot defeat a nation not even half the size of Pennsylvania. And our dead in Vietnam now exceeds the total in Korea.

We are spending billions in education yet educators say our modern education system is sadly wanting.

We are spending billions on medicare, medicaid, yet many claim these programs are failures as far as improving the nation's health standards.

We are spending billions on highways and yet our highways are masses of crawling congestion.

We are spending billions on airline subsidies, yet air travel is now becoming almost as congested as that on the highways.

We are spending billions to defend our nation against air attacks but now we find it has been inadequate and we are practically helpless against an A-bomb attack.

We are spending billions on job training programs yet we open our doors to a flood of imported goods which are causing unemployment in steel, watch, camera, textile and a host of other industries.

We are spending billions and billions for this and for that, yet we are polluting the very air we breathe and the water we drink to such an extent that we are very nearly living in a cesspool or garbage can.

Wages are at the highest they have been in our history, yet at the same time individual debt is also at record proportions.

It seems that we need to reassess our values as to what is important in this world and what is not and govern ourselves accordingly.

PTA'S HELP SUPPORT SPECIAL EDUCATION

HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Thursday, May 1, 1969

Mr. MUSKIE. Mr. President, in these years of restricted budgets for school operations, it is gratifying to see an example of what can be accomplished by small local groups uniting for a common cause—helping their schools provide the finest education possible for certain children whose needs are only now becoming generally known, the needs of retarded children.

The ninth annual benefit for the special education of moderately retarded children at the Concord, Longview, and Stephen Knolls schools of Montgomery County, Md., was held Saturday, March 15, at the Indian Spring Country Club. This benefit, sponsored by the PTA's of the three schools, has been increasingly successful through the years.

Through their united effort, the three PTA's are achieving more than financially bolstering the schools where educational costs per pupil are already high. They have also kept the community aware of the needs of special education and of what their schools are doing. The entire community becomes aware of the needs of the schools' programs and insures that the PTA's will provide for them.

Most of the moderately retarded children served by these schools need some kind of supervision for the rest of their lives, and only in exceptional cases do they become self-supporting. A few short years ago these children would have found their futures restricted to institutions. Today, however, through proper training in health, self-care, reading, home arts, industrial arts, and other practical ideas, the schools prepare these pupils to contribute as useful members of society.

RED CARNATION—NATIONAL FLOWER

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. DEVINE. Mr. Speaker, over the years the question of a national flower has been one of great concern to many, and I would like to add the voice of Dan Clancy, respected writer for the Columbus, Ohio, Dispatch, on behalf of the official flower of the State of Ohio, the scarlet carnation.

An article by Mr. Clancy follows:

CONTROVERSY MAY BLOOM OVER ADOPTION OF OFFICIAL FEDERAL FLOWER

United States Sen. Albert Gore is urging that the iris be designated as the national flower. The iris is the state flower of Tennessee—and Senator Gore is from Tennessee. Get it?

Well, now we see no blooming reason why the Buckeye State Flower should not become the carnation of the nation.

The scarlet carnation was adopted as Ohio's official flower in 1904 by a resolution of the Ohio General Assembly, because a carnation was the daily companion of William McKinley, the nation's 25th President born at Niles in Trumbull County, and because of "its beauty, its fragrance and its fitness."

Historically, it may be noted, use of the carnation as a campaign symbol originated during the McKinley-Lamborn debates in Alliance, and resulted in Alliance becoming proclaimed "The Carnation City."

We would not, of course, want to see this blossom into a national controversy over which state's flower should be the national flower—but Buckeyeland may as well boost its own bud before all of the other states begin battling for the honor.

State flowers offer a variety of choices—including Alaska's forget-me-not, Oklahoma's mistletoe (for a real kissin' country?), and Arizona's giant cactus. Arizona may have a point there.

State flowers once ranged literally from A to Z—from the apple blossom for Arkansas and Michigan to the zinnia for Indiana, until the Hoosier State switched to the peony in 1957.

Several states, of course, are somewhat handicapped with flowers which would hardly be fitting as our national symbol—such as Illinois, New Jersey, Rhode Island and Wisconsin, which all have violets as their state flowers. We would hardly want the shrinking violet as our nation's symbol.

Even United States Sen. Everett M. Dirksen, Illinois, doesn't advocate adoption of his own state violet as the national flower. He is trying to promote the marigold as our national posy.

The Lincoln Library of Essential Information lists the goldenrod as already being the national flower of the United States, "by popular choice." But goldenrod, which is also the state flower of Alabama, Kentucky and Nebraska, has a poor reputation among hay fever sufferers.

Anyway, our encyclopedia says that although an attempt was made in 1889 to sample public opinion on the subject, and that the goldenrod proved most popular, it has never been generally accepted as our national flower.

The reputation of Kansas' state flower, the wild sunflower, has just been dealt a damaging blow by the Iowa House of Representatives, which voted 92 to 18 to declare the wild sunflower a noxious weed. (Michigan, capital of the automotive industry in the world's greatest car producing nation, might be inclined to favor Ohio's state flower, the "car nation.")

Well, this issue could see many flowery speeches made in Congress, some fierce floral fights among the states and many a brickbat as well as bouquets tossed back and forth before we finally "pick" a national flower. But, let the petals fall where they may.

Even the "flower children" easily could decide to become involved in this debate. Gardeners, florists, politicians and plain folks with state pride could all become partisans. There will be few wallflowers.

Let us hope that the fight over a federal flower, with all its state skirmishes, will soon be settled. But, then, who knows—after all, England's Wars of the Roses lasted for 30 years.

One thing is certain—whoever makes the final decision will have no bed of roses.

FEDERAL MILK MARKETING ORDERS

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. ABBITT. Mr. Speaker, yesterday I introduced a bill which is an amendment to the Agricultural Marketing Agreement Act of 1937. This is the basic authority for Federal milk marketing orders. The amendment would authorize dairy farmers to initiate programs for expanding market development projects, such as advertising, sales promotion, education, research, and related programs. It would operate as follows:

First. The proposed legislation would provide authorization for voluntary—not mandatory—action by milk producers in a marketing order area to adopt such a program; and, if adopted, it would require participation on a marketwide basis.

Second. The plan would be supported by funds from the milk pool of the marketing order area according to a formula approved in the referendum.

Third. The plan would be tailored to meet needs and objectives of producers in a specific marketing order.

Fourth. Expenditures under a plan would be supervised by milk producers; and would be used only for designated purposes.

Fifth. Adoption of a plan would require approval of two-thirds of producers voting in a separate referendum in a marketing order area. Cooperatives—established to serve producers—could vote on behalf of their members.

XUM

Sixth. The separate referendum—either adopting or rejecting a plan—would not affect the basic provisions of the marketing order, itself.

Seventh. Although adoption of a plan would require approval of two-thirds of producers voting in a referendum, it could be terminated by 51 percent of producers at any time.

A LETTER TO PRESIDENT NIXON

HON. MASTON O'NEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. O'NEAL of Georgia. Mr. Speaker, my considered opinion is that there are more intelligent, well-educated, and well-trained people interested in Government than ever before in our history.

Many of these people have more time to read and contemplate because of the increased number and effectiveness of retirement programs.

They love our country and are becoming more and more concerned about trends. They are writing us every day, and they are writing others in Government.

One of my valued constituents, Mr. George I. Martin, of Sylvester, Ga., recently wrote to President Richard M. Nixon. When his letter came to my attention it impressed me with its inescapable logic and level-headed approach. I would like to share it with my colleagues:

SYLVESTER, GA.,
December 12, 1968.

Hon. RICHARD M. NIXON,
President-Elect, United States of America, Washington, D.C.

DEAR MR. PRESIDENT: First, I wish to congratulate you on being elected president of the greatest nation on earth.

Even though I, as a school man, have written to thousands of people, many of whom held high positions, I have never written to a president of the United States. I have always been rather reluctant to advise or suggest to anyone as to how he should conduct his business. However, inasmuch as our great country is in a rather precarious situation and inasmuch as you have been elected leader and administrator of a great government "of the people, by the people, and for the people", I feel that you will welcome my letter along with millions of others, if you can be convinced in your mind that the letters are written in an honest and sincere effort to be of help to you as you take the helm of our great "Ship of State" and endeavor with a determined mind and a steadfast purpose to steer it on a course that will bring this great country back to its rightful position. Yes, back to a position more in keeping with the ideals and ambitions of the great men who founded our nation; back to the ideals as set forth in our constitution; back to law and order; back to states rights whereby the people of the states may have a voice in their governmental affairs, (as a school man I was delighted to hear you say during the campaign that you would turn the schools back to the people); back to a better tax system to support our government so that the tax burden will be more equitably distributed; (there is much talk about *tax evasion* through "Foundations", also, being able to get into a low bracket, etc. etc.); back to a time when at least a portion of the tax dollars sent to the federal coffers by the states can be retrieved for worthy causes without the approval of the hard-boiled "Guideline" bureaucrats in the Pentagon and State Department. Yes, back to a time when our Supreme Court will render decisions in keeping with the law as provided for in our Constitution and not in keeping with the social trends of the day, etc. (Give us a court that will not usurp the powers of the other two branches of Government—Legislative and Executive), also, back to a time. when our country's sworn enemies will not be allowed to run at large and hold high government jobs—even work in defense plants and teach our youth; and back to a time when our government will not aid the enemy we are trying to subdue by sending the enemy, at great cost to our country, everything it needs including war equipment with which to kill our boys who are fighting and dying for our way of life; back to a time when some thought will be given to "balancing" the national budget. Yes, back to a time when the news media will not be controlled by a group who seek to suppress all matters that do not meet their approval, (radio, television, press, etc.)

Mr. President, no man before you has ever gone to the White House with more serious problems facing him. But George Washington had his problems in the early days of our country; yet, he was successful in laying the foundation for the greatest nation of all time. Abraham Lincoln had his problems as he sought to make certain needed adjustments in our government. He, too, was successful as a President. Now, you will be at the controls after January 20, 1969, and confronted with a situation unlike that of any other president in the history of our country. Due to "easy money" and a somewhat false economy, our people are literally wallowing in luxury and extravagance with too little regard for the things that have made this country great—individual rights, freedom of choice, respect for law and order, patriotism, good education (our education program needs a good dry-cleaning), civic responsibility, and a conviction that with every privilege there is a corresponding responsibility. We are thankful, however, that we yet have the "framework" of our great republic and with your leadership we can rebuild in keeping with the needs of our time. Please know that as you rally your forces to "rebuild" you will have the support of the great majority of our people. This was made very apparent by the election in November. Therefore, even though the task may seem great, the challenge is also great because the people recognize the need for change and all are wholeheartedly willing to go to bat to help you to reclaim our rightful position under the sun.

It is interesting to note from the pages of history that both Washington and Lincoln (referred to above) were God-fearing men who through prayer sought the guidance of our Holy Father as they faced the issues of their day. I feel sure that prayer is a part of your life, also. Please be assured that millions of your people are remembering you in their prayers continually.

In closing let me say I am a Southerner and am proud of my heritage. Having lived most of my life in the south on the farm, in town, and in the city, (of course, my professional work took me to all parts of the country) and having spent most of my life as an educator, I believe I know the South and its problems as well as anyone. Even though the south has had to endure certain handicaps throughout most of its existence, it is well on the way to coming into its own. It has yet much to offer our republic. We have through the years, particularly in recent years, had to suffer certain penalties, some of which were imposed upon us very unjustly. But, we are a courageous people; not too easily subdued when the principle of right and wrong is involved. I am sure you will permit us to "brag" a bit by saying that with the south's direct and indirect efforts it contributed substantially to the results of the late election. You are our president and we are your people. We have ample reason to believe you are going to be as much interested in the well being and progress of the South as you are in any other area of our great nation. We must be "one nation indivisible" working together for the common cause.

I am tremendously interested in your success as President and I want to do my part. I am not seeking a job. In fact, I don't want a paying job. I only want to contribute my part in helping you be the best president this country has ever had. I hope your administration will give me the opportunity. *This is my country, too.*

Very truly yours,

GEORGE I. MARTIN.

P.S.—I dictated the above letter before you announced your Cabinet. All are good men. I was pleased, even delighted, that you chose your Defense Secretary from a field other than industry. It's high time we're making a change. Also, I must add that the overwhelming majority of our people rejoice that you have retained J. Edgar Hoover as head of the F.B.I. In my book his equal is not to be found in the U.S.A.

ISRAELI INDEPENDENCE DAY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. ANDERSON of California. Mr. Speaker, this year the nation of Israel celebrates the 21st anniversary of the Proclamation of Statehood. On May 14, 1948, Mr. David Ben-Gurion read the proclamation to a group of tearful but happy Jews gathered in Tel Aviv, and a few hours laters later, at midnight, the State of Israel came into existence. It was a paradox of history in 1948 that this nation of people, one of the oldest on earth with a record of almost 4,000 years as a nation, should be welcomed into the family of nations as a new member. In the intervening 21 years, the Israelis have demonstrated that they are a young and dynamic nation, while at the same time showing that they are the inheritors of the wisdom of their forefathers.

The world is well aware of the trials faced by the State of Israel; there have been three wars between the Israelis and their Arab neighbors in the past two decades, wars that have drained away vital energy, riches, and time from the Israel people. More important, however, is that the pride of Israel, her young people, have been set off to battle, slowing the process of nation-building. The Israelis live in an atmosphere of constant war, being subjected daily to the threat of renewed hostilities. But in spite of these burdens, the Israelis have amassed one of the most astonishing records of growth and development of any nation in the history of the world. The Israel triumph over adversity is truly one of the miracles of our time.

In every field of endeavor, the Israelis have shown an uncommon capability to provide new insights, to seek new approaches and to devise new methods. It is perhaps this innovative spirit which has made the State of Israel so prominent in so many different enterprises. But for all the initiative and invention of the Israel people, they have not been able to find the formula of peace for their land. It is the hope of all free men that the Israeli statesmen and diplomats, will be successful in their efforts at convincing the leaders of the Arab States to set aside their weapons of war and to accept the Israeli offers of peace and cooperation.

On the occasion of the anniversary of Israel independence, we join the many friends of Israel around the world in offering our heartiest congratulations and expressing the hope that the next celebration in Israel shall be for a permanent and meaningful peace.

UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND

HON. JOHN M. SLACK

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. SLACK. Mr. Speaker, one of the abiding principles which supports our method of self-government is our conviction that all sides of a controversy shall be heard and that there shall be fair play in the public arena. Recently many of you have read public attacks on the operations of the welfare and retirement fund administered jointly by the United Mine Workers of America and the coal mine operators. There have been demands for investigations, charges of nepotism and the like both published and broadcast.

I am no union pension expert and have no special knowledge of the fund other than access to the data reported annually to the Department of Labor as required by Federal law. The fund has reported in each of the last 10 years and there has been no previous broadside of accusations during that time.

In view of the many changes and accusations, I feel it in the interest of fairplay to call your attention to the following statement prepared by the trustees of the fund as a means of assisting you in arriving at a dispassionate appraisal of the merits of the accusations recently distributed.

The statement follows:

A STATEMENT BY UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND, APRIL 18, 1969

A spate of articles, editorials and speeches critical of the United Mine Workers of America Welfare and Retirement Fund has suddenly been aimed at the Fund from many directions.

Particular areas of criticism appear to be (1) the Trust Fund fails to make full report on its operations; (2) the "poor" investment record of the Fund; (3) "large" bank deposits drawing no interest; (4) Trust Fund salaries and retirement benefits for its employees are excessive; (5) the Trust Fund has excessive reserves; (6) benefit structure and changes in eligibility requirements over the years have neglected the old and disabled miner.

Whatever the motives behind the attacks, which appear highly organized as to purpose and tactics, Fund officials are of the opinion that it is time to "look at the record" as one prominent American liked to say.

THE CRITICISM

The Trust Fund fails to make full report on its operations.

THE RECORD

Annual reports, issued since the establishment of the Fund, as a matter of policy, without compulsion of law or regulatory agency, have provided full details of its operations. In each such report, income, benefit expenditures and administrative expenditures in their various categories, have been reported in full. Each report has included in its entirety the report of the independent certified public accountants. Thus, every dollar of income and outgo since the establishment of the Trust Fund on May 29, 1946, has been subject to independent audit. Wide dissemination has been given to each Annual Report. Among others, copies are mailed to coal operators, lawmakers, state and federal officials and hundreds of newspapers, periodicals, radio and television stations, and it is reprinted in its entirety in the United Mine Workers Journal, the official publication of the United Mine Workers of America.

In addition, each year the Trust Fund files with the United States Department of Labor a detailed and voluminous report on its activities, financial and otherwise, including disclosure of its investments as required by the act in the same manner as thousands of other Welfare and Pension Plans throughout the country. This report also includes a listing of the salary of every employee of the Trust Fund as well as a copy of the retirement provisions for Fund employees. This report is a public document and available for all to review in the Office of the Department of Labor.

THE CRITICISM

The "poor" investment record of the Trust Fund.

THE RECORD

Any appraisal of our investment results must necessarily take into account that we are a Trust Fund and have fiduciary responsibilities. The objectives of the investment program of the Trustees must be understood. Such objectives include, safety of principal, production of reasonable income on a steady basis and a high degree of liquidity. Our common stock investments admirably meet all these objectives.

1. All securities in which we are invested appear on the legal list issued semi-annually by the Register of Wills in the District of Columbia. All are traded on the New York Stock Exchange.

2. The yield on our common stock investments is approximately 5.3%. The income from these investments has grown each year since their acquisition and it is expected to continue to provide a steadily rising source of income.

3. The common stock portfolio of the Fund consists entirely of shares of public utility companies. In the past few years the market value of these shares has been adversely affected by high interest rates and a number of other factors. While at the present time the appreciation in this portfolio is minimal, we are confident that it will in the future, as it has in the past, show substantial appreciation in market value.

THE CRITICISM

"Large" bank deposits drawing no interest.

THE RECORD

At most times during our existence, our bank balances were not nearly as high as we would like to have them in relation to our monthly expenditures.

In January of 1965 the Trustees made substantial improvements in the benefit programs which had the effect of increasing our expenditures by over $45 million annually. As a consequence, as income permitted, our cash balance was allowed to build up somewhat. Our cash balance on June 30, 1968 was actually no greater in relation to our monthly and annual expenditures than it had been at times in the past when expenditures were at a lower level.

With the conclusion of negotiations for a new three year contract between the Union and the operators in October, 1968, the potential need for cash reserves has lessened and these balances have been reduced considerably.

THE CRITICISM

Trust Fund salaries and retirement benefits for its employees are excessive.

THE RECORD

The salary scales and retirement benefits for employees of the Fund are entirely competitive with those provided for employees with similar skills and responsibilities in all fields of industry and commerce. Maximum retirement benefits provided for top officials of the Fund are less than one-third of their annual salary.

THE CRITICISM

The Trust Fund has excessive reserves.

THE RECORD

As at June 30, 1968 the unexpended balance of the Trust Fund was approximately $180 million. At this figure the balance represents only slightly in excess of one year's expenditures. Many other plans with a lesser number of pensioners, to say nothing about the extensive hospital and medical care program of the Trust Fund, have reserves many times this figure.

Proposals now pending in Congress would, if enacted, require the Trust Fund to accumulate reserves much larger than the present figure. While we do not feel that complete actuarial funding is necessary or even desirable, prudent administration dictates that a substantial reserve be maintained to insure continuity of present benefit programs in the event of a protracted recession or stoppage of work in the coal industry. It is recalled that in September, 1949 benefit payments from the Trust Fund had to be temporarily suspended completely and in February, 1961 the amount of the monthly pension payment was reduced because of the lack of sufficient reserves.

THE CRITICISM

The Fund has neglected the old and disabled miner.

THE RECORD

Pensions and Hospital and Medical Care Benefits had always been the primary objectives of the miners in their long struggle for a benefit program. After the Fund's establishment, however, pension payments were delayed by the court actions and the pitiful shortage of physicians and medical facilities slowed development of a medical care program. To begin paying benefits of any substantial nature, therefore, the Trustees' only alternative was to set up temporary cash disability benefits until the basic programs could begin functioning. Within the short space of two years, more than 100 million dollars was paid to disabled miners.

In 1954 the pension program was in full operation with $100 a month payments going to more than 55,000 miners—many of whom had earlier received these temporary disability benefits. Large numbers of the early pensioners continue on the rolls today and over the years have received hundreds of millions of dollars.

The Fund's Hospital and Medical Care program had also come of age in 1954 and was bringing to the heretofore deprived mining communities the most comprehensive hospital and medical care program in existence. By this time the severely disabled miners had been located by the Fund and transported to the nation's most advanced centers for treatment and rehabilitation. Over the years thousands of oher disabled miners have been assisted by specialists from the Fund's Area Medical Offices in obtaining physical and vocational rehabilitation. Fund personnel has also been instrumental in obtaining for the disabled miners assistance from Federal, State and other public-supported agencies.

Oddly enough, the Fund's pension program is condemned as being too restrictive in its eligibility regulations. This in spite of the fact that since 1948 well over a billion dollars has been paid to more than 133,000 retired miners. As the record shows, pension provisions have always been geared as closely as possible to the nature of the industry with payments as high as Fund finances would permit.

The criticism centers about a provision adopted 16 years ago that requires a miner to put in his 20 years within a 30-year period. Nothing is said about the liberality of the requirement that allows a miner to draw full pension at age 55 even though he may have left the mines at 45. Nor is mention made of the generous method of calculating service that gives a year's credit for 6 months' work in any of the bituminous mines. And no comparison is made with other pension plans in effect 16 years ago which required continuous service with one company up to age 65 in order to qualify. The fact that the Trustees have liberalized the service requirement eliminating the 30-year provision and permitting a miner to qualify for full pension at 55 with 20 years worked at any time ending after February 1965 also receives scant notice. But these features add up to one of the most liberal programs in existence.

A FURTHER LOOK AT THE RECORD

Since the Fund was created: Benefit expenditures have totaled $2,585,896,073.65.

Royalty income has amounted to $2,802,567,836.18 representing production of over 8 billion tons of bituminous coal.

More than 14,382,000 individual benefits have been provided.

More than 4,500,000 beneficiaries have received Hospital and Medical Care.

133,043 miners have received Trust Fund pensions.

129,937 widows and orphans have received benefits.

Total administrative costs have been less than 3.1%.

GENERAL STATEMENT

This Fund was created by the trust indenture contained in the National Bituminous Coal Wage Agreement of 1950 negotiated by National Collective Bargaining between the bituminous coal operators and the International Union, United Mine Workers of America. It is an entirely separate and distinct legal entity, created and operating under the terms of Federal law, i.e., Section 302(c) of the "Labor-Management Relations Act of 1947", better known as the "Taft-Hartley Act." Its management is tripartite, one Trustee appointed by the coal operators, one by the International Union and a third and neutral Trustee appointed by the parties.

It was very early determined in Federal court litigation that the trust was legally created under Federal statute, was charitable in nature and appropriately administered by a three-trustee management. The trust indenture itself provides specifically that:

"Subject to the stated purposes of this Fund, the Trustees shall have full authority, within the terms and provisions of the 'Labor-Management Relations Act, 1947', and other applicable law, with respect to questions of coverage and eligibility, priorities among classes of benefits, amounts of benefits, methods of providing or arranging for provisions for benefits, investment of trust funds, and all other related matters".

In the preparation, promulgation and administering of eligibility requirements the Trustees have, within the limits imposed upon them by applicable law and the resources available to them, undertaken to exercise prudent and businesslike judgments characterized by humaneness and with full consideration of all relevant factors. These judgments were based on knowledge of changing conditions prevailing from time to time in the coal industry as this new and novel trust fund grew and developed.

It has been, and is now, impossible to establish eligibility requirements which do not create some individual problem with some applicants falling just short of eligibility. While it is of course regrettable, it is inevitable that administrative attempts to correct an individual's failure to meet the requirements are impossible. Such attempts, if made, would create a breakdown of the over-all administration of the trust and, if carried to the extreme so as to eliminate all individual problems, would result in no effective eligibility requirements at all.

The Fund and its Trustees have operated over the years on such a basis as they sincerely believe, and which the Fund now submits, should merit the approval of all interested parties. A 1956 report to the United States Senate from a Labor Subcommittee which had made a long and detailed investigation and held hearings pertaining to this Trust Fund said the Fund was "honestly and well administered" and its "outstanding programs" provided "incalculable benefits."

The Fund sincerely now believes and submits that this approval of its operation is equally applicable to its current operation.

JOSEPHINE ROCHE,
Director.
THOMAS F. RYAN, Jr.,
Comptroller.
WELLY K. HOPKINS,
Counsel.

NATIONAL GOODWILL WEEK

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. GOODLING. Mr. Speaker, National Goodwill Week is to be observed May 4–10, 1969, and I would like to call attention to some of the very fine work that is being conducted by the Goodwill Industries of Central Pennsylvania, Inc.

For one thing, Goodwill Industries currently are paying incentive wages to more than 130 handicapped people daily, individuals who have difficulty in finding employment owing to physical, mental, emotional, or socio-cultural handicaps. Through the Goodwill Industries these handicapped individuals receive vocational evaluation, job training, counseling, special educational instruction, and placement services, which enable them to become productive citizens in their communities. These handicapped persons, through this assistance, become tax payers rather than dole takers.

During 1968 Goodwill Industries of Central Pennsylvania provided service to 557 handicapped persons. Eighty-six jobs were acquired for persons who had received training at Goodwill Industries. Incentive wages to the handicapped amounted to $217,856.

All of us can applaud these accomplishments of the Goodwill Industries, but Goodwill needs more than just good wishes upon which to operate. The organization is not self-sufficient, and it can carry on its good work only if interested citizens will make contributions to its cause.

Citizens can give repairable materials to Goodwill, materials which can provide employment for the handicapped and, in turn, be converted into useful commodities. They can also give cash, a gift which can be assigned to many useful purposes.

There is an old adage which says, "One good turn deserves another." All through the year the Goodwill Industries of Central Pennsylvania, Inc., gives its good services to those who need them. May 4–10 is Goodwill's deserving period, and it provides all of us an opportunity to do a good turn for Goodwill by giving generously.

THE BASIC FLAW OF THE PEACENIKS

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. WOLD. Mr. Speaker, the editor of the Wyoming State Tribune in Cheyenne has taken a long look at the campus demonstrations of recent days and, putting these protests in historical perspective, noted that:

> It is odd that so many American intellectuals see all the wrong in the United States; who deplore the sustenance of our own national entity, without seeing the other side of the coin: the threat to the national entity that arises from other nations, whose aggression and militaristic attitude spur our own defensive efforts. These latter are decried by these so-called intellects who depart from reason and objectivity. The United States of America is the only nation that within their concept, does wrong.

Editor James M. Flinchum recalls the recent speech by Harvard biology professor, George Wald, in which the Nobel laureate decries America's massive defensive armaments and proposes, with no regard for the need of these armaments that we should just "get rid" of them. Mr. Flinchum asks:

> Very well, how does a Nobel prize winner tell us how to begin?

Mr. Speaker, I insert the editorial to which I have reference in the CONGRESSIONAL RECORD with my remarks:

THE BASIC FLAW OF THE PEACENIKS

The "peace ball" at the University of Wyoming which amounts to an attack, in sentiment at least, on the Reserve Officers Training Corps program there, and the abject caving in of the Harvard Corporation to the anti-ROTC demands at Harvard University, suggest two things.

One is that anti-military attitudes on the college campuses are on the upswing as they were in the 1930s, between the World Wars; and secondly that this movement is as misguided as it always has been.

Opposition to the military and what may roughly be described as an anti-war attitude is as old as man, probably; it must have its origins with the very beginning of the human being or at least when man reached that stage when he began to react aggressively to his fellows.

Organized conflict, that is to say, military confrontation, has always been deplored. The prophet Isaiah is a very early opponent of war in the literature of Judeo-Christian civilization; Isaiah opposed the war between Assyria and the kingdom of Judah, in the eighth century B.C., and in vain did he seek to thwart the conflict engendered on the part of King Hezekiah of Judah against Assyria, a large and expansionist nation that had fallen on difficult times which led a combination of smaller kingdoms sparked by Judah, to attempt to defeat Assyria militarily. The allies, incidentally, lost the fight.

Until the day arrives, as Isaiah hopefully predicted nearly 3,000 years ago, when the House of the Lord shall be established in the top of the mountains, and "all nations shall flow into it"; until that day when the peoples of the world shall "beat their swords into plowshares, and their spears into pruninghooks" and "nation shall not lift up sword against nation, neither shall they learn war any more"—until that day is here, then we shall have to cope with circumstances as they are. Which is to say, we shall have to tackle the problems posed by human nature, or rather, the conflicts of people.

We must consider, first of all, that humans are contentious creatures; that conflict is a way of life with them, and that it is not always mere civil conflict. The fact that the anti-war demonstrators in this one nation alone have been willing to engage in violent action, of conflict engendered by themselves, in protest against other conflict, suggests the great paradox of their crusade to end war.

There are those among those antiwar activists, however, who view pacifism or nonmilitary action only as a one-sided affair. The founding Bolsheviks in their early revolutionary activities against the "bourgeois imperialists"—that is, the capitalist nations of the West—predicated their campaign on anti-war sentiment.

Today's pacifists who have inclinations in many ways toward socialism including communism, seem to ignore the irony of the fact that the greatest imperialists and the greatest threat to world peace, the nation with the mightiest military potential of any on the face of the earth, is the Soviet Union—a country that has waged what some historians call the Third World War and others the Cold War for nearly a quarter of a century now.

Recently, a Nobel prize winner and professor of biology at Harvard, Dr. George Wald, made a speech which deplored the prospect of nuclear war and particularly the arming of the United States in which he said: "The only use for an atomic bomb is to keep somebody else from using one. It can give us no protection—only the doubtful satisfaction of retaliation. Nuclear weapons offer us nothing but a balance of terror, and a balance of terror is still terror. We have to get rid of those atomic weapons, here and everywhere. We cannot live with them.

Very well, but how does a Nobel prize winner tell us how to begin? The implication is, as a great many members of the intellectual community and some lawmakers suggest, that the United States begin and the Soviets will then follow. Does anyone believe this to be true? When the basic policy and program of the Soviet Union is Marxian world revolution, a thesis and objective stated time and again by the policy-makers of the Russian communist party?

Professor Wald states that we have reached "a point of great decision, not just for our nation, not only for all humanity, but for life upon earth." But if mere life were the only objective of human beings, if the only goal they sought was just to exist itself, then human life would have progressed precious little. Is life under any circumstances our only goal? Or is it a better life, one absent as much as possible of want? And absent a minimum of terror?

Professor Wald speaks of terror—the theoretical terror of the nuclear bomb—but has he experienced the real terror of the totalitarian, the police, state? Would he be willing to experience this sort of terror?

It is odd that so many American intellectuals see all the wrong in the United States; who deplore the sustenance of our own national entity, without seeing the other side of the coin; the threat to that national entity that arises from other nations, whose aggression and militaristic attitude spur our own defensive efforts. These latter are decried by these so-called intellects who depart from reason and objectivity. The United States of America is the only nation that within their concept, does wrong.

So with the campaign against the ROTC in this country, against an institution that comprises an integral element of our nationhood. Unless this nationhood were sustained through various efforts that are designed to preserve it, including the training of our young men and women in the military profession, then neither the nation nor even these colleges and universities including Harvard and the University of Wyoming, could or would exist for very long.

That is the very basic fact these people refuse to face: How long would even they, as presumably free intellectuals, be able to speak out upon any subject including opposition to national defense, be able to do so under the direction of a Politburo which today in the U.S.S.R. decrees who will teach what, and where, and whom, and how.

AUTO THEFT

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. SHIPLEY. Mr. Speaker, because of the great concern with the rising crime rate, I would like to include in the CONGRESSIONAL RECORD the following statistics taken from the Unified Crime Reports—1967, printed annually by the Federal Bureau of Investigation. I feel that the data contained in this segment of the report helps to point up the need for antitheft devices on all passenger cars in order to reduce the ever-growing increase in auto thefts:

AUTO THEFTS

VOLUME

In 1967, an estimated 654,900 motor vehicles were reported stolen, compared to thefts of 557,000 the year before. These thefts occurred at an average rate of more than one a minute throughout the year. Geographically, the volume of auto theft was highest in the Northeastern States, which reported 30 percent of the total number of these crimes. Next in order were the North Central States, 27 percent; the Southern States, 22 percent; and the Western States, 21 percent. This crime makes up 17 percent of the total Crime Index offenses. Seasonal variations disclose auto theft generally reaches its peak in the fall of the year, and 1967 was no exception in this respect, with October the high volume month.

TREND

Auto thefts in 1967 increased 18 percent in volume when compared with 1966. Since 1960, this crime has risen steadily, recording a 101-percent increase over the 8-year period. The theory that there are more auto thefts solely because there are more autos is invalid when it is shown that the percentage increase in auto theft has more than doubled the percentage increase in automobile registrations since 1960, and more than doubled the percentage increase in the young age population, 15 to 24 years.

Auto theft increases in all areas contributed to the overall 18-percent rise in 1967. On the average, large cities with 250,000 or more population had an 18-percent upward trend, the suburban areas registered a 19-percent upswing, and the rural areas were up 5 percent in these crimes during 1967.

Geographically, the theft of autos showed the sharpest upward trend in the Northeastern States with a 25 percent increase followed by the North Central States up 17 percent. The Southern States were up 15 percent, and the Western States had an 11 percent rise.

AUTO THEFT RATE

In auto theft, as in other Crime Index offenses, there was a substantial increase in the rate in 1967 over 1966. From 284 victims per 100,000 population in the earlier year, the rate rose to 331 in 1967, a jump of 16 percent. The auto theft rate has risen 82 percent since 1960. There were more persons unlawfully deprived of their motor vehicles, 901 per 100,000 population, in the cities with 500,000 to one million inhabitants than in any other population group. In this regard, as a part of a special study it was found that 30 percent of the autos stolen in the District of Columbia were owned by nonresident victims. This is undoubtedly true in other large core cities because of the high mobility of the general population.

Nationally, the auto theft rate in the large cities averaged 776. In the suburbs the rate was 205, and in the rural areas the auto theft rate was 68.

The auto theft rates by geographic region disclosed the Western States were high with 418. The Northeastern States reported a rate of 400, the North Central States 322, and the Southern States 239 thefts per 100,000 inhabitants.

Nationally, in 1967 one of every 123 registered autos was stolen or a rate of 8.1 per 1,000 registered autos. Regionally, the highest registration theft rate appeared in the Northeastern States where 11.0 cars per 1,000 registered vehicles were stolen. In the 3 other regions the figures were 9.0 in the Western States, 7.6 in the North Central States, and 6.0 in the Southern States.

NATURE OF AUTO THEFT

Auto theft rates are indicative of the fact that this is primarily a big city problem, since the highest rates appear in the most heavily populated sections of the Nation. In 1967, the average value of stolen automobiles was $1,017 at the time of theft and although police recovered 86 percent of the stolen vehicles, the remaining unrecovered 14 percent represented a loss of over $93,000,000 to the victims. This loss figures does not take into consideration the monetary loss resulting from damage to the vehicles, property and persons which are a direct result of these crimes.

Uniform Crime Reporting special studies in the past have documented auto theft as primarily a crime of opportunity. The youthful offender who is most often involved finds the vehicle subject to theft conveniently ready to drive away or the ignition easily compromised.

CLEARANCES

Due to the fact that two-thirds of the auto thefts occur at night and over one-half are from private residences, apartments, or streets in residential districts, law enforcement agencies were successful in solving only 20 percent of these thefts by arrest of the offender. The crimes occur under cover of darkness and there are seldom any witnesses. On the other hand, police nationally are successful in recovering about 86 percent of all stolen cars. About 55 percent of stolen vehicles are taken and recovered within 48 hours. Although recovery of the vehicle does not clear the offense, the property is available for return to the victim. This high recovery percentage can be attributed to the fact that approximately 75 percent of the cars stolen are used for transportation or the purpose of the theft is unknown. The remainder were taken for resale, stripping for parts, or use in another crime.

In the Nation's largest cities 19 percent of the auto thefts were cleared during 1967. Police in the suburban areas were somewhat more successful having cleared 24 percent. Throughout the country auto theft clearance percentages ranged from 16 percent in the Middle Atlantic States to 25 percent in the Mountain States.

In all geographic divisions and population groups the participation of the young age group population is indicated by the high proportion of these clearances which were by arrest of persons under 18 years of age. In the large core cities, 54 percent were solved by an arrest in this age group while juvenile clearances accounted for 43 percent in the suburbs and 42 percent in the rural area.

PERSONS ARRESTED

Persons arrested for auto theft come principally from the young age group population. In 1967, 62 percent of all persons arrested for this crime were under 18 years of age and, as a matter of fact, 17 percent were under 15 years of age. When persons under 21 are included in the computations, 80 percent of the arrests for auto theft are accounted for. Of all Crime Index offenses, auto theft had, by far, the largest proportion of arrests of persons under 18.

The national trend in auto theft arrests disclosed a 5 percent increase in 1967 when compared to 1966. Adult arrests rose 8 percent while arrests of persons under 18 increased 4 percent. Considering the eight year period, 1960–1967, auto theft arrests increased 53 percent. Arrests of individuals under the age of 15 increased 61 percent and individuals under the age of 18 increased 54 percent during this period.

The long-term arrest trend for adults disclosed a 51 percent increase in arrests for auto theft, 1960 through 1967.

Next to burglary, auto theft as measured by arrests showed the least participation by females. Only 4 percent of persons arrested in 1967 were female and female arrests for auto theft increased 11 percent. Females under 15 recorded a 19 percent increase in arrests for auto theft. Whites made up 67 percent of the arrests for auto theft, Negroes 31 percent and all other races the remaining 2 percent. During the 1960's arrests for auto theft involving young Negroes have more than doubled.

PERSONS CHARGED

Again, the involvement of the young age group population is made clear through police reports showing 66 percent of all persons charged for auto theft in 1967 were referred to juvenile court jurisdiction. No other Crime Index offense results in such a high percentage of juvenile referrals. When the remaining adult offenders were considered as a group, 55 percent of those prosecuted on charges of auto theft were found guilty as charged, 14 percent were convicted or plead guilty to a lesser charge and 31 percent were acquitted or their cases were dismissed.

HON. HARRY SHEPPARD

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. WHITTEN. Mr. Speaker, I join with my colleagues in expressing deep sorrow at the passing of our late colleague, Harry Sheppard. It was my privilege to serve with Harry Sheppard on the Appropriations Committee for many years and under his chairmanship, first of the Subcommittee on Naval Appropriations and, later, of the Subcommittee on Appropriations for Military Construction. In these undertakings I came to know him and to love him.

A man of the greatest integrity, unbounded energy, and sound judgment, Harry Sheppard was an excellent Congressman but, first, a wonderful citizen. His service here covered a long period of time, in the course of which he left his mark not only in the lawbooks of the Nation but in the example he set for his colleagues and friends.

To his wife, Kay, who was such a help to him, we express our deepest sympathy. While he lived a lengthy life, I know we shall all miss him though the benefits of his work will continue on down through the years.

NIXON'S FIRST 100 DAYS

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. KLEPPE. Mr. Speaker, there is a tradition that every new administration undergoes at least a preliminary evaluation of its accomplishments after the first 100 days.

President Nixon has now been in office for the prescribed time. I think most Americans would agree he is doing a creditable job. I believe they would also agree that 100 days is far too short a time to rate a President's place in history.

In a questionnaire which I sent recently to all postal patrons in North Dakota's west district, I asked how they feel President Nixon is doing. Of the more than 7,500 people who have responded thus far, 48 percent said he was doing a good job, 28 percent said fair, 5 percent poor; 18 percent were undecided.

Many of those in the undecided category replied that it is still too early to tell. Others had such comments as, "Do not expect a man to correct in a few weeks the many difficult problems which have built up over many years"—and "Let's give him a fair chance."

For the most part, I think the American people will give him that fair chance—that opportunity to meet the serious challenges which confront our Nation.

One constituent wrote:

> If he can just bring the war in Vietnam to an end, this alone will rank him with our great Presidents.

Another said:

> Inflation—constantly-rising living costs are our greatest problem here at home. I don't think anyone expects him to correct this situation overnight. It has been building up dangerously for five years. Mr. Nixon is moving responsibly to bring rising costs under control. He clearly recognizes this' must be done.

My own evaluation of the administration record to date is that the President has been pressing forward vigorously with his first priority—the achievement of peace in Vietnam. He has also directed our diplomatic efforts toward averting a major crisis in the Mideast.

There are two other major points I would mention:

The President has sought to put the brakes on inflation through proposed cuts of more than $4 billion in Federal spending.

He has also sought to help the principal victims of inflation—low-income citizens—by proposing far-reaching tax reforms which would lighten or eliminate their income tax load and would, at the same time, make certain that every well-to-do American pays some tax.

During its first 100 days, I believe the Nixon administration has made an exceptionally good beginning.

PROPOSAL FOR AEC PLANT SALE DESERVES SEARCHING SCRUTINY

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. EVINS of Tennessee. Mr. Speaker, it was recently disclosed that the new administration is studying the feasibility of selling to private industry the Atomic Energy Commission's three gaseous diffusion plants—including the plant at Oak Ridge.

It is reported that a committee of three members of the executive department has been appointed to look into the matter. The members are Paul McCracken, the chairman of the Council of Economic Advisers; Robert Mayo, the Director of the Bureau of the Budget; and Lee Dubridge, the President's science adviser.

The importance of these plants is underlined by the fact that, according to the AEC, by 1980 a total of 35 percent of the electricity generated in the United States will be by nuclear powerplants. The fuel which these plants will use is enriched uranium which is produced by the gaseous diffusion plants.

In addition nuclear reactors abroad will add substantially to domestic requirements for enriched uranium. In other words the production of enriched uranium will become a billion dollar business by 1980, and it is vital and essential that the public interest be protected.

In this connection I place in the RECORD an editorial from the Nashville Tennessean on this subject because of the interest of my colleagues and the American people in this most important matter.

The editorial follows:

[From the Nashville Tennessean,
Apr. 29, 1969]

FULL DISCLOSURE NEEDED

Too much secrecy still surrounds the White House's proposal to consider the sale to private industry of the Atomic Energy Commission's three gaseous diffusion plants—including the one at Oak Ridge.

A three-man committee had already been appointed and was studying the proposal before the public learned that sale of the plants was being considered at all.

As it turned out, all of the committee members are also members of the executive staff—the chairman of the Council of Economic Advisers, the director of the Budget

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Bureau, and the science adviser to the President.

This is an alignment which can hardly be expected to arrive at an objective decision. It can scarcely do more than confirm an idea which the President apparently already had in mind.

It has now been learned that the AEC objected to being left off the study committee and has been allowed to place one member on the committee. There is also a vague report from the House-Senate Atomic Energy Committee that public hearings on the question are expected to be held, possibly in June.

All of this is quite interesting, but it is secretive and uncertain and does little to inform the public about what President Nixon has in mind concerning the gaseous diffusion plants. Before the issue is further clouded in secrecy and suspicion, the administration should make a full disclosure of its moves.

Many activities in the atomic energy field are kept secret because of the military aspects involved. Many people feel this is overdone, but they are certain that the veil of secrecy should not be extended to cover the disposal of the atomic energy facilities themselves.

The gaseous diffusion plants belong to the people. They are an important step toward the national goal of achieivng an abundant supply of cheap electric power. Any attempt to turn the facilities over to the private power industry for its profit must be strenuously resisted.

The administration will be courting disaster if—anticipating the public opposition that is sure to come—it tries to hide behind a shield of military secrecy to hand over the atomic energy facilities to private industry.

INFLATION

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. SCHWENGEL. Mr. Speaker, there has been much discussion and investigation with respect to tax reform in recent weeks. Extensive hearings have been held, and there is hope that meaningful reform will be forthcoming. The reform will in a sense be wasted if we do not at the same time reform our spending habits, and curb the ever spiraling inflation. An editorial in the Muscatine Journal really hits home on this point:

The Cruelest Tax

Inflation has been called "the cruelest tax of all."

Inflation hits hardest at the poor, and there are several reasons why this is so. The poor have no hedges. They have no investment in real estate or in the stock market, where values tend to be carried aloft on the inflation spiral.

Inflation also hits hard at the elderly, many of whom are on fixed incomes, and at those people in the modest or middle-income brackets.

Americans are now paying higher taxes, higher interest rates and higher prices than a year ago. In the midst of prosperity, most Americans find themselves rationing money and straining to pay bills.

This is the penalty of inflation, and there likely will be more ahead. Higher interest rates, bigger down payments on houses, and higher taxes are all possible.

One event could ease pressures dramatically. This is the possibility of a cease-fire in Vietnam, followed by a sharp cut in military spending. Economists point out, however, that the war in Vietnam is not the lone cause of inflation. Prices of raw materials began climbing steeply in late 1963, before the United States had made a major commitment in Vietnam.

Though federal spending has increased by more than $50 billion in the past three years, more than half this amount went for programs unrelated to the war.

For whatever purpose, government spending seems to be the primary cause of inflation. The Nixon administration has made preliminary moves toward trimming excessive federal spending. Much more remains to be done in that direction.

THE SLIPPERY OIL PROBLEM

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. GIBBONS. Mr. Speaker, today I joined with House colleagues in a united front to eliminate the controversial Mandatory Oil Import Control program. The bipartisan legislation introduced by many Congressmen, would gradually phase out over a 10-year period beginning in 1970, the quota system which restricts the amount of foreign oil entering this country.

Because the Wall Street Journal's editorial of April 30 is right to the point in this matter, I would like to have it inserted in the Record. The article follows:

The Slippery Oil Problem

The Nixon Administration is engaged in a study of the nation's oil import controls, and the whole subject of oil certainly is in need of reappraisal. The problem, such as it is, is a slippery one indeed.

Nearly everyone would agree that the U.S. needs a viable oil industry. Perhaps someday we'll all buzz around in electric cars and our homes and factories will be heated and lighted by the atom. For the foreseeable future, though, petroleum is indispensable.

In that situation, it is reasonable to give thought to what might happen if war cut off the country from overseas oil—from Venezuela, the Mideast or elsewhere. The next global war, if it comes, could be so cataclysmic that worries about oil would be moot, yet it is sensible to prepare for contingencies.

So far that part of the argumnet is at least in focus: The nation needs a reliable supply of oil, one that would be accessible in wartime. It's only when the Government has sought to deal with the argument that the going has become treacherous.

A major, and early, response was the oil depletion allowance. It was and is based on the reasonable premise that an oil well operator every year is using up a proportion of his assets; sooner or later the well will run dry. Since a factory owner every year can write off a part of his aging plant and equipment, it seems fair to allow an oil operator a deduction for the depletion of his petroleum.

The depletion allowance, however, is set so high (27½% of gross income annually) that an operator of a producing well may eventually recover many times the amount he invested in the well. The reasoning here is that anyone hunting for oil is practically sure to drill a good many dry holes; the allowance, in other words, is supposed to provide him an incentive to go on hunting.

But as so often happens with special tax law provisions, the depletion allowance has provided a handy tax haven for high-income individuals; it helps account for the current furor over the fortunate Americans whose incomes are immense and whose taxes are negligible. As often happens, too, one special subsidy has not satisfied the demand.

Beginning with the Eisenhower Administration, the Government has been imposing import quotas on petroleum—again designed as a response to the national-security argument.

There are plenty of things that can be, and have been, said against quotas. They impose a huge tax on consumers, through raising domestic oil prices; they worsen relations among Congressmen, as their constituents compete for a "fair" share of imports; they complicate relations with oil-producing foreign countries, such as Venezuela; they produce windfalls for importers lucky enough to get quotas to bring in the cheaper foreign oil. Leaving all that aside, are the quotas really necessary and helpful to U.S. security?

One answer is that Canada, already a major supplier to the U.S., is eager and able to ship much more. Even if an ocean-closing world war is conceivable, a shutoff of Canadian oil is hardly so. Also worth consideration are the vast new oil discoveries in Alaska and the possibility of similar finds in the Canadian Arctic. North America's oil prospects look auspicious.

They might look even more so if the quota setup, together with state production quotas, were not debilitating the U.S. industry. The artificial prop under prices keeps high-cost, inefficient wells going and holds down the more efficient production.

So the whole subject surely could use some fresh study. If some form of depletion allowance really is necessary, and if it must be as large as it is, it should be tailored more tightly as a true stimulus to oil exploration. If the industry must have a further subsidy, perhaps it should be paid directly and openly, instead of through a hidden tax on oil consumers.

Whatever happens, everyone should remember that the problem is, or is supposed to be, U.S. security. The question is whether that security really needs so much protection.

TAX TIME

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BERRY. Mr. Speaker, a recent editorial in the Washington Evening Star pointed out some statistics which should be of interest to all taxpayers. As the editorial writer says, these figures present a compelling argument for tax reform. We can hardly afford to ignore it. The editorial is as follows:

Tax Time

The Tax Foundation has come up with some figures to confirm our worst suspicions. The average person will have to work through April 27th this year in order to earn enough to pay his federal, state, and local taxes. That amounts to 117 days working for the government out of every 365, or almost one day out of every three.

Broken down into hours, the average taxpayer spends two hours 34 minutes out of every eight working for the government.

There are other figures too, but they tell the same story. The average guy has a well-intentioned but greedy monkey on his back devouring a truly staggering portion of his earnings.

The Tax Foundation has done the arithmetic without drawing any basic conclusions. For that matter, the figures speak for themselves. With this kind of tax burden facing the average American, tax reform is more than ever a must lest the "taxpayers' revolt" become something more than a Walter Mitty dream.

THIS IS FIGHTING SHIRLEY CHISHOLM

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. ADAMS. Mr. Speaker, it gives me a great deal of pleasure to bring to the attention of the House an article on our colleague the Honorable SHIRLEY CHISHOLM. This article appeared in a recent Sunday magazine section of the New York Times.

The gentlelady from Brooklyn has already shown that her desire to be known as the "first black woman Congressman" is no idle request. The problems which we face in the country today demand such a dedication. Her references to the word "gentle" in the article are most interesting. Fighting SHIRLEY CHISHOLM, the campaigner, is welcome in the House as Fighting SHIRLEY CHISHOLM, the Congresswoman.

The article referred to follows:

As the "First Black Woman Congressman" Herself Puts It: This Is Fighting Shirley Chisholm

(By Susan Brownmiller)

The annual founder's-day luncheon of the Delta Sigma Theta sorority was held this January at the Americana Hotel. The occasion represented a triple honor for the Brooklyn alumnae chapter of Delta, one of three ranking and fiercely competitive Negro sororities in the country. It was Brooklyn's turn to play hostess to the national; the guest speaker was the Honorable Shirley Chisholm, first black Congresswoman in America; and, coup of coups, in secret ceremony before the luncheon the chapter was privileged to initiate into Delta the lady of the hour herself.

"Soror" Chisholm cut an imposing figure on the dais. Small, dark, ramrod-straight, she was outfitted in a blue-and-gilt brocade suit with matching turban. Her black-rimmed eye-glasses were firmly planted above her wide nose. Her bearing gave her the look of a visiting queen rather than Delta's newest initiate. When it was her turn to speak, Mrs. Chisholm arose with her prepared text.

She has a quality that is rare in any woman—the ability to speak forcefully before an audience. On this particular afternoon, the former schoolteacher began by enunciating each syllable with biting clarity, her West Indian accent rising and falling in controlled cadence, her strongly sibilant "s" forming a pleasant rhythmic counterpoint to the clipped words. Midway through her effort (an inspirational plea for higher horizons), Mrs. Chisholm smiled broadly. As she put aside her notes, her voice lost some of its didactic school-marm flavor and took on an earthier cadence of the streets:

"You have no idea what those people in Washington with their hands on the power have been plotting and planning for us. Let me tell you. Do not be complacent. The Man says he knows we ain't never gonna come together." The audience rumbled its understanding of her warning. Surveying the ballroom from left to right, Mrs. Chisholm went on. "Oh, everyone is being so kind to me. They have such good advice. They tell me, Shirley, you're just a freshman and you have to keep quiet as a freshman—." She paused for effects as some of the women giggled.

"I listen sweetly to them and then I say, 'Gentlemen, thank you for your advice. I understand what you're saying. But when I get up there on the floor of Congress, I'm sure you'll understand that I am speaking with the pent-up emotions of the community'." She grinned. "One thing the people in Washington and New York are afraid of in Shirley Chisholm is HER MOUTH." The audience roared.

A few days later, Representative Chisholm returned to Washington and began her fight to change her assignment from a House Agriculture subcommittee on Forestry and Rural Villages to something more relevant to her Bedford-Stuyvesant community. (Mrs. Chisholm had hoped for Education and Labor.) She approached Speaker John McCormack, who told her, she reports, to accept the assignment and "be a good soldier." She brooded about that for a while, she says, and then decided, "That's why the country is the way it is." Mrs. Chisholm then placed an amendment before the House Democratic caucus to remove her name from the Agriculture Committee, aware that she was taking an unprecedented step—bucking the powerful Wilbur Mills of Arkansas, chairman of the House Ways and Means Committee and the man who parcels out committee assignments to his fellow Democrats. According to Mrs. Chisholm, Mills tried to call her bluff in caucus. "Will the gentlewoman from Brooklyn withdraw her amendment?" he intoned. Mrs. Chisholm says she was particularly tickled by "gentlewoman," but otherwise remained unmoved. Mrs. Chisholm was removed from Agriculture and later assigned to Veterans' Affairs. The Chisholm balk remains the most vivid sign of life in the 91st Congress.

Shirley Chisholm is true grit. Her comet-like rise from clubhouse worker to Representative in the United States Congress was no accident of the political heavens. It was accomplished by the wiles of a steely politician with a belief in her own abilities which at times approaches an almost Messianic fervor. "My rise has been constantly fighting," she likes to say. "And I have had to fight doubly hard because I am a woman. I am a very different sort of person than usually emerges on the political scene." It's an accurate self-assessment. "The nation's first black Congresswoman"—or "first black woman Congressman," as she prefers to put it—does not begin to explain who Shirley Chisholm is. But "the first black," etc., is not how she wishes to be remembered. "I'd like them to say that Shirley Chisholm had *guts*. That's how I'd like to be remembered."

There is a saying about women who hold elective office—that most of them got there on a "widow's mandate." It certainly holds true for Edna Kelly, the Congressional veteran who was unceremoniously bumped from her seat last year when Brooklyn's 12th Congressional District was redrawn to carve out a largely black constituency. Mrs. Kelly was brought into politics by Irwin Steingut, then the minority leader of the State Assembly, when her husband, a judge, was killed in an automobile crash. Her 19-year record in Congress was, at best, mediocre. Early in 1968, the State Legislature, under Federal Court order to correct population inequities in some Congressional districts, revamped the lines in central Brooklyn in such a manner that Mrs. Kelly was wiped off the political map. Mrs. Kelly, until that time a loyal soldier in the Brooklyn Democratic organization, cried "betrayal." She charged that county leader Stanley Steingut, the son of her first patron, had willfully forced her political extinction. She eventually delivered her own *coup de grâce* by running a hopeless primary race in a neighboring district against Emanuel Celler.

The new 12th Congressional District was anchored to the heavily black Bedford-Stuyvesant neighborhood (Mrs. Chisholm's home territory), with slices of Crown Heights, Bushwick and Williamsburg around the edges. The new district was about 80 per cent Democratic. Its ethnic breakdown was 70 per cent black and 30 per cent white. There were Puerto Ricans in Williamsburg (Mrs. Chisholm speaks Spanish fluently), Italians in the Bushwick section, and Jews in Crown Heights. Mrs. Chisholm's survey of the election rolls ("Before I make a move, I analyze everything," she says, eyes snapping) turned up one additional demographic factor which possibly eluded other Congressional hopefuls. The 12th had 10,000 to 13,000 more registered women voters than men. Before the ink was dry on the new district's lines; Shirley Chisholm put in her bid.

While Bedford-Stuyvesant was the heart of the new 12th Congressional District, the Unity Democratic Club, the regular Democratic organization for the 55th State Assembly District, was the strongest political club in Bedford-Stuyvesant. Unity was founded in 1960 around the person of Thomas R. Jones, a politically active lawyer, and the club won its spurs in 1962 with the election of Jones to the State Assembly and to the district leadership, beating out Sam Berman's old-line Jewish organization in the changing neighborhood. Tom Jones was Unity's standard-bearer and guiding light, but when he was offered a civil court judgeship in 1964, he accepted—and removed himself from the local political fray. It was at this point that Shirley Chisholm announced she would seek Jones's Assembly seat.

"They were shocked," Mrs. Chisholm remembers. "It was the first time a black woman had sought elective office in Brooklyn. But I knew I could do it. I felt strong enough. There were people in that clubhouse who were saying, 'Why not give Chisholm a chance? She's got it. She can *lead.*' So I told the club's executive committee, 'If you need to have a discussion, have a discussion. But it makes no difference to me. I intend to fight.' " Others who were members of the executive committee at the time remember it differently. Particularly, they recall a stormy session with tears when it looked for a moment as if Jones might stay in the Assembly after all. In any event, Mrs. Chisholm got the Unity Club's endorsement and went on to win the 1964 primary and the general election. Because of reapportionment, she had to run again in 1965 and '66. "I proved to be the top vote-getter," she says grimly. "I always pulled higher than the top of the ticket."

In Albany, Mrs. Chisholm also proved an able enough legislator. Her name was attached to the Assembly side of the first legislation extending unemployment insurance benefits to domestic workers, and she plumped hard in committee and on the Assembly floor for the SEEK program, a higher-education plan that enables worthy disadvantaged students who make low-aptitude scores to enter universities and receive intensive remedial aid. Assemblyman Albert H. Blumenthal, the newly appointed "deputy" minority leader, recalls Mrs. Chisholm as "a very tough lady, likable, but a loner. Unlike other women in the Legislature, she was never afraid to jump into a debate. Shirley was never hysterical, she never flailed. She knew what she wanted to say and she said it well. She wasn't quick to make up her mind, but when she did, you couldn't blast her out of it. Enemies like Shirley," Blumenthal adds half-humorously, "nobody needs in politics." (For those who like to keep their records straight, Mrs. Chisholm was the *second* black woman to sit in the Assembly. The first was Bessie Buchanan, the coquetish wife of a Harlem businessman, whose major legislative effort over the years was devoted to getting a certain song officially declared the New York State anthem.)

Albany is a dreary place for legislators once the day's session is over, and most of "the boy's make the best of it by breaking up into congenial groups at night to make the rounds of restaurants, movies and bars. "My impression of Shirley," Blumenthal says, "is that she preferred to take her work back to the hotel with her at night." Blumenthal is not an insensitive fellow. He admitted he couldn't recall anyone in his crowd ever *extending* a dinner invitation to the legislator from Brooklyn, but he didn't know precisely why.

"I don't blame the fellows for not asking me out to dinner," Mrs. Chisholm says reflectively. "I think there was a little fear of 'How do we handle her socially?' Men don't like independent women. Not many knew I was a regular gal. I think they were afraid to take the chance. I ate most of the time in my room. I had the TV and I read and I did my legislative homework. I went to bed early." Stiffening, she concludes, "I do not care for the night life of the New York State Legislature."

One thing that was noticeable about Assemblywoman Chisholm was that her relations with Brooklyn leader Stanley Steingut appeared to be considerably strained. Blumenthal believes it all began over what Chisholm concluded was a personal slight she had once received from the brusque former county chairman. The inscrutable, tight-lipped Steingut professes to be "honestly baffled" by Chisholm's action. Chisholm says, "Those that know Stanley and those that know me know the story." At any rate, many of Chisholm's votes, both in the Assembly and in Democratic party councils, were not designed to make Mr. Steingut happy. Even as recently as this past fall, when she was out of the Assembly, she let it be known that she personally preferred Moe Weinstein of Queens to Steingut for the Assembly's minority leadership.

Stanley Steingut is not the only man who professes to be baffled by Chisholm. Her relations with black politicians in Brooklyn have often been bumpy. One man who is an expert on Shirley Chisholm—her husband, Conrad—offers this explanation: "Mrs. Chisholm competes very well with everybody."

Conrad Chisholm is a pipe-smoking, outwardly affable, solidly built man who is unquestionably devoted to his wife's career. The two are very close (their 19-year marriage has been childless) and it amuses Mrs. Chisholm that those who don't know her husband are quick to pigeonhole him. "They always assume that my husband must be a tiny little shrimp of a weakling," she says with a grin.

Mr. Chisholm is also amused by outsiders' assumptions about his marriage. "I am not threatened by her in any way," he says firmly. "I grew up secure. I'm West Indian. Early in our marriage I saw Shirley's ability to get things done. I decided that she'd be the star in our family, she'd get the billing. I push her in any way I can." Chisholm is a former private investigator who specialized in knocking holes in compensation claims against the railroads, and when the mood strikes him, he can spin intricate tales of the ruses he employed to trap less than honest claimants. He is now a senior investigator with New York City's Department of Social Service, in charge of evaluating Medicaid applications. Taking a passing interest in politics himself, he has been an election district captain in the Unity Club.

Although Mrs. Chisholm was the first in her district to announce for Congress in 1968, she didn't have the field to herself for very long. Judge Tom Jones—who had opted for the bench four years before—indicated that he was interested. Conrad Chisholm says that well before the petition period began, a "Jones for Congress" storefront "sprang up" on Fulton Street, although Jones disclaimed he had encouraged it. Thomas R. Fortune, the man who replaced Jones as Unity Club leader (and the man who this year replaced Mrs. Chisholm in Albany), gets a funny look on his face when Jones' Congressional interest is mentioned. "He came around to the club," Fortune admits, "but there wasn't much support for him. You know, a judge is supposed to be above politics, and Jones hadn't been to the club much in the last few years."

Jones was known as Senator Robert F. Kennedy's man in Bedford-Stuyvesant. Kennedy had put his prestige behind a Bedford-Stuyvesant redevelopment project, and he had named Jones to direct the "community" end of the program. Jones was the man that Kennedy talked to in Bedford-Stuyvesant; Kennedy did not take any notice of Shirley Chisholm. "Kennedy didn't understand the district," Mrs. Chisholm says, her eyes narrowing. "I was the top vote-getter, but Kennedy never sought me out." Her eyes narrow more as she adds, "I think there were some people who kept him from me."

Mrs. Chisholm was convinced that Jones had won support from Robert Kennedy for his Congressional bid. Jones is convincing when he admits—with considerable chagrin—that he went to Kennedy for his help, but that Kennedy told him he would be "more valuable" as head of the Bedford-Stuyvesant Restoration Corporation. Jones eventually declined to make the race; he accepted instead a nomination for a State Supreme Court judgeship.

State Senator William C. Thompson, who had also declared early, was somewhat ambivalent at first, according to the Chisholms. Right up to the deadline for filing nominating petitions, they say, Thompson had assured Shirley that he wasn't going to run. They point to his final decision to make the race as proof that he had a tacit understanding with Robert Kennedy—*and* Stanley Steingut—two men who had considerable clout with the white district leaders whose domains lay partially within the borders of the 12th Congressional District. "Willie felt the white boys were going to get out the vote for him," Mrs. Chisholm says flatly.

The third candidate who ran in the Democratic primary was Dolly Robinson, a former co-leader of Bertram Baker's. Assemblyman Baker of the 56th A.D. (and the co-sponsor of the famous Metcalf-Baker open-housing law) had his own axes to grind in the primary. Thompson and he had had a serious falling out over a past judicial contest, and Thompson had formed his own club in Baker's district and was now challenging, the aging Baker for the leadership. Baker toyed briefly with the idea of supporting Judge Jones—but Jones was a Kennedy man and Baker was strong for Johnson and Humphrey. Baker felt he couldn't quite support Mrs. Chisholm, either. On the floor of the Assembly one day, Mrs. Chisholm had made an unfortunate and devastating wisecrack concerning Baker. His pride wounded on all fronts, Baker put up a spoiler candidate. "But I think he was glad I won," Mrs. Chisholm relates. "He came over and hugged me afterward."

With Dolly Robinson running as the Humphrey candidate, and Thompson looking like the Kennedy candidate, who was there left for Mrs. Chisholm? The Coalition for a Democratic Alternative began getting little nibbles from her. The nibbles culminated in a half-hour telephone conversation between candidate Chisholm and candidate Eugene McCarthy. (The call was placed by the Senator.) Mrs. Chisholm discontinued her tenuous relations with the McCarthy people after Robert Kennedy died.

It was sticky politics, this three-way race for a black Democratic nominee, and it was for this reason, says Stanley Steingut, that he chose to remain aloof from it. "Why should I get involved in a battle between Brooklyn legislators?" he asks. Mrs. Chisholm, however, remains firm in her conviction that Steingut did get involved, and in Thompson's corner. "Never before in the history of Kings County did a county leader throw the choice of Congressman to the people," she exclaims. That is probably true, and Mrs. Chisholm made capital of it in her campaign. Her slogan, "Unbought and Unbossed," managed to tar Thompson with the support he might or might not have had.

Mrs. Chisholm likes to campaign. "I am the people's politician," she says. "If the day should ever come when the people can't save me, I'll know I'm finished. That's when I'll go back to being a professional educator." The candidate chose as her campaign manager an old pro named Wesley Holder who had been in and out of various Bedford-Stuyvesant political factions for more than a decade. She enlisted Julius C. C. Edelstein, a former factotum in reform politics and a onetime Wagner aide, as financial adviser and behind-the-scenes *éminence grise*. In addition to the forces of the Unity Club, her home base, Mrs. Chisholm developed a small army of women who roamed the district in her behalf.

"The women are fierce about Shirley," says her husband. "She can pick up the phone and call 200 women and they'll be here in an hour. And she gives them nothing more than a 'thank you' and a buffet supper."

"It stings the professional boys," adds the Congresswoman. "All I have to say is, 'We gotta go to war.' "

Chisholm's war was fought from a sound truck. The way she recounts it, the truck would pull up to a housing project such as the Brevoort Houses with a retinue of private cars in its wake: "I'd get up there and say, *'Ladies and Gentlemen of the Brevoort Houses, this is Fighting Shirley Chisholm coming through.'* I have a way of talking that does something to people," she adds. "Meanwhile, my workers would scatter in all directions with shopping bags filled with literature. We'd hand out 2,000 pieces at each stop. I have a theory about campaigning. You have to let them *feel* you."

Despite the knock-down, drag-out contest, the voter turnout on June 18 in the 12th District was among the lowest in the city. Pundits had predicted a Thompson victory. "You could have won any kind of money on that," Tommy Fortune chuckles. But when the figures were in, the Unity Club had given Chisholm a 1,265-vote cushion. It was more than enough to cover her losses in other areas. Chisholm won her primary by 788 votes.

In July, the victorious nominee entered the hospital for an operation on a massive fibroid tumor. At the Democratic convention in Chicago (which she sat out in a hotel room), Mrs. Chisholm emerged as the choice of all factions of New York State's delegation for the post of national committeewoman, replacing Edna Kelly.

Anyone with less than a keen interest in local politics might have concluded that "what was happening" in Bedford-Stuyvesant was the campaign of James Farmer. The former national director of CORE had been at loose ends since he resigned his post a few years back to head up a Johnson Administration literacy program which never came into being. Early in the spring, Farmer announced his entry into the 12th District race as the candidate of the Liberal party. In May, the nationally known civil rights spokesman was accorded the Republican designation.

Farmer's Republican blessing did not come easily. According to Mrs. Chisholm, who maintains that three of the local Republican leaders worked quietly for her in the general election, the Brooklyn Republicans were subjected to outside pressure from as far away as Senator Charles Percy of Illinois. "They felt it was a terrible intrusion," she states. "It was saying to them, 'You don't have anybody worthwhile for this $30,000 [now $42,500] fruitcake.' It was a slap in the community's face. Everybody, Republican, Democrat, black and white, male and female, resented the intrusion."

Farmer, who lived in Manhattan, took an apartment on Herkimer Street near Nostrand Avenue in the district for a mailing address. He attempted a *rapprochement* with Sonny Carson's breakaway chapter of Brooklyn CORE, which had been making anti-Farmer noises in the community and had even tried to field a Congressional candidate of its own

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Brooklyn CORE was an embarrassment to the former CORE chief, but the eventual *détente* did little to help him. Sonny Carson's strength, whatever it might be, was not on the election rolls, Nixon-Agnew at the head of the Republican ticket also proved embarrassing. Farmer favored Humphrey (and so did the Liberal party—strongly). His strategy was to attack the Nixon-Agnew team freely during the campaign and urge the electorate to go into the polls and "Vote Farmer First."

Bongo drums on the streets—a regular part of Farmer's campaign in Bedford-Stuyvesant—projected an image redolent of Africa and manhood. Farmer's handbills stressed the need for "a man's voice" in Washington. This may have been what the Moynihan Report was talking about, but it didn't sit well with Shirley Chisholm. In her Washington office desk Mrs. Chisholm keeps a long, scathing poem called "Mr. Moynihan in Bedford-Stuyvesant" written by a (male) student in Harvard's Afro-American Association. "Of course we have to help black men," the Congresswoman says. "But not at the expense of our own personalities as women. The black man must step forward, but that does not mean we have to step back. Where have we ever been? For the last 15 years, black men have held political office, not women."

The black male mystique stung Shirley Chisholm (she recalls walking into public meetings and being greeted by the catcall, "Here comes the black matriarch!"), but the unspoken truth of the Farmer campaign was that Farmer's "black male" image had a double edge. The women of Bedford-Stuyvesant knew without being reminded that James Farmer had a white wife.

The Farmer-vs.-Chisholm campaign attracted national coverage, but from network television down to the The Village Voice, the focus was on James Farmer and not Shirley Chisholm. The Chisholm camp found N.B.C.'s weekend special, "The Campaign and the Candidates," particularly galling. The half-hour show devoted itself almost exclusively to Farmer. N.B.C. newsfolk still insist that they were justified. Farmer was a "national figure" who made the story "newsworthy." His campaign was "highly visible and colorful" while Mrs. Chisholm's was restricted because she was still recuperating from her operation. But from Chisholm's vantage point, and the vantage point of hindsight, the show was a serious misreading of local politics.

One N.B.C. reporter, the local station's Gabe Pressman, did not believe that Farmer was a shoo-in. Pressman spent a half-day on the Chisholm campaign trail and returned to his office convinced that Mrs. Chisholm had it. He had accompanied her to a project, the Alabama Houses, and the response she had received there was convincing stuff. Pressman was right, of course, but he never knew how carefully his day with Mrs. Chisholm had been planned. The Unity Club's captain for the Alabama Houses was none other than Conrad Chisholm.

When Mrs. Chisholm is feeling sour, she says that "any Republican the local leaders might have chosen would have run better than Farmer." When she is feeling more charitable, she avows that "Farmer ran about as well as any Republican could" in the district. There is no doubt that Farmer picked up a number of "identification votes" from those who went into the polls and pulled the lever for the name they most readily recognized. And, according to Julius Edelstein, "The male thing made inroads among voters who sincerely, if mistakenly, chose to believe in it." But Farmer's entry into the race had been a mistake from the very beginning. Mrs. Chisholm whipped "the national figure" (her pet name for him) by almost 2½ to 1. (Getting whipped by a woman did no permanent damage to either James Farmer or William C. Thompson, apparently. Thompson was subsequently named to fill a City Council vacancy; President Nixon appointed Farmer Assistant Secretary of Health, Education and Welfare.)

Washington's introduction to Fighting Shirley Chisholm and Representative Chisholm's introduction to Washington were not accomplished without a few surprises on both sides. A couple of weeks after Mrs. Chisholm moved into a furnished apartment in one of the capital's newer residential complexes, the apartment was broken into while she was weekending in New York. The thief or thieves made off with her new Washington wardrobe, a collection of knit suits. Mrs. Chisholm moved to another address and charged that the theft had all the markings of "an inside job."

Mrs. Chisholm would just as soon not have talked to anyone (except the police) about the burglary, but she finds it difficult to escape the attentions of the news media. It is a rare day when her appointments calendar does not show at least one interview—she is good copy for political reporters across the United States, for European journalists, members of the Negro press, the women's pages, the college press, and Washington's regular Capitol Hill corps, and all of the above-named's radio and TV counterparts. In fact, anyone with a notebook or a tape recorder considers Mrs. Chisholm fair game.

Sheer instinct for self-survival has led her to develop a set pattern, with variations as the mood or occasion strikes her. Chisholm on Chisholm does not always achieve its intended effect. A speech she gave at a gala press reception went something like this, according to the notes of one women's page reporter: "They call me Fighting Shirley Chisholm. My mother tells me I was born fighting. She says I was kicking so hard in the womb, she knew I was aching to get out and fight." According to the reporter, the raised eyebrows around the room were something to see. "My dear!" the reporter says. "The womb? Really. Maurine Neuberger didn't open her mouth the first year she was here." The womb image may have been a bit too much even for Chisholm, and she dropped it after that night.

Shirley St. Hill Chisholm was born 44 years ago in Brooklyn, shipped back to Barbados at age 3 to live with her grandmother, and returned to Brooklyn at age 11. Her father was an unskilled laborer and her mother worked as a domestic to help support her brood. Shirley was the oldest of four girls. A more credible anecdote of her early precocity she recounts with pride: "Mother always said that even when I was 3, I used to get the 6- and 7-year-old kids on the block and punch them and say, 'Listen to me.' I was a fat little thing then, believe it or not."

Little Shirley grew up with a strong sense of her own destiny. Her early heroes were Mary McLeod Bethune, Harriet Tubman and Susan B. Anthony. Miss Anthony, the homeliest of the suffragettes, was one of the movement's best speakers. In her Brooklyn campaign, Mrs. Chisholm would reel off a long quotation from Miss Anthony ("The hour is come when women will no longer be the passive recipients . . .") when she was bothered by male hecklers on street corners. "It always stopped them cold," she reports.

Mrs. Chisholm matriculated at Brooklyn College (she won a scholarship and was in the debating society) and took her master's at Columbia. She went the route that bright black women who are determined to better their lives find most readily open to them: she became a teacher, and served for a time as director of a day-care center. She was introduced to her future husband in Brooklyn. Conrad was from Jamaica. "I used to kid him," she says, "that Jamaican men always want the best so he just *had* to marry a Barbadian girl." The Chisholms have made a ritual of taking their yearly vacation in the islands. (This summer the routine may be broken. Mrs. Chisholm has her eye on an African tour.)

When Mrs. Chisholm began to fashion her political career, her husband assigned himself the task of shepherding her from meeting to meeting, trying to get her to appointments within a reasonable time (Mrs. Chisholm always runs late). In Washington, Mrs. Chisholm is escorted to and from her engagements off the Hill by any one of her office assistants. Representative Chisolm's office, on the street floor of the Longworth Building, has a staff of six women, four black and two white, with a median age of 24. Three of the girls were aides to former Congressman Joseph Resnick of Ellenville. The Chisholm outer office has an unusual feminine ambience: the girls are more attuned to each other's incipient moods and sniffles than a male or mixed staff would be. None of the girls are from Brooklyn. Mrs. Chisholm was forced to sacrifice some patronage for a staff which knew its way around the Hill. (Maneuvering the marble corridors of Congress is a challenge to any freshman legislator.)

Apart from an abrasive administrative assistant, who is working her way into the job (she held a lesser post with Resnick), and whom Mrs. Chisholm defends vociferously ("She's tough," says the Congresswoman, "and that's what I need."), the staff appears to be hardworking and courteous. "But you can tell Mrs. Chisholm's new," sighed one of the girls on a recent morning. "She still wants us to let her open all the mail that's marked personal." (Mail to the Chisholm office in these early weeks, admittedly a staggering load, has had a tendency to go unanswered.)

On any given day, the Chisholm office is bolstered by no fewer than three student volunteers who are there to "observe" for their college courses and to "pitch in" wherever they can be of use, which generally means running to the library to research facts for legislative aide Shirley Downs. Miss Downs, along with secretary Carolyn Jones, has managed to bring whatever order there is to the hectic office. She marvels over her new boss: "She's like a vacuum cleaner. I mark stuff for her to read and the next day she comes in and says, 'Let's get together at 2 o'clock and discuss it.' She reads anything and everything. The other day she waltzed out of here with 'The Valachi Papers.' "

Mrs. Chisholm is valiantly trying to arrange her Washington life along the pattern of her stay in Albany. Beset by telephone calls, both political and social, from Washington's Negro community, which feels that the nation's first black Congresswoman would make an important addition to their parties and their causes, Mrs. Chisholm has tried to make her Washington apartment into something of a retreat, and she guards her after-hours privacy like a watchdog, preferring solitude to sociability. Her home telephone number in Washington is a closely kept secret, and she recently disconnected her listed New York telephone number and arranged to have the calls transferred to her newly opened district office on Eastern Parkway, manned by former campaign manager Wesley Holder. (Mrs. Chisholm is available to her constituents at her Eastern Parkway office on Fridays from 5 to 8 P.M.)

The November elections brought the number of Negro representatives in the House up to nine, "hardly an explosion of black political power," as Ebony magazine put it, but a tangible gain. Joining Mrs. Chisholm as freshman Democrats are the gregarious Louis Stokes of Ohio, that state's first black representative, and smooth, young William L. Clay of Missouri, a first for his state as well. With Powell back (though just barely) and John Conyers of Michigan facing stiff competition from the newcomers (Conyers moved into a power vacuum during the Powell difficulties), there is active speculation on the Hill over the eventual pecking order of the new black line-up." "We watch each other," Mrs. Chisholm admits, "and the boys keep a special eye on Conyers." (The "watching" is done informally. No "black caucus" has yet emerged in the 91st Congress.)

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According to some experienced Washington hands, Mrs. Chisholm's well-publicized battle over her committee assignment ended in a standoff. Mrs. Chisholm is inclined to disagree. She did manage to turn an unexpected spotlight on the House's seniority system, and she is quick to point out, the Veterans Affairs Committee does have some relevance to her community. There is a Veterans Administration hospital in Brooklyn, and Mrs. Chisholm intends to use her position on the committee to "make people more aware of their eligibility for the hospital and other veterans' benefits."

Apart from the committee-assignments squabble, Mrs. Chisholm's legislative activities in the first sluggish weeks of Congress have included endorsing a fistful of bills sponsored by other black and/or liberal Congressmen, and making a fiery maiden speech. She has lent her name to an omnibus $30-billion-per-annum "Full Opportunity Act" put forward by Conyers; a Martin Luther King national holiday bill, also introduced by Conyers; a bill to set up a study commission on Afro-American history and culture, sponsored by James Scheuer of New York; a bill to abolish the House Un-American Activities Committee (dropped into the legislative hopper by Don Edwards of California before HUAC underwent its name change to the House Internal Security Committee); a bill to broaden the powers of the Department of Housing and Urban Development, sponsored by Jonathan Bingham of New York; a bill to create a Cabinet-level Department of Consumer Affairs, sponsored by Benjamin Rosenthal of New York; a bill to repeal provisions of the Social Security Act which limit the number of children in a family that can receive welfare payments under the Aid to Dependent Children clauses (sponsored by James Corman of California); and a resolution urging that food and medical supplies be rushed to the Biafra-Nigeria war zone. Mrs. Chisholm expects to work up legislation of her own on manpower training, and would like to initiate a Federal program along the lines of New York State's SEEK.

In her maiden speech late last month, Mrs. Chisholm (who came late to an anti-Vietnam war position) declared that she would oppose every defense money bill "until the time comes when our values and priorities have been turned right side up again" and called upon "every mother, wife and widow in this land" to support her position. Whether the fiercely idealistic, unbargaining Chisholm manner is as effective in Washington as in Brooklyn remains to be seen. (Also during her first weeks in Congress, Chisholm let it be known that she had quite a flair for keeping her name before the public: she announced she was "seriously considering" becoming a candidate for Mayor of New York.)

Like most other Congressmen from New York, Mrs. Chisholm commutes, arriving in Brooklyn on Thursday evening and taking the last Sunday shuttle back to Washington. After her victory, the Chisholms gave up their rented quarters and bought their first home, a nine-room attached row house on St. John's Place in the district. A large, hand-colored photograph of Mrs. Chisholm dominates one wall of the new living room, the décor of which is decidedly Victorian. A baby grand piano is squeezed into a space along the opposite wall. Next to reading, the Congresswoman prefers to relax by playing the piano. Mrs. Chisholm could never be called an underachiever. She also likes to dance, and has entered and won several Latin dance competitions. And she is a bit of a writer; some of her poems, mainly political, have appeared in the Albany papers and The Amsterdam News.

The new Chisholm residence is just outside the Unity Club's territory, and while this happenstance in itself is not particularly significant, Mrs. Chisholm made it plain after her election that she intends to be the Congressman for the whole district—a statement interpreted by some observers to mean that she intends to cut her ties with Unity. Her future relations with Unity are one subject which the outspoken ladys refuses to clarify. Tommy Fortune says merely, "She knows better than to pick a battle with her own leader and her home base." Fortune, who admits that he sometimes finds it easier to deal with Congressman Chisholm through Conrad Chisholm, is one who did *not* think Chisholm's balk on the Agriculture assignment was good politics.

Mrs. Chisholm does not care to beholden to anybody. "Don't talk to me about those reform Coalition for a Democratic Alternative people," she explodes. "They always try to claim me for their own because my views on legislation are progressive. Reformers? I have another name for them. We in the black community have to be very careful whom we associate with. My husband is a former private investigator. I have dossiers on people." Whether or not she actually has dossiers is debatable. (Unity Club members remember hints about dossiers in the old days.) Mrs. Chisholm's sharp tongue is hardly reserved for reformers. She doesn't mind referring to super-black militants as "woolly-heads" and "spear carriers" when it is they who get her back up, as they did at one memorable meeting of the Bedford-Stuyvesant Restoration Corporation. White liberals? Mrs. Chisholm says archly, "Don't you know that white liberals are our favorite parlor conversation?"

The result of Mrs. Chisholm's freeswinging rhetoric is to keep her allies and potential allies slightly off-balance, which is no doubt where she wants them. "Some of these politicians," she concedes, "think I'm half-crazy, that I don't know what I'm doing. Good. Let them think that," she finishes coolly.

She is expert at picking her way through the thorny racial issues facing black and white these days and she exhibits a fine disregard for both the fears and the panaceas now in vogue. Black anti-Semitism is one issue for which she has little patience. "I wish to God the mass media would stop playing it up," she implores. "Don't they understand that what is going on is an *anti-establishment* feeling? Of course it is the Jewish landlord and the Jewish shopkeeper in the ghetto that the black man sees and reacts against, but it is not anti-Semitism that is at work. What worries me more is this new restraint I see on the part of white liberals who profess not to understand why blacks are rising up in such hostile fashion. They were fine when they were relieving their pangs of guilt with their contributions and their participation in the panels and the forum groups, but now that it has come down to the stark reality, when it becomes a matter of putting into practice what you've discussed in your forums and panels, you've got a lot of hang-ups."

Mrs. Chisholm views with more than mild suspicion that current catchword, black capitalism. "What is black capitalism?" she says with something between a laugh and a sneer. "A tax-incentive plan for white businessmen? How many black entrepreneurs can they create? The focus must be on the masses of black people who realistically we know can never become capitalists. The focus must be on massive manpower training. Mr. Roy Innis of CORE is rounding up support for his so-called 'Community self-determination' bill, and I expect that Mr. James Farmer will probably be its champion in Washington. This is not a bill I think I will support. Just wait, there may be some fireworks."

In her first, combustive, getting-acquainted weeks in Washington, Mrs. Chisholm has been an instant celebrity on Capitol Hill. As she hurries down a corridor or boards an escalator in her spindly high-heeled shoes and longish skirts, she smiles left and right to those who invariably recognize her. Black maintenance men are treated to a special, warm hello; women secretaries nudge each other and nod happily in her direction. Once inside the leathery, masculine House chamber, she sits regally in her chair, at attention. "That's the woman who beat what's-his-name," remarked one visitor to the Congressional galleries. In these early weeks, Mrs. Chisholm has made news—and has made the rounds of public functions, party meetings, speaking engagements and televised interviews on the kind of schedule a Mrs. Roosevelt would find exhausting. The demands on her time that come from her being the nation's "first black woman Congressman" show no sign of letting up, nor does she seem willing or able to call a halt.

A few weeks ago in Brooklyn, two old friends of Shirley Chisholm were talking about the woman they knew and the public figure—"the national figure"—she had become. As Chisholm-watchers they speculated about what Shirley will do next. "If she buckles down and concentrates on her legislative work, it will be wonderful," one said. "If they turn her into a symbol, if she just does the ceremonial things, or just goes around making speeches and doing very little else—then it will really be disappointing." So far Shirley Chisholm has seldom disappointed.

THE NATIONAL TIMBER SUPPLY ACT

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BROCK. Mr. Speaker, yesterday I introduced the National Timber Supply Act to establish a special fund, financed from national forest timber sale receipts, to provide reliable and necessary financial support for the U.S. Forest Service administering our national commercial forests.

Identical legislation has been introduced into the Senate by Senator JOHN SPARKMAN of Alabama.

Recently, Mr. E. E. Edgar, chairman of the Forest Industries Council, stated the case for this legislation forcefully and effectively.

Here is what he said:

> This bill recognizes the necessity of establishing a systematic and continued funding that will enable the U.S. Forest Service to improve timber growth and yield on its holdings which contain nearly three-fifths of the nation's inventory of softwood trees, the raw material for lumber and plywood.
>
> Certain individuals inside and outside of government who rank housing among the highest priorities in our country's social progress agenda will find in this measure a vital beginning to fulfilling this objective . . .
>
> The F.I.C., which represents the National Forest Products Association, the American Paper Institute, the American Pulpwood Association and the American Forest Institute, urges prompt and favorable consideration of the National Timber Supply Act as an important first step in meeting our declared domestic need for adequate shelter.

I urge my colleagues to study this statement by Mr. Edgar, and to give the earliest possible consideration to the National Timber Supply Act which is so closely related to one of our major national needs and therefore much more than a narrow, regional concern.

THE CHEYENNE HORTICULTURAL STATION

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. WOLD. Mr. Speaker, the April 29, 1969, issue of Empire magazine contains an article which accentuates the unbelievably tedious trials of the science of horticulture and relates the development of 21 varieties of sturdy, free-blooming chrysanthemums which were produced by the Horticultural Research Station at Cheyenne, Wyo. The station recently survived another attempt to terminate its research in the interest of "budgetary" considerations.

Written by Dabney Otis Collins and entitled "A Mum for the High Places," the article describes the work of Dr. A. C. Hildreth who began developing high altitude chrysanthemums in 1932. His work involved the collection of some 2,000 species throughout the world and improvement of the species through natural selection over a 15-year period during which time six new species were developed.

During a single 8-year period, 40,000 seedlings were developed and tested to produce what today is the widest variety ever known to high altitude sturdy chrysanthemums suited for shortgrowing seasons.

The article is but one more example of the quiet accomplishments of the intricate and patience-oriented science of horticulture and it points up again the many accomplishments of the Horticultural Field Station at Cheyenne.

There have been several attempts over the past 5 years to terminate this station. The latest, a product of planning by the previous administration, came into focus some 8 weeks ago when the Department of Agriculture announced the station would have all phases of research terminated in March.

Wyoming's congressional delegation united in demonstrating the speciousness of the budgetary proposition behind the closure effort and the order was rescinded by Secretary Hardin.

Mr. Speaker, I included the article to which I have referred in the Congressional Record.

For the sake of the Record I include also a memorandum prepared in 1965 on the question of the power of the Secretary of Agriculture to close the research station and a list of publications from the station so the material will appear in a unified context if it is needed in the future:

A Mum for the High Places

(By Dabney Otis Collins)

Cheyenne—that's the big name in chrysanthemums for home gardeners in the Rocky Mountain-Great Plains region. The Cheyennes are the only chrysanthemums tailor-made to fit the exacting requirements of our high, dry, sunny, sometimes cold, often capricious climate. Bred into them are characteristics that will bring you an entirely new, and wholly satisfactory experience in growing chrystanthemums. These characteristics are, basically, four:

Early Blooming. Some varieties bloom in late July. By mid-August, many varieties are domes of almost solid bloom. The extravaganza goes on for weeks after Jack Frost has drawn the curtain on summer's pageant of color, until the first really hard freeze—about three months of continuous bloom.

Hardiness that takes our on-again-off-again winters and springs in full stride. Cheyenne chrystanthemums are tough, never need mulching or winter care.

Vigorous, low-branching plants with lush growth beginning at ground level. Self-disbudding is genetically built in; these chrysanthemums require no disbudding, no topping. Varieties range from low cushions to intermediate heights, somewhere between the cushions and the older tall types.

Bloom that comprises the rich spectrum of colors through white, yellow, bronze, russet, pink, crimson, purple, burgundy to black-red, including many lovely bi-colors and polychromes. Buds are set in long summer days, whereas most older varieties set flower buds only in the shorter days of autumn. Blooms are two to three inches in diameter. Petals of some varieties number over 500. As cut flowers, their non-fading beauty lasts and lasts.

The story of the Cheyenne chrysanthemums is as remarkable as their performance in the garden. It began 36 years ago.

In 1928 the Cheyenne, Wyo., Horticultural Field Station was established by the U.S. Department of Agriculture to aid in solving horticultural problems common to the Central Great Plains. Two years later, Dr. A. C. Hildreth, an enterprising young West Virginian with a string of degrees in horticulture, took charge of the station.

Dr. Hildreth is the originator of the Cheyenne chrysanthemums. In 1932 he began his project of finding or creating chrysanthemums hardy enough to withstand our winters and early enough to bloom in our short growing season. From various parts of the world, he collected and tested some 2,000 kinds of chrysanthemums that held possibilities of furthering his objectives.

None was found to be thoroughly satisfactory for this region, but the hardiest among them were selected for improvement through breeding. These entered into the mixture that finally resulted in the Cheyenne chrysanthemum.

In the early years, a natural hybridization and natural selection method of improvement was followed. Cross-pollenation was encouraged by growing the different kinds close together. Only the hardiest survived the rigorous Wyoming winters; only the early blooming matured seed in the short growing season. Slowly, very slowly, the Cheyennes were being born.

Said Dr. Hildreth, "Every year we came a little closer to what we were after—early blooming and hardiness. These must come first. Bloom quality had to wait."

Fifteen years later, on Feb. 21, 1947, the USDA Bureau of Plant Industry, Soils and Agricultural Engineering announced the release for propagation of six new chrysanthemums produced at its Cheyenne Horticultural Field Station.

"Selection and testing of these varieties was done by A. C. Hildredth," continued the announcement. "They were later tested by nurserymen, florists, and experiment stations in various parts of the United States and Canada. These varieties were developed for outdoor culture in regions of cold winters and short growing seasons, and are believed to be of value mainly for the Plains states. They are intended primarily for the perennial border, but some of them can be used for cut flowers or as pot plants."

By 1951, the chrysanthemums had attained a sufficient degree of hardiness and early blooming. The next, and final, objective was to improve quality: greater depth and clearness of colors; varities of color combinations; sturdiness of the plant to withstand breakage from high winds and early snows.

Gene S. Howard, another man with the gift for improving plants by breeding according to the laws of genetics, joined the station staff. With his capable assistance, methods were adopted that meant more rapid progress—controlled pollenations and the use of large-flowered but tender varieties as one parent to increase flower size in the hybrids.

Crossing was done by hand pollenation. In this delicate operation the petals are sheared off at the pistils. Pollen is collected from the male plant and brushed onto the flower of the female parent. Each cross is tagged and bagged, to prevent possible cross-pollenation by insects. The following February, the seeds were sown in the greenhouse.

Seedlings were transplanted to the field about the middle of May. They bloomed the first year, and the culling was drastic. "Roguing," horticulturists call this practice of harsh, but essential, selection of plants to be retained in the trials.

After testing for one, two, three or more years at the Cheyenne station, the better selections were shipped for further testing to 16 northern states and three Canadian provinces. After three years of trial at these testing stations, the plants that passed the tests were named and released to nurserymen for propagation and distribution to the public. During these eight years, the tests involved some 40,000 seedlings. New varieties resulted in double instead of single blooms, and flower quality was improved to match the qualities of early flowering and cold weather resistance.

The announcement sent by the Cheyenne station to its mailing list of nurseries gave detailed specifications of each variety released. San Saba, for example, was described as follows:

"San Saba is a strong stemmed, upright, spreading mum, having up to five flowers per stem. It has clean, dense, dark green foliage. The flowers are fully double, of excellent quality, and average 2½ inches in diameter. The color is a clear sulphur yellow that develops a slight lavender cast on aging. Later flowers are borne on slightly longer stems and thus cover the old flowers. San Saba is an early mum, reaching full bloom from Aug. 15 to Sept. 1 at Cheyenne. Rated very hardy during the five winters tested."

In the culture of chrysanthemums, both Dr. Hildreth and Gene Howard emphasize the importance of sunlight and freedom from crowding. Plant in full sun wherever possible, in any loose, friable soil, and not too close to other plants. Manure is a good fertilizer for established plants. Water as often as needed. It is advisable to divide every one or two years.

In 1959, Dr. Hildreth retired from the U.S. Department of Agriculture and became director of the Denver Botanic Gardens Foundation, with headquarters at 909 York St. Here may be seen, beginning in August, many of the Cheyenne chrysanthemums in all their sparkling splendor.

A total of 21 varieties of these sturdy, free-blooming chrysanthemums have been released by the Cheyenne Field Station. Here are some of them: San Saba, Maverick, Buffalo, Bridger, Togwotee, Powder River, Inca, Aztec, Mohave.

"Powder River is probably the finest white mum in the whole country," said Gene Howard. "All except one, Togwotee, which has a red mutation, have held true to genetic type and color."

Except for a few lines and varieties maintained at the Cheyenne Field Station, Cheyenne chrysanthemum stocks have been transferred to the University of Wyoming Plant Service Department. Under the direction of Dr. Charles McAnelly, nine new Cheyennes have been created.

In a symphony of glorious colors, these genuine Western chrysanthemums sing their beauty to the autumn skies. They are available at many nurseries in the Rocky Mountain Empire.

THE LIBRARY OF CONGRESS,
Washington, D.C.

To: Hon. Milward L. Simpson; Attention: Mr. Baldwin.
From: American Law Division.
Subject: Power of Secretary of Agriculture to close an agricultural research station at Cheyenne, Wyo.

On the basis of disclosures contained in dispatches appearing in the New York Times (January 1, 1965, p. 1, col. 5; January 9, 1965, p. 28. col. 2) the Secretary of Agriculture has been directed by the Bureau of the Budget to effect savings of funds through the closing of several agricultural research stations, including the one at Cheyenne, Wyoming. Since the Secretary does not appear to have been accorded any express statutory authority to close any one of these stations on the ground of obsolescence or for any other specific purpose, the directive from the Bureau of the Budget would appear to represent another attempted exercise by the President of a power to impound appropriated funds and thereby prevent their disbursement.

As the head of the Executive Branch of the Government, the President hitherto has sought to justify such impounding of appropriated moneys as a means whereby he is enabled to discharge his responsibility for supervising the efficient, and economical operation of executive departments. Serving at the will of the President and exposed to the latter's power of removal, a departmental officer accordingly has no alternative but to comply with such a presidential order, whether originating with the Bureau of the Budget or directly from the White House, to refrain from spending the entire amount of a specific appropriation made available by the Congress.

Whether citizens who are adversely affected by such impounding of funds, or federal employees who are separated from office as the result of such action are possessed of sufficient interest requisite to support their standing to challenge the validity of such presidential directive is dubious. However clearly Congress may have expressed its intent in appropriation measures that certain installations or programs therein financed are not to be suspended, it is highly unlikely that federal courts will view the disbursement of appropriated funds by a departmental officer as other than discretionary or as amenable to judicial enforcement by such remedies as mandamus or mandatory injunction (*Larson* v. *Domestic & Foreign Corp.*, 337 U.S. 682 (1949)). In the past, none of the precedents embracing the impounding of funds has been resolved by litigation; but has been adjusted, if at all, solely through the interaction of the policy making branches, the Congress and the President.

As to the intent of Congress in the instant controversy, the following statutory provisions are relevant. In 7 U.S.C. 361a to 361e, 387–390k Congress has made it abundantly clear that these research stations were designed as permanent installations the continued operation of which was to be suspended for any appreciable duration only by warrant of statutory authority. The latter conclusion would appear to be substantiated by the following provisions; namely, 7 U.S.C. 361g 390l.

Section 361g stipulates that "if the Secretary of Agriculture *shall withhold* from any State any portion of the appropriations available for allotment, *the facts and reasons therefor shall be reported to the President* and the amount involved shall be kept separate in the Treasury until the close of the next Congress. *If the next Congress shall not direct such sum to be paid*, it shall be carried to surplus." Section 390l directs the Secretary to *"make an annual report to the Congress* during the first regular session of each year with respect to (1) payments made under sections 390–390k . . . and (3) *whether any portion of the appropriation available for allotment to any State has been withheld* and, if so, the *reasons therefor.*" Also relevant is 7 U.S.C. 1625 which empowers the Secretary to consolidate agencies engaged in research but is devoid of any authorization for suspension of the research function.

NORMAN J. SMALL,
Legislative Attorney.

SOME PUBLICATIONS FROM CHEYENNE HORTICULTURAL FIELD STATION

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2. Babb, M. F. 1940. Residual effects of forcing and hardening of tomato, cabbage, and cauliflower plants. U.S. Dept. Agr. Tech. Bul. 760. pp. 34, illus.

3. Kraus, J. E. 1970. Chinese cabbage varieties, their classification, description, and culture in the Central Great Plains. U.S. Dept. Agr. Circ. 571. pp. 20, illus. 1.

4. Hildreth, A. C. and Powers, L. 1941. The Rocky Mountain strawberry as a source of hardiness. Amer. Soc. Hort. Sci. Proc. 38:410–412.

5. Bohn, G. W. and Scott, D. H. 1945. A second gene for uniform unripe fruit color in the tomato. Jour. Hered. 36:169–172.

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7. Brown, G. B. and Bohn, G. W. 1946. Ascorbic acid in fruits of tomato varieties and F_1 hybrids forced in the greenhouse. Amer. Soc. Hort. Sci. Proc. 47:255–261.

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14. Brown, G. B. 1950. Carrot and beet seed production as affected by steckling planting date and delayed planting after removal from storage. Amer. Soc. Hort. Sci. Proc. 56:271–274.

15. Hildreth, A. C. 1950. Ornamental hedges for the Central Great Plains. U.S. Dept. Agr. Farmers Bul. 2019. pp. 25, illus.

16. Powers, L., Locke, L. F., and Garrett, J. C. 1950. Partitioning method of genetic analysis applied to quantitative characters of tomato crosses. U.S. Dept. Agr. Tech. Bul. 998. pp. 56.

17. Brown, G. B. 1955. The ascorbic acid content of tomatoes as related to illumination. Amer. Soc. Hort. Sci. Proc. 65:342–348.

18. Powers, L. 1955. Components of variance method and partitioning method of genetic analysis applied to weight per fruit of tomato hybrid and parental populations. U.S. Dept. Agr. Tech. Bul. 1131. pp. 64.

19. Howard G. S. and Brown, G. B. 1962. Hardy, productive tree fruits for the high altitude section of the Central Great Plains Region. U.S. Dept. Agr. publication ARS 34–40. pp. 6 processed.

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SOME STUDENTS LIKE TODAY'S ROTC

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BOW. Mr. Speaker, King Features Syndicate carried recently a column by John P. Roche in which he belittled the ROTC program and applauded recommendations that it be abolished at several universities. Mr. Roche's comments were based largely upon his reminiscence of ROTC when he went to college 25 years ago.

I wish to share with Members a reply to Mr. Roche which was published in the Charlotte, N.C., Observer. It is the work of Stanley Hubbard, Jr., a college student who is the nephew of Dr. Hampton Hubbard whom many of us know for his excellent work at Bethesda Naval Hospital. My congratulations to Stanley Hubbard on this concise and telling letter:

SOME STUDENTS LIKE TODAY'S ROTC

I was dismayed on Feb. 14 to see that both you and King Features Syndicate wasted time, ink and space on John P. Roche's article "ROTC a Bad Military Joke." It is Roche's sour memories of two decades past, rather than the concept of today's Reserve Officer training, that constitutes a "bad joke."

I don't doubt for a moment that the ROTC program had its faults back then. A brief glance at the textbooks of that era shows that other college curricula were a bit out of date then too! But if we are going to talk about abolishing an institution, let's judge it on its merits and shortcomings today.

ROTC today does not have weekly bayonet practice or grenade throwing drill. Instead, cadets and midshipmen study management concepts, human relations, the psychology of personnel direction, group problem-solving and both written and verbal communications. From this basic core of courses, each branch of ROTC teaches the technological specifics of its field.

Unfortunately, war has gotten considerably more complex since Roche last looked in on it. Military men must now understand the complexities of deterrence strategy and modern concepts of peace maintenance. Roche's one valid criticism of the program was that of the required ROTC that some colleges still cling to.

Although I feel, as he does, that a military program should not be rammed down the throats of all college students, I strongly object to abolishing the program in the face of all the students who wish to elect it.

One of the fights of the liberal students on campuses today centers around the right of students to study anything they choose. It is not logical to give this right to them and deny the ROTC cadets and midshipmen of it at the same time.

XUM

Roche admitted that he is "permanently twisted on the subject." But "twisted" people who seek to destroy an academic program on sour memories and caustic but illogical attacks do no deserve space on the editorial page of a paper like The Observer.

BISHOP JOHN J. WRIGHT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, we in Pittsburgh, Pa., are very proud of our own Roman Catholic Bishop John J. Wright, who is being elevated to cardinal this week in Rome.

It is a pleasure to include in the CONGRESSIONAL RECORD articles from the Pittsburg Press and the Pittsburg Post Gazette which describe the large group of Pittsburgh clergy and laymen who have traveled to Rome with Bishop Wright and the details of the many ceremonies planned to honor the new cardinal this week:

[From the Pittsburgh (Pa.) Press, Apr. 20, 1969]

WRIGHT CARAVAN USING 2 PLANES FOR ROME TRIP

(By Robert Schwartz)

A caravan of nearly 300 persons will go to Rome this week to attend ceremonies in connection with the elevation of Cardinal-designate John J. Wright, bishop of Pittsburgh Catholic Diocese, to the Sacred College of Cardinals.

The pilgrimage caravan will consist of relatives, closest clergy friends and admirers from the laity.

The official party accompanying Cardinal-designate Wright to the Eternal City will make the trip in two jets, sponsored by the Pittsburgh Catholic Diocese.

CUSHING TO ATTEND

The first plane will leave Greater Pittsburgh Airport at 7:30 p.m. Thursday and fly directly to Rome.

The second plane, on which Cardinal-designate Wright will be a passenger, will leave at 5:30 p.m. Friday and stop in Boston en route. The plane will leave Boston at 7:45 p.m. Friday and arrive in Rome at 10:15 a.m. Rome time Saturday.

Boarding the plane in Boston for the trip will be Richard Cardinal Cushing, archbishop of Boston.

Cardinal Cushing has been a long-time friend. Cardinal-designate Wright served as as his secretary before becoming an auxiliary bishop of Boston and prior to becoming the first bishop of Worcester, Mass.

It will be the first making of a cardinal from this diocese.

OTHERS ON TRIP

Other members of the hierarchy who will be with the cardinal-designate include both of Pittsburgh's auxiliary bishops, Vincent M. Leonard and John B. McDowell; Bishop William G. Connare of Greensburg Catholic Diocese; Archbishop Stephen J. Kocisko of Pittsburgh Byzantine Catholic Archdiocese; Bishop David M. Maloney of Wichita and Auxiliary Bishop Timothy Harrington of Worcester, Mass.

Retired Bishop Austin Pardue of Pittsburgh Episcopal Diocese will not be going on the same plane, but will join Cardinal-designate Wright in Rome in connection with a tour of Europe and Africa.

Many of the persons making the pilgrimage are from Boston, Worcester, Cleveland and Philadelphia.

RELATIVES IN PARTY

Two sisters and two brothers of Cardinal-designate Wright will be in the official party.

They are Mrs. John Haverty and her husband from Brighton, Mass., Mrs. Joseph Gibbons and her husband from Milton, Mass., Dr. Richard H. Wright and his wife from Milton, Mass., and Robert G. Wright and his wife from Cleveland Heights, Ohio.

As Cardinal-designate Wright returns to Rome, where he was ordained in 1935, much of the pomp and ceremony of earlier rituals for the making of a cardinal will be missing.

Pope Paul VI has indicated that a more solemn ceremony is fitting today in the light of world conditions.

But the traditional splendor of the Vatican will be nonetheless present in supplemental functions that will include a round of receptions and banquets.

RECEPTIONS SLATED

The first reception for Cardinal-designate Wright will be next Saturday night at Rome's Hotel Massimo.

The pilgrimage will attend mass celebrated by Auxiliary Bishop Leonard next Sunday at Santa Susanna. Another reception will be held Sunday evening in the Grand Hotel.

The first of the ceremonies will be Monday, April 28 when Cardinal-designate Wright will receive the Biglietto, the notice of his nomination to the Sacred College.

Auxiliary Bishop McDowell will celebrate a special mass Tuesday, April 29, at one of Rome's major basilicas.

The actual elevation will be at 6:30 p.m. Rome time Wednesday, April 30, in the Sistine Chapel at the Consistory for the imposition of the cardinals' birettas.

WILL PRESENT RINGS

This is when the Pope will present the birettas to all 33 new cardinals.

Because of the small size of the Sistine Chapel, attendance will be limited. A formal dinner for Cardinal-designate Wright will be Wednesday night.

Pope Paul will concelebrate mass Thursday, May 1, in St. Peter's Basilica with all the new cardinals. It is at this time that the Pope presents the cardinals with their rings. A reception will be Thursday evening.

Cardinal-designate Wright will celebrate mass Friday, May 2, at his alma mater, Old North American College, in Rome.

A farewell reception and dinner party will be that night.

The new cardinal will take over one of Rome's ancient churches Saturday, May 3, as his titular church.

The pilgrimage departs Rome for Pittsburgh Sunday, May 4, at 2:30 p.m., returning by way of Boston and arriving in Pittsburgh at 10:50 p.m. Sunday, May 4.

Diocesan officials here expect the pilgrimage to have the privilege of a possible audience with Pope Paul during the stay in Rome.

[From the Pittsburgh (Pa.) Post-Gazette, Apr. 26, 1969]

WRIGHT LEAVES TO JOIN "COLLEGE"

A charter jet left Greater Pittsburgh Airport at 5:25 p.m. yesterday—five minutes early—carrying the city's first Cardinal-designate and some 60 other members of his party to Rome.

A beaming John Wright, shepherd of nearly one million Roman Catholics in the Diocese of Pittsburgh, waded through nearly a thousand well-wishers to get to his chartered flight with stops in Boston, Paris, and finally, the Holy City.

BELFAST STOP ASKED

As he made his way to the observation deck, one reporter asked Bishop Wright if he planned to stop in Belfast (Northern Ireland). He stopped, smiled and looked at the reporter's Kelly-green tie, and gave a wistful smile—then politely declined comment.

Canevin High School's marching band serenaded the cleric as he strode to the windswept deck and heard, "On a Clear Day, You Can See Forever." The bass drum sounded a little off-key, but it was competing with the whine of giant jets.

Bishop Wright must have shaken hundreds of hands and signed an equal number of autographs.

Then an official escort reminded him the plane was due in Boston to pick up another 89 people at about 6:30 p.m.

SHOOK HANDS

He descended stairs to the runway, halted, shook a young lady's hand, then proceeded to the plane's ramp.

Stopping and posing for news cameramen took another 15 minutes. He continued to smile and cooperate with every request from photographers.

"Hey, Bishop . . . uh . . . ah . . . er . . . Cardinal. Look over here, please!"

Then he was at the plane's doorway. He turned, faced the people, many school children, a handful of nuns wearing modern and traditional habits, and raised both arms in a victory wave.

He paused momentarily, then gave the crowd his blessing, turned abruptly and entered the plane.

The plane headed down the runway, took off toward the west, circled back over Pittsburgh and winged toward Boston.

One member of the entourage won't be joining Cardinal-designate Wright. His old friend and mentor, Richard Cardinal Cushing of Boston, had to cancel because of rib injuries.

[From the Pittsburgh (Pa.) Press, Apr. 27, 1969]

CARDINAL JOHN J. WRIGHT'S AIM: BUILD FRIENDSHIP BRIDGES

(By Robert Schwartz)

ROME—Cardinal-designate John J. Wright arrived here for the most auspicious moment of his career with a promise to build "bridges of friendships" between Rome and the U.S.

His chartered jet with 146 friends and relatives aboard landed at Ciampina Airport yesterday.

The Pittsburgh bishop, who will be elevated to cardinal Wednesday in one of the Roman Catholic Church's most colorful ceremonies, was greeted at the airport by many Pittsburghers who preceded him in another chartered plane Friday.

Bishop Wright's party also was applauded by other Americans who had landed 35 minutes earlier with Archbishop John Francis Dearden of Detroit.

Archbishop Dearden preceded Cardinal-designate Wright as bishop in Pittsburgh, and now they will be installed as cardinals together.

Four airline hostesses stood on the steps to kiss Bishop Wright's ring as he left the plane.

Archbishop Dearden and Bishop Wright were formally welcomed by Msgr. James Hickey, rector of the Pontifical North American college.

On the flight from Pittsburgh, with a stop at Boston to pick up additional passengers, Bishop Wright and his entourage dined, slept, visited up and down the aisles and watched a motion picture titled "Angels In My Pockets."

The Pittsburgh bishop appeared to be as exhilarated as he was March 28 when he became the first American designated to become a cardinal without first being an archbishop.

"I've made 46 trips to Rome in my life," he said, "but this one was absolutely indescribable. . . . When I realized the flight had taken off directly for Rome (from Boston), you can't imagine the effect that had on me."

'CAME SO DRAMATICALLY'

He said he hardly had time to give much thought to his promotion because "it all came so suddenly and dramatically.

"But I'll say this: If it's true that I'm to

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work in Rome, I hope to build bridges of friendship between Roman and American churches . . ."

He said his most satisfactory achievement had been "making friends for the church. I never do anything without asking whether it would win friends for the church."

He recalled that American poet Walt Whitman had a "wonderful vision of cities linked together, with arms around each other's shoulders like brothers.

"When I think of Pittsburgh and Rome, Pittsburgh and Boston, bringing together people like this, well it thrills me. I like to be part of it."

He said he was deeply moved by other passengers on the plane, some of whom he hadn't seen for 35 years, but "every one of whom I love to have around me. New friends don't replace old ones. You pick up new generations of friends, and never lose the old ones.

"That's why it's so beautiful."

He thanked The Pittsburgh Press for "the sheer affection as well as the journalistic enterprise that inspired it to run a picture of my titular church, which I myself have never seen. This is one of the reasons why I'm proud to have spent 10 years in Pittsburgh. This was wonderful."

[The Press printed a photograph in Friday's late editions of the Church of Jesus the Divine Master on the outskirts of Rome—assigned to Cardinal-designate Wright by Pope Paul VI.]

Among those on the plane with Bishop Wright were two brothers and their wives—Mr. and Mrs. Robert G. Wright of Cleveland Heights, Ohio, and Dr. and Mrs. Richard H. Wright of Milton, Mass.

A reception last night at a central city hotel enabled the nearly 300 Pittsburgh clergy and laity friends of the prelate to get acquainted with the ways of Rome.

Auxiliary Bishop Vincent M. Leonard was to celebrate mass this morning at Santa Susanna for the official party from Pittsburgh.

The entourage was part of an estimated 2000 Americans in Rome who came here for a week of events in connection with the making of 33 new cardinals.

The Pittsburgh pilgrims were free this afternoon to view Rome's traditional fountains, the Colosseum and works of art in and around the Vatican.

TRIBUTE TO SENATOR E. L. "BOB" BARTLETT

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BENNETT. Mr. Speaker, one of the finest men I ever knew in public life was the late Senator Bartlett. He was a universal man. That is a man at home with all types of people and interested in everyone's problems. Perhaps his greatest expenditure of energy for others is what led to his early death. Tomorrow I will receive an award in the field of helping disabled persons by my sponsorship of legislation to remove architectural barriers so that disabled people could move around more easily. He was in fact the chief inspiration of this legislation and it was just one of the many fine things that he did in his life. Truly he is an inspiration to all of us and leaves a rich heritage for the entire country as well as his beloved State of Alaska.

SCIENTIFIC LIGHT ON—POLITICAL PROPAGANDA OFF—THE GRAVE QUESTION OF THE ANTI-BALLISTIC-MISSILE SYSTEM DEPLOYMENT

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. DONOHUE. Mr. Speaker, the proposed deployment of even a limited anti-ballistic-missile system constitutes one of the most imperatively urgent questions this country and Congress must decide, and soon.

Unfortunately, there have been some indications in recent press reports that an unhappy tendency is developing to inject biased political overtones into the determination of this matter, from which they ought to be strictly withheld.

Traditionally and unquestionably, the administration has the obligation to recommend legislative action in the national interest to Congress, and Congress has the responsibility to review and determine such recommendations.

When the respective obligation of the administration and the responsibility of Congress involves a subject that is essentially scientific, the legislative duty of determination is truly a most challenging one.

In the instance of the proposed deployment of the anti-ballistic-missile system, it should be soberly realized that neither Congress nor the American people are sufficiently knowledgeable to technically judge the real, actual capabilities of the anti-ballistic-missile system, nor is the distinguished Secretary of Defense a scientist himself.

It would seem obvious, then, that the best guidance for the wisest determination of this matter, to Congress and the country, would come from the completely objective and unprejudiced testimony and recommendations of recognized eminent American scientists. Indeed, the universally known Dr. James Killian has suggested that such urgently needed testimony and evidence to the people and the National Legislature could be made available through the designation of a special committee of eminent American scientists "utterly free of economic or political ties" to examine the whole anti-ballistic-missile situation and the overall American defense structure from a scientific viewpoint, with findings and recommendations made public.

Mr. Speaker, beyond the vitally important guidance that such a sicentific committee would provide for an objective determination of a matter of immense gravity to the country, it would also serve to prudently restrain dangerously increasing temptations to inject unwarranted and unwitting political pressures and prejudices into those very sensitive areas of deepest national concern from which they should now and forever be rigidly barred.

I most earnestly hope that the White House and our congressional leaders of both parties will cooperate in their patriotic assessment of the values of Dr. Killian's suggestion, and I wish to include, now, a most timely and enlightening editorial that appeared in the April 28 issue of the Worcester, Mass., Telegram newspaper, which, I believe, my colleagues and the RECORD readers will find most interesting and instructive on this point:

LAIRD'S WARNING

U.S. Defense Secretary Melvin R. Laird is dedicated to the preservation of the United States against any missile attack from the Soviet Union, Red China or elsewhere. He says that he does not intend to stand idly by waiting for the missiles to start exploding above American skies before he takes action to try to prevent it.

It would be unfortunate if Secretary Laird's dedicated role in national defense were undermined by any feeling whatever that the nation is deliberately being frightened into a $7 billion expenditure for an ABM missile system because of powerful economic and political forces. That would be grossly unfair to Laird, and dangerous for the nation.

But the coming now on the heels of the Republican National Committe's recent decision to make the ABM issue a political one, and, indeed, to furnish GOP spokesmen with speeches favoring it, Secretary Laird's most recent speech on the subject might be open to charges that he is trying to panic the Congress to approve the multi-billion dollar expenditure by fear.

Laird says, for example, that the Soviet Union "could" have twice the number of long-range missiles by 1975 than the United States. This country has, he says, 1,054 such missiles, with no plans to increase the number, and the Soviet "could" produce 2,500 by '75.

"The Safeguard System," says Laird, "is the minimal step necessary to ensure . . . the safety and security of the American people." A few days ago, Laird warned against a supermegaton Soviet weapon, and said the Russians planned to neutralize the U.S. Polaris nuclear submarines. Laird takes his hat off to no man in warning again and again of the dangers of being asleep at our defenses against aggressive communism.

But Dr. Ralph E. Lapp, the atomic physicist, writing in his book, "Kill and Overkill," pointed out that the United States several years ago already had enough nuclear explosives, with delivery capability, to overkill the Soviet at least 25 times. And he emphasized that, of all government agencies, Congress is the least-informed about nuclear defense matters. He suggested that non-partisan scientists become non-voting members of congressional committees considering such things as the ABM controversy.

Secretary Laird, in his defense efforts, might well consider Dr. James Killian's suggestion that a special committee of eminent American scientists—utterly free of economic or political ties be set up to explore the whole ABM situation, and the entire American defense structure from a scientific viewpoint. If, as Laird suggests, there is danger of the Soviet having all those missiles by 1975, the most urgent question to ask is: Will even the Safeguard System work to stop such a potential rain of nuclear explosives? A scientific committee, under Dr. Killian perhaps, should be able to answer that in a matter of months.

The defense secretary is not a scientist. Neither the Congress nor the American people are equipped to judge the true capabilities of the ABM. Even Secretary Laird would probably rest easier—and certainly the nation would—if any suspicions of politics or economic pressures were removed from the ABM debate. An impartial scientific committee could do that. If the nation is in as great a danger as Laird suggests, it cannot afford to make any mistakes in its defense system. The people want facts, and without any suspicion, however unjustified, that they are being exposed to propaganda.

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IN PASSING

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. DERWINSKI. Mr. Speaker, it is my policy to insert in the RECORD from time to time columns and articles which, I believe, are representative of the sound thought of grassroots America.

One writer whose articles have come to my attention, is Leonard Carriere, a public-spirited attorney who contributes a regular column in the Blue Island, Ill., Sun-Standard. His column of April 24 contains a thought-provoking and philosophical message:

IN PASSING

(By Leonard Carriere)

There is one thing most definite about going away . . . it all ends when you return . . . a blur fills the space between departure and re-entering your front door . . . the blur recedes in time . . . and with time comes super-zero.

Ypcatan is going back in time, the time of the Mayas and their pre-Columbian culture . . . a desolate, hot land of temples, pyramids and formerly great Indian cities . . . cities reconstructed by Western man . . . cities crumbling under the searing sun . . . cities uncovered, lying in rubbled mounds awaiting the archeologists pick and shovel . . . cities of greatness, built under unimaginable hardship . . . the mystery surrounding the arrival and the departure of the Mayas . . . time has answered but little.

From whence they came and to where and why they went have founded many myths and theories . . . Asiatic? Perhaps . . . it matters little in any event . . . taken off by a plague? Could be . . . that matters less . . . the only truth is that they came and later departed leaving the marks of their passing on the face of the earth . . . many others have come and gone with no marks, no traces.

There is no identity between Western culture and the Mayas . . . no names of great men . . . or of events . . . or of places . . . Uxmal is an unpronounceable word, along with Ohihcen Itze, Kabah and many other . . . all years in the making at the expense of hundreds of thousands of lives . . . yet, in the end all men must die, so that, too, matters but little.

Today in their place there is Merida . . . Merida, over 400 years old, with no link to the past other than that the founder tore down the Mayan temples for building stone for his house and his city . . . his city . . . who owns a city? . . . yet, the Montejos are a legend to this day . . . the honored name that plundered a civilization . . . a gigantic bulldozer separating the Indians from the gods of their ancestors so that they may better accept the blessing of Christianity . . . the blessings of the new religion that mattered but little and brought but little . . . the hunger and want prevailed over them both.

Merida is not a pretty city . . . nor is it wealthy . . . it anchors the countryside predicated on the dying economy of the sisal plant . . . the green-gold that turned to ashes in the test tubes of a DuPont laboratory . . . there are thousands of miles of narrow gauge tracks rusting away in symphony with the disintegrating ruins . . . smokeless stacks shadowing silent machinery . . . the wheels turn no more . . . and may never turn again.

Merida, where there are only the rich and the poor . . . little else in between . . . Merida, where the Indians pad along in silence and stare in awe at the luxury and opulence of the Panamericana Hotel . . . a new temple to house the rich from the four corners of the earth . . . the Panamericana, ice tinkling in glasses . . . air-conditioned comfort and Simmons' beds in the land of the hammock and sultry heat . . . they stare in silence and steal away, trudging across the rocky land to their palm-thatched, one-room cottages.

Merida is also a man picking fish heads out of a swill barrel for his evening meal . . . a local night club whose permanent equipment includes a horse and two live deer . . . canyons of nameless streets and thousands of blank, staring faces . . . it is also a dead horse lying by the side of the road, fought over by the carrion creatures . . . the carrion creatures that haunt the land . . . sailing, sailing overhead on the thermal updrafts . . . seeking, searching and never, never being in want.

It is also the place from where you return to the creeping silence of time . . . you return to the land of unrest and crisis . . . the land of strife, tension and turmoil that you call home.

NATIONAL COMMUNITY COLLEGE WEEK

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BELL of California. Mr. Speaker, concerning the following resolution, I would like to mention briefly its inspiration. Despite the extravagant attention paid of late to campus disruptions by a small minority, the great majority of our Nation's young people are pursuing the educational and community goals which will better enable them to exercise the leadership that will soon be their responsibility.

In an effort to enrich their appreciation of the problems and culture of another region of our Nation, students at Santa Monica City College in California are participating in an "exchange" program with students of Alice Lloyd College in Pippa Passes, Ky. As a highlight of Community College Week, two Santa Monica students will travel to Kentucky, attend classes there, and return to Santa Monica with two students from Alice Lloyd College. The Kentucky students will participate in a range of activities involving the Santa Monica community.

It is a privilege to contribute to this effort by commending to the attention of my colleagues the resolution calling for observance of National Community College Week:

JOINT RESOLUTION

Authorizing the President to proclaim annually the week including May 9 as "National Community College Week".

Whereas the community college is the only form of higher education developed in the United States for utilization by all citizens; and

Whereas the community college affords opportunities for personal and educational growth to students who might be unable to obtain an education at a more distant college; and

Whereas the community college involves students in meaningful community projects and city improvements; and

Whereas students at some of our Nation's community colleges now designate the week including May 9 as "Community College Week": Now, therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue annually a proclamation designating the week including May 9 as "National Community College Week" and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

THE CRIME PROBLEM AND INDIVIDUAL RESPONSIBILITY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. ASHBROOK. Mr. Speaker, the necessity of citizen interest and support in the war on crime has been emphasized many times by Director J. Edgar Hoover of the FBI, who is certainly qualified to speak on this subject. One citizen who is encouraging the American public to constructively participate in the campaign for law and order is H. Bruce Palmer, president of the National Industrial Conference Board, whose wife was murdered in their New Vernon, N.J., home in September 1967.

Some months after his tragic loss, Mr. Palmer was instrumental in forming Citizens for Justice With Order, an organization directed at responsible citizen effort in the fight on crime. With the help of such organizations as the American Bar Association, the International Association of Chiefs of Police, and prosecutor groups to provide pertinent information on the nature and severity of the crime problem, Citizens for Justice With Order seeks to alert action organizations such as the General Federation of Women's Clubs and other groups to become involved. Emphasis is placed on "a constructive approach" rather than "a destructive approach of the vigilante type."

The New York Times of May 1 carried an article, "Fight Against Crime Costly to Business," which illustrates the type of approach which Mr. Palmer utilizes in his campaign. Coupling the current cold facts of crime with a deep religious faith, Mr. H. Bruce Palmer endeavors to revitalize that sense of individual responsibility which has made this Nation so unique.

I request that the above-mentioned article from the New York Times of May 1 be inserted in the RECORD at this point:

[The New York Times, May 1, 1969]

FIGHT AGAINST CRIME COSTLY TO BUSINESS

The nation's "No. 1 problem, crime," is causing hundreds of millions of dollars in price rises and increased security costs in business and industry, an executive said here yesterday.

H. Bruce Palmer, president of the National Industrial Conference Board, cited examples in an address before an institute on New York City economy.

Mr. Palmer who has been mobilizing resources against crime since his wife was murdered in their New Vernon, N.J., home on Sept. 29, 1967, said Sears, Roebuck and Company reported that 1½ per cent—or $120-million—was built into its price structure to offset the value of merchandise stolen

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from its stores. He said the company, which has annual sales of $8-billion, maintained a police force larger than the 14,000-member police force of Chicago.

The National Retail Merchants Association, Mr. Palmer told the session at 345 East 46th Street, estimates its retailers' similar price factor at 2.63 per cent on total retail sales of $9-billion. The A.&P. Food Stores, he said, "lost last year in value of merchandise more than it made in profits."

General Motors Corporation, he said told him it spent $60-million last year "for the security of the lives and property of its people."

Mr. Palmer, who became chairman of the organizing committee of the new Citizens for Justice With Order last December, said that only one of every eight reported crimes resulted in arrest, prosecution and punishment. His guess, he said, is that this meant one of perhaps an actual total of 20 or 30 crimes both reported and unreported.

Declaring that "our court system in our nation has completely broken down," Mr. Palmer suggested that the courts invoke automated processes developed by business.

YOUTHS "GOOD TARGET"

Youths aged 14 to 17, he said, commit 50.5 per cent of crimes and should be "a fairly good target" for anticrime efforts.

The police around the country, he said, are "undermanned about 50 per cent, their morale is low, and education and training completely inadequate."

The new citizen effort, he said, has on one side the American Bar Association, International Association of Chiefs of Police and prosecutor groups for "input of facts," and on the other, "action organizations led by the General Federation of Women's Clubs, with 15 million members."

Mr. Palmer, a tall, 60-year-old man with silver hair, stilled a luncheon of more than 100 leaders convened by the New York City Council on Economic Education when he said he was "convinced God had a purpose" in stirring him, after his wife's death, to lead an anticrime effort.

He recalled that three weeks before her murder, his wife had suddenly urged that they "find and buy a cemetery plot." A week before her death, he said, she wrote a six-page letter on their 37-year married life to their oldest daughter ending, "I have lived a full, complete and happy life."

FAITH BECOMES STRONGER

"You wonder about your faith and religion and whether you will ever have peace of mind again," Mr. Palmer said. "My religious beliefs have become much stronger. I have prayed more than ever in my life."

He said 2,000 people who "loved and respected" Mrs. Palmer had written him, including leaders pledging support in any program against crime. "I had an immediate resolve that I would do something about this problem," he said.

Asserting that "our citizens are completely frightened, angry, frustrated," he said there could be "a constructive approach," which he was seeking, or "a destructive approach of the vigilante type."

TAX REFORM

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, radio stations WTMJ AM and FM and WTMJ-TV recently broadcast the following editorial stressing the need for tax reform and supporting an increase in the $600 personal exemption to $1,000. This editorial was broadcast April 19, 20, and 21, and enforces my belief that tax reform must be a priority item in the 91st Congress.

President Nixon will reveal his tax reform proposal either Monday or Tuesday at a time when across the nation the people are engaging in organized or unorganized tax revolts. Federal tax reforms, of course, are long overdue. Last year 155 Americans, who reported incomes of 200-thousand dollars or more, paid no taxes at all. These included 21 who had incomes of one million dollars or more. The treasury also tells about a taxpayer with an income of one-million 300-thousand dollars who paid a tax of only $383. This is seven dollars less than the federal government expects from a one-child married couple with an income of $4,950.00. The millionaire taxpayer sought shelter from higher taxes by using perfectly legal capital gain and personal deduction provisions.

The treasury has proposed what it calls a "minimum tax" aimed at persons who have large tax-exempt income. It also proposes a "maximum tax". This would require that no person pay more than 50% of his total income, including the present tax-exempt income. Tax reform, however, must go deeper and close existing loopholes. This would permit a more realistic personal exemption figure.

The present $600 personal exemption was adopted in 1948. Since that time the cost of living has risen 40%. The exemptions for you and your dependents should be at least $1,000 each.

A recent Harris poll showed that 72% of the people in this country think taxes are excessive. It's no wonder. The average American, particularly the middle-income person who is bearing the brunt of the high cost of government, is fast losing confidence in the fairness of the federal tax system.

MASSACHUSETTS LEGISLATURE RESOLUTION TO IMPROVE SOCIAL SECURITY PAYMENTS

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. DONOHUE. Mr. Speaker, I am pleased to include the resolution recently adopted by the Massachusetts Legislature urging the inclusion of a cost-of-living index formula in social security benefit payments. As the Congress moves toward the further improvement and expansion of the social security system, in response to the increasing economic strains upon millions of our elderly citizens, I most earnestly urge and hope that my colleagues and the administration will heed and act in the language and the spirit of this wholesome resolution which follows:

RESOLUTIONS

Memorializing the Congress of the United States to enact legislation to include a cost-of-living index formula in social security benefit payments

Whereas, Under the present regulations those persons receiving social security benefits are limited to a fixed income; and

Whereas, Many of the persons receiving such payments are almost totally dependent upon them for their living expenses; and

Whereas, The cost of living has increased continually from year to year; now, therefore, be it

Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation providing that there be a cost of living index formula included in the method of computing payments under the social security law; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

GARRA MAKES A DIFFICULT DECISION

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BOW. Mr. Speaker, I have long believed that the so-called fairness doctrine of the FCC needed review and clarification, and I have now come upon an illustration of its operation so ridiculous as to convince even the most ardent advocate of fairness.

A candidate has withdrawn from the nonpartisan race for councilman-at-large in Alliance, Ohio, because the radio station cannot risk having all of his opponents demand 15 minutes of "equal time" each day. The withdrawn candidate presents, without pay, a 15-minute daily program entitled "Morning Meditations," very popular in the community He would rather continue the program than run for council, and I cannot say that I blame him. I do condemn, however, a doctrine that forces public-spirited citizens into decisions of this kind.

I wish to include with my remarks an editorial from Radio Station WFAH which explains the matter more fully. The editorial follows:

GARRA MAKES A DIFFICULT DECISION

We feel an obligation to our listeners to explain the circumstances in regard to Richard Garra's decision to withdraw from the race for Council-at-Large in the city of Alliance. As you may know, Mr. Garra is currently holding such office, ending his first two-year term.

Section 315 of the Communications Act provides that "If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting stations." There are only a few exceptions to this rule, such as appearance on a bona fide newscast, news interview, documentary or spot coverage of bona fide news events.

Mr. Garra has been identified with our program, "Morning Meditations," which program he hosts without remuneration of any kind. And the content of his program is and, we are confident, would be non-political in every respect. Yet, the law is specific, and the station would have to make available to every candidate for the same office an equal amount of time, which he could use for the promotion of its own candidacy.

This would neither be fair to Mr. Garra, nor could the station make that much time available—as much as an hour a day. Nor would it be in the best interest of the community.

Broadcasters have been attempting to get Congress to repeal Section 315 of the Act,

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but to no avail. There are many hardships created by it for both candidates and broadcasters.

We commend Mr. Garra for retaining his program, though it is quite a sacrifice in view of the circumstances.

COWARDICE AT CORNELL

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. WYMAN. Mr. Speaker, no matter how you slice it, the failure of Cornell's president and university administration to expel its deliberate student anarchists is going to shame a proud university.

If, as reported in the following Evans and Novak column, University President Perkins continues to have the support of Cornell trustees after such conduct in office, it is to be fervently hoped that the Cornell alumni will pull the rug out from under the whole sorry mess and give Cornell a new start. Perkins' permissive appeasement amounting to surrender to criminal vandals is a disgraceful example for the rest of academic America. It proves beyond question what will happen to any college leadership discovered by the insubordinate few to be lacking in courage and firmness.

ANARCHY AT CORNELL AND HOW IT GREW FROM MILITANT MOVES OF DECEMBER

(By Rowland Evans and Robert Novak)

ITHACA, N.Y.—The surrender last week of Cornell University's Administration to rifle-toting black militants, a new precedent in the national campus civil war, was no isolated incident but rather the climax of deepening anarchy here.

Despite the official Cornell line congratulating itself on a peaceful escape from bloodshed, there is no doubt that President James A. Perkins accepted the black demands in an atmosphere of coercion. While armed Negroes were occupying a university building, lesser publicized events had so terrorized a majority of the faculty and student body that they were eager for appeasement.

Responding to threats broadcast over the radio, faculty members branded as "racists" were forced to evacuate their homes for the night. One black student who openly opposed the resort to force was spirited across the border into Canada for safekeeping by friends. Unidentified rifle shots fired at a classroom building aggravated the tension. Moreover, the burning cross which supposedly forced black militants into armed insurrection is widely believed here to have been set by Negroes themselves.

That this lovely upstate New York campus could be so deformed by strife is in part attributable, ironically, to Perkin's well-meaning liberalism in recruiting black students, many of whom were ill-equipped for Cornell's academic demands. This inadequacy led some young Negroes into increasingly more belligerent postures here. Cornell's administration, faculty, and students, bearing an immense guilt complex toward Negroes (freely admitted by Perkins), could not bring themselves to impose discipline.

The watershed event came in the spring of 1968 when three Negro students, infuriated by an economics professors' classroom contentions about the superiority of a Western civilization, seized the offices of the economics department and held the department's chairman prisoner. When the Perkins administration did not press charges against the students, it flashed the green light for anarchy.

Pushing an action campaign for an autonomous black studies program, the militants moved on many fronts last December: The takeover of a university building (actually promised them for a later date) with professors and their belongings dispossessed into the street, the theft of furniture to furnish the building, dancing on dining hall tables, disruption of library stacks.

Perkins' permissiveness and the black militants' contempt were graphically exhibited during these December demonstrations when black militants staged a sit-in outside Perkin's office. Trying to make friends, Perkins sent out doughnuts and milk. The militants responded by smashing the refreshments against the wall.

Even more bizarre was an incident two months later when the Afro-American Society demanded $2000 from the administration to buy bongo drums to celebrate Malcolm X day. Within two days, the administration scraped together $1700 and dispatched two black student leaders down to New York City in the university plane to purchase the drums.

But pressed by a few faculty members, the administration did reluctantly bring charges against six of the more flagrant December demonstrators. Consequently, once the blacks won their demand for an autonomous black studies program early this year, radicals stepped up direct action around a general theme of amnesty for the six demonstrators.

To the accompaniment of the university-purchased bongo drums, Perkins on Feb. 28 was physically pulled down from a speaker's platform at a conference on South Africa. A few days later, job recruiters from the Chase Manhattan Bank were physically assaulted. In mid-March, three white students were beaten at night on campus—one to the point of death; two of the victims identified their assailants as Negroes while the third was in no condition to identify anybody.

Thus, as spring came to Cornell, wholly non-political students decided it would be prudent not to stroll the quadrangle at night. Simultaneously, Perkins became the open target of derision by the black militants, who wore sheathed knives in their boots during conferences with him. In one such meeting, a leader of the Afro-American Society described Perkins to his own face with an obscenity widely used in the black ghetto.

Behind the scenes, Perkins' lieutenants were quietly prodding the faculty to quash the charges against the six December demonstrators—a surrender the faculty finally agreed to last week in the atmosphere of armed insurrection.

In an interview, Perkins told us he intends to stay on as president of Cornell and feels he has full confidence from the board of trustees. If he is correct, his method of buying peace on the campus may well become the pattern for college administrators around the country. The implications for Cornell as an educational institution and for liberal education in America generally will be discussed in another column.

CONGRESSMAN KOCH'S LEADERSHIP IN PROMOTING MASS TRANSPORTATION

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. OTTINGER. Mr. Speaker, I was proud to cosponsor with my colleague from New York, Congressman KOCH, a bill providing for the establishment of a mass transportation trust fund with $10 billion in financing over the next 4 years. Congressman KOCH should be applauded for his initiative in this vital area. His district and his State can be proud of him.

It is obvious that our urban areas are literally strangling in traffic congestion. Development of modern, efficient, and convenient mass transportation is vital to the economy of our cities and the suburbs around them. Yet, we continue to invest several billion dollars each year in construction of new highways while the urban mass transportation legislation enacted 5 years ago suffers from fiscal malnutrition.

This is a glaring example of the misplaced budget priorities which have existed in recent years and which are continuing under the current administration. Congress must act, and without delay, to reorder these priorities and we can begin with transportation.

House hearings will be held next month on Congressman KOCH's bill and similar measures. I am hopeful these hearings will be the first step toward development of an effective mass transportation program. If they are, ED KOCH must certainly take a major share of the credit.

NEW ZEALAND PRIME MINISTER URGES COUNTRYMEN TO ACCEPT ROLE IN SOUTHEAST ASIAN SECURITY

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. ZABLOCKI. Mr. Speaker, in a recent address, the Prime Minister of New Zealand, the Right Honorable Keith Holyoake, made a major statement of his country's defense and foreign policies.

In it he eloquently defended New Zealand's decision to become actively involved in the regional security of Southeast Asia through its decision to retain military forces in Malaysia and Singapore after the British withdrawal and its assistance to the Republic of Vietnam.

At a time when too many of America's allies seem reluctant to shoulder the burden of peacekeeping and the maintenance of security, Prime Minister Holyoake's words are indeed encouraging.

He has recognized that in our modern age no country can be an island in the sense of being isolated from the other nations in its region. Our Nation, which has sought to foster regionalism in Southeast Asia, should applaud his realism and commitment.

Although Prime Minister Holyoake was speaking to an audience of his countrymen, I believe his words deserve a wider audience. He proposes ideas which are relevant to our own concern about the future of the Pacific Basin and richly deserve the attention of Congress and the American people.

For that reason I am pleased to insert in the RECORD at this point, thereby calling to the attention of my colleagues, the speech of Prime Minister Holyoake to the New Zealand Institute of International Affairs:

A Defense and Foreign Policy for New Zealand

(Speech by Prime Minister Keith Holyoake, before New Zealand Institute of International Affairs)

I am pleased and honoured to be your first guest speaker invited by the New Zealand Institute of International Affairs under its new organisation to give an address upon an issue of foreign policy. There is a rapidly growing interest in our foreign and defence policies. This is a healthy sign and this Institute can help maintain and increase that interest by promoting informed debate.

I want to talk today about our national security policy, the broad range of national activities designed to promote and protect the security, stability and well-being of New Zealand.

In the past too many people have ignored the issues and pretended that there was no problem. They have been content because they believed that New Zealand was tagging along behind Britain and that this was the obvious—the 'loyal'—thing to do. This attitude is clearly irrelevant today, and has been irrelevant for years. Now that there is a growing interest and concern, we can hope for a greater awareness of what we are doing and a greater readiness to accept the burdens our nation must carry. Interest and concern alone, however, are not enough. There must be a determined and deliberate effort at understanding; there must be a readiness to consider what the country has been doing in recent decades; and there must be a willingness to think, in hard and realistic terms, of our short and longer term national position.

As I said in my Defence Policy Statement last week: "It is obvious that a fundamental change is taking place in the framework for our operations in South-east Asia". The successive British defence reviews, culminating in the decision last year to withdraw all forces from Malaysia and Singapore by the end of 1971, compel us to examine our position. The approach—we may hope—of the end of the Vietnam War should enable us all to examine our broad policy and national needs without the emotional overtones and distortions that have obscured issues in recent years.

An analysis of our national security policy must begin with some geography and some history. For 100 years, New Zealand's relationship with Britain enabled us to evade the full implications of our geographical position. But, more recently, as the relationship has changed we have had to come to terms with geography. New Zealand does not consist of a few islands somewhere off the coast of Britain. We look north on to the Pacific Ocean. We have many important goals—of national policy—a life of satisfaction and expanding opportunity for our people, greater trade, and so on. But our first concern must be security because it is on this that the achievement of our other goals directly depends. We are concerned with the security of our nation, of the region in which we live, and of the world at large. There is nothing novel in this. It is true of every nation that is determined to remain one. But the way in which our security is sought, the directions in which we seek it, cannot be copied from any other country. They must be determined—discovered if you like—in the light of the special circumstances of our own geography, our own relationships and our own history.

Our historical links with Britain have been very close. In the circumstances of the first half of this century, it made sound sense to work closely with Britain. We were a small power and we felt dependent for our security on cooperation with the head of the empire and Commonwealth. In the Second World War we learnt to cooperate with a second great power, the United States, because our security depended completely on it. But the greater part of our military effort was still made in Europe, and made within a British structure.

The concept of seeking defence in a collective effort—in cooperation with others—thus came naturally to us. It was strong in the 1930s and in the post war period. Within the United Nations, or if needs must, outside it, we would seek our security by a readiness to join with others in a collective effort. But in the new situation of the post war era, our effort came to be directed to the Pacific and its troubled western rim, the Western Pacific, or East Asia, (or to use an old name, the Far East). I need not recall at length the successive steps in the development in our policy: the Korean War in 1950, the ANZUS Pact in 1951, the Manila Treaty in 1954, the decision in 1955 to accept a wartime commitment in South-east Asia and a peace time contribution to a Commonwealth Startegic Reserve; our association with the Anglo-Malayan Defence Agreement; our actions in the ten year Malayan Emergency, during Indonesia's Confrontation with Malaya and Singapore, and in Vietnam, and the brief deployment of forces to Thailand in 1962. Nor do I need to remind you of the other steps that we have taken over the years in order to contribute to the development of the Asian and Pacific region and to the consolidation of our ties with its member countries: our membership of ECAFE, our activities under the Colombo Plan, our membership of the Asian Development Bank, our membership of ASPAC, our support for the development of regionalism, and the steady expansion of our network of official posts. It is not the detail which is important, but the steady development of a national policy and a national capability, exercised in concert with others but in accordance with our own decisions, giving depth and a substance to the concepts of collective security and of a national role.

The past two decades have not always been easy. There have been setbacks and difficulties. But the policies we have followed, in concert with our friends, have on the whole had good results. It is important therefore, when calls for new policies are made, to understand exactly what it is that we are being invited to abandon. And it is important too that we keep steadily in mind the very real difference between shaping a policy and striking an attitude, between making a hard calculation of the nation's best interest and lightly consigning it to agencies or arrangements that are untried, irrelevant to our conditions, or already shown to be ineffective. Let us then consider the broad lines of historical development in our area of strategic interest over the past two decades.

In 1945, a devastating war came to a close. It had brought not just material damage, but sweeping political changes and social upheavals. In East Asia, where Japan, China and Thailand had been the only independent countries before the war, Japan was defeated and a communist regime soon came to power in mainland China. At the same time, the colonial hold on South-east China started to crack. This period of dramatic change was clearly bound to continue and the risk of unfriendly regimes coming to power seemed great, particularly because of the threat of militant communism. In some circles it has been unfashionable to speak of the communist threat (or at least it was until Czechoslovakia) but at that time the communist world was rigidly unified, the communists had shown they would act ruthlessly and with armed force to impose their rule, and communist policy throughout Asia was one of armed revolt and conquest. Emerging from a time when we had faced a very direct and immediate danger to our security, New Zealand had to feel concerned about the future. In the East Asian and Pacific area, so critical for us, we had no independent network of government representation and few independent means of action.

Let us move forward a few years to 1955, the year in which we took the decision to send forces to Malaysia and Singapore. The immediate danger of war in both Korea and Indo-China had passed, but the future was still uncertain. The truce in Korea and the ceasefire in Indonesia were both precarious. The non-communist governments in the former French Indo-China were not solidly established and faced grave problems. South Korea was in ruins. The Republic of China was still shaken by the loss of the mainland and the transfer to Taiwan. Japan was beginning to make good progress, but its future as an independent government was still far from certain. The alliance between Communist China and the Soviet Union was close. Communist China's prestige was high, as seen by its role at Bandung. There seemed a real risk that its model would prove attractive to the rest of Asia. Indonesia, by contrast, was stumbling, Thailand uncertain, Malaysia still a colony and still vulnerable to communist terrorism. It was a rather unpromising and dangerous area in which we were committing ourselves. Moreover, our national means were exiguous: around the Pacific, independent New Zealand diplomatic representation existed only in Washington, Canberra, Ottawa, with a small trade office in Tokyo and a colonial administration in parts of the Pacific, but nothing in South or South-east Asia. We were not well placed to formulate a national policy nor carry it out. And yet clearly developments could affect us deeply.

Let us turn finally to today. Since 1955, there have been crises, changes of direction, and reverses, but much cause for encouragement and satisfaction. A review of the basic changes will set the background for a discussion of where we stand today.

Japan's economic miracle has been repeated so consistently that it is clearly no miracle; its democratic preliminary parliamentary political system is well established; it has become more active, in a constructive manner, throughout the area. South Korea has traversed a difficult political transition from the authoritarian Rhee government through coups to a more soundly and broadly based government; it is starting to show greater confidence and greater progress; another economic miracle may well be in sight. Communist China abandoned moderation over a decade ago; the Great Leap Forward and the Cultural Revolution have convulsed the country and the earlier economic progress have been followed by alternate spurts and stagnation; the alliance with the Soviet Union and friendship with India have been broken; the regime's reputation abroad has suffered from its own internal failures and its external meddling in the affairs of others; it has made progress in recent years in developing nuclear weapons but not in winning acceptance for its claims to leadership and its militant policies. The Republic of China has consolidated its position from one of fragility to one of very considerable strength.

In South-east Asia, the process of decolonisation has been completed. Only in one case—North Vietnam—has it led to the establishment of a communist state—although the communist effect still continues, with great strength in South Vietnam and Laos, with less strength elsewhere. On the whole, communist prospects are much less favourable than in 1950. On the whole, the governments of South-east Asia are more firmly established, and the economies in sounder shape than seemed likely in 1955. Malaysia and Singapore are progressive, stable, and democratic. Malaysia and Singapore are prodemocratic. Indonesia has abandoned the dangerous and self-defeating policies of Sukarnoism, Thailand is modernizing itself. Progress has been made towards greater regional cooperation.

In the Pacific, too, there have been changes. When our trusteeship for Western

Samoa ceased at the beginning of 1962, it was the first independent Pacific state. The Cook Islands have been brought to Internal Self Government. Political progress is being made in other territories. The Pacific peoples themselves are being given a more significant role in regional bodies.

This progress in East Asia and the Pacific has not been achieved by accident or luck. It has been achieved by effort—mostly from the peoples most directly concerned, the peoples of each country themselves, but with significant help from other countries, including New Zealand. This assistance has had to cover many fields: political, economic, information aid and military. Look at what our own country has done since the decisions of 1955. We have built up our government representation in the area, beginning with Singapore in 1955, until now we are represented in all the major countries of South-east Asia, as well as India and Japan; the greatest gap in our direct representation—Peking—stems from the insistence of Communist China that its claims to override the wishes of the people of Taiwan be accepted. Our relations with the countries of Asia, especially South-east Asia, are excellent. Our trade with South-east Asia has grown; our exports have risen from $1 million in 1950 to about $20.5 million in 1967/68. Our Colombo Plan effort, at first heavily concentrated on South Asia and taking mainly the form of capital grants, has been remoulded to give more emphasis to South-east Asia and to technical assistance; new aid agencies have been joined.

Someone may say that I am spending a long time talking about things other than defence, that I should just be talking about what our forces have done and what changes in equipment or deployment there have been. I don't think so.

I do not believe that our defence policy can be set off into some compartment separated from our overall policies. What we are concerned with is the situation we face as a nation, looking out on to the world around us and looking into the future. Defence policy takes its place in that context. And, indeed, we all know that, in our concern for the establishment of a stable and friendly South-east Asia, we have felt obliged at times to take military action. We have maintained forces in the area, not just to enable us to meet our obligations, but also to contribute to confidence and security. We recognised that there could no longer be any question of waiting for total war to break out and then taking a year or two to build up a large force: highly trained forces in being, acclimatised and ready for action were needed to help prevent the situation reaching that point.

Following upon this recognition New Zealand has since 1955 twice deployed forces in fulfillment of our obligations under the Manila Treaty: in 1962, to Thailand, when the dispatch of allied forces helped prevent deterioration of the situation in Laos, and in 1965 to South Vietnam, where they have helped to check communist aggression. Twice, also, we have deployed forces to help our Commonwealth partners: during the Malayan communist guerrilla Emergency and in the action to check Indonesian military aggression. We have committed these forces in these cases as a result of our national decisions, made in the light of *our* assessment of the situation and of *our* concern to meet our obligations. Basically, these decisions reflect the belief that collective action, with others, in accordance with obligations we have accepted, will contribute to our security as well as others. And these decisions must be seen in the context of our general policy in the area.

What conclusions can we draw from this survey of the past? They can be simply stated. What we have done in South-east Asia has involved a broad national effort; it has been developed over a comparatively long period of our history; it has been imposed by the logic of our national situation; and it has so far served us well. These are points to remember when we turn to the future. It is right to reassess. But we cannot reassess by ignoring what we have done, or focusing on only one feature, or pretending that all our actions were mistaken or were simply undertaken at someone else's bidding. It is in knowledge of the past that we can turn to the question that we as a nation must answer today; in the new situation emerging today, will our basic policies continue to be sound and in the national interest?

The proper place to begin is with an analysis of the situation we shall face.

In the short term, we still foresee no direct threat of attack in the area immediately around New Zealand and we believe that, if we and others follow sound policies in the Pacific Islands, there need be no instability there that will cause tension or difficulty. Moreover, looking to the longer term, provided reasonably sound conditions can be created in East Asia, we see no reason to believe that there will be any direct threat to New Zealand independent of a threat to other countries in the region. And since we are anxious to see that there is none, we have to consider what we can do to promote security and stability in East Asia.

In East Asia one great problem is the role of Communist China: reunited, militant and dedicated to the remoulding at its neighbours to conform with what it regards as inevitable communist victory. Communist China has lost much of its momentum and its mystique but it still pursues dangerous doctrines. Nevertheless in most directions it is checked.

We think that the position to its north-east is progressing well. Japan is prosperous, stable and democratic. South Korea is moving rapidly ahead. The Soviet Union, we may be sure, will prevent any expansion of Communist China to the north and north-east. In the south, the Himalayas are a strong barrier, and both India and Pakistan are determined to maintain their independence; their problems are essentially internal.

The problem of the divided China is still a real one, but the Republic of China is more soundly established in Taiwan now than seemed possible in 1949.

It is in South-east Asia, divided and with some vulnerable weakness, that there may be room for an enlargement of area of influence. Any trend of this sort would pose a long term threat to Australia, and to New Zealand. In the short term, it would carry the danger of instability and of hostilities.

It is for these reasons that our defence interest has come to be focussed primarily on South-east Asia, I submit that these reasons are still valid.

Let me state straight away that the problem of communism is only one of the problems of South-east Asia and indeed of Asia. Underdevelopment; the existence of ethnic minorities; border problems; differences in religion, language, culture and colonial experience that separate neighbour from neighbour; problems of urbanisation and the rapid social change; problems of building strong nation states with institutions adjusted to the modern world and to the national character: all these exist. These are difficult problems to resolve; they are also an exciting challenge for the peoples of South-east Asia which they are acting to meet, with some considerable success. If anyone expected me to say that Communist China and Communist North Vietnam or communist pressure is the only problem, I must disappoint him. There are other causes of instability: Communist China, in particular, must be expected to continue to exploit these, but it does not create them.

The search for stability and progress in South-east Asia—and more generally East Asia—will be one of the key issues in the world over the next few decades. New Zealanders must make up their minds whether they want to play a responsible part in that search, in concert with others, or whether they want to sit back with their fingers crossed, and leave the effort to others. It would be consistent with our past policies and our present commitments to be ready to play a part. We can try to ignore both our past policies and the present challenge but I believe that we would be ill advised to do so. Moreover, there is every reason to be confident that the effort will be successful. I have already pointed out that, despite the problems we see today, progress has been made, and this trend seems likely to continue. In most countries of South-east Asia, governments are now more representative and more solidly established than before; in most countries economic progress has been achieved; progress towards regional cooperation—chequered, but with a perceptible trend—is being made. There are bound to be setbacks, reverses and problems, and there are bound to be further political changes, evolutionary and revolutionary. But the problems will not simply disappear if we and others turn our backs on them, and we can have reasonable confidence that problems can be met.

This question—the attitude we are prepared to take to the challenge in Southeast Asia—is more important, more basic, than some of the detailed and immediate issues that we sometimes concentrate on. One of these is the future of our defense forces in Malaysia and Singapore. Let me try to put that question in the broader perspective I have been attempting. When we deployed forces to Southeast Asia in 1955, it made sense to do so as part of a large Commonwealth structure and this will continue to be true until the end of 1971. Only once—because of the decision of one Commonwealth country not to participate in collective action—have we operated outside a Commonwealth structure, in Vietnam. But our interest in Malaysia and Singapore did not arise because of British military presence or the Commonwealth link with Britain; it arose from our interest in the security of South-east Asia as a whole. The form in which that interest was expressed is less significant than its substance. After 1971, that interest will continue, and our role in the area should continue.

The day following the British announcement of the defense decisions of January 1968 I said that "what is certain is that we shall continue to seek our security in concert with like-minded nations and to play our part in collective defense". Since then we have been working hard to reassess our longer term role, in consultation with other countries concerned: Malaysia, Singapore, Australia, Britain (for it still has an avowed interest in the security of the Far East), and the United States, which will inevitably have the major responsibility for counter-balancing the threat of Communist China's nuclear power. But the basic approach behind our consideration of what forces from any service we should have in the area after 1971 has been the belief that we have an interest and a role. The main argument in favour of the deployment of forces forward—the ready availability of trained and acclimatised forces for "fire brigade" action—is still valid and will remain valid for as far ahead as we need foresee. The detailed size and shape of our forces in Malaysia have varied in the past according to the actual needs of the time: the Canberra squadron has sometimes been deployed in Malaysia, sometimes in New Zealand; sometimes we have had more than a battalion, sometimes less; always a frigate, sometimes additional naval elements. If it is accepted that we are prepared to face a responsibility and a role in the future, we can then consider the size, and shape of the forces we are to deploy and can make the necessary decisions at the appropriate time.

Elsewhere in South-east Asia, our main obligation has been under the Manila

(SEATO) Treaty. The principal significance of the Treaty lies not in the Organization that was set up—for, unlike NATO, it has never had large standing armed forces or a unified peacetime command—but in the basic obligations it created. It is the only collective security treaty relating to South-east Asia, and it is the only treaty that extends United States security obligations to mainland South-east Asia. These two points remain as valid and as valuable today as they were in 1954, and we expect them to continue so. There will doubtless be changes in the situation in South-east Asia following the eventual settlement in Vietnam, but let me hazard a guess on two points: first, that the Manila Treaty will retain its significance and, secondly, that the settlement in Vietnam (and one hopes Laos) will need continued international interest and vigilance if it is to last.

International interest in these two areas—the Commonwealth arrangement for Malaysia and Singapore and the Manila Treaty framework further north—are likely therefore to continue to be important to the security of South-east Asia. Regional or sub-regional arrangements may also develop in time. We hope they will and where appropriate we shall support them. But so far no arrangement has had both broad membership and political depth. We have seen ASA and Maphilindo, and now ASEAN, the most promising of all. In due course, ASEAN or even some broader arrangement may develop a defence significance: I hope it will. But there is no point in dismantling the framework for security that exists before another is ready, or pretending that some arrangement linking everybody can be summoned up overnight: the countries of South-east Asia are not yet ready for this. We can contribute to the emergence of such regional arrangements by accepting a positive role within the region ourselves, rather than turning our backs on the area.

For these reasons I believe that a policy of collective defence and of defence cooperation makes good sense and deserves our support.

Some disagree and set forward several, quite different, objections.

One argument is that it is quite unnecessary. We hear people say "Communist China isn't expansionist; besides it doesn't matter what happens in South-east Asia, we'll be all right; certainly, we shouldn't face any direct threat for a few years, so let's keep our heads down and hope to be ignored." I don't find this convincing. Communist China's claim that it has the answer for other countries is clear and it obviously does not shrink from the use of force. Perhaps one could agree that no individual country in South-east Asia matters to us, just as other countries could ignore our fate, but on that basis there can be no security for anyone. In the long term, what happens there could lead to a direct threat to us. The example of other countries in other periods does not suggest that smallness and an earnest desire to be ignored are a necessary or sufficient guarantee of security. Moreover the assertions we sometimes hear that Communist China is bound to dominate South-east Asia or alternatively that South-east Asia is bound to go communist simply cannot be sustained on the evidence. There is no historical reason why Communist China should control the destiny of South-east Asia and the peoples of South-east Asia themselves reject such control. Communist China has no special attraction in South-east Asia: nor has Communism. Neither gives evidence that it can solve the problems of an underdeveloped Asia; the economic success stories in Asia are Japan, South Korea, Malaysia, Singapore, Hong Kong, not the communist regimes.

Another argument is that it is "immoral" to "choose" someone else's territory in which to defend oneself. We never have and never shall. We did not "choose" in 1939 that Nazi Germany should attack Poland; we did not choose in 1950 that North Korea should attack South Korea; we did not choose that there should be a Malayan communist guerilla Emergency, or Indonesia's Confrontation policy, or the Vietnam war. We faced a situation in which those wars existed. The question was not whether we chose to defend ourselves in other people's territory rather than our own, but whether we chose to ignore an attack on others. If one is to consider the morality of a collective defence policy, one must surely consider what other people think. Would the people of South Korea, Thailand, Malaysia, Singapore, South Vietnam think that it was immoral of us to respond to a request from them for help? I don't see anything very moral about deciding that we will ignore what happens to others in the hope that it won't matter to us.

Another argument is that our defence policy should consist solely of aid and trade, that aid and trade are the best form of defence. It is argued that we shall store up goodwill for New Zealand and attack the real root of security problems. Let me say straightaway that New Zealand is anxious to trade with Asia (and our trade with South-east Asia and indeed most Asian countries has grown substantially) and we have said that our aid will continue to expand as our resources grow. But aid and trade are important for themselves and in their own right. It seems to me a dangerous and illusory argument to justify them as some sort of defence weapon. In any case, our military assistance has also won us much goodwill in Malaysia, Singapore, Thailand, South Vietnam and South Korea. It is moreover a hard fact that goodwill alone does not ensure security. It is simply not true that aid and trade will prevent aggression or solve all security problems. No amount of economic aid to Malaysia and Indonesia would have saved Malaysia during Indonesian military aggression. It was necessary to show that armed attacks would be resisted. We do not have a choice between whether we give civil and or military aid: we must decide whether we are going to give both. Aid alone is not constructive defence: it is valuable in its own right, but it is not defence.

Some have advocated a policy of non-alignment or neutralism: a policy of remaining free from defence obligations. But, if we are free of defence obligations to others, others are free of defence obligations to us. I suppose for the next few years we probably wouldn't have anything to worry about, but I would not advocate staking the longer term future of our country on the belief that the political situation and the state of the military art will always be such that this is so. We have felt the need of friend before and we may again. Moreover, we do not see any wisdom in trying to huddle down in Fortress New Zealand or even Fortress Australasia and ignore the rest of the world. To me, it makes greater sense to take a part in helping shape events. Nor am I impressed by those who have asserted that neutralism will enable us to act as moral umpires or universal mediators: there is nothing very moral about renouncing a concern for the security of others; those without stature and without a readiness to act are rarely effective as mediators or anything else. Nor is neutralism always an "independent" policy: neutralist countries can be so scrupulous about finding a position midway between the two main power groups that their position is really determined for them by that of others. Neutralism or non-alignment as a policy suits some countries whose background and position are different from our own: but we are not a Switzerland or a Sweden. I do not want to see a Swiss or Swedish policy for New Zealand. I want to see a New Zealand policy.

Others want a qualified alignment. What that means. I'm not sure. I suspect it means they welcome a United States obligation to us, but don't want to have any obligation in return. They really want a one-sided ANZUS Treaty, a free ride, with the right to criticise the driver. If you want to criticise the driver, you need to pay your share of the costs of the journey.

Others have suggested we should look to the United Nations for our defence and devote all our support to it. New Zealand is second to none in its support for the United Nations. But there is no point in pretending that the Organization can do things that in fact it cannot, or arguing that we can help build the United Nations into an effective security body by renouncing our readiness to help others in case of need. Malaysia would not have survived in 1964 and 1965 if it had depended on the United Nations or if we and others had offered help only in a United Nations context.

Some have voiced concern that, by joining collective defence arrangements, we lost our independence or our independent judgement, that we are inevitably "committed" by other people's actions. A collective security treaty—whether it be the United Nations Charter or the ANZUS pact, the Manila Treaty or any other—is, like any treaty, voluntarily accepted by the Government as an act of sovereign and independent judgement. The reality is that under these treaties we have accepted an obligation, because we believe that the exchange of obligations is in our interest as well as others. Moreover, a treaty limits a country's freedom of decision only to the extent laid down in the treaty itself. I must say I find it odd that some people, in the one breath, can dismiss the ANZUS or Manila treaty as useless because it doesn't really commit the United States to help us and objectionable because it commits us inescapably. If there is "aggression by means of armed attack" we have an obligation to act—but we retain complete responsibility for assessing whether there had been "aggression by means of armed attack." If there is a threat to a Manila Treaty partner we have an obligation to "consult . . . in order to agree on the measures which should be taken for the common defence"—but we retain our judgement and voice on what the measures should be in the actual circumstances. We took the decision to contribute forces in South Vietnam because of *our* assessment of the situation, because we believed that there was aggression by means of armed attack bringing our obligations into force. Collective defence treaties are necessarily in general terms, because they record a general obligation of long term validity, not specific commitments appropriate only to particular situations. These treaties nevertheless have a real meaning where there is respect and a continuing habit of cooperation, New Zealand, in this respect, has been fortunate in its allies: our views are sought and heard; but we can only have good allies by proving ourselves a good ally. A good ally is not subservient: he has judgement and a voice, and uses them; but he is also prepared to take up his share of the burden. Our voice can be all the more effective by having an accepted place with our close friends, rather than sitting on the side lines. To take our share of the burden does not diminish our national independence: it is a mark of independent policy.

These are some of the factors that the Government has taken into account in reviewing where we stand today. We have announced decisions from time to time, notably our recent announcement that our forces would be maintained in Malaysia and Singapore after the British withdrawal. We shall have to take other national decisions from time to time.

There are, however, decisions of detail. The main policy lines are clear. In our judgment, the logic of our position points to a policy of defence cooperation and of a readiness to play a part in South-east Asia. New Zealand—indeed Australia and New Zealand together—

cannot take the British role in South-east Asia. There is no reason why we should. We can take a New Zealand role. It will be one of close cooperation with countries in the area and with countries interested in the security of the area. We are not writing a blank cheque guarantee for other peoples' security, but we are prepared to make a contribution to regional security. We are not accepting responsibility for internal security or internal disorders and we are not trying to impose our ideas by force; no one has ever suggested that we should. We know that we shall face situations in which we shall need to exercise judgment, and that our judgment will not always coincide exactly with others': this does not frighten us or seem so unusual. We know that the problems will often be complex and the judgment fine: this does not seem to us a reason to ignore the problems or abandon our judgment. Once it may have made sense to say "where Britain goes, we go". Now, as Britain withdraws from South-east Asia, it makes no sense to say "when Britain leaves, we leave".

In our judgement the reasons that led us in 1955 to become concerned for the security of South-east Asia, in cooperation with Britain, remain valid today for continued concern in cooperation with others. If anyone is frightened of the responsibilities and the burdens of a national role in South-east Asia, he would be right to argue that we should leave. But, today, New Zealanders should have enough confidence in their own judgment and concern for their future to accept the opportunities and the challenge it offers.

"OPERATION GRATITUDE," BY MRS. LINA M. ALDRIDGE, OF RUSHVILLE, IND.

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BRAY. Mr. Speaker, there is nothing more noble nor more touching, nor more indicative of patriotism and love of country, than those gestures made by the average American citizen that truly come right from the heart. Such a gesture was that of Mrs. Lina Aldridge, of Rushville, Ind. As Mrs. Aldridge put it in a letter to me, it was done "in deep gratitude to our servicemen who are serving our country and our flag."

Mrs. Aldridge's contribution was a symbol—an American flag, and following in her own words is a description of her work:

The SP Flag (The Service People's Flag) was made as "Operation Gratitude" project, in deep gratitude to our Servicemen who are serving our country and our flag.

It is made entirely of solid tatting—a form of lace—comprised of tiny knots, throughout. It is approximately 3 x 5 feet in size with a 1½ inch gold border, 50 full stars, and is reversible. Each knot tied is dedicated to a service boy. Each is entitled to claim a small portion of the flag, just by sending in his name.

I am rather safe in saying it is the only flag of its kind in the entire world, as there is no existing pattern. It is known as the "Lost Art." It took 3,000 hours in the making with a mini-sized shuttle. A little old 72-year-old lady made this flag in appreciation to our service boys, and through the dedication of this flag to try to unite as many of us as possible to back our boys, back here at home.

Mrs. Aldridge has given us all a lesson in patriotism and love of country, and I am happy and proud to call her fine work to the attention of my colleagues.

EARL WATTERSON

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. WIDNALL. Mr. Speaker, on Friday of this week, the Congress of the United States will be sustaining a loss when Mr. Earl Watterson of the Legislative Reference Service of the Library of Congress resigns from his present position.

While few Members of the House are personally acquainted with Mr. Watterson, I feel certain in predicting that within a matter of a few years every Member of the House and perhaps the Senate will be acquainted with the product of Earl's initiative and efforts.

In an effort to improve the legislative calendar of the House Committee on Banking and Currency, last year our committee staff raised the question of possible application of computer technology in support of this publication. Because the Library of Congress has initiated the use of data-processing equipment in the production of some of their legislative publications, Mr. Watterson's advice was sought and his response was so enthusiastic that we undertook to initiate the project.

As many Members of the House already know, the House Banking and Currency Committee this year became the first committee of the Congress to produce its calendar by entry and retrieval of information into an IBM 360 model 40 computer. The initial goals of our project experiment have been fulfilled in their entirety, largely as a result of the perseverance, patience, and cooperation of Mr. Watterson. Accordingly, ours is the only committee in the Congress which can, in a matter of minutes, upon request, give the status and summary of any pending legislation, based entirely upon automated retrieval from a computer located in the Library of Congress. Next week, our committee will publish a printed calendar produced in its entirety through automated information retrieval. In much less space and at significantly reduced cost, it will contain far more information on pending legislation than has heretofore been practical.

There is no question in my mind that it will contain far more information on pending legislation than has heretofore been practical.

There is no question in my mind that it will be only a matter of months or years before every committee in the House will adopt our system.

As I said at the outset, the House of Representatives owes a great deal to Earl Watterson for the outstanding services he has rendered. I look forward to the day when the Congress, either on its own or in partnership with the Library of Congress, takes full advantage of the benefits of the age of the computer. When that occurs—as it most surely will—I truly hope we can persuade Mr. Watterson to return and assist us in that process.

FIRSTHAND OBSERVATIONS ON NIGERIAN-BIAFRAN CONFLICT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BRAY. Mr. Speaker, there is a great deal of interest in the Nigerian-Biafran war, and there are many reports and suggestions advanced as to cause, background, and possible solution. Following is a letter I received from a young American girl whom I met recently. I have removed identification from the letter, for her protection, but she is obviously well qualified to speak with considerable firsthand knowledge on the situation.

Hon. WILLIAM G. BRAY,
U.S. Congress,

DEAR MR. BRAY: Following our recent conversation about the Nigerian-Biafran war, I want to put before you my impressions of the reasons for the war, as well as the possible results of alternative solutions. First, may I remind you of my connection with and interest in the situation. I was in Nigeria from 1962–64, during which time I met my husband. After our marriage we lived in Lagos, Nigeria's capital, until the situation in the country forced us to go to Eastern Nigeria. We settled in Enugu and were there when the East seceded from the Federation, taking the name (Biafra). Within a month after secession (June, 1967) Nigerian soldiers entered Biafra in what they hoped would be a quick police action to end what they called Ojukwu's rebellion. Neither side expected or was prepared for a long war. Two months later, when Nigerian troops were close to Enugu, which was Biafra's capital, we moved away from the enemy's line of advance. When Biafra was at its worst position, militarily, in September 1968, I brought our children to where my parents are staying for the winter.

The Nigerian Federation as it was when it became independent in 1960 had three regions or states. The largest and most heavily populated was and is now the predominately Muslim North. It is unfortunately also the most backward. Neither British colonial policy nor the native Northern rulers have encouraged extensive education or economic advance. The opposite was true of the West and the East, both largely Christian, where education is highly valued. Western Nigerians have made great strides forward, especially in the Arts, while Easterners—now Biafrans—have most of the technical know-how.

Easterners are also more aggressive in business. For years Ibos, members of the largest tribe in Biafra, established businesses and made their homes in all parts of the Federation. Every Northern town has Ibo businessmen, and even though few Northerners engage in business, they have somewhat resented the success of other Nigerians in their home region.

In Nigeria's drive for independence Easterners provided much of the leadership. Since independence political power has rested with the Northerners, since over half Nigeria's population is in the North. Yet few Northerners have the skills necessary to fill government posts. In their own region nearly all technical jobs are filled by non-Nigerians, because Northern rulers tend to resent the fact that their Christian countrymen are more skilled. Likewise in the federal government, when the Northern Peoples' Congress cannot find men from their own region to

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take government and quasi-government positions, they often prefer outsiders.

To maintain firm control of the Federal government after independence, the Northern Peoples' Congress formed coalitions according to the needs of the moment, first with the Eastern-based party, the NCNC, later with the Western-based Action Group led by Chief Awolowo. In a concession to Easterners, Azikiwe (an Ibo from the East) was made President of Nigeria, a role which carried little authority. A sense of public responsibility, such as is known, if not always followed, in Western countries, hardly existed in Nigeria. Corruption was widespread both in the federal and regional governments. In 1962 a plot to overthrow the federal government was reportedly uncovered, and Chief Awolowo, who commanded a large popular following, was tried and imprisoned for treason.

Easterns and Westerns alike became restive under the Northern leadership. Discontent came to a head with the release of the census report in 1965. Few Nigerians believed the figures; it was widely rumored that cows had been counted to inflate the North's population (it is a cattle-grazing region). In December that year a small group of army officers overthrew the government, and Ironsi was sworn in by the acting president (President Azikiwe was overseas) as military governor-general. Military governors were installed in all the regions, and many Nigerians hoped that with military rule, corruption could be curbed, if not ended, before new elections for a civilian government were held.

Although Ironsi was an Ibo officer, the coup was not, as Northerners later claimed, an Ibo plan to take over the country. In a sense, it was unfortunate that the only civilian regional governor not killed during the coup was that of the East. Even though other Eastern politicians were killed, Northerners felt this oversight pointed to an "Ibo plot." Even more unfortunately, Ibos living in the North did not mask their delight at the end, for the moment, to Northern domination of the federal government, nor at the deaths of the Northern Premier and the Federal Prime Minister, Alhaji Abubakar Tafawa Balewa.

In mid-1966 a counter-coup was planned and executed by Northerners, who replaced Ironsi with Gowon. In the next few months Northern army officers eliminated many highly placed Ibo and other Eastern officers, and several thousand Ibo civilians living in the North were killed. Even in the Western Region Ibos were occasionally harassed or killed. Despite frequent assurances from Lt. Col. Gowon that Easterners would be protected in all parts of the Federation, lives continued to be taken, and eventually almost all Easterners moved back to their own region. Thousands abandoned property and businesses they had owned for years.

Deep disagreement between Gowon and Col. Ojukwu, the military governor of the Eastern Region, followed these events. Ojukwu refused to turn over to the Federal government the revenue from oil production, maintaining that the East could not support the federal structure if Eastern citizens were not safe in all parts of the country. Furthermore Ojukwu never fully acknowledged the legality of Gowon's position, since Ironsi was the officer who had been sworn in by the last civilian government. This increased distrust between the two men.

When Gowon decreed that twelve states would be created out of the existing four, Ojukwu maintained that such a move was illegal without the consent of all regional governors, and he refused to allow the East to be divided. There were several meetings, most notably the one at Aburi, Ghana, when attempts were made to reach a compromise, but all failed. In mid-1967 Ojukwu, with the consent of the Eastern people, declared the East an independent republic.

The feeling among Biafrans was at the time of secession and still is that if Nigeria could not guarantee their safety in other parts of the Federation, they had little to gain as Nigerians. Biafrans also feel that Nigerian progress has been hampered long enough by Northern leadership, and if that leadership cannot change, they will be better off on their own. That Biafrans support Ojukwu was verified within the limits of my experience. The determination with which the war is fought, despite hardships and despite lack of weapons, also points to a desire for independence. Biafran propaganda has overplayed the "genocide;" still many people there are convinced, because of the Ibo massacres before the war and the ruthless manner in which Nigerian soldiers have sometimes dealt with civilians, that independence is their only hope. Gowon could not prevent the deaths of thousands of Ibos before the war, a Biafran would say, why should he be able to after? Biafrans also like to point out that Gowon professes to be a Christian (he is from the Middle Belt, or southern part of the North), yet he condones the slaughter of those he wants to call his compatriots.

The oil question has rankled Easterners for for a long time, though by itself it would never have caused secession. Oil revenue from Eastern Nigeria was shared among all regions according to population. Easterners felt they ought to have had a greater share, as it is located in their region. It is possible they would compromise on this issue, either within a confederal arrangement or in terms of paying a percentage of oil revenue to Nigeria for a number of years.

It is necessary to point out that if Nigeria had engendered in its people a strong national sentiment, the secession would not have taken place. It is precisely because Nigeria was an artificial creation, paying no regard to tribal interests or religious differences, that difficulties arose. One can "blame" the Berlin Conference of 1886 which drew the dividing lines in Africa, but it does not help solve the present trouble.

In my opinion, an independent Biafra would have a considerably greater chance of economic and social progress at present than a united Nigeria. Although it would lose the economy of scale advantage vis-a-vis Nigeria, an independent Biafra would have more time and energy to devote to economic and social problems, since less energy would be wasted on intertribal rivalry. No matter how much Western political observers like to think otherwise, tribes are still and will be for a long time to come the most cohesive units in parts of Africa.

If Nigeria were to be re-united, many highly skilled Biafrans would leave. It is doubtful whether Biafrans who held important posts before secession would be given back their jobs. The bitterness remaining would far exceed that between Southerners and Northerners after the United States' Civil War.

A confederal government might be possible; a federal system such as existed previously would have little chance of survival. On the other hand it is possible that given a long enough time for the Northern region to "catch up" with its southern counterparts, (a difficult task within the framework of a predominately cattle-grazing and agricultural economy) Nigeria would prosper as a united country. Yet to ask the Biafrans, who are eager for education and industrialization, to wait patiently for one or two generations, while old enmities die out and the Northern leaders change their political and economic structure, is unrealistic. Certainly a country that vests most of the political power in the least progressive section is doomed to strife.

You asked me what I thought the United States could do to help end the war. To me there are several things that would seem useful; I cannot say how possible they are. First, the United States could discourage other countries from sending arms to either side. Second, it could send political or semi-political observers to meet with both Gowon and Ojukwu, to search out possible bases for compromise. Thirdly, it could encourage the Organization of African Unity to make another attempt at peace talks. When Britain speaks about initiating peace talks, Biafrans only laugh, since Britain has from the beginning supplied arms to Nigeria. The American reputation has not been compromised toward either side, and lending its prestige to an attempt at settlement would have great value.

Thank you kindly for reading my letter. If there is anything else I could attempt to answer to help clear the picture, I would be only too happy to do so.

Yours sincerely,

——— ———.

PAN AM-NORTHWEST INAUGURATE NEW EUROPE TO MIDWEST AIR SERVICE

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BLATNIK. Mr. Speaker, I am delighted to learn that the first single-plane service between Minneapolis-St. Paul and Europe will be inaugurated on June 1 under an interchange agreement between Pan American World Airways and Northwest Airlines.

Daily service will be provided with the flight leaving Minneapolis-St. Paul in the afternoon and arriving in London the following morning. Westbound, the flight will leave London each morning and arrive at Minneapolis-St. Paul by mid-afternoon the same day. Flights in both directions will include a stop at Detroit.

Under the interchange agreement, Pan American crews will fly the Boeing 707 Jet Clipper between Detroit and London. Northwest crews will fly the jet between Minneapolis-St. Paul and Detroit.

Mr. Speaker, this new service opens new and swifter travel routes to Europe for the people of the upper Midwest. It also opens new world markets for these people, which I am sure will have a great economic impact on our area of the Nation.

The people of our area eagerly await these joint flights to Europe, and I join in wishing Northwest and Pan American all the best in their innovative, cooperative venture.

HONOLULU CITY COUNCIL RESOLUTION REFLECTS COMMUNITY CONSENSUS ON JOB CORPS PROGRAM

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. MATSUNAGA. Mr. Speaker, I have joined with several of my colleagues in a resolution expressing the sense of the House in opposition to the administration's announced intention to shut down 59 Job Corps centers and camps across the Nation, and requiring that this proposed action be suspended pending a congressional review.

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In a speech in the House on April 21, 1969, I also voiced my particular concern with respect to the Koko Head Job Corps Center in Hawaii and pointed to its successful operation in the Island State.

In this regard, I respectfully call to the attention of my colleagues, and to others who are equally concerned with respect to this vital matter, a resolution passed by the city council of the city and county of Honolulu, Hawaii, on April 22, 1969. This resolution underscores the consensus of the Honolulu community that the Koko Head Job Corps Center is an essential and worthwhile program, and that it ought to be retained.

Resolution No. 137 of the city council of the city and county of Honolulu, adopted on April 22, 1969, follows:

RESOLUTION NO. 137

Whereas the national administration and the United States Department of Labor have indicated that the Job Corps operation in Hawaii will be discontinued; and

Whereas the Job Corps has been an integral part of our community since May 15, 1966, in helping young men to become employable in various vocations, in preparing young men for the military, and in encouraging many dropouts to return to school; and

Whereas approximately 1,000 young men have already benefited from the Job Corps program, and there are now 220 men currently enrolled in its program; and

Whereas it is the consensus of our community that the Job Corps is an essential and worthwhile program and that it should be maintained; and

Whereas every effort should be made to preserve the Job Corps; now, therefore, be it

Resolved by the Council of the City and County of Honolulu, That said Council supports the Job Corps and humbly requests the national administration through the United States Department of Labor to reconsider their decision to discontinue the operation of the Job Corps in Hawaii; and be it finally

Resolved, That the Clerk be, and she is, hereby directed to transmit copies of this resolution to the Secretary of Department of Labor, Washington, D.C., Senator Daniel K. Inouye, Senator Hiram L. Fong, and Representatives Patsy T. Mink and Spark M. Matsunaga.

Introduced by:

WALTER M. HEEN,
TORAKI MATSUMOTO,
MARY GEORGE,
HERMAN J. WEDEMEYER,
BEN F. KAITO,
CLESSON Y. CHIKASUYE,
CHARLES M. CAMPBELL,
Councilmen.

Date of introduction: April 22, 1969, Honolulu, Hawaii.

H.R. 10250—MAJOR REVISION OF AMERICA'S PUBLIC AID PROGRAMS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. PUCINSKI. Mr. Speaker, considerable interest has been focused on H.R. 10250, legislation which I have introduced to completely overhaul our chaotic public assistance program in America.

My bill would bring order, equity, and justice to the people of this country who urgently need public assistance and who are all too often penalized by the present system. H.R. 10250 provides for:

First. National welfare standards,

Second. Supplemental family allowances that permit workers receiving public assistance to retain up to 50 percent of their earnings over and above their welfare allowance, and

Third. Complete Federal funding of the national welfare system.

Mr. William Raspberry one of our most distinguished and widely read journalists endorsed this legislation in his column in the Washington Post recently. I welcome the discussion engendered by Mr. Raspberry's thoughtful and helpful comments and hope that my colleagues will join me in seeking to enact this legislation at the earliest possible time.

Mr. Speaker, Mr. Raspberry's column and the full text of H.R. 10250 follow:

[From the Washington Post, Apr. 25, 1969]

PUCINSKI'S WELFARE MEASURE DIRECTED AT MAJOR CRITICISMS

(By William Raspberry)

Rep. Roman C. Pucinski (D.-Ill.) has introduced a bill designed to correct three of the most frequent criticisms of the welfare system: that it stifles ambition, that it doesn't pay enough to let the poor live in decency and that the states cannot afford to pay much more than they already do.

Pucinski's bill would:

Restore the incentive to work by permitting recipients to keep half of their outside earnings, thus allowing "every able-bodied person (to) participate in some form or another of helping himself."

Set uniform national welfare standards, both to raise the level of assistance and to curb the migration of poor people to states that have higher welfare standards.

Shift the financial burden of welfare from the states to the Federal Government.

One of the most illogical and counterproductive of all welfare rules has been the 100 per cent tax on outside earnings. Thus, a welfare mother who earned, say $60 a month from a part-time job would have the $60 deducted from her welfare check, making it pointless for her to try to help herself.

That rule was changed last year to permit welfare recipients to keep the first $30 of outside income and a third of the remainder. Pucinski would make it a flat 50 per cent. The result, he hopes, is that more and more welfare recipients would be encouraged to earn their way off the public dole.

The proposal for uniform national standards got a major boost on Monday, four days after Pucinski's bill was introduced, when the U.S. Supreme Court struck down the one-year residency requirements by which 40 states and the District of Columbia have kept otherwise eligible people off the welfare rolls.

The most likely result of the ruling is an accelerated influx of poor people from the states with the lowest welfare grants to those with the highest. This could bankrupt the very states that are trying hardest to do right by their poor while easing the burden of those that are doing least.

Pucinski said that 49 per cent of the welfare recipients in Illinois are from the single state of Mississippi. A hint of what the Supreme Court ruling will mean here is that a recent 15-month suspension of the District's residency requirement cost the city an extra $1 million in welfare outlays.

Uniform national standards, of course, would make it senseless to move from one state to another to enjoy higher welfare benefits. But since many states are simply too poor to pay the higher benefits, the Federal Government would have to take up the slack. Pucinski wants the Government to take over the entire burden.

The most obvious question regarding uniform standards has to do with the fact that it costs less to live in some places than in others. Is it realistic, therefore, to have the same set of eligibility and payment standards for Marks, Miss., as for New York City?

Says Pucinski: "There are those who might argue that a person in Appalachia does not need the same amount of money to feed a family of four, or five, or six that a person in Chicago does. I do not share that view. I believe that if there is poverty in Appalachia it is only because of the insufficient standards of assistance."

But suppose one can live more cheaply in the country than in the city. Isn't the continuing migration to the cities one of the reasons that urban problems are becoming increasingly unsolvable? Wouldn't uniform welfare standards help to stem—perhaps even reverse—that tide?

Maybe welfare will never work very well. But Pucinski's proposals would make it work a lot better than it ever has.

H.R. 10250

A bill to provide for nationally uniform minimum standards and eligibility requirements for public assistance, to provide for a supplemental family allowance program, and to provide that the cost of public assistance under the Social Security Act shall be fully borne by the Federal Government

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Supplemental Family Allowance Act".

TITLE I—NATIONALLY UNIFORM MINIMUM STANDARDS FOR PUBLIC ASSISTANCE

SEC. 101. REQUIREMENTS OF COMPLIANCE WITH MINIMUM STANDARDS

(a) OLD-AGE ASSISTANCE AND MEDICAL ASSISTANCE FOR THE AGED.—Section 2(a) of the Social Security Act is amended—

(1) by striking out "and" at the end of paragraph (12);

(2) by striking out the period at the end of paragraph (13) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (13) the following new paragraph:

"(14) provide, with respect to all individuals seeking or receiving assistance under the plan at any given time, for the application of the minimum standards and acceptance requirements promulgated and in effect at such time under section 1122."

(b) AID TO FAMILIES WITH DEPENDENT CHILDREN.—Section 402(a) of such Act is amended—

(1) by striking out "and" at the end of clause (22), and

(2) by striking out the period at the end of clause (23) and inserting in lieu thereof "; and (24) provide, with respect to all individuals seeking or receiving aid under the plan at any given time, for the application of the minimum standards and acceptance requirements promulgated and in effect at such time under section 1122."

(c) AID TO THE BLIND.—Section 1002(a) of such Act is amended—

(1) by striking out "and" at the end of clause (12), and

(2) by striking out the period at the end of clause (13) and inserting in lieu thereof "; and (14) provide, with respect to all individuals seeking or receiving aid under the plan at any given time, for the application of the minimum standards and acceptance requirements promulgated and in effect at such time under section 1122."

(d) AID TO THE PERMANENTLY AND TOTALLY DISABLED.—Section 1402(a) of such Act is amended—

(1) by striking out "and" at the end of clause (11), and

(2) by striking out the period at the end of clause (12) and inserting in lieu thereof "; and (13) provide, with respect to all individuals seeking or receiving aid under the plan at any given time, for the application of the minimum standards and acceptance requirements promulgated and in effect at such time under section 1122."

(e) Aid to the Aged, Blind, or Disabled and Medical Assistance for the Aged.—Section 1602(a) of such Act is amended—

(1) by striking out "and" at the end of paragraph (16),

(2) by striking out the period at the end of paragraph (17) and inserting in lieu thereof "; and", and

(3) by inserting after paragraph (17) the following new paragraph:

"(18) provide, with respect to all individuals seeking or receiving aid or assistance under the plan at any given time, for the application of the minimum standards and acceptance requirements promulgated and in effect at such time under section 1122."

(f) Effective Date.—The amendments made by this section shall be effective with respect to calendar quarters beginning after December 31, 1969.

Sec. 102. Establishment of Minimum Standards and Uniform Acceptance Requirements.

Title XI of the Social Security Act is amended by adding at the end thereof the following new section:

"NATIONAL MINIMUM STANDARDS AND UNIFORM ACCEPTANCE REQUIREMENTS

"Sec. 1122. (a) The Secretary shall from time to time (as provided in subsection (c)) determine and promulgate—

"(1) the minimum amount of aid or assistance which (with appropriate adjustments based on other income and resources as required by the relevant provisions of this Act) would have to be paid to eligible recipients under titles I, X, XIV, and XVI, and part A of title IV, and

"(2) the manner in which other income and resources should be taken into account in determining need for aid or assistance under such titles and the other conditions which it might be appropriate to impose in determining eligibility for such aid or assistance,

in order to assure that the purposes of such titles are being carried out effectively and without discrimination between applicants and recipients in different States. The minimum standards determined and promulgated under paragraph (1), and the acceptance requirements determined and promulgated under paragraph (2), shall (subject to subsection (b)) apply uniformly and equally throughout the United States with respect to aid and assistance provided under State plans approved under such titles.

"(b) The minimum standards and acceptance requirements determined and promulgated under subsection (a), which shall take into account the full need of all recipients, may vary as between the several programs of aid or assistance involved to the extent necessary to take into account the different requirements of the classes of individuals to whom such programs respectively apply, and may vary as between individuals in different geographic areas to the extent necessary to take into account any differences between cost levels in such areas; but any such variation shall be designed only to prevent aid or assistance under the programs involved from being of greater net benefit to one individual or class of individuals than to another.

"(c) The minimum standards and acceptance requirements described in subsection (a) shall be promulgated by the Secretary between January 1 and March 31 of each year, beginning with the year 1970, and such promulgation shall be conclusive for each of the four calendar quarters in the period beginning with the July 1 next succeeding such promulgation; except that the Secretary shall initially promulgate such standards and requirements as soon as possible after the enactment of this section and such initial promulgation shall be conclusive for the two calendar quarters in the period beginning January 1, 1970, and ending June 30, 1970."

TITLE II—SUPPLEMENTAL FAMILY ALLOWANCES

Sec. 201. Amendments to Internal Revenue Code of 1954.

(a) Supplemental Family Allowance Program.—Subtitle A of the Internal Revenue Code of 1954 (relating to income taxes) is amended by adding at the end thereof the following new chapter:

"CHAPTER 7—SUPPLEMENTAL FAMILY ALLOWANCE BENEFITS

"Subchapter A—Entitlement to benefits.
"Subchapter B—Administration.

"SUBCHAPTER A—ENTITLEMENT TO BENEFITS

"Sec. 1601. Definitions.
"Sec. 1602. Supplemental family allowance benefits.
"Sec. 1603. Maximum benefit.
"Sec. 1604. Reduction on account of income.
"Sec. 1605. Imposition of tax on excess annual income.
"Sec. 1606. Ineligibility of individuals receiving public assistance on account of blindness or disability.

"Sec. 1601. Definitions.

"For purposes of this chapter:

"(1) Eligible individual.—An individual is an eligible individual for a calendar month if, at the close of such month—

"(A) he is neither a spouse of an ineligible beneficiary nor an eligible dependent of any other individual; and

"(B) he has attained the age of 18 or is married; and

"(C) he resides in the United States.

"(2) Eligible dependent.—

"(A) General rule.—An individual is an eligible dependent of another individual for a calendar month if at the close of such month—

"(i) he is a dependent of such individual, and

"(ii) he resides in the United States.

"(B) Determination of dependency.—Section 152 (relating to definition of dependent) shall apply in determining whether an individual is a dependent under paragraph (2)(A), but any reference in such section 152 to 'calendar year', 'taxable year', or 'calendar year in which the taxable year of the taxpayer begins' shall be considered to be a reference to 'calendar month'.

"(3) Spouse of an ineligible beneficiary.—An individual is a spouse of an ineligible beneficiary for a calendar month if at the close of such month—

"(A) he is married to a spouse who is not entitled to receive benefits under this chapter for such month, and

"(B) he has as his principal place of abode the home of his spouse.

"Sec. 1602. Supplemental Family Allowance Benefits.

"Except as provided in section 1606, each eligible individual who makes application for a benefit for a calendar month under section 1612 shall be entitled to a supplemental family allowance benefit payable with respect to such month in an amount equal to the maximum benefit under section 1603 less any reduction on account of income under section 1604.

"Sec. 1603. Maximum Benefit.

"(a) General Rule.—

"(1) Computation of benefit.—Except as provided in subsection (b), the maximum benefit for a month shall be equal to the sum of—

"(A) $50, plus

"(B) $40 multiplied by the number of additional allowances to which the eligible individual is entitled under paragraph (3) for such month,

except that such benefit may not exceed $290 for a month in the case of an eligible individual other than an eligible spouse, or $145 for a month in the case of an eligible spouse.

"(2) Eligible spouse.—An eligible individual is an eligible spouse for a calendar month if at the close of such month—

"(A) he is married and has as his principal place of abode the home of his spouse, and

"(B) both he and his spouse are entitled to receive benefits under this chapter for such month.

"(3) Additional allowances.—An eligible individual shall be entitled to an additional allowance for each eligible dependent.

"(b) Special Rule for Residents of Rural Areas.—In the case of an eligible individual who resides in a rural area (as defined by section 520 of the Housing Act of 1949), the maximum benefit shall be equal to 90 percent of the amount determined under subsection (a), unless such individual's application for such benefit contains a statement by such individual that during such month he did not consume home-grown produce equal in value to 10 percent of the maximum benefit under subsection (a).

"Sec. 1604. Reduction on Account of Income.

"(a) General Rule.—Except as provided in subsection (b), the reduction on account of income of an eligible individual's maximum benefit for a month shall be equal to 50 percent of income received by such individual and any eligible dependent of such individual during such month.

"(b) Special Rules for Persons Eligible for Certain Public Assistance.—

"(1) Persons receiving certain public assistance.—If an eligible individual receives public assistance for a month, no reduction on account of income shall be made for such month in such individual's maximum benefit under this chapter.

"(2) Persons eligible for but not receiving public assistance.—If an eligible individual who has filed application for public assistance does not receive such assistance for a month solely because of his income and resources under section 2(a)(10)(A), 402(a)(7), or 1602(a)(14)(C) of the Social Security Act, his reduction on account of income for that month under this chapter shall be an amount equal to the lesser of—

"(A) the reduction under subsection (a), or

"(B) two-thirds of the amount by which for that month (i) his income (for purposes of this chapter, including any income of an eligible dependent of such individual) exceeds (ii) the portion of his income and resources (for public assistance purposes) which was taken into account in applying the applicable section of the Social Security Act.

"(3) Public assistance defined.—For purposes of this subsection, the term 'public assistance' means only aid or assistance received under a State plan approved under title I of the Social Security Act or part A of title IV of such Act (or under title XVI of such Act in the case of an individual age 65 or over who is neither blind nor permanently or totally disabled).

"(c) Definition of Income.—For purposes of this chapter, the term 'income' means gross income (excluding supplemental family allowance benefits paid under this chapter and overtime pay) plus—

"(1) any item excluded from gross income by reason of—

"(A) section 101 (relating to certain death benefits),

"(B) section 103 (relating to interest on government obligations),

"(C) sections 104(a)(1) and 104(a)(4)

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(relating to workmen's compensation and certain disability compensation),

"(D) section 105(d) (relating to amounts received under wage continuation plans),

"(E) section 112 (relating to certain combat pay),

"(F) section 113 (relating to Armed Forces mustering out pay),

"(G) section 116 (relating to partial exclusion of dividends), or

"(H) section 117 (relating to partial exclusion of scholarships and fellowship grants):

"(2) the value of property acquired by gift, bequest, or devise, to the extent excluded from gross income,

"(3) any item not included in gross income which—

"(A) constitutes an unemployment compensation benefit provided under an unemployment compensation program of the United States or a State,

"(B) is a benefit paid under title 28, United States Code, which is excluded from gross income,

"(C) is a benefit paid under title II of the Social Security Act, or

"(D) is a benefit paid under the Railroad Retirement Act of 1937.

"Sec. 1605. Imposition of Tax on Excess Annual Income.

"(a) Excess Annual Income Defined.—For purposes of this section, the term 'excess annual income' means (1) the income of an individual during the taxable year plus the income for each calendar month which ends in such taxable year of any other individual who is an eligible dependent of such eligible individual for such calendar month, less (2) 150 percent of the sum of the minimum standard deduction (whether or not such individual computes his tax under chapter 1 on the basis of such deduction) plus any personal exemptions to which such individual is entitled under section 151.

"(b) Imposition of Tax.—If for any calendar month ending in the taxable year an individual receives a supplemental family allowance benefit, and such individual has excess annual income, then in addition to any tax imposed on such individual under section 1 for such taxable year, there is imposed on such individual a tax equal to the lesser of—

"(1) one-half of the excess annual income of such individual for such taxable year, or

"(2) the aggregate amount of supplemental family allowance benefits paid to such individual during such taxable year.

"Sec. 1606. Ineligibility of Individuals Receiving Public Assistance on Account of Blindness or Disability.

"An individual may not receive a supplemental family allowance benefit under section 1602 for a calendar month if for such month (1) he receives assistance under a State plan approved under title X or XIV of the Social Security Act, or (2) he receives assistance under a State plan approved under title XVI of such Act and he is blind or is not blind but is permanently and totally disabled. An eligible individual may elect, at such time and in such manner as the Secretary may prescribe, to receive a supplemental family allowance benefit for a calendar month in lieu of receiving assistance referred to in paragraph (1) or (2) of the preceding sentence.

"SUBCHAPTER B—ADMINISTRATION

"Sec. 1611. Regulations.
"Sec. 1612. Application for benefits.
"Sec. 1613. Payment of benefits.
"Sec. 1614. Procedure and enforcement.

"Sec. 1611. Regulations.

"The Secretary may prescribe such regulations as may be necessary to carry out the purposes of this chapter.

"Sec. 1612. Application for Benefits.

"An eligible individual may apply for a supplemental family allowance benefit under section 1602 for a month at such time and in such manner as the Secretary or his delegate shall prescribe by regulation. Such regulations may provide that an eligible individual may apply for benefits for more than one month in a single application. Two or more eligible individuals may apply jointly for benefits to which each is entitled.

"Sec. 1613. Payment of Benefits.

"At such time as may be prescribed by regulations, but not later than 180 days after the close of each month, the Secretary or his delegate shall pay a supplemental family allowance benefit to each eligible individual entitled to receive such a benefit under section 1602 for such month, except that in the case of a benefit to which a minor or an incompetent person is entitled, such benefit shall be paid to such person as the Secretary or his delegate shall prescribe by regulation.

"Sec. 1614. Procedure and Enforcement.

"(a) Hearings.—Upon request in writing (within such period as the Secretary or his delegate may prescribe), opportunity for hearing with respect to any action of the Secretary or his delegate denying or withholding any portion of a supplemental family allowance benefit shall be afforded to any individual aggrieved by such action. If a hearing is held pursuant to this subsection, the Secretary or his delegate shall make findings of fact and a decision based upon the evidence adduced at such hearing and shall take such action as may be required by such findings and decision.

"(b) Judicial Review.—Decisions of the Secretary or his delegate under subsection (a) shall be reviewable by commencing a civil action in a United States district court. The district courts shall have jurisdiction of such actions without regard to the amount in controversy.

"(c) Collection of Overpayments.—If an individual receives any payment under this chapter to which he is not entitled or which is in excess of the amount to which he is entitled under section 1602, the Secretary or his delegate may recover such payment or the amount of such excess only by withholding it from subsequent supplemental family allowance benefits to which such individual is entitled under this chapter.

"(d) Enforcement.—The Secretary or his delegate may not conduct investigations (other than routine examinations of applications and investigations in connection with hearings or civil actions under this section) of applicants for or recipients of supplemental family allowance benefits with respect to more than 10 percent of the persons who apply for such benefits in any fiscal year. Such applicant or recipient may be investigated only on the basis of random selection from all applicants and recipients, except where the Secretary of his delegate finds that there is probable cause to believe such applicant or recipient is not entitled to receive the benefit for which he applied or which he received."

(2) Clerical amendment.—The table of chapters for subtitle A of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"Chapter 7. Supplemental family allowance benefits."

(b) Inclusion of Supplemental Family Allowance Benefits in Gross Income.—

(1) Inclusion of benefits.—Part II of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new section:

"Sec. 82. Supplemental family allowance benefits.

"Gross income includes supplemental family allowance benefits to which the taxpayer is entitled under section 1602 with respect to calendar months ending in the taxable year, but only to the extent such benefits exceed the tax imposed for such taxable year under section 1605."

(2) Clerical amendment.—The table of sections for such part is amended by adding at the end thereof the following:

"Sec. 82. Supplemental family allowance benefits."

(c) Requirement of Return.—Section 6012(a) of the Internal Revenue Code of 1954 (relating to requirement of return) is amended (1), by striking out "and" at the end of paragraph (4), (2) by inserting "and" at the end of paragraph (5), and (3) by inserting after paragraph (5) the following new paragraph:

"(6) Every individual subject to taxation under section 1605,".

(d) Effective Dates.—The amendments made by section 101(a) of this Act shall apply with respect to entitlements for benefits with respect to calendar months beginning after June 30, 1970. The amendments made by section 101 (b) and (c) of this Act shall apply with respect to taxable years ending after June 30, 1970.

Sec. 202. Changes in amounts of income to be disregarded under public assistance needs tests.

(a) Old-Age Assistance.—Section 2(a) (10) (A) of the Social Security Act is amended by striking out "except that" and all that follows and inserting in lieu thereof the following: "except that, in making such determination, the State agency shall disregard the first $30 of earned income for any month plus one-third of the remaining earned income for such month;".

(b) Aid to Families With Dependent Children.—

(1) Income to be disregarded.—Section 402 (a)(8) of such Act is amended by striking out everything through the end of subparagraph (B) and inserting in lieu thereof the following: "(8) provide that, in making the determination under clause (7), the State agency—

"(A) shall with respect to any month disregard, in the case of earned income of a dependent child, a relative receiving aid under the plan, and any other individual (living in the same home as such relative and child) whose needs are taken into account in making such determination, the first $30 of the total of such earned income for the month plus one-third of the remainder of such income for the month (except that the provisions of this subparagraph shall not apply to earned income derived from participation on a project maintained under the programs established by section 432(b) (2) and (3)), and

"(B) may, subject to limitations prescribed by the Secretary, permit all or any portion of the earned or other income to be set aside for future identifiable needs of a dependent child;".

(2) Conforming amendments.—Subparagraphs (C) and (D) of section 402(a)(8) of such Act are each amended by striking out "clause (ii) of".

(c) Aid to the Aged, Blind, or Disabled.—Section 1602(a)(14) of such Act is amended by striking out subparagraphs (C) and (D) and inserting in lieu thereof the following:

"(C) if such individual has attained age 65 and is neither blind nor permanently and totally disabled, the State agency shall disregard the first $30 of earned income for any month plus one-third of the remaining earned income for such month, and

"(D) the State agency may, before disregarding the amounts referred to above in this paragraph (14) in the case of an individual described in subparagraph (A) or (B), disregard not more than $7.50 of any income;".

(d) Effective Date.—The amendments made by this section, insofar as they affect aid or assistance under a State plan approved under title I, part A of title IV, or title XVI of the Social Security Act, shall apply with respect to payments of such aid or assistance for months after June 30, 1970.

SEC. 203. BUREAU OF SUPPLEMENTAL FAMILY ALLOWANCES.

(a) ESTABLISHMENT OF BUREAU.—There is established in the Department of the Treasury a bureau to be known as the Bureau of Supplemental Family Allowances.

(b) DELEGATION.—The Secretary of the Treasury may delegate his functions under chapter 7 of the Internal Revenue Code of 1954 only to the head of the Bureau of Supplemental Family Allowances. The head of such Bureau may make such redelegations of these functions as he deems necessary.

TITLE III—FULL FEDERAL PAYMENT FOR PUBLIC ASSISTANCE EXPENDITURES

SEC. 301. ELIMINATION OF STATE AND LOCAL SHARE OF EXPENDITURES.

(a) OLD-AGE ASSISTANCE AND MEDICAL ASSISTANCE FOR THE AGED.—

(1) Section 2(a) of the Social Security Act is amended by striking out paragraph (2).

(2) Section 2(a)(12)(C) of such Act is amended by striking out "referred to in section 3(a)(4)(A) (i) and (ii)".

(3) Section 3(a) of such Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has a plan approved under this title, for each quarter, an amount equal to—

"(1) the total amount expended during such quarter as old-age assistance, and medical assistance for the aged, under the plan, and

"(2) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the plan."

(4) Clause (A) of section 3(b)(1) of such Act is amended by striking out "and stating" and all that follows.

(5) Section 3(c) of such Act is repealed.

(6) Section 6(c) of such Act is repealed.

(b) AID TO FAMILIES WITH DEPENDENT CHILDREN.—

(1) Section 402(a) of such Act is amended by striking out clause (2).

(2) Section 403(a) of such Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid and services to needy families with children, for each quarter, an amount equal to—

"(1) the total amount expended during such quarter as aid to families with dependent children under the plan, and

"(2) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the plan."

(3) Clause (A) of section 403(b)(1) of such Act is amended by striking out "and stating" and all that follows.

"(c) AID TO THE BLIND.—

(1) Section 1002(a) of such Act is amended by striking out clause (2).

(2) Section 1003(a) of such Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, an amount equal to—

"(1) the total amount expended during such quarter as aid to the blind under the plan, and

"(2) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the plan.

(3) Clause (A) of section 1003(b)(1) of such Act is amended by striking out "and stating" and all that follows.

(4) Section 1003(c) of such Act is repealed.

(d) AID TO THE PERMANENTLY AND TOTALLY DISABLED.—

(1) Section 1402(a) of such Act is amended by striking out clause (2).

(2) Section 1403(a) of such Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the permanently and totally disabled, for each quarter, an amount equal to—

"(1) the total amount expended during such quarter as aid to the permanently and totally disabled under the plan, and

"(2) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the plan.

(3) Clause (A) of section 1403(b)(1) of such Act is amended by striking out "and stating" and all that follows.

(4) Section 1403(c) of such Act is repealed.

(e) AID TO THE AGED, BLIND, OR DISABLED AND MEDICAL ASSISTANCE FOR THE AGED.—

(1) Section 1602(a) of such Act is amended by striking out paragraph (2).

(2) Section 1602(a)(16)(C) of such Act is amended by striking out "referred to in section 1603 (a)(4)(A) (i) and (ii)".

(3) Section 1603(a) of such Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has a plan approved under this title, for each quarter, an amount equal to—

"(1) the total amount expended during such quarter as aid to the aged, blind, or disabled, and medical assistance for the aged, under the plan, and

"(2) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the plan."

(4) Clause (A) of section 1603(b)(1) of such Act is amended by striking out "and stating" and all that follows.

(5) Section 1603(c) of such Act is repealed.

(f) MEDICAL ASSISTANCE.—

(1) Section 1902(a) of such Act is amended by striking out paragraph (2).

(2) Section 1902(a)(20)(C) of such Act is amended by striking out "referred to in section 3(a)(4)(A) (i) and (ii) or section 1603(a)(4)(A) (i) and (ii)".

(3) Section 1903(a) of such Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary shall pay to each State which has a plan approved under this title, for each quarter, an amount equal to—

"(1) the total amount expended during such quarter as medical assistance under the plan, and

"(2) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the plan."

(4) Section 1903(c) of such Act is repealed.

(5) Clause (A) of section 1903(d)(1) of such Act is amended by striking out "and stating" and all that follows.

(6) Section 1905(b) of such Act is repealed.

(g) CONFORMING AMENDMENTS.—

(1) Section 1101(a)(8) of such Act is repealed.

(2) Section 1108 of such Act is amended by striking out subsections (a), (b), and (c).

(3) Section 1118 of such Act is repealed.

(4) Section 1121(c) of such Act is amended by striking out ", except that" and all that follows and inserting in lieu thereof a period.

Sec. 302. Effective date.

The amendments made by section 301 shall be effective with respect to calendar quarters beginning after the date of the enactment of this Act.

TENTH DISTRICT YOUTH CONGRESS

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. RODINO. Mr. Speaker, last week I had the pleasure of meeting with youth leaders from 11 high schools of the 10th Congressional District of New Jersey. These aware and concerned students participated in the organizational meeting of a proposed 10th District Youth Congress, which will meet periodically to discuss issues of local and national importance, and advise me of their decisions and points of view.

I have long felt the desirability of relying upon just such a representative youth group for guidance and knowledge regarding the thinking and concerns of students. It appears to me to be worthwhile, stimulating, and challenging for both legislators and students to join in such a means of direct and continuing communication, especially in light of the recent ferment and discord not only on the college campuses, but within our high schools as well. Students deserve to be heard; they deserve many outlets for their views, and not just through the channel of mass confrontation.

I am heartened, Mr. Speaker, by the interest indicated at this first meeting, and am looking forward to May 10, at which time the students will begin to write their charter and plan for a full program beginning in September.

Those students, all outstanding leaders of their respective schools, are: Mark Clemente, Glen Ridge High, Glen Ridge; Ann Donan, Lacordaire School, Montclair; Nancy Eng, Barringer High, Newark; Anthony Fabiano, Memorial High, Cedar Grove; Charles Levin, Montclair Academy, Montclair; Gary Matthis, Weequahic High, Newark; Dianne Phelps, Kimberly School, Montclair; Anthony Sharon, St. Benedicts, Newark; Larry Spinelli, Belleville High, Belleville; Dianne Veni, Good Counsel, Newark; Leroy Wilson, East Side High, Newark.

TRIBUTE TO FORMER CONGRESSMAN HARRY R. SHEPPARD

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, I wish to join my distinguished colleagues today in paying final tribute to former Congressman Harry R. Sheppard.

When I first entered the Halls of Congress in 1963 as a new Member, a man who was then the dean of the California delegation took me under his wing. Although we were on different sides of the aisle, he generously took of his valuable time and experience to provide me with much needed counsel and guidance.

When Harry Sheppard retired at the end of his 14th term, I sincerely missed our frequent discussions of items of mutual interest and concern. Quite frankly, Harry left a void in our lives that could not be filled, not only for me personally, but also for the California delegation and the entire Congress as well.

Those of us who had the opportunity of working with "Shep" during his 28 years of service to California and the Nation, now mourn his passing. He is one of the few who can be counted among the truly great American legislators of this century.

Harry knew his district and his constituency well and he was their friend and their extremely able and effective representative in the Congress.

As chairman of the House Subcommittee on Military Construction, this distinguished Congressman did more for the development of our national defense posture than any other man. Harry had the unique ability to weigh the necessity of military construction against the many other pressing and demanding needs for Federal funds.

I should like to take this opportunity to extend my sincerest sympathies to his lovely, dedicated and devoted wife Kay, who was his greatest supporter during their years together.

The one thing that stands out vividly in my mind is the principle that guided our distinguished colleague's life: "There's no telling how much good you can do, if you don't care who gets the credit."

CLEVELAND PLAIN DEALER'S STORY ON OIL DEPLETION TAX LOOPHOLES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. VANIK. Mr. Speaker, the Cleveland Plain Dealer's Donald Barlett has uncovered yet another abuse by the oil magnates of our Federal tax structure. In an illuminating article, the Plain Dealer has spelled out clearly to hundreds of thousands of readers in the greater Cleveland area the specifics of how the Federal Treasury is deprived of millions of tax dollars through this tax gimmick.

This important article is worthy of the attention of the Members of the House and the other body and the country's beleaguered taxpayers who carry the burden of their taxes which are so much greater than companies which show great profits and pay no taxes. It is my intention to continue to press for significant loophole-closing reforms in this area and many others this year. The article is as follows:

PLAIN DEALER FINDS A LOOPHOLE

The accompanying article dealing with a unique loophole in the nation's income tax laws is the fifth in a continuing series of special Plain Dealer reports on oil and taxes.

It is not the type of article that newspapers of general circulation ordinarily print. It involves a subject that is both obscure and complex.

Even publications oriented toward business and financial news have written little or nothing about the loophole.

The Plain Dealer believes the principle involved warrants not only publication of an article on the subject—but a lengthy, detailed study.

It is particularly important to present such an analysis at a time when Congress is engaged in the most extensive overhaul of the federal income tax system in history.

[From the Cleveland Plain Dealer, Apr. 25, 1969]

OIL FIRMS CARVE OUT NEW TAX LOOPHOLE

(By Donald J. Barlett)

WASHINGTON.—The petroleum industry has zeroed in on a loophole in the nation's federal income tax laws that opens the door to a billion dollar tax dodge.

Once perfected, the loophole—virtually unknown outside the minerals industry—can enable an oil company to avoid payment of all federal income taxes.

The tax gimmick already is being used by some oil companies to escape the brunt of the 10% surcharge and income taxes running into the hundreds of millions, a Plain Dealer investigation disclosed.

The loophole involves a transaction known as a carved out production payment.

It is used in a complex, bookkeeping system in which income is shifted from one year to another to create special tax advantages.

The accounting device gives a company an inflated income one year and a self-induced loss the following year.

Unlike the long controversial 27½% oil depletion allowance, a tax-saving benefit that was granted by Congress, the production payment is a tax-avoidance device.

When used in conjunction with the depletion allowance, the production payment allows an oil company to:

Increase the value of the depletion allowance above the level intended by Congress when the depletion law was enacted.

Create self-induced paper losses through bookkeeping manipulations that reduce and eliminate federal income tax liability.

Lower the income tax payments of other businesses owned by the oil company, giving these firms a subsidized advantage over competitors.

Growing use of production payments was found in a continuing Plain Dealer inquiry into the federal income tax status of the oil industry.

Although aware of the tax-avoidance technique, federal agencies are just beginning to compile figures on the scope of production payment sales.

U.S. Treasury aides call the payments a "tax abuse" and Congressional tax reformers label them a "tax dodge."

A production payment is similar to a loan, with the oil in the ground serving as collateral. The oil company borrows money from a lending institution and repays the loan as oil produced and sold.

It is a transaction that is unique to the petroleum and minerals industry in that the proceeds of the loan are treated as income for tax purposes by the oil company. This may sound like a disadvantage but it works to the company's benefit at a later time.

This special tax treatment stems from court decisions and private rulings issued by the Internal Revenue Service (IRS).

The Treasury Department, in its preliminary study, estimates the government lost a minimum of $350 million in tax revenue in 1966 as a result of the production payment loophole.

A Capitol Hill tax expert places the potential loss to the government at more than a billion, noting that oil companies started using production payments to escape income taxes only in the last few years.

The practice is spreading—on a much smaller scale—to other mineral businesses such as coal and cement.

The only government statistics available on the subject are based on a limited Treasury survey.

These figures show that the sale of carved out production payments soared 150% from 1965 to 1966, rising from $214 to $540 million.

But the Treasury figures appear to be on the conservative side.

A Plain Dealer study showed that:

Ten large and small oil companies alone sold production payments totaling $217.4 million in 1967—the last year for which complete statistics are available.

Of the 10 companies, four reported owing no federal income tax at all, while recording combined profits of nearly $140 million.

A projection of production payment sales, based on these 10 companies, places the total for 1967 in excess of $1 billion. There are dozens of major and large independent companies, thousands of smaller firms, partnerships and individuals—all eligible to sell production payments.

Preliminary figures for 1968—based on company reports still being used—indicate a continuing rise in sales.

Use of production payments is widespread, with a sizable majority of the major and large independent oil companies reporting the transactions.

Some oil companies conceal the actual production payment figure, lumping it with other income in their financial statements.

A production payment may be compared with a home mortgage loan transaction in which an individual borrows money from a bank to purchase a home.

The bank, in return for the money it lends, receives a claim (mortgage) against the property.

In the case of the production payment, the oil company obtains a loan from the bank, which receives a claim against the company's untapped oil reserves.

The loan usually is for one year, at a fixed rate of interest, and repaid out of the income from oil or gas produced and sold in the following 12 months.

Unlike such dealings in any other business production payment is considered as income rather than a loan.

The courts have ruled the buyer is purchasing the economic interest in the mineral in the ground—making the income of the production payment subject to the 27½% depletion allowance.

This inflates an oil company's income for one year, causing a mismatching of income and expenses over two years—a bookkeeping practice frowned upon by many professional accountants.

The mismatching occurs when the company reports the income from the production payment one year and the expenses incurred in extracting the oil the following year.

Under the depletion allowance, a company pays no federal income tax on 27.5% of its income from wells.

But the tax-free sum—according to the depletion statue—may not exceed 50% of a company's net income.

By selling a carved out production payment, the oil company bypasses the 50% limit imposed by Congress.

Using a fictitious firm, here is how the percentage depletion allowance was intended to work:

Cuyahoga Oil Co.'s income from wells was $10,000,000 for the year. Deduction for business expenses and costs totaled $8,000,000, leaving a net taxable income of $2,000,000.

Income from wells	$10, 000, 000
Business expenses	−8, 000, 000
Net income	2, 000, 000

The depletion allowance is based on gross income from the wells—27½% of $10,000,000. This represents $2,750,000 in tax free income.

Income from wells	$10, 000,000
Depletion allowance	x .275
Tax free income	2, 750, 000

However, this deduction may not exceed 50% of the company's net taxable income, which in this case is $2,000,000. Fifty percent of this figure is $1,000,000.

Net income	$2,000,000
Depletion limitation	x .50
Allowable depreciation	1,000,000

The maximum allowable depletion deduction then is $1,000,000, or $1,750,000 less than the full depletion allowance.

Net income	$2,000,000
Allowable depletion	−1,000,000
Taxable income	1,000,000

This leaves $1,000,000 on which Cuyahoga Oil Co. must pay federal income tax. At the corporate rate of 52.8%, the company pays $528,000 in income tax.

Taxable income	$1,000,000
Corporate tax rate	x .528
Federal income tax owed	528,000

Using the same figures over a two-year period, Cuyahoga Oil Co. would pay a total of $1,056,000 in federal income taxes.

Through a carved-out production payment, the company avoids federal income taxes in the following manner:

The company sells a production payment to a bank, foundation, insurance company or some other lending institution.

In this case, the production payment amounts to $8,000,000.

Added to Cuyahoga Oil Co's original $10,000,000, this increases the firm's income from wells to $18,000,000 in the first year.

Deductions for business expenses remain the same as before, $8,000,000, but now the net taxable income is $10,000,000.

Income from wells	$18,000,000
Business expenses	−8,000,000
Net income	10,000,000

The depletion allowance is based on gross income from the wells—or 27½% of $18,000,000. This represents $4,950,000 in tax-free income.

Income from wells	$18,000,000
Depletion allowance	x. 275
Tax free income	$4,950,000

Now Cuyahoga Oil Co. may deduct the full depletion allowance because it does not exceed 50% ($5,000,000) of its net taxable income.

Net income	$10,000,000
Tax free income	−4,950,000
Taxable income	$5,050,000

Taxed at the corporate rate of 52.8%, the company pays $2,666,400 in federal income tax in the first year.

Taxable income	$5,050,000
Corporate tax rate	x. 528
Federal income tax owed	$2,666,400

The following year the company's income from wells remains the same—$10,000,000. However, the company deducts as an expense, the funds used to satisfy the production payment (loan) of $8,000,000 leaving a balance of $2,000,000.

Income from wells	$10,000,000
Production payment	−8,000,000
Balance	$2,000,000

The company's business expenses for the year still total $8,000,000, creating a self-induced paper loss of $6,000,000 and eliminating any federal income tax liability for the year.

Balance	$2,000,000
Business expenses	−8,000,000
Self induced loss	($6,000,000)

Cuyahoga Oil Co. then applies the $6,000,000 loss in the second year as an operating loss carryback, collecting refund from the government of the $2,666,400 paid in federal income taxes in the first year.

The $6,000,000 paper loss offsets the $5,050,000 income the first year, leaving $950,000 to be carried forward or back to other years.

Self induced loss	$6,000,000
Prior taxable income	−5,050,000
Unused loss	$950,000

Thus Cuyahoga Oil Co. eliminates payment of federal income taxes over the two years totaling $1,056,000 ($528,000 each year if no production payment), while showing a book profit of $2,000,000.

The company may repeat this cycle every two years, perpetually avoiding payment of any federal income tax.

The unused loss of $950,000 also may be used to reduce the tax liability of subsidiary businesses.

For example, Cuyahoga Oil Co. may own a publishing firm that reports net taxable income of $3 million.

The $950,000 paper loss is deducted from the $3 million. Instead of paying income tax on $3 million, the publishing company pays tax on $2,050,000.

This procedure is followed when the oil company files a consolidated tax return that includes all its subsidiaries.

One of the issues raised by production payment critics is the unorthodox accounting system that mismatches income and expenses over the two years.

The oil companies are so sensitive to the unique accounting procedure that it is never made public.

An oil company reports the mismatching of income and expenses only on its tax return—a secret document.

In its annual report to stockholders—a public record—the company lists the income from the production payment in the same year the oil is produced.

The dual income reporting system means two sets of financial books: one for the tax man and one for the public.

The use of production payments to elude payment of income taxes has received little publicity outside the petroleum and securities industries.

Even some members of Congress, who profess to be familiar with petroleum tax laws, seem to be unaware of the tax-avoiding potential.

Last February, Sen. William Proxmire, D-Wis., alluded to a tax loophole (production payments) which permits an oil company to use the depletion allowance to offset income from other sources.

His statement brought an immediate response from a colleague who observed that he was certain Proxmire was mistaken and added:

"It is (my) understanding . . . that the percentage depletion deduction is only available with respect to oil properties, or the income from oil properties . . . I would have to have powerful evidence to the contrary.

"Before I came to the Senate I prepared tax returns involving oil operating interests and never have I heard that percentage * * *."

A. PHILIP RANDOLPH

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. CONTE. Mr. Speaker, I would like to take this opportunity to join my distinguished colleague, the gentleman from Michigan (Mr. DIGGS) in paying tribute to A. Philip Randolph, one of America's truly great men, on his 80th birthday.

It is a distinct pleasure to pay tribute to this great man. Mr. Randolph's long and successful career as a labor leader, civil rights activist, militant editor, and gadfly to Presidents was characterized by much that provided a firm foundation for the recent gains by Negroes and other members of minority groups.

Mr. Randolph is truly a dedicated leader. He is, I might add, a leader for all the people. Through his courageous efforts over the past several decades, he aroused the consciences of all of us.

On his 80th birthday last month, Mr. Randolph stated that his primary aim has been to unite all the scattered segments of the working classes, the Negro among them. He added that the liberation of the white workingman and the liberation of the black workingman could not be separated because the unity of these forces would bring about the power to really achieve basic social change.

A. Philip Randolph is a man whom the New York Times described as one "whose natural dignity has always remained unbruised and ultimately triumphant in a lifetime filled with attempts at petty humiliation by those determined to hold down the black man in labor and in every other aspect of American life."

Thank you, Mr. Speaker, for the privilege of paying tribute to one of our truly great men, A. Philip Randolph.

NATIONAL CLOWN WEEK

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. SKUBITZ. Mr. Speaker, recently the Kansas State Legislature passed Senate Concurrent Resolution 33. The purpose of this measure is to memorialize the Congress of the United States to adopt House Joint Resolution 236, authorizing and requesting the President of the United States to designate the week of August 1 through August 7 as National Clown Week.

One of the world's greatest clowns is the late Emmett Kelly who lived in Sedan, Kans., which I have the honor and privilege to represent. As the Kansas Legislature has pointed out, the ability to make people laugh in these troubled times and to relieve the tensions of our modern, complex society is a rare and truly valuable gift. Emmett Kelly had no peers when it came to this art. The joy he brought to those who saw him will long be remembered.

Therefore, at this time I request that the House favorably consider this measure.

The Kansas State resolution follows:

SENATE CONCURRENT RESOLUTION 33

A concurrent resolution memorializing the congress of the United States to adopt a joint resolution authorizing and requesting the president of the United States to designate the week of August 1 through August 7, 1969, as National Clown Week

Whereas, The ability to make people laugh in these troubled times and relieve the tem-sion of our modern complex society is a rare and valuable gift; and

Whereas, Clowns throughout the world have for many years supplied this necessary comic relief; and

Whereas, The Emmett Kelly Museum in Sedan, Kansas has been established to pay tribute to one of the world's greatest clowns; and

Whereas, House Joint Resolution 236 of the 91st Congress authorizes and requests the president of the United States to issue a proclamation designating the week of August 1 through August 7 as National Clown Week: Now therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature of the state of Kansas respectively urges the congress of the United States to adopt House Joint Resolution 236 and lends its support in requesting the president of the United States to designate the week of August 1 through August 7 as National Clown Week.

Be it further resolved: That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the secretary of the senate of the United States, the clerk of the house of representatives of the United States and to each member of the congress from this state.

WORLD TRADE EXPANSION HELD KEY TO A BETTER WORLD BY MASAO ANZAI, 1969 CHAIRMAN OF JAPAN ECONOMIC MISSION

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. MATSUNAGA. Mr. Speaker, in a relatively short span of years, Japan has followed a course of incomparable economic growth and progress. Japan's gross national product in fiscal year 1967 reached $120 billion, surpassing that of France, and in the following fiscal year the country's gross national product topped West Germany's, placing it third in the world after that of the United States and the Soviet Union.

Since 1955, Japan has led the world in shipbuilding. It now leads the world in the production of cotton yarn, motorcycles, cameras, sewing machines, watches, and radios. In the automobile industry, it is now second to the United States in the output of vehicles. It is the third largest steel-producing country, and also ranks third in the production of paper, cement, sulfuric acid and oil refinery products.

Concurrently, Japan's imports have also increased considerably. Japan's share of total world imports was 5.5 percent in 1968. It is America's largest overseas customer—second only to Canada in total trade, and the world's biggest customer for American farm products.

Mr. Speaker, earlier this week I had the privilege of introducing to Speaker JOHN W. MCCORMACK, majority leader, CARL ALBERT, minority leader, GERALD FORD, majority whip, HALE BOGGS, and other distinguished Members of the Congress a number of outstanding industrialists and businessmen from Japan. These leaders of industry were on an economic mission to the southern United States, promoting good will and understanding between the two nations. This is the third of such missions; the first mission was to the Pacific coast in 1966, and the second to the Midwest in 1967.

Members of the delegation were: Masao Anzai, president of Showa Denko, one of Japan's largest chemical companies; Toyosaburo Taniguchi, chairman of Toyobo Co., Ltd., the world's largest textile manufacturer; Koji Shindo, chairman of the board of Mitsui O.S.K. Lines, Ltd.; Iwao Iwanaga, president of Mitsui Petrochemical Industries, Ltd.; Somei Iwata, president of Noritake Company, Ltd., makers of Noritake china and porcelain and Japan's leading producer of ceramics and abrasives; Hosai Hyuga, president of Sumitomo Metal Industries, Ltd., the third largest crude-steel producer in Japan; and Yutaka Egashira, president of the Chisso Corp.

Speaking at a luncheon sponsored by the United States-Japan Trade Council, Mr. Masao Anzai, the mission head, suggested that Japanese attitudes toward U.S. investment would undergo a favorable change if American companies would accept equal partners in Japan. On the other hand, if American leadership is "ambivalent," Mr. Anzai expressed concern that the world might face "a new epidemic of creeping protectionism." The free world today, he said, acts as a diversified community, marked by "interdependence as a matter of choice," rather than "dependency as a matter of necessity."

Mr. Speaker, I submit for inclusion in the CONGRESSIONAL RECORD the text of Mr. Anzai's thoughtful speech on the need for orderly cooperation among the free economic systems of the world, I believe my colleagues will find Mr. Anzai's remarks extremely helpful and informative:

UNITED STATES AND JAPAN: INTERDEPENDENCE BY CHOICE

(Remarks by Masao Anzai, chairman of the 1969 Economic Mission of Japan to the Southern United States)

Mr. Secretary, distinguished guests: Thank you for your kind introduction.

I am also very grateful for Mr. Johnson's thoughtful remarks. He is a gentleman whose great abilities and warm human manner won him our admiration during his stay in Tokyo, as your Ambassador. No wonder it took so long to find a successor!

Ours was the first economic mission to be sent by the Japanese Government to the American South. It was a rewarding experience. Wherever we went we saw and heard evidence of a dynamism that is producing some of the highest rates of new investment, industrial expansion, and urbanization in your country.

We found Southern leaders to be future-oriented and growth-minded. As far as we could tell, few have any interest in trade restrictions. Most are concerned, rather, with trade expansion—with strengthening the already great momentum in their foreign trade, including their trade with Japan, which is their best customer. We were pleased, for example, that when we were in Austin the upper house of the Texas Legislature enacted a resolution calling for "the success of the Mission in establishing even closer ties between our two countries through mutually beneficial expansion of economic relations."

This spirit helps explain why, although overall trade between the United States and Japan has been doubling every five years, trade between Japan and the U. S. South has been quadrupling every five years.

Naturally we are gratified by our discoveries on this tour. We Japanese are concerned, as you know, with indications that protectionist sentiment has been gaining ground in the United States, especially with the problem of so-called "voluntary" restraints on textiles to the United States.

These appear to us to be a contradiction in America's traditional policies of trade expansionism—if not a step backwards into restrictionism. American leadership of the campaign to liberalize trade has been, I am sure you will agree, the principal force behind the unprecedented growth in world trade over the past two decades.

If your leadership is ambivalent, the forces of protectionism may gather strength throughout the globe, only to nibble away at the gains we have all worked so hard to attain.

We dread what might be called a new epidemic of "creeping protectionism."

Moreover, as a businessman I am not convinced that new protection for a major industry such as textiles is the best way to solve that industry's problems. Protectionism is not the cure for your textile industry or ours. Mr. Toyosaburo Taniguchi, deputy leader of this Mission and chairman of the International Federation of Cotton and Allied Textile Industries, has mentioned that the future of the world textile industry depends on joint efforts to create wider consumer demand—on stimulating consumers to buy, as the automotive and other industries have so successfully done. And future competitiveness of the textile industry, he adds, depends on introducing major technological changes in every aspect of textile processing. "Raw cotton at one end of the machine, and finished fabric at the other," he suggests, pointing out that since you have got to the moon, this should not be too difficult for you.

We have another deep reservation about measures such as international restrictions on exports. This is the effect of these measures on our domestic economy. To enforce the agreement, the Japanese Government must intervene in our private sector with an elaborate system of controls over production and exports. I do not mind telling you that government controls of this kind—which invariably spread to other areas of the economy—are anathema to the Japanese businessman, as I suspect they would be to businessmen in this country. A little government control is like a little pregnancy.

Ours is a highly competitive economic system, as the stability of Japan's wholesale or export price index demonstrates. It is in many respects freer and more flexible than any West European or even the American economy. Our tradition and respect for orderly development have simply insured a certain sense of responsibility in the free play of competition.

Nevertheless, one of our principal problems is not governmental regulations, but excessive competition among private enterprises. This is our national headache, and a continuing source of painful economic and social adjustments. Indeed, our headache is compounded by the structural imbalance which are produced by the very speed of our economic growth.

As you are well aware, Japan's economy has been expanding over the past five years at the unparalleled average annual rate, in real terms, of 10 percent. I am personally convinced that the relatively greater freedom of the Japanese free-enterprise system has been the most important factor in sustaining this high growth rate.

Let me turn briefly now to American complaints about Japan.

Despite a drastic trade-liberalization program initiated just five years ago, Japan still retains a number of import restrictions, some of which are related to domestic problems of structural imbalance and adjustment.

Western European countries, especially the EEC countries, maintain some import restrictions with which you are familiar. In addition, they have erected a number of barriers which discriminate specifically Japanese imports—cameras, automobiles, tape recorders, etc. Thus Japan's concerns in trade negotiations are not simply bilateral, with the United States. They are multilateral, and are especially difficult in relation to Western Europe.

It is my personal view that Japan would be quite ready to negotiate further reductions in its import restraints, any time the West Europeans are willing to discuss comparable concessions. I hope some of your able and experienced negotiators will help us get this important message across to our European friends. And I think I speak for my business colleagues in saying that the Japanese private sector will strive to overcome those domestic structural problems which are related to our remaining import restrictions.

As a footnote, I should mention that, although Japan may not have liberalized its trade as rapidly as some of you think is possible, we take satisfaction from the fact that—since we initiated our liberalization program—we have taken not a single step backwards.

Japan is also criticized here for its restraints on foreign capital investment, although we have taken two important steps in this direction—the first in July 1967, and the most recent in March 1969. In both these steps our guiding principle was to open up as many industries as we felt we could reasonably open up to 100 percent foreign investment. At present, 44 industries have been fully freed, and 160 are eligible for foreign equity participation up to 50 percent.

A third round of capital liberalization is now planned, and I expect this next step will be taken ahead of the target date. Our capital liberalization program will be accelerated.

Meanwhile I should like to raise a question for consideration by my American business colleagues, especially the leaders of your great international corporations. On the basis of past experience in Europe and Latin America, as well as Japan, is 100 percent or even 51 percent control over an overseas company essential to efficient and profitable operations? In fact, is a foreign-controlled company in the best position, in the long run, to command top local talent, capital and other resources, and the goodwill of the local business community?

My own experience suggests that the optimum business arrangement—for both sides—is an equal partnership. I am proud to have been responsible for forming in 1960 the first U.S.-Japanese joint-stock company established under the liberalization program: Showa Neoprene, which is a 50–50 joint venture between Du Pont and my own Showa Denko. Since then we have set up joint ventures with five other U.S. firms. Without exception these enterprises have been successful, and wholly satisfactory to both partners.

Insistence by some American companies on 100 percent equity, in certain industrial sectors, has been a stumbling block to Japan's rapid capital liberalization. If these industries would accept equal partners in Japan, I suspect—though I cannot speak for my Government—that attitudes toward U.S. investment would undergo a favorable change.

The happy result, as I see it, would be a much wider and much faster induction of U.S. capital, technology and management into Japan, to the great benefit of both countries. A breakthrough on these grounds should also open the way for new U.S.-Japanese joint efforts for the benefit of capital-hungry areas of the world such as Southeast Asia.

American and Japanese private capital is already playing a vital role in building the potentially rich Indonesian economy. Once peace comes to Vietnam, a similar cooperative effort could speed the rebuilding of that war-torn area. As both South Korea and Taiwan have proved, with their astonishingly high growth rates, private enterprise works in developing Asian countries as well as in Japan or in the West. And, in the long run, a surge of economic growth around the rim of Asia would be a major force for political stability and peace in that area.

We face together some extraordinary challenges and opportunities. This world of ours has reached, I believed, an epochal turning point. If we consider merely the great scientific, technical and material progress of the last few decades—especially in the advanced countries, but also increasingly in the developing areas—we might be tempted to say, "We never had it so good." We have the resources and are acquiring the know-how to create a far better life for all mankind. Yet paradoxically ours is a time of unrest, uncertainty and danger—within our respective societies, and around the world.

It is my own view that we are experiencing the birthpangs of a new and hopefully better era. I think we have reached the end of the postwar era, which was characterized by the polarization of power between the two great blocs, headed respectively by the United States and the Soviet Union.

Thanks to the stability and progress insured by American leadership and generosity during the postwar period, other nations—especially Western Europe and Japan—have got on their own feet again. The free world thinks and acts today less as a bloc, with uniform policies to insure survival, and more as a diversified community, with common basic interests, but with a welcome sense of freedom.

It is the difference between dependence as a matter of necessity, and interdependence as a matter of choice. And, if my observations are correct, this is a tribute to the success of America's postwar policies.

The question is, What can the new era be like? How can we bring about the best that is in our reach?

I believe the next era can be one of creative diversity, of greater individuality and spontaneity, of friendly competitiveness between nations and cultures and economic systems—a world in which each people may make its own unique contribution to the common good. In a world we have the power to shape, the international private sector can bring its resources to bear on the greatest of mankind's problems—if only we establish the framework for orderly cooperation among distinctive free economic systems.

This framework should not only favor the flourishing of free enterprise of diverse backgrounds, but should also mobilize more effectively the human and material resources of cooperating nations on behalf of world economic and social development.

Earlier American Presidents are remembered for their leadership in erecting the framework for world trade expansion and monetary cooperation. I wonder whether the time may now have arrived for a new American President to take the lead in constructing this framework for a freer and more progressive, yet orderly, world economy. Private initiative is a dream America first put flesh to; it is a dream we share with you, as we look to a better world.

SOUTH AFRICAN SUGAR QUOTA

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, 2 weeks ago, I was privileged to join 21 of my colleagues in cosponsoring legislation authored by Representatives Jonathan Bingham to end a bonanza for South Africa by eliminating its sugar quota. On the following day, April 18, Senator Edward Kennedy and 12 cosponsors introduced identical legislation in the Senate.

I would like to commend both Representative Bingham and Senator Kennedy for the efforts they have made to call attention to America's subsidizing of South African plantation practices—practices which strengthen the backbone of South Africa's rigid and harsh racial policies. While events in both the North and the South of this country will prompt many people to say that we should begin by cleaning our own house first, I do not see a contradiction in working for domestic tranquillity by ending deprivation and segregation at home—and at the same time working to eliminate the props of support for a fervently racist cause in South Africa.

We cannot successfully hope to bind up the wounds that our own problems inflict on us without examining the effects of our acts overseas. Through the South African quota, we have not only granted sugar growers in South Africa a bonus in the past 4 years, by giving them $23 million more than they would receive in open competition in the world's markets, but by participating in their economic life of that country we have increased the power of a nation swimming desperately against the tide of human progress and self fulfillment.

Mr. Speaker, it occurs to me that the elimination of the sugar import quota is but one step in an American reevaluation of our position with regard to South Africa. I do not think we want to cast our lot with oppression of the natural desire to be free and the denial of basic human rights which the legal aims of the South African Government have come to represent.

SCIENCE BOWS TO PREJUDICE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. RARICK. Mr. Speaker, the National Academy of Sciences, in a secret vote behind closed doors, has fearfully rejected a Nobel Prize winner's proposal that it encourage scientific research and inquiry into the question of hereditary racial differences and the extent, if any, to which these differences contribute to the Nation's social problems.

The soul of science is the search for truth. Academic freedom is indeed a thing of the past when such a search cannot even be encouraged for fear its results will not agree with the neat propaganda of the social apologists. If we would solve our problems, we must not fear to seek their cause.

Our Western civilization was built by men who dared ask why. If we lack their courage, their honesty, their devotion to truth, we deserve the inevitable result.

Mr. Speaker, I insert an article from the Washington, D.C., Evening Star of April 30, 1969:

Race Study of Heredity Is Ruled Out

The National Academy of Sciences has rejected a proposal that it encourage research on whether hereditary racial differences contribute to the nation's social problems.

NAS President Frederick Seitz said yesterday academy members killed the proposal in a closed session, primarily on grounds it might be misunderstood as a "white vs. black issue."

"There is a strong feeling," Seitz said, "that in the current circumstances in which the social issue is so predominant—we're trying to find our way in equal opportunity—that it would be almost impossible to carry out reasonable research . . . that would not be misunderstood."

The stand was proposed by Dr. William Shockley, a 1956 Nobel Prize winner and Stanford University professor. For four years, he has been urging the NAS to encourage scientific investigation of possible racial differences in intelligence and other human qualities.

His resolution would have urged the public, press, government and scientific community "to seek facts relevant to hereditary aspects of our national human quality problems" which could lead to "knowledge suggesting wise, humane and appropriate remedial legislation."

NOTHING COULD BE MORE URGENT THIS YEAR THAN TAX REFORM

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. LOWENSTEIN. Mr. Speaker, once again April 15 has passed quietly by, which is a tribute to the fundamental lawfulness and patience of the American people.

Now lawfulness and patience are fine qualities, but they are not the only fine qualities. Indignation at unfairness and determination to make things better are fine qualities as well. And millions of Americans are finding some of these qualities in conflict with others as a result of the continuing failure to end at least the worst of the inequities of the Federal tax structure.

In the long run respect for the law, as for anything else, depends on respect being deserved, and we all know that there are now Americans of all walks of life and backgrounds who are finding it increasingly difficult to believe that laws which are neither fair nor responsive to the wishes of the people do, in fact, deserve respect. Resentment about the tax laws has grown so deep and so widespread that there is now a risk of a taxpayers' revolt—a revolt which, quite apart from the merits of revolt as a tactic, would have the strength of justice on its side.

In short, if it is desirable to increase respect for the law, it is necessary to make the law more responsive and more deserving of respect. I can think of no task that should be more urgently undertaken in the present situation in the United States.

To understand the scope of the unfairness—and to glimpse the depth of the discontent—these facts, among so many others, could be cited:

First, 2.2 million families earn approximately $2,200 a year and pay nearly $100 annually in taxes, in 1967, 21 individuals with incomes of more than $1 million, and 155 persons with incomes over $200,000 paid no taxes.

Second, the rate of taxation does not rise with increases in income, despite rhetoric about America's progressive tax structure. Individuals receiving over $200,000 in income a year pay an average of 27 percent of their income in taxes, a rate equal to that paid by people earning $13,000 a year.

Third, the total revenue loss from loopholes and shelters approximates $50 billion, according to former Secretary of the Treasury Joseph Barr. Giant oil companies pay virtually nothing thanks to the depletion allowance, and many wealthy individuals are able to avoid any substantial taxation by using such devices as deductions for the appreciated value of charitable contributions, the capital gains tax, the exemption of earnings from State and municipal bonds, and stock options.

Fourth, present inequities are made even worse by the 10-percent surtax. For the 21 individuals who earn over $1 million and pay no taxes, 10 percent of nothing is, of course, nothing, while taxpayers with smaller incomes who pay higher rates are hit yet again.

Nobody can be expected to enjoy paying taxes, but a tax structure that leaves a great majority of the taxpayers feeling victimized by rules of their own Government cannot help but increase doubts about Government itself. This inevitable and insidious byproduct of the tax situation adds urgency to the need for reform.

And these are circumstances that have caused many of us in the Congress to reject assertions by some administration spokesmen and congressional leaders alike that no major changes in the tax structure are possible this year. When all is said and done, it will not be acceptable if once more everything has been said and nothing has been done.

But I cannot believe that the President and Congress will allow another year to pass without a comprehensive overhauling, if the din of discontent keeps up, loud and clear. And, in any event, this matter will remain a most urgent priority for many of us in this House. We will continue, Mr. Speaker, to do everything humanly possible to press for a tax system that insures to each citizen an equitable share of the burden. Few Americans would begrudge doing their fair share for their country.

So we take this occasion, as April ends, to repeat our resolve that before another April comes around, we will have begun the elimination of the more outrageous loopholes, including oil depletion allowance, and will be on our way to restoring a progressive rate structure.

We will continue the fight to eliminate the 10-percent surtax, to double personal exemptions, to exempt the first $5,000 of retirement income, and to do much more to distribute the tax burden more fairly. We will continue to press for action on the legislation we have introduced that would begin to effectuate these goals.

Too much is at stake for too many people—and for the integrity of the institutions of this country—to brook further delay.

DON'T LOOK BACK

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. MANN. Mr. Speaker, on April 15, an outstanding young man was inaugurated the eighth president of Wofford College in Spartanburg, S.C. Paul Hardin III is a man of many accomplishments. He was practicing attorney for several years, and for 10 years was professor at Duke University, whose president emeritus, Douglas Knight, was present on the platform. President Hardin's inaugural speech, entitled "Don't Look Back," contains great insight into the purpose and function of the small, independent educational institution in our country today. I wanted to share his thoughts with my colleagues. I am, therefore, pleased and privileged to offer it for printing in the RECORD.

"DON'T LOOK BACK"

(Inaugural Address by Paul Hardin III, Eighth president of Wofford College, April 15, 1969)

Dean Covington, distinguished platform guests, official delegates, members of the Wofford College community, and friends:

By an odd custom college and university presidents are inaugurated some months after they assume their duties. The timing is unfortunate. If I had been called upon to make this speech before last September, it would have been a snap, for then I knew practically all there was to know about college administration. After all I had been a faculty member at Duke for the preceding ten years, and I was able to judge instantly whether President Knight and his predecessors did well or poorly, even when I had only a fraction of the facts before me. Long before that I was a university student. This, of course, qualified me to make most decisions about how my school should be run. I also had had 16 or 17 years of experience as an alumnus, and alumni have an infallible instinct for college administration. Finally, I had been for several years a practicing lawyer, and, as all of you understand, lawyers know almost everything.

It is utterly astounding how memory fades after a scant seven months in the job! Simple and obvious solutions to complex college problems no longer spring instantly to mind. It's a strange phenomenon. I have actually had to seek the advice of faculty members, students, and alumni. I even telephone a lawyer now and then.

What I am trying to say, with tongue slightly in cheek, is that this job is a great deal tougher than even the best Monday morning quarterback can possibly know. On the other hand I am convinced that, if one gives the job all he has, gets others to help with decision-making, and, above all, does not take himself too seriously, being a college president is challenging always, fun at times, and not necessarily fatal.

This speech is in a sense the fourth in a series. My basic first speech to alumni gatherings, church groups, and civic clubs applauded what had gone on here before I came to Wofford, the strong foundation on which we shall all be privileged to build. It was and is an honest and enthusiastic speech. Wofford has a grand tradition of educational leadership, and the college made significant new strides under the distinguished administration of Dr. Charles F. Marsh, my predecessor and now our belowed president-emeritus. We have a conscientious and sup-

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porting governing board, able and promising students, a strong faculty and staff, a good physical plant, sound financial management, an innovative curriculum, a respect for the best of the past, and an openness to the future. We have a wholesome relationship with the United Methodist Church and view our tasks and opportunities from a Christian perspective. These are ingredients of greatness.

The second speech in the series occurred at last September's opening convocation. It was printed, and many of you had it inflicted upon you in one way or another. At that time I catalogued a number of important questions which Wofford must ask and answer. I did not venture answers but sought to lay the ground rules for discussion. I spoke of the necessity of complete openness and honesty with each other within and without the campus community and declared that Wofford must be a robust market place of ideas, if we are to get good answers to our important questions. The patron saint of that speech was John Stuart Mill, whose essay "On Liberty" was cited and paraphrased with everyone's apparent approval.

The third speech was not a speech, but an interview, and it came about unexpectedly as a necessary digression. Several controversial speakers representing a wide range of opinions were invited to the Wofford campus as a part of our regular assembly program. Some people, also representing a wide range of opinions, suddenly doubted that Mill's essay was applicable to speakers whose views differed from their own or whose appearance at Wofford might adversely affect public relations.

I doubt that many folks are more concerned about public relations than are the presidents of under-endowed, church-related colleges; but I did not see in Mill's essay, nor in the principles of freedom on which our nation was founded, nor anywhere in the distinguished history of Wofford College, nor in my own speech anything which excluded from scrutiny and analysis any ideas, popular or unpopular. The fearless scrutiny and analysis of ideas is the very stuff of education; so I defended the open speaker policy in a written newspaper interview. At the same time I was given the opportunity to distinguish between true and necessary freedom of expression, on the one hand, and disruption of the educational enterprise and interference with the rights of others, on the other. We all must do this; we cannot adopt the careless attitude that all student demonstrations are alike—none to be tolerated. We must be as swift to defend non-disruptive expressions as we are to put down violence. Our students now know that this administration will not tolerate disruption. But they first had to know and do now that we put fairness and openness first, firmness second. In all of this talk about student unrest I have expressed honest confidence in our Wofford students—not only most of them, but all of them.

Now, this speech, or what's left of it, is intended to define our educational goals and consider how our academic program may contribute to their attainment. What are we going to try to do for the young people who come here seeking an education? First, I want to set out certain premises with which I hope you will agree.

1. The first duty of an educational institution is to help young people live successfully in the world they will inhabit, not the one we have inhabited.

2. What formerly was considered, and may have been, a very practical kind of education, the ingestion of facts to be stored up and used as needed, is now demonstrably impractical. The reason is that facts these days are perishable. There really is a knowledge explosion, not a stable body of information which can be squirreled away like nuts for the winter.

3. If education is not mainly the ingestion of facts, what is it? Let's try this. The business of life is solving problems. The educated man should have more skill than the uneducated man in recognizing, measuring, and analyzing problems, a keener motivation to solve them, and a superior ability to find appropriate solutions or at least to eliminate inappropriate ones. The value system implicit in a Christian education, incidentally, should show up in the priorities a man sets for solving problems and in the particular solutions he chooses.

4. If our aim in education is to teach students how to gather and use information in the solution of problems, the method originally adapted to a different end—the mere accumulation of facts—are no longer appropriate. In an earlier time, when knowledge evolved more slowly, we sought to impart it by breaking it up into discrete packages which we called disciplines. Each department of the college or university was responsible for imparting to the students as much of the sum total of knowledge in that particular field as time and the intelligence of the students permitted. If the emphasis today is not to be as much on storing facts as on learning how to find and use them in the solution of problems, the basic educational approach should be a problem approach, not a disciplinary or departmental approach.

5. Although only a small minority of students in this country adopt tactics of rebellion, probably every educator here senses that most students conscientiously question the relevance to life of much that we do in our courses of study. They come to us concerned about the nature and existence of God, the nature and purpose of man, war and peace, poverty and plenty, racial antagonism, air and water pollution, and they find themselves in English Literature one hour, foreign language class the next, a science course, three hours per week plus lab, and so on. If they question relevance, we tell them to trust us, that all of this will tie together as we go along. We are honest in this; we really believe what we teach is relevant; but we often aren't very persuasive.

Of course, the complaint of irrelevance is old stuff, and every college has tried to respond in one way or another. One response which subverts rather than promotes education is for the institution to seek "relevance" by plunging into society in a veritable spasm of individual and institutional activism. The college decides it will set all things right in society. Students and teachers spend most of their time off campus in what we call direct involvement. Despite a lack of clear educational purpose or intellectual discipline, at the end of each semester passing grades and academic credit are awarded. Meanwhile the institution itself has influenced the destiny of mankind by abolishing ROTC, denying recruiting privileges to the military services and Dow Chemical Company, and making sure that the investment portfolio is not being handled by a bank which once loaned money to the government of South Africa. At the risk of offending someone, may I suggest that this is rubbish. Well-intentioned perhaps, but rubbish nevertheless. This is what Albert Outler calls "politicalizing the academy", and it diverts into ofttimes aimless political activity energies and resources intended for and vitally needed for education. Those of you who disagree, please read Jacques Barzun with an open mind. He is criticized for his conservative stance here, but isn't it true that colleges and universities haven't the resources to cure social ills by direct intervention?

It seems to me imperative that education today should neither continue the traditional style which often seems oblivious to the real problems of life nor swing over to a kind of feverish activity which may be relevant to something, but not to education.

Now in this great company of witness I want to make a modest proposal to our faculty and students. I offer no final solution to the agony of American higher education—only a beginning point for this college at this time.

Lets start by identifying the great problems which perplex mankind: war, poverty, racial injustice and antagonism, environmental pollution, destructive uses of leisure time. You name your own set of cosmic problems. Let one of the first courses offered to freshmen and other new students be an inter-disciplinary quantitative and qualitative study of one or several of these problems.

Take poverty, for example. Everyone knows intuitively that it is a problem, but does an educated man rely upon intuition? Examine poverty. Measure it. What is it? Where is it? Why is it? How serious is it? Let the economist and the sociologist show by statistical data the quantity and geography of poverty. Let the historian show us the history of it. Let the humanist show how poverty affects and is mirrored in art, music, and literature. Let the philosopher and the religionist explore the morality of poverty. This is crucial in a Christian college concerned with moral values. Let the behavioral scientist and the natural scientist demonstrate the psychological and physiological effects of poverty. I read recently that a starving Biafran child asked her priest, "Father, what is happening to my body? Let the scientist tell us what happens in starvation or malnutrition.

After we discover the dimensions of the problem, lets consider possible cures. Experts in economics can discuss how our private and public resources can be allocated to alleviate poverty. Of course, attention must be paid here to competing priorities, and we may argue, for example, about going to the moon. History can tell us how well or poorly various attacks on poverty have succeeded in other times. Religion and government can explore the ethical soundness and political feasibility of such proposed cures as enforced birth control. Science can tell us what are the prospects of producing enough food and pure water to feed the multitudes. And so it could go, ad infinitum. Anyone here could make up his or her own illustration of what I am proposing. And this introductory course could deal with a different problem each time around.

Now, I haven't an entirely new curriculum to propose. If each student's career should begin with his participation in this kind of experience, I frankly don't think it would make much difference how we structured the rest of the curriculum, because I foresee the following almost inevitable benefits:

1. Students who currently feel frustrated by an apparent lack of concern about great social issues will see that there is institutional concern and that this concern is central to the educational mission of Wofford College.

2. Students who by reason of sheltered backgrounds have not been aware of great crises and problems will become aware—a beginning of education.

3. Students in both categories will learn a great deal about these problems—accumulate a lot of information, in fact—but more importantly they will learn how to learn, learn how to gather data from a variety of sources, classify it, and use it in the solution of problems.

4. The natural instinct to learn and the generous enthusiasm of youth will not be blunted and deadened by failure to see the organic relation between learning and life. That instinctive zeal of the student for today's problems will have been exploited to demonstrate to him the rich social, intellectual, and spiritual rewards of disciplined and systematic study. Once that introductory course has been completed—even began—both students and teachers will be seeking to plug into that experience every course and every project which follows in the curricu-

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lum. If there are teachers who cannot show how what they teach relates to one or more of the cosmic problems of mankind, the sooner we learn this the better.

5. The students will work with raw data rather than textbooks, and artificial disciplinary lines will become at least partially obscured.

6. The college will be exercising upon its environment a leadership in Christain social responsibility which is vastly more effective than lofty preachments or direct applications of political, social, or economic pressure.

That last statement and a point made earlier about student activism relate to something which is terribly important to Wofford College and something I want to mention briefly in closing. That is the relationship between this college and its environment.

It is almost impossible to avoid occasional tensions between a college or university and its surrounding community. If I recall elementary physics correctly, we do not have motion without friction except in a vacuum. Wofford College is in motion. Spartanburg and South Carolina are on the move, and we are not operating in a vacuum. Furthermore, there are nearly always on any campus a few persons who, while insisting that the college must be free to run its own affairs, like to tell the outside community how to handle its problems. I can testify too that there are some persons outside a college who like to push the college around. In the minds of these few persons support is not something you give to a worthy college, but something you withhold, this year for one reason, next year for another.

But let's make one thing very clear, as President Nixon is fond of saying. This college and this city and this region have an alliance for progress. The great majority of our students and faculty, not minimizing the imperfections of our society, have confidence in the basic direction of its movement and great hope for the future. The great majority of South Carolinians, whether or not they agree with everything we do at Wofford, appreciate the need here for a first-class free Christian college. Wofford is always becoming and will be a first-class free Christian college. The time has passed when a Southern college can excuse mediocrity by blaming a narrow-minded constituency. Our constituency is not narrow-minded. With respectful independence and warm mutual support and with God's help, this college and this region will pursue excellence as relentlessly as it is pursued anywhere else. If there are doubters present, visiting from other progressive areas and schools more renound than Wofford, let me address a final word to you, quoted from a grand old baseball player, Satchel Paige: "Don't look back. Something may be gaining on you!"

OLSEN DEPLORES CUTBACK IN SOCIAL SECURITY INCREASE

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. OLSEN. Mr. Speaker, those social security recipients who accepted Mr. Nixon's pledge of a 10-percent cost-of-living increase in their benefits last fall must be wondering what became of 3 percent of it. That 3 percent must have evaporated somewhere between Miami Beach and Washington because the President is now calling for only a 7-percent increase.

The rationale, of course, is that we must all tighten our belts, we must all economize. I am as much for economy as the next man but let us get our priorities straight. A decent income for those too old to work, for those who contributed to the social security fund with the confidence that their old age would be provided for, this is all that is being asked by them. Instead of a warm and sensitive response they are told to get out the ice picks and punch more holes in their belts because the Department of Defense cannot see fit to cut down on more of its wastefulness.

The Montana Standard recently, in an editorial comment, put the question of where to economize in the proper perspective. I recommend it to my colleagues:

[From the Butte-Anaconda (Mont.) Standard Apr. 19, 1969]

UNPOPULAR SAVINGS

President Nixon's decision to offer Social Security recipients less than former President Johnson will come as a keen disappointment to the elderly. Both political parties promised in the presidential campaigns to increase Social Security payments. The Democrats talked in terms of 10 per cent. When the Republicans said "me too" it was expected they would also ask for that percentage.

Instead, regrettably, the Nixon Administration has set the hike at 7 per cent.

President Johnson, in the budget proposals he made before leaving office, urged a 10 percent cost-of-living benefit increase. It was estimated the cost would be $1.6 billion. Nixon not only wants to cut the increase but wants to delay the effective date of the boost from January 1970 to February. And by making other adjustments he hopes to hold the cost to $600 million.

The saving of $1 billion comes close to being the largest proposed by the Nixon regime. The only larger cut is in defense. Here Nixon wants to trim $1.1 billion from the figures in the January or Johnson budget.

Obviously when Congress looks at this comparison, it will question the Social Security cutback from the proferred 10 per cent increase. More can be trimmed from defense and added to the Social Security raise.

The elderly are least able to combat inflation, brought about partly by defense spending. Social Security recipients are caught in a squeeze. Inflated costs leave fixed-income people no choice but to further retrench. Such continued curtailment can lead to poverty.

We feel the Nixon Administration should have exhausted other areas of prospective savings before hitting the retired. We hope Congress sees it our way and restores the 10 per cent cost-of-living increase.

LANGUAGE AND THE DISADVANTAGED CHILD

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BRADEMAS. Mr. Speaker, one of the most promising recent developments in American education has been the concentration of funds and attention on the education of the disadvantaged child, principally through the program financed under title I of the Elementary and Secondary Education Act.

Programs of this type frequently place great emphasis upon the development of the communications skills of the child—reading, writing, and oral expression. But this effort is complicated by the fact that the disadvantaged child comes from a cultural background with forms of communication significantly different from those of the established, middle-class world. Moving back and forth from one cultural context to the other can be very confusing and psychologically taxing for the child.

I insert in the RECORD at this point a very timely article which appeared in the winter, 1969, issue of the Allegheny College Bulletin. The author, Peggy Toman, is a third-year speech major at Allegheny College. She has had extensive first-hand experience in educational programs directed at the communications problems of the disadvantaged.

The article follows:

ORAL LANGUAGE OF THE DISADVANTAGED CHILD

(By Peggy Toman)

Language and culture or language and society are intimately related, although they are not always thought of as related in reference to education. This relation which exists between, for example, social differences and dialect differences, can be important to the teacher who then must decide whether there is a variety of English which he or she must emphasize because of its social implications. The problem of the socioeconomically-disadvantaged child and his oral language development is particularly relevant in the discussion of language and culture.

A great percentage of language learning must take place before the child enters school. Under normal conditions, a child in kindergarten or first grade is expected to use in his speech all of the sentence patterns he is ever likely to need. If he does not, the child is said to have "delayed development." This may also include deficient vocabulary and difficulty with word association. As the child grows older, more specific language problems, which will be subsequently discussed. become evident if he has experienced linguistic impoverishment in his early years. This early development is influenced most by the home environment. The formative years in language development are those between the time the child begins to utter sounds and the time he enters school. However, in many culturally deprived homes, the child's development may begin and progress no further than utterances of sounds. When he enters school, he is severely handicapped by the inability to communicate verbally.

A child coming from an inarticulate family is usually inarticulate himself. In the present study, the author observed several four-year-old children who could utter only phonemes when they entered the Day Care Center. Most of them showed no signs of mental retardation, but came from deprived homes. Some of the circumstances characteristic of disadvantaged homes are the absence of a father, in which case the mother may work, a large number of siblings, and parents with little education.

Parents and siblings do not have or take the time to encourage the child to speak. The child's wants are often anticipated by the parent before the child speaks and no verbal exchange is demanded. If the child has five or ten brothers and sisters, he does not have the opportunity to be heard alone or to receive individual attention. The communication defined as the sharing of ideas and feelings rarely exists in the disadvantaged home. Also, the parents who have had little education have limited verbal skills themselves and their language usually serves as an example of non-standard English. Naturally, it would be to the child's advantage if he were exposed to the standard English he will encounter in school.

The differences between language of the school, with middle class standards, and the non-standard English used by the disadvantaged, are due to the fact that the lower class home may simply not be verbally oriented. Models for standard English and sentence structure are not readily available until the child enters school. Some linguists claim that at this point it is already too late to try to reverse language patterns or teach a "standard English" which the child will readily adopt.

The problem of the inarticulate family environment, however, is more complex. The child is handicapped by the lack of verbal stimulation which is characteristic of the middle-class home containing books, records, magazines, and parents prodding their child to verbalize. The child in the disadvantaged home suffers from a lack of concrete experience about which he may talk in school. Many children have never left the center city. When the child reads about vacations or is asked in September about his summer trip, he has nothing to contribute.

His opportunities to develop normally with word association are limited. For example, the child has probably never been to a zoo or a circus and he has few books at home which help him distinguish a lion from a tiger. At the Meadville Day Care Center, five four-year-olds were asked to identify a grapefruit. They examined it and guessed "orange" and "apple." They knew it belonged to the category of fruit, but it seemed apparent that they had not seen a grapefruit before and if they had, they forgot what word they should associate with the piece of fruit. When they were told that it was a grapefruit, they gave no sign of recognition of the verbal symbol.

These examples suggest a lack of experiences which will help the culturally deprived child understand the concepts which are presented in school. The child's environment is labeled an "inarticulate climate" if the child is not motivated by his family to speak and if he has limited experiences about which he can speak in the school environment.

It must be emphasized that this underdeveloped linguistic ability is referred to in relation to the school. It is by school standards, which are essentially middle class standards, that the child's language is judged when he enters school. The question of standard and non-standard English becomes as important as the problem of being inarticulate. for even if the child speaks fluently and often, it may be unacceptable speech by school standards.

The child may be so unfamiliar with the language of the school that he feels he is not equipped with the necessary linguistic tools to express himself in a manner satisfactory to the teacher. At this point, the child feels strangely alienated and rejected because the teacher asks him to repeat, or corrects his grammar usage.

The school becomes a place to fear because the child's confidence is destroyed when he realizes that middle class standards are the norm. In reference to concrete experiences, the child has obviously had some, but they are not related to the life at the school. The child will probably try to express himself, but many of his experiences in the slums which he talks about will be rejected by the teacher. The complications which this situation produces may have serious consequences learning. He may become silent and fall farther and farther behind in school. Some teachers may assume his intellectual development as a whole is delayed, or that he is mentally retarded.

Finally, by the time he is, or should be, reading and writing and by the time he takes IQ tests and reading-readiness tests, definite patterns in his verbal deficiencies emerge. In the present study, specific morphological problems, which will illustrate this point, were found. A common problem was the child's failure to add *s* to the third person singular. The sentence, "He want a bicycle," is an example. Another problem was the excessive use of *be* as a pivot word with no transformation of form. Examples are, "I be happy," "They be back later," "You be pretty."

The syntactic structure problems of the disadvantaged are numerous, and it is primarily because of these problems that the child is said to speak non-standard English. One specific problem is the disadvantaged child's continued use of two-word verbals. He fails to expand his verbals into verb-phrase construction by using complete noun phrases. "A cookie" becomes "want cookie" instead of "want a cookie." This may be a prelude to poor syntactical organization later.

Standard English is defined by educator Virginia Allen as "the kind of English habitually used by most of the educated English-speaking persons in the United States." The question of standard English versus non-standard is an important one, because there has been much misunderstanding caused by the misconception that standard English is the only applicable and acceptable language norm. It should be emphasized that it is not a question of standard English being "better" than non-standard English. The problem rests with the fact that man learns that there is a standard and he also learns to have perhaps unconscious prejudice against those who do not conform to the standard. When someone applies for a job, the slang or non-standard English he speaks in his neighborhood may not be acceptable in the situation of speaking with his future employer.

"Appropriate" or "correct" usage then becomes the decision of the people involved in the situation, not that of the dictionary or the gang or neighborhood. Language should be judged by its effectiveness in communicating successfully with various types of people in various social classes. "I don't got no book" should not be criticized for "incorrect usage," or it will mean nothing to the child in school. He hears this usage at home, his mother speaks that way, so it is useless to tell him it is wrong. A better technique would be merely to make him familiar with the standard "I don't have a book," as an alternative way of expressing his thought.

Some of the most serious problems in educating the child with a cultural dialect different from the school's are in relation to the child's taking standardized tests. Reading-readiness and Intelligence Quotient tests are highly dependent on the child's environmental experiences and acquaintance with language. The tests are written in "standard middle-class language," and many of these tests will ask word association questions, picturing five objects and listing five words to match the objects. It is very likely that the disadvantaged child will only have seen two of the objects in the realm of his experience.

It seems only logical, then, to begin correcting the situation of the disadvantaged child's language problem with the revision of standardized tests. Especially, in reference to IQ tests, which may determine much of the child's future educational opportunities, the tests should have "built-in" correctional devices for those children who cannot possibly answer from experiences which they've never had.

Regarding the teaching of language to disadvantaged children, the first consideration should be when to begin. Head Start programs, such as the present study used as a laboratory, are excellent. It is ideal to begin to make the child aware of a "school language" before he even begins school.

It is a widely-accepted fact that 70 per cent of the talking in the classroom is done by the teacher. If this is true and the teacher represents an unfamiliar, hostile culture to the disadvantaged child, he is not going to listen to this "school language." It is therefore the responsibility of the teacher to establish a comfortable rapport with the pupil. Once the teacher has the respect of the pupil, she can be sure that he will accept her language as well.

The teacher must analyze the child's abilities and then build a technique of instruction with those abilities and weaknesses in mind. The language itself is not new to the child, so it is important to take advantage of what the child already knows. The teacher must find out whether the child is weak with the use of verbs and then construct drills which encourage him to practice using these verbs. By taking advantage of a child's ability for fantasy, the teacher can put him in role-playing situations which encourage him to express himself. By repeating, and elaborating the child's sentences, the teacher can provide models for their construction.

A casually-disciplined classroom allows a child to express himself freely. The children should have many spontaneous and unstructured situations to stimulate verbal exchange. Insisting upon silence at all times can stifle verbal expression.

The differences between standard and nonstandard speech are finite. The child should be made aware of different levels of speech and he should be made to realize that it is within his capabilities to speak either standard or nonstandard English whenever he wishes. This then, is the teacher's goal for the deprived child: to make him able to move from one language to another, depending upon what the social situation requires.

To learn word associations, symbolization, and conceptualization, the child must be exposed to as many pictures, trips, objects, maps, signs, word games, and experiences as possible. The school must suddenly take over the job of exposing the child to varied experiences, a job which is traditionally assigned to the family. He must learn that different responses are expected in school, and that the "system" is going to expect him to be able to call up a "formal" language in certain situations. The middle class standard language must be used as a model, not as a "perfect way of speaking," but as an alternative.

If answers to the disadvantaged child's language problems are to be found, the search begins in the classroom or in a teaching situation and the answer is likely to be found in effective teaching methods. The term "effective" methods does not necessarily imply "proper" methods such as those enumerated in grammar rule books. Effective methods are those methods which are most successful in accomplishing the goals mentioned above. Methods which will pull the socio-economically different child out of the "disadvantaged" category should be identified as effective methods. The socio-economically different child is disadvantaged when he enters school, but he need not remain in that category if teachers adopt techniques of language study which help the child "catch up" to middle class children of the same age.

Teaching a child that his dialect is unacceptable or incorrect is clearly not a proper approach to the problem. Instead, it must be taught that certain cultural or class dialects will be acceptable at different times than certain other dialects. The meaning of language and the importance of communication must be taught, and not a list of grammar rules "which will enable him to speak like an educated person."

It must be the teacher who impresses upon the disadvantaged child that his cultural dialect is not incorrect, and that learning particular language skills is not for the purpose of changing his existing speech patterns, but merely to add to his language experience so that he will be equipped to communicate successfully with most individuals.

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POLISH CONSTITUTION OF MAY 3, 1791

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. CONTE. Mr. Speaker, since the outbreak of World War II, we in this Congress have annually commemorated one of the brightest events in Polish history. That event is the adoption of the May 3d Constitution in 1791. I would like to take this occasion to personally participate in the commemoration of that glorious event.

This special observance is an excellent way to demonstrate American friendship toward the Polish nation and its great people. These people look forward to and need our words of hope and encouragement.

I might add that this year's May 3d observance coincides with the following significant dates of Polish history: the 30th anniversary of the German-Soviet attack on Poland; the 25th anniversary of the Battle of Monte Cassino; the 25th anniversary of the Warsaw uprising; and finally, the 25th anniversary of the founding of the Polish American Congress.

Thank you, Mr. Speaker, for the opportunity to commemorate this great event.

ANTHONY SADOWSKI MEMORIAL DAY

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. YATRON. Mr. Speaker, April 20, 1969, was set aside by Pennsylvania Gov. Raymond Shafer as "Anthony Sadowski Day." On that day, the village of Douglassville, Pa., was the scene of a proud occasion for Polish people in Berks County, Pa., and throughout the United States.

The man who was memorialized on that day led a life which may serve as an inspiration to those of all nationalities. Anthony Sadowski was an adventurous pioneer and frontiersman who ventured from his native Poland to the unfamiliar environs of Pennsylvania. He later set forth from the Berks County area to outlying unsettled country establishing trading posts for the Indians. Sadowski lived from 1669 to 1736. On the memorial day commemorating the 300th anniversary of his birth, Anthony Sadowski's 11th-generation descendant, Jeffrey Wilson, unveiled a sculptured memorial to his famous ancestor in St. Gabriel's Cemetery.

I should like, Mr. Speaker, to submit for publication in the CONGRESSIONAL RECORD, an article which appeared in the Berks County Record describing the events of April 20 and heralding Anthony Sadowski as the "Polish Daniel Boone." I am also including the eulogy delivered on that day by Dr. Kenneth F. Neighbours, another descendant of Anthony Sadowski:

[From the Berks County (Pa.) Record]

ANTHONY SADOWSKI MEMORIAL DAY

Anthony Sadowski, who lived a rich, adventurous life from 1669 to 1736, was never a man to boast about himself like Daniel Boone, but he was called an "exceptional son of Poland," "an amazing human being," a "man for all seasons," and "the greatest Polish frontiersman in the history of Pennsylvania."

About 500 persons gathered on April 20 in historic St. Gabriel's Cemetery in Douglassville, Berks County, Pennsylvania, to celebrate the 300th anniversary of his birth.

Eight Vietnam veterans from Reading formed the Honor Guard and stood with the colors of two veterans' organizations as prayers, eulogies, and lyrics were offered to a Polish immigrant of the 18th century who traded with Indians, prepared deeds, served the provincial government as a peace negotiator, and blazed new trails in the wilderness.

A memorial bearing an image of the famous Polish frontiersman was unveiled by Jeffrey Wilson, nine-year-old son of E. J. Wilson and Mrs. Robert Lindenmuth, who is an eleventh generation descendant of Anthony Sadowski.

President Richard M. Nixon read about the unveiling and sent this message to Edward Pinkowski, chairman of Sadowski Memorial Committee, through James Keogh, Special Assistant to the President:

"The hard work and high aspirations of the Polish people who came to these shores and braved the uncertainties of frontier life have indeed contributed much to the heritage and greatness of America. To all who gather for the tricentennial anniversary of the birth of this exceptional son of Poland, President Nixon sends his greetings and warm good wishes."

Governor Raymond P. Shafer, in a special proclamation read by Frank Polaski, a conscientious state legislator from Erie, designated April 20 as "Anthony Sadowski Memorial Day" and extended best wishes to Americans of Polish descent as they honored the memory of the Polish pioneer in Amity Township.

Shafer described Sadowski as "among the first in an illustrious line of Poles whose search for bread and freedom led them to these shores."

He said that Pennsylvania is "proud of its many fine Polish citizens and grateful to them for the great contributions they have made to our Commonwealth throughout the years."

The Pennsylvania Legislature paused earlier in the week to pass a citation paying "the highest tribute of the Commonwealth of Pennsylvania" to Sadowski.

Councilman Joseph P. Kuzminski read a proclamation issued by Victor Yarnall, Mayor of Reading, paying tribute of the City of Reading to the Polish frontiersman.

Jeffrey Wilson, who unveiled the memorial, lives with his father in a modern split-level house built on part of the land that Anthony Sadowski owned in Amity Township from 1712 until his death in 1736. His branch of the Sadowski family has continually resided in Berks County for eleven generations.

Because of intermarriages the name of the ancestral line was changed three times which, in succession, were Sadowski, Warren, Beard, and Wilson. Jeffrey Wilson's maternal grandfather, John A. Beard, Sr., ninth in line of succession from Anthony Sadowski, lives in the homestead built by Daniel Boone's grandfather in 1733.

One of the traditions left behind by the Sadowski children is that Anthony Sadowski opened the first Indian trading post on the western shores of Lake Erie and Sandusky is a corrupted spelling of his name.

For the memorial, Steve X. Gallas, a Reading sculptor, carved the face and half figure of Anthony Sadowski in low relief in stone, working from a sketch by Henry Archacki, well known New York illustrator and Polish historian.

The epitaph of the memorial reads:

"Whether or not he opened an Indian trading post on the shores of Lake Erie and gave his name to Sandusky, Ohio, here lies the greatest Polish frontiersman of colonial times, an organizer of Amity Township in 1719, and founder of the Sandusky family in America."

Funds for the memorial were raised in a drive conducted by Edward Pinkowski and the Sadowski Memorial Committee. For their efforts and work in commemorating the memory of Anthony Sadowski, Raymond S. Elliott, President of Amity Township, 250th Anniversary Committee, presented a certificate of recognition and appreciation.

With the help of the second Mrs. John Beard, Sr., Pinkowski found Jeffrey Wilson living on a portion of the 400-acre farm that Sadowski bought in 1712, and like Pinkowski the 11th generation descendant of the Polish frontiersman received a certificate of recognition from the Amity Township 250th Anniversary Committee.

In addition to the Beards of Berks County, two other direct descendants of Anthony Sadowski were present to celebrate the 300th anniversary of Sadowski's birth. They were Donald White, of Connellsville, Pa., and Dr. Kenneth F. Neighbours, professor of American history at Midwestern University, Wichita Falls, Texas.

"If he had spent as much time writing about his activities as he did trading with Indians," said Dr. Neighbours in his eulogy, "he could have been as well known as Daniel Boone or Father Jacques Marquette."

"Sadowski was part of the frontier procession," he added. "He participated as a part of the farming frontier when he opened a farm of 400 acres on the Schuylkill River in 1712.

"Not content with this phase of pioneering, Sadowski became an Indian trader. Following Indian trails he established trading posts up the Allegheny River into the mountains to be a part of the frontier pattern."

A Reading attorney, Adam B. Krafczek, who served as program chairman, introduced Rev. John J. Duminiak, administrator of St. Mary's Church, Reading, for the invocation; Rev. Kenneth Cosbey, rector of St. Gabriel's Episcopal Church, Douglassville, for the welcoming address, and Rev. John S. Dunajski, pastor of St Anthony's Polish R. C. Church, Millmont, for the benediction.

The memorial was blessed by Rt. Rev. Monsignor Peter J. Klekotka, V.F., J.C.D., P.A., pastor of St. Hedwig's R. C. Church, Chester.

Henry Archacki, who provided the sculptor, Steve X. Gallas, with a sketch of Anthony Sadowski, set the stage for the unveiling by speaking in both English and Polish.

Wreaths were placed at the memorial by Mrs. Mary Napiecek, president of the Ladies Auxiliary, Polish Army Veterans, Post No. 55, Reading; Joseph L. Zazyzcny, president of the Polish Heritage Society of Philadelphia, and Mrs. Stephanie Batory and Mrs. Sophia Soltysik, vice presidents of the Polish American Congress, Eastern District of Pennsylvania.

EULOGY BY DR. KENNETH F. NEIGHBOURS

Mr. Chairman (Adam Krafczek), Mr. Pinkowski, descendants, friends, and supporters of our ancestor Anthony Sadowski, I am conscious of the honor you have done me in inviting me to speak on this auspicious occasion.

Before speaking of the personage we memorialize today, I should like to attempt to express my appreciation to Mr. Edward Pinkowski and the Anthony Sadowski Memorial

Committee for their long and devoted efforts to honor the memory of Anthony Sadowski. Mr. Pinkowski has spent many years compiling data on Sadowski and leading the committee in raising money for the memorial fund. I cannot speak too feelingly for myself and the descendants of Sadowski in expressing our gratitude.

Anthony Sadowski was born in Poland three hundred years ago. As his father Mascin Sadowski before him, Anthony served his king and country in various official capacities. It is of his career and significance on the American scene, however, which we wish to reflect upon today.

For reasons echoed only in tradition, Anthony Sadowski came to the British colony of New York during the reign of Queen Anne. Thereafter he was identified largely with the American frontier. His experiences epitomize and embody the effects of the frontier as so ably written by the great American historian Frederick Jackson Turner in 1893. The writing of American history since that time has largely followed the tenets of Turner. The life of Anthony Sadowski largely bears out Turner's thesis. Turner wrote in effect that all in American life that is significant and distinctive as contrasted with European is the result of the frontier. Turner wrote that the "frontier was compounded of fisherman, fur-trader, miner, cattle-raiser, and farmer. Excepting the fisherman, each type of industry was on the march toward the West, impelled by an irresistible attraction. Each passed in successive waves across the continent. Stand at Cumberland Gap and watch the procession of civilization, marching single file—the buffalo following the trail to salt springs, the Indians, the fur-trader and hunter, the cattle-raiser, the pioneer farmer and the frontier has passed by. Stand at South Pass in the Rockies a century later and see the same procession with wider intervals between."

Anthony Sadowski was a part of this frontier procession. He participated as a part of the farming frontier when he opened a farm of 400 acres on the Schuylkill River in 1712. Not content with this phase of pioneering, Sadowski became an Indian trader. Following Indian tracks, Sadowski established trading posts up the Allegheny River into the mountains to be a part of the frontier pattern about which Turner wrote. While it has been challenged by such notable historians as Theodore Roosevelt in his Winning of the West, tradition has Sadowski establishing the post that bears the variant of his name Sandusky on Lake Erie in Ohio.

Among the effects of the frontier experience, Turner wrote that: "First we note that the frontier promoted the formation of a composite nationality for the American people. The coast was preponderantly English, but the later tides of continental immigration flowed across to the free lands."

Anthony Sadowski bore out this generalization by taking as his wife a Dutch girl from Long Island, Marya Bord. Each succeeding generation has added new nationalities until his descendants, including your speaker, are a composite of most of the nationalities of Great Britain and northwestern Europe.

Turner further wrote: "In another way the advance of the frontier decreased our dependence on England . . . Before long the frontier created a demand for merchants, and Turner wrote that the seaboard cities were competing for what George Washington called "the extensive and workable trade of a rising empire." Sadowski's frontier mercantile ventures we have already noticed.

Turner went on to remark that "the most important effect of the frontier has been in the promotion of democracy here and in Europe."

Again Anthony Sadowski bears out Turner's generalization. He left behind in Palonia his castle, his courtly position and title to become a plain yeoman farmer as he is classified in his will. With his neighbors Sadowski participated in community affairs by helping organizing the civil unit of amity townships.

Another distinctive American trait resulting from the frontier experience said Turner is "that restless, nervous energy; that dominant individualism, working for good and for evil, and withal that buoyancy and exuberance which comes with freedom—these are traits of the frontier, or traits called out elsewhere because of the existence of the frontier."

Already a seasoned leader when he came to the New World, Anthony Sadowski fulfilled Turner's observations on the frontier. Sadowski certainly had a restless, nervous energy and dominant individualism. He left behind the trappings of his aristocratic European class and adapted to his frontier surroundings. His linguistic abilities, he spoke seven languages, were doubtless employed in mastering languages of the Indians among whom he traded. This also stood him in good stead serving the Colonial government as an interpreter.

Certain it is that Anthony Sadowski bequeathed to his heir his restless, nervous energy and pioneering spirit. His descendants took to the frontier like ducks to water. They were in the vanguard of the advancing frontier. His son, Andrew, pioneered in Western Virginia where he lost his life. Before this his neighbor, Daniel Boone, with whom they were associated in the westward movement, had founded Boonesboro in Kentucky, Anthony's scion James Sandusky had helped found Harrodsburg, Kentucky. Anthony's grandson, Emanuel, helped found settlements in what is now Tennessee, also before the American Revolution.

Like the birds of the sea, Anthony Sadowski's descendants have scattered across the continent to distinguish themselves in the business world and in the professions.

Anthony Sadowski and the twelve million or so others of Polish descent have made a powerful and significant contribution to what one has called our pluralistic American culture.

Again may I express my appreciation to Mr. Edward Pinkowski and the Anthony Sadowski Memorial Committee for making this significant occasion possible.

STUDENTS GET "HIGH" ON AEROSOL MOUTHWASH, FDA STUDY INDICATES GAS PROPELLANT IS CAUSE OF "TRANQUIL SENSATION"

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, seemingly harmless products which we purchase in the marketplace and use daily in our homes frequently are disclosed to have some seriously hazardous quality.

One such product has been identified because a concerned parent in Bethlehem, Pa., took his concern to the editor of the Bethlehem Globe-Times newspaper. A newspaper article resulted, and I sent copies of the article to the National Commission on Product Safety and to the U.S. Food and Drug Administration.

The product in question is Colgate 100 aerosol mouthwash. I want to make clear, however, that neither the Pennsylvania Department of Health nor the Food and Drug Administration has found Colgate 100 mouthwash to be harmful in itself.

The hazard is associated with Freon 12, which is the propellant used to eject the mouthwash from the small, pocket-size spray container. Freon 12, according to the Food and Drug Administration, has been cited as the cause of more than 30 deaths due to inhalation of freon propelled aerosols.

The freon used in aerosol mouthwash is the same gas used in cocktail glass frosters which have been associated with accidental deaths of children who discharged the aerosol froster can into their mouths.

Because misuse of these devices, as reported by a concerned parent, Dr. Earl B. French of Bethlehem, Pa., apparently is common among young people who report experiencing a "tranquil sensation" from their use, I feel it is important that parents around the country be alerted to their potential hazards.

I should like to include in the RECORD copies of the Bethlehem Globe-Times newspaper article which first focused attention on the aerosol mouthwash, and the letter I have received from the Food and Drug Administration identifying freon as the potentially hazardous propellant in common use.

I have asked the FDA whether other suitable harmless substitutes for the freon might be available to eliminate the hazard, and have also urged that continued effort be made to alert the general public.

The material follows:

PROFESSOR WAGES BATTLE ON MOUTH SPRAY, INSISTS PUPILS ARE GETTING "HIGH"

Dr. Earl B. French has started a one-man crusade to alert the public to what he considers is a dangerous mouth spray in popular use by school children.

After being alerted to the effects of an aerosol spray product called "Colgate 100" by his own children, Dr. French alerted health officials in Harrisburg who are presently testing its contents.

Colgate 100's label reveals that the mouth spray contains 50.8 per cent alcohol, Dr. French said. He feels it might also contain some tranquilizers which "calm you after you descend from a way up feeling."

Because of Dr. French's conversations with Harold Shunk, principal of East Hills Junior High School, any medication including sprays and breath sweeteners are being given careful scrutiny by school officials.

Royce Masteller, assistant principal at East Hills, said yesterday that safeguards are being taken on the use of such "medications."

"We have had one case so far in which a girl student was found using a breath freshener spray product distributed through home sales," he said.

"Any medication must be cleared through the school nurse and we will contact the parents to find out why and when the sprays are to be used during school hours."

TESTS UNDERWAY

Masteller said that because of Dr. French's concern the school has sent a lipstick-size Colgate 100 spray container to the state Health Bureau for analysis.

BOOZE, TRANQUILIZER

Dr. French also made known his concern over the product which he calls "booze and tranquilizer with a bit of breath sweetener added" to Atty. James Prendergast, an Easton assemblyman.

Prendergast said he alerted assemblyman William Rybak of Bethlehem who also submitted a container to the state health bureau.

Dr. French said he was apprised of the high alcohol content by his son, Chris, 15, a ninth grader at East Hills Junior High School, but not before he became ill during a lecture class at Lehigh University where he is a social psychologist.

"I tried a similar product called "Whisper" before I began my lecture and for the first time in 17 years I could not complete a lecture," he said. "I got giddy and had a toxic reaction which laid me up the next day."

"The following day (Feb. 21) Chris came home from school and showed me the Colgate 100 spray container pointing out its alcohol content. He said that it is "common practice" for the kids at school to use it throughout the day."

"We get a great feeling out of it, Dad," he told me.

"I hope parents and health officials will look into this right away," said Dr. French.

PRODUCT SCARCE

It does not appear that the Colgate 100 spray can is easily available to the public, not because one needs a prescription to obtain it but it has not been widely distributed to date.

East Hills school officials said yesterday they have checked a half dozen drug stores in vain. "They told us they did not have the new product in stock," explained Masteller.

Atty. Prendergast said that he could not find a store in Easton selling that particular spray product.

The Food and Drug Administration office in Philadelphia reports that it has had no inquiries concerning the mouth spray product. An investigator said that such products are new in the area and no complaints have been received so far.

When asked whether school officials had given students at East Hills information on alcohol, Chris said that his ninth grade classes had concentrated only on the effects of marijuana and heroin.

"They did not even talk about speed, STP or LSD either," Chris claimed.

Earlier Shunk said that talks on the use of alcohol and tobacco were also included in regular health courses given the students.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., April 22, 1969.

Hon. FRED B. ROONEY,
House of Representatives,
Washington, D.C.

DEAR MR. ROONEY: This is an additional response to your inquiry of March 4, 1969, concerning abuse of Colgate 100 aerosol mouthwash to which we originally replied on March 13, 1969.

We find this product is available in the Washington area. In addition to Colgate 100 there are similar competitive products on the market.

Examination of Colgate 100 breath spray reveals that it is an aerosol with a metered valve. Total content is given as $\frac{9}{16}$ oz. with 50.8% alcohol. Benzethonium chloride is listed as the active ingredient. We have not performed an analysis, but most aerosol preparations contain 50% propellant, usually Freon 12, thus the actual alcohol content is less than $\frac{1}{4}$ oz., an amount which is insufficient to produce intoxication in the average adolescent. Benzethonium chloride is an antiseptic which does not have any sedative or tranquilizer properties. Further, it is present in minute quantities so that the entire contents of a Colgate container would be insufficient to produce any effect, even if ingested all at once.

Thus, we are forced to conclude that the Freon content is responsible for the abuse of this product. We have received a number of reports of this type of abuse of various aerosol preparations, including drugs, cosmetics and household products. Among these are cocktail glass frosters which contain only Freon. Freon is commonly regarded as an inert gas and its known properties do not provide any explanation for its use in this manner other than the psychological effect or the effect of lack of oxygen due to displacement of air in the lungs with Freon. Nevertheless, this is not an innocuous practice since we have some 30-odd reports of deaths due to inhalation of Freon propelled aerosols. The original mechanism of death was assumed to be freezing of the larynx with subsequent asphyxiation, but this is erroneous, since the product is usually inhaled indirectly by first spraying it into a plastic bag which is then placed over the mouth and the contents inhaled. Even if a spray like Colgate 100 were inhaled directly, a properly functioning metered valve would effectively prevent freezing of the tissues.

You will be pleased to know that we are continuing our study of this somewhat complicated problem. As you are aware, there are a very large number of aerosol products available and their convenience and utility to the consumer is obvious. Since this use is a gross abuse entirely unrelated to the purpose for which they are intended it seems rather a draconian step to ban them from commerce. We considered a warning statement and such has been proposed by the FTC for products under their control but it is possible that such a warning might encourage abuse rather than deter it.

It now seems to us that the available substances which can be abused for their real or imagined psychotropic effect are almost infinite and can be controlled only by public enlightenment. A warning statement for aerosols might be of limited help in this respect and we are awaiting the outcome of the FTC pronouncement to help us determine the utility of such a warning.

In the meantime, we are continuing our surveillance of the death and injuries from Freon to determine the toxicity of this compound.

We hope this information may be helpful to you.

Sincerely yours,
PAUL A. PUMPIAN,
Director, Office of Legislative and Governmental Services.

POVERTY: PRIVATE SECTOR—SELF-HELP

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. RARICK. Mr. Speaker, one of our Washington landlords has found out how to make a profit out of poverty.

The technique was demonstrated in today's paper with an announcement that a local owner had transferred several slum homes to a nonprofit corporation so they can be remodeled with Federal funds.

Taxpayers will feel small satisfaction from this gift since the owner is also an officer in the nonprofit holding company and the property he disposed of as a gift to the nonprofit corporation is eligible as an income tax deduction. Then, too, the nonprofit status of the corporation will further aggrieve the taxpayers since the slum buildings will be taken off the real estate tax rolls leaving an additional deficit to be made up by private citizens.

The moral justification for this gift is the fact that the buildings were too run down to be repaired economically—but uneconomical repairs are a made-to-order project for the war on poverty.

Is this an isolated incident, or have other landlords discovered how to make poverty pay?

Mr. Speaker, I include an article on this subject:

SLUMLORD SHIFTS HOUSES TO GET U.S. REPAIR AID: CAN CLAIM SWITCH AS DEDUCTION

(By Phineas R. Fiske)

A Washington landlord told the City Council yesterday that he has given several slum houses to a nonprofit corporation of which he is an officer, so that they may be rehabilitated with Federal subsidies.

Nathan Habib, co-owner of Habib Realty Co., said that he is an incorporator of the People's Rehabilitation Corp., which is eligible to receive Federal money to rehabilitate run-down residential properties.

The buildings were too run-down to repair economically, he told the Council's Housing Committee.

Any property disposed of as a gift would be eligible as an income tax deduction.

DESCRIBE PROBLEMS

The Committee heard Habib and other landlords describe their problems with increasing costs and vandalism, which they said makes it uneconomical to build and operate low-income residential properties in Washington.

The Committee was critical of some of the landlords for permitting their properties to deteriorate beyond usefulness, and singled out several for multiple housing violations on buildings they owned.

One landlord, Roscoe Jones of the R. L. Jones Realty Co., was resubpoenaed by the Council when he did not appear at yesterday's hearing.

Jones was one of four landlords the Council subpoenaed last week after they failed to testify at an earlier hearing.

The three others—Basil Gogos, formerly of the B. C. Gogos Investments, Sylvan Mazo of Three Investment Co., and George Basiliko of B&W Real Estate Corp.—testified yesterday.

OPPOSE RENT CONTROLS

They and William Calomiris of the Calomiris Investment Corp. said they opposed rent controls as a restriction on their income that would prevent them from meeting the rising costs of building maintenance.

Council Chairman Gilbert Hahn Jr. told Habib, who said he owns 260 buildings in Washington, that he was called to testify because "you are a symptom" of the city's housing problem.

"You represent a group of small real estate operators," Hahn said to Habib. "You're not really equipped to give good service to the community.

"You suggest that we should license (property managers) to make sure that they are competent. Maybe you couldn't get a license."

Habib replied he considered himself a good landlord and said he was always available to any of his tenants whenever they had problems.

"MR. FIREMAN" HONORED

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. RODINO. Mr. Speaker, the enclosed story of Andrew Hutch, the former fire chief of Nutley, N.J., succinctly outlines the reasons why Chief Hutch is a living legend in Nutley. Affectionately known as "Mr. Fireman," he will serve as the grand marshal of the parade this Saturday honoring the 75th anniversary of the local Nutley Fire Department.

The story referred to follows:

Andrew Hutch Grand Marshal for May 3 Parade

The oldest active member of the Nutley Fire Department—former Chief Andrew Hutch—will be the Grand Marshal of the giant May 3 parade here planned to commemorate the 75th Anniversary of the local Fire Department.

The parade, which will last nearly three hours along Franklin Avenue, will bring units from nearly all communities in New Jersey to Nutley.

Walter Journey, chairman of the anniversary program, made the announcement today that Hutch has been named the parade's grand marshal.

This is the greatest honor that we could bestow upon the oldest active member of the Nutley Fire Department at Hose Company No. 2," said Journey.

Andrew Hutch has been partially responsible for much of the modern day equipment presently in use. During his tenure as a fireman the department has purchased the first modern 85 foot hydraulically operated aerial truck.

In addition, during his time as a fireman, the department has installed the first transistorized fire alarm system; the master control equipment for the fire alarm systems and the first four digit fire alarm box code numbers that will pinpoint the location of the alarm, and installed the first shortwave radio equipment.

Hutch was born in Troy, New York, and moved to Nutley in 1906. He established his residence at 58 Laura Avenue in 1920 and has lived there since.

He is known as Nutley's "Mr. Fireman," and with good reason. In 1914 he joined the fire department and served his first tenure as chief from 1940 to 1942. He served as chief again from 1944 through 1960.

During the period 1914 through the present, Hutch has retained his staunch interest in the development of Nutley's fire department.

Hutch's affiliation with fire department oriented organizations reads like a "Who's Who." In 1932 he became a life member of the New Jersey State Exempt Fireman's Association. In 1940 he joined the New Jersey State Fire Chief's Association and was elected to serve as treasurer in 1958.

He served as president of the New Jersey State Exempt Firemen's Association for three years (1948–1951). For the past 12 years he has served as assistant secretary for the Paid Fire Chief's Association.

At the present, Hutch is serving a five year term as a trustee of the New Jersey Fire Chief's Association.

CONGRESSMAN WHALEN COMMENDS CONGRESSMAN REID'S ARTICLE IN LOOK MAGAZINE

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. WHALEN. Mr. Speaker, I would like to take this opportunity to commend my colleague, the gentleman from New York (Mr. Reid), for his very excellent article in the current issue of Look magazine.

While it has been my general policy to refrain from purely partisan political comments both on the floor and in Record inserts, in this instance Mr. Reid's incisive comments compel me to do otherwise.

His article is a frank discussion of the problems the Republican Party faces in its aspirations to become the majority party. He does not despair. And I agree with him. But majority status will not occur unless we become a party "with an outlook that is relevant to our times," as Mr. Reid so aptly put it.

With a Republican President in the White House, we remain a minority in the Congress. During the past 30 years we have been relegated to this position for more terms than I care to recall. There are lessons to be learned from our plight which can profit both our party and the Nation.

I do not believe that the Republican Party should be a protest mechanism to be used only when the electorate wishes to remove Democrats. As our new distinguished national chairman, the gentleman from Maryland (Mr. Morton), recently said, the party should be more than "a spare tire."

Mr. Reid's thoughts, in my opinion, deserve the careful study of every Republican Member of Congress. Our Democrat colleagues, too, will find them meaningful.

Mr. Speaker, I am pleased to insert at this point in the Record Mr. Reid's article from the current issue of Look magazine, dated May 15, 1969:

Do Republicans Have the Courage To Become the Majority Party?—It All Depends on Richard Nixon

(By Representative Ogden R. Reid (Republican of New York))[1]

Unaccustomed as we are to winning presidential elections, we Republicans can perhaps be forgiven a prolonged exultation over victory last November.

But while we've been celebrating, the tough problems we were elected to resolve—Vietnam, poverty, crime, pollution, education, the arms race—have become a little worse. In these fast-moving times, problems don't wait. Men die in Vietnam. The poor become more cynical. The air gets dirtier. The arms race escalates. And the chances for finding answers to our problems become more elusive.

Politically, one of the toughest problems of all, of course, is to convert the Republican party, out in the cold most of the time, from minority status into a responsible and credible instrument for governing nationally, supported by a majority of Americans.

Last year's election, despite our victory, did not offer vast encouragement for this prospect. The victory was based on the support of the farmer, the independent voter, the white-collar worker, the older American and the Southerner. Mr. Nixon had only 43 percent of the vote, just a shade more than Mr. Humphrey. In a nation where one half the population is 27 years of age or under, he failed to carry voters from 21 to 49. He lost the 12 largest cities, and, though he won most of the suburbs, lost in metropolitan areas as a whole. He carried only 12 percent of the nonwhite vote. And since the trend of our national life appears to be urban and young, I think the Republican party cannot look so much to the 1968 election in itself, but to the opportunity that it has offered.

What the election offers to the Republican party is the opportunity to perform. During our long years out of office, we Republicans were perhaps too often tempted by rhetoric. We thought too little about the solutions to problems and too much about the political implications, which frequently have no relation to the problem at all. What President Nixon can do now, faced by a society that badly needs reordering, is to demonstrate that we can govern, that we know how to exercise responsibility, even if the decisions that this requires are hard.

It seems to me we can make no progress in resolving our national dilemmas as long as we are involved in a foreign war that divides us against ourselves, spills our blood and wastes our energy and resources. I am apprehensive that Mr. Johnson's war will become Mr. Nixon's war. I believe we must recognize that the Saigon regime cannot be allowed to veto a settlement in Paris. Neither can we permit negotiations to be undermined by a contradictory strategy on the battlefield. I am fearful that all prospect for substantial achievement will be squandered in indecision over the war. Surely there are neither diplomatic nor political reasons for prolonging it. An early withdrawal of some of our troops, on a clear timetable, may well be necessary to convince South Vietnam of the realities of a political settlement and of the determination of the American people to end the war.

But a settlement in Vietnam, I believe, is just the first step in creating a peaceful world order, an atmosphere in which people, wherever they may be, can give their attention to their well-being at home. I detect a new impatience, on both sides of what we have so long called "the Iron Curtain," with ideological strife. In the Communist world, the European satellites are in open rebellion against Russian dominance. In the capitals of the West, there is greater diversity of policy and opinion than at any time since World War II. The era of the superpowers may be over, and I regard this as an opportunity to be seized. If President Nixon somehow manages to write a treaty of peace for the cold war, he will earn the gratitude of countries throughout the world who are bored with doctrine but excited by the prospect of renewing their own societies. He will also keep the Republican party in office for the foreseeable future.

That is why I am troubled by the President's decision, however different from President Johnson's, to deploy an anti-ballistic missile system. Once we have taken the step toward a new generation of offensive and defensive nuclear weapons, it is that much more difficult to reverse our course. Even Mr. Nixon's limited ABM program will, I think, needlessly divert vital resources from our urgent priorities at home. An ABM system could ultimately cost $100 billion or more. It is more imperative than ever that the President schedule early disarmament talks with the Soviets. Undue delay in preliminary contacts may cause us to miss the moment for agreement while the "military-industrial complex" in both countries presses the world into a vast acceleration of nuclear-arms madness.

If, in negotiations on Vietnam and strategic arms limitation, we succeed in creating an atmosphere of détente, I think we will also establish an opportunity for desperately needed achievements in the underdeveloped Third World. For too long, the industrialized countries have watched with indifference while the population boomed and hunger intensified. As conditions have come closer to chaos, we have actually diminished our own efforts at development assistance and, since the Vietnam war, we have contributed next to nothing. Today, the United States ranks an abysmal seventh in the percentage of national income that goes to foreign aid. We are contributing 44 percent less in economic assistance under AID than we were only three years ago. The time has come, I believe, to lift the underdeveloped nations out of the arena of international power politics and to work with them without being wedded to the status quo—on the basis of equal to equal—to narrow the growing gap between the have and the have-not nations.

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[1] *Ogden R. Reid, Ambassador to Israel under President Eisenhower, is a fourth-term congressman from Westchester County, N.Y. Last November, he outpolled his opponents by more than two to one and ran well ahead of Richard M. Nixon.*

Unfortunately, arguments in the past for reconciliation between nations have been greeted as somehow "fuzzy-headed." I speak not out of abstract idealism but practical consideration. Americans are tired of living in a climate of fear. They have come to realize, I think, that their security does not lie in playing at the edge of nuclear annihilation. They have had enough of governments that speak peace while behaving adventourously. It would be not only diplomatically but politically prudent, I think, to step back from the abyss. We are not, essentially, a warlike people, and we would like to get on with our critical problems at home.

These problems, even in the affluent sector of our society, are manifold. The suburbanite, the parent, the farmer, the senior citizen, the businessman, the commuter, the taxpayer, the housewife, all have legitimate grievances that they look to government to relieve. Frustrated by the government's apparent impotence, they feel cut off, powerless, incapable of affecting their destiny. We cannot overlook the individual who is injured by inflation in food costs, the breakdown of vital services in hospitals and in schools, the disintegration of transportation facilities, vanishing open space, and the befoulment of air and water. We surely cannot forget the crisis in taxation at the local level.

But for some Americans, the problems are fundamental. The poor and racial minorities have been denied realization of the American dream. Intellectuals and young people are cynical about whether it even exists. All have lost much of their confidence in the Democratic party—if not in the political process generally. Many young men and women everywhere are rightfully distrustful of a system that emphasizes military superiority out of proportion to human values—and has dimmed hopes for a safe future.

We Republicans must now open the doors to our democratic system, make full participation in it available to the "out" groups of our society. We must make the vote available to 18-year-olds, provide for the direct popular election of the President and reform the convention system. Without historical ties to political machines, rigid labor unions or courthouse racism, the Republican party has the opportunity to offer the young, the poor and the black a chance to be heard and contribute to change. But we must hurry if our invitation to create a democratic system is to be credible.

More than a year ago, the Kerner commission on civil disorders issued a public call for speed in meeting our nation's worst crisis. "Our nation," said the report, "is moving toward two societies, one black, one white—separate and unequal." It urged, to reverse this trend, "a commitment to national action—compassionate, massive, and sustained. . . . From every American it will require new attitudes, new understanding, and, above all, new will." Yet in the year that has passed, our country has beer gravely deficient in responding to the call and, according to the latest studies, has become even more separate and unequal.

There is a hard way and an easy way for a President to deal with the racial crisis in America. The hard way is to challenge white society to exorcise its racism, to propose the taxes necessary to finance "massive" social change and to counsel the country to avoid impatience with slow results. The easy way is to maintain that Negroes, as a minority, can be politically ignored, make common cause with racist politicians and put off any effort to resolve the problem on the grounds that it will, somehow, go away. The latter is known, euphemistically, as the "Southern strategy," and there are some Republicans who are tempted by it. But I believe that such expedient politics is unthinkable, and that if the Republican party tries to deal with the black-white struggle in the easy way, it will not only do the country a disservice but assure its own ultimate demise. To start with, it is important that the Administration show its commitment in this area by promptly and clearly upholding the school desegregation guidelines and not relaxing their uniform and timely application.

Similarly, I think the Republican party will seriously misjudge the needs of this nation if it treads too cautiously in its approach to social problems. For example, what will we do about the antipoverty programs—directed at changing the condition of life for the poor, black, white, Spanish-American and Indian? Many in Washington tend to focus on the administrative failures in these programs and to slight the substantive achievements. Progress is not easy to measure when it is in terms of hope, a future and a decent life. But Head Start, community action, health and legal services and job-training programs *have* made a significant difference in the lives of the nation's 30 million poor.

We must acknowledge that other programs have failed. The reason is a combination of inadequate and tardy financing—particularly after large sums began to go into paying for Vietnam—and innocent and not so innocent administrative breakdowns that seem inevitably to accompany unfamiliar endeavors. I might point out that few people question the principle of space exploration because of the waste of a billion or so here and there. Because an antipoverty program has not worked does not mean that it cannot work—if given adequate financing, qualified direction and appropriate goals. Many a good program will demonstrate its merit, I suspect, despite a faulty start.

To be sure, it is also time to experiment with fresh ideas, even if some new programs appear to clash with conventional dogma. I am thinking, for example, of the negative income tax, a program endorsed by many eminent economists to eliminate poverty directly by assuring every American a minimum annual income. And I am thinking also of a plan to abolish unemployment by making the government the employer of last resort. We need, as well, imaginative programs involving the private sector much more fully as an employer of the hard-core poor. In any event, we must use day-care centers and work incentives to restructure the welfare system, which has sapped the will and dignity of so many of its "beneficiaries." In short, it is time to reexamine the premises of our approach to antipoverty to see if they apply to the actual conditions of American life.

Perhaps nothing we can do to regain our social strength is more important than the restoration of the American city as a viable living unit. A modern industrial society with decaying cities is seriously ill. Yet we are not dealing with housing, education and jobs in our cities, to say nothing of pollution, transit, crime and trash. And if the essentials go unmet, what happens to parks, libraries, museums and the arts? The Federal Government can help create the conditions for healthy urban diversity. It can try to attract the middle-income family back downtown—through the construction of housing, for instance, that is not anti-children. The Govern- must also try to restore the cities as self-sufficient, responsible political organisms, qualified to take care of themselves. Perhaps the way to achieve that is to reserve a certain proportion of Federal tax revenues for the use of the cities in which they are collected. We cannot save the cities cheaply, but I don't think this nation can, in the long run, afford not to save them.

One means available to the Republican party to alleviate many of the nation's ills is to make our free enterprise system work more equitably and efficiently. The party has always championed free competition, but we have witnessed the creation of a system of proliferating subsidies, tax shelters, import quotas, monopolies, production controls and various cushions for big business, big labor and big agriculture. The oil industry alone extracts more than $5 billion a year in hidden tribute. At the same time we have done little to correct such harmful industry practices as false advertising, deceptive packaging, discriminatory pricing, phony guarantees, interest padding and substandard manufacturing. I think that a rigorous assertion of the Government's power to protect the integrity of the marketplace is important to the entire nation, even at the price of a complaint from a lobbyist here and there. We need a creative and expanding economy, unstifled by sanctuaries of privilege, to yield a maximum of tax revenues in a just and fair manner. We count heavily on the free enterprise system as the chief vehicle for combating poverty and inequality of opportunity, and, it seems to me, we should take whatever steps are necessary to insure that it functions well.

Finally, let me note that the Republican party's tradition of resistance to unwarranted governmental power—a tradition often abused by the representatives of private interests—seems peculiarly appropriate to many of our aspirations today. Government, in becoming too bureaucratic and too impersonal, has often become too arbitrary. We have, in many cases, piled rules and regulations one atop another until the system seems ready to collapse. That's why I think we need reform in our inequitable draft laws, our internal revenue procedures, our civil service codes. We need food-stamp and surplus-food programs that are simple enough to get people fed, not so complex that bureaucrats can defeat them. We need anti-crime programs that will not intensify the policing of our lives by wiretaps and dossiers but instead unclog the courts with more judges and improve the corrections system with better prisons and probation officers.

The needs of our society are more complex than they once were. A spiraling population, a speeding technology and an insatiable quest for the wares of our civilization have created conditions that bear little resemblance to those President McKinley faced. What troubles me is that I still see in the Republican party men who are nostalgic for McKinley's day. In itself, their nostalgia is perhaps not blameworthy; but as a guide to the governing of America in the 1970's, it has small use. We cannot apply horse-and-buggy political thinking to the space age. President Nixon's task is made no easier by the presence of this thinking in the party.

If the President is to prove that a Republican Administration is not a curiosity that occurs occasionally between Democrats, then I think he will have to align himself and the party with an outlook that is relevant to our times. He will thereby disappoint some Republicans. But to build a new coalition, I believe he must show the minorities, the poor, the young, the intellectuals that Republicans can govern with compassion and understanding, as well as with skill and effectiveness. America will always respond if the goals are high enough and tough enough, but mediocrity bores and fails to inspire. The "comfortable life" will breed apathy, indifference and callousness, but if we can boldly tackle the creative adventure for peace, and address ourselves to freedom denied, then we can call forth the best of our generation.

There's no magic formula by which Republicans can be transformed into a majority. There are difficult decisions, unpleasant struggles and hard work. Good politics is not distinguishable from good government. But I do not despair that the task can be performed and the Republican party become again—as it once was—the keeper of the destiny of our nation.

MONROE COUNTY, N.Y., HONORS LATE PRESIDENT BY DEDICATING "DWIGHT DAVID EISENHOWER" LILAC AT WHITE HOUSE CEREMONY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. HORTON. Mr. Speaker, in each of our districts we have things in which we can express great pride. It has been my particular pleasure today to share with each of my colleagues in the House of Representatives a memento from my 36th Congressional District—a small sampling of the beautiful lilac fragrance which has made Rochester, N.Y., famous the world over.

The Monroe County's Highland Park in Rochester has developed one of the finest collection of lilacs in the world. These lilacs—which will be blooming in the very near future—present a beautiful rainbow spectrum when in full bloom. The scent is as delicate as the breeze.

Springtime and lilac time are synonymous in Monroe County. The gentle slopes of scenic Highland Park, planted with more than 1,600 lilac bushes of 552 varieties, are ablaze with color ranging from white and the most delicate shades of lilac to the deepest purple.

Mr. Speaker, well over a half a million persons from virtually every State in the Nation and many sections of Canada visit the "Lilac Capital of the World" each spring to enjoy the park's multicolored vistas.

Lilac Sunday, the day blooms are at their height, is the highlight of the week when an afternoon-long program of music and entertainment is featured. Evenings during the week-long festival the colorful beauty can be enjoyed to music under brilliant illumination.

The lilac has been cherished by every generation of Americans. In Mount Vernon, both the Custis and the George Washington families were among its fanciers; Thomas Jefferson recorded the planting of lilacs in his personal garden.

Many of our poets and writers have had a fondness for the fragrant native of the Balkan mountains. Thoreau noted its traditional popularity in New England, where the lovely blooms have beautified homesites ever since Governor Wentworth planted our country's first bushes on his colonial estate at Portsmouth, N.H.:

> Still grows the vivacious lilac a generation after the door and lintel and sill are gone.

Fortunately, lilac varieties have not been lost to us over the generations, as have so many varieties of roses, peonies, and other plants of colonial times.

The world-famous collection which today covers 22 acres of Highland Park includes many of the varieties dating back to colonial origins. Although the Rochester collection was not started until the 1890's, the pioneer varieties provide a striking contrast to some of the most recent introductions.

Among the most interesting of the historical varieties in Highland Park's display is the Azurea Plena, the first double-flowering form known, originated in 1843. Most of the modern double-flowering varieties are descendants of Azurea Plena, having resulted from the breeding experiments of the Lemoines, of Nancy, France after 1876. The double lilacs developed by the Lemoine nursery were the sensation of expositions all over Europe in the late 19th century, and their importation by fanciers in the United States began at the turn of the century.

Lilacs have never required promotion by an organized group of fanciers. The tradition of their popularity has grown spontaneously and is demonstrated vividly each year at lilac time in Rochester, when thousands of visitors from all sections of the United States and Canada come to view the 552 varieties—from pure white to deep purple—in the world's largest display of more than 1,600 shrubs.

These lilacs have won many awards but I sincerely feel their greatest honor took place today when a new lilac—the "Dwight David Eisenhower"—was presented to Mrs. Richard Nixon and to Ambassador John Eisenhower for planting in the White House gardens.

I was privileged to take part in this presentation along with Mrs. Horton, and two representatives of Monroe County, Kermit Hill, assistant county manager, and Alvan R. Grant, parks director.

It was Mr. Grant who had suggested the tribute to the late Dwight David Eisenhower. The new lilac—a unique blue with individual florets with four, five, or up to 17 petals on each cluster—was developed, under his direction, by Richard A. Fenicchia, superintendent of horticulture at the parks department. It was Mr. Grant who remembered the fondness for lilacs expressed by Mrs. Mamie Eisenhower a dozen or so years ago when she lived at the White House.

Because as a child she loved a lilac bush in the backyard of her Denver home, Mrs. Eisenhower wished she had some on the White House lawns, especially white ones.

To make that wish come true representatives of the park system arranged to transplant seven varieties at the White House and three varieties at the Eisenhower farm in Gettysburg. These plants were arranged so Mrs. Eisenhower could see them from her bedroom window at the White House and the farm.

The President's lady said:

> I have a special feeling in my heart for them when they bloom, it is to me the beginning of spring.

I was very pleased when Mrs. Nixon agreed to accept the gift from the people of my district who over the years have held deep affection and admiration for General Eisenhower. The presentation ceremony was a double pleasure in that the late President's son was able to break into an extremely tight schedule of briefings for his new assignment as Ambassador to Belgium in order to participate.

This presentation is the second honor in a week for the Monroe County Parks Department. Just a week ago they provided plants, on special request, to the National Arboretum here in Washington, D.C.

The famous "Rochester Lilac"—a pure white flower—was added to the National Arboretum collection.

Mr. Speaker, the "Dwight David Eisenhower" lilac is the result of many years work. It is a cross between the white "Rochester" lilac and the blue "Madame Charles Souchet."

The deep feeling behind the decision to name the newest lilac in memory of our late President demonstrates the love and affection held for him not only by the people of my district but by people across the world. I am sure all of my colleagues join with me in commending Mr. Grant and his staff for their dedication today of the "Dwight David Eisenhower" lilac.

SUPPORT FOR INCREASE IN PERSONAL EXEMPTION

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, early in this Congress I again introduced legislation to increase the personal income tax exemption from $600 to $1,000 over a 4-year period.

Over 100 Members of Congress have introduced similar proposals to raise the exemption from its present $600 level.

I have received overwhelming support for this proposal from residents of the Sixth District and throughout Wisconsin.

In addition to many individual letters, Mr. James Huebner of Hartland, Wis., collected over 50 signatures on a petition and Mr. and Mrs. C. Lange of Milwaukee, Wis., circulated a petition to over 800 signers. I am deeply indebted to these individuals for their efforts and to the signers as well for their support.

Recently the Wisconsin State Council of Machinists, which is made up of delegates from all of the local lodges of the International Association of Machinists and Aerospace Workers, AFL–CIO, representing 70 members of the State of Wisconsin, met in Oshkosh and went on record to reaffirm its previous position that we urge all of our Congressmen that they initiate and support any legislation that would increase Federal income tax exemption from the

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present $600 to $1,000, and further, to support and introduce legislation which would close present tax loopholes.

Further support has come from radio station VTKM in Hartford, Wis., and I would like to include their editorial on this matter as part of my remarks. The editorial follows:

WTKM Editorial

The personal exemption was first provided in the revenue act of 1913. At that time, a tax payer was allowed an exemption of $3,000, plus $1,000 for each dependent. Then, in World War II, the exemption was reduced to $500 per person. The present exemption of $600 was provided in 1948. Between 1947–1968 the cost of living went up 55.8%. In April of 1947 the average factory worker grossed $47.44 per week, for the year of 1968 the same worker grossed $107.43 per week for an increase of 44.3%. Since 1948 nothing has been done to increase the personal tax exemption, although, through April of 1968, more than 50 bills have been introduced in the 90th Congress to raise exemptions to amounts ranging from $750 to $1,200. Recently Congressman Steiger re-introduced legislation for an increase in the personal tax exemption from $600 to $1,000 per person over a four year period beginning in 1970 to $700, 1971 to $800, and so on, thus preventing an $11-billion dollar revenue loss to the Federal Government.

WTKM feels, as does Congressman Steiger, that a change in this $600 exemption is long overdue. It is about time we do everything we can to allow the American people to better make ends meet. We feel this should be enacted by the Senate and House of Representatives at the 1st session of the 91st Congress and not tossed aside as in the past. What do you think?

I would hope, Mr. Speaker, that the increasing volume of support for raising the personal exemption would prompt Congress to take positive action on this as part of its program for tax reform.

DISTRICT OF COLUMBIA COMMITTEE TO CONSIDER LOAN INTEREST LEGISLATION

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. GUDE. Mr. Speaker, on Monday the District of Columbia Committee will consider H.R. 255, a bill to authorize banks, savings and loan associations, and other regulated lenders in the District of Columbia to charge or deduct interest in advance on installment loans. This bill has been considered in Congress on previous occasions, but now the era of intensified concern about consumer problems is upon us, as the effective date of the truth-in-lending bill and the comprehensive City Council consumer protection regulations fast approaches. This legislation has brought up the critical area of interest rates which has become one of the major financial issues in the District.

Consumer groups here in the District express their strong concern about the bill in that it allows the effective interest rate to skyrocket into the stratosphere, without any legal limit or ceiling. But there are no legal limits on rates of interest on any forms of payment involving revolving credit. The bill may be, as the consumer advocates suggest, special-interest legislation, but their objections are in part equally specific.

Many points were brought out, however, which deal exactly with what several of my colleagues and I on the House District Committee have been concerned about for some time. Last year, Congressmen ANDREW JACOBS, JR., BROCK ADAMS, and I introduced legislation which would authorize the District City Council to set maximum interest rates for the District.

Next week when the District Committee brings up H.R. 255, I plan to propose an amendment which would allow the Council to hold comprehensive hearings on the installment loan situation in the District, including not only bank loans, but also retail installment transactions and revolving credit, and subsequently set viable interest rates for the District which will benefit the entire economic life of the city, and all those residents of the metropolitan area who shop or transact financial business in Washington.

It is high time that a systematic overview and study be conducted of the entire installment loan situation here in the District and, in fact, all over the country. H.R. 255 must be placed in the context of this broader problem. It seems to me that we are merely carrying out an exercise in semantics if we call the same rate of interest usurious in one transaction in the marketplace and yet legal in another related transaction. None of us as consumers will benefit from skirting the issue at hand.

I, therefore, submit for the attention of all of my colleagues who are interested in the protection of consumers against unfair and unreasonable installment loan practices, the District of Columbia Retail Installment Sales Act which authorizes the District of Columbia City Council, in title III, to deal with the broad issue and set maximum interest rates for the District:

H.R. 19919

A bill to provide for the regulation in the District of Columbia of retail installment sales of consumer goods (other than motor vehicles) and services, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—GENERAL PROVISIONS AND DEFINITIONS

Sec. 1.101. Purposes, Rules of Construction.—

(A) This Act may be cited as the "District of Columbia Retail Installment Sales Act", and shall be liberally construed and applied to promote its underlying purposes and policies.

(B) Underlying purposes and policies of this Act are—

(1) to regulate retail installment sales of consumer goods (other than motor vehicles) and services and to safeguard consumers from unfair, unconscionable, or fraudulent advertising, sales, credit, and collection practices;

(2) to permit and encourage the development of fair and economically sound consumer credit practices;

(3) to further consumer understanding through disclosure of the terms of retail installment transactions and to promote and enhance competition among retail sellers of consumer goods and services; and

(4) to promote and develop programs for the education of retail credit consumers.

Sec. 1.102. Construction Against Implicit Repeal.—This Act being a general Act relating to the retail installment sale of consumer goods and services, no part of it shall be deemed to be impliedly repealed by subsequent legislation if such construction can reasonably be avoided.

Sec. 1.103. General Repealer.—All Acts or parts of Acts inconsistent herewith are, to the extent of such inconsistency, hereby repealed.

Sec. 1.104. Severability.—If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or the application of this Act which can be effected without the invalid provision or application, and to this end the provisions of this Act are severable.

Sec. 1.105. Effective Date.—

(A) This Act shall take effect on the first day of the first month which begins more than ninety days after the enactment of this Act.

(B) This Act and the regulations adopted and promulgated by the Council under the authority of this Act shall be applicable to retail installment contracts, open-end credit agreements and extension or refinancing agreements entered into on or after the effective date of this Act, notwithstanding the provisions of any retail installment contract, refinancing or extension agreement, promissory note, or other instrument to the contrary.

Sec. 1.201. Definitions.—

(1) "Cash price" of goods or services means the price at which the goods or services are offered for sale by the seller to cash buyers in the ordinary course of business and may include, if separately itemized, any applicable taxes. The cash price of goods may not include the cash price of delivery, installation, servicing, repairs, alterations, or improvements. The amount by which the cash price stated in a retail installment contract exceeds the cash price of goods or services offered for sale by the seller to retail or cash buyers in the ordinary course of business shall be deemed a finance charge.

(2) "Commissioner" means the Commissioner of the District of Columbia or his designated agent; "Council" means the District of Columbia Council or its designated agent.

(3) "Consumer goods" means tangible chattels bought for use primarily for personal, family, or household purposes, including certificates or coupons exchangeable for such goods, and including consumer goods which, at the time of the sale or subsequently, are to be so affixed to real property as to become a part of real property whether or not severable therefrom, but the term "consumer goods" does not include goods acquired for commercial or business use or for resale, nor shall such term include any motor vehicle as such term is defined in the first section of the Act approved April 22, 1960 (74 Stat. 69; title 40, ch. 9, D.C. Code), providing for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia.

(4) "Credit" means the right granted to a retail buyer to defer payment of debt or to incur debt and defer its payment.

(5) "District" means the District of Columbia.

(6) "Finance charge":

(a) "Finance charge" means the sum of all the charges directly or indirectly imposed upon and payable by a retail buyer, as an incident to the extension of credit in a retail installment transaction, including, but not limited to, amounts deemed a finance charge under subsection (1) of this section, loan

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fees, service and carrying charges, discounts, interest, time price differentials, investigators' fees, costs of any guarantee or insurance protecting the creditor against obligor's default or other credit loss.

(b) If itemized and disclosed in compliance with this Act and regulations promulgated thereunder, the term does not include (i) fees and charges prescribed by law which actually are or will be paid to public officials for determining the existence of or for perfecting or releasing or satisfying any security related to a retail installment transaction; (ii) taxes; (iii) charges or premiums, in compliance with this Act and regulations promulgated thereunder, for insurance against loss of or damage to property related to a retail installment transaction or against liability arising out of the ownership or use of such property; and (iv) charges or premiums, in compliance with this Act and regulations promulgated thereunder, for credit life, accident, and health insurance.

(7) "Home improvement contract" or "contract for home improvement work" means an agreement for the performance of home improvement work.

(8) "Home improvement work" means the construction of one or more additions to, other improvement, repair, restoration, alteration, conversion, or replacement of any residential property as herein defined, but the term "home improvement work" shall not extend to or include the sale or installation of any appliance, materials, household furnishings, or home equipment, if not made part of the realty.

(9) "Open-end credit agreement" means an agreement, prescribing the terms of secured or unsecured retail installment transactions, which may take place from time to time thereunder, and providing that the buyer's periodic unpaid balance is payable in installments.

(10) "Person" means an individual, firm, concessionaire, partnership, joint stock company, corporation, association, incorporated society, statutory or common law trust, estate, executor, administrator, receiver, trustee, conservator, liquidator, committee, assignee, officer, employee, principal, or agent.

(11) "Residential property" means real property or interest therein consisting of a single-family dwelling or two-family dwelling, including an individual apartment or residential unit in a cooperative or condominium apartment building, together with any structure or grounds apurtent to such dwelling.

(12) "Retail buyer" or "buyer" means a person who buys consumer goods from a retail seller in a retail installment transaction and not principally for the purpose of resale, or who, under a retail installment contract, buys services from a retail seller.

(13) "Retail installment contract" means a contract evidencing a retail installment transaction and which is entered into within or has substantial contact with the District.

(14) "Retail installment transaction" means any retail transaction between a retail seller and a retail buyer in which there is an agreement for the purchase of consumer goods, or services, or both consumer goods and services, for which the price is to be paid in one or more deferred installments, and such term shall include any transaction involving a contract in the form of a bailment or a lease if the bailee or lessee contracts to pay compensation for the use of the consumer goods or services or both which are the subject of such contract and it is agreed that the bailee or lessee is bound to become, or, for no further, or a merely nominal, consideration, has the option, upon full compliance with the provisions of the bailment or lease, of becoming the owner of the consumer goods or services, or both; except that the term shall not include any retail transaction in which the purchase price is to be paid in full within not more than ninety days from the initial billing date, and no security interest in the consumer goods is retained by the seller and no other collateral or security is required or accepted by the seller, and no finance charge or other charge is made as consideration for the deferral of payment or extension of credit.

(15) "Retail seller" or "seller" means a person engaged in the business of selling consumer goods or services to retail buyers.

(16) "Services" means work, labor, or other kind of activity furnished, or agreed to be furnished, primarily for personal, family, or household use, and not for commercial or business use, whether or not furnished or agreed to be furnished in connection with the delivery, installation, servicing, repair, or improvement of consumer goods, including such work, labor, or other activity furnished or agreed to be furnished in connection with repairs, alterations, or improvements upon or in connection with real property, but the term "services" shall not include work, labor, or other activity furnished or agreed to be furnished for which the price or tariff charged or to be charged is required by law to be determined or approved by, or to be filed, subject to approval or disapproval, with the United States or the District, or a department, division, agency, officer, or official of either of such governments.

TITLE II—REGULATIONS AND GENERAL AUTHORITY TO COMMISSIONER AND COUNCIL

SEC. 2.101. The Council is hereby authorized to make and provide for the enforcement of such regulations as it deems appropriate to effectuate the purposes of this Act and safeguard consumers from unfair and unconscionable advertising, sales, credit, and collection practices in connection with retail installment transactions. Such regulations may include, without limitation, provisions—

(A) containing definitions, whether or not used in this Act, insofar as such definitions are not inconsistent with the provisions of this Act;

(B) defining and proscribing advertising, sales, and collection practices which in the opinion of the Council, are inconsistent with the general purposes of this Act and existing laws including, without limitations—

(1) false, misleading, and deceptive advertisments relating to quality, quantity, price, finance charge or rate, or other terms relative to the sale of consumer goods and services, provided that such regulations shall not apply to the owner, publisher, employee or agent of newspapers, magazines, publications, or printed matter wherein such advertisement appears, or to the owner, operator, employee, or agent of a radio or television station which disseminates such advertisement when the owner, publisher, operator, employee, or agent has no knowledge of the commission of a violation of regulations; and

(2) advertising and sales practices and techniques that depend for their effect upon an offer to sell consumer goods or services that is not accompanied by a bona fide offer to sell the offered goods or services, or upon an offer of terms or conditions surrounding a sale that is not contained in the retail installment contract or an offer that would mislead buyers as to the terms and conditions surrounding the obligations of a party or parties to a retail installment transaction, or as to the possibility of performance of such terms and conditions;

(C) respecting the form, execution, and delivery of retail installment contracts, open-end credit agreements, and notices of cancellation, including, without limitation, provisions for a more detailed description of the consumer goods or services to which any contract or agreement relates than is required by section 28: 9–110 of the District of Columbia Code, provisions for a brief notice to one who cosigns a contract explaining the liabilities incurred by such signature, and additional provisions and notices to be contained in such contracts, agreements, or notices of cancellation.

(D) requiring the showing in retail installment contracts of the amount, if any, to be charged retail buyers as a finance change, or the basis on which such charge is to be determined, and the amounts, if any, to be charged such buyers for insurance premiums, delinquency charges, attorneys' fees, court costs, collection expenses, and recording or filing fees, such amounts to be itemized separately or to be grouped, as the Council may determine;

(E) requiring the showing in open-end credit agreements of the schedule, rate, or basis upon which the payments and finance charge will be computed, and the basis on which will be determined the amounts to be charged the buyer for insurance premiums, delinquency charges, attorneys' fees, court costs, collection expenses, and recording or filing fees;

(F) governing the form, execution, and delivery of promissory notes and other instruments whereby a retail buyer agrees or promises to pay the unpaid balance of the total amount to be paid under a retail installment contract or open-end credit agreement;

(G) respecting the form, execution, and delivery of notices required by this Act regarding repossession of goods and respecting the manner and methods of the sale or disposition of repossessed goods.

SEC. 2.102. No regulation shall be adopted by the Council under the authority of this Act until after a public hearing has been held thereon for the purpose of receiving evidence relevant and material to the proposed regulation.

SEC. 2.103. The Commissioner and the Council, with the exception of the function of making regulations to carry out the purposes of this Act, are authorized to delegate, with power to redelegate, any of the functions vested in them by this Act.

SEC. 2.104. The authority and power vested in the Commissioner and Council by any provision of this Act shall be deemed to be additional and supplementary to authority and power now vested in him or them, and not as a limitation.

TITLE III—MAXIMUM FINANCE AND OTHER CHARGES

SEC. 3.101. INCLUSIVE CHARGES.—No fee, expense, or other charge whatsoever shall be taken, received, reserved, or contracted for in retail installment transactions and in open-end credit agreements except the following:

(A) finance charges permitted by this Act or regulations promulgated thereunder;

(B) charges for delivery, installation, repair, or other services upon the goods which are included in the contract separate from the cash price of the goods and which are not imposed on the buyer as an incident to the sale or extension of credit;

(C) charges for official fees, taxes, and insurance which are itemized and described in the retail installment contract which qualify for exclusion from the definition of finance charges under section 1.201(6) of this Act; and

(D) additional charges authorized by this Act, or regulations promulgated thereunder.

SEC. 3.102. MAXIMUM FINANCE CHARGES.—No finance charge shall be taken, received, reserved, agreed upon, or contracted for in excess of the maximum rates established by regulations promulgated by the Council. Such rates shall be computed in accordance with rules, regulations, and instructions issued by the Council.

SEC. 3.103. ADDITIONAL PERMITTED CHARGES.—A retail installment contract may provide for the payment by the buyer of—

(A) charges or premium for insurance, to protect from loss the seller or his assignee or any other person entitled to payment in accordance with the terms of a retail installment contract or any extension or refinancing agreement respecting such contract, of such types, maximum coverage amounts and rates as the Council shall by regulation prescribe;

(B) a delinquency charge on each installment in default for a period of not less than fifteen days, in such amount as the Council shall by regulation prescribe;

(C) an extension charge, in such amount as the Council shall by regulation prescribe for each installment from the date when such installment or part thereof would otherwise have been payable to the date when such installment or part thereof is made payable under the extension agreement: *Provided*, That when any such charge is made, no delinquency charge as provided in subsection (B) of this section shall be made (unless an installment as extended is not paid by the end of the period beyond the extended due date): *And provided further*, That the buyer may be charged the additional cost, if any, for such insurance coverage which is provided as permitted by subsection (A) of this section, and is provided in such extension.

(D) the payment of a reasonable attorney's fee in an action for the unpaid balance and, upon redemption by the buyer of repossessed goods, reasonable attorney's fees incident to the actual and reasonable costs of repossessing and holding the goods, in either case not to exceed 10 per centum of the unpaid balance, to an attorney not a salaried employee of the seller, assignee, or person suing on his behalf;

(E) court costs; and

(F) actual and reasonable expenses incurred in realizing on a security interest, following default of the buyer.

Sec. 3.104. Splitting or Dividing Transactions.—No seller shall induce or permit any buyer to split up or divide any retail installment transaction for the purposes of contracting for or receiving a higher finance or other charge than would otherwise be permitted by this Act.

TITLE IV—RESTRICTIONS ON RETAIL INSTALLMENT CONTRACTS

Sec. 4.101. Every retail installment contract shall be contained in a single document or single set of documents, signed by both the buyer and the seller, and completed as to all essential provisions before it is signed by the buyer. No provision shall be inserted in any retail installment contract or extension or refinancing agreement designed to nullify and make ineffective the provisions of this Act or regulations adopted pursuant thereto, or otherwise deprive a retail buyer of the protection afforded him by this Act or such regulations, nor shall any provision be inserted in any such contract or agreement whereby the buyer waives or purports to waive any provision of this Act. The insertion in any such contract or agreement of a provision in violation of or designed or intended to nullify this Act of the regulations adopted and promulgated pursuant to this Act, or to waive the requirements of this Act and such regulations, shall constitute a violation of this Act, and, in addition, such provision shall be void and of no effect.

Sec. 4.102. Negotiable Instruments Prohibited.—Notwithstanding section 28: 3–301 through 307 of the District of Columbia Code, in a retail installment transaction the seller may not take a negotiable promissory note or other negotiable instrument as evidence of the obligation of the buyer. If, as a part of a retail installment transaction, a commercial paper is taken by the seller, such paper shall state that it is subject to and governed by the retail installment contract out of which it arises and, in the hands of any subsequent holder, such paper shall be subject to all defenses which the buyer might have asserted against the seller. In the absence of such statement in the commercial paper, such paper shall be void.

Sec. 4.103. Prohibited Contract Clauses.—No seller or subsequent assignee shall at any time take or receive any retail installment contract or extension or refinancing agreement from a buyer which contains—

(A) any provision for the acceleration of the time when any part or all of the indebtedness becomes payable other than for a substantial default in payment or performance by the buyer, or on the same grounds as would authorize an attachment before judgment under paragraphs (2) through (5) of subsection (d) of section 16–501 of the District of Columbia Code, notwithstanding section 28: 1–208 of the District of Columbia Code;

(B) any schedule of payments under which any one installment, except the downpayment, is not equal or substantially equal to all other installments, excluding the downpayment, or under which the intervals between any consecutive installments differ substantially, except that—

(1) the intervals for the first installment payment may be longer than the other intervals,

(2) the final installment payment may be less in amount than the preceding installment payment, and

(3) where a buyer's livelihood is dependent upon seasonal or intermittent income, the seller and the buyer may agree that one or more installment payments in the schedule of payments may be reduced or deferred;

(C) any confession of judgment or any power or warrant of attorney to appear for the buyer or for any surety or guarantor for him to confess judgment;

(D) any provision by which the buyer agrees not to assert against a seller or, notwithstanding section 28:9–206 and 28:2–316 of the District of Columbia Code, against an assignee, a claim, defense or express or implied warranty arising out of the sale of the consumer goods or services which are the subject matter of such contract.

(E) any provision by which the buyer relieves the seller from liability for any legal remedies which the buyer may have against the seller under the contract or under any separate instrument executed in connection therewith;

(F) any provision by which the buyer grants authority to the seller or assignee to enter the buyer's premises in the repossession of the collateral, if any;

(G) any provision by which the buyer waives any right of action against the seller, assignee or other person acting on behalf of either, for any illegal act committed in the collection of payments under the contract or in the repossession of goods; and

(H) any provision whereby the buyer executes a power of attorney appointing the seller, assignee, or other person acting in the seller's behalf, as the buyer's agent in the collection of payments under the contract or in the repossession of collateral security.

Sec. 4.104. Notwithstanding section 28: 9–204 of the District of Columbia Code, the consumer goods which are the subject of a retail installment contract shall serve as security only for the obligation arising out of the sale of such goods and related collection and default charges and such goods shall not be made to secure any past or future advance or obligation of the buyer to the seller or to seller's assignee. This section shall not affect the right of a seller to take a security interest in accessions or in other goods to which such accessions are to be installed or affixed and shall not affect the right to place an encumberance upon such fixtures or the real estate to which the article has become an accession or fixture.

Sec. 4.105. Signing in Blank Prohibited.—No seller or assignee shall at any time take or receive any retail installment contract signed by a buyer in blank prior to the time all information required to be disclosed by this part and all terms upon which the parties have agreed at the consummation of the sale have been completed in the body of the contract, and the completed contract has been exhibited to the buyer and the buyer afforded reasonable opportunity to examine the contents thereof.

Sec. 4.106. Delivery of Copy of Completed Contract to Buyer; Acknowledgment of Delivery; Rebuttable Presumption.—The seller shall deliver to the buyer, or mail to him at his address shown on the retail installment contract, a legible executed and completed copy thereof. Any acknowledgment by the buyer of delivery of a copy of the contract or compliance by the seller or assignee with the requirements of section 4.105 shall be in such format as prescribed by regulation of the Council. The buyer's acknowledgment, conforming to the requirements of this section, shall be a rebuttable presumption of such delivery and such compliance in any action or proceeding by or against an asignee of the contract without knowledge to the contrary when he purchases the retail installment contract.

Sec. 4.107. Mail or Telephone Sales.—Any sale otherwise subject to the provisions of this Act which has been negotiated or entered into by mail or telephone without personal solicitation by a salesman or other representative of the seller, where the seller's cash and deferred payment prices and other terms are clearly set forth in a catalog or other printed solicitation of business which is generally available to the public, shall not be subject to the requirements of this Act that a copy of the contract be signed by the buyer or be delivered to the buyer; provided, that the seller delivers to the buyer, not later than the date on which the consumer goods or services are received by the buyer, a memorandum of the purchase containing all of the essential elements of the agreement. Nothing in this Act shall prohibit a seller from receiving an order containing blank spaces, where a sale is entered into in accordance with the provisions of this section.

Sec. 4.108. Completion Certificate Invalid Unless True.—In any transaction involving the modernization, rehabilitation, repair, alteration, improvement, or construction of real property, a writing signed by the buyer that such work has been satisfactorily completed shall not be valid unless the work to be performed by the seller is actually completed.

TITLE V—PAYMENTS

Sec. 5.101. Operation and Effect of Payment.—Unless the buyer has written notice of actual or intended assignment of a retail installment contract, the buyer may pay or tender any amount due thereunder or give any notice required or permitted by the contract, to the person last known to be entitled to payment or notice under the contract, and such payment, tender, or notice shall be binding upon any subsequent assignee as fully as if made to him.

Sec. 5.102. Receipts; Statement of Account.—

(A) When any payment is made on account of any retail installment contract, the person receiving such payment shall, if the payment is made in cash, give the buyer a complete written receipt therefor. If the buyer specifies that the payment is made on one of several obligations, the receipt shall so state.

(B) (1) Within six months after the execution of a retail installment transaction, including an open-end credit agreement, and within every six-month period thereafter until the buyer has discharged all his obligations under the contract, the seller or assignee, if any, in addition to any other statements or notices required by this Act, shall send to the buyer upon his written request a statement of account which shall list the following items designated as such:

(a) the amounts of each of the payments made by him or on his behalf, or the sum of the payments made by him or on his behalf during each billing period, depending on the manner in which the seller or assignee maintains his records, and setting forth any refunds and any payments of charges for delinquencies, expenses of repossession and extension, to the date of the statement of account but not to exceed a period of three years prior to such request;

(b) the amounts, if any, which have become due but remain unpaid, setting forth any charge for delinquencies, expenses of repossession and extensions; and

(c) the number of installment payments and the dollar amount of each installment not due but still to be paid and the remaining period the agreement is to run.

(2) The buyer shall be entitled to only one such statement in any six-month period free of charge. The sum of $1 may be charged for each additional written statement requested by the buyer before supplying such additional written statement.

Sec. 5.103. Payment in Full Before Maturity.—

(A) Notwithstanding the provisions of any retail installment contract to the contrary, a buyer may pay in full at any time before the maturity of the final installment thereof, and thereby shall receive a refund credit and, if the contract included an amount for insurance, a further refund credit for such anticipation, whether or not the maturity of the scheduled payment of the contract was accelerated by reason of a buyer's default.

(B) Except as provided in paragraph (D), the amount of any such refund credit shall be calculated by the so-called sum of the digits method, and shall represent at least as great a proportion of the total amount of the finance charge as the sum of the scheduled periodic balances after the date of prepayment bears to the sum of the scheduled periodic total balances under the schedule of installments in the original or refinanced contract. In the event a contract has been extended and is prepaid in full during an extension period the buyer shall receive, in addition, the refund of that portion of the extension charge applicable to any unexpired months of the extension period.

(C) Determination of the date of prepayment.—If the prepayment is made before the first installment due date, it shall be deemed to have been made on the first installment due date; thereafter, if the prepayment is made other than on an installment due date it shall be deemed to have been made on the next preceding or next succeeding installment due date, whichever is nearer to the actual date of prepayment.

(D) Where the amount of credit for anticipation of payment is less than $1, no refund need be made.

(E) In the event of prepayment, the seller shall be entitled to retain a finance charge in an amount to be determined by the Council.

Sec. 5.104. Extension of Due Date.—

(A) A seller or assignee may by agreement with the buyer extend the due date of all or any part of one or more installments under an existing retail installment contract or refinancing agreement.

(B) Except where an extension agreement extends the due date of only one installment or where no charge is made for the extension agreement, an extension agreement—

(1) shall be in writing and signed by the parties;

(2) shall incorporate by reference the agreement to which the extension agreement applies;

(3) shall state the terms of the extension; and

(4) shall clearly set forth regarding any extension charge, the dollar amount for each installment extended (which need not be separately stated if the amounts are substantially equal) the total additional dollar amount to be paid by the buyer for the privilege of extending the time of payment, and the dollar amount for the additional cost of insurance, if any, resulting from the extension.

Sec. 5.105. Refinancing.—

(A) A seller or assignee may by agreement with the buyer refinance the unpaid balance of a single retail installment contract or refinancing agreement to provide for a new schedule of the times or amounts of the payments, or both.

(B) The refinancing agreement shall be in such format as prescribed by regulation of the Council.

Sec. 5.106. Acknowledgment of Payments; Release of Security.—Promptly on written request and in any event within sixty days after payment of all sums for which the buyer is obligated under a retail installment contract, the seller or assignee of such contract shall mail to the buyer, at his last known address, sufficient instruments to indicate payment in full and to release all security in the collateral, if any, under such contract.

TITLE VI—REPOSSESSION

Sec. 6.101. Default by Buyer; Rights of Secured Party; Notice of Intent To Repossess.—

(A) In the event of default by the buyer in performance of his obligations under a contract or instrument of security which expressly makes such default a ground for repossessing the goods, and the cash price of the goods does not exceed $1,000, a secured party, pursuant to any rights granted by such contract or instrument, may (1) retake the goods and proceed as hereinafter provided, notwithstanding sections 28:9–501, 9–502, 9–504, 9–506, and 9–507(1) of the District of Columbia Code, or (2) proceed to recover judgment for the balance due without retaking the goods. In any case in which the proceeds obtained from the sale or other disposition of any such goods so repossessed are not sufficient to cover items (1), (2), and (3), of section 6.104, the secured party may, subject to section 6.105(A), recover the deficiency from the buyer. Unless the goods can be repossessed with the permission of the possessor and without use of force or breach of peace, they shall be repossessed by legal process.

(B) Not less than fourteen days before he repossesses, the secured party may, if he so desires, give notice to the buyer of his intention to repossess. The notice shall state the default, the balance due, and the period, if any, at the end of which the goods may be repossessed, and shall clearly, conspicuously, and briefly state the buyer's rights in case the goods are repossessed. The notice may be delivered to the buyer personally or be sent by registered or certified mail to his last known address.

Sec. 6.102. Notice; Service; Contents; Penalty for Failure To Comply.—Within five days after goods are repossessed the secured party shall deliver to the buyer personally, or send him by registered or certified mail to his last known address, a written notice stating:

1. That the goods, including a general description thereof, have been repossessed;

2. The buyer's right to redeem within the fifteen-day period following the date that such notice is personally delivered to the buyer or if the mails are used the date the notice is sent to him by registered or certified mail to his last known address upon payment of the amount due and payable on such goods so repossessed;

3. The buyer's rights as to a resale; and

4. The exact address where any payment is to be made or notice delivered, and where the goods are stored.

Sec. 6.103. Buyer's Rights of Redemption.—

(A) The secured party shall retain possession of repossessed goods for the fifteen-day period following the date that such notice referred to in section 6.102 is personally delivered to the buyer or if the mails are used the date the notice is sent to him by registered or certified mail to his last known address, during which period the buyer may redeem the goods and become entitled to take possession thereof, by paying or tendering the amount specified below.

(B) To redeem the goods, the buyer shall:

1. pay or tender the full amount due under the contract or instrument of security;

2. perform or tender performance of any other promise the breach of which gave the secured party the right to repossess the goods; or.

3. if the secured party has given notice of his intention to repossess under section 6.101 (B), the buyer shall pay in addition, the reasonable costs of repossessing and holding the goods, including attorney's fees as provided in section 6.104(2).

Sec. 6.104. Resale and Application of Proceeds.—After default and repossession of the goods and subject to the provisions of this section and section 6.103, the secured party may sell or otherwise dispose of the goods, the disposition to be carried out in a commercially reasonable manner. The proceeds of any such sale or disposition shall be applied in the following order:

1. If the secured party has given notice of his intention to repossess under section 6.101(B), payment of reasonable expenses incurred in sale or disposition.

2. If the secured party has given notice of his intention to repossess under section 6.101(B), payment of reasonable expenses of repossessing and holding the goods, including reasonable attorney's fees where the attorney is not a salaried employee of the secured party or the seller.

3. Satisfaction of the balance due under the contract, less finance charges and insurance premiums, if any, allocable to installments due after repossession.

4. Surplus, if any, to the buyer without request.

Sec. 6.105. Recovery of Deficiency; Attachment of Goods Prohibited.—

Sec. 6.105. Recovery of Deficiency Prohibited.—If the proceeds of the sale are not sufficient to cover items (1), (2), (3), and (4) of section 6.104, the secured party may not recover the deficiency from the buyer or from anyone who has succeeded to the rights and obligations of the buyer.

Notwithstanding section 16.544 of the District of Columbia Code, a secured party who elects to bring an action for the unpaid balance of a sale not exceeding $1,000 under section 6.101(A) may not, pursuant to any judgment obtained therein, have the goods, which were the subject of the retail installment contract, sold on execution or similar proceedings.

Sec. 6.106. If it is established that the secured party is not proceeding in accordance with the provisions of this title VI disposition may be ordered or restrained on appropriate terms and conditions.

TITLE VII—PRIVATE REMEDIES

Sec. 7.101. (A) In the case of failure by any person to comply with the provisions of titles III and IV, and sections 5.104, 5.105, or any of the regulations promulgated by the Council pertaining thereto:

(1) such person or his assignee shall be barred from recovery of any finance charge or delinquency, collection, extension, or refinance charge, imposed in connection with

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the retail installment contract or refinancing or extension agreement; and

(2) for each violation, the buyer shall have the right to recover from such person or any person who acquires such a contract with knowledge of such noncompliance, a sum equal to the amount of any finance charge, imposed by the retail installment contract or refinancing agreement, plus 10 per centum of the principal amount of the debt.

(B) In the case of failure by any person to comply with the provisions of section 5.103, or any regulations promulgated by the Council pertaining thereto, the buyer shall have the right to recover from such person who acquires a retail installment contract or refinancing or extension agreement with knowledge of such noncompliance, a sum equal to twice the amount of the refund credit to which the buyer is entitled under that section.

(C) Failure of the secured party to comply with sections 6.102, 6.103, or 6.104, shall bar him from recovering any deficiency judgment from the buyer or from anyone who has succeeded to the rights and obligations of the buyer, and in addition, shall subject him to liability for any loss caused by the failure to comply with such provisions.

SEC. 7.102. PENALTIES—ERRORS.—SEC. 7.101 (A) or (B) shall not apply to any violation which a seller or assignee establishes by a preponderance of the evidence to be the result of bona fide error. Any good faith bookkeeping or clerical error and any unintentional failure by the seller to comply with any provision of this Act may be corrected within ten days after the seller or assignee notices such failure or is notified thereof in writing by the buyer and, if so corrected, neither the seller nor the assignee shall be subject to any penalty under this Act.

SEC. 7.103. In addition to the remedies specifically provided by this Act, the court may give such relief as it deems equitable and just.

SEC. 7.104. Except as provided to the contrary, the remedies provided by this part are cumulative to any additional remedies to which a buyer may be entitled under existing law, including, but not limited to, an action for actual damages that proximately resulted from a violation of this Act or regulations promulgated thereunder, and an action for conversion against a secured party who fails to proceed in accordance with sections 6.102 and 6.103.

SEC. 7.105. In any case in which it is found that a buyer, seller, or assignee has violated any provision of this Act, the court may award reasonable attorney's fees incurred by the party charging such violation.

TITLE VIII—ADMINISTRATION AND ENFORCEMENT

SEC. 8.101. There is hereby created a District of Columbia Department of Consumer Affairs, subject to the general supervision of the Commissioner. The Department is authorized to employ such personnel as may be required to carry out its functions under this Act, and is hereby authorized and directed to—

(1) administer and enforce this Act and any regulations promulgated by the Council under this Act;

(2) conduct studies, investigations, and research with respect to retail installment transactions, including the retail sale of consumer goods and services and the purchasing of retail installment contracts;

(3) conduct educational programs, collect and disseminate information relating to retail installment transactions, and, for such purpose, establish a District of Columbia Government Consumer Information Service;

(4) establish and carry on continuous studies of the operation of this Act to ascertain from time to time defects therein jeopardizing or threatening to jeopardize the purposes of this Act, and to formulate and recommend changes in this Act and other laws of the District of Columbia which it may determine to be necessary for the realization of such purposes, and to the same end to make a continuous study of the operation and administration of similar laws that may be in effect in the United States and when it deems advisable, make such studies available to the public;

(5) advise, consult, and cooperate with local governments within the Washington metropolitan region, the Federal Government, and interested persons and groups;

(6) encourage voluntary cooperation by persons or affected groups to achieve the purposes of this Act; and

(7) receive certifications by a clerk of court pursuant to section 8.105 and establish procedures for receiving and receive complaints from all persons affected by potential or actual violations of this Act or regulations promulgated under the authority of this Act, including members of the consuming public and persons engaged in the business of selling consumer goods and services or purchasing retail installment contracts.

SEC. 8.102. (A) The Commissioner or his duly authorized agent, in any case involving violation of the provisions of this Act or any of the regulations promulgated thereunder, shall have the power to issue subpenas in the name of the chief judge of the District of Columbia Court of General Sessions to compel witnesses to appear and testify and/or to produce all books, records, papers, or documents.

(B) In case of disobedience to a subpena the Commissioner may invoke the aid of the District of Columbia Court of General Sessions in requiring the attendance and testimony of any person and the production of documentary evidence.

The District of Columbia Court of General Sessions may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear before the Commissioner or his duly authorized agent, or to produce documentary evidence if so ordered, or to give evidence touching the matter in question, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(C) No person shall be excused from attending and testifying or from producing documentary evidence before the Commissioner or his duly authorized agent in obedience to the subpoena of the Commissioner on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no person except a corporation shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may testify, or produce evidence, documentary or otherwise, before the Commissioner in obedience to a subpoena: *Provided,* That no such person so testifying shall be exempt from prosecution and punishment for prejury committed in so testifying.

SEC. 8.103 (A) The Commissioner or his duly authorized agents may administer oaths and affirmations to persons summoned in any investigation or hearing conducted under this Act. Any false swearing on the part of any person as to any material fact shall be deemed perjury and shall be punished in the manner prescribed by law for such offense.

(B) The Commissioner may order testimony to be taken by deposition at any stage of an investigation pending under this Act. Such depositions may be taken before any person designated by the Commissioner having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction, and shall then be subscribed by the deponent. Any persons may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the Department as hereinbefore provided.

SEC. 8.104. In carrying out the purposes of this Act, the District of Columbia Department of Consumer Affairs is hereby authorized to—

(1) hold hearings or otherwise gather information and conduct investigations relative to any aspect of, of matter in, the administration and enforcement of this Act or regulations promulgated under the authority of this Act;

(2) compel witnesses to appear, testify, or produce books, records, papers, or documents under the authority of and in the manner provided by sections 8.102 and 8.103; and

(3) initiate such proceedings as may be necessary for enforcement of sanctions provided in sections 8.201 through 8.204, or issue such orders as may be necessary to effectuate the purposes of this Act and enforce the sanctions provided in sections 8.201 through 8.204, and enforce the same by all appropriate administrative and judicial proceedings.

SEC. 8.105. CERTIFICATION BY A CLERK OF COURT.—Whenever the judgment of the District of Columbia Court of General Sessions or the United States District Court for the District of Columbia becomes final in a case in which it is found that any person has engaged in conduct violating this Act or regulations promulgated thereunder or conduct that is unconscionable or fraudulent and is potentially or actually subject to action under section 8.201(A)(2), the clerk of the court in which the judgment was entered shall certify such finding to the Commissioner or his duly authorized agent. A judgment shall be deemed to have become final for the purposes of this section—

(A) if no appeal is taken from the judgment, upon the expiration of the time within which an appeal could have been taken, or

(B) if an appeal is taken from the judgment, having been sustained, can no longer be appealed from or reviewed on a writ of certiorari.

CIVIL REMEDIES

SEC. 8.201. INJUNCTIONS.—

(A) Any person may be restrained by civil action brought by the Director of the District of Columbia Department of Consumer Affairs or his delegate, or by an aggrieved retail buyer, from—

(1) engaging in conducting or enforcing any contract that violates this Act or any regulations promulgated thereunder, or

(2) engaging in a course of unconscionable or fraudulent conduct in connection with the making or enforcing of retail installment and other consumer credit contracts.

(B) In an action brought pursuant to this section to enjoin and restrain any person from violating regulations promulgated by the Council under section 2.101(B), any advertising, sales, or collection practice that is subject to and complies with the rules and regulations of, and the statutes administered by the Federal Trade Commission, shall be rebuttably presumed to be neither unfair nor unconscionable, absent express provision in such regulations to the contrary.

(C) The court shall grant appropriate relief in an action brought pursuant to this section when it finds—

(1) that the defendant has or is engaged or threatens to engage in conduct violating this Act or any regulation promulgated thereunder, or

(2) that the defendant has or is engaged or threatens to engage in a course of unconscionable or fraudulent conduct in connection with the making or enforcing of retail installment contracts, and that the conduct of the defendant has caused or threatens to cause substantial injury to members of the consuming public or persons engaged in the business of selling consumer goods and services or purchasing retail installment contracts.

SEC. 8.202. PRELIMINARY RELIEF.—With re-

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spect to and pending final determination of any action brought pursuant to section 8.201, after notice to a defendant and a hearing is held thereon, the court may grant such preliminary relief as it deems appropriate.

Sec. 8.203. (A) Whenever the Director of the District of Columbia Department of Consumer Protection determines that any person has violated this Act or any regulation promulgated thereunder and that such violation constitutes an enforceable claim for the recovery of penalties imposed by subsections (A)(2) and (B) of section 7.101, the Director may take an assignment in trust from the buyer for such claim, without being bound by any of the technical rules respecting the validity of any such assignments, may bring any appropriate legal action necessary to collect such claim for the recovery of penalties and may join in one proceeding or action such claims against the same person as the Director deems appropriate. Upon any such assignment the Director shall have power to settle and adjust any such claim or claims on such terms as he may deem just.

(B) The court in any action brought under this section shall, in addition to any judgment awarded, allow costs of the action, including costs or fees of any nature, and reasonable attorney's fees, to be paid by the defendant. Such attorney's fees shall be deposited in the Treasury of the United States to the credit of the District of Columbia. The Director of the District of Columbia Department of Consumer Protection shall not be required to pay the filing fee or other costs or fees of any nature or to file bond or other security of any nature in connection with any such action.

Sec. 8.204. Civil Penalty.—Any person who shall engage in a course of repeated and willful violations of this Act or any regulation promulgated by the Council under the authority of this Act shall be subject to liability for a civil penalty not exceeding $5,000. In all other cases, any person who shall willfully violate this Act or any such regulation shall be subject to liability for civil penalty not exceeding $1,000.

MISCELLANEOUS

Sec. 8.301. Section 28: 9–203(2) of the District of Columbia Code is amended by inserting immediately after the word "subject" where it appears the second time, the following: "to the District of Columbia Retail Installment Sales Act,".

SAVINGS BONDS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. SCHWENGEL. Mr. Speaker, one of the most important civic fundraising campaigns is the savings bond campaign. Treasury Department officials could not have selected a more capable chairman than Mr. D. C. Bradley. Mr. Bradley's guest editorial in the Davenport-Times Democrat is an eloquent plea for the savings bond program.

The editorial follows:

These Are for Everyone

(Note.—Guest editorialist today is D. C. Bradley, president of the Dewey Portland Cement Co., Davenport, and chairman of the United States Savings Bonds Payroll Savings "Share in America" campaign which is being conducted April 1-May 15 in Scott County.)

One of the more popular cigarette tv commercials—if a commercial can be classified as "popular"—ends with the comment that "Blank cigarettes are not for everyone; they don't try to be."

If I may take the liberty of borrowing on that widely-known phrase in connection with U.S. Savings Bonds. I might point out that these bonds, while differing in the degree of ownership, ARE for everyone, in the manner that everyone should have at least some voluntary financial interest in their country. They are, in all probability, a better savings instrument for the labor force than for any other particular group.

These thoughts, I feel, are some of the most important reasons to push for the successful conclusion of the U.S. Savings Bonds Payroll Savings Plan Campaign in the Scott County area—a campaign, I might add, that I feel proud to head.

Probably never before in their brief but lively history have U.S. Savings Bonds been under more fire than in recent months. Few weeks go by in which the U.S. Savings Bond is not downgraded in one way or another.

In some cases the criticism possibly is earned but, for the small saver, the so-called little guy who makes up America's payroll and who finds it difficult, if not impossible, to save money in large chunks, there is simply no better methods to build a nest egg for himself and for his family.

If I felt any different, I would not have consented to head the Payroll Savings Campaign for the Davenport area.

I would be less than honest if I didn't admit that there were times when I, too, had doubts. But these doubts were erased when I had the opportunity to go to Washington, D.C., for a meeting with other campaign chairmen and with some of America's top industrialists. These men were quite candid in their review of the program and told of the advantages that their worker received from participating in Payroll Savings for U.S. Savings Bonds.

The nationwide drive is headed this year by James M. Roche, board chairman of General Motors. At the Washington meeting, he pointed out emphatically that the U.S. Savings Bonds Payroll Savings Plan has been a boon to his workers—one of the largest work forces in the world—and that the bonds are certainly one of the most attractive savings plans ever for the small, week-by-week saver. He pointed out that millions find this to be the only way in which they can really put aside any money for the future.

In comparing the interest rates of 4.25 per cent for the E Bond and 5 per cent for the Freedom Share with other "small" type savings plans, it shows that actually this is an attractive rate. The combination pays 4.65 per cent and, when one considers the income tax advantages involved, it could well be above 5 per cent.

I returned from the Washington meeting with a strong conviction to do my utmost to make this Scott drive for 1,500 new payroll savers more successful than ever. I have developed a strong pride in the U.S. Savings Bonds Program.

I urge the head of every Davenport area industry to give this savings program a chance, to study it from an unbiased attitude and to urge every worker in his plant to sign up for Payroll Savings.

By the same token, members of the labor force in the Davenport area should also give this program strong consideration. I urge them to give Payroll Savings a try and see for themselves whether or not it is for them. In this case, giving it a try costs nothing—it does, in fact, pay dividends because they not only will get back what they put in but will get more than they invested. Furthermore, it is a voluntary program which they can drop at any time they choose.

From a purely unselfish attitude, what greater investment can one make than to invest in the greatest country in the history of the world?

TRANSPACIFIC ROUTE CASE

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. VAN DEERLIN. Mr. Speaker, I wish to express my concern over the action taken by President Nixon in rescinding the order of the Civil Aeronautics Board in the Transpacific Route case.

Early this year the air and the press were filled with rumors, charges and countercharges surrounding President Johnson's handling of the case, with many implying that politics and "cronyism" had been allowed to interfere with selection of carriers for transpacific routes. Many Members of Congress sought review of President Johnson's decision.

Now President Nixon has completed his review, and announced that no evidence of political favoritism was found. However, President Nixon returned the question of South Pacific service to the Board, with instructions for it to certify a carrier for a route from the east coast and Midwest, overflying California.

Naturally, that is of concern to Californians because we have the greatest traffic volume to the South Pacific area, and we would prefer that future service be via California.

Of even greater concern, however, is the fear that this new procedure will result in eliminating California-Hawaii services certified for carriers under the former decision, which is now to be reconsidered in light of President Nixon's action.

The air and the press are again full of rumors that politics and cronyism are affecting the decision of this matter. President Nixon presumably sought to avoid such charges by sending the case back to the CAB for selection of a South Pacific carrier. However, there is speculation this time that the President intends the route to go to Eastern Air Lines because of its strong Republican connections.

The doubts of the press and other observers should not be lightly dismissed in so serious a matter. If the CAB is to be allowed to select the carrier without Presidential guidance, that should be made plain. If the new procedure is just a way of disguising Presidential selection of a South Pacific carrier on the basis of political considerations, those who may be injured by the decision—including the Californians for whom I speak—are entitled to know that too. It is to be hoped that this can be clarified promptly.

Meanwhile, I submit for the Record, newspaper items from the Los Angeles Times, the Wall Street Journal and the Washington Post reporting on these matters:

[From the Los Angeles Times, Apr. 20, 1969]

Transpacific Route Case; It's Still Up in the Air

(By Paul E. Steiger)

When President Nixon issued his ruling on the tortured, 10-year-old transpacific airline route case a week ago, he raised almost as many questions as he answered.

To be sure, he laid to rest for at least the next few years any thought that a third U.S. airline might be authorized to fly into Japan. Northwest and Pan American, the two carriers that now have this right, have been given broader authority to compete with one another over the Arctic route to Tokyo (now Northwest's prime preserve) as well as across the central Pacific (presently reserved for Pan American).

Moreover, Trans World Airlines, as approved by former President Johnson as well as Mr. Nixon, will be allowed to cross the Pacific via Okinawa and Hong Kong, thus making it the nation's second round-the-world carrier (after Pan Am).

In fact, the only major international matter left hanging by the President's action is the designation of a second U.S. carrier (again after Pan Am) to fly to Australia, New Zealand and other South Pacific points.

But this matter is of crucial importance—partly because of the value of the route itself (expected to be modest initially), but much more so because of its almost certain impact on the highly lucrative domestic phase of the case.

The domestic phase, in which the Civil Aeronautics Board has the final authority, involves the designation of new routes from mainland cities to Hawaii. By the early 1970s, this market is expected to contribute well over $200 million a year in new revenue to the favored carriers.

The CAB has said all along that the final shape of its Hawaii awards will be carved to fit the international awards approved by the President. And since President Nixon has sharply upset the board's (and Mr. Johnson's) previous design for the international routes, the CAB can now be expected to make some significant transformations in the domestic routes.

As a result, several of the airlines which got tentative new Hawaii rights in January based on the international awards approved by Mr. Johnson in December now have to bite their fingernails waiting for the CAB and Mr. Nixon to ink in the ultimate route pattern.

What will that pattern be? Airline executives are sufficiently timid at this point that for the record, they won't even speculate. But in private conversations, while they say the possibilities are almost limitless, most believe that Continental and Braniff are the carriers least likely to hold on to their tentative domestic routes. They added that for various reasons, Western, United, and Northwest can probably count on keeping what they have and might even get a dividend or two. Meanwhile, they note, some carriers left out of the original awards—most notably Eastern and American—have new cause for hope.

Airline industry sources suggest that while a Republican President is dealing in this case with a board that has a 3-to-2 Democratic majority and a Democratic chairman, Mr. Nixon most likely will have the initiative. They note that he has the last word on the crucial South Pacific routing and that three of the five CAB members come up for reappointment in the next few years. A look at the impact of what Mr. Nixon has done so far indicates the thrust of his intervention in this case:

1. As any good Republican might, he has completely swept away (as far as his authority permits) the awards approved by Mr. Johnson to Continental and Braniff, the two carriers most closely identified with LBJ's Democratic administration. The Braniff award was just a small spur appended to a domestic Hawaii routing from south central cities. But the Johnson-approved award for Continental would have established the Los Angeles-based carrier as a major force in the South Pacific.

2. For the second time in eight years, a Republican administration has rescued Pan American at the last moment from a threatened onslaught of new U.S. flag competition in the Pacific. This time, though, the rescue is much less complete. While then-President Eisenhower completely voided any new transpacific service in the waning days of his tenure in 1961, Mr. Nixon's awards will force Pan Am to struggle to protect important segments of its Hawaii and Far East markets.

3. Mr. Nixon's specifications to the board for redesigning the route for a second U.S. entrant in the South Pacific derby has been widely interpreted as a direct suggestion that Eastern should be given the nod. Eastern, of course, has perhaps the most Republican image of all the airlines. Financier Laurance Rockefeller, brother of the New York governor, is reportedly its single largest shareholder.

Given all this, many airline industry sources are looking for Eastern to be awarded a combination Hawaii and South Pacific route package much like the one originally recommended for it last April by the CAB's staff examiner on the transpacific case, Robert L. Park.

Mr. Nixon instructed the board to redesign the new South Pacific route so that it bypasses California and originates in East and Midwest cities. Unlike the original award to Continental, which involves service through Los Angeles, this approach will leave Pan Am alone to compete with foreign flag carriers (like Air New Zealand, Australia's Qantas and Britain's BOAC) for traffic between the West Coast and the South Pacific.

California, of course, is currently by far the heaviest source and destination for South Pacific travel, and the President's move here is likely to please the governments of the foreign flag carriers as much as it pleases Pan Am.

The awards recommended for Eastern by examiner Park involve service from Boston, New York, Philadelphia, Washington, Baltimore, Atlanta, Miami, Dallas, Houston, New Orleans, Chicago and St. Louis—all via Hawaii to the South Pacific. The examiner also gave Eastern the option of going through Mexico and bypassing Hawaii (as well as California) on some of its South Pacific routes, but since Mr. Nixon voided Mexico routing for Braniff, it's considered unlikely that it will be revived.

BRANIFF COULD LOSE

If Eastern is given essentially this routing, Braniff's tentative Hawaii authority could well be eliminated, since the Eastern package would include all the cities given by the board to the Dallas-based carrier.

But Braniff supporters are given hope—and Eastern fans some apprehension—by Mr. Nixon's wording calling for South Pacific routes to originate in the East and Midwest. "I wish he had just said eastern half of the country," acknowledges one source close to Eastern.

The reason: Eastern's traffic source is mainly the East Coast and the Southeast. It doesn't possess the East-West routes into the Midwest traffic centers, Chicago and St. Louis, that several other carriers do. Moreover, the Southeast is close to Florida and Caribbean vacation spots offering much the same attractions as those of Hawaii and the South Pacific—at a fraction of the air fare—and many industry sources have suggested its highly optimistic to predicate South Pacific service on getting traffic from cities like Atlanta, Miami and New Orleans.

Thus, some industry sources suggest that American might be selected instead of Eastern for a South Pacific award. It would encompass the northern cities proposed by the examiner for Eastern plus some of the Midwest cities given to Continental (Kansas City and perhaps Denver and Phoenix).

LEFT IN COLD

These sources note that American has strong East-West routings throughout the East and Midwest. They add that because Mr. Johnson and Mr. Nixon both nixed a lucrative mainland-Hawaii-Tokyo routing proposed for American by the CAB, the carrier is left with no transpacific awards whatever to compensate it for the feeder traffic it will lose. (American currently delivers many passengers from interior cities to Pan Am and United at San Francisco and Los Angeles for transit to Hawaii or beyond. Under the new awards, many of these passengers should be able to fly direct to Hawaii.)

Where does all this leave Continental? Probably out in the cold, most airline sources say. The Los Angeles carrier last week asked the CAB to consider it for the revised South Pacific routing and suggested an award for it that would conform to the President's guidelines. Briefly, the route would add three East Coast cities and St. Louis—none of which Continental currently services—to the four Midwest cities included in its tentative award.

But several industry sources contend that while giving Continental Hawaii and South Pacific authority made a lot of sense as long as some of the planes could be routed through the rich Los Angeles market, the carrier simply doesn't have the roots in the East necessary to make a go of it under Mr. Nixon's ground rules.

AT OTHERS' EXPENSE

The board still might see fit to give Continental simple domestic authority from the Midwest and Southwest to Hawaii via the Los Angeles gateway, but this would no doubt have to come at the expense of either Braniff or Western.

As for Western, its Hawaii awards are considered the most inviolate in the original package, since they have the least intertwinement with the international structure.

But Braniff's awards are considered more vulnerable. "I'd hate to see Braniff hold on and Continental end up with nothing," says an East Coast airlines official who lobbied hard to have the Johnson package overturned. "The Braniff awards made only political sense. Continental is an aggressive, efficient little airline."

He adds: "I'm glad that Nixon turned this thing around, but we had no quarrel with Continental going to Hawaii. It would be an injustice if they got nothing."

[From the Wall Street Journal, Apr. 14, 1969]

TRANSPACIFIC AIR ROUTE AWARDS REVISED BY NIXON—JOHNSON'S GRANTS TO BRANIFF, CONTINENTAL ARE CANCELED; BASICALLY, THE REST STAND—MORE CONTROVERSY POSSIBLE

WASHINGTON.—President Nixon revised the international air-route awards, approved by his predecessor in the controversial transpacific case, primarily by removing the awards that raised most of the controversy.

The major changes ordered by Mr. Nixon were to cancel grants of South Pacific routes to Continental Airlines and a less significant award of a route to Mexico as part of new Hawaii service for Braniff Airways, a subsidiary of Ling-Temco-Vought Inc. Former President Johnson's approval last December of these Civil Aeronautics Board awards had prompted charges of political favoritism.

President Nixon's action appeared to be aimed at removing any doubts about the awards, whether the favoritism charges were justified or not. The President's advisers said they hadn't found any evidence of impropriety by the previous Administration in the case. Both Continental and Braniff still could pick up lucrative routes to Hawaii in the transpacific case's domestic phase, which isn't subject to Presidential approval.

Aside from certain modifications to limit increased service across the Pacific, President Nixon basically let stand the remainder of the previous transpacific awards approved by Mr. Johnson. This means that Trans World Airlines will get a route across the Pacific

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allowing it to provide around-the-world service, and that Flying Tiger line will receive an all-cargo route to the South Pacific.

Pan American World Airways and Northwest Airlines, the only two U.S. carriers authorized to fly to Japan, will be allowed to expand existing transpacific service. Basically, the two airlines will compete directly on routes to Japan for the first time.

JOHNSON VETO STANDS

President Nixon upheld Mr. Johnson's previous decision against allowing a third U.S. carrier to serve Japan. The CAB had recommended American Airlines for such a route, but Mr. Johnson vetoed the idea. The Japanese government has strongly opposed entrance of a third U.S. airline into Japan to compete with Japan Air Lines.

The President also opened the door for another airline to obtain transpacific routes by ordering the CAB to recommend a carrier to receive a revised version of the South Pacific routes denied to Continental. Eastern Air Lines, the major loser in the CAB's previous decision, is expected to be among the leading contenders for such routes.

The revised transpacific awards are likely to stir still more controversy in perhaps the biggest air-route case ever to come before the CAB. President Nixon took charge of the case less than a week after he took office last January, by rescinding the awards previously approved by Mr. Johnson. At the time, Mr. Nixon aides confided that the President was reluctant to get involved in the case, but believed there wasn't any alternative because of the charges of political favoritism to Johnson friends at Continental and Braniff.

COUNTERCHARGES POSSIBLE

President Nixon's revised transpacific awards are expected to raise countercharges of political influence. This is because he canceled the controversial awards to Continental and Braniff, despite finding that there wasn't any improper action by the previous Administration in approving the awards. The President also could come under fire because the Rockefeller interests are major stockholders in Eastern, which could benefit from the revised awards.

The Republican Administration, however, probably could squelch any charges of favoritism to Eastern, aviation observers said, merely by approving whatever airline the Democratically controlled CAB recommends for the South Pacific routes denied to Continental. And White House spokesmen already have stressed that the changes ordered by the President were based on economic factors.

In Los Angeles, Continental said it was "surprised at this rejection of CAB recommendations . . . which would have provided the greatest benefit to the traveling public." A spokesman said the line was "studying the matter as to our future course of action."

TWA cheered the President's action. "TWA is most pleased that President Nixon's decision will permit us to close our round-the-world gap after nearly a quarter of a century of effort in this direction," Charles C. Tillinghast Jr., TWA president, declared in New York.

Pan Am, also in New York promised to "vigorously carry out the responsibilities and opportunities (Mr. Nixon) has given us."

Braniff in Dallas, played down the significance of the route between Hawaii and Mexico that it was denied. "The main thrust of the CAB award to Braniff was in the domestic portion in which we were granted new nonstop routes from six mainland co-terminals to Hawaii," a company spokesman said.

The White House said that transpacific awards approved by former President Johnson would have overburdened the Pacific structure with inflated route awards lacking economic viability. The President's advisers estimated that transpacific passenger traffic, while increasing sharply, would be 21% to 33% below the 1973 estimates of the CAB.

Considered to be a factor strengthening the Nixon Administration's position is that its transpacific award changes are more in tune with the less-controversial proposals by CAB Examiner Robert Park in his recommended decision a year ago. Mr. Park, for example, also envisioned a less substantial increase in transpacific air travel, but his forecasts were termed too conservative by the CAB.

The international, transpacific air-route structure ordered for U.S. airlines by President Nixon still will provide for a sharp increase in service from the U.S. to the Orient and the South Pacific. But transpacific awards were reduced from the level of increase called for under the Johnson Administration.

Here are the revised transpacific awards President Nixon ordered Friday in a one-page letter to John H. Crooker Jr., CAB chairman:

Continental will lose an award to compete with Pan American on routes to the South Pacific, including Australia and New Zealand, from East Coast and Midwest U.S. cities. President Nixon ordered the CAB to recommend a carrier to serve such routes from the East Coast and Midwest cities. The CAB examiner, Mr. Park, had recommended such service for Eastern Air Lines, but was overruled by the CAB.

Continental also will lose a South Pacific route segment to American Samoa and Okinawa. This segment should be deferred for consideration by the CAB in a pending Pacific islands local-service investigation, the President said. Conceivably, Continental still could receive the relatively minor route.

Braniff will lose a route to Hawaii via Mexico because, the President's aides said, the route isn't economically feasible. Braniff, however, tentatively has been awarded direct routes between Hawaii and the U.S. mainland in the domestic phase of the transpacific case.

Pan American will lose a previous award of new service to the Orient from the Northwest via the so-called Great Circle Route over Alaska. Pan Am, however, will receive a Great Circle route from New York, putting it in direct competition with Northwest Airlines; currently, Northwest is the only U.S. carrier authorized to fly the Great Circle Route to the Orient, which is up to 2,000 miles shorter than a Central Pacific route via Hawaii.

Northwest won't be able to add California cities to its current Great Circle routes from the Northwest, but it was auhorized to add several inland and Eastern cities, including New York. And Northwest still will receive a new Orient route across the Central Pacific to compete with existing service by Pan Am. Traditionally, the Central Pacific route accounts for about 70% of all U.S.-Orient passenger air travel.

TWA will get a new transpacific route segment stretching from Hong Kong to California via Hawaii. Coupled with TWA's transatlantic routes, this will make TWA the second U.S. around-the-world carrier, competing with Pan Am.

Flying Tiger will get all-cargo routes between the U.S. and the Orient for a five-year experimental period.

In addition, President Nixon canceled a previously proposed requirement that TWA be restricted to the use of less-congested satellite airports near Los Angeles on its new transpacific route.

[From the Washington Post, Apr. 12, 1969]

NIXON AWARDS NEW AIR ROUTES IN PACIFIC TO PAN AM, EASTERN

(By Richard Halloran)

President Nixon made Pan American and Eastern Airlines the big winners in his long-awaited decision on the controversial transpacific air routes.

Continental Airlines was the main loser in the disputed case, around which have swirled charges and counter-charges of excessive political influence.

Northwest Orient and Trans World Airways came out with about the same routes as they had earlier, as did Flying Tigers, an all-cargo carrier.

The net effect of the President's decision, White House sources said yesterday, was to reduce the service that might have been available if previous awards by former President Johnson had been allowed to stand.

White House sources said that President Johnson's awards, made late last year, "would have overburdened the Pacific with inflated routes lacking in economic viability."

This would have led, the Administration sources said, to restrictions by foreign governments to protect their own carriers. The Japanese have urged the United States to hold down the number of U.S. carriers flying across the Pacific to protect Japan Air Lines, their flag carrier.

The President said yesterday that he made the decision on "considerations of foreign relations and national security." He made the same point when he rescinded the previous awards on Jan. 24.

The Administration also justified the decision on economic terms. White House sources cited forecasts that air traffic over the Pacific would be 21 per cent to 33 per cent lower than those made by the Civil Aeronautics Board.

The sources also pointed to the coming introduction of larger aircraft, specifically the Boeing 747.

NIXON'S ADVISER

The White House said that Mr. Nixon's main adviser on these forecasts has been Prof. Paul Cherington, formerly at Harvard and now Assistant Secretary of Transportation.

In yesterday's decision, Pan American gained by having a great circle route from California to Japan taken away from Northwest, a route Pan American now flies. Pan American also retained its great circle route from New York to the Orient.

SOUTH PACIFIC CARRIER

Pan American, however, was denied permission to fly from the Pacific Northwest to the Orient, which would have put it into direct competition with Northwest, Northwest retained its central Pacific route through Hawaii to the Orient in competition with Pan American.

Eastern gained when the President removed Continental from its previously awarded route from California through Hawaii and the South Pacific to Australia.

Mr. Nixon, in a letter to CAB Chairman John Crooker, said that the second carrier to the South Pacific (Pan American is the other) should bypass the California gateways.

The President asked the Board to recommend a carrier to serve East Coast and Midwest terminals to Hawaii and beyond. While Eastern was not named, this is the route and pattern it proposed to fly during extensive hearings before the CAB.

A major shareholder in Eastern is Laurence Rockefeller, brother of New York Gov. Nelson Rockefeller.

BRANIFF TURNED DOWN

Continental, which competitors earlier alleged had close ties to the Johnson Administration, was removed from an American Samoa-Okinawa route that it considered important to its plans for developing traffic and tourism in the central Pacific Trust Territories.

President Nixon also disapproved an award to Braniff, which has headquarters in Texas, to fly to Hawaii via Mexico City.

Trans World Airlines' earlier award of a route from Hawaii through Okinawa to Hong Kong, which permits it to establish an around-the-world service, was left standing.

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Both TWA and Northwest gained when President Nixon said that they need not use satellite airports on the West Coast but could fly from major international airports.

CAB MUST ACT

The next steps are now up to the CAB. It must issue certificates and name an effective date for these international routes, besides selecting the carrier to fly from the East Coast to the South Pacific.

Further, the CAB, which has sole authority over international air routes, must reconsider those domestic routes that are intertwined with the international phase of the case. These are primarily from the mainland United States to Hawaii.

The Board has already awarded routes to Continental, Western and American although the American route is unsettled due to a technicality. After several postponements these routes are scheduled to become effective on May 11.

That may not close the case however, as airline lawyers have stated publicly or privately that they may take it to court. A couple, in documents presented to the CAB, have asserted that President Nixon's intervention in the case may not have been legal.

VOICE OF THE PEOPLE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. RARICK. Mr. Speaker, the long-suffering American citizen is expressing disapproval through the ballot box of socialistic programs of his Government.

This is the traditional way for the law-abiding citizen to communicate with his chosen leaders. To "take to the streets" and employ violence is the act of insurgents, not Americans.

As this message continues the planners for "Big Brother" may finally understand that the people do not like their planning. Under our American system, if the planners do not understand, they are replaced.

Mr. Speaker, I include several news articles as follows:

[From the Washington (D.C.) Post, May 1, 1965]

POLICEMAN SCORES MINNEAPOLIS UPSET

MINNEAPOLIS, April 30.—A Police Department detective running on a "law and order" platform scored a stunning upset Tuesday in the primary election for mayor of Minneapolis.

The winner, Charles Stenvig, 41, cut into both Democratic and Republican strongholds to get what was interpreted as an outpouring of white backlash and anti-tax sentiment. Stenvig today claimed a "mandate" from people "sick and tired" of no voice at City Hall.

Running as an independent, Stenvig, who is president of the Police Federation, outdistanced the Democratic- and Republican-endorsed candidates and seven nonentities. He now faces a runoff in the general election on June 10 against the Republican candidate, Dan Cohen, City Council president.

Cohen, who ironically has had a hard-line reputation on civil rights, called for a "coalition of reason" with Democrats to maintain what he called the city tradition of moderate leadership. He laid Stenvig's first-place showing to a reaction against black militants, student demonstrations and radical groups.

NO IMMEDIATE RESPONSE

The Democrat, Alderman Gerard Hegstrom, made no immediate response.

However, Hegstrom, whose campaign in the closing weeks was managed by Norman Sherman, former press secretary to Vice-President Humphrey, expressed "concern for this community, which has clearly rejected the rational moderate approach."

Stenvig, a flamboyant figure who has come to City Council hearings with a revolver in the belt of his civilian suit, got 30,229 votes to Cohen's 21,899 and Hegstrom's 19,210. Hegstrom was thereby eliminated from the runoff, ending eight years of Democratic control of the Mayor's office.

Stenvig carried 9 of the 13 wards and Mayor Arthur Naftalin, the four-term incumbent who did not seek re-election, confessed, " I don't know what I'm to do (about the outcome), and I think I'm typical."

NO ROLE IN PRIMARY

Naftalin, a long-time friend of Humphrey, had backed another candidate for the Democratic endorsement and played no role in the primary. The Party's apparent disorganization was assumed to be one factor in the outcome.

Although the Republicans had an 8-to-5 City Council margin, Minneapolis has been considered basically Democratic.

Minneapolis, with a black population of about 20,000, has had no serious racial problems recently. However, black militants have been active and University of Minnesota students have staged demonstrations including seizure of a building in January and marches in large numbers on city hall to protest criminal charges against three black students involved in the January sit-in.

Both the University and Mayor Naftalin have taken conciliatory stances in the face of student and black militancy. A Stenvig supporter summed up: "This is a grassroots revolt against loud-mouths like Mat Eubanks (a black militant leader), bullhorns and riots."

SEES DOUBLE STANDARD

Stenvig, who appeals to what has been called the "cop vote," summed up his views before the election as being the voice of the "little people" who oppose a "double standard."

Stenvig said:

"It's a double standard because I have had a lot of policemen say to me that they're afraid to tag a minority person because they are afraid that if they do they'll be in the front office the next morning . . ."

[From the Washington, (D.C.) Post, May 1, 1969]

TAX INCREASE AND BUSING REJECTED

(By Rasa Gustaitis)

RICHMOND, CALIF.—Last winter, Superintendent of Schools Denzil E. Widel warned that the Richmond Unified School District was financially "on the brink of disaster."

Last month, voters pushed the school system still closer to that brink.

Turning out in record numbers, they soundly defeated a proposed tax rate increase. They also elected—by a wide margin—a school board composed entirely of white suburbanites unanimously opposed to the school administration's plan to integrate elementary schools through two-way busing of pupils.

Losers in the contest called the election results a victory for white racism. Winners called it a triumph for parents who sought to reclaim control of their neighborhood schools. The vote was, in either case, a repudiation of the current board, which had sought to desegregate the entire school system and to bring in innovative programs and special services.

Integration was the big issue in the bitter campaign, even though opponents of the busing plan denied they opposed desegregation and spoke instead of support for "neighborhood schools" and opposition to "forced busing."

"But Americans have generally not been against integration—they just haven't wanted to do anything about it," said Loren A. Gammon, executive secretary of the Association of Richmond Educators. "The election left no visible alternative between busing and the status quo, which is de facto segregation."

Richmond, an industrial city of 76,000 adjoining Berkeley, is a hard-bitten sort of community, with a large population of poor whites and poor Negroes, many of whom came from the South during World War II to work in local plants and nearby shipyards.

Blacks are concentrated in south and north Richmond, cut off from higher-income white hills by a freeway and from lower-income white areas by the Santa Fe Railroad tracks. Across the tracks from north Richmond is San Pablo, populated largely by working-class whites. It's one of the largest concentrations of poor Caucasians in northern California. "You'll find more American flag stickers and gun stickers and Wallace stickers here than anywhere," said a community worker. "We have a Tobacco Road situation here."

According to Dr. Maurice Barusch, outgoing school board president, the schools of the district have traditionally been governed "by people elected by professional people from the hills in coalition with Negroes. Typically, school board members have been college graduates or above and the sort of people who worry about education for all the kids and so forth. But people voted in this election who have had no interest in schools before."

The turnout in Richmond was more than three times its usual. In some portions of the city, it was nearly 70 per cent, compared with a district average of 20 per cent in previous elections. Only one of the three new board members, an attorney, has a college degree. One is a real estate man, another a mechanical operations manager.

Backed by the Citizens Committee for Neighborhood Schools and the United School Parents, the three rode to victory on their promise to oppose busing and their expressed doubt that the district needed all of the $2.50 tax-rate increase proposed.

The district has not raised its tax rate of $3.14 per $100 assessed valuation for 17 years. The schools have been steadily sliding downhill since 1958 when the administration began to dip into reserve funds after voters rejected a tax increase. Subsequent tax-rise proposals also failed. The trouble was blamed by many on the growing controversy about racial issues.

Now, with the community polarized as never before, one faction in full control of the five-member board, the prospect of a $1.5 million cut in next year's budget, the outlook for Richmond is grim.

In addition, the National Education Association is expected to blacklist the district. It threatened to impose sanctions if last week's election did not pass. This could mean an exodus of teachers from already short-staffed schools.

HARASSMENT REPORTED

"We've had relatively smooth sailing up to now with a responsible black community," said Dr. Barusch. "But now we're in a critical period. We may well end up as a test case for the whole nation. We had a board that was doing something about integration and for that we were thrown out. And I don't know how much longer the black community will want to integrate with these horrible white trash people who are so full of hate."

Dr. Barusch and two other members on

the board who have supported the integration plan did not seek reelection. Dr. Barusch said he did not believe they stood a chance.

All three had also been plagued by threats, harassment and obscene phone calls during the latter part of their administration.

Superintendent Widel saw the election as "a bellwether." He said it "indicates we are not facing up to some of our important problems, both economic and social. The boys and girls will have to pay the price the adults failed to pay."

To balance its budget, which the district must do under California law, the school administration has to dismiss 180 teachers and other professional staff members—even though there is severe overcrowding in at least 10 elementary schools and 1260 children had no regular teachers this year. It will cut its clerical and maintenance staff by 110—even though broken windows are now covered with plywood because there is not enough maintenance staff. Even broken toilets must at times be neglected.

Summer school will be canceled this year. The high school program will be cut from six to five courses. Class sizes will be increased in the elementary schools and special programs and services will be cut or discontinued—including elementary school music, inter-scholastic athletics, foreign cultural programs, nursing and guidance help.

BUSING, TAX LINKED

There's not much offered in Richmond by way of recreation. One of the popular pastimes is "dragging the main"—riding up and down the main street. The school program cuts will mean more bored and hostile boys and girls out in the streets.

One reason the tax rate failed is that it was tied in voters' minds with the busing plan and Dr. Barusch's policies. Opponents of the present school board were reluctant to give it more money to spend. Also, rumors were circulating that if the board did not get the new tax money, it would have to cancel the busing plan.

Last Wednesday, the night after the election, the school board set a date for another tax-rate increase election July 6, in the hope that voters might approve it if it were separated from the integration issue and they were sure the money would be budgeted by the new board.

The amount proposed this time is $1.50, too little in the opinion of the Association of Richmond Educators. But even if it passes, the money would come too late to save the schools from further deterioration next fall.

The integration plan, which brought long-simmering racial conflict to the surface, was devised last year in response to a court order.

The Contra Costa Legal Services Foundation had filed suit in behalf of five Negro families claiming their children were getting inferior schooling at Verde Elementary School because it was almost completely black. Nearby Dover and Broadway Schools, the suit pointed out, were almost completely white.

The Superior Court in Martinez ordered the school district to come up with a plan to correct de facto segregation at the three schools. The administration produced a proposal that would integrate all the district's schools with their 44,000 students within three years, with no more than 35 per cent of any school black.

In the first year of the program, the children of Dover, Verde and Broadway were to be integrated through transfers both ways.

VIOLENT REACTION

Dover and Verde are among the poorest elementary schools in the city. Verde has the highest percentage of children from welfare families, low achievement levels and constant trouble keeping teachers. Dover is only slightly better off. The tracks that separate the two have long been a border between two hostile communities.

The reaction among parents of Dover children was violent. They became firm supporters of the antibusing candidates.

The issue was not integration, said Mrs. Donald Remington, president of the Dover P–TA. The issue, she said, was having your children close to home. The tracks were dangerous and the school too far away, about half a mile. But, "frankly," she added, "I wouldn't know of any way to make the plan more acceptable."

Other mothers at the school also spoke of the distance. But the children were more explicit. "I'm not going to Verde because there's niggers there," said one blonde little girl in the school yard. "They beat you up if you get good grades," said a little boy. "I just don't like niggers," said another. "We have a few here but they're good niggers. The ones at Verde are bad."

Near-solid opposition was also expressed by white parents at other schools. Negroes tended to favor integration—but only if the busing worked both ways.

The district has had an open enrollment program for four years and, to relieve overcrowding, also has bused some children from predominantly Negro schools to predominately white ones. Last year, eleven nearly all-white schools received their first groups of black children.

There had been some trouble. Black children and their parents complain of harassment by whites. However, rumors of trouble far exceeded its actual incidence. The rumors were fanned, school officials believe, by people who wanted to sabotage all efforts at integration.

Last October, school officials asked for FBI help in tracing down rumormongers who have spread false reports of violence—stabbings, beatings and shootings—among both blacks and whites. The rumors died down after announcement of the request for FBI help, but fear continued. The revolt by black militants in nearby high schools and colleges added to those fears. The effects showed themselves in last week's election.

Still, said Dr. Barusch, the integration plan "was the right thing to do," even if it was politically suicidal.

What happens in Richmond next depends on the new school board's willingness to show it is interested in good education for the entire community, some say.

Looking back on the riots in Detroit, Newark and elsewhere during the summer of 1967, the Kerner Commission found the roots of violence in white racism and frustrated hopes. One reason the ghettos exploded, the Commission found, was that blacks had lost hope of effectively "moving the system" through legal and nonviolent means.

Richmond has long been frightened and tense. In 1966, a minor fight between black and white students at Richmond High School escalated into rumors of murder and stabbings and brought the entire city to the brink of a riot. Now, more than ever, the community is a tinderbox.

"The schools mirror the community in which they exist," Dr. Widel said last winter. "If the schools collapse, the community collapses along with the schools."

THE DARKNESS OF ABSOLUTISM: THE ARMY, THE ACLU, AND CHARACTER GUIDANCE

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BRAY. Mr. Speaker, on March 24, 1969, I announced to the House that, under pressure from the American Civil Liberties Union, the Department of the Army had agreed to "eliminate passages with religious connotations" from manuals used by chaplains for troop character guidance courses. The phrase quoted is the Army's. I wish to make it absolutely clear that the Army's acquiescence was not, as some reports have it, connected merely with making sure there would be no compulsory preaching to the troops of any particular faith. Again, to quote from the Army's letter to the American Civil Liberties Union, the Army promised revisions would be made to make sure the program would be "wholly secular in its approach to training our personnel." Again, to call attention to the word "secular," defined by Webster's New World Dictionary, college edition, as "of or belonging to the world and worldly things, as distinguished from the church and religious affairs."

In other words, a program dealing with ethics, conduct, relation of man to his fellow man, morality, conscience, and uprightness of human character, was to be carried out with a "wholly secular" approach—completely devoid of all religious aspects. This assignment, I daresay, would produce some very interesting results; I cannot imagine how the courses would be phrased. I would like to cite a recent statement by Dr. Will Herberg, graduate professor of philosophy and culture at Drew University, in New Jersey. Writing on the seeming breakdown in morality, and the overall decline in moral standards, Dr. Herberg said:

> No human ethic is possible that is not itself grounded in a higher law and a higher reality beyond human manipulation or control. . . . for it is the humanity of man that is at stake. And the humanity of man—our wisdom and our suffering ought to have taught us—is ultimately grounded in that which is above and beyond man.
>
> To realize this profound truth is to realize the full depth and measure of the moral crisis of our time.

James Reston, writing in the New York Times, April 2, 1969; his column for that day dealt with the reverent public response to General Eisenhower's funeral services, and was titled "Faith to Our Fathers, Living Still?":

> For believers and unbelievers alike, some facts are plain. The political life and spirit of this country were based on religious convictions. America's view of the individual was grounded on the principle, clearly expressed by the Founding Fathers, that man was a symbol of his Creator, and therefore possessed certain inalienable rights which no temporal authority had the right to violate.
>
> That this conviction helped shape our laws and sustained American men and women in their struggle to discipline themselves and conquer a continent even the most atheistic historian would defend. And this raises a question which cannot be avoided: If religion was so important in the building of the Republic, how could it be irrelevant to the maintenance of the Republic? And if it is irrelevant for the unbelievers, what will they put in its place?
>
> "The liberties we talk about defending today," Walter Lippmann wrote in 1938, "were established by men who took their conception of man from the great central religious tradition of Western civilization, and the liberties we inherit can almost certainly not survive the abandonment of that tradition . . .

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> "The decay of decency in the modern age, the rebellion against law and good faith, the treatment of human beings as things, as mere instruments of power and ambition, is without a doubt the consequence of the decay of the belief in man as something more than an animal animated by highly conditioned reflexes and chemical reactions. For unless man is something more than that, he has no rights that anyone is bound to respect, and there are no limitations upon his conduct which he is bound to obey. This is the forgotten foundation of democracy."
>
> What the Eisenhower services suggested, may be ever so vaguely to some and ever so strongly to others, is that the religious foundation of our common life—no matter how much we divide over creeds and sects and their relation to the state—is not "forgotten." It may be ignored or challenged or defied, but it is not lost. We may not believe, but we believe in believing, and the reaction to the old soldier's death dramatized the point.

It is worth noting here that another branch of the Federal Government has a completely different view of the worth of "passages with religious connotations." Postmaster General Winton M. Blount announced in late February that he had ordered revision of the Apollo 8 commemorative stamp, to be issued on May 5 of this year, to include the words "In the beginning God," the first four words of the Bible. The Apollo 8 astronauts had read the first 10 verses of the first chapter of the Book of Genesis during the historic flight orbiting the moon last December; this noble and moving gesture thrilled the world, and the Postmaster General stated it seemed eminently appropriate to put this phrase on the commemorative stamp.

I do not know if the ACLU has formally protested this to the Postmaster General or not; it is certainly "compulsory religion" in that anyone seeing the stamp is involuntarily exposed to the phrase. But I am quite certain that anyone protesting to the Postmaster General would get pretty short shrift.

I was joined in my original protest to the Department of the Army by many of my colleagues. According to several reports, when the news broke around the country, it provoked the heaviest flood of mail so far for the first session of the 91st Congress. I myself received hundreds of letters and wires, as well as phone calls. The overwhelming majority supported my stand but of course there were some who did not.

One letter in particular bears quoting here, in part. I want my colleagues, as well as my constituents and the rest of my fellow Americans, to get absolutely clear beyond the shadow of a doubt just what a certain supercilious minority of the so-called "intelligentsia" really thinks of them, and of their beliefs. This letter came, I might add, from a college professor. Parts of it follow:

> The paper says that God is being dropped from Army indoctrination materials. I say it's high time . . . You, of course, 'cannot remotely understand what anyone finds offensive in this concept (of the Creator).' I wonder if you are also one of those who can't understand why anyone would object to prayers in the public schools? I suspect that you *do* understand (underscoring in original letter), at least remotely, what the opposition is about, but that you just want it clearly understood that you are on God's side.
>
> You are further quoted as follows: 'The term Creator means many things to many people, and all but a very tiny minority, no matter what their faith, do acknowledge a "Creator" in some form.' There is a good deal of truth in what you say. The average Hoosier, like the average citizen of most any other state, is, by definition, a superstitious lunkhead who still believes in, or at least pays lip service to a belief in, gods and a future life. . . .
>
> . . . If it is only a minority that rejects the concept of a Creator, that merely proves that only a minority has ever learned to think critically. . . .
>
> . . . In any case, your words will be treasured by the yokels whom you represent. I don't mean by this that your words were uttered merely to curry favor with your constituents, that you are not sincere in your belief. The case is rather, I take it, that Congressmen are not necessarily any brighter than their constituents, and maybe that's the way it must be in a democracy. . . .
>
> Congressmen are presumably like the majority of their constituents; they'd rather stick with their time-honored comfortable superstitions than run the risk of having to change their minds by learning something new.

The answer to such a diatribe as this one was written long ago, by The Psalmist, and he repeated it twice—Psalms XIV, 1 and LIII, 1—for emphasis:

> The fool hath said in his heart, There is no God.

THE ANARCHY OF ABSOLUTISM

Thomas Jefferson wrote in a letter to a friend:

> The practice of morality being necessary for the well-being of society, the Creator has taken care to impress its precepts so indelibly on our hearts that they shall not be affected by the subtleties of our brain.

Subtleties of our brain can often lead into time-wasting and very unproductive hair-splitting in what seems to be the never-ending search for the absolute answer and solution to various questions. I recall a small fable concerning this absolutist approach:

> In the land of Absolute, where everyone and everything is perfect, there is no light at night.
>
> The annals of the Absolutians record that they once discovered the electric light, but as is known, the perfect electric light burns in a perfect vacuum.
>
> Absolute is in the dark.

I first saw this quoted in a speech by the then dean of the Harvard Law School, Erwin N. Griswold, which was delivered at the University of Utah in 1963. Dean Griswold had entitled his speech "Absolute Is in the Dark—a Discussion of the Approach of the Supreme Court to Constitutional Questions" and the balance of his remarks were devoted to the most literate and devastating dissent ever delivered to the Court's decision of 1962, Engel against Vitale, the New York school prayer case.

The original text of the letter from the American Civil Liberties Union addressed to then Under Secretary of the Army, David E. McGiffert, dated April 15, 1968, will be found, along with other documents pertaining to this matter, at the end of my remarks. As will be noted, the ACLU not only adopts this "absolutist" approach but also to my mind becomes insufferably arrogant in its taking certain Supreme Court decisions, extending them into areas not even touched by the decisions themselves, affirming their—the ACLU's—correctness of reasoning, then quite literally telling the U.S. Army how to run its internal operations.

For example, from the letter:

> Supreme Court decisions interpreting both the Establishment and Free Exercise Clauses of the First Amendment clearly proscribe programs of this kind.
>
> More specifically, decisions such as Engle v. Vitale 370 U.S. 421 (1962), and Abington Township v. Schempp, 374 U.S. 203 (1963) make it quite clear that the Character Guidance Program is a prohibited establishment of religion.

and the final, concluding paragraph:

> In light of the demonstrated invalidity of the Character Guidance Program, as it now operates, we urge that prompt action be undertaken by the Department of the Army to review Army Regulation No. 600–30 with an eye toward eliminating the program or recasting it so as to conform with constitutional requirements, if, indeed, such a recasting is possible. During the period of any such review, operation of the program should be suspended, or at the very least, participation therein should be made voluntary, so that further violation of individual rights may be avoided.

"Clearly proscribe, make it quite clear, demonstrated invalidity," the height of intellectual arrogance and presumption. The law is my profession; I have been a member of the bar for many years; I was always under the assumption that our judiciary system contained ample and adequate provisions and mechanics for application and subsequent enforcement of Supreme Court rulings. I was also under the assumption that the Supreme Court did not need an outside, nonlegal organization to extend and interpret its original decisions. I was under the assumption that the ACLU, was aware of this; I was under the assumption that most specifically the legal offices of the Department of the Army were aware of it.

I did not think that the decisions of our courts were open to interpretation, extension, and latent attempts at application and enforcement—such interpretation, extension, application, and enforcement then to be considered binding—by a private, nongovernmental body. But that is exactly what happened and it seems I was wrong in assuming what I did. The parallel to this would be for any private citizen or group of citizens to approach a State government, assert that because the Supreme Court struck down residence requirements for welfare—which they did just last week—therefore residence requirements for voting were also null and void, and tell the State it had to repeal them. And, the State would go along with it.

There are ugly implications in the ACLU arrogating to itself this quasi-judicial, quasi-law enforcement role, and there are equally ugly implications in the Army's taking its constitutional law interpretations from such a group. Perhaps most offensive, in the sense of pure offense to the entire precepts of law upon which our Republic is based, is the sheer hypocrisy of the ACLU's letter: dripping with constitutional citations, yet patently and openly, in tone and intent, deliberately circumventing that same Constitution so piously invoked.

Are the courts, in the eyes of the ACLU, only for us lesser mortals? Just what is "civil liberties" in ACLU's name supposed to mean?

Dean Griswold, in the address referred to, spoke of the Supreme Court engaging in "a species of absolutism in its reasoning, which is more likely to lead us into darkness than to light." In 1963, the Court ruled against Bible reading in public schools in Abington Township against Schempp, a case cited in the ACLU's letter. Justices Goldberg and Harlan, in their dissent to the majority decision, spoke of the Court's concept of absolute neutrality in matters of religion, and warned it could lead to results "which partake not simply of that noninterference and noninvolvement with the religious which the Constitution commands; but of a brooding and pervasive devotion to the secular and passive or even active hostility to the religious."

They were more prophetic than they knew. There is, in truth, already abroad in the land, a "brooding and pervasive devotion to the secular and passive" and it is running quite close to the actively hostile that to date has been found only under totalitarian Communist governments. A front-page editorial in the Russian magazine Soviet Russia, on March 21, 1969—just 3 days before I told the House of the ACLU's action with regards to chaplain manuals and character guidance courses—denounced celebration of religious holidays and rites, and baptism of children. Said the article:

> Such acts are incompatible with the high title of a Communist.

And it concluded with this paragraph—the entire article is attached at the end of my remarks.

> The struggle against the religious vestiges of the past demands lively action from all communists. Party organizations are obliged to strictly control the observation of the CPSU statutes by party members. The CPSU demands that there be no compromise with any manifestations of bourgeois ideology and religious prejudices. Every communist is a militant atheist!

ARMY'S ATTITUDE THAT RELIGION DOES NOT BELONG IN CHARACTER GUIDANCE COURSES WRONG: RECENT EXAMPLES SHOW OTHERWISE

The Army has two recent examples to follow as to the part religion has played in helping military personnel stand up under highly adverse conditions, and both are in cases when the men concerned were under the greatest stress of all: captives of a brutal, savage enemy who would do anything to break them down.

Army Special Forces Maj. James N. Rowe, of McAllen, Tex., recently escaped from the Vietcong after 5 long years in captivity. Describing his experiences he said his captors "work on depression. They make you as depressed as possible." He cited one time when he was particularly despondent, and the Vietcong "thought they had me on the ropes." But Major Rowe prayed and found sudden release from tension. When his Vietcong interrogator returned, he found Rowe whistling and, as Rowe stated it, surprised the interrogator so much "that I did not see him for 3 weeks."

Speaking of his 5 years, during which time he was held prisoner in the U Minh Forest, a swampy Vietcong stronghold in the Mekong Delta, Major Rowe said:

> I came face to face with the fact that there is a Supreme Being. There are times when you have no place to turn except to God.

I would also refer the Department of the Army to testimony given the Navy's board of inquiry into the *Pueblo* affair. The crew told the board that their North Korean guards and interrogators constantly taunted them about believing in their country, and in having religious faith. A statement by Communications Technician James R. Kell was particularly interesting:

> They tried to tell us that God didn't exist, that they shot Him down with a missile. But any reference to God made them very uneasy, as if they didn't believe in Him but couldn't deny Him, either.

And that of 20-year-old Storekeeper 3c. Ramon Rosales, who told the board that his faith in God had helped him survive the North Koreans' kicking and interrogating the *Pueblo* crew.

> We had lectures with a guy we called "Specs" on decaying American democracy and religion. He'd always get mad at me. He'd always say there was no God and I would stand up and tell him there was a God.
>
> He asked me if I saw Him. I told him I saw Him every day in the flowers and trees. I told him that God was life. He got kind of shook up.

A few minutes later, an admiral on the board asked Rosales:

> What do you think was the main thing that got you through the 11 months?

Rosales' answer was:

> I think it was my faith in God and my country and the decisions of my commanding officer.

I do not know about the ACLU, whose rights are defended by men like these, and I do not know about whoever it was in the Department of the Army who decided that "religious connotations" had no place in troop character guidance courses.

But I do know for myself. I have commanded men in battle, and I would have done everything I could have done to get any one of these three under my command, as an example to the others, and to have them by my side when the going got tough.

And I would have had them help give the character guidance lectures, too.

WE ARE A RELIGIOUS PEOPLE

In the case of Zorach against Clauson, the New York Court of Appeals handed down a decision on July 11, 1951, sustaining the "released time" program in public schools for religious instruction. On appeal the U.S. Supreme Court upheld the decision, 6 to 3. I quote from Mr. Justice Douglas, speaking for the majority:

> We are a religious people whose institutions presuppose a Supreme Being. . . . We make room for as wide a variety of beliefs and creeds as the spiritual needs of man deem necessary. We sponsor an attitude on the part of government that shows no partiality to any one group and that lets each flourish according to the zeal of its adherents and the appeal of its dogma. When the state encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For it then respects the religious nature of our people and accommodates the public service to their spiritual needs. To hold that it may not would be to find in the Constitution a requirement that the government show a callous indifference to religious groups. That would be preferring those who believe in no religion over those who do not believe . . . we find no constitutional requirement which makes it necessary for government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influence.

The Court here spoke of "the best of our traditions"—which began with, probably, the Mayflower compact on November 11, 1620, whose first words are "In the name of God, Amen." The conclusion to the Declaration of Independence says:

> And for the support of this Declaration, with a firm Reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

The preamble to every State constitution carries a statement regarding the faith in God of the people of their State. This faith is shown in inscriptions in the Chamber of the U.S. House of Representatives; in the Capitol Prayer Room; in our national motto; in the Supreme Court Building, where each session begins with the words, in the form of a prayer delivered by the Marshal of the Court: "God save the United States and this honorable Court"; in the White House, the Library of Congress, the Lincoln Memorial and on the Tomb of the Unknown Soldier at Arlington.

I wish to repeat here a statement by the Department of the Army concerning the aim of the character guidance program itself:

> To instill into all the members of the Army a sense of individual moral responsibility and moral principles that sustain the philosophy of American freedom. . ."

"The philosophy of American freedom." We speak of tradition here; a tradition eloquently described in the following words from a speech I have read:

> First, as to the long tradition. Is it not clear as a matter of historical fact that this was a Christian nation? Are the Mayflower Compact, Ann Hutchison, Cotton Mather, Johathan Edwards and William Penn, and many others, no part of our history? . . . It is perfectly true that the first amendment forbade Congress to pass any law "respecting an establishment of religion or prohibiting the free exercise thereof." These are great provisions, of great sweep and basic importance. But to say that they require that all trace of religion be kept out of any sort of public activity is sheer invention. Our history is full of these traces: Chaplains in Congress and in the Armed Forces, chapels in prisons, "In God We Trust" on our money, to mention only a few. . . . This is a Christian country, in origin, history, tradition and culture. It was out of Christian doctrine and ethics, I think it can be said, that it devloped its notion of toleration.

Before the Department of the Army made its ill-advised agreement to change "all the materials in question to eliminate passages with religious connotations" they should have not only read the statement but also consulted the man who wrote it, and gave it as a speech.

He would have been very easy to find, as his office is just across the river from the Pentagon. He delivered this speech in February 1963, when he gave the

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William H. Leary Lecture at the University of Utah Law School, and he spoke in his capacity at that time as dean of the Harvard Law School.

And since October 1967, Dean Erwin N. Griswold has held, in the Department of Justice, the post of Solicitor General of the United States.

I would suggest the Department of the Army, in the future, take its legal interpretations and rulings from duly appointed and qualified Federal Government legal officials and authorities—and I do hope they consult Solicitor General Griswold—rather than being in such a hurry to do the bidding of the ACLU.

On March 28, 1969, 4 days after my initial remarks on this matter, Secretary of Defense Melvin R. Laird ordered a high-level review. The General Counsel of the Department of the Army told me that orders removing "passages with religious connotations" would be held up until the review was completed.

On April 3, 1969, the Secretary of Defense released a formal statement. My original protest had been on the action of removing these "passages with religious connotations," and as to this, the Secretary said:

> With regard to the Character Guidance Programs within the Military Departments I want to state that there will be no prohibition against the use of "God," "Supreme Being," "Creator," "faith," "spiritual values," or similar words. References to these terms are appropriate for inclusion in the Character Guidance Program.

The review ordered by Secretary Laird has not yet been completed. I am hopeful that those charged with the responsibility for reevaluating this entire matter cannot be ignored, and which I have will bear in mind some salient facts that tried to illustrate in my preceding remarks.

We all realize that misapplication and misinterpretation of terms such as "faith," "religion," or "spiritual values" can do great harm. However, deeply ingrained in our religious spirit, "the best of our traditions," is also a firm belief in and commitment to tolerance, which serves as an effective counterbalance to the overeager and the less tolerant.

At the end of my remarks I include some pertinent documents which I am sure will be of great interest to all who have followed this matter. They are the original ACLU letter to the Department of the Army, of April 15, 1968; my statement of March 24, 1969; a Department of the Defense press release of March 28, 1969; an article from the New York Times of March 29, 1969; a Department of Defense press release of April 3, 1969; and the article from the Russian magazine Soviet Russia, of March 21, 1969.

The greatest danger to our Republic, by far, comes from what Justices Harlan and Goldberg warned us about in 1963: this "brooding and pervasive devotion to the secular and passive" that can lead to "even active hostility to the religious." Our religious faith, heritage and tradition threatens no one. Indeed, it is our main bulwark against that darkness of absolutism that at times threatens to engulf us all.

The material follows:

American Civil Liberties Union,
Washington, D.C., April 15, 1969.
Hon. David E. McGiffert,
Under Secretary of the Army,
Department of the Army,
The Pentagon.

Dear Dave: It has come to our attention that all U.S. Army personnel are required to participate in a "Character Guidance Program," pursuant to Army Regulation No. 600–30. While we recognize the legitimacy of the Army's interest in the conduct of its personnel, it is our view that the program as currently conceived and conducted raises problems under the First Amendment to the Constitution of such a substantial nature as to make its continuation highly improper.

The Regulation governing this program states that its aim is "to strengthen in the individual those basic moral, spiritual and historical truths which motivate the patriot and which undergird the Code of Conduct." Although the program is said to be a command responsibility, it is specifically provided that "the chaplain normally will be the instructor for all Character Training," and that "training materials related to the objectives, and especially the moral aspects, of the Character Guidance Program will be prepared by the Chief of Chaplains." All personnel are required to receive Character Guidance instruction in amounts which vary with their enlisted or officer status and grade level. Our objection is not to the concept of a character guidance program as such, but to the religious flavor of that program as reported to us, and to the control and implementation of that program by the Corps of Chaplaincy.

Supreme Court decisions interpreting both the Establishment and Free Exercise Clauses of the First Amendment clearly proscribe programs of this kind. Moral and spiritual truths are matters about which men may greatly differ. A pluralistic society encourages and protects these differences and a free society allows all individuals to choose for themselves the religious views to which they will be exposed as well as those to which they will adhere. It is no part of the business of the government to interfere with or influence that choice. As the Court pointed out in *West Virginia State Board of Education* v. *Barnette,* 319 U.S. 624 (1943), ". . . no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion."

More specifically, decisions such as *Engle* v. *Vitale,* 370 U.S. 421 (1962), and *Abington Township* v. *Schempp,* 374 U.S. 203 (1963) make it quite clear that the Character Guidance Program is a prohibited establishment of religion. Essentially it is a program under which Army personnel are compelled to attend lectures conducted by ordained ministers, dealing with subjects traditionally within the scope of the religious functions of such ministers. We are told that religious references and the use of Biblical texts as a part of these lectures is frequent. Even absent these sectarian materials or references, however, it is difficult to conceive of a program conducted by ordained ministers as embracing the aim of strengthening "moral and spiritual truth" which can be other than religious in nature. The *Schempp* case in which the daily reading, without comment, of Biblical verses in the public schools was forbidden, makes it plain that state sponsored activities of a religious nature are proscribed even absent the compulsory participation which is present in the Character Guidance Program.

A proper secular purpose underlying the Army Regulation would not vitiate the impropriety of the program. In one of the cases involved in the *Schempp* decision, the State's purposes, which were "the promotion of moral values, the contradiction to the materialistic trends of our times, the perpetuation of our institutions, and the teaching of literature," were not questioned. Nevertheless, Justice Brennan in his concurring opinion said, ". . . the State acts unconstitutionally if it . . . uses religious means to serve secular ends where secular means would suffice." Furthermore, even if the Army could be said to have a greater concern with the character of its members than the government ordinarily has with individual character, it would be insufficient justification for so significant an infringement upon First Amendment freedoms. "The war power does not remove constitutional limitations safeguarding essential liberties." *Home Building & Loan Assn.* v. *Blaisdell,* 290 U.S. 398; *United States* v. *Robel,* 389 U.S. 258 (1967).

In light of the demonstrated invalidity of the Character Guidance Program, as it now operates, we urge that prompt action be undertaken by the Department of the Army to review Army Regulation No. 600–30 with an eye toward eliminating the program or recasting it so as to conform with constitutional requirements, if, indeed, such a recasting is possible. During the period of any such review, operation of the program should be suspended, or at the very least, participation therein should be made voluntary, so that further violation of individual rights may be avoided.

Sincerely yours,
Lawrence Speiser,
Director, Washington Office.

Just Who Runs the Office of the Chief of Chaplains?

(Speech delivered by William G. Bray in the House of Representatives, Monday, Mar. 24, 1969)

Mr. Speaker, at the time of the U.S. Supreme Court's school prayer decision, the point was made that one of several possible logical extensions of such a ruling would be banning or at the very least sharply restricting activities of Armed Forces chaplains.

The Supreme Court has not moved in this direction but a private, non-governmental organization has. It has come to my attention that the American Civil Liberties Union, finding fault with certain phrases in instruction manuals for the military's Character Guidance Program, has pressured the Pentagon to make the manuals conform to what the ACLU deems fitting and proper.

The Character Guidance Program, for all enlisted military personnel, is customarily conducted by chaplains who use material prepared by the Office of the Chief of Chaplains. Materials issued to those who conduct the course states, in part, that aim of the program is "to instill into all the members of the Army a sense of individual moral responsibility and moral principles that sustain the philosophy of American freedom. . . . That philosophy regards man as a creature of God. As such, every soldier is responsible and accountable to his Creator for the way he performs his civic and military duty. . . ."

I cannot remotely understand what anyone finds offensive in this concept. The term "Creator" means many things to many people, and all but a very tiny minority, no matter what their faith, do acknowledge a "Creator" in some form. And, I might add, I was also under the impression that practically everyone, believer or atheist, admitted existence of individual moral responsibility in varying degrees.

I understand the ACLU's original complaint was made about a year ago, and that recently the ACLU has been assured by the Pentagon that "we are revising all the materials in question to eliminate passages with religious connotations."

It should be noted here that Postmaster-General Winton M. Blount takes a somewhat different view about the worth of "passages with religious connotations." It was announced in late February that he had ordered revision of the Apollo 8 commemorative stamp to include the words "In the beginning God . . ." which were spoken by Lieutenant-Colonel William A. Anders when he read from the Book of Genesis during the historic flight orbiting the moon. The Postmaster-General stated that it seemed eminently appropriate that this introductory phrase should appear on the stamp that commemorates one of the most significant and dramatic events of our time.

I imagine the ACLU will protest this, as well, but the ACLU is not the Supreme Court. Furthermore, I do not think the ACLU or any other organization, for that matter, is especially qualified to arbitrarily prescribe what goes into military troop guidance courses. It seems this incident is a prime example of outright minority dictation, and if the ACLU can do it today, another organization can do it somewhere else tomorrow.

I am making an official request for an explanation of this incident. Aside from the fact that I see no reason for the Office of the Chief of Chaplains to knuckle under to what seems is little more than unjustified meddling on the part of the ACLU, I believe it set an extremely poor precedent and I would like to know just what factors were taken into consideration in the Pentagon's eventual decision.

News Release From Office of Assistant Secretary of Defense for Public Affairs

Secretary of Defense Melvin R. Laird today issued the following statement:

"I have just learned that certain preliminary actions were taken late last year by the Army to revise its character guidance program. I have determined that since this is a matter which affects all the Services, it should be reviewed by the Assistant Secretary of Defense (Manpower and Reserve Affairs) and the General Counsel of the Department of Defense.

"As Secretary of Defense I will insure that this Department abides by the law at all times. At the same time, I wish to emphasize that our commanders have a special obligation to present an inspiring program of character guidance to members of the Armed Forces, particularly to the thousands of young men and women who enter the Service each year."

[From the New York Times, Mar. 29, 1969]

Pentagon Curbs Religious Talks—Congressional Anger Then Prompts Review by Laird

WASHINGTON, March 28.—Secretary of Defense Melvin R. Laird ordered today a high-level Pentagon review of Army plans to eliminate references to God and religious philosophy in character guidance courses that are given to soldiers.

The new Army policy, drawn up after a complaint last year by the American Civil Liberties Union, angered some members of Congress.

The liberties union contended that the mandatory lectures, which are intended to instill a sense of moral responsibility in soldiers, were being used as religious indoctrination.

Mr. Laird issued a statement today saying that he had just learned about the Army's planned revisions in the character guidance program and that he wanted the matter examined more clearly.

He assigned the Assistant Secretary of Defense for Manpower, Roger T. Kelley, and the Pentagon's general counsel to review the situation "since this is a matter which affects all the services."

"As Secretary of Defense I will insure that this department abides by the law at all times," Mr. Laird declared.

"At the same time, I wish to emphasize that our commanders have a special obligation to present an inspiring program of character guidance to members of the armed forces, particularly to the thousands of young men and women who enter the service each year."

An Army spokesman said that orders to chaplains to stop referring to God and religious philosophy in the lectures had not yet been sent out and that the new policy would not be implemented until the Pentagon review was completed.

The Navy and Air Force were also said to be considering similar steps when Mr. Laird acted.

OBJECTED TO PASSAGE

The liberties union objected to several passages in character guidance training manuals, including one that told members of the Women's Army Corps that they should do their jobs well, "not for reward . . . but simply because it is obviously the will of God."

The character guidance manual, in use by the Army for many years, states:

"Every soldier is responsible and accountable to his Creator for the way he performs his civic and military duty, for the maintaining of his own and his nation's honor, and for the quality of service he renders to his country as a soldier."

"I cannot remotely understand what anyone finds offensive in this concept," said Republican William G. Bray, of Indiana. "The term Creator means many things to many people, and all but a very tiny minority no matter what their faith, do acknowledge a 'Creator' in some form."

An Army spokesman said that the basic objectives of the program remained unchanged. He said that the main consideration in ordering the change was a soldier's constitutional rights of freedom of religion.

"It was not believed proper to have soldiers attending mandatory classes with religious overtones," he said. "Soldiers, as always, are fully encouraged to attend religious services of their respective faiths."

The Army explained that, while the character guidance courses were usually prepared and given by chaplains, the program was directed by the Army's personnel division.

Four hours of the subject are required in basic training and one hour is given each month to all soldiers.

The Army decision drew strong support from a number of the nation's religious leaders.

One of them, saying that the order conformed with the basic American doctrine separating church and state, saw it, as sparking "another confrontation on the nature of democracy."

Other spokesmen, however, saw the order as a further attempt to take God out of American life.

"I am obviously not for a godless military force for our country," said the Rev. Dr. Sterling W. Brown, president of the National Council of Christians and Jews. "I do, however, support this decision, which I believe is in conformity with the basic American doctrine of separating definite efforts to promote a particular religion from all areas of national government."

UNFORTUNATE TREND SEEN

Dr. James Nash, a Methodist minister who is director of social relations for the Massachusetts Council of Churches, said, "I think there has been an unfortunate tendency to associate the deity with acts of government. To my mind, this is a valuable effort to prevent this kind of propaganda."

"I'm not really too surprised," said the Rev. Charles Allen, associate pastor of the Second Ponce de Leon Baptist Church in Atlanta, Ga. "Again, this is another stab at the heart of America to take the name of God out of everything we hold dear."

Roman Catholic Archbishop Thomas A. Donnellan of Atlanta said that he was not familiar with chaplains' procedures, but added, "As a clergyman, I don't know how you could lecture about character guidance and moral responsibility without responsibility to God."

News Release From Office of Assistant Secretary of Defense for Public Affairs

Secretary of Defense Melvin R. Laird today made the following statement:

"Certain misunderstandings have arisen regarding the Department of the Army's actions taken last year with respect to its Character Guidance Program. I believe it is appropriate and important to clarify this matter and to report the preliminary results of a study which I ordered when I learned of the previous actions.

"The Army in December 1968, made certain changes in its Character Guidance Program in order to clarify its purpose. The purpose of the Character Guidance Program in the Army, and comparable programs in the Navy, Air Force and Marine Corps, is to instill and strengthen patriotism and a sense of individual moral responsibility in members of the Armed Forces. These programs are sponsored by commanders in the field and are separate and apart from the religious programs conducted by chaplains of the Military Departments.

"The actions by the Department of the Army were concerned solely with its Character Guidance Program and in no way affect or otherwise interfere with the religious programs. All military chaplains have a continuing responsibility without restriction, to conduct worship services, to provide religious instruction and counseling to interested personnel and their families and to sponsor church related activities.

"With regard to Character Guidance Programs within the Military Departments I want to state that there will be no prohibition against the use of "God," "Supreme Being," "Creator," "faith," "spiritual values" or similar words. References to these terms are appropriate for inclusion in the Character Guidance Program. However, all three Military Departments consistently have adhered to the position that espousal of religious dogmas or particular sectarian beliefs is not the purpose and has no place in the Character Guidance Program.

"The Assistant Secretary of Defense (M&RA) met yesterday with senior representatives of the Chaplain Corps and representatives of the Military Departments and the General Counsel of the Department of Defense concerning the review which I have directed be conducted. Upon its completion, recommendations will be made to me."

[From Soviet Russia, Mar. 21, 1969]

Militant Atheists

The CPSU statutes are the law for every communist. The statutes embody Lenin's organizational principles and norms of intraparty life and, define precisely the rights and obligations of members and candidate members.

Our party's members strictly observe the demands of the CPSU statutes, hold dear the title of communist, and devote all their efforts to strengthening the unity and monolithic character of the party.

Communists set an example in production and in everyday life, in their selfless service to the motherland, in the struggle to implement party policy, and in fulfilling national economic plans. They speak out vigorously against any deviations from the CPSU's general line and against opportunism and imperialist ideology. The public and labor activity of communists strengthens the might of the party, promotes a growth in the CPSU's authority, and strengthens its influence over the masses.

Unfortunately, however, there are individual members and candidate members who have a careless attitude toward their obligations and who do not fulfill all the statutes' requirements, in particular by not fighting against religious prejudices. Moreover, there are instances when communists observe religious feastdays and rites. Such acts are incompatible with the high title of communist. To use K. Marx's vivid expression, religion is the opium of the people and a reactionary force because it stupifies the masses and hampers social development.

Those party organizations are incorrect that have a compromising attitude toward those who infringe CPSU regulations, do not give the necessary appraisal, avoid these facts, and display a lack of principle. Thus, in the Liskinskiy Rayon of Voronezh Oblast there have been several instances of communists baptizing their children. Not one of these instances has been examined by the party system and none of the guilty parties has been made to answer to the party organization for his action. Indifference toward this kind of phenomenon leads to a position where what was originally a small concession to the religious has now become a departure by individual party members from a materialist world outlook.

V. I. Lenin wrote: "We must fight against religion. This is the ABC of all materialism, and consequently of Marxism. Religion is a kind of spiritual brandy in which the slaves of capital drown their human form and their demands for the dignity of human life." Lenin's demand to fight tirelessly against religion was topical not only when the Soviet state was being established. A vigorous struggle against religion is of even greater significance today, when our country has become powerful and mighty and when a third of mankind follows its example along the road of socialism. Communists always have been, are, and always will, be militant atheists.

Experience shows that greater success in antireligious work is achieved by those party organizations that combine atheistic propaganda with the introduction of new civic rites and rituals. They give a broad social character to such events in the people's lives as the birth of a child, marriage, birthdays, and others.

For example, in the Pervomayskiy District of Novosibirsk, Komsomol weddings in the palace of weddings and the solemn registration of newly born children is widely practiced. The party organization at Velsk in Arkhangelsk Oblast has displayed fine initiative. Many religious feastdays used to be observed here. Now that is all in the past. Velsk now celebrates regional holidays with song, music, and dance.

However, new socialist rites are still being introduced slowly into people's everyday life, especially in rural areas. And in a number of places no thought is given to these rites and they are uninteresting. As a result they do not become further developed. There are many cases where Soviet holidays and rites are monotonous and boring like the trite rites established long ago.

Life teaches us that the new is born out of a sharp struggle with the old. Accordingly, only something that seems to be better cannot replace the old. And this can be achieved only when there is a creative approach and use is made of the best things that have been accumulated over the years of Soviet power, and when habits and customs that do not stand up to our ideals are rooted out more decisively.

The old habits and traditions that have grown up over the centuries are extraordinarily persistent and vital and they can be exercised only as the result of a stubborn struggle and their gradual replacement with new forms that would satisfy socialist social relationships and communist morals.

Many party organizations have gleaned a great deal of experience in antireligious activity. In particular, in Moscow and Lininngrad the registration of births and marriages has for a long time been conducted in a solemn atmosphere in the presence of representatives of the public. The experience of the Muscovites and the people of Leningrad deserves support and dissemination everywhere.

In atheistic work there is unlimited scope for activity by propagandists, agitators, and political information workers who should daily explain the harm of religion and make wider use of the achievements of the natural sciences. Here it is opportune to give lectures and hold debates on atheistic themes, show popular scientific movies, conduct individual work among the local inhabitants, and carry out various other forms of antireligious propaganda.

The struggle against the religious vestiges of the past demands lively action from all communists. Party organizations are obliged to strictly control the observation of the CPSU statutes by party members. The CPSU demands that there be no compromise with any manifestations of bourgeois ideology and religious prejudices. Every communist is a militant atheist!

THE ROTC PROGRAM

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. LIPSCOMB. Mr. Speaker, our ROTC represents a vital element in our country's continuing efforts to provide adequately for our national security.

Recent demonstrations on college campuses have directed attention to the ROTC program and as a result people are interested in knowing more about the program and how well it is doing, whether the demonstrations are having a detrimental effect on ROTC, and what the future of the ROTC program might be.

Secretary of Defense Laird on April 29 issued a statement on the ROTC which answers many of the inquiries people have expressed about ROTC and concerns they have felt about its future.

It is encouraging to say that according to the statement by the Secretary of Defense the ROTC program is fully supported as an essential element to our total national security effort. Furthermore, it is to be strengthened, not downgraded.

Under leave to extend my remarks, I submit Secretary Laird's statement on ROTC for inclusion in the RECORD:

SECRETARY LAIRD STATEMENT ON ROTC, APRIL 29, 1969

I believe it is particularly important at this time for the American public to understand the viewpoint of the Department of Defense toward Reserve Officer Training Corps (ROTC) activities at more than 350 colleges and universities throughout the United States.

The nation has a need to structure our officer corps so that it represents a broad blend from various sources, including the Service Academies, ROTC programs, college graduate Officer Training Schools, and men and women commissioned from enlisted ranks. We can, thereby, not only make leadership opportunities available to a significant percentage of our youth but also provide added assurance for sound, responsible, and representative military leadership in the future.

As a part of this broad base, the ROTC system has proven of great value to our nation. The ROTC program combines the outstanding resources and sound traditions of our colleges and universities with those of the military services. This vital interplay of civilian university and military training is the essence of the ROTC program.

The total ROTC enrollment at schools where recent demonstrations have occurred represent a very small portion of the approximately 200,000 young men now enrolled in ROTC. Last year we had more than 21,000 ROTC graduates, the highest in our history. I am also advised that the quality of those graduates was better than ever before.

We believe the ROTC programs are better than ever before. Just as the civilian schools continually adjust curriculum and teaching methods to improve the quality and scope of education, so do we in the Department of Defense make similar adjustments in the ROTC program. We have worked with, and hope to continue working with, all schools affiliated with the ROTC to insure the best possible education for our officer corps.

In recent weeks there have been demonstrations on college campuses, caused in part by opposition to ROTC. Such issues as curriculum content, teaching methods, and faculty status we can address and resolve jointly with the schools involved. The issues on those few campuses where opposition to ROTC has been manifested go further, however. Those schools are threatened by denial of the opportunity to provide a portion of our future national leadership. The nation, and the Military Services, would suffer a loss if any part of the civilian academic community declined that opportunity.

At my direction Assistant Secretary of Defense (M&RA) Roger T. Kelley has been holding meetings with academic leaders. These meetings have resulted in an information exchange of views.

The Department of Defense continues to believe that ROTC is an important element of our total national security effort. We want to see its value, both to students and to the nation, strengthened. We are prepared to consider changes which would improve this program at individual schools. We are not prepared to see the ROTC program degraded in any way.

I am confident that the Administration, faculty and students of the vast majority of our colleges and universities where ROTC is conducted share this viewpoint.

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